

RESOLUTION 2018-06

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF
THE UNIVERSITY PARK RECREATION DISTRICT
APPOINTING DISTRICT COUNSEL FOR THE DISTRICT,
AUTHORIZING THEIR COMPENSATION AND
PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the University Park Recreation District (hereinafter the "District") is a local unit of special-purpose government created and existing pursuant to Chapter 418, *Florida Statutes*, and Manatee County Ordinance 18-29, being situated within Manatee County, Florida; and

WHEREAS, the District's Board of Supervisors ("Board") may contract for the services of consultants to perform planning, engineering, legal or other appropriate services of a professional nature; and

WHEREAS, the Board desires to appoint a District Counsel and to provide compensation for their services.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD
OF SUPERVISORS OF THE UNIVERSITY PARK
RECREATION DISTRICT:**

1. Blalock Walters, P.A., is appointed as District Counsel and shall be compensated for its services in such capacity in the manner prescribed in **Exhibit A**.
2. This Resolution shall become effective immediately upon its adoption.

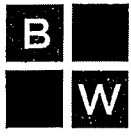
Adopted this 26th day of September, 2018.

ATTEST:


Secretary

**UNIVERSITY PARK
RECREATION DISTRICT**


Chairman



**BLALOCK
WALTERS**
ATTORNEYS AT LAW

WE MAKE A DIFFERENCE

September 18, 2018

Via E-Mail and US Mail

Robert Wood

University Park Recreation District

Mark P. Barnebey
Anthony D. Bartlome

Robert G. Blalock

Ann K. Bretlinger

Lisbeth P. Bruce

Anne W. Chapman

Jonathan D. Fleece

Dana Carlson Gentry

Alexander K. John

Charles F. Johnson, III

Matthew J. Lapointe

Mary Fabre LeVine

Jason H. Levy

Melanie Luten

Fred E. Moore

Stephen G. Perry

Matthew R. Plummer

Marisa J. Powers

William C. Robinson, Jr.

Scott E. Rudacille

Jennifer S. Schembri

Robert S. Stroud

Amanda C. Tullidge

Daniel P. VanEtten

Clifford L. Walters

Re: District Attorney to University Park Recreation District

Dear Supervisor Wood:

We want to thank you and the Board of Supervisors for retaining our firm as General Counsel to University Park Recreation District. We look forward to working with you, the Board of Supervisors and District staff to provide any legal services required by the District. Additionally, we will strive to provide proactive lawyering as much as possible to reduce potential litigation.

Fees and Expenses

Our fees and expenses are based as set forth below. We will endeavor to staff the Matter in a cost effective manner.

Except as otherwise provided herein, we will bill you at the following hourly rates, which may be adjusted from time to time:

Mark P. Barnebey

\$235.00

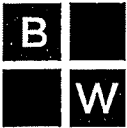
Occasionally, we may consult with other members of the firm depending on specialty issues. These professionals shall be billed at the rate of \$235.00 for principals, \$200.00 for associates and \$100.00 for clerks. Independent of the professional fees incurred, you will be billed for disbursements such as online legal research, recording fees and other similar charges. The charges will be separately identified on your invoice.

There will be some limited items which will be billed on another basis. For matters involving pending and active litigation and administrative proceedings, real estate transactions and union activities, the District will be invoiced separately and will be billed at the rate of \$275.00 per hour for principals, \$225.00 per hour for associates, and \$100.00 per hour for clerks and paralegals. When appropriate due to the need for very specialized expertise outside of our firm, we may retain special counsel after discussion with the Chair. We expect these occasions to be rare. Fees for Opinion letters to third parties will be based on the complexity of the issues and risks to the firm. The Chair and the firm shall attempt to review the services and fees prior to June 1st of each year.

BRADENTON
802 11th Street West
Bradenton, FL 34205

SARASOTA
2 North Tamiami Trail
Suite 408
Sarasota, FL 34236

941.748.0100 phone
941.745.2093 fax
www.blalockwalters.com



Mr. Robert Wood
Re: District Attorney to University Park Recreation District
September 18, 2018
Page 2 of 2

After October 1st of each year, the fees and rates may be increased by the firm to reflect increases pursuant to the U. S. CPI – Urban Index.

The District will receive an invoice as to our monthly charges on approximately the tenth (10th) of each month. Upon receipt, please review the invoice and contact the undersigned regarding any questions or concerns. We request that you pay the invoice within twenty (20) days from receipt. In the event that you do not pay the invoice within thirty (30) days of receipt, the amount due and owing shall be subject to interest charge of 1% per month compounded daily.

