


MEMORANDUM

November 23, 2010

**TO:** The Honorable Chair and Members of The School Board of Miami-Dade County, Florida

**FROM:** Alberto M. Carvalho, Superintendent of Schools 

**SUBJECT:** **WITHDRAWAL OF ITEM F-8  
AUTHORIZATION FOR THE SUPERINTENDENT TO FINALIZE  
NEGOTIATIONS AND FOR THE CHAIR AND SECRETARY TO  
EXECUTE, AS MAY BE REQUIRED:**

- 1) **A COVENANT WITH MIAMI-DADE COUNTY FOR DISTRICT  
MAINTENANCE OF LANDSCAPING WITHIN PUBLIC  
RIGHT-OF-WAY, LOCATED ADJACENT TO LEEWOOD K-8  
CENTER, AT 10345 S.W. 124 STREET; AND**
- 2) **ANY OTHER DOCUMENTS THAT MAY BE REQUIRED TO  
EFFECTUATE SAID ACTION**

The attached Agenda item F-8 is being withdrawn from the November 24, 2010 Board Meeting as terms and conditions of the proposed Covenant are still being finalized.

If you have any questions, please feel free to call Mr. Jaime G. Torrens, Chief Facilities Officer, Office of School Facilities, at 305 995-1401.

IC:mh  
M491

Attachment

cc: Superintendent's Cabinet  
School Board Attorney

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

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

- 1) A COVENANT WITH MIAMI-DADE COUNTY FOR DISTRICT MAINTENANCE OF LANDSCAPING WITHIN PUBLIC RIGHT-OF-WAY, LOCATED ADJACENT TO LEEWOOD K-8 CENTER, AT 10345 S.W. 124 STREET; AND
- 2) ANY OTHER DOCUMENTS THAT MAY BE REQUIRED TO EFFECTUATE SAID ACTION

**COMMITTEE: FACILITIES AND CONSTRUCTION REFORM**

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

As a result of the construction of Leewood K-8 Center (School), located at 10345 SW 124 Street, the District will be required to widen the south side of SW 122 Street, adjacent to the School, between SW 103 Avenue and SW 104 Avenue. In addition, Miami-Dade County (County) has requested that the District construct a parking lane (Parking Lane) along SW 122 Street, to allow for additional stacking of vehicles for parent drop-off and pick up.

District staff have met with local residents in an attempt to address their concerns that the widening of SW 122 Street and construction of the Parking Lane will detract from the residential appearance of the area. District staff has suggested that installing concrete pavers within the Parking Lane directly abutting the School will enhance the residential nature of the community, and Public Works has concurred, provided the District executes a covenant (Covenant) agreeing to maintain the area of public right-of-way where the pavers are installed. The local residents have concurred that installation of the pavers will meet their requirements.

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

- the District shall, at its expense, install concrete pavers within a portion of the dedicated right-of-way along SW 122 Street, adjacent to the School, in accordance with the Florida Building Code;
- the District shall, at its expense, maintain, repair and replace, if necessary, the pavers;

**ITEM WITHDRAWN  
(11/23/10)**

- the District shall, to the extent and within the limits of Section 768.28, Florida Statutes, indemnify, defend and hold the County harmless against any claims, demands, actions, losses or liabilities which may arise as a result of the Covenant or any of the District's activities under the Covenant, including, without limitation, the use, construction, installation, repair, maintenance and/or removal of the improvements; and
- for purposes of the Covenant, the Superintendent of Schools shall be the party designated by the Board to grant or deny all approvals required by said Covenant.

The Office of School Facilities recommends entering into the proposed Covenant. The Covenant will be reviewed and approved by the School Board Attorney's Office and the Office of Risk and Benefits Management prior to execution.

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

- 1) a Covenant with Miami-Dade County for District maintenance of landscaping within public right-of-way, located adjacent to Leewood K-8 Center, at 10345 S.W. 124 Street, substantially in conformance with the terms and conditions noted above; and
- 2) any other documents that may be required to effectuate said action.

ML:aj