

California Department of Education

Executive Office

SBE-005 (REV. 1/2018)

General Waiver

# California State Board of Education May 2022 Agenda Item #W-02

## Subject

Request by **two local educational agencies** to waive California *Education Code* sections specific to statutory provisions for the sale or lease of surplus property.

## Waiver Numbers

* Long Beach Unified School District: 5-2-2022
* Napa Valley Unified School District: 8-1-2022

## Type of Action

Action

## Summary of the Issues

The Long Beach Unified School District (Long Beach USD) is requesting to waive all of California *Education Code (EC)* sections 17469, 17472, 17473, and 17474, and portions of sections 17455, 17466, 17468, 17470, and 17475, which will allow the district to sell two pieces of property through the Request for Proposal (RFP) process.

The Napa Valley Unified School District (Napa Valley USD) is requesting to waive all of California *EC* sections 17473 and 17474, and portions of sections 17455, 17466, 17469, 17472, and 17475, which will allow the district to sell one piece of property through the RFP process.

## Authority for Waiver

California *EC* Section 33050

## Recommendation

* Approval: No
* Approval with conditions: Yes
* Denial: No

The California Department of Education (CDE) recommends approval with the following conditions: 1) that any proposals received be examined and declared by each district’s governing board in a public meeting to allow for public comment prior to making a selection, and 2) that each district's governing board determines and selects the most desirable transaction in a public meeting, and that the reasons for that determination be discussed in public session and included in the minutes of the meeting.

## Summary of Key Issues

Under provisions of *EC* Section 33050, the districts are requesting that specific portions of the *EC* relating to the sale of surplus property be waived.

### Long Beach USD

Long Beach USD requests that the specified *EC* sections be waived in order to allow the district to sell two pieces of real property. The first property is located at 999 Atlantic Avenue in Long Beach and housed the district’s personnel commission and bond office for over 14 years, but has been vacant since Fall 2014. The second property is located at 4310 Long Beach Blvd in Long Beach and housed the district’s Special Education Division and the Office of Media Services for 10 years, but is currently vacant. Neither of the properties have ever been used as school sites, only for administrative functions. Further, neither of the properties are equipped to serve as educational facilities and thus the district does not foresee a need for the properties in the future. In the meantime, the district is incurring ongoing maintenance and operations costs due to the properties remaining vacant. The District Asset Management (7-11) Committee met and declared the properties surplus, and the district’s board affirmed the committee’s action. The district offered the properties to public entities, but did not receive any offers, so the district now seeks to forego the sealed bidding process and utilize an RFP process to maximize its return on the sale of the properties.

### Napa Valley USD

Napa Valley USD requests that the specified *EC* sections be waived in order to allow the district to sell one piece of real property located at 1680 Los Carneros Avenue in Napa. The site originally housed Carneros Elementary School from July 1980 until June 2011, upon which its students were transitioned to either Snow Elementary School or Browns Valley Elementary School. The site subsequently housed Stone Bridge Charter School from August 2011 until July 2021, when the school was relocated to the Mt. George Elementary School Campus. Since July 2021, the site has remained vacant. The district’s 7-11 Committee met and declared the property surplus, and the district’s board affirmed the committee’s action. The district would like to offer the property for sale through the RFP process, followed by further negotiations using the services of a broker who will advertise and solicit proposals from potential buyers. The district will work closely with consultants to ensure that the process by which the property is sold is fair, open, and competitive.

### Demographic Information

Long Beach USD has a student population of 69,700 and is located in Los Angeles County.

Napa Valley USD has a student population of 16,500 and is located in Napa County.

**Because these are general waivers, if the SBE decides to deny the waivers, it must cite one of the seven reasons in *EC* Section 33051(a), available on the California Legislation Information Web page at** <https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=33051.>

## Summary of Previous State Board of Education Discussion and Action

The SBE has approved all previous waivers regarding the bidding process and the sale or lease of surplus property. The districts are requesting to waive the same or similar provisions for the sale of surplus property.

## Fiscal Analysis

The flexibility in property disposition requested herein will allow the districts to maximize revenue from the sale of the properties.

