

Facilities Planning and Construction
Paul J. Phillips, Chief Facilities Officer

SUBJECT: AUTHORIZATION TO EXECUTE A LEASE AGREEMENT WITH TEMPLE ISRAEL OF GREATER MIAMI, INC., FOR THE USE OF BOARD-OWNED LAND FOR EDUCATIONAL AND RECREATIONAL PURPOSES

The Board, at its meeting of December 8, 1999, authorized the Superintendent or his designee to negotiate a lease agreement with Temple Israel of Greater Miami, Inc. (Temple Israel), for use of the former Miramar Elementary School property. In addition, the Superintendent was directed to bring the fully negotiated lease agreement back to the Board for review and authorization. Based on this direction, staff has negotiated a lease agreement with Temple Israel that includes the following terms and conditions:

- a one year term, with three one-year renewal option periods, at the Board's option;
- Temple Israel shall have the right to purchase the site at any time during the initial one year lease period and first one-year option period, for the sum of \$133,000, which is the average fair market value of two appraisals commissioned by the District in 1999;
- Temple Israel shall have the right to purchase the site at any time during the second and third one-year option periods, at a sales price to be determined by the average fair market value of two new District-commissioned appraisals. However, in no event shall the sales price be less than \$133,000;
- Temple Israel shall accept the site in its current condition;
- no permanent improvements of any type or nature shall be constructed on the site;
- Temple Israel shall have all responsibility for site maintenance;
- Temple Israel shall indemnify, defend and hold harmless the Board from all claims or actions arising from its use of the site and shall maintain a policy of General Liability Insurance in an amount of at least \$1,000,000, which insurance shall name the Board as an additional insured;
- either party shall have the right to cancel the lease at any time with 120 days prior written notice; and
- the Superintendent shall be the party designated by the Board to grant or deny all approvals required by this lease or to cancel this lease.

The proposed lease agreement has been reviewed by the School Board Attorney's Office and by the Office of Risk and Benefits Management.

A copy of the lease agreement will be placed on file in the Citizen Information Center and in the Recording Secretary's Office.

RECOMMENDED:

That The School Board of Miami-Dade County, Florida, authorize the Superintendent or his designee to execute a lease agreement with Temple Israel of Greater Miami, Inc., for the use of Board-owned land for educational and recreational purposes, at an annual rental amount of \$1, and under the terms and conditions set forth above.

MAL:slr