

Office of School Facilities  
Rose Diamond, Chief Facilities Officer

**SUBJECT: AUTHORIZATION TO ACCEPT A DONATION OF \$8,500,000 FROM THE CITY OF SUNNY ISLES BEACH, FLORIDA, TOWARDS THE DISTRICT'S PROPOSED ACQUISITION OF APPROXIMATELY 2.1 ACRES OF LAND LOCATED AT 182 DRIVE AND BAY ROAD, SUNNY ISLES BEACH, AND AUTHORIZATION TO AMEND THE FIVE-YEAR CAPITAL PLAN TO INCLUDE ACQUISITION FUNDING IN FY 2005-06, FOR STATE SCHOOL "BB1", A PLANNED K-8 CENTER TO RELIEVE HIGHLAND OAKS MIDDLE SCHOOL, VIRGINIA A. BOONE/HIGHLAND OAKS ELEMENTARY SCHOOL, AND RUTH K. BROAD/BAY HARBOR ELEMENTARY SCHOOL**

**COMMITTEE: FACILITIES AND CONSTRUCTION REFORM**

### **Introduction**

At its March 17, 2004 meeting, the School Board expressed support for a donation by the City of Sunny Isles Beach (City) to the Board, of approximately 2.1-acres of land (site), situated within the City at NE 182 Drive and Atlantic Boulevard, and further directed the Superintendent to pursue an Interlocal Agreement with the City for the future construction by the Board of a K-8 Center on the referenced land. An adjacent public park owned by the City would also be utilized for school recreational purposes under a proposed park/school agreement between the City and the Board. In addition, the City has indicated its willingness to close and vacate a portion of an intervening street to enhance access to and from the park (see attached location map). Initially, the City envisioned negotiating for the voluntary acquisition of the land or pursuing eminent domain under Section 166.411, Florida Statutes, should negotiations fail. At the time, this state provision allowed cities to condemn property for public schools but has since expired. No longer empowered with the statutory authority to acquire the site through eminent domain, the City focused on negotiating a willing purchase of the site, which attempts ultimately proved unsuccessful.

Given the new developments mentioned above, discussions subsequently shifted from City to District acquisition of the site with the District deriving significant financial assistance from the City. These discussions culminated in the unanimous approval of a resolution by the City, at its July 14, 2005 meeting, to donate \$8,500,000 towards the District's acquisition of the site.

State School "BB1" is a planned K-8 Center intended to relieve Highland Oaks Middle School, Virginia A. Boone/Highland Oaks Elementary School and Ruth K. Broad/Bay Harbor Elementary School, which as of August 2005, were operating at permanent F.I.S.H. capacities of 220%, 138%, and 195%, respectively. School design and construction have designated funding in FY 2005-06 and FY 2006-07, respectively.

### **Additional Information**

The City's proffered donation along with an informational packet consisting of several potential school sites (including the subject site) and corresponding preliminary due diligence results was presented to the SSPCC at its August 10, 2005 meeting for review and direction. Based on its review of same, the SSPCC recommended that the following actions be taken:

- submit an agenda item to the Board, recommending an amendment to the Five-Year Capital Plan to include acquisition funding in the amount of \$12,000,000 in FY 2005-06 towards the acquisition of the site to situate State School "BB1", which includes a donation of \$8,500,000 by the City to the District; and,
- negotiate and execute a purchase and sale agreement to purchase the site based on a not to exceed purchase price established in the District commissioned appraisal, subject to completion of additional due diligence in conformance with State Statute and Board Rule. The site is comprised of two properties; one located at 201 182<sup>nd</sup> Drive, Sunny Isles Beach, Florida (Folio No. 31-2211-009-0010) containing a 68-unit apartment building and the other an adjacent vacant parcel located at 183 Street and Atlantic Boulevard, Sunny Isles Beach, Florida (Folio No. 31-2202-039-0010).

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

1. accept a donation of \$8,500,000 from the City of Sunny Isles Beach, Florida, towards the District's proposed acquisition of an approximate 2.1-acre site located at 201 182<sup>nd</sup> Drive and North Bay Road, Sunny Isles, Florida, as described above, to situate State School "BB1", a K-8 Center intended to relieve Highland Oaks Middle School, Virginia A. Boone/Highland Oaks Elementary School and Ruth K. Broad/Bay Harbor Elementary; and
2. authorize an amendment to the Five-Year Capital Plan to include acquisition funding in the amount of \$12,000,000 in FY 2005-06 for the acquisition of the site described above to situate State School "BB1", towards which a donation of \$8,500,000 by the City of Sunny Isles Beach, Florida, is to be applied.

JB:rr

# LOCATION MAP

## Biscayne Bay

