



Putting Children First

7-11 Committee Meeting

Monday, February 3, 2014

5:30 to 7:30 p.m.

Serna Center

Michigan/Minnesota Community Rooms

5735 47th Avenue

Meeting Number 14

The Sacramento City Unified School District's 7-11 Committee advises the Board of Education on the reuse, repurposing and disposition of school buildings and vacant sites not needed for school purposes. The SCUSD 7-11 Committee proceedings and its deliberations are open to the public.

Agenda

5:30 to 5:32

1.0 Welcome /Call To Order

5:32 to 5:33

2.0 Roll Call/Establish Quorum

____ Anna Molander ____ Michael Minnick ____ Larry Meade ____ Mary Jo Young
____ Leticia Garcia ____ Edward Camargo ____ Kristin Wright ____ Kristi Morioka
____ Mary Hardin Young

5:33 to 5:35

3.0 Approval Of Agenda/Discussion Of Tonight's Meeting

Motion by _____ Second by _____

That the Agenda be approved as presented/amended.

5:35 to 5:40

4.0 Approval of Minutes

January 27, 2014 – Regular/Presentations Meeting

Motion by: _____ Second by: _____

5:40 to 5:45

5.0 Public Comments From The Floor On Items Not On The Agenda

(3 minute time limit per individual)

Persons wishing to speak to items not on the agenda are asked to complete "A Request to Speak" card and present it to staff prior to the meeting. Subjects not on the agenda may be introduced at this time, but no action may be taken at this meeting. Please state your name for the record.

5:45

6.0 Community Presentations

(10 minute presentations/10 minute question/answer session)

5:45 to 7:30

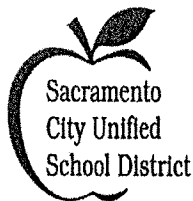
7.0 Committee Discussion

- *Q and A with Counsel*
- *Review of Subcommittee's draft report on the disposition of the closed school sites*
 - *Full Committee discussion*
 - *Identify any changes and/or additions*
 - *Next steps*
- *New Correspondence (if applicable)*

7:30

8.0 Adjourn

- *Future Business:*
Next Committee Meeting: February 18, 2014 5:30 to 7:30 PM
Serna Center
5735 47th Avenue
Sacramento, California 95824



**Putting
Children
First**

7-11 Committee Meeting

Monday, January 27, 2014

5:30 to 7:30 p.m.

Serna Center

Tennessee Community Room

5735 47th Avenue

Meeting Number 13

Minutes

1.0 Welcome/Roll Call— Anna Molander, Chair

Members Present: Mary Hardin Young, Leticia Garcia, Edward Camargo (5:45), Anna Molander, Larry Meade, Michael Minnick, Kristi Morioka (6:40), Kristin Wright

Members Absent: Mary Jo Young

Staff Present: Cathy Allen, Elena Hankard, Jim Dobson

2.0 Call to Order/Establish Quorum

A quorum was established @5:35 p.m.

3.0 Approval of Agenda

Motion by: Michael Minnick

Second by: Mary Hardin Young

All in favor.

4.0 Approval of Minutes

January 13, 2013 – Regular Meeting

Motion by: Mary Hardin Young

Second by: Larry Meade

All in favor.

5.0 Public Comments From The Floor On Items Not On The Agenda

Marti Brown from the North Franklin District Business Association informed the group of their upcoming community meeting at the Maple site on March 1, 2014 from 9:00 to 11:00 a.m.

Max Mendoza, community member, is concerned about the condition of Woodbine. He also shared his concept of Si se puede.

6.0 Community Presentations (10 minute presentations/10 minute question/answer session)

Anthony Scotch from The Golden Empire Council, Boy Scouts of America, is interested in Collis P. Huntington, Joseph Bonnheim and Washington in this order, to house their organization due to their expanding organization. His organization is not opposed to a joint use scenario as long as the organization is compatible with the Boy Scouts of America organization. Their long term goal is to have a site solely for their organization. His organization is open to leasing, purchasing or a land swap. Cathy Allen explained the land swap process to the Committee and audience.

Judy Smith from Tao Holistics expressed an interest in the Fruit Ridge site for a community based center.

Arthur Aleman is still committed to a charter school at Joseph Bonnheim. The petition must be voted on by the SCUSD Board and approved by March 15.

Michelle Skeb and Maureen Dagliardi from St. Johns Shelter for Homeless Moms are interested in the Joseph Bonnheim site for a transitional/dormitory type facility.

Rod Thornhill and Melanie Wallace from the California Conservation Corps are interested in the Washington site as a central valley location due to their growth.

Rachel Rios from La Familia continues to express interest in the Maple site in conjunction with Legal Services of Northern California and a health care organization.

7.0 Committee Discussion

Develop questions/clarification for Legal Counsel to address at the February 3, 2014 Committee Meeting.

Clarify what Joint Use is as it applies to surplus vs. non-surplus.

How should the Committee determine what is surplus vs. non-surplus criteria?

Provide a description/sample of a non-surplus site.

Identify best use at a site and ask Legal how to get from here to there.

What was meant by "look at the end result?"

What was meant by "you can always un-surplus a site."

The Committee will email additional questions for Legal to Elena by Wednesday at noon, January 29, 2014.

The Committee would like clarification in writing of the above questions.

The Committee unanimously agreed in a straw pull that none of the sites should be surplused.

Board Report Timeline

The Committee identified a subcommittee for the report: Michael Minnick, Kristi Morioka, Leticia Garcia, Kristin Wright.

The subcommittee will utilize the "Road Map" and bring a rough draft back to the Committee on February 3, 2014. The subcommittee will send Elena the draft for copying prior to February 3, 2014.

The Committee reviewed the proposed timeline.

New Correspondence

Request for Usage of SCUSD Closed School Properties was received from California Conservation Corps, Sacramento Satellite.

8.0 Motion to Adjourn by: Larry Meade Second by: Edward Camargo

All in favor.

Time: 7:32 p.m.

DRAFT

Clayton B. Wire

Site Acreage 9.34
Site SF 406,850
Building SF 49,683
Classrooms 32
Parking 55
Zoned R5 (Single family residential)
Jurisdiction County

Current uses

Central kitchen is in use producing 7,200 meals/day for the Child Development Programs and the Supper Program. The 2015 bond sale (Measure R) will start the design process and construction is due to start in 2016. Construction will take about one year, and the kitchen will be at CB Wire for about three years.

Programs can continue to operate at a closed school. The committee could still declare the entire school site a surplus but recommend that a certain program is kept or not.

Suggested uses (as proposed by community members, district staff, and other interested parties--from power point presentation 12/5/13):

1. SCUSD space for Professional Development Center
2. Parent Resource Center
3. Head Start Program
4. Community Center
5. SCUSD Business Center for storage—from archived files to surplus furniture. Departments currently pay a storage facility to store archived files so school district will save by using space at a closed school.
6. Grace Academy Charter (K-8)—college preparation; IB program (from NA email dated 10/7/13.)

City Planning

No City development activity within ½ mile and very limited prospects for development within 1 mile.

Committee Recommendation/Analysis

Non surplus. With the upcoming investment for a state-of-the art kitchen facility, there is a real opportunity to find interested partners to share the school site and provide the community with some of the services they want and need as outlined above.

