



Fort Myers Beach Town Council

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

Agenda

Monday, October 2, 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. PRESENTATION
 - A. Friends of the Mound House
 - B. Let's Go FMB
- VII. LOCAL ACHIEVEMENTS AND RECOGNITIONS
- VIII. ADVISORY COMMITTEES ITEMS / REPORTS / APPOINTMENTS
 - A. Local Planning Agency
Appoint Members to the FY2023-2024 Local Planning Agency (LPA)
 - B. Anchorage Advisory Committee
Appoint Members to the FY2023-2024 Anchorage Advisory Committee (AAC)
 - C. Audit Committee
Appoint Members to the FY2023-2024 Audit Committee
 - D. Bay Oaks Recreational Campus Advisory Board
Appoint Members to the FY2023-2024 Bay Oaks Recreational Campus Advisory Board (BORCAB)
 - E. Cultural and Environmental Learning Center Advisory Board
Appoint Members to the FY2023-2024 Cultural and Environmental Learning Center Advisory Board (CELCAB)
 - F. Marine and Environmental Resources Task Force

Appoint Members to the FY2023-2024 Marine and Environmental Resources Task Force (MERTF)

G. Public Safety Committee

Appoint Members to the FY2023-2024 Public Safety Committee (PSC)

IX. APPROVAL OF MINUTES

X. CONSENT AGENDA

A. Special Event: Santini Farmers Market

Requesting permission to hold a recurring special event

B. Moss Marine Farmers Market

Requesting permission to hold a Farmers Market at Moss Marine from November 1, 2023 through April 24, 2024 from 7 am - 2pm with set up and break down of event.

C. Communication Plan

Adopt Annual Communication Plan for 2023-24

XI. PUBLIC HEARINGS

A. Ordinance 23-15; Owner Builder Permit

First Reading and Public Hearing: **AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA, AMENDING SECTION 6-325, "OWNER-BUILDER EXEMPTION", OF DIVISION 5, "CONTRACTOR LICENSING", OF ARTICLE II, "BUILDING CODES", OF CHAPTER 6, "MAINTENANCE CODES, BUILDING CODES AND COASTAL REGULATIONS", OF THE CODE OF THE TOWN OF FORT MYERS BEACH, TO CLARIFY WHO IS ELIGIBLE FOR AN OWNER-BUILDER PERMIT, PROVIDING FOR CONFLICTS OF LAW; SCRIVENER'S ERRORS; SEVERABILITY; AND AN EFFECTIVE DATE.** Open the first public hearing and schedule for second reading and final adoption on October 16, 2023 at 9:00 a.m.

B. Ordinance 23-13; Amending EC Zoning/Location of Construction Near Beaches

First Reading and Public Hearing: **AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA AMENDING CHAPTER 34, ARTICLE III., DIVISION 4, SECTION 34-652 ENVIRONMENTALLY CRITICAL (EC) ZONING DISTRICT AND CHAPTER 6, ARTICLE III., DIVISION 2, SECTION 6-366 LOCATION OF CONSTRUCTION NEAR BEACHES; 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 October 16, 2023 at 9:00 a.m.

C. Ordinance 23-14; Administrative Setback Variances

First Reading and Public Hearing: **AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA AMENDING CHAPTER 34, ARTICLE II., DIVISION 6, SECTION 34-268 ADMINISTRATIVE SETBACK VARIANCES; 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 October 16, 2023 at 9:00 a.m.

- D. Resolution 23-123; VAR20230071, 185 Jefferson Street

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH FLORIDA APPROVING/ APPROVING WITH CONDITIONS/ DENYING VARIANCE VAR20230071 AN INCREASE OF 2 FEET TO ALLOWABLE FENCE HEIGHT WITHIN THE FRONT SETBACK; TO ALLOW CHAIN LINK FENCE TO EXTEND 19 FEET INTO THE FRONT SETBACK; TO ALLOW A FENCE WITHIN THE VISIBILITY TRIANGLE BETWEEN 2 AND 6 FEET ABOVE GRADE; AND PROVIDING FOR AN EFFECTIVE DATE.

XII. ADMINISTRATIVE AGENDA

- A. Resolution 23-122; Mooring Field Systems Purchase

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA APPROVING A SOLE SOURCE PURCHASE AGREEMENT BETWEEN THE TOWN AND AMERICAN UNDERWATER CONTRACTORS, INC. FOR THE SOLE SOURCE PURCHASE OF 70 MOORING SYSTEMS FOR A COST OF \$ 194,410.00.

- B. Resolution 23-124; Stewart Materials

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA APPROVING A SOLE SOURCE PURCHASE AGREEMENT BETWEEN THE TOWN AND STEWART MATERIALS FOR THE SOLE SOURCE PURCHASE OF 26,460 TONS OF BEACH COMPATIBLE SAND FOR A COST OF \$313,551.00.

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 TELEVISED LIVE ON COMCAST CHANNEL 98.

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



Help for the hearing impaired is available through the Assistive Listening System. Receivers can be obtained from the Town

			Clerk's Office.
--	--	--	------------------------

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.