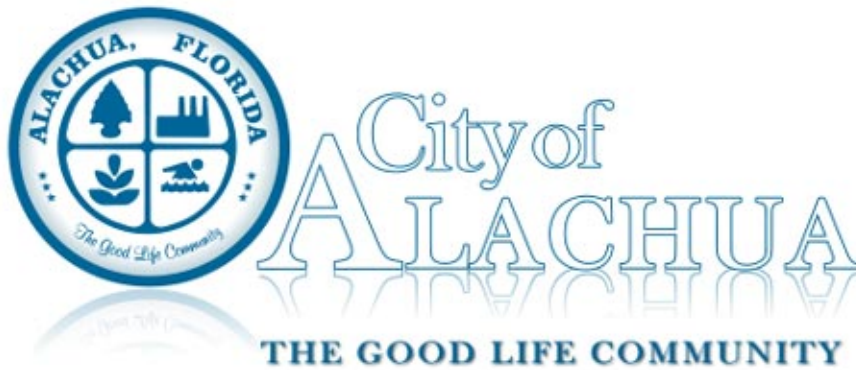




Regular City Commission Meeting Agenda January 8, 2024

Mayor Gib Coerper

Vice Mayor Dayna Miller

Commissioner Jennifer Blalock

Commissioner Shirley Green Brown

Commissioner Edward Potts

City Manager Mike DaRoza

City Attorney Marian Rush

The City Commission will conduct a
Regular City Commission Meeting
At 6:00 PM
to address the item(s) below.

Meeting Date: January 8, 2024

Meeting Location: James A. Lewis City Commission Chambers
15100 NW 142 Terr.

CITY COMMISSION MEETING

Notice given pursuant to Section 286.0105, Florida Statutes. In order to appeal any decision made at this meeting, you will need a verbatim record of the proceedings. It will be your responsibility to ensure such a record is made.

CALL TO ORDER

INVOCATION

PLEDGE TO THE FLAG

APPROVAL OF THE AGENDA

**APPROVE READING OF PROPOSED ORDINANCES AND RESOLUTIONS BY
TITLE ONLY**

I. SPECIAL PRESENTATIONS

- A.** Alachua 2.0 Presentation by the Chamber of Commerce

II. COMMENTS FROM CITIZENS ON SUBJECTS NOT ON THE AGENDA

(Please Limit to 3 Minutes. Any citizen who is unable to speak at this time will have an opportunity to speak at the end of the meeting)

III. COMMITTEE REPORTS/COMMITTEE APPOINTMENTS/CITY ANNOUNCEMENTS

IV. PUBLIC HEARINGS AND ORDINANCES

(Presentations, other than the applicant, please limit to **3 Minutes**)

- A.** Ordinance 24-02: Business Impact Statement
- B.** Ordinance 24-03: Changes to the Election Code

V. AGENDA ITEMS

VI. COMMENTS FROM CITIZENS ON SUBJECTS NOT ON THE AGENDA

(Please Limit to 3 Minutes.Any citizen who did not speak during the Citizen Comments period at the beginning of the meeting may do so at this time.)

VII. COMMENTS FROM CITY MANAGER AND CITY ATTORNEY

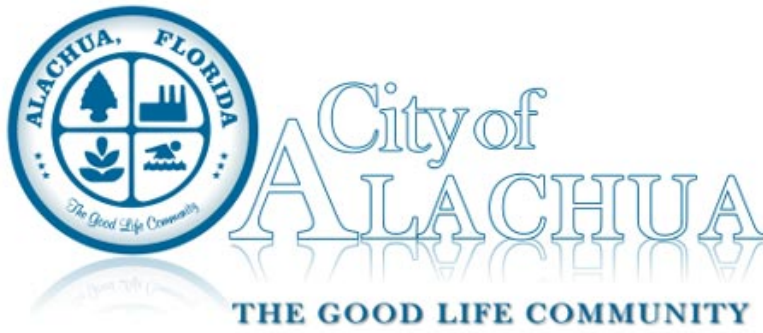
VIII.COMMISSION COMMENTS/DISCUSSION

ADJOURN

CONSENT AGENDA

CONSENT AGENDA ITEMS

Purchase of Transformers



Commission Agenda Item

MEETING DATE: 1/8/2024

SUBJECT: Alachua 2.0 Presentation by the Chamber of Commerce

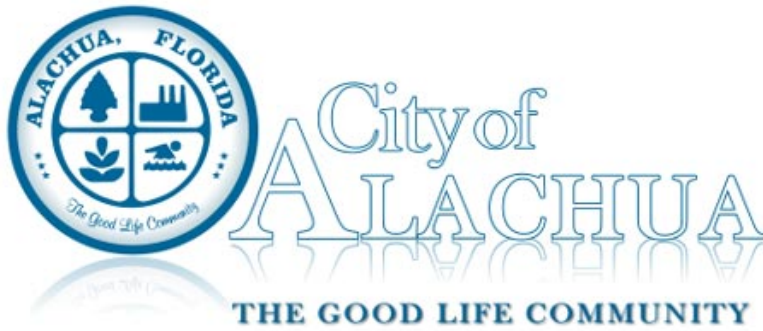
PREPARED BY: LeAnne Williams, Deputy City Clerk

RECOMMENDED ACTION:

Receive the presentation.

Summary

Alachua Chamber of Commerce members are here to make a presentation to the Commission.



Commission Agenda Item

MEETING DATE: 1/8/2024

SUBJECT: Ordinance 24-02: Business Impact Statement

PREPARED BY: LeAnne Williams, Deputy City Clerk

RECOMMENDED ACTION:

Staff recommends that the City Commission approve Ordinance 24-02 on first reading and schedule second and final reading for January 22, 2024.

Summary

Florida Statute 166.041(4)(a) was enacted in July of 2023. This statute mandates municipalities to implement a Business Impact Statement prior to the adoption of certain ordinances. This statute also provides the requirements for performing the Business Impact Estimate, along with a list of exemptions. Ordinance 24-02 implements the state's statutory mandate under Florida Statute 166.041(4)(a).

Business Impact Statement

Except as provided below, the Law requires local governments to create and publish a business impact estimate (BIE). The local government must publish the BIE no later than the date the local government is required to publish notice of the proposed ordinance. The BIE must include:

1. A summary of the proposed ordinance, including a statement of the public purpose to be served by the proposed ordinance, such as serving the public health, safety, morals, and welfare of the municipality.
2. An **estimate** of the direct economic impact of the proposed ordinance on private, for-profit businesses in the municipality, including the following, if any:
 - An **estimate** of direct compliance costs that businesses may reasonably incur if the ordinance is enacted;
 - Identification of any new charge or fee on businesses subject to the proposed ordinance, or for which businesses will be financially responsible; and an **estimate** of the municipality's regulatory costs, including an estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs.

