



Fort Myers Beach Management & Planning Session

**Council Chambers
2525 Estero Blvd.
Fort Myers Beach, FL 33931**

Minutes

**Thursday, January 12,
2023**

9:00 AM

ORDER OF BUSINESS

FINAL

I. CALL TO ORDER

Members present: Mayor Allers, Vice Mayor Atterholt, Council Member King, Council Member Veatch and Council Member Woodson.

II. PLEDGE OF ALLEGIANCE

III. ITEMS FOR DISCUSSION

A. FDEM Director Update - Kevin Guthrie

Mayor Allers revealed that Mr. Guthrie could not attend the meeting. Stephanie Stachowicz represented Mr. Guthrie and noted the period of performance was January 1, 2023, to March 29, 2023, for permitting help in community development. Interim Town Manager Holley explained that current backup help for permitting reviews would be eliminated at the end of March. Ms. Stachowicz noted that hiring a higher-level building official had to be approved by the governor's office. Interim Town Manager Holley described obtaining new trailers and setting up a compound for Town Hall offices. Ms. Stachowicz Additional positions requested by the town were under consideration. She indicated that concrete slabs affiliated with demo permits would be removed along with other debris. Site inspections were completed on 18 properties and 12 sites were determined to be feasible for trailers. She provided details regarding the feasibility of placing trailers on specific sites. She noted that a sizable portion of applicants were coded P4 and eligible for FEMA direct housing. Mayor Allers clarified that people who qualified for FEMA housing were not eligible for the state program.

Council Member Veach questioned whether the FDEM would collaborate with the town regarding rebuilding Times Square. Ms. Stachowicz replied affirmatively and suggested that a meeting be scheduled. Consensus was reached to set up meetings with the state.

Council Member Atterholt questioned whether the governor would contact the CEO of CVS to prioritize rebuilding. Ms. Stachowicz replied that she would discuss the issue with Mr. Guthrie. Mayor Allers suggested that 7-Eleven be included in the call.

B. Post Disaster Recovery Plan

Interim Town Manager Wilkins suggested that this item and Development Incentives and Public Purpose be combined and included in a master plan for redevelopment. He recommended that whichever planning firm the town hired be directed to present a plan covering all topics. Interim Town Manager Holley explained how a master plan differed from a comprehensive plan. He noted the urban core needed to be looked at with stakeholders present.

Interim Town Manager Wilkins stated that the comprehensive plan contained policies and objectives laid out in law, while a master plan could include incentives for developers and investors.

Council Member Woodson revealed that a planner on the LPA (Local Planning Agency) indicated that planners across the state were willing to set up a workshop at no cost to the town. Council Member Veach pointed out that the town already had two planners and Eddie Ng was updating the LDC (Land Development Code) and the comprehensive plan. He questioned the qualifications of the LPA member compared to Mr. Ng. Interim Town Manager Holley indicated that he was not sure whether Mr. Ng's firm had experience in urban planning. Council Member Veach was concerned about delaying the work. Council Member Woodson thought the workshop could be set up quickly. Interim Town Manager Holley discussed the complexity of rebuilding the town. Council Member King supported scheduling a workshop. Mayor Allers noted a consensus was reached to arrange a workshop in conjunction with Mr. Ng. Council Member Veach suggested that the Council review the work already done.

Town Attorney Herin, Jr. stated that the state recently prohibited local governments from establishing architectural standards. He noted that engaging a planning firm to develop a master plan would have to go through the usual procurement process, which meant opening up proposals for interested firms, including The Corradino Group.

C. Presentation: Town Hall Rebuild Design Concepts

Tim Sewell, Construction Manager of Ajax Construction, and Todd Sweet, an architect from Sweet Sparkman, utilized PowerPoint for their presentation. The presentation was also distributed to Council Members. Mr. Sweet and Mr. Sewell reviewed their experience. Slides included: Timeline, New Town Hall Program, Conceptual Master Site Plan, New Town Hall Estimate, New Town Hall Summary Schedule, Items for Consideration and Next Steps. Mr. Sweet explained why the proposed Town Hall would be almost double the

size of the old Town Hall at a cost of approximately \$24,461,899 million. Council Member Woodson stated that Sweet Sparkman built the Lovers Key center, and their work was excellent.

D. Discussion of Legislative Priorities with Town Lobbyist Ron Book
FY23/24 Appropriation Request

Lobbyist Ron Book praised state and town officials. He stated that he needed a list of what the town believed their needs were. He described his experience with Hurricane Andrew and the Deepwater Horizon oil spill disaster. He stated that he had contacted 7-Eleven and the response was positive.

Mr. Book described conversations with Interim Town Manager Holley regarding what the town needed and its priorities. He indicated that Town Council needed to amplify the need to rebuild with the media every chance they got. He mentioned that he would create outlines of the three pages of notes he took. Vice Mayor Atterholt suggested that Mr. Book review the Town Council meeting from January 9, 2023, regarding their list of priorities. He added that the Town Council was united and supported the Mayor, the Interim Town Manager and Mr. Book.

