

NEWPORT-MESA UNIFIED SCHOOL DISTRICT
SURPLUS PROPERTY “7-11” ADVISORY COMMITTEE
(Banning Ranch Property)
FINAL REPORT AND RECOMMENDATION

March 4, 2024

Submitted by: Laurie Horn
Lindsay Olson
Chase Rief
Sean Levin
Jane Hartley
Jacob Haley
Jose De La Jara
Adam C. Ereth (Chairperson)
Tyler Holst (Co-Chairperson)
Yocely Galindo
David Martinez

District Liaisons: Jeffery S. Trader, Assistant Superintendent, Chief Business Official
Veronica Hallman - Executive Assistant, Confidential

Consultants: Andreas Chialtas, Atkinson, Andelson, Loya, Ruud & Romo

Background & Process

Introduction and Process

Pursuant to Education Code Section 17388, et seq. (the “**Code**”), before excess real property is sold or leased, the governing board of a school district must appoint a district advisory committee (“**Advisory Committee**”) to advise the governing board on the disposition of such property. The Advisory Committee must consist of not less than seven (7) and not more than eleven (11) members, and must be represented by each of the following: (a) the ethnic, age group, and socioeconomic composition of the District; (b) the business community, such as store owners, managers, or supervisors; (c) landowners or renters, with preference to be given to representatives of neighborhood associations; (d) teachers; (e) administrators; (f) parents of students; and (g) persons with expertise in environmental impact, legal contracts, building codes, and land use planning, including, but not limited to knowledge of the zoning and other land use restriction of the cities or cities and counties in which surplus space and real property is located. The Advisory Committee's task is to review data to determine the amount of surplus space or real property available, establish a priority list for its use, provide community input on acceptable uses, and forward its recommendations to the Governing Board.

On September 12, 2023, the Governing Board (“**Governing Board**”) of the Newport-Mesa Unified School District (“**District**”), by way of Board Resolution No. 06-09-23, took action to authorize the formation of an Advisory Committee. Such action included a delegation of authority to select seven to eleven community members to serve on the proposed committee.

Based upon Governing Board’s authorization, the following individuals (serving various statutory-required roles) comprise the Advisory Committee:

1. Laurie Horn 2. Lindsay Olson 3. Chase Rief	Member of the Business Community
4. Sean Levin	Landowner or Renter
5. Jane Hartley	Teacher
6. Jacob Haley	Administrator
7. Jose De La Jara	Parent of Student
8. Adam C. Ereth (environmental impact) 9. Tyler Holst (legal contracts, building codes, land use planning)	Person with expertise in environmental impact, legal contracts, building codes, and land use planning, including, but not limited to knowledge of the zoning and other land use restrictions in District boundaries
10. Yocely Galindo 11. David Martinez	Person with an ethnic, age group, and socioeconomic composition of the District

Therefore, the Advisory Committee consists of eleven (11) individuals who, collectively, meet all the required categories of representation.

Between November 13, 2023 and March 4, 2024, the Advisory Committee held four (4) public meetings, including a formal public hearing, for the purpose of determining whether the Property (as defined below) should be declared “surplus,” and, if so, to establish a priority list of uses of the Property that would be acceptable to the community.

Summary of Potential Surplus Property Determination

Education Code section 17455 authorizes the governing board of school districts to sell or lease property deemed “surplus” which includes any property “which is not or will not be needed by the district for school classroom buildings at the time of delivery of title or possession.” Therefore, the District’s Board can declare any property surplus, and pursue a sell or lease, if it determines the property will not be needed by the District.

The Education Code establishes a detailed process that school districts must follow to declare a specific property surplus and pursue a sale or lease. In summary, this procedure begins with the appointment of a committee, such as this Advisory Committee, to assess the property needs of the District and provide a recommendation as found in this final report and recommendation (“Final Report and Recommendation”). The Board will then review the recommendation and decide whether to declare the Property surplus and, if declared surplus, if and when the District may pursue a sale or lease, or other action.

Property Reviewed and Background Information

The Governing Board appointed the Advisory Committee for the purpose of reviewing the following District owned property (the “**Property**”):

District property consisting of approximately 11.36 acres, located at 980 16th Street in Newport Beach, CA, APN’s: 114-170-63, 114-170-64, and 114-170-51, which property is known generally as the District’s Banning Ranch property.

The Property is depicted in **Exhibit A**, which is attached hereto.

The Costa Mesa Union School District acquired the Property in 1965. The Property transferred to the Newport-Mesa Unified School District following a vote of the people on July 1, 1966 to form a new K-12 district by combining Costa Mesa Union School District, the Newport Beach City School District and the Newport Harbor Union High School District. The Property has been used to warehouse school supplies and occasionally leased out to the Orange County Fair to temporarily house fair equipment.

The District’s total current 2023-24 enrollment is 17,765. In comparison, the District scored a total enrollment of 22,273 in 2016-17 which on average amounts to annualized decline of 2.9%. Forecasts utilizing drivers of enrollment including live births and new development indicate a very flat enrollment environment going forward.

Further, current District school sites have capacity if student population grows unexpectedly. Therefore, the District’s current and projected enrollment does not suggest that the District must acquire new property or maintain current real property to accommodate students now or in the foreseeable future. Also, even if the District needed additional space for student enrollment, the Property is not able to be used as a regular school site without a massive investment of funds necessary to construct a new school on the Property.

Before the Property (or any portion thereof) can be disposed of, the Governing Board must first decide whether the Property (or any portion thereof), is surplus property. In connection therewith, the Governing Board appointed the Advisory Committee to seek the input of the community and make recommendations to the Governing Board based on such input and the Property information requested and provided at the various Advisory Committee meetings.

Public Meetings

The Advisory Committee held public meetings on November 13, 2023, December 18, 2023, February 5, 2024, and March 4, 2024 to discuss whether the Property should be declared to be surplus property and, if so, to establish a priority list of uses of the Property that would be acceptable to the community. The public meetings were properly noticed public hearings, which took place at the District’s Boardroom, located at 2985 Bear Street, Costa Mesa, CA 92626.

During the public meetings, the Advisory Committee reviewed current and projected District-wide enrollment and capacity, discussed and received community input regarding potential uses for the Property. The District provided “meeting minutes” for each of the public meetings which summarize the items discussed and information reviewed by the Advisory Committee, and which are attached hereto as **Exhibit B**. Below is a summary of each meeting.

1. November 13, 2023 Meeting

During the first meeting (1 hr. and 44 mins. in duration), ten of the eleven Committee Members were present.

One (1) member of the community attended the first meeting to make comments, as summarized in the “Public Comments” section below.

