

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

**SUBJECT: JOINT USE AGREEMENT WITH MIAMI-DADE COUNTY FOR THE USE OF KENDALE LAKES ELEMENTARY SCHOOL/KENDALE LAKES PARK AND CONSTRUCTION OF WALKWAY LIGHTING ON THE CAMPUS OF KENDALE LAKES ELEMENTARY SCHOOL**

Since 1974, Kendale Lakes Elementary School (school) and the adjacent Kendale Lakes Park (park) have used the school and park playfield areas for their recreational programs, under the May 17, 1961 Agreement for Joint Recreational Program and Use of Facilities between the Board and Miami-Dade County (County). In order to clarify operational issues dealing with the joint use of the park and school recreational facilities, the County has agreed to enter into a site-specific Joint Use Agreement. Under the proposed Joint Use Agreement, the school will continue to use portions of the park playfield area to conduct its recreational programs and the County will use portions of the school grounds to address limited available park land and an increasing need to provide public recreational facilities to serve residents in the community.

As part of the development of park and school improvements, a pedestrian walkway was constructed through the park/school campus (see attached location map). In 1998, the County installed lighting along the park portion of the walkway, and requested that the District fund the remaining section located on the school site, at a cost of approximately \$53,784. After appropriate staff review, it was determined that adequate funding could not be identified to allow District participation, and the County completed the lighting installation on only the park site. The County has now requested permission to complete the lighting on the school site, at County expense.

Pursuant to negotiating procedures, a Management Team meeting was held on June 19, 2000 for direction on negotiating strategies and parameters. Based on this direction, staff has negotiated a Joint Use Agreement with the County, that includes the following terms and conditions:

**Existing uses to be reaffirmed**

- the District shall allow the County to utilize the school's recreational facilities (including playfield, basketball courts, P.E. Shelter and benches) and parking facilities (on a space-available basis) after school hours. School hours shall include regular school hours on regular school days, special school events and functions, after-care, and summer school;
- the County shall allow the District to use the park site (including playfield areas, hard courts and Vita Course) and parking facilities (on a space-available basis) during regular school hours on regular school days;
- the County and District shall indemnify and hold each other harmless, to the extent of the

limitations included within Section 768.28, Florida Statutes, from all liability which may arise as a result of their use of each others facilities;

- the County and District shall provide regular scheduled janitorial service, including litter pickup and removal, during their period of use of each others facilities;

**New uses to be adopted**

- the District shall allow the County to construct lighting on the school campus, along the existing pedestrian walkway. The light fixtures shall be similar to those already in place on the park site, and shall be installed approximately every 60 linear feet;
- electricity for the walkway lighting shall be provided from the park site and the District shall bear no cost for electrical consumption or the construction, operation or maintenance of the lighting;
- all plans for the walkway lighting shall be reviewed and approved by appropriate District staff departments and the work shall comply with District construction and safety criteria;
- the County shall coordinate the walkway lighting installation to assure minimal impact on school operations and shall submit a schedule for the initiation and completion of the work, which schedule shall be approved by the principal prior to the commencement of the lighting installation; and
- the County shall indemnify and hold the Board harmless from all claims or actions arising from the walkway lighting installation, to the extent of the limitations included within Section 768.28, Florida Statutes.

The proposed Joint Use Agreement has been reviewed by the School Board Attorney's Office and by the Office of Risk and Benefits Management. The principal of Kendale Lakes Elementary School, Region Superintendent for Region VI and Deputy Superintendent for School Operations recommend approval of this Joint Use Agreement and walkway lighting installation. The Office of Capital Improvement Projects; Office of Facilities Operations; and Department of Safety, Environment and Hazards Management are in agreement with the proposed walkway lighting installation.

