



## OFFICE OF THE COUNTY ATTORNEY

MITCHELL O. PALMER, County Attorney\*  
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Anne M. Morris, Assistant County Attorney  
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Sarah E. Warren, Assistant County Attorney\*\*

## MEMORANDUM

DATE: June 5, 2020

TO: Steve Litschauer, Emergency Management Chief, Public Safety Department  
Renee Isrel, Chief Administrative Officer, Public Safety Department

THROUGH: Mitchell O. Palmer, County Attorney *Approved by M. Palmer 6-5-2020*

FROM: Alexandria C. Nicodemi, Assistant County Attorney *Approved by A. Nicodemi 6-5-2020*

RE: **FY 2020 Emergency Management Performance Grant Program- COVID-19 Supplemental; CAO Matter No. 2020-0222**

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This memorandum is in response to the above referenced Request for Legal Services in which you asked this office to review a federal-pass-through grant between Manatee County and the State of Florida, Division of Emergency Management ("Agreement") for the funding of equipment needed for hurricane shelters during the ongoing COVID-19 public health emergency. Per your request, I have reviewed the Agreement and my comments are as follows:

1. The Agreement follows an established form agreement by the State Division of Emergency Management. In our experience, the State is reluctant to make substantive changes to its form documents. While the County has accepted this form in the past, my suggested changes and comments are limited to identifying legal issues that could present legal challenges for the County moving forward.
2. In the introductory clause of the Agreement, "Manatee County" should be replaced with "Manatee County, a political subdivision of the State of Florida," in order to correctly identify the County as a party to the Agreement.
3. The Agreement imposes detailed obligations upon the County. Staff should carefully review the terms to assure that the County is positioned to fully perform its obligations under the Agreement. If you have any questions regarding the County's obligations under the Agreement, please consult directly with this Office.

\* Board Certified in Construction Law

\*\* Board Certified in City, County, & Local Government Law

4. Finally, Manatee County Attorney's Office has adopted a standard layout for the Chairperson's signature block. The standard signature block is as follows:

**MANATEE COUNTY, a political subdivision of the State of Florida**

**By: Its Board of County Commissioners**

By: \_\_\_\_\_  
Chairperson

Date: \_\_\_\_\_

ATTEST: ANGELINA COLONNESO,  
CLERK OF CIRCUIT COURT AND COMPTROLLER

By: \_\_\_\_\_  
Deputy Clerk

Subject to the inclusion of the minor changes noted above, including the proper identification of the County and its signature block, I find that the Agreement is in legally sufficient form for consideration by the Board of County Commissioners. I express no opinion as to the business judgment of entering into the Agreement. This concludes my response to your Request for Legal Services. If you have any further questions, comments, or concerns, please feel free to contact me.

Copies to: Cheri Coryea, County Administrator  
John Osborne, Deputy County Administrator  
Karen Stewart, Deputy County Administrator  
Jacob Saur, Director, Public Safety Department