

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

SUBJECT: AUTHORIZE THE SUPERINTENDENT TO FINALIZE NEGOTIATIONS AND EXECUTE AN AMENDMENT TO THE LEASE AGREEMENT BETWEEN THE SCHOOL BOARD AND THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY FOR AN APPROXIMATE 13-ACRE SITE LOCATED IN BROWARD COUNTY AND UTILIZED AS MCTYRE PARK, TO EXTEND THE TERM OF THE AGREEMENT FOR THE PERIOD ENDING SEPTEMBER 10, 2050, IN ORDER TO FACILITATE FUTURE EXPENDITURES WITHIN THE PARK

COMMITTEE: FACILITIES AND CONSTRUCTION

LINK TO STRATEGIC BLUEPRINT: EFFECTIVE AND SUSTAINABLE BUSINESS PRACTICES

Background

Since 1957, the School Board ("Board") and State of Florida ("State") have each held a 50% undivided interest in a 17.1-acre parcel of land, located in Broward County ("Site"). A 4-acre portion of the Site houses the WLRN transmission tower and associated facilities, and an approximate 13-acre portion of the Site is leased to the Board of County Commissioners of Broward County ("Broward County") for use as a community park, known as McTyre Park ("Park"), pursuant to a lease agreement between the parties ("Lease Agreement"). The Park is operated by the Town of West Park ("Town") under an operating agreement between the Town and Broward County. The Town is seeking a funding appropriation for capital construction projects and other site development activities at the Park, but must demonstrate long term use of the Park in order to secure such funding. Broward County has long term use of the State's 50% undivided interest through September 10, 2050, under separate agreements between the State, Broward County and School Board. As a result, Broward County has requested that the term of the Lease Agreement for the School Board's 50% undivided interest, which expires on October 19, 2023, be extended through September 10, 2050, to coincide with its use of the State's 50% undivided interest. All other terms and conditions of the Lease Agreement will remain unchanged.

Proposed Amendment to the Lease Agreement

The Chief Facilities Officer and WLRN General Manager recommend amending the Lease Agreement with Broward County to extend the term thereof through September 10, 2050.

Accordingly, it is recommended that the Lease Agreement for the School Board's 50% undivided interest in the Site be amended to provide for the current expiration date of October 19, 2023, to be extended to September 10, 2050.

All other terms and conditions of the Lease Agreement shall remain in place, including the following:

- rent at \$1 per year;
- subject to review and approval by the District, Broward County may make improvements to the Park, at the County's sole cost and expense;
- Broward County shall be responsible for maintenance and upkeep of the Park; and
- the Board may cancel the Lease Agreement at any time, with 90 days prior written notice.

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

RECOMMENDED:

That The School Board of Miami-Dade County, Florida, authorize the Superintendent to finalize negotiations and execute an amendment to the Lease Agreement between the School Board and the Board of County Commissioners of Broward County for an approximate 13-acre site located in Broward County and utilized as McTyre Park, to extend the term of the Agreement for the period ending September 10, 2050, in order to facilitate future expenditures within the Park, under, substantially, the terms and conditions noted above.

MCA:mca