1. **General info about site** (Facts about site, total space available, etc.)
 - a. Total enrollment prior to closure 237 students
 - b. 55% Hispanic/Latino population
 - c. Utility cost 2012-2013 \$65,885.79
 - d. Classrooms 60
 - e. Separate stand-alone children's center – SCUSD currently. Can be maintained separately from the proposed uses.
2. **Community input/ List of proposals** – some considerations about each proposal, if any/
Amount of space requested by each proposal
 - a. **Camellia Waldorf School** – Camellia lists CP Huntington as their first preferred site. 14-18 classrooms, office, multipurpose room, parking. 20,000 sq. feet.
 - i. The Camellia Waldorf parents and members of the Board of Directors, including those on their site committee, have been very active in the 7-11 meeting process.
 - ii. They have identified CP Huntington as their preferred choice because their current campus is close to their current location and the school likes to involve the community in school activities.
 - iii. Pro's – Strong political support, does not draw from current student population, typically students who are looking for a private school experience, current student population of 157 students who occupy 10,000 square feet, and they have waiting lists for almost all of their classes, they have a site fund and an annual budget of \$1.1 million. They are currently leasing a space and a good tenant who is current on their rent and maintain the current space well. Also, willing to co-exist on a site with other uses such as SCUSD child care center, sports organizations, and community activities like girl scouts and community meetings.
 - iv. Con's - Private school, not a charter, so no priority in obtaining site.
 - b. **Sacramento Performing Arts Conservatory (SPAC)** – 2nd choice school after Washington. 8 classrooms, multi for performances
 - i. Needs to solidify funding
 - ii. Must be around other schools so that there are students to attend the classes
 - iii. **Sacramento PTA Clothes Closet** – 3 classrooms – 1 work area with office space, 1 for clothes with reception area, 1 for parent education *N/A*

- c. **Legal Services of Northern California LSNC** – 5 offices, 8 cubicle spaces, ^{N/A} conference room. Preference is to share space with other community organization.
- d. **SCUSD professional development** – need to clarify if teachers, or classified staff and priority of sites requested.

3. **Committee considerations for the board**

- a. This is a large site so several entities could co-exist on the property.
- b. We should check with the child development center to ensure that they want to remain on the site.

cust.
vs
classified

Fruit Ridge

Facts from SCUSD powerpoint:

- *Sacramento Youth Symphony Music Program*
- *Needs an existing program housed at the site*
- *School or Community Center- walking field trip destination*
- *Fruit Ridge Living Laboratory*
- *Charter School*
- *Legal Services of Northern California*
- *Space for SCUSD Professional Development Center*

Current Uses: Fruit Ridge Living Laboratory

Notes from site meeting:

Renovated in 2011

Needs for community

- English language education
- Pre K
- Social Services
- Garden care
- Music
- Renovated community school

Sacramento Youth Symphony Music Program

- Doug McPherson
- Worked with students at Fruit Ridge during previous school years
- Would like to return to Fruit Ridge if school were to reopen

Fruit Ridge Living Laboratory

- On-campus garden currently maintained by community members
- Currently using one classroom adjacent to the garden for education and tool storage
- Can be used as a walking field trip destination for other schools
- Can remain on site while other programs/school utilize the remainder of the site

Charter School

- Dr. Mah, previous principal, suggested he start a charter school to serve the immediate neighborhood
- Facts: 100% free & reduced lunch, active families, feels the community would rally around a new school at the site

Thoughts from Committee:

Joseph Bonnheim

Site Acreage 7.92
Site SF 344,995
Building SF 39,435
Classrooms 30
Parking 64
Zoned R1 (Low density residential)
Jurisdiction City

Current uses

Independent Study is currently on site with about 70 students, whom visit the school between one to five times per week.

Suggested uses--as proposed by community members, district staff, and other interested parties:

1. K-6 Charter (led by community leader Arthur Aleman and parents; to be voted by school board on 3/15/14)
2. Parent Resource Center
3. Dependent Charter
4. SCUSD Professional Development Center
5. Success and Accelerated Academy
6. SCOE Satellite Office for a Community School
7. St. John's Shelter Program for Women and Children-transitional housing
8. Library Services?

City Planning

No City development within ½ mile and very limited prospects for development within 1 mile. Few infill parcels are available and could accommodate residential projects, but these are south of Fruitridge.

Committee Recommendation/Analysis

Non surplus. There are several interested parties with strong proposals that could potentially use the entire school site.

Mark Hopkins

1. **General info about site** (Facts about site, total space available, etc.)
 - a. Total student enrollment prior to closure 418 student – 42% Hispanic/Latino population, 29% African American, 21% Asian, Pacific Islander, Filipino.
 - b. Utility cost 2012-2013 47,293.33
 - c. Classrooms 54
 - d. Community input and community needs. Hmong Innovating Politics conducted an informal survey of the community members and found that the top needs for the area are Health Access or Health Clinic, Child Care and Job Training and Resources. The top repurposing uses in order from most desirable to least are a child care facility, health care clinic, charter school, performing arts center and community garden.
2. **Community input/ List of proposals** – some considerations about each proposal, if any/
Amount of space requested by each proposal
 - a. Tutoring center
 - b. PTA Clothes closet - 3 classrooms – 1 work area with office space, 1 for clothes with reception area, 1 for parent education
 - c. Earth Mama Healing – 3-4 classrooms. Social and cultural empowerment.
 - d. Full Service Community Center – entire site. Drug and Alcohol Counseling, gang prevention and intervention, child care, parenting classes, job training, senior assistance, wellness education, nutrition. This proposal incorporates several other entities, like Another Choice Another Chance, and Earth Mama Healing.
3. **Committee considerations for the board**
 - c. This is a large site so several entities could co-exist on the property.
 - d. Meadowview is a community that has expressed a need for community services. This would be a good location to provide such needs a childcare, nutrition services, health clinic and job training. If a community center were to be successful in this location, there would need to be an entity in charge of the operation.

Maple

Facts from SCUSD powerpoint:

- School component part for the Franklin District Business Association
- CRESS Center – (Cooperative Research and Extension Services for Schools) – Full service Community Center
- Space for SCUSD Professional Development Center

Current Uses: N/A

Notes from Site Meeting:

New soccer field

North Franklin Business District (Marti Brown)

- reassessing their redevelopment plan for the area and plan on including Maple Elementary
- Requested that 7-11 delay recommendations for this site until the redevelopment plan was completed.

The Center for Community Education and Empowerment:

- Proposed a multi-agency collaboration on site
- Sacramento Area Youth Says (SAYS)
- Sol Colective
- SAHA Wellness and Yoga Center
- The Big Picture School Learning Design
- Kings Raising Kings / Project Queen

La Familia Counseling Center:

- Proposed a multi-agency collaboration on site
- Legal Services of Northern California
- Health Clinic (HALO, Sacramento Native American Health Center (SNAHC))
- Sol Collective Cultural Arts Program
- Will identify space on site for art and community groups to utilize

Sacramento Council of PTAs – Clothes Closet

- Maple Elementary 3rd choice option after CP Huntington & Mark Hopkins
- Provide clothing to families within SCUSD
- Currently housed at DaVinci school but outgrowing their space

Thoughts from the committee:

- There is excitement regarding this site from two separate collaborations of non-profit agencies with existing relationships with the community. As the only site that brought this level of interest from community based organizations, it appears to be a likely place for a successful collaboration.

Washington Elementary School Property
520 18th Street
Sacramento, CA 95811
Year Built: 1976
Site Acreage: 2.52

Current Uses:

SCUSD Children's Center

Suggested/Proposed Uses:

Sacramento Performing Arts Conservatory

Camellia Waldorf

California Conservation Corps w/partners

Afterschool Program

Public school to serve neighborhood

SCUSD Professional Development Center

City Planning Considerations:

A planned community has been approved called McKinley Village which is currently in the Twin Rivers School District but located off Business 80 behind McKinley Park in former orchards. SCUSD has been in discussions about SCUSD serving students in this new housing development. Theodore Judah Elementary which is near the proposed development is currently at or near capacity. Some neighborhood students who previously attended Washington, now attend Judah.

Committee Recommendations/Analysis:

Not surplus and strong consideration of proximity to downtown, new development (McKinley Village).

Education Code Sections 17455-17484:
Sale or Lease of Real Property

17455.

The governing board of any school district may sell any real property belonging to the school district or may lease for a term not exceeding 99 years, any real property, together with any personal property located thereon, belonging to the school district which is not or will not be needed by the district for school classroom buildings at the time of delivery of title or possession. The sale or lease may be made without first taking a vote of the electors of the district, and shall be made in the manner provided by this article.

17456.

