

**AGREEMENT BETWEEN
MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS
AND
SCHOOL BOARD OF MANATEE COUNTY
REGARDING
RECREATIONAL FACILITIES LIGHTING AND USE
AT R. DAN NOLAN MIDDLE SCHOOL
LOCATED AT 6615 GREENBROOK BOULEVARD, BRADENTON, FLORIDA**

THIS AGREEMENT is made and entered into by and between the Manatee County Board of County Commissioners (County); and the MANATEE COUNTY SCHOOL BOARD (School Board).

WHEREAS, the School Board has acquired land and constructed facilities upon such land to serve the residents of Manatee County for educational and recreational purposes; and

WHEREAS, The County and School Board recognize the need for joint usage of their land and facilities to better serve the residents and such usage will result in substantial savings to the public and;

WHEREAS, the use by each party for specified purposes of the properties belonging to the other is lawful and in the public interest; and

WHEREAS, the Manatee County Comprehensive Plan requires the County to provide for the recreational needs of its residents; and

WHEREAS, the project is in a growing area of the County where additional recreational facilities were needed; and

WHEREAS, the Manatee County Comprehensive Plan encourages the County and School Board to negotiate in good faith to enter into cooperative agreement regarding the joint use of facilities, maintenance, site acquisition and facilities planning; and

WHEREAS, the School Board has constructed a baseball field, soccer field, four tennis courts and four basketball courts (Recreational Facilities) and related facilities at R. Dan Nolan Middle School located at 6615 Greenbrook Boulevard; Bradenton, Florida; and

WHEREAS, the County agreed to pay the School Board for a portion of the costs associated with lighting the Recreational Facilities and the School Board has agreed to allow the County to use the Recreational Facilities as provided herein; and

WHEREAS, the parties hereto desire to enter into an Agreement.

NOW, THEREFORE, in consideration of the mutual rights and obligations as set forth herein, it is agreed between the parties as follows:

1. As set forth in paragraph 6 below, the County shall have the right to use the Recreational Facilities and related facilities (including parking lots) and a means of access to and from the site in accordance with all policies applicable to County's Parks and Recreation Program and for the use and replacement of light fixtures and poles situated on the Nolan Middle School property located at 6615 Greenbrook Boulevard, Bradenton, Florida. During organized tournaments, clinics, and camps, County shall have the right to permit vending of food and non-alcoholic beverages and sundry items related to the event. The lighting fixtures shall remain the property of the County and may be removed by the County upon termination of this Agreement by the School Board and ninety (90) days written notice.

2. The School Board will be responsible for the maintenance of the Recreational Facilities and related amenities, including fencing, nets, court surfaces/lines, net poles, goals, backboards, etc.

3. The County will promptly pay \$125,000 for the design and installation of the Recreational Facilities lighting system pursuant to the invoice and documentation attached hereto. The County shall also be responsible for the replacement of light fixtures and poles.

4. That the County shall be responsible for routine maintenance of the tennis courts and basketball courts lighting systems for the tennis courts and basketball courts.

5. That the County shall be responsible for electricity costs associated with the tennis courts and basketball courts upon installation of a separate meter by School Board. Upon notice that such meter has been installed, County shall reimburse the School Board for the actual cost of the meter and arrange for all electricity billing to be in the name of the County.

6. That the School Board will make available Nolan Middle School Recreational Facilities for public recreational use and to run organized County programs when it does not conflict with:

- a. Normal or summer school operation hours
- b. Scheduled practices or games of Manatee County School teams
- c. Scheduled special events of the School Board of Manatee County

County's designated representatives assigned by County's Parks and Recreation Department Director shall, pursuant to forms acceptable to the Nolan Middle School principal, submit a school facility use request form specifying the dates, times, specific activities, and activity supervisor, for approval by the principal. Requests shall be submitted no more than twelve (12) months prior to the requested date of use. The principal will not unreasonably withhold or delay the approval.

7. Any notice, billing or payment required under this Agreement filed with the County or School Board shall be sent by U.S. Mail to the following addresses:

10. This Agreement may be amended by mutual written consent of the County and the School Board. This Agreement may be terminated by either the County or the School Board upon 120-days written notice.