Committee Member Adam C. Ereth was voted Advisory Committee Chairperson, and Committee Member Tyler Holst was voted Advisory Committee Co-Chairperson. District staff then provided an overview of the Property, including a map of the Property and a summary of the District’s lack of use of the Property. District staff also reviewed enrollment and capacity of existing school sites within the District, as is summarized in the “Property Reviewed and Background Information” section, above. District Staff then provided an overview of the surplus property procedures and of the Advisory Committee’s duties and obligations, as well as summaries of public meeting requirements under the Brown Act, applicable conflicts of interest law, and of the Form 700 Statement of Economic Interests.

Finally, the Advisory Committee discussed the Property, general possible future uses, and the topics and information to be discussed at the next meeting, as is set forth directly below.

2. December 18, 2023 Meeting

During the second meeting (1 hr. and 30 mins. in duration), six of the eleven Committee Members were present.

The Advisory Committee heard public comments from five (5) individuals. These comments are summarized in the “Public Comments” section below.

District staff then provided an overview of the November 13, 2023 meeting topics, surplus property processes, and the Property, as well as the following requested information related to Property:

- USGS Map Newport Beach
- Banning Ranch Aerial View
- Newport Beach Zoning Map
- Costa Mesa Zoning Map
- NMUSD Projected Enrollment – Site
- NMUSD Projected Enrollment – District

District staff then presented information and reviewed enrollment and capacity of existing school sites within the District, and the Advisory Committee discussed predictive enrollment, trends and communications with the County related to growth and development.

District Staff then provided a summary of possible future actions of the Advisory Committee. Specifically, that the Advisory Committee would agree upon a “Priority Use List” and a “Final Report and Recommendation” which will summarize the Advisory Committee’s recommendation to the Board which will then ultimately make a determination regarding the Property. District Staff also provided samples of such documents for the Advisory Committee to review.

The Advisory Committee then discussed options for the Priority Use List, and it was determined, unanimously, that the Advisory Committee would wait until the next meeting to determine one or more

specific priority uses. The meeting concluded noting further revisions to the Draft Report and Recommendation would be made at future meetings.

Finally, the Advisory Committee discussed the Property, possible future development, possible workforce housing development, leasing versus selling, environmental issues, and student enrollment.

3. February 5, 2024 Meeting

During the third meeting (1 hr. and 41 mins. in duration), eight of the eleven Committee Members were present.

The Advisory Committee heard public comments from eleven (11) individuals. These comments are summarized in the “Public Comments” section below.

District staff then provided a brief overview of the November 13, 2023 and December 18, 2023 meeting topics, surplus property processes, State Board of Education waiver option, and Advisory Committee duties.

The Advisory Committee then discussed options and ultimately agreed (on a unanimous vote of the members present) on a Priority Use List, in this order, as follows:

1. Ground Lease (and development) of the Property pursuant to California law at the Property’s highest and best use value.
2. Preserve Property as public open space (with possible improvements and partnerships).
3. Sale of the Property pursuant to California law at the Property’s highest and best use value.

Finally, the Advisory Committee discussed the Property, possible future uses, and the topics and information to be discussed at the next meeting, including the history of offers to develop the site which were not accepted.

4. March 4, 2024 Meeting

The Priority Use List that was circulated by the District prior to the March 4, 2024 meeting is attached hereto as **Exhibit C**.

The Advisory Committee heard public comments from fourteen (14) individuals. These comments are summarized in the “Public Comments” section below.

District staff then provided a brief overview of the Priority Use List as described above, and the Advisory Committee opened a separate public hearing on the topic of the Priority Use List and heard public comments from twelve (12) individuals. These comments are also summarized in the “Public Comments” section below.

District staff then provided a brief overview of the prior November 13, 2023, December 18, 2023 and February 5, 2024 meeting topics, surplus property processes, State Board of Education waiver option, and Advisory Committee duties.

After the public hearing and summary of prior meetings, Chairperson Ereth made comments related to the Priority Use List and public hearing, and offered specific recommendations related to considerations and possible next steps for the Committee to consider. These recommendations assumed a waiver would be sought by the District and received from the State Board of Education, and then covered various options and topics if the Property was to be subject to a ground lease, developed into housing (including possible related property exchanges), retained for District use (including CEQA and Coastal Commission issues), or sold. A more detailed summary of these issues is included in the March 4, 2024 Advisory Committee Meeting Minutes attached hereto in Exhibit "B."

Additional discussions of the Advisory Committee on topics related to duration of potential leases, land preservation, gift of public funds, housing needs, District's capital facilities needs, teacher/workforce housing, Coastal Commission and CEQA considerations, and Priority Use List "rankings" and options for final recommendations.

The Advisory Committee then reviewed the various sections of the revised Draft Final Report and Recommendation, which document includes the legal definition of surplus property, the public comment summaries, and the Advisory Committee's recommendations regarding whether the Property should be declared surplus and/or leased, preserved as open space, or sold, etc. The Advisory Committee was reminded that the Final Report and Recommendation could also include unlimited special considerations and recommendations based on public input and the thoughts of the Advisory Committee members.

The Advisory Committee then voted to make certain revisions to the Final Report and Recommendation as set forth in the "Final Determination & Recommendation" section below.

5. Summary of Meetings

Based on the summary above of each of the four (4) Advisory Committee meetings, it is clear that information was provided to the Advisory Committee regarding the Property, potential uses, and the surplus property procedures. It is also clear that those from the community who chose to speak at these meetings felt, overwhelmingly, that the Property should be preserved or left as open space. Accordingly, this Final Report and Recommendation highlights the public comments received at each of the Advisory Committee meetings, as set forth immediately below, and not only the Advisory Committee's final recommendations.

Public Comments

As noted above, the Advisory Committee invited and considered public comments during each public meeting. Below is a summary of the public comments during each meeting.

1. Public Comments during the November 13, 2023 Meeting

Terry Welsh, President Banning Ranch Conservancy (Randall Reserve) noted that Banning Ranch should remain a permanent protected open space. It is a rare habitat. It does not have to be used. Future for educating young people to be stewards of the land.

2. Public Comments during the December 18, 2023 Meeting

Priscilla Rocco, community member. Brought a handout "Did You Know?"

Andrew Campbell, a geologist with the Preserve/Education Center. The preserve should stay with the community.

Wendy Leece, community member and president of Fairview Park Alliance. Banning Ranch needs to be saved. Views are enjoyed. Signed letter Conservancy/Ed Center. The focus is on science, the environment, and the ecosystem.

Martha Fluor, community member. Steady income stream and enhancing education at the Ed Center and more. Close Whittier Elementary, build a school in Banning Ranch for those students. Make Whittier a workforce housing development.

