

Business Operations
Facilities Planning
Ana Rijo-Conde, AICP, Administrative Director

**SUBJECT: AUTHORIZATION TO NEGOTIATE FOR THE PURCHASE OF
LAND FOR STATE SCHOOL "NN1" WITHIN REGION I OF THE
SCHOOL DISTRICT**

COMMITTEE: FACILITIES PLANNING AND CONSTRUCTION

Background

In conformance with the School District's Five-Year Work Program, District staff conducted research to identify viable sites for an educational facility listed as State School "NN1", pursuant to search parameters established by Region I staff. State School "NN1" will provide relief for Lawton Chiles Middle School. Funding for the site purchase and construction of this school has been allocated in the 2002-03 fiscal year.

Analysis

Pursuant to School Board Rule 6Gx13-2C-1.083 and Chapter 235, Florida Statutes, an informational packet consisting of potential school sites and preliminary due diligence was presented to the Technical Review Committee (TRC) on February 27, 2002 for review and comment. In its advisory capacity, and based on its review of the preliminary due diligence results, the TRC authorized staff to proceed with more extensive due diligence on two sites, one located at NW 75 Place and theoretical NW 185 Street and the other at Miami Gardens Drive and NW 62 Avenue. Subsequently, based on expanded search boundaries provided by the Region, one additional property was identified located at NW 178 Street and NW 89 Avenue.

The TRC's recommendations were presented to the School Site Planning & Construction Committee (SSPCC) at its May 16, 2002 meeting, for review and direction. Based on input from Region I staff and its own discussion of the proposed sites, the SSPCC recommended that staff pursue two sites, hereinafter referred to as Site "A" and Site "B" (see attached location maps). The SSPCC recommended Site "A" as the first priority and Site "B" as an alternate. Site "A" is located at NW 75 Place and theoretical NW 185 Street and Site "B" is located at NW 178 Street and NW 89th Avenue.

On August 29, 2002, staff presented negotiation parameters and recommendations to the TRC based on two independent appraisals and a review for each site as required by board rule. Recommendations made by the TRC were subsequently presented to the SSPCC on September 4, 2002.

Upon review, the SSPCC in turn recommended presenting Site "A" as first priority, and Site "B" as an alternate to the School Board for authorization to negotiate the

REPLACEMENT
E-8

acquisition, based on specific negotiating parameters and subject to further due diligence. Because of time constraints associated with the proposed development of these sites for residential use, coupled with an extremely limited number of viable sites from which to choose, the SSPCC recommended that Board authorization be given for concurrent negotiations on Sites "A" and "B." Should negotiations be successful, an agenda item for authorization to execute a purchase and sale agreement will be presented to the Board at the next available meeting. It should be noted that there were four members of the public present at the meeting who spoke in support of pursuing both sites.

Additional Information

As indicated above, staff undertook and completed additional due diligence for both sites as required by the governing board rule with the exception of a Phase II environmental assessment and trenching. Listed below are property locations and corresponding due diligence results received for Sites "A" and Site "B".

Site A

Location: This site is approximately 10 acres of vacant, filled land and represents a portion of a larger parent tract, approximately 30 acres in size. This site is located at NW 75 Place and theoretical NW 185 Street, Miami, Florida.

Summary of Due Diligence Results: A copy of due diligence records will be submitted to the Board under separate cover and a copy placed with Citizen's Information.

1. **Determination of Historic or Cultural Resources:** The Miami-Dade County Historic Preservation Division has indicated that the subject site has a zero to low probability of cultural resources being present on it.
2. **Jurisdictional Statements:** Both the South Florida Water Management District and the Department of Environmental Resources Management (DERM) have indicated that the subject site does not contain wetlands. The Army Corps of Engineers has not provided a statement. Additionally, DERM's Water Control section has indicated that fill encroachment criteria is to be determined by the South Florida Water Management District.
3. **Phase I Environmental Audit:** The Audit indicated that based on a records review, interviews and reconnaissance, the environmental consultant recommended that no further assessment appears warranted at this time. However, the debris pile located on the northern section of the property should be removed and properly disposed of in an environmentally acceptable manner. A copy of the Executive Summary of findings and conclusions will be included in the supplemental information to be submitted to the Board under separate cover and a copy placed with Citizen's Information.

