



OFFICE OF THE COUNTY ATTORNEY

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MEMORANDUM

DATE: March 1, 2018

TO: Robert Brown, Manager, Environmental Protection Division, Parks and Natural Resources Department

THROUGH: Mitchell O. Palmer, County Attorney *MOP 3-2-18*

FROM: Katharine M. Zamboni, Assistant County Attorney *KMZ*

RE: **Cooperative Funding Agreement for Mill Creek Water Quality Plan (N889) Request for Legal Services (RLS); CAO Matter No. 2018-0111**

You requested legal review of a Cooperative Funding Agreement between Manatee County and the Southwest Florida Water Management District (SWFWMD). I have reviewed the proposed Cooperative Funding Agreement and find it to be legally sufficient and consistent with the County's Comprehensive Plan objectives to improve coastal water quality and stormwater management. I have minor comments, as described below.

The Manatee County Attorney's Office has adopted a standard layout for the Commission Chairperson's signature block. That 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: _____

* Board Certified in Construction Law

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

ATTEST: ANGELINA COLONNESO
 CLERK OF THE CIRCUIT COURT AND COMPTROLLER

By: _____
 Deputy Clerk

At minimum, the County's signature block needs to be updated to reflect the current chair of the Board of County Commissioners.

In addition, on page two of Exhibit "A" (Project Plan), under the heading "Deliverable Review Times," the phrase "with twenty (20) business days" should be revised to read "within twenty (20) business days."

Finally, I note paragraph 21 of the Cooperative Funding Agreement states that the venue for resolving any disputes under the agreement will be exclusively in Hernando County. While this Office generally counsels against agreeing to venue outside of the County, based on past experiences with other SWFWMD Cooperative Funding Agreements, SWFWMD will not agree to change the venue.

I trust this response adequately addresses your request. Should you have any further questions, please do not hesitate to contact this Office.

KMZ

Copies to: Ed Hunzeker, County Administrator
 Dan Schlandt, Deputy County Administrator
 Cheri Coryea, Deputy County Administrator
 Charlie Hunsicker, Director, Parks and Natural Resources Departmen