

August 9, 2002

Business Operations
Facilities Planning
Ana Rijo-Conde, AICP, Administrative Director

SUBJECT: RENEWAL OF LEASE AGREEMENT WITH OCWEN FEDERAL BANK, F.S.B., FOR SPACE FOR THE OPERATION OF A COMMUNITY EDUCATION CENTER AT THE CUTLER RIDGE MALL

COMMITTEE: FACILITIES PLANNING AND CONSTRUCTION

From November 1994 through January 2001, the Board leased 3,000 square feet of space at the Cutler Ridge Mall, located at 20505 South Dixie Highway, from Ocwen Federal Bank, F.S.B. (Ocwen), for a Community Education Center (Center). The Center, which is operated through Robert Morgan Educational Center, provides such courses as ESOL, GED preparation, computer skills, citizenship, and child-care training and serves an average of 225 students per trimester. Since the agreement was to expire on August 31, 2000 and Ocwen had secured other tenants for the space originally leased by the District, on June 19, 2000, the Board authorized the execution of a new lease agreement (Agreement) with Ocwen, to relocate the program to a larger space within the Mall, consisting of approximately 5,597 square feet (see location map). The Board also authorized Ocwen to make certain capital improvements to the new space, at a one-time cost to the District of \$50,000, with the annual rental rate to remain at \$1. The District continued using the original space until the new space was ready for occupancy in January 2001. The District has completed its initial one-year term and the first of two one-year renewal option periods available under the Agreement. The current term of the Agreement will expire on January 11, 2003. This proposed renewal represents the last of two one-year renewal option periods available under the Agreement.

All terms and conditions of the Agreement will remain unchanged, including the annual rental rate of \$1.00. The term of the renewal option will commence January 12, 2003, and will end January 11, 2004. No physical improvements requiring the use of District funds are necessary as a result of the proposed Board action. In addition to the rental rate, the following terms and conditions of the Agreement will remain unchanged:

- the Board is responsible for the payment of all utility charges for water, sewer and electricity used in the premises, estimated at \$11,000 per year;
- the Board is responsible for maintaining and keeping the interior of the premises in good repair, condition and appearance;

- Ocwen is responsible for the maintenance of the roof, the exterior of the building, structural, electrical, plumbing and the air conditioning system;
- either party may cancel the Agreement at any time by giving the other party 30 days prior written notice. However, if Ocwen cancels the Agreement without cause, provided space is available in the Mall, Ocwen shall relocate the Center from the premises to a location designated by Ocwen and in agreement with the Board, and Ocwen will, at its sole cost and expense, improve and renovate the new space to accommodate the needs of the Center; and
- Ocwen shall have the right to relocate the Center to another location within the Mall. In that event, the Center shall be relocated from the premises to a location designated by Ocwen and in agreement with the Board, and Ocwen will, at its own cost and expense, improve and renovate the new space to accommodate the needs of the Center. If, however, the Board is unwilling to relocate or fails to notify Ocwen of its decision with respect to such relocation within 30 days after receipt of Ocwen's relocation notice, Ocwen may cancel the Agreement upon 15 days prior written notice to the Board.

