



Fort Myers Beach Town Council

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

Amended Agenda

Monday, September 11, 2023

10:00 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 - August 21, 2023
- B. Town Council Special Meeting - August 29, 2023

IX. CONSENT AGENDA

- A. Resolutions 23-100 and 23-101; Extending Local State of Emergency-
Hurricane Ian

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.

- B. Resolution 23-106; Extending Declaration of State of Local Emergency-
Hurricane Idalia

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, EXTENDING THE DECLARATION OF STATE OF LOCAL EMERGENCY DUE TO HURRICANE IDALIA; PROVIDING THE

TOWN WITH POWERS, INCLUDING, BUT NOT LIMITED TO THOSE PURSUANT TO FLORIDA STATUTES, CHAPTER 252, AND TOWN CODE CHAPTER 2, ARTICLE VI; PROVIDING FOR PENALTIES FOR VIOLATIONS; PROVIDING FOR CONFLICTS, SEVERABILITY, AND FOR AN EFFECTIVE DATE AND A TERMINATION DATE

- C. Resolution 23-102; Electronic Participation at Meetings
A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, MAKING FINDINGS; PROVIDING PROVISION FOR ELECTRONIC PARTICIPATION DURING CERTAIN AGENDA ITEMS FOR PARTICULAR MEETING(S) UNDER CERTAIN CONDITIONS; AND PROVIDING AN EFFECTIVE DATE.
- D. Comprehensive Emergency Management Plan
Approval of the Town's CEMP
- E. 2023-24 TDC Grant Agreements
Authorize the Town Manager to execute the Lee County Tourist Development Council grant documents for Fiscal Year 2024.
- F. Edward Byrne JAG Grant
Support the distribution plan for the \$189,118 Edward Byrne Memorial Justice Assistance Grant Program Funds (JAG).
- G. Bayside Park Lighting
Reapprove the purchase of previous lights and accessory items for Bayside Park in the amount of \$117,906.39, waiving the procurement policy as these lights are manufactured by a sole-source, SESCO Lighting.
- H. Special Event: Island Hopper Singer / Songwriter Fest
Singer Songwriter Fest-Requesting to use Bayside park for an event along with waiver of all fees.
- I. Special Event: September 28th Special Ceremony
Beach Talk Radio requesting use of Bayside Park for a Special Ceremony commemorating the one year anniversary of Hurricane Ian on September 28, 2023
- J. Special Event: Fort Myers Beach Memorial
FMB Revival would like permission to hold an extensive event from First St through Third St on Old San Carlos with vendors set up in parking lots at 401 and 420 Old San Carlos.

X. PUBLIC HEARINGS

- A. Resolution 23-107; VAR20230088 - 125 Strandview Ave.
A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH FLORIDA APPROVING/ APPROVING WITH CONDITIONS/ DENYING VAR20230088 VARIANCE OF 6 FEET FROM THE REQUIRED 25 FOOT STREET SETBACK AND A VARIANCE OF 7 FEET, 6 INCHES FROM THE REQUIRED 20 FOOT REAR SETBACK FOR

**THE PROPERTY LOCATED AT 125 STRANDVIEW AVE; AND
PROVIDING FOR AN EFFECTIVE DATE**

XI. ADMINISTRATIVE AGENDA

XII. FINAL PUBLIC COMMENT

XIII. TOWN MANAGER'S ITEMS

XIV. TOWN ATTORNEY'S ITEMS

A. Issuance of Dune Walkover permit for 8150/8170 Estero

B. Ordinance Discussion - Owner Builder Permits

Item is for discussion only

New C. Discussion regarding potential settlement of Persaud Code Enforcement matters

XV. COUNCILMEMBERS ITEMS AND REPORTS

XVI. 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 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.