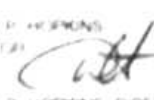



MANATEE COUNTY GOVERNMENT AGENDA MEMORANDUM

SUBJECT	SCHOOL BOARD TRANSPORTATION AGREEMENT	TYPE AGENDA ITEM	CONSENT
DATE REQUESTED	JULY 7 1998	DATE SUBMITTED/REVISED	JUNE 26 1998
BRIEFINGS?/WHO?	NONE	CONSEQUENCES IF DEFERRED	NONE
DEPARTMENT DIVISION	PARKS & RECREATION RECREATION	AUTHORIZED BY TITLE	DANIEL P. HOPKINS DIRECTOR 
CONTACT PERSON TELEPHONE/EXTENSION	KARLA GIBSON/NANCY HILL 5420	PRESENTER/TITLE TELEPHONE/EXTENSION	DANIEL P. HOPKINS, DIRECTOR 4920
ADMINISTRATIVE APPROVAL 			

ACTION DESIRED

INDICATE WHETHER "REPORT or "DISCUSSION, "FORM OF MOTION, or "OTHER ACTION REQUIRED:

AUTHORIZATION FOR THE CHAIRMAN TO EXECUTE THE TRANSPORTATION AGREEMENT WITH THE SCHOOL BOARD OF MANATEE COUNTY

ENABLING/REGULATING AUTHORITY

Federal/State law(s), administrative ruling(s), Manatee County Comp Plan/Land Development Code, ordinances, resolutions, policy.)

(10.1.14(A)) FORMALIZATION AND IMPROVEMENT OF EXISTING COORDINATION OF ACTIVITIES BETWEEN THE SCHOOL BOARD OF MANATEE COUNTY AND THE MANATEE COUNTY PARKS AND RECREATION DEPARTMENT

BACKGROUND/DISCUSSION

- 05/06/98 - BOARD APPROVED TRANSPORTATION AGREEMENT.
- IN 1997, THE COUNTY ATTORNEY'S OFFICE RECOMMENDED A CHANGE IN TERMINOLOGY IN THE TRANSPORTATION AGREEMENT. THE SCHOOL BOARD ATTORNEY DID NOT CONCUR AND THE SCHOOL BOARD WAS UNABLE TO PROVIDE THE PARKS AND RECREATION DEPARTMENT WITH TRANSPORTATION.
- DURING THE SUMMER OF 1997, THE PARKS AND RECREATION DEPARTMENT HAD TO RELY ON ITS FLEET OF SCHOOL BUSES TO PROVIDE TRANSPORTATION OUT OF COUNTY WHICH RESULTED IN A TREMENDOUS IMPACT ON THE FLEET MAINTENANCE DEPARTMENT AS WELL OUR PARKS AND RECREATION STAFF. A CHARTER BUS PROVIDED TRANSPORTATION FOR PROGRAM PARTICIPANTS ON THE SEA WORLD TRIP.
- THE TRANSPORTATION AGREEMENT WILL ENABLE THE PARKS AND RECREATION DEPARTMENT TO UTILIZE SCHOOL BUSES AT A RATE OF \$1 PER MILE PLUS THE DRIVER'S SALARY AND EXPENSES.
- THE PARKS AND RECREATION DEPARTMENT OFFERS A SUMMER CAMP PROGRAM TO APPROXIMATELY 500 PARTICIPANTS AT VARIOUS SITES. WITHOUT SCHOOL BUSES THIS SUMMER, THE SUMMER CAMP FIELD TRIPS OUT OF COUNTY WOULD HAVE TO CONTRACT WITH A PRIVATE CHARTER BUS COMPANY. THESE CHARTERS WOULD COST \$3,000 MORE THAN SCHOOL BUSES.

HAS COUNTY ATTORNEY REVIEW BEEN REQUESTED? Indicate "NO" or "YES" @ right. (If "NO," proceed to 1) below, and if "YES," proceed to 2) below) YES

1) IF "NO" TO ABOVE.

A) PLEASE EXPLAIN BELOW: (see also following section 1B) re: contract, agreement, lease, etc.

B) IF A CONTRACT, AGREEMENT, LEASE OR OTHER DOCUMENT WAS PREVIOUSLY APPROVED, STATE YEAR OF LAST USE @ RIGHT APPROVED IN OPEN SESSION

2) IF "YES" TO FIRST QUESTION IN THIS SECTION.

A) HAS ENTIRE MATTER, OR ONLY A PORTION, BEEN REVIEWED? IF ONLY A PORTION, WHICH PORTION?

County Attorney's Office reviewed agreement.

