

Policy Committee Meeting
Tuesday, August 24, 2021 4:00 PM

Board Assembly Room
1250 West Broadway Avenue
Minneapolis, Minnesota 55411

Agenda

- 1) Call to Order and Roll Call
- 2) Adoption of Agenda
- 3) Acceptance of Minutes
 - a. June 1, 2021 Draft Committee Minutes
- 4) Reports and Discussion
 - a. Proposed Surplus Facility Process
 - b. Elections Redistricting Update
 - c. Review Policy 6000: Mission Of The Educational Program
- 5) New Business
 - a. Revision of Policy 3270 (Sales And Leases Of Real Property)
 - b. Adoption of Policy 8114 (Board Election Districts)
- 6) Adjournment

**OFFICIAL MINUTES
MINNEAPOLIS BOARD OF EDUCATION**

**POLICY COMMITTEE MEETING
JUNE 1, 2021**

CALL TO ORDER

Chair Josh Pauly called the meeting to order at 4:00 p.m., a quorum being present.

Pursuant to Minnesota Statutes Section 13D.021, the meeting was held by electronic means and Directors participated remotely due to the local public health emergency (COVID-19 pandemic).

ROLL CALL

Present: Directors Jenny Arneson, Adriana Cerrillo, Kim Ellison, Josh Pauly (4)

Absent (at roll call): Directors Siad Ali (1)

APPROVAL OF AGENDA

Arneson moved to approve the agenda.

On roll call, the result was:

Aye: Arneson, Cerrillo, Ellison, Pauly (4)

No: (0)

Absent: Ali (1)

Adopted.

APPROVAL OF MINUTES

Arneson moved to approve the minutes from the April 27, 2021 meeting.

On roll call, the result was:

Aye: Arneson, Cerrillo, Ellison, Pauly (4)

No: (0)

Absent: Ali (1)

Adopted.

REPORTS AND DISCUSSION

Staff presented their proposal for an Equity and Diversity Impact Assessment (EDIA) project for the 2021-2022 school year.

NEW BUSINESS

Recommendation of Proposed EDIA

Pauly moved that the committee forward the proposed EDIA project to the full board with the committee's recommendation.

On roll call, the result was:

Aye: Arneson, Cerrillo, Ellison, Pauly (4)

No: (0)

Absent: Ali (1)

Adopted.

Repeal of Policy 1040 and Adoption of Policies 3504 (Public Data Requests), 4200 (Personnel Data), and 5690 (Student Data)

Arneson moved to forward the proposed repeal and adoptions to the full board with the committee's recommendation.

On roll call, the result was:

Aye: Arneson, Cerrillo, Ellison, Pauly (4)

No: (0)

Absent: Ali (1)

Adopted.

Adoption of School District General Records Retention Schedule

Cerrillo moved that the committee recommend adoption of the School District General Records Retention Schedule.

On roll call, the result was:

Aye: Arneson, Cerrillo, Ellison, Pauly (4)

No: (0)

Absent: Ali (1)

Adopted.

ADJOURNMENT

Arneson moved to adjourn.

On roll call, the result was:

Aye: Arneson, Cerrillo, Ellison, Pauly (4)

No: (0)

Absent: Ali (1)

Adopted.

The meeting was adjourned at 4:40 p.m.

Minutes submitted by Ryan Strack, Administrator of Board and Government Relations.

Meeting materials: <https://meetings.boardbook.org/Public/Agenda/1807?meeting=469865>

Meeting video: <https://mps.eduvision.tv/Share.aspx?q=3SfVi13wT7RmrUaiWM0cCQ%253d%253d>

Surplus Property Process

Policy Committee

August 24, 2021

Background

- MPS currently has six facilities that are not used for instruction without active leases:
 - Cooper, Gordon, Lincoln, Tuttle, Willard, and Victory Memorial Ice Arena
 - Are being used for storage, or in some cases, intermittently
 - Hamilton has an active lease through 2024
- Approximate annual utility cost is \$275,000
- City demographic projections suggest MPS will not need entire current facility portfolio for instructional purposes
- Establishing a clear process and parameters for possible disposition allows intentional planning and transparency

