

Facilities Planning and Construction  
Suzanne A. Marshall, Chief Facilities Officer (Construction)

**SUBJECT: AUTHORIZATION TO EXECUTE A JOINT USE AGREEMENT WITH  
MIAMI-DADE COUNTY FOR THE USE OF HIGHLAND OAKS PARK BY  
HIGHLAND OAKS MIDDLE SCHOOL**

During the 2000-01 school year, Highland Oaks Middle School used the adjacent Highland Oaks Park for its recreational programs, under a Temporary Use Permit issued by Miami-Dade County (County). The Temporary Use Permit expired on June 30, 2001. The principal has advised that the school will require ongoing use of the park beginning with the 2001-02 school year. The County has indicated its willingness to enter into a Joint Use Agreement with the Board to allow the school to continue using the park for its recreational activities.

Pursuant to established procedures, a Management Team (MT) meeting was held on June 12, 2001 for direction on negotiating strategies and parameters. The MT recommended that the Board enter into a Joint Use Agreement with the County to allow the District to continue using Highland Oaks Park for the recreational activities of Highland Oaks Middle School under the following terms and conditions:

- either party shall have the right to terminate the agreement at any time by providing the other party with 90 days prior written notice;
- the District may use the full park site during regular school hours on regular school days, with the exception of the baseball and soccer fields, which may only be used on Mondays, Tuesdays and Wednesdays;
- the District may use portions of the park on an as-needed basis, including the baseball and soccer fields, during after school hours by providing the County with a minimum of 72 hours prior written notice;
- the District may reserve portions of the park, including the baseball and soccer fields, for after school sport activities by providing the County with a written schedule prior to school need;
- the County shall provide routine maintenance to the park recreational facilities in accordance with standard County criteria;
- the District shall provide janitorial service to the park, including litter pick-up and removal, during the District's period of use;

- the District may not make any improvements or modifications to the park site, and shall maintain the park in a safe and secure condition during its period of use, in conformance with the Country's safety criteria, and repair any damage to the park grounds, buildings, recreational improvements or other County facilities, arising out of the District's use;
- the District and the County shall indemnify and hold each other harmless, to the extent of the limitations included within Florida Statutes, from all liability which may arise as a result of the use of the park site; and
- the Superintendent shall be the party designated by the Board to grant or deny all approvals required by this Joint Use Agreement, or to cancel this Joint Use Agreement.

The proposed Joint Use Agreement will be reviewed by the School Board Attorney's Office and the Office of Risk and Benefits Management. The Department of Safety and Environmental Management agrees with the approval of the agreement. The Principal of Highland Oaks Middle School, Region Superintendent for Region II, and Deputy Superintendent for School Operations recommend approval of the agreement.

A copy of the 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 use of Highland Oaks Park by Highland Oaks Middle School, at no rent, and under the terms and conditions set forth above.

MMC:hf