

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

**SUBJECT: RENEWAL OF LICENSE AGREEMENT WITH THE CITY OF MIAMI
FOR USE OF SIX CITY PARKS**

COMMITTEE: FACILITIES MANAGEMENT

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 Louverture 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, 2003. The Board has the option of renewing the agreement for the period of October 1, 2003 through September 30, 2004, under the same terms and conditions.

Renewal

Since June 2001, District and City staff have been in discussion concerning this License Agreement, specifically as it compares to similar agreements the District has in place 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 License Agreement and that the percentage of total use is also less than the 60% being billed to the District. City staff had repeatedly advised District staff that they oppose modifying the License Agreement to reduce the rental amount. In recent discussions, however, the City has expressed a willingness to consider modifying the License Agreement to reduce the total annual rent to \$1. As consideration for the foregoing, the City is seeking technology and other educational program improvements at certain City schools using the District funds otherwise designated for payment of rent to the City.

In order to preserve the District's right to continue using the six park sites beyond September 30, 2003, it is staff's recommendation that the License Agreement be renewed for an additional one-year period, while staff continues to develop this concept with the City. Should terms of such a proposed agreement be reached between District and City staff, this matter will be brought back to the Board for further review and direction.

All terms and conditions of the License Agreement will remain unchanged. The term of the renewal option period will commence October 1, 2003, and will end September 30, 2004. No physical improvements requiring the use of District funds are necessary as a result of the proposed Board action.

Staff contacted the ACCESS Center 4 Assistant Superintendent and the Associate Superintendent of ACCESS Centers, who indicated a continuing park space need for the daily recreational activities of the subject seven schools.

RECOMMENDED:

That The School Board of Miami-Dade County, Florida, in order to preserve the District's right to continue using the park sites beyond September 30, 2003, 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, 2003, and will end September 30, 2004. All other terms and conditions of the License Agreement will remain unchanged.

MMC:rr