

# REQUEST FOR PROPOSALS

RFP #PV-2145

**THE ENCINITAS UNION SCHOOL DISTRICT IS SEEKING PROPOSALS FROM QUALIFIED DEVELOPERS TO ENTER INTO AN AGREEMENT FOR THE LEASE OF, PURCHASE OF, DEVELOPMENT OF, OR AN EXCHANGE OF REAL PROPERTY.**



October 24, 2011

Encinitas Union School District  
101 S. Rancho Santa Fe Road  
Encinitas, CA 92024

Prepared in collaboration with the District by:

**Eric Hall & Associates** LLC

*Helping your school facility program measure up*

5431 Avenida Encinas / Suite H / Carlsbad / CA / 92011  
P 760.602.9352 / C 760.519.8531 / F 760.602.9341

**I. INTRODUCTION**

The Encinitas Union School District ("District"), a public agency, is seeking proposals from a qualified Developer ("Developer") to enter into an exclusive negotiating agreement for the potential lease of, purchase of, development of, and/or an exchange of the District's surplus real property for the following District owned site:

District Property located at:

Former Pacific View Elementary School Site  
608 3rd Street  
Encinitas, CA 92024-3425

As recognized by the District's governing board, the District Property is an extremely valuable asset. The District seeks proposals to partner with a Developer through one or more of the potential asset management type transactions described above in order to use the District Property asset for the benefit of the District and the students it serves.

**II. BACKGROUND**

The Encinitas Union School District serves the City of Encinitas and the La Costa area of Carlsbad in North San Diego County. Approximately 5,600 students in Kindergarten - 6th grade are enrolled in the District's nine schools encompassing ten different sites and is directed by a five member Governing Board. All of the District's schools have been recognized as California Distinguished Schools, and La Costa Heights School and Olivenhain Pioneer have been recognized as National Blue Ribbon Schools.

La Costa Heights, Olivenhain Pioneer Elementary, and Paul Ecke Central/Pacific View were named California Distinguished Schools in 1996-1997. Capri Elementary, Mission Estancia and Park Dale Lane were recognized as California Distinguished schools during the 1997-98 school year. Flora Vista Elementary and Ocean Knoll were recognized as California Distinguished Schools in 1999-00. The Distinguished Schools program recognizes approximately 225 elementary schools every other year that are doing an exemplary job of educating students.

All three Encinitas districts (Encinitas USD, San Dieguito UHSD, and Cardiff USD) consistently rate high in the state and county for their student test scores and academic and supplemental programs. Scores on the SAT9 test place the districts far above the county average in all subjects.

**A. A Historical Perspective**

Back in the days of early Encinitas, settlers moved in and started raising families. When the children needed a school, everyone in the community stepped in to build a school for the children. This spirit is very much alive even today!

Encinitas has not forgotten its very first school. The first one room school house is now 113 years old and has been authentically restored. It was built in 1883 and was operated by the Encinitas School District, which had formed one year earlier. The land for the school was donated by John Pitcher and the school was built by Mr. E. G. Hammond. Fifteen children, more or less, were taught together in this one-room schoolhouse with all ages taught by one teacher. After much fund raising and lots of hard work, the old schoolhouse now serves as a historical center for Encinitas school children and residents.

Following discussions and deliberation throughout 2009, the Encinitas Union School District Governing Board initiated an Asset Management Planning Study. Subsequently, the Governing Board established the Real Property Advisory Committee (RPAC) on October 13, 2009. The Governing Board approved the Committee members and established the site to be reviewed.

- **Pacific View Site**

**The Committee recommended that the site be declared surplus.**

The meeting agendas and reports of the Real Property Advisory Committee can be accessed on the District website at:

[http://www.eusd.k12.ca.us/about/board/agendas/2010/20100119\\_Final\\_Report\\_EUSD\\_RPAC.pdf](http://www.eusd.k12.ca.us/about/board/agendas/2010/20100119_Final_Report_EUSD_RPAC.pdf)

The report of the Committee is attached to this RFP in Attachment D.

As a result of the RPAC findings, all proposals must consider the following:

- Preservation of the historical significance of the old school house.
- Incorporation of the Downtown Specific Plan elements.
- Further community involvement with the proposed development plan.

### III. SCHEDULE OF EVENTS

The District anticipates the following time line for the process of selecting a partner for the potential sale, lease, development and/or exchange of the Pacific View site (“Developer”):

Action	Date
Release of RFP	October 24, 2011
Deadline for Submission of Registration of Interest	November 18, 2011
Pre-Submittal Meeting	November 18, 2011
Last Day to Submit Questions for Clarification	December 9, 2011
Clarification Issued by District via email on or before	December 16, 2011
Deadline for Receipt of Proposals	January 4, 2012
Potential Interview of Finalist(s) – on or before	January 27, 2012
Board Review of Recommended Finalist	February 14, 2012
Board Authorization to Negotiate Agreement	February 14, 2012
Notification of Intent to Award	March 2012
Final Agreement with Developer	April 2012

Registration of Interest forms must be submitted by **November 18, 2011**. A Pre-Submittal Meeting is scheduled for **November 18, 2011** beginning at 10:00 am at the Encinitas District Office, located at 101 S. Rancho Santa Fe Road, Encinitas, CA 92024. The conference is not mandatory, but all prospective respondents, their representatives and primary team members are strongly encouraged to attend.

All questions and requests for additional information should be directed in writing to Bob Nicholson, Eric Hall & Associates at [bob@erichallassociates.com](mailto:bob@erichallassociates.com) or Eric Hall, President at [eric@erichallassociates.com](mailto:eric@erichallassociates.com). All questions will be answered in writing via e-mail and conveyed to all firms on the Interest List by **December 16, 2011**. Oral statements regarding this RFP by representatives of Eric Hall & Associates or any other sources should be considered unverified information unless confirmed in writing via e-mail. To ensure a response, questions must be received in writing by **December 9, 2011**.

Proposals are due on **January 4, 2012 by 3:00 pm at the place specified in the Submittal Requirements**.

Candidate firms are not to contact Board Members, the Superintendent, the Assistant Superintendent of Business Services or any other employee, official or representative of the District. Contacting district officials or employees may result in disqualification.

**IV. SITE DESCRIPTION**

The site consists of 7 former classrooms, offices and administrative spaces. The buildings constitute approximately 10,000 square feet of building space. The structures are frame and stucco with composite asphalt roof decking and the facility has a student capacity of 175 (using State loading standard of 25 pupils per classroom).

