




Interoffice Memorandum

December 15, 2022

AGENDA ITEM

TO: Mayor Jerry L. Demings
-AND-
County Commissioners

THRU: Dr. Tracy Salem, Deputy Director 
Community and Family Services Department

FROM: Sonya L. Hill, Manager
Head Start Division
Contact: Sean Murnane, (407) 836-8993
Sonya Hill, (407) 836-7409

SUBJECT: **Consent Agenda Item – January 10, 2023**
First Renewal of Facility and Land Use Agreement between the School Board of Orange County, Florida and Orange County, Florida regarding Head Start Program

The Head Start Division requests Board approval of the First Renewal of the Facility and Land Use Agreement between the School Board of Orange County and Orange County, Florida. Head Start provides comprehensive early childhood development for preschool children and support to their families at the following schools: Aloma, Dillard, Dover Shores, Englewood, Hungerford, McCoy, Millenia, Three Points, Ventura, Washington Shores, Washington Shores Early Learning Center, and West Oaks.

The total compensation for the First Renewal of the Facility and Land Use Agreement shall not exceed \$284,058.64 per year. The County Attorney's Office and Risk Management Division have reviewed this agreement in accordance with legal and County policy guidelines.

ACTION REQUESTED: Approval and execution of First Renewal of Facility and Land Use Agreement between The School Board of Orange County, Florida and Orange County, Florida regarding Head Start Program 2022-2023. There is no cost to the County. The lease will terminate on July 31, 2023.

SH/sm:jamh

Attachment

BCC Mtg. Date: January 10, 2023

**FIRST RENEWAL OF
FACILITY AND LAND USE AGREEMENT
Between
The School Board of Orange County, Florida
and
Orange County, Florida
regarding

Head Start Program
2022 - 2023**

THIS FIRST RENEWAL OF FACILITY AND LAND USE AGREEMENT (“First Renewal”), is entered into by and between **THE SCHOOL BOARD OF ORANGE COUNTY, FLORIDA**, a public body corporate existing under the Constitution and laws of the State of Florida (hereinafter referred to as the “**SCHOOL BOARD**”), and **ORANGE COUNTY, FLORIDA**, a charter county and political subdivision of the State of Florida (hereinafter referred to as the “**COUNTY**”).

RECITALS

WHEREAS, the COUNTY desires to use certain space located within certain Orange County public school sites for the purpose of operating the Head Start Program, in accordance with conditions prescribed in the funding grant of the United States Department of Health and Human Services, Administration for Children and Families Office of Head Start (hereinafter “Program”); and

WHEREAS, the SCHOOL BOARD desires to provide the necessary facilities and land on the grounds of designated elementary school sites (collectively referred to as “**Schools**”) to provide comprehensive early childhood development services for pre-kindergarten children residing in Orange County (collectively hereinafter referred to as “**Services**”); and

WHEREAS, the parties have determined the provision of those Services contemplated under this Agreement to be a valid public purpose; and

WHEREAS, the parties entered into a **FACILITY AND LAND USE AGREEMENT** (“Agreement”) on March 22, 2022; and

WHEREAS, the COUNTY delegated authority to enter into renewal periods of the Term to the Director of the Community and Family Services Department; and

WHEREAS, the SCHOOL BOARD delegated authority to enter into renewal periods of the Term to the Superintendent, or designee.

NOW THEREFORE, in consideration of the mutual promises, covenants and conditions hereinafter set forth, the parties agree as follows:

1. **RECITALS.** The above recitals are true and correct and incorporated herein by this reference.
2. **DEFINITIONS.** All capitalized terms used herein shall be as defined in the Agreement unless otherwise indicated or defined in this First Renewal.
3. **PREMISES.** The Premises as defined in the Agreement is amended to reflect the permanent and portable classrooms as outlined in Amended Exhibit "A" attached hereto.
4. **TERM.** The term of this First Renewal shall be for one (1) year commencing August 1, 2022 and terminating on July 31, 2023.
5. **PAYMENTS FOR FIRST RENEWAL**
 - a. The COUNTY agrees to reimburse the SCHOOL BOARD based on the Payment Schedule attached as Amended Exhibit "D".
 - b. The fees referenced in Amended Exhibit "D" are further described by location and square footage in Amended Exhibit "A".
 - c. The COUNTY shall pay the SCHOOL BOARD the cumulative amount of all the above-referenced fees in two (2) tranche payments for the term of this First Renewal, as further described in Amended Exhibit "D".
6. **CONFLICTS.** Except as modified by this First Renewal, the Parties hereby ratify and confirm the continued validity and viability of all terms, conditions and obligations set forth in the Agreement. In the event of any conflict or inconsistency between the terms of the Agreement and this First Renewal, the terms of this First Renewal shall be construed to control and prevail.
7. **COUNTERPARTS.** This First Renewal may be executed in any number of counterparts, each of which shall be deemed to be an original but all of which together shall constitute one and the same instrument.

