

# Asset Management Advisory (7-11) Committee

May 20, 2025

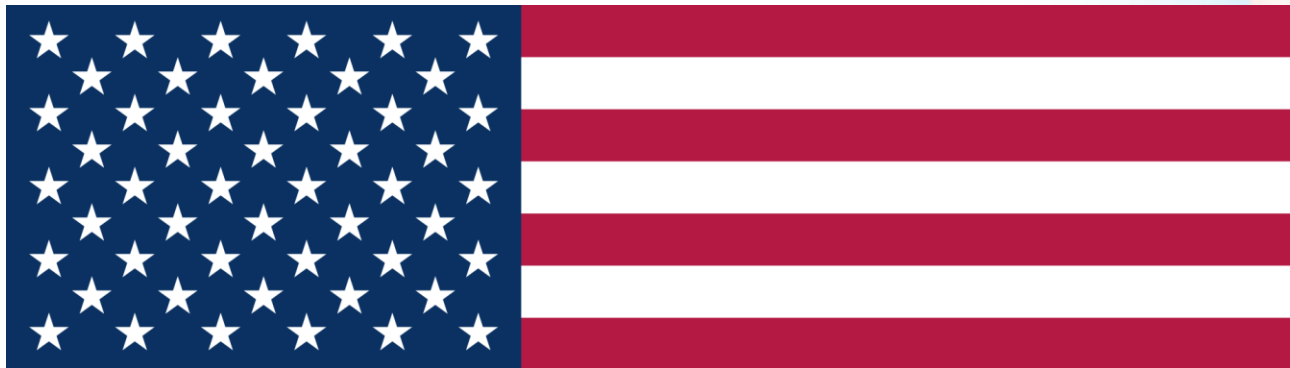
"The achievements of an organization  
are the results of the combined effort  
of each individual."

-Vince Lombardi



# Call To Order & Pledge of Allegiance





# Roll Call



# Committee Members

- **Jon Sanks**, *Persons with Expertise in Environmental Impact, Legal Contracts, Building Codes, and Land Use Planning*-**Chair**
- **Diana Fascenelli**, *Business Community*-**Vice-Chair**
- Eugene Fields, *Ethnicities/Ages/Socioeconomic*
- Sophia Medina, *Ethnicities/Ages/Socioeconomic*
- David Imboden, *Landowners and Renters*
- Michelle Kauten, *Teacher*
- Brenna Godsey, *Administrator*
- Dan Rothenberg, *Parent*
- Jillian Miller, *Parent*



# District Staff

- Michael Christensen, *Superintendent*
- Sulema Holguin, *Assistant Superintendent, Business Services*
- Isela Vazquez, *Sr. Executive Director, Facilities Development and Planning*
- Elizabeth Gutierrez, *Executive Secretary*
- Sarine Abrahamian, *District Counsel*



# Approval of Agenda

- Approval of Agenda for May 20, 2025





# Approval of Minutes

- Approval of Minutes from May 13, 2025



# Election of Officers for Committee

- Delegation of Secretarial Duties to District Staff

# Overview of Bylaws

- [Overview of Asset Management Advisory \(7-11\) Committee Bylaws](#)



# Presentations & Discussion



- Address Committee Member Questions (Raised At Last Meeting)
- Alternatives to Surplus Property Disposition
- Sample of Recommendations for "Recommendation Report" and Case Study
- District Information
- Facility Information on La Veta ES, Others...

# Alternatives to Surplus Property Disposition

- [Refresher: K-12 Surplus Property and Alternatives to Surplus Disposition Options](#)



# Sample Recommendations for "Recommendation Report" and Case Study

- [Example Recommendations From California K-12 School District Asset Management Committees](#)



# School Consolidation & Asset Management Plan -



## School Consolidation

Provide options to recommend consolidating Elementary and Middle schools (no high schools) beginning school year 2026-27 across the District's feeder patterns.

- Access to more resources and collaboration for students and teachers
- Provide an opportunity for funding facilities in a more focused approach
- Opportunity to merge programs to provide more choices for families (combos, GATE, dual language, inclusion, etc.)

## Asset Management Plan

Manage District resources, prioritizing District functions and student needs, with the goal of creating revenue opportunities for the benefit of the District and community.

- Identifies how to repurpose property (portables), materials, transportation, and human resources.
- 7-11 Committee- Provide recommendations to the Board regarding Use and/or disposition of District real property
- Project Lists – Facilities Master Plan and Deferred Maintenance
- Funding – consolidated approach