Debby Koken, community member. Maintain public open space, some development, environmental values, education value.

3. Public Comments during the February 5, 2024 Meeting

Leigh Anne Kalasinski, community member. Recommended most care to ensure Banning Ranch stays in its natural state.

Terry Welsh, community member. Urged the committee to preserve the site. Leave as an open space and an education tool for students.

Wendy Leece, taxpayer/community member. Recommends preservation of Banning Ranch as an open space. It provides a robust learning experience in nature.

Martha Fluor, community member. Provided a handout of her comments. Implores the committee to think outside the box. Recommends a new school to replace Whittier Elementary. Use the land currently at Whittier Elementary for workforce housing development.

Cynthia McDonald, alumni NMUSD/community member. Stated that the property has vernal pools and is under-utilized property. Stated the property would be difficult to develop. Suggested partnering with CCNA Educational Programs to provide classes on the history of the land and nature.

Richard Hoffman, community member. Recommended being a steward of the open fields of the property. It should be preserved and used as educational property. It is uniquely situated to serve the needs of all. The teaching of Indigenous culture and the nurturing of a natural open space.

Andrew Campbell, community member. Stated it's an opportunity to preserve nature and team with Randall Preserve.

Deborah Koken, community member. Stated the open space should be saved. The environmental value of the property is great and should not be developed.

Peter Drivas, community member. Expressed that the arts and culture of the property should be preserved. Children should be the priority as art inspires. Children should be first.

Jessica Mattison, community member. Recommended that the property should be kept a nature center. The space is wonderful. Noted a lack of parks in the community. Urged not to give up the property.

Don Krotee, community member. A proponent of workforce housing. Would like to be made aware if they ask for proposals/bids.

4(a). Public Comments during the March 4, 2024 Meeting (initial public comments portion of agenda)

Debbie McGuire, Board Member of Wetlands and Wildlife Care Center. Expressed concern about losing the wetlands and preserves. Would like to see Banning Ranch preserved for the importance of the ecosystem.

Terry Welsh, representative of the Coastal Corridor Alliance and community member. Recommends that the priority use list be redone making the preservation of Banning Ranch the number one priority.

Priscilla Rocco, community member. Stated that Banning Ranch would be an ideal place for immersive outdoor classrooms. It is an environmentally sensitive habitat. Prefers education over money. There would be Coastal Act limitations.

Lena Yee Hayashi, a supporter of the Coastal Corridor Alliance. Banning Ranch is home to many endangered species. Recommends saving and preserving the land that was donated by the Randalls.

Wendy Leece, community member, and taxpayer. Bring NMUSD and the Coastal Corridor Alliance together to work together. Nature can be a teaching opportunity. Past sales of other properties within NMUSD were not good.

Cynthia McDonald, community member. There has been no environmental impact report and there is no known condition of the property. Recommends keeping the space open and working with the Coastal Corridor Alliance to provide educational opportunities.

Richard Huffman, community member, and on the Board of the Coastal Corridor Alliance. Recommends that NMUSD's eleven acres be added to the preserve and restored to its natural space. Using the property for housing would present challenges in court.

Tom Egan, community member. As a Basic Aid district, there is no incentive to sell the property as the state will take the money. The prevailing opinion is not to sell the property. Don't sell it to a developer. Use it for an educational program for the children.

Peter Drivas, community member and property manager. Stated he represents the youth of the community. It is important to educate the children in arts, culture, and the preservation of nature.

Nancy Kappelman, community member. Feels the land should be left a preserve and there should be appreciation for the land. Should not be developed. A resource for children and older people.

James Stacy, community member. Feels the property should be joined to the Randall Preserve.

John Anderson, community member. Shared a handout with the committee, "Orange Coast River Park A River Park is a Wondrous Thing ..." regarding the ecosystem.

Elad Levy, community member. Recommends leaving Banning Ranch open and free. Don't separate the two properties, send it back to the nature preserve. Make it all one. No concrete jungles, and no apartments.

Deborah Koken, community member. The public overwhelmingly prefers the open space. Recommends reordering the recommendations.

4(b). Public Comments during the March 4, 2024 Meeting (Priority Use List public hearing portion of agenda)

Terry Welsh, representative of the Coastal Corridor Alliance and community member. Inquired as to the protocol to put a motion in to have the open space remain open.

Debbie McGuire, Board Member of Wetlands and Wildlife Care Center. Recommends moving Option 2 to Option 1 on the Priority Use List. Retain the open space.

Lena Yee Hayashi, a supporter of the Coastal Corridor Alliance. Would like to see the committee carefully act.

Peter Drivas, community member and property manager. Recommends moving Option 2 to Option 1 on the Priority Use List. Recommends seeing how it works and then if needed go to Option #2 in 3-5 years. Keep the land a preserve.

Marla Yellmans, community member. Recommends moving Option 2 to Option 1 on the Priority Use List. Expressed the importance of keeping the land a preserve.

Cynthia McDonald, community member. Recommends moving Option 2 to Option 1 on the Priority Use List.

Pricilla Rocco, community member. Recommends moving Option 2 to Option 1 on the Priority Use List.

Richard Huffman, community member, and on the Board of the Coastal Corridor Alliance. Recommends moving Option 2 to Option 1 on the Priority Use List. Stated that re-zoning is coming and there is no support for development.

Tom Egan, community member. No reason to sell the property. Recommends moving Option 2 to Option 1 on the Priority Use List.

Jim Palmer, teacher, and community member. Teachers have a need for affordable housing. The legislature is discussing housing.

Elad Levy, community member. Recommends moving Option 2 to Option 1 on the Priority Use List. Nothing to stop long-term leasing.

Consideration and Impacts

As provided in the meetings discussed above, the Advisory Committee considered, and was influenced by, the following:

1. comments from the community;
2. information regarding the possible future use of the Property;
3. statistics regarding the District enrollment history and forecast; and
4. personal experience.

The Advisory Committee recognizes and sincerely appreciates the level of community involvement during this process, and, specifically, the myriad of speakers who provided invaluable public comments, as documented in the “Public Comments” section above. The Advisory Committee heard information and deliberated over four (4) public meetings, spanning over five (5) months, concerning the existing and possible future uses of the Property.

The Advisory Committee has considered the level of interest by the community for this Property and has also considered the District-wide programmatic impacts and financial benefits associated with declaring the Property surplus, and leasing, preserving, or selling the Property may have on the District as a whole.