Proposed Plan

1. Amend Policy 3270 (Sales And Leases Of Real Property) to establish a specific regulatory process:
 - Add Section 3c: *"The Superintendent shall promulgate a regulation including a process for the disposition of surplus facilities."*
2. Revise and rename Regulation 3270A to Disposition of Surplus Property

Revised Regulation 3270A

Designating Facilities as Surplus

- Administration presents a recommendation to the Board that a facility be classified as surplus
- Factors in forming a recommendation include:
 - Geography
 - Availability of “swing space” for emergencies or to accommodate construction delays in active schools
 - Land and its potential future uses
 - Storage/warehousing needs
 - Building condition and cost to bring online

Facility Reports and Building Access

- High-level information posted about surplus facilities including
 - Blueprints or building specs
 - Any available facility assessments
 - Historical information
 - Video tour
 - Any relevant disclosures
- A limited schedule and parameters for building tours may be established

Minimum Requirements for Purchase / Lease

- Parameters for an offer to be considered:
 - Intended use does not hinder MPS mission, goals, or operations.
 - An achievable and sustainable plan to execute proposed use exists, including sufficient funding committed to ensure a certificate of occupancy can be granted, if applicable.
 - Evidence of community support for intended use.
 - Intended use presents no obvious liability or expense for the district. Surplus facilities will be offered on an 'as-is' basis and no district investment will be provided.
 - Intended use would meet all city and other jurisdictional zoning and other requirements.
 - Support from the School Board Director who represents the geographic location of the real property or from at least one at-large School Board Director.

Priorities Considered

- Intended use will contribute to MPS mission, goals, or operation.
- Agreement includes a District right of first refusal and/or right to pre-approve a secondary sale or lease.
- Intended use will provide direct services or supports for MPS students.
- Intended use will create affordable housing and/or address homelessness.
- Intended use will meet the goals of the City of Minneapolis Comprehensive Plan.
- Interested party is a public entity.

Purchase Offer (Sale) Process

- When a purchase offer that meets the minimum requirements as established in section 6 is received, the District will contract with a real estate broker to solicit additional offers for a reasonable time period.
- In accordance with Minnesota Statute Section 13D.05 Subd. 3, the School Board may meet in closed session to consider offers and/or develop counteroffers.
- An agreement reached in a closed meeting requires a vote at an open meeting to finalize, at which time the School Board would hear public comment on the proposed sale.

Letter of Intent to Lease Process

- When a letter of intent to lease that meets the minimum requirements as established in section 6 is received, the District will contract with a real estate broker to solicit additional offers for a reasonable time period.
- The Superintendent may recommend a lease proposal for a surplus real property to the School Board, which must approve the lease terms at an open meeting after providing an opportunity for the public to provide comment.

Proceeds

- The use of any proceeds from sale or lease of a district facility are specifically outlined in MN Statute 123B.51, subd. 6.
- Generally used to pay debt on outstanding bonds or for future capital expenditures

Next Steps

Policy amendment:

- Policy Committee--August 24
- Board First Reading--September 14
- Board Action--October 12

Regulation:

- Updated regulation would be filed immediately upon board action on policy

Questions

Board Election Districts

Policy Committee

August 24, 2021

Background

- The 2020 Census is the first since the school board election districts were fully implemented in 2012
- In 2008 referendum voters approved language that districts *“Shall initially coincide with the six park board districts”*
- Minnesota Statute 128D.055:
 - *“The board may provide for election districts that correspond to the Minneapolis Park Board election districts or may designate different district boundaries for the school election districts”*

Background

- School board election districts have the same requirements as park board districts
 - *“as equal in population as practicable”*
 - *“composed of compact, contiguous territory”*
- Using boundaries separate from park board districts would result in significant increased district expense (for elections and drawing districts) and confusion for voters