3. A **good faith estimate** of the number of businesses likely to be impacted by the ordinance.

4. Any additional information the governing body determines may be useful.

BIE Exemptions

A number of ordinances are exempt from complying with the BIE requirement of the Law. Those ordinances are as follows:

1. Ordinances required for compliance with federal or state law or regulation;
2. Ordinances relating to the issuance or refinancing of debt;
3. Ordinances relating to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
4. Ordinances required to implement a contract or an agreement including, but not limited to, any federal, state, local, or private grant, or other financial assistance accepted by a municipal government;
5. Emergency Ordinances;
6. Ordinances relating to procurement; or
7. Ordinances enacted to implement the following:
 - a. Part II of Chapter 163, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements, and development permits.
 - b. Establishment, expansion, or termination of a Community Development District.
- c. Section 553.73, relating to the Florida Building Code; or
- d. Section 633.202, relating to the Florida Fire Prevention Code.

Legal Challenges

The Law provides that a local government must suspend enforcement of an ordinance that is the subject of an action challenging the ordinance's validity pursuant to the Law if:

1. The action was filed with the court no later than ninety (90) days after the adoption of the ordinance;
2. The plaintiff requests suspension in the initial complaint or petition, citing the appropriate section of the Law, and
3. The municipality has been served with a copy of the complaint or petition.

When the plaintiff appeals a final judgment finding that an ordinance is valid and enforceable, the municipality may enforce the ordinance forty-five (45) days after the entry of the final judgment unless the plaintiff obtains a stay of the lower court's order.

The Law requires Courts to prioritize cases in which the enforcement of an ordinance is suspended under the Law over other pending cases and to render a preliminary or final decision on the validity of the ordinance as expeditiously as possible.

In your packet are the following:

1. A copy of the Florida Statute 166.041(4)(a);
2. A proposed copy of the BIE Exclusionary Form - which must be filled out with every ordinance that does not require a BIE;
3. A proposed BIE Form - to be used with ordinances which require a BIE.

The Business Impact Estimate Exclusionary Form and Business Impact Estimate Form must be published on the City website at the time of public notice.

ATTACHMENTS:

Description

- ▢ Ordinance 24-02
- ▢ Florida Statute 166.041 - Section (4)(a) Highlighted
- ▢ BIE Exclusionary Form
- ▢ BIE Form
- ▢ Ad - Alachua County Today

ORDINANCE 24-02

AN ORDINANCE OF THE CITY OF ALACHUA, FLORIDA; IMPLEMENTING THE STATE'S STATUTORY MANDATE TO PREPARE BUSINESS IMPACT ESTIMATES PRIOR TO THE ADOPTION OF PROPOSED ORDINANCES PURSUANT TO SECTION 166.041(4)(a), FLORIDA STATUTES; PROVIDING FINDINGS; ADOPTING BUSINESS IMPACT ESTIMATE PROCEDURES, REQUIREMENTS, & EXEMPTIONS; PROVIDING FOR SEVERABILITY, PROVIDING FOR INCLUSION IN THE CITY CODE AND SCRIVENER'S ERRORS, CONFLICTS, AND AN EFFECTIVE DATE.

NOW THEREFORE BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF ALACHUA, FLORIDA, AS FOLLOWS:

SECTION 1. FINDINGS. In adopting this Ordinance, the City Commission of the City of Alachua, Florida (the "City") hereby makes and expresses the following findings, purposes, and intent:

- (1) The City has been conferred broad legislative powers to enact ordinances to perform governmental functions and exercise power to promote the health, welfare, safety, and quality of life of a local government's residents by both the Florida Constitution and the Florida Legislature.
- (2) The procedures for adopting municipal ordinances are set forth in Section 166.041, Florida Statutes.
- (3) The Florida Constitution grants cities broad authority to take actions furthering citizens' health, welfare, safety, and quality of life called "home rule," and this authority includes legislative powers to enact local laws.
- (4) Florida cities have those governmental, corporate, and proprietary powers that enable them to conduct municipal government, perform their functions, and provide municipal services, and exercise any power for municipal purposes, except as otherwise provided by law.
- (5) These home rule powers have been liberally construed when reviewed by courts.
- (6) This broad home rule authority is limited by two guideposts: preemption, where a higher level of government such as the State has already legislated on a topic, and standards of reasonableness.

(7) A municipal ordinance can be declared invalid on the grounds that it is inconsistent with the Florida Constitution or Florida Statutes, and inconsistency may be found where a city ordinance is either preempted by or in conflict with the Florida Constitution or Florida Statutes.

(8) A municipal ordinance can also be declared invalid on the grounds that it is arbitrary or unreasonable, meaning that it has no legitimate governmental interest, and the city ordinances are presumed valid by courts reviewing them, and the burden falls on the challenger to establish the ordinance's arbitrary or unreasonable nature.

(9) Beginning October 1, 2023, municipal ordinances adopted in Florida may be subject to local challenges based upon failure to produce a "business impact estimate."

(10) If a court invalidates an ordinance, this ruling may result in imposition of attorneys' fees against a city if an ordinance is later determined to be arbitrary or unreasonable.

(11) The Florida Legislature also adopted a statutory mandate that cities produce a "business impact estimate" prior to passing an ordinance, subject to certain exemptions and exceptions.

(12) The statute (Chapter 2023-309, Laws of Florida, codified as Section 166.041(4)(a), Florida Statutes) mandates that the estimate must be published on the city's website and include certain information, such as the proposed ordinance's purpose, estimated economic impact on businesses, and compliance costs.

(13) This unfunded state mandate also imposes certain conditions on lawsuits brought by any party to challenge the legal validity of local ordinances as preempted by state law, arbitrary, or unreasonable.

(14) The state has created a number of exemptions for certain specified ordinances, including:

- Ordinances required to comply with federal or state laws or regulations
- Ordinances relating to the issuance or refinancing of debt
- Ordinances relating to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget
- Ordinances required to implement a contract or agreement, including grants or financial assistance
- Emergency ordinances
- Ordinances relating to procurement
- Ordinances enacted to Implement: Part II, Ch. 163, including land development regulations, zoning, development orders, development agreements, and development permits; Sections 190.005 and 190.046 (CDDs); the Florida Building Code; the Florida Fire Prevention Code.

(15) The City Commission has provided all necessary public notice and held the requisite public hearings and accepted testimony and other competent, substantial evidence from the public for purposes of making these findings and determining to adopt this ordinance.