I will be the attorney principally responsible for representing the District. Scott Rudacille of our office is also Board Certified in City, County and Local Government Law. However, we have attorneys specializing in a wide range of practice areas such as real estate law, litigation, corporate law, employment law and tax law, many of whom are Board Certified, who will be available to assist when needed. Their services are included in the fee schedule discussed herein.

We strive to be open and available to our clients. We will promptly respond to your inquiries, usually within 48 hours unless circumstances prevent it. Our staff is well trained and knowledgeable. Progress information may be obtained from them, but they cannot give legal advice.

This agreement may be terminated on ninety (90) days written notice by either the Board of Supervisors or the firm.

If the arrangement for services as set forth above is acceptable, please sign the attached copy of this letter and return it to this office. If you have any questions regarding the foregoing, please do not hesitate to contact me.

Very truly yours,

DRAFT

Mark P. Barnebey
Blalock Walters, P.A.

MPB/jld
ACCEPTED:

_____, Chair
Chair, University Park Recreation District

About Blalock Walters



Established over 90 years ago, we are firmly rooted in the Suncoast. However, our real strength lies not in the age of our firm or in the number of attorneys, but in our commitment to making a difference with the most effective and rewarding legal experience available.

The interests of our clients are the firm's top priority. We focus on listening and knowing our individual client's needs and their businesses so that we understand their overall goals. We then apply our team towards solving problems and moving businesses forward.

Our service areas are organized into 10 integrated but diverse practice groups, each providing personalized service and results-oriented legal representation in a manner that brings high value to our clients.

While our firm is one of the largest in Manatee and Sarasota Counties with over 25 attorneys, it has never been our goal to be a "big firm." Rather, we focus on offering the proper talent and skills necessary to achieve our clients' goals.

It has been our tradition to serve as leaders in our community and within our profession. We seek to earn and maintain the respect of our clients and our colleagues in the legal community. Attorneys at Blalock Walters have held positions in their professional associations as presidents or chairs of Manatee County Bar Association; Sarasota County Bar Association. The Florida Bar Grievance Committee; the Twelfth Circuit Judicial Nominating Commission; Manatee County Estate Planning Council; and the Southwest Florida Estate Planning Council.

Within our firm, there are 10 Florida Bar Board Certified attorneys across six of our practice groups: Business Litigation; City, County, and Local Government; Health Law; Real Estate; Tax Law; and Wills, Trusts and Estates.

Additionally, as a top-ranked law firm, over 80% of the firm's attorneys are AV Preeminent Peer Review Rated in Martindale-Hubbell. The Martindale-Hubbell® Peer Review Ratings™ are an objective indicator of a lawyer's ethical standards and professional ability. Attorneys receive ratings based on evaluations by other members of the bar and the judiciary. AV is the highest rating given and a testament to the fact that a lawyer's peers rank him or her at the highest level of professional excellence.

"Dedicated and innovative counsel making a positive difference for our clients and community."



Our History

Blalock Walters, one of the largest and oldest law firms in Manatee and Sarasota counties, was founded in the early 1920s. Originally, the firm occupied a modest suite on the second floor of the First National Bank of Bradenton, which was located at the Southwest corner of Manatee Avenue and 12th Street West. The firm has moved several times, including to a new building in 1967 across from the Carnegie Library, now the Manatee County Historical Records Library, and the old Dixie Grande Hotel building.

We have been at our present location since 1969, although the building has undergone extensive changes since that time. In 2005, the firm opened its Sarasota location at One Sarasota Tower.

Throughout our rich history, our attorneys have served as Presidents or Chairs of a number of major civic and charitable organizations, including the **United Way of Manatee County, Inc.**; **Manatee Chamber of Commerce**; **Bradenton Kiwanis Club**; **Manatee Healthcare Alliance**; **Tidewell Hospice**; **Bradenton Area Economic Development Corporation**; and **Goodwill Industries Manasota, Inc.** and its Foundation.

We also serve on various Boards of cultural and educational institutions in the Manatee-Sarasota region including USF Sarasota-Manatee; **The John and Mable Ringling Museum of Art**; **Asolo Repertory Theatre**; **South Florida Museum**; **Manatee Players**; **Sarasota Orchestra**; **Bradenton Public Art Committee**; **Manatee Library Foundation**; **Manatee County Historical Commission**; and **New College of Florida** and its Foundation.

