

Business and Fiscal Affairs

AP 6500 PROPERTY MANAGEMENT**References:**

Education Code Sections 70902 and 81300 et seq.

The Chief Business Officer shall be responsible for supervising acquisitions of real property, including appraisals and valuations of real property and improvements; securing title insurance policies; dedications or conveyance of easements; vacation of streets and alleys, street lighting and other special assessments; and the condemnation of real property.

According to Sections 81360-81380 of the California Education Code, the Board of Trustees of the District has the power to acquire, buy, sell, or lease real property belonging to the District. Before an action is taken by the Board of Trustees on the lease or sale of College-owned land, the following criteria must be met:

1. No obvious academic, athletic, or administrative need must exist for the property under consideration;
2. The proposed lease or sale must generate positive educational and/or financial benefits for the College, or make possible improvements to its physical facilities;
3. The proposed use of the leased or sold property must be supportive or at least compatible with the activities of the College;
4. The proposed use must comply with all applicable statutes and regulations;
5. The principal leasing or purchasing the property must identify itself;
6. The process must allow for a full public hearing or workshop before any action is taken by the Board of Trustees.

The Board may sell or lease real property belonging to the District under the following conditions:

- If the District has received only one sealed proposal from a responsible bidder that conforms with the standard rate or rates for the lease of its real property established by a majority vote of the Board of Trustees, the Board may (by majority vote) delegate to an officer or employee the power to enter into leases, for and ~~in~~ on behalf of the District, of any real property of the District.

Generally, the funds derived from the sale or from a lease with an option to purchase shall be used for capital outlay or deferred maintenance. However, the proceeds of property sold or leased that was first offered for park or recreational purposes where applicable and then offered for sale or lease with an option to purchase at fair market value may be deposited in the general fund of the District if, prior to the

sale or lease, the Board of Trustees has determined that the District has no anticipated need for additional sites or building construction for the five-year period following the sale or lease.

The Board shall review and consider all final Environmental Impact Reports and Negative Declarations prior to approving any project not exempt from the requirements of the California Environmental Quality Act, and shall make such findings as are required by law.

Office of Primary Responsibility: College Operations

Date Approved: December 9, 2008
*(Replaces current College of Marin Policies 8.0026
and 8.0028)*

Date Reviewed: July 18, 2017

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