

March 8, 2001

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

**SUBJECT: AUTHORIZATION TO EXECUTE A LEASE AGREEMENT WITH THE
VILLAGE OF PINECREST FOR ADDITIONAL PARKING FOR MIAMI
PALMETTO SENIOR HIGH SCHOOL**

Miami Palmetto Senior High School is currently undergoing expansion and renovations. These improvements are part of a campus master plan. The present campus is substantially undersized, at 24 acres, vis-à-vis the standard for this type of facility, which is generally 40 acres. Recognizing this, back in 1998, District staff and community representatives explored the possibility of securing an additional approximate 1.7-acre site located east of the campus, at S.W. 120th Street and S.W. 74th Avenue, and just south of and contiguous to one of the school's parking lots (see location map); the use envisioned for the property was parking to relieve the shortage at the school, and to eliminate spill-over onto the adjacent neighborhood. However, at the time, due to other more pressing priorities, and the fact that a campus master plan had not yet been fully developed, the subject property's purchase was not pursued further.

At a recent informational meeting held November 29, 2000, at Miami Palmetto Senior High School, which was attended by several concerned parents and residents, as well as local and state officials, the subject parcel's possible purchase and development for off-street parking was again discussed with renewed interest; specifically, in the context of the now better defined campus master plan. A follow-up meeting was held at the school on January 9, 2001, which was attended by the School Principal, District staff, the PTSA President, interested parents, and the Mayor of the Village of Pinecrest. At that meeting, the possibility of a collaborative partnership between the Village of Pinecrest (Village) and the School District, was discussed. As a by-product of that meeting, the present proposal was formulated and approved in concept by the Village Council at its meeting of February 13, 2001.

The Village is proposing to purchase and develop the subject property (approximately 1.7 acres) for additional off-street parking for the school, for a total of no less than 175 parking spaces. In addition, the Village will pursue vacating the intervening right-of-way located on S.W. 74 Avenue (approximately .7 acres) in accordance with Miami-Dade County established procedures and subject to the ultimate approval of the Miami-Dade County Board of County Commissioners. Once development of the site is completed, it will be leased to the District. This would offer a number of advantages. First, it would eliminate the need for outlay of substantial capital funds up front by the District to purchase and/or develop the additional needed parking for the school; second, it would make the parking facility available to the school within a relatively short time frame; third, it would externalize all activities relating to the provision of the additional parking facilities, from land acquisition to property development, thus saving the District staff time and related costs; and last, it would give the District the option to purchase the parking facility at any time during the term of the lease, based on a pre-determined and mutually agreed upon schedule.

Pursuant to negotiating procedures, a Management Team meeting was held on February 26, 2001, for input and direction on negotiating strategies and parameters. Based on this direction, a lease agreement with the Village that includes the following terms and conditions was recommended:

- one (1) year term, with nine (9) successive one-year renewal options, at the Board's sole option;
- the Village shall construct, at its sole cost and expense, a parking lot and related improvements on the leased property;
- the Village will pursue vacating the intervening right-of-way located on S.W. 74 Avenue in accordance with Miami-Dade County established procedures and subject to the ultimate approval of the Miami-Dade County Board of County Commissioners;
- the lease shall commence effective with the date of issuance by the Village of a final certificate of completion for the parking facility, and written acceptance by the District that said parking lot is complete and in compliance with all applicable building codes;
- the annual lease rate shall not exceed \$97,000.00, or \$8,083.33 per month, and this rate shall not increase over the term of the lease;
- the Board shall have the option to purchase the property at any time during the lease term, based on a pre-established and mutually agreed upon schedule, or based on the Village's actual total cost of purchasing and developing the subject property for parking as described above, whichever is less;
- should the Board exercise its option to purchase the parking lot, the property shall be be Revised conveyed to the Board, with free and clear title;
- the District shall have the right of cancellation, without penalty, with 180-days prior written notice;
- the Village shall not have the right to cancel the lease other than in the event of damage or destruction to the parking lot property, or in the event the District defaults under the lease and fails to cure the default;
- the District shall be responsible for all utility costs and for maintaining the premises;
- the District shall indemnify and hold the Village harmless, to the extent of the limitations included within Florida Statutes, from all liability which may arise as a result of its use of the premises; and
- the Superintendent shall be the party designated by the Board to grant or deny all approvals required by this lease 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 Deputy Superintendent of School Operations, Region V Superintendent and principal of Miami Palmetto Senior High School recommend approval of this lease agreement.

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

At the time of the commencement of the lease, the property owner will be the Village of Pinecrest.

RECOMMENDED:

That The School Board of Miami-Dade County, Florida, authorize the Superintendent or his designee to:

- 1) execute a lease agreement with the Village of Pinecrest for a minimum of 175 parking spaces on an approximate 1.7-acre site east of Miami Palmetto Senior High School, under the terms and conditions set forth above; and
- 2) execute necessary documents to allow the Village of Pinecrest to facilitate the closure of S.W. 74 Avenue (approximately .7 acres).

MAL:svl

LOCATION MAP