JUL 07 1998

BOARD OF COUNTY COMMISSIONERS
MANATEE COUNTY, FLORIDA

B) HAVE ALL COMMENTS/SUGGESTIONS RAISED BY COUNTY ATTORNEY BEEN ADDRESSED/INCORPORATED; IF NOT, PLEASE EXPLAIN. A COPY OF FINAL COUNTY ATTORNEY MEMO RE THIS MATTER **MUST BE ATTACHED** (If comments were verbal, so indicate.)

ENTIRE MATTER HAS BEEN REVIEWED AND ALL SUGGESTIONS HAVE BEEN INCORPORATED.

<p>ATTACHMENTS: (List in order as attached)</p> <p>LETTER TO SCHOOL BOARD 3/9/98 <i>14/98</i> LETTER TO SCHOOL BOARD 5/5/98 TRANSPORTATION AGREEMENT CAO MEMO</p>	<p>INSTRUCTIONS TO BOARD RECORDS:</p> <p><i>colt</i> <i>10/98</i></p> <p>PLEASE RETURN ORIGINAL TO THE P&R DEPARTMENT</p>
<p>COST \$5,597</p>	<p>SOURCE (ACCT# & NAME) 1060012900-534000 TRANSPORTATION</p>
<p>COMMENTS NONE</p>	<p>AMT./FREQ. OF RECURRING COSTS (ATTACH FISCAL IMPACT STATEMENT) NONE</p>



MANATEE COUNTY GOVERNMENT

PARKS AND RECREATION DEPARTMENT

March 9, 1998

Ms. Kathy Brazelton, Supervisor of Bus Transportation
School Board of Manatee County
2800 27th Street East
Bradenton Florida 34208

Dear Ms. Brazelton:

Manatee County Parks and Recreation Department would like to contract school buses for the Department's Summer Camp program this year. It is our understanding that the Bus Agreement is in the hands of the County Attorney's office and the School Board attorney. We would like to move forward and plan our transportation while details of the agreement are worked out.

I have enclosed the schedule of trips planned for G.T. Bray Park, Abel Elementary and Braden River Middle School for your review. As in the past, please provide us with an invoice for each trip. The bus schedule for the Special Needs Camp will be forwarded at a later date.

We look forward to working with you again this Summer. Should you have any questions or if further information is needed, please call me at 742-5974.

Thank you for your cooperation and assistance in this matter.

Sincerely,

Karla Gibson
Recreation Supervisor

Enclosures (1)

cc: Daniel P. Hopkins, Director, P & R
Cindy Turner, Program Manager, P & R
Bill Ward, Recreation Manager, P & R

G. T. BRAY RECREATIONAL COMPLEX
5502 33rd Avenue Drive West • Bradenton, Florida 34209

(941) 742-5923 • FAX (941) 742-5972

SCHOOL BOARD OF MANATEE COUNTY

Manatee County Parks and Recreation Department Summer Camp 1998 Transportation Schedule Camp Site: G.T. Bray Park

<i>Trip Date</i>	<i>Destination</i>	<i>Buses Needed</i>	<i>Depart Bray</i>	<i>Return Bray</i>	<i>Cost</i>
June 26	Busch Gardens, Tampa	2	8:00 a.m.	6:00 p.m.	
July 10	Adventure Island, Tampa	4	8:00 a.m.	6:00 p.m.	
July 24	Jungle Gardens to Venice Ice Pavilion	3	8:15 a.m.	5:15 p.m.	
August 7	Disney's Magic Kingdom	2	7:00 a.m.	8:00 p.m.	
August 21	Adventure Island, Tampa	3	8:00 a.m.	6:00 p.m.	

Please note that the number of buses requested are based on 67-passenger buses only.

Manatee County Parks and Recreation Department Summer Camp 1998 Transportation Schedule Camp Site: Braden River Middle School

<i>Trip Date</i>	<i>Destination</i>	<i>Buses Needed</i>	<i>Depart Bray</i>	<i>Return Bray</i>	<i>Cost</i>
June 26	Busch Gardens, Tampa	Abel bus	8:00 a.m.	6:00 p.m.	
July 10	Adventure Island, Tampa	1	8:00 a.m.	6:00 p.m.	
July 24	Jungle Gardens to Venice Ice Pavilion	1	8:45 a.m.	5:30 p.m.	
August 7	Disney's Magic Kingdom	Abel bus	7:30 a.m.	7:30 p.m.	

Please note that the number of buses requested are based on 67-passenger buses only.

In the case of low enrollment, Braden River Camp may piggyback on the Abel Bus as noted above.

