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10 Attorneys for Respondents  
LOS ALTOS SCHOOL DISTRICT; BOARD OF  
11 TRUSTEES OF THE LOS ALTOS SCHOOL  
DISTRICT; and TIM JUSTUS  
12

13 SUPERIOR COURT OF THE STATE OF CALIFORNIA

14 COUNTY OF SANTA CLARA  
15

16 BULLIS CHARTER SCHOOL,

17 Petitioner,

18 v.

19 LOS ALTOS SCHOOL DISTRICT;  
20 BOARD OF TRUSTEES OF THE LOS  
ALTOS SCHOOL DISTRICT; and TIM  
21 JUSTUS, in his capacity as District  
Superintendent,

22 Respondents.  
23

Case No. 109CV 144569

**DECLARATION OF LAWRENCE SCHADT  
IN SUPPORT OF RESPONDENTS'  
OPPOSITION TO MOTION TO ENFORCE  
JUDGMENT**

Hearing Date: August 15, 2012  
Judge: Hon. Patricia Lucas  
Dept: 2  
Petition Filed: June 10, 2009

24 I, Lawrence Schadt, declare:

25 1. I am over the age of 18 years, am a licensed architect, and employed with the  
26 architectural firm of Gelfand Partners Architects. I have personal knowledge of the matters stated  
27 in this declaration and could testify to them if called as a witness.  
28

1           2.       I have been working with Los Altos School District as a client for approximately  
2 10 years, and have inspected and/or observed each of the District's school sites on numerous  
3 occasions. My firm has had the following types of documents available for each school at the  
4 District: a) Auto-CAD drawings of each school that had been prepared based on initial, hand-  
5 drawn architectural drawings of each building at each site that included measurements; b) recent  
6 construction plans for building retrofits and/or renovations for each building at each site, which  
7 also included documents submitted to the Department of State Architect ("DSA"), that were  
8 approximately 10 years old or less; and/or c) as-built school construction drawings post  
9 renovation and/or retrofit for each building at each site that were approximately 10 years old or  
10 less. Over my years of working with the District, during my inspections of sites, I noted where  
11 there were variances from prior drawings, and attempted to update the District's drawings over  
12 the years.

13           3.       In addition, my firm was asked by the District to update drawings for each school,  
14 and I subsequently helped prepare revised drawings based on the prior plans and drawings, as  
15 well as my observations, the observations of my colleague, Steve Korovesis, and the observations  
16 of the District's staff. On at least one occasion, I met with Randy Kenyon, Marlene Shafran, and  
17 Steve Korovesis to go over draft revised drawings of the District's school sites. At multiple  
18 intervals, I also provided information to Steve Korovesis as to building and/or room  
19 configurations. The last set of drawings that I helped prepare for the District's schools was dated  
20 February 24, 2012, and included drawings for each of the following schools: Almond,  
21 Covington, Gardner, Santa Rita, Springer, Blach, and Egan. The measurements and/or  
22 dimensions set forth in the drawings dated on or about February 24, 2012 for each school are  
23 consistent with my recollection of the of space at each of the schools.

24           4.       I also undertook to measure and/or calculate areas of space for each school site. I  
25 reviewed County Assessor's Maps for each of the school sites, which helped provide information  
26 regarding the total area inside the perimeter of each school site, or the "footprint" for each school  
27 site. Exhibit A sets forth the site size for Covington and Springer I calculated from the County  
28 Assessor's Map for each site. I also calculated space within the Covington footprint that was not

1 used for Covington school, but was used instead for the District offices, which are co-located  
2 within the Covington footprint. The District offices accounted for 154,256 square feet within the  
3 overall Covington footprint. The remaining area within the overall Covington footprint was  
4 allocated to the Covington School site (10.82 acres). Attached as Exhibit B is a true and correct  
5 copy of the drawing and calculations I provided to the District for Covington. I also calculated  
6 the overall site size at Springer School. After using the information reflected in the County  
7 Assessor's Map, the footprint at Springer was corrected to be 30,056 square feet smaller than  
8 previously listed.

9         5.         In addition to calculating room and/or building dimensions, as set forth above, I  
10 also calculated space and/or assisted calculating space within the footprint of each school sites  
11 that included the following subsets: blacktop, turf, tennis courts, track, child care space, outdoor  
12 stage; and kindergarten play areas.: I prepared calculations for the types of space listed, and  
13 provided them the District.

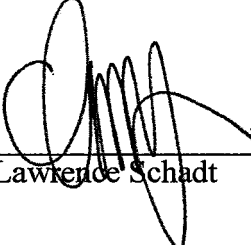
14         6.         I also prepared measurements of all outdoor space that was not specifically set  
15 forth in the District's checklists for space at each site under the category of "Other Outdoor  
16 Space.". The intent of the category of "Other Outdoor Space" was to include all areas such as  
17 breezeways, courtyards, transitional areas, and/or other miscellaneous outdoor space that was not  
18 otherwise designated. In order to accomplish this intent, I: a) matched the County Assessor's  
19 Maps for each site to my firm's surveys; b) calculated the perimeter of the building areas on the  
20 overhead view of the overall site drawings at my firm; c) reviewed the area of calculated play  
21 space, such as Kindergarten play or blacktop; d) reviewed the area of calculated turf area; e)  
22 reviewed the area for parking lots; and f) calculated the remainder of the space within each site  
23 footprint. The calculations of space with respect to Other Outdoor Space were made using the  
24 overhead view of site plan for each school and a computer program, and so simply adding the  
25 measurements of dimensions of buildings from the drawings for specific buildings or rooms  
26 would not have matched the measurements calculated from the overhead view. I prepared my  
27 calculations of "Other Outdoor Space" and provided them to the District several times. On at  
28 least one set of calculations, I did not include parking lots in the total for "Other Outdoor Space."

1 However, I did calculate the size of parking lot areas separately, and these calculations are  
2 accurately reflected in Exhibit A to this Declaration. Exhibit A shows the parking lot  
3 measurements, in square feet, for each school. The total area of the parking lots for the schools  
4 listed in Paragraph 2 was 337,639 square feet. The parking lot areas at each school fell within the  
5 perimeter, or footprint, of each school, and so parking lot space was a subset of the overall site  
6 size. The overall site size measurement of each school would not have increased based on  
7 adding the parking lot measurements to the previously stated overall site size.

8 7. Also, in preparation of the calculations for "Other Outdoor Space" for some  
9 schools, I included certain play areas, which are within the footprint of the overall site size, but  
10 were separately calculated already. In effect, for the calculations of "Other Outdoor Space," these  
11 areas should not have been included, and overstated the amount of "Other Outdoor Space" that  
12 was reflected on the checklists for each school: The calculations are accurately set forth in  
13 Exhibit A. Again, all of the measurements for parking lots and outdoor space fell within the  
14 footprint of the overall site size, and were simply subsets of the overall site size. None of these  
15 corrections in measurements affected the overall site size.

16 I declare under the penalty of perjury under the laws of the State of California that  
17 the foregoing is true and correct. Executed this 23<sup>RD</sup> day of July, 2012, at

18 SAN FRANCISCO, California.

19   
20 \_\_\_\_\_  
21 Lawrence Schadt