Mr. Book indicated that the town had to develop project-directed tiers of what they could spend in 12 months, 24 months, 36 months, 48 months and 60 months. He described silos in the state budget.

Interim Town Manager Holley discussed the town's financial position and options regarding where they could meet until the town hall was rebuilt. He noted that the League of Cities should finalize their adjuster claim process by the end of the month. He felt the town needed a public adjuster to inspect the town hall so it could be demolished.

Mr. Book indicated that if all states of emergency had not expired, then procurement waivers still existed. He suggested they check with Mr. Guthrie for verification. He explained why funding for a new town hall would have to be requested yearly.

E. Presentation: HMGP

Interim Town Manager Holley stated that the list distributed was the 404 list and town hall was on the 406 list. He noted that it was a long process and the money would not flow for a long time. The 406 mitigation list was related to whatever was damaged and the 404 list was for areas that were not damaged and not covered by public assistance mitigation.

Luis Avila, Vice President of Mitigation, stated that the county had to receive the 404 list by January 23, 2023, along with a letter of intent. He noted that projects on the list might appear on other lists and the 25-26 projects created were about \$170 million. He wanted to show the county and state that there was more mitigation besides what was covered under public assistance mitigation.

Jacob Gray, Senior Director of Mitigation, indicated that previous projects fell through, so there was a potential for more funding. He noted that there were multiple steps of eligibility to go through. Mayor Allers commented that it was a very complex process. Mr. Gray stated that underground power lines were very difficult to get approved.

F. Visitor Accommodation Resources

Interim Town Manager Wilkins stated that resources for accommodating visitors were not reimbursable and questioned whether the Council was interested in using the town's general fund dollars for adding porta-potties across the island. Mayor Allers indicated that there were restrooms at Lynn Hall Park and Crescent Park Beach and four porta-potties were at Times Square. Director of Culture, Parks and Recreation Alison Giesen reported that she contacted Nancy McPhee from TDC to determine whether the town could allocate unused funds for this year to replace the restrooms at Palm Avenue and Newton Beach Park. Vice Mayor Atterholt questioned whether they could reapply to TDC to recognize Times Square as a beach access. He questioned whether the town required food trucks in Times Square to provide porta-potties. Interim Town Manager Wilkins replied that the food trucks were on private property and the town was not permitting them. Town Attorney Herin, Jr. stated that he did not think food trucks were required to provide restrooms for customers per state law.

Mayor Allers suggested they wait to discuss adding porta-potties at beach accesses until Public Works Director Jason Freeman completes his damage assessment. Director Giesen stated that the town could request emergency funds from the TDC. She revealed that the town received \$1.4 million total from the TDC that started on October 1, 2022. She verified that Lee County had funds to cover their existing restrooms until permanent restrooms were completed. She indicated that the ten units with two ADA and washing stations would be placed at Palm Avenue and Newton Beach Park for \$8,400.00 for 28 days. The price included maintenance. Trash cans would be placed at all the beach accesses and staff would maintain them.

Council Member Woodson questioned whether the town could install no parking signs at Crescent Park Beach to keep people from parking on the sand. Mayor Allers stated that he was working with Commissioner Sandelli and would suggest that orange fencing be added to keep vehicles away from the beach.

G. Recreation Priority

Interim Town Manager Wilkins reported that the Mound House was close to being reopened. Vice Mayor Atterholt stated that Bay Oaks could be available within three months for transferring facilities. He noted that they would have to accommodate after-school activities in time for the Beach School reopening in the fall.

Director Giesen stated that the pool would be inspected after the debris was removed and power washed, which would take a week or so. She will create a plan regarding housing students for after-school programs in line with the regulations. Mayor Allers stated that FEMA funds for Bay Oaks were strictly for housing Town Hall. Director Giesen commented that the Mound House was available for programs. Interim Town Manager Wilkins added that he was working on defining the length of time that Town Hall had to be at Bay Oaks so they could use the building for other functions. Mayor Allers reminded Council that they had a permit-ready building that could be used for something if they could find the right funding source.

- H. Development Incentives and Public Purpose
Included in the Post Disaster Recovery Plan discussion.

IV. AGENDA MANAGEMENT

- A. Agenda Management January 12, 2023
Add a short-term rental fee discussion. Town Attorney Herin, Jr. stated that the 2nd reading of Ordinance 22-12 regarding fees would be scheduled for February 6th, 2023, and a resolution of the fees could be added to the same agenda after the ordinance was approved.
Add permitting for beach chairs, jet skis and parasails. Consensus was reached to direct staff to assist permit holders in satisfying insurance requests.
Add CB zoning to a future M&P.
Add conversations regarding rebuilding Times Square to a regular agenda, an M&P or a workshop.
Remove Times Square rental rates.
Remove Ordinance: Signs-LDC amendment.
Town Attorney Herin, Jr. stated that items no longer relevant would be removed from the list.

V. ADJOURNMENT

Council Member King moved to adjourn; second by Mayor Allers.
Motion carried unanimously.

The meeting was adjourned at 11:56 a.m.

Minutes adopted, February 6, 2023; Motion by Mayor Allers and seconded by Council Member King. Passed 5-0.



Amy Baker, Town Clerk