

TOPIC:

**APPROVAL OF DEVELOPER FOR SURPLUS REAL PROPERTY AND DELEGATION OF AUTHORITY TO NEGOTIATE AGREEMENTS - PERALTA SITE**

DESCRIPTION:

In November 2011, the District obtained a waiver from the State Board of Education of certain surplus property procedures, set forth in Education Code section 17466 *et seq.*, regarding the lease of real property located within the District at 2190 North Canal Street, Orange, California, known generally as the Peralta Site ("Peralta Site"). This waiver allowed the District to dispose of the Peralta Site through a Request for Proposals ("RFP")

This is to certify that this item was approved by the Board of Education.



Michael L. Christensen  
Superintendent and Secretary  
Orange Unified School District

At the February 16, 2012 meeting, the Board of Education approved Resolution No. 12-11-12, declaring the District's intent to offer the Peralta Site for lease through the issuance of the RFP. The RFP was made available on February 20, 2012 in the Business Services Division and subsequently posted on the District's website. A total of five proposals were received by the District for the development of the Peralta Site. Two of the five proposers did not conform to the essential terms of the RFP and therefore are nonresponsive.

On June 7, 2012 the three responsive proposers namely City Ventures, LLC, Fairfield Residential LLC, and Peralta Apartment Partners presented their development proposals to the Board of Education. The presentations are available on the District website.

Upon selection of a developer, staff further recommends that the Board delegate authority to the Superintendent, or his designee, to negotiate a final Exclusive Negotiation Agreement and subsequent final Ground Lease each of which shall be presented to the Board at future meetings.

FISCAL IMPACT:

Unknown additional revenue

RECOMMENDATION:

It is recommended that the Board of Education (1) Select a developer for the Peralta Site; and (2) Authorize the Superintendent, or his designee, to negotiate an Exclusive Negotiation Agreement and subsequent Ground Lease with the selected developer, each of which shall be presented to the Trustees for review and approval at future Board meetings.

**THE BOARD OF EDUCATION TOOK ACTION TO SELECT FAIRFIELD RESIDENTIAL LLC.**