

May 2, 2016

**HAND DELIVERED**City of North Miami Beach  
c/o Ms. Ana Garcia  
City Manager**Re: Soccer Development Group**

Dear Ms. Garcia:

The undersigned is legal counsel to Soccer Development Group, LLC (“**SDG**”). As you know, SDG is currently operating the Boca Juniors Soccer Academy at Patricia Mishcon Park in the City of North Miami Beach (“NMB”). Said operation, which was considered pursuant to an unsolicited proposal submitted to the City in August, 2014, and approved by the NMB City Council by Resolution. Since said approval, which was memorialized in that March, 2015 Management Agreement, SDG has invested over \$2,200,000 in soccer-related athletic infrastructure and has begun operations in partnership with Boca Juniors Soccer Club and the City of NMB. SDG anticipates the capital improvements will surpass the \$3.2M mark.

SDG has recently partnered with Sports Leadership and Management Foundation, Inc. (“**SLAM**”), which recently submitted an unsolicited proposal for Phase 1 of a three-phase development for the prospective development and operation of a charter school in the City of North Miami Beach. The SLAM proposal, dated April 11, 2016, is attached herewith and made a part hereof. Phase 1 of the SLAM proposal calls for a first year, grade 6 operation at the DeLeonardis Youth Center at Allen Park. The second phase of the SLAM Charter School, which would open the school doors for the 2017-2018 school year, will be housed in the Boca Juniors clubhouse building. Because this represents an expansion of space and use, an unsolicited proposal is required pursuant to the statutory procedures set forth in Section 287.05712, Florida Statutes.

Based on the foregoing, we respectfully request that you accept this as our letter of request for the City to consider and approve an unsolicited proposal from Soccer Development Group for an expansion of the previously approved SDG clubhouse. If approved, this expansion will be memorialized by a concession agreement, which will expressly call for a term of 12 years plus two (2) consecutive 5 year renewal periods. The terms for payment to the City, to be made by the new entity and guaranteed by SDG, shall remain at 5.5% of gross revenues for the school operation.

Approval of this project will also require modification of the previously approved Management Agreement as well as the previously approved Site Plan for the Boca Juniors Soccer Academy. Said modification will include an expansion of the uses permitted to include an educational facility, an expansion of the building area to allow for an additional 11,500 square feet, including 16 classrooms and other school-related work areas and an extension of the term of the current agreement. Construction would commence in August, 2016 and completion date is anticipated to be February, 2017. Another modification will incorporate SLAM and allow SDG to enter into a sub-agreement with a separate entity for the SDG / SLAM partnership. Notwithstanding the foregoing, SDG will be ultimately responsible for compliance with the terms of the Concession Agreement as well as the modified Management Agreement.

The anticipated cost of said construction, to be paid by the entity to be formed for this project and guaranteed by SDG, is estimated to be \$1,800,000. Attached you will find color renderings of the clubhouse building with the aforementioned classroom additions.

Section 287.05712(6)(e) requires the City of NMB to make 3 findings for the expansion of the use to allow an educational facility, namely:

- a) There is a public need for or benefit derived;
- b) The estimated cost of the project is reasonable in relation to similar facilities; and
- c) There will be timely acquisition, design, construction, improvement, renovation, expansion, equipping, maintenance or operation of the project.

Regarding the first finding required, this proposal is perfectly aligned with the City's strategic plan, which calls enhanced educational options and alternatives. Regarding the second finding required, the cost of the expansion is being funded by SDG. Regarding the third and final finding required, construction and opening is anticipated to be effectuated by August, 2017.

### **Conclusion**

SDG is excited to once again partner with the City of NMB as well as with SLAM, which has acquired an approved charter contract from M-DCPS to open a proposed North campus (SLAM North) in 2016 (August 22, 2016). Approval of this proposal will pave the way for a smooth transition of the 3-phases anticipated for the SLAM / NMB Charter School. We respectfully request that notice of this unsolicited proposal be advertised in accordance with Chapter 287 of the Florida Statutes. In the event no other proposals are received, we asked that this matter be placed on the next available agenda of the NMB City Council.

Any and all contacts and communications regarding this proposal shall be made with:

Soccer Development Group  
c/o Daniel Rotsztain  
16425 Collins Avenue, Suite 2112  
Sunny Isles, FL 33160  
305-527-1292  
danielr@bocasoccerschools.com

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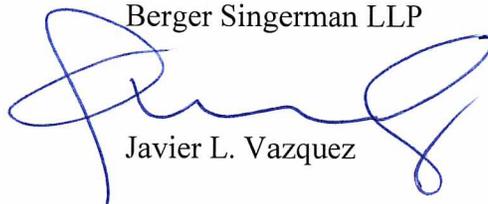
With copies to:

Javier L. Vazquez, Esq.  
Berger Singerman LLLP  
1450 Brickell Avenue, 19<sup>th</sup> Floor  
Miami, Florida 33131  
305-714-4378  
Jvazquez@bergersingerman.com

We once again thank you for your consideration and please do not hesitate to contact me if you have any questions.

Sincerely,

Berger Singerman LLP



Javier L. Vazquez

JLV/md