



"OUR CHILDREN – OUR FUTURE"

Ravenswood City School District

ADMINISTRATIVE OFFICE

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Board Members:

Mele K. Latu, President
Tamara Sobomehin, Vice President
Bronwyn Alexander, Clerk
Ana Maria Pulido, Member
Jenny Varghese Bloom, Member

Gina Sudaria
Superintendent

RESOLUTION No. 2020/2021 - 21

RESOLUTION OF THE BOARD OF TRUSTEES OF THE RAVENSWOOD CITY SCHOOL DISTRICT DECLARING ITS INTENTION TO LEASE THE SITE FORMERLY KNOWN AS THE JAMES FLOOD ELEMENTARY SCHOOL, LOCATED IN MENLO PARK, CALIFORNIA AND DIRECTING STAFF AND CONSULTANTS TO PROCEED WITH THE LEASE PROCESS

WHEREAS, the Ravenswood City School District ("District") owns a parcel of land that is approximately two-and-a-half acres in size situated within the jurisdictional boundaries of the District, at 320 Sheridan Drive, in Menlo Park, California, which was formerly the James Flood Elementary School Site, and included as part of the land identified as Assessor's Parcel Number 055-303-110 (the "Property"), further described in Attachment A, attached hereto and incorporated herein by reference; and

WHEREAS, this Board has previously determined that the Property is not and will not be needed by the District for school classroom buildings or other purposes and the Property has already been declared surplus pursuant to the requirements and provisions of the California Education Code; and

WHEREAS, on October 9, 2020, this Board adopted Resolution No. 2020/2021-9, directing staff to seek a waiver from the California State Board of Education of certain provisions of the California Education Code related to the method of leasing the Property; and

WHEREAS, at its meeting in March 2021, the State Board of Education granted the District's request for a waiver of certain provisions of the California Education Code related to the method of leasing the Property ("Waiver"); and

WHEREAS, Section 17485, *et seq.*, of the Education Code ("Naylor Act") regulates the District's ability to lease certain land that is used for playgrounds, play fields and recreational uses or that is open-space land that is particularly suited for recreational purposes; and

WHEREAS, the Naylor Act, where applicable, takes precedence over general statutory provisions relating to the lease of surplus property by school districts; and

WHEREAS, the Property is not, and has not, to the District's knowledge, been used for playground, playing field or other recreational or outdoor purposes for at least the last eight years immediately preceding the adoption of this resolution, nor is the Property particularly suited for such purposes; and

WHEREAS, there is no evidence or indication that any local planning decisions were made on the assumption that the Property would be available for playgrounds, play fields, or recreational uses; and

WHEREAS, Section 17466 of the Education Code, as revised with respect to the Property by the Waiver, requires that this Board adopt, by a two-thirds vote of its members, a resolution declaring this Board's intent to sell or lease the Property, as the case may be, and describing the property proposed to be sold or leased in such manner as to identify it ("Resolution of Intent"); and

WHEREAS, Education Code provisions, as revised with respect to the Property by the Waiver, require that copies of the Resolution of Intent be posted in at least three public places in the District; and

WHEREAS, Education Code provisions, as revised with respect to the Property by the Waiver, allow the District to employ a request for proposals process and directly negotiate with the potential lessee party offering the most advantageous price and payment and other terms that may yield the greatest economic and other benefits to the District; and

WHEREAS, in order to facilitate the marketing of the Property so as to maximize lease offers, this Board has hired a licensed real estate broker to advertise and solicit proposals from potential lessees and to negotiate lease offers; and

WHEREAS, this Board now wishes to proceed with the lease of the Property in a fashion that will yield the greatest economic and other benefits to the District.

NOW THEREFORE, BE IT FOUND, DETERMINED, AND RESOLVED BY THE BOARD OF TRUSTEES OF THE RAVENSWOOD CITY SCHOOL DISTRICT, COUNTY OF SAN MATEO, CALIFORNIA, AS FOLLOWS:

1. The foregoing recitals are adopted as true and correct.
2. The District has determined that the Property is surplus property that the District will not need for educational purposes at the time of delivery of possession to the lessee.
3. Pursuant to Section 17466 of the Education Code, as modified by the Waiver with respect to the Property, the Board hereby declares its intention to lease the Property in accordance with the terms of this Resolution of Intent and the Waiver.
4. District staff is hereby authorized and directed to give notice of the adoption of this Resolution of Intent by posting copies of the Resolution in at least three (3) public places within the District.
5. The District's Superintendent, or her designee, is authorized and directed to send written offers for the lease of the Property to public agencies if and to the extent that the Superintendent, or her designee, in consultation with District staff and consultants, determines that such written offers to public agencies to lease the Property are warranted or required pursuant to Section 17489 of the Education Code or Section 54222 of the Government Code.

6. The District's Superintendent, or her designee, working with District staff and consultants, is authorized and directed to solicit proposals for lease of the Property with such Property to be leased in an "as-is" condition and to take other steps necessary or convenient to effect the lease of the Property in accordance with the Education Code, the terms of the Waiver and this Resolution of Intent.
7. In order to facilitate the marketing of the lease of the Property, this Board approves the payment to JLL Capital Markets commission rate not to exceed 6%; related to the lease of the Property. The Chief Business Officer is additionally authorized to negotiate a rate lower or a payment plan that reduces the district's financial burden below that 6%.
8. The District's Superintendent or her designee, working with District staff and consultants, is authorized and directed to review proposals received and to undertake negotiations with the lease proposer(s) deemed to yield the greatest economic and other benefits to the District and to report the results of such review and negotiations to this Board at a scheduled Board meeting so that this Board may make a final determination regarding the lease proposal that yields the greatest economic and other benefits to the District and to approve the terms of the lease of the Property.

ADOPTED, SIGNED AND APPROVED this _____ of May, 2021.

President of the Board of Trustees of the
Ravenswood City School District

I, _____, Clerk of the Board of Trustees of the Ravenswood City School District, do hereby certify that the foregoing resolution was adopted by the Board of Trustees of the District at a meeting of the Board held on the _____ day of May, 2021 and it was so adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Clerk of the Board of Trustees of the
Ravenswood City School District