

SANTA BARBARA ELEMENTARY/HIGH SCHOOL DISTRICTS
NOTICE OF REGULAR MEETING OF THE
Real Property District Advisory Committee
FRIDAY, MAY 21, 2004, 8:30 -10:30 A.M
Administration Center Board Room
720 Santa Barbara Street, Santa Barbara, CA 93101
<http://www.sbsdk12.org>

AGENDA

1. **Call to Order** (8:30 am)
2. **Pledge of Allegiance**
3. **Public comments:** (8:35 - 8:45) Any member of the public may comment upon matters relating to this committee but not on the agenda. The public will have an opportunity to comment on each agenda item as each item is presented. Normally comments are limited to two minutes at the discretion of the chair.
4. **Approval of Minutes** – March 19, 2004 and April 16, 2004 meetings (Attached)
5. **Updates** (8:45 – 9:00)
 - a. **Real Estate Consultant** – Bob Gardner, who attended the last meeting, had a potential conflict of interest and has been replaced by Jim Rabe of Keyser Marston Assoc. in LA.
 - b. **Open Alternative School and Santa Barbara Charter School upgrades**
 - c. **Intra-district transfers**
 - d. **CSEA housing needs**
6. **Presentation by Jerry LaPointe, Capstone Development on options for sites** (9:00 – 9:20)
7. **Discussion of Naylor Act exemption** (see “Naylor Act” discussion on page 2)
8. **Draft Consensus Points** - Discussion/decisions regarding initial consensus points to share with Board based on the Committee's discussions at previous meetings (Attached).
9. **New business—Committee members and staff may raise new info or ideas** (10:05 – 10:15)
10. **Future public hearing as required by Education Code Section 17390(c)** – See page 2.
(10:15 – 10:30)
11. **Next meeting – Friday, June 18, 2004**

In compliance with the provisions of the Americans With Disabilities Act, if persons need special assistance to participate in this meeting or need this agenda provided in a disability-related alternative format, please contact the superintendent’s office at 963-4331, extension 201. Notification 48 hours in advance will assist the district to make arrangements.

Agenda Item #7
California Education Code re “Naylor Act”
From Craig Price, District Legal Counsel

The Naylor Act (Education Code sections 17485-17500; copies attached) requires school districts, who propose to lease or sell land used for outdoor recreation and open space land suited for recreational purposes, to offer to lease or sell a portion of the land at discount to either a city or county, whichever has jurisdiction. Under these provisions, as applied to the Tatum and Hidden Valley sites, the agency having jurisdiction could acquire up to 30% of either site for 25% fair market value if they determine to do so. There have been preliminary discussions with city and county staff about this being unlikely to occur if the District was seeking to develop workforce housing.

The Naylor Act also permits the District to exempt one unused site when it is seeking the immediate expansion of an existing school by 50% or more. Because the elementary district is proposing to expand the Santa Barbara Community Academy, this would qualify for exemption of one site. Because the loss of up to 30% of either of the two sites would have significant ramifications on the potential for workforce housing development, the Committee may wish to include a recommendation to the Board of Education that any available steps be taken to avoid this result. Possible language for such a recommendation has been included.

It is uncertain whether the Naylor Act provisions would be applicable because, among other things, there are provisions allowing agencies who are developing low and moderate income housing under lease to a nonprofit corporation to forego many disposition requirements which otherwise apply. However, the Committee may wish to include such a recommendation in order to minimize any likelihood of this result.

During a recent Board of Education meeting which involved a discussion of Naylor Act related issues, a question arose concerning whether the Real Property District Advisory Committee had been asked to consider this question.

Agenda Item #10
Education Code re public hearing

17390. The school district advisory 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 Section 17458.

(d) Make a final determination of limits of tolerance of use of space and real property.

(e) Forward to the district governing board a report recommending uses of surplus space and real property. [emphasis added]