

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

**SUBJECT: AUTHORIZATION FOR THE SUPERINTENDENT TO FINALIZE NEGOTIATIONS AND EXECUTE AN AMENDMENT TO THE LEASE AGREEMENT WITH EVERGLADES COMMUNITY ASSOCIATION, INC., LOCATED AT 38000 SW 193 AVENUE, FLORIDA CITY, FOR USE OF CLASSROOM SPACE BY THE MIGRANT EDUCATION PROGRAM**

**COMMITTEE: FACILITIES AND CONSTRUCTION REFORM**

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

Background

Since February 2006, the Board has leased 1,837 square feet of office/retail space from the Everglades Community Association, Inc. ("ECA"), located at 38000 SW 193 Avenue, for classroom use. ECA is a Florida non-profit corporation, which operates the Everglades Farm Worker Village, a low-income housing project with approximately 300 school-age migrant children. The leased facility is utilized by the Title I Migrant Education Program ("Program") to provide supplemental extended school day program and support services to approximately 100 at-risk students who reside within the Village. The vast majority of these students attend Laura C. Saunders Elementary, Homestead Middle and Homestead Senior High Schools. In addition, this facility is used to conduct evening classes and workshops for migrant farm worker adults residing within the Village. The current term of the Agreement expires June 30, 2013, and there are no renewal options available.

Staff contacted the landlord who expressed a willingness to extend District use of the facility for a five year term (July 1, 2013 through June 30, 2018). Due to the longstanding relationship, ECA has agreed to maintain the rental obligation at the same rate of \$14,832 per year for the first two (2) years of the lease extension, with the rate to increase by 2% each year thereafter for the remainder of the term. Title I Administration has advised that funding from the Title I Migrant Grant will be utilized to fund the annual rental obligation.

Proposed Lease Amendment

Title I Administration is recommending that the Superintendent be authorized to finalize negotiations and execute a lease amendment with ECA to extend the lease agreement for the period of July 1, 2013 through June 30, 2018. The rental rate will remain unchanged at \$14,832 per year for the two-year period of July 1, 2013 through June 30, 2015, and will increase by 2% each year thereafter (\$15,128.64 annually for the period of July 1, 2015 through June 30, 2016; \$15,431.21 annually for the period of July 1, 2016 through June

30, 2017; and \$15,739.84 annually for the period of July 1, 2017 through June 30, 2018).

All other terms and conditions of the lease agreement will remain unchanged, including;

- ECA will provide and pay for all utilities except electricity, which shall be the District's responsibility;
- ECA shall provide all maintenance and repairs to the office building common areas;
- the District shall provide routine maintenance, repairs and custodial services to the demised premises;
- the District may cancel this agreement at any time by providing the landlord with a minimum of six months prior written notice. In addition, the District may cancel the agreement with 30 days' notice in the event Federal or other governmental requirements which govern Title I programs or activities are significantly modified, or Federal funds or other funding sources for this Program are eliminated or significantly reduced, to the extent that the District is no longer able to operate its Program at this location;
- other than in the event of damage or destruction, or default on the part of the District, which default is not cured, ECA shall not have the right to cancel the lease agreement; and
- for purposes of this lease agreement, the Superintendent of Schools shall be the party designated by the Board to grant or deny all approvals required by the lease agreement, or to cancel the lease agreement.

The lease amendment 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 finalize negotiations and execute an amendment to the lease agreement with Everglades Community Association, Inc., located at 38000 SW 193 Avenue, Florida City, for use of classroom space by the Migrant Education Program, to extend the lease term for the period commencing July 1, 2013 and ending June 30, 2018. The rental rate will remain unchanged at \$14,832 per year for the two-year period of July 1, 2013 through June 30, 2015, and will increase by 2% each year thereafter (\$15,128.64 annually for the period of July 1, 2015 through June 30, 2016; \$15,431.21 annually for the period of July 1, 2016 through June 30, 2017; and \$15,739.84 annually for the period of July 1, 2017 through June 30, 2018). All other terms and conditions of the lease agreement will remain unchanged.

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