



**DATE:** January 22, 2026

**TO:** Mayor Debbie Trice  
Vice Mayor Kathy Kelley Ohlrich  
Commissioner Jen Ahearn-Koch  
Commissioner Liz Alpert  
Commissioner Kyle Battie

Notice is hereby given that the Regular Meeting of the City Commission shall be held as required by Article III, Section 9(a) of the City Charter and by Resolution No. 91R-500, on **Monday, February 2, 2026, at 9:00 a.m.** in the Commission Chambers at City Hall, 1565 First Street, Sarasota, Florida. PLEASE NOTE: The City Commission will recess for lunch at approximately 12:00 pm.

Individuals who wish to participate in the City Commission Meeting in person may do so by coming to City Hall. Individuals who prefer to participate remotely in the City Commission meeting may obtain instructions to participate via zoom by emailing [clerk@sarasotafl.gov](mailto:clerk@sarasotafl.gov) with your request **no later than the deadline of 5:00 p.m. on Friday, January 30, 2026.** Individuals may provide written comments for agenda items which allow citizens input up until 15 minutes prior to the start of the meeting by utilizing the eComments link next to the published agenda on the [Upcoming Events](#) webpage accessible through the City of Sarasota website by clicking on "Meetings/Agendas/Video" from the main page.

If a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Shayla Griggs  
City Auditor and Clerk

c: Dave Bullock, Interim City Manager  
Joseph Polzak, City Attorney  
Pat Robinson, Deputy City Manager  
Lori Rivers, Deputy City Auditor and Clerk  
Jamese Johnson, Coordinator Commission Reporter  
Miles Larsen, Manager, Public Broadcasting  
John Nopper, Government Access, Program Coordinator  
Chief Rex Troche, Police Department  
File

Debbie Trice  
Mayor



Vice Mayor Kathy Kelley Ohlrich  
Commissioner Jen Ahearn-Koch  
Commissioner Liz Alpert  
Commissioner Kyle Battie

## **REGULAR CITY COMMISSION MEETING OF FEBRUARY 2, 2026**

**WELCOME** to a Regular meeting of the City Commission. This Agenda includes all matters scheduled to come before the Commission at this meeting. It is prepared to help you follow the proceedings of the meeting. Your interest is appreciated, and we invite your comments. Input from citizens is important; we need and welcome it.

**If you wish to address the Commission, please fill out a "Request To Speak" Form** located on the table at the back of the Commission Chambers. Fill out the form completely, indicating the Agenda Item to which you intend to speak, and place the form in the box on the table. **If you intend to speak under Citizens' Input Concerning City Topics**, the subject should also be noted on the "Request To Speak" Form. **Agenda Items for which citizens' comments are not permitted are noted.** In general, these will be items on which a public hearing has previously been held. Listed below are the time limits established for speaking:

- **Public Hearings - Quasi-judicial:** A reasonable amount of time to be determined by the City Commission will be provided to Applicants and Affected Persons desiring to speak.
- **Public Hearings - Legislative:** Citizens desiring to speak are allowed five (5) minutes. Petitioners are allowed fifteen (15) minutes with a five (5) minute rebuttal at the close of the public hearing. We will ask you to take an oath that all evidence and testimony presented during the public hearing are truthful.
- **Citizens' Input Concerning City Topics** - Citizens desiring to speak are allowed three (3) minutes. Remember, appearances before the Commission are not a substitute for attempting to resolve your issue(s) through the appropriate administrative channels. **Citizens' Input is to allow citizens the opportunity to present their view on matters concerning City topics but not on items scheduled elsewhere on the Agenda.** Questions and answers shall not be permitted. Matters presented to the Commission may be referred by the Mayor, with consensus of the Commission, to the Administration for action and possible follow-up at a future Commission meeting. We expect that citizens have first attempted to speak directly with the City's Administration.
- **Other Agenda Items permitting citizens' comment** - Citizens desiring to speak are allowed **three (3) minutes.** Agenda items for which citizens' comments are not permitted are noted in the left margin of the Agenda.

The City Auditor and Clerk will forward all Request to Speak forms to the Mayor. When the Mayor calls your name, come to the Commission table, and restate your name for the record. We ask that your comments be limited to the subject of the Agenda Item. Remember, we are always happy to listen to your comments; however, this is not intended to be an extended question and answer session.

Again, the City Commission thanks you for taking the time to participate in our meeting.

**DEBBIE TRICE**  
Mayor



## **AGENDA**

**REGULAR CITY COMMISSION MEETING**

**February 2, 2026**

**CITY HALL**

**City Commission Chambers  
9:00 AM**

**1565 First Street  
Sarasota, Florida**

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**\*\* PLEASE NOTE: THE COMMISSION WILL RECESS FOR LUNCH AT APPROX.  
12:00P.M. \*\***

**CALL MEETING TO ORDER  
INVOCATION  
PLEDGE OF ALLEGIANCE**

**APPROVE PROPOSED AGENDA SCHEDULE**

Citizens' comments are not permitted on Proposed Agenda Schedule

**I. COMMISSION PRESENTATIONS:**

**II. SCHEDULED PRESENTATIONS:**

Scheduled Presentations are limited to 7 minutes. No action may be taken by the Commission other than referral to the administration. Citizens comments are not permitted on Scheduled Presentations

**PLEDGE OF PUBLIC CONDUCT**

**III. CITIZENS' INPUT CONCERNING CITY TOPICS:**

(Limited to 30 minutes)

Note to the Public:

At this time, citizens may address the Commission on topics concerning the City. (3 minutes per person time limit) Citizens' Input is to allow citizens the opportunity to present their view on matters concerning City topics but not on items scheduled elsewhere on the Agenda or items that were the subject of a previously held public hearing which has been closed and Commission deliberations continued to a future date. Questions and answers shall not be permitted; however, matters presented to the Commission may be referred by the Mayor, with consensus of the Commission, to the Administration for action and possible follow-up at a future Commission meeting.

#### **IV. APPROVAL OF MINUTES:**

Citizens' comments are not permitted on Approval of the Minutes items.

- IV.1 Approval Re: Minutes of the Regular Sarasota City Commission Meeting of January 05, 2026 (CITIZENS COMMENTS ARE NOT PERMITTED ON THIS ITEM)

[IV.1 Agenda Request Form.pdf](#)  
[26-01-05 Regular.FINAL.pdf](#)

- IV.2 Approval Re: Minutes of the Special Sarasota City Commission Meeting of January 13, 2026 (CITIZENS COMMENTS ARE NOT PERMITTED ON THIS ITEM)

[IV.2 Agenda Request Form.pdf](#)  
[26-01-13 Special.FINAL.pdf](#)

#### **V. BOARD ACTIONS:**

#### **VI. CONSENT AGENDA NO. 1:**

Note to the Public: All matters listed under Consent Agenda No. 1, are considered to be routine by the City Commission and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

- VI.1 Approval Re: Authorize the Mayor and City Auditor and Clerk to execute the 2025-2026 Annual Agreement between the City of Sarasota and The Salvation Army for Homeless Outreach Team Beds in the amount of \$410,365.00

[VI.1 Agenda Request Form.pdf](#)  
[BOTExecutedAgreement\\_TSAS\\_Signatures.pdf](#)

- VI.2 Approval Re: Proposed 2026-2027 Budget Calendar requiring City Commission involvement

[VI.2 Agenda Request Form.pdf](#)  
[Agenda Attachment Commission Dates 2027.pdf](#)

- VI.3 Approval Re: Authorize the Mayor and City Auditor and Clerk to execute the Interlocal Agreement between the City of Sarasota and Sarasota County regarding Parking Enforcement Services for Ted Sperling Park at South Lido Key

[VI.3 Agenda Request Form.pdf](#)  
[Backup Material Ted Sperling Parking Agreement.pdf](#)

- VI.4 Approval Re: Authorize the Mayor and City Auditor and Clerk to execute the Agreement between the City of Sarasota and American Gravegroomers, LLC (Invitation to Bid 25-56SH) for Maintenance and Restoration Services for Historic Cemeteries at a cost of approximately \$96,800.00 annually

[VI.4 Agenda Request Form.pdf](#)  
[Cemetery Maintenance City of Sarasota Agreement.pdf](#)

- VI.5 Approval Re: Authorize the Mayor and the City Auditor and Clerk to execute the Agreement between the City of Sarasota and Accurate Power and Technology,



INC., CEC Motor & Utility Services, LLC, MCS of Tampa, INC., Putka Corporation, Shore Power Electric, INC., Windemuller Technical Services, INC., (ITB 26-04MC) for As-Needed Electrical Troubleshooting, Repairs, and Installation Services

[VI.5 Agenda Request Form.pdf](#)

[ITB 26-04MC Electrical Services Agreement Back Up Documents w. Signatures.pdf](#)

- VI.6 Approval Re: Authorize the Mayor and the City Auditor and Clerk to execute the Agreement between the City of Sarasota and Harvard Jolly, Inc., D/B/A Harvard Jolly Architecture & PBK. (RFP 25-28HR) for As-Needed Architectural Services

[VI.6 Agenda Request Form.pdf](#)

[Back Up For RFP25-28HR PT. 2 Harvard Jolly, Inc., DBA Harvard Jolly Architecture & PBK..pdf](#)

- VI.7 Approval Re: Authorize the Mayor and City Auditor and Clerk to execute the Agreements between City of Sarasota and Insituform Technologies, LLC, Rowland (DE), LLC, National Water Main Cleaning Company and RCM Utilities, LLC (Bid No. 25-50JS) for City-Wide Sanitary Sewer Manhole Rehabilitation with an estimated total annual expense of approximately \$400,000.00

[VI.7 Agenda Request Form.pdf](#)

[ManholeRehabFullPacket.pdf](#)

## **VII. CONSENT AGENDA NO. 2:**

Note to the Public: All matters listed under Consent Agenda No. 2, are considered to be routine by the City Commission and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

- VII.1 Adoption Re: Proposed Resolution No. 26R-3375, amending the budget for the fiscal year beginning October 1, 2025, by providing for supplemental appropriations in the amounts identified in Exhibit A; providing for severability if any of the parts hereof are declared invalid, etc. (Title Only). To transfer \$25,000 from the General Fund to the Information Technology Fund to increase an expenditure budget for Workday subscription and services fees

[VII.1 Agenda Request Form.pdf](#)

[Res 26R-3375 Backup 02-02-26.pdf](#)

## **VIII. BOARD APPOINTMENTS:**

## **IX. UNFINISHED BUSINESS:**

- IX.1 Adoption Re: Second Reading of Proposed Ordinance No. 25-5581, amending the Future Land Use Chapter of the Comprehensive Plan of the City of Sarasota [AKA The Sarasota City Plan] to change the Future Land Use Map Classification of a parcel of real property containing approximately 9.22+/- acres and constituting approximately the southern two thirds of a larger 13.95 acre parcel of real property located on the south side of Dr. Martin Luther King, Jr. Way, west of the railroad right of way, east of the right of way of Marian Anderson Place and north of 21st Street, generally known as the Marian Anderson Place Brownfield

site, and having a street address of 2046 Dr. Martin Luther King Jr. Way, from the Community Commercial Future Land Use Map Classification to the Production Intensive Commercial Future Land Use Map Classification, in accordance with Comprehensive Plan Amendment Application No. 25-PA-02; repealing ordinances in conflict; providing for the severability of the parts hereof, etc. (Title Only) (Application No. 25-PA-02, Applicant: City of Sarasota)

[IX.1 Agenda Request Form.pdf](#)

[Ordinance No 25-5581 for 2nd Reading.pdf](#)

- IX.2 Approval Re: Authorize the Mayor and City Auditor and Clerk to execute the Third Amendment to Agreement between the City of Sarasota and Jon F. Swift Construction (RFP #20-19TS) for the design and construction plans of the new one-story clubhouse with a separate cart storage building at the Bobby Jones Golf Club for \$514,957.00

[IX.2 Agenda Request Form.pdf](#)

[Third Amendment to Bobby Jones Agreement.pdf](#)

- IX.3 Adoption Re: Proposed Resolution No. 26R-3376, amending the budget for the fiscal year beginning October 1, 2025 by providing for supplemental appropriations in the amounts identified in Exhibit A; providing for severability if any of the parts hereof are declared invalid, etc. (Title Only). To to establish an expenditure budget utilizing available fund balance in the amount of \$1,179,006.00, within the Bobby Jones Golf Course Construction Fund for costs related to the construction of the Bobby Jones Clubhouse

[IX.3 Agenda Request Form.pdf](#)

[Res 26R-3376 Backup 02-02-26.pdf](#)

## **X. LEGISLATIVE PUBLIC HEARINGS:**

Note to the Public: At this time citizens will take an oath if they desire to speak at the following public hearings.

- X.1 Public Hearing Re: Proposed Ordinance No. 26-5588, repealing and replacing Article VI of Chapter 2 of the Sarasota City Code Regarding City Procurement; amending Section 2-5 of the City Code relating to contract approval authority; making related findings; and providing for severability, codification and an effective date (Title Only)

[X.1 Agenda Request Form.pdf](#)

[Back up Materials - Procurement Code Ordinance No. 26-5588.pdf](#)

- X.2 Public Hearing Re: Proposed Ordinance No. 26-5591, amending the Code of the City of Sarasota; Chapter 33, Traffic and Motor Vehicles; to establish fees and maximum time limits for the use of the day docks at the Bay Park as more fully specified herein; and to change the title of Article IV of Chapter 33 and the title of Division 2 within said Article IV as provided herein; repealing ordinances in conflict; providing for severability of the parts hereof, etc. (Title Only)

[X.2 Agenda Request Form.pdf](#)

[Backup Documents Day Docking Fees Ordianance No. 26-5591.pdf](#)

## **XI. QUASI-JUDICIAL PUBLIC HEARINGS:**

Note to the Public: At this time citizens will take an oath if they desire to speak at the

following public hearings.

**XII. NEW BUSINESS:**

XII.1 Direction Re: Request for the City Commission to consider providing owner's consent which will allow the Historic Preservation Board to hold a Public Hearing regarding local designation of the Payne Park Auditorium

[XII.1 Agenda Request Form.pdf](#)

[Feb 2 2026 BACKUP CC Mtg New Business Owners Consent PPA.pdf](#)

**XIII. CITIZENS INPUT CONCERNING CITY TOPICS:** (Limited to 30 minutes)

Note to the Public: At this time, citizens may address the Commission on topics concerning the City. (3 minutes per person time limit) Citizens' Input is to allow citizens the opportunity to present their view on matters concerning City topics but not on items scheduled elsewhere on the Agenda or items that were the subject of a previously held public hearing which has been closed and Commission deliberations continued to a future date. Questions and answers shall not be permitted; however, matters presented to the Commission may be referred by the Mayor, with consensus of the Commission, to the Administration for action and possible follow-up at a future Commission meeting.

**XIV. REMARKS OF COMMISSIONERS, ANNOUNCEMENTS AND ITEMS FOR NEXT AGENDA:**

**XV. OTHER MATTERS/ADMINISTRATIVE OFFICERS:**

**XVI. ADJOURN**

**MEETING NOTICE**

Meeting Notice

[2-2-26 Regular Meeting Notice.pdf](#)

**CITY COMMISSION RULES OF PROCEDURE**

City Commission Rules of Procedure

[RulesofProcedure April 2025.pdf](#)



## Notice to the Public

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The City of Sarasota is committed to providing qualified disabled individuals an opportunity to participate in meetings of the City Commission.

The City of Sarasota prohibits discrimination in all services, programs, or activities on the basis of race, color, national origin, age, disability, sex or gender, marital or familial status, religion, sexual orientation, veteran status, or genetic information. Persons with disabilities who require assistance or alternative means for communication of program information such as Braille, large print, audiotape, etc., should contact: The City of Sarasota ADA Coordinator, Jake Brown, at (941) 263-6299 or by email at [adacoordinator@sarasotafl.gov](mailto:adacoordinator@sarasotafl.gov).

In accordance with the Americans with Disabilities Act of 1990 and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in a meeting should contact the ADA Coordinator at (941) 263-6299 at least two business days prior to the date of the meeting as to the nature of the auxiliary aids and/or service necessary.

Every effort will be made to provide such aid or service to the extent that they are reasonable, do not result in undue financial or administrative burden, and do not alter the fundamental nature of the meeting. Consideration will be given to the individual's preferred aid or service. However, alternatives may be provided if in the City's determination such alternatives provide an effective means of communication. For the benefit of individuals utilizing hearing aids with a T-coil, the City Commission Chambers and SRQ Media Studio are outfitted with a Hearing Induction Loop for enhanced hearing assistance.

Proceedings will be electronically recorded. Should an individual feel that a verbatim transcription of the proceedings may later be needed, said individual has the burden and expense of arranging for same. Copies of the electronic recording may be purchased from the Office of the City Auditor and Clerk.

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**Shayla Griggs**  
City Auditor and Clerk

RESOLUTION NO. 26R-3375

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF SARASOTA, FLORIDA AMENDING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2025 BY PROVIDING FOR SUPPLEMENTAL APPROPRIATIONS IN THE AMOUNTS IDENTIFIED IN EXHIBIT A; PROVIDING FOR SEVERABILITY IF ANY OF THE PARTS HEREOF ARE DECLARED INVALID; PROVIDING FOR READING BY TITLE ONLY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Resolution No. 25R-3340 the City has adopted a budget for the fiscal year beginning on October 1, 2025 and ending on September 30, 2026; and

WHEREAS, the City needs to amend said budget so as to provide for supplemental appropriations in the amounts identified in Exhibit A; and

WHEREAS, Section 166.241 (4) (c) Florida Statutes requires such a budget amendment be adopted in the same manner as the original budget.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF SARASOTA, FLORIDA:

Section 1. The budget for the fiscal year commencing October 1, 2025 is hereby amended by providing for supplemental appropriations in the amounts identified in Exhibit A.

