Fort Myers Beach Town Council

Town Hall Council Chambers
2731 Oak Street
Fort Myers Beach, FL 33931

Agenda **Monday, June 2, 2025** **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. Honorable Matt Caldwell - Lee County Property Appraiser

VII. LOCAL ACHIEVEMENTS AND RECOGNITIONS

VIII. ADVISORY COMMITTEES ITEMS / REPORTS / APPOINTMENTS

A. Citizens Appointment to the Charter Review Commision

Appoint members to the 2025/2026 Fort Myers Beach Charter Review Commission

IX. APPROVAL OF MINUTES

A. Town Council - May 19, 2025

X. CONSENT AGENDA

A. Resolutions 25-190 through 25-198; Extension of Local 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. Resolutions 25-181 through 25-189; Extension 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. Resolutions 25-154 through 25-162; Extension of Local Emergency - Tropical Storm Debby

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, EXTENDING THE DECLARATION OF STATE OF LOCAL EMERGENCY DUE TO TROPICAL STORM DEBBY 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.

D. Resolutions 25-163 through 25-171; Extension of Local Emergency - Hurricane Helene

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 HELENE (FORMERLY KNOWN AS POTENTIAL TROPICAL CYCLONE NINE) 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.

E. Resolutions 25-172 through 25-180; Extension of Local Emergency - Hurricane Milton

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 MILTON, 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.

XI. ITEMS REMOVED FROM CONSENT AGENDA

XII. PUBLIC HEARINGS

A. Ordinance 25-04; Arches Resort CPD

This quasi-judicial agenda item is a Second Reading and Final Public Hearing for adoption of a rezoning in proposed Ordinance 25-04 (commonly referred to as the Arches Commercial Planned

Development), contingent on adoption of a Comprehensive Plan Amendment proposed in Ordinance 25-05.

ORDINANCE TITLE:
AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA APPROVING/ APPROVING WITH CONDITIONS/ DENYING THE REZONING OF 4.98 ACRES OF PROPERTY MORE SPECIFICALLY DESCRIBED HEREIN FROM COMMERCIAL MARINA (2 PARCELS), RESIDENTIAL CONSERVATION (5 PARCELS), COMMERCIAL OFFICE (1 PARCEL) AND DOWNTOWN (2 PARCELS) TO A COMMERCIAL PLANNED DEVELOPMENT (CPD) ZONING, TO ALLOW A MIXED-USE DEVELOPMENT INCLUDING 263 LODGING UNITS, COMMERCIAL/ RETAIL SPACE AND PUBLIC OPEN SPACE, MORE SPECIFICALLY DESCRIBED AS 436, 441, 445, 450 HARBOR COURT; 435 AND 438 BONITA STREET; 935 AND 939 THIRD STREET AND 401 OLD SAN CARLOS BLVD , ALSO IDENTIFIED AS THE FOLLOWING STRAP NUMBERS: 24-46-23-W3-00027.0000; 24-26-23-W3-00026.0020, 24-46-23-W3-0030B.0200, 24-46-23-W3-0030B.0190, 24-46-23-W3-0030C.0060,24-46-23- W3-0030C.0040, 24-46-23-W3-0030A.0110, 24-46-23-W3-0030A.0030, 24-46-23- W3-0030A.0020, 24-46-23-W3-0030A.0010 FORT MYERS BEACH, INCLUDING DEVIATIONS FOR HEIGHT, SETBACKS, HOTEL UNITS, PARKING, LANDSCAPING AND ACCESS; PROVIDING FOR CLARIFICATIONS AS NECESSARY; PROVIDING FOR CONFLICTS OF LAW, SCRIVENER'S ERRORS, SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

B. Ordinance 25-05, Comprehensive Plan Amendment - Marina and Mixed Residential to Pedestrian Commercial FLU ARCHES RESORT

This agenda item is a legislative Second Reading and Final Public Hearing for adoption of proposed Ordinance 25-05, which is a Small Scale Comprehensive Plan Amendment related to the Arches Redevelopment Project.

ORDINANCE TITLE:
AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA AMENDING THE TOWN OF FORT MYERS BEACH ADOPTED FUTURE LAND USE MAP DATED JANUARY 1, 1999, CONTAINED IN THE TOWN'S COMPREHENSIVE PLAN, FOR PROPERTIES LOCATED AT 450, 445, 441, & 436 HARBOR COURT, 435 & 438 BONITA STREET, FORT MYERS BEACH FLORIDA, ALSO IDENTIFIED AS STRAP NUMBERS 24-46-23-W3-00027.0000; 24-26-23-W3-00026.0020, 24-46-23-W3-0030B.0200, 24-46-23-W3-0030B.0190, 24-46-23-W3-0030C.0060,24-46-23-W3-0030C.0040, 24-46-23-W3-0030A.0110, FORT MYERS BEACH, AMENDING THE FUTURE LAND USE MAP FOR THESE PARCELS FROM MIXED RESIDENTIAL (4PARCELS) AND MARINA (2 PARCELS) TO PEDESTRIAN COMMERCIAL; PROVIDING
FOR CLARIFICATIONS AS NECESSARY; PROVIDING FOR CONFLICTS

OF LAW, SCRIVENER'S ERRORS, SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

C. Ordinance 25-12; 1154 Estero Blvd. (Salty Crab)

This quasi-judicial agenda item is a First Reading and Public Hearing on proposed Ordinance 25-12 (Salty Crab Redevelopment). If approved at First Reading, a Second Reading and final adoption hearing will be scheduled for June 16, 2025, at 9:00 AM or at another time identified by Town Council.

AN ORDINANCE OF THE TOWN COUNCIL OF FORT MYERS BEACH, FLORIDA APPROVING/APPROVING WITH CONDITIONS/DENYING TO REZONE THE PROPERTY LOCATED AT 1154 ESTERO BOULEVARD, GENERALLY IDENTIFIED AS STRAP NUMBER 24-46-23-W3-00011.0000 IN FORT MYERS BEACH, FROM DOWNTOWN TO COMMERCIAL PLANNED (CPD) TO ALLOW FOR 1) AN INCREASE IN FLOOR AREA RATIO FROM 1.2 TO 1.96; 2) DECREASE STREET SETBACK FROM 10 FEET TO 0 FEET; 3) DECREASE SIDE SETBACKS FROM 20 FEET TO 0 FEET; 4) A 100% REDUCTION IN PARKING REQUIREMENTS FROM 58 SPACES TO 0 SPACES; 5) INCREASED SIGNAGE FROM 32 SF TO 115 SF AND 6) CONDITIONS; PROVIDING FOR OTHER CLARIFICATIONS AS NECESSARY; PROVIDING FOR CONFLICTS OF LAW, SCRIVENER'S ERRORS, SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

D. Ordinance 25-13; 1836 Estero Boulevard (Estero Island Beach Club)

This quasi-judicial agenda item is a First Reading and Public Hearing on proposed Ordinance 25-13 (Estero Island Beach Club). If approved at First Reading, a Second Reading and final adoption hearing will be scheduled for June 16, at 9:00 AM or at another time identified by Town Council.

AN ORDINANCE OF THE TOWN COUNCIL OF FORT MYERS BEACH, FLORIDA APPROVING/ APPROVING WITH CONDITIONS/ DENYING TO REZONE THE PROPERTY LOCATED AT 1836 ESTERO BOULEVARD, GENERALLY IDENTIFIED AS STRAP NUMBER 19-46-24-W4-03200.00CE & 19-46-24-W4-03200.1010, TO REZONE FROM DOWNTOWN TO COMMERCIAL PLANNED DEVELOPMENT (CPD) AND REQUEST FOUR (4) DEVIATIONS FROM REQUIREMENTS TO PROVIDE; 1) OPERABLE DOORS ALONG ESTERO BLVD, 2) SCREENING MATERIAL ON THE GROUNDFLOOR, 3) INCREASE BUILD-TO LINE SETBACKS, AND 4) INCREASE THE MAXIMUM ALLOWED HEIGHT BY 18-FEET; PROVIDING FOR OTHER CLARIFICATIONS AS NECESSARY; PROVIDING FOR CONFLICTS OF LAW, SCRIVENER'S ERRORS, SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

E. Ordinance 25-03; Bicycle Safety

This legislative agenda item is a Second Reading and Final Public Hearing for adoption of proposed Ordinance 25-03.

ORDINANCE TITLE:
AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA, AMENDING ARTICLE III "BEACH BICYCLE AND VEHICLE SAFETY" OF CHAPTER 28 "TRAFFIC AND VEHICLES" OF THE CODE OF ORDINANCES OF FORT MYERS BEACH, FLORIDA, TO ALLOW THE OPERATION OF ELECTRIC BICYCLES ON SIDEWALKS; ESTABLISHING SAFETY REGULATIONS; ESTABLISHING A MAXIMUM SPEED AND PASSING PROCEDURES; REQUIRING OPERATION WITH THE FLOW OF TRAFFIC; ESTABLISHING RESPONSIBLE PARTIES AND PENALTIES; ESTABLISHING ADDITIONAL REGULATIONS FOR THE SAFE OPERATION OF BICYCLES ON SIDEWALKS; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS OF LAW, AND AN EFFECTIVE DATE.

F. Ordinance 25-08; Noticing

This legislative agenda item is a First Reading and Public Hearing on proposed Ordinance 25-08. If approved at First Reading, a Second Reading and final adoption hearing will be scheduled for June 16, 2025, at 9:00 AM or at another time identified by Town Council.

ORDINANCE TITLE:
AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA AMENDING LAND DEVELOPMENT CODE SECTION 34-236, NOTICES TO REQUIRE APPLICANTS FOR REZONINGS, DEVELOPMENT AGREEMENTS AND DEVELOPMENTS OF REGIONAL IMPACT TO PROVIDE MAILED AND POSTED PUBLIC NOTICING PRIOR TO LOCAL PLANNING AGENCY AND TOWN COUNCIL PUBLIC HEARINGS; PROVIDING FOR SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS; CONFLICTS OF LAW; AND PROVIDING AN EFFECTIVE DATE.

XIII. ADMINISTRATIVE AGENDA

A. RFP-25-02-AD FMB Comprehensive Recovery and Resilience Implementation Plan

1) Approve the Town Manager's recommendation based on the Selection Advisory Committee's evaluation of the responses received to RFP-25-02-AD, FMB Comprehensive Recovery and Resilience Implementation Plan; and
2) authorize the Town Manager to negotiate an agreement with AECOM Technical Services, the top ranked firm conditioned on approval by Lee County; and 3) Waive approval by the Town Council and authorize the Town Manager to approve the final agreement, subject to legal sign-off.

B. Florida Municipal Insurance Trust Release and Settlement

Approval of Final Settlement Agreement Between the Town of Fort Myers Beach and the Florida Municipal Insurance Trust for Hurricane Ian Insurance Proceeds in the Amount of $737,500.00.

C. RFP-25-03-EN Selection Advisory Committee Recommendation Approval
Approve the Selection Advisory Committee's recommendation for award of RFP-25-03-EN Fill and Grading Bay Oaks Recreational Campus to Persons Service Corporation.

D. Resolution 25-199, RFP-25-03-EN Agreement Award
A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, AWARDING RFP-25-03-EN TO PERSONS SERVICES CORP, AS THE MOST RESPONSIVE AND RESPONSIBLE BIDDER TO COMPLETE THE FILL AND GRADING OF BAY OAKS RECREATIONAL CAMPUS PROJECT AS RECOMENDED BY THE SELECTION ADVISORY COMMITTEE; AUTHORIZING THE TOWN MANAGER TO NEGOTIATE AND PREPARE AN AGREEMENT FOR THE RECOMMENDED SERVICES IN AN AMOUNT NOT TO EXCEED $1,689,381.63 SUBJECT TO LEGAL REVIEW; AUTHORIZING THE MAYOR TO SIGN THE AGREEMENT; PROVIDING FOR SCRIVENER'S ERRORS, SEVERABILITY, AND AN EFFECTIVE DATE.

XIV. FINAL PUBLIC COMMENT

XV. TOWN MANAGER'S ITEMS

A. Fort Myers Beach School Update

XVI. TOWN ATTORNEY'S ITEMS

XVII. COUNCILMEMBERS ITEMS AND REPORTS

XVIII. 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.

Town of Fort Myers Beach
Agenda Item Summary

Blue Sheet Number: **2025-333**

1. **Request:**

Meeting Date: June 2, 2025

Appoint members to the 2025/2026 Fort Myers Beach Charter Review Commission

Why the action is necessary:

Newly established Charter Review Commission Committee.

What the action accomplishes:

Fills the requirement per the Town's Charter

2. **Agenda:**	3. **Requirement/Purpose:**	4. **Submitter of Information:**
ADVISORY COMMITTEES ITEMS / REPORTS / APPOINTMENTS	Other	Amy Baker, Town Clerk

5. **Background:**

Sec. 13.03. Charter review. The charter will be reviewed at least every 10 years. A five-member charter review commission shall be appointed and funded by the council. The charter review commission shall be appointed at least 6 months before the next scheduled election and complete its work and present any recommendations to the Council for change no later than 60 days before the election. The council shall hold a minimum of two public hearings to approve, reject or modify the proposed changes to the charter prior to placing the proposed changes on the scheduled election ballot.

Eleven applications have been received in the Town Clerk's office for consideration for appointment to the commission. Council may wish to appoint alternates. Any appointment member who also serves on another Town-appointed committee will require a waiver.

* received after 5/15/25 deadline

Attachments:

1. 2016 Charter
2. Cereceda, Anita
3. Cherney, Michele
4. Dunlap, James
5. * Link, Rebecca
6. Milligan, Beverly
7. Neaf, Anne
8. Scasney, Greg
9. Schoonover, Edward
10. Spradling, Tyler
11. Thomas, Bryan
12. Zuba, Henry

Financial Impact:

None

6. **Alternative Action**

Do not appoint members and advertise for the vacancies

7. **Management Recommendations:**

8. **Recommended Approval:**

Lizzette Roman, Town Clerk Administrative Coordinator	Created/Initiated - 5/19/2025
Amy Baker, Town Clerk	Approved - 5/21/2025
nancy stuparich, Town Attorney	Approved - 5/26/2025
William McKannay, Town Manager	Final Approval - 5/26/2025

The Town of Fort Myers Beach

Incorporated December 1995

CHARTER

Adopted April 2016

ARTICLE I. CORPORATE NAME; PURPOSE OF THE CHARTER
ARTICLE II. TERRITORIAL BOUNDARIES
ARTICLE III. GENERAL POWERS OF THE MUNICIPALITY
ARTICLE IV. CHARTER OFFICERS
ARTICLE V. NOMINATIONS AND ELECTIONS; TERMS OF OFFICE
ARTICLE VI. TOWN MANAGER
ARTICLE VII. TOWN CLERK
ARTICLE VIII. TOWN ATTORNEY
ARTICLE IX. ADMINISTRATIVE DEPARTMENTS
ARTICLE X. ORDINANCES AND RESOLUTIONS
ARTICLE XI. FINANCIAL PROCEDURES
ARTICLE XII. INITIATIVE AND REFERENDUM
ARTICLE XIII. CHARTER AMENDMENTS
ARTICLE XIV. SEVERABILITY

ARTICLE I. CORPORATE NAME; PURPOSE OF THE CHARTER

Sec. 1.01. Town of Fort Myers Beach.
The municipality hereby established shall be known as the Town of Fort Myers Beach, Florida.

Sec. 1.02. Purpose of the charter.
This charter is ordained and established by the people of the Town of Fort Myers Beach, Florida, to promote the general welfare and common good of the community by providing the framework for a municipal corporation to exercise municipal home rule powers under the Constitution and laws of the State of Florida.

ARTICLE II. TERRITORIAL BOUNDARIES

Sec. 2.01 Boundaries of the Town of Fort Myers Beach.
The territorial boundaries of the Town of Fort Myers Beach upon the date of incorporation shall include the following areas situated in the County of Lee, State of Florida:

A corporate limit lying offshore from Estero Island, which line is described as follows: all that part of Lee County situated within Estero Island and the area within 1,000 feet in the Gulf of Mexico and 1,000 feet in the inland bays, and parallel with the shoreline of said Estero Island, excluding all of San Carlos Island, Black Island and, structures exclusively attached thereto.

Sec. 2.02. Extension of the corporate limits; annexation.
The corporate limits of the Town of Fort Myers Beach may be revised as provided by general law.

ARTICLE III. GENERAL POWERS OF THE MUNICIPALITY

The Town of Fort Myers Beach shall have all governmental, corporate, and proprietary powers to enable it to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes except as otherwise provided by law. The powers of the Town of Fort Myers Beach shall be construed liberally in favor of the municipality, limited only by the Constitution, general law, and specific limitations contained herein.

Sec. 3.02. Joint exercise of powers.

The town may exercise any of its powers or perform any of its functions and may participate in the financing thereof, jointly or in cooperation by contract or otherwise, with any one or more states, counties, municipalities, or any agencies thereof, or the United States or any agency thereof.

ARTICLE IV. CHARTER OFFICERS

Sec. 4.01. Council members; elections.

(a) There shall be a town council, hereinafter referred to as the council, with all legislative powers of the town vested therein, consisting of five council members, all of whom shall be elected from the town at-large.

(b) Council seats shall be designated as seats #1, #2, #3, #4, and #5. All qualified candidates shall be deemed to be seeking election to all open council seats. Assignment of open seat numbers shall be alphabetically by incoming Council members' last names.

(c) Each member of the council shall be a resident of the town and aregistered voter and shall have resided within the corporate limits of the municipality for a minimum of 1 year prior to qualifying for election.

(d) The council are elected officials who are accountable to the citizens at regularly held elections and who are subject to recall as provided by law. The citizens, through these processes, have the opportunity to elect, reelect, or dismiss their elected officials whose promise of performance or actual performance in office best reflects the policies which the citizens desire to implement in the government of the town.

(e) Policy making is the sole prerogative of the elected council. Administrative staff, whether hired or appointed under terms of this charter, is subordinate to the elected officials, whose power derives from the consent of, and election by, the citizens of the town.

(f) Except as otherwise prescribed herein or provided by law, legislative and police powers of the town shall be vested in the council, including the establishment of boards, commissions, and committees. The council shall provide for the exercise of its powers and for the performance of all duties and obligations imposed on the municipality by law.

Sec. 4.02. Mayor.

At the first meeting after the second Tuesday in November, the council, by majority vote, shall elect from its membership a mayor. The mayor shall serve as chairperson during meetings of the council and shall serve as the head of municipal government for the purpose of execution of legal documents as required by ordinance. The mayor shall also serve as the ceremonial head of the town.

Sec.4.03. Vice mayor.

At the first meeting after the second Tuesday in November, the council, by a majority vote, shall elect from among its membership a vice mayor who shall serve as mayor during the absence or disability of the mayor and, if a vacancy occurs, shall become interim mayor pursuant to section 4.08 of this charter.

Sec. 4.04. Prohibitions.

(a) Neither the council, nor any individual member of the council, shall in any manner dictate the employment or removal of any employee other than the town manager and town attorney. No individual member of the council shall give orders to any officer or employee of the town. Recommendations for the improvements in the town government operations shall come through the town manager, but each member of the council shall be free to discuss or recommend improvements to the town manager, and the council is free to direct the town manager to implement specific recommendations for improvement in town government operations. Violations of this Section of the Charter shall constitute malfeasance within the meaning of Section 100.361, Florida Statutes, as may be amended.

(b) No present or former elected town official shall hold any compensated appointive office or employment with the town until 1 year after the expiration of the official's elected term.

Sec. 4.05. Compensation.

(a) Effective April 1, 2016, base pay for the Mayor will be $19,200 annually and Council Members will be $16,800 annually as compensation for their services. Compensation shall be revised annually based on across-the-board adjustments budgeted for staff and administered at the same time as Town employees.

(b) The council may provide for reimbursement of actual expenses incurred by its members while performing their official duties.

Sec. 4.06. Vacancies.

The office of a member of the council shall become vacant upon the member's inability to fulfill the duties of the office, resignation, or removal from office as authorized by law or this charter.

Sec. 4.07. Forfeiture of office.

A member of the council may forfeit the office, if the member:

(a) Lacks at any time during the term of office any qualification for the office prescribed by this charter or by law;

(b) Violates any express prohibition of this charter;

(c) Is convicted of a felony or criminal misdemeanor which misdemeanor involves the office of town council; or

(d) Misses three consecutive regularly scheduled council meetings without an excused absence.

(e) Does not maintain a permanent residence in the Town of Fort Myers Beach.

If any of these events should occur, a hearing shall automatically be conducted at the next regularly scheduled council meeting, and the member may be declared to have forfeited office by majority vote of the council.

Sec. 4.08. Filling of vacancies.

A vacancy on the council, except for the position of mayor, shall be filled by appointment by majority vote of the council members remaining, and said appointment shall be effective until a successor is chosen at the next regular election. In the event that a majority of the members are removed by death, disability, law, or forfeiture of office, the governor shall appoint an interim council that shall call a special election to be held within 45 days following the occurrence of the vacancies to elect a new council. In the event that the mayor becomes unable to fulfill the duties of office, ceases to be qualified, or is removed from office as provided by law or this charter, the vice mayor shall assume the full powers and duties of the mayor. The vice mayor shall assume the office of mayor for the remainder of the unexpired term. The council vacancy thus created shall be filled by an interim appointment under the provisions of this charter, to be effective only until such time as the mayor resumes office or until the expiration of the term of the office, whichever occurs first.

Sec. 4.09. Judge of qualifications.

The council shall be the judge of the election and qualifications of its members and of the grounds for forfeiture of their office and for that purpose shall have power to subpoena witnesses, administer oaths, and require the production of evidence. A council member charged with conduct constituting grounds for forfeiture of this office shall be notified by the town clerk by certified mail and shall be entitled to a public hearing at the next regularly scheduled meeting of the council as outlined in section 4.07 of this charter. Notice of such hearing shall be published in one or more newspapers of general circulation in the town at least 1 week in advance of the hearing.

Sec. 4.10. Independent financial audit.

The council shall provide for an independent annual financial audit of all town accounts and may provide for more frequent audits as it deems necessary. Such audits shall be made by a certified public accountant or a firm of such accountants who have no personal interest, direct or indirect, in the fiscal affairs of the town government or in any of its officers. Residency in the town shall not be construed as a prohibited interest.

Sec. 4.11. Meetings.

The council shall meet regularly at least eight times per year and shall meet no less often than bimonthly at such times and locations within the boundaries of the town as the council may prescribe. Special meetings may be held on the call of the mayor or the town manager and with reasonable notice to each member and the public. Action taken at a special meeting shall be limited to the purpose for which the special meeting is called. A special meeting may be held outside the town with reasonable notice. All meetings shall be public and shall be scheduled to commence no earlier than 7 a.m. nor later than 10 p.m.

Sec. 4.12. Rules.

The council shall determine its own rules and order of business and shall provide for keeping minutes of its proceedings. The minutes shall be public records. The Town Council shall maintain a Policies and Procedures Manual that provides guidelines forhow it will operate.

Sec. 4.13. Voting; quorum.

Roll call voting shall be required for ordinances or upon the specific request of a council member and shall be recorded in the minutes; otherwise, voting shall be by ayes and nays. Three members of the council shall constitute a quorum. No action of the council shall be valid or binding unless adopted by the affirmative vote of at least three members of the council, except in an emergency situation. All council members in attendance shall vote on all council actions, except when, with respect to any such member, there is, or appears to be, a possible conflict of interest as defined under general law.

ARTICLE V. NOMINATIONS AND ELECTIONS; TERMS OF OFFICE

Sec. 5.01. Elections.

The regular election of the members of the Town Council shall be held on the first Tuesday after the first Monday in November, so as to coincide with federal and state election dates, or as otherwise provided by general law. The time period that candidates must qualify shall be from noon of the 50th day prior to the election to noon of the 46th day, or as adjusted by a holiday or leap year.

Sec. 5.02. Commencement of Term.

The term of a member of the council shall begin at the first council meeting following the general election.

Sec. 5.03. Terms of office.

The terms for all council seats, #1, #2, #3, #4, and #5, shall be for four (4) years. No member of the council shall serve for more than two consecutive full terms. After 1 year out of office, a candidate may re-qualify for any vacant seat.

Sec. 5.06. Nonpartisan elections.

All elections for officers of the town shall be conducted on a nonpartisan basis without any designation of political party affiliation.

Sec. 5.07. Multiple candidates.

In the event that more candidates qualify for election than there are open council seats, those candidates shall participate in the regular election and the candidate or candidates receiving the most votes cast shall be elected to the open council seat or seats.

Sec. 5.08. Recall.

The qualified electors of the municipality shall have the power to recall and to remove any elected official of the town as prescribed by general law.

Sec. 5.09. Town canvassing board.

The town canvassing board shall be composed of a Town Council Member, selected by Town Council, who is not a candidate for reelection, the Town Manager and the Town Clerk, who shall act as chairperson. At the close of polls of any town election, or as soon thereafter as practicable, the canvassing board shall meet at a time and place designated by the chairperson and shall proceed to publicly canvass the vote as shown by the returns then on file in the Office of the Supervisor of Elections. The Board shall prepare and sign a certificate containing the total number of votes cast for each person or other measure voted on. The certificate shall be placed on file with the Town Clerk.

ARTICLE VI. TOWN MANAGER

Sec. 6.01. Appointment and qualifications.

The council shall appoint a town manager. The town manager shall be appointed primarily on the basis of executive and administrative qualifications.

Sec. 6.02. Removal.

The council may remove the town manager for any reason by affirmative vote of at least 3 members of the council. If the vote is less than unanimous by all council members, the town manager may, within 7 days of the dismissal motion by council, submit to the mayor a written request for reconsideration. Any action taken by the council at the reconsideration hearing shall be final.

Sec. 6.03. Powers and duties.

The town manager shall be the chief administrative officer of the town and shall implement and administer all ordinances, resolutions, and policies adopted by the council and shall perform such other duties as may be required by the council or law. The town manager shall be responsible to the council and shall have the following powers and duties:

(a) To hire or fill existing positions and, when the town manager deems it necessary for the good of the town service, suspend or remove town employees, except as otherwise provided by law or this charter.

(b) To direct and supervise the administration of all employees, departments, and agencies of the town, except as otherwise provided by this charter or by law.

(c) To attend all council meetings and shall have the right to take part in discussion but may not vote.

(d) To ensure that all laws, provisions of this charter, and acts of the council, subject to enforcement by the town manager or by officers subject to the town manager's direction and supervision, are faithfully executed.

(e) To submit to the council and make available to the public a complete report on the administrative activities of the town as of the end of each fiscal year.

(f) To make such other reports as the council may require concerning the operation of town departments, offices, and agencies subject to the town manager's direction and supervision.

(g) To keep the council fully advised as to the condition and future needs of the town and to make written recommendations to the council concerning the affairs of the town.

(h) To perform the duties of town clerk in addition to the duties of town manager during any period of time so appointed by the council.

(i) To perform such other duties as are specified in this charter or as may from time to time be assigned by the council.

ARTICLE VII. TOWN CLERK

Sec. 7.01. Duties and powers

There may be a town clerk who shall be appointed by the town manager with the consent of the council. The town clerk shall serve at the pleasure of the town manager and shall:

(a) Give notice of council meetings to its members and the public.

(b) Keep the journal and minutes of the proceedings of the council and its committees, which shall be public records.

(c) Authenticate by signature and record in full in books kept for that purpose all ordinances and resolutions passed by the council.

(d) Be the custodian of the town seal.

(e) Have the power to administer oaths.

(f) Perform such other duties as may be assigned by the town manager.

ARTICLE VIII. TOWN ATTORNEY

Sec. 8.01. Duties and removal procedure

There shall be a town attorney appointed by the council, who may represent the town in all legal proceedings and shall perform all other duties assigned by the council. The council may remove the town attorney for any reason by motion requiring three affirmative votes.

ARTICLE IX. ADMINISTRATIVE DEPARTMENTS

Sec. 9.01. Establishment of additional departments.

The council may establish such other departments as it determines necessary for the efficient administration and operation of the town; such departments, offices, or agencies shall be established by ordinance.

ARTICLE X. ORDINANCES AND RESOLUTIONS

Sec. 10.01. Definition of ordinances and resolutions.

As used in this charter, the following words and terms shall have the following meanings unless some other meaning is plainly indicated:

(a) *Ordinance* means an official legislative action of the council, which action is a regulation of a general and permanent nature and enforceable as a local law.

(b) *Resolution* means an expression of the council concerning matters of administration, an expression of a temporary character, or a provision for the disposition of a particular item of the administrative business of the town.

Sec. 10.02. Adoption of ordinances.

Every proposed ordinance shall be introduced in writing and in the form required for final adoption. No ordinance shall contain more than one subject and matters properly connected therewith, which shall be clearly expressed in its title. The enacting clause for an ordinance shall be: "IT IS HEREBY ORDAINED BY THE TOWN OF FORT MYERS BEACH AS FOLLOWS..."

(a) An ordinance may be introduced by any member at any regular or special meeting of the council. A proposed ordinance may be read by title, or in full, on at least two separate council meeting days and shall, at least 10 days prior to adoption, be noticed once in a newspaper of general circulation in the town. The notice of proposed enactment shall state the date, time, and place of the meeting; the title of a proposed ordinance; and the place or places within the town where such proposed ordinance may be inspected by the public.

(b) The council, as provided by general law, may adopt an emergency ordinance without complying with the requirements of notice expressed in the foregoing paragraph. An emergency ordinance shall become effective upon adoption and automatically stand repealed as of the 61st day following

the date on which it was adopted. This shall not prevent reenactment of such an ordinance under regular procedures.

(c) Ordinances which rezone specific parcels of private real property or which substantially change permitted use categories shall be enacted pursuant to general law.

(d) An ordinance shall, upon its final passage, be recorded in a book kept for that purpose and shall be signed by the mayor and the town clerk. A copy of the ordinance shall be available in the town hall.

Sec. 10.03. Adoption of resolutions.

Every proposed resolution shall be introduced in writing and in the form required for final adoption. No resolution shall contain more than one subject which shall be clearly expressed in its title. The clause which shall be used for all resolutions approved by the council shall be: "IT IS HEREBY RESOLVED BY THE TOWN OF FORT MYERS BEACH AS FOLLOWS..." A resolution may be introduced by any member at any regular or special meeting of the council. A resolution shall, upon its final passage, be recorded in a book kept for that purpose and shall be signed by the mayor and the town clerk. A copy of the resolution shall be available in the town hall.

ARTICLE XI. FINANCIAL PROCEDURES

Sec. 11.01. Fiscal year.

The fiscal year of the town shall begin on the first day of October and end on the last day of September.

Sec. 11.02. Submission of budget and budget message.

On or before the 15th day of July of each year, the town manager shall submit to the council a budget in accordance with state law. It shall outline the financial policies of the town for the ensuing fiscal year; describe the important features of the budget; indicate any major changes from the current year in financial policy, including any changes in budgetary accounting methods from the current year expenditures and revenues together with the reasons for such changes; summarize the town's debt position; and include such other material as the town manager deems necessary.

Sec. 11.03. Council action on the budget.

The council shall adopt the budget by resolution on or before the 30th day of September of each year.

Sec. 11.04. Public records.

Copies of the budget and the capital program as adopted shall be public records and shall be made available to the public at suitable locations in the town.

Sec. 11.05. Budget amendments.

(a) *Supplemental appropriations*. If, during the fiscal year, the town manager certifies that there are available for appropriation revenues in excess of those estimated in the budget, the council, by resolution, may make supplemental appropriations for the year up to the amount of such excess, so long as a fiscally responsible reserve is maintained.

(b) *Emergency appropriations*. To meet a public emergency affecting life, health, property, or the public peace, the council, by resolution, may make emergency appropriations. To the extent that there are no unappropriated revenues to meet such appropriations, the council may by such emergency resolution authorize the issuance of emergency notes, which may be renewed from time to time, but the emergency notes and renewals in any fiscal year shall be paid not later than the last day of the fiscal year succeeding that in which the emergency appropriations were made.

(c) *Reduction of appropriations*. If, during the fiscal year, it appears probable to the town manager that the revenues available will be insufficient to meet the amount appropriated, the town manager shall report to the council without delay, indicating the estimated amount of the deficit, any remedial action taken, and recommendations as to any other steps to be taken. The council shall then take such further action as it deems necessary to prevent or minimize any deficit and for that purpose may, by resolution, reduce one or more appropriations.

(d) *Transfer of appropriations*. At any time during the fiscal year, the town manager may transfer any unencumbered appropriations among programs within a department, office, agency or a program provided by inter local agreement and, upon written request by the town manager, the council may by resolution transfer between funds any unencumbered appropriations from one department, office, agency or a program provided by inter local agreement to another.

ARTICLE XII. INITIATIVE AND REFERENDUM

Sec. 12.01. Initiative and referendum.

At least 25 percent of the qualified electorate of the town shall have the power to petition the council to propose an ordinance or to require reconsideration of an adopted ordinance, and if the council fails to adopt such ordinance so proposed, or to repeal such adopted ordinance, without any change in substance, then the council shall place the proposed ordinance, or the repeal of the adopted ordinance, on the ballot at the next municipal election.

ARTICLE XIII. CHARTER AMENDMENTS

Sec. 13.01. Initiation by ordinance.

The council may, by ordinance, propose amendments to any or all of this charter to be submitted to the electors, as provided by general law.

Sec. 13.02. Initiation by petition.

The electors of the town may propose amendments to this charter by petition to be submitted to the council to be placed before the electors, as provided by general law.

Sec. 13.03. Charter review.

The charter will be reviewed at least every 10 years. A five-member charter review commission shall be appointed and funded by the council. The charter review commission shall be appointed at least 6 months before the next scheduled election and complete its work and present any recommendations to the Council for change no later than 60 days before the election. The council shall hold a minimum of two public hearings to approve, reject or modify the proposed changes to the charter prior to placing the proposed changes on the scheduled election ballot.

ARTICLE XIV. SEVERABILITY

Sec. 14.01. Invalidity of character provision or application.

If any provision of this charter is held invalid, the other provisions of the charter shall not be affected thereby. If the application of this charter or any of its provisions to any person or circumstance is held invalid, the application of the charter and its provisions to other persons or circumstances shall not be affected thereby.

End of document.

RECEIVED
By Amy Baker at 1:14 pm, May 13, 2025

Town of Fort Myers Beach

Charter Review Commission Application

Your application will be a public record subject to disclosure on request.
Please type or print clearly. Do not leave blanks.

Today's Date: 5/12/25

Name: Cereceda (Last) | Anita (Fist) | T (Middle initial)

Telephone Number: 2392181450

Email Address: fmbanita22@gmail.com

Mailing Address: 185 Jefferson Street
(if different from home address, like PO Box)

Home Address*: Ft. Myers Beach

Are you a full-time resident within the Town's jurisdiction?
*Only full-time Fort Myers Beach residents may apply — Yes (●) No ( )

Are you currently serving on any of the Town's committees? — Yes (●) No ( )

If yes, which committee (s)? LPA

If yes, when is your term expiration? October

I am applying for an appointment to the Charter Review Commission, and I have attached my resume. letter. — Yes (●) No ( )

Have you been convicted of a felony, while in office? — Yes ( ) No (●)

Do you have unpaid fines or liens due to Town? — Yes ( ) No (●)

Are you a registered voter within the Town's Jurisdiction? — Yes (●) No ( )

Are you an owner of real property within the Town's jurisdiction? — Yes (●) No ( )

Are you currently serving on board, authority, committee or commission for another governmental agency? Yes ◯ No ◉

If yes, what board, etc., and since when?

Do you qualify for Special Exemptions per § 119.071(4)(d)3., F.S. Yes ◯ No ◉

If yes, fill out the Public Records Exemption Request form and submit with the application.

Why are you seeking appointment to this committee? (attach additional sheets if needed)
I believe that my institutional knowledge of the Town as well as my current involvement can help with the review of our Charter.

Community involvement: (attach additional sheets if needed)
Local Planning Agence
Ft. Myers Beach Community Foundation
Ft. Myers Beach Womens Club

Interests / Activities: (attach additional sheets if needed)
Travel
Education
Art

I swear or affirm that all information on this form is true and accurate.

Signed Date 5/12/25

Please return this form to the Town Clerk's Office, Town of Fort Myers Beach, 2731 Oak Street, Fort Myers Beach, FL 33931 or email to: amy@fmbgov.com

---

Office Use Only:

Appointed: Yes___ No___ *Date:*_____

May 12,2025

To: Ft. Myers Beach Town Council

Re: Charter Review Committee

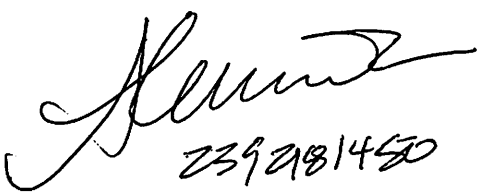
Mayor and council members,

I am writing to request your consideration for appointment to the Charter Review committee.

I believe that I can be of service in this capacity because of my long history with the Town. I believe the Charter needs a full review and evaluation to be certain that it still serves the community. I think that I can be open minded to suggestions and make valuable contributions to these discussions.

Please feel free to call me if you have any concerns or wish to discuss the matter fully.

Thank you.



Anita Cereceda

Town of Fort Myers Beach

APR 29 2025

Received by:_____

Town of Fort Myers Beach

Charter Review Commission Application

Your application will be a public record subject to disclosure on request.
Please type or print clearly. Do not leave blanks.

Today's Date: 4/25/25

Name: Cherney (Last) | Michele (Fist) | M (Middle initial)

Telephone Number: 920-621-5033

Email Address: mcherney20@outlook.com

Mailing Address: 21 Fairview Blvd, Fort Myers Beach, FL 33931
(if different from home address, like PO Box)

Home Address*:

Are you a full-time resident within the Town's jurisdiction?
*Only full-time Fort Myers Beach residents may apply — Yes (●) No ( )

Are you currently serving on any of the Town's committees? — Yes ( ) No ( )

If yes, which committee (s)? BORCAP

If yes, when is your term expiration? October, 2026

I am applying for an appointment to the Charter Review Commission, and I have attached my resume. — Yes (●) No ( )

Have you been convicted of a felony, while in office? — Yes ( ) No (●)

Do you have unpaid fines or liens due to Town? — Yes ( ) No (●)

Are you a registered voter within the Town's Jurisdiction? — Yes (●) No ( )

Are you an owner of real property within the Town's jurisdiction? — Yes (●) No ( )

Are you currently serving on board, authority, committee or commission for another governmental agency? Yes ◯ No ◉

If yes, what board, etc., and since when?

Do you qualify for Special Exemptions per § 119.071(4)(d)3., F.S. Yes ◯ No ◉

If yes, fill out the Public Records Exemption Request form and submit with the application.

Why are you seeking appointment to this committee? (attach additional sheets if needed)

I have owned on Fort Myers Beach since 2010. IAN changed our Island, now is the time we need to move forward. We want to stay at the Town of FMB, we don't want Lee Cty to take it back.

Community involvement: (attach additional sheets if needed)

Interests / Activities: (attach additional sheets if needed)

Volunteering, helping friends/neighbors, boating, fishing, beach, pickleball, golf and sunsets

I swear or affirm that all information on this form is true and accurate.

Signed Mary Denney Date 4-29-25

Please return this form to the Town Clerk's Office, Town of Fort Myers Beach, 2731 Oak Street, Fort Myers Beach, FL 33931 or email to: amy@fmbgov.com

---

Office Use Only:

Appointed: Yes ___ No ___ Date: _____

MICHELE M. CHERNEY

21 Fairview Blvd, Fort Myers Beach, FL 33931
920.621.5033 • mcherney20@outlook.com

PROFESSIONAL MANAGEMENT EXPERIENCE

DEBAUCHE COMMUNICATION SERVICES, LLC, Green Bay, Wisconsin **11/10 – 10/2023**

Telecommunications & Business Consulting Services

Owner (Sold Business October, 2023)

- Design and engineer fiber optic installation design to the telecommunications industry such as AT&T
- Develops long-term Marketing strategy & tactical initiatives, budgets, product potential
- Works closely with clients offering strategic contract engineering, staffing, consulting services
- Assists small to mid-size businesses; create business plan, identify new market, increase sales such as Marinette Marine
- All accounting functions including taxes, monthly financials, payroll
- Human Resources, hired, fired background checks, developed company HR Employee HR manual

TUFCO TECHNOLOGIES, INC., Green Bay, Wisconsin **1996 - 2011**

Sr. Vice President of Sales / Marketing

- ➢ Honored with bi-annual ***"Top Strategic Vendor Award"*** for eight consistent years
- ➢ Led sales team increasing sales from ***$4M to $68M*** via capital investment and organic growth
- ➢ ***Global management*** for all sales acquiring and closing the ***Business Area's Top Fortune 500*** customers to include Procter & Gamble, Kimberly-Clark and SC Johnson
- ➢ Developed and implemented annual and ***five-year strategic business plans***
- International marketing responsibilities include advertising, product and pricing strategies
- Effectively negotiated multiple, long-term supply contracts with large consumer companies

Market Manager

- ➢ Strategically developed market segment of home care wipes resulting increased sales of $45M,
- ➢ Successfully launched manufacturing concept of ***Swiffer*** for Procter & Gamble globally
- Created and implemented strong marketing tools with regards to pricing, products and strategies
- Developed ingenious marketing campaigns; graphics, print advertising, collateral, product videos
- Initiated and designed a product performance machine to display features and benefits for a new product launch, which resulted in becoming an ***industry standard test method***
- Built strong relationships with trade journalists and editors for maximum exposure to industry

WAUSAU PAPERS, Harrodsburg, Kentucky **1988 - 1996**

Area Sales Manager, Boca Raton, Florida

- ➢ Led market segment expansion with first year sales of $4M, second year sales of $7.5M
- ➢ Consistently exceeded company revenue goals and built reputable clientele every year
- Managed pricing, strategy and competitive market trends on a national level
- Trained and managed new field sales personnel working one-on-one ensuring performance

Customer Service Manager, Harrodsburg, Kentucky

- ➢ ***Managed plant shut down*** and entire customer service / marketing group of our Green Bay operations and ***setup new plant operations*** and hiring staff in Harrodsburg, KY
- Hired and trained staff of 25 (customer service reps, marketing and pricing managers, costs)

District Sales Manager, San Antonio, Texas

- Sales rep for the San Antonio/Austin, Texas market

Customer Service Representative, Green Bay, Wisconsin

- Internship for sales covering Midwest territory of the United States

EDUCATION **Accounting & Real Estate,** NWTC – Green Bay, Wisconsin

CURRENT AFFILIATIONS

President – Fairview Isles Neighborhood Association 178 Home Owners, Fort Myers Beach, FL

Bay Oaks Recreational Campus Advisory Board Member (BORCAP) – Fort Myers Beach, FL

PAST AFFILIATIONS

Curative Connections Board Member

Green Bay Chamber of Commerce

Advanced Economic Development - Board Member / Advance Incubator - Board Member / Business Attraction Committee Board Member

INDA - Association of Nonwoven Fabrics, Board of Directors 2007 – 2011

TEC/EA Member since 2005 - 2016

FFTA - Member since 1998

PASSIONS

Boating, fishing, beach, pickleball, golf and sunsets

RECEIVED
By Amy Baker at 9:56 am, Apr 08, 2025

Town of Fort Myers Beach

Charter Review Commission Application

Your application will be a public record subject to disclosure on request.
Please type or print clearly. Do not leave blanks.

Today's Date: 4/6/25

Name: Dunlap (Last) James (Fist) E (Middle initial)

Telephone Number: 616-481-3217

Email Address: jdmd0516@gmail.com

Mailing Address: 131 Egret St. Fort Myers Beach
(if different from home address, like PO Box)

Home Address*: 131 Egret St. Fort Myers Beach

Are you a full-time resident within the Town's jurisdiction?
*Only full-time Fort Myers Beach residents may apply — Yes (●) No ( )

Are you currently serving on any of the Town's committees? — Yes (●) No ( )

If yes, which committee (s)? LPA

If yes, when is your term expiration? October 2026

I am applying for an appointment to the Charter Review Commission, and I have attached my resume. — Yes (●) No ( )

Have you been convicted of a felony, while in office? — Yes ( ) No (●)

Do you have unpaid fines or liens due to Town? — Yes ( ) No (●)

Are you a registered voter within the Town's Jurisdiction? — Yes (●) No ( )

Are you an owner of real property within the Town's jurisdiction? — Yes (●) No ( )

Are you currently serving on board, authority, committee or commission for another governmental agency? Yes ○ No ◉

If yes, what board, etc., and since when?

Do you qualify for Special Exemptions per § 119.071(4)(d)3., F.S. Yes ○ No ◉

If yes, fill out the Public Records Exemption Request form and submit with the application.

Why are you seeking appointment to this committee? (attach additional sheets if needed)

See Attached

Community involvement: (attach additional sheets if needed)

See Attached

Interests / Activities: (attach additional sheets if needed)

See Attached

I swear or affirm that all information on this form is true and accurate.

Signed

Date 4/6/25

Please return this form to the Town Clerk's Office, Town of Fort Myers Beach, 2731 Oak Street, Fort Myers Beach, FL 33931 or email to: amy@fmbgov.com

---

Office Use Only:

Appointed: Yes ___ No ___ Date: _____

NOTICE OF INTENT TO BE A CANDIDATE FOR FORT MYERS BEACH CHARTER REVIEW COMMITTEE

NAME: JAMES E. DUNLAP
PHONE: 616-481-3217
EMAIL: JEDFMB@GMAIL.COM

ACTIVE PARTICIPATION IN VOLUNTARY ORGANIZATIONS:

- 1999-2001 Chair, Orlando Convention and Visitors Bureau
- 2000-2001 Chair, Orlando Regional Chamber of Commerce
- 2003-2004 Co-chair, American Cancer Society Cattle Baron's Ball
- 2003-2009 Co-chair, Devos Children's Hospital/Make-A-Wish Foundation
- 2002-2004 Chair, Junior Achievement Business Hall of Fame
- 2006-2008 Treasurer and Chair, YMCA of Greater Grand Rapids
- 2004-2007 Chair, Heart of West Michigan United Way Campaign
- 2009-2010 Treasurer and Board Chair, The Right Place, Inc. (Economic Development)
- 2012-2016 Chair, West Michigan Policy Forum
- 2013-2014 Chair, Grand Rapids, MI Economic Club
- 2018-2024 Board Member, Shadow Wood Community Association, Estero, FL
- 2021-2024 Immediate Past Board President, Shadow Wood Community Association
- 6/2024-Present Local Planning Agency, Fort Myers Beach

PROFESSIONAL EXPERIENCE /ACCOMPLISHMENTS:

- 1979-2017 Retired Executive with Huntington National Bank, thirty-eight years
  - ($189B in assets, 16th largest bank in US).
- 1993-2008 Regional President in various geographies within the Midwest and Florida
- 2009-2017 Senior Executive Vice President, Director Regional and Commercial Banking, Wealth Management, Capital Markets and Treasury Management as direct report to Chairman of the Board

ELECTED OFFICE EXPERIENCE

- 1993-1996 Village of Waterville, Ohio Council and Vice Mayor

SPECIAL RECOGNITION

- 1999,2000,2001 Recognized as one of Central Florida's seven most outstanding community leaders
- 2001 Banker of the Year, Central Florida
- 2007 Community Leader of the Year, Grand Rapids, Michigan
- 2010 West Michigan Business Person of the Year, West Michigan Economic Club
- 2025- While President during 2024, Shadow Wood Community Association was named "Community Association of the Year for 2024" for all of Southwest Florida
- 2025- While President of Shadow Wood Community Association during 2024, I was named Board Member of the Year for all Community Associations in Southwest Florida

April 6, 2025

Thank you for considering my application for an appointment to the Fort Myers Beach Charter Review Committee.

While this process may be statutory in its requirement for review and recertification, at this moment, it takes on a deeper meaning and forward-looking consequences for Fort Myers Beach.

As a community, we are being challenged with multiple priorities for both our elected official and professional staff, to a degree perhaps not experienced since incorporation itself.

Therefore, reviewing and challenging the current charter components will give our community, through public opinion sessions, and this committee, through serious debate of our existing operating design, the opportunity to consider potential alternative solutions for the next 10 years. We have the benefit of what we have all experienced post Ian, to ensure that the Charter of Fort Myers Beach reflects the most current and anticipated needs and priorities of our community.

I have deep experience in both the private sector, the non-profit community, as well as a past elected official to put those insights to work for a community I care deeply about and whose future I am fully committed to invest in.

As a current LPA member, there is a body of work which I believe demonstrates my passion for our collective future, as well as an unbiased and transparent approach to my thinking and decision making. I intend to bring that approach to this assignment as well.

I look forward to the possibility of serving our community further as a member of the Charter Review Committee.

Jim Dunlap

RECEIVED
By Amy Baker at 12:18 pm, May 16, 2025

Town of Fort Myers Beach

Charter Review Commission Application

Your application will be a public record subject to disclosure on request.
Please type or print clearly. Do not leave blanks.

Today's Date: 5/16/25

Name: Link (Last) | Rebecca (Fist) | S (Middle initial)

Telephone Number: 412-848-5965

Email Address: rebecca@k12consultants.com

Mailing Address: same
(if different from home address, like PO Box)

Home Address*: 5245 Williams Dr., Fort Myers Beach, FL 33931

Are you a full-time resident within the Town's jurisdiction?
*Only full-time Fort Myers Beach residents may apply — Yes (●) No ( )

Are you currently serving on any of the Town's committees? — Yes (●) No ( )

If yes, which committee (s)? CDBG-DR Evaluation Committee - Representing FMB

If yes, when is your term expiration? I serve as needed. I don't believe there are any active

I am applying for an appointment to the Charter Review Commission, and I have attached my resume. — Yes (●) No ( )

Have you been convicted of a felony, while in office? — Yes ( ) No (●)

Do you have unpaid fines or liens due to Town? — Yes ( ) No (●)

Are you a registered voter within the Town's Jurisdiction? — Yes (●) No ( )

Are you an owner of real property within the Town's jurisdiction? — Yes (●) No ( )

Are you currently serving on board, authority, committee or commission for another governmental agency? Yes ◯ No ◉

If yes, what board, etc., and since when?

Do you qualify for Special Exemptions per § 119.071(4)(d)3., F.S. Yes ◯ No ◉

If yes, fill out the Public Records Exemption Request form and submit with the application.

Why are you seeking appointment to this committee? (attach additional sheets if needed)

Please see answer in attached document

Community involvement: (attach additional sheets if needed)

Please see answer in attached document

Interests / Activities: (attach additional sheets if needed)

Please see answer in attached document

I swear or affirm that all information on this form is true and accurate.

Signed Rebecca S Lisk Date 5/15/25

Please return this form to the Town Clerk's Office, Town of Fort Myers Beach, 2731 Oak Street, Fort Myers Beach, FL 33931 or email to: amy@fmbgov.com

---

Office Use Only:

Appointed: Yes ___ No ___ Date: _____

Rebecca Link Responses

Why are you seeking appointment to this committee?

I'm interested in applying for this volunteer position because I care deeply about the long-term well-being and governance of our barrier island community. As someone who is detail-oriented and thoughtful, I believe I can contribute meaningfully to the thorough review of the town charter. I also have the ability to lead when needed and work collaboratively within a team, which I know is essential for a committee of this size. I see this as a great opportunity to give back to our town and help ensure that our charter continues to serve the community effectively for the next decade.

Community involvement:

Since Hurricane IAN, I've been actively involved in supporting our community's recovery and future planning. I was honored to be selected by the council to represent Fort Myers Beach on the Lee County CDBG-DR Evaluation Committee. Although reviewing applications from across the County was a demanding task, I took the responsibility seriously and found the work deeply rewarding.

After Hurricane Ian, while managing the loss of two properties, I made it a priority to help others in need. I took the initiative to read and understand the complex Lee Cares program so I could assist fellow residents in applying for potential funding. Despite my own challenges, I felt compelled to support my neighbors and contribute to our collective recovery.

In addition, I've also helped many residents understand the FMB Permitting process and successfully apply. It has been my goal to help residents comply with the requirements of the Town, as well as FEMA, to build a more resilient community.

Interests / Activities:

In addition to being a Partner/Owner in a consulting business that works with government programs, I'm really enjoy working on the design and construction of my new FMB home. Interior design is a true passion of mine—I love creating welcoming, thoughtful spaces for friends and family to enjoy. I also have a strong interest in learning new things, especially when they're challenging. Whether it's diving into unfamiliar topics or tackling complex tasks, I find the process of learning and problem-solving incredibly rewarding.

REBECCA LINK

Vice President / Owner / Partner

As owner/partner of K12 Consultants, Inc. I have spent the last few decades of my career working with over 50 Counties (annually) throughout the United States. On an annual basis, we help our clients conduct needs analysis, project planning, creation of and requests for RFPs, evaluation of bids and management of contracts. Once vendors are selected, we request funding on behalf of the Applicant, provide guidance for fund utilization, and process reimbursements requests. The scope of these projects includes existing network technology upgrades and new building construction projects. At any one time, we manage well over $25 million worth of projects throughout the country.

SUMMARY

Multi-functional business/process/technology consulting experience within the Federal and State funding programs. Areas of expertise include:

- Federal Funding Programs: E-Rate, Emergency Connectivity Fund (ECF)
- State Programs: Georgia Communications for Classrooms Fund (CFC)
- Needs Assessment/ Project Planning/ Evaluation Assessment
- Process/productivity design and improvement
- Business Application / Data Analytics Tool Development

EXPERIENCE

K12 Consultants, Inc.
VP Operations / Partner *03 / 2008 - Present*

Oversee the daily operations of consulting services firm while continually improving and innovating the administration of these labor-intensive, ever-changing federal and state funding program requirements; with the primary goal being to maximize funding while maintaining strict compliance requirements.

- Designed, developed, and implemented business processes in support of the FCC's E-Rate, CFC, and ECF Programs.
- Designed, built, and implemented proprietary data analytics system used to manage hundreds of day-to-day tasks, monitor/maintain critical compliance issues, and communicate with colleagues, customers, and service providers.
- Evaluated and implemented cloud-based services solution to enable active synchronization of files for backup, access, synching and sharing between employees, auditors, and customers within the strictest compliance guidelines.
- Modify internal systems in support of continuous changes and modifications to program rules and guidelines.
- Expert knowledge in the rules, process, and compliance requirements for the following programs:
    - Federal E-Rate program
    - Federal Emergency Connectivity Fund (ECF) program
    - Georgia Connections for Classrooms (CFC) program

Informatica
Director Worldwide Field Readiness *03 / 2005 – 12 / 2009*

Design, develop, implement, and deliver training programs that contribute to the skill, knowledge, and competency of a world-wide salesforce in targeting Fortune 100 companies with multi-million-dollar data analytics technology solutions.

Enterprise Performance Solutions
Principal Consultant / Owner *01 / 2002 – 03 / 2005*

Provide consulting services and curriculum development and delivery in the areas of sales engagement process, sales tools, technical curriculum development and delivery, business process development/implementation and the software systems that support and assess these programs.

EDUCATION

Carlow University
Master of Science, Professional Leadership, Organizational Development and Training *1994 - 1996*

Carlow University
Bachelor of Arts, Communications *1990 - 1993*

FMB
FORT MYERS BEACH ● ESTERO ISLAND

Town of Fort Myers Beach

Charter Review Commission Application

Your application will be a public record subject to disclosure on request.

Please type or print clearly. Do not leave blanks.

Today's Date: 5/13/25

Name: Milligan (Last) | Beverley (Fist) | Ann (Middle initial)

Telephone Number: 239-529-8785

Email Address: myerside@myerside.com

Mailing Address: 133 Andre Mar Drive, Fort Myers Beach, FL, 33931
(if different from home address, like PO Box)

Home Address*:

Are you a full-time resident within the Town's jurisdiction?
*Only full-time Fort Myers Beach residents may apply — Yes (●) No ( )

Are you currently serving on any of the Town's committees? — Yes ( ) No (●)

If yes, which committee (s)?

If yes, when is your term expiration?

I am applying for an appointment to the Charter Review Commission, and I have attached my resume. — Yes (●) No ( )

Have you been convicted of a felony, while in office? — Yes ( ) No (●)

Do you have unpaid fines or liens due to Town? — Yes ( ) No (●)

Are you a registered voter within the Town's Jurisdiction? — Yes ( ) No (●)

Are you an owner of real property within the Town's jurisdiction? — Yes (●) No ( )

Scanned with CamScanner

Are you currently serving on board, authority, committee or commission for another governmental agency? Yes ◯ No ◉

If yes, what board, etc., and since when?

Do you qualify for Special Exemptions per § 119.071(4)(d)3., F.S. Yes ◯ No ◉

If yes, fill out the Public Records Exemption Request form and submit with the application.

Why are you seeking appointment to this committee? (attach additional sheets if needed)

The Town Charter defines the framework by which the Town Council is able to support the existence of the Town of Fort Myers Beach. It is singularily the guiding document for defining our FMB community and its leadership. As a resident, home owner, business owner and volunteer I believe I can tangibly and responsibly contribute to the review.

Community involvement: (attach additional sheets if needed)

As a committed volunteer for the Fort Myers Beach Community, I am currently the Vice President of the Friends of the Mound House, I have also had the honor of being the President of the FMB Women's Club, appointed and served on the Town's Historical Advisory Committee and was President of the Estero Island Taxpayers Association.

Interests / Activities: (attach additional sheets if needed)

My primary interest today is to build Myerside, bringing back the much needed services to the island. Simultaneously - family, friendship, volunteerism, physical activities, the arts, the neighbors, ideas, laughter and a good cup of coffee!

I swear or affirm that all information on this form is true and accurate.

Signed [signature] Date 05/13/25

Please return this form to the Town Clerk's Office, Town of Fort Myers Beach, 2731 Oak Street, Fort Myers Beach, FL 33931 or email to: amy@fmbgov.com

---

Office Use Only:

Appointed: Yes ___ No ___ Date: _____

Scanned with CamScanner

Beverley Milligan
133 Andre Mar Drive
Fort Myers Beach, Florida, 33931
myerside@myerside.com

May 13, 2025

Dear Council Members,

It is a great honor to be able to apply for a position in the Charter Review Committee. Under such circumstances, where you are deliberating on who to appoint, I would normally be in the room to answer any questions you might have of me, and at the very least, to demonstrate how interested I am in playing a role in this important undertaking. However, Roland and I planned a vacation months ago which conflicts with my being there today. I hope my not being there does not in any way undermine your consideration of my being appointed and my keen interest in participating on the Charter Review Committee.

That said, a little more about myself that may come up….. While I am a Canadian citizen and cannot vote in the US, I am a legal resident of the US and of Fort Myers Beach. It has been my legal residence since 2015 and will continue to be so indefinitely. I am an FMB business owner and home owner with a proven record of volunteering on the island. I believe I have a strong and balanced understanding of our community and the critically important role the Charter plays in it. I believe I can make a strong contribution to the review.

Our business, Myerside, has contributed regularly to non-profit and charitable organizations on the island and both my husband and myself have and continue to serve on non-profit boards and volunteer and fundraising events.

Our home, our business, our community – Our Charter. Thank you for your consideration.

Sincerely,

Beverley Milligan

Beverley Milligan

133 Andre Mar Drive
Fort Myers Beach, Florida
33931

myerside@myerside.com
239-529-8785

Profile

Beverley Milligan is co-owner of Myerside LLC, a property situated in FMB's Heart of the Island. Her grit and determination, coupled with her husband's building and renovation expertise, created a one-acre commercial mixed-use resort, which provided guests with a snapshot of old Florida - cottages, tropical and relaxing. Hurricane Ian destroyed, Myerside Resort and Cottages and Co-owners Beverley Milligan and Roland Weinmann are currently in the permitting phase of rebuilding. Previous to owning and building Myerside, Beverley was a subject matter consultant in accessible media across all sectors of communications. She nurtured and grew numerous non-profit organizations, all dedicated to implementing a business model for accessible communications. She did this successfully through working with stakeholders in policy, engineering, software developers, academics, broadcasting, media and disability organizations across North America.

Knowledge, Skills & Abilities

- Ability to mediate and build consensus within competing stakeholder environments.
- Able to successfully build for-profit and not-for-profit organizations
- Strong understanding of North America's media regulatory framework and international regulatory environment.
- Accomplished in media liaison, public speaking and professional training.
- Winner of prestigious awards.
- Volunteer for various local, national and international committees and organizations

Background

Owner - Myerside, LLC
2013 – Present

- In partnership with Roland Weinmann, her husband, rebuilding Myerside post hurricane Ian, bringing back essential services to Fort Myers Beach.

Volunteer Activities

- On-going promotion, support of Non-Profits who operate in FMB's Heart of the Island, (PTO, Little League, Chamber of Commerce, FMB Art Society.)
- Board of Director and Vice President of Friends of the Mound House

Beverley Milligan

133 Andre Mar Drive
Fort Myers Beach, Florida
33931

myerside@myerside.com
239-529-8785

- Founder and Board member of Let's Go FMB
- Founder and President of the Estero Island Tax Payer's Association, instrumental in supporting the approval of the Margaritaville Resort.
- Past President, Fort Myers Beach Woman's Club. In 2016 prevented the sale of the Woman's Club Property on FMB, through invigorating new outreach, awareness and participation from the FMB Community.

Education

- Batchelor of Arts Degree in Linguistics from York University

Languages

- Fluent in English and American Sign Language

Town of Fort Myers Beach

MAY 6 2025

Received by:_____

Town of Fort Myers Beach

Charter Review Commission Application

Your application will be a public record subject to disclosure on request.
Please type or print clearly. Do not leave blanks.

Today's Date: May 5, 2025

Name: Neaf (Last) Anne (Fist) M (Middle initial)

Telephone Number: 716-907-0219

Email Address: anneneaf@gmail.com

Mailing Address: N/A
(if different from home address, like PO Box)

Home Address*: 125 Pearl St., Ft. Myers Beach, FL 33931

Are you a full-time resident within the Town's jurisdiction?
*Only full-time Fort Myers Beach residents may apply — Yes (●) No ( )

Are you currently serving on any of the Town's committees? — Yes ( ) No (●)

If yes, which committee (s)? N/A

If yes, when is your term expiration? N/A

I am applying for an appointment to the Charter Review Commission, and I have attached my resume. — Yes (●) No ( )

Have you been convicted of a felony, while in office? — Yes ( ) No (●)

Do you have unpaid fines or liens due to Town? — Yes ( ) No (●)

Are you a registered voter within the Town's Jurisdiction? — Yes (●) No ( )

Are you an owner of real property within the Town's jurisdiction? — Yes (●) No ( )

Are you currently serving on board, authority, committee or commission for another governmental agency? Yes ◯ No ◉

If yes, what board, etc., and since when? N/A

Do you qualify for Special Exemptions per § 119.071(4)(d)3., F.S. Yes ◯ No ◉

If yes, fill out the Public Records Exemption Request form and submit with the application.

Why are you seeking appointment to this committee? (attach additional sheets if needed)

I'm a concerned citizen interested in maintaining the original spirit of Fort Myers Beach at incorporation while adapting to new challenges and future development in these complicated times post-Hurricane Ian. I'm passionate about history, learning from it and moving forward while honoring the intentions of the Town founders.

Community involvement: (attach additional sheets if needed)

I've worked with the Lee County Board of Elections since 2020. I participate in beach clean-ups here. In our hometown of Sunset Bay, NY I started the Sunset Bay Experience 5K fundraiser for the volunteer Fire Department, started the Spring and Fall Beach Clean-Ups, and volunteer for the weekly Basket Auction/Oldies Night charity fundraisers.

Interests / Activities: (attach additional sheets if needed)

I'm an avid reader & passionate about libraries. I'm an activist with the Fort Myers/Lee County Chapter of National Organization for Women & passionate about preserving & enhancing Democracy. I enjoy running, DIY home & furniture paint projects & thrift shopping (it's the thrill of the hunt!) I enjoy gardening, Dr. Pimple Popper TikToks & listening to Barbra Streisand on vinyl.

I swear or affirm that all information on this form is true and accurate.

Signed Anne M Neaf Date 5.5.2025

Please return this form to the Town Clerk's Office, Town of Fort Myers Beach, 2731 Oak Street, Fort Myers Beach, FL 33931 or email to: amy@fmbgov.com

---

Office Use Only:

Appointed: Yes ___ No ___ Date: _____

Anne M. Neaf

RYT-200

anneneaf@gmail.com 716-907-0219 annieneaf.com

Profile

Experienced local yoga instructor currently in 500-hour teacher training. Experienced Registered Yoga Teacher - 200 hour training level/1000 hours teaching (E-RYT 200) designation with Yoga Alliance pending May 2025. Aqua Yoga certification pending June 2025.

Experience

Yoga Instructor
Yoga With Annie, 2016-Present
Online, in-person group and private sessions using props and breathing techniques. Current locations include Fort Myers Beach, Bay Oaks Fitness Court, Bayside Veterans Park and the Mound House. The goal is to help students learn something about themselves they didn't know when they began their session.

Yoga Instructor
Fiddlesticks Country Club, 2024-Present
Instruct and adjust students according to their personal goals and intentions for the session using props, poses and breath work in a private studio setting.

Yoga Instructor
Fort Myers Beach Yoga Project-Saba Movement Center, 2019-2022

Instructed students on Fort Myers Beach, the Woman's Club, the Library, Lover's Key State Park & the Saba Movement Center in Fort Myers.

Education

RYT-200
Ruby and Pearls Yoga Studio
Fort Myers, FL
2016

Bachelor of Arts
Sociology and Womens' Studies
University at Buffalo
1998-2002

Hello.

I'm applying for this position because I LOVE Fort Myers Beach. It's my adopted hometown. The best- and worst- times in my life have happened here. My husband & I were engaged here, at the Cottage (RIP) over tequila shots. Him- "We should probably get married." Me- "Are you proposing?" Him- "Yep." Me- "OK." We clicked glasses. So romantic!

I love leading yoga classes around town. I specifically wanted to teach at the Fitness Court this season to bring more attention to it - I'm an Ambassador for the Fitness Court in our hometown near Buffalo. When we're at the Beach or the Mound House any time we see a dolphin we drop in to dolphin pose. Same with Eagle + Lizard. I hope that some days when Matanzas Park opens again I'll be able to lead classes there. I miss Newton Park - those pine floors were just incredible!

We've owned a rental on Otego Dr. since 2012 + my favorite thing about it has been introducing families to the absolute joy of this area. I make sure to have books about local history available. Did you know that Fort Myers Beach was once

home to a legitimate cult? It wasn't a good one - everyone was celibate + Lee County made them bury the decomposing corpse of their leader once it turned out he wasn't going to reincarnate. The archaeologists also found a human skeleton buried in the Shell Mound from the pirate days - I love telling kids about it + they go play "pirates" + make fabulous memories.

I've always cleaned up litter on the beach + along the sidewalks - tourists can be a little messy after a few cocktails + baking in the sun. I've been working the elections with Lee County since 2020 + have been involved with local chapters of national political organizations for a while. I never kept track of when it really started - but have been interested in increasing my civic engagement here, especially since Hurricane Dan. Watching our beloved local landmarks disappear overnight was traumatic for everyone as individuals + collectively as a town. We're ALL still grieving + I want to put that grief into action.

At the end of the day it turns out that I'm a nerd who likes to do deep-dives into

government documents.

This town was incorporated to serve the residents + to protect the sensitive environment from over development. In the 80-some years that the town of Fort Myers Beach has formally existed there have been massive changes + new, unforseen challenges. It would be an honor and a privilege to serve on this committee. Honoring the intention of the original document while looking to the future + answering questions that haven't been asked yet is a monumental task but with the right people at the table having difficult conversations that affect us all we can all move forward into a bright + prosperous future.

Thank you for taking the time to read this - turns out I never had good marks for handwriting when I was in school - and thank you for considering someone like me, who comes to you with enthusiasm, effort + a pure desire to do the right thing for our collective future.

To everyone making the selection for this committee - I wish you luck. It's not an easy task

and I know you'll make the right decisions.

Thank you.

Anne M. Neaf

125 Pearl St.
Ft. Myers Beach
FL - 33931

RECEIVED
By Amy Baker at 2:57 pm, Mar 28, 2025

Town of Fort Myers Beach

Charter Review Commission Application

Your application will be a public record subject to disclosure on request.
Please type or print clearly. Do not leave blanks.

Today's Date: 3/28/20

Name: Scasny (Last) Gregory (Fist) P (Middle initial)

Telephone Number: (239) 314-6997

Email Address: gregscasny@gmail.com

Mailing Address: 117 Andre Mar Drive, FMB 33931
(if different from home address, like PO Box)

Home Address*: 117 Andre Mar Drive, FMB 33931

Are you a full-time resident within the Town's jurisdiction?
*Only full-time Fort Myers Beach residents may apply — Yes (●) No ( )

Are you currently serving on any of the Town's committees? — Yes ( ) No (●)

If yes, which committee (s)?

If yes, when is your term expiration?

I am applying for an appointment to the Charter Review Commission, and I have attached my resume. — Yes (●) No ( )

Have you been convicted of a felony, while in office? — Yes ( ) No (●)

Do you have unpaid fines or liens due to Town? — Yes ( ) No (●)

Are you a registered voter within the Town's Jurisdiction? — Yes (●) No ( )

Are you an owner of real property within the Town's jurisdiction? — Yes (●) No ( )

Are you currently serving on board, authority, committee or commission for another governmental agency? Yes (●) No ( )

If yes, what board, etc., and since when? Fort Myers Beach Library Board of Trustees

Why are you seeking appointment to this committee? (attach additional sheets if needed)

I am a strong advocate to FMB residents and families and have a vested interest in seeing our Town succeed long term.

Community involvement: (attach additional sheets if needed)

Ran for Town Council 2024
Board of Directors - Fort Myers Beach Library (appointed by Gov. Desantis)
Board of Directors - Protect FMB, Inc. (Local not-for-profit)
Member - Fort Myers Beach Womans Club (Local not-profit)

Interests / Activities: (attach additional sheets if needed)

Being a good Father and Husband, Jiu Jitsu, Fishing, Guitar, Programming, A.I., Hunting Cyber Criminals, Ethical Hacking, Public Speaking, Volunteering, Mentoring and Teaching.

Do you qualify for Special Exemptions per § 119.071(4)(d)3., F.S. Yes ( ) No (●)

If yes, fill out the Public Records Exemption Request form and submit with the application.

I swear or affirm that all information on this form is true and accurate.

Signed  Date **03/28/2025**

Please return this form to the Town Clerk's Office, Town of Fort Myers Beach, 2731 Oak Street, Fort Myers Beach, FL 33931 or email to: amy@fmbgov.com

---

Office Use Only:

Appointed: Yes ___ No ___ Date: _____

Gregory P Scasny

Experienced Chief Technology Office and Cybersecurity Expert

117 Andre Mar Drive
Fort Myers Beach, FL 33931
(239) 314-6997
greg@blueshiftcyber.com

EXPERIENCE

Blueshift Cybersecurity, Fort Myers, FL — *CTO*

April 2022- PRESENT

Co-Founder and Chief Technology Officer
Board Member

Cigent, Fort Myers, FL — *CTO*

Sept 2018 - April 2022

Co-Founder and Chief Technology Officer
Cigent is an In-Q-Tel Portfolio Company

CPR Tools, Fort Myers FL— *CISO*

Jan 2016 - Present

Chief Information Security Officer

EDUCATION

Purdue University, College of Engineering — *BS Electrical Engineering and Technology*

DETAILS

I am a graduate of Purdue University with a Bachelor's Degree in Electrical Engineering and Technology. A native of Northwest Indiana, I moved to Southwest Fl in 2008 to escape the horrible winters of NWI and live out my Jimmy Buffet fantasy.

I am the CTO of Blueshift Cybersecurity, Inc. (Blueshift). Blueshift is a Security as a Service company whose goal is to bring advanced, SOC (Security Operation Center) monitored cyber-defense capabilities to organizations regardless of size. The problem that organizations face today is that while there are a plethora of tools available to large entities with established SOC capabilities to gather, decode, analyze and alert on security telemetry, the majority of organizations do not have the expertise or budget to stand up even basic SOC capabilities to monitor and facilitate actions based on this security telemetry, even if the telemetry is highly filtered and pre-analyzed by sophisticated algorithms and A.I.

Blueshift takes the approach of supplying a highly modular, value driven XDR

SKILLS

Proven Offensive Cybersecurity Expert

Proven Defensive Cybersecurity Expert

Network Intrusion Detection Expert

Defensive Cyber Visibility and Risk Management

Industrial Control Systems and Operational Technology Cybersecurity Expert

Advanced Systems Development and Engineering Expert

Cyber Incident Response and Forensics Expert

Proven Leadership via several past and current board positions, including Elected Office

Proven public speaker and educator on cybersecurity

Active Top Secret Security Clearance

(Extended Detection and Response) platform along with managed SOC services to provide not only proven and highly valuable managed and monitored detection/response capabilities, but also the enablement of new capabilities based on current threats and threat actor trade-craft.

A short list of my accomplishments include:

Providing Subject Matter Expertise and Training for:

- NASA - Kennedy Space Center
- The IRS Cyber Crimes Division
- The Florida Department of Law Enforcement
- The CyberReady Conference at MacDill Air Force Base
- Commercial Solution for Classified (CSfC) Technology Conference
- Cyberwire
- The National Association of Elder Law Attorneys
- Collier Republican Men's Club
- Finemark Bank
- Hispanic Radio Conference
- Marketron
- Venture Beat
- The City of Cape Coral
- The International Auditors Association
- The Identity Theft Task Force of Collier County
- The Paralegal Association of Southwest Florida
- and many others.

Active Top Secret Security Clearance

Current Board Member of Blueshift Cybersecurity Inc.

Alumni board member of the Southwest Florida Regional Technology Partnership (http://www.swfrtp.org) where we foster the growth of technology companies and education in SWFL.

Business Advisory Committee Member at Dunbar High School, the world's first Microsoft Certified High School.

Florida Gulf Coast University - Department of Information Systems & Operations Management Advisory Council

Advisory Board Member for The Rocket Lounge, Southwest Florida's First Startup Incubator and Accelerator.

Served on the Editorial Board of The News Press in Fort Myers

2 terms on The News Press Young Professionals Advisory Board.

Currently Appointed by Governor Ron Desantis to the Fort Myers Beach Library Board of Directors (Elected position).

Frequent guest on ABC-7, NBC-2, Wink News and various radio stations for Cybersecurity and Hacking stories and expertise.

I have had the honor of being selected to attend the Department of Homeland Security ICS-CERT Industrial Control System Cybersecurity 301 Red Team/Blue Team course at Idaho National Laboratories.

RECEIVED
By Amy Baker at 4:41 pm, May 06, 2025

Town of Fort Myers Beach

Charter Review Commission Application

Your application will be a public record subject to disclosure on request.
Please type or print clearly. Do not leave blanks.

Today's Date: 5/6/25

Name: Schoonover (Last) Ed (Fist) J (Middle initial)

Telephone Number: 218.820.3389

Email Address: ed.schoonover@jandjholmes.com

Mailing Address:
(if different from home address, like PO Box)

Home Address*: 8180 Lagoon Rd Fort Myers Beach,FL 33931

Are you a full-time resident within the Town's jurisdiction?
*Only full-time Fort Myers Beach residents may apply — Yes (●) No ( )

Are you currently serving on any of the Town's committees? — Yes (●) No ( )

If yes, which committee (s)? AAC/BORCAB

If yes, when is your term expiration? unknown

I am applying for an appointment to the Charter Review Commission, and I have attached my resume. — Yes (●) No ( )

Have you been convicted of a felony, while in office? — Yes ( ) No (●)

Do you have unpaid fines or liens due to Town? — Yes ( ) No (●)

Are you a registered voter within the Town's Jurisdiction? — Yes (●) No ( )

Are you an owner of real property within the Town's jurisdiction? — Yes (●) No ( )

Are you currently serving on board, authority, committee or commission for another governmental agency? Yes ◯ No ◉

If yes, what board, etc., and since when?

Do you qualify for Special Exemptions per § 119.071(4)(d)3., F.S. Yes ◯ No ◉

If yes, fill out the Public Records Exemption Request form and submit with the application.

Why are you seeking appointment to this committee? (attach additional sheets if needed)
I would like to be involved with the discussion of making changes, if any, needed to the town charter.

Community involvement: (attach additional sheets if needed)
AAC/BORCAB

Interests / Activities: (attach additional sheets if needed)
Outreach Africa, Sailing the High Seas

I swear or affirm that all information on this form is true and accurate.

Signed  Date 5/6/25

Please return this form to the Town Clerk's Office, Town of Fort Myers Beach, 2731 Oak Street, Fort Myers Beach, FL 33931 or email to: amy@fmbgov.com

---

Office Use Only:

Appointed: Yes ___ No ___ Date: _____

ED SCHOONOVER

CHARTER COMMISSION CANDIDATE

CONTACT

218.820.3389
ed.schoonover@jandjholmes.com
8180 Lagoon Rd
Fort Myers Beach, FL
33931

PROFILE

I have nearly 25 years of experience working in a municipal government. I spent most of my time working in the Parks and Recreation Department but have spent time in various other departments including: Planning, Engineering, Surveying and Public Works. I then spent time managing and assisting operations for a large family YMCA. My latest chapter has been in property management as our companies own and operate 29 properties in both the residential and commercial realms. We are proud of our laundromat and services chain of stores that covers the North Central Minnesota Area. We have been full time residents of Fort Myers Beach since 2018.

EXPERIENCE

Owner/Property Manager and Development Coordinator
2013 – Present JMKS, J2, Chip, JMK and Sons Properties
Our companies own and operate a variety of properties. We have had HUD/HAP properties that required us to have extensive knowledge in Section 8 and affordable housing plans. Also included in our property profile are several group homes serving developmentally disabled adults and children. Our commercial side includes office buildings and a chain of service-related storage units and wash facilities.

Maintenance and Operations Director
2010 – 2013 Brainerd (MN) Family YMCA
I managed and oversaw all aspects of building operations. Some aspects of management included: Manage staff, coordinate barrier removal for ADA compliance, seek and award bids for projects with various contractors, I participated in the complete remodel of a Gymnasium floor and the reconstruction and remodeling of two pools.

Operations Specialist
1982 – 2008 Brainerd Area Civic Center
Assisted in management and operations under the auspices of both nonprofit and municipal management. Major focuses were: superior costumer service, maintaining playing surfaces and facilities to an NHL type standard, implementing utility saving projects reducing water and electricity expenses.

Ed Schoonover

Charter Commission Candidate

8180 Lagoon Rd
Fort Myers Beach, FL 33931
218.820.3389
ed.schoonover@jandjholmes
.com

REFRENCES

Chuck "Gringo" Grillo

218.821.8400

Retired NHL teams front office

Mr. Grillo is the former vice president and director of player personnel for the San Jose Sharks (NHL). Mr. Grillo was the Head Scout for the Pittsburgh Penguins (NHL) and has won a Stanley Cup in that role. Mr. Grillo was one of our major tenants at Brainerd Area Civic Center and can testify to my work ethic and attention to detail

Bob Motzko

320.291.6431

Head Coach Minnesota Golden Gophers Men's Hockey (NCAA)

Mr. Motzko serves as head coach of the perennial top ten in the nation Gopher men's hockey teams. Mr. Motzko has won an International Gold Medal leading the men's junior hockey team. Mr. Motzko served on the LSVA board with me and can testify to my leadership and ability to get things done.

Randy Klinger

218.839.0990

Special Education Teacher, Sarasota, FL

Mr. Klinger was the Executive Director of the Brainerd Family YMCA and worked closely with me on various major projects. Mr. Klinger is currently a special ed teacher with life experience of helping others succeed. Mr. Klinger can testify to my management abilities and experience securing quality contractors to complete major projects under cost and on time.

RECEIVED
By Amy Baker at 12:20 pm, May 06, 2025

Town of Fort Myers Beach

Charter Review Commission Application

Your application will be a public record subject to disclosure on request.
Please type or print clearly. Do not leave blanks.

Today's Date: 5/6/2025

Name: Spradling (Last) | Tyler (Fist) | J (Middle initial)

Telephone Number: 2398234745

Email Address: tspradli@gmail.com

Mailing Address: 127 curlew st fort myers beach fl 33931
(if different from home address, like PO Box)

Home Address*: 127 curlew st fort myers beach fl 33931

Are you a full-time resident within the Town's jurisdiction?
*Only full-time Fort Myers Beach residents may apply — Yes (●) No ( )

Are you currently serving on any of the Town's committees? — Yes ( ) No (●)

If yes, which committee (s)?

If yes, when is your term expiration?

I am applying for an appointment to the Charter Review Commission, and I have attached my resume. — Yes (●) No ( )

Have you been convicted of a felony, while in office? — Yes ( ) No (●)

Do you have unpaid fines or liens due to Town? — Yes ( ) No (●)

Are you a registered voter within the Town's Jurisdiction? — Yes (●) No ( )

Are you an owner of real property within the Town's jurisdiction? — Yes (●) No ( )

Are you currently serving on board, authority, committee or commission for another governmental agency? Yes ○ No ◉

If yes, what board, etc., and since when?

Do you qualify for Special Exemptions per § 119.071(4)(d)3., F.S. Yes ○ No ◉

If yes, fill out the Public Records Exemption Request form and submit with the application.

Why are you seeking appointment to this committee? (attach additional sheets if needed)

I was raised on Fort Myers Beach, and it's always been home to me. I care deeply about preserving the character, values, and future of our community. Joining the Charter Review Committee is an opportunity to give back and help ensure that our town's foundation reflects the needs and voices of the people who love it most.

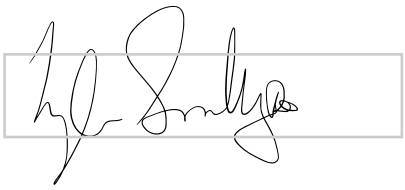
Community involvement: (attach additional sheets if needed)

Kiwanis of Fort Myers Beach board member
active in town council meetings
previous LPD candidate

Interests / Activities: (attach additional sheets if needed)

fishing
enjoying Fort Myers Beach

I swear or affirm that all information on this form is true and accurate.

Signed 

Date 5/6/2025

Please return this form to the Town Clerk's Office, Town of Fort Myers Beach, 2731 Oak Street, Fort Myers Beach, FL 33931 or email to: amy@fmbgov.com

---

Office Use Only:

Appointed: Yes ___ No ___ Date: _____

Tyler J. Spradling, D.O.

tylerspradlingdo@gmail.com | (239) 823-4745

127 Curlew St., Fort Myers Beach, FL 33931

Education

The Florida State University College of Medicine – Family Medicine Residency, Fort Myers, FL
2018 – 2021
- Family Medicine with additional training in Lifestyle Medicine

Nova Southeastern University College of Osteopathic Medicine – Fort Lauderdale, FL
2014 – 2018
- Doctor of Osteopathic Medicine

University of South Florida – Tampa, FL
2008 – 2012
- Bachelor of Arts in Chemistry, Focus in Biochemistry

Professional Experience

Founder and CEO – Bloom Direct Primary Care, Bonita Springs, FL
2024 – Present
- Comprehensive direct primary care practice focused on chronic disease, lifestyle medicine, nutrition, and in-house diagnostics.

Medical Director – Reset IV Wellness Lounge, Naples, FL
2024 – Present
- Developed wellness protocols and IV therapy workflows for an integrative hydration and wellness center.

Designated Health Authority – Florida Department of Juvenile Justice
2023 – Present
- Conducts evaluations and oversees protocols for incarcerated youth; serves as on-call physician statewide.

Urgent Care Physician – Lee Health, Fort Myers, FL
2021 – 2024
- High-volume provider (40–50 patients/day) across four locations; managed acute and chronic presentations.

Per Diem Hospitalist & Complex Care Physician – Lee Health, Fort Myers, FL
2021 – 2024
- Inpatient care, infusion therapy, wound care, and complex outpatient management.

Co-Author, Health Promotion and Wellness
Published 2021
- Contributed chapter on wellness, including stress management, alcohol consumption, and exercise.

Research & Teaching Assistant – University of South Florida
2011 – 2014
- Supported various biochemistry and lab-based research projects under faculty supervision.

Volunteer Experience

- Kiwanis Club of Fort Myers Beach – Member (2018 – Present)
- Sports Physicals & Health Fairs – Lee County Schools, Fort Myers Beach Baptist Church (2018 – 2020)
- Team Physician – Cypress Lake High School Football & Basketball (2018)

Awards & Acknowledgments

- Roy M. Baker, M.D. Award – Outstanding Leadership in Emergency Services (2023)
- Outstanding Resident in Obstetrics, FSU-FMRP (2018 – 2019)
- AFMRD Advocacy Award, FSU-FMRP (2019 – 2020)

Professional Memberships & Committees

- Diplomate, American Board of Family Medicine
- Member, American Academy of Family Physicians (AAFP)
- Resident Member, FSU-FMRP Clinic Operations Workgroup (2019 – 2020)
- Resident Member, FSU-FMRP Physician Wellness Committee (2019 – 2020)
- Resident Representative, FSU-FMRP for FAFP/AAFP Conferences (2018 – 2020)

Clinical Interests

Geriatrics, Lifestyle Medicine, Hospice Medicine, Primary Care

Hobbies & Interests

Fishing, kayaking, hunting, playing guitar & ukulele, cooking

RECEIVED
By Amy Baker at 3:16 pm, Mar 25, 2025

Town of Fort Myers Beach

Charter Review Commission Application

Your application will be a public record subject to disclosure on request.
Please type or print clearly. Do not leave blanks.

Today's Date:

Name: THOMAS (Last) G. (Fist) BRYAN (Middle initial)

Telephone Number: 217-202-4407

Email Address: bthomas@ccmsi.com

Mailing Address: 263 PALERMO CIRCLE FMB
(if different from home address, like PO Box)

Home Address*:

Are you a full-time resident within the Town's jurisdiction?
*Only full-time Fort Myers Beach residents may apply — (Yes) No

Are you currently serving on any of the Town's committees? (Yes) No

If yes, which committee (s)? Audit Comm

If yes, when is your term expiration? 9/30/26

I am applying for an appointment to the Charter Review Commission, and I have attached my resume. Yes No

Have you been convicted of a felony, while in office? Yes (No)

Do you have unpaid fines or liens due to Town? Yes (No)

Are you a registered voter within the Town's Jurisdiction? (Yes) No

Are you an owner of real property within the Town's jurisdiction? (Yes) No

Are you currently serving on board, authority, committee or commission for another governmental agency? Yes (No)

If yes, what board, etc., and since when?

Why are you seeking appointment to this committee? (attach additional sheets if needed)

TO ASSIST IN THE RE DEVELOPMENT OF OUR ISLAND.

Community involvement: (attach additional sheets if needed)

AUDIT COMM CHAIR
FMB WOMENS CLUB

Interests / Activities: (attach additional sheets if needed)

BOATING COOKING
TRAVEL
SPORTS

Do you qualify for Special Exemptions per § 119.071(4)(d)3., F.S. Yes No

If yes, fill out the Public Records Exemption Request form and submit with the application.

I swear or affirm that all information on this form is true and accurate.

Signed A. Bynum Date 3/25/25

Please return this form to the Town Clerk's Office, Town of Fort Myers Beach, 2731 Oak Street, Fort Myers Beach, FL 33931 or email to: amy@fmbgov.com

---

Office Use Only:

Appointed: Yes ___ No ___ Date: _____

Professional Experience
Mr. Thomas is the president, CEO, and chairman of the board of Cannon Cochran Management Services, Inc. (CCMSI), the nation's largest independent third-party administrator of workers' compensation, property and casualty, and self-insurance programs. As a recognized industry leader and innovator, he is widely acclaimed for pioneering methods of sound risk financing and cost containment alternatives for large employers and association insurance plans, particularly in employee benefits and workers' compensation.

He began his career in sales at a national insurance carrier before joining CCMSI as an account executive responsible for marketing and program development for large, individual self-insurers and associations. During his tenure at CCMSI, Mr. Thomas held various leadership roles, including executive vice president and chief marketing officer, overseeing sales and marketing strategies. As president and CEO, he drives the company's overall strategic vision and shapes its future, serving on the Executive Committee and Board of Directors.

Throughout his career, Mr. Thomas has collaborated with diverse industries, including governmental entities, associations, manufacturers, healthcare, gaming, construction, transportation, higher education, and restaurants, cementing his status as a respected authority across the broader business and insurance communities. His forward-thinking leadership continues to propel CCMSI's success and set new standards in the insurance and risk management fields.

Education and Professional Activities
Mr. Thomas earned a Bachelor of Science (BS) from the University of Illinois and an Associate in Risk Management (ARM) designation from the Insurance Institute of America in 1992. He is an active member of numerous industry associations, including the Self-Insurance Institute of America (SIIA), Illinois Self-Insurers Association (ISIA), and Independent Insurance Agents of Illinois (IIA). He also serves as a faculty member for the National Business Institute and the National Managed Health Care Congress.

A highly sought-after speaker, Mr. Thomas regularly presents on risk management and cost containment at events hosted by the Society of Human Resource Managers (SHRM), Mid-West Truckers Association, ISIA, and the SIIA. Beyond his professional contributions, Mr. Thomas is a dedicated community leader. He is a trusted advisor for Mid-West Truckers Risk Management and an engaged member of several community and business organizations, including the Fort Myers Beach Chamber of Commerce, United Way, the Boys and Girls Club, the Young Presidents' Organization (YPO), as well as a Lifetime Member of the University of Illinois Alumni Association.

RECEIVED
By Amy Baker at 2:06 pm, Apr 02, 2025

Town of Fort Myers Beach

Charter Review Commission Application

Your application will be a public record subject to disclosure on request.
Please type or print clearly. Do not leave blanks.

Today's Date: 3/31/25

Name: zuba (Last) henry (Fist) j (Middle initial)

Telephone Number: (773) 551-3316

Email Address: hzuba@aol.com

Mailing Address:
(if different from home address, like PO Box)

Home Address*: 21570 indian bayou

Are you a full-time resident within the Town's jurisdiction?
*Only full-time Fort Myers Beach residents may apply — Yes (●) No ( )

Are you currently serving on any of the Town's committees? — Yes ( ) No (●)

If yes, which committee (s)?

If yes, when is your term expiration?

I am applying for an appointment to the Charter Review Commission, and I have attached my resume. — Yes (●) No ( )

Have you been convicted of a felony, while in office? — Yes ( ) No (●)

Do you have unpaid fines or liens due to Town? — Yes ( ) No (●)

Are you a registered voter within the Town's Jurisdiction? — Yes (●) No ( )

Are you an owner of real property within the Town's jurisdiction? — Yes (●) No ( )

Are you currently serving on board, authority, committee or commission for another governmental agency? Yes (●) No ( )

If yes, what board, etc., and since when? lee county LPA and Affordable Housing COm

Why are you seeking appointment to this committee? (attach additional sheets if needed)

As a 20 yeqar resident and former member and chair of the town LPA, I believe I can contribute to the charter review. our town faces redevelopment pressure that our comp plan and charter never anticipated. As a formenr urban planner i believe I can help.

Community involvement: (attach additional sheets if needed)

Member and chair of the LPA for 6 years.
member and chair of the downtown redevelopment commission

Interests / Activities: (attach additional sheets if needed)

in addition to my membership on the Lee Country Plan commission I serve on the affordable housing commission which plays a role in funding various housing groups including Habitat for Humanity and other non profit housing groups.

Do you qualify for Special Exemptions per § 119.071(4)(d)3., F.S. Yes ( ) No (●)

If yes, fill out the Public Records Exemption Request form and submit with the application.

I swear or affirm that all information on this form is true and accurate.

Signed Henry zuba Date 3/31/25

Please return this form to the Town Clerk's Office, Town of Fort Myers Beach, 2731 Oak Street, Fort Myers Beach, FL 33931 or email to: amy@fmbgov.com

---

Office Use Only:

Appointed: Yes ___ No ___ Date: _____

Henry Zuba

21570 Indian Bayou
Fort Myers Beach, Florida 33931

773.551.3316
hzuba@aol.com

Education: Master Degree in Urban Planning

University of Chicago

Experience:

- Housing Director - Leadership Council, Chicago
- Senior Urban Planner - Urban Investment Corp., Chicago
- President - MZB, Inc., Chicago Housing Development Corp.

Community Service:

- Lee County LPA (2025)
- Affordable Housing Commission of Lee County (2025)
- Fort Myers Beach LPA - Member and Chair (6 years) (previously)
- Member and Chair of Ad Hoc FMB downtown redevelopment group appointed by Town Council (previously)
- Village Board of Oak Park, Illinois

Fort Myers Beach Town Council

Town Hall Council Chambers
2731 Oak Street
Fort Myers Beach, FL 33931

Minutes **Monday, May 19, 2025** **9:00 AM**

DRAFT

ORDER OF BUSINESS

I. CALL TO ORDER

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

II. INVOCATION

Town Clerk Baker.

III. PLEDGE OF ALLEGIANCE

IV. APPROVAL OF FINAL AGENDA

Add a discussion on the school interlocal agreement under Town Attorney's Items and move the discussion under Council Member Items and Reports after public comment.

Council Member King moved to approve the amended agenda, seconded by Council Member Woodson.

The motion carried unanimously.

V. SWEARING IN CEREMONY

William McKannay, Town Manager

Town Clerk Amy Baker swore in William McKannay as Town Manager.

VI. PUBLIC COMMENT

John McLean, resident welcomed the new Town Manager and his wife and thanked Town Manager Andy Hyatt for his service.

Matt Price contributed $47,000.00 for the fireworks and described other ways his business supported the community.

Jennifer Rusk, resident, opposed the development on Miramar Street because it would affect her quality of life, enjoyment and safety. There is a hole on Miramar St. and the sand used to fill it was not working. She noted an influx of flies on her street and they were getting into her house. Lee County told her they may have issues with the stormwater drains. She asked the town to check out the situation.

Patrick Vanasse, resident, thanked Mayor Allers for speaking on behalf of the

DRAFT

beach school and Vice Mayor Atterholt for participating in the ad hoc committee. He stated that on June 3, 2025, a third party will discuss the viability of the beach school at a school board meeting. He asked the community to attend the meeting. Kerri Hendry represented the Beach Kids Foundation and noted that they needed to keep the school and maintain the community.

Jenna Persons-Mulicka thanked Town Manager Hyatt for his service and welcomed the new Town Manager.

Judy Haataja was there on behalf of the Beach Kids Foundation and thanked Vice Mayor Atterholt for what he did to try to get the school back. She noted that the school was critical to the community.

Howie thanked everyone for all the good they did. He welcomed the new town manager and was sorry to see Town Manager Hyatt leave.

Vice Mayor Atterholt provided an update on where they were regarding the beach school for those who may not stay for the discussion towards the end of the meeting. He encouraged everyone to reach out respectfully to the School Board.

Council Member Safford moved to accept Mr. Price's contribution for the fireworks, seconded by Council Member Woodson.

The motion carried unanimously by roll call vote.

VII. LOCAL ACHIEVEMENTS AND RECOGNITIONS

Vice Mayor Atterholt addressed the sudden passing of his uncle, Jim Steele. He reviewed his career in Indianapolis and subsequently in Fort Myers Beach.

Council Member King welcomed the new town manager and thanked Town Manager Hyatt for his service.

Council Member Woodson met Mr. Steele after the hurricane and she sent her condolences. SOB had a grand opening last weekend and she commended them for what they did on the island.

Council Member Safford echoed comments and said Mr. Steele was a friend and guide to him. He sent his condolences.

Mayor Allers agreed with all comments.

VIII. ADVISORY COMMITTEES ITEMS / REPORTS / APPOINTMENTS

Jennifer Rusk, Marine & Environmental Resources Task Force (MERTF) member, provided an update on the children's book. Almost 26,000 copies were distributed last year. The Community Foundation donated $4,000.00 to print more books.

She noted that QR codes would be added to the next batch. Seven sea turtle nests and 35 false crawls have been recorded so far. She reminded people not to go under the caution tape by the old Junkanoo. Mayor Allers asked whether MERTF could expand the book to include shells and MERTF Member Rusk will discuss it with MERTF.

IX. APPROVAL OF MINUTES

A. Town Council - April 21, 2025

Council Member King moved to approve the minutes, seconded by Council Member Safford.

The motion carried unanimously.

DRAFT

B. Town Council - May 5, 2025

On page 17 of the packet, Mr. Markman should be Mr. Merschman.
Council Member King moved to approve the amended minutes, seconded by Council Member Safford.
The motion carried unanimously.

X. CONSENT AGENDA - NO ITEMS

XI. ITEMS REMOVED FROM CONSENT AGENDA

XII. PUBLIC HEARINGS

Town Attorney Stuparich explained the quasi-judicial procedures. Town Clerk Baker confirmed that all agenda items were properly noticed. She swore in those providing testimony.
Mayor Allers revealed conflicts with Item C. and Item F. He will complete Form 8B and submit it to Town Clerk Baker.

A. St. Peters Drive

Dedication of St Peters Drive (Private Road) to the Town of Fort Myers Beach

Town Attorney Stuparich introduced the item and stated the town had the legal right to accept the road. Community Development Director Frankie Kropacek noted the road was in good shape and the town would not be taking on any liability by accepting it. Jim Boan stated that the town has installed four streetlights, graded the right-of-way and finished the drainage project. The road has been open to the public for years. The Association would like to continue maintaining the two landscaped islands.
No public comment.

Vice Mayor Atterholt moved to begin the process of accepting the dedication of St. Peters Drive, seconded by Council Member King.
The motion carried unanimously.

B. 21391 Widgeon Terrace

Appeal of a Building Official Decision to Issue Permits # 24233 / 23477 Related to Construction of an Elevated Swimming Pool at 21391 Widgeon Terrace, Fort Myers Beach

Mayor Allers read the appeal heading. Ex parte communications: All Council members received correspondence from the town clerk regarding the attorney for the appellant and Council Member Woodson recently visited the site to see the pool progress. Experts for the town include Community Development Manager Georgina Cid, Community Development Principal Planner Judith Frankel and Building Official Joe Specht. Steve Shawless is a professional surveyor in the state of Florida.
Mayor Allers moved to qualify Mr. Shawless as an expert in his field,

seconded by Vice Mayor Atterholt.
The motion carried unanimously by roll call vote.
The property owner confirmed receipt of the agenda and backup materials. Robert Hartzell, attorney, represented the property owner. He noted that some issues were addressed in the letter they sent to the town on Friday. He described the change in procedural issues since the latest version of the permit was issued. The ordinance had been changed and stated that these matters should be heard by the Special Magistrate instead of the town council. In his letter, he requested that the matter be transferred to the Special Magistrate. He described the variance proceeding before the 20th Circuit and indicated that if they are successful in that case, this issue becomes moot. The town council agreed with the property owner to waive the 30-day period to await the outcome of the proceeding before the 20th Circuit.
Robert Burandt, attorney, referred to Mr. Hartzell's letter and asked when the appeal was filed. Town Attorney Stuparich replied that it was filed in December and Mr. Hartzell confirmed it was December 13, 2024. Mr.
Burandt reviewed the history of the issue and stated they were making the same argument from the initial hearing and were taking another bite of the apple. The town council had already heard about the boundary and intensity and had denied it. He stated the water was already in the pool and he has to let this go.
Mr. Hartzell responded that this was an administrative appeal of the building permit and was separate from the variance of the setbacks.
Town Attorney Stuparich explained that due process allows Mr. Himmelstein and his attorney to present their arguments to the town council on the various issues. She indicated that they could proceed today and thought that their decision would most likely be subject to an appeal, resulting in two appeals working their way through the system. Staff was prepared to discuss the permitting process for this permit today. Town Attorney Stuparich noted they had the legal right to send it to the magistrate, or they could stay the matter pending resolution of the variance. If they decided to hear it today, they would hear about the substance of the appeal. She recommended that they stay the matter or send it to the magistrate. Council Member Safford supported sending it to the magistrate.
Town Attorney Stuparich stated that the new testimony from staff would serve as supplemental material for the magistrate to determine the case. She added that the magistrate's decision could also be appealed.
Vice Mayor Atterholt and Council Member King supported sending it to the magistrate. Mayor Allers supported a stay to save time and money for both sides.
Mr. Hartzell said he would dismiss the appeal if they won the variance. Town Attorney Stuparich noted that once the court takes action on the variance, the case would have to go back to the council to be closed.

Mayor Allers moved to recommend a stay of the appeal of the building

official's decision to issue permits for permit numbers 24, 233 and 23477 related to the construction of an elevated swimming pool pending the outcome of the ruling of the variance appeal, seconded by Council Member Safford.
The motion carried 4-1 with Council Member Woodson dissenting.

C. Resolution 25-150; VAR20250045, 277 Primo Dr.

A RESOLUTION OF THE FORT MYERS BEACH TOWN COUNCIL APPROVING, APPROVING WITH CONDITIONS, DENYING A VARIANCE FROM LDC TABLE 34-3 FOR THE PROPERTY LOCATED AT 277 PRIMO DRIVE, GENERALLY REFERED TO AS STRAP NUMBER 19-46-24-W4-0150D.0260 IN FORT MYERS BEACH, TO ALLOW A SETBACK OF 12.6 FEET INSTEAD OF THE REQUIRED 25 FEET WATERBODY SETBACK FROM A CANAL, IN ORDER TO BUILD A NEW GARAGE AND AN ELEVATED POOL FOR THE EXISTING SINGLE-FAMILY RESIDENCE IN THE RC ZONING DISTRICT; AND PROVIDING FOR OTHER CLARIFICATIONS AS NECESSARY; PROVIDING FOR CONFLICTS OF LAW, SCRIVENER'S ERRORS, SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Allers read the title of the resolution. Ex parte communications: Council Member Safford had a site visit with Mr. Kolar, Council Member Woodson visited the site and met with Mr. Kolar, Vice Mayor Atterholt met with the applicant and Council Member King met with the applicant.
The property owner confirmed receipt of the agenda and background materials.
Community Development Senior Planner Jason Smalley reviewed the background of the case as stated on the blue sheet. The staff recommended denial because the request did not meet two requirements of the comprehensive plan and LDC (Land Development Code). The applicant could redesign the home or ask for less.
Tommy Kolar represented his parents and stated they were doing the project for their family because they needed more room. The LPA voted 6-1 for approval.
No public comment.

Council Member King moved to approve the resolution with the conditions in the staff report, seconded by Council Member Safford.
The motion carried 4-0 by roll call vote, with Mayor Allers abstaining.

D. Resolution 25-152; SEZ20250038, 7150 Estero Blvd. (Creciente Condo South)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA APPROVING/ APPROVING WITH CONDITIONS/DENYING SPECIAL EXCEPTION SEZ20250033 TO ALLOW REPLACEMENT OF EXISTING RIPRAP, ALUMINUM FENCES, SIDEWALKS, POOL, AND POOL DECK WITH A 494 SQ. FT. POOL DECK EXPANSION IN THE EC ZONING DISTRICT SEAWARD OF 1978 CCCL,

FOR THE PROPERTY LOCATED AT 7150 ESTERO BOULEVARD; PROVIDING FOR SCRIVENER'S ERRORS, SEVERABILITY, AND AN EFFECTIVE DATE.

Mayor Allers read the title of the resolution. Ex parte communications: Vice Mayor Atterholt, Council Member Woodson and Mayor Allers all received an email in support and Mayor Allers is familiar with the site. The property owner confirmed receipt of the agenda and background materials.
Principal Planner Frankel reviewed the background of the request as stated on the blue sheet. The staff recommended approval with conditions; however, they recommended denial of the pool deck expansion in the environmentally critical (EC) zoning district because that was an expansion from what they had.
Mike Close, resident, described how Ian destroyed their property. He asked to build the pool back as it was, except the corners were too tight for lounge chairs and people fell into the pool. Mayor Allers asked why they did not slide the pool forward and shrink the walk-up fence area. Mr. Close responded that he had never thought of that, but felt it was too late.
Vice Mayor Atterholt noted that the pool was not seen by anyone and would not affect anyone. He felt it was a worthy request.
No public comment.
Principal Planner Frankel read the conditions of approval. Mr. Close did not agree to stop construction during turtle season because it would be impossible for a turtle to crawl over their seawall. Environmental Projects Manager Chadd Chutsz texted that he was negotiable and willing to work with the applicant. Principal Planner Frankel will reword the condition.
Mayor Allers did not support the expansion.

Vice Mayor Atterholt moved to approve the resolution, including the expansion and conditions, including the amended condition to work with Projects Manager Chustz during construction, seconded by Council Member King.
The motion carried 4-1 by roll call vote, with Mayor Allers dissenting.

E. Ordinance 25-07; REZ20240275, 1011 Third Street

This agenda item is a Second Reading and Final Public Hearing on proposed Ordinance 25-07.

ORDINANCE TITLE:
AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA APPROVING/ APPROVING WITH CONDITIONS/ DENYING A REZONING OF PROPERTY LOCATED AT 1011 THIRD STREET, FORT MYERS BEACH, FLORIDA (STRAP NUMBER 24-46-23-W3-00202.0060) FROM DOWNTOWN TO RESIDENTIAL PLANNED DEVELOPMENT (RPD) WITH THREE DEVIATIONS: 1) REQUEST TO APPLY PROPERTY DEVELOPMENT REGULATIONS FOR THE DOWNTOWN ZONING DISTRICT, RATHER THAN THE RESIDENTIAL MULTI-FAMILY

STANDARDS IN SEC. 34-943 REQUIRING USE OF THE RM DEVELOPMENT REGULATIONS, 2) REDUCTION OF THE REQUIRED 5-FOOT SIDE YARD SETBACKS TO ALLOW FOR DEVELOPMENT ON THE EASTERN PROPERTY LINE; AND 3) REQUESTING A FLOOR AREA RATIO (FAR) OF 1.7, AN INCREASE OVER THE 1.0 FAR ALLOWED IN SEC. 34-675(C)(3); PROVIDING FOR CLARIFICATIONS AS NECESSARY; PROVIDING FOR CONFLICTS OF LAW, SCRIVENER'S ERRORS, SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Allers read the title of the resolution. No ex parte communications were disclosed. The property owner confirmed receipt of the agenda and backup materials.

Senior Planner Smalley reviewed the background of the request as stated on the blue sheet. The staff recommended approval with conditions.

Matt Noble stated the project would be connected to sewer and water. He noted that the rooftop pool was small and they talked to the DOT (Department of Transportation) about the location under the bridge and had no issues.

No public comment.

Council Member King moved to approve the ordinance with the conditions, seconded by Council Member Safford.

The motion carried unanimously by roll call vote.

F. Ordinance 25-10; DCI20250035.1, 1051 Fifth Street, Lighthouse Resort CPD Expanded Boundary

This agenda item is a First Reading and Public Hearing on proposed Ordinance 25-10. If approved at First Reading, a Second Reading and final adoption hearing will be scheduled for June 16, 2025, at 9:00 AM or at another time identified by Town Council.

ORDINANCE TITLE:

AN ORDINANCE OF THE TOWN COUNCIL OF FORT MYERS BEACH, FLORIDA APPROVING/APPROVING WITH CONDITIONS/ DENYING AN AMENDMENT TO THE COMMERCIAL PLANNED DEVELOPMENT (CPD) ZONING, PREVIOUSLY APPROVED BY RESOLUTION 18-17 FOR THE PARCEL LOCATED AT 1051 FIFTH STREET, GENERALLY IDENTIFIED AS STRAP NUMBER 24-46-23-W3-00205.0060, TO ADD AND REZONE A PARCEL LOCATED AT 1060 THIRD STREET, GENERALLY IDENTIFIED AS STRAP NUMBER 24-46-23-W3-00203.0150 IN FORT MYERS BEACH FROM DOWNTOWN TO CPD; PROVIDING FOR OTHER CLARIFICATIONS AS NECESSARY; PROVIDING FOR CONFLICTS OF LAW, SCRIVENER'S ERRORS, SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Allers read the title of the ordinance. Ex parte communications: All Council members disclosed meetings with Mr. Kolar and/or Mr. Vanasse. Jenna Persons-Mulicka represented the applicant and Mr. Vanasse is the

qualified expert. (The recording skipped to Principal Planner Frankel.) Principal Planner Frankel reviewed the background of the request as stated on the blue sheet. The LPA unanimously recommended approval and the staff recommended approval.
Ms. Persons-Mulicka requested that the agenda and background materials, along with the presentation, be entered into the record. The presentation included the Project Team, Applications, CPD Boundary Change & Rezoning Request, Aerial of the Site and Conclusion.
No public comment.

Council Member King moved to approve the ordinance, seconded by Council Member Woodson.
The motion carried 4-0 by roll call vote, with Mayor Allers abstaining.

G. Ordinance 25-11; DCI20250035.2, 1051 Fifth Street & 1060 Third Street (Lighthouse Island Resort)

This agenda item is a First Reading and Public Hearing on proposed Ordinance 25-11. If approved at First Reading, a Second Reading and final adoption hearing will be scheduled for June 16, 2025, at 9:00 AM or at another time identified by Town Council.

ORDINANCE TITLE:
AN ORDINANCE OF THE TOWN COUNCIL OF FORT MYERS BEACH, FLORIDA APPROVING/APPROVING WITH CONDITIONS/DENYING THE COMMERCIAL PLANNED DEVELOPMENT (CPD) ZONING AMENDMENT FOR THE PROPERTY LOCATED AT 1051 FIFTH STREET AND 1060 THIRD STREET, GENERALLY IDENTIFIED AS STRAP NUMBERS 24-46-23-W3-00205.0060 AND 24-46-23-W3-00203.0150 IN FORT MYERS BEACH, TO AMEND THE EXISTING MASTER CONCEPT PLAN TO ALLOW FOR A) AN INCREASE IN THE NUMBER OF HOTEL UNITS, B) 11 DEVIATIONS: 1) MINIMUM CONNECTION SEPARATION, 2) EXCLUSION OF UNDER BUILDING PARKING FROM FAR, 3) INCREASE IN HEIGHT FOR A MONUMENT SIGN (5TH STREET), 4) INTERNAL SIGN ILLUMINATION, 5) 40 FEET HEIGHT WITH 4 STORIES, 6) REDUCTION IN STREET SETBACKS, 7) MURAL -STYLE SIGN (EAST SIDE), 8) 10 FOOT MONUMENT SIGN (CORNER), 9) MURAL STYLE SIGN (SOUTH), 10) WAYFINDING POLE SIGN, AND 11) 58% REDUCTION IN PARKING REQUIREMENTS; AND C) CONDITIONS; PROVIDING FOR OTHER CLARIFICATIONS AS NECESSARY; PROVIDING FOR CONFLICTS OF LAW, SCRIVENER'S ERRORS, SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.
Mayor Allers read the title of the ordinance. Ex parte communications: All Council members disclosed meetings with Mr. Kolar and/or Mr. Vanasse. Principal Planner Frankel reviewed the background of the request as stated on the blue sheet and explained the equivalency factor. She read the deviations.
Jenna Persons-Mulicka introduced the team and asked that the agenda item,

backup and presentation be entered into the record. She added that the LPA recommended unanimous approval.
Tommy Kolar represented his family and reviewed the history of the property.

Patrick Vanasse started the presentation with CPD Boundary Change & Rezoning Request, Requests from LPA, Revised MCP, Conditions, General Notes, Renderings and Conclusion.
Mr. Kolar discussed the timeline and thought they could start in about three years.
Public comment:
Tom Torgerson, resident, welcomed the new town manager and wished the best to Town Manager Hyatt. He indicated the Kolars were great neighbors and felt the intensity of the project was very appropriate. He supported the project.
Public comment closed.
Principal Planner Frankel summarized the findings and conclusions and read the conditions. The staff recommended approval with conditions.

Council Member Woodson moved to approve the ordinance, including all conditions outlined by staff, seconded by Council Member Safford.
The motion carried 4-0 with Mayor Allers abstaining.

H. Ordinance 25-06; DA20250001 - 1028, 1046 Estero Boulevard (Times Square)

This agenda item is a First Reading and Public Hearing on proposed Ordinance 25-06. If approved at First Reading, a Second Reading and final adoption hearing will be scheduled for June 16, 2025, at 9:00 AM or at another time identified by Town Council.

ORDINANCE TITLE:
AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA APPROVING OR DENYING A HOME RULE DEVELOPMENT AGREEMENT FOR PROPERTY LOCATED AT 1028 ESTERO BOULEVARD AND 1046 ESTERO BOULEVARD, FORT MYERS BEACH, FL, STRAP NOS. 24-46-23-W3-00017.0000 AND 24-46-23-W3-00016.0000 AND OWNED BY PERSAUD PROPERTIES FL INVESTMENTS LLC, AS AUTHORIZED BY SECTION 2-100 OF THE TOWN'S LAND DEVELOPMENT CODE AND IN COMPLIANCE WITH THE PROCEDURES FOR APPLICATION AND APPROVAL OF DEVELOPMENT AGREEMENTS WITH DEVIATIONS SET FORTH IN RESOLUTION NUMBER 24-73 AS AMENDED BY RESOLUTION 24-247 FOR THE PURPOSE OF REDEVELOPMENT OF THE PROPERTY TO ALLOW A COMMERCIAL DEVELOPMENT WITH A MAXIMUM OF 42,210 SQUARE FEET, 31 HOTEL ROOMS, AND A MEAN ROOF HEIGHT OF 38 FEET 8 INCHES ABOVE THE 100-YEAR STORM ELEVATION; PROVIDING FOR TERMS AND CONDITIONS INCLUDING BUT NOT LIMITED TO THE IDENTIFICATION OF THE PROPOSED USE OF THE PROPERTY, A

FINDING OF CONSISTENCY WITH THE TOWN OF FORT MYERS BEACH COMPREHENSIVE PLAN, COMMITMENTS AND DEVELOPMENT OBLIGATIONS, DEVIATIONS NEEDED FOR DEVELOPMENT; PROVIDING FOR OTHER CLARIFICATIONS AS NECESSARY; PROVIDING FOR CONFLICTS OF LAW, SCRIVENER'S ERRORS, SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Allers read the title of the ordinance. Ex parte communications: All Council members met with Mr. Persaud and Mr. Torgerson and received emails for and against.

Jason Utley from Axis reviewed his education and experience in planning. He was taking the place of Planner Sarah Propst.

Mayor Allers moved to approve Mr. Utley to provide expert testimony, seconded by Vice Mayor Atterholt.

The motion carried unanimously.

Tina Ekblad has been qualified as an expert in planning.

Mayor Allers moved to accept Tyler Peterson, architect, and Michael Collins, Interim Director of the School of Resort Hospitality, as experts in their fields, seconded by Vice Mayor Atterholt.

The motion carried unanimously.

Planner Utley reviewed the background of the request as stated on the blue sheet and read the deviations. He noted that the project differed from the previous LPA presentation, which was unanimously denied.

Joe Madden, attorney, represented Persaud Properties. He requested that the staff report and the amended applicant's application be entered into the record.

Ms. Ekblad started the presentation with Property History, Downtown Core, Downtown Zoning, Changing Conditions, Times Square Redevelopment, Redevelopment Request, First (Ground) Floor, Second Floor, Third Floor, Hotel Equivalency and Rooftop.

Mr. Collins discussed the relationship between hotel rooms and food and beverage operations and described the financial projection he created. He stated that the restaurant would not survive without hotel rooms.

The presentation continued with Deviation - Building Height, Height Comparisons, View from the Bridge, Building Height, New & Expanded Commercial and Benefits.

Planner Utley confirmed that the staff did not recommend approval or denial because this was where negotiations were. He added that the applicant agreed that additional modifications would be incorporated into the development agreement if needed. Principal Planner Frankel noted there were discussions with the applicant regarding a development agreement versus a CPD (Commercial Planned Development) and they decided to go with a development agreement. A timeline would not be in a CPD because the town negotiated with the owner and could provide more detail than a rezoning.

Planner Utley noted that hotels were permissible in Times Square. Principal Planner Frankel commented that if they had an open deck without a kitchen

and bathrooms, it would not necessarily count towards the height. Public comment:
Dyan Tierney, resident, commented that visitors wanted to see businesses come back. She felt they should rebuild so people could return and enjoy their beach time.
Natalie Stikland, business owner, supported the project because they needed to bring life and vibrancy back to the square.
Barry Frank felt progress and redevelopment were important and he was surprised at the resistance. He liked the project.
Tom Torgerson, resident, opposed the development as it was currently presented because of the height and stories. He supported developing what was allowed by right. He described what he gave up to build Margaritaville. He thought their public benefits were disingenuous and set a bad precedent.
Kathleen Borman, resident, knew they needed to develop Times Square, but she did not understand why he needed to build higher with hotel rooms. The restaurant he had was great, with good food and good music. She respectfully asked that they vote down the hotel and noted that they had never had hotel rooms in Times Square and she did not think people were asking for them.
Public comment closed.
Ms. Ekblad clarified that she agreed with Principal Planner Frankel regarding the exception in the LDC and the 250 square feet. Their elevator and stairwells were larger than 250 feet, necessitating additional height. Mr.
Peterson explained that the FAR would be 2.26 if they added the parking. He clarified that the kitchen on the rooftop was not full-blown; it was a small prep area. Ms. Ekblad indicated they would add the wave mitigating wall in front of their property before the next hearing. Mr. Peterson noted there was a dedicated trash area on the first floor.
Mayor Allers commended Mr. Persaud for making changes after the LPA meeting and wished they had taken it back to the LPA. He was not a fan of hotels in Times Square and expressed concern about a 300% increase in density. Vice Mayor Atterholt felt that the LPA process was circumvented and preferred that they go back to the LPA and continue the discussions.
Council Member King previously asked Mr. Persaud to go back to the LPA. Council Member Woodson wanted to see the project without the hotel because Times Square was about restaurants, bars, retail and entertainment. She agreed it should go back to the LPA to put the details in place before returning to the council. Council Member Safford also asked them to go back to the LPA. He noted Mr. Persaud was getting very close.
Mr. Madden stated they would go back to the LPA.

Mayor Allers moved to deny the ordinance without prejudice based on the evidence and testimony heard and the recommendation from the LPA, seconded by Vice Mayor Atterholt.
Mr. Madden withdrew the application.

XIII. ADMINISTRATIVE AGENDA

A. Resolution 25-149, Angie Brewer Third Amendment and STA #6

A RESOLUTION OF THE TOWN OF FORT MYERS BEACH, APPROVING A THIRD AMENDMENT TO AN AGREEMENT BETWEEN THE TOWN OF FORT MYERS BEACH AND ANGIE BREWER & ASSOCIATES, LC TO EXTEND THE TERM OF THE CONSULTANT AGREEMENT FOR FUNDING MANAGEMENT SERVICES FOR SRF AND OR OTHER GRANTS OR LOANS AVAILABLE TO THE TOWN, TO DECEMBER 6, 2025; APPROVING SUPPLEMENTAL TASK AUTHORIZATION NO. 6 FOR THE UNINTERRUPTED CONTINUATION OF THESE SERVICES; AUTHORIZING THE MAYOR TO SIGN THE AMENDMENT AND SUPPLEMENTAL TASK AUTHORIZATION AND THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Allers read the title of the resolution. Linda Beck, Acting Finance Director, introduced herself and her experience in finance. She described what Angie Brewer did for the town and noted that their services needed to be continued.

Council Member King moved to approve the resolution, seconded by Council Member Safford.
The motion carried unanimously by roll call vote.

B. Resolution 25-151; Lee County Lift Station Easement Amendment

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, GRANTING AN AMENDED EASEMENT TO EXPAND THE AREA OF AN EXISTING EASEMENT GRANTED TO LEE COUNTY FOR THE PLACEMENT AND OPERATION OF COUNTY- OWNED SEWER MAINS, PIPES, AND FACILITIES; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Allers read the title of the resolution. Town Attorney Stuparich explained that they needed to expand the area.

Council Member King moved to approve the resolution, seconded by Council Member Safford.
The motion carried unanimously by roll call vote.

C. Resolution 25-146; First Amendment to SPA-24-12-EN, ICS Emergency Measures - Hurricane Milton

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA RETROACTIVELY APPROVING A FIRST AMENDMENT TO THE EMERGENCY SERVICE PROVIDER AGREEMENT SPA-24-12-EN DATED DECEMBER 16, 2024 BETWEEN THE TOWN OF FORT MYERS BEACH AND ICS MATERIALS, INC. TO 1) EXTEND THE TERM OF SERVICE FROM NOVEMBER 6, 2024 TO DECEMBER 21, 2024 FOR DEBRIS AND HAZARD CLEAN UP SERVICES DUE TO HURRICANE MILTON: AND 2) INCREASE THE NOT TO EXCEED AMOUNT BY

$123,287.00 FROM $300,000.00 TO $423,287.00; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Allers read the title of the resolution. Environmental Projects Manager Chadd Chustz explained that the scope had to be aligned with FEMA guidelines and the need was greater than anticipated. FEMA covered the costs. Discussion was held regarding beach renourishment timelines, erosion and accretion areas, potential debris, adding more sand to specific areas and the planting timeline.

Vice Mayor Atterholt moved to approve the resolution, seconded by Mayor Allers.
The motion carried unanimously by roll call vote.

D. Resolution 25-147; First Amendment to SPA-24-10-EN, ICS Hurricane Helene-CAT B

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA RETROACTIVELY APPROVING THE FIRST AMENDMENT TO THE EMERGENCY SERVICE PROVIDER AGREEMENT SPA-24-10-EN DATED OCTOBER 4, 2024 BETWEEN THE TOWN OF FORT MYERS BEACH AND ICS MATERIALS, INC. FOR DEBRIS AND HAZARD CLEAN UP SERVICES DUE TO HURRICANE HELENE TO 1) EXTEND THE TERM OF THE AGREEMENT TO OCTOBER 8, 2024; AND 2) INCREASE THE NOT TO EXCEED AMOUNT BY $17,942.40 FROM $200,000.00 TO $217,942.40; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Allers read the title of the resolution. Environmental Projects Manager Chustz noted this was emergency work from Helene.

Vice Mayor Atterholt moved to approve the resolution, seconded by Council Member King.
The motion carried unanimously by roll call vote.

E. Resolution 25-148; First Amendment to SPA-24-13-EN, ICS Sand Screening - Hurricane Milton

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA RETROACTIVELY APPROVING THE FIRST AMENDMENT TO THE EMERGENCY SERVICE PROVIDER AGREEMENT SPA-24-13-EN DATED DECEMBER 18, 2024 BETWEEN THE TOWN OF FORT MYERS BEACH AND ICS MATERIALS, INC. TO AMEND THE NOT TO EXCEED AMOUNT BY $53,971.69 FROM $900,000.00 TO $953,971.69; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Allers read the title of the resolution. Environmental Projects Manager Chustz stated this was from Hurricane Melton.

Vice Mayor Atterholt moved to approve the resolution, seconded by Mayor Allers.
The motion carried unanimously by roll call vote.

XIV. FINAL PUBLIC COMMENT

No public comment.

XV. TOWN MANAGER'S ITEMS

Town Manager McKannay thanked the council for trusting him to lead. The community forum for strategic planning will be held at Bay Oaks on May 28, 2025, from 5 to 8 p.m. The community forum will take place on June 12, 2025, hopefully in the new Town Hall. A meet and greet will be hosted by the Chamber of Commerce for him and his wife on Thursday, May 22, 2025, at Diamond Head.

Community Services Director Jeff Hauge indicated the gym floor at Bay Oaks was done. The HVAC system had to be hooked up, the weight room equipment should be delivered in two weeks and the drinking fountain by the tennis courts was replaced.

Town Manager Hyatt stated they continued to work on the Town Hall. He complimented the staff and felt the transition had gone well. He talked about everything they accomplished together and going to the next level with the new town manager. He thanked everyone.

Communications Coordinator Nicole Berzin stated that she was working with CivicPlus to get a question-and-answer area on the website so that people can provide input on the comp plan. If that is not an option, there will be another way for people to get their questions answered.

XVI. TOWN ATTORNEY'S ITEMS

A. Temporary Residential Uses Post-Emergency/Disaster

Discussion of the Status of Temporary Residential Housing Post-Emergency/Disaster and SB250/SB180

Town Attorney Stuparich distributed and explained the Florida Statutes as stated on the blue sheet. She stated there were approximately 156 temporary housing units that would be permitted if they met the qualifications and requirements in the statute. Once the analysis is completed, they will not be allowed to stay if they do not satisfy the criteria. She recommended that they do an analysis on each temporary unit to give the public an idea of where they stand. Mayor Allers suggested that people living in temporary units voluntarily sign an affidavit attesting to their living situation. Town Attorney Stuparich discussed SB180 and noted she would work with the town manager if the governor signs it. She addressed the school board interlocal agreement with an amendment and will research them. She reviewed the default condition or anticipatory breach, mediation and litigation. Vice Mayor Atterholt suggested they continue brainstorming over the next few days and find out what the consultant's report says. Town Attorney Stuparich suggested that the town manager submit a formal records request for the consultant's report to Lee County. She suggested they consider a special meeting after the school board meeting to determine what they needed or wanted to do.

DRAFT

XVII. COUNCILMEMBERS ITEMS AND REPORTS

Council Member King indicated he would attend the Southwest Florida League of Cities meeting on Thursday with the town manager and his assistant. He noted that he was going to be the new President and would have to start attending their conventions.

Council Member Woodson asked about residential permit parking for the summer and suggested they inform the community on the website and social media.

Mayor Allers received support for adding an M&P discussion about allowing residents or non-residents to pay more to park anywhere all year.

Council Member Safford announced that two parking spots closest to Harbor House on First Street were designated as 15-minute maximum parking. Signs would be installed soon. There are also areas on Third Street and next to the park by the pier, where Uber and Lyft stops are located. Mayor Allers asked whether the IT person could add the stops to the app.

Mayor Allers RSVP'd for himself and the town manager to attend the ribbon cutting on the 29th at 10:00 a.m. for the EOC (Emergency Operations Center). Director Kropacek said the impact fee study should be almost complete and estimated the council would have the packet by the end of June.

A. Parallelogram Lots

DISCUSSION: Concerns with the Existing Parallelogram Lot Ordinance adopted in 2023, Particularly as the Ordinance has been Applied to Lots Located at 250 and 254 Miramar Street. (Maximum allowed time - not to exceed 30 minutes)

Becky Knight reviewed the background of the request as stated on the blue sheet. She noted that neighbors were in the audience and on Zoom. She referred to a packet of information she sent to the council members, including an initial rejection letter from Zoning Coordinator Kendra Rosa. Despite the rejection, a permit was issued eight weeks later without the corrections. She described the timeline of her meetings and the reaction of the town. On May 10, 2025, Senior Planner Jason Smalley sent a denial letter to the builder. He asked that they correct the listed revisions brought up initially by Ms. Knight, even though he indicated it was fine in January. She revealed that before 2024, only 250 Miramar existed until the lot was divided in half to create 254 Miramar. She added that the ordinance only covered lots created before 2023 and the property owner only paid taxes on one lot.

Town Attorney Stuparich noted that she did not think it had been created since the lot was originally platted as two parallelogram lots in 1925.

Permitting for the 1946 house was done by Lee County, and they allowed the house to straddle two lots. She commented that she had a different interpretation from Ms. Knight.

Ms. Knight discussed C & D compensation and described how the structure affected the traffic flow on their narrow street. She asked that an engineer review the details of the site plans and that the zoning be double-checked.

Jennifer Rusk described an incident where fire trucks, ambulances and police cars responded and blocked the entire street. Cars have blocked their street in the past and the house had to provide parking on their property.

Community Development Principal Planner Judith Frankel provided slides to

DRAFT

review the situation. Slides included Figure 34-0, LDC Sec. 34-269 Parallelogram Lot Setbacks, Sec. 34-638 Minimum Setbacks (d)(2)b, Mid-Point of Lot and Front Elevation. In her opinion, the house was being constructed within the guidelines, although there were issues along the way. Mayor Allers suggested that there was still discussion that needed to happen. Principal Planner Frankel confirmed that a stop-work order was issued.

Council Member Woodson asked whether there was another issue in the ordinance that they should investigate. Town Attorney Stuparich replied that SB180 prohibited making existing codes more restrictive, so they would not be able to go back and change them. She suggested they let staff finish their jobs and then they can reassess what needs to be done.

XVIII. ADJOURNMENT

Council Member King moved to adjourn, seconded by Council Member Safford. The motion carried unanimously.

The meeting was adjourned at 4:54 p.m.

DRAFT

Town of Fort Myers Beach
Agenda Item Summary

Blue Sheet Number: **2025-438**

1. **Request:**

Meeting Date: June 2, 2025

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.

Why the action is necessary:

Extending the local state of emergency provides the Town with the needed flexibility to respond to the catastrophic disaster caused by Hurricane Ian and maintains the Town's eligibility for federal and state reimbursement funding for the costs of recovery.

What the action accomplishes:

Extends the Town's Declarion of state of local emergency.

2. **Agenda:**	3. **Requirement/Purpose:**	4. **Submitter of Information:**
CONSENT AGENDA	Resolution	Amy Baker, Town Clerk

5. **Background:**

Hurricane Ian has caused a catastrophic disaster in the Town, causing extensive damage to public utilities, public buildings, public communication systems, public streets and roads, public drainage systems, commercial and residential buildings, and areas. Approving and ratifying these Resolutions will maintain in place the Town Declaration of State of Local Emergency originally adopted via Resolution 22-34.

Attachments:

1. 25-190, Extending Declaration of Local Emergency - Ian 06.03.25 - 06.09.25
2. 25-191, Extending Declaration of Local Emergency - Ian 06.10.25 - 06.16.25
3. 25-192, Extending Declaration of Local Emergency - Ian 06.17.25 - 06.23.25
4. 25-193, Extending Declaration of Local Emergency - Ian 06.24.25 -06.30.25
5. 25-194, Extending Declaration of Local Emergency - Ian 07.01.25 - 07.07.25
6. 25-195, Extending Declaration of Local Emergency - Ian 07.08.25 - 07.14.25
7. 25-196, Extending Declaration of Local Emergency - Ian 07.15.25 - 07.21.25
8. 25-197, Extending Declaration of Local Emergency - Ian 07.22.25 - 07.28.25
9. 25-198, Extending Declaration of Local Emergency - Ian 07.29.25 - 08.04.25

Financial Impact:

6. **Alternative Action**

Not adopt resolutions and the end the Local State of Emergency for Fort Myers Beach

7. **Management Recommendations:**

Approve

8. **Recommended Approval:**

Lizzette Roman, Town Clerk Administrative Coordinator Created/Initiated - 5/22/2025

Amy Baker, Town Clerk	Approved - 5/22/2025
nancy stuparich, Town Attorney	Approved - 5/26/2025
Amy Baker, Town Clerk	Approved - 5/27/2025
William McKannay, Town Manager	Final Approval - 5/28/2025

RESOLUTION 25-190

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.

WHEREAS, Chapter 252, *Florida Statutes*, authorizes the waiver of procedures and formalities, otherwise required of municipalities, and to take whatever prudent action is necessary to ensure the health, safety, and welfare of the community in the event of a state of emergency; and

WHEREAS, Section 252.38 *Florida Statutes*, specifically authorizes municipalities to declare a state of local emergency and to waive the procedures and formalities otherwise required of political subdivisions required by law pertaining to performance of public work and taking whatever action is necessary to ensure the health, safety, and welfare of the community such as but not limited to entering into contracts; incurring obligations; employing permanent and temporary workers; utilizing volunteer workers; renting of equipment; acquiring and distributing supplies, materials and facilities with or without compensation, and appropriating and expending public funds; and

WHEREAS, the Town of Fort Myers Beach, Florida (Town), pursuant to its inherent home rule powers under Florida Constitution and otherwise has adopted certain emergency procedures set forth in Chapter 12, Article II – "Emergency and Disaster Planning" of the Code of Ordinances, Town of Fort Myers Beach, Florida ("Code"), and is otherwise authorized to activate the Town's emergency plan; and

WHEREAS, the State of Florida and Lee County have declared a state of local emergency due to the catastrophic impacts of Hurricane Ian to Lee County; and

WHEREAS, as defined in the Code, Hurricane Ian has caused a catastrophic disaster in the Town causing extensive damage to public utilities, public buildings, public communication systems, public streets and roads, public drainage systems, commercial and residential buildings, and areas; and

WHEREAS, Section 12-21 of the Code provides that where it is not possible to obtain a quorum to convene an emergency meeting to proclaim a state of local emergency, or extend or rescind such a proclamation, the Mayor, Vice-Mayor, or Town Manager are authorized to proclaim, extend, or rescind a local state of emergency.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF FORT MYERS BEACH AS FOLLOWS:

Section 1. The foregoing whereas clauses are true and correct and hereby adopted as the legislative and administrative findings of the Town Council and made a specific part of this Resolution; all exhibits attached hereto are incorporated herein and made a specific part of this Resolution.

Section 2. Hurricane Ian has caused a catastrophic disaster in the Town, damaging, or destroying over ninety percent (90%) of the Town's public utilities, public buildings, public communication systems, public streets and roads, public drainage systems, commercial and residential buildings, and areas and continues to pose a serious threat to the health, lives, property, and safety of the business owners and residents of the Town. Accordingly, the state of local emergency is hereby extended for seven (7) additional days *nun pro tunc* from 9:00 AM on the 3rd day of June 2025.

Section 3. The amendment and extension of the proclamation of a state of local emergency set forth in Resolution 22-35 is an emergency measure necessary for the protection of the public safety, due to the catastrophic disaster caused by Hurricane Ian.

Section 4. As provided in Section 252.38(3)(a), *Florida Statutes* and Chapter 12, Article II of the Code, the Town hereby waives the procedures and formalities otherwise required by law of a municipality as set forth in said State law and the Code.

Section 5. The Town Manager or designee is hereby designated as the declaring official for purposes of implementing the emergency and disaster regulations of the Town. The Town Manager or designee will exercise all powers necessary to protect the health and safety of the public set forth in any Executive Order that may be issued by the Governor, Chapter 252, Fla. Stat., and Chapter 12, Article II of the Code. This proclamation also authorizes the Town Manager or designee to utilize government employees and volunteers to assist in securing private property to minimize the overall damage to the Town.

Section 6. The state of local emergency shall remain in effect until terminated as provided in Section 12-21 of the Code. However, the mandatory curfew and prohibition regarding the use of fresh water supplied by the County or local water company for any purpose other than cooking, drinking, or bathing set forth in Section 12-24 of the Code are hereby waived at this time.

Section 7. As provided in Section 12-21(a) of the Code, the Mayor, Vice-Mayor, or Town Manager may extend the proclamation of a state of local emergency as the "responsible official" of the Town.

Section 8. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 9. Any scrivener or typographical errors that do not affect intent of this Resolution may be corrected with notice to and authorization of the Town Attorney and Town Manager without further process.

Section 10. If any clause, section, other part, or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

Section 11. This Resolution shall become effective upon the signature of the Mayor.

The foregoing Resolution was adopted by the Town Council upon a motion by _____ and seconded by _____, and upon being put to a roll call vote, the result was as follows:

Dan Allers, Mayor	___
Jim Atterholt, Vice Mayor	___
John R. King, Council Member	___
Scott Safford, Council Member	___
Karen Woodson, Council Member	___

ADOPTED this 2nd day of June 2025 by the Town Council of the Town of Fort Myers Beach, Florida.

FORT MYERS BEACH TOWN COUNCIL

_____
Dan Allers, Mayor

ATTEST:

_____
Amy Baker, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:

_____
Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on the ___ day of June 2025.

RESOLUTION 25-191

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.

WHEREAS, Chapter 252, *Florida Statutes*, authorizes the waiver of procedures and formalities, otherwise required of municipalities, and to take whatever prudent action is necessary to ensure the health, safety, and welfare of the community in the event of a state of emergency; and

WHEREAS, Section 252.38 *Florida Statutes*, specifically authorizes municipalities to declare a state of local emergency and to waive the procedures and formalities otherwise required of political subdivisions required by law pertaining to performance of public work and taking whatever action is necessary to ensure the health, safety, and welfare of the community such as but not limited to entering into contracts; incurring obligations; employing permanent and temporary workers; utilizing volunteer workers; renting of equipment; acquiring and distributing supplies, materials and facilities with or without compensation, and appropriating and expending public funds; and

WHEREAS, the Town of Fort Myers Beach, Florida (Town), pursuant to its inherent home rule powers under Florida Constitution and otherwise has adopted certain emergency procedures set forth in Chapter 12, Article II – "Emergency and Disaster Planning" of the Code of Ordinances, Town of Fort Myers Beach, Florida ("Code"), and is otherwise authorized to activate the Town's emergency plan; and

WHEREAS, the State of Florida and Lee County have declared a state of local emergency due to the catastrophic impacts of Hurricane Ian to Lee County; and

WHEREAS, as defined in the Code, Hurricane Ian has caused a catastrophic disaster in the Town causing extensive damage to public utilities, public buildings, public communication systems, public streets and roads, public drainage systems, commercial and residential buildings, and areas; and

WHEREAS, Section 12-21 of the Code provides that where it is not possible to obtain a quorum to convene an emergency meeting to proclaim a state of local emergency, or extend or rescind such a proclamation, the Mayor, Vice-Mayor, or Town Manager are authorized to proclaim, extend, or rescind a local state of emergency.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF FORT MYERS BEACH AS FOLLOWS:

Section 1. The foregoing whereas clauses are true and correct and hereby adopted as the legislative and administrative findings of the Town Council and made a specific part of this Resolution; all exhibits attached hereto are incorporated herein and made a specific part of this Resolution.

Section 2. Hurricane Ian has caused a catastrophic disaster in the Town, damaging, or destroying over ninety percent (90%) of the Town's public utilities, public buildings, public communication systems, public streets and roads, public drainage systems, commercial and residential buildings, and areas and continues to pose a serious threat to the health, lives, property, and safety of the business owners and residents of the Town. Accordingly, the state of local emergency is hereby extended for seven (7) additional days *nun pro tunc* from 9:00 AM on the 10th day of June 2025.

Section 3. The amendment and extension of the proclamation of a state of local emergency set forth in Resolution 22-35 is an emergency measure necessary for the protection of the public safety, due to the catastrophic disaster caused by Hurricane Ian.

Section 4. As provided in Section 252.38(3)(a), *Florida Statutes* and Chapter 12, Article II of the Code, the Town hereby waives the procedures and formalities otherwise required by law of a municipality as set forth in said State law and the Code.

Section 5. The Town Manager or designee is hereby designated as the declaring official for purposes of implementing the emergency and disaster regulations of the Town. The Town Manager or designee will exercise all powers necessary to protect the health and safety of the public set forth in any Executive Order that may be issued by the Governor, Chapter 252, Fla. Stat., and Chapter 12, Article II of the Code. This proclamation also authorizes the Town Manager or designee to utilize government employees and volunteers to assist in securing private property to minimize the overall damage to the Town.

Section 6. The state of local emergency shall remain in effect until terminated as provided in Section 12-21 of the Code. However, the mandatory curfew and prohibition regarding the use of fresh water supplied by the County or local water company for any purpose other than cooking, drinking, or bathing set forth in Section 12-24 of the Code are hereby waived at this time.

Section 7. As provided in Section 12-21(a) of the Code, the Mayor, Vice-Mayor, or Town Manager may extend the proclamation of a state of local emergency as the "responsible official" of the Town.

Section 8. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 9. Any scrivener or typographical errors that do not affect intent of this Resolution may be corrected with notice to and authorization of the Town Attorney and Town Manager without further process.

Section 10. If any clause, section, other part, or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

Section 11. This Resolution shall become effective upon the signature of the Mayor.

The foregoing Resolution was adopted by the Town Council upon a motion by _____ and seconded by _____, and upon being put to a roll call vote, the result was as follows:

Dan Allers, Mayor	___
Jim Atterholt, Vice Mayor	___
John R. King, Council Member	___
Scott Safford, Council Member	___
Karen Woodson, Council Member	___

ADOPTED this 2nd day of June 2025 by the Town Council of the Town of Fort Myers Beach, Florida.

FORT MYERS BEACH TOWN COUNCIL

_____
Dan Allers, Mayor

ATTEST:

_____
Amy Baker, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:

_____
Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on the ___ day of June 2025.

RESOLUTION 25-192

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.

WHEREAS, Chapter 252, *Florida Statutes*, authorizes the waiver of procedures and formalities, otherwise required of municipalities, and to take whatever prudent action is necessary to ensure the health, safety, and welfare of the community in the event of a state of emergency; and

WHEREAS, Section 252.38 *Florida Statutes*, specifically authorizes municipalities to declare a state of local emergency and to waive the procedures and formalities otherwise required of political subdivisions required by law pertaining to performance of public work and taking whatever action is necessary to ensure the health, safety, and welfare of the community such as but not limited to entering into contracts; incurring obligations; employing permanent and temporary workers; utilizing volunteer workers; renting of equipment; acquiring and distributing supplies, materials and facilities with or without compensation, and appropriating and expending public funds; and

WHEREAS, the Town of Fort Myers Beach, Florida (Town), pursuant to its inherent home rule powers under Florida Constitution and otherwise has adopted certain emergency procedures set forth in Chapter 12, Article II – "Emergency and Disaster Planning" of the Code of Ordinances, Town of Fort Myers Beach, Florida ("Code"), and is otherwise authorized to activate the Town's emergency plan; and

WHEREAS, the State of Florida and Lee County have declared a state of local emergency due to the catastrophic impacts of Hurricane Ian to Lee County; and

WHEREAS, as defined in the Code, Hurricane Ian has caused a catastrophic disaster in the Town causing extensive damage to public utilities, public buildings, public communication systems, public streets and roads, public drainage systems, commercial and residential buildings, and areas; and

WHEREAS, Section 12-21 of the Code provides that where it is not possible to obtain a quorum to convene an emergency meeting to proclaim a state of local emergency, or extend or rescind such a proclamation, the Mayor, Vice-Mayor, or Town Manager are authorized to proclaim, extend, or rescind a local state of emergency.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF FORT MYERS BEACH AS FOLLOWS:

Section 1. The foregoing whereas clauses are true and correct and hereby adopted as the legislative and administrative findings of the Town Council and made a specific part of this Resolution; all exhibits attached hereto are incorporated herein and made a specific part of this Resolution.

Section 2. Hurricane Ian has caused a catastrophic disaster in the Town, damaging, or destroying over ninety percent (90%) of the Town's public utilities, public buildings, public communication systems, public streets and roads, public drainage systems, commercial and residential buildings, and areas and continues to pose a serious threat to the health, lives, property, and safety of the business owners and residents of the Town. Accordingly, the state of local emergency is hereby extended for seven (7) additional days *nun pro tunc* from 9:00 AM on the 17th day of June 2025.

Section 3. The amendment and extension of the proclamation of a state of local emergency set forth in Resolution 22-35 is an emergency measure necessary for the protection of the public safety, due to the catastrophic disaster caused by Hurricane Ian.

Section 4. As provided in Section 252.38(3)(a), *Florida Statutes* and Chapter 12, Article II of the Code, the Town hereby waives the procedures and formalities otherwise required by law of a municipality as set forth in said State law and the Code.

Section 5. The Town Manager or designee is hereby designated as the declaring official for purposes of implementing the emergency and disaster regulations of the Town. The Town Manager or designee will exercise all powers necessary to protect the health and safety of the public set forth in any Executive Order that may be issued by the Governor, Chapter 252, Fla. Stat., and Chapter 12, Article II of the Code. This proclamation also authorizes the Town Manager or designee to utilize government employees and volunteers to assist in securing private property to minimize the overall damage to the Town.

Section 6. The state of local emergency shall remain in effect until terminated as provided in Section 12-21 of the Code. However, the mandatory curfew and prohibition regarding the use of fresh water supplied by the County or local water company for any purpose other than cooking, drinking, or bathing set forth in Section 12-24 of the Code are hereby waived at this time.

Section 7. As provided in Section 12-21(a) of the Code, the Mayor, Vice-Mayor, or Town Manager may extend the proclamation of a state of local emergency as the "responsible official" of the Town.

Section 8. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 9. Any scrivener or typographical errors that do not affect intent of this Resolution may be corrected with notice to and authorization of the Town Attorney and Town Manager without further process.

Section 10. If any clause, section, other part, or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

Section 11. This Resolution shall become effective upon the signature of the Mayor.

The foregoing Resolution was adopted by the Town Council upon a motion by _____ and seconded by _____, and upon being put to a roll call vote, the result was as follows:

Dan Allers, Mayor	___
Jim Atterholt, Vice Mayor	___
John R. King, Council Member	___
Scott Safford, Council Member	___
Karen Woodson, Council Member	___

ADOPTED this 2nd day of June 2025 by the Town Council of the Town of Fort Myers Beach, Florida.

FORT MYERS BEACH TOWN COUNCIL

_____
Dan Allers, Mayor

ATTEST:

_____
Amy Baker, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:

_____
Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on the ___ day of June 2025.

RESOLUTION 25-193

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.

WHEREAS, Chapter 252, *Florida Statutes*, authorizes the waiver of procedures and formalities, otherwise required of municipalities, and to take whatever prudent action is necessary to ensure the health, safety, and welfare of the community in the event of a state of emergency; and

WHEREAS, Section 252.38 *Florida Statutes*, specifically authorizes municipalities to declare a state of local emergency and to waive the procedures and formalities otherwise required of political subdivisions required by law pertaining to performance of public work and taking whatever action is necessary to ensure the health, safety, and welfare of the community such as but not limited to entering into contracts; incurring obligations; employing permanent and temporary workers; utilizing volunteer workers; renting of equipment; acquiring and distributing supplies, materials and facilities with or without compensation, and appropriating and expending public funds; and

WHEREAS, the Town of Fort Myers Beach, Florida (Town), pursuant to its inherent home rule powers under Florida Constitution and otherwise has adopted certain emergency procedures set forth in Chapter 12, Article II – "Emergency and Disaster Planning" of the Code of Ordinances, Town of Fort Myers Beach, Florida ("Code"), and is otherwise authorized to activate the Town's emergency plan; and

WHEREAS, the State of Florida and Lee County have declared a state of local emergency due to the catastrophic impacts of Hurricane Ian to Lee County; and

WHEREAS, as defined in the Code, Hurricane Ian has caused a catastrophic disaster in the Town causing extensive damage to public utilities, public buildings, public communication systems, public streets and roads, public drainage systems, commercial and residential buildings, and areas; and

WHEREAS, Section 12-21 of the Code provides that where it is not possible to obtain a quorum to convene an emergency meeting to proclaim a state of local emergency, or extend or rescind such a proclamation, the Mayor, Vice-Mayor, or Town Manager are authorized to proclaim, extend, or rescind a local state of emergency.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF FORT MYERS BEACH AS FOLLOWS:

Section 1. The foregoing whereas clauses are true and correct and hereby adopted as the legislative and administrative findings of the Town Council and made a specific part of this Resolution; all exhibits attached hereto are incorporated herein and made a specific part of this Resolution.

Section 2. Hurricane Ian has caused a catastrophic disaster in the Town, damaging, or destroying over ninety percent (90%) of the Town's public utilities, public buildings, public communication systems, public streets and roads, public drainage systems, commercial and residential buildings, and areas and continues to pose a serious threat to the health, lives, property, and safety of the business owners and residents of the Town. Accordingly, the state of local emergency is hereby extended for seven (7) additional days *nun pro tunc* from 9:00 AM on the 24th day of June 2025.

Section 3. The amendment and extension of the proclamation of a state of local emergency set forth in Resolution 22-35 is an emergency measure necessary for the protection of the public safety, due to the catastrophic disaster caused by Hurricane Ian.

Section 4. As provided in Section 252.38(3)(a), *Florida Statutes* and Chapter 12, Article II of the Code, the Town hereby waives the procedures and formalities otherwise required by law of a municipality as set forth in said State law and the Code.

Section 5. The Town Manager or designee is hereby designated as the declaring official for purposes of implementing the emergency and disaster regulations of the Town. The Town Manager or designee will exercise all powers necessary to protect the health and safety of the public set forth in any Executive Order that may be issued by the Governor, Chapter 252, Fla. Stat., and Chapter 12, Article II of the Code. This proclamation also authorizes the Town Manager or designee to utilize government employees and volunteers to assist in securing private property to minimize the overall damage to the Town.

Section 6. The state of local emergency shall remain in effect until terminated as provided in Section 12-21 of the Code. However, the mandatory curfew and prohibition regarding the use of fresh water supplied by the County or local water company for any purpose other than cooking, drinking, or bathing set forth in Section 12-24 of the Code are hereby waived at this time.

Section 7. As provided in Section 12-21(a) of the Code, the Mayor, Vice-Mayor, or Town Manager may extend the proclamation of a state of local emergency as the "responsible official" of the Town.

Section 8. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 9. Any scrivener or typographical errors that do not affect intent of this Resolution may be corrected with notice to and authorization of the Town Attorney and Town Manager without further process.

Section 10. If any clause, section, other part, or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

Section 11. This Resolution shall become effective upon the signature of the Mayor.

The foregoing Resolution was adopted by the Town Council upon a motion by _____ and seconded by _____, and upon being put to a roll call vote, the result was as follows:

Dan Allers, Mayor	___
Jim Atterholt, Vice Mayor	___
John R. King, Council Member	___
Scott Safford, Council Member	___
Karen Woodson, Council Member	___

ADOPTED this 2nd day of June 2025 by the Town Council of the Town of Fort Myers Beach, Florida.

FORT MYERS BEACH TOWN COUNCIL

_____
Dan Allers, Mayor

ATTEST:

_____
Amy Baker, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:

_____
Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on the ___ day of June 2025.

RESOLUTION 25-194

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.

WHEREAS, Chapter 252, *Florida Statutes*, authorizes the waiver of procedures and formalities, otherwise required of municipalities, and to take whatever prudent action is necessary to ensure the health, safety, and welfare of the community in the event of a state of emergency; and

WHEREAS, Section 252.38 *Florida Statutes*, specifically authorizes municipalities to declare a state of local emergency and to waive the procedures and formalities otherwise required of political subdivisions required by law pertaining to performance of public work and taking whatever action is necessary to ensure the health, safety, and welfare of the community such as but not limited to entering into contracts; incurring obligations; employing permanent and temporary workers; utilizing volunteer workers; renting of equipment; acquiring and distributing supplies, materials and facilities with or without compensation, and appropriating and expending public funds; and

WHEREAS, the Town of Fort Myers Beach, Florida (Town), pursuant to its inherent home rule powers under Florida Constitution and otherwise has adopted certain emergency procedures set forth in Chapter 12, Article II – "Emergency and Disaster Planning" of the Code of Ordinances, Town of Fort Myers Beach, Florida ("Code"), and is otherwise authorized to activate the Town's emergency plan; and

WHEREAS, the State of Florida and Lee County have declared a state of local emergency due to the catastrophic impacts of Hurricane Ian to Lee County; and

WHEREAS, as defined in the Code, Hurricane Ian has caused a catastrophic disaster in the Town causing extensive damage to public utilities, public buildings, public communication systems, public streets and roads, public drainage systems, commercial and residential buildings, and areas; and

WHEREAS, Section 12-21 of the Code provides that where it is not possible to obtain a quorum to convene an emergency meeting to proclaim a state of local emergency, or extend or rescind such a proclamation, the Mayor, Vice-Mayor, or Town Manager are authorized to proclaim, extend, or rescind a local state of emergency.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF FORT MYERS BEACH AS FOLLOWS:

Section 1. The foregoing whereas clauses are true and correct and hereby adopted as the legislative and administrative findings of the Town Council and made a specific part of this Resolution; all exhibits attached hereto are incorporated herein and made a specific part of this Resolution.

Section 2. Hurricane Ian has caused a catastrophic disaster in the Town, damaging, or destroying over ninety percent (90%) of the Town's public utilities, public buildings, public communication systems, public streets and roads, public drainage systems, commercial and residential buildings, and areas and continues to pose a serious threat to the health, lives, property, and safety of the business owners and residents of the Town. Accordingly, the state of local emergency is hereby extended for seven (7) additional days *nun pro tunc* from 9:00 AM on the 1st day of July 2025.

Section 3. The amendment and extension of the proclamation of a state of local emergency set forth in Resolution 22-35 is an emergency measure necessary for the protection of the public safety, due to the catastrophic disaster caused by Hurricane Ian.

Section 4. As provided in Section 252.38(3)(a), *Florida Statutes* and Chapter 12, Article II of the Code, the Town hereby waives the procedures and formalities otherwise required by law of a municipality as set forth in said State law and the Code.

Section 5. The Town Manager or designee is hereby designated as the declaring official for purposes of implementing the emergency and disaster regulations of the Town. The Town Manager or designee will exercise all powers necessary to protect the health and safety of the public set forth in any Executive Order that may be issued by the Governor, Chapter 252, Fla. Stat., and Chapter 12, Article II of the Code. This proclamation also authorizes the Town Manager or designee to utilize government employees and volunteers to assist in securing private property to minimize the overall damage to the Town.

Section 6. The state of local emergency shall remain in effect until terminated as provided in Section 12-21 of the Code. However, the mandatory curfew and prohibition regarding the use of fresh water supplied by the County or local water company for any purpose other than cooking, drinking, or bathing set forth in Section 12-24 of the Code are hereby waived at this time.

Section 7. As provided in Section 12-21(a) of the Code, the Mayor, Vice-Mayor, or Town Manager may extend the proclamation of a state of local emergency as the "responsible official" of the Town.

Section 8. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 9. Any scrivener or typographical errors that do not affect intent of this Resolution may be corrected with notice to and authorization of the Town Attorney and Town Manager without further process.

Section 10. If any clause, section, other part, or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

Section 11. This Resolution shall become effective upon the signature of the Mayor.

The foregoing Resolution was adopted by the Town Council upon a motion by _____ and seconded by _____, and upon being put to a roll call vote, the result was as follows:

Dan Allers, Mayor	___
Jim Atterholt, Vice Mayor	___
John R. King, Council Member	___
Scott Safford, Council Member	___
Karen Woodson, Council Member	___

ADOPTED this 2nd day of June 2025 by the Town Council of the Town of Fort Myers Beach, Florida.

FORT MYERS BEACH TOWN COUNCIL

_____
Dan Allers, Mayor

ATTEST:

_____
Amy Baker, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:

_____
Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on the ___ day of June 2025.

RESOLUTION 25-195

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.

WHEREAS, Chapter 252, *Florida Statutes*, authorizes the waiver of procedures and formalities, otherwise required of municipalities, and to take whatever prudent action is necessary to ensure the health, safety, and welfare of the community in the event of a state of emergency; and

WHEREAS, Section 252.38 *Florida Statutes*, specifically authorizes municipalities to declare a state of local emergency and to waive the procedures and formalities otherwise required of political subdivisions required by law pertaining to performance of public work and taking whatever action is necessary to ensure the health, safety, and welfare of the community such as but not limited to entering into contracts; incurring obligations; employing permanent and temporary workers; utilizing volunteer workers; renting of equipment; acquiring and distributing supplies, materials and facilities with or without compensation, and appropriating and expending public funds; and

WHEREAS, the Town of Fort Myers Beach, Florida (Town), pursuant to its inherent home rule powers under Florida Constitution and otherwise has adopted certain emergency procedures set forth in Chapter 12, Article II – "Emergency and Disaster Planning" of the Code of Ordinances, Town of Fort Myers Beach, Florida ("Code"), and is otherwise authorized to activate the Town's emergency plan; and

WHEREAS, the State of Florida and Lee County have declared a state of local emergency due to the catastrophic impacts of Hurricane Ian to Lee County; and

WHEREAS, as defined in the Code, Hurricane Ian has caused a catastrophic disaster in the Town causing extensive damage to public utilities, public buildings, public communication systems, public streets and roads, public drainage systems, commercial and residential buildings, and areas; and

WHEREAS, Section 12-21 of the Code provides that where it is not possible to obtain a quorum to convene an emergency meeting to proclaim a state of local emergency, or extend or rescind such a proclamation, the Mayor, Vice-Mayor, or Town Manager are authorized to proclaim, extend, or rescind a local state of emergency.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF FORT MYERS BEACH AS FOLLOWS:

Section 1. The foregoing whereas clauses are true and correct and hereby adopted as the legislative and administrative findings of the Town Council and made a specific part of this Resolution; all exhibits attached hereto are incorporated herein and made a specific part of this Resolution.

Section 2. Hurricane Ian has caused a catastrophic disaster in the Town, damaging, or destroying over ninety percent (90%) of the Town's public utilities, public buildings, public communication systems, public streets and roads, public drainage systems, commercial and residential buildings, and areas and continues to pose a serious threat to the health, lives, property, and safety of the business owners and residents of the Town. Accordingly, the state of local emergency is hereby extended for seven (7) additional days *nun pro tunc* from 9:00 AM on the 8th day of July 2025.

Section 3. The amendment and extension of the proclamation of a state of local emergency set forth in Resolution 22-35 is an emergency measure necessary for the protection of the public safety, due to the catastrophic disaster caused by Hurricane Ian.

Section 4. As provided in Section 252.38(3)(a), *Florida Statutes* and Chapter 12, Article II of the Code, the Town hereby waives the procedures and formalities otherwise required by law of a municipality as set forth in said State law and the Code.

Section 5. The Town Manager or designee is hereby designated as the declaring official for purposes of implementing the emergency and disaster regulations of the Town. The Town Manager or designee will exercise all powers necessary to protect the health and safety of the public set forth in any Executive Order that may be issued by the Governor, Chapter 252, Fla. Stat., and Chapter 12, Article II of the Code. This proclamation also authorizes the Town Manager or designee to utilize government employees and volunteers to assist in securing private property to minimize the overall damage to the Town.

Section 6. The state of local emergency shall remain in effect until terminated as provided in Section 12-21 of the Code. However, the mandatory curfew and prohibition regarding the use of fresh water supplied by the County or local water company for any purpose other than cooking, drinking, or bathing set forth in Section 12-24 of the Code are hereby waived at this time.

Section 7. As provided in Section 12-21(a) of the Code, the Mayor, Vice-Mayor, or Town Manager may extend the proclamation of a state of local emergency as the "responsible official" of the Town.

Section 8. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 9. Any scrivener or typographical errors that do not affect intent of this Resolution may be corrected with notice to and authorization of the Town Attorney and Town Manager without further process.

Section 10. If any clause, section, other part, or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

Section 11. This Resolution shall become effective upon the signature of the Mayor.

The foregoing Resolution was adopted by the Town Council upon a motion by _____ and seconded by _____, and upon being put to a roll call vote, the result was as follows:

Dan Allers, Mayor	___
Jim Atterholt, Vice Mayor	___
John R. King, Council Member	___
Scott Safford, Council Member	___
Karen Woodson, Council Member	___

ADOPTED this 2nd day of June 2025 by the Town Council of the Town of Fort Myers Beach, Florida.

FORT MYERS BEACH TOWN COUNCIL

_____
Dan Allers, Mayor

ATTEST:

_____
Amy Baker, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:

_____
Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on the ___ day of June 2025.

RESOLUTION 25-196

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.

WHEREAS, Chapter 252, *Florida Statutes*, authorizes the waiver of procedures and formalities, otherwise required of municipalities, and to take whatever prudent action is necessary to ensure the health, safety, and welfare of the community in the event of a state of emergency; and

WHEREAS, Section 252.38 *Florida Statutes*, specifically authorizes municipalities to declare a state of local emergency and to waive the procedures and formalities otherwise required of political subdivisions required by law pertaining to performance of public work and taking whatever action is necessary to ensure the health, safety, and welfare of the community such as but not limited to entering into contracts; incurring obligations; employing permanent and temporary workers; utilizing volunteer workers; renting of equipment; acquiring and distributing supplies, materials and facilities with or without compensation, and appropriating and expending public funds; and

WHEREAS, the Town of Fort Myers Beach, Florida (Town), pursuant to its inherent home rule powers under Florida Constitution and otherwise has adopted certain emergency procedures set forth in Chapter 12, Article II – "Emergency and Disaster Planning" of the Code of Ordinances, Town of Fort Myers Beach, Florida ("Code"), and is otherwise authorized to activate the Town's emergency plan; and

WHEREAS, the State of Florida and Lee County have declared a state of local emergency due to the catastrophic impacts of Hurricane Ian to Lee County; and

WHEREAS, as defined in the Code, Hurricane Ian has caused a catastrophic disaster in the Town causing extensive damage to public utilities, public buildings, public communication systems, public streets and roads, public drainage systems, commercial and residential buildings, and areas; and

WHEREAS, Section 12-21 of the Code provides that where it is not possible to obtain a quorum to convene an emergency meeting to proclaim a state of local emergency, or extend or rescind such a proclamation, the Mayor, Vice-Mayor, or Town Manager are authorized to proclaim, extend, or rescind a local state of emergency.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF FORT MYERS BEACH AS FOLLOWS:

Section 1. The foregoing whereas clauses are true and correct and hereby adopted as the legislative and administrative findings of the Town Council and made a specific part of this Resolution; all exhibits attached hereto are incorporated herein and made a specific part of this Resolution.

Section 2. Hurricane Ian has caused a catastrophic disaster in the Town, damaging, or destroying over ninety percent (90%) of the Town's public utilities, public buildings, public communication systems, public streets and roads, public drainage systems, commercial and residential buildings, and areas and continues to pose a serious threat to the health, lives, property, and safety of the business owners and residents of the Town. Accordingly, the state of local emergency is hereby extended for seven (7) additional days *nun pro tunc* from 9:00 AM on the 15th day of July 2025.

Section 3. The amendment and extension of the proclamation of a state of local emergency set forth in Resolution 22-35 is an emergency measure necessary for the protection of the public safety, due to the catastrophic disaster caused by Hurricane Ian.

Section 4. As provided in Section 252.38(3)(a), *Florida Statutes* and Chapter 12, Article II of the Code, the Town hereby waives the procedures and formalities otherwise required by law of a municipality as set forth in said State law and the Code.

Section 5. The Town Manager or designee is hereby designated as the declaring official for purposes of implementing the emergency and disaster regulations of the Town. The Town Manager or designee will exercise all powers necessary to protect the health and safety of the public set forth in any Executive Order that may be issued by the Governor, Chapter 252, Fla. Stat., and Chapter 12, Article II of the Code. This proclamation also authorizes the Town Manager or designee to utilize government employees and volunteers to assist in securing private property to minimize the overall damage to the Town.

Section 6. The state of local emergency shall remain in effect until terminated as provided in Section 12-21 of the Code. However, the mandatory curfew and prohibition regarding the use of fresh water supplied by the County or local water company for any purpose other than cooking, drinking, or bathing set forth in Section 12-24 of the Code are hereby waived at this time.

Section 7. As provided in Section 12-21(a) of the Code, the Mayor, Vice-Mayor, or Town Manager may extend the proclamation of a state of local emergency as the "responsible official" of the Town.

Section 8. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 9. Any scrivener or typographical errors that do not affect intent of this Resolution may be corrected with notice to and authorization of the Town Attorney and Town Manager without further process.

Section 10. If any clause, section, other part, or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

Section 11. This Resolution shall become effective upon the signature of the Mayor.

The foregoing Resolution was adopted by the Town Council upon a motion by _____ and seconded by _____, and upon being put to a roll call vote, the result was as follows:

Dan Allers, Mayor	___
Jim Atterholt, Vice Mayor	___
John R. King, Council Member	___
Scott Safford, Council Member	___
Karen Woodson, Council Member	___

ADOPTED this 2nd day of June 2025 by the Town Council of the Town of Fort Myers Beach, Florida.

FORT MYERS BEACH TOWN COUNCIL

_____
Dan Allers, Mayor

ATTEST:

_____
Amy Baker, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:

_____
Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on the ___ day of June 2025.

RESOLUTION 25-197

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.

WHEREAS, Chapter 252, *Florida Statutes*, authorizes the waiver of procedures and formalities, otherwise required of municipalities, and to take whatever prudent action is necessary to ensure the health, safety, and welfare of the community in the event of a state of emergency; and

WHEREAS, Section 252.38 *Florida Statutes*, specifically authorizes municipalities to declare a state of local emergency and to waive the procedures and formalities otherwise required of political subdivisions required by law pertaining to performance of public work and taking whatever action is necessary to ensure the health, safety, and welfare of the community such as but not limited to entering into contracts; incurring obligations; employing permanent and temporary workers; utilizing volunteer workers; renting of equipment; acquiring and distributing supplies, materials and facilities with or without compensation, and appropriating and expending public funds; and

WHEREAS, the Town of Fort Myers Beach, Florida (Town), pursuant to its inherent home rule powers under Florida Constitution and otherwise has adopted certain emergency procedures set forth in Chapter 12, Article II – "Emergency and Disaster Planning" of the Code of Ordinances, Town of Fort Myers Beach, Florida ("Code"), and is otherwise authorized to activate the Town's emergency plan; and

WHEREAS, the State of Florida and Lee County have declared a state of local emergency due to the catastrophic impacts of Hurricane Ian to Lee County; and

WHEREAS, as defined in the Code, Hurricane Ian has caused a catastrophic disaster in the Town causing extensive damage to public utilities, public buildings, public communication systems, public streets and roads, public drainage systems, commercial and residential buildings, and areas; and

WHEREAS, Section 12-21 of the Code provides that where it is not possible to obtain a quorum to convene an emergency meeting to proclaim a state of local emergency, or extend or rescind such a proclamation, the Mayor, Vice-Mayor, or Town Manager are authorized to proclaim, extend, or rescind a local state of emergency.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF FORT MYERS BEACH AS FOLLOWS:

Section 1. The foregoing whereas clauses are true and correct and hereby adopted as the legislative and administrative findings of the Town Council and made a specific part of this Resolution; all exhibits attached hereto are incorporated herein and made a specific part of this Resolution.

Section 2. Hurricane Ian has caused a catastrophic disaster in the Town, damaging, or destroying over ninety percent (90%) of the Town's public utilities, public buildings, public communication systems, public streets and roads, public drainage systems, commercial and residential buildings, and areas and continues to pose a serious threat to the health, lives, property, and safety of the business owners and residents of the Town. Accordingly, the state of local emergency is hereby extended for seven (7) additional days *nun pro tunc* from 9:00 AM on the 22nd day of July 2025.

Section 3. The amendment and extension of the proclamation of a state of local emergency set forth in Resolution 22-35 is an emergency measure necessary for the protection of the public safety, due to the catastrophic disaster caused by Hurricane Ian.

