



## OFFICE OF THE COUNTY ATTORNEY

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### MEMORANDUM

Date: June 25, 2018

To: Debbie Voorhees, Contracts Manager, Parks and Natural Resources Department

Through: Mitchell O. Palmer, County Attorney *MOP 6/26/18*

From: Alexandria C. Nicodemi, Assistant County Attorney *ACN*

RE: **Kayak and Canoe Temporary Storage License Agreement;  
CAO Matter No. 2018-0256**

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This memorandum is in response to the above referenced Request for Legal Services (“RLS”) in which you asked this office to review an updated Kayak and Canoe Temporary Storage License Agreement (“License Agreement”). After reviewing the RLS, I have made the following findings.

The RLS indicates that the original agreement was reviewed by the County Attorney’s Office and approved by the Manatee County Board of County Commissioners on April 21, 2009. Prior to Board approval, this Office advised the Parks and Natural Resources Department to draft a resolution in conjunction with the original agreement. Such a resolution was recommended for the purpose of delegating to the County Administrator, or his designee, the authority to execute the original agreement. Based on my review of the past Board minutes, it appears that such a resolution was never adopted.

Per your request, I have reviewed the License Agreement you submitted. After weighing the various needs of the Parks and Natural Resources department with Ms. Voorhees, I have modified the License Agreement so that it is now a Use Agreement. The Use Agreement will allow for a more expedited approach for execution by the user and no longer requires an accompanying resolution. Based on my review, I have made the appropriate edits so that the Use Agreement is in legally sufficient form. (See, attached)

\* Board Certified in Construction Law

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

Debbie Voorhees, Contracts Manager, Parks and Natural Resources Department

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I recommend bringing this matter for approval by the Board at the next regularly scheduled meeting. This completes the response to your Request for Legal Services. If you have any further questions, comments, or concerns, please feel free to contact me.

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