

Facilities Operations, Maintenance and Planning
Ana Rijo-Conde, Interim Assistant Superintendent

SUBJECT: AUTHORIZATION TO EXECUTE A JOINT USE AGREEMENT WITH MIAMI-DADE COUNTY FOR USE OF THE TROPICAL PARK COMMUNITY CENTER BY THE SOUTHWEST MIAMI ADULT EDUCATION CENTER

COMMITTEE: FACILITIES MANAGEMENT

The Board, at its meeting of November 14, 2001, authorized the Superintendent or his designee to execute a Joint Use Agreement with Miami-Dade County (County) for the continued use of the Tropical Park Community Center (Tropical), for adult ESOL classes. Classes have been conducted at this location for a number of years as part of the Southwest Miami Adult Education Center (Center). In the past, District use of this facility was re-authorized by the County each year through the issuance of an annual permit agreement, at a rate of \$12.15 per hour at Tropical, for a total annual cost not to exceed \$11,000. Because of the burdensome annual renewal process and to make public facilities available to the District on a long term basis at a rental rate intended solely to off-set actual expenditures generated by use of the premises, District staff requested and the County agreed to enter into a Joint Use Agreement for use of Tropical, at the significantly reduced rental rate of \$6,500 annually, under the following terms and conditions:

- a five year term, with two five-year renewal options, at the Board's option, subject to County approval, which approval will not be unreasonably withheld;
- the District may utilize Tropical from 9:00 a.m. to 1:15 p.m. on all regular school days, or for such other days and times as mutually agreed to by the Center principal and Park Manager;
- the annual lease rate shall be \$6,500 for the first year of the initial five-year term. Thereafter, the lease rate shall be adjusted annually based on the Consumer Price Index, but in no event will increase by more than 4%;
- the County shall be responsible for maintenance of the facility and for the payment of all utility costs;
- the Center shall provide regularly scheduled arts activities in its program to comply with Article 6 of the County Charter;
- either party shall have the right to cancel the Joint Use Agreement at any time by giving the other party 180 days prior written notice; and

- the Superintendent of Schools shall be the party designated by the Board to grant or deny all approvals required by the Joint Use Agreement, or to cancel the agreement.

The proposed Joint Use Agreement will be reviewed and approved by the School Board Attorney's Office, the Office of Risk and Benefits Management, the principal of the Southwest Miami Adult Education Center, the Assistant Superintendent for Adult, Vocational and Alternative Programs and the Associate Superintendent of Instructional Operations, prior to its execution.

RECOMMENDED:

That The School Board of Miami-Dade County, Florida authorize the Superintendent or his designee to execute a Joint Use Agreement with Miami-Dade County for the use of the Tropical Park Community Center, at the reduced annual amount of \$6,500, and under the terms and conditions set forth above.

MMC:rr