

Executive Summary

Donation Agreement

The Catholic Charities of the Archdiocese of Miami, Inc. (CCAM), a private nonprofit agency, desires to take ownership of The School Board of Broward County, Florida (SBBC) Modular Classroom Building No. 20 (Modular) located on the grounds of St. Malachy Catholic Church. CCAM, is the private nonprofit arm of the Archdiocese of Miami, Inc. and the owner of St. Malachy Catholic Church on which the Modular is currently located.

In February 2018 ownership of the Modular was transferred over to SBBC due to The Charter School of Excellence (CSE) closing six (6) of its charter school locations; one of the six being the St. Malachy Catholic Church location. Chapter 1002.33(8)(e) of the Florida Statutes states, “In the event a charter school is dissolved or is otherwise terminated, all district school board property and improvements, furnishings, and equipment purchased with public funds shall automatically revert to full ownership by the district school board, subject to complete satisfaction of any lawful liens or encumbrances.”

After obtaining ownership of the Modular, the School District commenced a comprehensive evaluation process set in place several years ago to determine the viability of SBBC owned modulars/portables. As part of the process, District staff ascertained the portable condition, useful function, cost to remove and/or demolish etc.; and it was determined that the Modular was unsatisfactory, and no longer needed to support the District’s educational needs. Thereafter, as stated in the Agenda Request Form, staff sought authority from SBBC to conduct a Spot Survey and subsequent surplus of the Modular.

It should be noted, entities who are classified as a “private nonprofit agency” as defined in Section 273.01(3) of the Florida Statutes are permitted to receive donated surplus property from a school district under Section 274.05 of the Florida Statutes. CCAM meets the requirements of Section 274.05 and 273.01(3) of the Florida Statutes to receive donated property from a school district, and hereby requesting ownership of the Modular located at St. Malachy Catholic Church via this Donation Agreement. Therefore, the request before SBBC is in alignment with the District established procedure, whereby, entities interested in acquiring any of the District’s surplus portables or modulars may do so via a Donation Agreement with SBBC and at their sole expense.