The districts have certified that the sites have been owned for more than 10 years and therehave been no improvements funded by monies from the State School Facilities Program within the last 10 years. Therefore, pursuant to *EC* Section 17462.3, financial reimbursement is not due to the State Allocation Board.

## Attachments

* **Attachment 1:** Summary Table (2 pages)
* **Attachment 2:** Long Beach Unified School District General Waiver Request 5-2-2022 (7 pages). (Original waiver request is signed and on file in the Waiver Office.)
* **Attachment 3:** Napa Valley Unified School District General Waiver Request 8-1-2022 (5 pages). (Original waiver request is signed and on file in the Waiver Office.)

## Attachment 1: Summary Table

## California *EC* Section 17455 et seq.

| **Waiver Number** | **District** | **Properties** | **Period of Request** | **Local Board Approval Date** | **Public Hearing Date** | **Bargaining Unit Representatives** | **Advisory Committee Consulted** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| 5-2-2022 | Long Beach Unified School District (LBUSD) | 999 Atlantic Avenue, Long Beach, CA 90813  4310 Long Beach Blvd, Long Beach, CA 90807 | **Requested:** February 8, 2022 to February 8, 2025  **Recommended:** May 19, 2022 to May 17, 2024 | 12/15/2021 | 12/15/2021  Public Hearing Advertised: Posted on the district website and in the lobby of LBUSD’s main office. | Teachers Association of Long Beach  Christine Kelly, President  1/10/2022  **Support** | District Asset Management Committee  3/15/2022  **No Objections** |
| 8-1-2022 | Napa Valley Unified School District | 1680 Los Carneros Ave, Napa, CA 94559 | **Requested:** November 18, 2021 to November 17, 2023  **Recommended:** May 19, 2022 to November 17, 2023 | 11/18/2021 | 11/18/2021  Public Hearing Advertised: Notice in a newspaper (Napa Valley Register) | California State Employee Association  Hector Gallegos, President  11/02/2021  **Support**  Napa Association of Pupil Services  Leslie Walder, President  11/02/2021  **Support**  Napa Valley Educators Association  Gayle Young, President  11/02/2021  **Support** | 7-11 District Advisory Committee  10/19/2021  **No Objections** |

Created by the California Department of Education

February 2022

## Attachment 2: **Long Beach Unified School District General** **Waiver Request 5-2-2022**

**California Department of Education**

**WAIVER SUBMISSION – General**

CD Code: 1964725

Waiver Number: 5-2-2022

Active Year: 2022

Date In: 2/8/2022 9:00:22 AM

Local Education Agency: Long Beach Unified

Address: 1515 Hughes Way

Long Beach, CA 90810

Start: 2/8/2022

End: 2/8/2025

Waiver Renewal: No

Waiver Topic: Sale of Surplus Property

*Ed Code* Title: Sale or Lease of Surplus Property

*Ed Code* Sections: 17455, 17466, 17468, 17469, 17470, 17472, 17473, 17474, 17475

*Ed Code* Authority: 33050

*Education Code* or *CCR* to Waive: The Long Beach Unified School District desires to waive the following sections and portions of the *Education Code* ("*EC*"). Specifically, the

District requests that the language in brackets [] be waived:

*Education Code* § 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].

Rationale: The purpose of this request is to allow the District to waive the public bidding requirements and list the Properties on the open market with the assistance of a real estate agent or broker, develop and issue Requests for Qualifications and Requests for Proposals, and directly negotiate with proposers for best and final offers (“AlternativeDisposition Process”). The bracketed language above indicates that the disposition of the Properties will be made in the manner provided by this Article, including the requirement to solicit bid proposals and accept the highest bid, however, per this application, the District is requesting that the bracketed language above and several provisions of the Article as further set forth below be waived and that the sale not be made in the manner provided in Article 4.

*Education Code* § 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.]

Rationale: The purpose of this request is to allow the District to waive the public bidding process requirements and utilize the Alternative Disposition Process which would provide the most benefit to the District and community. Therefore, the District is asking that the bracketed language in Section 17466 be waived. Any sale or lease of the Property will be approved by the District’s Board.

*Education Code* § 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.

