

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

**SUBJECT: AUTHORIZATION TO EXECUTE A SUBLEASE AGREEMENT WITH THE  
EVERGLADES COMMUNITY ASSOCIATION FOR LAND FOR THE  
PLACEMENT OF MIGRANT CHILD PROGRAM PORTABLE  
CLASSROOMS AT ROYAL COLONIAL MOBILE HOME ESTATES**

Since December 1994, the Board has subleased a portion of Royal Colonial Mobile Home Estates (RCMHE) from the Everglades Community Association (ECA) for the placement of portable classrooms for the operation of the Migrant Child Program. The land is owned by Miami-Dade County (County) and was originally leased to ECA for a term ending August 31, 1999. The sublease between ECA and the District expired on June 30, 1999; however, prior to that date, and in anticipation of ECA and the County extending the term of their agreement, ECA provided the District with written authorization to remain on-site until August 31, 1999. Thereafter, ECA was granted an extension of the underlying lease agreement by the County for the period of September 1, 1999 through August 31, 2001, and ECA has provided the District with additional written authorization to remain on-site pending the Board's consideration of a new sublease agreement. However, since the County intends to begin development of portions of the RCMHE into a regional park in the near future, the area occupied by the District will only be available for lease until August 31, 2000. The user has indicated a continuing need for portable classrooms at this location to service migrant children residing at the RCMHE. No physical improvements requiring the use of District funds are necessary as a result of the proposed Board action.

Pursuant to negotiating procedures, a Management Team meeting was held on September 13, 1999, for direction on negotiating strategies and parameters. Based on this direction, terms and conditions of the proposed sublease agreement are as follows:

- the sublease term shall run through August 31, 2000, with no option periods;
- the annual lease rate shall be \$1.00;
- the District shall be responsible for all utility charges and for the maintenance of all portable classrooms and grounds;
- the District shall have the right to cancel the sublease at any time by giving ECA 90 days prior written notice;

- ECA shall have the right to cancel the sublease only if the District defaults and fails to cure the default within 30 days, the property is damaged or destroyed, or the underlying lease between the County and ECA is canceled by the County;
- the District shall have a 90 day period beyond the cancellation or expiration of the sublease for the purpose of removing the portable classrooms and related Board-owned improvements; and
- the Superintendent shall be the party designated by the Board to grant or deny all approvals required by this sublease or to cancel this sublease.

The proposed sublease agreement has been reviewed by the School Board Attorney's Office and the Office of Risk and Benefits Management. The Director of the Migrant Child Program, Region Superintendent for Region VI, and Deputy Superintendent of School Operations recommend approval of the sublease agreement.

A copy of the sublease agreement will be placed on file in the Citizen Information Center and the Recording Secretary's Office.

**RECOMMENDED:** That The School Board of Miami-Dade County, Florida, authorize the Superintendent or his designee to execute a sublease agreement with the Everglades Community Association for the use of vacant land for the placement of portable classrooms, under the terms and conditions set forth above.

VGv:ada