

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

**SUBJECT:                    AUTHORIZE THE SUPERINTENDENT TO FINALIZE NEGOTIATIONS AND EXECUTE A LEASE AMENDMENT WITH OAK PLAZA ASSOCIATES (DEL), LLC, A DELAWARE LIMITED LIABILITY COMPANY, FOR 25 ADDITIONAL PARKING SPACES WITHIN A PARKING GARAGE LOCATED AT 3800 N.E. 1 AVENUE, MIAMI, FLORIDA 33137, FOR USE BY FACULTY, STAFF, INVITEES AND GUESTS AT THE DESIGN AND ARCHITECTURE SENIOR HIGH SCHOOL (DASH), LOCATED AT 4001 N.E. 2 AVENUE, MIAMI, FLA 33137**

**COMMITTEE:                FACILITIES AND CONSTRUCTION**

**LINK TO STRATEGIC  
BLUEPRINT:                EFFECTIVE AND SUSTAINABLE BUSINESS PRACTICES**

The Board, at its meeting of October 14, 2015, authorized the Superintendent to finalize negotiations and execute a lease agreement ("Lease Agreement") with Oak Plaza Associates (DEL), LLC, a Delaware Limited Liability Company ("Oak Plaza"), for 25 parking spaces within a parking garage located at 3800 N.E. 1 Avenue, Miami, Florida, 33137, for use by faculty, staff, invitees and guests at the Design and Architecture Senior High School ("School"), located at 4001 N.E. 2 Avenue, Miami, Florida 33132, at a total monthly cost of \$86.25 per space. The Oak Plaza parking spaces were intended to replace 25 parking spaces that had been leased for a number of years from FDG Flagler Station II LLC ("FDG"), formerly known as Florida East Coast Railway, located adjacent to the School within railroad right-of-way. FDG cancelled its lease agreement with the District due to pending construction of new rail infrastructure along the right-of-way associated with the 'All Aboard Florida' project.

Subsequent to entering into the Lease Agreement with Oak Plaza, the District received notice from Half-Circle Property (DEL), LLC ("Half-Circle"), that the long standing lease for an additional 25 parking spaces used by School staff, would be terminated effective January 31, 2016. The parking lot is located at 3720-3750 Biscayne Boulevard. Half-Circle will be developing its property, and will be commencing on-site construction activities within the parking area shortly after the January 31, 2016 termination date.

In response to the cancellation, District staff contacted representatives of Oak Plaza to see if additional parking spaces could be made available to the District. Oak Plaza has

now advised that an additional 25 spaces will be made available, under the same terms and conditions as the current Lease Agreement, including the lease rate of \$75 per parking space per month, which is half the market rate charged to other customers. The City of Miami charges a 15% Parking Surcharge on all commercial parking facilities, which increases the total parking space cost to \$86.25 (total of \$2,156.25 per month for 25 parking spaces). Had the lease agreement with Half-Circle renewed, the lease rate would have increased in July 2016 by 5%, from the current \$34.15 per space per month (total of \$853.83 per month), to \$35.85 per space per month (total of \$896.25 per month).

Due to the continued need for faculty parking at DASH and lack of a viable alternative, it is recommended that the Board authorize the Superintendent to finalize negotiations and execute a lease amendment with Oak Plaza Associates to increase the number of parking spaces for use by the School from the current 25 to 50, at a lease rate of \$75 per space per month, plus the City of Miami Parking Surcharge, for a total monthly cost of \$86.25 per space. No physical improvements requiring the use of District funds will be necessary as a result of the proposed Board action.

#### Proposed Lease Amendment

The Deputy Superintendent/Chief Operating Officer, School Operations, recommends entering into the above referenced lease amendment for 25 additional parking spaces (total of 50 parking spaces) for use by faculty of DASH. Accordingly, it is recommended that the Board authorize entering into a lease amendment ("Lease Amendment") with Oak Plaza Associates under, substantially, the following terms and conditions:

- the total number of parking spaces under the Lease Agreement will increase from the current twenty-five (25) to fifty (50); and
- the rental rate for use of 50 parking spaces, will increase to \$4,312.50 per month, at a total cost of \$86.25 per parking space.

All other terms of the Lease Agreement will remain unchanged, including the following:

- the District will have 24 hour access to the parking garage;
- either Party shall have the right to reduce the number of parking spaces utilized, or cancel the Lease Agreement, with 30 days advance written notice;
- the District may, at its option, reduce the number of parking spaces or toll the Lease Agreement during any period when School is not in session (e.g. Summer Recess), by providing Oak Plaza with a minimum of 30 days prior notice;
- for purposes of the Lease Agreement, the Superintendent of Schools or his/her designee shall be the party designated by the Board to reduce the number of parking spaces and toll the Lease Agreement; and
- in addition to the above, for purposes of the Lease Agreement, the

Superintendent of Schools shall be the party designated by the Board to grant or deny any approvals required by the Lease Agreement, including, without limitation, amending any of the exhibits to the Lease Agreement, renewing, extending, canceling or terminating the Lease Agreement, and placing Oak Plaza in default.

The proposed Lease Amendment has been reviewed and approved by the School Board Attorney's Office and the Office of Risk and Benefits Management for legal sufficiency and risk management issues, respectively.

**RECOMMENDED:** That The School Board of Miami-Dade County, Florida, authorize the Superintendent to finalize negotiations and execute a lease amendment with Oak Plaza Associates (DEL), LLC, a Delaware Limited Liability Company, for 25 additional parking spaces within a parking garage located at 3800 N.E. 1 Avenue, Miami, Florida, 33137, for use by faculty, staff, invitees and guests at the Design and Architecture Senior High School (DASH), located at 4001 N.E. 2 Avenue, Miami, at a total monthly cost of \$86.25 per parking space, and substantially in conformance with the other terms and conditions noted above.

**MAL:**