Recommended Policy Change

- Adopt Policy 8114 (School Board Election Districts)
 - a. The School Board shall consist of six members elected by district and three members elected at-large*
 - b. The School Board election districts shall be designated by number. Three districts shall have odd numbers and three districts shall have even numbers.*
 - c. Each election district must be as equal in population as practicable and must be composed of compact, contiguous territory.*

Recommended Policy Change

- Adopt Policy 8114 (School Board Election Districts)
 - d. The election districts shall correspond to the Minneapolis Park Board election districts.*
 - e. When districts are redrawn following a census, members continue to serve until the expiration of the term to which they were elected.*
 - f. A candidate for school board must file an affidavit of candidacy to be elected as a school board member for the election district where the candidate resides or for one of the at-large seats. A candidate must indicate on the affidavit the number of the district from which the candidate seeks election, or if applicable, that the candidate seeks one of the offices elected at-large.*

Redistricting Timeline

When	What
Aug 2021	City Charter Commission 'Redistricting Group' formed
Sept 2021	Official census data anticipated to States and Cities
Sept-Oct 2021	Redistricting Group work, including community outreach and listening sessions
Oct 2021	Initial maps developed based only upon the verified census data
Nov 2021-Jan 2022	Continued outreach and public hearings; map refinement and options developed
March 2022	Adoption of final new district maps

Discussion/Questions

SECTION 1:**AMENDMENT** “Policy 3270: Sales And Leases Of Real Property” of the Minneapolis Public Schools Policies & Regulations is hereby *amended* as follows:

AMENDMENT

Policy 3270: Sales And Leases Of Real Property

1. PURPOSE

The purpose of this policy is to establish the rules and procedures to be followed in the event that the Board approves a sale or lease of District real property.

2. GENERAL STATEMENT OF POLICY

- a. All sales or leases shall be accomplished in accordance with all legal requirements.
- b. Leases of District real property shall be in writing, and shall specify the costs to be borne by the lessee under the lease.
- c. Leases of District real property should be limited to those real properties or portions of real properties that are not needed for school purposes, or for portions of District property if the proposed lease does not interfere with the educational programs operated by the District on the property.

3. RESPONSIBILITY

- a. The Superintendent shall bring recommendations for the sale or lease of District property to the Board for approval.
- b. The Superintendent is authorized to promulgate regulations for the implementation of this policy.
- c. The Superintendent shall promulgate a regulation including a process for the disposition of surplus facilities.

Original Adoption:

04/25/1967

Revision Dates:

11/09/1971, 10/30/1990, 05/26/2009

Legal References:

- Minn. Stat. §123B.51 (Schoolhouses and Sites; Uses for School and Nonschool Purposes; Closings)

MPS Policy References:

- Regulation 3270 A (Definitions and Proceeds)

Proposed Regulation 3270A (Disposition of Surplus Property)

1. PURPOSE

The purpose of this regulation is to establish a process for the disposition of surplus real property. This regulation applies only to those properties classified as surplus, as defined below.

2. DEFINITIONS

- a. *“Surplus real property”* shall mean those properties, including closed school sites, which are determined by the Board at the recommendation of the Superintendent or designee as:
 - i. not needed for current or future school or other District purposes; or
 - ii. not in the best interest of the District to maintain ownership or use.
- b. *“Real property”* shall mean real estate; land and buildings owned by the District.
- c. *“Lease”* shall mean a written agreement granting rights of occupation and use to a third party to real property owned by the District, entered into by the Board of Education and the third party. A lease is generally not used for an intermittent rental of a District property for community purposes. The term “lease” shall include an access agreement for the use of District property. Lease may mean a portion of or the entire property.
- d. *“Letter of intent to lease”* shall mean a written description of the proposed lease terms.
- e. *“Purchase offer”* shall mean a written offer to purchase real property that meets the minimum requirements.
- f. *“Sale”* shall mean the legal transference of real property ownership per agreed upon terms.
- g. *“Costs”* shall mean those amounts usually incurred by an occupant and user of real property as a result of that occupation or use as specified in a purchase agreement or lease agreement.