# Elementary School Information

Elementary Schools	Year Built/ Modernized	2014/15 Enrollment	Total Classrooms	Capacity 30:1	(Current) 2024/25 Enrollment	Seats Available	Acreage	Field Acreage	(Projections) 2025/26 Enrollment	(Projections) 2026/27 Enrollment	(Projections) 2029/30 Enrollment
ANAHEIM HILLS	1979	513	26	780	473	307	14.78	2.15	491	485	472
CALIFORNIA (Title 1)	1962	654	29	870	707	163	10.1	4.5	717	719	690
CAMBRIDGE (Title 1)	1951	525	29	870	353	517	8.7	2.75	374	368	364
CANYON RIM	1998	692	30	900	510	390	11.86	2	541	564	594
CHAPMAN HILLS	1994	502	21	630	320	310	7.14	2.5	337	369	475
CRESCENT	1968	770	34	1020	806	214	23.8	10	786	738	675
ESPLANADE (Title 1)	1963, 2006	422	26	780	260	520	9.7	3.5	259	250	256
FAIRHAVEN (Title 1)	1967	587	31	930	360	570	8.7	3.16	354	341	311
FLETCHER	1967	376	27	810	497	313	7.8	3.19	518	514	506
HANDY (Title 1)	1962	562	30	900	364	536	13.48	6.54	354	338	316
IMPERIAL	1978	491	21	630	338	292	10	2.25	347	333	328
JORDAN (Title 1)	1964, 2006	438	25	750	415	335	12.75	6.5	448	464	470
LA VETA	1962	846	35	1050	410	640	16.8	8.25	381	353	277
LAMPSON (Title 1)	1963, 2011	846	39	1170	671	499	11.9	4	701	724	784
LINDA VISTA	1972	483	21	630	281	349	9	4.25	286	272	313
MCPHERSON ES K-8	1963	891	36	1080	862	218	23.89	7.11	847	821	840
NOHL CANYON	1972	557	25	750	525	225	8.9	1.65	521	506	480
OLIVE (Title 1)	1967	503	22	660	283	377	10.6	2.25	289	278	301
PALMYRA (Title 1)	1952	512	32	960	401	559	10	3.39	412	404	387
PANORAMA	1968	414	16	480	406	74	6.19	3.5	432	447	463
PROSPECT (Title 1)	1967, 2006	464	21	630	292	338	12.13	6	287	271	249
RUNNING SPRINGS	2000	695	36	1080	613	467	9	1.5	628	620	636
SERRANO	1964	572	23	690	524	166	11.5	3.5	523	507	475
SYCAMORE (Title 1)	1958, 2008	443	25	750	317	433	8.9	4.6	317	332	317
TAFT (Title 1)	1963	579	32	960	375	585	19.96	8	363	348	362
VILLA PARK	1956	645	24	720	602	118	10	2.3	606	619	578
WEST ORANGE (Title 1)	1950	480	25	750	412	338	8	3	414	396	344



