

***Board of Trustees
Special Board Meeting***

January 19, 2016

**NOTICE OF SPECIAL BOARD MEETING
BOARD OF TRUSTEES
SAN JACINTO COMMUNITY COLLEGE DISTRICT**

The Board of Trustees of the San Jacinto Community College District will meet at 5:00 p.m., on Tuesday, January 19, 2016, in Room M1.210A of the San Jacinto College Maritime Campus, 3700 Old Hwy 146, La Porte, Texas, for a Special Board Meeting.

AGENDA

- I. Call the Meeting to Order
- II. Roll Call of the Board Members
- III. **Adjournment to closed or executive session pursuant to Texas Government Code Section 551.072 of the Texas Open Meetings Act, for the following purpose:**

Real Estate

- a. For the purpose of discussing the purchase, exchange, lease or value of real property
- IV. Reconvene in Open Meeting
- V. Approval of Offer to Sell Surplus Real Estate
- VI. Discussion of Calendar
- VII. **Adjournment**

Closed Session Authority

If, during the course of the meeting covered by this Notice, the Board should determine that a closed or executive meeting or session of the Board should be held or is required in relation to any items included in this Notice, then such closed or executive meeting or session as authorized by Section 551.001 et seq. of the Texas Government Code (the Open Meetings Act) will be held by the Board at that date, hour and place given in this Notice or as soon after the commencement of the meeting covered by the Notice as the Board may conveniently meet in such closed or executive meeting or session concerning any and all subjects and for any and all purposes permitted by Sections 551.071, inclusive, of the Open Meetings Act, including, but not limited to:

Section 551.071 – For the purpose of a private consultation with the Board’s attorney on any or all subjects or matters authorized by law.

Section 551.072 – For the purpose of discussing the purchase, exchange, lease or value of real property.

Section 551.073 – For the purpose of considering a negotiated contract for a prospective gift or donation.

Section 551.074 – For the purpose of considering the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear complaints or charges against a public officer or employee.

Section 551.076 – To consider the deployment, or specific occasions for implementation, of security personnel or devices.

Section 551.084 – For the purpose of excluding a witness or witnesses from a hearing during examination of another witness.

Should any final action, final decision, or final vote be required in the opinion of the Board with regard to any matter considered in such closed or executive meeting or session, then such final action, final decision, or final vote shall be at either:

- A. The open meeting covered by this Notice upon the reconvening of the public meeting, or
- B. At a subsequent public meeting of the Board upon notice thereof, as the Board shall determine.

Certificate as to Posting or Giving of Notice

On this day, January 15, 2016, this notice was posted on a bulletin board located at a place convenient to the public in the central administrative office of the San Jacinto Community College District, 4624 Fairmont Parkway, Pasadena, Texas and is readily accessible to the public upon request.

Brenda Hellyer, Ed. D
Chancellor

**Action Item “V”
Special Board Meeting January 19, 2016
Consideration of Approval to Sell Surplus Real Estate Located
In University Park, Clear Lake Area**

ADMINISTRATION RECOMMENDATION/REPORT

The Chancellor recommends that the Board of Trustees approve the offer from Read King Commercial Properties, Inc. to purchase 21.15 acres of surplus property owned by the College located at the intersection of Bay Area Boulevard and Middlebrook Drive, in eastern Harris County.

BACKGROUND

The real property described as 21.15 acres of unimproved land (921,334 square feet) located at the intersection of Bay Area Boulevard and Middlebrook Drive, being all of Lot 2 in Block 1 of University Park, Section 1 as recorded in Volume 332, page 133 of the map records of Harris County, Texas was purchased in 1984 by San Jacinto College. The College does not have intentions of developing the real estate and at the May 6, 2013 regular Board meeting the Board approved the property be declared as surplus property and authorized to offer the land for sale.

In June, 2015 the College obtained an Opinion of Value assessing the current value of the property. In accordance with Local Government Code Section 272.001, the College initiated the action to dispose of the property by issuing an Invitation for Bids, Project Number 16-09 to sell the property. Notice to the general public was published for two consecutive weeks in the Houston Chronicle as well as other commercial real estate publications and online sites.