The site is 2.82 acres (122,839 square feet) and is currently used as a corporate yard for storage of equipment and landscaping supplies. Some space was leased and occupied by the City of Encinitas. The agreement stipulated the City would assist in the district's request for a rezoning change.

A 1,100 square foot historic schoolhouse is located on the site. This schoolhouse, constructed in 1883, is the oldest building in Encinitas. The Encinitas Historic Society currently occupies the building. A profile of the property is included in Attachment A.

The District Property is the former Pacific View Elementary School, built in 1953 and closed in 2003. Since that time, the property has been used as a corporate yard for storage of equipment, landscaping supplies, and obsolete textbooks. Some of the offices and a small meeting room are still in use. The City of Encinitas leased the property up until August 1, 2008. During the time the City leased the property it had its own meters and paid its own utility fees.

**V. REMEDATION**

The following environmental reports have been completed on the site:

Traffic Impact Analysis	3/24/2008
Environmental Site Assessment	6/00/2007
Preliminary Hydrology Study	6/04/2007
Preliminary Geo Technical Report	7/28/2004

**VI. POTENTIAL ASSET MANAGEMENT OFFERS THE DISTRICT WILL CONSIDER**

The District will entertain offers for sale, lease, development and/or exchange of the Pacific View property so long as the proposal meets the minimum requirements set forth herein.

**A. Sale or Lease**

The District will consider offers for sale or lease of the property in accordance with the requirements of the Education Code related to acceptance of the highest bid/proposal.

**B. Development of Pacific View Property**

The District will consider qualified firms who propose a development on the entire Pacific View Property based on its current condition and zoning. The development of the Pacific View property is being considered as an asset management strategy by the District designed to generate funds that may be used by the District for other educational purposes. The proposal should explain the Developer's proposed development strategy.

**C. Exchange Property Option**

The District will consider exchanging the Pacific View Property if the terms of the proposed exchange are acceptable. Under this option, the District will obtain, via an exchange, a property with the potential for District use for other District purposes. The specifics of a trade are flexible at this time (i.e. the District is open to ideas as to how it would be structured). Valuation of the proposed exchange property should be equitable or include appropriate provisions to ensure an adequate return to the District.

Specifications of the desired Exchange Property are as follows:

- Location: Located within the District boundary
- Adequate parking and accessibility
- Good access to major thoroughfares and freeways

Any proposed exchange proposal should include:

- Property address
- Current rent roll
- Detailed income/expenses for prior 3-5 years
- Price and terms of acquisition
- Ideas for basic structure of trade

**D. Current Zoning/Requisite Changes To The Current Use**

All development planning, architecture and engineering will be regulated by the City of Encinitas and more specifically the Downtown Street Specific Plan. Developers are encouraged to work within these established guidelines.

The Developer will be required to work closely with and obtain approvals of the City of Encinitas Planning Commission, Coastal Commission and City Council approval(s) for any proposed project on the Pacific View property. The District shall in no way be responsible for ensuring, or procuring such necessary approvals.

**E. Off-Site Improvements**

The selected Developer will be required to install on- and off-site improvements as required by the City of Encinitas at its own expense.

**F. Financial Considerations**

1. The District will potentially enter into an Exclusive Negotiation Agreement (“ENA”) with the selected Developer to negotiate the terms of an Agreement for one of the above types of asset management structures for the property. The ENA will provide for the legal and financial arrangement between the Encinitas Union School District and the selected Developer to ensure that any final asset management decisions can be sufficiently detailed in a final agreement. The District will consider various time frames for completing the transaction but in all instances there will be milestones regarding the transaction that must be met. The District is required by law to enter into an Agreement taking into consideration the fair market value of the property.
2. The District’s evaluation of RFP responses will include the proposed legal and financial terms offered by the Developer, as well as all other selection criteria.
3. Developers are encouraged to explore all potential strategies to achieve the best possible outcome for the District.

**VII. SUBMITTAL REQUIREMENTS**

It is strongly recommended that the Developer submit proposals in the format set forth in this section to allow the District to fully evaluate and compare the proposal. All requirements and questions in the RFP should be addressed and all requested data shall be supplied. The District reserves the right to request additional information which, in the District's opinion is necessary to assure that the Developer's competence, number of qualified employees, business organization and financial resources are adequate to perform according to contract.

The RFP must be received no later than **January 4, 2012** at 3:00 PM, at the office of:

**Eric Hall  
President  
Eric Hall & Associates  
5431 Avenida Encinas, Suite H  
Carlsbad, CA 92011**

Submission of proposals by facsimile or e-mail is not acceptable. The Developer is entirely responsible for the means of delivering the proposal to the appropriate office on time. Delays due to internal routing of misdirected proposals or due to verbal directions given by District staff shall be the responsibility of the Developer. The proposal must be completed and delivered in sufficient time to avoid disqualification for lateness due to difficulties in delivery.

## **VIII. LATE PROPOSALS WILL NOT BE ACCEPTED.**

Modifications of proposals received after the deadline specified in this section will not be considered.

### **A. Proposal Preparation**

Proposals should be prepared in such a way as to provide a straightforward, concise delineation of capabilities to satisfy the requirements of this RFP. Responses should emphasize the Developer's demonstrated capability to perform work of this type. Expensive bindings and promotional materials, etc., are not necessary or desired. However, technical literature that supports the Project approach and work plan should be forwarded as part of the Proposal. Emphasis should be concentrated on completeness, approach to the work and clarity of proposal.

As a general rule, all documents received by District are considered public record and will be made available for public inspection and copying upon request. If you consider any documents submitted with your response to be proprietary or otherwise confidential, please submit a written request for determination. Please note that submitted financial information will remain confidential and not subject to public disclosure.

### **B. Proposal Format**

Proposals shall adhere to the following required format for organization and content. Proposals must be divided into individual sections and organized as follows:

1. Table of Contents: Provide a table of contents referencing section headings and page numbers.
2. Executive Summary: This section shall include a response to the Scope of Work.
3. Identification of the Developer: This section shall include a response to the Statement of Qualifications and Developer References.
4. Experience and Technical Competence: This section shall include a response to the Development Team including detailed corporate résumé and résumés of individual team members in response to Statement of Qualifications.

5. Identification of the Asset Management Strategy: This section shall include the developers proposed asset management strategy i.e. sale, lease, development and/or exchange.
6. Fiscal Stability: This section shall include a response to Statement of Qualifications and Financial Summary
7. Pro Forma: A Complete Financial Pro Forma should be included that incorporates the development of the District property.
8. Insurance: This section shall include a response to Section on Insurance.
9. Litigation: This section shall include a response to Section on Litigation and Conflicts of Interest
10. Other Information: This section shall include additional input.
11. Attachments: This section shall provide supporting documents specified in the RFP, including the Developer Statement of Qualifications, Financial Summary, Sources and Uses of Funds, and Certification found in Attachment B of this RFP.

