

RESOLUTION NO. R-17-048

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, REGARDING EMERGENCY MANAGEMENT SERVICES; AUTHORIZING MANATEE COUNTY TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH FLORIDA DEPARTMENT OF HEALTH IN MANATEE COUNTY AND SCHOOL DISTRICT OF MANATEE COUNTY TO DOCUMENT THEIR MUTUAL UNDERSTANDING REGARDING THE SPECIAL NEEDS SHELTER RESPONSIBILITIES; RESCINDING AND REPEALING RESOLUTION NO. R-12-046; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 252.355, Florida Statutes, Manatee County is directed to develop and manage a Special Needs Program; and

WHEREAS, the Manatee County Division of Emergency Management in conjunction with the Manatee County Policy Group will be responsible for determining the need to open the Special Needs Shelter in the event of a disaster; and

WHEREAS, for the safety of our citizens, Manatee County has designated Nolan Middle School and Manatee Technical College East Campus as Special Needs Shelters; and

WHEREAS, in partnership with Manatee County, Florida Department of Health in Manatee County, and School District of Manatee County have reached a mutual understanding as to the roles and responsibilities of operating the County Special Needs Shelters.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, THAT:

SECTION 1. RESCIND AND REPEAL OF RESOLUTION NO. R-12-046. Resolution No. R-12-046 is hereby rescinded and repealed in its entirety, and upon adoption of this Resolution, shall be of no further force and effect.

SECTION 2. ESTABLISHMENT OF A MEMORANDUM OF UNDERSTANDING. The Board hereby approves a Memorandum of Understanding ("MOU") with Florida Department of Health in Manatee County and School District of Manatee County, in the form attached hereto as Exhibit "A", to jointly operate the Special Needs Shelters. The Board hereby authorizes the Chairperson or Vice Chairperson of the Board to execute the attached MOU.

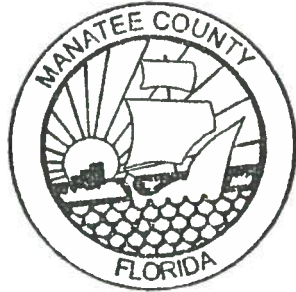
SECTION 3. SEVERABILITY. If any section, sentence, clause, or other provision of this Resolution shall be held to be invalid or unconstitutional by a court of

competent jurisdiction, such invalidity or unconstitutionality shall not be construed as to render in valid or unconstitutional the remaining sections, sentences, clauses, or provisions of this Resolution.

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

DULY ADOPTED by the Board of County Commissioners of Manatee County, Florida, with a quorum present and voting this 25th day of July, 2017.

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



By: [Signature]
Chairperson

ATTEST: ANGELINA COLONNESO
CLERK OF THE CIRCUIT COURT AND COMPTROLLER

By: [Signature]
Deputy Clerk

Memorandum of Understanding between
Manatee County Government,
Florida Department of Health in Manatee County
School District of Manatee County

Purpose

The purpose of this Memorandum of Understanding (MOU) is to establish the Special Needs Shelter responsibilities for Manatee County Government (County), the Florida Department of Health in Manatee County and School District of Manatee County (School District) in the operation of the Manatee County Special Needs Shelters at Manatee Technical College and Nolan Middle School during disasters. The primary Special Needs Shelter is Nolan Middle School at 6615 Greenbrook Blvd, Bradenton, FL. The secondary Special Needs Shelter is Manatee Technical College located at 5520 Lakewood Ranch Blvd., Bradenton, FL. This MOU does not confer any contractual rights nor impose any contractual obligations on the parties.

Definition of a Disaster

A disaster is an occurrence such as a hurricane, tornado, storm, flood, high water, tidal wave, earthquake, explosion, pestilence, building collapse, transportation accident, forest fire or other situation that causes human suffering or creates human needs that the victims cannot alleviate without assistance.

Concept of Operation

The Manatee County Division of Emergency Management in conjunction with the Manatee County Policy Group will be responsible for determining the need to open the Special Needs Shelter in the event of a disaster. The Florida Department of Health, Manatee County health department (Emergency Support Function 8 Health and Medical) will be responsible for the shelter administration, operations-activities and logistical support of the Special Needs Shelter Program. It is understood that the Special Needs Shelter could be required to operate twenty-four (24) hours per day, seven (7) days a week for an undetermined length of time.

Compliance with Jessica Lunsford Act

The School District of Manatee County and State of Florida, requires all Vendors/subcontracts to comply with the Jessica Lunsford Act (JLA) which consists of a level II background screening via fingerprinting. Vendors, individuals or entities under contract with the School Board required to go on school grounds when students are present, must comply with the requirements of the law.

Sovereign Immunity

The parties acknowledge and agree that the School Board, as political subdivision of the State of Florida, and the Florida Department of Health, Manatee County health department, as part of an executive branch agency of the State of Florida, are each sovereign entities that is by law immune from suit except to the extent specified in Section 768.28 Florida Statutes. No provision of the agreement shall constitute, or be interpreted as, a waiver of sovereign immunity, and all defenses relative to sovereign immunity shall be preserved.

