

**RESOLUTION NO. 22-90**

**A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, CALLING FOR A REFERENDUM ON EIGHT QUESTIONS SPECIFICALLY SET FORTH IN THE BODY OF THIS RESOLUTION; SETTING THE DATE OF THE REFERENDUM TO BE APRIL 19, 2022, AND PROVIDING FOR NOTICE THEREOF; ESTABLISHING THE BALLOT TITLES AND QUESTIONS FOR THE REFERENDUM; AUTHORIZING THE CITY MANAGER TO MAKE SUCH CORRECTIONS AND AMENDMENTS AS MAY BE NECESSARY TO ACCOMPLISH THE PURPOSES OF THIS RESOLUTION; AND PROVIDING AN IMMEDIATELY EFFECTIVE DATE.**

**WHEREAS**, the City Council proposes to amend certain provisions of the Charter of the City, which amendments are subject to approval by the electors at a referendum, and

**WHEREAS**, the upcoming Super Tuesday election provides the next opportunity for the City to present these proposed amendments to the electorate;

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Panama City Beach, Florida, that the referendum shall be held on April 19, 2022, on the following questions:

**QUESTION 1**

Title: INCREASING RESIDENCY REQUIREMENT FOR MAYOR AND CITY COUNCIL CANDIDATES.

Question: Shall the City's qualifications for candidates seeking the office of Mayor or Councilperson shall be amended to increase the residency requirement from six months to twelve months. If passed, the amendment will require a Council candidate to reside for one year in the ward for which he or she seeks office, and a mayoral candidate to reside in the City limits for one year prior to the election in which they are candidates.

YES \_\_\_\_\_

NO \_\_\_\_\_

**QUESTION 2**

**TITLE: SETTING CAP ON SOLE-SOURCE PURCHASES, AND INCREASING PURCHASE THRESHOLDS ON COMPETITIVE QUOTES, FOR UTILITIES.**

**QUESTION: With regard to the purchase of goods exclusively for the City's water, sewer, stormwater and reuse water utilities, shall the City cap the sole source purchase of specialized goods, without competitive bid, at \$50,000, and increase the purchasing threshold of non-sole source goods with competitive quotes from \$25,000 to \$100,000? These amendments will not apply to any contract for services or to the purchase of goods for any other department of the City.**

**YES \_\_\_\_\_**

**NO \_\_\_\_\_**

**QUESTION 3**

**TITLE: INCREASING CITY MANAGER EMERGENCY AND ROUTINE PURCHASING AUTHORITY, COMPETITIVE PROCUREMENT THRESHOLD.**

**QUESTION: Shall the City Manager be granted emergency spending authority up to \$100,000, in total, only if the purchase is necessary to respond to an emergency, the City Council is unable to call a special meeting, and the Finance Director agrees with the purchase. Further, shall the City Manager's power to purchase without City Council approval, and the City's ability to purchase goods and services without competitive bids, be increased from \$10,000 to \$25,000.**

**YES \_\_\_\_\_**

**NO \_\_\_\_\_**

**QUESTION 4**

**TITLE: AUTHORIZING USE OF COMPETITIVE BIDS OBTAINED BY OTHER GOVERNMENTAL AGENCIES OR COOPERATIVE PURCHASING ENTITIES.**

**QUESTION: Shall the City purchase goods on the same terms and conditions obtained by federal, state or municipal governments, or cooperative purchasing entities of which the City is a member, without the City itself advertising for bids. This amendment will not apply to any contract for services. It is anticipated this amendment will significantly streamline the City's procurement process, and reduce the current procurement process by 14 to 30 days.**

YES \_\_\_\_\_

NO \_\_\_\_\_

**QUESTION 5**

**TITLE: EXEMPTING INFORMATION TECHNOLOGY (IT) GOODS AND SERVICES FROM COMPETITIVE PROCUREMENT REQUIREMENTS.**

**QUESTION: May the City procure without competitive bid the following goods and services: 1) maintenance and service of IT software when the maintenance or services will be performed by the software manufacturer, their service representative or distributor; 2) contracts to acquire proprietary software that is custom made and specifically designed for city use; and 3) purchases of goods or services necessary to prevent or address a cyber-attack or damage or loss of public records.**

YES \_\_\_\_\_

NO \_\_\_\_\_

**QUESTION 6**

**TITLE: APPROVING CHARTER UPDATES AFFECTING CITY MANAGEMENT AND CHARTER OFFICERS.**

**QUESTION: Shall the City Charter be amended to establish the duties of the Assistant City Manager (currently the Mayor acts in absence of City Manager), to clarify and provide the City Manager a public hearing in the event of**

termination for cause (because he/she serves at the pleasure of the Council), and to require the City Clerk and City Attorney undergo annual performance evaluations (currently only required for the City Manager).

YES \_\_\_\_\_

NO \_\_\_\_\_

**QUESTION 7**

**TITLE: REVISING DUTIES OF CIVIL SERVICE BOARD, UPDATING CAUSES FOR EMPLOYEE DISCIPLINE.**

**QUESTION: Shall Civil Service Article 6 of the Charter be revised to alter the role of the Civil Service Board to streamline the hiring process, and to delete and conform provisions to implement this purpose; to permit a three-member Board; to clarify the active role of the Board Secretary in the hiring process; and to modernize the causes for employee discipline.**

YES \_\_\_\_\_

NO \_\_\_\_\_

**QUESTION 8**

**TITLE: APPROVING MISCELLANEOUS CHARTER UPDATES RELATING TO BUDGET, EXECUTION OF CITY DOCUMENTS AND COMPETITIVE BIDDING REQUIREMENTS.**

**QUESTION: Shall the City Charter be amended to update matters relating to the preparation and adoption of the City's annual budget, to modernize the method of execution of City documents, the minimum requirements for competitive bidding, and other amendments all as specifically set forth in ordinance 1576 unanimously adopted by the city council on January 13, 2022.**

YES \_\_\_\_\_

NO \_\_\_\_\_

**BE IT FURTHER RESOLVED** that notice of the referendum shall be given by publication of notice in substantially the form of the foregoing questions once in the week of March 14, 2022, and once in the week of March 28, 2022, in the Panama City News Herald, a newspaper of general circulation in Bay County Florida, and by the posting of said notice on the City's website [www.pcbfl.gov](http://www.pcbfl.gov) during the months of March and April, 2022.

**AND BE IT FURTHER RESOLVED** that the City Manager is hereby authorized and directed to make such corrections and amendments to the ballot, schedule, and matters resolved herein as may be necessary to accomplish the purposes of this Resolution.

**THIS RESOLUTION** shall become effective immediately upon passage.

**PASSED, APPROVED, AND ADOPTED** in regular session this 27<sup>th</sup> day of January, 2022.

**CITY OF PANAMA CITY BEACH, FLORIDA**

By:   
MARK SHELDON, MAYOR

**ATTEST:**

  
LYNNE FASONE, CITY CLERK