

**CONEJO VALLEY UNIFIED SCHOOL DISTRICT
RESOLUTION #24/25-44**

**DECLARING THE 703 RANCHO CONEJO PROPERTY EXEMPT SURPLUS LAND
UNDER THE GOVERNMENT CODE AND THE DISTRICT'S INTENTION TO LEASE
THE PROPERTY PURSUANT TO EDUCATION CODE SECTIONS 17455, ET SEQ.**

WHEREAS, the Conejo Valley Unified School District (the "District") owns certain real property located at 703 Rancho Conejo Boulevard, Thousand Oaks, California 91320 (the "Property"); and

WHEREAS, at a regularly held meeting on November 20, 2024, the District's Board of Education (the "Board") adopted Resolution #24/25-17, which appointed a surplus property advisory committee (the "7-11 Committee") to advise the Board about the Property prior to leasing it, pursuant to Education Code Sections 17387, *et seq.*; and

WHEREAS, after the 7-11 Committee convened on January 29, 2025 and February 26, 2025, the committee recommended that the Board declare the Property surplus and make it available for lease; and

WHEREAS, at a regularly held meeting on March 19, 2025, the Board adopted Resolution #24/25-31, which declared the Property surplus (*i.e.*, not needed for school classroom purposes); and

WHEREAS, the Board has determined that it is advisable to consider leases of the Property; and

WHEREAS, the Naylor Act, codified in Education Code Sections 17485, *et seq.*, endeavors to ensure that school playgrounds, playing fields, and recreational real property remain available for local recreational purposes by requiring school districts to provide written notice to the local city, local park and recreational district, any regional park authority, and the local county that such school sites are available for lease; and

WHEREAS, the Property is not subject to the Naylor Act because the Property does not include school playgrounds, playing fields, and other land suitable for outdoor recreational purposes, as defined in Education Code Section 17486; and

WHEREAS, California public school districts are subject to the Surplus Land Act, codified in Government Code Sections 54220, *et seq.*; and

WHEREAS, as set forth in Government Code Section 54221(b)(1), "surplus land" is defined as land owned in fee simple by any local agency (including a local school district) for which the local agency's governing body takes formal action in a regular public meeting declaring that the land is surplus and is not necessary for the agency's use; and

WHEREAS, as set forth in Government Code Section 54221(f)(1)(L), “exempt surplus land” is defined as land that is subject to Education Code Section 17388 unless compliance with the Surplus Land Act is expressly required, or the property meets the criteria outlined in Government Code Section 54221(f)(2); and

WHEREAS, the Board has determined that the Property is “exempt surplus land” pursuant to Government Code Section 54221(f) because of the following:

- the District owns the Property in fee simple [*see* Government Code Section 54221(b)(1)]; and
- the Property is subject to Education Code Section 17388, which, as stated above, requires the appointment of a surplus property committee prior to its sale, lease, or rental, and the District’s 7-11 Committee reviewed the Property, recommended that the Board declare the Property surplus and make it available for lease, and the District’s Board adopted the 7-11 Committee’s recommendation to declare the Property surplus [*see* Government Code Section 54221(f)(1)(L)]; and
- compliance with the Surplus Lands Act is not expressly required for the Property because the Property will be offered for lease only and will not be offered for sale or lease with an option to purchase [*see* Education Code Section 17459, which provides that compliance with the Surplus Land Act is expressly required for the sale of real property; Education Code Section 17464, which provides that compliance with the Surplus Land Act is expressly required for the sale or lease with an option to purchase of real property; *see also* Government Code Section 54221(f)(1)(L)]; and
- Government Code Section 54221(f)(2) states that “Notwithstanding [Government Code Section 54221(f)(1)], a written notice of availability of surplus land for open space purposes shall be sent to the entities described in subdivision (b) of Section 54222 before disposing of the surplus land, provided the land does not meet the criteria in subparagraph (H) of paragraph (1), if the land is any of the following: (A) Within a coastal zone, (B) Adjacent to a historical unit of the State Parks System, (C) Listed on, or determined by the State Office of Historic Preservation to be eligible for, the National Register of Historic Places, (D) Within the Lake Tahoe region as defined in Section 66905.5”; and
- pursuant to Government Code Section 54221(e), “open-space purposes” means “the use of land for public recreation, enjoyment of scenic beauty, or conservation or use of natural resources”; and
- the Property does not meet the criteria set forth in Government Code Section 54221(f)(1)(H), which applies to “surplus land totaling 10 or more acres, consisting of either a single parcel, or two or more adjacent or non-adjacent parcels combined for disposition to one or more buyers pursuant to a plan or ordinance adopted by the legislative body of the local agency, or state statute” for affordable housing because the District is not offering the Property for sale pursuant to an affordable housing plan adopted by the Board or required by state statute; and