Notwithstanding Section 17455, the sale by the governing board of any school district of any real property belonging to the school district or the lease by that governing board, for a term not exceeding 99 years, of any real property, together with any personal property located thereon, belonging to the school district shall not be subject to any other provision of this chapter, to Article 5 (commencing with Section 17485), or to Article 8 (commencing with Section 54220) of Chapter 5 of Part 1 of Division 2 of Title 5 of the Government Code, if all of the following conditions are met:

(a) The property is sold or leased to another local governmental agency, or to a nonprofit corporation that is organized for the purpose of assisting one or more local governmental agencies in obtaining financing.

(b) (1) In the case of the sale of school district property pursuant to this section, the school district, as part of that same sale transaction, simultaneously repurchases the same property that is the subject of the transaction.

(2) In the case of the lease of school district property pursuant to this section, the school district, as part of that same lease transaction, simultaneously leases back, for a term that is not substantially less than the term of that lease, the same property that is the subject of the transaction.

(c) The financing proceeds obtained by the school district pursuant to the transaction described in this section are expended solely for capital outlay purposes, including the acquisition of real property for intended use as a schoolsite and the construction, reconstruction, and renovation of school facilities.

17457.

Notwithstanding any other provision of this part, in connection with a sale, sale back, lease, or leaseback of school district property, no proceeds obtained by the school district from the sale of the sale back or leaseback agreement, or interests therein, or a debt instrument payable from payments

under the sale back or leaseback agreement shall be used for general operating purposes of the school district.

17457.5.

(a) Notwithstanding Article 8 (commencing with Section 54220) of Chapter 5 of Part 1 of Division 2 of Title 5 of the Government Code, the governing board of a school district seeking to sell or lease real property designed to provide direct instruction or instructional support it deems to be surplus property shall first offer that property for sale or lease to any charter school that, at the time of the offer, has projections of at least 80 units of in-district average daily attendance for the following fiscal year, and has submitted a written request to the school district to be notified of surplus property offered for sale or lease by the school district, pursuant to the following conditions:

(1) The real property sold or leased shall be used by the charter school exclusively to provide direct instruction or instructional support.

(2) If the charter school purchased real property pursuant to this section and fails to comply with paragraph (1), or otherwise desires to dispose of the real property, all of the following shall apply:

(A) The charter school shall immediately offer that real property for sale to the school district that previously owned the property. The charter school shall comply, in that regard, with all requirements under this section that would otherwise apply to a school district.

(B) If the school district does not desire to purchase that real property from the charter school, the school district shall furnish a list of charter schools that have requested notification of surplus property pursuant to subdivision (a). The charter school that owns the real property shall offer that real property for sale to the charter schools on this list and comply with all requirements under this section that would otherwise apply to a school district. In the event the charter school selling property receives more than one offer, the charter school may determine to which charter school it will sell the property. The charter school purchasing the real property shall comply with all provisions of this section.

(C) If that real property remains unsold pursuant to subparagraph (A) or (B), the charter school selling the real property shall offer that property for sale pursuant to Article 5 (commencing with Section 17485). The charter school shall comply with all requirements under that article that would otherwise apply to a school district, except that a sale price computed under subdivision (a) of Section 17491 shall be based upon the cost of acquisition incurred by the school district that sold the property pursuant to this subdivision, rather than that incurred by the charter school.

(D) If all or part of the real property remains unsold pursuant to subparagraph (C), the charter school selling that real property shall dispose of the remaining property pursuant to subdivisions (c), (d), (e), and (f) of Section 17464. References in Section 17464 to a school district shall mean the charter school selling the real property.

(3) In the event, alternatively, of a lease of real property pursuant to this subdivision, the failure by the charter school to comply with paragraph (1)

shall constitute a breach of the lease, entitling the school district to immediate possession of the real property, in addition to any damages to which the school district may be entitled under the lease agreement.

(4) The school district, and each of the entities authorized to receive offers of sale pursuant to this article or Article 5 (commencing with Section 17485), has standing to enforce the conditions set forth in this subdivision, and shall be entitled to the payment of reasonable attorney's fees incurred as a prevailing party in any action or proceeding brought to enforce any of those conditions.

(b) A school district seeking to sell or lease real property designed to provide direct instruction or instructional support it deems to be surplus property shall provide a written offer to any charter school that, at the time of the offer, has projections of at least 80 units of in-district average daily attendance for the following fiscal year, and has submitted a written request to the school district to be notified of surplus property offered for sale or lease by the school district. A charter school desiring to purchase or lease the property shall, within 60 days after a written offer is received, notify the school district of its intent to purchase or lease the property. In the event more than one charter school notifies the school district of their intent to purchase or lease the property, the governing board of the school district may determine to which charter school to sell or lease the property.

(c) The price at which property described in this section is sold pursuant to this section shall not exceed the school district's cost of acquisition, adjusted by a factor equivalent to the percentage increase or decrease in the cost of living from the date of purchase to the year in which the offer of sale is made, plus the cost of any school facilities construction undertaken on the property by the school district since its acquisition of the land, adjusted by a factor equivalent to the increase or decrease in the statewide cost index for class B construction, as annually determined by the State Allocation Board pursuant to Section 17072.10, from the year the improvement is completed to the year in which the sale is made. In the event a statewide cost index for class B construction is not available, the school district shall use a factor equal to the average statewide cost index for class B construction for the preceding 10 calendar years. In no event shall the price be less than 25 percent of the fair market value of the property described in this section or less than the amount necessary to retire the share of local bonded indebtedness plus the amount of the original cost of the approved state aid applications on the property. The percentage of annual increase or decrease in the cost of living shall be the amount shown for January 1 of the applicable year by the then current Bureau of Labor Statistics Consumers Price Index for the area in which the schoolsite is located.

(d) Land that is leased pursuant to this section shall be leased at an annual rate of not more than 5 percent of the maximum sales price determined pursuant to subdivision (c), adjusted annually by a factor equivalent to the percentage increase or decrease in the cost of living for the immediately preceding year. The percentage of annual increase or decrease in the cost of living shall be the amount shown for January 1 of the applicable year by the

then current Bureau of Labor Statistics Consumers Price Index for the area in which the schoolsite is located.

(e) The sale or lease of the real property of a school district, as authorized under subdivision (a), shall not occur until the school district advisory committee has held hearings pursuant to subdivision (c) of Section 17390.

(f) This section shall only apply to real property identified by a school district as surplus property after July 1, 2012. A school district selling or leasing surplus property is not required to offer that property to a charter school pursuant to this section on or after July 1, 2016.

(g) The construction of a school building, as defined in Section 17368, located on real property purchased by a charter school pursuant to this section shall comply with the design and construction requirements pursuant to Article 3 (commencing with Section 17280) and Article 6 (commencing with Section 17365). The reconstruction or alteration of, or an addition to, a school building, as defined in Section 17368, located on real property purchased by a charter school pursuant to this section is required to comply with the design and construction requirements pursuant to Article 3 (commencing with Section 17280) and Article 6 (commencing with Section 17365) only if the building complied with those sections on the date the real property was purchased by the charter school.

(h) A charter school selling real property obtained pursuant to this section shall use the proceeds only for capital outlay, maintenance, and other facility-related costs.

17458.

(a) Notwithstanding Article 8 (commencing with Section 54220) of Chapter 5 of Part 1 of Division 2 of Title 5 of the Government Code, the governing board of a school district complying with Section 101238.2 of Title 22 of the California Code of Regulations and seeking to sell or lease real property it deems to be surplus property and for which a charter school has not accepted an offer to purchase or lease pursuant to Section 17457.5, may first offer that property for sale or lease to a contracting agency, as defined in Section 8208, pursuant to the following conditions:

(1) The real property sold or leased shall be used by the contracting agency, or by a successor in interest to the contracting agency, exclusively for the delivery of child care and development services, as defined in Section 8208, for a period of not less than five years from the date upon which the real property is made available to that agency, or successor in interest, pursuant to the sale, or, in the event of a lease, until the real property is returned to the possession of the school district, whichever occurs earlier.