Our attorneys have held leadership positions of their professional associations serving as Presidents or Chairs of the Manatee County Bar Association; The Florida Bar Grievance Committee; the Twelfth Circuit Judicial Nominating Commission; the Manatee County Estate Planning Council; Florida Planning and Zoning Association; City, County and Local Government Law Section of The Florida Bar; and the Southwest Florida Estate Planning Council.

We are very proud of the Firm's historical commitment to the community, its residents, and to the solution of its clients' legal matters. We remain committed to continuing this legacy as we move forward.

Blalock Walters, one of the largest and oldest law firms in Manatee and Sarasota counties,



First
National
Bank.
*Courtesy
of
Manatee
County
Public
Library
Historical
Digital
Collections.*



Dixie
Grand
Hotel



Sarasota,
Florida
Office



Bradenton,
Florida
Office

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First national bank with cars. Courtesy of Manatee County Public Library Historical Digital Collections.



Dixie Grand Hotel



Sarasota Office for Blalock Walters

Government Law Section of The Florida Bar; and the Southwest Florida Estate Planning Council.

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Bradenton Office of Blalock Walters

Mark P. Barnebey

 blalockwalters.com/attorneys/mark-p-barnebey/

Principal

[Land Use Law](#) | [Local Government Law](#) | [Real Estate Law](#)

- [Overview](#)
- [Affiliations](#)
- [Education](#)
- [Experience](#)
- [News](#)

Mark Barnebey is Board Certified in City, County and Local Government Law. He has practiced in land use and local government law for the past thirty (30) years. He has successfully represented clients regarding a wide variety of development projects including multi-use projects, an arena, and a power plant. He served as the senior land use attorney for Manatee County for 13 years and as School Board Attorney or special counsel for another 12 years. He currently serves as City Attorney for the City of Palmetto, and counsel for several special districts and agencies. He also has served as a mediator, special magistrate and hearing officer for various governmental entities on purchasing, land use, and other government aspects. Among his lecture presentations, he has spoken at all twenty-one (21) City, County and Local Government Law certification review courses and in the first Florida Bar live simulcast seminar, speaking on the topic of quasi-judicial proceedings. He received the Paul S. Buchman Award for outstanding contributions to local government law from the City, County and Local Government Law Section and was awarded the George W. Simons, Jr. Award by the Florida Planning and Zoning Association for contributions to planning and land use for the State of Florida. He received the 2011 Community Service Award from the Manatee County Bar Association for his record of service to the community. Honors

- AV Preeminent™ Peer Review Rated, *Martindale-Hubbell*
- Selected for inclusion in *Florida Super Lawyers* (2011, 2012, 2017, 2018)
- *Florida Trend*, Legal Elite (2012)
- Selected for inclusion in *The Best Lawyers in America*® (2018)
- Ralph A. Marsciano Award from the City, County, Local Government Section, The Florida Bar (2012)
- Outstanding Community Service Leader, Manatee County Bar Association (2011)
- George W. Simons, Jr. Award for Outstanding Contributions to Planning and Zoning in the State of Florida, Florida Planning and Zoning Association (2010)
- Selected for inclusion in 2011 *Florida Super Lawyers*
- American Planning Association, Palmetto Elementary Complex Project of Merit (2011)
- Florida Planning and Zoning, Palmetto Elementary Complex Outstanding Public/Private Project (2011)

- Paul S. Buchman Award for outstanding contributions to local government law from the City, County and Local Government Section, The Florida Bar (2004)
- Contribution to Promoting Professionalism and Ethics, The Florida Bar (2001)
- Outstanding Contributions to the Section, The Florida Bar, Local Government Law Section (1994)
- Outstanding Contributions in the Area of Legal Writing, Local Government Law Section, The Florida Bar (1992)
- Who's Who in American Law
- Who's Who in America

Bar Associations

- Manatee County Bar Association
- Florida Bar Association. City, County and Local Government Law Section
 - Chair, 1999 – 2000
 - Chair-Elect, 1998 – 1999
 - Secretary-Treasurer, 1997 – 1998
 - Committee Co-Chair, Professionalism and Ethics, 2000 – 2008
 - Executive Council, 1994 – present
 - Co-chair, Joint Land Use and Environment Seminar, 1992 – 1996
- Florida Bar Association, Environmental and Land Use Law Section, 1983 – present
- Florida Bar Association, Grievance Committee, Circuit 12B
 - Chair, 1997 – 1998
 - Member, 1995 – 1998

