

**Fiscal Year** 2023

Date: 2/27/2023

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[illegible]

APPROVED? Y

## 2/9/2023

## **Resolution No. 2023-3116**

**A Resolution of the City of Sanford, Florida, amending the City's annual operating budget for the fiscal year beginning October 1, 2022 and ending September 30, 2023 relating to the Sanford Marina related repair items; providing for implementing administrative actions; providing for a savings provision; providing for conflicts; providing for severability and providing for an effective date.**

**Whereas**, the Commission of the City of Sanford, Florida has adopted an annual operating budget for the fiscal year beginning October 1, 2022 and terminating on September 30, 2023 specifying certain projected revenues and expenditures for the operations of Sanford municipal government; and

Whereas, the City's budget presumes that each department generally will, to the best of their ability, maintain its expenditures within its allocated budgeted level and exercise prudence in expending funds during the course of the City's fiscal year; and

**Whereas**, from time-to-time circumstances and events may require that the original City budget may need revision such as is necessary to address Sanford Marina Related repair items; and

**Whereas**, the City Commission, in its judgment and discretion, has the authority to adjust the budget to more closely coincide with actual and expected events.

**Now, therefore, be it adopted and resolved by the City Commission of the City of Sanford, Florida as follows:**

### **Section 1. Adoption of Budget Amendment; Sanford Marina Related Repair Items.**

The annual operating budget of the City of Sanford for the fiscal year beginning October 1, 2022 and terminating on September 30, 2023 is hereby revised and

amended by Attachment "A". The Attachment is hereby incorporated into this Resolution as if fully set forth herein verbatim. Except as amended herein, the annual operating budget for the City of Sanford for fiscal year beginning October 1, 2022 and terminating on September 30, 2023 shall remain in full force and effect.

**Section 2. Implementing Administrative Actions; Sanford Marina Related Repair Items.**

The City Manager, or designee, is hereby authorized and directed to implement the provisions of this Resolution by means of such administrative actions as may be deemed necessary and appropriate with regard to Sanford Marina Related repair items.

**Section 3. Savings.**

The prior actions of the City of Sanford relating to the adoption of the City budget and related activities to include, but not be limited to, those relating to the Sanford Marina, are hereby ratified and affirmed.

**Section 4. Conflicts.**

All resolutions or parts of resolutions in conflict with this Resolution are hereby repealed.

**Section 5. Severability.**

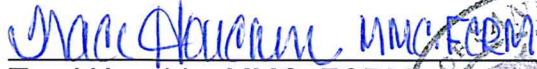
If any section, sentence, phrase, word, or portion of this Resolution is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word, or portion of this Resolution not otherwise determined to be invalid, unlawful, or unconstitutional.

**Section 6. Effective Date.**

This Resolution shall become effective immediately upon adoption.

**Passed and adopted this 27<sup>th</sup> day of February, 2023.**

*Attest:*



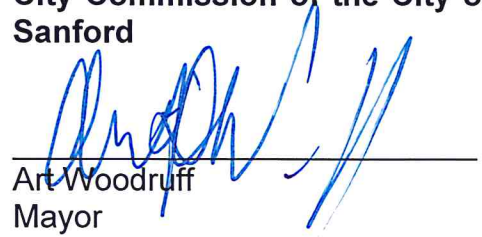
Traci Houchin, MMC, FCRM  
City Clerk

For use and reliance of the Sanford  
City Commission only.  
Approved as to form and legality.



William Colbert  
City Attorney

**City Commission of the City of  
Sanford**



Art Woodruff  
Mayor



**PROMISSORY NOTE RELATING TO SANFORD MARINA FUND**

\$80,078.54

Sanford, Florida  
Date: \_\_\_\_\_, 2023

**FOR VALUE RECEIVED**, the undersigned, The City of Sanford Marina Fund (hereinafter the "SMF"), whose address is Sanford City Hall, 300 North Park Avenue, Sanford, Florida 32771, the Maker of this Promissory Note, promises to pay to the order of Holder of this Promissory Note, the City of Sanford, Florida, whose address is Sanford City Hall, 300 North Park Avenue, Sanford, Florida 32771 (hereinafter the "City"), or at such place or places as the Holder hereof may designate, the principal sum of Eighty Thousand, and Seventy Eight Dollars and Fifty-Four Cents (\$80,078.54). Such principal sum shall be paid by SMF to the City as follows: commencing October 1, 2025, and continuing monthly thereafter, on or about the 1<sup>st</sup> day of each month, the monthly amount of \$5,000.00, with such monthly payments to continue until the principal sum is paid in full.

The Maker and endorser of this Promissory Note severally waives presentment for payment, protest, and notice of protest of the nonpayment of this Promissory Note, and consents that the time of payment may not be extended without notice thereof and the Holder's subsequent written agreement.

The Maker promises to pay all costs of collecting this Promissory Note including, but not limited to, a reasonable attorney's fee and other fees as set forth above, whether incurred in connection with collection, trial appeal or otherwise.

The Maker shall have the option and privilege to prepay in part or in full at any time the sum remaining unpaid, without penalty.

This Promissory Note is secured by any and all revenues, assets and property of the Maker and shall be construed and enforced according to the laws of the State of Florida.

