

RESOLUTION NO. 24-218

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA RATIFYING THE TOWN MANAGER'S APPROVAL OF AMENDMENT NO. 1 TO AGREEMENT NO. LW738 WITH THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE RECEIPT OF GRANT FUNDING FOR OUTDOOR RECREATION FACILITIES AS PART OF THE BAY OAKS CAMPUS REDEVELOPMENT PROJECT TO EXTEND THE COMPLETION DATE TO AUGUST 31, 2025 AND THE GRANT EXPIRATION DATE TO DECEMBER 31, 2025; 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 (“Town”) 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 was awarded a \$1 million matching grant from the Florida Department of Environmental Protection (“Grant”) for outdoor recreation facilities as part of the Bay Oaks Campus Redevelopment (“Project”) that had a project completion date of August 31, 2024, and a grant agreement expiration date of December 31, 2024; and

WHEREAS, on March 7, 2022, the Town Council ratified the execution of the grant agreement by the Town Manager as previously authorized by the Town Council at its Management and Planning Meeting on February 10, 2022; and

WHEREAS, as a result of the catastrophic destruction of Hurricane Ian and subsequent focus by the Town on emergency response and recovery efforts, the Town determined that it was in the best interests of the health, safety, and welfare of the Town’s residents and visitors to request an extension of the grant’s project completion date and grant expiration date by one year; and

WHEREAS, on October 16, 2024, the town was notified that it had been granted the extension, and on that same day the Town Manager executed Amendment No. 1 to Agreement No. LW738 between the Florida Department of Environmental Protection and the Town of Fort Myers Beach which extends the grant project completion date by one year to August 31, 2025 and the grant agreement expiration date by one year to December 31, 2025; and

WHEREAS, the Town Council wishes to ratify the Town Manager’s execution of the Amendment to the Grant Agreement which extends the grant project completion date by one year to August 31, 2025, and the grant agreement expiration date by one year to December 31, 2025.

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 ratifies the Town Manager’s execution of Amendment No. 1 to Agreement No. LW738 between the Florida Department of Environmental Protection and the Town of Fort Myers Beach which extends the grant project completion date by one year to August 31, 2025, and the grant agreement expiration date by one year to December 31, 2025.

Section 3. This Resolution shall take effect immediately upon its adoption.

The foregoing Resolution was adopted by the Town Council upon a motion by Council Member Woodson and seconded by Council Member Safford, and upon being put to a roll call vote, the result was as follows:

Dan Allers, Mayor	Aye
Jim Atterholt, Vice Mayor	Aye
John R. King, Council Member	Aye
Scott Safford, Council Member	Aye
Karen Woodson, Council Member	Aye

ADOPTED this 28th day of October 2024 by the Town Council of the Town of Fort Myers Beach, Florida.

TOWN OF FORT MYERS BEACH


Dan Allers (Nov 4, 2024 13:36 EST)

Dan Allers, Mayor

ATTEST:


Amy Baker (Nov 5, 2024 13:52 EST)

Amy Baker, Town Clerk

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


Nancy Stuparich (Nov 4, 2024 12:23 EST)

Vose Law Firm, Town Attorneys

This Resolution was filed in the Office of the Town Clerk on this 4th day of November 2024.