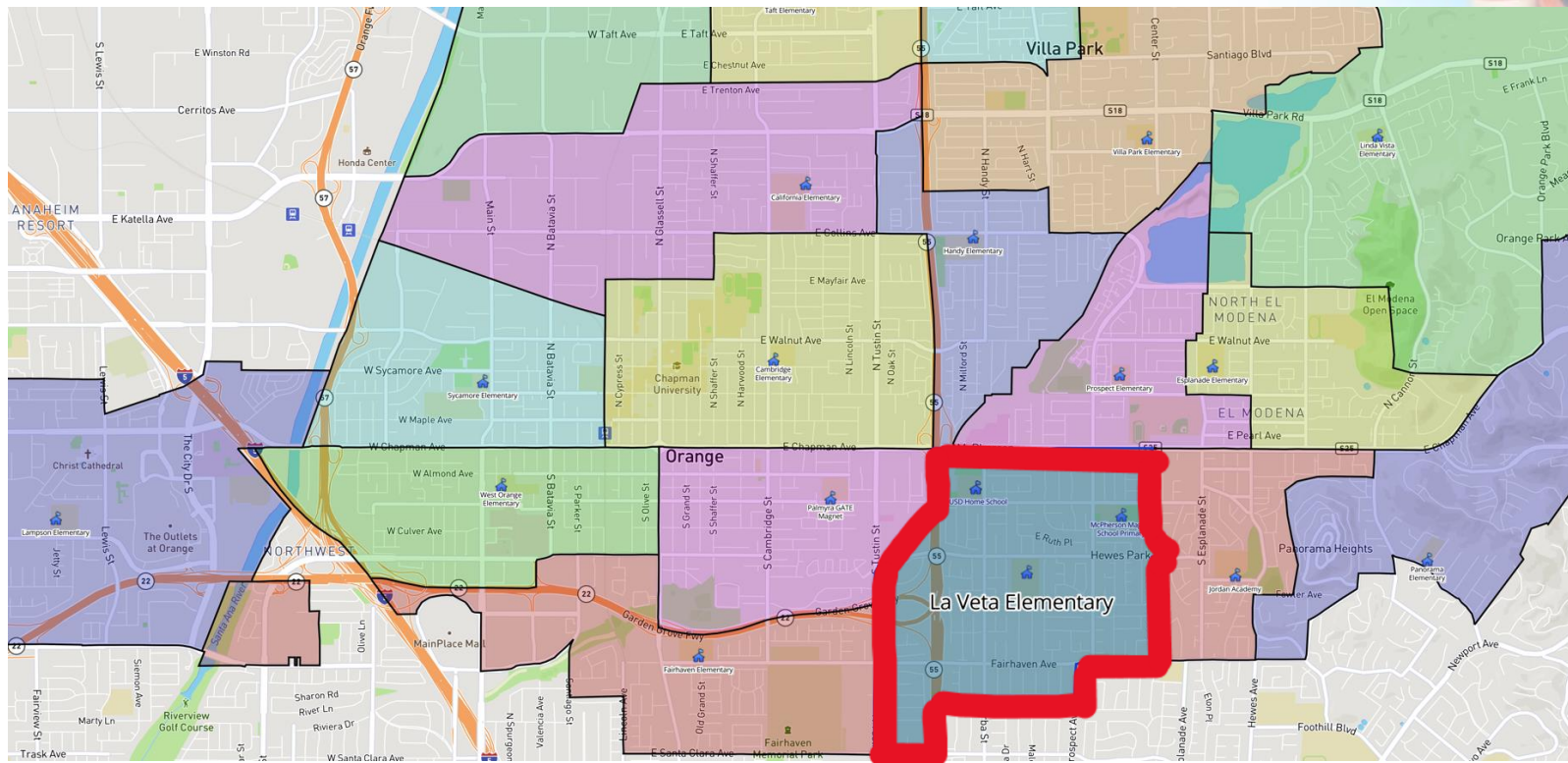


# School Enrollment

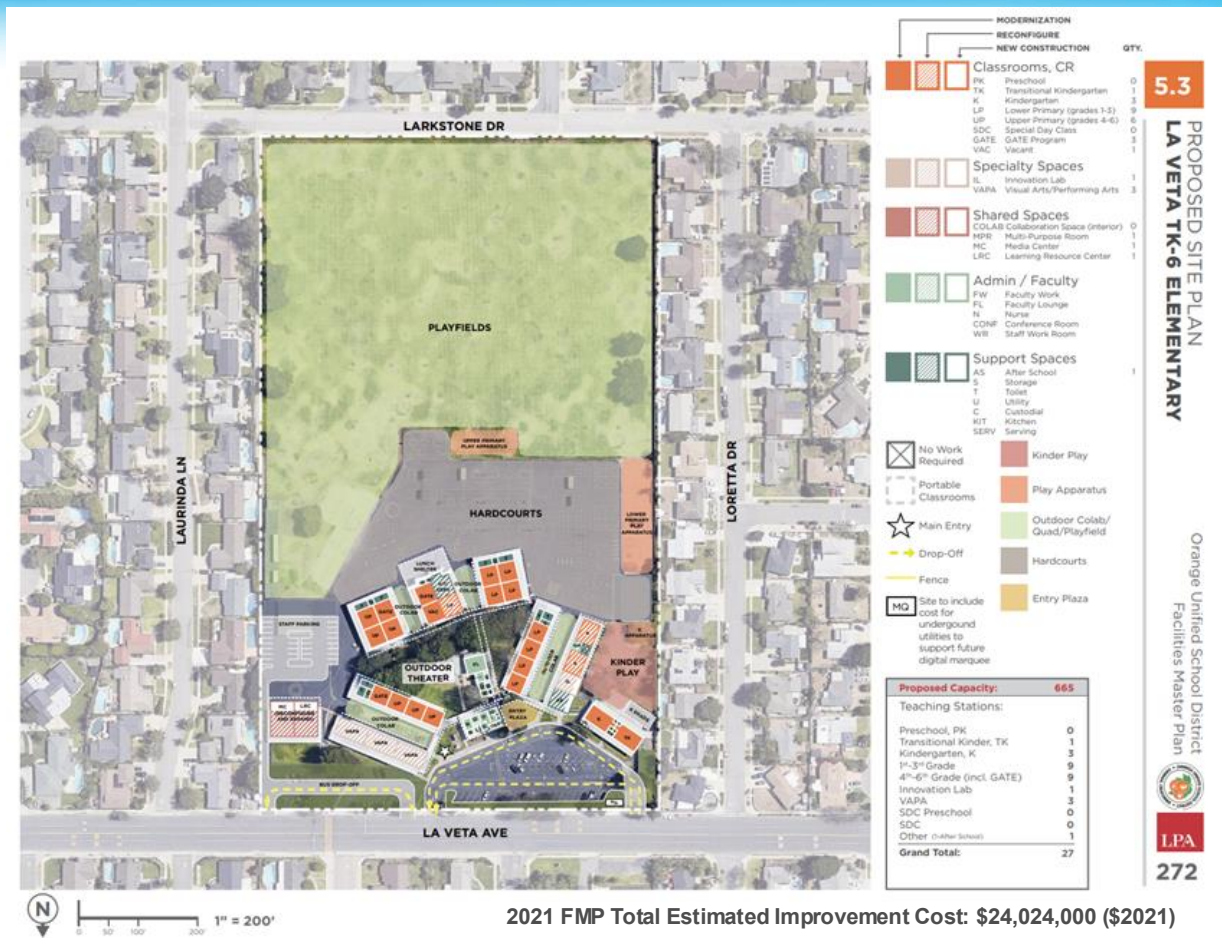
		2024/2025 STUDENT ENROLLMENT	Inside Boundary	Intras	Inters	Students Leaving Boundary	% Leaving Boundary
<b>CANYON HIGH SCHOOL - FEEDER SCHOOLS</b>							
Anaheim Hills	Elementary	473	435	37	1	86	17%
Canyon Rim	Elementary	510	420	86	4	137	25%
Crescent	Elementary	806	494	308	4	89	15%
Imperial	Elementary	346	212	124	10	109	34%
Running Springs	Elementary	615	482	110	23	94	16%
El Rancho	Middle	1124	862	174	88	31	3%
<b>EL MODENA HIGH SCHOOL - FEEDER SCHOOLS</b>							
Chapman Hills	Elementary	320	135	173	12	40	23%
Esplanade	Elementary	261	154	106	1	224	59%
Jordan	Elementary	415	163	238	14	151	48%
La Veta	Elementary	410	263	137	10	306	54%
Linda Vista	Elementary	281	100	172	9	89	47%
Panorama	Elementary	406	137	256	13	48	26%
Prospect	Elementary	295	182	104	9	253	58%
Santiago Charter	Middle	1124	566	383	175	175	24%
<b>ORANGE HIGH SCHOOL - FEEDER SCHOOLS</b>							
Portola	Middle	406	366	14	26	214	37%
Fairhaven	Elementary	363	261	64	38	202	44%
Lampson	Elementary	674	628	19	27	151	19%
Sycamore	Elementary	320	222	84	14	165	43%
West Orange	Elementary	412	271	114	27	200	42%
Yorba	Middle	412	299	93	20	303	50%
California	Elementary	707	439	245	23	248	36%
Cambridge	Elementary	359	189	152	18	276	59%
Handy	Elementary	364	283	77	4	342	55%
Palmyra	Elementary	403	215	178	10	179	45%
<b>VILLA PARK HIGH SCHOOL - FEEDER SCHOOLS</b>							
Fletcher	Elementary	497	275	131	91	250	48%
Nohl	Elementary	525	339	171	15	45	12%
Olive	Elementary	283	215	60	8	295	58%
Serrano	Elementary	524	231	267	26	85	27%
Taft	Elementary	376	278	89	9	251	47%
Villa Park	Elementary	602	334	246	22	85	20%
Cerro Villa	Middle	737	548	156	33	290	35%



