

Business Operations  
Joe Arriola, Chief Business Officer

**SUBJECT: REIMBURSEMENT TO THE CITY OF MIAMI FOR MAINTENANCE COSTS  
AT SIX CITY PARKS AND RENEWAL OF LICENSE AGREEMENT WITH  
THE CITY OF MIAMI FOR USE OF SIX CITY PARKS FOR 2002-03**

Introduction

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. The current term of the agreement will expire on September 30, 2002. The Board has the option of renewing the agreement for the period of October 1, 2002 through September 30, 2003, under the same terms and conditions.

Reimbursement

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 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 less than the 60% being billed to the District. City staff has repeatedly advised District staff that they oppose modifying the agreement to reduce the rental amount. In the meantime, the City has submitted an invoice in the amount of \$89,496 for the period of January 1, 2002 through March 31, 2002. The billed amount is in keeping with the terms and conditions of the present agreement and, as such, 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 are included in the approved 2001-02 District Lease Budget.

Renewal

As noted above, the current License Agreement will expire on September 30, 2002. The Board has the option of renewing the agreement for an additional one-year period, by providing the City with written notice prior to June 30, 2002, but only under the existing terms and conditions. An analysis by District staff has verified that the six schools in question utilize less park acreage, for a reduced period of time each day than currently reflected in the agreement. Based on this information, the estimated annual cost to the District to offset actual City expenditures generated by District use is approximately as follows:

**COMPARISON OF LEASE RATES FOR PARK SPACE AND PROPOSED ADJUSTMENTS**

<b>PARK/SCHOOL</b>	<b>CURRENT ANNUAL LEASE RATE (app.)</b>	<b>PROPOSED ADJUSTED LEASE RATE (app.)</b>
Athalie Range Park/Edison Park El.	\$81,350	\$30,668
Gibson Park/Douglas El.	\$57,900	\$16,068
Armbrister Park/Carver El. & Mid.	\$62,650	\$24,480
Lemon City Park/T. L'Oventure El.	\$31,200	\$12,276
Shenandoah Park/Shenandoah Mid.	\$88,400	\$30,500
West End Park/Fairlawn El.	\$56,300	\$16,688

Total current annual lease rate: \$377,800 (approx.)  
Proposed adjusted lease rate: \$130,680 (approx.)  
**Total proposed reduction: \$247,120**

In addition, a recent survey completed by principals of all schools located in the City determined that three school sites are used regularly for City Optimists' youth league activities, without benefit of any formal agreement. An additional 12 school locations indicated extensive after school use of their recreational facilities by the surrounding community. Such use of school facilities by the City and community creates an opportunity for quid pro quo, through a mutually beneficial agreement with the City for its use of school recreational facilities.

As noted previously, City staff have not been receptive to any downward adjustments to the current lease rates. In order to preserve the District's right to continue using the six park sites beyond September 30, 2002, it is staff's recommendation that the agreement be renewed for an additional one-year period, with staff further directed to pursue a modification of the agreement to reflect a reduction in District costs to an amount more consistent with the above proposed adjusted lease rate. Staff is to bring the results of its negotiations to the Board by September 30, 2002, for further direction.

All terms and conditions of the license agreement would remain unchanged. The term of

the renewal option period would commence October 1, 2002, and would end September 30, 2003. No physical improvements requiring the use of District funds would be necessary as a result of the proposed Board action.

Staff contacted the Region IV Superintendent and the Associate Superintendent of School Operations, who indicated a continuing park space need for the daily recreational activities of the subject six schools.

**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 January 1, 2002 through March 31, 2002;
2. direct staff to enter into negotiations with the City of Miami to modify the license agreement to reflect a reduction in District costs to an amount more consistent with staff's proposed adjusted rate and as described in more detail in the body of this item. Staff is to bring the results of its negotiations to the Board by September 30, 2002, for further direction; and
3. in order to preserve the District's right to continue using the park sites beyond September 30, 2002, authorize the renewal of the license agreement with the City of Miami for the use of six City of Miami park sites, with the Board to reimburse the City for 60% of its actual costs. The term of the renewal option period will commence October 1, 2002, and will end September 30, 2003. All other terms and conditions of the license agreement will remain unchanged.

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