

RESOLUTION NUMBER 25-89

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, RATIFYING ACTIONS OF THE TOWN TAKEN JANUARY 10, 2025, AND JANUARY 27, 2025, UNDER THE EMERGENCY PROCUREMENT POLICY TO APPROVE TWO PURCHASE ORDERS WITH KIRKWOOD ELECTRIC FOR ELECTRICAL WORK RELATED TO THE RENOVATION OF THE NEW TOWN HALL, THE COMBINED TOTAL OF WHICH IS \$76,662.00; AND PROVIDING FOR 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, on January 10, 2025, the Town approved a purchase order for Kirkwood Electric totaling \$63,607.00 for necessary electrical work related to the renovation of the new town hall; and

WHEREAS, the Town of Fort Myers Beach Code Sec. 2-480 (d) provides the basis for emergency purchase for the Town Manager to make, or authorize others to make, emergency purchases of supplies, services or construction items when there exists a threat to public health, welfare or safety; provided that such emergency purchases are made with such competition as is practicable under the circumstances; and

WHEREAS, on January 27, 2025 the Town Manager used his emergency authority to approve a second purchase order for Kirkwood Electric totaling \$13,055.00 in order to provide additional electrical work necessary to complete the renovation of the new town hall without delay so as to minimize the amount of rental expense for the temporary office trailers used to house town hall, comply with FEMA directives, and return to normal operations; and

WHEREAS, the total of these two purchase orders is \$76,662.00, and therefore exceeds the \$75,000.00 threshold requiring ratification by the Town Council.

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

Section 1. The above recitals are true and correct and are hereby incorporated by reference as though fully set forth herein and are hereby adopted as the legislative and administrative findings of the Town Council.

Section 2. This Resolution memorializes and ratifies the actions of the Town to approve two purchase orders with Kirkwood Electric on January 10, 2025 and January 27, 2025 totaling \$76,662.00 for the purpose of providing electrical work necessary to the completion of the new town hall as soon as possible so as to minimize the amount of rental expense for the temporary office trailers used to house town hall, comply with FEMA directives, and return to normal operations .

Section 3. This Resolution shall take effect immediately upon its adoption by the Town Council of the Town of Fort Myers Beach.

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 17th day of March 2025 by the Town Council of the Town of Fort Myers Beach, Florida.

TOWN OF FORT MYERS BEACH


Dan Allers (Mar 20, 2025 11:48 EDT)

Dan Allers, Mayor

ATTEST:


Amy Baker (Mar 19, 2025 10:34 EDT)

Amy Baker, Town Clerk

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


Vose Law Firm (Mar 21, 2025 09:11 EDT)

Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on this 20th day March 2025.