

**Smith School Lease to Riverdale
From Portland Public Schools Board Meeting 11/10/08**

RESOLUTION No. 3997

Authorizing a Short-Term Lease of the Smith Facility to the Riverdale School District during the Construction of a New Riverdale Elementary School Facility

RECITALS

A. Smith School was closed in June 2005 and the facility is held by Portland Public Schools ("District") for potential future educational use, including its use as a swing space to carry out District programs when schools are undergoing extensive capital renovations.

B. The District subsequently offered the building for lease on a short-term basis and at market rent rates; no proposals were made that were acceptable to the District. As a result, the District did not further market the property.

C. The Riverdale School District ("Riverdale") has proposed leasing for 14 months to two years the Smith facility during the reconstruction of its elementary (K-8) facility beginning in either June 2009 or in June 2010, contingent on the start date for construction, construction completion, and the requirements of their academic calendar.

D. The District anticipates that Smith School will not be needed as swing space to accommodate the District's school programs when other schools are undergoing renovation prior to September 2012.

E. Riverdale and District staffs have negotiated the following terms for the proposed lease of the Smith facility:

1. Option One: lease of the facility from June 2009 through August 2010 at \$37,500/month, with an option to extend through January 2011 at \$40,500/month with a second option to extend through June 2011 at \$42,500/month.

2. Option Two: lease of the facility from June 2010 through August 2011 at \$40,500/month, with an option to extend through January 2012 at \$42,500/month with a second option to extend through June 2012 at \$44,500/month.

3. Riverdale is responsible for all the costs of all utilities, custodial services, and minor maintenance of the building; all costs of obtaining and complying with all required permits; and the costs of any improvements to Smith School needed by Riverdale for the operation of their program subject to District approval.

4. The fields and grounds of Smith School will be open to community use weekends and holidays and after 6:00 p.m. weekdays on school days and to organized activities under permits from the District and Portland Parks and Recreation during these hours.

5. The lease is contingent on voter approval of the Riverdale bond proposal for the construction of a new elementary school and on approval by the City of Portland of any required land use approvals by March 15, 2009 in order to provide adequate notice to the District that Riverdale will begin occupancy.

6. Riverdale agrees that it shall not recruit K-8 District students during the term of the lease.

F. District and Riverdale staffs attended the October 13, 2008 meeting of the Ash Creek Neighborhood Association Meeting to explain the proposed Smith School lease and to provide an opportunity for neighborhood input. The consensus of the meeting supported the short-term lease of this facility to Riverdale provided that Riverdale furnishes information on and addresses transportation issues as required by the City of Portland in its land use approval processes.

G. The Finance, Audit, and Operations Committee of the Board of Education has reviewed this action and unanimously recommends approval.

RESOLUTION

1. The Board of Education authorizes the Deputy Clerk to enter into and execute a lease with the Riverdale School District consistent with the above recitals and in a form approved by General Counsel for the District.

C. Minberg/D. Capps/K. Hampton