

RESOLUTION NO. 2024-__

A RESOLUTION OF THE ELOISE COMMUNITY REDEVELOPMENT AGENCY (CRA); ADOPTING BY REFERENCE THE GUIDELINES FOR EXECUTION OF CONTRACTS BY THE COUNTY MANAGER OF POLK COUNTY; ESTABLISHING GUIDELINES FOR EXECUTION OF CONTRACTS BY THE COUNTY MANAGER; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 125, Fla. Stat., Section 163.370, a community redevelopment agency must procure all commodities and services under the same purchasing processes and requirements that apply to the county or municipality that created the agency; and

WHEREAS, Polk County has authorized the County Manager of Polk County (hereinafter the “County Manager) to execute certain contracts outlined in Polk County Resolution 2016-007 for the economic and efficient conduct of County affairs; and

WHEREAS, the Board of Directors of the Eloise Community Redevelopment Agency (hereinafter the “Directors”) wish to adopt a similar resolution granting the County Manager the power to execute certain contracts on behalf of the Agency for the economic and efficient conduct of Agency affairs; and

WHEREAS, this Resolution establishes the Guidelines for the Execution of Contracts by the County Manager for the Eloise Community Redevelopment Agency, as set forth below.

NOW, THEREFORE, BE IT RESOLVED BY THE ELOISE COMMUNITY REDEVELOPMENT AGENCY OF POLK COUNTY, FLORIDA, IN REGULAR MEETING, AS FOLLOWS:

SECTION 1: RECITALS. The above recitals are true and correct and are incorporated herein by reference.

SECTION 2: PURCHASING POLICY. The Directors of the Eloise Community Redevelopment Agency hereby establishes and adopts the Guidelines for the Execution of Contracts by the County Manager for the Eloise Community Redevelopment Agency as follows:

GUIDELINES FOR EXECUTION OF CONTRACTS BY THE COUNTY MANAGER

- A. The County Manager is authorized to execute contracts when the monetary amount of the contract, including amendments, is one hundred thousand dollars (\$100,000.00) or less, annually. This includes contracts which receive or expend funds or state no monetary amount. If no maximum amount is stated in the contract (such as a per unit cost contract), then the limiting amount will be the amount budgeted annually for the contract.
- B. The term "contract" as used herein shall include, without limitation, memoranda of understanding, interlocal agreements, license agreements, grant applications, rental agreements, real property agreements, easement agreements, and any other written instrument creating an obligation that is enforceable or otherwise recognizable at law.
- C. The terms and conditions of all contracts subject to these Guidelines shall be reviewed and approved by the County Attorney's Office and the Budget Office, where appropriate, and the funding must be duly appropriated by the Directors.
- D. These Guidelines do not apply to the signature authority for contracts for the purchase or procurement of goods, services, materials, supplies or equipment, which authority is specifically addressed in Polk County Ordinance No. 2015-078 and the Purchasing Procedures Manual.
- E. In the event that any term of these Guidelines is in conflict with any prior authorization or County policy regarding signature authority for contracts, these Guidelines shall control.
- F. These Guidelines may be modified or amended at any time by resolution of the Directors.
- G. Nothing contained in these Guidelines shall be construed as: (i) a delegation of any policy-making authority; or (ii) precluding the Directors from considering, approving or disapproving, or executing any contract binding or purporting to bind the Agency or otherwise creating an obligation to perform or not to perform a particular act.

SECTION 3: SEVERABILITY. If any provision, section, subsection, sentence, clause, phrase, or portion of this Resolution, or application hereof, is held or declared to be unconstitutional, inoperative, or void, then such portion or application shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining provisions or application hereof. If this Resolution or any provision thereof shall be held to be

inapplicable to any person, property or circumstance, then such holding shall not affect its applicability to any other person, property or circumstance.

SECTION 4: EFFECTIVE DATE. This Resolution shall become effective immediately upon its adoption.

ADOPTED this _____ day of October, 2024.

ATTEST:

STACY M. BUTTERFIELD, CLERK

ELOISE CRA

By: _____
Deputy Clerk

By: _____
W. C. Braswell, Chair