

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

SUBJECT: AUTHORIZATION FOR THE SUPERINTENDENT TO FINALIZE NEGOTIATIONS AND EXECUTE A PARKING PERMIT AGREEMENT BETWEEN THE SCHOOL BOARD (AS LESSEE) AND MIAMI PARKING AUTHORITY (AS LESSOR), FOR CONTINUED USE OF A PARKING GARAGE, LOCATED AT 40 NW 3 STREET, MIAMI, TO PROVIDE STAFF PARKING FOR NEW WORLD SCHOOL OF THE ARTS, LOCATED AT 25 NE 2 STREET, MIAMI

COMMITTEE: FACILITIES AND CONSTRUCTION REFORM

LINK TO STRATEGIC FRAMEWORK: FINANCIAL EFFICIENCY/STABILITY

Background

Since January 2011, the District has utilized parking spaces within the Miami Parking Authority ("MPA") Parking Garage, located at 40 NW 3 Street ("Garage"), for use by staff at New World School of the Arts ("School"), located at 25 NE 2 Street, Miami (see location map). The existing Parking Permit Agreement ("Agreement") allows use by the School of up to 49 parking spaces, at any one time; the School has been using 45 parking spaces on a regular basis. The Agreement expires June 30, 2013, and MPA has agreed to enter into a successor agreement, under similar terms and conditions, including the parking permit rate of \$89.99 per parking space per month.

District staff surveyed the area and researched five possible alternate parking facilities within reasonable proximity to the School; that information is reflected in the attached Market Survey table. The cost per space indicated is inclusive of the City of Miami's mandated 15% Parking Surcharge. Operating hours are also noted, since the School operates many programs and activities during evening and weekend hours, requiring available parking during extended hours.

Proposed Parking Permit Agreement

Given the School's continuing need for off-site parking facilities to serve staff, and the lack of alternate suitable Board-owned locations to accommodate this need, it is recommended that the Board enter into a new Parking Permit Agreement ("Proposed Agreement") with MPA for the continued use of the Garage. The Garage is currently serving School needs, is located within a short walking distance from the School and has expanded hours of operation.

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Given the long-standing relationship with the School, MPA has agreed to keep the existing rate of \$89.99 per parking space per month (inclusive of the City of Miami's mandated 15% Parking Surcharge). This rate will remain fixed for the initial period of the Proposed Agreement (July 1, 2013 to June 30, 2016).

Terms and conditions of the Proposed Agreement are, substantially, as follows:

- the term will be for a three year period (July 1, 2013 through June 30, 2016), with the ability to extend the term for two additional one year periods, at the mutual option of the Parties, upon 90 days advance written notice;
- the parking permit rate shall be \$89.99 per parking space per month (inclusive of the City of Miami's mandated 15% Parking Surcharge) and will remain unchanged for the initial three year period of the Proposed Agreement (July 1, 2013 to June 30, 2016). If MPA determines that the Parking Market Rate in the immediate vicinity of the Garage has increased significantly and it wishes to increase the rate during either of the two, one-year extension periods, MPA shall provide a market study to the District documenting that the market rate has increased 15% or higher, necessitating such an increase. Any such increase will be capped at 15% of the then current rate. MPA will not increase rental rates should the market study demonstrate an increase in the parking marking rate of less than 15%;
- MPA will provide the District up to 49 parking cards. Parking spaces will not be reserved, but space within the Garage will be guaranteed;
- the total number of parking cards made available to the District may, at the option of the District, be increased or decreased by up to 10 cards (from 39 to 59 cards in total), by providing MPA with 30 days notice, and the total monthly pricing for the applicable period of use will be adjusted accordingly based on the per card cost then in effect;
- the District shall have use of the Garage from 6:00 a.m. to midnight, Monday through Friday and 6:00a.m.-10:00p.m. on Saturday;
- either Party may cancel the Proposed Agreement, at any time, with 60 days notice;
- the District may, at its option, toll the Proposed Agreement, during any period when the School will not be in session (e.g. summer recess), provided such tolling is in monthly increments;
- in the event of any litigation between the Parties under the Proposed Agreement, each Party shall be responsible for its own attorney's fees and court costs through trials and appellate levels;

