



SACRAMENTO CITY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

Agenda Item # 10.2

Meeting Date: July 17, 2014

Subject: Real Property Surplus Process Workshop

- ☒ Information Item Only
- ☐ Approval on Consent Agenda
- ☐ Conference (for discussion only)
- ☐ Conference/First Reading (Action Anticipated: _____)
- ☐ Conference/Action
- ☐ Action
- ☐ Public Hearing

Division: Facilities Support Services

Recommendation:

Provide the Board an opportunity to discuss the process for disposal of surplus real property in various locations throughout the District.

Background/Rationale:

Per Board request, a workshop has been scheduled to discuss the process by which the District identifies the best use for surplus property and a methodology to be utilized to present such information to the Board.

Financial Considerations: None at this time.

Documents Attached:

1. Executive Summary
2. Additional Materials

Estimated Time of Presentation: 10 minutes

Submitted by: Sara Noguchi, Ed.D., Interim Superintendent
Cathy Allen, Assistant Superintendent
Facilities Support Services

Approved by: Sara Noguchi, Ed.D., Interim Superintendent



I. OVERVIEW / HISTORY

The District has identified three properties within its boundaries that are no longer considered suitable for educational instructional purposes. The three properties are the former Thomas Jefferson Elementary School at 16th & N Streets, Old Marshall School at 23rd and G Streets and the property at 24th & Florin. Staff is seeking input from the Board on the development of a process by which the Board is informed of public interest in District property and, conversely, possible District interest in other properties. The options available to school districts consist primarily of sale, lease, exchange or joint use opportunities when discussing surplus property. The process typically consists of public input and discussion regarding options; public bids and/or closed-session negotiations; and then the possible Board adoption of desired outcomes. The surplus property process follows detailed procedures outlined in California law.

Most recently, District staff has received requests and proposals from various entities regarding the property at 16th and N Streets. Board members requested the opportunity to discuss the process at a workshop scheduled for July 17, 2014.

II. DRIVING GOVERNANCE

Education Code §17385 et seq.

III. BUDGET

N/A

IV. GOALS, OBJECTIVES, AND MEASURES

Fully educate and supply the Board with the various processes available that will help inform decisions related to the disposition of available real property.

V. MAJOR INITIATIVES

N/A

VI. RESULTS

Staff has prepared a presentation/workshop for the Board that will assist in their decision-making process.

Board of Education Executive Summary

Facilities Support Services

Real Property Surplus Process Workshop
July 17, 2014



VII. NEXT STEPS

To be identified by the Board.

SURPLUS PROPERTY PROCESS

**7-11 Advisory
Committee**

**Declare Surplus
by Simple Bd
Majority**

**Major
Exceptions**

Historic Building

EC 17482
Non-Profit Organization
2 Votes:
Board: Simple Majority
County Supervisors:
Simple Majority

Land Exchange

EC 17536
Terms and Conditions
agreed to by parties
Resolution by 2/3rds
vote

State Board of Ed Waiver

from Competitive Sale
(Not from Gov Code
offers of sale)
Board majority vote and
meeting state
conditions; State Board
of Ed majority vote

Offers of Sale Required by Statute

1. EC 17464
2. Gov Code 54220
(See list attached)

Generally, 60 day notice
of offer followed by 60
day negotiation period.
Simple majority vote.

Charters who submit
written notice and site
must be suitable

Naylor Act if there was
a prior playground use

Declaration of Intent for Competitive Sale

EC 17466
2/3rds Vote
(If Charter or Naylor Act
exceptions do not apply or
no offer of sale accepted)

**SURPLUS PROPERTY PROCESS
LIST OF SPECIFIC STATUTORY OFFERS**

1. Offers of Sale Required by Ed. Code 17464.

- a. First priority, to charter schools, with a minimum of 80 ADA, upon written request by a charter. But the real property facilities must be “. . . designed to provide direct instruction or instructional support.” This is in addition to Prop 39 requests by charter schools.
- b. Second priority, for park and recreational purposes under Gov. Code 54222(b) to the park or recreation department of the City of Sacramento; to the County of Sacramento; to any regional park authority where the surplus property is located; and to the State Resources Agency.
- c. Third priority, to the Director of General Services; the UC Regents; the Trustees of the California State University system; any public housing authority in Sacramento County; other entities and organizations, by public notice or in response to a written request, including any public district, public authority, public agency, public corporation, or any other political subdivision in California, to the federal government, and to nonprofit charitable or public benefit corporations.

2. Offers of Sale Required by Gov. Code 54220 et seq.

Overall intent is to give priority for developing low and moderate income housing; for park or recreational uses; and for clustering housing and commercial development around transit hubs.

Specific provisions are:

- a. For purposes of developing low and moderate income housing, with priority to lower income elderly or disabled persons: to the City of Sacramento; the County of Sacramento; housing authorities as public corporations created under Health & Safety Code 34200 et seq.; and housing sponsors, approved or certified by the California Housing Finance Agency, pursuant to Health & Safety Code sections 50074 and 50074.5.
- b. For purposes of preserving property for park or recreation use, the same entities set forth in 1.b. above.
- c. For purposes of developing an infill opportunity zone for housing and mixed use commercial development (Gov. Code 65088.4) or for a transit village plan under the Transit Village Development Planning Act of 1994 (Gov. Code 65460 et seq.): to the City of Sacramento; the County of Sacramento; any public transportation agency; and to any housing authority where the surplus property is located.