Tabs should be provided for each of the sections listed above. The RFP shall not exceed 30 pages excluding front and back covers, tabs, and appendices and supporting documentation.

The RFP shall be signed by an individual or individuals authorized to execute legal documents on behalf of the Developer.

**C. Number of Copies**

One (1) unbound original and five (5) copies of proposal shall be submitted to the District, to the address specified under Submittal Requirements. An electronic copy should also be provided via e-mail to [bob@erichallassociates.com](mailto:bob@erichallassociates.com).

**D. Packet Submission**

Each submittal will use a notebook clearly labeled with contents tabbed consistent with submittal requirements. Contents are to be on 8 1/2x11 inch sheets and 11x17 inch foldouts as necessary. Proposals shall be submitted in sealed packages with the following information clearly marked on the outside of the package:

Name, Address, Phone number and e-mail address of Developer and Developer Contact Person.

The package shall also include, in a separate sealed envelope, a statement of financial details and proposed transaction terms for the agreement.

**E. Proposal Format Details**

1. Statement of Qualifications: Complete evidence of corporate stability to be included as an attachment to the submittal including:
  - a. A description of how the Developer's experience, technical and professional skills will meet the goals and fulfill the general functions identified in this RFP.
  - b. Demonstrated Experience and Technical Competence described and detailed for consideration.
  - c. The number of years the firm has conducted business, providing the required scope of services and including pertinent expertise, with the following in your description.
  - d. Detail comparable projects that have been completed and provide photos and description, square footage, location, and completed value, sources of financing, construction and completion timeframes and dates.
  - e. Experience in working with public agencies.
  - f. Ability to work effectively within established communities.
  - g. Detail accomplishments as they relate to building within established neighborhoods.
  - h. Ability to execute approval and development of site.
  - i. Ability to successfully execute an Agreement.
  - j. A current report from any commercial credit rating service such as Dunn and Bradstreet or Experian; or other rating deemed appropriate by the proposing firm.
  - k. Latest audited financial statement and /or annual report that have been certified by a CPA. **This information will remain confidential and is not subject to public disclosure. Submit this information in a sealed envelope with the proposal.**

2. Development Team: Include a complete description of the Developer and members of the development team as applicable. Provide a very concise narrative describing individual roles and background experience. Include résumés of all owners and development team members.
3. Developer References: Identify up to three (3) persons who will be principally responsible for working with the District. Indicate the role and responsibility of each individual. If the Developer is chosen as a finalist, these principal individuals must attend the interview and in-person presentation. Provide brief biographies of individuals including full names, three references for each team member identifying relationship to team member, address, phone number and e-mail address.
4. Proposed Asset Management Strategy: Describe the proposed technical and asset management approach to the development of the Pacific View site taking into account the scope of the District goals of the District and general requirements. In reviewing the requirements of the RFP, if the development team identifies additional necessary tasks or issues to be addressed, they are invited to bring these to the District's attention with a discussion of the proposed asset management strategy.
  - a. Provide a step-by-step breakdown of how your development team will implement a proposed asset management strategy for the Pacific View property.
  - b. Provide financial details and proposed transaction terms and conditions for the agreement.
  - c. Provide a schedule for lease, acquisition, or development under the terms of the Agreement.
  - d. All information provided must tie to the Pro Forma requirement listed below.
  - e. Insurance: A letter from an insurance company indicating ability to provide insurance appropriate for proposal.
5. Litigation: Provide litigation history for any claims filed by your firm or against your firm related to the provision of program or project or construction management services in the last five (5) years.

6. Conflicts of Interest: Please note that State Law makes it illegal for public officials or their employees to participate in the making of a contract in which he or she is financially interested. The law defines the making of a contract to include responding to RFP's. The law further defines a public official very broadly to include members of advisory boards that are not actual parties to the contract. Prospective respondents who are aware of circumstances that could create a conflict of interest if an RFP response is submitted are urged to contact the District immediately.
7. Other Information: This section shall contain all other pertinent information regarding the Developer wishes the District to consider.

## **IX. PRE SUBMITTAL ACTIVITIES**

### **A. Letter of Interest**

Developer must submit a Registration of Interest form, found in Attachment C, to the District, at the address specified on such form, on or before **November 18, 2011 at 3:00 pm**. Developers that fail to submit a Letter of Interest will be removed from the Interest List. Removal from the Interest List will not preclude a vendor from submitting a proposal; however, such firms must contact the District prior to submission of a proposal to ensure responsiveness.

### **B. Pre-Submittal Meeting**

It is recommended that each Developer attend the pre-submittal meeting to be held beginning at 10:00am on **November 18, 2011** at:

Encinitas Union School District  
101 S. Rancho Santa Fe Road  
Encinitas, CA 92024

Failure to attend this meeting will not preclude a firm from submitting a proposal. However, attendance at the pre-submittal meeting is highly recommended to ensure the Developer understands the full scope of the Project and services requested.

## **X. EVALUATION AND SELECTION PROCESS**

District staff will review all RFP responses. Staff may meet with any or all of the respondents. Staff may seek additional information from respondents, conduct site visits and reference checks as appropriate and request that respondents make presentations to a selection committee that may be composed of representatives from District staff and Board of Education, the local community and others. Depending on the number of respondents, it is expected that the top rated teams may be asked to make brief presentations to the District Board of Education.

**A. Responsiveness to RFP**

All proposals shall be reviewed to verify that the Developer has met the minimum requirements of the RFP. Developers are encouraged to follow the format of the RFP in order to facilitate District review. Proposals which are not responsive to the minimum requirements may be rejected as non-responsive. Specific questions regarding the RFP contents should be sent via e-mail in order to appropriately track and respond to them.

**B. Evaluation and Award of Exclusive Negotiating Agreement**

It is the District's intent to select a Developer best evidencing demonstrated competence and professional qualification necessary to provide the District with the best possible outcome and asset management strategy. The District reserves the rights to reject all proposals, select by proposal review only, or interview as needed. Developers may be selected to make a brief presentation and oral interview, after which a final selection will be made. The Developer will be selected on the basis of information provided in the RFP, in-person presentations, and the results of the District's research and investigation. Upon selection of a developer, the District may endeavor to negotiate an Exclusive Negotiating Agreement with the selected developer. In the event that the District is unable to reach agreement, the District will proceed, at its sole discretion, to negotiate with the next developer selected by the District. The District reserves the right to contract for services in the manner that most benefits the District.

