RESOLUTION NO. 15-08 B-23

BOARD OF TRUSTEES OF THE
PALO VERDE COMMUNITY COLLEGE DISTRICT

(EDUCATION CODE SECTION 81432)
RESOLUTION DECLARING INTENTION TO LEASE PROPERTY

WHEREAS, the Palo Verde Community College District ("District") owns real property at One College Drive, Blythe, California, known as Clancy Osborne Physical Education Center ("Property");

WHEREAS, two thousand, two hundred and eight six square feet of the Property ("Lease Area") is not currently being used for school classroom building purposes and will not be needed for such purposes in the foreseeable future;

WHEREAS, pursuant to Education Code Section 81430, the governing board of any community college district may lease to the state any real property belonging to the district, which is not needed for school classroom buildings by the district owning the property;

WHEREAS, the Employment Development Department ("EDD"), an agency of the State of California, has expressed its intention to lease the Lease Area from the District to operate EDD services to the public;

WHEREAS, pursuant to Education Code Section 81431, any lease of real property from a community college district to the state shall be upon such terms and conditions as the parties agree upon; and

WHEREAS, the District desires to lease the Lease Area to EDD to permit District students to obtain EDD services on campus, to increase foot traffic to the campus, and to increase bus services to the campus;

WHEREAS, the EDD will not pay rent to lease the Lease Area, but will pay for utilities, janitorial, landscaping, and other costs associated with the Lease Area;

WHEREAS, pursuant to Education Code Section 81432, prior to leasing the Lease Area to the EDD, the District's Board is required to adopt by unanimous vote a Resolution authorizing the lease and prescribing the terms of the lease, which Resolution shall be published in a newspaper of general circulation within the District for once a week for three weeks prior to executing the lease agreement.

NOW THEREFORE, be it resolved by the Board of Trustees of the Palo Verde Community College District as follows:

1) That all of the recitals set forth above are true and correct, and the Board so finds and determines.

2) The Board finds the Lease Area is not needed for school classroom buildings.

3) Pursuant to Education Code Section 81432, the Board hereby authorizes the lease of the Lease Area to the Employment Development Department ("EDD"), an agency of the State of California, subject to the Board's approval and ratification of an agreed-upon lease agreement between the District and EDD.

4) That the District's President/Superintendent or his designee is authorized and directed to publish this resolution in a newspaper of general circulation within the District for once a week for three weeks prior to executing the lease agreement.

5) That the District's President/Superintendent or his designee is authorized and directed to negotiate a final lease agreement with the EDD for the lease of the Lease Area.

6) The lease of the Lease Area shall be upon the following terms and conditions:

a) The District and EDD will enter into a two-year lease with an option to mutually agree to renew the lease for an additional two years. The parties anticipate the lease will begin on July 1, 2015, although the start date may be later.

b) The EDD shall pay no rent, but shall reimburse and pay the District $3,486.05 per month for utilities, janitorial, landscaping, routine HVAC maintenance, routine pest control, and safety inspection costs associated with the Lease Area

APPROVED, PASSED AND ADOPTED by the Board of the Palo Verde Community College District on the 12th day of May 2015, by the following vote:

AYES:

NOES:

ABSTENTIONS:

_____
President of the Governing Board of the
Palo Verde Community College District

Attested to:

_____
Clerk of the Governing Board of the
Palo Verde Community College District