(2) In the event that the contracting agency, or any successor in interest, fails to comply with the condition set forth in paragraph (1), that agency, or successor in interest, that purchased the real property, is required immediately to offer that real property for sale pursuant to this article and Article 5 (commencing with Section 17485) and to sell the property pursuant to those provisions. The agency, or its successor in interest, shall comply, in that regard, with all requirements under those provisions that would

otherwise apply to a school district, except that a sale price computed under subdivision (a) of Section 17491 shall be based upon the cost of acquisition incurred by the school district that sold the property pursuant to this subdivision, rather than that incurred by the contracting agency or its successor in interest. In the event, alternatively, of a lease of real property pursuant to this subdivision, the failure by the contracting agency, or any successor in interest, to comply with paragraph (1) shall constitute a breach of the lease, entitling the school district to immediate possession of the real property, in addition to any damages to which the school district may be entitled under the lease agreement.

(3) The school district, and each of the entities authorized to receive offers of sale pursuant to this article or Article 5 (commencing with Section 17485), has standing to enforce the conditions set forth in this subdivision, and shall be entitled to the payment of reasonable attorneys' fees incurred as a prevailing party in any action or proceeding brought to enforce any of those conditions.

(b) No sale or lease of the real property of a school district, as authorized under subdivision (a), may occur until the school district advisory committee has held hearings pursuant to subdivision (c) of Section 17390.

(c) This section is in addition to, and shall not limit the requirements of, Article 5 (commencing with Section 17485), but this section may be used with regard to property that the governing board of a school district may retain under Section 17490.

17459.

The sale of real property pursuant to this article shall be subject to the provisions of Article 8 (commencing with Section 54220) of Chapter 5 of Part 1 of Division 2 of Title 5 of the Government Code.

17460.

(a) Notwithstanding subdivision (c) of this section or Sections 17456, 17457, and 42133, the West Contra Costa Unified School District, formerly known as the Richmond Unified School District, may enter into an agreement to lease any real property pursuant to Section 17456 and may use the financing proceeds from the agreement to terminate the Lease-Purchase Agreement, dated May 1, 1988, between the Richmond Unified School District Financing Corporation and the Richmond Unified School District. However, any property that has been leased, rented, sold, or otherwise utilized pursuant to Section 41470 may not be leased pursuant to this section.

(b) The West Contra Costa Unified School District shall notify the Controller at the time the district enters into a lease agreement pursuant to subdivision (a). That notice shall set forth a schedule of the rental payments payable under the lease agreement and shall include the name and address of the trustee to whom the right to receive the rental payments has been assigned.

(c) Upon written notification by the trustee that the school district has not made one or more of the rental payments required by the terms of the lease,

the Controller shall pay to the trustee from Section A of the State School Fund the defaulted rental payment. That payment by the Controller shall not exceed the amount of any apportionment entitlement of the district to moneys in Section A of the State School Fund, less any payments required in that fiscal year to repay any state loans made to the district. The Controller shall withhold the amount of any payment made under this subdivision, including reimbursement of the Controller's administrative costs as determined under a schedule approved by the California Debt Advisory Commission, from subsequent apportionments to the West Contra Costa Unified School District from Section A of the State School Fund.

(d) Nothing in this section shall be construed to obligate the state to make any payment to, or on behalf of, the West Contra Costa Unified School District from Section A of the State School Fund in any amount, pursuant to any particular allocation formula, or to make any other payment to, or on behalf of, the district, including, but not limited to, any payment of those rental payments.

(e) Any apportionments made by the Controller pursuant to subdivision (c) shall be deemed to be an allocation to the West Contra Costa Unified School District for purposes of subdivision (b) of Section 8 of Article XVI of the California Constitution, and for purposes of Chapter 2 (commencing with Section 41200) of Part 24.

17461.

(a) The governing board of any school district that has, by majority vote, established a standard rate or rates for the lease pursuant to this article of its real property may, by majority vote, delegate to the officer or employee as the governing board may designate, the power to enter into any lease, for and on behalf of the district, of any real property of the school district, with respect to which real property either the district has received only one sealed proposal that conforms with the existing standard rate or rates, from a responsible bidder, and no oral bid that would meet the requirements of Section 17473, or the lease is to be entered into pursuant to Section 17480.

(b) The governing board of any school district may, by majority vote, delegate to such officer or employee as the governing board may designate, the power to enter into any lease, permit, or agreement for the use by the district of buildings or other facilities if the use is to be granted to the district without charge.

17462.

(a) The funds derived from the sale of surplus property shall be used for capital outlay or for costs of maintenance of school district property that the governing board of the school district determines will not recur within a five-year period. Proceeds from a lease of school district property with an option to purchase may be deposited into a restricted fund for the routine repair of district facilities, as defined by the State Allocation Board, for up to a five-year period. In addition, the proceeds from the sale or lease with option to

purchase may be deposited in the general fund of the district if the school district governing board and the State Allocation Board have determined that the district has no anticipated need for additional sites or building construction for the ten-year period following the sale or lease with option to purchase, and the district has no major deferred maintenance requirements. Proceeds from the sale or lease with option to purchase of school district property shall be used for one-time expenditures, and may not be used for ongoing expenditures including, but not limited to, salaries and other general operating expenses.

(b) The proceeds may also be deposited into a special reserve fund for capital outlay, for costs of maintenance of school district property that the governing board determines will not recur within a five-year period, or for the future maintenance and renovation of schoolsites if the district governing board and the State Allocation Board have determined that the district has no anticipated need for schoolsites or building construction or major deferred maintenance projects for a ten-year period following the sale or lease with option to purchase. Proceeds deposited in the special reserve fund shall not be available for general operating expenses as provided in Section 42842.

(c) The State Allocation Board, in consultation with the department, shall adopt regulations that govern the use of proceeds pursuant to this section for one-time expenditures and define ongoing expenditures for purposes of subdivision (a).

(d) Notwithstanding a determination by the State Allocation Board pursuant to subdivision (a) that a school district has no anticipated need for additional sites or building construction for the ten-year period following the sale or lease with option to purchase of surplus school property, the district may apply for new construction or modernization funding pursuant to this chapter if both of the following conditions are satisfied:

(1) Five years have elapsed since the date upon which the sale or lease with option to purchase was executed.

(2) The State Allocation Board determines that the district has demonstrated enrollment growth or a need for additional sites or building construction that the district could not have easily anticipated at the time the board made its original determination that the district had no anticipated need for the ten-year period following the sale or lease with option to purchase.

17462.3.

(a) The State Allocation Board may establish a program that requires a school district, county office of education, or charter school that sells real property that was purchased with or modernized with, or on which improvements were constructed that were funded with, any moneys from a state school facilities funding program, to return to the State Allocation Board the moneys the school district, county office of education, or charter school received from the state school facilities funding program for the purchase, modernization, or construction if all of the following conditions are met:

(1) The real property is not sold to a charter school, a school district, a county office of education, or an agency that will use the property exclusively

for the delivery of child care and development services, pursuant to Section 17457.5.

(2) The proceeds from the sale of the real property are not used for capital outlay.

(3) The real property was purchased, or the improvements were constructed or modernized on the real property, within 10 years before the real property is sold.

(b) The moneys to be returned to the State Allocation Board under this section are those received within 10 years before the real property is sold.

(c) If a portion of the real property is sold, a proportionate amount of funds received from a state school facilities funding program shall be returned to the State Allocation Board under this section based on the percentage of the real property sold.

17462.7.

The board shall reduce an apportionment of hardship assistance awarded to a school district pursuant to Article 8 (commencing with Section 17075.10) by an amount equal to the amount of any proceeds from the sale of surplus property used for a one-time expenditure of the school district pursuant to Section 17462.5 for five years following the expenditure.

17463.

Notwithstanding Section 17462, a school district having an average daily attendance of less than 10,001 in any fiscal year may deposit any and all interest earned on the funds derived from the sale in that fiscal year of surplus property into the general fund of the district for any general fund purpose, subject to the following conditions:

(a) Prior to that deposit, the district shall submit to the State Allocation Board a capital outlay plan for the district for a period of five years following that sale, together with a declaration of the finding by the governing board of the school district that the school facilities needs of the district can be met over that five-year period without funding or other assistance from any state school facilities funding program. No later than the date upon which that initial five-year period concludes, the district shall submit to the State Allocation Board a capital outlay plan for the district for the subsequent five-year period.