Section 2. Should any section, sentence, clause, part or provision of this Resolution be declared invalid or unenforceable, by a court of competent jurisdiction, the same shall not affect the validity of this Resolution as a whole, or any part hereof other than the part declared to be invalid. Said provision declared to be invalid shall be deemed severed from the remaining provisions of this Resolution.

Section 3. Resolutions or parts of Resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. This Resolution shall take effect immediately upon adoption.

ADOPTED by the City Commission of the City of Sarasota, upon reading by title only, after posting on the bulletin board at City Hall for at least three (3) days prior to adoption, as provided by Article IV, Section 2 of the Charter of the City of Sarasota, this 2<sup>nd</sup> day of February 2026.

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Debbie Trice, Mayor

ATTEST:

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Shayla Griggs  
City Auditor and Clerk

_____	Mayor Trice
_____	Vice Mayor Ohlrich
_____	Commissioner Ahearn-Koch
_____	Commissioner Battie
_____	Commissioner Alpert

**EXHIBIT A**  
City of Sarasota  
Budget Amendments for 2025-26

Back up #	Cost Center	Program	Spend/Revenue Category	Grant/Project	Appropriated Expense	Appropriated Revenue	Use of Fund Balance
<hr/>							
02/02-01			<i><u>F.1000 General Fund</u></i>				
	Unclassified Admin	Unclassified Admin	Motor Vehicle Maintenance		\$ (25,000)		
	Unclassified Admin	Unclassified Admin	Transfers Out		\$ 25,000		
			<i><u>F.5002 Information Technology Fund</u></i>				
	Information Technology	Information Technology	Transfers In			\$ 25,000	
	Information Technology	Information Technology	Computer and Software Maintenance		\$ 25,000		

Description: to increase the expenditure budget for higher than anticipated Workday Subscription and service fees



ORDINANCE NO. 25-5581

AN ORDINANCE OF THE CITY OF SARASOTA, FLORIDA, AMENDING THE FUTURE LAND USE CHAPTER OF THE COMPREHENSIVE PLAN OF THE CITY OF SARASOTA [AKA *THE SARASOTA CITY PLAN*] TO CHANGE THE FUTURE LAND USE MAP CLASSIFICATION OF A PARCEL OF REAL PROPERTY CONTAINING APPROXIMATELY 9.22± ACRES AND CONSTITUTING APPROXIMATELY THE SOUTHERN TWO THIRDS OF A LARGER 13.95 ACRE PARCEL OF REAL PROPERTY LOCATED ON THE SOUTH SIDE OF DR. MARTIN LUTHER KING, JR. WAY, WEST OF THE RAILROAD RIGHT OF WAY, EAST OF THE RIGHT OF WAY OF MARIAN ANDERSON PLACE AND NORTH OF 21ST STREET, GENERALLY KNOWN AS THE MARIAN ANDERSON PLACE BROWNFIELD SITE, AND HAVING A STREET ADDRESS OF 2046 DR. MARTIN LUTHER KING JR. WAY, FROM THE COMMUNITY COMMERCIAL FUTURE LAND USE MAP CLASSIFICATION TO THE PRODUCTION INTENSIVE COMMERCIAL FUTURE LAND USE MAP CLASSIFICATION, IN ACCORDANCE WITH COMPREHENSIVE PLAN AMENDMENT APPLICATION NO. 25-PA-02; REPEALING ORDINANCES IN CONFLICT; PROVIDING FOR THE SEVERABILITY OF THE PARTS HEREOF; PROVIDING FOR READING BY TITLE ONLY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on December 1, 2008, the City of Sarasota, by the adoption of Ordinance No 08-4792 adopted a new Comprehensive Plan known as the *Sarasota City Plan*; and,

WHEREAS, the City of Sarasota hereinafter referred to as Applicant, filed Application No. 25-PA-02 to amend the Comprehensive Plan of the City of Sarasota a/k/a the *Sarasota City Plan* so as to change the future land use map classification of an approximately 9.22± acre parcel of real property from the Community Commercial Future Land Use Map Classification to the Production Intensive Commercial Future Land Use Map Classification (the "Subject Property"); and

WHEREAS, the Subject Property constitutes approximately the southern two thirds of a larger City owned 13.95 acre parcel of property generally known as the Marian Anderson Place Brownfield site and having a street address of 2046 Dr. Martin Luther King Jr. Way; and

WHEREAS, the City of Sarasota, as Seller and Newtown Gateway, LLC, as Buyer have entered into a Purchase and Sale Agreement dated May 3, 2023 providing for the sale and conveyance of the entire 13.95 acre Marian Anderson Place Brownfield Site, (including the 9.22 acre Subject Property) upon the terms and conditions stated therein; and

WHEREAS, the Purchase and Sale Agreement requires that upon the happening of specified conditions precedent, which have occurred, that the City of Sarasota shall prepare and file, at its sole expense, an application to amend the Future Land Use Map of the City of Sarasota Comprehensive Plan to change the future land use classification of the southern portion (i.e. the Subject Property) of the property described in the Purchase and Sale Agreement from Community Commercial to Production Intensive Commercial; and

WHEREAS, the Purchase and Sale Agreement contains an acknowledgment from the Buyer (presently the contract vendee) that, in accordance with Florida law, final action on the Comprehensive Plan Amendment application requires the City Commission to make a decision which is legislative in nature; and contains a further acknowledgment from Buyer that such legislative decision shall be made at the sole discretion of the City Commission in the exercise of its collective legislative judgment as to whether the proposed amendment, if approved, would serve the public interest and satisfy applicable regulatory criteria; and,

WHEREAS, the Purchase and Sale Agreement provides that in light of the above acknowledgments, nothing therein shall be construed to impose a contractual obligation on the Seller (City of Sarasota) to approve the proposed Amendment to the Comprehensive Plan to change the future land use classification of the southern portion of the site to Production Intensive Commercial; and,

WHEREAS, this proposed comprehensive plan amendment constitutes a small scale development activity as defined in Section 163.3187 (1), Florida Statutes, because all three (3) conditions specified in the applicable statute have been met; and

WHEREAS, the City of Sarasota Planning Board/Local Planning Agency held a duly noticed public hearing on September 10, 2025 for the purpose of reviewing the proposed amendment, considering the staff report, the guidelines for review in Section IV-1406, Zoning Code and receiving testimony and evidence on proposed Comprehensive Plan Amendment No. 25-PA-02; and

WHEREAS, at the conclusion of said public hearing, the Planning Board adopted a motion to recommend approval of the proposed Comprehensive Plan Amendment No. 25-PA-02 to the City Commission; and

WHEREAS, the City Commission held one adoption stage public hearing on November 3, 2025 for the purpose of reviewing the proposed *Sarasota City Plan* amendment, considering the reports from both the Planning Board and the staff, the guidelines for review in Section IV-1406 Zoning Code, and receiving testimony and evidence; and

WHEREAS, pursuant to Article IV, Section 2(j)(1) of the City Charter, this Ordinance 25-5581 requires a super majority vote of the City Commission for adoption.

NOW THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF SARASOTA, FLORIDA:

Section 1: Adoption of Amendment to Comprehensive Plan - Future Land Use Map.

The *Sarasota City Plan* is hereby amended as follows:

The City of Sarasota "Future Land Use Map" (also known as Illustration LU-6) is amended to change the future land use map classification of the following described approximately 9.22± acre parcel of real property from the Community Commercial Future Land Use Map Classifications to the Production Intensive Commercial Future Land Use Map Classification:

A Legal Description of Subject Property is provided on Exhibit "A" attached hereto and by this reference incorporated herein and made a part hereof.

The Subject Property is also outlined in blue on the "Aerial Photo of the Subject Site" on Exhibit "B" attached hereto and by this reference incorporated herein and made a part hereof.

The Subject Property is also outlined in blue on the "Proposed Future Land Use Map" on "Exhibit C" attached hereto and by this reference incorporated herein and made a part hereof.

The parcel identification number assigned by the Sarasota County Property Appraiser's Office to the entire 13.95 acre Marian Anderson Place Brownfield site is Parcel ID #0043040014. However, Boundary Adjustment Application 25-BA-08 has been filed to split the site into a north parcel and a south parcel. Upon approval of the Boundary Adjustment Application, it is anticipated that the Property Appraiser will assign separate parcel identification numbers to the north and the south parcel, respectively.

The implementing zones for the Production Intensive Commercial Future Land Use Map Classification are the Intensive Commercial District (ICD), Industrial General District (IGD), Industrial Heavy District (IHG), and the Governmental (G) zone district. The property owner is not entitled to a rezoning to the Zone District which would provide the maximum development density or intensity within the Production Intensive Commercial Future Land Use Map Classification. See Snyder v. Brevard County, 627 So.2d 469 (Fla. 1993), and Action Strategy 3.9 of the Future Land Use Chapter of the *Sarasota City Plan*.

Section 2: Adoption of Amendment to Comprehensive Plan - Text Amendment. The text of the Future Land Use Chapter of the *Sarasota City Plan*, Action Strategy 1.10, Site Specific Future Land Use Amendment Limitations, is hereby amended so as to add a new subsection (10). The new subsection (10) shall provide as follows:

Action Strategy 1.10 Site Specific Limitations: Notwithstanding the maximum density or intensity that would otherwise be permitted by the requested Future Land Use Map Classification, the applicants for amendments to the Future Land Use Map pertaining to the following sites have proffered limitations on the maximum density and intensity of development which have been accepted and approved by the City. The limitations are as follows:

(10) Application 25-PA-02 to reclassify approximately 9.22 acres from Community Commercial to Production Intensive Commercial (Parcel ID No. XXX)

Notwithstanding that salvage and recycling operations are considered permitted uses under the Industrial Use category of uses in two of the implementing zone districts in the Production Intensive Commercial Future Land Use Classification, there shall be no uses or activities in an open air setting on the site that involve: (i) the processing or recycling of refuse or trash or (ii) the crushing, breaking, grinding or pulverizing of rocks, concrete, mortar, asbestos, asphalt or substantially similar materials.

Section 3: Repeal of Ordinances in Conflict. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed, but only to the extent of such conflict.

Section 4: Severability. It is hereby declared to be the intention of the City Commission that the sections, paragraphs, sentences, clauses, and phrases of this ordinance shall be deemed severable, and if any phrase, clause, sentence, paragraph or section of this ordinance is declared unconstitutional or otherwise invalid by the valid judgment of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance.

Section 5: Effective Date. The effective date of this small-scale development amendment to the Sarasota City Plan shall be thirty-one (31) days after the adoption of this Ordinance on second reading. Alternatively, if the small-scale development amendment adopted

PASSED on first reading by title only, after posting for public viewing at City Hall for at least three (3) days prior to first reading, as authorized by Article IV, Section 2, Charter of the City of Sarasota, Florida this 3rd day of November, 2025.

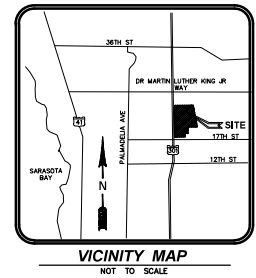
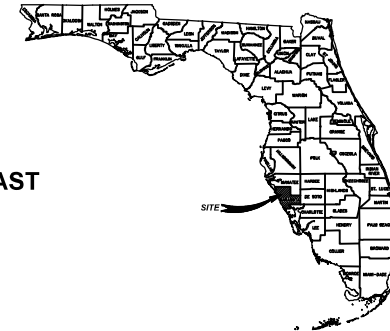
Debbie Trice, Mayor

Shayla Griggs  
City Auditor and Clerk

\_\_\_\_ Mayor Debbie Trice  
\_\_\_\_ Vice Mayor Kathy Kelley Ohlrich  
\_\_\_\_ Commissioner Jen Ahearn-Koch  
\_\_\_\_ Commissioner Liz Alpert  
\_\_\_\_ Commissioner Kyle Scott Battie

BOUNDARY SURVEY  
FOR  
**CITY OF SARASOTA**  
REMAINDER PARCEL

AT  
2046 DR. MARTIN LUTHER KING JR. WAY  
LYING IN  
**SECTION 17-TOWNSHIP 36 SOUTH-RANGE 18 EAST**  
**SARASOTA COUNTY, FLORIDA**



**Legal Description:**

TRACTS C, D AND E OF McKAIGS SUBDIVISION OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 17, TOWNSHIP 36 SOUTH, RANGE 18 EAST, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 4, PAGE 35, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA.

LESS AND EXCEPT THAT PORTION CONVEYED BY QUITCLAIM DEED RECORDED IN INSTRUMENT NUMBER 2008055552 AND THAT PORTION CONVEYED BY CITY DEED RECORDED IN INSTRUMENT NUMBER 2008076584.

ALSO LESS AND EXCEPT AN EXISTING LIFT STATION BEING AN 80'X90' PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND BEING IN TRACTS C AND D, ACCORDING TO McKAIG'S SUBDIVISION OF THE NW 1/4 OF NW 1/4 OF SECTION 17, TOWNSHIP 36 SOUTH, RANGE 18 EAST, AS RECORDED IN PLAT BOOK 4, PAGE 35 OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF TRACT D, ACCORDING TO McKAIG'S SUBDIVISION OF THE NW 1/4 OF NW 1/4 OF SECTION 17, TOWNSHIP 36 SOUTH, RANGE 18 EAST, AS RECORDED IN PLAT BOOK 4, PAGE 35 OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE RUN N 00°16'13" E ALONG THE EAST LINE OF SAID TRACT D, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID EAST LINE RUN S 89°47'42" W ALONG A LINE PARALLEL WITH AND 20.00 FEET NORTH (AS MEASURED PERPENDICULARLY) TO THE SOUTH LINE OF TRACTS C AND D OF AFORESAID PLAT, A DISTANCE OF 80.00 FEET; THENCE DEPARTING SAID LINE RUN N 00°16'13" E ALONG A LINE PARALLEL WITH AND 80.00 FEET WEST (AS MEASURED PERPENDICULARLY) TO THE AFORESAID EAST LINE OF SAID TRACT D, A DISTANCE OF 90.00 FEET; THENCE DEPARTING SAID LINE RUN N 89°47'42" E ALONG A LINE PARALLEL WITH AND 110.00 FEET NORTH (AS MEASURED PERPENDICULARLY) TO THE AFORESAID SOUTH LINE OF SAID TRACTS C AND D, A DISTANCE OF 80.00 FEET TO A POINT LYING ON THE AFORESAID EAST LINE OF TRACT D; THENCE RUN S 00°16'13" W ALONG SAID EAST LINE, A DISTANCE OF 90.00 FEET TO THE POINT OF BEGINNING.

AND ALSO LESS:

A PORTION OF TRACTS C, D AND E OF McKAIGS SUBDIVISION OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 17, TOWNSHIP 36 SOUTH, RANGE 18 EAST, AS PER THE PLAT THEREOF AS RECORDED IN PLAT BOOK 4, PAGE 35, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF TRACT C OF McKAIGS SUBDIVISION OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 17, TOWNSHIP 36 SOUTH, RANGE 18 EAST, AS PER THE PLAT THEREOF AS RECORDED IN PLAT BOOK 4, PAGE 35, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE RUN N 89°53'03"E ALONG THE SOUTH RIGHT OF WAY LINE OF 33RD STREET AS PER SAID PLAT, A DISTANCE OF 438.92 FEET TO A POINT LYING ON THE WEST RIGHT OF WAY LINE OF THE ATLANTIC COASTLINE RAILROAD RIGHT OF WAY, ALSO BEING THE EAST LINE OF TRACT E OF THE AFOREMENTIONED PLAT; THENCE DEPARTING SAID SOUTH RIGHT OF WAY LINE RUN S 09°05'19" E ALONG SAID LINE, A DISTANCE OF 439.87 FEET; THENCE DEPARTING SAID LINE RUN S 89°53'03" W, A DISTANCE OF 510.45 FEET TO A POINT LYING ON THE EAST RIGHT OF WAY LINE OF MARIAN ANDERSON STREET ALSO BEING THE WEST LINE OF AFORESAID TRACT C; THENCE RUN N 00°16'13" E ALONG SAID LINE, A DISTANCE OF 434.50 FEET TO THE POINT OF BEGINNING.

CONTAINING 401,652 SQUARE FEET OR 9.22 ACRES MORE OR LESS.

**Index of Survey Sheets**

1	COVER SHEET
2	NOTES/LEGENDS
3	BOUNDARY SURVEY

**Surveyor's Certification:**

I hereby certify that the attached "Boundary Survey" of the hereon-described property is true and correct to the best of my knowledge, information and belief as surveyed in the field on June 2, 2025. I further certify that this "Boundary Survey" meets the standards of practice set forth in Rule Chapter 5J-17 of the Florida Administrative Code, pursuant to FS 472.027.