9. As to the Recreational Facilities and related facilities at said Nolan Middle School the provisions of this Interlocal Agreement supersedes and takes precedence of any conflicting provisions of prior agreements with the County and School Board.

8. If permitted by law, that the County and the School Board agrees to save one another harmless from any and all liability for personal injury or property damage relating from County's or School Board's use, respectively, of the facilities granted pursuant to the terms of this Agreement. In any event, the obligation to save one another harmless shall be in accordance with and limited by Section 768.28, Florida Statutes and successor legislation.

Director Parks and Recreation Department Post Office Box 1000 Bradenton, Florida 34206	For County:
Manatee County Attorney 1112 Manatee Avenue West Post Office Box 100 Bradenton, Florida 34206	With copies to:
Superintendent School Board of Manatee County 215 Manatee Avenue West Bradenton, Florida 34205	For School Board:
School Board Attorney Attention: John Bowen 215 Manatee Avenue West Post Office Box 9069 Bradenton, Florida 34205	With copies to:

IN WITNESS WHEREOF, the parties have executed and caused to be executed this Agreement in duplicate and hereto have set their hands and seals on the date and year shown below, and the signatories do hereby confirm that the governing or managing body of each party has approved the content, form, and manner of execution of this Agreement.

**SCHOOL BOARD OF
MANATEE COUNTY**

By: [Signature]
 Print Name: Harry G. Kinnin
 Title: Chairman
 Date: 4/9/07

ATTEST: DR. ROGER DEARING

Superintendent

By: [Signature]
 Date: 4/9/07

Approved for School Board as to
 Form and Legal Sufficiency

[Signature]

MANATEE COUNTY, by and through its
 Board of County Commissioners

By: [Signature]
 Print Name: Amy E. Stein
 Title: Chairman
 Date: 4/10/07



ATTEST: R. B. SHORE

Clerk of the Circuit Court

By: [Signature]
 Deputy Clerk
 Date: 4/10/07

MANATEE COUNTY GOVERNMENT

AGENDA MEMORANDUM

COPY

SUBJECT	R. Dan Nolan Middle School Recreational Facilities Lighting	
DATE REQUESTED	April 10, 2007	
BRIEFINGS? Who?	None	
DEPARTMENT/DIVISION	Parks and Recreation/ Administration	
CONTACT PERSON	Christy Stafford 6005/Millie Hernandez 6002	TELEPHONE/EXTENSION
ADMINISTRATIVE APPROVAL		
ACTION DESIRED INDICATE WHETHER 1) REPORT; 2) DISCUSSION; 3) FORM OF MOTION; OR 4) OTHER ACTION REQUIRED		
Authorization for the Chairman to execute the attached agreement between the School Board of Manatee County and Manatee County Government for recreational facilities lighting, use and maintenance at R. Dan Nolan Middle School, upon receipt of signed originals from the School Board.		
ENABLING/REGULATING AUTHORITY		
Federal/State law(s), administrative ruling(s), Manatee County Comp Plan/Land Development Code, ordinances, resolutions, policy		
BACKGROUND/DISCUSSION		
Manatee County and the School Board have an interlocal agreement for shared use of school/park facilities. In the spirit of the agreement, it was decided, in the best interest of the public to light four tennis courts and four basketball courts located at R. Dan Nolan Middle School and reimburse the School Board for a portion of the cost. This enables the courts to be available to the public for use outside normal school hours. 08/09/04 - The R. Dan Nolan Middle School, four tennis courts and four basketball courts and related facilities were opened. 09/16/04 - Draft reimbursement/usage/maintenance agreement for the recreational lighting was forwarded to Manatee County Parks and Recreation Department. Manatee County and the School Board agreed to a sum not to exceed \$125,000 for the lighting. Monies for reimbursement were budgeted in the CIP for FY 2005-2006. 10/04/04 - Request for Legal Services was forwarded to the County Attorney's Office requesting an agreement be finalized. 02/28/07 - School Board Attorney and Manatee County Attorney approved the final agreement.		
COUNTY ATTORNEY REVIEW		
APPROVED IN OPEN SESSION		
Check appropriate box <input checked="" type="checkbox"/> REVIEWED Written Comments: <input checked="" type="checkbox"/> Attached <input type="checkbox"/> Available from Attorney (Attorney's initials: MANATEE COUNTY COMMISSIONERS APR 10 2007		
NOT REVIEWED (No apparent legal issues.)		
NOT REVIEWED (Utilizes exact form or procedure previously approved by CAO.)		
OTHER		
ATTACHMENTS: (List in order as attached)		
Agreement Letter from Mike Pendley to Cindy Turner Request for Legal Services Letter to Christy Stafford from Alisa Cline Invoice for Reimbursement with Memorandum County Attorney Memorandum		
Original Agreement will be presented to the School Board on 4/9/07 and signed originals will be provided to the BOCC on or about 4/17/07 for signature by the Chairman. Please forward one approved original to Alisa Cline, Manatee County School Board. Please forward one approved original to Millie Hernandez, Parks & Recreation.		
COST:	\$125,000	
SOURCE (ACCT # & NAME):	1890015900531000	
COMMENTS:	Funding from Park Impact Fees	AMT./REQ. OF RECURRING COSTS: (ATTACH FISCAL IMPACT STATEMENT)
		N/A

