

October 7, 2011

Dear Staff, Parents, and Friends of the Encinitas Union School District,

**Board of Trustees**

Emily R. Andrade  
Maureen "Mo" Muir  
Carol Skiljan  
Gregg Sonken  
Marla Strich

Today, I directed the district's legal counsel to file a writ of mandate in the Superior Court of San Diego against the City of Encinitas. This writ was filed as a result of our inability to work with the City Council to rezone the District's Pacific View property from public/semi-public to residential as required under existing California state law.

**Superintendent**

Timothy B. Baird, Ed.D.

This step is taken only after the many efforts of the District to use this property in such a way as to benefit the Encinitas Union School District students and the community. Over the course of the eight years, since the closure of Pacific View, the District has worked closely with City staff to develop a number of different proposals under mixed use and residential zoning. In these jointly created proposals, the District has agreed to many restrictions on the property, including limiting the number of units, preserving the historic old school house on the site, and maintaining the same lot size and character of the adjoining neighborhood. Despite these concessions and the fact that these plans were created jointly with City staff, every proposal to date has been rejected by the City Council. This has left us with limited options to pursue.

**Assistant Superintendents**

Daniel Grider, Ed.D.  
Administrative Services

David Miyashiro, Ed.D.  
Educational Services

Abdollah Saadat  
Business Services

This is a difficult financial time for all school districts in California. Our District has seen the State take away close to 10% of our budget this year with future midyear cuts predicted. As stewards of our District resources, our school board has made a commitment to look at all means to keep our classrooms running smoothly and to keep class sizes from growing. This includes a careful review of Pacific View. As many of you are aware, the District has conducted numerous studies regarding the Pacific View Property. All of these studies have shown that the District has no use for this school site now or at any time in the future. The only value that Pacific View has for the education of our children is as an asset that can be sold, leased, or traded. Knowing that some community members have wanted this land to remain in public hands, we have offered it to the City for sale, lease, or trade on many occasions and each offer has been declined.

In addition to filing a writ of mandate against the City, our District is also in the process of releasing a Request For Proposals that would allow someone to lease, buy, or trade property for Pacific View under our current zoning of public/semi-public. Although, this type of zoning usually has a lower value than residential, we need to explore all possibilities of use for Pacific View.

It is unfortunate that we have come to this juncture. We have attempted to avoid litigation with the City throughout this process. After last January's rejection by the City Council, we worked for many months trying to find a compromise position with the City. The plan that we developed together with City staff was again rejected by the City Council in August. Following that rejection, we gave City staff even more time to try and work out a solution that would meet City and District needs. Unfortunately, that attempt was also unsuccessful and the statute of limitations on our ability to file the writ of mandate expires next week. We, therefore, are now forced to take this step. It is our hope that even though we are now in litigation with the City, we will continue to try and work with City staff to find a solution that is fiscally responsible to the educational needs of our students without waiting for a court decision.

Thank you for your continued support of the Encinitas Union School District.

Sincerely,



Timothy B. Baird, Ed.D.  
Superintendent