

Business Operations  
Joe Arriola, Chief Business Officer

**SUBJECT: STATUS OF 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**

The Board, at its meeting of November 14, 2001, authorized the Superintendent or his designee to execute Joint Use Agreements with Miami-Dade County (County) for the continued use of the Tropical Park Community Center (Tropical) and the A.D. Barnes Park Leisure Access Center (Barnes), for adult ESOL classes and for adults with developmental disabilities, respectively. Classes have been conducted at both locations for a number of years as part of the Southwest Miami Adult Education Center. District use was re-authorized by the County each year through the issuance of annual permit agreements, at a rate of \$10 per hour at Barnes and \$12.15 per hour at Tropical, for a total annual cost not to exceed \$13,000 and \$11,000, respectively. Because of the burdensome annual renewal process 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 expressed a willingness to enter into Joint Use Agreements at both locations at the significantly reduced rental rate of \$5,000 annually for Barnes and \$6,500 annually for Tropical.

As consideration for the long-term use of County facilities at Barnes and Tropical, the Board authorized the Superintendent or his designee to execute a Permit Agreement with the County to allow the County to connect a new fire hydrant (to be constructed on Cutler Ridge Park) to a water line on the campus of the adjacent Cutler Ridge Elementary School. This would provide a considerable cost savings to the County as part of their on-going renovations to the Park. In addition, the Board authorized the use of a portion of the school playfield for temporary construction access, for a period not to exceed one year.

Subsequent to Board action and development of all agreements, the County determined that it was unable to connect its Park fire hydrant to a water line on the school campus. However, it was still in need of the temporary construction access to facilitate the construction of a new parking lot and community recreation building on the Park. In addition, the implementation of the Joint Use Agreements for Tropical and Barnes have been problematic as a result of restrictions imposed by Article 6 of the County Charter. These restrictions limit use of County Park facilities to recreational activities only. County

staff have advised that continued District use of Barnes to serve adults with developmental disabilities should meet Article 6 criteria, since such use is compatible with the County's own Leisure Access activities, which serve the same clientele at the Park after school hours. However, use of Tropical for adult education classes does not conform with Article 6, and continued use beyond this school year may not be possible.

Due to the need to resolve the status of Barnes and Tropical, while allowing the County to move forward with its improvements to Cutler Ridge Park, staff is recommending the following actions:

- authorize the Superintendent or his designee to execute an Annual Permit Agreement with the County for the continued use of Barnes, while finalizing the previously authorized Joint Use Agreement for the facility, at the agreed upon reduced annual rate of \$5,000;
- direct staff to work with the County to investigate and pursue all available options to allow the continued use of Tropical by the District for adult education classes, at the agreed upon reduced annual rate of \$6,500. In the event the District will be allowed to continue occupancy under an interim Annual Permit Agreement, authorize the Superintendent or his designee to execute same; and
- direct the Superintendent or his designee to execute a Temporary Access Agreement with the County to allow the County to use a portion of the Cutler Ridge Elementary School playfield for a period not to exceed one year.

The proposed Agreements for Barnes and Tropical 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 Assistant Superintendent for the Bureau of Adult/Vocational, Alternative and Dropout Prevention Programs; and Associate Superintendent of Education. The proposed Temporary Access 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; Associate Superintendent of School Operations and Department of Safety, Environment and Hazards Management.

**RECOMMENDED:**

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

1. authorize the Superintendent or his designee to execute an Annual Permit Agreement with Miami-Dade County for the use of the A.D. Barnes Park Leisure Access Center, for the period commencing December 1, 2001 and until such time as the Joint Use Agreement is finalized and executed, and to execute the Joint Use Agreement for Barnes, both agreements to be at the reduced annual amount of \$5,000, and under the terms and conditions set forth above; and
2. direct the Superintendent or his designee to investigate continued use by the District of the Tropical Park Community Center and authorize the Superintendent or his designee to execute an Annual Permit Agreement with Miami-Dade County for use of same, at the reduced annual amount of \$6,500, for the period commencing December 1, 2001 and until such time as a permanent solution is reached, under the terms and conditions set forth above; and
3. authorize the Superintendent or his designee to execute a Temporary Access Agreement with Miami-Dade County to allow the County to use a portion of the Cutler Ridge Elementary School playfield for temporary construction access, for a period not to exceed one year, and under the terms and conditions set forth above.

MAL:rr