

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

**SUBJECT: RENEWAL OF LEASE AGREEMENT WITH THE CITY OF NORTH MIAMI FOR USE OF THE NORTH MIAMI ARMORY PARKING LOT LOCATED AT 13250 N.E. 8 AVENUE, BY NORTH MIAMI MIDDLE SCHOOL, AND AUTHORIZATION TO EXECUTE A SECOND AMENDMENT TO LETTER AGREEMENT WITH THE CITY OF NORTH MIAMI FOR CONTINUED USE OF THE CITY'S COMMUNITY CENTER PARKING LOT LOCATED AT N.E. 131 STREET AND N.E. 8 AVENUE**

**COMMITTEE: FACILITIES MANAGEMENT**

Introduction

Since July 1997, the Board has leased the North Miami Armory parking lot (Armory Lot), consisting of 68 parking spaces and located at 13250 N.E. 8 Avenue, North Miami (see location map), from the City of North Miami (City), for use by the staff of North Miami Middle School (School), under a lease agreement (Agreement) with the City. The District has completed its initial five-year term, and is in the first of five one-year renewal option periods available under the Agreement. The current term of the Agreement will expire on August 25, 2003.

In September 2001, the City advised the District that as a result of the tragic events of September 11, 2001, the Armory Board of the State of Florida (Armory) will need exclusive use of the Armory Lot for an undetermined period of time and that the District will be unable to use same until further notice. Due to the limited amount of parking otherwise available at the School, the District and City entered into a letter agreement (Letter Agreement) for the temporary use of 68 parking spaces at the City's Community Center parking lot (Community Center Lot) until the Armory Lot is once again available for use by the District.

Renewal of Armory Lot Lease Agreement

Even though the Armory Lot is still not available for District use, the School Board Attorney's Office has advised that the District must exercise its renewal option in order to reserve its right to use the Armory Lot once the time of emergency is concluded. Although the Agreement for District use of the Armory Lot will renew effective August 26, 2003, the District will not occupy the space or pay rent for its use until such time as the Armory declares its preemptive use of the facility to be over. At that time, the Armory Lot will be made available once again for use by the School and the District will relocate the School's staff parking from the Community Center Lot, back to the Armory Lot. The Agreement specifies that the annual rental rate shall be increased each year by 4%. As such, the

current annual rental rate of \$2,786.13 shall be adjusted to \$2,897.58, which is \$3.55 per space per month. The term of the renewal option period will commence August 26, 2003, and will end August 25, 2004. All other terms and conditions of the Agreement will remain unchanged, including the following:

- either party shall have the right to cancel the Agreement at any time by giving the other party 90 days prior written notice; and
- the District is responsible for providing all repair and maintenance to the demised premises where such repair is due to the actions or negligence of the District.

#### Second Amendment to Letter Agreement

The Letter Agreement for use of the Community Center Lot will expire on August 25, 2003. Given that the Armory Lot is still unavailable for District use, staff contacted the City, which has expressed a willingness to extend the term of the Letter Agreement for an additional one-year period, with two one-year renewal option periods, at the City's sole option, or until such time as the Armory Lot is available for District use. The rental rate for the District's interim use of the Community Center Lot will be the same amount authorized under the Armory Lot Agreement.

Staff contacted the principal of North Miami Middle School, the ACCESS Center 2 Superintendent and the Associate Superintendent of ACCESS Centers, who indicated a continuing need for the Armory Lot for the staff of North Miami Middle School, and in the interim, a need for use of the Community Center Lot. The proposed Second Amendment to Letter Agreement will be reviewed and approved by the Office of Risk and Benefits Management and by the School Board Attorney's Office, prior to its execution.