# La Veta Elementary School – Boundary



# La Veta Elementary School – Facilities Master Plan



2021 FMP Total Estimated Improvement Cost: \$24,024,000 (\$2021)

# Meeting Dates

- May 27, 2025
- June 3, 2025





# Open Floor to Committee Members for Additional Questions and Comments

- Additional Questions and Comments



# Public Comments



*The OUSD School Board meetings are open to the public. Persons wishing to speak should submit a Public Comment card prior to the meeting. In general, individual speakers will be allowed three minutes to address the Board on each agenda or non-agenda item. The Board shall limit the total time for public input on each item to thirty (30) minutes. A speaker shall not yield to another person any portion of the time allotted to him/her to speak. The total time for agenda items, and non-agenda items at regular meetings, shall be thirty (30) minutes.*

*The time allowed for those who made requests to speak will be as follows:*

- a. 1-10 speakers will each be allowed three (3) minutes each.*
- b. 11-15 speakers will each be allowed two (2) minutes each.*
- c. 16-30 or more speakers will each be allowed one (1) minute each.*

*The number of speakers to any agenda or non-agenda item will be determined just before the time that item is considered, and speakers must be present to be counted in the total. District students who have presented requests to speak will be allowed to speak before other individuals who have also requested to speak. Individual speaking time may not be reduced to less than one (1) minute. Those who presented requests to speak but could not be accommodated within the allotted thirty (30) minutes, will be allowed one (1) minute each to speak before adjournment.*

*Public Comments on non-agenda items that are within the Board's subject matter jurisdiction will occur after consideration of Action items, Information/Discussion items, and Consent items.*

# Adjournment

- Adjournment of meeting





# Thank You



**ORANGE UNIFIED SCHOOL DISTRICT**

**BYLAWS FOR THE  
ORANGE UNIFIED SCHOOL DISTRICT ASSET MANAGEMENT  
ADVISORY COMMITTEE (7-11 COMMITTEE)**

**NOVEMBER 2024**

**SECOND READING**

## **Section 1. DEFINITIONS**

The following terms capitalized in these Bylaws shall have the meaning specified in this article unless the context requires otherwise:

**Committee** means Orange Unified School District Asset Management Advisory Committee ("Committee").

**District** means the Orange Unified School District.

**Board** means the Governing Board of the District.

**Member** means a member of the Committee.

## **Section 2. PURPOSE AND ACTIVITIES**

- 2.1. **Background.** The purposes of the Committee are set forth in Education Code sections 17387 et seq., and these Bylaws are specifically made subject to those applicable provisions as to the duties and rights of the Committee. The Committee shall be deemed to be subject to the Ralph M. Brown Public Meetings Act of the State of California and shall conduct its meetings in accordance with the provisions thereof.
- 2.2. **Name.** The name of the Committee shall be the Orange Unified School District Asset Management Advisory Committee.
- 2.3. **Location.** The office of the Committee shall be located at the Orange Unified School District Offices, located at 1401 North Handy Street Orange, CA 92867.
- 2.4. **Purpose.** The purpose of the Committee shall be to review and analyze certain District owned real property as determined by the Board ("Property") and to make recommendations about the use or disposition of said Property.
- 2.5. **Committee Responsibilities.** The Committee shall do all of the following:
  - a) Review the projected school enrollment and other data as provided by the District to determine the amount of surplus space and real property;
  - b) Establish a priority list of use of surplus space and real property that will be acceptable to the community;
  - c) Cause to have circulated throughout the attendance area a priority list of surplus space and real property and provide for hearings of community input to the committee on acceptable uses of space and real property, including the sale or lease of surplus real property for child care development purposes pursuant to Education Code section 17458;
  - d) Make a final determination regarding the limits of tolerance of use of space and real property; and
  - e) Forward to the District's Governing Board a report recommending uses of the surplus property.
- 2.6. **Reports.** The Committee shall issue a report on the results of its activities to Board for its review and comment.

- 2.7. **Publication of Information.** The Committee shall make available the minutes of its proceedings, all documents it receives, and all reports it issues.

**Section 3. DISTRICT DUTIES AND SUPPORT**

- 3.1. The District shall provide necessary administrative and technical support to the Committee as shall be consistent with the Committee's purpose, including but not limited to:
- 3.1.1. Preparation of and posting of public notices as required by the Brown Act, ensuring that all notices to the public are provided in the same manner as notices regarding meetings of the Board.
  - 3.1.2. Provision of a meeting room, including any necessary audio/visual equipment.
  - 3.1.3. Preparation, translation and copies of any document or meeting materials.
  - 3.1.4. Retention of all Committee records and providing public access to such records on an internet website maintained by the District.
- 3.2. District staff and/or District consultants shall attend Committee proceedings in order to report on the Committee's progress.

**Section 4. COMMITTEE RULES AND PROCEDURES**

- 4.1. **Calling Meetings.** Committee meetings shall be scheduled on a regular basis, and as frequently as determined, by majority vote of the Committee. The Committee shall hold regular meetings as often as needed but at least once per month. All Committee meetings shall be arranged through the District-provided administrative services and be noticed in accordance with the Brown Act. Meetings may be adjourned when a quorum is not present.
- 4.2. **Agendas.**
- 4.2.1. Agendas for Committee meetings shall be prepared with the input of the Chair. All documents applicable to agenda items shall be distributed in advance of meetings.
  - 4.2.2. Any Member may request, and the Chair shall then place an item on a future agenda if the item is within the purview of the Committee.
  - 4.2.3. Agendas may include a consent calendar for routine, non-controversial items. These items must be clearly identified on published agendas. Any Member may request at the meeting that an item be pulled for discussion.
- 4.3. **Quorum.**
- 4.3.1. The Secretary shall take and record roll at the beginning of each Committee meeting to determine the existence of a quorum. If a quorum ceases to exist during a meeting, the Secretary shall immediately inform the Chair.