Digitally signed by  
Thomas J Galloway  
Date: 2025.06.12  
11:32:53 -04'00'

For the Firm By: \_\_\_\_\_

Thomas J. Galloway  
Professional Surveyor and Mapper  
Florida Registration No. 6549

THE ELECTRONIC SIGNATURE HEREON IS IN COMPLIANCE WITH THE FLORIDA ADMINISTRATIVE CODE (FAC) 5J-17.062(3) AND THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY THOMAS J. GALLOWAY, PSM, 6549 ON 6/12/2025 PER 5J-17.062(2)

© 2025	Date: 6/2/25	Job No. 2500705
Drawn by: RDB	Scale: N/A	File: 2500705 REMAINDER PARCEL.DWG

**NOTE:**

THIS SURVEY IS NOT VALID WITHOUT SHEETS 1 THROUGH 3 OF 3.


 www.cphcorp.com	<b>Building Better Communities Together</b> 500 West Fulton Street Sanford, FL 32771 Ph: 407.322.6841 © 2025	Plans Prepared By: CPH, LLC A Full Service A & E Firm State of Florida License: Surveyor No. LB7143	No.	Date	Revision	By	CITY OF SARASOTA SECTION 17-TOWNSHIP 36 SOUTH-RANGE 18 EAST SARASOTA COUNTY, FLORIDA	Sheet No. <b>1</b> of 3
			△					
			△				BOUNDARY SURVEY REMAINDER PARCEL	
			△					

Exhibit A

### Abbreviation Legend:

(A)	ACTUAL	MES	MITERED END SECTION
A/C	AIR CONDITIONER	MH	MANHOLE
ACSM	AMERICAN CONGRESS ON SURVEYING & MAPPING	MHP	METAL LIGHT POLE
ADA	AMERICANS WITH DISABILITIES ACT	MPP	METAL POWER POLE
ALTA	AMERICAN LAND TITLE ASSOCIATION	N/A	NOT APPLICABLE
APPROX	APPROXIMATE	NAVD	NORTH AMERICAN VERTICAL DATUM
ARV	AIR RELEASE VALVE	NAD	NORTH AMERICAN DATUM
AVE	AVENUE	NG	NATURAL GROUND
AVG	AVERAGE	NGS	NATIONAL GEODETIC SURVEY
BBS	BEARING BASIS	NGVD	NATIONAL GEODETIC VERTICAL DATUM
BFP	BACK FLOW PREVENTER	N & D	NAIL AND DISK
BLK	BLOCK	NO.	NUMBER
BLDG	BUILDING	NR	NON-RADIAL
BLVD	BOULEVARD	NSPS	NATIONAL SOCIETY OF PROFESSIONAL SURVEYORS
BM	BENCH MARK	NT	NON-TANGENT
BOC	BACK OF CURB	NTSE	NOT TO SCALE
BOW	BACK OF WALK	OD	OUTSIDE DIAMETER
BSL	BUILDING SETBACK LINE	ORB	OFFICIAL RECORDS BOOK
BWF	BARBED WIRE FENCE	OR	OFFICIAL RECORDS
C-X	DENOTES SHEET NUMBERING FOR ENGINEERING PLANS	OTL	OVERHEAD UTILITY LINES
(C)	CALCULATED	(P)	PLAT
C	CHORD	PB	PLAT BOOK
CATV	CABLE TELEVISION RISER	PC	POINT OF CURVATURE
CB	CHORD BEARING	PCC	POINT OF COMPOUND CURVATURE
CBS	CONCRETE BLOCK STRUCTURE	PCP	PERMANENT CONTROL POINT
C & G	CURB & GUTTER	PFF	PROPOSED FINISHED FLOOR
CI	CATCH INLET	PG	PAGE
C/L	CENTERLINE	PGS	PAGES
CLFE	CHAIN LINK FENCE	PI	POINT OF INTERSECTION
CM	CONCRETE MONUMENT	PK	PARKER KAYLON
CMP	CORRUGATED METAL PIPE	POB	POINT OF BEGINNING
CO	CLEANOUT	POCE	POINT OF COMMENCEMENT
CONC	CONCRETE	POL	POINT ON LINE
COR	CORNER	PP	POWER POLE
CRPP	CORRUGATED PLASTIC PIPE	PRC	POINT OF REVERSE CURVATURE
CUE	COUNTY UTILITY EASEMENT	PRM	PERMANENT REFERENCE MONUMENT
CWS	CROSSWALK SIGNAL	PSM	PROFESSIONAL SURVEYOR & MAPPER
(D)	DESCRIPTION	PT	POINT OF TANGENCY
DB	DEED BOOK	PVC	POLYVINYL CHLORIDE PIPE
DBH	DIAMETER AT BREAST HEIGHT IN INCHES	PWMT	PAVEMENT
DE	DRAINAGE EASEMENT	R18E	RANGE 18 EAST
DEPT	DEPARTMENT	R	RADIUS
DIP	DUCTILE IRON PIPE	RAD	RADIAL
DR	DRIVE	RCPE	REINFORCED CONCRETE PIPE
D/U	DRAINAGE AND UTILITY EASEMENT	REC	RECOVERED
(E)	ENGINEERING PLAN	REVE	REVISION
EJB	ELECTRIC JUNCTION BOX	RP	RADIUS POINT
EL	UNDERGROUND ELECTRICAL LINES	R/W	RIGHT-OF-WAY
ELEC	ELECTRIC	RLS	REGISTERED LAND SURVEYOR
ELEV	ELEVATION	RP	RADIUS POINT
ELLIP	ELLIPTICAL	RWL	UNDERGROUND RECLAIM WATER LINE
END	END OF INFORMATION	RWM	RECLAIMED WATER METER
EOP	EDGE OF PAVEMENT	SE	SPECIAL EASEMENT
FB	FIELD BOOK	SEC 17	SECTION 17
FDOT	FLORIDA DEPARTMENT OF TRANSPORTATION	SMH	SANITARY SEWER MANHOLE
FT	FINISH FLOOR	SO	SQUARE
FGI	FLAT GRATE INLET	SQ FT	SQUARE FEET
FGLP	FIBERGLASS LIGHT POLE	ST	STREET
FHYD	FIRE HYDRANT	STMH	STORM DRAINAGE MANHOLE
FM	FORCE MAIN	S/W	SIDEWALK
FND	FOUND	TB	TANGENT BEARING
FP&L	FLORIDA POWER AND LIGHT	T36S	TOWNSHIP 36 SOUTH
FS	FLORIDA STATUTE	TELE	TELEPHONE
(G)	GRID (STATE PLANE)	TL	OVERHEAD TRAFFIC SIGNAL LINES
GL	UNDERGROUND GAS LINES	TOB	TOP OF BANK
GOVT	GOVERNMENT	TOEE	TOE OF SLOPE
GPR	GROUND PENETRATING RADAR	TR	TELEPHONE RISER
GTMH	GREASE TRAP MANHOLE	TRANS	TRANSFORMER PAD
HDPE	HIGH DENSITY POLYETHYLENE PIPE	TSB	TRAFFIC SIGNAL BOX
HWF	HOG WIRE FENCE	TSSP	TRAFFIC SIGNAL SUPPORT POLE
ID	IDENTIFICATION	TVL	UNDERGROUND CABLE TV LINES
ICV	IRRIGATION CONTROL VALVE	(TYP)	TYPICAL
INFO	INFORMATION	UE	UTILITY EASEMENT
INV	INVERT	UNK	UNKNOWN
IP	IRON PIPE	UTL	UNDERGROUND TELEPHONE LINES
IP&C	IRON PIPE & CAP	W	WITH
IR	IRON ROD	W/L	UNDERGROUND WATER LINE
IR&C	IRON REBAR & CAP	WLP	WOOD LIGHT POLE
IRR	IRRIGATION	WM	WATER METER
L	ARC LENGTH	WP	WORK PROGRAM
LB#E	LICENSED BUSINESS NUMBER	WPF	WOOD POST FENCE
LP	LIGHT POLE	WPPE	WOOD POWER POLE
(M)	MEASURED	WV	WATER VALVE
MB	MAP BOOK		
MBX	MAILBOX		

### Sign Legend:

NOT TO SCALE

(R1)	ROW NUMBER SIGN	(1W)	ONE WAY SIGN (R6-2)
(B)	BUS STOP SIGN	(PE)	PEDESTRIAN CROSSING SIGN
(DNE)	DO NOT ENTER SIGN (R5-1)	(RTO)	RIGHT TURN ONLY
(HC)	HANDICAP SIGN	(SL)	SPEED LIMIT SIGN
(KR)	KEEP RIGHT SIGN	(ST)	STOP SIGN (R1-1)
(ME)	MEDIAN SIGN	(SS)	STREET SIGN
(ND)	NO DUMPING SIGN	(TZ)	TOW AWAY ZONE SIGN
(NL)	NO LEFT TURN SIGN (R3-2)	(TE)	TRUCK ENTRANCE SIGN
(NLI)	NO LITTERING SIGN	(U)	UNKNOWN SIGN
(FL)	NO PARKING FIRE LANE SIGN	(WL)	WEIGHT LIMIT SIGN
(NOR)	NO RIGHT TURN SIGN (R3-1)	(WW)	WRONG WAY SIGN
(NP)	NO PARKING SIGN	(Y)	YIELD SIGN

### Symbol Legend:

NOT TO SCALE

ARV	AIR RELEASE VALVE	2	PARKING SPACES (2)
CTV	BORING HOLE LOCATION	REV	REVISION NUMBER (3)
CTV	CABLE TV RISER	WM	RECLAIMED WATER METER
Δ	CENTRAL ANGLE	WM	RECLAIMED WATER VALVE
□	CONCRETE	WM	ROOF DRAIN
□	CLEAN OUT	WM	SANITARY SEWER MANHOLE
□	CONCRETE MITERED END SECTION	WM	SANITARY SEWER VALVE
□	CONCRETE RIP RAP	WM	SCHEDULE B ITEM NUMBER (8)
□	CONCRETE UTILITY POLE	WM	GROUND LIGHT
□	COUNTY ROAD SYMBOL	WM	SECTION CORNER
□	DUAL SUPPORT SIGN	WM	4" X 4" CM LB #7143
□	ELECTRICAL MANHOLE	WM	5/8" IR&C LB #7143
□	ELECTRICAL JUNCTION BOX	WM	SIGN
□	ELECTRIC OUTLET	WM	SITE BENCH MARK
□	ELECTRIC RISER	WM	STORM SEWER MANHOLE
□	FIRE HYDRANT	WM	STRIPING (DIRECTIONAL)
□	FLOOD LIGHT	WM	TELEPHONE CABLE RISER
□	FOUND CONCRETE MONUMENT (AS NOTED)	WM	TELEPHONE MANHOLE
□	FOUND IRON PIPE (AS NOTED)	WM	TELEPHONE JUNCTION BOX
□	FOUND IRON REBAR (AS NOTED)	WM	TEST HOLE
□	GAS VALVE	WM	TRAFFIC SIGNAL BOX
□	GRATE INLET	WM	TRAFFIC SIGNAL SUPPORT POLE
□	GREASE TRAP MANHOLE	WM	WATER METER
□	GUY ANCHOR	WM	WATER SERVICE
□	HANDICAP PARKING SPACE	WM	WATER SPIGOT
□	INTERSTATE SYMBOL	WM	WATER SPRINKLER
□	IRRIGATION CONTROL VALVE	WM	WATER VALVE
□	CONCRETE LIGHT POLE	WM	WELL
□	LIGHT POLE	WM	WETLAND FLAG
□	LIGHT POLE (DUAL)	WM	WOOD UTILITY POLE
□	LIGHT POLE (TRIPLE)	WM	UNKNOWN MANHOLE
□	LIGHT POLE (QUAD)	WM	CONCRETE PAVERS
□	MAILBOX	WM	DETECTABLE WARNING AREA
□	MONITOR WELLS	WM	CONCRETE LIGHT POLE (DUAL)
□	NAIL & DISC (AS NOTED)	WM	CONCRETE LIGHT POLE (TRIPLE)
□	FOUND/SET NAIL (AS NOTED)	WM	CONCRETE LIGHT POLE (QUAD)
□	BRICK PAVERS	WM	UNKNOWN RISER
□	GARBAGE CAN	WM	VENT (AS NOTED)
□	PULL BOX (AS NOTED)	WM	WIRE HEIGHTS (SEE CHART)

### Surveyor's Notes:

- COPIES OF THIS SURVEY ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
- ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
- THIS SURVEY IS NOT VALID WITHOUT SURVEY SHEETS 1 THROUGH 3 OF 3.
- THE LAST DAY FIELD WORK WAS PERFORMED WAS 6/2/2025; ALL BOUNDARY CORNERS WERE RECOVERED OR SET AS NOTED HEREON.
- THE "LEGAL DESCRIPTION" HEREON WAS PREPARED BY THE SURVEYOR PER THE CLIENT'S REQUEST.
- BEARINGS SHOWN HEREON ARE RELATIVE TO AN ASSUMED DATUM AS BEING N89°53'03"E ALONG THE SOUTH RIGHT OF WAY LINE OF 33RD STREET.
- HORIZONTAL WELL-IDENTIFIED FEATURES IN THIS SURVEY AND MAP HAVE BEEN MEASURED TO AN ESTIMATED HORIZONTAL POSITIONAL ACCURACY OF 0.05 (FT). THE EQUIPMENT USED TO VERIFY THE HORIZONTAL CONTROL ON THE SUBJECT SURVEY WAS A TOPCON GPS HIPER VR.
- THIS SURVEY DOES NOT IDENTIFY THE LIMITS OR EXTENT OF POTENTIAL JURISDICTIONAL WETLAND BOUNDARIES.
- DIMENSIONS ARE SHOWN RELATIVE TO UNITED STATES STANDARD FEET AND DECIMALS THEREOF, UNLESS THE OBJECT SHOWN IS COMMONLY IDENTIFIED IN INCHES, I.E. TREE DIAMETER, PIPE DIAMETER, ETC. TREES DEPICTED ARE COMMON NAMES AND MEASURED AND LABELED AS DIAMETER AT BREAST HEIGHT IN INCHES.

### NOTE:

THIS SURVEY IS NOT VALID WITHOUT SHEETS 1 THROUGH 3 OF 3.

© 2025	Date: 6/2/25	Job No. 2500705
Drawn by: RDB	Scale: N/A	File: 2500705 REMAINDER PARCEL.DWG
 <b>Building Better Communities Together</b> 500 West Fulton Street Sanford, FL 32771 Ph: 407.322.6841		
www.cphcorp.com		

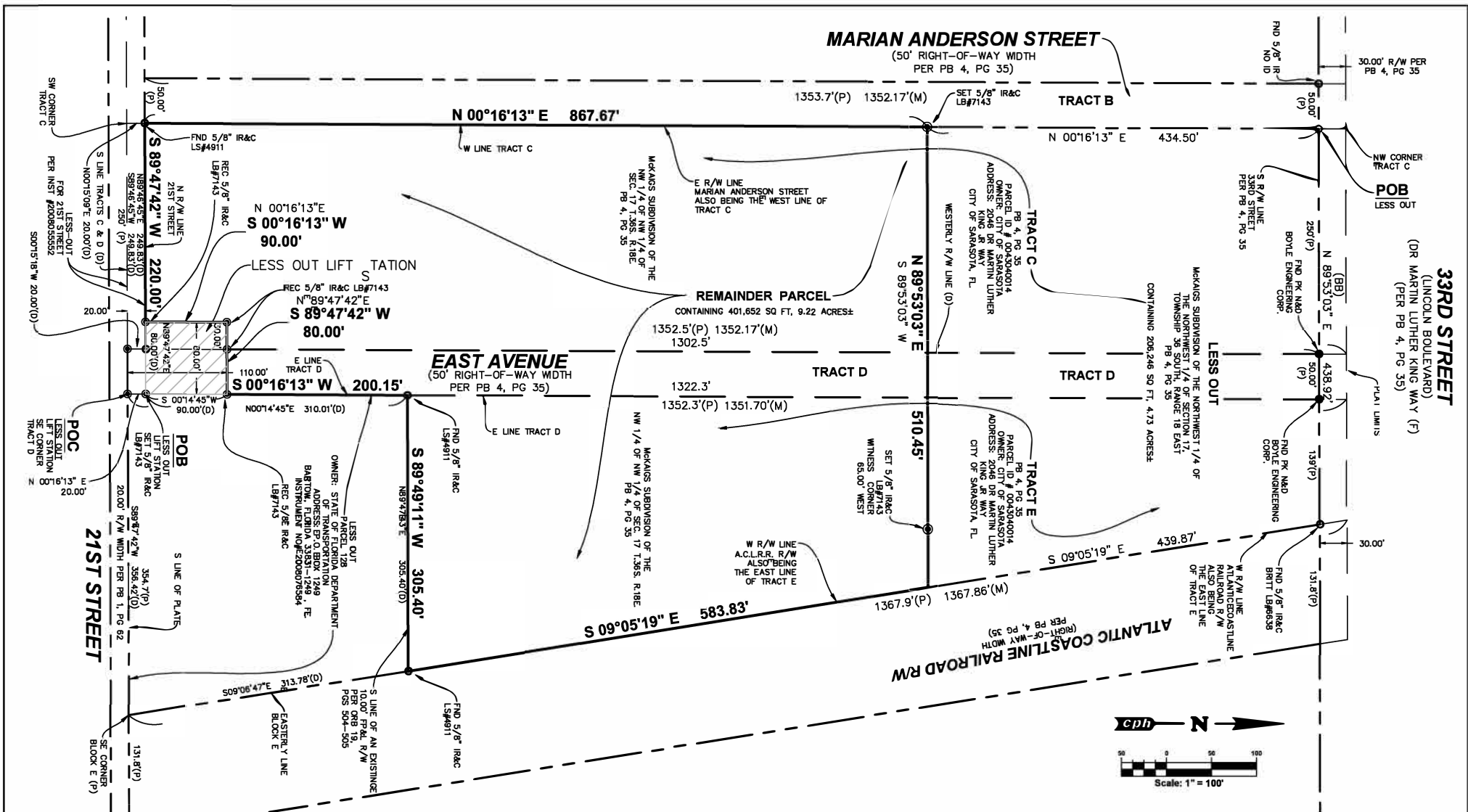
Plans Prepared By:  
 CPH, LLC  
 A Full Service A & E Firm  
 State of Florida License:  
 Surveyor No. LB7143

No.	Date	Revision	By
1			
2			
3			

**CITY OF SARASOTA**  
 SECTION 17-TOWNSHIP 36 SOUTH-RANGE 18 EAST  
 SARASOTA COUNTY, FLORIDA  
**BOUNDARY SURVEY  
 REMAINDER PARCEL**

Sheet No.  
**2**  
 of 3














© 2025		Date: 6/2/25	Job No. 2500705	NOTE:									
Drawn by: RDB		Scale: 1"=100'	File: 2500705 REMAINDER PARCEL.DWG	THIS SURVEY IS NOT VALID WITHOUT SHEETS 1 THROUGH 3 OF 3.									
<div><div>Building Better Communities Together</div><div>500 West Fulton Street Sanford, FL 32771 Ph: 407.322.6841</div><div>© 2025</div><div>www.cphcorp.com</div></div>		Plans Prepared By: CPH, LLC A Full Service A & E Firm  State of Florida License: Surveyor No. LB7143		No.	Date	Revision	By	CITY OF SARASOTA SECTION 17-TOWNSHIP 36 SOUTH-RANGE 18 EAST SARASOTA COUNTY, FLORIDA				Sheet No. <b>3</b> of 3	
													
