



DATE: May 19, 2021

TO: Board of Education

FROM: Mrs. Carmen Ghysels, Superintendent Chief Learning Officer

SUBJECT: Resolution No. 20-2020-2021 Authorizing Conveyance of Easement and Utility System Facilities to Tahoe City Public Utility District

PRESENTED BY: Jorge Rojas, Director of Facilities, Maintenance & Operations

ACTION REQUESTED

Approve Resolution No. 20-2020-2021 Authorizing Conveyance of Easement and Utility System Facilities to Tahoe City Public Utility District

BACKGROUND INFORMATION

The District is the owner of the real property commonly referred to as the Tahoe Lake Elementary School, located at 375 Grove Street in Tahoe City, California 96145 (“Property”). The District desires to install and/or reconstruct water system facilities at the Property, and Tahoe City Public Utility District (“TCPUD”) is the local utilities company which can provide such services at the Property. The District desires to convey a portion of the Property to TCPUD for public utilities and right of way purposes, so TCPUD can install, construct, operate, inspect, maintain, repair, replace, and reconstruct those water system facilities so the District can operate its water distribution systems at the Property. The proposed easement for these purposes are located along Grove Street as further detailed and shown in the Easement Grant Deed attached to the Resolution (“Easement Deed”).

Pursuant to Education Code section 17556, et seq., a school district, by two-thirds (2/3) vote of its Governing Board, may convey land for a public right-of-way and/or to dedicate an easement to a public corporation, or private corporation engaged in the public utility business, to lay, construct, reconstruct, maintain, and operate electric or telephone lines and access roads used in connection therewith, either with or without consideration and without a vote of the electors of the District first being taken, by engaging in a multi-step statutory process.

In accordance with such process, the District’s Board adopted a Resolution of Intent No. 16-2020-2021 at its regularly scheduled Board meeting on May 5, 2021. As required by the statute, the signed Resolution of Intent was posted in three public places in the District with a Notice of the time and place of the Board’s scheduled May 19, 2021, and a public hearing on the conveyance was published in the local newspaper of general circulation. Pursuant to Education Code section 17559, after the noticed public hearing, and assuming there is no related protest

from the public, the Board may proceed to adopt the Resolution authorizing the conveyance of the Easement to TCPUD.

In addition, in relation of the District's desire to install and/or reconstruct water system facilities in and around the Property, District desires to memorialize the ownership of the utility system facilities constructed at the Property in furtherance of the water distribution system at the Property, with execution of the Bill of Sale, Guarantee, and Acceptance from District to TCPUD, the form of which is attached to the Resolution.

RESOURCES REQUIRED: N/A

PREPARED BY: Rose Green, Administrative Assistant – Facilities

Attachment:

1. Resolution Authorizing the Conveyance of Easement and Utility System Facilities to Tahoe City Public Utility District
2. Bill of Sale, Guarantee, and Acceptance