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[Signatures on Following Pages]

IN WITNESS WHEREOF, the undersigned have caused this First Renewal to be executed by their respective duly authorized representatives on the dates set forth below each signature.



ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: *Jerry L. Demings*
for Jerry L. Demings,
Orange County Mayor

Date: January 10, 2023

ATTEST: Phil Diamond, CPA, County
Comptroller
As Clerk of the Board of County Commissioners

By: *Phil Diamond*
Deputy Clerk

Date: January 10, 2023

THE SCHOOL BOARD OF ORANGE
COUNTY, FLORIDA, a public corporate body
organized and existing under the constitution
and laws of the State of Florida

By: *Maria F. Vazquez*
Maria F. Vazquez, Ed.D.,
as Superintendent

Date: 12.5.2022

Approved as to form and legality by
legal counsel to The School Board of
Orange County, Florida this 21st day of
November, 2022, for its
exclusive use and reliance.

By: *Jad M. Brewer*
Jad M. Brewer, Staff Attorney III
Planning and Real Estate

Reviewed and approved by Orange County
Public Schools Chief Facilities Officer this
1st day of December, 2022.

By: *Rory Salimbene*
Rory Salimbene, Acting Chief Officer

Amended Exhibit "A"

Location of Portable and Permanent Classrooms and Square Footage of Each

School / Site	Building Type	Bldg. / Rm. #	Bldg. / Rm. Size (Sq. Ft.)	Building Owned/Leased	Portable Serial #	Portable DCA Insignia	Portable Owner	OCPS Monthly Lease (\$)	Comments	Item 4.2 LANDSCAPE	Item 4.3 UTILITIES	Item 4.4 MAINTENANCE	Item 4.5 ADMIN SUPPORT	Item 4.6 RENTAL	Item 4.7 COMM SVC	TOTAL
Washington Shores PLC (new)	Permanent	B1 rm2 (inclusive of 2A)	720	Owned	N/A	N/A	N/A	\$ -	Office space	N/A	1,202.40	1,209.60	550.00	0.00	244.80	3,206.80
Washington Shores ES (new)	Permanent	103	748	Owned	N/A	N/A	N/A	\$ -	Office	N/A	1,249.16	1,256.64	550.00	0.00	254.32	3,310.12
Washington Shores ES (new)	Permanent	104	748	Owned	N/A	N/A	N/A	\$ -	Classroom	N/A	1,249.16	1,256.64	550.00	0.00	254.32	3,310.12
Washington Shores ES (new)	Permanent	105	748	Owned	N/A	N/A	N/A	\$ -	Classroom	N/A	1,249.16	1,256.64	550.00	0.00	254.32	3,310.12
Washington Shores ES (new)	Permanent	106	748	Owned	N/A	N/A	N/A	\$ -	Classroom	N/A	1,249.16	1,256.64	550.00	0.00	254.32	3,310.12
Hungerford ES	Permanent	Rm107	772	Owned	NA	NA	NA	\$ -	Classroom	N/A	1,289.24	1,296.98	550.00	0.00	262.48	3,398.68
Ventura ES	Permanent	Rm104	773	Owned	NA	NA	NA	\$ -	Classroom	N/A	1,290.91	1,298.64	550.00	0.00	262.62	3,402.37
Hungerford ES	Permanent	Rm106	773	Owned	NA	NA	NA	\$ -	Classroom	N/A	1,290.91	1,298.64	550.00	0.00	262.62	3,402.37
Millennia ES (new)	Permanent	1-116	782	Owned	N/A	N/A	N/A	\$ -	Classroom	N/A	1,305.94	1,313.76	550.00	0.00	265.88	3,435.58
Ventura ES	Permanent	Rm105	782	Owned	NA	NA	NA	\$ -	Classroom/Shared office	N/A	1,305.94	1,313.76	550.00	0.00	265.88	3,435.58
West Oaks ES (new)	Permanent	1-103	831	Owned	N/A	N/A	N/A	\$ -	Classroom	N/A	1,387.77	1,396.08	550.00	0.00	282.54	3,616.39
Millennia ES (new)	Permanent	1-115	852	Owned	N/A	N/A	N/A	\$ -	Classroom	N/A	1,422.84	1,431.38	550.00	0.00	289.66	3,693.86
Aloma ES	Portable	HS-1	864	Leased-Headstart	13661 AB	IVE 004361	Mobile Modular	\$ 361.00	Classroom	1.00	1,442.88	1,451.52	550.00	4,332.00	293.76	8,071.16
Aloma ES	Portable	HS-2	864	Leased-Headstart	13972 AB	IVE 004653	Mobile Modular	\$ 361.00	Classroom	1.00	1,442.88	1,451.52	550.00	4,332.00	293.76	8,071.16
