

ORDINANCE NO. 2025-501

AN ORDINANCE OF THE CITY OF KEY COLONY BEACH, FLORIDA, AMENDING CODE OF ORDINANCE ARTICLE VI – FINANCE, SECTION 2-75 TO INCREASE THE COMPETITIVE BIDDING THRESHOLD TO ALIGN WITH FLORIDA STATUTE; REPEALING CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Florida Statutes § 287.057(3) provides that purchases exceeding the threshold in Category Two must generally follow competitive sealed bid or proposal procedures, except under limited statutory exemptions such as single-source procurement; and

WHEREAS, Category Two, as defined in Florida Statutes § 287.017, currently establishes a threshold of \$35,000.00, which is widely recognized by state agencies and municipalities as the point at which formal competitive procurement requirements apply; and

WHEREAS, aligning the City’s formal bid threshold with the Category Two threshold established in Florida law ensures consistency with state procurement standards and facilitates streamlined compliance; and

WHEREAS, modernizing the City’s procurement threshold to match the \$35,000 limit improves efficiency without compromising transparency or fiscal oversight, particularly for purchases that qualify as single-source acquisitions under Florida law; and

WHEREAS, increasing the formal bid threshold to \$35,000.00 will allow the City to respond more quickly to operational needs, reduce procedural delays, and better manage taxpayer resources.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KEY COLONY BEACH, FLORIDA, AS FOLLOWS:

Section 1: Recitals

The above recitals are true and correct.

Section 2: Effective Date

This Ordinance shall become effective upon approval by the City Commission.

Section 3: Amendment

Section 2-75 of Article VI, “Finance” of the Administration of the City of Key Colony Beach, Florida Code of Ordinances shall be amended to read as follows:

Sec. 2-75. - Purchases or contracts.

(a) No purchase or contract for purchase of equipment, material, supplies or services, other than professional services exempt under Florida Statute, may be made by the city commission

when the purchase price thereof is in excess of ~~twenty-five thousand dollars (\$25,000.00)~~ thirty-five thousand dollars (\$35,000.00) unless made after open competitive bidding. The city commission shall have the right to accept or refuse any or all bids. This requirement applies to a single and not a cumulative project. This requirement shall not apply to purchases of commodities and contractual services from purchasing agreements established by and maintained by the State of Florida. It further does not apply to purchases of commodities, equipment, or material exempted from bidding by Florida Statutes where available only from a single source. This section shall not be construed to limit or prevent any exemptions from bidding requirements provided by Florida Statutes.

Section 4: Severability and Conflict

If any portion of this ordinance is declared by a Court of competent jurisdiction to be invalid or unenforceable, such declaration shall not be deemed to affect the remaining portions of this ordinance. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 5: Inclusion in the Code of Ordinances

The provisions of this Ordinance shall be included and incorporated into the Code of Ordinances of the City of Key Colony Beach, Florida, as an addition or amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the code:

Section 6: Effective Date

This ordinance shall become effective upon its adoption by the City of Key Colony Beach Commission.

FIRST READING by the City of Key Colony Beach City Commission this 11th day of June 2025.

Mayor Freddie Foster	NO _____	YES ___ x ___
Vice-Mayor Joey Raspe	**absent	
Commissioner Tom Harding	NO _____	YES ___ x ___
Commissioner Tom DiFransico	NO _____	YES ___ x ___
Commissioner Doug Colonell	NO _____	YES ___ x ___

[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

SECOND READING AND DULY ADOPTED by the City of Key Colony Beach City Commission on this 17th day of July 2025.

Mayor Freddie Foster	NO _____	YES <u>✓</u>
Vice-Mayor <u>Colonell</u>	NO _____	YES <u>✓</u>
Commissioner <u>Harding</u>	NO _____	YES <u>✓</u>
Commissioner <u>DiFrancisco</u>	NO _____	YES <u>✓</u>
Commissioner <u>Diehl</u>	NO _____	YES <u>✓</u>

DULY PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF KEY COLONY BEACH, FLORIDA, this 17th day of July, 2025.




Freddie Foster, Mayor



Silvia Roussin, City Clerk

Approved as to form and legal sufficiency:



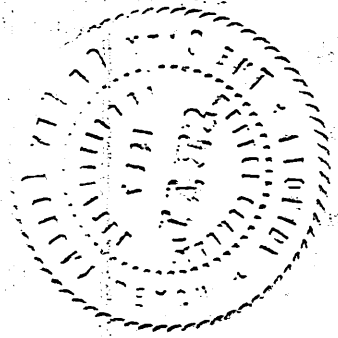
Dirk M. Smits, Esq. B.C.S., City Attorney

✓ [illegible]
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Published Weekly
Marathon, Monroe County, Florida

PROOF OF PUBLICATION

STATE OF FLORIDA COUNTY OF MONROE

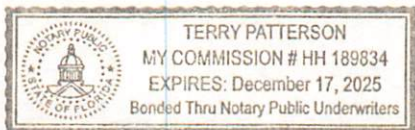
Before the undersigned authority personally appeared **JASON KOLER** who on oath, says that he is **PUBLISHER** of the **WEEKLY NEWSPAPERS**, a weekly newspaper published in Marathon, in Monroe County, Florida: that the attached copy of advertisement was published in said newspaper in the issues of: (date(s) of publication)

July 3, 2025

Affiant further says that the said **WEEKLY NEWSPAPERS** is a newspaper published at Marathon, in said Monroe County, Florida, and that the said newspaper has heretofore been continuously published in said Monroe County, Florida, once each week (on Thursday) and has been qualified as a second class mail matter at the post office in Marathon, in Monroe County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement. The affiant further says that he has neither paid nor promised any person, firm, or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper(s) and that The Weekly Newspapers is in full compliance with Chapter 50 of the Florida State Statutes on Legal and Official Advertisements.