Section 4. As provided in Section 252.38(3)(a), *Florida Statutes* and Chapter 12, Article II of the Code, the Town hereby waives the procedures and formalities otherwise required by law of a municipality as set forth in said State law and the Code.

Section 5. The Town Manager or designee is hereby designated as the declaring official for purposes of implementing the emergency and disaster regulations of the Town. The Town Manager or designee will exercise all powers necessary to protect the health and safety of the public set forth in any Executive Order that may be issued by the Governor, Chapter 252, Fla. Stat., and Chapter 12, Article II of the Code. This proclamation also authorizes the Town Manager or designee to utilize government employees and volunteers to assist in securing private property to minimize the overall damage to the Town.

Section 6. The state of local emergency shall remain in effect until terminated as provided in Section 12-21 of the Code. However, the mandatory curfew and prohibition regarding the use of fresh water supplied by the County or local water company for any purpose other than cooking, drinking, or bathing set forth in Section 12-24 of the Code are hereby waived at this time.

Section 7. As provided in Section 12-21(a) of the Code, the Mayor, Vice-Mayor, or Town Manager may extend the proclamation of a state of local emergency as the "responsible official" of the Town.

Section 8. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 9. Any scrivener or typographical errors that do not affect intent of this Resolution may be corrected with notice to and authorization of the Town Attorney and Town Manager without further process.

Section 10. If any clause, section, other part, or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

Section 11. This Resolution shall become effective upon the signature of the Mayor.

The foregoing Resolution was adopted by the Town Council upon a motion by _____ and seconded by _____, and upon being put to a roll call vote, the result was as follows:

Dan Allers, Mayor	___
Jim Atterholt, Vice Mayor	___
John R. King, Council Member	___
Scott Safford, Council Member	___
Karen Woodson, Council Member	___

ADOPTED this 2nd day of June 2025 by the Town Council of the Town of Fort Myers Beach, Florida.

FORT MYERS BEACH TOWN COUNCIL

_____
Dan Allers, Mayor

ATTEST:

_____
Amy Baker, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:

_____
Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on the ___ day of June 2025.

RESOLUTION 25-198

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.

WHEREAS, Chapter 252, *Florida Statutes*, authorizes the waiver of procedures and formalities, otherwise required of municipalities, and to take whatever prudent action is necessary to ensure the health, safety, and welfare of the community in the event of a state of emergency; and

WHEREAS, Section 252.38 *Florida Statutes*, specifically authorizes municipalities to declare a state of local emergency and to waive the procedures and formalities otherwise required of political subdivisions required by law pertaining to performance of public work and taking whatever action is necessary to ensure the health, safety, and welfare of the community such as but not limited to entering into contracts; incurring obligations; employing permanent and temporary workers; utilizing volunteer workers; renting of equipment; acquiring and distributing supplies, materials and facilities with or without compensation, and appropriating and expending public funds; and

WHEREAS, the Town of Fort Myers Beach, Florida (Town), pursuant to its inherent home rule powers under Florida Constitution and otherwise has adopted certain emergency procedures set forth in Chapter 12, Article II – "Emergency and Disaster Planning" of the Code of Ordinances, Town of Fort Myers Beach, Florida ("Code"), and is otherwise authorized to activate the Town's emergency plan; and

WHEREAS, the State of Florida and Lee County have declared a state of local emergency due to the catastrophic impacts of Hurricane Ian to Lee County; and

WHEREAS, as defined in the Code, Hurricane Ian has caused a catastrophic disaster in the Town causing extensive damage to public utilities, public buildings, public communication systems, public streets and roads, public drainage systems, commercial and residential buildings, and areas; and

WHEREAS, Section 12-21 of the Code provides that where it is not possible to obtain a quorum to convene an emergency meeting to proclaim a state of local emergency, or extend or rescind such a proclamation, the Mayor, Vice-Mayor, or Town Manager are authorized to proclaim, extend, or rescind a local state of emergency.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF FORT MYERS BEACH AS FOLLOWS:

Section 1. The foregoing whereas clauses are true and correct and hereby adopted as the legislative and administrative findings of the Town Council and made a specific part of this Resolution; all exhibits attached hereto are incorporated herein and made a specific part of this Resolution.

Section 2. Hurricane Ian has caused a catastrophic disaster in the Town, damaging, or destroying over ninety percent (90%) of the Town's public utilities, public buildings, public communication systems, public streets and roads, public drainage systems, commercial and residential buildings, and areas and continues to pose a serious threat to the health, lives, property, and safety of the business owners and residents of the Town. Accordingly, the state of local emergency is hereby extended for seven (7) additional days *nun pro tunc* from 9:00 AM on the 29th day of July 2025.

Section 3. The amendment and extension of the proclamation of a state of local emergency set forth in Resolution 22-35 is an emergency measure necessary for the protection of the public safety, due to the catastrophic disaster caused by Hurricane Ian.

Section 4. As provided in Section 252.38(3)(a), *Florida Statutes* and Chapter 12, Article II of the Code, the Town hereby waives the procedures and formalities otherwise required by law of a municipality as set forth in said State law and the Code.

Section 5. The Town Manager or designee is hereby designated as the declaring official for purposes of implementing the emergency and disaster regulations of the Town. The Town Manager or designee will exercise all powers necessary to protect the health and safety of the public set forth in any Executive Order that may be issued by the Governor, Chapter 252, Fla. Stat., and Chapter 12, Article II of the Code. This proclamation also authorizes the Town Manager or designee to utilize government employees and volunteers to assist in securing private property to minimize the overall damage to the Town.

Section 6. The state of local emergency shall remain in effect until terminated as provided in Section 12-21 of the Code. However, the mandatory curfew and prohibition regarding the use of fresh water supplied by the County or local water company for any purpose other than cooking, drinking, or bathing set forth in Section 12-24 of the Code are hereby waived at this time.

Section 7. As provided in Section 12-21(a) of the Code, the Mayor, Vice-Mayor, or Town Manager may extend the proclamation of a state of local emergency as the "responsible official" of the Town.

Section 8. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 9. Any scrivener or typographical errors that do not affect intent of this Resolution may be corrected with notice to and authorization of the Town Attorney and Town Manager without further process.

Section 10. If any clause, section, other part, or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

Section 11. This Resolution shall become effective upon the signature of the Mayor.

The foregoing Resolution was adopted by the Town Council upon a motion by _____ and seconded by _____, and upon being put to a roll call vote, the result was as follows:

Dan Allers, Mayor	___
Jim Atterholt, Vice Mayor	___
John R. King, Council Member	___
Scott Safford, Council Member	___
Karen Woodson, Council Member	___

ADOPTED this 2nd day of June 2025 by the Town Council of the Town of Fort Myers Beach, Florida.

FORT MYERS BEACH TOWN COUNCIL

_____
Dan Allers, Mayor

ATTEST:

_____
Amy Baker, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:

_____
Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on the ___ day of June 2025.

Town of Fort Myers Beach
Agenda Item Summary

Blue Sheet Number: **2025-439**

1. **Request:**

Meeting Date: June 2, 2025

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.

Why the action is necessary:

Keeps the Local State of Emergency in effect for Hurricane Idalia

What the action accomplishes:

2. **Agenda:**	3. **Requirement/Purpose:**	4. **Submitter of Information:**
CONSENT AGENDA	Resolution	Amy Baker, Town Clerk

5. **Background:**

Approving and ratifying this Resolution will maintain in place the Town Declaration of State of Local Emergency originally adopted via Resolution 23-99.

Attachments:

1. 25-181, Extension of Local Emergency - Idalia 06.03.25 - 06.09.25
2. 25-182, Extension of Local Emergency - Idalia 06.10.25 - 06.16.25
3. 25-183, Extension of Local Emergency - Idalia 06.17.25 - 06.23.25
4. 25-184, Extension of Local Emergency - Idalia 06.24.25 - 06.30.25
5. 25-185, Extension of Local Emergency - Idalia 07.01.25 - 07.07.25
6. 25-186, Extension of Local Emergency - Idalia 07.08.25 - 07.14.25
7. 25-187, Extension of Local Emergency - Idalia 07.15.25 -07.21.25
8. 25-188, Extension of Local Emergency - Idalia 07.22.25 - 07.28.25
9. 25-189, Extension of Local Emergency - Idalia 07.29.25 - 08.04.25

Financial Impact:

6. **Alternative Action**

Do not approve and end the Local State of Emergency for Hurricane Idalia

7. **Management Recommendations:**

Approve

8. **Recommended Approval:**

Lizzette Roman, Town Clerk Administrative Coordinator	Created/Initiated - 5/22/2025
Amy Baker, Town Clerk	Approved - 5/22/2025
nancy stuparich, Town Attorney	Approved - 5/26/2025
Amy Baker, Town Clerk	Approved - 5/27/2025
William McKannay, Town Manager	Final Approval - 5/28/2025

RESOLUTION NUMBER 25-181

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

WHEREAS, Section 252.38(3), Florida Statutes, authorizes the Town of Fort Myers Beach to declare a state of local emergency and to waive the procedures and formalities otherwise required of political subdivisions by law; and

WHEREAS, Chapter 12 of the Town Code of the Town of Fort Myers Beach authorizes certain powers in the event of a local state of emergency; and

WHEREAS, a state of local emergency proclamation is allowed for seven (7) days with appropriate extensions pursuant to law; and

WHEREAS, the effects of Hurricane Idalia impacted Fort Myers Beach and the current declaration of emergency that was adopted relating to that storm on August 29, 2023, must be extended.

THEREFORE, under the powers vested in it pursuant to Chapter 252, Florida Statutes, and under Chapter 12 of the Town Code of the Town of Fort Myers Beach, the **Town Council does hereby extend the proclamation of a state of local emergency in the Town of Fort Myers Beach, Florida, as identified above beginning at the end of the previously adopted state of local emergency to 7 days thereafter.**

SECTION 1. State of Local Emergency. The following emergency powers and other provisions shall be in force during this state of local emergency:

1. The Town Manager, or designee, is authorized to take all actions necessary and appropriate to protect human life and property, including the promulgation of rules and orders as may be necessary subject to the limitations of Section 252.33, Florida Statutes. This resolution further authorizes the Town Manager, or designee, to utilize all lawful authority granted to the Town of Fort Myers Beach by Federal, State, County, or Town Emergency Management Laws, Rules, Regulations, Orders and, including, but not limited to, Section 252.46 and Section 252.38(3)(a)(1) through Section 252.38(3)(a)(5), Florida Statutes, inclusive.

2. All existing laws, ordinances, and rules inconsistent with the provisions of Sections 252.31 to Section 252.905, Florida Statutes, inclusive, or inconsistent with any rule or order

specifically promulgated under this resolution shall be suspended during this period of time and to the extent that such conflict exists.

3. The Town Manager may suspend, toll or extend the time requirements, notice requirements and deadlines for final action on applications for permits, licenses, rates and other approvals under the Town of Fort Myers Beach Code of Ordinances, to the extent necessary to accommodate the emergency.

4. Pursuant to Section 252.38(3)(a)(5), Florida Statutes, the Town hereby exercises its authority and waives the procedures and formalities otherwise required of a political subdivision by law, pertaining to:

- Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;
- Entering into contracts;
- Incurring obligations;
- Employment of permanent and temporary workers;
- Utilization of volunteer workers;
- Rental of equipment;
- Acquisition and distribution, with or without compensation, of supplies, materials, and facilities; and
- Appropriation and expenditure of public funds

5. The Town Manager shall follow FEMA guidelines in procuring services, materials, labor and equipment necessary to respond to the emergency, including recovery efforts. The Town Manager shall abide by the "Uniform Administrative Requirements, Cost Principles, and Audit Requirements" for federal awards, codified at 2 C.F.R. §§200.317 through 200.326.

6. Pursuant to Section 12-23, of the Code of the Town of Fort Myers Beach, in addition to any other powers conferred by law, the town manager or designees shall have the power and authority to order and promulgate all or any of the following emergency measures to be effective during the period of such emergency in whole or in part, with such limitation and conditions as the town manager or designees may deem appropriate to protect the town's health, safety and welfare, and/or waive the procedures and formalities otherwise required of the town by law pertaining to these measures:

(a) To appropriate and expend funds; make contracts; incur obligations; obtain and distribute equipment, materials, and supplies for emergency management purposes; provide for the health and safety of persons and property, including emergency assistance to victims of any emergency; and direct and coordinate the implementation of emergency management plans and programs in accordance with the requirements of state and federal law.

(b) To appoint, employ, remove, or provide (with or without compensation) rescue teams, coordinators, other emergency management workers and other permanent or temporary workers.

(c) To establish, as necessary, primary and secondary emergency operating centers to provide continuity of government and direction and control of emergency operations.

(d) To assign and make available for duty the offices and agencies of the town, including the employees, property, or equipment thereof relating to health, medical and related services, transportation, construction, and similar items or services for emergency operation purposes, for deployment within or outside the limits of the town.

(e) To request state assistance or invoke emergency-related mutual-aid assistance pursuant to existing contracts and/or state or local law.

(f) To waive any procedures and formalities otherwise required of the town by law pertaining to performance of public work and/or the taking of whatever prudent action is necessary to ensure the health, safety, and welfare of the people of the town.

(g) To suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives and/or combustibles.

(h) To utilize all available resources of the town government as reasonably necessary to cope with the emergency occasioned by the disaster.

(i) To make provisions for availability and use of temporary emergency housing and emergency warehousing of materials.

(j) Preceding or during the emergency, to call on the National Guard or the Army, Coast Guard or other law enforcement division or other agency as necessary to assist in the mitigation of the emergency or to help maintain law and order, rescue and traffic control.

7. Pursuant to Sec. 12-24, "Prohibitions during state of emergency", of the Code of the Town of Fort Myers Beach, whenever a state of local emergency has been declared, and until such state of local emergency is terminated, the following prohibitions shall apply throughout the town, unless and until the same shall be waived or modified by a quorum of the town council at a general, special or emergency meeting:

(a) It shall be unlawful and an offense against the town for any person to use the fresh water supplied by the county or local water company for any purpose other than cooking, drinking or bathing.

(b) It shall be unlawful for any person to be out and about on the public rights-of-way or other public areas of the town between the dusk and dawn, except for law enforcement officers, members of the town fire control district, emergency medical personnel, town councilmembers, other persons authorized by the town manager, and regular employees of local businesses while traveling to and from their jobs for their regular hours, providing such employees have in their possession personal identification and identification of the business by which they are employed.

8. Any person who refuses to comply with or violates any provision of this declaration of local emergency shall be guilty of a municipal violation. Each day of such violation shall constitute a separate offense. Nothing herein contained shall prevent the town from taking such other lawful action in any court of competent jurisdiction as is necessary to prevent or remedy any refusal to comply with, or violation of, this article or the emergency measures which may be made effective pursuant to this article. Such other lawful action

shall include but shall not be limited to, an equitable action for injunctive relief or an action at law for damages. In addition, any person violating any rule or order issued pursuant to this Resolution or any person who willfully fails or refuses to comply with the order or orders of any duly authorized law enforcement officer or personnel charged with the responsibility for the enforcement of such orders shall, upon conviction therefor, be punished as provided by Section 252.50, Florida Statutes, and by such other laws as may be applicable to the offense.

SECTION 2. Conflicts. Any and all Resolutions or parts of Resolutions in conflict herewith are hereby repealed.

SECTION 3. Severability. If any provision or portion of this Resolution or the application is held invalid, the invalidity shall not affect other provisions, portions or applications of the Resolution, which can be given effect without the invalid provision, portion or application, and to this end the provisions, portions, or applications of this Resolution are declared severable.

SECTION 4. Effective Date and Termination Date. This Resolution shall take effect immediately upon the termination of the previously adopted state of local emergency and shall terminate automatically seven (7) days from that date unless terminated earlier or extended by a document of equal dignity herewith.

SECTION 5. Direction to Implement. The Town Manager is directed to implement this Resolution.

The foregoing Resolution was adopted by the Town Council upon a motion by _____ and seconded by _____, and upon being put to a roll call vote, the result was as follows:

Dan Allers, Mayor	___
Jim Atterholt, Vice Mayor	___
John R. King, Council Member	___
Scott Safford, Council Member	___
Karen Woodson, Council Member	___

ADOPTED this 2nd day of June 2025 by the Town Council of the Town of Fort Myers Beach, Florida.

FORT MYERS BEACH TOWN COUNCIL

_____
Dan Allers, Mayor

ATTEST:

_____
Amy Baker, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:

_____
Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on this ___ day of June 2025.

RESOLUTION NUMBER 25-182

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

WHEREAS, Section 252.38(3), Florida Statutes, authorizes the Town of Fort Myers Beach to declare a state of local emergency and to waive the procedures and formalities otherwise required of political subdivisions by law; and

WHEREAS, Chapter 12 of the Town Code of the Town of Fort Myers Beach authorizes certain powers in the event of a local state of emergency; and

WHEREAS, a state of local emergency proclamation is allowed for seven (7) days with appropriate extensions pursuant to law; and

WHEREAS, the effects of Hurricane Idalia impacted Fort Myers Beach and the current declaration of emergency that was adopted relating to that storm on August 29, 2023, must be extended.

THEREFORE, under the powers vested in it pursuant to Chapter 252, Florida Statutes, and under Chapter 12 of the Town Code of the Town of Fort Myers Beach, the **Town Council does hereby extend the proclamation of a state of local emergency in the Town of Fort Myers Beach, Florida, as identified above beginning at the end of the previously adopted state of local emergency to 7 days thereafter.**

SECTION 1. State of Local Emergency. The following emergency powers and other provisions shall be in force during this state of local emergency:

1. The Town Manager, or designee, is authorized to take all actions necessary and appropriate to protect human life and property, including the promulgation of rules and orders as may be necessary subject to the limitations of Section 252.33, Florida Statutes. This resolution further authorizes the Town Manager, or designee, to utilize all lawful authority granted to the Town of Fort Myers Beach by Federal, State, County, or Town Emergency Management Laws, Rules, Regulations, Orders and, including, but not limited to, Section 252.46 and Section 252.38(3)(a)(1) through Section 252.38(3)(a)(5), Florida Statutes, inclusive.

2. All existing laws, ordinances, and rules inconsistent with the provisions of Sections 252.31 to Section 252.905, Florida Statutes, inclusive, or inconsistent with any rule or order

specifically promulgated under this resolution shall be suspended during this period of time and to the extent that such conflict exists.

3. The Town Manager may suspend, toll or extend the time requirements, notice requirements and deadlines for final action on applications for permits, licenses, rates and other approvals under the Town of Fort Myers Beach Code of Ordinances, to the extent necessary to accommodate the emergency.

4. Pursuant to Section 252.38(3)(a)(5), Florida Statutes, the Town hereby exercises its authority and waives the procedures and formalities otherwise required of a political subdivision by law, pertaining to:

- Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;
- Entering into contracts;
- Incurring obligations;
- Employment of permanent and temporary workers;
- Utilization of volunteer workers;
- Rental of equipment;
- Acquisition and distribution, with or without compensation, of supplies, materials, and facilities; and
- Appropriation and expenditure of public funds

5. The Town Manager shall follow FEMA guidelines in procuring services, materials, labor and equipment necessary to respond to the emergency, including recovery efforts. The Town Manager shall abide by the "Uniform Administrative Requirements, Cost Principles, and Audit Requirements" for federal awards, codified at 2 C.F.R. §§200.317 through 200.326.

6. Pursuant to Section 12-23, of the Code of the Town of Fort Myers Beach, in addition to any other powers conferred by law, the town manager or designees shall have the power and authority to order and promulgate all or any of the following emergency measures to be effective during the period of such emergency in whole or in part, with such limitation and conditions as the town manager or designees may deem appropriate to protect the town's health, safety and welfare, and/or waive the procedures and formalities otherwise required of the town by law pertaining to these measures:

(a) To appropriate and expend funds; make contracts; incur obligations; obtain and distribute equipment, materials, and supplies for emergency management purposes; provide for the health and safety of persons and property, including emergency assistance to victims of any emergency; and direct and coordinate the implementation of emergency management plans and programs in accordance with the requirements of state and federal law.

(b) To appoint, employ, remove, or provide (with or without compensation) rescue teams, coordinators, other emergency management workers and other permanent or temporary workers.

(c) To establish, as necessary, primary and secondary emergency operating centers to provide continuity of government and direction and control of emergency operations.

(d) To assign and make available for duty the offices and agencies of the town, including the employees, property, or equipment thereof relating to health, medical and related services, transportation, construction, and similar items or services for emergency operation purposes, for deployment within or outside the limits of the town.

(e) To request state assistance or invoke emergency-related mutual-aid assistance pursuant to existing contracts and/or state or local law.

(f) To waive any procedures and formalities otherwise required of the town by law pertaining to performance of public work and/or the taking of whatever prudent action is necessary to ensure the health, safety, and welfare of the people of the town.

(g) To suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives and/or combustibles.

(h) To utilize all available resources of the town government as reasonably necessary to cope with the emergency occasioned by the disaster.

(i) To make provisions for availability and use of temporary emergency housing and emergency warehousing of materials.

(j) Preceding or during the emergency, to call on the National Guard or the Army, Coast Guard or other law enforcement division or other agency as necessary to assist in the mitigation of the emergency or to help maintain law and order, rescue and traffic control.

7. Pursuant to Sec. 12-24, "Prohibitions during state of emergency", of the Code of the Town of Fort Myers Beach, whenever a state of local emergency has been declared, and until such state of local emergency is terminated, the following prohibitions shall apply throughout the town, unless and until the same shall be waived or modified by a quorum of the town council at a general, special or emergency meeting:

(a) It shall be unlawful and an offense against the town for any person to use the fresh water supplied by the county or local water company for any purpose other than cooking, drinking or bathing.

(b) It shall be unlawful for any person to be out and about on the public rights-of-way or other public areas of the town between the dusk and dawn, except for law enforcement officers, members of the town fire control district, emergency medical personnel, town councilmembers, other persons authorized by the town manager, and regular employees of local businesses while traveling to and from their jobs for their regular hours, providing such employees have in their possession personal identification and identification of the business by which they are employed.

8. Any person who refuses to comply with or violates any provision of this declaration of local emergency shall be guilty of a municipal violation. Each day of such violation shall constitute a separate offense. Nothing herein contained shall prevent the town from taking such other lawful action in any court of competent jurisdiction as is necessary to prevent or remedy any refusal to comply with, or violation of, this article or the emergency measures which may be made effective pursuant to this article. Such other lawful action

shall include but shall not be limited to, an equitable action for injunctive relief or an action at law for damages. In addition, any person violating any rule or order issued pursuant to this Resolution or any person who willfully fails or refuses to comply with the order or orders of any duly authorized law enforcement officer or personnel charged with the responsibility for the enforcement of such orders shall, upon conviction therefor, be punished as provided by Section 252.50, Florida Statutes, and by such other laws as may be applicable to the offense.

SECTION 2. Conflicts. Any and all Resolutions or parts of Resolutions in conflict herewith are hereby repealed.

SECTION 3. Severability. If any provision or portion of this Resolution or the application is held invalid, the invalidity shall not affect other provisions, portions or applications of the Resolution, which can be given effect without the invalid provision, portion or application, and to this end the provisions, portions, or applications of this Resolution are declared severable.

SECTION 4. Effective Date and Termination Date. This Resolution shall take effect immediately upon the termination of the previously adopted state of local emergency and shall terminate automatically seven (7) days from that date unless terminated earlier or extended by a document of equal dignity herewith.

SECTION 5. Direction to Implement. The Town Manager is directed to implement this Resolution.

The foregoing Resolution was adopted by the Town Council upon a motion by _____ and seconded by _____, and upon being put to a roll call vote, the result was as follows:

Dan Allers, Mayor	___
Jim Atterholt, Vice Mayor	___
John R. King, Council Member	___
Scott Safford, Council Member	___
Karen Woodson, Council Member	___

ADOPTED this 2nd day of June 2025 by the Town Council of the Town of Fort Myers Beach, Florida.

FORT MYERS BEACH TOWN COUNCIL

_____
Dan Allers, Mayor

ATTEST:

_____
Amy Baker, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:

_____
Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on this ___ day of June 2025.

RESOLUTION NUMBER 25-183

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

WHEREAS, Section 252.38(3), Florida Statutes, authorizes the Town of Fort Myers Beach to declare a state of local emergency and to waive the procedures and formalities otherwise required of political subdivisions by law; and

WHEREAS, Chapter 12 of the Town Code of the Town of Fort Myers Beach authorizes certain powers in the event of a local state of emergency; and

WHEREAS, a state of local emergency proclamation is allowed for seven (7) days with appropriate extensions pursuant to law; and

WHEREAS, the effects of Hurricane Idalia impacted Fort Myers Beach and the current declaration of emergency that was adopted relating to that storm on August 29, 2023, must be extended.

THEREFORE, under the powers vested in it pursuant to Chapter 252, Florida Statutes, and under Chapter 12 of the Town Code of the Town of Fort Myers Beach, the **Town Council does hereby extend the proclamation of a state of local emergency in the Town of Fort Myers Beach, Florida, as identified above beginning at the end of the previously adopted state of local emergency to 7 days thereafter.**

SECTION 1. State of Local Emergency. The following emergency powers and other provisions shall be in force during this state of local emergency:

1. The Town Manager, or designee, is authorized to take all actions necessary and appropriate to protect human life and property, including the promulgation of rules and orders as may be necessary subject to the limitations of Section 252.33, Florida Statutes. This resolution further authorizes the Town Manager, or designee, to utilize all lawful authority granted to the Town of Fort Myers Beach by Federal, State, County, or Town Emergency Management Laws, Rules, Regulations, Orders and, including, but not limited to, Section 252.46 and Section 252.38(3)(a)(1) through Section 252.38(3)(a)(5), Florida Statutes, inclusive.

2. All existing laws, ordinances, and rules inconsistent with the provisions of Sections 252.31 to Section 252.905, Florida Statutes, inclusive, or inconsistent with any rule or order

specifically promulgated under this resolution shall be suspended during this period of time and to the extent that such conflict exists.

3. The Town Manager may suspend, toll or extend the time requirements, notice requirements and deadlines for final action on applications for permits, licenses, rates and other approvals under the Town of Fort Myers Beach Code of Ordinances, to the extent necessary to accommodate the emergency.

4. Pursuant to Section 252.38(3)(a)(5), Florida Statutes, the Town hereby exercises its authority and waives the procedures and formalities otherwise required of a political subdivision by law, pertaining to:

- Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;
- Entering into contracts;
- Incurring obligations;
- Employment of permanent and temporary workers;
- Utilization of volunteer workers;
- Rental of equipment;
- Acquisition and distribution, with or without compensation, of supplies, materials, and facilities; and
- Appropriation and expenditure of public funds

5. The Town Manager shall follow FEMA guidelines in procuring services, materials, labor and equipment necessary to respond to the emergency, including recovery efforts. The Town Manager shall abide by the "Uniform Administrative Requirements, Cost Principles, and Audit Requirements" for federal awards, codified at 2 C.F.R. §§200.317 through 200.326.

6. Pursuant to Section 12-23, of the Code of the Town of Fort Myers Beach, in addition to any other powers conferred by law, the town manager or designees shall have the power and authority to order and promulgate all or any of the following emergency measures to be effective during the period of such emergency in whole or in part, with such limitation and conditions as the town manager or designees may deem appropriate to protect the town's health, safety and welfare, and/or waive the procedures and formalities otherwise required of the town by law pertaining to these measures:

(a) To appropriate and expend funds; make contracts; incur obligations; obtain and distribute equipment, materials, and supplies for emergency management purposes; provide for the health and safety of persons and property, including emergency assistance to victims of any emergency; and direct and coordinate the implementation of emergency management plans and programs in accordance with the requirements of state and federal law.

(b) To appoint, employ, remove, or provide (with or without compensation) rescue teams, coordinators, other emergency management workers and other permanent or temporary workers.

(c) To establish, as necessary, primary and secondary emergency operating centers to provide continuity of government and direction and control of emergency operations.

(d) To assign and make available for duty the offices and agencies of the town, including the employees, property, or equipment thereof relating to health, medical and related services, transportation, construction, and similar items or services for emergency operation purposes, for deployment within or outside the limits of the town.

(e) To request state assistance or invoke emergency-related mutual-aid assistance pursuant to existing contracts and/or state or local law.

(f) To waive any procedures and formalities otherwise required of the town by law pertaining to performance of public work and/or the taking of whatever prudent action is necessary to ensure the health, safety, and welfare of the people of the town.

(g) To suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives and/or combustibles.

(h) To utilize all available resources of the town government as reasonably necessary to cope with the emergency occasioned by the disaster.

(i) To make provisions for availability and use of temporary emergency housing and emergency warehousing of materials.

(j) Preceding or during the emergency, to call on the National Guard or the Army, Coast Guard or other law enforcement division or other agency as necessary to assist in the mitigation of the emergency or to help maintain law and order, rescue and traffic control.

7. Pursuant to Sec. 12-24, "Prohibitions during state of emergency", of the Code of the Town of Fort Myers Beach, whenever a state of local emergency has been declared, and until such state of local emergency is terminated, the following prohibitions shall apply throughout the town, unless and until the same shall be waived or modified by a quorum of the town council at a general, special or emergency meeting:

(a) It shall be unlawful and an offense against the town for any person to use the fresh water supplied by the county or local water company for any purpose other than cooking, drinking or bathing.

(b) It shall be unlawful for any person to be out and about on the public rights-of-way or other public areas of the town between the dusk and dawn, except for law enforcement officers, members of the town fire control district, emergency medical personnel, town councilmembers, other persons authorized by the town manager, and regular employees of local businesses while traveling to and from their jobs for their regular hours, providing such employees have in their possession personal identification and identification of the business by which they are employed.

8. Any person who refuses to comply with or violates any provision of this declaration of local emergency shall be guilty of a municipal violation. Each day of such violation shall constitute a separate offense. Nothing herein contained shall prevent the town from taking such other lawful action in any court of competent jurisdiction as is necessary to prevent or remedy any refusal to comply with, or violation of, this article or the emergency measures which may be made effective pursuant to this article. Such other lawful action

shall include but shall not be limited to, an equitable action for injunctive relief or an action at law for damages. In addition, any person violating any rule or order issued pursuant to this Resolution or any person who willfully fails or refuses to comply with the order or orders of any duly authorized law enforcement officer or personnel charged with the responsibility for the enforcement of such orders shall, upon conviction therefor, be punished as provided by Section 252.50, Florida Statutes, and by such other laws as may be applicable to the offense.

SECTION 2. Conflicts. Any and all Resolutions or parts of Resolutions in conflict herewith are hereby repealed.

SECTION 3. Severability. If any provision or portion of this Resolution or the application is held invalid, the invalidity shall not affect other provisions, portions or applications of the Resolution, which can be given effect without the invalid provision, portion or application, and to this end the provisions, portions, or applications of this Resolution are declared severable.

SECTION 4. Effective Date and Termination Date. This Resolution shall take effect immediately upon the termination of the previously adopted state of local emergency and shall terminate automatically seven (7) days from that date unless terminated earlier or extended by a document of equal dignity herewith.

SECTION 5. Direction to Implement. The Town Manager is directed to implement this Resolution.

The foregoing Resolution was adopted by the Town Council upon a motion by _____ and seconded by _____, and upon being put to a roll call vote, the result was as follows:

Dan Allers, Mayor	___
Jim Atterholt, Vice Mayor	___
John R. King, Council Member	___
Scott Safford, Council Member	___
Karen Woodson, Council Member	___

ADOPTED this 2nd day of June 2025 by the Town Council of the Town of Fort Myers Beach, Florida.

FORT MYERS BEACH TOWN COUNCIL

_____
Dan Allers, Mayor

ATTEST:

_____
Amy Baker, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:

_____
Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on this ___ day of June 2025.

RESOLUTION NUMBER 25-184

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

WHEREAS, Section 252.38(3), Florida Statutes, authorizes the Town of Fort Myers Beach to declare a state of local emergency and to waive the procedures and formalities otherwise required of political subdivisions by law; and

WHEREAS, Chapter 12 of the Town Code of the Town of Fort Myers Beach authorizes certain powers in the event of a local state of emergency; and

WHEREAS, a state of local emergency proclamation is allowed for seven (7) days with appropriate extensions pursuant to law; and

WHEREAS, the effects of Hurricane Idalia impacted Fort Myers Beach and the current declaration of emergency that was adopted relating to that storm on August 29, 2023, must be extended.

THEREFORE, under the powers vested in it pursuant to Chapter 252, Florida Statutes, and under Chapter 12 of the Town Code of the Town of Fort Myers Beach, the **Town Council does hereby extend the proclamation of a state of local emergency in the Town of Fort Myers Beach, Florida, as identified above beginning at the end of the previously adopted state of local emergency to 7 days thereafter.**

SECTION 1. State of Local Emergency. The following emergency powers and other provisions shall be in force during this state of local emergency:

1. The Town Manager, or designee, is authorized to take all actions necessary and appropriate to protect human life and property, including the promulgation of rules and orders as may be necessary subject to the limitations of Section 252.33, Florida Statutes. This resolution further authorizes the Town Manager, or designee, to utilize all lawful authority granted to the Town of Fort Myers Beach by Federal, State, County, or Town Emergency Management Laws, Rules, Regulations, Orders and, including, but not limited to, Section 252.46 and Section 252.38(3)(a)(1) through Section 252.38(3)(a)(5), Florida Statutes, inclusive.

2. All existing laws, ordinances, and rules inconsistent with the provisions of Sections 252.31 to Section 252.905, Florida Statutes, inclusive, or inconsistent with any rule or order

specifically promulgated under this resolution shall be suspended during this period of time and to the extent that such conflict exists.

3. The Town Manager may suspend, toll or extend the time requirements, notice requirements and deadlines for final action on applications for permits, licenses, rates and other approvals under the Town of Fort Myers Beach Code of Ordinances, to the extent necessary to accommodate the emergency.

4. Pursuant to Section 252.38(3)(a)(5), Florida Statutes, the Town hereby exercises its authority and waives the procedures and formalities otherwise required of a political subdivision by law, pertaining to:

- Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;
- Entering into contracts;
- Incurring obligations;
- Employment of permanent and temporary workers;
- Utilization of volunteer workers;
- Rental of equipment;
- Acquisition and distribution, with or without compensation, of supplies, materials, and facilities; and
- Appropriation and expenditure of public funds

5. The Town Manager shall follow FEMA guidelines in procuring services, materials, labor and equipment necessary to respond to the emergency, including recovery efforts. The Town Manager shall abide by the "Uniform Administrative Requirements, Cost Principles, and Audit Requirements" for federal awards, codified at 2 C.F.R. §§200.317 through 200.326.

6. Pursuant to Section 12-23, of the Code of the Town of Fort Myers Beach, in addition to any other powers conferred by law, the town manager or designees shall have the power and authority to order and promulgate all or any of the following emergency measures to be effective during the period of such emergency in whole or in part, with such limitation and conditions as the town manager or designees may deem appropriate to protect the town's health, safety and welfare, and/or waive the procedures and formalities otherwise required of the town by law pertaining to these measures:

(a) To appropriate and expend funds; make contracts; incur obligations; obtain and distribute equipment, materials, and supplies for emergency management purposes; provide for the health and safety of persons and property, including emergency assistance to victims of any emergency; and direct and coordinate the implementation of emergency management plans and programs in accordance with the requirements of state and federal law.

(b) To appoint, employ, remove, or provide (with or without compensation) rescue teams, coordinators, other emergency management workers and other permanent or temporary workers.

(c) To establish, as necessary, primary and secondary emergency operating centers to provide continuity of government and direction and control of emergency operations.

(d) To assign and make available for duty the offices and agencies of the town, including the employees, property, or equipment thereof relating to health, medical and related services, transportation, construction, and similar items or services for emergency operation purposes, for deployment within or outside the limits of the town.

(e) To request state assistance or invoke emergency-related mutual-aid assistance pursuant to existing contracts and/or state or local law.

(f) To waive any procedures and formalities otherwise required of the town by law pertaining to performance of public work and/or the taking of whatever prudent action is necessary to ensure the health, safety, and welfare of the people of the town.

(g) To suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives and/or combustibles.

(h) To utilize all available resources of the town government as reasonably necessary to cope with the emergency occasioned by the disaster.

(i) To make provisions for availability and use of temporary emergency housing and emergency warehousing of materials.

(j) Preceding or during the emergency, to call on the National Guard or the Army, Coast Guard or other law enforcement division or other agency as necessary to assist in the mitigation of the emergency or to help maintain law and order, rescue and traffic control.

7. Pursuant to Sec. 12-24, "Prohibitions during state of emergency", of the Code of the Town of Fort Myers Beach, whenever a state of local emergency has been declared, and until such state of local emergency is terminated, the following prohibitions shall apply throughout the town, unless and until the same shall be waived or modified by a quorum of the town council at a general, special or emergency meeting:

(a) It shall be unlawful and an offense against the town for any person to use the fresh water supplied by the county or local water company for any purpose other than cooking, drinking or bathing.

(b) It shall be unlawful for any person to be out and about on the public rights-of-way or other public areas of the town between the dusk and dawn, except for law enforcement officers, members of the town fire control district, emergency medical personnel, town councilmembers, other persons authorized by the town manager, and regular employees of local businesses while traveling to and from their jobs for their regular hours, providing such employees have in their possession personal identification and identification of the business by which they are employed.

8. Any person who refuses to comply with or violates any provision of this declaration of local emergency shall be guilty of a municipal violation. Each day of such violation shall constitute a separate offense. Nothing herein contained shall prevent the town from taking such other lawful action in any court of competent jurisdiction as is necessary to prevent or remedy any refusal to comply with, or violation of, this article or the emergency measures which may be made effective pursuant to this article. Such other lawful action

shall include but shall not be limited to, an equitable action for injunctive relief or an action at law for damages. In addition, any person violating any rule or order issued pursuant to this Resolution or any person who willfully fails or refuses to comply with the order or orders of any duly authorized law enforcement officer or personnel charged with the responsibility for the enforcement of such orders shall, upon conviction therefor, be punished as provided by Section 252.50, Florida Statutes, and by such other laws as may be applicable to the offense.

SECTION 2. Conflicts. Any and all Resolutions or parts of Resolutions in conflict herewith are hereby repealed.

SECTION 3. Severability. If any provision or portion of this Resolution or the application is held invalid, the invalidity shall not affect other provisions, portions or applications of the Resolution, which can be given effect without the invalid provision, portion or application, and to this end the provisions, portions, or applications of this Resolution are declared severable.

SECTION 4. Effective Date and Termination Date. This Resolution shall take effect immediately upon the termination of the previously adopted state of local emergency and shall terminate automatically seven (7) days from that date unless terminated earlier or extended by a document of equal dignity herewith.

SECTION 5. Direction to Implement. The Town Manager is directed to implement this Resolution.

The foregoing Resolution was adopted by the Town Council upon a motion by _____ and seconded by _____, and upon being put to a roll call vote, the result was as follows:

Dan Allers, Mayor	___
Jim Atterholt, Vice Mayor	___
John R. King, Council Member	___
Scott Safford, Council Member	___
Karen Woodson, Council Member	___

ADOPTED this 2nd day of June 2025 by the Town Council of the Town of Fort Myers Beach, Florida.

FORT MYERS BEACH TOWN COUNCIL

_____
Dan Allers, Mayor

ATTEST:

_____
Amy Baker, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:

_____
Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on this ___ day of June 2025.

RESOLUTION NUMBER 25-185

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

WHEREAS, Section 252.38(3), Florida Statutes, authorizes the Town of Fort Myers Beach to declare a state of local emergency and to waive the procedures and formalities otherwise required of political subdivisions by law; and

WHEREAS, Chapter 12 of the Town Code of the Town of Fort Myers Beach authorizes certain powers in the event of a local state of emergency; and

WHEREAS, a state of local emergency proclamation is allowed for seven (7) days with appropriate extensions pursuant to law; and

WHEREAS, the effects of Hurricane Idalia impacted Fort Myers Beach and the current declaration of emergency that was adopted relating to that storm on August 29, 2023, must be extended.

THEREFORE, under the powers vested in it pursuant to Chapter 252, Florida Statutes, and under Chapter 12 of the Town Code of the Town of Fort Myers Beach, the **Town Council does hereby extend the proclamation of a state of local emergency in the Town of Fort Myers Beach, Florida, as identified above beginning at the end of the previously adopted state of local emergency to 7 days thereafter.**

SECTION 1. State of Local Emergency. The following emergency powers and other provisions shall be in force during this state of local emergency:

1. The Town Manager, or designee, is authorized to take all actions necessary and appropriate to protect human life and property, including the promulgation of rules and orders as may be necessary subject to the limitations of Section 252.33, Florida Statutes. This resolution further authorizes the Town Manager, or designee, to utilize all lawful authority granted to the Town of Fort Myers Beach by Federal, State, County, or Town Emergency Management Laws, Rules, Regulations, Orders and, including, but not limited to, Section 252.46 and Section 252.38(3)(a)(1) through Section 252.38(3)(a)(5), Florida Statutes, inclusive.

2. All existing laws, ordinances, and rules inconsistent with the provisions of Sections 252.31 to Section 252.905, Florida Statutes, inclusive, or inconsistent with any rule or order

specifically promulgated under this resolution shall be suspended during this period of time and to the extent that such conflict exists.

3. The Town Manager may suspend, toll or extend the time requirements, notice requirements and deadlines for final action on applications for permits, licenses, rates and other approvals under the Town of Fort Myers Beach Code of Ordinances, to the extent necessary to accommodate the emergency.

4. Pursuant to Section 252.38(3)(a)(5), Florida Statutes, the Town hereby exercises its authority and waives the procedures and formalities otherwise required of a political subdivision by law, pertaining to:

- Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;
- Entering into contracts;
- Incurring obligations;
- Employment of permanent and temporary workers;
- Utilization of volunteer workers;
- Rental of equipment;
- Acquisition and distribution, with or without compensation, of supplies, materials, and facilities; and
- Appropriation and expenditure of public funds

5. The Town Manager shall follow FEMA guidelines in procuring services, materials, labor and equipment necessary to respond to the emergency, including recovery efforts. The Town Manager shall abide by the "Uniform Administrative Requirements, Cost Principles, and Audit Requirements" for federal awards, codified at 2 C.F.R. §§200.317 through 200.326.

6. Pursuant to Section 12-23, of the Code of the Town of Fort Myers Beach, in addition to any other powers conferred by law, the town manager or designees shall have the power and authority to order and promulgate all or any of the following emergency measures to be effective during the period of such emergency in whole or in part, with such limitation and conditions as the town manager or designees may deem appropriate to protect the town's health, safety and welfare, and/or waive the procedures and formalities otherwise required of the town by law pertaining to these measures:

(a) To appropriate and expend funds; make contracts; incur obligations; obtain and distribute equipment, materials, and supplies for emergency management purposes; provide for the health and safety of persons and property, including emergency assistance to victims of any emergency; and direct and coordinate the implementation of emergency management plans and programs in accordance with the requirements of state and federal law.

(b) To appoint, employ, remove, or provide (with or without compensation) rescue teams, coordinators, other emergency management workers and other permanent or temporary workers.

(c) To establish, as necessary, primary and secondary emergency operating centers to provide continuity of government and direction and control of emergency operations.

(d) To assign and make available for duty the offices and agencies of the town, including the employees, property, or equipment thereof relating to health, medical and related services, transportation, construction, and similar items or services for emergency operation purposes, for deployment within or outside the limits of the town.

(e) To request state assistance or invoke emergency-related mutual-aid assistance pursuant to existing contracts and/or state or local law.

(f) To waive any procedures and formalities otherwise required of the town by law pertaining to performance of public work and/or the taking of whatever prudent action is necessary to ensure the health, safety, and welfare of the people of the town.

(g) To suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives and/or combustibles.

(h) To utilize all available resources of the town government as reasonably necessary to cope with the emergency occasioned by the disaster.

(i) To make provisions for availability and use of temporary emergency housing and emergency warehousing of materials.

(j) Preceding or during the emergency, to call on the National Guard or the Army, Coast Guard or other law enforcement division or other agency as necessary to assist in the mitigation of the emergency or to help maintain law and order, rescue and traffic control.

7. Pursuant to Sec. 12-24, "Prohibitions during state of emergency", of the Code of the Town of Fort Myers Beach, whenever a state of local emergency has been declared, and until such state of local emergency is terminated, the following prohibitions shall apply throughout the town, unless and until the same shall be waived or modified by a quorum of the town council at a general, special or emergency meeting:

(a) It shall be unlawful and an offense against the town for any person to use the fresh water supplied by the county or local water company for any purpose other than cooking, drinking or bathing.

(b) It shall be unlawful for any person to be out and about on the public rights-of-way or other public areas of the town between the dusk and dawn, except for law enforcement officers, members of the town fire control district, emergency medical personnel, town councilmembers, other persons authorized by the town manager, and regular employees of local businesses while traveling to and from their jobs for their regular hours, providing such employees have in their possession personal identification and identification of the business by which they are employed.

8. Any person who refuses to comply with or violates any provision of this declaration of local emergency shall be guilty of a municipal violation. Each day of such violation shall constitute a separate offense. Nothing herein contained shall prevent the town from taking such other lawful action in any court of competent jurisdiction as is necessary to prevent or remedy any refusal to comply with, or violation of, this article or the emergency measures which may be made effective pursuant to this article. Such other lawful action

shall include but shall not be limited to, an equitable action for injunctive relief or an action at law for damages. In addition, any person violating any rule or order issued pursuant to this Resolution or any person who willfully fails or refuses to comply with the order or orders of any duly authorized law enforcement officer or personnel charged with the responsibility for the enforcement of such orders shall, upon conviction therefor, be punished as provided by Section 252.50, Florida Statutes, and by such other laws as may be applicable to the offense.

SECTION 2. Conflicts. Any and all Resolutions or parts of Resolutions in conflict herewith are hereby repealed.

SECTION 3. Severability. If any provision or portion of this Resolution or the application is held invalid, the invalidity shall not affect other provisions, portions or applications of the Resolution, which can be given effect without the invalid provision, portion or application, and to this end the provisions, portions, or applications of this Resolution are declared severable.

SECTION 4. Effective Date and Termination Date. This Resolution shall take effect immediately upon the termination of the previously adopted state of local emergency and shall terminate automatically seven (7) days from that date unless terminated earlier or extended by a document of equal dignity herewith.

SECTION 5. Direction to Implement. The Town Manager is directed to implement this Resolution.

The foregoing Resolution was adopted by the Town Council upon a motion by _____ and seconded by _____, and upon being put to a roll call vote, the result was as follows:

Dan Allers, Mayor	___
Jim Atterholt, Vice Mayor	___
John R. King, Council Member	___
Scott Safford, Council Member	___
Karen Woodson, Council Member	___

ADOPTED this 2nd day of June 2025 by the Town Council of the Town of Fort Myers Beach, Florida.

FORT MYERS BEACH TOWN COUNCIL

_____
Dan Allers, Mayor

ATTEST:

_____
Amy Baker, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:

_____
Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on this ___ day of June 2025.

RESOLUTION NUMBER 25-186

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

WHEREAS, Section 252.38(3), Florida Statutes, authorizes the Town of Fort Myers Beach to declare a state of local emergency and to waive the procedures and formalities otherwise required of political subdivisions by law; and

WHEREAS, Chapter 12 of the Town Code of the Town of Fort Myers Beach authorizes certain powers in the event of a local state of emergency; and

WHEREAS, a state of local emergency proclamation is allowed for seven (7) days with appropriate extensions pursuant to law; and

WHEREAS, the effects of Hurricane Idalia impacted Fort Myers Beach and the current declaration of emergency that was adopted relating to that storm on August 29, 2023, must be extended.

THEREFORE, under the powers vested in it pursuant to Chapter 252, Florida Statutes, and under Chapter 12 of the Town Code of the Town of Fort Myers Beach, the **Town Council does hereby extend the proclamation of a state of local emergency in the Town of Fort Myers Beach, Florida, as identified above beginning at the end of the previously adopted state of local emergency to 7 days thereafter.**

SECTION 1. State of Local Emergency. The following emergency powers and other provisions shall be in force during this state of local emergency:

1. The Town Manager, or designee, is authorized to take all actions necessary and appropriate to protect human life and property, including the promulgation of rules and orders as may be necessary subject to the limitations of Section 252.33, Florida Statutes. This resolution further authorizes the Town Manager, or designee, to utilize all lawful authority granted to the Town of Fort Myers Beach by Federal, State, County, or Town Emergency Management Laws, Rules, Regulations, Orders and, including, but not limited to, Section 252.46 and Section 252.38(3)(a)(1) through Section 252.38(3)(a)(5), Florida Statutes, inclusive.

2. All existing laws, ordinances, and rules inconsistent with the provisions of Sections 252.31 to Section 252.905, Florida Statutes, inclusive, or inconsistent with any rule or order

specifically promulgated under this resolution shall be suspended during this period of time and to the extent that such conflict exists.

3. The Town Manager may suspend, toll or extend the time requirements, notice requirements and deadlines for final action on applications for permits, licenses, rates and other approvals under the Town of Fort Myers Beach Code of Ordinances, to the extent necessary to accommodate the emergency.

4. Pursuant to Section 252.38(3)(a)(5), Florida Statutes, the Town hereby exercises its authority and waives the procedures and formalities otherwise required of a political subdivision by law, pertaining to:

- Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;
- Entering into contracts;
- Incurring obligations;
- Employment of permanent and temporary workers;
- Utilization of volunteer workers;
- Rental of equipment;
- Acquisition and distribution, with or without compensation, of supplies, materials, and facilities; and
- Appropriation and expenditure of public funds

5. The Town Manager shall follow FEMA guidelines in procuring services, materials, labor and equipment necessary to respond to the emergency, including recovery efforts. The Town Manager shall abide by the "Uniform Administrative Requirements, Cost Principles, and Audit Requirements" for federal awards, codified at 2 C.F.R. §§200.317 through 200.326.

6. Pursuant to Section 12-23, of the Code of the Town of Fort Myers Beach, in addition to any other powers conferred by law, the town manager or designees shall have the power and authority to order and promulgate all or any of the following emergency measures to be effective during the period of such emergency in whole or in part, with such limitation and conditions as the town manager or designees may deem appropriate to protect the town's health, safety and welfare, and/or waive the procedures and formalities otherwise required of the town by law pertaining to these measures:

(a) To appropriate and expend funds; make contracts; incur obligations; obtain and distribute equipment, materials, and supplies for emergency management purposes; provide for the health and safety of persons and property, including emergency assistance to victims of any emergency; and direct and coordinate the implementation of emergency management plans and programs in accordance with the requirements of state and federal law.

(b) To appoint, employ, remove, or provide (with or without compensation) rescue teams, coordinators, other emergency management workers and other permanent or temporary workers.

(c) To establish, as necessary, primary and secondary emergency operating centers to provide continuity of government and direction and control of emergency operations.

(d) To assign and make available for duty the offices and agencies of the town, including the employees, property, or equipment thereof relating to health, medical and related services, transportation, construction, and similar items or services for emergency operation purposes, for deployment within or outside the limits of the town.

(e) To request state assistance or invoke emergency-related mutual-aid assistance pursuant to existing contracts and/or state or local law.

(f) To waive any procedures and formalities otherwise required of the town by law pertaining to performance of public work and/or the taking of whatever prudent action is necessary to ensure the health, safety, and welfare of the people of the town.

(g) To suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives and/or combustibles.

(h) To utilize all available resources of the town government as reasonably necessary to cope with the emergency occasioned by the disaster.

(i) To make provisions for availability and use of temporary emergency housing and emergency warehousing of materials.

(j) Preceding or during the emergency, to call on the National Guard or the Army, Coast Guard or other law enforcement division or other agency as necessary to assist in the mitigation of the emergency or to help maintain law and order, rescue and traffic control.

7. Pursuant to Sec. 12-24, "Prohibitions during state of emergency", of the Code of the Town of Fort Myers Beach, whenever a state of local emergency has been declared, and until such state of local emergency is terminated, the following prohibitions shall apply throughout the town, unless and until the same shall be waived or modified by a quorum of the town council at a general, special or emergency meeting:

(a) It shall be unlawful and an offense against the town for any person to use the fresh water supplied by the county or local water company for any purpose other than cooking, drinking or bathing.

(b) It shall be unlawful for any person to be out and about on the public rights-of-way or other public areas of the town between the dusk and dawn, except for law enforcement officers, members of the town fire control district, emergency medical personnel, town councilmembers, other persons authorized by the town manager, and regular employees of local businesses while traveling to and from their jobs for their regular hours, providing such employees have in their possession personal identification and identification of the business by which they are employed.

8. Any person who refuses to comply with or violates any provision of this declaration of local emergency shall be guilty of a municipal violation. Each day of such violation shall constitute a separate offense. Nothing herein contained shall prevent the town from taking such other lawful action in any court of competent jurisdiction as is necessary to prevent or remedy any refusal to comply with, or violation of, this article or the emergency measures which may be made effective pursuant to this article. Such other lawful action

shall include but shall not be limited to, an equitable action for injunctive relief or an action at law for damages. In addition, any person violating any rule or order issued pursuant to this Resolution or any person who willfully fails or refuses to comply with the order or orders of any duly authorized law enforcement officer or personnel charged with the responsibility for the enforcement of such orders shall, upon conviction therefor, be punished as provided by Section 252.50, Florida Statutes, and by such other laws as may be applicable to the offense.

SECTION 2. Conflicts. Any and all Resolutions or parts of Resolutions in conflict herewith are hereby repealed.

SECTION 3. Severability. If any provision or portion of this Resolution or the application is held invalid, the invalidity shall not affect other provisions, portions or applications of the Resolution, which can be given effect without the invalid provision, portion or application, and to this end the provisions, portions, or applications of this Resolution are declared severable.

SECTION 4. Effective Date and Termination Date. This Resolution shall take effect immediately upon the termination of the previously adopted state of local emergency and shall terminate automatically seven (7) days from that date unless terminated earlier or extended by a document of equal dignity herewith.

SECTION 5. Direction to Implement. The Town Manager is directed to implement this Resolution.

The foregoing Resolution was adopted by the Town Council upon a motion by _____ and seconded by _____, and upon being put to a roll call vote, the result was as follows:

Dan Allers, Mayor	___
Jim Atterholt, Vice Mayor	___
John R. King, Council Member	___
Scott Safford, Council Member	___
Karen Woodson, Council Member	___

ADOPTED this 2nd day of June 2025 by the Town Council of the Town of Fort Myers Beach, Florida.

FORT MYERS BEACH TOWN COUNCIL

_____
Dan Allers, Mayor

ATTEST:

_____
Amy Baker, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:

_____
Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on this ___ day of June 2025.

RESOLUTION NUMBER 25-187

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

WHEREAS, Section 252.38(3), Florida Statutes, authorizes the Town of Fort Myers Beach to declare a state of local emergency and to waive the procedures and formalities otherwise required of political subdivisions by law; and

WHEREAS, Chapter 12 of the Town Code of the Town of Fort Myers Beach authorizes certain powers in the event of a local state of emergency; and

WHEREAS, a state of local emergency proclamation is allowed for seven (7) days with appropriate extensions pursuant to law; and

WHEREAS, the effects of Hurricane Idalia impacted Fort Myers Beach and the current declaration of emergency that was adopted relating to that storm on August 29, 2023, must be extended.

THEREFORE, under the powers vested in it pursuant to Chapter 252, Florida Statutes, and under Chapter 12 of the Town Code of the Town of Fort Myers Beach, the **Town Council does hereby extend the proclamation of a state of local emergency in the Town of Fort Myers Beach, Florida, as identified above beginning at the end of the previously adopted state of local emergency to 7 days thereafter.**

SECTION 1. State of Local Emergency. The following emergency powers and other provisions shall be in force during this state of local emergency:

1. The Town Manager, or designee, is authorized to take all actions necessary and appropriate to protect human life and property, including the promulgation of rules and orders as may be necessary subject to the limitations of Section 252.33, Florida Statutes. This resolution further authorizes the Town Manager, or designee, to utilize all lawful authority granted to the Town of Fort Myers Beach by Federal, State, County, or Town Emergency Management Laws, Rules, Regulations, Orders and, including, but not limited to, Section 252.46 and Section 252.38(3)(a)(1) through Section 252.38(3)(a)(5), Florida Statutes, inclusive.

2. All existing laws, ordinances, and rules inconsistent with the provisions of Sections 252.31 to Section 252.905, Florida Statutes, inclusive, or inconsistent with any rule or order

specifically promulgated under this resolution shall be suspended during this period of time and to the extent that such conflict exists.

3. The Town Manager may suspend, toll or extend the time requirements, notice requirements and deadlines for final action on applications for permits, licenses, rates and other approvals under the Town of Fort Myers Beach Code of Ordinances, to the extent necessary to accommodate the emergency.

4. Pursuant to Section 252.38(3)(a)(5), Florida Statutes, the Town hereby exercises its authority and waives the procedures and formalities otherwise required of a political subdivision by law, pertaining to:

- Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;
- Entering into contracts;
- Incurring obligations;
- Employment of permanent and temporary workers;
- Utilization of volunteer workers;
- Rental of equipment;
- Acquisition and distribution, with or without compensation, of supplies, materials, and facilities; and
- Appropriation and expenditure of public funds

5. The Town Manager shall follow FEMA guidelines in procuring services, materials, labor and equipment necessary to respond to the emergency, including recovery efforts. The Town Manager shall abide by the "Uniform Administrative Requirements, Cost Principles, and Audit Requirements" for federal awards, codified at 2 C.F.R. §§200.317 through 200.326.

6. Pursuant to Section 12-23, of the Code of the Town of Fort Myers Beach, in addition to any other powers conferred by law, the town manager or designees shall have the power and authority to order and promulgate all or any of the following emergency measures to be effective during the period of such emergency in whole or in part, with such limitation and conditions as the town manager or designees may deem appropriate to protect the town's health, safety and welfare, and/or waive the procedures and formalities otherwise required of the town by law pertaining to these measures:

(a) To appropriate and expend funds; make contracts; incur obligations; obtain and distribute equipment, materials, and supplies for emergency management purposes; provide for the health and safety of persons and property, including emergency assistance to victims of any emergency; and direct and coordinate the implementation of emergency management plans and programs in accordance with the requirements of state and federal law.

(b) To appoint, employ, remove, or provide (with or without compensation) rescue teams, coordinators, other emergency management workers and other permanent or temporary workers.

(c) To establish, as necessary, primary and secondary emergency operating centers to provide continuity of government and direction and control of emergency operations.

(d) To assign and make available for duty the offices and agencies of the town, including the employees, property, or equipment thereof relating to health, medical and related services, transportation, construction, and similar items or services for emergency operation purposes, for deployment within or outside the limits of the town.

(e) To request state assistance or invoke emergency-related mutual-aid assistance pursuant to existing contracts and/or state or local law.

(f) To waive any procedures and formalities otherwise required of the town by law pertaining to performance of public work and/or the taking of whatever prudent action is necessary to ensure the health, safety, and welfare of the people of the town.

(g) To suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives and/or combustibles.

(h) To utilize all available resources of the town government as reasonably necessary to cope with the emergency occasioned by the disaster.

(i) To make provisions for availability and use of temporary emergency housing and emergency warehousing of materials.

(j) Preceding or during the emergency, to call on the National Guard or the Army, Coast Guard or other law enforcement division or other agency as necessary to assist in the mitigation of the emergency or to help maintain law and order, rescue and traffic control.

7. Pursuant to Sec. 12-24, "Prohibitions during state of emergency", of the Code of the Town of Fort Myers Beach, whenever a state of local emergency has been declared, and until such state of local emergency is terminated, the following prohibitions shall apply throughout the town, unless and until the same shall be waived or modified by a quorum of the town council at a general, special or emergency meeting:

(a) It shall be unlawful and an offense against the town for any person to use the fresh water supplied by the county or local water company for any purpose other than cooking, drinking or bathing.

(b) It shall be unlawful for any person to be out and about on the public rights-of-way or other public areas of the town between the dusk and dawn, except for law enforcement officers, members of the town fire control district, emergency medical personnel, town councilmembers, other persons authorized by the town manager, and regular employees of local businesses while traveling to and from their jobs for their regular hours, providing such employees have in their possession personal identification and identification of the business by which they are employed.

8. Any person who refuses to comply with or violates any provision of this declaration of local emergency shall be guilty of a municipal violation. Each day of such violation shall constitute a separate offense. Nothing herein contained shall prevent the town from taking such other lawful action in any court of competent jurisdiction as is necessary to prevent or remedy any refusal to comply with, or violation of, this article or the emergency measures which may be made effective pursuant to this article. Such other lawful action

shall include but shall not be limited to, an equitable action for injunctive relief or an action at law for damages. In addition, any person violating any rule or order issued pursuant to this Resolution or any person who willfully fails or refuses to comply with the order or orders of any duly authorized law enforcement officer or personnel charged with the responsibility for the enforcement of such orders shall, upon conviction therefor, be punished as provided by Section 252.50, Florida Statutes, and by such other laws as may be applicable to the offense.

SECTION 2. Conflicts. Any and all Resolutions or parts of Resolutions in conflict herewith are hereby repealed.

SECTION 3. Severability. If any provision or portion of this Resolution or the application is held invalid, the invalidity shall not affect other provisions, portions or applications of the Resolution, which can be given effect without the invalid provision, portion or application, and to this end the provisions, portions, or applications of this Resolution are declared severable.

SECTION 4. Effective Date and Termination Date. This Resolution shall take effect immediately upon the termination of the previously adopted state of local emergency and shall terminate automatically seven (7) days from that date unless terminated earlier or extended by a document of equal dignity herewith.

SECTION 5. Direction to Implement. The Town Manager is directed to implement this Resolution.

The foregoing Resolution was adopted by the Town Council upon a motion by _____ and seconded by _____, and upon being put to a roll call vote, the result was as follows:

Dan Allers, Mayor	___
Jim Atterholt, Vice Mayor	___
John R. King, Council Member	___
Scott Safford, Council Member	___
Karen Woodson, Council Member	___

ADOPTED this 2nd day of June 2025 by the Town Council of the Town of Fort Myers Beach, Florida.

FORT MYERS BEACH TOWN COUNCIL

_____
Dan Allers, Mayor

ATTEST:

_____
Amy Baker, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:

_____
Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on this ___ day of June 2025.

RESOLUTION NUMBER 25-188

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

WHEREAS, Section 252.38(3), Florida Statutes, authorizes the Town of Fort Myers Beach to declare a state of local emergency and to waive the procedures and formalities otherwise required of political subdivisions by law; and

WHEREAS, Chapter 12 of the Town Code of the Town of Fort Myers Beach authorizes certain powers in the event of a local state of emergency; and

WHEREAS, a state of local emergency proclamation is allowed for seven (7) days with appropriate extensions pursuant to law; and

WHEREAS, the effects of Hurricane Idalia impacted Fort Myers Beach and the current declaration of emergency that was adopted relating to that storm on August 29, 2023, must be extended.

THEREFORE, under the powers vested in it pursuant to Chapter 252, Florida Statutes, and under Chapter 12 of the Town Code of the Town of Fort Myers Beach, the **Town Council does hereby extend the proclamation of a state of local emergency in the Town of Fort Myers Beach, Florida, as identified above beginning at the end of the previously adopted state of local emergency to 7 days thereafter.**

SECTION 1. State of Local Emergency. The following emergency powers and other provisions shall be in force during this state of local emergency:

1. The Town Manager, or designee, is authorized to take all actions necessary and appropriate to protect human life and property, including the promulgation of rules and orders as may be necessary subject to the limitations of Section 252.33, Florida Statutes. This resolution further authorizes the Town Manager, or designee, to utilize all lawful authority granted to the Town of Fort Myers Beach by Federal, State, County, or Town Emergency Management Laws, Rules, Regulations, Orders and, including, but not limited to, Section 252.46 and Section 252.38(3)(a)(1) through Section 252.38(3)(a)(5), Florida Statutes, inclusive.

2. All existing laws, ordinances, and rules inconsistent with the provisions of Sections 252.31 to Section 252.905, Florida Statutes, inclusive, or inconsistent with any rule or order

specifically promulgated under this resolution shall be suspended during this period of time and to the extent that such conflict exists.

3. The Town Manager may suspend, toll or extend the time requirements, notice requirements and deadlines for final action on applications for permits, licenses, rates and other approvals under the Town of Fort Myers Beach Code of Ordinances, to the extent necessary to accommodate the emergency.

4. Pursuant to Section 252.38(3)(a)(5), Florida Statutes, the Town hereby exercises its authority and waives the procedures and formalities otherwise required of a political subdivision by law, pertaining to:

- Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;
- Entering into contracts;
- Incurring obligations;
- Employment of permanent and temporary workers;
- Utilization of volunteer workers;
- Rental of equipment;
- Acquisition and distribution, with or without compensation, of supplies, materials, and facilities; and
- Appropriation and expenditure of public funds

5. The Town Manager shall follow FEMA guidelines in procuring services, materials, labor and equipment necessary to respond to the emergency, including recovery efforts. The Town Manager shall abide by the "Uniform Administrative Requirements, Cost Principles, and Audit Requirements" for federal awards, codified at 2 C.F.R. §§200.317 through 200.326.

6. Pursuant to Section 12-23, of the Code of the Town of Fort Myers Beach, in addition to any other powers conferred by law, the town manager or designees shall have the power and authority to order and promulgate all or any of the following emergency measures to be effective during the period of such emergency in whole or in part, with such limitation and conditions as the town manager or designees may deem appropriate to protect the town's health, safety and welfare, and/or waive the procedures and formalities otherwise required of the town by law pertaining to these measures:

(a) To appropriate and expend funds; make contracts; incur obligations; obtain and distribute equipment, materials, and supplies for emergency management purposes; provide for the health and safety of persons and property, including emergency assistance to victims of any emergency; and direct and coordinate the implementation of emergency management plans and programs in accordance with the requirements of state and federal law.

(b) To appoint, employ, remove, or provide (with or without compensation) rescue teams, coordinators, other emergency management workers and other permanent or temporary workers.

(c) To establish, as necessary, primary and secondary emergency operating centers to provide continuity of government and direction and control of emergency operations.

(d) To assign and make available for duty the offices and agencies of the town, including the employees, property, or equipment thereof relating to health, medical and related services, transportation, construction, and similar items or services for emergency operation purposes, for deployment within or outside the limits of the town.

(e) To request state assistance or invoke emergency-related mutual-aid assistance pursuant to existing contracts and/or state or local law.

(f) To waive any procedures and formalities otherwise required of the town by law pertaining to performance of public work and/or the taking of whatever prudent action is necessary to ensure the health, safety, and welfare of the people of the town.

(g) To suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives and/or combustibles.

(h) To utilize all available resources of the town government as reasonably necessary to cope with the emergency occasioned by the disaster.

(i) To make provisions for availability and use of temporary emergency housing and emergency warehousing of materials.

(j) Preceding or during the emergency, to call on the National Guard or the Army, Coast Guard or other law enforcement division or other agency as necessary to assist in the mitigation of the emergency or to help maintain law and order, rescue and traffic control.

7. Pursuant to Sec. 12-24, "Prohibitions during state of emergency", of the Code of the Town of Fort Myers Beach, whenever a state of local emergency has been declared, and until such state of local emergency is terminated, the following prohibitions shall apply throughout the town, unless and until the same shall be waived or modified by a quorum of the town council at a general, special or emergency meeting:

(a) It shall be unlawful and an offense against the town for any person to use the fresh water supplied by the county or local water company for any purpose other than cooking, drinking or bathing.

(b) It shall be unlawful for any person to be out and about on the public rights-of-way or other public areas of the town between the dusk and dawn, except for law enforcement officers, members of the town fire control district, emergency medical personnel, town councilmembers, other persons authorized by the town manager, and regular employees of local businesses while traveling to and from their jobs for their regular hours, providing such employees have in their possession personal identification and identification of the business by which they are employed.

8. Any person who refuses to comply with or violates any provision of this declaration of local emergency shall be guilty of a municipal violation. Each day of such violation shall constitute a separate offense. Nothing herein contained shall prevent the town from taking such other lawful action in any court of competent jurisdiction as is necessary to prevent or remedy any refusal to comply with, or violation of, this article or the emergency measures which may be made effective pursuant to this article. Such other lawful action

shall include but shall not be limited to, an equitable action for injunctive relief or an action at law for damages. In addition, any person violating any rule or order issued pursuant to this Resolution or any person who willfully fails or refuses to comply with the order or orders of any duly authorized law enforcement officer or personnel charged with the responsibility for the enforcement of such orders shall, upon conviction therefor, be punished as provided by Section 252.50, Florida Statutes, and by such other laws as may be applicable to the offense.

SECTION 2. Conflicts. Any and all Resolutions or parts of Resolutions in conflict herewith are hereby repealed.

SECTION 3. Severability. If any provision or portion of this Resolution or the application is held invalid, the invalidity shall not affect other provisions, portions or applications of the Resolution, which can be given effect without the invalid provision, portion or application, and to this end the provisions, portions, or applications of this Resolution are declared severable.

SECTION 4. Effective Date and Termination Date. This Resolution shall take effect immediately upon the termination of the previously adopted state of local emergency and shall terminate automatically seven (7) days from that date unless terminated earlier or extended by a document of equal dignity herewith.

SECTION 5. Direction to Implement. The Town Manager is directed to implement this Resolution.

The foregoing Resolution was adopted by the Town Council upon a motion by _____ and seconded by _____, and upon being put to a roll call vote, the result was as follows:

Dan Allers, Mayor	___
Jim Atterholt, Vice Mayor	___
John R. King, Council Member	___
Scott Safford, Council Member	___
Karen Woodson, Council Member	___

ADOPTED this 2nd day of June 2025 by the Town Council of the Town of Fort Myers Beach, Florida.

FORT MYERS BEACH TOWN COUNCIL

_____
Dan Allers, Mayor

ATTEST:

_____
Amy Baker, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:

_____
Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on this ___ day of June 2025.

RESOLUTION NUMBER 25-189

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

WHEREAS, Section 252.38(3), Florida Statutes, authorizes the Town of Fort Myers Beach to declare a state of local emergency and to waive the procedures and formalities otherwise required of political subdivisions by law; and

WHEREAS, Chapter 12 of the Town Code of the Town of Fort Myers Beach authorizes certain powers in the event of a local state of emergency; and

WHEREAS, a state of local emergency proclamation is allowed for seven (7) days with appropriate extensions pursuant to law; and

WHEREAS, the effects of Hurricane Idalia impacted Fort Myers Beach and the current declaration of emergency that was adopted relating to that storm on August 29, 2023, must be extended.

THEREFORE, under the powers vested in it pursuant to Chapter 252, Florida Statutes, and under Chapter 12 of the Town Code of the Town of Fort Myers Beach, the **Town Council does hereby extend the proclamation of a state of local emergency in the Town of Fort Myers Beach, Florida, as identified above beginning at the end of the previously adopted state of local emergency to 7 days thereafter.**

SECTION 1. State of Local Emergency. The following emergency powers and other provisions shall be in force during this state of local emergency:

1. The Town Manager, or designee, is authorized to take all actions necessary and appropriate to protect human life and property, including the promulgation of rules and orders as may be necessary subject to the limitations of Section 252.33, Florida Statutes. This resolution further authorizes the Town Manager, or designee, to utilize all lawful authority granted to the Town of Fort Myers Beach by Federal, State, County, or Town Emergency Management Laws, Rules, Regulations, Orders and, including, but not limited to, Section 252.46 and Section 252.38(3)(a)(1) through Section 252.38(3)(a)(5), Florida Statutes, inclusive.

2. All existing laws, ordinances, and rules inconsistent with the provisions of Sections 252.31 to Section 252.905, Florida Statutes, inclusive, or inconsistent with any rule or order

specifically promulgated under this resolution shall be suspended during this period of time and to the extent that such conflict exists.

3. The Town Manager may suspend, toll or extend the time requirements, notice requirements and deadlines for final action on applications for permits, licenses, rates and other approvals under the Town of Fort Myers Beach Code of Ordinances, to the extent necessary to accommodate the emergency.

4. Pursuant to Section 252.38(3)(a)(5), Florida Statutes, the Town hereby exercises its authority and waives the procedures and formalities otherwise required of a political subdivision by law, pertaining to:

- Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;
- Entering into contracts;
- Incurring obligations;
- Employment of permanent and temporary workers;
- Utilization of volunteer workers;
- Rental of equipment;
- Acquisition and distribution, with or without compensation, of supplies, materials, and facilities; and
- Appropriation and expenditure of public funds

5. The Town Manager shall follow FEMA guidelines in procuring services, materials, labor and equipment necessary to respond to the emergency, including recovery efforts. The Town Manager shall abide by the "Uniform Administrative Requirements, Cost Principles, and Audit Requirements" for federal awards, codified at 2 C.F.R. §§200.317 through 200.326.

6. Pursuant to Section 12-23, of the Code of the Town of Fort Myers Beach, in addition to any other powers conferred by law, the town manager or designees shall have the power and authority to order and promulgate all or any of the following emergency measures to be effective during the period of such emergency in whole or in part, with such limitation and conditions as the town manager or designees may deem appropriate to protect the town's health, safety and welfare, and/or waive the procedures and formalities otherwise required of the town by law pertaining to these measures:

(a) To appropriate and expend funds; make contracts; incur obligations; obtain and distribute equipment, materials, and supplies for emergency management purposes; provide for the health and safety of persons and property, including emergency assistance to victims of any emergency; and direct and coordinate the implementation of emergency management plans and programs in accordance with the requirements of state and federal law.

(b) To appoint, employ, remove, or provide (with or without compensation) rescue teams, coordinators, other emergency management workers and other permanent or temporary workers.

(c) To establish, as necessary, primary and secondary emergency operating centers to provide continuity of government and direction and control of emergency operations.

(d) To assign and make available for duty the offices and agencies of the town, including the employees, property, or equipment thereof relating to health, medical and related services, transportation, construction, and similar items or services for emergency operation purposes, for deployment within or outside the limits of the town.

(e) To request state assistance or invoke emergency-related mutual-aid assistance pursuant to existing contracts and/or state or local law.

(f) To waive any procedures and formalities otherwise required of the town by law pertaining to performance of public work and/or the taking of whatever prudent action is necessary to ensure the health, safety, and welfare of the people of the town.

(g) To suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives and/or combustibles.

(h) To utilize all available resources of the town government as reasonably necessary to cope with the emergency occasioned by the disaster.

(i) To make provisions for availability and use of temporary emergency housing and emergency warehousing of materials.

(j) Preceding or during the emergency, to call on the National Guard or the Army, Coast Guard or other law enforcement division or other agency as necessary to assist in the mitigation of the emergency or to help maintain law and order, rescue and traffic control.

7. Pursuant to Sec. 12-24, "Prohibitions during state of emergency", of the Code of the Town of Fort Myers Beach, whenever a state of local emergency has been declared, and until such state of local emergency is terminated, the following prohibitions shall apply throughout the town, unless and until the same shall be waived or modified by a quorum of the town council at a general, special or emergency meeting:

(a) It shall be unlawful and an offense against the town for any person to use the fresh water supplied by the county or local water company for any purpose other than cooking, drinking or bathing.

(b) It shall be unlawful for any person to be out and about on the public rights-of-way or other public areas of the town between the dusk and dawn, except for law enforcement officers, members of the town fire control district, emergency medical personnel, town councilmembers, other persons authorized by the town manager, and regular employees of local businesses while traveling to and from their jobs for their regular hours, providing such employees have in their possession personal identification and identification of the business by which they are employed.

8. Any person who refuses to comply with or violates any provision of this declaration of local emergency shall be guilty of a municipal violation. Each day of such violation shall constitute a separate offense. Nothing herein contained shall prevent the town from taking such other lawful action in any court of competent jurisdiction as is necessary to prevent or remedy any refusal to comply with, or violation of, this article or the emergency measures which may be made effective pursuant to this article. Such other lawful action

shall include but shall not be limited to, an equitable action for injunctive relief or an action at law for damages. In addition, any person violating any rule or order issued pursuant to this Resolution or any person who willfully fails or refuses to comply with the order or orders of any duly authorized law enforcement officer or personnel charged with the responsibility for the enforcement of such orders shall, upon conviction therefor, be punished as provided by Section 252.50, Florida Statutes, and by such other laws as may be applicable to the offense.

SECTION 2. Conflicts. Any and all Resolutions or parts of Resolutions in conflict herewith are hereby repealed.

SECTION 3. Severability. If any provision or portion of this Resolution or the application is held invalid, the invalidity shall not affect other provisions, portions or applications of the Resolution, which can be given effect without the invalid provision, portion or application, and to this end the provisions, portions, or applications of this Resolution are declared severable.

SECTION 4. Effective Date and Termination Date. This Resolution shall take effect immediately upon the termination of the previously adopted state of local emergency and shall terminate automatically seven (7) days from that date unless terminated earlier or extended by a document of equal dignity herewith.

SECTION 5. Direction to Implement. The Town Manager is directed to implement this Resolution.

The foregoing Resolution was adopted by the Town Council upon a motion by _____ and seconded by _____, and upon being put to a roll call vote, the result was as follows:

Dan Allers, Mayor	___
Jim Atterholt, Vice Mayor	___
John R. King, Council Member	___
Scott Safford, Council Member	___
Karen Woodson, Council Member	___

ADOPTED this 2nd day of June 2025 by the Town Council of the Town of Fort Myers Beach, Florida.

FORT MYERS BEACH TOWN COUNCIL

_____
Dan Allers, Mayor

ATTEST:

_____
Amy Baker, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:

_____
Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on this ___ day of June 2025.

Town of Fort Myers Beach
Agenda Item Summary

Blue Sheet Number: **2025-440**

1. **Request:**

Meeting Date: June 2, 2025

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, EXTENDING THE DECLARATION OF STATE OF LOCAL EMERGENCY DUE TO TROPICAL STORM DEBBY 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.

Why the action is necessary:

Keeps the Local State of Emergency in effect for Tropical Storm Debby

What the action accomplishes:

2. **Agenda:**	3. **Requirement/Purpose:**	4. **Submitter of Information:**
CONSENT AGENDA	Resolution	Amy Baker, Town Clerk

5. **Background:**

Approving and ratifying this Resolution will maintain in place the Town Declaration of State of Local Emergency originally adopted via Resolution 24-154.

Attachments:

1. 25-154, Extension of Local Emergency - Debby 06.03.25 - 06.09.25
2. 25-155, Extension of Local Emergency - Debby 06.10.25 - 06.16.25
3. 25-156, Extension of Local Emergency - Debby 06.17.25 - 06.23.25
4. 25-157, Extension of Local Emergency - Debby 06.24.25 - 06.30.25
5. 25-158, Extension of Local Emergency - Debby 07.01.25 - 07.07.25
6. 25-159, Extension of Local Emergency - Debby 07.08.25 - 07.14.25
7. 25-160, Extension of Local Emergency - Debby 07.15.25 - 07.21.25
8. 25-161, Extension of Local Emergency - Debby 07.22.25 - 07.28.25
9. 25-162, Extension of Local Emergency - Debby 07.29.25 - 08.04.25

Financial Impact:

6. **Alternative Action**

Do not approve and end the Local State of Emergency for Tropical Storm Debby

7. **Management Recommendations:**

Approve

8. **Recommended Approval:**

Lizzette Roman, Town Clerk Administrative Coordinator	Created/Initiated - 5/20/2025
Amy Baker, Town Clerk	Approved - 5/22/2025
nancy stuparich, Town Attorney	Approved - 5/26/2025
Amy Baker, Town Clerk	Approved - 5/27/2025
William McKannay, Town Manager	Final Approval - 5/28/2025

RESOLUTION NUMBER 25-154

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, EXTENDING THE DECLARATION OF STATE OF LOCAL EMERGENCY DUE TO TROPICAL STORM DEBBY; 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

WHEREAS, Section 252.38(3), Florida Statutes, authorizes the Town of Fort Myers Beach to declare a state of local emergency and to waive the procedures and formalities otherwise required of political subdivisions by law; and

WHEREAS, Chapter 12 of the Town Code of the Town of Fort Myers Beach authorizes certain powers in the event of a local state of emergency; and

WHEREAS, a state of local emergency proclamation is allowed for seven (7) days with appropriate extensions pursuant to law; and

WHEREAS, the effects of Tropical Storm Debby impacted Fort Myers Beach and the current declaration of emergency that was adopted relating to that storm on August 5, 2024, must be extended.

THEREFORE, under the powers vested in it pursuant to Chapter 252, Florida Statutes, and under Chapter 12 of the Town Code of the Town of Fort Myers Beach, the **Town Council does hereby extend the proclamation of a state of local emergency in the Town of Fort Myers Beach, Florida, as identified above beginning at the end of the previously adopted state of local emergency to 7 days thereafter.**

SECTION 1. State of Local Emergency. The following emergency powers and other provisions shall be in force during this state of local emergency:

1. The Town Manager, or designee, is authorized to take all actions necessary and appropriate to protect human life and property, including the promulgation of rules and orders as may be necessary subject to the limitations of Section 252.33, Florida Statutes. This resolution further authorizes the Town Manager, or designee, to utilize all lawful authority granted to the Town of Fort Myers Beach by Federal, State, County, or Town Emergency Management Laws, Rules, Regulations, Orders and, including, but not limited to, Section 252.46 and Section 252.38(3)(a)(1) through Section 252.38(3)(a)(5), Florida Statutes, inclusive.

2. All existing laws, ordinances, and rules inconsistent with the provisions of Sections 252.31 to Section 252.905, Florida Statutes, inclusive, or inconsistent with any rule or order

specifically promulgated under this resolution shall be suspended during this period of time and to the extent that such conflict exists.

3. The Town Manager may suspend, toll or extend the time requirements, notice requirements and deadlines for final action on applications for permits, licenses, rates and other approvals under the Town of Fort Myers Beach Code of Ordinances, to the extent necessary to accommodate the emergency.

4. Pursuant to Section 252.38(3)(a)(5), Florida Statutes, the Town hereby exercises its authority and waives the procedures and formalities otherwise required of a political subdivision by law, pertaining to:

- Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;
- Entering into contracts;
- Incurring obligations;
- Employment of permanent and temporary workers;
- Utilization of volunteer workers;
- Rental of equipment;
- Acquisition and distribution, with or without compensation, of supplies, materials, and facilities; and
- Appropriation and expenditure of public funds

5. The Town Manager shall follow FEMA guidelines in procuring services, materials, labor and equipment necessary to respond to the emergency, including recovery efforts. The Town Manager shall abide by the "Uniform Administrative Requirements, Cost Principles, and Audit Requirements" for federal awards, codified at 2 C.F.R. §§200.317 through 200.326.

6. Pursuant to Section 12-23, of the Code of the Town of Fort Myers Beach, in addition to any other powers conferred by law, the town manager or designees shall have the power and authority to order and promulgate all or any of the following emergency measures to be effective during the period of such emergency in whole or in part, with such limitation and conditions as the town manager or designees may deem appropriate to protect the town's health, safety and welfare, and/or waive the procedures and formalities otherwise required of the town by law pertaining to these measures:

(a) To appropriate and expend funds; make contracts; incur obligations; obtain and distribute equipment, materials, and supplies for emergency management purposes; provide for the health and safety of persons and property, including emergency assistance to victims of any emergency; and direct and coordinate the implementation of emergency management plans and programs in accordance with the requirements of state and federal law.

(b) To appoint, employ, remove, or provide (with or without compensation) rescue teams, coordinators, other emergency management workers and other permanent or temporary workers.

(c) To establish, as necessary, primary and secondary emergency operating centers to provide continuity of government and direction and control of emergency operations.

(d) To assign and make available for duty the offices and agencies of the town, including the employees, property, or equipment thereof relating to health, medical and related services, transportation, construction, and similar items or services for emergency operation purposes, for deployment within or outside the limits of the town.

(e) To request state assistance or invoke emergency-related mutual-aid assistance pursuant to existing contracts and/or state or local law.

(f) To waive any procedures and formalities otherwise required of the town by law pertaining to performance of public work and/or the taking of whatever prudent action is necessary to ensure the health, safety, and welfare of the people of the town.

(g) To suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives and/or combustibles.

(h) To utilize all available resources of the town government as reasonably necessary to cope with the emergency occasioned by the disaster.

(i) To make provisions for availability and use of temporary emergency housing and emergency warehousing of materials.

(j) Preceding or during the emergency, to call on the National Guard or the Army, Coast Guard or other law enforcement division or other agency as necessary to assist in the mitigation of the emergency or to help maintain law and order, rescue and traffic control.

7. Pursuant to Sec. 12-24, "Prohibitions during state of emergency", of the Code of the Town of Fort Myers Beach, whenever a state of local emergency has been declared, and until such state of local emergency is terminated, the following prohibitions shall apply throughout the town, unless and until the same shall be waived or modified by a quorum of the town council at a general, special or emergency meeting:

(a) It shall be unlawful and an offense against the town for any person to use the fresh water supplied by the county or local water company for any purpose other than cooking, drinking or bathing.

(b) It shall be unlawful for any person to be out and about on the public rights-of-way or other public areas of the town between the dusk and dawn, except for law enforcement officers, members of the town fire control district, emergency medical personnel, town councilmembers, other persons authorized by the town manager, and regular employees of local businesses while traveling to and from their jobs for their regular hours, providing such employees have in their possession personal identification and identification of the business by which they are employed.

8. Any person who refuses to comply with or violates any provision of this declaration of local emergency shall be guilty of a municipal violation. Each day of such violation shall constitute a separate offense. Nothing herein contained shall prevent the town from taking such other lawful action in any court of competent jurisdiction as is necessary to prevent or remedy any refusal to comply with, or violation of, this article or the emergency measures which may be made effective pursuant to this article. Such other lawful action shall include but shall not be limited to,

an equitable action for injunctive relief or an action at law for damages. In addition, any person violating any rule or order issued pursuant to this Resolution or any person who willfully fails or refuses to comply with the order or orders of any duly authorized law enforcement officer or personnel charged with the responsibility for the enforcement of such orders shall, upon conviction therefore, be punished as provided by Section 252.50, Florida Statutes, and by such other laws as may be applicable to the offense.

SECTION 2. Conflicts. Any and all Resolutions or parts of Resolutions in conflict herewith are hereby repealed.

SECTION 3. Severability. If any provision or portion of this Resolution or the application is held invalid, the invalidity shall not affect other provisions, portions or applications of the Resolution, which can be given effect without the invalid provision, portion or application, and to this end the provisions, portions, or applications of this Resolution are declared severable.

SECTION 4. Effective Date and Termination Date. This Resolution shall take effect immediately upon the termination of the previously adopted state of local emergency and shall terminate automatically seven (7) days from that date unless terminated earlier or extended by a document of equal dignity herewith.

SECTION 5. Direction to Implement. The Town Manager is directed to implement this Resolution.

The foregoing Resolution was adopted by the Town Council upon a motion by _____ and seconded by _____, and upon being put to a roll call vote, the result was as follows:

Dan Allers, Mayor	___
Jim Atterholt, Vice Mayor	___
John R. King, Council Member	___
Scott Safford, Council Member	___
Karen Woodson, Council Member	___

ADOPTED this 2nd day of June 2025 by the Town Council of the Town of Fort Myers Beach, Florida.

FORT MYERS BEACH TOWN COUNCIL

_____
Dan Allers, Mayor

ATTEST:

_____
Amy Baker, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:

_____
Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on this __ day of June 2025.

RESOLUTION NUMBER 25-155

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, EXTENDING THE DECLARATION OF STATE OF LOCAL EMERGENCY DUE TO TROPICAL STORM DEBBY; 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

WHEREAS, Section 252.38(3), Florida Statutes, authorizes the Town of Fort Myers Beach to declare a state of local emergency and to waive the procedures and formalities otherwise required of political subdivisions by law; and

WHEREAS, Chapter 12 of the Town Code of the Town of Fort Myers Beach authorizes certain powers in the event of a local state of emergency; and

WHEREAS, a state of local emergency proclamation is allowed for seven (7) days with appropriate extensions pursuant to law; and

WHEREAS, the effects of Tropical Storm Debby impacted Fort Myers Beach and the current declaration of emergency that was adopted relating to that storm on August 5, 2024, must be extended.

THEREFORE, under the powers vested in it pursuant to Chapter 252, Florida Statutes, and under Chapter 12 of the Town Code of the Town of Fort Myers Beach, the **Town Council does hereby extend the proclamation of a state of local emergency in the Town of Fort Myers Beach, Florida, as identified above beginning at the end of the previously adopted state of local emergency to 7 days thereafter.**

SECTION 1. State of Local Emergency. The following emergency powers and other provisions shall be in force during this state of local emergency:

1. The Town Manager, or designee, is authorized to take all actions necessary and appropriate to protect human life and property, including the promulgation of rules and orders as may be necessary subject to the limitations of Section 252.33, Florida Statutes. This resolution further authorizes the Town Manager, or designee, to utilize all lawful authority granted to the Town of Fort Myers Beach by Federal, State, County, or Town Emergency Management Laws, Rules, Regulations, Orders and, including, but not limited to, Section 252.46 and Section 252.38(3)(a)(1) through Section 252.38(3)(a)(5), Florida Statutes, inclusive.

2. All existing laws, ordinances, and rules inconsistent with the provisions of Sections 252.31 to Section 252.905, Florida Statutes, inclusive, or inconsistent with any rule or order

specifically promulgated under this resolution shall be suspended during this period of time and to the extent that such conflict exists.

3. The Town Manager may suspend, toll or extend the time requirements, notice requirements and deadlines for final action on applications for permits, licenses, rates and other approvals under the Town of Fort Myers Beach Code of Ordinances, to the extent necessary to accommodate the emergency.

4. Pursuant to Section 252.38(3)(a)(5), Florida Statutes, the Town hereby exercises its authority and waives the procedures and formalities otherwise required of a political subdivision by law, pertaining to:

- Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;
- Entering into contracts;
- Incurring obligations;
- Employment of permanent and temporary workers;
- Utilization of volunteer workers;
- Rental of equipment;
- Acquisition and distribution, with or without compensation, of supplies, materials, and facilities; and
- Appropriation and expenditure of public funds

5. The Town Manager shall follow FEMA guidelines in procuring services, materials, labor and equipment necessary to respond to the emergency, including recovery efforts. The Town Manager shall abide by the "Uniform Administrative Requirements, Cost Principles, and Audit Requirements" for federal awards, codified at 2 C.F.R. §§200.317 through 200.326.

6. Pursuant to Section 12-23, of the Code of the Town of Fort Myers Beach, in addition to any other powers conferred by law, the town manager or designees shall have the power and authority to order and promulgate all or any of the following emergency measures to be effective during the period of such emergency in whole or in part, with such limitation and conditions as the town manager or designees may deem appropriate to protect the town's health, safety and welfare, and/or waive the procedures and formalities otherwise required of the town by law pertaining to these measures:

(a) To appropriate and expend funds; make contracts; incur obligations; obtain and distribute equipment, materials, and supplies for emergency management purposes; provide for the health and safety of persons and property, including emergency assistance to victims of any emergency; and direct and coordinate the implementation of emergency management plans and programs in accordance with the requirements of state and federal law.

(b) To appoint, employ, remove, or provide (with or without compensation) rescue teams, coordinators, other emergency management workers and other permanent or temporary workers.

(c) To establish, as necessary, primary and secondary emergency operating centers to provide continuity of government and direction and control of emergency operations.

(d) To assign and make available for duty the offices and agencies of the town, including the employees, property, or equipment thereof relating to health, medical and related services, transportation, construction, and similar items or services for emergency operation purposes, for deployment within or outside the limits of the town.

(e) To request state assistance or invoke emergency-related mutual-aid assistance pursuant to existing contracts and/or state or local law.

(f) To waive any procedures and formalities otherwise required of the town by law pertaining to performance of public work and/or the taking of whatever prudent action is necessary to ensure the health, safety, and welfare of the people of the town.

(g) To suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives and/or combustibles.

(h) To utilize all available resources of the town government as reasonably necessary to cope with the emergency occasioned by the disaster.

(i) To make provisions for availability and use of temporary emergency housing and emergency warehousing of materials.

(j) Preceding or during the emergency, to call on the National Guard or the Army, Coast Guard or other law enforcement division or other agency as necessary to assist in the mitigation of the emergency or to help maintain law and order, rescue and traffic control.

7. Pursuant to Sec. 12-24, "Prohibitions during state of emergency", of the Code of the Town of Fort Myers Beach, whenever a state of local emergency has been declared, and until such state of local emergency is terminated, the following prohibitions shall apply throughout the town, unless and until the same shall be waived or modified by a quorum of the town council at a general, special or emergency meeting:

(a) It shall be unlawful and an offense against the town for any person to use the fresh water supplied by the county or local water company for any purpose other than cooking, drinking or bathing.

(b) It shall be unlawful for any person to be out and about on the public rights-of-way or other public areas of the town between the dusk and dawn, except for law enforcement officers, members of the town fire control district, emergency medical personnel, town councilmembers, other persons authorized by the town manager, and regular employees of local businesses while traveling to and from their jobs for their regular hours, providing such employees have in their possession personal identification and identification of the business by which they are employed.

8. Any person who refuses to comply with or violates any provision of this declaration of local emergency shall be guilty of a municipal violation. Each day of such violation shall constitute a separate offense. Nothing herein contained shall prevent the town from taking such other lawful action in any court of competent jurisdiction as is necessary to prevent or remedy any refusal to comply with, or violation of, this article or the emergency measures which may be made effective pursuant to this article. Such other lawful action shall include but shall not be limited to,

an equitable action for injunctive relief or an action at law for damages. In addition, any person violating any rule or order issued pursuant to this Resolution or any person who willfully fails or refuses to comply with the order or orders of any duly authorized law enforcement officer or personnel charged with the responsibility for the enforcement of such orders shall, upon conviction therefore, be punished as provided by Section 252.50, Florida Statutes, and by such other laws as may be applicable to the offense.

SECTION 2. Conflicts. Any and all Resolutions or parts of Resolutions in conflict herewith are hereby repealed.

SECTION 3. Severability. If any provision or portion of this Resolution or the application is held invalid, the invalidity shall not affect other provisions, portions or applications of the Resolution, which can be given effect without the invalid provision, portion or application, and to this end the provisions, portions, or applications of this Resolution are declared severable.

SECTION 4. Effective Date and Termination Date. This Resolution shall take effect immediately upon the termination of the previously adopted state of local emergency and shall terminate automatically seven (7) days from that date unless terminated earlier or extended by a document of equal dignity herewith.

SECTION 5. Direction to Implement. The Town Manager is directed to implement this Resolution.

The foregoing Resolution was adopted by the Town Council upon a motion by _____ and seconded by _____, and upon being put to a roll call vote, the result was as follows:

Dan Allers, Mayor	___
Jim Atterholt, Vice Mayor	___
John R. King, Council Member	___
Scott Safford, Council Member	___
Karen Woodson, Council Member	___

ADOPTED this 2nd day of June 2025 by the Town Council of the Town of Fort Myers Beach, Florida.

FORT MYERS BEACH TOWN COUNCIL

_____
Dan Allers, Mayor

ATTEST:

_____
Amy Baker, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:

_____
Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on this __ day of June 2025.

RESOLUTION NUMBER 25-156

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, EXTENDING THE DECLARATION OF STATE OF LOCAL EMERGENCY DUE TO TROPICAL STORM DEBBY; 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

WHEREAS, Section 252.38(3), Florida Statutes, authorizes the Town of Fort Myers Beach to declare a state of local emergency and to waive the procedures and formalities otherwise required of political subdivisions by law; and

WHEREAS, Chapter 12 of the Town Code of the Town of Fort Myers Beach authorizes certain powers in the event of a local state of emergency; and

WHEREAS, a state of local emergency proclamation is allowed for seven (7) days with appropriate extensions pursuant to law; and

WHEREAS, the effects of Tropical Storm Debby impacted Fort Myers Beach and the current declaration of emergency that was adopted relating to that storm on August 5, 2024, must be extended.

THEREFORE, under the powers vested in it pursuant to Chapter 252, Florida Statutes, and under Chapter 12 of the Town Code of the Town of Fort Myers Beach, the **Town Council does hereby extend the proclamation of a state of local emergency in the Town of Fort Myers Beach, Florida, as identified above beginning at the end of the previously adopted state of local emergency to 7 days thereafter.**

SECTION 1. State of Local Emergency. The following emergency powers and other provisions shall be in force during this state of local emergency:

1. The Town Manager, or designee, is authorized to take all actions necessary and appropriate to protect human life and property, including the promulgation of rules and orders as may be necessary subject to the limitations of Section 252.33, Florida Statutes. This resolution further authorizes the Town Manager, or designee, to utilize all lawful authority granted to the Town of Fort Myers Beach by Federal, State, County, or Town Emergency Management Laws, Rules, Regulations, Orders and, including, but not limited to, Section 252.46 and Section 252.38(3)(a)(1) through Section 252.38(3)(a)(5), Florida Statutes, inclusive.

2. All existing laws, ordinances, and rules inconsistent with the provisions of Sections 252.31 to Section 252.905, Florida Statutes, inclusive, or inconsistent with any rule or order

specifically promulgated under this resolution shall be suspended during this period of time and to the extent that such conflict exists.

3. The Town Manager may suspend, toll or extend the time requirements, notice requirements and deadlines for final action on applications for permits, licenses, rates and other approvals under the Town of Fort Myers Beach Code of Ordinances, to the extent necessary to accommodate the emergency.

4. Pursuant to Section 252.38(3)(a)(5), Florida Statutes, the Town hereby exercises its authority and waives the procedures and formalities otherwise required of a political subdivision by law, pertaining to:

- Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;
- Entering into contracts;
- Incurring obligations;
- Employment of permanent and temporary workers;
- Utilization of volunteer workers;
- Rental of equipment;
- Acquisition and distribution, with or without compensation, of supplies, materials, and facilities; and
- Appropriation and expenditure of public funds

5. The Town Manager shall follow FEMA guidelines in procuring services, materials, labor and equipment necessary to respond to the emergency, including recovery efforts. The Town Manager shall abide by the "Uniform Administrative Requirements, Cost Principles, and Audit Requirements" for federal awards, codified at 2 C.F.R. §§200.317 through 200.326.

6. Pursuant to Section 12-23, of the Code of the Town of Fort Myers Beach, in addition to any other powers conferred by law, the town manager or designees shall have the power and authority to order and promulgate all or any of the following emergency measures to be effective during the period of such emergency in whole or in part, with such limitation and conditions as the town manager or designees may deem appropriate to protect the town's health, safety and welfare, and/or waive the procedures and formalities otherwise required of the town by law pertaining to these measures:

(a) To appropriate and expend funds; make contracts; incur obligations; obtain and distribute equipment, materials, and supplies for emergency management purposes; provide for the health and safety of persons and property, including emergency assistance to victims of any emergency; and direct and coordinate the implementation of emergency management plans and programs in accordance with the requirements of state and federal law.

(b) To appoint, employ, remove, or provide (with or without compensation) rescue teams, coordinators, other emergency management workers and other permanent or temporary workers.

(c) To establish, as necessary, primary and secondary emergency operating centers to provide continuity of government and direction and control of emergency operations.

(d) To assign and make available for duty the offices and agencies of the town, including the employees, property, or equipment thereof relating to health, medical and related services, transportation, construction, and similar items or services for emergency operation purposes, for deployment within or outside the limits of the town.

(e) To request state assistance or invoke emergency-related mutual-aid assistance pursuant to existing contracts and/or state or local law.

(f) To waive any procedures and formalities otherwise required of the town by law pertaining to performance of public work and/or the taking of whatever prudent action is necessary to ensure the health, safety, and welfare of the people of the town.

(g) To suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives and/or combustibles.

(h) To utilize all available resources of the town government as reasonably necessary to cope with the emergency occasioned by the disaster.

(i) To make provisions for availability and use of temporary emergency housing and emergency warehousing of materials.

(j) Preceding or during the emergency, to call on the National Guard or the Army, Coast Guard or other law enforcement division or other agency as necessary to assist in the mitigation of the emergency or to help maintain law and order, rescue and traffic control.

7. Pursuant to Sec. 12-24, "Prohibitions during state of emergency", of the Code of the Town of Fort Myers Beach, whenever a state of local emergency has been declared, and until such state of local emergency is terminated, the following prohibitions shall apply throughout the town, unless and until the same shall be waived or modified by a quorum of the town council at a general, special or emergency meeting:

(a) It shall be unlawful and an offense against the town for any person to use the fresh water supplied by the county or local water company for any purpose other than cooking, drinking or bathing.

(b) It shall be unlawful for any person to be out and about on the public rights-of-way or other public areas of the town between the dusk and dawn, except for law enforcement officers, members of the town fire control district, emergency medical personnel, town councilmembers, other persons authorized by the town manager, and regular employees of local businesses while traveling to and from their jobs for their regular hours, providing such employees have in their possession personal identification and identification of the business by which they are employed.

8. Any person who refuses to comply with or violates any provision of this declaration of local emergency shall be guilty of a municipal violation. Each day of such violation shall constitute a separate offense. Nothing herein contained shall prevent the town from taking such other lawful action in any court of competent jurisdiction as is necessary to prevent or remedy any refusal to comply with, or violation of, this article or the emergency measures which may be made effective pursuant to this article. Such other lawful action shall include but shall not be limited to,

an equitable action for injunctive relief or an action at law for damages. In addition, any person violating any rule or order issued pursuant to this Resolution or any person who willfully fails or refuses to comply with the order or orders of any duly authorized law enforcement officer or personnel charged with the responsibility for the enforcement of such orders shall, upon conviction therefore, be punished as provided by Section 252.50, Florida Statutes, and by such other laws as may be applicable to the offense.

SECTION 2. Conflicts. Any and all Resolutions or parts of Resolutions in conflict herewith are hereby repealed.

SECTION 3. Severability. If any provision or portion of this Resolution or the application is held invalid, the invalidity shall not affect other provisions, portions or applications of the Resolution, which can be given effect without the invalid provision, portion or application, and to this end the provisions, portions, or applications of this Resolution are declared severable.

SECTION 4. Effective Date and Termination Date. This Resolution shall take effect immediately upon the termination of the previously adopted state of local emergency and shall terminate automatically seven (7) days from that date unless terminated earlier or extended by a document of equal dignity herewith.

SECTION 5. Direction to Implement. The Town Manager is directed to implement this Resolution.

The foregoing Resolution was adopted by the Town Council upon a motion by _____ and seconded by _____, and upon being put to a roll call vote, the result was as follows:

Dan Allers, Mayor	___
Jim Atterholt, Vice Mayor	___
John R. King, Council Member	___
Scott Safford, Council Member	___
Karen Woodson, Council Member	___

ADOPTED this 2nd day of June 2025 by the Town Council of the Town of Fort Myers Beach, Florida.

FORT MYERS BEACH TOWN COUNCIL

_____
Dan Allers, Mayor

ATTEST:

_____
Amy Baker, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:

_____
Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on this __ day of June 2025.

RESOLUTION NUMBER 25-157

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, EXTENDING THE DECLARATION OF STATE OF LOCAL EMERGENCY DUE TO TROPICAL STORM DEBBY; 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

WHEREAS, Section 252.38(3), Florida Statutes, authorizes the Town of Fort Myers Beach to declare a state of local emergency and to waive the procedures and formalities otherwise required of political subdivisions by law; and

WHEREAS, Chapter 12 of the Town Code of the Town of Fort Myers Beach authorizes certain powers in the event of a local state of emergency; and

WHEREAS, a state of local emergency proclamation is allowed for seven (7) days with appropriate extensions pursuant to law; and

WHEREAS, the effects of Tropical Storm Debby impacted Fort Myers Beach and the current declaration of emergency that was adopted relating to that storm on August 5, 2024, must be extended.

THEREFORE, under the powers vested in it pursuant to Chapter 252, Florida Statutes, and under Chapter 12 of the Town Code of the Town of Fort Myers Beach, the **Town Council does hereby extend the proclamation of a state of local emergency in the Town of Fort Myers Beach, Florida, as identified above beginning at the end of the previously adopted state of local emergency to 7 days thereafter.**

SECTION 1. State of Local Emergency. The following emergency powers and other provisions shall be in force during this state of local emergency:

1. The Town Manager, or designee, is authorized to take all actions necessary and appropriate to protect human life and property, including the promulgation of rules and orders as may be necessary subject to the limitations of Section 252.33, Florida Statutes. This resolution further authorizes the Town Manager, or designee, to utilize all lawful authority granted to the Town of Fort Myers Beach by Federal, State, County, or Town Emergency Management Laws, Rules, Regulations, Orders and, including, but not limited to, Section 252.46 and Section 252.38(3)(a)(1) through Section 252.38(3)(a)(5), Florida Statutes, inclusive.

2. All existing laws, ordinances, and rules inconsistent with the provisions of Sections 252.31 to Section 252.905, Florida Statutes, inclusive, or inconsistent with any rule or order

specifically promulgated under this resolution shall be suspended during this period of time and to the extent that such conflict exists.

3. The Town Manager may suspend, toll or extend the time requirements, notice requirements and deadlines for final action on applications for permits, licenses, rates and other approvals under the Town of Fort Myers Beach Code of Ordinances, to the extent necessary to accommodate the emergency.

4. Pursuant to Section 252.38(3)(a)(5), Florida Statutes, the Town hereby exercises its authority and waives the procedures and formalities otherwise required of a political subdivision by law, pertaining to:

- Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;
- Entering into contracts;
- Incurring obligations;
- Employment of permanent and temporary workers;
- Utilization of volunteer workers;
- Rental of equipment;
- Acquisition and distribution, with or without compensation, of supplies, materials, and facilities; and
- Appropriation and expenditure of public funds

5. The Town Manager shall follow FEMA guidelines in procuring services, materials, labor and equipment necessary to respond to the emergency, including recovery efforts. The Town Manager shall abide by the "Uniform Administrative Requirements, Cost Principles, and Audit Requirements" for federal awards, codified at 2 C.F.R. §§200.317 through 200.326.

6. Pursuant to Section 12-23, of the Code of the Town of Fort Myers Beach, in addition to any other powers conferred by law, the town manager or designees shall have the power and authority to order and promulgate all or any of the following emergency measures to be effective during the period of such emergency in whole or in part, with such limitation and conditions as the town manager or designees may deem appropriate to protect the town's health, safety and welfare, and/or waive the procedures and formalities otherwise required of the town by law pertaining to these measures:

(a) To appropriate and expend funds; make contracts; incur obligations; obtain and distribute equipment, materials, and supplies for emergency management purposes; provide for the health and safety of persons and property, including emergency assistance to victims of any emergency; and direct and coordinate the implementation of emergency management plans and programs in accordance with the requirements of state and federal law.

(b) To appoint, employ, remove, or provide (with or without compensation) rescue teams, coordinators, other emergency management workers and other permanent or temporary workers.

(c) To establish, as necessary, primary and secondary emergency operating centers to provide continuity of government and direction and control of emergency operations.

(d) To assign and make available for duty the offices and agencies of the town, including the employees, property, or equipment thereof relating to health, medical and related services, transportation, construction, and similar items or services for emergency operation purposes, for deployment within or outside the limits of the town.

(e) To request state assistance or invoke emergency-related mutual-aid assistance pursuant to existing contracts and/or state or local law.

(f) To waive any procedures and formalities otherwise required of the town by law pertaining to performance of public work and/or the taking of whatever prudent action is necessary to ensure the health, safety, and welfare of the people of the town.

(g) To suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives and/or combustibles.

(h) To utilize all available resources of the town government as reasonably necessary to cope with the emergency occasioned by the disaster.

(i) To make provisions for availability and use of temporary emergency housing and emergency warehousing of materials.

(j) Preceding or during the emergency, to call on the National Guard or the Army, Coast Guard or other law enforcement division or other agency as necessary to assist in the mitigation of the emergency or to help maintain law and order, rescue and traffic control.

7. Pursuant to Sec. 12-24, "Prohibitions during state of emergency", of the Code of the Town of Fort Myers Beach, whenever a state of local emergency has been declared, and until such state of local emergency is terminated, the following prohibitions shall apply throughout the town, unless and until the same shall be waived or modified by a quorum of the town council at a general, special or emergency meeting:

(a) It shall be unlawful and an offense against the town for any person to use the fresh water supplied by the county or local water company for any purpose other than cooking, drinking or bathing.

(b) It shall be unlawful for any person to be out and about on the public rights-of-way or other public areas of the town between the dusk and dawn, except for law enforcement officers, members of the town fire control district, emergency medical personnel, town councilmembers, other persons authorized by the town manager, and regular employees of local businesses while traveling to and from their jobs for their regular hours, providing such employees have in their possession personal identification and identification of the business by which they are employed.

8. Any person who refuses to comply with or violates any provision of this declaration of local emergency shall be guilty of a municipal violation. Each day of such violation shall constitute a separate offense. Nothing herein contained shall prevent the town from taking such other lawful action in any court of competent jurisdiction as is necessary to prevent or remedy any refusal to comply with, or violation of, this article or the emergency measures which may be made effective pursuant to this article. Such other lawful action shall include but shall not be limited to,

an equitable action for injunctive relief or an action at law for damages. In addition, any person violating any rule or order issued pursuant to this Resolution or any person who willfully fails or refuses to comply with the order or orders of any duly authorized law enforcement officer or personnel charged with the responsibility for the enforcement of such orders shall, upon conviction therefore, be punished as provided by Section 252.50, Florida Statutes, and by such other laws as may be applicable to the offense.

SECTION 2. Conflicts. Any and all Resolutions or parts of Resolutions in conflict herewith are hereby repealed.

SECTION 3. Severability. If any provision or portion of this Resolution or the application is held invalid, the invalidity shall not affect other provisions, portions or applications of the Resolution, which can be given effect without the invalid provision, portion or application, and to this end the provisions, portions, or applications of this Resolution are declared severable.

SECTION 4. Effective Date and Termination Date. This Resolution shall take effect immediately upon the termination of the previously adopted state of local emergency and shall terminate automatically seven (7) days from that date unless terminated earlier or extended by a document of equal dignity herewith.

SECTION 5. Direction to Implement. The Town Manager is directed to implement this Resolution.

The foregoing Resolution was adopted by the Town Council upon a motion by _____ and seconded by _____, and upon being put to a roll call vote, the result was as follows:

Dan Allers, Mayor	___
Jim Atterholt, Vice Mayor	___
John R. King, Council Member	___
Scott Safford, Council Member	___
Karen Woodson, Council Member	___

ADOPTED this 2nd day of June 2025 by the Town Council of the Town of Fort Myers Beach, Florida.

FORT MYERS BEACH TOWN COUNCIL

_____
Dan Allers, Mayor

ATTEST:

_____
Amy Baker, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:

_____
Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on this __ day of June 2025.

RESOLUTION NUMBER 25-158

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, EXTENDING THE DECLARATION OF STATE OF LOCAL EMERGENCY DUE TO TROPICAL STORM DEBBY; 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

WHEREAS, Section 252.38(3), Florida Statutes, authorizes the Town of Fort Myers Beach to declare a state of local emergency and to waive the procedures and formalities otherwise required of political subdivisions by law; and

WHEREAS, Chapter 12 of the Town Code of the Town of Fort Myers Beach authorizes certain powers in the event of a local state of emergency; and

WHEREAS, a state of local emergency proclamation is allowed for seven (7) days with appropriate extensions pursuant to law; and

WHEREAS, the effects of Tropical Storm Debby impacted Fort Myers Beach and the current declaration of emergency that was adopted relating to that storm on August 5, 2024, must be extended.

THEREFORE, under the powers vested in it pursuant to Chapter 252, Florida Statutes, and under Chapter 12 of the Town Code of the Town of Fort Myers Beach, the **Town Council does hereby extend the proclamation of a state of local emergency in the Town of Fort Myers Beach, Florida, as identified above beginning at the end of the previously adopted state of local emergency to 7 days thereafter.**

SECTION 1. State of Local Emergency. The following emergency powers and other provisions shall be in force during this state of local emergency:

1. The Town Manager, or designee, is authorized to take all actions necessary and appropriate to protect human life and property, including the promulgation of rules and orders as may be necessary subject to the limitations of Section 252.33, Florida Statutes. This resolution further authorizes the Town Manager, or designee, to utilize all lawful authority granted to the Town of Fort Myers Beach by Federal, State, County, or Town Emergency Management Laws, Rules, Regulations, Orders and, including, but not limited to, Section 252.46 and Section 252.38(3)(a)(1) through Section 252.38(3)(a)(5), Florida Statutes, inclusive.

2. All existing laws, ordinances, and rules inconsistent with the provisions of Sections 252.31 to Section 252.905, Florida Statutes, inclusive, or inconsistent with any rule or order

specifically promulgated under this resolution shall be suspended during this period of time and to the extent that such conflict exists.

3. The Town Manager may suspend, toll or extend the time requirements, notice requirements and deadlines for final action on applications for permits, licenses, rates and other approvals under the Town of Fort Myers Beach Code of Ordinances, to the extent necessary to accommodate the emergency.

4. Pursuant to Section 252.38(3)(a)(5), Florida Statutes, the Town hereby exercises its authority and waives the procedures and formalities otherwise required of a political subdivision by law, pertaining to:

- Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;
- Entering into contracts;
- Incurring obligations;
- Employment of permanent and temporary workers;
- Utilization of volunteer workers;
- Rental of equipment;
- Acquisition and distribution, with or without compensation, of supplies, materials, and facilities; and
- Appropriation and expenditure of public funds

5. The Town Manager shall follow FEMA guidelines in procuring services, materials, labor and equipment necessary to respond to the emergency, including recovery efforts. The Town Manager shall abide by the "Uniform Administrative Requirements, Cost Principles, and Audit Requirements" for federal awards, codified at 2 C.F.R. §§200.317 through 200.326.

6. Pursuant to Section 12-23, of the Code of the Town of Fort Myers Beach, in addition to any other powers conferred by law, the town manager or designees shall have the power and authority to order and promulgate all or any of the following emergency measures to be effective during the period of such emergency in whole or in part, with such limitation and conditions as the town manager or designees may deem appropriate to protect the town's health, safety and welfare, and/or waive the procedures and formalities otherwise required of the town by law pertaining to these measures:

(a) To appropriate and expend funds; make contracts; incur obligations; obtain and distribute equipment, materials, and supplies for emergency management purposes; provide for the health and safety of persons and property, including emergency assistance to victims of any emergency; and direct and coordinate the implementation of emergency management plans and programs in accordance with the requirements of state and federal law.

(b) To appoint, employ, remove, or provide (with or without compensation) rescue teams, coordinators, other emergency management workers and other permanent or temporary workers.

(c) To establish, as necessary, primary and secondary emergency operating centers to provide continuity of government and direction and control of emergency operations.

(d) To assign and make available for duty the offices and agencies of the town, including the employees, property, or equipment thereof relating to health, medical and related services, transportation, construction, and similar items or services for emergency operation purposes, for deployment within or outside the limits of the town.

(e) To request state assistance or invoke emergency-related mutual-aid assistance pursuant to existing contracts and/or state or local law.

(f) To waive any procedures and formalities otherwise required of the town by law pertaining to performance of public work and/or the taking of whatever prudent action is necessary to ensure the health, safety, and welfare of the people of the town.

(g) To suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives and/or combustibles.

(h) To utilize all available resources of the town government as reasonably necessary to cope with the emergency occasioned by the disaster.

(i) To make provisions for availability and use of temporary emergency housing and emergency warehousing of materials.

(j) Preceding or during the emergency, to call on the National Guard or the Army, Coast Guard or other law enforcement division or other agency as necessary to assist in the mitigation of the emergency or to help maintain law and order, rescue and traffic control.

7. Pursuant to Sec. 12-24, "Prohibitions during state of emergency", of the Code of the Town of Fort Myers Beach, whenever a state of local emergency has been declared, and until such state of local emergency is terminated, the following prohibitions shall apply throughout the town, unless and until the same shall be waived or modified by a quorum of the town council at a general, special or emergency meeting:

(a) It shall be unlawful and an offense against the town for any person to use the fresh water supplied by the county or local water company for any purpose other than cooking, drinking or bathing.

(b) It shall be unlawful for any person to be out and about on the public rights-of-way or other public areas of the town between the dusk and dawn, except for law enforcement officers, members of the town fire control district, emergency medical personnel, town councilmembers, other persons authorized by the town manager, and regular employees of local businesses while traveling to and from their jobs for their regular hours, providing such employees have in their possession personal identification and identification of the business by which they are employed.

8. Any person who refuses to comply with or violates any provision of this declaration of local emergency shall be guilty of a municipal violation. Each day of such violation shall constitute a separate offense. Nothing herein contained shall prevent the town from taking such other lawful action in any court of competent jurisdiction as is necessary to prevent or remedy any refusal to comply with, or violation of, this article or the emergency measures which may be made effective pursuant to this article. Such other lawful action shall include but shall not be limited to,

an equitable action for injunctive relief or an action at law for damages. In addition, any person violating any rule or order issued pursuant to this Resolution or any person who willfully fails or refuses to comply with the order or orders of any duly authorized law enforcement officer or personnel charged with the responsibility for the enforcement of such orders shall, upon conviction therefore, be punished as provided by Section 252.50, Florida Statutes, and by such other laws as may be applicable to the offense.

SECTION 2. Conflicts. Any and all Resolutions or parts of Resolutions in conflict herewith are hereby repealed.

SECTION 3. Severability. If any provision or portion of this Resolution or the application is held invalid, the invalidity shall not affect other provisions, portions or applications of the Resolution, which can be given effect without the invalid provision, portion or application, and to this end the provisions, portions, or applications of this Resolution are declared severable.

SECTION 4. Effective Date and Termination Date. This Resolution shall take effect immediately upon the termination of the previously adopted state of local emergency and shall terminate automatically seven (7) days from that date unless terminated earlier or extended by a document of equal dignity herewith.

SECTION 5. Direction to Implement. The Town Manager is directed to implement this Resolution.

The foregoing Resolution was adopted by the Town Council upon a motion by _____ and seconded by _____, and upon being put to a roll call vote, the result was as follows:

Dan Allers, Mayor	___
Jim Atterholt, Vice Mayor	___
John R. King, Council Member	___
Scott Safford, Council Member	___
Karen Woodson, Council Member	___

ADOPTED this 2nd day of June 2025 by the Town Council of the Town of Fort Myers Beach, Florida.

FORT MYERS BEACH TOWN COUNCIL

_____
Dan Allers, Mayor

ATTEST:

_____
Amy Baker, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:

_____
Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on this __ day of June 2025.

RESOLUTION NUMBER 25-159

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, EXTENDING THE DECLARATION OF STATE OF LOCAL EMERGENCY DUE TO TROPICAL STORM DEBBY; 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

WHEREAS, Section 252.38(3), Florida Statutes, authorizes the Town of Fort Myers Beach to declare a state of local emergency and to waive the procedures and formalities otherwise required of political subdivisions by law; and

WHEREAS, Chapter 12 of the Town Code of the Town of Fort Myers Beach authorizes certain powers in the event of a local state of emergency; and

WHEREAS, a state of local emergency proclamation is allowed for seven (7) days with appropriate extensions pursuant to law; and

WHEREAS, the effects of Tropical Storm Debby impacted Fort Myers Beach and the current declaration of emergency that was adopted relating to that storm on August 5, 2024, must be extended.

THEREFORE, under the powers vested in it pursuant to Chapter 252, Florida Statutes, and under Chapter 12 of the Town Code of the Town of Fort Myers Beach, the **Town Council does hereby extend the proclamation of a state of local emergency in the Town of Fort Myers Beach, Florida, as identified above beginning at the end of the previously adopted state of local emergency to 7 days thereafter.**

SECTION 1. State of Local Emergency. The following emergency powers and other provisions shall be in force during this state of local emergency:

1. The Town Manager, or designee, is authorized to take all actions necessary and appropriate to protect human life and property, including the promulgation of rules and orders as may be necessary subject to the limitations of Section 252.33, Florida Statutes. This resolution further authorizes the Town Manager, or designee, to utilize all lawful authority granted to the Town of Fort Myers Beach by Federal, State, County, or Town Emergency Management Laws, Rules, Regulations, Orders and, including, but not limited to, Section 252.46 and Section 252.38(3)(a)(1) through Section 252.38(3)(a)(5), Florida Statutes, inclusive.

2. All existing laws, ordinances, and rules inconsistent with the provisions of Sections 252.31 to Section 252.905, Florida Statutes, inclusive, or inconsistent with any rule or order

specifically promulgated under this resolution shall be suspended during this period of time and to the extent that such conflict exists.

3. The Town Manager may suspend, toll or extend the time requirements, notice requirements and deadlines for final action on applications for permits, licenses, rates and other approvals under the Town of Fort Myers Beach Code of Ordinances, to the extent necessary to accommodate the emergency.

4. Pursuant to Section 252.38(3)(a)(5), Florida Statutes, the Town hereby exercises its authority and waives the procedures and formalities otherwise required of a political subdivision by law, pertaining to:

- Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;
- Entering into contracts;
- Incurring obligations;
- Employment of permanent and temporary workers;
- Utilization of volunteer workers;
- Rental of equipment;
- Acquisition and distribution, with or without compensation, of supplies, materials, and facilities; and
- Appropriation and expenditure of public funds

5. The Town Manager shall follow FEMA guidelines in procuring services, materials, labor and equipment necessary to respond to the emergency, including recovery efforts. The Town Manager shall abide by the "Uniform Administrative Requirements, Cost Principles, and Audit Requirements" for federal awards, codified at 2 C.F.R. §§200.317 through 200.326.

6. Pursuant to Section 12-23, of the Code of the Town of Fort Myers Beach, in addition to any other powers conferred by law, the town manager or designees shall have the power and authority to order and promulgate all or any of the following emergency measures to be effective during the period of such emergency in whole or in part, with such limitation and conditions as the town manager or designees may deem appropriate to protect the town's health, safety and welfare, and/or waive the procedures and formalities otherwise required of the town by law pertaining to these measures:

(a) To appropriate and expend funds; make contracts; incur obligations; obtain and distribute equipment, materials, and supplies for emergency management purposes; provide for the health and safety of persons and property, including emergency assistance to victims of any emergency; and direct and coordinate the implementation of emergency management plans and programs in accordance with the requirements of state and federal law.

(b) To appoint, employ, remove, or provide (with or without compensation) rescue teams, coordinators, other emergency management workers and other permanent or temporary workers.

(c) To establish, as necessary, primary and secondary emergency operating centers to provide continuity of government and direction and control of emergency operations.

(d) To assign and make available for duty the offices and agencies of the town, including the employees, property, or equipment thereof relating to health, medical and related services, transportation, construction, and similar items or services for emergency operation purposes, for deployment within or outside the limits of the town.

(e) To request state assistance or invoke emergency-related mutual-aid assistance pursuant to existing contracts and/or state or local law.

(f) To waive any procedures and formalities otherwise required of the town by law pertaining to performance of public work and/or the taking of whatever prudent action is necessary to ensure the health, safety, and welfare of the people of the town.

(g) To suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives and/or combustibles.

(h) To utilize all available resources of the town government as reasonably necessary to cope with the emergency occasioned by the disaster.

(i) To make provisions for availability and use of temporary emergency housing and emergency warehousing of materials.

(j) Preceding or during the emergency, to call on the National Guard or the Army, Coast Guard or other law enforcement division or other agency as necessary to assist in the mitigation of the emergency or to help maintain law and order, rescue and traffic control.

7. Pursuant to Sec. 12-24, "Prohibitions during state of emergency", of the Code of the Town of Fort Myers Beach, whenever a state of local emergency has been declared, and until such state of local emergency is terminated, the following prohibitions shall apply throughout the town, unless and until the same shall be waived or modified by a quorum of the town council at a general, special or emergency meeting:

(a) It shall be unlawful and an offense against the town for any person to use the fresh water supplied by the county or local water company for any purpose other than cooking, drinking or bathing.

(b) It shall be unlawful for any person to be out and about on the public rights-of-way or other public areas of the town between the dusk and dawn, except for law enforcement officers, members of the town fire control district, emergency medical personnel, town councilmembers, other persons authorized by the town manager, and regular employees of local businesses while traveling to and from their jobs for their regular hours, providing such employees have in their possession personal identification and identification of the business by which they are employed.

8. Any person who refuses to comply with or violates any provision of this declaration of local emergency shall be guilty of a municipal violation. Each day of such violation shall constitute a separate offense. Nothing herein contained shall prevent the town from taking such other lawful action in any court of competent jurisdiction as is necessary to prevent or remedy any refusal to comply with, or violation of, this article or the emergency measures which may be made effective pursuant to this article. Such other lawful action shall include but shall not be limited to,

an equitable action for injunctive relief or an action at law for damages. In addition, any person violating any rule or order issued pursuant to this Resolution or any person who willfully fails or refuses to comply with the order or orders of any duly authorized law enforcement officer or personnel charged with the responsibility for the enforcement of such orders shall, upon conviction therefore, be punished as provided by Section 252.50, Florida Statutes, and by such other laws as may be applicable to the offense.

SECTION 2. Conflicts. Any and all Resolutions or parts of Resolutions in conflict herewith are hereby repealed.

SECTION 3. Severability. If any provision or portion of this Resolution or the application is held invalid, the invalidity shall not affect other provisions, portions or applications of the Resolution, which can be given effect without the invalid provision, portion or application, and to this end the provisions, portions, or applications of this Resolution are declared severable.

SECTION 4. Effective Date and Termination Date. This Resolution shall take effect immediately upon the termination of the previously adopted state of local emergency and shall terminate automatically seven (7) days from that date unless terminated earlier or extended by a document of equal dignity herewith.

SECTION 5. Direction to Implement. The Town Manager is directed to implement this Resolution.

The foregoing Resolution was adopted by the Town Council upon a motion by _____ and seconded by _____, and upon being put to a roll call vote, the result was as follows:

Dan Allers, Mayor	___
Jim Atterholt, Vice Mayor	___
John R. King, Council Member	___
Scott Safford, Council Member	___
Karen Woodson, Council Member	___

ADOPTED this 2nd day of June 2025 by the Town Council of the Town of Fort Myers Beach, Florida.

FORT MYERS BEACH TOWN COUNCIL

_____
Dan Allers, Mayor

ATTEST:

_____
Amy Baker, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:

_____
Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on this __ day of June 2025.

RESOLUTION NUMBER 25-160

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, EXTENDING THE DECLARATION OF STATE OF LOCAL EMERGENCY DUE TO TROPICAL STORM DEBBY; 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

WHEREAS, Section 252.38(3), Florida Statutes, authorizes the Town of Fort Myers Beach to declare a state of local emergency and to waive the procedures and formalities otherwise required of political subdivisions by law; and

WHEREAS, Chapter 12 of the Town Code of the Town of Fort Myers Beach authorizes certain powers in the event of a local state of emergency; and

WHEREAS, a state of local emergency proclamation is allowed for seven (7) days with appropriate extensions pursuant to law; and

WHEREAS, the effects of Tropical Storm Debby impacted Fort Myers Beach and the current declaration of emergency that was adopted relating to that storm on August 5, 2024, must be extended.

THEREFORE, under the powers vested in it pursuant to Chapter 252, Florida Statutes, and under Chapter 12 of the Town Code of the Town of Fort Myers Beach, the **Town Council does hereby extend the proclamation of a state of local emergency in the Town of Fort Myers Beach, Florida, as identified above beginning at the end of the previously adopted state of local emergency to 7 days thereafter.**

SECTION 1. State of Local Emergency. The following emergency powers and other provisions shall be in force during this state of local emergency:

1. The Town Manager, or designee, is authorized to take all actions necessary and appropriate to protect human life and property, including the promulgation of rules and orders as may be necessary subject to the limitations of Section 252.33, Florida Statutes. This resolution further authorizes the Town Manager, or designee, to utilize all lawful authority granted to the Town of Fort Myers Beach by Federal, State, County, or Town Emergency Management Laws, Rules, Regulations, Orders and, including, but not limited to, Section 252.46 and Section 252.38(3)(a)(1) through Section 252.38(3)(a)(5), Florida Statutes, inclusive.

2. All existing laws, ordinances, and rules inconsistent with the provisions of Sections 252.31 to Section 252.905, Florida Statutes, inclusive, or inconsistent with any rule or order

specifically promulgated under this resolution shall be suspended during this period of time and to the extent that such conflict exists.

3. The Town Manager may suspend, toll or extend the time requirements, notice requirements and deadlines for final action on applications for permits, licenses, rates and other approvals under the Town of Fort Myers Beach Code of Ordinances, to the extent necessary to accommodate the emergency.

4. Pursuant to Section 252.38(3)(a)(5), Florida Statutes, the Town hereby exercises its authority and waives the procedures and formalities otherwise required of a political subdivision by law, pertaining to:

- Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;
- Entering into contracts;
- Incurring obligations;
- Employment of permanent and temporary workers;
- Utilization of volunteer workers;
- Rental of equipment;
- Acquisition and distribution, with or without compensation, of supplies, materials, and facilities; and
- Appropriation and expenditure of public funds

5. The Town Manager shall follow FEMA guidelines in procuring services, materials, labor and equipment necessary to respond to the emergency, including recovery efforts. The Town Manager shall abide by the "Uniform Administrative Requirements, Cost Principles, and Audit Requirements" for federal awards, codified at 2 C.F.R. §§200.317 through 200.326.

6. Pursuant to Section 12-23, of the Code of the Town of Fort Myers Beach, in addition to any other powers conferred by law, the town manager or designees shall have the power and authority to order and promulgate all or any of the following emergency measures to be effective during the period of such emergency in whole or in part, with such limitation and conditions as the town manager or designees may deem appropriate to protect the town's health, safety and welfare, and/or waive the procedures and formalities otherwise required of the town by law pertaining to these measures:

(a) To appropriate and expend funds; make contracts; incur obligations; obtain and distribute equipment, materials, and supplies for emergency management purposes; provide for the health and safety of persons and property, including emergency assistance to victims of any emergency; and direct and coordinate the implementation of emergency management plans and programs in accordance with the requirements of state and federal law.

(b) To appoint, employ, remove, or provide (with or without compensation) rescue teams, coordinators, other emergency management workers and other permanent or temporary workers.

(c) To establish, as necessary, primary and secondary emergency operating centers to provide continuity of government and direction and control of emergency operations.

(d) To assign and make available for duty the offices and agencies of the town, including the employees, property, or equipment thereof relating to health, medical and related services, transportation, construction, and similar items or services for emergency operation purposes, for deployment within or outside the limits of the town.

(e) To request state assistance or invoke emergency-related mutual-aid assistance pursuant to existing contracts and/or state or local law.

(f) To waive any procedures and formalities otherwise required of the town by law pertaining to performance of public work and/or the taking of whatever prudent action is necessary to ensure the health, safety, and welfare of the people of the town.

(g) To suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives and/or combustibles.

(h) To utilize all available resources of the town government as reasonably necessary to cope with the emergency occasioned by the disaster.

(i) To make provisions for availability and use of temporary emergency housing and emergency warehousing of materials.

(j) Preceding or during the emergency, to call on the National Guard or the Army, Coast Guard or other law enforcement division or other agency as necessary to assist in the mitigation of the emergency or to help maintain law and order, rescue and traffic control.

7. Pursuant to Sec. 12-24, "Prohibitions during state of emergency", of the Code of the Town of Fort Myers Beach, whenever a state of local emergency has been declared, and until such state of local emergency is terminated, the following prohibitions shall apply throughout the town, unless and until the same shall be waived or modified by a quorum of the town council at a general, special or emergency meeting:

(a) It shall be unlawful and an offense against the town for any person to use the fresh water supplied by the county or local water company for any purpose other than cooking, drinking or bathing.

(b) It shall be unlawful for any person to be out and about on the public rights-of-way or other public areas of the town between the dusk and dawn, except for law enforcement officers, members of the town fire control district, emergency medical personnel, town councilmembers, other persons authorized by the town manager, and regular employees of local businesses while traveling to and from their jobs for their regular hours, providing such employees have in their possession personal identification and identification of the business by which they are employed.

8. Any person who refuses to comply with or violates any provision of this declaration of local emergency shall be guilty of a municipal violation. Each day of such violation shall constitute a separate offense. Nothing herein contained shall prevent the town from taking such other lawful action in any court of competent jurisdiction as is necessary to prevent or remedy any refusal to comply with, or violation of, this article or the emergency measures which may be made effective pursuant to this article. Such other lawful action shall include but shall not be limited to,

an equitable action for injunctive relief or an action at law for damages. In addition, any person violating any rule or order issued pursuant to this Resolution or any person who willfully fails or refuses to comply with the order or orders of any duly authorized law enforcement officer or personnel charged with the responsibility for the enforcement of such orders shall, upon conviction therefore, be punished as provided by Section 252.50, Florida Statutes, and by such other laws as may be applicable to the offense.

SECTION 2. Conflicts. Any and all Resolutions or parts of Resolutions in conflict herewith are hereby repealed.

SECTION 3. Severability. If any provision or portion of this Resolution or the application is held invalid, the invalidity shall not affect other provisions, portions or applications of the Resolution, which can be given effect without the invalid provision, portion or application, and to this end the provisions, portions, or applications of this Resolution are declared severable.

SECTION 4. Effective Date and Termination Date. This Resolution shall take effect immediately upon the termination of the previously adopted state of local emergency and shall terminate automatically seven (7) days from that date unless terminated earlier or extended by a document of equal dignity herewith.

SECTION 5. Direction to Implement. The Town Manager is directed to implement this Resolution.

The foregoing Resolution was adopted by the Town Council upon a motion by _____ and seconded by _____, and upon being put to a roll call vote, the result was as follows:

Dan Allers, Mayor	___
Jim Atterholt, Vice Mayor	___
John R. King, Council Member	___
Scott Safford, Council Member	___
Karen Woodson, Council Member	___

ADOPTED this 2nd day of June 2025 by the Town Council of the Town of Fort Myers Beach, Florida.

FORT MYERS BEACH TOWN COUNCIL

_____
Dan Allers, Mayor

ATTEST:

_____
Amy Baker, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:

_____
Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on this __ day of June 2025.

RESOLUTION NUMBER 25-161

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, EXTENDING THE DECLARATION OF STATE OF LOCAL EMERGENCY DUE TO TROPICAL STORM DEBBY; 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

WHEREAS, Section 252.38(3), Florida Statutes, authorizes the Town of Fort Myers Beach to declare a state of local emergency and to waive the procedures and formalities otherwise required of political subdivisions by law; and

WHEREAS, Chapter 12 of the Town Code of the Town of Fort Myers Beach authorizes certain powers in the event of a local state of emergency; and

WHEREAS, a state of local emergency proclamation is allowed for seven (7) days with appropriate extensions pursuant to law; and

WHEREAS, the effects of Tropical Storm Debby impacted Fort Myers Beach and the current declaration of emergency that was adopted relating to that storm on August 5, 2024, must be extended.

THEREFORE, under the powers vested in it pursuant to Chapter 252, Florida Statutes, and under Chapter 12 of the Town Code of the Town of Fort Myers Beach, the **Town Council does hereby extend the proclamation of a state of local emergency in the Town of Fort Myers Beach, Florida, as identified above beginning at the end of the previously adopted state of local emergency to 7 days thereafter.**

SECTION 1. State of Local Emergency. The following emergency powers and other provisions shall be in force during this state of local emergency:

1. The Town Manager, or designee, is authorized to take all actions necessary and appropriate to protect human life and property, including the promulgation of rules and orders as may be necessary subject to the limitations of Section 252.33, Florida Statutes. This resolution further authorizes the Town Manager, or designee, to utilize all lawful authority granted to the Town of Fort Myers Beach by Federal, State, County, or Town Emergency Management Laws, Rules, Regulations, Orders and, including, but not limited to, Section 252.46 and Section 252.38(3)(a)(1) through Section 252.38(3)(a)(5), Florida Statutes, inclusive.

2. All existing laws, ordinances, and rules inconsistent with the provisions of Sections 252.31 to Section 252.905, Florida Statutes, inclusive, or inconsistent with any rule or order

specifically promulgated under this resolution shall be suspended during this period of time and to the extent that such conflict exists.

3. The Town Manager may suspend, toll or extend the time requirements, notice requirements and deadlines for final action on applications for permits, licenses, rates and other approvals under the Town of Fort Myers Beach Code of Ordinances, to the extent necessary to accommodate the emergency.

4. Pursuant to Section 252.38(3)(a)(5), Florida Statutes, the Town hereby exercises its authority and waives the procedures and formalities otherwise required of a political subdivision by law, pertaining to:

- Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;
- Entering into contracts;
- Incurring obligations;
- Employment of permanent and temporary workers;
- Utilization of volunteer workers;
- Rental of equipment;
- Acquisition and distribution, with or without compensation, of supplies, materials, and facilities; and
- Appropriation and expenditure of public funds

5. The Town Manager shall follow FEMA guidelines in procuring services, materials, labor and equipment necessary to respond to the emergency, including recovery efforts. The Town Manager shall abide by the "Uniform Administrative Requirements, Cost Principles, and Audit Requirements" for federal awards, codified at 2 C.F.R. §§200.317 through 200.326.

6. Pursuant to Section 12-23, of the Code of the Town of Fort Myers Beach, in addition to any other powers conferred by law, the town manager or designees shall have the power and authority to order and promulgate all or any of the following emergency measures to be effective during the period of such emergency in whole or in part, with such limitation and conditions as the town manager or designees may deem appropriate to protect the town's health, safety and welfare, and/or waive the procedures and formalities otherwise required of the town by law pertaining to these measures:

(a) To appropriate and expend funds; make contracts; incur obligations; obtain and distribute equipment, materials, and supplies for emergency management purposes; provide for the health and safety of persons and property, including emergency assistance to victims of any emergency; and direct and coordinate the implementation of emergency management plans and programs in accordance with the requirements of state and federal law.

(b) To appoint, employ, remove, or provide (with or without compensation) rescue teams, coordinators, other emergency management workers and other permanent or temporary workers.

(c) To establish, as necessary, primary and secondary emergency operating centers to provide continuity of government and direction and control of emergency operations.

(d) To assign and make available for duty the offices and agencies of the town, including the employees, property, or equipment thereof relating to health, medical and related services, transportation, construction, and similar items or services for emergency operation purposes, for deployment within or outside the limits of the town.

(e) To request state assistance or invoke emergency-related mutual-aid assistance pursuant to existing contracts and/or state or local law.

(f) To waive any procedures and formalities otherwise required of the town by law pertaining to performance of public work and/or the taking of whatever prudent action is necessary to ensure the health, safety, and welfare of the people of the town.

(g) To suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives and/or combustibles.

(h) To utilize all available resources of the town government as reasonably necessary to cope with the emergency occasioned by the disaster.

(i) To make provisions for availability and use of temporary emergency housing and emergency warehousing of materials.

(j) Preceding or during the emergency, to call on the National Guard or the Army, Coast Guard or other law enforcement division or other agency as necessary to assist in the mitigation of the emergency or to help maintain law and order, rescue and traffic control.

7. Pursuant to Sec. 12-24, "Prohibitions during state of emergency", of the Code of the Town of Fort Myers Beach, whenever a state of local emergency has been declared, and until such state of local emergency is terminated, the following prohibitions shall apply throughout the town, unless and until the same shall be waived or modified by a quorum of the town council at a general, special or emergency meeting:

(a) It shall be unlawful and an offense against the town for any person to use the fresh water supplied by the county or local water company for any purpose other than cooking, drinking or bathing.

(b) It shall be unlawful for any person to be out and about on the public rights-of-way or other public areas of the town between the dusk and dawn, except for law enforcement officers, members of the town fire control district, emergency medical personnel, town councilmembers, other persons authorized by the town manager, and regular employees of local businesses while traveling to and from their jobs for their regular hours, providing such employees have in their possession personal identification and identification of the business by which they are employed.

8. Any person who refuses to comply with or violates any provision of this declaration of local emergency shall be guilty of a municipal violation. Each day of such violation shall constitute a separate offense. Nothing herein contained shall prevent the town from taking such other lawful action in any court of competent jurisdiction as is necessary to prevent or remedy any refusal to comply with, or violation of, this article or the emergency measures which may be made effective pursuant to this article. Such other lawful action shall include but shall not be limited to,

an equitable action for injunctive relief or an action at law for damages. In addition, any person violating any rule or order issued pursuant to this Resolution or any person who willfully fails or refuses to comply with the order or orders of any duly authorized law enforcement officer or personnel charged with the responsibility for the enforcement of such orders shall, upon conviction therefore, be punished as provided by Section 252.50, Florida Statutes, and by such other laws as may be applicable to the offense.

SECTION 2. Conflicts. Any and all Resolutions or parts of Resolutions in conflict herewith are hereby repealed.

SECTION 3. Severability. If any provision or portion of this Resolution or the application is held invalid, the invalidity shall not affect other provisions, portions or applications of the Resolution, which can be given effect without the invalid provision, portion or application, and to this end the provisions, portions, or applications of this Resolution are declared severable.

SECTION 4. Effective Date and Termination Date. This Resolution shall take effect immediately upon the termination of the previously adopted state of local emergency and shall terminate automatically seven (7) days from that date unless terminated earlier or extended by a document of equal dignity herewith.

SECTION 5. Direction to Implement. The Town Manager is directed to implement this Resolution.

The foregoing Resolution was adopted by the Town Council upon a motion by _____ and seconded by _____, and upon being put to a roll call vote, the result was as follows:

Dan Allers, Mayor	___
Jim Atterholt, Vice Mayor	___
John R. King, Council Member	___
Scott Safford, Council Member	___
Karen Woodson, Council Member	___

ADOPTED this 2nd day of June 2025 by the Town Council of the Town of Fort Myers Beach, Florida.

FORT MYERS BEACH TOWN COUNCIL

_____
Dan Allers, Mayor

ATTEST:

_____
Amy Baker, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:

_____
Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on this __ day of June 2025.

RESOLUTION NUMBER 25-162

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, EXTENDING THE DECLARATION OF STATE OF LOCAL EMERGENCY DUE TO TROPICAL STORM DEBBY; 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

WHEREAS, Section 252.38(3), Florida Statutes, authorizes the Town of Fort Myers Beach to declare a state of local emergency and to waive the procedures and formalities otherwise required of political subdivisions by law; and

WHEREAS, Chapter 12 of the Town Code of the Town of Fort Myers Beach authorizes certain powers in the event of a local state of emergency; and

WHEREAS, a state of local emergency proclamation is allowed for seven (7) days with appropriate extensions pursuant to law; and

WHEREAS, the effects of Tropical Storm Debby impacted Fort Myers Beach and the current declaration of emergency that was adopted relating to that storm on August 5, 2024, must be extended.

THEREFORE, under the powers vested in it pursuant to Chapter 252, Florida Statutes, and under Chapter 12 of the Town Code of the Town of Fort Myers Beach, the **Town Council does hereby extend the proclamation of a state of local emergency in the Town of Fort Myers Beach, Florida, as identified above beginning at the end of the previously adopted state of local emergency to 7 days thereafter.**

SECTION 1. State of Local Emergency. The following emergency powers and other provisions shall be in force during this state of local emergency:

1. The Town Manager, or designee, is authorized to take all actions necessary and appropriate to protect human life and property, including the promulgation of rules and orders as may be necessary subject to the limitations of Section 252.33, Florida Statutes. This resolution further authorizes the Town Manager, or designee, to utilize all lawful authority granted to the Town of Fort Myers Beach by Federal, State, County, or Town Emergency Management Laws, Rules, Regulations, Orders and, including, but not limited to, Section 252.46 and Section 252.38(3)(a)(1) through Section 252.38(3)(a)(5), Florida Statutes, inclusive.

2. All existing laws, ordinances, and rules inconsistent with the provisions of Sections 252.31 to Section 252.905, Florida Statutes, inclusive, or inconsistent with any rule or order

specifically promulgated under this resolution shall be suspended during this period of time and to the extent that such conflict exists.

3. The Town Manager may suspend, toll or extend the time requirements, notice requirements and deadlines for final action on applications for permits, licenses, rates and other approvals under the Town of Fort Myers Beach Code of Ordinances, to the extent necessary to accommodate the emergency.

4. Pursuant to Section 252.38(3)(a)(5), Florida Statutes, the Town hereby exercises its authority and waives the procedures and formalities otherwise required of a political subdivision by law, pertaining to:

- Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;
- Entering into contracts;
- Incurring obligations;
- Employment of permanent and temporary workers;
- Utilization of volunteer workers;
- Rental of equipment;
- Acquisition and distribution, with or without compensation, of supplies, materials, and facilities; and
- Appropriation and expenditure of public funds

5. The Town Manager shall follow FEMA guidelines in procuring services, materials, labor and equipment necessary to respond to the emergency, including recovery efforts. The Town Manager shall abide by the "Uniform Administrative Requirements, Cost Principles, and Audit Requirements" for federal awards, codified at 2 C.F.R. §§200.317 through 200.326.

6. Pursuant to Section 12-23, of the Code of the Town of Fort Myers Beach, in addition to any other powers conferred by law, the town manager or designees shall have the power and authority to order and promulgate all or any of the following emergency measures to be effective during the period of such emergency in whole or in part, with such limitation and conditions as the town manager or designees may deem appropriate to protect the town's health, safety and welfare, and/or waive the procedures and formalities otherwise required of the town by law pertaining to these measures:

(a) To appropriate and expend funds; make contracts; incur obligations; obtain and distribute equipment, materials, and supplies for emergency management purposes; provide for the health and safety of persons and property, including emergency assistance to victims of any emergency; and direct and coordinate the implementation of emergency management plans and programs in accordance with the requirements of state and federal law.

(b) To appoint, employ, remove, or provide (with or without compensation) rescue teams, coordinators, other emergency management workers and other permanent or temporary workers.

(c) To establish, as necessary, primary and secondary emergency operating centers to provide continuity of government and direction and control of emergency operations.

(d) To assign and make available for duty the offices and agencies of the town, including the employees, property, or equipment thereof relating to health, medical and related services, transportation, construction, and similar items or services for emergency operation purposes, for deployment within or outside the limits of the town.

(e) To request state assistance or invoke emergency-related mutual-aid assistance pursuant to existing contracts and/or state or local law.

(f) To waive any procedures and formalities otherwise required of the town by law pertaining to performance of public work and/or the taking of whatever prudent action is necessary to ensure the health, safety, and welfare of the people of the town.

(g) To suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives and/or combustibles.

(h) To utilize all available resources of the town government as reasonably necessary to cope with the emergency occasioned by the disaster.

(i) To make provisions for availability and use of temporary emergency housing and emergency warehousing of materials.

(j) Preceding or during the emergency, to call on the National Guard or the Army, Coast Guard or other law enforcement division or other agency as necessary to assist in the mitigation of the emergency or to help maintain law and order, rescue and traffic control.

7. Pursuant to Sec. 12-24, "Prohibitions during state of emergency", of the Code of the Town of Fort Myers Beach, whenever a state of local emergency has been declared, and until such state of local emergency is terminated, the following prohibitions shall apply throughout the town, unless and until the same shall be waived or modified by a quorum of the town council at a general, special or emergency meeting:

(a) It shall be unlawful and an offense against the town for any person to use the fresh water supplied by the county or local water company for any purpose other than cooking, drinking or bathing.

(b) It shall be unlawful for any person to be out and about on the public rights-of-way or other public areas of the town between the dusk and dawn, except for law enforcement officers, members of the town fire control district, emergency medical personnel, town councilmembers, other persons authorized by the town manager, and regular employees of local businesses while traveling to and from their jobs for their regular hours, providing such employees have in their possession personal identification and identification of the business by which they are employed.

8. Any person who refuses to comply with or violates any provision of this declaration of local emergency shall be guilty of a municipal violation. Each day of such violation shall constitute a separate offense. Nothing herein contained shall prevent the town from taking such other lawful action in any court of competent jurisdiction as is necessary to prevent or remedy any refusal to comply with, or violation of, this article or the emergency measures which may be made effective pursuant to this article. Such other lawful action shall include but shall not be limited to,

an equitable action for injunctive relief or an action at law for damages. In addition, any person violating any rule or order issued pursuant to this Resolution or any person who willfully fails or refuses to comply with the order or orders of any duly authorized law enforcement officer or personnel charged with the responsibility for the enforcement of such orders shall, upon conviction therefore, be punished as provided by Section 252.50, Florida Statutes, and by such other laws as may be applicable to the offense.

SECTION 2. Conflicts. Any and all Resolutions or parts of Resolutions in conflict herewith are hereby repealed.

SECTION 3. Severability. If any provision or portion of this Resolution or the application is held invalid, the invalidity shall not affect other provisions, portions or applications of the Resolution, which can be given effect without the invalid provision, portion or application, and to this end the provisions, portions, or applications of this Resolution are declared severable.

SECTION 4. Effective Date and Termination Date. This Resolution shall take effect immediately upon the termination of the previously adopted state of local emergency and shall terminate automatically seven (7) days from that date unless terminated earlier or extended by a document of equal dignity herewith.

SECTION 5. Direction to Implement. The Town Manager is directed to implement this Resolution.

The foregoing Resolution was adopted by the Town Council upon a motion by _____ and seconded by _____, and upon being put to a roll call vote, the result was as follows:

Dan Allers, Mayor	___
Jim Atterholt, Vice Mayor	___
John R. King, Council Member	___
Scott Safford, Council Member	___
Karen Woodson, Council Member	___

ADOPTED this 2nd day of June 2025 by the Town Council of the Town of Fort Myers Beach, Florida.

FORT MYERS BEACH TOWN COUNCIL

_____
Dan Allers, Mayor

ATTEST:

_____
Amy Baker, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:

_____
Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on this __ day of June 2025.

Town of Fort Myers Beach
Agenda Item Summary

Blue Sheet Number: **2025-441**

1. **Request:**

Meeting Date: June 2, 2025

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 HELENE (FORMERLY KNOWN AS POTENTIAL TROPICAL CYCLONE NINE) 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.

Why the action is necessary:

Keeps the Local State of Emergency in effect for Hurricane Helene

What the action accomplishes:

2. **Agenda:**	3. **Requirement/Purpose:**	4. **Submitter of Information:**
CONSENT AGENDA	Resolution	Amy Baker, Town Clerk

5. **Background:**

Approving and ratifying this Resolution will maintain in place the Town Declaration of State of Local Emergency originally adopted via Resolution 24-192

Attachments:

1. 25-163, Extension of Local Emergency - Helene 06.03.25 - 06.09.25
2. 25-164, Extension of Local Emergency - Helene 06.10.25 - 06.16.25
3. 25-165, Extension of Local Emergency - Helene 06.17.25 - 06.23.25
4. 25-166, Extension of Local Emergency - Helene 06.24.25 - 06.30.25
5. 25-167, Extension of Local Emergency - Helene 07.01.25 - 07.07.25
6. 25-168, Extension of Local Emergency - Helene 07.08.25 - 07.14.25
7. 25-169, Extension of Local Emergency - Helene 07.15.25 - 07.21.25
8. 25-170, Extension of Local Emergency - Helene 07.22.25 - 07.28.25
9. 25-171, Extension of Local Emergency - Helene 07.29.25 - 08.04.25

Financial Impact:

6. **Alternative Action**

Do not approve and end the Local State of Emergency for Hurricane Helene

7. **Management Recommendations:**

Approve

8. **Recommended Approval:**

Lizzette Roman, Town Clerk Administrative Coordinator	Created/Initiated - 5/20/2025
Amy Baker, Town Clerk	Approved - 5/22/2025
nancy stuparich, Town Attorney	Approved - 5/26/2025
Amy Baker, Town Clerk	Approved - 5/27/2025
William McKannay, Town Manager	Final Approval - 5/28/2025

RESOLUTION NUMBER 25-163

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 HELENE (FORMERLY KNOWN AS POTENTIAL TROPICAL CYCLONE NINE); 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

WHEREAS, Section 252.38(3), Florida Statutes, authorizes the Town of Fort Myers Beach to declare a state of local emergency and to waive the procedures and formalities otherwise required of political subdivisions by law; and

WHEREAS, Chapter 12 of the Town Code of the Town of Fort Myers Beach authorizes certain powers in the event of a local state of emergency; and

WHEREAS, a state of local emergency proclamation is allowed for seven (7) days with appropriate extensions pursuant to law; and

WHEREAS, the effects of Hurricane Helene impacted Fort Myers Beach and the current declaration of emergency that was adopted relating to that storm on September 23, 2024, must be extended.

THEREFORE, under the powers vested in it pursuant to Chapter 252, Florida Statutes, and under Chapter 12 of the Town Code of the Town of Fort Myers Beach, the **Town Council does hereby extend the proclamation of a state of local emergency in the Town of Fort Myers Beach, Florida, as identified above beginning at the end of the previously adopted state of local emergency to 7 days thereafter.**

SECTION 1. State of Local Emergency. The following emergency powers and other provisions shall be in force during this state of local emergency:

1. The Town Manager, or designee, is authorized to take all actions necessary and appropriate to protect human life and property, including the promulgation of rules and orders as may be necessary subject to the limitations of Section 252.33, Florida Statutes. This resolution further authorizes the Town Manager, or designee, to utilize all lawful authority granted to the Town of Fort Myers Beach by Federal, State, County, or Town Emergency Management Laws, Rules, Regulations, Orders and, including, but not limited to, Section 252.46 and Section 252.38(3)(a)(1) through Section 252.38(3)(a)(5), Florida Statutes, inclusive.

2. All existing laws, ordinances, and rules inconsistent with the provisions of Sections 252.31 to Section 252.905, Florida Statutes, inclusive, or inconsistent with any rule or order specifically promulgated under this resolution shall be suspended during this period of time and to the extent that such conflict exists.

3. The Town Manager may suspend, toll or extend the time requirements, notice requirements and deadlines for final action on applications for permits, licenses, rates and other approvals under the Town of Fort Myers Beach Code of Ordinances, to the extent necessary to accommodate the emergency.

4. Pursuant to Section 252.38(3)(a)(5), Florida Statutes, the Town hereby exercises its authority and waives the procedures and formalities otherwise required of a political subdivision by law, pertaining to:

- Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;
- Entering into contracts;
- Incurring obligations;
- Employment of permanent and temporary workers;
- Utilization of volunteer workers;
- Rental of equipment;
- Acquisition and distribution, with or without compensation, of supplies, materials, and facilities; and
- Appropriation and expenditure of public funds

5. The Town Manager shall follow FEMA guidelines in procuring services, materials, labor and equipment necessary to respond to the emergency, including recovery efforts. The Town Manager shall abide by the "Uniform Administrative Requirements, Cost Principles, and Audit Requirements" for federal awards, codified at 2 C.F.R. §§200.317 through 200.326.

6. Pursuant to Section 12-23, of the Code of the Town of Fort Myers Beach, in addition to any other powers conferred by law, the town manager or designees shall have the power and authority to order and promulgate all or any of the following emergency measures to be effective during the period of such emergency in whole or in part, with such limitation and conditions as the town manager or designees may deem appropriate to protect the town's health, safety and welfare, and/or waive the procedures and formalities otherwise required of the town by law pertaining to these measures:

(a) To appropriate and expend funds; make contracts; incur obligations; obtain and distribute equipment, materials, and supplies for emergency management purposes; provide for the health and safety of persons and property, including emergency assistance to victims of any emergency; and direct and coordinate the implementation of emergency management plans and programs in accordance with the requirements of state and federal law.

(b) To appoint, employ, remove, or provide (with or without compensation) rescue teams, coordinators, other emergency management workers and other permanent or temporary workers.

(c) To establish, as necessary, primary and secondary emergency operating centers to provide continuity of government and direction and control of emergency operations.

(d) To assign and make available for duty the offices and agencies of the town, including the employees, property, or equipment thereof relating to health, medical and related services, transportation, construction, and similar items or services for emergency operation purposes, for deployment within or outside the limits of the town.

(e) To request state assistance or invoke emergency-related mutual-aid assistance pursuant to existing contracts and/or state or local law.

(f) To waive any procedures and formalities otherwise required of the town by law pertaining to performance of public work and/or the taking of whatever prudent action is necessary to ensure the health, safety, and welfare of the people of the town.

(g) To suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives and/or combustibles.

(h) To utilize all available resources of the town government as reasonably necessary to cope with the emergency occasioned by the disaster.

(i) To make provisions for availability and use of temporary emergency housing and emergency warehousing of materials.

(j) Preceding or during the emergency, to call on the National Guard or the Army, Coast Guard or other law enforcement division or other agency as necessary to assist in the mitigation of the emergency or to help maintain law and order, rescue and traffic control.

7. Pursuant to Sec. 12-24, "Prohibitions during state of emergency", of the Code of the Town of Fort Myers Beach, whenever a state of local emergency has been declared, and until such state of local emergency is terminated, the following prohibitions shall apply throughout the town, unless and until the same shall be waived or modified by a quorum of the town council at a general, special or emergency meeting:

(a) It shall be unlawful and an offense against the town for any person to use the fresh water supplied by the county or local water company for any purpose other than cooking, drinking or bathing.

(b) It shall be unlawful for any person to be out and about on the public rights-of-way or other public areas of the town between the dusk and dawn, except for law enforcement officers, members of the town fire control district, emergency medical personnel, town councilmembers, other persons authorized by the town manager, and regular employees of local businesses while traveling to and from their jobs for their regular hours, providing such employees have in their possession personal identification and identification of the business by which they are employed.

8. Any person who refuses to comply with or violates any provision of this declaration of local emergency shall be guilty of a municipal violation. Each day of such violation shall constitute a separate offense. Nothing herein contained shall prevent the town from taking such

other lawful action in any court of competent jurisdiction as is necessary to prevent or remedy any refusal to comply with, or violation of, this article or the emergency measures which may be made effective pursuant to this article. Such other lawful action shall include but shall not be limited to, an equitable action for injunctive relief or an action at law for damages. In addition, any person violating any rule or order issued pursuant to this Resolution or any person who willfully fails or refuses to comply with the order or orders of any duly authorized law enforcement officer or personnel charged with the responsibility for the enforcement of such orders shall, upon conviction therefore, be punished as provided by Section 252.50, Florida Statutes, and by such other laws as may be applicable to the offense.

SECTION 2. Conflicts. Any and all Resolutions or parts of Resolutions in conflict herewith are hereby repealed.

SECTION 3. Severability. If any provision or portion of this Resolution or the application is held invalid, the invalidity shall not affect other provisions, portions or applications of the Resolution, which can be given effect without the invalid provision, portion or application, and to this end the provisions, portions, or applications of this Resolution are declared severable.

SECTION 4. Effective Date and Termination Date. This Resolution shall take effect immediately upon the termination of the previously adopted state of local emergency and shall terminate automatically seven (7) days from that date unless terminated earlier or extended by a document of equal dignity herewith.

SECTION 5. Direction to Implement. The Town Manager is directed to implement this Resolution.

The foregoing Resolution was adopted by the Town Council upon a motion by _____ and seconded by _____, and upon being put to a roll call vote, the result was as follows:

Dan Allers, Mayor	___
Jim Atterholt, Vice Mayor	___
John R. King, Council Member	___
Scott Safford, Council Member	___
Karen Woodson, Council Member	___

ADOPTED this 2nd day of June 2025 by the Town Council of the Town of Fort Myers Beach, Florida.

FORT MYERS BEACH TOWN COUNCIL

_____
Dan Allers, Mayor

ATTEST:

_____
Amy Baker, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:

_____
Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on this ___ day of June 2025.

RESOLUTION NUMBER 25-164

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 HELENE (FORMERLY KNOWN AS POTENTIAL TROPICAL CYCLONE NINE); 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

WHEREAS, Section 252.38(3), Florida Statutes, authorizes the Town of Fort Myers Beach to declare a state of local emergency and to waive the procedures and formalities otherwise required of political subdivisions by law; and

WHEREAS, Chapter 12 of the Town Code of the Town of Fort Myers Beach authorizes certain powers in the event of a local state of emergency; and

WHEREAS, a state of local emergency proclamation is allowed for seven (7) days with appropriate extensions pursuant to law; and

WHEREAS, the effects of Hurricane Helene impacted Fort Myers Beach and the current declaration of emergency that was adopted relating to that storm on September 23, 2024, must be extended.

THEREFORE, under the powers vested in it pursuant to Chapter 252, Florida Statutes, and under Chapter 12 of the Town Code of the Town of Fort Myers Beach, the **Town Council does hereby extend the proclamation of a state of local emergency in the Town of Fort Myers Beach, Florida, as identified above beginning at the end of the previously adopted state of local emergency to 7 days thereafter.**

SECTION 1. State of Local Emergency. The following emergency powers and other provisions shall be in force during this state of local emergency:

1. The Town Manager, or designee, is authorized to take all actions necessary and appropriate to protect human life and property, including the promulgation of rules and orders as may be necessary subject to the limitations of Section 252.33, Florida Statutes. This resolution further authorizes the Town Manager, or designee, to utilize all lawful authority granted to the Town of Fort Myers Beach by Federal, State, County, or Town Emergency Management Laws, Rules, Regulations, Orders and, including, but not limited to, Section 252.46 and Section 252.38(3)(a)(1) through Section 252.38(3)(a)(5), Florida Statutes, inclusive.

2. All existing laws, ordinances, and rules inconsistent with the provisions of Sections 252.31 to Section 252.905, Florida Statutes, inclusive, or inconsistent with any rule or order specifically promulgated under this resolution shall be suspended during this period of time and to the extent that such conflict exists.

3. The Town Manager may suspend, toll or extend the time requirements, notice requirements and deadlines for final action on applications for permits, licenses, rates and other approvals under the Town of Fort Myers Beach Code of Ordinances, to the extent necessary to accommodate the emergency.

4. Pursuant to Section 252.38(3)(a)(5), Florida Statutes, the Town hereby exercises its authority and waives the procedures and formalities otherwise required of a political subdivision by law, pertaining to:

- Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;
- Entering into contracts;
- Incurring obligations;
- Employment of permanent and temporary workers;
- Utilization of volunteer workers;
- Rental of equipment;
- Acquisition and distribution, with or without compensation, of supplies, materials, and facilities; and
- Appropriation and expenditure of public funds

5. The Town Manager shall follow FEMA guidelines in procuring services, materials, labor and equipment necessary to respond to the emergency, including recovery efforts. The Town Manager shall abide by the "Uniform Administrative Requirements, Cost Principles, and Audit Requirements" for federal awards, codified at 2 C.F.R. §§200.317 through 200.326.

6. Pursuant to Section 12-23, of the Code of the Town of Fort Myers Beach, in addition to any other powers conferred by law, the town manager or designees shall have the power and authority to order and promulgate all or any of the following emergency measures to be effective during the period of such emergency in whole or in part, with such limitation and conditions as the town manager or designees may deem appropriate to protect the town's health, safety and welfare, and/or waive the procedures and formalities otherwise required of the town by law pertaining to these measures:

(a) To appropriate and expend funds; make contracts; incur obligations; obtain and distribute equipment, materials, and supplies for emergency management purposes; provide for the health and safety of persons and property, including emergency assistance to victims of any emergency; and direct and coordinate the implementation of emergency management plans and programs in accordance with the requirements of state and federal law.

(b) To appoint, employ, remove, or provide (with or without compensation) rescue teams, coordinators, other emergency management workers and other permanent or temporary workers.

(c) To establish, as necessary, primary and secondary emergency operating centers to provide continuity of government and direction and control of emergency operations.

(d) To assign and make available for duty the offices and agencies of the town, including the employees, property, or equipment thereof relating to health, medical and related services, transportation, construction, and similar items or services for emergency operation purposes, for deployment within or outside the limits of the town.

(e) To request state assistance or invoke emergency-related mutual-aid assistance pursuant to existing contracts and/or state or local law.

(f) To waive any procedures and formalities otherwise required of the town by law pertaining to performance of public work and/or the taking of whatever prudent action is necessary to ensure the health, safety, and welfare of the people of the town.

(g) To suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives and/or combustibles.

(h) To utilize all available resources of the town government as reasonably necessary to cope with the emergency occasioned by the disaster.

(i) To make provisions for availability and use of temporary emergency housing and emergency warehousing of materials.

(j) Preceding or during the emergency, to call on the National Guard or the Army, Coast Guard or other law enforcement division or other agency as necessary to assist in the mitigation of the emergency or to help maintain law and order, rescue and traffic control.

7. Pursuant to Sec. 12-24, "Prohibitions during state of emergency", of the Code of the Town of Fort Myers Beach, whenever a state of local emergency has been declared, and until such state of local emergency is terminated, the following prohibitions shall apply throughout the town, unless and until the same shall be waived or modified by a quorum of the town council at a general, special or emergency meeting:

(a) It shall be unlawful and an offense against the town for any person to use the fresh water supplied by the county or local water company for any purpose other than cooking, drinking or bathing.

(b) It shall be unlawful for any person to be out and about on the public rights-of-way or other public areas of the town between the dusk and dawn, except for law enforcement officers, members of the town fire control district, emergency medical personnel, town councilmembers, other persons authorized by the town manager, and regular employees of local businesses while traveling to and from their jobs for their regular hours, providing such employees have in their possession personal identification and identification of the business by which they are employed.

8. Any person who refuses to comply with or violates any provision of this declaration of local emergency shall be guilty of a municipal violation. Each day of such violation shall constitute a separate offense. Nothing herein contained shall prevent the town from taking such

other lawful action in any court of competent jurisdiction as is necessary to prevent or remedy any refusal to comply with, or violation of, this article or the emergency measures which may be made effective pursuant to this article. Such other lawful action shall include but shall not be limited to, an equitable action for injunctive relief or an action at law for damages. In addition, any person violating any rule or order issued pursuant to this Resolution or any person who willfully fails or refuses to comply with the order or orders of any duly authorized law enforcement officer or personnel charged with the responsibility for the enforcement of such orders shall, upon conviction therefore, be punished as provided by Section 252.50, Florida Statutes, and by such other laws as may be applicable to the offense.

SECTION 2. Conflicts. Any and all Resolutions or parts of Resolutions in conflict herewith are hereby repealed.

SECTION 3. Severability. If any provision or portion of this Resolution or the application is held invalid, the invalidity shall not affect other provisions, portions or applications of the Resolution, which can be given effect without the invalid provision, portion or application, and to this end the provisions, portions, or applications of this Resolution are declared severable.

SECTION 4. Effective Date and Termination Date. This Resolution shall take effect immediately upon the termination of the previously adopted state of local emergency and shall terminate automatically seven (7) days from that date unless terminated earlier or extended by a document of equal dignity herewith.

SECTION 5. Direction to Implement. The Town Manager is directed to implement this Resolution.