(b) Prior to the decision to place that interest money into the district's general fund, the governing board of the school district shall consider the extent to which it is necessary or appropriate to expend that money to meet the district's needs relative to capital outlay, facilities, modernization, and deferred maintenance. In addition, as to any interest money deposited into the district's general fund pursuant to this section, the governing board shall consider the extent to which it is necessary or appropriate to expend the money to meet the district's needs relative to ongoing maintenance prior to expending that money for any other purpose.

(c) A school district that deposits interest into its general fund pursuant to the authority set forth in this section shall not be eligible during the 10-year period described in subdivision (a) for funding or other assistance under Chapter 12 (commencing with Section 17000) or Chapter 14 (commencing with Section 17085) of Part 10, Sections 17582 to 17592, inclusive, or any other state school facilities funding program.

(d) If a school district seeks state funding pursuant to Chapter 22 (commencing with Section 17000), Chapter 14 (commencing with Section 17085) of Part 10, Sections 17582 to 17592, inclusive, or any other state school facilities funding program, on or after the expiration of the 10-year period specified in subdivision (c), any state funding received by the district from the program shall be reduced by any remaining funds derived from the sale of that surplus property by the district and any unencumbered interest earned on those funds.

17463.7.

(a) Notwithstanding any other law, a school district may deposit the proceeds from the sale of surplus real property, together with any personal property located on the property, purchased entirely with local funds, into the general fund of the school district and may use the proceeds for any one-time general fund purpose. If the purchase of the property was made using the proceeds of a local general obligation bond or revenue derived from developer fees, the amount of the proceeds of the transaction that may be deposited into the general fund of the school district may not exceed the percentage computed by the difference between the purchase price of the property and the proceeds from the transaction, divided by the amount of the proceeds of the transaction. For purposes of this section, proceeds of the transaction means either of the following, as appropriate:

(1) The amount realized from the sale of property after reasonable expenses related to the sale.

(2) For a transaction that does not result in a lump-sum payment of the proceeds of the transaction, the proceeds of the transaction shall be calculated as the net present value of the future cashflow generated by the transaction.

(b) The State Allocation Board shall reduce an apportionment of hardship assistance awarded to the particular school district pursuant to Article 8 (commencing with Section 17075.10) by an amount equal to the amount of the sale of surplus real property used for a one-time expenditure of the school district pursuant to this section.

(c) If the school district exercises the authority granted pursuant to this section, the district is ineligible for hardship funding from the State School Deferred Maintenance Fund under Section 17587 for five years after the date proceeds are deposited into the general fund pursuant to this section.

(d) Before a school district exercises the authority granted pursuant to this section, the governing board of the school district shall first submit to the State Allocation Board documents certifying the following:

- (1) The school district has no major deferred maintenance requirements not covered by existing capital outlay resources.
- (2) The sale of real property pursuant to this section does not violate the provisions of a local bond act.
- (3) The real property is not suitable to meet projected school construction needs for the next 10 years.
- (e) Before the school district exercises the authority granted pursuant to this section, the governing board of the school district at a regularly scheduled meeting shall present a plan for expending one-time resources pursuant to this section. The plan shall identify the source and use of the funds and describe the reasons why the expenditure will not result in ongoing fiscal obligations for the school district.
- (f) The Office of Public School Construction shall submit an interim and a final report to the State Allocation Board and the budget, education policy, and fiscal committees of the Legislature that identifies the school districts that have exercised the authority granted by this section, the amount of proceeds involved, and the purposes for which those proceeds were used. The interim report shall be submitted by January 1, 2011, and the final report by January 1, 2015.
- (g) This section shall remain in effect only until January 1, 2016 and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2016, deletes or extends that date.

17464.

Except as provided for in Article 2 (commencing with Section 17230) of Chapter 1, the sale or lease with an option to purchase of real property by a school district shall be in accordance with the following priorities and procedures:

- (a) First, the property shall be offered for sale or lease pursuant to Section 17457.5 to any interested charter school for purposes of providing direct instruction or instructional support.
- (b) Second, the property shall be offered for park or recreational purposes pursuant to Article 8 (commencing with Section 54220) of Chapter 5 of Part 1 of Division 2 of Title 5 of the Government Code, in any instance in which that article is applicable.
- (c) Third, the property shall be offered for sale or lease with an option to purchase, at fair market value in both of the following ways:
 - (1) In writing, to the Director of General Services, the Regents of the University of California, the Trustees of the California State University, the county and city in which the property is situated, to any public housing authority in the county in which the property is situated, and to any entity referenced in paragraph (2) that has submitted a written request to the school district to be directly notified of the offer for sale or lease with an option to purchase the real property by the school district.
 - (2) By public notice to any public district, public authority, public agency, public corporation, or any other political subdivision in this state, to the federal government, and to nonprofit charitable corporations existing on

December 31, 1979, and organized pursuant to Part 3 (commencing with Section 10200) of Division 2 of Title 1 of the Corporations Code then in effect or organized on or after January 1, 1980, as a public benefit corporation under Part 2 (commencing with Section 5110) of Division 2 of Title 1 of the Corporations Code. Public notice shall consist of at least publishing its intention to dispose of the real property in a newspaper of general circulation within the school district, or if there is no newspaper of general circulation in the school district, then in any newspaper of general circulation that is regularly circulated in the school district. The notice shall specify that the property is being made available to all public districts, public authorities, public agencies, and other political subdivisions or public corporations in this state, and to other nonprofit charitable or nonprofit public benefit corporations.

(d) Publication of notice pursuant to this section shall be once each week for three successive weeks. Three publications in a newspaper regularly published once a week or more often, with at least five days intervening between the respective publication dates not counting the publication dates, are sufficient. The written notice required by paragraph (1) of subdivision (c) shall be mailed no later than the date of the second published notice.

(e) The entity desiring to purchase or lease the property shall, within 60 days after the third publication of notice, notify the school district of its intent to purchase or lease the property. If the entity desiring to purchase or lease the property and the school district are unable to arrive at a mutually satisfactory price or lease payment during the 60-day period, the property may be disposed of as otherwise provided in this section. In the event the school district receives offers from more than one entity pursuant to this subdivision, the school district governing board may determine which of these offers to accept.

(f) Fourth, the property may be disposed of in any other manner authorized by law.

(g) This section shall become operative January 1, 1988.

17465.

(a) As used in this section, the terms "district," "special education local plan area," and "county office" have the same meaning as prescribed by Part 30 (commencing with Section 56000).

(b) The governing board of a school district that adopts a resolution of intent to lease vacant classrooms shall first offer to lease the classrooms for special education programs that are provided by either other districts that comprise part of the special education local plan area in which the leasing district is included or by the county office having jurisdiction over the leasing district, to the pupils of the leasing district, in whole or in part.

(c) Upon adoption of the resolution, the governing board shall notify, in writing, other districts or the county office, as specified in subdivision (b), of its intent to lease vacant classrooms. The notice shall describe the vacant classrooms, shall specify that the lease shall not exceed a term of 99 years and that the lease payment and other terms of the lease are subject to

negotiation, and shall state that the offer to lease is valid for no more than 60 days after receipt thereof.

(d) Notwithstanding Section 17466, the governing board may include in its resolution a time for a public meeting of the governing board to be held at its regular place of meeting at which sealed proposals to lease will be received and considered, and, notwithstanding Section 17469, may post copies of the resolution and publish notice of the adoption of the resolution. However, the governing board shall not act on any proposal prior to the first of the following conditions occurring:

(1) Receipt from the county superintendent or the public education agency, as appropriate, of its intent to lease the classrooms or of its intent not to do so.

(2) Expiration of the 60-day period prescribed by subdivision (c).

(e) An entity desiring to lease the vacant classrooms shall, within 60 days from receipt of the notification, inform the governing board, in writing, of its intent to lease or not to lease the classrooms.

(f) (1) The lease payments and other terms of the lease for vacant classrooms leased to other districts or to the county office, as specified in subdivision (b), shall be negotiated by the entity desiring to lease the vacant classrooms and the governing board. Any entity eligible to lease vacant classrooms pursuant to this section and any governing board may negotiate lease payments prior to the availability of the vacant classrooms.