Final Determination & Recommendation

After careful consideration and deliberation, the Advisory Committee has determined that the District will have no educational, administrative, or operational need for the Property; therefore, the Property meets the statutorily-defined meaning of “surplus property.” Accordingly, on a 7 to 2 vote, the Advisory Committee makes the following recommendations regarding the Property:

1. That the Governing Board declare the Property surplus.

Then, in priority order...

2. That, should the Governing Board decide to pursue the surplus property procedures for the Property, the Governing Board should pursue a ground lease (and development) of the Property pursuant to California law at the Property’s highest and best use value. The Advisory Committee noted that a ground lease will allow the Property to be developed while allowing the District to retain ownership of the Property in order to receive revenue in the form of rent payments, and feels this ongoing revenue would be more beneficial to the District than receipt of a lump sum payment derived from the sale of the Property, which sale proceeds would be restricted pursuant to applicable law.

3. That, should the Governing Board choose not to pursue a ground lease (and development) of the Property as recommended above, the Governing Board should preserve the Property as public open space (with possible improvements and partnerships).

4. That, should the Governing Board choose not to pursue a ground lease (and development) of the Property or to preserve the Property as public open space (with possible improvements and partnerships)

each as recommended above, and should the Governing Board decide to pursue the surplus property procedures for the Property, the Governing Board should pursue a sale of the Property pursuant to California law at the Property's highest and best use value in order to generate a one-time lump sum of sale proceeds.

The Advisory Committee also discussed the option of seeking a waiver from the State Board of Education ("SBE"), which would allow for direct negotiations with interested entities for the sale or lease of the Property instead of requiring a public auction. The Advisory Committee considered the waiver and believes seeking a waiver is a prudent course of action should the Governing Board seek to lease or sell the Property, and that direct negotiations could be beneficial rather than, or in addition to, the District conducting a public auction. Therefore, the Advisory Committee agrees and consents to such waiver process, and agrees it does not need to re-convene in the future to make any other determinations related to such waiver process.

EXHIBIT A

[Depiction of Banning Ranch Property]



EXHIBIT B

[Meeting Minutes for Each Meeting]

**SURPLUS PROPERTY “7-11” ADVISORY COMMITTEE
MINUTES**

**Regular Meeting of the “7-11” Advisory Committee
November 13, 2023 – 5:30 P.M.**

Newport-Mesa Unified School District Education Center Boardroom
2985 Bear Street, Costa Mesa, CA 92626

PRELIMINARY

CALL TO ORDER

The regular meeting of the Surplus Property “7-11” Advisory Committee was called to order by Newport-Mesa School District Representative, Jeff Trader, at 5:33 P.M. on November 13, 2023 at the Newport-Mesa Unified School District Education Center Boardroom, 2985 Bear Street, Costa Mesa, CA 92626.

ROLL CALL

Members Present:

Laurie Horn – Member of the Business Community
Lindsay Olson – Member of the Business Community
Chase Rief – Member of the Business Community
Sean Levin – Landowner or Renter
Jane Hartley – Teacher
Jose De La Jara – Parent of Student
Adam Ereth – Person with Expertise in Environmental Impact
Tyler Holst – Person with Expertise in Legal Contracts, Building Codes, Land Use Planning
Yocely Galinda – Person with Ethnic, Age Group, and Socioeconomic Composition of the District
David Martinez - Person with Ethnic, Age Group, and Socioeconomic Composition of the District

Members Not Present:

Jacob Haley – Administrator

Also Present:

Jeff Trader – Newport-Mesa Unified School District
Andreas Chialtas – Atkinson, Andelson, Loya, Ruud & Romo
Veronica Hallman – Newport-Mesa Unified School District

INTRODUCTIONS

“7-11” Advisory Committee Introductions
Veronica Hallman Introduction
Jeff Trader Introduction
Andreas Chialtas Introduction

QUESTIONS FROM THE FLOOR

Public Comment:

Terry Welsh, President Banning Ranch Conservancy (Randall Reserve) Noted that Banning Ranch should remain a permanent protected open space. It is a rare habitat. It does not have to be used. Future for educating young people to be stewards of the land.

SELECTION OF COMMITTEE CHAIRPERSON AND CO-CHAIRPERSON

Adam Ereth moved to nominate himself as the Chairperson of the "7-11" Advisory Committee. It was seconded by Sean Levin. The motion was carried with a vote of 10 yes, 1 absent.

Tyler Holst moved to nominate himself as the Co-Chairperson of the "7-11" Advisory Committee. It was seconded by Laurie Horn. The motion was carried by a vote of 10 yes, 1 absent.

OVERVIEW OF SURPLUS PROPERTY COMMITTEE PURPOSE AND DUTIES

Andreas Chailtas of Atkinson, Andelson, Loya, Ruud & Romo provided detailed information regarding the purpose and duties of the "7-11" Advisory Committee. Andreas explained the Conflict of Interest, Form 700 Filing, and The Brown Act in detail.

OVERVIEW OF DISTRICT'S BANNING RANCH PROPERTY

Andreas Chailtas and Jeff Trader provided a brief overview of the Banning Ranch Property. More detailed information will be submitted in future meetings.

DISCUSSION OF PROPOSED NEXT COMMITTEE MEETING AND TIMELINE

Topics for the Next Meeting:

Various members of the "7-11" Advisory Committee provided feedback as to what they would like to have made available to them. Andreas Chailtas and Jeff Trader documented those requests and will be addressed at future meetings.

Date, Time, Place for the Next Meeting:

The next meeting of the "7-11" Advisory Committee has been scheduled for Monday, December 18, 2023 at 5:30 P.M. at the Newport-Mesa Unified School District Education Center Boardroom, 2985 Bear Street, Costa Mesa, CA 92626.

COMMENTS FROM COMMITTEE MEMBER

The "7-11" Committee Members expressed an interest in a field trip to the Banning Ranch Property.

ADJOURNMENT

The meeting adjourned at 7:17 P.M.

**SURPLUS PROPERTY "7-11" ADVISORY COMMITTEE
MINUTES**

**Regular Meeting of the "7-11" Advisory Committee
December 18, 2023 – 5:30 P.M.**

Newport-Mesa Unified School District Education Center Boardroom
2985 Bear Street, Costa Mesa, CA 92626

PRELIMINARY

CALL TO ORDER

The regular meeting of the Surplus Property "7-11" Advisory Committee was called to order by Newport-Mesa School District Representative, Jeff Trader, at 5:35 P.M. on December 18, 2023 at the Newport-Mesa Unified School District Education Center Boardroom, 2985 Bear Street, Costa Mesa, CA 92626.