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MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS
AND
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REGARDING
RECREATIONAL FACILITIES LIGHTING AND USE
AT R. DAN NOLAN MIDDLE SCHOOL
LOCATED AT 6615 GREENBROOK BOULEVARD, BRADENTON, FLORIDA**

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WHEREAS, the School Board has acquired land and constructed facilities upon such land to serve the residents of Manatee County for educational and recreational purposes; and

WHEREAS, The County and School Board recognize the need for joint usage of their land and facilities to better serve the residents and such usage will result in substantial savings to the public and;

WHEREAS, the use by each party for specified purposes of the properties belonging to the other is lawful and in the public interest; and

WHEREAS, the Manatee County Comprehensive Plan requires the County to provide for the recreational needs of its residents; and

WHEREAS, the project is in a growing area of the County where additional recreational facilities were needed; and

WHEREAS, the Manatee County Comprehensive Plan encourages the County and School Board to negotiate in good faith to enter into cooperative agreement regarding the joint use of facilities, site acquisition and facilities planning; and

WHEREAS, the School Board has constructed a baseball field, soccer field, four tennis courts and four basketball courts (Recreational Facilities) and related facilities at R. Dan Nolan Middle School located at 6615 Greenbrook Boulevard; Bradenton, Florida; and

WHEREAS, the County agreed to pay the School Board for a portion of the costs associated with lighting the Recreational Facilities and the School Board has agreed to allow the County to use the Recreational Facilities as provided herein; and

WHEREAS, the parties hereto desire to enter into an Agreement.

NOW, THEREFORE, in consideration of the mutual rights and obligations as set forth herein, it is agreed between the parties as follows:

7. Any notice, billing or payment required under this Agreement filed with the County or School Board shall be sent by U.S. Mail to the following addresses:

County's designated representatives assigned by County's Parks and Recreation Department Director shall, pursuant to forms acceptable to the Nolan Middle School principal, submit a school facility use request form specifying the dates, times, specific activities, and activity supervisor, for approval by the principal. Requests shall be submitted no more than twelve (12) months prior to the requested date of use. The principal will not unreasonably withhold or delay the approval.

- a. Normal or summer school operation hours
- b. Scheduled practices or games of Manatee County School teams
- c. Scheduled special events of the School Board of Manatee County

6. That the School Board will make available Nolan Middle School Recreational Facilities for public recreational use and to run organized County programs when it does not conflict with:

5. That the County shall be responsible for electricity costs associated with the tennis courts and basketball courts upon installation of a separate meter by School Board. Upon notice that such meter has been installed, County shall reimburse the School Board for the actual cost of the meter and arrange for all electricity billing to be in the name of the County.

4. That the County shall be responsible for routine maintenance of the tennis courts and basketball courts lighting systems for the tennis courts and basketball courts.

3. The County will promptly pay \$125,000 for the design and installation of the Recreational Facilities lighting system pursuant to the invoice and documentation attached hereto. The County shall also be responsible for the replacement of light fixtures and poles.

2. The School Board will be responsible for the maintenance of the Recreational Facilities and related amenities, including fencing, nets, court surfaces/lines, net poles, goals, backboards, etc.

