

RESOLUTION NO. R – 04-250

WHEREAS, the National Hurricane Center has recognized the danger to residents of Florida from Hurricane Frances; 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 Frances 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 2nd day of September, 2004, that Hurricane Frances 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.

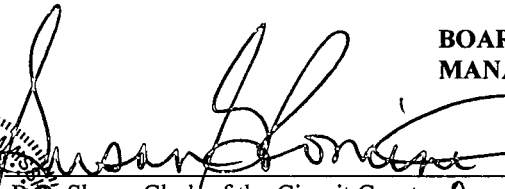
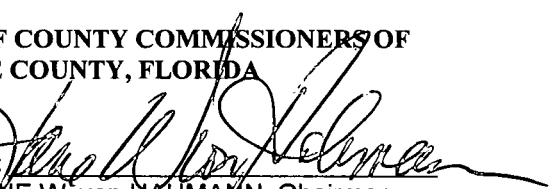
BE IT FURTHER RESOLVED that the Board of County Commissioners hereby waives the above mentioned procedures and formalities required by law of a political subdivision, as provided in Section 252.38(3), Florida Statutes and Manatee County Ordinance #98-27.

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 2nd day of September, 2004.

ATTEST:

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

By:  Susan Bonine
By:  Jane W. von Hahmann, Chairman

R. G. Shore, Clerk of the Circuit Court