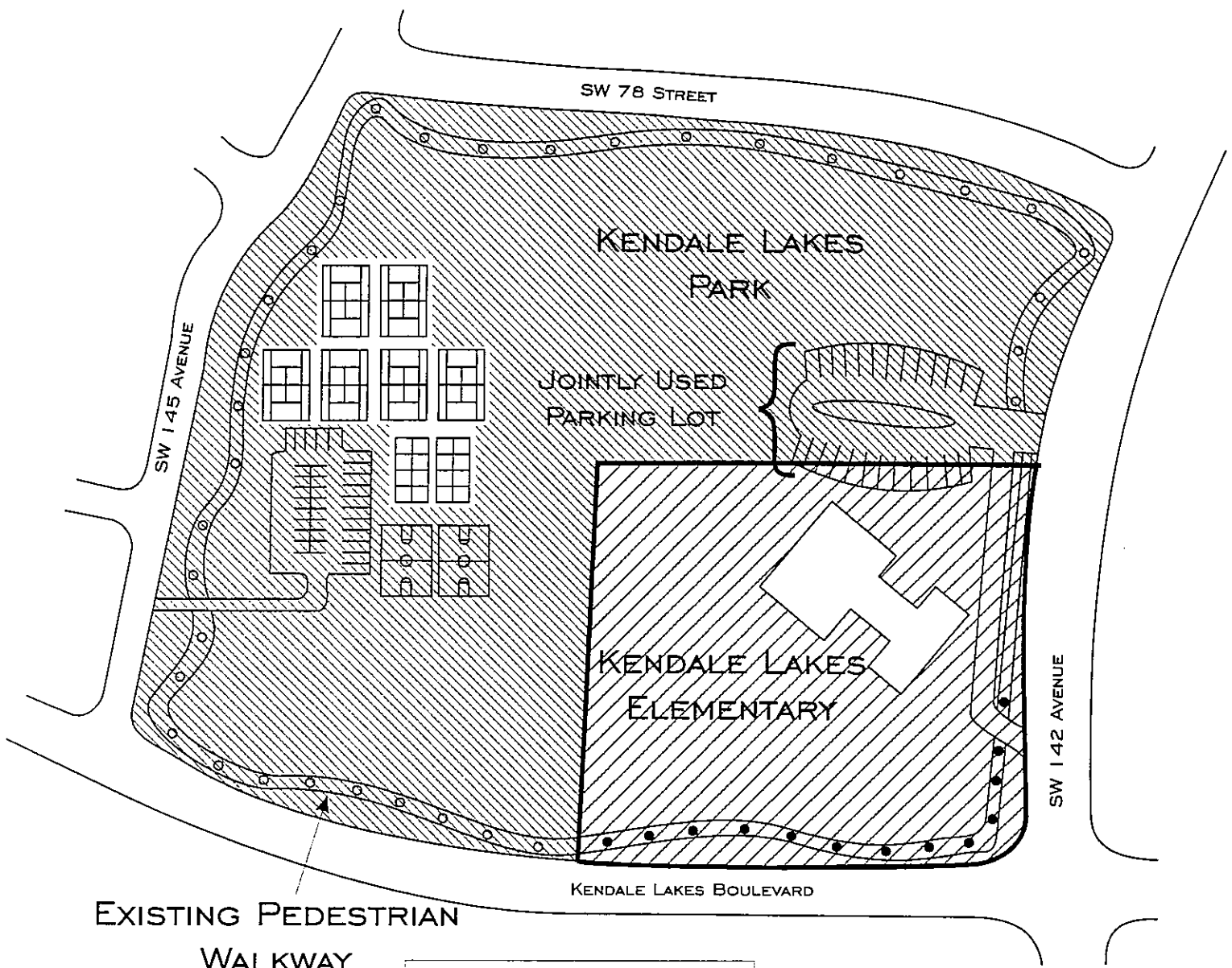
A copy of the proposed Joint Use Agreement will be placed on file in the Citizen Information Center and the Recording Secretary's Office.

**RECOMMENDED:**

That The School Board of Miami-Dade County, Florida, authorize the Superintendent or his designee to execute a Joint Use Agreement with Miami-Dade County for the use of Kendale Lakes Elementary School/Kendale Lakes Park and construction of walkway lighting on the campus of Kendale Lakes Elementary School, at no cost to the District, and under the terms and conditions set forth above.

MAL:slr

# LOCATION MAP



### LEGEND

- PROPOSED NEW LIGHTING
- EXISTING LIGHTING
- ▨ PARK RECREATIONAL FACILITIES
- ▩ SCHOOL RECREATIONAL FACILITIES

