



CAMBRIAN SCHOOL DISTRICT

Board of Trustees

Resolution No. 22-23-18

AUTHORIZING WITHDRAWAL OF TERRITORY TRANSFER APPEAL

WHEREAS, in October 2021, a developer known as Summerhill N40 LLC (“Summerhill”) petitioned the Santa Clara County Committee on School District Organization (“County”) to transfer three parcels from the Cambrian School District (“District”) and the Campbell Union High School District to the Los Gatos Union School District and the Los Gatos-Saratoga Union High School District, specifically assessor parcel numbers (“APNs”) 424-56-012, -014, and -016 (the “Parcels”); and

WHEREAS, on March 14, 2022, the County approved Summerhill’s transfer of the Parcels, over the District’s objection; and

WHEREAS, on April 11, 2022, the District submitted a notice of appeal to the County under Education Code section 35710.5, and later submitted a statement of reasons and factual evidence supporting the appeal; and

WHEREAS, on May 11, 2022, the State Board of Education (“SBE”) received the District’s appeal, along with the administrative record, as transmitted by the County pursuant to Education Code section 35710.5; and

WHEREAS, as of today, the District’s appeal remains pending with SBE; and

WHEREAS, while the District’s appeal has been pending with SBE, the District and Summerhill met and conferred and were able to resolve each other’s concerns regarding the transfer of the Parcels pursuant to a settlement approved by the District’s Governing Board (“Board”); and

WHEREAS, in light of this settlement, the District and its Board no longer oppose a territory transfer of the Parcels from the District and the Campbell Union High School District to the Los Gatos Union School District and the Los Gatos-Saratoga Union High School District; and

WHEREAS, the District and its Board now desire to withdraw the District’s appeal from consideration by SBE; and

WHEREAS, if necessary to accomplish this withdrawal, the District requests SBE to summarily deny review of the District’s appeal.

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

1. That the foregoing recitals are true and correct, and the Governing Board so finds and determines.
2. That the Governing Board of the District no longer opposes territory transfer of APNs 424-56-012, -014, and -016 from the Cambrian School District and the Campbell Union High School District to the Los Gatos Union School District and the Los Gatos-Saratoga Union High School District.

3. That the Governing Board of the District desires to withdraw its appeal of the territory transfer from SBE consideration, due to a settlement between the District and the developer that initially petitioned for the territory transfer of the Parcels.
4. That, if necessary to withdrawal the appeal, the Governing Board of the District requests SBE to summarily deny review of the District's appeal.
5. That the Governing Board of the District hereby authorizes the District's Superintendent and/or designee, pursuant to this Resolution, to take any action which is necessary to carry out, give effect to, and comply with the terms and intent of this Resolution.

PASSED AND ADOPTED by the following vote of the members of the Governing Board of the Cambrian School District, this 6th day of April, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Janet Gillis, President
Governing Board of Trustees
Cambrian School District

ATTEST:

Kristi Schwiebert, Secretary to Board
Superintendent
Cambrian School District