

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

**SUBJECT: AUTHORIZATION FOR THE SUPERINTENDENT TO FINALIZE NEGOTIATIONS AND FOR THE CHAIR AND/OR SECRETARY TO EXECUTE, AS MAY BE REQUIRED:**

1) AN APPLICATION FOR A TIME EXTENSION TO THE ENVIRONMENTAL QUALITY CONTROL BOARD (EQCB) ON THE CONNECTION TO THE SANITARY SEWER OF THE FORMER GOULDS ELEMENTARY SCHOOL, LOCATED AT 21300 SW 122 AVENUE; AND

2) A CONSTRUCTION AGREEMENT WITH MIAMI-DADE COUNTY, FOR THE CONSTRUCTION OF WASTEWATER FACILITIES, AT NO COST TO THE BOARD, AT THE FORMER GOULDS ELEMENTARY SCHOOL SITE, LOCATED AT 21300 SW 122 AVENUE; AND

3) A UNITY OF TITLE AGREEMENT WITH MIAMI-DADE COUNTY, TO FACILITATE THE CONSTRUCTION OF WASTEWATER FACILITIES AT THE SITE; AND

4) AN AMENDMENT TO THE LEASE AGREEMENT BETWEEN THE BOARD (AS LESSOR) AND MIAMI-DADE COUNTY (AS LESSEE) FOR USE OF THE SITE BY THE COUNTY TO PROVIDE HEAD START SERVICES TO THE COMMUNITY; AND

5) ANY OTHER DOCUMENTATION NECESSARY TO EFFECTUATE THE CONSTRUCTION OF WASTEWATER FACILITIES BY THE COUNTY AT THE SITE

**COMMITTEE: FACILITIES AND CONSTRUCTION REFORM**

**LINK TO STRATEGIC FRAMEWORK: FINANCIAL EFFICIENCY/STABILITY**

Background

Since August 1983, the District has leased the former Goulds Elementary School site, located at 21300 SW 122 Avenue (Site) to Miami-Dade County (County). The County is responsible for all maintenance, utilities and any other operating costs, and utilizes the Site as the Community Action Agency Isaac Withers Center Head Start Facility (Head

Start), which provides services to 120 preschool children aged 3 to 4, and 24 children under the age of three.

The Site is currently served by a septic sewage system and in accordance with a May 13, 1998 Consent Agreement between the County and the Board, the District would have been required to connect to the public sanitary sewer system at such time as a sanitary sewer system was available adjacent to the Site. However, as a result of the lease agreement (Lease) between the Board and the County for the Site, the installation and cost of these improvements are now the responsibility of the County.

The Miami-Dade County Department of Environmental Resources Management (DERM) has notified the District that an approved public sanitary sewer is now available to serve the Site. The County was notified of DERM's request to have the Site connected to the sewer system and, in compliance with the terms of the Lease, has initiated activities to complete the work, at its sole cost and expense. The County has also indicated a need to secure a time extension from the EQCB to approximately September of 2012. This will enable the County to prepare drawings, obtain bids and construct the improvements. Total project cost is estimated at \$174,000. Since the Board is the property owner, it will need to sign off on the application for a time extension. Additionally, to assure that no portion of the Site can later be subdivided in a way as to preclude the ability of a subsequent property owner from connecting to the sanitary sewer system, Unity of Title will also be required.

To facilitate the work, the County and District will need to enter into a Construction Agreement, which will establish relevant safeguards and provisions such as project timelines, issuance of permits, and maintenance responsibility for the improvements, which in this case will be the County's. Given the substantial capital investment involved, the County has requested that the Board give consideration to extending the Lease to provide, substantially, for five-year renewal extensions, rather than the present one-year extensions.

#### Proposed Agreements

Given the benefit to be derived from the County's work as described above, coupled with the District's long standing and positive relationship with Head Start and the continuing need for the County to provide these services in the community, it is recommended that the District: 1) assist the County in obtaining a time extension with the EQCB; and 2) finalize negotiations on the above referenced Construction Agreement, Unity of Title, Lease amendment and any other documents necessary for the County to effectuate its construction of waste water facilities at this location, subject to review and approval of each document by the School Board Attorney's Office prior to execution.

**RECOMMENDED:** That The School Board of Miami-Dade County, Florida, authorize the Superintendent to finalize negotiations and for the Chair and/or Secretary to execute, as may be required:

- 1) an application for a time extension to the EQCB on the connection to the sanitary sewer of the former Goulds Elementary School, located at 21300 SW 122 Avenue; and
- 2) a Construction Agreement with Miami-Dade County, for the construction of wastewater facilities, at no cost to the Board, at the former Goulds Elementary School site, located at 21300 SW 122 Avenue; and
- 3) a Unity of Title Agreement with Miami-Dade County, to facilitate the construction of wastewater facilities at the site; and
- 4) an amendment to the lease agreement between the Board (as lessor) and Miami-Dade County (as lessee) for use of the site by the County to provide Head Start services to the community; and
- 5) any other documentation necessary to effectuate the construction of wastewater facilities by the County at the site.

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