

RESOLUTION 14-11

A RESOLUTION ADOPTING A MANATEE COUNTY LOGO; DELEGATING TO THE COUNTY ADMINISTRATOR THE AUTHORITY TO AUTHORIZE THE USE OF THE COUNTY SEAL OR LOGO UNDER CERTAIN CONDITIONS; MAKING RELATED FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF PRIOR CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners has designated an Official Seal of Manatee County; and

WHEREAS, from time to time over the years the County Commission has granted authority to a variety of entities to use the County Seal for specific events, including Women in Government and the Taste of Manatee; and

WHEREAS, the County Commission adopted Resolution 02-62 to address administrative approval for the use of the County Seal by contractors; and

WHEREAS, Florida Statutes § 165.043 provides that it is a second degree misdemeanor for any person, other than a county official or employee performing official duties, to manufacture, use, display or employ a facsimile or reproduction of an official county seal without the express approval of the governing body; and

WHEREAS, from time to time Manatee County continues to receive requests from other governmental entities, non-profits, community groups or commercial interests to make use of the County's seal; and

WHEREAS, the County Commission herein adopts a new logo for marketing and branding purposes and the similar requests to use this new logo from time to time are expected to be received once the new logo comes into use; and

WHEREAS, such requests are often not controversial, at times are time sensitive, and are often supported by the administration as a positive marketing opportunity for the County; and

WHEREAS, requiring the creation of agenda items seeking formal approval from the County Commission for requests to use the County Seal or logo is not an efficient use of staff time and can lead to delay in obtaining approval of time-sensitive requests; and

WHEREAS, the County Commission finds that it is in the best interests of the County to

adopt this policy of limited delegation.

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

1. The logo depicted below is hereby adopted as the logo of Manatee County:



2. The County Administrator is authorized to grant approvals of individual requests to use the Manatee County Seal or the County logo where the applicant establishes to the satisfaction of the Administrator that the use of the Seal or logo will place the County in a positive light, that the Seal or logo will be faithfully reproduced both in terms of quality and scale, that there be no actual or implied attempt to represent that the County endorses any commercial or other product or cause other than in instances in which the County is co-sponsoring an event, and that the event or publication at/in which the Seal or logo is to be used does not discriminate based on race, gender, color, national origin, religion, age or disability.

3. Applications for administrative approval of use of the County Seal or logo shall be made in writing on a request form to be developed by the County Administrator's Office and made pursuant to such administrative procedures as may be adopted by the Administrator to implement the terms of this Resolution. At a minimum, information concerning applying for such use shall be accessible on the County's web site, and the Administrator is authorized to create a web link which would provide access to a downloadable version of the County Seal and logo.

4. Notwithstanding the foregoing, vendors submitting bids or proposals to the County are authorized to incorporate the County Seal or logo into their submissions to the County without needing to seek prior authorization. In addition, the County Administrator is authorized to provide approval for any use of the County Seal or logo by vendors currently under contract with the County, including in designing materials for public presentations or on line marketing efforts, where such use would reflect favorably upon the County and would not create any foreseeable risk of public confusion, the perception of County endorsement of products or services, or financial or legal liability for the County.

5. Any non-profit corporation which receives a financial grant or other free or reduced-cost services or assistance from the County is authorized to incorporate the County Seal or logo in any electronic or printed materials demonstrating the sources of funding or support for the agency without needing to seek prior authorization.

6. The grant of permission to use the County Seal or logo, either by the County Commission or County Administrator, shall not create a property interest in such use, and the Commission or Administrator are authorized at any time to require any person or entity to cease using or displaying the County Seal where such use is inconsistent with the terms and conditions of this Resolution, with general law, or is otherwise no longer in the best interests of the County, as determined by the County. The manufacture, use, display or other employment of the official County Seal remains subject to the limitations and criminal sanctions contained in Florida Statutes § 165.043.

7. Nothing herein shall be deemed to create any right to affix or incorporate onto or into any document, web site or other printed or electronic media, the Seal of the Clerk of the Circuit Court, as established by Florida Statute § 28.071. The Clerk of the Circuit Court shall retain the sole authority to authorize the lawful use of the Clerk's Seal as that official determines necessary and appropriate. Pursuant to Florida Statute § 28.12, the Clerk of the Circuit Court shall continue to be the custodian of the Manatee County Seal and shall be authorized to affix same to such documents as his or her duties require.

BE IT FURTHER RESOLVED that this Resolution shall be effective upon adoption.

BE IT FURTHER RESOLVED that Resolution 02-62 is hereby repealed, and any other existing vote or Resolution or portion thereof of the Board of County Commissioners which contains terms or provisions which are in direct conflict with and cannot be harmonized with the provisions of this Resolution shall, as to such terms or provisions, be deemed as superseded by this Resolution.

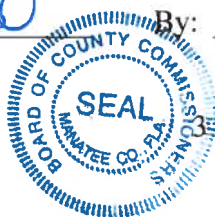
BE IT FURTHER RESOLVED that the provisions of this Resolution are severable such that the invalidity of any one provision shall not operate to invalidate any other provision.

ADOPTED in open session, with a quorum present and voting, this 29th day of January, 2014.

ATTEST: R. B. SHORE
CLERK OF THE CIRCUIT COURT

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

By: [Signature]
Deputy Clerk



By: [Signature]
Chairperson