- 4.3.2. Actions may be undertaken at a meeting only if a quorum is present. A quorum is established when any whole number of Committee members greater than half the Members is present.
- 4.4. **Committee Voting.** Unless otherwise specified in these Bylaws, an action item properly placed on the agenda may be approved by a simple majority of Members in attendance, a quorum being present. Members may not vote by absentee or proxy.
- 4.5. **Rules of Procedure.** Meetings shall be conducted with courtesy and decorum. The Chair has the responsibility to maintain decorum, with assistance of the Vice-Chair. Members shall treat other Members and all persons in attendance including District representatives with respect and avoid arguments and the use of profanity. Members showing willful contempt of the Rules of Procedure and standards of decorum may be removed from the meeting by the Superintendent of the District or designee, or the Chair with agreement of a simple majority of Members present. Members that fail to adhere to the Rules of Procedure and standards of decorum may be removed from the Committee by the Superintendent or the Superintendent's designee.
- 4.6. **California's Open Meeting Law.** All meetings of the Committee shall be open to the public and shall be noticed and conducted in strict compliance with the Brown Act.
- 4.7. **Public Participation.** Any member of the public present at a meeting may address the Committee. The Chair shall place an equal time limit on all speakers.
- 4.7.1. If a Member of the audience has addressed the Committee on matters which are not on the posted agenda for that meeting, Members shall refrain from discussing such matters. If the non-agenda matter raised by a member of the public concerns an issue that is within the subject matter jurisdiction of the Committee, any Member may request that the Committee vote to place that matter on a future agenda.
- 4.7.2. Persons addressing the Committee shall address the Committee as a whole and shall not direct comments to individual Members or to members of the audience, including staff.
- 4.7.3. In the event of disorderly conduct by members of the public, the Committee may order the meeting room cleared pursuant to Government Code section 54957.9.
- 4.8. **Minutes.** Minutes of Committee proceedings and all documents received, and reports issued shall be a matter of public record and the District shall make them available on the District's website. The District shall provide administrative services to assist the Committee Secretary in preparation, distribution, and posting of minutes for all Committee meetings. Minutes published before adoption by the Committee shall always be labeled "Unadopted Draft Minutes."

- 4.8.1. **Attendance.** Regular attendance at Committee meetings is a fundamental obligation of every Member. Absences are disruptive to Committee activity and representation. Failure to attend two (2) consecutive meetings without an acceptable reason as determined by the Superintendent or the Superintendent's designee announced in advance shall constitute cause for Member removal from the Committee.
- 4.8.2. Members anticipating an absence must call or email the Committee Chair or Secretary no later than 24 hours before the scheduled meeting.

## **Section 5. SUBCOMMITTEES**

- 5.1. The Committee shall not establish subcommittees for any purpose.

## **Section 6. COMMITTEE SELECTION AND COMPOSITION**

- 6.1. The Board shall have sole discretion to select and appoint Members and to determine its final size. The Committee shall consist of a minimum of seven (7) members and no more than eleven (11) members, appointed by the Board. To be eligible to be a Member, a person must be at least 18 years of age.
- 6.2. Members shall be representative of 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.
  - 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 restrictions of the cities or cities and counties in which surplus space and real property is located.
- 6.3. All Members that are representative of the above categories a-g, with the exception of the business community representative (category b), Teachers (category d) and Administrators (category e), must reside within District boundaries. The business represented by the business community representative (category b) must be situated within the boundaries of the District.
- 6.4. A Member originally appointed to serve a term in one of these categories who, during the term, no longer qualifies for that category, must so notify the Board and the Committee immediately. That Member must resign from the District pursuant to the provisions of Section 9.1 if that resignation is necessary to fill that category with another person. The Member may remain on the Committee only if doing so does not increase the Committee membership past the maximum size.

- 6.5. In the case of a vacancy, removal, or resignation of a Member, the Superintendent will make a recommendation to the Board from the applications on file or open the application again, if needed.
- 6.6. All Members shall disclose immediately any possible or potential conflict of interest to the Committee. A Member's failure to disclose any possible or potential conflict of interest when known may result in the Member's removal from the Committee.
- 6.7. A Member shall place the interests of the District above any personal or business interests of the Member.
- 6.8. Not all ethical issues that Members may face are covered in these Bylaws. However, these Bylaws capture some of the critical areas that help define ethical and professional conduct for Members. The provisions of these Bylaws were developed from existing laws, rules, policies, and procedures, as well as from concepts that define generally accepted good business practices. Members are expected to strictly adhere to these Bylaws.

#### **Section 7. TERMS OF OFFICE**

- 7.1. Members shall serve for a term of two (2) years, and for no more than two (2) consecutive terms. Members whose terms have expired may continue to serve on the Committee until a successor has been appointed. Should a Member resign or be removed from his/her position before his/her term matures, the Board will appoint a new Member to complete the term.
- 7.2. The Members shall not be compensated for their services.

#### **Section 8. REMOVAL FROM OFFICE**

- 8.1. The Superintendent or the Superintendent's designee may remove any Member for any reason, including the failure to attend two (2) consecutive Committee meetings without reasonable excuse, or for failure to comply with the prohibition against conflict of interest as set forth in these Bylaws and for failure to adhere to the Rules of Procedure/Decorum. Upon a Member's removal, her/his seat shall be declared vacant. The Board, in accordance with the established replacement process set forth in these Bylaws, shall seek to fill any vacancies on the Committee as soon as possible.

#### **Section 9. REPLACEMENT OF COMMITTEE MEMBER / VACANCIES**

- 9.1. Vacancies on the Committee shall exist on the death, resignation, or removal of any Member. Any Member may resign effective upon giving written notice to the Superintendent, Chair of the Committee, or the Vice-Chair of the Committee, unless the notice specifies a later time for the effectiveness of such resignation.
  - 9.1.1. Vacancies on the Committee will be filled pursuant to the provisions of section 6.5.



