



Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 1

DATE: July 18, 2019

TO: Mayor Jerry L. Demings
and the
Board of County Commissioners

THROUGH: Paul Sladek, Manager *PS*
Real Estate Management Division

FROM: Alex Feinman, Leasing Program Manager *AF*
Real Estate Management Division

CONTACT PERSON: Paul Sladek, Manager

DIVISION: Real Estate Management
Phone: (407) 836-7090

ACTION REQUESTED: Approval and execution of First Amendment to Orlando United Assistance Center License Agreement by and between Orange County, Florida and Heart of Florida United Way, Inc.

PROJECT: Orlando United Assistance Center
507 East Michigan Street, Orlando, Florida 32806
Lease File #8002

District 3

PURPOSE: To continue to provide office space for the Orlando United Assistance Center.

ITEM: First Amendment to Orlando United Assistance Center License Agreement
Revenue: None
Size: 4,000 square feet
Term: 4 months and 9 days
Options: None

APPROVALS: Real Estate Management Division
Community and Family Services Department

REMARKS:

The Orlando United Assistance Center (OUAC) currently occupies a small County-owned building at 507 East Michigan Street (Site) pursuant to the Orlando United Assistance Center License Agreement approved by the Board on August 23, 2016, as renewed in August 2017 and June 2018 (License).

This First Amendment to Orlando United Assistance Center License Agreement will provide for OUAC's continued use of the Site and extends the term of the License for 4 months and 9 days, setting the new expiration at December 31, 2019. Any further renewals shall only be granted by approval of the Board.

All other terms and conditions of the License shall remain in effect.

AUG 06 2019

FIRST AMENDMENT TO
ORLANDO UNITED ASSISTANCE CENTER LICENSE AGREEMENT

THIS FIRST AMENDMENT TO ORLANDO UNITED ASSISTANCE CENTER LICENSE AGREEMENT (this “**First Amendment**”) is made effective as of the date last executed below (the “**First Amendment Effective Date**”) and entered into by and between ORANGE COUNTY, FLORIDA, a charter county and political subdivision of the State of Florida (“**County**”) and HEART OF FLORIDA UNITED WAY, INC., a Florida non-profit corporation (“**United Way**”).

RECITALS

A. County and United Way (collectively, the “**Parties**”) entered into that certain “Orlando United Assistance Center License Agreement” approved by the Orange County Board of County Commissioners (the “**BCC**”) on August 23, 2016, (the “**Original Agreement**”) providing the terms and conditions upon which County granted United Way a non-exclusive license to enter upon and use the Property (as defined in the Original Agreement) for the purposes more particularly described in the Original Agreement.

B. The Parties thereafter extended the term of the Original Agreement pursuant to that certain “Acknowledgement of Term Renewal for Orlando United Assistance Center License Agreement” last executed August 16, 2017 (the “**First Renewal**”).

C. The Parties thereafter further extended the term of the Original Agreement, as extended by the First Renewal, pursuant to that certain “Second Acknowledgement of Term Renewal for Orlando United Assistance Center License Agreement” dated June 19, 2018 (the “**Second Renewal**”).

D. The Second Extension Term (as defined in the Second Renewal) is set to expire on August 22, 2019.

E. The Parties have agreed to further extend the term of the Original Agreement, as previously extended by the First Renewal and by the Second Renewal, (collectively, the “**Agreement**”) and to make certain additional modifications to the Agreement.

F. The Parties desire to enter into this First Amendment for the purpose of setting forth the terms and conditions of such extension and such additional modifications.

NOW, THEREFORE, in consideration of the foregoing recitals, the mutual covenants and agreements set forth herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. Recitals. The recitals set forth above are true and correct and are incorporated herein by this reference.
2. Definition. Defined (capitalized) terms used herein, but not defined herein, shall have the meanings given to such terms by the Agreement.
3. Extension of Term. The term of the Agreement is hereby renewed for one (1) additional term of four (4) months and nine (9) days, commencing August 23, 2019, and terminating December 31, 2019 (the “**First Amendment Term**”).
4. Further Extensions. For avoidance of doubt, and notwithstanding anything in the Agreement to the contrary, any further extensions of the Agreement, as amended by this First Amendment, (collectively, the “**Amended Agreement**”) beyond the First Amendment Term shall only be granted by further written amendment to the Amended Agreement approved by the BCC. The second (and last) sentence of Section 2 of the Original Agreement is hereby stricken in its entirety.
5. Effect; Conflicts. Except as set forth in this First Amendment, all other terms and provisions of the Agreement are hereby ratified and confirmed and shall remain in full force and effect. In the event of any conflict between the provisions of this First Amendment and the provisions of the Agreement, the provisions of this First Amendment shall control.
6. Counterparts. This First Amendment may be executed in two or more counterpart copies, each of which shall be fully effective as an original, and all of which together shall constitute one and the same instrument. Signature pages may be detached from the counterparts and attached to a single copy of this document to physically form one document.

(signature pages follow)

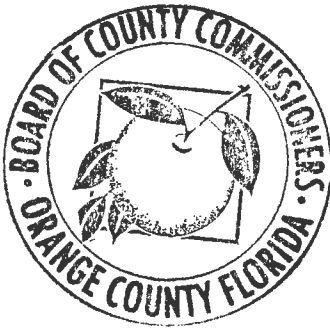
IN WITNESS WHEREOF, County and United Way have caused this "First Amendment to Orlando United Assistance Center License Agreement" to be executed by their respective officers and parties thereunto duly authorized to be effective as of the First Amendment Effective Date.

COUNTY:

(Official Seal)

ORANGE COUNTY, FLORIDA

By: Board of County Commissioners



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

Date: 6 Aug 19

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

By: *Katie Smith*
Deputy Clerk

Katie Smith
Printed Name

Project: Orlando United Assistance Center
Lease File #8002

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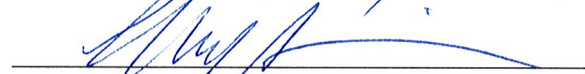
UNITED WAY:

Signed, sealed, and delivered
in the presence of:

**HEART OF FLORIDA UNITED WAY,
INC., a Florida non-profit corporation**



Print Name: Jeffrey Hayward



Print Name: Amy Feinman



By: _____

Print Name: **Jeffery Hayward**

Title: **CEO**

Date: August 20, 2019