ROLL CALL

Members Present:

Lindsay Olson – Member of the Business Community
Chase Rief – Member of the Business Community
Sean Levin – Landowner or Renter
Jacob Haley – Administrator
Adam Erath – Person with Expertise in Environmental Impact
Tyler Holst – Person with Expertise in Legal Contracts, Building Codes, Land Use Planning

Members Not Present:

Laurie Horn – Member of the Business Community
Jane Hartley – Teacher
Jose De La Jara – Parent of Student
Yocely Galinda – Person with Ethnic, Age Group, and Socioeconomic Composition of the District
David Martinez - Person with Ethnic, Age Group, and Socioeconomic Composition of the District

Also Present:

Jeff Trader – Newport-Mesa Unified School District
Andreas Chialtas – Atkinson, Andelson, Loya, Ruud & Romo
Kim Nguyen – Newport-Mesa Unified School District

COMMENTS FROM THE FLOOR

Priscilla Rocco, community member. Brought a handout "Did You Know?"
Andrew Campbell, a geologist with the Preserve/Education Center. The preserve should stay with the community.
Wendy Leece, community member and president of Fairview Park Alliance. Banning Ranch needs to be saved. Views are enjoyed. Signed letter Conservancy/Ed Center. The focus is on science, the environment, and the ecosystem.
Martha Fluor, community member. Steady income stream and enhancing education at the Ed Center and more. Close Whittier Elementary, build a school in Banning Ranch for those students. Make Whittier a workforce housing development.

Debby Koken, community member. Maintain public open space, some development, environmental values, education value.

APPROVAL OF MINUTES OF NOVEMBER 13, 2023 MEETING

Motion By: Sean Levin

Seconded by: Jacob Haley

Vote: 6 / 0 - Passed

SUMMARY OF NOVEMBER 13, 2023 MEETING AND DISTRICT'S BANNING RANCH PROPERTY

a. Summary of Covered Topics:

Andreas Chialtas - Waive a traditional method – bid option. Choose high or reject all. Most beneficial deal to Board; no conflict of interest, Brown Act.

b. 7-11 Committee Requested Documents:

Sean Levin – confirmed 11.36 acres.

Adam Erath – predictive enrollment, how school district is trending. Need to save space for schools or liquidate. The district communicates with the County to project enrollment.

Jeff Trader – enrollments trending down from 16k to 26k cycle. Regular communication with the County on enrollment.

DISCUSSION OF POSSIBLE FURTHER REQUESTED INFORMATION

N/A

DISCUSSION AND DEVELOPMENT AND PRIORITY USE LIST

a. Discussion of Public Comments (if any)

Part of funneling towards a final recommendation.

b. Approval of Priority Use List

It was decided that finalizing a Priority Use List would occur at the next meeting after hearing from the public again.

Motion By: Tyler Holst

Seconded by: Chase Rief

Vote: 6 / 0 - Passed

DISCUSSION AND DEVELOPMENT OF FUTURE DRAFT REPORT AND RECOMMENDATION

a. Reference Tab 10 – Sample Report and Recommendation

Listen to the Public first.

b. Possible Revisions to Proposed Draft Report, and Plan to Develop Future Final Report to District Governing Board

After listening to the Public.

DISCUSSION OF PROPOSED NEXT COMMITTEE MEETING AND TIMELINE

Date, Time, Place for the Next Meeting:

The next meeting of the "7-11" Advisory Committee has been scheduled for Monday, February 5, 2024 at 5:30 P.M. at the Newport-Mesa Unified School District Education Center Boardroom, 2985 Bear Street, Costa Mesa, CA 92626.

Motion By: Jacob Haley

Seconded by: Sean Levin

Vote: 6 / 0 - Passed

COMMENTS FROM COMMITTEE MEMBER

Tyler Holst – Municipalities – review how many units can be built; development swaps and clause trade-off for developers; burrowing owls (seasonal, need reports), environmental encumbrances?

Chase Rief – have we ever hit capacity? unique opportunity to work with developers; long-term income stream for the district; other opportunities can generate income along with workforce housing, the average size in acreage is 11-12 acres.

Adam Ereth – using school site as housing development/workforce housing – trade off new elementary school; housing tax revenue going back to the district for additional income; leasing would be less income to the district long-term; unsure if the district-owned area is highly sensitive – would need more information – EIR for potential; developers augment plans for the environmental issues – consider an alternate waiver path.

Sean Levin – Nice idea workforce housing; attract long-term quality teachers, university model.

Jacob Haley – use all assets.

ADJOURNMENT

The meeting adjourned at 7:05 P.M.

Motion By: Jacob Haley

Seconded by: Lindsay Olson

Vote: 6 / 0 - Passed

**SURPLUS PROPERTY “7-11” ADVISORY COMMITTEE
MINUTES**

**Regular Meeting of the “7-11” Advisory Committee
February 5, 2024 – 5:30 P.M.**

Newport-Mesa Unified School District Education Center Boardroom
2985 Bear Street, Costa Mesa, CA 92626

PRELIMINARY

CALL TO ORDER

The regular meeting of the Surplus Property “7-11” Advisory Committee was called to order by 7-11 Committee Chairperson, Adam Ereth, at 5:32 P.M. on February 5, 2024, at the Newport-Mesa Unified School District Education Center Boardroom, 2985 Bear Street, Costa Mesa, CA 92626.

ROLL CALL

Members Present:

Lindsay Olson – Member of the Business Community
Chase Rief – Member of the Business Community
Sean Levin – Landowner or Renter
Jacob Haley – Administrator
Jose De La Jara – Parent of Student
Adam Ereth – Person with Expertise in Environmental Impact
Tyler Holst – Person with Expertise in Legal Contracts, Building Codes, Land Use Planning
(Arrived late 5:49 P.M.)
David Martinez - Person with Ethnic, Age Group, and Socioeconomic Composition of the District

Members Not Present:

Laurie Horn – Member of the Business Community
Jane Hartley – Teacher
Yocely Galinda – Person with Ethnic, Age Group, and Socioeconomic Composition of the District

Also Present:

Jeff Trader – Newport-Mesa Unified School District
Andreas Chialtas – Atkinson, Andelson, Loya, Ruud & Romo (Via Zoom)
Veronica Hallman – Newport-Mesa Unified School District

COMMENTS FROM THE FLOOR

Leigh Anne Kalasinski, community member. Recommended most care to ensure Banning Ranch stays in its natural state.
Terry Welsh, community member. Urged the committee to preserve the site. Leave as an open space and an education tool for students.
Wendy Leece, taxpayer/community member. Recommends preservation of Banning Ranch as an open space. It provides a robust learning experience in nature.
Martha Fluor, community member. Provided a handout of her comments. Implores the committee to think outside the box. Recommends a new school to replace Whittier Elementary. Use the land currently at Whittier Elementary for workforce housing development.

