

SUMMARY EXPLANATION AND BACKGROUND: continuation (Revised)

Since the Lease Agreement regarding the Broward Education Foundation (BEF) was discussed at the 2013 Board Workshop, and based on concerns expressed by several Board Members at the workshop about continuation of the lease, Facility Planning & Real Estate Department (FP&RE) staff have been working with BEF staff to seek alternative clear directions for the Program including the potential to relocate the Program into SBBC owned sites. Additionally, FP&RE Department staff suggested to the former BEF Chief Executive Officer (CEO), that the BEF could explore the following:

1. Seeking an alternative location that could be provided by a benefactor of BEF;
2. BEF benefactor(s) possibly financing the lease of the current location, or
3. Moving BEF into alternate SBBC owned facility.

Prior to her departure, the former CEO in early Fall of 2013 communicated to the FP&RE Department staff that upon further exploration of alternatives, the practical solution is for the BEF to remain at their current location. Upon the arrival of the new BEF CEO, the FP&RE Department staff continued the dialog with BEF and recently (March 2015) obtained an outline of the Program's needs to relocate to an alternative SBBC owned facility and still maintain a successful Program. The CEO stated that the Program requires at least 8,000 square feet (current leased location is 7,087 square feet); should have warehouse/loading dock functions; commercial presence; and must be in an accessible location. To this end, FP&RE Department staff researched two alternate SBBC owned facilities and the pros & cons and costs associated with relocation to these facilities is depicted in attached Exhibits.

It should be noted that the reason this Lease Agreement is being brought forth for the Board's consideration is because it is anticipated that it will take at least six months to relocate BEF into a viable SBBC owned facility. Therefore, given that this lease is set to expire on July 31, 2015 (3 months), does not provide ample time to implement the necessary due diligence to enable relocation to such a facility. Thus, renewing the Lease Agreement for a year will assist both the District and BEF staff with continuing the relocation efforts for the Program to an alternative SBBC owned facility or allow for other practical alternative solutions the BEF may propose.

The term of the lease is for one year commencing on August 1, 2015. ~~There aren't any renewal options in the Lease Agreement per District request. In order to not have a renewal option in the Lease Agreement the Lessor requested to not have a termination clause. This Lease Agreement will terminate on July 31, 2016.~~

This Agreement has been reviewed and approved as to form and legal content by the Office of the General Counsel, and upon approval by the SBBC, COPANS 2011, LLC will execute the Agreement.