The foregoing Resolution was adopted by the Town Council upon a motion by _____ and seconded by _____, and upon being put to a roll call vote, the result was as follows:

Dan Allers, Mayor	___
Jim Atterholt, Vice Mayor	___
John R. King, Council Member	___
Scott Safford, Council Member	___
Karen Woodson, Council Member	___

ADOPTED this 2nd day of June 2025 by the Town Council of the Town of Fort Myers Beach, Florida.

FORT MYERS BEACH TOWN COUNCIL

_____
Dan Allers, Mayor

ATTEST:

_____
Amy Baker, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:

_____
Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on this ___ day of June 2025.

RESOLUTION NUMBER 25-165

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 HELENE (FORMERLY KNOWN AS POTENTIAL TROPICAL CYCLONE NINE); 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

WHEREAS, Section 252.38(3), Florida Statutes, authorizes the Town of Fort Myers Beach to declare a state of local emergency and to waive the procedures and formalities otherwise required of political subdivisions by law; and

WHEREAS, Chapter 12 of the Town Code of the Town of Fort Myers Beach authorizes certain powers in the event of a local state of emergency; and

WHEREAS, a state of local emergency proclamation is allowed for seven (7) days with appropriate extensions pursuant to law; and

WHEREAS, the effects of Hurricane Helene impacted Fort Myers Beach and the current declaration of emergency that was adopted relating to that storm on September 23, 2024, must be extended.

THEREFORE, under the powers vested in it pursuant to Chapter 252, Florida Statutes, and under Chapter 12 of the Town Code of the Town of Fort Myers Beach, the **Town Council does hereby extend the proclamation of a state of local emergency in the Town of Fort Myers Beach, Florida, as identified above beginning at the end of the previously adopted state of local emergency to 7 days thereafter.**

SECTION 1. State of Local Emergency. The following emergency powers and other provisions shall be in force during this state of local emergency:

1. The Town Manager, or designee, is authorized to take all actions necessary and appropriate to protect human life and property, including the promulgation of rules and orders as may be necessary subject to the limitations of Section 252.33, Florida Statutes. This resolution further authorizes the Town Manager, or designee, to utilize all lawful authority granted to the Town of Fort Myers Beach by Federal, State, County, or Town Emergency Management Laws, Rules, Regulations, Orders and, including, but not limited to, Section 252.46 and Section 252.38(3)(a)(1) through Section 252.38(3)(a)(5), Florida Statutes, inclusive.

2. All existing laws, ordinances, and rules inconsistent with the provisions of Sections 252.31 to Section 252.905, Florida Statutes, inclusive, or inconsistent with any rule or order specifically promulgated under this resolution shall be suspended during this period of time and to the extent that such conflict exists.

3. The Town Manager may suspend, toll or extend the time requirements, notice requirements and deadlines for final action on applications for permits, licenses, rates and other approvals under the Town of Fort Myers Beach Code of Ordinances, to the extent necessary to accommodate the emergency.

4. Pursuant to Section 252.38(3)(a)(5), Florida Statutes, the Town hereby exercises its authority and waives the procedures and formalities otherwise required of a political subdivision by law, pertaining to:

- Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;
- Entering into contracts;
- Incurring obligations;
- Employment of permanent and temporary workers;
- Utilization of volunteer workers;
- Rental of equipment;
- Acquisition and distribution, with or without compensation, of supplies, materials, and facilities; and
- Appropriation and expenditure of public funds

5. The Town Manager shall follow FEMA guidelines in procuring services, materials, labor and equipment necessary to respond to the emergency, including recovery efforts. The Town Manager shall abide by the "Uniform Administrative Requirements, Cost Principles, and Audit Requirements" for federal awards, codified at 2 C.F.R. §§200.317 through 200.326.

6. Pursuant to Section 12-23, of the Code of the Town of Fort Myers Beach, in addition to any other powers conferred by law, the town manager or designees shall have the power and authority to order and promulgate all or any of the following emergency measures to be effective during the period of such emergency in whole or in part, with such limitation and conditions as the town manager or designees may deem appropriate to protect the town's health, safety and welfare, and/or waive the procedures and formalities otherwise required of the town by law pertaining to these measures:

(a) To appropriate and expend funds; make contracts; incur obligations; obtain and distribute equipment, materials, and supplies for emergency management purposes; provide for the health and safety of persons and property, including emergency assistance to victims of any emergency; and direct and coordinate the implementation of emergency management plans and programs in accordance with the requirements of state and federal law.

(b) To appoint, employ, remove, or provide (with or without compensation) rescue teams, coordinators, other emergency management workers and other permanent or temporary workers.

(c) To establish, as necessary, primary and secondary emergency operating centers to provide continuity of government and direction and control of emergency operations.

(d) To assign and make available for duty the offices and agencies of the town, including the employees, property, or equipment thereof relating to health, medical and related services, transportation, construction, and similar items or services for emergency operation purposes, for deployment within or outside the limits of the town.

(e) To request state assistance or invoke emergency-related mutual-aid assistance pursuant to existing contracts and/or state or local law.

(f) To waive any procedures and formalities otherwise required of the town by law pertaining to performance of public work and/or the taking of whatever prudent action is necessary to ensure the health, safety, and welfare of the people of the town.

(g) To suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives and/or combustibles.

(h) To utilize all available resources of the town government as reasonably necessary to cope with the emergency occasioned by the disaster.

(i) To make provisions for availability and use of temporary emergency housing and emergency warehousing of materials.

(j) Preceding or during the emergency, to call on the National Guard or the Army, Coast Guard or other law enforcement division or other agency as necessary to assist in the mitigation of the emergency or to help maintain law and order, rescue and traffic control.

7. Pursuant to Sec. 12-24, "Prohibitions during state of emergency", of the Code of the Town of Fort Myers Beach, whenever a state of local emergency has been declared, and until such state of local emergency is terminated, the following prohibitions shall apply throughout the town, unless and until the same shall be waived or modified by a quorum of the town council at a general, special or emergency meeting:

(a) It shall be unlawful and an offense against the town for any person to use the fresh water supplied by the county or local water company for any purpose other than cooking, drinking or bathing.

(b) It shall be unlawful for any person to be out and about on the public rights-of-way or other public areas of the town between the dusk and dawn, except for law enforcement officers, members of the town fire control district, emergency medical personnel, town councilmembers, other persons authorized by the town manager, and regular employees of local businesses while traveling to and from their jobs for their regular hours, providing such employees have in their possession personal identification and identification of the business by which they are employed.

8. Any person who refuses to comply with or violates any provision of this declaration of local emergency shall be guilty of a municipal violation. Each day of such violation shall constitute a separate offense. Nothing herein contained shall prevent the town from taking such

other lawful action in any court of competent jurisdiction as is necessary to prevent or remedy any refusal to comply with, or violation of, this article or the emergency measures which may be made effective pursuant to this article. Such other lawful action shall include but shall not be limited to, an equitable action for injunctive relief or an action at law for damages. In addition, any person violating any rule or order issued pursuant to this Resolution or any person who willfully fails or refuses to comply with the order or orders of any duly authorized law enforcement officer or personnel charged with the responsibility for the enforcement of such orders shall, upon conviction therefore, be punished as provided by Section 252.50, Florida Statutes, and by such other laws as may be applicable to the offense.

SECTION 2. Conflicts. Any and all Resolutions or parts of Resolutions in conflict herewith are hereby repealed.

SECTION 3. Severability. If any provision or portion of this Resolution or the application is held invalid, the invalidity shall not affect other provisions, portions or applications of the Resolution, which can be given effect without the invalid provision, portion or application, and to this end the provisions, portions, or applications of this Resolution are declared severable.

SECTION 4. Effective Date and Termination Date. This Resolution shall take effect immediately upon the termination of the previously adopted state of local emergency and shall terminate automatically seven (7) days from that date unless terminated earlier or extended by a document of equal dignity herewith.

SECTION 5. Direction to Implement. The Town Manager is directed to implement this Resolution.

The foregoing Resolution was adopted by the Town Council upon a motion by _____ and seconded by _____, and upon being put to a roll call vote, the result was as follows:

Dan Allers, Mayor	___
Jim Atterholt, Vice Mayor	___
John R. King, Council Member	___
Scott Safford, Council Member	___
Karen Woodson, Council Member	___

ADOPTED this 2nd day of June 2025 by the Town Council of the Town of Fort Myers Beach, Florida.

FORT MYERS BEACH TOWN COUNCIL

_____
Dan Allers, Mayor

ATTEST:

_____
Amy Baker, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:

_____
Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on this ___ day of June 2025.

RESOLUTION NUMBER 25-166

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 HELENE (FORMERLY KNOWN AS POTENTIAL TROPICAL CYCLONE NINE); 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

WHEREAS, Section 252.38(3), Florida Statutes, authorizes the Town of Fort Myers Beach to declare a state of local emergency and to waive the procedures and formalities otherwise required of political subdivisions by law; and

WHEREAS, Chapter 12 of the Town Code of the Town of Fort Myers Beach authorizes certain powers in the event of a local state of emergency; and

WHEREAS, a state of local emergency proclamation is allowed for seven (7) days with appropriate extensions pursuant to law; and

WHEREAS, the effects of Hurricane Helene impacted Fort Myers Beach and the current declaration of emergency that was adopted relating to that storm on September 23, 2024, must be extended.

THEREFORE, under the powers vested in it pursuant to Chapter 252, Florida Statutes, and under Chapter 12 of the Town Code of the Town of Fort Myers Beach, the **Town Council does hereby extend the proclamation of a state of local emergency in the Town of Fort Myers Beach, Florida, as identified above beginning at the end of the previously adopted state of local emergency to 7 days thereafter.**

SECTION 1. State of Local Emergency. The following emergency powers and other provisions shall be in force during this state of local emergency:

1. The Town Manager, or designee, is authorized to take all actions necessary and appropriate to protect human life and property, including the promulgation of rules and orders as may be necessary subject to the limitations of Section 252.33, Florida Statutes. This resolution further authorizes the Town Manager, or designee, to utilize all lawful authority granted to the Town of Fort Myers Beach by Federal, State, County, or Town Emergency Management Laws, Rules, Regulations, Orders and, including, but not limited to, Section 252.46 and Section 252.38(3)(a)(1) through Section 252.38(3)(a)(5), Florida Statutes, inclusive.

2. All existing laws, ordinances, and rules inconsistent with the provisions of Sections 252.31 to Section 252.905, Florida Statutes, inclusive, or inconsistent with any rule or order specifically promulgated under this resolution shall be suspended during this period of time and to the extent that such conflict exists.

3. The Town Manager may suspend, toll or extend the time requirements, notice requirements and deadlines for final action on applications for permits, licenses, rates and other approvals under the Town of Fort Myers Beach Code of Ordinances, to the extent necessary to accommodate the emergency.

4. Pursuant to Section 252.38(3)(a)(5), Florida Statutes, the Town hereby exercises its authority and waives the procedures and formalities otherwise required of a political subdivision by law, pertaining to:

- Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;
- Entering into contracts;
- Incurring obligations;
- Employment of permanent and temporary workers;
- Utilization of volunteer workers;
- Rental of equipment;
- Acquisition and distribution, with or without compensation, of supplies, materials, and facilities; and
- Appropriation and expenditure of public funds

5. The Town Manager shall follow FEMA guidelines in procuring services, materials, labor and equipment necessary to respond to the emergency, including recovery efforts. The Town Manager shall abide by the "Uniform Administrative Requirements, Cost Principles, and Audit Requirements" for federal awards, codified at 2 C.F.R. §§200.317 through 200.326.

6. Pursuant to Section 12-23, of the Code of the Town of Fort Myers Beach, in addition to any other powers conferred by law, the town manager or designees shall have the power and authority to order and promulgate all or any of the following emergency measures to be effective during the period of such emergency in whole or in part, with such limitation and conditions as the town manager or designees may deem appropriate to protect the town's health, safety and welfare, and/or waive the procedures and formalities otherwise required of the town by law pertaining to these measures:

(a) To appropriate and expend funds; make contracts; incur obligations; obtain and distribute equipment, materials, and supplies for emergency management purposes; provide for the health and safety of persons and property, including emergency assistance to victims of any emergency; and direct and coordinate the implementation of emergency management plans and programs in accordance with the requirements of state and federal law.

(b) To appoint, employ, remove, or provide (with or without compensation) rescue teams, coordinators, other emergency management workers and other permanent or temporary workers.

(c) To establish, as necessary, primary and secondary emergency operating centers to provide continuity of government and direction and control of emergency operations.

(d) To assign and make available for duty the offices and agencies of the town, including the employees, property, or equipment thereof relating to health, medical and related services, transportation, construction, and similar items or services for emergency operation purposes, for deployment within or outside the limits of the town.

(e) To request state assistance or invoke emergency-related mutual-aid assistance pursuant to existing contracts and/or state or local law.

(f) To waive any procedures and formalities otherwise required of the town by law pertaining to performance of public work and/or the taking of whatever prudent action is necessary to ensure the health, safety, and welfare of the people of the town.

(g) To suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives and/or combustibles.

(h) To utilize all available resources of the town government as reasonably necessary to cope with the emergency occasioned by the disaster.

(i) To make provisions for availability and use of temporary emergency housing and emergency warehousing of materials.

(j) Preceding or during the emergency, to call on the National Guard or the Army, Coast Guard or other law enforcement division or other agency as necessary to assist in the mitigation of the emergency or to help maintain law and order, rescue and traffic control.

7. Pursuant to Sec. 12-24, "Prohibitions during state of emergency", of the Code of the Town of Fort Myers Beach, whenever a state of local emergency has been declared, and until such state of local emergency is terminated, the following prohibitions shall apply throughout the town, unless and until the same shall be waived or modified by a quorum of the town council at a general, special or emergency meeting:

(a) It shall be unlawful and an offense against the town for any person to use the fresh water supplied by the county or local water company for any purpose other than cooking, drinking or bathing.

(b) It shall be unlawful for any person to be out and about on the public rights-of-way or other public areas of the town between the dusk and dawn, except for law enforcement officers, members of the town fire control district, emergency medical personnel, town councilmembers, other persons authorized by the town manager, and regular employees of local businesses while traveling to and from their jobs for their regular hours, providing such employees have in their possession personal identification and identification of the business by which they are employed.

8. Any person who refuses to comply with or violates any provision of this declaration of local emergency shall be guilty of a municipal violation. Each day of such violation shall constitute a separate offense. Nothing herein contained shall prevent the town from taking such

other lawful action in any court of competent jurisdiction as is necessary to prevent or remedy any refusal to comply with, or violation of, this article or the emergency measures which may be made effective pursuant to this article. Such other lawful action shall include but shall not be limited to, an equitable action for injunctive relief or an action at law for damages. In addition, any person violating any rule or order issued pursuant to this Resolution or any person who willfully fails or refuses to comply with the order or orders of any duly authorized law enforcement officer or personnel charged with the responsibility for the enforcement of such orders shall, upon conviction therefore, be punished as provided by Section 252.50, Florida Statutes, and by such other laws as may be applicable to the offense.

SECTION 2. Conflicts. Any and all Resolutions or parts of Resolutions in conflict herewith are hereby repealed.

SECTION 3. Severability. If any provision or portion of this Resolution or the application is held invalid, the invalidity shall not affect other provisions, portions or applications of the Resolution, which can be given effect without the invalid provision, portion or application, and to this end the provisions, portions, or applications of this Resolution are declared severable.

SECTION 4. Effective Date and Termination Date. This Resolution shall take effect immediately upon the termination of the previously adopted state of local emergency and shall terminate automatically seven (7) days from that date unless terminated earlier or extended by a document of equal dignity herewith.

SECTION 5. Direction to Implement. The Town Manager is directed to implement this Resolution.

The foregoing Resolution was adopted by the Town Council upon a motion by _____ and seconded by _____, and upon being put to a roll call vote, the result was as follows:

Dan Allers, Mayor	___
Jim Atterholt, Vice Mayor	___
John R. King, Council Member	___
Scott Safford, Council Member	___
Karen Woodson, Council Member	___

ADOPTED this 2nd day of June 2025 by the Town Council of the Town of Fort Myers Beach, Florida.

FORT MYERS BEACH TOWN COUNCIL

_____
Dan Allers, Mayor

ATTEST:

_____
Amy Baker, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:

_____
Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on this ___ day of June 2025.

RESOLUTION NUMBER 25-167

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 HELENE (FORMERLY KNOWN AS POTENTIAL TROPICAL CYCLONE NINE); 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

WHEREAS, Section 252.38(3), Florida Statutes, authorizes the Town of Fort Myers Beach to declare a state of local emergency and to waive the procedures and formalities otherwise required of political subdivisions by law; and

WHEREAS, Chapter 12 of the Town Code of the Town of Fort Myers Beach authorizes certain powers in the event of a local state of emergency; and

WHEREAS, a state of local emergency proclamation is allowed for seven (7) days with appropriate extensions pursuant to law; and

WHEREAS, the effects of Hurricane Helene impacted Fort Myers Beach and the current declaration of emergency that was adopted relating to that storm on September 23, 2024, must be extended.

THEREFORE, under the powers vested in it pursuant to Chapter 252, Florida Statutes, and under Chapter 12 of the Town Code of the Town of Fort Myers Beach, the **Town Council does hereby extend the proclamation of a state of local emergency in the Town of Fort Myers Beach, Florida, as identified above beginning at the end of the previously adopted state of local emergency to 7 days thereafter.**

SECTION 1. State of Local Emergency. The following emergency powers and other provisions shall be in force during this state of local emergency:

1. The Town Manager, or designee, is authorized to take all actions necessary and appropriate to protect human life and property, including the promulgation of rules and orders as may be necessary subject to the limitations of Section 252.33, Florida Statutes. This resolution further authorizes the Town Manager, or designee, to utilize all lawful authority granted to the Town of Fort Myers Beach by Federal, State, County, or Town Emergency Management Laws, Rules, Regulations, Orders and, including, but not limited to, Section 252.46 and Section 252.38(3)(a)(1) through Section 252.38(3)(a)(5), Florida Statutes, inclusive.

2. All existing laws, ordinances, and rules inconsistent with the provisions of Sections 252.31 to Section 252.905, Florida Statutes, inclusive, or inconsistent with any rule or order specifically promulgated under this resolution shall be suspended during this period of time and to the extent that such conflict exists.

3. The Town Manager may suspend, toll or extend the time requirements, notice requirements and deadlines for final action on applications for permits, licenses, rates and other approvals under the Town of Fort Myers Beach Code of Ordinances, to the extent necessary to accommodate the emergency.

4. Pursuant to Section 252.38(3)(a)(5), Florida Statutes, the Town hereby exercises its authority and waives the procedures and formalities otherwise required of a political subdivision by law, pertaining to:

- Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;
- Entering into contracts;
- Incurring obligations;
- Employment of permanent and temporary workers;
- Utilization of volunteer workers;
- Rental of equipment;
- Acquisition and distribution, with or without compensation, of supplies, materials, and facilities; and
- Appropriation and expenditure of public funds

5. The Town Manager shall follow FEMA guidelines in procuring services, materials, labor and equipment necessary to respond to the emergency, including recovery efforts. The Town Manager shall abide by the "Uniform Administrative Requirements, Cost Principles, and Audit Requirements" for federal awards, codified at 2 C.F.R. §§200.317 through 200.326.

6. Pursuant to Section 12-23, of the Code of the Town of Fort Myers Beach, in addition to any other powers conferred by law, the town manager or designees shall have the power and authority to order and promulgate all or any of the following emergency measures to be effective during the period of such emergency in whole or in part, with such limitation and conditions as the town manager or designees may deem appropriate to protect the town's health, safety and welfare, and/or waive the procedures and formalities otherwise required of the town by law pertaining to these measures:

(a) To appropriate and expend funds; make contracts; incur obligations; obtain and distribute equipment, materials, and supplies for emergency management purposes; provide for the health and safety of persons and property, including emergency assistance to victims of any emergency; and direct and coordinate the implementation of emergency management plans and programs in accordance with the requirements of state and federal law.

(b) To appoint, employ, remove, or provide (with or without compensation) rescue teams, coordinators, other emergency management workers and other permanent or temporary workers.

(c) To establish, as necessary, primary and secondary emergency operating centers to provide continuity of government and direction and control of emergency operations.

(d) To assign and make available for duty the offices and agencies of the town, including the employees, property, or equipment thereof relating to health, medical and related services, transportation, construction, and similar items or services for emergency operation purposes, for deployment within or outside the limits of the town.

(e) To request state assistance or invoke emergency-related mutual-aid assistance pursuant to existing contracts and/or state or local law.

(f) To waive any procedures and formalities otherwise required of the town by law pertaining to performance of public work and/or the taking of whatever prudent action is necessary to ensure the health, safety, and welfare of the people of the town.

(g) To suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives and/or combustibles.

(h) To utilize all available resources of the town government as reasonably necessary to cope with the emergency occasioned by the disaster.

(i) To make provisions for availability and use of temporary emergency housing and emergency warehousing of materials.

(j) Preceding or during the emergency, to call on the National Guard or the Army, Coast Guard or other law enforcement division or other agency as necessary to assist in the mitigation of the emergency or to help maintain law and order, rescue and traffic control.

7. Pursuant to Sec. 12-24, "Prohibitions during state of emergency", of the Code of the Town of Fort Myers Beach, whenever a state of local emergency has been declared, and until such state of local emergency is terminated, the following prohibitions shall apply throughout the town, unless and until the same shall be waived or modified by a quorum of the town council at a general, special or emergency meeting:

(a) It shall be unlawful and an offense against the town for any person to use the fresh water supplied by the county or local water company for any purpose other than cooking, drinking or bathing.

(b) It shall be unlawful for any person to be out and about on the public rights-of-way or other public areas of the town between the dusk and dawn, except for law enforcement officers, members of the town fire control district, emergency medical personnel, town councilmembers, other persons authorized by the town manager, and regular employees of local businesses while traveling to and from their jobs for their regular hours, providing such employees have in their possession personal identification and identification of the business by which they are employed.

8. Any person who refuses to comply with or violates any provision of this declaration of local emergency shall be guilty of a municipal violation. Each day of such violation shall constitute a separate offense. Nothing herein contained shall prevent the town from taking such

other lawful action in any court of competent jurisdiction as is necessary to prevent or remedy any refusal to comply with, or violation of, this article or the emergency measures which may be made effective pursuant to this article. Such other lawful action shall include but shall not be limited to, an equitable action for injunctive relief or an action at law for damages. In addition, any person violating any rule or order issued pursuant to this Resolution or any person who willfully fails or refuses to comply with the order or orders of any duly authorized law enforcement officer or personnel charged with the responsibility for the enforcement of such orders shall, upon conviction therefore, be punished as provided by Section 252.50, Florida Statutes, and by such other laws as may be applicable to the offense.

SECTION 2. Conflicts. Any and all Resolutions or parts of Resolutions in conflict herewith are hereby repealed.

SECTION 3. Severability. If any provision or portion of this Resolution or the application is held invalid, the invalidity shall not affect other provisions, portions or applications of the Resolution, which can be given effect without the invalid provision, portion or application, and to this end the provisions, portions, or applications of this Resolution are declared severable.

SECTION 4. Effective Date and Termination Date. This Resolution shall take effect immediately upon the termination of the previously adopted state of local emergency and shall terminate automatically seven (7) days from that date unless terminated earlier or extended by a document of equal dignity herewith.

SECTION 5. Direction to Implement. The Town Manager is directed to implement this Resolution.

The foregoing Resolution was adopted by the Town Council upon a motion by _____ and seconded by _____, and upon being put to a roll call vote, the result was as follows:

Dan Allers, Mayor	___
Jim Atterholt, Vice Mayor	___
John R. King, Council Member	___
Scott Safford, Council Member	___
Karen Woodson, Council Member	___

ADOPTED this 2nd day of June 2025 by the Town Council of the Town of Fort Myers Beach, Florida.

FORT MYERS BEACH TOWN COUNCIL

_____
Dan Allers, Mayor

ATTEST:

_____
Amy Baker, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:

_____
Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on this ___ day of June 2025.

RESOLUTION NUMBER 25-168

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 HELENE (FORMERLY KNOWN AS POTENTIAL TROPICAL CYCLONE NINE); 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

WHEREAS, Section 252.38(3), Florida Statutes, authorizes the Town of Fort Myers Beach to declare a state of local emergency and to waive the procedures and formalities otherwise required of political subdivisions by law; and

WHEREAS, Chapter 12 of the Town Code of the Town of Fort Myers Beach authorizes certain powers in the event of a local state of emergency; and

WHEREAS, a state of local emergency proclamation is allowed for seven (7) days with appropriate extensions pursuant to law; and

WHEREAS, the effects of Hurricane Helene impacted Fort Myers Beach and the current declaration of emergency that was adopted relating to that storm on September 23, 2024, must be extended.

THEREFORE, under the powers vested in it pursuant to Chapter 252, Florida Statutes, and under Chapter 12 of the Town Code of the Town of Fort Myers Beach, the **Town Council does hereby extend the proclamation of a state of local emergency in the Town of Fort Myers Beach, Florida, as identified above beginning at the end of the previously adopted state of local emergency to 7 days thereafter.**

SECTION 1. State of Local Emergency. The following emergency powers and other provisions shall be in force during this state of local emergency:

1. The Town Manager, or designee, is authorized to take all actions necessary and appropriate to protect human life and property, including the promulgation of rules and orders as may be necessary subject to the limitations of Section 252.33, Florida Statutes. This resolution further authorizes the Town Manager, or designee, to utilize all lawful authority granted to the Town of Fort Myers Beach by Federal, State, County, or Town Emergency Management Laws, Rules, Regulations, Orders and, including, but not limited to, Section 252.46 and Section 252.38(3)(a)(1) through Section 252.38(3)(a)(5), Florida Statutes, inclusive.

2. All existing laws, ordinances, and rules inconsistent with the provisions of Sections 252.31 to Section 252.905, Florida Statutes, inclusive, or inconsistent with any rule or order specifically promulgated under this resolution shall be suspended during this period of time and to the extent that such conflict exists.

3. The Town Manager may suspend, toll or extend the time requirements, notice requirements and deadlines for final action on applications for permits, licenses, rates and other approvals under the Town of Fort Myers Beach Code of Ordinances, to the extent necessary to accommodate the emergency.

4. Pursuant to Section 252.38(3)(a)(5), Florida Statutes, the Town hereby exercises its authority and waives the procedures and formalities otherwise required of a political subdivision by law, pertaining to:

- Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;
- Entering into contracts;
- Incurring obligations;
- Employment of permanent and temporary workers;
- Utilization of volunteer workers;
- Rental of equipment;
- Acquisition and distribution, with or without compensation, of supplies, materials, and facilities; and
- Appropriation and expenditure of public funds

5. The Town Manager shall follow FEMA guidelines in procuring services, materials, labor and equipment necessary to respond to the emergency, including recovery efforts. The Town Manager shall abide by the "Uniform Administrative Requirements, Cost Principles, and Audit Requirements" for federal awards, codified at 2 C.F.R. §§200.317 through 200.326.

6. Pursuant to Section 12-23, of the Code of the Town of Fort Myers Beach, in addition to any other powers conferred by law, the town manager or designees shall have the power and authority to order and promulgate all or any of the following emergency measures to be effective during the period of such emergency in whole or in part, with such limitation and conditions as the town manager or designees may deem appropriate to protect the town's health, safety and welfare, and/or waive the procedures and formalities otherwise required of the town by law pertaining to these measures:

(a) To appropriate and expend funds; make contracts; incur obligations; obtain and distribute equipment, materials, and supplies for emergency management purposes; provide for the health and safety of persons and property, including emergency assistance to victims of any emergency; and direct and coordinate the implementation of emergency management plans and programs in accordance with the requirements of state and federal law.

(b) To appoint, employ, remove, or provide (with or without compensation) rescue teams, coordinators, other emergency management workers and other permanent or temporary workers.

(c) To establish, as necessary, primary and secondary emergency operating centers to provide continuity of government and direction and control of emergency operations.

(d) To assign and make available for duty the offices and agencies of the town, including the employees, property, or equipment thereof relating to health, medical and related services, transportation, construction, and similar items or services for emergency operation purposes, for deployment within or outside the limits of the town.

(e) To request state assistance or invoke emergency-related mutual-aid assistance pursuant to existing contracts and/or state or local law.

(f) To waive any procedures and formalities otherwise required of the town by law pertaining to performance of public work and/or the taking of whatever prudent action is necessary to ensure the health, safety, and welfare of the people of the town.

(g) To suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives and/or combustibles.

(h) To utilize all available resources of the town government as reasonably necessary to cope with the emergency occasioned by the disaster.

(i) To make provisions for availability and use of temporary emergency housing and emergency warehousing of materials.

(j) Preceding or during the emergency, to call on the National Guard or the Army, Coast Guard or other law enforcement division or other agency as necessary to assist in the mitigation of the emergency or to help maintain law and order, rescue and traffic control.

7. Pursuant to Sec. 12-24, "Prohibitions during state of emergency", of the Code of the Town of Fort Myers Beach, whenever a state of local emergency has been declared, and until such state of local emergency is terminated, the following prohibitions shall apply throughout the town, unless and until the same shall be waived or modified by a quorum of the town council at a general, special or emergency meeting:

(a) It shall be unlawful and an offense against the town for any person to use the fresh water supplied by the county or local water company for any purpose other than cooking, drinking or bathing.

(b) It shall be unlawful for any person to be out and about on the public rights-of-way or other public areas of the town between the dusk and dawn, except for law enforcement officers, members of the town fire control district, emergency medical personnel, town councilmembers, other persons authorized by the town manager, and regular employees of local businesses while traveling to and from their jobs for their regular hours, providing such employees have in their possession personal identification and identification of the business by which they are employed.

8. Any person who refuses to comply with or violates any provision of this declaration of local emergency shall be guilty of a municipal violation. Each day of such violation shall constitute a separate offense. Nothing herein contained shall prevent the town from taking such

other lawful action in any court of competent jurisdiction as is necessary to prevent or remedy any refusal to comply with, or violation of, this article or the emergency measures which may be made effective pursuant to this article. Such other lawful action shall include but shall not be limited to, an equitable action for injunctive relief or an action at law for damages. In addition, any person violating any rule or order issued pursuant to this Resolution or any person who willfully fails or refuses to comply with the order or orders of any duly authorized law enforcement officer or personnel charged with the responsibility for the enforcement of such orders shall, upon conviction therefore, be punished as provided by Section 252.50, Florida Statutes, and by such other laws as may be applicable to the offense.

SECTION 2. Conflicts. Any and all Resolutions or parts of Resolutions in conflict herewith are hereby repealed.

SECTION 3. Severability. If any provision or portion of this Resolution or the application is held invalid, the invalidity shall not affect other provisions, portions or applications of the Resolution, which can be given effect without the invalid provision, portion or application, and to this end the provisions, portions, or applications of this Resolution are declared severable.

SECTION 4. Effective Date and Termination Date. This Resolution shall take effect immediately upon the termination of the previously adopted state of local emergency and shall terminate automatically seven (7) days from that date unless terminated earlier or extended by a document of equal dignity herewith.

SECTION 5. Direction to Implement. The Town Manager is directed to implement this Resolution.

The foregoing Resolution was adopted by the Town Council upon a motion by _____ and seconded by _____, and upon being put to a roll call vote, the result was as follows:

Dan Allers, Mayor	___
Jim Atterholt, Vice Mayor	___
John R. King, Council Member	___
Scott Safford, Council Member	___
Karen Woodson, Council Member	___

ADOPTED this 2nd day of June 2025 by the Town Council of the Town of Fort Myers Beach, Florida.

FORT MYERS BEACH TOWN COUNCIL

_____
Dan Allers, Mayor

ATTEST:

_____
Amy Baker, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:

_____
Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on this ___ day of June 2025.

RESOLUTION NUMBER 25-169

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 HELENE (FORMERLY KNOWN AS POTENTIAL TROPICAL CYCLONE NINE); 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

WHEREAS, Section 252.38(3), Florida Statutes, authorizes the Town of Fort Myers Beach to declare a state of local emergency and to waive the procedures and formalities otherwise required of political subdivisions by law; and

WHEREAS, Chapter 12 of the Town Code of the Town of Fort Myers Beach authorizes certain powers in the event of a local state of emergency; and

WHEREAS, a state of local emergency proclamation is allowed for seven (7) days with appropriate extensions pursuant to law; and

WHEREAS, the effects of Hurricane Helene impacted Fort Myers Beach and the current declaration of emergency that was adopted relating to that storm on September 23, 2024, must be extended.

THEREFORE, under the powers vested in it pursuant to Chapter 252, Florida Statutes, and under Chapter 12 of the Town Code of the Town of Fort Myers Beach, the **Town Council does hereby extend the proclamation of a state of local emergency in the Town of Fort Myers Beach, Florida, as identified above beginning at the end of the previously adopted state of local emergency to 7 days thereafter.**

SECTION 1. State of Local Emergency. The following emergency powers and other provisions shall be in force during this state of local emergency:

1. The Town Manager, or designee, is authorized to take all actions necessary and appropriate to protect human life and property, including the promulgation of rules and orders as may be necessary subject to the limitations of Section 252.33, Florida Statutes. This resolution further authorizes the Town Manager, or designee, to utilize all lawful authority granted to the Town of Fort Myers Beach by Federal, State, County, or Town Emergency Management Laws, Rules, Regulations, Orders and, including, but not limited to, Section 252.46 and Section 252.38(3)(a)(1) through Section 252.38(3)(a)(5), Florida Statutes, inclusive.

2. All existing laws, ordinances, and rules inconsistent with the provisions of Sections 252.31 to Section 252.905, Florida Statutes, inclusive, or inconsistent with any rule or order specifically promulgated under this resolution shall be suspended during this period of time and to the extent that such conflict exists.

3. The Town Manager may suspend, toll or extend the time requirements, notice requirements and deadlines for final action on applications for permits, licenses, rates and other approvals under the Town of Fort Myers Beach Code of Ordinances, to the extent necessary to accommodate the emergency.

4. Pursuant to Section 252.38(3)(a)(5), Florida Statutes, the Town hereby exercises its authority and waives the procedures and formalities otherwise required of a political subdivision by law, pertaining to:

- Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;
- Entering into contracts;
- Incurring obligations;
- Employment of permanent and temporary workers;
- Utilization of volunteer workers;
- Rental of equipment;
- Acquisition and distribution, with or without compensation, of supplies, materials, and facilities; and
- Appropriation and expenditure of public funds

5. The Town Manager shall follow FEMA guidelines in procuring services, materials, labor and equipment necessary to respond to the emergency, including recovery efforts. The Town Manager shall abide by the "Uniform Administrative Requirements, Cost Principles, and Audit Requirements" for federal awards, codified at 2 C.F.R. §§200.317 through 200.326.

6. Pursuant to Section 12-23, of the Code of the Town of Fort Myers Beach, in addition to any other powers conferred by law, the town manager or designees shall have the power and authority to order and promulgate all or any of the following emergency measures to be effective during the period of such emergency in whole or in part, with such limitation and conditions as the town manager or designees may deem appropriate to protect the town's health, safety and welfare, and/or waive the procedures and formalities otherwise required of the town by law pertaining to these measures:

(a) To appropriate and expend funds; make contracts; incur obligations; obtain and distribute equipment, materials, and supplies for emergency management purposes; provide for the health and safety of persons and property, including emergency assistance to victims of any emergency; and direct and coordinate the implementation of emergency management plans and programs in accordance with the requirements of state and federal law.

(b) To appoint, employ, remove, or provide (with or without compensation) rescue teams, coordinators, other emergency management workers and other permanent or temporary workers.

(c) To establish, as necessary, primary and secondary emergency operating centers to provide continuity of government and direction and control of emergency operations.

(d) To assign and make available for duty the offices and agencies of the town, including the employees, property, or equipment thereof relating to health, medical and related services, transportation, construction, and similar items or services for emergency operation purposes, for deployment within or outside the limits of the town.

(e) To request state assistance or invoke emergency-related mutual-aid assistance pursuant to existing contracts and/or state or local law.

(f) To waive any procedures and formalities otherwise required of the town by law pertaining to performance of public work and/or the taking of whatever prudent action is necessary to ensure the health, safety, and welfare of the people of the town.

(g) To suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives and/or combustibles.

(h) To utilize all available resources of the town government as reasonably necessary to cope with the emergency occasioned by the disaster.

(i) To make provisions for availability and use of temporary emergency housing and emergency warehousing of materials.

(j) Preceding or during the emergency, to call on the National Guard or the Army, Coast Guard or other law enforcement division or other agency as necessary to assist in the mitigation of the emergency or to help maintain law and order, rescue and traffic control.

7. Pursuant to Sec. 12-24, "Prohibitions during state of emergency", of the Code of the Town of Fort Myers Beach, whenever a state of local emergency has been declared, and until such state of local emergency is terminated, the following prohibitions shall apply throughout the town, unless and until the same shall be waived or modified by a quorum of the town council at a general, special or emergency meeting:

(a) It shall be unlawful and an offense against the town for any person to use the fresh water supplied by the county or local water company for any purpose other than cooking, drinking or bathing.

(b) It shall be unlawful for any person to be out and about on the public rights-of-way or other public areas of the town between the dusk and dawn, except for law enforcement officers, members of the town fire control district, emergency medical personnel, town councilmembers, other persons authorized by the town manager, and regular employees of local businesses while traveling to and from their jobs for their regular hours, providing such employees have in their possession personal identification and identification of the business by which they are employed.

8. Any person who refuses to comply with or violates any provision of this declaration of local emergency shall be guilty of a municipal violation. Each day of such violation shall constitute a separate offense. Nothing herein contained shall prevent the town from taking such

other lawful action in any court of competent jurisdiction as is necessary to prevent or remedy any refusal to comply with, or violation of, this article or the emergency measures which may be made effective pursuant to this article. Such other lawful action shall include but shall not be limited to, an equitable action for injunctive relief or an action at law for damages. In addition, any person violating any rule or order issued pursuant to this Resolution or any person who willfully fails or refuses to comply with the order or orders of any duly authorized law enforcement officer or personnel charged with the responsibility for the enforcement of such orders shall, upon conviction therefore, be punished as provided by Section 252.50, Florida Statutes, and by such other laws as may be applicable to the offense.

SECTION 2. Conflicts. Any and all Resolutions or parts of Resolutions in conflict herewith are hereby repealed.

SECTION 3. Severability. If any provision or portion of this Resolution or the application is held invalid, the invalidity shall not affect other provisions, portions or applications of the Resolution, which can be given effect without the invalid provision, portion or application, and to this end the provisions, portions, or applications of this Resolution are declared severable.

SECTION 4. Effective Date and Termination Date. This Resolution shall take effect immediately upon the termination of the previously adopted state of local emergency and shall terminate automatically seven (7) days from that date unless terminated earlier or extended by a document of equal dignity herewith.

SECTION 5. Direction to Implement. The Town Manager is directed to implement this Resolution.

The foregoing Resolution was adopted by the Town Council upon a motion by _____ and seconded by _____, and upon being put to a roll call vote, the result was as follows:

Dan Allers, Mayor	___
Jim Atterholt, Vice Mayor	___
John R. King, Council Member	___
Scott Safford, Council Member	___
Karen Woodson, Council Member	___

ADOPTED this 2nd day of June 2025 by the Town Council of the Town of Fort Myers Beach, Florida.

FORT MYERS BEACH TOWN COUNCIL

_____
Dan Allers, Mayor

ATTEST:

_____
Amy Baker, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:

_____
Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on this ___ day of June 2025.

RESOLUTION NUMBER 25-170

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 HELENE (FORMERLY KNOWN AS POTENTIAL TROPICAL CYCLONE NINE); 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

WHEREAS, Section 252.38(3), Florida Statutes, authorizes the Town of Fort Myers Beach to declare a state of local emergency and to waive the procedures and formalities otherwise required of political subdivisions by law; and

WHEREAS, Chapter 12 of the Town Code of the Town of Fort Myers Beach authorizes certain powers in the event of a local state of emergency; and

WHEREAS, a state of local emergency proclamation is allowed for seven (7) days with appropriate extensions pursuant to law; and

WHEREAS, the effects of Hurricane Helene impacted Fort Myers Beach and the current declaration of emergency that was adopted relating to that storm on September 23, 2024, must be extended.

THEREFORE, under the powers vested in it pursuant to Chapter 252, Florida Statutes, and under Chapter 12 of the Town Code of the Town of Fort Myers Beach, the **Town Council does hereby extend the proclamation of a state of local emergency in the Town of Fort Myers Beach, Florida, as identified above beginning at the end of the previously adopted state of local emergency to 7 days thereafter.**

SECTION 1. State of Local Emergency. The following emergency powers and other provisions shall be in force during this state of local emergency:

1. The Town Manager, or designee, is authorized to take all actions necessary and appropriate to protect human life and property, including the promulgation of rules and orders as may be necessary subject to the limitations of Section 252.33, Florida Statutes. This resolution further authorizes the Town Manager, or designee, to utilize all lawful authority granted to the Town of Fort Myers Beach by Federal, State, County, or Town Emergency Management Laws, Rules, Regulations, Orders and, including, but not limited to, Section 252.46 and Section 252.38(3)(a)(1) through Section 252.38(3)(a)(5), Florida Statutes, inclusive.

2. All existing laws, ordinances, and rules inconsistent with the provisions of Sections 252.31 to Section 252.905, Florida Statutes, inclusive, or inconsistent with any rule or order specifically promulgated under this resolution shall be suspended during this period of time and to the extent that such conflict exists.

3. The Town Manager may suspend, toll or extend the time requirements, notice requirements and deadlines for final action on applications for permits, licenses, rates and other approvals under the Town of Fort Myers Beach Code of Ordinances, to the extent necessary to accommodate the emergency.

4. Pursuant to Section 252.38(3)(a)(5), Florida Statutes, the Town hereby exercises its authority and waives the procedures and formalities otherwise required of a political subdivision by law, pertaining to:

- Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;
- Entering into contracts;
- Incurring obligations;
- Employment of permanent and temporary workers;
- Utilization of volunteer workers;
- Rental of equipment;
- Acquisition and distribution, with or without compensation, of supplies, materials, and facilities; and
- Appropriation and expenditure of public funds

5. The Town Manager shall follow FEMA guidelines in procuring services, materials, labor and equipment necessary to respond to the emergency, including recovery efforts. The Town Manager shall abide by the "Uniform Administrative Requirements, Cost Principles, and Audit Requirements" for federal awards, codified at 2 C.F.R. §§200.317 through 200.326.

6. Pursuant to Section 12-23, of the Code of the Town of Fort Myers Beach, in addition to any other powers conferred by law, the town manager or designees shall have the power and authority to order and promulgate all or any of the following emergency measures to be effective during the period of such emergency in whole or in part, with such limitation and conditions as the town manager or designees may deem appropriate to protect the town's health, safety and welfare, and/or waive the procedures and formalities otherwise required of the town by law pertaining to these measures:

(a) To appropriate and expend funds; make contracts; incur obligations; obtain and distribute equipment, materials, and supplies for emergency management purposes; provide for the health and safety of persons and property, including emergency assistance to victims of any emergency; and direct and coordinate the implementation of emergency management plans and programs in accordance with the requirements of state and federal law.

(b) To appoint, employ, remove, or provide (with or without compensation) rescue teams, coordinators, other emergency management workers and other permanent or temporary workers.

(c) To establish, as necessary, primary and secondary emergency operating centers to provide continuity of government and direction and control of emergency operations.

(d) To assign and make available for duty the offices and agencies of the town, including the employees, property, or equipment thereof relating to health, medical and related services, transportation, construction, and similar items or services for emergency operation purposes, for deployment within or outside the limits of the town.

(e) To request state assistance or invoke emergency-related mutual-aid assistance pursuant to existing contracts and/or state or local law.

(f) To waive any procedures and formalities otherwise required of the town by law pertaining to performance of public work and/or the taking of whatever prudent action is necessary to ensure the health, safety, and welfare of the people of the town.

(g) To suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives and/or combustibles.

(h) To utilize all available resources of the town government as reasonably necessary to cope with the emergency occasioned by the disaster.

(i) To make provisions for availability and use of temporary emergency housing and emergency warehousing of materials.

(j) Preceding or during the emergency, to call on the National Guard or the Army, Coast Guard or other law enforcement division or other agency as necessary to assist in the mitigation of the emergency or to help maintain law and order, rescue and traffic control.

7. Pursuant to Sec. 12-24, "Prohibitions during state of emergency", of the Code of the Town of Fort Myers Beach, whenever a state of local emergency has been declared, and until such state of local emergency is terminated, the following prohibitions shall apply throughout the town, unless and until the same shall be waived or modified by a quorum of the town council at a general, special or emergency meeting:

(a) It shall be unlawful and an offense against the town for any person to use the fresh water supplied by the county or local water company for any purpose other than cooking, drinking or bathing.

(b) It shall be unlawful for any person to be out and about on the public rights-of-way or other public areas of the town between the dusk and dawn, except for law enforcement officers, members of the town fire control district, emergency medical personnel, town councilmembers, other persons authorized by the town manager, and regular employees of local businesses while traveling to and from their jobs for their regular hours, providing such employees have in their possession personal identification and identification of the business by which they are employed.

8. Any person who refuses to comply with or violates any provision of this declaration of local emergency shall be guilty of a municipal violation. Each day of such violation shall constitute a separate offense. Nothing herein contained shall prevent the town from taking such

other lawful action in any court of competent jurisdiction as is necessary to prevent or remedy any refusal to comply with, or violation of, this article or the emergency measures which may be made effective pursuant to this article. Such other lawful action shall include but shall not be limited to, an equitable action for injunctive relief or an action at law for damages. In addition, any person violating any rule or order issued pursuant to this Resolution or any person who willfully fails or refuses to comply with the order or orders of any duly authorized law enforcement officer or personnel charged with the responsibility for the enforcement of such orders shall, upon conviction therefore, be punished as provided by Section 252.50, Florida Statutes, and by such other laws as may be applicable to the offense.

SECTION 2. Conflicts. Any and all Resolutions or parts of Resolutions in conflict herewith are hereby repealed.

SECTION 3. Severability. If any provision or portion of this Resolution or the application is held invalid, the invalidity shall not affect other provisions, portions or applications of the Resolution, which can be given effect without the invalid provision, portion or application, and to this end the provisions, portions, or applications of this Resolution are declared severable.

SECTION 4. Effective Date and Termination Date. This Resolution shall take effect immediately upon the termination of the previously adopted state of local emergency and shall terminate automatically seven (7) days from that date unless terminated earlier or extended by a document of equal dignity herewith.

SECTION 5. Direction to Implement. The Town Manager is directed to implement this Resolution.

The foregoing Resolution was adopted by the Town Council upon a motion by _____ and seconded by _____, and upon being put to a roll call vote, the result was as follows:

Dan Allers, Mayor	___
Jim Atterholt, Vice Mayor	___
John R. King, Council Member	___
Scott Safford, Council Member	___
Karen Woodson, Council Member	___

ADOPTED this 2nd day of June 2025 by the Town Council of the Town of Fort Myers Beach, Florida.

FORT MYERS BEACH TOWN COUNCIL

_____
Dan Allers, Mayor

ATTEST:

_____
Amy Baker, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:

_____
Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on this ___ day of June 2025.

RESOLUTION NUMBER 25-170

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 HELENE (FORMERLY KNOWN AS POTENTIAL TROPICAL CYCLONE NINE); 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

WHEREAS, Section 252.38(3), Florida Statutes, authorizes the Town of Fort Myers Beach to declare a state of local emergency and to waive the procedures and formalities otherwise required of political subdivisions by law; and

WHEREAS, Chapter 12 of the Town Code of the Town of Fort Myers Beach authorizes certain powers in the event of a local state of emergency; and

WHEREAS, a state of local emergency proclamation is allowed for seven (7) days with appropriate extensions pursuant to law; and

WHEREAS, the effects of Hurricane Helene impacted Fort Myers Beach and the current declaration of emergency that was adopted relating to that storm on September 23, 2024, must be extended.

THEREFORE, under the powers vested in it pursuant to Chapter 252, Florida Statutes, and under Chapter 12 of the Town Code of the Town of Fort Myers Beach, the **Town Council does hereby extend the proclamation of a state of local emergency in the Town of Fort Myers Beach, Florida, as identified above beginning at the end of the previously adopted state of local emergency to 7 days thereafter.**

SECTION 1. State of Local Emergency. The following emergency powers and other provisions shall be in force during this state of local emergency:

1. The Town Manager, or designee, is authorized to take all actions necessary and appropriate to protect human life and property, including the promulgation of rules and orders as may be necessary subject to the limitations of Section 252.33, Florida Statutes. This resolution further authorizes the Town Manager, or designee, to utilize all lawful authority granted to the Town of Fort Myers Beach by Federal, State, County, or Town Emergency Management Laws, Rules, Regulations, Orders and, including, but not limited to, Section 252.46 and Section 252.38(3)(a)(1) through Section 252.38(3)(a)(5), Florida Statutes, inclusive.

2. All existing laws, ordinances, and rules inconsistent with the provisions of Sections 252.31 to Section 252.905, Florida Statutes, inclusive, or inconsistent with any rule or order specifically promulgated under this resolution shall be suspended during this period of time and to the extent that such conflict exists.

3. The Town Manager may suspend, toll or extend the time requirements, notice requirements and deadlines for final action on applications for permits, licenses, rates and other approvals under the Town of Fort Myers Beach Code of Ordinances, to the extent necessary to accommodate the emergency.

4. Pursuant to Section 252.38(3)(a)(5), Florida Statutes, the Town hereby exercises its authority and waives the procedures and formalities otherwise required of a political subdivision by law, pertaining to:

- Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;
- Entering into contracts;
- Incurring obligations;
- Employment of permanent and temporary workers;
- Utilization of volunteer workers;
- Rental of equipment;
- Acquisition and distribution, with or without compensation, of supplies, materials, and facilities; and
- Appropriation and expenditure of public funds

5. The Town Manager shall follow FEMA guidelines in procuring services, materials, labor and equipment necessary to respond to the emergency, including recovery efforts. The Town Manager shall abide by the "Uniform Administrative Requirements, Cost Principles, and Audit Requirements" for federal awards, codified at 2 C.F.R. §§200.317 through 200.326.

6. Pursuant to Section 12-23, of the Code of the Town of Fort Myers Beach, in addition to any other powers conferred by law, the town manager or designees shall have the power and authority to order and promulgate all or any of the following emergency measures to be effective during the period of such emergency in whole or in part, with such limitation and conditions as the town manager or designees may deem appropriate to protect the town's health, safety and welfare, and/or waive the procedures and formalities otherwise required of the town by law pertaining to these measures:

(a) To appropriate and expend funds; make contracts; incur obligations; obtain and distribute equipment, materials, and supplies for emergency management purposes; provide for the health and safety of persons and property, including emergency assistance to victims of any emergency; and direct and coordinate the implementation of emergency management plans and programs in accordance with the requirements of state and federal law.

(b) To appoint, employ, remove, or provide (with or without compensation) rescue teams, coordinators, other emergency management workers and other permanent or temporary workers.

(c) To establish, as necessary, primary and secondary emergency operating centers to provide continuity of government and direction and control of emergency operations.

(d) To assign and make available for duty the offices and agencies of the town, including the employees, property, or equipment thereof relating to health, medical and related services, transportation, construction, and similar items or services for emergency operation purposes, for deployment within or outside the limits of the town.

(e) To request state assistance or invoke emergency-related mutual-aid assistance pursuant to existing contracts and/or state or local law.

(f) To waive any procedures and formalities otherwise required of the town by law pertaining to performance of public work and/or the taking of whatever prudent action is necessary to ensure the health, safety, and welfare of the people of the town.

(g) To suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives and/or combustibles.

(h) To utilize all available resources of the town government as reasonably necessary to cope with the emergency occasioned by the disaster.

(i) To make provisions for availability and use of temporary emergency housing and emergency warehousing of materials.

(j) Preceding or during the emergency, to call on the National Guard or the Army, Coast Guard or other law enforcement division or other agency as necessary to assist in the mitigation of the emergency or to help maintain law and order, rescue and traffic control.

7. Pursuant to Sec. 12-24, "Prohibitions during state of emergency", of the Code of the Town of Fort Myers Beach, whenever a state of local emergency has been declared, and until such state of local emergency is terminated, the following prohibitions shall apply throughout the town, unless and until the same shall be waived or modified by a quorum of the town council at a general, special or emergency meeting:

(a) It shall be unlawful and an offense against the town for any person to use the fresh water supplied by the county or local water company for any purpose other than cooking, drinking or bathing.

(b) It shall be unlawful for any person to be out and about on the public rights-of-way or other public areas of the town between the dusk and dawn, except for law enforcement officers, members of the town fire control district, emergency medical personnel, town councilmembers, other persons authorized by the town manager, and regular employees of local businesses while traveling to and from their jobs for their regular hours, providing such employees have in their possession personal identification and identification of the business by which they are employed.

8. Any person who refuses to comply with or violates any provision of this declaration of local emergency shall be guilty of a municipal violation. Each day of such violation shall constitute a separate offense. Nothing herein contained shall prevent the town from taking such

other lawful action in any court of competent jurisdiction as is necessary to prevent or remedy any refusal to comply with, or violation of, this article or the emergency measures which may be made effective pursuant to this article. Such other lawful action shall include but shall not be limited to, an equitable action for injunctive relief or an action at law for damages. In addition, any person violating any rule or order issued pursuant to this Resolution or any person who willfully fails or refuses to comply with the order or orders of any duly authorized law enforcement officer or personnel charged with the responsibility for the enforcement of such orders shall, upon conviction therefore, be punished as provided by Section 252.50, Florida Statutes, and by such other laws as may be applicable to the offense.

SECTION 2. Conflicts. Any and all Resolutions or parts of Resolutions in conflict herewith are hereby repealed.

SECTION 3. Severability. If any provision or portion of this Resolution or the application is held invalid, the invalidity shall not affect other provisions, portions or applications of the Resolution, which can be given effect without the invalid provision, portion or application, and to this end the provisions, portions, or applications of this Resolution are declared severable.

SECTION 4. Effective Date and Termination Date. This Resolution shall take effect immediately upon the termination of the previously adopted state of local emergency and shall terminate automatically seven (7) days from that date unless terminated earlier or extended by a document of equal dignity herewith.

SECTION 5. Direction to Implement. The Town Manager is directed to implement this Resolution.

The foregoing Resolution was adopted by the Town Council upon a motion by _____ and seconded by _____, and upon being put to a roll call vote, the result was as follows:

Dan Allers, Mayor	___
Jim Atterholt, Vice Mayor	___
John R. King, Council Member	___
Scott Safford, Council Member	___
Karen Woodson, Council Member	___

ADOPTED this 2nd day of June 2025 by the Town Council of the Town of Fort Myers Beach, Florida.

FORT MYERS BEACH TOWN COUNCIL

_____
Dan Allers, Mayor

ATTEST:

_____
Amy Baker, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:

_____
Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on this ___ day of June 2025.

Town of Fort Myers Beach
Agenda Item Summary

Blue Sheet Number: **2025-442**

1. **Request:**

Meeting Date: June 2, 2025

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 MILTON, 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.

Why the action is necessary:

Keeps the Local State of Emergency in effect for Hurricane Milton

What the action accomplishes:

2. **Agenda:**	3. **Requirement/Purpose:**	4. **Submitter of Information:**
CONSENT AGENDA	Resolution	Amy Baker, Town Clerk

5. **Background:**

Approving and ratifying this Resolution will maintain in place the Town Declaration of State of Local Emergency originally adopted via Resolution 24-214

Attachments:

1. 25-172, Extension of Local Emergency - Milton 06.03.25 - 06.09.25
2. 25-173, Extension of Local Emergency - Milton 06.10.25 - 06.16.25
3. 25-174, Extension of Local Emergency - Milton 06.17.25 - 06.23.25
4. 25-175, Extension of Local Emergency - Milton 06.24.25 - 06.30.25
5. 25-176, Extension of Local Emergency - Milton 07.01.25 - 07.07.25
6. 25-177, Extension of Local Emergency - Milton 07.08.25 -07.14.25
7. 25-178, Extension of Local Emergency - Milton 07.15.25 - 07.21.25
8. 25-179, Extension of Local Emergency - Milton 07.22.25 - 07.28.25
9. 25-180, Extension of Local Emergency - Milton 07.29.25 - 08.04.25

Financial Impact:

6. **Alternative Action**

Do not approve and end the Local State of Emergency for Hurricane Milton

7. **Management Recommendations:**

Approve

8. **Recommended Approval:**

Lizzette Roman, Town Clerk Administrative Coordinator	Created/Initiated - 5/22/2025
Amy Baker, Town Clerk	Approved - 5/22/2025
nancy stuparich, Town Attorney	Approved - 5/26/2025
Amy Baker, Town Clerk	Approved - 5/27/2025
William McKannay, Town Manager	Final Approval - 5/28/2025

RESOLUTION NUMBER 25-172

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 MILTON; 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

WHEREAS, Section 252.38(3), Florida Statutes, authorizes the Town of Fort Myers Beach to declare a state of local emergency and to waive the procedures and formalities otherwise required of political subdivisions by law; and

WHEREAS, Chapter 12 of the Town Code of the Town of Fort Myers Beach authorizes certain powers in the event of a local state of emergency; and

WHEREAS, a state of local emergency proclamation is allowed for seven (7) days with appropriate extensions pursuant to law; and

WHEREAS, the effects of Hurricane Milton impacted Fort Myers Beach and the current declaration of emergency that was adopted relating to that storm on October 6, 2024, must be extended.

THEREFORE, under the powers vested in it pursuant to Chapter 252, Florida Statutes, and under Chapter 12 of the Town Code of the Town of Fort Myers Beach, the **Town Council does hereby extend the proclamation of a state of local emergency in the Town of Fort Myers Beach, Florida, as identified above beginning at the end of the previously adopted state of local emergency to 7 days thereafter.**

SECTION 1. State of Local Emergency. The following emergency powers and other provisions shall be in force during this state of local emergency:

1. The Town Manager, or designee, is authorized to take all actions necessary and appropriate to protect human life and property, including the promulgation of rules and orders as may be necessary subject to the limitations of Section 252.33, Florida Statutes. This resolution further authorizes the Town Manager, or designee, to utilize all lawful authority granted to the Town of Fort Myers Beach by Federal, State, County, or Town Emergency Management Laws, Rules, Regulations, Orders and, including, but not limited to, Section 252.46 and Section 252.38(3)(a)(1) through Section 252.38(3)(a)(5), Florida Statutes, inclusive.

2. All existing laws, ordinances, and rules inconsistent with the provisions of Sections 252.31 to Section 252.905, Florida Statutes, inclusive, or inconsistent with any rule or order

specifically promulgated under this resolution shall be suspended during this period of time and to the extent that such conflict exists.

3. The Town Manager may suspend, toll or extend the time requirements, notice requirements and deadlines for final action on applications for permits, licenses, rates and other approvals under the Town of Fort Myers Beach Code of Ordinances, to the extent necessary to accommodate the emergency.

4. Pursuant to Section 252.38(3)(a)(5), Florida Statutes, the Town hereby exercises its authority and waives the procedures and formalities otherwise required of a political subdivision by law, pertaining to:

- Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;
- Entering into contracts;
- Incurring obligations;
- Employment of permanent and temporary workers;
- Utilization of volunteer workers;
- Rental of equipment;
- Acquisition and distribution, with or without compensation, of supplies, materials, and facilities; and
- Appropriation and expenditure of public funds

5. The Town Manager shall follow FEMA guidelines in procuring services, materials, labor and equipment necessary to respond to the emergency, including recovery efforts. The Town Manager shall abide by the "Uniform Administrative Requirements, Cost Principles, and Audit Requirements" for federal awards, codified at 2 C.F.R. §§200.317 through 200.326.

6. Pursuant to Section 12-23, of the Code of the Town of Fort Myers Beach, in addition to any other powers conferred by law, the town manager or designees shall have the power and authority to order and promulgate all or any of the following emergency measures to be effective during the period of such emergency in whole or in part, with such limitation and conditions as the town manager or designees may deem appropriate to protect the town's health, safety and welfare, and/or waive the procedures and formalities otherwise required of the town by law pertaining to these measures:

(a) To appropriate and expend funds; make contracts; incur obligations; obtain and distribute equipment, materials, and supplies for emergency management purposes; provide for the health and safety of persons and property, including emergency assistance to victims of any emergency; and direct and coordinate the implementation of emergency management plans and programs in accordance with the requirements of state and federal law.

(b) To appoint, employ, remove, or provide (with or without compensation) rescue teams, coordinators, other emergency management workers and other permanent or temporary workers.

(c) To establish, as necessary, primary and secondary emergency operating centers to provide continuity of government and direction and control of emergency operations.

(d) To assign and make available for duty the offices and agencies of the town, including the employees, property, or equipment thereof relating to health, medical and related services, transportation, construction, and similar items or services for emergency operation purposes, for deployment within or outside the limits of the town.

(e) To request state assistance or invoke emergency-related mutual-aid assistance pursuant to existing contracts and/or state or local law.

(f) To waive any procedures and formalities otherwise required of the town by law pertaining to performance of public work and/or the taking of whatever prudent action is necessary to ensure the health, safety, and welfare of the people of the town.

(g) To suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives and/or combustibles.

(h) To utilize all available resources of the town government as reasonably necessary to cope with the emergency occasioned by the disaster.

(i) To make provisions for availability and use of temporary emergency housing and emergency warehousing of materials.

(j) Preceding or during the emergency, to call on the National Guard or the Army, Coast Guard or other law enforcement division or other agency as necessary to assist in the mitigation of the emergency or to help maintain law and order, rescue and traffic control.

7. Pursuant to Sec. 12-24, "Prohibitions during state of emergency", of the Code of the Town of Fort Myers Beach, whenever a state of local emergency has been declared, and until such state of local emergency is terminated, the following prohibitions shall apply throughout the town, unless and until the same shall be waived or modified by a quorum of the town council at a general, special or emergency meeting:

(a) It shall be unlawful and an offense against the town for any person to use the fresh water supplied by the county or local water company for any purpose other than cooking, drinking or bathing.

(b) It shall be unlawful for any person to be out and about on the public rights-of-way or other public areas of the town between the dusk and dawn, except for law enforcement officers, members of the town fire control district, emergency medical personnel, town councilmembers, other persons authorized by the town manager, and regular employees of local businesses while traveling to and from their jobs for their regular hours, providing such employees have in their possession personal identification and identification of the business by which they are employed.

8. Any person who refuses to comply with or violates any provision of this declaration of local emergency shall be guilty of a municipal violation. Each day of such violation shall constitute a separate offense. Nothing herein contained shall prevent the town from taking such other lawful action in any court of competent jurisdiction as is necessary to prevent or remedy any refusal to comply with, or violation of, this article or the emergency measures which may be made effective pursuant to this article. Such other lawful action shall include but shall not be limited to,

an equitable action for injunctive relief or an action at law for damages. In addition, any person violating any rule or order issued pursuant to this Resolution or any person who willfully fails or refuses to comply with the order or orders of any duly authorized law enforcement officer or personnel charged with the responsibility for the enforcement of such orders shall, upon conviction therefore, be punished as provided by Section 252.50, Florida Statutes, and by such other laws as may be applicable to the offense.

SECTION 2. Conflicts. Any and all Resolutions or parts of Resolutions in conflict herewith are hereby repealed.

SECTION 3. Severability. If any provision or portion of this Resolution or the application is held invalid, the invalidity shall not affect other provisions, portions or applications of the Resolution, which can be given effect without the invalid provision, portion or application, and to this end the provisions, portions, or applications of this Resolution are declared severable.

SECTION 4. Effective Date and Termination Date. This Resolution shall take effect immediately upon the termination of the previously adopted state of local emergency and shall terminate automatically seven (7) days from that date unless terminated earlier or extended by a document of equal dignity herewith.

SECTION 5. Direction to Implement. The Town Manager is directed to implement this Resolution.

The foregoing Resolution was adopted by the Town Council upon a motion by _____ and seconded by _____, and upon being put to a roll call vote, the result was as follows:

Dan Allers, Mayor	___
Jim Atterholt, Vice Mayor	___
John R. King, Council Member	___
Scott Safford, Council Member	___
Karen Woodson, Council Member	___

ADOPTED this 2nd day of June 2025 by the Town Council of the Town of Fort Myers Beach, Florida.

FORT MYERS BEACH TOWN COUNCIL

_____
Dan Allers, Mayor

ATTEST:

_____
Amy Baker, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:

_____
Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on this __ day of June 2025.

RESOLUTION NUMBER 25-173

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 MILTON; 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

WHEREAS, Section 252.38(3), Florida Statutes, authorizes the Town of Fort Myers Beach to declare a state of local emergency and to waive the procedures and formalities otherwise required of political subdivisions by law; and

WHEREAS, Chapter 12 of the Town Code of the Town of Fort Myers Beach authorizes certain powers in the event of a local state of emergency; and

WHEREAS, a state of local emergency proclamation is allowed for seven (7) days with appropriate extensions pursuant to law; and

WHEREAS, the effects of Hurricane Milton impacted Fort Myers Beach and the current declaration of emergency that was adopted relating to that storm on October 6, 2024, must be extended.

THEREFORE, under the powers vested in it pursuant to Chapter 252, Florida Statutes, and under Chapter 12 of the Town Code of the Town of Fort Myers Beach, the **Town Council does hereby extend the proclamation of a state of local emergency in the Town of Fort Myers Beach, Florida, as identified above beginning at the end of the previously adopted state of local emergency to 7 days thereafter.**

SECTION 1. State of Local Emergency. The following emergency powers and other provisions shall be in force during this state of local emergency:

1. The Town Manager, or designee, is authorized to take all actions necessary and appropriate to protect human life and property, including the promulgation of rules and orders as may be necessary subject to the limitations of Section 252.33, Florida Statutes. This resolution further authorizes the Town Manager, or designee, to utilize all lawful authority granted to the Town of Fort Myers Beach by Federal, State, County, or Town Emergency Management Laws, Rules, Regulations, Orders and, including, but not limited to, Section 252.46 and Section 252.38(3)(a)(1) through Section 252.38(3)(a)(5), Florida Statutes, inclusive.

2. All existing laws, ordinances, and rules inconsistent with the provisions of Sections 252.31 to Section 252.905, Florida Statutes, inclusive, or inconsistent with any rule or order

specifically promulgated under this resolution shall be suspended during this period of time and to the extent that such conflict exists.

3. The Town Manager may suspend, toll or extend the time requirements, notice requirements and deadlines for final action on applications for permits, licenses, rates and other approvals under the Town of Fort Myers Beach Code of Ordinances, to the extent necessary to accommodate the emergency.

4. Pursuant to Section 252.38(3)(a)(5), Florida Statutes, the Town hereby exercises its authority and waives the procedures and formalities otherwise required of a political subdivision by law, pertaining to:

- Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;
- Entering into contracts;
- Incurring obligations;
- Employment of permanent and temporary workers;
- Utilization of volunteer workers;
- Rental of equipment;
- Acquisition and distribution, with or without compensation, of supplies, materials, and facilities; and
- Appropriation and expenditure of public funds

5. The Town Manager shall follow FEMA guidelines in procuring services, materials, labor and equipment necessary to respond to the emergency, including recovery efforts. The Town Manager shall abide by the "Uniform Administrative Requirements, Cost Principles, and Audit Requirements" for federal awards, codified at 2 C.F.R. §§200.317 through 200.326.

6. Pursuant to Section 12-23, of the Code of the Town of Fort Myers Beach, in addition to any other powers conferred by law, the town manager or designees shall have the power and authority to order and promulgate all or any of the following emergency measures to be effective during the period of such emergency in whole or in part, with such limitation and conditions as the town manager or designees may deem appropriate to protect the town's health, safety and welfare, and/or waive the procedures and formalities otherwise required of the town by law pertaining to these measures:

(a) To appropriate and expend funds; make contracts; incur obligations; obtain and distribute equipment, materials, and supplies for emergency management purposes; provide for the health and safety of persons and property, including emergency assistance to victims of any emergency; and direct and coordinate the implementation of emergency management plans and programs in accordance with the requirements of state and federal law.

(b) To appoint, employ, remove, or provide (with or without compensation) rescue teams, coordinators, other emergency management workers and other permanent or temporary workers.

(c) To establish, as necessary, primary and secondary emergency operating centers to provide continuity of government and direction and control of emergency operations.

(d) To assign and make available for duty the offices and agencies of the town, including the employees, property, or equipment thereof relating to health, medical and related services, transportation, construction, and similar items or services for emergency operation purposes, for deployment within or outside the limits of the town.

(e) To request state assistance or invoke emergency-related mutual-aid assistance pursuant to existing contracts and/or state or local law.

(f) To waive any procedures and formalities otherwise required of the town by law pertaining to performance of public work and/or the taking of whatever prudent action is necessary to ensure the health, safety, and welfare of the people of the town.

(g) To suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives and/or combustibles.

(h) To utilize all available resources of the town government as reasonably necessary to cope with the emergency occasioned by the disaster.

(i) To make provisions for availability and use of temporary emergency housing and emergency warehousing of materials.

(j) Preceding or during the emergency, to call on the National Guard or the Army, Coast Guard or other law enforcement division or other agency as necessary to assist in the mitigation of the emergency or to help maintain law and order, rescue and traffic control.

7. Pursuant to Sec. 12-24, "Prohibitions during state of emergency", of the Code of the Town of Fort Myers Beach, whenever a state of local emergency has been declared, and until such state of local emergency is terminated, the following prohibitions shall apply throughout the town, unless and until the same shall be waived or modified by a quorum of the town council at a general, special or emergency meeting:

(a) It shall be unlawful and an offense against the town for any person to use the fresh water supplied by the county or local water company for any purpose other than cooking, drinking or bathing.

(b) It shall be unlawful for any person to be out and about on the public rights-of-way or other public areas of the town between the dusk and dawn, except for law enforcement officers, members of the town fire control district, emergency medical personnel, town councilmembers, other persons authorized by the town manager, and regular employees of local businesses while traveling to and from their jobs for their regular hours, providing such employees have in their possession personal identification and identification of the business by which they are employed.

8. Any person who refuses to comply with or violates any provision of this declaration of local emergency shall be guilty of a municipal violation. Each day of such violation shall constitute a separate offense. Nothing herein contained shall prevent the town from taking such other lawful action in any court of competent jurisdiction as is necessary to prevent or remedy any refusal to comply with, or violation of, this article or the emergency measures which may be made effective pursuant to this article. Such other lawful action shall include but shall not be limited to,

an equitable action for injunctive relief or an action at law for damages. In addition, any person violating any rule or order issued pursuant to this Resolution or any person who willfully fails or refuses to comply with the order or orders of any duly authorized law enforcement officer or personnel charged with the responsibility for the enforcement of such orders shall, upon conviction therefore, be punished as provided by Section 252.50, Florida Statutes, and by such other laws as may be applicable to the offense.

SECTION 2. Conflicts. Any and all Resolutions or parts of Resolutions in conflict herewith are hereby repealed.

SECTION 3. Severability. If any provision or portion of this Resolution or the application is held invalid, the invalidity shall not affect other provisions, portions or applications of the Resolution, which can be given effect without the invalid provision, portion or application, and to this end the provisions, portions, or applications of this Resolution are declared severable.

SECTION 4. Effective Date and Termination Date. This Resolution shall take effect immediately upon the termination of the previously adopted state of local emergency and shall terminate automatically seven (7) days from that date unless terminated earlier or extended by a document of equal dignity herewith.

SECTION 5. Direction to Implement. The Town Manager is directed to implement this Resolution.

The foregoing Resolution was adopted by the Town Council upon a motion by _____ and seconded by _____, and upon being put to a roll call vote, the result was as follows:

Dan Allers, Mayor	___
Jim Atterholt, Vice Mayor	___
John R. King, Council Member	___
Scott Safford, Council Member	___
Karen Woodson, Council Member	___

ADOPTED this 2nd day of June 2025 by the Town Council of the Town of Fort Myers Beach, Florida.

FORT MYERS BEACH TOWN COUNCIL

_____
Dan Allers, Mayor

ATTEST:

_____
Amy Baker, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:

_____
Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on this __ day of June 2025.

RESOLUTION NUMBER 25-174

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 MILTON; 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

WHEREAS, Section 252.38(3), Florida Statutes, authorizes the Town of Fort Myers Beach to declare a state of local emergency and to waive the procedures and formalities otherwise required of political subdivisions by law; and

WHEREAS, Chapter 12 of the Town Code of the Town of Fort Myers Beach authorizes certain powers in the event of a local state of emergency; and

WHEREAS, a state of local emergency proclamation is allowed for seven (7) days with appropriate extensions pursuant to law; and

WHEREAS, the effects of Hurricane Milton impacted Fort Myers Beach and the current declaration of emergency that was adopted relating to that storm on October 6, 2024, must be extended.

THEREFORE, under the powers vested in it pursuant to Chapter 252, Florida Statutes, and under Chapter 12 of the Town Code of the Town of Fort Myers Beach, the **Town Council does hereby extend the proclamation of a state of local emergency in the Town of Fort Myers Beach, Florida, as identified above beginning at the end of the previously adopted state of local emergency to 7 days thereafter.**

SECTION 1. State of Local Emergency. The following emergency powers and other provisions shall be in force during this state of local emergency:

1. The Town Manager, or designee, is authorized to take all actions necessary and appropriate to protect human life and property, including the promulgation of rules and orders as may be necessary subject to the limitations of Section 252.33, Florida Statutes. This resolution further authorizes the Town Manager, or designee, to utilize all lawful authority granted to the Town of Fort Myers Beach by Federal, State, County, or Town Emergency Management Laws, Rules, Regulations, Orders and, including, but not limited to, Section 252.46 and Section 252.38(3)(a)(1) through Section 252.38(3)(a)(5), Florida Statutes, inclusive.

2. All existing laws, ordinances, and rules inconsistent with the provisions of Sections 252.31 to Section 252.905, Florida Statutes, inclusive, or inconsistent with any rule or order

specifically promulgated under this resolution shall be suspended during this period of time and to the extent that such conflict exists.

3. The Town Manager may suspend, toll or extend the time requirements, notice requirements and deadlines for final action on applications for permits, licenses, rates and other approvals under the Town of Fort Myers Beach Code of Ordinances, to the extent necessary to accommodate the emergency.

4. Pursuant to Section 252.38(3)(a)(5), Florida Statutes, the Town hereby exercises its authority and waives the procedures and formalities otherwise required of a political subdivision by law, pertaining to:

- Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;
- Entering into contracts;
- Incurring obligations;
- Employment of permanent and temporary workers;
- Utilization of volunteer workers;
- Rental of equipment;
- Acquisition and distribution, with or without compensation, of supplies, materials, and facilities; and
- Appropriation and expenditure of public funds

5. The Town Manager shall follow FEMA guidelines in procuring services, materials, labor and equipment necessary to respond to the emergency, including recovery efforts. The Town Manager shall abide by the "Uniform Administrative Requirements, Cost Principles, and Audit Requirements" for federal awards, codified at 2 C.F.R. §§200.317 through 200.326.

6. Pursuant to Section 12-23, of the Code of the Town of Fort Myers Beach, in addition to any other powers conferred by law, the town manager or designees shall have the power and authority to order and promulgate all or any of the following emergency measures to be effective during the period of such emergency in whole or in part, with such limitation and conditions as the town manager or designees may deem appropriate to protect the town's health, safety and welfare, and/or waive the procedures and formalities otherwise required of the town by law pertaining to these measures:

(a) To appropriate and expend funds; make contracts; incur obligations; obtain and distribute equipment, materials, and supplies for emergency management purposes; provide for the health and safety of persons and property, including emergency assistance to victims of any emergency; and direct and coordinate the implementation of emergency management plans and programs in accordance with the requirements of state and federal law.

(b) To appoint, employ, remove, or provide (with or without compensation) rescue teams, coordinators, other emergency management workers and other permanent or temporary workers.

(c) To establish, as necessary, primary and secondary emergency operating centers to provide continuity of government and direction and control of emergency operations.

(d) To assign and make available for duty the offices and agencies of the town, including the employees, property, or equipment thereof relating to health, medical and related services, transportation, construction, and similar items or services for emergency operation purposes, for deployment within or outside the limits of the town.

(e) To request state assistance or invoke emergency-related mutual-aid assistance pursuant to existing contracts and/or state or local law.

(f) To waive any procedures and formalities otherwise required of the town by law pertaining to performance of public work and/or the taking of whatever prudent action is necessary to ensure the health, safety, and welfare of the people of the town.

(g) To suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives and/or combustibles.

(h) To utilize all available resources of the town government as reasonably necessary to cope with the emergency occasioned by the disaster.

(i) To make provisions for availability and use of temporary emergency housing and emergency warehousing of materials.

(j) Preceding or during the emergency, to call on the National Guard or the Army, Coast Guard or other law enforcement division or other agency as necessary to assist in the mitigation of the emergency or to help maintain law and order, rescue and traffic control.

7. Pursuant to Sec. 12-24, "Prohibitions during state of emergency", of the Code of the Town of Fort Myers Beach, whenever a state of local emergency has been declared, and until such state of local emergency is terminated, the following prohibitions shall apply throughout the town, unless and until the same shall be waived or modified by a quorum of the town council at a general, special or emergency meeting:

(a) It shall be unlawful and an offense against the town for any person to use the fresh water supplied by the county or local water company for any purpose other than cooking, drinking or bathing.

(b) It shall be unlawful for any person to be out and about on the public rights-of-way or other public areas of the town between the dusk and dawn, except for law enforcement officers, members of the town fire control district, emergency medical personnel, town councilmembers, other persons authorized by the town manager, and regular employees of local businesses while traveling to and from their jobs for their regular hours, providing such employees have in their possession personal identification and identification of the business by which they are employed.

8. Any person who refuses to comply with or violates any provision of this declaration of local emergency shall be guilty of a municipal violation. Each day of such violation shall constitute a separate offense. Nothing herein contained shall prevent the town from taking such other lawful action in any court of competent jurisdiction as is necessary to prevent or remedy any refusal to comply with, or violation of, this article or the emergency measures which may be made effective pursuant to this article. Such other lawful action shall include but shall not be limited to,

an equitable action for injunctive relief or an action at law for damages. In addition, any person violating any rule or order issued pursuant to this Resolution or any person who willfully fails or refuses to comply with the order or orders of any duly authorized law enforcement officer or personnel charged with the responsibility for the enforcement of such orders shall, upon conviction therefore, be punished as provided by Section 252.50, Florida Statutes, and by such other laws as may be applicable to the offense.

SECTION 2. Conflicts. Any and all Resolutions or parts of Resolutions in conflict herewith are hereby repealed.

SECTION 3. Severability. If any provision or portion of this Resolution or the application is held invalid, the invalidity shall not affect other provisions, portions or applications of the Resolution, which can be given effect without the invalid provision, portion or application, and to this end the provisions, portions, or applications of this Resolution are declared severable.

SECTION 4. Effective Date and Termination Date. This Resolution shall take effect immediately upon the termination of the previously adopted state of local emergency and shall terminate automatically seven (7) days from that date unless terminated earlier or extended by a document of equal dignity herewith.

SECTION 5. Direction to Implement. The Town Manager is directed to implement this Resolution.

The foregoing Resolution was adopted by the Town Council upon a motion by _____ and seconded by _____, and upon being put to a roll call vote, the result was as follows:

Dan Allers, Mayor	___
Jim Atterholt, Vice Mayor	___
John R. King, Council Member	___
Scott Safford, Council Member	___
Karen Woodson, Council Member	___

ADOPTED this 2nd day of June 2025 by the Town Council of the Town of Fort Myers Beach, Florida.

FORT MYERS BEACH TOWN COUNCIL

_____
Dan Allers, Mayor

ATTEST:

_____
Amy Baker, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:

_____
Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on this __ day of June 2025.

RESOLUTION NUMBER 25-175

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 MILTON; 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

WHEREAS, Section 252.38(3), Florida Statutes, authorizes the Town of Fort Myers Beach to declare a state of local emergency and to waive the procedures and formalities otherwise required of political subdivisions by law; and

WHEREAS, Chapter 12 of the Town Code of the Town of Fort Myers Beach authorizes certain powers in the event of a local state of emergency; and

WHEREAS, a state of local emergency proclamation is allowed for seven (7) days with appropriate extensions pursuant to law; and

WHEREAS, the effects of Hurricane Milton impacted Fort Myers Beach and the current declaration of emergency that was adopted relating to that storm on October 6, 2024, must be extended.

THEREFORE, under the powers vested in it pursuant to Chapter 252, Florida Statutes, and under Chapter 12 of the Town Code of the Town of Fort Myers Beach, the **Town Council does hereby extend the proclamation of a state of local emergency in the Town of Fort Myers Beach, Florida, as identified above beginning at the end of the previously adopted state of local emergency to 7 days thereafter.**

SECTION 1. State of Local Emergency. The following emergency powers and other provisions shall be in force during this state of local emergency:

1. The Town Manager, or designee, is authorized to take all actions necessary and appropriate to protect human life and property, including the promulgation of rules and orders as may be necessary subject to the limitations of Section 252.33, Florida Statutes. This resolution further authorizes the Town Manager, or designee, to utilize all lawful authority granted to the Town of Fort Myers Beach by Federal, State, County, or Town Emergency Management Laws, Rules, Regulations, Orders and, including, but not limited to, Section 252.46 and Section 252.38(3)(a)(1) through Section 252.38(3)(a)(5), Florida Statutes, inclusive.

2. All existing laws, ordinances, and rules inconsistent with the provisions of Sections 252.31 to Section 252.905, Florida Statutes, inclusive, or inconsistent with any rule or order

specifically promulgated under this resolution shall be suspended during this period of time and to the extent that such conflict exists.

3. The Town Manager may suspend, toll or extend the time requirements, notice requirements and deadlines for final action on applications for permits, licenses, rates and other approvals under the Town of Fort Myers Beach Code of Ordinances, to the extent necessary to accommodate the emergency.

4. Pursuant to Section 252.38(3)(a)(5), Florida Statutes, the Town hereby exercises its authority and waives the procedures and formalities otherwise required of a political subdivision by law, pertaining to:

- Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;
- Entering into contracts;
- Incurring obligations;
- Employment of permanent and temporary workers;
- Utilization of volunteer workers;
- Rental of equipment;
- Acquisition and distribution, with or without compensation, of supplies, materials, and facilities; and
- Appropriation and expenditure of public funds

5. The Town Manager shall follow FEMA guidelines in procuring services, materials, labor and equipment necessary to respond to the emergency, including recovery efforts. The Town Manager shall abide by the "Uniform Administrative Requirements, Cost Principles, and Audit Requirements" for federal awards, codified at 2 C.F.R. §§200.317 through 200.326.

6. Pursuant to Section 12-23, of the Code of the Town of Fort Myers Beach, in addition to any other powers conferred by law, the town manager or designees shall have the power and authority to order and promulgate all or any of the following emergency measures to be effective during the period of such emergency in whole or in part, with such limitation and conditions as the town manager or designees may deem appropriate to protect the town's health, safety and welfare, and/or waive the procedures and formalities otherwise required of the town by law pertaining to these measures:

(a) To appropriate and expend funds; make contracts; incur obligations; obtain and distribute equipment, materials, and supplies for emergency management purposes; provide for the health and safety of persons and property, including emergency assistance to victims of any emergency; and direct and coordinate the implementation of emergency management plans and programs in accordance with the requirements of state and federal law.

(b) To appoint, employ, remove, or provide (with or without compensation) rescue teams, coordinators, other emergency management workers and other permanent or temporary workers.

(c) To establish, as necessary, primary and secondary emergency operating centers to provide continuity of government and direction and control of emergency operations.

(d) To assign and make available for duty the offices and agencies of the town, including the employees, property, or equipment thereof relating to health, medical and related services, transportation, construction, and similar items or services for emergency operation purposes, for deployment within or outside the limits of the town.

(e) To request state assistance or invoke emergency-related mutual-aid assistance pursuant to existing contracts and/or state or local law.

(f) To waive any procedures and formalities otherwise required of the town by law pertaining to performance of public work and/or the taking of whatever prudent action is necessary to ensure the health, safety, and welfare of the people of the town.

(g) To suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives and/or combustibles.

(h) To utilize all available resources of the town government as reasonably necessary to cope with the emergency occasioned by the disaster.

(i) To make provisions for availability and use of temporary emergency housing and emergency warehousing of materials.

(j) Preceding or during the emergency, to call on the National Guard or the Army, Coast Guard or other law enforcement division or other agency as necessary to assist in the mitigation of the emergency or to help maintain law and order, rescue and traffic control.

7. Pursuant to Sec. 12-24, "Prohibitions during state of emergency", of the Code of the Town of Fort Myers Beach, whenever a state of local emergency has been declared, and until such state of local emergency is terminated, the following prohibitions shall apply throughout the town, unless and until the same shall be waived or modified by a quorum of the town council at a general, special or emergency meeting:

(a) It shall be unlawful and an offense against the town for any person to use the fresh water supplied by the county or local water company for any purpose other than cooking, drinking or bathing.

(b) It shall be unlawful for any person to be out and about on the public rights-of-way or other public areas of the town between the dusk and dawn, except for law enforcement officers, members of the town fire control district, emergency medical personnel, town councilmembers, other persons authorized by the town manager, and regular employees of local businesses while traveling to and from their jobs for their regular hours, providing such employees have in their possession personal identification and identification of the business by which they are employed.

8. Any person who refuses to comply with or violates any provision of this declaration of local emergency shall be guilty of a municipal violation. Each day of such violation shall constitute a separate offense. Nothing herein contained shall prevent the town from taking such other lawful action in any court of competent jurisdiction as is necessary to prevent or remedy any refusal to comply with, or violation of, this article or the emergency measures which may be made effective pursuant to this article. Such other lawful action shall include but shall not be limited to,

an equitable action for injunctive relief or an action at law for damages. In addition, any person violating any rule or order issued pursuant to this Resolution or any person who willfully fails or refuses to comply with the order or orders of any duly authorized law enforcement officer or personnel charged with the responsibility for the enforcement of such orders shall, upon conviction therefore, be punished as provided by Section 252.50, Florida Statutes, and by such other laws as may be applicable to the offense.

SECTION 2. Conflicts. Any and all Resolutions or parts of Resolutions in conflict herewith are hereby repealed.

SECTION 3. Severability. If any provision or portion of this Resolution or the application is held invalid, the invalidity shall not affect other provisions, portions or applications of the Resolution, which can be given effect without the invalid provision, portion or application, and to this end the provisions, portions, or applications of this Resolution are declared severable.

SECTION 4. Effective Date and Termination Date. This Resolution shall take effect immediately upon the termination of the previously adopted state of local emergency and shall terminate automatically seven (7) days from that date unless terminated earlier or extended by a document of equal dignity herewith.

SECTION 5. Direction to Implement. The Town Manager is directed to implement this Resolution.

The foregoing Resolution was adopted by the Town Council upon a motion by _____ and seconded by _____, and upon being put to a roll call vote, the result was as follows:

Dan Allers, Mayor	___
Jim Atterholt, Vice Mayor	___
John R. King, Council Member	___
Scott Safford, Council Member	___
Karen Woodson, Council Member	___

ADOPTED this 2nd day of June 2025 by the Town Council of the Town of Fort Myers Beach, Florida.

FORT MYERS BEACH TOWN COUNCIL

_____
Dan Allers, Mayor

ATTEST:

_____
Amy Baker, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:

_____
Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on this __ day of June 2025.

RESOLUTION NUMBER 25-176

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 MILTON; 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

WHEREAS, Section 252.38(3), Florida Statutes, authorizes the Town of Fort Myers Beach to declare a state of local emergency and to waive the procedures and formalities otherwise required of political subdivisions by law; and

WHEREAS, Chapter 12 of the Town Code of the Town of Fort Myers Beach authorizes certain powers in the event of a local state of emergency; and

WHEREAS, a state of local emergency proclamation is allowed for seven (7) days with appropriate extensions pursuant to law; and

WHEREAS, the effects of Hurricane Milton impacted Fort Myers Beach and the current declaration of emergency that was adopted relating to that storm on October 6, 2024, must be extended.

THEREFORE, under the powers vested in it pursuant to Chapter 252, Florida Statutes, and under Chapter 12 of the Town Code of the Town of Fort Myers Beach, the **Town Council does hereby extend the proclamation of a state of local emergency in the Town of Fort Myers Beach, Florida, as identified above beginning at the end of the previously adopted state of local emergency to 7 days thereafter.**

SECTION 1. State of Local Emergency. The following emergency powers and other provisions shall be in force during this state of local emergency:

1. The Town Manager, or designee, is authorized to take all actions necessary and appropriate to protect human life and property, including the promulgation of rules and orders as may be necessary subject to the limitations of Section 252.33, Florida Statutes. This resolution further authorizes the Town Manager, or designee, to utilize all lawful authority granted to the Town of Fort Myers Beach by Federal, State, County, or Town Emergency Management Laws, Rules, Regulations, Orders and, including, but not limited to, Section 252.46 and Section 252.38(3)(a)(1) through Section 252.38(3)(a)(5), Florida Statutes, inclusive.

2. All existing laws, ordinances, and rules inconsistent with the provisions of Sections 252.31 to Section 252.905, Florida Statutes, inclusive, or inconsistent with any rule or order

specifically promulgated under this resolution shall be suspended during this period of time and to the extent that such conflict exists.

3. The Town Manager may suspend, toll or extend the time requirements, notice requirements and deadlines for final action on applications for permits, licenses, rates and other approvals under the Town of Fort Myers Beach Code of Ordinances, to the extent necessary to accommodate the emergency.

4. Pursuant to Section 252.38(3)(a)(5), Florida Statutes, the Town hereby exercises its authority and waives the procedures and formalities otherwise required of a political subdivision by law, pertaining to:

- Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;
- Entering into contracts;
- Incurring obligations;
- Employment of permanent and temporary workers;
- Utilization of volunteer workers;
- Rental of equipment;
- Acquisition and distribution, with or without compensation, of supplies, materials, and facilities; and
- Appropriation and expenditure of public funds

5. The Town Manager shall follow FEMA guidelines in procuring services, materials, labor and equipment necessary to respond to the emergency, including recovery efforts. The Town Manager shall abide by the "Uniform Administrative Requirements, Cost Principles, and Audit Requirements" for federal awards, codified at 2 C.F.R. §§200.317 through 200.326.

6. Pursuant to Section 12-23, of the Code of the Town of Fort Myers Beach, in addition to any other powers conferred by law, the town manager or designees shall have the power and authority to order and promulgate all or any of the following emergency measures to be effective during the period of such emergency in whole or in part, with such limitation and conditions as the town manager or designees may deem appropriate to protect the town's health, safety and welfare, and/or waive the procedures and formalities otherwise required of the town by law pertaining to these measures:

(a) To appropriate and expend funds; make contracts; incur obligations; obtain and distribute equipment, materials, and supplies for emergency management purposes; provide for the health and safety of persons and property, including emergency assistance to victims of any emergency; and direct and coordinate the implementation of emergency management plans and programs in accordance with the requirements of state and federal law.

(b) To appoint, employ, remove, or provide (with or without compensation) rescue teams, coordinators, other emergency management workers and other permanent or temporary workers.

(c) To establish, as necessary, primary and secondary emergency operating centers to provide continuity of government and direction and control of emergency operations.

(d) To assign and make available for duty the offices and agencies of the town, including the employees, property, or equipment thereof relating to health, medical and related services, transportation, construction, and similar items or services for emergency operation purposes, for deployment within or outside the limits of the town.

(e) To request state assistance or invoke emergency-related mutual-aid assistance pursuant to existing contracts and/or state or local law.

(f) To waive any procedures and formalities otherwise required of the town by law pertaining to performance of public work and/or the taking of whatever prudent action is necessary to ensure the health, safety, and welfare of the people of the town.

(g) To suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives and/or combustibles.

(h) To utilize all available resources of the town government as reasonably necessary to cope with the emergency occasioned by the disaster.

(i) To make provisions for availability and use of temporary emergency housing and emergency warehousing of materials.

(j) Preceding or during the emergency, to call on the National Guard or the Army, Coast Guard or other law enforcement division or other agency as necessary to assist in the mitigation of the emergency or to help maintain law and order, rescue and traffic control.

7. Pursuant to Sec. 12-24, "Prohibitions during state of emergency", of the Code of the Town of Fort Myers Beach, whenever a state of local emergency has been declared, and until such state of local emergency is terminated, the following prohibitions shall apply throughout the town, unless and until the same shall be waived or modified by a quorum of the town council at a general, special or emergency meeting:

(a) It shall be unlawful and an offense against the town for any person to use the fresh water supplied by the county or local water company for any purpose other than cooking, drinking or bathing.

(b) It shall be unlawful for any person to be out and about on the public rights-of-way or other public areas of the town between the dusk and dawn, except for law enforcement officers, members of the town fire control district, emergency medical personnel, town councilmembers, other persons authorized by the town manager, and regular employees of local businesses while traveling to and from their jobs for their regular hours, providing such employees have in their possession personal identification and identification of the business by which they are employed.

8. Any person who refuses to comply with or violates any provision of this declaration of local emergency shall be guilty of a municipal violation. Each day of such violation shall constitute a separate offense. Nothing herein contained shall prevent the town from taking such other lawful action in any court of competent jurisdiction as is necessary to prevent or remedy any refusal to comply with, or violation of, this article or the emergency measures which may be made effective pursuant to this article. Such other lawful action shall include but shall not be limited to,

an equitable action for injunctive relief or an action at law for damages. In addition, any person violating any rule or order issued pursuant to this Resolution or any person who willfully fails or refuses to comply with the order or orders of any duly authorized law enforcement officer or personnel charged with the responsibility for the enforcement of such orders shall, upon conviction therefore, be punished as provided by Section 252.50, Florida Statutes, and by such other laws as may be applicable to the offense.

SECTION 2. Conflicts. Any and all Resolutions or parts of Resolutions in conflict herewith are hereby repealed.

SECTION 3. Severability. If any provision or portion of this Resolution or the application is held invalid, the invalidity shall not affect other provisions, portions or applications of the Resolution, which can be given effect without the invalid provision, portion or application, and to this end the provisions, portions, or applications of this Resolution are declared severable.

SECTION 4. Effective Date and Termination Date. This Resolution shall take effect immediately upon the termination of the previously adopted state of local emergency and shall terminate automatically seven (7) days from that date unless terminated earlier or extended by a document of equal dignity herewith.

SECTION 5. Direction to Implement. The Town Manager is directed to implement this Resolution.

The foregoing Resolution was adopted by the Town Council upon a motion by _____ and seconded by _____, and upon being put to a roll call vote, the result was as follows:

Dan Allers, Mayor	___
Jim Atterholt, Vice Mayor	___
John R. King, Council Member	___
Scott Safford, Council Member	___
Karen Woodson, Council Member	___

ADOPTED this 2nd day of June 2025 by the Town Council of the Town of Fort Myers Beach, Florida.

FORT MYERS BEACH TOWN COUNCIL

_____
Dan Allers, Mayor

ATTEST:

_____
Amy Baker, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:

_____
Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on this __ day of June 2025.

RESOLUTION NUMBER 25-177

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 MILTON; 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

WHEREAS, Section 252.38(3), Florida Statutes, authorizes the Town of Fort Myers Beach to declare a state of local emergency and to waive the procedures and formalities otherwise required of political subdivisions by law; and

WHEREAS, Chapter 12 of the Town Code of the Town of Fort Myers Beach authorizes certain powers in the event of a local state of emergency; and

WHEREAS, a state of local emergency proclamation is allowed for seven (7) days with appropriate extensions pursuant to law; and

WHEREAS, the effects of Hurricane Milton impacted Fort Myers Beach and the current declaration of emergency that was adopted relating to that storm on October 6, 2024, must be extended.

THEREFORE, under the powers vested in it pursuant to Chapter 252, Florida Statutes, and under Chapter 12 of the Town Code of the Town of Fort Myers Beach, the **Town Council does hereby extend the proclamation of a state of local emergency in the Town of Fort Myers Beach, Florida, as identified above beginning at the end of the previously adopted state of local emergency to 7 days thereafter.**

SECTION 1. State of Local Emergency. The following emergency powers and other provisions shall be in force during this state of local emergency:

1. The Town Manager, or designee, is authorized to take all actions necessary and appropriate to protect human life and property, including the promulgation of rules and orders as may be necessary subject to the limitations of Section 252.33, Florida Statutes. This resolution further authorizes the Town Manager, or designee, to utilize all lawful authority granted to the Town of Fort Myers Beach by Federal, State, County, or Town Emergency Management Laws, Rules, Regulations, Orders and, including, but not limited to, Section 252.46 and Section 252.38(3)(a)(1) through Section 252.38(3)(a)(5), Florida Statutes, inclusive.

2. All existing laws, ordinances, and rules inconsistent with the provisions of Sections 252.31 to Section 252.905, Florida Statutes, inclusive, or inconsistent with any rule or order

specifically promulgated under this resolution shall be suspended during this period of time and to the extent that such conflict exists.

3. The Town Manager may suspend, toll or extend the time requirements, notice requirements and deadlines for final action on applications for permits, licenses, rates and other approvals under the Town of Fort Myers Beach Code of Ordinances, to the extent necessary to accommodate the emergency.

4. Pursuant to Section 252.38(3)(a)(5), Florida Statutes, the Town hereby exercises its authority and waives the procedures and formalities otherwise required of a political subdivision by law, pertaining to:

- Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;
- Entering into contracts;
- Incurring obligations;
- Employment of permanent and temporary workers;
- Utilization of volunteer workers;
- Rental of equipment;
- Acquisition and distribution, with or without compensation, of supplies, materials, and facilities; and
- Appropriation and expenditure of public funds

5. The Town Manager shall follow FEMA guidelines in procuring services, materials, labor and equipment necessary to respond to the emergency, including recovery efforts. The Town Manager shall abide by the "Uniform Administrative Requirements, Cost Principles, and Audit Requirements" for federal awards, codified at 2 C.F.R. §§200.317 through 200.326.

6. Pursuant to Section 12-23, of the Code of the Town of Fort Myers Beach, in addition to any other powers conferred by law, the town manager or designees shall have the power and authority to order and promulgate all or any of the following emergency measures to be effective during the period of such emergency in whole or in part, with such limitation and conditions as the town manager or designees may deem appropriate to protect the town's health, safety and welfare, and/or waive the procedures and formalities otherwise required of the town by law pertaining to these measures:

(a) To appropriate and expend funds; make contracts; incur obligations; obtain and distribute equipment, materials, and supplies for emergency management purposes; provide for the health and safety of persons and property, including emergency assistance to victims of any emergency; and direct and coordinate the implementation of emergency management plans and programs in accordance with the requirements of state and federal law.

(b) To appoint, employ, remove, or provide (with or without compensation) rescue teams, coordinators, other emergency management workers and other permanent or temporary workers.

(c) To establish, as necessary, primary and secondary emergency operating centers to provide continuity of government and direction and control of emergency operations.

(d) To assign and make available for duty the offices and agencies of the town, including the employees, property, or equipment thereof relating to health, medical and related services, transportation, construction, and similar items or services for emergency operation purposes, for deployment within or outside the limits of the town.

(e) To request state assistance or invoke emergency-related mutual-aid assistance pursuant to existing contracts and/or state or local law.

(f) To waive any procedures and formalities otherwise required of the town by law pertaining to performance of public work and/or the taking of whatever prudent action is necessary to ensure the health, safety, and welfare of the people of the town.

(g) To suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives and/or combustibles.

(h) To utilize all available resources of the town government as reasonably necessary to cope with the emergency occasioned by the disaster.

(i) To make provisions for availability and use of temporary emergency housing and emergency warehousing of materials.

(j) Preceding or during the emergency, to call on the National Guard or the Army, Coast Guard or other law enforcement division or other agency as necessary to assist in the mitigation of the emergency or to help maintain law and order, rescue and traffic control.

7. Pursuant to Sec. 12-24, "Prohibitions during state of emergency", of the Code of the Town of Fort Myers Beach, whenever a state of local emergency has been declared, and until such state of local emergency is terminated, the following prohibitions shall apply throughout the town, unless and until the same shall be waived or modified by a quorum of the town council at a general, special or emergency meeting:

(a) It shall be unlawful and an offense against the town for any person to use the fresh water supplied by the county or local water company for any purpose other than cooking, drinking or bathing.

(b) It shall be unlawful for any person to be out and about on the public rights-of-way or other public areas of the town between the dusk and dawn, except for law enforcement officers, members of the town fire control district, emergency medical personnel, town councilmembers, other persons authorized by the town manager, and regular employees of local businesses while traveling to and from their jobs for their regular hours, providing such employees have in their possession personal identification and identification of the business by which they are employed.

8. Any person who refuses to comply with or violates any provision of this declaration of local emergency shall be guilty of a municipal violation. Each day of such violation shall constitute a separate offense. Nothing herein contained shall prevent the town from taking such other lawful action in any court of competent jurisdiction as is necessary to prevent or remedy any refusal to comply with, or violation of, this article or the emergency measures which may be made effective pursuant to this article. Such other lawful action shall include but shall not be limited to,

an equitable action for injunctive relief or an action at law for damages. In addition, any person violating any rule or order issued pursuant to this Resolution or any person who willfully fails or refuses to comply with the order or orders of any duly authorized law enforcement officer or personnel charged with the responsibility for the enforcement of such orders shall, upon conviction therefore, be punished as provided by Section 252.50, Florida Statutes, and by such other laws as may be applicable to the offense.

SECTION 2. Conflicts. Any and all Resolutions or parts of Resolutions in conflict herewith are hereby repealed.

SECTION 3. Severability. If any provision or portion of this Resolution or the application is held invalid, the invalidity shall not affect other provisions, portions or applications of the Resolution, which can be given effect without the invalid provision, portion or application, and to this end the provisions, portions, or applications of this Resolution are declared severable.

SECTION 4. Effective Date and Termination Date. This Resolution shall take effect immediately upon the termination of the previously adopted state of local emergency and shall terminate automatically seven (7) days from that date unless terminated earlier or extended by a document of equal dignity herewith.

SECTION 5. Direction to Implement. The Town Manager is directed to implement this Resolution.

The foregoing Resolution was adopted by the Town Council upon a motion by _____ and seconded by _____, and upon being put to a roll call vote, the result was as follows:

Dan Allers, Mayor	___
Jim Atterholt, Vice Mayor	___
John R. King, Council Member	___
Scott Safford, Council Member	___
Karen Woodson, Council Member	___

ADOPTED this 2nd day of June 2025 by the Town Council of the Town of Fort Myers Beach, Florida.

FORT MYERS BEACH TOWN COUNCIL

_____
Dan Allers, Mayor

ATTEST:

_____
Amy Baker, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:

_____
Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on this __ day of June 2025.

RESOLUTION NUMBER 25-178

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 MILTON; 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

WHEREAS, Section 252.38(3), Florida Statutes, authorizes the Town of Fort Myers Beach to declare a state of local emergency and to waive the procedures and formalities otherwise required of political subdivisions by law; and

WHEREAS, Chapter 12 of the Town Code of the Town of Fort Myers Beach authorizes certain powers in the event of a local state of emergency; and

WHEREAS, a state of local emergency proclamation is allowed for seven (7) days with appropriate extensions pursuant to law; and

WHEREAS, the effects of Hurricane Milton impacted Fort Myers Beach and the current declaration of emergency that was adopted relating to that storm on October 6, 2024, must be extended.

THEREFORE, under the powers vested in it pursuant to Chapter 252, Florida Statutes, and under Chapter 12 of the Town Code of the Town of Fort Myers Beach, the **Town Council does hereby extend the proclamation of a state of local emergency in the Town of Fort Myers Beach, Florida, as identified above beginning at the end of the previously adopted state of local emergency to 7 days thereafter.**

SECTION 1. State of Local Emergency. The following emergency powers and other provisions shall be in force during this state of local emergency:

1. The Town Manager, or designee, is authorized to take all actions necessary and appropriate to protect human life and property, including the promulgation of rules and orders as may be necessary subject to the limitations of Section 252.33, Florida Statutes. This resolution further authorizes the Town Manager, or designee, to utilize all lawful authority granted to the Town of Fort Myers Beach by Federal, State, County, or Town Emergency Management Laws, Rules, Regulations, Orders and, including, but not limited to, Section 252.46 and Section 252.38(3)(a)(1) through Section 252.38(3)(a)(5), Florida Statutes, inclusive.

2. All existing laws, ordinances, and rules inconsistent with the provisions of Sections 252.31 to Section 252.905, Florida Statutes, inclusive, or inconsistent with any rule or order

specifically promulgated under this resolution shall be suspended during this period of time and to the extent that such conflict exists.

3. The Town Manager may suspend, toll or extend the time requirements, notice requirements and deadlines for final action on applications for permits, licenses, rates and other approvals under the Town of Fort Myers Beach Code of Ordinances, to the extent necessary to accommodate the emergency.

4. Pursuant to Section 252.38(3)(a)(5), Florida Statutes, the Town hereby exercises its authority and waives the procedures and formalities otherwise required of a political subdivision by law, pertaining to:

- Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;
- Entering into contracts;
- Incurring obligations;
- Employment of permanent and temporary workers;
- Utilization of volunteer workers;
- Rental of equipment;
- Acquisition and distribution, with or without compensation, of supplies, materials, and facilities; and
- Appropriation and expenditure of public funds

5. The Town Manager shall follow FEMA guidelines in procuring services, materials, labor and equipment necessary to respond to the emergency, including recovery efforts. The Town Manager shall abide by the "Uniform Administrative Requirements, Cost Principles, and Audit Requirements" for federal awards, codified at 2 C.F.R. §§200.317 through 200.326.

6. Pursuant to Section 12-23, of the Code of the Town of Fort Myers Beach, in addition to any other powers conferred by law, the town manager or designees shall have the power and authority to order and promulgate all or any of the following emergency measures to be effective during the period of such emergency in whole or in part, with such limitation and conditions as the town manager or designees may deem appropriate to protect the town's health, safety and welfare, and/or waive the procedures and formalities otherwise required of the town by law pertaining to these measures:

(a) To appropriate and expend funds; make contracts; incur obligations; obtain and distribute equipment, materials, and supplies for emergency management purposes; provide for the health and safety of persons and property, including emergency assistance to victims of any emergency; and direct and coordinate the implementation of emergency management plans and programs in accordance with the requirements of state and federal law.

(b) To appoint, employ, remove, or provide (with or without compensation) rescue teams, coordinators, other emergency management workers and other permanent or temporary workers.

(c) To establish, as necessary, primary and secondary emergency operating centers to provide continuity of government and direction and control of emergency operations.

(d) To assign and make available for duty the offices and agencies of the town, including the employees, property, or equipment thereof relating to health, medical and related services, transportation, construction, and similar items or services for emergency operation purposes, for deployment within or outside the limits of the town.

(e) To request state assistance or invoke emergency-related mutual-aid assistance pursuant to existing contracts and/or state or local law.

(f) To waive any procedures and formalities otherwise required of the town by law pertaining to performance of public work and/or the taking of whatever prudent action is necessary to ensure the health, safety, and welfare of the people of the town.

(g) To suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives and/or combustibles.

(h) To utilize all available resources of the town government as reasonably necessary to cope with the emergency occasioned by the disaster.

(i) To make provisions for availability and use of temporary emergency housing and emergency warehousing of materials.

(j) Preceding or during the emergency, to call on the National Guard or the Army, Coast Guard or other law enforcement division or other agency as necessary to assist in the mitigation of the emergency or to help maintain law and order, rescue and traffic control.

7. Pursuant to Sec. 12-24, "Prohibitions during state of emergency", of the Code of the Town of Fort Myers Beach, whenever a state of local emergency has been declared, and until such state of local emergency is terminated, the following prohibitions shall apply throughout the town, unless and until the same shall be waived or modified by a quorum of the town council at a general, special or emergency meeting:

(a) It shall be unlawful and an offense against the town for any person to use the fresh water supplied by the county or local water company for any purpose other than cooking, drinking or bathing.

(b) It shall be unlawful for any person to be out and about on the public rights-of-way or other public areas of the town between the dusk and dawn, except for law enforcement officers, members of the town fire control district, emergency medical personnel, town councilmembers, other persons authorized by the town manager, and regular employees of local businesses while traveling to and from their jobs for their regular hours, providing such employees have in their possession personal identification and identification of the business by which they are employed.

8. Any person who refuses to comply with or violates any provision of this declaration of local emergency shall be guilty of a municipal violation. Each day of such violation shall constitute a separate offense. Nothing herein contained shall prevent the town from taking such other lawful action in any court of competent jurisdiction as is necessary to prevent or remedy any refusal to comply with, or violation of, this article or the emergency measures which may be made effective pursuant to this article. Such other lawful action shall include but shall not be limited to,

an equitable action for injunctive relief or an action at law for damages. In addition, any person violating any rule or order issued pursuant to this Resolution or any person who willfully fails or refuses to comply with the order or orders of any duly authorized law enforcement officer or personnel charged with the responsibility for the enforcement of such orders shall, upon conviction therefore, be punished as provided by Section 252.50, Florida Statutes, and by such other laws as may be applicable to the offense.

SECTION 2. Conflicts. Any and all Resolutions or parts of Resolutions in conflict herewith are hereby repealed.

SECTION 3. Severability. If any provision or portion of this Resolution or the application is held invalid, the invalidity shall not affect other provisions, portions or applications of the Resolution, which can be given effect without the invalid provision, portion or application, and to this end the provisions, portions, or applications of this Resolution are declared severable.

SECTION 4. Effective Date and Termination Date. This Resolution shall take effect immediately upon the termination of the previously adopted state of local emergency and shall terminate automatically seven (7) days from that date unless terminated earlier or extended by a document of equal dignity herewith.

SECTION 5. Direction to Implement. The Town Manager is directed to implement this Resolution.

The foregoing Resolution was adopted by the Town Council upon a motion by _____ and seconded by _____, and upon being put to a roll call vote, the result was as follows:

Dan Allers, Mayor	___
Jim Atterholt, Vice Mayor	___
John R. King, Council Member	___
Scott Safford, Council Member	___
Karen Woodson, Council Member	___

ADOPTED this 2nd day of June 2025 by the Town Council of the Town of Fort Myers Beach, Florida.

FORT MYERS BEACH TOWN COUNCIL

_____
Dan Allers, Mayor

ATTEST:

_____
Amy Baker, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:

_____
Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on this __ day of June 2025.

RESOLUTION NUMBER 25-179

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 MILTON; 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

WHEREAS, Section 252.38(3), Florida Statutes, authorizes the Town of Fort Myers Beach to declare a state of local emergency and to waive the procedures and formalities otherwise required of political subdivisions by law; and

WHEREAS, Chapter 12 of the Town Code of the Town of Fort Myers Beach authorizes certain powers in the event of a local state of emergency; and

WHEREAS, a state of local emergency proclamation is allowed for seven (7) days with appropriate extensions pursuant to law; and

WHEREAS, the effects of Hurricane Milton impacted Fort Myers Beach and the current declaration of emergency that was adopted relating to that storm on October 6, 2024, must be extended.

THEREFORE, under the powers vested in it pursuant to Chapter 252, Florida Statutes, and under Chapter 12 of the Town Code of the Town of Fort Myers Beach, the **Town Council does hereby extend the proclamation of a state of local emergency in the Town of Fort Myers Beach, Florida, as identified above beginning at the end of the previously adopted state of local emergency to 7 days thereafter.**

SECTION 1. State of Local Emergency. The following emergency powers and other provisions shall be in force during this state of local emergency:

1. The Town Manager, or designee, is authorized to take all actions necessary and appropriate to protect human life and property, including the promulgation of rules and orders as may be necessary subject to the limitations of Section 252.33, Florida Statutes. This resolution further authorizes the Town Manager, or designee, to utilize all lawful authority granted to the Town of Fort Myers Beach by Federal, State, County, or Town Emergency Management Laws, Rules, Regulations, Orders and, including, but not limited to, Section 252.46 and Section 252.38(3)(a)(1) through Section 252.38(3)(a)(5), Florida Statutes, inclusive.

2. All existing laws, ordinances, and rules inconsistent with the provisions of Sections 252.31 to Section 252.905, Florida Statutes, inclusive, or inconsistent with any rule or order

specifically promulgated under this resolution shall be suspended during this period of time and to the extent that such conflict exists.

3. The Town Manager may suspend, toll or extend the time requirements, notice requirements and deadlines for final action on applications for permits, licenses, rates and other approvals under the Town of Fort Myers Beach Code of Ordinances, to the extent necessary to accommodate the emergency.

4. Pursuant to Section 252.38(3)(a)(5), Florida Statutes, the Town hereby exercises its authority and waives the procedures and formalities otherwise required of a political subdivision by law, pertaining to:

- Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;
- Entering into contracts;
- Incurring obligations;
- Employment of permanent and temporary workers;
- Utilization of volunteer workers;
- Rental of equipment;
- Acquisition and distribution, with or without compensation, of supplies, materials, and facilities; and
- Appropriation and expenditure of public funds

5. The Town Manager shall follow FEMA guidelines in procuring services, materials, labor and equipment necessary to respond to the emergency, including recovery efforts. The Town Manager shall abide by the "Uniform Administrative Requirements, Cost Principles, and Audit Requirements" for federal awards, codified at 2 C.F.R. §§200.317 through 200.326.

6. Pursuant to Section 12-23, of the Code of the Town of Fort Myers Beach, in addition to any other powers conferred by law, the town manager or designees shall have the power and authority to order and promulgate all or any of the following emergency measures to be effective during the period of such emergency in whole or in part, with such limitation and conditions as the town manager or designees may deem appropriate to protect the town's health, safety and welfare, and/or waive the procedures and formalities otherwise required of the town by law pertaining to these measures:

(a) To appropriate and expend funds; make contracts; incur obligations; obtain and distribute equipment, materials, and supplies for emergency management purposes; provide for the health and safety of persons and property, including emergency assistance to victims of any emergency; and direct and coordinate the implementation of emergency management plans and programs in accordance with the requirements of state and federal law.

(b) To appoint, employ, remove, or provide (with or without compensation) rescue teams, coordinators, other emergency management workers and other permanent or temporary workers.

(c) To establish, as necessary, primary and secondary emergency operating centers to provide continuity of government and direction and control of emergency operations.

(d) To assign and make available for duty the offices and agencies of the town, including the employees, property, or equipment thereof relating to health, medical and related services, transportation, construction, and similar items or services for emergency operation purposes, for deployment within or outside the limits of the town.

(e) To request state assistance or invoke emergency-related mutual-aid assistance pursuant to existing contracts and/or state or local law.

(f) To waive any procedures and formalities otherwise required of the town by law pertaining to performance of public work and/or the taking of whatever prudent action is necessary to ensure the health, safety, and welfare of the people of the town.

(g) To suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives and/or combustibles.

(h) To utilize all available resources of the town government as reasonably necessary to cope with the emergency occasioned by the disaster.

(i) To make provisions for availability and use of temporary emergency housing and emergency warehousing of materials.

(j) Preceding or during the emergency, to call on the National Guard or the Army, Coast Guard or other law enforcement division or other agency as necessary to assist in the mitigation of the emergency or to help maintain law and order, rescue and traffic control.

7. Pursuant to Sec. 12-24, "Prohibitions during state of emergency", of the Code of the Town of Fort Myers Beach, whenever a state of local emergency has been declared, and until such state of local emergency is terminated, the following prohibitions shall apply throughout the town, unless and until the same shall be waived or modified by a quorum of the town council at a general, special or emergency meeting:

(a) It shall be unlawful and an offense against the town for any person to use the fresh water supplied by the county or local water company for any purpose other than cooking, drinking or bathing.

(b) It shall be unlawful for any person to be out and about on the public rights-of-way or other public areas of the town between the dusk and dawn, except for law enforcement officers, members of the town fire control district, emergency medical personnel, town councilmembers, other persons authorized by the town manager, and regular employees of local businesses while traveling to and from their jobs for their regular hours, providing such employees have in their possession personal identification and identification of the business by which they are employed.

8. Any person who refuses to comply with or violates any provision of this declaration of local emergency shall be guilty of a municipal violation. Each day of such violation shall constitute a separate offense. Nothing herein contained shall prevent the town from taking such other lawful action in any court of competent jurisdiction as is necessary to prevent or remedy any refusal to comply with, or violation of, this article or the emergency measures which may be made effective pursuant to this article. Such other lawful action shall include but shall not be limited to,

an equitable action for injunctive relief or an action at law for damages. In addition, any person violating any rule or order issued pursuant to this Resolution or any person who willfully fails or refuses to comply with the order or orders of any duly authorized law enforcement officer or personnel charged with the responsibility for the enforcement of such orders shall, upon conviction therefore, be punished as provided by Section 252.50, Florida Statutes, and by such other laws as may be applicable to the offense.

SECTION 2. Conflicts. Any and all Resolutions or parts of Resolutions in conflict herewith are hereby repealed.

SECTION 3. Severability. If any provision or portion of this Resolution or the application is held invalid, the invalidity shall not affect other provisions, portions or applications of the Resolution, which can be given effect without the invalid provision, portion or application, and to this end the provisions, portions, or applications of this Resolution are declared severable.

SECTION 4. Effective Date and Termination Date. This Resolution shall take effect immediately upon the termination of the previously adopted state of local emergency and shall terminate automatically seven (7) days from that date unless terminated earlier or extended by a document of equal dignity herewith.

SECTION 5. Direction to Implement. The Town Manager is directed to implement this Resolution.

The foregoing Resolution was adopted by the Town Council upon a motion by _____ and seconded by _____, and upon being put to a roll call vote, the result was as follows:

Dan Allers, Mayor	___
Jim Atterholt, Vice Mayor	___
John R. King, Council Member	___
Scott Safford, Council Member	___
Karen Woodson, Council Member	___

ADOPTED this 2nd day of June 2025 by the Town Council of the Town of Fort Myers Beach, Florida.

FORT MYERS BEACH TOWN COUNCIL

_____
Dan Allers, Mayor

ATTEST:

_____
Amy Baker, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:

_____
Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on this __ day of June 2025.

RESOLUTION NUMBER 25-180

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 MILTON; 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

WHEREAS, Section 252.38(3), Florida Statutes, authorizes the Town of Fort Myers Beach to declare a state of local emergency and to waive the procedures and formalities otherwise required of political subdivisions by law; and

WHEREAS, Chapter 12 of the Town Code of the Town of Fort Myers Beach authorizes certain powers in the event of a local state of emergency; and

WHEREAS, a state of local emergency proclamation is allowed for seven (7) days with appropriate extensions pursuant to law; and

WHEREAS, the effects of Hurricane Milton impacted Fort Myers Beach and the current declaration of emergency that was adopted relating to that storm on October 6, 2024, must be extended.

THEREFORE, under the powers vested in it pursuant to Chapter 252, Florida Statutes, and under Chapter 12 of the Town Code of the Town of Fort Myers Beach, the **Town Council does hereby extend the proclamation of a state of local emergency in the Town of Fort Myers Beach, Florida, as identified above beginning at the end of the previously adopted state of local emergency to 7 days thereafter.**

SECTION 1. State of Local Emergency. The following emergency powers and other provisions shall be in force during this state of local emergency:

1. The Town Manager, or designee, is authorized to take all actions necessary and appropriate to protect human life and property, including the promulgation of rules and orders as may be necessary subject to the limitations of Section 252.33, Florida Statutes. This resolution further authorizes the Town Manager, or designee, to utilize all lawful authority granted to the Town of Fort Myers Beach by Federal, State, County, or Town Emergency Management Laws, Rules, Regulations, Orders and, including, but not limited to, Section 252.46 and Section 252.38(3)(a)(1) through Section 252.38(3)(a)(5), Florida Statutes, inclusive.

2. All existing laws, ordinances, and rules inconsistent with the provisions of Sections 252.31 to Section 252.905, Florida Statutes, inclusive, or inconsistent with any rule or order

specifically promulgated under this resolution shall be suspended during this period of time and to the extent that such conflict exists.

3. The Town Manager may suspend, toll or extend the time requirements, notice requirements and deadlines for final action on applications for permits, licenses, rates and other approvals under the Town of Fort Myers Beach Code of Ordinances, to the extent necessary to accommodate the emergency.

4. Pursuant to Section 252.38(3)(a)(5), Florida Statutes, the Town hereby exercises its authority and waives the procedures and formalities otherwise required of a political subdivision by law, pertaining to:

- Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;
- Entering into contracts;
- Incurring obligations;
- Employment of permanent and temporary workers;
- Utilization of volunteer workers;
- Rental of equipment;
- Acquisition and distribution, with or without compensation, of supplies, materials, and facilities; and
- Appropriation and expenditure of public funds

5. The Town Manager shall follow FEMA guidelines in procuring services, materials, labor and equipment necessary to respond to the emergency, including recovery efforts. The Town Manager shall abide by the "Uniform Administrative Requirements, Cost Principles, and Audit Requirements" for federal awards, codified at 2 C.F.R. §§200.317 through 200.326.

6. Pursuant to Section 12-23, of the Code of the Town of Fort Myers Beach, in addition to any other powers conferred by law, the town manager or designees shall have the power and authority to order and promulgate all or any of the following emergency measures to be effective during the period of such emergency in whole or in part, with such limitation and conditions as the town manager or designees may deem appropriate to protect the town's health, safety and welfare, and/or waive the procedures and formalities otherwise required of the town by law pertaining to these measures:

(a) To appropriate and expend funds; make contracts; incur obligations; obtain and distribute equipment, materials, and supplies for emergency management purposes; provide for the health and safety of persons and property, including emergency assistance to victims of any emergency; and direct and coordinate the implementation of emergency management plans and programs in accordance with the requirements of state and federal law.

(b) To appoint, employ, remove, or provide (with or without compensation) rescue teams, coordinators, other emergency management workers and other permanent or temporary workers.

(c) To establish, as necessary, primary and secondary emergency operating centers to provide continuity of government and direction and control of emergency operations.

(d) To assign and make available for duty the offices and agencies of the town, including the employees, property, or equipment thereof relating to health, medical and related services, transportation, construction, and similar items or services for emergency operation purposes, for deployment within or outside the limits of the town.

(e) To request state assistance or invoke emergency-related mutual-aid assistance pursuant to existing contracts and/or state or local law.

(f) To waive any procedures and formalities otherwise required of the town by law pertaining to performance of public work and/or the taking of whatever prudent action is necessary to ensure the health, safety, and welfare of the people of the town.

(g) To suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives and/or combustibles.

(h) To utilize all available resources of the town government as reasonably necessary to cope with the emergency occasioned by the disaster.

(i) To make provisions for availability and use of temporary emergency housing and emergency warehousing of materials.

(j) Preceding or during the emergency, to call on the National Guard or the Army, Coast Guard or other law enforcement division or other agency as necessary to assist in the mitigation of the emergency or to help maintain law and order, rescue and traffic control.

7. Pursuant to Sec. 12-24, "Prohibitions during state of emergency", of the Code of the Town of Fort Myers Beach, whenever a state of local emergency has been declared, and until such state of local emergency is terminated, the following prohibitions shall apply throughout the town, unless and until the same shall be waived or modified by a quorum of the town council at a general, special or emergency meeting:

(a) It shall be unlawful and an offense against the town for any person to use the fresh water supplied by the county or local water company for any purpose other than cooking, drinking or bathing.

(b) It shall be unlawful for any person to be out and about on the public rights-of-way or other public areas of the town between the dusk and dawn, except for law enforcement officers, members of the town fire control district, emergency medical personnel, town councilmembers, other persons authorized by the town manager, and regular employees of local businesses while traveling to and from their jobs for their regular hours, providing such employees have in their possession personal identification and identification of the business by which they are employed.

8. Any person who refuses to comply with or violates any provision of this declaration of local emergency shall be guilty of a municipal violation. Each day of such violation shall constitute a separate offense. Nothing herein contained shall prevent the town from taking such other lawful action in any court of competent jurisdiction as is necessary to prevent or remedy any refusal to comply with, or violation of, this article or the emergency measures which may be made effective pursuant to this article. Such other lawful action shall include but shall not be limited to,

an equitable action for injunctive relief or an action at law for damages. In addition, any person violating any rule or order issued pursuant to this Resolution or any person who willfully fails or refuses to comply with the order or orders of any duly authorized law enforcement officer or personnel charged with the responsibility for the enforcement of such orders shall, upon conviction therefore, be punished as provided by Section 252.50, Florida Statutes, and by such other laws as may be applicable to the offense.

SECTION 2. Conflicts. Any and all Resolutions or parts of Resolutions in conflict herewith are hereby repealed.

SECTION 3. Severability. If any provision or portion of this Resolution or the application is held invalid, the invalidity shall not affect other provisions, portions or applications of the Resolution, which can be given effect without the invalid provision, portion or application, and to this end the provisions, portions, or applications of this Resolution are declared severable.

SECTION 4. Effective Date and Termination Date. This Resolution shall take effect immediately upon the termination of the previously adopted state of local emergency and shall terminate automatically seven (7) days from that date unless terminated earlier or extended by a document of equal dignity herewith.

SECTION 5. Direction to Implement. The Town Manager is directed to implement this Resolution.

The foregoing Resolution was adopted by the Town Council upon a motion by _____ and seconded by _____, and upon being put to a roll call vote, the result was as follows:

Dan Allers, Mayor	___
Jim Atterholt, Vice Mayor	___
John R. King, Council Member	___
Scott Safford, Council Member	___
Karen Woodson, Council Member	___

ADOPTED this 2nd day of June 2025 by the Town Council of the Town of Fort Myers Beach, Florida.

FORT MYERS BEACH TOWN COUNCIL

_____
Dan Allers, Mayor

ATTEST:

_____
Amy Baker, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:

_____
Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on this __ day of June 2025.

Town of Fort Myers Beach
Agenda Item Summary

Blue Sheet Number: **2025-435**

1. **Request:**

Meeting Date: June 2, 2025

This quasi-judicial agenda item is a Second Reading and Final Public Hearing for adoption of a rezoning in proposed Ordinance 25-04 (commonly referred to as the Arches Commercial Planned Development), contingent on adoption of a Comprehensive Plan Amendment proposed in Ordinance 25-05.

ORDINANCE TITLE:
AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA APPROVING/ APPROVING WITH CONDITIONS/ DENYING THE REZONING OF 4.98 ACRES OF PROPERTY MORE SPECIFICALLY DESCRIBED HEREIN FROM COMMERCIAL MARINA (2 PARCELS), RESIDENTIAL CONSERVATION (5 PARCELS), COMMERCIAL OFFICE (1 PARCEL) AND DOWNTOWN (2 PARCELS) TO A COMMERCIAL PLANNED DEVELOPMENT (CPD) ZONING, TO ALLOW A MIXED-USE DEVELOPMENT INCLUDING 263 LODGING UNITS, COMMERCIAL/ RETAIL SPACE AND PUBLIC OPEN SPACE, MORE SPECIFICALLY DESCRIBED AS 436, 441, 445, 450 HARBOR COURT; 435 AND 438 BONITA STREET; 935 AND 939 THIRD STREET AND 401 OLD SAN CARLOS BLVD , ALSO IDENTIFIED AS THE FOLLOWING STRAP NUMBERS: 24-46-23-W3-00027.0000; 24-26-23-W3-00026.0020, 24-46-23- W3-0030B.0200, 24-46-23-W3-0030B.0190, 24-46-23-W3-0030C.0060,24-46-23- W3-0030C.0040, 24-46-23-W3-0030A.0110, 24-46-23-W3-0030A.0030, 24-46-23- W3-0030A.0020, 24-46-23-W3-0030A.0010 FORT MYERS BEACH, INCLUDING DEVIATIONS FOR HEIGHT, SETBACKS, HOTEL UNITS, PARKING, LANDSCAPING AND ACCESS; PROVIDING FOR CLARIFICATIONS AS NECESSARY; PROVIDING FOR CONFLICTS OF LAW, SCRIVENER'S ERRORS, SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Why the action is necessary:
The Town Council makes final decisions on rezoning requests.

What the action accomplishes:
Approval of the CPD will allow for the development of a resort hotel and its accompanying restaurant and retail uses.

2. **Agenda:**	3. **Requirement/Purpose:**	4. **Submitter of Information:**
PUBLIC HEARINGS	Ordinance	Judith Frankel, Principal Planner

5. **Background:**
Freeland FL Holdings, LLC, is proposing redevelopment of the Moss Marina development, which requires applications for a Small-Scale Comprehensive Plan Future Land Use Map Amendment and Commercial Planned Development Rezoning of the property. The development contains ten parcels, +4.98 acres (216,928 sq. ft.) in size and located at 450, 445, 441, and 436 Harbor Ct., 435, 438 Bonita St., 935 and 939 Third St., and 401 Old San Carlos Boulevard. A companion Comprehensive Plan Amendment application has been filed to designate all properties to the Pedestrian Commercial FLU Designation. This revised narrative provides additional evidence to support the rezoning request for the 10 properties. The request is for all 10 properties to be rezoned to a Commercial Planned Development (CPD) Zoning District from their current zoning districts.

A Comprehensive Plan Future Land Use Map Amendment for this site that would allow the CPD request was presented to the Local Planning Agency (LPA) on April 9, 2024. The LPA voted 4 – 2 to deny the request. A CPD application request did not accompany that application. The Town

Council on May 6, 2024, granted continuance for the Comprehensive Plan Future Land Use Map Amendment to a date uncertain, until such time that it could be presented simultaneously with the Commercial Planned Development.

On April 8, 2025, the Local Planning Agency voted unanimously to recommend approval of the requested rezoning with changes to staff's recommended conditions. Thereafter, on May 5, 2025, the Town Council approved the rezoning for consideration of a second and final reading and adoption on June 2, 2025. Any approval would be subject to subsequent approval of Ordinance 25-05, which amends the Town's Comprehensive Plan.

Attachments:

1. CPD Arches Ordinance 25-04 5.22.25 with Exhibit A
2. Exhibit B: Arches MCP and Schedule of Uses
3. Exhibit C: Concept Renderings
4. Staff Report CPD
5. Exhibit A: Applicant Summary
6. Exhibit B: Applicant Narrative
7. Exhibit C: Supplemental Plans
8. Exhibit D: Schedule Deviations & Justifications
9. Exhibit F: Applicant Proposed Conditions
10. Transportation Impact Statement (TIS)
11. AIM Engineering & Surveying Review of the Traffic Impact Statement at the request of Town Staff
12. Postcards
13. Arches Application
14. Business Impact Estimate
15. Newspress Publication

Financial Impact:

Unknown

6. **Alternative Action**

Approve with Conditions

7. **Management Recommendations:**

8. **Recommended Approval:**

Judith Frankel, Principal Planner	Created/Initiated - 5/22/2025
Georgina Cid, Community Development Manager	Approved - 5/23/2025
Frankie Kropacek, Community Development Director	Approved - 5/23/2025
nancy stuparich, Town Attorney	Approved - 5/26/2025
Amy Baker, Town Clerk	Approved - 5/27/2025
William McKannay, Town Manager	Final Approval - 5/28/2025

ORDINANCE 25-04

AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA APPROVING/APPROVING WITH CONDITIONS/DENYING THE COMMERCIAL PLANNED DEVELOPMENT (CPD) ZONING FOR THE PROPERTIES LOCATED AT 450, 445, 441 & 436 HARBOR COURT, 435 & 438 BONITA STREET, 935, & 939 THIRD STREET, AND 401 OLD SAN CARLOS BLVD., ALSO RESPECTIVELY IDENTIFIED AS STRAP NUMBERS 24-46-23-W3-00027.0000 & 24-46-23-W3-00026.0020, 24-46-23-W3-0030B.0200, 24-46-23-W3-0030B.0190, 24-46-23-W3-0030C.0060, 24-46-23-W3-0030C.0040, 24-46-23-W3-0030A.0110, 24-46-23-W3-0030A.0030, 24-46-23-W3-0030A.0020 & 24-46-23-W3-0030A.0010 FORT MYERS BEACH; PROVIDING FOR CLARIFICATIONS AS NECESSARY; PROVIDING FOR CONFLICTS OF LAW, SCRIVENER'S ERRORS, SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Florida Statutes provide that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal service, and exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, Article X of the Town Charter of the Town of Fort Myers Beach empowers the Town to adopt, amend. or repeal such ordinances and resolutions as may be required for the proper governing of the Town; and

WHEREAS, The Neighborhood Company ("Applicant"), on behalf of Freeland FL Holdings, LLC, owners of the property generally located at 450, 445, 441 & 436 Harbor Court, 435 & 438 Bonita Street, 935 and 939 Third Street, 401 Old San Carlos Blvd. also respectively identified as strap numbers 24-46-23-W3-00027.0000 & 24-46-23-W3-00026.0020, 24-46-23- W3-0030B.0200, 24-46-23-W3-0030B.0190, 24-46-23-W3-0030C.0060, 24-46-23-W3-0030C.0040 24-46-23-W3-0030A.0110, 24-46-23-W3-0030A.0030, 24-46-23-W3-0030A.0020 & 24-46-23-W3-0030A.0010 Fort Myers Beach ("Property"), filed an application to rezone the properties from Commercial Marina, Residential Conservation, Commercial Office and Downtown to a CPD with a corresponding Schedule of Uses and Master Concept Plan (MCP) with certain deviations from the Land Development Code (LDC) to include a resort; and

WHEREAS, the subject ten properties are located in the _____ Future Land Use Category of the Comprehensive Plan of the Town of Fort Myers Beach as adopted by Ordinance 25-05, and is under common control of the owners as listed in the public records of Lee County Property Appraiser; and

WHEREAS, a public hearing was held before the Local Planning Agency (LPA) on April 8th, 2025, at which the LPA gave full and complete consideration of the request, recommendations by staff, the documents in the record, and the testimony of all interested persons, and the LPA voted 6 to 0 to recommend approval to the small-scale map amendment request and found it consistent with a companion small scale amendment to the Comprehensive Plan to be adopted prior to the requested rezoning, and

WHEREAS, on May 5th,2025 the Town Council held a first reading of the proposed Ordinance

and gave full and complete consideration to the request of the Applicant, the recommendation of the LPA, the recommendation of staff, the documents in the record, and the testimony of all interested persons, as required by Section 34-85 of the LDC; and

WHEREAS, the Town Council voted to have a second reading of the proposed Ordinance and a public hearing on this matter was noticed in the Fort Myers News-Press more than 10 days prior to the Town Council on June 02, 2025; and

WHEREAS, at the June 02, 2025 public hearing, the Town Council gave full and complete consideration to the request of the Applicant, the recommendation of the LPA, the recommendation of staff, the documents in the record, and the testimony of all interested persons, as required by Fort Myers Beach Land Development Code (LDC) Section 34- 85; and

WHEREAS, the applicant has resolved and is current on any outstanding fees associated with notice, advertisement, and consulting services required by the Town; and

WHEREAS, a Business Impact Estimate has been prepared and published on the Town's website; and

WHEREAS, with the following terms, conditions, and requirements which the LPA finds to be in the public health, safety, and welfare, all of which are in compliance with the Comprehensive Plan and the Land Development Code; and

WHEREAS, Exhibit A contains the Conditions of Approval and Exhibit B contains the Schedule of Uses and Master Concept Plan for this CPD to be used during the permitting process; and

WHEREAS, the Town Council finds that this request to rezone the properties from Commercial Marina, Residential Conservation, Commercial Office and Downtown to a CPD with a corresponding Schedule of Uses and Master Concept Plan (MCP) with eight deviations to the LDC in order to develop a Resort Hotel; and

WHEREAS, the requested deviations from the LDC include:

Deviation #1: A deviation from LDC Table 34-3 which requires properties in the Commercial Resort (CR) zoning district to have a minimum lot width of 100 feet and a minimum lot depth of 100 feet. This deviation would allow for either a minimum lot width of 80 feet or minimum lot depth of 80 feet depending on the development's frontage on either Old San Carlos Boulevard or Third Street.

Deviation #2: A deviation from LDC Section 34-645(b) and Table 34-3, which allows for a maximum floor area ratio of 1.2 within the Commercial Resort (CR) zoning district and a maximum floor area ratio (FAR) of 1.8 within the Downtown Redevelopment district to allow for a maximum FAR of 2.0 within the Arches Bayfront Resort CPD.

Deviation #3: A deviation from LDC Section 34-1803(a)(1), which allows the conversion of dwelling units to hotel/motel guest units per established equivalency factors as allowed per LDC Section

34-1804(a)(2). This deviation would allow an equivalency ratio of 9.1 and a maximum of 263 guest units.

Deviation #4: A deviation from LDC note 1 of Table 10-9 which requires a solid wall not less than six feet in height and with the landscaping to be placed on the adjacent property side of the wall to allow for a six foot high decorative fence with solid columns and landscaping to be placed on the interior (resort side) of the decorative fence for the southern property line as depicted on the enclosed MCP.

Deviation #5: A deviation from LDC Section 26-77(b) which states that new or expanded seawalls are not allowed along natural waterbodies in order to allow the existing boat ramp to be replaced by seawall.

Deviation #6: A deviation from LDC Table 34-3 which requires properties in the Commercial Resort (CR) zoning district to have a minimum height set at 30 feet and 3 stories to allow a maximum building zoned height of 81' (as defined in the FMBLDC) for the Resort Tract. Maximum building heights will be in compliance with the approved Master Concept Plan.

Deviation #7: A deviation from LDC Table 34-3 which states that property setbacks in a CPD zoning district shall be the same as for the Commercial Resort zoning district to allow for adjusted building setback lines within the Resort Tract and adjusted side setbacks and build to lines for the buildings located within the Old San Carlos Tract as outlined within the enclosed Development Standards Exhibit.

Deviation #8: A deviation from LDC Section 34-2020, required parking regulations, to allow a parking reduction of 50% in accordance with LDC Section 34-676(a)(1).

WHEREAS, the Town Council considered all relevant factors and made the following formal findings before making its final decision on the requested rezone to a Commercial Planned Development (see LDC 34-85 and 34-216) based on competent and substantial evidence in the record:

a. The rezoning would carry out the policies and requirements of the Comprehensive Plan and Land Development Code.
b. The Town Council carefully considered the testimony of the applicant, the recommendations of staff and of the local planning agency, and testimony from the public.
c. The rezoning would be consistent with the goals, objectives, policies, and intent, and with the densities, intensities, and general uses in the Comprehensive Plan.
d. The rezoning would meet or exceed all performance and locational standards set forth for the proposed use.
e. Urban services are available and adequate to serve the proposed use.
f. The rezoning would protect, conserve, or preserve environmentally critical areas and natural resources.
g. The rezoning would be compatible with existing and planned uses and not cause damage, hazard, nuisance, or other detriment to persons or property.
h. The rezoning would not place an undue burden upon existing transportation or other services and facilities and will be served by streets with the capacity to carry traffic generated by the

development.

i. The rezoning, with the mitigating factors volunteered by the applicant and the special conditions imposed by the Town Council, is consistent with the Fort Myers Beach Comprehensive Plan, Land Development Code, and other applicable town ordinances or codes.

l. The proposed use or mix of uses is appropriate at the subject location.

m. Sufficient safeguards to the public interest are provided by the recommended special conditions to the master concept plan and by other applicable regulations.

n. All recommended special conditions are reasonably related to the impacts on the public's interest created by or expected from the proposed development.

WHEREAS, the Town Council made the following formal findings before making final decisions on the eight requested deviations from "by-right" requirements of the Land Development Code (see LDC 34-216):

a. Each item enhances the achievement of the objectives of the planned development; and
b. The general intent of this chapter to protect the public health, safety and welfare will be preserved and promoted; and
c. Each deviation operates to the benefit, or at least not to the detriment, of the public interest; and

d. Each deviation is consistent with the Fort Myers Beach Comprehensive Plan.

WHEREAS, the Town Council finds that this application to approve Ordinance 25-xx which is, **consistent/inconsistent** with the Town of Fort Myers Beach Comprehensive Plan and LDC and voted to **approve/approve with conditions/deny** the Application.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, AS FOLLOWS:

Section 1. The above recitals are true, correct, incorporated herein by this reference, and adopted as the legislative and administrative findings of the Town Council.

Section 2. The Town Council determines the Applicant **did/did not** meet its burden of proof that the requested rezoning request **does/does not** meet the requirements of the Town Comprehensive Plan and LDC. Therefore, based upon the recommendations, testimony, and evidence presented by the Applicant, Town staff, and interested parties the Town Council **APPROVE/APPROVE WITH CONDITIONS/DENY** the requested application.

Section 3. Town Ordinance 25-XX is adopted and the schedule of uses, conditions of approval and Master Concept Plan as set forth in Exhibit A, attached hereto and incorporated herein by this reference are approved.

Section 4. Whenever the requirements or provisions of this Ordinance conflict with the requirements or provisions of any other lawfully adopted LDC or Town Code provision, ordinance, or statute, the most restrictive shall apply.

Section 5. Any typographical errors that do not affect the intent of this Ordinance may be

corrected with notice to and authorization of the Town Manager without further process.

Section 6. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason, declared by a court of competent jurisdiction to be unconstitutional or invalid, such decision will not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared.

Section 7. This Ordinance will take effect immediately upon adoption by the Town Council.

THE FOREGOING ORDINANCE was adopted by the Town Council upon a motion by Council Member _____ and seconded by Council Member _____, and upon being put to a vote, the result was as follows:

DULY PASSED AND ADOPTED on this ___ day of _____2025.

Dan Allers, Mayor
Jim Atterholt, Vice Mayor
John R. King, Council Member
Scott Safford, Council Member _____
Karen Woodson, Council Member

FORT MYERS BEACH TOWN COUNCIL

Dan Allers, Mayor

ATTEST:

Amy Baker, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:

Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on this ___ day of _____2025.

Exhibits:
Exhibit A Conditions of Approval
Exhibit B: Master Concept Plan and Schedule of Uses
Exhibit C: Design Renderings

EXHIBIT A

Conditions of Approval

1. The owner will provide an accessible stabilized surface for the area between Harbor Court and Bonita Street for emergency personnel and vehicles, as noted on the Master Concept Plan (MCP).
2. The MCP indicates the access points at Harbor Ct. and Bonita St. provide for "Emergency/Limited Access Only." "Limited Access" is intended to allow vehicles that have unintentionally driven down Harbor Court or Bonita Street to temporarily access the Arches property; maneuver through the turn-around area; and then exit the property.
3. All walkover/pedestrian bridges will be constructed at a height to permit fire and other emergency vehicles to pass underneath.
4. Pedestrian controlled access will be a system of gated sections with keypad or scanning capabilities to only allow employees, current registered owners/guests of the property and emergency personnel to enter and exit the property from these locations during the night (1 hour after sunset) only in areas noted on the MCP.
5. Access to the Arches resort through the easement number 2008000332365 on First Street should be limited to vehicular travel. No pedestrian pathway is located along this 30-foot-wide easement.
6. A detailed landscaping plan showing the location and type of planting must be provided with the development order application. All landscaping materials will be native varieties/Florida friendly species.
7. Along the western boundary (canal) adjacent to Building E's guest pool deck, a minimum 5-foot-wide buffer will be provided. This buffer will provide a minimum of 5 trees per 100 linear feet at a minimum of 12 feet tall at time of planting and a continuous opaque (clusia) hedge. Hedging must be provided at least 4 feet at time of planting along the canal adjacent to Building E and maintained at a minimum of 5-feet high.
8. Vehicular access to the resort will be focused and directed to Arches Way, and "Local Traffic Only", "No Thru Traffic", and/or "Dead End" signage will be placed immediately west of the intersection of Third Street and Arches Way be to minimize vehicular trips within that neighborhood.
9. Access points to the resort from Harbor Court and Bonita Street will be gated and allow emergency vehicular access only.
10. The Property will include a dedicated transit stop, conditional on approval from LeeTran. There will be an additional pick-up and drop-off stop on Property for ride hailing services. The possible locations are indicated on the MCP in Exhibit B. The final locations shall be determined at Development Order approval.
11. Maximum allowed commercial (non-hotel ancillary) space is 25,500 Square Feet.
12. Hours of operation and amplified sound for outdoor areas will be limited to the following unless otherwise temporarily altered per the Town's special event use regulations in LDC Section 34-1264. All other hours of operation will be regulated by the Code of Ordinances.

a. The Arches Gateway Restaurant's rooftop deck will only operate from 7am to 10pm. Amplified sound will be oriented away from adjacent residential properties. Live music is not permitted outdoors at this location.
b. Sunset Deck: Hours of operation are 7:00am to 10:00pm. Only ambient music is allowed on the Sunset Deck. Ambient music is permitted from 7:00am to 9:00pm. Amplified sound will be oriented away from adjacent residential properties. Live music is not permitted at this location.
c. Bayfront Promenade and its commercial uses: 7:00am to midnight
d. Pool deck (Buildings B and C): 7:00am to midnight
e. Pool deck (Building E): 7:00am to 9:00pm and ambient music only from 10:00am to one hour after sunset. Amplified sound will be oriented away from adjacent residential properties. No alcohol sales will take place outdoors on the pool deck at Building E. Live music is not permitted at this location.
f. Outdoor deck area by the Events Chapel and reception hall (Building D): 7:00am to midnight
g. Linear Park and Memorial Garden: 7:00am to one hour after sunset.

13. Service of alcohol for on-premises consumption is approved at the locations depicted on the Master Concept Plan in Exhibit B, subject to these limitations:
    a. Service to outdoor areas is permitted as follows:
        i. For Buildings B & C, on the Level 400 deck area surrounding the pool and the hotel restaurant and Level 500 Building B's Sunset Deck area.
        ii. For Building D, on Level 300 deck adjacent to the Event Chapel and reception halls.
        iii. No alcohol sales for Building E, at Level 100 around the pool deck
        iv. For commercial plaza along the Bayfront Promenade (Level 100), limited to the restricted outdoor seating areas and surrounding the commercial/ferry water taxi building as depicted on the Master Concept Plan.
        v. For The Arches Gateway Restaurant (second story – Level 200) and ancillary rooftop deck at the corner of Old San Carlos and Third Street.

14. Downtown Ferry/Water Taxi Stop:
    a. Property Owner will construct as part of the development of Property a minimum 1,400 square foot, indoor, air-conditioned ferry/water taxi facility on the Property, as depicted on the MCP in Exhibit B, which shall include office space for the Town's marine staff. Upon the issuance of the final Certificate of Occupancy for the Ferry Terminal, the Property Owner will establish and operate (directly or via a 3rd Party) a future inter-island ferry system (Fort Myers Beach and San Carlos Island only) as envisioned and described in the town's Comprehensive Plan. At a minimum, it will operate during season (December through April) and provide a minimum of three stops. These stops are planned to include: 1) The Arches Resort, 2) a mid-island location per Comprehensive Plan Figure 10 and Table 7-A-2 and 3) a stop located at the south end of Fort Myers Beach per Comprehensive Plan Figure 10 and Table 7-A-2. The precise location of the ferry stops is subject to availability, cooperation, and financial feasibility. Continued operation of the Ferry will be contingent upon financial feasibility.

15. Day dock slips and pick-up/drop-off:
    a. The Property Owner shall provide dedicated day dock slips for hourly or daily rental and a designated pick-up/drop-off area for boat passengers as indicated and/or noted on the MCP in Exhibit B.
    b. 2 dock slips shall be allocated for use by the Town as needed.

16. Non-motorized Watercraft Docking:
    a. Property Owner shall provide dedicated dock space, at no charge, for non-motorized watercraft such as kayaks and paddle boards. The docking space is not a public launch. It is intended to serve hotel guests, and nearby residents and visitors who paddle to the site. The proposed location of the dock is indicated on the MCP in Exhibit B, however the precise location will be determined at Development Order approval.

17. Guest and Employee Shuttles:
    a. Property Owner and resort operator shall provide at a minimum, twice daily in-season (December – April) shuttle service for hotel guests and employees to and from Southwest Florida International Airport and the Fort Myers Beach Park-and-Ride located at 11101 Summerlin Square Drive, Fort Myers Beach, Florida, 33931, also identified by Lee County Strap Number 07-46-24-00-00005.0030. In the event the Park-and-Ride is relocated, property owner and/or resort operator will provide an alternative location for guest and employee shuttle service. Property owner and/or resort operator will make a good faith effort to expand shuttle service in the future to allow use by the general public.

18. Don't Rent a Car Program:
    a. Property Owner and resort operator will promote the Don't Rent a Car Program to encourage all guests to use alternative modes of transportation rather than drive a vehicle to or while on Fort Myers Beach. Such efforts include:
        1. A dedicated page on the resort website outlining and promoting alternative modes of transportation and informing guests on ways to reduce vehicular trips including:
            a. Information on the walkability of the area and businesses of interest to guests within walking distance
            b. Bicycle rentals
            c. Ferry service
            d. Shuttle service
            e. Car hailing and taxi service
            f. Fort Myers Beach LeeTran "Trollee" and seasonal TRAM Service Schedule and Route Maps, and
            g. Food delivery services
        2. Establish partnerships with businesses on Fort Myers Beach, especially in the "Downtown" zoning district as depicted on Fort Myers Beach Zoning Map, adopted as Resolution 04-17, and as amended, to provide incentives and discounts to guests who

do not drive to or on Fort Myers Beach through monetary discounts or vouchers (food/drink, bike rentals, tours/tourism) offered by partnering businesses

19. Bicycles:
    a. The property owner or resort operator will provide for rent or complementary bicycles with bike locks, helmets, safe travel information for Fort Myers Beach and dedicated bike parking at the resort for hotel guests.

    b. In addition to providing either complimentary or for rent bicycles, the property will also include decorative bike racks to accommodate a minimum of 26 bicycle parking spaces for public use as indicated on the MCP in Exhibit B, which will be distributed and located at various locations within the resort. The final locations will be determined at Development Order approval.

    c. A dedicated bike path for safe travel to and from the resort will be incorporated into the site and reviewed at D.O.

20. Multi-Use Pathways:
    a. Bicycle and pedestrian pathways will be provided throughout the Property and will be open to guests and the public with signage for safe travel. The proposed locations of the multi-use pathways are depicted on the MCP in Exhibit B; however, the final location will be determined at Development Order approval. The pathways will provide interconnection and ease of access to the Bayfront Promenade, the Memorial and Linear Park, the Outdoor Market and downtown venues to reduce vehicular trips.

21. Public Parking:
    a. The Property will provide 45 paid public parking spaces to promote and implement the Town's "Park Once" strategy and supports a vibrant and walkable downtown. 38 spaces will be on the resort property spaces and 7 spaces will be constructed by the owner along Third Street.

    b. Resort guest and public parking spaces will be clearly identified, will be managed by the resort, and will operate in accordance with public parking standards and fees.

    c. Once The Arches Bayfront Resort is fully operational with all buildings receiving guests and all units sold and all retail space occupied for at least one year, the property owner may conduct a parking study during peak tourism season (January to March) to determine if and how many parking spaces could be allocated as public commercial parking. This study will be reviewed by the Town Manager or designee to determine if sufficient parking is available to serve as commercial parking spaces. If a surplus of parking exists, the owner can use those spaces as paid public parking.

22. Golf Cart Parking:
    a. The Property shall include 13 dedicated golf cart parking spaces available to guests or the public. The proposed location of the golf cart parking spaces will be within the understory parking garages and within Third Street right-of-way as depicted on the MCP in Exhibit B. The final locations will be determined at Development Order approval.

23. Bayfront Promenade:

a. As part of the development of the resort the property owner will build a Bayfront Promenade accessible to the public from 7:00am until 12:00am, as generally depicted on the Master Concept Plan in Exhibit B.

b. The Bayfront Promenade will provide public access to the waterfront and public gathering areas to include seating, landscaped areas, and similar amenities for public enjoyment. An unobstructed walkable "clear zone" will be maintained at a minimum of 10 feet and an average 12 feet wide and that will vary in location within the Bayfront Public Promenade area as noted and shown on the approved Master Concept Plan in Exhibit B.

24. Open Air Market (Farmers/Arts & Crafts Market):
    a. The Property will include a covered open-air market at the corner of Third Street and Arches Way as generally depicted on the MCP in Exhibit B.

25. Linear Park & Memorial Garden:
    a. The Property will include a passive linear park along the southern boundary of the resort. This park will provide separation and buffering from adjacent residences and will include a decorative perimeter fence, a minimum ten-foot vegetated buffer, a bicycle/pedestrian pathway and will feature a Memorial Garden with sculptures and plaques honoring Fort Myers Beach history, commemorating Hurricane Ian and celebrating the rebuilding of the island. The linear park and memorial garden will be open to the public during the hours of 7:00am to one hour after sunset.

26. Marina, Pump Out and Fueling Services:
    a. Marina design, uses, and locations must be consistent with Policies 4-B-6, 4-B-7, and 5-E-7 of the Fort Myers Beach Comprehensive Plan and all applicable Town codes.
    b. Property Owner shall provide a convenient high capacity (PSI 10-20) on-site pump out and fueling service for mooring field users, the Town and the general boating public. Property Owner shall charge a reasonable fee, dictated by current market trends, for the weekly pump out service and consistent with pertinent Federal and State Statutes.
    c. The pump out and fueling service shall be located on site of the Property.
    d. Said service shall be provided one day per week, subject to change at the discretion of the property owner and/or resort operator. Such day shall be posted either on the resort website, or via on-site signage and via designated VHF radio calls.

27. Architecture & Site Design:
    a. Final design must be consistent with renderings contained in Exhibit C, in addition to the Master Concept Plan.

28. Promotion of the Fort Myers Beach School
    a. Property Owner and resort operator will make a good faith effort to cooperate with the Town of Fort Myers Beach, Fort Myers Beach Chamber of Commerce, the School District of Lee County, and the Fort Myers Beach Elementary School to promote the opportunity for resort

employees to enroll their children at Fort Myers Beach Elementary School. Educational materials will be provided to employees regarding enrollment and after school care programs.

b. The resort operator will make a good faith effort to allow flexible work schedules for employees to accommodate pick up and drop off of children attending Fort Myers Beach Elementary School.

29. Outdoor boat storage on land is prohibited.

30. Decorative lighting plan shall be required at the time of Development Order application.

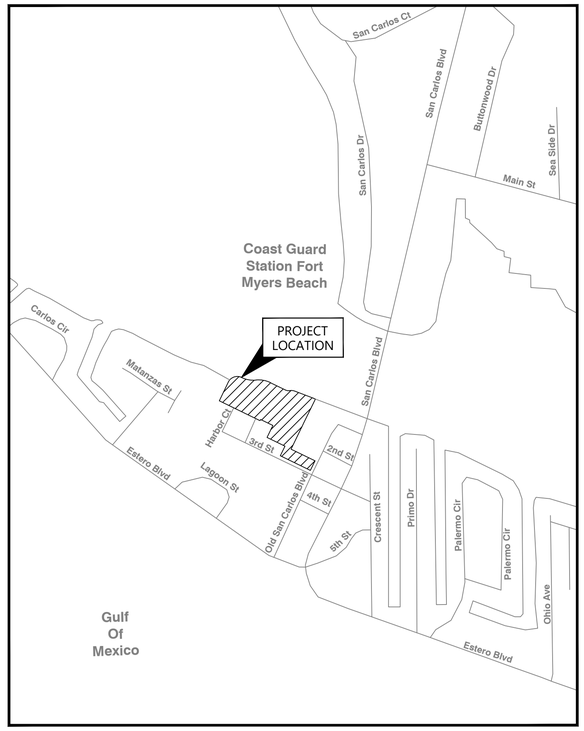
31. State and Federal permitting required for environmental resource impacts. All applicable State and Federal permits shall be obtained and submitted to the Town of Fort Myers Beach before the commencement of any development.

32. The non-seawalled area separating The Arches Bayfront Resort and Marina Village will be filled and protected by a seawall. This improvement will allow pedestrian connection for Marina Village guests. State and Federal permitting required for filling the non-seawalled area must be obtained.

MASTER CONCEPT PLAN FOR

THE ARCHES BAYFRONT RESORT CPD

SECTION 24, TOWNSHIP 46S, RANGE 23E,
FORT MYERS BEACH, FLORIDA



VICINITY MAP
N.T.S.



SITE LOCATION MAP
N.T.S.

PROJECT TEAM:

THE NEIGHBORHOOD COMPANY

Strayhorn, Persons-Mulicka & Fisher
EST. 1915
A Southwest Florida Tradition Since 1915

TR TRANSPORTATION CONSULTANTS, INC

PREPARED FOR:

FREELAND FL HOLDINGS, LLC

450 HARBOR CT
FORT MYERS BEACH, FL 33931

CONTENTS

SHEET NUMBER	SHEET DESCRIPTION
1	COVER SHEET
2	MASTER CONCEPT PLAN
3	DEVELOPMENT TRACTS AND COP AREAS
4	CONCEPT PHASING PLAN
5	NOTES

DATE:	PROJECT No.:	SHEET No.:
May, 2025	24011.01.02	1 OF 5



50 0 50

#	REVISION	DRAWN	DATE
1	NEW CONCEPT PLAN	F.L.	7/31/24

THE NEIGHBORHOOD COMPANY

5618 WHISPERING WILLOW WAY | FORT MYERS, FL 33908
WWW.THENEIGHBORHOOD.COMPANY

CLIENT: FREELAND FL HOLDINGS, LLC

PROJECT: THE ARCHES BAYFRONT RESORT (CPD)

TITLE: MASTER CONCEPT PLAN

PROJECT NO: 220050.01.01
DATE: 04/25
DRAWN: F.L.
DESIGN: K.G.
SHEET NUMBER: 2 OF 5



50
0
50

#	REVISION	DRAWN	DATE
1	NEW CONCEPT PLAN	F.L.	7/31/24

THE NEIGHBORHOOD COMPANY
5618 WHISPERING WILLOW WAY | FORT MYERS, FL 33908
WWW.THENEIGHBORHOOD.COMPANY

CLIENT: FREELAND FL HOLDINGS, LLC

PROJECT: THE ARCHES BAYFRONT RESORT (CPD)

TITLE: DEVELOPMENT TRACTS AND COP AREAS

PROJECT NO.: 220050.01.01
DATE: 05/25
DRAWN: F.L.
DESIGN: K.G.
SHEET NUMBER: 3 OF 5



NOTE:
THE PHASES ARE REPRESENTATIVE OF A CONCEPTUAL DEVELOPMENT PROGRAM, BUT RESEQUENCING AND COMBINATIONS MAY OCCUR DURING FINAL DESIGN AND BY MARKET FORCES.

50 0 50

#	REVISION	DRAWN	DATE
1	NEW CONCEPT PLAN	F.L.	7/31/24

THE NEIGHBORHOOD COMPANY
5618 WHISPERING WILLOW WAY | FORT MYERS, FL 33908
WWW.THENEIGHBORHOOD.COMPANY

CLIENT: FREELAND FL HOLDINGS, LLC

PROJECT: THE ARCHES BAYFRONT RESORT (CPD)

TITLE: CONCEPT PHASING PLAN

PROJECT NO: 220050.01.01
DATE: 05/25
DRAWN: F.L.
DESIGN: K.G..
SHEET NUMBER: 4 OF 5

GENERAL NOTES:

1. THIS MASTER CONCEPT PLAN (MCP) IS CONCEPTUAL IN NATURE. THE OVERALL CONFIGURATION, SIZE AND LOCATION OF THE STRUCTURE(S) AND OTHER IMPROVEMENTS MAY VARY. FINAL DESIGN AND IMPROVEMENT DETAILS WILL BE PROVIDED AS PART OF THE DEVELOPMENT ORDER (D.O.) PROCESS.
2. TOTAL CPD/DEVELOPMENT AREA: 4.98 +/- ACRES
3. FUTURE LAND USE MAP CATEGORY: PEDESTRIAN COMMERCIAL
4. THE PROJECT WILL BE DEVELOPED IN FIVE PHASES. THE PHASES ARE REPRESENTATIVE OF A CONCEPTUAL DEVELOPMENT PROGRAM, BUT RESEQUENCING AND COMBINATIONS MAY OCCUR DURING FINAL DESIGN AND BY MARKET FORCES.
5. WATER MANAGEMENT REQUIREMENTS FOR REDEVELOPMENT PROJECTS CAN VARY SIGNIFICANTLY. THE WATER MANAGEMENT PLAN WILL BE DESIGNED AT THE TIME OF D.O.
6. NO ENVIRONMENTALLY SENSITIVE LAND OR WATERS EXISTS ON SITE AS THIS SITE WAS IMPACTED BY PREVIOUS DEVELOPMENT. THE ENVIRONMENTAL REPORT ALSO INDICATES NO PROTECTED SPECIES ARE IMPACTED BY THE PROPOSED PROJECT.
7. ALL OTHER DEVELOPMENT STANDARDS NOT PROVIDED HEREIN SHALL BE SET FORTH IN LDC CHAPTER 24 OR OTHER APPLICABLE PROVISIONS OF THE LDC.
8. IN COMPLIANCE WITH LDC SECTION 34-1803(A)(2), THE MAXIMUM OF 263 ROOMS/LODGING UNITS AND ARE ALLOWED DUE TO EXCEPTIONAL CIRCUMSTANCES AND PUBLIC BENEFIT PROVIDED BY THIS CPD.

SCHEDULE OF USES:

RESORT TRACT:

- RESORT
- HOTEL/MOTEL WITH A MAXIMUM 263 ROOMS
- RESORT ACCESSORY USES
- ON-PREMISES CONSUMPTION OF ALCOHOLIC BEVERAGES AND INCLUDING OUTDOOR SEATING AREAS ASSOCIATED WITH ANY ESTABLISHMENT
- AUTOMOBILE RENTAL
- OFFICES, GENERAL OR MEDICAL
- PERSONAL SERVICES
- COMMERCIAL ACCESSORY USES
- ADMINISTRATIVE OFFICE
- BAR OR COCKTAIL LOUNGE
- PARKING GARAGE
- PARKING LOT
- RESTAURANT – DRIVE-THROUGH PROHIBITED
- RETAIL STORE, SMALL (LESS THAN 5,000 SF)
- RETAIL STORE, LARGE (MORE THAN 5,000 SF)
- MARINA
- MARINA ACCESSORY USES
- DOCKS AND TERMINAL - WATER TAXI/FERRY AND COMMUNITY/EMERGENCY SERVICES
- DOCKS (TO INCLUDE DAY DOCK SLIPS & PICK-UP/DROP OFF DOCKAGE. LIVEABOARDS PROHIBITED)
- DOCKS - NON-MOTORIZED WATERCRAFT
- PERSONAL WATERCRAFT OPERATIONS OFFICE
- BOAT DEALER (NO OUTSIDE SALES): LIMITED TO OFFICE SPACE
- NO OUTDOOR STORAGE
- ESSENTIAL SERVICES
- ESSENTIAL SERVICE EQUIPMENT

OLD SAN CARLOS TRACT:

- RESORT ACCESSORY USES
- SUBORDINATE COMMERCIAL USES
- ON-PREMISES CONSUMPTION OF ALCOHOLIC BEVERAGES AND INCLUDING OUTDOOR SEATING AREAS ASSOCIATED WITH ANY ESTABLISHMENT
- OFFICES, GENERAL OR MEDICAL
- PERSONAL SERVICES
- COMMERCIAL ACCESSORY USES
- ADMINISTRATIVE OFFICE
- BAR OR COCKTAIL LOUNGE
- SUBORDINATE COMMERCIAL USES
- PARKING LOT
- RESTAURANT – DRIVE-THROUGH PROHIBITED
- RETAIL STORE, SMALL (LESS THAN 5,000 SF)
- BOAT DEALER (NO OUTSIDE SALES): LIMITED TO OFFICE SPACE
- ESSENTIAL SERVICES
- ESSENTIAL SERVICE EQUIPMENT
- NO OUTDOOR STORAGE

DEVIATIONS:

1. A DEVIATION FROM LDC TABLE 34-3 WHICH REQUIRES PROPERTIES IN THE CR ZONING DISTRICT TO HAVE A MINIMUM LOT WIDTH OF 100 FEET AND A MINIMUM LOT DEPTH OF 100 FEET. THIS DEVIATION WOULD ALLOW FOR EITHER A MINIMUM LOT WIDTH OF 80 FEET OR MINIMUM LOT DEPTH OF 80 FEET DEPENDING ON THE DEVELOPMENT'S FRONTAGE ON EITHER OLD SAN CARLOS BOULEVARD OR THIRD STREET.
2. A DEVIATION FROM LDC SECTION 34-645(B) AND TABLE 34-3, WHICH ALLOWS FOR A MAXIMUM FLOOR AREA RATIO OF 1.2 WITHIN THE COMMERCIAL RESORT (CR) ZONING DISTRICT AND A MAXIMUM FLOOR AREA RATIO (FAR) OF 1.8 WITHIN THE DOWNTOWN REDEVELOPMENT DISTRICT TO ALLOW FOR A MAXIMUM FAR OF 2.0 WITHIN THE ARCHES BAYFRONT RESORT CPD.
3. A DEVIATION FROM LDC SECTION 34-1803(A)(1), WHICH ALLOWS THE CONVERSION OF DWELLING UNITS TO HOTEL/MOTEL GUEST UNITS PER ESTABLISHED EQUIVALENCY FACTORS AS ALLOWED PER LDC SECTION 34-1804(A)(2). THIS WOULD ALLOW A MAXIMUM OF 263 GUEST UNITS.
4. A DEVIATION FROM LDC NOTE 1 OF TABLE 10-9 WHICH REQUIRES A SOLID WALL NOT LESS THAN SIX FEET IN HEIGHT AND WITH THE LANDSCAPING TO BE PLACED ON THE ADJACENT PROPERTY SIDE OF THE WALL TO ALLOW FOR A SIX FOOT HIGH DECORATIVE FENCE WITH SOLID COLUMNS AND LANDSCAPING TO BE PLACED ON THE INTERIOR (RESORT SIDE) OF THE DECORATIVE FENCE FOR THE SOUTHERN PROPERTY LINE AS DEPICTED ON THE ENCLOSED MCP.
5. A DEVIATION FROM LDC SECTION 26-77(B) WHICH STATES THAT NEW OR EXPANDED SEAWALLS ARE NOT ALLOWED ALONG NATURAL WATERBODIES IN ORDER TO ALLOW THE EXISTING BOAT RAMP TO BE REPLACED BY SEAWALL.
6. A DEVIATION FROM LDC TABLE 34-3 WHICH REQUIRES PROPERTIES IN THE COMMERCIAL RESORT (CR) ZONING DISTRICT TO HAVE A MINIMUM HEIGHT SET AT 30 FEET AND 3 STORIES TO ALLOW A MAXIMUM BUILDING HEIGHT OF 70' (AS DEFINED IN THE FMBLDC) FOR THE RESORT TRACT AND 40' FOR THE OLD SAN CARLOS TRACT. BUILDING HEIGHTS WILL BE IN SUBSTANTIAL COMPLIANCE WITH THE APPROVED MASTER CONCEPT PLAN.
7. A DEVIATION FROM LDC TABLE 34-3 WHICH STATES THAT PROPERTY SETBACKS IN A CPD ZONING DISTRICT SHALL BE THE SAME AS FOR THE COMMERCIAL RESORT ZONING DISTRICT TO ALLOW FOR ADJUSTED BUILDING SETBACK LINES WITHIN THE RESORT TRACT AND ADJUSTED SIDE SETBACKS AND BUILD TO LINES FOR THE BUILDINGS LOCATED WITHIN THE OLD SAN CARLOS TRACT AS OUTLINED WITHIN THE ENCLOSED DEVELOPMENT STANDARDS EXHIBIT.
8. A DEVIATION FROM LDC SECTION 34-2020, REQUIRED PARKING REGULATIONS, TO ALLOW A PARKING REDUCTION OF 50% IN ACCORDANCE WITH LDC SECTION 34-676(A)(1).

