

Ms. Miyo Prassas
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July 10, 2017

Ms. Amy Bisson Holloway
General Counsel
Legal, Audits and Compliance
California Department of Education
1430 N. Street
Sacramento, CA 95814-5901

Dear Ms. Holloway,

Enclosed is a copy of information alleging that the Superintendent of the Hermosa Beach City School District purposely acted to defrauded taxpayers in order to pass an unnecessarily large school facility bond measure last June 2016. This information has also been sent to Mr. Alan Yochelson, Head Deputy of the Public Integrity Division at the Los Angeles County District Attorney office.

I allege that in violation of California Department of Education Code 7050 -7058 regulating the political activities of School officers and employees, HBCSD Superintendent Pat Escalante used public money to hire and then conspired with consultants and experts to outright lie in reports and in presentations to Hermosa Beach voters about the district's facility options. HBCSD wished to build a brand new school specifically for third and fourth grade students when the community already had two perfectly safe and legally available, iconic schools that could be modernized at half the price of demolishing and building a new school. I contend that the HBCSD Board of Trustees, the Hermosa Beach City Council, City Manager and City Attorney condoned and abetted the Superintendent in her efforts to mislead voters. The City's motivation to aid Superintendent Escalante was so the District would not contest the contractual obligations of the sale of Pier Avenue School to the City in 1978. According to the Agreement the District has priority use in perpetuity of classrooms, office space and storage space, etc. when district enrollment surpassed 1,266 students. The quid pro quo for not contesting the Agreement for use of the Pier Avenue campus was that the City would support an unnecessarily expensive bond to completely destroy and reconstruct North School at taxpayer expense. I also believe Superintendent Escalante was motivated to defraud voters because HBCSD had lost a similar bond vote in November 2014.

We have verified egregious amounts of misinformation presented by Mr. Terry Tao, Senior Partner of Atkinson, Andelson, Loya, Ruud and Romo in a one hour video-taped presentation to the Hermosa Beach City Council and community. I also allege that vendors providing the Historical Assessment - Pam Daly of Daly & Associates; traffic consultant - Garland and Associates; and demographic consultant - Decision Insite, all purposely slanted information in their reports and presentations in order to bolster's HBCSD desire to pass the \$59 million dollar facilities bond at the prompting of Superintendent Escalante and HBCSD Attorney Terry Tao.

I believe that the consultants and attorney named in this letter do business with numerous school districts throughout California. It is concerning because thousands of dollars of public money are spent by school districts in order to hire consultants of whom are relied upon to help pass millions of dollars of facilities bonds.

A taxpayer group and I have been working with a pro bono attorney for over a year in the hope of holding our Superintendent and hired vendors accountable for illegal activity to pass a \$59 million bond. We have found no other avenue that would sufficiently investigate HBCSD Superintendent and the HBCSD attorney for defrauding taxpayers. We have considered the Private Attorney General route, but there seems to be no criminal investigation associated with it. We have also been advised that the District Attorney's office does not investigate violations of the Ed Code. It is my understanding that the Fair Political Practices Commission also does not prosecute District employees and hired vendors who violate Ed Code 7054 through 7058.

We desire a criminal prosecution in order to hold our Superintendent and District attorney accountable and to send a message to other school districts that such illegal behavior will not be tolerated by the State of California. Within the Department of Education website, there seems to be no area for the reporting of illegal District employee and vendor activity for violations of Ed Code 7054 through 7058. We request that a department within the California Department of Education be created to investigate complaints by the public regarding misinformation disseminated by hired consultants. A CDE certification program is needed to evaluate, certify and hold responsible consultants and attorneys who provide information to the public regarding Historical evaluations, traffic studies, and demographic studies and legal determinations to school districts to ensure the public that they are receiving correct information from vendors being paid though tax dollars.

We request instruction of legal avenues that would protect the interests of taxpayers and hold District personnel liable when Education codes 7050 through 7058 are egregiously ignored in order to pass a facility bond.

Shortly, I will also be sending you evidence that other HBCSD consultants, Isom Advisors and TPK Communications, crossed the line to actively assisting the District in campaigning for the bond. They seamlessly coordination with the 2016 Yes on S campaign's (and the 2014 Yes on Q campaign) chairman and the campaign's hired political consultant (paid for through thousands of dollars of vendor donations), often during school business hours, in order to promote the District's bond.

Thank you for your consideration of this request.

Sincerely,

Miyo Prassas
Hermosa Beach, CA
310-977-6293

Cc: Mr. Tom Torlakson, State Superintendent of Public Instruction, California Department of Education