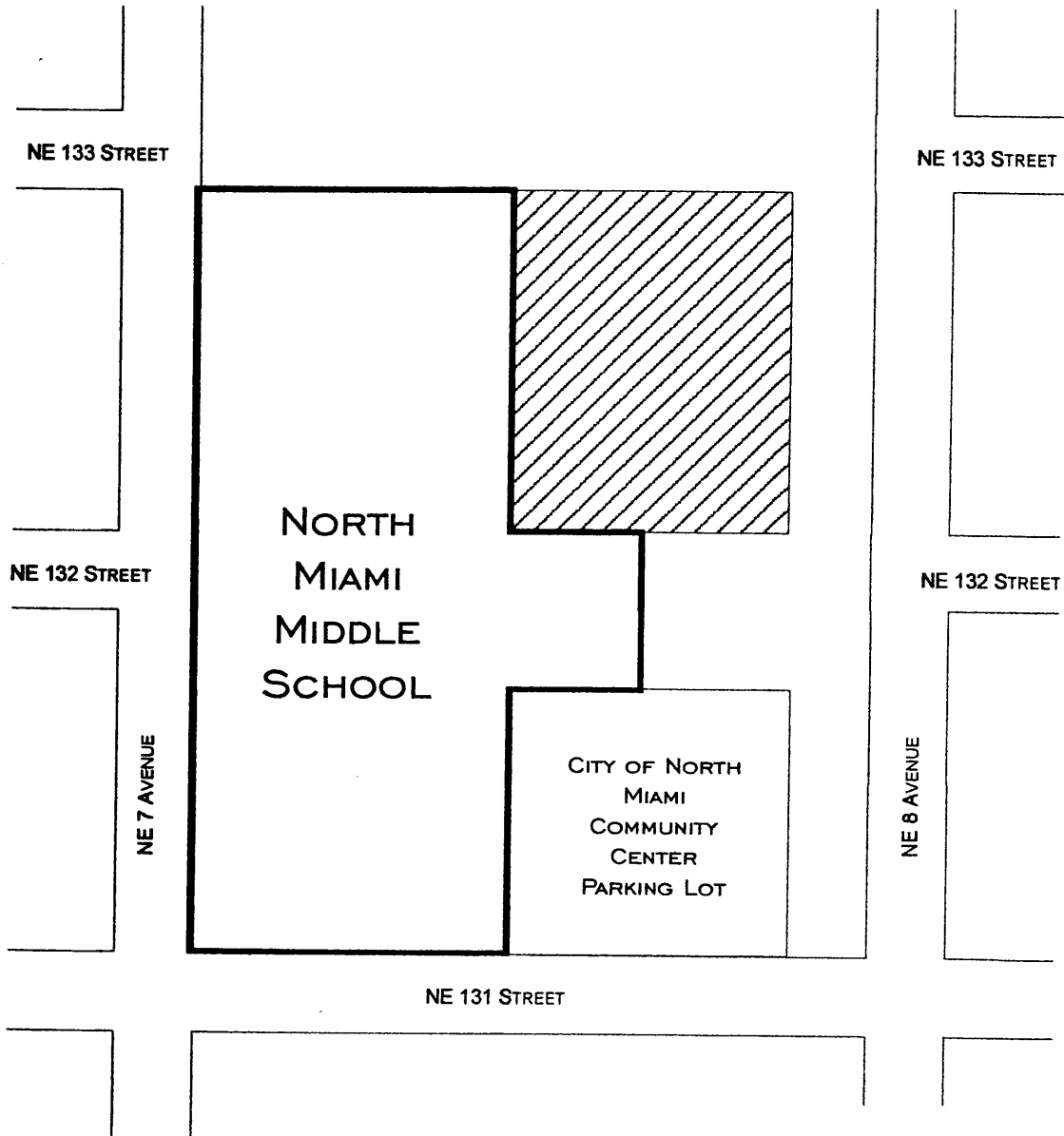
**RECOMMENDED:**

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


1. authorize the renewal of the lease agreement with the City of North Miami, for use of the Armory Lot, consisting of 68 parking spaces and located at 13250 N.E. 8 Avenue, as a measure intended to preserve the District's right to use the Armory Lot during the state of emergency. The District will not occupy the space or pay the annual rental rate of \$2,897.58 until such time as the state of emergency is concluded. The term of the renewal option period will commence August 26, 2003 and will end August 25, 2004. All other terms and conditions of the lease agreement will remain unchanged; and
2. authorize the Superintendent or his designee to execute a Second Amendment to Letter Agreement with the City of North Miami to allow continued interim use of 68 parking spaces at the Community Center Lot located at N.E. 131 Street and N.E. 8 Avenue, for an additional one-year period, with two one-year renewal options, or until such time as the Armory Lot is once again available for District use. The rental rate for the District's interim use of the Community Center Lot will be \$2,897.58, which is the same amount authorized under the Armory Lot Agreement. All other terms and conditions of the Letter Agreement will remain unchanged.

MMC:rr

# LOCATION MAP



**LEGEND**

 DEMISED PREMISES

NOT TO SCALE