**XI. GENERAL PROVISIONS**

**A. Addendums**

The District may modify this RFP or any of its deadline dates set forth in the RFP prior to the date fixed for submission of proposals by issuance of an addendum to all firms who have submitted a Letter of Interest within the required Timelines. Addendums will be distributed via email to the interested parties.

**B. Withdrawal of Proposal**

The Developer may withdraw its Proposal by submitting a written or facsimile request signed by the Developer's authorized representative, prior to the time and date specified for proposal submission, to the following person and address:

**Eric Hall  
President  
Eric Hall & Associates  
5431 Avenida Encinas, Suite H  
Carlsbad, CA 92011  
(760) 602-9341 Facsimile**

Proposals may be withdrawn and resubmitted in the same manner if done so before the proposal submission deadline. Withdrawal or modification offered in any other manner will not be considered.

**C. Reservations**

The District reserves the right to cancel this RFP at any time prior to contract award without obligation in any manner for proposal preparation, interview, fee negotiation or other marketing costs associated with this RFP.

The District may reject any or all proposals and may waive any immaterial deviation in a proposal. The District's waiver of an immaterial defect shall in no way modify the RFP documents or excuse the Developer from compliance with the other provisions of this RFP.

**D. Disposition of Proposals**

Proposals become the property of the District and may be returned only at the District's option and at the Developer's expense. Information, excluding Developer's financial information, contained therein shall become public documents subject to the Public Records Act.

**E. Exceptions to this RFP**

The Developer shall certify that the Developer takes no exceptions to this RFP.

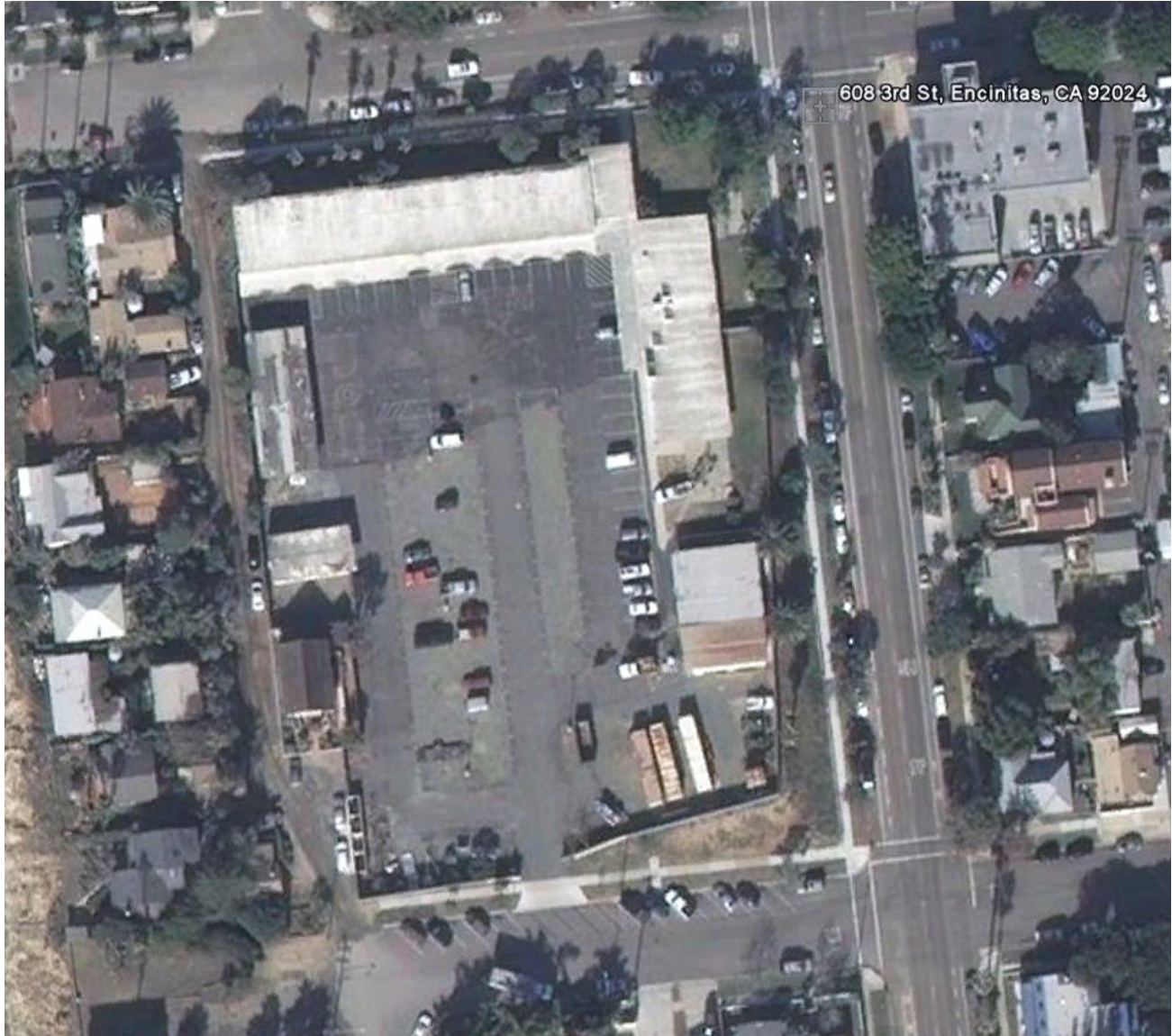
**F. Non-Discrimination**

The District does not discriminate on the basis of race, color, national origin, religion, age, ancestry, medical condition, disability or gender in consideration for an award of contract.

