

**RESOLUTION NO. 20-04**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA AUTHORIZING THE TOWN MANAGER OR THE TOWN MANAGER'S DESIGNEE TO APPLY FOR AND ADMINISTER A GRANT FROM THE FLORIDA BOATING IMPROVEMENT PROGRAM FOR FUNDS IN THE AMOUNT OF UP TO \$250,000.00 FOR THE BAYSIDE PARK DINGHY DOCK PROJECT; AUTHORIZING THE TOWN MANAGER OR HIS DESIGNEE TO EXECUTE RELATED DOCUMENTS; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, Florida Statutes provide that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal service, and exercise any power for municipal purposes, except when expressly prohibited by law; and

**WHEREAS**, Article X of the Town Charter of the Town of Fort Myers Beach empowers the Town to adopt, amend, or repeal such ordinances and resolutions as may be required for the proper governing of the Town; and

**WHEREAS**, the Town of Fort Myers Beach ("Town") has an opportunity to apply for grant funding from the Florida Boating Improvement Program ("Grant") through Florida Fish and Wildlife Conservation Commission for improvements to Bayside Park area for boaters, including the addition of a dinghy dock ("Project"); and

**WHEREAS**, the Grant requires a Town match of 50% of funding (up to \$125,000) of the requested amount, which funding is budgeted in the 2020-2021 Fiscal Year Budget for the Project; and

**WHEREAS**, the Town desires to apply for the Grant in the amount of up to \$250,000 in order to provide the Town with funds to complete the Project; and

**WHEREAS**, in order to apply for the Grant, a Resolution of the Town is required designating a "Project Manager", and authorizing the Project Manger to apply for and administer the Grant on behalf of the Town; and

**WHEREAS**, the Town desires to designate the Town Manger or his designee as the Project Manager and authorize the Town Manager or his designee, to apply for and administer the Grant on behalf of the Town; and

**WHEREAS**, the Grant also requires the Town to enter into a 20-year agreement for the maintenance and operation of the project once the new improvements are completed.

**NOW, THEREFORE, BE IT HEREBY RESOLVED, BY THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA AS FOLLOWS:**

Section 1. The above recitals are true and correct, and incorporated herein by this reference and adopted as the legislative and administrative findings of the Town Council.

Section 2. The Town Council hereby designates the Town Manager or his designee as Project Manager, and authorizes the Town Manager or the Town Manager's designee to apply for the Grant in the amount of up to \$125,000 and administer the grant on behalf of the Town.

Section 3. The Town Manager or his designee is authorized to execute any documents necessary to apply, receive, and administer the Grant, including entering into a 20-year agreement for the maintenance and operation of the project once the new improvements are completed.

Section 4. This Resolution shall take effect immediately upon its adoption.

**THE FOREGOING RESOLUTION** was adopted by the Town Council upon a motion by Vice Mayor Murphy and seconded by Council Member Hosafros and upon being put to a vote, the result was as follows:

**DULY PASSED AND ADOPTED** on this 18<sup>th</sup> day of February, 2020.

Anita Cereceda, Mayor	aye
Ray Murphy, Vice Mayor	aye
Bruce Butcher, Councilmember	aye
Joanne Shamp, Councilmember	aye
Rexann Hosafros, Councilmember	aye

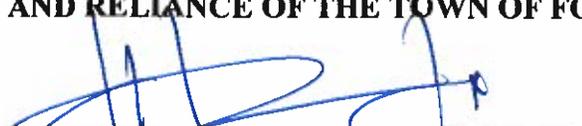
**TOWN OF FORT MYERS BEACH**

  
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Anita T. Cereceda, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Michelle D. Mayher, Town Clerk

**APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:**

  
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John R. Herin, Jr., Town Attorney

This Resolution was filed in the Office of the Town Clerk on this 3<sup>rd</sup> day of March 2020.