



**COMPTON UNIFIED SCHOOL DISTRICT**

**ITEM NO. 21/22-5075**

**RESOLUTION NO. 21/22-40**

**RESOLUTION OF INTENTION OF THE BOARD OF TRUSTEES OF THE COMPTON UNIFIED SCHOOL DISTRICT TO CONSIDER PROPOSALS TO ENTER INTO AGREEMENTS TO DEVELOP A PORTION OF REAL PROPERTY LOCATED AT 12338 S. MONA BLVD., COMPTON, CALIFORNIA 90222 FOR JOINT OCCUPANCY**

**April 12, 2022**

**WHEREAS**, the Compton Unified School District (“District”) is the owner of certain real property located at 12338 S. Mona Blvd., Compton, California 90222 Assessor’s Parcel No. 6150-036-900 and commonly known as Bunche Middle School (“Property”). The Property is currently used as a middle school but has a significant amount of unused and underutilized space; and

**WHEREAS**, in support of its mission, the District seeks to provide resources, educational opportunities and support to the students of the District and the community at large by generating long-term revenue for the District and supporting revitalization and beautification of the communities within the District’s boundaries; and

**WHEREAS**, the District has demonstrated a commitment to beautification and revitalization by way of investment in the construction and remodeling of school athletic fields and other projects that benefit students while providing beautiful neighborhood spaces within communities; and

**WHEREAS**, in furtherance of these efforts, the District intends to explore opportunities to develop its real property, including the Property, by partnering with private developers and/or other public agencies; and

**WHEREAS**, any such partnering efforts will be through a thorough, transparent and legally permitted process which considers community needs and input, maximizes job creation opportunities for community residents, generates long-term revenue to the District and provides additional benefits to the District and the community; and

**WHEREAS**, the District is authorized to enter into leases and agreements with any private person, firm, local government agency, or corporation, in which the other party either constructs, or provides for the construction of, a building for joint occupancy through a request for statement of qualifications and request for proposals (“RFQ/P”) process, and may select the proposal that best meets the needs of the District, pursuant to Education Code sections 17515 et seq.; and

**WHEREAS**, it is the District’s intent to accept proposals for a joint occupancy development of a portion of the Property, for a term not to exceed ninety-nine (99) years, in the manner required by Education Code sections 17521 and 17522; and

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**WHEREAS**, the District will consider written proposals for joint occupancy development of the Property, including for mixed and residential use(s) to maximize revenues in response to the RFQ/P and for the uses specified in the RFQ/P at a regularly scheduled Board meeting at 501 S. Santa Fe Avenue, Compton, California, in the District's Board Room on a date that is noticed via publication prior to the meeting; and

**WHEREAS**, the District may thereafter enter into a joint occupancy development agreement for a portion of the Property, or may reject all proposals; and

**WHEREAS**, previously Education Code section 17524(a) required the selected developer's proposal to be submitted to the State Board of Education for approval prior to the District entering into a binding agreement with the selected developer, however this requirement was repealed as of June 2020, and all approval authority is now with the District; and

**WHEREAS**, Education Code section 17524 requires that any party with whom the District enters into a joint occupancy agreement, pursuant to Education Code sections 17515 et seq., shall file one of the following, as determined by the District:

1. A bond for the performance of the agreement;
2. An irrevocable letter of credit issued by a state or national bank or a federal or state credit union for the performance of the agreement.

**WHEREAS**, under Education Code section 17521, the Board shall specify the intended use of that portion of the building that is to be occupied by the District; and

**WHEREAS**, the District will give notice of adoption of this Resolution and the time and place of the Board meeting to consider received proposals by publishing this Resolution once a week for a three-week period in a newspaper of general circulation; and

**WHEREAS**, the District reserves the right to waive minor irregularities or reject all proposals and to withdraw the Property from consideration for joint occupancy; and

**WHEREAS**, the District may select the joint occupancy proposal that complies with Education Code sections 17515 et seq., and that best meets the needs of the District, and may thereafter enter into an agreement incorporating that proposal either as submitted or as revised by the Board; and

**WHEREAS**, the Board has determined that it is in the best interests of the District to seek proposals to enter into agreements to develop the Property for joint occupancy.

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**NOW, THEREFORE, BE IT RESOLVED** that the District’s Board of Trustees (“Board”) hereby finds, determines and orders as follows:

- Section 1. The foregoing recitals are adopted as true and correct.
- Section 2. The Board hereby authorizes staff to provide notice of the Compton Unified School District’s intent to accept proposals for the joint occupancy of a portion of the Property, for a term not to exceed ninety-nine (99) years, in the manner required by Education Code sections 17521 and 17522.
- Section 3. The Board hereby authorizes staff to issue a Request for Qualifications and Request for Proposals (“RFQ/P”).
- Section 4. That the District will consider written proposals for joint occupancy development of a portion of the Property to maximize revenues in response to the RFQ/P and for the uses specified therein at a regularly scheduled Board Meeting noticed via publication prior to the meeting, unless that date is otherwise amended via publication by the Superintendent or designee.
- Section 5. The Board authorizes staff to issue an RFQ/P, evaluate all proposals, plans, and packages submitted for joint occupancy development of the Property, and to provide a report and recommendation to the Board for its consideration. evaluate all proposals, plans, and packages submitted for joint occupancy development of the Property, and to provide a report and recommendation to the Board for its consideration.
- Section 6. After considering all proposals submitted, the Board, at a regularly scheduled meeting noticed via publication prior to the meeting, shall select the proposal that best meets the needs of the District and enter into an agreement incorporating that proposal either as submitted or as revised by the Board, or reject all proposals.
- Section 7. The Superintendent, or designee, is authorized to cause the notice of the adoption of this Resolution of Intention to be given by publishing the notice not less than once a week for three successive weeks before the District will receive and consider proposals in a newspaper of general circulation published in the City of Compton, located in Los Angeles County, pursuant to Education Code section 17522.

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Section 8. The Superintendent, or designee, is hereby further authorized to perform all actions and execute all documents necessary to carry out the intent of this Resolution.

**PASSED AND ADOPTED** this 12<sup>th</sup> day of April, 2022, by the following vote:

AYES: \_\_\_\_\_ NOES: \_\_\_\_\_ ABSENCES: \_\_\_\_\_ ABSTENTIONS: \_\_\_\_\_

I, Charles Davis, Clerk of the Governing Board of the Compton Unified School District of Compton, California, do hereby certify that the foregoing is a full, true and correct copy of a resolution adopted by said Board at the regularly scheduled and conducted meeting held at the time and place stated, which resolution is on file and of record in the office of said Board.

\_\_\_\_\_  
Charles Davis  
Clerk