

RESOLUTION R-90-50

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS PROVIDING FOR AUTHORIZATION OF THE CHAIRMAN, AND IN HIS OR HER ABSENCE THE VICE CHAIRMAN, AND IN HIS OR HER ABSENCE, A COMMISSIONER, AND IN THE ABSENCE OF ALL OF THE FOREGOING, THE COUNTY ADMINISTRATOR OR ACTING COUNTY ADMINISTRATOR TO CONSENT TO CONTINUANCES OF MATTERS IN LITIGATION IN THE COURTS

WHEREAS, Manatee County is necessarily involved in much litigation including administrative proceedings and court proceedings in state and federal courts; and

WHEREAS, from time-to-time it is necessary for counsel to seek a continuance of scheduled hearings or trials or other deadlines in matters that are in litigation; and

WHEREAS, applicable Rules require that the attorney seeking a continuance obtain the written consent of his or her client thereto as a condition of the court or hearing officer granting the continuance; and

WHEREAS, such continuances are sometimes needed on an immediate basis or on very short notice; and

WHEREAS, it is sometimes impossible and frequently difficult to convene the Board of County Commissioners, or a quorum thereof, for a meeting for the purpose of considering a consent to a continuance in pending litigation;

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Manatee County, Florida that:

1. This Resolution shall apply to any litigation in any court or formal administrative proceeding where the County is a party and the following circumstances exist:

A. The attorney representing Manatee County in said litigation believes it is in the County's best interest to seek a continuance; and

B. The continuance is needed, or the motion therefor should be filed, before the next scheduled meeting of the Board of County Commissioners or it is otherwise impractical to wait until the next scheduled meeting of the Board of County Commissioners to seek the continuance.

2. In the foregoing circumstances, the Board of County Commissioners hereby delegates the authority to agree to, or consent to a continuance, to the Chairman of the Board of County Commissioners and, in the Chairman's absence, the Vice Chairman, and in the Vice Chairman's absence, any other Commissioner, and in the absence of all of the foregoing, to the County Administrator or Acting County Administrator.

3. In any case where a continuance is obtained under this Resolution, the attorney obtaining the continuance shall make a full report thereof to the Board of County Commissioners at its next meeting.

4. It is the intention of the Board of County Commissioners that a signed consent form in accordance with this Resolution shall be the equivalent of this Board's consent to a continuance in any litigated matter in any court when attached to a Motion for Continuance filed by the attorney or attorneys who represent Manatee County in said litigation.

ADOPTED in open session by a majority of the duly elected Board of County Commissioners of Manatee County, Florida, this the 6th day of March, 1990.

BOARD OF COUNTY COMMISSIONERS OF
MANATEE COUNTY, FLORIDA

By: *Patricia M. Glass*
Chairman

ATTEST: R. B. SHORE
Clerk of the Circuit Court

By: *[Signature]*

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