

CAPISTRANO UNIFIED SCHOOL DISTRICT
San Juan Capistrano, California

RESOLUTION NO. 1819-26

**RESOLUTION OF THE BOARD OF TRUSTEES OF THE CAPISTRANO
UNIFIED SCHOOL DISTRICT APPROVING AGREEMENT TO SELL
THE RIGHT TO PURCHASE REAL PROPERTY AND DIRECTING
STAFF TO ASSESS POTENTIAL USES OF THE PROCEEDS**

(LAS RAMBLAS PROPERTY)

WHEREAS, the Capistrano Unified School District (District) entered into a Purchase and Sale Agreement (the Original Agreement) in which the District received the right to purchase approximately 7.292 gross acres of land located at the northeast corner of the intersection of Camino Las Ramblas and Avenida California in San Juan Capistrano, California (Property);

WHEREAS, the District's Board previously authorized staff to circulate a Request for Proposal (RFP) document soliciting offers from parties who are interested in acquiring the right to purchase the Property by entering into an agreement with the District whereby the District assigns its right to purchase the Property pursuant to the Original Agreement in exchange for cash payment to the District;

WHEREAS, at the direction of the District's Board, District circulated an RFP seeking proposals from parties interested in acquiring the right to purchase the Property;

WHEREAS, through the RFP process, the District staff identified Lennar Homes of California, Inc. (Lennar) as the entity that offered the most beneficial terms to the District in exchange for acquiring the right to purchase the Property;

WHEREAS, the District negotiated a "Purchase and Sale Agreement and Joint Escrow Instructions" agreement to effectuate Lennar's acquisition of the right to purchase the Property in exchange for payment to the District, a copy of which is attached hereto as Exhibit "A" (the Purchase Agreement);

WHEREAS, District staff can conduct a thorough review of the District properties and school facilities located within the District, and specifically within the Property's local Community Facilities District (CFD), through its master planning process to determine how best to designate and spend the proceeds obtained from this transaction and make a formal recommendation to the Board based on the requirements of the Education Code.

NOW, THEREFORE, THE BOARD OF EDUCATION OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT DOES HEREBY FIND, RESOLVE, DETERMINE, AND ORDER AS FOLLOWS:

Section 1. All of the recitals herein contained are true and correct.

Section 2. The Purchase Agreement with Lennar is hereby deemed the most beneficial proposal received by the District and is hereby approved subject to any minor revisions agreed to by District's legal counsel and the District's Superintendent or a designee.

Section 3. Authority is hereby delegated to the Superintendent, or a designee, to execute the Purchase Agreement and deliver any and all documents which are necessary or advisable in order to transfer the right to acquire the Property to Lennar as established by the terms of the Purchase Agreement.

Section 4. District staff will review and assess the specific capital outlay, maintenance and other facility related needs of school sites that serve the Pacifica San Juan CFD. Projects shall only include priorities in the District's School Facilities Assessment and projects identified through site stakeholder engagement

Section 5. Proceeds from this transaction shall only be used to address such needs identified in Section 4, above at the schools that serve the Pacifica San Juan CFD, specifically, Palisades Elementary School, Shorecliffs Middle School and San Juan Hills High School

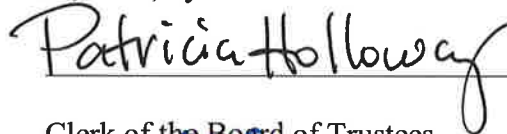
Section 6. The Superintendent or a designee is hereby authorized and directed, for and in the name of and on behalf of the District, to take any further action necessary to effectuate this Resolution.

Section 7. This Resolution shall take effect upon adoption.

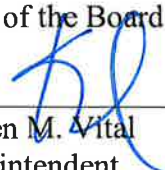
ADOPTED, SIGNED AND APPROVED this 12th day of December, 2018.

AYES	(6)
NOES	(0)
ABSTAIN	(0)
ABSENT	(1)

I, Kirsten M. Vital, Secretary of the Capistrano Unified School District Board of Trustees, hereby certify that the above and foregoing Resolution was duly and regularly adopted by the said Board at the meeting on the 12th day of December, 2018, by a roll call vote.



Clerk of the Board of Trustees



Kirsten M. Vital
Superintendent
Secretary of the Board of Trustees

Exhibit A

Attach copy of Purchase Agreement