Manatee County Government

It is the County's responsibility to:

- Activate the Special Needs Shelter Operations with the Florida Department of Health, Manatee County health department and School District.
- Provide logistical support to prepare the facility for use as a special needs facility when school is not in session (rearrange rooms, move desks, unload supplies, set up cots, etc.) using the Manatee County Sheriff's Road Gang.
- Maintain an up-to-date program database registry and provide access to Florida Department of Health, Manatee County health department.
- Contact clients for transportation assistance.
- Provide transportation for pre-registered, eligible clients to the Special Needs Shelter(s) and their pets.
- Provide transportation for non-special needs clients to a general population shelter when needed.
- Provide communications links (via satellite phone/radio, amateur radio) to the Special Needs Shelter(s).
- Provide logistic support to the Special Needs Shelter(s).
- Provide an alternate power source with 72-hour minimum fuel capacity.
- Provide alternate power source re-fueling and electrical support.
- Provide climate controlled storage for cots and other equipment used during operation.
- Provide for 24/7 security coverage by sworn law enforcement during shelter operations.
- Provide for 24/7 emergency medical services coverage by a licensed paramedic during shelter operations.

Florida Department of Health in Manatee County

It is the Florida Department of Health, Manatee County health department's responsibility to:

- Coordinate with the School District and the County in the opening shelter, to include a Facility Walk Through Assessment with School District and Florida Department of Health, Manatee County health department personnel.
- Provide logistical support through a contracted moving company to set up the facility as a special needs shelter when students are present (unload supplies, set up cots, etc.).
- Provide professional medical staffing to include nurses and doctors as needed and available.
- Provide an initial supply of medical supplies for the Special Needs Shelter.
- Close the shelter, return the facility to its normal configuration (utilizing School District Contract Staff) as specified by the school custodian.
- Demobilize any loaned or leased equipment appropriately.
- Complete a Facility Walk Through Assessment with School District and Florida Department of Health, Manatee County health department personnel at the conclusion of shelter operations to note any damage to the facility.

School District of Manatee County

It is the School District's responsibility to:

- Provide food service personnel for food procurement (to include meals, snacks, coffee, water and related tableware), preparation and feeding of the staff and clients of the Special Needs Shelter at Nolan Middle School only.
- Provide logistical support through their contracted moving company to prepare the facility for use as a special needs shelter during normal school hours (rearrange rooms, move desks, etc.).
- Provide for the covering of the gymnasium floor.
- Provide senior staff representatives for liaisons at the facility.
- Provide maintenance and electrical support personnel at the facility, if available.
- Within thirty days of the school year starting, host a meeting at the school with the County's Special Needs Shelter Committee to review the room availability and receive a room availability map.
- Within thirty days of the school year ending, host a meeting at the school with the County's Special Needs Shelter Committee to complete a walkthrough of the facility and conduct a generator test.
- In the event of change in the school's administration, schedule a meeting with the County's Special Needs Shelter Committee within 30 days.
- Notify the County's Special Needs Shelter Committee within 30 days of any room usage changes.
- Agree to cancel any activities at the school during shelter operations.

Cost of Operation

All parties will work together to maintain appropriate documentation of staff time, supplies and equipment used. This documentation will be submitted to Emergency Support Function (ESF) 8 (Health and Medical) Coordinator.

The School District of Manatee County will submit reimbursement requests for food service and custodial personnel time and food use costs at the Special Needs Shelter to Manatee County Government. They will also submit the cost of using their contracted moving company to mobilize and/or demobilize Nolan Middle School and/or Manatee Technical College for use as a Special Needs Shelter during school hours (if applicable).

Manatee County Government will provide a generator for electrical back-up support for Nolan Middle School from 1 June to 30 November (Hurricane Season) each year. They will also pay for the cost of law enforcement and emergency medical services coverage during shelter operations.

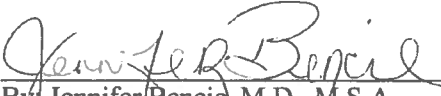
The Florida Department of Health in Manatee County will submit reimbursement requests for any contractual services. Manatee County Government will fund the cost for rental of all leased equipment. Manatee County Government will augment and replenish medical supplies as needed. Manatee County purchasing guidelines will be applicable.

This Memorandum of Understanding shall become when executed by all parties. Any party may withdraw from this MOU at any time upon giving written notice to the other parties at least thirty (30) days prior to date of withdrawal. This MOU may be amended at any time if all parties agree.

IN WITNESS WHEREOF, the MANATEE COUNTY, the FLORIDA DEPARTMENT OF HEALTH IN MANATEE COUNTY and the SCHOOL DISTRICT of MANATEE COUNTY have caused this Memorandum of Understanding to be signed in their names by their respective duly-authorized officers and their official seals to be affixed and be duly executed on the day of _____, 2017.

Florida Department of Health in Manatee County

Dated: June 29, 2017


By: Jennifer Bencie, M.D., M.S.A.
Administrator

School District of Manatee County

Dated: June 13, 2017


By: Dr. Diana Greene
Superintendent

Manatee County, Florida
a political subdivision of the State of Florida

Dated: _____, 2017

By: Board of County Commissioners
Chairman of the Board of County

ATTEST:

Dated: _____, 2017

By: Angelina "Angel" Coloneso
Deputy Clerk of the Circuit Court

Approved as to Form:
MT 5-1-17
Mitchell Teitelbaum, Esq.
General Counsel