

**RESOLUTION R-21-031**

**A RESOLUTION OF THE MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING COUNTY ADMINISTRATION; APPOINTING AN ACTING COUNTY ADMINISTRATOR; PROVIDING FOR THE AUTHORITY OF THE ACTING COUNTY ADMINISTRATOR; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to Sections 125.73 and 125.74, Florida Statutes (the "Act"), and Article II of Chapter 2-2 of the Manatee County Code of Laws (the "Code"), the current County Administrator, Cheri Coryea, has served as County Administrator of the County since June 2019; and

**WHEREAS**, Ms. Coryea has entered into an agreement with the County to end her service as County Administrator, effective as of February 23, 2021; and

**WHEREAS**, Karen Stewart currently serves as Deputy County Administrator of the County, and is qualified to serve as Acting County Administrator pursuant to Section 125.73(4) of the Act and Section 2-2-22(b) of the Code; and

**WHEREAS**, pursuant to Section 125.73(4) of the Act and Section 2-2-22(b) of the Code, the Board wishes to appoint Karen Stewart as Acting County Administrator as provided in this Resolution.

**NOW, THEREFORE, BE IT RESOLVED BY THE MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS AS FOLLOWS:**

**SECTION 1. FINDINGS.** The findings contained in the recitals above are true and correct.

**SECTION 2. APPOINTMENT OF ACTING COUNTY ADMINISTRATOR.** Karen Stewart is hereby appointed as Acting County Administrator, subject to the following provisions:

- A. Duration: The appointment of Karen Stewart shall commence on the effective date of this Resolution (February 23, 2021) and shall expire on the earlier of (i) close of business on March 23, 2021, or (ii) the effective date of the appointment of a permanent County Administrator or a replacement Acting County Administrator by resolution of the Board.
- B. Employment Status: While serving as Acting County Administrator, Karen Stewart will continue to be employed by the County as a Deputy County Administrator, with the status of an at-will employee of the County and her current compensation and employment benefits, as governed by the County's

employment policies and procedures. Upon the appointment of a permanent County Administrator or a replacement Acting County Administrator, or the removal Karen Stewart from the position of Acting County Administrator for any other reason, Ms. Stewart shall continue to serve in the position of Deputy County Administrator.

### **SECTION 3. AUTHORITY OF ACTING COUNTY ADMINISTRATOR.**

- A. Legal Authority: The Acting County Administrator shall carry out all functions, powers and duties assigned to the position of County Administrator pursuant to the Act, the general laws of Florida, and other applicable legislation, including without limitation all other statutes, codes, the County's Comprehensive Plan, and all resolutions, policies and procedures of the County. All delegations of responsibility and authority to the office of the County Administrator made by the Board prior to the adoption of this Resolution shall remain in full force and effect for the Acting County Administrator during the term of her appointment unless expressly modified or rescinded by the Board.
- B. Administration: The Acting County Administrator shall carry out all functions necessary to serve as the administrative head of the County and shall be responsible for the administration of all departments of the County which the Board has authority to control pursuant to the provisions of law set forth in subsection 3.A, above, as the chief administrative official of the County. Such duties and authority shall also include the administration of contracts legally approved and entered into by the County prior to or after the adoption of this Resolution.
- C. Subject to Authority of Board: The authority granted to the Acting County Administrator pursuant to this Resolution shall not be construed to diminish the authority of the Board as the governing board of the County, or to expand the authority of the Acting County Administrator beyond the authority customarily assigned to the County Administrator, or to otherwise delegate to the Acting County Administrator powers, duties or authority reserved to the Board pursuant to applicable law. In any instance when the provisions of law described in subsection 3.A, above, require the County Administrator to obtain the approval or confirmation of the Board for any decision or appointment, the Acting County Administrator shall be subject to such requirement to obtain such approval or confirmation. The Acting County Administrator shall provide regular reports to the Board of the decisions and actions taken pursuant to this Resolution.

**SECTION 4. 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 invalid or unconstitutional the remaining sections, sentences, clauses or provisions of this Resolution.