4. Estimated Development Costs: A District commissioned estimate of development costs, (including road improvements, wetland mitigation fees, traffic control devices, utilities, excavation and backfill) for the subject site placed that cost at an estimated \$287,208, or \$29,670/acre.
5. Comprehensive Plan/Zoning compliance: The Miami-Dade County Planning and Zoning Department has indicated that the acquisition of the subject property for a new middle school is in conformity with the Comprehensive Development Master Plan.
6. Aviation: Miami-Dade County Aviation (Aviation) Department has indicated that the subject site is compatible with airport operations as it is located outside the No-School Zone.
7. Appraisals: District commissioned independent appraisals and a review are complete and have been incorporated into the subject property file.

Site B

Location: This site consists of approximately 9 acres of vacant undeveloped land and represents a portion of a larger parent tract approximately 72 acres in size. This site is located at NW 89 Avenue and NW 178 Street, Miami, Florida.

Summary of Due Diligence Results: A copy of due diligence records will be submitted to the Board under separate cover and a copy placed with Citizen's Information.

1. Determination of Historic or Cultural Resources: The Miami-Dade County Historic Preservation Division has indicated that the subject site has a medium to high probability of cultural resources being present on it. An archeological assessment may be required.
2. Jurisdictional Statements: Both the South Florida Water Management District and the Department of Environmental Resources Management (DERM) have indicated that the subject site does contain wetlands. The U.S. Army Corps of Engineers has not provided a statement. Additionally, DERM's Water Control section has indicated that fill encroachment criteria is to be determined by the South Florida Water Management District.
3. Phase I Environmental Audit: The Audit indicated that based on a records review, interviews and reconnaissance, the environmental consulting firm recommends that no further assessment appears warranted at this time. However, electrical or mechanical equipment likely to contain polychlorinated biphenyls (PCBs), were observed along the south adjoining property boundaries. A copy of the Executive Summary of findings and conclusions will be included in the supplemental information to be submitted to the Board under separate cover and a copy placed with Citizen's Information.

4. Estimated Development Costs: A District commissioned estimate of development costs (includes road improvements, wetland mitigation fees, traffic control devices, utilities, excavation and backfill) for the subject site indicated these cost could range from \$2,600,000 to \$3,900,000, or \$299,884 to \$ 449,826/acre.
5. Comprehensive Plan/Zoning Compliance: The Miami-Dade County Planning and Zoning Department has indicated that the acquisition of the subject property for a new middle school is in conformity with the Comprehensive Development Master Plan
6. Aviation: The Miami-Dade County Aviation (Aviation) Department has indicated that the subject site is compatible with airport operations as it is located outside the No-School Zone.
7. Appraisal: District commissioned independent appraisals and review are complete and have been incorporated into the subject property file.

It is important to note that the owners of both Site "A" and Site "B" may not be willing sellers, and as such have not authorized staff to conduct further environmental assessments of the subject sites.

If negotiations are successful, a purchase and sale agreement will be subject to further environmental investigations.

Legal Description of Subject Land (Site "A")

Being a portion of section 11, Township 52 South, Range 40 East, FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1, according to the Plat thereof as recorded in Plat Book 2 at page 17, of the Public Records of Dade County, Florida.

The owner of the Site "A" is Southwest Florida Land Developers and Investors, Inc.

The Officers of the Corporation are Ezequiel Ruiz and Carmen Barrier.

Legal Description of Subject Land (Site "B")

A portion of Tract 9 of FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO.1 of Section 9, Township 52 South, Range 40 East, according to the Plat thereof, recorded in Plat Book 2, Page 17, of the Public Records of Dade County, Florida.

The owner of Site "B" is Century Prestige II, LLC.

