



Fort Myers Beach Town Council

**Diamondhead Beach Resort
2000 Estero Blvd.
Fort Myers Beach, FL 33931**

Agenda

Monday, August 21, 2023

9:00 AM

ORDER OF BUSINESS

- I. CALL TO ORDER**
- II. INVOCATION**
- III. PLEDGE OF ALLEGIANCE**
- IV. APPROVAL OF FINAL AGENDA**
- V. PROCLAMATIONS**
 - A. Florida Festivals and Events Association
Recognition of the Florida Festivals and Events Association's support to Fort Myers Beach after Hurricane Ian
- VI. PUBLIC COMMENT**
- VII. LOCAL ACHIEVEMENTS AND RECOGNITIONS**
- VIII. ADVISORY COMMITTEES ITEMS / REPORTS / APPOINTMENTS**
- IX. PRESENTATION**
 - A. How Communities Succeed & Fail
Professor Mike Collins, Florida Gulf Coast University
 - B. Coastal Engineering Consultants - Beach Renourishment Project
Estero Island Shoreline Protection Project Update (aka Beach Renourishment Project) by Michael T. Poff, P.E. - Coastal Engineering Consultants, Inc.
- X. APPROVAL OF MINUTES**
 - A. Town Council August 7, 2023
 - B. Management & Planning Session August 10, 2023

XI. CONSENT AGENDA

- A. Bay Oaks Little League Field Grand Re-Opening
Town of Fort Myers Beach / Bay Oaks Recreational Campus would like to hold a Little League Ballfield Grand Re-Opening Celebration on August 28, 2023 from 4 pm to 6:30 pm. Set up time will begin at 2 pm. This is a one-time event. Event holder is requesting the use of Town property for music, food, restroom trailer, 20'-30' tent and a generator. Dependent on receiving approval from LCSO and the Fire Department.
- B. Special Event; Charity 5K Race at Diamondhead.
Requesting approval of charity 5K race
- C. Resolutions 23-88, 23-89 and 23-90
A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, AMENDING AND EXTENDING THE PROCLAMATION THAT A STATE OF LOCAL EMERGENCY EXISTS BECAUSE OF THE CATASTROPHIC IMPACTS CAUSED BY HURRICANE IAN; PROVIDING FOR CONFLICTS; PROVIDING FOR SCRIVENER ERRORS, PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.
- D. Bayside Park Electric Repairs
A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, RATIFYING ACTION OF THE TOWN TAKEN AUGUST 16, 2023 REGARDING THE WAIVING OF THE TOWN'S COMPETITIVE PROCUREMENT POLICY AND APPROVAL OF THE PROPOSALS RECEIVED FOR ELECTRIC AND SITE WORK FOR BAYSIDE PARK IN THE AMOUNTS NOT TO EXCEED \$83,400 AND \$60,000; AND PROVIDING FOR AN EFFECTIVE DATE.
- E. Resolution 23-96; Estero Island Shore Protection Project
A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, AUTHORIZING TOWN STAFF TO SUBMIT A FUNDING REQUEST TO FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE ESTERO ISLAND SHORE PROTECTION PROJECT; AND AUTHORIZING LOCAL MATCHING FUNDS FOR FUNDING RECEIVED FROM THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION; AND PROVIDING FOR AN EFFECTIVE DATE
- F. Resolution 23-92; ITB-23-08-CD, Change Order #2
A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA APPROVING CHANGE ORDER #2 TO CONTRACT ITB-23-08-CD BETWEEN THE TOWN AND GRUBBS EMERGENCY SERVICES FOR INCREASING CONTRACT TIME 109 DAYS AND INCREASING CONTRACT PRICE \$169,813.

- G. Resolution 23-94; RFQ-21-09-EN, STA #2
A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA APPROVING A CHANGE TO SUPPLEMENTAL TASK ORDER #2 OF CONTRACT RFQ-21-09-EN BETWEEN THE TOWN AND COASTAL ENGINEERING CONSULTANTS FOR INCREASING THE AGREEMENT LENGTH TO 161 DAYS AND REALLOCATING \$25,690 FROM TASK 3 FOR BERM PLANTING SERVICES TO TASK 2 FOR CONSTRUCTION PHASE SERVICES AND ADDING AN ADDITIONAL \$20,000 TO TASK 2 FOR CONSTRUCTION PHASE SERVICES.
- H. Resolution 23-97: Health Insurance for Elected Officials
A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, MAKING FINDINGS; ALLOWING ELECTED OFFICIALS TO PARTICIPATE IN THE FORT MYERS BEACH HEALTH INSURANCE PROGRAM FOR TOWN EMPLOYEES; AND PROVIDING AN EFFECTIVE DATE.
- I. Resolution 23-98; Transition Health Insurance from Benecon to FMIT
A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, AUTHORIZING ADOPTING THE NEW HEALTH INSURANCE PLAN WITH FMIT AND PROVIDING HEALTH INSURANCE TO THE ELECTED OFFICIALS.

XII. PUBLIC HEARINGS

- A. Resolution 23-86, VAR20230070, 434 Estero Blvd
A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH FLORIDA APPROVING VARIANCE VAR20230070 TO DECREASE THE FRONT (WEST) SETBACK BY 9 FEET AND DECREASE THE REAR (SOUTH) SETBACK BY 5.5 FEET, TO SWITCH THE SIDE AND REAR SETBACKS AND TO ALLOW FOR THE ENCROACHMENT OF MECHANICAL EQUIPMENT 1.5 FEET INTO THE SIDE (NORTH) SETBACK, FOR THE PROPERTY AT 434 ESTERO BLVD; PROVIDING FOR SCRIVENER'S ERRORS, SEVERABILITY, PROVIDING FOR AN EFFECTIVE DATE.
- B. Resolution 23-87, SEZ20230126, 163 Old San Carlos
A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH FLORIDA APPROVING/APPROVING WITH CONDITIONS/DENYING SPECIAL EXCEPTION SEZ20230126 TO TEMPORARILY ALLOW OUTDOOR CONSUMPTION ON PREMISES WITH A RETAIL USE AND CONDITIONS FOR THE PROPERTY LOCATED AT 163 OLD SAN CARLOS BOULEVARD; PROVIDING FOR SCRIVENER'S ERRORS, SEVERABILITY, AND AN EFFECTIVE DATE.

XIII. ADMINISTRATIVE AGENDA**A. Times Square Clock Preparations**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, WAIVING THE TOWN'S COMPETITIVE PROCUREMENT POLICY AND APPROVAL OF PROPOSALS RECEIVED FOR ELECTRIC AND SITE WORK FOR TIMES SQUARE IN AMOUNTS NOT TO EXCEED \$_____ & \$_____; AND PROVIDING FOR AN EFFECTIVE DATE.

B. Sand Placement Onto The Beach.

Authorize Town Staff to maximize sand placement onto the beach, 1) constructing the full design beach (OPTION #1) along shoreline lengths with adequate property owner participation, 2) constructing the full design beach seaward of the ECL (OPTION #2) on shoreline lengths with isolated non-participating properties, and 3) constructing the beach at ECL elevation grade seaward (OPTION #3) on shoreline lengths dominated by non-participating properties.

C. Annual Communication Plan

Discuss draft communication plan and provide edits

D. 2024 Legislative Priorities

Discussion of the 2024 Legislative Priorities

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

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 accommodation, 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.