SECTION 10-2. AMENDING CHAPTER 10, ARTICLE I, OF THE CODE OF ORDINANCES OF THE CITY OF ALACHUA CREATING SECTION 10-2, TO BE TITLED; IMPLEMENTATION OF STATUTORY MANDATE TO PERFORM BUSINESS IMPACT ESTIMATES.

Section 10-2 of the Code of Ordinances of the City of Alachua, Florida (hereafter “the Code”), was previously reserved for future ordinances. This ordinance creates Section 10-2, which is hereby adopted and incorporated into the Code and shall read as follows:

“Sec. 10-2. - Implementation of Statutory Mandate to Perform

Business Impact Estimates. The City Commission hereby implements the Florida statutory mandate contained in § 166.041(4), Florida Statutes, to perform business impact estimates prior to the adoption of certain ordinances as specified in the statute. The City Commission shall perform a business impact statement in accordance with the requirements of the statute for all ordinances not exempted by §§ 166.041(4)(c) or 166.0411, Florida Statutes, and may in its sole discretion determine to perform a business impact statement for any ordinance that is exempt under the statute. Nothing contained herein is intended to create additional mandates for performing the business impact estimates of exempt ordinances or to waive any exemption. The City hereby authorizes and adopts a pass-through charge applicable to any person, firm, entity, or business that requests or sponsors the adoption of an ordinance solely to assess, cover, and collect the fees, deposits, costs, and expenses relating to pertaining to the preparation of the business impact estimate. The City may in its sole discretion waive this pass-through charge.”

SECTION 3. RESERVED SECTIONS REMAIN. Sections 10-3 through Section 10-20 of Chapter 10, Article 1 of the Code shall remain labeled as “reserved” to allow for future additions to the Code.

SECTION 4. INCLUSION IN THE CODE AND CORRECTION OF SCRIVENER’S ERRORS. It is the intention of the City Commission of the City of Alachua, Florida, and it is hereby provided that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of the City of Alachua, Florida; that the sections of this ordinance may be renumbered or re-lettered and that the word “ordinance” may be changed to “section”, “article” or other appropriate designation to accomplish such intention. The City Manager or designee, without a public hearing, is authorized to correct any typographical errors that do not affect the intent of this Ordinance. A corrected copy shall be posted in the public record.

SECTION 5. SEVERABILITY. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full effect.

SECTION 6. CONFLICTS. Should any provision contained in this Ordinance conflict with any prior provision of the Code or any City ordinance, then the provisions of this ordinance shall control.

SECTION 7. EFFECTIVE DATE. This Ordinance shall take effect on October 1, 2023.

PASSED on first reading on the 8th day of January 2023.

PASSED and DULY ADOPTED, in regular session, with a quorum present and voting, by the City Commission, upon second reading this 22, day of January, 2023.

**CITY COMMISSION OF THE
CITY OF ALACHUA, FLORIDA**

Gib Coerper, Mayor
SEAL

ATTEST:

APPROVED AS TO FORM

Mike DaRoza, City Manager/Clerk

Marian B. Rush, City Attorney

166.041 Procedures for adoption of ordinances and resolutions.—

(1) As used in this section, the following words and terms shall have the following meanings unless some other meaning is plainly indicated:

(a) “Ordinance” means an official legislative action of a governing body, which action is a regulation of a general and permanent nature and enforceable as a local law.

(b) “Resolution” means an expression of a governing body concerning matters of administration, an expression of a temporary character, or a provision for the disposition of a particular item of the administrative business of the governing body.

(2) Each ordinance or resolution shall be introduced in writing and shall embrace but one subject and matters properly connected therewith. The subject shall be clearly stated in the title. No ordinance shall be revised or amended by reference to its title only. Ordinances to revise or amend shall set out in full the revised or amended act or section or subsection or paragraph of a section or subsection.

(3)(a) Except as provided in paragraphs (c) and (d), a proposed ordinance may be read by title, or in full, on at least 2 separate days and shall, at least 10 days prior to adoption, be noticed once in a newspaper of general circulation in the municipality. The notice of proposed enactment shall state the date, time, and place of the meeting; the title or titles of proposed ordinances; and the place or places within the municipality where such proposed ordinances may be inspected by the public. The notice shall also advise that interested parties may appear at the meeting and be heard with respect to the proposed ordinance.

(b) The governing body of a municipality may, by a two-thirds vote, enact an emergency ordinance without complying with the requirements of paragraph (a) of this subsection. However, no emergency ordinance or resolution shall be enacted which establishes or amends the actual zoning map designation of a parcel or parcels of land or that changes the actual list of permitted, conditional, or prohibited uses within a zoning category. Emergency enactment procedures for land use plans adopted pursuant to part II of chapter 163 shall be pursuant to that part.

(c) Ordinances initiated by other than the municipality that change the actual zoning map designation of a parcel or parcels of land shall be enacted pursuant to paragraph (a). Ordinances that change the actual list of permitted, conditional, or prohibited uses within a zoning category, or ordinances initiated by the municipality that change the actual zoning map designation of a parcel or parcels of land shall be enacted pursuant to the following procedure:

1. In cases in which the proposed ordinance changes the actual zoning map designation for a parcel or parcels of land involving less than 10 contiguous acres, the governing body shall direct the clerk of the governing body to notify by mail each real property owner whose land the municipality will redesignate by enactment of the ordinance and whose address is known by reference to the latest ad valorem tax records. The notice shall state the substance of the proposed ordinance as it affects that

property owner and shall set a time and place for one or more public hearings on such ordinance. Such notice shall be given at least 30 days prior to the date set for the public hearing, and a copy of the notice shall be kept available for public inspection during the regular business hours of the office of the clerk of the governing body. The governing body shall hold a public hearing on the proposed ordinance and may, upon the conclusion of the hearing, immediately adopt the ordinance.

2. In cases in which the proposed ordinance changes the actual list of permitted, conditional, or prohibited uses within a zoning category, or changes the actual zoning map designation of a parcel or parcels of land involving 10 contiguous acres or more, the governing body shall provide for public notice and hearings as follows:

a. The local governing body shall hold two advertised public hearings on the proposed ordinance. At least one hearing shall be held after 5 p.m. on a weekday, unless the local governing body, by a majority plus one vote, elects to conduct that hearing at another time of day. The first public hearing shall be held at least 7 days after the day that the first advertisement is published. The second hearing shall be held at least 10 days after the first hearing and shall be advertised at least 5 days prior to the public hearing.

b. If published in the print edition of a newspaper, the required advertisements shall be no less than 2 columns wide by 10 inches long in a standard size or a tabloid size newspaper, and the headline in the advertisement shall be in a type no smaller than 18 point. The advertisement shall not be placed in that portion of the newspaper where legal notices and classified advertisements appear. The advertisement shall be placed in a newspaper in the municipality and of general interest and readership in the municipality pursuant to chapter 50. It is the legislative intent that, whenever possible, the advertisement appear in a newspaper that is published at least weekly unless the only newspaper in the municipality is published less than weekly. The advertisement shall be in substantially the following form:

NOTICE OF (TYPE OF) CHANGE

The (name of local governmental unit) proposes to adopt the following ordinance: (title of the ordinance) .

