

Office of School Facilities
Jamie G. Torrens, Chief Facilities Officer

SUBJECT: AUTHORIZATION FOR THE SUPERINTENDENT TO:

- 1) EXECUTE AN ACCESS AGREEMENT LETTER TO ALLOW TEMPORARY USE OF HOMESTEAD AIR BASE PARK TO COMPLETE CONSTRUCTION RELATED ACTIVITIES ASSOCIATED WITH THE CONSTRUCTION OF STATE SCHOOL "DD-1" (RELIEF FOR CAMPBELL DRIVE, DR. W.A. CHAPMAN AND PESKOE ELEMENTARY SCHOOLS AND CAMPBELL DRIVE, CENTENNIAL AND REDLAND MIDDLE SCHOOLS AND LEISURE CITY K-8 CENTER); AND
- 2) FINALIZE NEGOTIATIONS AND EXECUTE A JOINT USE AGREEMENT WITH MIAMI-DADE COUNTY FOR RECREATIONAL FACILITIES AT HOMESTEAD AIR BASE PARK AND STATE SCHOOL "DD-1"

COMMITTEE: FACILITIES AND CONSTRUCTION REFORM

LINK TO STRATEGIC PLAN: IMPROVE CONSTRUCTION SERVICES

Background

The District is currently in the final stages of constructing State School "DD-1" (School), located at 12225 SW 280 Street, Miami. The School is adjacent to the 212-acre Miami-Dade County (County) Homestead Air Base Park (Park), a Regional Park intended to serve the South Dade community (see location map). In order to maximize the parent drop-off area serving the School, the County Public Works Department has requested that the District create a stacking lane to accommodate approximately 104 vehicles and nine school buses, without using public right-of-way. This can be accomplished by constructing the stacking lane through a portion of the Park (see location map). This proposed method of providing the access road was developed after considering all other options, and was deemed to be the most practical. The road will also serve as the main point of vehicular ingress/egress for the School. The County Parks Department was contacted, and indicated a willingness to work with the District to facilitate construction of the stacking lane through the execution of a short-term Access Letter Agreement (Access Agreement). Issues dealing with the long-term use and maintenance of the stacking lane will be included in a Joint Use Agreement.

Proposed Access Letter Agreement

Terms of the proposed Access Agreement are, substantially, as follows:

- the Access Agreement will terminate effective with the completion of construction activities on the Park, which is anticipated for February 2008;

- access to the Park will be limited to the area adjacent to the School, for the purpose of completing construction related activities associated with the construction of the School;
- the District shall be responsible for securing the work site;
- work will consist largely of constructing a 24' wide road across the Park, immediately adjacent to the School, extending approximately 1003' from SW 280 Street to the staff/visitor parking lot;
- the District will assure the continued access to the balance of the Park by park patrons during construction;
- during those times that work is taking place within the Park, the Board shall indemnify and hold harmless the County, to the extent and within the limitations of Florida Statute; and
- the District's contractor will provide the same indemnification to the County as required by the Board, and will list the County as additional insured on its liability insurance.

Additional Information

Due to the desire to augment the on-site recreational facilities of the School, and allow Park use of the stacking lane, School parking and School recreational facilities, the principal and Park staff are recommending that a Joint Use Agreement (Agreement) be entered into. The proposed Agreement will allow ongoing District use of the stacking lane, as well as use of certain Park recreational facilities during school hours, and County access to recreational facilities at the School, for park use during non-school hours.

Proposed Joint Use Agreement

Terms of the proposed Agreement are, substantially, as follows:

- the Park will be utilized by the School during school hours. The Park amenities to be used by the School will be as mutually agreed to by the School Administrator and Park Supervisor;
- the District shall retain responsibility for the ongoing maintenance of the portion of the stacking lane constructed on the Park;
- the County may utilize recreational facilities located at the School, after school hours and on days when school is not in session, as mutually agreed to by the School Administrator and the Park Supervisor;
- each party shall be responsible for removal of trash and litter from the Park and school sites, generated during their respective periods of use;
- on a periodic basis, the parties, through their respective designees, may modify the exact areas used and periods of use;
- the parties shall each indemnify and hold harmless the other, to the extent and within the limitations of Florida Statute;

- for other than the stacking lane, the Agreement may be cancelled by either party, if the other party defaults and fails to cure. In addition, either party may cancel this Agreement at any time with 180 days advance written notice. However, in the event of cancellation by the County, the County will grant the District continued use of the stacking lane, subject to approval by our County Attorney's Office and compliance with Article 7 of the Home Rule Charter of Miami Dade County; and
- the Superintendent shall be the party designated by the Board to grant or deny all approvals required by this Agreement, or to cancel this Agreement.