1. As set forth in paragraph 6 below, the County shall have the right to use the Recreational Facilities and related facilities (including parking lots) and a means of access to and from the site in accordance with all policies applicable to County's Parks and Recreation Program and for the use and replacement of light fixtures and poles situated on the Nolan Middle School property located at 6615 Greenbrook Boulevard, Bradenton, Florida. During organized tournaments, clinics, and camps, County shall have the right to permit vending of food and non-alcoholic beverages and sundry items related to the event. The lighting fixtures shall remain the property of the County and may be removed by the County upon termination of this Agreement by the School Board and ninety (90) days written notice.

10. This Agreement may be amended by mutual written consent of the County and the School Board. This Agreement may be terminated by either the County or the School Board upon 120-days written notice.

9. As to the Recreational Facilities and related facilities at said Nolan Middle School the provisions of this Interlocal Agreement supersedes and takes precedence of any conflicting provisions of prior agreements with the County and School Board.

8. If permitted by law, that the County and the School Board agrees to save one another harmless from any and all liability for personal injury or property damage relating from County's or School Board's use, respectively, of the facilities granted pursuant to the terms of this Agreement. In any event, the obligation to save one another harmless shall be in accordance with and limited by Section 768.28, Florida Statutes and successor legislation.

- For County:
 - Director
 - Parks and Recreation Department
 - Post Office Box 1000
 - Bradenton, Florida 34206
- With copies to:
 - Manatee County Attorney
 - 1112 Manatee Avenue West
 - Post Office Box 100
 - Bradenton, Florida 34206
- For School Board:
 - Superintendent
 - School Board of Manatee County
 - 215 Manatee Avenue West
 - Bradenton, Florida 34205
- With copies to:
 - School Board Attorney
 - Attention: John Bowen
 - 215 Manatee Avenue West
 - Post Office Box 9069
 - Bradenton, Florida 34205

IN WITNESS WHEREOF, the parties have executed and caused to be executed this Agreement in duplicate and hereto have set their hands and seals on the date and year shown below, and the signatories do hereby confirm that the governing or managing body of each party has approved the content, form, and manner of execution of this Agreement.

**SCHOOL BOARD OF
MANATEE COUNTY**

By: [Signature]
 Print Name: Harry G. Kinnon
 Title: Chairman
 Date: 4/9/07

[Signature]

[Signature]

ATTEST: DR. ROGER DEARING

Superintendent

By: [Signature]
 Date: 4/9/07

Approved for School Board as to
 Form and Legal Sufficiency

[Signature]

MANATEE COUNTY, by and through its
 Board of County Commissioners

By: [Signature]
 Print Name: Guy E. Stein
 Title: Chairman
 Date: 4/10/07



R. B. SHORB
 Clerk of the Circuit Court

ATTEST: [Signature]
 By: [Signature]
 Date: 4-10-07
 Deputy Clerk

4/24/07 QA
1 original each to Alise Cline, School Board & Millie Hernandez, P&R

*School District of Manatee County
Department of Construction Services*

School Board
Larry Simons
* Chairman *
Walter E. Miller
* Vice-Chairman *
Frank Brunner
Harry Kinnan
Barbara Harvey

Dr. Roger Dearing
Superintendent
2802B 27th Street, East
Bradenton, FL 34208
Telephone (941) 708-8800
Fax (941) 708-8832

September 9, 2004

Cindy Turner, Director
Manatee County Parks and Recreation
5502 33rd Ave. Dr. West
Bradenton, FL 34209

Subject: Lighting at Nolan Middle School

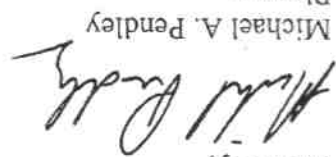
Dear Cindy:

Attached please find a draft agreement for recreation facilities lighting at R. Dan Nolan Middle School. The school district has installed lighting on four tennis courts and four basketball courts as requested by Manatee County. In our meeting, we committed to a total sum not to exceed \$125,000. The cost of the lighting exceeded \$150,000; however, we are only seeking reimbursement for \$125,000 through this agreement.

The agreement also provides for maintenance and replacement responsibilities, as well as providing times that the facilities are available for public use. Please review the agreement and provide your comments to me at your earliest convenience. Once I receive your comments, I will schedule this for a School Board agenda.

