



"A City for All Ages"

## **CITY OF PORT ST. LUCIE**

### **Office of Management and Budget**

Date: September 5, 2023

To: Honorable Mayor and City Council Members

Via: Jesus Merejo, City Manager  
Kristina Ciuperger, Deputy City Manager

From: Caroline Sturgis, Director, Office of Management and Budget

RE: Chapter 35 Finance; Purchasing Ordinance Amendment Update

Over the past few weeks, our team has had the opportunity to meet with each of you and provide a briefing on the proposed ordinance amending Title III – "Administrations," Chapter 35. Finance; Purchasing. We appreciate your attention and support with the recommended amendment that advances optimal purchasing and procurement efficiencies for City departments so they may deliver services successfully to our growing City and residents.

Since our briefing with you, our team noted that the emergency procurement section of the Ordinance was too restrictive by allowing emergency procurement to occur only after a declaration of an emergency, such as a hurricane or pandemic. Sec. 35.08(b)(1), Emergency Procurement, originally read:

Notwithstanding any other provisions of this Code, in the event of or in anticipation of a disaster, including but not limited to, a hurricane, tornado, flood, riot, civil unrest, acts of God, or threats to public health, welfare, or safety, ~~or other act of god~~, the City Council or the Mayor is authorized to declare a state of emergency for procurement purposes and to state the period of time such emergency is deemed to continue.

This provision does not account for non-declared related emergencies that require swift action. For example, if a department or multiple departments are experiencing an emergency, such as a water main break, purchases must be made immediately to rectify the situation. To better serve the operations of the City, the section was revised to state:

Notwithstanding any other provisions of this Code, in the event of or in anticipation of a disaster, including but not limited to, a hurricane, tornado, flood, riot, civil unrest, acts of God, or threats to public health, welfare, or safety, or other act of god, , the City may purchase directly those goods or services that warrant immediate procurement, when it is not advantageous or practicable for the City to use competitive bidding methods. All emergency purchases must

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comply with the definition provided in Emergency Procurement, Sec. 35.05 and purchases must be justified with specific and documented explanations.

In the event of a declaration of emergency by either the federal government, the State of Florida, St. Lucie County, or the City, the City Council or Mayor is authorized to declare a state of emergency for procurement purposes and may extend the emergency period and all normal procurement procedures and requirements shall be suspended and the following procedures shall apply.

This change reflects an ongoing effort within the City to ensure that our City's ordinances reflect the best practices of the City and provide effective solutions for most, if not all, circumstances, and scenarios.

Thanks again for your attention and for allowing us to provide you with this update. We look forward to the first and second readings of the ordinance on September 11th and 25th, respectively.

Attachment 1: Chapter 35 Ordinance Amendment Final 09-01-2023

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