A public hearing on the ordinance will be held on (date and time) at (meeting place) .

Except for amendments which change the actual list of permitted, conditional, or prohibited uses within a zoning category, the advertisement shall contain a geographic location map which clearly indicates the area covered by the proposed ordinance. The map shall include major street names as a means of identification of the general area. If published in the print edition of the newspaper, the map must also be part of any online notice made pursuant to s. [50.0211](#).

c. In lieu of publishing the advertisement set out in this paragraph, the municipality may mail a notice to each person owning real property within the area covered by the ordinance. Such notice shall clearly explain the proposed ordinance and shall notify the person of the time, place, and location of any public hearing on the proposed ordinance.

(d) Consideration of the proposed municipal ordinance at a meeting properly noticed pursuant to this subsection may be continued to a subsequent meeting if, at the meeting, the date, time, and place of the subsequent meeting is publicly stated. No further publication, mailing, or posted notice as required under this subsection is required, except that the continued consideration must be listed in an agenda or similar communication produced for the subsequent meeting. This paragraph is remedial in nature, is intended to clarify existing law, and shall apply retroactively.

(4)(a) Before the enactment of a proposed ordinance, the governing body of a municipality shall prepare or cause to be prepared a business impact estimate in accordance with this subsection. The business impact estimate must be posted on the municipality's website no later than the date the notice of proposed enactment is published pursuant to paragraph (3)(a) and must include all of the following:

1. A summary of the proposed ordinance, including a statement of the public purpose to be served by the proposed ordinance, such as serving the public health, safety, morals, and welfare of the municipality.
2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the municipality, including the following, if any:
 - a. An estimate of direct compliance costs that businesses may reasonably incur if the ordinance is enacted;
 - b. Identification of any new charge or fee on businesses subject to the proposed ordinance, or for which businesses will be financially responsible; and
 - c. An estimate of the municipality's regulatory costs, including an estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs.
3. A good faith estimate of the number of businesses likely to be impacted by the ordinance.
4. Any additional information the governing body determines may be useful.

(b) This subsection may not be construed to require a municipality to procure an accountant or other financial consultant to prepare the business impact estimate required by this subsection.

(c) This subsection does not apply to:

1. Ordinances required for compliance with federal or state law or regulation;
2. Ordinances relating to the issuance or refinancing of debt;
3. Ordinances relating to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
4. Ordinances required to implement a contract or an agreement, including, but not limited to, any federal, state, local, or private grant, or other financial assistance accepted by a municipal government;
5. Emergency ordinances;
6. Ordinances relating to procurement; or
7. Ordinances enacted to implement the following:
 - a. Part II of chapter 163, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements, and development permits;
 - b. Sections [190.005](#) and [190.046](#);
 - c. Section [553.73](#), relating to the Florida Building Code; or
 - d. Section [633.202](#), relating to the Florida Fire Prevention Code.

(5) A majority of the members of the governing body shall constitute a quorum. An affirmative vote of a majority of a quorum present is necessary to enact any ordinance or adopt any resolution; except that two-thirds of the membership of the board is required to enact an emergency ordinance. On final passage, the vote of each member of the governing body voting shall be entered on the official record of the meeting. All ordinances or resolutions passed by the governing body shall become effective 10 days after passage or as otherwise provided therein.

(6) Every ordinance or resolution shall, upon its final passage, be recorded in a book kept for that purpose and shall be signed by the presiding officer and the clerk of the governing body.

(7) The procedure as set forth herein shall constitute a uniform method for the adoption and enactment of municipal ordinances and resolutions and shall be taken as cumulative to other methods now provided by law for adoption and enactment of municipal ordinances and resolutions. By future ordinance or charter amendment, a municipality may specify additional requirements for the adoption or enactment of ordinances or resolutions or prescribe procedures in greater detail than contained herein. However, a municipality shall not have the power or authority to lessen or reduce the requirements of this section or other requirements as provided by general law.

(8) Five years after the adoption of any ordinance or resolution adopted after the effective date of this act, no cause of action shall be commenced as to the validity of an ordinance or resolution based on the failure to strictly adhere to the provisions contained in this section. After 5 years, substantial compliance with the provisions contained in this section shall be a defense to an action to invalidate an

ordinance or resolution for failure to comply with the provisions contained in this section. Without limitation, the common law doctrines of laches and waiver are valid defenses to any action challenging the validity of an ordinance or resolution based on failure to strictly adhere to the provisions contained in this section. Standing to initiate a challenge to the adoption of an ordinance or resolution based on a failure to strictly adhere to the provisions contained in this section shall be limited to a person who was entitled to actual or constructive notice at the time the ordinance or resolution was adopted. Nothing herein shall be construed to affect the standing requirements under part II of chapter 163.

(9) The notice procedures required by this section are established as minimum notice procedures.

History.—s. 1, ch. 73-129; s. 2, ch. 76-155; s. 2, ch. 77-331; s. 1, ch. 83-240; s. 1, ch. 83-301; s. 2, ch. 95-198; s. 5, ch. 95-310; s. 5, ch. 2012-212; s. 15, ch. 2021-17; ss. 5, 6, ch. 2023-309.

Business Impact Estimate

This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the City's website by the time notice of the proposed ordinance is published.

Proposed ordinance's title/reference:

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the City is of the view that a business impact estimate is not required by state law¹ for the proposed ordinance, but the City is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☐ The proposed ordinance is enacted to implement the following:
 - a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
 - b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
 - c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
 - d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the City hereby publishes the following information:

¹ See Section 166.041(4)(c), Florida Statutes.

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals, and welfare):

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City, if any:

- (a) An estimate of direct compliance costs that businesses may reasonably incur;
- (b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
- (c) An estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

4. Additional information the governing body deems useful (if any):
[You may wish to include in this section the methodology or data used to prepare the Business Impact Estimate. For example: City staff solicited comments from businesses in the City as to the potential impact of the proposed ordinance by contacting the chamber of commerce, social media posting, direct mail or direct email, posting on City website, public workshop, etc. You may also wish to include efforts made to reduce the potential fiscal impact on businesses. You may also wish to state here that the proposed ordinance is a generally applicable ordinance that applies to all persons similarly situated (individuals as well as businesses) and, therefore, the proposed ordinance does not affect only businesses].

Business Impact Estimate Form

This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the City's website by the time notice of the proposed ordinance is advertised and published.

