

RESOLUTION NO. 2008-22

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF HUNTINGTON BEACH RELATING TO THE
INADEQUACY OF PUBLIC LANDS IN THE VICINITY OF
LeBARD ELEMENTARY SCHOOL SITE TO MEET THE EXISTING AND
FORESEEABLE NEEDS OF THE COMMUNITY FOR PLAYGROUND, PLAYING FIELD,
AND OTHER OUTDOOR RECREATIONAL AND OPEN-SPACE PURPOSES

WHEREAS, on March 10, 2008, the City of Huntington Beach has received notice from the Huntington Beach City School District ("School District") that the School District's Board of Trustees has declared the real property located in Huntington Beach at 20451 Craimer Lane ("LeBard School") surplus property that is available for purchase by the City of Huntington Beach; and

The whole or a portion of the LeBard School site consists of land which is used for playground, playing field, and other outdoor recreational purposes and open-space land particularly suited for recreational purposes; and

The LeBard School site has been used for school playground, playing field, or other outdoor recreational purposes and open-space land for at least (8) years immediately preceding the determination of the School District's Board of Trustees to sell the LeBard School site; and

There is no other available publicly owned land in the vicinity of the LeBard School that is adequate to meet the existing and foreseeable needs of the community for playground, playing field, or other outdoor recreational and open-space purposes; and

Pursuant to the Naylor Act as codified in Education Code Section 17485, *et seq.*, the City of Huntington Beach has priority to purchase the LeBard School site due to the fact that it includes land which is currently used for school playground, playing field, or other outdoor recreational purposes and open-space land particularly suited for recreational purposes, and the City has assumed that the LeBard School sites would be permanently available for recreational purposes,

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Huntington Beach as follows:

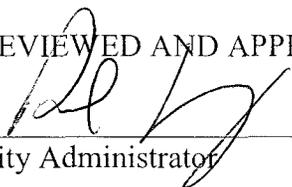
1. Public land in the vicinity of the LeBard School site is inadequate to meet the existing and foreseeable needs of the community for playground, playing field, and other outdoor recreational open-space purposes.
2. The City Administrator or his/her designee is hereby authorized to notify the School District of the City's intention to negotiate for the acquisition of the LeBard School sites pursuant to the Naylor Act.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the 7th day of April, 2008



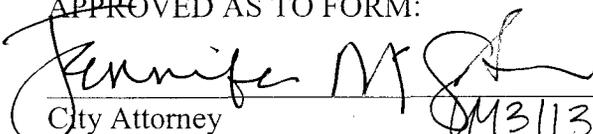
Mayor

REVIEWED AND APPROVED:



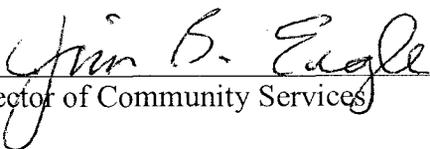
City Administrator

APPROVED AS TO FORM:



City Attorney
3.17.08 MB/13/08

INITIATED AND APPROVED:

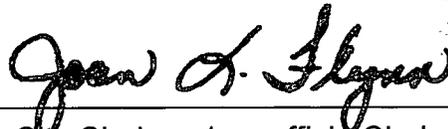


Director of Community Services

STATE OF CALIFORNIA
COUNTY OF ORANGE) ss:
CITY OF HUNTINGTON BEACH)

I, JOAN L. FLYNN the duly elected, qualified City Clerk of the City of Huntington Beach, and ex-officio Clerk of the City Council of said City, do hereby certify that the whole number of members of the City Council of the City of Huntington Beach is seven; that the foregoing resolution was passed and adopted by the affirmative vote of at least a majority of all the members of said City Council at a **regular** meeting thereof held on **April 7, 2008** by the following vote:

AYES: Hansen, Hardy, Bohr, Cook, Coerper, Green, Carchio
NOES: None
ABSENT: None
ABSTAIN: None



City Clerk and ex-officio Clerk of the
City Council of the City of
Huntington Beach, California