								BOUNDARY SURVEY REMAINDER PARCEL					
													
													

Exhibit A



# Aerial Photograph (2025)



-  Site
-  Parcels
-  Municipal Boundary
-  Railroads

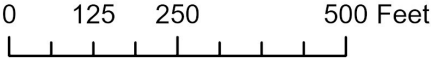
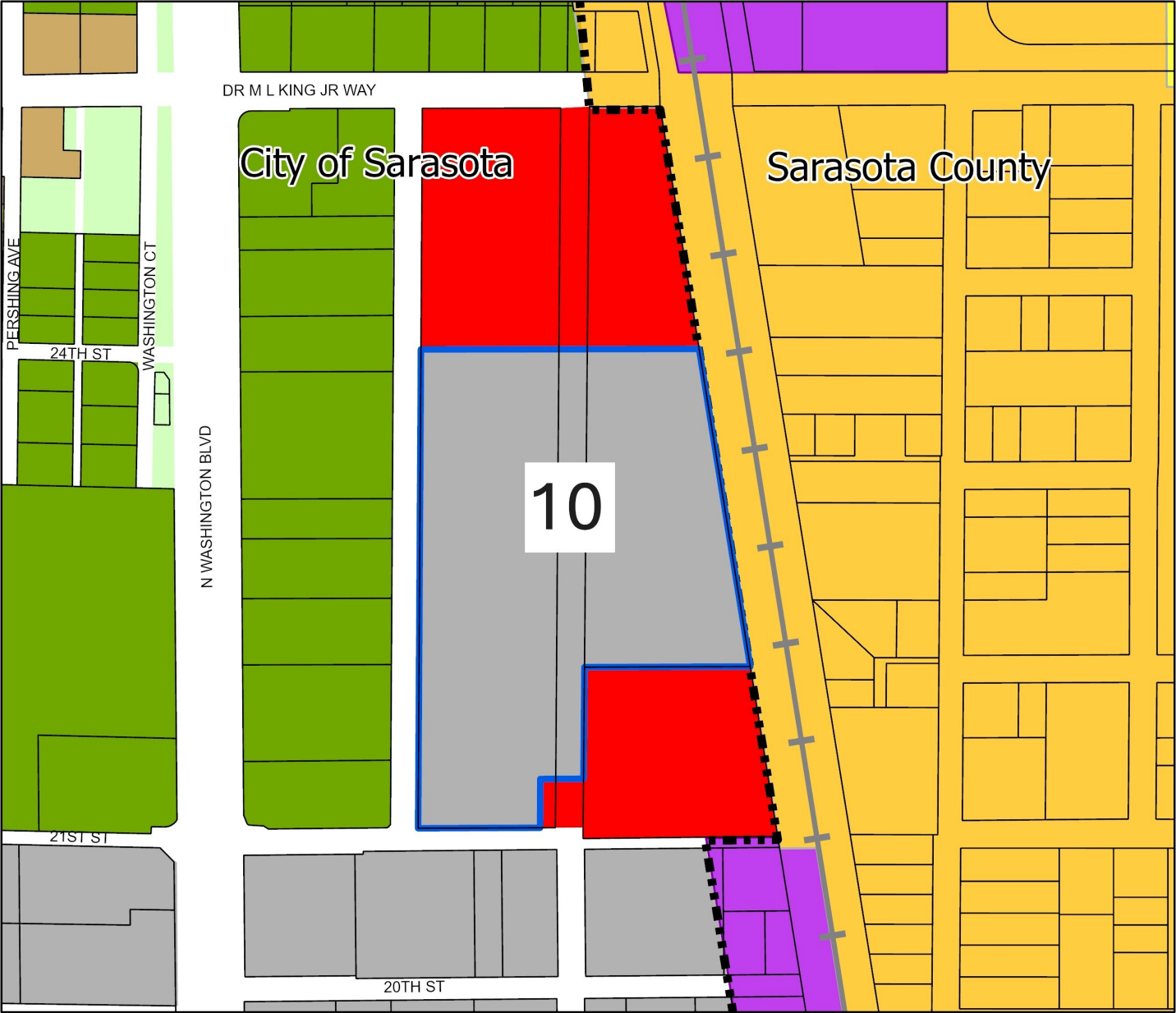


0 125 250 500 Feet

## Exhibit B



# Illustration 4 Proposed Future Land Use Map



- Site
- Parcels
- Municipal Boundary
- Railroads

## Future Land Use Classifications

- Community Commercial
- Urban Edge
- Urban Mixed-Use
- Production Intensive Commercial
- Open Space-Recreational-Conservation

## Sarasota County Future Land Use Classifications

- Major Employment Center
- Medium Density Residential (>5 and <9 DUs/Acre)

RESOLUTION NO. 26R-3376

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF SARASOTA, FLORIDA AMENDING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2025 BY PROVIDING FOR SUPPLEMENTAL APPROPRIATIONS IN THE AMOUNTS IDENTIFIED IN EXHIBIT A; PROVIDING FOR SEVERABILITY IF ANY OF THE PARTS HEREOF ARE DECLARED INVALID; PROVIDING FOR READING BY TITLE ONLY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Resolution No. 25R-3340 the City has adopted a budget for the fiscal year beginning on October 1, 2025 and ending on September 30, 2026; and

WHEREAS, the City needs to amend said budget so as to provide for supplemental appropriations in the amounts identified in Exhibit A; and

WHEREAS, Section 166.241 (4) (c) Florida Statutes requires such a budget amendment be adopted in the same manner as the original budget.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF SARASOTA, FLORIDA:

Section 1. The budget for the fiscal year commencing October 1, 2025 is hereby amended by providing for supplemental appropriations in the amounts identified in Exhibit A.

Section 2. Should any section, sentence, clause, part or provision of this Resolution be declared invalid or unenforceable, by a court of competent jurisdiction, the same shall not affect the validity of this Resolution as a whole, or any part hereof other than the part declared to be invalid. Said provision declared to be invalid shall be deemed severed from the remaining provisions of this Resolution.

Section 3. Resolutions or parts of Resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. This Resolution shall take effect immediately upon adoption.

ADOPTED by the City Commission of the City of Sarasota, upon reading by title only, after posting on the bulletin board at City Hall for at least three (3) days prior to adoption, as provided by Article IV, Section 2 of the Charter of the City of Sarasota, this 2<sup>nd</sup> day of February 2026.

---

Debbie Trice, Mayor

ATTEST:

---

Shayla Griggs  
City Auditor and Clerk

_____	Mayor Trice
_____	Vice Mayor Ohlrich
_____	Commissioner Ahearn-Koch
_____	Commissioner Battie
_____	Commissioner Alpert

**EXHIBIT A**  
City of Sarasota  
Budget Amendments for 2025-26

Back up #	Cost Center	Program	Spend/Revenue Category	Grant/Project	Appropriated Expense	Appropriated Revenue	Use of Fund Balance
<u>F.4111 Bobby Jones Golf Course Construction Fund</u>							
02/02-01	Bobby Jones Golf Course	Bobby Jones Golf Course	Capital - Various Costs	004062	\$ 1,179,006		\$ 1,179,006

Description: to establish an expenditure budget for costs related to the construction of the Bobby Jones Clubhouse

**ORDINANCE NO. 26 - 5588**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF SARASOTA, FLORIDA, REPEALING AND REPLACING ARTICLE VI OF CHAPTER 2 OF THE SARASOTA CITY CODE REGARDING CITY PROCUREMENT; AMENDING § 2-5 OF THE CITY CODE RELATED TO CONTRACT APPROVAL AUTHORITY; MAKING RELATED FINDINGS; AND PROVIDING FOR SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.**

**WHEREAS**, Article IV, § 13 of the City Charter provides that the City Commission must approve contracts with a term in excess of ten years, but otherwise provides the Commission may establish procurement rules by ordinance; and

**WHEREAS**, the City's procurement rules are set forth in Division 3 of Article VI of Chapter 2 of the Sarasota City Code; and

**WHEREAS**, § 2-5 of the City Code addresses certain delegated procurement authority; and

**WHEREAS**, the current procurement code was adopted on July 16<sup>th</sup> 2012 by Ordinance 12-5009, and portions thereof were amended on January 6<sup>th</sup> 2020 by Ordinance 19-5304; and

**WHEREAS**, in the time since the City last revised its procurement rules, there have been a variety of changes to state law impacting local government procurement; and

**WHEREAS**, in addition to changes in the law, public procurement has evolved with respect to the use of technology and a greater use of non-traditional procurement methods; and

**WHEREAS**, the City Commission has received presentations and recommendations from the City's Attorney, Manager, and procurement professionals regarding how the City's procurement practices have evolved in recent years and the need to adopt a new procurement code which creates greater efficiencies, incorporates mechanisms for accountability for staff and vendors, and which better reflects the current practices as well as best practices; and

**WHEREAS**, based on these recommendations, the City Commission desires to update the City's procurement code and finds that it is in the best interests of the City government, the vendor community, and the City's taxpayers to adopt the provisions of this Ordinance.

**NOW, THEREFORE BE IT ORDAINED** by the City Commission of the City of Sarasota, Florida, that:



**Section 1.** Division 3 (City of Sarasota Procurement Code) of Article VI (Finance, Purchasing and Sales) of Chapter 2 (Administration) of the Sarasota City Code is hereby repealed in its entirety.

**Section 2.** A new Division 3 of Article VI of Chapter 2 of the Sarasota City Code is hereby created as follows:

**DIVISION 3. – PROCUREMENT CODE**

**Sec. 2-345. – Title and purpose.**

This division shall be known and may be cited as the City of Sarasota procurement code. The purpose of this division is to provide for the fair and equitable treatment of all persons involved in public procurement activities of the city, to maximize the purchasing value of public funds in procurement, and to provide safeguards for maintaining a procurement system of quality and integrity.

**Sec. 2-346. – Application.**

- (a) This division applies to solicitations and contracts entered into for the purchase of commodities, services, and construction. Unless otherwise expressly provided, any subsequent amendment to the procurement code shall only apply to solicitations and contracts issued or entered by the city after the effective date of such amendment.
- (b) This division is to be construed in a manner consistent with any applicable provision of the general and special laws of the state and shall not apply to the extent any provision is in conflict therewith, provided, however, the provisions of this division may supersede such general or special law where the general or special law permits such an application or interpretation.
- (c) The city may, from time to time, receive funding to support a procurement activity from the state or federal government. In that event, then, to the extent required by any related grant agreement or state or federal procurement regulations tied to the use of grant funds, any such applicable state or federal regulations shall take precedence over any provision of this division or any city administrative procurement regulation to the contrary.
- (d) Except as provided in this division, it shall be unlawful for any employee to order the purchase of, or make a commitment to purchase materials, goods, commodities or services other than through the provisions of this division.
- (e) Wherever used in this division, the term city manager includes that official's designee.

## **Sec. 2-347. – Definitions.**

The following words, terms, and phrases shall have the meanings ascribed to them in this division except where the context clearly indicates a different meaning:

*Bid* means an offer by a bidder to provide materials or to perform specified work under specified conditions for a specified price. Bids may be written or electronic, and may, in the city's sole discretion, require contemporaneous submission of a bid bond. Bids must not contain any exceptions or conditions which would preclude the city from accepting the bid and forming a contract. Conditional bids shall be deemed non-responsive.

*Bidder* means any business that offers commodities or services to the city for a given price and specified terms. The term shall include offerors and respondents to solicitations or request for quotes.

*Business* means any sole proprietor, corporation, partnership, joint venture or other entity that is duly licensed or registered, if required, and is authorized to transact business in the state.

*Change order* means any adjustment to the original quantities or scope of work of a solicited material or service. A contract amendment is not a change order.

*Cooperative procurement* means the combining of requirements of two or more public procurement entities to leverage the benefits of volume purchases, delivery and supply chain advantages, best practices and the reduction of administrative time and expenses.

*Emergency* means a state of emergency as declared under the provisions of § 13-2 of the code, or as declared by the Sarasota County Commission, the Governor of the State of Florida, or the President of the United States.

*Invitation to Bid (ITB)* means a solicitation for competitive sealed bids, and is typically used when the city is capable of specifically defining the scope of work for which a contractual service is required, or of establishing precise specifications defining the actual commodity or group of commodities required.

*Invitation to Negotiate (ITN)* means a competitive negotiation process that is used when the procurement authority deems it is in their best interest to negotiate with proposers to achieve "best value." An ITN is a form of source selection that is similar to the request for proposals process, wherein a short list of acceptable proposers is created and the city may negotiate with responders sequentially or concurrently.

*Materials/goods/commodities* means and includes anything that is a tangible product, including but not limited to vehicles, food, computers, computer software, and building materials. The term does not include services.

Piggyback means a form of acquisition wherein a governmental entity has awarded a contract using competitive solicitation methods as good or better than the city's, where the contract entered by the original entity has not expired and where its terms permit other entities to use the contract under the same core terms and conditions as in the original contract. Where the city engages in piggybacking, it may not significantly alter the price and scope of the original contract (except that it may negotiate lower prices), but it may require its own insurance, delivery, invoicing and similar terms. Where a piggybacked contract allows for one or more extensions or renewals, the city manager is authorized to exercise such provisions even if those provisions are not exercised by the original contracting entity.

Professional or consultant means those contractors who, as individuals or duly organized business entities, have been or will be retained by the city for the purpose of providing recommendations or advice related to planning level or policy level decisions, or who will be engaged in the collection of data or research that will provide the basis for such decisions or future plans and actions of the city, as well as those who will be retained to supervise and monitor the performance of contractors or subcontractors of any nature.

Purchase order means a document issued by the procurement official that memorializes the city's acceptance of a quote or bid for the provision of materials, goods, commodities or services. A purchase order sets forth the descriptions, quantities, prices, discounts, payment terms, date(s) of performance or shipment, and any other associated terms and conditions, and will identify the vendor. Purchase orders may be in either paper or electronic form, and may contain standard terms and conditions which may be incorporated by reference in city solicitation documents or as a hyperlinked reference to a page of the city's website. Vendors submitting bids, quotes, or other offers to the city are deemed to have reviewed the city's standard purchase order terms and conditions. Unless the city elects to contract with a business by way of a stand-alone contract, the purchase order's standard terms and conditions shall be deemed to have been accepted by such vendors as evidenced by the submission of a quote or bid.

Quote means a flat or unit price provided by a vendor for any service or material being sought by the city where a formal procurement method is not being used. For purposes of this section, it shall also mean a price list, publicly advertised price, web-based price list, or any other means by which the business communicates its prices to potential customers. Quotes may be provided to city staff verbally, in writing or via electronic means.

Request for proposals (RFP) means the solicitation of proposals, usually from providers of services, or of a mix of services and related goods or commodities. Price is usually not a primary evaluation factor. An RFP provides for the negotiation of all terms, including price, prior to contract award. May include a provision for the negotiation of best and final offers. May be a single-step or multistep process.

Request for qualifications (RFQu) means a solicitation seeking statements of the qualifications of potential responders (development teams, consultants, financial services providers, etc.) to gauge potential competition in the marketplace prior to issuing a RFP or ITN.

Responsible vendor means a vendor which is fully capable to meet all of the requirements of the city's solicitation standards and requirements, and the obligations as may be set forth in the city's purchase order terms and conditions or proposed alternative form of contract. A responsible vendor must possess the full capability, including financial, legal, logistical and technical, to perform as contractually required, and be able to fully document the ability to provide good faith performance. The city's assessment of vendor responsibility will include consideration of all relevant information bearing on a vendor's qualifications, including the historical performance record of the vendor and the vendor's named subcontractors or proposed joint venturers, past performance of similar work or provision of similar materials, goods, commodities or services to the city, the vendor's experience on similar projects, the vendor's references, potential conflicts of interest based on existing business or contractual relationships, the vendor's history of having been suspended or debarred by any governmental agency, whether the vendor has been sued for breach of contract or criminally charged for fraud, bribery, collusion, or similar public corruption or business-related crimes, within a prior time period relevant to the solicitation. Vendor responsibility shall be determined in the city's sole judgment and is not a subject for protest.

Responsive vendor means a vendor which has submitted a response to a city solicitation which fully conforms in all material respects to all of the solicitation's minimum specifications and requirements, including providing responses to each question or request for information, and the provision of any supplemental documents, forms, bonds, proof of insurance, or other records or materials required by the solicitation to be included in the response.

Sealed competitive bid means a bid, containing the bidder's offered price and terms, submitted to the city in response to an invitation to bid process, whereby all responses remain sealed until a specific date and time, after which no more bids may be received, and the bids received are then opened for tabulation and evaluation for bidder responsibility and bid responsiveness. A bid which purports to alter minimum qualifications or specifications set forth in a solicitation shall be deemed to be non-responsive.

Service means intangible labor products including but not limited to accounting, cleaning, consultancy, training, instruction, entertainment, engineering, and maintenance.

Solicitation means the act of obtaining firm prices for goods or services, and/or proposals or qualifications from vendors to address the operational needs of the city. A solicitation may include informal requests for price quotes, or the formal issuance of an ITB, RFP, ITN, RFQ, or any other form of competitive solicitation the city may use when seeking to acquire materials, goods, commodities or services.

Specifications means any description of a good's physical or functional characteristics, or the nature of materials or services being solicited. The term may include a description of equipment performance or characteristics, the quality, origin or functionality of goods, the means and methods of the provision of services, engineered drawings or construction plans, warranty requirements, as well as any requirements for inspecting, testing, or preparing a good or service for delivery.