Proposed ordinance's title:

ORDINANCE NO.

[Insert Ordinance Title as advertised]

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes.

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals, and welfare):

[Describe public purpose related to health, safety, morals and welfare]

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City, if any:

(a) An estimate of direct compliance costs that businesses may reasonably incur:

[State estimate reasonably known or state "none" if applicable].

(b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible:

[Describe charge or fee or state "none" if applicable].

(c) An estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs:

[Describe costs or state "none" if applicable].

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

[Describe the number if reasonably known or state "none" if applicable].

4. Additional information the governing body deems useful (if any):

[Describe any additional information known or state "none" if applicable].



City of
ALACHUA

**PUBLIC NOTICE OF
ENACTMENT OF AN
ORDINANCE OF THE
CITY OF ALACHUA,
FLORIDA**

Notice is hereby given that the City Commission of the City of Alachua will hold a public hearing on a proposed ordinance. The hearing will be held on January 8, 2023 at 6:00 p.m., in the James A. Lewis Commission Chambers in City Hall, located at 15100 NW 142nd Terrace, Alachua, Florida.

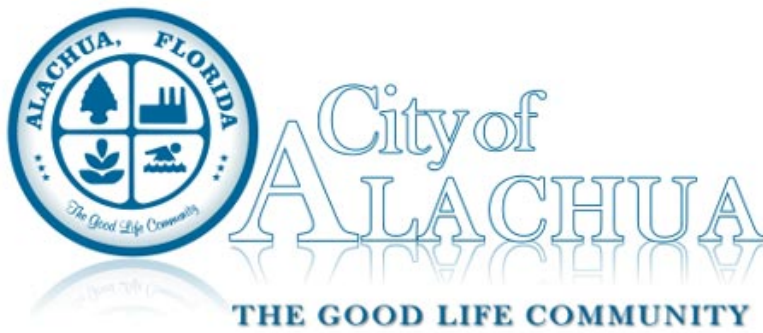
The ordinance title is as follows:

ORDINANCE 24-02

AN ORDINANCE OF THE CITY OF ALACHUA, FLORIDA; IMPLEMENTING THE STATE'S STATUTORY MANDATE TO PREPARE BUSINESS IMPACT ESTIMATES PRIOR TO THE ADOPTION OF PROPOSED ORDINANCES PURSUANT TO SECTION 166.041(4) (a), FLORIDA STATUTES; PROVIDING FINDINGS; ADOPTING BUSINESS IMPACT ESTIMATE PROCEDURES, REQUIREMENTS, & EXEMPTIONS; PROVIDING FOR SEVERABILITY, PROVIDING FOR INCLUSION IN THE CITY CODE AND SCRIVENER'S ERRORS, CONFLICTS, AND AN EFFECTIVE DATE.

At the public hearing, all interested parties may appear and be heard with respect to the item. Copies of the ordinance and supplementary material are available for public inspection at the Deputy City Clerk's Office, 15100 NW 142nd Terrace, Alachua, Florida, on any regular business day between the hours of 7:30 a.m. to 6:00 p.m. Written comments on the item may be sent to the following address: City of Alachua, Deputy City Clerk, P.O. Box 9, Alachua, FL 32616. Notice is given pursuant to Section 286.0105, Florida Statutes, that, in order to appeal any decision made at the public hearing, you will need a record of the proceedings, and that, for such purpose, you may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based. In accordance with the Americans with Disabilities Act, any persons with a disability requiring reasonable accommodation in order to participate in this meeting should call the Deputy City Clerk at (386) 418-6100 x 1501 at least 48 hours prior to the public hearing.

(Published: Alachua County Today - December 28, 2023)



Commission Agenda Item

MEETING DATE: 1/8/2024

SUBJECT: Ordinance 24-03: Changes to the Election Code

PREPARED BY: LeAnne Williams, Deputy City Clerk

RECOMMENDED ACTION:

Staff recommends that the City Commission approve Ordinance 24-03 on first reading and schedule second and final reading for January 22, 2024.

Summary

Ordinance 24-03 brings forward proposed changes to incorporate into Chapter 14- Elections of the Code of Ordinance of the City of Alachua. The proposed amendments are to make changes to update and streamline the following sections:

- Section 14.06- Qualification of Electors
- Section 14.08- Qualification of Candidates for City Commission
- Section 14.11- Appointment of Inspectors and Clerk; Opening and Closing of Polls; Substitute Inspectors and Clerks
- Section 14.12- Oath of Inspectors and Clerks
- Section 14.13- Ballots; Contents
- Section 14.15- Clerks to be Chairpersons of the Elections Boards; Decision of Majority to Decide Question
- Section 14.16- Board of Canvassers; Composition, Power and Duties

The proposed amendments will enable the City Elections to flow smoothly and function within the parameters of the Code.

Attached are:

- Proposed Ord 24-03
- Exhibit A – Proposed Changes with Strikethrough
- Exhibit B – Code Sections as they will be accepted into the code of ordinances

ATTACHMENTS:

Description

▣ Ordinance 24-03

- ▢ Exhibit A - Strikethrough
- ▢ Exhibit B - Code Ready
- ▢ Ad - Alachua County Today

ORDINANCE 24-03

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF ALACHUA FLORIDA, AMENDING CHAPTER 14 OF THE CODE OF ORDINANCES OF THE CITY OF ALACHUA, ELECTIONS; AMENDING SECTION 14.06- QUALIFICATION OF ELECTORS; AMENDING SECTION 14.08- QUALIFICATION OF CANDIDATES FOR CITY COMMISSION; AMENDING SECTION 14.11- APPOINTMENT OF INSPECTORS AND CLERKS; OPENING AND CLOSING OF POLLS; SUBSTITUTE INSPECTORS AND CLERKS; AMENDING SECTION 14.12- OATH OF INSPECTORS AND CLERKS; AMENDING SECTION 14.13- BALLOTS; CONTENTS; AMENDING SECTION 14.15- CLERKS TO BE CHAIRPERSONS OF ELECTION BOARDS; DECISION OF MAJORITY TO DECIDE QUESTIONS; AMENDING SECTION 14.16- BOARD OF CANVASSERS; COMPOSITION, POWER AND DUTIES; INCORPORATING INTO THE CODE OF ORDINANCES; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CITY CODE AND SCRIVENER’S ERRORS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Alachua Charter provides that the City Commission of the City of Alachua (herein, “Commission”) shall be the judge of its own election and qualification of its own members subject to review”, and as such, the Commission has adopted and included Chapter 14, Elections, in the Code of Ordinances of the City of Alachua (herein, “Code”); and

WHEREAS, from time to time, the Commission amends Chapter 14, Elections, in order to update and streamline this section; and

WHEREAS, the Commission has reviewed the proposed changes to Section 14.06, Section 14.08, Section 14.11, Section 14.12, Section 14.13, Section 14.15 and Section 14.16 of Chapter 14 of the Code which are as highlighted in attached Exhibit “A”; and

WHEREAS, the Commission, being fully advised of the facts and circumstances finds it to be in the best interest of the City to adopt the amendments in attached Exhibit “A” and incorporate the changes into the Code.

