

Pacific View Site Activation

June 29, 2015
Subcommittee Meeting



April 8, 2015 Council meeting



04/08/154 Regular Meeting

ACTION:

Blakespear moved, Shaffer seconded to receive and approve the report and authorize staff to prepare a two-step request for proposals and a review process as described in the subcommittee report.

Blakespear amended the motion, Shaffer concurred to add to the request for proposals: with a scope of arts, education and community gathering places. Motion and amendment carried. Ayes: Blakespear, Gaspar, Kranz, Shaffer. Nays: None. Absent: Muir.

Previous Council Direction:

1. Scope of interim uses

- Arts, Education and Community Gathering Place

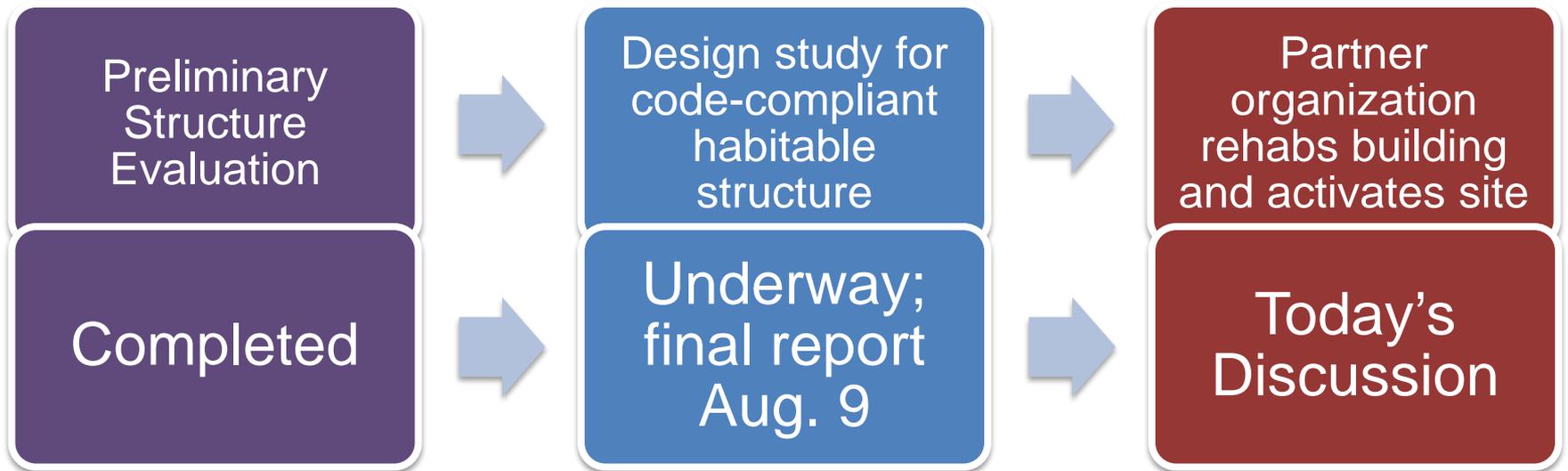
2. Direct staff to evaluate usability of existing buildings

- Done

3. Hire architectural consultant to develop plans for bringing buildings into code compliance

- Progress report today

The proposed process



Interim Report

**REHABILITATION & REUSE
STUDY**

Proposed Partnership Process

The role of the Operating Partner (OP) is to:

- **Design** the space
- **Construct** the space (code compliance and tenant improvements)
- **Schedule and manage** the space

“SPACE” means the buildings and the open space, i.e., the entire site.



Letters of Intent

- City will solicit letters of intent from prospective Operating Partners
 - Solicitation release July 10 (tent)
 - **To be invited to bid, you MUST submit a letter of intent**
- City will convene a “collaboration workshop” to enable prospective OPs to meet with prospective tenants
 - Tentative date July 20
- Letters of Intent due July 31
- Proposers may request confidentiality but City prefers ability to release names and concepts

Full operation plan not required yet

- Letters of intent should be brief (5 pages or less)
- Key information:
 - Intended uses and users (indoors and out)
 - High level financial strategy
 - Governance structure (who's in charge; relevant expertise and qualifications to be OP)
 - High level design concept

