



Re: FW: A1 to Manatee FRA, Phase II 

Robert Eschenfelder to: Wilfredo Miranda

Cc: Chuck Peabody, Paul Alexander, Mitchell Palmer,  
ed.hunzeker@mymanatee.org

11/18/2014 01:13 PM

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History: This message has been replied to and forwarded.

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Wilfredo,

As per Par. 25 of the original 2010 rebanding agreement (pasted below for your reference):

**25. Amendments: This Agreement, inc  
contemplated hereby and the Cost Estimate thereo  
only by a written instrument signed by authorized r  
amendment or modification to this Agreement sha  
Administrator, or the FCC after an adverse decision**

Inasmuch as there is no delegated authority for the administration to execute this kind of agreement/amendment, the Board of County Commissioners would need to approve of it on a consent agenda first.

As to which County official should sign the amendment once approved by the Board, the typical motion the Board adopts for non-purchasing kinds of agreements is "to approve the agreement [or in this case the amendment] and to authorize the County Administrator or designee to execute same."

Since the IT Director executed the original agreement on behalf of the County after it was approved by the Board, it probably makes most sense for Mr. Alexander to execute it this time. The key legal issue is just to ensure our Board approves of the amendment first.

The one page amendment incorporating revised schedules and clarifying definitions does not create any legal issue. However, I would ask that a par. 3 be added, just to confirm: "All other terms and conditions set forth in the Agreement are unchanged and shall remain in force and effect."

I would also ask for a new par. 4 to be added, stating: "This Amendment shall become effective on the date first written above, notwithstanding the actual date(s) of execution by the Parties."

Finally, I assume the administration will review and approve the related business terms of the amendment, on which I offer no opinion.

I believe the foregoing will be sufficient guidance for you to finalize the document and set it for Commission consideration, but if you have any other questions, please let me know.

Robert Eschenfelder  
Assistant County Attorney  
Manatee County Attorney's Office



BC20100316DOC039.PDF A1 Manatee FRA Phase II\_ 11-18-14.doc

Wilfredo Miranda

Chuck, I'm sorry I sent the wrong email before. T...

11/18/2014 12:22:02 PM

From: Wilfredo Miranda/MCG  
To: Chuck Peabody/MCG@MCG, Robert Eschenfelder/MCG@MCG  
Cc: Paul Alexander/MCG@MCG  
Date: 11/18/2014 12:22 PM  
Subject: FW: A1 to Manatee FRA, Phase II

Chuck,

I'm sorry I sent the wrong email before. This is the final draft for phase II Sprint/Nextel FRA. They are asking who should sign and if it needs to go to the BOCC. I don't know the answer so I'm forwarding this to Robert, Paul and you.

Thanks  
Wilfredo Miranda  
Information Technology Department  
Radio Communications Manager  
Office: 941-749-3500 x5503  
Mobile: 941-799-1211  
wilfredo.miranda@mymanatee.org

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[attachment "Miranda\_Wilfredo.vcf" deleted by Robert Eschenfelder/MCG]

----- Forwarded by Wilfredo Miranda/MCG on 11/18/2014 12:19 PM -----

From: Jeffrey Rubin <JRubin@shulmanrogers.com>  
To: "wilfredo.miranda@mymanatee.org" <wilfredo.miranda@mymanatee.org>  
Cc: Alan Tilles <ATilles@shulmanrogers.com>, Shirley Sutton <SSutton@shulmanrogers.com>  
Date: 11/18/2014 11:53 AM  
Subject: FW: A1 to Manatee FRA, Phase II

Wilfredo -

Attached is the draft Amendment for the Phase II (NPSPAC) FRA. I have reviewed and all changes have been accurately captured.

Please review as well. Please advise of County procedure regarding execution of contracts (and Amendments). I recall in the past the execution protocol was that Manatee signs last. Is that still the case?

If not, then please proceed to have the County execute three (3) originals of the Amendment. The Amendment needs to be signed on the first page and the Certification on the last page. Do not date the first page but do date the last page. Please return all executed originals to my attention, via federal express, for further processing.

Please advise how long this process normally takes. Will the Amendment require Board approval. If so, when will that happen and how long does it normally take after Board approval for the County to sign the Amendment?

We will go through the same process for the

As always, please call me with any questions.

Jeff

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JEFFREY W. RUBIN  
ATTORNEY AT LAW

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-----Original Message-----

From: Haddix, Toni G [NTK] [mailto:Toni.Haddix@sprint.com]  
Sent: Tuesday, November 18, 2014 10:41 AM  
To: Jeffrey Rubin; 'wilfredo.miranda@mymanatee.org'  
(wilfredo.miranda@mymanatee.org)  
Cc: Lederman, Steven F. (steven.lederman@squirepb.com); Wilson, John R [NTK]  
Subject: A1 to Manatee FRA, Phase II

Jeff,

Attached is a draft of the Amendment 1 to the Manatee FRA, Phase II, for your, and your client's, review. Please advise Sprint of any concerns with the attached.

Thank you,  
Toni

Toni Haddix  
Counsel, Spectrum Transactions  
Sprint Corp.  
Mobile: (919) 520-9104

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[attachment "A1 Manatee FRA Phase II\_ 11-18-14.doc" deleted by Robert Eschenfelder/MCG]