

## RESOLUTION NO. R – 04-223

**WHEREAS**, the National Hurricane Center has recognized the danger to coastal residents of Florida from Hurricane Charley, by posting a Hurricane Watch for Manatee County; and

**WHEREAS**, Manatee County has high evacuation times to evacuate residents from the hazards of a hurricane; and

**WHEREAS**, the current forecast margin of error of the National Hurricane Center requires avoidance of undue delay in preparing for timely evacuation if need therefore is determined; and

**WHEREAS**, Hurricane Charley has the potential for causing extensive injury to persons or loss of life, and damage to private property as well as damage to public utilities, public buildings, public communication systems, public streets and road, and public drainage systems; and

**WHEREAS**, Sections 252.38(1) and (3), Florida Statutes prescribe the establishment of a local emergency management agency, the appointment of a director thereof, the power and authority thereof, and the power and authority of the Board of County Commissioners in emergency situations; and

**WHEREAS**, Chapter 252.46, Florida Statutes, and Manatee County Ordinance #98-27, provide authority for a political subdivision such as Manatee County to declare a state of local emergency and to exercise the power and authority to carry out the provisions of Sections 252.31–252.90, Florida Statutes, including the authority to waive procedures and formalities otherwise required of political subdivisions by law pertaining to:

1. Performance of public work and taking whatever action is necessary to ensure the health, safety, and welfare of the community;
2. Entering into contracts;
3. Incurring obligations;
4. Employment of permanent and temporary workers;
5. Utilization of volunteer workers;
6. Rental of equipment;
7. Acquisition and distribution of supplies, materials with or without compensation
8. Appropriation and expenditure of public funds.

**NOW THEREFORE BE IT RESOLVED** by the Board of County Commissioners of Manatee County, Florida, in emergency session, this 12th day of August, 2004, that Hurricane Charley poses a serious threat to the lives and property of residents of Manatee County and that a State of Local Emergency is hereby declared, effective immediately for all territory within the legal boundaries of Manatee County, including all unincorporated and incorporated areas.

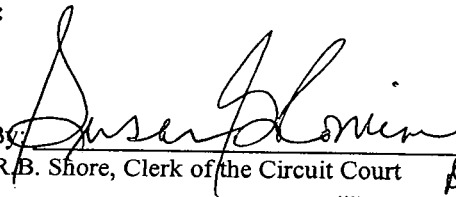
**BE IT FURTHER RESOLVED** that the Board of County Commissioners hereby waives the above mentioned procedures and formalities required by law of a political subdivision, as provided in Section 252.38(3), Florida Statutes and Manatee County Ordinance #98-27.

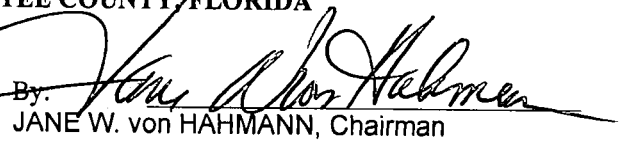
**BE IT FURTHER RESOLVED** that the Board hereby delegates to the Director of Emergency Management the authority to discharge the duties and exercise the powers specified in Section 12A of Manatee County Ordinance # 98-27, until such time as the Local Emergency declared herein has expired or seven days from this date, whichever is sooner.

**ADOPTED** in Emergency Session, this 12th day of August, 2004.

**ATTEST:**

**BOARD OF COUNTY COMMISSIONERS OF  
MANATEE COUNTY, FLORIDA**

By:   
R.B. Shore, Clerk of the Circuit Court

By:   
JANE W. von HAHMANN, Chairman

