



FAIRFAX TOWN COUNCIL MEETING STAFF REPORT

MEETING DATE:	July 12, 2023
PREPARED FOR:	Mayor and Town Council
PREPARED BY:	Heather Abrams, Town Manager
SUBJECT:	Decline Ross Valley School District Offer to Purchase Children's Center Property APN 197-120-03

RECOMMENDATION

Staff recommends that the Council decline Ross Valley School District's Offer of Childrens Center Property Assessor's Parcel Number (APN) 197-120-03

BACKGROUND

The Fairfax-San Anselmo Children's Center (Center) is a non-profit organization providing childcare for low-income families in the Fairfax area that has been located in a building belonging to the Ross Valley School District (RVSD) for many years. While RVSD and the Center are independent of the Town of Fairfax, the Center is physically located within Fairfax and provides an important service. The Marin Independent Journal (IJ) has provided a number of news stories regarding the Center's efforts to continue working at its current location, RVSD's¹ discussions regarding repairs needed to the facility, and allowing the Center to use and manage the facility, and recently the Marin County Office of Education's (MCOE) interest in assisting the Center².

DISCUSSION

As stated in the attached letter from RVSD, State law requires that RVSD first offer surplus property for sale to the Town. Town Council Members have expressed interest in keeping the Center in its current location. Thus, the Town should not seek to own the property. Staff recommends that the Town should decline the offer, thus allowing the MCOE to purchase the property and assist the Center in continuing its operations at its current location.

If the Town were to purchase the property, it would need to establish a budget for this, it would face similar issues to RVSD regarding cost of repairs needed to the facility, and if the Town was ever to surplus the property, then the Town would be subject to a 2018 State law that requires cities to first offer the land for use as housing (thus conflicting with the current childcare use).

¹

<https://go.boarddocs.com/ca/rova/Board.nsf/goto?open&id=CRK2D976DCAF>

² <https://www.marinij.com/2023/05/02/ross-valley-committee-approves-report-on-childrens-center/>

FISCAL IMPACT

Declining the offer has no financial impact to the Town.

ATTACHMENT

Letter from RVSD

ROSS VALLEY SCHOOL DISTRICT

100 Shaw Drive, San Anselmo, CA 94960 | Phone: 415.454.2162 | Fax: 415.454.6840 | www.rossvalleyschools.org

Superintendent: Marci Trahan | Board of Trustees: Daniel Cassidy • Shelley Hamilton • Chris Landles-Cobb • Rachel Litwack • Ryan O'Neil

VIA CERTIFIED MAIL

RETURN RECEIPT REQUESTED

June 14, 2023

Heather Abrams
Town Manager
City of Fairfax
142 Bolinas Road
Fairfax, CA 94930

Re: Offer to Purchase Ross Valley School District Property

Dear Ms. Abrams:

Pursuant to Education Code section 17489, subdivision (a)(1), the Ross Valley School District ("District") is hereby offering to sell 199 Porteous Avenue, Fairfax, CA 94930 ("Property") to the Town of Fairfax ("Town"). The assessor's parcel number is 197-120-03. A legal description of the Property is enclosed herewith.

Education Code section 17489, subdivision (c), provides that the Town has 60 days to notify the District if the Town wishes to purchase the Property. If the Town of Fairfax does not wish to purchase the Property, the District requests earlier notice that the Town is declining the District's offer.

Sincerely,



Chris Carson
Chief Business Official

Encl.

**EXHIBIT A
LEGAL DESCRIPTION**

ALL THAT CERTAIN REAL PROPERTY SITUATE IN THE CITY OF FAIRFAX, COUNTY OF MARIN, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

PARCEL ONE:

BEGINNING at a point which is distant South 25° 46' 47" East 516.18 feet from the Southeasterly corner of Lot 327, as shown upon that certain Map entitled "Map No. 3, Deer Park, Fairfax, Marin Co. Cal. 1916", filed for record March 8, 1916 in Volume 4 of Maps, at Page 96, Marin County Records, State of California (for the purpose of this description the Southwesterly line of Porteous Avenue as shown upon said Map above referred to is taken to be South 30° 50' East and all bearings herein mentioned are related thereto); running thence North 65° 00' East 186.50 feet; thence South 25° 00' East 150 feet; thence South 70° 00' East 250 feet; thence South 45° 00' East 450 feet; thence South 45° 00' West 95 feet; thence South 81° 40' West 84 feet; thence South 71° 20' West 81 feet; thence North 53° 50' West 56 feet; thence South 58° 30' West 87 feet; thence South 85° 00' West 77 feet; thence North 41° 40' West 257 feet; thence North 47° 20' West 115 feet; thence North 4° 00' West 79.51 feet; thence North 20° 50' West 107.03 feet; thence North 25° 00' West 150 feet to the point of beginning.

PARCEL TWO:

AN EASEMENT of right of way for ingress and egress, road purposes, and installation and maintenance of public utilities over a strip of land 50 feet in width, more particularly described as follows:

BEGINNING at the Southeasterly corner of Lot 327, as shown upon that certain Map entitled "Map No. 3, Deer Park, Fairfax, Marin Co. Cal. 1916", filed for record March 8, 1916 in Volume 4 of Maps, at Page 96, Marin County Records, State of California (for the purpose of this description the Southwesterly line of Porteous Avenue as shown upon said Map above referred to is taken to be South 30° 50' East and all bearings herein mentioned are related thereto;) running thence South 83° 36' West along the Southerly line of said Lot 327, a distance of 12.95 feet; thence South 47° 10' East 256.65 feet; thence South 18° 00' East 163.97 feet; thence South 2° 00' East 130.20 feet to a point on the Northwesterly boundary line of that certain 5.63 acre parcel of land described in the Decree in Condemnation in favor of Fairfax Elementary School District, recorded April 10, 1950 in Book 647 of Official Records, at Page 114, Marin County Records, distant thereon North 65° 00' East 6.68 feet from the Northwesterly corner of said 5.63 acre parcel of land; thence North 65° 00' East along the Northwesterly boundary line of said parcel of land 54.32 feet; thence North 2° 00' West 116 feet; thence North 18° 00' West 184 feet; thence North 47° 10' West 226.55 feet to the Easterly production of the Southerly line of said Lot 327 above referred to; thence South 83° 36' West along said Southerly line of said Lot 327 so produced a distance of 53.07 feet to the point of beginning.

APN: 197-120-03