Sworn to and subscribed before me
this 3 day of July, 2025.
(SEAL)

Notary



CITY OF KEY COLONY BEACH
NOTICE OF CODE
AMENDMENT HEARING
"SECOND/FINAL READING OF
ORDINANCE NO. 2025-501"
NOTICE IS HEREBY GIVEN that
the City Commission of the
City of Key Colony Beach,
Florida, will hold the following
Public Hearing to hear
amendments to the City's
Code of Ordinances.
DATE/TIME: Thursday, July
17th, 2025, 9:40 am OR at
the conclusion of the Public
Hearing
LOCATION: City of Key Colony
Beach, Marble Hall, 600 W.
Ocean Dr., Key Colony Beach.
The proposed Ordinance to be
heard by the City Commission
is [ORDINANCE NO. 2025-501],
entitled: "AN ORDINANCE OF
THE CITY OF KEY COLONY
BEACH, FLORIDA, AMENDING
CODE OF ORDINANCE
ARTICLE VI - FINANCE,
SECTION 2-75 TO INCREASE
THE COMPETITIVE BIDDING
THRESHOLD TO ALIGN
WITH FLORIDA STATUTE;
REPEALING CONFLICTING
ORDINANCES; PROVIDING
FOR SEVERABILITY; AND
PROVIDING FOR AN
EFFECTIVE DATE."
The Business Impact
Statement is available for
review on the City of Key
Colony Beach's website at
www.keycolonybeach.net and
at City Hall at 600 W. Ocean
Drive, Key Colony Beach.
Interested parties may appear
at the meeting and be heard
with respect to the proposed
ordinance. Copies of the
proposed Ordinance are
available for inspection at the
City Hall of Key Colony Beach.
If any person decides to
appeal any decision made
by the Key Colony Beach City
Commission with respect to
any matter considered at the
Code Amendment Hearing,
that person will need a record
of the proceeding and for
such purpose 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.
If you are unable to attend the
Public Hearing on Thursday,
July 17th, 2025, but wish
to comment, please direct
correspondence to the City
Clerk, P.O. Box 510141, Key
Colony Beach, FL 33051,
and your comments will be
entered into the record.
To be published: On or before
July 7th, 2025
City Clerk
City of Key Colony Beach,
Florida
Publish:
July 3, 2025
The Weekly Newspapers



Business Impact Estimate

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

Proposed ordinance's title/reference: **[ORDINANCE NO. 2025-501]: "AN ORDINANCE OF THE CITY OF KEY COLONY BEACH, FLORIDA, AMENDING CODE OF ORDINANCE ARTICLE VI – FINANCE, SECTION 2-75 TO INCREASE THE COMPETITIVE BIDDING THRESHOLD TO ALIGN WITH FLORIDA STATUTE; REPEALING CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE."**

The City of Key Colony Beach, Florida (hereinafter "City") is of the view that the following exception(s) to the Business Impact Estimate requirement apply that are checked off in a box below apply to the above-referenced proposed ordinance, although the City is implementing the procedure required by statutory law to ensure that no inadvertent procedural issue could impact the enactment of the proposed ordinance.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant, or other financial assistance accepted by the
- ☐ The proposed ordinance is an emergency ordinance;
- ☒ The ordinance relates to procurement; or
- ☐ The proposed ordinance is enacted to implement the following:
 - a. Part II of Chapter 163, *Florida Statutes*, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;

- b. Sections 190.005 and 190.046, *Florida Statutes*, regarding community development districts;
 - c. Section 553.73, *Florida Statutes*, relating to the *Florida Building Code*; or
 - d. Section 633.202, *Florida Statutes*, relating to the *Florida Fire Prevention Code*.
- In accordance with the provisions of controlling law, even notwithstanding the fact that, an exemption noted above may apply, the City hereby publishes the following information:

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

[ORDINANCE NO. 2025-501], entitled: **"AN ORDINANCE OF THE CITY OF KEY COLONY BEACH, FLORIDA, AMENDING CODE OF ORDINANCE ARTICLE VI – FINANCE, SECTION 2-75 TO INCREASE THE COMPETITIVE BIDDING THRESHOLD TO ALIGN WITH FLORIDA STATUTE; REPEALING CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE."**

2. Estimate of direct economic impact of the proposed ordinance on private, for-profit businesses in the City:

None.

3. Estimate of direct compliance costs that businesses may reasonably incur:

None.

4. Any new charge or fee imposed by the proposed ordinance:

None.

5. Estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs:

None.

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

None.

7. Additional information (if any but may wish to include the methodology used to derive information for #1 and #2, above. For example: the City staff solicited comments from businesses in the City as to the potential impact of the proposed ordinance by contacting the chamber of commerce, social media posting, direct mail or direct email, posting on the City's website, public workshop, etc. You may also wish to include efforts made to reduce the potential fiscal impact on businesses based on feedback from businesses. You may also wish to state here that the proposed ordinance is a generally applicable ordinance that applies to all persons similarly situated (individuals as well as businesses) and, therefore, the proposed ordinance does not impose costs only upon businesses.):

None.