PARKING:

- REQUIRED PER DEVIATION #8: 293 SPACES
- PROVIDED: 338 SPACES (INCLUDES 45 DEDICATED PUBLIC PARKING SPACES)
  - 13 GOLF CART SPACES - LOCATED WITHIN THE PARKING GARAGE AND ALONG 3RD STREET
  - 26 BICYCLE SPACES - LOCATED WITHIN PARKING GARAGE, IN PROXIMITY TO BUILDINGS 'A', 'B', COMMERCIAL & FERRY BUILDING, AND ARCHES WAY

MAXIMUM INTENSITY:

- MAXIMUM OF 263 HOTEL UNITS/ROOMS
- MAXIMUM OF 25,500 SQUARE FEET OF COMMERCIAL (NON-HOTEL ANCILLARY) GROSS FLOOR AREA
- MAXIMUM FLOOR AREA RATIO (FAR): 2.0

DEVELOPMENT STANDARDS:

RESORT TRACT DEVELOPMENT STANDARDS	PRINCIPAL STRUCTURES	ACCESSORY STRUCTURES
MINIMUM FRONT YARD: EASTERN BOUNDARY	40 FEET	10 FEET
MINIMUM REAR- WATERFRONT: CANAL	25 FEET	SPS
MINIMUM SIDE – NON-WATERFRONT YARD: SOUTHERN BOUNDARY	30 FEET	SPS
MINIMUM SIDE - WATERFRONT: MATANZAS PASS	25FEET	10 FEET[4]
MINIMUM LOT AREA: 20,000 SF		
MINIMUM LOT WIDTH: 100 FEET		
MINIMUM LOT DEPTH: 100 FEET		
MAXIMUM BUILDING COVERAGE: N/A		
MINIMUM BUILDING SEPARATION	25 FEET	10 FEET
MAXIMUM ZONED HEIGHT[1]	81 FEET	N/A
MAXIMUM ACTUAL HEIGHT[2]	102 FEET	N/A
MAXIMUM STORIES	7	3
MAXIMUM FLOOR AREA RATIO[3]	2.0	N/A

1. MEASURED FROM DESIGN FLOOD ELEVATION TO MID-POINT OF MAIN ROOF
2. MEASURED FROM GRADE TO PEAK OF MAIN ROOF
3. INCLUSIVE OF ENTIRE CPD BOUNDARY
4. ONLY APPLICABLE TO FERRY/WATER TAXI TERMINAL, PERGOLAS/SIMILAR STRUCTURES, AND ESSENTIAL/EMERGENCY SERVICE FACILITIES. WALLS, FENCES, RAILINGS, BOLLARDS, ETC., MAY BE LOCATED WITHIN THE THIS SETBACK.

SPS: SAME AS PRINCIPAL STUCTURE

OLD SAN CARLOS TRACT DEVELOPMENT STANDARDS	PRINCIPAL STRUCTURES	ACCESSORY STRUCTURES
BUILD-TO LINE - OLD SAN CARLOS BOULEVARD (DEVIATION 7)	0 - 5 FEET	
BUILD-TO LINE - THIRD STREET (DEVIATION 7)	0 -10 FEET	
MINIMUM REAR YARD: EDGE OF PAVEMENT FROM ARCHES WAY ROADWAY	30 FEET	SPS
MINIMUM SIDE YARD (DEVIATION 7)	0 FEET	SPS
MINIMUM LOT AREA: 20,000 SF		
MINIMUM LOT WIDTH: 100 FEET		
MINIMUM LOT DEPTH: 80 FEET (DEVIATION 1)		
MAXIMUM BUILDING COVERAGE: N/A		
MINIMUM BUILDING SEPARATION	10 FEET	SPS
MAXIMUM ZONED HEIGHT[1]	30 FEET	N/A
MAXIMUM ACTUAL HEIGHT[2]	45 FEET	N/A
MAXIMUM STORIES	2	N/A
MAXIMUM FLOOR AREA RATIO[3]	2.0	N/A

1. MEASURED FROM DESIGN FLOOD ELEVATION TO MID-POINT OF MAIN ROOF
2. MEASURED FROM GRADE TO PEAK OF MAIN ROOF
3. INCLUSIVE OF ENTIRE CPD BOUNDARY

SPS: SAME AS PRINCIPAL STUCTURE

THE NEIGHBORHOOD COMPANY
5618 WHISPERING WILLOW WAY | FORT MYERS, FL 33908
WWW.THENEIGHBORHOOD.COMPANY

#	REVISION	DATE	DRAWN
1	NEW CONCEPT PLAN	7/31/24	F.L.

CLIENT: FREELAND FL HOLDINGS, LLC

PROJECT: THE ARCHES BAYFRONT RESORT (CPD)

TITLE: NOTES

PROJECT NO: 220050.01.01
DATE: 04/25
DRAWN: F.L.
DESIGN: K.G.
SHEET NUMBER: 5 OF 5






ARCHES


MARKET





















Town of Fort Myers Beach

COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT

TYPE OF CASE:	**Commercial Planned Development**
NUMBER:	**CPD20230151**
CASE NAME:	**Arches Bayfront Resort Commercial Planned Development (450 Harbor Court, 445 Harbor Court, 441 Harbor Court, 436 Harbor Court, 435 Bonita Street, 438 Bonita Street, 935 Third Street, 939 Third Street, 401 Old San Carlos Blvd.)**
LPA HEARING DATE:	**April 8th, 2025**
TOWN COUNCIL HEARING DATE:	**May 5th, 2025**
TOWN COUNCIL 2nd HEARING DATE:	**June 2nd, 2025**
STAFF RECOMMENDATION:	**DENIAL**
PREPARED/ SUBMITTED BY:	**Judith Frankel, AICP / Sarah Propst, AICP, PMP**

I. APPLICATION SUMMARY

Applicant/Owner:	Freeland FL Holdings, LLC/The Neighborhood Company
Request:	Commercial Planned Development Rezoning of ten parcels encompassing 4.98 acres.
Subject property:	See attached plan
Physical Address:	450 Harbor Court, 445 Harbor Court, 441 Harbor Court, 436 Harbor Court, 435 Bonita Street, 438 Bonita Street, 935 Third Street, 939 Third Street and 401 Old San Carlos Blvd.
STRAP #s:	24-46-23-W3-00027.0000, 24-46-23-W3-00026.0020, 24-46-23-W3-0030B.0200, 24-46-23-W3-0030B.0190, 24-46-23-W3-0030C.0060, 24-46-23-W3-0030C.0040, 24-46-23-W3-0030A.0110, 24-46-23-W3-0030A.0030, 24-46-23-W3-0030A.0020, 24-46-23-W3-0030A.0010
FLU:	Marina & Mixed Residential (Platted Overlay)

Zoning: Commercial Marina (CM), Residential Conservation (RC), Commercial Office (CO), and Downtown

Adjacent zoning and land uses:

North: Tidal Waters, Matanzas Pass

South: RESIDENTIAL CONSERVATION (RC)
Mixed Residential (Platted Overlay)

East: DOWNTOWN (D)
Pedestrian Commercial

West: Tidal Waters, Canal

II. BACKGROUND AND ANALYSIS

Background:

Freeland FL Holdings, LLC, with their agent The Neighborhood Company, is seeking concurrent applications for a Small-Scale Comprehensive Plan Future Land Use Map Amendment and Commercial Planned Development Rezoning of the subject property encompassing ten parcels, +4.98 acres (216,928 sq. ft.) located at 450, 445, 441, and 436 Harbor Ct., 435 and 438 Bonita St., 935 and 939 Third St., and 401 Old San Carlos Boulevard. A companion Comprehensive Plan Amendment application has been filed to designate all properties to the Pedestrian Commercial FLU Designation. This revised narrative provides additional evidence to support the rezoning request for the identified 10 properties. The request is for all 10 properties to be rezoned to a Commercial Planned Development (CPD) Zoning District from their current zoning districts as listed below. All properties are identified by STRAP Number, Address, Future Land Use designations and zoning districts in the table below:

STRAP #	ADDRESS	EXISTING FUTURE LAND USE	EXISTING ZONING
24-46-23-W3-00026.0020	450 Harbor Ct.	Marina	Commercial Marina
24-46-23-W3-00027.0000	450 Harbor Ct.	Marina	Commercial Marina
24-46-23-W3-0030B.0200	445 Harbor Ct.	Mixed Residential	Residential Conservation
24-46-23-W3-0030B.0190	441 Harbor Ct.	Mixed Residential	Residential Conservation
24-46-23-W3-0030C.0060	436 Harbor Ct.	Mixed Residential	Residential Conservation
24-46-23-W3-0030C.0040	435 Bonita St.	Mixed Residential	Residential Conservation
24-46-23-W3-0030A.0110	438 Bonita St.	Mixed Residential	Residential Conservation
24-46-23-W3-0030A.0030	935 Third St.	Pedestrian Commercial	Commercial Office
24-46-23-W3-0030A.0020	939 Third St.	Pedestrian Commercial	Downtown
24-46-23-W3-0030A.0010	401 Old San Carlos Blvd.	Pedestrian Commercial	Downtown

Moss Marina was established in 1969. Matanzas View subdivision was platted in 1952. The first homes appear to have been built in the early 1950s. This neighborhood appears to have been primarily single family and two-family homes prior to hurricane Ian. More than half of the pre-Ian

homes are still standing; however staff does not know what portion of the homes are currently habitable.

Moss Marina has long been an iconic landmark on Fort Myers Beach. It was originally established as a marina by John and Betty Moss in 1969 and expanded by George Freeland in 1983. Due to significant damage from Ian, the age of the marina and island-wide redevelopment efforts, the Freeland family is now seeking to create a bayfront redevelopment project intended to complement the downtown district.

A Comprehensive Plan Future Land Use Map Amendment for this site that would enable the CPD request was presented to the Local Planning Agency (LPA) on April 9, 2024. The LPA voted 4 – 2 to deny the request. A CPD application request did not accompany that application. The Town Council on May 6, 2024, granted continuance for the Comprehensive Plan Future Land Use Map Amendment to a date uncertain, until such time that it could be presented simultaneously with the Commercial Planned Development.

At the April 8th, 2025 LPA meeting, the LPA voted unanimously to recommend approval with conditions of the CPD requested CPD. The LPA amended the staff's suggested conditions to further restrict the proposed operations. Those changes are reflected in the current recommended conditions.

Analysis:

The proposed mixed-use resort aims to provide a high-end resort, wet dock marina, commercial retail, ancillary restaurant, bar and banquet space, an event chapel, and an outdoor market and bodega. The applicant's proposal lists public benefits including public access to the waterfront, a bayfront public promenade lined with commercial retail storefronts, view corridors, a linear park & memorial garden, and a potential water ferry/taxi and terminal in the downtown area.

Density

The Arches Bayfront Resort site consists of +4.98 acres and is subject to a companion Small-Scale Comprehensive Plan Map Amendment to change the property's future land use category from Marina and Mixed Residential to Pedestrian Commercial. The Pedestrian Commercial future land use category allows a maximum density of 6 dwelling units per acre (except where the Future Land Use Map's "platted overlay" indicates a maximum density of 10 units per acre for affordable units consistent with the adopted redevelopment plan). This proposal requests 263 lodging units which is reached through an equivalency factor of 9.1. This is the same equivalency factor utilized by the Margaritaville development. The Downtown core area is considered the nucleus of commercial and tourist activities on the island and is identified as an appropriate area for higher densities and intensities.

F.A.R.

The development is also subject to a maximum Floor Area Ratio (FAR). In addition to density (lodging units), the development is also subject to a maximum Floor Area Ratio (FAR). The Comprehensive Plan allows a FAR of up to 2.5 in the Pedestrian Commercial Future Land Use category. LDC Section 34-645 allows for a maximum floor area ratio of 1.2 within the Commercial Resort (CR) zoning district and a maximum floor area ratio of 1.8 within the Downtown Redevelopment district. A deviation request has been included in this application to allow for a maximum FAR of 2.0 within the Arches Bayfront Resort CPD. The preliminary schematic design for the resort calls for an FAR of 1.93, which allows a maximum of 417,879 square feet inclusive of the commercial area, lodging units, and ground level under-building parking. An FAR of 2.0

(433,858 SF) is requested to provide some leeway for changes that may be needed as the project proceeds to final design and permitting. The proposed FAR is less than the maximum of 2.5 allowed through the Comprehensive Plan.

Height
The Town's Comprehensive Plan allows for additional height through Policy 4-C-4 for parcels that are contiguous (or directly across a street) from taller buildings. The Arches Bayfront Resort site is west of the Marina Village at Snug Harbor, a six-story condominium with an overall height of ±71 feet. Across the canal to the west on Matanzas Court, a single-family residence exists which is 3 stories. The proposed project is requesting buildings that will vary between one and seven stories with a maximum zoned height of 81 feet (measured from base flood elevation plus 3 feet of freeboard to the mid-point to the main roof) and a total height of 102 feet measured from grade to top of the main roof. Allowing additional height through the planned development process allows for narrower buildings with greater separation and greater setbacks from adjacent properties. This

Schedule of Uses:

- **RESORT TRACT:**
- RESORT
- HOTEL/MOTEL WITH A MAXIMUM 263 ROOMS
- RESORT ACCESSORY USES
- ON-PREMISES CONSUMPTION OF ALCOHOLIC BEVERAGES AND INCLUDING OUTDOOR SEATING AREAS ASSOCIATED WITH ANY ESTABLISHMENT
- AUTOMOBILE RENTAL
- OFFICES, GENERAL OR MEDICAL
- PERSONAL SERVICES
- COMMERCIAL ACCESSORY USES
- ADMINISTRATIVE OFFICE
- BAR OR COCKTAIL LOUNGE
- PARKING GARAGE
- PARKING LOT
- RESTAURANT – DRIVE-THROUGH PROHIBITED
- RETAIL STORE, SMALL (LESS THAN 5,000 SF)
- RETAIL STORE, LARGE (MORE THAN 5,000 SF)
- MARINA
- MARINA ACCESSORY USES
- DOCKS AND TERMINAL - WATER TAXI/FERRY AND COMMUNITY/EMERGENCY SERVICES
- DOCKS (LIVEABOARDS PROHIBITED)
- DOCKS - NON-MOTORIZED WATERCRAFT
- PERSONAL WATERCRAFT OPERATIONS OFFICE
- BOAT DEALER (NO OUTSIDE SALES): LIMITED TO OFFICE SPACE
- ESSENTIAL SERVICES
- ESSENTIAL SERVICE EQUIPMENT

- **OLD SAN CARLOS TRACT:**
- RESORT ACCESSORY USES
- SUBORDINATE COMMERCIAL USES
- ON-PREMISES CONSUMPTION OF ALCOHOLIC BEVERAGES AND INCLUDING OUTDOOR SEATING AREAS ASSOCIATED WITH ANY ESTABLISHMENT
- OFFICES, GENERAL OR MEDICAL

- PERSONAL SERVICES
- COMMERCIAL ACCESSORY USES
- ADMINISTRATIVE OFFICE
- BAR OR COCKTAIL LOUNGE
- SUBORDINATE COMMERCIAL USES
- PARKING LOT
- RESTAURANT – DRIVE-THROUGH PROHIBITED
- RETAIL STORE, SMALL (LESS THAN 5,000 SF)
- BOAT DEALER (NO OUTSIDE SALES): LIMITED TO OFFICE SPACE
- ESSENTIAL SERVICES
- ESSENTIAL SERVICE EQUIPMENT

Neighborhood Compatibility:

The current Comprehensive Plan refers to this area as the "north end" in one section and the "core area", in another section. It describes that "north end" area as follows: "*The north end of the island retains its residential and resort identity. Its motel rooms, older cottages and high-rises all benefit from their proximity to Bowditch Point and the downtown "core area," yet are comfortably removed from seasonal traffic congestion and outdoor entertainment activities that many residents find intrusive*." The 1999 Comprehensive Plan does not provide a vision or plan for this part of the "core area".

Marina Zoning, creates a buffer between the higher impact downtown and the lower density residential districts. Elimination of that buffer between the intense commercial district and the neighborhoods could increase conflict. Uses that create additional noise in residential neighborhoods have been of particular concern to the Town of Fort Myers Beach in the past. Evaluation of the proposed of outdoor music and COP areas, along with vehicular circulation is needed to ensure that nearby homes are not negatively impacted this proposed development.

The applicant is proposing a buffer area that varies from 30 to 50-feet in width to reduce impact on the homes along Harbor Court, Bonita Street and Third Street. A vehicular circulation plan will direct and keep all guest vehicles off of these streets. Of concern is the noise issues that may arise from the pool deck location on Building E which faces the eastern canal. The applicant is requesting an ability to serve alcohol (COP) and play amplified music from this location. Staff recommends that these two elements be removed from the request.

The proposed development is compatible with the uses found along Old San Carlos Boulevard. The resort visitors will be in close proximity to the downtown area and must walk through the district to reach the beach. Although this application has not been evaluated for economic impact, it is likely to have a positive economic benefit on these shops and restaurants. The increased density of visitors is most appropriate in a downtown district to support a variety of amenities.

Infrastructure Impacts:

The traffic impact statement for the proposed CPD application is attached to this report but is not in its final form. A final analysis of that traffic impact statement is expected to be available by the Town Council meeting date.

Requested Deviations:

Deviation #1: A deviation from LDC Table 34-3 which requires properties in the Commercial Resort (CR) zoning district to have a minimum lot width of 100 feet and a minimum lot depth of 100 feet. This deviation would allow for either a minimum lot width of 80 feet or minimum lot depth of 80 feet depending on the development's frontage on either Old San Carlos Boulevard or Third Street.

Applicant Justification: The deviation request will align the property development regulations within the Old San Carlos Tract with the dimensions of the property to avoid creating a non-conforming lot within the CPD. The property frontage measures approximately 80 feet on Old San Carlos Boulevard and approximately 200 feet on Third Street, which does not meet the intended CR zoning district dimensional regulations. The approval to deviate from the dimensional regulations will not result in any negative impacts to the community's health, safety, and welfare.
Staff Response: The LDC requires CPD to refer to the restrictions of the CR zoning. This deviation will allow for the use of the properties at 401 Old San Carlos and 935 and 939 Third Street as otherwise these parcels would be non-conforming.

Deviation #2: A deviation from LDC Section 34-645(b) and Table 34-3, which allows for a maximum floor area ratio of 1.2 within the Commercial Resort (CR) zoning district and a maximum floor area ratio (FAR) of 1.8 within the Downtown Redevelopment district to allow for a maximum FAR of 2.0 within the Arches Bayfront Resort CPD.
Applicant Justification: The companion Comprehensive Plan Future Land Use Map Amendment will designate the entire subject property as Pedestrian Commercial, which allows a maximum FAR of 2.5. The proposed FAR of 2.0 is therefore consistent with the Comprehensive Plan. The increase in FAR is requested to allow a world-class resort that will offer guest amenities, event space, marina uses, public parking and commercial uses open to the public. Today's building codes, FEMA regulations, public spaces and hospitality standards calling for larger rooms and greater amenities dictate the need for an increased FAR. However, the FAR requested is far short of the 2.5 allowed within the Pedestrian Commercial Future Land Use category.
The CPD allows applicants to request an FAR of up to 2.5 within the Pedestrian Commercial Future Land Use designation. In support of the CPD and the request to increase the FAR to 2.0, the applicant is proposing the following public benefits:

- Bayfront Promenade Public access to bayfront
- Splash pad for kids
- Mix of food, entertainment and retail venues for public and resort guests
- Enhanced view corridors
- Implementation of Old San Carlos Plan
- Creating a cohesive downtown with two dynamic bookends that provide first-rate pedestrian plazas
- Downtown Ferry/Water Taxi Terminal and founding partner of Ferry System
- 45 Public Parking Spaces
- Golf Cart Parking
- Bicycles for Resort Guests & Bicycle racks for the public
- Shuttle Service for employees and guests
- Participation in the DRAC program
- Implementation of Park Once Initiative
- Marina with Temporary Docking/Parking for non-motorized watercraft - paddle boards, kayaks and canoes, outfitters providing access to local water and natural environment
- Convenient Boat Pump Out and Fueling service
- Linear Park Memorial Garden Park honoring: FMB history & historic FMB Arches
- Hurricane Ian impacts & casualties
- Hurricane Ian rebuild
- Outdoor Market – Farmers and Arts & Crafts Market which will support local businesses and create a social gathering place
- Revitalization of the Downtown and increasing visitor density by creating public spaces, facilitating public access and diversifying food, recreational and entertainment options.

- Replacement of stark, dry storage barns with attractive coastal architecture – form and good design are important, they define and create a sense of place
- Hardened and resilient structures
- Improved water management conditions
- Significant positive economic impact: ad valorem taxes, impact fees, bed tax, employment, capital improvement costs, secondary impacts in supporting other local businesses
- Support of FMB Elementary School through informing/educating staff about the school and providing flexible work schedules to facilitate drop-off and pick-up

The deviation for increased FAR is consistent with the Comprehensive Plan and will not result in any negative impacts to the community's health, safety, and welfare.

Staff Response: The Application to amend the Comprehensive Plan Future Land Use category must be approved in order for this deviation to be in compliance with the Comprehensive Plan. The applicant is proposing several elements to support their request of increased size and height. The most notable benefits are the public bayside promenade area and the linear park and memorial garden.

Deviation #3: A deviation from LDC Section 34-1803(a)(1), which allows the conversion of dwelling units to hotel/motel guest units per established equivalency factors as allowed per LDC Section 34-1804(a)(2). This deviation would allow an equivalency ratio of 9.1 and a maximum of 263 guest units.

Applicant Justification: The Arches Bayfront Resort property consists of +4.98 acres and is currently pending a Small-Scale Comprehensive Plan Future Land Use Map Amendment to change from Marina and Mixed Residential future land use category to Pedestrian Commercial. The Pedestrian Commercial future land use category allows 6 dwelling units per acre with equivalency factors for hotel units of various sizes. The equivalency factors per LDC Sec. 34-1893(a)(1) for units within the Pedestrian Commercial FLU are 3.0 for units less than 450 square feet, 2.5 for units between 450 square feet and 750 square feet, and 2.0 for units between 750 square feet and 1,000 square feet which would allow at a minimum 60 hotel units up to a maximum of 90 hotel units.

The proposed additional hotel rooms are requested pursuant to LDC Sec. 34-1802(a)(2), which allows for additional units under "exceptional circumstances" and when providing public benefits. The exceptional circumstances include the devastation sustained due to Hurricane Ian, the construction requirements mandated through the Florida Building Code and FEMA, the increased cost of construction, high interest rates and the shortages of materials and labor. Additionally, through the planned development process, the applicant is proposing public benefits that contributed to the projects consistency with LDC Sec. 34-1803(a)(2).

(See the list of benefits noted in Deviation #2)

These exceptional circumstances and public benefits support the 263 hotel units requested. The deviation and justification as outlined above demonstrate the public benefits that will be provided by the Arches Bayfront Resort and the exceptional circumstances which have led to this request. The development of this pedestrian friendly resort will not adversely impact the public's health, safety, or welfare.

Staff Response: The Application to amend the Comprehensive Plan Future Land Use category must be approved in order for this deviation to be in compliance with the Comprehensive Plan. The Pedestrian Commercial future land use category allows 6 dwelling units per acre with equivalency factors for hotel units of various sizes. The equivalency factors per LDC Sec. 34-1893(a)(1) for units within the Pedestrian Commercial FLU are 3.0 for units less than 450 square feet, 2.5 for units between 450 square feet and 750 square feet, and 2.0 for units between 750 square feet and 1,000 square feet which would allow at a minimum 60 hotel units up to a maximum of 90 hotel units.

Density is necessary for the economic revitalization of the downtown area. The economic and character losses on Old San Carlos that were wrought by Hurricane Ian are particular to this location. The proposed density may provide the requisite conditions to encourage other businesses to return to the area. The applicant is proposing several elements to support their request of increased dwelling units. The most notable benefits are the public bayside promenade area and the linear park and memorial garden.

Deviation #4: A deviation from LDC note 1 of Table 10-9 which requires a solid wall not less than six feet in height and with the landscaping to be placed on the adjacent property side of the wall to allow for a six foot high decorative fence with solid columns and landscaping to be placed on the interior (resort side) of the decorative fence for the southern property line as depicted on the enclosed MCP.

Applicant Justification: The deviation is requested to allow for a 6-foot decorative fence to be provided at the southern property boundary where the resort is located adjacent to single-family residences. This decorative fence will have a minimum of 10' of landscaping planted to the interior of the fence between the resort and the existing single-family residences. This will provide approximately 35 to 50 feet of separation between the resort buildings and the residential property. The placement of the landscaping to the interior of the decorative fence will allow for ease of maintenance and enhancement of the Linear Park & Memorial Garden area. For additional buffering and compatibility with residential development, the Linear Park & Memorial Garden area will be designed in such a manner that the public will be directed away from the residential development through sidewalks and wayfinding signage.

The proposed decorative fence with 10 feet of landscape plantings on the interior of the fence adjacent to the existing residential development will not cause or result in any negative impacts to the community's health, safety, and welfare.

Staff Response: Allowing a boundary wall to directly abut the neighboring properties, instead of placing landscaping on the outside of the wall will permit easier maintenance of the landscaping. Most residential properties have fences at their boundaries and placing landscaping between a wall and fence would not provide a benefit. To the immediate neighbors. This deviation will also promote security of the site and thereby the neighing residences. However, some immediate neighbors may prefer a solid wall instead of a fence. There is currently a 6-foot wall the runs along the rear yards of the homes on Third Street and Bonita Street.

Deviation #5: A deviation from LDC Section 26-77(b) which states that new or expanded seawalls are not allowed along natural waterbodies in order to allow the existing boat ramp to be replaced by seawall.

Applicant Justification: This deviation request is made so that the existing boat ramp, located on the northeast corner of property, shall be removed and replaced with a permitted, code compliant seawall. The existing private boat ramp is located on the Moss Marina site and no longer in use. Through the proposed Arches Bayfront Resort design, the site will provide a minimum 670-foot public bayfront promenade to be used by resort guests and the public. This bayfront promenade will provide access to the ferry/water taxi terminal, docks, ground floor retail and restaurants. The resort and seawall design will also comply with stormwater management so that runoff will not be discharged directly into the bay as currently occurs.

The proposed seawall construction will be a public benefit to the island, its residents and an improvement to the existing conditions thus supporting the intent of LDC Section 26-77(b) which is to protect the island's natural bodies of water.

Staff Response: A new seawall will require appropriate permitting from local and state agencies. An existing unused boat ramp is present at the Bay edge of the property. This deviation will allow that area to be filled and protected by a seawall. This will continue the existing seawall across the

Bay edge of the property.

Deviation #6: A deviation from LDC Table 34-3 which requires properties in the Commercial Resort (CR) zoning district to have a minimum height set at 30 feet and 3 stories to allow a maximum building zoned height of 81' (as defined in the FMBLDC) for the Resort Tract. Maximum building heights will be in compliance with the approved Master Concept Plan.

Applicant Justification: The comprehensive plan allows for additional height utilizing the planned development process in Policy 4-C-4 with implementing language in Section 34-1803(2) FMBLDC. This review allows additional height for consistency with existing building height and extraordinary public benefits. The proposed maximum height is similar to the adjacent Marina Village Condominium. The proposed height does not affect views from the peak of the skybridge above the existing skyline. This will ensure preservation of the views of the Gulf from vehicular traffic when arriving to the island via San Carlos Boulevard. The height is requested to allow for five view corridors varying in width from 25 to approximately 70 feet through the site toward the extensive bayfront promenade, waterfront, and sky. The additional view corridors and public access through the creation of a bayfront promenade will create a pedestrian plaza and reduce the building mass to present a human scaled experience along the bayfront and Arches Way. Additionally, the additional height results in smaller building footprints which allows for greater setbacks and buffering from adjacent residential properties and the creation of the Linear Park & Memorial Garden.

Staff Response: The Application to amend the Comprehensive Plan Future Land Use category must be approved in order for this deviation to be in compliance with the Comprehensive Plan. The requested height allows for a reduced mass above the parking level. Only two of the five view corridors will allow someone outside of the property and ground level to see through to the Bay. All of the view corridors enable to reduction in overall massing and contribute to the flow of light and air through the property.

The applicant is proposing several elements to support their request of increased height. The most notable benefits are the public bayside promenade area and the linear park and memorial garden. The additional height results in smaller building footprints which allows for greater setbacks and buffering from adjacent residential properties and the creation of the Linear Park & Memorial Garden.

Deviation #7: A deviation from LDC Table 34-3 which states that property setbacks in a CPD zoning district shall be the same as for the Commercial Resort zoning district to allow for adjusted building setback lines within the Resort Tract and adjusted side setbacks and build to lines for the buildings located within the Old San Carlos Tract as outlined within the enclosed Development Standards Exhibit.

Applicant Justification: This unique configuration of the properties which make up the Arches Bayfront Resort necessitates the requested deviation from setbacks and build-to lines. Under the Table 34-3 regulations, the section of the property which abuts Old San Carlos Boulevard would have a setback ranging from a minimum of 10' – 15' which would not support the Town's vision as presented in the Old San Carlos Boulevard-Crescent Street Master Plan of having all buildings built to the sidewalk. This deviation supports the desire to promote a building form that engages the public along Old San Carlos Boulevard, through building placement and design. The proposed build-to lines for the Old San Carlos Boulevard Tract are 0-5 feet for Old San Carlos Boulevard and 0 – 10 feet on Third Street. These build-to lines will create a human-scaled, walkable, engaging public realm along both Old San Carlos Boulevard and Third Street. The proposed side setback on the north side of the building is 0 feet, consistent with setbacks permitted in the Downtown district in which the property is located.

The proposed setbacks for the Resort Tract will allow the development to be designed in such a

manner that the active public areas are located along the Bayfront Promenade while the Linear Park and Memorial Garden will create a passive recreational area near Third Street and thus buffering the residential properties from the more intense uses. The setbacks will also allow the development to create five view corridors to the bay from Third Street. The granting of this deviation will not cause or result in any negative impacts to the community's health, safety, and welfare.
Staff Response: The deviation allows for a more cohesive urban streetscape along Old San Carlos Blvd and greater open space along the linear park and promenade areas.

Deviation #8: A deviation from LDC Section 34-2020, required parking regulations, to allow a parking reduction of 50% in accordance with LDC Section 34-676(a)(1).
Applicant Justification: LDC Section 34-676(a)(1) allows for the request of a 50% reduction from the off-street parking requirements for properties abutting Old San Carlos Boulevard through the deviation process. By virtue of the overall CPD's location and proximity to the water, the parking reduction will allow for consideration to be given to the alternative modes of transportation available to access the site. The Arches Bayside Resort intends to promote and support multimodal transportation through providing parking facilities for vehicles, golf carts, bicycles and docks for both vessel and personal watercraft and non-motorized personal watercraft as well as a water taxi/ferry dock. The resort will also have a stop for access to the Fort Myers Beach Trolley and Tram system.
The site creates the northern "bookend" of the expanded Times Square pedestrian-friendly zone along Old San Carlos Boulevard from Times Square to Matanzas Pass, connecting the beach to the bay as described in the Old San Carlos Boulevard – Crescent Master Plan.
The parking analysis demonstrates that a total of 338 vehicle parking spaces will be provided by the developer as well as 13 golf cart spaces, 26 bicycle spaces, and transient boat slips. 45 spaces of the 338 will be provided for paid public parking. The amount of parking meets and exceeds the code requirements, and the excess provides a significant public benefit that supports the Park Once initiative.
The proposed parking alternatives and access to alternative modes of transportation will reduce the need for parking within the downtown area and help alleviate traffic congestion on the island. The granting of this deviation will not create negative impacts to the health, safety and welfare of the island's residents and visitors.
Staff Response: Staff finds that a deviation from LDC sec. 34-2020 to allow for a 50% reduction of the total parking requirement does not align with sec. 34-676(a)(4) which requires other streets in the Downtown district to multiply the total requirement by .67 for a 33% reduction. The proposed development will be similar in nature to the existing Downtown District and this comparison is appropriate. The proposed development has more intense uses (i.e. event space) than the Old San Carlos businesses within the Downtown zoning district. The total required parking spaces for the resort calculated by use is 489.8 . The number would be appropriately reduced in a manner similar to the abutting Downtown zoning by490 x .67 = 328. 338 spaces are provided. The applicant is providing more than the required minimum, however this leaves only 10 parking spaces available to the public for commercial/shared parking, not the 45 spaces that the applicant has stated. Staff suggest allowing the applicant to conduct a parking study after the development is fully operational to determine if additional spaces could be allocated to public commercial parking. The applicant is proposing several operational programs to reduce the need for parking, but the full impact of those programs can't be known until the resort is in use.

Findings and Conclusions:
LDC Sec. 34-85(b) and (c) and 34-216(2) sets forth the required considerations and findings for the approval of a rezoning:

LDC Sec. 34-85 (b) Considerations. In reaching its decision, the town council shall consider the following, whenever applicable:

(1) Whether there exists an error or ambiguity which must be corrected.
    a. No errors or ambiguities exist.
(2) Whether there exists changed or changing conditions which make approval of the request appropriate.
    a. The site as exists is damaged and in need of repair or redevelopment due to the destruction caused by Hurricane Ian.
(3) The impact of a proposed change on the intent of this chapter.
    a. The proposed change will not have any impact on the intent of this chapter (LDC). The CPD rezone will allow the redevelopment of the damaged Moss Marina structures and adjoining properties
(4) The testimony of any applicant.
    a. The professional experts retained by the applicant to support this petition have provided testimony at both the Local Planning Agency (LPA) hearing and the Town Council hearing.
(5) The recommendation of staff and of the local planning agency.
(6) The testimony of the public.
    a. The public has been provided with the opportunity to present testimony to the LPA and Town Council.
(7) Whether the request is consistent with the goals, objectives, policies, and intent, and with the densities, intensities, and general uses as set forth in the Fort Myers Beach Comprehensive Plan.
    a. Provided the concurrent applicant for Future Land Use category amendment to the Comprehensive Plan is approved, the request is consistent with the goals, objectives, policies, and intent, and densities, intensities, and general uses as set for the in the Fort Myers Beach Comprehensive Plan.
(8) Whether the request meets or exceeds all performance and locational standards set forth for the proposed use.
    a. The proposed development will be required to meet performance standards set forth in 34-2031 and 34-2032.
(9) Whether urban services are, or will be, available and adequate to serve a proposed land use change.
    a. The urban services exist in this location.
(10) Whether the request will protect, conserve, or preserve environmentally critical areas and natural resources.
    a. The proposed redevelopment is located on a previously developed site which does not contain any environmentally critical areas or natural resources.
(11) Whether the request will be compatible with existing or planned uses and not cause damage, hazard, nuisance, or other detriment to persons or property.
    a. The request is compatible with existing or known planned commercial, and civic uses adjacent to the subject redevelopment and will not cause damage, hazards, nuisance or other detriment to the commercial or civic property uses of Fort Myers Beach. It is less clear whether the proposed development will cause a nuisance to the abutting single-family residences. The property was previously a working marina without buffers and adequate landscaping and the proposed development will create additional open space and buffering to enhance the visual aesthetics of the area
(12) Whether the location of the request places an undue burden upon existing transportation or other services and facilities and will be served by streets with the capacity

to carry traffic generated by the development.

a. The location of the proposed development, immediately adjacent to the Matanzas Pass Bridge and the Old San Carlos downtown area will contain any traffic impacts to the vicinity of the development. The addition of 239 lodging units will likely impact the flow of traffic in the downtown area through guests' arrivals and departures. Once guests are parked there would not be a need to move their vehicle until departure unless they have a planned excursion, as the beach, restaurants, bars and other amenities would be easily accessible on foot. Staff has concerns regarding the sufficiency of the parking provided for a commercial/shared parking lot.

(13)For planned development rezonings, see § 34-216 for additional considerations

LDC Sec. 34-85 (c) Findings: Before granting any rezoning, the town council shall find that the requested zoning district complies with:

(1) The Fort Myers Beach Comprehensive Plan.

The concurrent CPA application to amend the Future Land Use Category must be approved prior to the approval of this CPD application to comply with the Comprehensive Plan.

(2) This chapter.

The proposed uses comply with this chapter except in regard to the deviations.

(3) Any other applicable town ordinances or codes.

The proposed request complies with the town ordinances and codes, except in regard to the deviations.

(4) For planned development rezonings, see § 34-216 of this chapter for additional findings

LDC Sec. 34-216(a)(2) The recommendation made to the town council must be supported by the guidelines set forth in § 34-85 of this chapter. In addition, the findings must address whether the following criteria can be satisfied:

a. The proposed use or mix of uses is appropriate at the subject location.

Staff response: The proposed mix of uses (lodging, commercial, restaurant) is appropriate in this location in general. However, the COP area of Building E and the request for ambient noise at that location may create a nuisance for the single-family home across the canal.

b. Sufficient safeguards to the public interest are provided by the recommended special conditions to the concept plan or by other applicable regulations.

Staff response: Linear Park buffer, bayfront public access, view corridors from neighborhood, separation between buildings acts as safeguards to the public interest.

The applicant is proposing signage to reduce resort vehicles for accessing that neighborhood. The abutting single-family neighborhood may be impacted by noise and increased traffic.

c. All recommended special conditions are reasonably related to the impact on the public's interest created by or expected from the proposed development.

Staff response: All recommended conditions are related to the public's interest.

d. The proposed use meets all specific requirements of the comprehensive plan that are relevant to the requested planned development, such as the following:

Staff response: The CPA application to amend the Future Land Use Category must be approved prior to the approval of this CPD application to comply with the Comprehensive

Plan.

LDC sec. 34-216(a)(4) requires that the local planning agency's recommendation must approve, approve with modification, or reject each requested deviation based upon a finding that:

a. Each item enhances the achievement of the objectives of the planned development; and
    a. Staff concurs except for Deviation #8
b. The general intent of this chapter to protect the public health, safety and welfare will be preserved and promoted; and
    a. Staff concurs
c. Each deviation operates to the benefit, or at least not to the detriment, of the public interest; and
    a. Staff concurs
d. Each deviation is consistent with the Fort Myers Beach Comprehensive Plan.
    a. The CPA application to amend the Future Land Use Category must be approved prior to the approval of this CPD application to comply with the Comprehensive Plan.
e. If the local planning agency concludes that the application omits necessary deviations, it may include the necessary deviations in its recommendation without an additional hearing.

III. RECOMMENDATIONS

Staff find that the CPD with deviations does not meet the criteria set forth in Sec. 34-85(b) and (c) and 34-216(2) of the LDC and recommend **DENIAL** of CPD20230151, a request for a CPD with deviations. LDC Sec. 34-85 (b)(11) asks "Whether the request will be compatible with existing or planned uses and not cause damage, hazard, nuisance, or other detriment to persons or property". While the request is compatible with the existing commercial uses in the downtown area, it is incompatible with the abutting single-family neighborhoods.

If the Town Council votes to approve the CPD, staff recommend the following conditions of approval. Additionally, Town Council should consider whether the Town should authorize vacation of the street ends of Harbor and Bonita Streets.

Conditions of Approval

1. The owner will provide an accessible stabilized surface for the area between Harbor Court and Bonita Street for emergency personnel and vehicles, as noted on the Master Concept Plan (MCP).
2. The MCP indicates the access points at Harbor Ct. and Bonita St. provide for "Emergency/Limited Access Only." "Limited Access" is intended to allow vehicles that have unintentionally driven down Harbor Court or Bonita Street to temporarily access the Arches property; maneuver through the turn-around area; and then exit the property.
3. All walkover/pedestrian bridges will be constructed at a height to permit fire and other emergency vehicles to pass underneath.
4. Pedestrian controlled access will be a system of gated sections with keypad or scanning capabilities to only allow employees, current registered owners/guests of the property and emergency personnel to enter and exit the property from these locations during the night (1 hour after sunset) only in areas noted on the MCP.

5. Access to the Arches resort through the easement number 2008000332365 on First Street should be limited to vehicular travel. No pedestrian pathway is located along this 30-foot-wide easement.
6. A detailed landscaping plan showing the location and type of planting must be provided with the development order application. All landscaping materials will be native varieties/Florida friendly species.
7. Along the western boundary (canal) adjacent to Building E's guest pool deck, a minimum 5-foot-wide buffer will be provided. This buffer will provide a minimum of 5 trees per 100 linear feet at a minimum of 12 feet tall at time of planting and a continuous opaque (clusia) hedge. Hedging must be provided at least 4 feet at time of planting along the canal adjacent to Building E and maintained at a minimum of 5-feet high.
8. Vehicular access to the resort will be focused and directed to Arches Way, and "Local Traffic Only", "No Thru Traffic", and/or "Dead End" signage will be placed immediately west of the intersection of Third Street and Arches Way be to minimize vehicular trips within that neighborhood.
9. Access points to the resort from Harbor Court and Bonita Street will be gated and allow emergency vehicular access only.
10. The Property will include a dedicated transit stop, conditional on approval from LeeTran. There will be an additional pick-up and drop-off stop on Property for ride hailing services. The possible locations are indicated on the MCP in Exhibit B. The final locations shall be determined at Development Order approval.-
11. Maximum allowed commercial (non-hotel ancillary) space is 25,500 Square Feet.

12. Hours of operation and amplified sound for outdoor areas will be limited to the following unless otherwise temporarily altered per the Town's special event use regulations in LDC Section 34-1264. All other hours of operation will be regulated by the Code of Ordinances.
    a. The Arches Gateway Restaurant's rooftop deck will only operate from 7am to 10pm. Amplified sound will be oriented away from adjacent residential properties. Live music is not permitted outdoors at this location.
    b. Sunset Deck: Hours of operation are 7:00am to 10:00pm. Only ambient music is allowed on the Sunset Deck. Ambient music is permitted from 7:00am to 9:00pm. Amplified sound will be oriented away from adjacent residential properties. Live music is not permitted at this location.
    c. Bayfront Promenade and its commercial uses: 7:00am to midnight
    d. Pool deck (Buildings B and C): 7:00am to midnight
    e. Pool deck (Building E): 7:00am to 9:00pm and ambient music only from 10:00am to one hour after sunset. Amplified sound will be oriented away from adjacent residential properties. No alcohol sales will take place outdoors on the pool deck at Building E. Live music is not permitted at this location.

f. Outdoor deck area by the Events Chapel and reception hall (Building D): 7:00am to midnight
g. Linear Park and Memorial Garden: 7:00am to one hour after sunset.

13. Service of alcohol for on-premises consumption is approved at the locations depicted on the Master Concept Plan in Exhibit B, subject to these limitations:
    a. Service to outdoor areas is permitted as follows:
        i. For Buildings B & C, on the Level 400 deck area surrounding the pool and the hotel restaurant and Level 500 Building B's Sunset Deck area.
        ii. For Building D, on Level 300 deck adjacent to the Event Chapel and reception halls.
        iii. No alcohol sales for Building E, at Level 100 around the pool deck
        iv. For commercial plaza along the Bayfront Promenade (Level 100), limited to the restricted outdoor seating areas and surrounding the commercial/ferry water taxi building as depicted on the Master Concept Plan.
        v. For The Arches Gateway Restaurant (second story – Level 200) and ancillary rooftop deck at the corner of Old San Carlos and Third Street.

14. Downtown Ferry/Water Taxi Stop:
    a. Property Owner will construct as part of the development of Property a minimum 1,400 square foot, indoor, air-conditioned ferry/water taxi facility on the Property, as depicted on the MCP in Exhibit B, which shall include office space for the Town's marine staff. Upon the issuance of the final Certificate of Occupancy for the Ferry Terminal, the Property Owner will establish and operate (directly or via a 3rd Party) a future inter-island ferry system (Fort Myers Beach and San Carlos Island only) as envisioned and described in the town's Comprehensive Plan. At a minimum, it will operate during season (December through April) and provide a minimum of three stops. These stops are planned to include: 1) The Arches Resort, 2) a mid-island location per Comprehensive Plan Figure 10 and Table 7-A-2 and 3) a stop located at the south end of Fort Myers Beach per Comprehensive Plan Figure 10 and Table 7-A-2. The precise location of the ferry stops is subject to availability, cooperation, and financial feasibility. Continued operation of the Ferry will be contingent upon financial feasibility.

15. Day dock slips and pick-up/drop-off:
    a. The Property Owner shall provide dedicated day dock slips for hourly or daily rental and a designated pick-up/drop-off area for boat passengers as indicated and/or noted on the MCP in Exhibit B.
    b. 2 dock slips shall be allocated for use by the Town as needed.

16. Non-motorized Watercraft Docking:

a. Property Owner shall provide dedicated dock space, at no charge, for non-motorized watercraft such as kayaks and paddle boards. The docking space is not a public launch. It is intended to serve hotel guests, and nearby residents and visitors who paddle to the site. The proposed location of the dock is indicated on the MCP in Exhibit B, however the precise location will be determined at Development Order approval.

17. Guest and Employee Shuttles:
    a. Property Owner and resort operator shall provide at a minimum, twice daily in-season (December – April) shuttle service for hotel guests and employees to and from Southwest Florida International Airport and the Fort Myers Beach Park-and-Ride located at 11101 Summerlin Square Drive, Fort Myers Beach, Florida, 33931, also identified by Lee County Strap Number 07-46-24-00-00005.0030. In the event the Park-and-Ride is relocated, property owner and/or resort operator will provide an alternative location for guest and employee shuttle service. Property owner and/or resort operator will make a good faith effort to expand shuttle service in the future to allow use by the general public.

18. Don't Rent a Car Program:
    a. Property Owner and resort operator will promote the Don't Rent a Car Program to encourage all guests to use alternative modes of transportation rather than drive a vehicle to or while on Fort Myers Beach. Such efforts include:
        1. A dedicated page on the resort website outlining and promoting alternative modes of transportation and informing guests on ways to reduce vehicular trips including:
            a. Information on the walkability of the area and businesses of interest to guests within walking distance
            b. Bicycle rentals
            c. Ferry service
            d. Shuttle service
            e. Car hailing and taxi service
            f. Fort Myers Beach LeeTran "Trollee" and seasonal TRAM Service Schedule and Route Maps, and
            g. Food delivery services
        2. Establish partnerships with businesses on Fort Myers Beach, especially in the "Downtown" zoning district as depicted on Fort Myers Beach Zoning Map, adopted as Resolution 04-17, and as amended, to provide incentives and discounts to guests who do not drive to or on Fort Myers Beach through monetary discounts or vouchers (food/drink, bike rentals, tours/tourism) offered by partnering businesses

19. <u>Bicycles:</u>

a. The property owner or resort operator will provide for rent or complementary bicycles with bike locks, helmets, safe travel information for Fort Myers Beach and dedicated bike parking at the resort for hotel guests.

b. In addition to providing either complimentary or for rent bicycles, the property will also include decorative bike racks to accommodate a minimum of 26 bicycle parking spaces for public use as indicated on the MCP in Exhibit B, which will be distributed and located at various locations within the resort. The final locations will be determined at Development Order approval.

c. A dedicated bike path for safe travel to and from the resort will be incorporated into the site and reviewed at D.O.

20. Multi-Use Pathways:
    a. Bicycle and pedestrian pathways will be provided throughout the Property and will be open to guests and the public with signage for safe travel. The proposed locations of the multi-use pathways are depicted on the MCP in Exhibit B; however, the final location will be determined at Development Order approval. The pathways will provide interconnection and ease of access to the Bayfront Promenade, the Memorial and Linear Park, the Outdoor Market and downtown venues to reduce vehicular trips.

21. Public Parking:
    a. The Property will provide 45 paid public parking spaces to promote and implement the Town's "Park Once" strategy and supports a vibrant and walkable downtown. 38 spaces will be on the resort property spaces and 7 spaces will be constructed by the owner along Third Street.

    b. Resort guest and public parking spaces will be clearly identified, will be managed by the resort, and will operate in accordance with public parking standards and fees.

    c. Once The Arches Bayfront Resort is fully operational with all buildings receiving guests and all units sold and all retail space occupied for at least one year, the property owner may conduct a parking study during peak tourism season (January to March) to determine if and how many parking spaces could be allocated as public commercial parking. This study will be reviewed by the Town Manager or designee to determine if sufficient parking is available to serve as commercial parking spaces. If a surplus of parking exists, the owner can use those spaces as paid public parking.

22. Golf Cart Parking:
    a. The Property shall include 13 dedicated golf cart parking spaces available to guests or the public. The proposed location of the golf cart parking spaces will be within the understory parking garages and within Third Street right-of-way as

depicted on the MCP in Exhibit B. The final locations will be determined at Development Order approval.

23. Bayfront Promenade:
    a. As part of the development of the resort the property owner will build a Bayfront Promenade accessible to the public from 7:00am until 12:00am, as generally depicted on the Master Concept Plan in Exhibit B.

    b. The Bayfront Promenade will provide public access to the waterfront and public gathering areas to include seating, landscaped areas, and similar amenities for public enjoyment. An unobstructed walkable "clear zone" will be maintained at a minimum of 10 feet and an average 12 feet wide and that will vary in location within the Bayfront Public Promenade area as noted and shown on the approved Master Concept Plan in Exhibit B.

24. Open Air Market (Farmers/Arts & Crafts Market):
    a. The Property will include a covered open-air market at the corner of Third Street and Arches Way as generally depicted on the MCP in Exhibit B.

25. Linear Park & Memorial Garden:
    a. The Property will include a passive linear park along the southern boundary of the resort. This park will provide separation and buffering from adjacent residences and will include a decorative perimeter fence, a minimum ten-foot vegetated buffer, a bicycle/pedestrian pathway and will feature a Memorial Garden with sculptures and plaques honoring Fort Myers Beach history, commemorating Hurricane Ian and celebrating the rebuilding of the island. The linear park and memorial garden will be open to the public during the hours of 7:00am to one hour after sunset.

26. Marina, Pump Out and Fueling Services:
    a. Marina design, uses, and locations must be consistent with Policies 4-B-6, 4-B-7, and 5-E-7 of the Fort Myers Beach Comprehensive Plan and all applicable Town codes.
    b. Property Owner shall provide a convenient high capacity (PSI 10-20) on-site pump out and fueling service for mooring field users, the Town and the general boating public. Property Owner shall charge a reasonable fee, dictated by current market trends, for the weekly pump out service and consistent with pertinent Federal and State Statutes.
    c. The pump out and fueling service shall be located on site of the Property.
    d. Said service shall be provided one day per week, subject to change at the discretion of the property owner and/or resort operator. Such day shall be posted either on the resort website, or via on-site signage and via designated VHF radio calls.

27. Architecture & Site Design:
    a. Final design must be consistent with renderings contained in Exhibit C, in addition to the Master Concept Plan.

28. Promotion of the Fort Myers Beach School
    a. Property Owner and resort operator will make a good faith effort to cooperate with the Town of Fort Myers Beach, Fort Myers Beach Chamber of Commerce, the School District of Lee County, and the Fort Myers Beach Elementary School to promote the opportunity for resort employees to enroll their children at Fort Myers Beach Elementary School. Educational materials will be provided to employees regarding enrollment and after school care programs.
    b. The resort operator will make a good faith effort to allow flexible work schedules for employees to accommodate pick up and drop off of children attending Fort Myers Beach Elementary School.

29. Outdoor boat storage on land is prohibited.

30. Decorative lighting plan shall be required at the time of Development Order application.

31. State and Federal permitting required for environmental resource impacts. All applicable State and Federal permits shall be obtained and submitted to the Town of Fort Myers Beach before the commencement of any development.

32. The non-seawalled area separating The Arches Bayfront Resort and Marina Village will be filled and protected by a seawall. This improvement will allow pedestrian connection for Marina Village guests. State and Federal permitting required for filling the non-seawalled area must be obtained.

IV. EXHIBITS

a. Applicant Summary
b. Applicant Narrative
c. Supplemental plan
d. Deviations
e. Proposed Commitments and Conditions

THE ARCHES BAYFRONT RESORT

COMMERCIAL PLANNED DEVELOPMENT

Rezoning Application

#20230151

EXECUTIVE SUMMARY

INTRODUCTION

The Arches Bayfront resort was officially introduced to Fort Myers Beach over a year ago on May 15, 2023. The Freeland family, owners of Moss Marina, started to re-imagine a new future for the aging marina soon after Hurricane Ian. They assembled a stellar team of local professionals and the DPZ CoDesign firm to re-envision and design the subject property.

They began public outreach at the beginning of 2023 and met with numerous stakeholders including neighbors, residents, business owners, Local Planning Agency (LPA) and Town Council members. They evaluated development options, gathered public feedback and conducted multi-day design workshops to develop a new concept for the property. The resulting concept was for a mixed-use project that provided a "Bay Walk" public promenade, elevated civic plazas, a marina, multiple hotels with a maximum of 400 rooms, and up 18,500 square feet of commercial use for restaurant and retail space. A detailed site plan, architectural designs and numerous renderings were revealed at the public workshop on May 15th. Based on the overwhelming support they received at the workshop and through an on-line survey, they applied for a Comprehensive Plan Amendment (CPA) and Commercial Planned Development (CPD) to allow the proposed concept.

On April 9, 2024, the CPA for a Future Land Use Map change went before the LPA. To the surprise of the Applicant, the LPA recommended denial citing concerns over intensity of use and the inability to evaluate project details since the CPD was not being reviewed as a companion item. Pursuant to discussions with staff, stakeholders and elected officials, on May 6, 2024, the Applicant asked Town Council for a continuance to reevaluate the project, make adjustments and bring back the CPA and CPD as companion items to be evaluated concurrently.

A recurring comment heard from stakeholders was that they supported a mix-use project at this location but not at that scale. With that in mind, the Applicant set out to address all public comments and refine the existing concept by reducing the overall density and intensity, adopting a coastal architectural theme, enhancing public benefits and improving compatibility with surrounding uses.

The following document summarizes the changes made to the original concept, outlines the significant public benefits provided, describes why this is the right project in the right place and defines efforts made to ensure compatibility with surrounding uses.

5618 Whispering Willow Way, Fort Myers, FL 33908 | 850.803.5621
www.theneighborhood.company

BEFORE & AFTER SNAPSHOT

	BEFORE	AFTER
Density (lodging units):	400	263
Commercial Retail Space:	±18,500 SF, commercial retail space along bayfront promenade and on elevated deck	±25,500 SF, dispersed between Bayfront promenade to ensure viability and success of all businesses and at Old San Carlos/3rd Street
Intensity/Floor Area Ratio:	2.07 or 450,929 SF	Proposed Concept: 1.93 - 417,879 SF Max. Request: 2.0 - 433,858 SF
Hotel Height (Zoned):	60-70 feet, 5 and 6 stories	±58 - ±81 feet, 5, 6 and 7 stories
Bayfront Promenade:	860 feet public promenade	±670 feet public promenade, where canal front access is eliminated to ensure compatibility with adjacent residential uses
Setbacks & Buffering from Residential Uses:	Min. 20-foot-wide greenbelt with minimum planting area of 7.5 feet	Min. 30-foot wide, with a majority at 40-foot wide, linear park with minimum planting area of 10 feet
Separation from closest residential homes:	25 feet minimum	38 feet minimum, with 55 feet or more from most homes.
View Corridors:	4 view corridors	5 enhanced view corridors, increase in light and air along skyline
Massing:	5 wider buildings	5 narrower buildings and smaller footprints
Parking:	381 total spaces, 1 large parking garage, 93 public spaces	338 total spaces, dispersed under building garages, 45 public spaces (38 within the under-building garages + 7 on-street)

5618 Whispering Willow Way, Fort Myers, FL 33908 | 850.803.5621
www.theneighborhood.company

Bike/Pedestrian Access:	Bike/ped access throughout	Access throughout but design features and wayfinding utilized to direct most of the bike/ped traffic toward bayfront and eastern portion of the resort
Vehicular Access:	Proposed vehicular connector between Harbor and Bonita	All access focused along Arches Way. Only local residential traffic to Harbor and Bonita Streets. Vehicular connectivity internal to resort. Elimination of vehicular connector between Harbor and Bonita, limited to multi-use pathway with increased buffering.
Intensity of Use & Gradient:	Density, amenities, retail and public activity was distributed throughout the site	Focused all access and most intense resort uses along Arches Way with reduced activity or intensity of use as you proceed to the west.
Architectural Theme:	Retro chic, stucco exterior with simple classic lines	Coastal architecture with Key West, Old Florida and St. Augustine Spanish influences. Showcasing metal roofs, varied rooflines, horizontal siding, cupolas and arches honoring FMB's history.
Public/Private Spaces:	Public spaces along promenade and elevated deck intermingled with hotel operations and guest experience	Separation of guest and public spaces. All public space at ground level. Deck levels relegated to hotel guests. Improves the public and hotel guest experiences and operations
Hotel-Resort Operations:	Back of the house hotel operations were comingled with public and guest experience	Improved hotel operations by clearly defining and separating back-of-the-house, guest, public, retail, marina, reception/banquet uses and areas.

5618 Whispering Willow Way, Fort Myers, FL 33908 | 850.803.5621
www.theneighborhood.company

Old San Carlos Parcel:	Arches café and parking	Bodega with rooftop restaurant & covered Outdoor Market providing versatile retail and market uses that are community based and create a sense of place and downtown attraction

PUBLIC BENEFITS

- Bayfront Promenade
  - Public access to bayfront
  - Splash pad for kids
  - Mix of food, entertainment and retail venues for public and resort guests
- Enhanced view corridors
- Implementation of Old San Carlos Plan
- Creating a cohesive downtown with two dynamic bookends that provide first-rate pedestrian plazas
- Downtown Ferry/Water Taxi Terminal and founding partner of Ferry System
- 45 Public Parking spaces
- Golf Cart Parking
- Bicycles for Resort Guests & Bicycle racks for the public
- Shuttle Service for employees and guests
- Participation in the DRAC program
- Implementation of Park Once Initiative
- Marina with Temporary Docking/Parking for non-motorized watercraft - paddle boards, kayaks and canoes, outfitters providing access to local water and natural environment
- Convenient Boat Pump Out and Fueling service
- Linear Park Memorial Garden Park honoring:
  - FMB history & historic FMB Arches
  - Hurricane Ian impacts & casualties
  - Hurricane Ian rebuild
- Outdoor Market – Farmers and Arts & Crafts Market which will support local businesses and create a social gathering place
- Revitalization of the Downtown and increasing visitor density by creating public spaces, facilitating public access and diversifying food, recreational and entertainment options.
- Replacement of stark, dry storage barns with attractive coastal architecture – form and good design are important, they define and create a sense of place
- Hardened and resilient structures
- Improved water management conditions
- Significant positive economic impact: ad valorem taxes, impact fees, bed tax, employment, capital improvement costs, secondary impacts in supporting other local businesses
- Support of FMB Elementary School through informing/educating staff about the school and providing flexible work schedules to facilitate drop-off and pick-up

JUSTIFICATION & COMPATIBILITY

- **Great Downtown Location**:
  - Existing off-ramp from Skyway Bridge for easy and direct access
  - In area of Town meant to have highest allowable densities and intensities
  - Consistent with Old San Carlos Plan
  - Providing public access to the Bayfront
  - Creating great bookend to the downtown, connecting and activating Old San Carlos and creating a cohesive downtown
  - Within walkable downtown district which supports the "park once" intent by providing sufficient resort and guest parking in the heart of downtown
  - Helps create a vibrant and dynamic downtown where the mix of uses provides something for everyone, and reduces the need to leave the area
  - Beautiful, coastal resort concept offering a world class lodging, dining and shopping experience that complements the more lively and boisterous Times Square entertainment district

- **Density Reduction**: Reduced lodging density from 400 lodging units to 263, which is proportionally the same as Margaritaville. Requesting an equivalency factor of 9.1 which is the same as Margaritaville obtained.

- **Commercial Intensity**: Commercial intensity from a maximum of 18,500 SF to a maximum of 25,500 SF.

- **Improved Compatibility**
  - Increased setbacks
  - Increased buffers
  - Reduced massing
  - Increased view corridors
  - Varied heights
  - Focused all vehicular access along Aches Way to minimize traffic intrusion into adjacent neighborhood
  - Created an intensity of use/activity gradient with more intensity along Old San Carlos to less intensity along the abutting canal
  - Designed site to focus public activity along waterfront and eastern portion of the resort
  - Separated public and private uses more clearly to improve public and guest experience and ensure success of all venues/businesses
  - Eliminated the large parking garage and distributed parking under all buildings
  - Revised architectural design theme to be more coastal with casual elegance – Key West meets St. Augustine, but unique to Fort Myers Beach.
  - Maintained marina use while removing more intense commercial/industrial components
  - Separated and internalized all back-of-house activity to improve guest experience and operational efficiency while minimizing potential impacts on adjacent properties.

THE ARCHES BAYFRONT RESORT

COMMERCIAL PLANNED DEVELOPMENT

Rezoning Application

#20230151

NARRATIVE

BACKGROUND & REQUEST

Freeland FL Holdings, LLC, is seeking concurrent applications for a Small-Scale Comprehensive Plan Future Land Use Map Amendment and Commercial Planned Development Rezoning of the subject property encompassing ten parcels, ±4.98 acres (216,928 sq. ft.) located at 450, 445, 441, and 436 Harbor Ct., 435 and 438 Bonita St., 935 and 939 Third St., and 401 Old San Carlos Boulevard. A companion Comprehensive Plan Amendment application has been filed to designate all properties to the Pedestrian Commercial FLU Designation. This revised narrative provides additional evidence to support the rezoning request for the identified 10 properties. The request is for all 10 properties to be rezoned to a Commercial Planned Development (CPD) Zoning District from their current zoning districts as listed below. All properties are identified by STRAP Number, Address, Future Land Use designations and zoning districts in the table below:

STRAP #	ADDRESS	EXISTING FUTURE LAND USE	EXISTING ZONING
24-46-23-W3-00026.0020	450 Harbor Ct.	Marina	Commercial Marina
24-46-23-W3-00027.0000	450 Harbor Ct.	Marina	Commercial Marina
24-46-23-W3-0030B.0200	445 Harbor Ct.	Mixed Residential	Residential Conservation
24-46-23-W3-0030B.0190	441 Harbor Ct.	Mixed Residential	Residential Conservation
24-46-23-W3-0030C.0060	436 Harbor Ct.	Mixed Residential	Residential Conservation
24-46-23-W3-0030C.0040	435 Bonita St.	Mixed Residential	Residential Conservation
24-46-23-W3-0030A.0110	438 Bonita St.	Mixed Residential	Residential Conservation
24-46-23-W3-0030A.0030	935 Third St.	Pedestrian Commercial	Commercial Office
24-46-23-W3-0030A.0020	939 Third St.	Pedestrian Commercial	Downtown
24-46-23-W3-0030A.0010	401 Old San Carlos Blvd.	Pedestrian Commercial	Downtown

5618 Whispering Willow Way, Fort Myers, FL 33908 | 239.398.2016
www.theneighborhood.company

The Comprehensive Plan Future Land Use Map Amendment was reviewed by Town Staff and presented to the Local Planning Agency (LPA) on April 9, 2024. The LPA voted 4 – 2 to deny the request. Most dissenting members expressed concern over the two petitions not being reviewed concurrently and the lack of details contained in the simple map amendment. The Town Council on May 6, 2024, granted a continuance for the Comprehensive Plan Future Land Use Map Amendment to a date uncertain, until such time that it could be presented simultaneously with the Commercial Planned Development.

This revised narrative, along with the enclosed exhibits as part of the submittal, provides supplemental evidence to support the approval of the CPD rezoning and the companion Comprehensive Plan Future Land Use Map Amendment.



Figure 1. Location Map

5618 Whispering Willow Way, Fort Myers, FL 33908 | 239.398.2016
www.theneighborhood.company

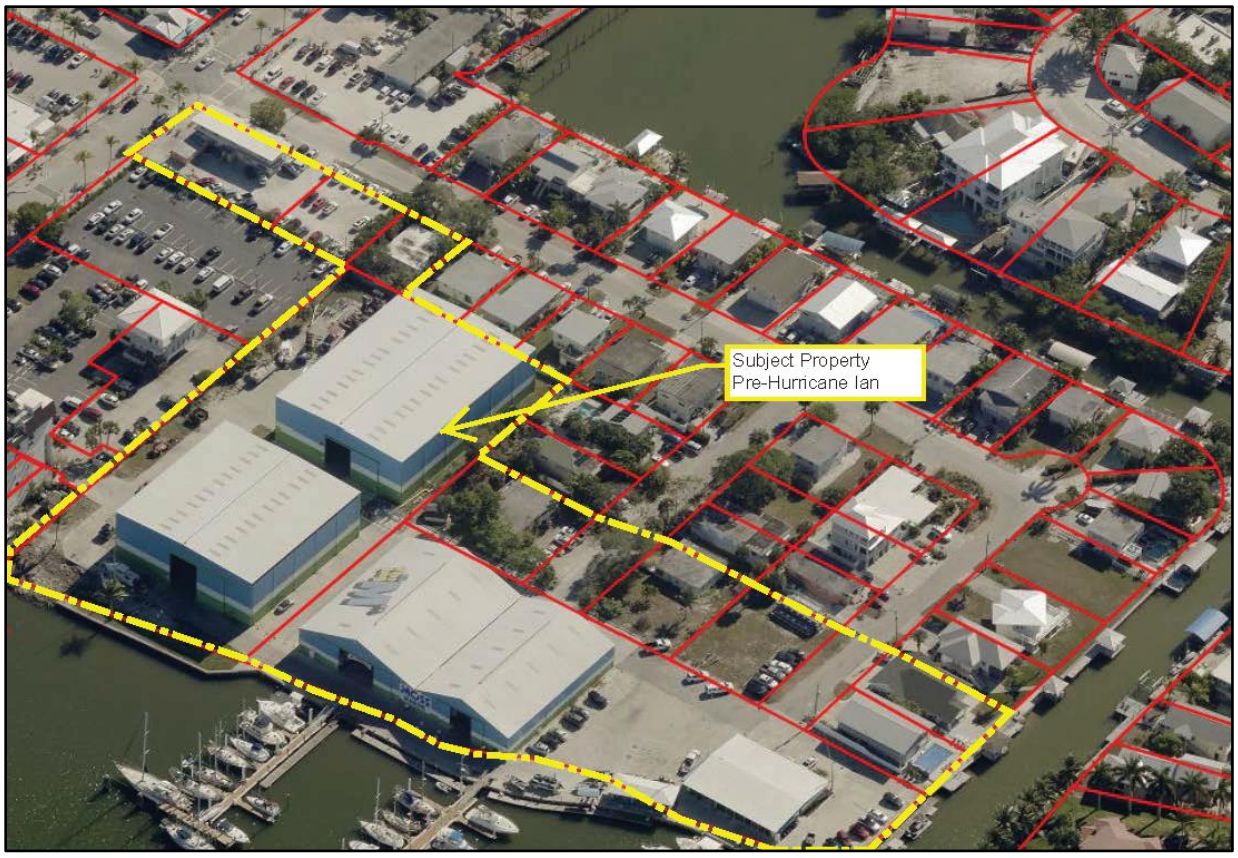


Figure 2. Pre-Hurricane Ian

Moss Marina has long been an iconic landmark on Fort Myers Beach. It was originally established as a marina by John and Betty Moss in 1969 and expanded by George Freeland in 1983. Due to the significant damage from Ian, the age of the marina and island-wide redevelopment efforts, the Freeland family saw an opportunity to reinvent the property and create a unique bayfront redevelopment project to complement the Fort Myers Beach downtown district. They also saw an opportunity to create a significant redevelopment project that would speed up the island's recovery, help revitalize the "main street", stimulate economic activity, and enhance visitation to our downtown. The proposed mixed-use resort will provide a world class hotel, marina, commercial retail, ancillary restaurant, bar and banquet space, an event chapel, and an outdoor market and bodega. The resort will also provide numerous public benefits such as public access to the waterfront and aquatic environment, a bayfront public promenade lined with commercial retail storefronts, multiple view corridors, a linear park & memorial garden, a water ferry/taxi and terminal, and public parking spaces in the heart downtown.



Figure 3. Post-Hurricane Ian

PROPOSED USE/DEVELOPMENT

Portions of Moss Marina, and some surrounding properties were destroyed by Hurricane Ian. In the aftermath of the storm, some neighbors decided to not rebuild and to sell their island properties. The purchase of several adjacent lots provided an opportunity for the Freelands to redevelop the marina into a vibrant, mixed-use resort. This proposed vision opens the bayfront to the public and enhances the downtown by creating a cohesive "main street" with complementary bookends that allow visitors and residents to experience the island's beautiful beach and back bay environments. It also represents a significant investment and a mixed-use project that will be a catalyst to the revitalization of the downtown and the entire island. It strengthens the downtown "core" of the island, creates a destination of interest and a sense of place, and provides economic stimulus that will benefit other island businesses and the Town's annual revenues.

The proposed Arches Bayfront Resort development is designed to be a multiple building mixed-use resort, which includes the following:

- A luxury hotel with a maximum of 263 lodging units (hotel and condo-hotel units)
- Ancillary restaurants, bars, banquet hall, lounge, and lobby space
- Bayfront Public Promenade with commercial storefronts
- Linear Park & Memorial Garden
- Outdoor Market
- Bodega and restaurant along Old Scan Carlos Blvd
- Marina with ancillary boat store and mariner's lounge
- Ferry/water taxi terminal and ferry/water taxi service
- Guest and Public Parking
- Wedding/Events Chapel

The resort will have a coastal architectural theme consisting of Key West, Old Florida and St. Augustine/Spanish influences. The buildings will showcase metal roofs, varied rooflines, horizontal siding, cupolas, and arches to reflect and honor the history of Fort Myers Beach.

The Freeland family are longtime island business owners who are committed to this community. They want to develop a unique resort project that will assist in the redevelopment of the island and create a cohesive walkable downtown that will connect and activate Old San Carlos Boulevard and complement Times Square and Margaritaville. The narrative below demonstrates how the Arches Bayfront Resort will transform the previous dry-boat storage structures and marina into a beautiful, world class resort offering quality lodging, dining, and shopping experiences.

LOCATION, SITE DEVELOPMENT/DESIGN & COMPATIBILITY

Location

The Arches Bayfront Resort is proposed in an ideal location. It has easy access on and off the Skyway Bridge, is located directly on the back bay, and it is in the heart of Downtown. The Downtown district has always been identified as a redevelopment area and the preferred location for the Town's most dense and intense development.

The property begins at the northwest corner of Old San Carlos Boulevard and Third Street and extends all the way to the back bay, encompassing ±4.98 acres (see Fig. 1 Location Map). The Downtown location is easily accessible via the existing off-ramp from the Skyway Bridge that brings visitors directly to Old San Carlos Boulevard and the resort's entrance via Third Street and Arches Way.

As envisioned in the Comprehensive Plan and in the 1999 “Old San Carlos Boulevard – Crescent Master Plan”, the desired vision for this area of the island is to “expand the Times Square pedestrian-friendly zone along Old San Carlos Boulevard from Times Square to Matanzas Pass, connecting the beach to the bay.” The plan also envisioned a “Bayfront Square” at the Matanzas Pass end of Old San Carlos Boulevard, providing “special public spaces which capture the ‘postcard’ character” of the Town and implementing the desire to connect the beach to the bay. The proposed development provides a natural extension of that vision, creating public access to the Matanzas Pass bayfront and the opportunity to further connect to the rest of downtown.

The development supports the Town’s “Park-Once” strategy by providing sufficient parking for resort guests and paid public parking in the downtown area that will support other businesses and venues such as Times Square. The Arches Bayfront resort will provide dedicated public bicycle parking onsite, a downtown ferry/water taxi terminal and service, docks for both motorized and non-motorized watercraft, and a dedicated beach tram and Uber stop, supporting multi-model transportation options. Downtown Fort Myers Beach is only ±300 yards (less than a quarter mile) wide between the Gulf and Bayfront, making it ideal for pedestrian travel. The short distance along Old San Carlos Boulevard creates a walkable district, thereby reducing the need for vehicle travel. The typical “pedestrian shed”, or distance the average person can comfortably walk, is a quarter mile or a 5-minute walk. The Arches Bayfront, with its expansive pedestrian and bike network, creates a pedestrian-friendly environment which is a logical location for a mixed-use destination resort which will include lodging, dining and shopping for guests, residents and the general public.

Surrounding Uses

The future land use category, zoning districts, and existing land uses surrounding the property are as follows:

	FUTURE LAND USE	ZONING DISTRICT	EXISTING LAND USES
NORTH	Tidal Water	Beyond Town Boundary	Water body - Matanzas Pass
SOUTH	Mixed Residential w/ Platted Overlay and Pedestrian Commercial	Residential Conservation, Commercial Office, and Downtown	Vacant and Residential
EAST	Pedestrian Commercial	Downtown	Marina Village at Snug Harbor (fractional ownership hotel) parking lot and Commercial Retail
WEST	Tidal Water and Low Density	Residential Conservation and Residential Single-family	Canal and Single-family Residential beyond

The subject property is located on a small peninsula with Matanzas Pass to the north, a ±70 foot canal to the west, commercial uses to the east and residential uses with another canal to the south. This peninsula creates a small enclave solidly anchored Downtown but physically separated from other neighborhoods. This land configuration allows for a logical extension of the Downtown district. The size of the property also offers the opportunity to design a resort that provides active and lively spaces combined with quieter and more serene, landscaped areas. The following sections evaluate the proposed resort in context with surrounding land uses and describes how it was carefully designed to ensure compatibility with those uses.

It should be noted that the subject property has been and remains an active commercial marina with dry-stack storage, boat yard, and boat repair and maintenance uses. It is separated from other uses to the north and west by waterbodies and it abuts commercial uses to the east. These uses include the six-story Marina Village timeshare, parking lots, multiple restaurants, and lodging establishment. The only residential uses that abut the property are to the south, which have co-existed peacefully for many years. The proposed resort will replace the boat barns and the more intense marina uses with an amenity-rich resort which will maintain the recreational marina component that offers easy access and enjoyment of the local waters.

The proposed resort has been redesigned pursuant to comments and concerns expressed by some neighbors, the public, as well as LPA and Council members. The design improves upon previously proposed conditions and exceeds all required development standards to ensure compatibility with surrounding uses.

(Intentionally left blank)



Figure 4. Proposed MCP

Site Design

The Arches Bayfront Resort has been carefully designed to be compatible with adjacent properties by providing uses and buildings that fit within the surrounding context. It does this by creating an intensity-of-uses gradient within the property, adjusting building heights and massing according to their location and adjacent uses, funneling all access to the front of the resort along the newly created Arches Way, and by providing generous setbacks and buffering where adjacent to residential uses.

The resort is comprised of five primary buildings and one accessory ferry/water taxi terminal. These buildings are identified as A through F on the **attached site plan**. Building A will be a two-story structure located at the intersection of Old San Carlos Boulevard and Third Street. It will house a bodega with a rooftop restaurant and open deck. Under the deck will be an Outdoor Market that will be "open-air" but protected from the elements. Moving west, Arches Way will lead visitors and hotel guests to buildings B and C, the resort entrance and the public Bayfront Promenade. Buildings B and C will vary in height from five to seven stories and will form the heart of the resort where the lobby and the majority of amenities and rooms will be located. As we move to building D, the level of activity drops and so does the building mass. This six-story building is limited to hotel rooms, an events chapel, and reception/banquet space. Moving furthest west, Building E is the smallest hotel building and drops to five stories. This building will be comprised of condo-hotel units, which are larger suites catering to longer stays. Access to this building and the associated pool will be restricted to guests only and the canal-front area will be lushly buffered to ensure compatibility with residential uses across the canal.

Public access and the Bayfront Promenade were carefully evaluated and redesigned to create a similar intensity-of-use gradient and to provide a clear separation between public, guest, and operational spaces. The public promenade will provide a mix of dining, shopping, and entertainment venues. It will offer public access to the waterfront and a recreational marina that will include the downtown ferry/water taxi terminal, eco-tour charters, and non-motorized watercraft docking. The ferry/water taxi terminal building and the more active commercial spaces will be located closest to Old San Carlos at the base of buildings B and C. At the base of building D, commercial space is planned for a marine store and mariner's lounge. Moving furthest west, there will be no commercial uses at the base of building E.

The site was also designed to create resort grounds that provide separation and buffering to adjacent residential properties, while also providing green space and passive public areas. That was achieved by locating an outdoor (farmer's/arts and crafts) market closest to Old San Carlos Boulevard and leading visitors to a linear park that contains a memorial garden honoring the island's history, commemorating the devastation of Hurricane Ian, and celebrating the rebuild of Fort Myers Beach. This linear park will be open to the public and will provide bicycle and pedestrian access through the resort and to the bayfront. Public spaces will be at ground level and will be interconnected. Guest amenities will be separate and provided

on upper deck levels. The hotel restaurant and sunset deck will be open to the public and will offer a more refined dining and cocktail bar experience than the more eclectic Bayfront Promenade. By separating and focusing uses to specific areas, the design can influence the level of activity, can create a better guest and public experience, and can help ensure the viability of the Bayfront Promenade businesses by concentrating the storefronts and foot traffic to one area.

Height

The Town's Comprehensive Plan allows for additional height through Policy 4-C-4 for parcels that are contiguous (or directly across a street) from taller buildings. The Arches Bayfront Resort site is west of the Marina Village at Snug Harbor, a six-story condominium with an overall height of ±71 feet. Across the canal to the west on Matanzas Court, a single-family residence exists which is 3 stories. The proposed project is requesting buildings that will vary between one and seven stories with a maximum zoned height of 81 feet (measured from base flood elevation plus 3 feet of freeboard to the mid-point to the main roof) and a total height of height of 102 feet measured from grade to top of the main roof (see Figure 5).

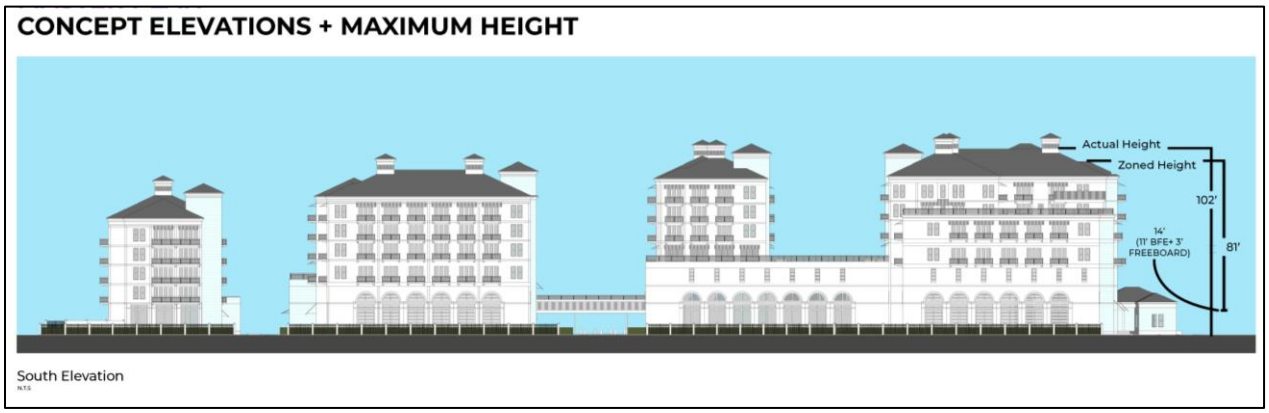


Figure 5: Building Height Exhibit

As described above, the site was designed to have multiple buildings to address uses, functionality, and architectural design, but above all, providing varying building heights allows for less massing, improved view corridors, and greater separation from adjacent uses. At two stories, Building A will be similar in height to other buildings along the Old San Carlos corridor, including Wahoo Willies, Shipwreck, and Yucatan. Buildings B and C will be five and seven stories, inclusive of three levels of parking and with the southern wing of Building B, closest to residences, dropping to five stories. Building D will be six stories inclusive of two levels of parking and Building E will be five stories with limited parking at the ground level. The tallest buildings will be located on the eastern and center portions of the property, closest to the Downtown commercial uses and the adjacent Marina Village at Snug Harbor, a six-story building with retail and hotel uses.

Allowing for additional height through the planned development process allows for narrower buildings with greater separation and greater setbacks from adjacent properties. This revised design allows for five view corridors versus the previous four. Additionally, those view corridors are wider and create more light and space along the skyline. The additional view corridor is located between Buildings B and C. While those buildings share a common three-story pedestal, the additional four stories are separated by over 60 feet. When compared to the previous site plan, that location was occupied by the widest "U-shaped" building and five-story parking garage. The previous building provided an uninterrupted mass of ±283 feet in width. Breaking up the hotel into multiple buildings reduces the massing and creates greater visual interest. Moreover, the revised design allows for greater setback and buffering where the previous greenbelt is being replaced by a wider Linear Park & Memorial Garden, which ranges in width from 30-50 feet with a minimum planting area of 10 feet.

(Intentionally left blank)

Setbacks (Yards) & Buffers

The development proposes the following setbacks/yards:

RESORT TRACT DEVELOPMENT STANDARDS	PRINCIPAL STRUCTURES	ACCESSORY STRUCTURES
MINIMUM FRONT YARD: EASTERN BOUNDARY	40 FEET	10 FEET
MINIMUM REAR- WATERFRONT: CANAL	25 FEET	SPS
MINIMUM SIDE – NON-WATERFRONT YARD: SOUTHERN BOUNDARY	30 FEET	SPS
MINIMUM SIDE - WATERFRONT: MATANZAS PASS	25 FEET	10 FEET[4]
MINIMUM LOT AREA: 20,000 SF		
MINIMUM LOT WIDTH: 100 FEET		
MINIMUM LOT DEPTH: 100 FEET		
MAXIMUM BUILDING COVERAGE: N/A		
MINIMUM BUILDING SEPARATION	25 FEET	10 FEET
MAXIMUM ZONED HEIGHT[1]	81 FEET	N/A
MAXIMUM ACTUAL HEIGHT[2]	102 FEET	N/A
MAXIMUM STORIES	7	3
MAXIMUM FLOOR AREA RATIO[3]	2.0	N/A

1. MEASURED FROM DESIGN FLOOD ELEVATION TO MID-POINT OF MAIN ROOF
2. MEASURED FROM GRADE TO PEAK OF MAIN ROOF
3. INCLUSIVE OF ENTIRE CPD BOUNDARY
4. ONLY APPLICABLE TO FERRY/WATER TAXI TERMINAL, PERGOLAS/SIMILAR STRUCTURES, AND ESSENTIAL/EMERGENCY SERVICE FACILITIES. WALLS, FENCES, RAILINGS, BOLLARDS, ETC., MAY BE LOCATED WITHIN THE THIS SETBACK.

SPS: SAME AS PRINCIPAL STUCTURE

OLD SAN CARLOS TRACT DEVELOPMENT STANDARDS	PRINCIPAL STRUCTURES	ACCESSORY STRUCTURES
BUILD-TO LINE - OLD SAN CARLOS BOULEVARD (DEVIATION 7)	0 - 5 FEET	
BUILD-TO LINE - THIRD STREET (DEVIATION 7)	0 -10 FEET	
MINIMUM REAR YARD: EDGE OF PAVEMENT FROM ARCHES WAY ROADWAY	30 FEET	SPS
MINIMUM SIDE YARD (DEVIATION 7)	0 FEET	SPS
MINIMUM LOT AREA: 20,000 SF		
MINIMUM LOT WIDTH: 100 FEET		
MINIMUM LOT DEPTH: 80 FEET (DEVIATION 1)		
MAXIMUM BUILDING COVERAGE: N/A		
MINIMUM BUILDING SEPARATION	10 FEET	SPS
MAXIMUM ZONED HEIGHT[1]	30 FEET	N/A
MAXIMUM ACTUAL HEIGHT[2]	45 FEET	N/A
MAXIMUM STORIES	2	N/A
MAXIMUM FLOOR AREA RATIO[3]	2.0	N/A

1. MEASURED FROM DESIGN FLOOD ELEVATION TO MID-POINT OF MAIN ROOF
2. MEASURED FROM GRADE TO PEAK OF MAIN ROOF
3. INCLUSIVE OF ENTIRE CPD BOUNDARY

SPS: SAME AS PRINCIPAL STUCTURE

These allow for a design which promotes a pedestrian-oriented resort complex with parking placed below the primary hotel structures in order to provide more open space and pathways.

Residences to the west of the site are separated via the existing canal, a restricted access pool, and buffering along the property boundary adjacent to the canal. Buffering to adjacent residential properties will be provided through a linear park that will include landscaping, decorative fencing, a pathway, and a memorial garden with benches and monuments. Design features and wayfinding will be utilized to direct most of the pedestrian and bicycle traffic toward the bayfront and eastern portion of the resort and away from adjacent residential properties.

Density/Intensity

The Arches Bayfront Resort site consists of ±4.98 acres and is subject to a companion Small-Scale Comprehensive Plan Map Amendment to change the property's future land use category from Marina and Mixed Residential to Pedestrian Commercial. The Pedestrian Commercial future land use category allows a maximum density of 6 dwelling units per acre (except where the Future Land Use Map's "platted overlay" indicates a maximum density of 10 units per acre for affordable units consistent with the adopted redevelopment plan).

The original request for the Arches Bayfront Resort was for a lodging density of 400 units. The revised resort plan reduces lodging density to 263 units, which is a 34% reduction from the original request. Additional density above the base of 6 dwelling units per acre is necessary in order to develop a world class resort and the proposed mixed-use project with desired public benefits such as dining, shopping, and entertainment. Additional density is allowed per LDC Section 34-1803 through the use of equivalency ratios. Per LDC Section 34-1803(a)(2) equivalency ratios exceeding the allowances in the table can be requested under exceptional circumstances and through the provision of public benefits. As supported throughout this narrative and evidenced by the destruction caused by Hurricane Ian, the proposed redevelopment meets the exceptional circumstance requirement and is providing numerous public benefits as outlined below.

Specifically, the requested density will require an equivalency ratio of 9.1. This is the same equivalency ratio that was approved for the Margaritaville resort:

- Margaritaville: 4.78 AC (Dev. Area) x 6 du/ac (Base Density) = 28 units (by right units rounded down)
  - 28 x 9.1 (equivalency ratio/multiplier) = 254
- Arches Bayfront: 4.98 AC (Dev Area) x 6 du/ac (Base Density) = 29 units (by right units rounded down)
  - 29 x 9.1 (equivalency ratio/multiplier) = 263

As described above the location is ideal for the proposed resort. The Downtown core area is considered the nucleus of commercial and tourist activities on the island, and has always been identified as an appropriate area for higher densities and intensities. The proposed resort will be a counterpart to Margaritaville along the gulf and will proportionally have the same density as that landmark resort.

The development is also subject to a maximum Floor Area Ratio (FAR). In addition to density (lodging units), the development is also subject to a maximum Floor Area Ratio (FAR). The Comprehensive Plan allows a FAR of up to 2.5 in the Pedestrian Commercial Future Land Use category. LDC Section 34-645

allows for a maximum floor area ratio of 1.2 within the Commercial Resort (CR) zoning district and a maximum floor area ratio of 1.8 within the Downtown Redevelopment district. A deviation request has been included in this application to allow for a maximum FAR of 2.0 within the Arches Bayfront Resort CPD. The preliminary schematic design for the resort calls for an FAR of 1.93, which allows a maximum of 417,879 square feet inclusive of the commercial area, lodging units, and ground level under-building parking. An FAR of 2.0 (433,858 SF) is requested to provide some leeway for changes that may be needed as the projects proceeds to final design and permitting. The proposed FAR is considerably less than the maximum of 2.5 allowed through the Comprehensive Plan and is appropriate for the proposed mixed-use resort.

Public Benefits

The Arches Bayfront Resort will provide numerous public benefits to the Town of Fort Myers Beach, its residents and visitors. Public benefits being provided include the following:

- Bayfront Promenade
  - Public access to bayfront
  - Splash pad for kids
  - Mix of food, entertainment and retail venues for public and resort guests
- Enhanced view corridors
- Implementation of Old San Carlos Boulevard-Crescent Street Master Plan
  - Creating a cohesive downtown with two dynamic bookends that provide first-rate pedestrian plazas
- Downtown Ferry/Water Taxi Terminal and founding partner of Ferry System
- 45 Public Parking Spaces
- Golf Cart Parking
- Bicycles for Resort Guests & Bicycle racks for the public
- Shuttle Service for employees and guests
- Participation in the DRAC program
- Implementation of Park Once Initiative
- Marina with Temporary Docking/Parking for non-motorized watercraft - paddle boards, kayaks and canoes, outfitters providing access to local water and natural environment
- Convenient Boat Pump Out and Fueling service
- Memorial Garden Park honoring:
  - FMB history & historic FMB Arches
  - Hurricane Ian impacts & casualties
  - Hurricane Ian rebuild
- Outdoor Market – Farmers and Arts & Crafts Market which will support local businesses and create a social gathering place
- Revitalization of the Downtown and increasing visitor density by creating public spaces, facilitating public access and diversifying food, recreational and entertainment options.

- Replacement of stark, dry storage barns with attractive coastal architecture – form and good design are important, they define and create a sense of place
- Hardened and resilient structures
- Improved water management conditions
- Significant positive economic impact: ad valorem taxes, impact fees, bed tax, employment, capital improvement costs, secondary impacts in supporting other local businesses
- Support of FMB Elementary School through informing/educating staff about the school and providing flexible work schedules to facilitate drop-off and pick-up

Significance of this Development

Most importantly, the Arches Bayfront Resort represents the most significant post-Ian redevelopment project proposed and can serve as a catalyst for the renewal of this island. No other project, to date, can provide the numerous benefits nor the memorable places and experiences it offers. The cumulative public benefits represent "actual game changers" - they implement long standing revitalization goals; they embrace urban design guidelines espoused by the Comprehensive Plan and LDC; they provide desired public spaces; they promote alternative modes of transportation and pedestrian activity; they support the "park once" concept; and they provide transportation mitigation measures such as the ferry, airport shuttle and DRAC program that represent a new approach and willingness for private entities to collaborate with the Town to devise public solutions. This redevelopment project is pivotable to the island's rebirth and can influence how we move forward and the character of this island.

Transportation, Parking and Pedestrian Access

As depicted on the MCP, all traffic will be directed to the resort's entrance along Arches Way via Old San Carlos Boulevard and Third Street. This will include deliveries, hotel guests, employees, and visitors who want to use the paid public parking. Access onto Bonita Street and Harbor Court, which in the previous design, provided access to the resort and marina will be limited to "local traffic only" and signs to that affect will be posted along Third Street. Through this application, a right-of-way (ROW) vacation is requested for the portions of Bonita Street and Harbor Court that fall wholly within the project boundary. Although the ROW will be vacated, the terminus of both local streets will be designed as small, landscaped squares that will allow emergency and limited local access. Resort traffic is not intended to use those local roads. All resort, marina and visitor parking is designed to be accessed via Arches Way. Arches Way will have sidewalks and pathways extending into the development. Pedestrians will be directed toward the Bayfront Promenade and Linear Park & Memorial Garden through design and wayfinding signage. The Linear Park will have decorative fencing and foliage to further separate and screen the resort from the residential properties to the south.

A traffic impact statement has been prepared by Hall Planning & Engineering, Inc. and concludes that the Arches Bayfront development will not have a detrimental impact on the Town of Fort Myers Beach. The

existing roadway network can accommodate the additional new vehicle trips the development is anticipated to generate upon the proposed 2027 buildout. Therefore, no roadway capacity improvements will be required as a result of this development. The trip generation of the Proposed 2027 Arches Development will add 20 new peak hour trips to the test link on Estero Boulevard. The resultant Proposed Development traffic contributes 1.7% at that location. Future traffic conditions with the Proposed Development will not cause Estero Boulevard to exceed the minimum LOS standard established by Policy 7-I-2 of the Comprehensive Plan for the Town of Fort Myers Beach.

The Arches Bayfront resort is an example of a multimodal development. Visitors will be able to reach the property by walking, vehicle, boat, bicycle, ferry and the Fort Myers Beach "Trollee". The development proposes vehicle parking both on-street and beneath its hotel buildings, public dock space for various types of boats and kayaks, a designated ferry/water taxi terminal, and golf cart and bicycle parking throughout the site in order to encourage the "Park-Once" concept. Located within the Downtown district, the development is entitled to apply the 50% reduction in required parking. For the basis of calculating the required parking, the following parking standards were applied.

- LDC Section 34-1804 which states, "the minimum requirement for off-street parking is 1.2 parking spaces for guest units up to 450 square feet."
- LDC Sec. 34-2020(2)(a) a. Bars and cocktail lounges. The minimum requirement is 15 spaces per 1,000 square feet of total floor area. If outdoor seating is provided, an additional one space per four outdoor seats or 75 square feet of outdoor seating area (whichever is greater) must be provided. See also subsection (2)h. of this section, pertaining to restaurants, and subsection (4) of this section.
- LDC Sec. 34-2020(2) e. Hotels and motels. The minimum requirement is 1.2 parking spaces for each guest unit up to 450 square feet and 1.5 spaces for each larger guest unit.
- LDC Sec. 34-2020(3) h. Restaurants. With the exceptions noted below, the minimum parking requirements for restaurants is eight spaces per 1,000 square feet of total floor area plus any outdoor seating area.

    1. Accessory restaurant. When a restaurant is located within the same building as the principal use and is clearly provided primarily for the employees and customers of the principal use, no additional parking spaces are required.

    2. Bars and cocktail lounges. If the restaurant contains a cocktail lounge or bar, the minimum requirement is eight spaces per 1,000 square feet of total floor area plus five additional spaces per 1,000 square feet of floor area used for the bar or cocktail lounge. If outdoor seating is provided, parking must also be provided for the area used for outdoor seating at these same rates.

- LDC Sec. 34-2020(4) b. Marinas and other water-oriented uses. Minimum requirements are as follows:

    1. Boat slips: One space per two slips.

    2. Dry storage: One space per six-unit stalls.

    3. Charter or party fishing boat services: One space per three people based on maximum passenger capacity of the boats using the dock or loading facility.

    4. Cruise ships: One space per three people based on the maximum passenger and crew capacity of the ship.

    5. Water taxis: Dedicated parking spaces are not required at stopping points for water taxis or water shuttles.

    6. Other uses: Other uses including accessory or ancillary marina uses such as restaurants, bars, or lounges, boat sales, etc. must be calculated separately in compliance with this division.

Based upon preliminary hotel unit size assumptions and square footage of the other proposed uses within the mixed-use development, the total number of spaces required for this redevelopment according to LDC standards is 293 parking spaces (see parking calculations table below). This number utilizes the 50% reduction as allowed for Old San Carlos Boulevard in LDC Sec. 34-676(a)(1). The Arches Bayfront Resort will provide 338 parking spaces which will result in an excess of 45 parking spaces. Additionally, 7 on-street parking spaces will be constructed along Third Street, which will result in a total of 45 public parking spaces. These additional paid public parking spaces will provide a public benefit to support the Town's "Park-Once" initiative.

(Intentionally left blank)

The Arches Bayside Resort Parking Analysis			
Resort Lodging Units Required			
Typical Unit Size	**# of Units**	**Parking Ratio**	**Spaces**
Up to 450 SF	218	1.2 spaces per unit	261.6
Greater than 450 SF	45	1.5 spaces per unit	67.5
		Subtotal	**329.1**
Multiple-Occupancy Complex Required			
Commercial Uses – Bayfront Promenade & 3rd Street Building	**Square Footage**	**Parking Ratio**	**Spaces**
Retail/Restaurant*/Office/Services/Event Space	25,500	6 per 1,000 SF or 1 per 167 SF	153
Restaurant Bar Area (within restaurants)	1,200	6 per 1,000 SF or 1 per 167 SF	7.2
Restaurant Outdoor Seating Area	7,750	6 per 1,000 SF or 1 per 167 SF	46.5
		Subtotal	**206.7**
Marina Required			
Marina Uses	**Slips**	**Parking Ratio**	**Spaces**
Boat Slips	69	1 space per 2 slips	34.5
Charter or party fishing boat services	6	One space per three people based on maximum passenger capacity of the boats using the dock or loading facility (Average Estimated Max. Passengers per Boat: 8)	16
		Subtotal	**50.5**
	TOTAL REQUIRED FOR RESORT & MARINA		**586.3**
	TOTAL REQUIRED FOR RESORT & MARINA with a 50% Reduction per Deviation #8		**293**
Provided			
	TOTAL VEHICLE SPACES PROVIDED FOR RESORT & MARINA		**293 (parking garage)**
	DEDICATED PUBLIC PARKING SPACES PROVIDED		**45(38 parking garage + 7 on-street)**
	TOTAL PARKING SPACES PROVIDED		**338****
	Golf Cart parking provided: None Required		**13**
	Bicycle parking provided: None Required		**26**

*Per LDC Sec. 34-2020(d)(4)(b)(3) and Deviation #8. Restaurant gross floor area limited to 19,125 SF or 75% of 25,500 SF of a multiple occupancy complex's gross floor area, and Per LDC 34-2020(d)(2)h.1: "When a restaurant is located within the same building as the principal use, and is clearly provided primarily for the employees and customers of the principal use, no additional parking spaces are required."

**Additional parking may be provided by stacking vehicles utilizing valet service, shared/offsite parking, or parking garage lifts

Compatibility

As presented above and further discussed in the Rezoning Criteria below, the applicant and design team have given careful consideration to assemble a redevelopment design which is compatible with surrounding uses. The redesigned resort provides attractive landscaping and extensive buffers, focusing public activity along the waterfront and eastern portion of the resort away from the neighboring residential development. The buildings have been designed with a coastal architectural theme and with varied heights. The placement of the buildings provides increased separation from adjacent residences and offers expanded view corridors. The walkable Linear Park & Memorial Garden buffers and shield adjacent uses and also create an attractive and a human-scale interface between the residential neighborhood and the resort.

Arches Bayfront Resort fulfills the desires expressed in the Comprehensive Plan and the Old San Carlos Boulevard – Crescent Street Master Plan to expand the Times Square pedestrian-friendly zone along Old San Carlos Boulevard and supports the "Park-Once" strategy. The Bodega with rooftop restaurant and covered Outdoor Market on Old San Carlos Boulevard provide versatile retail and outdoor market uses that engage the public and enhance the pedestrian-friendly nature of the boulevard. The "Park-Once" strategy is supported by the proposed downtown ferry/water taxi terminal and service, marina with temporary docking/ parking for both motorized and non-motorized watercraft, public parking spaces, golf cart parking, and bicycle racks.

The Arches Bayfront Resort will be an asset to the Town as evidenced by the considerate design, appropriate uses and construction of resilient and sustainable buildings. The mixed-use redevelopment of Moss Marine will provide numerous public benefits to the island and will become a destination for families will create fond memories year after year.

REZONING APPROVAL CRITERIA

The proposed rezoning request from Commercial Marina (CM), Downtown, and Residential Conservation (RC) to Commercial Planned Development (CPD) must be found consistent with the established rezoning criteria provided in LDC Section 34-85 and Section 34-216 as well as post-disaster build back criteria in accordance with Policy 4-D-1 of the Fort Myers Beach Comprehensive Plan and LDC Section 34-3238. The following narrative demonstrates compliance with the Town of Fort Myers Beach Comprehensive Plan and Land Development Code.

(Intentionally left blank)

5618 Whispering Willow Way, Fort Myers, FL 33908 | 239.398.2016
www.theneighborhood.company

THE FOLLOWING ADDRESSES APPLICABLE SECTIONS PROVIDED FOR IN THE PLANNED DEVELOPMENT APPLICATION – SUPPLEMENT PH-D FORM:

A. COMPREHENSIVE PLAN AMENDMENTS

The Arches Bayfront resort is consistent with the following Comprehensive Plan Amendments which are pending and could affect the future use of this property:

Policy FLU-1-A-5 The Town shall explore opportunities to provide innovative parking solutions on the Island to meet future demands. The town shall maximize efficient use of land, minimize gaps in the urban landscape, and improve urban form by encouraging redevelopment of existing surface parking lots; discouraging creation of new surface lots; consolidate parking in strategically located parking structures; and manage parking as a system. The Town shall consider/encourage the use of shared parking.

Policy FLU 1-A-9 Estero Bay also provides great benefits to the town and can be enhanced by improving public access and reversing the decline in water quality. The Conservation and Coastal/ Management Elements of this plan outline the town's efforts on these matters.

FLU-1-B—7 "PEDESTRIAN COMMERCIAL": a primarily commercial district applied to the intense activity centers of Times Square (including Old San Carlos and nearby portions of Estero Boulevard) and the area around the Villa Santini Plaza. For new development, the maximum density is up to 6 dwelling units per acre. Those developments previously vested with 10 units under the "platted overlay" may continue. Commercial activities must contribute to the pedestrian-oriented public realm as described in this comprehensive plan and must meet the design concepts of this plan and the Land Development Code. Where commercial uses are permitted, residential uses are encouraged in upper floors. All "Marina" uses in Policy 4-B-7 are also allowed on parcels that were zoned for marinas prior to adoption of this plan.

Policy 4-C-2 FLU1-C-2 COMMERCIAL INTENSITY: The maximum intensity of allowable commercial development in any category may be controlled by height and Floor to Area Ratio (FAR) regulations or by other provisions of this plan and the Land Development Code. Standards in the Land Development Code will encourage more intense commercial uses on properties with frontage on Estero Boulevard and only in the "Pedestrian Commercial" "Mixed-Use" and "Boulevard" categories.

Policy FLU-1-C-6 MOTEL TRANSIENT DENSITIES: The Land Development Code shall provide for the usage of commercial, mixed-use, or transient residential FAR, and minimum hotel/motel unit sizes as the basis for calculating transient residential unit.

Policy CD-3-A-3 MAINTAIN PEDESTRIAN CIRCULATION

Maintain the pedestrian circulation plan:

a. Bayside sidewalk and streetscape improvements for Estero Boulevard within the Core area with underground utilities and improved sidewalks.

ii. Sidewalks (5' wide minimum sidewalk) along all streets in the Core Area.

iii. Bike path along Estero Boulevard utilizing Crescent Street to Third Street across to Old San Carlos and then connecting back to Estero Boulevard and north to Bowditch Point.

iv. Old San Carlos as a pedestrian spine linking Times Square and the marina by implementing public sidewalks and major crosswalks designed to work in conjunction with arcades or plazas located on private property.

v. A new public pedestrian plaza at the east of Old San Carlos.

vi. New on-street parking and sidewalk on the south side of Crescent Street.

vii. Third and Fourth Streets with on-street parking and sidewalks on both sides of the street.

Proposed improvements with the pedestrian, parking, mass transit, and traffic circulation concepts in the Transportation Element of this plan.

POLICY T-1-D-2 REDUCE NEED OF CAR: Promote compact development, enhance pedestrian realm, and promote modes of transportation other than single occupancy vehicles.

POLICY T-17-F-2 SHARED PARKING NEAR TIMES SQUARE: The town shall strive to alleviate parking congestion and enhance accessibility for visitors and residents near Time Square by supporting or encouraging the development of shared parking facilities or a parking garage.

B. PHASING OF CONSTRUCTION

A proposed phasing plan is included on Sheet 4 of 5 of the Master Concept Plan. There are 6 phases, which are as follows:

Phase One: Building A fronting Old San Carlos and Third Street to include:

- Bodega/Corner Store, Restaurant, and Outdoor Market
- Third Street improvements and portion of Arches Way

Phase Two: Reconfiguration of the Marina Basin to include:

- Vessel and personal watercraft docks/slips
- Non-motorized personal watercraft dock/slip and access

Phase Three: Buildings B and C to include:

- Arrival and Entry Plaza
- Arches Way
- Bayfront Pedestrian Promenade: Retail, Restaurants, and Services
- Water /ferry/water taxi dock and terminal facility
- Underbuilding Parking
- Amenities, operations and support infrastructure

Phase Four: Building D to include:

- Bayfront Pedestrian Promenade
- Underbuilding Parking
- Amenities, operations, and support infrastructure

Phase Five: Building E to include:

- Bayfront Pedestrian Promenade
- Underbuilding Parking
- Amenities, operations, and support infrastructure

Phase Six: Linear Park & Memorial Garden

The phases are representative of a conceptual development program, but resequencing and combinations may occur during final design and by market forces.

C. COMPREHENSIVE PLAN COMPLIANCE

COMMNITY DESIGN ELEMENT:

GOAL 1 To continually improve the appearance and functioning of transportation corridors, commercial areas, and links to natural and recreational areas.

OBJECTIVE 1-B OTHER PUBLIC SPACES – Beautify public spaces throughout the island.

The redevelopment of the Moss Marina property into the Arches Bayfront Resort will create publicly accessible amenities, including a Linear Park & Memorial Garden, five view corridors to the bay from Third Street, and a 670-foot-wide Bayfront Promenade. The view corridors will provide aesthetically pleasing visual links to the island's bayside in an area that was restricted due to the type of development that was previously in place. Landscaped sidewalks will connect the Linear Park & Memorial Garden to the Bayfront Promenade, allowing pedestrians to enjoy the natural beauty of the island and waterfront.

GOAL 3 To revitalize and improve specific transitional neighborhoods.

OBJECTIVE 3-D TIMES SQUARE - Stimulate the revitalization of the downtown core area (near Times Square) as the nucleus of commercial and tourist activities.

Although the Arches Bayfront Resort property is not directly adjacent to Time Square, this development will play an integral role in supporting Object 3-D, which is to revitalize the downtown core area. As called for in the 1999 Old San Carlos Boulevard – Crescent Street Master Plan, redevelopment was desired within the area to create a strong sense of place and achieve a Park-Once strategy for the downtown core. The proposed infill redevelopment creates the northern bookend for a cohesive downtown area. This development will create the expansion of the Times Square pedestrian friendly zone along Old San Carlos Boulevard to the Matanzas Pass bayfront. The addition of Arches Way extending from Third Street to the bay will provide vehicular access to the resort while encouraging pedestrian traffic through sidewalk interconnections. Pedestrians will be within short walking distance from the bay to the Gulf sides of the island and with retail shops, an outdoor market, Linear Park & Memorial Garden, and restaurants in between.

Additional enhancements such as landscaping, public art, bicycle parking, ferry dock, and watercraft docks interconnect via sidewalks create a development which is accessible via multiple modes of transportation and offers many types of activities to be enjoyed by the public. The creation of a destination to extend the downtown to the bayside of the island supports the vision of Objective 3-D to stimulate and revitalize the downtown core as the nucleus of commercial and tourist activities.

FUTURE LAND USE ELEMENT

GOAL 4: To keep Fort Myers Beach a healthy and vibrant "small town," while capitalizing on the vitality and amenities available in a beach–resort environment and minimizing the damage that a hurricane could inflict.

OBJECTIVE 4-A SMALL-TOWN CHARACTER — Maintain the small-town character of Fort Myers Beach and the pedestrian-oriented "public realm" that allows people to move around without their cars even in the midst of peak-season congestion.

POLICY 4-A-2: The Town of Fort Myers Beach values its vibrant economy and walkable commercial areas. Through this plan, the town will ensure that new commercial activities, when allowed, will contribute to the pedestrian oriented public realm.

POLICY 4-A-7 Estero Bay also provides great benefits to the town and can be enhanced by improving public access and reversing the decline in water quality. The Conservation and Coastal Management Elements of this Plan outline the town's efforts on these matters.

Hurricane Ian destroyed many of the island's favorite establishments. As businesses look to rebuild, they must find a balance between the desire to remain the eclectic small town and the necessity of creating structures which are compliant with current codes and regulations. As the Freeland team redesigned the site, they considered the needs of the island and have found a balance which will give residents and visitors a pedestrian-oriented resort that will contribute to the small-town character of the island.

The new Bayfront Promenade provides public access to an area of the island which was previously occupied by a working marina, that will remain as a recreational marina. In addition, this area will contain other amenities open to the public such as the chapel event space, harborside docks, non-motorized vessel docking space, retail shops, ferry dock, and areas for sitting and observing the bay waters. This area will allow residents and visitors to interact and enjoy the beautiful scenery of the island.

The improved public access to the bayfront and the walkable elements of the proposed resort support the policies contained in Objective 4-A, including the creation of new commercial activities which contribute to the pedestrian-oriented public realm and improve public access to the bayfront. The Arches Bayfront Resort will include a redesign of the current stormwater management system to adhere to today's stringent standards, which will improve protection of the water quality of the bay.

OBJECTIVE 4-B FUTURE LAND USE MAP CATEGORIES

Reduce the potential for further overbuilding through a new Future Land Use Map that protects remaining natural and historic resources, preserves the small-town character of Fort Myers Beach, and protects residential neighborhoods against commercial intrusions.

POLICY 4-B-6 "PEDESTRIAN COMMERCIAL": a primarily commercial district applied to the intense activity centers of Times Square (including Old San Carlos and nearby portions of Estero Boulevard) and the area around the Villa Santini Plaza. For new development, the maximum density is 6 dwelling units per acre (except where the Future Land Use Map's "platted overlay" indicates a maximum density of 10 units per acre for affordable units consistent with the adopted redevelopment plan). Commercial activities must contribute to the pedestrian-oriented public realm as described in this comprehensive plan and must meet the design concepts of this plan and the Land Development Code. Where commercial uses are permitted, residential uses are encouraged in upper floors. All "Marina" uses in Policy 4-B-7 are also allowed on parcels that were zoned for

marinas prior to adoption of this plan. Nonresidential uses (including motels and churches) now comprise 58.9% of the land in this category, and this percentage shall not exceed 90%.

The mixed-use resort supports the Pedestrian Commercial future land use designation policy of the Comprehensive Plan in several ways, it reduces the building footprints and creates more open/green space on the site than previously existed. The hotel units will be placed above grade-level retail and underbuilding parking, allowing the public access to parking, the Bayfront Promenade and the Linear Park & Memorial Garden. The entrance to the resort on the corner of Old San Carlos Boulevard and Third Street will feature a second-story restaurant and ground-level bodega with a covered area for an outdoor market below to encourage pedestrian activity. The Linear Garden & Memorial Park will be added along the southern boundary of the property to honor Fort Myers Beach history, Hurricane Ian impacts, and lives lost. The buildings will feature coastal architecture showcasing metal roofs, varied rooflines with cupolas and arches to honor the architectural history of Fort Myers Beach and to meet the code required design concepts. The marina uses permitted under the previous Marina future land use designation will continue as permitted through Policy 4-B-6, which permits pre-existing Marina uses.

OBJECTIVE 4-C APPLYING THE FUTURE LAND USE
MAP — The Future Land Use Map shall be interpreted in accordance with the following policies.

Policy 4-C-2 COMMERCIAL INTENSITY: The maximum intensity of allowable commercial development in any category may be controlled by height regulations or other provisions of this plan and the LDC. Standards in the Land Development Code will encourage more intense commercial uses only in the "Pedestrian Commercial" category. The Land Development Code shall specify maximum commercial intensities using floor-area-ratios (the total floor area of the building divided by the area of the site in the category allowing commercial uses). The Land Development Code may allow floor-area-ratios in the "Pedestrian Commercial" category as high as 2.5, and in other categories as high as 1.5.

Under the provisions of Policy 4-C-2, Pedestrian Commercial can achieve a Floor Area Ratio (FAR) of 2.5. The current maximum FAR allowed under the Commercial Resort (CR) zoning district is 1.2. A maximum FAR of 2.0 is proposed utilizing the Commercial Planned Development process to rezone the subject property from Downtown, Commercial Marina, and Residential Conservation to CPD, which is consistent with Policy 4-C-2.

OBJECTIVE 4-D POST-DISASTER REDEVELOPMENT — Provide for the organized and healthy reconstruction of Fort Myers Beach after a major storm by showcasing successful local examples

of floodproofing, by requiring redevelopment activities to meet stricter standards for flood- and wind-resistance, and by improving the current post-disaster build back policy.

The new buildings associated with the proposed project will be more resilient, complying with the latest and more stringent state requirements – labeled as Florida Building Code compliant structures, and eliminating the current non-conforming buildings and setbacks. Additionally, flood proofing will be provided, improving the resiliency of the island's structures supporting the Objective 4-D.

COASTAL MANAGEMENT ELEMENT

GOAL 5: To keep the public aware of the potential effects of hurricanes and tropical storms and to plan a more sustainable redevelopment pattern that protects coastal resources, minimizes threats to life and property, and limits public expenditures in areas subject to destruction by storms.

POLICY 5-A-1 The town shall maintain and enforce building codes at least as stringent as required by Florida law to limit the potential damage of structures from hurricanes and tropical storms. These codes shall include wind-resistance commensurate with the risk of a coastal environment and building elevation requirements that conform with federal laws and Flood Insurance Rate Maps.

The Coastal Management Element addresses special coastal management concerns which are specific to the Town of Fort Myers Beach and its need to protect resources, human life, and property, which are all vulnerable to events such as hurricanes and flooding. Existing uses pre-date the requirement for stormwater management; redevelopment of this area will require compliance with current stormwater regulations, ensuring improvement over current conditions. The proposed development will be constructed in compliance with Florida Building Codes and FEMA standards, complying with Goal 5 and Policy 5-A-1.

TRANSPORTATION ELEMENT

GOAL 7: To improve peak-season mobility without reducing the permeability of Estero Boulevard to foot traffic or damaging the small-town character of Fort Myers Beach. The town seeks to reduce speeding, improve evacuation capabilities, and improve mobility through balanced transportation improvements such as a continuous system of sidewalks and bikeways, a network of trolleys and water taxis linked to off-island systems, and parking options matched to road capacity.

POLICY 7-A-2 PARKING: Even though existing parking lots are not used to capacity; parking is not abundant at Fort Myers Beach. The welcome rebirth of commercial activity near Times Square will increase the demand for parking. The Town of Fort Myers Beach will address parking shortages through the methods outlined in this plan.

POLICY 7-D-3 ALTERNATE TRAVEL MODES: The town shall support alternatives to car travel to free up road capacity for trips that do require a car. Public funding sources shall include county/state gasoline taxes and road impact fees. The town shall modify Its road impact fee ordinance by 1999 to allow these fees to be spent (within legal limits) on capital improvements that relieve road congestion, such as better sidewalks, trolley improvements, and off-island parking areas.

The Transportation Element of the Comprehensive Plan acknowledges that conventional traffic solutions, like road widening and alternative routes, are ineffective for Fort Myers Beach and instead emphasizes alternative modes of transportation to relieve congestion on constrained roadways. The following are mitigation solutions cited by the Comprehensive Plan and ways in which the proposed project supports each strategy.

- **Make it easier for visitors to arrive without a car (Policy 7-D-1)**
    - Shuttle service will be provided for guests and employees.
    - Participation in the DRAC program, which incentivizes resort guests to travel to the island without a car by providing a discounted rate to those who do not bring a car.
    - The mix of uses provided within the resort will be easily accessible by pedestrians/bicycles, creating internal capture of trips that would otherwise add to traffic on Estero Boulevard and other local roads.
    - Bicycles will be available for guest use, encouraging use of the bike/pedestrian network.
    - Golf cart parking will be provided.
- **Encourage a reliable system of water taxis (7-D-4)**
    - The Arches Bayfront Resort will be a founding partner in a proposed water ferry system, with a ferry/water taxi terminal on site. The ferry route includes multiple stops along the island's entire bayfront, from the Pink Shell on the north end of the island to the Fish Tail Marina on the south end.
- **Create a hidden-path system (7-D-5)**
    - A separated bike/pedestrian path system will be integrated throughout the resort and connected to downtown.
    - Wayfinding will direct bike/pedestrian traffic towards the bayfront and public recreation areas.
    - ±670 feet of public promenade area provided.
- **Encourage shared parking lots (Policy 7-F-1)**
    - The project will provide 45 parking spaces in excess of the required parking, all dedicated to the public. This supports the Town's "Park Once" strategy, allowing visitors to utilize public parking that has convenient access to the beach, Times Square, the Bayfront Promenade, bars restaurants and water related activities.

OBJECTIVE 7-I LEVEL-OF-SERVICE STANDARD: Maintain minimum acceptable levels of service for the transportation system.

POLICY 7-J-2 TRAFFIC IMPACT ANALYSES: A thorough traffic impact analysis is currently required only for major rezonings and very large development orders. The town shall amend its Land Development Code during 2010 to:

i. **decrease the thresholds for requiring traffic impact analyses;**

ii. **require them to study the cumulative impacts of potential development; and**

iii. **use the results in assessing whether impacts are acceptable, and whether an improved design could offset some of the impacts.**

A traffic impact statement has been prepared by Hall Planning & Engineering, Inc. and concludes that the Arches Bayfront development will not have a detrimental impact on the Town of Fort Myers Beach. The existing roadway network can accommodate the additional new vehicle trips the development is anticipated to generate upon the proposed 2027 buildout. Therefore, no roadway capacity improvements will be required as a result of this development. The trip generation of the Proposed 2027 Arches Development will add 20 new vehicles to the test link on Estero Boulevard. The resultant Proposed Development traffic contributes 1.7% at that location. Future traffic conditions with the Proposed Development will not cause Estero Boulevard to exceed the minimum LOS standard established by Policy 7-I-2 of the Comprehensive Plan for the Town of Fort Myers Beach.

UTILITIES ELEMENT:

GOAL 8: To improve the existing systems that provide safe drinking water, irrigation water, sewer service, and solid waste disposal in order to reduce environmental impacts on land and water while keeping costs as economical as possible.

POLICY 8-A-1 Mandatory customer connections to water and sewer utilities shall continue to be the policy of the Town of Fort Myers Beach.

Complying with GOAL 8 and Policy 8-A-1, the proposed redevelopment will connect to central water and sewer utilities.

Sanitary Sewer: Lee County Utilities will provide Sanitary Sewer. There is existing infrastructure that services the site and sufficient capacity for the proposed project. A service availability letter is attached as Exhibit XCP-3.

Potable Water: Town of Fort Myers Beach will provide potable water. There is existing infrastructure that services the site and sufficient capacity for the proposed project. A service availability letter is attached as Exhibit XCP-4.

Solid Waste: The Lee County Solid Waste Department will provide solid waste collection for the project. A service availability letter is attached as Exhibit XCP-6.

D. DESIGN STANDARDS COMPLIANCE

(1) Encouraging traditional building forms that reinforce the pedestrian orientation and desired visual quality of the Town of Fort Myers Beach

As described above, the Arches Bayfront resort offers a mixed-use form with commercial uses at ground level and lodging uses above. The building along Third and Old San Carlos Boulevard is set close to the roadway to activate the public realm and encourage pedestrian activity. Fenestration is prevalent at ground level to create an attractive and inviting environment. The pedestrian environment is further enhanced through the opening of the public bayfront promenade, the addition of sidewalks and the linear park & memorial park with attractive landscaping and buffers. The proposed architecture is quintessentially coastal and incorporates Key West design elements for an attractive and beachy feel.

(2) Encouraging buildings of compatible type and scale to have creative ornamentation using varied architectural styles.

The proposed project can be characterized as contemporary coastal and includes Key West style architectural elements. As described in the Height section above, close attention was given to developing a design in which height and scale are compatible with surrounding uses the importance and utilizing a wedding cake approach to maintain a human scale.

(3) Enhancing the town's business districts as attractive destinations for recreation, entertainment and shopping.

The proposed project will provide for a mixture of uses that enhance the island's aesthetics, commerce, entertainment and recreation attributes. As described above the addition of the Bayfront Promenade, Linear Park & Memorial Garden, and Outdoor Market all contribute to the downtown public realm, linking the bay to the Gulf.

(4) Maintaining and enhancing the town's sense of place and its property values.

A sense of place is cultivated by design choices, complementary uses, architecture, incorporating island character and history, and having locally owned and operated businesses. Arches Bayfront resort incorporates these elements while honoring the history of the island and its citizens. The redevelopment of a former marina with large storage buildings into an island destination will enhance the town's sense of place by creating spaces for people to gather, shop, eat and relax. The attractive, resilient resort buildings will increase property values and contribute to the tax base of the island so that it can maintain its infrastructure and remain the destination where people want to be.

(5) Implementing the design concepts in the Fort Myers Beach Comprehensive Plan.

As described throughout this narrative, Arches Bayfront resort strives to incorporate design concepts articulated in the Comprehensive Plan. The intent is to comply with the vision for the downtown, to improve the public realm, to provide attractive architecture and to encourage bicycle and pedestrian activity.

E. DECISION MAKING COMPLIANACE

The following considerations from LDC Sec. 34-85 shall be considered by town council whenever applicable:

(1) Whether there exists an error or ambiguity which must be corrected.

There are no known errors or ambiguity that must be corrected in relation to the requested rezoning from CM, Downtown, and RC to CPD. If any exist, they will be discussed and resolved during staff review and public hearings before the Local Planning Agency (LPA) and Town Council. Utilizing the proposed CPD rezone request, reductions or elimination of any existing non-conformities will be corrected as applicable.

(2) Whether there exist changed or changing conditions which make approval of the request appropriate.

The site as existing is damaged and in need of redevelopment due to the destruction caused by Hurricane Ian. The property owners have evaluated the needs of the island and felt that the time was appropriate to expand the uses allowed onsite to better suit the island and its residents. The owners have obtained property which interconnects their existing marina to Old San Carlos Boulevard which has long been identified as an area where infill development should be encouraged. The 1999 Old San Carlos Boulevard – Crescent Street Master Plan called for the expansion of the Times Square pedestrian-friendly zone along Old San Carlos Boulevard, recommending redevelopment to be built to

the sidewalk in order to help create a strong “sense of place” and achieve a “Park-Once” strategy that encourages pedestrian activity throughout the corridor. The hurricane’s destruction has presented an opportunity to achieve the desires as expressed through the Comprehensive Plan and the Old San Carlos Boulevard – Crescent Street Master Plan.

(3) The impact of a proposed change on the intent of this chapter.

The proposed change will not have any impact on the intent of this chapter (LDC). The CPD rezone will allow the redevelopment of the damaged Moss Marina structures and adjoining properties to become an economic driver for the Town of Fort Myers Beach as well as a benefit to island residents and tourists.

(4) The testimony of any applicant.

The professional experts retained by the applicant to support this petition will provide testimony at both the Local Planning Agency (LPA) hearing and the Town Council hearing.

(5) The recommendation of staff and of the local planning agency.

The Town staff will review the petition and provide a written report to be presented to the local planning agency at their appropriate public hearing. The petition along with the staff’s report and the LPA recommendation will then be presented to the Town Council at the designated public hearing.

(6) The testimony of the public.

The public will be provided with the opportunity to present testimony to the LPA and Town Council.

(7) Whether the request is consistent with the goals, objectives, policies, and intent and with the densities, intensities, and general uses as set forth in the Fort Myers Beach Comprehensive Plan.

As evidenced through this narrative, the request is consistent with the goals, objectives, policies, and intent, and with the densities, intensities, and general uses as set for the in the Fort Myers Beach Comprehensive Plan.

(8) Whether the request meets or exceeds all performance and locational standards set forth for the proposed use.

The proposed location is ideal for the requested uses. The site is bound by water on two sides and has an existing marina use. The proposed redevelopment will provide a variety of uses which do not currently exist on the bayside of the island. The locational standards have been carefully considered to be compatible with the neighboring residential properties through building placement, design, buffering, and landscaping.

(9) Whether urban services are, or will be, available and adequate to serve the proposed land use change.

Urban services were in place and utilized by the existing Moss Marina development and will remain in place to adequately serve the subject site. It is critical to note that adequate services were in place for well over 2,000 hotel/motel units prior to both Hurricanes Charley and Ian, but now approximately only 1,000 hotel/motel units are online. 2020 Census data also shows that the overall permanent population in Fort Myers Beach has declined roughly 11% since the 1990 Census. The Town's population estimates associated with transient lodging also show a decline over the last 30 years and the percentage of the in-season population attributed transient lodging has declined from 24% to 18%.

- 1990 Peak Season Population Estimate – Lodging: 3,620 or 24% of the overall population.
- 2020 Peak Season Population Estimate – Lodging: 3,133 or 18% of the total population.

Based on the data outlined above, existing urban services are and will be available to support not only the proposed Arches Bayfront resort but many other proposed projects that will assist in the rebuilding of Fort Myers Beach.

(10) Whether the request will protect, conserve, or preserve environmentally critical areas and natural resources.

The proposed redevelopment is located on a previously developed site which does not contain any environmentally critical areas or natural resources.

(11) Whether the request will be compatible with existing or planned uses and not cause damage, hazard, nuisance, or other detriment to persons or property.

The request is compatible with existing or known planned commercial, residential and civic uses adjacent to the subject redevelopment and will not cause damage, hazard, nuisance or other detriment to persons or property of Fort Myers Beach. The property was previously a working marina without buffers and adequate landscaping. The proposed redevelopment will be compatible with existing uses and will create additional open space and buffering to enhance the visual aesthetics for nearby residential properties.

(12) Whether the location of the request places an undue burden upon existing transportation or other services and facilities and will be served by streets with the capacity to carry traffic generated by the development.

The proposed request does not create any burden upon existing transportation or other services and facilities. The roads will have adequate capacity to serve the project as indicated within the TIS provided as part of this application. Adequate transportation services, utilities and recreational facilities were in place for well over 2,000 hotel/motel units prior to both Hurricanes Charley and Ian. With now just over

1,000 hotel/motel units available for occupancy, there will continue to be available transportation capacity and level of service to not only support the proposed Arches Bayfront redevelopment, but many more future transient lodging units and other non-residential developments needed in the Town. Additionally, the Town is actively working to promote alternative modes of transportation and provide mobility solutions to mitigate peak seasonal traffic.

(13) For planned development rezonings, see § 34-216 for additional considerations.

This request to rezone the subject property from CM, Downtown and RC to Commercial Planned Development (CPD) will be presented at public hearings before the LPA and the Town Council consistent with LDC Sec. 34-216(a)(1). As demonstrated throughout this narrative the proposed CPD meets the following findings criteria under LDC Sec. 34-216(2):

a. The proposed uses are appropriate to the location as they are compatible with surrounding uses.

b. Sufficient safeguards are in place or will be provided through applicable special conditions within the rezoning approval document, to protect the public interest.

c. Special conditions will be provided through the rezoning approval document as determined to be necessary.

d. The proposed uses meet all specific requirements of the comprehensive plan that are relevant to the requested planned development, such as the following:

1. Policies 4-B-6 and 4-C-3 on commercial rezonings in the "Pedestrian Commercial" category. See Section “C” within the above narrative.

2. Policy 4-C-4 on building heights taller than the standard height limit. See Section “C” within the above narrative.

3. Policy 4-C-8 on density transfers. Not Applicable.

4. Policy 4-E-1 on pre-disaster build back. See Section “C” within the above narrative.

5. Policy 7-J-2 on traffic impact analyses and potential design improvements that could offset traffic impacts. See Section “C” within the above narrative.

CONCLUSION

Through the careful consideration of public input, staff comments, LPA and Council discussions, the redesigned Arches Bayfront resort as proposed and detailed in the above narrative, supporting application documents, and the proposed MCP, demonstrate consistency and compliance with the Fort Myers Beach Comprehensive Plan and Land Development Code. Utilizing the CPD process, and compliance with today’s Florida Building Codes and FEMA standards The Arches Bayfront Resort will provide design, uses and public benefits that complement and enhance the downtown, create positive redevelopment momentum for the island, and deliver a significant economic catalyst. The attractive, mixed-use resort will be an asset to the Town and will serve the needs of resort guests, island visitors, and residents alike.

MASTER PLAN
ILLUSTRATIVE MASTER PLAN



1. Bodega, Restaurant, Rooftop Deck, and Outdoor Market
2. Resort Entry Plaza
3. The Bayfront Promenade
4. Bayfront Plaza/Splash Pad
5. Bayfront Commercial
6. Events Chapel
7. Linear Park and Memorial Garden
8. The Arches Pool
9. Private Pool
10. Sunset Deck Amenity Area
11. Pool Deck Bar
12. Events Deck
13. Updated Marina
14. Marina Store and Lounge
15. Ferry/Water Taxi Terminal
16. Kayak/SUP Launch
17. Boat Turning Radius
18. Ride Hailing and Tram Stop
19. On-Street Vehicle and Golf Cart Parking
20. Events/Banquet Space

0 25 50 75 100 125 150

THE NEIGHBORHOOD COMPANY

JAY KAMB GROUP

MASTER PLAN
CONCEPT ELEVATIONS + MAXIMUM HEIGHT



South Elevation

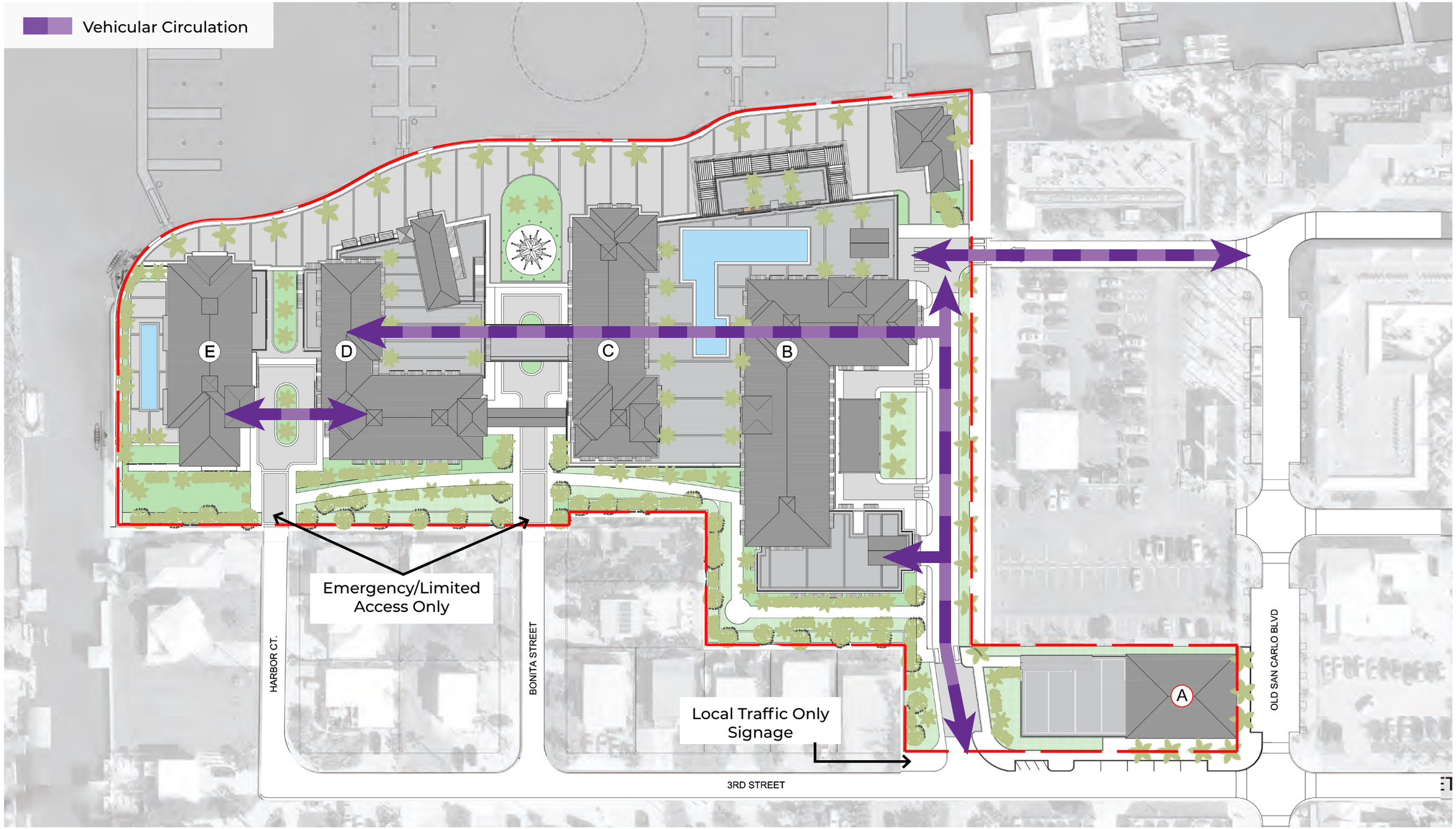
N.T.S



North Elevation

N.T.S

MASTER PLAN
VEHICULAR NETWORK PLAN

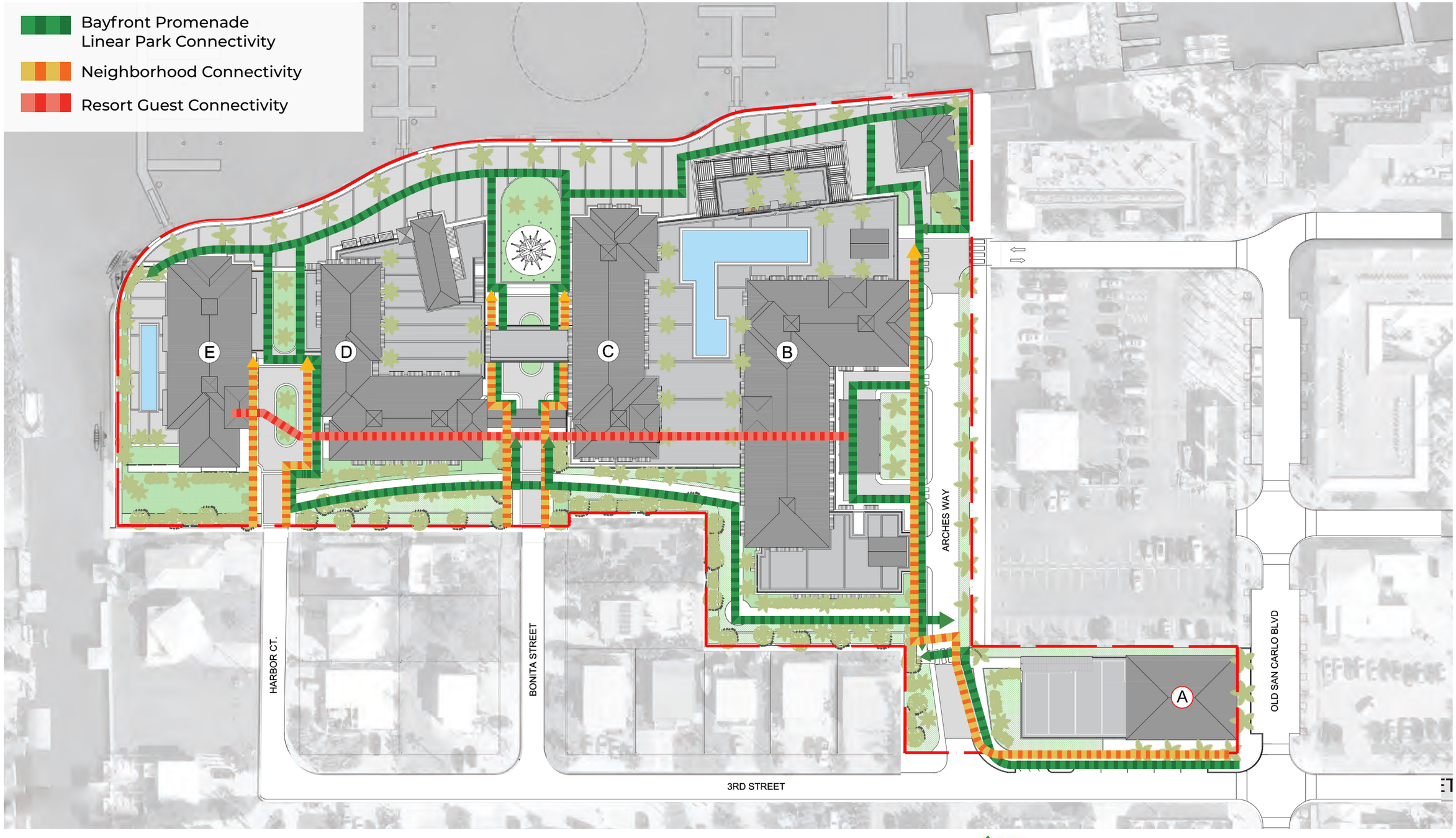


THE NEIGHBORHOOD COMPANY

JAY KAMB GROUP

August 2024

MASTER PLAN
PEDESTRIAN NETWORK PLAN

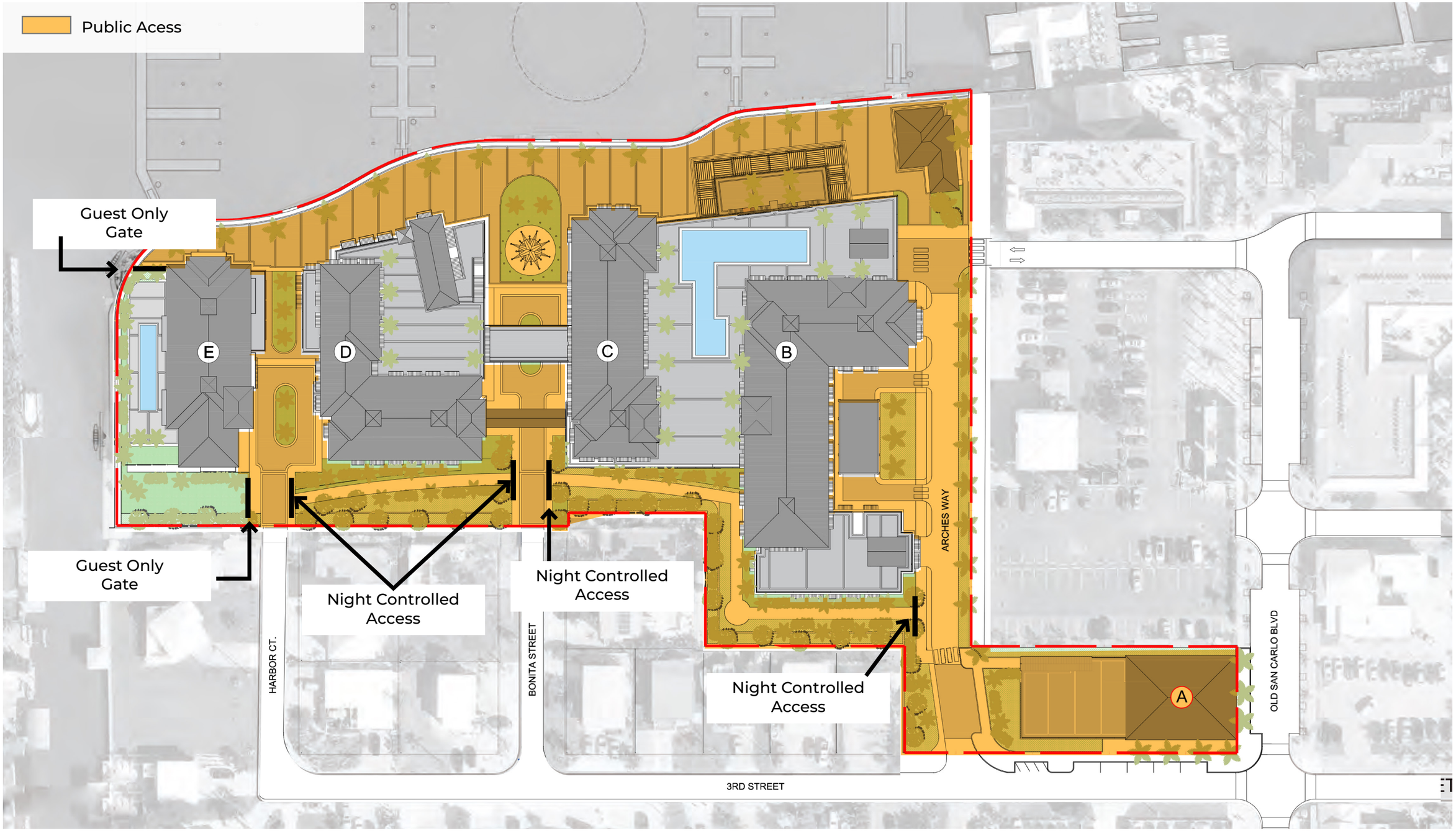


THE NEIGHBORHOOD COMPANY

JAY KAMB GROUP

August 2024

MASTER PLAN
PUBLIC ACCESS PLAN



THE NEIGHBORHOOD COMPANY

JAY KAMB GROUP

August 2024

MASTER PLAN
VIEW CORRIDORS / SHEDS



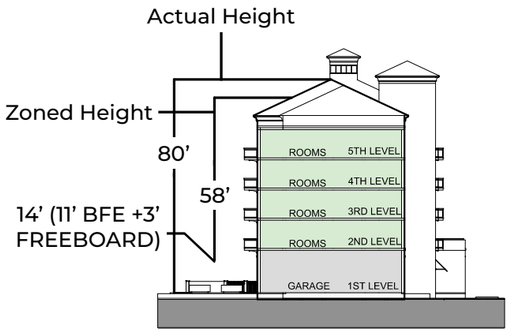
0 25 50 75 100 125 150

THE NEIGHBORHOOD COMPANY

JAY KAMB GROUP

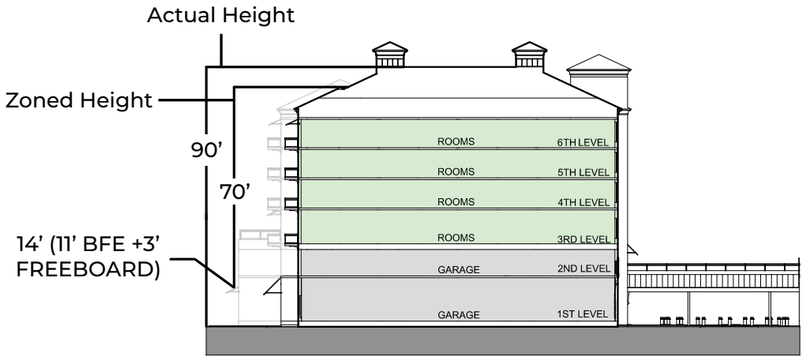
March 2025

MASTER PLAN
REGULATING PLAN - HEIGHT DIAGRAM



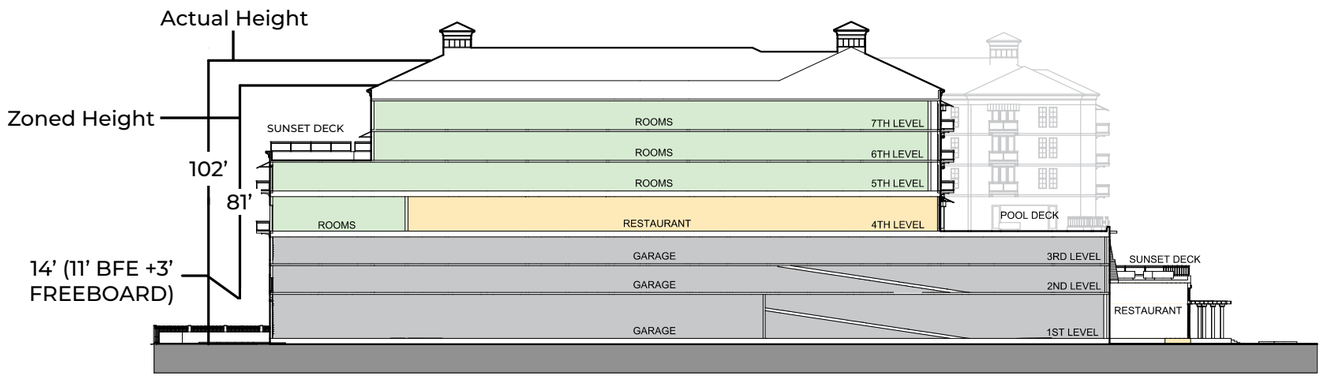
BUILDING - E

N.T.S



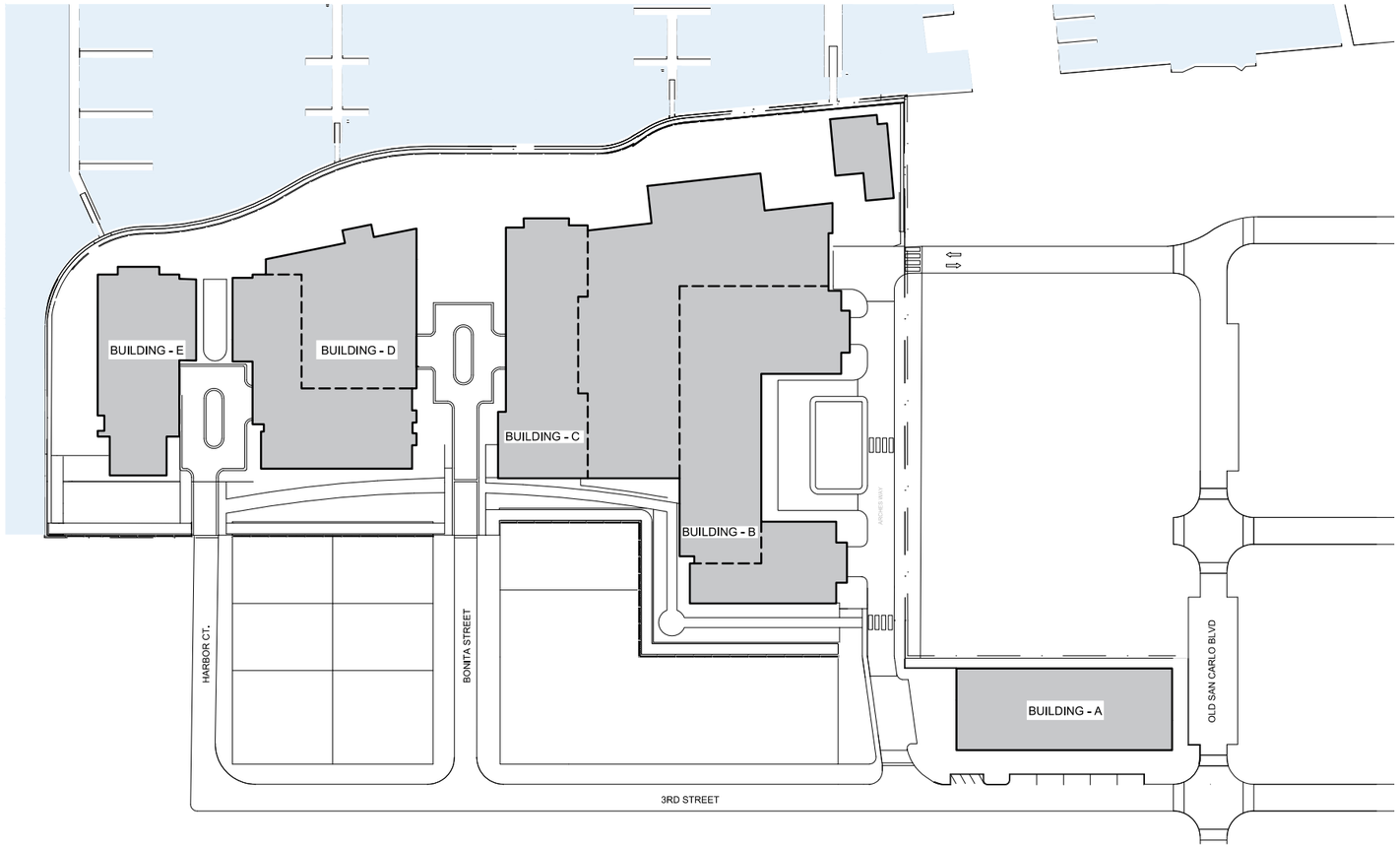
BUILDING - D

N.T.S



BUILDING - B + C

N.T.S

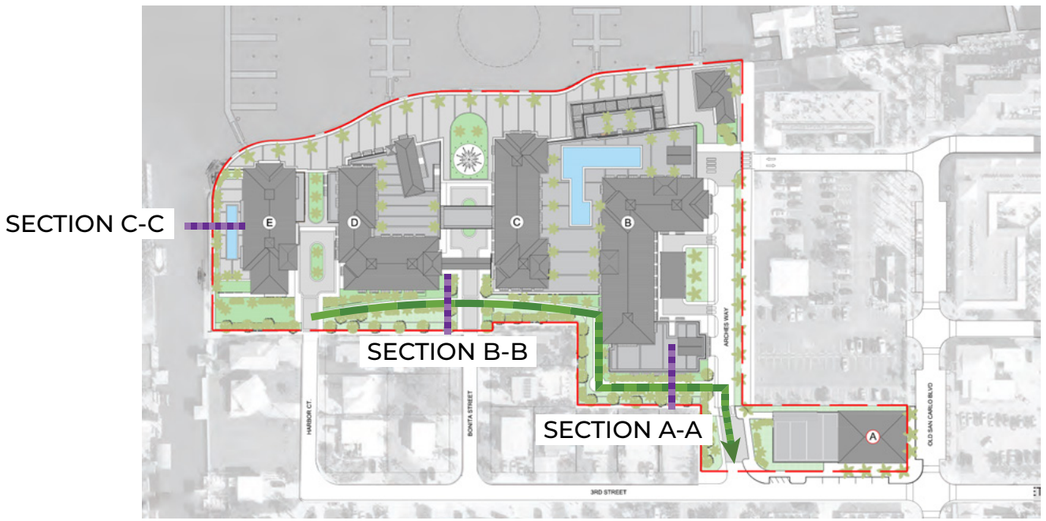


THE NEIGHBORHOOD COMPANY

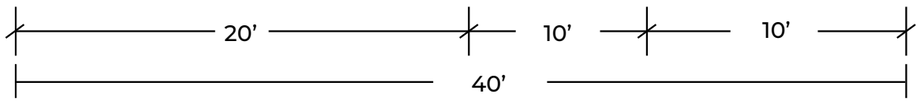
JAY KAMB GROUP

August 2024

LINEAR PARK MEMORIAL GARDEN + BUFFER TYPICAL SECTIONS



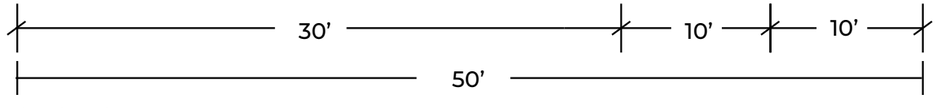




SECTION A-A

N.T.S

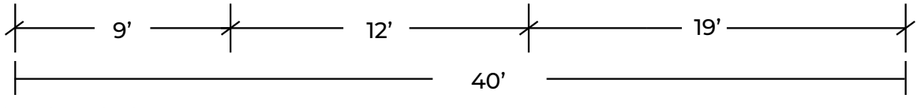




SECTION B-B

N.T.S





SECTION C-C

N.T.S

THE NEIGHBORHOOD COMPANY

JAY KAMB GROUP

March 2025

TECHICAL DRAWINGS

ARCHES MASTER PLAN LEVEL 100



LEVEL 100

- LOBBY AND CORRIDORS
- VERTICAL CIRCULATION
- COMMERCIAL
- PARKING
- BACK OF HOUSE
- OUTDOOR MARKET
- POOL

N

0 25 50 75 100 125 150

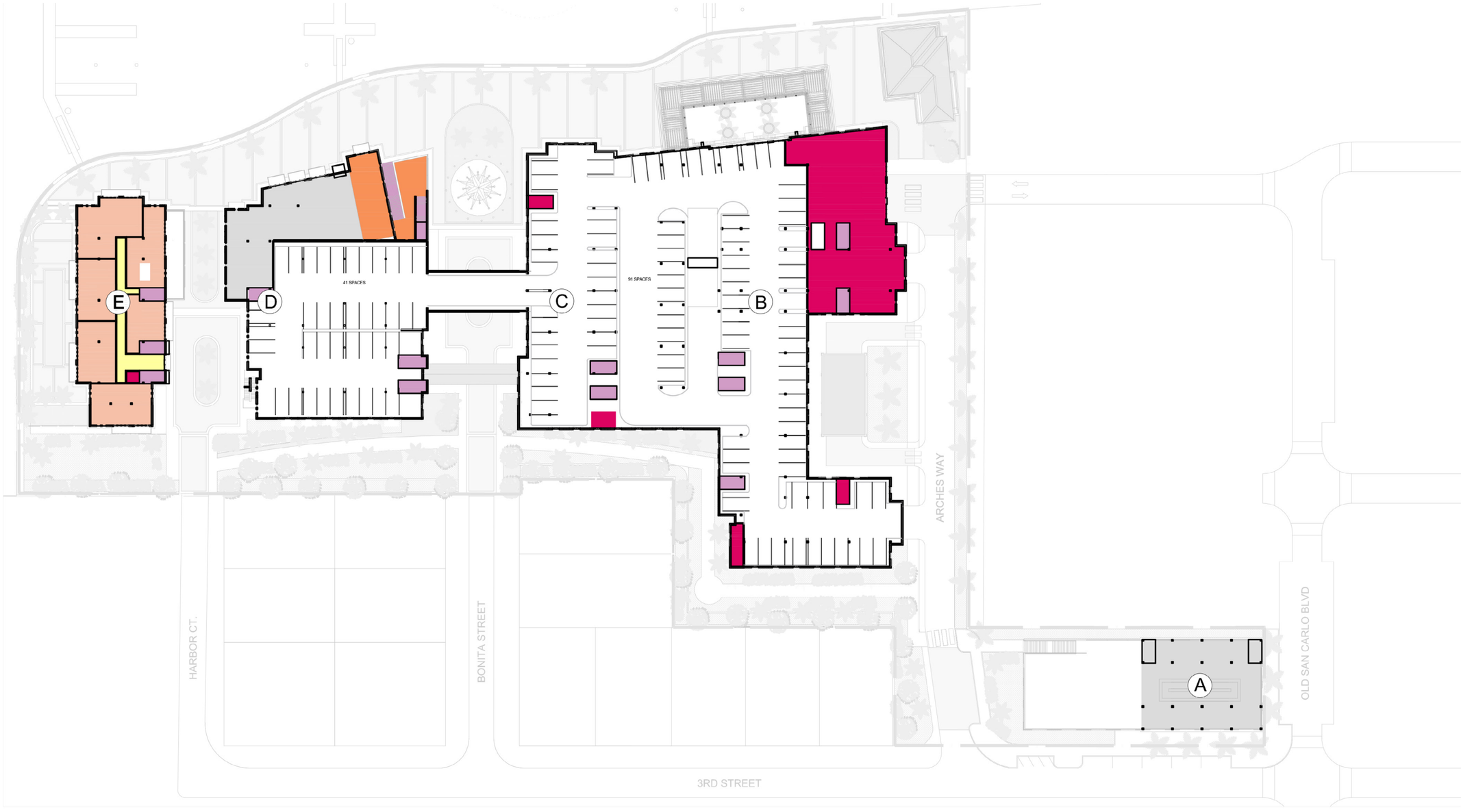
THE NEIGHBORHOOD COMPANY

JAY KAMB GROUP

August 2024

TECHICAL DRAWINGS

ARCHES MASTER PLAN LEVEL 200



LEVEL 200

- LOBBY AND CORRIDORS
- VERTICAL CIRCULATION
- COMMERCIAL
- PARKING
- EVENT SPACE
- LODGING
- BACK OF THE HOUSE

N

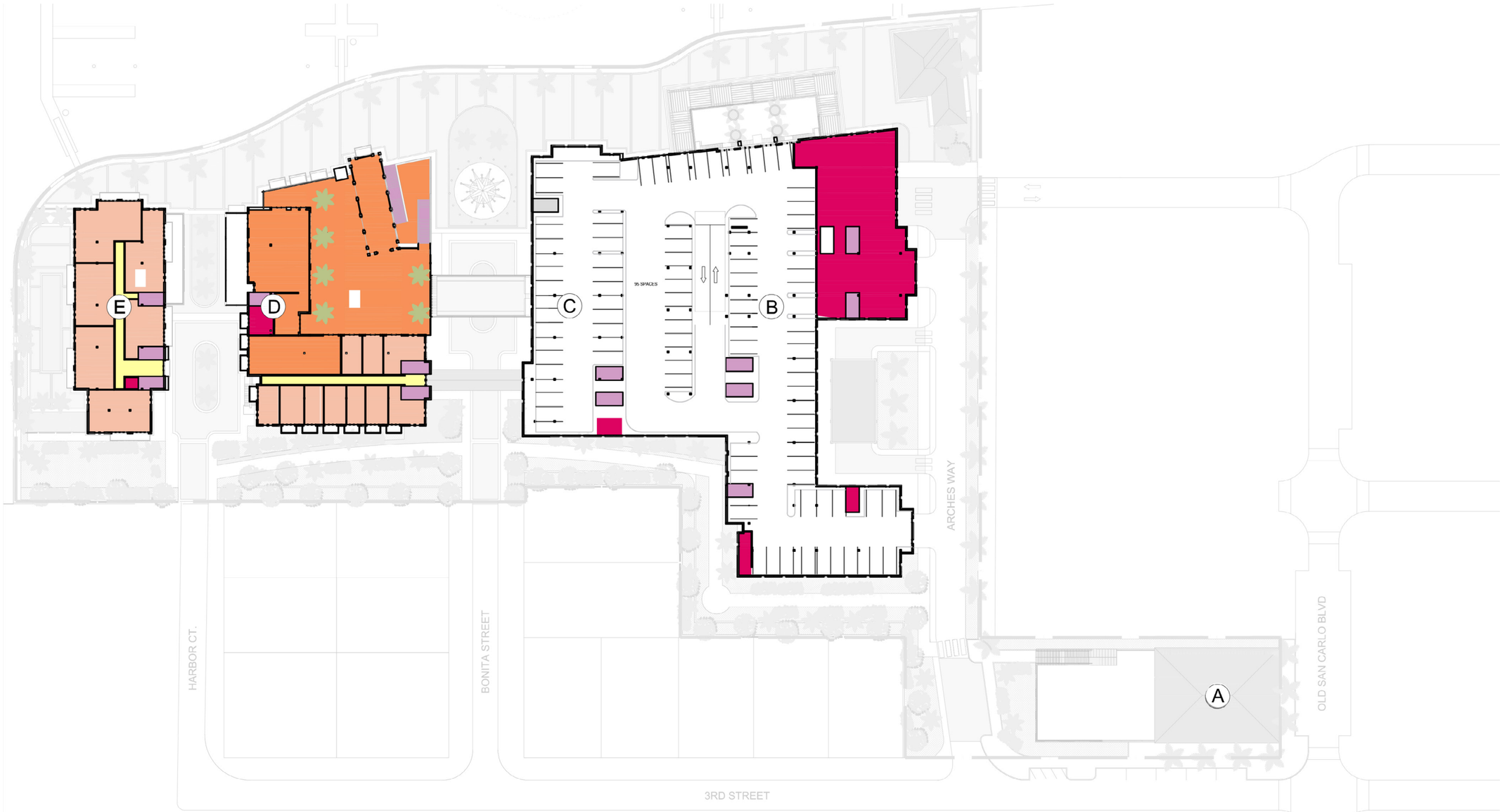
0 25 50 75 100 125 150

THE NEIGHBORHOOD COMPANY

JAY KAMB GROUP

TECHICAL DRAWINGS

ARCHES MASTER PLAN LEVEL 300



LEVEL 300

- LOBBY AND CORRIDORS
- VERTICAL CIRCULATION
- PARKING
- EVENT SPACE
- LODGING
- BACK OF THE HOUSE

N

0 25 50 75 100 125 150

THE NEIGHBORHOOD COMPANY

JAY KAMB GROUP

TECHICAL DRAWINGS

ARCHES MASTER PLAN LEVEL 400



LEVEL 400

- LOBBY AND CORRIDORS
- VERTICAL CIRCULATION
- LODGING
- BACK OF THE HOUSE
- EVENT SPACE
- POOL
- FOOD & BEVERAGE

N

0 25 50 75 100 125 150

THE NEIGHBORHOOD COMPANY

JAY KAMB GROUP

TECHICAL DRAWINGS

ARCHES MASTER PLAN LEVEL 500



LEVEL 500

LOBBY AND CORRIDORS
VERTICAL CIRCULATION
BACK OF THE HOUSE
LODGING

N

0 25 50 75 100 125 150

THE NEIGHBORHOOD COMPANY

JAY KAMB GROUP

August 2024

TECHICAL DRAWINGS

ARCHES MASTER PLAN LEVEL 600



LEVEL 600

- LOBBY AND CORRIDORS
- VERTICAL CIRCULATION
- SUNSET DECK
- LODGING
- BACK OF THE HOUSE

N

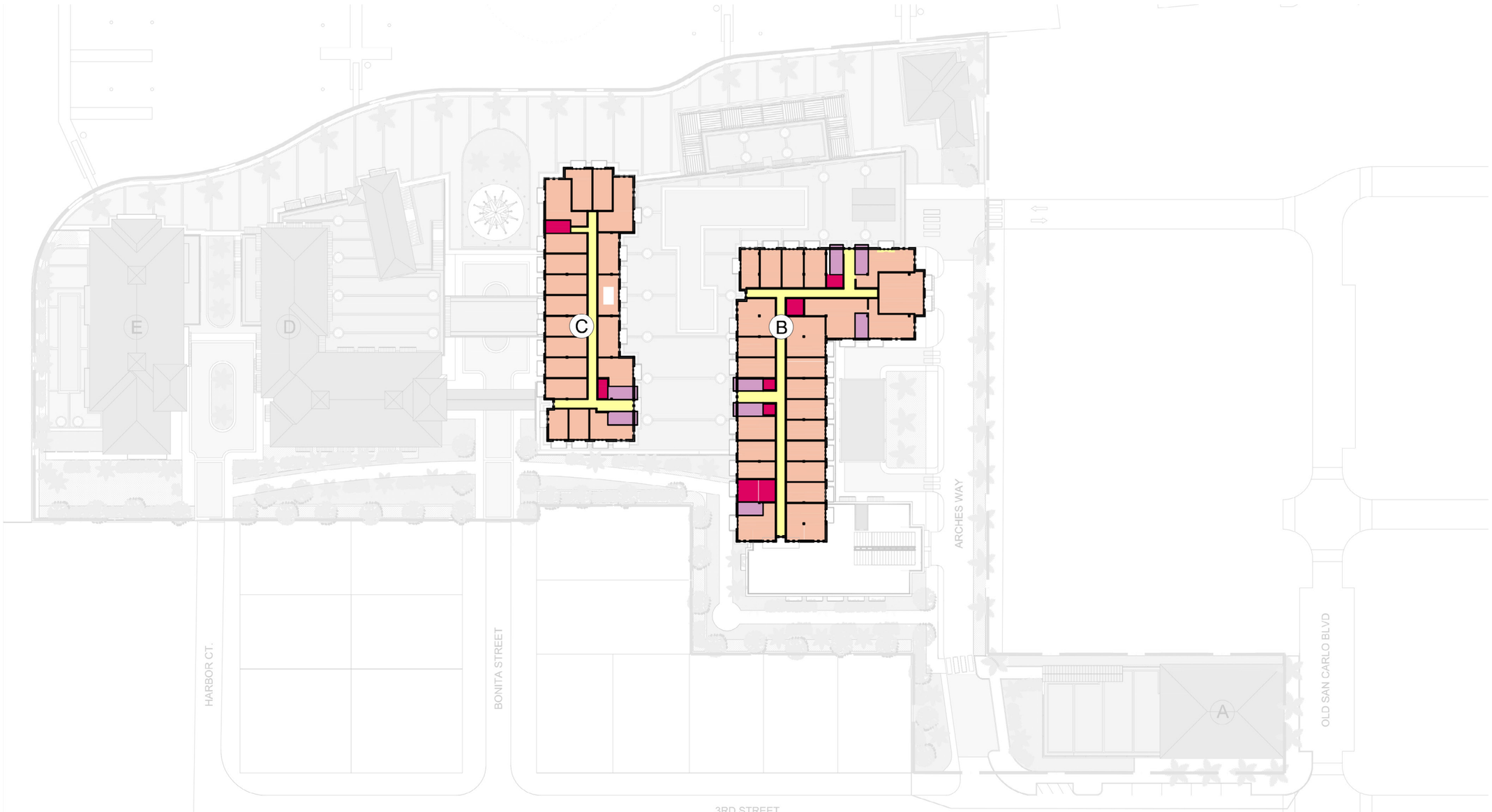
0 25 50 75 100 125 150

THE NEIGHBORHOOD COMPANY

JAY KAMB GROUP

August 2024

TECHICAL DRAWINGS
ARCHES MASTER PLAN LEVEL 700



LEVEL 700

LOBBY AND CORRIDORS
LODGING
VERTICAL CIRCULATION
BACK OF THE HOUSE

0 25 50 75 100 125 150

THE NEIGHBORHOOD COMPANY
JAY KAMB GROUP

August 2024

FAR CALCULATIONS

Arches Harborside Resort

Floor Level	Building A	Building B & C	Building D	Building E	Ferry/ Water Taxi Terminal
	FAR Area	FAR Area	FAR Area	FAR Area	FAR Area
100	4,960	55,461	21,117	9,496	1,572
200	4,960	53,148	20,935	8,855	-
300	-	53,148	10,545	8,855	-
400	-	31,598	10,545	8,855	-
500	-	31,598	10,545	8,855	-
600	-	26,143	10,545	-	-
700	-	26,143	-	-	-
Sub Totals:	**9,920**	**277,239**	**84,232**	**44,916**	**1,572**

Gross Building Area	**417,879**
Gross Site Area	**216,928.8 SF** (4.98 ACRES)
FLOOR AREA RATIO	**1.93**

THE ARCHES BAYFRONT RESORT

COMMERCIAL PLANNED DEVELOPMENT

Rezoning Application

#20230151

SCHEDULE OF DEVIATIONS AND JUSTIFICATIONS

Deviation #1: A deviation from LDC Table 34-3 which requires properties in the Commercial Resort (CR) zoning district to have a minimum lot width of 100 feet and a minimum lot depth of 100 feet. This deviation would allow for either a minimum lot width of 80 feet or minimum lot depth of 80 feet depending on the development's frontage on either Old San Carlos Boulevard or Third Street.