(2) The lease payments shall not exceed the district's actual costs for maintenance, operation, and custodial services for the leased classrooms.

(3) If more than one governing board offers to lease classrooms, the entity desiring to lease such classrooms may elect to negotiate either individually with each district, or jointly, with some or all of such districts. If the entity elects joint negotiations, the lease payments shall not exceed the participating districts' average actual costs for maintenance, operation, and custodial services for the leased classrooms.

(g) If the governing board and the entity desiring to lease the classrooms are unable to complete negotiations for the lease and arrive at a mutually satisfactory lease within the same 60-day period that the entity has to inform the governing board of its intent to lease or not lease, the governing board may lease the classrooms in accordance with the provisions of this article.

(h) If vacant classrooms are available in both operating and nonoperating schools, the governing board, prior to adopting a resolution of intent to lease, shall consider which school would provide the environment least restrictive to the needs of handicapped pupils or individuals with exceptional needs, as appropriate, for whom the county superintendent or public education agency provides special education programs.

17466.

Before ordering the sale or lease of any property the governing board, in a regular open meeting, by a two-thirds vote of all its members, shall adopt a resolution, declaring its intention to sell or lease the property, as the case may be. The resolution shall describe the property proposed to be sold or

leased in such manner as to identify it and shall specify the minimum price or rental and the terms upon which it will be sold or leased and the commission, or rate thereof, if any, which the board will pay to a licensed real estate broker out of the minimum price or rental. The resolution shall fix a time not less than three weeks thereafter for a public meeting of the governing board to be held at its regular place of meeting, at which sealed proposals to purchase or lease will be received and considered.

17467.

In lieu of the declaration of intention to lease real property provided in Section 17466, the governing board of any school district having an average daily attendance of 400,000 or more as shown by the annual report of the county superintendent of schools for the preceding year may publish a notice three times in a period of not less than 15 days in a newspaper of general circulation published in the district. The notice shall describe the property proposed to be leased in such manner as to identify it and shall specify the minimum rental and terms upon which it will be leased. The notice shall fix a time not less than 15 days thereafter for a public meeting of the governing board to be held at its regular place of meeting at which proposal to lease will be received and considered.

The governing board by majority vote may adopt a ruling delegating to such officer or employee of the district as the board may designate, authority to perform the duties prescribed in this section.

Bids received under this section shall be received, accepted, or rejected in accordance with the provisions of this article.

17468.

If, in the discretion of the board, it is advisable to offer to pay a commission to a licensed real estate broker who is instrumental in obtaining any proposal, the commission shall be specified in the resolution. No commission shall be paid unless there is contained in or with the sealed proposal or stated in or with the oral bid, which is finally accepted, the name of the licensed real estate broker to whom it is to be paid, and the amount or rate thereof. Any commission shall, however, be paid only out of money received by the board from the sale or rental of the real property.

17469.

Notice of the adoption of the resolution and of the time and place of holding the meeting shall be given by posting copies of the resolution signed by the board or by a majority thereof in three public places in the district, not less than 15 days before the date of the meeting, and by publishing the notice not less than once a week for three successive weeks before the meeting in a newspaper of general circulation published in the county in which the district or any part thereof is situated, if any such newspaper is published therein.

17470.

(a) The governing board of a school district that intends to sell real property pursuant to this article shall take reasonable steps to ensure that the former owner from whom the district acquired the property receives notice of the public meeting prescribed by Section 17466, in writing, by certified mail, at least 60 days prior to the meeting.

(b) The governing board of a school district shall not be required to accord the former owner the right to purchase the property at the tentatively accepted highest bid price nor to offer to sell the property to the former owner at the tentatively accepted highest bid price.

17471.

Whenever it is proposed to lease real property and the governing board unanimously determines in the resolution that in its opinion, the monthly rental value of the property does not exceed the sum of fifty dollars (\$50), the resolution need not be posted and may, before the date of the meeting, be published in two successive issues of a weekly newspaper or in five successive issues of a daily newspaper. The newspaper in which the notice is published shall be one published in the district and having a general circulation there; or if there is no newspaper, then one having a general circulation in the district; or if there is no newspaper, then in one having a general circulation in a county in which the district or any part thereof is situated.

17472.

At the time and place fixed in the resolution for the meeting of the governing body, all sealed proposals which have been received shall, in public session, be opened, examined, and declared by the board. Of the proposals submitted which conform to all terms and conditions specified in the resolution of intention to sell or to lease and which are made by responsible bidders, the proposal which is the highest, after deducting therefrom the commission, if any, to be paid a licensed real estate broker in connection therewith, shall be finally accepted, unless a higher oral bid is accepted or the board rejects all bids.

17473.

Before accepting any written proposal, the board shall call for oral bids. If, upon the call for oral bidding, any responsible person offers to purchase the property or to lease the property, as the case may be, upon the terms and conditions specified in the resolution, for a price or rental exceeding by at least 5 percent, the highest written proposal, after deducting the commission, if any, to be paid a licensed real estate broker in connection therewith, then the oral bid which is the highest after deducting any commission to be paid a licensed real estate broker, in connection therewith,

which is made by a responsible person, shall be finally accepted. Final acceptance shall not be made, however, until the oral bid is reduced to writing and signed by the offeror.

17474.

In the event of a sale on a higher oral bid to a purchaser procured by a licensed real estate broker, other than the broker who submitted the highest written proposal, and who is qualified as provided in Section 17468 of this code, the board shall allow a commission on the full amount for which the sale is confirmed. One-half of the commission on the amount of the highest written proposal shall be paid to the broker who submitted it, and the balance of the commission on the purchase price to the broker who procured the purchaser to whom the sale was confirmed.

17475.

The final acceptance by the governing body may be made either at the same session or at any adjourned session of the same meeting held within the 10 days next following.

17476.

The governing body may at the session, if it deems such action to be for the best public interest, reject any and all bids, either written or oral, and withdraw the property from sale or lease.

17477.

(a) (1) If the governing board has complied with the provisions of this article, and no proposals are submitted or the proposals submitted do not conform with all terms and conditions specified in the resolution of intent to lease, the governing board may within one year thereafter, or one year after the passage of 30 days from the rejection of a public entity's nonconforming proposal, as appropriate, lease such real property, together with any personal property located thereon, to any lessee, at a price not less than fair market value in accordance with any terms and conditions agreed upon by the governing board and the lessee, except that the term of a lease shall not exceed three years. Sections 17461, 17464, and 17466 to 17469, inclusive, and Sections 17471 to 17473, inclusive, shall not apply to the lease.

(2) The governing board may by majority vote delegate an officer or employee of the district, or any other third person, to secure a lessee and to negotiate the terms and conditions of the lease. However, the lease shall not be executed unless the governing board by majority vote, at a public meeting, approves the lease.

(3) If a public entity has submitted a nonconforming proposal, the governing board shall not take any action pursuant to this subdivision until 30 days after the rejection of the proposal.

(b) Subdivision (a) shall not apply if a public entity has submitted a proposal that does not conform with all the terms and conditions specified in the resolution of intent to lease, and if the public entity requests, in writing, within 30 days from the rejection of its proposal, that the governing board lease the real property, subject to the resolution of intent, in accordance with this article.

17478.

Any resolution of acceptance of any bid made by the governing body authorizes and directs the president of the governing body, or other presiding officer, or the members thereof, to execute a deed or lease and to deliver it upon performance and compliance by the purchaser or lessee of all the terms or conditions of his or her contract to be performed concurrently therewith.

17479.

Nothing in Sections 17455 to 17542, inclusive, shall prevent the governing board of any school district from acquiring, leasing or subleasing property pursuant to Section 1261 of the Military and Veterans Code.

17480.

The governing board of any school district may, without complying with any other provision of this article, let in the name of the district any buildings, grounds, or space therein, together with any personal property located thereon, not needed for school classroom buildings upon any terms and conditions as may be agreed upon by the governing board of the district and the lessee thereof for a period not exceeding 30 separate or consecutive calendar days or portions thereof in each fiscal year.

17481.