## **Section 10. COMMITTEE OFFICERS**

- 10.1. Officers of the Committee shall be the Chair, Vice-Chair, and Secretary.
- 10.2. The Board may appoint the initial Chair. The Chair and Vice-Chair must be chosen from the Members. Thereafter, the Committee shall elect a Chair, a Vice-Chair. A member of the District's staff will be delegated the duties of Committee Secretary. The Vice-Chair shall act as Chair only when the Chair is absent. Chair and Vice-Chair positions shall continue for one (1) year officer-terms. No person shall serve in a position for more than three (3) consecutive officer-terms at the same position.
- 10.3. The Committee Chair, Vice-Chair, and Secretary shall have the following duties:
  - 10.3.1. Committee Chair Duties
    - 10.3.1.1. The Chair shall call Committee meetings.
    - 10.3.1.2. The Chair shall establish, with the assistance of District staff, the agenda for each Committee meeting.
    - 10.3.1.3. The Chair shall preside over each Committee meeting and follow the Rules of Procedure.
    - 10.3.1.4. The Chair, or her/his designee shall serve as spokesperson for the Committee in all representations of the Committee to the Board.
  - 10.3.2. Committee Vice-Chair Duties
    - 10.3.2.1. The Vice-Chair shall perform each of the duties of the Chair as necessary in the absence of the Chair.
  - 10.3.3. Committee Secretary Duties
    - 10.3.3.1. Subject to review by the Chair before publishing, the Secretary shall provide oversight in the preparation, recording, and distribution by District-provided administrative services of the following documents in accordance with the Brown Act:
      - 10.3.3.1.1. Committee meeting agendas;
      - 10.3.3.1.2. All reports, materials, and meeting packets as required by or addressed to the Committee;
      - 10.3.3.1.3. The minutes of Committee meetings;
      - 10.3.3.1.4. All written material submitted by the public during Committee meetings;
      - 10.3.3.1.5. All official correspondence addressed to the Committee;
      - 10.3.3.1.6. Reports adopted by the Committee; and

10.3.3.1.7. Committee attendance records.

10.3.3.2. The Secretary shall take and record roll at the beginning of each Committee meeting to determine the existence of a quorum. If a quorum ceases to exist during a meeting, the Secretary shall immediately inform the Chair.

10.4. The Vice-Chair will accede to Chair when a vacancy occurs in that office. In the event of a vacancy in the office of Vice-Chair or Secretary, the position will be filled by election, placed on the agenda at the next Committee meeting, by vote of a majority of the Members.

#### **Section 11. TERMINATION**

11.1. The Committee shall automatically terminate and disband concurrently with the Committee's submission of the final report which reflects the Committee's final recommendation to the Board.

#### **Section 12. AMENDMENTS**

12.1. These Bylaws shall become effective upon approval of the Board.

12.2. These Bylaws may be recommended for amendment by an affirmative vote of not less than two-thirds of the Members present at a Committee meeting at which said amendment has been agendized and a quorum is present. Any amendment of these Bylaws shall only become effective if and when approved by the Board.

# Refresher: K-12 Surplus Property and Alternatives to Surplus Disposition Options

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[sabrahamian@ohhlegal.com](mailto:sabrahamian@ohhlegal.com)  
Orbach Huff & Henderson

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# Surplus Properties (Sale or Long-Term Lease)

# Surplus Property Disposition Process – Post Committee Recommendation

- **Surplus.** County Administrator (“Board”) declares property surplus by adoption of resolution.
- **Public Offerings/Notice.** Properties are offered to public entities as follows:
  - To local and state entities, UC Regents, CSU, public housing authority, etc.
    - By Newspaper publication of resolution for three (3) successive weeks
    - By direct, mailed notice
  - Depending on which agency, has 40 or 60 days to respond
  - The Naylor Act applies when the property has been used entirely or partially for school playgrounds, playing fields, or other outdoor recreational uses.

(Ed. Code §§ 17485, et seq.; Ed. Code § 33050; Ed. Code § 17464; Gov. Code § 65402)
- **Formal Bidding for Sale or Lease**
  - Board adopts resolution of intent to lease or sell which must include property description, minimum price, terms and conditions of sale or lease, and date bids will be considered. (Ed. Code § 17466)
  - Bid opening – Occurs on day and time set forth in the resolution (Ed. Code § 17473)
- **District can seek a Waiver** of Public Offering/Formal Bidding Requirements from the State Board of Education (Ed. Code § 33050)

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# Joint Use Leases

# Alternatives to Surplus Property Process

## Joint Use (Ed. Code § 17527, et seq.)

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- District can lease vacant space in operating school buildings to other school districts, education agencies, government agencies, nonprofit institutions, private agencies, businesses, and individuals, under certain conditions.
  - 5-year term limit
    - ▮ Exception → 5-year term does not apply to agreements in which capital outlay improvements are made on school property for park and recreation purposes by public entities and nonprofit corporations.
    - ▮ Fair Market Rent (Public entity exception)



# Alternatives to Surplus Property Process

## Joint Use (Ed. Code § 17527, et seq.)

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- Prior to entering into a Joint Use Lease Agreement, the Board must make the following findings – that the proposed use will not:
  - Interfere with the educational program or activities of any school or class;
  - Unduly disrupt the residents of the neighborhood; and
  - Jeopardize the safety of children in the school.
- Examples:
  - Educational Program Providers (e.g., Maker Space)
  - Community/Childcare Centers (e.g., YMCA, Boys and Girls Clubs)
  - Facility Use Agreements with Public Agencies (City, County)

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# Joint Occupancy Leases

# Alternatives to Surplus Property Process

## Joint Occupancy (Ed. Code § 17515, et seq.)

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### Joint Occupancy/Long-Term Lease (Ed. Code section 17515, et seq.)

- Joint occupancy lease agreements for up to 99 years allow the District to lease to any private person, firm or corporation. The District maintains a presence on the site.
- **Board Adopts Resolution of Intention (“ROI”).** Before advertising and issuing proposals, the Board must adopt an ROI to consider proposals.
- **Publish the ROI and Issue Proposals.** After the Board adopts the ROI, the District must publish the ROI once a week for three (3) weeks.
- **Hold the Public Meeting Advertised in the ROI.** This meeting must be not less than ninety (90) days after adoption of the ROI.
- Board to select the proposal that “best meets the needs of the District”.