Cynthia McDonald, alumni NMUSD/community member. Stated that the property has vernal pools and is under-utilized property. Stated the property would be difficult to develop. Suggested partnering with CCNA Educational Programs to provide classes on the history of the land and nature.

Richard Hoffman, community member. Recommended being a steward of the open fields of the property. It should be preserved and used as educational property. It is uniquely situated to serve the needs of all. The teaching of Indigenous culture and the nurturing of a natural open space.

Andrew Campbell, community member. Stated it's an opportunity to preserve nature and team with Randall Preserve.

Deborah Koken, community member. Stated the open space should be saved. The environmental value of the property is great and should not be developed.

Peter Drivas, community member. Expressed that the arts and culture of the property should be preserved. Children should be the priority as art inspires. Children should be first.

Jessica Mattison, community member. Recommended that the property should be kept a nature center. The space is wonderful. Noted a lack of parks in the community. Urged not to give up the property.

Don Krotee, community member. A proponent of workforce housing. Would like to be made aware if they ask for proposals/bids.

APPROVAL OF MINUTES OF DECEMBER 18, 2023 MEETING

Motion by: Sean Levin

Seconded by: Jacob Haley

Vote: 8 / 0 - Passed

SUMMARY OF DECEMBER 18, 2023 MEETING AND DISTRICT'S BANNING RANCH PROPERTY

a. Summary of Covered Topics:

Surplus Property Processes, State Board of Education Waiver Option, and Advisory Committee Duties

Discussion and Development of the Revised Priority Use List

Discussion and Development of the First Revised Sample Report and Recommendation

DISCUSSION OF POSSIBLE FURTHER REQUESTED INFORMATION

None.

DISCUSSION AND DEVELOPMENT OF PRIORITY USE LIST

a. Reference Tab 12 – Sample First Reviewed Priority Use & Possible Further Revisions – Discussed waiver.

b. Approval of Priority Use List

Motion by: Adam Ereth

Seconded by: Tyler Holst

Vote: 8 / 0 - Passed

DISCUSSION AND DEVELOPMENT OF FUTURE DRAFT REPORT AND RECOMMENDATION

a. Reference Tab 13 – First Revised Sample Report and Recommendation

No vote was taken. Further work on the draft report at the next meeting scheduled for March 4, 2024 at 5:30 P.M.

DISCUSSION OF PROPOSED NEXT COMMITTEE MEETING TOPICS AND TIMELINE

The next meeting of the "7-11" Advisory Committee has been scheduled for Monday, March 4, 2024 at 5:30 P.M. at the Newport-Mesa Unified School District Education Center Sanborn Assembly Room, 2985 Bear Street, Costa Mesa, CA 92626.

Motion by: Adam Ereth

Seconded by: Tyler Holst

Vote: 8 / 0 - Passed

COMMENTS FROM COMMITTEE MEMBER

Adam Ereth – requested information on any offers of this space in previous years. Would like to see the history of offers, such as offers to develop the site, which were not accepted.

ADJOURNMENT

The meeting was adjourned by Committee Chairperson, Adam Ereth at 7:13 P.M.

NO MOTION

NO SECOND

NO VOTE

**SURPLUS PROPERTY "7-11" ADVISORY COMMITTEE
MINUTES**

**Regular Meeting of the "7-11" Advisory Committee
March 4, 2024 – 5:30 P.M.**

Newport-Mesa Unified School District Education Center Boardroom
2985 Bear Street, Costa Mesa, CA 92626

PRELIMINARY

CALL TO ORDER

The regular meeting of the Surplus Property "7-11" Advisory Committee was called to order by 7-11 Committee Chairperson, Adam Ereth, at 5:38 P.M. on March 4, 2024, at the Newport-Mesa Unified School District Education Center Boardroom, 2985 Bear Street, Costa Mesa, CA 92626.

ROLL CALL

Members Present:

Laurie Horn – Member of the Business Community
Lindsay Olson – Member of the Business Community
Chase Rief – Member of the Business Community
Sean Levin – Landowner or Renter
Jacob Haley – Administrator
Jose De La Jara – Parent of Student
Adam Ereth – Person with Expertise in Environmental Impact
Tyler Holst – Person with Expertise in Legal Contracts, Building Codes, Land Use Planning
David Martinez – Person with Ethnic, Age Group, and Socioeconomic Composition of the District

Members Not Present:

Jane Hartley – Teacher
Yocely Galinda – Person with Ethnic, Age Group, and Socioeconomic Composition of the District

Also Present:

Jeff Trader – Newport-Mesa Unified School District
Andreas Chialtas – Atkinson, Andelson, Loya, Ruud & Romo
Veronica Hallman – Newport-Mesa Unified School District

COMMENTS FROM THE FLOOR

Debbie McGuire, Board Member of Wetlands and Wildlife Care Center. Expressed concern about losing the wetlands and preserves. Would like to see Banning Ranch preserved for the importance of the ecosystem.

Terry Welsh, representative of the Coastal Corridor Alliance and community member. Recommends that the priority use list be redone making the preservation of Banning Ranch the number one priority.

Priscilla Rocco, community member. Stated that Banning Ranch would be an ideal place for immersive outdoor classrooms. It is an environmentally sensitive habitat. Prefers education over money. There would be Coastal Act limitations.

Lena Yee Hayashi, a supporter of the Coastal Corridor Alliance. Banning Ranch is home to many endangered species. Recommends saving and preserving the land that was donated by the Randalls.

Wendy Leece, community member, and taxpayer. Bring NMUSD and the Coastal Corridor Alliance together to work together. Nature can be a teaching opportunity. Past sales of other properties within NMUSD were not good.

Cynthia McDonald, community member. There has been no environmental impact report and there is no known condition of the property. Recommends keeping the space open and working with the Coastal Corridor Alliance to provide educational opportunities.

Richard Huffman, community member, and on the Board of the Coastal Corridor Alliance. Recommends that NMUSD's eleven acres be added to the preserve and restored to its natural space. Using the property for housing would present challenges in court.

Tom Egan, community member. As a Basic Aid district, there is no incentive to sell the property as the state will take the money. The prevailing opinion is not to sell the property. Don't sell it to a developer. Use it for an educational program for the children.

Peter Drivas, community member and property manager. Stated he represents the youth of the community. It is important to educate the children in arts, culture, and the preservation of nature.

Nancy Kappelman, community member. Feels the land should be left a preserve and there should be appreciation for the land. Should not be developed. A resource for children and older people.

