

**RESOLUTION R-21-108**

**A RESOLUTION OF THE MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING COUNTY ADMINISTRATION; APPOINTING SCOTT L. HOPES AS COUNTY ADMINISTRATOR; PROVIDING FOR THE AUTHORITY OF THE 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 Acting County Administrator, Dr. Scott Hopes, has served as Acting County Administrator of the County from April 1, 2021.; and

**WHEREAS**, Scott L. Hopes is qualified to serve as the 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 Scott L. Hopes as 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 COUNTY ADMINISTRATOR.** Scott L. Hopes is hereby appointed as County Administrator, subject to the following provisions:

- A. Duration: The appointment of Scott L. Hopes shall commence on the effective date of this Resolution (May 25, 2021) and shall expire on the earlier of (i) the expiration or termination of the Contract approved pursuant to Section 2.B, or (iii) the effective date of the appointment of a replacement County Administrator by resolution of the Board.
- B. Contract; Compensation: The appointment of Scott L. Hopes as County Administrator shall be memorialized in, and governed by, a written contract between the County and Scott L. Hopes substantially in the form attached hereto as Exhibit "A" (the "Contract"). The compensation of \$199,000 while serving as County Administrator shall be provided for in such Contract. The Chairperson of the Board of County Commissioners is hereby authorized and directed to execute and deliver the Contract, substantially in the form attached hereto, with such insubstantial changes, insertions and omissions, and such exhibits thereto,

as may be approved by the Chairperson, the execution thereof being conclusive evidence of such approval.

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

- A. Legal Authority: In accordance with the Contract, the 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 County Administrator during the term of his appointment unless expressly modified or rescinded by the Board.
- B. Administration: In accordance with the Contract, the 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 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 County Administrator beyond the authority customarily assigned to the County Administrator, or to otherwise delegate to the 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 County Administrator shall be subject to such requirement to obtain such approval or confirmation. The 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.

**SECTION 5. EFFECTIVE DATE.** This Resolution shall take effect upon adoption.

ADOPTED WITH A QUORUM PRESENT AND VOTING THIS THE 25th DAY  
OF MAY, 2021.



BOARD OF COUNTY COMMISSIONERS OF  
MANATEE COUNTY, FLORIDA

By: \_\_\_\_\_

Chairperson

ATTEST: ANGELINA M. COLONNESO  
CLERK OF THE CIRCUIT  
COURT AND COMPTROLLER

By: \_\_\_\_\_

Deputy Clerk