

Office of School Facilities  
Jaime G. Torrens, Temporary Chief Facilities Officer

**SUBJECT: AUTHORIZATION TO EXTEND THE NO COST AGREEMENT WITH FLORIDA MEMORIAL UNIVERSITY, FOR USE OF THE EXISTING BASEBALL FIELD AND RECREATIONAL AREA LOCATED PARTLY ON THE JAN MANN OPPORTUNITY SCHOOL NORTH AND UNIVERSITY CAMPUSES, BY EXECUTING AN AMENDMENT**

**COMMITTEE: FACILITIES AND CONSTRUCTION REFORM**

**LINK TO STRATEGIC PLAN: IMPROVE CONSTRUCTION SERVICES**

#### Background

Since 1997, Florida Memorial University (University) and Jan Mann Opportunity School North (School) have jointly utilized a baseball field and recreational area located partly on the University and School campuses (see location map), pursuant to a lease agreement (Lease) between the parties. Under the terms of the Lease, the University designed and constructed the baseball field, and the District contributed \$138,000 towards said construction. The University is also responsible for the maintenance of the baseball field and other related improvements. The baseball field is available to the District during regular school hours, during the summer and at all other times required by the District for the operation of routine school activities. The University has use of the baseball field at all other times.

#### Proposed Amendment

The District and University are in the last year of the 10-year agreement, which will expire on July 31, 2007. The Lease allows the District and the University to extend the term beyond July 31, 2007, as mutually agreed. Staff contacted the University, which has expressed a desire to amend the Lease to allow the continued use of the baseball field and recreational area for an additional ten-year period (August 1, 2007-July 31, 2017), under the same terms and conditions. No physical improvements requiring the use of District funds will be necessary as a result of the proposed Board action.

All other terms and conditions of the Lease will remain unchanged, including:

- Either party shall have the right to cancel the lease with 90 days notice; and
- Upon termination, cancellation or expiration of the lease, the University will surrender to the District all permanent improvements constructed on the Board-owned land or, at the District's sole option, the University will demolish all permanent improvements constructed by the University on Board-owned property.

The Principal of Jan Mann Opportunity School North and the Regional Superintendent of Regional Center I, have indicated a continuing need for the baseball field and recreational area and a desire to continue the joint use of the facilities with the University. The proposed lease amendment will be reviewed by the Office of Risk and Benefits Management and the School Board Attorney's Office, prior to its execution.

**RECOMMENDED:** That The School Board of Miami-Dade County, Florida, authorize the Superintendent or his designee to extend the no cost agreement with Florida Memorial University, for use of the existing baseball field and recreational area located partly on the Jan Mann Opportunity School North and University campuses, for the period commencing August 1, 2007 and ending July 31, 2017, under the terms and conditions noted above, by executing an amendment. All other terms and conditions of the lease agreement will remain unchanged.

PG:scj

# LOCATION MAP

