

Continuation of Summary Explanation and Background

At the August 8, 2017, School Board Operational Meeting, this Board item was brought before SBBC to consider entering an Agreement of Sale and Purchase with the City of Sunrise, Florida (City) for the sale of the 10.37 acre parcel of New River Circle site. At this meeting, SBBC amended the item and changed language in the Special Warranty Deed (Exhibit C) of the Agreement of Sale and Purchase as follows:

Exhibit C, Paragraph 4 Initial Language

“Grantee, for itself and its heirs, successors and assigns, covenants and agrees that the Property shall never be used to enroll any students in classes earning credit towards graduation for Kindergarten through Grades 12. In addition, the Property shall remain zoned as Community Facilities until the City’s outstanding General Obligation Bonds, Series 2015 (Park, Recreation and Leisure Projects) mature.”

Exhibit C, Paragraph 4 Amended Language

“The property shall remain zoned as Community Facilities until the City’s outstanding General Bonds, Series 2015 (Park, Recreation and Leisure Projects) mature. Additionally, Grantee, for itself and its heirs, successors and assigns, covenants and agrees that the Property shall never be used to enroll any students for any educational purpose.”

Thereafter, District staff shared the amended language with the City Manager who then conveyed that the amended language will be problematic for the City, as the City may find a need to use the facility for community classes, training or summer programs that could be considered “educational”. Thereafter, the City requested that language be modified to state as follows:

Exhibit C, Paragraph 4 City Requested Language

“The Property shall remain zoned as Community Facilities until the City’s outstanding General Obligation Bonds, Series 2015 (Park, Recreation and Leisure Projects) mature. Additionally, Grantee, for itself and its heirs, successors and assigns, covenants and agrees that the Property shall never be used to enroll students in Kindergarten through Grades 12 educational programs.”

Additionally, the City’s concern regarding the amended language was that it would prohibit the City from offering programs such as: CPR classes, yoga classes, and other types of classes that do not involve Kindergarten through Grade 12 programs.

Hence, this item is being brought back to SBBC to reconsider the City’s modified language to Exhibit C. It should be noted, no other terms or conditions previously approved by SBBC have changed, other than the language in Exhibit C in the Agreement of Sale and Purchase. If approved by SBBC, it is anticipated this Agreement will be presented to the City Commission at its September 12, 2017 board meeting.