NOW THEREFORE BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF ALACHUA, FLORIDA.

Section 1. INCORPORATION BY REFERENCE

The above RECITALS are true and correct and are incorporated as material portions of this Ordinance 24-03 as if fully sets forth herein, and are accurate findings of facts and conclusions of law.

Section 2. Approval of Amendments

The Commission hereby approves the Amendments to Sections 14.06, 14.08, 14.11, 14.12, 14.13, 14.15, and 14.16 of Chapter 14 as they are highlighted in attached Exhibit “A” and set forth in these sections in Attached Exhibit “B”.

Section 3. Inclusion in the Code

The proposed amendments which are contained in Exhibit “B” shall be codified into Chapter 14 and be made part of the Code. Any renumbering, re-lettering, or other changes necessary to accomplish this codification are authorized.

Section 4. Correction of Scrivener’s Errors

The City Manager or designee, without a public hearing, is authorized to correct any scrivener's error, which do not affect the intent of this ordinance.

Section 5. Repealing Clause

All ordinances or parts of ordinances in conflict with this ordinance are, to the extent of the conflict, hereby repealed.

Section 6. Providing for Severability

The Commission directs and authorizes that, if any section, sentence, clause, phrase, or provision of this ordinance is for any reason held or declared to be unconstitutional, void, or inoperative by a court or agency of competent jurisdiction, such holding of invalidity or unconstitutionality shall not affect the remaining provisions of this ordinance and the remainder of this ordinance, after the exclusion of such part or parts, shall be deemed to be valid.

Section 7. Effective Date

This Ordinance shall be effective upon its passage and adoption on the second and final reading.

PASSED on first reading on the 08 of January, 2024.

PASSED and **DULY ADOPTED**, in regular session, with a quorum present and voting, by the City Commission, upon second reading this 22, January, 2024.

**CITY COMMISSION OF THE
CITY OF ALACHUA, FLORIDA**

Gib Coerper, Mayor
SEAL

ATTEST:

APPROVED AS TO FORM

Mike DaRoza, City Manager/Clerk

Marian B. Rush, City Attorney

EXHIBIT “A”

(Proposed Changes to Chapter 14 are Printed in Red)

AMENDING CHAPTER 14, SECTION 06 RELATING TO THE QUALIFICATION OF ELECTORS

Every person who is a qualified elector under the laws of the State of Florida, ~~and~~ who ~~is~~ has been a permanent resident of the City for six consecutive months, is eligible to register with the Supervisor of Elections when the registration books for an election are open. Upon registration, such person shall be a qualified elector of the City.

AMENDING CHAPTER 14, SECTION 08 RELATING TO THE QUALIFICATION OF CANDIDATES FOR CITY COMMISSION

Any person who is a resident of the City and is a qualified elector ~~therein in the City~~ may become a candidate for the office of Mayor or City Commissioner of the City by taking a written oath before the City Clerk or ~~his~~ Clerk's designee, that the person possesses the qualifications to become a candidate for such office and designating the group in which the person shall run. As a condition precedent to qualifying the candidate shall pay to the City Clerk ~~the sum of \$25.00~~ 1% of the expected salary for the position as a qualifying fee, or such person shall furnish the Clerk with ~~petition~~ petitions requesting that such person become a candidate for the Mayor or City Commission. Said ~~petition~~ petitions shall be signed by at least ~~25~~ 1% of the electors of the City, and shall be accompanied by a statement in writing signed by the Alachua County Supervisor of Elections certifying that each of the signatures on such ~~petition~~ petitions has been checked by the Supervisor and that each of the signatures on the ~~petition~~ petitions is that of a qualified elector of the City. The period in which a person may submit the oath, qualifying fee or ~~petition~~ petitions, and all other required forms to the City Clerk shall be from noon on the third Tuesday in February prior to the election until noon on the fourth Tuesday in February prior to the election.

AMENDING CHAPTER 14, SECTION 11 RELATING TO THE APPOINTMENT OF INSPECTORS AND CLERKS

The City Clerk or designee shall appoint the necessary clerks and inspectors necessary to conduct the election. If at the time the polls are to be open, ~~and any such~~ inspector or clerk is not present or should refuse to serve, ~~those present may choose from the qualified voters present sufficient persons to complete the number of inspectors or clerks~~ the City Clerk or designee shall appoint qualified replacements. ~~No Only elector~~ electors who ~~cannot~~ can read and write the English language shall be appointed or chosen clerk or inspector of any election. Poll workers who have been trained for a City election shall be deemed to have been trained for all runoff elections that may arise from that election.

AMENDING CHAPTER 14, SECTION 12 RELATING TO THE OATH OF INSPECTORS AND CLERKS

The inspectors and clerks shall take and subscribe to an oath or affirmation, which shall be written or printed, to the effect that they will perform the duties of inspectors and clerks of the election according to law and will endeavor to prevent all fraud, deceit or abuse in conducting the same. Such oaths may be taken before an officer authorized to administer oaths, or before either of the persons who are to act as inspectors and clerks; one of them to swear to others and one of the others thus sworn in turn to administer the oath to him/her who has not been sworn. Such oaths shall be returned with the returns of the election to the ~~Mayor~~ City Clerk or designee.

AMENDING CHAPTER 14, SECTION 13 BALLOTS; CONTENTS

The names of all qualified candidates for election to the City Commission shall be placed upon the ballot in alphabetical order according to surnames; provided, no person's name shall be printed on the ballot if that person notifies the City Commission not less than 20 days prior to the election that he/she will not accept the nomination.

In the event that electronic ballot counting machines are not available, or preprinted, **scannable** ballots cannot be delivered in time for the election, or any other such eventuality, the City may conduct its general and runoff elections with paper ballots which shall be tallied by manual count.

AMENDING CHAPTER 14, SECTION 15 ~~CLERKS TO BE CHAIRPERSONS OF THE ELECTION BAORDS; DECISION OF THE MALORITY TO DECIDE QUESTIONS. CLERK OF THE PRECINCT~~

The Clerks at the respective polling places of the election shall ~~be Chairpersons of their boards. In deciding~~ decide any and all questions that may arise ~~regarding the election before the Inspectors and Clerks at any polling places of the election, the decision of the majority of them shall decide such questions.~~ Should the Clerk require more information, a cell phone shall be provided and accessible so the City Clerk or designee can be contacted for further information.