Rationale: The bracketed language in Section 17468 indicates the District will receive sealed proposals and oral bids to purchase the Properties at an identified meeting of the Board. The District is requesting that the requirement of sealed proposals and oral bidding to purchase or lease the Property be waived, allowing the District to utilize the Alternative Disposition Process.

*Education Code* § 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.] Strike all the language.

Rationale: The District is requesting the bracketed language be waived to enable the District to utilize the Alternative Disposition Process The language assumes the Board would be setting a specific meeting to receive proposals for the purchase of the Property, however, given the request to strike language in *Education Code* section 17466 above, the requirement to publish notice would no longer apply.

*Education Code* § 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.

Rationale: The purpose of this request is to allow the District to waive the public bidding requirements in *Education Code* sections 17466 et seq. and instead use the Alternative Disposition Process. The deleted language indicates the Board would be setting a specific meeting to receive proposals for the purchase of the Property. Such a requirement, however, will be removed pursuant to the language stricken within *Education Code* Section 17466. As modified, the District would still be required to take reasonable steps to provide notice to the former owner, if any, but the provision of such notice would no longer be tied to an established date to receive proposals.

*Education Code* § 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 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].

Rationale: The purpose of this request is to allow the District to waive the public bidding requirements of *Education Code* sections 17466 et seq. and instead use the Alternative Disposition Process. The bracketed language in Section 17472 requires the District to obtain sealed bids and select the highest bid. The District is seeking a waiver to use the Alternative Disposition Process to meets the needs of the District and community.

*Education Code* § 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.]

Rationale: The purpose of this request is to allow the District to waive the sealed proposal requirement of the *Education Code* sections 17466 and instead use the Alternative Disposition Process. The bracketed language in Section 17473 relates to the bid process and allows school districts to accept oral bids at the bid hearing. The District will not be accepting bids or conducting a bid hearing but instead will issue pursue the Alternative Disposition Process. Thus, the District will not need or accept oral bids.

*Education Code* § 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.]

Rationale: The purpose of this request is to allow the District to waive the public bidding requirements of the *Education Code* sections 17466 et seq. and instead use the Alternative Disposition Process. The bracketed language in Section 17474 relates to the bid process and allows school districts to accept oral bids at the bid hearing. The District will not be accepting bids or conducting a bid hearing but instead will pursue an Alternative Disposition Process while working with a real estate agent or broker. Broker commission structures will be negotiated directly with the broker selected by the District to handle the transactions and be memorialized in a Board approved agreement.

*Education Code* § 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].

Rationale: The purpose of this request is to allow the District to waive the public bidding requirements of the *Education Code* and instead use the Alternative Disposition Process. Modification of Section 17475 would remove the requirement that the Board accept a bid at the same meeting where it was received, since the Board will not be accepting bids at a meeting, but rather receiving recommendations from staff to select proposals after the District has had an opportunity to pursue an Alternative Disposition Process.

Outcome Rationale: The Long Beach Unified School District (“District”) owns two vacant sites located at 999 Atlantic Avenue, Long Beach, CA 90813 and 4310 Long Beach Blvd, Long Beach, CA 90807 (“Properties”). For over 14 years, the District utilized the 999 Atlantic to house the District’s personnel commission and bond office, but the Property has been vacant since Fall 2014. The District is incurring on-going maintenance and operation costs due to the vacancy at this Property. Similarly, for over 10 years, the District utilized 4310 Long Beach to house the District’s Special Education Division and the OMS office but is currently vacant. The District is incurring on-going maintenance and operations costs due to the vacancy at this Property. Neither of the Properties have ever been used as school sites, and have only ever been used as administrative functions. Further, neither of the Properties are equipped for educational facilities and thus the District does not foresee a need for the Properties in the future.

On October 2, 2017, the Board of Education approved Resolution No. 100217-A authorizing the formation of a surplus property Asset Management Advisory Committee (“Committee”) pursuant to *Education Code* sections 17388, et seq.

The Committee met on several occasions between August 27, 2019 and March 11, 2020 to consider and make recommendations regarding District properties, including 999 Atlantic Avenue, Long Beach, CA 90813 and 4310 Long Beach Blvd, Long Beach, CA 90807.