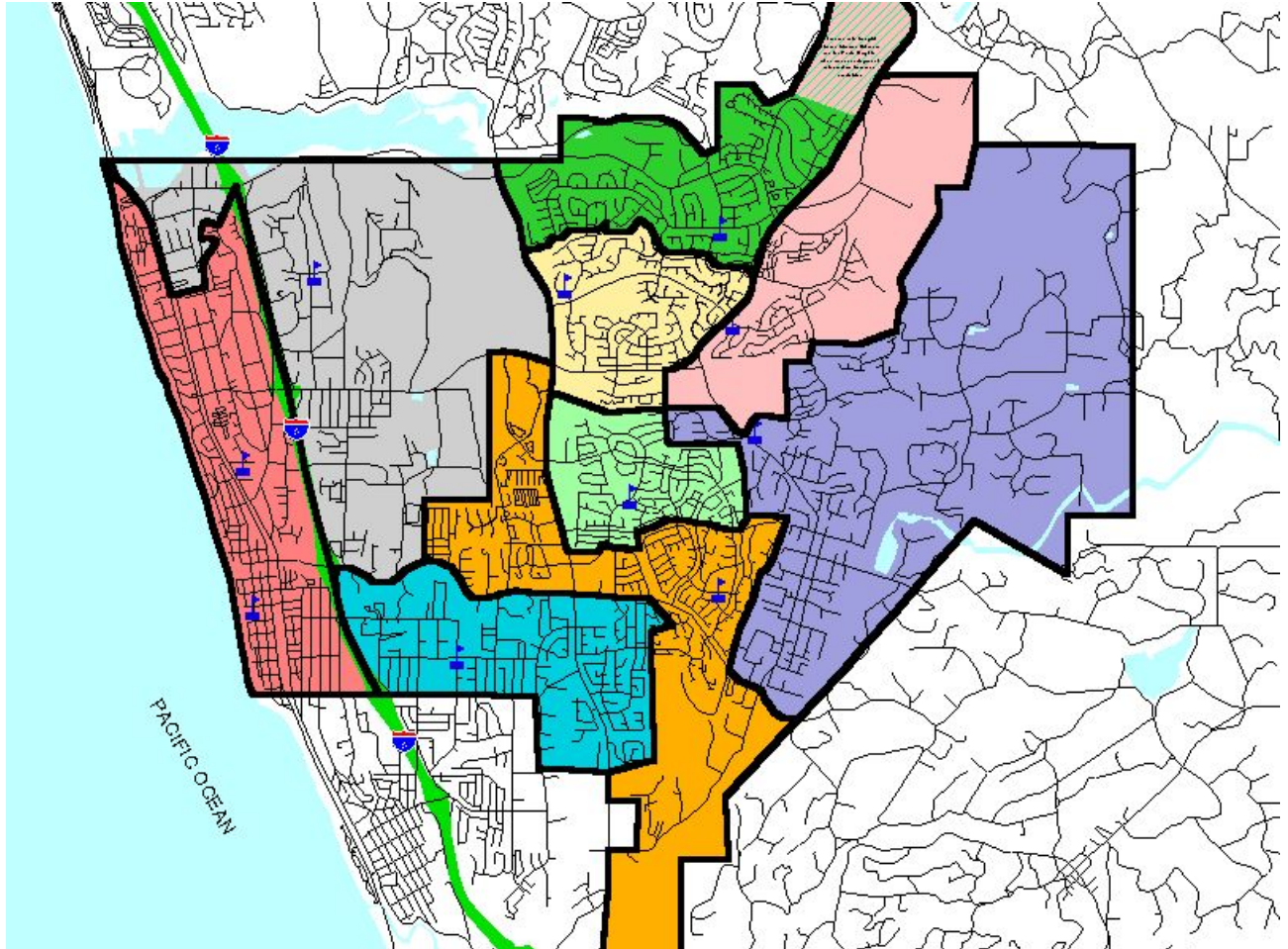
**XII. TERM OF CONTRACT**

The contract will be entered into immediately upon selection and acceptance of the Developer as outlined in the Schedule of Events.

Attachment A  
Pacific View Site Map



# Encinitas Union School District Boundary Map



Attachment B

**DEVELOPER STATEMENT OF QUALIFICATIONS  
AND FINANCIAL SUMMARY**

**1. DEVELOPER INFORMATION**

Name	
Address	
Telephone/Fax	
Email	
Contact Name	

Is the Developer a subsidiary of/or affiliated with any other Corporation(s), Joint Venture(s), or Firms(s)?       No       Yes

If yes, list each such Corporation, Joint Venture or Firm by name and address. Specify its relationship to the Developer or the percentage of interest of the partners and identify the Officers and Directors or Trustees common to the Developer and such other Corporation or Firm (attach additional sheet if necessary):

Name of Corporation/Joint Venture/Firm	
Address	
Telephone/Fax	
Relationship to Developer	
Officers/Directors/Trustees	
% Interest of the Partners	

Individual(s) authorized to negotiate, on behalf of the development entity/team and responsible for project execution:

Name(s)	
Position	
Telephone/Fax	
Email	

**2. FINANCIAL CAPACITY**

A. Sources and amount of cash available to Developer in Bank(s) to meet equity requirements of the proposed undertaking:

Bank Name	
Address	
City/State/Zip	
Amount	
Bank Name	
Address	
City/State/Zip	
Amount	
Contact Name	

B. By loans from affiliated or associated Corporations or Firms:

Name(s)	
Address	
City/State/Zip	
Source	

Amount	
--------	--

C. Provide three Bank references

Bank Name	
Address	
City/State/Zip	
Telephone	
Contact Person	
Bank Name	
Address	
City/State/Zip	
Telephone	
Contact Person	
Bank Name	
Address	
City/State/Zip	
Telephone	
Contact Person	

D. Provide three Business references:

Company	
Address	
City/State/Zip	
Telephone	
Relationship	
Contact Person	
Company	
Address	
City/State/Zip	
Telephone	
Relationship	
Contact Person	
Company	
Address	
City/State/Zip	
Telephone	
Relationship	
Contact Person	

E. Has the Developer or (if any), the Parent Corporation or any Subsidiary or affiliated Corporation of the Developer's Officers or Principal Members, Shareholders or Investors been adjudged bankrupt, either voluntary or involuntary, within the past ten (10) years?

Yes  No

If yes, provide the following information:

Date	
Location	
Bankruptcy was filed under the following name (s)	

F. Has the Developer or (if any), the Parent Corporation or any Subsidiary or Affiliated Corporation of the Developer's Officers or Principal Members, Shareholders or Investors been involved in litigation relating to a development project either voluntary or involuntary within the past three years:

Yes  No

If yes, provide the following information:

Date	
Place	
General Description	
Current Status	

G. Total amount of development work completed by Developer during the last three (3) years:

\$ \_\_\_\_\_ .00

H. List all Projects currently in planning or development by the Developer or Principals of the development entity/team: (attach additional sheet if necessary)

Project Name	Project Description	Project Value	Current Status

I. Does any member of the Developers Corporation/Partnership have any known relationship in connection with purchasing and implementing the Project with any member of the Board of Education of the Encinitas Union School District to which the accompanying proposal is being made, or to any Officer or Employee of the Local Public Agency who exercises any functions or responsibilities in connection with the carrying out of the Project under which the Local Public Agency covered by the Developer's proposal is being made available?