- with respect to the latter portion of Government Code Section 54221(f)(2), the Property is: (A) not “within a coastal zone” because it is situated in the P-L Public, Quasi-Public, and Institutional Lands and Facilities Zone, and located 15-25 miles away from the coast; (B) not “adjacent to a historical unit of the State Parks System” because the Property is located in the City of Thousand Oaks and adjacent to the Cities of Newbury Park and Westlake Village, and, according to the State Parks current map, there are not any historical units within the Cities of Thousand Oaks, Newbury Park, or Westlake Village; (C) not “listed on, or determined by the State Office of Historic Preservation to be eligible for, the National Register of Historic Places,” per a records search of the Registry last performed on February 27, 2025; and (D) not “within the Lake Tahoe region as defined in Section 66905.5” [*i.e.*, “that part of Lake Tahoe within the jurisdiction of the State of California, the adjacent parts of the Counties of El Dorado and Placer lying within the Tahoe Basin in the State of California, and that additional and adjacent part of the County of Placer outside of the Tahoe Basin in the State of California which lies southward and eastward of a line starting at the intersection of the basin crestline and the north boundary of Section 1, thence west to the northwest corner of Section 3, thence south to the intersection of the basin crestline and the west boundary of Section 10; all sections referring to Township 15 North, Range 16 East, MDB&M”] because the Property is situated within the County of Ventura and located more than 400 miles away from the Lake Tahoe region, as defined;

WHEREAS, the District intends to lease the Property pursuant to this Resolution; and

WHEREAS, the lease of the Property as contemplated in this Resolution is subject to compliance with Education Code Sections 17455, *et seq.*; provided, however, that for avoidance of doubt, the District shall not be required to, and has elected not to, comply with Education Code Section 17457.5 since those provisions became voluntary as of July 1, 2016, and further provided that Education Code Section 17464 and any other provisions regarding sales and/or leases with an option to purchase shall be inapplicable since the Property is offered for lease only; and

WHEREAS, Education Code Section 17466 provides that before ordering the lease of the Property, the Board must, by a two-thirds vote of all its members, adopt a resolution declaring its intention to lease the Property and specify the minimum rental price and minimum terms upon which the Property will be leased, and the commission, or rate thereof, if any, that the District will pay to a licensed real estate broker out of the minimum rental price, which minimum rental price, minimum lease terms, and commission information (collectively, the “Required Lease Terms”) are set forth in the Request for Bids (the “RFB”), which is attached hereto as Exhibit A and incorporated herein by this reference;

NOW, THEREFORE, BE IT RESOLVED that:

1. The Recitals set forth above are true and correct.

2. The Board hereby declares that the Property is “exempt surplus land” under Government Code Section 54221(f)(1)(L). The Superintendent, or his designee, is authorized and directed to send a true and correct copy of this final, signed Resolution #24/25-44 to the California Department of Housing and Community Development.

3. Pursuant to Education Code Section 17466, the Board hereby approves the RFB, as set forth in Exhibit A, inclusive of the Required Lease Terms which shall be the required minimum contract terms for any lease of the Property pursuant to this Resolution.

