

**Napa Valley Unified School District
Resolution No. 20-19**

**RESOLUTION APPROVING CONVEYANCE OF EASEMENT TO
PACIFIC GAS AND ELECTRIC COMPANY**

WHEREAS, Pacific Gas and Electric Company (“PG&E”) has requested that the Napa Valley Unified School District (“District”) dedicate an easement (“Easement”) to PG&E located upon a portion of the District’s property over an area consisting of approximately 90 square feet, in exchange for payment of \$2,500; and

WHEREAS, the purpose of the Easement is for PG&E to install SCADA equipment that will allow PG&E to remotely monitor gas flow in nearby high pressure gas lines, promoting public safety; and

WHEREAS, the District and PG&E have caused to be prepared the Easement Deed attached hereto as Exhibit 1, the terms of which are incorporated herein, whereby the District would grant the Easement to PG&E; and

WHEREAS, the specific location of the Easement is described and depicted as part of the Easement Deed attached as Exhibit 1; and

WHEREAS, Education Code section 17556 provides that the governing board of a school district may dedicate or convey to any public corporation, or private corporation engaged in the public utility business, without a vote of the electors of the district first being taken, an easement to lay, construct, reconstruct, maintain, and operate water, sewer, gas, or storm drain pipes or ditches, electric or telephone lines, and access roads used in connection therewith, over and upon any land belonging to the school district, upon such terms and conditions as the parties thereto may agree; and

WHEREAS, pursuant to Education Code section 17557, on November 14, 2019, before so conveying property, the District’s governing board, in a regular open meeting, by two-thirds vote of all of its members adopted Resolution No. 20-10 (the “Resolution”) declaring its intention to convey the easement to PG&E, and setting a public hearing on the 12th day of December, 2019, at the hours of 7:00 pm, or as soon thereafter as the matter can be heard, upon the question of making the dedication of the easement to PG&E, at which time any interested person may appear and be heard thereon; and

WHEREAS, pursuant to Education Code section 17558, the District posted copies of the Resolution in three (3) public places in the District not less than ten (10) days before the public hearing described above, and published the notice in a newspaper of general circulation within the District not less than five (5) days before the date of the public hearing described above; and

WHEREAS, at its meeting on December 12, 2019, the District held a public hearing upon the question of making the proposed conveyance of the easement to the City; and

WHEREAS, conveyance of the Easement to PG&E is in the best interests of the District and the public, because it promotes public safety; and

WHEREAS, no petition pursuant to Education Code Section 17560 has been filed with the District's governing board.

NOW, THEREFORE, the Governing Board of Napa Valley Unified School District hereby finds, determines, declares, orders and resolves as follows:

Section 1. That the above recitals are true and correct.

Section 2. That the proposed conveyance of the Easement to PG&E pursuant to the terms and conditions set forth in the Easement Deed is approved, subject to any minor revisions agreed to by District's legal counsel and the District's Superintendent or designee.

Section 3. That upon PG&E's execution of the Easement Deed and of any other documentation necessary to effectuate the property transaction contemplated by this Resolution, the Governing Board hereby authorizes and directs the Superintendent, or designee, to execute the Easement Deed and to take whatever action is necessary to complete the conveyance of the Easement to the PG&E, pursuant to the terms and conditions of said Easement Deed.

Section 4. That the District's governing board hereby determines that the District is in compliance with all relevant sections of the Education Code and all other applicable laws.

ADOPTED, SIGNED AND APPROVED this day of December 12, 2019.

I, _____, Clerk of the Governing Board of the Napa Valley Unified School District, do hereby certify that the foregoing Resolution was adopted by the Governing Board of said District at a meeting of said Board on the 12th of December, 2019, and that it was so adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Clerk of the Governing Board of Napa Valley Unified
School District.

Exhibit 1: Easement Deed