James Stacy, community member. Feels the property should be joined to the Randall Preserve.

John Anderson, community member. Shared a handout with the committee, "Orange Coast River Park A River Park is a Wondrous Thing ..." regarding the ecosystem.

Elad Levy, community member. Recommends leaving Banning Ranch open and free. Don't separate the two properties, send it back to the nature preserve. Make it all one. No concrete jungles, and no apartments.

Deborah Koken, community member. The public overwhelmingly prefers the open space. Recommends reordering the recommendations.

APPROVAL OF MINUTES OF FEBRUARY 5, 2024 MEETING

Motion by: Jacob Haley

Seconded by: Sean Levin

Vote: 9 / 0 - Passed

PUBLIC HEARING OF COMMITTEE'S PRIORITY USE LIST FOR THE BANNING RANCH PROPERTY

- a. Reference Tab 15 – Introductory Comments Regarding 7-11 Committee Priority Use List & Process
- b. Public Hearing Opened at 6:14 P.M.

COMMENTS FROM THE FLOOR

Wendy Leece, community member, and taxpayer. Recommends moving Option 2 to Option 1 on the Priority Use List. Learn from the past. Partnership with Randall Preserve to leave the space open.

Terry Welsh, representative of the Coastal Corridor Alliance and community member. Inquired as to the protocol to put a motion in to have the open space remain open.

Debbie McGuire, Board Member of Wetlands and Wildlife Care Center. Recommends moving Option 2 to Option 1 on the Priority Use List. Retain the open space.

Lena Yee Hayashi, a supporter of the Coastal Corridor Alliance. Would like to see the committee carefully act.

Peter Drivas, community member and property manager. Recommends moving Option 2 to Option 1 on the Priority Use List. Recommends seeing how it works and then if needed go to Option #2 in 3-5 years. Keep the land a preserve.

Marla Yellmans, community member. Recommends moving Option 2 to Option 1 on the Priority Use List. Expressed the importance of keeping the land a preserve.

Cynthia McDonald, community member. Recommends moving Option 2 to Option 1 on the Priority Use List.

Pricilla Rocco, community member. Recommends moving Option 2 to Option 1 on the Priority Use List.

Richard Huffman, community member, and on the Board of the Coastal Corridor Alliance. Recommends moving Option 2 to Option 1 on the Priority Use List. Stated that re-zoning is coming and there is no support for development.

Tom Egan, community member. No reason to sell the property. Recommends moving Option 2 to Option 1 on the Priority Use List.

Jim Palmer, teacher, and community member. Teachers have a need for affordable housing. The legislature is discussing housing.

Elad Levy, community member. Recommends moving Option 2 to Option 1 on the Priority Use List. Nothing to stop long-term leasing.

- c. Public Hearing Closed at 6:31 P.M.

SUMMARY OF INITIAL TWO MEETINGS, FEBRUARY 5, 2024 MEETING, AND PUBLIC HEARING ON THE COMMITTEE'S PRIORITY USE LIST

- a. Brief Overview of Initial Two Meetings & Requested Information - Andreas Chialtas – Atkinson, Andelson, Loya, Ruud & Romo, addressed briefly.
- b. Summary of February 5, 2024 Meeting & Requested Information Andreas Chialtas – Atkinson, Andelson, Loya, Ruud & Romo, addressed briefly.
- c. Discussion of Priority Use List and Public Hearing Comments – Adam Ereth, Committee Chairperson, opened for discussion. Adam Ereth, Committee Chairperson, made comments related to the Priority Use List and public hearing, and offered the following related to considerations and possible next steps for the Committee:
 - i. That the following recommendations assume a waiver is to be sought by the District and received from the State Board of Education.

- ii. If ground lease, lease the land for a duration of 5 year increments if retained as open space, noting that any proposed improvement to the site from the lessee be captured in the lease agreement so as to not discourage any future use unless otherwise stated or agreed upon.
- iii. If intent to develop into housing, consider a land swap proposition with the MRCA for land that may not be as desirable and/or environmentally sensitive as the NMUSD landholding with accompanying letter of support to Coastal Commission and any relevant jurisdictions to build housing on the alternate site.
- iv. If land is retained for NMUSD use, consider how the property can be leveraged in relation to other NMUSD land holdings. For example, if local schools in westside Costa Mesa are trending down, the trustees may consider a housing project on one of the school sites for increased revenue and in parallel with a developer agreement to build an Environmental Nature Center in the Banning Ranch property for NMUSD use. It is also worth mentioning that infill development in an existing site will likely be subject to streamlined CEQA review through CEQA guidelines section 15301 (Class 1) for existing facilities, and a modest-sized Environmental Nature Center for NMUSD use a more likely alternative to pass Coastal Commission than a high density housing project, particularly if that project is sold at market rate. It is also worth noting that many CEQA provisions may be waived if the site is a qualified affordable housing project, regardless of where the project is built in certain cases.
- v. If selling the property is considered, appraise the property and ask full market rate regardless of any known or unknown impediments in the entitlement process. Underpinning this assumption is the fact that coastal land values continue to climb exponentially. The NMUSD land is no exception in this regard, and may be considered a long-term, appreciating asset or development opportunity, particularly in the context of rising costs with home buying and rentership. This may be an important point to keep in mind for the NMUSD workforce if workforce housing and space is needed.
- vi. In all cases, unless the land changes hands, solicit the Coastal Commission for reinstatement of the fence along the property line, or some form of wrap-around demarcation. I believe the current setback enclosure from the property line is insufficient to exclude unwanted activity such as trespassing or other activities.

- d. Discussion of Any New Additional Information Requested by the Advisory Committee Members (if any) - Adam Ereth, Committee Chairperson opened for discussion. No information was requested.

Committee Chairperson, Adam Ereth adjourned the meeting for short for a break at 6:36 P.M.

Committee Chairperson, Adam Ereth re-adjourned the meeting at 6:46 P.M.

**DISCUSSION OF FURTHER REVISIONS TO SECOND REVISED DRAFT REPORT AND RECOMMENDATION,
AND DEVELOPMENT OF FUTURE REPORT AND RECOMMENDATION**

- a. Reference Tab 16 – Second Revised Draft Report and Recommendation
- b. Discussion Regarding Revisions to Second Revised Draft Report and Recommendation, and Plan to Develop Final Report and Recommendation to District Governing Board. The discussion included the following members present at the meeting:

Adam Ereth – Person with Expertise in Environmental Impact

Tyler Holst – Person with Expertise in Legal Contracts, Building Codes, Land Use Planning

Jose De La Jara – Parent of Student

Jacob Haley – Administrator

Laurie Horn – Member of the Business Community

Sean Levin – Landowner or Renter

David Martinez - Person with Ethnic, Age Group, and Socioeconomic Composition of the District

Lindsay Olson – Member of the Business Community

Chase Rief – Member of the Business Community

The discussion included topics related to duration of potential leases, land preservation, gift of public funds, housing needs, District’s capital facilities needs, teacher/workforce housing, Coastal Commission and CEQA considerations, and Priority Use List “rankings” and options for final recommendations.

