



OFFICE OF THE COUNTY ATTORNEY

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MEMORANDUM

DATE: August 17, 2020
TO: Alan Lai Hipp, Environmental Program Manager, Parks and Natural Resources Department
THROUGH: Mitchell O. Palmer, County Attorney *Approved by M. Palmer 8-17-20*
FROM: Alexandria C. Nicodemi, Assistant County Attorney *Approved by A. Nicodemi 8-17-20*
RE: **Commercial Loading Dock Operation Interlocal Agreement; CAO Matter No. 2020-0227**

This memorandum is in response to the above referenced Request for Legal Services in which you asked this office to draft an Amendment to the Interlocal Agreement ("First Amendment") between Manatee County and the City of Bradenton Beach ("City") for the City's use the barge loading facility on Bradenton Beach. Per your request, I have drafted the First Amendment to the Interlocal Agreement and my comments are as follows:

1. On May 21, 2019, the Board of County Commissioners executed an Interlocal Agreement ("Interlocal Agreement") with the City to allow the City to stage construction materials and equipment for the pier renovation project at the County-owned barge loading facility.
2. Per your Request for Legal Services, you have indicated that the City is requesting an expansion of the use of the barge loading facility beyond what the original Interlocal Agreement provided for. Additionally, the City is requesting an extension of the initial term of the Interlocal Agreement. Once the City and the County have come to an agreement regarding the expansion of the use of the barge loading facility, please inform this office and we can revise First Amendment accordingly.
3. Attached to this memorandum you will find the First Amendment to the Interlocal Agreement incorporating all revisions requested by the Parks and Natural Resources Department.

* Board Certified in Construction Law

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

Subject to resolution of the outstanding business terms, I have no objection from a legal standpoint to scheduling this First Amendment to the Interlocal Agreement for consideration by the Board of County Commissioners. I express no opinion as to the business judgement of entering into this First Amendment to the Interlocal Agreement. This completes 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
Linda Klasing, Risk Manager, County Attorney's Office
Charlie Hunsicker, Director, Parks and Natural Resources Department