




Interoffice Memorandum

July 25, 2019

AGENDA ITEM

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

THRU: Lonnie C. Bell, Jr., Director 
Community and Family Services Department

FROM: **Matt Suedmeyer, Manager**
Parks and Recreation Division
(407) 836-6202

SUBJECT: **Consent Agenda Item – August 6, 2019**
Third Amendment to Interlocal Agreement for Bithlo Community Park

The Parks and Recreation Division is requesting approval of the Third Amendment to Interlocal Agreement between Orange County Public Schools (OCPS) and Orange County. The agreement provides OCPS use of a meeting room at the Bithlo Community Park Recreation Center to conduct their Alternative to Out-of-School Suspension Program. Bithlo Community Park is located at 18501 Washington Avenue in East Orange County.

East Orange County area schools currently do not have a facility to provide this program. Since 2014, they have been utilizing the recreation center at Bithlo Community Park to offer a structured environment for students who need supervision during the day when they are suspended from school. The program is operated solely by OCPS staff, Monday through Friday, between the hours of 7:30 AM and 3:00 PM. OCPS is responsible for all costs associated with the program to include providing three staff to facilitate the program.

The program does not affect the current programs offered at the recreation center. The amendment to the agreement is for one year. The agreement has been reviewed and approved as to form and content by the County Attorney's Office and the Real Estate Management Division.

ACTION REQUESTED: Approval and execution of Third Amendment to Interlocal Agreement between The School Board of Orange County, Florida and Orange County, Florida to use a meeting room and associated facilities at Bithlo Community Park for a suspension center for an additional one-year term. District 5.

MS:jam

Attachment

c: Randy Singh, Deputy County Administrator
Anne Kulikowski, Director, Administrative Services

BCC Mtg. Date: August 06, 2019

THIRD AMENDMENT
TO INTERLOCAL AGREEMENT
BETWEEN
THE SCHOOL BOARD OF ORANGE COUNTY, FLORIDA
AND
ORANGE COUNTY, FLORIDA

THIS THIRD AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN THE SCHOOL BOARD OF ORANGE COUNTY, FLORIDA AND ORANGE COUNTY, FLORIDA ("Third Amendment") is made by and between The School Board of Orange County, Florida, a body corporate existing under the laws of the State of Florida, whose address is 445 West Amelia Street, Orlando, Florida 32801 ("SBOC"), and Orange County, Florida, a charter county and political subdivision of the State of Florida, whose address is 201 South Rosalind Avenue, Orlando, Florida 32801 ("Agency"). SBOC and Agency may also hereinafter be referred to individually as a "Party" or collectively as the "Parties."

WITNESSETH

WHEREAS, SBOC and Agency entered into that certain Interlocal Agreement between the School Board of Orange County, Florida, and Orange County, Florida ("Agreement"), which was approved by the Orange County Board of County Commissioners ("Board") on September 23, 2014.; and

WHEREAS, pursuant to Agreement, the SBOC is authorized to use a portion of the Agency's Bithlo Community Center ("Community Center") to conduct its "Alternative to Out-of-School" program ("Program") for a period of three (3) years from the execution of the Agreement ("Term"); and

WHEREAS, pursuant to the terms of the Agreement, the Parties may extend the Term of the Agreement for three (3) additional one-year terms upon mutual written consent by the Parties; and

WHEREAS, the Parties entered into the First Amendment to the Agreement, which was approved by the Board on June 20, 2017 ("First Amendment"), and the Second Amendment to the Agreement, which was approved by the Board on June 19, 2018 ("Second Amendment"), each extending the Agreement for one-year terms; and

WHEREAS, SBOC and Agency have agreed enter into this third one (1) year extension of the Agreement in accordance with the terms and conditions set forth herein.

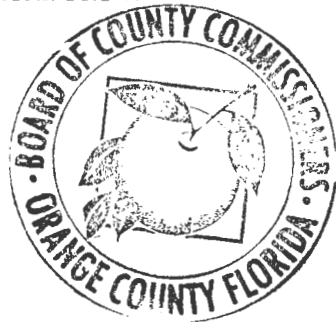
NOW, THEREFORE, in consideration of the mutual covenants and provisions contained herein, and for good and valuable consideration, the receipt and sufficiency of which the Parties hereby acknowledge, the SBOC and Agency hereby agree as follows:

Section 1. RECITALS INCORPORATED. The recitals hereof are true and correct, are material provisions of this Third Amendment, and are incorporated herein by reference and made a part of this Third Amendment.

Section 2. EXTENSION OF AGREEMENT. In accordance with Article 2(A) of the Agreement, the term of the Agreement is hereby extended for one (1) year, commencing on July 1, 2019 through June 30, 2020.

Section 3. AGREEMENT IN FULL FORCE AND EFFECT. Except as expressly modified herein, the terms and conditions of the Agreement shall remain unchanged. In the event of a conflict between the terms of this Third Amendment and those of the Agreement, SBOC and Agency agree that the terms of this Third Amendment shall prevail and control.

IN WITNESS WHEREOF, the Parties have executed this Third Amendment on the dates set forth below.



ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: *Jerry Demings*
for Jerry Demings, Mayor
Orange County, Florida

Date: 6 Aug 19

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

By: *Katie Smith*
Deputy Clerk

THE SCHOOL BOARD OF ORANGE
COUNTY, FLORIDA

By: *Barbara M. Jenkins*
Barbara M. Jenkins, Ed.D.
Superintendent

Date: 6-17-19

Reviewed by: *Christopher Bernier*
Name and Title: Christopher Bernier
(Type or Print)

Approved as to form and legality by the Office
of Legal Services to the Orange County School
Board on: 6-5-19 Signature: *V. Coates*
Print Name: Vivian Coates