

Business Operations
Joe Arriola, Chief Business Officer

**SUBJECT: REIMBURSEMENT TO THE CITY OF MIAMI FOR MAINTENANCE COSTS
AT SIX CITY PARKS**

Since July 1987, the Board has utilized six City of Miami (City) parks for the daily recreational activities of adjacent schools under a license agreement with the City. These sites are Gibson Park/Douglass Elementary, Ambrister Park/Carver Elementary and Carver Middle, Lemon City Park/Toussaint L'Overture Elementary, Range Park/Edison Park Elementary, Shenandoah Park/Shenandoah Middle and West End Park/Fairlawn Elementary. The Board has exclusive use of these parks during school hours.

In September 1994, the District entered into a new License Agreement for use of these City parks. The terms of the agreement provide for the City to maintain the park sites and for the Board to reimburse the City for 60% of its costs; these include equipment and tools, tree trimming, trash disposal, mowing and edging, field maintenance, utilities and overhead for administrative and field personnel.

Since June 2001, District and City staff have been in discussion concerning this agreement, specifically as it compares to similar agreements with other municipalities for recreational use of their park improvements, and the District's estimate of actual park usage. Research by District staff indicates that many of the referenced schools use a significantly reduced portion of the total park's acreage from what was originally reflected in the agreement and that the percentage of total use is also considerably less than the 60% being billed to the District. City staff had repeatedly advised District staff that they opposed modifying the agreement prior to September 30, 2002, when the current term will expire. However, in order to preserve the District's right to continue using the park sites, the Board, at its February 13, 2002 meeting, authorized payment to the City for two outstanding invoices for the period of April 1, 2001 through September 30, 2001, totaling \$187,564. The Board also directed staff to continue pursuing a modification of the License Agreement to reduce rent to an amount intended solely to off-set actual expenditures generated by the District's use of the premises, with staff to bring this issue to the Board for further direction, should the negotiations of such a modified agreement not be achieved by March 31, 2002.

In a subsequent meeting with City staff, District staff were advised that City staff would not seek to modify the terms and conditions of the current agreement, and would not recommend such a modification to the City Commission. In the meantime, however, the City has submitted an invoice in the amount of \$89,496 for the period of October 1, 2001 through December 31, 2001. In order to preserve the District's right to use the park sites

while staff continues to pursue this matter with the City, it is staff's recommendation that this payment be authorized.

The seven school principals have reviewed the back-up information supplied by the City for the current billing period, and confirmed that the schools have been utilizing the six park sites and that the City has been satisfactorily maintaining same.

Funds for this expenditure were included in the approved 2001-02 District Lease Budget.

RECOMMENDED: That The School Board of Miami-Dade County, Florida:

1. authorize payment to the City of Miami for maintenance and utility costs for District use of six City of Miami park sites in the amount of \$89,496, for the period of October 1, 2001 through December 31, 2001; and
2. direct staff to continue to pursue a modification to the License Agreement to reduce rent to an amount intended solely to offset actual expenditures generated by the District's use of the premises.

MMC:rr