In addition to any other authority to lease real property, the governing board of a school district, by a two-thirds vote of its members, may lease, for a term not exceeding three months, school district property having a residence thereon, which cannot be developed for district purposes because of the unavailability of funds. The lease shall be upon any terms and conditions that the parties thereto may agree and may be entered into without complying with any provisions in this code except as provided in this section.

17482.

The governing board of a school district may, with the approval of the county board of supervisors, sell or lease any building of the district together with the site upon which the building is located, without complying with any other

provisions of this article, provided that the county board of supervisors finds that all of the following conditions exist:

(a) The sale or lease is to be made to an incorporated nonprofit tax-exempt community or civic organization with a membership comprised predominantly of persons residing in the community in which the building and site are situated.

(b) The building is not suitable for school purposes.

(c) The building has an historic value and its preservation and utilization for the benefit of the community will best be ensured by sale or lease to an organization specified in subdivision (a).

(d) The sale or lease is to be executed for a consideration to enure to the school district reflecting the fair market value of the property, or its fair rental value, as the case may be, except that the sale may be executed for a consideration that is less than the fair market value of the property if all of the following conditions exist:

(1) More than 50 percent of the buildings on the site have been designated as historically significant by the State Historical Resources Commission.

(2) For a period of 25 years, commencing with the date that possession of the property is transferred, the building or buildings designated pursuant to paragraph (1) shall be used and maintained for public benefit as an historical resource, and the site shall otherwise be available for public access and use, including, but not limited to, park and recreational uses. Any violation of this condition shall result in the automatic reversion of title to the property so transferred, without remuneration, to the transferor school district. The condition set forth in this paragraph does not prohibit any use of the site that is necessary or appropriate to its use and maintenance for historical purposes.

(3) The consideration paid is equal to or greater than the sum of the actual cost of the acquisition of the property by the school district and the actual cost of any capital improvements made to the property.

(e) Adequate provision has been made in connection with the sale or lease transaction to protect the district against all civil liabilities which might arise in connection with any use of the building and site.

17483.

The failure to comply with the provisions of this article shall not invalidate the transfer or conveyance of real property to a purchaser or encumbrancer for value.

17484.

The governing board of any school district, constituting the governing body of an elementary district, a high school district, or any two of those districts, may sell any building, structure, or other fixture, belonging to one of its respective districts to another district governed by it, for an amount to be fixed by the governing body, without advertisement for or receipt of bids or compliance with any other provisions of this code.

Whenever any property is sold under this section it shall be removed from the premises of the district selling it within 60 days from the date of the sale.

Education Code Sections 17387-17391: Advisory Committees

17387.

It is the intent of the Legislature that leases entered into pursuant to this chapter provide for community involvement by attendance area at the district level. This community involvement should facilitate making the best possible judgments about the use of excess school facilities in each individual situation.

It is the intent of the Legislature to have the community involved before decisions are made about school closure or the use of surplus space, thus avoiding community conflict and assuring building use that is compatible with the community's needs and desires.

17388.

The governing board of any school district may, and the governing board of each school district, prior to the sale, lease, or rental of any excess real property, except rentals not exceeding 30 days, shall, appoint a district advisory committee to advise the governing board in the development of districtwide policies and procedures governing the use or disposition of school buildings or space in school buildings which is not needed for school purposes.

17389.

A school district advisory committee appointed pursuant to Section 17388 shall consist of not less than seven nor more than 11 members, and shall be representative of each of the following:

- (a) The ethnic, age group, and socioeconomic composition of the district.
- (b) The business community, such as store owners, managers, or supervisors.
- (c) Landowners or renters, with preference to be given to representatives of neighborhood associations.
- (d) Teachers.
- (e) Administrators.
- (f) Parents of students.
- (g) Persons with expertise in environmental impact, legal contracts, building codes, and land use planning, including, but not limited to, knowledge of the zoning and other land use restrictions of the cities or cities and counties in which surplus space and real property is located.

17390.

The school district advisory committee shall do all of the following:

- (a) Review the projected school enrollment and other data as provided by the district to determine the amount of surplus space and real property.
- (b) Establish a priority list of use of surplus space and real property that will be acceptable to the community.
- (c) Cause to have circulated throughout the attendance area a priority list of surplus space and real property and provide for hearings of community input to the committee on acceptable uses of space and real property, including the sale or lease of surplus real property for child care development purposes pursuant to Section 17458.
- (d) Make a final determination of limits of tolerance of use of space and real property.
- (e) Forward to the district governing board a report recommending uses of surplus space and real property.

17391.

The governing board may elect not to appoint an advisory committee pursuant to Section 17387 in the case of a lease or rental to a private educational institution for the purpose of offering summer school in a facility of the district.

Education Code Sections 17515-17526: Joint Occupancy

17515.

Any school district may enter into leases and agreements relating to real property and buildings to be used jointly by the district and any private person, firm, local governmental agency, as defined in paragraph (3) of subdivision (f) of Section 4420 of the Government Code, or corporation pursuant to this article. As used in this article, "building" includes onsite and offsite facilities, utilities and improvements that, as agreed upon by the parties, are appropriate for the proper operation or function of the building to be occupied jointly by the district and the private person, firm, or corporation. It also includes the permanent improvement of school grounds. Any building, or portion thereof, that is used by a private person, firm, local governmental agency, as defined in paragraph (3) of subdivision (f) of Section 4420 of the Government Code, or corporation pursuant to this section shall be subject to the zoning and building code requirements of the local jurisdiction in which the building is situated.

Section 53094 of the Government Code shall not be applicable to uses of school district property or buildings authorized by this section, except in the case of property or buildings used solely for educational purposes.

17516.

(a) Before the governing board of a school district enters into a lease or agreement pursuant to this article, it shall own a site upon which a building to be used by the district and private person, firm, local governmental agency, as defined in paragraph (3) of subdivision (f) of Section 4420 of the Government Code, or corporation may be constructed and shall have complied with the provisions of law relating to the selection and approval of sites.

(b) This section shall not apply to any building to be acquired by purchase pursuant to Article 2 (commencing with Section 17110) of Chapter 16 of Part 10.

17517.

The term of any lease or agreement entered into by a school district pursuant to this article shall not exceed 66 years.

17518.

(a) The governing board of a school district may let to any private person, firm, local governmental agency, as defined in paragraph (3) of subdivision (f) of Section 4420 of the Government Code, or corporation, any real property that belongs to the district if the instrument by which the property is let requires the lessee therein to construct on the demised premises, or provide for the construction thereon of, a building or buildings for the joint

use of the school district and the private person, firm, local governmental agency, as defined in paragraph (3) of subdivision (f) of Section 4420 of the Government Code, or corporation during the term of the agreement.

(b) However, title to that portion of the building to be occupied by the private individual, firm, local governmental agency, as defined in paragraph (3) of subdivision (f) of Section 4420 of the Government Code, or corporation shall remain exclusively the personal property of the private party during the term of the lease and the title to that portion of the building to be occupied by the district shall vest in the district upon completion thereof and acceptance thereof by the school district. No rental fee or other charge for the use of the building shall be paid by the district.

17519.

Any lease of real property by a school district to a private person, firm, local governmental agency, as defined in paragraph (3) of subdivision (f) of Section 4420 of the Government Code, or corporation pursuant to this article shall be upon the terms and conditions as the parties thereto may agree and may be entered into without complying with any provisions of this code except as provided in this article. However, any lease or agreement pursuant to this article shall be subject to Article 7 (commencing with Section 35230) of Chapter 2 of Part 21.

17520.

Before entering into a lease or agreement pursuant to this article, the governing board of a school district shall comply with Section 17521.

17521.

For the purposes of receiving proposals for the joint occupancy of a building to be constructed on school property, the board shall, in a regular open meeting, adopt a resolution declaring its intention to consider the proposals. The resolution shall describe the proposed site on which the building to be jointly occupied is to be constructed in a manner so as to identify the site, shall specify the intended use of that portion of the building that is to be occupied by the district, and shall fix a time not less than 90 days thereafter for a public meeting of the governing board to be held at its regular place of meeting, at which meeting the board shall receive and consider all plans or proposals submitted.

17522.