Professional

- Bradenton Area Economic Development Corporation
 - Past Chair, 2015-2016
 - Chair-Elect, 2014 – 2015
 - Secretary, 2013 – 2014
 - Executive Committee, 2012
- Florida Planning and Zoning Association
 - State Director, 1985 – present
 - State President, 1993 – 1994
 - President Elect, 1992 – 1993
 - Vice President for Policy Affairs, 1991 – 1992
 - Chair, 1991 Annual State Conference
- Master, Manatee American Inn of Court, 2014 – present
- Florida Planning and Zoning Association, Gulf Coast Chapter
 - President, 1988 – 1989; 1991 – 1992
 - Outstanding Chapter Award, 1989
- City of Bradenton Architectural Review Board
 - Member, 1985 – 2000
 - Vice Chairman, 1991 – 1997

Community

- Manatee Chamber of Commerce
- Just for Girls Foundation
 - Board of Directors, 2010 – 2012; 2013 – 2015
- Florida Railroad Experience, Inc.
 - Director, 2012 – present
 - Secretary, 2012
- Girls Club Foundation of Manatee County, Board Member, 2010 – present
- Habitat for Humanity, Finance Committee, 2010
- USF Brunch on the Bay Committee, 2005 – present
- Manatee County Library Foundation
 - Director, 2002 – present
 - Vice President, 2004 – 2006
 - President, 2006 – 2008
- Golden Herald Student Awards Judge, 2009 – 2012
- Jessie P. Miller Elementary School Advisory Council
 - Member, 1995 – 2001
 - Chair, 1996 – 1998
- Manatee River Fair Association
 - Associate Director, 1998 – 2000
 - Director, 2001 – present
- The Great Outdoors Conservancy, Board Member, 2003 – 2006
- Gold Star Club
 - Founding Member, 1999 – present
 - Board of Directors, 2006 – present
- Manatee Players, Director 2001 – 2011
- Arts Manatee
 - Advisory Council
 - Member, 2006 – 2008
- Head Start, Policy Council Member, 2001 – 2003
- Faith United Methodist Church
 - Founding Member; Trustee; Finance Committee; Teacher; Administrative Council Member; Youth Leader
- Imagine Manatee, Steering Committee, 2003
- Realize Bradenton, Steering Committee, 2008 – 2009
- Manatee County Historical Commission
 - Member, 2007 – present
 - President, 2008 – 2010
- Bradenton Community Redevelopment Agency Public Art Committee
 - Chair, 2011 – present
 - Member, 2009 – present
- Take Stock in Children
 - Board of Directors, 2015

- Florida State University – College of Law (J.D., *with honors*, 1983)
- University of Florida (B.S.B.A., Finance and Economics), 2001

Mark Barnebey has represented private clients in various capacities including the following:

- Obtained development entitlements for a natural gas power plant.
- Obtained approvals for international, national and local real estate companies and retailers.
- Work with County to obtain approval for an 8,000-seat multipurpose arena.
- Obtained DRI and large project entitlements.

He has represented numerous local governments, including the following:

- Served as chief land use counsel for Manatee County for over 13 years.
- Served as school board attorney and special land development counsel for the school board of Manatee County for 12 years.
- Has been City Attorney for Palmetto for over 5 years.
- Represented numerous special districts, intergovernmental agencies and community development districts along the West Coast as General Counsel or Special Counsel.
- Successfully defended special taxing district against multi-million dollar claims for violations of the Government in the Sunshine law and Public Records Act.
- Participated in the drafting of an award-winning county comprehensive plan.
- Assisted with The Accord, an intergovernmental agreement on growth and development, between six cities, a county and a school district.
- Negotiated the Inter-local Agreement between the City of Bradenton, the Bradenton Downtown Development Authority, and Manatee County regarding the purchase, construction, and tax increment financing of the Manatee County Administration Complex.
- Prepared Inter-local Agreement between Sarasota County and Manatee County for the development of a major bi-county thoroughfare – University Parkway.
- Represented the School District on construction contracts for a variety of education facility projects, including several multi-million dollar school facilities. Provided representation as to the development of the Palmetto Elementary School, the Boys and Girls Club, and Just for Girls Club on a shared campus with public and private entities and numerous land owners, including the National Guard. This project received statewide recognition from both the American Planning Association and the Florida Planning and Zoning Association.

Recent News





Contact Mark

802 11th Street West

Bradenton, Florida 34205

941.748.0100

Import Contact

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to