

RIO SCHOOL DISTRICT

RESOLUTION NO. 1415/14

**DECLARING THE DISTRICT'S INTENTION TO SELL THE NYELAND ACRES SITE
(3334 SANTA CLARA AVENUE, OXNARD, CA 93036)
TO INTERESTED CHARTER SCHOOLS, CERTAIN PUBLIC AGENCIES, AND
QUALIFYING NONPROFIT CHARITABLE OR PUBLIC BENEFIT CORPORATIONS
(EDUCATION CODE SECTIONS 17457.5, 17464, AND 17485,
AND GOVERNMENT CODE SECTION 54220)**

WHEREAS, the Board of Trustees ("Board") for the Rio School District ("District") appointed a surplus property advisory committee ("Committee"), in accordance with Education Code Sections 17487, *et. seq.*, to review that certain parcel of real property commonly referred to as the Nyeland Acres site, which is located on Santa Clara Avenue in Oxnard, California and is identified by APN 149-0-071-210 (the "Site"); and

WHEREAS, the Committee reviewed the Site and recommended that the Site be classified as "surplus property," that is, property which is not or will not be needed by the District for school classroom buildings; and

WHEREAS, the District passed and adopted Resolution No. 1415/08, at a regularly-held meeting of the Board on December 10, 2014, by which resolution the Board approved the Committee's recommendation for determining that the Site is District surplus property; and

WHEREAS, in Resolution No. 1415/08, the District set forth its intention to use any proceeds from the disposition of the Site for the District's capital outlay or costs of maintenance expenses, as mandated by Education Code Section 17462, or for one-time general fund purposes, as authorized by Education Code Section 17463.7; and

WHEREAS, the District intends to comply with the requirements of the Naylor Act (Education Code Sections 17485, *et seq.*), which applies to the proposed sale of the Site due to the presence of playgrounds and playing fields on the Site; and

WHEREAS, the District further intends to comply with Education Code Section 17464 by notifying interested charter schools, qualifying public agencies and nonprofit charitable and public benefit corporations of the District's intent to sell the Site; and

WHEREAS, if the District receives a notice of intent from any of the foregoing noticed entities, to purchase the Site, the District shall enter into good faith negotiations with such entity or entities to accomplish such sale; and

WHEREAS, the Site is within the planning jurisdiction of the County of Ventura;

NOW, THEREFORE, be it hereby resolved that:

1. The foregoing recitals are true and correct.

2. The Board hereby declares its intention to sell the Site, pursuant to the provisions of, and in compliance with, Education Code Section 17464.

3. The Board hereby delegates authority to the Superintendent, or the Superintendent's designees, to take such action as may be required to effectuate the purpose of this Resolution, including the solicitation of offers for the Site from those qualifying public entities and nonprofit charitable and public benefit corporations in the manner and in the priority and for such prices as specified in Education Code Sections 17457.5, 17464, and 17485 and Government Code Section 54220.

4. Any offers, bids or proposals received by the Board, from the foregoing interested charter schools, public agencies and/or nonprofit charitable or public benefit corporations, shall be considered and the Board hereby delegates authority to the Superintendent or his designees to negotiate in good faith with such offerors, for a period of not less than sixty (60) days, and to present to the Board their recommendation as to the possible acceptance of any such offers.

5. The Board reserves the right to determine which, if any, of the offers, bids, or proposals it receives to accept or to reject any or all such offers.

6. The sale of the Site is hereby determined to be categorically exempt from the provisions of the California Environmental Quality Act ("CEQA"), pursuant to CEQA Regulation 15312.

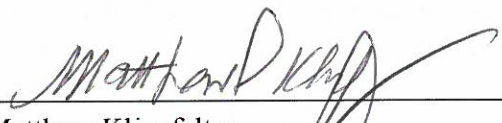
15th **PASSED AND ADOPTED** by the Board of Trustees at a regular meeting held on the day of April, 2015 by the following vote on roll call:

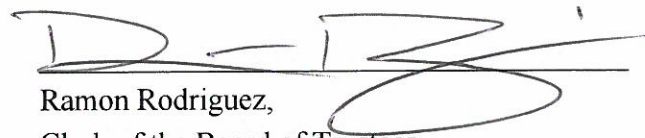
AYES: President Klinefelter, Trustees Torres, Rodriguez + Aguet

NOES: Ø

ABSENT: Edith Martinez-Costas

ABSTAIN: Ø


Matthew Klinefelter,
President of the Board of Trustees


Ramon Rodriguez,
Clerk of the Board of Trustees