



County of Monterey

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legislation Details (With Board Report)

File #:	RES 19-176	Name:	Consider Adoption of a Resolution to: a. Find that the action to transfer ownership of the subject property is categorically exempt pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15305 of the California Code of Regulation
Type:	BoS Resolution	Status:	Passed - RMA Administration
File created:	11/27/2019	In control:	Board of Supervisors
On agenda:	12/10/2019	Final action:	12/10/2019

Title: Adopt a Resolution to:

- a. Find that the action to transfer ownership of the subject property is categorically exempt pursuant to the California Environmental Quality Act Guidelines, Section 15305, of the California Code of Regulations.
- b. Approve and authorize the Resource Management Agency Director to execute a Quitclaim Deed conveying a 6.49-acre portion of Assessor's Parcel Number 026-061-004-000 located at 720 Broadway Street, King City, California, "as is" to the South Monterey County Joint Union High School District, a California public school district; and
- c. Find that the proposed Quitclaim Deed is in the public interest and is done pursuant to California Education Code Section 35560.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. Attachment A-Draft Resolution, 3. Attachment B-Quitclaim Deed, 4. Attachment C-California Education Code SECTION 35560, 5. Attachment D-Location Map, 6. Completed Board Order and Resolution Item No. 89

Date	Ver.	Action By	Action	Result
12/10/2019	1	Board of Supervisors	adopted - rma administration	Pass

Adopt a Resolution to:

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- c. Find that the proposed Quitclaim Deed is in the public interest and is done pursuant to California Education Code Section 35560.

RECOMMENDATION:

It is recommended that the Board of Supervisors adopt a resolution to:

- a. Find that the action to transfer ownership of the subject property is categorically exempt pursuant to the California Environmental Quality Act Guidelines, Section 15305, of the California Code of Regulations.
- b. Approve and authorize the Resource Management Agency Director to execute a Quitclaim Deed conveying a 6.49-acre portion of Assessor's Parcel Number 026-061-004-000 located at 720 Broadway Street, King City, California, "as is" to the South Monterey County Joint Union High School District, a California public school district; and
- c. Find that the proposed Quitclaim Deed is in the public interest and is done pursuant to California Education Code Section 35560.

SUMMARY:

The King City High School campus is located on six (6) parcels of real property at 720 Broadway Street, King City, California. Five (5) of these parcels are under fee ownership of the South Monterey County Joint Union High School District (School District). The chain of title for one (1) parcel, a 6.49-acre portion of Assessor's Parcel Number 026-061-004-000 (subject property), indicates that the County of Monterey (County) is the fee owner. The requested action will transfer fee ownership of the subject property to the School District via a Quitclaim Deed.

Approval of the Quitclaim Deed will place all parcels of the high school campus under fee ownership of the School District, and the title will properly reflect that the County no longer owns any portion of the King City High School site. RMA is requesting that the Board: 1) find that the action to transfer ownership of the subject property is categorically exempt pursuant to the California Environmental Quality Act (CEQA) Guidelines, Section 15305, of the California Code of Regulations; 2) approve and authorize the Resource Management Agency (RMA) Director to execute a Quitclaim Deed conveying a 6.49-acre portion of Assessor's Parcel Number 026-061-004-000 located at 720 Broadway Street, King City, California, "as is" to the South Monterey County Joint Union High School District, a California public school district; and 3) find that the proposed Quitclaim Deed is in the public interest and is done pursuant to California Education Code Section 35560.

DISCUSSION:

In 1913, the County Superintendent of Schools facilitated the transfer of property from the then property owners, John R. and Emma A. Hersom, to the County for the newly proposed King City High School. It was recently determined that neither the School District nor the County have records reflecting the transfer of fee ownership of the subject property from the County to the School District. A formal transfer of title by Quitclaim Deed is needed to accommodate the School District's solar energy infrastructure project. The school is only one (1) of 13 schools in California chosen for this grant-funded project, which is on hold until the fee title ownership is resolved. When the project is complete, annual energy costs for the school are expected to be reduced by approximately \$50,000.

The County High School Act of 1891 (Act) empowered the County Superintendent of Schools to open and fund the construction of county high schools. Under the Act, the County Superintendent of Schools held proceeds for the acquisition of schools in the County Treasury. The Act contemplated that although title to property for proposed county high schools may initially be held by the county, once the facilities were built, the property should be conveyed to the School District consistent with California Education Code Section 35560 (a)(1) set forth below.

California Education Code Section 35560.

When a school district is reorganized, both of the following shall apply:

(a) When the allocation of funds, property, and obligations is not fixed by terms, conditions, or recommendations as provided by law, the funds, property, and obligations of a former district, except for bonded indebtedness, shall be allocated as follows:

(1) The real property and personal property and fixtures normally situated thereat shall be the property of the district in which the real property is located.

(2) All other property, funds, and obligations, except bonded indebtedness, shall be divided pro rata among the districts in which the territory of the former district is included. The basis for the division and allocation shall be the assessed valuation of the part of the former district which is included within each of the districts.

(b) Any qualified special taxes may continue to be imposed pursuant to Section 50079.2 of the Government Code.

(Amended by Stats. 2011, Ch. 276, Sec. 1. (AB 504) Effective January 1, 2012.)

Once the population grew, and the King City Union High School District was formed (the predecessor name of the School District), the high school campus was developed into a comprehensive high school to cater to the growing community. The School District took over operations of the new high school facilities from the County, and it was assumed the parties carried out the necessary steps to transfer the property and operations of the high school from the County to the School District.

CEQA Guidelines, Section 15305, of the California Code of Regulations establishes an exemption for projects consisting of minor alterations in land use limitations that do not result in changes to land use or density. Staff recommends that the Board find that transferring ownership of the subject property that was intended for use as a school and was developed as part of the King City High School campus qualifies as a Class 5 Categorical Exemption.

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel has approved the Quitclaim Deed as to form. The South Monterey County

Joint Union High School District concurs with the terms of the Quitclaim Deed.

FINANCING:

There is no cost to the General Fund for the execution of the Quitclaim Deed. A \$6 copy fee charged by the County Clerk-Recorder's Office is paid by the RMA under General Fund 001 Resource Management Agency, Budget Unit 8176 Facilities Administration, Appropriation Unit RMA006.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

This action correlates to the Board of Supervisors' Infrastructure Initiative by supporting best environmental practices regarding solar energy for a public school district within Monterey County.

- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

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Approved by: Shawne Ellerbee, RMA Deputy Director of Administrative Services
Approved by: Carl P. Holm, AICP, RMA Director

Attachments:

Attachment A-Draft Resolution
Attachment B-Quitclaim Deed
Attachment C-California Education Code Section 35560
Attachment D-Location Map
(Attachments are on file with the Clerk of the Board)