3. SURPLUS DESIGNATION PROCESS

- a. On a periodic basis, the Superintendent or designee may present the School Board with a recommendation to declare, by resolution, real property as surplus real property.
- b. Once the surplus property designation is approved by the Board, the property name, description, and available property information shall be posted on the District’s website as open to potential offers for purchase or lease. The minimum

requirements and priority categories as outlined below, and the process for submitting a purchase offer or letter of intent to lease shall also be posted.

- c. The Superintendent or designee may establish a limited schedule and process for interested parties to view the surplus property.

4. PURCHASE OFFER PROCESS

- a. When a purchase offer that meets the minimum requirements as established in section 6 is received, the District will contract with a real estate broker to solicit additional offers for a reasonable time period.
- b. In accordance with Minnesota Statute Section 13D.05 Subd. 3, the School Board may meet in closed session to consider offers and/or develop counteroffers.
- c. An agreement reached in a closed meeting requires a vote at an open meeting to finalize, at which time the School Board would hear public comment on the proposed sale.

5. LETTER OF INTENT TO LEASE PROCESS

- a. When a letter of intent to lease that meets the minimum requirements as established in section 6 is received, the District will contract with a real estate broker to solicit additional offers for a reasonable time period.
- b. The Superintendent may recommend a lease proposal for a surplus real property to the School Board, which must approve the lease terms at an open meeting after providing an opportunity for the public to provide comment.

6. MINIMUM REQUIREMENTS FOR PURCHASE OFFERS AND LETTERS OF INTENT TO LEASE

- a. Intended use does not hinder or compete with MPS mission, goals, or operations.
- b. An achievable and sustainable plan to execute proposed use exists, including sufficient funding committed to ensure a certificate of occupancy can be granted, if applicable.
- c. Evidence of community support for intended use.
- d. Intended use presents no obvious liability or expense for the District. Surplus facilities will be offered on an 'as-is' basis and no district investment will be provided.
- e. Intended use would meet all city and other jurisdictional zoning and other requirements.
- f. Support from the School Board Director who represents the geographic location of the real property or from at least one at-large School Board Director.

7. PRIORITY CATEGORIES FOR PURCHASE OFFERS AND LETTER OF INTENT TO LEASE

Sale offers or lease proposals that meet any or all of the following shall be given priority consideration.

- a. Intended use will contribute to MPS mission, goals, or operation.
- b. Agreement includes a District right of first refusal and/or right to pre-approve a secondary sale or lease.
- c. Intended use will provide direct services or supports for MPS students.
- d. Intended use will create affordable housing and/or address homelessness.
- e. Intended use will meet the goals of the City of Minneapolis Comprehensive Plan.
- f. Interested party is a public entity.

8. PROCEEDS

- a. Net proceeds from a sale of real property shall be deposited in the debt retirement fund of the District so long as the property sold is subject to outstanding bonds for the purchase or construction of the property, or as otherwise allowed by law.
- b. Net proceeds from the lease of real property shall be deposited in the debt retirement fund of the District so long as the property leased is subject to outstanding bonds for the purchase or construction of the property, or as otherwise allowed by law.

SECTION 1: ADOPTION “Policy 8114: School Board Election Districts” of the Minneapolis Public Schools Policies & Regulations is hereby *added* as follows:

ADOPTION

Policy 8114: School Board Election Districts(*Added*)

1. PURPOSE

The purpose of this policy is to establish parameters for School Board election districts.

2. GENERAL STATEMENT OF POLICY

- a. The School Board shall consist of six members elected by district and three members elected at-large
- b. The School Board election districts shall be designated by number. Three districts shall have odd numbers and three districts shall have even numbers.
- c. Each election district must be as equal in population as practicable and must be composed of compact, contiguous territory.
- d. The election districts shall correspond to the Minneapolis Park and Recreation Board election districts.
- e. When districts are redrawn following a census, members continue to serve until the expiration of the term to which they were elected.
- f. A candidate for school board must file an affidavit of candidacy to be elected as a school board member for the election district where the candidate resides or for one of the at-large seats. A candidate must indicate on the affidavit the number of the district from which the candidate seeks election, or if applicable, that the candidate seeks one of the offices elected at-large.