

Merrett R. Stierheim, Superintendent of Schools

**SUBJECT: UPDATE ON RELEASE OF P.E.C.O. FUNDING HELD IN RESERVE BY  
THE MIAMI-DADE LAND ACQUISITION AND FACILITIES  
MAINTENANCE OPERATIONS ADVISORY BOARD**

**COMMITTEE: FACILITIES MANAGEMENT**

As previously reported, on December 1, 2003, the 2+2+1 Committee met prior to a scheduled meeting of the Miami-Dade Land Acquisition and Facilities Maintenance Operations Advisory Board. All members of the 2+2+1 Committee were present with Board members Ms. Perla Tabares Hantman and Mr. Agustin Barrera, and Advisory Board Chair Mr. Ed Easton and Board member Mr. T. Willard Fair. Mr. Ray Monteleone, Deputy Education Commissioner, was the fifth member and acted as facilitator. After considerable discussion, it was moved and seconded and unanimously adopted to recommend to the Advisory Board the release of approximately \$44.4 million, which would be used by the District under the authority of the 2+2+1 Committee to acquire two tracts of land for school construction, and the remaining \$17 million would be spent on roofing and water intrusion maintenance projects.

The 2+2+1 Committee adjourned and almost immediately thereafter the Advisory Board convened. After opening comments, there was a motion by Mr. Ed London, which was duly seconded, to release all of the withheld funds under the authority of the 2+2+1 Committee. The \$44.4 million would be used as directed by the 2+2+1 Committee. The dollars that the District has budgeted for the same projects would be added to the balance of the state withheld funds and used to build the three schools on the Hialeah Gardens property which has been acquired through condemnation. It was the intent of the Advisory Board that the 2+2+1 Committee would retain a project manager to build those facilities. I pointed out that any contract would have to be approved by the School Board upon the recommendation of the 2+2+1 Committee. We would also have our quality inspectors reviewing construction, because those facilities would be turnkeyed for school operation. That motion passed unanimously.

Ms. Marie Bell, Executive Director of the Advisory Board, questioned whether or not the Board would be phased out of existence upon the release of all of the funds. No one agreed with that, because the 2+2+1 Committee was in fact a creation of both the Advisory Board and the School Board. In answer to this question, Advisory Board member T. Willard Fair made a motion that the prior motion was subject to a DOE legal interpretation that in fact the Advisory Board would stay in existence. I immediately placed a holder item for the December 10<sup>th</sup> School Board meeting with a recommendation that the School Board approve the action of both the 2+2+1 Committee and the Advisory Board.

**REVISED  
REPLACEMENT**

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All of the foregoing actions were in public meeting, recorded, and with the press present. Since that time, the chairman of the Advisory Board has, in discussion with staff, myself, and the School Board Chair, raised the prospect of additional requirements being imposed on the district. Because the time element is so critical as we quickly approach the February 1, 2004 reversion deadline for the FY 2001-02 P.E.C.O. appropriation, when we might lose the funds, we are recommending that the Board act on the official action of the 2+2+1 Committee and the Advisory Board.

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

1. receive the update above on the release of the P.E.C.O. funding held in reserve, which is reflective of the recommendations of the 2+2+1 Committee and of the Miami-Dade Land Acquisition and Facilities Maintenance Operations Advisory Board; and
2. authorize the Superintendent and Board Attorney to take the necessary steps to effect the release of withheld District funds in accordance with the actions of the 2+2+1 Committee and the Advisory Board. **REVISED**