

**RESOLUTION 24-01-01**

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE LEHIGH ACRES FIRE CONTROL AND RESCUE DISTRICT, LEE COUNTY, FLORIDA; TO AUTHORIZE THE FIRE CHIEF OF THE DISTRICT TO CONDUCT CERTAIN BUSINESS, INCLUDING ENTERING INTO CERTAIN CONTRACTS AND MAKING CERTAIN PURCHASES; TO RESCIND ALL RESOLUTIONS IN CONFLICT, INCLUDING RESOLUTION 18-06-01; TO PROVIDE FOR SCRIVENER'S ERRORS; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR LIBERAL CONSTRUCTION; AND TO PROVIDE FOR AN EFFECTIVE DATE**

WHEREAS, the Board of Commissioners of the Lehigh Acres Fire Control and Rescue District recognizes that there are occasions when it is in the best interest of the District for the Fire Chief to have the authority to conduct certain business, to enter into certain contracts, including leases, and to make certain purchases on behalf of the District; and,

WHEREAS, the District Board of Commissioners previously adopted Resolution 18-06-01 which authorized the Chief to enter into certain District business transactions; and,

WHEREAS, the District Board of Commissioners now desires to modify (rescind and replace) the authorization granted to the Chief by Resolution 18-06-01.

NOW THEREFORE, be it resolved, by the Board of Commissioners of the Lehigh Acres Fire Control and Rescue District, that:

**SECTION 1. INCORPORATION OF RECITALS**

The recitals set forth above are true and correct and form a part of this Resolution.

**SECTION 2. AUTHORIZATION OF FIRE CHIEF**

The purpose of this Resolution is to authorize the Fire Chief to conduct certain District business, including entering into certain contracts and completing certain purchases, as described herein on behalf of the District, where said actions by the Fire Chief are in the best interest of the District and where said actions also accomplish the completion of District business, including but not limited to the acquisition of goods, services and other capital and non-capital items.

The Fire Chief is hereby authorized to conduct certain District business, including negotiating and entering into contracts and leases and completing certain purchases on behalf of the District, pursuant to the following guidelines and parameters:

1. The Fire Chief cannot assign the authority granted herein to any third party.
2. The Fire Chief is authorized to conduct District business related to the purchasing of capital items, including but not limited to the purchase or lease of capital budgeted items such as equipment, vehicles, computers, etc., where the acquisition of a capital item was a specifically approved budgeted item in the District's annually adopted budget.
3. The Fire Chief is authorized to conduct District business related to the purchasing of capital items, including but not limited to items such as equipment, vehicles, computers, etc., where the acquisition of a capital item was not a specifically approved budgeted item in the District's annually adopted budget, and where the total purchase price of the item is **\$10,000** or less.
4. The Fire Chief is authorized to conduct District business related to the purchasing of non-capital items, including but not limited to office, janitorial, computer, and medical supplies, except for vehicle repairs and vehicle maintenance, where the acquisition of the non-capital items was a specifically approved budgeted item (as either an individual item or as a group of items), in the District's annually adopted budget, and where the total purchase price of each of the non-capital budgeted items purchased during the fiscal year is **\$50,000** or less.
5. The Fire Chief is authorized to conduct District business related to the purchasing of vehicle repairs and vehicle maintenance of District vehicles where the vehicle repair and/or vehicle maintenance was a specifically approved budget item in the District's annually adopted budget and where the total purchase price of each vehicle repair or vehicle maintenance item purchased during the fiscal year is **\$50,000** or less.
6. The Fire Chief is authorized to conduct District business in an emergency purchase situation, which is defined as any purchase of an item that was not specifically approved in the District's annually adopted budget where the failure to approve the purchase immediately will cause a disruption of the District's operations and/or services, related to the purchasing of capital and non-capital items where the purchase of the capital and non-capital items is related to the emergency and where the total purchase price of all

of the capital and non-capital items purchased is **\$50,000** or less for each emergency purchase situation.

7. The Fire Chief is authorized to conduct District business in a declared state of emergency that is declared by the United States (Federal Government), the State of Florida, Lee County, Florida, or the District, related to the purchasing of capital and non-capital items where the purchase of the capital and non-capital items is related to the declared state of emergency and where the total purchase price of all of the capital and non-capital items purchased is **\$200,000** or less for each declared state of emergency.
8. The Fire Chief will acquire approval of the Board of Commissioners in advance of any action being taken on any District business, including entering into any contracts or purchasing any items on behalf of the District, if the District's budget will have to be amended in order to pay the contract price or purchase the item.
9. In all matters, the Fire Chief must comply with all applicable Federal and State laws and District and local laws and policies.
10. At all times, the Fire Chief may elect to submit any item covered by this Resolution to the Board of Commissioners as an alternative to exercising the authority granted herein.

**SECTION 3. RECISSION**

The Board of Commissioners hereby rescinds all prior resolutions, including but not limited to Resolution 18-06-01, and other official actions of the Board of Commissioners to the extent of any conflict with any part of this Resolution.

**SECTION 4. APPLICABILITY AND EFFECTIVE DATE**

This Resolution shall be liberally construed to implement the purposes hereof and shall take effect immediately upon this Resolution's adoption.

**SECTION 5. SEVERABILITY**

If any provision of this Resolution is held to be illegal, invalid or unenforceable under any law or court of competent jurisdiction, the remaining provisions of this Resolution will remain

in full force and effect and will not be affected by the illegal, invalid or unenforceable provision or by any such severance.

SECTION 6. SCRIVENER'S ERRORS

The Board of Commissioners intends that all sections of this Resolution which contain typographical errors which do not affect the intent of this Resolution can be administratively corrected by the authorization of the Fire Chief, or his designee, without the requirement of having a corrected Resolution adopted by the Board of Commissioners.

THE FOREGOING RESOLUTION WAS OFFERED BY COMMISSIONER Bennete WHO MOVED THE RESOLUTION'S ADOPTION. THE MOTION WAS SECONDED BY COMMISSIONER Sherman AND, UPON BEING PUT TO A VOTE, THE VOTE WAS AS FOLLOWS:

Commissioner Debra Cooper	<u>Dee</u>
Commissioner Melissa Barry	<u>MB</u>
Commissioner Linda Carter	<u>Absent</u>
Commissioner Robert Bennett	<u>RSB</u>
Commissioner Lucia Sherman	<u>LS</u>

Duly passed and adopted on this 30 day of January, 2024.

Board of Commissioners of the Lehigh Acres  
Fire Control and Rescue District

By: Debra Cooper  
Debra Cooper, Chair

Attest by: Lucia Sherman  
~~Melissa Barry, Secretary/Treasurer~~  
Lucia Sherman