

**A RESOLUTION OF APPRECIATION FOR THE ORLANDO UTILITIES COMMISSION BY 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**, during the early morning hours on February 2, 2006, a tornado damaged the Turnbull Estates and Islesboro subdivisions and adjacent areas in New Smyrna Beach. Residential homes were destroyed and damaged, as well as the utility infrastructure servicing these areas; and

**WHEREAS**, the Utilities Commission in an effort to restore electric service as quickly as possible, requested assistance through the Florida Municipal Electric Association and the Orlando Utilities Commission responded.

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

**SECTION 1:** The Utilities Commission, City of New Smyrna Beach, Florida does hereby express our appreciation, and will be forever grateful, to the Orlando Utilities Commission for their quick response, excellent teamwork, and for the compassion and care given to our customers.

**SECTION 2:** 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**SECTION 3:** All Resolutions, or portions thereof, in conflict herewith are hereby rescinded and superseded.

**SECTION 4:** 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 February 26, 2007, by Commissioner Spangler, who moved its adoption, which motion was seconded by Commissioner Diesen, and upon roll call vote of the Commission was as follows:

CHAIRMAN	<u>[Signature]</u>	<u>yes</u>
VICE CHAIRMAN	<u>[Signature]</u>	<u>yes</u>
SECY.-TREAS.	<u>[Signature]</u>	<u>yes</u>
-ASST-SECY.-TREAS.- COMMISSIONER	<u>[Signature]</u>	<u>yes</u>
COMMISSIONER	<u>[Signature]</u>	<u>yes</u>

APPROVED:

[Signature]

CHAIRMAN

ATTEST:

[Signature]

SECRETARY-TREASURER

S E A L

APPROVED AS TO FORM AND  
CORRECTNESS:

[Signature]

Utilities Commission Attorney