

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

SUBJECT: RENEWAL OF THE LEASE AGREEMENT WITH FLORIDA EAST COAST RAILWAY, LLC, FOR 25 FACULTY PARKING SPACES FOR THE DESIGN AND ARCHITECTURE SENIOR HIGH SCHOOL, LOCATED AT 4001 NE 2 AVENUE, MIAMI

COMMITTEE: FACILITIES PLANNING AND CONSTRUCTION

LINK TO

STRATEGIC PLAN: IMPROVE CONSTRUCTION SERVICES

Background

Since December 1990, the Board has leased a portion of railroad right-of-way behind the Design and Architecture Senior High School (DASH), located at 4001 NE 2 Avenue, from Florida East Coast Railway, LLC (FEC), for 25 faculty parking spaces (see location map). In addition to faculty parking, the leased area is used for daily food service delivery, building handicap accessibility and emergency egress, and offers the only viable location for the placement of school garbage dumpsters. The current lease agreement shall automatically renew for the period of December 18, 2009 through December 17, 2010, unless terminated by either party with 30 days notice. If allowed to renew, the current annual rental amount of \$12,225 (\$40.75 per space monthly), is to increase by the greater of 5% or the prevalent rate in the area. The FEC has advised that rent will increase by 5%, to \$12,825 (\$42.78 per space monthly).

District staff conducted a Market Survey of the area and investigated possible alternate parking facilities, and that information is attached. Most parking lots in the immediate vicinity are dedicated to tenants of adjoining office buildings, and no excess spaces are available for lease. A minimal number of parking spaces are located 2 blocks north of the currently leased FEC parking, at a rate of \$100 per space monthly. The City of Miami has advised that rates for a monthly decal to use the municipal parking lot located three blocks south of DASH are approximately \$36.92 per space monthly. However, there are currently no spaces available to accommodate 25 additional users. Staff also contacted McCrory Design Associates, who indicated that they have no parking spaces available, other than the 25 parking spaces they currently lease to the District for use by DASH.

Proposed Lease Renewal

As indicated above, the FEC has advised that the rental rate for the next year will increase from the current \$12,225 (\$40.75 per space monthly), to \$12,835 (\$42.78 per space monthly). The parking rates currently paid by the District in the vicinity of the School Board Administration Building and DASH are provided on the attached Rent Schedule.

Due to the absence of available alternate parking facilities in the vicinity, and need to continue use of the FEC parking lot to facilitate daily food service delivery, building handicap accessibility, emergency egress and the placement of school garbage dumpsters, it is recommended that the agreement be renewed for the period of December 18, 2009 to December 17, 2010, at an annual rental rate of \$12,835 (\$42.78 per space monthly). 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 current Agreement will remain unchanged, including:

- the lease will automatically renew for additional twelve-month periods, unless terminated by either party at least 30 days before the expiration of each successive term;
- for each renewal period, the rental rate shall increase by the greater of 5% or the prevalent rate in the area;
- the District shall be responsible for payment of all utilities consumed on the premises, and for maintaining and keeping the premises in good order and repair;
- the District shall pay the FEC the greater of actual cost or \$350 for any inspection conducted by the FEC, the results of which show a violation of any federal, state or municipal law or regulation;
- the District shall pay all applicable taxes for which it is not otherwise exempt; and
- either party may cancel the agreement at any time with 30 days prior written notice.

The Principal of DASH, the Regional Center II Superintendent and the Deputy Superintendent of District/School Operations, recommend renewing the agreement for the period commencing December 18, 2009, and ending December 17, 2010.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, authorize the renewal of the lease agreement with the Florida East Coast Railway, LLC, at an annual rental rate of \$12,835, for 25 faculty parking spaces for the Design and Architecture Senior High School. The renewal period will commence December 18, 2009 and end December 17, 2010. All other terms and conditions of the Agreement will remain unchanged.

