

**RESOLUTION R-09-234**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA AMENDING AND RESTATING RESOLUTION NO. R-09-061 REGARDING NONINTERFERENCE IN ADMINISTRATIVE MATTERS BY MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS; ADDING PROVISIONS GOVERNING ISSUANCE AND USE OF LETTERHEAD; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Board of County Commissioners is the legislative and governing body of Manatee County, a non-charter county and political subdivision of the State of Florida authorized to exercise governmental powers pursuant to Article VIII of the Constitution of the State of Florida and Section 125.01, Florida Statutes (2008); and

**WHEREAS**, pursuant to Section 125.74, Florida Statutes (2008) (the "County Administration Act") the County has adopted a form of county administration that best assures an adequate and efficient provision of services to the citizens in this county and that provides for coordinated administration of county departments to better protect the health, welfare, safety, and quality of life of the residents in Manatee County; and

**WHEREAS**, pursuant to the County Administration Act, the County Administrator is responsible for the administration of all departments responsible to the Board of County Commissioners and for the proper administration of all affairs under the jurisdiction of the Board; and

**WHEREAS**, the Board of County Commissioners is the policy making authority for the County with the powers and duties specified in Section 125.01, Florida Statutes (2008); and

**WHEREAS**, it is in the best interests of the citizens of Manatee County for county government to be managed efficiently and effectively through the establishment by the Board of a policy of noninterference by county commissioners in the day-to-day administration of the County by the County Administrator;

**WHEREAS**, the Board has adopted Resolution No. R-09-061 to establish this policy and wishes to amend and restate the Resolution in its entirety in this Resolution to add provisions governing the issuance and use of letterhead.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of

Manatee County, Florida, that the operative provisions of Resolution R-09-061 are amended and restated in their entirety as follows:

1. The Board of County Commissioners hereby reaffirms its role as the governing body of Manatee County, responsible for establishing fiscal and legislative policy for the County. The Board shall do so only when acting as a deliberative and collegial body, and not through the acts or communications of individual commissioners.
2. All direction of the Board to County staff shall be made through the County Administrator. Except for purposes of inquiry and information, individual commissioners shall not interfere with or issue direction to employees, officers, or agents under the direct or indirect supervision of the County Administrator.
3. Individual members of the Board of County Commissioners represent the Board only when authorized to do so pursuant to motion, resolution, ordinance or other formal action of the Board. In all other circumstances, each individual commissioner is presumed to speak in his or her individual capacity, as one voting member of a collegial governing body.
4. Correspondence representing the policy of the Board shall be signed by the Chairman or Vice Chairman (in the absence of the Chairman) and shall reference that the signatory is speaking on behalf of the Board. The letterhead of the Board shall be issued to only the Chairman and Vice Chairman and used by them only as authorized pursuant to this paragraph.
5. Correspondence signed by an individual commissioner in his or her individual capacity shall clearly reflect that the commissioner is not communicating on behalf of the Board. All commissioners shall be issued separate letterhead reflecting their individual offices which shall be used as authorized pursuant to this paragraph.

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

**BE IT FURTHER RESOLVED** that any existing Resolution or portion thereof of the Manatee County 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.

**PASSED AND DULY ADOPTED** by the Board of County Commissioners of Manatee County, Florida, with a quorum present and voting, this 20<sup>th</sup> day of October, 2009.

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

By: Diane E. Volmer  
Deputy Clerk

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

By: Dr. Gwendolyn Y. Brown  
Dr. Gwendolyn Y. Brown, Chairman

