

**Lee County Board Of County Commissioners
Agenda Item Summary**

Blue Sheet No. 20020917

1. REQUESTED MOTION:

ACTION REQUESTED: Give direction to the Island School that they must find an alternate site at the completion of the lease for the Boca Grande Community Center at the end of the 2002-2003 school year.

WHY ACTION IS NECESSARY: Lease Agreement for use of the Boca Grande Community Center expires at end of the 2002-2003 school year.

WHAT ACTION ACCOMPLISHES: Allows leased space to return to original uses of recreation programming for the community

2. DEPARTMENTAL CATEGORY:
COMMISSION DISTRICT # 11

A11A

3. MEETING DATE:

08-20-2002

4. AGENDA:

- CONSENT ADMINISTRATIVE APPEALS
- PUBLIC WALK ON
- TIME REQUIRED:

5. REQUIREMENT/PURPOSE:
(Specify)

- STATUTE
- ORDINANCE
- ADMIN. CODE
- OTHER

6. REQUESTOR OF INFORMATION:

- A. COMMISSIONER Chairman Janes
- B. DEPARTMENT Parks and Recreation
- C. DIVISION

BY: John Yarbrough, Dept. Director

John Yarbrough

7. BACKGROUND: Please see attached history and recommendation for the Island School.

It should be noted that the issue before the Board of County Commissioners is **not** to determine the merits of the Island School. The only issue before our Board is to determine the viability of The Island School being permanently located on Lee County property.

The Board of County Commissioners has received written correspondence as follows:

- 171 in favor of the school being located on Lee County property (34 of these letters from non-county residents)
- 216 opposed to a charter school on Lee County property on Boca Grande

This is certainly not a scientific sample and is simply intended to show the "lack of consensus" with the residents of Boca Grande.

Lee County Parks and Recreation works very closely with the Lee County School Board, and we enjoy a comprehensive Interlocal agreement with the school board for joint use of over 30 athletic fields and 5 swimming pools. However, this shared use is dependent on adequate space and strong community support for both the park users and the Schools.

8. MANAGEMENT RECOMMENDATIONS:

Recommend that the Island School not be allowed to stay on Lee County property after existing lease expires.

9. RECOMMENDED APPROVAL:

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services				G County Manager
<i>8-20-02</i>	<i>8-20-02</i>	<i>n/a</i>		<i>R. Gray</i>	<i>OA 8/17/02</i>	<i>OM 8/18/02</i>	<i>Risk 8/20/02</i>	<i>GC 8/18/02</i>	<i>W. Starn</i>

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

RECEIVED BY ADMIN. <i>CA</i>
<i>8/17/02</i>
COUNTY ADMIN. FORWARDED TO: <i>BH</i>
<i>8/18/02</i>

REC'D. by CO. ATTY. <i>8/17/02</i>
<i>3:10 PM</i>
CO. ATTY. <i>7/0</i>
FORWARDED TO: <i>Budget</i>
<i>3:15 PM</i>

C

Boca Grande Charter School History and Recommendation

The Lee County Board of County Commissioners entered into a Lease Agreement with The Island School, Inc. a Lee County Charter School, and not-for-profit Corporation on July 18th, 2000. This lease was for use of a dedicated room at the Boca Grande Community Center, a Lee County Parks and Recreation facility. The lease also granted the right to the use of other areas in the Center on an "as needed" basis and subject to availability.

The lease was entered into with the understanding that the School would find a permanent site and vacate the premises at the end of the lease. Section 12 of the Lease Agreement states: **PERMANENT SITE**, "In consideration of this Lease Agreement, the School agrees that it will start reviewing site selection for the permanent school within three (3) months of entering this lease agreement. The School agrees that it will acquire or obtain the property for the permanent site within two (2) years of execution of this Lease Agreement".

The term is for two (2) years with an option that was exercised by the school for an additional one (1) year term. On January 23, 2002, the Island School asked to "renew the lease for an additional three year-term". The Island School was advised on February 5, 2002 that Lee County would not be agreeable to any extension.

The Island School enrollment for the 2002-2003 school year will be 30 students; comprised of 18 Lee County students and 12 Charlotte County students.

At this point, the Island School has advised Lee County that the only options they are pursuing are the "ballfield" site (Wheeler St) and the Community Center. Both properties are owned by Lee County and managed by Lee County Parks & Recreation.

Neither the ballfield site, nor the Community Center property, has broad community support, and a large percentage of students are not Lee County residents. Lee County Parks & Recreation cannot support either site for the following additional reasons:

BALLFIELD SITE

- Providing school site is not the Board of County Commissioners' responsibility
- The property would have to be rezoned and have "special exception"
- Use of this property would reduce open space and eliminate any future expansion of the Park

COMMUNITY CENTER SITE

- Extreme shortage of space for existing community based recreation programs
- School building would eliminate community recreation opportunities
- Use of property would require a "special exception"

The issue at hand is not to determine the existence of a Charter School on Boca Grande. This decision is simply **not** the Board of County Commissioners' responsibility. This is a difficult issue, which must be resolved by the residents of Boca Grande, not Lee County Government. Parks and Recreation is open to assisting the residents in finding an appropriate compromise. However, until the community builds consensus, Lee County can only make a decision based upon the current space availability, program usage, need and attendance figures. Therefore, at this time, staff recommends that the Board of County Commissioners upholds the existing agreement and not approve any building of or expansion of the Island School on Lee County property.