4. The following provisions shall apply to the potential lease of the Property.

- a. There will be an on-site pre-bid conference on July 16, 2025 at 11:00 a.m. at 703 Rancho Conejo Boulevard, Thousand Oaks, California 91320. This date and time are subject to adjustment by the District. The pre-bid conference is optional but requires pre-registration for security purposes. To register for the pre-bid conference, please contact Tamara Tuell at ttuell@conejousd.org by 3:00 p.m. on July 11, 2025.
- b. Sealed written proposals for the lease of the Property shall be received by the District up to, but not later than, 4:00 p.m. on August 4, 2025. All proposals shall comply with the Required Lease Terms, including, but not limited to, the minimum rental price set forth therein. By submitting a proposal for the lease of the Property, each bidder agrees to be bound by the Required Lease Terms, which shall be set forth in any final lease agreement.
- c. The Board shall open, examine, and review for completeness all proposals for the lease of the Property at a special meeting on August 13, 2025 at 4:00 p.m. (the “Bid Meeting”), which date is not less than three (3) weeks from the date of this Resolution, in compliance with Education Code Section 17466. The Bid Meeting will be held at the CVUSD Board Room, located at Conejo Valley High School, 1402 E. Janss Road, Thousand Oaks, California 91362.
- d. At the Bid Meeting, the Board may accept the proposal of the highest conforming and responsible bidder, including any bid made orally at that time, as required by Education Code Sections 17472 and 17473. Further, the Board may, in its sole discretion, determine whether it wants to accept any bids at the Bid Meeting or an adjourned meeting held within ten (10) days next following, pursuant to Education Code Section 17475.
- e. Any final lease agreement shall be submitted to the Board for approval at a regular meeting or special meeting.

- f. The Board, in its sole discretion, reserves the right to reject any and all bids, offers or proposals, written or oral, as permitted by Education Code Section 17476.
- g. Notwithstanding anything to the contrary set forth in this Resolution, the Board, in its sole discretion, may accept one or more backup bidders at the Bid Meeting.
- h. Copies of this Resolution signed by the Board shall be posted in three (3) public places in the District, not less than fifteen (15) days before the date of the Bid Meeting as required by Education Code Section 17469.
- i. Notice of the Bid Meeting, including the time and place of holding of the meeting, shall be published not less than once a week for three (3) successive weeks before the meeting in the *Ventura County Star* as required by Education Code Section 17469.

5. In the event that, after complying with the provisions of Education Code Sections 17455, *et seq.*, as applicable, no proposals are submitted or the proposals submitted do not conform with all the terms and conditions set forth in this Resolution, the Board reserves the right to lease the Property to any lessee at a price not less than fair market value for a period of time not to exceed three years, pursuant to Education Code Section 17477. The Board hereby delegates authority to the Deputy Superintendent, Business Services, or his designee, to secure a lessee and negotiate the terms and conditions of the lease, which shall not be executed by the District unless the Board approves the lease by majority vote pursuant to Education Code Section 17477.

6. This Resolution shall not apply to any lease of the Property, together with any personal property located thereon, not needed for school classroom buildings upon any terms and conditions as may be agreed upon by the Board and the lessee for a period not exceeding thirty (30) separate or consecutive calendar days or portions thereof in each fiscal year, pursuant to Education Code Section 17480.

7. The Board further delegates authority to the Deputy Superintendent, Business Services, or his designee, to take any other such action as may be required to effectuate the purpose of this Resolution.

8. This Resolution shall take effect upon adoption and shall remain valid unless later rescinded by the Board.

PASSED AND ADOPTED by the Conejo Valley Unified School District Board of Education at a special meeting held on the 18th day of June, 2025 by the following vote on roll call:

AYES: 5
NOES: 0
ABSENT: 0
ABSTAIN: 0



Bill Gorback, Clerk, Board of Education



Mark W. McLaughlin, Ed.D., Superintendent and Secretary to the Board of Education