

November 8, 2001

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

SUBJECT: AUTHORIZATION TO EXECUTE JOINT USE AGREEMENTS WITH MIAMI-DADE COUNTY FOR THE TROPICAL PARK COMMUNITY CENTER AND THE A.D. BARNES PARK LEISURE ACCESS CENTER FOR USE BY THE SOUTHWEST MIAMI ADULT EDUCATION CENTER, AND PERMIT AGREEMENT WITH MIAMI-DADE COUNTY TO ALLOW THE CONNECTION OF A FIRE HYDRANT TO A WATER LINE ON THE CAMPUS OF CUTLER RIDGE ELEMENTARY SCHOOL

Since 1988, the Southwest Miami Adult Education Center (Center) has utilized 4,350 square feet of space at the Tropical Park Community Center (Tropical) to provide adult education ESOL classes, under an annual permit agreement with Miami-Dade County (County). In addition, since 1995, the Center has also utilized 2,300 square feet of space at the A. D. Barnes Park Leisure Access Center (Barnes) to serve adults with developmental disabilities, under a similar annual permit agreement with the County. The rental rate for public use of these facilities is \$125 for the first three hours and \$50 for each additional hour. The District is currently paying the County a rental rate of \$10 per hour at Barnes and \$12.15 per hour at Tropical (in a total amount not to exceed \$13,000 per year at Barnes and \$11,000 per year at Tropical). The permit agreement between the County and Board for each facility requires an annual application and approval process. In the spirit of mutual cooperation between the County and Board, and to make public facilities available to the District on a long term basis at a rental rate intended solely to off-set actual expenditures generated by use of the premises, the County has expressed a willingness to enter into a Joint Use Agreement at both locations at a reduced rental rate.

As consideration for the long-term use of County facilities at Tropical and Barnes at a significantly reduced rental rate, it is staff's recommendation that a similar accommodation be provided to the County at Cutler Ridge Elementary School (School). The County is currently planning to initiate extensive improvements to the adjacent park site, which will include construction of a parking lot, recreation building and the installation of a fire hydrant. An existing water main, located on the School site, will provide the County with a closer point of connection for the fire hydrant than the alternate location, and reduce the overall cost of the project accordingly (see location map). All work will be done by the County at its sole cost and expense, will conform to District construction and safety criteria as appropriate, and will be coordinated with the School to assure the safety of students and staff. In addition, the new fire hydrant will provide the School with additional fire protection, at no cost to the Board.

Execution of Joint Use Agreements for Tropical and Barnes will significantly reduce the current rental rates, will provide the District with greater assurance of long-term use and will establish a number of lease provisions not covered under the existing annual permit agreements. No physical improvements requiring the use of District funds are necessary as a result of the proposed Board action.

Pursuant to established procedures, a Management Team (MT) meeting was held on October 22, 2001, for direction on negotiating strategies and parameters. The MT recommended that the District enter into Joint Use Agreements with the County for the use of Tropical and Barnes at a rental rate intended solely to off-set County expenditures generated by District use of the premises, and that the District also authorize a Permit Agreement with the County to allow the connection of a fire hydrant to a water line located on the campus of the School. Based on this direction, terms and conditions of the proposed Joint Use Agreements and Permit Agreement are as follows:

Joint Use Agreements for use of Tropical and Barnes

- a five year term (December 1, 2001 through November 30, 2006), with two five-year options, at the Board's option;
- the District shall utilize Tropical from 9:00 a.m. to 1:15 p.m., and Barnes from 8 a.m. to 1:15 p.m., on all regular school days and during summer school, or for such other days and times as mutually agreed to by the School principal and Park Manager;
- the annual lease rate at Tropical shall be \$6,500, for the period of December 1, 2001 to November 30, 2002;
- the annual lease rate at Barnes shall be \$5,000, for the period of December 1, 2001 to November 30, 2002;
- the annual lease rate shall be adjusted annually based on the December Consumer Price Index, but in no event will increase by more than 4%;
- the County shall be responsible for maintenance of the facility and for the payment of all utility costs;
- either party shall have the right to cancel the Joint Use Agreement at any time by giving the other party 180 days prior written notice; and
- the Superintendent shall be the party designated by the Board to grant or deny all approvals required by the Joint Use Agreement, or to cancel the agreement.

Permit Agreement for the connection of a fire hydrant to a water line on the campus of Cutler Ridge Elementary

- the County shall complete all work at its sole cost and expense;
- the County shall submit all plans to the District for review prior to commencing any on-site work;
- the County shall complete all work in accordance with District construction and safety standards as appropriate, and shall coordinate its schedule with the School principal prior to commencing any on-site work;
- the County shall be responsible for and pay any connection charges (including any construction charges to be paid to the District via the Miami-Dade County Water and Sewer Department), fees, permit costs or other expenses required to meet governmental approvals;
- at the completion of the work, the County shall restore the site to a condition at least as good as before the work began and shall retain all responsibility for maintenance and repair of the improvements installed by it on the School playfield; and
- the County may use a portion of the School playfield for temporary construction access during the construction of its new recreation building. The exact size and configuration of the temporary construction access area shall be as approved by the Principal, Region Superintendent, Capital Improvement Projects and Department of Safety, and County use shall not exceed a period of one year. The County shall fence-off the area and shall restore the site to a condition at least as good as before its use.

Funding for the Joint Use Agreements will be provided through the Bureau of Adult/Vocational, Alternative and Dropout Prevention Programs.

The proposed Joint Use Agreements will be reviewed and approved by the School Board Attorney's Office; the Office of Risk and Benefits Management; the principal of the Southwest Miami Adult Education Center; the Associate Superintendent for the Bureau of Adult/Vocational, Alternative and Dropout Prevention Programs; and Deputy Superintendent of Education. The proposed Permit Agreement will be reviewed and approved by the School Board Attorney's Office; the Office of Risk and Benefits Management; the principal of Cutler Ridge Elementary School; Region Superintendent for Region VI; Deputy Superintendent of School Operations; Department of Safety, Environment and Hazards Management; Capital Improvement Projects and Department of Capital Construction Compliance.

RECOMMENDED:

That The School Board of Miami-Dade County, Florida:

1. authorize the Superintendent or his designee to execute Joint Use Agreements with Miami-Dade County for the use of the Tropical Park Community Center and A.D. Barnes Park Leisure Access Center, in annual amounts of \$6,500 and \$5,000 respectively (a reduction from \$11,000 and \$13,000 respectively), and under the terms and conditions set forth above; and
2. authorize the Superintendent or his designee to execute a Permit Agreement with Miami-Dade County to allow the County to connect a fire hydrant to a water line on the campus of Cutler Ridge Elementary School and use a portion of the school playfield for temporary construction access, under the terms and conditions set forth above.

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LOCATION MAP



