

BOARD AGENDA ITEM

+F-1

Meeting Date: August 10, 2010

Item Title: Approval of Alameda Unified School District Surplus Real Property Advisory Committee and Adoption of Guidelines for Operation of the Committee

Item Type: Information/Action

BACKGROUND: Pursuant to Board Policy 3280, the District should utilize its facilities and resources in the most economical and practical manner. In accordance with Board Policy 3280, the Superintendent shall periodically study the current and projected use of all District facilities in order to ensure the efficient utilization of space and the effective delivery of instruction in order to maximize student learning.


The following two properties are not occupied by District programs or schools: 1525-1535 Buena Vista Ave, Alameda, CA 94501, APN 72-380-19 and APN 72-380-020 ("Tidelands Property") and 2437 Eagle Ave, Alameda, CA 94501, APN 070-0193-011 ("Old Island High Site"). Accordingly, the Superintendent is seeking direction as to the most efficient utilization of these unoccupied properties.

Pursuant to California Education Code Section 17388, the District must form and appoint an advisory committee to advise the Board of Education regarding the use or disposition of school buildings, space or property which is not used for school purposes. This Committee is therefore a necessary first step in determining the best uses for the Tidelands Property and Old Island High.


FISCAL IMPLICATIONS: None.

RECOMMENDATION: Approve as submitted.

AUSD Guiding Principles: #4-Parental involvement and community engagement are integral to student success; #5-Accountability, transparency, and trust are necessary at all levels of the organization.

Submitted by: Danielle Houck, General Counsel 

Approved for Submission to Board of Education


Kirsten Vital, Superintendent

**OPERATIONAL GUIDELINES
ALAMEDA UNIFIED SCHOOL DISTRICT
SURPLUS REAL PROPERTY
ADVISORY COMMITTEE**

Pursuant to the State of California Education Code Sections 17387-17391, an advisory committee shall be formed to advise the District and Board of Education regarding an alternative use for District surplus property or real property prior to its disposition by sale, lease, or rental exceeding 30 days. The committee shall consist of not less than seven (7) nor more than eleven (11) members. The committee must represent a cross-section of the community in regards to socio-economic composition, ethnic group, profession, expertise in land planning, etc.

Article I-Name and Purpose

The Alameda Unified School District Surplus Real Property Advisory Committee (“Surplus Real Property Advisory Committee”) shall exist only during such time as it may be authorized to serve by the duly constituted Board of Education.

The purpose of the Advisory Committee is to advise the governing board as to the use or disposition of school buildings, space or property which is not used for school purposes (Education Code Section 17388).

Article II- Surplus Real Property Advisory Committee Membership

Appointments to the Surplus Real Property Advisory Committee shall be made by the Superintendent of Schools and approved by the Board of Education at a regularly scheduled meeting.

The Advisory Committee shall consist of not less than seven (7) nor more than eleven (11) members and shall represent a cross-section of the community as set forth in Education Code section 17389.

Article III-Operating Procedures

The Surplus Real Property Advisory Committee, in accordance with Education Code 17390, shall be charged with the following:

- Review the projected school enrollment and other data as provided by the District to determine whether the site commonly referred to as “Old Island High,” located at 2437 Eagle Ave, Alameda, CA 94501 (APN 070-0193-011), and the site “Tidelands Property” located at 1525-1535 Buena Vista Ave, Alameda, CA 94501 (APN 72-380-19 and APN 72-380-020), are surplus space and real property (collectively referred to as the “Properties”).

- Establish a priority list of use of the Properties as surplus space and real property that will be acceptable to the community.
- Cause to have circulated throughout the attendance area of the Properties a priority list of surplus space and real property and provide hearings of community input to the Committee on acceptable uses of space and real property. Make a final determination of limits of tolerance of use of space and real property.
- Forward to the District Governing Board a report recommending uses of the Properties as surplus space and real property.

Other Assignments of the Committee:

- Review the capacity and the condition of the Properties by visiting the school sites, as necessary.
- Consider demographic information such as birthrate, housing increases, and historical data about changes in enrollment to determine the best use of the Properties.
- Consider the needs of special education students residing in the District.
- Consider the needs of the District Office Staff/Programs, Maintenance and Operations, Technology, Special Education Preschool, Employee Childcare, After School Programs/Childcare.
- Evaluate each facility on the basis of criteria developed.

The final recommendations of the committee must be supported by 80% or more of the members of the committee, with the goal and intention of reaching agreement by consensus.

The committee will adhere to all provisions of the Brown Act.

Minutes, agendas and relevant communications and information will be posted to website maintained by AUSD. All background detail information will be made available to the public as requested.