## **Sec. 2-348. Exemptions.**

(a) The following are exempt from the competitive procurement requirements set forth in this division:

- (1) Inter-governmental agreements entered pursuant to Florida Statutes § 163.01;
- (2) Purchases made with the proceeds from any grant, gift, bequest, or donation to the extent the application of this division would conflict with the requirements, conditions, or limitations attached to the grant, gift, bequest, or donation;
- (3) Payment of dues and memberships in trade or professional organizations, professional licenses, and trade publications;
- (4) Subscriptions to printed or electronic periodicals and newspapers;
- (5) Acquisition of real property by easement, lease, license or purchase;
- (6) Acquisition of legal advertisements, postage and postage metering services, shipping, and courier services;
- (7) Legal services, including but not limited to, the acquisition of the services of law firms or other outside counsel for any reason, expert witnesses, appraisal services, consultants, special magistrate services, or similar persons or firms deemed by the city commission or city attorney as necessary to address the city's legal needs. Such services, firms, or persons shall be selected by the commission or, when authorized by commission, the city attorney;
- (8) Water, sewer, gas, electrical, and other utility services;
- (9) Funds expended by the city in the form of grants to non-profit entities or neighborhood associations performing economic development, social services, or serving similar public purposes;
- (10) Fees and costs incurred in authorized professional development activities including registration, lodging, travel and meal costs to attend trade or professional seminars, trainings and conferences;
- (11) Purchase of insurance brokerage service and related insurance policies to protect the property and other interests of the city;
- (12) Any purchase governed by explicit provisions of general law, city code or other commission resolutions unless the solicitation indicates the applicability of this division, and then this division shall apply only to the extent set out in the solicitation;
- (13) Lobbyist services;

- (14) Professional medical services;
- (15) Professional services required for the issuance of city bonds, loans, or other borrowing activities, and city investments related thereto;
- (16) Artistic services, music entertainment, visual artists, performers, and other entertainment providers associated with city sponsored events or the proprietary operation of city owned entertainment facilities;
- (17) Certified public accountants (except for auditing services as set forth in Florida Statutes § 218.391);
- (18) Employment agreements for persons to be regular or short-term employees of the city;
- (19) Funds to acquire instructional materials or copyrighted materials being purchased from the owner of the copyright or the owner's authorized agent;
- (20) Owner-direct purchases of construction materials included in the scope of an awarded construction contract in order to realize sales tax savings, in accordance with Florida Statutes § 212.08(6) and Florida Administrative Code Rule 12A-1.094;
- (21) Real property appraisal services;
- (22) Abstracts and academic research;
- (23) Expenses related to existing agreements to maintain or service proprietary equipment or software previously acquired by the city;
- (24) Consulting services related to financial planning, financial management, or financial policy and program development executive management studies;
- (25) Used equipment where procurement staff have determined there is a significant cost difference between such equipment and new equipment of substantially the same specifications and performance characteristics.
- (26) Acquisition of real property by the city, or acquisition of any interest therein including obtaining an easement, lease or license, as well as services for real property title abstracts or title insurance related to such transactions.

- (b) Notwithstanding the foregoing, with the exception of the acquisition of utility services with rates established by the Florida Public Service Commission, a contract for the purchase of commodities or services exempted in this section must still be approved by the commission if the resulting contract is for an amount which requires commission approval as provided for in this division.
- (c) Notwithstanding the provisions of subsection (a) above, the city reserves the right to conduct a competitive solicitation regarding an exempt commodity or service if the city determines doing so is in the best interest of the city.

**Sec. 2-349. – Procurement categories; manager approval limits.**

- (a) Individual purchases of goods or services (other than those which are exempt, or which are being made under an existing term agreement between the city and vendor) shall be made in accordance with the following threshold amounts and processes:

(1) Category One (direct purchase): \$0.01 to \$19,999.99.

- a. The city manager is authorized to procure with budgeted funds, materials, goods, commodities or services with a delivered value less than \$20,000.00 without competition. Notwithstanding this authorization, departments shall act with fiscal responsibility and in the best interest of the city when making purchases within this category.
- b. If a purchase under this subsection is not accomplished through the use of a city purchasing card, standard city contract, or standard terms set forth in a city-approved purchase order, the procurement official must examine the vendor's contract terms (including contract terms set forth by way of online links incorporated by reference) to ensure such terms are acceptable to the city.
- c. While the acquisition of small dollar commodities or services do not usually carry significant risk of loss, to the extent the nature of the materials, goods, commodities or services being acquired under this subsection or subsection (2) below generate a significant risk of loss, the city manager must first consult with the appropriate city insurance and risk management advisors to ascertain whether there is a need to require the vendor to provide enhanced insurance coverage.
- d. Single purchases or contracts shall not be broken down to lesser amounts to avoid the requirements of competitive solicitation set forth in subsections (a)(2) and (3) below.

(2) Category Two (quotes): \$20,000.00 to \$99,999.99.



- a. The city manager is authorized to procure, with budgeted funds, materials, goods, commodities or services with a delivered value less than \$100,000.00 through informal solicitation. Notwithstanding this authorization, the procurement official shall act with fiscal responsibility and in the best interest of the City when making purchases within this category.
  - b. Three quotes must be solicited from vendors prior to a request for purchase order or contract. Such quotes may be solicited by the procurement official or department staff. However, if quotes are obtained by department staff, the procurement official will retain the right to independently review and verify the quotes.
  - c. Unless acquired through use of a city purchasing card, purchases shall not be completed prior to a purchase order being issued by the procurement official or a separate contract is approved by the parties.
  - d. The city manager may authorize the reduction of the minimum number of quotes required if it is shown that the party requesting the purchase made a concerted effort to obtain quotes, but due to lack of market response was not able to obtain the minimum required quotes.
  - e. Nothing herein shall preclude the city commission, city manager, or procurement official from requiring the use of a formal competitive solicitation process for purchases within this category if the city commission, manager, or procurement official determines doing so would be in the city's best interests.
- (3) Category Three (formal procurement): \$100,000.00 and greater.
- a. A formal solicitation must be approved by the procurement official and issued for the acquisition of materials, goods, commodities or services within this category. Where the selection will be made based on the lowest price submitted by a responsive, responsible vendor, an ITB seeking sealed bids shall be used. Where the selection will be made based on vendor qualifications or experience as well as price, an RFP, ITN, RFQ or similar alternative solicitation method may be used.
  - b. To the greatest extent possible, the solicitation should include the detailed specifications, performance characteristics, warranty and service requirements, vendor minimum qualifications, and instructions to vendors as to how to respond. The solicitation document shall be approved by the procurement official prior to being issued, and shall state the dates of all relevant solicitation events including pre-submission conferences, deadlines for submission of vendor questions, method of posting responses to vendor questions, process for evaluation of bids, proposals or other submissions, and the expected award date.
  - c. Where the solicitation involves construction, services, or a service component (such as installation or training), the procurement official shall ensure the solicitation

includes a detailed scope of work or scope of services outlining the needs of the city.

- d. Where the solicitation involves commodities, the procurement official shall review the specifications (with, as needed, the assistance of an engineer of record or department personnel with relevant knowledge) to ensure that product specifications, and warranty, service, training, maintenance and installation terms are sufficiently detailed so as to provide vendors with the ability to respond to the solicitation on a level playing field.
  - e. Where the solicitation involves vehicles or mechanical equipment, performance attributes (towing capacity, pump pressure, stress tolerances) shall be set forth wherever possible. To ensure full and fair competition, specifying specific manufacturers or model names, numbers, or suppliers, should be avoided unless there is a compelling justification.
  - f. Procurements under this subsection shall be accomplished by use of a city approved purchase order form or an alternative form of agreement approved by the city attorney.
- (b) The city manager is authorized to approve contracts not exceeding \$500,000 to be paid from available funds budgeted by the city commission without further action of the commission. The commission must approve all non-emergency agreements exceeding \$500,000.
- (c) When establishing the value of a contract under this division, the value shall be either the total expenditure which the city is obligating itself (if known), or, if the contract price is stated in unit prices, hours of work provided, or similar measures, then the contract value shall be the city manager's best good faith estimate of how much the city will actually spend under the contract during the entire initial term of the contract.
- (d) Where the commodities or services to be acquired are regularly required by the city, the procurement official shall strive to solicit for and negotiate term contracts to avoid the need to re-solicit such commodities or services annually.
- (e) Unless required by law or determination by the city manager that doing so would be in the city's best interest, the city shall not enter exclusive contracts.
- (f) The categories and approval levels established in this section may be periodically reviewed by the commission and revised to address the effects of inflation or the operational needs of the city.
- (g) The city manager is authorized to approve change orders to construction-related contracts without further action of city commission so long as any such change order does not exceed the project budget (including any contingency) approved by the city commission when

originally approving the construction project and contract. Change orders for category three value construction projects or which would exceed the commission's established budget must be approved by the commission.

- (h) The city manager is authorized to approve amendments, renewals or extension periods which are authorized by the terms of an approved contract (including piggybacked contracts), except that if exercising a renewal or extension would, or is reasonably expected to, result in the expenditure of \$200,000 or more, such renewal or extension shall be approved by the city commission.
- (i) Unless a law or grant agreement term requires execution by the mayor, the city manager is authorized to execute all contracts, amendments, renewals or extensions, including those requiring approval of the commission. Pursuant to Florida Statutes § 668.50, execution may be by means of electronic signature.

#### **Sec. 2-350. – Emergency procurement.**

Emergency purchases may be made from any unencumbered funding source as follows:

- (a) In the event of a federal, state, or local declaration of emergency, normal procurement procedures and requirements shall be suspended, and the following procedures shall apply:
  - (1) The city manager shall be authorized to make any purchases she or he finds necessary to the continued operations of the city.
  - (2) Waiver of purchasing procedures shall only pertain to purchases related to the emergency and associated restoration operations. At the time the declaration of emergency is lifted, normal purchasing procedures will resume.
- (b) In the event of a situation the city manager determines is likely to have a detrimental impact on operations of the city or the public health, welfare or safety if not rectified immediately:
  - (1) The city manager shall be authorized to make purchases she or he finds necessary to alleviate the safety or operational issue.
  - (2) Such purchases are limited to those directly associated with the specific issue or risk.
- (c) All emergency purchases shall be made with as much competition as is practicable under the circumstances.
- (d) If the cost of any purchases made pursuant to this section would have normally fallen within Category Three, a report of such purchases shall be made to the commission at the earliest available commission meeting after the emergency subsides.

#### **Sec. 2-351. – Procurement official.**

The city manager may designate a city employee to perform the functions of procurement official with respect to any city procurement activities or matters. The procurement official shall oversee the city's procurement office and shall be responsible for the training, performance, and supervision of any subordinate procurement staff. The procurement official (or that official's designated procurement agent) shall be the primary point of contact for all current or prospective city vendors during any solicitation up until a purchase order or contract is awarded or the solicitation is cancelled. The procurement official shall, with assistance from the city attorney as needed, be responsible for ensuring the city's solicitation and contract forms and administrative procedures are in compliance with all applicable state and federal laws, city codes, and public procurement best practices.

**Sec. 2-352. – Minimum solicitation requirements; local preferences.**

- (a) Solicitations shall include product specifications, service performance requirements, and other information sufficient to allow vendors to successfully respond to such solicitations. Solicitations shall also inform vendors of the non-negotiable contractual terms and conditions the city will require the successful vendor to accept upon award. Such terms and conditions may be set forth in the solicitation or incorporated by reference.
- (b) Pursuant to Florida Statutes § 787.06(13), every vendor under any city services contract shall provide the procurement official with a no-coercion affidavit in the form set forth in the statute.
- (c) Pursuant to Florida Statutes § 287.05701(3), all prospective responders to city solicitations are notified that the city will not request documentation of or consider a vendor's social, political, or ideological interests when determining if the vendor is a responsible vendor, nor will it give preference to a vendor based on the vendor's social, political, or ideological interests.
- (d) Each invitation to bid for commodities shall inform prospective bidders that when two or more bids are otherwise equal with respect to the price(s) submitted and commodities provided (a tie bid), preference will be given to the bidder which certifies under oath in its bid that the commodities to be provided were or will be manufactured or grown within the county limits.
- (e) Notwithstanding any provision in a solicitation to the contrary, responding vendors shall, upon award, be required to comply with all provisions of this division. Solicitations shall incorporate, directly or by reference to, the standards and conditions upon which the responses will be evaluated and selected, and, in solicitations for other than sealed bids, shall include the manner in which negotiations toward a final contract shall be conducted.

**Sec. 2-353. – Cancellation of solicitations.**

An ITB, a RFP, or other solicitation may be canceled, or any or all bids, proposals or offers may be rejected in whole or in part, when it is for good cause and in the best interests of the city. The reasons therefor shall be made part of the city's files. Each solicitation issued by the city should state that the solicitation may be canceled and that any bid, proposal, or offer may be rejected in whole or in part when the city determines, in its sole discretion, doing so is in the city's best interests. Notice of cancellation/rejection shall be published or posted in the same manner as notice of the solicitation. The notice shall identify the solicitation, explain the reason for cancellation or rejection and, where appropriate, explain that an opportunity will be given to compete on any re-solicitation or any future procurements of similar items.

#### **Sec. 2-354. - Source selection.**

The methods and policies governing the selection of sources shall be those established in this division, or by administrative procedures and standards approved by the city manager, and may include, but shall not be limited to, competitive sealed bids, proposals, requests for qualifications, invitations to negotiate, noncompetitive purchases, purchases with limited competition, emergency purchases, single source, sole source purchases, piggyback and cooperative purchases, and any adopted exceptions to the competitive selection procedure.

#### **Sec. 2-355. – Construction contracts.**

- (a) If a contract for construction of buildings or infrastructure is estimated, in accordance with generally accepted cost accounting principles, to cost more than the threshold amounts set forth in Florida Statutes § 255.20, such contract shall be competitively awarded to a licensed contractor fully authorized to conduct business in the state by use of the competitive solicitation rules set forth in that statute.
- (b) The selection procedures shall be consistent with this division and any administrative procurement procedures adopted by the manager. In addition to such other solicitation publication methods used by the city, construction projects projected to cost more than \$200,000 must be advertised in the manner set forth in Florida Statutes § 255.0525(2)-(5).
- (c) Solicitations for construction projects shall set forth the permit fee disclosures required by Florida Statutes § 218.80(3).
- (d) Projects shall not be divided so as to evade the threshold amounts listed in Florida Statutes § 255.20. Unless otherwise defined by law, as used in that subsection, the term "project" shall not include those portions of multiyear capital improvement projects not funded beyond the current fiscal year. The term shall also not include any series of construction activities on a new or existing city facility which, if aggregated, would exceed the threshold amounts, but which were not undertaken contemporaneously with each other, were not part of an overall coordinated construction or renovation effort, and which were not performed under the same construction permit.

- (e) The city may, for projects which would benefit from pre-construction consulting services, utilize a construction manager or construction manager at risk model as authorized by Florida Statutes § 255.103.

**Sec. 2-356. – Certain professional services.**

- (a) Unless prevented from doing so based on a valid public emergency, when the city procures architecture, professional engineering, landscape architecture, or registered surveying and mapping services, it shall, when such services must be procured for a project the basic construction cost of which is estimated by the city to exceed the category three threshold amount, or for a planning or study activity when the fee for professional services exceeds the threshold amount provided in category two, as those categories are set forth in Florida Statutes § 287.017, engage in the competitive solicitation process set forth in Florida Statutes § 287.055.
- (b) Nothing in subsection (a) above shall be construed to prohibit a continuing contract, as defined by Florida Statutes § 287.055(2)(g), between an architecture, professional engineering, landscape architecture, or registered surveying and mapping services firm and the city.

**Sec. 2-357. – Design-build procedures.**

- (a) Public announcement. The city shall publicly advertise in a uniform and consistent manner on each occasion when design-build services are required except in cases of public emergencies. The advertisement shall include a general description of the project and shall indicate how, and the time within which, interested design-build firms may apply for consideration.
- (b) Legal qualification. Any firm or individual desiring to provide design-build services to the city must first be determined legally qualified. To be legally qualified:
  - (1) Firms must be properly certified to engage in contracting through a certified or registered general contractor or a certified or registered building contractor as the qualifying agent;
  - (2) Firms must be properly certified to practice or to offer to practice engineering, architecture, or landscape architecture; and
  - (3) The firm shall be duly qualified to perform its proposed service under any other applicable law.
- (c) Evaluation committee. An evaluation committee appointed by the city manager shall be used to evaluate and rank the design-build firms and their responses for recommendation to the manager or commission depending on procurement category.

(d) Solicitation. The procurement official shall develop a RFP to solicit proposals from interested, qualified design-build firms. Except as otherwise provided in Florida Statutes § 287.055(9)(c), with the use of a qualifications-based selection process, the RFP shall contain as a minimum the following:

- (1) The design criteria package defined in Florida Statutes § 287.055(2)(j).
- (2) The criteria, procedures, and standards for the evaluation of design-build contract proposals, based on price, technical and design aspects of the public construction project, weighted for the subject.
- (3) Requirements for determining qualifications of firms proposing, such as license, list of subcontractors, architect and engineer, and references.
- (4) Terms and conditions of proposed agreement.
- (5) Other items as required by procedures, laws, ordinances, or prevailing circumstances.

(e) Selection.

- (1) All information required by the RFP shall be submitted in a sealed manner (which may include sealed envelope if the submission is required to be in that form or via an online proposal submission system if the city requires submission in that manner). Except as otherwise provided in Florida Statutes § 287.055(9)(c), with the use of a qualifications-based selection process, all proposed designs and price proposals shall be submitted separately via the same sealed submission process, with the design and price proposals opened and considered by the selection committee for shortlisted firms only.
- (2) The selection committee shall review all proposals, except the separately-submitted proposed designs and price proposals, and shall create a shortlist of no less than three design-build firms as the most qualified, based on the qualifications, availability, and past work of the firms, including the partners or members thereof. In evaluating the proposals and preparing the shortlist, the committee shall consult with the design criteria professional concerning the evaluation of the responses submitted by the design-build firms. Once the committee has shortlisted, except as otherwise provided in Florida Statutes § 287.055(9)(c), with the use of a qualifications-based selection process, the committee shall open the separate envelopes containing the proposed design solutions and the price submitted by the shortlisted firms. The committee shall then rank the shortlisted firms based upon the evaluation criteria and procedures set forth within the request for proposal. The committee may, if necessary, require verbal presentations from all firms in order that the qualifications and/or proposals may be clarified.
- (3) After the committee has ranked the shortlisted firms based upon the award criteria set forth within the request for proposal, the ranking shall be presented to the city

commission which may approve, disapprove or request modifications to the recommended rankings be brought back at a subsequent meeting. Following the ranking by the city commission, the city's procurement official, assisted as needed by relevant city staff and professional consultants, shall attempt to negotiate a contract within the parameters of the design criteria package or the results of the qualifications-based selection process and in accordance with city commission's ranking.

