

RESOLUTION NO. 1-10

A RESOLUTION AUTHORIZING THE GENERAL MANAGER/CEO TO DELEGATE TO THE DIRECTOR OF FINANCE EXECUTION AUTHORITY OF DOCUMENTS FROM GOVERNMENTAL AGENCIES, ON BEHALF OF THE UTILITIES COMMISSION, CITY OF NEW SMYRNA BEACH, FLORIDA, RESCINDING ALL RESOLUTIONS, OR PORTIONS THEREOF, IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Utilities Commission, City of New Smyrna Beach, Florida, was duly created and validly existing under and by virtue of Chapters 67-1754 and 85-503, Laws of Florida, as the governing body of the utility system of the City of New Smyrna Beach, Florida; and

WHEREAS, in order to expedite the official business of the Utilities Commission, City of New Smyrna Beach, Florida, it is necessary to designate a staff position to execute documents from governmental agencies for and on behalf of the Utilities Commission, and

WHEREAS, the Director of Finance is thoroughly familiar with such documents and terms and conditions thereof, and it would be expedient to designate said Director of Finance to execute such documents and acceptance for and on behalf of the Utilities Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE UTILITIES COMMISSION, CITY OF NEW SMYRNA BEACH, FLORIDA, AS FOLLOWS:

SECTION 1: The General Manager/CEO has the authority to delegate to the Director of Finance, of the Utilities Commission, City of New Smyrna Beach, Florida, execution authority for documents required by governmental agencies and to further execute acceptance of the terms and conditions of such official documents in the name of and on behalf of the Utilities Commission, City of New Smyrna Beach, Florida, on behalf of the Utilities Commission and the General Manager/CEO.

SECTION 2: The execution of the aforesaid documents and acceptances thereof by the Director of Finance shall have the same force and effect as if said official documents and acceptances were executed by the Chairman and attested by the Secretary of said Utilities Commission, and the Utilities Commission shall be bound by the terms of such official documents and acceptance when same are duly executed by the Director of Finance.

SECTION 3: If any section, subsection, sentence, clause, phrase, or portion of this Resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 4: All Resolutions, or portions thereof, in conflict herewith are hereby rescinded and superseded.

SECTION 5: After adoption by the Utilities Commission, this Resolution shall take effect immediately upon passage.

THE ABOVE AND FOREGOING RESOLUTION was introduced at a regular meeting of the Utilities Commission, City of New Smyrna Beach, Florida, held on March 15, 2010, by Commissioner Diesen, who moved its adoption, which motion was seconded by Commissioner Reynolds, and upon roll call vote of the Commission was as follows:

CHAIRMAN	<u>Matt Allen</u>	<u>yes</u>
VICE CHAIRMAN	<u>William E Hall</u>	<u>yes</u>
SECY.-TREAS.	<u>Wm Reynolds</u>	<u>yes</u>
ASST. SECY.-TREAS.	<u>Caeser</u>	<u>yes</u>
COMMISSIONER	<u>Jeanne H. Wilson</u>	<u>yes</u>

APPROVED:

Matt Allen
CHAIRMAN

ATTEST:

Wm Reynolds
SECRETARY-TREASURER



APPROVED AS TO FORM AND CORRECTNESS:

Will Paul
Utilities Commission Attorney