Yes     No

If yes, explain:

J. Statements and other evidence of the Developer's Qualifications & Financial Summary are attached thereto and hereby made part hereof as follows: (attach statements)

**Sources and Uses of Funds**

	Private Development				Total Development
	(A) Residential For-Sale	(B) Commercial Area	(C) Total Private Development		
<b>I. Uses of Funds</b>					
A. Development Costs	\$ _____	\$ _____	\$ _____	_____	\$ _____
B. Proposed Land Payment	\$ _____	\$ _____	\$ _____	_____	\$ _____
<b>C. Total Uses of Funds</b>	\$ _____	\$ _____	\$ _____	_____	\$ _____
<b>II. Sources of Funds</b>					
A. Private Sources of Funds					
1. _____	\$ _____	\$ _____	\$ _____	_____	\$ _____
2. _____	\$ _____	\$ _____	\$ _____	_____	\$ _____
3. _____	\$ _____	\$ _____	\$ _____	_____	\$ _____
4. _____	\$ _____	\$ _____	\$ _____	_____	\$ _____
Total Private Sources of Funds	\$ _____	\$ _____	\$ _____	_____	\$ _____
Add: Developer Contribution to Historical Society	\$ _____	\$ _____	\$ _____	_____	\$ _____
B. Public Sources of Funds					
1. _____	\$ _____	\$ _____	\$ _____	_____	\$ _____
2. _____	\$ _____	\$ _____	\$ _____	_____	\$ _____
3. _____	\$ _____	\$ _____	\$ _____	_____	\$ _____
4. _____	\$ _____	\$ _____	\$ _____	_____	\$ _____
Total Public Sources of funds	\$ _____	\$ _____	\$ _____	_____	\$ _____
<b>C. Total Sources of Funds</b>	\$ _____	\$ _____	\$ _____	_____	\$ _____

**CERTIFICATION**

I/We \_\_\_\_\_, certify that this Developer Statement of Qualifications and Financial Summary and the attached evidence of the Developer’s qualifications and financial summary are true and correct to the best of my/our knowledge and belief, and that the information contained in this statement is considered public record and will be made available for inspection and copying upon request. Availability of these public records begins when the Developer selection process includes public meetings.

_____ Name	_____ Name
_____ Title	_____ Title
_____ Signature	_____ Signature
_____ Date	_____ Date
_____ Street Address	_____ Street Address
_____ City, State, Zip	_____ City, State, Zip

If the Developer is a Corporation, this statement should be signed by the President and Secretary of the Corporation; if any individual or proprietorship, by such individual; if a partnership, by one of the general partners; if an entity not having a President and Secretary, by one of its Chief Officers having knowledge of the financial status and qualifications of the Developer.

**Attachment C**  
Registration of Interest

Prospective respondents to this RFP are requested to complete the following information and return this form to the Offices of Eric Hall & Associates. Registrants will be informed of any addendums to the RFP and provided with any additional information of interest prior to the deadline for submission of RFQ/P responses.

SUBJECT: THE ENCINITAS UNION SCHOOL DISTRICT IS SEEKING PROPOSALS FROM  
QUALIFIED DEVELOPERS TO ENTER INTO AN AGREEMENT FOR THE LEASE OF,  
PURCHASE OF, DEVELOPMENT OF, OR AN EXCHANGE OF REAL PROPERTY.

Name: \_\_\_\_\_

Firm: \_\_\_\_\_

Address: \_\_\_\_\_

Firm Specialty: \_\_\_\_\_

Telephone: \_\_\_\_\_

Fax: \_\_\_\_\_

Email: \_\_\_\_\_

I/my firm have an interest in responding as part of a development team that is in the process of forming.

I/my firm has an interest in responding as part of a development team; please put me in touch with teams looking for members with my firm's specialty.

Other: please describe \_\_\_\_\_

Signature: \_\_\_\_\_

**Return this Form by 3:00pm on October 26, 2011 to:**

Bob Nicholson, Associate  
Eric Hall & Associates  
5431 Avenida Encinas, Suite H  
Carlsbad, CA 92011  
bob@erichallassociates.com

Attachment D

**Encinitas Union School District**  
***Real Property Advisory Committee Report***  
***Report to the Board of Trustees***  
**January 19, 2010**



**Real Property Advisory Committee Membership**

Tom Cozens, Chair  
Bill Berrier, Vice Chair  
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## INTRODUCTION

The Encinitas Union School District serves the City of Encinitas and the La Costa area of Carlsbad in North San Diego County. Approximately 5,500 students in Kindergarten -6th grade are enrolled in the District's nine schools encompassing ten different sites.

State law requires community input whenever a school District is considering the sale or lease of property not needed for classroom purposes. The Encinitas Union School District Board of Trustees established a Real Property Advisory Committee and approved the Committee members at its regularly scheduled meeting October 13, 2009. The stated purpose of the committee is to review the need and use of the former Pacific View School site.

The advisory committee appointed by the Board of Trustees pursuant to Education Code Section 17389, is often referred to as a "7/11 Committee," and must consist of not less than 7, nor more than 11 members. The Governing Board identified and limited the real property referred to the Committee for discussion and consideration to the Pacific View Elementary School site. The Committee is asked to review, analyze and make recommendations, for the Board's consideration, of surplus designation for the closed Pacific View Elementary School site.

### Site Reviewed

The Governing Board asked the Committee to review a single property, the former Pacific View Elementary School site.

The Committee held its first meeting on October 29, 2009 and met five times through January 14, 2010. *Agendas and minutes of the Committee meetings can be found in **Exhibit A**.*

## RECOMMENDATIONS

### 1. Designation as surplus

The committee reached consensus to recommend to the Board of Trustees that the property be declared as surplus and acknowledges the site is not needed as a school facility. *One Committee member expressed a dissenting opinion which can be found in **Exhibit O***

### 2. Historical Nature/Value of the Property and the school house on the site

The committee expressed concern with the history of the property, the donated land and the value of the "old school house." The committee expressed their appreciation for the District's commitment to keep the school house on the property and that any development would consider the historical value of the property and incorporate the old school house as a

component. *Please refer to **Exhibits B and C** for additional information regarding the closure of the site and additional school closures throughout San Diego County.*

### **3. Sale, Lease or Exchange of the Property**

The committee is concerned about the apparent current market value of real property and the impact the market value may have on the District's ability to maximize revenue from the property. Committee members expressed concerns that the sale of the property is a permanent transaction and the District is not likely to "acquire" the same property if needed. The committee stated their concern that land is not easy to locate and purchase for a school site.

The committee discussed the advantages of designating the property as surplus so that the District would have maximum flexibility with respect to long term leases providing the District additional sources of revenue. The committee asked that leasing be considered as an option.