(f) Contract.

(1) Under the oversight of the city manager, the procurement official, assisted as needed by relevant city staff and professional consultants, shall negotiate a design-build contract at a price which the manager determines is fair, competitive and reasonable. If the city is unable to negotiate a satisfactory contract with the first ranked firm, then it shall formally terminate negotiations with such firm and then undertake negotiations with the second ranked firm and shall continue this process until a satisfactory contract is negotiated.

(2) The contract negotiated by the staff shall be submitted to the commission for consideration and approval.

(g) Public emergencies. If a public emergency is declared and a design-build procurement must proceed during such emergency, a negotiating committee may be formed by the manager and authorized to negotiate with the best qualified design-build firm available at that time for the design and construction of a capital project. To the extent practical, the city shall solicit letters of interest in order to determine the best qualified design-build firm available at the time. The contract negotiated by such committee shall be subject to ratification by the commission.

(h) Conflict between procedure and law. In the event Florida Statutes § 287.055 is subsequently amended such that its requirements conflict with the provisions of this procedure, the provisions of the statute shall prevail, and the city manager or city attorney shall make such recommendations for revision to these procedures as to conform them to the law.

**Sec. 2-358. – Sole source and single source procurements.**

(a) Sole source procurements. When the city believes that desired materials, goods, commodities or contractual services are available only from a sole source, the procurement official shall electronically post a description of the commodities or contractual services sought for a period of at least five (5) business days. The description must include a request that prospective vendors provide information regarding their ability to supply the commodities or contractual services described. Posting shall not be required for desired commodities or contractual services for Category I purchases. If it is determined in writing by the procurement official after reviewing all relevant information, including information received from prospective vendors as a result of a required posting, that the commodities



or contractual services are in fact available only from a sole source, the city may enter into a sole source agreement. In any case where the city seeks to purchase materials for the construction, modification, alteration, or repair of any city-owned facility from a sole source, the commission must first make the written findings required by Florida Statutes § 255.04

- (b) *Single source procurements.* When the procurement official determines that it is advantageous for the city to use a particular supplier of materials, goods, commodities or contractual services due to a uniquely advantageous warranty, or the existence of a supplier's advantageous proprietary relationship, or to facilitate continued standardization, compatibility, or functionality, the procurement official is authorized to approve a single source purchase without competition. Approval must also be obtained from the city manager for single source purchases exceeding Category II.

**Sec. 2-359. - Cooperative procurement, piggybacking.**

- (a) *Cooperative procurement.* Unless otherwise prohibited by law or grant agreement terms, the procurement official is authorized to negotiate with other public procurement officials for the conduct of a joint procurement on behalf of each participating public agency where, in the judgment of the city manager, doing so would leverage the benefits of volume purchases, create clear delivery or supply chain advantages, and/or create a demonstrable and substantial reduction of administrative time and expense.
- (b) *Piggybacking.*
- (1) In any agreement for the acquisition of goods or services between the city and a vendor which has resulted from a competitive solicitation process, such agreement may be utilized by other public agencies to acquire the same goods or services, on condition that the contracting vendor consents to enter into a piggyback agreement with such other public agencies. In such instances, the city shall not be a party to such agreements.
- (2) The procurement official is authorized to acquire goods or services by use of an existing agreement between a vendor and another public agency where such agreement has resulted from a competitive solicitation process. Purchases made in this manner should not substantially differ in specification, scope, quality or price from the terms of the initial agreement. The piggybacking agreement must be consistent with the parameters, requirements, and restrictions of the initial agreement. In the event the initial agreement provides for options to extend or renew, the city may exercise such rights irrespective of whether the original public agency exercises such rights.
- (3) To the extent required by law, any other public agency is authorized to piggyback on any current executory contract between the city and a vendor where that contract has resulted from a competitive solicitation by the city.

**Sec. 2-360. – Public records compliance.**

- (a) Pursuant to Florida Statutes § 119.0701, in any agreement entered into by the city wherein the contractor is acting on behalf of the city, the contractor must:
- (1) Keep and maintain public records that ordinarily and necessarily would be required by the city in order to perform the service.
  - (2) Provide the public with access to public records on the same terms and conditions that the city would provide the records and at a cost that does not exceed the cost provided in Florida Statutes, Chapter 119 or as otherwise provided by law.
  - (3) Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law.
  - (4) Meet all requirements for retaining public records and transfer, at no cost, to the city all public records in possession of contractor upon termination of the agreement and destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. All records stored electronically must be provided to the city in a format that is compatible with the city's information technology systems.
- (b) The agreement must contain the requirements set forth in subsection (a) above, and include a statement, in substantially the following form, identifying the contact information of the city's custodian of public records in at least 14-point boldfaced type:

IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT (insert: TELEPHONE NUMBER, E-MAIL ADDRESS, AND MAILING ADDRESS FOR THE CITY'S CUSTODIAN OF RECORDS).

#### **Sec. 2-361. – Trade secrets.**

- (a) Florida law provides that trade secret information, as defined in Florida Statutes § 812.081(1)(c), is confidential and exempt from public records disclosure.
- (b) Upon receipt of a response to a procurement solicitation, the city will not be aware that a bid, proposal, or other response contains such information. Therefore, bidders, proposers or other persons or entities responding to city solicitations must specifically and clearly identify all portions of their responses which are believed to be a trade secret, as defined by the law, and must, as to each such designation, provide the basis upon which the designated information is a trade secret. The mere designation of an entire submission as "confidential" will be insufficient to comply with this requirement. Absent some unusual justification, a bidder's or proposer's contract price shall not constitute a trade secret.

- (c) While the city will, to the extent possible, cooperate in any court action a bidder, proposer or responder may bring against any third-party requesting to inspect and copy portions of a response asserted to be a trade secret, if a bidder, proposer or responder fails, prior to the submission of their materials to the city, to specifically and clearly designate information therein as a trade secret and to provide the supporting explanation for the designation, the right to assert the exemption may be lost, and the information may be subject to inspection and copying as otherwise provided for under Florida's Public Records Act.
- (d) In the event any record designated as a trade secret is requested under the Act, the procurement official will consult with the city attorney and, if the city attorney agrees with the designation, the city will assert the exemption and redact the relevant materials. If the city attorney disagrees with the designation, the bidder, proposer or responder may file an injunctive or declaratory judgment action and seek such emergency orders as desired to protect the information.

**Sec. 2-362. Unauthorized purchases, ethical conduct, sanctions.**

- (a) *Prohibition.* Except as provided in this division, it shall be a violation of this division for any city officer, employee, or other person, to knowingly and willingly order the purchase of any goods, or make any contract for goods or services, sell, trade or dispose of material within the purview of this division in the name of or on behalf of the city, except as provided by policies of the commission and any administrative procurement procedures promulgated by the city manager, and the city shall not be bound by any purchase order or contract made contrary to this division.
- (b) *Employee conflict of interest.* It shall be unethical for any city employee to participate directly or indirectly in a procurement contract when the city employee knows that:
  - (1) The city employee or any member of the city employee's immediate family has a financial interest pertaining to the procurement process or contract; or
  - (2) Any other person, business, or organization with whom the city employee or any member of a city employee's immediate family is negotiating or has an arrangement concerning prospective employment is involved in the procurement process or contract.
  - (3) A city employee or any member of a city employee's immediate family who holds a financial interest in a disclosed blinded trust shall not be deemed to have a conflict of interest with regard to matters pertaining to that financial interest.
- (c) *Gratuities and kickbacks.*
  - (1) *Gratuities.* It shall be unethical for any person to offer, give, or agree to give any city employee or former city employee, or for any city employee or former city employee to solicit, demand, accept, or agree to accept from another person, a gratuity or an offer

- of employment in connection with any decision, approval, disapproval, recommendation, or preparation of any part of a program requirement or a purchase request, influencing the content of any specification or procurement standard, rendering of advice, investigation, auditing, or in any other advisory capacity in any proceeding or application, request for ruling, determination, claim or controversy, or other particular matter, pertaining to any program requirement or a contract or subcontract, or to any solicitation or proposal therefor.
- (2) *Kickbacks.* It shall be unethical for any payment, gratuity, or offer of employment to be made by or on behalf of a subcontractor under a contract to the prime contractor or higher tier subcontractor or any person associated therewith, as an inducement for the award of a subcontract or order.
- (d) *Ethical conduct and sanctions.* In addition to any sanctions provided for in the city's personnel policies or sections of this division, any city employee who violates any provision of this section, or any statute concerning ethical conduct in procurement may, when found by the city manager to have committed such violation, be required to forfeit all or any part of any accrued leave balances he or she may otherwise have as of the date the violation is confirmed. In determining whether such forfeiture shall be required, the manager shall consider the nature and severity of the offense, the relative financial or legal harm to the city, the employee's prior disciplinary record, and whether the employee was in a managerial or special trust position.
- (e) *Prohibition against contingency fees.* It shall be unethical for a person to be retained, or to retain a person, to solicit or secure a city contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, except for retention of bona fide employees or bona fide established commercial selling agencies for the purpose of securing business.
- (f) *Contemporaneous employment prohibited.* It shall be unethical for any city employee who is participating directly or indirectly in the procurement process to become or to be, while such a city employee, the employee of any person contracting with the city.
- (g) *Waivers from contemporaneous employment prohibition and other conflicts of interest.* The city commission may grant a waiver from the employee conflict of interest provision, as provided for in subsection (b) of this section (employee conflict of interest), or the contemporaneous employment provision, as provided for in subsection (f) of this section (contemporaneous employment prohibited), upon making a written determination that:
- (1) The contemporaneous employment or financial interest of the city employee has been publicly disclosed;
- (2) The city employee will be able to perform its procurement functions without actual or apparent bias or favoritism; and

- (3) The award will be in the best interests of the city.

**Sec. 2-363. – Consultant conflicts of interest.**

- (a) Prohibiting contracts where conflicts are found to exist. The city shall not engage in contracts with consultants or professionals whose prior record, work history, and experience indicate ongoing business relationships that may be substantially in conflict with the duties and services that will be required by the city.
- (b) Standards and regulations for the determination of potential conflicting contractual obligations. The city manager or designee is authorized to develop standards and regulations for the prospective determination of potential conflicting contractual obligations that may impair the performance of the professionals or consultants solicited by the city. The standards and regulations shall set forth appropriate requirements based upon the nature and scope of the services that are to be procured and shall be narrowly tailored so as to not unduly restrict competition, while assuring the city of undivided loyalty and services of the highest quality. The standards and regulations may require, but shall not be limited to, the inclusion of the following in a request for proposals, invitation for bids, announcement or other solicitation or contract for professional or consulting services:
- (1) An affidavit providing that the professional or consultant is not currently engaged or will not become engaged in any obligations, undertakings or contracts that will require the professional to maintain an adversarial role against the city or that will impair or influence the advice or recommendations provided to the city;
- (2) The disclosure of all potentially conflicting contractual relationships and the full disclosure of contractual relationships deemed to raise a serious question of conflicts.
- (c) Consequences for violation of ethical standards. In addition to any other penalty or consequence provided for in law or this division, any professional or consultant submitting false information to or on behalf of the city, disclosing or releasing information concerning an actual or planned procurement activity which information is deemed confidential, or is otherwise not known to the general public, or otherwise repeatedly failing to comply with the city's ethical standards and regulations, shall be deemed to be in violation of this division and shall be subject to prosecution, state ethics complaints, reporting to professional or licensing authorities, contract cancellation, suspension and/or debarment, as the city deems appropriate.

**Sec. 2-364. Lobbying limitations.**

- (a) After the issuance of any solicitation, or during renegotiation of an existing contract, no prospective offerors/proposers or their agents, representatives or persons acting at the request of such offerors/proposers shall contact, communicate with, or discuss, either in person, by phone, email or text message, any matter relating to the solicitation or the

renegotiation with any city officers, agents or employees (including the city commission and city manager) other than the procurement official or procurement agent designated in the solicitation, unless otherwise provided for in the solicitation or otherwise directed by the procurement official. This prohibition includes copying such persons on written communications with the procurement agent, but does not apply to presentations made to evaluation committees or at a commission meeting where the commission is considering approval of a proposed contract. The prohibition ends upon issuance of a purchase order or execution of the final contract, or when the solicitation has been canceled or the renegotiation efforts are terminated. Renegotiation will be deemed to have commenced upon vote of the commission directing renegotiation or on issuance of a written notice from the procurement official to the existing contractor instituting a renegotiation process. Failure of vendors seeking to conduct, or potentially interested in conducting business with the city to strictly adhere to this section shall result in the offender's bid, proposal or response being disqualified from further consideration, and may also result in the suspension or debarment of the offending vendor.

- (b) A section entitled Lobbying Restrictions shall be included in any ITB, RFP or other published solicitation of the city, which section shall contain the provisions of subsection (a) above.
- (c) The provisions of subsection (a) above shall be accessible by a hyperlink titled Lobbying Restrictions, and shall appear on the procurement home page of the city's website.
- (d) Any city official, including the city manager or commission member, must immediately report to the procurement official any contact by a vendor or vendor agent in violation of this section.

**Sec. 2-365. – Prohibition against award to certain persons or entities.**

No person or business entity shall be awarded a contract by the city for the provision of commodities or services if that person or entity:

- (a) Has been convicted of bribery or attempting to bribe a public officer or employee of the city, or any other public entity, including but not limited to the Government of the United States, any state, or any local government authority in the United States; or
- (b) Has been convicted of a conspiracy or collusion among prospective offerors in restraint of freedom of competition, by agreement to offer a fixed price, or otherwise; or
- (c) Has been convicted of a violation of an environmental law that, in the reasonable opinion of the city manager, establishes reasonable grounds to believe the person or business entity will not conduct business in an environmentally responsible manner; or
- (d) Has made an admission of guilt of such conduct described in subsections (a), (b) or (c) above, which is a matter of record, but has not been prosecuted for such conduct, or has

made an admission of guilt of such conduct, which is a matter of record, pursuant to formal prosecution, but which results in adjudication being withheld.

- (e) Is on either the Scrutinized Companies with Activities in Sudan List, or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or on the list of Scrutinized Companies that Boycott Israel.
- (f) Fails to register with and use the E-Verify system to verify the work authorization status of all newly hired employees in compliance with Florida Statutes § 448.095(5).

## **Sec. 2-366. – Protests.**

- (a) *Purpose and intent.* The purpose of this section is to provide an expedient administrative remedy for those participating in the city’s procurement process. The proceedings under this section are not intended to be, and shall not be interpreted as judicial or quasi-judicial, unless otherwise clearly specified. It is not the intent of the city to provide any rights to protesters not otherwise required by law. Rather, the city’s intent in creating a process for administrative review of solicitation award protests is to allow for legal or procedural errors in the solicitation process to be raised for the benefit of the taxpayers. Successful participation in any protest review does not ensure an award of a contract, and the city expressly reserves all rights it has under law.
- (b) *Opportunity to protest.* Any actual bidder, proposer, or solicitation responder (protestor) who is aggrieved in connection with a notice of intent to award a contract, where such grievance is asserted to be the result of a violation of the requirements of this procurement code or any applicable provision of law by the officers, agents, or employees of the city, or by the successful bidder, proposer or responding business, may file a protest with the procurement official. The protest process may only be used as a result of a formal solicitation. The process may not be used where the method of procurement is informal quote solicitations, or where a non-competitive procurement method such as piggybacking is used.
- (c) *Protest procedure and requirements.*
  - (1) The protest shall be made in writing and filed with the city clerk by 4:00 p.m. eastern standard time on the fifth business day following the date of the electronic posting of the notice of intent to award or, if no notice of intent is issued, then following the date the protestor has constructive notice of the award. A protest is considered filed when the city clerk received a copy of the protest by mail or courier service. A protest may not be sent via text or email. Failure to file a written protest within the time specified shall constitute a waiver of the opportunity to protest.
  - (2) The written protest must be signed by an authorized officer of the protestor (sales agents or legal counsel are not authorized to sign protests) and shall identify the protesting party and the solicitation involved. Protests must include a specific detailed

- factual statement of the grounds on which the protest is based and shall cite the applicable statutes, laws, ordinances or other legal authorities which the protestor deems applicable to the grounds for the protest. Every basis for protest must be set forth in the protest. If a basis for protest is not included in the written protest, the protestor may not subsequently add the omitted basis to the protest. A protest which does not contain all of the content set forth above shall be deemed non-compliant and will not be processed.
- (3) The protest shall not include challenges to the procedural solicitation requirements, chosen procurement method, the minimum qualifications, the scope of services sought, the evaluation criteria, the relative weight of the evaluation criteria, the formula specified for assigning points to the evaluation criteria. The protest may not be used as a vehicle to argue the protester's opinion regarding its qualifications or the qualifications of other responding vendors.
- (4) The procurement process shall not be stayed during the protest process unless the procurement official, in his or her discretion, deems it to be in the best interests of the city to stay the process.
- (d) *Authority to resolve protests.* The procurement official shall have the authority to settle and resolve a protest concerning the intended award of a contract. The procurement official will promptly investigate a timely, complete, and compliant protest, and issue a written decision within thirty calendar (30) days of the date the protest is received, unless the complexity of the issues raised, or lack of resources require a longer period.
- (e) *Review of the procurement official's protest decision.*
- (1) Following the procurement official's written decision on the protest, the protestor may file a request for a review of the procurement official's decision by the city manager. The request for review shall be made in writing and filed with the city clerk by 4:00 p.m. eastern standard time on the fifth business day following the procurement official's transmission of the decision to the protestor.
- (2) The request for review shall be solely limited to the protestor's argument that the procurement official's decision was not in accord with this division, city code, or applicable state or federal laws. Disagreements over disputed facts or judgment calls made by the procurement official are not proper subjects for a review request.
- (3) The city manager will strive to issue a written decision within thirty calendar (30) days of the date the request for review is received.
- (f) *Final decision.* The decision of the city manager shall be final and conclusive as to the protest.