Please call me if you have any questions regarding this matter.

Sincerely,



Michael A. Pendley

Planner

MAP/aa

Attachment

File:
Assigned to:

RECEIVED

OCT 11 2004

County Administrator
Manatee County

REQUEST FOR LEGAL SERVICES

10/13

Tedd N. Williams, Jr., County Attorney

Ernie Padgett, County Administrator

Cindy Turner, Director, Parks and Recreation Department

R. Dan Nolan Middle School Recreational Facilities Lighting Agreement Between
Manatee County and The School District of Manatee County

Christy Stafford, Program Manager, Parks and Recreation Department

DATE:

October 4, 2004

CONTACT PERSON:

AUTHORIZED BY:

THRU:

TO:

SERVICE REQUIRED: (please circle or underline)

Review Document

Draft Document

Written Opinion Requested

Attend Meeting

Advise

Other

1. Brief statement of the nature of the request or problem: Manatee County and the School Board of Manatee County need to enter into a cooperative agreement for joint use, maintenance and the lighting project reimbursement of the R. Dan Nolan Middle School newly constructed tennis courts and basketball courts.

2. Discussion of the implications and the possible impact if not apparent from preceding information: Construction of the Nolan Middle School, four tennis courts and four basketball courts and related facilities were opened on August 9, 2004. This agreement will codify the verbal agreement made between the County Administrator and the School Board regarding the cost to the County for reimbursement to the School Board for lighting the tennis and basketball courts.

3. Time considerations and their significance: Monies for reimbursement are budgeted in the CIP for FY 2005-2009. School Board staff will need to present the agreement to their Board.

4. Factual background:

- December 4, 2003 - Manatee County School Board requested the County partner in lighting facilities at the R. Dan Nolan Middle School (a.k.a. Middle School AA).
- December 18, 2003 - Cost proposal provided by the School Board.
- January 21, 2004 - Parks and Recreation staff and School Board staff met with the School Board's construction company to discuss recreation facilities for Nolan Middle School.
- January 26, 2004 - Parks and Recreation staff met with the County Administrator to discuss the School Board lighting project.
- January 27, 2004 - Parks and Recreation informed the School Board that the County would

- partner with them to light four tennis courts and four basketball courts located at R. Dan Nolan Middle School.
 - January 30, 2004 – Cost estimate from Mike Pendley, School Board of \$125,000 for lighting four tennis courts and four basketball courts.
 - February 23, 2004 – Parks and Recreation requested a cost breakdown for the lighting estimate and an updated usage/reimbursement agreement.
 - September 9, 2004 – Letter from Mike Pendley, School Board, with draft usage/reimbursement agreement for the recreation facilities lighting at R. Dan Nolan Middle School.
5. List and/or attach related documents and known authorities (i.e. statute, ordinance, resolution, administrative code, legal case, contract, lease, letter, memorandum, prior legal opinion, etc):
 Letter from Mike Pendley, dated September 9, 2004
 Draft Agreement between Manatee County and The School District of Manatee County
6. Identify prior legal assistance on this or a related matter and the attorney who handled it:
 Unknown
7. Name and telephone number of other interested or opposing parties or their counsel:
 School District of Manatee County – 708-8800
 Dr. Roger Dearing, Superintendent; Mark Barnebey, Esq., School Board Attorney; Sheridan Dowling, Director, Department of Construction Services; Mike Pendley, Planner, Department of Construction Services; Jim Buckley, Assistant Superintendent Business Services
8. Other (Anything else that should be brought to the attention of the County Attorney's Office):
 Staff comments/suggestions:
- The draft agreement, written by School Board staff, should be changed to reflect that construction is completed and the facilities are open.
 - Recreational Facilities should be made available to the public until 10:00 p.m. (times subject to change)
 - Exhibit A should describe the site and facilities; Exhibit B should be construction lighting invoices. A site plan and invoices have been requested, but not received.
 - Second to last "Whereas": change to reflect: Whereas, the County is willing to reimburse the School Board for a portion of the costs associated with the Recreational Facilities lighting and utilize said Recreational Facilities for public recreation needs during hours of the day not in conflict with the school program;
 - Para 1, "(90) days written notice", is in conflict with Para 9, "120 days written notice."
 - After paragraph 1 or within paragraph 2, add to reflect: The School Board will be responsible for the maintenance of all other elements of tennis and basketball court maintenance and related facilities, including fencing, nets, court surfaces/lines, net poles, goals, backboards, etc.
 - Number 2, first sentence, indicates that the County will be responsible for all costs associated with design and installation. The County is actually "partially reimbursing" for the lighting system (\$125,000 agreed upon amount).
 - Number 2: What is "reasonable support documentation" on the invoices?
 - Number 3, second sentence, add at the end: lighting systems.
 - Number 5, change to: That the School Board will make available for public recreational use "and to run organized County programs for" ...
 - Number 5, second paragraph, rewrite to reflect: The supervision of organized recreational activities