On March 18, 2020, the Committee’s “Report on Findings and Recommendation for Non- Educational Sites” (“Report”) was presented to the Board. Its recommendations included that the Properties be sold at the “highest and best value.”

At its June 23, 2021, Board meeting, the Board accepted the Committee’s Report, recommendations, and findings, and found the Properties surplus and directed staff to pursue the Public Offering process, and if no public entity expresses an interest in entering into an agreement for lease or purchase of any portion of the property within the time required by law and on terms acceptable to the District, upon further Board approval, to pursue the Open Bidding process or seek a waiver from SBE.

The Board further directed staff in assessing disposition options, to prioritize the best financial and operational interests of the school district and recommend best community use criteria in the selection process.

As directed, staff conducted the Public Offerings required by law, but after extensive outreach and discussions, staff did not receive offers to dispose of the Vacant Sites. Accordingly, on December 15, 2021, staff sought the Board’s approval to pursue a waiver of the Open Bidding procedures from the SBE. At a subsequent board meeting, the Board held a public hearing on the SBE waiver, and no comments were received.

Per the Board’s direction, the District is requesting waiver certain surplus property statutes to forego the public bidding process and list the Properties on the open market with the assistance of a real estate agent or broker, develop and issue Requests for Qualifications and Requests for Proposals, and directly negotiate with proposers for best and final offers (“Alternative Disposition Process”).

By following the Alternative Disposition Process, the District would be able to maximize its return on the sale of the Properties to the greatest extent possible while being able to consider the community use and good criteria in its selection process. The District anticipates that by listing the Properties with a qualified real estate agent or broker, the District would be able to attract quality purchasers that would be willing to work with the District and community on its vision for the Properties. A waiver from the surplus property requirements would allow the District to do this.

The District will work closely with legal counsel to ensure that the process by which the Properties are disposed is fair and open. As indicated above, such a process will produce a better result than for both the District and the community.

Student Population: 69,700

City Type: Urban

Public Hearing Date: 12/15/2021

Public Hearing Advertised: District website

Local Board Approval Date: 12/15/2021

Community Council Reviewed By: District Asset Management Committee

Community Council Reviewed Date: 3/15/2022

Community Council Objection: No

Community Council Objection Explanation:

Audit Penalty Yes or No: No

Categorical Program Monitoring: No

Submitted by: Ms. Evelyn Somoza

Position: Assistant Public Information Director

E-mail: [esomoza@lbschools.net](file:///\\CDE.Cal\DATA\SFTSDATA\SHARED\SBE-Waivers-Items\Waivers\2022\05%20May%202022\Property\esomoza@lbschools.net)

Telephone: 562-997-7517

Bargaining Unit Date: 01/10/2022

Name: Teachers Association of Long Beach

Representative: Christine Kelly

Title: President

Phone: (562) 426 - 6433

Position: Support

## Attachment 3: **Napa Valley Unified School District General** **Waiver Request 8-1-2022**

**California Department of Education**

**WAIVER SUBMISSION – General**

CD Code: 2866266

Waiver Number: 8-1-2022

Active Year: 2022

Date In: 1/24/2022 2:13:43 PM

Local Education Agency: Napa Valley Unified

Address: 2425 Jefferson St.

Napa, CA 94558

Start: 11/18/2021

End: 11/17/2023

Waiver Renewal: No

Waiver Topic: Sale or Lease of Surplus Property

*Ed Code* Title: Sale of Surplus Property

*Ed Code* Sections: 17455, 17466, 17469, 17472, 17473, 17474, 17475

*Ed Code* Authority: 33050

*Education Code* or *CCR* to Waive: The Napa Valley Unified School District desires to waive the following sections and portions of the *Education Code* ("*EC*"). Specifically, the

District requests that the language in brackets [] be waived:

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].