Notice of adoption of the resolution and the time and place of holding the meeting shall be given by publishing the resolution at least once a week for three weeks in a newspaper of general circulation published in the district if there is one, or if none is published in the district, in a newspaper published in the county.

17523.

At the time and place fixed in the resolution for the meeting of the governing board, the board shall meet and consider all plans and proposals submitted for the joint occupancy of the building to be constructed on the proposed schoolsite.

17524.

(a) After considering all proposals submitted, the governing board of the school district may, subject to Section 17525, select the plan or proposal that best meets the needs of the school district and enter into a contract incorporating that plan or proposal either as submitted or as revised by the governing board of the school district. However, the governing board shall not approve any proposal nor enter into a lease or contract incorporating a proposal until the governing board has submitted the proposal to the State Board of Education, and the State Board of Education has approved the proposal. The State Board of Education shall, within 45 days of the date of submission, notify the governing board of its approval or disapproval.

(b) The governing board shall require any person, firm, local governmental agency, as defined in paragraph (3) of subdivision (f) of Section 4420 of the Government Code, or corporation with whom it enters into a lease or agreement pursuant to this article to file one of the following, as determined by the governing board:

(1) A bond for the performance of the lease or agreement.

(2) An irrevocable letter of credit issued by a state or national bank or a federal or state credit union for the performance of the lease or agreement.

17525.

Any building constructed for the use of a school district pursuant to this article is subject to Sections 17280 to 17313, inclusive, and all other provisions of this code relating to the physical structure of school buildings.

17526.

The provisions of this article prevail over any provisions of law that conflict therewith.

Education Code Sections 17527-17535: Joint Use

17527.

(a) The governing board of any school district may enter into agreements to make vacant classrooms or other space in operating school buildings available for rent or lease to other school districts, educational agencies, except private educational institutions which maintain kindergarten or grades 1 to 12, inclusive, governmental units, nonprofit organizations, community agencies, professional agencies, commercial and noncommercial firms, corporations, partnerships, businesses, and individuals, including during normal school hours if the school is in session.

(b) The governing board shall give first priority in leasing or renting vacant classroom space or other space to educational agencies for conducting special education programs and second priority to other educational agencies.

17528.

As used in this article, "building" includes onsite and offsite facilities, utilities, and improvements which, as agreed upon by the parties, are appropriate for the proper operation or function of the building to be jointly occupied and used. It also includes the permanent improvement of school grounds.

17529.

Prior to entering into a lease or agreement pursuant to this article, the school district governing board shall determine that the proposed joint occupancy and use of school district property or buildings will not do any of the following:

(a) Interfere with the educational program or activities of any school or class conducted upon the real property or in any building.

(b) Unduly disrupt the residents in the surrounding neighborhood.

(c) Jeopardize the safety of the children of the school.

17530.

The governing board of a school district entering into a lease pursuant to this article shall comply with the applicable provisions of Article 4 (commencing with Section 17455).

17531.

(a) Except as provided in subdivision (b) of this section and Section 17532, the amount of classroom space leased pursuant to this article in any schoolsite during normal school hours shall not exceed 45 percent of the total classroom space of that school, and in no event shall the leased classroom

space in the school district during normal school hours exceed 30 percent of the district's total classroom space in operating schools.

(b) The governing board of a school district may, upon a two-thirds vote, enter into lease agreements which exceed the 45 percent limit per school upon making a finding that the leases are compatible with the educational purpose of the school. The board, however, shall not exceed, pursuant to this subdivision, the 30 percent limit of classroom space for the entire school district.

(c) The provisions of this section shall not apply to agreements for the lease of classroom space entered into by districts on or before March 4, 1981.

17532.

The governing board of a school district may lease vacant classroom space the total area of which exceeds the 30 percent districtwide limit of classroom space available pursuant to this article, if a lease is for any day care center, nursery school, or special education class.

17533.

A local agency having general planning jurisdiction may require adherence to appropriate zoning ordinances, use permits, construction or safety codes, by a school district seeking to lease a portion of a school building for uses other than public or education-related uses.

17534.

(a) Except as provided in subdivision (b), the term of any agreement entered into by a school district pursuant to this article shall not exceed five years.

(b) The provisions of subdivision (a) shall not apply to agreements under or pursuant to which capital outlay improvements are made on school property for park and recreation purposes by public entities and nonprofit corporations.

17535.

(a) Except as provided in subdivision (b), no agreement entered into by a school district pursuant to this article shall rent or lease vacant classrooms or other space in operating schools for less than fair market rental for comparable facilities.

(b) A district may enter into an agreement to rent or lease vacant classrooms or other space in operating schools to public entities for less than fair market rental for comparable facilities.

Rachel Rios

Subject: FW: Congratulations from the CA Catalyst Fund!

From: Michael Kass [<mailto:michaelkass@gmail.com>]

Sent: Thursday, January 30, 2014 2:11 PM

To: Alana White; Britta Guerrero; Alexandria Shilin

Subject: Congratulations from the CA Catalyst Fund!

Hi Alana,

We're excited to let you know that the California Catalyst Fund has approved SNAHC's request for funding.

We've received approval to provide up to \$15,000 for technical assistance to support work around SNAHC's potential partnership with La Familia Counseling Center.

The next step will be to select a Technical Assistance Provider and develop a Scope of Work to submit to the Fund for approval. There are a couple of TA Providers we have in our pool who I believe would be a strong fit for the project--Bobbie Wunsch or Steve Rousso. Are you familiar with them? If not, I am happy to introduce you so you can determine if they are the right fit for your organization. Just let me know.

Thank you, Alana and congratulations. If you have any questions or concerns, please don't hesitate to reach out.

All best,
Michael

Michael Kass
Consultant
Nonprofit Finance Fund
[323.702.2357](tel:323.702.2357)



Sacramento City Unified School District

The Sacramento City Unified School District's 7-11 Committee advises the Board of Education on the reuse, repurposing and disposition of school buildings and vacant sites not needed for school purposes. The SCUSD 7-11 Committee proceedings and its deliberations are open to the public.

REQUEST FOR USAGE OF SCUSD CLOSED SCHOOL PROPERTIES

Date: February 3, 2014

SCUSD Connect Center requests to be considered as a possible tenant for the following properties.
(Category/Organization)

☐ CB Wire ☐ CP Huntington ☐ Fruit Ridge ☐ J Bonnheim ☐ Maple ☒ Mark Hopkins ☐ Washington

Program Description: ☐ The SCUSD Connect Center is a centralized student support center that serves as the district's gateway to critical support for students and families. The Connect Center, which is currently located on the Genesis campus, is designed to increase coordination of youth and family services by providing a single point of access and assistance to address the social, emotional, health and academic needs of all students. Due to the high volume of need the Integrated Support Services department is exploring options for expansion in the Meadowview community.

Type of organization: SCUSD Integrated Support Services Department

Number of students/
Community members served per year: 800 students per year

Type of space desired: Multiple offices (or classrooms)

Partners involved (if applicable): Sac. Co. Department of Health Assistance and Department of Behavioral Health, Legal Services of Northern California

Primary point of contact: Barbara Kronick, Director of Integrated Support Services

Email address & phone number: barbara-kronick@scusd.edu

Mailing address: N/A

Are you interested in purchasing any property? YES/NO (circle one) N/A

Are you interested in leasing any property? YES/NO (circle one) If yes, for how long? N/A_____

Are you interested in leasing a portion of any property? YES/NO (circle/one) If yes, for how long? N/A_____

If non-District entity, does your organization have funding for lease payments and operational costs? YES/NO (circle one) N/A

I am interested in presenting to the 7-11 Committee at one of the upcoming community forums: (if applicable)

_____ Fruit Ridge 10/21/13

_____ Mark Hopkins 11/12/13

_____ Joseph Bonnheim 10/28/13

_____ Washington 11/18/13

_____ Maple 11/4/13

_____ Serna Center 12/5/13

Form completed by : Barbara Kronick_____ Date: February 3, 2014_____

Please forward this document to 7-11@scusd.edu. If you have any questions please contact Cathy Allen at 916-643-9212.

Rachel Rios

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