

STATE BOARD OF EDUCATION
Consent Item
July 14, 2021

SUBJECT: Building Lease Action; WMFE TV Orlando

PROPOSED BOARD ACTION

For Approval

AUTHORITY FOR STATE BOARD ACTION

Sections 1001.02 and 1001.26, Florida Statutes

EXECUTIVE SUMMARY

In 1977, by and through Chapter 77-465, Laws of Florida, the Florida Legislature allocated approximately \$1.3 million to the State Board of Education (SBOE) in order to implement a capital outlay project on behalf of WMFE TV (WMFE) in Orlando, Florida. In the same year, Florida Central East Coast Public Broadcasting, Inc.—the parent company of WMFE—entered a contract to purchase property suitable for a broadcasting facility. On September 6, 1977, the SBOE and WMFE entered into an agreement (the Lease), wherein the SBOE assumed the purchase rights of WMFE, purchased the property through the Board of Trustees of the Internal Improvement Trust Fund (Trustees), then, through a master lease and sublease arrangement with the Trustees, subleased the facility to WMFE for broadcasting purposes.

The Lease prescribes an initial term of forty (40) years, with the option, upon expiration, to extend the agreement for an additional twenty (20) years. As the Lease has expired, WMFE has requested that the Lease be extended and, further, modified to allow sub-subleasing for educational purposes. To effect this request, the Trustees, through the Florida Department of Environmental Protection (DEP), have prepared initial draft agreements (1) amending the master lease to expand its scope and (2) subleasing the facility to WMFE with the option to sub-sublease, at the SBOE's and Trustees' discretion, for educational purposes.

Accordingly, to effect this transaction, the SBOE, by approving this action, authorizes the Commissioner of Education to take any and all steps necessary to execute and effectuate the above-described master lease amendment and sublease agreements.

Supporting Documentation Included: Chapter 77-465, Laws of Florida; Original WMFE Lease Agreement; Master Lease 3125; Proposed Amendment to Master Lease 3125; Proposed Sublease to WMFE (under separate cover)

Facilitator/ Presenter: Jason D. Borntreger, Assistant General Counsel, Office of General Counsel