

NAPA VALLEY UNIFIED SCHOOL DISTRICT

RESOLUTION NO. 20-07

**RESOLUTION DECLARING THE DISTRICT'S INTENTION TO SELL SURPLUS
REAL PROPERTY AND DIRECTING STAFF AND CONSULTANTS TO
PROCEED WITH SALE PROCESS**

WHEREAS, the Napa Valley Unified School District ("District") is the owner of a former school site commonly known as Vintage Farm/Van de Leur site, located at 1185 Sierra Avenue, Napa, CA 94558, APNs 038-250-037 and 038-250-035 ("Property"); and

WHEREAS, the District previously convened a Real Property Advisory "7-11" Committee ("Committee") pursuant to Education Code sections 17387, *et seq.*, to advise the District's Board of Education ("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; and

WHEREAS, on December 17, 2015, the Committee presented its Report to the Board, in which the Committee, recognizing the unique community resource it is, recommended that the Property be sold for its "Highest and Best Use," anticipated to be for a residential subdivision, with conditions that included the acquisition, relocation, and reconstitution of the school farm located on the Property to a property or properties of no less than nine (9) acres, within a 1/2 mile walking distance to the District's Vintage High School, and that would not materially diminish the educational program. Once a new viable location for the school farm is found, the Committee found that the District has no educational, operational, or administrative need for the Property, and recommended that the Property be sold; and

WHEREAS, the District has located a new site consisting of approximately 10.29 acres and located within 1/2 mile of the Vintage High School ("New Farm Site"), and has acquired the New

Farm Site through a real property exchange, acquisition, and lot line adjustment that closed and recorded on September 26, 2019; and

WHEREAS, since the District has acquired the New Farm Site for relocation of the existing school farm, the District has no current need for the Property, the Property is surplus to the District's needs, and is excess real property pursuant to Education Code section 17388; and

WHEREAS, this Board has previously determined that the greatest likely financial benefit to the District will result from the sale, rather than the lease, of the Property, and further, that selling rather than leasing the Property will reduce the District's liability exposure related to future use of the Property, such that the interests of the District and the local community would be best served by the District's sale of the Property; and

WHEREAS, the Property is not, and will not upon the sale thereof at the time of delivery of ownership and possession, be needed for school classroom buildings; and

WHEREAS, this Board on April 25, 2019, adopted Resolution No. 19-22, declaring the Property surplus, authorizing solicitation of offers from public agencies for the sale of the Property, approving a proposed waiver ("Waiver") from the State Board of Education of specified sections of the Education Code to allow the District to utilize a Requests for Proposals ("RFP") process and maximize the return on the sale of the Property, and authorizing the issuance of an RFP seeking proposals for purchase of the Property; and

WHEREAS, the Waiver is expected to be considered by the State Board of Education at its meeting on November 6-7, 2019; and

WHEREAS, the District offered the Property for sale to entities as statutorily required pursuant to Education Code section 17464, and Government Code section 54222, *et seq.*, as applicable, and no such entities notified the District of an intent to purchase the Property within the time prescribed for such notification; and

WHEREAS, Government Code section 54221(f)(1), as modified by California Assembly Bill 1486, defines “exempt surplus land” to include excess school district real property that is subject to Education Code section 17388; and

WHEREAS, on May 1, 2019, the District issued an RFP for the Property to advertise and solicit proposals from potential buyers, conditioned on approval of the Waiver by the State Board of Education; and

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

WHEREAS, the real estate broker will be paid a commission rate of 6% of the cumulative sale price for the Property; and

WHEREAS, this Board now wishes to proceed with the sale of said Property in a fashion that will maximize the return to the District.

NOW, THEREFORE, BE IT FOUND, DETERMINED, AND RESOLVED BY THE BOARD OF EDUCATION OF THE NAPA VALLEY UNIFIED SCHOOL DISTRICT, NAPA COUNTY, CALIFORNIA, AS FOLLOWS:

1. The foregoing recitals are adopted as true and correct.
2. The Property is surplus property that the District will not need for educational purposes at the time of delivery of ownership and possession.
3. Pursuant to Education Code section 17466, the Board hereby declares its intention to sell the Property in accordance with the terms of this Resolution.
4. District staff are hereby authorized and directed to give notice of the adoption of this Resolution by posting copies of the Resolution in three (3) public places within the District.

5. In order to facilitate the marketing of the Property so as to maximize bids to the District, the Board has agreed to pay to 3D Strategies Inc., a commission equal to 6% of the cumulative sale price for the Properties.

6. Pursuant to Government Code sections 54221(b)(1) and (f)(1), the Board hereby declares that the Property is “exempt surplus land” under the California Surplus Land Act (Gov. Code § 54220, et seq.), as modified by Assembly Bill 1486.

8. District staff and consultants are authorized and directed to proceed with the steps necessary or convenient to effect the sale of the Property in accordance with law and the terms of this Resolution.

The foregoing Resolution was adopted this 24th day of October, 2019.

President, Board of Trustees
Napa Valley Unified School District
Napa County, California

Attest:

Clerk, Board of Trustees
Napa Valley Unified School District
Napa County, California