AMENDING CHAPTER 14, SECTION 16 BOARD OF CANVASSERS; COMPOSITION; POWER AND DUTIES

The board of canvassers for all elections held for the election of Mayor and City Commissioners and for questions submitted to a vote of the people are as follows: The Mayor, or in his absence **and when Seat 1 (Mayor) is on the ballot**, a Commissioner designated by the Mayor who shall serve as chairman of the board of canvassers, the City Clerk and one other elector to be appointed by the Mayor. The chairman of the canvassing board shall have authority to designate an additional elector or electors, to serve as a member of the board of canvassers in the absence of any member of the said board. The board shall meet within 24 hours after the close of the polls to canvass the election returns of the inspectors and clerks of the election and to canvass the absentee electors' ballots, and to declare the election result and certify the election. If, however, there are unresolved provisional ballots, the canvassing board will not certify the election when it canvasses the election returns of the inspectors and clerks of the election and canvasses the absentee ballots. If there are unresolved provisional ballots, the canvassing board will meet again after 5:00 p.m. on the second day after the election at which time the canvassing board shall count the provisional ballots, declare the election results, and certify the election. No other board of the City of Alachua shall certify the results of the election. In the event it may be necessary, in order to come to a proper decision, the board shall have the power to examine witnesses and take testimony. The certification of the election shall be forwarded to the City Commission.

EXHIBIT “B”

(Code sections incorporating proposed changes)

Sec. 14-6. – Qualification of electors.

Every person who is a qualified elector under the laws of the State of Florida, who has been a permanent resident of the City for six consecutive months is eligible to register with the Supervisor of Elections when the registration books for an election are open. Upon registration, such person shall be a qualified elector of the City.

Sec. 14-8. – Qualification of candidates for City.

Any person who is a resident of the City and is a qualified elector in the City, may become a candidate for the office of Mayor or City Commissioner of the City by taking a written oath before the City Clerk or Clerk’s designee, that the person possesses the qualifications to become a candidate for such office and designating the group in which the person shall run. As a condition precedent to qualifying the candidate shall pay to the City Clerk 1% of the expected salary for the position as a qualifying fee, or such person shall furnish the Clerk with petitions requesting that such person become a candidate for the Mayor or City Commission. Said petitions shall be signed by at least 1% of the electors of the City, and shall be accompanied by a statement in writing signed by the Alachua County Supervisor of Elections certifying that each of the signatures on such petitions has been checked by the Supervisor and that each of the signatures on the petitions is that of a qualified elector of the City. The period in which a person may submit the oath, qualifying fee or petitions, and all other required forms to the City Clerk shall be from noon on the third Tuesday in February prior to the election until noon on the fourth Tuesday in February prior to the election.

Sec. 14-11. - Appointment of Inspectors and Clerks; opening and closing polls; substitute inspectors and clerks.

The City Clerk or designee shall appoint the necessary clerks and inspectors necessary to conduct the election. If at the time the polls are to be open, and any inspector or clerk is not present or should refuse to serve, the City Clerk or designee shall appoint qualified replacements. Only electors who can read and write the English language shall be appointed or chosen clerk or inspector of any election. Poll workers who have been trained for a City election shall be deemed to have been trained for all runoff elections that may arise from that election.

Sec. 14-12. - Oath of Inspectors and Clerks.

The inspectors and clerks shall take and subscribe to an oath or affirmation, which shall be written or printed, to the effect that they will perform the duties of inspectors and clerks of the election according to law and will endeavor to prevent all fraud, deceit or abuse in conducting the same. Such oaths may be taken before an officer authorized to administer oaths, or before either of the persons who are to act as inspectors and clerks; one of them to swear to others and one of the others thus sworn in turn to administer the oath to him/her who has not been sworn. Such oaths shall be returned with the returns of the election to the City Clerk or designee.

Sec. 14-13. - Ballots; contents.

The names of all qualified candidates for election to the City Commission shall be placed upon the ballot in alphabetical order according to surnames; provided, no person's name shall be printed on the ballot if that person notifies the City Commission not less than 20 days prior to the election that he/she will not accept the nomination.

In the event that electronic ballot counting machines are not available, or preprinted, scannable ballots cannot be delivered in time for the election, or any other such eventuality, the City may conduct its general and runoff elections with paper ballots which shall be tallied by manual count.

Sec. 14-15. - Clerk of the Precinct.

The Clerks at the respective polling places of the election shall decide any and all questions that may arise regarding the election. Should the Clerk require more information, a cell phone shall be provided and accessible so the City Clerk or designee can be contacted for further information.

Sec. 14-16. - Board of Canvassers; composition; powers and duties.

The board of canvassers for all elections held for the election of Mayor and City Commissioners and for questions submitted to a vote of the people are as follows: The Mayor, or in his absence and when Seat 1 (Mayor) is on the ballot, a Commissioner designated by the Mayor who shall serve as chairman of the board of canvassers, the City Clerk and one other elector to be appointed by the Mayor. The chairman of the canvassing board shall have authority to designate an additional elector or electors, to serve as a member of the board of canvassers in the absence of any member of the said board. The board shall meet within 24 hours after the close of the polls to canvass the election returns of the inspectors and clerks of the election and to canvass the absentee electors' ballots, and to declare the election result and certify the election. If, however, there are unresolved provisional ballots, the canvassing board will not certify the election when it canvasses the election returns of the inspectors and clerks of the election and canvasses the absentee ballots. If there are unresolved provisional ballots, the canvassing board will meet again after 5:00 p.m. on the second day after the election at which time the canvassing board shall count the provisional ballots, declare the election results, and certify the election. No other board of the City of Alachua shall certify the results of the election. In the event it may be necessary, in order to come to a proper decision, the board shall have the power to examine witnesses and take testimony. The certification of the election shall be forwarded to the City Commission.

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City of
ALACHUA

**PUBLIC NOTICE OF
ENACTMENT OF AN
ORDINANCE OF THE
CITY OF ALACHUA,
FLORIDA**

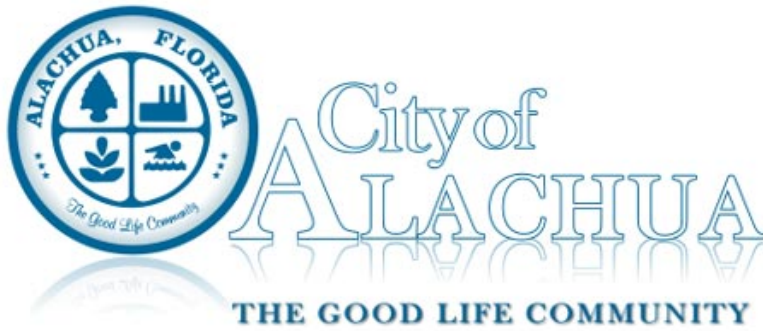
Notice is hereby given that the City Commission of the City of Alachua will hold a public hearing on a proposed ordinance. The hearing will be held on January 8, 2023 at 6:00 p.m., in the James A. Lewis Commission Chambers in City Hall, located at 15100 NW 142nd Terrace, Alachua, Florida.

