



Fort Myers Beach Town Council

**Town Hall location
2545 Estero Blvd.
Fort Myers Beach, FL 33931**

REVISED

Agenda

Monday, January 9, 2023

9:00 AM

ORDER OF BUSINESS

- I. CALL TO ORDER**
- II. INVOCATION**
- III. PLEDGE OF ALLEGIANCE**
- IV. APPROVAL OF FINAL AGENDA**
- V. PUBLIC COMMENT**
- VI. LOCAL ACHIEVEMENTS AND RECOGNITIONS**
- VII. ADVISORY COMMITTEES ITEMS / REPORTS / APPOINTMENTS**
- VIII. APPROVAL OF MINUTES**
 - A. Town Council - September 22, 2022
 - B. Emergency Town Council - September 26, 2022
 - C. Town Council - October 14, 2022
 - D. Management & Planning Session - November 17, 2022
 - E. Joint Session Town Council & LPA - November 17, 2022
 - F. Town Council - November 21, 2022
 - G. Town Council - December 5, 2022
 - H. Management & Planning Session - December 12, 2022
- IX. PRESENTATION**
 - Florida Power & Light: Estero Boulevard Street Lighting
- X. CONSENT AGENDA**
 - A. Resolution 23-03; H2 Solutions, LLC
Resolution 23-03 approving nun pro tunc the Professional Services Agreement between the Town and H2 Solutions, LLC for Interim Town Manager services.

- B. Resolution 23-02; Extending Local State of Emergency
Approve Resolution Extending the Town Declaration of State of Local Emergency
- C. Submerged Lands Lease
Approve Resolution 23-05 and Authorize the Mayor to execute the Submerged Land Lease renewal with the Department of Environmental Protection for the Mooring Field and Dinghy Dock and all associated documents.
- D. SRF Loan Agreement DW360800 Amendment 4 - Payment Suspension
Authorize the Town Manager to execute Amendment 4 to SRF Loan Agreement DW360800 for the Town of Fort Myers Beach, which will suspend semiannual payment activities in the amount of \$307,841.90 until November 15, 2024 while the Town focuses on hurricane restoration efforts.
- E. SRF Loan Agreement Amendment 5 - SW360830 - Payment suspension
Authorize the Town Manager to execute Amendment 5 to SRF Loan Agreement SW360830 for the Town of Fort Myers Beach, which will suspend semiannual payment activities in the amount of \$109,091.77 until October 15, 2024 while the Town focuses on Hurricane restoration efforts.

XI. PUBLIC HEARINGS

- A. Ordinance 23-01; Signs
AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA AMENDING CHAPTER 30 OF THE LAND DEVELOPMENT CODE OF THE TOWN OF FORT MYERS BEACH ENTITLED "SIGNS" TO PROVIDE FOR CONTENT NEUTRAL SIGN REGULATIONS AND TO ALLOW CERTAIN PORTABLE SIGNS, PROVIDING FOR SEVERABILITY; CODIFICATION; SCRIVENER'S ERRORS; CONFLICTS OF LAW AND AN EFFECTIVE DATE. Open the first public hearing and schedule for second reading and final adoption on January 23, 2023 at 9:00 AM

XII. ADMINISTRATIVE AGENDA

- A. FY23-24 Legislative Appropriation Request
Authorize Town Manager to submit the FY23-24 Legislative Appropriation Request
- B. Lee County TDC FY24 Grant Request
Approve Lee County Tourist Development Council grant request for Fiscal Year 2024.
- C. Resolution 23-08; TFMB & FMBFCD License Agreement
Adopt Resolution 23-08 approving a License Agreement with the Fort Myers Beach Fire Control District for the use of the property located at 2545 Estero Boulevard as a temporary Town Hall location.

- D. Authorize Town Manager to refund \$3,000 payments made by Laguna Shores residents for the proposed Laguna Channel Dredging Project. benefiting properties cost share.
Town Council authorization for the Town Manager to refund \$3,000 payments made by Laguna Shores residents for the proposed Laguna Channel Dredging Project.
- E. Authorize and direct the Town Manager to participate in the Lee County Vulnerability Analysis Project "Waterway Infrastructure Risk & Resiliency - CDBG-MIT"
Authorize and direct the Town Manager and Town staff to participate in the Lee County Vulnerability Analysis Project "Waterway Infrastructure Risk & Resiliency - CDBG-MIT"
- F. ITB-23-05-AD; Emergency Preparations for Temporary Relocation
Authorization to award the Emergency Preparations for Temporary Relocations to FMB Builders, Inc. as the low, responsive and responsible bidder in response to ITB-23-05-AD, in an amount not to exceed \$985,860.00. Authorize the Town Manager to negotiate a final and best offer, and execute the contract documents.
- G. RFP-23-03-UT; Stormwater Maintenance and Repair
Accept the Town Managers recommendation to approve the Selection Advisory Committee's rankings in response to RFP-23-03-UT; "Stormwater Maintenance and Repair", and directing the Town Manager to enter into negotiations with Earthview, LLC, the top ranked respondent.
The Selection Advisory Committee's ranking recommendation:
1. Earthview
2. Shenandoah
3. APT
- H. RFP-23-07-AD Selection Advisory Recommendation
Accept the Town Managers recommendation to approve the Selection Advisory Committee's rankings in response to RFP-23-07-AD, "Disaster Recovery and Mitigation Consulting Services for incidents and Events", and directing the Town Manager to enter into negotiations with Tidal Basin, the top ranked respondent.
The Selection Advisory Committee's top 3 ranking recommendations:
1. Tidal Basin
2. Witt O'Brien's
3. Synergy Disaster Recovery

- I. Amendment #1 to Beach Renourishment Professional Engineering Services Agreement
Adopt Resolution 23-07 approving the First Amendment to the Professional Services Agreement between the Town of Fort Myers Beach and Coastal Engineering Consultants, Inc. for Beach Renourishment Professional Engineering Services to include 2-CFR clauses.
- J. Emergency Contract Ratification - Coastal Maintenance & Restoration, Inc.
Town Council ratification of the existing emergency contract with Coastal Maintenance & Restoration, Inc.
- K. Emergency Contract Ratification - Conidaris Builders & Contractors, Inc., Lott-Agri Services, LLC, Universal Trax of South Florida, LLC, and Vctor Contracting Services, LLC
Town Council ratification of the existing emergency contracts with Conidaris Builders & Contractors, Inc., Lott-Agri Services, LLC, Universal Trax of South Florida, LLC, and Vctor Contracting Services, LLC.

XIII. FINAL PUBLIC COMMENT**XIV. TOWN MANAGER'S ITEMS****XV. TOWN ATTORNEY'S ITEMS****XVI. COUNCILMEMBERS ITEMS AND REPORTS****XVII. ADJOURNMENT**

NOTE: THIS MEETING IS STREAMED LIVE ON YOUTUBE.

IF A PERSON DECIDES TO APPEAL A DECISION MADE BY THE COUNCIL IN ANY MATTER CONSIDERED AT THIS MEETING/HEARING, SUCH PERSONS MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, TO INCLUDE THE TESTIMONY AND EVIDENCE UPON WHICH ANY SUCH APPEAL IS TO BE BASED.



For special accommodations, please notify the Town Clerk's Office at least 72 hours in advance. (239) 765-0202

In accordance with the Americans with Disabilities Act (ADA), persons needing a special accommodation to participate in the Board's proceedings should contact the Town Clerk's Office not later than three days prior to the proceedings.