

**OUTLINE OF PROCESS APPLICABLE TO THE SALE
OR LONG-TERM LEASE OF SURPLUS REAL PROPERTY**

1. Declaration of surplus property: Prior to entering into any sale or long-term lease of a site, the District Board must pass a resolution at a regular open meeting declaring that the site is not needed for school classroom buildings (Ed. Code § 81360).
2. Request for proposals (optional): In order to identify potential interest in the site, the District Board may, but is not required to, seek out preliminary proposals for the sale or lease of the site, as the case may be, subject only to the general restrictions of the Public Contract Code and the Education Code (Pub. Contract Code §§ 1100, et seq.; Ed. Code §§ 81250, et seq.), including those set forth below.
2. Notice of availability for sale or long-term lease: Prior to entering into a sale or long-term lease for a site, as the case may be, the District Board must give notice by mail and publication to certain public agencies that (a) the site is available for sale or long-term lease, and (b) such agencies have the opportunity to make an offer to purchase or lease the site (Ed. Code §§ 81190 et seq., 81363.5; Gov't Code §§ 54220 et seq.). Publication shall be in a newspaper of general circulation in the district once a week for three successive weeks, with notice by mail being sent no later than the date of the second published notice, and a response must be made within sixty (60) days' of the third published notice (Ed. Code § 81363.5(b)).
3. Request to waive high bid requirement: Once the notice of availability has been sent, but prior to accepting bids, the District Board may seek and obtain from the California Community Colleges Board a waiver of the requirement to accept the highest bid (Ed. Code § 81370(b)).
4. Notice of intention to sell or lease: After the expiration of the sixty (60) day period to respond to the notice of availability, the District Board must pass a resolution at a regular open meeting, by a two-thirds vote of all its members, declaring its intention to sell or lease the site, as the case may be, describing and identifying the site, specifying the minimum terms on which it will be sold or leased, and stating the commission that the Board will pay, if any. The resolution shall set a time not less than three (3) weeks thereafter for a public meeting of the District Board to be held at its regular place of meeting at which sealed proposals to purchase or lease will be received and considered (Ed. Code § 81365). Notice of the adoption of the resolution and the time and place of the meeting shall be given by posting copies of the resolution, signed by the District Board or a majority thereof, in three public places in the District at least fifteen (15) days before the meeting and by publishing notice not less than once a week for three successive weeks (Ed. Code § 81368).

5. Bid form: Once the notice of intention has been published, the District should make available a bid form for use by those who may wish to make proposals to purchase or lease the site (as the case may be). There is no legal requirement for the use of a bid form, but using a bid form will help ensure that proposals may be more easily compared with each other.
6. Meeting for consideration of bids: The District Board shall hold a public meeting, at the time and place set forth in the resolution declaring its intention to sell or lease the site (as the case may be), to receive and consider sealed proposals (Ed. Code § 81370). Before accepting any written proposal, the District Board shall call for oral bids at that meeting (Ed. Code § 81371).
7. Acceptance or rejection of bids: At that public meeting, or at an adjourned session of that same public meeting held within ten (10) days of that public meeting, the District Board shall accept a bid or reject all bids (Ed. Code §§ 81370, 81374).