Some committee members expressed concerns with the nature of enrollment projections and their accuracy and reliability. Committee members analyzed the current zoning and the importance of rezoning of the property for increased value and cited public hearing testimony from the December 2<sup>nd</sup> meeting where community members pointed out their experience with negative financial impact when demographics change and schools are again needed.

*Exhibit A provides more detailed information about the public testimony as well as minutes of the committee meetings.*

## **HISTORY OF THE SITE**

### **Closure of Pacific View Elementary School**

Pacific View Elementary School, built in 1953, was officially closed in 2003 after serving the community of Encinitas for 50 years. The school experienced declining enrollment, the buildings were in need of major repair and the small size of the campus made it unsuitable for continued operation or use as a school.

In 2003, the District's Executive Budget Committee and Strategic Planning Committee carefully analyzed the operating costs of keeping the school open. The committees found that the costs for administrative/support per pupil at Pacific View were \$1,028 compared to averages of \$382 at other

sites in the District. The District would realize a savings of over \$100,000 per year by moving fifth and sixth graders back to Paul Ecke Central School.

Since its closure in 2003 the property has been used as a corporate yard for storage of equipment, landscaping supplies, and obsolete textbooks. Some of the offices and a small meeting room are still in use. The City of Encinitas leased the property for a fee of \$1 per year up until August 1, 2008. During the time the City leased the property it had its own meters and paid its own utility fees.

Currently, the site does not serve students or generate revenue that would help the District serve students. In fact, it costs nearly \$8,545 a year to maintain the basic utilities, trash collection, and security services. *Please see **Exhibit D** for more information on costs to operate District facilities.* By relieving the District's General Fund of these ongoing facilities maintenance costs, the Board of Trustees would be able to earmark the savings for programs and services for student's District wide.

The downtown Encinitas community has received assurances the District would remain in the planning processes to ensure the standards recommended in the Pacific View Conceptual Plan were included in any new zoning agreement. Re-zoning would maximize the value of the property and increase the District's sources of revenue.

The increased value of the property, when rezoned, will more than offset the time and money already spent to complete the process required by the City of Encinitas. The City of Encinitas continues working with the District on the Pacific View planning processes and has used the campus as a Public Works Yard since the school was closed in 2003. An offer has never been made by the City to purchase the property as a public park.

Encinitas Union School District Board of Trustees initiated a Real Property Advisory Committee to review the surplus status of the former Pacific View Elementary School, which has been closed since 2003. The Board of Trustees established the Real Property Advisory Committee (RPAC) on October 13, 2009, Resolution Number 11-0910. The Board of Trustees approved the Committee membership and established the charter of the committee to review the single former school site. *A listing of the Committee members and their representative group can be found in **Exhibit E**.*

### *District Efforts to Exchange the Property*

Since 2006 the District Board of Trustees and Administration have discussed and deliberated on the future use of Pacific View. The District expressed its intent to exchange, not sell, the property at its highest potential value for another property within the boundaries of the District. The District applied to the City of Encinitas for a Specific Plan Amendment and Rezoning (mixed-use development) of the property and has spent over \$400,000 on this process over the past six years. This request was the product of two-years of planning with the Pacific View Community Advisory Committee as well as community leaders. *Please refer to **Exhibit B** for "Quick Facts" about the District's effort to exchange the Pacific View site.*

The Planning Commission did not approve the plan as presented, but did approve the continuation of the request to a date uncertain with the understanding the District would realign the rezoning request consistent with the adjacent uses and appropriate to the standards already approved for the surrounding community.

### *Recent Efforts to Rezone the Property*

In April 2009 the City of Encinitas notified the District that unless further action on the District's request for rezoning was received the process would be abandoned. The District responded with a series of letters expressing the District's desire to continue the process, met with the City's Planning Department to review the standards associated with the surrounding Encinitas neighborhood and asked the City, again, if it were interested in purchasing the property for development as a public park or historical site.

In May 2009 the City Manager, Phil Cotton, sent a letter to the District asserting he would work with the Mayor to have the issue regarding the Pacific View property placed on the agenda for the Council's consideration sometime in the month of June 2009. The District sent another letter to the City Manager. The District included draft revisions to the Downtown Encinitas Specific Plan as required by the City and acknowledged the District's need to reimburse actual costs incurred in effecting the rezoning. Due to the lack of response it does not appear the City is interested in the Pacific View site.

The District again stated its recognition that rezoning of the site is subject to normal procedural requirements under State and local laws in another letter in December 2009. Within this letter the District withdrew its original mixed-use application in favor of proceeding with rezoning to D-R15 for the site, consistent with the adjacent uses and zoning.

### **CONSIDERATIONS AND CRITERIA UTILIZED**

The Committee reviewed enrollment capacities and projections as required by law. Additionally, the Committee discussed and reviewed other criteria to determine if the former Pacific View Elementary School site should be declared as surplus. The criteria discussed, and information reviewed and analyzed by the RPAC is summarized as follows:

- Student capacity of all District sites
- Student enrollment projections for sites and District wide
- Private School Enrollments
- Condition of the Pacific View facility

- Estimated Cost of Reconstruction
- State eligibility for funding to reconstruct the school
- San Diego Association of Governments (SANDAG) 2030 population and housing projections
- City of Encinitas future residential projections
- City of Carlsbad Housing and Development projections
- Acreage of the site and square footage of buildings on the site
- Public Hearings and community comments
- Encinitas USD budget reductions
- School attendance boundaries
- San Diego County school closures in other District's
- Background on school closure
- Financial impact of maintaining the Pacific View site
- Costs of school operation as a percentage of overall budget

## **FINDINGS**

The committee received public hearing testimony from three community members at the November 10<sup>th</sup> meeting and from eight community members at the December 2<sup>nd</sup> meeting. The tone of public comment expressed strong hope the site would be considered for its historical value, uniqueness, and that a way could be found to maximize the use of the site for future educational purposes.

