

MANATEE COUNTY RESOLUTION NO. R-21-067

WHEREAS, Manatee County, the State of Florida Division of Emergency Management, and the National Weather Service have recognized the danger to Manatee County residents, visitors, and business owners from Piney Point Phosphogypsum Stack; and

WHEREAS, Manatee County has areas vulnerable to the negative impacts of potential unplanned release of phosphogypsum stack water; and

WHEREAS, engineers cannot predict with absolute certainty the location or severity of contaminated water releasing resulting in hazardous impacts; and

WHEREAS, any contaminated water release in unplanned large amounts can result in injuries, damage to public and private property, and may result in first responders and government agencies intervening to protect lives, property, and the environment and to reduce impacts to utilities, public buildings, communication systems, transportation systems, and infrastructure; and

WHEREAS, Section 252.38, Florida Statutes, provides for the establishment of a local emergency management agency, the appointment of the County Administrator thereof, the power and authority thereof, and the power and authority of the Board of County Commissioners in emergency situations; and

WHEREAS, Section 252.46, Florida Statutes, and Manatee County Ordinance 19-47, provide authority for Manatee County to declare a state of local emergency and to exercise the power and authority to carry out the provisions of Florida Statutes Chapter 252, including the authority to waive procedures and formalities otherwise required of political subdivision by law pertaining to:

- 1) Performance of public work and taking whatever prudent 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, with or without compensation, of supplies, materials, and facilities; and,
- 8) Appropriation and expenditure of public funds.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Manatee County, Florida, on this 1st day of April, 2021, that the potential for unplanned contaminated water release poses a 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 19-47.

BE IT FURTHER RESOLVED that the Board of County Commissioners hereby delegates to the County Administrator the authority to discharge the duties and exercise the powers specified in Section 5 of Manatee County Ordinance 19-47, until such time as the Local

Emergency declared herein is terminated or expired or seven days from this date, whichever is sooner.

BE IT FURTHER RESOLVED that the Board of County Commissioners hereby delegates to the Director of Public Safety the authority to implement disaster emergency plans, agreements, and supporting documents in accordance with Section 3C of Manatee County Ordinance 19-47.

ADOPTED in Emergency Session, this 1st day of April, 2021.



MANATEE COUNTY, FLORIDA,
a political subdivision of the State
of Florida

By: Board of County Commissioners

By: 
Chairperson

ATTEST:

Angelina M. Colonnese
Clerk of the Circuit Court

By: 