The ordinance title is as follows:

ORDINANCE 24-03

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF ALACHUA FLORIDA, AMENDING CHAPTER 14 OF THE CODE OF ORDINANCES OF THE CITY OF ALACHUA, ELECTIONS; AMENDING SECTION 14.06- QUALIFICATION OF ELECTORS; AMENDING SECTION 14.08- QUALIFICATION OF CANDIDATES FOR CITY COMMISSION; AMENDING SECTION 14.11- APPOINTMENT OF INSPECTORS; OPENING AND CLOSING OF POLLS; SUBSTITUTE INSPECTORS AND CLERKS; AMENDING SECTION 14.12- OATH OF INSPECTORS AND CLERKS; AMENDING SECTION 14.13- BALLOTS; CONTENTS; AMENDING SECTION 14.15- CLERK OF THE CHAIRPERSONS OF ELECTION BOARDS; DECISION OF MAJORITY TO DECIDE QUESTIONS; AMENDING SECTION 14.16- BOARD OF CANVASSERS; COMPOSITION, POWER AND DUTIES; INCORPORATING INTO THE CODE OF ORDINANCES; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CITY CODE AND SCRIVENER'S ERRORS; AND PROVIDING AN EFFECTIVE DATE.

At the public hearing, all interested parties may appear and be heard with respect to the item. Copies of the ordinance and supplementary material are available for public inspection at the Deputy City Clerk's Office, 15100 NW 142nd Terrace, Alachua, Florida, on any regular business day between the hours of 7:30 a.m. to 6:00 p.m. Written comments on the item may be sent to the following address: City of Alachua, Deputy City Clerk, P.O. Box 9, Alachua, FL 32616. Notice is given pursuant to Section 286.0105, Florida Statutes, that, in order to appeal any decision made at the public hearing, you will need a record of the proceedings, and that, for such purpose, you may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based. In accordance with the Americans with Disabilities Act, any persons with a disability requiring reasonable accommodation in order to participate in this



Commission Agenda Item

MEETING DATE: 1/8/2024

SUBJECT: Purchase of Transformers

PREPARED BY: Donna Smith, Purchasing Coordinator

RECOMMENDED ACTION:

- 1) Waive the bidding set forth in the PSPR Manual.
 - 2) Accept the quote from Gresco Utility Supply Inc. and authorize the purchase of thirty-five (35) new 1PH Transformers.
 - 3) Authorize the City Manager to issue a Purchase Order in the amount of \$195,305.00.
-

Summary

The City's Public Services electric division needs to purchase 1PH Transformers. Supply issues and lead times continue to challenge the electric division with regard to the purchasing of transformers in a timely fashion.

Gresco Utility Supply Inc. has a slot opening to purchase 1PH transformers with an estimated lead time of 16-18 weeks.

While Section 1.01 (G.5) of the Purchasing and Sales Policy and Regulations (PSPR) Manual requires purchases greater than \$100,000 to be awarded on the basis of sealed competitive bidding, Section 1.01(A.4) provides waiver by specific action of the City Commission as provided for in Section 1.01 (A.7) which provides for the waiver of any requirement on the basis of an emergency, necessity or other exigent circumstances.

Staff recommends waiving the bidding requirement set forth in the PSPR Manual and proceeding with the purchase of the new transformers.

FINANCIAL IMPACT: Yes

BUDGETED: Yes

AMOUNT: \$195,305.00

FUNDING SOURCE: Electric Fund

COMMISSION GOALS:
Quality of Life

ATTACHMENTS:

	Description
▢	Gresco Utility Quote

160
10

41
10

509
10

699
5

Category	Price	Lead time	KVA	Tank Steel Type	Description
1PH Pad	\$ 4,010.00	16-18 weeks	25	MILD STEEL TANK, 14GA MS DOOR, 14GA MS SILL	025KVA, 12470GRDY/7200, 240/120, NT, 2HV, WELLS, +INSERT
1PH Pad	\$ 5,097.00	16-18 weeks	50	MILD STEEL TANK, 14GA MS DOOR, 14GA MS SILL	050KVA, 12470GRDY/7200, 240/120, NT, 2HV, WELLS, +INSERT
1PH Pad	\$ 6,435.00	16-18 weeks	75	MILD STEEL TANK, 14GA MS DOOR, 14GA MS SILL	075KVA, 12470GRDY/7200, 240/120, NT, 2HV, WELLS, +INSERT
1PH Pad	\$ 7,977.00	16-18 weeks	100	MILD STEEL TANK, 14GA MS DOOR, 14GA MS SILL	100KVA, 12470GRDY/7200, 240/120, NT, 2HV, WELLS, +INSERT

Thanks,
Anthony Mells
Inside Sales Coordinator
anthony.mells@gresco.com
P: 352-748-9550 Ext. 2507
F: 352-748-9333

195,305.00

24-03361
Gresco

Sole Source Certification

Vendor: Gresco

INITIAL ALL ENTRIES BELOW THAT APPLY TO THE PURCHASE. ATTACH ADDITIONAL DATA OR SUPPORT DOCUMENTATION AS NECESSARY (MORE THAN ONE ENTRY WILL APPLY TO MOST SOLE SOURCE PRODUCTS OR SERVICE.

7.04 Sole Source and Proprietary Purchases

A. Sole source and proprietary purchases are defined and used interchangeably as purchases of supplies, equipment and contractual services that are:

- ☒ 1. The only choice that will produce the necessary result or meet a unique performance requirement and available from only one source.
- ☐ 2. Available from only one vendor and there is no comparable product.
- ☐ 3. Required to match existing piece or brand of equipment and available from only one vendor.
- ☐ 4. Required for repair or maintenance of specific brand of existing equipment and available from only one original equipment manufacturer or designated service dealer.
- ☐ 5. Used Equipment.
- ☐ 6. Supported by explanation which must be documented in writing.*
- ☐ 7. Services available from vendors (firms or individuals) uniquely qualified to perform such services.

*Comments/Explanations: (Use Reverse Side If Necessary)

This is the only vendor that has available slots to purchase 1PH Transformers.

This sole source is in accordance to Section 7.05 of the Purchasing and Sales Policy and Regulations.

Signed: signature approved via electronic requisition approval process.

Department Director

Date: 12/19/23