Solicitation or Negotiation

- Depending on Letters of Intent, City may enter into negotiation with one Operating Partner candidate or conduct a competition to select the Operating Partner
- Staff will request authority to engage a professional services firm with relevant experience to assist in selection and negotiation process

**BACKGROUND:
FROM APRIL 8 REPORT**

Starting Assumptions (1)

- Operating Partner can be a for-profit or not-for-profit organization. However, in accordance with the Encinitas Municipal Code, the definition of museum specifies “non-profit institution.” Other uses could be for profit.
- The financial relationship between the City and the Partner would be specified in a contract that would reflect the relative contributions of both parties and the goals of the collaboration.

Starting Assumptions (2)

- We expect the Operating Partner to have a range of capabilities, and thus will likely involve a coalition of organizations, but the City would not define the organizational structure (i.e., partnership, subcontractors, new entity, etc.) This gives maximum flexibility for community groups to self-organize.
- The City will be reviewing proposals for technical qualifications. We have a clear obligation to ensure that any Operating Partner is competent, financially viable, and holds appropriate licenses for the work being proposed.

Starting Assumptions (3)

- The final review and selection process will be defined by the Council
- The initial term of an agreement with the Operating Partner should be five years with options for extension or early termination under conditions to be agreed. The City should consider proposals that offer alternative timing with appropriate justification.
- There is no guarantee of City funding for the construction or operation of the facility. Financial considerations should be one, but not the only criterion for selecting the partner.

Reviews and Permitting

- Recommended Operating Partner proposal will be reviewed for compliance with municipal code.
- Planning Commission or other review as appropriate, depending on specifics in proposal
- City recognizes neighborhood interests and concerns

Recommend that preference be given to designs that:

- Are appropriate to the site in terms of community character
- Respect and enhance the local ecosystem
- Reflect best practices and innovation in environmental sustainability
- Are aesthetically pleasing
- Include areas optimized for a variety of uses such as the visual, performing, literary and folk arts, ecological education, outdoor passive use
- Comply with the existing zoning and proposed primary use. For example, if the primary use is as a museum, include features to enable the public to observe and learn about the activities being undertaken
- Provide administrative office space for City staff use, at the City's discretion subject to Planning Commission agreement on this interpretation of the zoning matrix.
- Are cost-effective to create, operate and maintain

Operations Plan (1)

- Basic operating principles, e.g.,
 - Description of the types of users (e.g., children, adults; musicians, dancers, sculptors, etc.);
 - Any preferential opportunities for Encinitas residents/organizations; estimated costs to users;
 - How space will be allocated (e.g., any exclusive arrangements for particular organizations)
 - Outdoor space utilization plan (e.g., passive use, planned activities, supervision)
 - Hours of operation

Operations Plan (2)

- Proposed governance structure, e.g.,
 - On-site manager
 - Oversight board
 - Relationship to City Arts Administration and/or Commission for the Arts
- Timeline for site activation (phasing plan if appropriate)
- Security
- Public outreach and community engagement strategy, including opportunities to present City arts programs at Pacific View

Finances: OP must

- Demonstrate financial viability and resilience
- Provide business plan describing expenses and revenues, including outside resources
- Propose financial relationship to City, including any requirements for public funds for
 - Initial site preparation
 - Tenant improvements
 - Ongoing operations costs

Proposed Review Process

- Committee of technical staff and outside expert(s)
 - No Council members
 - No local entities with potential conflict of interest
- Final selection by Council, contingent on appropriate permits and approvals

Summary of Proposed Evaluation Criteria (1)

(in random order)

1. Financial viability of organization
2. Cost to the City
3. Revenue-earning potential
4. Investment by proposer (resources OP brings to the City)
5. Technical competence (relevant experience in design, construction, site management, arts administration)
6. Governance model; relationship with City Arts Administration



Summary of Proposed Evaluation Criteria (2)

(in random order)

7. Local involvement (Encinitas residents/organization)
8. Consistency with relevant zoning
9. Serving diversity of users and types of uses
10. Design and innovation, including compatibility with local ecosystem and community character and site heritage
11. Green/sustainability attributes
12. Unique need for this space (i.e., no comparable alternative sites readily available)

