

RESOLUTION NUMBER 24-209

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA APPROVING BUDGET ADJUSTMENT (#1) TO FUND PURCHASE OF REAL PROPERTY LOCATED AT 6221 ESTERO BLVD, FORT MYERS BEACH, FLORIDA; 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 Council approved Resolution 24-153 on August 5, 2024 authorizing Budget Adjustment #6 to the Fiscal Year 2024 Budget to fund the purchase of the property located at 6221 Estero Blvd for approximately \$1,700,000 for the purpose of providing parking for the new town hall; and

WHEREAS, the closing on the purchase of the property will be later than expected and will occur in Fiscal Year 2025 rather than in Fiscal Year 2024 resulting in the funding not being utilized in Fiscal Year 2024 and the unspent funds are available to carry forward into Fiscal Year 2025; and

WHEREAS, Section 200.065, Florida Statutes establishes the method for adoption of a budget for all taxing authorities in the State of Florida and Section 166.241, Florida Statutes requires the governing body of each municipality in Florida to adopt a budget via ordinance or resolution before the start of each fiscal year; and

WHEREAS, on September 23, 2024, the Town Council of the Town of Fort Myers Beach, following due public notice, adopted a final operating budget for fiscal year 2024-25, as set forth with greater specificity in Town Resolution 24-185; and

WHEREAS, Section 11.05(a) of Article XI of the Town Charter provides that if, during the fiscal year, the town manager certifies that there are available for appropriation revenues in excess of those estimated in the budget, the council, by resolution, may make supplemental appropriations for the year up to the amount of such excess, so long as a fiscally responsible reserve is maintained; and

WHEREAS, it is in the best interest of the Town to carry forward approximately \$1,700,000 of unspent funds from Fiscal Year 2024 and appropriate them in Fiscal Year 2025 to fulfill their original purpose of funding the purchase of property at 6221 Estero Blvd to provide parking for the new town hall.

IT IS HEREBY RESOLVED by the Town Council of Fort Myers Beach, Florida as follows.

Section 1. The above recitals as set forth in the various “Whereas” clauses are hereby adopted by reference and incorporated into the body of this Resolution.

Section 2 The Town Council further finds that the related supplemental appropriation of funds is consistent with the requirements of Section 11.05 (a), and (a) of Article XI of the Town Charter, and hereby approves, adopts and accepts the following budget amendment:

Budget Adjustment #1

40.29.519.33447	Capital Fund: State LAP Grant	\$980,035
40.29.519.61000	Capital Fund: Land (Parking Lot)	\$980,035
13.29.519.38100	Emergency Fund: Prior Year Carry Over	\$739,965
13.29.519.61000	Emergency Fund: Land (Parking Lot)	\$719,965
13.29.519.61000	Emergency Fund: Legal Fees (Closing Costs)	\$ 20,000

Section 3. This resolution is effective immediately upon adoption.

The foregoing Resolution was adopted by the Town Council upon a motion by Council Member Woodson and seconded by Council Member King, 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 21st day of October 2024 by the Town Council of the Town of Fort Myers Beach, Florida.

TOWN OF FORT MYERS BEACH


Dan Allers (Oct 31, 2024 07:50 EDT)

Dan Allers, Mayor

ATTEST:


Amy Baker (Nov 4, 2024 08:08 EST)

Amy Baker, Town Clerk

APPROVED AS TO FORM:


Nancy Stuparich (Nov 11, 2024 20:55 EDT)

Vose Law Firm, Town Attorneys

This Resolution was filed in the Office of the Town Clerk on this 30th day of October 2024.