

## ALLOCATION OF FUNDING FOR SWIMMING POOL AT OXNARD UNION HIGH SCHOOL

### INTRODUCTION

The 1996/97 Ventura County Grand Jury, pursuant to a citizen's complaint, investigated an alleged misallocation by the Oxnard Union High School District (District) of \$650,00 which was earmarked for construction of a swimming pool at the new high school.

### COMPLAINT

The complainant claims the following:

- On January 25, 1995, there was \$650,000 available from various funds to start building a swimming pool at the new Oxnard High School. On March 22, 1995, high school officials stated there were no funds available because the resale of surplus lemon grove acreage by the high school back to the original owner was voted down by the Ventura County Board of Supervisors. This was not consistent with the availability of funds in January 1995. The availability of funds was not related to the resale of the excess land.
- Maintenance of the pool at the old high school is not acceptable. The pool and locker rooms are dirty, and the pool heater doesn't always work. The pool is sometimes too cold for swimming. The boys are using the girls locker room and showers because of the condition of the boy's facility. The school board insists the facility is regularly maintained and is clean.

### INQUIRY

In our inquiry we visited the complainant at his place of business to discuss his impressions from school board meetings and discussions with other private citizens concerning the construction of the Oxnard High School swimming pool. We also obtained information about private funds being established to help finance the pool. We visited the District office and met with the Superintendent and School Board members. We reviewed minutes of School Board meetings and listened to audio tapes of the Ventura County Board of Supervisors meeting when the District requested permission to sell the surplus property.

The state of California, in the late 1980's, budgeted money to build a new Oxnard High School. State funds only provided for the above-ground buildings. It did not include land purchase, site preparation, or outside sport facilities. In 1989, when the new high school was in the planning stages, the Board of Trustees stated it would include all features of the present school, including the swimming pool. At that time it was estimated that replacing the existing pool would cost \$650,000. No money was specifically allocated for the swimming pool.

The location of the new school was subjected to many inputs from other government agencies. The Board finally purchased by eminent domain an eighty acre parcel zoned for agricultural use. This plot was larger than required for the new

school. Realizing the possibility of excess land the School Board included in the sales contract a provision that required the seller to repurchase the excess, 27 acres, no later than December 31, 1994, at the original price of \$79,000 per acre.

In 1994 the School Board filed an application requesting the County Planning Commission approve the sale of the unneeded land back to the seller in accordance with the original purchase agreement. This required a variance to the agricultural zoning requirement for a minimum parcel of 40 acres. That request was denied by the Planning Commission and that denial was sustained by the Board of Supervisors in December 1994. The sale of the excess land would have provided \$2.1M and was more than sufficient to build the swimming pool. In the words of one Oxnard official, "Had we been able to resell the land back to the original owner the Oxnard High School would have a pool now".

The complainant represented a group of responsible citizens who were concerned about the popular aquatics program at Oxnard High School. They participated in public and private discussions with the Superintendent and School Board members. During those meetings it was alleged that it was expressly stated or implied that funds were allocated for the express purpose of building the pool. It appears that during those meetings words relative to funding allocation were, perhaps, imprecisely stated and misinterpreted by the listeners. Based on our findings no funds were ever allocated for exclusive application to a new pool. It does appear the School Board did intend to complete the new high school campus with a new pool at the appropriate time.

Using a portion of Developer Fees Collections the District has established a five year funding plan for the new pool beginning with the 1993/94 fiscal year. It should be noted that this funding is contingent on there being no overriding emergency requirement. At the close of the 1995/96 fiscal year the fund contained \$604,000. It is estimated that will increase to \$1,207,000 at the end of the 1996/97 fiscal year, and be \$1,932,000 at the end of the 1997/98 fiscal year. If the current estimates hold, the bidding process could begin during the 1997/98 fiscal year.

Currently there are two private citizen accounts being held for pool construction as well as an individual pledge of \$150,000 contingent on the School Board's action. These accounts are identified as follows:

- A. \$1039.50 from the District account called the Special Reserve which is exclusively for swimming pool construction. This was set up in August 1995 in accordance with a resolution of the School Board.
- B. \$12,000 to \$15,000 from donations which are held by the Oxnard Aquatic Foundation, a private citizen group formed to promote the building of a swimming pool.

## CONCLUSIONS

- 1. The pool was not included in the original contract requirements for the new Oxnard High School.
- 2. The land purchase for the new school was a contentious issue with other government agencies. It is unfortunate that it was not possible to reconcile the desires of the District, the Planning Commission, and the Board of Supervisors.

The result is that the School has 27 acres of land it doesn't need, and the students do not have a pool. No one can be proud of that result.

3. Both sides on this issues are sincere about having a swimming pool at the new Oxnard High School.
4. The Grand Jury considered the maintenance of the old high school swimming pool a secondary issue and that part of the complaint was not addressed.

**RECOMMENDATIONS**

1. The Oxnard Union High School District should not deviate from its Five Year Plan to construct a high school swimming pool.
2. The citizen groups should continue to develop financial support to augment the Developer Fees fund, thereby making the pool facility available in the shortest possible time.

**RESPONSE REQUIRED**

None.