- or County programs will be provided by a designated representative scheduled to provide the activity or program. Thirty (30) days prior to the first scheduled activity/program date, the Nolan Middle School Principal will provide a one (1) year written schedule of the dates and times that the School Board will be utilizing the Recreational Facilities to the Director of Manatee County Parks and Recreation Department or his/her designee. Once the County has received the School's schedule, the Director of Manatee County Parks and Recreation shall provide the Principal written schedule of organized activities or programs based on availability of the Recreational Facilities for the year. The schedule shall also list the name and phone number of the designated representative of the organized recreational activity and/or designated liaison staff of Manatee County Parks and Recreation.
- Number 6: To the County: change to: Director, Parks and Recreation Department, Manatee County, Post Office Box 1000, Bradenton Florida 34206.



School Board of Manatee County Department of Construction Services

SCHOOL BOARD
FRANK BRUNNER * CHAIRMAN *
HARRY G. KINNAN
* VICE-CHAIRMAN *
BARBARA A. HARVEY
WALTER E. MILLER
LARRY SIMMONS

DR. ROGER DEARING
SUPERINTENDENT
* * *
2802-B 27th Street East
Bradenton, FL 34208
TELEPHONE (941) 708-8800
FAX (941) 708-8832

Christy Stafford
Manatee County Parks & Recreation
5502 33rd Avenue Drive West
Bradenton, FL 34209

RE: LIGHTING AT NOLAN MIDDLE SCHOOL - INTERLOCAL AGREEMENT

Dear Christy:

As per our conversation today, attached please find the "draft" interlocal agreement which was originally prepared in 2004. I have also attached a letter dated September 9, 2004 from Mike Pendley to Cindy Turner regarding their discussion of the amount of \$125,000.00 for reimbursement to the School Board.

As you will note, I have included two paid invoices - one from Fawley Bryant in the amount of \$7,500.00 for design and one from Centex Rooney (contractor) and Aneco (their electrical subcontractor) in the amount of \$142,672.00. This lighting project, in total, was completed for \$150,172.00.

My understanding is that you will forward this information to County Attorney, Pat McVoy, who will be reviewing and/or updating this interlocal agreement, as appropriate. Therefore, I request a copy of the revised draft agreement to be reviewed by our office, prior to being submitted for County Commission or School Board approval, and subsequent reimbursement.

Should you have any questions or require additional information, please feel free to contact me.

Sincerely,
Alisa Cline

Alisa Cline
Planning Specialist
(941) 708-8800 Ext 1182

cc: Larry Roemer, Project Director
Cindy Turner, Director of Parks & Recreation
Tim McGonegal, Assistant Superintendent

INVOICE
Remit to - MANATEE COUNTY SCHOOL BOARD
PO BOX 9069
BRADENTON FL 34206-9069

Invoice - 69416
Account - 14095
Date - 2/06/07

MANATEE COUNTY PARKS RECREATION
ATTN: CINDY TURNER-DIRECTOR
5502 3RD AVENUE DRIVE WEST
BRADENTON FL 34209

Please remit your payment to the attention of Sherry Wyse.