Aloma ES	Portable	HS-3	864	Leased-Headstart	11254 AB	E 014409	Mobile Modular	\$ 361.00	Classroom	1.00	1,442.88	1,451.52	550.00	4,332.00	293.76	8,071.16
McCoy ES	Portable	P-1	864	Leased	11712 AB	1066903	Mobile Modular	\$ 799.00	Classroom	1.00	1,442.88	1,451.52	550.00	9,588.00	293.76	13,327.16
McCoy ES	Portable	P-2	864	Leased	12844 AB	1066898	Mobile Modular	\$ 799.00	Classroom	1.00	1,442.88	1,451.52	550.00	9,588.00	293.76	13,327.16
McCoy ES	Portable	P-3	864	Leased	1469 AB	IVE 008681	Mobile Modular	\$ 799.00	Office	1.00	1,442.88	1,451.52	550.00	9,588.00	293.76	13,327.16
(New) Engelwood ES	Portable	P2	864	Leased	13663AB	1061692	Mobile Modular	\$ 838.00	Office	1.00	1,442.88	1,451.52	550.00	10,056.00	293.76	13,795.16
(New) Engelwood ES	Portable	P3	864	Leased	11688AB	1061688	Mobile Modular	\$ 838.00	Classroom	1.00	1,442.88	1,451.52	550.00	10,056.00	293.76	13,795.16
(New) Engelwood ES	Portable	P4	864	Leased	12808AB	1061687	Mobile Modular	\$ 838.00	Classroom	1.00	1,442.88	1,451.52	550.00	10,056.00	293.76	13,795.16
(New) Engelwood ES	Portable	P5	864	Leased	12828AB	1061694	Mobile Modular	\$ 838.00	Classroom	1.00	1,442.88	1,451.52	550.00	10,056.00	293.76	13,795.16
Three Points ES	Portable	P-00A	864	Owned	EOCO702421	IVE 003481	OCPS	\$ -	Classroom	1.00	1,442.88	1,451.52	550.00	0.00	293.76	3,739.16
Three Points ES	Portable	P-00C	864	Owned	FOCO702422	IVE 003484	OCPS	\$ -	Classroom	1.00	1,442.88	1,451.52	550.00	0.00	293.76	3,739.16
Three Points ES	Portable	P-00D	864	Owned	FOCO702417	IVE 003483	OCPS	\$ -	Office	1.00	1,442.88	1,451.52	550.00	0.00	293.76	3,739.16
Three Points ES	Portable	P-00B	864	Owned	EOCO702418	IVE 003480	OCPS	\$ -	Classroom	1.00	1,442.88	1,451.52	550.00	0.00	293.76	3,739.16
Millennia ES (new)	Portable	P9	864	Leased				\$ 729.00	Office	1.00	1,442.88	1,451.52	550.00	8,748.00	293.76	12,487.16
Ventura ES	Portable	P1	864	Leased	13658AB	1093986	Mobile Modular	\$ 879.00	Classroom	1.00	1,442.88	1,451.52	550.00	10,548.00	293.76	14,287.16
Dillard Street ES	Portable	P6	864	Leased	12548AB	IVE003584	Mobile Modular	\$ 729.00	Office	1.00	1,442.88	1,451.52	550.00	8,748.00	293.76	12,487.16
Dillard Street ES	Portable	P7	864	Leased	0289AB	34632	Mobile Modular	\$ 729.00	Classroom	1.00	1,442.88	1,451.52	550.00	8,748.00	293.76	12,487.16
Dillard Street ES	Portable	P8	864	Leased	0267AB	34630	Mobile Modular	\$ 729.00	Classroom	1.00	1,442.88	1,451.52	550.00	8,748.00	293.76	12,487.16
Dover Shores ES	Permanent	Bldg 2 - 101	900	Owned	N/A	N/A	N/A	\$ -	Classroom	N/A	1,503.00	1,512.00	550.00	0.00	306.00	3,871.00
Dover Shores ES	Permanent	Bldg 2 - 102	900	Owned	N/A	N/A	N/A	\$ -	Classroom	N/A	1,503.00	1,512.00	550.00	0.00	306.00	3,871.00
Dover Shores ES	Permanent	Bldg 2 - 103	900	Owned	N/A	N/A	N/A	\$ -	Classroom	N/A	1,503.00	1,512.00	550.00	0.00	306.00	3,871.00
Dover Shores ES (new)	Permanent	Bldg 2 - 108	900	Owned	N/A	N/A	N/A	\$ -	Classroom	N/A	1,503.00	1,512.00	550.00	0.00	306.00	3,871.00
Washington Shores PLC (new)	Permanent	B1 rm3 (inclusive of 3A & 3B)	900	Owned	N/A	N/A	N/A	\$ -	Office space	N/A	1,503.00	1,512.00	550.00	0.00	306.00	3,871.00
Washington Shores PLC	Permanent	8-35 (inclusive of 8-35A)	929	Owned	N/A	N/A	N/A	\$ -	Classroom	N/A	1,551.43	1,560.72	550.00	0.00	315.86	3,978.01
Washington Shores PLC	Permanent	8-36 (inclusive of 8-36A)	929	Owned	N/A	N/A	N/A	\$ -	Classroom	N/A	1,551.43	1,560.72	550.00	0.00	315.86	3,978.01

