

**NORTH MONTEREY COUNTY UNIFIED SCHOOL DISTRICT**

**RESOLUTION NO. 2021-2204**

**RESOLUTION APPROVING STATE BOARD OF EDUCATION WAIVER OF CERTAIN PROCEDURES FOR DISPOSITION OF SURPLUS REAL PROPERTY**

**WHEREAS**, the North Monterey County Unified School District (“District”) is the owner of the following real property sites: APN 133-212-008, 8142 Moss Landing Road, Moss Landing, CA 95039, which is the location of a District administrative office building (“District Office Site”); APN 133-371-004, Mossy Oak Place, Salinas, CA 93907, which is unimproved property (“Mossy Oak Site”); and APN 413-014-001, 1815 CA-1, Moss Landing, CA 95039, which is the location of the vacated Moss Landing Middle School (“MLMS Site”) (all three sites are referred to herein collectively as the “Sites”); and

**WHEREAS**, the District previously convened a 7-11 District Advisory Committee (“Committee”) pursuant to Education Code section 17387, et seq., to advise the District’s Board of Education (“Board”) regarding the use or disposition of school buildings or space in school buildings that are not needed for school purposes; and

**WHEREAS**, the Committee held a public meeting in May of 2012 wherein it recommended that the Board: (1) declare the MLMS Site and the Mossy Oak Site to be surplus property, and (2) develop a disposition plan for these sites within six months; and

**WHEREAS**, at its meeting on June 14, 2012, the Board adopted the Committee’s recommendations; and

**WHEREAS**, the District Office Site was not previously operated, nor was constructed to be operated, as an early childhood educational facility or a school for elementary and secondary instruction; and

**WHEREAS**, pursuant to Education Code section 17463.7(e)(1), the District is exempt from the requirement to convene the Committee or receive a recommendation from the Committee for the purpose of disposing of the District Office Site; and

**WHEREAS**, at its meeting on September 16, 2021, the Board adopted Resolution No. 2021-2204 declaring the Sites to be exempt surplus land; and

**WHEREAS**, the Board intends to seek a waiver (“Waiver”) from the State Board of Education of specified sections of the Education Code to allow the District to utilize a Request for Proposals process and maximize the flexibility and return on the sale or lease of the Sites; and

**WHEREAS**, the Board provided notice of a public hearing on the Waiver from September 10, 2021, through September 16, 2021, in The Monterey County Herald newspaper; and

**WHEREAS**, a true and correct copy of the proposed Waiver is attached hereto as Exhibit "A" and incorporated herein by this reference; and

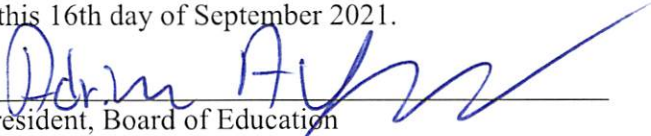
**WHEREAS**, prior to the Board meeting on September 16, 2021, the District consulted with its employee bargaining units regarding the Waiver, as well as the following District committees and councils: English Language Advisory Committee; District-level English Learner Advisory Committee; School Site Council; Facilities Advisory Committee; and Bond Oversight Committee; and

**WHEREAS**, at its meeting on September 16, 2021, the Board held a public hearing to obtain input from the public and the community regarding the proposed Waiver, and notice was provided to the public in advance of the hearing.

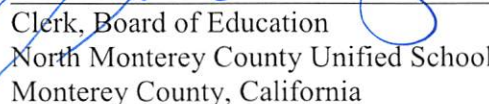
**NOW, THEREFORE, BE IT FOUND, DETERMINED AND RESOLVED BY THE BOARD OF EDUCATION OF THE NORTH MONTEREY COUNTY UNIFIED SCHOOL DISTRICT, MONTEREY COUNTY, CALIFORNIA, AS FOLLOWS:**

1. The foregoing recitals are adopted as true and correct.
2. The Board approves the Waiver and hereby authorizes and directs the Superintendent or her designee to take all steps necessary to submit the Waiver to the State Board of Education for approval.
3. This Resolution shall take effect immediately upon approval of the Board.

The foregoing Resolution was adopted this 16th day of September 2021.

  
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 President, Board of Education  
 North Monterey County Unified School District  
 Monterey County, California

Attest:

  
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 Clerk, Board of Education  
 North Monterey County Unified School District  
 Monterey County, California