

From: [Sarah Schenk](#)
To: [Tom Gerstenberger](#)
Cc: [Kenneth Kohn](#)
Subject: Mill Creek Watershed Management Plan-SFWWMD Agreement; (Matter No. 2019-0546)
Date: Friday, November 15, 2019 3:56:18 PM
Attachments: [RE Mill Creek Watershed Management Plan-SFWWMD Agreement: \(Matter No. 2019-0546\).msg](#)
[image002.jpg](#)

Tom & Ken,

As a follow-up to my prior RLS response, the proposed signature block is legally acceptable. The CAO has no objection to the Agreement being scheduled for consideration by the Board. The CAO expresses no opinion as to the business judgement of entering into the Agreement.

This concludes the CAO response to the RLS.

Sarah A. Schenk
Assistant County Attorney
Manatee County Attorney's Office
1112 Manatee Ave. W., Ste.969
Bradenton, FL 34206
941-745-3750

From: Kenneth Kohn <kenneth.kohn@mymanatee.org>
Sent: Friday, November 15, 2019 2:57 PM
To: Sarah Schenk <sarah.schenk@mymanatee.org>
Cc: Tom Gerstenberger <tom.gerstenberger@mymanatee.org>; Janice Haas <janice.haas@mymanatee.org>
Subject: RE: Mill Creek Watershed Management Plan-SFWWMD Agreement; (Matter No. 2019-0546)

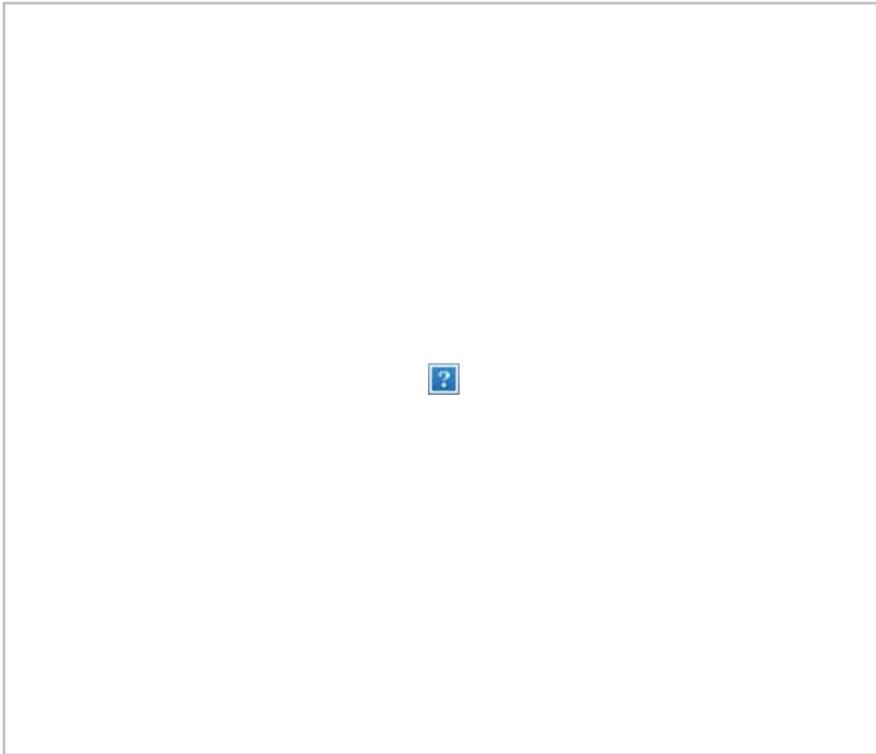
Sarah,

Good afternoon. I advised SWFWMD of your comments and provide their response in the attached email.

Can you please take a look and see if these address your concerns and if so then we would like to move forward with getting this on the agenda for December 10 if possible?

I checked the last time the Mill Creek amendment was signed, and this agreement appears to be consistent with what we did before.

Please feel free to contact me or Tom if any questions.



Sincerely,

Kenneth Kohn, P.E.
Project Engineer II - Stormwater Management Division
Manatee County Public Works Department
1022 26th Avenue East
Bradenton, Florida 34208
Phone: (941) 708-7450, Ext. 7254

From: Sarah Schenk <sarah.schenk@mymanatee.org>
Sent: Tuesday, November 5, 2019 5:22 PM
To: Tom Gerstenberger <tom.gerstenberger@mymanatee.org>
Cc: Mitchell Palmer <mitchell.palmer@mymanatee.org>; Chad Butzow <chad.butzow@mymanatee.org>; Sia Mollanazar <sia.mollanazar@mymanatee.org>; Kenneth Kohn <kenneth.kohn@mymanatee.org>; Carmen Mosley <carmen.mosley@mymanatee.org>; Francisca Backenstross <francisca.backenstross@mymanatee.org>
Subject: Mill Creek Watershed Management Plan-SWFWMD Agreement; (Matter No. 2019-0546)

Tom,
Pursuant to the above Request for Legal Services you have asked this Office to

review a second amendment to the Cooperative Funding Agreement between the Southwest Florida Water Management District (“SWFWMD”) and Manatee County for the completion of the Mill Creek Watershed Management Plan. The following facts are relevant to our response:

1. The initial Cooperative Funding Agreement contained an expiration date of December 31, 2017 (“Original Agreement”).
2. The first amendment to the Original Agreement extended the expiration date to June 30, 2019.
3. The proposed second amendment to the Original Agreement proposes to extend the expiration date to December 31, 2020.

The CAO provides the following legal advice in response to the RLS:

1. The terms “Second Amendment” should be inserted in the title of the proposed Agreement.
2. The signature block for Manatee County should be revised to reflect the standard County form.

Subject to the inclusion of the above suggested changes, the CAO has no objection from a legal standpoint to the Second Amendment to the Agreement being scheduled for consideration by the Board. The CAO expresses no opinion as to the business judgment of entering into the Second Amendment to Agreement.

This concludes the CAO response to the RLS.

Sarah A. Schenk
Assistant County Attorney
Manatee County Attorney's Office
1112 Manatee Ave. W., Ste. 969
P.O. Box 1000
Bradenton, FL 34206-1000
Phone: (941) 745-3750