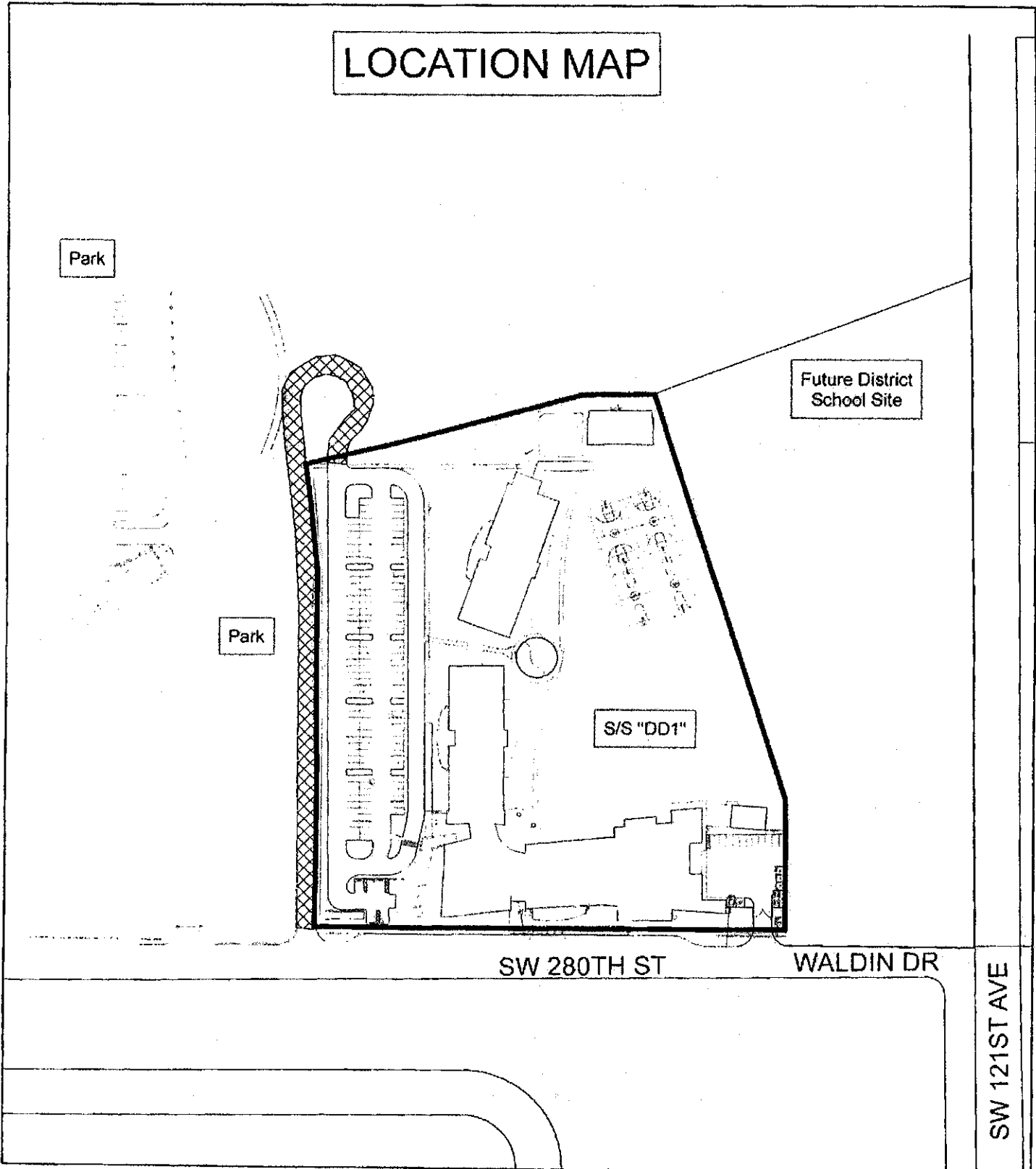
The Principal of State School "DD-1", Regional Center VI Superintendent, and Office of School Facilities recommend entering into the proposed Access Agreement and Joint Use Agreement. Both agreements will be reviewed by the School Board Attorney's Office and Office of Risk and Benefits Management prior to execution.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, authorize the Superintendent to:

- 1) execute an Access Letter Agreement to allow temporary use of Homestead Air Base Park to complete construction related activities associated with the construction of State School "DD-1"; and
- 2) finalize negotiations with Miami-Dade County and execute a Joint Use Agreement for use of recreational facilities at Homestead Air Base Park and State School "DD-1", under substantially the terms and conditions noted above.

RL

LOCATION MAP



Park

Park

Future District
School Site

S/S "DD1"

SW 280TH ST

WALDIN DR

SW 121ST AVE

Legend
 Access Road


Not to Scale