

Business Operations
Ofelia San Pedro, Deputy Superintendent

SUBJECT: AUTHORIZATION TO EXECUTE A LEASE AGREEMENT WITH THE CITY OF MIAMI BEACH FOR USE BY MIAMI BEACH SENIOR HIGH SCHOOL OF FLAMINGO PARK, LOCATED AT 1435 MICHIGAN AVENUE

COMMITTEE: FACILITIES AND CONSTRUCTION REFORM

In July 2001, the Board and the City of Miami Beach (City) entered into a lease agreement to allow District use of the baseball facilities at Flamingo Park, located at 1435 Michigan Avenue, for Miami Beach Senior High School (School) home games as well as practice (see location map). The current lease agreement will expire on July 17, 2005.

The City has expressed a willingness to enter into a new lease agreement for a five-year term beginning with the 2005-06 school year. The City has proposed a fee for the first year of the agreement in the amount of \$15,000, which is intended to reimburse the City for the District's share of the annual maintenance cost of the baseball facilities. The annual fee shall increase by four percent each year thereafter. This fee covers a maximum of 118 days of use of the Flamingo Park baseball field and stadium, as well as the girls softball field. Any use beyond the 118 days will be subject to an additional fee. The new lease agreement will conform in large part to the current lease agreement, and includes, substantially, the following terms and conditions:

- the School shall have use of the facilities on practice days from approximately 3:00 p.m. to 6:30 p.m., and on game days from one and one-half hours before the game to one hour after the game;
- payment of \$15,000 as reimbursement for the District's share of the annual maintenance cost of the baseball and softball facilities for the 2005-06 baseball/softball season, with costs to increase by four percent every year thereafter;
- the City shall be responsible for utilities, and all repair and maintenance of the baseball facility, other than damage caused exclusively by the District during its period of use;
- the City and Board shall indemnify and hold each other harmless to the extent of the limitations included within Section 768.28, Florida Statutes;
- the school may use the facilities a maximum of 118 days per year. Any use beyond the 118 days will be subject to an additional fee;

- in addition to default or damage and destruction, either party may cancel the lease agreement at any time, without penalty, by providing the other party with one year prior written notice; and
- the Superintendent shall be the party designated by the Board to grant or deny all approvals required by this lease agreement or to cancel the agreement.

No physical improvements requiring the use of District funds are necessary as a result of the proposed Board action. In addition, the School Board Attorney's Office and the Office of Risk and Benefits Management shall review the proposed lease agreement prior to its execution.

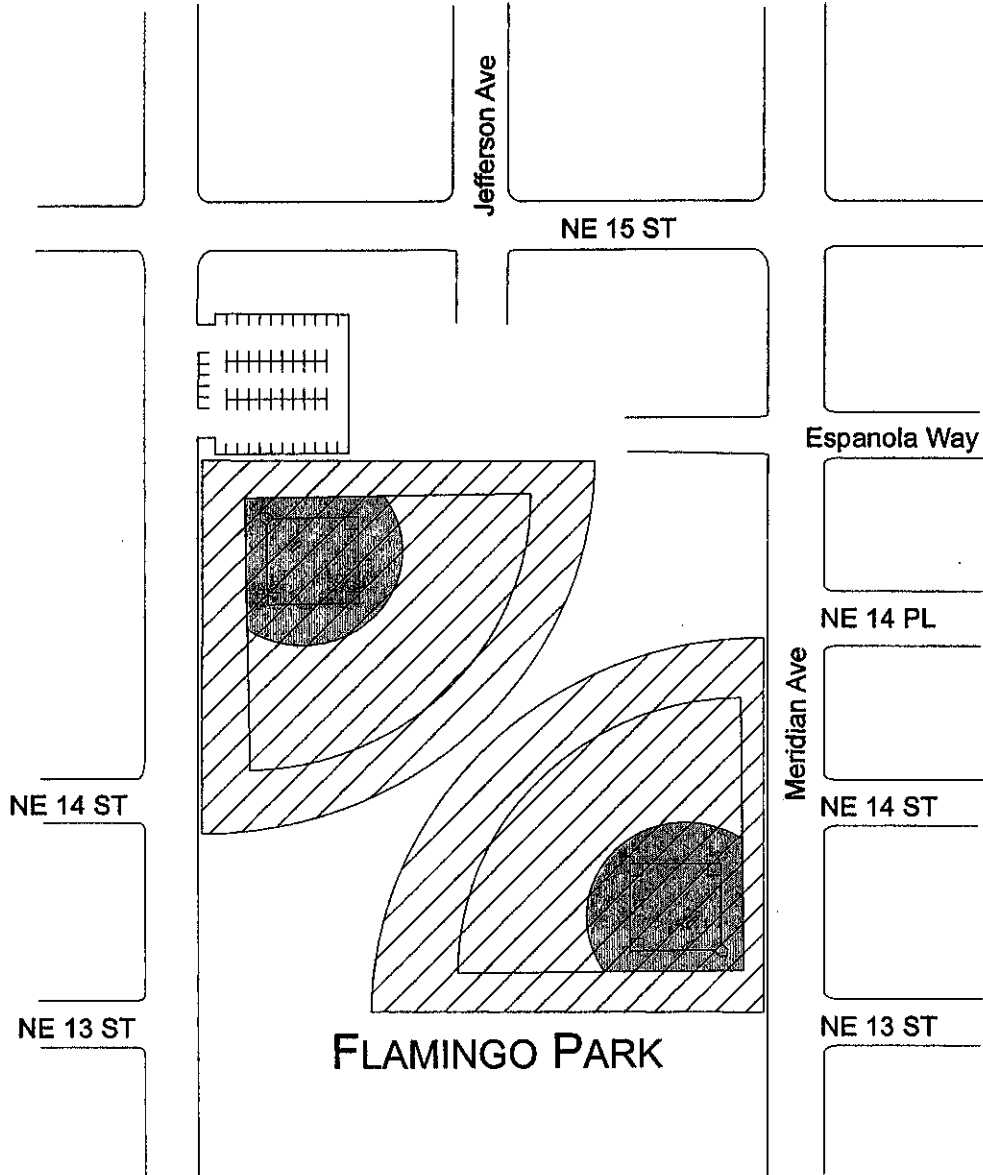
Staff contacted the Principal of Miami Beach Senior High School, the Region V Superintendent and the Associate Superintendent of Regional Operations, who indicated a continuing need for the use of Flamingo Park baseball and softball facilities to serve Miami Beach Senior High School for home games and practice for the five-year period commencing with the 2005-06 school year.

RECOMMENDED:


That The School Board of Miami-Dade County, Florida, authorize the Superintendent or his designee to execute a lease agreement with the City of Miami Beach for the use of Flamingo Park baseball and softball facilities for Miami Beach Senior High School, substantially in conformance with the terms and conditions noted above. The agreement shall be for a five-year term, commencing with the 2005-06 school year, at an initial annual rental amount of \$15,000.

CDR:rr

LOCATION MAP



LEGEND

 FLAMINGO PARK
BASEBALL & SOFTBALL
STADIUMS

