

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

SUBJECT: AUTHORIZATION TO EXECUTE A LEASE AGREEMENT WITH JEWISH COMMUNITY SERVICES OF SOUTH FLORIDA, INC., FOR USE OF A PORTION OF THE FIENBERG/FISHER ELEMENTARY SCHOOL CAMPUS

Since March 1981, Jewish Community Services of South Florida, Inc. (JCS), has leased a portion of the Fienberg/Fisher Elementary School (School) campus to provide recreational and social service programs to the elderly living in Miami Beach and surrounding areas. The leased area is located across the street from the main portion of the School campus, and consists of an asphalt parking lot and two buildings containing a total of approximately 7,573 square feet (see location map).

The current lease agreement will expire on March 24, 2001, and JCS has indicated a desire to enter into a new long-term lease agreement. School Operations has confirmed that there is no anticipated need for these facilities for educational purposes in the near future. 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 (MT) meeting was held on February 14, 2000, for direction on negotiating strategies and parameters. Based on MT direction, a lease agreement with JCS that includes the following terms and conditions is recommended:

- five year term (from March 25, 2001 through March 24, 2006) with five successive one-year renewal option periods, at the Board's option;
- the annual lease rate shall be \$1;
- JCS shall be responsible for all maintenance and utility charges;
- the District shall have the right to use the leased facilities for meetings or other School functions, at no cost to the Board, upon five days advance notice;
- at the termination, cancellation or expiration of the lease, JCS shall either surrender the leased facilities with all permanent improvements in their then existing condition or, at the Board's sole option, remove any new improvements or facilities constructed by them and restore the property to the same or better condition that existed prior to the effective date of the lease agreement;
- JCS shall maintain a policy of General Liability Insurance in an amount of \$1,000,000 and shall name the Board as an additional insured;

- JCS shall indemnify and hold the Board harmless as a result of any claims, suits, damages or actions arising from its use or occupancy of the leased facilities or arising out of or in connection with the construction and operation of any improvements within the property;
- JCS may construct improvements to the leased facilities, subject to prior written approval of the District;
- either party shall have the right to cancel the lease agreement at any time by giving 120 days prior written notice; and
- the Superintendent shall be the party designated by the Board to grant or deny all approvals required by this lease agreement or to cancel this lease agreement.

The proposed lease agreement has been reviewed by the School Board Attorney's Office and the Office of Risk and Benefits Management. The principal of Fienberg/Fisher Elementary School, Region Superintendent for Region II, and Deputy Superintendent of School Operations recommend approval of the lease agreement.

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

The officers and directors of Jewish Community Services of South Florida, Inc., are: Richard K. Slavin, Chairman/Director; Leslie Linevsky, Vice President/Chairman/Director; Ronald S. Friedman, Treasurer/Director; Barbara Goldfarb, Vice President/Chairman/Director; Robert Merlin, Vice President/Chairman/Director; and Joy Spill, Vice President/Chairman/Director. The Registered Agent is David B. Saltman.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, authorize the Superintendent or his designee to execute a lease agreement with Jewish Community Services of South Florida, Inc., for use of a portion of the Fienberg/Fisher Elementary School campus to provide recreational and social service programs to the elderly, at an annual rental amount of \$1, and under the terms and conditions set forth above.

VGv:slr

LOCATION MAP

