



**GOVERNING BOARD AGENDA ITEM
AMPHITHEATER UNIFIED SCHOOL DISTRICT NO. 10**

DATE OF MEETING: July 7, 2015

TITLE: Ratification of General Counsel’s Execution of Agreement with Real Estate Developer Regarding Voluntary School Impact Donation Pursuant to Governing Board Policy KLJA; Approval of Easement to Meritage Homes of Arizona, Inc. at Wilson K-8 School.

BACKGROUND:

Developer Agreement

Governing Board policy KLJA permits the district to solicit and encourage real estate developers to contribute voluntary “educational donations” to the district to offset the impact on the district’s schools of their proposed developments. Especially in the growing northern part of the District’s boundaries, increased enrollment resulting from developments may result in over-enrollment, exceeding schools’ physical capacity.

Presently, the State School Facilities Board (SFB) does not provide funding for school construction in growing neighborhoods if physical enrollment capacity exists elsewhere in a school district. Instead, the SFB requires districts to bus children where capacity exists or to redraw school boundaries to adjust enrollment patterns, both of which substantially interfere with the neighborhood school philosophy our district and community have long embraced.

In a proactive effort to avoid overcrowding and negative impact on the district’s students, the district has entered into negotiations with real estate developers pursuant to Policy KLJA. In each case, the district has sought an educational donation per home, due at the close of escrow of each home, or the donation of land to be used for school construction.

The district concluded favorable negotiations with Meritage Homes of Arizona, Inc. related to the development consisting of approximately fifty (50) residential units on 19.45 acres of land located near La Cholla Boulevard and Tangerine Drive. The Project will impact the enrollment at Wilson K-8 and Ironwood Ridge High Schools.

The result of this negotiation was the developer’s commitment to pay the District \$1,500.00 for each single-family residential unit built on platted lots in its proposed development. An agreement has been reached with the developer and is attached for the Board’s ratification.

Easement

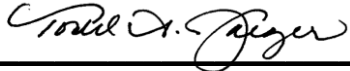
Meritage Homes has requested permission of the Board to enter into a temporary construction easement for the construction of a sidewalk on the south side of Wilson K-8 for the convenience of district students who reside in the new development. The construction will be at no cost to the district.

Documents detailing the easement required are attached to this item, to include the legal description of the easement itself.

RECOMMENDATION:

The attached Developer Agreement is presented for the Board's ratification, which the administration recommends.

The Administration recommends the easement described in the attachments to this item be approved and that General Counsel be authorized to execute those documents and any others reasonably required to give effect to the easement required.

INITIATED BY:

Todd A. Jaeger, Associate to the Superintendent

Date: June 23, 2013



Patrick Nelson, Superintendent