Manatee County Parks and Recreation Department Summer Camp 1998 Transportation Schedule Camp Site: Abel Elementary School

<i>Trip Date</i>	<i>Destination</i>	<i>Buses Needed</i>	<i>Depart Bray</i>	<i>Return Bray</i>	<i>Cost</i>
June 26	Busch Gardens, Tampa	1 then to BRMS	7:30 a.m.	6:30 p.m.	
July 10	Adventure Island, Tampa	1	7:30 a.m.	6:00 p.m.	
July 24	Venice Ice Pavilion/Jungle Gardens	1	8:15 a.m.	5:00 p.m.	
August 7	Disney's Magic Kingdom	1 then to BRMS	7:00 a.m.	8:00 p.m.	

Please note that the number of buses requested are based on 67-passenger buses only.

The Abel bus may be used to pick up the Braden River Camp if enrollment is low.

Please note that the Abel Bus will go to BRMS after departure on the Busch Gardens and Disney trips.

These schedules pertain to AGREEMENT ONE (1)



MANATEE COUNTY
OFFICE OF THE COUNTY ATTORNEY

* Board Certified City, County and Local Government Law
* Board Certified Civil Trial

April 1, 1998

Gavin O'Brien, Esq.
School Board
Gavin W. O'Brien, P.A.
1806 Manatee Avenue West
Bradenton, FL 34205

Teddy N. Williams, Jr., County Attorney
Mark P. Bamshay, Chief Assistant County Attorney
Paul G. Bangil, Senior Assistant County Attorney
William C. Henry, Senior Assistant County Attorney for Risk Management
Patricia McVoy, Senior Assistant County Attorney
James A. Minax, Senior Assistant County Attorney
Michael O. Palmer, Senior Assistant County Attorney
Jeffrey N. Sternayder, Senior Assistant County Attorney

RE: TRANSPORTATION AGREEMENT
CAO FILE: 1090-090

Dear Gavin:

Enclosed is my latest draft. Hopefully, we can move the agreement forward.

I have used your original Clauses 1, 2 and 5, only changing "Group" to "County." I re-inserted your contractual indemnification provisions in Clause 3, adding "including the bus drivers" at the end of your first sentence and "Section 234.211(2)(b)" in the second sentence. I deleted the third sentence because under §234.211(2)(b), it only applies to non-profit groups, not to political subdivision such as the County. I replaced the first sentence of your Clause 4 because the County cannot covenant that it is something it is not. I think Sub-§(1)(a) of §234.211, rather than (1)(b), applies. Under "(a)" you can allow the County to use a bus for any legitimate purpose, while "(b)" is limited to transporting children. Therefore, I deleted the second part of Clause 4.

Please let me know your thoughts on this new draft at your earliest convenience.

Very truly yours,

WILLIAM C. HENRY
Senior Assistant County Attorney
for Risk Management

WCH/tlm
enclosure

1112 Manatee Avenue West, Suite 969, Bradenton, Florida 34205 • (941) 745-3750 • FAX (941) 749-3089

Post Office Box 1000, Bradenton, Florida 34206-1000



MANATEE COUNTY GOVERNMENT

PARKS AND RECREATION DEPARTMENT

May 5, 1998

Beverly O'Brien, Esq.
Assistant Superintendent of
Human Resources & Support Services
School Board of Manatee County
Post Office Box 9069
Bradenton, Florida 34206-9069

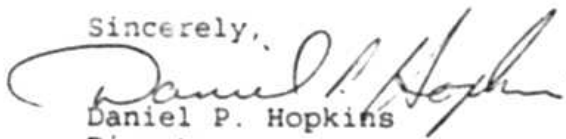
Dear Ms. O'Brien:

Attached please find the latest draft of the Interlocal Bus Agreement. It is my understanding, from the Joint Worksession, that this draft is to be finalized and brought before the School Board and then presented to the Board of County Commissioners.

Your prompt attention would be greatly appreciated as I am planning to bring this before the Board at the end of May upon approval by the School Board.

If you have any questions or if further information is needed, please contact me at 742-5923.

Sincerely,


Daniel P. Hopkins
Director

DPH:nh

Attachment

cc: School Board of Manatee County
Board of County Commissioners
Gavin O'Brien, Esq., School Board Attorney
Bill Henry, Esq., Sr. Ass't. Co. Atty.
Ernie Padgett, County Administrator
Dr. Gene Denisar, Superintendent, School Board
Cindy Turner, Program Manager, P&R
Bill Ward, Recreation Manager, P&R
Karla Gibson, Recreation Supervisor, P&R

G.T. BRAY RECREATIONAL COMPLEX
5502 33rd Avenue Drive West • Bradenton, Florida 34209

(941) 742-5923 • FAX (941) 742-5972