IB:rr

RENT SCHEDULE

Leased Parking Facilities

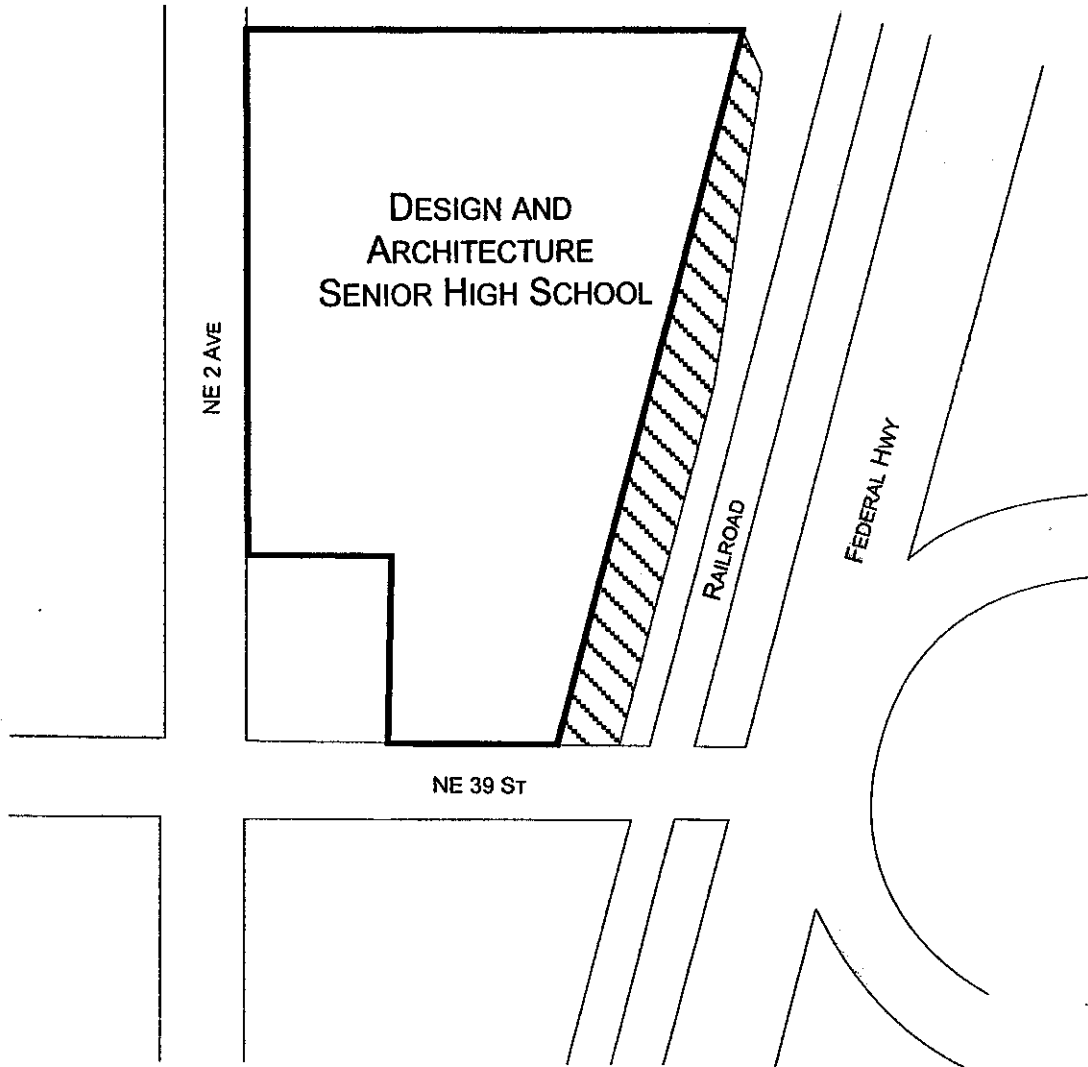
Location of Parking Facility	# of spaces	Amount of Rent	Use
1 Jack Thomas Lot 235 NE 16 Street (surface lot)	100	\$47,988/year (\$39.99/space/month)	Serves District staff in SBAB complex
2 McCrory Design Associates Ltd. 3930 NE 2 nd Ave. (surface lot)	25	\$8,250 annual rate (\$27.50/space/month)	Serves faculty at DASH

MARKET SURVEY

Possible alternate parking facilities for the Design and Architecture Senior High School

Option	Facility Location	Available Spaces For Lease	Lease Cost/Parking Space
1	Florida E. Coast Railway (<u>current location</u>) NE 40 Street & 2 Avenue (paved lot)	25	\$42.78
2	Miami Parking Authority NE 37 Street & 2 Avenue (municipal parking lot)	0	\$36.92
3	Kobi Karp Architecture 2915 Biscayne Boulevard (paved lot)	25	\$100
4	Flagler Group 4218 NE 2 Avenue (undeveloped vacant lot)	10	N/A
5	Jerusalem French SDA Church 4201 NE 2 Avenue (paved lot)	0	N/A
6	Dacra Design Moore, LLC 3750 Biscayne Boulevard (undeveloped vacant lot)	25+	N/A
7	Benzion Symbal 3470 N. Miami Avenue (paved lot)	0	\$115

LOCATION MAP



LEGEND

 DEMISED PREMISES
(25 PARKING SPACES)

