



## Legislation Details (With Text)

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**Title:** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A JOINT USE AGREEMENT WITH MATER ACADEMY FOUNDATION, INC. FOR THE USE OF MATER ACADEMY CUTLER BAY LOCATED AT 22025 SW 87 AVENUE; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**Sponsors:**

**Indexes:**

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**Attachments:** 1. Manager Memo-Joint Use Agreement Mater Academy, 2. Manager Memo-Attachment A-Aerial of Mater Academy, 3. Manager Memo-Attachment B-Town Resolution #16-37 Mater Academy, 4. Resolution-Approving Joint Use Agreement Mater Academy, 5. Resolution Exhibit A-Joint Use Agreement-Mater Academy

Date	Ver.	Action By	Action	Result
12/12/2018	1	Town Council	adopted as amended	Pass

## MEMORANDUM

To: Honorable Mayor and Town Council

From: Rafael G. Casals, Town Manager, ICMA-CM, CFM

Date: December 12, 2018

Re: Joint Use Agreement Mater Academy  
Cutler Bay 22025 SW 87<sup>th</sup> Avenue

### REQUEST

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A JOINT USE AGREEMENT WITH MATER ACADEMY FOUNDATION, INC. FOR THE USE OF MATER ACADEMY CUTLER BAY LOCATED AT 22025 SW 87 AVENUE; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

## **BACKGROUND AND ANALYSIS**

Mater Academy Foundation, Inc. (the “Foundation”) owns and operates Matter Academy Cutler Bay, a charter school located at 22025 SW 87 Avenue, Cutler Bay, Florida (Folio Number 36-6015-000-0040)(the “Property”). The Property was formerly the site of Bay Point Schools, an educational facility intended to teach at-risk teens job skills. The construction of Building D, a one-story building on the Property, was paid for with a grant from Miami-Dade County’s general obligation bond program (*Attachment “A”*). Unfortunately, by the time Building D was completed in 2011, Bay Point Schools, the grant recipient, lost its operational funding from the Florida Department of Juvenile Justice, forcing them to shut down operations. As a result, Building D was never utilized as an educational facility.

On May 2, 2016, the Foundation submitted an application to the Town for conditional use approval to develop a charter school in accordance with the site plan for Mater Academy Bay Charter School prepared by Civica Architectural & Urban Design, Project Number 160103, dated March 21, 2016. The Site Plan is on file with the Town.

On July 20, 2016, the Town adopted Resolution No. 16-37, approving the conditional use of the Property. One of the conditions of the approval is that the Foundation, Inc. enter into a Joint Use Agreement (Condition No. 1) with the Town permitting the Town to use Building D on certain weekends and to the extent not used by the Foundation, during summer and winter breaks for the purpose of providing meeting space for the Town to hold public meetings, particularly environmental education programs (*Attachment “B”*). On May 17, 2017, the Town adopted Resolution No. 17-36, modifying certain conditions of Resolution No. 16-37. The modifications approved in Resolution No. 17-36 do not affect the requirement for a Joint Use Agreement.

## **RECOMMENDATION**

It is recommended that the Town Council adopt the attached Resolution authorizing the Town Manager to execute the Joint Use Agreement, permitting the Town to use Mater Academy’s Building D to hold public meetings and education programs.

## **ATTACHMENTS**

- Attachment “A” - Aerial of Mater Academy Cutler Bay
- Attachment “B” - Town Resolution No. 16-37