

Facilities Planning and Construction
Paul J. Phillips, Chief Facilities Officer

SUBJECT: AUTHORIZATION TO ENTER INTO A RESTRICTIVE COVENANT AGREEMENT WITH MIAMI-DADE COUNTY TO FACILITATE CONSTRUCTION OF STATE SCHOOL "JJ"

A new middle school (State School "JJ"), will be constructed at the northeast corner of N.W. 50 Street and N.W. 112 Avenue (5005 N.W. 112 Avenue). As a measure to protect the potable water supply and to comply with the terms of a variance granted by the Miami-Dade County Environmental Quality Control Board (EQCB) for the construction of the school, which will be located within the Northwest Wellfield Protection area, a covenant running with the land, in favor of Miami-Dade County, must be executed on behalf of the Board. This covenant shall govern the handling, generation, disposal, discharge or storage of hazardous materials on the property.

The only hazardous materials to be used, generated, disposed of, discharged, handled or stored on the State School "JJ" site shall be those authorized by the EQCB and used in connection with the usual operation of the school. The Office of Capital Improvements Projects has reviewed the conditions of the covenant and has indicated that there is sufficient storage space designed within the school plant to safely house such hazardous materials.

The covenant has been reviewed by the School Board Attorney's Office and the Office of Risk and Benefits Management. The Region Superintendent for Region III recommends approval of the covenant. Facilities Planning and Construction and the Department of Safety, Environment and Hazards Management are in agreement with the proposed restrictive covenant.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, authorize the Chair and Secretary to execute a covenant running with the land, in favor of Miami-Dade County, to comply with the terms of a variance granted by the Miami-Dade County Environmental Quality Control Board for the construction of State School "JJ."

AAD:jc