Meeting will not exceed two hours in length unless extended by majority vote; will begin on time; and notices will be posted 72 hours prior to each meeting.

Minutes and agendas will be issued at least three days before a scheduled meeting.

A quorum will be required to conduct a meeting.

A high level of courtesy will be extended from each member to every other member, particularly during difficult deliberations.

A chair will be selected from among voting members to conduct public hearings in behalf of the committee, and to serve in representative capacity as needed.

Members of the committee as well as any members of an audience, if one is present, must preserve order and decorum, and no one shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Committee nor disturb any member while speaking, or refuse to obey the orders of the Committee or its Chairperson.

Any audience member making personal, impertinent or inappropriate remarks, or who becomes boisterous while addressing the committee, shall forthwith, by the Chairperson, be barred from further audience before the Committee, unless permission to continue is granted by a majority vote of the Committee.

Article IV —Timeline

Committee will meet according to the following schedule, with modification made by majority vote:

Board approves committee membership: September 14, 2010

First committee meeting: September 29, 2009

Data on Properties available to committee: September 29, 2010

Tour Properties and other District Facilities (if requested): week of October 4, 2010

Regular Meetings:

October 13, 2010, 3:00-5:00 p.m.

October 27, 2010, 3:00-5:00 p.m.

Preliminary report due to the Board: November 9, 2009

Two hearings of community input to be held: November and December, 2010

Committee delivers final report to Board of Education: January 25, 2011

Article V —Resources for 7-11 Committee

District will provide legal guidance in ensuring adherence to CEQA and any other mandated requirements related to school closure and reconfiguration.

District will provide the historical and projected enrollment data from formal projections by District staffing and enrollment reports; will respond to all questions as quickly as possible.

Principals and District administrators will be available to advise on program issues and financial considerations and will attend meetings as requested.

All District departments will cooperate in the need for information required prior to formal recommendations.

RESOLUTION NO. _____

**BOARD OF EDUCATION
ALAMEDA UNIFIED SCHOOL DISTRICT
ESTABLISHING THE ALAMEDA UNIFIED SCHOOL DISTRICT SURPLUS REAL
PROPERTY ADVISORY COMMITTEE
AND ADOPTING GUIDELINES FOR OPERATION OF THE COMMITTEE.**

WHEREAS, pursuant to Board Policy 3280, the Board of Education believes that the District should utilize its facilities and resources in the most economical and practical manner, and;

WHEREAS, to that end, the Superintendent shall periodically study the current and projected use of all District facilities in order to ensure the efficient utilization of space and the effective delivery of instruction in order to maximize student learning, and;

WHEREAS, pursuant to California Education Code Section 17388, the District must form and appoint an advisory committee to advise the Board of Education regarding the use or disposition of school buildings, space or property which is not used for school purposes, and;

WHEREAS, the following two properties are not occupied by District programs or schools: 1525-1535 Buena Vista Ave, Alameda, CA 94501, APN 72-380-19 and APN 72-380-020 (hereinafter “Tidelands Property”) and 2437 Eagle Ave, Alameda, CA 94501, APN 070-0193-011 (hereinafter “Old Island High Site”), and;

WHEREAS, the purpose of the District’s Surplus Real Property Advisory Committee will be to advise the Board of Education regarding the use or disposition of the Tidelands Property and the Old Island High Site, and;

WHEREAS, in furtherance of this purpose, proposed Operational Guidelines of the Surplus Real Property Advisory Committee have been developed by staff in accordance with applicable law to facilitate the manner in which the Committee shall carryout its responsibilities and promote transparency and accountability in public government; said Operation Guidelines are attached hereto and incorporated herein by reference, and;

WHEREAS, the Board of Education has reviewed the attached Operational Guidelines and find them to be appropriate for implementation in accordance with the role of the Surplus Real Property Advisory Committee.

NOW THEREFORE, the Board of Education of the Alameda Unified School District hereby resolves, determines, and finds the following:

Section 1. That the foregoing recitals are true.

Section 2. That the Board of Education hereby establishes the Alameda Unified School District Surplus Real Property Advisory Committee and adopts the attached Committee Operational Guidelines.

Section 3. That District staff is authorized to take such other necessary and appropriate administrative action on behalf of the District to assist with the implementation of the Surplus Real Property Advisory Committee in accordance with law and the Operational Guidelines attached hereto.

ADOPTED, SIGNED and APPROVED by the Board of Education of the Alameda Unified School District on the 13th day of April, 2010, by the following vote:

AYES: NOES: ABSTENTIONS:

President of the Board of Education of the
Alameda Unified School District

Attested to:

Secretary of the Board of Education of the
Alameda Unified School District

Attachment: Operational Guidelines of the Alameda Unified School District Surplus Real Property Advisory Committee