

7240 - SITE ACQUISITION

Purpose of Site Acquisition

In order to operate, control, and supervise public schools in the District, this School Board must make adequate provision for the acquisition of sites as are necessary and essential to accommodate students, faculty, administrators, staff, and activities of educational programs for the District, and to provide support services to those educational programs.

Before acquiring property for sites, the Board shall determine the location of proposed educational centers or campuses. In making this determination, the Board shall consider existing and anticipated site needs and the most economical and practicable locations of sites. Additionally, the Board will coordinate with the long-range or comprehensive plans of local, regional, and State governmental agencies to assure the consistency of such plans.

[DRAFTING NOTE: F.S. 1013.36 provides that boards are encouraged to locate district educational facilities proximate to urban residential areas to the extent possible, and shall seek to collocate district educational facilities with other public facilities, such as parks, libraries, and community centers, to the extent possible and to encourage using elementary schools as focal points for neighborhoods.]

Each site identified for acquisition must:

- A. be adequate in size to meet the educational needs of the students to be served on that site by the original educational facility or future expansions of the facility through renovation or the addition of relocatables;
- B. meet standards prescribed in Florida law and such supplementary standards as the State Board of Education prescribes to promote the educational interests of the students;
- C. be well drained and suitable for outdoor educational purposes as appropriate for the educational program or collocated with facilities to serve this purpose;
- D. as provided in F.S. 333.03, the site must not be located within any path of flight approach of any airport;
- E. insofar as is practicable, not adjoin a right-of-way of any railroad or through highway and not be adjacent to any factory or other property from which noise, odors, or other disturbances, or at which conditions, would be likely to interfere with the educational program; and,
- F. to the extent practicable, be chosen which will provide safe access from neighborhoods to schools.

~~It is the policy of the School Board that real property acquisition price be based on a true value with regard for fair remuneration to the seller but not on the enhancement of the value of the site to the seller. The presence of a school to service a potential development in itself enhances the profit potential to a developer. It is the Board's sole purpose to provide a service to the residents in a development at the least possible cost to the taxpayers.~~

Negotiations

The Superintendent shall be responsible for site acquisition negotiations **and** compliance with other provisions set forth in F.S. 1013.36. Negotiations for site acquisition shall be **conducted as much as possible within the following procedures:** purchase price shall be based on the last transaction price, taxes on the property after platting, and a reasonable interest earning on the investment based on the current cost of money.

- A. **[] Purchase price shall be based on the last transaction price, taxes on the property after platting, and a reasonable interest earning on the investment based on the current cost of money.**
- B. **[] Roadways and utility costs to be shared will be calculated on a front footage basis of the proposed site and shall be included only where actual installation has occurred.**
- C. **[] The Board shall not share such development costs as engineering, earthmoving, litigation, etc., in determining the fair value of the site to be purchased.**

~~Discussion of possible school sites may be carried on in an executive session of the Board, but all official actions must be taken in an open, public meeting.~~

Appraisals

Before acquisition of real property, the Board shall obtain at least one (1) appraisal by an appraiser approved pursuant to F.S. 253.025 for each purchase in an amount greater than \$100,000 and not more than \$500,000. For each purchase in an amount in excess of \$500,000, the Board shall obtain at least two (2) appraisals by appraisers approved pursuant to F.S. 253.025. If the agreed to purchase price exceeds the average appraised value, the Board will approve the purchase by an extraordinary vote.

Public Records

In accordance with F.S. Chapter 1013, when the Board seeks to acquire by purchase any real property for educational purposes, every appraisal, offer, or counteroffer must be in writing and is exempt from the provisions of F.S. 119.07(1) until an optional contract is executed or, if no optional contract is executed, until thirty (30) days before a contract or agreement for purchase is considered for approval by the Board. If a contract or agreement for purchase is not submitted to

the Board for approval, the exemption from F.S. 119.07(1) shall expire thirty (30) days after the termination of negotiations.

The Board shall maintain complete and accurate records of every such appraisal, offer, and counteroffer. For the purposes of this policy, the term "optional contract" means an agreement by the Board to purchase a piece of property, subject to the approval of the Board at a public meeting after thirty (30) days' public notice.

Nothing in this policy shall be interpreted as providing an exemption from, or an exception to, F.S. 286.011.

Approval of Site Acquisition

Official Board action during a public meeting is required to execute a valid contract, and a record of that action must be a part of the minutes of the Board. The process used in acquiring real property must be in accordance with law. Any deviation from the strict requirements of the law may render the transaction void.

Lease, Rental, or Lease-Purchase Agreements

Any lease, rental, or lease-purchase of educational plants, ancillary plants, and auxiliary facilities and sites shall adhere to the requirements of F.S. 1013.15.

F.S. 1001.42

F.S. 1013.14

F.S. 1013.33

F.S. 1013.36