

August 29, 2003

Facilities Operations, Maintenance and Planning  
Ana Rijo-Conde, Interim Assistant Superintendent

**SUBJECT: AUTHORIZATION TO VACATE N.E. 1 COURT BETWEEN N.E. 15 STREET AND N.E. 16 STREET**

**COMMITTEE: FACILITIES MANAGEMENT**

Pursuant to an item introduced by School Board Member Perla Tabares Hantman at the Board meeting of December 11, 2002, the Superintendent was authorized to explore vacating the right-of-way of N.E. 1 Court, between N.E. 15 Street and N.E. 16 Street. Such a vacation would allow ownership of the street to revert to the Board and provide immediate relief for staff parking needs, while creating an opportunity for future construction of additional Board-owned parking or office facilities. Subsequent to initiating the Platting of the site with the City of Miami (City), staff was advised by the City of the actions that will be required of the District in order to receive approval for vacating the street, and staff has investigated each issue and possible funding required to accomplish these tasks.

Although most such City requirements can be addressed by the District at minimal expense, until recently, two issues were pending a final determination of cost to the District:

- The City of Miami Parking Authority has indicated a willingness to work with the District to remove thirty-three parking meters located along both sides of N.E. 1 Court. The District will be responsible for the cost to remove these meters (\$50/meter) and to reimburse the City for a portion of any budgeted revenue for the remainder of the City's then current fiscal year (\$100/meter/month). The City will, however, seek this reimbursement at a significantly reduced amount from its customary charges. In addition, the District can schedule the actual vacation of the street to coincide with the end of the City's fiscal year, thereby eliminating any significant impact on the City's budgeted income; and
- The District, as part of its purchase of the former Jefferson Department Store property (SBAB Annex) in 1994, acquired ownership of the site subject to a Declaration of Restrictive Covenants (Covenant), which requires the construction of a twelve-inch water main extension and associated fire hydrants along N.E. 15 Street, from Biscayne Boulevard to N.E. 1 Court. Although construction of this improvement was originally made an obligation of the former owner of the site in 1993, the City requested that the owner not make the improvement at that time, since the City had recently resurfaced N.E. 15 Street and was not inclined to issue permits for repair work to the road. As a result, the former owner entered into the Covenant with the City, which delayed construction of

the water line for a period not to exceed five years. The Covenant runs with the land, and binds all future owners to its terms and conditions. This condition was disclosed at the time of purchase of the property by the Board, and an amount of \$65,000 was withheld by the District for future use in this regard. A recent budget for the work, however, places the cost at approximately \$500,000.

A report from A.D.A. Engineers, Inc., indicates that the requirement for a twelve-inch water line adjacent to an office building is standard, and intended to meet fire flow criteria. A.D.A. has further verified that the required water upgrade has not been undertaken by other parties since the purchase of the SBAB Annex in 1994.

As a result of the above investigations, additional costs to the District to secure approval from the City are approximately as follows:

Surveyor	\$ 5,000
Subdivision improvements	\$ 13,425
Site modifications	\$ 25,000
Removal of parking meters	\$ 1,650
Reimbursed parking revenue	\$ -0-
Water line extension	\$435,000
Miscellaneous	<u>\$ 10,000</u>
TOTAL	\$490,075

Given that the Board, by virtue of its acquisition of the SBAB Annex, is obligated to install a twelve-inch water line, as required under the Covenant, and the City may seek to enforce that requirement independent of the Board's recent petition to vacate N.E. 1 Court, and the fact that vacating N.E. 1 Court will provide the District with additional Board-owned parking opportunities, it is staff's recommendation that the Board authorize staff to proceed as required to vacate N.E. 1 Court between N.E. 15 Street and N.E. 16 Street. Staff will continue to explore all alternatives available to reduce or eliminate the cost to install a water line along N.E. 15 Street; however, absent an ability to eliminate this cost, it is staff's recommendation that it be directed to budget and schedule the work as appropriate.

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

- 1) authorize the Superintendent to proceed as required to vacate N.E. 1 Court between N.E. 15 Street and N.E. 16 Street; and
- 2) direct the Superintendent to amend the District Facilities Work Program to provide funding to install a water line along N.E. 15 Street, as indicated above, absent the ability to eliminate this requirement.

ARC:aj