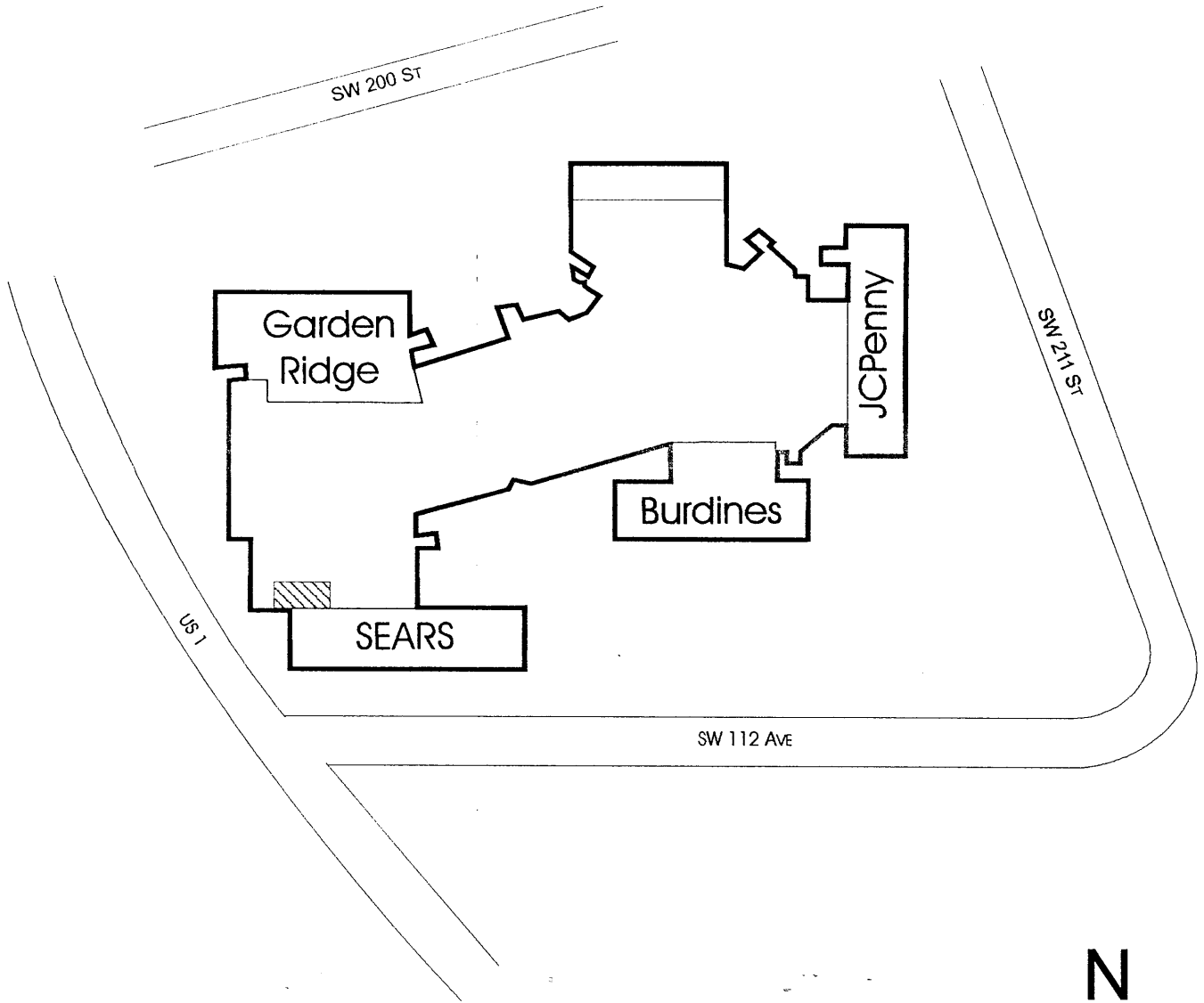
Staff contacted the principal of Robert Morgan Educational Center, the Assistant Superintendent of the Bureau of Adult/Vocational and Alternative Education and the Associate Superintendent of Education, who indicated a continuing need for this leased facility to operate a Community Education Center.

RECOMMENDED:


That The School Board of Miami-Dade County, Florida, authorize the renewal of the lease agreement with Ocwen Federal Bank, F.S.B., for the use of space at the Cutler Ridge Mall for the operation of a Community Education Center, at an annual rental amount of \$1.00. The term of the renewal option period will commence January 12, 2003, and will end January 11, 2004. All other terms and conditions of the lease agreement will remain unchanged.

MMC:rr

LOCATION MAP



LEGEND

 DEMISED PREMISES