Rationale: The Napa Valley Unified School District requests the specified *Education Code* sections be waived in order to allow the District to maximize the return on the sale of one of its sites in a manner that best serves our schools and community. The District would like to offer the property for sale through Requests for Proposals followed by further negotiations using the services of a broker who will advertise and solicit proposals from potential buyers. The article referenced by *Education Code* Section 17455 consists of sections 17455 through 17484, which contain provisions regarding the sale of real property that are inconsistent with the manner in which the District hopes to market the property. The District will work closely with consultants to ensure that the process by which the property is sold is fair, open, and competitive. The process the District will use will be designed to get the best result for the District, the schools, and the community.

17466. Before ordering the sale or lease of any property the governing board, in a regular open meeting, by a two-thirds votes 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.]

Rationale: The language to be waived provides for a minimum price or rental and requires sealed proposals to purchase the property. This requirement restricts the District’s flexibility in negotiating price, payments, and other terms that may yield greater economic and other benefits to the District than a sealed bid process.

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].

Rationale: Since the District is requesting to waive the requirement that the resolution adopted pursuant to *Education Code* Section 17466 fix a time not less than three weeks thereafter for a public meeting at which sealed proposals will be received and considered, it also seeks to waive the corresponding provisions in section 17469.

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].

Rationale: With a waiver of the requirement that sealed proposals be received, and that the highest bidder be awarded the contract, the District will be able to sell the property to the party that presents the most favorable proposal to the District. The Board would, therefore, be able to sell to the party submitting the proposal that best meets the District’s needs. By removing the requirement that an oral bid be accepted, the District would be able to determine what constitutes the most desirable bid.

[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.]

Rationale: The District asks that this entire section be waived because the District, in negotiating an agreement to sell the property, will not be accepting oral bids in addition to sealed bids.

[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.]

Rationale: The District asks that this entire section to be waived because the District, in negotiating an agreement to sell the property, will not be accepting oral bids.

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].

Rationale: Rather than specifying a certain number of days or a timeframe, the District seeks flexibility in disposing of the property. The District will ensure a public process whereby the reasons for the determination of the most desirable proposal is shared openly. Prior to the decision to sell a site, a Property Advisory Committee, whose purpose is to advise the District’s Governing Board in the development of District-wide policies and procedures governing the use or disposition of school buildings, space, or property which is not used for school purposes, establishes a priority list of use of surplus space and real property, provides for hearings of community input on acceptable uses of space and real property, and makes a recommendation to the Board regarding the uses of surplus space and real property. (See, *Ed. Code*, § 17388.)

Outcome Rationale: The Napa Valley Unified School District requests the specified *Education Code* sections be waived in order to allow the District to maximize the return on the sale of its property located at 1680 Los Carneros Avenue, Napa, California, in a manner that best serves our schools and community. The District would like to offer the property for sale through a request for proposals followed by further negotiations using the services of a broker who will advertise and solicit proposals from potential buyers. The District will work closely with consultants to ensure that the process by which the property is sold is fair, open, and competitive. The process the District will use will be designed to get the best result for the District, the schools, and the community.

Student Population: 16,500

City Type: Suburban

Public Hearing Date: 11/18/2021

Public Hearing Advertised: Notice in a newspaper

Local Board Approval Date: 11/18/2021

Community Council Reviewed By: 7-11 District Advisory Committee

Community Council Reviewed Date: 10/19/2021

Community Council Objection: Yes

Community Council Objection Explanation: 1 member voted no. 10 voted yes. See attached minutes.

Audit Penalty Yes or No: No

Categorical Program Monitoring: No

Submitted by: Mr. Rabinder Mangewala

Position: Chief Business Official

E-mail: [rmangewala@nvusd.org](file:///\\CDE.Cal\DATA\SFTSDATA\SHARED\SBE-Waivers-Items\Waivers\2022\05%20May%202022\Property\rmangewala@nvusd.org)

Telephone: 707-253-3533

Bargaining Unit Date: 11/02/2021

Name: California State Employee Association

Representative: Hector Gallegos

Title: President

Phone: 707-312-1820

Position: Support

Bargaining Unit Date: 11/02/2021

Name: Napa Association of Pupil Services

Representative: Leslie Walder

Title: President

Phone: 707-252-3688

Position: Support

Bargaining Unit Date: 11/02/2021

Name: Napa Valley Educators Association

Representative: Gayle Young

Title: President

Phone: 707-252-4522

Position: Support