The committee agreed the current available seating within the District, based on the information from the Cities and SANDAG, can accommodate this new development in the Cities of Carlsbad and Encinitas. The Encinitas Ranch School site on Quail Gardens Road is better geographically located to accommodate future development. *For more information about the District's capacity and available seats for pupils please refer to **Exhibit F**.*

Throughout the course of the Committee's review process and deliberations, the committee reviewed enrollment history and District wide classroom capacity. The current capacity within the District includes 1,051 available seats, a current enrollment of 5,451 and 1,166 projected available seats by 2014. *For detailed information on enrollment and capacity please see **Exhibits F and G**.*

The 10 acre District owned Encinitas Ranch site on Quail Gardens Road was acknowledged as a more likely candidate for a new school based on its more central location in the District, proximity to new development and potential student population. The Encinitas Ranch site was further acknowledged as *the* preferred site due to its proximity to other community amenities. *Please refer to **Exhibit H** for more information on the District's attendance boundaries.*

The committee recognized the Pacific View site would not be a candidate for reopening or re-use based on the projected demographics. The limited size and configuration does not lend *itself* to the

District's site standards and current instructional programs. *Exhibit I provides additional information about the size and configuration of the site.*

The committee recognized the challenges of the highly populated and dense neighborhoods surrounding the Pacific View site. The committee recognized the cost and practicality of transporting pupils into the Pacific View site from the eastern portion of the District where it is more likely to generate student populations. The committee pointed out the challenges of downtown traffic with respect to ingress and egress at the Pacific View site. For these reasons the committee did not support a school on the current Pacific View site. *Please see Exhibit I for additional information about the size and configuration of the site.*

The committee received an Executive Report of the 2030 projections conducted by the San Diego Area Governments (SANDAG). This report affirmed the District's declining enrollment trend as well as limited and aging population growth within the District's boundaries. *For more detailed information on the SANDAG 2030 projections please see Exhibit J.*

City Planners at the Cities of Encinitas and Carlsbad provided the committee with expert testimony related to future housing development within their respective cities. The City of Encinitas is reportedly "built-out" and the majority of future projects are limited to "infill" or similar development primarily consisting of multi-family type developments. Residents will likely consist of a much larger group of more "senior" inhabitants. Reportedly, it is unlikely students will be generated by housing in the downtown Encinitas area due to size and cost of housing in that area. *Additional information about future residential development can be found in Exhibit K.*

The City of Carlsbad reported limited developments within the boundaries of the Encinitas Union School District. The developments consist of a little over 750 new housing starts within the next 5 years. These additional new units, when developed, would generate a maximum of 384 students using current student demographic rates. Most of the development is in the Northeast corner of the District. *Additional information about can be found in Exhibit K.*

Pacific View Elementary School site, 2.82 acres, does not meet the District site size standard or the State recommended minimum site size of at least 10 acres for an elementary school. Additionally, the current configuration of only 7 classrooms and minimal administrative space does not achieve the State suggested complete school criteria of minimum essential facilities. The State recommended *minimum essential facilities* include classrooms supporting both small and large group instruction, kindergarten classrooms, specialized classrooms for science, art and music, and to support special education; hard courts with a variety of fixed equipment; turf and field areas; apparatus area; computer room; resource specialist area; speech specialist office; psychologist office; academic support; media center/library; multipurpose room (dining area, food service, stage, outdoor dining, storage for chairs and tables); staff and student restrooms; storage and custodian rooms; mechanical, data and electrical space; staff parking; covered circulation; space for preschool; healthy professional office; conference area; teacher workroom; staff room; parent room; student record

storage; general storage; Principal, vice principal, and office space for itinerant staff. The absence of these factors would severely limit the District's ability to deliver the highest quality educational programs that place "***Children First.***"

In November 2009 the committee "*toured*" the Pacific View site. During the tour the committee recognized the small site size. The committee also recognized the potential need for reconstruction of the site if it were "reopened" for school use. Additionally, the committee recognized the costs and transportation *impracticality* of transporting students from the east to the west. *Please refer to Exhibit L for more information about costs and Exhibit N for pictures from the site visit.*

During the tour the committee heard from the District Director of Maintenance and Operations details of the issues and challenges to the existing facilities at the site. Some of the challenges included the need for extensive abatement of asbestos containing materials, accessibility challenges (no access for people with disabilities), sewer system blockages, inadequate kitchen facilities, inadequate restroom facilities for students and staff, inadequate nurses facility, electrical system failures, unsound structures (roof, stucco, ceilings falling down), mold, termite infestations, inadequate heating and ventilation, inadequate space for a playground and support facilities.

The committee received a report detailing the potential costs to reconstruct Pacific View Elementary. These costs would be borne entirely by the District and the report indicated the potential program and project costs to reconstruct the facility might exceed \$9.5 million. These costs would include minimum facilities that include approximately 20,000 square feet for the facilities and infrastructure needed consistent with the District's program requirements and the State minimum essential facilities referred to above. *Please see Exhibit L for more detailed information on the cost to reconstruct Pacific View.*

A second report detailing the potential revenue Pacific View Elementary site might generate by applying to the State School Facility Program for modernization funding to rehabilitate the school (if it were determined to be needed and reopened/repurposed). The summary stated the District might be eligible to receive \$624,400 as the state 60% matching which would require the District to provide \$416,266.67 as the District's 40% match. This state funding is full and final for the project. The committee discussed the "*deficit*" between the dollars needed to reconstruct the site and the State funding. *For more information about potential State funding for Pacific View please refer to Exhibit M.*

As previously stated in the "Introduction," the Pacific View Elementary School was closed in 2003 due to continued District wide declining enrollment and the site's small size. The findings of prohibitive costs for administrative/support per pupil at this site as compared to other sites in the District, as well as the savings the District would realize by moving fifth and sixth graders back to Paul Ecke Central School, prompted action by the District and closure of the site. *Please see Exhibit F for more information about the District's enrollments.*

If Pacific View Elementary School were open today it would be the most expensive site in the District to operate. The committee received a report detailing the current costs by site to operate schools of less than 800 enrollments. If the site remains closed and not used as a school the District will be penalized an “unused site” fee by the State on an annual basis. *Exhibit D has more detailed information about the cost to operate District facilities.*

## **SUMMARY AND CLOSING COMMENTS**

The committee wishes to thank the Board of Trustees and District for the opportunity to serve the community of Encinitas on this very important process. The committee appreciates being selected by the District and Board to participate in discussions and prioritize recommendations to the Board regarding the former Pacific View Elementary site.

## **EXHIBITS**

These documents will be included in exhibits as referred to in the body of the report

- A. Minutes and agendas of meetings
- B. Quick Facts on the recent efforts on property trade
- C. School closure list
- D. Costs to operate District facilities
- E. List of Committee members and their designated representative category
- F. District wide school Capacity and enrollment data
- G. Private school enrollments
- H. District attendance areas and school site locations
- I. Real Property Profile
- J. SANDAG information
- K. Cities of Encinitas and Carlsbad information on future residential development
- L. Estimated costs to reconstruct
- M. Estimated revenue from the State to modernize
- N. Pictures of the site
- O. Committee Member Correspondence