

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

**SUBJECT: AUTHORIZATION TO EXECUTE A LEASE AGREEMENT WITH THE
FLORIDA GRAND OPERA, INC., FOR THE USE OF A PARKING LOT
FOR DISTRICT STAFF AND VISITORS**

From June 1995 to May 2000, the Board leased a 125 space parking lot, located at 1411 N. E. 2 Avenue (see location map), for use by District staff and visitors, from the Florida Grand Opera, Inc. (Opera). In December 1999, the Opera advised that it would commence construction of its new headquarters on this site by the Fall of 2000. As such, the agreement expired on May 31, 2000, and the District leased a replacement facility with 100 parking spaces at 235 N. E. 16 Street. District Office Operations has now advised that current School Board Administration Building parking facilities for staff and visitors are insufficient to meet the growing needs of the District, and that the Superintendent's Cabinet has directed that additional parking accommodations be pursued. Staff conducted an extensive survey of alternate parking facilities within close proximity to the School Board Administration Building, and determined that lease rates for available parking lots are approximately \$50 per space per month, compared with the lease rate of \$22.93 per space per month offered by the Opera.

The Opera was contacted and indicated that construction of its new building has been delayed, and will not begin prior to October 31, 2001. The Opera is willing to enter into a new lease agreement, under similar terms and conditions as the previous agreement, and will charge the same rental rate in effect on May 31, 2000. Funds for the leasing of the Opera lot were included in the 2000-01 District Lease Budget, and are available to make lease payments for the balance of the current fiscal year.

Pursuant to negotiating procedures, a Management Team meeting was held on November 20, 2000, for direction on negotiating strategies and parameters. Based on this direction, a lease agreement with the Opera that includes the following terms and conditions is recommended:

- six month term from January 1, 2001 through June 30, 2001;
- one (1) one-year renewal option period from July 1, 2001 to June 30, 2002, at the Board's sole option;
- rent shall be \$2,866.25 per month (\$34,395 annually), and shall not increase during the renewal option period;
- the Opera shall repair the perimeter fence and gate to a usable condition, repair all existing pot holes, remove all exposed concrete reinforcement bars, remove all debris and litter, mow the grass, remove the weeds growing out of the asphalt, empty the storm water drain and

ensure that it is working properly, and restore the demised premises to a safe and working condition, at its sole cost and expense;

- the District may expend funds, in an amount not to exceed \$1,000, for incidental costs to prepare the facility for use by visitors and staff;
- the District shall have the sole right to cancel the lease agreement at any time during the initial six month term by giving the Opera 30 days prior written notice;
- either party shall have the right to cancel the lease agreement at any time during the renewal option period, by giving the other party 90 days prior written notice;
- the District shall be responsible for any utility payments and for all maintenance of the demised premises during the lease term;
- the District shall indemnify and hold the Opera harmless, to the extent of the limitations included within Florida Statutes, from all liability which may arise as a result of the Board's use of the premises; and
- the Superintendent shall be the party designated by the Board to grant or deny all approvals required by this lease agreement or to cancel this lease agreement.

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

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

The officers and directors of the Florida Grand Opera are: James M. Herron, President/Director; Dennis G. Bedley, Treasurer/Director; Frosene Sonderling, Director; and Robert Heuer, Manager. The Registered Agent is Valdes-Fauli Corporate Services, Inc.

RECOMMENDED:

That The School Board of Miami-Dade County, Florida, authorize the Superintendent or his designee to execute a lease agreement with the Florida Grand Opera, Inc., for the period of January 1, 2001 through June 30, 2001, at a monthly rental amount of \$2,866.25, and under the terms and conditions set forth above.

VGv:slr

LOCATION MAP



LEGEND

 DEMISED PREMISES