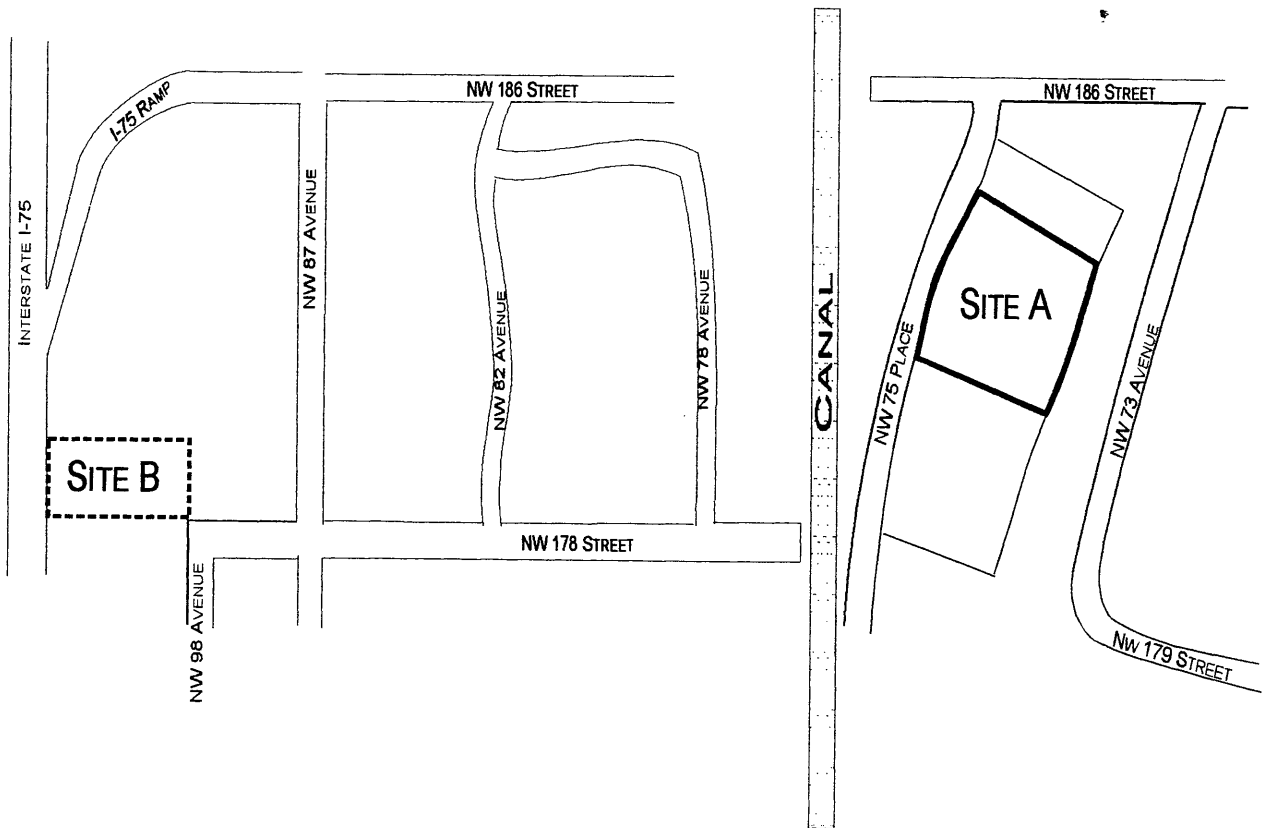
The Managers of Century Prestige II, LLC are Sergio Pino and Martin Caparros, Jr.

RECOMMENDED:



That The School Board of Miami-Dade County, Florida, authorize the Superintendent or his designee to negotiate for the purchase of land for State School "NN1" within Region I of the School District pursuant to the ranking and negotiating parameters recommended by the School Site Planning and Construction Committee.

JB:hf

LOCATION MAP



LEGEND

-  +/- 10 ACRES-SUBJECT PROPERTY (SITE A, STATE SCHOOL "NN1")
-  +/- 8.67 ACRES-SUBJECT PROPERTY (SITE B, SCHOOL SCHOOL "NN1")



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169