Justification: The deviation request will align the property development regulations within the Old San Carlos Tract with the dimensions of the property to avoid creating a non-conforming lot within the CPD. The property frontage measures approximately 80 feet on Old San Carlos Boulevard and approximately 200 feet on Third Street, which does not meet the intended CR zoning district dimensional regulations. The approval to deviate from the dimensional regulations will not result in any negative impacts to the community's health, safety, and welfare.

Deviation #2: A deviation from LDC Section 34-645(b) and Table 34-3, which allows for a maximum floor area ratio of 1.2 within the Commercial Resort (CR) zoning district and a maximum floor area ratio (FAR) of 1.8 within the Downtown Redevelopment district to allow for a maximum FAR of 2.0 within the Arches Bayfront Resort CPD.

Justification: The companion Comprehensive Plan Future Land Use Map Amendment will designate the entire subject property as Pedestrian Commercial, which allows a maximum FAR of 2.5. The proposed FAR of 2.0 is therefore consistent with the Comprehensive Plan. The increase in FAR is requested to allow a world-class resort that will offer guest amenities, event space, marina uses, public parking and commercial uses open to the public. Today's building codes, FEMA regulations, public spaces and hospitality standards calling for larger rooms and greater amenities dictate the need for an increased FAR. However, the FAR requested is far short of the 2.5 allowed within the Pedestrian Commercial Future Land Use category.

The CPD allows applicants to request an FAR of up to 2.5 within the Pedestrian Commercial Future Land Use designation. In support of the CPD and the request to increase the FAR to 2.0, the applicant is proposing the following public benefits:

- Bayfront Promenade
    - Public access to bayfront
    - Splash pad for kids
    - Mix of food, entertainment and retail venues for public and resort guests

5618 Whispering Willow Way, Fort Myers, FL 33908 | 850.803.5621
www.theneighborhood.company

- Enhanced view corridors
- Implementation of Old San Carlos Plan
- Creating a cohesive downtown with two dynamic bookends that provide first-rate pedestrian plazas
- Downtown Ferry/Water Taxi Terminal and founding partner of Ferry System
- 45 Public Parking spaces
- Golf Cart Parking
- Bicycles for Resort Guests & Bicycle racks for the public
- Shuttle Service for employees and guests
- Participation in the DRAC program
- Implementation of Park Once Initiative
- Marina with Temporary Docking/Parking for non-motorized watercraft - paddle boards, kayaks and canoes, outfitters providing access to local water and natural environment
- Convenient Boat Pump Out and Fueling service
- Linear Park Memorial Garden Park honoring:
    - FMB history & historic FMB Arches
    - Hurricane Ian impacts & casualties
    - Hurricane Ian rebuild
- Outdoor Market – Farmers and Arts & Crafts Market which will support local businesses and create a social gathering place
- Revitalization of the Downtown and increasing visitor density by creating public spaces, facilitating public access and diversifying food, recreational and entertainment options.
- Replacement of stark, dry storage barns with attractive coastal architecture – form and good design are important, they define and create a sense of place
- Hardened and resilient structures
- Improved water management conditions
- Significant positive economic impact: ad valorem taxes, impact fees, bed tax, employment, capital improvement costs, secondary impacts in supporting other local businesses
- Support of FMB Elementary School through informing/educating staff about the school and providing flexible work schedules to facilitate drop-off and pick-up

The deviation for increased FAR is consistent with the Comprehensive Plan and will not result in any negative impacts to the community's health, safety, and welfare.

5618 Whispering Willow Way, Fort Myers, FL 33908 | 850.803.5621
www.theneighborhood.company

Deviation #3: A deviation from LDC Section 34-1803(a)(1), which allows the conversion of dwelling units to hotel/motel guest units per established equivalency factors as allowed per LDC Section 34-1804(a)(2). This deviation would allow an equivalency ratio of 9.1 and a maximum of 263 guest units.

Justification: The Arches Bayfront Resort property consists of ±4.98 acres and is currently pending a Small-Scale Comprehensive Plan Future Land Use Map Amendment to change from Marina and Mixed Residential future land use category to Pedestrian Commercial. The Pedestrian Commercial future land use category allows 6 dwelling units per acre with equivalency factors for hotel units of various sizes. The equivalency factors per LDC Sec. 34-1893(a)(1) for units within the Pedestrian Commercial FLU are 3.0 for units less than 450 square feet, 2.5 for units between 450 square feet and 750 square feet, and 2.0 for units between 750 square feet and 1,000 square feet which would allow at a minimum 60 hotel units up to a maximum of 90 hotel units.

The proposed additional hotel rooms are requested pursuant to LDC Sec. 34-1802(a)(2), which allows for additional units under "exceptional circumstances" and when providing public benefits. The exceptional circumstances include the devastation sustained due to Hurricane Ian, the construction requirements mandated through the Florida Building Code and FEMA, the increased cost of construction, high interest rates and the shortages of materials and labor. Additionally, through the planned development process, the applicant is proposing the following public benefits that contributed to the projects consistency with LDC Sec. 34-1803(a)(2):

- Bayfront Promenade
    - Public access to bayfront
    - Splash pad for kids
    - Mix of food, entertainment and retail venues for public and resort guests
- Enhanced view corridors
- Implementation of Old San Carlos Plan
- Creating a dynamic downtown that connects the beach to the bay with first-rate pedestrian plazas
- Downtown Ferry/Water Taxi Terminal and founding partner of Ferry System
- 45 Public Parking spaces
- Golf Cart Parking
- Bicycles for Resort Guests & Bicycle racks for the public
- Shuttle Service for employees and guests
- Participation in the DRAC program
- Implementation of Park Once Initiative
- Marina with Temporary Docking/Parking for non-motorized watercraft - paddle boards, kayaks and canoes, outfitters providing access to local water and natural environment
- Convenient Boat Pump Out and Fueling service
- Linear Park Memorial Garden Park honoring:
    - FMB history & historic FMB Arches
    - Hurricane Ian impacts & casualties

- Hurricane Ian rebuild

- Outdoor Market – Farmers and Arts & Crafts Market which will support local businesses and create a social gathering place
- Revitalization of the Downtown and increasing visitor density by creating public spaces, facilitating public access and diversifying food, recreational and entertainment options.
- Replacement of stark, dry storage barns with attractive coastal architecture – form and good design are important, they define and create a sense of place
- Hardened and resilient structures
- Improved water management conditions
- Significant positive economic impact: ad valorem taxes, impact fees, bed tax, employment, capital improvement costs, secondary impacts in supporting other local businesses
- Support of FMB Elementary School through informing/educating staff about the school and providing flexible work schedules to facilitate drop-off and pick-up

These exceptional circumstances and public benefits support the 263 hotel units requested.

The deviation and justification as outlined above demonstrate the public benefits that will be provided by the Arches Bayfront Resort and the exceptional circumstances which have led to this request. The development of this pedestrian friendly resort will not adversely impact the public's health, safety, or welfare.

Deviation #4: A deviation from LDC note 1 of Table 10-9 which requires a solid wall not less than six feet in height and with the landscaping to be placed on the adjacent property side of the wall to allow for a six foot high decorative fence with solid columns and landscaping to be placed on the interior (resort side) of the decorative fence for the southern property line as depicted on the enclosed MCP.

Justification: The deviation is requested to allow for a 6-foot decorative fence to be provided at the southern property boundary where the resort is located adjacent to single-family residences. This decorative fence will have a minimum of 10' of landscaping planted to the interior of the fence between the resort and the existing single-family residences. This will provide approximately 35 to 50 feet of separation between the resort buildings and the residential property. The placement of the landscaping to the interior of the decorative fence will allow for ease of maintenance and enhancement of the Linear Park & Memorial Garden area. For additional buffering and compatibility with the residential development, the Linear Park & Memorial Garden area will be designed in such a manner that the public will be directed away from the residential development through sidewalks and wayfinding signage.

The proposed decorative fence with 10 feet of landscape plantings on the interior of the fence adjacent to the existing residential development will not cause or result in any negative impacts to the community's health, safety, and welfare.

Deviation #5: A deviation from LDC Section 26-77(b) which states that new or expanded seawalls are not allowed along natural waterbodies in order to allow the existing boat ramp to be replaced by seawall.

Justification: This deviation request is made so that the existing boat ramp, located on the northeast corner of property, shall be removed and replaced with a permitted, code compliant seawall. The existing private boat ramp is located on the Moss Marina site and no longer in use. Through the proposed Arches Bayfront Resort design, the site will provide a minimum 670-foot public bayfront promenade to be used by resort guests and the public. This bayfront promenade will provide access to the ferry/water taxi terminal, docks, ground floor retail and restaurants. The resort and seawall design will also comply with stormwater management so that runoff will not be discharged directly into the bay as currently occurs.

The proposed seawall construction will be a public benefit to the island, its residents and an improvement to the existing conditions thus supporting the intent of LDC Section 26-77(b) which is to protect the island's natural bodies of water.

Deviation #6: A deviation from LDC Table 34-3 which requires properties in the Commercial Resort (CR) zoning district to have a minimum height set at 30 feet and 3 stories to allow a maximum building zoned height of 81' (as defined in the FMBLDC) for the Resort Tract. Maximum building heights will be in compliance with the approved Master Concept Plan.

Justification: The comprehensive plan allows for additional height utilizing the planned development process in Policy 4-C-4 with implementing language in Section 34-1803(2) FMBLDC. This review allows additional height for consistency with existing building height and extraordinary public benefits. The proposed maximum height is similar to the adjacent Marina Village Condominium. The proposed height does not affect views from the peak of the skybridge above the existing skyline. This will ensure preservation of the views of the Gulf from vehicular traffic when arriving to the island via San Carlos Boulevard. The height is requested to allow for five view corridors varying in width from 25 to approximately 70 feet through the site toward the extensive bayfront promenade, waterfront, and sky. The additional view corridors and public access through the creation of a bayfront promenade will create a pedestrian plaza and reduce the building mass to present a human scaled experience along the bayfront and Arches Way. Additionally, the additional height results in smaller building footprints which allows for greater setbacks and buffering from adjacent residential properties and the creation of the Linear Park & Memorial Garden.

Deviation #7: A deviation from LDC Table 34-3 which states that property setbacks in a CPD zoning district shall be the same as for the Commercial Resort zoning district to allow for adjusted building setback lines within the Resort Tract and adjusted side setbacks and build to lines for the buildings located within the Old San Carlos Tract as outlined within the enclosed Development Standards Exhibit.

Justification: This unique configuration of the properties which make up the Arches Bayfront Resort necessitate the requested deviation from setbacks and build-to lines. Under the Table 34-3 regulations, the section of the property which abuts Old San Carlos Boulevard would have a setback ranging from a minimum of 10' – 15' which would not support the Town's vision as presented in the Old San Carlos Boulevard-Crescent Street Master Plan of having all buildings built to the sidewalk. This deviation supports the desire to promote a building form that engages the public along Old San Carlos

5618 Whispering Willow Way, Fort Myers, FL 33908 | 850.803.5621
www.theneighborhood.company

Boulevard, through building placement and design. The proposed build-to lines for the Old San Carlos Boulevard Tract are 0-5 feet for Old San Carlos Boulevard and 0 – 10 feet on Third Street. These build-to lines will create a human-scaled, walkable, engaging public realm along both Old San Carlos Boulevard and Third Street. The proposed side setback on the north side of the building is 0 feet, consistent with setbacks permitted in the Downtown district in which the property is located.

The proposed setbacks for the Resort Tract will allow the development to be designed in such a manner that the active public areas are located along the Bayfront Promenade while the Linear Park and Memorial Garden will create a passive recreational area near Third Street and thus buffering the residential properties from the more intense uses. The setbacks will also allow the development to create five view corridors to the bay from Third Street. The granting of this deviation will not cause or result in any negative impacts to the community's health, safety, and welfare.

Deviation #8: A deviation from LDC Section 34-2020, required parking regulations, to allow a parking reduction of 50% in accordance with LDC Section 34-676(a)(1).

Justification: LDC Section 34-676(a)(1) allows for the request of a 50% reduction from the off-street parking requirements for properties abutting Old San Carlos Boulevard through the deviation process. By virtue of the overall CPD's location and proximity to the water, the parking reduction will allow for consideration to be given to the alternative modes of transportation available to access the site. The Arches Bayside Resort intends to promote and support multimodal transportation through providing parking facilities for vehicles, golf carts, bicycles and docks for both vessel and personal watercraft and non-motorized personal watercraft as well as a water taxi/ferry dock. The resort will also have a stop for access to the Fort Myers Beach Trolley and Tram system.

The site creates the northern "bookend" of the expanded Times Square pedestrian-friendly zone along Old San Carlos Boulevard from Times Square to Matanzas Pass, connecting the beach to the bay as described in the Old San Carlos Boulevard – Crescent Master Plan.

The parking analysis demonstrates that a total of 338 vehicle parking spaces will be provided by the developer as well as 13 golf cart spaces, 26 bicycle spaces, and transient boat slips. 45 spaces of the 338 will be provided for paid public parking. The amount of parking meets and exceeds the code requirements and the excess provides a significant public benefit that supports the Park Once initiative.

The proposed parking alternatives and access to alternative modes of transportation will reduce the need for parking within the downtown area and help alleviate traffic congestion on the island. The granting of this deviation will not create negative impacts to the health, safety and welfare of the island's residents and visitors.

5618 Whispering Willow Way, Fort Myers, FL 33908 | 850.803.5621
www.theneighborhood.company

THE ARCHES BAYFRONT RESORT

COMMERCIAL PLANNED DEVELOPMENT

Rezoning Application

#20230151

PROPOSED CONDITIONS/COMMITMENTS:

TRAFFIC MITIGATION

1. **Downtown Ferry/Water Taxi Terminal:**

    a. The property owner supports the proposed Fort Myers Beach ferry and water taxi system as an alternative mode of transportation that can significantly mitigate traffic congestion issues on Fort Myers Beach. The owner will invest and participate in the ferry system and commits to construct a minimum 1,400 square foot, indoor, air-conditioned ferry terminal facility on the subject property. This location will serve as the downtown stop and provide ease of access to residents, hotel guests, and day-trippers. The owner also commits to providing ferry operations and ticketing space and a docking slip free of charge for the first 5 years of operations.

2. **Non-Motorized Watercraft Docking:**

    a. The property owner shall provide dedicated dock space, at no charge, for non-motorized watercrafts such as kayaks and paddle boards. The docking space is not a public launch. It is intended to serve hotel guests, and nearby residents and visitors who paddle to the site.

3. **Guest & Employee Shuttle:**

    a. The property owner and resort operator shall provide, at a minimum, twice daily in-season (December-April) shuttle service for hotel guests and employees to and from RSW Airport and the Beach Park-and-Ride located off Pine Ridge Road.

4. **Don't Rent a Car (DRaC) Program**

    a. To help mitigate traffic congestion, the owner and resort operator will promote various marketing initiatives that support and encourage all guests to use alternative modes of transportation rather than drive a vehicle to or while on the island. Such efforts will include:

        - A dedicated page on the resort website outlining and promoting alternative modes of transportation and informing guests on ways to reduce vehicular trips including:
            - Information on the walkability of the area and businesses of interest to guests within walking distance;
            - Bicycle rentals;
            - Ferry service;
            - Shuttle service;

5618 Whispering Willow Way, Fort Myers, FL 33908 | 850.803.5621
www.theneighborhood.company

- Car hailing and taxi service;
- Fort Myers Beach's LeeTran "TROLLEE" and seasonal TRAM Service Schedules and Route Maps, and
- Food delivery service

- Establish partnerships with businesses on the island, especially in the "Downtown", to provide incentives and discounts for guests. Hotel guests who do not drive onto the island will receive monetary discounts or vouchers for future stays and/or with participating local businesses, such as restaurants, bike rentals, and tour/tourism operators.
- Participate in townwide traffic mitigation efforts, such as:
  - Off-island parking and transport initiatives, e.g. Water ferry/taxi discounts for those staying at the hotel.
  - Off-site parking availability identification systems.
  - Evaluating and improving LeeTran's "TROLLEE" and seasonal TRAM service and rider/user experience.

5. Bicycles

a. The property owner or resort operator will provide for rent or complementary bicycles with bike locks, and dedicated bike parking at the resort for hotel guests.

b. Minimum of 26 bicycle parking spaces (multiple bike racks) for public use.

6. Multi-Use Pathways:

a. Bicycle and pedestrian pathways will be provided throughout the property and will be open to guests and the public. The pathways will provide interconnection and ease of access to the Bayfront Promenade, the Memorial and Linear Park, the Outdoor Market and downtown venues to reduce vehicular trips.

7. Public Parking

a. The Arches Bayfront will provide 45 paid public parking spaces to promote and implement the Town's "Park Once" strategy and supports a vibrant and walkable downtown. 38 spaces will be on the resort property spaces and 7 spaces will be constructed by the owner along Third Street.

b. Resort guest and public parking spaces will be clearly identified, will be managed by the resort, and will operate in accordance with public parking standards and fees.

8. Golf Cart Parking

a. The Arches Bayfront will provide 13 dedicated golf cart parking spaces available to guests or the public.

9. Ride Hailing and Trollee/Tram Stop

a. In order to support and encourage the use of transit, ride-hailing services and taxis, a dedicated transit stop (if approved by LeeTran), pick-up and drop-off area will be provided along 3rd Street adjacent to the Bodega/Restaurant/Outdoor Market building and ride-hailing stop near the Ferry/Water Taxi building. These areas will be generally configured and located as identified on the Master Concept Plan, or as finalized with input from

5618 Whispering Willow Way, Fort Myers, FL 33908 | 850.803.5621
www.theneighborhood.company

LeeTran and can serve as a downtown hub to facilitate the use of services such as Uber and Lift.

10. Vehicular Access to Resort

a. Vehicular access to the resort will focused and directed to Arches Way, and "Local Traffic Only" signage will placed immediately west of the intersection of Third Street and Arches Way be to minimize vehicular trips within that neighborhood.

MARINA

11. Design & Uses:

a. Marina design, uses, and locations must be consistent with Policies 4-B-6, 4-B-7, and 5-E-7 of the Fort Myers Beach Comprehensive Plan and all applicable Town codes.

12. Pump Out and Fueling Service:

a. The property owner shall coordinate with the Town of Fort Myers Beach to provide convenient on-site pump out and fueling services for mooring field users and the general boating public. As part of an agreement between the Town and the marina, would be established for mooring field users. A weekly pump out service fee would apply and would be defined within this agreement.

PUBLIC SPACES

13. Bayfront Promenade

a. As part of the development of the resort the property owner will build a Bayfront Public Promenade as generally depicted on the Master Concept Plan. This promenade will include restaurants, storefronts and fully enclosed and air-conditioned commercial space. The promenade will be open to the public from sunrise until stores and restaurants along promenade cease operation in the evening.

b. The promenade will provide public access to the waterfront and will include access to the waterfront, a children's splash pad, seating and landscaped areas as generally depicted on the attached renderings. An unobstructed walkable "clear zone" will be maintained at a minimum of 10 feet and an average 12 feet wide and that will vary in location within the Bayfront Public Promenade area as noted and shown on the approved Master Concept Plan.

14. Open Air Market (Farmers/Arts & Crafts Market)

a. The property owner will build a covered open air market at the corner of Third Street and Arches Way as generally depicted on the MCP and project renderings.

15. Linear Park & Memorial Garden

a. The property owner will develop a passive linear park along the southern boundary of the resort. This park will provide separation and buffering from adjacent residences and will include a decorative perimeter fence, a minimum ten-foot vegetated buffer, a bicycle/pedestrian pathway and will feature a Memorial Garden with sculptures and plaques honoring Fort Myers Beach history, commemorating Hurricane Ian and celebrating the rebuild of the island. The linear park and memorial garden will be open to the public and the design will be generally consistent with the attached conceptual renderings.

16. Public Access

a. The resort is designed to provide bicycle and pedestrian access to the Bayfront Promenade, Outdoor Market, and the Linear Park & Memorial Garden via a network of sidewalks and pathways as depicted on the Master Concept Plan. The resort's bike/pedestrian pathways and Linear Park will be open to the public until one hour after sunset. The Bayfront Promenade will remain open until restaurants cease operations in the evening.

b. The Bayfront Promenade and Linear Park will terminate at Building D as depicted on the Master Concept Plan. There will be no public access along the canal to ensure compatibility with adjacent residential uses.

DESIGN

17. Architecture & Site Design

a. Final design must be generally consistent with renderings provided in addition to the Master Concept Plan.
b. Architecture must be a coastal vernacular consisting of Key West, Old Florida, and St. Augustine/Spanish influences.

18. Landscaping & Buffering

a. Perimeter buffers/landscaping must be generally consistent with the Master Concept Plan.
b. Along the western boundary (canal) adjacent to the Building E guest pool deck, a minimum 5-foot-wide buffer will be provided. This buffer will provide a minimum of 5 trees per 100 linear feet at a minimum of 12 feet tall at time of planting and a continuous opaque (clusia) hedge row a minimum of 4 feet high at time of planting and maintained at a minimum of 5 feet high.
c. A detailed landscaping plan showing the location and type of all plantings must be provided with the development order application.
d. All landscaping material will be native varieties/Florida friendly species.

FORT MYERS BEACH ELEMENTARY SCHOOL

19. Promoting the Beach School

a. The property owner or resort operator will work with the Town, Fort Myers Beach Chamber of Commerce, the School District of Lee County, and Fort Myers Beach Elementary School to promote the opportunity for resort employees to enroll their children at Fort Myers Beach Elementary School. Educational materials will be provided to employees regarding enrollment and after school care programs.

20. Flexible Work Schedules

a. The resort will allow flexible work schedules for employees to accommodate pick up and drop off of children attending Fort Myers Beach Elementary School.

COP, HOURS OF OPERATION & AMPLIFIED SOUND

21. Consumption on Premises (COP)

a. Service of alcohol for on-premises consumption is approved at the location depicted on the Master Concept Plan, subject to these limitations:
   i. Service to outdoor areas is permitted, or otherwise restricted as follows:
      1. For Buildings B & C, on the Level 400 deck area surrounding the pool and the hotel restaurant and Level 500 Building B's Sunset Deck area.
      2. For Building D, on the Level 200 deck adjacent to the Event Chapel and reception halls.
      3. No alcohol sales for Building E, at Level 100 around the pool deck
      4. For commercial plaza along the Bayfront Promenade (Level 100), limited to the restricted outdoor seating areas and surrounding the commercial/ferry water taxi building as depicted on the Master Concept Plan.
      5. For The Arches Gateway Restaurant (second story – Level 200) and ancillary rooftop deck at the corner of Old San Carlos and Third Street.

22. Hours of Operation & Amplified Sound

a. Hours of operation and amplified sound for outdoor areas will be limited to the following unless otherwise temporarily altered per the Town's special event use regulations in LDC Section 34-1264. All other hours of operation will be regulated by the LDC.
b. The Arches Gateway Restaurant and rooftop deck at corner of San Carlos Blvd and 3rd St: 7:00am to midnight. Amplified sound will be oriented away from adjacent residential properties.
c. Sunset Deck: ~~7:00am to midnight and amplified sound until 9pm. Amplified sound will be oriented away from adjacent residential properties.~~ Sunset Deck: Hours of operation are 7am until midnight. Only ambient music is allowed on the Sunset Deck. Ambient music is permitted from 7am until 9pm. Amplified sound will be oriented away from adjacent residential properties. Live music is not permitted at this location.
d. Commercial plaza restaurant(s) along Bayfront Promenade: 7:00am to midnight
e. Pool deck (Buildings B and C): 7:00am to midnight
f. ~~Pool deck (Building E): 7:00am to one hour after sunset and amplified sound (ambient music only) from 10am to 1 hour after sunset. Amplified sound will be oriented away from adjacent residential properties~~. Pool deck (Building E): 7:00am to 9pm and ambient music only from 10am to until one hour after sunset. Amplified sound will be oriented away from adjacent residential properties. No alcohol sales will take place outdoors on the pool deck at Building E. Live music is not permitted at this location.
g. Outdoor deck area by the Events Chapel and reception hall (Building D): 7:00am to midnight

OTHER

23. Outdoor boat storage on land is prohibited.
24. ROW vacation for part of Harbor Court and Bonita St shall be required at the time of the Development Order.
25. Lighting and landscape plan required at time of Development Order approval.
26. State and Federal permitting required for environmental resource impacts. All applicable State and Federal permits shall be obtained and submitted to the Town of Fort Myers Beach (chadd@fmbgov.com) BEFORE commencement of any development activities.
27. The non-seawalled area separating The Arches Bayfront Resort and Marina Village will be filled and protected by a seawall. This improvement will allow pedestrian connection for Marina Village guests.
28. At the time of development order approval an accessible stabilized surface meeting the required width between Harbor Ct. and Bonita Street for emergency and fire personnel and vehicles will be provided. See MCP for notation.
29. All proposed walkovers will be designed at the time of development order approval to allow for emergency and fire vehicle access.

5618 Whispering Willow Way, Fort Myers, FL 33908 | 850.803.5621
www.theneighborhood.company

TR TRANSPORTATION CONSULTANTS, INC

2726 OAK RIDGE COURT, SUITE 503
FORT MYERS, FL 33901-9356
OFFICE 239.278.3090
FAX 239.278.1906

TRAFFIC ENGINEERING
TRANSPORTATION PLANNING
SIGNAL SYSTEMS/DESIGN

April 30, 2025

Mr. Patrick Vanasse
The Neighborhood
9961 Interstate Commerce Drive, Suite 230
Fort Myers, FL 33913

RE: The Arches Bayfront Resort CPD

Dear Mr. Vanasse:

TR Transportation Consultants, Inc. has reviewed the Traffic Impact Statement (TIS) comments issued by AIM Engineering & Surveying regarding the above project dated April 4, 2025. We have prepared a revised TIS that is dated April 30, 2025 that have addressed the majority of the comments in the letter. Some of the comments were not addressed as they are not substantial to the outcome of the project or the analysis.

Some of the formatting changes of the report were simply not made as they are not relevant to the outcome of the report or the analysis, such as the location of Table 1A and 2A in the Appendix of the report. This is the format of all our traffic studies that are prepared by TR Transportation Consultants.

In the previous traffic studies prepared by HPE, there was never any analysis of the projected background traffic conditions without the project. I'm not sure why there was one requested for in this review. One was not provided for at this stage in the project review. The impacts this project has on the adjacent intersections is negligible. As the report demonstrates, the intersections will operate at an acceptable Level of Service at build-out with no mitigation. Analyzing the future conditions without the project trips is a pointless exercise at this point in the process.

The other request was to change the intersection volumes to match all the same time period. This was not completed. The intersections were each analyzed independently based on their peak hour (highest 60-minute volume) and then with the peak hour project trips added to the intersection. This ensures that a "worst case" analysis is conducted at each intersection. Again, the intersection volumes were carried over from the previous consultant and this was not a comment that was mentioned in previous reviews. We are confident that the analysis is based on the "worst case" impacts at each intersection with the highest 60-minute volume analyzed at each intersection.

The final comment that was not addressed in the SYNCHRO analysis was revising any movement to have no less than 15 seconds of green time. I'm not sure what justification the reviewer has in this comment. At low volume, low movement

intersections with a short cycle length (60 to 80 seconds), it is not uncommon for a turning movement such as a left turn phase to have less than a 15-second green time.

The other changes were made and incorporated into the revised report. If you have any additional questions, please do not hesitate to contact us.

Sincerely,



Ted B. Treesh
President

K:\2025\01 January\09 The Arches Ft. Myers Beach\Sufficiency\Round 2\4-30-2025 TIS Sufficiency.doc

TR TRANSPORTATION CONSULTANTS, INC

2726 OAK RIDGE COURT, SUITE 503
FORT MYERS, FL 33901-9356
OFFICE 239.278.3090
FAX 239.278.1906

TRAFFIC ENGINEERING
TRANSPORTATION PLANNING
SIGNAL SYSTEMS/DESIGN

TRAFFIC IMPACT STATEMENT

FOR

ARCHES BAYFRONT RESORT CPD REZONING

(PROJECT NO. F2501.09)

PREPARED BY:
TR Transportation Consultants, Inc.
Certificate of Authorization Number: 27003
2726 Oak Ridge Court, Suite 503
Fort Myers, Florida 33901-9356
(239) 278-3090

REVISED:
April 29, 2025

TRANSPORTATION CONSULTANTS, INC

CONTENTS

I. INTRODUCTION

II. EXISTING CONDITIONS

III. PROPOSED ZONING

IV. TRIP GENERATION

V. TRIP DISTRIBUTION

VI. LEVEL OF SERVICE ANALYSIS & INTERSECTION ANALYSIS

VII. CONCLUSION

TR TRANSPORTATION CONSULTANTS, INC

I. INTRODUCTION

TR Transportation Consultants, Inc. has conducted a traffic impact statement to fulfill requirements set forth by the Town of Fort Myers Beach for projects seeking a Small Scale Comprehensive Land Use Amendment and a Commercial Planned Development Rezoning on ten parcels located on Harbor Court, Bonita Street, Third Street and Old San Carlos Boulevard in the downtown District of the Town of Fort Myers Beach, Florida. The site location is illustrate on the attached **Figure 1**.

The analysis in this report will determine the impacts of rezoning approximately 4.98 acres from Commercial Marina, Residential Conservation, Commercial Office and Downtown to a Commercial Planned Development (CPD) zoning. The zoning will permit the Resort to be developed after the existing Moss Marina was heavily damaged in Hurricane Ian to include up to 263 resort hotel rooms, 15,000 square feet of resort amenities 75 wet slips and a 336-space parking facility.

The transportation related impacts of the proposed application will be evaluated based on the estimated build-out year of the project (estimated to be 2027) and the impacts the proposed development will have on the surrounding roadway infrastructure. Access to the subject site will be provided to Harbor Court, Bonita Street, Third Street and Old San Carlos Boulevard.



F2501.09

TR TRANSPORTATION CONSULTANTS, INC

PROJECT LOCATION MAP
THE ARCHES BAYFRONT RESORT CPD Figure 1

II. EXISTING CONDITIONS

The Arches Bayfront Resort is located on the Bay side of Fort Myers Beach in the Downtown area, at the western terminus of Old San Carlos Boulevard. Prior to Hurricane Ian, the site was occupied by Moss Marina since the late 1960's, which contained 55 wet slips as well as dry boat storage buildings for up to 210 boats. The site is bordered by the downtown area to the east, residential uses to the south, the Matanzas Pass to the north and canal access to the west.

Old San Carlos Boulevard is a two-lane local roadway that borders the site to the east. Old San Carlos Boulevard has on-street parking and has a posted speed limit of 25 mph. Old San Carlos Boulevard is under the jurisdiction of the Town of Fort Myers Beach.

Third Street, Harbor Court & Bonita Street are all local streets adjacent to the subject site that are under the jurisdiction of the Town of Fort Myers Beach.

Estero Boulevard is a two-lane undivided Arterial roadway that is located to the south of the project. Estero Boulevard has a posted speed limit of 25 mph and is under the jurisdiction of the Lee County Department of Transportation from the newly constructed roundabout to the east. From the roundabout to the western terminus at Bowditch Point Park, the roadway is under the jurisdiction of the Town of Fort Myers Beach. Estero Boulevard from Center Street to Big Carlos Pass has been designated as a "***Constrained Roadway***" by the Lee County Board of County Commissioners by Lee Plan Objective 37.2 and Policy 37.2.1, which indicates that due to scenic, historic, environmental, aesthetic, and right-of-way characteristics and considerations, a reduced peak hour Level of Service will be accepted on these roadways.

San Carlos Boulevard (SR 865) is a two-lane Arterial roadway from Estero Boulevard over the Matanzas Pass Bridge then widens to a five-lane roadway north of Main Street. San Carlos Boulevard is maintained by the Florida Department of Transportation (FDOT) and has a 35-mph posted speed limit over the bridge then increases to 40-mph north of

Main Street and then to 45-mph north of Buttonwood Drive. FDOT is currently improving San Carlos Boulevard by adding a roundabout at the foot of the Matanzas Pass Bridge (recently opened to traffic), adding a second travel lane on the bridge coming onto the island and adding a new traffic signal at the Main Street intersection. This project is currently under construction and should be completed in early 2026.

III. PROPOSED ZONING

The proposed request would amend the zoning from various zoning categories to a Commercial Planned Development (CPD) on the 4.98-acre site to permit the site to be redeveloped with a Resort Hotel and associated amenities. Access to the site will be provided to Harbor Court, Bonita Street, Third Street and Old San Carlos Boulevard. The site currently has a total of 55-wet slips and is requesting a total of 75-wet slips, therefore trip generation for the marina use was only based on the addition of 20 additional slips. In addition, the trips from the dry boat storage that is being eliminated from the site were removed from the trip generation potential of the site to reflect the overall trip generation of the CPD. **Table 1** summarizes the weekday peak hour trip generation characteristics of the site based on the requested rezoning.

Table 1
Arches Bayfront Resort Zoning Amendment
Land Uses

Use	Proposed
Resort Hotel	263 Rooms
Marina	20 Slips

Marina has 55 existing slips, requesting 75 total slips, increase is 20 slips

IV. TRIP GENERATION

The trip generation for the proposed uses within the development were determined by referencing the Institute of Transportation Engineer's (ITE) report, titled ***Trip Generation***, 11th Edition. Land Use Code 330 (Resort Hotel) was utilized for the trip generation purposes of the hotel rooms. Land Use Code 420 (Marina) was utilized for trip

generation of the Marina use. The trip generation equations for these land uses are included in the Appendix of this report for reference. **Table 2** outlines the anticipated weekday AM and PM peak hour trip generation based on these land use categories.

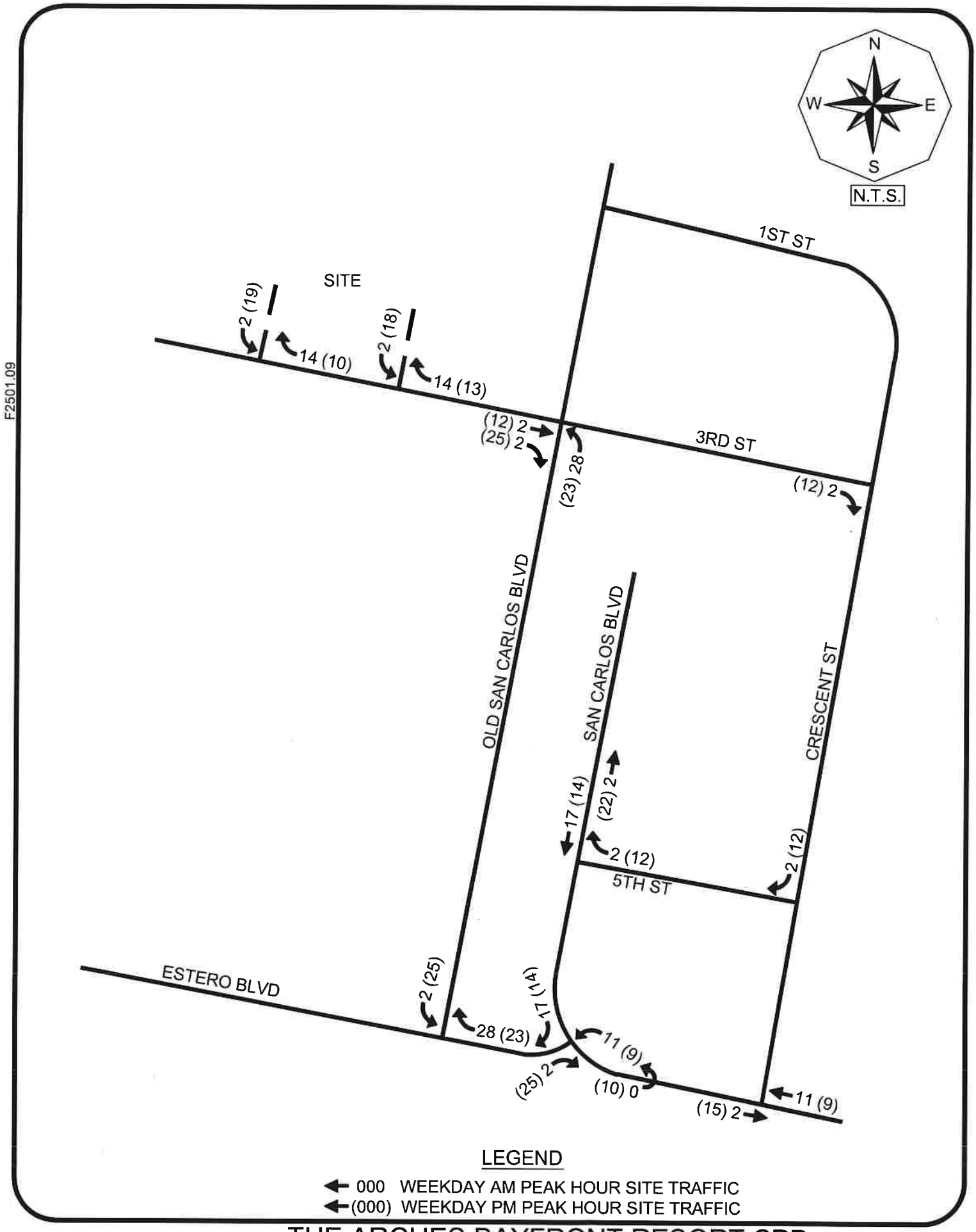
Table 2
Trip Generation
The Arches Bayfront Resort

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily (2-way)
	In	Out	Total	In	Out	Total	
Resort Hotel (263 Rooms)	61	23	84	46	62	108	n/a
Marina (20 Slips)	0	1	1	3	1	4	
Less Existing Dry Boat Storage Trips[1] (210 Slips)	-33	-20	-53	-26	-26	-52	
Net New Trips	**28**	**4**	**32**	**23**	**37**	**60**	

V. TRIP DISTRIBUTION

The trips the proposed development is anticipated to generate, as shown in Table 2, were assigned to the surrounding roadway network. The trips were assigned based upon the routes drivers are anticipated to utilize to approach the subject site. The trip distribution was previously agreed to by the Town of Fort Myers Beach. **Figure 2** illustrates the anticipated trip distribution. Also shown in Figure 2 is the site traffic assignment of the proposed development.

In order to determine which roadway segments surrounding the site will be significantly impacted, **Table 1A**, contained in the Appendix, was created. This table indicates which roadway links will experience a significant impact as a result of the added development traffic. Significant impact is defined as any roadway projected to experience greater than 10% of the Peak Hour – Peak Direction Level of Service "C" volumes as documented in the Lee County Traffic Impact Study Guidelines for Zoning Traffic Impact Studies (Administrative Code 13-17).



F2501.09

LEGEND

← 000 WEEKDAY AM PEAK HOUR SITE TRAFFIC

←(000) WEEKDAY PM PEAK HOUR SITE TRAFFIC

TR TRANSPORTATION CONSULTANTS, INC

THE ARCHES BAYFRONT RESORT CPD
SITE TRAFFIC ASSIGNMENT

Figure 2

The Level of Service Threshold volumes for each roadway link were taken from the Lee County Generalized Peak Hour Directional Service Volume table. This table is included in the Appendix of this report for reference. Based on the information contained within Table 1A, no roadway segment is shown to experience a significant impact due to the addition of the project traffic. These volumes and tables are consistent with traffic impact studies conducted in Lee County for rezoning applications and have been conducted in similar fashion historically in the Town of Fort Myers Beach as the Town does not have formal TIS guidelines for traffic studies for Planned Development Rezonings. These guidelines can be found in Administrative Code 13-17 on the Lee County Development Services website.

VI. LEVEL OF SERVICE ANALYSIS & INTERSECTION ANALYSIS

The future Level of Service analysis was based on the development build-out horizon, which was selected as the year 2027. Based on this horizon year analysis, the surrounding roadway network was analyzed under 2027 traffic conditions. Even though historical growth patterns have illustrated that there has been very little traffic increase on Estero Boulevard in the past eight (8) years, a growth rate of 2% per year, compounded annually, was applied to the existing traffic conditions for the traffic volume reported by Lee County for Estero Boulevard. The existing traffic data for Estero Boulevard was obtained from the Lee County 2024 ***Lee County Public Facilities Level of Service and Concurrency Report***.

Table 2A in the Appendix of the report indicates the methodology utilized to obtain the year 2027 build-out traffic volumes as well as the growth rate utilized for each roadway segment analyzed. The data obtained from the 2024 Lee County resource is attached to the Appendix of this report for reference.

It should be noted that Estero Boulevard west of San Carlos Boulevard as well as the Matanzas Bridge has been designated as a "***Constrained Roadway***" by the Lee County Board of County Commissioners pursuant to Lee Plan Policy 37.2.2 and Table 2(a). As

expected, during peak season, Estero Boulevard and San Carlos Boulevard over the Matanzas Pass Bridge are shown to operate at LOS "F" prior to any project trips being added to these segments.

The Lee County Department of Transportation has recently completed pedestrian and transit stop improvements to Estero Boulevard along Estero Boulevard to the south and FDOT has recently completed the construction project at the base of the San Carlos bridge and is still making improvements to the Matanzas Pass bridge to Buttonwood Drive that will create two travel lanes arriving to the beach over Matanzas Bridge. The improvements will also accommodate pedestrian movements through the intersection at the base of the bridge on the island.

Pursuant to Policy 7-1-2 of the Town of Fort Myers Beach Comprehensive Plan, which states:

> *The peak capacity of Estero Boulevard's congested segments is 1,300 vehicles per hour. The minimum acceptable level-of-service standard for Estero Boulevard shall be that average monthly traffic flows from 10:00 A.M. to 5:00 P.M. during each month do not exceed that level for more than four calendar months in any continuous twelve-month period. Measurements from the permanent count station at Donora Boulevard shall be used for this standard.*

The latest count from the station at Donora Boulevard (Count Station #44) indicates that the two-way hourly volumes on Estero Boulevard during March 16, 2022 were less than the 1,300 vehicles per hour, thus satisfying the Policy as contained in the Town's Comprehensive Plan.

Included in the Appendix of the report are graphics that illustrate the existing turning movements during the weekday AM and PM peak hours as well as the projected turning movements in the year 2027 with the project trips added to the intersections that were analyzed in the traffic study. Although the peak hours of each intersection were studied, the peak hours don't necessarily occur at the same exact time at each intersection. The analysis examined the peak volume at each location even though they didn't occur during the same 60-minute period to ensure that the "worst case" analysis was completed and the

highest impacts to each intersection were analyzed with respect to this project. The intersections include the following:

- Old San Carlos Boulevard @ 3rd Street (unsignalized)
- Old San Carlos Boulevard @ Estero Boulevard (signalized)
- Estero Boulevard @ Crescent Street (signalized)

The intersection analysis was completed utilizing the program **SYNCHRO©** based on the existing (2024) conditions as well as the projected 2027 conditions with the project trips added to the intersections. **Table 3** illustrates the intersection analysis summary for the intersection of Old San Carlos and 3rd Street, an unsignalized intersection. **Table 4** illustrates the analysis summary for the signalized intersection of Estero Boulevard and Old San Carlos Boulevard and **Table 5** is the analysis summary of Estero Boulevard and Crescent Street, a signalized intersection. Since there was no Future Background analysis completed by the previous traffic consultant as part of this project and none was required as part of the previous reviews by the Town of Fort Myers Beach, no analysis for the 2027 Background traffic conditions was completed as part of this report.

Table 3
Peak Hour Intersection Delay Summary
Old San Carlos @ 3Rd Street
Arches Bayfront Resort CPD

Intersection		Time Period (Peak Hour)	2024 Existing Traffic Conditions		2027 Projected Background + Project Traffic Conditions	
			LOS	V/C	LOS	V/C
Old San Carlos Blvd. @ 3rd St. (Unsignalized)	EBL	AM	A	0.02	A	0.026
		PM	A	0.044	A	0.091
	NBL	AM	A	0.019	A	0.037
		PM	A	0.013	A	0.032
	SBL	AM	A	0.005	A	0.005
		PM	A	0.015	A	0.016
	Int. Delay	AM	2.5 s/veh		3.3 s/veh	
	Int. Delay	PM	1.7 s/veh		2.6 s/veh	

Int. Delay = Intersection Delay

Table 4
Peak Hour Intersection Delay Summary
Estero Blvd. @ Old San Carlos Blvd.
Arches Bayfront Resort CPD

Intersection		Time Period (Peak Hour)	2024 Existing Traffic Conditions		2027 Projected Background + Project Traffic Conditions	
			LOS	V/C	LOS	V/C
Old San Carlos @ Estero Blvd. (Signalized)	EBL/T	AM	B	0.25	B	0.26
		PM	B	0.48	B	0.55
	WBT/R	AM	B	0.54	B	0.59
		PM	A	0.37	B	0.42
	SBL/R	AM	B	0.06	B	0.08
		PM	B	0.14	B	0.33
	Int. LOS	AM	B (12.8)		B (13.2)	
	Int. LOS	PM	B (10.1)		B (12.9)	

Int. LOS = Intersection LOS

Table 5
Peak Hour Intersection Delay Summary
Estero Blvd. @ Crescent St.
Arches Bayfront Resort CPD

Intersection		Time Period (Peak Hour)	2024 Existing Traffic Conditions		2027 Projected Background + Project Traffic Conditions	
			LOS	V/C	LOS	V/C
Estero Blvd. @ Crescent St. (Signalized)	EBL	AM	A	0.03	A	0.03
		PM	A	0.29	C	0.35
	EBT	AM	C	0.84	C	0.84
		PM	B	0.71	B	0.74
	WBT	AM	B	0.46	B	0.50
		PM	D	0.94	E	0.96
	SBL	AM	C	0.05	C	0.05
		PM	C	0.14	C	0.15
	Int. LOS	AM	B (20.0)		C (20.1)	
	Int. LOS	PM	C (29.1)		C (31.3)	

As noted in the intersection analysis summary tables, there a no Level of Service issues at any of the studied intersections in the 2027 conditions with the project trips added to the intersections. All movements will operate at or above Level of Service "E" and the overall signalized intersections of Estero Boulevard and Crescent Street and Estero Boulevard and Old San Carlos Boulevard will operate at Level of Service "C" or better during the weekday A.M. and P.M. peak hours. No mitigation to these intersections will be required as a result of the impacts this project will have on these three intersections.

As noted in the application documents, there are many developer commitments that will help offset the traffic impacts of this project. These include the investment and participation in a water ferry/taxi system with the construction of a minimum of a 1,400 square foot terminal facility on the subject site to provide for a stop for a future water taxi/ferry to shuttle resort guest, residents, beach visitors, etc. to various points along Fort Myers Beach. The applicant will also provide twice daily during season shuttle service for hotel guest and employees to and from RSW and the Beach Park-and-Ride located at the site on Pine Ridge Road. The applicant will also participate in the Don't Rent A Car

(DRaC) program that encourage guests of the Resort to not rent a car when staying at the Resort but to use the various other modes of transportation provided, such as the bicycle rentals, ferry service, shuttle service, car services such as Uber and Lyft and the Fort Myers Beach Trollee service. The site will also provide golf cart parking on-site and a tram stop on-site.

VII. CONCLUSION

The proposed zoning amendment of the Arches Bayfront Resort to permit the development of up to 263 Resort Hotel rooms and associated amenities along an additional 20 wet slips will not place an undue burden on the adjacent roadway network. The Level of Service information for the surrounding roadway network and intersections shows that Estero Boulevard is already over capacity during season based on data collected prior to Hurricane Ian. It will take some time for the Beach to rebuild and re-establish the population and traffic levels that existed in the peak season prior to Hurricane Ian. Recent improvements at the foot of the Matanzas Pass bridge have recently been completed by FDOT that will improve the traffic flow on and off the island as well as the pedestrian crossing of Estero Boulevard in the immediate area adjacent to Town Square.

The Resort hotel is requesting to replace the Moss Marine and boat storage building that was damaged in Hurricane Ian. The transportation commitments that the applicant is making include the investment and participation in a water ferry/taxi system, providing shuttle service twice daily during season for hotel guest and employees to and from RSW and the Beach Park-and-Ride located at the site on Pine Ridge Road, participation in the Don't Rent A Car (DRaC) program that encourage guests of the Resort to not rent a car when staying at the Resort and providing golf cart parking on-site and a tram stop on-site.

APPENDIX

LINK LEVEL OF SERVICE ANALYSIS

TABLE 1A & 2A

TABLE 1A
PEAK DIRECTION PROJECT TRAFFIC VS. 10% LOS C LINK VOLUMES
ARCHES BAYFRONT RESORT

TOTAL AM PEAK HOUR PROJECT TRAFFIC = 32 VPH IN= 28 OUT= 4

TOTAL PM PEAK HOUR PROJECT TRAFFIC = 60 VPH IN= 23 OUT= 37

ROADWAY	SEGMENT	ROADWAY CLASS	LOS A VOLUME	LOS B VOLUME	LOS C VOLUME	LOS D VOLUME	LOS E VOLUME	PERCENT PROJECT TRAFFIC	PROJECT TRAFFIC	PROJ/ LOS C
Estero Blvd.	E. of Old San Carlos	2LU	0	0	330	710	780	75%	28	8.4%
	E. of Crescent St.	2LU	0	0	330	710	780	40%	15	4.5%
Matanzas Pass Bridge	N. of Estero Blvd.	2LU	0	0	330	710	780	60%	22	6.7%
San Carlos Blvd.	N. of Main St.	4LN	0	250	1,840	1,960	1,960	60%	22	1.2%

*** Level of Service thresholds were obtained from Lee County Generalized Peak Hour Directional Service Volume Table (April 2016)**

Percent Project Traffic is the project traffic distribution to the surrounding road network (some trips adjusted manually based on site traffic assignment)

Project Traffic is the trip distribution multiplied by the highest AM or PM peak hour IN or OUT trips to determine the maximum impact to roadway segment

TABLE 2A
LEE COUNTY TRAFFIC COUNTS AND CALCULATIONS
ARCHES BAYFRONT RESORT

TOTAL PROJECT TRAFFIC AM =	32	VPH	IN =	28	OUT= 4
TOTAL PROJECT TRAFFIC PM =	60	VPH	IN=	23	OUT= 37

ROADWAY	SEGMENT	FDOT SITE #	BASE YR ADT	2023 ADT	YRS OF GROWTH	ANNUAL RATE [1]	2023 PK HR PK SEASON PEAK DIR.[2]	2027 PK HR PK SEASON PEAK DIRECTION VOLUME	LOS	PERCENT PROJECT TRAFFIC	AM PROJ TRAFFIC	PM PROJ TRAFFIC	2027 BCKGRND + AM PROJ VOLUME	LOS	2027 BCKGRND + PM PROJ VOLUME	LOS
Estero Blvd.	E. of Old San Carlos	126044	13,500	12,200	9	2.00%	253	268	C	75%	28	23	296	C	291	C
	E. of Crescent St.	126044	13,500	12,200	9	2.00%	722	782	F	40%	11	15	793	F	796	F
Matanzas Pass Bridge	N. of Estero Blvd.	126008	22,728	23,000	9	2.00%	1,114	1,206	F	60%	17	22	1,223	F	1,228	F
San Carlos Blvd.	N. of Main St.	126008	22,728	23,000	9	2.00%	1,114	1,206	C	60%	17	22	1,223	C	1,228	C

1 Annual Growth Rate was calculating utilizing AADT data from FDOT Florida Traffic Online resource. This is a simple compound growth rate calcuation with a minimum 2% per year utilized if actual rate was less than 2% per year (Base Year Data is 2014)

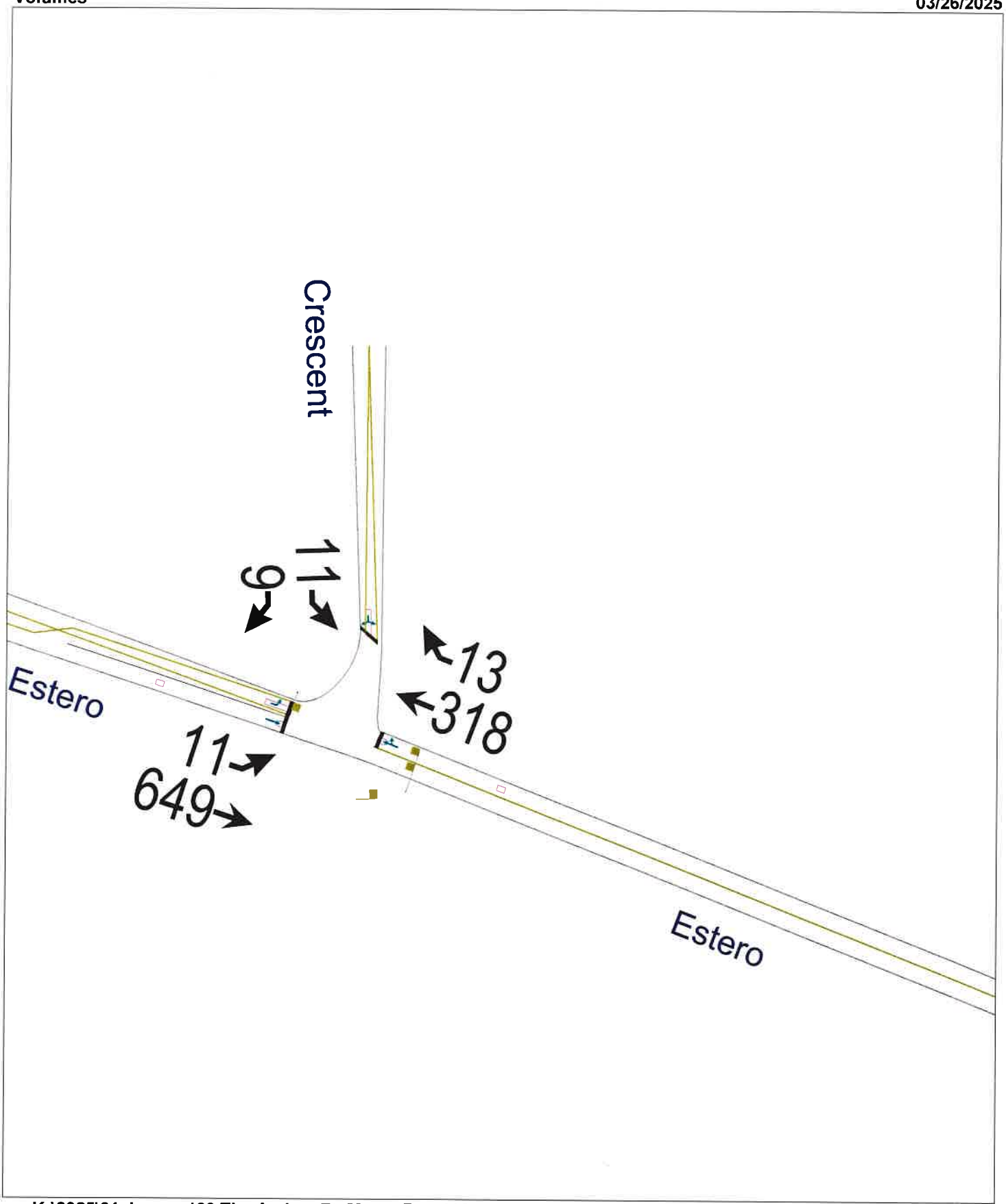
2 Current 2023 peak hour peak season peak direction traffic volumes for Estero Blvd. & San Carlos Blvd. taken from **Lee County Public Facilities Level of Service Report and Concurrency Report** (2024)

Traffic Volume on Estero Blvd. E. of Old San Carlos Blvd. taken from turning movement count (2024 data)

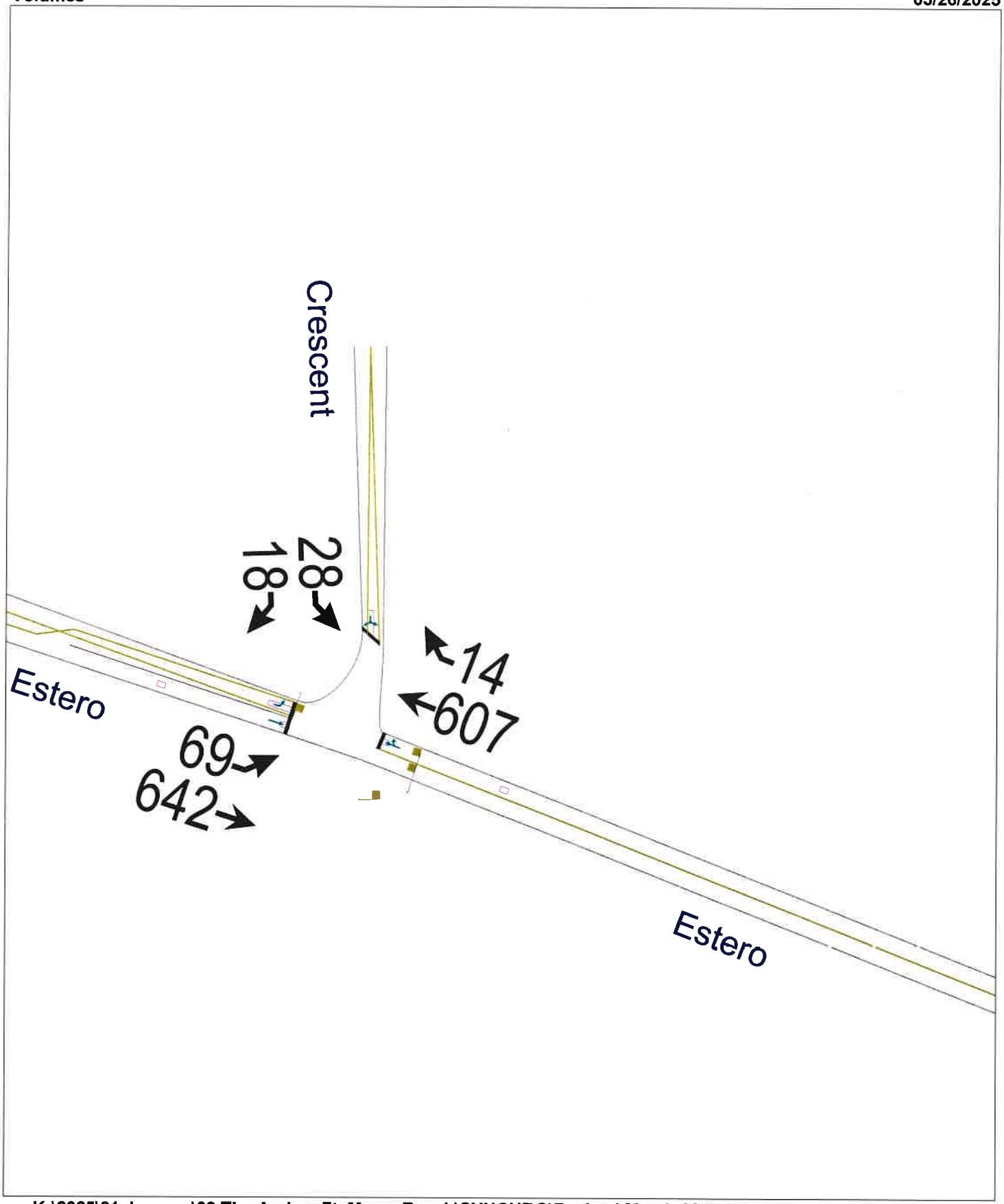
2027 Volumes on Estero Blvd. E. of Old San Carlos taken from SYNCHRO analysis sheets

TRAFFIC VOLUME FIGURES

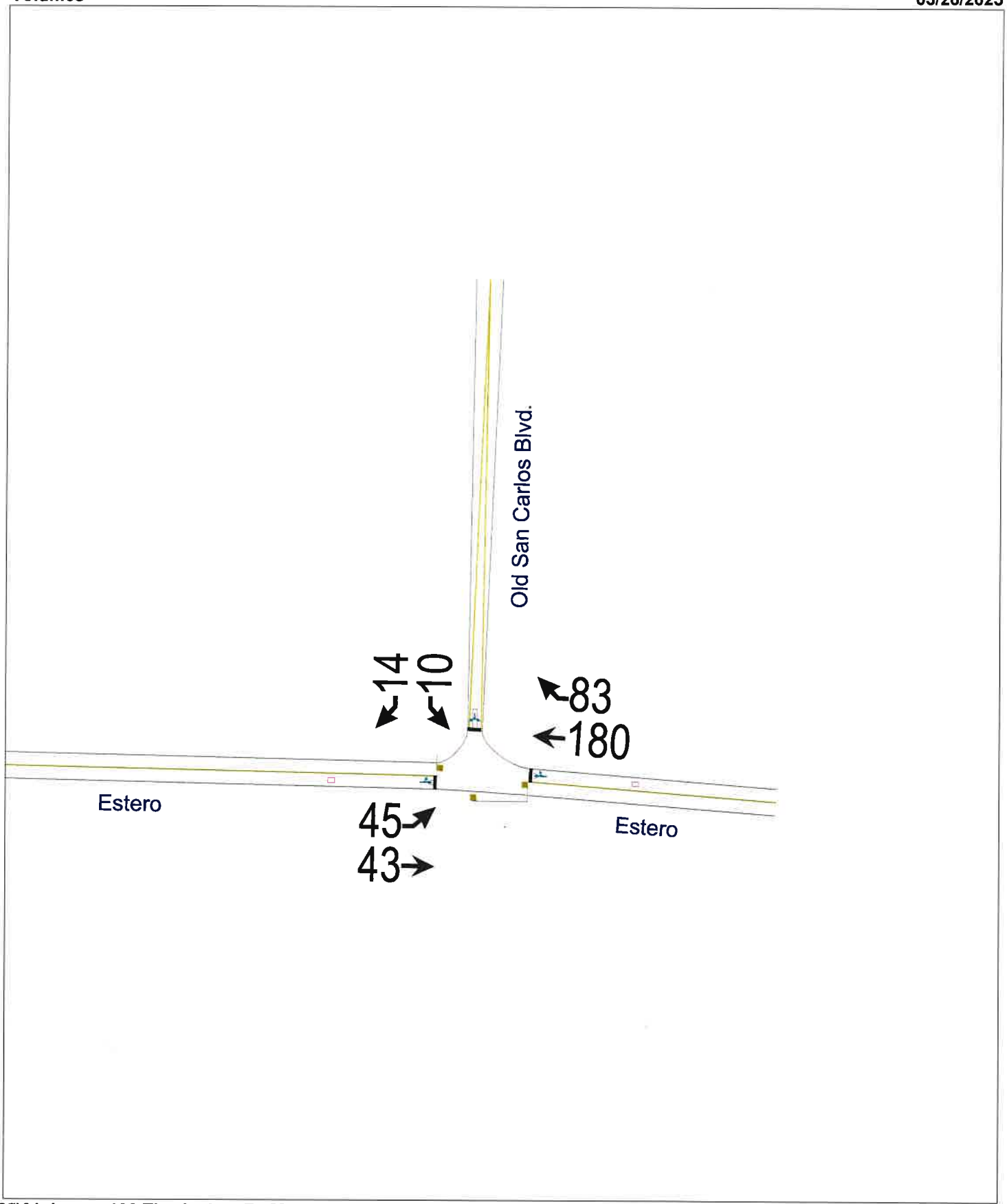
2024 EXISTING TRAFFIC

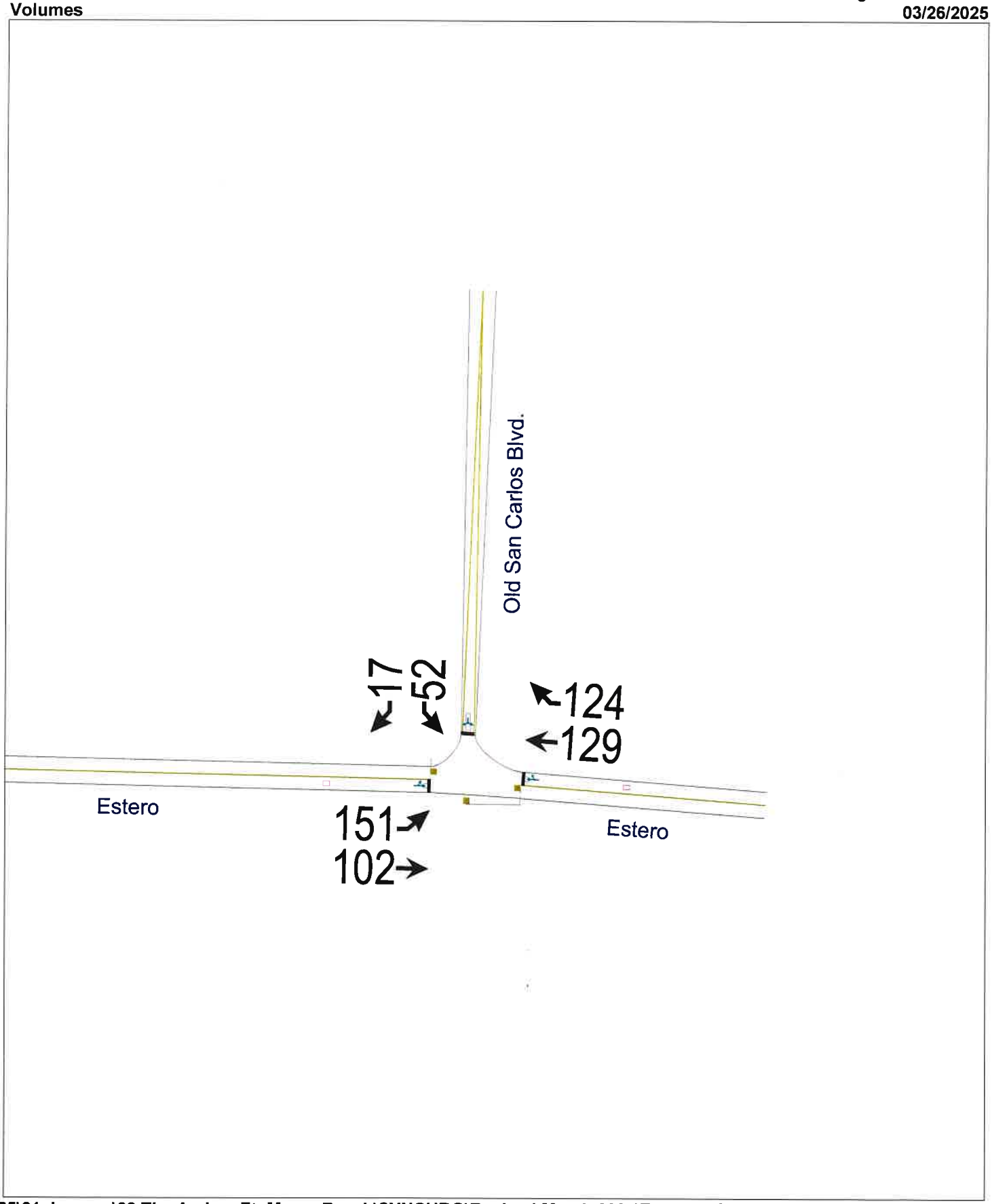


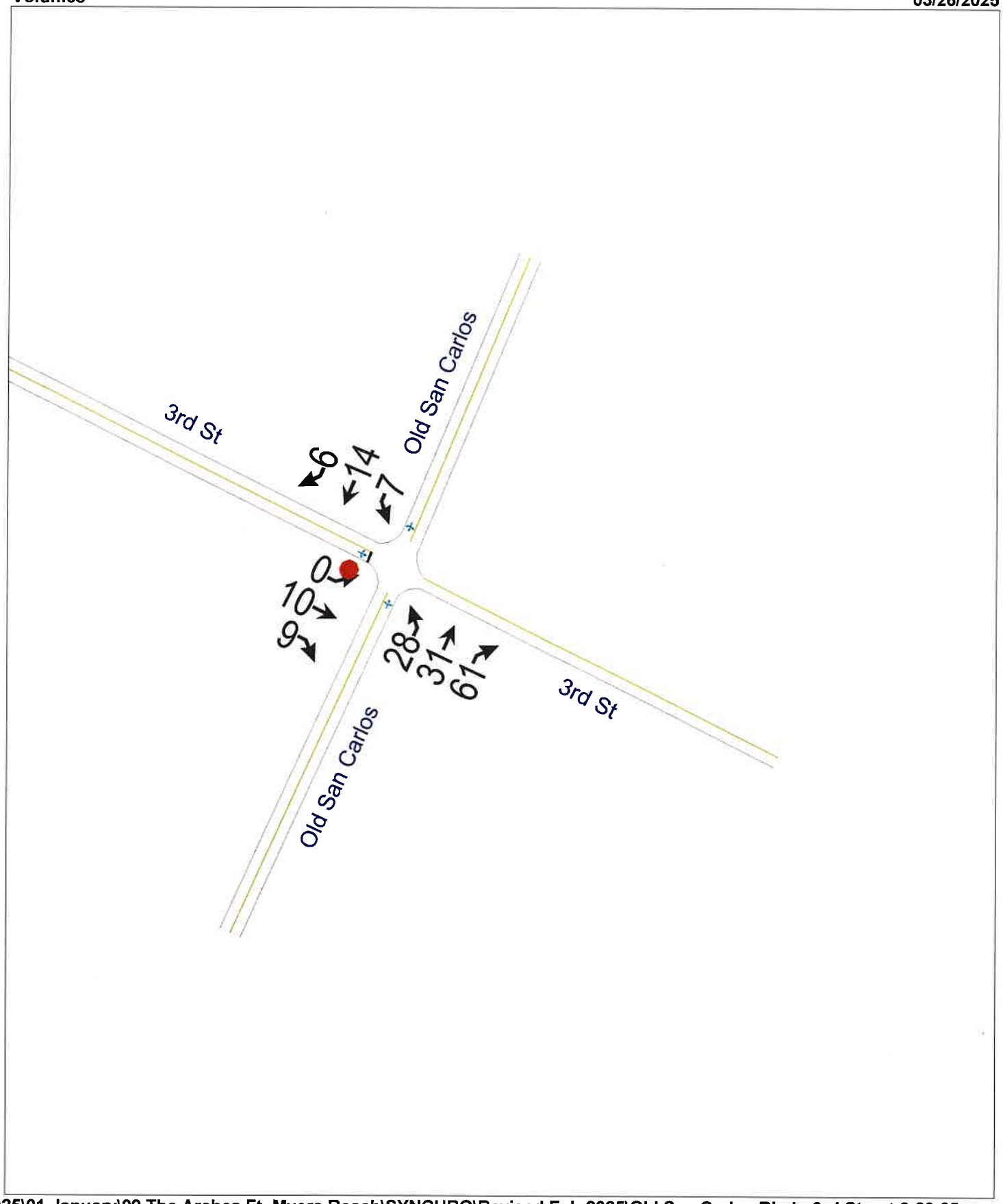
K:\2025\01 January\09 The Arches Ft. Myers Beach\SYNCHRO\Revised March 2025\Estero and Crescent 9-11-24.syn
RAH

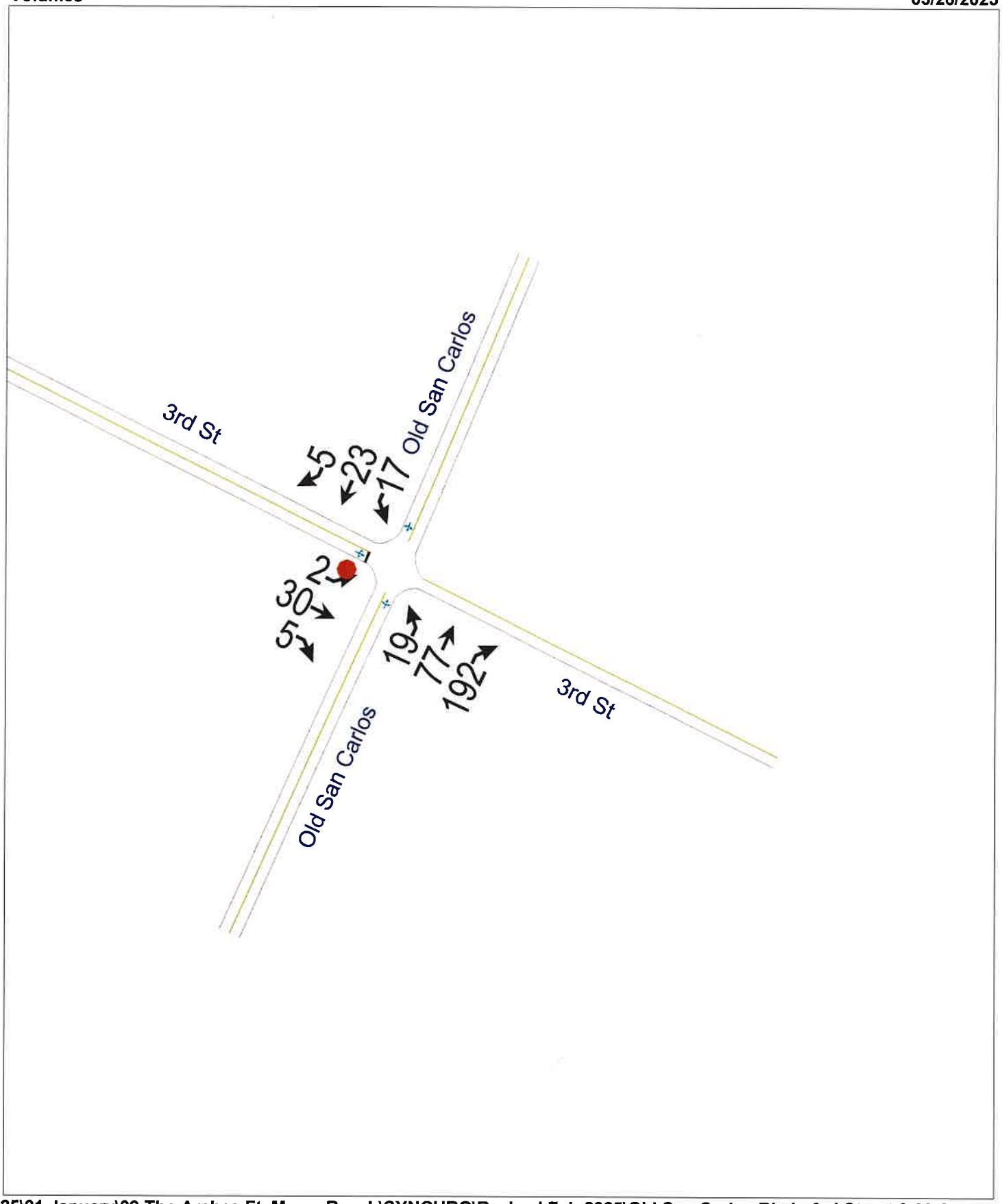


K:\2025\01 January\09 The Arches Ft. Myers Beach\SYNCHRO\Revised March 2025\Estero and Crescent 9-11-24.syn
RAH

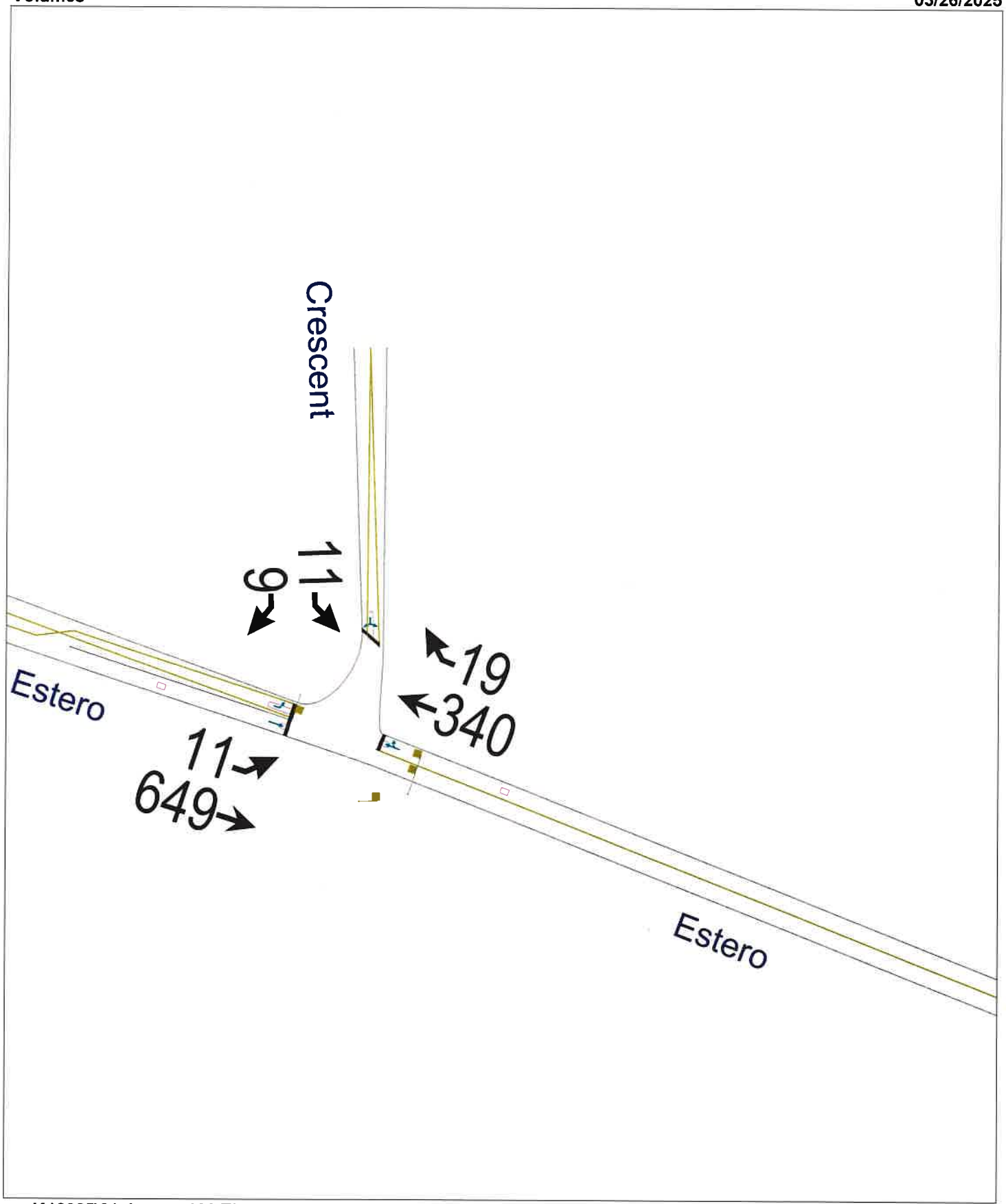

Old San Carlos Blvd.
14
10
83
180
Estero
45
43
Estero


Old San Carlos Blvd.
17
52
124
129
Estero
151
102
Estero


3rd St
Old San Carlos
6
14
7
0
10
9
28
31
61
3rd St
Old San Carlos


3rd St
Old San Carlos
5
23
17
2
30
5
19
77
192
3rd St
Old San Carlos

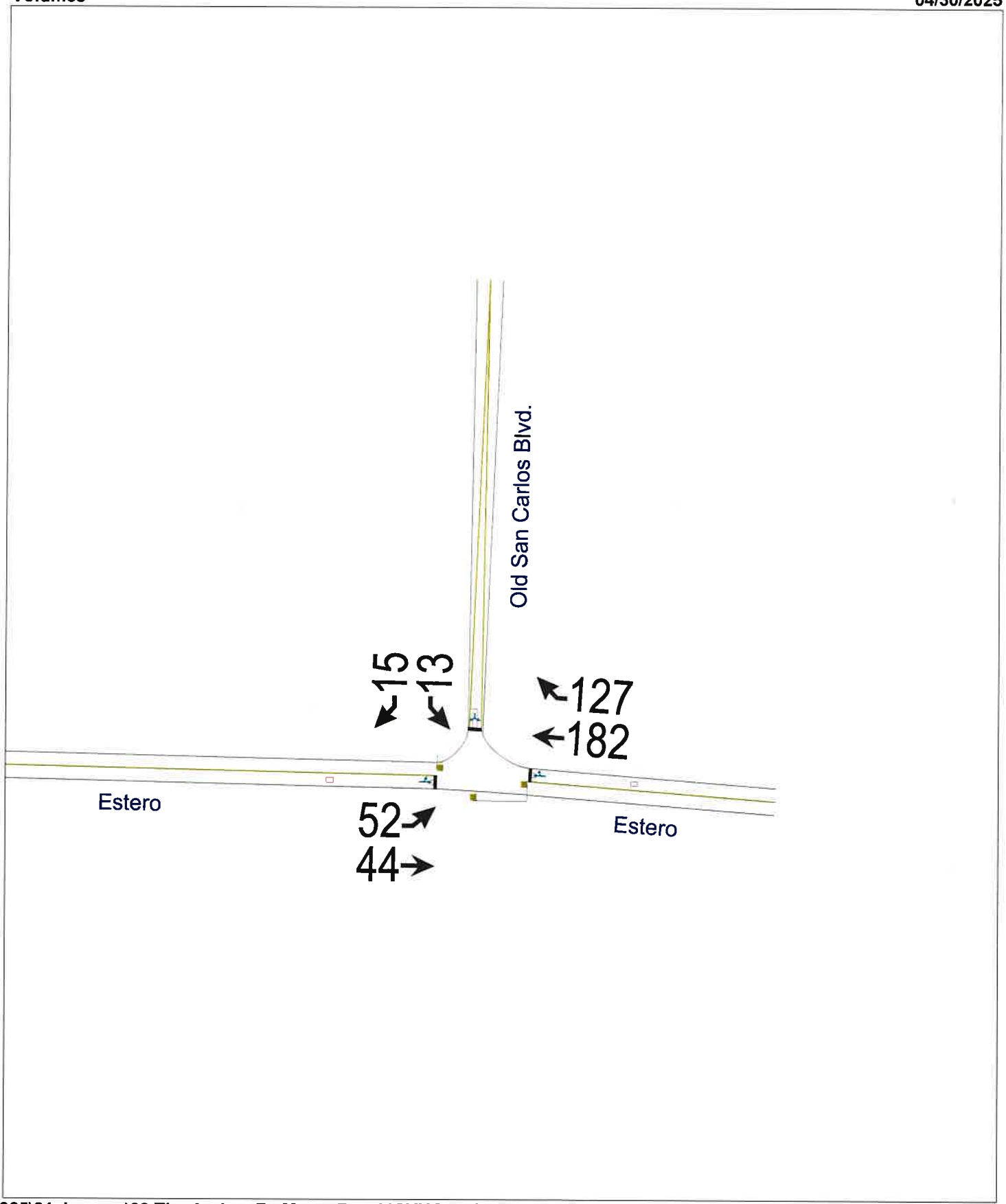
2027 PROJECTED TRAFFIC VOLUMES WITH PROJECT

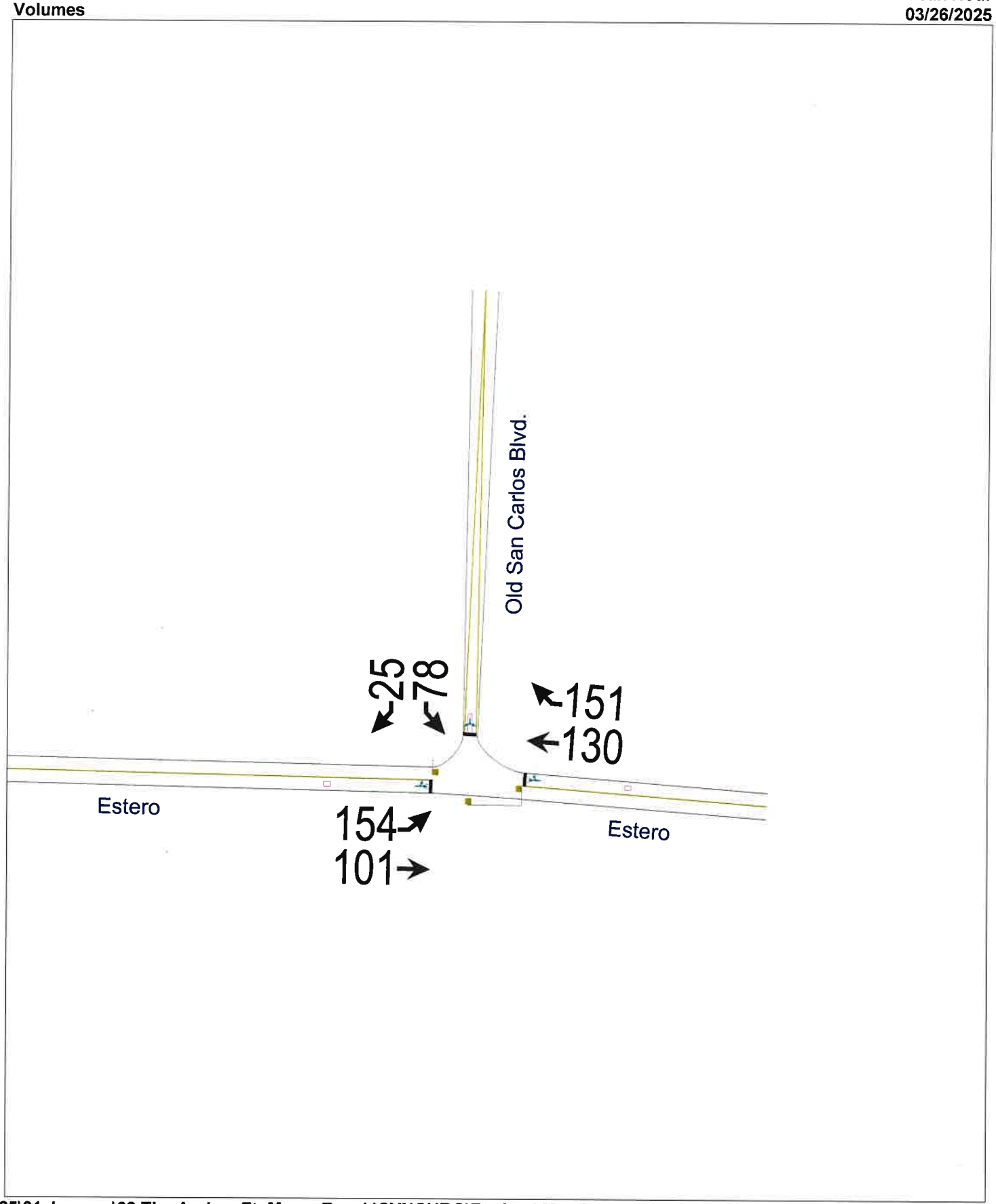


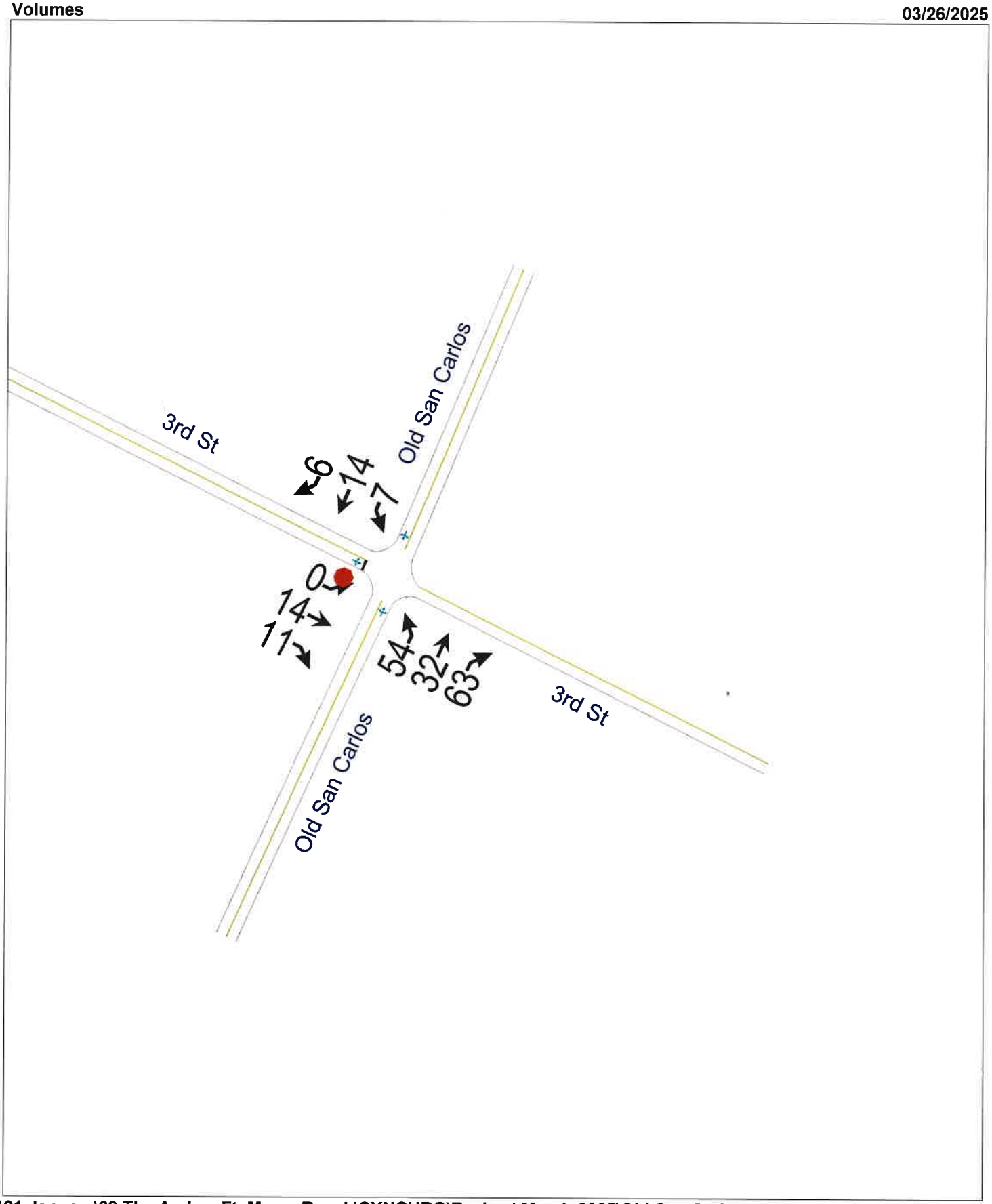
K:\2025\01 January\09 The Arches Ft. Myers Beach\SYNCHRO\Revised March 2025\Estero and Crescent 9-11-24.syn
RAH

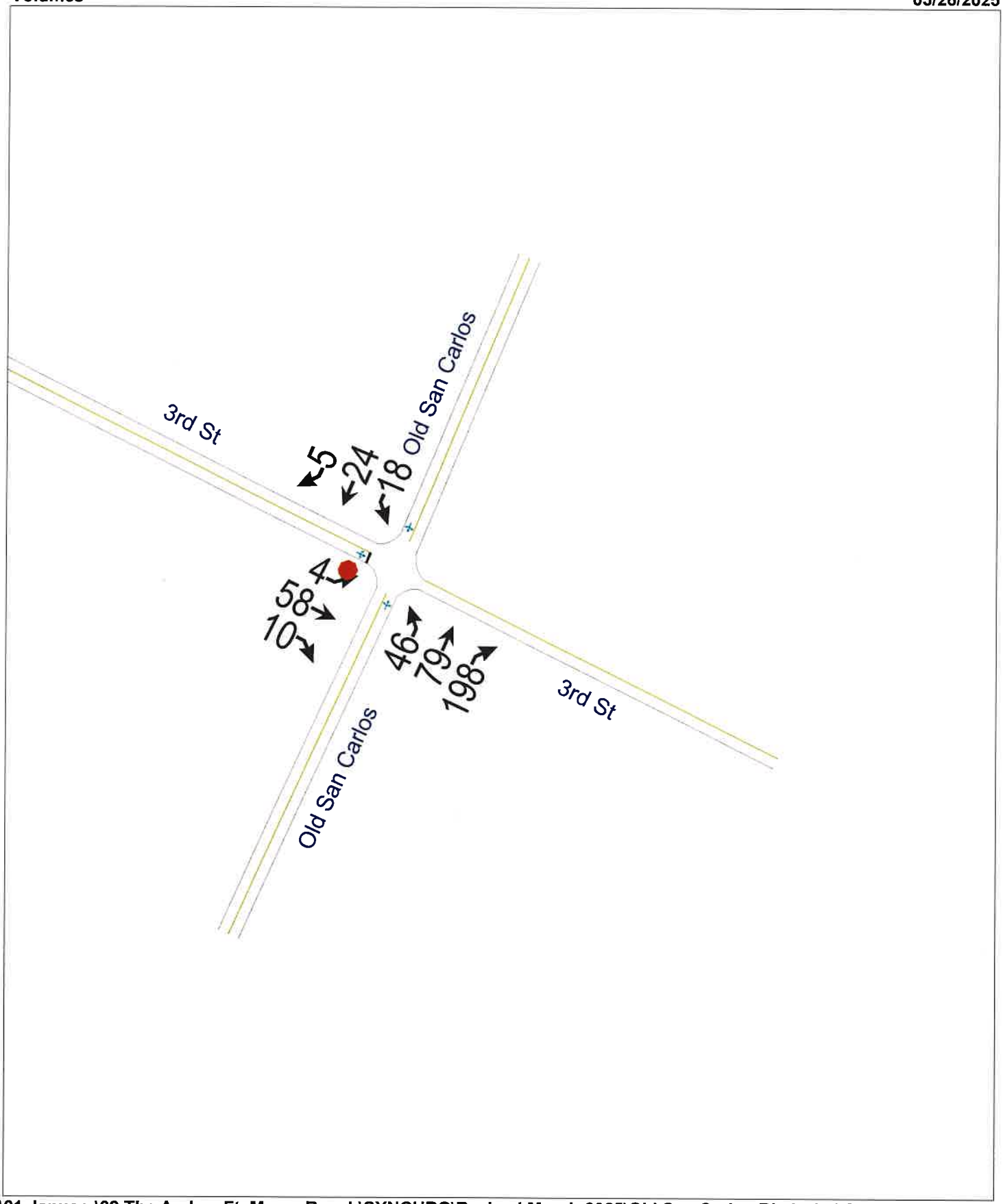


K:\2025\01 January\09 The Arches Ft. Myers Beach\SYNCHRO\Revised March 2025\Estero and Crescent 9-11-24.syn


Old San Carlos Blvd.
15
13
127
182
Estero
52
44
Estero


Old San Carlos Blvd.
25
78
151
130
Estero
154
101
Estero


3rd St
Old San Carlos
6
14
7
1
0
14
11
54
32
63
3rd St
Old San Carlos


3rd St
Old San Carlos
5
24
18
4
58
10
46
79
198
3rd St
Old San Carlos

SYNCHRO ANALYSIS

OLD SAN CARLOS BLVD.

@

3RD STREET

Intersection	
Int Delay, s/veh	2.5

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕						↕			↕	
Traffic Vol, veh/h	0	10	9	0	0	0	28	31	61	7	14	6
Future Vol, veh/h	0	10	9	0	0	0	28	31	61	7	14	6
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	-	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	0	11	10	0	0	0	30	34	66	8	15	7

Major/Minor	Minor2			Major1			Major2		
Conflicting Flow All	162	195	19	22	0	0	100	0	0
Stage 1	35	35	-	-	-	-	-	-	-
Stage 2	127	160	-	-	-	-	-	-	-
Critical Hdwy	6.42	6.52	6.22	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	5.42	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	5.42	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	829	700	1059	1593	-	-	1493	-	-
Stage 1	987	866	-	-	-	-	-	-	-
Stage 2	899	766	-	-	-	-	-	-	-
Platoon blocked, %					-	-		-	-
Mov Cap-1 Maneuver	808	0	1059	1593	-	-	1493	-	-
Mov Cap-2 Maneuver	808	0	-	-	-	-	-	-	-
Stage 1	967	0	-	-	-	-	-	-	-
Stage 2	895	0	-	-	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	8.5	1.7	1.9
HCM LOS	A		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	SBL	SBT	SBR
Capacity (veh/h)	1593	-	-	1059	1493	-	-
HCM Lane V/C Ratio	0.019	-	-	0.02	0.005	-	-
HCM Control Delay (s)	7.3	0	-	8.5	7.4	0	-
HCM Lane LOS	A	A	-	A	A	A	-
HCM 95th %tile Q(veh)	0.1	-	-	0.1	0	-	-

Intersection	
Int Delay, s/veh	1.7

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕						↕			↕	
Traffic Vol, veh/h	2	30	5	0	0	0	19	77	192	17	23	5
Future Vol, veh/h	2	30	5	0	0	0	19	77	192	17	23	5
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	-	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	2	33	5	0	0	0	21	84	209	18	25	5

Major/Minor	Minor2			Major1			Major2		
Conflicting Flow All	295	399	28	30	0	0	293	0	0
Stage 1	64	64	-	-	-	-	-	-	-
Stage 2	231	335	-	-	-	-	-	-	-
Critical Hdwy	6.42	6.52	6.22	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	5.42	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	5.42	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	696	539	1047	1583	-	-	1269	-	-
Stage 1	959	842	-	-	-	-	-	-	-
Stage 2	807	643	-	-	-	-	-	-	-
Platoon blocked, %					-	-		-	-
Mov Cap-1 Maneuver	675	0	1047	1583	-	-	1269	-	-
Mov Cap-2 Maneuver	675	0	-	-	-	-	-	-	-
Stage 1	944	0	-	-	-	-	-	-	-
Stage 2	796	0	-	-	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	9.2	0.5	3
HCM LOS	A		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	SBL	SBT	SBR
Capacity (veh/h)	1583	-	-	905	1269	-	-
HCM Lane V/C Ratio	0.013	-	-	0.044	0.015	-	-
HCM Control Delay (s)	7.3	0	-	9.2	7.9	0	-
HCM Lane LOS	A	A	-	A	A	A	-
HCM 95th %tile Q(veh)	0	-	-	0.1	0	-	-

Intersection	
Int Delay, s/veh	3.3

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕						↕			↕	
Traffic Vol, veh/h	0	14	11	0	0	0	54	32	63	7	14	6
Future Vol, veh/h	0	14	11	0	0	0	54	32	63	7	14	6
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	-	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	0	15	12	0	0	0	59	35	68	8	15	7

Major/Minor	Minor2			Major1			Major2		
Conflicting Flow All	222	256	19	22	0	0	103	0	0
Stage 1	35	35	-	-	-	-	-	-	-
Stage 2	187	221	-	-	-	-	-	-	-
Critical Hdwy	6.42	6.52	6.22	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	5.42	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	5.42	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	766	648	1059	1593	-	-	1489	-	-
Stage 1	987	866	-	-	-	-	-	-	-
Stage 2	845	720	-	-	-	-	-	-	-
Platoon blocked, %					-	-		-	-
Mov Cap-1 Maneuver	732	0	1059	1593	-	-	1489	-	-
Mov Cap-2 Maneuver	732	0	-	-	-	-	-	-	-
Stage 1	948	0	-	-	-	-	-	-	-
Stage 2	841	0	-	-	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	8.5	2.7	1.9
HCM LOS	A		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	SBL	SBT	SBR
Capacity (veh/h)	1593	-	-	1059	1489	-	-
HCM Lane V/C Ratio	0.037	-	-	0.026	0.005	-	-
HCM Control Delay (s)	7.3	0	-	8.5	7.4	0	-
HCM Lane LOS	A	A	-	A	A	A	-
HCM 95th %tile Q(veh)	0.1	-	-	0.1	0	-	-

Intersection	
Int Delay, s/veh	2.6

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕						↕			↕	
Traffic Vol, veh/h	4	58	10	0	0	0	46	79	198	18	24	5
Future Vol, veh/h	4	58	10	0	0	0	46	79	198	18	24	5
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	-	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	4	63	11	0	0	0	50	86	215	20	26	5

Major/Minor	Minor2			Major1			Major2		
Conflicting Flow All	363	470	29	31	0	0	301	0	0
Stage 1	69	69	-	-	-	-	-	-	-
Stage 2	294	401	-	-	-	-	-	-	-
Critical Hdwy	6.42	6.52	6.22	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	5.42	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	5.42	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	636	492	1046	1582	-	-	1260	-	-
Stage 1	954	837	-	-	-	-	-	-	-
Stage 2	756	601	-	-	-	-	-	-	-
Platoon blocked, %					-	-		-	-
Mov Cap-1 Maneuver	602	0	1046	1582	-	-	1260	-	-
Mov Cap-2 Maneuver	602	0	-	-	-	-	-	-	-
Stage 1	917	0	-	-	-	-	-	-	-
Stage 2	744	0	-	-	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	9.6	1	3
HCM LOS	A		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	SBL	SBT	SBR
Capacity (veh/h)	1582	-	-	864	1260	-	-
HCM Lane V/C Ratio	0.032	-	-	0.091	0.016	-	-
HCM Control Delay (s)	7.3	0	-	9.6	7.9	0	-
HCM Lane LOS	A	A	-	A	A	A	-
HCM 95th %tile Q(veh)	0.1	-	-	0.3	0	-	-

ESTERO BLVD.

@

OLD SAN CARLOS BLVD.

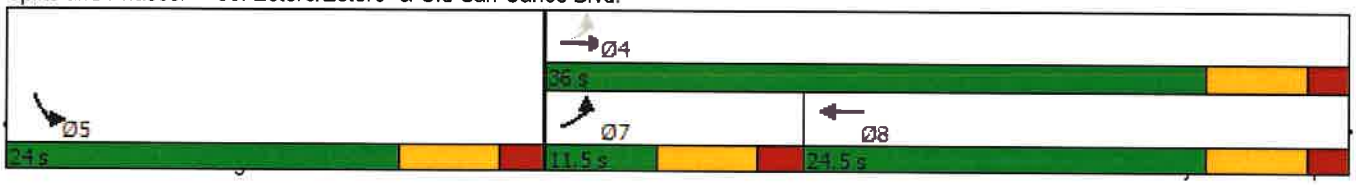


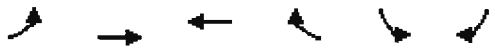
Lane Group	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Volume (vph)	45	43	180	83	10	14
Future Volume (vph)	45	43	180	83	10	14
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Lane Width (ft)	12	12	12	12	12	12
Grade (%)		0%	0%		0%	
Storage Length (ft)	0			0	0	0
Storage Lanes	0			0	1	0
Taper Length (ft)	25				25	
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor						
Frt			0.958		0.922	
Flt Protected		0.975			0.979	
Satd. Flow (prot)	0	1635	1606	0	1513	0
Flt Permitted		0.700			0.979	
Satd. Flow (perm)	0	1174	1606	0	1513	0
Right Turn on Red				No		No
Satd. Flow (RTOR)						
Link Speed (mph)		25	25		25	
Link Distance (ft)		581	281		451	
Travel Time (s)		15.8	7.7		12.3	
Confl. Peds. (#/hr)						
Confl. Bikes (#/hr)						
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Growth Factor	100%	100%	100%	100%	100%	100%
Heavy Vehicles (%)	2%	2%	2%	2%	2%	2%
Bus Blockages (#/hr)	0	0	0	0	0	0
Parking (#/hr)						
Mid-Block Traffic (%)		0%	0%		0%	
Adj. Flow (vph)	49	47	196	90	11	15
Shared Lane Traffic (%)						
Lane Group Flow (vph)	0	96	286	0	26	0
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Left	Left	Right	Left	Right
Median Width(ft)		0	0		0	
Link Offset(ft)		0	0		0	
Crosswalk Width(ft)		27	44		30	
Two way Left Turn Lane						
Headway Factor	1.14	1.14	1.14	1.14	1.14	1.14
Turning Speed (mph)	15			9	15	9
Turn Type	pm+pt	NA	NA		Prot	
Protected Phases	7	4	8		5	
Permitted Phases	4		8			
Detector Phase	7	4	8		5	
Switch Phase						
Minimum Initial (s)	5.0	5.0	5.0		5.0	
Minimum Split (s)	11.5	24.5	24.5		24.5	
Total Split (s)	11.5	36.0	24.5		24.0	
Total Split (%)	19.2%	60.0%	40.8%		40.0%	

Lane Group	EBL	EBT	WBT	WBR	SBL	SBR
Maximum Green (s)	5.0	29.5	18.0		17.5	
Yellow Time (s)	4.5	4.5	4.5		4.5	
All-Red Time (s)	2.0	2.0	2.0		2.0	
Lost Time Adjust (s)		0.0	0.0		0.0	
Total Lost Time (s)		6.5	6.5		6.5	
Lead/Lag	Lead		Lag			
Lead-Lag Optimize?	Yes		Yes			
Vehicle Extension (s)	3.0	3.0	3.0		3.0	
Minimum Gap (s)	3.0	3.0	3.0		3.0	
Time Before Reduce (s)	0.0	0.0	0.0		0.0	
Time To Reduce (s)	0.0	0.0	0.0		0.0	
Recall Mode	None	None	None		Min	
Walk Time (s)		7.0	7.0		7.0	
Flash Dont Walk (s)		11.0	11.0		11.0	
Pedestrian Calls (#/hr)		10	10		10	
Act Effct Green (s)		11.2	11.2		9.2	
Actuated g/C Ratio		0.33	0.33		0.27	
v/c Ratio		0.25	0.54		0.06	
Control Delay		10.4	13.8		10.4	
Queue Delay		0.0	0.0		0.0	
Total Delay		10.4	13.8		10.4	
LOS		B	B		B	
Approach Delay		10.4	13.8		10.4	
Approach LOS		B	B		B	
Queue Length 50th (ft)		9	32		3	
Queue Length 95th (ft)		45	116		16	
Internal Link Dist (ft)		501	201		371	
Turn Bay Length (ft)						
Base Capacity (vph)		1042	888		816	
Starvation Cap Reductn		0	0		0	
Spillback Cap Reductn		0	0		0	
Storage Cap Reductn		0	0		0	
Reduced v/c Ratio		0.09	0.32		0.03	

Intersection Summary	
Area Type:	CBD
Cycle Length: 60	
Actuated Cycle Length: 33.9	
Natural Cycle: 65	
Control Type: Actuated-Uncoordinated	
Maximum v/c Ratio: 0.54	
Intersection Signal Delay: 12.8	Intersection LOS: B
Intersection Capacity Utilization 41.8%	ICU Level of Service A
Analysis Period (min) 15	

Splits and Phases: 30: Estero/Estero & Old San Carlos Blvd.



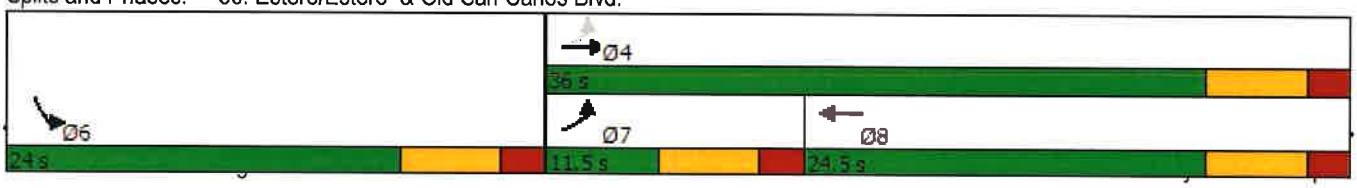


Lane Group	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Volume (vph)	151	102	129	124	52	17
Future Volume (vph)	151	102	129	124	52	17
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Lane Width (ft)	12	12	12	12	12	12
Grade (%)		0%	0%		0%	
Storage Length (ft)	0			0	0	0
Storage Lanes	0			0	1	0
Taper Length (ft)	25				25	
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor			0.98			
Frt			0.934		0.968	
Flt Protected		0.971			0.963	
Satd. Flow (prot)	0	1628	1541	0	1563	0
Flt Permitted		0.668			0.963	
Satd. Flow (perm)	0	1120	1541	0	1563	0
Right Turn on Red				No		No
Satd. Flow (RTOR)						
Link Speed (mph)		25	25		25	
Link Distance (ft)		581	281		451	
Travel Time (s)		15.8	7.7		12.3	
Confl. Peds. (#/hr)						
Confl. Bikes (#/hr)			10	10		
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Growth Factor	100%	100%	100%	100%	100%	100%
Heavy Vehicles (%)	2%	2%	2%	2%	2%	2%
Bus Blockages (#/hr)	0	0	0	0	0	0
Parking (#/hr)						
Mid-Block Traffic (%)		0%	0%		0%	
Adj. Flow (vph)	164	111	140	135	57	18
Shared Lane Traffic (%)						
Lane Group Flow (vph)	0	275	275	0	75	0
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Left	Left	Right	Left	Right
Median Width(ft)		0	0		0	
Link Offset(ft)		0	0		0	
Crosswalk Width(ft)		27	44		30	
Two way Left Turn Lane						
Headway Factor	1.14	1.14	1.14	1.14	1.14	1.14
Turning Speed (mph)	15			9	15	9
Turn Type	pm+pt	NA	NA		Prot	
Protected Phases	7	4	8		6	
Permitted Phases	4					
Detector Phase	7	4	8		6	
Switch Phase						
Minimum Initial (s)	5.0	5.0	5.0		5.0	
Minimum Split (s)	11.5	24.5	24.5		24.5	
Total Split (s)	11.5	36.0	24.5		24.0	
Total Split (%)	19.2%	60.0%	40.8%		40.0%	

Lane Group	EBL	EBT	WBT	WBR	SBL	SBR
Maximum Green (s)	5.0	29.5	18.0		17.5	
Yellow Time (s)	4.5	4.5	4.5		4.5	
All-Red Time (s)	2.0	2.0	2.0		2.0	
Lost Time Adjust (s)		0.0	0.0		0.0	
Total Lost Time (s)		6.5	6.5		6.5	
Lead/Lag	Lead		Lag			
Lead-Lag Optimize?	Yes		Yes			
Vehicle Extension (s)	3.0	3.0	3.0		3.0	
Minimum Gap (s)	3.0	3.0	3.0		3.0	
Time Before Reduce (s)	0.0	0.0	0.0		0.0	
Time To Reduce (s)	0.0	0.0	0.0		0.0	
Recall Mode	None	None	None		Min	
Walk Time (s)		7.0	7.0		7.0	
Flash Dont Walk (s)		11.0	11.0		11.0	
Pedestrian Calls (#/hr)		10	10		0	
Act Effct Green (s)		19.1	18.2		13.3	
Actuated g/C Ratio		0.51	0.49		0.36	
v/c Ratio		0.48	0.37		0.14	
Control Delay		10.3	8.0		17.0	
Queue Delay		0.0	0.0		0.0	
Total Delay		10.3	8.0		17.0	
LOS		B	A		B	
Approach Delay		10.3	8.0		17.0	
Approach LOS		B	A		B	
Queue Length 50th (ft)		37	34		14	
Queue Length 95th (ft)		92	78		49	
Internal Link Dist (ft)		501	201		371	
Turn Bay Length (ft)						
Base Capacity (vph)		861	957		840	
Starvation Cap Reductn		0	0		0	
Spillback Cap Reductn		0	0		0	
Storage Cap Reductn		0	0		0	
Reduced v/c Ratio		0.32	0.29		0.09	

Intersection Summary			
Area Type:	CBD		
Cycle Length: 60			
Actuated Cycle Length: 37.4			
Natural Cycle: 65			
Control Type: Actuated-Uncoordinated			
Maximum v/c Ratio: 0.48			
Intersection Signal Delay: 10.1		Intersection LOS: B	
Intersection Capacity Utilization 51.8%		ICU Level of Service A	
Analysis Period (min) 15			

Splits and Phases: 30: Estero/Estero & Old San Carlos Blvd.



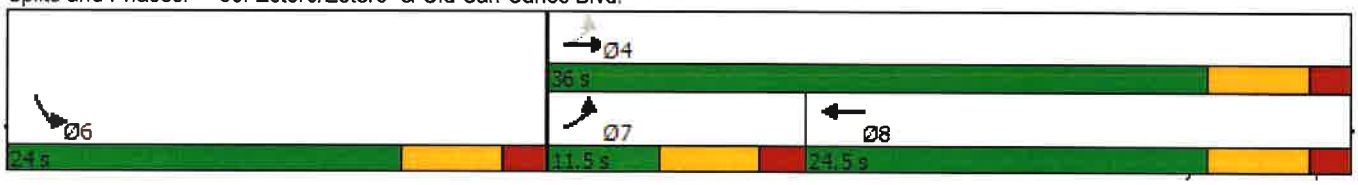


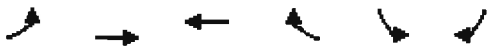
Lane Group	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Volume (vph)	52	44	182	127	13	15
Future Volume (vph)	52	44	182	127	13	15
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Lane Width (ft)	12	12	12	12	12	12
Grade (%)		0%	0%		0%	
Storage Length (ft)	0			0	0	0
Storage Lanes	0			0	1	0
Taper Length (ft)	25				25	
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor						
Frt			0.945		0.928	
Flt Protected		0.974			0.977	
Satd. Flow (prot)	0	1633	1584	0	1520	0
Flt Permitted		0.672			0.977	
Satd. Flow (perm)	0	1127	1584	0	1520	0
Right Turn on Red				No		No
Satd. Flow (RTOR)						
Link Speed (mph)		25	25		25	
Link Distance (ft)		581	281		451	
Travel Time (s)		15.8	7.7		12.3	
Confl. Peds. (#/hr)						
Confl. Bikes (#/hr)						
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Growth Factor	100%	100%	100%	100%	100%	100%
Heavy Vehicles (%)	2%	2%	2%	2%	2%	2%
Bus Blockages (#/hr)	0	0	0	0	0	0
Parking (#/hr)						
Mid-Block Traffic (%)		0%	0%		0%	
Adj. Flow (vph)	57	48	198	138	14	16
Shared Lane Traffic (%)						
Lane Group Flow (vph)	0	105	336	0	30	0
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Left	Left	Right	Left	Right
Median Width(ft)		0	0		0	
Link Offset(ft)		0	0		0	
Crosswalk Width(ft)		27	44		30	
Two way Left Turn Lane						
Headway Factor	1.14	1.14	1.14	1.14	1.14	1.14
Turning Speed (mph)	15			9	15	9
Turn Type	pm+pt	NA	NA		Prot	
Protected Phases	7	4	8		6	
Permitted Phases	4					
Detector Phase	7	4	8		6	
Switch Phase						
Minimum Initial (s)	5.0	5.0	5.0		5.0	
Minimum Split (s)	11.5	24.5	24.5		24.5	
Total Split (s)	11.5	36.0	24.5		24.0	
Total Split (%)	19.2%	60.0%	40.8%		40.0%	

Lane Group	EBL	EBT	WBT	WBR	SBL	SBR
Maximum Green (s)	5.0	29.5	18.0		17.5	
Yellow Time (s)	4.5	4.5	4.5		4.5	
All-Red Time (s)	2.0	2.0	2.0		2.0	
Lost Time Adjust (s)		0.0	0.0		0.0	
Total Lost Time (s)		6.5	6.5		6.5	
Lead/Lag	Lead		Lag			
Lead-Lag Optimize?	Yes		Yes			
Vehicle Extension (s)	3.0	3.0	3.0		3.0	
Minimum Gap (s)	3.0	3.0	3.0		3.0	
Time Before Reduce (s)	0.0	0.0	0.0		0.0	
Time To Reduce (s)	0.0	0.0	0.0		0.0	
Recall Mode	None	None	None		Min	
Walk Time (s)		7.0	7.0		7.0	
Flash Dont Walk (s)		11.0	11.0		11.0	
Pedestrian Calls (#/hr)		10	10		10	
Act Effct Green (s)		12.3	12.3		8.2	
Actuated g/C Ratio		0.36	0.36		0.24	
v/c Ratio		0.26	0.59		0.08	
Control Delay		10.4	14.3		11.0	
Queue Delay		0.0	0.0		0.0	
Total Delay		10.4	14.3		11.0	
LOS		B	B		B	
Approach Delay		10.4	14.3		11.0	
Approach LOS		B	B		B	
Queue Length 50th (ft)		11	39		4	
Queue Length 95th (ft)		49	141		18	
Internal Link Dist (ft)		501	201		371	
Turn Bay Length (ft)						
Base Capacity (vph)		999	869		814	
Starvation Cap Reductn		0	0		0	
Spillback Cap Reductn		0	0		0	
Storage Cap Reductn		0	0		0	
Reduced v/c Ratio		0.11	0.39		0.04	

Intersection Summary			
Area Type:	CBD		
Cycle Length: 60			
Actuated Cycle Length: 34.1			
Natural Cycle: 65			
Control Type: Actuated-Uncoordinated			
Maximum v/c Ratio: 0.59			
Intersection Signal Delay: 13.2		Intersection LOS: B	
Intersection Capacity Utilization 45.4%		ICU Level of Service A	
Analysis Period (min) 15			

Splits and Phases: 30: Estero/Estero & Old San Carlos Blvd.



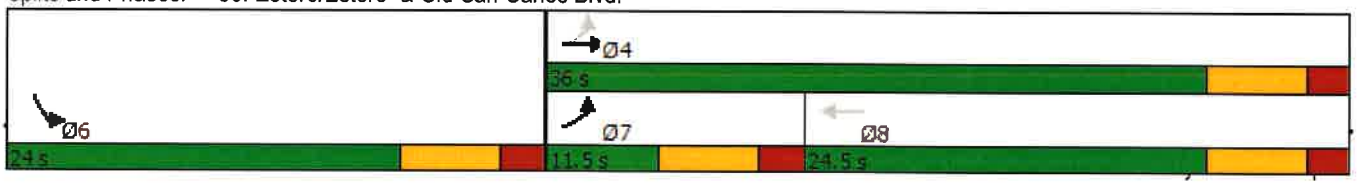


Lane Group	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Volume (vph)	154	101	130	151	78	25
Future Volume (vph)	154	101	130	151	78	25
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Lane Width (ft)	12	12	12	12	12	12
Grade (%)		0%	0%		0%	
Storage Length (ft)	0			0	0	0
Storage Lanes	0			0	1	0
Taper Length (ft)	25				25	
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor						
Frt			0.927		0.967	
Flt Protected		0.971			0.963	
Satd. Flow (prot)	0	1628	1554	0	1561	0
Flt Permitted		0.650			0.963	
Satd. Flow (perm)	0	1090	1554	0	1561	0
Right Turn on Red				No		No
Satd. Flow (RTOR)						
Link Speed (mph)		25	25		25	
Link Distance (ft)		581	281		451	
Travel Time (s)		15.8	7.7		12.3	
Confl. Peds. (#/hr)						
Confl. Bikes (#/hr)						
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Growth Factor	100%	100%	100%	100%	100%	100%
Heavy Vehicles (%)	2%	2%	2%	2%	2%	2%
Bus Blockages (#/hr)	0	0	0	0	0	0
Parking (#/hr)						
Mid-Block Traffic (%)		0%	0%		0%	
Adj. Flow (vph)	167	110	141	164	85	27
Shared Lane Traffic (%)						
Lane Group Flow (vph)	0	277	305	0	112	0
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Left	Left	Right	Left	Right
Median Width(ft)		0	0		0	
Link Offset(ft)		0	0		0	
Crosswalk Width(ft)		27	44		30	
Two way Left Turn Lane						
Headway Factor	1.14	1.14	1.14	1.14	1.14	1.14
Turning Speed (mph)	15			9	15	9
Turn Type	pm+pt	NA	NA		Prot	
Protected Phases	7	4			6	
Permitted Phases	4		8			
Detector Phase	7	4	8		6	
Switch Phase						
Minimum Initial (s)	5.0	5.0	5.0		5.0	
Minimum Split (s)	11.5	24.5	24.5		24.5	
Total Split (s)	11.5	36.0	24.5		24.0	
Total Split (%)	19.2%	60.0%	40.8%		40.0%	

Lane Group	EBL	EBT	WBT	WBR	SBL	SBR
Maximum Green (s)	5.0	29.5	18.0		17.5	
Yellow Time (s)	4.5	4.5	4.5		4.5	
All-Red Time (s)	2.0	2.0	2.0		2.0	
Lost Time Adjust (s)		0.0	0.0		0.0	
Total Lost Time (s)		6.5	6.5		6.5	
Lead/Lag	Lead		Lag			
Lead-Lag Optimize?	Yes		Yes			
Vehicle Extension (s)	3.0	3.0	3.0		3.0	
Minimum Gap (s)	3.0	3.0	3.0		3.0	
Time Before Reduce (s)	0.0	0.0	0.0		0.0	
Time To Reduce (s)	0.0	0.0	0.0		0.0	
Recall Mode	None	None	None		Min	
Walk Time (s)		7.0	7.0		7.0	
Flash Dont Walk (s)		11.0	11.0		11.0	
Pedestrian Calls (#/hr)		10	10		10	
Act Effct Green (s)		20.6	20.6		9.7	
Actuated g/C Ratio		0.47	0.47		0.22	
v/c Ratio		0.55	0.42		0.33	
Control Delay		13.5	10.1		19.3	
Queue Delay		0.0	0.0		0.0	
Total Delay		13.5	10.1		19.3	
LOS		B	B		B	
Approach Delay		13.5	10.1		19.3	
Approach LOS		B	B		B	
Queue Length 50th (ft)		41	42		24	
Queue Length 95th (ft)		128	119		65	
Internal Link Dist (ft)		501	201		371	
Turn Bay Length (ft)						
Base Capacity (vph)		773	832		666	
Starvation Cap Reductn		0	0		0	
Spillback Cap Reductn		0	0		0	
Storage Cap Reductn		0	0		0	
Reduced v/c Ratio		0.36	0.37		0.17	

Intersection Summary			
Area Type:	CBD		
Cycle Length: 60			
Actuated Cycle Length: 44.2			
Natural Cycle: 65			
Control Type: Actuated-Uncoordinated			
Maximum v/c Ratio: 0.55			
Intersection Signal Delay: 12.9		Intersection LOS: B	
Intersection Capacity Utilization 56.0%		ICU Level of Service B	
Analysis Period (min) 15			

Splits and Phases: 30: Estero/Estero & Old San Carlos Blvd.



ESTERO BLVD.

@

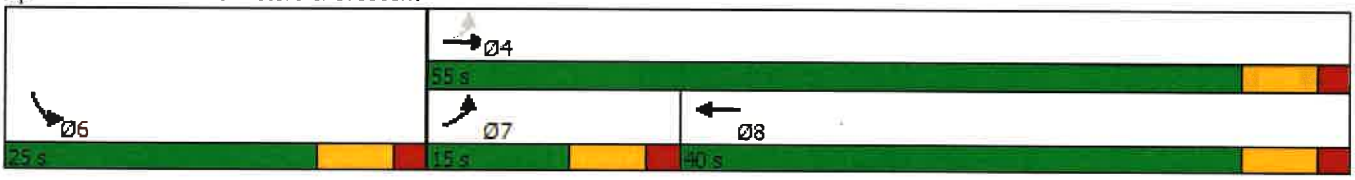
CRESCENT STREET

Lane Group	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Volume (vph)	11	649	318	13	11	9
Future Volume (vph)	11	649	318	13	11	9
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Lane Width (ft)	12	12	12	12	12	12
Grade (%)		0%	0%		0%	
Storage Length (ft)	170			0	0	0
Storage Lanes	1			0	1	0
Taper Length (ft)	25				25	
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor			1.00		0.98	
Frt			0.995		0.939	
Flt Protected	0.950				0.973	
Satd. Flow (prot)	1593	1676	1666	0	1495	0
Flt Permitted	0.401				0.973	
Satd. Flow (perm)	672	1676	1666	0	1495	0
Right Turn on Red				No		No
Satd. Flow (RTOR)						
Link Speed (mph)		25	25		25	
Link Distance (ft)		387	531		289	
Travel Time (s)		10.6	14.5		7.9	
Confl. Peds. (#/hr)						
Confl. Bikes (#/hr)				20		20
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Growth Factor	100%	100%	100%	100%	100%	100%
Heavy Vehicles (%)	2%	2%	2%	2%	2%	2%
Bus Blockages (#/hr)	0	0	0	0	0	0
Parking (#/hr)						
Mid-Block Traffic (%)		0%	0%		0%	
Adj. Flow (vph)	12	705	346	14	12	10
Shared Lane Traffic (%)						
Lane Group Flow (vph)	12	705	360	0	22	0
Turn Type	pm+pt	NA	NA		Prot	
Protected Phases	7	4	8		6	
Permitted Phases	4					
Detector Phase	7	4	8		6	
Switch Phase						
Minimum Initial (s)	5.0	20.0	20.0		16.0	
Minimum Split (s)	15.0	26.5	26.5		24.5	
Total Split (s)	15.0	55.0	40.0		25.0	
Total Split (%)	18.8%	68.8%	50.0%		31.3%	
Maximum Green (s)	8.5	48.5	33.5		18.5	
Yellow Time (s)	4.5	4.5	4.5		4.5	
All-Red Time (s)	2.0	2.0	2.0		2.0	
Lost Time Adjust (s)	0.0	0.0	0.0		0.0	
Total Lost Time (s)	6.5	6.5	6.5		6.5	
Lead/Lag	Lead		Lag			
Lead-Lag Optimize?	Yes		Yes			
Vehicle Extension (s)	3.0	3.0	3.0		3.0	

Lane Group	EBL	EBT	WBT	WBR	SBL	SBR
Minimum Gap (s)	3.0	3.0	3.0		3.0	
Time Before Reduce (s)	0.0	0.0	0.0		0.0	
Time To Reduce (s)	0.0	0.0	0.0		0.0	
Recall Mode	None	None	None		Max	
Walk Time (s)		7.0	7.0		7.0	
Flash Dont Walk (s)		11.0	11.0		11.0	
Pedestrian Calls (#/hr)		36	36		36	
Act Effct Green (s)	32.7	32.7	30.6		18.9	
Actuated g/C Ratio	0.50	0.50	0.47		0.29	
v/c Ratio	0.03	0.84	0.46		0.05	
Control Delay	6.9	23.1	14.2		21.6	
Queue Delay	0.0	0.0	0.0		0.0	
Total Delay	6.9	23.1	14.2		21.6	
LOS	A	C	B		C	
Approach Delay		22.8	14.2		21.6	
Approach LOS		C	B		C	
Queue Length 50th (ft)	2	216	81		6	
Queue Length 95th (ft)	8	343	197		27	
Internal Link Dist (ft)		307	451		209	
Turn Bay Length (ft)	170					
Base Capacity (vph)	461	1281	916		436	
Starvation Cap Reductn	0	0	0		0	
Spillback Cap Reductn	0	0	0		0	
Storage Cap Reductn	0	0	0		0	
Reduced v/c Ratio	0.03	0.55	0.39		0.05	

Intersection Summary			
Area Type:	CBD		
Cycle Length: 80			
Actuated Cycle Length: 64.9			
Natural Cycle: 70			
Control Type: Actuated-Uncoordinated			
Maximum v/c Ratio: 0.84			
Intersection Signal Delay: 20.0		Intersection LOS: B	
Intersection Capacity Utilization 62.1%		ICU Level of Service B	
Analysis Period (min) 15			

Splits and Phases: 3: Estero & Crescent



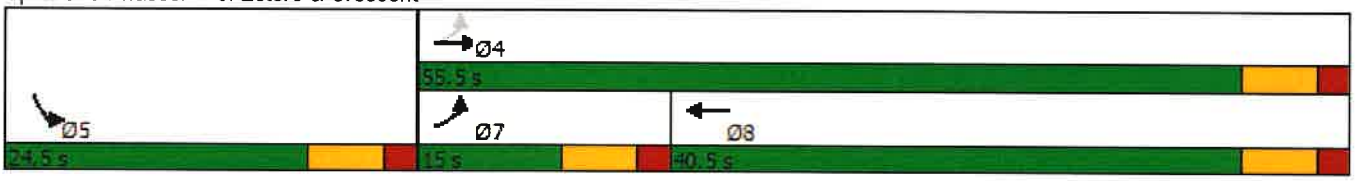


Lane Group	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Volume (vph)	69	642	619	14	28	18
Future Volume (vph)	69	642	619	14	28	18
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Lane Width (ft)	12	12	12	12	12	12
Grade (%)		0%	0%		0%	
Storage Length (ft)	170			0	0	0
Storage Lanes	1			0	1	0
Taper Length (ft)	25				25	
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor			1.00		0.98	
Frt			0.997		0.946	
Flt Protected	0.950				0.971	
Satd. Flow (prot)	1593	1676	1670	0	1507	0
Flt Permitted	0.128				0.971	
Satd. Flow (perm)	215	1676	1670	0	1507	0
Right Turn on Red				No		No
Satd. Flow (RTOR)						
Link Speed (mph)		25	25		25	
Link Distance (ft)		387	531		289	
Travel Time (s)		10.6	14.5		7.9	
Confl. Peds. (#/hr)						
Confl. Bikes (#/hr)				20		20
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Growth Factor	100%	100%	100%	100%	100%	100%
Heavy Vehicles (%)	2%	2%	2%	2%	2%	2%
Bus Blockages (#/hr)	0	0	0	0	0	0
Parking (#/hr)						
Mid-Block Traffic (%)		0%	0%		0%	
Adj. Flow (vph)	75	698	673	15	30	20
Shared Lane Traffic (%)						
Lane Group Flow (vph)	75	698	688	0	50	0
Turn Type	pm+pt	NA	NA		Prot	
Protected Phases	7	4	8		5	
Permitted Phases	4					
Detector Phase	7	4	8		5	
Switch Phase						
Minimum Initial (s)	5.0	20.0	20.0		16.0	
Minimum Split (s)	15.0	26.5	26.5		24.5	
Total Split (s)	15.0	55.5	40.5		24.5	
Total Split (%)	18.8%	69.4%	50.6%		30.6%	
Maximum Green (s)	8.5	49.0	34.0		18.0	
Yellow Time (s)	4.5	4.5	4.5		4.5	
All-Red Time (s)	2.0	2.0	2.0		2.0	
Lost Time Adjust (s)	0.0	0.0	0.0		0.0	
Total Lost Time (s)	6.5	6.5	6.5		6.5	
Lead/Lag	Lead		Lag			
Lead-Lag Optimize?	Yes		Yes			
Vehicle Extension (s)	3.0	3.0	3.0		3.0	

Lane Group	EBL	EBT	WBT	WBR	SBL	SBR
Minimum Gap (s)	3.0	3.0	3.0		3.0	
Time Before Reduce (s)	0.0	0.0	0.0		0.0	
Time To Reduce (s)	0.0	0.0	0.0		0.0	
Recall Mode	None	None	None		Max	
Walk Time (s)		7.0	7.0		7.0	
Flash Dont Walk (s)		11.0	11.0		11.0	
Pedestrian Calls (#/hr)		36	36		36	
Act Effct Green (s)	44.0	44.0	33.1		18.2	
Actuated g/C Ratio	0.58	0.58	0.44		0.24	
v/c Ratio	0.29	0.71	0.94		0.14	
Control Delay	9.3	15.8	45.0		26.0	
Queue Delay	0.0	0.0	0.0		0.0	
Total Delay	9.3	15.8	45.0		26.0	
LOS	A	B	D		C	
Approach Delay		15.1	45.0		26.0	
Approach LOS		B	D		C	
Queue Length 50th (ft)	14	208	319		20	
Queue Length 95th (ft)	30	331	#554		48	
Internal Link Dist (ft)		307	451		209	
Turn Bay Length (ft)	170					
Base Capacity (vph)	282	1102	762		364	
Starvation Cap Reductn	0	0	0		0	
Spillback Cap Reductn	0	0	0		0	
Storage Cap Reductn	0	0	0		0	
Reduced v/c Ratio	0.27	0.63	0.90		0.14	

Intersection Summary			
Area Type:	CBD		
Cycle Length: 80			
Actuated Cycle Length: 75.4			
Natural Cycle: 80			
Control Type: Actuated-Uncoordinated			
Maximum v/c Ratio: 0.94			
Intersection Signal Delay: 29.1		Intersection LOS: C	
Intersection Capacity Utilization 71.0%		ICU Level of Service C	
Analysis Period (min) 15			
# 95th percentile volume exceeds capacity, queue may be longer.			
Queue shown is maximum after two cycles.			

Splits and Phases: 3: Estero & Crescent



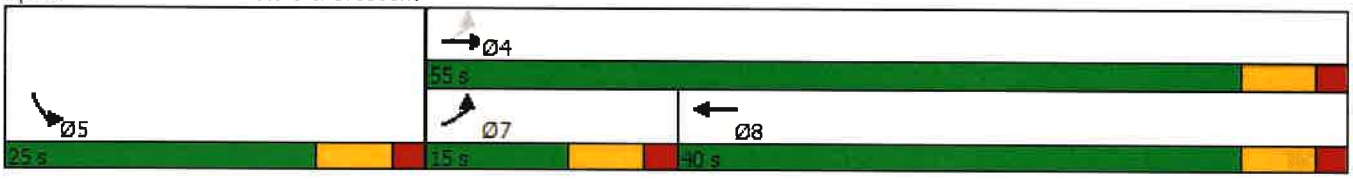


Lane Group	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Volume (vph)	11	649	340	19	11	9
Future Volume (vph)	11	649	340	19	11	9
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Lane Width (ft)	12	12	12	12	12	12
Grade (%)		0%	0%		0%	
Storage Length (ft)	170			0	0	0
Storage Lanes	1			0	1	0
Taper Length (ft)	25				25	
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor			1.00		0.98	
Frt			0.993		0.939	
Flt Protected	0.950				0.973	
Satd. Flow (prot)	1593	1676	1661	0	1495	0
Flt Permitted	0.374				0.973	
Satd. Flow (perm)	627	1676	1661	0	1495	0
Right Turn on Red				No		No
Satd. Flow (RTOR)						
Link Speed (mph)		25	25		25	
Link Distance (ft)		387	531		289	
Travel Time (s)		10.6	14.5		7.9	
Confl. Peds. (#/hr)						
Confl. Bikes (#/hr)				20		20
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Growth Factor	100%	100%	100%	100%	100%	100%
Heavy Vehicles (%)	2%	2%	2%	2%	2%	2%
Bus Blockages (#/hr)	0	0	0	0	0	0
Parking (#/hr)						
Mid-Block Traffic (%)		0%	0%		0%	
Adj. Flow (vph)	12	705	370	21	12	10
Shared Lane Traffic (%)						
Lane Group Flow (vph)	12	705	391	0	22	0
Turn Type	pm+pt	NA	NA		Prot	
Protected Phases	7	4	8		5	
Permitted Phases	4					
Detector Phase	7	4	8		5	
Switch Phase						
Minimum Initial (s)	5.0	20.0	20.0		16.0	
Minimum Split (s)	15.0	26.5	26.5		24.5	
Total Split (s)	15.0	55.0	40.0		25.0	
Total Split (%)	18.8%	68.8%	50.0%		31.3%	
Maximum Green (s)	8.5	48.5	33.5		18.5	
Yellow Time (s)	4.5	4.5	4.5		4.5	
All-Red Time (s)	2.0	2.0	2.0		2.0	
Lost Time Adjust (s)	0.0	0.0	0.0		0.0	
Total Lost Time (s)	6.5	6.5	6.5		6.5	
Lead/Lag	Lead		Lag			
Lead-Lag Optimize?	Yes		Yes			
Vehicle Extension (s)	3.0	3.0	3.0		3.0	

Lane Group	EBL	EBT	WBT	WBR	SBL	SBR
Minimum Gap (s)	3.0	3.0	3.0		3.0	
Time Before Reduce (s)	0.0	0.0	0.0		0.0	
Time To Reduce (s)	0.0	0.0	0.0		0.0	
Recall Mode	None	None	None		Max	
Walk Time (s)		7.0	7.0		7.0	
Flash Dont Walk (s)		11.0	11.0		11.0	
Pedestrian Calls (#/hr)		36	36		36	
Act Effct Green (s)	32.7	32.7	30.6		18.9	
Actuated g/C Ratio	0.50	0.50	0.47		0.29	
v/c Ratio	0.03	0.84	0.50		0.05	
Control Delay	7.0	23.1	14.9		21.6	
Queue Delay	0.0	0.0	0.0		0.0	
Total Delay	7.0	23.1	14.9		21.6	
LOS	A	C	B		C	
Approach Delay		22.8	14.9		21.6	
Approach LOS		C	B		C	
Queue Length 50th (ft)	2	216	91		6	
Queue Length 95th (ft)	8	343	218		27	
Internal Link Dist (ft)		307	451		209	
Turn Bay Length (ft)	170					
Base Capacity (vph)	444	1281	914		436	
Starvation Cap Reductn	0	0	0		0	
Spillback Cap Reductn	0	0	0		0	
Storage Cap Reductn	0	0	0		0	
Reduced v/c Ratio	0.03	0.55	0.43		0.05	

Intersection Summary			
Area Type:	CBD		
Cycle Length: 80			
Actuated Cycle Length: 64.9			
Natural Cycle: 70			
Control Type: Actuated-Uncoordinated			
Maximum v/c Ratio: 0.84			
Intersection Signal Delay: 20.1		Intersection LOS: C	
Intersection Capacity Utilization 62.1%		ICU Level of Service B	
Analysis Period (min) 15			

Splits and Phases: 3: Estero & Crescent





Lane Group	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Volume (vph)	80	681	653	20	29	18
Future Volume (vph)	80	681	653	20	29	18
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Lane Width (ft)	12	12	12	12	12	12
Grade (%)		0%	0%		0%	
Storage Length (ft)	170			0	0	0
Storage Lanes	1			0	1	0
Taper Length (ft)	25				25	
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor			1.00		0.98	
Frt			0.996		0.948	
Flt Protected	0.950				0.970	
Satd. Flow (prot)	1593	1676	1668	0	1508	0
Flt Permitted	0.110				0.970	
Satd. Flow (perm)	184	1676	1668	0	1508	0
Right Turn on Red				No		No
Satd. Flow (RTOR)						
Link Speed (mph)		25	25		25	
Link Distance (ft)		387	531		289	
Travel Time (s)		10.6	14.5		7.9	
Confl. Peds. (#/hr)						
Confl. Bikes (#/hr)				20		20
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Growth Factor	100%	100%	100%	100%	100%	100%
Heavy Vehicles (%)	2%	2%	2%	2%	2%	2%
Bus Blockages (#/hr)	0	0	0	0	0	0
Parking (#/hr)						
Mid-Block Traffic (%)		0%	0%		0%	
Adj. Flow (vph)	87	740	710	22	32	20
Shared Lane Traffic (%)						
Lane Group Flow (vph)	87	740	732	0	52	0
Turn Type	pm+pt	NA	NA		Prot	
Protected Phases	7	4	8		6	
Permitted Phases	4					
Detector Phase	7	4	8		6	
Switch Phase						
Minimum Initial (s)	5.0	20.0	20.0		16.0	
Minimum Split (s)	15.0	26.5	26.5		24.5	
Total Split (s)	15.0	57.0	42.0		23.0	
Total Split (%)	18.8%	71.3%	52.5%		28.8%	
Maximum Green (s)	8.5	50.5	35.5		16.5	
Yellow Time (s)	4.5	4.5	4.5		4.5	
All-Red Time (s)	2.0	2.0	2.0		2.0	
Lost Time Adjust (s)	0.0	0.0	0.0		0.0	
Total Lost Time (s)	6.5	6.5	6.5		6.5	
Lead/Lag	Lead		Lag			
Lead-Lag Optimize?	Yes		Yes			
Vehicle Extension (s)	3.0	3.0	3.0		3.0	

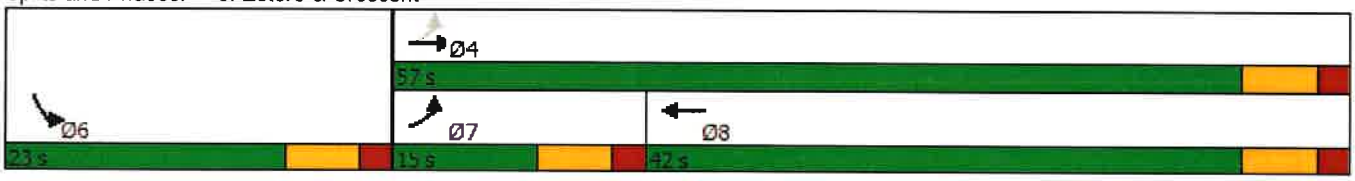
Lane Group	EBL	EBT	WBT	WBR	SBL	SBR
Minimum Gap (s)	3.0	3.0	3.0		3.0	
Time Before Reduce (s)	0.0	0.0	0.0		0.0	
Time To Reduce (s)	0.0	0.0	0.0		0.0	
Recall Mode	None	None	None		Max	
Walk Time (s)		7.0	7.0		7.0	
Flash Dont Walk (s)		11.0	11.0		11.0	
Pedestrian Calls (#/hr)		36	36		36	
Act Effct Green (s)	46.8	46.8	35.5		18.1	
Actuated g/C Ratio	0.60	0.60	0.46		0.23	
v/c Ratio	0.35	0.74	0.96		0.15	
Control Delay	10.3	16.4	49.1		27.0	
Queue Delay	0.0	0.0	0.0		0.0	
Total Delay	10.3	16.4	49.1		27.0	
LOS	B	B	D		C	
Approach Delay		15.8	49.1		27.0	
Approach LOS		B	D		C	
Queue Length 50th (ft)	16	230	~361		21	
Queue Length 95th (ft)	33	366	#605		51	
Internal Link Dist (ft)		307	451		209	
Turn Bay Length (ft)	170					
Base Capacity (vph)	264	1093	765		350	
Starvation Cap Reductn	0	0	0		0	
Spillback Cap Reductn	0	0	0		0	
Storage Cap Reductn	0	0	0		0	
Reduced v/c Ratio	0.33	0.68	0.96		0.15	

Intersection Summary

Area Type: CBD
Cycle Length: 80
Actuated Cycle Length: 78
Natural Cycle: 90
Control Type: Actuated-Uncoordinated
Maximum v/c Ratio: 0.96
Intersection Signal Delay: 31.3 Intersection LOS: C
Intersection Capacity Utilization 74.0% ICU Level of Service D
Analysis Period (min) 15

~ Volume exceeds capacity, queue is theoretically infinite.
Queue shown is maximum after two cycles.
95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

Splits and Phases: 3: Estero & Crescent



PCS 44

PEAK SEASON ADJUSTMENT FACTOR

PCS 44 - Estero Blvd n of Denora Blvd

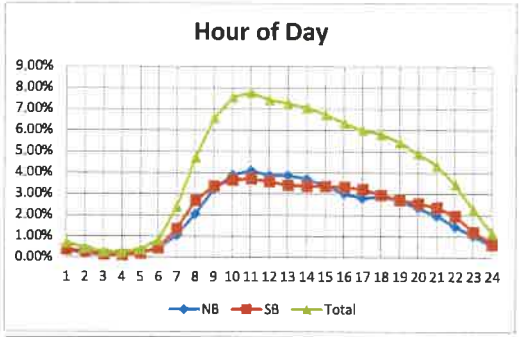
2022 AADT = 12,200 VPD

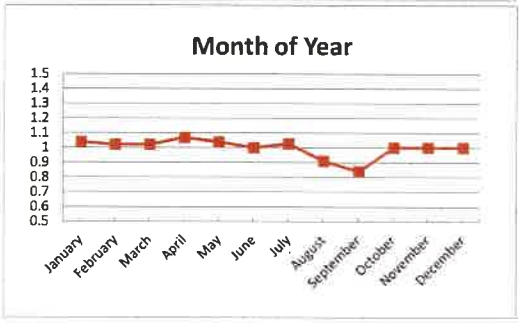
Hour	NB	SB	Total
0	0.33%	0.38%	0.70%
1	0.20%	0.26%	0.46%
2	0.12%	0.15%	0.27%
3	0.14%	0.10%	0.24%
4	0.19%	0.19%	0.38%
5	0.40%	0.44%	0.84%
6	1.05%	1.36%	2.40%
7	2.04%	2.69%	4.72%
8	3.21%	3.36%	6.57%
9	3.89%	3.65%	7.55%
10	4.08%	3.69%	7.78%
11	3.87%	3.56%	7.43%
12	3.86%	3.40%	7.26%
13	3.71%	3.34%	7.06%
14	3.39%	3.34%	6.74%
15	3.01%	3.32%	6.33%
16	2.79%	3.21%	6.00%
17	2.87%	2.95%	5.81%
18	2.70%	2.71%	5.41%
19	2.34%	2.55%	4.88%
20	1.97%	2.35%	4.32%
21	1.47%	1.97%	3.43%
22	1.02%	1.22%	2.25%
23	0.54%	0.63%	1.16%
Avg 10:00 AM-5:00 PM			6.80%
12200*0.068			829.6

Month of Year	Fraction
January	1.04
February	1.02
March	1.02
April	1.07
May	1.04
June	1
July	1.03
August	0.91
September	0.84
October	1
November	1
December	1

Day of Week	Fraction
Sunday	0.94
Monday	0.98
Tuesday	0.99
Wednesday	1.03
Thursday	1.02
Friday	1.03
Saturday	1.01

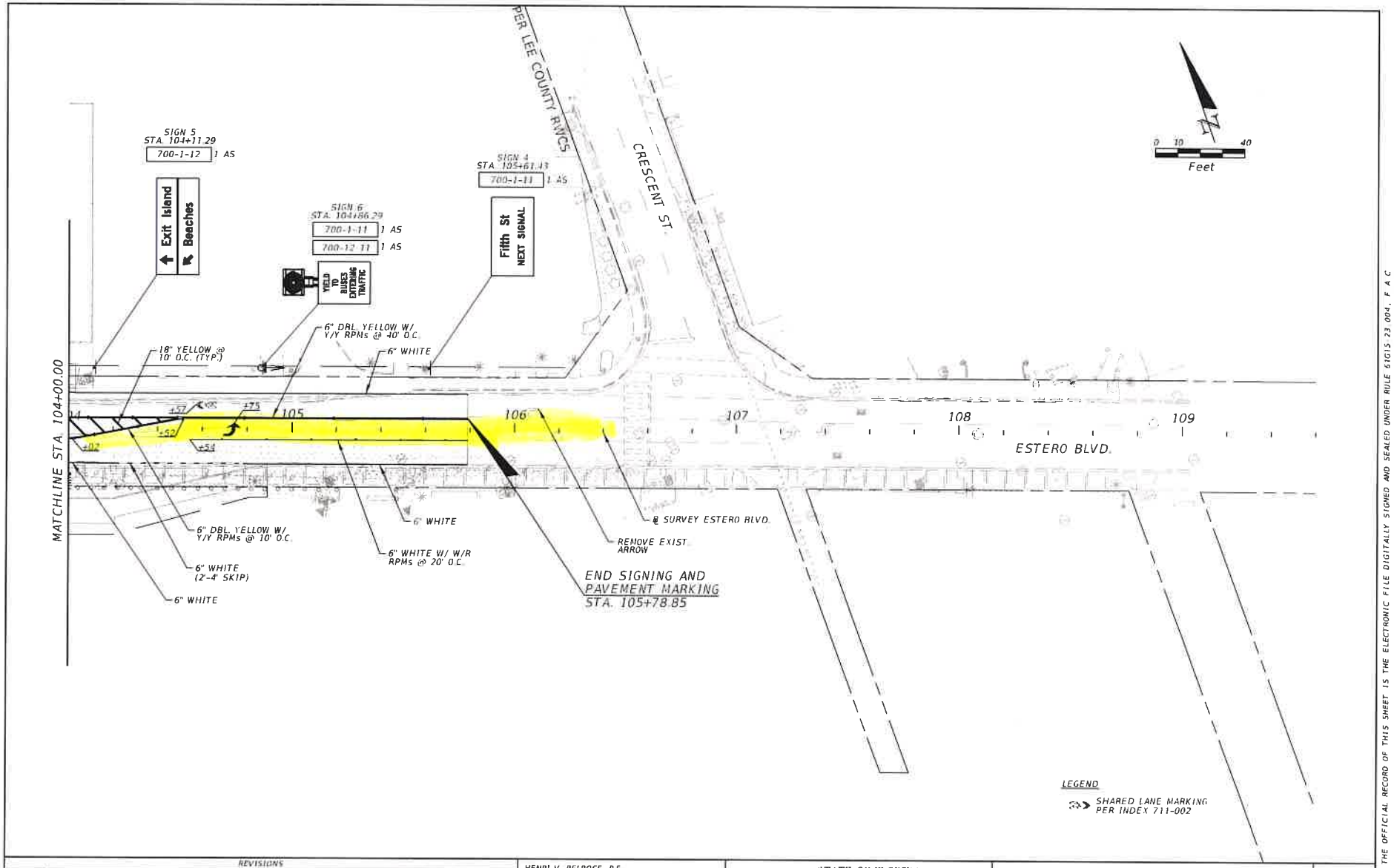
Month of Year	Average	Avg Monthly Demand
January	1.04	862.8
February	1.02	846.2
March	1.02	846.2
April	1.07	887.7
May	1.04	862.8
June	1.00	829.6
July	1.03	854.5
August	0.91	754.9
September	0.84	696.9
October	1.00	829.6
November	1.00	829.6
December	1.00	829.6





FDOT PLANS

SR 739/SAN CARLOS BLVD./ESTERO BLVD.



REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION

HENRI V. BELROSE, P.E.
P.E. LICENSE NUMBER 56761
WGI, INC.
800 N. MAGNOLIA AVENUE, SUITE 1750
ORLANDO, FL 32803

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

ROAD NO.	COUNTY	FINANCIAL PROJECT ID
SR 865	LEE	433726-2-52-01

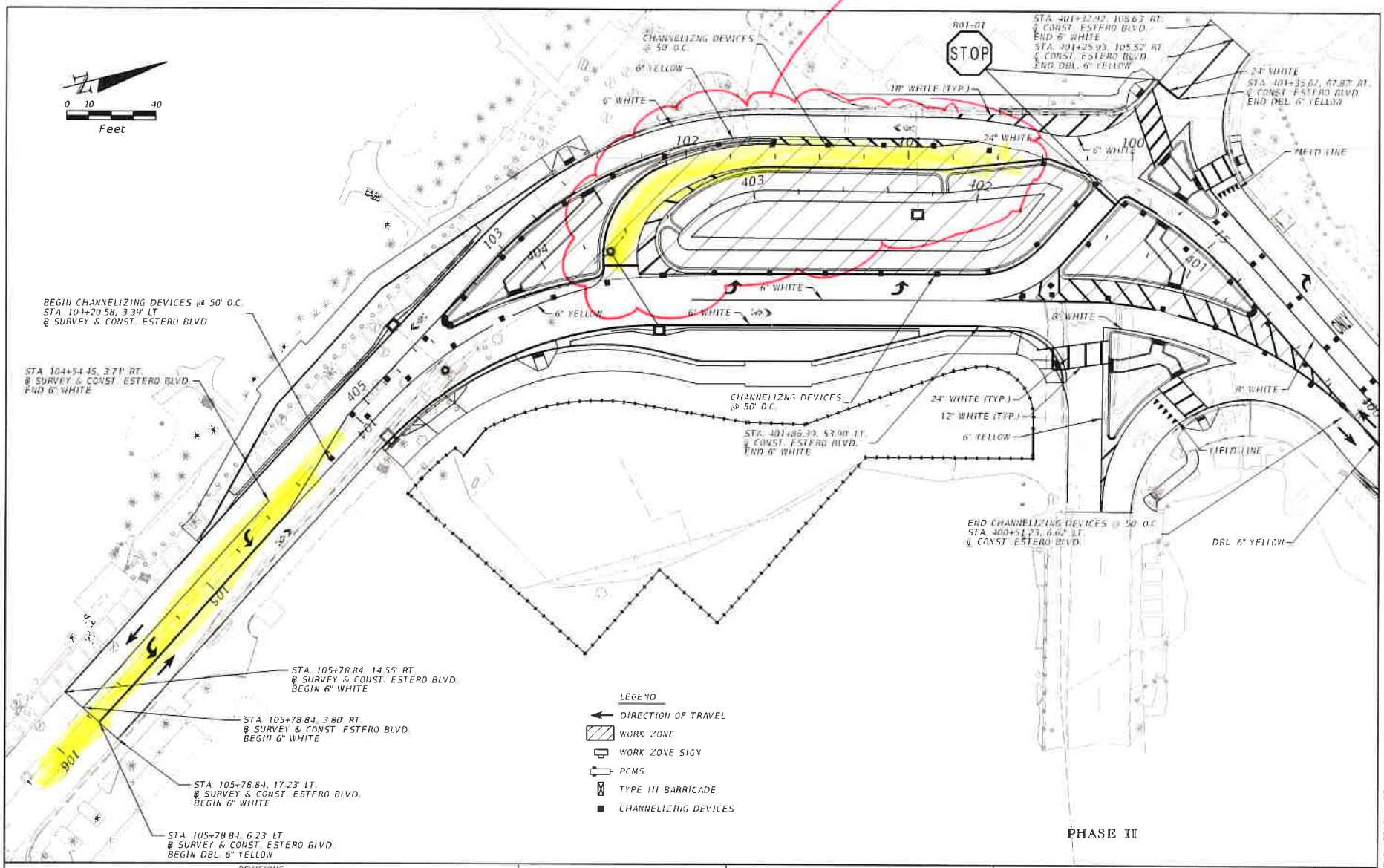
SIGNING AND PAVEMENT MARKING PLAN (13)

SHEET NO. S-18

USER: Ryan.Owens 1/4/2023 7:37:37 PM Default

THE OFFICIAL RECORD OF THIS SHEET IS THE ELECTRONIC FILE DIGITALLY SIGNED AND SEALED UNDER RULE 61G15-23.004, F.A.C.

U-turn location



REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION

HENRI V. BELROSE, P.E.
P.E. LICENSE NUMBER 56761
WGI, INC.
800 N. MAGNOLIA AVENUE, SUITE 1750
ORLANDO, FL 32803

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

ROAD NO.	COUNTY	FINANCIAL PROJECT ID
SR 865	LEE	433726-2 52-01

TEMPORARY TRAFFIC CONTROL PLAN (04)

SHEET NO. 66

USER: Tim Smith
1/4/2023 9:32:26 AM Default

THE OFFICIAL RECORD OF THIS SHEET IS THE ELECTRONIC FILE DIGITALLY SIGNED AND SEALED UNDER RULE 61G15-23.001, F.A.C.

TRAFFIC COUNT

ESTERO BLVD.

@

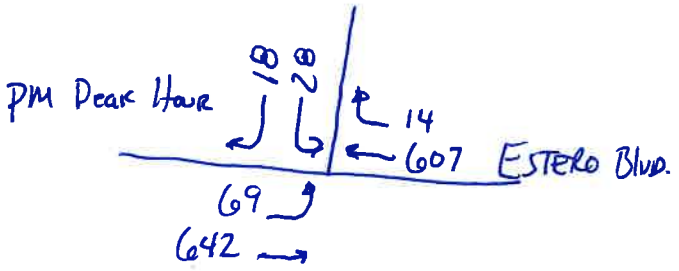
CRESCENT ST.

43 Barkley Circle, Suite 200
Fort Myers, FL 33907
Phone 239-433-4231 Fax 239-433-9632
www.tdmcivilengineering.com

Project Name: Arches - FMB
Date Completed: 2/13/2024

	Estero Eastbound @ Crescent				Estero Westbound @ Crescent				Crescent Northbound @ Estero				Crescent Southbound @ Estero				
AM Start Time	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Total
7:00	9	121	0		0	55	4		0	0	0		2	0	0		191
7:15	4	155	0		0	73	1		0	0	0		4	0	0		237
7:30	6	163	0		0	76	1		0	0	0		3	0	2		251
7:45	5	172	0		0	79	3		0	0	0		2	0	0		261
8:00	3	165	0		0	74	2		0	0	0		5	0	1		250
8:15	4	164	0		0	70	6		0	0	0		1	0	3		248
8:30	2	155	0		0	81	4		0	0	0		3	0	1		246
8:45	2	165	0		0	93	1		0	0	0		2	0	4		267
9:00																	0
Total	35	1260	0	0	0	601	22	0	0	0	0	0	22	0	11	0	1951

PM Start Time	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Total
4:00	16	145	0		0	142	6		0	0	0		8	0	3		320
4:15	21	151	0		0	151	9		0	0	0		9	0	2		343
4:30	18	159	0		0	149	3		0	0	0		7	0	2		338
4:45	14	161	0		0	148	2		0	0	0		5	0	3		333
5:00	21	164	0		0	151	4		0	0	0		10	0	6		356
5:15	18	162	0		0	154	3		0	0	0		7	0	4		348
5:30	14	159	0		0	151	3		0	0	0		5	0	3		335
5:45	16	157	0		0	151	4		0	0	0		6	0	5		339
6:00																	0
Total	138	1258	0	0	0	1197	34	0	0	0	0	0	57	0	28	0	2712



LEE COUNTY PUBLIC FACILITIES
LEVEL OF SERVICE AND
CONCURRENCY REPORT

LEE COUNTY ROAD LINK VOLUMES (County- and State-Maintained Roadways)

Link No.	ROAD NAME	LOCATION		ROAD TYPE	PERFORMANCE STANDARD		2023 100TH HIGHEST HOUR			2028 FUTURE FORECAST*			Notes
		FROM	TO		LOS[1]	CAPACITY[2]	LOS[1]	VOLUME[2]	V/C[3]	LOS[1]	VOLUME[2]	V/C[3]	
04800	CEMETERY RD	BUCKINGHAM RD	HIGGINS AVE	2LN	E	860	C	315	0.37	C	331	0.38	
04900	CHAMBERLIN PKWY	AIRPORT ENT	DANIELS PKWY	4LN	E	1,790	C	450	0.25	C	473	0.26	[4]; Port Authority maintained
05000	COCONUT RD	WEST END	VIA VENETTO BLVD	2LN	E	860	C	275	0.32	C	289	0.34	[4]; non-county maintained to east
05100	COLLEGE PKWY	McGREGOR BLVD	WINKLER RD	6LD	E	2,980	D	2,600	0.87	E	2,733	0.92	
05200	COLLEGE PKWY	WINKLER RD	WHISKEY CREEK DR	6LD	E	2,980	D	1,838	0.62	D	1,932	0.65	
05300	COLLEGE PKWY	WHISKEY CREEK DR	SUMMERLIN RD	6LD	E	2,980	D	1,838	0.62	D	1,932	0.65	
05400	COLLEGE PKWY	SUMMERLIN RD	US 41	6LD	E	2,980	D	1,830	0.61	D	1,923	0.65	
05500	COLONIAL BLVD	McGREGOR BLVD	SUMMERLIN RD	6LD	E	2,840	D	2,589	0.91	D	2,721	0.96	[4]
05600	COLONIAL BLVD	SUMMERLIN RD	US 41	6LD	E	2,840	D	2,589	0.91	D	2,721	0.96	
06200	COLONIAL BLVD	DYNASTY DR	SR 82	6LD	D	3,040	D	2,104	0.69	D	2,211	0.73	[4]
06300	COLUMBUS BLVD	SR 82	MILWAUKEE BLVD	2LN	E	860	C	105	0.12	C	110	0.13	[4]
06400	CONSTITUTION BLVD	US 41	CONSTITUTION CIR	2LN	E	860	C	371	0.43	C	390	0.45	
06500	CORBETT RD	SR 78 (PINE ISLAND RD)	LITTLETON RD	2LN	E	860	C	30	0.03	C	32	0.04	[4]
06600	CORKSCREW RD	US 41	THREE OAKS PKWY	4LD	E	1,900	C	971	0.51	C	1,021	0.54	
06700	CORKSCREW RD	THREE OAKS PKWY	W OF I-75	4LD	E	1,900	C	1,582	0.83	C	1,663	0.88	
06800	CORKSCREW RD	E OF I-75	BEN HILL GRIFFIN BLVD	4LD	E	1,900	C	1,069	0.56	C	1,124	0.59	
06900	CORKSCREW RD	BEN HILL GRIFFIN BLVD	ALICO RD	4LD	E	1,960	C	1,186	0.61	C	1,246	0.64	Corkscrew Woods/Wildblue
07000	CORKSCREW RD	ALICO RD	COUNTY LINE	2LN	E	1,140	D	668	0.59	F	1,412	1.24	Verdana Village RPD
07100	COUNTRY LAKES BLVD	LUCKETT RD	TICE ST	2LN	E	860	C	145	0.17	C	154	0.18	[4]
07200	CRYSTAL DR	US 41	METRO PKWY	2LN	E	860	C	505	0.59	C	531	0.62	
07300	CRYSTAL DR	METRO PKWY	PLANTATION RD	2LN	E	860	C	366	0.43	C	385	0.45	
07400	CYPRESS LAKE DR	McGREGOR BLVD	SOUTH POINT BLVD	4LD	E	1,940	D	1,142	0.59	D	1,200	0.62	
07500	CYPRESS LAKE DR	SOUTH POINT BLVD	WINKLER RD	4LD	E	1,940	D	1,449	0.75	D	1,523	0.79	
07600	CYPRESS LAKE DR	WINKLER RD	SUMMERLIN RD	4LD	E	1,940	D	1,449	0.75	D	1,523	0.79	
07700	CYPRESS LAKE DR	SUMMERLIN RD	US 41	6LD	E	2,940	D	2,064	0.70	D	2,169	0.74	
07800	DANIELS PKWY	US 41	METRO PKWY	6LD	E	2,680	D	2,307	0.86	D	2,425	0.90	unincorporated Lee County
07900	DANIELS PKWY	METRO PKWY	SIX MILE PKWY	6LD	E	2,680	D	2,307	0.86	D	2,425	0.90	unincorporated Lee County; constrained
08000	DANIELS PKWY	SIX MILE PKWY	PALOMINO LN	6LD	E	3,040	E	2,953	0.97	F	3,108	1.02	unincorporated Lee Co; constrained; Dan Fals
08100	DANIELS PKWY	PALOMINO LN	I-75	6LD	E	3,040	E	2,953	0.97	F	3,104	1.02	unincorporated Lee County; constrained
08200	DANIELS PKWY	I-75	TREELINE AVE	6LD	E	3,260	E	2,963	0.91	E	3,114	0.96	unincorporated Lee County
08300	DANIELS PKWY	TREELINE AVE	CHAMBERLIN PKWY	6LD	E	3,260	E	2,963	0.91	E	3,114	0.96	unincorporated Lee County
08400	DANIELS PKWY	CHAMBERLIN PKWY	GATEWAY BLVD	6LD	E	3,260	E	3,197	0.98	F	3,360	1.03	unincorporated Lee County
08500	DANIELS PKWY	GATEWAY BLVD	SR 82	4LD	E	2,160	F	2,304	1.07	F	2,469	1.14	unincorporated Lee County; Timber Creek RPD
08600	DANLEY DR	US 41	METRO PKWY	2LN	E	860	C	395	0.46	C	415	0.48	
08700	DAVIS RD	McGREGOR BLVD	IONA RD	2LN	E	860	C	17	0.02	C	18	0.02	[4]
08800	DEL PRADO BLVD	CAPE CORAL PKWY	SE 46TH ST	6LD	E	2,660	D	2,069	0.78	D	2,175	0.82	
08900	DEL PRADO BLVD	SE 46TH ST	CORONADO PKWY	6LD	E	2,660	D	2,069	0.78	D	2,175	0.82	
09000	DEL PRADO BLVD	CORONADO PKWY	CORNWALLIS PKWY	6LD	E	2,660	D	2,069	0.78	D	2,174	0.82	
09100	DEL PRADO BLVD	CORNWALLIS PKWY	CORAL POINT DR	6LD	E	2,660	E	2,600	0.98	F	2,733	1.03	
09200	DEL PRADO BLVD	CORAL POINT DR	HANCOCK B. PKWY	6LD	E	2,800	D	2,041	0.73	D	2,145	0.77	
09300	DEL PRADO BLVD	HANCOCK B. PKWY	SR 78	6LD	E	2,800	C	1,757	0.63	C	1,847	0.66	[4]
09400	DEL PRADO BLVD	US 41	SLATER RD	2LN	E	860	C	538	0.63	D	643	0.75	Crane Landing Golf Course Community
09700	EAST 21ST ST	JOEL BLVD	GRANT AVE	2LN	E	860	C	30	0.03	C	32	0.04	[4]
09800	ESTERO BLVD	BIG CARLOS PASS BRIDGE	PESCADORA AVE	2LN	E	726	A	264	0.36	A	277	0.38	[4]; constrained
09900	ESTERO BLVD	PESCADORA AVE	VOORHIS ST	2LN	E	726	D	648	0.89	D	681	0.94	[4]; constrained
10000	ESTERO BLVD	VOORHIS ST	TROPICAL SHORES WAY	2LN	E	726	D	648	0.89	D	681	0.94	[4]; constrained
10100	ESTERO BLVD	TROPICAL SHORES WAY	CENTER ST	2LN	E	671	F	722	1.08	F	759	1.13	[4]; constrained
14400	ESTERO PKWY	US 41	THREE OAKS PKWY	4LD	E	2,000	B	921	0.46	B	1,092	0.55	non-county maint; T and T DRI/Cyp Vw CPD

LEE COUNTY ROAD LINK VOLUMES (County- and State-Maintained Roadways)

Link No.	ROAD NAME	LOCATION		ROAD TYPE	PERFORMANCE STANDARD		2023 100TH HIGHEST HOUR			2028 FUTURE FORECAST*			Notes
		FROM	TO		LOS[1]	CAPACITY[2]	LOS[1]	VOLUME[2]	V/C[3]	LOS[1]	VOLUME[2]	V/C[3]	
19400	ORANGE RIVER BLVD	STALEY RD	BUCKINGHAM RD	2LN	E	1,000	C	368	0.37	C	387	0.39	
19500	ORIOLE RD	SAN CARLOS BLVD	ALICO RD	2LN	E	860	C	131	0.15	C	138	0.16	
19600	ORTIZ AVE	COLONIAL BLVD	SR 82	2LN	E	900	F	1,115	1.24	F	1,172	1.30	City of Fort Myers
19700	ORTIZ AVE	SR 82	LUCKETT RD	2LN	E	900	F	947	1.05	F	995	1.11	partially located in City of Fort Myers
19800	ORTIZ AVE	LUCKETT RD	SR 80	2LN	E	900	B	374	0.42	B	393	0.44	[4]
19900	PALM BEACH BLVD (SR 80)	PROSPECT AVE	ORTIZ AVE	4LD	D	1,900	C	1,306	0.69	C	1,471	0.77	
20000	PALM BEACH BLVD (SR 80)	ORTIZ AVE	I-75	6LD	D	2,814	C	1,453	0.52	C	1,624	0.58	
20100	PALM BEACH BLVD (SR 80)	I-75	SR 31	6LD	D	2,814	C	1,840	0.65	C	2,030	0.72	
20200	PALM BEACH BLVD (SR 80)	SR 31	BUCKINGHAM RD	4LD	D	1,900	F	2,275	1.20	F	2,604	1.37	
20300	PALM BEACH BLVD (SR 80)	BUCKINGHAM RD	WERNER DR	4LD	D	1,942	E	1,943	1.00	F	2,277	1.17	River Hall (f.k.a. Hawks Haven)
20330	PALM BEACH BLVD (SR 80)	WERNER DR	JOEL BLVD	4LD	C	1,785	C	1,457	0.82	C	1,735	0.97	
20400	PALM BEACH BLVD (SR 80)	JOEL BLVD	HENDRY CO. LINE	4LD	C	1,785	C	1,295	0.73	C	1,541	0.86	
20500	PALOMINO LN	DANIELS PKWY	PENZANCE BLVD	2LN	E	860	C	343	0.40	C	405	0.47	The Springs at Daniels Road
20600	PARK MEADOWS DR	SUMMERLIN RD	US 41	2LN	E	860	C	202	0.23	C	219	0.26	
20800	PENZANCE BLVD	RANCHETTE RD	SIX MILE PKWY	2LN	E	860	C	150	0.17	C	180	0.21	
20900	PINE ISLAND RD	STRINGFELLOW RD	BURNT STORE RD	2LN	E	950	E	594	0.63	E	640	0.67	constrained
21400	PINE ISLAND RD (SR 78)	CITY LIMITS E OF BARRETT RD	US 41	4LD	D	1,900	F	1,902	1.00	F	2,312	1.22	
21500	PINE ISLAND RD (SR 78)	US 41	BUS 41	4LD	D	1,900	D	1,637	0.86	D	1,861	0.98	
21600	PINE RIDGE RD	SAN CARLOS BLVD	SUMMERLIN RD	2LN	E	860	C	459	0.53	C	549	0.64	Heritage Isles
21700	PINE RIDGE RD	SUMMERLIN RD	GLADIOLUS DR	2LN	E	860	C	280	0.33	C	486	0.56	Heritage Isles
21800	PINE RIDGE RD	GLADIOLUS DR	McGREGOR BLVD	2LN	E	860	C	280	0.33	C	294	0.34	
21900	PLANTATION RD	SIX MILE PKWY	DANIELS PKWY	2LN	E	860	C	317	0.37	C	333	0.39	
22000	PLANTATION RD	DANIELS PKWY	IDLEWILD ST	2LN	E	860	D	651	0.76	D	684	0.80	
22050	PLANTATION RD	IDLEWILD ST	COLONIAL BLVD	4LN	E	1,790	C	673	0.38	C	707	0.40	
22100	PONDELLA RD	SR 78	ORANGE GROVE BLVD	4LD	E	1,890	B	994	0.53	B	1,045	0.55	
22200	PONDELLA RD	ORANGE GROVE BLVD	US 41	4LD	E	1,890	B	1,319	0.70	B	1,386	0.73	
22300	PONDELLA RD	US 41	BUS 41	4LD	E	1,890	B	1,396	0.74	B	1,467	0.78	
22400	PRITCHETT PKWY	SR 78	RICH RD	2LN	E	860	C	78	0.09	D	658	0.76	[4]; Brightwater RPD (f.k.a. Stoneybrook North)
22500	RANCHETTE RD	PENZANCE BLVD	IDLEWILD ST	2LN	E	860	C	105	0.12	C	110	0.13	[4]
22600	RICH RD	SLATER RD	PRITCHETT PKWY	2LN	E	860	C	62	0.07	C	65	0.08	[4]
22700	RICHMOND AVE	LEELAND HEIGHTS	E 12TH ST	2LN	E	860	C	129	0.15	C	149	0.17	pre-development order res development
22800	RICHMOND AVE	E 12TH ST	GREENBRIAR BLVD	2LN	E	860	C	129	0.15	C	198	0.23	pre-development order res development
23230	SAN CARLOS BLVD	US 41	THREE OAKS PKWY	2LN	E	860	C	324	0.38	C	341	0.40	
23000	SAN CARLOS BLVD (SR 865)	MANTANZAS PASS BRIDGE	MAIN ST	2LD	D	1,900	C	1,114	0.59	C	1,208	0.64	constrained
23100	SAN CARLOS BLVD (SR 865)	MAIN ST	SUMMERLIN RD	4LD	D	1,900	C	1,114	0.59	C	1,208	0.64	
23180	SAN CARLOS BLVD (SR 865)	SUMMERLIN RD	KELLY RD	2LD	D	1,180	C	702	0.59	C	762	0.65	
23200	SAN CARLOS BLVD (SR 865)	KELLY RD	GLADIOLUS DR	4LD	D	1,180	C	702	0.59	C	762	0.65	
23260	SANIBEL BLVD	US 41	LEE RD	2LN	E	860	C	501	0.58	C	527	0.61	
23300	SANIBEL CAUSEWAY	SANIBEL SHORELINE	TOLL PLAZA	2LN	E	1,140	F	1,172	1.03	F	1,232	1.08	
23400	SHELL POINT BLVD	McGREGOR BLVD	PALM ACRES	2LN	E	860	C	269	0.31	C	283	0.33	
23500	SIX MILE PKWY (SR 739)	US 41	METRO PKWY	4LD	D	1,900	F	2,109	1.11	F	2,341	1.23	
23600	SIX MILE CYPRESS	METRO PKWY	DANIELS PKWY	4LD	E	2,000	B	1,630	0.82	B	1,713	0.86	unincorporated Lee County
23700	SIX MILE CYPRESS	DANIELS PKWY	WINKLER EXT.	4LD	E	1,900	B	1,272	0.67	B	1,434	0.75	unincorporated Lee Co; Cr Mnr RPD/Ok Vill RPD
23800	SIX MILE CYPRESS	WINKLER EXT.	CHALLENGER BLVD	4LD	E	1,900	B	1,200	0.63	B	1,261	0.66	incorporated Lee County
23900	SIX MILE CYPRESS	CHALLENGER BLVD	COLONIAL BLVD	6LD	E	2,860	A	1,200	0.42	A	1,261	0.44	incorporated Lee County
24000	SLATER RD	SR 78	NALLE GRADE RD	2LN	E	1,010	C	444	0.44	C	467	0.46	
24100	SOUTH POINTE BLVD	CYPRESS LAKE DR	COLLEGE PKWY	2LD	E	910	C	514	0.56	C	540	0.59	
24200	SR 31 (ARCADIA RD)	SR 80	SR 78	2LN	D	766/1180	E	966	1.26	E	1,168	0.99	

FDOT TRAFFIC INFORMATION

ONLINE TRAFFIC DATA

SAN CARLOS BLVD.