Maker and Maker's Address:

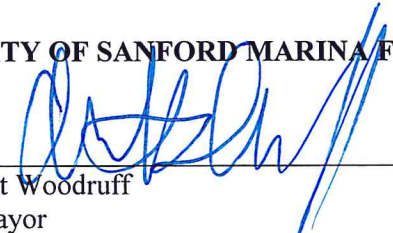
City Of Sanford Marina Fund  
300 North Park Avenue  
Sanford, Florida 32771

ATTEST:

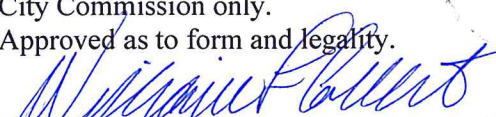
CITY OF SANFORD MARINA FUND



Traci Houchin, MMC, FCRM  
City Clerk

  
Art Woodruff  
Mayor

For use and reliance of the Sanford  
City Commission only.  
Approved as to form and legality.



William Colbert  
City Attorney





CITY OF  
**SANFORD**  
FLORIDA

WS \_\_ RM X

Item No. 8.D

**CITY COMMISSION MEMORANDUM 23-040**  
**FEBRUARY 27, 2023 AGENDA**

**TO:** Honorable Mayor and Members of the City Commission  
**PREPARED BY:** Craig M. Radzak, Assistant City Manager  
**SUBMITTED BY:** Norton N. Bonaparte, Jr., ICMA-CM, City Manager  
**SUBJECT:** Procurement of Sanford Marina Related Repair Items; Budget Amendment Resolution; Promissory Note

**STRATEGIC PRIORITIES:**

- ☐ Unify Downtown & the Waterfront
- ☐ Promote the City's Distinct Culture
- ☐ Update Regulatory Framework
- ☐ Redevelop and Revitalize Disadvantaged Communities

**SYNOPSIS:**

Approval of procurement of items relating to the Sanford Marina together with the adoption of the associated Resolution No. 3116 providing for a budget amendment is requested.

**FISCAL/STAFFING STATEMENT:**

The total cost of the needed repairs to the Sanford Marina addressed in this action is \$80,078.54. Funding for the repairs will be provided by a loan from the General Fund reserves to the Marina Fund which will be repaid to the General Fund at a later time when the Marina Fund becomes solvent. The indebtedness will be secured by means of a Promissory Note addressing the internal indebtedness.

The cost breakdown for the needed work is as follows:

Travel lift (repair):	\$49,505.84
Boat Rack Installation :	\$26,000.00
Foundation Repair:	\$ 4,572.70

**BACKGROUND:**

At the May 9, 2022 City Commission meeting, the management and operations contract for the Sanford Marina was awarded to Founders 3. Since assuming management of the Marina, Founders 3 has corrected several safety, security, and operational concerns through with regard to items that the City Commission approved. However, since Hurricane Ian significant erosion occurred throughout the Marina around and under the dry stack building that required concrete to be pumped in to stabilize the grounds.

The repair of the 40+ year old travel lift unit was an unexpected costly repair that resulted in operational losses. The lift experienced a gear shift mechanical failure, needed mechanical adjustments, and replacement straps were installed so the unit can be operated safely.

At the August 8, 2022 City Commission meeting, approval was given for the purchase of boat racks to replace the current racks in a more efficient manner, but the price of installation was not included in the purchase. For safety and potential liability reasons, it was determined the vendor should install these racks in an appropriate manner addressing all concerns.

**LEGAL REVIEW:**

The Assistant City Attorney has reviewed this matter and prepared Resolution No. 3116 and has no legal objection to the actions proposed with all procurement activity occurring in accordance with the agreement with Founders 3 and the City's Purchasing Policies and Procedures.

**RECOMMENDATION:**

City staff recommends that the City Commission approve the procurement of Sanford Marina related items, approve the issuance of a Promissory Note and adopt Resolution No. 3116, amending the budget in the amount of \$80,078.54.

**SUGGESTED MOTION:**

"I move to approve Resolution No. 3116, the requested procurements and Promissory Note."

Attachments: (1). Promissory Note.  
(2). Resolution No. 3116

GROUP NUMBER . : 02469 MARINA-REPAIR & PROM NOTE  
GROUP USER . . : POSEYS Posey, Shanna - Executive

TRANS NO	TRANS DATE	DOCUMENT	ACCOUNT NUMBER	DESCRIPTION 1	PROJECT	BUDGET AMOUNT	ORIG(Y/N)
DESCRIPTION 2		TYPE					
0000100	02/27/2023	BA 05-103	457-0000-389.98-00	MARINA-REPAIR & PROM NOTE		80,079.00	
RES# 3116 / CCM# 23-040							
0000200	02/27/2023	BA 05-103	457-5502-575.63-00	MARINA-REPAIR & PROM NOTE	MA2201	4,573.00	
RES# 3116 / CCM# 23-040							
0000300	02/27/2023	BA 05-103	457-5502-575.64-00	MARINA-REPAIR & PROM NOTE		75,506.00	
RES# 3116 / CCM# 23-040							

TOTALS:

AMOUNT CALCULATED

AMOUNT ENTERED

DIFFERENCE

COUNT: 3  
AMOUNT: 160,158.00

3  
160,158.00

*Cynthia Lindsey*

3/14/2023