

# POWAY UNIFIED SCHOOL DISTRICT

## RESPONSE TO INQUIRIES

### REGARDING THE REQUEST FOR PROPOSALS FOR THE LEASE, PURCHASE OR EXCHANGE OF SCHOOL DISTRICT SURPLUS REAL PROPERTY

#### **Real property located at the intersection of Carmel Valley Road and Camino Del Sur within the incorporated area of the city of San Diego**

On November 19, 2019, Poway Unified School District (“District”) released a Request for Proposals (RFP) seeking proposals from anyone interested in the lease, purchase or exchange of the District’s real property located at the intersection of Carmel Valley Road and Camino Del Sur within the incorporated area of the city of San Diego (“Property”). The District has received much interest and several inquiries regarding the Property and the information provided in the RFP. The following general information is now being provided to all interested parties in response to these inquiries.

#### **I. City Zoning & Entitlements; Inapplicability of Proposition A**

Section II(1) of the RFP notes that the Property “may” be subject to the approval process required by the City of San Diego’s Proposition A, known as the “Managed Growth Initiative.” After the release of the RFP, the District was able to confirm with representatives of the City that Proposition A **does not** apply to the Property. Therefore, the discussion of Proposition A within the RFP, including the voter-approval requirement for development of the Property, **does not** apply. The RFP included City’s Policy No. 600-30 as a reference in relation to Proposition A, so this policy also **does not** apply to the Property with respect to Proposition A.

Accordingly, interested parties can disregard all information provided in the RFP regarding Proposition A, the Managed Growth Initiative, and the information provided in Section II(1) describing the Proposition A process. However, as noted in Section II(1) of the RFP, any party interested in the development of the Property must go through the standard zoning designation change and entitlement processes required by the City, including California Environmental Quality Act (CEQA) compliance. While the District cannot make any representations or warranties regarding any of the City’s zoning designation change or entitlement processes, Proposition A, or the requirements for any specific development project, the District wishes to share this updated information with all interested parties. As set forth in the RFP, all interested parties are solely responsible for determining and complying with all requirements applicable to their proposed Property development, and any and all Property information must be independently confirmed by interested parties.

## **II. Right of First Refusal**

As explained in Section II(2) of the RFP, the District acquired the Property through Transfer Agreements that grant the prior owners (“Prior Owners”) a “Right of First Refusal” before the District can transfer ownership of the Property. The following entities hold the “right of first refusal” described in II(2) of the Request for Proposals. Black Mountain Ranch Limited Partnership and Fairbanks Highlands LLC. Both entities have been informed of the District’s RFP. The District asks all interested parties to refrain from contacting these entities during the RFP process.

## **III. Effect of this Response to Inquiries Document**

Except as explicitly stated herein, all terms, conditions, and requirements set forth in the RFP remain in full force and effect. The District reserves the right to issue additional clarifications pursuant to the process set forth in the RFP. However, unless and until any such subsequent addenda are issued, the RFP and this Response to Inquiries document shall constitute the entire and complete RFP for the Project.