- (g) Protest bond or security. The city commission may, by separate resolution, establish a requirement for a protest bond. If a protest bond is required, the written protest must be accompanied by a security in the form of a protest bond (in a form and with such terms as approved by the city attorney) or cash in the amount set by the commission. If the city manager determines that the protest does not require reversal of the city's initial decision, the city shall be entitled to recover the amount of the protest bond or security.

**Sec. 2-367. – Authority to suspend or debar.**

- (a) After consulting with the city attorney and relevant city department head as needed, and after providing reasonable notice and reasonable opportunity for a person or entity being considered for suspension or debarment to be heard by the procurement official, the procurement official is authorized to suspend or debar a person or entity from consideration for award of contracts for cause. Cause shall include the following:
- (1) Conviction for commission of a criminal offense relating to the obtaining or attempt to obtain a public or private contract or subcontract, or in the performance of such contract or subcontract, or a civil or criminal final judgment of violation of state or federal whistleblower laws;
  - (2) Conviction under state or federal statutes of embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property, or any other offense indicating a lack of business integrity or business honesty which currently, seriously, and directly affects responsibility as a city contractor;
  - (3) Conviction under state or federal antitrust statutes arising out of the submission of bids or proposals;
  - (4) Violation of the city's anti-lobbying rules set forth in § 2-364 of this division;
  - (5) Violation of contract provisions, as set forth below, of a character which is regarded by the procurement official to be so serious as to justify debarment action;
  - (6) Deliberate failure without good cause to perform in accordance with specifications and/or budget or within the time limit provided in the contract;
  - (7) A recent record of failure to perform or of unsatisfactory performance in accordance with the terms of one or more contracts; provided that failure to perform or unsatisfactory performance caused by acts beyond the control of the contractor shall not be considered to be a basis for debarment;
  - (8) A documented history of significant deviation from contract specifications, engineering standards, design or material requirements or safety regulations, where such history has first been presented to the contractor by the city, and who thereafter continues to engage in such deviations;

- (9) Any other cause the procurement official determines to be so serious and compelling as to affect responsibility as a city contractor, including debarment by another governmental entity for any cause listed in this section or provided for in general law; or
- (10) For violation of all applicable ethics standards, including the ethical standards set forth in this division, Florida Statutes Chapter 112, or in relevant grant funding requirements.
- (b) Suspensions shall not exceed twelve (12) months per violation. Debarments shall not exceed five (5) years per violation, except that a vendor debarred for a third time shall be debarred for eight (8) years from the date of debarment.
- (c) Suspension or debarment may apply to all contracting opportunities, or may be limited to certain types or categories of contracts, and likewise may be directed only to one or more distinct operating divisions or units of the suspended or debarred person or entity, depending on the nature and severity of the underlying facts supporting the action.
- (d) Suspension or debarment may also be applied to any person or entity controlled by or affiliated with any suspended or debarred person or entity if the relationship or affiliation is such that, in the reasonable opinion of the procurement official, the person or entity, by reason of the relationship with the suspended or debarred person or entity, is likely not to conduct business in a responsible or lawful manner, or if the suspended or debarred person or entity is reasonably likely to benefit from contracts with such controlled or affiliated persons or entities. Factors the procurement official may consider in making such decisions include ownership interests, common board members, officers, facilities or employees, and existing family or contractual relationships. The procurement official may, in lieu of suspending or debarring such affiliated persons or entities, develop restrictions or special conditions the affiliated persons or entities must agree to in order to conduct business with the city during the suspension or debarment period. To the extent the procurement official exercises the right to suspend or debar affiliated persons or entities under this subsection, he or she must provide those separate affiliates with the same notice and opportunity to be heard as is required in subsection (a) above.

**Sec. 2-368. – Procedures related to suspension, debarment and reinstatement.**

- (a) Notice of intent. When the procurement official is considering imposing a suspension or debarment, he or she shall first provide a written notice setting forth the facts and circumstances supporting the proposed action, and setting a deadline by which the person or entity must submit a response. The response must, at a minimum, include detailed responses to the facts and circumstances set forth in the notice, copies of all relevant documents, and citation to any legal authorities or other cases the person or entity wants to have considered by the procurement official. Failure to timely file a response shall result

in the procurement official's notice of intent to become final on the date of the deadline, or any extension thereof, set forth in the notice.

- (b) *Opportunity to be heard.* In addition to the opportunity to submit a written response, if, after receipt of the response, the procurement official determines that it would be helpful for a meeting on the matter, or if a meeting is requested by the person or entity under consideration for suspension or debarment, then the procurement official shall conduct a meeting to listen to any presentation the person or entity wishes to make. To ensure all relevant issues are identified, no meeting request may be made by a person or entity under consideration for suspension or debarment unless a timely written response as provided for in subdivision (a) above has first been filed.
- (c) *Final determination.* After considering the written response, and any presentation made during a subsequent meeting, the procurement official shall make a written decision to either withdraw the notice of intent, or to debar or suspend the person or entity. The final decision shall state the factual and legal reasons for the action taken and the term of the suspension or debarment.
- (d) *Review of suspension or debarment.* Final notices of suspension or debarment shall be final and binding unless the debarred or suspended person or entity, within ten (10) calendar days of the decision, files with the city clerk a written notice to the city manager requesting review. Upon receipt of a timely review request, the manager may, in his or her discretion, request a written response from relevant city staff or other relevant persons or entities, or schedule the matter for an in person or video conference discussion. In any review of a final determination, the review shall be limited to determining whether there was factual support for the decision taken, that the decision does not violate any statute or ordinance, and that all required notices and process were provided by city staff. Neither side may present any new evidence, issue or legal argument not first presented to the procurement official.
- (e) *Reinstatement.* The procurement official shall have the authority to reinstate any person or entity under an existing suspension or debarment period. To request reinstatement, the person or entity must submit to the city clerk a written request, which shall, at a minimum, include all relevant facts and documentation which the person or entity contends supports the early termination of the suspension or debarment. Relevant factors include, but are not limited to, demonstrated rehabilitation, a change in ownership or control to innocent owners, restitution payments, subsequent court rulings, changes in the law, or where, in the procurement official's sole judgment, the city's interests would be adequately protected, and the person or entity to be reinstated is not likely to again engage in similar conduct. The procurement official may also grant limited reinstatement to respond to emergency contracting needs. As a condition of reinstatement, the procurement official may limit the nature and scope of contractual undertakings that must be satisfactorily completed before seeking additional contracts from the city.

- (f) Copies of all suspension, debarment and reinstatement decisions shall be maintained by the procurement official's office and posted in an appropriate area of the procurement page of the city's website.

**Sec. 2-369. – Local preference.**

(a) Definitions.

- (1) Local city/county business means (i) the vendor is a business entity registered with the state's division of corporations indicating a principal office located in the city or Sarasota County, (ii) has, for at least one (1) year prior to submitting its response to a competitive solicitation, maintained a permanent physical business address located within the limits of either the city or Sarasota County from which the vendor regularly operates or performs its business, and (iii) has at least one (1) full-time employee, company officer, or partner, regularly working at that physical business address. For purposes of this section, the term "business address" may be either a dedicated commercial or industrial space, or may be a residential address so long as the business is lawfully operating from the address. A post office box, registered agent address or similar mailing or parcel delivery address does not qualify as a business address for purposes of this section.
- (2) Non-local business means any vendor that does not meet the definition of local city/county business in subsection (1) above.
- (b) Establishment as local city or local county business. To establish that a vendor is either a local city business or local county business, as defined herein, a vendor shall provide written confirmation of compliance with the definitions for each such local business as defined in subsection (a) herein, at the time of submitting a bid or proposal. Post office boxes are not verifiable and shall not be used for the purpose of establishing the required physical business address. A vendor who misrepresents the local preference status of its firm in a proposal or bid submitted to the city will lose the privilege to claim local preference status for a period of two (2) years.
- (c) Local preference in purchasing and contracting. The city shall give preference to local city businesses and local county businesses in the purchase of commodities, personal property, general services, professional services, the purchase of or contract for construction or renovation of public works or improvements, by means of competitive bid, requests for proposals, requests for offers, requests for qualifications, invitations to negotiate or other forms of competitive solicitation. The city shall give such preference to local city businesses and local county businesses in the following manner:
- (1) Competitive bid. Each formal competitive bid solicitation shall clearly identify how the price order of the bids received will be evaluated and determined. Under a competitive bid solicitation, when a responsible and responsive non-local business submits the lowest price bid, and the lowest bid submitted by a responsible and responsive local city business is within five (5) percent of the lowest bid, then the lowest bidding local city business shall have the opportunity to submit an offer to match the price submitted by the lowest non-local business bidder. In such

instances, staff shall first verify if the lowest non-local business bidder and the lowest local city business are in fact responsible and responsive bidders. If the lowest local city business bidder submits an offer that matches or is lower than the lowest bid submitted, and the two (2) vendors are similarly responsible and responsive bidders, then the award shall be made to such local city business. If the lowest local city business bidder declines or is unable to match the lowest bid, then the option to do so moves to the next local city business if such business's bid is within five (5) percent of the lowest bid, and it is a similarly responsible and responsive bidder. At such time as there is no local city business within five (5) percent of the lowest bid, the option to match the lowest bid shall go to the lowest bidding local county business, if such bid is within two (2) percent of the lowest bid, and it is a similarly responsible and responsive bidder. If the lowest local county business bidder declines or is unable to match the lowest bid, then the option to do so moves to the next local county business if such business's bid is within two (2) percent of the lowest bid, and it is a similarly responsible and responsive bidder.

- (2) *Request for proposals, offers or qualifications, ITNs or other forms of competitive solicitation.* For competitive solicitations in which specified factors used to evaluate the responses from vendors are assigned point totals, the city shall give a preference to a local city business or local county business by giving additional points to each as follows: Ten (10) additional points (out of one hundred (100)) to a local city business, and five (5) additional points (out of one hundred (100)) to a local county business. Where points are not used for evaluation or ranking of proposers or responders, the city may use local presence as a positive factor.
- (3) *Ties.* In the event of any tie (either in the best and final bid price under a bid process, or in the point total in a proposal process) between a local city or county business, and a non-local business, a contract award, or the first opportunity to negotiate, as applicable, shall be made to the local city or county business. In the event of any tie between a local city business and a local county business, the local city business shall be awarded the contract or receive the first opportunity to negotiate, as applicable. In the event of any tie between a local city business and another local city business, or a local county business and another local county business, the local vendor with the greatest number of full-time employees working in the city or Sarasota County respectively, shall be awarded the contract or receive the first opportunity to negotiate, as applicable.
- (d) *Exceptions to local preference policy.* The local preference policy set forth herein shall not apply to any of the following purchases or contracts:

  - (1) Goods or services provided under a cooperative purchasing agreement or piggyback agreement; or
  - (2) Contracts for professional services the procurement of which is subject to the Consultants' Competitive Negotiation Act (F.S. § 287.055) or subject to any competitive consultant selection policy or procedure adopted by the city manager; or

- (3) Purchases which are funded, in whole or in part, by a governmental entity and the laws, regulations, or policies governing such funding prohibit application of that preference; or
- (4) Emergency purchases or purchases exempt from this division; or
- (5) Purchases by the city attorney pursuant to § 2-5 of the code.
- (e) *Waiver of the application of local preference policy.* Any request for the waiver of local preference to any particular purchase must be heard by the city commission prior to advertising the solicitation. The commission may approve the waiver of local preference upon review and at its discretion.
- (f) *State funded construction.* Pursuant to Florida Statutes § 255.0991, any competitive solicitation for construction services paid for with any state-appropriated funds shall not prohibit any certified, licensed, or registered contractor, subcontractor, or material supplier or carrier, from participating in the bidding process and the city may not apply any local preference unless the solicitation document discloses that the preference does not violate the statute.
- (g) *Comparison and review of qualifications.* The preferences established herein in no way prohibit the right of the city to compare and review the quality of materials proposed for purchase, and to compare and review the qualifications, character, responsibility, and fitness of all persons, firms or corporations submitting bids or proposals. Furthermore, the local preference established herein, shall not prohibit the city from applying any other preference permitted by law in addition to the preference set forth in this section.
- (h) *Administration of local preference policy.* This policy shall apply to all departments under the purview of the city commission. The purchasing division of the financial administration department shall be responsible for administration of the local preference policy.

#### **Sec. 2-370. – Administrative procedures.**

- (a) The city manager is authorized to develop, approve, publish, and enforce supplemental administrative procedures and forms not inconsistent with this division to facilitate implementation of these procedures and forms.
- (b) The administrative procedures established pursuant to this section shall be contained in procurement administrative procedures manual, which manual shall be organized by topic, and shall not be inconsistent with any provision of this division.
- (c) The administrative procedures established pursuant to this section shall not create new policies which are otherwise addressed in this division, including alteration of procurement thresholds, alteration of protest, debarment, or suspension procedures, or alteration of any ethical requirements. The administrative procedures shall have the focus of providing additional procedural detail to guide city staff involved in the procurement function but shall not contain provisions which purport to regulate the conduct of city vendors. Vendor

instructions or directions related to participating in city procurement solicitations shall be published in the relevant solicitation materials so that vendors may know all deadlines, forms, procedures and requirements related to a given solicitation.

- (d) To the extent the city commission has approved prior versions or portions of administrative procurement procedures, such approvals are revoked as of the adoption of this division. While the city manager is authorized to develop, approve, publish, and enforce supplemental administrative procedures pursuant to this section, the city commission reserves the right to direct the revision or rescission of any such procedures if the commission determines either that the procedure in question conflicts with the policy set forth in this division or that the subject should best be addressed within this division.

#### **Sec. 2-371. – Use of bid bonds.**

In all instances where the city issues a price-based ITB seeking hard bids, the procurement official is authorized to require all bidders to submit a bid bond, at a bond amount sufficient to protect the city's interests should the winning bidder fail to honor its bid upon award. The city attorney is authorized to assist the procurement official in collecting on any such bond.

#### **Sec. 2-372. – Use of vendor performance reports.**

The procurement official shall maintain a system which will allow city staff to submit written reports related to the performance of city vendors. City administrative staff with responsibility for vendor oversight or contract management are encouraged to submit vendor performance reports to the procurement official so as to allow the procurement office to develop a record of vendor performance. Such vendor performance records may be used in determining if a vendor responding to a city solicitation is responsible. Use of the vendor performance report shall not be a substitute for contractual enforcement efforts where such efforts are warranted to protect the city's interests.

#### **Sec. 2-373. – Staff training.**

To ensure the city's procurement function occurs in a consistent, efficient, lawful, and ethical manner, the city manager shall ensure that all city personnel who are responsible for implementing or administering the provisions of this division or the related administrative procurement procedures, are periodically trained in the rules, procedures, forms, and legal and ethical considerations applicable to their respective functions.

