

May 19, 2026

CONSENT

**AGENDA ITEM 3.D.: DELEGATION OF AUTHORITY TO
EXECUTIVE DIRECTOR**

BACKGROUND:

During certain periods of the year, the Port Authority may have certain months in which it has no regularly scheduled meetings. During that time, matters normally requiring approval and authorization of the Authority may arise. In order to enable the Executive Director and the Port staff to maintain continuity of services in the routine business of the Port and avoid delay in the conduct of Port business, as well as avoiding the loss of business opportunities, the Executive Director and staff recommend adoption of this proposed resolution granting the Executive Director limited authority to act during these periods. This resolution is expressly limited in its scope.

ATTACHMENTS:

Resolution No. PA-26-14

COST AND FUNDING SOURCE:

N/A.

CONSEQUENCES IF DEFERRED:

Loss of continuity of routine business and delay in conduct of business.

LEGAL COUNSEL REVIEW: Yes

RECOMMENDATION:

Move to adopt Resolution PA-26-14.

RESOLUTION NO. PA-26-14

**A RESOLUTION OF THE MANATEE COUNTY PORT
AUTHORITY FOR LIMITED AND TEMPORARY
DELEGATION OF AUTHORITY DURING EXTENDED
PERIODS BETWEEN AUTHORITY MEETINGS**

WHEREAS, the Manatee County Port Authority (hereinafter the “Authority”) may have months without scheduled meetings; and

WHEREAS, the Authority recognizes that matters requiring approval and authorization by the Authority may arise during extended periods without scheduled meetings and, to the extent possible, wish to maintain continuity in the routine business of the Authority and wish to maintain and avoid delay in the furnishing of services as a result of the extended periods without regular meetings.

NOW, THEREFORE, BE IT RESOLVED BY THE PORT AUTHORITY OF MANATEE COUNTY AS FOLLOWS:

A. Purpose: Except as specifically limited below, the delegation of authority provided in this Resolution shall apply to any approval or authorization, and the execution of contracts and other documents as may be reasonable and necessary, when there is more than thirty (30) calendar days between regularly scheduled Authority meetings, to accomplish only the following:

1. Avoid delays in furnishing services or implementing or continuing approved programs; and
2. Avoid additional costs or expenses or the likelihood of additional costs or expenses, including but not limited to the use of personnel and resources of the Authority as well as the costs of goods and services; and
3. Provide for the fair and reasonable treatment of citizens and organizations doing business with the Authority.

B. To accomplish those purposes set out in Paragraph A, the Authority delegates to the Executive Director of the Port, or in his absence the Deputy Executive Director, authority to:

1. Approve, authorize, and sign contracts, work assignments, purchase orders, change orders, and all documents and papers related thereto that are beyond the dollar limits provided by policies of the Authority but are otherwise purchased in accordance with applicable Laws, Ordinances, and policies; and
2. Approve any refunds owed by the Authority to third parties at the request of a department director upon presentation of documentation of the amount due and owing; and
3. Schedule and publish notice of public hearings and special meetings upon a determination by the Executive Director of the Port or Deputy Executive Director of the Port that it appears to be in the best interest of the Authority to proceed without delay; and

4. Approve any budget amendments required in support of the authorizations provided in Paragraphs B and C, and any prior authorizations of the Authority; and
5. Approve, authorize, and sign documents and forms reasonably required to implement or continue any program, plan or activity previously authorized by the Authority.

C. To accomplish those purposes set out in Paragraph A, the Authority hereby delegates to the Port Authority Attorneys authority to:

1. Initiate litigation, adversarial administrative proceedings, or appellate proceedings, including extraordinary writ proceedings, where, in the opinion of the Port Authority Attorneys, it is necessary to do so in order to preserve the status quo or the legal rights or protect the interests of the Authority; and
2. Retain expert witnesses or consultants where, in the opinion of the Port Authority Attorneys, it is necessary to do so in order to preserve the status quo or the legal rights or protect the interests of the Authority; and
3. Agree to continuances or extensions of time in on-going or threatened litigation, adversarial administrative proceedings, or appellate proceedings where, in the opinion of the Port Authority Attorneys, it is necessary to do so in order to preserve the status quo or the legal right or protect the interests of the Authority.

D. To accomplish the purposes set out in Paragraph A, the Clerk of the Circuit Court, or his duly authorized deputy, as Clerk to the Authority, and as custodial of funds and comptroller, is requested and authorized, upon approval by the Executive Director of the Port or Port Authority Attorneys to:

1. Take any action reasonably and necessarily required pursuant to the authority delegated under Paragraphs B and C; and
2. Proceed with all matters of a routine nature usually submitted to the Authority on the Clerk's consent agenda, including but not limited to making of all payments lawfully due and owing by check, voucher, warrant, cash or wire transfer, or other appropriate means, the release of cash deposits, and payment of any revenue refunds in excess of established approval limits.

E. Limitations: This Resolution shall not apply to:

1. Any legislative matter or other action that must be considered at an advertised public hearing; and
2. Any new contracts retaining architects, engineers, landscape architects, surveyors, or other professional consultants. However, this limitation does not include any work assignment, time extension, or matters related to established contracts, or experts retained pursuant to C.3 above; and

3. Any lease or contract providing for the sale, acquisition or exchange of any interest in real property, except documents necessary for closing contracts signed by the Authority, and except that any acquisition of property for utility easement or right-of-way as a part of or in avoidance of or settlement of eminent domain proceedings for an amount not to exceed the highest appraised value assigned by a duly certified appraiser may be authorized and executed by the Executive Director of the Port or his designee at the request of the Port Authority Attorneys; and
4. Any new program or activity not previously authorized by the Authority; and
5. Any matter involving the expenditure of funds in excess of funds that may lawfully be budgeted for such purpose.

F. Records: A record of all actions taken under this Resolution shall be maintained and made a part of the record of the Authority via placement on the first consent agenda after the extended recess.

G. Interpretations: This Resolution is not intended to apply to or limit any authority previously delegated by the Authority. This Resolution is intended to be broadly interpreted to accomplish the purposes set out in Paragraph A.

H. Effective Period: This Resolution shall take effect upon adoption but the delegation of authority shall only extend to actions that need to be taken when there is more than thirty (30) calendar days between regularly scheduled Authority meetings.

I. Any prior years' resolution authorizing the same or similar authority is rescinded and replaced by this resolution.

ADOPTED with a quorum present and voting this 19th day of May, 2026.

ATTEST: ANGELINA M. COLONNESO
CLERK OF CIRCUIT COURT

By: *Robin Potts, PC*

MANATEE COUNTY PORT AUTHORITY

By: _____

