Santa Clara County
Committee on School District Organization
Public Hearing
February 13, 2013
4:00 p.m.
Proposed Transfer of Territory from
Oak Grove School District and East Side Union High School District
to
San Jose Unified School District

Location: Oak Grove School District
6578 Santa Teresa Blvd., San Jose

Committee Members Present: 
Albert Beltran, Jr.
Frank Biehl
Javier Gonzalez
Josephine Lucey
Eleanor Yick

County Office Staff Present
Suzanne Carrig

- Due to traffic conditions the opening of the public hearing was delayed until 4:05 p.m.
- CEQA public hearing was opened at 4:07 p.m. There were no public comments pertaining to CEQA. The CEQA hearing was closed at 4:08 p.m.
- Prior to hearing public comments, staff member Suzanne Carrig reviewed the public hearing process and the description of the transfer proposal.

Kuljeet Rai, Chief Petitioner:
Mr. Rai made the following statements:
- Mr. Rai introduced himself and stated that he would provide a brief review of his reasons for the transfer request.
- In 1987 Mr. Rai and his brother purchased a home off of Graystone Lane; nieces and nephew attended SJUSD schools, for this reason he always believed homes on Graystone Lane were within SJUSD.
- Rai Family built a home on Graystone Lane and paid construction fees to SJUSD and daughters attended school in SJUSD.
• On July 18, 2012 he received a letter stating that the property was actually within OG/ESUHSD boundaries. However, the girls would be able to attend SJUSD schools through high school.
• Currently, the only affected students in the area proposed for transfer are Mr. Rai’s two daughters.
• Homes on Graystone Lane have an official Graystone Lane address and Graystone Lane is the only legal access point in and out of the area.
• If kids attended school in OG/ESUHSD they would have to drive through SJUSD and pass their current schools to get there.
• Do not want a one-time exception through interdistrict transfers, future families would be in the same predicament.

Affected Districts

Chris Jew, Deputy Superintendent, Oak Grove School District:
Mr. Jew made the following statements:
• He visited the area proposed for transfer.
• There was an oversight made on the part of San Jose Unified regarding the boundaries and collection of development fees.
• Boundaries of the school districts have not changed; not sure how San Jose Unified made the error.
• Entrance to area has a private gate.
• There is an access road to the territory on the Oak Grove side of the hill – 222 Snell Road (pictures of the road were handed out – see attached).
• There are other options available to residents of this area where Oak Grove School District can keep the property in the district.

Jose Manzo, Superintendent, Oak Grove School District:
Mr. Manzo made the following statements:
• This is a significant part of real estate within the district and would like to preserve that.
• There is potential future development in this area.
• The area has historically been part of the Oak Grove School District
• Ridge line is on the Oak Grove side.
• Things can change and the area may be developed in the future and affect the Oak Grove School District in a significant way.
• The district and the board has an interest in keeping the area within the district.
• Amenable to interdistrict transfers in the future.
**Member Josephine Lucey:**
Asked Superintendent Manzo if Oak Grove is a basic aid district or revenue limit district. 
*Superintendent Manzo answered that the district is revenue limit.*

**Member Lucey asked** - Under the local control funding model do you expect district funding to go up or down.
*Superintendent Manzo stated that if it is put into effect, the district would expect to see a slight increase in revenue, but he stated that it’s too early to really say.*

**Member Javier Gonzalez:**
Asked what the financial impact would be to the district if these parcels were transferred.

**Suzanne Carrig, Staff to County Committee:**
Provided the current assessed valuation and tax revenue for the area proposed for transfer but stated that the district is revenue limit and that there are currently no students in the area attending Oak Grove (intradistrict transfer to SJUSD) so there would be no immediate financial impact on the district.

**Superintendent Manzo** stated that was true for now but that in the future new development could change the situation and that is what the district is focused on. **Superintendent Manzo** also explained the term “grandfathering” stating that the district would allow the current residents/homeowners to attend SJUSD but future residents/homeowners would have to attend school in Oak Grove.

There was discussion between **Committee Chair Frank Biehl** and representatives of the Oak Grove school district regarding interdistrict transfer agreement approval and whether or not such agreements could be rescinded.

**Kuljeet Rai, Petitioner:**
Mr. Rai responded to the statements made by the Oak Grove School District representatives.
- Regarding the Snell Street entrance, Mr. Rai stated that back in the 1960’s there were homes in the area – original homes to this area – and they used this gate.
- When Graystone Lane was constructed the Snell road was legally abandoned and the two homes changed their street address to Graystone Lane and that is now the legal entrance for the homes.
- Snell is a one lane road that is narrow and dangerous.
- The road has caused some issues with trespassers – some maps show it as a legal/public road but it is not.
- The post office moved the mailbox from this road due to repeated vandalism and the new mailbox location is on Graystone Lane.
• Regarding future development – the Rai’s purchased 48 acres with the intent to subdivide
the property but the property is zoned as hillside, the slope is in excess of 30 percent – so
it is unbuildable pursuant to county code.
• Scenic Vista property, which is adjacent, successfully transferred their property into
SJUSD.

Ms. Arleen Runels, Resident:
Ms. Runels made the following statements:
• Owns one of the two original properties.
• Gustavson property on Scenic Vista is contiguous with the area proposed for transfer.
• Bought home in 2002, remodeled and moved back in 2005; fees paid to SJUSD.
• There are large PG&E towers on top of the property; land there cannot be developed near
or underneath the towers. Future development will not happen; the laws on that are strict.
• Canal is an issue, it’s like a fence/geographical boundary.
• Graystone Lane is our entrance to the property.

Dale Nakashima, Resident:
• Lives in the other original house in the area.
• There were no other buildings originally and Snell Road was the only entrance; it is one
lane and it’s on a hillside which makes it very rocky and cannot be widened. Graystone
Lane is two lanes.
• Ms. Nakashima leases Snell Rd. to cowboys who bring hay to their cattle.
• All homes in the area proposed for transfer are on the crest and, geographically speaking,
homes are on the Almaden Valley side of the hill.
• Identify with Almaden Valley neighborhood – neighborhood watch, emergency contact
neighbors are all share with Almaden Valley neighbors.
• Ms. Nakashima owns 150 acres and she can’t build another home on her property.

Bill Carlson, Resident:
• Owns 25 acres and can’t build anymore on that property.
• There’s no access across the canal.
• Snell Rd. – used to be a dirt driveway; seven years ago it was paved but it is very narrow
and not practical. It is not an official county road by Graystone Lane is.
• Regarding the grandfathering issue (interdistrict transfers) – we have grandkids, where
will they go to school?
• The current boundary is arbitrary, the canal should be used as the natural geographic
border.
Claire Rai, Resident:
- Stated she has two children attending school in SJUSD on transfer.
- An interdistrict transfer can get you into the district but it does not guarantee the kids entrance into the neighborhood school.
- A boundary change would ensure the children could attend their neighborhood school.

The public hearing ended at 4:40 p.m.