

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

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA, DELEGATING AUTHORITY TO THE COUNTY ADMINISTRATOR OR HIS DESIGNEE, TO EXECUTE RESOLUTIONS CALLING LETTERS OF CREDIT AS NECESSARY DURING THE PERIOD COMMENCING DECEMBER 15, 2021, THROUGH AND INCLUDING JANUARY 10, 2022, AND FURTHER DELEGATING TO THE COUNTY ADMINISTRATOR OR HIS DESIGNEE, THE AUTHORITY TO EXECUTE ALL DOCUMENTS NECESSARY TO THE PROPER FUNCTIONING OF THE COUNTY DURING THE PERIOD COMMENCING DECEMBER 15, 2021, THROUGH AND INCLUDING JANUARY 10, 2022.**

**WHEREAS**, there are no regularly scheduled Board meetings during the period commencing December 15, 2021, through and including January 10, 2022;

**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;

**WHEREAS**, various letters of credit are posted with the County to, among other things, guaranty performance or warranty 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;

**WHEREAS**, it is necessary to delegate specific authority to execute resolutions on behalf of the Board of County Commissioners to call letters of credit;

**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 each of the County Administrator or his designee; and

**WHEREAS**, pursuant to Resolution No. 2021-79 and section 101.10(1) of The Code of Indian River County, the Board of County Commissioners delegated to the Indian River County Administrator acting as Indian River County Emergency Services District Director, or his designee, the authority: (i) to declare a state of local emergency for Indian River County pursuant to Florida Statutes section 252.38(3)(a)(5)(2021); and (ii) pursuant to any duly issued Executive Order concerning Emergency Management issued by the Governor of the State of Florida declaring that a disaster and/or emergency [as such terms are defined in Florida Statutes section 252.34 (2) and (4) respectively] exists in Indian River County, to issue orders and rules, including, without limitation, the ability to issue Emergency Orders for Indian River County, during the period of the declared emergency, and such delegation in Resolution No. 2021-79 remains in full force and effect; and

**WHEREAS**, pursuant to Resolution No. 2021-80, the Board of County Commissioners delegated to the Indian River County Administrator or his designee, the authority to execute resolutions on behalf of the Board 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

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emergency affecting Indian River County, and such delegation in Resolution No. 2021-\_\_\_ remains in full force and effect.

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

1. 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 commencing December 15, 2021, through and including January 10, 2022. Any resolutions executed by the County Administrator or his designee, to call letters of credit during the period commencing December 15, 2021, through and including January 10, 2022, are to be accompanied by a copy of this Resolution.

2. The County Administrator, or his designee, is hereby authorized to execute all documents necessary to the proper functioning of the County, which may arise during the period commencing December 15, 2021, through and including January 10, 2022, provided that all such documents signed during such interval are brought to the Board of County Commissioners for ratification.

3. The Effective Date of this Resolution is December 14, 2021, and this Resolution shall expire without further action of this Board at the close of business on January 10, 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 this Resolution duly passed and adopted this 14<sup>th</sup> day of December, 2021.

**BOARD OF COUNTY COMMISSIONERS  
INDIAN RIVER COUNTY, FLORIDA**

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

Attest: Jeffrey R. Smith, Clerk of Court  
and Comptroller

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

Approved as to form and  
legal sufficiency

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