Agenda Item Summary Sheet
CITY COUNCIL REGULAR

MEETING DATE: November 16, 2026 **AGENDA ITEM NO.** 6.5
WARD: ALL **QUASI-JUDICIAL:** No

PERMISSION TO ADVERTISE

TITLE: Permission to advertise Ordinance No. 4096 for a public hearing on December 7, 2026, An Ordinance of the City Council of The City of Fort Myers, Florida, rescinding City Code, Sub-Part A. Administrative Code, Sub-Part A. Administrative Code, Chapter 38 Finance, Article V, Minority Business Enterprise Program, Providing for Severability; and Providing for an Effective Date (Johnny Trevino, Procurement)	**STRATEGIC PRIORITY:**Financially Sound City
MOTION / MANAGEMENT RECOMMENDATION:	Approve
FUNDING SOURCE:	n/a
FISCAL IMPACT ($):	n/a
ONE-TIME COST	No
BUDGET YEAR:	FY2027
BUDGETED ITEM:	N/A

Person Initiating Request: Johnny Trevino, Procurement
Department: City Attorney

STAFF REPORT: Effective January 1, 2027, Sections 125.595 and 166.04971, Florida Statutes, prohibit specified county and municipal DEI activities and void covered local policies, subject to statutory exceptions. Section 287.139 requires prospective local contract and grant recipients to certify that local funds will not be used for mandatory DEI instruction or materials as specified by law.

Federal Executive Orders 14151 and 14173 direct agencies to end unlawful DEI programs and preferences. Executive Order 14173 also revokes Executive Order 11246's federal contractor affirmative action framework and directs agencies to require compliance with federal anti-discrimination laws in contracts and grants.

Staff recommends repealing the City's Minority Business Enterprise Program ordinance to promote neutral procurement, open competition, cost efficiency, legal compliance, and reduced administrative risk while preserving applicable grant requirements.

This item requests authorization to advertise a public hearing on December 7, 2026 to consider repealing Article V, Minority Business Enterprise Program, Sections 38-122 through 38-128, of the City Code.

ATTACHMENTS:
Ad - Ord 4096.pdf
Ordinance No. 4096 Repeal of Minority Business Enterprise Program.pdf
Ordinance No. 4096 - Business Impact Estimate.pdf