N. OF MANTANZA PASS BRIDGE

FLORIDA DEPARTMENT OF TRANSPORTATION
TRANSPORTATION STATISTICS OFFICE
2023 HISTORICAL AADT REPORT

COUNTY: 12 - LEE

SITE: 6008 - SR 865/SAN CARLOS BLVD, 200' S OF PRESCOTT/N OF MATANZAS PASS, PTMS10, LCPR8

YEAR	AADT	DIRECTION 1	DIRECTION 2	*K FACTOR	D FACTOR	T FACTOR
2023	23000 X	0	0	9.00	53.80	5.90
2022	22000 X	0	0	9.00	53.70	8.30
2021	22000 T	0	0	9.00	53.10	4.10
2020	21500 S	0	0	9.00	52.80	5.70
2019	22000 F	0	0	9.00	53.30	3.10
2018	21982 C	0	0	9.00	54.50	2.60
2017	22000 F	0	0	9.00	54.50	3.60
2016	22352 C	N 11136	S 11216	9.00	54.50	2.80
2015	22387 C	N 11098	S 11289	9.00	53.80	2.80
2014	22728 C	N 11284	S 11444	9.00	53.90	5.20
2013	22603 C	N 11213	S 11390	9.00	54.30	3.10
2012	22194 C	N 11021	S 11173	9.00	54.70	3.00
2011	22541 C	N 11204	S 11337	9.00	54.60	3.50
2010	21796 C	N 10844	S 10952	9.08	55.72	2.80
2009	20711 C	N 9603	S 11108	9.75	56.00	3.10

AADT FLAGS: C = COMPUTED; E = MANUAL ESTIMATE; F = FIRST YEAR ESTIMATE
S = SECOND YEAR ESTIMATE; T = THIRD YEAR ESTIMATE; R = FOURTH YEAR ESTIMATE
V = FIFTH YEAR ESTIMATE; 6 = SIXTH YEAR ESTIMATE; X = UNKNOWN
*K FACTOR: STARTING WITH YEAR 2011 IS STANDARDK, PRIOR YEARS ARE K30 VALUES

LEE COUNTY
GENERALIZED LEVEL OF SERVICE
VOLUMES

Lee County
Generalized Peak Hour Directional Service Volumes
Urbanized Areas

April 2016 c:\input5

Uninterrupted Flow Highway

Level of Service

Lane	Divided	A	B	C	D	E
1	Undivided	130	420	850	1,210	1,640
2	Divided	1,060	1,810	2,560	3,240	3,590
3	Divided	1,600	2,720	3,840	4,860	5,380

Arterials

Class I (40 mph or higher posted speed limit)

Level of Service

Lane	Divided	A	B	C	D	E
1	Undivided	*	140	800	860	860
2	Divided	*	250	1,840	1,960	1,960
3	Divided	*	400	2,840	2,940	2,940
4	Divided	*	540	3,830	3,940	3,940

Class II (35 mph or slower posted speed limit)

Level of Service

Lane	Divided	A	B	C	D	E
1	Undivided	*	*	330	710	780
2	Divided	*	*	710	1,590	1,660
3	Divided	*	*	1,150	2,450	2,500
4	Divided	*	*	1,580	3,310	3,340

Controlled Access Facilities

Level of Service

Lane	Divided	A	B	C	D	E
1	Undivided	*	160	880	940	940
2	Divided	*	270	1,970	2,100	2,100
3	Divided	*	430	3,050	3,180	3,180

Collectors

Level of Service

Lane	Divided	A	B	C	D	E
1	Undivided	*	*	310	660	740
1	Divided	*	*	330	700	780
2	Undivided	*	*	730	1,440	1,520
2	Divided	*	*	770	1,510	1,600

Note: the service volumes for I-75 (freeway), bicycle mode, pedestrian mode, and bus mode should be from FDOT's most current version of LOS Handbook.

TRAFFIC DATA FROM LEE COUNTY

TRAFFIC DATA SYSTEM

STATION #44

ESTERO BLVD.

(N. OF DONORA BLVD.)

Location Info	
Location ID	44
Type	I-SECTION
Functional Class	-
Located On	ESTERO BLVD
NORTH OF	DONORA BLVD
Direction	2-WAY
Community	-
MPO_ID	
HPMS ID	
Agency	Lee County

Count Data Info	
Start Date	3/16/2022
End Date	3/17/2022
Start Time	12:00 AM
End Time	12:00 AM
Direction	2-WAY
Notes	
Count Source	
File Name	DataQuery_2022-22-03T08-45-47_SSM HD.txt
Weather	
Study	
Owner	LeeAuto
QC Status	Accepted

Interval: 15 mins

Time	15 Min				Hourly Count
	1st	2nd	3rd	4th	
00:00 - 01:00	23	24	27	32	106
01:00 - 02:00	25	20	25	16	86
02:00 - 03:00	13	11	10	10	44
03:00 - 04:00	8	6	5	12	31
04:00 - 05:00	6	6	15	20	47
05:00 - 06:00	28	29	33	50	140
06:00 - 07:00	60	73	98	125	356
07:00 - 08:00	144	157	201	251	753
08:00 - 09:00	223	251	270	282	1026
09:00 - 10:00	285	298	302	276	1161
10:00 - 11:00	247	224	236	253	960
11:00 - 12:00	157	185	203	284	829
12:00 - 13:00	222	195	193	222	832
13:00 - 14:00	245	132	209	207	793
14:00 - 15:00	202	213	206	176	797
15:00 - 16:00	200	150	160	141	651
16:00 - 17:00	116	129	123	144	512
17:00 - 18:00	157	147	149	193	646
18:00 - 19:00	175	180	180	168	703
19:00 - 20:00	166	174	150	200	690
20:00 - 21:00	173	163	141	136	613
21:00 - 22:00	145	108	111	143	507
22:00 - 23:00	127	101	79	75	382
23:00 - 24:00	54	44	33	36	167
TOTAL					12832

TRAFFIC DATA FROM HPE REPORT

CIVIL ENGINEERING
TDM
CONSULTING, INC.

43 Barkley Circle, Suite 200
Fort Myers, FL 33907
Phone 239-433-4231 Fax 239-433-9632
www.tdmcivilengineering.com

Project Name: Arches - FMB
Date Completed: 2/13/2024

	Estero Eastbound @ Old San Carlos				Estero Westbound @ Old San Carlos				Old San Carlos Northbound @ Estero				Old San Carlos Southbound @ Estero				
AM Start Time	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Total
7:00	5	7	0	0	0	21	12	0	0	0	0	0	1	0	0		46
7:15	6	3	0	0	0	30	14	0	0	0	0	0	3	0	0		57
7:30	5	10	0	0	0	39	23	0	0	0	0	0	0	0	2		79
7:45	7	5	0	0	0	23	16	0	0	0	0	0	5	0	1		58
8:00	6	9	0	0	0	35	14	0	0	0	0	0	2	0	1		68
8:15	11	13	0	0	0	35	24	0	0	0	0	0	3	0	5		92
8:30	18	11	0	0	0	46	14	0	0	0	0	0	1	0	4		95
8:45	10	10	0	0	0	64	31	0	0	0	0	0	4	0	4		124
9:00																	0
Total	69	70	0	0	0	293	149	0	0	0	0	0	20	0	18	0	618

PM Start Time	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Total
4:00	45	32	0	0	0	36	35	0	0	0	0	0	8	0	9		166
4:15	33	33	0	0	0	28	28	0	0	0	0	0	18	0	1		140
4:30	44	19	0	0	0	29	35	0	0	0	0	0	12	0	3		142
4:45	29	18	0	0	0	36	26	0	0	0	0	0	14	0	4		127
5:00	29	29	0	0	0	34	27	0	0	0	0	0	8	0	5		132
5:15	24	20	0	0	0	33	14	0	0	0	0	0	7	0	6		104
5:30	16	22	0	0	0	24	30	0	0	0	0	0	6	0	2		100
5:45	30	16	0	0	0	46	24	0	0	0	0	0	8	0	11		136
6:00																	0
Total	250	187	0	0	0	266	218	0	0	0	0	0	82	0	42	0	1046

43 Barkley Circle, Suite 200
Fort Myers, FL 33907
Phone 239-433-4231 Fax 239-433-9632
www.tdmcivilengineering.com

Project Name: Arches - FMB
Date Completed: 2/13/2024

	Estero Eastbound @ Crescent				Estero Westbound @ Crescent				Crescent Northbound @ Estero				Crescent Southbound @ Estero				
AM Start Time	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Total
7:00	9	121	0		0	55	4		0	0	0		2	0	0		191
7:15	4	155	0		0	73	1		0	0	0		4	0	0		237
7:30	6	163	0		0	76	1		0	0	0		3	0	2		251
7:45	5	172	0		0	79	3		0	0	0		2	0	0		261
8:00	3	165	0		0	74	2		0	0	0		5	0	1		250
8:15	4	164	0		0	70	6		0	0	0		1	0	3		248
8:30	2	155	0		0	81	4		0	0	0		3	0	1		246
8:45	2	165	0		0	93	1		0	0	0		2	0	4		267
9:00																	0
Total	35	1260	0	0	0	601	22	0	0	0	0	0	22	0	11	0	1951

PM Start Time	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Total
4:00	16	145	0		0	142	6		0	0	0		8	0	3		320
4:15	21	151	0		0	151	9		0	0	0		9	0	2		343
4:30	18	159	0		0	149	3		0	0	0		7	0	2		338
4:45	14	161	0		0	148	2		0	0	0		5	0	3		333
5:00	21	164	0		0	151	4		0	0	0		10	0	6		356
5:15	18	162	0		0	154	3		0	0	0		7	0	4		348
5:30	14	159	0		0	151	3		0	0	0		5	0	3		335
5:45	16	157	0		0	151	4		0	0	0		6	0	5		339
6:00																	0
Total	138	1258	0	0	0	1197	34	0	0	0	0	0	57	0	28	0	2712

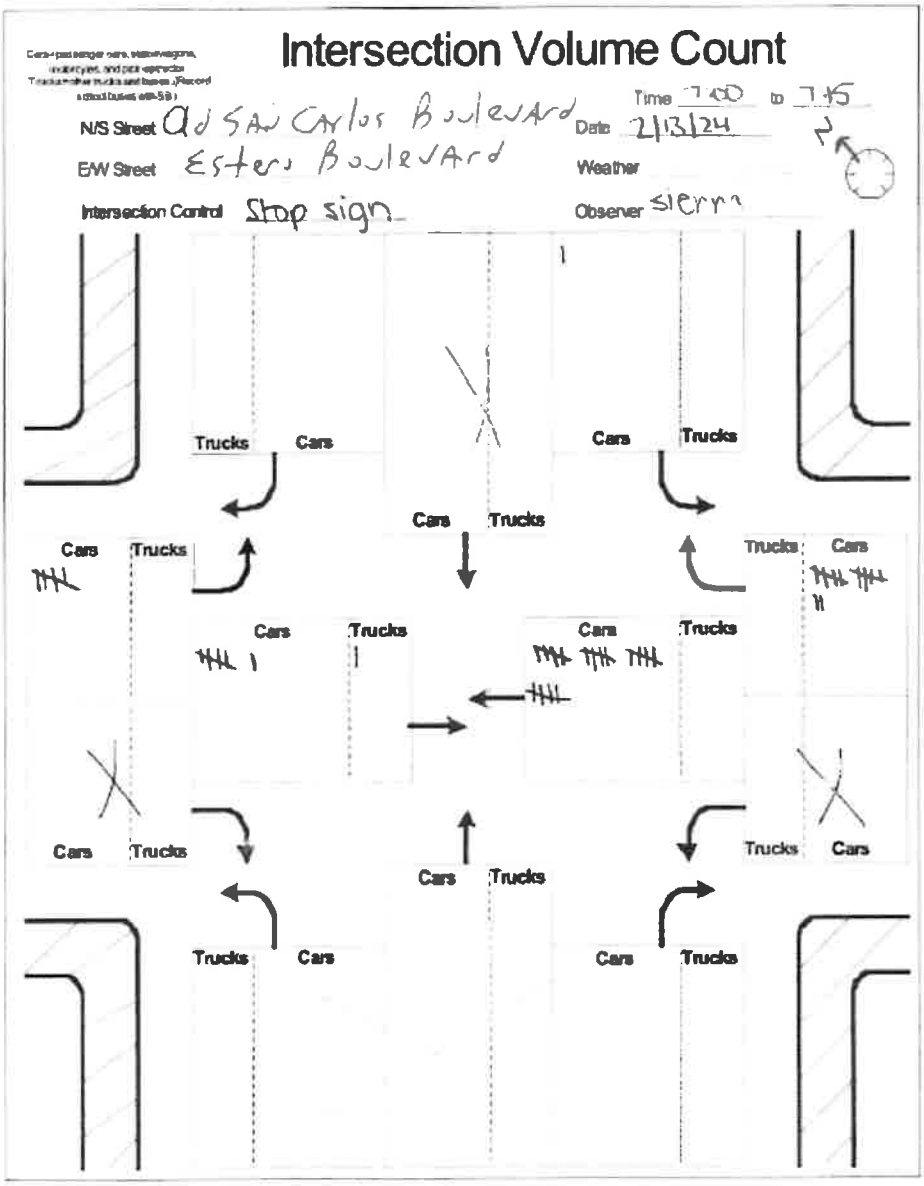
43 Barkley Circle, Suite 200
Fort Myers, FL 33907
Phone 239-433-4231 Fax 239-433-9632
www.tdmcivilengineering.com

Project Name: Arches - FMB
Date Completed: 2/13/2024

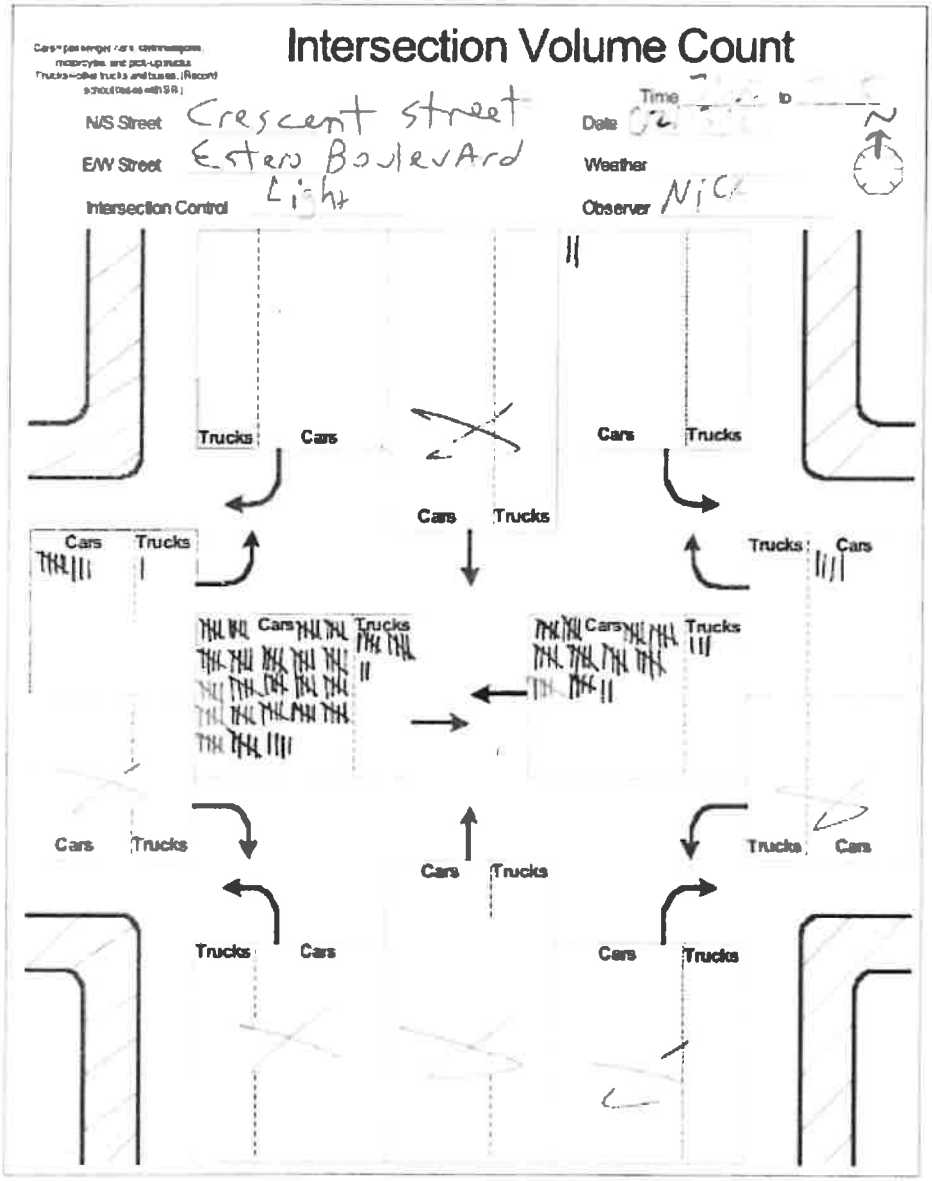
	Third Eastbound @ Old San Carlos				Third Westbound @ Old San Carlos				Old San Carlos Northbound @ Third				Old San Carlos Southbound @ Third				
AM Start Time	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Total
7:00	0	4	1		0	0	0		4	2	12		1	2	0		26
7:15	1	2	1		0	0	0		7	4	4		0	3	0		22
7:30	0	0	0		0	0	0		12	1	13		0	2	0		28
7:45	0	2	0		0	0	0		4	2	11		0	3	0		22
8:00	0	2	0		0	0	0		7	6	13		1	1	1		31
8:15	0	2	3		0	0	0		8	9	11		0	5	0		38
8:30	0	1	4		0	0	0		4	7	18		4	1	4		43
8:45	0	5	2		0	0	0		9	9	19		2	7	1		54
9:00																	0
Total	1	18	11	0	0	0	0	0	55	40	101	0	8	24	6	0	264

PM Start Time	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Total
4:00	1	5	1		0	0	0		4	18	70		4	6	1		110
4:15	0	8	1		0	0	0		3	20	38		2	6	1		79
4:30	0	10	2		0	0	0		7	20	54		7	5	1		106
4:45	1	7	1		0	0	0		5	19	30		4	6	2		75
5:00	2	6	2		0	0	0		3	11	28		8	7	0		67
5:15	0	4	1		0	0	0		3	10	33		3	8	2		64
5:30	1	3	0		0	0	0		6	13	18		2	4	0		47
5:45	0	8	2		0	0	0		5	15	27		2	12	0		71
6:00																	0
Total	5	51	10	0	0	0	0	0	36	126	298	0	32	54	7	0	619

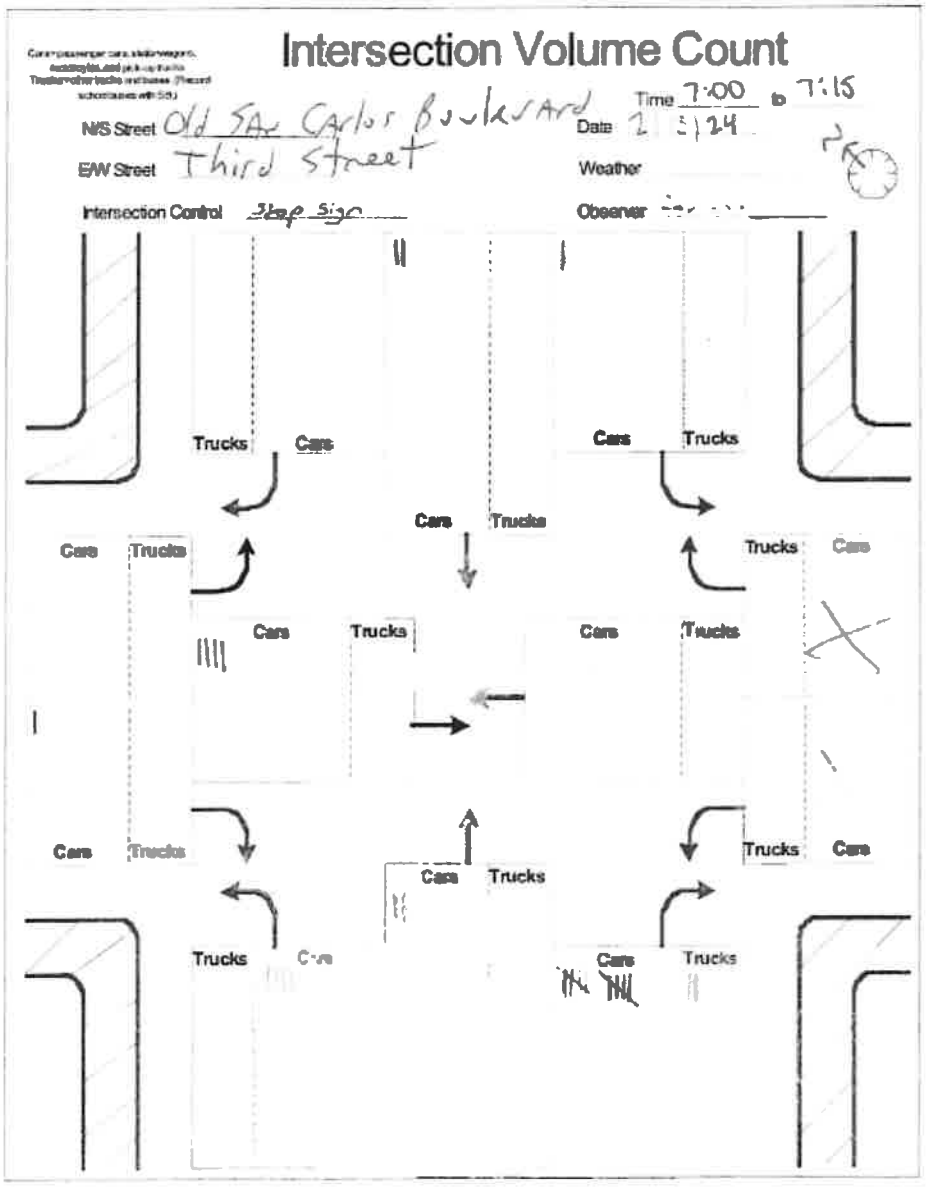
APPENDIX B: TRAFFIC VOLUME COUNT INTERSECTION TALLY SHEET



APPENDIX B: TRAFFIC VOLUME COUNT INTERSECTION TALLY SHEET



APPENDIX B: TRAFFIC VOLUME COUNT INTERSECTION TALLY SHEET



TRIP GENERATION EQUATIONS

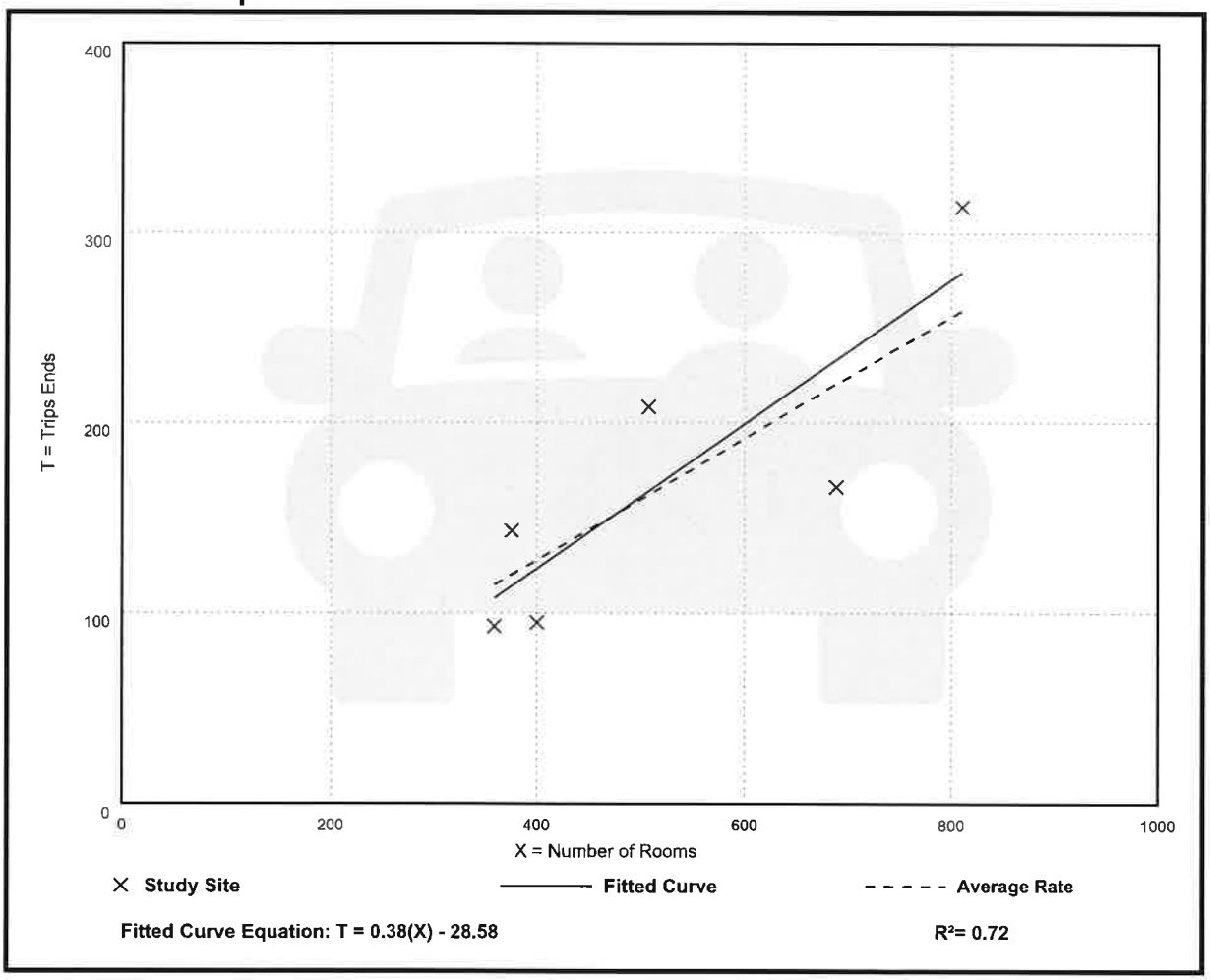
Resort Hotel
(330)

Vehicle Trip Ends vs: Rooms
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 7 and 9 a.m.
Setting/Location: General Urban/Suburban
Number of Studies: 6
Avg. Num. of Rooms: 524
Directional Distribution: 72% entering, 28% exiting

Vehicle Trip Generation per Room

Average Rate	Range of Rates	Standard Deviation
0.32	0.24 - 0.41	0.08

Data Plot and Equation



Fitted Curve Equation: T = 0.38(X) - 28.58

R^2= 0.72

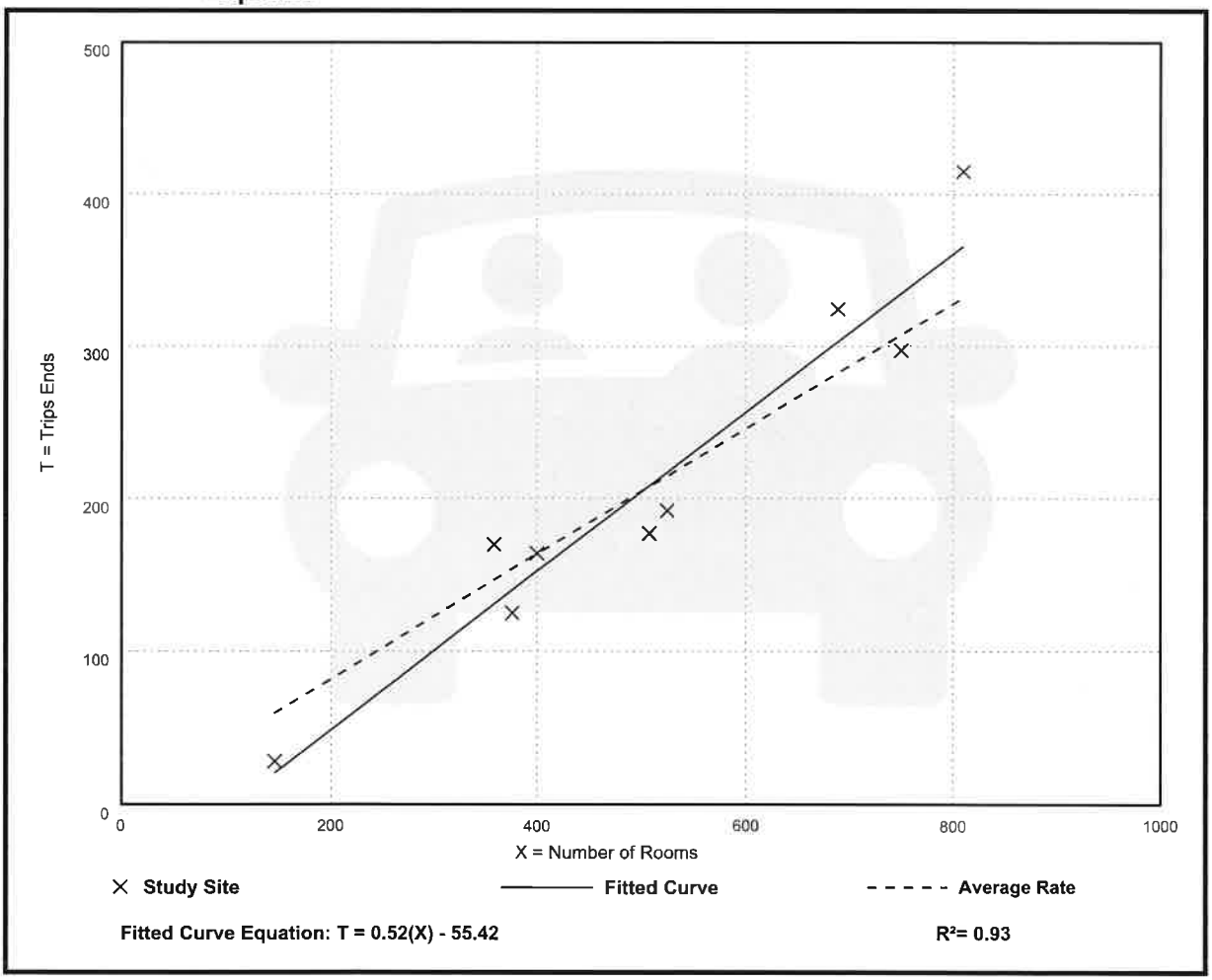
Resort Hotel
(330)

Vehicle Trip Ends vs: Rooms
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.
Setting/Location: General Urban/Suburban
Number of Studies: 9
Avg. Num. of Rooms: 507
Directional Distribution: 43% entering, 57% exiting

Vehicle Trip Generation per Room

Average Rate	Range of Rates	Standard Deviation
0.41	0.19 - 0.51	0.08

Data Plot and Equation



Fitted Curve Equation: T = 0.52(X) - 55.42

R^2= 0.93

Resort Hotel
(330)

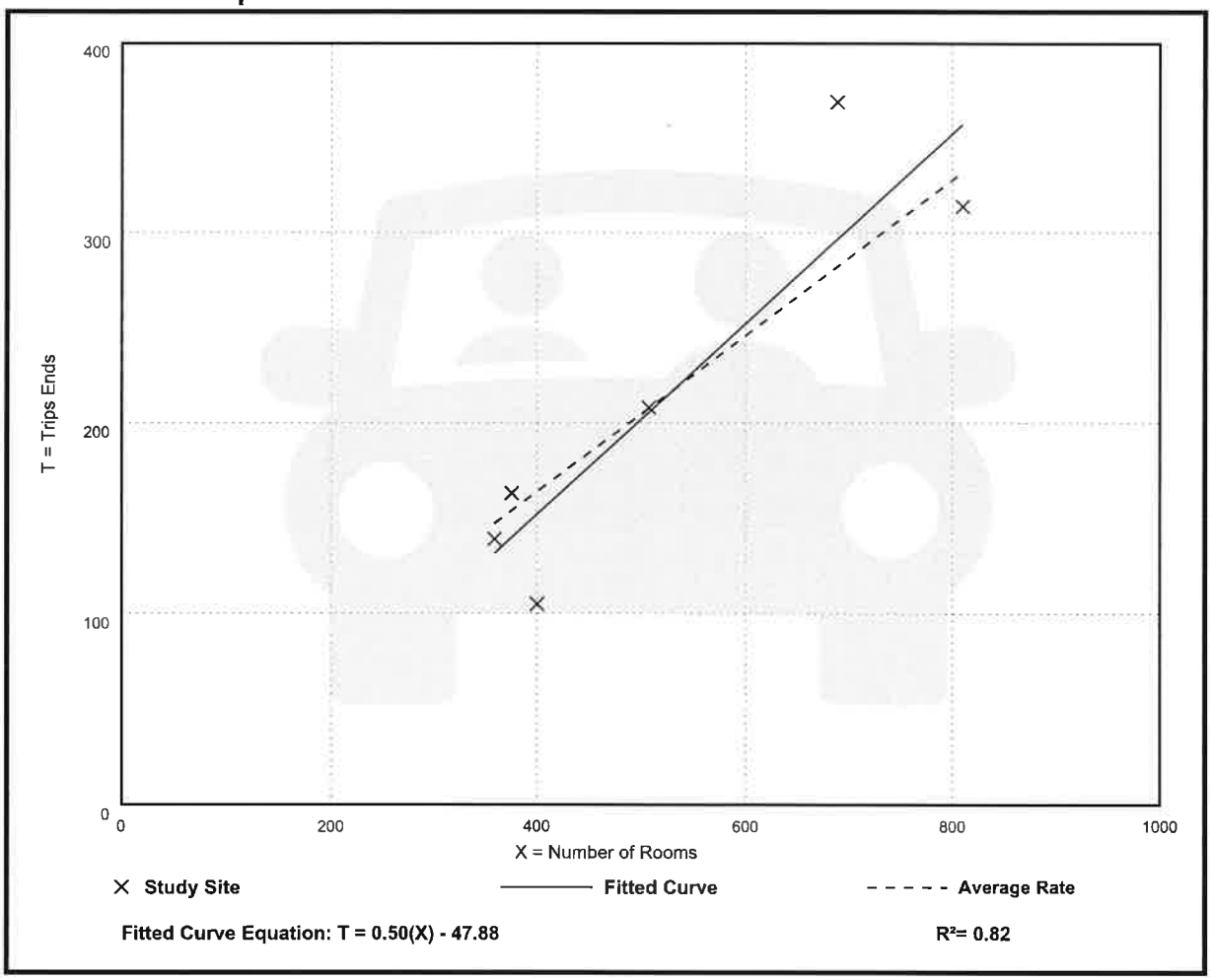
Vehicle Trip Ends vs: Rooms
On a: Weekday,
AM Peak Hour of Generator

Setting/Location: General Urban/Suburban
Number of Studies: 6
Avg. Num. of Rooms: 524
Directional Distribution: 63% entering, 37% exiting

Vehicle Trip Generation per Room

Average Rate	Range of Rates	Standard Deviation
0.41	0.26 - 0.54	0.09

Data Plot and Equation



Fitted Curve Equation: T = 0.50(X) - 47.88

R^2= 0.82

Marina
(420)

Vehicle Trip Ends vs: Berths
On a: Weekday

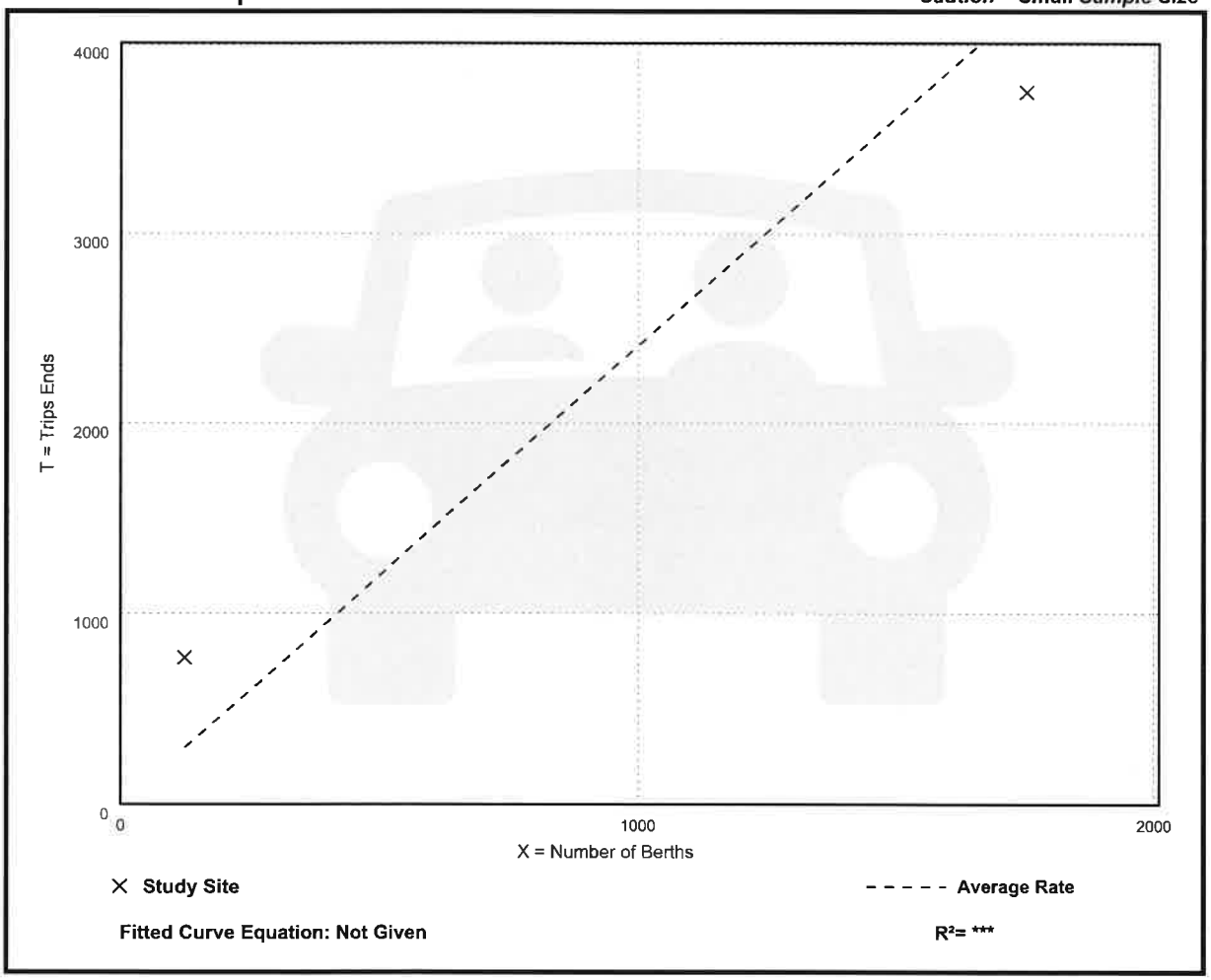
Setting/Location: General Urban/Suburban
Number of Studies: 2
Avg. Num. of Berths: 939
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per Berth

Average Rate	Range of Rates	Standard Deviation
2.41	2.14 - 6.21	***

Data Plot and Equation

Caution – Small Sample Size



Fitted Curve Equation: Not Given

R^2= *

Marina
(420)

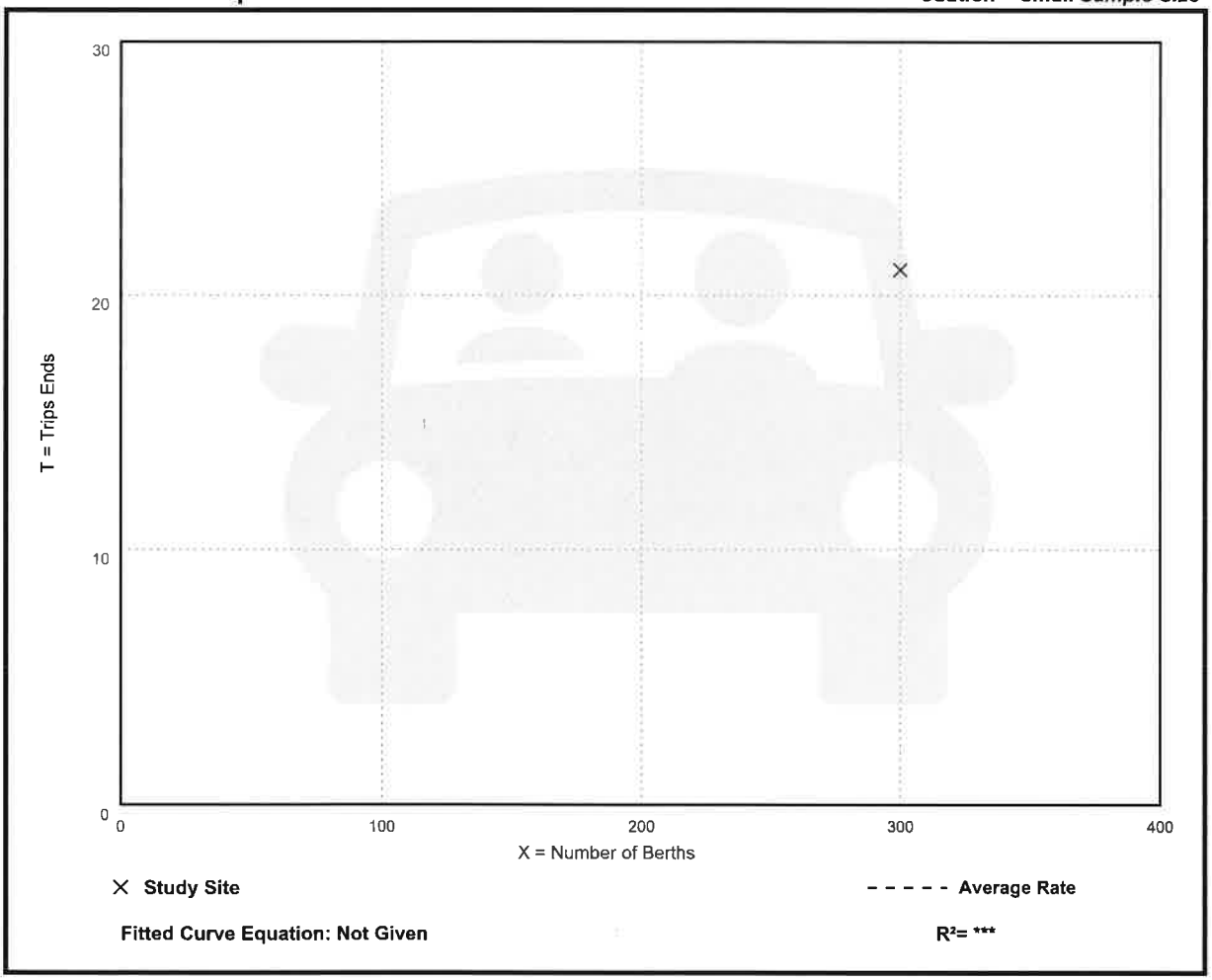
Vehicle Trip Ends vs: Berths
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 7 and 9 a.m.
Setting/Location: General Urban/Suburban
Number of Studies: 1
Avg. Num. of Berths: 300
Directional Distribution: 33% entering, 67% exiting

Vehicle Trip Generation per Berth

Average Rate	Range of Rates	Standard Deviation
0.07	0.07 - 0.07	***

Data Plot and Equation

Caution – Small Sample Size



Fitted Curve Equation: Not Given

R^2= *

Marina
(420)

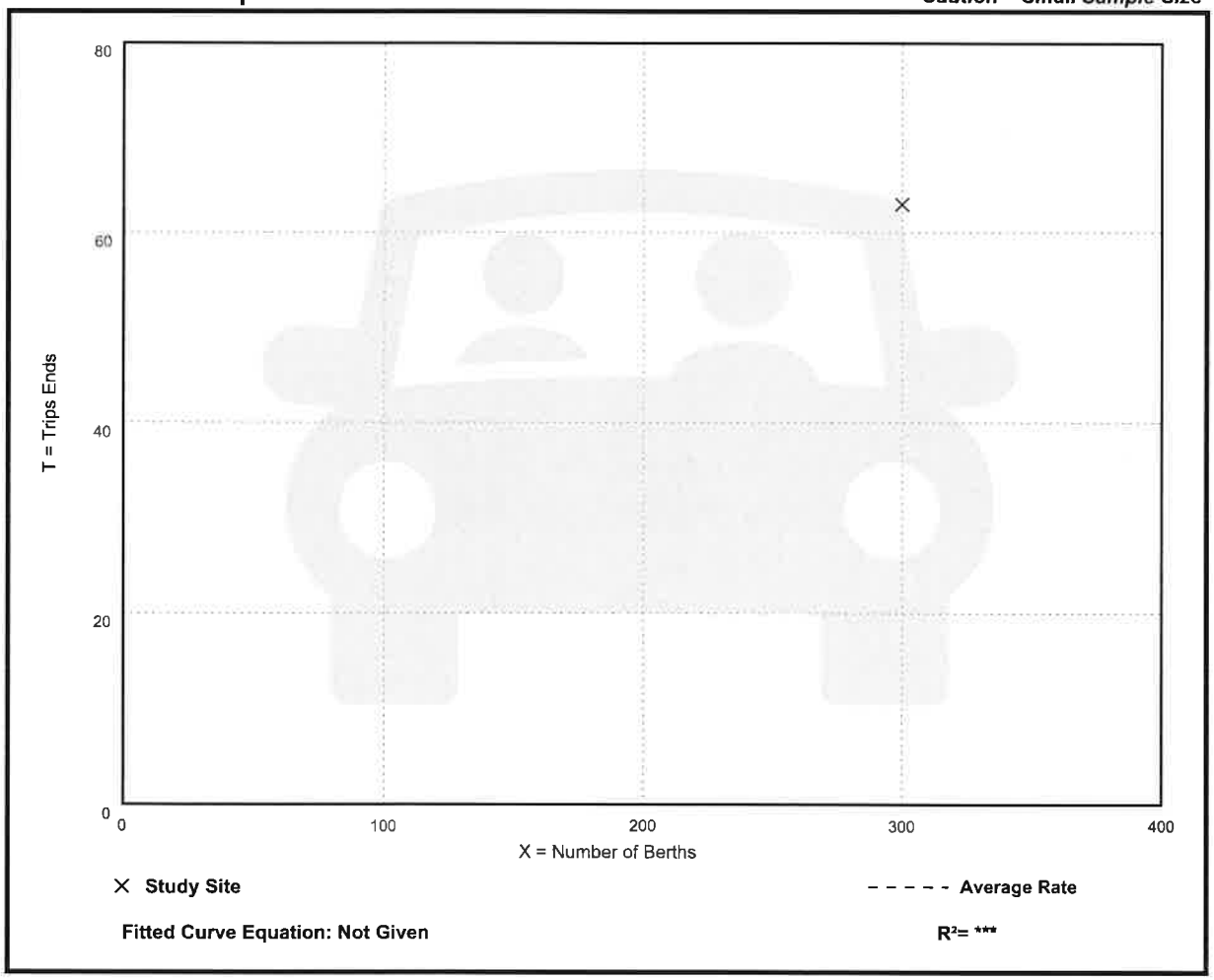
Vehicle Trip Ends vs: Berths
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.
Setting/Location: General Urban/Suburban
Number of Studies: 1
Avg. Num. of Berths: 300
Directional Distribution: 60% entering, 40% exiting

Vehicle Trip Generation per Berth

Average Rate	Range of Rates	Standard Deviation
0.21	0.21 - 0.21	***

Data Plot and Equation

Caution – Small Sample Size



MEMORANDUM

AIM Engineering & Surveying, Inc.

Tampa Office
201 E. Kennedy Boulevard, Suite 1800
Tampa, Florida 33602
813-627-4144
www.aimengr.com

Date:	May 9, 2025
To:	Judith Frankel, AICP – Principal Planner, Community Development Town of Fort Myers Beach Kendra Rosa – Zoning Coordinator, Town of Fort Myers Beach
From:	Michael Adams, AICP – AIM Engineering & Surveying
Subject:	Arches Bayfront Resort Traffic Impact Statement – Review Comments

We have reviewed the April 29, 2025 Traffic Impact Statement (TIS) prepared by TR Transportation Consultants, Inc. for the proposed Arches Bayfront Resort. Based on our review of the information provided, we have the following comments:

1. Page 7, Level of Service Analysis & Intersection Analysis:
    a. In Table 2A, nine (9) years are included in the column labeled "Yrs of Growth". Footnote #1 implies that the annual growth rate was calculated using nine years of AADT volume data from the Florida Traffic Online database. There are no historic growth trend analyses conducted using the FDOT's Traffic Trends software included in any of the appendices. In addition, there are no annual growth rate calculations (conducted using any other method) included in an appendix, although the text on page 7 and the footnote in Table 2A said a two percent (2%) yearly compounded growth rate was used. The annual growth rate calculations should be included in an appendix (and the word "calculating" should be replaced with the word "calculated" in the footnote in Table 2A.) Also, if the text on page 7, second paragraph, states that "there has been very little traffic increase on Estero Boulevard in the past eight (8) years", the inclusion of 9 years in the "Yrs of Growth" column (instead of 8 years) seems questionable.

2. Page 8, please include a table that summarizes the existing (2022) a.m. and p.m. peak hour two-way volumes, the 2027 a.m. and p.m. peak hour two-way background traffic volumes, and the 2027 a.m. and p.m. peak hour two-way total traffic volumes (i.e., background + project traffic volumes) for the count station location at Estero Boulevard/Donora Boulevard for the reader to more easily understand.

3. Page 10 and 11, Table 3, Table 4, and Table 5: Please revise the last two lines in the table to indicate these are intersection LOS and delay. For example, label the last two lines as "Int. LOS/Delay".

4. Page 11, Table 5: The 2027 Projected Background + Project Traffic Conditions for the eastbound left turning movement during the p.m. peak hour should be LOS B, not LOS C. The westbound

through movement for the same scenario during the p.m. peak hour should be LOS D, not LOS E.

5. Page 11, Second Paragraph: Please delete this paragraph. It is in our professional opinion that this does not belong in a TIS, but in another developer agreement with the Town.

6. Page 12, Last Paragraph: Please delete this paragraph. It is in our professional opinion that this does not belong in a TIS, but in another developer agreement with the Town.

7. Traffic Volume Figures and SYNCHRO Analysis (in the Appendix):
    a. Intersection of Estero Boulevard/Cresent Street: In the *2024 Existing AM Peak Hour* and the *Future 2027 AM Peak Hour* scenarios, the Traffic Volume Figures and SYNCHRO analyses both have the eastbound through volume as 649 vehicles. Please update the eastbound through volumes to include background and project traffic in the *Future 2027 AM Peak Hour* Traffic Volume Figures and revise the 2027 SYNCHRO analysis to reflect this revised traffic volume for this intersection.

If you have any questions about any of these comments and would like to discuss these in more detail, please contact us at your earliest convenience.

Town of Fort Myers Beach
Community Development Services - Planning Division
2731 Oak St,
Fort Myers Beach, FL 33931

NOTICE TO PROPERTY OWNERS WITHIN 500 FEET

Notice is hereby given that the Local Planning Agency/Town Council of the Town of Fort Myers Beach will be conducting a public hearing at the Town Hall Council Chambers located at 2731 Oak St, Fort Myers Beach, Florida, 33931.

TIME: 9 AM
DATE: LPA April 8, 2025; 1st Town Council May 5, 2025; 2nd Town Council June 2 , 2025
CASE: 20230151 and 202320230152
ADDRESS: 450/445/441/436 Harbor Court, 435/438 Bonita Street, 935/939 Third Street and 401 Old San Carlos Blvd.
APPLICANT: Freeland FL Holdings, LLC,/The Neighborhood Company
REQUEST: Requesting a rezoning to a CPD for a 239 unit resort hotel with restaurants, retail and public space

TOWN CONTACT: JUDITH FRANKEL JFRANKEL@FMBGOV.COM

You may appear in person, through counsel, or through an authorized agent and provide testimony, legal argument, or other evidence. At this hearing, the **Local Planning Agency/ Town Council** will review the application materials and hear testimony to make a **recommendation/ decision**. Complete records or transcripts of the proceedings are not provided by the Town.

Copies of the application and staff report are available for viewing at Fort Myers Beach Town Hall. Call 239-765-0202 for more information. Town Hall is open between the hours of 8:30 AM and 4:30 PM. Reasonable accommodations will be made in accordance with the Americans with Disabilities Act. If you need reasonable accommodation, contact Town Hall at 239-765-0202.

Town of Fort Myers Beach
Community Development Services - Planning Division
2731 Oak St,
Fort Myers Beach, FL 33931

NOTICE TO PROPERTY OWNERS WITHIN 500 FEET

Notice is hereby given that the Local Planning Agency/Town Council of the Town of Fort Myers Beach will be conducting a public hearing at the Town Hall Council Chambers located at 2731 Oak St, Fort Myers Beach, Florida, 33931.

TIME: 9 AM
DATE: LPA April 8, 2025; 1st Town Council May 5, 2025; 2nd Town Council June 2 , 2025
CASE: 20230151 and 202320230152
ADDRESS: 450/445/441/436 Harbor Court, 435/438 Bonita Street, 935/939 Third Street and 401 Old San Carlos Blvd.
APPLICANT: Freeland FL Holdings, LLC,/The Neighborhood Company
REQUEST: Requesting a rezoning to a CPD for a 239 unit resort hotel with restaurants, retail and public space

TOWN CONTACT: JUDITH FRANKEL JFRANKEL@FMBGOV.COM

You may appear in person, through counsel, or through an authorized agent and provide testimony, legal argument, or other evidence. At this hearing, the **Local Planning Agency/ Town Council** will review the application materials and hear testimony to make a **recommendation/ decision**. Complete records or transcripts of the proceedings are not provided by the Town.

Copies of the application and staff report are available for viewing at Fort Myers Beach Town Hall. Call 239-765-0202 for more information. Town Hall is open between the hours of 8:30 AM and 4:30 PM. Reasonable accommodations will be made in accordance with the Americans with Disabilities Act. If you need reasonable accommodation, contact Town Hall at 239-765-0202.

Town of Fort Myers Beach
Community Development Services - Planning Division
2731 Oak St,
Fort Myers Beach, FL 33931

NOTICE TO PROPERTY OWNERS WITHIN 500 FEET

Notice is hereby given that the Local Planning Agency/Town Council of the Town of Fort Myers Beach will be conducting a public hearing at the Town Hall Council Chambers located at 2731 Oak St, Fort Myers Beach, Florida, 33931.

TIME: 9 AM
DATE: LPA April 8, 2025; 1st Town Council May 5, 2025; 2nd Town Council June 2 , 2025
CASE: 20230151 and 202320230152
ADDRESS: 450/445/441/436 Harbor Court, 435/438 Bonita Street, 935/939 Third Street and 401 Old San Carlos Blvd.
APPLICANT: Freeland FL Holdings, LLC,/The Neighborhood Company
REQUEST: Requesting a rezoning to a CPD for a 239 unit resort hotel with restaurants, retail and public space

TOWN CONTACT: JUDITH FRANKEL JFRANKEL@FMBGOV.COM

You may appear in person, through counsel, or through an authorized agent and provide testimony, legal argument, or other evidence. At this hearing, the **Local Planning Agency/ Town Council** will review the application materials and hear testimony to make a **recommendation/ decision**. Complete records or transcripts of the proceedings are not provided by the Town.

Copies of the application and staff report are available for viewing at Fort Myers Beach Town Hall. Call 239-765-0202 for more information. Town Hall is open between the hours of 8:30 AM and 4:30 PM. Reasonable accommodations will be made in accordance with the Americans with Disabilities Act. If you need reasonable accommodation, contact Town Hall at 239-765-0202.

Town of Fort Myers Beach
2731 Oak St,
Fort Myers Beach, FL 33931

«OwnerName»
«MailAddress»
«MailCity», «MailState», «MailZip»«Next Record»

Town of Fort Myers Beach
2731 Oak St,
Fort Myers Beach, FL 33931

«OwnerName»
«MailAddress»
«MailCity», «MailState», «MailZip»«Next Record»

Town of Fort Myers Beach
2731 Oak St,
Fort Myers Beach, FL 33931

«OwnerName»
«MailAddress»
«MailCity», «MailState», «MailZip»«Next Record»

Town of Fort Myers Beach
2731 Oak St,
Fort Myers Beach, FL 33931

«OwnerName»
«MailAddress»
«MailCity», «MailState», «MailZip»

THE NEIGHBORHOOD COMPANY

February 25, 2025

Town of Fort Myers Beach
Community Development Department
Attn: Ms. Judith Frankel
2525 Estero Blvd.
Fort Myers Beach, FL 33931

Subject: **Response to Staff Email (01-15-25) Comments for DCI Application #20230151 CPD Rezone - Moss Marina/The Arches Bayfront Resort**

Dear Ms. Frankel:

Please accept this letter and revised documents in response to your email dated January 15, 2025, providing further comments/notes based on our coordination call. We have also included revised application/supplemental submittal documents, and a response document related to unresolved TIS comments from the town.

In reply to your review comments, we offer the following responses in **bold**:

Fire Comments:

1. Previously there was access provided between Harbor Ct and Bonita Street, can this be added back? Even with green space, we could have the required stabilized base to provide for access?

   Response: The applicant commits to providing at the time of development order approval an accessible stabilized surface meeting the required width between Harbor Ct. and Bonita Street for emergency and fire personnel and vehicles. The MCP (Sheet 2) has been revised to note this commitment.

2. There appear to be walkovers added that may affect access between buildings C & D?

   Response: The applicant is agreeable to a condition that all proposed walkovers will be designed at time of development order approval to allow fire and emergency vehicle access.

3. Provide information/clarification on what the Night Controlled Access will be?

   Response: Night controlled access will be a system of gated sections with keypad or scanning capabilities to only allow employees, current registered owners/guests of the property and emergency personnel to enter and exit the property from these locations during the night (1 hour after sunset).

5618 Whispering Willow Way, Fort Myers, FL 33908 | 850.803.5621
www.theneighborhood.company

Comments/Pointe of Clarification were prepared by Judith Frankel, AICP:

1. Promenade width.

   RESPONSE: As conceptually proposed, the promenade width will vary depending on final development plans at the time of development order approval. The applicant is proposing the following condition to ensure the promenade width is adequate for pedestrians to comfortably walk:

   - **An unobstructed walkable "clear zone" will be maintained at a minimum of 10 feet and an average 12 feet wide and that will vary in location within the Bayfront Public Promenade area as noted and shown on the approved Master Concept Plan.**

2. Proposed Number of Boat Slips:

   RESPONSE: Per our parking analysis outlined in the narrative, there are 75 proposed boat slips, inclusive of 6 charter/party fishing boat slips.

3. Updated renderings, including for Building E buffer detail:

   RESPONSE: See the attached renderings and exhibit for the proposed Type A buffer adjacent to the canal and Building E.

4. Expected use (or restrictions) of north access from Old San Carlos to Arches Way; safety considerations for pedestrians i.e. lights, sidewalks

   RESPONSE: This existing access will continue to function as it does today. All modes of transportation can use this access to move between properties as permitted. An existing ingress/egress easement is in place to allow access between Old San Carlos and the existing Moss Marine property and the proposed Arches Way. While we cannot restrict existing access, no guests, owners and/or visitors in vehicles, biking, walking, or on transit will be directed to use this access. The majority will be directed to the Arches development via 3rd Street to the proposed Arches Way roadway.

5. Conditions related to noise/sound mitigation from Bldg. E

   RESPONSE: The Applicant proposes the following condition:

   - **Outdoor live amplified music or entertainment will not be permitted on Building E's guest pool deck. Amplified ambient music will be permitted from 10am to 1 hour after sunset.**

6. Seawall at Boat Ramp permit – potential Deviation with condition for DEP approval

   RESPONSE: The current submittal includes Deviation #5 that seeks a deviation from LDC Section 26-77(b), which states that new or expanded seawalls are not allowed along natural waterbodies in order to allow the existing boat ramp to be filled-in and

5618 Whispering Willow Way, Fort Myers, FL 33908 | 850.803.5621
www.theneighborhood.company

capped with a seawall. This effort will not include any expansion or intrusion into the "Back-Bay" and corrects and eliminates an unsafe condition where the existing derelict boat ramp will be filled-in.

The applicant has retained a consultant to further coordinate and seek approval with all state and federal agencies.

7. Detail of arrangement with Town for facility use or reservation for the Town

   RESPONSE: The applicant will coordinate with the Town at the time of development order approval to have a legally binding agreement between the Town and the developer/operator for use of the applicable facilities (pump out/fueling services for the town's mooring field) within the Arches development.

8. Details of COP for sunset deck due to proximity to neighbors, i.e. music restrictions

   RESPONSE: MCP Sheet 3 of 5 indicates the locations of the proposed outdoor consumption on premises (COP). As stated previously, outdoor amplified music or entertainment (amplified sound) will not be oriented towards adjacent residential uses and is permitted until 9 pm within Building B's Sunset Deck area.

9. Bonita Street/Harbor Ct turn arounds to prevent resident driveway use

   RESPONSE: The MCP indicates the access points at Harbor Ct. and Bonita St. provide for "Emergency/Limited Access Only." "Limited Access" is intended to allow vehicles that have unintentionally driven down Harbor Court or Bonita Street to temporarily access the Arches property; maneuver through the turn-around area; and then exit the property. Buildings D and E will have gates restricting access to the buildings so that non-guest/owner vehicles will not be able to have access to the under-building parking areas. Signage will be placed along 3rd Street informing motorists that 3rd Street is for local traffic only (DEAD-END or NO THRU TRAFFIC) and direct visitors and guests/owners down Arches Way to the main entrance.

We look forward to coordinating with you further and are available to answer questions related to this response.

Sincerely,
The Neighborhood Company



Kenrick S. Gallander, AICP
Vice President and Partner

cc: File: #24011.01.02
Mr. Ben Freeland
Mr. Thomas Freeland

5618 Whispering Willow Way, Fort Myers, FL 33908 | 850.803.5621
www.theneighborhood.company

COMMUNITY DEVELOPMENT DEPARTMENT
APPLICATION for PUBLIC HEARING

This is a first part of a two-part application. Please be sure to fill out this form, which requires general information, as well as the Supplemental Form application specific to action requested for the subject property. Please submit a complete Public Hearing application with required, supplemental information, exhibits and documents to zoningpermits@fmbgov.com. Please do not submit the instructions at the end of the application.

Site Address: 401 San Carlos Blvd

STRAP Number: See attached parcel information narrative

Applicant: Freeland FL Holdings, LLC Phone: 615-337-7671

Contact Name: Ken Gallander/Pat Vanasse - The Neighborhood Company Phone: 850-803-5621

Email: kg@theneighborhood.company; pv@theneighborhood.company Fax: _____

Current Zoning District: DOWNTOWN, MARINA, & RESIDENTIAL CONSERVATION

Future Land Use Map (FLUM) Category: PEDESTRIAN COMMERCIAL, MARINA, & MIXED RESIDENTIAL

FLUM Density Range: _____ Platted Overlay: ☑ YES ☐ NO

ACTION REQUESTED	SUPPLEMENTAL FORM REQUIRED
☐ Special Exception	PH-A
☐ Variance	PH-B
☐ Conventional Rezoning	PH-C
☐ Planned Development ☐ Commercial ☐ Residential	PH-D
☐ Master Concept Plan Extension	PH-E
☐ Appeal of Administrative Action	PH-F
☐ Vacation of Platted Right-of-way and Easement	PH-G
☑ Other – cite LDC Section: Comp Plan Amendment	attach on separate sheet

PART I – General Information

A. Applicant*: Ben Freeland Phone: (615) 337-7671

**Applicant must submit a statement under oath that he/she is the authorized representative of the property owner. Please see PART III to complete the appropriate Affidavit form for the type of applicant.*

Applicant Mailing Address: 5333 Hickory Hollow Parkway, Anitoch, TN 37013

Email: Ben.Freeland@freelandauto.com Fax: _____

Contact Name: Ben Freeland Phone: (615) 337-7671

Town of Fort Myers Beach 2525 Estero Blvd Fort Myers Beach, Florida 33931
Phone: 239-765-0202 zoningpermits@fmbgov.com Fax: 239-765-0909

B. Relationship of Applicant to subject property:

☐ Owner* ☐ Land Trust* ☐ Partnership*
☑ Corporation* ☐ Association* ☐ Condominium*
☐ Subdivision* ☐ Timeshare Condo* ☐ Contract Purchaser*
☐ Authorized Representative* ☐ Other* (please indicate)_____

**Applicant must submit a statement under oath that he/she is the authorized representative of the property owner. Please see PART III to complete the appropriate Affidavit form for the type of applicant.*

C. Authorized Agent(s). Please list the name of Agent authorized to receive correspondence Agents

Name: Ken Gallander/Pat Vanasse - The Neighborhood Company Phone: 850-803-5621

Address: 5618 Whispering Willow Way

Email: kg@theneighborhood.company; pv@theneighborhood.company Fax: _____

D. Other Agent(s). Please list the names of all Authorized Agents (attach extra sheets if necessary)

Name: Bruce Strayhorn Esq. Phone: (239) 334-1260

Address: 2125 1st Street, Fort Myers, FL 33901

Email: bruce@strayhornlaw.com Fax: _____

Name: _____ Phone: _____

Address: _____

Email: _____ Fax: _____

PART II – Nature of Request

Requested Action (each request requires a separate application)

☐ Special Exception

☐ Variance from LDC Section _____ - _____

☐ Conventional Rezoning from _____ to _____

☐ Planned Development

☐ Rezoning from _____ to ☐ Commercial PD ☐ Residential PD

☐ Amendment. List the project number: _____

☐ Extension/reinstatement of Master Concept Plan. List project number: _____

Town of Fort Myers Beach 2525 Estero Blvd Fort Myers Beach, Florida 33931
Phone: 239-765-0202 zoningpermits@fmbgov.com Fax: 239-765-0909

☐ Appeal of Administrative Action

☐ Vacation ☐ Right-of-Way ☐ Easement

☑ Other. Please Explain: Comprehensive Plan Map Change

PART III – Waivers

Please indicate any specific submittal items that have been waived by the Director for the request. Attach a copy of the signed approval as Exhibit 3-1. (Use additional sheets if necessary)

Code Section: 34-212(6) Description: Temporary waiver of Traffic Impact Statement to allow methodology determination

Code Section: _____ Description: _____

Code Section: _____ Description: _____

PART IV – Property Ownership (Single Owner)

☐ Single Owner (individual or husband and wife)

Name: _____ Phone: _____

Mailing Address: _____

Email: _____ Fax: _____

AFFIDAVIT
APPLICATION IS SIGNED BY AN INDIVIDUAL OWNER OR APPLICANT

I, _____ swear or affirm under oath, that I am the owner or the authorized representative of the owner(s) of the property and that:

I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the Town of Fort Myers Beach in accordance with this application and the Land Development Code;
All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;

I have authorized the staff of the Town of Fort Myers Beach Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made thru this application; and that
The property will not be transferred, conveyed, sold or subdivided unencumbered by the conditions and restrictions imposed by the approved action.

_____ _____
Signature Printed Name

STATE OF _____ COUNTY OF _____

The foregoing instrument was certified and subscribed before me by means of ____ physical presence OR _____ online notarization, this _____day of _____, 20_____, by _____, ☐ who is personally known to me OR ☐ who has produced _____ as identification.

(SEAL) _____
Notary Public Signature

PART V
Property Ownership (Multiple Owners)

☐ Multiple Owners (including corporation, partnership, trust, association, condominium, timeshare, or subdivision)

- ☐ Complete Disclosure of Interest Form (see below)
- ☐ Attach list of property owners as Exhibit 5-1
- ☐ Attach map showing property owners interests as Exhibit 5-2 (for multiple parcels)
- ☐ For condominiums and timeshares see Explanatory Notes Part V – Exhibit 5-3
- ☐ Letter of Opinion - Exhibit 5-4

DISCLOSURE OF OWNERSHIP INTEREST

If the property is owned in fee simple by an INDIVIDUAL, tenancy by the entirety, tenancy in common, or joint tenancy, list all parties with an ownership interest as well as the percentage of such interest.

Name and Address	Percentage Ownership
_____	_____
_____	_____
_____	_____
_____	_____

Town of Fort Myers Beach 2525 Estero Blvd Fort Myers Beach, Florida 33931
Phone: 239-765-0202 zoningpermits@fmbgov.com Fax: 239-765-0909

If the property is owned by a CORPORATION, list the officers and stockholders and the percentage of stock owned by each.

Name, Address and Office	Percentage of Stock

If the property is in the name of a TRUSTEE, list the beneficiaries of the trust with percentage of interest.

Name and Address	Percentage of Interest

If the property is in the name of a GENERAL PARTNERSHIP OR LIMITED PARTNERSHIP, list the names of the general and limited partners.

Name and Address	Percentage of Ownership

If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the officers, stockholders, beneficiaries, or partners.

Name, Address and Office	Percentage of Stock

Town of Fort Myers Beach 2525 Estero Blvd Fort Myers Beach, Florida 33931
Phone: 239-765-0202 zoningpermits@fmbgov.com Fax: 239-765-0909

Date of Contract: _____

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

Name	Address
_____	_____
_____	_____
_____	_____
_____	_____

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final certificate of compliance, a supplemental disclosure of interest must be filed.

The above is a full disclosure of all parties of interest in this application, to the best of my knowledge and belief.

_____ _____
Signature Printed Name

AFFIDAVIT
APPLICATION IS SIGNED BY A CORPORATION, LIMITED LIABILITY COMPANY (L.L.C.), LIMITED COMPANY (L.C.), PARTNERSHIP, LIMITED PARTNERSHIP, OR TRUSTEE

I, Ben Freeland (name), as Managing Member (title) of Freeland FL Holdings, LLC (company), swear or affirm under oath, that I am the owner or the authorized representative of the owner(s) of the property and that:

1. I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the Town of Fort Myers Beach in accordance with this application and the Land Development Code;
2. All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;
3. I have authorized the staff of Fort Myers Beach Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made thru this application; and that
4. The property will not be transferred, conveyed, sold or subdivided unencumbered by the conditions and restrictions imposed by the approved action.

Town of Fort Myers Beach 2525 Estero Blvd Fort Myers Beach, Florida 33931
Phone: 239-765-0202 zoningpermits@fmbgov.com Fax: 239-765-0909

Freeland FL Holdings, LLC

Name of Entity (corporation, partnership, LLP, LLC, etc)

Signature _____ Title _____

Typed or Printed Name _____ Date _____

STATE OF _____ COUNTY OF _____

The foregoing instrument was certified and subscribed before me by means of ___ physical presence OR ☐ online notarization, this _____day of _____, 20____ , by _____, ☐ who is personally known to me OR ☐ who has produced _____ as identification.

Seal

Notary Public Signature

PART VI– Property Information

A. Legal Description:

STRAP: See application narrative

Property Address: 401 San Carlos Blvd

Is the subject property within a platted subdivision recorded in the official Plat Books of Lee County? ☑ No. Attach a legible copy of the legal description as Exhibit 6-1.

☐ Yes. Property identified in subdivision: _____

Book: _____ Page: _____ Unit: _____ Block: _____ Lot(s): _____

B. Boundary Survey:

☑ Attach a Boundary Survey of the property meeting the minimum standards of Chapter 61G17-6 of the Florida Administrative Code. A Boundary Survey must bear the raised seal and original signature of a Professional Surveyor and Mapper licensed to practice Surveying and Mapping by the State of Florida. Attach and label as Exhibit 6-2.

Town of Fort Myers Beach 2525 Estero Blvd Fort Myers Beach, Florida 33931
Phone: 239-765-0202 zoningpermits@fmbgov.com Fax: 239-765-0909

C. Property Dimensions:

Width (please provide an average width if irregular in shape) 640 feet

Depth (please provide an average width if irregular in shape) 390 feet

Frontage on street: 430 feet. Frontage on waterbody: 660 feet

Total land area: 4.98 ☑ acres ☐ square feet

D. General Location of Subject Property (from Sky Bridge or Big Carlos Pass Bridge):

NW corner of Old San Carlos Blvd and Third street and extending NW along the bayfront to the canal on the western property line.

☑ Attach Area Location Map as Exhibit 6-3

E. Property Restrictions (check applicable):

☑ There are no deed restrictions and/or covenants on the subject property.

☐ A list of deed restrictions and/or covenants affecting the subject property is attached as Exhibit 6-4.

☐ A narrative statement detailing how the restrictions/covenants may or may not affect the request is attached as Exhibit 6-5.

F. Surrounding Property Owners (these items can be obtained from the Lee County Property Appraiser):

☑ Attach a list of surrounding property owners within 500 feet as Exhibit 6-6.

☑ Attach a map showing the surrounding property owners as Exhibit 6-7.

☑ Provide Staff with two (2) sets of surrounding property owner mailing labels.

G. Future Land Use Category (see Future Land Use Map):

☐ Low Density	☑ Marina
☑ Mixed Residential	☐ Recreation
☐ Boulevard	☐ Wetlands
☑ Pedestrian Commercial	☐ Platted Overlay

Town of Fort Myers Beach 2525 Estero Blvd Fort Myers Beach, Florida 33931
Phone: 239-765-0202 zoningpermits@fmbgov.com Fax: 239-765-0909

COMMUNITY DEVELOPMENT DEPARTMENT
APPLICATION for PUBLIC HEARING

This is a first part of a two-part application. Please be sure to fill out this form, which requires general information, as well as the Supplemental Form application specific to action requested for the subject property. Please submit a complete Public Hearing application with required, supplemental information, exhibits and documents to zoningpermits@fmbgov.com. Please do not submit the instructions at the end of the application.

Site Address: 401 San Carlos Blvd

STRAP Number: See attached parcel information narrative

Applicant: Freeland FL Holdings, LLC Phone: 615-337-7671

Contact Name: Ken Gallander/Pat Vanasse - The Neighborhood Company Phone: 850-803-5621

Email: kg@theneighborhood.company; pv@theneighborhood.company Fax: _____

Current Zoning District: Downtown, Marina, Mixed Residential

Future Land Use Map (FLUM) Category: PEDESTRIAN COMMERCIAL, MARINA, & MIXED RESIDENTIAL

FLUM Density Range: N/A Platted Overlay: ☐ YES ☑ NO

ACTION REQUESTED	SUPPLEMENTAL FORM REQUIRED
☐ Special Exception	PH-A
☐ Variance	PH-B
☐ Conventional Rezoning	PH-C
☑ Planned Development ■ Commercial ☐ Residential	PH-D
☐ Master Concept Plan Extension	PH-E
☐ Appeal of Administrative Action	PH-F
☐ Vacation of Platted Right-of-way and Easement	PH-G
☐ Other – cite LDC Section: _____	attach on separate sheet

PART I – General Information

A. Applicant*: Ben Freeland Phone: (615) 337-7671

**Applicant must submit a statement under oath that he/she is the authorized representative of the property owner. Please see PART III to complete the appropriate Affidavit form for the type of applicant.*

Applicant Mailing Address: 5333 Hickory Hollow Parkway, Antioch TN 37013

Email: ben.freeland@freelandauto.com Fax: _____

Contact Name: Ben Freeland Phone: (615) 337-7671

B. Relationship of Applicant to subject property:

☐ Owner* ☐ Land Trust* ☐ Partnership*
☑ Corporation* ☐ Association* ☐ Condominium*
☐ Subdivision* ☐ Timeshare Condo* ☐ Contract Purchaser*
☐ Authorized Representative* ☐ Other* (please indicate)_____

**Applicant must submit a statement under oath that he/she is the authorized representative of the property owner. Please see PART III to complete the appropriate Affidavit form for the type of applicant.*

C. Authorized Agent(s). Please list the name of Agent authorized to receive correspondence Agents

Name: Ken Gallander/Pat Vanasse - The Neighborhood Company Phone: 850-803-5621
Address: 5618 Whispering Willow Way
Email: kg@theneighborhood.company; pv@theneighborhood.company Fax: _____

D. Other Agent(s). Please list the names of all Authorized Agents (attach extra sheets if necessary)

Name: Bruce Strayhorn Esq Phone: 239-334-1260
Address: 2125 1st Street, Suite 201, Fort Myers, FL 33901
Email: bruce@StrayhornLaw.com Fax: _____

Name: _____ Phone: _____
Address: _____
Email: _____ Fax: _____

PART II – Nature of Request

Requested Action (each request requires a separate application)

☐ Special Exception
☐ Variance from LDC Section _____ - _____
☐ Conventional Rezoning from _____ to _____
☑ Planned Development
☑ Rezoning from see request to ☑ Commercial PD ☐ Residential PD
☐ Amendment. List the project number: _____
☐ Extension/reinstatement of Master Concept Plan. List project number: _____

☐ Appeal of Administrative Action

☐ Vacation ☐ Right-of-Way ☐ Easement

☐ Other. Please Explain: _____

_____

_____

PART III – Waivers

Please indicate any specific submittal items that have been waived by the Director for the request. Attach a copy of the signed approval as Exhibit 3-1. (Use additional sheets if necessary)

Code Section: 34-212(6) Description: Temporary waiver of TIS at submittal to allow for methodology determination.

Code Section: _____ Description: _____

_____

Code Section: _____ Description: _____

_____

PART IV – Property Ownership (Single Owner)

☐ Single Owner (individual or husband and wife)

Name: _____ Phone: _____

Mailing Address: _____

Email: _____ Fax: _____

AFFIDAVIT
APPLICATION IS SIGNED BY AN INDIVIDUAL OWNER OR APPLICANT

I, _____ swear or affirm under oath, that I am the owner or the authorized representative of the owner(s) of the property and that:

I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the Town of Fort Myers Beach in accordance with this application and the Land Development Code;
All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;

I have authorized the staff of the Town of Fort Myers Beach Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made thru this application; and that
The property will not be transferred, conveyed, sold or subdivided unencumbered by the conditions and restrictions imposed by the approved action.

_____ _____
Signature Printed Name

STATE OF _____ COUNTY OF _____

The foregoing instrument was certified and subscribed before me by means of ____ physical presence OR _____ online notarization, this _____day of _____, 20_____, by _____, ☐ who is personally known to me OR ☐ who has produced _____ as identification.

_____
Notary Public Signature

PART V
Property Ownership (Multiple Owners)

☐ Multiple Owners (including corporation, partnership, trust, association, condominium, timeshare, or subdivision)

- ☑ Complete Disclosure of Interest Form (see below)
- ☐ Attach list of property owners as Exhibit 5-1
- ☐ Attach map showing property owners interests as Exhibit 5-2 (for multiple parcels)
- ☐ For condominiums and timeshares see Explanatory Notes Part V – Exhibit 5-3
- ☐ Letter of Opinion - Exhibit 5-4

DISCLOSURE OF OWNERSHIP INTEREST

If the property is owned in fee simple by an INDIVIDUAL, tenancy by the entirety, tenancy in common, or joint tenancy, list all parties with an ownership interest as well as the percentage of such interest.

Name and Address	Percentage Ownership
_____	_____
_____	_____
_____	_____
_____	_____

Town of Fort Myers Beach 2525 Estero Blvd Fort Myers Beach, Florida 33931
Phone: 239-765-0202 zoningpermits@fmbgov.com Fax: 239-765-0909

If the property is owned by a CORPORATION, list the officers and stockholders and the percentage of stock owned by each.

Name, Address and Office	Percentage of Stock

If the property is in the name of a TRUSTEE, list the beneficiaries of the trust with percentage of interest.

Name and Address	Percentage of Interest

If the property is in the name of a GENERAL PARTNERSHIP OR LIMITED PARTNERSHIP, list the names of the general and limited partners.

Name and Address	Percentage of Ownership

If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the officers, stockholders, beneficiaries, or partners.

Name, Address and Office	Percentage of Stock

Town of Fort Myers Beach 2525 Estero Blvd Fort Myers Beach, Florida 33931
Phone: 239-765-0202 zoningpermits@fmbgov.com Fax: 239-765-0909

Date of Contract: _____

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

Name	Address
_____	_____
_____	_____
_____	_____
_____	_____

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final certificate of compliance, a supplemental disclosure of interest must be filed.

The above is a full disclosure of all parties of interest in this application, to the best of my knowledge and belief.

_____ _____

Signature Printed Name

AFFIDAVIT

APPLICATION IS SIGNED BY A CORPORATION, LIMITED LIABILITY COMPANY (L.L.C.), LIMITED COMPANY (L.C.), PARTNERSHIP, LIMITED PARTNERSHIP, OR TRUSTEE

I, Ben Freeland (name), as Managing Member (title) of Freeland FL Holdings, LLC (company), swear or affirm under oath, that I am the owner or the authorized representative of the owner(s) of the property and that:

1. I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the Town of Fort Myers Beach in accordance with this application and the Land Development Code;
2. All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;
3. I have authorized the staff of Fort Myers Beach Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made thru this application; and that
4. The property will not be transferred, conveyed, sold or subdivided unencumbered by the conditions and restrictions imposed by the approved action.

Town of Fort Myers Beach 2525 Estero Blvd Fort Myers Beach, Florida 33931
Phone: 239-765-0202 zoningpermits@fmbgov.com Fax: 239-765-0909

Freeland FL Holdings, LLC
Name of Entity (corporation, partnership, LLP, LLC, etc)

Signature

Managing Member
Title

Ben Freeland
Typed or Printed Name

Date

STATE OF TN **COUNTY OF** Rutherford

The foregoing instrument was certified and subscribed before me by means of X physical presence OR ☐ online notarization, this 10th day of August, 2023, by _____, ☒ who is personally known to me OR ☐ who has produced _____ as identification.

Seal

ASHLEE WALKER STATE OF TENNESSEE NOTARY PUBLIC RUTHERFORD COUNTY

Ashlee Walker
Notary Public Signature

Exp. 1-17-27

PART VI– Property Information

A. Legal Description:

STRAP: See attached property narrative

Property Address: 401 San Carlos Blvd

Is the subject property within a platted subdivision recorded in the official Plat Books of Lee County?

☑ No. Attach a legible copy of the legal description as Exhibit 6-1.

☐ Yes. Property identified in subdivision: _____

Book: _____ Page: _____ Unit: _____ Block: _____ Lot(s): _____

B. Boundary Survey:

☑ Attach a Boundary Survey of the property meeting the minimum standards of Chapter 61G17-6 of the Florida Administrative Code. A Boundary Survey must bear the raised seal and original signature of a Professional Surveyor and Mapper licensed to practice Surveying and Mapping by the State of Florida. Attach and label as Exhibit 6-2.

C. Property Dimensions:

Width (please provide an average width if irregular in shape) 640 feet

Depth (please provide an average width if irregular in shape) 391 feet

Frontage on street: 430 feet. Frontage on waterbody: 660 feet

Total land area: 4.98 ☑ acres ☐ square feet

D. General Location of Subject Property (from Sky Bridge or Big Carlos Pass Bridge):

NW corner of Old San Carlos and Third Street and extending to bay west to canal.

☑ Attach Area Location Map as Exhibit 6-3

E. Property Restrictions (check applicable):

☑ There are no deed restrictions and/or covenants on the subject property.

☐ A list of deed restrictions and/or covenants affecting the subject property is attached as Exhibit 6-4.

☐ A narrative statement detailing how the restrictions/covenants may or may not affect the request is attached as Exhibit 6-5.

F. Surrounding Property Owners (these items can be obtained from the Lee County Property Appraiser):

☑ Attach a list of surrounding property owners within 500 feet as Exhibit 6-6.

☑ Attach a map showing the surrounding property owners as Exhibit 6-7.

☑ Provide Staff with two (2) sets of surrounding property owner mailing labels.

G. Future Land Use Category (see Future Land Use Map):

☐ Low Density	☑ Marina
☑ Mixed Residential	☐ Recreation
☐ Boulevard	☐ Wetlands
☑ Pedestrian Commercial	☐ Platted Overlay

Town of Fort Myers Beach 2525 Estero Blvd Fort Myers Beach, Florida 33931
Phone: 239-765-0202 zoningpermits@fmbgov.com Fax: 239-765-0909

Case # _____ Date Received: _____

Town of Fort Myers Beach

COMMUNITY DEVELOPMENT DEPARTMENT

Supplement PH-D

Additional Required Information for a Planned Development Application

This is the second part of a two-part application. This part requests specific information for a planned development rezoning or an amendment to an approved planned development. Include this form with the Request for Public Hearing form.

Fee in the amount of $8000.00 up to 1 acre +1000.00 per additional acre
$2000.00 PD Amendment minor (< acre total property area)
$4000.00 PD Reinstatement or $6500.00 PD Amendment

Project Name: Arches Bayfront CPD
Authorized Applicant: Freeland FL Holdings, LLC
STRAP Number(s): See Parcel Narrative

Current Property Status: Marina, Residential and vacant lands
Current Zoning: Downtown, Mixed Residential, Marina
Future Land Use Map (FLUM) Category: PED. COMMERCIAL, MARINA, & MIXED RESIDENTIAL
Platted Overlay? ☐ **yes,** ☑ **no** **FLUM Density Range:**

Requested Action:

☐	DRI (with rezoning)
☑	Planned Development (also check below)
☑	Rezoning from: Downtown, Res. & Marina to: CPD
☐	Amendment to Master Concept Plan/attendant documentation

PART I
Narrative Statements

A. **Comprehensive Plan Amendments** (check one)

☐ There are NO Comprehensive Plan Amendments pending that could affect the future use of this property.
☑ The following Comprehensive Plan Amendments ARE pending and could affect the future use of this property (list the amendment and give a brief explanation of its possible effect)
Map Change to move Mixed Residential and Marina Parcels into Pedistrian Commerical
See attached request statement for details

B. **Phasing of Construction**

☐ The development is to be constructed in a single phase.
☑ The development is to be constructed in phases as follows: (describe proposed phasing below)
See attached request statement

Town of Fort Myers Beach 2525 Estero Blvd. Fort Myers Beach, FL 33931
Phone 239 765-0202 Zoningpermits@fmbgov.com Fax 239 765-0909

C. **Comprehensive Plan Compliance.**

Explain how the proposed development complies with applicable Goals, Objectives, and Policies of the Fort Myers Beach Comprehensive Plan.

See attached request statement

D. Design Standards Compliance

For projects required to meet Commercial Design Standards, explain how the proposed development complies with the design standards set forth in LDC Sections 34-991 through 34-997.

See attached request statement

E. Decision-making Compliance

Explain how the proposed development complies with the guidelines for decision-making embodied in LDC Section 34-85.

See attached request statement

F. Schedule of deviations and written justification

Provide a list of the requested deviations keyed to the Master Concept Plan and provide a written justification for each deviation. The location of each deviation should be indicated on the Master Concept Plan.

See attached request statement

G. Administrative amendments to approved Master Concept Plan

For amendments to an approved Master Concept Plan, indicate the specific amendments that could not be approved administratively as set forth in LDC Section 34-219.

Not Applicable

PART 2

Submittal Requirements

All applications for a planned development must submit fourteen (14) copies of this application form and all applicable exhibits.

Required Items

Public Hearing Request Form
Supplement Form PH-D
Master Concept Plan
Traffic Impact Statement
Architectural Elevations
Schedule of Uses
Fee in the amount of $8000.00 up to 1 acre +1000.00 per additional acre
$2000.00 PD Amendment minor (< acre total property area)
$4000.00 PD Reinstatement or $6500.00 PD Amendment

For DRI: A Binding letter of interpretation from DCA or a complete and sufficient ADA.

Case # _____ Date Received: _____

Guide to Filing Supplement PH-D for Planned Developments

Amendments Applications for amendments to an approved Master Concept Plan or its attendant documentation will require as much information as is needed to describe the changes requested, to specify the incremental change in impacts expected from the amendment, and to detail the changes in surrounding land uses that have occurred since the original application. Some amendments can be approved administratively as provided in LDC Section 34-219, but all other amendments must proceed through the public hearing process.

Through a pre-application meeting with Community Development staff, prospective applicants can determine whether proposed amendments will require a public hearing, and can request waivers from any submittal requirements that are not necessary to specify the changes requested.

All other planned developments All other applications must complete and submit the Request for Public Hearing and Supplement PH-D, along with all required documents. Refer also to the instructions for the Request for Public Hearing form.

Case Number will be inserted by Community Development staff.
Project Name must be the same as the name used on the Request for Public Hearing form.
Authorized Applicant must be the same as on the Request for Public Hearing form.
STRAP numbers must be the same as on the Request for Public Hearing form.
Current status of property must be the same as on the Request for Public Hearing form.
Requested Action: Indicate whether the request is a DRI (Development of Regional Impact) that requires rezoning, a Planned Development, or an amendment to a Planned Development.

Part 1 Narrative Statements:

Comprehensive Plan Amendments
If Comprehensive Plan Amendments are pending that might affect the future use of the property, explain the amendments' possible effects.

Construction Phasing
If the project is to be constructed in multiple phases, describe the ordering and timing of the proposed phasing. In the absence of a phasing plan, phasing of development would be governed by the limitations of LDC Section 34-220.

Comprehensive Plan Compliance
Explain how the proposed development complies with the Fort Myers Beach Comprehensive Plan. Address the Future Land Use Map category or categories applicable to the subject property and any other relevant policies.

Design Standards Compliance
For properties and/or projects as described in LDC Section 34-992, explain how the proposed development will comply with the standards in LDC Sections 34-991 through 34-997.

Decision-making compliance
Explain how the proposed development will comply with the standards for decision-making in LDC Section 34-85.

Schedule of deviations and written justification
Identify the deviations from the requirements of the Land Development Code that are requested for the proposed development and justify them in relation to the guidance in LDC Section 34-932(b).

Administrative amendments
If the request is for an amendment to a planned development, indicate which of the requested changes could not be approved administratively as allowed by LDC Section 34-219.

Part 2 Submittal Requirements

Public Hearing Application Form. Applications for rezoning, including Planned Developments and Planned Development amendments for which public hearing is required, consist of the Public Hearing form and the supplemental form PH-D. Both parts of the application form must be completed and submitted.

Master Concept Plan. The master concept plan consists of maps, graphic illustrations, and written statements concerning the development. Space has

been provided on this form for many of the required narrative statements, though they can be attached on separate sheets. A master concept plan must include the following required information:

a. The general size, configuration, and location of each development phase, and a description of the phasing of construction, unless the development is to be constructed in a single phase.
b. The maximum height of any proposed buildings or structures, using the Land Development Code's method of measuring building height (see LDC Section 34-631).
c. Proposed principal and accessory uses, identified using the terminology employed in the Land Development Code. Employ the groupings of uses in Tables 34-1 and 34-2 of the Land Development Code, or specify individual uses if necessary.
d. The density and intensity of the proposed uses, in terms of dwelling units by type, or through conversion factors for hotel/motel units. Provide gross square footages for types of commercial uses, and maximum Floor-Area Ratio.
e. The minimum width and composition of proposed buffers along the perimeter of the property. References to the types of buffers required by LDC chapter 10 are acceptable.
f. The location of any environmentally sensitive land and water, based on standard environmental data capable of verification by Town staff. Developments larger than one acre in size may require a protected species survey under LDC Section 10-473.
g. The exact location of all points of vehicular ingress and egress from existing easements or rights-of-way into the development, with distances from other existing or planned rights-of-way or access points.
h. Access and facilities for public transit, if applicable.
i. The general location of stormwater management areas.
j. The specific locations of requested deviations, including sample detail drawings illustrating their effects if applicable.
k. The exact location of existing rights-of-way and easements, whether or not those easements are recorded.
l. Proposed dedications, if any, including beach access, boat ramps, park or recreation areas, open space, or other easements.

Traffic Impact Statement. A traffic impact statement in the same format and to the same degree of detail required for development orders (LDC Section 10-286).

Architectural Elevations. Architectural elevations or three-dimensional renderings that show at minimum all building façades adjoining public streets. These drawings will serve for the sketch requirement of LDC Section 34-202(b)(5) as well. If aspects of the proposed design will not comply with the commercial design standards of LDC Sections 34-991 through 34-997 (if required), the applicant may request deviations from those standards.

Schedule of uses. A list of all proposed principal and accessory uses. Identify these uses by reference to the groups of uses in Tables 34-1 and 34-2 of the Land Development Code unless greater specificity is necessary. For amendments to planned developments that were approved under different regulations, the enumeration of uses in the schedule of uses supplied for the amendment must be specific enough to explain what uses were previously approved without future reference to prior regulations or approvals.

THE NEIGHBORHOOD COMPANY

I, Ben Freeland, as authorized member of Freeland FL Holdings, LLC owner of property located at 450, 445, 441, and 436 Harbor Ct., 435 and 438 Bonita St., 935 and 939 Third St., and 401 Old San Carlos Boulevard Fort Myers Beach, FL, identified by STRAP Number(s), SEE PAGE 2, hereby authorizes The Neighborhood Company regarding the above-referenced property to serve as agent for the Town of Fort Myers Beach Application for Public Hearings: Other – Comp Plan Amendment & Planned Development – Commercial.

By Signed: _____
Print Name: Ben Freeland
Title:_____

STATE OF _____
CITY OF _____

The foregoing instrument was acknowledged before me by means of □ physical presence or □ online notarization, this ____ day of _____, 2025 by Ben Freeland, as ___ _____of Freeland FL Holding, LLC, on behalf of the company(s), who □ is personally known to me OR □ has produced a(n) driver's license as identification.

(NOTARY STAMP)

_____
Notary Public, State of _____
Print Name: _____
My Commission Expires: _____

STRAP #	ADDRESS
24-46-23-W3-00026.0020	450 Harbor Ct.
24-46-23-W3-00027.0000	450 Harbor Ct.
24-46-23-W3-0030B.0200	445 Harbor Ct.
24-46-23-W3-0030B.0190	441 Harbor Ct.
24-46-23-W3-0030C.0060	436 Harbor Ct.
24-46-23-W3-0030C.0040	435 Bonita St.
24-46-23-W3-0030A.0110	438 Bonita St.
24-46-23-W3-0030A.0030	935 Third St.
24-46-23-W3-0030A.0020	939 Third St.
24-46-23-W3-0030A.0010	401 Old San Carlos Blvd.

Business Impact Estimate

This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the Fort Myers Beach website by the time notice of the proposed ordinance is published.

Proposed ordinance's title/reference: **AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA APPROVING/APPROVING WITH CONDITIONS/DENYING THE COMMERCIAL PLANNED DEVELOPMENT (CPD) ZONING FOR THE PROPERTIES LOCATED AT 450, 445, 441 & 436 HARBOR COURT, 435 & 438 BONITA STREET, 935, & 939 THIRD STREET, AND 401 OLD SAN CARLOS BLVD., ALSO RESPECTIVELY IDENTIFIED AS STRAP NUMBERS 24-46-23-W3-00027.0000 & 24-46-23-W3-00026.0020, 24-46-23-W3-0030B.0200, 24-46-23-W3-0030B.0190, 24-46-23-W3-0030C.0060, 24-46-23-W3-0030C.0040, 24-46-23-W3-0030A.0110, 24-46-23-W3-0030A.0030, 24-46-23-W3-0030A.0020 & 24-46-23-W3-0030A.0010 FORT MYERS BEACH; PROVIDING FOR CLARIFICATIONS AS NECESSARY; PROVIDING FOR CONFLICTS OF LAW, SCRIVENER'S ERRORS, SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.**

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the Fort Myers Beach is of the view that a business impact estimate is not required by state law[1] for the proposed ordinance, but the Fort Myers Beach is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☒ The proposed ordinance is enacted to implement the following:
  a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;

[1] See Section 166.041(4)(c), Florida Statutes.

b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the Fort Myers Beach hereby publishes the following information:

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):

The proposed ordinance amends the zoning district map for the Town of Fort Myers Beach. This serves the public health, safety and orderly development of the Town.
Fort Myers Beach. The Neighborhood Company ("Applicant"), on behalf of Freeland FL Holdings, LLC, owners of the property generally located at 450, 445, 441 & 436 Harbor Court, 435 & 438 Bonita Street, 935 and 939 Third Street, 401 Old San Carlos Blvd. also respectively identified as strap numbers 24-46-23-W3-00027.0000 & 24-46-23-W3-00026.0020, 24-46-23- W3-0030B.0200, 24-46-23-W3-0030B.0190, 24-46-23-W3-0030C.0060, 24-46-23-W3-0030C.0040 24-46-23-W3-0030A.0110, 24-46-23-W3-0030A.0030, 24-46-23-W3-0030A.0020 & 24-46-23-W3-0030A.0010 Fort Myers Beach ("Property"), filed an application to rezone the properties from Commercial Marina, Residential Conservation, Commercial Office and Downtown to a CPD with a corresponding Schedule of Uses and Master Concept Plan (MCP) with certain deviations from the Land Development Code (LDC) to include a resort

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the Fort Myers Beach, including the following, if any:
(a) An estimate of direct compliance costs that businesses may reasonably incur;
(b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
(c) An estimate of the Fort Myers Beach regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

There are unlikely to be direct compliance costs associated with Ordinance 25-xx.

Ordinance 25-xx does not impose any new charge or fee on businesses.

There are no new charges or fees that will be imposed on businesses by the ordinance.

The Town will not likely incur additional costs.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

This rezoning does not increase restrictions on existing businesses.

4. Additional information the governing body deems useful (if any):[*You may wish to include in this section the methodology or data used to prepare the Business Impact Estimate. For example: Fort Myers Beach staff solicited comments from businesses in the Fort Myers Beach as to the potential impact of the proposed ordinance by contacting the chamber of commerce, social media posting, direct mail or direct email, posting on Fort Myers Beach website, public workshop, etc. You may also wish to include efforts made to reduce the potential fiscal impact on businesses. You may also wish to state here that the proposed ordinance is a generally applicable ordinance that applies to all persons similarly situated (individuals as well as businesses) and, therefore, the proposed ordinance does not affect only businesses*).

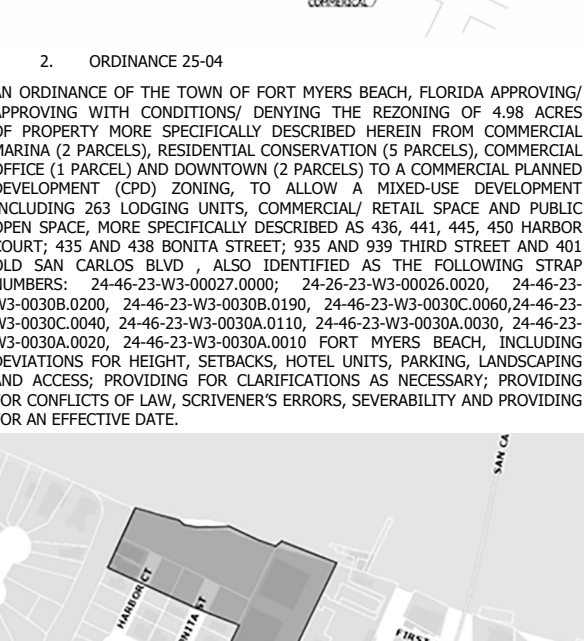
Not applicable.

NOTICE OF PUBLIC HEARINGS/ COMPREHENSIVE PLAN AMENDMENT AND ZONING CHANGE

Notice is hereby given that the Town of Fort Myers Beach Town Council will hold two public hearings, the first at 9:00 AM on Monday, May 5, 2025, and the second on Monday, June 2, 2025, regarding the ordinances listed below. The public hearings will consist of two requests: 1) a change to the Future Land Use Map from Marina to Pedestrian Commercial (two parcels) and Mixed Residential to Pedestrian Commercial (4 parcels) in the Comprehensive Plan and 2) a request to rezone property from Commercial Marina (2 parcels), Residential Conservation (5 parcels), Commercial Office (1 parcel) and Downtown (2 parcels) to a Commercial Planned Development (CPD) zoning district, as more specifically described below:

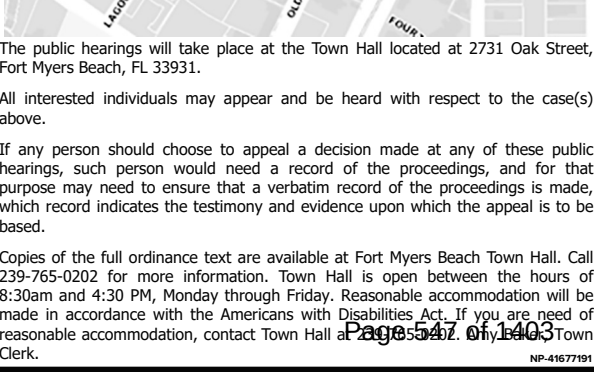
1. ORDINANCE 25-05

AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA AMENDING THE TOWN OF FORT MYERS BEACH ADOPTED FUTURE LAND USE MAP DATED JANUARY 1, 1999 CONTAINED IN THE TOWN'S COMPREHENSIVE PLAN, FOR PROPERTIES LOCATED AT 450, 445, 441, & 436 HARBOR COURT, 435 & 438 BONITA STREET, FORT MYERS BEACH FLORIDA, ALSO IDENTIFIED AS STRAP NUMBERS 24-46-23-W3-00027.0000; 24-26-23-W3-00026.0020, 24-46-23-W3-0030B.0200, 24-46-23-W3-0030B.0190, 24-46-23-W3-0030C.0060,24-46-23-W3-0030C.0040, 24-46-23-W3-0030A.0110, FORT MYERS BEACH, AMENDING THE FUTURE LAND USE MAP FOR THESE PARCELS FROM MIXED RESIDENTIAL (4 PARCELS) AND MARINA (2 PARCELS) TO PEDESTRIAN COMMERCIAL; PROVIDING FOR CLARIFICATIONS AS NECESSARY; PROVIDING FOR CONFLICTS OF LAW, SCRIVENER'S ERRORS, SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.



2. ORDINANCE 25-04

AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA APPROVING/ APPROVING WITH CONDITIONS/ DENYING THE REZONING OF 4.98 ACRES OF PROPERTY MORE SPECIFICALLY DESCRIBED HEREIN FROM COMMERCIAL MARINA (2 PARCELS), RESIDENTIAL CONSERVATION (5 PARCELS), COMMERCIAL OFFICE (1 PARCEL) AND DOWNTOWN (2 PARCELS) TO A COMMERCIAL PLANNED DEVELOPMENT (CPD) ZONING, TO ALLOW A MIXED-USE DEVELOPMENT INCLUDING 263 LODGING UNITS, COMMERCIAL/ RETAIL SPACE AND PUBLIC OPEN SPACE, MORE SPECIFICALLY DESCRIBED AS 436, 441, 445, 450 HARBOR COURT; 435 AND 438 BONITA STREET; 935 AND 939 THIRD STREET AND 401 OLD SAN CARLOS BLVD , ALSO IDENTIFIED AS THE FOLLOWING STRAP NUMBERS: 24-46-23-W3-00027.0000; 24-26-23-W3-00026.0020, 24-46-23-W3-0030B.0200, 24-46-23-W3-0030B.0190, 24-46-23-W3-0030C.0060,24-46-23-W3-0030C.0040, 24-46-23-W3-0030A.0110, 24-46-23-W3-0030A.0030, 24-46-23-W3-0030A.0020, 24-46-23-W3-0030A.0010 FORT MYERS BEACH, INCLUDING DEVIATIONS FOR HEIGHT, SETBACKS, HOTEL UNITS, PARKING, LANDSCAPING AND ACCESS; PROVIDING FOR CLARIFICATIONS AS NECESSARY; PROVIDING FOR CONFLICTS OF LAW, SCRIVENER'S ERRORS, SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.



The public hearings will take place at the Town Hall located at 2731 Oak Street, Fort Myers Beach, FL 33931.

All interested individuals may appear and be heard with respect to the case(s) above.

If any person should choose to appeal a decision made at any of these public hearings, such person would need a record of the proceedings, and for that purpose may need to ensure that a verbatim record of the proceedings is made, which record indicates the testimony and evidence upon which the appeal is to be based.

Copies of the full ordinance text are available at Fort Myers Beach Town Hall. Call 239-765-0202 for more information. Town Hall is open between the hours of 8:30am and 4:30 PM, Monday through Friday. Reasonable accommodation will be made in accordance with the Americans with Disabilities Act. If you are need of reasonable accommodation, contact Town Hall at 239-765-0202. Amy Dalton, Town Clerk.

NP-41677191

Town of Fort Myers Beach
Agenda Item Summary

Blue Sheet Number: **2025-436**

1. **Request:**

Meeting Date: June 2, 2025

This agenda item is a legislative Second Reading and Final Public Hearing for adoption of proposed Ordinance 25-05, which is a Small Scale Comprehensive Plan Amendment related to the Arches Redevelopment Project.

ORDINANCE TITLE:
AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA AMENDING THE TOWN OF FORT MYERS BEACH ADOPTED FUTURE LAND USE MAP DATED JANUARY 1, 1999, CONTAINED IN THE TOWN'S COMPREHENSIVE PLAN, FOR PROPERTIES LOCATED AT 450, 445, 441, & 436 HARBOR COURT, 435 & 438 BONITA STREET, FORT MYERS BEACH FLORIDA, ALSO IDENTIFIED AS STRAP
NUMBERS 24-46-23-W3-00027.0000; 24-26-23-W3-00026.0020, 24-46-23- W3-0030B.0200, 24-46-23-W3-0030B.0190, 24-46-23-W3-0030C.0060,24-46-23-W3-0030C.0040, 24-46-23-W3-0030A.0110, FORT MYERS BEACH, AMENDING THE FUTURE LAND USE MAP FOR THESE PARCELS FROM MIXED RESIDENTIAL (4PARCELS) AND MARINA (2 PARCELS) TO PEDESTRIAN COMMERCIAL; PROVIDING
FOR CLARIFICATIONS AS NECESSARY; PROVIDING FOR CONFLICTS OF LAW, SCRIVENER'S ERRORS, SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Why the action is necessary:
The Town Council reviews amendments to the Comprehensive Plan Future Land Use Map and makes decisions regarding any amendments.

What the action accomplishes:
The approval by the Town Council will allow the proposed amendment to be sent to the State of Florida Department of Economic Opportunity for final adoption.

2. **Agenda:**	3. **Requirement/Purpose:**	4. **Submitter of Information:**
PUBLIC HEARINGS	Ordinance	Judith Frankel, Principal Planner

5. **Background:**
Freeland FL Holdings LLC, owner of the subject property, and The Neighborhood Company, applicant for the owner, are requesting a Comprehensive Plan Future Land Use Map Amendment. The amendment requests a change of 3.53 acres of Marina Future Land Use (FLU), known as Moss Marina, and 1 acre of Mixed Residential FLU, to Pedestrian Commercial. There are no proposed text amendments to the Comprehensive Plan. The applicant has also applied for a Commercial Planned Development that encompasses three additional properties that are already mapped as Pedestrian Commercial and do not need to be amended in Ordinance 25-04, which is conditioned on adoption of Ordinance 25-05.

On April 8, 2025, the Local Planning Agency unanimously approved recommending adoption of Ordinance 25-05 to the Town Council. On May 5, 2025, the Town Council approved scheduling Ordinance 25-05 for Second Reading and Final Adoption on June 2, 2025 following discussion of the proposed ordinance.

Attachments:
1. Ordinance 25-05, Comprehensive Plan Small Scale Amendment
2. Exhibits A and B to Ordinance 25-05: Maps of CPA Area Existing and Proposed

3. Staff Report CPA
4. Exhibit A: Applicant Narrative
5. Exhibit B: Application
6. Boundary Survey
7. Business Impact Estimate Arches Comp Plan Amend
8. Newspress Publication
9. Neighborhood Letter to Town Council

Financial Impact:
Unknown

6. **Alternative Action**
Approve

7. **Management Recommendations:**

8. **Recommended Approval:**

Judith Frankel, Principal Planner	Created/Initiated - 5/27/2025
Georgina Cid, Community Development Manager	Approved - 5/27/2025
Frankie Kropacek, Community Development Director	Approved - 5/27/2025
nancy stuparich, Town Attorney	Approved - 5/27/2025
Amy Baker, Town Clerk	Approved - 5/27/2025
William McKannay, Town Manager	Final Approval - 5/28/2025

ORDINANCE 25-05

AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA AMENDING THE TOWN OF FORT MYERS BEACH ADOPTED FUTURE LAND USE MAP DATED JANUARY 1, 1999, FOR PROPERTIES LOCATED AT 450, 445, 441 & 436 HARBOR COURT, 435 & 438 BONITA STREET ALSO RESPECTIVELY IDENTIFIED AS STRAP NUMBERS 24-46-23-W3-00027.0000 & 24-46-23-W3-00026.0020, 24-46-23-W3-0030B.0200, 24-46-23-W3-0030B.0190, 24-46-23-W3-0030C.0060, 24-46-23-W3-0030C.0040 & 24-46-23-W3-0030A.0110, FORT MYERS BEACH; PROVIDING FOR CLARIFICATIONS AS NECESSARY; PROVIDING FOR CONFLICTS OF LAW, SCRIVENER'S ERRORS, SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Florida Statutes provide that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal service, and exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, Article X of the Town Charter of the Town of Fort Myers Beach empowers the Town to adopt, amend. or repeal such ordinances and resolutions as may be required for the proper governing of the Town; and

WHEREAS, James Inc ("Applicant"), on behalf of Freeland FL Holdings, LLC, owners of the property generally located at 450, 445, 441 & 436 Harbor Court, 435 & 438 Bonita Street also respectively identified as strap numbers 24-46-23-W3-00027.0000 & 24-46-23-W3-00026.0020, 24-46-23-W3-0030B.0200, 24-46-23-W3-0030B.0190, 24-46-23-W3-0030C.0060, 24-46-23-W3-0030C.0040 & 24-46-23-W3-0030A.0110, Fort Myers Beach ("Property"), filed an application for a small-scale future land use map amendment to change the future land use of the property from Marina and Mixed Residential to Pedestrian Commercial; and

WHEREAS, the Property is in the Marina and Mixed Residential Future Land Use Category of the Comprehensive Plan of the Town of Fort Myers Beach, and is under common control of the owners as listed in the public records of Lee County Property Appraiser; and

WHEREAS, a public hearing was held before the Local Planning Agency (LPA) on April 8th, 2025, at which the LPA gave full and complete consideration of the request, recommendations by staff, the documents in the record, and the testimony of all interested persons, and the LPA voted 6 to 0, with one member absent, to recommend approval to the small scale map amendment request, and

WHEREAS, on May 5th, 2024, the Town Council held a first reading of the proposed Ordinance and gave full and complete consideration to the request of the Applicant, the recommendation of the LPA, the recommendation of staff, the documents in the record, and the testimony of all interested persons, as required by Section 34-85 of the Fort Myers Beach Land Development Code ("LDC"); and

WHEREAS, the Town Council set a second reading of the proposed Ordinance and a public hearing on this matter to be legally advertised and held before the Town Council on June 2nd, 2024;

at which time the Town Council gave full and complete consideration to the request of the Applicant, the recommendation of the LPA, the recommendation of staff, including the consideration and findings in the staff report, the documents in the record, and the testimony of all interested persons, as required by Section 34-92 of the LDC and Policy 4-C-10 of the 1999 Comprehensive Plan (1999); and

WHEREAS, the Town Council finds the proposed small-scale map amendment request is **consistent/not consistent** with the Town of Fort Myers Beach Comprehensive Plan and LDC and voted to **approve/ deny** the Application.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, AS FOLLOWS:

Section 1. The above recitals are true, correct, incorporated herein by this reference, and adopted as the legislative and administrative findings of the Town Council.

Section 2. The Town Council determines the Applicant **did/did not** meet its burden of proof that the requested small scale map amendment request **does/does not** meet the requirements of the Town Comprehensive Plan and LDC and approving the request for a small-scale Future Land Use Map Amendment from Marina and Mixed Residential to Pedestrian Commercial **is/is not** in the best interest of the Town. Therefore, based upon the recommendations, testimony, and evidence presented by the Applicant, Town staff, and interested parties and Section 34-92 of the Land Development Code, the Town Council **APPROVES/DENIES** the requested small scale future land use map amendment of the Property.

Section 3. Whenever the requirements or provisions of this Ordinance conflict with the requirements or provisions of any other lawfully adopted LDC or Town Code provision, ordinance, or statute, the most restrictive shall apply.

Section 4. Any typographical errors that do not affect the intent of this Ordinance may be corrected with notice to and authorization of the Town Manager without further process.

Section 5. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason, declared by a court of competent jurisdiction to be unconstitutional or invalid, such decision will not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared.

Section 6. The proposed action does not result in a more restrictive or burdensome amendment to the Town's Comprehensive Plan or Land Development Code.

Section 7. Issuance of a development permit by the Town does not create any right to obtain a permit from a State or Federal agency and does not create any liability on the part of the Town for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a State or Federal agency or undertakes actions that result in a violation of State or Federal law.

Section 8. The effective date of this plan amendment shall be the earliest date permitted under

Section 163. 3187, Florida Statutes.

The foregoing Ordinance 25-05 was adopted by the Town Council upon a motion by Councilmember _ and seconded by _____and upon being put to a roll call vote, the result was as follows:

Dan Allers, Mayor	___
Jim Atterholt, Vice Mayor	___
John R. King, Council Member	___
Scott Safford, Council Member	___
Karen Woodson, Council Member	___

ADOPTED this ___day of June 2025, by the Town Council of the Town of Fort Myers Beach, Florida.

TOWN OF FORT MYERS BEACH

_____
Dan Allers, Mayor

ATTEST:

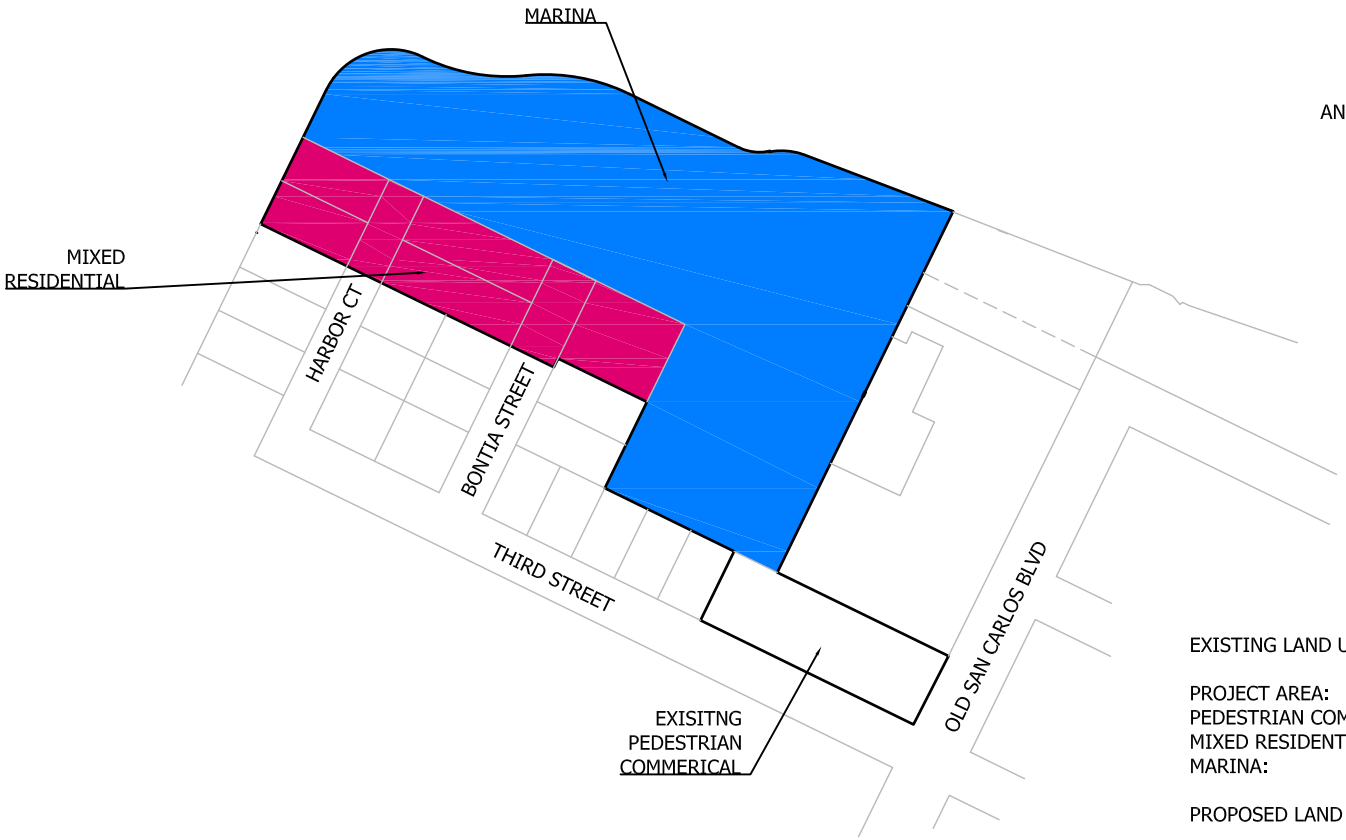
_____
Amy Baker, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:

_____
Vose Law Firm, Town Attorney

This Resolution was filed in the Office of the Town Clerk on this ___day of June 2025.

Exhibits
Exhibit A Existing Future Land Use Map
Exhibit B Proposed Future Land Use Map



CPA MAP CHANGE AMENDMENT
IS TO CHANGE EXISTING MARINA
AND MIXED USE FLU TO PEDESTRIAN
COMMERICAL.

EXISTING LAND USE TABLE

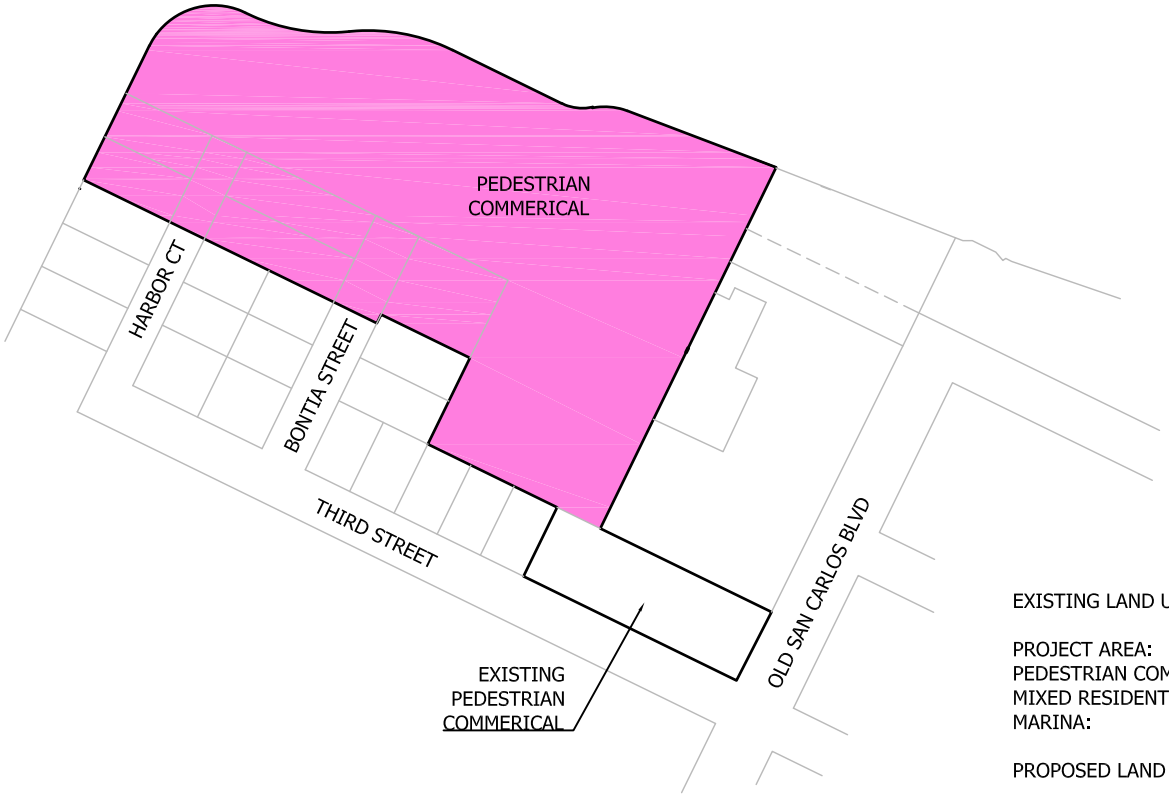
PROJECT AREA:	4.98 AC	100%
PEDESTRIAN COMMERCIAL:	0.45 AC	9.0%
MIXED RESIDENTIAL:	1.00 AC	20.1%
MARINA:	3.53 AC	70.90%

PROPOSED LAND USE TABLE

PEDESTRIAN COMMERCIAL:	4.98 AC	100%

INK ENGINEERING, INC
2055 West First Street
Fort Myers, Florida 33901
E-mail: ink@inkengineeringinc.net

EXISTING COMPRENSIVE PLAN MAP	JOB #: 22037
ARCHES BAYSIDE CPA MAP AMENDMENT	DATE: 03.2024
450 HARBOR COURT, FT MYERS BEACH, FL	SHEET: 1 OF 2





EXISTING LAND USE TABLE

PROJECT AREA:	4.98 AC	100%
PEDESTRIAN COMMERCIAL:	0.45 AC	9.0%
MIXED RESIDENTIAL:	1.00 AC	20.1%
MARINA:	3.53 AC	70.90%

PROPOSED LAND USE TABLE

PEDESTRIAN COMMERCIAL:	4.98 AC	100%

INK ENGINEERING, INC
2055 West First Street
Fort Myers, Florida 33901
E-mail: ink@inkengineeringinc.net

PROPOSED COMPRENSIVE PLAN MAP	JOB #: 22037
ARCHES BAYSIDE CPA MAP AMENDMENT	DATE: 03.2024
450 HARBOR COURT, FT MYERS BEACH, FL	SHEET: 2 OF 2

Town of Fort Myers Beach

COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT

TYPE OF CASE:	**Comprehensive Plan Amendment**
CASE NUMBER:	**CPA20230152**
CASE NAME:	**Arches Bayfront Comprehensive Plan Future Land Use Map Amendment (450 Harbor Court, 445 Harbor Court, 441 Harbor Court, 436 Harbor Court, 435 Bonita Street, 438 Bonita Street)**
LPA HEARING DATE:	**April 8th, 2025**
TOWN COUNCIL HEARING DATE:	**May 5th, 2025**
TOWN COUNCIL 2nd HEARING DATE:	**June 2nd, 2025**
STAFF RECOMMENDATION:	**DENIAL**
PREPARED/ SUBMITTED BY:	**Judith Frankel, AICP / Sarah Propst, AICP, PMP**

I. APPLICATION SUMMARY

Applicant/Owner:	Freeland FL Holdings, LLC/The Neighborhood Company
Request:	Comprehensive Plan future land use map amendment to change 3.53 acres of Future Land Use Marina and 1.0 acre of Future Land Use Mixed Residential to Future Land Use Pedestrian Commercial
Subject property:	See attached plan
Physical Address:	450 Harbor Court, 445 Harbor Court, 441 Harbor Court, 436 Harbor Court, 435 Bonita Street & 438 Bonita Street
STRAP #s:	24-46-23-W3-00027.0000, 24-46-23-W3-00026.0020, 24-46-23-W3-0030B.0200, 24-46-23-W3-0030B.0190, 24-46-23-W3-0030C.0060, 24-46-23-W3-0030C.0040, 24-46-23-W3-0030A.0110
FLU:	Marina & Mixed Residential (Platted Overlay)

Zoning: Commercial Marina (CM) & Residential Conservation (RC)

Adjacent zoning and land uses:

North: Tidal Waters, Matanzas Pass

South: RESIDENTIAL CONSERVATION (RC)
Mixed Residential (Platted Overlay)

East: DOWNTOWN (D)
Pedestrian Commercial

West: Tidal Waters, Canal

II. BACKGROUND AND ANALYSIS

Background:
Freeland FL Holdings LLC, owner of the subject property, and The Neighborhood Company, applicant for the owner, are requesting a Comprehensive Plan Future Land Use Map Amendment. The amendment requests a change of 3.53 acres of Marina Future Land Use (FLU), known as Moss Marina, and 1 acre of Mixed Residential FLU, to Pedestrian Commercial. There are no proposed text amendments to the Comprehensive Plan.

The applicant has also applied for a Commercial Planned Development that encompasses three additional properties that are already mapped as Pedestrian Commercial and do not need to be amended. Those properties are shown on the attached area map (Exhibit A), outlined but not in color, they are 935 & 939 Third Street and 401 Old San Carlos Blvd.

Moss Marina was established in 1969. Matanzas View subdivision was platted in 1952, the first homes appear to have been built in the early 1950s. This neighborhood appears to have been primarily single family and two-family homes prior to hurricane Ian. More than half of the pre-Ian homes are still standing, however staff does not know what portion of the homes are currently habitable.

On April 8th, 2025, the LPA voted unanimously, with one member absent to recommend approval of this Comprehensive Plan Amendment.

Analysis:
The **Marina FLU** is defined as "*designed for prime sites that can provide access to the valuable waters around Fort Myers Beach. This category provides services for recreational boating, including related accessory uses provide that they don't displace recreational marina services. Cruise ships and similar uses that draw large amounts of vehicular traffic are not permitted in this category. Specific regulations will be places in the Land Development Code*." And Marina Uses are described by the Comprehensive Plan as "*involving the use of prime waterfront sites to support recreational boating,*

such as wet or dry boat storage, sales/rentals of boats and supplies, and boat repair."

Marina FLU allows a maximum floor area ratio (FAR) of 1.5 and no density is listed in the Comprehensive Plan for the Marina FLU.

The **Mixed Residential FLU** is defined as "*designed for older subdivisions with mixed housing types on smaller lots, newer high-rise buildings, and mobile homes and RV parks. This category will ensure that Fort Myers Beach retains a variety of neighborhoods and housing types. For new development, the maximum density is 6 dwelling units per acre (except where the Future Land Use Map's "platted overlay" indicates a maximum density of 10 units per acre for legally existing dwelling units. Commercial activities are limited to lower-impact uses such as offices, motels, churches, and public uses, and must be sensitive to nearby residential uses, complement any adjoining commercial uses, contribute to the public realm as described in this comprehensive plan, and meet the design concepts of this plan and the Land Development Code. The qualities and overall consistency with this comprehensive plan shall be evaluated by the town through the planned development rezoning process. Non-residential uses (including motels and churches) now comprises 7.9% of the land in this category, and this percentage shall not exceed 12%."* The Mixed Residential FLU allows a maximum floor area ratio (FAR) of 1.5 and typically allows a density of six dwelling units per acre. This neighborhood is in the platted overlay which allows up to 10 dwelling units per acre for legally existing dwelling units. The single acre that is currently FLU Mixed Residential appears to have contained a mix of single-family and two-family dwelling units prior to Hurricane Ian.

The combined Marina and Mixed Residential parcels could allow a total of 295,990 square feet of floor area, through a CPD. The current zoning districts allow a lower square footage. The proposed change to Pedestrian Commercial could allow a total of 493,317 square feet of floor area, through a CPD. This is an increase of almost 200,000 square feet of development potential.

<u>Neighborhood Compatibility:</u>

The current Comprehensive Plan refers to this area as the "north end" in one section and the "core area", in another section. It describes that "north end" area as follows: "*The north end of the island retains its residential and resort identity. Its motel rooms, older cottages and high-rises all benefit from their proximity to Bowditch Point and the downtown "core area," yet are comfortably removed from seasonal traffic congestion and outdoor entertainment activities that many residents find intrusive*." The 1999 Comprehensive Plan does not provide a vision or plan for this part of the "core area".



Figure from Page 2-2 of 1999 Town of Fort Myers Beach Comprehensive Plan

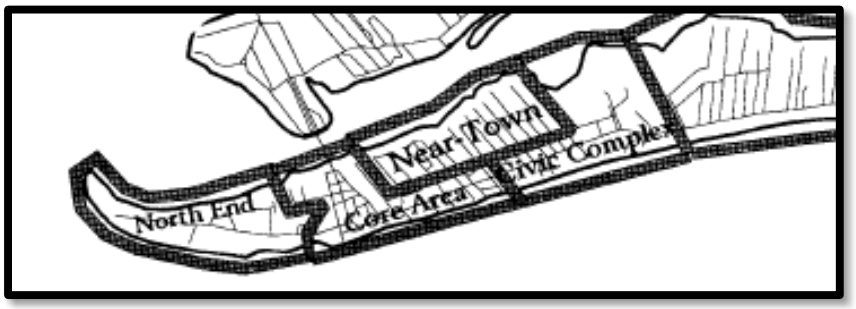
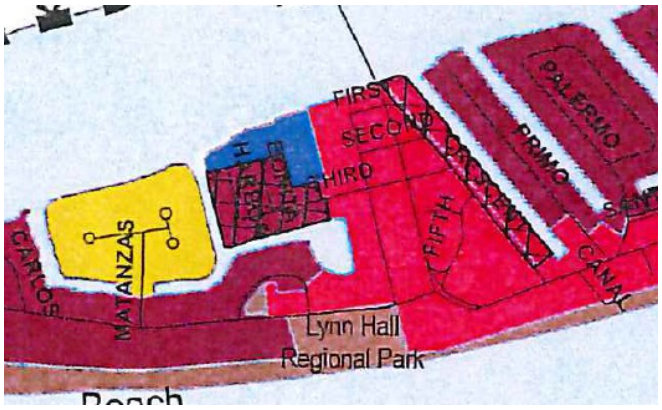


Figure from Page 3-4 of 1999 Town of Fort Myers Beach Comprehensive Plan

The 1999 Comprehensive Plan intended the North End to be quiet and downtown adjacent, whereas the Core Area was to be part of the action with a high level of commercial activity. Unfortunately, it is unclear whether the area of proposed future land use amendment was intended to be part of the North End or the Core Area. The addition of an intense commercial area which is accessible through the neighborhood will create additional traffic and noise impacts which would not be appropriate in a quiet neighborhood but would be acceptable in a downtown neighborhood.



1999 Comprehensive Plan Future Land Use Map

The pattern of Platted Overlay districts on both the east and west side of the Pedestrian Commercial District, creates a buffer between the higher impact downtown and the lower density residential districts. Elimination of that buffer between the intense commercial district and the neighborhoods could increase conflict. Uses that create additional noise in residential neighborhoods have been of particular concern to the Town of Fort Myers Beach in the past. Careful evaluation of outdoor music and activities will be necessary to ensure that nearby homes are not negatively impacted by proposed development on this site.

Infrastructure Impacts:
Evaluation of infrastructure impacts is important to ensure that the Town of Fort Myers Beach will be able to accommodate the additional development that will be allowed with the change from Marina and Mixed Residential to Pedestrian Commercial. The uses that are allowed in Pedestrian Commercial can have a much higher impact on traffic, water use and stormwater. While the applicant is proposing a rezoning to Commercial Planned Development (CPD), it would be possible for other developments to be proposed and approved in that area, therefore, we must consider what impact other uses may have on the Town's infrastructure.

Traffic
The change from Marina and Residential to Pedestrian Commercial will increase density and intensity in the region and this could impact on the surrounding streets. The applicant has not provided an analysis of the maximum development that could occur with the amendment of the Future Land Use Map.

The traffic impact statement for the proposed CPD application is still going through reviews. A final analysis of that traffic impact statement will be available when the review for the CPD is complete. The applicant's CPD is proposing the main entrance to the site from Old San Carlos Boulevard, through the existing Marina Village parking lot. However, it is important to note that Harbor Court and Bonita Street have public rights of way and traffic will be allowed through those streets. This will increase automobile and pedestrian traffic on Third Street, Harbor Court and Bonita Street, which are not wide streets and do not have pedestrian and cyclist infrastructure.

Staff notes that if the proposed resort use were to be approved and developed on these parcels there may be a higher trip capture in the downtown area.

Water
The applicant provided a conceptual water and sewer usage that was accepted by Tetratech, the Town's engineering reviewer. The usage is based primarily on resort hotel room and restaurant uses, which have a higher demand than most uses that could be developed in the Pedestrian Commercial FLU.

Tetratech is in the process of completing a hydraulic model for the Town of Fort Myers Beach to determine future infrastructure needs. Per Tetratech, "The (current) model shows that as long as Lee County Utilities (LCU) and/or the existing Moss

Marina Pump Station (PS) can provide enough supply at sufficient pressure, the FMB water distribution system has ample capacity to support the calculated peak hour water demand for the new development."

The development may reduce additional demand for potable water by installing drought tolerant, native plants, cisterns and rain barrels and providing other water-wise techniques to decrease their impact on the Town's water supply.

Stormwater
Stormwater is of high concern for development on a flood prone barrier island. All developments will be required to meet the stormwater management requirements of the South Florida Water Management District and any local requirements. There may be exemptions based on the current development of the site. The applicant has not provided water quality or quantity data as part of this application.

Overall Impacts
Approval of the Comprehensive Plan Map Amendment will allow additional development on this 4.53 acres which will increase demand on infrastructure. There is currently insufficient infrastructure to serve bicycle and pedestrian needs which are appropriate for the Pedestrian Commercial FLU and potentially insufficient right-of-way width to provide the infrastructure. It is important for the Town of Fort Myers Beach to evaluate capacity and infrastructure availability for development at the time of the amendment to the comprehensive plan future land use map.

Since the Fort Myers Beach Comprehensive Plan was approved in 1999 there have been changes in Marina operators. The Comprehensive Plan identifies 4 marinas. The Island Bay Marina was destroyed by Hurricane Ian and has not yet been rebuilt. The Snook Bight Marina appears to be now located at the former Mid-Island Marina (Comp. Plan Map on page 5-18) location. Fish Tale Marina remains at the original location. Neither of the remaining marinas are located in close proximity to the downtown area. Although the proposed CPD would increase the wet slips. The dry dock storage and servicing of boats would no longer be present.

<u>Findings and Conclusions:</u>
LDC Sec. 34-92 states that: *Proposals to amend the Future Land Use Map must meet Comprehensive Plan Policy 4-C-10*.

Policy 4-C-10 Map Amendments: *The intensity and density levels allowed by the Future Land Use Map may be increased through formal amendments to this plan if such increases are clearly in the public interest, not just in the private interest of a petitioning landowner. Petitions from landowners will be accepted annually. The Town Council may accept applications more frequently at its sole discretion.*

The Town Council must make a decision based on whether the proposed Comprehensive Plan Amendment is in the best interest of the Town of Fort Myers Beach. The following segments of the Comprehensive Plan may assist the Town Council in determining that interest and impact.

- The Marina Future Land Use Category limits the uses and therefore the potential economic impact of the land. Policy 4-B-7 "MARINA" in the Comprehensive Plan is designed to provide water access to the water bodies around Fort Myers Beach. All marina uses listed in 4-B-7 are permitted in the "PEDESTERIAN COMMERCIAL". As Fort Myers Beach is an island both visual and physical access to the water is an important component. The changes in the Future Use Category will not necessarily limit access to water.

- In the Coastal Management Element the section on Land Use Conflicts notes, "In a few cases, marinas are completely surrounded by residential dwellings and the only road access is by residential street, thus limiting future expansion potential to protect other existing uses." This site currently falls into this category. The re-zoning proposal provides an alternate access road to the site that avoids use of the existing residential streets by the proposed development. However, this is not a restriction of the FLU category.

- Policy FLU 1-B-7 "PEDESTERIAN COMMERCIAL", states that commercial activities must contribute to the pedestrian-oriented public realm. The proposed map amendment would allow further development to contribute to this goal for Old San Carlos and Times Square. Any new development in this area would be required to be pedestrian oriented. This land use category also encourages a mix of uses to contribute to the vibrancy of the area.

- Objective 3-D "Times Square" is to "stimulate the revitalization of the downtown core area (near Times Square) as the nucleus of commercial and tourist activities". The enlargement of the Pedestrian Commercial FLU would increase the number available land uses permitted at the site. As stated by the applicant: "The Old San Carlos Boulevard commercial corridor will benefit from the expansion of the Pedestrian Commercial designation and a redevelopment project on the bay will complement the recently completed Margaritaville Resort and the proposed redevelopment of Times Square on the gulf side. This creates two significant anchors and will encourage a vibrant and sustainable downtown district. The Old San Carlos corridor has long been identified as an area where infill development should be encouraged.

The proposed FLU map amendment will increase the potential for nuisance issues for the surrounding single-family homes. Issues of noise, traffic (visitor/guest vehicles and delivery/service/sanitation vehicles), view obstruction and general congestion can be associated with significant increases in commercial and lodging activities. These concerns are addressed in the companion CPD application. The Town Council must determine the thoroughness of those mitigating measures as proposed in the CPD application.

Staff finds that the request to amend the Future Land Use Map to change 3.53 acres of Marina FLU and 1.0 acre of Mixed Residential FLU to Pedestrian Commercial FLU is not clearly in the public interest. Creating additional commercial land adjacent to the existing downtown does not necessarily provide a benefit to the Town and will result in traffic and noise impacts to nearby residential uses through elimination of

the buffer between the intense commercial district and the neighborhood which could increase conflict. Additionally, the area lacks sufficient pedestrian and bicycle infrastructure to support the proposed amendment which will increase density and intensity

RECOMMENDATION

Staff has reviewed the request for a Comprehensive Plan Amendment and found that the Comprehensive Plan Amendment request does not meet the requirements set forth in sec. 34-92 and Comprehensive Plan Policy 4-C-10. Therefore, staff recommends **DENIAL** of CPA20230152, a request for a Comprehensive Plan Amendment to change 3.53 acres of Marina FLU and 1.0 acre of Mixed Residential FLU to Pedestrian Commercial FLU. However, if the Town Council find that the concurrent CPD application for this area adequately demonstrates that the proposed development is "*clearly in the public interest, not just in the private interest of a petitioning landowner.*" approval could be granted. **APPROVAL** of CPA20230152 would be recommended if the CPD application is found by the Town Council to sufficiently address Policy 4-C-10.

III. EXHIBITS

Exhibit A: Applicant Narrative
Exhibit B: Application

THE ARCHES BAYFRONT RESORT

FUTURE LAND USE MAP AMENDMENT

CPA20230152

PROJECT NARRATIVE AND JUSTIFICATION

BACKGROUND & REQUEST

Freeland FL Holdings, LLC, is seeking a Small-Scale Comprehensive Plan Future Land Use Map Amendment and a rezoning of the subject property, comprised of 10 parcels and encompassing ±4.98 acres. It is located at 450, 445, 441, and 436 Harbor Ct., 435 and 438 Bonita St., 935 and 939 Third St., and 401 Old San Carlos Boulevard. The Comprehensive Plan Amendment is requested to designate all properties to the Pedestrian Commercial Future Land Use designation. This means that 7 of the 10 parcels or ±4.53 acres are subject to the map change. The concurrent rezoning petition is to rezone all 10 properties to Commercial Planned Development (CPD) Zoning District to develop a luxury mixed-use resort with significant public amenities. All properties are identified by STRAP Number, Address, Future Land Use designations and zoning districts in the table below:

STRAP #	ADDRESS	EXISTING FUTURE LAND USE	EXISTING ZONING
24-46-23-W3-00026.0020	450 Harbor Ct.	Marina	Commercial Marina
24-46-23-W3-00027.0000	450 Harbor Ct.	Marina	Commercial Marina
24-46-23-W3-0030B.0200	445 Harbor Ct.	Mixed Residential	Residential Conservation
24-46-23-W3-0030B.0190	441 Harbor Ct.	Mixed Residential	Residential Conservation
24-46-23-W3-0030C.0060	436 Harbor Ct.	Mixed Residential	Residential Conservation
24-46-23-W3-0030C.0040	435 Bonita St.	Mixed Residential	Residential Conservation
24-46-23-W3-0030A.0110	438 Bonita St.	Mixed Residential	Residential Conservation
24-46-23-W3-0030A.0030	935 Third St.	Pedestrian Commercial	Commercial Office
24-46-23-W3-0030A.0020	939 Third St.	Pedestrian Commercial	Downtown
24-46-23-W3-0030A.0010	401 Old San Carlos Blvd.	Pedestrian Commercial	Downtown

5618 Whispering Willow Way, Fort Myers, FL 33908 | 239.398.2016
www.theneighborhood.company

The two petitions were previously filed by Ink Engineering, Inc. on behalf of Freeland FL Holdings, LLC in 2023. The Comprehensive Plan Future Land Use Map Amendment has been reviewed by Town Staff and presented to the Local Planning Agency (LPA) on April 9, 2024. The LPA voted 4 – 2 to deny the request. The Town Council on May 6, 2024, granted a continuance for the Comprehensive Plan Future Land Use Map Amendment to a date uncertain, until such time that it could be presented simultaneously with the Commercial Planned Development rezoning request.

The proposed development concept has been revised to address LPA and public comments. As such, this application for a Small-Scale Comprehensive Plan Future Land Use Map Amendment is being submitted concurrently to the revised CPD documents. These applications are meant to be reviewed as companion items and therefore the narratives have been simplified to reduce redundancy among documents. This narrative and justification report provides evidence and support for the approval of the Comprehensive Plan Future Land Use Map Amendment. The requested change from Marina and Mixed Residential future land use designation to Pedestrian Commercial will allow for the development of the proposed resort at the density and intensity outlined in the CPD petition, including the following:

- 263 hotel units
- 15,000 SF commercial uses
- 336 total parking spaces (with 96 dedicated public spaces)
- Maximum FAR of 2.0

It is important to note these companion items are meant to address the LPA's concern that supporting the proposed map change without the companion CPD created an unknown and allowed a wide range of commercial uses and potential intensities allowed under the Pedestrian Commercial Future Land Use Category. Evaluating and voting on these petitions concurrently provides assurance that the development proposed within the CPD is the only development that can move forward on the subject property. Once approved, the CPD with all its limitations, conditions, commitments and constraints becomes the property's zoning district and dictates what is allowed and developable on this site. Any desire to change the approved CPD would require a CPD Amendment and, if applicable, additional public hearings. As such, it is acknowledged that both requests are inextricably linked and have to be approved as companion items to allow The Arches Bayfront Resort to move forward.

The proposed map change provides a logical extension of the Pedestrian Commercial Future Land Use category and implements the Downtown Core Area vision articulated in the comprehensive plan. The subject property is currently designated Marina on the Future Land Use Map and is home to a commercial marina which has peacefully coexisted with residential uses along Harbor Court and Bonita Street. The proposed map change will allow the continuation of recreational marina uses while allowing a hotel resort which will help revitalize the Downtown Core as intended and expressed on page 3-5 of the Comprehensive

Plan, **"Core Area Vision,"**

> *"The Downtown Core Area* ***boasts a revitalized entertainment area*** *with* ***tree-shaded outdoor cafes***, ***pedestrian streets***, *and an "old Estero Island" character to the buildings.*
>
> *"Old San Carlos Boulevard is an* ***active pedestrian-friendly "Main Street" linking Times Square and the marina on the Bay side****. The street is framed with refurbished* ***and new buildings designed to flood regulations with stores on the ground level.*** *On-street parking is available.* ***Continuous tree-lined sidewalks and safe intersections promote pedestrian safety and comfort.*** *The corner at* ***Third Street has become as a focal point*** *midway between Times Square and the Bay side, with* ***"corner stores" providing a variety of goods and services****.*

Moreover, the proposed map change and proposed Arches Bayfront Resort are consistent with elements identified in the "Community Design and Livability" section of the comprehensive plan.

> *"****Using design to promote compatibility of mixed land uses****,* ***making good neighbors of commercial uses (somewhere to walk to get a quart of milk)****, and accommodating residential uses of varying types and affordability."*
>
> **"*Encourage private investment in the economic life, physical form, and natural amenities of the town,*** *directing infill change and redevelopment toward the town's vision through such means as:*
>
> - ***Focusing planning efforts on specific areas that are in transition****, and reinforcing the quality of existing stable neighborhoods.*
> - ***Improving linkages*** *to and sharing the town's precious sensitive resource areas in ways that sustain their viability over time, and creating mechanisms for responsible stewardship of these areas.*
> - ***Reserving the most important sites at the end of street vistas for civic and religious buildings or monuments*** *and designing other* ***buildings to fit together as ensembles*** *rather standing out as icons.*
> - ***Strengthen views to the waterfront to promote a feel of shared use of these irreplaceable amenities****."*

The proposed minor map amendment is requested and justified based upon exceptional circumstances and extensive public benefits discussed extensively in the CPD application and summarized as follows:

- Bayfront Promenade
  - Public access to bayfront
  - Splash pad for kids
  - Mix of food, entertainment and retail venues for public and resort guests
- Enhanced view corridors
- Implementation of Old San Carlos Plan
- Creating a cohesive downtown with two dynamic bookends that provide first-rate pedestrian plazas
- Downtown Ferry/Water Taxi Terminal and founding partner of Ferry System
- 96 Public Parking spaces
- Golf Cart Parking
- Bicycles for Resort Guests & Bicycle racks for the public
- Shuttle Service for employees and guests
- Participation in the DRAC program
- Implementation of Park Once Initiative
- Marina with Temporary Docking/Parking for non-motorized watercraft - paddle boards, kayaks and canoes, outfitters providing access to local water and natural environment
- Convenient Boat Pump Out and Fueling service
- Linear Park Memorial Garden Park honoring:
  - FMB history & historic FMB Arches
  - Hurricane Ian impacts & casualties
  - Hurricane Ian rebuild
- Outdoor Market – Farmers and Arts & Crafts Market which will support local businesses and create a social gathering place
- Revitalization of the Downtown and increasing visitor density by creating public spaces, facilitating public access and diversifying food, recreational and entertainment options.
- Replacement of stark, dry storage barns with attractive coastal architecture – form and good design are important, they define and create a sense of place
- Hardened and resilient structures
- Improved water management conditions
- Significant positive economic impact: ad valorem taxes, impact fees, bed tax, employment, capital improvement costs, secondary impacts in supporting other local businesses
- Support of FMB Elementary School through informing/educating staff about the school and providing flexible work schedules to facilitate drop-off and pick-up

(Intentionally left blank)

5618 Whispering Willow Way, Fort Myers, FL 33908 | 239.398.2016
www.theneighborhood.company

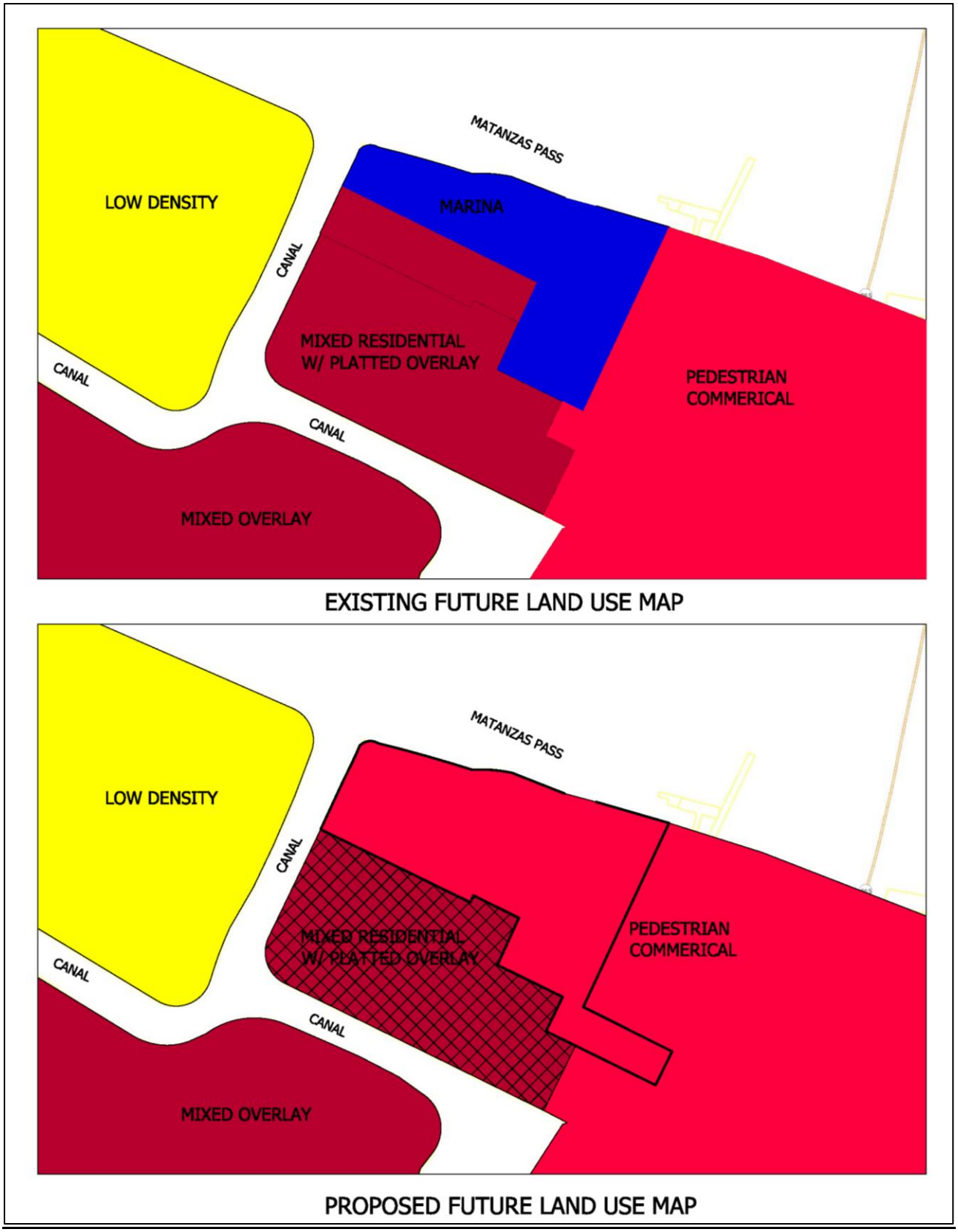


Figure 1. Existing and Proposed Future Land Use Map

EXISTING CONDITIONS & SURROUNDING LAND USES

Moss Marina has long been an iconic landmark on Fort Myers Beach. It was originally established as a marina by John and Betty Moss in 1969 and was expanded by George Freeland in 1983. Having received significant damage due to Hurricane Ian, ownership felt that through the rebuilding process they had a unique opportunity to create a mixed-use bayfront development to complement the Fort Myers Beach downtown district.

The future land use designations and existing land uses surrounding the property are as follows:

- North: Matanzas Pass Bay
- South: Mixed Residential, developed with a blend of single-family/duplex residential and vacation rentals
- East: Pedestrian Commercial, developed with primarily hotel and commercial uses
- West: Canal



Figure 2. Location Map

5618 Whispering Willow Way, Fort Myers, FL 33908 | 239.398.2016
www.theneighborhood.company

CONSISTENCY WITH FLORIDA STATUTES & FORT MYERS BEACH COMPREHENSIVE PLAN

Florida Statutes Chapter 163.3177 regulates Comprehensive Plans, including map and text amendments. Map amendments are permitted, subject to specific conditions:

> *8. Future land use map amendments shall be based upon the following analyses:*
>
> *a. An analysis of the availability of facilities and services.*
>
> *b. An analysis of the suitability of the plan amendment for its proposed use considering the character of the development land, soils, topography, natural resources, and historic resources on site.*
>
> *c. An analysis of the minimum amount of land needed to achieve the goals and requirements of this section.*

The Town of Fort Myers Beach requires that all map amendments address Comprehensive Plan Policy 4-C-10, which states:

> *The intensity and density levels allowed by the Future Land Use Map may be increased through formal amendments to this plan if such increases are clearly in the public interest, not just in the private interest of a petitioning landowner. Petitions from landowners will be accepted annually. The Town Council may accept applications more frequently at its sole discretion.*

The following analysis addresses the proposed map change and its consistency with both Florida Statutes and relevant Goals, Objectives, and Policies of the Comprehensive Plan.

Public Facilities Impacts

Traffic Circulation: A Traffic Impact Statement has been submitted. The Town's traffic consultant provided comments on January 3, 2024. A coordination meeting with town staff was held on January 17, 2024, and the TIS was resubmitted on March 1, 2024. Currently, the TIS is being updated for the pending CPD application for resubmittal. Per the TIS report, the existing roadway network can accommodate the estimated 20 new trips the project will add to Estero Boulevard. No roadway capacity improvements are required as a result of the proposed development.

Sanitary Sewer: Lee County Utilities will provide Sanitary Sewer. There is existing infrastructure that services the site and sufficient capacity for the proposed project. A service availability letter is attached as Exhibit XCP-3.

Potable Water: Town of Fort Myers Beach will provide potable water. There is existing infrastructure that services the site and sufficient capacity for the proposed project. A service availability letter is attached as Exhibit XCP-4.

Surface Water: The property pre-dates the requirement for stormwater management systems. Redevelopment of the property will require issuance of an Environmental Resource Permit from SFWMD/FDEP for water quality and quantity.

Parks: There is no impact to the existing Town Park system. Any rezoning which may provide for residential uses would be evaluated at time of zoning for park impacts that may need to be mitigated.

Recreation: The are no impacts to the recreation of the Town. The companion rezone proposes to add recreation facilities as a public benefit.

Open Space: Any proposed uses will comply with the Town's Open Space requirements as required by the Land Development Code.

Fire Protection: Fire Protection is provided by the Fort Myers Beach Fire and Rescue District. A service availability letter confirming sufficient capacity for the proposed project is attached as Exhibit XCP-5.

Solid Waste: The Lee County Solid Waste Department will provide solid waste collection for the project. A service availability letter confirming sufficient capacity for the proposed project is attached as Exhibit XCP-6.

Safety: The Lee County Sheriff's Office has jurisdiction in the Town for Public Safety. A service availability letter confirming sufficient capacity for the proposed project is attached as Exhibit XCP-7.

Mass Transit: LeeTran has jurisdiction in the Town for Mass Transit services. A service availability letter confirming sufficient capacity for the proposed project is attached as Exhibit XCP-8.

Environmental: The subject property does not have any jurisdictional wetlands. There are no upland environmental impacts. Currently, the adjacent state lands are operating

as a marina with wet slip dockage. The facility has operational authorization from FDEP and ACOE with conditions to address current environmental impacts. Any change in development will be required to be consistent with the comprehensive plan, land development code, FDEP, and ACOE rules, regulations, and requirements.

Historical Resources: The site has been developed for a significant period. There are no known Historic Resources on the site.

(Intentionally left blank)

5618 Whispering Willow Way, Fort Myers, FL 33908 | 239.398.2016
www.theneighborhood.company

Comprehensive Plan Community Design Element

GOAL 1: To continually improve the appearance and function of transportation corridors, commercial areas, and links to the natural and recreational areas.

OBJECTIVE 1-B OTHER PUBLIC SPACES — Beautify public spaces throughout the island.

POLICY 1-B-3 Identify potential mechanisms to implement and maintain special amenities such as entry features, monuments, or other special landscape projects.

OBJECTIVE 2-B SIDE STREETS — Encourage residents to achieve a higher ambition for their residential streets, improving their walkability, comfort, beauty, interconnectedness, and safety.

GOAL 2: To upgrade residential neighborhoods throughout Estero Island.

OBJECTIVE 2-A HIDDEN PATHS — Create an additional interconnected system of pedestrian and bicycle pathways throughout the island to improve mobility and promote community interaction.

GOAL 3: To revitalize and improve specific transitional neighborhoods.

OBJECTIVE 3-D TIMES SQUARE — Stimulate the revitalization of the downtown core area (near Times Square) as the nucleus of commercial and tourist activities.

The CPA petition proposes to expand the Pedestrian Commercial Future Land Use designation along the bayfront by redesignating the entire subject property from a combination of Mixed Residential, Marina, and Pedestrian Commercial to Pedestrian Commercial. The area along the Matanzas Pass shoreline is currently designated Marina, which has extremely limited uses. The Pedestrian Commercial designation does not prevent continuation of those marina-related uses but expands the development options and the potential to provide greater public access to the waterfront.

Currently, public access to the bayfront is limited to Bayfront Park at the end of Old San Carlos Boulevard, a few restaurants in the downtown district and Mid Island, and Mound Key Park. Approval of this application and the companion CPD rezone will provide public access to over 670 feet of waterfront and publicly accessible land consisting of the Bayfront Promenade and Linear Park & Memorial Garden. Detailed descriptions of these amenities can be found in the companion CPD petition. The requested change will also allow the ability, through a CPD rezone, to add a resort inclusive of hotel, marina, retail, and other commercial uses at the bayfront end of the downtown corridor.

The Old San Carlos Boulevard commercial corridor will benefit from the expansion of the Pedestrian Commercial designation and a redevelopment project on the bay will complement the recently completed Margaritaville Resort and the proposed redevelopment of Times Square on the gulf side. This creates two significant anchors and will encourage a vibrant and sustainable downtown district. The Old San Carlos corridor has long been identified as an area where infill development should be encouraged. The 1999 "Old San Carlos Boulevard – Crescent Street Master Plan" called for the expansion of the Times Square pedestrian-friendly zone along Old San Carlos Boulevard, recommending redevelopment standards that help create a strong "sense of place" and encourage pedestrian activity throughout the corridor by ***"connecting the beach to the bay".*** The Master Plan also outlines the ***"Park-Once"*** strategy to completement pedestrian-focused design:

> *Those who must drive to Fort Myers Beach should park in a safe central location and enjoy their visit on foot or use the trolley. This 'Park-Once' pattern can be seen in mature towns and in healthy historic communities all around the globe, especially in favorite vacation spots.*

The addition of public parking through the redevelopment of the existing marina supports the Park-Once strategy and will be, as the Master Plan suggests, "conveniently located, easily identifiable, safe, and connected to popular destinations in such a way that the walk is part of the attraction, not a hurdle to overcome."

As described in the companion CPD petition, the project emphasizes pedestrian and bicycle access and the creation of interconnections to the whole of downtown. Downtown Fort Myers Beach is only ±300 yards (less than a quarter mile) wide between the Gulf and Bayfront, making it ideal for pedestrian travel. The short distance along Old San Carlos Boulevard creates a walkable district, thereby reducing the need for vehicle travel. The typical "pedestrian shed", or distance the average person is able to comfortably walk, is a quarter mile or a 5-minute walk. The expansion of the Pedestrian Commercial designation creates a logical pedestrian shed connecting the proposed project to the Old San Carlos Corridor and Times Square. This site has the ability to add a mixture of uses that enhances the downtown environment and provides a bayfront anchor for an active, vibrant, and sustainable downtown district.

5618 Whispering Willow Way, Fort Myers, FL 33908 | 239.398.2016
www.theneighborhood.company



Future Land Use Element

GOAL 4: To keep Fort Myers Beach a healthy and vibrant "small town," while capitalizing on the vitality and amenities available in a beach–resort environment and minimizing the damage that a hurricane could inflict.

OBJECTIVE 4-A SMALL-TOWN CHARACTER — Maintain the small-town character of Fort Myers Beach and the pedestrian-oriented "public realm" that allows people to move around without their cars even in the midst of peak-season congestion.

POLICY 4-A-2 The Town of Fort Myers Beach values its vibrant economy and walkable commercial areas. Through this plan, the town will ensure that new commercial activities, when allowed, will contribute to the pedestrian-oriented public realm.

