

HUNTINGTON BEACH CITY SCHOOL DISTRICT

TO: Board of Trustees

FROM: Gregory Magnuson
Interim Superintendent

DATE: September 8, 2020

**SUBJECT: APPROVAL OF RESOLUTION NO. A-25-20/21 FOR THE DISPOSITION
OF SURPLUS PORTABLE BUILDINGS AT SOWERS MIDDLE SCHOOL
TO CITY OF HUNTINGTON BEACH**

RECOMMENDATION:

Approval is recommended to adopt Resolution No. A-25-20/21 authorizing the disposition of personal property consisting of three (3) surplus portable buildings currently housed at Sowers Middle School to the City of Huntington Beach.

BACKGROUND:

The Huntington Beach City District (the "District") owns three (3) portable buildings that have been located since 2005 on the Isaac L. Sowers Middle School property, at 9300 Indianapolis Avenue, Huntington Beach, California 92646 (the "School Site"), described in Exhibit "A" attached hereto (collectively, the "Surplus Property" or "Portable Buildings"), which, due to (a) not being certified by DSA, and (b) their deteriorated condition, cannot be used for school purposes.

The City of Huntington Beach (the "City") desires to acquire the Portable Buildings to be used as part of a homeless shelter to be constructed on City property located at 17631 Cameron Lane, Huntington Beach, California 92647 (the "City Site"), and has agreed to pay all costs associated with removing and transporting the Portable Buildings from the School Site to the City Site, including all restorative and repair work required by the Acquisition and Sale Agreement.

Education Code section 17542 authorizes the sale of personal property belonging to the District to the federal government or its agencies, to the state, to any county, city and county, city or special district, or to any other school district upon such terms of sale fixed by the District, and approved by the county superintendent of schools. By letter dated August 26, 2020, signed by Dean West, Associate Superintendent of Business Services on behalf of the Orange County Superintendent of Schools, the County has approved the sale of the Portable Buildings to the City upon the terms and conditions set forth in the Acquisition and Sale Agreement attached hereto as Exhibit "B".

FISCAL IMPACT:

There is no fiscal impact.



Via E-Mail (Gmagnuson@hbcasd.us)

August 26, 2020

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DEPARTMENT
OF EDUCATION**

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Gregory Magnuson
Interim Superintendent
Huntington Beach City School District
8750 Dorsett Drive
Huntington Beach, CA 92646

Subject: Isaac L. Sowers Middle School - Portable Buildings

Dear Superintendent Magnuson:

The Orange County Superintendent of Schools (OCSS) is in receipt of the District's request for approval of the sale of three (3) District portable buildings located at the Isaac L. Sowers Middle School. It is our understanding that the portable buildings are not DSA certified and can no longer be used for school purposes. The City of Huntington Beach (City) has expressed an interest in acquiring all three of the portable buildings for use as part of a homeless shelter.

The OCSS has reviewed the terms of sale fixed by the District in a proposed Purchase and Sale Agreement with the City, which will be presented to the Governing Board of the District for approval at the September 8, 2020 regularly scheduled Board meeting. Pursuant to Education Code section 17542, the Orange County Superintendent of Schools approves the sale of the three portable buildings to the City of Huntington Beach.

Sincerely,

Dean West, CPA
Associate Superintendent of Business Services
on behalf of the Orange County Superintendent of Schools

DW:ts

HUNTINGTON BEACH CITY SCHOOL DISTRICT
8750 Dorsett Drive, Huntington Beach, California 92646

RESOLUTION NO. A-25-20/21

***RESOLUTION A-25-20/21 OF THE BOARD OF TRUSTEES OF THE
HUNTINGTON BEACH CITY SCHOOL DISTRICT
AUTHORIZING THE DISPOSITION OF PERSONAL PROPERTY***

WHEREAS, the Huntington Beach City School District (“District”) owns Three (3) portable buildings located on the Isaac L. Sowers Middle School property, at 9300 Indianapolis Avenue, Huntington Beach, California 92646 (the “School Site”), described in Exhibit "A" attached hereto (collectively, the “Surplus Property” or “Portable Buildings”), which, due to (a) not being certified by DSA, and (b) their deteriorated condition, cannot be used for school purposes; and

WHEREAS, Education Code section 17542 authorizes the sale of personal property belonging to the District to the federal government or its agencies, to the state, to any county, city and county, city or special district, or to any other school district upon such terms of sale fixed by the District, and approved by the county superintendent of schools; and

WHEREAS, the City of Huntington Beach (the “City”) has expressed interest in acquiring the Portable Buildings to be used as part of a homeless shelter to be constructed on City property located at 17631 Cameron Lane, Huntington Beach, California 92647 (the “City Site”); and

WHEREAS, the cost of removing and transporting the Portable Buildings from the School Site to the City Site has been estimated by the City to be approximately Eighty-Five Thousand Dollars (\$85,000); and

WHEREAS, the City is willing to pay all costs associated with removing and transporting the Portable Building from the School Site to the City Site, including all restorative and repair work to the School Site as set forth in the Acquisition and Sale Agreement to be entered into between the District and City; and

WHEREAS, the District estimates that the value of the Portable Buildings in their current condition to be equal to or less than the removal and transportation costs of the Portable Buildings; and

WHEREAS, the office of the Orange County Superintendent of Schools has reviewed and approved the terms under which the District intends to sell the Portable Buildings to the City consistent with Education Code section 17542.

NOW, THEREFORE, the Board of Trustees of the Huntington Beach City School District by unanimous vote of those members present hereby resolves:

1. The District desires to sell and the City desires to acquire the Portable Buildings to be used as part of a homeless shelter to be constructed on the City Site located at 17631 Cameron Lane, Huntington Beach, California 92647.
2. Upon the sale of the Portable Buildings, the City shall take possession of the Portable Buildings in their “as is” condition without warranties of any kind and shall be responsible for removing the Portable Buildings, at no cost to the District.
3. The Board hereby appoints and empowers the Superintendent or his designee to sell the Portable Buildings to the City, consistent with this Resolution and pursuant to the terms set forth in the Acquisition and Sale Agreement attached hereto as Exhibit “B” and to sign the Acquisition and Sale Agreement on behalf of the Board.

PASSED AND ADOPTED, by the Board of Trustees of the Huntington Beach City School District, Orange County, State of California, on September 8, 2020.

 5 ayes; 0 noes; 0 abstain

ATTEST:

By: 

President
Huntington Beach City School District
Board of Trustees

By: 

Secretary
Huntington Beach City School District
Board of Trustees

CERTIFICATION

The undersigned certifies that he is the duly appointed Interim Secretary of the Board of Trustees of the Huntington Beach City School District, that the foregoing resolution was duly adopted at a meeting of said Board held on September 8, 2020, that all actions taken in connection with such resolution were in compliance with the requirements of the California Government Code, and that said resolution is now in full force and effect as it appears from the official records of the Board in my custody and under my control.

IN WITNESS WHEREOF, the undersigned has executed this certification under the seal of the Board as of September 8, 2020.



Gregory Magnuson
Interim Secretary of the Board of Trustees of the
Huntington Beach City School District

EXHIBIT "B"

ACQUISITION AND SALE AGREEMENT