Copy of Head Start Matrix 2022.12.02 DRAFT

School / Site	Building Type	Bldg. / Rm. #	Bldg. / Rm. Size (Sq. Ft.)	Building Owned/ Leased	Portable Serial #	Portable DCA Insignia	Portable Owner	DCPS Monthly Lease (\$)	Comments	Item 4.0 LANDSPACE	Item 4.1 UTILITIES	Item 4.2 MAINTENANCE	Item 4.3 ADMIN SUPPORT	Item 4.4 RENTAL	Item 4.5 COMM SVCS	TOTAL
Washington Shores PLC (new)	Permanent	8-32 (inclusive of 8-32A)	929	Owned	N/A	N/A	N/A	\$ -	Classroom	N/A	1,551.43	1,560.72	550.00	0.00	315.86	3,978.01
West Oaks ES (new)	Permanent	1-104	936	Owned	N/A	N/A	N/A	\$ -	Classroom	N/A	1,563.12	1,572.48	550.00	0.00	318.24	4,003.84
Washington Shores PLC	Permanent	8-34 (inclusive of 8-34A, 8-34B, 8-34D, 8-34E)	1054	Owned	N/A	N/A	N/A	\$ -	Classroom	N/A	1,760.18	1,770.72	550.00	0.00	358.36	4,439.26
Washington Shores PLC	Permanent	08-33 (inclusive of 8-33A, 8-33B, 8-33C, 8-33D, 8-33E)	1166	Owned	N/A	N/A	N/A	\$ -	Classroom	N/A	1,980.62	1,992.48	550.00	0.00	403.24	4,926.34
										19.00	60,380.52	60,742.08	23,100.00	127,524.00	12,293.04	284,058.64

Amended Exhibit "D"

PAYMENT SCHEDULE

Reimbursable Unit	Amount
Use of land space for Portable Classrooms used by the COUNTY, located at the designated Schools throughout Orange County.	\$1.00 per Portable Classroom
Cost of Utilities furnished by the SCHOOL BOARD (as described in section 1 above)	\$1.67 per square foot of space for each Portable and Permanent Classroom used by the COUNTY for the 2022-2023 First Renewal term.
Maintenance Services provided by the SCHOOL BOARD (as described in section 1 above).	\$1.68 per square foot for each Portable Classroom and Permanent Classroom used by the COUNTY.
Communication Services provided by the SCHOOL BOARD (as described in section 1 above).	\$0.34 per square foot of space for each Portable and Permanent Classroom used by the COUNTY for the 2022-2023 First Renewal term.
Administrative support provided by the SCHOOL BOARD (including media center access, where applicable, clerical support, and principal oversight).	\$550.00 per Portable Classroom and Permanent Classroom used by the COUNTY.
Actual Cost of Rental Payments incurred by the SCHOOL BOARD on Portable Classrooms used by the COUNTY.	As shown on <u>Exhibit "A"</u> .

Total Payment due to the SCHOOL BOARD for 2022-2023 First Renewal Term: an amount not to exceed \$284,058.64. To be paid in the following two tranches:

1. **Payment 1:** \$142,029.32 paid on or before January 31, 2023.
2. **Payment 2:** \$142,029.32 paid on or before June 1, 2023.