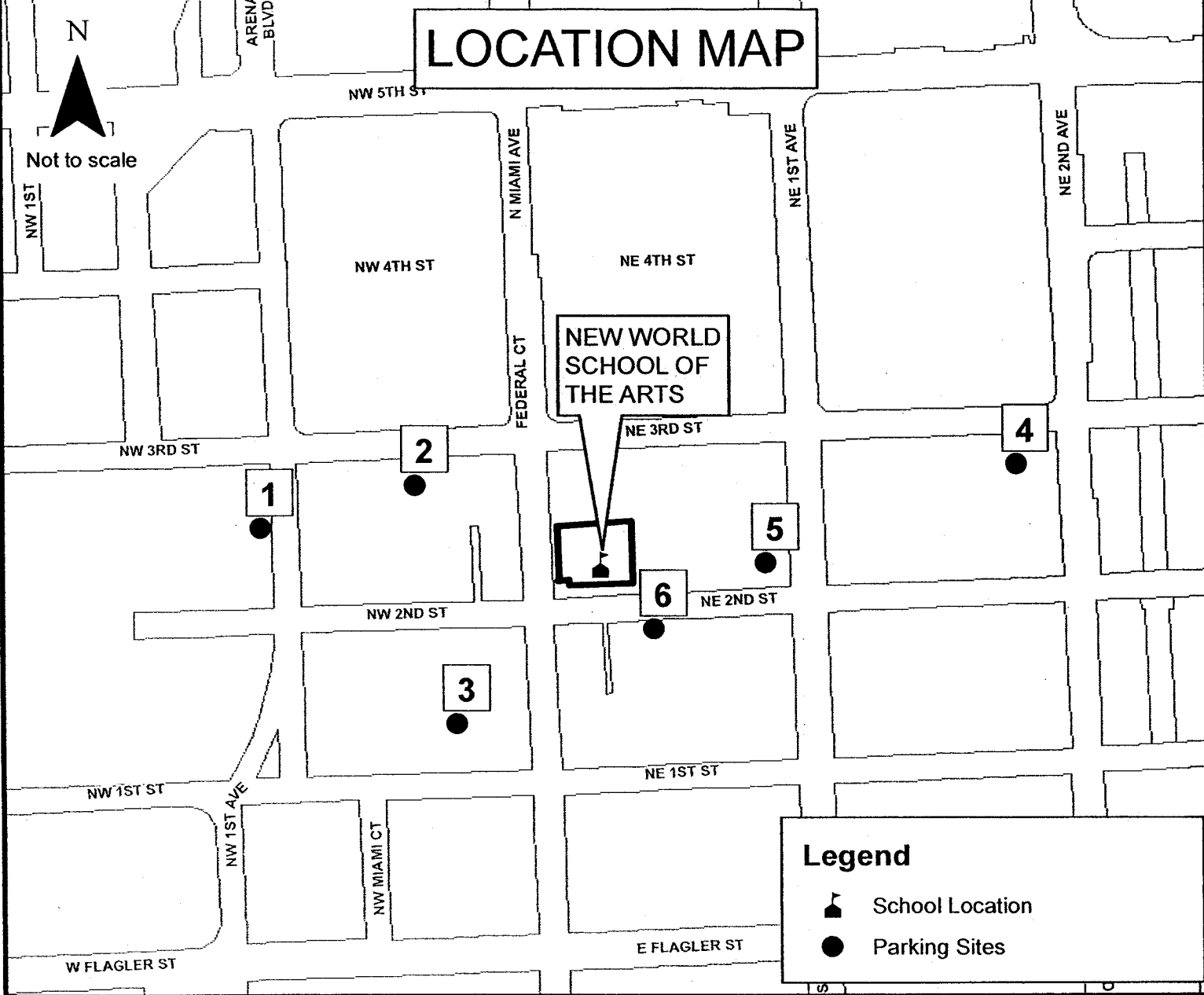
- the Parties shall each indemnify and hold the other harmless to the extent and within the limitations of Florida Statutes; and
- the Superintendent shall be the Party designated by the Board to grant or deny all approvals required by this Proposed Agreement, including renewing or canceling the Proposed Agreement.

The Principal of New World School of the Arts, and the Region Superintendent, Central Region Office, recommend entering into the Proposed Agreement. The Proposed Agreement will be reviewed by the School Board Attorney's Office and Office of Risk and Benefits Management prior to execution.



RECOMMENDED: That The School Board of Miami-Dade County, Florida, authorize the Superintendent to finalize negotiations and execute a Parking Agreement between the School Board (as Lessee) and Miami Parking Authority (as Lessor), for continued use of a parking garage, located at 40 NW 3 Street, Miami, to provide staff parking for New World School of the Arts, located at 25 NE 2 Street, Miami, for the period of July 1, 2013, through June 30, 2016, at an annual rental rate not to exceed \$52,914.12 (\$89.99 per parking space per month), and two one-year renewal option periods, and substantially in conformance with the other terms and conditions set forth above.

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LOCATION MAP



Legend

-  School Location
-  Parking Sites

Site #	Entity Name	Site Location/Type	Cost/Space	Hours of Operation
1	Miami Parking Authority	200 NW 1 Avenue/Surface lot	\$100.00	Monday-Sunday 24 hours
2	Miami Parking Authority (current location)	40 NW 3 Street/Garage	\$89.99	M-F 6:00am-Midnight, Saturday 6:00am-10:00pm and Sunday closed
3	Central Parking Systems	29 NW 1 Street/Surface lot	\$135.00	7:00am-7:00pm
4	Miami Parking Authority	190 NE 3 Street/Garage	\$135.00	Monday-Sunday 24 hours
5	American Car Parks	222 NE 1 Avenue/Surface lot	\$190.00	M-F 7:00am-8:30pm Saturday and Sunday 7:00am-8:30pm
6	American Car Parks	49 NE 2 Street/Surface lot	Monthly parking not available	M-S 7:00am-6:00pm Sunday closed