- c. Approval of Revisions, Approval of Report, and Next Steps

A vote was taken as reflected below to make certain revisions to the draft proposed Report and Recommendation as follows: Make certain revisions to be consistent with the past practice of adding meeting and minutes information, and adding information related to the public speakers and comments received; Confirm final recommendations section to reflect the Priority Use List’s priority and include waiver information reflected in the draft Report and Recommendation.

Motion by: Adam Ereth

Seconded by: Jacob Haley

Vote: 7 / 2 – Passed

A vote was taken as reflected below to have the minutes of this proposed final Committee Meeting No. 4 be circulated via email and deemed automatically approved by the Committee unless one or more members requested another meeting for the sole purpose of discussing the minutes, and that there was otherwise no need for any further Committee meetings.

Motion by: Adam Ereth

Seconded by: Tyler Holst

Vote: 8 / 1 – Passed

DISCUSSION OF PROPOSED NEXT COMMITTEE MEETING TOPICS AND DATE

Having voted on the Final Report and Recommendation, there will be no anticipated further meetings of the Committee.

ADJOURNMENT

The meeting was adjourned at 7:43 P.M.

Motion by: Jacob Haley

Seconded by: David Martinez

Vote: 9 / 0 - Passed

EXHIBIT C

[Copies of the notice of the Public Hearing with Priority Use List]



Newport-Mesa
Unified School District

BOARD OF EDUCATION
Ashley Anderson • Michelle Barto
Carol Crane • Leah Ersoylu • Michelle Murphy
Lisa Pearson • Krista Weigand

NEWPORT-MESA UNIFIED SCHOOL DISTRICT

NOTICE OF PUBLIC MEETING

Surplus Property “7-11” Advisory Committee Meeting

NOTICE IS HEREBY GIVEN that the Newport-Mesa Unified School District’s (“District”) Surplus Property (“7-11”) Advisory Committee will hold a meeting on November 13, 2023 starting at 5:30 p.m., at the District’s Administration Office Boardroom located at 2985 Bear Street, Costa Mesa, CA, related to the District’s property consisting of approximately 11.36 acres, located at 980 16th Street in Newport Beach, APN’s: 114-170-63, 114-170-64, and 114-170-51, which property is known generally as the District’s Banning Ranch property. The agenda for this meeting is provided below.

As set forth in the agenda, the Advisory Committee will hear comments from the public which may also be submitted in writing prior to the meeting. The public comments will be read during the meeting by District staff.

If you have any questions, or if you would like to submit a public comment, please contact the District’s representative, as indicated below.

District’s Representative:

Jeffery S. Trader, Assistant Superintendent, Chief Business Official
Newport-Mesa Unified School District
2985 Bear Street
Costa Mesa, CA 92626
jtrader@nmusd.us



Newport-Mesa
Unified School District

BOARD OF EDUCATION
Ashley Anderson • Michelle Barto
Carol Crane • Leah Ersoylu • Michelle Murphy
Lisa Pearson • Krista Weigand

NEWPORT-MESA UNIFIED SCHOOL DISTRICT

NOTICE OF PUBLIC HEARING

**NOTICE OF ESTABLISHMENT OF A PRIORITY LIST
OF USE OF SURPLUS REAL PROPERTY
THAT WILL BE ACCEPTABLE TO THE COMMUNITY,
AND NOTICE OF PUBLIC HEARING BY THE SURPLUS PROPERTY
“7-11” ADVISORY COMMITTEE FOR THE**

Pursuant to the provisions of Education Code Section 17390(b), the Surplus Property “7-11” Advisory Committee of the Newport-Mesa Unified School District (“Committee”) has prepared a priority list of use of surplus real property that will be acceptable to the community for the following property:

District property consisting of approximately 11.36 acres, located at 980 16th Street in Newport Beach, CA, APN’s: 114-170-63, 114-170-64, and 114-170-51, which property is known generally as the District’s Banning Ranch property.

The priority of uses for the Banning Ranch property, in this order, is as follows:

1. Ground Lease (and development) of the Property pursuant to California law at the Property's highest and best use value.
2. Preserve Property as public open space (with possible improvements and partnerships).
3. Sale of the Property pursuant to California law at the Property’s highest and best use value.

The Committee previously held public meetings on November 13, 2023, December 18, 2023, and February 5, 2024, and has identified this property and corresponding priority of uses. The Committee will hold a Public Hearing for the purposes of discussion of the priority of uses list set forth above. Said Public Hearing will be held on March 4, 2024 at 5:30 p.m., at the District Administration Office Boardroom located 2985 Bear Street, Costa Mesa, CA 92626. Persons desiring additional information should contact, the following District Representative:

Jeffery S. Trader, Assistant Superintendent, Chief Business Official
Newport-Mesa Unified School District
2985 Bear Street
Costa Mesa, CA 92626
jtrader@nmusd.us

Superintendent Dr. Wesley Smith
2985 Bear Street • Costa Mesa • California 92626 • (714) 424-5000



Newport-Mesa
Unified School District

BOARD OF EDUCATION
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NEWPORT-MESA UNIFIED SCHOOL DISTRICT

NOTICE OF PUBLIC HEARING

NOTICE OF INTENT TO REQUEST WAIVER

NOTICE IS HEREBY GIVEN that the Board of Education of the Newport-Mesa Unified School District will, at the District's Board meeting to be held at 6:00 pm on April 2, 2024, consider seeking a waiver from the State Board of Education of the competitive bidding procedures set forth in Education Code section 17466, *et seq.*, for the potential ground lease and development of District property consisting of approximately 11.36 acres located at 980 16th Street in Newport Beach, APN's: 114-170-63, 114-170-64, and 114-170-51 (commonly known as the District's "Banning Ranch Property"). This public hearing will be held at the District's Board Room located at 2985 Bear Street, Costa Mesa, CA 92626. The Board of Education will conduct a public hearing and invites public testimony regarding this matter.

Questions and/or comments should be directed to:

Jeffery S. Trader, Assistant Superintendent, Chief Business Official
Newport-Mesa Unified District
2985 Bear Street
Costa Mesa, CA 92626
Tel: 714-424-5003
Email: jtrader@nmusd.us