

**FIRST AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN
FULTON COUNTY, GEORGIA AND FRIENDS OF THE DOROTHY C. BENSON SENIOR
MULTIPURPOSE COMPLEX, INC.**

THIS FIRST AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING (“Amendment”) is entered into as of the ____ day of July 2025, by and between FULTON COUNTY, GEORGIA (“Fulton County”) and FRIENDS OF THE DOROTHY C. BENSON SENIOR MULTIPURPOSE COMPLEX, INC., a non-profit corporation incorporated under the laws of the State of Georgia (“Friends of Benson”). Fulton County and Friends of Benson are each referred to as a “Party” and collectively, the “Parties”.

WHEREAS, Fulton County owns and maintains the Dorothy C. Benson Multipurpose Complex (“Benson Senior Facility”) and, through its Department of Senior Services, is responsible for the delivery, management, operation and oversight of its senior multipurpose programs and adult day care services and activities at the Benson Senior Facility; and

WHEREAS, the Friends of Benson supports the recreational, intellectual, social, physical and health needs of Fulton County’s senior citizens age 55 and over by providing financial and other support for programs at the Benson Senior Facility through fundraising and other activities as set forth in its organizational documents; and

WHEREAS, on May 16, 2018, the Board of Commissioners passed Resolution 18-0325 adopting a standard Form Memorandum of Understanding (“MOU”) between Fulton County and approved Friends groups that support Fulton County’s Senior Centers in order to create uniformity of obligations and ensure compliance with Fulton County policies; and

WHEREAS, through Resolution 18-0325, the Board of Commissioners also authorized the County Manager to execute the Form MOUs with the Friends groups supporting Senior Centers; and

WHEREAS, the Parties entered into that certain MOU dated May 15, 2018, by which the Parties agreed to terms for fundraising, rental of facilities, fund disbursement, distribution of vending machine proceeds, auditing, and reporting related to the Benson Senior Facility; and

WHEREAS, the MOU was renewed on December 20, 2023 (Item No. 23-0926) to commence upon its effective date of January 1, 2024, and continue for five (5) years, which is through December 31, 2028, unless earlier terminated; and

WHEREAS, Paragraph 7H. of the Form MOU authorizes Friends of Benson to manage rental of the Facilities at the Benson Senior Facility; and

WHEREAS, the Friends of Benson has determined that managing the rental of the Facilities at the Benson Senior Facility is no longer a viable decision; and

WHEREAS, the Board of Commissioners desires that the Friends of Benson no longer manage the rental of the Facilities at the Benson Senior Facility and instead desires that Fulton County manage such rentals; and

WHEREAS, Paragraph 1 of the Form MOU provides the following with respect to amendments to the MOU:

Variations and modifications of this MOU, or waivers of its provisions, will not be valid unless they are reduced to writing, signed by the parties' duly authorized representatives, and approved by the Board of Commissioners as provided herein.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Fulton County and the Friends of Benson agree as follows:

Section 1. The MOU with Friends of Benson is hereby amended to remove all references to the ability of Friends of Benson to manage rentals at the Benson Senior Facility and reflect that Fulton County, through its Department of Senior Services, shall now manage rentals at the Benson Senior Facility, as set forth in the attached Exhibit "A", which is incorporated herein by reference.

Section 2. Exhibit D to the MOU with Friends of Benson, Facility Rental Application and Agreement, is hereby stricken in its entirety.

Section 3. Except as modified by this First Amendment, all terms and conditions of the MOU with Friends of Benson shall remain in full force and effect

IN WITNESS THEREOF, the Parties hereto have caused this Amendment to be executed by their duly authorized representatives as attested and witnessed and their corporate seals to be hereunto affixed as of the day and year date first above written.

FULTON COUNTY, GEORGIA

**FRIENDS OF THE DOROTHY
C. BENSON MULTIPURPOSE
COMPLEX, INC.**

Robert L. Pitts, Chairman
Fulton County Board of Commissioners

Robin Paisley, President, Friends of
Benson, Inc.

ATTEST:

ATTEST:

Tonya R. Grier
Clerk to the Commission

Secretary/ Assistant
Secretary

(Affix County Seal)

(Affix Corporate Seal)

APPROVED AS TO FORM:

ATTEST:

Office of the County Attorney

Notary Public

APPROVED AS TO CONTENT:

County: _____

Commission Expires: _____

Ladisa Onyiliogwu, Director Department
of Senior Services

(Affix Notary Seal)

ITEM#: _____ RCS: _____	ITEM#: _____ RM: _____
RECESS MEETING	REGULAR MEETING