

ALAMEDA UNIFIED SCHOOL DISTRICT
Alameda, California
Resolution

August 25, 2020

Resolution No. 2020-2021.08

**Authorizing Staff to Submit a Waiver Application to the State Board of Education, Declaring the
Property "Exempt Surplus Land," and Authorizing Staff to file a CEQA Exemption
Regarding the Former Maintenance Yard**

WHEREAS, the Alameda Unified School District ("District") currently owns the *Former Maintenance Yard* property located at 2615 Eagle Avenue, Alameda, CA 94501 (the "Property"). The District has been exploring the possibility of disposing of the Property. The District's Board has received the report of a 7-11 committee pursuant to Education Code section 17388 *et seq.* indicating that the Property is not needed for District purposes, and the District wishes to dispose of the Property;

WHEREAS, pursuant to Education Code section 17455 *et seq.*, the District would generally be required to follow certain procedures when disposing of surplus real property, including offering the property to other entities, soliciting bids from the general public, and ultimately receiving oral bids at a Board meeting. This process would complicate the disposal of the Property, and restrict the District's ability to strategically negotiate the best terms possible. However, Education Code sections 33050 through 33053 allow a school district to apply to have the State Board of Education waive these surplus property disposal procedures. This resolution would authorize staff to file an application for such a waiver, thereby allowing the District to have more flexibility in the disposal process;

WHEREAS, as of January 1, 2020, Assembly Bill No. 1486 amended Government Code section 54221(b) to require that surplus property be declared either "surplus land" or "exempt surplus land." As applied here, the Property is "exempt surplus land" (as defined by Government Code section 54221(f)), because it is subject to the creation of a surplus property advisory committee pursuant to Education Code section 17388. This resolution would formally declare the Property exempt surplus land, thereby complying with Assembly Bill No. 1486;

WHEREAS, pursuant to California Code of Regulations, title 14, section 15312, the sale or lease of surplus government property is generally exempt from the California Environmental Quality Act ("CEQA"). This resolution would authorize staff to file a CEQA exemption in accordance with applicable law;

NOW, THEREFORE, BE IT RESOLVED that:

1. That the above recitals are true and correct, and are incorporated herein by reference.
2. That the Board finds and determines that the Property constitutes "exempt surplus land" as defined by Government Code section 54221(f).
3. That the Board authorizes and directs staff to file a CEQA exemption relating to the sale of the Property.
4. The Board authorizes the submission of an application to the California Department of Education for a waiver (to the extent possible) of the surplus property procedures otherwise applicable to the Property; and
5. The Board authorizes and directs the Superintendent or designee to take all necessary actions for the submission of said application.

PASSED AND ADOPTED by the following vote this 25th day of August, 2020:

AYES: _____ MEMBERS: _____

NOES: _____ MEMBERS: _____

ABSENT: _____ MEMBERS: _____

Mialisa Bonta, President
Board of Education
Alameda Unified School District

ATTEST:

By: _____
Pasquale Scuderi, Secretary
Board of Education
Alameda Unified School District