**Section 3.** Section 2-5 of the Sarasota City Code is hereby amended to read as follows:

#### **Sec. 2-5. Administrative approval of contracts.**

As provided in the ~~city C~~charter ~~of the city, article IV, section 19~~, the city commission shall approve all ~~written~~ contracts for the acquisition of real property or rights in real property, and for

the acquisition of goods and services, except as set forth below of the city except for those contractual matters set forth in this section 2-5.:

- (1) The city attorney is hereby authorized to approve and execute ~~written contracts on behalf of the city~~ for the following matters:
  - a. Litigation support services, including, but not limited to, retention of expert witnesses;
  - b. Retention of court reporters;
  - c. Retention of consultants and support services to assist the city attorney in the preparation of ordinances, resolutions and/or contracts;
  - d. Retention of special legal counsel; and
  - e. In the event the city attorney is an employee of the city, employment contracts with employees of the city attorney's office so long as the funding for said contract has been appropriately budgeted.
- (2) The city auditor and clerk is hereby authorized to approve and execute ~~written contracts on behalf of the city~~ for the following matters:
  - ~~a. Advertising and graphic design agreements so long as the funding for said agreement has been appropriately budgeted;~~
  - ~~b. Computer hardware and software agreements for acquisition, maintenance and licensing so long as the funding for said agreement has been appropriately budgeted;~~
  - ae. Employment contracts with employees of the office of the city auditor and clerk so long as the funding for said contract has been appropriately budgeted; and
  - ~~d. Maintenance, repair and operating agreements for any type of real or personal property, up to two hundred thousand dollars (\$200,000.00) per item, so long as the funding for said agreement has been appropriately budgeted;~~
  - be. Contracts for legal notices, Printing and publishing services for the operation of the clerks and auditor's office~~items such as, but not limited to, tickets and brochures~~, so long as the funding for said agreement has been appropriately budgeted; and
  - ~~f. Purchase of goods and services up to two hundred thousand dollars (\$200,000.00) per item, so long as the funding for said agreement has been appropriately budgeted. This exemption shall not, however, apply to matters regulated by the consultants competitive negotiation act; and~~
  - cg. Supervisor of elections agreements.
- (3) The city manager is hereby authorized to approve and execute written contracts and contract amendments and extensions ~~on behalf of the city~~ for the following matters:



- a. Agreements for acquisition of goods or services up to the monetary limits set forth in § 2-349 of this code, Advertising and graphic design agreements so long as the funding for such said agreements has been appropriately budgeted;
- b. License, use or easement agreements not requiring the expenditure of city funds in excess of the manager's authority set forth in § 2-349 of this code, Computer hardware and software agreements for acquisition, maintenance and licensing so long as the funding for said agreement has been appropriately budgeted;
- ~~c. Construction contract change orders, so long as the cumulative total of all change orders does not increase the total contract cost by more than two hundred thousand dollars (\$200,000.00) or ten (10) percent of the contract cost, whichever is less, and so long as the funding for said change order has been appropriately budgeted;~~
- ~~cd.~~ Credit card authorization and processing agreements facilitating the city's acceptance of credit card payments;
- ~~de. Director of the office of housing and community development is authorized to approve and execute d~~Documents necessary to implement programs and projects approved by the city commission either through approval of work plans of said department or through the city's annual budget process. Said documents shall include, but are not limited to HOME, SHIP and CHDO agreements; sub-recipient agreements; loan approval agreements; escrow agreements; amendments to all of the above; lien agreements; mortgages; modifications of mortgages, promissory notes and lien agreements; satisfactions or partial releases of mortgages, promissory notes and lien agreements; assignments of mortgages, promissory notes and lien agreements; subordination of mortgages and lien agreements; assignments of agreements; and assumptions of mortgages, promissory notes and lien agreements;
- ~~f. Emergency matters in furtherance of the public health, safety and welfare;~~
- ~~eg.~~ Employment agreements with employees of the city under the supervision of the city manager, including temporary employment services agreements, so long as the funding for any such employment agreement has been appropriately budgeted;
- ~~fh.~~ Encroachment agreements for minor encroachments into the right-of-way pursuant to then existing city guidelines;
- ~~i. Equipment and vehicle rentals and purchases, so long as the funding for same has been appropriately budgeted;~~
- ~~gj.~~ Governmental agency permitting documents;
- ~~hk.~~ Grant agreements in which the city is the grantee, except that any grant agreement which would require the city to expend funds in excess of the monetary limits set forth in § 2-349 of this code, or which would require the city to indemnify another party in a manner which would not be protected by the claim limits set forth in Florida Statutes § 768.28 shall be approved by the commission;
- ~~il.~~ Grant agreements in which the city is the grantor, so long as the funding for said agreement has been appropriately budgeted;

- ~~j<sup>m</sup>~~. Grant applications;
- ~~k<sup>n</sup>~~. Insurance purchases, so long as the funding for said purchase has been appropriately budgeted;
- ~~l<sup>e</sup>~~. Investigative task force operations agreements with federal, state or local law enforcement agencies;
- ~~p.~~ ~~Maintenance, repair and operating agreements for any type of real or personal property, up to two hundred thousand dollars (\$200,000.00) per item, so long as the funding for said agreement has been appropriately budgeted;~~
- ~~m<sup>q</sup>~~. Maintenance agreements with the state department of transportation regarding landscaping, street lights and traffic signals;
- ~~n<sup>r</sup>~~. ~~The city manager shall execute o~~ff-site parking agreements and shared parking agreements approved by the planning board;
- ~~s.~~ ~~Printing and publishing services for items such as, but not limited to, tickets and brochures, so long as the funding for said agreement has been appropriately budgeted;~~
- ~~o<sup>t</sup>~~. Promotion and production agreements regarding tournaments and events at sports facilities of the city or the Van Wezel Performing Arts Hall;
- ~~u.~~ ~~Public art agreements for repair, maintenance, loan, fabrication, installation or acquisition;~~
- ~~v.~~ ~~Purchase of goods and services up to two hundred thousand dollars (\$200,000.00) per item, so long as the funding for said agreement has been appropriately budgeted. This exemption shall not, however, apply to matters regulated by the Consultants Competitive Negotiation Act;~~
- ~~w.~~ ~~The purchasing manager is authorized to approve all purchase orders so long as the funding for said matter has been appropriately budgeted;~~
- ~~q<sup>x</sup>~~. Risk management mediation settlement agreements;
- ~~r<sup>y</sup>~~. Transportation concurrency agreements with either consultants or developers;
- ~~s<sup>z</sup>~~. Usage permits, license agreements or the like allowing temporary use of city right of way for seventy-two (72) hours or less, real property and improvements, provided that upon the filing of an application for a usage permit to allow the closure of a city street on a recurring basis more frequently than once a year, notice has been given to affected property owners in accordance with section 30-21(b) of this Code and further provided that five (5) or more affected property owners receiving such notice have not requested the usage permit application be considered by the city commission in accordance with section 30-21(c).
- ~~t<sup>aa</sup>~~. Utility services to city facilities;
- ~~u<sup>bb</sup>~~. Van Wezel Performing Arts Hall agreements for rental of the hall or facilities;
- ~~v<sup>ee</sup>~~. Van Wezel Performing Arts Hall agreements with artists or performers;

- ~~wd.~~ Van Wezel Performing Arts Hall concessionaire agreements;
- ~~xe.~~ Van Wezel Performing Arts Hall stage hand labor employment agreements; and
- ~~yff.~~ World Wide Web creation, design, update, maintenance, hosting or advertising agreements, so long as the funding for said agreement has been appropriately budgeted.
- ~~zgg.~~ Mutual aid agreements authorized by the "Florida Mutual Aid Act" set forth in F.S. ch. 23, pt. I.
- ~~aahh.~~ Amendments to agreements which merely modify the parties to an existing agreement as a result of a name change of one (1) or more of the entities which are currently a party to the agreement.
- ~~bbii.~~ Underwriting, sponsorship or marketing agreements dealing with city owned or operated facilities. As used herein, the term underwriting, sponsorship or marketing agreements shall mean agreements by which the city receives cash or services in exchange for the city providing the other contracting party a venue or opportunity for marketing or advertising in, on or around facilities owned or operated by the city.
- ~~jj.~~ ~~Amendments to existing agreements entered into by the city pursuant to the Consultants' Competitive Negotiations Act (CCNA) so long as the cumulative total of all amendments does not increase the total contract cost by more than two hundred thousand dollars (\$200,000.00) or ten (10) percent of the contract cost approved by the city commission, whichever is less and so long as the funding for said amendment has been appropriately budgeted.~~
- ~~kk.~~ ~~The director of finance is authorized to administratively approve and execute contracts for the purchase of goods and services up to twenty five thousand dollars (\$25,000.00) per item, so long as the funding for said agreement has been appropriately budgeted.~~

- (4) The following policies and procedures shall apply to the approval and execution of the contractual matters set forth in this section:
- a. The city attorney, with regard to the contractual matters set forth in subsection (1), above, shall be responsible for determining that the proposed contract falls within one (1) or more of the subcategories set forth in subsection (1). In addition, with regard to those contractual matters which require as a condition precedent that funding for said contract has been appropriately budgeted, the city attorney shall confirm the existence of said funding. If the city attorney determines the contractual matter falls within the parameters of subsection (1), and, if necessary, the funding for said contract has been appropriately budgeted, the city attorney shall prepare or review the written contract. If the proposed contract meets with the approval of the city attorney, the city attorney shall execute the agreement on behalf of the city and retain the original of the contract in the offices of the city attorney.
  - b. The city auditor and clerk, with regard to contractual matters set forth in subsection (2), above, shall be responsible for determining that the proposed contract falls

within one (1) or more of the subcategories set forth in subsection (2). In addition, with regard to those contractual matters which require as a condition precedent that funding for said contract has been appropriately budgeted, the city auditor and clerk shall confirm the existence of said funding. If the city auditor and clerk determines the contractual matter falls within the parameters of subsection (2) and, if necessary, the funding for said contract has been appropriately budgeted, the city auditor and clerk shall prepare, or have prepared and then review, the written contract. If the proposed contract meets with the approval of the city auditor and clerk, the city auditor and clerk shall execute the agreement on behalf of the city and retain the original of the contract in the offices of the city auditor and clerk.

- c. The city manager, with regard to contractual matters set forth in subsection (3) above, shall adopt and implement administrative procedures which shall control the administrative review, approval and execution of such contractual matters. The administrative procedures adopted by the city manager may specifically delegate the authority to review, approve and execute certain contractual matters set forth in subsection (3) to a designated department head serving under the city manager. At a minimum, the administrative procedures shall require the city manager or designated department head to be responsible for determining that a proposed contract falls within one (1) or more of the sub-categories set forth in subsection (3). In addition, with regard to those contractual matters which require as a condition precedent that funding for said agreement has been appropriately budgeted, the city manager or designated department head shall confirm the existence of said funding. The administrative procedures shall set forth the process by which this review shall be completed and the contract shall be prepared, reviewed and executed.
- d. The budget of the city as adopted by the city commission shall determine whether a contractual matter is within subsection (1), (2) or (3) of this section. The city auditor and clerk shall be responsible for making all determinations required by this subsection (4) with regard to all contractual matters to be funded by budget items under the control of the city auditor and clerk. The city manager shall be responsible for making all determinations required by this subsection (4) with regard to all contractual matters to be funded by budget items under the control of the city manager. The city attorney shall be responsible for making all determinations required by this subsection (4) with regard to all contractual matters to be funded by budget items under the control of the city attorney.

**Section 4.** For purposes of codification of any existing section of the Sarasota City Code herein amended, words underlined represent additions to original text, words ~~stricken~~ are deletions from the original text, and words neither underlined nor stricken remain unchanged.

**Section 5.** If any section, subsection, sentence, clause, provision or word of this Ordinance is held unconstitutional or otherwise legally invalid, same shall be severable and the remainder of this Ordinance shall not be affected by such invalidity, such that any remainder of the Ordinance shall withstand any severed provision, as the City Commission would have adopted the Ordinance and its regulatory scheme even absent the invalid part.

**Section 6.** The Codifier shall codify the substantive amendments to the Sarasota City Code contained in Sections 1 through 3 of this Ordinance as provided for therein, and shall not codify the exordial clauses nor any other sections not designated for codification.

**Section 7.** Pursuant to Florida Statutes § 166.041(4)(a), prior to the date the public notice of the public hearing for this Ordinance was published, the City prepared and posted on its website a business impact estimate which included: a) a summary of the Ordinance, a statement of the public purpose to be served by the Ordinance, b) an estimate of the direct economic impact of the Ordinance on private, for-profit businesses in the City, c) an estimate of direct compliance costs that businesses may reasonably incur due to the Ordinance, d) identification of any new charge or fee on businesses created by the Ordinance or for which businesses will be financially responsible, e) an estimate of the City's regulatory costs and of revenues from any new charges or fees imposed on businesses to cover such costs, and f) a good faith estimate of the number of businesses likely to be impacted by the Ordinance.

**Section 8.** This Ordinance is and the same shall become effective immediately upon final passage thereof.

**ADOPTED ON FIRST READING** on the 2<sup>nd</sup> day of February, 2026, by the City Commission of the City of Sarasota, Florida.

**ADOPTED ON SECOND AND FINAL READING** on the \_\_\_\_ day of \_\_\_\_\_, 2026, by the City Commission of the City of Sarasota, Florida.

\_\_\_\_\_  
Debbie Trice, Mayor

**Attest:**

\_\_\_\_\_  
Shayla Griggs, City Clerk

ORDINANCE NO. 26-5591

AN ORDINANCE OF THE CITY OF SARASOTA, FLORIDA AMENDING THE CODE OF THE CITY OF SARASOTA; CHAPTER 33, TRAFFIC AND MOTOR VEHICLES; TO ESTABLISH FEES AND MAXIMUM TIME LIMITS FOR THE USE OF THE DAY DOCKS AT THE BAY PARK AS MORE FULLY SPECIFIED HEREIN; AND TO CHANGE THE TITLE OF ARTICLE IV OF CHAPTER 33 AND THE TITLE OF DIVISION 2 WITHIN SAID ARTICLE IV AS PROVIDED HEREIN; REPEALING ORDINANCES IN CONFLICT; PROVIDING FOR THE SEVERABILITY OF THE PARTS HEREOF; PROVIDING FOR READING BY TITLE ONLY; AND FOR PROVIDING AN EFFECTIVE DATE.

WHEREAS, at the regular City Commission meeting of December 1, the City's General Manager of Parking appeared before the Commission and requested authorization to charge fees for use of the new floating day dock slips at The Bay Park; and

WHEREAS, the subject day docks are part of the rehabilitation of the canal and south seawall which is part of Phase 2 of the Bay Park; and

WHEREAS, the City Commission accepted the recommendation of the Parking General Manager to charge a fee for the use of day docks at The Bay Park and further accepted the recommendation for initially setting the fee at \$2.00 per hour with a five (5) hour maximum time frame applicable between the hours of 8:00 am to 8:00 pm, Monday through Saturday, with no fee charged on Sundays; and

WHEREAS, the fees approved on December 1, 2025 are being implemented by adoption of this ordinance so that City Commission approval will be required for any changes to the fee structure in the future; and

WHEREAS, the Parking General Manager made the above described recommendations in order to increase the turnover of vessels at the day docks and to ensure vessels are not being stored or docked overnight which would limit capacity and availability for the general public.

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF SARASOTA, FLORIDA:

**Section 1.** The Code of the City of Sarasota, Chapter 33, Traffic and Motor Vehicles is hereby amended by changing the title of Article IV, from "Stopping, Standing, or Parking" to "Stopping, Standing or Parking of Motor Vehicles and Docking of Vessels"; and by changing the title of Division 2 of said Article IV, from "Parking Meters" to "Charges for Parking of Motor Vehicles and Docking of Vessels."

**Section 2.** The Code of the City of Sarasota, Chapter 33, Traffic and Motor Vehicles; Article IV, Stopping, Standing or Parking of Motor Vehicles and Docking of Vessels; Division 2, Charges for Parking of Motor Vehicles and Docking of Vessels; Sec. 33-131, Definitions, is hereby amended as follows:

(Additions to text are indicated by underline.)

**Sec. 33-131. - Definitions.**

For the purposes of this division and any other provision of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

*Individual parking space* means a portion of the paved surface of the street or municipal parking lot of sufficient length and width to accommodate a vehicle to be parked, as shall be specified and marked off by the direction of the city manager.

*Mechanical parking time indicator or parking meter* means a device which shall indicate thereon the length of time during which a vehicle may be parked in a particular place, which shall have as a part thereof a receptacle for receiving payment by credit card, debit card, or other electronic means. Such device shall contain a timing mechanism to indicate the passage of the interval of time during which parking is permissible. Such device shall also display an appropriate signal when the interval of time shall have elapsed and brief instructions as to its operation.

*Moor* means to tie-off a vessel to any submerged fixed object; or to tie off or secure a vessel to a piling, dock, wharf, seawall, buoy, another vessel, or other object or thing. (Cross reference, Sec. 10-20(l) City Code)



*Parking* means the standing of a vehicle upon a public street or municipal parking lot, whether such vehicle is occupied or not, and whether such vehicle is accompanied by an operator or not.

*Parking pay station* or *pay station* means a mechanical and/or electronic device which regulates parking in one (1) or more parking spaces by allocating a defined period of permitted parking in exchange for a defined amount of authorized legal tender. A rate schedule showing the defined amounts of authorized legal tender required for defined periods of parking shall be displayed on or adjacent to the parking pay station.

Vessel is synonymous with boat as referenced in Chapter 327, Florida Statutes, Vessel Safety, Section 327.02(46) Definitions and includes every description of watercraft, barge and airboat, other than a seaplane, on the water that is used or capable of being used as a means of transportation on the water.

**Section 3.** The Code of the City of Sarasota, Chapter 33, Traffic and Motor Vehicles; Article IV, Stopping, Standing or Parking of Motor Vehicles and Docking of Vessels; Division 2, Charges For Parking of Motor Vehicles and Docking of Vessels; is hereby amended by the addition thereto of a new Section 33-137 to be entitled Boat and vessel docking fees, and a new Section 33-138 to be entitled Penalties for violation, which Sections shall provide as follows:

(Additions to text are indicated by underline.)

**Sec. 33-137. - Boat and vessel docking fees.**

It shall be unlawful for any person to moor any vessel or allow any vessel to be moored or secured to any dock among the day docks at the Bay Park without payment of the applicable docking fee or to remain moored or secured to any such dock for a period of time longer than the time limit allowed pursuant to this section. This docking regulations of this section shall apply to vessels moored to any dock slip between the hours of 8:00 a.m. and 8:00 p.m. Monday through Saturday. Said docking fee shall be in the amount of two dollars (\$2.00) per hour for up to a maximum time limit of five (5) hours. per day.

**Sec. 33-138. - Penalties for violation**

If any vessel is moored or allowed to be moored without payment of the applicable docking fee, then its registered owner shall be subject to a fine as provided in Sec. 33-167(9) of this Code as would otherwise be applicable to a motor vehicle parked without payment of the applicable fee. If any vessel remains moored to any dock beyond the maximum time limit allowed, such vessel shall be considered as unlawfully docked overtime and its registered owner shall be subject to the fine otherwise applicable to motor vehicles parked overtime as provided in Sections 33-167 (1) through (3) of this Code.

**Section 4.** It is hereby declared to be the intention of the City Commission that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance shall be deemed severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance is declared unconstitutional or otherwise invalid by the valid judgment of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections hereof.

**Section 5.** Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**Section 6.** This Ordinance shall take effect immediately upon second reading.

PASSED on first reading by title only, after posting for public viewing at City Hall for at least three (3) days prior to first reading, as authorized by Article IV, Section 2, Charter of the City of Sarasota, Florida this \_\_\_\_ day of \_\_\_\_\_, 2026.

PASSED on second reading and finally adopted this \_\_\_\_ day of \_\_\_\_\_, 2026.

CITY OF SARASOTA, FLORIDA

\_\_\_\_\_  
Debbie Trice, Mayor

ATTEST:

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Shayla Griggs  
City Auditor and Clerk

\_\_\_\_ Mayor Debbie Trice  
\_\_\_\_ Vice Mayor Kathy Kelley Ohlrich  
\_\_\_\_ Commissioner Jen Ahearn-Koch  
\_\_\_\_ Commissioner Liz Alpert  
\_\_\_\_ Commissioner Kyle Scott Battie

Cityatty/Ord26-5591(AmendChapter33)DockageFeesandEnforcement/rf/01-06-2026