# Long Term Ground Lease Structure: Joint Occupancy

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- “Joint Occupancy” means the District maintains a presence on the site for the term of the ground lease.
  - Examples include community fields, homework/study centers, meeting rooms.
- Ed. Code section 17515, et seq. previously required development proposals to be approved by the State Board of Education (“SBE”).
  - In June 2020, with the passing of SB 98, all approval authority now with District and not with SBE.

# Long Term Ground Lease Structure

## Joint Occupancy – Steps:

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- Approve ROI, which is:
  - Notice that District has commenced Joint Occupancy Project for the site.
  - Notice that District will be soliciting proposals for development of the site.
  - Notice that District will hold a public meeting no earlier than 90 days from ROI approval to select proposal that “best meets the needs of the District”.
  - ROI must be published weekly for three weeks after approval.
- Issue Request for Proposals
  - Review and analyze proposals
  - Request explanation or clarification of proposals/financial projections
  - Interview top candidate(s)
- Board selects Proposal

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# Community Recreation Act

# Community Recreation Act (Ed. Code § 10900, et seq.)

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- Authorizes and empowers cities and public school districts to cooperate with one another for the purpose of authorizing, promoting, and conducting programs of public services.
  - These programs should contribute to the attainment of general recreational and educational objectives for children and adults of the state.

# Community Recreation Act (Ed. Code § 10900, et seq.)

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- Authorizes cities and school districts to enter into agreements with each other for such purposes.
- Examples:
  - District-City Agreement for Joint Development of a Park
  - Facility Use Agreements with Public Agencies (City, County)
  - Performing Arts Center



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# Exchange Properties for the Highest and Best Value

# Alternatives to Surplus Property Process Exchange (Ed. Code § 17536, et seq.)

## Exchange (Ed. Code section 17536, et seq.)

- The District may exchange any of its real property for real property of another entity.
- Any exchange shall be upon terms the parties may agree and may be entered into without complying with other disposition requirements. (Ed. Code § 17536.)
- Board shall adopt, by a 2/3 vote, a resolution declaring its intention to exchange the property.

## School Site Disposition – Use of Proceeds

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- **Lease:** Proceeds may be used in any way the Board directs.
- **Lease with option to purchase:** “[M]ay be deposited into a restricted fund for the routine repair of district facilities, as defined by the State Allocation Board, for up to a five-year period.” (Ed. Code §17462.)
- **Sale:** “[S]hall be used for capital outlay or for costs of maintenance of school district property that the governing board of the school district determines will not recur within a five-year period.” (Ed. Code §17462.)

# Asset Management Advisory Committee Timeline

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## ● Steps 1-3: Education of Committee

- May 13, 2025, Agenda: Review property information, role and responsibilities, attendance area data, and steps if the property is ultimately surplus, election of officers, review Brown Act requirements [Part a of process]
- May 20, 2025, Agenda: Review possible alternatives to surplus property. Answer Committee questions [continue to educate committee]
- May 20, 2025, Agenda: Answer Committee questions regarding alternatives. Review sample recommendations. [educate committee]

# Asset Management Advisory Committee Timeline (cont'd)

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## ● Step 4: Q & A, Begin Draft Report

- May 27, 2025, Agenda: Answer any additional committee questions. Revise template language for report introduction

## ● Step 5: Draft Recommendations

- May 27, 2025, Agenda: Committee drafts recommendations – status quo, surplus, alternative. Consensus of committee members developed [Part b, c, d of process]

## ----- Public Hearing -----

## ● Step 6: Revise Draft, Prepare Final Committee Report

- June 3, 2025, Agenda: Discussion of community meeting input. Final recommendations developed and submitted to the Board for consideration at a later date [Part e of process]

# Refresher: K-12 Surplus Property and Alternatives to Surplus Disposition Options

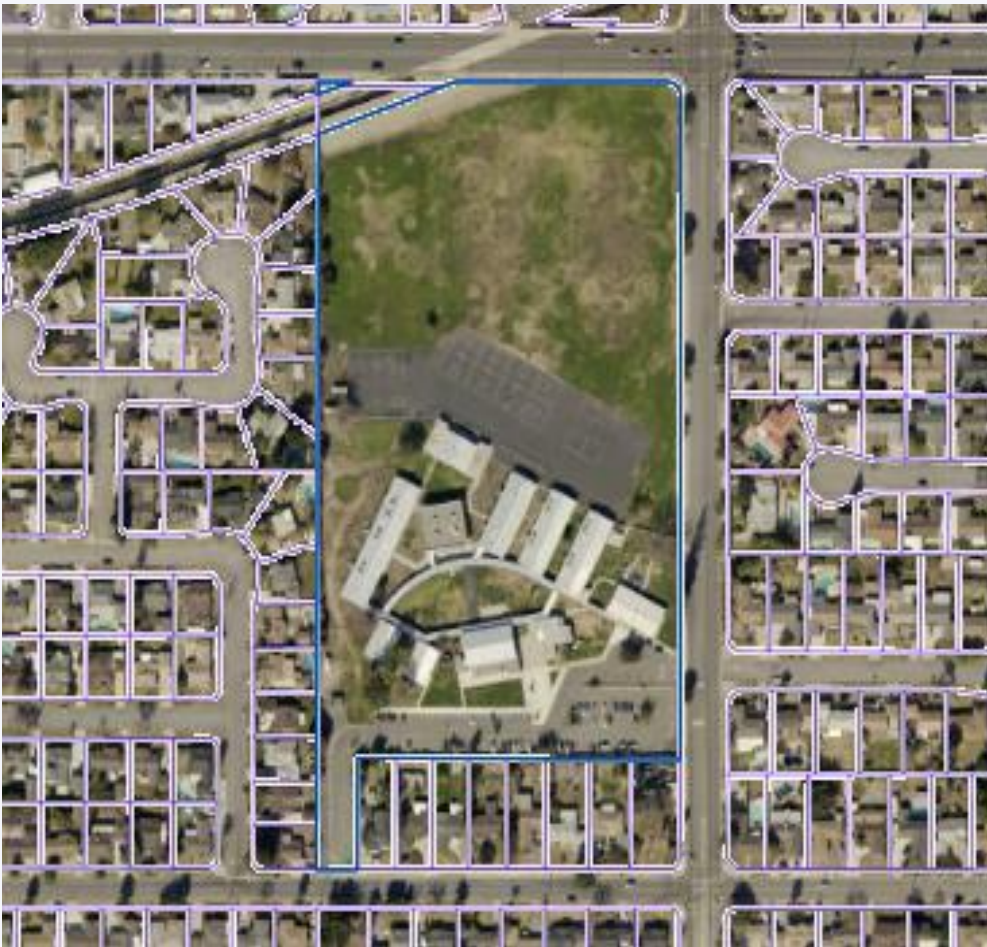
Sarine Abrahamian  
[sabrahamian@ohhlegal.com](mailto:sabrahamian@ohhlegal.com)  
Orbach Huff & Henderson