OBJECTIVE 4-B FUTURE LAND USE MAP CATEGORIES — Reduce the potential for further overbuilding through a new Future Land Use Map that protects remaining natural and historic resources, preserves the small-town character of Fort Myers Beach, and protects residential neighborhoods against commercial intrusions.

POLICY 4-B-6 "PEDESTRIAN COMMERCIAL": a primarily commercial district applied to the intense activity centers of Times Square (including Old San Carlos and nearby portions of Estero Boulevard) and the area around the Villa Santini Plaza. For new development, the maximum density is 6 dwelling units per acre (except where the Future Land Use Map's "platted overlay" indicates a maximum density of 10 units per acre for affordable units consistent with the adopted redevelopment plan). Commercial activities must contribute to the pedestrian-oriented public realm as described in this comprehensive plan and must meet the design concepts of this plan and the Land Development Code. Where commercial uses are permitted, residential uses are encouraged in upper floors. All "Marina" uses in Policy 4-B-7 are also allowed on parcels that were zoned for marinas prior to adoption of this plan. Nonresidential uses (including motels and churches) now comprise 58.9% of the land in this category, and this percentage shall not exceed 90%.

On September 28, 2022, Hurricane Ian swept ashore with a storm surge that caused catastrophic damage to the island. The town suffered a crippling blow with a great loss of property. As redevelopment occurs, it is important that the "small town" identity of Fort Myers Beach remains, honoring the historical legacy of the island. However, replacing structures to meet current codes for flood elevation and other resiliency policies comes at a significant cost. It is extremely difficult, and often nearly impossible, to replace what was lost

while keeping the same eclectic form that took decades to build. Therefore, adaptations to the traditional definition of small town are necessary for the successful redevelopment and future sustainability of Fort Myers Beach.

The proposed expansion of the Pedestrian Commercial future land use designation creates an opportunity for Fort Myers Beach to retain its "small town" identity while still adapting to the challenges of current development standards. Through thoughtful application of a CPD, the redevelopment of the subject property can focus on human-scaled design, environmentally sound planning practices, and a significant addition to the pedestrian-oriented public realm that is encouraged by the Comprehensive Plan.

As mentioned previously, the current uses permitted under the Marina designation are not in conflict with a map change to Pedestrian Commercial, as Policy 4-B-6 permits pre-existing Marina uses. The proposed change would allow for the continuation of a recreational marina, but with high-class amenities and greater public access to the waterfront.

Coastal Management Element

GOAL 5: To keep the public aware of the potential effects of hurricanes and tropical storms and to plan a more sustainable redevelopment pattern that protects coastal resources, minimizes threats to life and property, and limits public expenditures in areas subject to destruction by storms.

While the proposed map change has no direct impact on Coastal Management, the companion CPD rezone proposes a project that significantly activates the bayfront with plazas, parks/open space areas, and walkability integrated into a vibrant and sustainable downtown district. Existing uses pre-date the requirement for stormwater management; redevelopment of this area will require compliance with current stormwater regulations, which ensures an improvement from current conditions.

Transportation Element

GOAL 7: To improve peak-season mobility without reducing the permeability of Estero Boulevard to foot traffic or damaging the small-town character of Fort Myers Beach. The town seeks to reduce speeding, improve evacuation capabilities, and improve mobility through balanced transportation improvements such as a continuous system of sidewalks and bikeways, a network of trolleys and water taxis linked to off-island systems, and parking options matched to road capacity.

OBJECTIVE 7-D VARIETY OF TRAVEL MODES — The Town of Fort Myers Beach shall make efforts every year to improve mobility for its residents and visitors, striving for a balanced transportation system that allows safe movement even during peak periods of traffic congestion. These efforts may include further subsidies to improve the trolley system, the use of impact fees to improve sidewalks, and creation of critical links on the hidden-path system.

POLICY 7-D-3 ALTERNATE TRAVEL MODES: The town shall support alternatives to car travel to free up road capacity for trips that do require a car.

OBJECTIVE 7-I LEVEL-OF-SERVICE STANDARD — Maintain minimum acceptable levels of service for the transportation system.

Transportation is an important concern regarding any development on the island. Approval of this map change does not grant any specific uses on a property. Currently, the existing marina zoning district provides the schedule of allowable uses, which can continue consistent with the redesignation to Pedestrian Commercial. Although the proposed map change has no direct impact on transportation management, the Pedestrian Commercial future land use designation, by definition, emphasizes a pedestrian-oriented public realm. The proposed CPD, as discussed previously, seeks to prioritize the creation of new bike and pedestrian networks which will help to reduce traffic associated with redevelopment. Additionally, the CPD petition proposes a water taxi/ferry system that will provide a new alternative method of transportation to multiple destinations on the Island.

The Comprehensive Plan requires that a development maintain specific levels of service. The map change would only allow the potential of adding uses in addition to the Marina. A Traffic Impact Statement has been submitted concurrently and demonstrates consistency with Objective 7-1 and Policy 7-J-2.

It is worth noting that, despite the proposed increase in hotel rooms requested in the companion CPD petition, the Town of Fort Myers Beach has significantly fewer hotel rooms open as of June 2024 than prior to Hurricane Ian. Including new rooms from Margaritaville opened post-Ian, the Lee County Visitor & Convention Bureau estimates that only 42.9% of all pre-Ian hotel rooms are currently open (see table below). Equating increased traffic with the addition of hotel rooms is a common assumption; however, the data clearly indicates that new hotel rooms have not even replaced the rooms closed due to Hurricane Ian. Anecdotal reports of increased traffic post-Ian are more likely a result of a combination of construction-related trips, change in transportation operations and an uptick in day trips from mainland residents.

HOTEL ROOMS (as of 6-10-2024)		
	Pre-Ian Room Count	Post-Ian Room Count (%)
Fort Myers Beach	**2,156**	**1,069 (42.9%)***

*Includes new properties open post-Ian.

The Transportation Element of the Comprehensive Plan acknowledges that conventional traffic solutions, like road widening and alternative routes, are ineffective for Fort Myers Beach and instead emphasizes alternative modes of transportation as a way to relieve congestion on constrained roadways. The following are mitigation solutions cited by the Comprehensive Plan and ways in which the proposed project supports each strategy. More detailed descriptions of public benefits can be found in the companion CPD petition.

- **Make it easier for visitors to arrive without a car (Policy 7-D-1)**
  - Shuttle service provided for guests and employees
  - Participation in the DRAC program
  - Mix of uses easily accessible by pedestrians/bicycles and creating internal capture
  - Bicycles provided for guest use
  - Golf cart parking provided
- **Encourage a reliable system of water taxis (7-D-4)**
  - Founding partner in water taxi/ferry system
  - Downtown water taxi/ferry terminal on site
- **Create a hidden-path system (7-D-5)**
  - Separated bike/pedestrian path system integrated throughout the resort and connected to downtown
  - Wayfinding to direct bike/pedestrian traffic towards bayfront
  - ±860’ of public promenade area

Additionally, the proposed project supports and enhances the Town’s “Park Once” strategy by locating a “fully-amenitized” resort in the heart of downtown where guests who drive can meet all their needs within walking distance. Moreover, the project will provide centrally located public parking spaces that allow day trippers to park once and have convenient access to the beach, Times Square, the Bayfront Promenade, the Old San Carlos Boulevard corridor, and water related activities.

COMMUNITY DEVELOPMENT DEPARTMENT
APPLICATION for PUBLIC HEARING

This is a first part of a two-part application. Please be sure to fill out this form, which requires general information, as well as the Supplemental Form application specific to action requested for the subject property. Please submit a complete Public Hearing application with required, supplemental information, exhibits and documents to zoningpermits@fmbgov.com. Please do not submit the instructions at the end of the application.

Site Address: 401 San Carlos Blvd

STRAP Number: See attached parcel information narrative

Applicant: Freeland FL Holdings, LLC Phone: 615-337-7671

Contact Name: James Ink PE c/o Ink Engineering, Inc Phone: 239-940-2504

Email: jink@inkeingineeringinc.net Fax: _____

Current Zoning District: Downtown, Marina, Residential Conversation

Future Land Use Map (FLUM) Category: Pedestrian Commerical, Marina, Mixed Residential

FLUM Density Range: _____ Platted Overlay: ☑ YES ☐ NO

ACTION REQUESTED	SUPPLEMENTAL FORM REQUIRED
☐ Special Exception	PH-A
☐ Variance	PH-B
☐ Conventional Rezoning	PH-C
☐ Planned Development ☐ Commercial ☐ Residential	PH-D
☐ Master Concept Plan Extension	PH-E
☐ Appeal of Administrative Action	PH-F
☐ Vacation of Platted Right-of-way and Easement	PH-G
☑ Other – cite LDC Section: Comp Plan Amendment	attach on separate sheet

PART I – General Information

A. Applicant*: Ben Freeland Phone: (615) 337-7671

**Applicant must submit a statement under oath that he/she is the authorized representative of the property owner. Please see PART III to complete the appropriate Affidavit form for the type of applicant.*

Applicant Mailing Address: 5333 Hickory Hollow Parkway, Anitoch, TN 37013

Email: Ben.Freeland@freelandauto.com Fax: _____

Contact Name: Ben Freeland Phone: (615) 337-7671

Town of Fort Myers Beach 2525 Estero Blvd Fort Myers Beach, Florida 33931
Phone: 239-765-0202 zoningpermits@fmbgov.com Fax: 239-765-0909

B. Relationship of Applicant to subject property:

- ☐ Owner*
- ☐ Land Trust*
- ☐ Partnership*
- ☑ Corporation*
- ☐ Association*
- ☐ Condominium*
- ☐ Subdivision*
- ☐ Timeshare Condo*
- ☐ Contract Purchaser*
- ☐ Authorized Representative*
- ☐ Other* (please indicate)_____

**Applicant must submit a statement under oath that he/she is the authorized representative of the property owner. Please see PART III to complete the appropriate Affidavit form for the type of applicant.*

C. Authorized Agent(s). Please list the name of Agent authorized to receive correspondence Agents

Name: James Ink PE, c/o Ink Engineering, Inc Phone: (239) 940-2504

Address: 2055 West First Street, Fort Myers, FL 33901

Email: jink@inkengineeringinc.net Fax: _____

D. Other Agent(s). Please list the names of all Authorized Agents (attach extra sheets if necessary)

Name: Bruce Strayhorn Esq. Phone: (239) 334-1260

Address: 2125 1st Street, Fort Myers, FL 33901

Email: bruce@strayhornlaw.com Fax: _____

Name: _____ Phone: _____

Address: _____

Email: _____ Fax: _____

PART II – Nature of Request

Requested Action (each request requires a separate application)

- ☐ Special Exception
- ☐ Variance from LDC Section _____ - _____
- ☐ Conventional Rezoning from _____ to _____
- ☐ Planned Development
- ☐ Rezoning from _____ to ☐ Commercial PD ☐ Residential PD
- ☐ Amendment. List the project number: _____
- ☐ Extension/reinstatement of Master Concept Plan. List project number: _____

Town of Fort Myers Beach 2525 Estero Blvd Fort Myers Beach, Florida 33931
Phone: 239-765-0202 zoningpermits@fmbgov.com Fax: 239-765-0909

☐ Appeal of Administrative Action

☐ Vacation ☐ Right-of-Way ☐ Easement

☑ Other. Please Explain: Comprehensive Plan Map Change

PART III – Waivers

Please indicate any specific submittal items that have been waived by the Director for the request. Attach a copy of the signed approval as Exhibit 3-1. (Use additional sheets if necessary)

Code Section: 34-212(6) Description: Temporary waiver of Traffic Impact Statement to allow methodology determination

Code Section: _____ Description: _____

Code Section: _____ Description: _____

PART IV – Property Ownership (Single Owner)

☐ Single Owner (individual or husband and wife)

Name: _____ Phone: _____

Mailing Address: _____

Email: _____ Fax: _____

AFFIDAVIT
APPLICATION IS SIGNED BY AN INDIVIDUAL OWNER OR APPLICANT

I, _____ swear or affirm under oath, that I am the owner or the authorized representative of the owner(s) of the property and that:

I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the Town of Fort Myers Beach in accordance with this application and the Land Development Code;
All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;

I have authorized the staff of the Town of Fort Myers Beach Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made thru this application; and that
The property will not be transferred, conveyed, sold or subdivided unencumbered by the conditions and restrictions imposed by the approved action.

_____ _____
Signature Printed Name

STATE OF _____ COUNTY OF _____

The foregoing instrument was certified and subscribed before me by means of ____ physical presence OR _____ online notarization, this _____day of _____, 20_____, by _____, ☐ who is personally known to me OR ☐ who has produced _____ as identification.

(SEAL) _____
Notary Public Signature

PART V
Property Ownership (Multiple Owners)

☐ Multiple Owners (including corporation, partnership, trust, association, condominium, timeshare, or subdivision)

- ☐ Complete Disclosure of Interest Form (see below)
- ☐ Attach list of property owners as Exhibit 5-1
- ☐ Attach map showing property owners interests as Exhibit 5-2 (for multiple parcels)
- ☐ For condominiums and timeshares see Explanatory Notes Part V – Exhibit 5-3
- ☐ Letter of Opinion - Exhibit 5-4

DISCLOSURE OF OWNERSHIP INTEREST

If the property is owned in fee simple by an INDIVIDUAL, tenancy by the entirety, tenancy in common, or joint tenancy, list all parties with an ownership interest as well as the percentage of such interest.

Name and Address	Percentage Ownership
_____	_____
_____	_____
_____	_____
_____	_____

Town of Fort Myers Beach 2525 Estero Blvd Fort Myers Beach, Florida 33931
Phone: 239-765-0202 zoningpermits@fmbgov.com Fax: 239-765-0909

If the property is owned by a CORPORATION, list the officers and stockholders and the percentage of stock owned by each.

Name, Address and Office	Percentage of Stock

If the property is in the name of a TRUSTEE, list the beneficiaries of the trust with percentage of interest.

Name and Address	Percentage of Interest

If the property is in the name of a GENERAL PARTNERSHIP OR LIMITED PARTNERSHIP, list the names of the general and limited partners.

Name and Address	Percentage of Ownership

If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the officers, stockholders, beneficiaries, or partners.

Name, Address and Office	Percentage of Stock

Town of Fort Myers Beach 2525 Estero Blvd Fort Myers Beach, Florida 33931
Phone: 239-765-0202 zoningpermits@fmbgov.com Fax: 239-765-0909

COMMUNITY DEVELOPMENT DEPARTMENT
APPLICATION for PUBLIC HEARING

Date of Contract: _____

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

Name	Address
_____	_____
_____	_____
_____	_____
_____	_____

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final certificate of compliance, a supplemental disclosure of interest must be filed.

The above is a full disclosure of all parties of interest in this application, to the best of my knowledge and belief.

_____ _____

Signature Printed Name

AFFIDAVIT

APPLICATION IS SIGNED BY A CORPORATION, LIMITED LIABILITY COMPANY (L.L.C.), LIMITED COMPANY (L.C.), PARTNERSHIP, LIMITED PARTNERSHIP, OR TRUSTEE

I, Ben Freeland (name), as Managing Member (title) of Freeland FL Holdings, LLC (company), swear or affirm under oath, that I am the owner or the authorized representative of the owner(s) of the property and that:

1. I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the Town of Fort Myers Beach in accordance with this application and the Land Development Code;
2. All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;
3. I have authorized the staff of Fort Myers Beach Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made thru this application; and that
4. The property will not be transferred, conveyed, sold or subdivided unencumbered by the conditions and restrictions imposed by the approved action.

Town of Fort Myers Beach 2525 Estero Blvd Fort Myers Beach, Florida 33931
Phone: 239-765-0202 zoningpermits@fmbgov.com Fax: 239-765-0909

Freeland FL Holdings, LLC
Name of Entity (corporation, partnership, LLP, LLC, etc)

Signature _____ Title _____

Typed or Printed Name _____ Date _____

STATE OF _____ COUNTY OF _____

The foregoing instrument was certified and subscribed before me by means of ___ physical presence OR ☐ online notarization, this _____day of _____, 20____ , by _____, ☐ who is personally known to me OR ☐ who has produced _____ as identification.

Seal

Notary Public Signature

PART VI– Property Information

A. Legal Description:

STRAP: See application narrative

Property Address: 401 San Carlos Blvd

Is the subject property within a platted subdivision recorded in the official Plat Books of Lee County? ☑ No. Attach a legible copy of the legal description as Exhibit 6-1.

☐ Yes. Property identified in subdivision: _____

Book: _____ Page: _____ Unit: _____ Block: _____ Lot(s): _____

B. Boundary Survey:

☑ Attach a Boundary Survey of the property meeting the minimum standards of Chapter 61G17-6 of the Florida Administrative Code. A Boundary Survey must bear the raised seal and original signature of a Professional Surveyor and Mapper licensed to practice Surveying and Mapping by the State of Florida. Attach and label as Exhibit 6-2.

C. Property Dimensions:

Width (please provide an average width if irregular in shape) 640 feet

Depth (please provide an average width if irregular in shape) 390 feet

Frontage on street: 430 feet. Frontage on waterbody: 660 feet

Total land area: 4.98 ☑ acres ☐ square feet

D. General Location of Subject Property (from Sky Bridge or Big Carlos Pass Bridge):

NW corner of Old San Carlos Blvd and Third street and extending NW along the bayfront to the canal on the western property line.

☑ Attach Area Location Map as Exhibit 6-3

E. Property Restrictions (check applicable):

☑ There are no deed restrictions and/or covenants on the subject property.

☐ A list of deed restrictions and/or covenants affecting the subject property is attached as Exhibit 6-4.

☐ A narrative statement detailing how the restrictions/covenants may or may not affect the request is attached as Exhibit 6-5.

F. Surrounding Property Owners (these items can be obtained from the Lee County Property Appraiser):

☑ Attach a list of surrounding property owners within 500 feet as Exhibit 6-6.

☑ Attach a map showing the surrounding property owners as Exhibit 6-7.

☑ Provide Staff with two (2) sets of surrounding property owner mailing labels.

G. Future Land Use Category (see Future Land Use Map):

☐ Low Density	☑ Marina
☑ Mixed Residential	☐ Recreation
☐ Boulevard	☐ Wetlands
☑ Pedestrian Commercial	☐ Platted Overlay

Town of Fort Myers Beach 2525 Estero Blvd Fort Myers Beach, Florida 33931
Phone: 239-765-0202 zoningpermits@fmbgov.com Fax: 239-765-0909

NOTES:
SURVEY BASED ON THE PLAT OF MATANZAS VIEW, RECORDED DEEDS, PREVIOUS SURVEYS BY THIS FIRM, SURVEY BY BENTON LAND SURVEYORS DATED 02-02-89, FOUND MONUMENTATION AND AN OPINION OF TITLE ISSUED BY STRAYHORN, PERSONS-MULICKA & FISHER WITH AN EFFECTIVE DATE OF MARCH 6, 2023.

BEARINGS BASED ON THE U.S. ARMY CORP OF ENGINEERS MATANZAS PASS SURVEY DATED APRIL 1993 WITH THE CENTERLINE OF THE CHANNEL AS BEARING N72°05'47"W.

STATE PLANE COORDINATES LABELED (27) ARE FLORIDA WEST ZONE-1927 DATUM BASED ON THE U.S. ARMY CORPS OF ENGINEERS MATANZAS PASS SURVEY DATED APRIL 1993 AND COORDINATES LABELED (83/07) ARE BASED ON SURVEY-GRADE GPS OBSERVATIONS BASED ON FLORIDA WEST ZONE (NAD 1983/2007 ADJUSTMENT) HOLDING CONTROL POINT BOOB2.

ELEVATIONS BASED ON NAVD OF 1988 AND NGS BENCHMARK BM NO 2 1965.

PARCEL LIES IN FLOOD ZONE AE WITH A BASE FLOOD ELEVATION OF 11' PER FLOOD INSURANCE RATE MAP 12071C0554G, WITH AN EFFECTIVE DATE AND INDEX DATE OF NOVEMBER 17TH, 2022 (COMMUNITY NAME: LEE COUNTY AND COMMUNITY NUMBER 125124). SUBJECT TO ADDITIONAL RESTRICTIONS AND DESIGN CRITERIA WITHIN THE LIMWA (LIMIT OF MODERATE WAVE ACTION) LINES AS APPLICABLE AND SHOWN HEREON.

THE F.E.M.A. FLOOD ZONE INFORMATION INDICATED HEREON IS BASED ON MAPS SUPPLIED BY THE FEDERAL GOVERNMENT. THIS FLOOD INFORMATION MUST BE VERIFIED WITH ALL PERMITTING REGULATORY ENTITIES PRIOR TO COMMENCING ANY WORK OR APPLICATION DEPENDENT ON SAID FLOOD INFORMATION.

IRON RODS "SET" ARE 5/8" X 18" REBAR WITH YELLOW CAP BEARING CORPORATION NO LB8267.

UNDERGROUND IMPROVEMENTS, UTILITIES AND/OR FOUNDATIONS WERE NOT LOCATED UNLESS OTHERWISE NOTED.

WETLANDS, IF ANY, WERE NOT LOCATED. THIS SURVEY DOES NOT REFLECT ANY ENVIRONMENTAL MATTERS.

THIS PLAT PREPARED AS A BOUNDARY SURVEY AND IS NOT INTENDED TO DELINEATE THE JURISDICTION OR JURISDICTIONAL AREAS OF ANY FEDERAL, STATE, REGIONAL OR LOCAL AGENCY, BOARD, COMMISSION OR OTHER ENTITY.

THE MEAN HIGH WATER ELEVATION AS SHOWN HEREON WAS ESTABLISHED BY EXTENDING THE ELEVATION (0.14' NAVD 1988) AT MEAN HIGH WATER INTERPOLATION POINT 872-5366 PER DEP PROCEDURAL APPROVAL DATED JUNE 29, 2011.

DATE OF LAST FIELD WORK 07-02-2023.

PARCEL IDENTIFICATION LIST:
PARCEL ADDRESS: DOCK
PARCEL STRAP #24-46-23-W2-00000.0010
CONTAINS 0.01 ACRES OR (615 SQ FT) MORE OR LESS.

PARCEL ADDRESS: 450 HARBOR COURT, FORT MYERS BEACH, FL 33931
PARCEL STRAP #24-46-23-W3-00027.0000
CONTAINS 1.66 ACRES OR (72,248 SQ FT) MORE OR LESS.
AND
PARCEL STRAP #24-46-23-W3-00026.0020
CONTAINS 1.87 ACRES OR (81,583 SQ FT) MORE OR LESS.

PARCEL ADDRESS: 441 HARBOR COURT, FORT MYERS BEACH, FL 33931
PARCEL STRAP #24-46-23-W3-0030B.0190
CONTAINS 0.11 ACRES OR (5,000 SQ FT) MORE OR LESS.

PARCEL ADDRESS: 445 HARBOR COURT, FORT MYERS BEACH, FL 33931
PARCEL STRAP #24-46-23-W3-0030B.0200
CONTAINS 0.12 ACRES OR (5,046 SQ FT) MORE OR LESS.

PARCEL ADDRESS: 436 HARBOR COURT, FORT MYERS BEACH, FL 33931
PARCEL STRAP #24-46-23-W3-0030C.0060
CONTAINS 0.17 ACRES OR (7,527 SQ FT) MORE OR LESS.

PARCEL ADDRESS: 435 BONITA STREET, FORT MYERS BEACH, FL 33931
PARCEL STRAP #24-46-23-W3-0030C.0040
CONTAINS 0.17 ACRES OR (7,509 SQ FT) MORE OR LESS.

PARCEL ADDRESS: 438 BONITA STREET, FORT MYERS BEACH, FL 33931
PARCEL STRAP #24-46-23-W3-0030A.0110
CONTAINS 0.21 ACRES OR (9,299 SQ FT) MORE OR LESS.

PARCEL ADDRESS: 935 THIRD STREET, FORT MYERS BEACH, FL 33931
PARCEL STRAP #24-46-23-W3-0030A.0030
CONTAINS 0.09 ACRES OR (4,000 SQ FT) MORE OR LESS.

PARCEL ADDRESS: 939 THIRD STREET, FORT MYERS BEACH, FL 33931
PARCEL STRAP #24-46-23-W3-0030A.0020
CONTAINS 0.13 ACRES OR (5,760 SQ FT) MORE OR LESS.

PARCEL ADDRESS: 401 OLD SAN CARLOS BOULEVARD, FORT MYERS BEACH, FL
PARCEL STRAP #24-46-23-W3-0030A.0010
CONTAINS 0.23 ACRES OR (10,000 SQ FT) MORE OR LESS.

DESCRIPTION PER TITLE OPINION:
A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 24, TOWNSHIP 46 SOUTH, RANGE 23 EAST, SAID PARCEL BEING LOTS 19, 20 AND 21, BLOCK B, LOTS 4 THROUGH 7, BLOCK C, LOTS 1 THROUGH 3, 11 AND 12, BLOCK A, MATANZAS VIEW, RECORDED IN PLAT BOOK 9, PAGE 40, AND LANDS DESCRIBED IN PARCELS 2 , 3 AND 4 IN OFFICIAL RECORDS BOOK 2738, PAGE 2444, AND LANDS DESCRIBED IN INSTRUMENT NUMBER 2021000006561, AND LANDS IDESCRIBED IN INSTRUMENT NUMBER 2021000006557 RECORDED IN THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, BEING MORE DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION FORMED BY THE WESTERLY RIGHT-OF-WAY LINE OF OLD SAN CARLOS BOULEVARD (MEASURED 33' FROM THE CENTERLINE AND PERPENDICULAR THERETO) AND THE NORTH RIGHT-OF-WAY LINE OF THIRD STREET (50' WIDE), SAID POINT BEING THE SOUTHEASTERLY CORNER OF LOT 1, BLOCK A, MATANZAS VIEW, PLAT BOOK 9, PAGE 40, RECORDED IN THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, AND RUNS THENCE; N63°57'56"W ALONG SAID NORTH RIGHT-OF-WAY LINE FOR 247.00 FEET TO THE SOUTHEASTERLY CORNER OF LOT 4, BLOCK A AS SHOWN ON SAID PLAT; THENCE N26°02'04"E DEPARTING SAID NORTH RIGHT-OF-WAY LINE AND ALONG THE EASTERLY LINE OF SAID LOT 4 FOR 80.00 FEET TO THE NORTHEASTERLY CORNER OF SAID LOT 4; THENCE N63°57'56"W ALONG THE NORTHERLY LINE OF LOTS 4, 5 AND 6, BLOCK A OF SAID PLAT FOR 150.00 FEET TO THE NORTHWESTERLY CORNER OF SAID LOT 6; THENCE N26°05'15"E ALONG THE EASTERLY LINE OF SAID LOT 9, AND LOT 10, BLOCK A OF SAID PLAT FOR 100.00 FEET TO THE NORTHEASTERLY CORNER OF SAID LOT 10; THENCE N63°57'56"W ALONG THE NORTHERLY LINE OF SAID LOT 10 FOR 103.09 FEET TO AN INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF BONITA STREET (50' WIDE); THENCE N26°02'04"E ALONG SAID RIGHT-OF-WAY LINE FOR 90.21 FEET TO THE NORTHWESTERLY CORNER OF LOT 12, BLOCK A OF SAID PLAT; THENCE N63°54'45"W ALONG THE NORTHERLY LINE OF SAID BONITA STREET FOR 50.00 FEET TO THE NORTHEASTERLY CORNER OF LOT 5, BLOCK C OF SAID PLAT; THENCE S26°02'04"W ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID BONITA STREET FOR 100.26 FEET TO THE NORTHEASTERLY CORNER OF LOT 3, BLOCK C OF SAID PLAT; THENCE N63°57'56"W DEPARTING SAID RIGHT-OF-WAY LINE OF BONITA STREET AND ALONG THE NORTHERLY LINE OF LOTS 3 AND 8, BLOCK C OF SAID PLAT FOR 149.87 FEET TO AN INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF HARBOR COURT (40' WIDE), SAID POINT BEING THE NORTHWESTERLY CORNER OF SAID LOT 8; THENCE N26°02'04"E ALONG THE EASTERLY LINE OF SAID RIGHT-OF-WAY LINE OF SAID HARBOR COURT FOR 100.40 FEET TO THE NORTHWESTERLY CORNER OF LOT 6, BLOCK C OF SAID PLAT; THENCE N63°54'45"W ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID HARBOR COURT FOR 40.00 FEET TO THE NORTHEASTERLY CORNER OF LOT 20, BLOCK B OF SAID PLAT; THENCE S26°02'04"W ALONG THE WESTERLY LINE OF SAID RIGHT-OF-WAY LINE FOR 100.43 FEET TO THE NORTHEASTERLY CORNER OF LOT 18, BLOCK B OF SAID PLAT; THENCE N63°57'56"W DEPARTING SAID RIGHT-OF-WAY LINE AND ALONG THE NORTHERLY LINE OF SAID LOT 18 FOR 100.00 FEET TO THE NORTHWESTERLY CORNER OF SAID LOT 18; THENCE N26°02'04"E ALONG THE WESTERLY LINE OF LOT 19, BLOCK B OF SAID PLAT FOR 50.00 FEET TO THE SOUTHWESTERLY CORNER OF SAID LOT 20; THENCE N26°05'30"E ALONG THE WESTERLY LINE OF SAID LOT 20 FOR 50.52 FEET TO THE SOUTHWEST CORNER OF LOT 21, BLOCK B OF SAID PLAT; THENCE N26°05'15"E ALONG THE WESTERLY LINE OF SAID LOT 21 FOR 55.00 FEET TO A POINT OF CURVATURE AND THE SOUTHWESTERLY CORNER OF SAID PARCEL 4 DESCRIBED IN OFFICIAL RECORDS BOOK 2738, PAGE 2444; THENCE ALONG THE NORTHERLY LINE OF SAID LANDS AND SAID CURVE TO THE RIGHT WITH A RADIUS OF 75.00 FEET, A DELTA ANGLE OF 90°00'00", A CHORD BEARING OF N71°05'15"E, A CHORD LENGTH OF 106.07 FEET, FOR 117.81 FEET TO A POINT OF REVERSE CURVATURE; THENCE ALONG SAID LANDS AND SAID CURVE TO THE LEFT WITH A RADIUS OF 200.00 FEET, A DELTA ANGLE OF 31°47'16", A CHORD BEARING OF S79°48'23"E, A CHORD LENGTH OF 109.54 FEET, FOR 110.96 FEET TO A POINT OF REVERSE CURVATURE; THENCE ALONG SAID LANDS AND SAID CURVE TO THE RIGHT WITH A RADIUS OF 200.00 FEET, A DELTA ANGLE OF 31°47'16", A CHORD BEARING OF S79°48'23"E, A CHORD LENGTH OF 109.54 FEET, FOR 110.96 FEET TO A POINT OF TANGENCY; THENCE S63°54'45"E SAID LANDS FOR 126.19 FEET TO A POINT OF CURVATURE; THENCE ALONG SAID LANDS AND SAID CURVE TO THE LEFT WITH A RADIUS OF 50.00 FEET, A DELTA ANGLE OF 38°27'45", A CHORD BEARING OF S83°08'38"E, A CHORD LENGTH OF 32.94 FEET, FOR 33.56 FEET TO A NON-TANGENT LINE; THENCE S26°05'15"W FOR 0.85 FEET TO A NON-TANGENT CURVE; THENCE ALONG THE LANDS DESCRIBED IN INSTRUMENT NUMBER 2021000006561 AND SAID CURVE TO THE RIGHT WITH A RADIUS OF 67.22 FEET, A DELTA ANGLE OF 31°35'19", A CHORD BEARING OF S84°59'23"E, A CHORD LENGTH OF 36.59 FEET, FOR 37.06 FEET TO A POINT OF TANGENCY; THENCE S69°11'50"E ALONG SAID LANDS FOR 165.78 FEET TO POINT "A"; THENCE S25°58'52"W ALONG THE WESTERLY LINE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2260, PAGE 2267, OFFICIAL RECORDS BOOK 2260, PAGE 2271 AND INSTRUMENT #2016000083457 FOR 418.36 FEET TO THE SOUTHWEST CORNER OF PARCEL 3 OF LANDS DESCRIBED IN INSTRUMENT #2016000083457 AND THE NORTHWEST CORNER OF LOT 2, BLOCK A, SAID PLAT; THENCE S63°57'56"E ALONG THE NORTHERLY LINE OF LOT 2 AND 1, BLOCK A OF SAID PLAT FOR 197.00 FEET TO THE NORTHEASTERLY CORNER OF SAID LOT 1 AND THE WESTERLY RIGHT-OF-WAY LINE OF SAID OLD SAN CARLOS BOULEVARD; THENCE S26°02'04"W ALONG SAID RIGHT-OF-WAY LINE FOR 80.00 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH A PORTION OF A BUTLER ACT PARCEL RECORDED IN OFFICIAL RECORDS BOOK 3423, PAGE 344 AS RECORDED IN INSTRUMENT NUMBER 2021000006557:

COMMENCING AT SAID POINT A, N25°58'52"E FOR 35.94 FEET TO THE POINT OF BEGINNING; THENCE N67°32'03"W FOR 17.67 FEET; THENCE N18°42'53"E FOR 10.60 FEET; THENCE N71°17'07"W FOR 21.45 FEET; THENCE N22°31'17"E FOR 10.02 FEET; THENCE S71°17'05"E FOR 41.19 FEET; THENCE ALONG SAID BUTLER ACT PARCEL S25°58'52"W FOR 21.93 FEET; TO THE POINT OF BEGINNING.

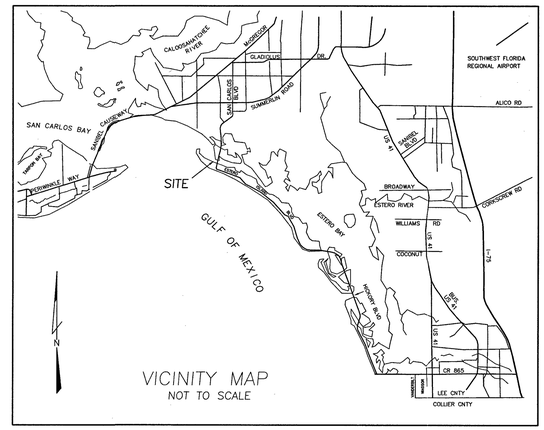
CONTAINS 208,587 SQUARE FEET 4.79 ACRES MORE OR LESS.

BEARINGS BASED ON THE U.S. ARMY CORP OF ENGINEERS MATANZAS PASS SURVEY DATED APRIL 1993 WITH THE CENTERLINE OF THE CHANNEL AS BEARING N72°05'47"W.

SURVEY PLAT

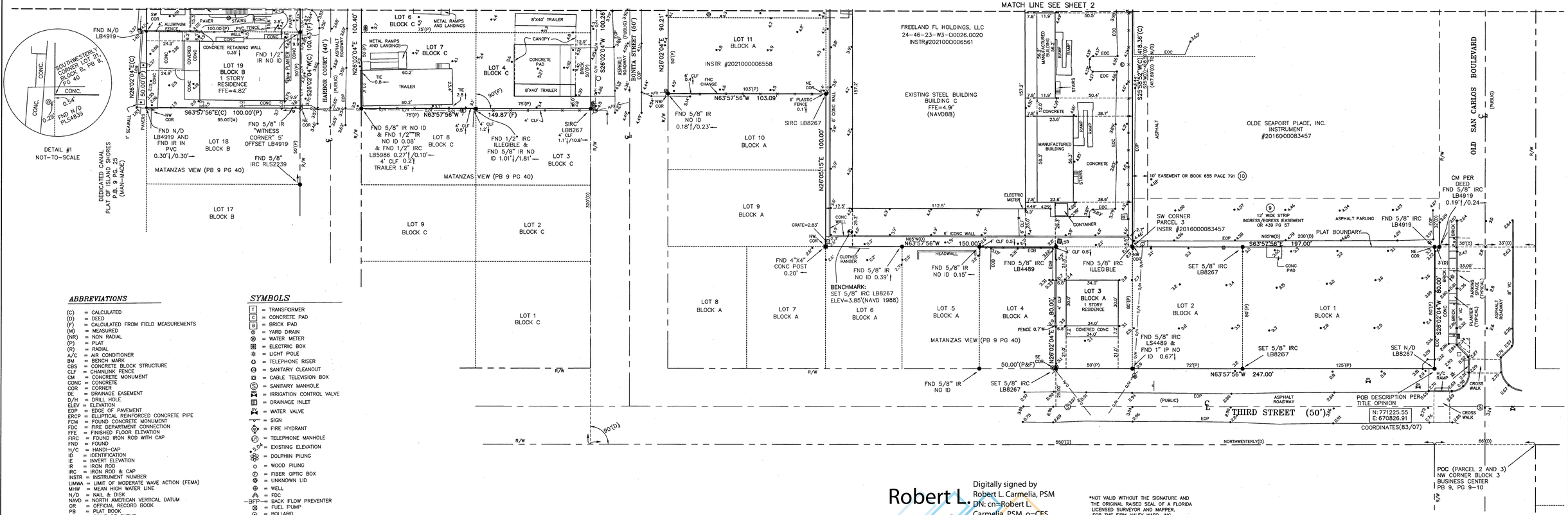
OF
A PARCEL OF LAND
LYING IN
SECTION 24, TOWNSHIP 46 SOUTH, RANGE 23 EAST,
TOWN OF FORT MYERS BEACH, LEE COUNTY, FLORIDA

0 30' 60' 90'
SCALE 1"=30'



VICINITY MAP
NOT TO SCALE

MATCH LINE SEE SHEET 2



ABBREVIATIONS

(C) = CALCULATED
(D) = DEED
(F) = CALCULATED FROM FIELD MEASUREMENTS
(M) = MEASURED
(NR) = NON RADIAL
(P) = PLAT
(R) = RADIAL
A/C = AIR CONDITIONER
BM = BENCH MARK
CBS = CONCRETE BLOCK STRUCTURE
CLF = CHAINLINK FENCE
CM = CONCRETE MONUMENT
CONC = CONCRETE
COR = CORNER
DE = DRAINAGE EASEMENT
D/H = DRILL HOLE
ELEV = ELEVATION
EOP = EDGE OF PAVEMENT
ERCP = ELLIPTICAL REINFORCED CONCRETE PIPE
FCM = FOUND CONCRETE MONUMENT
FDC = FIRE DEPARTMENT CONNECTION
FFE = FINISHED FLOOR ELEVATION
FIRC = FOUND IRON ROD WITH CAP
FND = FOUND
H/C = HANDI-CAP
ID = IDENTIFICATION
IE = INVERT ELEVATION
IR = IRON ROD
IRC = IRON ROD & CAP
INSTR = INSTRUMENT NUMBER
LIMWA = LIMIT OF MODERATE WAVE ACTION (FEMA)
MHW = MEAN HIGH WATER LINE
N/D = NAIL & DISK
NAVD = NORTH AMERICAN VERTICAL DATUM
OR = OFFICIAL RECORD BOOK
PB = PLAT BOOK
PC = POINT OF CURVE
PCP = PERMANENT CONTROL POINT
PG = PAGE
PI = POINT OF INTERSECTION
POB = POINT OF BEGINNING
POC = POINT OF COMMENCEMENT
PRC = POINT OF REVERSE CURVATURE
PUE = PUBLIC UTILITY EASEMENT
R/W = RIGHT-OF-WAY
TOB = TOP OF BANK
TOE = TOE OF SLOPE
TIITF = TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND
UE = UTILITY EASEMENT
VC = CONCRETE VERTICAL CURB

SYMBOLS

T = TRANSFORMER
C = CONCRETE PAD
B = BRICK PAD
Y = YARD DRAIN
W = WATER METER
B = ELECTRIC BOX
LIGHT POLE
TELEPHONE RISER
S = SANITARY CLEANOUT
CABLE TELEVISION BOX
S = SANITARY MANHOLE
IRRIGATION CONTROL VALVE
DRAINAGE INLET
WATER VALVE
SIGN
FIRE HYDRANT
T = TELEPHONE MANHOLE
-5.34 = EXISTING ELEVATION
DOLPHIN PILING
WOOD PILING
FIBER OPTIC BOX
UNKNOWN LID
WELL
FDC
BFP = BACK FLOW PREVENTER
F = FUEL PUMP
BOLLARD
14 = EASEMENT NUMBER IN OPINION OF TITLE
12 = BROADBAND COMMUNICATION EASEMENT BLANKET IN NATURE

Robert L. Carmelia, PSM

Digitally signed by Robert L. Carmelia, PSM
DN: cn=Robert L. Carmelia, PSM, o=CES, INC, ou=LB8267, email=rcarmelia@cesincusa.com, c=US
Date: 2023.08.08 13:09:34 -04'00'

*NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
FOR THE FIRM HALEY WARD, INC

ROBERT L. CARMELIA, P.S.M., NO. LS6548
PROFESSIONAL SURVEYOR & MAPPER
STATE OF FLORIDA
- THIS CERTIFICATION IS ONLY FOR THE LANDS DESCRIBED HEREON.
- IT IS NOT A CERTIFICATION OF TITLE, ZONING, SETBACKS, OR FREEDOM OF ENCUMBRANCES.

REVISED: 07-20-23 UPDATE SURVEY TO DEVELOPMENT ORDER STANDARDS
REVISED: 01-24-23 ADD AREAS FOR PARCELS; CHANGE INSTRUMENT NUMBER

BOUNDARY SURVEY - MOSS MARINA

HALEY WARD
Engineering | Environmental | Surveying
13041 McGREGOR BOULEVARD, FORT MYERS, FLORIDA 33919 PH (239) 481-1331
FLORIDA CERTIFICATE OF AUTHORIZATION NUMBERS EB32664 & LB8267

2011441.003SR_DO.DWG					
DATE	PROJECT NO.	DRAWN BY	SCALE	SHEET	FILE NO. (S-T-R)
09-14-22	1441.003	RC/MAB	1"= 30'	1 OF 2	24-46-23

SURVEY PLAT

OF

A PARCEL OF LAND

LYING IN

SECTION 24, TOWNSHIP 46 SOUTH, RANGE 23 EAST,

TOWN OF FORT MYERS BEACH, LEE COUNTY, FLORIDA

0 30' 60' 90'

SCALE 1"=30'



Curve number 1
Radius= 75.00
Delta= 90°00'00"
Arc= 117.81
Tangent= 75.00
Chord= 106.07
Chord Brg N71°05'15"E
N71°03'00"E(D)

Curve number 2
Radius= 200.00
Delta= 31°47'16"
Arc= 110.96
Tangent= 56.95
Chord= 109.54
Chord Brg S79°48'23"E
S79°50'40"E(D)

Curve number 3
Radius= 200.00
Delta= 31°47'16"
Arc= 110.96
Tangent= 56.95
Chord= 109.54
Chord Brg S79°48'23"E
N79°50'40"W(D)

Curve number 4
Radius= 50.00
Delta= 38°27'45"
Arc= 33.56(C)
32.17(D)
Tangent= 17.44
Chord= 32.94
Chord Brg S83°08'38"E(C)
S82°23'10"E(D)

Curve number 5
Radius= 75.00
Delta= 10°54'52"
Arc= 14.29
Tangent= 7.17
Chord= 14.27
Chord Brg N31°32'41"E

Curve number 6
Radius= 67.22(D&C)
Delta= 31°35'19"
Arc= 37.06(D&C)
Tangent= 19.01
Chord= 36.59(D&C)
Chord Brg S84°59'23"E(C)
Chord Brg S86°04'38"E(D)

Curve number 7
Radius= 75.00
Delta= 79°05'08"
Arc= 103.52
Tangent= 61.92
Chord= 95.50
Chord Brg S76°32'41"E

(BEARING BASIS) S72°05'47"E

RANGE 200'

CENTERLINE OF FEDERAL CHANNEL
D.O. FILE NO. 57-36395

MATANZAS PASS

CO-ORDINATES X=514397.57 Y=771912.09 R/W P.I. #13

162.50'

S.65°14'30"E. 156.95'(C)

RANGE 37.5'

S.65°14'30"E.

R/W OF FEDERAL CHANNEL

N.72°05'47"W.

RANGE 37.5' R/W OF FEDERAL CHANNEL S.72°05'47"E.

1.51'(C) CLEAR

LEASE LINE N63°54'45"W 202.91'

12.39' S26°05'15"W

LEASE LINE N63°54'45"W 258.73'

N26°05'15"E 12.39'

N63°54'45"W 173.96'

36.60' 49.0'

SPECIAL NOTE:
THE INFORMATION REGARDING BOUNDARIES OF RIPARIAN RIGHTS REPRESENTS THE GENERALLY ACCEPTED METHODOLOGY FOR DETERMINING SUCH RIPARIAN LINES. HOWEVER, A BINDING DETERMINATION OF RIPARIAN BOUNDARIES CAN ONLY BE MADE BY AGREEMENTS OF THE AFFECTED PARTIES OR BY A FINAL ADJUDICATION OF A COURT OF COMPETENT JURISDICTION. ACCEPTANCE OF THIS SURVEY AND ISSUANCE OF A PERMIT DOES NOT CONSTITUTE A BINDING DETERMINATION OF RIPARIAN BOUNDARIES.

SPECIAL EASEMENT NOTE:
APPARENT 10' FPL EASEMENT PER DRAWING PREPARED BY BEAN, WHITAKER, LUTZ & KARCH, INC DATED 8-9-13. RECORDING INFORMATION NOT PROVIDED IN TITLE COMMITMENT AND IT'S EXISTENCE NOT VERIFIED BY THIS FIRM. (15)

RIPARIAN LINE N.26°05'15"E.

EXISTING DOLPHIN PILINGS

APPROXIMATE SOUTHERN SHORELINE OF MATANZAS PASS BASED ON RECORD PLAT OF ISLAND SHORES UNIT NO. 2 (PB 9 PG 25 RECORDED IN 1950) MAN-MADE CANAL SOUTH OF THIS LINE

S26°05'15"W 256.38'

S26°05'15"W 41.03'

LEASE LINE

20.00' S63°54'45"E

FND SCREW AND DISK LB8267 COORDINATES(83/07)
N: 771898.76
E: 670222.65

POB (PARCEL 4) OR 2738 PG 2444 ALSO POB OF BULKHEAD LINE COORDINATES(83/07)
N: 771886.60
E: 670215.19

POC (PARCEL 4) SOUTHWESTERLY CORNER LOT 21, BLOCK B, MATANZAS VIEW PB 9, PG 40
SET N/D LB8267
FND N/DPLS4839
SEE DETAIL #1, SHEET 1

N26°05'15"E 55.00' 55.00'(D)

S26°05'30"W 50.52'(F) 50.52'(D)

APPROXIMATE AREA OF LIMITED NON-EXCLUSIVE EASEMENT

APPROXIMATE FEMA FLOOD ZONE LINE (SEE NOTES)

ZONE VE ELEV=14' ZONE AE ELEV=13'

ZONE VE ELEV=14' ZONE AE ELEV=11'

OPEN WATER

SUBMERGED LAND LEASE #360895555 INSTR #2021000019629 (13)

QUIT CLAIM DEED OF PORTION OF BUTLER ACT INSTR #2017000136104 INSTR #2021000006557

AGREED UPON RIPARIAN LINE N25°58'52"E

N25°58'52"E 84.21'

NAVIGATION AND INGRESS/EGRESS SEE INSTR#2017000136103

SSLL #3604210B5 LEASE PARCEL 1A

THIS AREA SUBJECT TO SETTLEMENT AGREEMENT INSTR #2017000136103

WATERS OF MATANZAS PASS

S71°17'05"E 41.19'

N22°31'17"E 10.02'

N71°17'07"W 21.45'

N18°42'53"E 10.60'

N67°32'03"W 17.67'

BUTLER ACT CLAIM O.R. 3423, PG. 344 (NOV 22, 2000)

5' CONC. 5.0' WOOD DOCK

EDGE WOOD DOCK

POB PORTION OF BUTLER ACT PARCEL

APPROXIMATE FEMA FLOOD ZONE LINE (SEE NOTES)

PREVIOUS SUBMERGED LANDS SEE TIITF DEED NO. 24693 (1967)

POINT "A" N: 771759.98 E: 670868.25 FND N/D LB4919

BENCHMARK: FND PK NAIL/DISK ELEV=3.20'(NAVD 1988)

S26°05'15"W 0.85'(C)

S69°11'50"E(C) 165.78'(C) S70°05'E(D) 166.58'(D)

FND DH (NO ID) 0.9' NW 0.36' SW

MEAN HIGH WATER AT WATERSIDE EDGE OF SEAWALL ELEV=0.14' (NAVD 1988)

BENCHMARK: FND PK NAIL/DISK ELEV=2.80'(NAVD 1988)

WATERSIDE EDGE OF SEAWALL

MEAN HIGH WATER AT WATERSIDE EDGE OF SEAWALL ELEV=0.14' (NAVD 1988)

RIP RAP ALONG SEAWALL

GRATE=2.74'

S63°54'45"E 126.19'(C) S63°57'00"E 126.19'(D)

PARCEL 4 OR 2738 PG 2444 TIITF DEED NO. 24686 OR 437 PG 485

MHW SOUTH SHORE WATERS OF MATANZAS PASS PER OR 2738, PAGE 2444

MEAN HIGH TIDE LINE SOUTH SHORE MATANZAS PASS PER TIITF DEED 24686

PARCEL 1 OR 2738 PG 2444

PARCEL 2 O.R. 2738 PG. 2444

PARCEL 3 OR 2738 PG 2444

INSTR #2021000006556

FREELAND FL HOLDINGS, LLC 24-46-22-W3-00027.0000

LOT 21 BLOCK B

LOT 6 BLOCK C

LOT 5 BLOCK C

LOT 12 BLOCK A

LOT 20 BLOCK B

NORTH LINE LOT 21, BLOCK B

EAST LINE LOT 21, BLOCK B

SOUTHWESTERLY LINE LOT 21, BLOCK B

NORTHWESTERLY LINE LOT 21, BLOCK B

SOUTHEASTERLY LINE LOT 21, BLOCK B

N63°54'45"W 40.00'

N63°54'45"W 50.00'

SUIT CLAIM INSTR #2006000071840

1 STORY RESIDENCE ON PILINGS WITH GROUND FLOOR ENCLOSURE

RAISED COVERED DECK

ENCLOSED RAISED COVERED DECK

FND 4" ROUND CM

FND N/D LB8267

FND 5/8" IR NO ID 0.28' 0.13'

FND 1/2" IR NO ID 0.24'

FND 5/8" IRC LB8267

*SEE SPECIAL EASEMENT NOTE

APPARENT 10' FP&L EASEMENT (15)

FP&L EASEMENT OR 1501 PG 2061

8'X18'PUMP STATION EASEMENT MARINA BOOSTER STATION OR 1463 PG 300 (5)

15' WIDE PIPELINE EASEMENT OR 1193 PG 1266 (3)

TELEPHONE/TELEGRAPH EASEMENT OR 1232 PG 1169 (4)

INGRESS/EGRESS EASEMENT OR 398 PG 773 (8)

EASEMENT NO. 1 OR 439 PG 57 (9)

EXISTING STEEL BUILDING (BOAT STORAGE)

EXISTING STEEL BUILDING (BOAT STORAGE) BUILDING D FFE=4.8' (NAVD88)

EXISTING STEEL BUILDING BUILDING C FFE=4.9' (NAVD88)

MARINA VILLAGE AT SNUG HARBOR CONDOMINIUM (6 STORY BUILDING)

MARINA VILLAGE AT SNUG HARBOR CONDOMINIUM C.E. EXHIBIT "A" OR 2260, PAGE 2267

OLDE SEAPORT PLACE, INC. INSTRUMENT #2016000083457

OLDE SEAPORT PLACE, INC. INSTRUMENT #2016000083457

MARINA VILLAGE AT SNUG HARBOR CONDOMINIUM C.E. EXHIBIT "A" OR 2260, PAGE 2271

S23°58'52"W(C) 419.36'(C)

OLD SAN CARLOS BOULEVARD (PUBLIC)

R/W

APPROXIMATE LIMWA LINE

LIMWA LINE

POOL AREA

SEAWALL

DOCK

PIER

RAMP

ALUMINUM RAMP

FLOATING WOOD DOCK

FLOATING DOCK

WOOD RAMP

FUEL PUMP DOCK

CANOPY

WOOD DOCK

GRAVEL

CONCRETE

GRASS

CATCH BASINS

PILE FENCING

DUMPSTER AREA

TRAILER

60'X12' TRAILER

METAL STEPS AND LANDING

ELECTRIC PANEL

UNKNOWN LID (TYP.)

DIRT AND ROCKS

ASPHALT

CONC CURB

CURB

PLAT BOUNDARY

EASEMENT INFORMATION, IF ANY, NOT PROVIDED (15)

ELECTRIC PANEL (TYPICAL)

FIRE LINE @

BFP

GATE

FNC CHANGE

4' PLASTIC

4' CLF

8' CLF

6' CLF

WOOD

CONC

EOP

EOC

PC

PT

PRC

POB

POC

NW COR

SW COR

NE COR

SE COR

MATCH LINE SEE SHEET 1

SYMBOLS

- T = TRANSFORMER
- C = CONCRETE PAD
- B = BRICK PAD
- = WATER METER
- = ELECTRIC BOX
- = LIGHT POLE
- = TELEPHONE RISER
- = SANITARY CLEANOUT
- = CABLE TELEVISION BOX
- S = SANITARY MANHOLE
- = IRRIGATION CONTROL VALVE
- = DRAINAGE INLET
- = WATER VALVE
- = SIGN
- = FIRE HYDRANT
- 5.34 = EXISTING ELEVATION
- = DOLPHIN PILING
- = WOOD PILING
- = FIBER OPTIC BOX
- = UNKNOWN LID
- = MONITORING WELL
- = FDC
- BFP = BACK FLOW PREVENTER
- = FUEL PUMP
- = BOLLARD
- (14) = EASEMENT NUMBER IN OPINION OF TITLE
- (12) = BROADBAND COMMUNICATION EASEMENT BLANKET IN NATURE

ABBREVIATIONS

- (C) = CALCULATED
- (D) = DEED
- (F) = CALCULATED FROM FIELD MEASUREMENTS
- (M) = MEASURED
- (NR) = NON RADIAL
- (P) = PLAT
- (R) = RADIAL
- A/C = AIR CONDITIONER
- BM = BENCH MARK
- CBS = CONCRETE BLOCK STRUCTURE
- CLF = CHAINLINK FENCE
- CM = CONCRETE MONUMENT
- CONC = CONCRETE
- COR = CORNER
- DE = DRAINAGE EASEMENT
- D/H = DRILL HOLE
- ELEV = ELEVATION
- EOP = EDGE OF PAVEMENT
- ERCP = ELLIPTICAL REINFORCED CONCRETE PIPE
- FCM = FOUND CONCRETE MONUMENT
- FFE = FINISHED FLOOR ELEVATION
- FIRC = FOUND IRON ROD WITH CAP
- FND = FOUND
- ID = IDENTIFICATION
- IE = INVERT ELEVATION
- IR = IRON ROD
- IRC = IRON ROD & CAP
- INSTR = INSTRUMENT NUMBER
- LIMWA = LIMIT OF MODERATE WAVE ACTION
- MHW = MEAN HIGH WATER LINE
- N/D = NAIL & DISK
- NAVD = NORTH AMERICAN VERTICAL DATUM
- OR = OFFICIAL RECORD BOOK
- PB = PLAT BOOK
- PC = POINT OF CURVE
- PCP = PERMANENT CONTROL POINT
- PG = PAGE
- PI = POINT OF INTERSECTION
- POB = POINT OF BEGINNING
- POC = POINT OF COMMENCEMENT
- PRC = POINT OF REVERSE CURVATURE
- PRM = PERMANENT REFERENCE MONUMENT
- PUE = PUBLIC UTILITY EASEMENT
- R/W = RIGHT-OF-WAY
- TOB = TOP OF BANK
- TOE = TOE OF SLOPE
- TIITF = TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND
- UE = UTILITY EASEMENT

REVISED: 07-20-23 UPDATE SURVEY TO DEVELOPMENT ORDER STANDARDS
REVISED: 01-24-23 CHANGE INSTRUMENT NUMBER

BOUNDARY SURVEY – MOSS MARINA

HALEY WARD

Engineering | Environmental | Surveying

13041 McGREGOR BOULEVARD, FORT MYERS, FLORIDA 33919 PH (239) 481-1331

FLORIDA CERTIFICATE OF AUTHORIZATION NUMBERS EB32664 & LB8267

2011441.003SR_DO.DWG					
DATE	PROJECT NO.	DRAWN BY	SCALE	SHEET	FILE NO. (S-T-R)
09-23-22	1441.003	RC/MAB	1"= 30'	2 OF 2	24-46-23

Business Impact Estimate

This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the Fort Myers Beach website by the time notice of the proposed ordinance is published.

Proposed ordinance's title/reference: **AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA AMENDING THE TOWN OF FORT MYERS BEACH ADOPTED FUTURE LAND USE MAP DATED JANUARY 1, 1999, FOR PROPERTIES LOCATED AT 450, 445, 441 & 436 HARBOR COURT, 435 & 438 BONITA STREET ALSO RESPECTIVELY IDENTIFIED AS STRAP NUMBERS 24-46-23-W3-00027.0000 & 24-46-23-W3-00026.0020, 24-46-23-W3-0030B.0200, 24-46-23-W3-0030B.0190, 24-46-23-W3-0030C.0060, 24-46-23-W3-0030C.0040 & 24-46-23-W3-0030A.0110, FORT MYERS BEACH; PROVIDING FOR CLARIFICATIONS AS NECESSARY; PROVIDING FOR CONFLICTS OF LAW, SCRIVENER'S ERRORS, SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.**

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the Fort Myers Beach is of the view that a business impact estimate is not required by state law[1] for the proposed ordinance, but the Fort Myers Beach is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☒ The proposed ordinance is enacted to implement the following:
  a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
  b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
  c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or

[1] See Section 166.041(4)(c), Florida Statutes.

d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the Fort Myers Beach hereby publishes the following information:

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):

The proposed ordinance amends the zoning district map for the Town of Fort Myers Beach. This serves the public health, safety and orderly development of the Town.
Fort Myers Beach. Freeland FL Holdings LLC, owner of the subject property, and The Neighborhood Company, applicant for the owner, are requesting a Comprehensive Plan Future Land Use Map Amendment. The amendment requests a change of 3.53 acres of Marina Future Land Use (FLU), known as Moss Marina, and 1 acre of Mixed Residential FLU, to Pedestrian Commercial. There are no proposed text amendments to the Comprehensive Plan. The applicant has also applied for a Commercial Planned Development that encompasses three additional properties that are already mapped as Pedestrian Commercial and do not need to be amended.

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the Fort Myers Beach, including the following, if any:
(a) An estimate of direct compliance costs that businesses may reasonably incur;
(b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
(c) An estimate of the Fort Myers Beach regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

There are unlikely to be direct compliance costs associated with Ordinance 25-xx.

Ordinance 25-xx does not impose any new charge or fee on businesses.

There are no new charges or fees that will be imposed on businesses by the ordinance.

The Town will not likely incur additional costs.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

This Comprehensive Plan map amendment does not increase restrictions on existing businesses.

4. Additional information the governing body deems useful (if any):[*You may wish to include in this section the methodology or data used to prepare the Business Impact Estimate. For example: Fort Myers Beach staff solicited comments from businesses in the Fort Myers Beach as to the potential impact of the proposed ordinance by contacting the chamber of commerce, social media posting, direct mail or direct email, posting on Fort Myers Beach website, public workshop, etc. You may also wish to include efforts made to reduce the potential fiscal impact on businesses. You may also wish to state here that the proposed ordinance is a generally applicable ordinance that applies to all persons similarly situated (individuals as well as businesses) and, therefore, the proposed ordinance does not affect only businesses*).

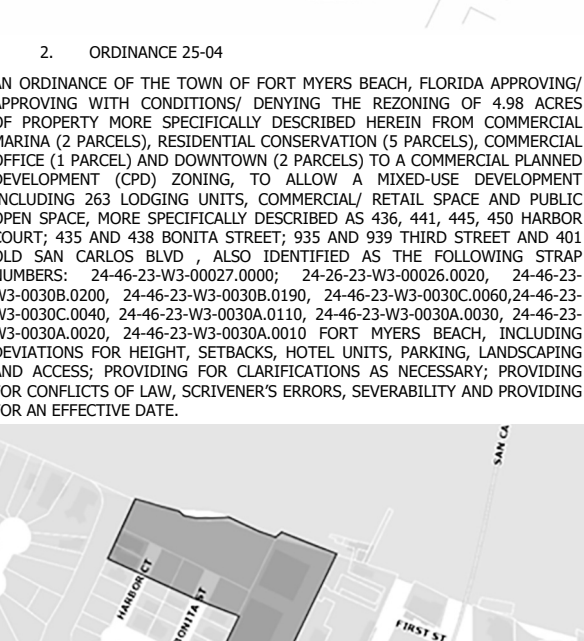
Not applicable.

NOTICE OF PUBLIC HEARINGS/ COMPREHENSIVE PLAN AMENDMENT AND ZONING CHANGE

Notice is hereby given that the Town of Fort Myers Beach Town Council will hold two public hearings, the first at 9:00 AM on Monday, May 5, 2025, and the second on Monday, June 2, 2025, regarding the ordinances listed below. The public hearings will consist of two requests: 1) a change to the Future Land Use Map from Marina to Pedestrian Commercial (two parcels) and Mixed Residential to Pedestrian Commercial (4 parcels) in the Comprehensive Plan and 2) a request to rezone property from Commercial Marina (2 parcels), Residential Conservation (5 parcels), Commercial Office (1 parcel) and Downtown (2 parcels) to a Commercial Planned Development (CPD) zoning district, as more specifically described below:

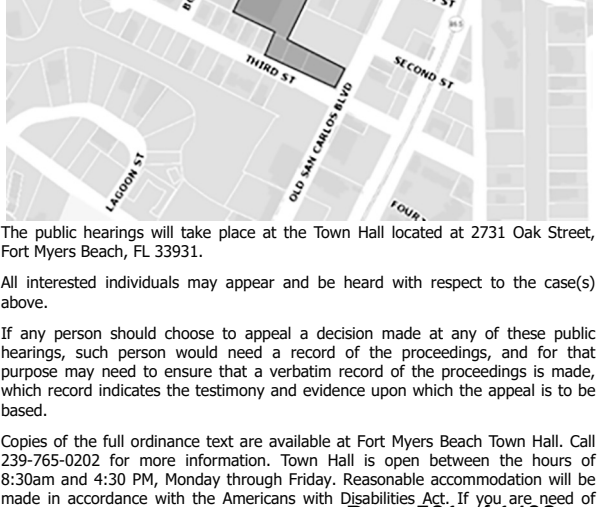
1. ORDINANCE 25-05

AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA AMENDING THE TOWN OF FORT MYERS BEACH ADOPTED FUTURE LAND USE MAP DATED JANUARY 1, 1999 CONTAINED IN THE TOWN'S COMPREHENSIVE PLAN, FOR PROPERTIES LOCATED AT 450, 445, 441, & 436 HARBOR COURT, 435 & 438 BONITA STREET, FORT MYERS BEACH FLORIDA, ALSO IDENTIFIED AS STRAP NUMBERS 24-46-23-W3-00027.0000; 24-26-23-W3-00026.0020, 24-46-23-W3-0030B.0200, 24-46-23-W3-0030B.0190, 24-46-23-W3-0030C.0060,24-46-23-W3-0030C.0040, 24-46-23-W3-0030A.0110, FORT MYERS BEACH, AMENDING THE FUTURE LAND USE MAP FOR THESE PARCELS FROM MIXED RESIDENTIAL (4 PARCELS) AND MARINA (2 PARCELS) TO PEDESTRIAN COMMERCIAL; PROVIDING FOR CLARIFICATIONS AS NECESSARY; PROVIDING FOR CONFLICTS OF LAW, SCRIVENER'S ERRORS, SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.



2. ORDINANCE 25-04

AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA APPROVING/ APPROVING WITH CONDITIONS/ DENYING THE REZONING OF 4.98 ACRES OF PROPERTY MORE SPECIFICALLY DESCRIBED HEREIN FROM COMMERCIAL MARINA (2 PARCELS), RESIDENTIAL CONSERVATION (5 PARCELS), COMMERCIAL OFFICE (1 PARCEL) AND DOWNTOWN (2 PARCELS) TO A COMMERCIAL PLANNED DEVELOPMENT (CPD) ZONING, TO ALLOW A MIXED-USE DEVELOPMENT INCLUDING 263 LODGING UNITS, COMMERCIAL/ RETAIL SPACE AND PUBLIC OPEN SPACE, MORE SPECIFICALLY DESCRIBED AS 436, 441, 445, 450 HARBOR COURT; 435 AND 438 BONITA STREET; 935 AND 939 THIRD STREET AND 401 OLD SAN CARLOS BLVD , ALSO IDENTIFIED AS THE FOLLOWING STRAP NUMBERS: 24-46-23-W3-00027.0000; 24-26-23-W3-00026.0020, 24-46-23-W3-0030B.0200, 24-46-23-W3-0030B.0190, 24-46-23-W3-0030C.0060,24-46-23-W3-0030C.0040, 24-46-23-W3-0030A.0110, 24-46-23-W3-0030A.0030, 24-46-23-W3-0030A.0020, 24-46-23-W3-0030A.0010 FORT MYERS BEACH, INCLUDING DEVIATIONS FOR HEIGHT, SETBACKS, HOTEL UNITS, PARKING, LANDSCAPING AND ACCESS; PROVIDING FOR CLARIFICATIONS AS NECESSARY; PROVIDING FOR CONFLICTS OF LAW, SCRIVENER'S ERRORS, SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.



The public hearings will take place at the Town Hall located at 2731 Oak Street, Fort Myers Beach, FL 33931.

All interested individuals may appear and be heard with respect to the case(s) above.

If any person should choose to appeal a decision made at any of these public hearings, such person would need a record of the proceedings, and for that purpose may need to ensure that a verbatim record of the proceedings is made, which record indicates the testimony and evidence upon which the appeal is to be based.

Copies of the full ordinance text are available at Fort Myers Beach Town Hall. Call 239-765-0202 for more information. Town Hall is open between the hours of 8:30am and 4:30 PM, Monday through Friday. Reasonable accommodation will be made in accordance with the Americans with Disabilities Act. If you are need of reasonable accommodation, contact Town Hall at 239-765-0202. Amy Dalton, Town Clerk.

NP-41677191

Dear Council and Arches Team,

Arches Bayfront is an extraordinary request—the most ambitious any developer has ever made on our island.

Arches requesting eight major deviations—including a 50% reduction in parking requirements, increased height, and, most notably, a major zoning change that would transform neighborhoods from Residential to Commercial—Arches is seeking to build at a maximum Floor Area Ratio (FAR) of 2.

As a neighborhood, we have several clear and reasonable requests in response. These asks are extremely minimal compared to the huge ask from the Freeland's that will transform our neighborhood forever.

1. **Gate and restrict public and resort guest access down Bonita St and Harbor Court.**

   We are requesting a gate at the end of Bonita Street and Harbor Court FOR EMS USE ONLY. No pedestrian access or entrance/exit for registered guests vehicles. Everyone should be required to use Arches Way. Attachment 1 shows our preference with some kind of small vehicle turnaround (Hammerhead or Cul-de-sac, or similar).

2. **Require the use of construction mitigation barriers**

   We have concerns with the "phased" building approach because these buildings are so massive scope of this project can force construction to near a decade. To minimize noise, dust, and disruption to neighboring properties during all phases of construction, we request that effective mitigation barriers be installed and maintained throughout the project timeline.

   Barriers need to be 40' tall lining all residential properties.

   Construction vehicles should use Easement near Old San Carlos and not down Arches Way next to residential properties.

3. **Add privacy screens, glass, and low plantings to all decks facing residential areas.**

   We are requesting the use of low plantings, glass, and privacy screens along all elevated public areas facing our home including:

   Building A Bodega Restaurant Patio

   Building B Sunset Deck

   Building C Pool Deck

   These areas immediately adjacent to residential properties should have Ambient music until 9pm and close at 10pm as agreed during first hearing.

4. **Keep a solid cement wall between residential and commercial properties.**

   We request the removal of deviation number 4 for a fence and landscaping along the residential side of the wall. The wall should exceed code of 6 feet as the current wall separating properties is 7 feet along Third Street and 8.5 feet along Harbor Ct. This wall

needs to extend down all residential properties including along Arches Way adjacent to 929 Third St.

5. **Parking garage noise mitigation.**

   We are requesting enclosed parking garages as illustrated and 100% valet parking to keep garage noise and issues to a minimum.

6. **Neighborhood Drainage**

   George Freeland installed storm drains in the backyards of residential properties along Third Street during the expansion of the marina in the 80s. These drains MUST remain as they are functional and essential to ease flooding caused by the marina expansion.

   We are also asking the Freeland's to expand upon this drainage as a true "public benefit" for our neighborhood. There is very bad flooding around the low areas of Third Street and Harbor Ct that the Freeland's have the real estate to help mitigate.

Council, we ask that the Arches CPD and Zoning Map Amendment be DENIED unless ALL these reasonable requests are met.

Sincerely, your neighbors:

Chris Mosteiro 923 Third St.	Pat & Lien Ton 926 Third St.	Leah Gregg 430 Bonita St.	Tess & Rod Koster 851/861 Third St.
Marilyn Anderson 929 Third St.	Pat & Lien Ton 932 Third St.	Julie Urian 423 Bonita St.	Tess & Rod Koster 870 Third St.
Kurt & Geri Schroeder 405 Harbor Ct.	Frank & Gloria Tomaiolo 924 Third St	Kathy & Brian Duddy 920 Third St.	Tess & Rod Koster 850 Third St.
Kelly & Teri Kado 810 Third St.	Jim Houlihan 917 Third St.	Tess & Rod Koster 880 Third St.	

Attachment 1 : Gate and restrict public and resort guest access down Bonita St and Harbor Court.



DEVELOPMENT REVIEW DIVISION
Project Review Checklist

NAME: FREELAND BOAT STORAGE /DATE IN ~~[illegible]~~ 6.22.89

D.O.#: 4.14.84 /DATE OUT 6.22.89

STRAP #: /

PROJECT SIZE /ENTRY TYPE

APPLIED FOR: AFDO | TRANS.

SUBMITTAL | ZONING

P.D.O. | VEGETATION

F.D.O. | FIRE

AMENDMENTS DENIAL | UTILITIES

COMMENTS AND STIPULATIONS

① MUST COMPLY WITH VARIANCE BY ACCESSING PROPERTY VIA EASEMENT AS REPRESENTED ON THE PLAN AND NOT THROUGH RESIDENTIAL SUBDIVISION.

② LOCATION OF SEWER MAIN THROUGH THE MITIGATION AREA WILL BE A PROBLEM IN THAT THIS IS THE MAIN LINE FOR ESTERO ISLAND. NOT ONLY ARE THERE VALVES IN CLOSE PROXIMITY TO THE MITIGATION AREA BUT IF THE LINE WOULD NEED REPAIR FOR ANY REASON, A GOOD DEAL OF THE PLANT MATERIAL WOULD BE DESTROYED. THEREFORE, MITIGATION AREA MUST BE RELOCATED. ALSO PLEASE PROVIDE MITIGATION PLAN.

PROJECT REVIEWER(S): COREY O'GORMAN

(1546N)

③ A MANGROVE REMOVAL PERMIT MAY BE REQUIRED IF THERE ARE ANY CURRENTLY EXISTING.

INK ENGINEERING INC.
ENGINEERS • SURVEYORS • PLANNERS
PHONE (813) 995-8500 • 6320 BEAU DRIVE • NORTH FORT MYERS, FLORIDA 33903

July 21, 1989
Job Number 8451

Boat Storage Facility
D.O. #4-14-84

Response to Checklist — NOTE on Drawings

1. ~~Access~~ - The access variance was granted to allow for commercial development after the relocation of the Matanzas Pass Bridge. The access to this site is planned along the southeasterly boundary at the existing gate off San Carlos Blvd, the ~~vehicular traffic~~ is to be ~~encouraged~~ to use this access. ~~[illegible]~~ SERVIC or Delivery traffic SHALL Be directed

2. ~~[illegible]~~ - The mitigation area is proposed along the existing shoreline. The utility mains running through the mitigation area are durable and should require only minimal repairs, if any. The width of the easement is only 15 feet and disturbance over this small width should be regenerated by the plant material remaining in the mitigation area. See attached plan and correspondence on the mitigation area.

3. Mangrove Permit - The Contractor shall obtain the necessary vegetation removal permits.

Attachment 2 : Require the use of construction mitigation barriers





Flame-retardant PVC Sound Barrier Tarp for Construction...

Visit ›

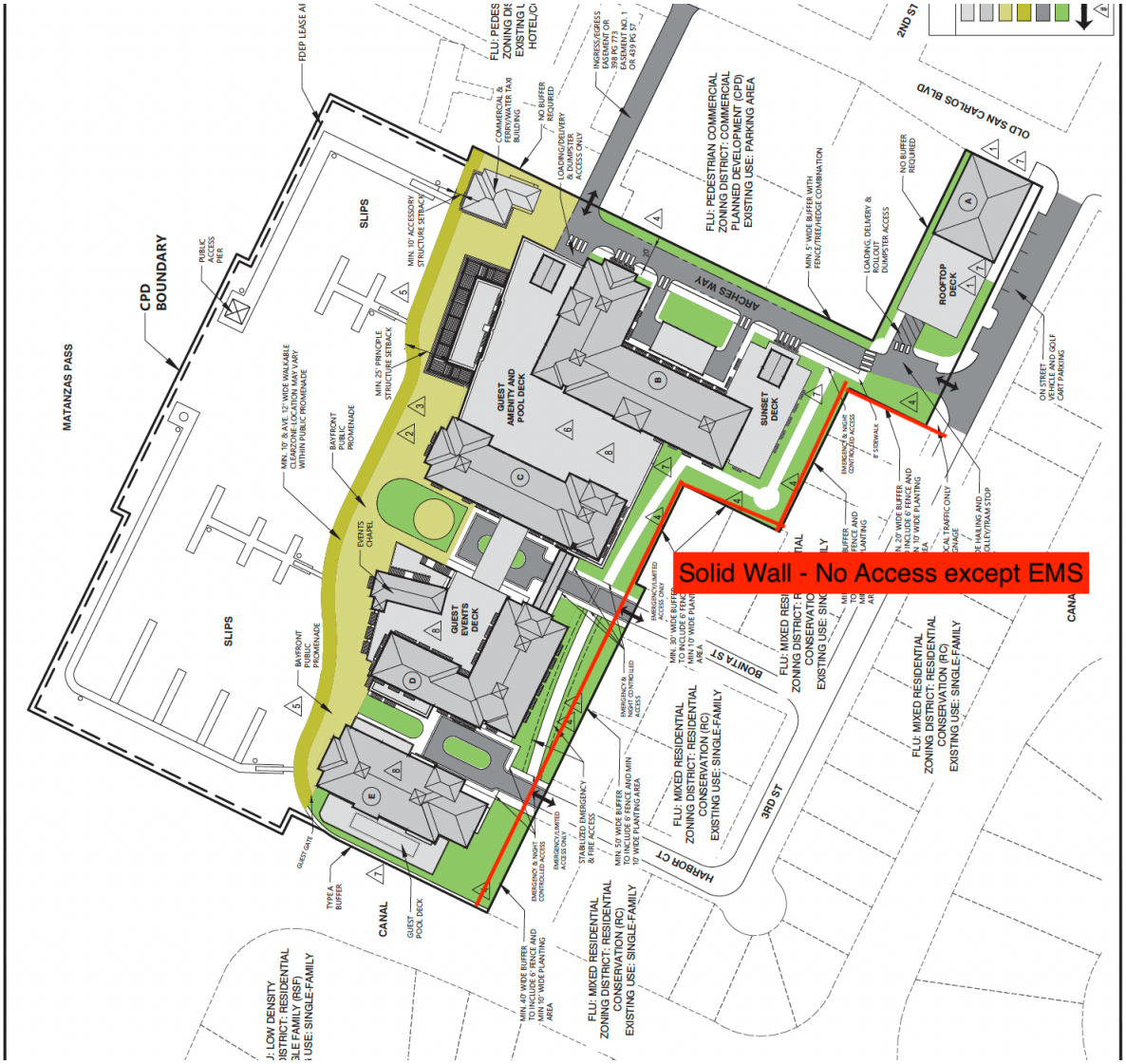
Attachment 3: Add privacy screens, glass, and low plantings, to all decks facing residential areas.

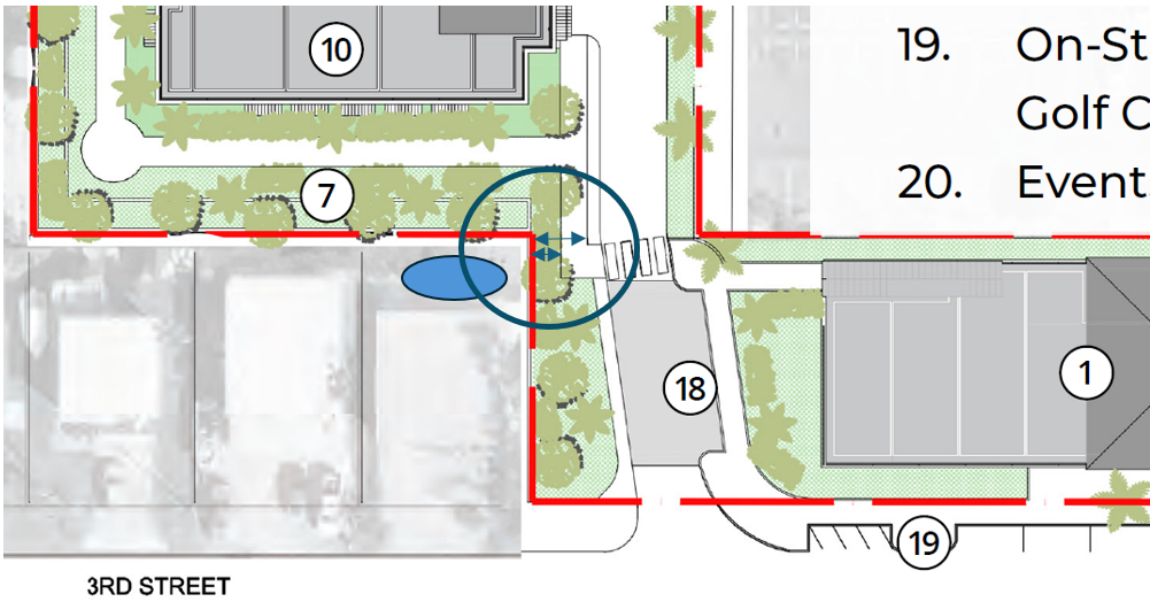






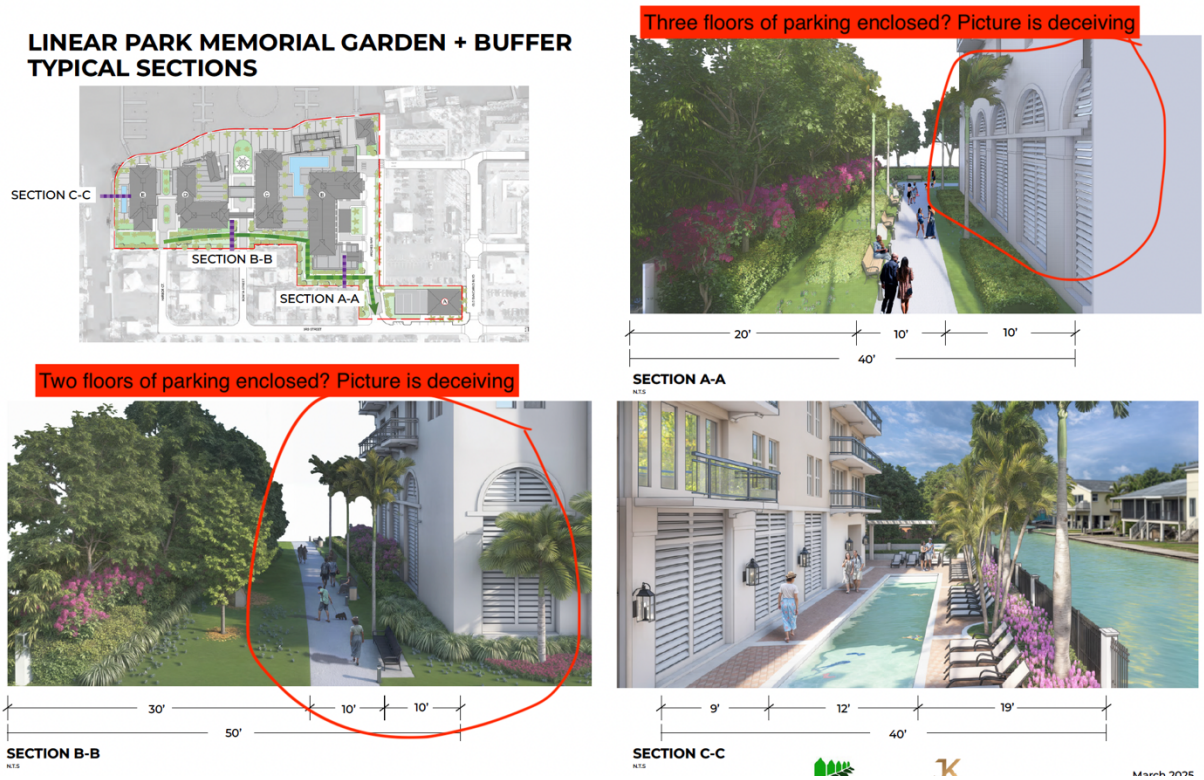
Attachment 4 : Keep a solid cement wall between residential and commercial properties.





Sidewalk Close to residential property. Solid wall is required.

Attachment 5: Parking garage noise mitigation.



Attachment 6 : Neighborhood Drainage





Existing Drains Installed during Marina Expansion

From: **Christy Cory** christy@fmbgov.com
Subject: RE: Flooding 05/01/22 on Third Street
Date: May 2, 2022 at 9:30 AM
To: Chris Mosteiro chris.mosteiro@gmail.com, Council Council@fmbgov.com, Roger Hernstadt roger@fmbgov.com, Paps kjmost@comcast.net, Roger Hernstadt roger@fmbgov.com, bpduddy@comcast.net, info@manateebayinn.com
Cc: Sarah Lisenko SarahL@fmbgov.com, Chris Rowe rowe@fmbgov.com

The Town is still working to help Third Street but I need everyone to understand that without an easement for an outfall we are literally stuck. I mentioned that we can come out and dig swales but I still don't have an outfall to drain the water. The system that belongs to Moss Marina is what needs to be utilized. Maybe the neighborhood could reach out to Moss Marina and ask for assistance. The Town would be happy to put pipes in to the Moss Marina system if accepted by them.

Christy Cory
Utilities Director
Town of Fort Myers Beach
2525 Estero Boulevard
Fort Myers Beach, FL. 33931
Phone: (239) 463-9914
FMBgov.com

Please Note: Florida has very broad public records laws. Most written communications to and from Fort Myers Beach officials regarding Town business are public records available to the public and media upon request. Your email communications may be subject to public disclosure.

Harbor Court
Ft. Myers Beach, FL 33931
813/463-6137
On the Bay, just west of Skybridge

Dec. 30, 1985.

Board of County Commissioners
P.O. Box 398
Ft. Myers, Fl. 33902

Re: Moss Marine # 4-14-84

Gentlemen:

This will certify that George Freeland the owner of the above referenced property, agrees to maintain and operate the on-site storm water management system and will require a future property owner, if any, to take over the operation and maintenance of such said system.

George Freeland further agrees to maintain their roadways and will require a future property owner, if any, to take over road maintenance.

Sincerely,

George Freeland, Owner

State of Fla
County of

SWORN TO and subscribed before me this 30 day o

Notary Public
Notary Public State of Florida
My commission expires:

Town of Fort Myers Beach
Agenda Item Summary

Blue Sheet Number: **2025-419**

1. **Request:**

Meeting Date: June 2, 2025

This quasi-judicial agenda item is a First Reading and Public Hearing on proposed Ordinance 25-12 (Salty Crab Redevelopment). If approved at First Reading, a Second Reading and final adoption hearing will be scheduled for June 16, 2025, at 9:00 AM or at another time identified by Town Council.

AN ORDINANCE OF THE TOWN COUNCIL OF FORT MYERS BEACH, FLORIDA APPROVING/APPROVING WITH CONDITIONS/DENYING TO REZONE THE PROPERTY LOCATED AT 1154 ESTERO BOULEVARD, GENERALLY IDENTIFIED AS STRAP NUMBER 24-46-23-W3-00011.0000 IN FORT MYERS BEACH, FROM DOWNTOWN TO COMMERCIAL PLANNED (CPD) TO ALLOW FOR 1) AN INCREASE IN FLOOR AREA RATIO FROM 1.2 TO 1.96; 2) DECREASE STREET SETBACK FROM 10 FEET TO 0 FEET; 3) DECREASE SIDE SETBACKS FROM 20 FEET TO 0 FEET; 4) A 100% REDUCTION IN PARKING REQUIREMENTS FROM 58 SPACES TO 0 SPACES; 5) INCREASED SIGNAGE FROM 32 SF TO 115 SF AND 6) CONDITIONS; PROVIDING FOR OTHER CLARIFICATIONS AS NECESSARY; PROVIDING FOR CONFLICTS OF LAW, SCRIVENER'S ERRORS, SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Why the action is necessary:

The Town Council approves or denies rezoning requests.

What the action accomplishes:

Tthe approval of this application will allow for the redevelopment of the Salty Crab restaurant at an increased FAR.

2. **Agenda:**	3. **Requirement/Purpose:**	4. **Submitter of Information:**
PUBLIC HEARINGS	Ordinance	Judith Frankel, Principal Planner

5. **Background:**

RVi Planning and Landscape Architecture, on behalf of Greg Powers and Clownfish Restaurant Holdings, LLC (Applicant) is requesting a rezoning from Downtown zoning to Commercial Planned Development (CPD). This request is to rebuild the Salty Crab restaurant and a ground-level ice cream shop at 1154 Estero Boulevard ("Property") after the existing establishment was destroyed in Hurricane Ian. The proposed CPD includes 5,256.88 square feet of the property landward of the Lee County 1978 Coastal Construction Control Line (CCCL) and codification of the consumption on premises and outdoor seating area waterward of the CCCL.

Prior to Hurricane Ian, the site included a two-story structure with covered porch areas and beachside dining including 1,561 square feet of outdoor seating and consumption on premises (Resolution 10-15 and COP2012-0005) area seaward of the 1978 Lee County Coastal Control Line (CCCL).

The application was heard by the Local Planning Agency (LPA) at their May 13th, 2025 meeting. The LPA voted 7 to 0 to approve with conditions the CPD with deviations. Member Jim Dunlap suggested the applicant discuss their planned operations with Lee County in order to coordinate the redevelopment plans for Crescent Park with their proposed development.

Attachments:

1. Ordinance 25-12 with Exhibit A - Conditions

2. Exhibit B: Master Concept Plan-Salty Crab CPD 2025-04-14
3. Staff Report
4. Application for Public Hearing
5. Application for Planned Development
6. Boundary Survey
7. Project Narrative
8. Elevations and Renderings
9. Deviations and Justifications with Elevations
10. Deviation 5 Sign Images
11. Floor Plans
12. Pedestrian and Parking Distances
13. Development Standards v1.0 CPD
14. COP Resolution10-15 - Estero Beach Holdings LLC (Nemos on the Beach)
15. COP 2012-0005 Expansion Administrative Approval COP2012-0005
16. Survey showing pre-Ian COP
17. Exterior Elevations - Signage Revision
18. Business Impact Estimate - Ordinance 25-12 - Salty Crab

Financial Impact:
Unknown

6. **Alternative Action**
Approve with Conditions

7. **Management Recommendations:**

8. **Recommended Approval:**

Judith Frankel, Principal Planner	Created/Initiated - 5/19/2025
Frankie Kropacek, Community Development Director	Approved - 5/19/2025
nancy stuparich, Town Attorney	Approved - 5/26/2025
Amy Baker, Town Clerk	Approved - 5/27/2025
William McKannay, Town Manager	Final Approval - 5/28/2025

ORDINANCE 25-12

AN ORDINANCE OF THE TOWN COUNCIL OF FORT MYERS BEACH, FLORIDA APPROVING/APPROVING WITH CONDITIONS/DENYING TO REZONE THE PROPERTY LOCATED AT 1154 ESTERO BOULEVARD, GENERALLY IDENTIFIED AS STRAP NUMBER 24-46-23-W3-00011.0000 IN FORT MYERS BEACH, FROM DOWNTOWN TO COMMERCIAL PLANNED (CPD) TO ALLOW FOR 1) AN INCREASE IN FLOOR AREA RATIO FROM 1.2 TO 1.96; 2) DECREASE STREET SETBACK FROM 10 FEET TO 0 FEET; 3) DECREASE SIDE SETBACKS FROM 20 FEET TO 0 FEET; 4) A 100% REDUCTION IN PARKING REQUIREMENTS FROM 58 SPACES TO 0 SPACES; 5) INCREASED SIGNAGE FROM 32 SF TO 115 SF AND 6) CONDITIONS; PROVIDING FOR OTHER CLARIFICATIONS AS NECESSARY; PROVIDING FOR CONFLICTS OF LAW, SCRIVENER'S ERRORS, SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Florida Statutes provide that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal service, and exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, Article X of the Town Charter of the Town of Fort Myers Beach empowers the Town to adopt, amend. or repeal such ordinances and resolutions as may be required for the proper governing of the Town; and

WHEREAS, Clownfish Restaurant Holdings, LLC the owner, and RVi Planning and Landscape Architecture, as agents for the property located at 1154 Estero Boulevard, Fort Myers Beach, FL 33931, parcels generally identified as STRAP number 24-46-23-W3-00011.0000 in the Town of Fort Myers Beach, filed an application to rezone the property from the Downtown zoning district to a CPD with a corresponding Master Concept Plan (MCP) with certain deviations to the Land Development Code (LDC) for a restaurant and

WHEREAS, the subject property is one parcel located in the Pedestrian Commercial Future Land Use Category of the Comprehensive Plan of the Town of Fort Myers Beach; and

WHEREAS, a public hearing was held before the Local Planning Agency (LPA) on May 13th, 2025, at which the LPA gave full and complete consideration of the request, recommendations by staff, the documents in the record, and the testimony of all interested persons, and the LPA voted 7 to 0 to recommend approval of the Commercial Planned Development (CPD) with deviations; and

WHEREAS, on June 2nd,2025 the Town Council held a first reading of the proposed Ordinance and gave full and complete consideration to the request of the Applicant, the recommendation of the LPA, the recommendation of staff, the documents in the record, and the testimony of all interested persons, as required by Section 34-85 of the LDC; and

WHEREAS, the Town Council voted to have a second reading of the proposed Ordinance and a public hearing on this matter was noticed in the Fort Myers News-Press more than 10 days prior to the Town Council on June 16th, 2025; and

WHEREAS, at the _____, 2025 public hearing, the Town Council gave full and complete consideration to the request of the Applicant, the recommendation of the LPA, the recommendation of staff, the documents in the record, and the testimony of all interested persons, as required by Fort Myers Beach Land Development Code (LDC) Section 34- 85; and

WHEREAS, the Applicant has resolved and is current on any outstanding fees associated with notice, advertisement, and consulting services required by the Town; and

WHEREAS, a Business Impact Estimate has been prepared and is published on the Town's website; and

WHEREAS, with the following terms, conditions, and requirements which the LPA finds to be in the public health, safety, and welfare, all of which are in compliance with the comprehensive plan and the Land Development Code; and

WHEREAS, Exhibit A provides the conditions of approval to be used during the permitting process; and

WHEREAS, Exhibit B provides the Master Concept Plan and the schedule of uses for this CPD to be used during the permitting process; and

WHEREAS, the Town Council approved Resolution 10-15 and COP 2012-005 to allow for Consumption on Premises (COP) in outdoor seating areas seaward of the 1978 CCCL; and

WHEREAS, the Town Council finds that this request to rezone the property from the Downtown to CPD with Master Concept Plan with five deviations to the LDC in order to increase the size of a restaurant; and

WHEREAS, the requested deviations from the LDC include:

Deviation #1

Deviate from LDC §34-645 Table 34-2 for a STREET SETBACK that specifies in the CR zoning district no building or structure shall be placed closer than 10 feet (to Estero Boulevard); to allow a 0-foot street setback.

Deviation #2

Deviate from LDC §34-645 Table 34-2 for SIDE SETBACKS that specifies in the CR zoning district no building or structure on a water-front property shall be placed closer than 20 feet as a side setback; to allow a 0-foot side setback on the western boundary and a 0-foot setback on the eastern boundary (abutting Margaritaville).

Deviation #3

Deviate from LDC §34-645 Table 34-2 for FLOOR AREA RATIO that specifies in the CR zoning district a maximum of 1.2; to allow a 1.96 floor area ratio.

Deviation #4

Deviate from LDC §34-2020(d)(2) (a) and (h) for restaurants requires a minimum parking of eight spaces per 1,000 square feet of total floor area plus any outdoor seating area. The

proposed development requests to allow no required parking spaces, a reduction of 58 spaces or a 100% deviation.

Deviation #5
Deviate from LDC §30-5.(a)(1)a.1. - Permitted signs in Commercial Districts that permits a parcel of land containing one or two business establishments, each separate business establishment shall be allowed a maximum of 32 square feet of sign area; to allow five signs for the Salty Crab Bar and Grill with a combined sign area of 115 SF – a deviation of 83 SF (with the largest sign limited to 40.5 SF).

WHEREAS, the Town Council considered all relevant factors and made the following formal findings before making its final decision on the requested rezone to a Commercial Planned Development (See LDC 34-85 and 34-216):

a. The rezoning would carry out the policies and requirements of the Comprehensive Plan and Land Development Code.
b. The Town Council carefully considered the testimony of the applicant, the recommendations of staff and of the local planning agency, and testimony from the public.
c. The rezoning would be consistent with the goals, objectives, policies, and intent, and with the densities, intensities, and general uses in the Comprehensive Plan.
d. The rezoning would meet or exceed all performance and locational standards set forth for the proposed use.
e. Urban services are available and adequate to serve the proposed use.
f. The rezoning would protect, conserve, or preserve environmentally critical areas and natural resources.
g. The rezoning would be compatible with existing and planned uses and not cause damage, hazard, nuisance, or other detriment to persons or property.
h. The rezoning would not place an undue burden upon existing transportation or other services and facilities and will be served by streets with the capacity to carry traffic generated by the development.
i. The rezoning, with the mitigating factors volunteered by the applicant and the special conditions imposed by the Town Council, is consistent with the Fort Myers Beach Comprehensive Plan, Land Development Code, and other applicable town ordinances or codes.
l. The proposed use or mix of uses is appropriate at the subject location.
m. Sufficient safeguards to the public interest are provided by the recommended special conditions to the master concept plan and by other applicable regulations.
n. All recommended special conditions are reasonably related to the impacts on the public's interest created by or expected from the proposed development.

WHEREAS, the Town Council made the following formal findings before making final decisions on the eight requested deviations from "by-right" requirements of the Land Development Code (see LDC 34-216):

a. Each item enhances the achievement of the objectives of the planned development; and
b. The general intent of this chapter to protect the public health, safety and welfare will be preserved and promoted; and
c. Each deviation operates to the benefit, or at least not to the detriment, of the public interest; and
d. Each deviation is consistent with the Fort Myers Beach Comprehensive Plan.

WHEREAS, the Town Council finds that this application to approve Ordinance 25-xx which is, **consistent/inconsistent** with the Town of Fort Myers Beach Comprehensive Plan and LDC and voted to **approve/approve with conditions/deny** the Application.

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, AS FOLLOWS:

Section 1. The above recitals are true, correct, incorporated herein by this reference, and adopted as the legislative and administrative findings of the Town Council.

Section 2. The Town Council determines the Applicant **did/did not** meet its burden of proof, that the request to approve Town of Fort Myers Beach's Ordinance 25- and the conditions of approval for the commercial planned development zoning, **does/does not** meet the requirements of the Town Comprehensive Plan and LDC. Therefore, based upon the recommendations, testimony, and evidence presented by the Applicant, Town staff, and interested parties, the Town Council **APPROVE/APPROVE WITH CONDITIONS/DENY** the requested application.

Section 3. Town Ordinance 25-12 is adopted and the Conditions of Approval for the Property's CPD set forth in Exhibit A and the attached Master Concept Plan in Exhibit B, attached hereto and incorporated herein by this reference are approved.

Section 4. Whenever the requirements or provisions of this Ordinance conflict with the requirements or provisions of any other lawfully adopted LDC or Town Code provision, ordinance, or statute, the most restrictive shall apply.

Section 5. Any typographical errors that do not affect the intent of this Ordinance may be corrected with notice to and authorization of the Town Manager without further process.

Section 6. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason, declared by a court of competent jurisdiction to be unconstitutional or invalid, such decision will not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared.

Section 7. This Ordinance will take effect immediately upon adoption by the Town Council.

THE FOREGOING ORDINANCE was adopted by the Town Council upon a motion by _____ and seconded by _____, and upon being put to a vote, the result was as follows:

DULY PASSED AND ADOPTED on this____ day of June 2025.

Dan Allers, Mayor _____
Jim Atterholt, Vice Mayor _____
John R. King, Council Member _____
Scott Safford, Council Member _____
Karen Woodson, Council Member _____

FORT MYERS BEACH TOWN COUNCIL

_____
Dan Allers, Mayor

ATTEST:

_____
Amy Baker, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:

_____
Vose Law Firm, LLP, Town Attorney

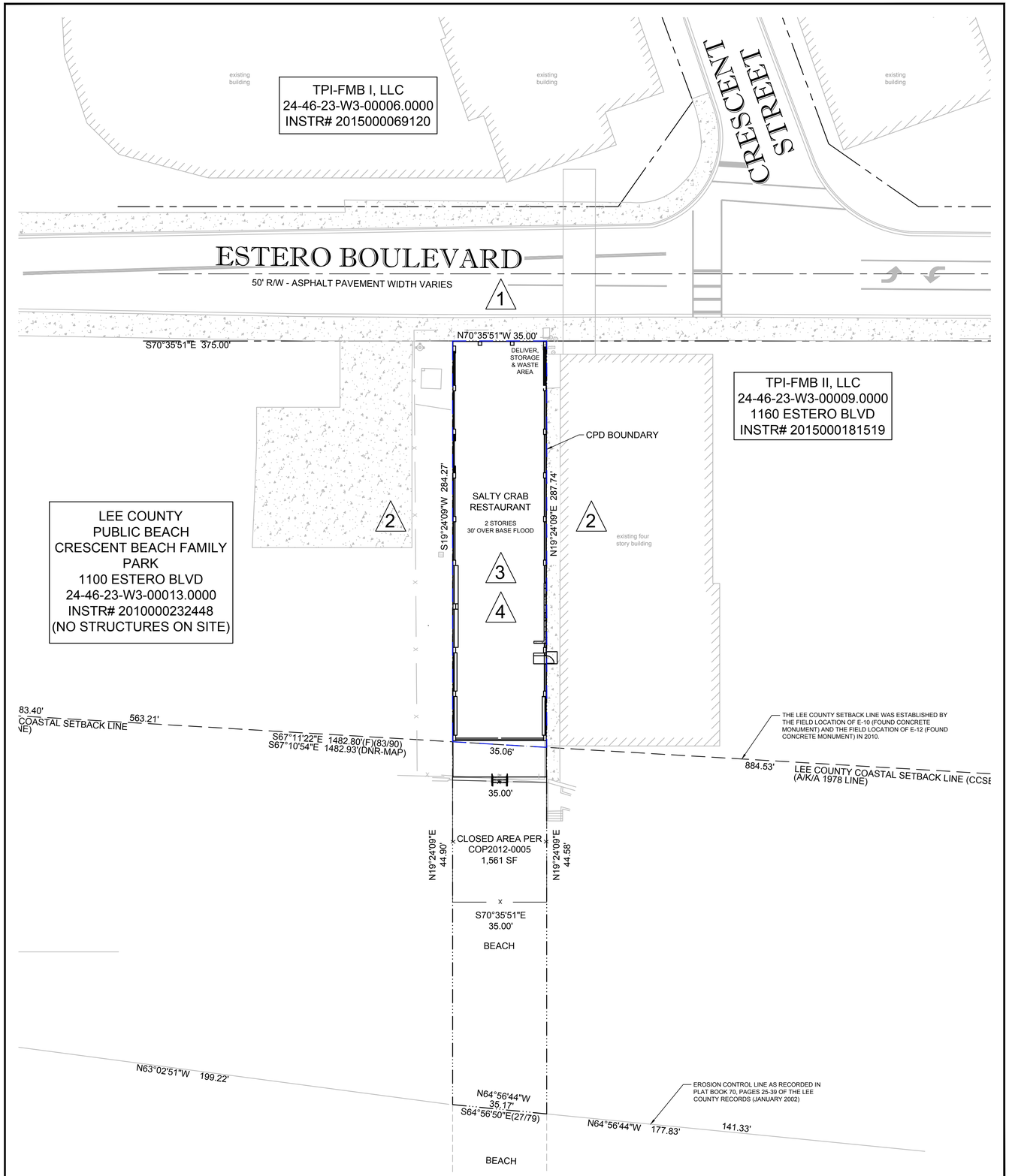
This Ordinance was filed in the Office of the Town Clerk on this ___ day of June 2025.

Exhibits:

A- Conditions of Approval
B - Master Concept Plan (MCP)

Exhibit A: Conditions of Approval

1. A photometric plan must be provided with the Development Order application to determine compliance with turtle-friendly lighting restrictions in LDC Sec. 34-1834.
2. Applicant will provide cantilevered shade structure(s) from the Estero Boulevard façade to shade the public sidewalk that abuts the property.
3. Final architectural design must be generally consistent with renderings provided in addition to the Master Concept Plan.
4. The applicant must apply for and receive all state and local permits required for the reconstruction of all proposed structures.



PLAN VIEW | SCALE 1" = 20' | -

LEGEND

- PROPERTY LINE
- EXISTING TO REMAIN
- EXISTING CONCRETE TO REMAIN
- SETBACK/BUFFER
- # DEVIATION TRIANGLE

VICINITY MAP



AERIAL MAP



SITE DATA

SITE ADDRESS:	1154 ESTERO BOULEVARD FORT MYERS BEACH, FLORIDA 33931
STRAP NUMBER:	24-46-23-W3-00011.0000
FOLIO ID:	10127257
SITE AREA:	0.23 AC (10,010 SF)
CPD AREA:	0.12 AC (5,256.88 SF)
BUILDING AREA:	9,300 SF (MAXIMUM)
FLOOR AREA RATIO:	1.77
EXISTING ZONING:	DOWNTOWN
EXISTING LAND USE:	VACANT LOT
DEVELOPED USE:	RESTAURANT
BASE FLOOD ELEVATIONS:	FEMA: 19.60' FDEP: 20.30'
MAX BUILDING HEIGHT:	BFE + 30' FEMA: 49.60' FDEP: 50.30'

SCALE

0 ' 20' 40 ' 60 '

ARCHITECT/ ENGINEER OF RECORD

BDG ARCHITECTS
400 N Ashley Dr Ste 600
Tampa, Florida 33602

P: 813.323.9233
F: 813.323.9238
www.bdgllp.com

bdg architects

THIS DRAWING AND ANY REPRODUCTIONS ARE THE PROPERTY OF THE ARCHITECTS, AND MAY NOT BE REPRODUCED, PUBLISHED, MODIFIED, OR USED IN ANY WAY WITHOUT EXPRESS WRITTEN NOTICE FROM THE ARCHITECT. DRAWINGS AND ANY REPRODUCTIONS OF THEM SHALL NOT BE SCALED OFF FOR ANY PURPOSE. ANY DISCREPANCIES IN THE DRAWINGS SHALL BE REFERRED IMMEDIATELY TO THE ARCHITECT FOR CLARIFICATION PRIOR TO CONTINUING WITH THE WORK. COMMENCEMENT WITH THE WORK SHALL BE CONSIDERED. ACCEPTANCE OF THE INTEGRITY THE DRAWINGS. THE CONTRACTOR IS RESPONSIBLE FOR THE COORDINATION, SCHEDULING, AND CONFORMANCE OF THE WORK OF INVOLVED TRADES. COPYRIGHT 2018, BDG ARCHITECTS, INC. ALL RIGHTS RESERVED.

SALTY CRAB CPD
1154 ESTERO BOULEVARD
FORT MYERS BEACH, FLORIDA 33931

JOB NO.	230064
DATE:	04-14-25
DRAWN BY:	IEG
SCALE:	1" = 20'

SHEET TITLE: MASTER CONCEPT PLAN

SHEET NUMBER: CP-1

Town of Fort Myers Beach

COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT

TYPE OF CASE:	**Commercial Planned Development**
CASE NUMBER:	**CPD20240136**
CASE NAME:	**Salty Crab Restaurant Commercial Planned Development**
LPA HEARING DATE:	**May 13th, 2025**
TOWN COUNCIL HEARING DATE:	**June 2nd, 2025**
STAFF RECOMMENDATION:	**APPROVAL WITH CONDITIONS**
PREPARED/ SUBMITTED BY:	**Judith Frankel, AICP**

I. APPLICATION SUMMARY

Applicant/Owner:	Clownfish Restaurant Holdings/ RVi Planning and Landscape Architecture
Request:	Commercial Planned Development Rezoning of one parcel of 5,256.88 SF.
Subject property:	See attached plan
Physical Address:	1154 Estero Boulevard
STRAP #s:	24-46-23-W3-00011.0000
FLU:	Pedestrian Commercial

Zoning: Downtown

Adjacent zoning and land uses:

North:	Commercial Planned Development, Hotel Resort
South:	Environmental Critical (EC) Beach and Gulf waters
East:	Downtown (D) Hotel Resort
West:	Downtown (D) County Park

II. BACKGROUND AND ANALYSIS

Background:

RVi Planning and Landscape Architecture, on behalf of Greg Powers and Clownfish Restaurant Holdings, LLC (Applicant) is requesting a rezoning from Downtown zoning to Commercial Planned Development (CPD). This request is to rebuild the Salty Crab restaurant and an ice cream shop at 1154 Estero Boulevard ("Property") after the existing establishment was destroyed in Hurricane Ian. The proposed CPD includes 5,256.88 square feet of the property landward Lee County 1978 Coastal Construction Control Line (CCCL) and codification of the consumption on premises and outdoor seating area waterward of the CCCL.

Prior to Hurricane Ian, the site included a two-story structure with covered porch areas and beachside dining including 1,561 square feet of outdoor seating and consumption on premises (Resolution 10-15 and COP2012-0005) area seaward of the 1978 Lee County Coastal Control Line (CCCL).

The application was heard by the LPA at their May 13th, 2025 meeting. The LPA voted 7 to 0 to approve with conditions the CPD with deviations. Jim Dunlap suggested the applicant discuss their planned operations with Lee County in order to coordinate the redevelopment plans for Crescent Park with their proposed development.

Analysis:

F.A.R.

The development is subject to a maximum Floor Area Ratio (FAR). CPD are subject to the regulation of the CR zoning. Per LDC Section 34-645 Table 34-3 in the Commercial Resort (CR) District the permitted FAR is 1.2. Although the site is in the Downtown District with an allowable FAR of up to 1.8 in certain locations. Here is the breakdown of the *gross floor area* request:

- The lot landward of the CCCL is 5,256.88
- The proposed footprint of the building is 5,156 square feet
- The total floor area is a maximum of 9,300 square feet combining the two stories
- The FAR proposed is 1.77

The district allows for floor area very similar to the requested, allowing up to 1.8 and removing the dead areas show a usable space in the ballpark of the 1.2 FAR for the district and consistent with the Downtown District's 1.4 FAR. The Future Land Use designation for this site in the Comprehensive Plan is Pedestrian Commercial allows up to a 2.5 FAR. The requested FAR is less than the maximum and is found to be compliant with the Comprehensive Plan.

Height

This application does not request additional height or stories. The permitted height in the CR district at this location is a maximum of 30 feet above base flood elevation. The FEMA BFE+1 at this location is 19'6" feet and the FDEP LHSM is 20'3" feet. The proposed structure will meet this requirement. The permitted stories at this location in the Commercial Resort District a building may be no taller than three (3) stories. The proposed building is two stories, which will meet this requirement.

Parking

LDC §34-2020(d)(2) (a) and (h) for restaurants requires a minimum parking of eight spaces per 1,000 square feet of total floor area plus any outdoor seating area. The proposed development requests to allow no required parking spaces, a reduction of 58 spaces or a 100% deviation.

The property is a non-conforming lot that was platted in the 1950s by Lee County, prior to the current regulations were enacted. The site operated as a restaurant successfully for decades with no onsite parking being provided. The applicant is requesting to allow a similar restaurant to be rebuilt. It is in the FLU category of pedestrian commercial and the downtown zoning district both of which are intended to allow for uses in close proximity that can be reached through alternative transportation to individual vehicles. Additionally, several commercial and public parking lots are available near the site.

Schedule of Uses:

SCHEDULE OF USES: The requested schedule of uses for this CPD is limited to the following:

RETAIL

Principal:

- Bar or cocktail lounge
- Personal services
- Restaurant
- Retail store, small

Accessory:

- On-premises consumption of alcoholic beverages (per approval in COP2012-0005)
- ATM

OFFICE

Principal:

- Administrative offices

Accessory:

- Commercial accessory use

Neighborhood Compatibility:

The general location is 500 feet south of Times Square on the Gulf side of Estero Boulevard in the "Core Area" of Fort Myers Beach, Florida. This is the most intensive and pedestrian-oriented node within the Town and serves as the main tourist and entertainment district. The northwestern boundary of the site abuts Crescent Beach Park, owned and operated by Lee County, and to the southeast abuts the Margaritaville Beach Resort beachside pool and building. It is less than 100 feet from the Estero Boulevard and Crescent Park signalized intersection and a few hundred feet south of a new bus pull off and stop that will be part of the SR 865 improvements to be completed by FDOT. The intent of the Downtown zoning district is to create a desired quality and character of the center of the pedestrian-oriented commercial activities within the town. There is a mix of resort/hotel and commercial properties that surround the subject property. In the general vicinity there are some of Fort Myers Beach's most high intensity establishments. This location is appropriate for a restaurant and bar and is compatible with the surrounding land use as well as the Comprehensive Plan.

Infrastructure Impacts:

On-site access and circulation are unable to be accommodated at this location historically and as proposed to be redeveloped. The site is unable to accommodate a parking area as the width of the property would not allow for parking that would meet modern drive isle and parking space depths. Vehicular access to the site could be considered a safety concern at the busy signalized intersection of Estero Boulevard and Crescent Street.

Requested Deviations: Please see the Applicant's submitted document titled Deviations and Justifications to review the applicant provided explanations.

1. Deviate from LDC §34-645 Table 34-2 for a STREET SETBACK that specifies in the CR zoning district no building or structure shall be placed closer than 10 feet (to Estero Boulevard); to allow a 0-foot street setback.

   The LDC requires the use of the standards of the CR zone, however this site is in the Downtown zone which permits a 0-foot setback. The proposed development will provide shade structures cantilevered from the front façade to shade the public sidewalk. This is a benefit to the public and would not be possible with a 10-foot setback.

2. Deviate from LDC §34-645 Table 34-2 for SIDE SETBACKS that specifies in the CR zoning district no building or structure on a water-front property shall be placed closer than 20 feet as a side setback; to allow a 0-foot side setback on the western boundary and a 0-foot setback on the eastern boundary (abutting Margaritaville).

   The Downtown district requires build-to-lines that would make the proposed development setback of 0-feet in compliance. However, a CPD requires the setbacks of the CR district which is inconsistent with the intent of the area.

3. Deviate from LDC §34-645 Table 34-2 for FLOOR AREA RATIO that specifies in the CR zoning district a maximum of 1.2; to allow a 1.96 floor area ratio.

   The LDC requires the use of the standards of the CR zone, however this site is in the Downtown zone which permits a 1.8 FAR. The applicant requests that the LPA consider that by removing the loading/dry storage and circulation areas from the ground floor and counting all areas on the second story results in a floor area of 6,755, or an FAR of 1.29.

4. Deviate from LDC §34-2020(d)(2) (a) and (h) for restaurants requires a minimum parking of eight spaces per 1,000 square feet of total floor area plus any outdoor seating area. The proposed development requests to allow no required parking spaces, a reduction of 58 spaces or a 100% deviation. The parking requirements for the proposed development are as follows:

REQUIRED PARKING	8 SPACES PER 1,000 SF (including outdoor seating)
BUILDING SIZE	9,300 SF + 1,561 SF (COP WITH OUTDOOR SEATING) / 1,000 SF = 87 SPACES x 0.67 =58 spaces

   The previous restaurant operated for many years without onsite parking being provided. The request is to allow a similar restaurant to be rebuilt after being destroyed by Hurricane Ian. It is in the pedestrian commercial area and the downtown district both of which are to allow for uses in close proximity that can be reached through alternative transportation to individual vehicles.

5. Deviate from LDC §30-5.(a)(1)a.1. - Permitted signs in Commercial Districts that permits a parcel of land containing one or two business establishments, each separate business establishment shall be allowed a maximum of 32 square feet of sign area; to allow five signs for the Salty Crab Bar and Grill with a combined sign area of 115 SF – a deviation of 83 SF (with the largest sign limited to 40.5 SF)

   Please see the sign images attached to the Deviations and Justifications document provided by the applicant. *The proposed Salty Crab restaurant will house two businesses: The Salty Crab Bar and Grill and Sweet Willy's Ice Cream Shoppe. The Signage for Sweet Willy's complies with the code section with two signs of 16 square feet (SF) of sign area each for a total of 32 SF. No deviation is needed for the signs for this business. The deviation request is only for the Salty Crab. The Salty Crab is in a unique placement in the Downtown Core. It has facades and visibility on three sides: Estero Boulevard, Crescent Park, and the beach. The signs are of moderate size ranging from 14.2 SF to 20.1 SF each.*

<u>Findings and Conclusions:</u>

LDC Sec. 34-85(b) and (c) and 34-216(2) sets forth the required considerations and findings for the approval of a rezoning:

LDC Sec. 34-85 (b) Considerations. In reaching its decision, the town council shall consider the following, whenever applicable:

(1) Whether there exists an error or ambiguity which must be corrected.
    a. No errors or ambiguities exist.
(2) Whether there exists changed or changing conditions which make approval of the request

appropriate.

a. The site was destroyed due to Hurricane Ian.

(3) The impact of a proposed change on the intent of this chapter.

a. The proposed change will not have any impact on the intent of this chapter (LDC). The CPD rezone will allow the redevelopment of a restaurant at this location.

(4) The testimony of any applicant.

a. The professional experts retained by the applicant to support this petition will provide testimony at both the Local Planning Agency (LPA) hearing and the Town Council hearing.

(5) The recommendation of staff and of the local planning agency.

(6) The testimony of the public.

a. The public will be provided with the opportunity to present testimony to the LPA and Town Council.

(7) Whether the request is consistent with the goals, objectives, policies, and intent, and with the densities, intensities, and general uses as set forth in the Fort Myers Beach Comprehensive Plan.

a. The request is consistent with the goals, objectives, policies, and intent, and densities, intensities, and general uses as set forth in the Fort Myers Beach Comprehensive Plan.

(8) Whether the request meets or exceeds all performance and locational standards set forth for the proposed use.

a. The proposed development will be required to meet performance standards set forth in 34-2031 and 34-2032.

(9) Whether urban services are, or will be, available and adequate to serve a proposed land use change.

a. The urban services exist in this location.

(10) Whether the request will protect, conserve, or preserve environmentally critical areas and natural resources.

a. The proposed redevelopment, which is the portion of the property landward of the 1978 CCCL is located on a previously developed site which does not contain any environmentally critical areas or natural resources.

(11) Whether the request will be compatible with existing or planned uses and not cause damage, hazard, nuisance, or other detriment to persons or property.

a. The request is compatible with existing or known planned commercial, and civic uses adjacent to the subject redevelopment and will not cause damage, hazard, nuisance or other detriment to the commercial or civic property uses of Fort Myers Beach. The site abuts the Margaritaville resort and with zero lots lines will impact the view from several guest rooms on the northwest side of the abutting building.

(12) Whether the location of the request places an undue burden upon existing transportation or other services and facilities and will be served by streets with the capacity to carry traffic generated by the development.

a. An undue burden on the transportation system is not anticipated.

(13) For planned development rezonings, see § 34-216 for additional considerations

LDC Sec. 34-85 (c) Findings: Before granting any rezoning, the town council shall find that the requested zoning district complies with:

(1) The Fort Myers Beach Comprehensive Plan.

The proposed application complies with the Comprehensive Plan.

(2) This chapter.

The proposed uses comply with this chapter except in regard to the deviations.

(3) Any other applicable town ordinances or codes.

The proposed request complies with the town ordinances and codes, except in regard to the deviations.

(4) For planned development rezonings, see § 34-216 of this chapter for additional findings

LDC Sec. 34-216(a)(2) The recommendation made to the town council must be supported by the guidelines set forth in § 34-85 of this chapter. In addition, the findings must address whether the following criteria can be satisfied:

a. The proposed use or mix of uses is appropriate at the subject location;
Staff response: Restaurant use is appropriate in this zone and FLU category.

b. Sufficient safeguards to the public interest are provided by the recommended special conditions to the concept plan or by other applicable regulations.
Staff response: The proposed shade structures over the public sidewalk benefit the public.

c. All recommended special conditions are reasonably related to the impact on the public's interest created by or expected from the proposed development.
Staff response: All recommended conditions are related to the public's interest.

d. The proposed use meets all specific requirements of the comprehensive plan that are relevant to the requested planned development, such as the following:
Policy 4-C-4 – The proposed building height is consistent with the Comprehensive Plan and the LDC.
Policy 7-J-2 – Increased traffic impacts are not anticipated as the site's prior use and intensity will remain similar.

LDC sec. 34-216(a)(4) requires that the local planning agency's recommendation must approve, approve with modification, or reject each requested deviation based upon a finding that:

a. Each item enhances the achievement of the objectives of the planned development; and
    a. Staff concurs
b. The general intent of this chapter to protect the public health, safety and welfare will be preserved and promoted; and
    a. Staff concurs. LPA should consider whether rigid compliance to the 1.2 FAR limit is necessary to protect public policy in this case.
c. Each deviation operates to the benefit, or at least not to the detriment, of the public interest; and
    a. Staff concurs
d. Each deviation is consistent with the Fort Myers Beach Comprehensive Plan.
    a. Staff concurs
e. If the local planning agency concludes that the application omits necessary deviations, it may include the necessary deviations in its recommendation without an additional hearing.

III. RECOMMENDATIONS

Staff finds that the CPD with deviations does meet the criteria set forth in Sec. 34-85(b) and (c) and 34-216(2) of the LDC and recommends **Approval with conditions** of CPD20240136, a request for a CPD with deviations. If the Town's LPA recommends approval for the variance, staff recommend the following conditions of approval.

Recommended Conditions of Approval

1. A photometric plan must be provided with the Development Order application to determine compliance with turtle-friendly lighting restrictions in LDC Sec. 34-1834.
2. Applicant will provide cantilevered shade structure(s) from the Estero Boulevard façade to shade the public sidewalk that abuts the property.
3. Final architectural design must be generally consistent with renderings provided in addition to the Master Concept Plan.
4. The applicant must apply for and receive all federal, state and local permits required for the reconstruction of all proposed structures.

PROJECT NUMBER: DATE:

Town of Fort Myers Beach
COMMUNITY DEVELOPMENT DEPARTMENT

APPLICATION for PUBLIC HEARING

This is a two part application. Please be sure to fill out this form, which requires general information, as well as the Supplemental Form application specific to action requested for the subject property. Please submit *one ORIGINAL paper copy, fourteen (14) copies* of all required applications, supplemental information, exhibits and documents. Please do not print and copy the instructions at the end of the application. In addition to application fees, the applicant is required to pay for (2) sets of mailings to neighboring property owners within 500', and all advertising fees.

Site Address: 1154 Estero Blvd, Fort Myers Beach, FL 33931

STRAP Number: 24-46-23-W3-00011.0000

Applicant: Clownfish Restaurant Holdings, LLC Phone: 813-817-6190

Contact Name: Greg Powers Phone: 727-210-0987

Email: keith.diaz@purepm.com Fax: _____

Current Zoning District: Downtown (D) and Environmentally Critical (EC)

Future Land Use Map (FLUM) Category: Pedestrian Commercial and Recreation

FLUM Density Range: 6 du/acre Platted Overlay: ☐ YES ■ NO

ACTION REQUESTED	SUPPLEMENTAL FORM REQUIRED
☐ Special Exception	PH-A
■ Variance	PH-B
☐ Conventional Rezoning	PH-C
☐ Planned Development ☐ Commercial ☐ Residential	PH-D
☐ Master Concept Plan Extension	PH-E
☐ Appeal of Administrative Action	PH-F
☐ Vacation of Platted Right-of-way and Easement	PH-G
☐ Other – cite LDC Section: _____	attach on separate sheet

PROJECT NUMBER: DATE:

PART I – General Information

A. Applicant*: Clownfish Restaurant Holdings, LLC Phone: 813-817-6190

**Applicant must submit a statement under oath that he/she is the authorized representative of the property owner. Please see PART III to complete the appropriate Affidavit form for the type of applicant.*

Applicant Mailing Address: 11201 Corporate Circle North Suite 100, St. Petersburg, FL 33716

Email: keith.diaz@purepm.com Fax:

Contact Name: Greg Powers Phone: 727.210.0987

B. Relationship of Applicant to subject property:

- ☐ Owner*
- ☐ Land Trust*
- ☐ Partnership*
- ■ Corporation*
- ☐ Association*
- ☐ Condominium*
- ☐ Subdivision*
- ☐ Timeshare Condo*
- ☐ Contract Purchaser*
- ☐ Authorized Representative*
- ☐ Other* (please indicate)

**Applicant must submit a statement under oath that he/she is the authorized representative of the property owner. Please see PART III to complete the appropriate Affidavit form for the type of applicant.*

C. Authorized Agent(s). Please list the name of Agent authorized to receive correspondence Agents

Name: Fred Drovdlic, AICP Phone: 239-318-6707

Address: RVI Planning, 1514 Broadway #201, Fort Myers, FL 34195

Email: fdrovdlic@rviplanning.com Fax: 239-989-3370

D. Other Agent(s). Please list the names of all Authorized Agents (attach extra sheets if necessary)

Name: Keith Diaz, PE Phone: 813-817-6190

Address: 2926 Richmond St. Philadelphia, PA 19134

Email: keith.diaz@purepm.com Fax:

Name: Phone:

Address:

Email: Fax:

PROJECT NUMBER: DATE:

Name: _____ Phone: _____

Address: _____

Email: _____ Fax: _____

PART II – Nature of Request

Requested Action (each request requires a separate application)

- ☐ Special Exception
- ■ Variance from LDC Section 34 - 2020
- ☐ Conventional Rezoning from _____ to _____
- ☐ Planned Development
  - ☐ Rezoning from _____ to ☐ Commercial PD ☐ Residential PD
  - ☐ Amendment. List the project number: _____
  - ☐ Extension/reinstatement of Master Concept Plan. List project number: _____
- ☐ Appeal of Administrative Action
- ☐ Vacation ☐ Right-of-Way ☐ Easement
- ☐ Other. Please Explain: _____

_____

_____

PART III – Waivers N/A

Please indicate any specific submittal items that have been waived by the Director for the request. Attach a copy of the signed approval as Exhibit 3-1. (Use additional sheets if necessary)

Code Section: _____

Description: _____

Code Section: _____

Description: _____

Code Section: _____

PROJECT NUMBER: DATE:

Description: _____

PART IV – Property Ownership

☐ Single Owner (individual or husband and wife)

Name: _____ Phone: _____

Mailing Address: _____

Email _____ Fax: _____

☒ Multiple Owners (including corporation, partnership, trust, association, condominium, timeshare, or subdivision)

- ☒ Complete Disclosure of Interest Form (see below)
- ☐ Attach list of property owners as Exhibit 4-1
- ☐ Attach map showing property owners interests as Exhibit 4-2 (for multiple parcels)
- ☐ For condominiums and timeshares see Explanatory Notes Part IV (Page 11)

DISCLOSURE OF OWNERSHIP INTEREST

STRAP: 24-46-23-W3-00011.0000

If the property is owned in fee simple by an INDIVIDUAL, tenancy by the entirety, tenancy in common, or joint tenancy, list all parties with an ownership interest as well as the percentage of such interest.

Name and Address	Percentage Ownership

If the property is owned by a CORPORATION, list the officers and stockholders and the percentage of stock owned by each.

PROJECT NUMBER: DATE:

Name, Address and Office	Percentage of Stock
Clownfish Restaurant Holdings, LLC	
Greg Powers	100
11201 CORPORATE CIRCLE NORTH, SUITE #120	
ST. PETERSBURG, FL 33716	

If the property is in the name of a TRUSTEE, list the beneficiaries of the trust with percentage of interest.

Name and Address	Percentage of Interest

If the property is in the name of a GENERAL PARTNERSHIP OR LIMITED PARTNERSHIP, list the names of the general and limited partners.

Name and Address	Percentage of Ownership

PROJECT NUMBER: DATE:

If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the officers, stockholders, beneficiaries, or partners.

Name, Address and Office	Percentage of Stock

Date of Contract: _____

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

Name	Address

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final certificate of compliance, a supplemental disclosure of interest must be filed.

The above is a full disclosure of all parties of interest in this application, to the best of my knowledge and belief.

_____ Greg Powers

Signature Printed Name

SIGN HERE

PROJECT NUMBER: DATE:

STATE OF FLORIDA)
COUNTY OF LEE)

Subscribed and sworn to (or affirmed) before me this _____ day of _____, 20_____, by _____.

_____
Notary Public Signature

(SEAL)

_____
Notary Printed Name

Personally Known _____ or Produced Identification _____

Type of Identification Produced: _____My Commission Expires: _____

PART V – Property Information

A. Legal Description:

STRAP: 24-46-23-W3-00011.0000

Property Address: 1154 Estero Blvd, Fort Myers Beach, FL 33931

Is the subject property within a platted subdivision recorded in the official Plat Books of Lee County?

☐ No. Attach a legible copy of the legal description as Exhibit 5-1.

■ Yes. Property identified in subdivision: Crescent Park Addition Subdivision

Book: 4 Page: 46 Unit: _____ Block: _____ Lot(s): _____

B. Boundary Survey:

■ Attach a Boundary Survey of the property meeting the minimum standards of Chapter 61G17-6 of the Florida Administrative Code. A Boundary Survey must bear the raised seal and original signature of a Professional Surveyor and Mapper licensed to practice Surveying and Mapping by the State of Florida. Attach and label as Exhibit 5-2.

C. Property Dimensions:

Width (please provide an average width if irregular in shape) 35.0+/- feet

PROJECT NUMBER: DATE:

Depth (please provide an average width if irregular in shape) 284.27 feet

Frontage on street: 35' Estero feet. Frontage on waterbody: 35' feet

Total land area: 10,356 ☐ acres ■ square feet

D. General Location of Subject Property (from Sky Bridge or Big Carlos Pass Bridge):

The Property is generally located south of Cresent Beach Family Park and 500-feet from the San Carlos Blvd / Estaro Blvd intersection.

■ Attach Area Location Map as Exhibit 5-3

E. Property Restrictions (check applicable):

■ There are no deed restrictions and/or covenants on the subject property.

☐ A list of deed restrictions and/or covenants affecting the subject property is attached as Exhibit 5-4.

☐ A narrative statement detailing how the restrictions/covenants may or may not affect the request is attached as Exhibit 5-5.

F. Surrounding Property Owners (these items can be obtained from the Lee County Property Appraiser):

■ Attach a list of surrounding property owners within 500 feet as Exhibit 5-6.

■ Attach a map showing the surrounding property owners as Exhibit 5-7.

■ Provide Staff with two (2) sets of surrounding property owner mailing labels.

G. Future Land Use Category (see Future Land Use Map):

☐ Low Density
☐ Mixed Residential
☐ Boulevard
■ Pedestrian Commercial
☐ Marina
■ Recreation
☐ Wetlands
☐ Platted Overlay

H. Zoning (see official Zoning Map):

☐ RS (Residential Single-family)
☐ RC (Residential Conservation)
☐ CF (Community Facilities)
☐ IN (Institutional)

PROJECT NUMBER: DATE:

- ☐ RM (Residential Multifamily)
- ☐ RPD (Residential Planned Development)
- ☐ CM (Commercial Marina)
- ☐ CO (Commercial Office)
- ☐ CB (Commercial Boulevard)
- ☐ CR (Commercial Resort)
- ☐ CPD (Commercial Planned Development)
- ☐ BB (Bay Beach)
- ☒ EC (Environmentally Critical)
- ☒ DOWNTOWN
- ☐ SANTOS
- ☐ VILLAGE
- ☐ SANTINI

PART VI

AFFIDAVIT
APPLICATION IS SIGNED BY AN INDIVIDUAL OWNER OR APPLICANT

I, Greg Powers _____ swear or affirm under oath, that I am the owner or the authorized representative of the owner(s) of the property and that:

I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the Town of Fort Myers Beach in accordance with this application and the Land Development Code;

All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;

PROJECT NUMBER: DATE:

I have authorized the staff of the Town of Fort Myers Beach Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made thru this application; and that

The property will not be transferred, conveyed, sold or subdivided unencumbered by the conditions and restrictions imposed by the approved action.

Signature of owner or authorized agent

5/2/24
Date

STATE OF FLORIDA)
COUNTY OF ~~LEE~~)
Pinellas

Subscribed and sworn to (or affirmed) before me this 2 day of May, 2024, by Greg Powers.

Kathryn A. Ballina
Notary Public Signature

(SEAL)

Kathryn A. Ballina
Notary Printed Name

Personally Known X or Produced Identification _____

Type of Identification Produced: _____ My Commission Expires: December 3, 2027

KATHRYN A. BALLINA
Notary Public-State of Florida
Commission # HH 464169
My Commission Expires
December 03, 2027

Case # _____ Date Received: _____

Town of Fort Myers Beach

COMMUNITY DEVELOPMENT DEPARTMENT

Supplement PH-D

Additional Required Information for a Planned Development Application

This is the second part of a two-part application. This part requests specific information for a planned development rezoning or an amendment to an approved planned development. Include this form with the Request for Public Hearing form.

Fee in the amount of $8000.00 up to 1 acre +1000.00 per additional acre
$2000.00 PD Amendment minor (< acre total property area)
$4000.00 PD Reinstatement or $6500.00 PD Amendment

Project Name: Salty Crab CPD
Authorized Applicant: Clownfish Restaurant Holdings LLC
STRAP Number(s): 24-46-23-W3-00011.0000

Current Property Status: Vacant (destroyed restaurant)
Current Zoning: Downtown (D) and Environmentally Critical (EC)
Future Land Use Map (FLUM) Category: Pedestrian Commercial and Recreation
Platted Overlay? ☐ **yes,** ✔ **no FLUM Density Range:**

Requested Action:

☐	DRI (with rezoning)
✔	Planned Development (also check below)
✔	Rezoning from: Downtown to: CPD
☐	Amendment to Master Concept Plan/attendant documentation

Town of Fort Myers Beach 2525 Estero Blvd. Fort Myers Beach, FL 33931
Phone 239 765-0202 Zoningpermits@fmbgov.com Fax 239 765-0909

PART I
Narrative Statements

A. **Comprehensive Plan Amendments** (check one)

☑ There are NO Comprehensive Plan Amendments pending that could affect the future use of this property.
☐ The following Comprehensive Plan Amendments ARE pending and could affect the future use of this property (list the amendment and give a brief explanation of its possible effect)

B. **Phasing of Construction**

☑ The development is to be constructed in a single phase.
☐ The development is to be constructed in phases as follows: (describe proposed phasing below)

C. **Comprehensive Plan Compliance.**

Explain how the proposed development complies with applicable Goals, Objectives, and Policies of the Fort Myers Beach Comprehensive Plan.

See Request Narrative Comprehensive Plan Compliance-CPD

D. Design Standards Compliance

For projects required to meet Commercial Design Standards, explain how the proposed development complies with the design standards set forth in LDC Sections 34-991 through 34-997.

Request Narrative Comprehensive Plan Compliance-CPD

E. Decision-making Compliance

Explain how the proposed development complies with the guidelines for decision-making embodied in LDC Section 34-85.

Request Narrative Comprehensive Plan Compliance-CPD

F. Schedule of deviations and written justification

Provide a list of the requested deviations keyed to the Master Concept Plan and provide a written justification for each deviation. The location of each deviation should be indicated on the Master Concept Plan.

See the Deviations and Justifications CPD

G. Administrative amendments to approved Master Concept Plan

For amendments to an approved Master Concept Plan, indicate the specific amendments that could not be approved administratively as set forth in LDC Section 34-219.

NA

PART 2

Submittal Requirements

All applications for a planned development must submit fourteen (14) copies of this application form and all applicable exhibits.

Required Items

Public Hearing Request Form
Supplement Form PH-D
Master Concept Plan
Traffic Impact Statement
Architectural Elevations
Schedule of Uses
Fee in the amount of $8000.00 up to 1 acre +1000.00 per additional acre
$2000.00 PD Amendment minor (< acre total property area)
$4000.00 PD Reinstatement or $6500.00 PD Amendment

For DRI: A Binding letter of interpretation from DCA or a complete and sufficient ADA.

Guide to Filing Supplement PH-D for Planned Developments

Amendments Applications for amendments to an approved Master Concept Plan or its attendant documentation will require as much information as is needed to describe the changes requested, to specify the incremental change in impacts expected from the amendment, and to detail the changes in surrounding land uses that have occurred since the original application. Some amendments can be approved administratively as provided in LDC Section 34-219, but all other amendments must proceed through the public hearing process.

Through a pre-application meeting with Community Development staff, prospective applicants can determine whether proposed amendments will require a public hearing, and can request waivers from any submittal requirements that are not necessary to specify the changes requested.

All other planned developments All other applications must complete and submit the Request for Public Hearing and Supplement PH-D, along with all required documents. Refer also to the instructions for the Request for Public Hearing form.

Case Number will be inserted by Community Development staff.
Project Name must be the same as the name used on the Request for Public Hearing form.
Authorized Applicant must be the same as on the Request for Public Hearing form.
STRAP numbers must be the same as on the Request for Public Hearing form.
Current status of property must be the same as on the Request for Public Hearing form.
Requested Action: Indicate whether the request is a DRI (Development of Regional Impact) that requires rezoning, a Planned Development, or an amendment to a Planned Development.

Part 1 Narrative Statements:

Comprehensive Plan Amendments
If Comprehensive Plan Amendments are pending that might affect the future use of the property, explain the amendments' possible effects.

Construction Phasing
If the project is to be constructed in multiple phases, describe the ordering and timing of the proposed phasing. In the absence of a phasing plan, phasing of development would be governed by the limitations of LDC Section 34-220.

Comprehensive Plan Compliance
Explain how the proposed development complies with the Fort Myers Beach Comprehensive Plan. Address the Future Land Use Map category or categories applicable to the subject property and any other relevant policies.

Design Standards Compliance
For properties and/or projects as described in LDC Section 34-992, explain how the proposed development will comply with the standards in LDC Sections 34-991 through 34-997.

Decision-making compliance
Explain how the proposed development will comply with the standards for decision-making in LDC Section 34-85.

Schedule of deviations and written justification
Identify the deviations from the requirements of the Land Development Code that are requested for the proposed development and justify them in relation to the guidance in LDC Section 34-932(b).

Administrative amendments
If the request is for an amendment to a planned development, indicate which of the requested changes could not be approved administratively as allowed by LDC Section 34-219.

Part 2 Submittal Requirements

Public Hearing Application Form. Applications for rezoning, including Planned Developments and Planned Development amendments for which public hearing is required, consist of the Public Hearing form and the supplemental form PH-D. Both parts of the application form must be completed and submitted.

Master Concept Plan. The master concept plan consists of maps, graphic illustrations, and written statements concerning the development. Space has

been provided on this form for many of the required narrative statements, though they can be attached on separate sheets. A master concept plan must include the following required information:

a. The general size, configuration, and location of each development phase, and a description of the phasing of construction, unless the development is to be constructed in a single phase.
b. The maximum height of any proposed buildings or structures, using the Land Development Code's method of measuring building height (see LDC Section 34-631).
c. Proposed principal and accessory uses, identified using the terminology employed in the Land Development Code. Employ the groupings of uses in Tables 34-1 and 34-2 of the Land Development Code, or specify individual uses if necessary.
d. The density and intensity of the proposed uses, in terms of dwelling units by type, or through conversion factors for hotel/motel units. Provide gross square footages for types of commercial uses, and maximum Floor-Area Ratio.
e. The minimum width and composition of proposed buffers along the perimeter of the property. References to the types of buffers required by LDC chapter 10 are acceptable.
f. The location of any environmentally sensitive land and water, based on standard environmental data capable of verification by Town staff. Developments larger than one acre in size may require a protected species survey under LDC Section 10-473.
g. The exact location of all points of vehicular ingress and egress from existing easements or rights-of-way into the development, with distances from other existing or planned rights-of-way or access points.
h. Access and facilities for public transit, if applicable.
i. The general location of stormwater management areas.
j. The specific locations of requested deviations, including sample detail drawings illustrating their effects if applicable.
k. The exact location of existing rights-of-way and easements, whether or not those easements are recorded.
l. Proposed dedications, if any, including beach access, boat ramps, park or recreation areas, open space, or other easements.

Traffic Impact Statement. A traffic impact statement in the same format and to the same degree of detail required for development orders (LDC Section 10-286).

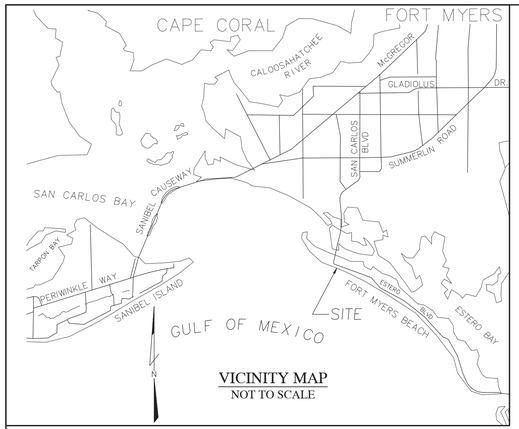
Architectural Elevations. Architectural elevations or three-dimensional renderings that show at minimum all building façades adjoining public streets. These drawings will serve for the sketch requirement of LDC Section 34-202(b)(5) as well. If aspects of the proposed design will not comply with the commercial design standards of LDC Sections 34-991 through 34-997 (if required), the applicant may request deviations from those standards.

Schedule of uses. A list of all proposed principal and accessory uses. Identify these uses by reference to the groups of uses in Tables 34-1 and 34-2 of the Land Development Code unless greater specificity is necessary. For amendments to planned developments that were approved under different regulations, the enumeration of uses in the schedule of uses supplied for the amendment must be specific enough to explain what uses were previously approved without future reference to prior regulations or approvals.

SURVEY PLAT

OF
A PARCEL OF LAND
LYING IN
SECTION 24, TOWNSHIP 46 SOUTH, RANGE 23 EAST,
TOWN OF FORT MYERS BEACH, LEE COUNTY, FLORIDA

0 20 40 60



VICINITY MAP
NOT TO SCALE

NOTES:
SURVEY BASED ON THE DESCRIPTION SHOWN HEREON, THE RECORD PLAT OF CRESCENT PARK (PLAT BOOK 4, PAGE 39), , THE "EROSION CONTROL LINE" (PLAT BOOK 70, PAGE 25), THE "LEE COUNTY COASTAL CONSTRUCTION SETBACK LINE" (ORDINANCE 76-3 AND RECORDED 1978), THE "COASTAL CONSTRUCTION CONTROL LINE MAPS" (1991), RIGHT-OF-WAY CONTROL SURVEY MAPS OF ESTERO BOULEVARD (PREPARED BY THIS FIRM) DATED APRIL 16, 2010 PREVIOUS SURVEYS BY THIS FIRM AND FOUND MONUMENTATION.

BEARINGS ARE BASED ON THE NORTH AMERICAN DATUM (NAD) OF 1983/1990 ADJUSTMENT, FLORIDA MERCATOR WEST ZONE HOLDING NGS CONTROL POINT BOOB-2 TIED TO THE FLORIDA HIGH PRECISION GEODETIC NETWORK UNLESS NOTED OTHERWISE.

STATE PLANE COORDINATES ARE BASED ON THE NORTH AMERICAN DATUM OF 1983/1990 ADJUSTMENT, FLORIDA MERCATOR WEST ZONE AS SHOWN AND NOTED HEREON HOLDING NGS CONTROL POINT "BOOB-2".

DIMENSIONS ARE IN FEET AND DECIMAL PARTS THEREOF.

PARCEL SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS- OF-WAY (RECORDED AND UNRECORDED, WRITTEN AND UNWRITTEN).

ELEVATIONS ARE BASED ON NAVD OF 1988 AND NGS BENCHMARKS F-245 AND BOOB-2.

PARCEL LIES IN FLOOD ZONES AE AND VE, WITH BASE FLOOD ELEVATIONS OF 12', 13', 14', 15, AND 16' (NAVD 1988) AS SHOWN. THIS INFORMATION TAKEN FROM FLOOD INSURANCE RATE MAP 12071C0554G, COMMUNITY NAME: TOWN OF FORT MYERS BEACH AND COMMUNITY NUMBER: 120673 WITH EFFECTIVE DATE AND INDEX DATE BEING 11-17-2022. THAT PORTION OF THE PARCEL LAYING WITHIN FLOOD ZONE AE IS WITHIN A FEMA DESIGNATED LIMWA AREA.

THE FEMA FLOOD ZONE INFORMATION INDICATED HEREON IS BASED ON MAPS SUPPLIED BY THE FEDERAL GOVERNMENT. THIS FLOOD INFORMATION MUST BE VERIFIED WITH ALL PERMITTING REGULATORY ENTITIES PRIOR TO COMMENCING ANY WORK OR APPLICATION DEPENDENT ON SAID FLOOD INFORMATION.

IRON RODS "SET" ARE 5/8" X 18" REBAR WITH YELLOW CAP BEARING CORPORATION NO. LB8267.

UNDERGROUND IMPROVEMENTS, UTILITIES AND/OR FOUNDATIONS WERE NOT LOCATED UNLESS OTHERWISE NOTED.

WETLANDS, IF ANY, WERE NOT LOCATED.

THIS PLAT PREPARED AS A BOUNDARY SURVEY AND IS NOT INTENDED TO DELINEATE THE JURISDICTION OR JURISDICTIONAL AREAS OF ANY FEDERAL, STATE, REGIONAL OR LOCAL AGENCY, BOARD, COMMISSION OR OTHER ENTITY.

THE MEAN HIGH WATER LINE WAS FIELD LOCATED ON MAY 12, 2021 AND WAS ESTABLISHED BY FIELD LOCATING THE CONTOUR ELEVATION OF 0.26' (N.A.V.D. OF 1988) PER APPROVAL LETTER RECEIVED BY DEP ON NOVEMBER 19, 2012. THIS LINE IS SHOWN FOR REFERENCE ONLY AS THE EROSION CONTROL LINE IS UNDERSTOOD TO BE THE WATERWARD BOUNDARY OF THIS SITE.

THE LEE COUNTY COASTAL CONSTRUCTION SETBACK LINE AS SHOWN ON MAPS PREPARED FOR STATE OF FLORIDA DEPARTMENT OF NATURAL RESOURCES FILE NUMBER 617-0275 DATED MARCH 1978 IS RECORDED IN PLAT BOOK 31 AT PAGES 1-16.

THE PROPERTY IS SUBJECT TO ANY CLAIM THAT ANY PART OF SAID LAND IS OWNED BY THE STATE OF FLORIDA BY RIGHT OF SOVEREIGNTY, RIPARIAN RIGHTS AND THE TITLE TO FILLED-IN LANDS, IF ANY. OWNERSHIP TO THE EROSION CONTROL LINE NEEDS TO BE CONFIRMED WITH STATE LANDS.

PARCEL CONTAINS 0.23 ACRES (10,010 SQUARE FEET), MORE OR LESS. AREA WAS CALCULATED FROM THE RIGHT-OF-WAY OF ESTERO BOULEVARD TO THE EROSION CONTROL LINE.

ADDRESS: 1154 ESTERO BLVD, FORT MYERS BEACH, FL 33931

STRAP NO: 24-46-23-W3-00011.0000

DATE OF LAST FIELD WORK: 11-02-2023

Stephen F. Shawles II, P.S.M.

Digitally signed by Stephen F. Shawles II, P.S.M.
DN: cn=Stephen F. Shawles II, P.S.M., o=CES, INC., ou=LB8267,
email=sshawles@cesincusa.com, c=US
Date: 2023.11.03 14:01:37 -04'00'

*NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
HALEY WARD, INC.

Stephen F. Shawles

STEPHEN F. SHAWLES II, P.S.M., NO. LS6419
PROFESSIONAL SURVEYOR & MAPPER
STATE OF FLORIDA
- THIS CERTIFICATION IS ONLY FOR THE LANDS DESCRIBED HEREON.
- IT IS NOT A CERTIFICATION OF TITLE, ZONING, SETBACKS, OR FREEDOM OF ENCUMBRANCES.
- THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF ABSTRACT OF TITLE AND ALL MATTERS OF TITLE SHOULD BE REFERRED TO AN ATTORNEY AT LAW.

ABBREVIATIONS:
LIMWA = AREA OF LIMITED WAVE ACTION
P.B. = PLAT BOOK
P.C. = POINT OF CURVE
P.T. = POINT OF TANGENCY
P.I. = POINT OF INTERSECTION.
P.O.B. = POINT OF BEGINNING
P.R.C. = POINT OF REVERSE CURVE
I.R. = IRON ROD.
C.M. = CONCRETE MONUMENT.
P.C.P. = PERMANENT CONTROL POINT.
P.R.M. = PERMANENT REFERENCE MONUMENT.
CONC. = CONCRETE.
E.O.P. = EDGE OF PAVEMENT.
M. = MEASURED.
FND. = FOUND.
N/D = NAIL AND DISK.
EL. = ELEVATION.
B.M. = BENCH MARK
P.U.E. = PUBLIC UTILITY EASEMENT.
DR. = DRAINAGE.
P = PLAT.
T.O.B. = TOP OF BANK
D.B. = DEED BOOK
O.R. = OFFICIAL RECORDS BOOK
PG. = PAGE
(F) = FIELD
(C) = CALCULATED
FF = FINISH FLOOR
I.E. = INVERT ELEVATION
R.C.P. = REINFORCED CONCRETE PIPE
C.B. = CATCH BASIN
MH = MANHOLE
PK = PARKER KALON
OH = OVERHEAD LINES
(D) = DEED
DNR = DEPARTMENT OF NATURAL RESOURCES
DNR = DEPARTMENT OF NATURAL RESOURCES
TRANS = TRANSFORMER

LEGEND
= STORM MANHOLE
= BURIED CABLE MARKER
= ELECTRIC METER
= ELECTRIC BOX
= LIGHT POLE
= WOOD POWER POLE
= CONCRETE POWER POLE
= GUY WIRE
= CATCH BASIN
= IRRIGATION VALVE
= WATER VALVE
= SANITARY MANHOLE
= TELEPHONE BOX
= FIRE HYDRANT
= ELECTRIC SERVICE POLE
= CABLE TELEVISION BOX
= TRANSFORMER
= WATER METER
= SANITARY SERVICE
= SIGN
= CONCRETE PILING
= WOOD PILING
= MAIL BOX
= TELEPHONE MANHOLE
= EXISTING SPOT ELEVATION
= BOLLARD
= BURIED GAS MARKER
= GAS VALVE

BOUNDARY SURVEY
1154 ESTERO BOULEVARD – FORT MYERS BEACH

HALEY WARD
Engineering | Environmental | Surveying
13041 McGREGOR BOULEVARD, FORT MYERS, FLORIDA 33919 PH (239) 481-1331
FLORIDA CERTIFICATE OF AUTHORIZATION NUMBERS EB32664 & LB8267

2011159.001SR.DWG					
DATE	PROJECT NO.	DRAWN BY	SCALE	SHEET	FILE NO. (S-T-R)
05-17-21	11159.001	SFS	1"= 20'	1 OF 1	24-46-23

REVISED 11-02-23 UPDATE SURVEY
REVISED 05-25-21 ADDED FPL EASEMENT

SALTY CRAB CPD
Request Narrative & Comprehensive Plan Compliance

I. Request

On behalf of Greg Powers and Clownfish Restaurant Holdings, LLC ("Applicant") RVi Planning and Landscape Architecture is pleased to submit the enclosed petition for a Commercial Planned Development (CPD) zoning from Downtown to CPD for the rebuild of the Salty Crab restaurant at 1154 Estero Boulevard ("Property") after the existing establishment was destroyed in Hurricane Ian.

The CPD includes 5,256.88 square feet of the property landward Lee County 1978 Coastal Construction Control Line (CCCL)1 only and codification of the consumption on premises and outdoor seating area waterward of the CCCL.

II. Property History & Existing Conditions

Originally constructed in the 1980's, the primary use of the building has been commercial and well-known in the community as The Salty Crab Bar & Grill. The original building was a mix of one- and two-story structures and covered patios and walkways. There was no onsite parking provided and loading was completed in the beach access and parking area for Crescent Park abutting the property.

Prior to Hurricane Ian, the Property included a two-story structure with covered porch areas and beachside dining including 1,561 square feet of outdoor seating and consumption on premises (Resolution 10-15 and COP2012-0005) area seaward of the seawall and the 1978 Lee County Coastal Control Line (CCCL). An aerial exhibit depicting the project location is attached to this application as Exhibit 5-3 – Areal Location Maps. The exhibit also includes before and after pictures of the property to identify the original structure.

The general location is 500 feet south of Times Square on the Gulf side of Estero Boulevard in the Town of Fort Myers Beach, Florida. This is the most intensive and pedestrian-oriented node within the Town and serves as the main tourist and entertainment district. The northern boundary of the site abuts Crescent Beach Family Park's Public Parking lot, owned and operated by Lee County, and to the south abuts the Margaritaville Beach Resort beachside pool and building. It is less than 100 feet from the Estero Boulevard and Crescent Park signalized intersection and a few hundred feet south of a new bus pull off and stop that will be part of the SR 865 improvements to be completed by FDOT. See Exhibits 5-3 FDOT SR865 for details.

The regulatory environment for the property is that it has two zoning classifications - Downtown (D) and Environmentally Critical (EC). The Downtown district area landward of the CCCL occupies 5,256.88 square feet. The future land use categories (FLUC) of the property are Pedestrian Commercial and Recreation. No changes are proposed. Like the zoning, the Pedestrian Commercial portion of the site will be redeveloped with the restaurant structure while the outdoor seating and COP area will be in the Recreation FLUC as has been historically documented. As indicated by the name of the underlying future land use, the property is sited within a dynamic, tourist-oriented area of the Town intended for pedestrian oriented, commercial uses – precisely what is intended by the proposed redevelopment and associated parking variance.

[1] Also referred to as the Coastal Construction Setback Line (CCSL) on the survey and in common practice.

The lot was originally pre-plated as part of the Crescent Park Subdivision formed in the 1950's (see Exhibit 5-1 Plat-PB4-PG46). According to the boundary survey the site has an area of 10,010 square feet, or (0.23 acres), with an average depth of 286 feet and 35 feet wide. Per LDC 34-3277(1) the lot does not meet the minimum width for those created prior to 1962 which is 40 feet and can therefore be considered a legally nonconforming lot.

III. Surrounding Land Uses

The underlying future land use category ("FLU") is Pedestrian Commercial landward of the 1978 Lee County CCCL and Recreation seaward of the 1978 Lee County CCCL. The property is zoned Downtown landward of the CCCL and Environmentally Critical seaward of the 1978 Lee County CCCL. Likewise, all surrounding properties are in the Downtown zoning district or CPD, and the Pedestrian Commercial future land use category.

The purpose of the Downtown zoning district is to create a desired quality and character of the center of the pedestrian-oriented commercial activities within the town. There is a mix of resort/hotel and commercial properties that surround the subject property. In the general vicinity are some of Fort Myers Beach's most high intensity establishments in Times Square including abutting the Margaritaville Resort.

Table 1 – Surrounding Land Uses

	Future Land Use	Zoning	Existing Land Uses
North	Pedestrian Commercial	CPD	Margaritaville
South	Recreation	Environmental Conservation	Gulf of Mexico
West	Pedestrian Commercial	Downtown	Crescent Park
East	Pedestrian Commercial	Downtown	Margaritaville

IV. Proposed Development

The site's historic use and location provide for an ideal rebuild of the Salty Crab restaurant. Situated in an area of town that encourages pedestrian walkability and has substantial public parking within ¼ mile walking distance (see Exhibit 5-3 Walkability and Parking Map), the site has been proven to successfully operate without designated parking spaces.

As a property in the Downtown district, the Town's Land Development Code implies this area is intended is create a quality and character for the center of pedestrian-oriented commercial activities within the town. In addition, the supporting Pedestrian Commercial future land use promotes the park-once concept and is primarily a commercial district situated around activity centers such as Times Square.

The proposed restaurant, a two-story structure with outdoor seating, will be landward of the 1978 CCCL in the Downtown district area only. In addition to the 2-story building there will be a 1,561 square foot outdoor seating and consumption on premise (COP) area seaward of the existing seawall and the 1978 CCCL consistent with the use and area that was part of the former structure as demonstrated in Exhibit 5-3 - Pre-Ian Survey COP Location Area. The lot is an undersized legally non-conforming lot that is only 35 feet wide. Because of the size of the lot and location surrounded by Lee County Crescent Park to the west and Margaritaville to the east there is limited room for a structure. The development program to rebuild the restaurant requires a variance because there historically been no parking, and no room to add such a feature, and similarly,

limited floor area requiring relief from the floor area ratio permitted, yet complying with height and stories permitted in the Comprehensive Plan.

HEIGHT, STORIES and FAR

Per the LDC requirements for height, stories and floor-to-area ratio (FAR) the project is located on the south side of Estero Boulevard adjacent to the Times Square area in the Downtown district fronting on Estero Boulevard. The CPD zoning district applies the development standards of the Commercial Resort District per LDC §34-645 Table 34-3.

Height

The permitted height in the Commercial Resort District at this location is a maximum of 30 feet above base flood elevation. The FEMA BFE+1 at this location is 19'6" feet and the FDEP LHSM is 20'3" feet. The proposed structure will meet this requirement.

Stories

The permitted stories at this location in the Commercial Resort District a building may be no taller than three (3) stories. The proposed building is two stories, which will meet this requirement.

FAR

As defined in the LDC Section 34-633, floor area ratio is the gross floor area of all buildings on a site divided by the site's lot area. Gross floor area includes the total floor area of all stories of a building within the surrounding exterior walls (whether the walls are solid or screened), plus all area below an elevated building that is six feet or more in height, plus all stories of covered parking, but not including any area whose roof is screened rather than solid (such as swimming pool enclosures).

Per LDC Section 34-645 Table 34-3 in the Commercial Resort (CR) District the permitted FAR is 1.2. Although it is in the Downtown District with an allowable FAR of up to 1.8 in certain locations. Here is the breakdown of the *gross floor area* request:

- The lot landward of the CCCL is 5,256.88
- The proposed footprint of the building is 5,156 square feet
- The total floor area is a maximum of 9,300 square feet combining the two stories
- The FAR proposed is 1.77

Net Request

The ground floor building plan, or the area below base flood, includes 1,285 square feet of loading area and dry storage. It also includes 1,260 square feet of area of circulation and open areas used for elevators, stairwells, and customer circulation areas – a total of 2,545 square feet.

Removing the loading/dry storage and circulation areas from the ground floor and counting all areas on the second story results in a floor area of 6,755, or an FAR of 1.29.

Justification

The former restaurant occupied less floor area than the proposed structure because it was a single-story structure with a small second floor that only occupied a portion of the available area. The structure was built long before modern FEMA flood regulations and was able to have most if the operation and seating at ground level. The land is in the VE FEMA flood zone which highly restricts the infrastructure that can be rebuilt at grade.

Because of the limitations of uses on the first floor, the second floor is the true useful space and therefore expanded from the original. The flood elevation at this site is 20 feet at FDEP design flood elevation.

The new restaurant will increase the area on the second floor to a full level while the at grade floor will be fully covered and enclosed and considered floor area. However, the first-floor uses, because of the limitations of uses and required elevation, is occupied by a significant amount of dead space. The ground floor building plan includes 1,285 square feet of loading area and dry storage. It also includes 1,260 square feet of area of circulation and open areas used for elevators, stairwells, and customer circulation areas – a total of 2,545 square feet. Removing the loading/dray storage and circulation areas from the ground floor only results in a floor area of 6,755, or an FAR of 1.29.

Rigid compliance to the 1.2 FAR limit is not necessary to protect public policy. The district allows for floor area very similar to the requested, allowing up to 1.8 and removing the dead areas show a useable space in the ballpark of the 1.2 FAR for the district and consistent with the Downtown District's 1.4 FAR.

The lot is limited in size with no options to create room for dead spaces such as storage to be outside of an enclosed first floor area. The lot was originally pre-plated as part of the Crescent Park Subdivision formed in the 1950's (see Exhibit 5-1 Plat-PB4-PG46). According to the boundary survey the site has an area of 10,010 square feet, or (0.23 acres), with an average depth of 286 feet and 35 feet wide. Per LDC 34-3277(1) the lot does not meet the minimum width for those created prior to 1962 which is 40 feet and can therefore be considered a legally nonconforming lot.

Also, the need for the deviation is due to Hurricane Ian destroying the former structure as the new structure must adhere to flood regulations making the second floor essential to be full-sized which enlarges the floor area of the total structure. The second floor now must provide room for a kitchen, restrooms, bar and serving areas and seating where most of the backhouse functions were on the ground floor formerly.

Because of a business at this location needing to place most functional aspects of a commercial business, particularly a restaurant, on the second floor, removing ground floor uses that serve functions such as circulation and dead storage and dumpster and delivery areas is the minimum variance. Strict adherence to the policy of 1.2 FAR would create a limited second floor, which is where the primary functions of a restaurant must be located, while counting storage and dead space on the first floor. This would greatly limit the overall functionality and viability of rebuilding a restaurant at this location.

INGRESS/EGRESS

Access and circulation are unable to be accommodated at this location historically and as redeveloped.

PARKING

LDC §34-2020(d)(2) (a) and (h) for restaurants requires a minimum parking of eight spaces per 1,000 square feet of total floor area plus any outdoor seating area. The proposed development requests to allow no required parking spaces, a reduction of 58 spaces or a 100% deviation. The parking requirements for the proposed development are as follows:

REQUIRED PARKING

- 8 SPACES PER 1,000 SF (including outdoor seating)

BUILDING SIZE

- 9,300 SF + 1,561 SF (COP WITH OUTDOOR SEATING) / 1,000 SF = 87 SPACES x 0.67 = 58 spaces

Justification
The property is considered a non-conforming lot that was platted in the 1950s, long before the current regulations were enacted.

The site operated successfully for decades with no onsite parking being provided. The request is to allow a similar restaurant to be rebuilt after being destroyed by Hurricane Ian. It is in the pedestrian commercial area and the downtown district both of which are to allow for uses in close proximity that can be reached through alternative transportation to individual vehicles.

In addition to the park once and pedestrian oriented character of the area, the lot is approximately 35 feet wide at the Estero Boulevard frontage. Due to the limited width and the following factors, onsite parking cannot be accommodated:

1. The LDC Sec. 34-676(d)(1) prevents an access point onto Estero Boulevard Properties fronting on Estero Boulevard. The code states, “Existing driveways and parking spaces shall be relocated from Estero Boulevard to secondary streets, and new driveways shall connect only to secondary streets, except where these requirements would prohibit all reasonable access to a property.”
2. The location near the signalized intersection at Estero Boulevard and Crescent Street and the pedestrian crossing at the same location make a curb cut onto Estero Boulevard a safety concern.
3. Access from side streets is not available due to the neighboring properties uses and because of lack of available property width to accommodate ingress/egress onto the site. To the south is the Margaritaville structure and to the north is parking for Crescent Park owned and operated by Lee County.

Historically, the restaurant has been successful despite the lack of onsite parking. The property is a platted lot established prior the Land Development Code and an undersized commercial lot per code minimums. As a property in the Downtown zoning district, the location and use meets the purpose of the district as a pedestrian-oriented commercial space with walk-up access from both Estero Boulevard and the Beach for a desirable service of food and beverage near the Times Square area.

A significant amount of public parking opportunities is located within the ¼ mile walkshed of the proposed restaurant. Exhibit 5-3 titled, “Walkability and Parking Proximity”, shows more than 800 spaces within the typical ¼ mile walkshed. Also in support of walk-in patrons are 254 rooms in the Margaritaville Resort next to the restaurant, Lani Kai’s 100+ rooms, Lighthouse Resort Inn & Suites 75 rooms, Diamond Head Beach Resort’s 124 rooms, Best Western Plus’s 100 rooms, and many timeshare and short-term rentals units in the area.

The site is unable to accommodate a parking area as the width of the property would not allow for parking that would meet modern drive isle and parking space depths. Perhaps a parallel parking design would provide some spaces but causes issues with safety and the LDC. But even if that were proposed, due to developed properties to the north and south an access from a side street is not possible and curb cuts onto Estero Boulevard do not meet code and would be

considered a safety concern at the busy signalized intersection of Estero Boulevard and Crescent Street.

Finally, the historic use of the property has been a restaurant without onsite parking and is located in an area that encourages and experiences significant pedestrian activity. Granting the variance will not negatively impact compatibility, public health, safety, or welfare.

Like uses in the immediate area, such as the Times Square restaurants and Margaritaville, demonstrate the compatibility and consistency the with historical character of the area.

The restaurant use and location promotes the use of alternative forms of transportation, with a future bus stop within a few hundred feet (in front of Crescent Park as part of the SR865 redevelopment plan), and is well served by pedestrian connectivity.

The direct access to a restaurant from Estero Boulevard and the beach complements the area and serves residents and visitors of the beach.

VI. Infrastructure

The subject property was developed as a restaurant for decades and has been adequately served by public utilities and services due to its urban location and general proximity to the Town's and County's investment in infrastructure. Only a marginal increase in usage rates is likely for this this CPD, thus additional evidence of infrastructure availability is not required by the application.

VII. Decision-making Compliance

The following is an analysis of the CPD's consistency with the criteria for Rezonings in the LDC §34-85(b) in bold.

(1) Whether there exists an error or ambiguity which must be corrected.

The rezoning of the property to CPD is not because of error or ambiguity but rather prevents future discrepancy issues between what would have been allowed for setbacks in the Downtown district and the larger floor area ratio necessary for functional build back of the restaurant. The CPD zoning district allows for specific development regulations to meet unique site designs such as those required when constructing on a legal non-conforming lot (width) and unique nature of the pre-existing restaurant that had no parking. The CPD allows for a unique design to promote things such as retail uses that are walkable in the Downtown area and unique setbacks.

(2) Whether there exist changed or changing conditions which make approval of the request appropriate.

The Town of Fort Myers Beach and Estero Island have been changed by Hurricane Ian. Furthermore, the building code and flood zones have changed significantly since the site was first developed decades ago. Rebuilding this restaurant requires a significantly different structure than the original structure. The original restaurant was able to have many functions on the ground floor such as kitchen and bar equipment and other permanent features such as restrooms that are no longer permitted below base flood elevation, particularly in the FEMA VE Zone that occupies all of this property. As such the primary restaurant must be on the second

floor creating a roof over the ground floor area that now counts as floor area but has limited usefulness to the restaurant.

The proposed CPD will allow for development of a unique, safe and modern structure, that complies with current development standards and is more resilient to future weather events while building back an historic restaurant in a wonderful location in the middle of the pedestrian area at Times Square.

(3) The impact of a proposed change on the intent of this chapter.

N/A

(4) The testimony of any applicant.

As a quasi-judicial process, the CPD zoning will allow for substantive and competent evidence to be presented to and considered by the Local Planning Agency for recommendation and Town Council for a decision or conditions for approval. The testimony presented will conclude that the request is consistent with the goals, objective and policies of the Comprehensive Plan and all applicable development regulations.

(5) The recommendation of staff and of the local planning agency.

The Town Council will consider the staff report and recommendation as well as the report and recommendation of the LPA, which will be rendered after a public hearing where the staff and applicant will present evidence, the public will speak, and the LPA is permitted to ask questions of all parties.

(6) The testimony of the public.

During the quasi-judicial process, the public is invited to present evidence for support, concerns, or issues with the proposed development in an advertised forum according to Sunshine laws of Florida. The competent and substantive evidence presented will be strongly considered by the applicant.

(7) Whether the request is consistent with the goals, objectives, policies, and intent, and with the densities, intensities, and general uses as set forth in the Fort Myers Beach Comprehensive Plan.

The proposed development considers Fort Myers Beach Comprehensive Plan and does not seek to increase density, height or change use. The site will comply with modern post-disaster buildback policies in the Comprehensive Plan and LDC, by meeting flood regulations and life safety and ADA requirements. The requested floor area ratio increase will be compatible with surrounding building mass in this intensive Downtown core near Times Square.

(8) Whether the request meets or exceeds all performance and locational standards set forth for the proposed use.

The proposed use is a build back of an existing use that is substantially the same. The location is appropriate for the use and has proper placement and access on Estero Boulevard near Times Square.

(9) Whether urban services are, or will be, available and adequate to serve a proposed land use change.

The proposed request will need very similar urban services that have been in place for quite some time in this location.

(10) Whether the request will protect, conserve, or preserve environmentally critical areas and natural resources.

The proposed development will occur on impacted portions of the site where development historically occurred. No new impacts to environmentally sensitive areas are proposed. The project will comply with all local and state regulations pertaining to the area seaward of the 1978 CCCL through compliance with the stringent EC zoning district.

(11) Whether the request will be compatible with existing or planned uses and not cause damage, hazard, nuisance, or other detriment to persons or property.

