

**RESOLUTION NO. 2021-\_\_\_\_\_**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA, DELEGATING THE AUTHORITY TO THE COUNTY ADMINISTRATOR OR HIS DESIGNEE, TO EXECUTE RESOLUTIONS CALLING LETTERS OF CREDIT AS NECESSARY DURING A DECLARED STATE OF LOCAL EMERGENCY OR DECLARED STATE OF FLORIDA EMERGENCY AFFECTING INDIAN RIVER COUNTY; RESCINDING RESOLUTION NO. 2020-105; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Section 101.05.1.q of The Code of Indian River County allows the Board to authorize the County Administrator, or his designee, to perform other duties on behalf of the Board of County Commissioners; and

**WHEREAS**, various letters of credit are posted with the County to, among other things, guaranty performance or warranty of improvements as well as compliance and restoration of sand mines, and many letters of credit have certain call language requiring a resolution of the Board of County Commissioners declaring default or failure to post alternate security; and

**WHEREAS**, during a declared State of Local Emergency or declared State of Florida Emergency affecting Indian River County, it is very unlikely that the Board of County Commissioners would meet; and

**WHEREAS**, it is necessary to delegate specific authority to execute resolutions on behalf of the Board of County Commissioners to call letters of credit which might expire or otherwise require action to be taken during the period of such declared emergency; and

**WHEREAS**, it is necessary to delegate additional signing authority, not previously delegated by Florida Statutes, The Code of Indian River County, and Indian River County resolutions, to the County Administrator or his designee during the period of such declared emergency.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA, that:**

1. Resolution No. 2020-105 of the Indian River County Board of County Commissioners which speaks to delegation of authority to execute resolutions calling letters of credit as necessary during a declared State of Local Emergency or declared State of Florida Emergency affecting Indian River County is hereby rescinded in its entirety effective December 7, 2021.
2. The County Administrator, or his designee, is hereby delegated the authority to execute resolutions on behalf of the Board of County Commissioners to call letters of credit which might expire or otherwise require action to be taken during the period of a declared State of Local Emergency or declared State of Florida Emergency affecting Indian River County. Any resolutions executed by the County Administrator or his designee, to call letters of credit during any declared State of Local Emergency or State of Florida Emergency affecting Indian River County are to be accompanied by a copy of this Resolution.
3. The Effective Date of this Resolution is December 7, 2021, and this Resolution shall continue in effect through calendar year 2022.

This Resolution was moved for adoption by Commissioner \_\_\_\_\_, and the motion was seconded by Commissioner \_\_\_\_\_, and, upon being put to a vote, the vote was as follows:

Chairman Peter D. O'Bryan	_____
Vice-Chairman Joseph H. Earman	_____
Commissioner Susan Adams	_____
Commissioner Joseph E. Flescher	_____
Commissioner Laura Moss	_____

The Chairman thereupon declared the Resolution duly passed and adopted this 7<sup>th</sup> day of December, 2021 with an effective date of December 7, 2021.

ATTEST: Jeffrey R. Smith, Clerk of  
Circuit Court and Comptroller

BOARD OF COUNTY COMMISSIONERS  
INDIAN RIVER COUNTY, FLORIDA

By: \_\_\_\_\_  
Deputy Clerk

By \_\_\_\_\_  
Peter D. O'Bryan, Chairman

Approved as to form and legal sufficiency:

By: \_\_\_\_\_  
Dylan Reingold, County Attorney

