RESOLUTION NO. 2020-13

A RESOLUTION OF THE UTILITIES COMMISSION, CITY OF NEW SMYRNA BEACH, FLORIDA; AMENDING AND REVISIONING THE UTILITIES COMMISSION’S PURCHASING POLICIES AND PROCEDURES MANUAL; PROVIDING FOR RESCINDING CONFLICTING RESOLUTIONS OR PORTIONS THEREOF; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION 1. FINDINGS AND INTENT. The Utilities Commission, City of New Smyrna Beach, Florida (the “Commission”) makes the following findings and declares the following legislative intent:


(2) The Utilities Commission then adopted the Manual by Resolution 5-87 on June 10, 1987, as its Purchasing Policies and Procedures (hereafter the “Purchasing Rules.”)

(3) The Purchasing Rules have been amended on August 17, 2009, agenda item 2-d, by Resolution No. 2018-02, approved on April 23, 2018, agenda item 5-d., by Resolution No. 2019-04, approved September 23, 2019, agenda item 7-a, by Resolution No. 2020-04, agenda item 6-a, March 23, 2020, and by Resolution No. 2020-11, agenda item 3-h, August 24, 2020.

(4) To restate, the purpose of the Purchasing Policies and Procedures Manual is to enumerate and provide for the implementation of the policies of the Utilities Commission and to effect the centralization of the purchase of goods and services, other than the employment of personnel.

(5) The staff has completed a comprehensive review of the existing Purchasing Rules, and has prepared a modified and updated Purchasing Policies and Procedures Manual (the “Purchasing Manual”) attached to and incorporated in this Resolution as Exhibit “A.”

(6) The Utilities Commission has considered the recommendations of its staff and has determined to adopt the Purchasing Manual as set forth in this Resolution.

SECTION 2. ADOPTION OF REVISED, AMENDED, AND MODIFIED PURCHASING POLICIES AND PROCEDURES MANUAL. The Purchasing Manual attached to and incorporated in this Resolution as Exhibit “A” is hereby adopted by the Utilities Commission.

SECTION 3. SEVERABILITY. If any provision or portion of this Resolution is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Resolution shall remain in full force and effect.
SECTION 4. REPEAL OF INCONSISTENT RESOLUTIONS. All resolutions and portions of resolutions in conflict herewith are hereby repealed.

SECTION 5. EFFECTIVE DATE. This Resolution shall take effect immediately upon its passage by the Commission.

THIS RESOLUTION was introduced at a regular meeting of the Utilities Commission, City of New Smyrna Beach, Florida, held this 28th day of September, 2020, by Commissioner Davenport who moved for its adoption, which motion was seconded by Commissioner Hawes, and upon roll call vote of the Commission was DULY ADOPTED as follows:

CHAIRMAN

VICE CHAIRMAN

SECY.-TREAS.

ASST. SECY.-TREAS.

COMMISSIONER

APPROVED:          ATTEST:

, Chairman

, Secretary-Treasurer

APPROVED AS TO FORM & LEGALITY:

Thomas A. Cloud, General Counsel