Due to the unique nature of the property, the College engaged the services of an experienced real estate brokerage firm familiar with the local real estate market with global reach to better position the sale of the property. Pollan Hausman Real Estate Services, LLC ‘s expansive knowledge in the specialized requirements to sell publicly-held property and in addressing property restrictions associated with this parcel was critical in developing and obtaining the best possible offers for this tract of land. The property was conveyed “as is” with the purchaser responsible for all closing costs. Upon review of the offers received, the offer from Read King Commercial Properties Inc. was determined the highest and best bid.

IMPACT OF THIS ACTION

Approval of this offer to purchase the surplus property will allow the College to dispose of the property and release the College from further liabilities associated with the property.

BUDGET INFORMATION (INCLUDING ANY STAFFING IMPLICATIONS)

The proceeds from the sale will be recorded as revenue in the operating fund and the appropriate adjustments will be made to the fixed asset records recording the sale.

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MONITORING AND REPORTING TIMELINE

Upon execution of the purchase and sale contract, the purchaser will be allowed thirty days as an inspection period for the purpose of conducting any additional non-invasive environmental, engineering, assessments, studies or investigation and performing work on the property. Upon approval and completion of the sale, a Special Warranty Deed will be conveyed to Read King Commercial Properties, Inc.

ATTACHMENTS

Attachment 1 – Resolution and order of sale of land

RESOURCE PERSONNEL

Brenda Hellyer	281-998-6100	brenda.hellyer@sjcd.edu
Ann Kokx-Templet	281-998-6103	ann.kokx-templet@sjcd.edu

RESOLUTION AND ORDER OF SALE OF PROPERTY

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

WHEREAS, Section 130.084 of the Texas Education Code provides that a public community college shall be governed in the establishment, management, and control of community college by the general law governing the establishment, management, and control of independent school districts; and

WHEREAS, Section 11.151 of the Texas Education Code provides that the trustees of an independent school district may convey property that is no longer necessary for the operation of the school district, which provision is applicable to public community colleges; and

WHEREAS, Section 11.154 of the Texas Education Code permits a school district to authorize a sale of any property by resolution; and

WHEREAS, the San Jacinto Community College District ("College") Board of Trustees is the governing body of College, a political subdivision of the State of Texas; and

WHEREAS, the College owns a parcel of unimproved land located in Harris County, Texas, containing approximately 21.15 acres, physically located at the intersection of Bay Area Boulevard and Middlebrook Drive, and being more particularly described on the attached Exhibit A ("Property"); and

WHEREAS, at its meeting held on May 6, 2013, the Board determined that ownership of the Property was no longer necessary for the operation of the College; and

WHEREAS, the College administration advertised for bids in accordance with Section 272.001 of the Local Government Code and received an offer for purchase of the Property from the Read King Commercial Properties, Inc. ("Buyer") for the amount set forth in its Bid Response Form and the Purchase and Sale Contract ("Buyer's Offer"), both in the form required by the College in its invitation for bid; and

WHEREAS, the Administration recommends to the Board of Trustees to accept the Buyer's Offer and sell and convey the Property to the Buyer pursuant to the Special Warranty Deed ("Deed"), the form of which to be finalized by the administration.

THEREFORE, BE IT RESOLVED AND ORDERED BY SAN JACINTO COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES THAT:

1. all of the above paragraphs are incorporated into and made part of this Resolution and Order; and

2. the Buyer's Offer on terms and conditions set forth herein and as further discussed in closed session is hereby accepted by the Board of Trustees on behalf of the College and the Board authorizes the Chairman of the Board of Trustees to execute the Deed and authorizes the Chancellor or her designee to take all additional actions necessary or advisable to consummate the conveyance of the Property to Buyer, including without limitation, negotiating and executing any other documents necessary or advisable to close the transaction.

PASSED, APPROVED and ADOPTED this ____ day of _____, 2016.

Mr. Dan Mims
Chairman, Board of Trustees

Attest:

Mr. John Moon, Jr.
Secretary, Board of Trustees