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# Example Recommendations From California K-12 School District Asset Management Committees



# Case Study: Sunflower Site/Charter Oak USD





# Case Study: Sunflower Site/Charter Oak USD

## Recommendation Report

### **VI. RECOMMENDATIONS**

The Advisory Committee considered the following uses for the Property at the public hearing held on March 23, 2022:

- Sale of the Property;
- Lease of the Property; and
- Exchange of the Property.

Based upon the above conclusions and findings and the Advisory Committee's review of the District's goals, Property information, and enrollment projections, the Advisory Committee makes the following recommendations to the Board pursuant to Education Code sections 17388 and 17390:

The Advisory Committee recommends that a portion of 1503 Sunflower Avenue, consisting of approximately 5 acres of grassy area to the north of the school campus, be deemed surplus property since that portion of the Property is not currently being used for any purpose, and will not be needed in the future for school uses, and take the following steps to dispose of the Property:

1. Authorize staff to offer the Property, at market value, for sale to public agencies as required by law ("Public Offering").
2. If no public agency expresses an interest in purchasing or leasing the Property in the time required by law, upon Board approval and upon complying with the applicable provisions of Education Code sections 17466, et seq., the Board should consider authorizing staff to proceed with open bidding of the Property ("Open Bidding") or upon Board approval, and upon complying with the applicable provisions of Education Code section 33050, authorize staff to pursue a waiver of the Public Offering and/or Open Bidding procedures from the State Board of Education.

The Advisory Committee further recommends that the Board further direct staff to assess disposition options, to prioritize the best financial and operational interests of the school district and recommend best community use criteria in the selection process, and for staff to keep the Board informed of its efforts.

# Vista Unified School District

## Asset Management Advisory Committee (2023)

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- Recommendation to the Board Regarding Middle School Property:
  - “It is the recommendation of this Asset Management Advisory Committee that Rancho Minerva Middle School (parcel #: 178-130-92-00; 2245 Foothill Drive, 92084) be consolidated and that the property be maximized for use by moving the Vista Innovation and Design Academy program to that location. The committee suggests that if the Board votes to take action on this recommendation that the vacated property (parcel #: 163-270-29-00; 740 Olive Avenue, 92083) be repurposed for ... a community center.”
- [https://go.boarddocs.com/ca/vusd/Board.nsf/files/CSUU6K7A8506/\\$file/AMAC%20Report%20Spring%202023.pdf](https://go.boarddocs.com/ca/vusd/Board.nsf/files/CSUU6K7A8506/$file/AMAC%20Report%20Spring%202023.pdf)

# Downey Unified School District

## Asset Management Advisory Committee (2023)

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- Recommendation to the Board Regarding Commercial Property (Office Buildings):
  - “The Advisory Committee further recommends that the Board authorize staff to provide a further analysis, in a report or presentation, to assess options for the Property, including options for a lawful disposition process and alternate options that are fiscally sensible and are in the best interests of the District and community.”
  - “As an alternative, if feasible and legally allowable, the Advisory Committee recommends the Board consider selling the rental income/cashflow the Brookshire Lease generates, which would give the purchaser the right to collect rental income under the Lease until the present term expires and would provide the District the benefit of the Brookshire Lease’s present cash value.”
- <https://web.dusd.net/wp-content/uploads/2023/04/2023.04.03-Recommendation-Report-Asset-Management-Advisory-Committee-Final-wExhibits.pdf>

# Pleasanton Unified School District Asset Management Advisory Committee (2023)

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- Recommendation to the Board Regarding District Office Property and “Neal Property”:
  - “The Committee finds that the District Office Property and Neal Property are surplus to the needs of the District. As such, the Committee recommends that the District sell or lease the District Office Property and Neal Property. ...”
- <https://resources.finalsite.net/images/v1682977544/pleasantonusdnet/kqvlmpw0s5yuhhkdmvxh/7-11DistrictAdvisoryCommitteeRecommendation042723.pdf>

# Inglewood Unified School District

## Asset Management Advisory Committee (2024)

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- Recommendation to the Board Regarding Former Worthington Elementary School (Closed School Site):
  - “The Advisory Committee recommends that the County Administrator consider partnering with local public agencies or non-profit entities to develop, operate, and maintain alternative programs on the Property to benefit children and the community (e.g., hybrid high school and associate of arts educational program, youth wellness center, children’s lending library center, senior center).”
  - “The Advisory Committee recommends that the County Administrator explore the development of green space that offers the community opportunities for recreational use and activities.”
- <https://simbli.eboardsolutions.com/Meetings/Attachment.aspx?S=36030265&AID=919776&MID=33355>

# Example Recommendations From California K-12 School District Asset Management Committees

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