Date	Type	Document Reference	Due Date	Remark	Invoice Amount
02/06/07	RI	69416	001 03/08/07	TENNIS COURTS AT NOLAN	125,000.00
Balance Due					125,000.00



SCHOOL BOARD

Harry G. Kinnan
Chairman

Barbara A. Harvey
Vice Chairman

Robert C. Gause

Walter E. Miller

Jane R. Pfeilsticker

SUPERINTENDENT

Dr. Roger Dearing



PH. (941) 708-8800
FAX. (941) 708-8832
www.manateeschools.net

2802-B 27th Street E.
Bradenton, FL
34208

P.O. Box 9069
Bradenton, Florida
34206-9069

SCHOOL DISTRICT OF MANATEE COUNTY

MEMORANDUM

To: Tim McGonegal, Assistant Superintendent

From: Mike Pendley, Executive Planner *MP*

Date: January 19, 2007

Subject: Lighting at Nolan Middle School

Pursuant to our conversation, I am requesting you send an invoice to Manatee County Government in the amount of \$125,000.00 for the reimbursement for lighting the basketball and tennis courts at Nolan Middle School.

The installation of these lights, as requested by Manatee County occurred in 2004. The amount of \$125,000.00 was agreed upon as supported by the attached correspondence dated September 9, 2004 and February 26, 2006. However, please note we have also attached the paid invoices which equal \$150,186.00 for the actual total cost of the project. Dr. Dearing has indicated that we are only requesting reimbursement of the agreed upon cost of \$125,000.00.

For your information, there will be additional future expenses since Manatee County Parks & Recreation staff has requested we separate the electrical service. We are also in the process of drafting an Interlocal Agreement with Manatee County Parks and Recreation for operation and maintenance of these facilities.

Should you have any questions, please feel free to call.

MP/ac

cc: Cindy Turner, Director of Parks and Recreation
Larry Jones, Internal Auditor
Larry Roemer, Project Director

*SHY
/acc
M.C.
Thank
to*



Tedd N. Williams, Jr., County Attorney

James A. Minix, Chief Assistant County Attorney
 Patricia McVoy, Senior Assistant County Attorney
 Maureen S. Sikora, Senior Assistant County Attorney
 Robert M. Eschenfelder, Assistant County Attorney
 Rodney C. Wade, Assistant County Attorney
 William E. Clague, Assistant County Attorney
 James R. Cooney, Assistant County Attorney
 Sarah A. Schenk, Assistant County Attorney
 Jason C. Henbest, Associate County Attorney

MEMORANDUM

DATE: November 15, 2006

TO: Cindy Turner, Director, Parks and Recreation Department

THRU: Tedd N. Williams, Jr., County Attorney
John 11/16/06
Patricia McVoy
 FROM: Patricia McVoy, Senior Assistant County Attorney

RE: Facilities Lighting Agreement with Manatee County School District for
 R. Dan Nolan Middle School Recreational Facilities
 RLS-04-391 CAO File 1094-049

Pursuant to the above Request for Legal Services I have reviewed and provided recommended changes in the above Agreement. A clean copy of the proposed Agreement is attached. An electronic copy has also been provided.

This completes my response to your Request for Legal Services. Please contact me if you have any questions or of additional assistance is needed.

cc: Christy Stafford, Program Manager, Parks and Recreation Department

School District of Manatee County

Division of School Support Services



Department of Facility Planning & Land Acquisition

LETTER OF TRANSMITTAL

2802 B - 27th Street East
 Bradenton, FL 34208
 Phone: (941) 708-8800
 Fax: (941) 708-8832

Date:	April 13, 2007
Company:	Manatee County
Attention:	Christy Stafford, Parks & Rec
Project:	Nolan Lighting Agreement

To Whom it May Concern
 We are sending you the following items:

- Attached
- Under Separate Cover
- Contract/Amendment/CO
- Plans/Prints
- Letter
- Survey
- Appraisal
- Other: _____

RECEIVED

APR 20 2007

BOARD RECORDS

No. of Copies	Date	Description
3	4/9/2007	Original, executed Interlocal Agreement

These are Transmitted (as checked below):

- For Approval
- For Your Use
- As Requested
- For Review and Comment
- Approved as Submitted
- Approved as Noted
- Returned for Corrections
- Other _____
- Resubmit _____ copies for approval
- Submit _____ copies for distribution
- Return _____ corrected prints
- Recording _____

Remarks: Attached please find three original documents for you Board Chairman signature.
 Please return one original for our files, upon execution.
 Should you have any questions, or need additional information, please contact me directly.
 Thank you.

Copy to: file

By: Alisa Cline, Planning Specialist - Ext 1182
 For: _____