

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA
OFFICE OF THE SUPERINTENDENT

ROBERT W. RUNCIE
SUPERINTENDENT OF SCHOOLS

Telephone: (754) 321-2600

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April 20, 2015

TO: School Board Members

FROM: Leslie M. Brown, Chief Portfolio Services Officer
Office of Portfolio Services *LB*

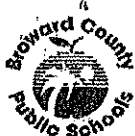
VIA: Robert W. Runcie
Superintendent of Schools *RWR*

**SUBJECT: REVISION TO LL-4, RENEWAL OF LEASE AGREEMENT BETWEEN
THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA AND
COPANS 2011, LLC, FOR THE APRIL 21, 2015 REGULAR SCHOOL
BOARD MEETING**

Attached is a revision for LL-4, Renewal of Lease Agreement between
The School Board of Broward County, Florida and COPANS 2011, LLC, for the April 21, 2015
Regular School Board Meeting.

Please replace the Agenda Request Form, Executive Summary and the Lease Agreement
with the attached documents.

RWR/LMB:pw
Attachments



REVISED

AGENDA REQUEST FORM

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

Special Order Request

Yes No

Time
2:15 PM

Open Agenda

Yes No

MEETING DATE	Apr 21 2015 10:15AM - Regular School Board Meeting
AGENDA ITEM	OPEN ITEMS
CATEGORY	LL. OFFICE OF PORTFOLIO SERVICES
DEPARTMENT	Facility Planning and Real Estate

ITEM No.:

LL-4.

TITLE:

Renewal of Lease Agreement Between The School Board of Broward County, Florida and COPANS 2011, LLC

REQUESTED ACTION:

Approve the Renewal of Lease Agreement Between The School Board of Broward County, Florida (SBBC) and COPANS 2011, LLC regarding the Broward Education Foundation "Tools for Schools Broward".

SUMMARY EXPLANATION AND BACKGROUND:

In 2010, the SBBC entered into Agreement with COPANS 2011, LLC to lease a store front for the Broward Education Foundation "Tools for Schools Broward" Program. The leased location provides warehouse and retail/showroom space for teachers to select donated school supplies and products, and is conveniently located and highly visible on a commercial street along Copans Road. The lease became effective on August 1, 2010, and is set to expire on July 31, 2015.

See Supporting Docs for continuation of Summary Explanation and Background.

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.

SCHOOL BOARD GOALS:

Goal 1: High Quality Instruction Goal 2: Continuous Improvement Goal 3: Effective Communication

FINANCIAL IMPACT:

The financial impact to the District is \$71,138.52 to include \$68,138.52 for annual rental fee; and \$3,000.00 annually for electric costs. Funds for this item will come from Capital Projects Reserve.

EXHIBITS: (List)

(1) Summary Explanation and Background (2) Executive Summary (3) Lease Agreement (4) Exhibit 3 Analysis Matrix (5) Exhibit 4 BEF Tools for Schools Broward 2014-2015 (6) Exhibit 5 Support Letters (7) Exhibit 6 Pros - Cons (8) Collaboration Form

BOARD ACTION:

(For Official School Board Records Office Only)

SOURCE OF ADDITIONAL INFORMATION:

Name: Chris O. Akagbosu	Phone: 754-321-2162
Name: J. Paul Carland, II	Phone: 754-321-2050

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

Senior Leader & Title

Leslie M. Brown - Chief Portfolio Services Officer

Signature

Leslie M. Brown
April 20, 2015 10:41:55 AM EDT

Approved In Open Board Meeting On: _____

By: _____

School Board Chair

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.

EXECUTIVE SUMMARY

Renewal of Lease Agreement between the School Board of Broward County, Florida, and COPANS 2011, LLC.

Additional Background Information:

Tools for Schools Broward is a program of the Broward Education Foundation (BEF) that focuses on providing disadvantaged children from Title I Schools with new school supplies. The program has been in existence since 2000. Tools for Schools Broward is a collaborative effort involving the Kids in Need Foundation, the Broward County School District and local businesses. Many of the children served by this program lack the basic school supplies that most children take for granted; others have supplies because their teachers have spent their own money to purchase the supplies for them.

Through Tools for Schools Broward, teachers from Title I Schools shop for free school supplies for their students and classrooms twice a year. Since the program has been operating out of the current Pompano Beach location, data provided by BEF indicates that over 10,000 teachers have visited the location and over six (6) million dollars' worth of products have been distributed to the teachers that have subsequently benefited over 98,000 children in Title I Schools.

In January 2011, Tools for Schools Broward moved to the current location in Pompano Beach, to occupy approximately 7,087 square feet (3,076 square feet of store front shopping area and 4,011 square feet of warehouse). This location has been excellent due to it being centrally located to all Broward County Title I schools, has a store front for supplies that is visibly displayed for teachers to shop, provides warehouse space in the back of the store front for storage of shipments of supplies that are always being delivered, and donors indicate they like that Tools for Schools Broward is not located in a particular school site, because they desire a non-school site that reflects donations available for multiple schools.

The total monthly rental cost is \$5,678.21, which includes \$2,090.65 in operating expenses as outlined in Exhibit C and an additional \$250.00 monthly for electric costs. BEF pays for the additional costs for custodial and trash removal from leased space. As directed by the Board and consistent with the District's due diligence processes regarding facilities leased by the District, all leases go through a comparability study including a review of comparable leases, available administrative sites, and possible relocation of programs into SBBC owned sites. The comparability study and potential sites are depicted in attached Exhibits.

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