The proposed development is identical in use and density with the former use of the property. The increased floor area will be designed in such a way to not create negative impacts to the surrounding land uses.

(12) Whether the location of the request places an undue burden upon existing transportation or other services and facilities and will be served by streets with the capacity to carry traffic generated by the development.

The proposed development is identical in use and density with the former use of the property.

According to LDC §34-216, Planned Development Rezonings must also comply with the following criteria:

a. The proposed use or mix of uses is appropriate at the subject location;

The use and location have historically been the Salty Crab Restaurant until Hurricane Ian.

b. Sufficient safeguards to the public interest are provided by the recommended special conditions to the concept plan or by other applicable regulations;

The site plan, development standards and schedule of uses are designed and limited to ensure there are sufficient safeguards to the public interest, relating to access, uses, building placement, design, and setbacks.

c. All recommended special conditions are reasonably related to the impacts on the public's interest created by or expected from the proposed development;

The Applicant will coordinate with Staff relating to appropriate conditions of approval for the CPD.

d. The proposed use meets all specific requirements of the comprehensive plan that are relevant to the requested planned development, such as the following:

1. Policies 4-B-4 and 4-C-3 on commercial uses in the "mixed residential" category.

N/A

2. Policies 4-B-5 and 4-C-3 on commercial rezonings in the "boulevard" category.

N/A

3. Policy 4-C-4 on building heights taller than the standard height limit.

The proposed building height demonstrates consistency with the Comprehensive Plan and LDC.

4. Policy 4-C-8 on density transfers.

N/A

5. Policy 4-E-1 on pre-disaster buildback.

N/A

6. Policy 7-J-2 on traffic impact analyses and potential design improvements that could offset traffic impacts.

The CPD will not result in significant traffic impacts as the site's existing use and intensity will remain the same as before the Hurricane.

VIII. Comprehensive Plan Consistency Narrative

The following is an analysis of how the proposed Comprehensive Plan Amendment is consistent with the goals, objectives, and policies (GOPs) of the Town of Fort Myers Beach Comprehensive Plan. The adopted GOP headings are listed below, and the Applicant's compliance analysis is shown in **bold.**

POLICY 1-A-1 Changes along Estero Boulevard should improve on the characteristics that make it a boulevard in character and not just in name: safe and interesting to walk along, impressive landscaping, and scaled to people rather than high-speed traffic.

The proposed CPD rezone includes pedestrian shading and streetscape aesthetics with retail services on the ground floor in direct compliance with this policy.

POLICY 4-A-5 The town contains many important natural resources despite its urbanized character. Preservation of those resources is of the highest importance and is a frequent theme throughout this plan.

Uses and development in the areas waterward of the 1978 Coastal Construction Control Line (CCCL) will continue to comply with the above policy. The approved COP area and outdoor seating seaward of the CCCL is to be replaced in accordance with the provisions of the LDC. Other portions of the Property are

disturbed/developed. The development program will be designed and constructed to the latest South Florida Water Management District and Department of Environmental Protection standards to ensure high-quality development that protects natural resources.

POLICY 4-B-8 “RECREATION”: applied to public parks, schools, undevelopable portions of Bay Beach, and those parts of Gulf beaches that lie seaward of the 1978 coastal construction control line. Additional accretions of beach, whether by natural causes or through beach renourishment, will automatically be assigned to this category. No new residential development is permitted (although several existing buildings were legally constructed partially seaward of the 1978 control line). The maximum density of residential development here is 1 dwelling units per 20 acres, with all dwelling units to be constructed outside this category. Allowable uses are parks, schools, libraries, bathing beaches, beach access points, and related public facilities. Non-recreational uses (such as the elementary school) now comprise 2.7% of the land in this category; additional school sites and public buildings shall not increase this percentage beyond 6%.

The proposed request takes into consideration the Recreation portion of the site and is only requesting to rezone those areas within the Downtown district zoning category. Because the Recreation category will remain, the uses and development in this area will continue to comply with the above policy based on restriction.

The design and scale of the proposed development has been carefully planned to remain consistent with the surrounding developments and provides a new building with softened landscaping and architectural details.

OBJECTIVE 6-E DUNES AND BEACHES

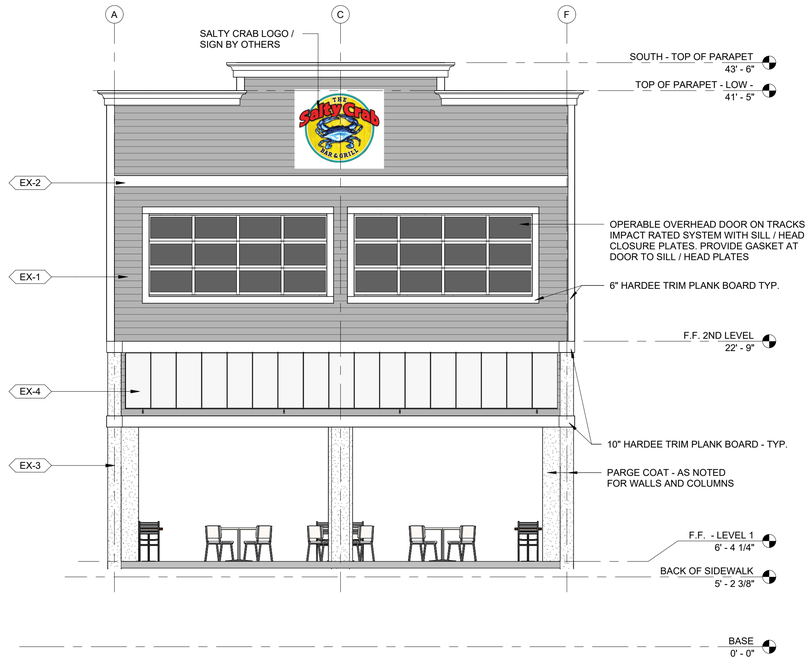
The proposed development will contribute to the beach renourishment efforts by the Town and state agencies, as well as implement localized dune renourishment, as required by the Town.

POLICY 6-H-5 WATER QUALITY

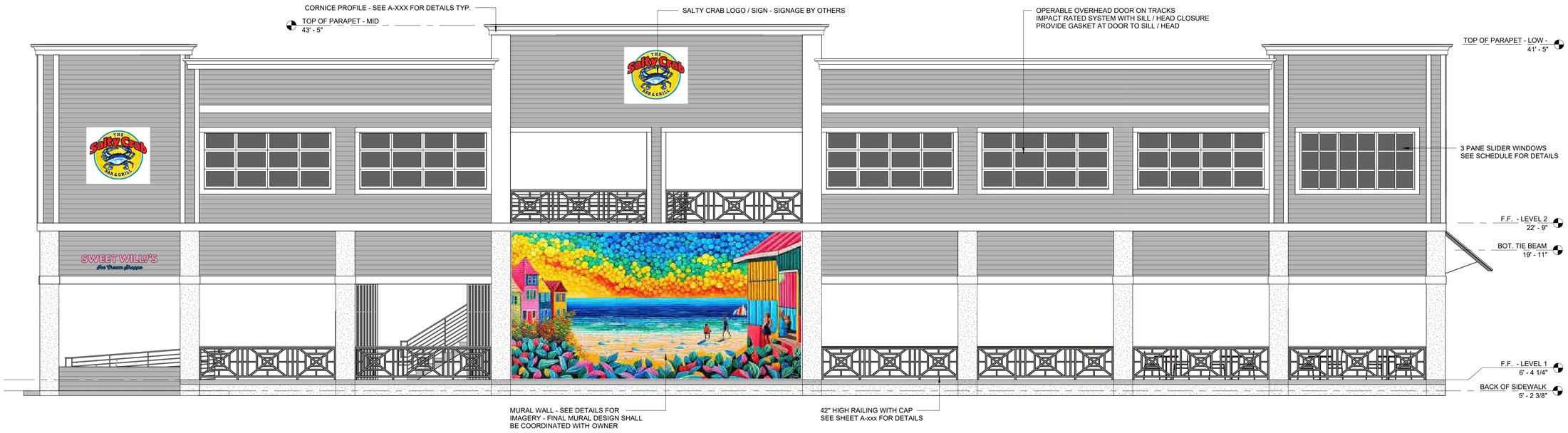
The proposed project will abide by any required reviews by the FDEP and SFWMD to ensure water quality is maintained and the project meet the current standards will be applied

SCHEDULE - EXTERIOR FINISHES

MARK	MFR	MODEL/SERIES	DESCRIPTION	Color
EX-1	James Hardie	Plank Siding -	8 1/4" plank with 7" exposure	as selectedfron full manuf. color list
EX-2	James Hardie	Trim planks	10" trim plank	as selectedfron full manuf. color list
EX-3	T.B.D.	T.B.D.	Parge Coat Application	as selectedfron full manuf. color list
EX-4	Mapes	T.B.D.	Aluminum	as selectedfron full manuf. color list



1 SOUTH ELEVATION
3/16" = 1'-0"



2 WEST ELEVATION
3/16" = 1'-0"

bdg architects

400 N Ashley Drive
Suite 600
Tampa, FL 33602

P: 813 - 323 - 9233
Lic #: AA - 0003590
W: www.bdgllp.com

Salty Crab

1154 Estero Blvd, Fort Myers Beach, FL 33931

THESE DRAWINGS AND PLANS, ANY REPRODUCTION THEREOF, AND ANY CAD OR ELECTRONIC FILE OF THESE DRAWINGS AND PLANS (HEREINAFTER "PLANS") ARE THE SOLE AND EXCLUSIVE, PROPRIETARY PROPERTY OF BDG ARCHITECTS, AND MAY NOT BE REPRODUCED, PUBLISHED, MODIFIED OR USED IN ANY WAY WITHOUT THE EXPRESS WRITTEN PERMISSION OF BDG ARCHITECTS. USE OF THESE PLANS FOR CONSTRUCTION SHALL BE CONSIDERED ACCEPTANCE OF THE TERMS CONTAINED HEREIN AND THE SUITABILITY AND CONSTRUCTABILITY OF THE PLANS. THE PLANS SHALL NOT BE SCALED OR MODIFIED FOR ANY PURPOSE WITHOUT THE EXPRESS WRITEN APPROVAL OF BDG ARCHITECTS. ANY CHANGES TO THESE PLANS, REGARDLESS OF HOW MINOR, WITHOUT THE EXPRESS WRITTEN APPROVAL OF BDG ARCHITECTS. ANY CONSTRUCTION EXECUTED FROM THESE PLANS WITHOUT THE EXPRESS WRITTEN APPROVAL OF BDG ARCHITECTS, OR ANY CHANGE IN THE SCOPE, DESIGN, OR INTENT OF THESE PLANS FOR ANY REASON, BY ANY PERSON OTHER THAN BDG ARCHITECTS SHALL AUTOMATICALLY VOID ANY DESIGN-RELATED OBLIGATIONS BDG ARCHITECTS MAY HAVE ON THE PROJECT, AND RESULT IN THE FULL AND COMPLETE RELEASE OF BDG ARCHITECTS FROM ANY LIABILITY, CLAIMS, OR DAMAGES INCLUDING ERRORS AND OMISSIONS ARISING OUT OF OR RELATED TO THE PLANS. ANY DISCREPANCIES OR CONFLICTS IN THE PLANS SHALL BE REFERRED IMMEDIATELY TO BDG ARCHITECTS FOR CLARIFICATION PRIOR TO CONTINUING WITH THE WORK. FAILURE TO REFER DISCREPANCIES OR CONFLICTS TO BDG ARCHITECTS PRIOR TO PERFORMING WORK SHALL RESULT IN THE WAIVER OF ANY CLAIMS OR DAMAGES ASSOCIATED WITH THE DISCREPANCIES OR CONFLICTS. THE CONTRACTOR IS RESPONSIBLE FOR THE COORDINATION, SCHEDULING AND CONFORMANCE OF ITS WORK AND ALL WORK PERFORMED BY SUBCONTRACTORS OR OTHER TRADES WITH THE DESIGN DOCUMENTS.

A STATEMENT ON "ALL" SIGNED AND SEALED PLANS THAT TO THE BEST OF THE ARCHITECTS KNOWLEDGE THE PLANS AND SPECIFICATIONS COMPLY WITH THE MINIMUM BUILDING CODES.

SEAL

Architect of Record:
Greg Walden, NCARB, AIA, LEED AP

ISSUE	BY	DATE	DESCRIPTION

PROJECT INFORMATION BLOCK

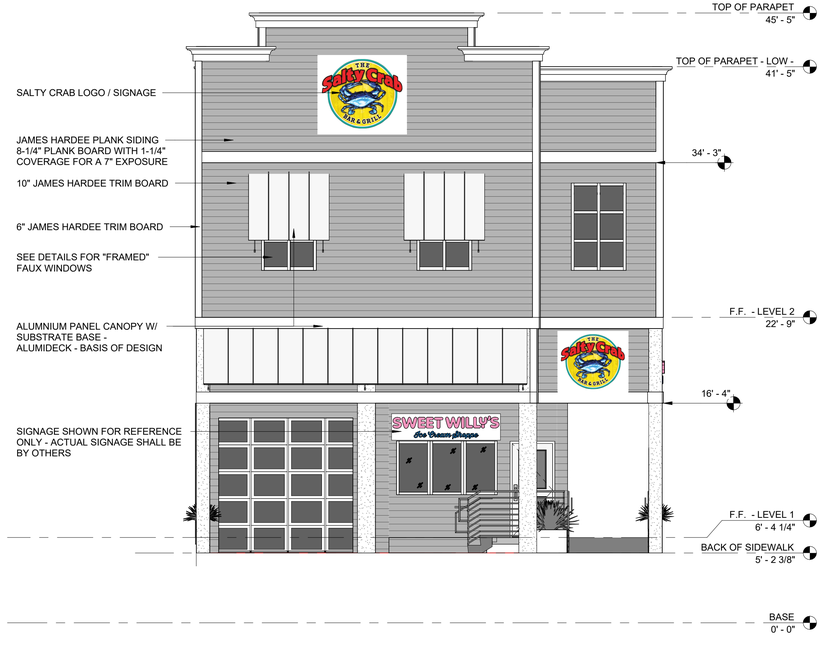
JOB #	230064
DATE:	2/25/2025
DRAWN BY:	Author
CHECKED BY:	Checker

SHEET TITLE

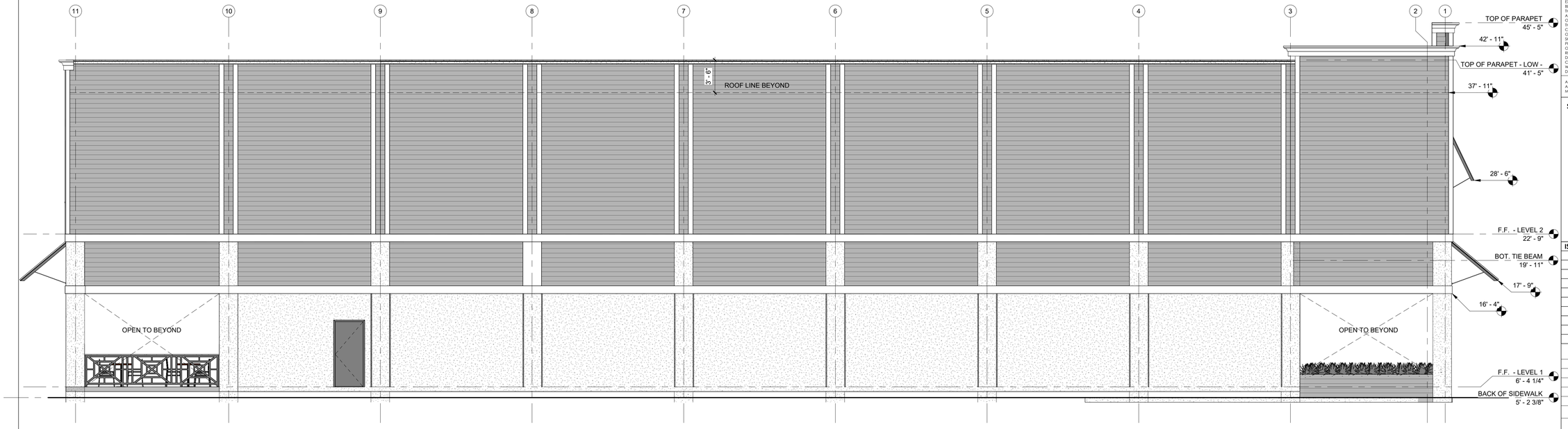
EXTERIOR ELEVATIONS

SHEET NUMBER

A201



1 NORTH ELEVATION
3/16" = 1'-0"



2 EAST ELEVATION
3/16" = 1'-0"

SCHEDULE - EXTERIOR FINISHES

MARK	MFR	MODEL/SERIES	DESCRIPTION	Color
EX-1	James Hardie	Plank Siding -	8 1/4" plank with 7" exposure	as selectedfron full manuf. color list
EX-2	James Hardie	Trim planks	10" trim plank	as selectedfron full manuf. color list
EX-3	T.B.D.	T.B.D.	Parge Coat Application	as selectedfron full manuf. color list
EX-4	Mapes	T.B.D.	Aluminum	as selectedfron full manuf. color list

KEYNOTES - EXTERIOR ELEVATIONS

KEY	NOTES

bdg architects

400 N Ashley Drive
Suite 600
Tampa, FL 33602

P: 813 - 323 - 9233
Lic #: AA - 0003590
W: www.bdgllp.com

Salty Crab

1154 Estero Blvd, Fort Myers Beach, FL 33931

THESE DRAWINGS AND PLANS, ANY REPRODUCTION THEREOF, AND ANY CAD OR ELECTRONIC FILE OF THESE DRAWINGS AND PLANS (HEREINAFTER "PLANS") ARE THE SOLE AND EXCLUSIVE, PROPRIETARY PROPERTY OF BDG ARCHITECTS, AND MAY NOT BE REPRODUCED, PUBLISHED, MODIFIED OR USED IN ANY WAY WITHOUT THE EXPRESS WRITTEN PERMISSION OF BDG ARCHITECTS. USE OF THESE PLANS FOR CONSTRUCTION SHALL BE CONSIDERED ACCEPTANCE OF THE TERMS CONTAINED HEREIN AND THE SUITABILITY AND CONSTRUCTABILITY OF THE PLANS. THE PLANS SHALL NOT BE SCALED OR MODIFIED FOR ANY PURPOSE WITHOUT THE EXPRESS WRITTEN APPROVAL OF BDG ARCHITECTS. ANY CHANGES TO THESE PLANS, REGARDLESS OF HOW MINOR, WITHOUT THE EXPRESS WRITTEN APPROVAL OF BDG ARCHITECTS, ANY CONSTRUCTION EXECUTED FROM THESE PLANS WITHOUT THE EXPRESS WRITTEN APPROVAL OF BDG ARCHITECTS, OR ANY CHANGE IN THE SCOPE, DESIGN, OR INTENT OF THESE PLANS FOR ANY REASON, BY ANY PERSON OTHER THAN BDG ARCHITECTS SHALL AUTOMATICALLY VOID ANY DESIGN-RELATED OBLIGATIONS BDG ARCHITECTS MAY HAVE ON THE PROJECT, AND RESULT IN THE FULL AND COMPLETE RELEASE OF BDG ARCHITECTS FROM ANY LIABILITY, CLAIMS, OR DAMAGES INCLUDING ERRORS AND OMISSIONS ARISING OUT OF OR RELATED TO THE PLANS. ANY DISCREPANCIES OR CONFLICTS IN THE PLANS SHALL BE REFERRED IMMEDIATELY TO BDG ARCHITECTS FOR CLARIFICATION PRIOR TO CONTINUING WITH THE WORK. FAILURE TO REFER DISCREPANCIES OR CONFLICTS TO BDG ARCHITECTS PRIOR TO PERFORMING WORK SHALL RESULT IN THE WAIVER OF ANY CLAIMS OR DAMAGES ASSOCIATED WITH THE DISCREPANCIES OR CONFLICTS. THE CONTRACTOR IS RESPONSIBLE FOR THE COORDINATION, SCHEDULING AND CONFORMANCE OF ITS WORK AND ALL WORK PERFORMED BY SUBCONTRACTORS OR OTHER TRADES WITH THE DESIGN DOCUMENTS.

A STATEMENT ON "ALL" SIGNED AND SEALED PLANS THAT TO THE BEST OF THE ARCHITECT'S KNOWLEDGE THE PLANS AND SPECIFICATIONS COMPLY WITH THE MINIMUM BUILDING CODES.

SEAL

Architect of Record:
Greg Walden, NCARB, AIA, LEED AP

ISSUE	BY	DATE	DESCRIPTION

PROJECT INFORMATION BLOCK

JOB #	230064
DATE:	2/25/2025
DRAWN BY:	Author
CHECKED BY:	Checker

SHEET TITLE

EXTERIOR ELEVATIONS

SHEET NUMBER

A202









bdg architects

400 N Ashley Drive
Suite 600
Tampa, FL 33602

P: 813 - 323 - 9233
Lic #: AA - 0003590
W: www.bdgllp.com

Salty Crab

1154 Estero Blvd, Fort Myers Beach, FL 33931

THESE DRAWINGS AND PLANS, ANY REPRODUCTION THEREOF, AND ANY CAD OR ELECTRONIC FILE OF THESE DRAWINGS AND PLANS (HEREINAFTER "PLANS") ARE THE SOLE AND EXCLUSIVE, PROPRIETARY PROPERTY OF BDG ARCHITECTS, AND MAY NOT BE REPRODUCED, PUBLISHED, MODIFIED OR USED IN ANY WAY WITHOUT THE EXPRESS WRITTEN PERMISSION OF BDG ARCHITECTS. USE OF THESE PLANS FOR CONSTRUCTION SHALL BE CONSIDERED ACCEPTANCE OF THE TERMS CONTAINED HEREIN AND THE SUITABILITY AND CONSTRUCTABILITY OF THE PLANS. THE PLANS SHALL NOT BE SCALED OR MODIFIED FOR ANY PURPOSE WITHOUT THE EXPRESS WRITTEN APPROVAL OF BDG ARCHITECTS. ANY CHANGES TO THESE PLANS, REGARDLESS OF HOW MINOR, WITHOUT THE EXPRESS WRITTEN APPROVAL OF BDG ARCHITECTS; ANY CONSTRUCTION EXECUTED FROM THESE PLANS WITHOUT THE EXPRESS WRITTEN APPROVAL OF BDG ARCHITECTS; OR ANY CHANGE IN THE SCOPE, DESIGN, OR INTENT OF THESE PLANS FOR ANY REASON, BY ANY PERSON OTHER THAN BDG ARCHITECTS SHALL AUTOMATICALLY VOID ANY DESIGN-RELATED OBLIGATIONS BDG ARCHITECTS MAY HAVE ON THE PROJECT, AND RESULT IN THE FULL AND COMPLETE RELEASE OF BDG ARCHITECTS FROM ANY LIABILITY, CLAIMS, OR DAMAGES INCLUDING ERRORS AND OMISSIONS ARISING OUT OF OR RELATED TO THE PLANS. ANY DISCREPANCIES OR CONFLICTS IN THE PLANS SHALL BE REFERRED IMMEDIATELY TO BDG ARCHITECTS FOR CLARIFICATION PRIOR TO CONTINUING WITH THE WORK. FAILURE TO REFER DISCREPANCIES OR CONFLICTS TO BDG ARCHITECTS PRIOR TO PERFORMING WORK SHALL RESULT IN THE WAIVER OF ANY CLAIMS OR DAMAGES ASSOCIATED WITH THE DISCREPANCIES OR CONFLICTS. THE CONTRACTOR IS RESPONSIBLE FOR THE COORDINATION, SCHEDULING AND CONFORMANCE OF ITS WORK AND ALL WORK PERFORMED BY SUBCONTRACTORS OR OTHER TRADES WITH THE DESIGN DOCUMENTS.

A STATEMENT ON "ALL" SIGNED AND SEALED PLANS THAT TO THE BEST OF THE ARCHITECT'S KNOWLEDGE THE PLANS AND SPECIFICATIONS COMPLY WITH THE MINIMUM BUILDING CODES.

SEAL

Architect of Record:
Greg Walden, NCARB, AIA, LEED AP

ISSUE	BY	DATE	DESCRIPTION

PROJECT INFORMATION BLOCK

JOB #	**230064**
DATE:	**2/25/2025**
DRAWN BY:	**Author**
CHECKED BY:	**Checker**

SHEET TITLE

3D REPRESENTATION

SHEET NUMBER

A900

SALTY CRAB CPD

Deviations and Justifications

BUILDNG SETBACKS

1. Deviate from LDC §34-645 Table 34-2 for a STREET SETBACK that specifies in the CR zoning district no building or structure shall be placed closer than 10 feet (to Estero Boulevard); to allow a 0-foot street setback.

   JUSTIFICATION: The Downtown district requires build to lines that would make the proposed development setback of 0-feet in compliance. However, a CPD requires the setbacks of the CR district which is inconsistent with the intent of the area. The setback allows for shade structures to be on the façade of the entrance providing shade on the sidewalk.

2. Deviate from LDC §34-645 Table 34-2 for SIDE SETBACKS that specifies in the CR zoning district no building or structure on a water-front property shall be placed closer than 20 feet as a side setback; to allow a 0-foot side setback on the western boundary and a 0-foot setback on the eastern boundary (abutting Margaritaville).

   JUSTIFICATION: The Downtown district requires build to lines that would make the proposed development setback of 0-feet in compliance. However, a CPD requires the setbacks of the CR district which is inconsistent with the intent of the area.

FLOOR AREA RATIO

3. Deviate from LDC §34-645 Table 34-2 for FLOOR AREA RATIO that specifies in the CR zoning district a maximum of 1.2; to allow a 1.96 floor area ratio.

   JUSTIFICATION: As defined in the LDC Section 34-633, floor area ratio is the gross floor area of all buildings on a site divided by the site's lot area. Gross floor area includes the total floor area of all stories of a building within the surrounding exterior walls (whether the walls are solid or screened), plus all area below an elevated building that is six feet or more in height, plus all stories of covered parking, but not including any area whose roof is screened rather than solid (such as swimming pool enclosures).

   Per LDC Section 34-645 Table 34-3 in the Commercial Resort (CR) District the permitted FAR is 1.2. Although it is in the Downtown District with an allowable FAR of up to 1.8 in certain locations. Here is the breakdown of the gross floor area request:

   - **The lot landward of the CCCL is 5,256.88**
   - **The proposed footprint of the building is 5,156 square feet.**
   - **The total floor area is a maximum of 9,300 square feet combining the two stories**
   - **The FAR proposed is 1.77**

Net Request

The ground floor building plan, or the area below base flood, includes 1,285 square feet of loading area and dry storage. It also includes 1,260 square feet of area of circulation and open areas used for elevators, stairwells, and customer circulation areas – a total of 2,545 square feet.

Removing the loading/dry storage and circulation areas from the ground floor and counting all areas on the second story results in a floor area of 6,755, or an FAR of 1.29.

Narrative

The former restaurant occupied less floor area than the proposed structure because it was a single-story structure with a small second floor that only occupied a portion of the available area. The structure was built long before modern FEMA flood regulations and was able to have most if the operation and seating at ground level. The land is in the VE FEMA flood zone which highly restricts the infrastructure that can be rebuilt at grade. Because of the limitations of uses on the first floor, the second floor is the true useful space and therefore expanded from the original. The flood elevation at this site is 20 feet at FDEP design flood elevation.

The new restaurant will increase the area on the second floor to a full level while the at grade floor will be fully covered and enclosed and considered floor area. However, the first-floor uses, because of the limitations of uses and required elevation, is occupied by a significant amount of dead space. The ground floor building plan includes 1,285 square feet of loading area and dry storage. It also includes 1,260 square feet of area of circulation and open areas used for elevators, stairwells, and customer circulation areas – a total of 2,545 square feet. Removing the loading/dray storage and circulation areas from the ground floor only results in a floor area of 6,755, or an FAR of 1.29.

Rigid compliance to the 1.2 FAR limit is not necessary to protect public policy. The district allows for floor area very similar to the requested, allowing up to 1.8 and removing the dead areas show a useable space in the ballpark of the 1.2 FAR for the district and consistent with the Downtown District's 1.4 FAR.

The lot is limited in size with no options to create room for dead spaces such as storage to be outside of an enclosed first floor area. The lot was originally pre-plated as part of the Crescent Park Subdivision formed in the 1950's (see Exhibit 5-1 Plat-PB4-PG46). According to the boundary survey the site has an area of 10,010 square feet, or (0.23 acres), with an average depth of 286 feet and 35 feet wide. Per LDC 34-3277(1) the lot does not meet the minimum width for those created prior to 1962 which is 40 feet and can therefore be considered a legally nonconforming lot.

Also, the need for the deviation is due to Hurricane Ian destroying the former structure as the new structure must adhere to flood regulations making the second floor essential to be full-sized which enlarges the floor area of the total structure. The second floor now

must provide room for a kitchen, restrooms, bar and serving areas and seating where most of the backhouse functions were on the ground floor formerly.

Because of a business at this location needing to place most functional aspects of a commercial business, particularly a restaurant, on the second floor, removing ground floor uses that serve functions such as circulation and dead storage and dumpster and delivery areas is the minimum variance. Strict adherence to the policy of 1.2 FAR would create a limited second floor, which is where the primary functions of a restaurant must be located, while counting storage and dead space on the first floor. This would greatly limit the overall functionality and viability of rebuilding a restaurant at this location.

PARKING

4. Deviate from LDC §34-2020(d)(2) (a) and (h) for restaurants requires a minimum parking of eight spaces per 1,000 square feet of total floor area plus any outdoor seating area. The proposed development requests to allow no required parking spaces, a reduction of 58 spaces or a 100% deviation. The parking requirements for the proposed development are as follows:

   REQUIRED PARKING
   8 SPACES PER 1,000 SF (including outdoor seating)

   BUILDING SIZE
   9,300 SF + 1,561 SF (COP WITH OUTDOOR SEATING) / 1,000 SF = 87 SPACES x 0.67 = 58 spaces

JUSTIFICATION: The property is considered a non-conforming lot that was platted in the 1950s, long before the current regulations were enacted.

The site operated successfully for decades with no onsite parking being provided. The request is to allow a similar restaurant to be rebuilt after being destroyed by Hurricane Ian. It is in the pedestrian commercial area and the downtown district both of which are to allow for uses in close proximity that can be reached through alternative transportation to individual vehicles.

In addition to the park once and pedestrian oriented character of the area, the lot is approximately 35 feet wide at the Estero Boulevard frontage. Due to the limited width and the following factors, onsite parking cannot be accommodated:

1. **The LDC Sec. 34-676(d)(1) prevents an access point onto Estero Boulevard Properties fronting on Estero Boulevard. The code states, "Existing driveways and parking spaces shall be relocated from Estero Boulevard to secondary streets, and new driveways shall connect only to secondary streets, except where these requirements would prohibit all reasonable access to a property."**

2. **The location near the signalized intersection at Estero Boulevard and Crescent Street and the pedestrian crossing at the same location make a curb cut onto Estero Boulevard a safety concern.**
3. **Access from side streets is not available due to the neighboring properties uses and because of lack of available property width to accommodate ingress/egress onto the site. To the south is the Margaritaville structure and to the north is parking for Crescent Park owned and operated by Lee County.**

Historically, the restaurant has been successful despite the lack of onsite parking. The property is a platted lot established prior the Land Development Code and an undersized commercial lot per code minimums. As a property in the Downtown zoning district, the location and use meets the purpose of the district as a pedestrian-oriented commercial space with walk-up access from both Estero Boulevard and the Beach for a desirable service of food and beverage near the Times Square area.

A significant amount of public parking opportunities are located within the ¼ mile walkshed of the proposed restaurant. Exhibit 5-3 titled, "Walkability and Parking Proximity", shows more than 800 spaces within the typical ¼ mile walkshed. Also in support of walk-in patrons are 254 rooms in the Margaritaville Resort next to the restaurant, Lani Kai's 100+ rooms, Lighthouse Resort Inn & Suites 75 rooms, Diamond Head Beach Resort's 124 rooms, Best Western Plus's 100 rooms, and many timeshare and short-term rentals units in the area.

The site is unable to accommodate a parking area as the width of the property would not allow for parking that would meet modern drive isle and parking space depths. Perhaps a parallel parking design would provide some spaces but causes issues with safety and the LDC. But even if that were proposed, due to developed properties to the north and south an access from a side street is not possible and curb cuts onto Estero Boulevard do not meet code and would be considered a safety concern at the busy signalized intersection of Estero Boulevard and Crescent Street.

Finally, the historic use of the property has been a restaurant without onsite parking and is located in an area that encourages and experiences significant pedestrian activity. Granting the variance will not negatively impact compatibility, public health, safety, or welfare.

- **Like uses in the immediate area, such as the Times Square restaurants and Margaritaville, demonstrate the compatibility and consistency the with historical character of the area.**
- **The restaurant use and location promotes the use of alternative forms of transportation, with a future bus stop within a few hundred feet (in front of Crescent Park as part of the SR865 redevelopment plan), and is well served by pedestrian connectivity.**

- **The direct access to a restaurant from Estero Boulevard and the beach complements the area and serves residents and visitors of the beach.**

SIGNAGE

5. Deviate from LDC §30-5.(a)(1)a.1. - Permitted signs in Commercial Districts that permits a parcel of land containing one or two business establishments, each separate business establishment shall be allowed a maximum of 32 square feet of sign area; to allow five signs for the Salty Crab Bar and Grill with a combined sign area of 115 SF – a deviation of 83 SF (with the largest sign limited to 40.5 SF)

   JUSTIFICATION: The proposed Salty Crab restaurant will house two businesses: The Salty Crab Bar and Grill and Sweet Willy's Ice Cream Shoppe. The Signage for Sweet Willy's complies with the code section with two signs of 16 square feet (SF) of sign area each for a total of 32 SF. No deviation is needed for the signs for this business.

   The deviation request is only for the Salty Crab. The Salty Crab is in a unique placement in the Downtown Core. It has facades and visibility on three sides: Estero Boulevard, Crescent Park, and the beach. It is in a highly pedestrian location but also has visibility as you come of the bridge in your vehicle and round the Times Square area. The reason for this deviation is to allow for signage to address the pedestrian scale and the traveler as well.

   The proposed Salty Crab signs are tasteful and attractive and of moderate in size of 14.2 SF, 20.1 SF and 40.5 SF. There are five signs proposed: two on Estero, two on the façade facing Crescent Park and Times Square, and one on facing the beach over the COP seating area of the restaurant totaling 115 SF – a deviation of 83 SF.

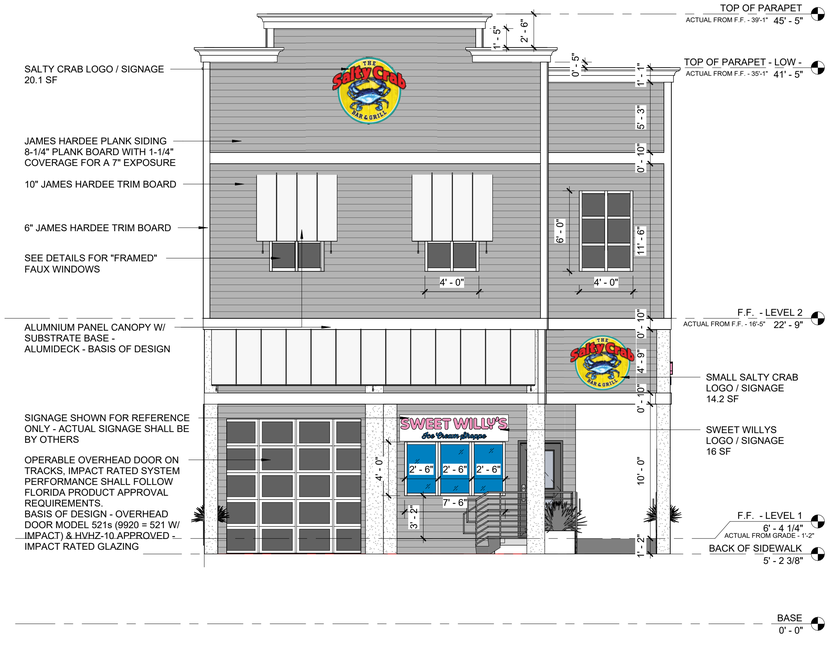
   - **ESTERO: The first sign facing Estero Boulevard is placed over the entrance to the restaurant at just over 10 feet from grade for recognition by pedestrians. This sign is the smallest at 14.2 SF. A second sign is placed at the top of the second floor for those from farther away.**
   - **CRESCENT PARK: One sign facing Crescent Park and Times Square is also placed over the entrance area with another centered on the second floor of the building. The sign over the entrance is 20.1 SF and a larger sign at the top center of the building is 40.5 SF.**
   - **BEACH: Lastly, a 20.1 SF sign placed on the second floor facing the beach.**

   The signs we designed to be the minimal size necessary to see the writing and the crab image from a moderate distance without dominating the façade or overwhelming the location. The Salty Crab has used this design and size in its other locations and feel the design adds to the beach vibe as fun and playful.

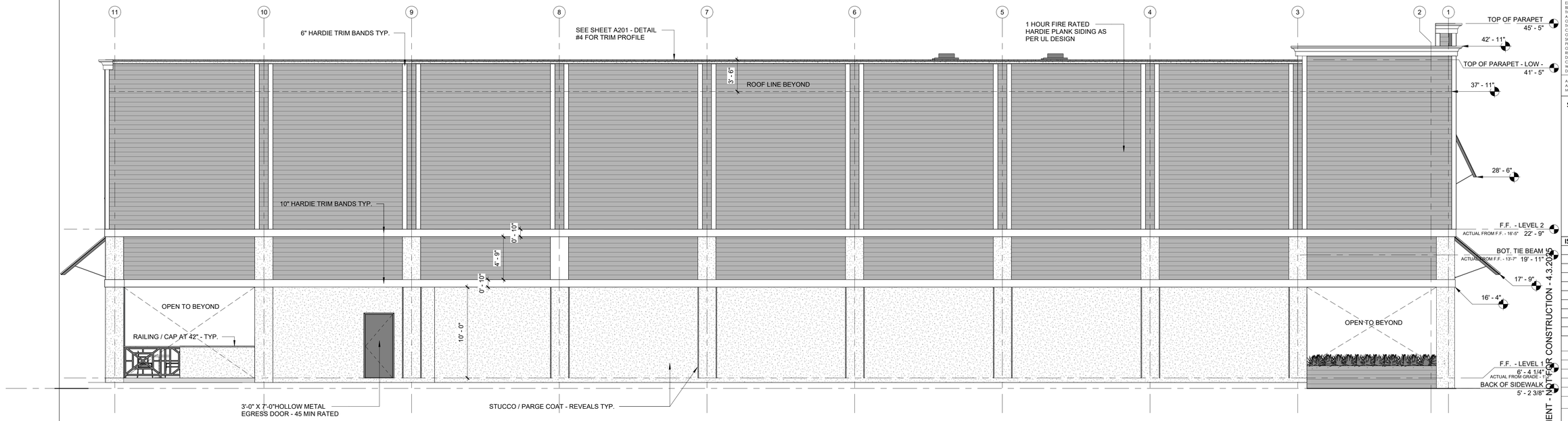
   Attached are the elevations and signage plans for reference.

SCHEDULE - EXTERIOR FINISHES

MARK	MFR	MODEL/SERIES	DESCRIPTION	Color
EX-1	James Hardie	Plank Siding -	8 1/4" plank with 7" exposure	As selected from full list - Manuf. color guide
EX-2	James Hardie	Trim planks	10" trim plank	As selected from full list - Manuf. color guide
EX-3	T.B.D.	T.B.D.	Parge Coat Application	As selected from full list - Manuf. color guide
EX-4	Mapes	T.B.D.	Aluminum	As selected from full list - Manuf. color guide



1 NORTH ELEVATION
3/16" = 1'-0"



2 EAST ELEVATION
3/16" = 1'-0"

bdg architects

400 N Ashley Drive
Suite 600
Tampa, FL 33602

P: 813 - 323 - 9233
Lic #: AA - 0003590
W: www.bdgllp.com

Salty Crab

1154 Estero Blvd, Fort Myers Beach, FL 33931

THESE DRAWINGS AND PLANS, ANY REPRODUCTION THEREOF, AND ANY CAD OR ELECTRONIC FILE OF THESE DRAWINGS AND PLANS (HEREINAFTER "PLANS") ARE THE SOLE AND EXCLUSIVE, PROPRIETARY PROPERTY OF BDG ARCHITECTS, AND MAY NOT BE REPRODUCED, PUBLISHED, MODIFIED OR USED IN ANY WAY WITHOUT THE EXPRESS WRITTEN PERMISSION OF BDG ARCHITECTS. USE OF THESE PLANS FOR CONSTRUCTION SHALL BE CONSIDERED ACCEPTANCE OF THE TERMS CONTAINED HEREIN AND THE SUITABILITY AND CONSTRUCTABILITY OF THE PLANS. THE PLANS SHALL NOT BE SCALED OR MODIFIED FOR ANY PURPOSE WITHOUT THE EXPRESS WRITTEN APPROVAL OF BDG ARCHITECTS. ANY CHANGES TO THESE PLANS, REGARDLESS OF HOW MINOR, WITHOUT THE EXPRESS WRITTEN APPROVAL OF BDG ARCHITECTS, ANY CONSTRUCTION EXECUTED FROM THESE PLANS WITHOUT THE EXPRESS WRITTEN APPROVAL OF BDG ARCHITECTS, OR ANY CHANGE IN THE SCOPE, DESIGN, OR INTENT OF THESE PLANS FOR ANY REASON, BY ANY PERSON OTHER THAN BDG ARCHITECTS SHALL AUTOMATICALLY VOID ANY DESIGN-RELATED OBLIGATIONS BDG ARCHITECTS MAY HAVE ON THE PROJECT, AND RESULT IN THE FULL AND COMPLETE RELEASE OF BDG ARCHITECTS FROM ANY LIABILITY, CLAIMS, OR DAMAGES INCLUDING ERRORS AND OMISSIONS ARISING OUT OF OR RELATED TO THE PLANS. ANY DISCREPANCIES OR CONFLICTS IN THE PLANS SHALL BE REFERRED IMMEDIATELY TO BDG ARCHITECTS FOR CLARIFICATION PRIOR TO CONTINUING WITH THE WORK. FAILURE TO REFER DISCREPANCIES OR CONFLICTS TO BDG ARCHITECTS PRIOR TO PERFORMING WORK SHALL RESULT IN THE WAIVER OF ANY CLAIMS OR DAMAGES ASSOCIATED WITH THE DISCREPANCIES OR CONFLICTS. THE CONTRACTOR IS RESPONSIBLE FOR THE COORDINATION, SCHEDULING AND CONFORMANCE OF ITS WORK AND ALL WORK PERFORMED BY SUBCONTRACTORS OR OTHER TRADES WITH THE DESIGN DOCUMENTS.

A STATEMENT ON "ALL" SIGNED AND SEALED PLANS THAT TO THE BEST OF THE ARCHITECT'S KNOWLEDGE THE PLANS AND SPECIFICATIONS COMPLY WITH THE MINIMUM BUILDING CODES.

SEAL

Architect of Record:
GREGORY P. WALDEN, NCARB, AIA
License # FL AR97560

ISSUE	BY	DATE	DESCRIPTION
1	JP	4.3.2025	DESIGN DEVELOPMENT

DESIGN DEVELOPMENT - NOT FOR CONSTRUCTION - 4.3.2025

PROJECT INFORMATION BLOCK

JOB #	230064
DATE:	4/3/2025
DRAWN BY:	Author
CHECKED BY:	Checker

SHEET TITLE

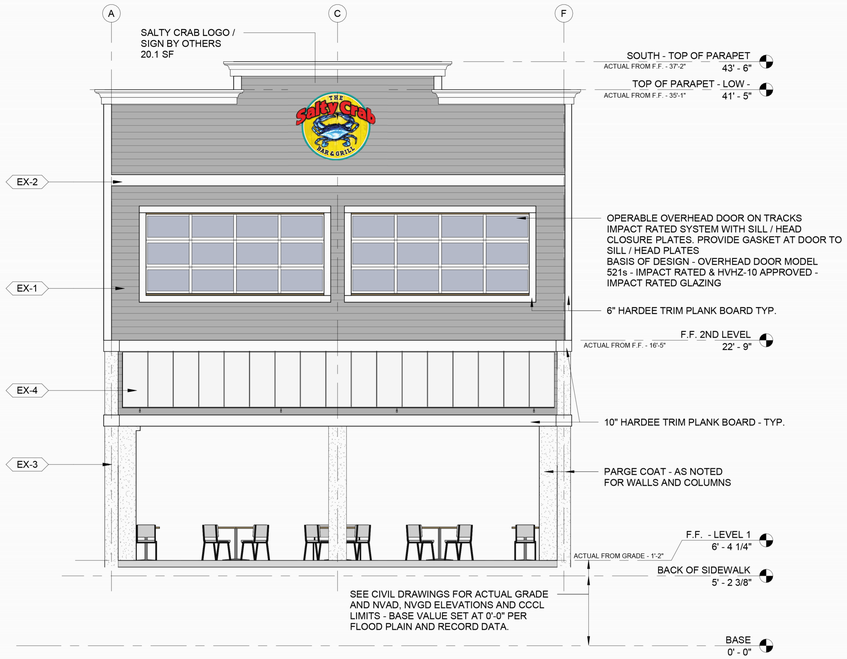
EXTERIOR ELEVATIONS

SHEET NUMBER

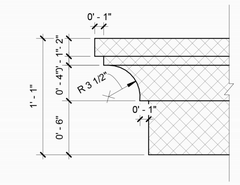
A202

SCHEDULE - EXTERIOR FINISHES

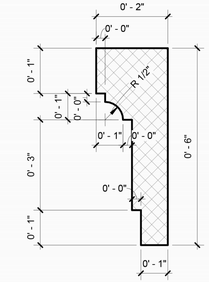
MARK	MFR	MODEL/SERIES	DESCRIPTION	Color
EX-1	James Hardie	Plank Siding -	8 1/4" plank with 7" exposure	As selected from full list - Manuf. color guide
EX-2	James Hardie	Trim planks	10" trim plank	As selected from full list - Manuf. color guide
EX-3	T.B.D.	T.B.D.	Parge Coat Application	As selected from full list - Manuf. color guide
EX-4	Mapes	T.B.D.	Aluminum	As selected from full list - Manuf. color guide



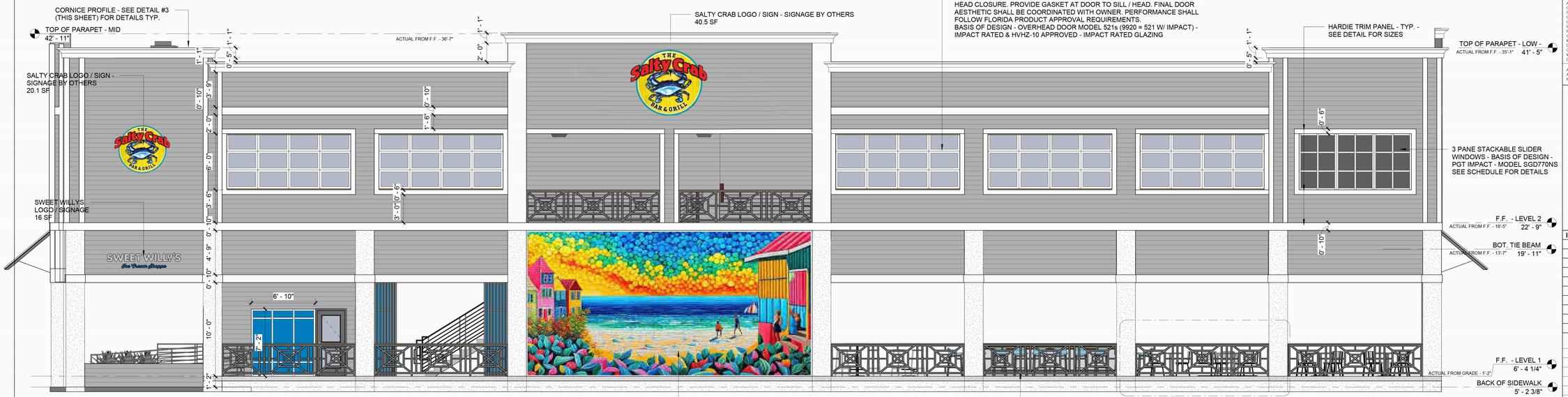
1 SOUTH ELEVATION
3/16" = 1'-0"



3 CORNICE PROFILE
1 1/2" = 1'-0"



4 EAST CORNICE PROFILE
6" = 1'-0"



2 WEST ELEVATION
3/16" = 1'-0"

CONSTRUCTION DOCUMENT - PROGRESS - NOT FOR CONSTRUCTION - 5.9.2025

bdg architects

400 N Ashley Drive
Suite 600
Tampa, FL 33602

P: 813 - 323 - 9233
Lic #: AA - 0003590
W: www.bdgllp.com

Salty Crab

1154 Estero Blvd, Fort Myers Beach, FL 33931

THESE DRAWINGS AND PLANS, ANY REPRODUCTION THEREOF, AND ANY CAD OR ELECTRONIC FILE OF THESE DRAWINGS AND PLANS (HEREINAFTER "PLANS") ARE THE SOLE AND EXCLUSIVE, PROPRIETARY PROPERTY OF BDG ARCHITECTS, AND MAY NOT BE REPRODUCED, PUBLISHED, MODIFIED OR USED IN ANY WAY WITHOUT THE EXPRESS WRITTEN PERMISSION OF BDG ARCHITECTS. USE OF THESE PLANS FOR CONSTRUCTION SHALL BE CONSIDERED ACCEPTANCE OF THE TERMS CONTAINED HEREIN AND THE SUITABILITY AND CONSTRUCTABILITY OF THE PLANS. THE PLANS SHALL NOT BE SCALED OR MODIFIED FOR ANY PURPOSE WITHOUT THE EXPRESS WRITTEN APPROVAL OF BDG ARCHITECTS. ANY CHANGES TO THESE PLANS, REGARDLESS OF HOW MINOR, WITHOUT THE EXPRESS WRITTEN APPROVAL OF BDG ARCHITECTS, ANY CONSTRUCTION EXECUTED FROM THESE PLANS WITHOUT THE EXPRESS WRITTEN APPROVAL OF BDG ARCHITECTS THAT CHANGE IMPACT THE DESIGN, DESIGN INTENT OF ANY SYSTEMS, OR ANY OTHER ASPECT OF THE PROJECT AS DESIGNED BY BDG ARCHITECTS SHALL AUTOMATICALLY VOID ANY DESIGN-RELATED OBLIGATIONS BDG ARCHITECTS MAY HAVE ON THE PROJECT, AND RESULT IN THE FULL AND COMPLETE RELEASE OF BDG ARCHITECTS FROM ANY LIABILITY, CLAIMS, OR DAMAGES INCLUDING ERRORS AND OMISSIONS ARISING OUT OF OR RELATED TO THE PLANS. ANY DISCREPANCIES OR CONFLICTS IN THE PLANS SHALL BE REFERRED IMMEDIATELY TO BDG ARCHITECTS FOR CLARIFICATION PRIOR TO CONTINUING WITH THE WORK. FAILURE TO REFER DISCREPANCIES OR CONFLICTS TO BDG ARCHITECTS PRIOR TO PERFORMING WORK SHALL RESULT IN THE WAIVER OF ANY CLAIMS OR DAMAGES ASSOCIATED WITH THE DISCREPANCIES OR CONFLICTS. THE CONTRACTOR IS RESPONSIBLE FOR THE COORDINATION, SCHEDULING AND CONFORMANCE OF ITS WORK AND ALL WORK PERFORMED BY SUBCONTRACTORS OR OTHER TRADES WITH THE DESIGN DOCUMENTS.

A STATEMENT ON "ALL" SIGNED AND SEALED PLANS THAT TO THE BEST OF THE ARCHITECTS KNOWLEDGE THE PLANS AND SPECIFICATIONS COMPLY WITH THE MINIMUM BUILDING CODES.

SEAL

Architect of Record:
GREGORY P. WALDEN, NCARB, AIA
License # FL AR97560

ISSUE	BY	DATE	DESCRIPTION
1	JP	4.3.2025	DESIGN DEVELOPMENT

PROJECT INFORMATION BLOCK

JOB #	230064
DATE:	4/3/2025
DRAWN BY:	Author
CHECKED BY:	Checker

SHEET TITLE

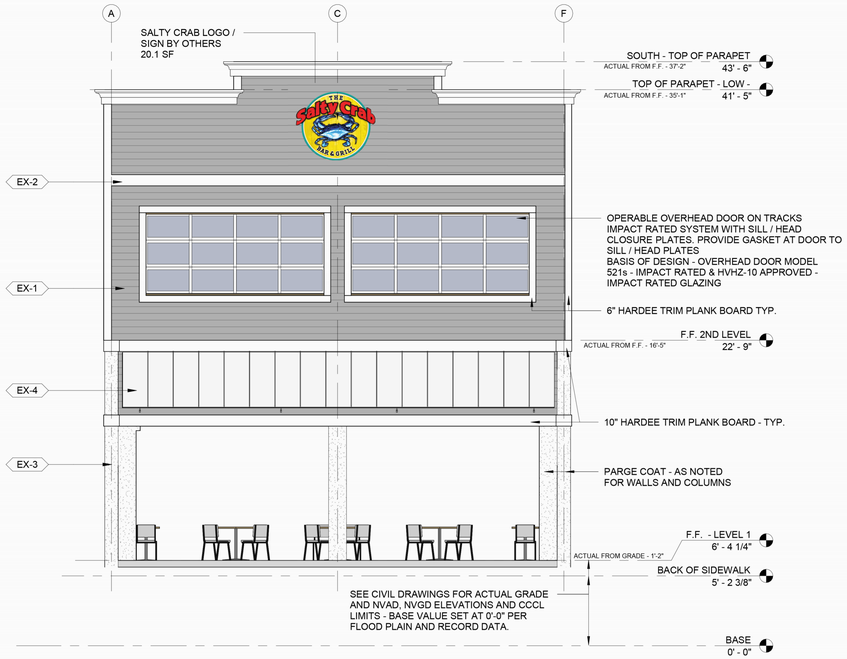
EXTERIOR ELEVATIONS

SHEET NUMBER

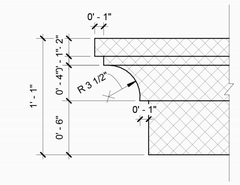
A201

SCHEDULE - EXTERIOR FINISHES

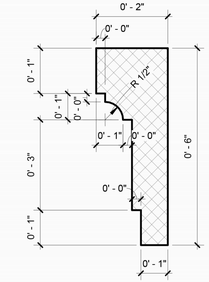
MARK	MFR	MODEL/SERIES	DESCRIPTION	Color
EX-1	James Hardie	Plank Siding -	8 1/4" plank with 7" exposure	As selected from full list - Manuf. color guide
EX-2	James Hardie	Trim planks	10" trim plank	As selected from full list - Manuf. color guide
EX-3	T.B.D.	T.B.D.	Parge Coat Application	As selected from full list - Manuf. color guide
EX-4	Mapes	T.B.D.	Aluminum	As selected from full list - Manuf. color guide



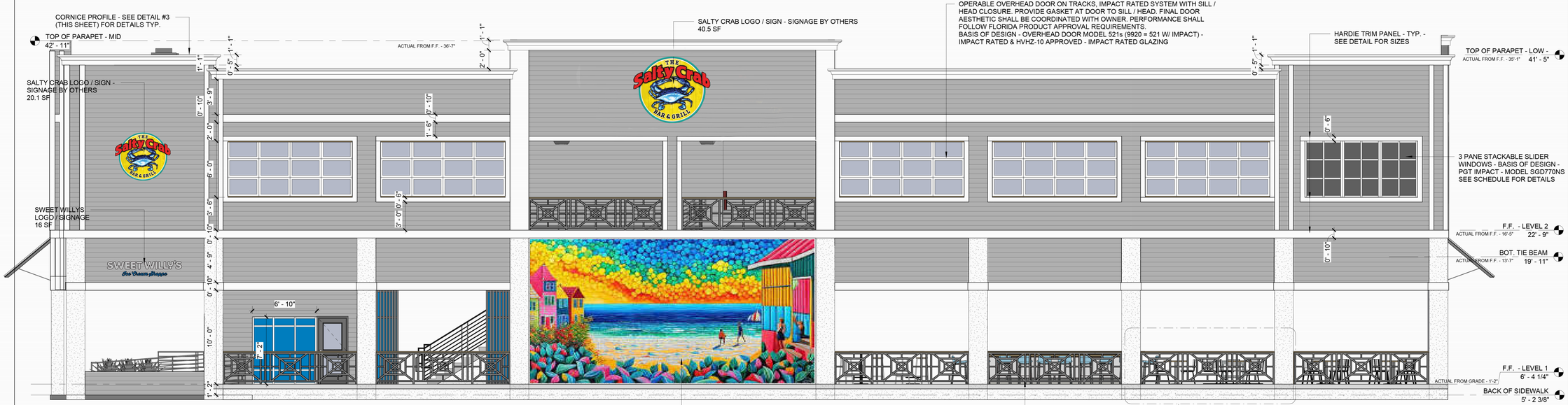
1 SOUTH ELEVATION
3/16" = 1'-0"



3 CORNICE PROFILE
1 1/2" = 1'-0"



4 EAST CORNICE PROFILE
6" = 1'-0"



2 WEST ELEVATION
3/16" = 1'-0"

CONSTRUCTION DOCUMENT - PROGRESS - NOT FOR CONSTRUCTION - 5.9.2025

bdg architects

400 N Ashley Drive
Suite 600
Tampa, FL 33602

P: 813 - 323 - 9233
Lic #: AA - 0003590
W: www.bdgllp.com

Salty Crab

1154 Estero Blvd, Fort Myers Beach, FL 33931

THESE DRAWINGS AND PLANS, ANY REPRODUCTION THEREOF, AND ANY CAD OR ELECTRONIC FILE OF THESE DRAWINGS AND PLANS (HEREINAFTER "PLANS") ARE THE SOLE AND EXCLUSIVE, PROPRIETARY PROPERTY OF BDG ARCHITECTS, AND MAY NOT BE REPRODUCED, PUBLISHED, MODIFIED OR USED IN ANY WAY WITHOUT THE EXPRESS WRITTEN PERMISSION OF BDG ARCHITECTS. USE OF THESE PLANS FOR CONSTRUCTION SHALL BE CONSIDERED ACCEPTANCE OF THE TERMS CONTAINED HEREIN AND THE SUITABILITY AND CONSTRUCTABILITY OF THE PLANS. THE PLANS SHALL NOT BE SCALED OR MODIFIED FOR ANY PURPOSE WITHOUT THE EXPRESS WRITTEN APPROVAL OF BDG ARCHITECTS. ANY CHANGES TO THESE PLANS, REGARDLESS OF HOW MINOR, WITHOUT THE EXPRESS WRITTEN APPROVAL OF BDG ARCHITECTS, ANY CONSTRUCTION EXECUTED FROM THESE PLANS WITHOUT THE EXPRESS WRITTEN APPROVAL OF BDG ARCHITECTS OR ANY CHANGE IN THE SPECIFICATIONS, DESIGN, OR INTENT OF THE PLANS, SHALL AUTOMATICALLY VOID ANY DESIGN-RELATED OBLIGATIONS BDG ARCHITECTS MAY HAVE ON THE PROJECT, AND RESULT IN THE FULL AND COMPLETE RELEASE OF BDG ARCHITECTS FROM ANY LIABILITY, CLAIMS, OR DAMAGES INCLUDING ERRORS AND OMISSIONS ARISING OUT OF OR RELATED TO THE PLANS. ANY DISCREPANCIES OR CONFLICTS IN THE PLANS SHALL BE REFERRED IMMEDIATELY TO BDG ARCHITECTS FOR CLARIFICATION PRIOR TO CONTINUING WITH THE WORK. FAILURE TO REFER DISCREPANCIES OR CONFLICTS TO BDG ARCHITECTS PRIOR TO PERFORMING WORK SHALL RESULT IN THE WAIVER OF ANY CLAIMS OR DAMAGES ASSOCIATED WITH THE DISCREPANCIES OR CONFLICTS. THE CONTRACTOR IS RESPONSIBLE FOR THE COORDINATION, SCHEDULING AND CONFORMANCE OF ITS WORK AND ALL WORK PERFORMED BY SUBCONTRACTORS OR OTHER TRADES WITH THE DESIGN DOCUMENTS.

A STATEMENT ON "ALL" SIGNED AND SEALED PLANS THAT TO THE BEST OF THE ARCHITECTS KNOWLEDGE THE PLANS AND SPECIFICATIONS COMPLY WITH THE MINIMUM BUILDING CODES.

SEAL

Architect of Record:
GREGORY P. WALDEN, NCARB, AIA
License # FL AR97560

ISSUE	BY	DATE	DESCRIPTION
1	JP	4.3.2025	DESIGN DEVELOPMENT

PROJECT INFORMATION BLOCK

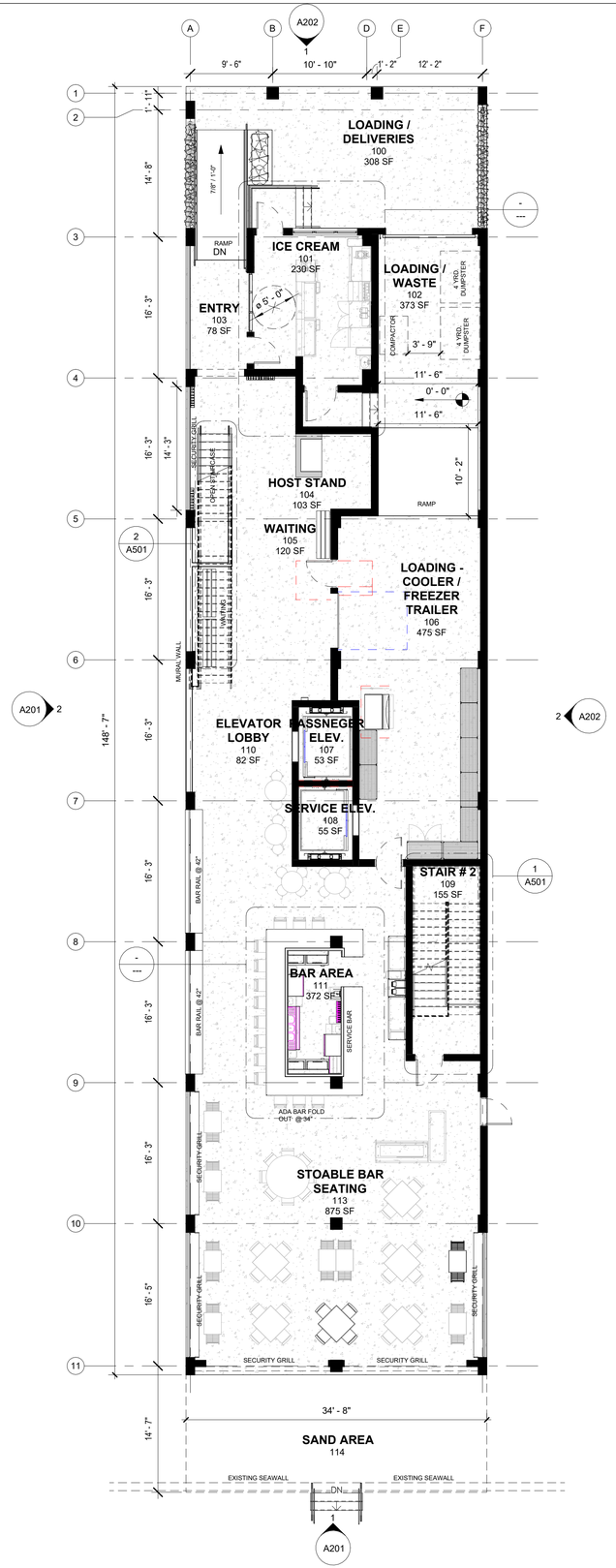
JOB #	230064
DATE:	4/3/2025
DRAWN BY:	Author
CHECKED BY:	Checker

SHEET TITLE

EXTERIOR ELEVATIONS

SHEET NUMBER

A201



1 FLOOR PLAN - LEVEL 1
1/8" = 1'-0"

PLAN NORTH

TRUE NORTH

KEYNOTES - FLOOR PLAN

KEY	NOTES

bdg architects

400 N Ashley Drive
Suite 600
Tampa, FL 33602

P: 813 - 323 - 9233
Lic #: AA - 0003590
W: www.bdgllp.com

Salty Crab

1154 Estero Blvd, Fort Myers Beach, FL 33931

THESE DRAWINGS AND PLANS, ANY REPRODUCTION THEREOF, AND ANY CAD OR ELECTRONIC FILE OF THESE DRAWINGS AND PLANS (HEREINAFTER "PLANS") ARE THE SOLE AND EXCLUSIVE, PROPRIETARY PROPERTY OF BDG ARCHITECTS, AND MAY NOT BE REPRODUCED, PUBLISHED, MODIFIED OR USED IN ANY WAY WITHOUT THE EXPRESS WRITTEN PERMISSION OF BDG ARCHITECTS. USE OF THESE PLANS FOR CONSTRUCTION SHALL BE CONSIDERED ACCEPTANCE OF THE TERMS CONTAINED HEREIN AND THE SUITABILITY AND CONSTRUCTABILITY OF THE PLANS. THE PLANS SHALL NOT BE SCALED OR MODIFIED FOR ANY PURPOSE WITHOUT THE EXPRESS WRITTEN APPROVAL OF BDG ARCHITECTS. ANY CHANGES TO THESE PLANS, REGARDLESS OF HOW MINOR, WITHOUT THE EXPRESS WRITTEN APPROVAL OF BDG ARCHITECTS; ANY CONSTRUCTION EXECUTED FROM THESE PLANS WITHOUT THE EXPRESS WRITTEN APPROVAL OF BDG ARCHITECTS; OR ANY CHANGE IN THE SCOPE, DESIGN, OR INTENT OF THESE PLANS FOR ANY REASON, BY ANY PERSON OTHER THAN BDG ARCHITECTS SHALL AUTOMATICALLY VOID ANY DESIGN-RELATED OBLIGATIONS BDG ARCHITECTS MAY HAVE ON THE PROJECT, AND RESULT IN THE FULL AND COMPLETE RELEASE OF BDG ARCHITECTS FROM ANY LIABILITY, CLAIMS, OR DAMAGES INCLUDING ERRORS AND OMISSIONS ARISING OUT OF OR RELATED TO THE PLANS. ANY DISCREPANCIES OR CONFLICTS IN THE PLANS SHALL BE REFERRED IMMEDIATELY TO BDG ARCHITECTS FOR CLARIFICATION PRIOR TO CONTINUING WITH THE WORK. FAILURE TO REFER DISCREPANCIES OR CONFLICTS TO BDG ARCHITECTS PRIOR TO PERFORMING WORK SHALL RESULT IN THE WAIVER OF ANY CLAIMS OR DAMAGES ASSOCIATED WITH THE DISCREPANCIES OR CONFLICTS. THE CONTRACTOR IS RESPONSIBLE FOR THE COORDINATION, SCHEDULING AND CONFORMANCE OF ITS WORK AND ALL WORK PERFORMED BY SUBCONTRACTORS OR OTHER TRADES WITH THE DESIGN DOCUMENTS.

A STATEMENT ON "ALL" SIGNED AND SEALED PLANS THAT TO THE BEST OF THE ARCHITECTS KNOWLEDGE THE PLANS AND SPECIFICATIONS COMPLY WITH THE MINIMUM BUILDING CODES.

SEAL

Architect of Record:
Greg Walden, NCARB, AIA, LEED AP

ISSUE	BY	DATE	DESCRIPTION

PROJECT INFORMATION BLOCK

JOB #	230064
DATE:	2/25/2025
DRAWN BY:	JEP
CHECKED BY:	GW

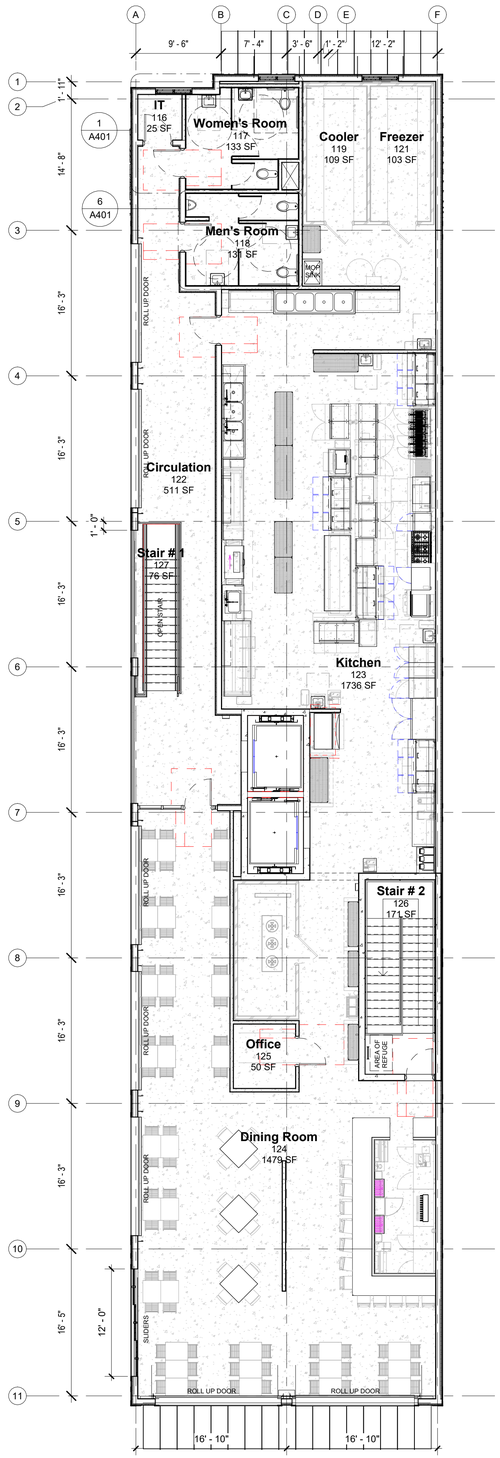
SHEET TITLE

1ST FLOOR PLAN

SHEET NUMBER

A101

SCHEMATIC DESIGN PLANS - NOT FOR CONSTRUCTION



1 FLOOR PLAN - LEVEL 2
1/8" = 1'-0"

PLAN NORTH

TRUE NORTH

bdg architects

400 N Ashley Drive
Suite 600
Tampa, FL 33602

P: 813 - 323 - 9233
Lic #: AA - 0003590
W: www.bdgllp.com

Salty Crab

1154 Estero Blvd, Fort Myers Beach, FL 33931

THESE DRAWINGS AND PLANS, ANY REPRODUCTION THEREOF, AND ANY CAD OR ELECTRONIC FILE OF THESE DRAWINGS AND PLANS (HEREINAFTER "PLANS") ARE THE SOLE AND EXCLUSIVE, PROPRIETARY PROPERTY OF BDG ARCHITECTS, AND MAY NOT BE REPRODUCED, PUBLISHED, MODIFIED OR USED IN ANY WAY WITHOUT THE EXPRESS WRITTEN PERMISSION OF BDG ARCHITECTS. USE OF THESE PLANS FOR CONSTRUCTION SHALL BE CONSIDERED ACCEPTANCE OF THE TERMS CONTAINED HEREIN AND THE SUITABILITY AND CONSTRUCTABILITY OF THE PLANS. THE PLANS SHALL NOT BE SCALED OR MODIFIED FOR ANY PURPOSE WITHOUT THE EXPRESS WRITTEN APPROVAL OF BDG ARCHITECTS. ANY CHANGES TO THESE PLANS, REGARDLESS OF HOW MINOR, WITHOUT THE EXPRESS WRITTEN APPROVAL OF BDG ARCHITECTS; ANY CONSTRUCTION EXECUTED FROM THESE PLANS WITHOUT THE EXPRESS WRITTEN APPROVAL OF BDG ARCHITECTS; OR ANY CHANGE IN THE SCOPE, DESIGN, OR INTENT OF THESE PLANS FOR ANY REASON, BY ANY PERSON OTHER THAN BDG ARCHITECTS SHALL AUTOMATICALLY VOID ANY DESIGN-RELATED OBLIGATIONS BDG ARCHITECTS MAY HAVE ON THE PROJECT, AND RESULT IN THE FULL AND COMPLETE RELEASE OF BDG ARCHITECTS FROM ANY LIABILITY, CLAIMS, OR DAMAGES INCLUDING ERRORS AND OMISSIONS ARISING OUT OF OR RELATED TO THE PLANS. ANY DISCREPANCIES OR CONFLICTS IN THE PLANS SHALL BE REFERRED IMMEDIATELY TO BDG ARCHITECTS FOR CLARIFICATION PRIOR TO CONTINUING WITH THE WORK. FAILURE TO REFER DISCREPANCIES OR CONFLICTS TO BDG ARCHITECTS PRIOR TO PERFORMING WORK SHALL RESULT IN THE WAIVER OF ANY CLAIMS OR DAMAGES ASSOCIATED WITH THE DISCREPANCIES OR CONFLICTS. THE CONTRACTOR IS RESPONSIBLE FOR THE COORDINATION, SCHEDULING AND CONFORMANCE OF ITS WORK, AND ALL WORK PERFORMED BY SUBCONTRACTORS OR OTHER TRADES WITH THE DESIGN DOCUMENTS.

A STATEMENT ON "ALL" SIGNED AND SEALED PLANS THAT TO THE BEST OF THE ARCHITECT'S KNOWLEDGE THE PLANS AND SPECIFICATIONS COMPLY WITH THE MINIMUM BUILDING CODES.

SEAL

Architect of Record:
Greg Walden, NCARB, AIA, LEED AP

ISSUE	BY	DATE	DESCRIPTION

PROJECT INFORMATION BLOCK

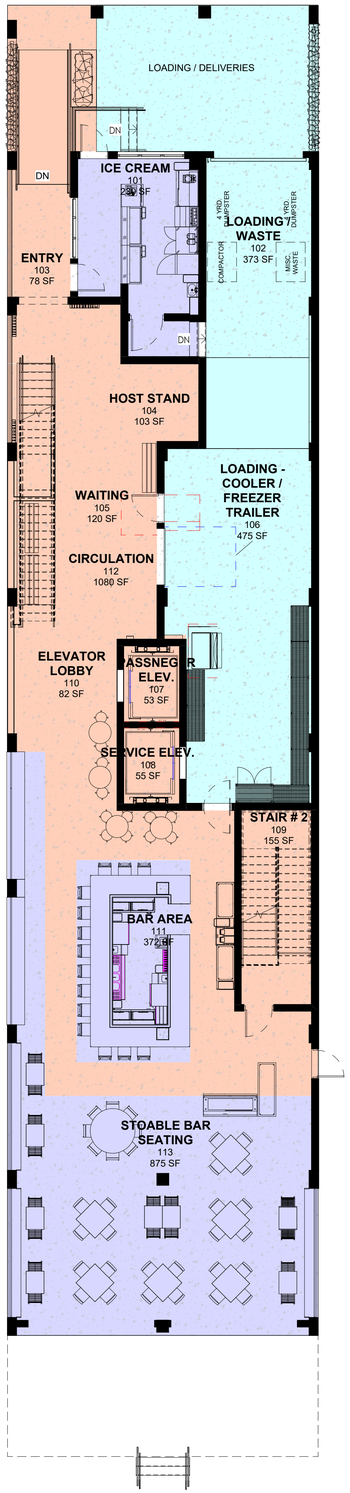
JOB #	**230064**
DATE:	**2/25/2025**
DRAWN BY:	**JEP**
CHECKED BY:	**GW**

SHEET TITLE

2ND FLOOR PLAN

SHEET NUMBER

A102



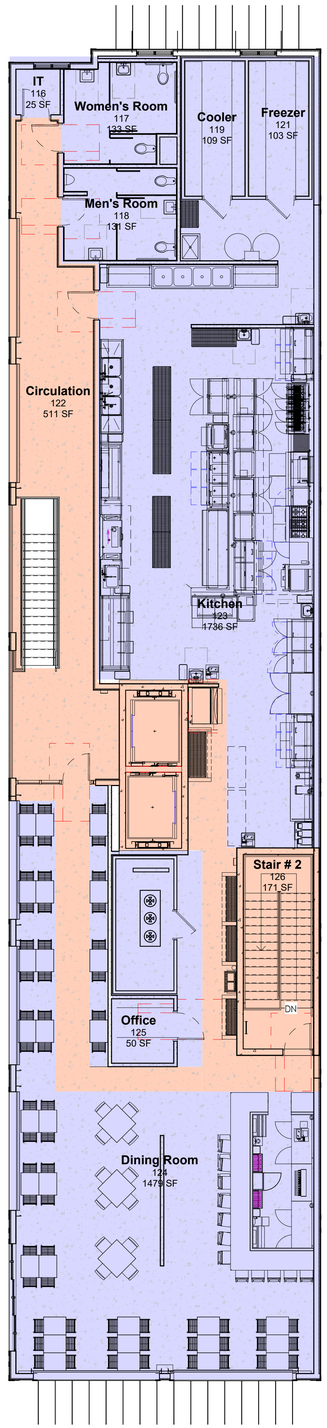
1 AREA PLAN - LEVEL 1
1/8" = 1'-0"

OVERALL 1ST FLOOR AREA PLAN

MOBILE SERVE AREAS - RELOCATABLE ELEMENTS
TOTAL SQ. FT. = 1,640

CIRCULATION SPACE - (ELEVATORS, STAIRWELLS, CIRCULATION)
TOTAL SQ. FT. = 1,260

LOADING / DRY STORAGE - 1ST LEVEL
TOTAL SQ. FT. = 1,285



2 AREA PLAN - LEVEL 2
1/8" = 1'-0"

OVERALL 2ND FLOOR SQUARE FOOTAGES

RESTAURANT USE (KITCHEN AREA, BAR, DINING , RESTROOMS)
TOTAL SQ. FT. = 3,650

CIRCULATION SPACE - (ELEVATORS, STAIRWELLS, CIRCULATION)
TOTAL SQ. FT. = 1,365

LOADING / DRY STORAGE -
TOTAL SQ. FT. = 0

OVERALL TOTAL BUILDING SQUARE FOOTAGES - BOTH FLOORS

RESTAURANT USE (KITCHEN AREA, BAR, DINING , RESTROOMS)
TOTAL SQ. FT. = 5,290

CIRCULATION SPACE - (ELEVATORS, STAIRWELLS, CIRCULATION)
TOTAL SQ. FT. = 2,625

LOADING / DRY STORAGE -
TOTAL SQ. FT. = 1,285

FOOTPRINT -
TOTAL SQ. FT. = 5,156

bdg architects

400 N Ashley Drive
Suite 600
Tampa, FL 33602

P: 813 - 323 - 9233
Lic #: AA - 0003590
W: www.bdgllp.com

Salty Crab

1154 Estero Blvd, Fort Myers Beach, FL 33931

THESE DRAWINGS AND PLANS, ANY REPRODUCTION THEREOF, AND ANY CAD OR ELECTRONIC FILE OF THESE DRAWINGS AND PLANS (HEREINAFTER "PLANS") ARE THE SOLE AND EXCLUSIVE, PROPRIETARY PROPERTY OF BDG ARCHITECTS, AND MAY NOT BE REPRODUCED, PUBLISHED, MODIFIED OR USED IN ANY WAY WITHOUT THE EXPRESS WRITTEN PERMISSION OF BDG ARCHITECTS. USE OF THESE PLANS FOR CONSTRUCTION SHALL BE CONSIDERED ACCEPTANCE OF THE TERMS CONTAINED HEREIN AND THE SUITABILITY AND CONSTRUCTABILITY OF THE PLANS. THE PLANS SHALL NOT BE SCALED OR MODIFIED FOR ANY PURPOSE WITHOUT THE EXPRESS WRITTEN APPROVAL OF BDG ARCHITECTS. ANY CHANGES TO THESE PLANS, REGARDLESS OF HOW MINOR, WITHOUT THE EXPRESS WRITTEN APPROVAL OF BDG ARCHITECTS, ANY CONSTRUCTION EXECUTED FROM THESE PLANS WITHOUT THE EXPRESS WRITTEN APPROVAL OF BDG ARCHITECTS SHALL CONSTITUTE A CHANGE IN THE DESIGN INTENT OF THESE PLANS AND FOR ANY RELATED RESULTANT PERSONAL INJURY OR DEATH. BDG ARCHITECTS SHALL AUTOMATICALLY VOID ANY DESIGN-RELATED OBLIGATIONS BDG ARCHITECTS MAY HAVE ON THE PROJECT, AND RESULT IN THE FULL AND COMPLETE RELEASE OF BDG ARCHITECTS FROM ANY LIABILITY, CLAIMS, OR DAMAGES INCLUDING ERRORS AND OMISSIONS, ARISING OUT OF OR RELATED TO THE PLANS. ANY DISCREPANCIES OR CONFLICTS IN THE PLANS SHALL BE REFERRED IMMEDIATELY TO BDG ARCHITECTS FOR CLARIFICATION PRIOR TO CONTINUING WITH THE WORK. FAILURE TO REFER DISCREPANCIES OR CONFLICTS TO BDG ARCHITECTS PRIOR TO PERFORMING WORK SHALL RESULT IN THE WAIVER OF ANY CLAIMS OR DAMAGES ASSOCIATED WITH THE DISCREPANCIES OR CONFLICTS. THE CONTRACTOR IS RESPONSIBLE FOR THE COORDINATION, SCHEDULING AND CONFORMANCE OF ITS WORK AND ALL WORK PERFORMED BY SUBCONTRACTORS OR OTHER TRADES WITH THE DESIGN DOCUMENTS.

A STATEMENT ON "ALL" SIGNED AND SEALED PLANS THAT TO THE BEST OF THE ARCHITECT'S KNOWLEDGE THE PLANS AND SPECIFICATIONS COMPLY WITH THE MINIMUM BUILDING CODES.

SEAL

Architect of Record:
Greg Walden, NCARB, AIA, LEED AP

ISSUE	BY	DATE	DESCRIPTION

PROJECT INFORMATION BLOCK

JOB #	**230064**
DATE:	**2/25/2025**
DRAWN BY:	**JEP**
CHECKED BY:	**Checker**

SHEET TITLE

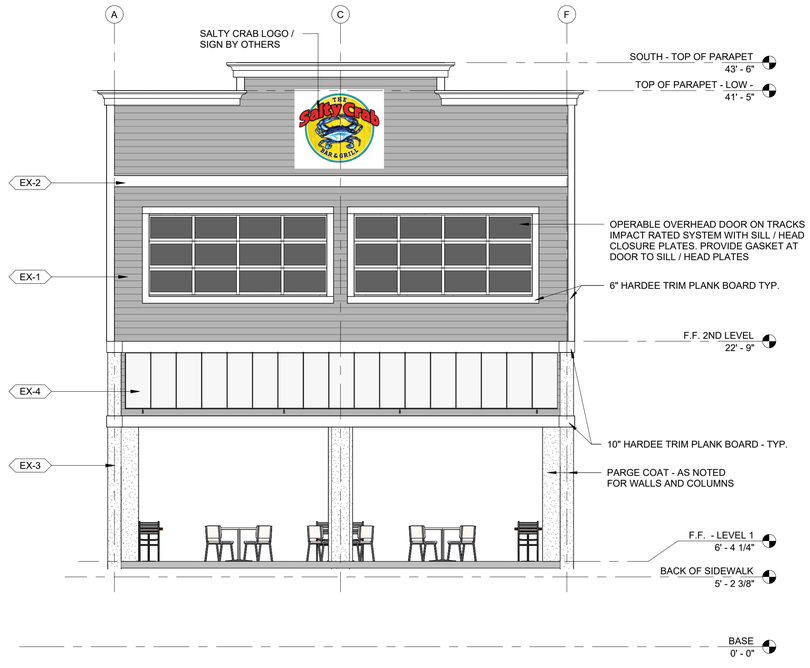
AREA PLANS

SHEET NUMBER

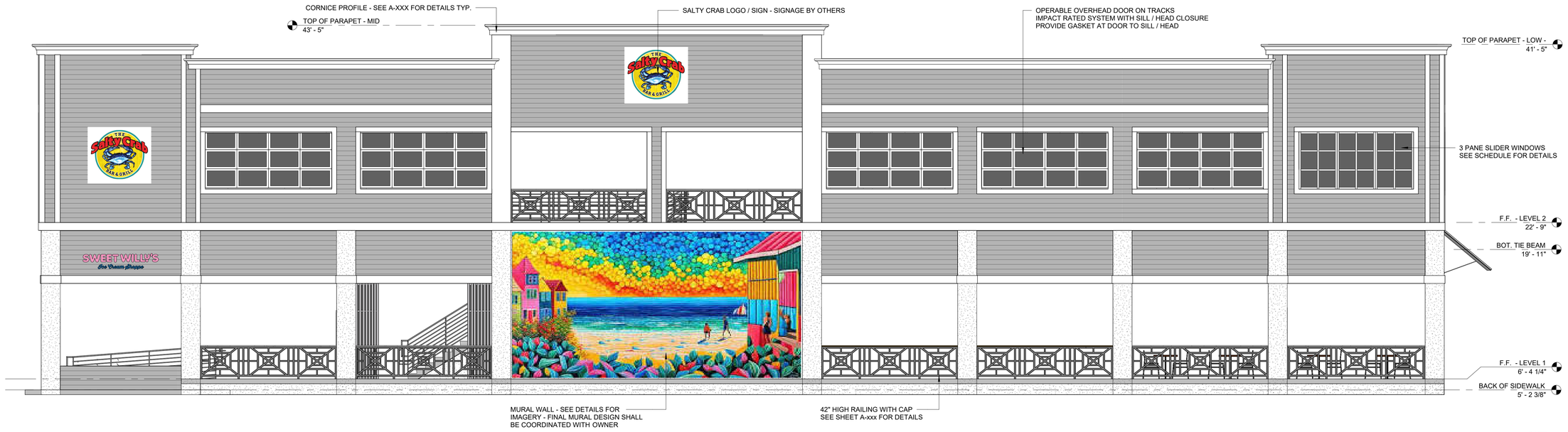
A103

SCHEDULE - EXTERIOR FINISHES

MARK	MFR	MODEL/SERIES	DESCRIPTION	Color
EX-1	James Hardie	Plank Siding -	8 1/4" plank with 7" exposure	as selectedfron full manuf. color list
EX-2	James Hardie	Trim planks	10" trim plank	as selectedfron full manuf. color list
EX-3	T.B.D.	T.B.D.	Parge Coat Application	as selectedfron full manuf. color list
EX-4	Mapes	T.B.D.	Aluminum	as selectedfron full manuf. color list



1 SOUTH ELEVATION
3/16" = 1'-0"



2 WEST ELEVATION
3/16" = 1'-0"

bdg architects

400 N Ashley Drive
Suite 600
Tampa, FL 33602

P: 813 - 323 - 9233
Lic #: AA - 0003590
W: www.bdgllp.com

Salty Crab

1154 Estero Blvd, Fort Myers Beach, FL 33931

THESE DRAWINGS AND PLANS, ANY REPRODUCTION THEREOF, AND ANY CAD OR ELECTRONIC FILE OF THESE DRAWINGS AND PLANS (HEREINAFTER "PLANS") ARE THE SOLE AND EXCLUSIVE, PROPRIETARY PROPERTY OF BDG ARCHITECTS, AND MAY NOT BE REPRODUCED, PUBLISHED, MODIFIED OR USED IN ANY WAY WITHOUT THE EXPRESS WRITTEN PERMISSION OF BDG ARCHITECTS. USE OF THESE PLANS FOR CONSTRUCTION SHALL BE CONSIDERED ACCEPTANCE OF THE TERMS CONTAINED HEREIN AND THE SUITABILITY AND CONSTRUCTABILITY OF THE PLANS. THE PLANS SHALL NOT BE SCALED OR MODIFIED FOR ANY PURPOSE WITHOUT THE EXPRESS WRITTEN APPROVAL OF BDG ARCHITECTS. ANY CHANGES TO THESE PLANS, REGARDLESS OF HOW MINOR, WITHOUT THE EXPRESS WRITTEN APPROVAL OF BDG ARCHITECTS, ANY CONSTRUCTION EXECUTED FROM THESE PLANS WITHOUT THE EXPRESS WRITTEN APPROVAL OF BDG ARCHITECTS, OR ANY CHANGE IN THE SCOPE, DESIGN, OR INTENT OF THESE PLANS FOR ANY REASON, BY ANY PERSON OTHER THAN BDG ARCHITECTS SHALL AUTOMATICALLY VOID ANY DESIGN-RELATED OBLIGATIONS BDG ARCHITECTS MAY HAVE ON THE PROJECT, AND RESULT IN THE FULL AND COMPLETE RELEASE OF BDG ARCHITECTS FROM ANY LIABILITY, CLAIMS, OR DAMAGES INCLUDING ERRORS AND OMISSIONS ARISING OUT OF OR RELATED TO THE PLANS. ANY DISCREPANCIES OR CONFLICTS IN THE PLANS SHALL BE REFERRED IMMEDIATELY TO BDG ARCHITECTS FOR CLARIFICATION PRIOR TO CONTINUING WITH THE WORK. FAILURE TO REFER DISCREPANCIES OR CONFLICTS TO BDG ARCHITECTS PRIOR TO PERFORMING WORK SHALL RESULT IN THE WAIVER OF ANY CLAIMS OR DAMAGES ASSOCIATED WITH THE DISCREPANCIES OR CONFLICTS. THE CONTRACTOR IS RESPONSIBLE FOR THE COORDINATION, SCHEDULING AND CONFORMANCE OF ITS WORK AND ALL WORK PERFORMED BY SUBCONTRACTORS OR OTHER TRADES WITH THE DESIGN DOCUMENTS.

A STATEMENT ON "ALL" SIGNED AND SEALED PLANS THAT TO THE BEST OF THE ARCHITECTS KNOWLEDGE THE PLANS AND SPECIFICATIONS COMPLY WITH THE MINIMUM BUILDING CODES.

SEAL

Architect of Record:
Greg Walden, NCARB, AIA, LEED AP

ISSUE	BY	DATE	DESCRIPTION

PROJECT INFORMATION BLOCK

JOB #	230064
DATE:	2/25/2025
DRAWN BY:	Author
CHECKED BY:	Checker

SHEET TITLE

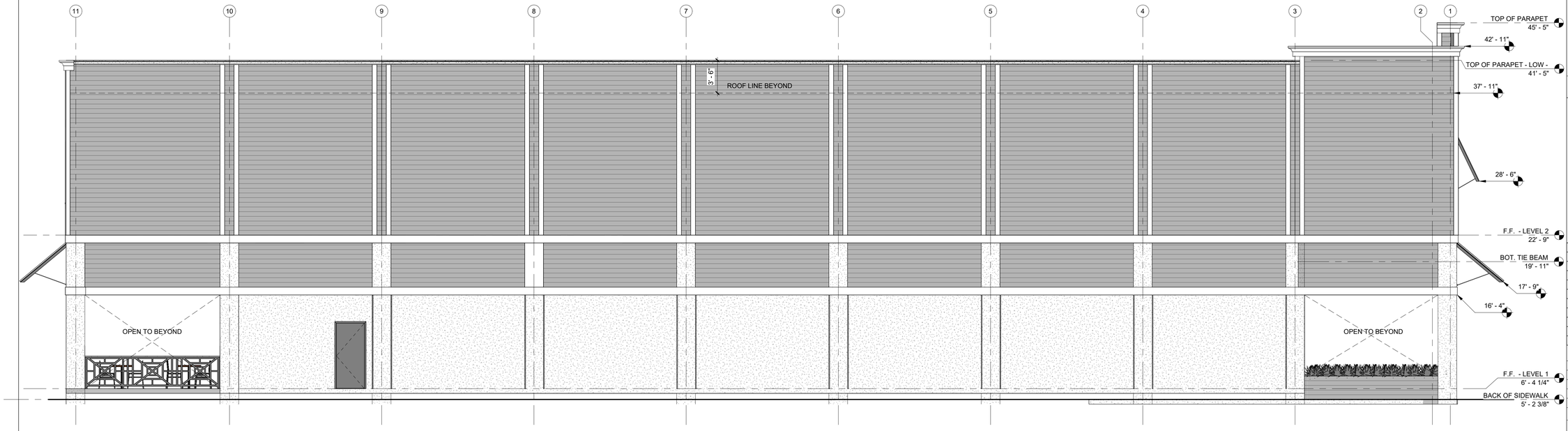
EXTERIOR ELEVATIONS

SHEET NUMBER

A201



1 NORTH ELEVATION
3/16" = 1'-0"



2 EAST ELEVATION
3/16" = 1'-0"

SCHEDULE - EXTERIOR FINISHES

MARK	MFR	MODEL/SERIES	DESCRIPTION	Color
EX-1	James Hardie	Plank Siding -	8 1/4" plank with 7" exposure	as selectedfron full manuf. color list
EX-2	James Hardie	Trim planks	10" trim plank	as selectedfron full manuf. color list
EX-3	T.B.D.	T.B.D.	Parge Coat Application	as selectedfron full manuf. color list
EX-4	Mapes	T.B.D.	Aluminum	as selectedfron full manuf. color list

KEYNOTES - EXTERIOR ELEVATIONS

KEY	NOTES

bdg architects

400 N Ashley Drive
Suite 600
Tampa, FL 33602

P: 813 - 323 - 9233
Lic #: AA - 0003590
W: www.bdgllp.com

Salty Crab

1154 Estero Blvd, Fort Myers Beach, FL 33931

THESE DRAWINGS AND PLANS, ANY REPRODUCTION THEREOF, AND ANY CAD OR ELECTRONIC FILE OF THESE DRAWINGS AND PLANS (HEREINAFTER "PLANS") ARE THE SOLE AND EXCLUSIVE, PROPRIETARY PROPERTY OF BDG ARCHITECTS, AND MAY NOT BE REPRODUCED, PUBLISHED, MODIFIED OR USED IN ANY WAY WITHOUT THE EXPRESS WRITTEN PERMISSION OF BDG ARCHITECTS. USE OF THESE PLANS FOR CONSTRUCTION SHALL BE CONSIDERED ACCEPTANCE OF THE TERMS CONTAINED HEREIN AND THE SUITABILITY AND CONSTRUCTABILITY OF THE PLANS. THE PLANS SHALL NOT BE SCALED OR MODIFIED FOR ANY PURPOSE WITHOUT THE EXPRESS WRITTEN APPROVAL OF BDG ARCHITECTS. ANY CHANGES TO THESE PLANS, REGARDLESS OF HOW MINOR, WITHOUT THE EXPRESS WRITTEN APPROVAL OF BDG ARCHITECTS, ANY CONSTRUCTION EXECUTED FROM THESE PLANS WITHOUT THE EXPRESS WRITTEN APPROVAL OF BDG ARCHITECTS, OR ANY CHANGE IN THE SCOPE, DESIGN, OR INTENT OF THESE PLANS FOR ANY REASON, BY ANY PERSON OTHER THAN BDG ARCHITECTS SHALL AUTOMATICALLY VOID ANY DESIGN-RELATED OBLIGATIONS BDG ARCHITECTS MAY HAVE ON THE PROJECT, AND RESULT IN THE FULL AND COMPLETE RELEASE OF BDG ARCHITECTS FROM ANY LIABILITY, CLAIMS, OR DAMAGES INCLUDING ERRORS AND OMISSIONS ARISING OUT OF OR RELATED TO THE PLANS. ANY DISCREPANCIES OR CONFLICTS IN THE PLANS SHALL BE REFERRED IMMEDIATELY TO BDG ARCHITECTS FOR CLARIFICATION PRIOR TO CONTINUING WITH THE WORK. FAILURE TO REFER DISCREPANCIES OR CONFLICTS TO BDG ARCHITECTS PRIOR TO PERFORMING WORK SHALL RESULT IN THE WAIVER OF ANY CLAIMS OR DAMAGES ASSOCIATED WITH THE DISCREPANCIES OR CONFLICTS. THE CONTRACTOR IS RESPONSIBLE FOR THE COORDINATION, SCHEDULING AND CONFORMANCE OF ITS WORK AND ALL WORK PERFORMED BY SUBCONTRACTORS OR OTHER TRADES WITH THE DESIGN DOCUMENTS.

A STATEMENT ON "ALL" SIGNED AND SEALED PLANS THAT TO THE BEST OF THE ARCHITECT'S KNOWLEDGE THE PLANS AND SPECIFICATIONS COMPLY WITH THE MINIMUM BUILDING CODES.

SEAL

Architect of Record:
Greg Walden, NCARB, AIA, LEED AP

ISSUE	BY	DATE	DESCRIPTION

PROJECT INFORMATION BLOCK

JOB #	230064
DATE:	2/25/2025
DRAWN BY:	Author
CHECKED BY:	Checker

SHEET TITLE

EXTERIOR ELEVATIONS

SHEET NUMBER

A202









bdg architects

400 N Ashley Drive
Suite 600
Tampa, FL 33602

P: 813 - 323 - 9233
Lic #: AA - 0003590
W: www.bdgllp.com

Salty Crab

1154 Estero Blvd, Fort Myers Beach, FL 33931

THESE DRAWINGS AND PLANS, ANY REPRODUCTION THEREOF, AND ANY CAD OR ELECTRONIC FILE OF THESE DRAWINGS AND PLANS (HEREINAFTER "PLANS") ARE THE SOLE AND EXCLUSIVE, PROPRIETARY PROPERTY OF BDG ARCHITECTS, AND MAY NOT BE REPRODUCED, PUBLISHED, MODIFIED OR USED IN ANY WAY WITHOUT THE EXPRESS WRITTEN PERMISSION OF BDG ARCHITECTS. USE OF THESE PLANS FOR CONSTRUCTION SHALL BE CONSIDERED ACCEPTANCE OF THE TERMS CONTAINED HEREIN AND THE SUITABILITY AND CONSTRUCTABILITY OF THE PLANS. THE PLANS SHALL NOT BE SCALED OR MODIFIED FOR ANY PURPOSE WITHOUT THE EXPRESS WRITTEN APPROVAL OF BDG ARCHITECTS. ANY CHANGES TO THESE PLANS, REGARDLESS OF HOW MINOR, WITHOUT THE EXPRESS WRITTEN APPROVAL OF BDG ARCHITECTS; ANY CONSTRUCTION EXECUTED FROM THESE PLANS WITHOUT THE EXPRESS WRITTEN APPROVAL OF BDG ARCHITECTS; OR ANY CHANGE IN THE SCOPE, DESIGN, OR INTENT OF THESE PLANS FOR ANY REASON, BY ANY PERSON OTHER THAN BDG ARCHITECTS SHALL AUTOMATICALLY VOID ANY DESIGN-RELATED OBLIGATIONS BDG ARCHITECTS MAY HAVE ON THE PROJECT, AND RESULT IN THE FULL AND COMPLETE RELEASE OF BDG ARCHITECTS FROM ANY LIABILITY, CLAIMS, OR DAMAGES INCLUDING ERRORS AND OMISSIONS ARISING OUT OF OR RELATED TO THE PLANS. ANY DISCREPANCIES OR CONFLICTS IN THE PLANS SHALL BE REFERRED IMMEDIATELY TO BDG ARCHITECTS FOR CLARIFICATION PRIOR TO CONTINUING WITH THE WORK. FAILURE TO REFER DISCREPANCIES OR CONFLICTS TO BDG ARCHITECTS PRIOR TO PERFORMING WORK SHALL RESULT IN THE WAIVER OF ANY CLAIMS OR DAMAGES ASSOCIATED WITH THE DISCREPANCIES OR CONFLICTS. THE CONTRACTOR IS RESPONSIBLE FOR THE COORDINATION, SCHEDULING AND CONFORMANCE OF ITS WORK AND ALL WORK PERFORMED BY SUBCONTRACTORS OR OTHER TRADES WITH THE DESIGN DOCUMENTS.

A STATEMENT ON "ALL" SIGNED AND SEALED PLANS THAT TO THE BEST OF THE ARCHITECT'S KNOWLEDGE THE PLANS AND SPECIFICATIONS COMPLY WITH THE MINIMUM BUILDING CODES.

SEAL

Architect of Record:
Greg Walden, NCARB, AIA, LEED AP

ISSUE	BY	DATE	DESCRIPTION

PROJECT INFORMATION BLOCK

JOB #	230064
DATE:	2/25/2025
DRAWN BY:	Author
CHECKED BY:	Checker

SHEET TITLE

3D REPRESENTATION

SHEET NUMBER

A900

Salty Crab Walkshed and Parking Proximity

Mantanzas Pass Public Parking

Third St. Parking
20 spaces

234 Old San Carlos Parking
20 spaces

Center St. Public Parking
75 spaces

Old San Carlos On-street
50 spaces

Restaurant/Public Parking
57 spaces

Margaritaville
360 spaces

Lynn Hall Park
120 spaces

Lighthouse Inn & Suites (75)
Margaritaville Resort (254)
Best Western (100+)

Lani Kai Overflow
40 spaces

Norm's Beach Parking
55 spaces

Lani Kai (100)
Diamondhead Resort (124)

Sunset Beach
Parking Lot
36 spaces

Future LeeTran
Bus Stop (2026)

Crescent Park
5 spaces

Salty
Crab Site

Town Parking
30 spaces

Beach Parking
30 spaces

Smart Park
45 spaces

Estero Blvd

Reachable Streets
1/4 Mile Travel Area
1/4 Mile Buffer
1/2 Mile Buffer
Subject Parcel

Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

Document Path: \\FLFOR\Projects\23007511 Salty Crab Planned Development\04 BASE INFORMATION\02 GIS\MXD\SaltyCrab_HalfMile.mxd

SALTY CRAB CPD

Development Standards

Minimum Setbacks[1 and 2]	
North (Estero Boulevard):	0 feet building setback
East (abutting Margaritaville):	0 feet building setback
West (abutting Crescent Park):	0 feet building setback
South (rear):	25 feet
1978 LC CCCL:	0 feet (principal)/0 feet (accessory)
Maximum Building Height:	3 stories and 30 feet above base flood
Maximum FAR:[3]	1.77
Parking Spaces: [4]	0

1. *See deviation #1*
2. *See deviation #2*
3. *See deviation #3*
4. *See deviation #4*

RESOLUTION OF THE TOWN COUNCIL OF
THE TOWN OF FORT MYERS BEACH FLORIDA
RESOLUTION NUMBER 10-15

NEMOS ON THE BEACH COP

WHEREAS applicant Estero Beach Holdings, LLC has requested a special exception in the DOWNTOWN zoning district to allow consumption-on-premises of alcoholic beverages in a restaurant providing an outdoor seating area that is within 500 feet of a dwelling unit under separate ownership, including an existing patio surfaced with paver blocks located landward of an exsiting retaining wall but within the EC zoning district, to include beer, wine and liquor; and

WHEREAS the subject property is located at 1154 Estero Boulevard, Fort Myers Beach, FL 33931; and

WHEREAS the applicant has indicated that the STRAP for the subject property is 24-46-23-W3-00011.0000 and the legal description of the subject property is attached hereto as Exhibit "A" and incorporated herein by reference; and

WHEREAS a public hearing on this matter was legally advertised and held before the Local Planning Agency (LPA) on June 8, 2010; at which time the LPA gave full and complete consideration to the request of the Applicant, recommendations of staff, the documents in the file, and the testmony of all interested persons, as required by Fort Myers Beach Land Development Code (LDC) section 34-88, and recommended approval of applicant's request, with various recommended conditions of approval as set forth more fully in LPA Resolution No. 2010-06; and

WHEREAS at its meeting of June 8, 2010, the LPA instructed Town staff to bring this application forward to Town Council without the necessity of having approved LPA minutes; and

WHEREAS, a public hearing on this matter was legally advertised and held before the Town council on July 12, 2010, at which time the town council gave full and complete consideration to the request of Applicant, LPA resolution 2010-06, the recommendations of staff, the documents in the file, and the testimony of all interested persons, as required by Fort Myers Beach Land Development Code (LDC) Section 34-88.

IT IS HEREBY RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, as follows:

Based upon the presentations by the applicant, staff, and other interested persons at the hearing, and review of the application, LPA Resolution 2101-06 and the standards for granting special exceptions, the Town Council makes the following findings of fact, and reaches the following conclusions:

The Town Council **APPROVES** the applicant's request for a special exception to permit consumption on premises of beer, wine and liquor in the DOWNTOWN zoning district, with such approval subject to the following conditions:

CONDITIONS OF APPROVAL:

*1. The area of the subject establishment used for consumption on premises must be confined entirely to the areas shown on the floor plan attached hereto and incorporated herein by reference as **Exhibit B,** including the interior of the first floor of the building, the front porch and the rear patio.*

2. Music and other audible entertainment are prohibited before 10:00 am and after 10:00 pm each day in outdoor seating areas and must comply at all times with applicable ordinances.

3. Sales, service, and consumption of alcoholic beverages must not begin earlier than 7:00 AM and must end no later than 2:00 AM during each day.

4. The use must comply at all times with the provisions of LDC Section 34-1264(k), as may be amended from time to time, and must at all times be licensed as a permanent public food service establishment with seating, in accordance with Chapter 509, Florida Statutes, and applicable state agency rules.

5. The use must comply at all times with lighting standards, including the regulations for the protection of Sea Turtles provided in LDC chapter 14, article II.

6. The special permit approved by the Lee County Hearing Examiner in case # 95-07-162.02S is hereby declared null and void.

FINDINGS AND CONCLUSIONS:

In accordance with the requirements of LDC Sections 34-84 and 34-88 regarding consideration of eligibility for a special exception, the Town Council makes the following findings and reach the following conclusions:

1. Changed or changing conditions **exist** that make the requested approval, as conditioned, appropriate:

   The location of the request was approved in 1995 for consumption of alcoholic beverages on the premises in conjunction with a restaurant, and the allowable seating areas were established through the appeal in 1007. The Comprehensive Plan and Land Development Code do not distinguish classes of restaurants that (in addition to non-alcoholic beverages and food) serve beer only, beer and wine only, or beer, wine, and liquor. The applicant's request does not implicate a change in use except insofar as the approved use was limited by special conditions attached to a prior special permit, subsequently modified by Town Council determination of an administrative appeal. The modifications to the allowable seating area through the 2007 appeal have made it possible for the establishment to obtain a special restaurant (SRX) series beverage license.

2. The requested special exception, as conditioned, **is** consistent with the goals, objectives, policies, and intent of the Fort Myers Beach Comprehensive Plan:

   *The subject property is in the Pedestrian Commercial FLUM category on Estero Boulevard and other bars, hotels, restaurants and retail stores. Comp Plan **Policy 4-B-6**, regarding the Pedestrian Commercial FLUM, states that commercial activities must*

contribute to the pedestrian-oriented public realm. The beach and streets northward to Lynn Hall Park and southward to the Lani Kai are heavily traveled by pedestrian beachgoers. The existing restaurant is oriented toward this foot traffic, though it has essentially no parking area for patrons arriving by automobile. The outdoor seating areas are located on porches and patios separated by railings and elevation from the sidewalks and the beach.

3. The requested special exception, as conditioned, **meets or exceeds** all performance and locational standards set forth for the proposed use.

   A restaurant is a use permitted by right in the Downtown zoning district. Because dwelling units under separate ownership are located within 500 feet of the subject property, a special exception is necessary in order to allow an outdoor seating area. Performance and locational standards for the restaurant use were addressed through permitting for prior remodeling activities and through the 1995 variance as modified by the 2007 administrative appeal. There are no specific performance or locational standards in Town regulations for a restaurant with outdoor seating areas that serves beer, wine, and liquor, that differ from the standards that apply to a restaurant with outdoor seating that serves beer and wine only.

4. The requested special exception, as conditioned, **will** protect, conserve, or preserve environmentally critical areas and natural resources:

   Construction of additional structures in environmentally critical areas has not been requested or permitted. The existing wood retaining wall is not proposed to be replaced or expanded. As conditioned, the use will be required to comply with current sea turtle protection standards.

5. The requested special exception, as conditioned, **will** be compatible with existing or planned uses and **will** cause damage, hazard, nuisance or other detriment to persons or property:

   The existing surrounding uses include a hotel, a shopping center, bars and restaurants, and a few dwelling units. Within the Pedestrian Commercial Future Land Use Map category, adjacent lots could potentially be redeveloped with commercial or mixed use buildings in accord with the regulations of the DOWNTOWN zoning district or through planned development rezoning. The recommended conditions clearly restrict the use to specific areas of the floor plan and prohibit any further expansion. .

6. The requested special exception, as conditioned, **will** be in compliance with the applicable general zoning provisions and supplemental regulations pertaining to the use set forth in LDC Chapter 34:

   The existing restaurant use has already received a variance related to parking requirements, and was required to comply with lighting and other similar requirements set forth in LDC Chapter 34 at the time of remodeling. The consumption on premises of alcoholic beverages use, as conditioned, will be required to comply with the applicable standards in LDC Chapter 34, Article IV, Division 5, for consumption on premises in a restaurant regardless of the type or series of state license. The appropriate limitations on an outdoor seating area for consumption on premises that is allowed by special exception are for Town Council to determine through the hearing process, during which

process they should find that the conditions attached are reasonably related to the special exception requested.

Upon Motion made by Vice Mayor Raymond and seconded by Council Member List, this Resolution was

DULY PASSED AND ADOPTED ON THIS 12th DAY OF JULY, 2010.

Larry Kiker, Mayor	aye	Bob Raymond, Vice Mayor	aye
Tom Babcock	absent	Jo List	aye
Alan Mandel	aye		

DULY PASSED AND ADOPTED THIS 12th DAY OF JULY 2010,

By:_____
Larry Kiker, Mayor

ATTEST:
By:_____
Michelle D. Mayher, Town Clerk

Approved as to form and legal sufficiency:

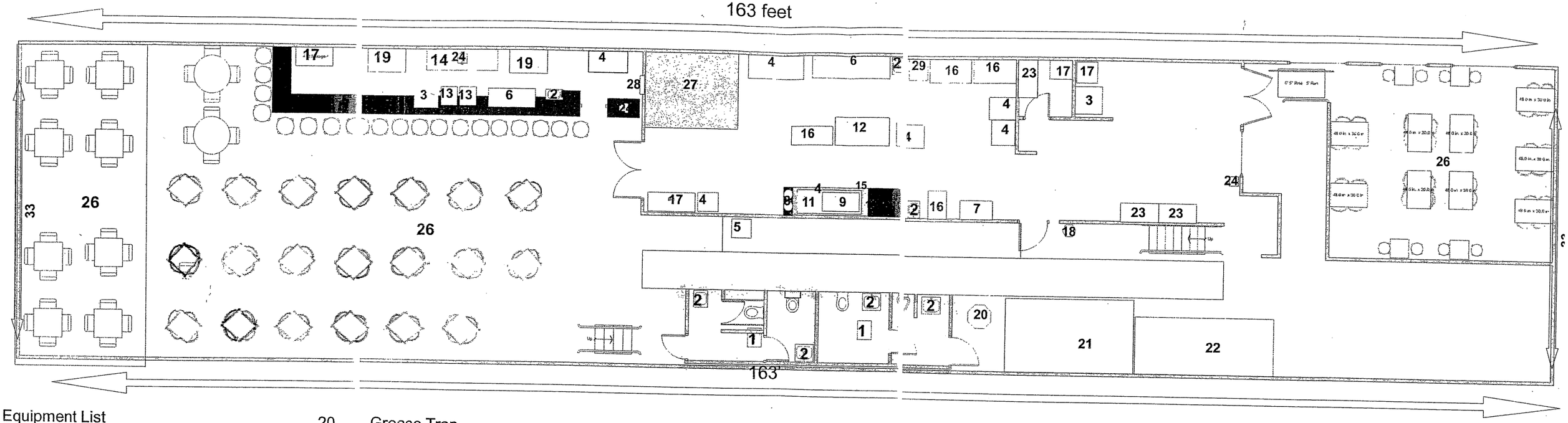
By:_____
for James T. Humphrey, Town Attorney

Exhibit "A" Attachment

From the SW corner of Block E, CRESCENT PARK ADDITION, as recorded in Plat Book 4, Page 46 of the Public Records of Lee County, Florida, on the East line of Section 24, Township 46 South, Range 23 East, run along said line for 53.28 feet to the South line of existing county road (Estero Blvd.) right of way 50 feet wide; thence run Northwesterly at an included angle of 69 48' 15" with said section line, along the South side of said right-of-way for 122.63 feet to the Point of Beginning of the land hereby conveyed; thence continue along the South line of said right-of-way for a distance of 35 feet; thence run Southwesterly perpendicular to said road a distance of 179 feet, more or less, to the Gulf of Mexico; thence run Southeasterly along said Gulf of Mexico to a point perpendicular to the Point of Beginning of the lands hereby conveyed, being approximately 35 f eat, more or less, thence run Northerly and perpendicular with the right-of-way of the existing county road 179 feet, more or less, to the Point of Beginning, being on Estero Island, Lee County, Florida.

Exhibit "B"

Nemo's On The Beach



Equipment List

1. Ventilation Fan
2. Hand Sinks
3. Ice Machine
4. Refrierator/Freezer
5. Mop Sink
6. 3-Compartment sink w/drainboard
7. Steam Table
8. 2 Burner Stove
9. Flat - Top Griddle
10. Fryer
11. Char Broiler
12. Sandwich Prep Table
13. Ice Bins
14. Bottle Beer Refrigerator
15. Hood with Suppression System
16. Work Table
17. Pepsi Bag N Box System
18. Water Heater
19. Bottle Chillers
20. Grease Trap
21. Propane Tank Area
22. Dumpster Area
23. Dry Storage
24. POS System
25. Bar
26. Table & Chairs
27. Walk In Cooler
28. Draft Beer Taps
29. Steamer
30. Portable Fire Extinguis

ADMINISTRATIVE APPROVAL
TOWN OF FORT MYERS BEACH
DEPARTMENT OF COMMUNITY DEVELOPMENT
COP2012-0005
Nemo's on the Beach COP in the EC

WHEREAS, Patrick Ciniello, president of Estero Beach Holdings, LLC applied for administrative approval for expansion of outdoor seating into the Environmentally Critical zoning district for sales, service and consumption on premises of alcoholic beverages in conjunction with a restaurant under the provisions of Ordinance 12-03; and

WHEREAS, the subject property is located at 1154 Estero Boulevard, Fort Myers Beach, FL and is legally described in the attached **Exhibit A**; and

WHEREAS, the current zoning of the subject property is DOWNTOWN and EC (Environmentally Critical); and

WHEREAS, the applicant submitted an application containing the information required by Fort Myers Beach Land Development Code (LDC) Section 34-1264(g)(1); and

WHEREAS, the subject property currently contains a restaurant with a 4COP-SRX alcohol beverage license ("Nemo's on the Beach"); and

WHEREAS, the applicant submitted a survey of the subject property which is attached hereto and incorporated herein as **Exhibit B**; and

WHEREAS, a site plan, as submitted by the applicant, depicting the 'area of expansion' for the sales, service and consumption on premises of alcoholic beverages into the EC district is attached hereto and incorporated herein as **Exhibit C**; and

WHEREAS, the hours of service for indoor and outdoor consumption on premises is limited to from 7:00AM to 2:00AM of the following day, as approved in Resolution 10-15; and

WHEREAS, the hours for outdoor entertainment are limited to from 10:00AM to 10:00PM and must comply at all times with applicable noise ordinances as approved in Resolution 10-15; and

WHEREAS, the Director makes the following findings of fact:

1. All applicable standards have been met;
2. The premises are suitable in regard to location, site characteristics, and intended purpose; and

3. All the preceding clauses introduced by "WHEREAS" are incorporated herein as findings of fact;

NOW, THEREFORE, the Director **APPROVES** the requested administrative approval for expansion of outdoor seating into the Environmentally Critical zoning district for sales, service and consumption on premises of alcoholic beverages in conjunction with a restaurant under the provisions of Ordinance 12-03,

SUBJECT TO the following conditions:

1. The area of expansion of the licensed premises in the EC zoning district must be under the same ownership as the principal upland licensed premise (as licensed by the State of Florida Division of Alcoholic Beverages and Tobacco) and the upland licensed premises must be located immediately adjacent to and contiguous with the EC zoning district.
2. Patrons of the permitted establishment may not bring any alcoholic beverages or coolers into the licensed premise in the EC zoning district, nor may they consume any alcohol on the premises that has not been purchased from the permitted establishment.
3. Alcohol served in the EC zoning district may not be dispensed in glass or aluminum containers of any type.
4. The permit holder shall be responsible for ensuring that the licensed premises in the EC zoning district is at all times free of litter and debris. Refuse containers that meet the requirements of LDC Section 34-1264(g)(1)b.iv.4. must be provided.
5. Hours of service and consumption for the area of the licensed premises that is labeled 'Proposed Enclosed Area' on **Exhibit C** shall be limited to between the hours of 11:00AM and one (1) hour after Sunset or 9:00 PM, whichever is earlier, except for any additional hours that may have been granted by a special events permit.
6. Entertainment within the area of the licensed premises that is located in the EC zoning district may not extend into the area labeled 'Proposed Enclosed Area' as shown on **Exhibit C**.
7. Applicant shall maintain a valid Certificate of Insurance that covers the area of the licensed premises that is located in the EC zoning district.
8. The maximum area of expansion is 1,561 square feet as depicted on **Exhibit C** and labeled 'Proposed Enclosed Area.'
9. The permit holder shall establish dominion and control of the area of expansion in the EC zoning district with rope and post. The installation of the rope and post will require Florida Department of Environmental Protection (DEP) approval as well as applicable Town building permits.
10. A maximum of one six-foot wide pedestrian access opening is allowed per one hundred feet of the rope and post along the side parallel to the waterline. Each access point in the rope and post to the beach shall contain a sign, at each entrance, stating on both sides, "NO ALCOHOL ALLOWED BEYOND THIS POINT." The sign shall have a maximum dimension of two (2) feet by one (1) foot.

11. The property shall comply with all sea turtle protection requirements contained in Chapter 14 of the Land Development Code. All beach furniture, including but not limited to beach chairs, table and umbrellas shall be removed from the beach by one (1) hour after sunset or 9:00 PM whichever is earlier

APPROVED this 15th day of January, 2013.

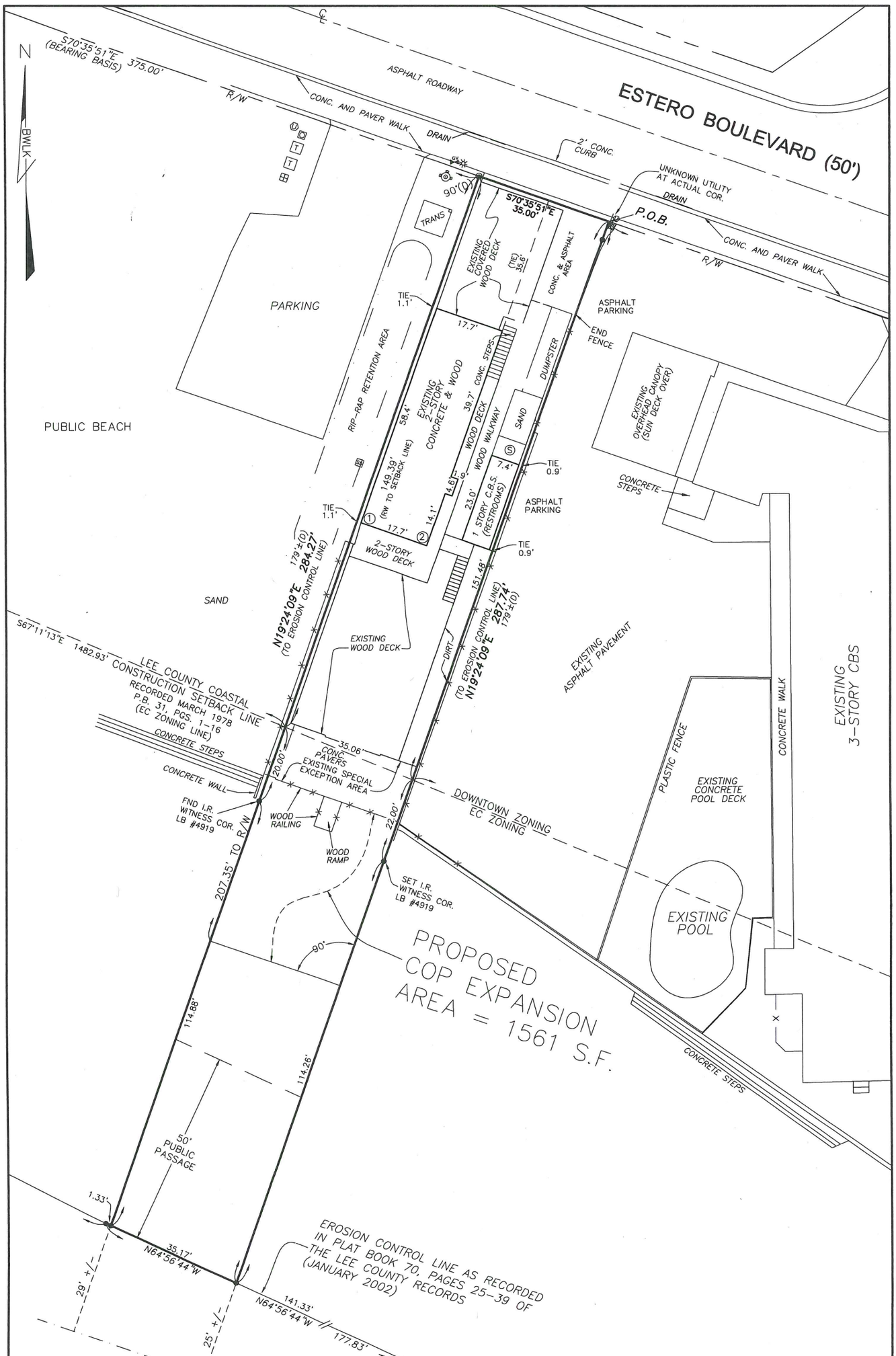
By: _____

Walter G. Fluegel, ACIP
Director of Community Development
Town of Fort Myers Beach

EXHIBIT A

From the SW corner of Block E, CRESCENT PARK ADDITION, as recorded in Plat Book 4, Page 46 of the Public Records of Lee County, Florida, on the East line of Section 24, Township 46 South, Range 23 East, run along said line for 53.28 feet to the South line of existing county road (Estero Blvd.) right of way 50 feet wide; thence run Northwesterly at an included angle of 69 48' 15" with said section line, along the South side of said right-of-way for 122.63 feet to the Point of Beginning of the land hereby conveyed; thence continue along the South line of said right-of-way for a distance of 35 feet; thence run Southwesterly perpendicular to said road a distance of 179 feet, more or less, to the Gulf of Mexico; thence run Southeasterly along said Gulf of Mexico to a point perpendicular to the Point of Beginning of the lands hereby conveyed, being approximately 35 f eat, more or less, thence run Northerly and perpendicular with the right-of-way of the existing county road 179 feet, more or less, to the Point of Beginning, being on Estero Island, Lee County, Florida.

EXHIBIT B



NEMOS ON THE BEACH - OVERALL SITE SKETCH

Bean, Whitaker, Lutz & Kareh, Inc. (LB 4919)

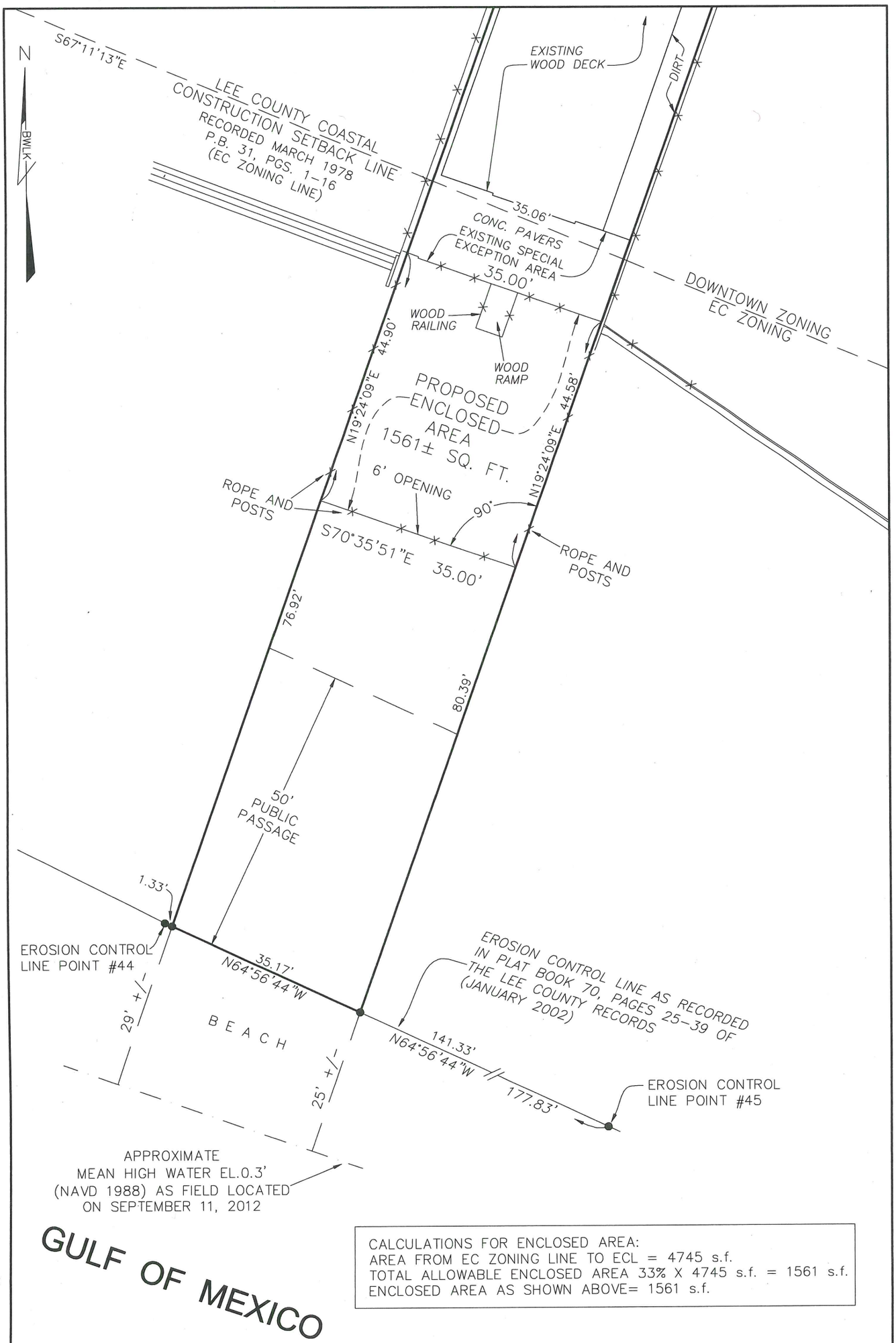
CIVIL ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS

13041-1 MCGREGOR BOULEVARD, FORT MYERS, FLORIDA 33919-5910 (239) 481-1331

SP40032.DWG

DATE	PROJECT NO.	DRAWN BY	SCALE	SHEET	FILE NO. (S-T-R)
9-14-12	40032	S.PIERCE	1"= 30'	1 OF 2	24-46-23

EXHIBIT C



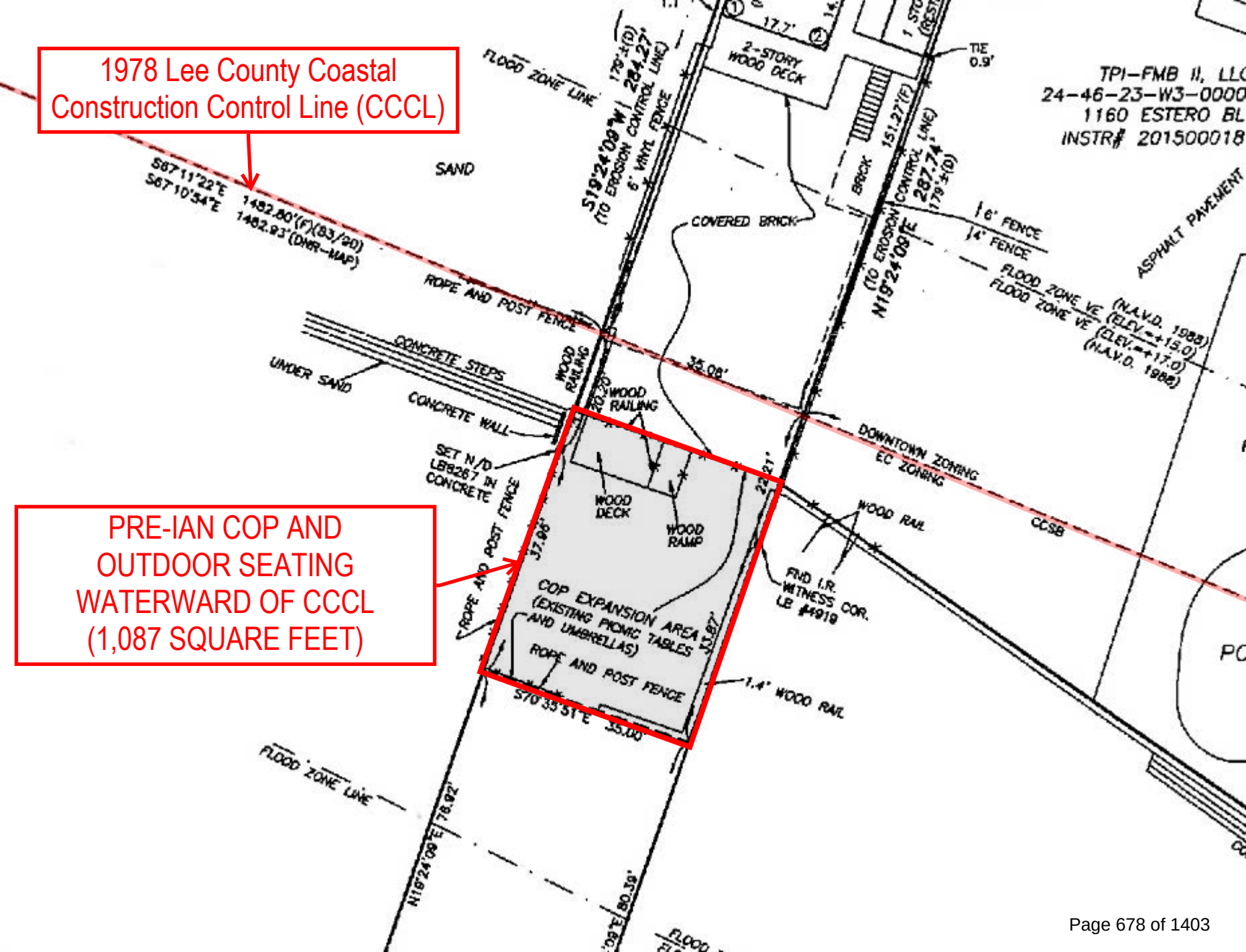
CALCULATIONS FOR ENCLOSED AREA:
AREA FROM EC ZONING LINE TO ECL = 4745 s.f.
TOTAL ALLOWABLE ENCLOSED AREA 33% X 4745 s.f. = 1561 s.f.
ENCLOSED AREA AS SHOWN ABOVE= 1561 s.f.

NEMOS ON THE BEACH - DETAIL

Bean, Whitaker, Lutz & Kareh, Inc. (LB 4919)
CIVIL ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS
13041-1 MCGREGOR BOULEVARD, FORT MYERS, FLORIDA 33919-5910 (239) 481-1331

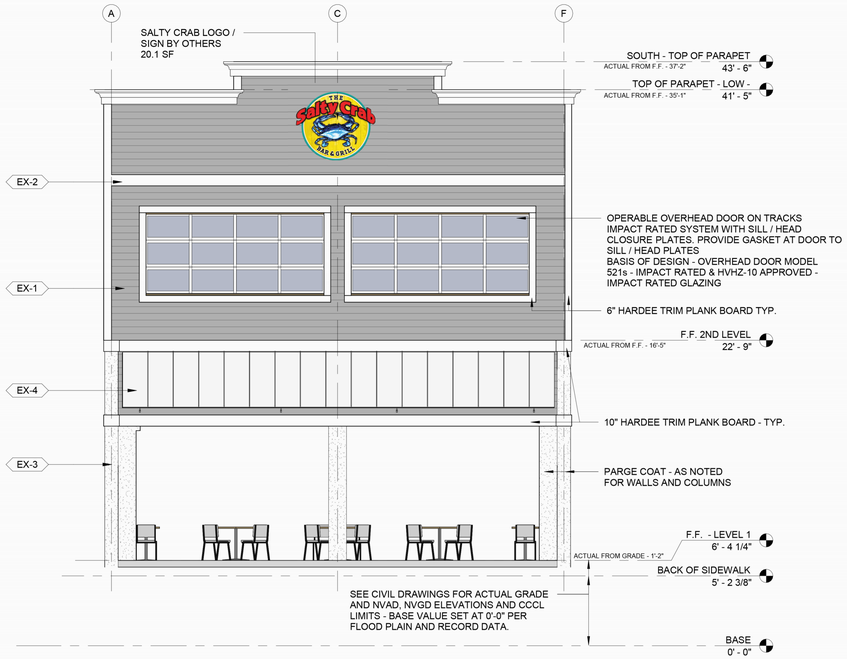
DETAIL_40032.DWG

DATE	PROJECT NO.	DRAWN BY	SCALE	SHEET	FILE NO. (S-T-R)
9-14-12	40032	S.PIERCE	1"= 20'	2 OF 2	24-46-23

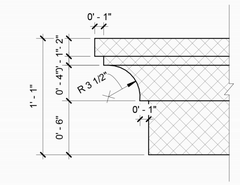

1978 Lee County Coastal Construction Control Line (CCCL)
PRE-IAN COP AND OUTDOOR SEATING WATERWARD OF CCCL (1,087 SQUARE FEET)
SAND
FLOOD ZONE LINE
2-STORY WOOD DECK
TIE 0.9'
TPI-FMB II, LLC
24-46-23-W3-0000
1160 ESTERO BL
INSTR# 201500018
S67°11'22"E 1482.80'(F)(83/90)
S67°10'54"E 1482.93'(DNR-MAP)
S19°24'09"W 284.27'
(TO EROSION CONTROL LINE)
6' VINYL FENCE
BRICK
151.27'(F)
N19°24'09"E 287.74'
COVERED BRICK
6' FENCE
4' FENCE
ASPHALT PAVEMENT
FLOOD ZONE VE (N.A.V.D. 1988)
FLOOD ZONE VE (ELEV.=+15.0)
FLOOD ZONE VE (ELEV.=+17.0)
(N.A.V.D. 1988)
ROPE AND POST FENCE
CONCRETE STEPS
UNDER SAND
CONCRETE WALL
WOOD RAILING
35.08'
DOWNTOWN ZONING
EC ZONING
SET N/D LB8267 IN CONCRETE
WOOD DECK
WOOD RAMP
WOOD RAIL
CCSB
FND I.R. WITNESS COR. LB #4919
COP EXPANSION AREA (EXISTING PICNIC TABLES AND UMBRELLAS)
ROPE AND POST FENCE
1.4' WOOD RAIL
S70°35'51"E 35.00'
FLOOD ZONE LINE
N19°24'09"E 76.92'
80.39'

SCHEDULE - EXTERIOR FINISHES

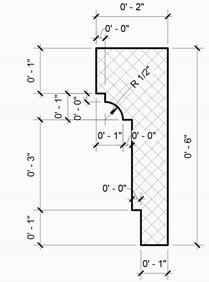
MARK	MFR	MODEL/SERIES	DESCRIPTION	Color
EX-1	James Hardie	Plank Siding -	8 1/4" plank with 7" exposure	As selected from full list - Manuf. color guide
EX-2	James Hardie	Trim planks	10" trim plank	As selected from full list - Manuf. color guide
EX-3	T.B.D.	T.B.D.	Parge Coat Application	As selected from full list - Manuf. color guide
EX-4	Mapes	T.B.D.	Aluminum	As selected from full list - Manuf. color guide



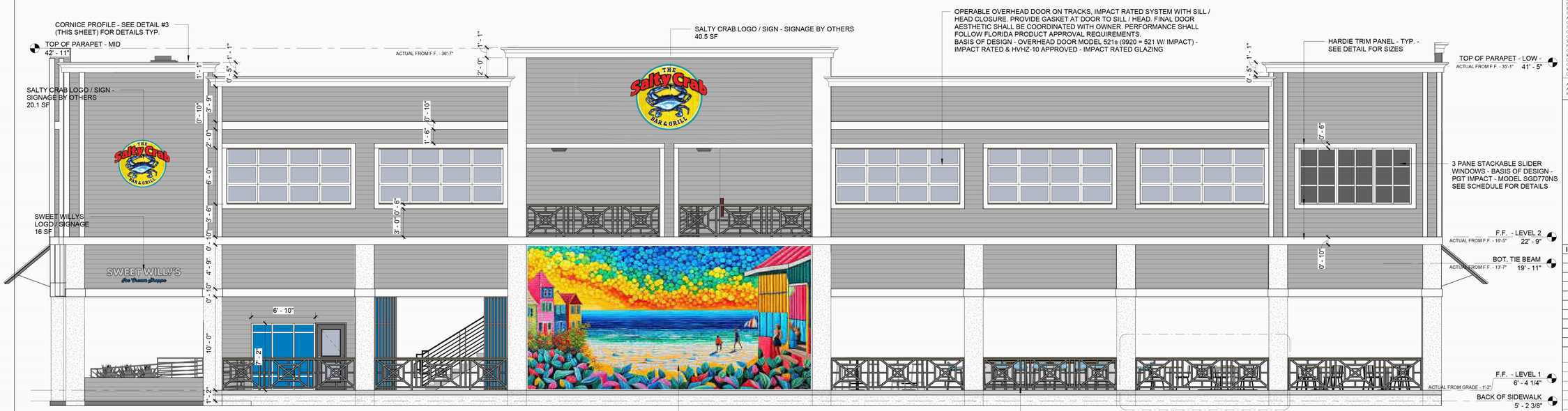
1 SOUTH ELEVATION
3/16" = 1'-0"



3 CORNICE PROFILE
1 1/2" = 1'-0"



4 EAST CORNICE PROFILE
6" = 1'-0"



2 WEST ELEVATION
3/16" = 1'-0"

bdg architects

400 N Ashley Drive
Suite 600
Tampa, FL 33602

P: 813 - 323 - 9233
Lic #: AA - 0003590
W: www.bdgllp.com

CONSTRUCTION DOCUMENT - PROGRESS - NOT FOR CONSTRUCTION - 5.9.2025

Salty Crab

1154 Estero Blvd, Fort Myers Beach, FL 33931

THESE DRAWINGS AND PLANS, ANY REPRODUCTION THEREOF, AND ANY CAD OR ELECTRONIC FILE OF THESE DRAWINGS AND PLANS (HEREINAFTER "PLANS") ARE THE SOLE AND EXCLUSIVE, PROPRIETARY PROPERTY OF BDG ARCHITECTS, AND MAY NOT BE REPRODUCED, PUBLISHED, MODIFIED OR USED IN ANY WAY WITHOUT THE EXPRESS WRITTEN PERMISSION OF BDG ARCHITECTS. USE OF THESE PLANS FOR CONSTRUCTION SHALL BE CONSIDERED ACCEPTANCE OF THE TERMS CONTAINED HEREIN AND THE SUITABILITY AND CONSTRUCTABILITY OF THE PLANS. THE PLANS SHALL NOT BE SCALED OR MODIFIED FOR ANY PURPOSE WITHOUT THE EXPRESS WRITTEN APPROVAL OF BDG ARCHITECTS. ANY CHANGES TO THESE PLANS, REGARDLESS OF HOW MINOR, WITHOUT THE EXPRESS WRITTEN APPROVAL OF BDG ARCHITECTS, ANY CONSTRUCTION EXECUTED FROM THESE PLANS WITHOUT THE EXPRESS WRITTEN APPROVAL OF BDG ARCHITECTS OR ANY CHANGE IN THE DESIGN, DETAILS, OR INTENT OF THESE PLANS, OR ANY ALTERATIONS OR REVISIONS TO THESE PLANS BY ANY UNAUTHORIZED PARTIES SHALL AUTOMATICALLY VOID ANY DESIGN-RELATED OBLIGATIONS BDG ARCHITECTS MAY HAVE ON THE PROJECT, AND RESULT IN THE FULL AND COMPLETE RELEASE OF BDG ARCHITECTS FROM ANY LIABILITY, CLAIMS, OR DAMAGES INCLUDING ERRORS AND OMISSIONS ARISING OUT OF OR RELATED TO THE PLANS. ANY DISCREPANCIES OR CONFLICTS IN THE PLANS SHALL BE REFERRED IMMEDIATELY TO BDG ARCHITECTS FOR CLARIFICATION PRIOR TO CONTINUING WITH THE WORK. FAILURE TO REFER DISCREPANCIES OR CONFLICTS TO BDG ARCHITECTS PRIOR TO PERFORMING WORK SHALL RESULT IN THE WAIVER OF ANY CLAIMS OR DAMAGES ASSOCIATED WITH THE DISCREPANCIES OR CONFLICTS. THE CONTRACTOR IS RESPONSIBLE FOR THE COORDINATION, SCHEDULING AND CONFORMANCE OF ITS WORK AND ALL WORK PERFORMED BY SUBCONTRACTORS OR OTHER TRADES WITH THE DESIGN DOCUMENTS.

A STATEMENT ON "ALL" SIGNED AND SEALED PLANS THAT TO THE BEST OF THE ARCHITECTS KNOWLEDGE THE PLANS AND SPECIFICATIONS COMPLY WITH THE MINIMUM BUILDING CODES.

SEAL

Architect of Record:
GREGORY P. WALDEN, NCARB, AIA
License # FL AR97560

ISSUE	BY	DATE	DESCRIPTION
1	JP	4.3.2025	DESIGN DEVELOPMENT

PROJECT INFORMATION BLOCK

JOB #	230064
DATE:	4/3/2025
DRAWN BY:	Author
CHECKED BY:	Checker

SHEET TITLE

EXTERIOR ELEVATIONS

SHEET NUMBER

A201

Business Impact Estimate

Proposed ordinance's title/reference:
Ordinance 25-XX Rezoning from Downtown to CPD with deviations for the redevelopment of the salty Crab restaurant and an ice cream shop

AN ORDINANCE OF THE TOWN COUNCIL OF FORT MYERS BEACH, FLORIDA APPROVING/APPROVING WITH CONDITIONS/DENYING TO REZONE THE PROPERTY LOCATED AT 1154 ESTERO BOULEVARD, GENERALLY IDENTIFIED AS STRAP NUMBER 24-46-23-W3-00011.0000 IN FORT MYERS BEACH, FROM THE PROPERTY FROM DOWNTOWN TO COMMERCIAL PLANNED DEVELOPMENT (CPD) TO ALLOW FOR A) AN INCREASE FAR, B) DECREASED SETBACKS, AND C) A 100% REDUCTION IN PARKING REQUIREMENTS; D) INCREASED SIGNS AND E) CONDITIONS; PROVIDING FOR OTHER CLARIFICATIONS AS NECESSARY; PROVIDING FOR CONFLICTS OF LAW, SCRIVENER'S ERRORS, SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the Town is of the view that a business impact estimate is not required by state law[1] for the proposed ordinance, but the Town is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☒ The proposed ordinance is enacted to implement the following:

[1] See Section 166.041(4)(c), Florida Statutes.

a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the Town hereby publishes the following information:

1. Summary of the proposed ordinance, (e.g. statement of the public purpose serving the public health, safety, morals and welfare):
The proposed ordinance approves CPD with five deviations to redevelop a restaurant with an ice crem shop.

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the Town, including the following, if any:
(a) An estimate of direct compliance costs that businesses may reasonably incur;
(b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
(c) An estimate of the Town's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

Any costs incurred by the applicant will be to further their commercial business, this has been requested by the applicant themselves.

Ordinance 25-xx does not impose any new charge or fee on businesses.

There are no new charges or fees that will be imposed on businesses by the ordinance.

The Town will not likely incur additional costs.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

The proposed approval of the applicant's CPD with deviations will be relevant only to the applicant and their lot/ business.

4. Additional information the governing body deems useful (if any):
N/A

Town of Fort Myers Beach
Agenda Item Summary

Blue Sheet Number: **2025-433**

1. **Request:**

Meeting Date: June 2, 2025

This quasi-judicial agenda item is a First Reading and Public Hearing on proposed Ordinance 25-13 (Estero Island Beach Club). If approved at First Reading, a Second Reading and final adoption hearing will be scheduled for June 16, at 9:00 AM or at another time identified by Town Council.

AN ORDINANCE OF THE TOWN COUNCIL OF FORT MYERS BEACH, FLORIDA APPROVING/ APPROVING WITH CONDITIONS/ DENYING TO REZONE THE PROPERTY LOCATED AT 1836 ESTERO BOULEVARD, GENERALLY IDENTIFIED AS STRAP NUMBER 19-46-24-W4-03200.00CE & 19-46-24-W4-03200.1010, TO REZONE FROM DOWNTOWN TO COMMERCIAL PLANNED DEVELOPMENT (CPD) AND REQUEST FOUR (4) DEVIATIONS FROM REQUIREMENTS TO PROVIDE; 1) OPERABLE DOORS ALONG ESTERO BLVD, 2) SCREENING MATERIAL ON THE GROUNDFLOOR, 3) INCREASE BUILD-TO LINE SETBACKS, AND 4) INCREASE THE MAXIMUM ALLOWED HEIGHT BY 18-FEET; PROVIDING FOR OTHER CLARIFICATIONS AS NECESSARY; PROVIDING FOR CONFLICTS OF LAW, SCRIVENER'S ERRORS, SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Why the action is necessary:

The Town Council approves Commercial Planned Developments.

What the action accomplishes:

The proposed CPD will allow for the redevelopment of the Estero Island Beach Club timeshare with 75 units.

2. **Agenda:**	3. **Requirement/Purpose:**	4. **Submitter of Information:**
PUBLIC HEARINGS	Ordinance	Jason Smalley, Senior Planner

5. **Background:**

Estero Island Beach Club was originally developed in 1981 by Lee County. The building was developed with 75 units, across two buildings that were two and three stories tall. The northernmost building on the property appears to have been very minimally seaward of the CCCL. The site contains multiple recreation facilities, like swimming pools, one of which was originally developed seaward of the CCCL. The applicant states that they will need to apply later for a Special Exception to repair the remaining pool, which appears to be seaward of the control-line. The proposal for redevelopment has been designed to ensure that all new structures will be constructed landward of the 1978 CCCL.

Attachments:

1. 24-13_EIBC CPD ORDINANCE
2. TC STAFF REPORT
3. Exbit A: CONDITIONS OF APPROVAL
4. EXHIBIT B: REVISED MCP
5. Exhibit C: CPD SCHEDULE OF USES
6. Applicant's Narrative
7. REVISED ARCHITECTURAL VIEW AND HEIGHT EXHIBIT
8. AREAS DEVELOPED SEAWARD OF CCCL
9. APPLICANT'S DEVIATIONS AND JUSTIFICATIONS
10. ESTERO ISLAND BEACH CLUB RMR STUDY 5.9.25
11. Business Impact Estimate - Ordinance 25-13 - EIBC

Financial Impact:
N/A

6. **Alternative Action**
Adopt with Conditions

7. **Management Recommendations:**
N/A

8. **Recommended Approval:**

Judith Frankel, Principal Planner	Created/Initiated - 5/22/2025
Georgina Cid, Community Development Manager	Approved - 5/23/2025
Frankie Kropacek, Community Development Director	Approved - 5/23/2025
nancy stuparich, Town Attorney	Approved - 5/26/2025
Amy Baker, Town Clerk	Approved - 5/27/2025
William McKannay, Town Manager	Final Approval - 5/28/2025

ORDINANCE 24-13

(Estero Island Beach Club)

AN ORDINANCE OF THE TOWN COUNCIL OF FORT MYERS BEACH, FLORIDA APPROVING/ APPROVING WITH CONDITIONS/ DENYING TO REZONE THE PROPERTY LOCATED AT 1836 ESTERO BOULEVARD, GENERALLY IDENTIFIED AS STRAP NUMBER 19-46-24-W4-03200.00CE & 19-46-24-W4-03200.1010 TO REZONE FROM DOWNTOWN TO COMMERCIAL PLANNED DEVELOPMENT (CPD) AND REQUEST FOUR (4) DEVIATIONS FROM REQUIREMENTS TO PROVIDE 1) OPERABLE DOORS ALONG ESTERO BLVD, 2) SCREENING MATERIAL ON THE GROUNDFLOOR, 3) INCREASE BUILD-TO LINE SETBACKS, AND 4) INCREASE THE MAXIMUM ALLOWED HEIGHT BY 18-FEET; PROVIDING FOR OTHER CLARIFICATIONS AS NECESSARY; PROVIDING FOR CONFLICTS OF LAW, SCRIVENER'S ERRORS, SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Florida Statutes provide that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal service, and exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, Article X of the Town Charter of the Town of Fort Myers Beach empowers the Town to adopt, amend. or repeal such ordinances and resolutions as may be required for the proper governing of the Town; and

WHEREAS, Estero Island Beach Club Association, Inc., owner, and Fred Drovdlic, AICP with RVi Planning & Landscape Architecture, as agents for the owner (collectively "Applicant") of property generally located 1836 and 1840 Estero Blvd, Fort Myers Beach and identified as STRAP numbers 19-46-24-W4-03200.00CE and 19-46-24-W4-03200.1010 ("the Property"), filed an application to rezone the Property from Downtown zoning district to Commercial Planned Development, with an attached Master Concept Plan (MCP) in order to redevelop a timeshare condominium and associated facilities, on the Property's 1.92+/- acres more or less; and

WHEREAS, the Property is located in the Pedestrian Commercial Future Land Use Category of the Comprehensive Plan of the Town of Fort Myers Beach; and

WHEREAS, the applicant has indicated the subject property is under common control and Estero Island Beach Club Association serves as the managing entity listed in the public records of Lee County Property Appraiser; and

WHEREAS, a public hearing was held before the Local Planning Agency (LPA) on May 13th, 2025; and

WHEREAS, at the May 13th, 2025 public hearing the LPA gave full and complete consideration of the request, recommendations by staff, the documents in the record, and the testimony of all interested persons, as required by Section 34-85 of the Town of Fort Myers Beach Land Development Code ("LDC"); and

WHEREAS, at the May 13th, 2025 public hearing the LPA recommended approval by a 7 to 0 vote based on a finding that the approval **is/is not** in compliance and consistent with the Town of Fort Myers Beach Comprehensive P lan and the LDC; and

WHEARAS, a Business Impact Estimate has been prepared and timely published on the Town's website; and

WHEREAS, on June 2nd, 2025 the Town Council held a first reading of the proposed Ordinance and gave full and complete consideration to the request of the Applicant, the recommendation of the LPA, the recommendation of staff, the documents in the record, and the testimony of all interested persons, as required by Section 34-85 of the LDC; and

WHEREAS, the Town Council voted to have a second reading of the proposed Ordinance and a public hearing on this matter was legally advertised in the _____ on the ___ day of _____, which is 10 days prior to the Town Council on _____, 2025; and

WHEREAS, at the _____, 2025 public hearing, the Town Council gave full and complete consideration to the request of the Applicant, the recommendation of the LPA, the recommendation of staff, the documents in the record, and the testimony of all interested persons, as required by Section 34-85 of the LDC; and

WHEREAS, there are no outstanding fees associated with any notice, advertisement, and consulting services required by the Town; and

WHEREAS, Exhibit A contains a schedule of uses and development regulations and conditions associated with this proposed development and incorporated by reference into the Ordinance; and

WHEREAS, Exhibit B contains a Master Concept Plan associated with this proposed development and incorporated by reference into the Ordinance; and

WHEREAS, the Town Council finds that this request to **APPROVE/ APPROVE WITH CONDITIONS/ DENY**, is a unique and individual application which does not set precedent for future development or rezoning applications.

WHEREAS, approval of this request and Ordinance requires approval of the following deviations from the LDC:

Deviation #1

Deviate from LDC §34-995(b)(1) and (4) regarding entrances, requires a primary entrance and views into the first floor of commercial buildings where: (1)The primary entrance to all buildings shall face the street; and (4) Where building frontages exceed 50 feet, operable doors or entrances with public access shall be provided along streets at intervals averaging no greater than 50 feet.

Deviation #2

Deviate from LDC §34-992(c) requiring the principal facades of hotel buildings that will not contain commercial uses below base flood elevation to screen under-building parking areas in a manner acceptable to the town manager or designee; to allow 50%

of the under building parking area of the building façade fronting on Estero Boulevard and Palm Avenue to be fully screened and a 5-foot hedge in the unscreened areas to help hide vehicles.

Deviation #3
Deviate from LDC §34-674(a)(1) that requires build to lines in the Downtown District in this location be from five feet to 10 feet; to not require build to lines but rather minimum building setbacks for the building on Estero Boulevard of 15 feet, a minimum building setback of 10 feet from Palm Avenue, and a minimum building setback of 30 feet from Miramar Street.

Deviation #4
Deviate from LDC §34-675(b)(3)c that requires a maximum height of 30 feet above base flood elevation and no taller than three stories for properties on the south side of Estero Boulevard east of the main pedestrian crossing in the Downtown zoning district to allow a height of: Five (5) stories [four (4) stories over ground level parking]; and 48 feet above FDEP design flood elevation (DFE).

WHEREAS, the Town Council considered all relevant factors and made the following formal findings of fact regarding the rezoning request before making its final decision on the Ordinance as required by Sections 34-85 and 34-216 of the LDC:

a. Minor ambiguities were resolved through the deviation process.
b. Long-standing blighted conditions on the subject property can be ameliorated through approval of this rezoning.
c. The rezoning would carry out the policies and requirements of the Comprehensive Plan and LDC.
d. The Town Council carefully considered the testimony of the Applicant, the recommendations of staff and of the LPA, and testimony from the public.
e. The rezoning would be consistent with the goals, objectives, policies, and intent, and with the densities, intensities, and general uses in the Comprehensive Plan.
f. The rezoning would meet or exceed all performance and locational standards set forth for the proposed use.
g. Urban services are available and adequate to serve the proposed use.
h. The rezoning would protect, conserve, or preserve environmentally critical areas and natural resources.
i. The rezoning would be compatible with existing and planned uses and not cause damage, hazard, nuisance, or other detriment to persons or property.
j. The rezoning would not place an undue burden upon existing transportation or other services and facilities and will be served by streets with the capacity to carry traffic generated by the development.
k. The rezoning, with the mitigating factors volunteered by the Applicant and the special conditions imposed by the Town Council, is consistent with the Fort Myers Beach Comprehensive Plan, LDC, and other applicable town ordinances or codes.
l. The proposed use or mix of uses is appropriate at the subject location.
m. Sufficient safeguards to the public interest are provided by the recommended special conditions to the Master Concept Plan and by other applicable regulations.

n. All recommended special conditions are reasonably related to the impacts on the public's interest created by or expected from the proposed development.

o. The rezoning meets all specific requirements of the Comprehensive Plan that are relevant to the request, including the following:
   - Policy 4-C-4 on building heights taller than the standard height limit
   - Policy 4-C-6 on hotel/motel densities
   - Policy 4-C-8 on density transfers
   - Policy 7-J-2 on traffic impact analyses and potential design improvements that could offset traffic impacts

WHEREAS, the Town Council made the following formal findings before making final decisions on the four requested deviations from "by-right" requirements of the LDC (see LDC 34-216 and 34-1803):

1. All aspects of the proposed development, as limited by the special conditions being imposed by the Town Council, are compatible with the surrounding area, including building height, traffic flow, and intensity of use.
2. The proposed development, as modified by these deviations, clearly exceeds all standards of the Fort Myers Beach Comprehensive Plan.
3. The proposed development, with the modified deviations being approved, does not exceed any maximum intensities contained in the Fort Myers Beach Comprehensive Plan.
4. Granting these deviations will enhance the achievement of the objectives of the proposed development.
5. The general intent of the LDC to protect public health, safety, and welfare will be preserved and promoted with these deviations.
6. These deviations operate to the benefit, or at least not to the detriment, of the public interest.
7. These deviations are consistent with the Fort Myers Beach Comprehensive Plan.

WHEREAS, the Town Council finds that this application to APPROVE/ APPROVE WITH CONDITIONS/ DENY Ordinance 25-__ as provided herein **consistent/ not consistent** with the Town of Fort Myers Beach Comprehensive Plan and LDC.

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, AS FOLLOWS:

Section 1. The above recitals are true, correct, incorporated herein by this reference, and adopted as the legislative and administrative findings of the Town Council.

Section 2. The Town Council determines the Applicant did meet its burden of proof that the requested rezoning in Ordinance No. 25-13 **does/ does not** meet the requirements of the Town Comprehensive Plan and LDC. Therefore, based upon the recommendations, testimony, and evidence presented by the Applicant, Town staff, and interested parties, the Town Council hereby **DENIES/ APPROVES/ APPROVES WITH CONDITIONS** the requested rezoning.

Section 3. Town Ordinance 25-13 is adopted subject to the conditions of approval in Exhibit

A, the Master Concept Plan in Exhibit B and the Schedule of Uses in Exhibit C, all of which are attached hereto and incorporated herein by this reference.

Section 4. Whenever the requirements or provisions of this Ordinance conflict with the requirements or provisions of any other lawfully adopted LDC or Town Code provision, ordinance, or statute, the most restrictive shall apply.

Section 5. Any typographical errors that do not affect the intent of this Ordinance may be corrected with notice to and authorization of the Town Manager without further process.

Section 6. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason, declared by a court of competent jurisdiction to be unconstitutional or invalid, such decision will not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared.

Section 7. This Ordinance will take effect immediately upon adoption by the Town Council.

The foregoing Ordinance was adopted by the Town Council upon a motion by Council Member _____ and seconded by Council Member _____, and upon being put to a roll call vote, the result was as follows:

Dan Allers, Mayor	_____
Jim Atterholt, Vice Mayor	_____
John R. King, Council Member	_____
Scott Safford, Council Member	_____
Karen Woodson, Council Member	_____

ADOPTED this _____ day of June 2025 by the Town Council of the Town of Fort Myers Beach, Florida.

TOWN OF FORT MYERS BEACH

_____
Dan Allers, Mayor

ATTEST:

_____
Amy Baker, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:

_____
Vose Law Firm, LLP, Town Attorney

This Ordinance was filed in the Office of the Town Clerk on this _____ day of August 2024.

EXHIBITS
Exhibit A –Conditions of Approval
Exhibit B – Master Concept Plan
Exhibit C – Schedule of Uses

Exhibit A; part 1: Conditions of Approval

1. Development shall provide signage warning exiting vehicles of pedestrian traffic within the Town's Palm Ave. and Palm Ave. beach access points.
2. The final architectural design shall be substantially similar to the design approved by the Town Council.
3. The applicant shall provide a more detailed landscaping plan utilizing a type-B buffer and using largely 'Florida Friendly' species, or other salt-tolerant plants and trees.
4. Approval of this variance does not give the Applicant an undeniable right to permit approval. Development or redevelopment of the Property must comply with all applicable requirements of the Fort Myers Beach Comprehensive Plan and LDC in effect at the time of permit approval, except as specifically modified herein.

Town of Fort Myers Beach

COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT

TYPE OF CASE:	**Commercial Planned Development (CPD)**
CASE NUMBER:	**CPD20240015**
CASE NAME:	**1836 Estero Blvd (incl. all associated addresses) CPD rezoning request to develop a timeshare building with four (4) deviations from the Land Development Code.**
TOWN COUNCIL HEARING DATE:	**June 2nd, 2025, at 9 AM**
LPA HEARING DATE:	**May 13th, 2025, at 9 AM**
STAFF RECOMMENDATION:	**Approve with Conditions**
PREPARED/ SUBMITTED BY:	**Jason Smalley- Senior Planner**

I. APPLICATION SUMMARY

Applicant/Owner:	Estero Island Beach Club Association Timeshare
Request:	A Commercial Planned Development (CPD) rezoning for the re-development of a 75-unit timeshare condominium. The applicant is requesting four deviations: 1) relief from requirements that buildings with more than 50-feet of frontage on Estero Blvd. provide operable doors for public access no more than 50-feet apart, and relief from requirements that the building provide an entrance facing Estero Blvd.; 2) relief from the requirement to screen under-building parking areas; 3) relief from requirements for build to lines but rather to provide minimum setbacks for the building on Estero Boulevard of 15 feet, a minimum building setback of 10 feet from Palm Avenue, and a minimum building setback of 30 feet from Miramar Street and; 4) an

	additional 18-feet in height above the Design Flood Elevation (DFE)
Subject property:	See attached Master Concept Plan
Physical Address:	1836 Estero Blvd; 1840 Estero Blvd (building address)
STRAP #:	19-46-24-W4-03200.00CE & 19-46-24-W4-03200.1010
FLU:	Pedestrian Commercial and Recreation
Zoning:	Downtown and Environmentally Critical (EC not part of rezone)

Adjacent zoning and land uses:

North:	DOWNTOWN Temporarily Occupied Commercial
South:	ENVIRONMENTALLY CRITICAL AREA (EC) Beach
East:	DOWNTOWN Hotel
West:	DOWNTOWN Commercial/ Residential

II. BACKGROUND AND ANALYSIS

Background:

Estero Island Beach Club was originally developed in 1981 under Lee County. The building was developed with 75 units, across two buildings that were two and three stories tall. The northernmost building on the property appears to have been very minimally seaward of the CCCL. The site contained multiple recreation facilities, like swimming pools, one of which was originally developed seaward of the CCCL. The applicant states that they will need to apply later for a Special Exception to repair the remaining pool which appears to be seaward of the control-line. The proposal for redevelopment has been designed to ensure that all new structures will be constructed landward of the 1978 CCCL.

The applicant's lot is situated in the Downtown zoning district, surrounded by a multitude of uses, including resort uses which makes the redevelopment of the 75 timeshare units in-line with the other uses in the area.

Analysis:

Deviation #1: Deviate from LDC §34-995(b)(1) and (4) regarding entrances requires a primary entrance and views into the first floor of commercial buildings where:

(1) The primary entrance to all buildings shall face the street

(4) Where building frontages exceed 50 feet, operable doors or entrances with public access shall be provided along streets at intervals averaging no greater than 50 feet;

APPLICANT JUSTIFICATION: The use before the storm and the proposal is for timeshare units. Even though timeshare is categorized as hotel/motel and considered a commercial use, there is no storefront or retail/office uses on the ground floor that would dictate the needs for pedestrian interaction or entrances into storefronts.

STAFF ANALYSIS: The requirement to provide an entrance on Estero is less relevant when the proposed building is a condominium or timeshare since they do not plan to attract pedestrians or guests who are not renting/ occupying a unit. Not having an entrance on Estero will not largely affect their business or visitors to the island.

Deviation #2: Deviate from LDC §34-992(c) requiring the principal facades of hotel buildings that will not contain commercial uses below base flood elevation to screen under-building parking areas in a manner acceptable to the town manager or designee; to allow 50% of the under building parking area of the building façade fronting on Estero Boulevard and Palm Avenue to be fully screened and a 5-foot hedge in the unscreened areas to help hide vehicles.

JUSTIFICATION: The use before the storm and the current proposal is for rebuilding the pre-existing timeshare units. Even though timeshare is categorized as hotel/motel and considered a commercial use, there is no storefront or retail/office uses on the ground floor because the V-Zone and the nature of the timeshare uses.

Because of the increased design flood elevations as determined by FDEP being over 20 feet from grade there is an opportunity to leave the parking area partially unscreened to allow a view through the understory parking. The conceptual enhanced landscape plan is proposing a 15-foot wide buffer along Estero Boulevard and 5-foot landscape buffer on the Palm Avenue and Miramar Avenue streets, as

well as a living walls hiding car parking areas and a minimum 60" hedge row abutting the building parking areas to hide majority of the parked cars.

STAFF ANALYSIS: The applicant has proposed a series of plantings around the building which will partially obscure the ground-floor area, including parked vehicles. This requirement is somewhat at-odds with the LDC requirement that ground-floors on the beach-side of Estero be developed free of obstructions to mitigate risks during a storm event. Staff believes that with the proposed landscape screening that the intent of the code has been respected, while at the same time meeting floodplain safety regulations.

Deviation #3: Deviate from LDC §34-674(a)(1) that requires build to lines in the Downtown District in this location be from 5 feet to 10 feet; to not require build to lines but rather minimum building setbacks for the building on Estero Boulevard of 15 feet, a minimum building setback of 10 feet from Palm Avenue, and a minimum building setback of 30 feet from Miramar Street.

APPLICANT JUSTIFICATION: The minimum 15-foot setback on Estero Boulevard is to provide for softening of the mass and height by providing distance from the right-of-way/property line to be used for landscaping and shade enhancement. It also allows for hedge row plantings to hide the understory parked cars from view of Estero Boulevard.

The setback on Miramar creates room for new beach access parking space, a 5-foot buffer and sidewalk and improves the setback of the building from abutting the single-family homes on the other side of the street to the extent is was prior to Hurricane Ian, which was 15-feet or less.

The setback on Palm allows for increased view corridor between the applicant's propose building and Diamondhead Resort and allows for flexibility for some of the façade to be greater than 10 feet from the right-of-way/property line.

STAFF ANALYSIS: While the requirement for newly developed commercial structures to be placed no more than 10-feet from the property lines is meant to encourage engagement from pedestrians and forces parking area to be placed behind structures, the applicant has requested a modest change to accommodate additional landscape buffers/ materials.

1. **Deviation #4:** Deviate from LDC §34-675(b)(3)c that requires a maximum height of 30 feet above base flood elevation and no taller than three stories for properties on the south side of Estero Boulevard east of the main pedestrian crossing in the Downtown zoning district to allow a height of:

    - Five (5) stories [four (4) stories over ground level parking].

- 48 feet above FDEP design flood elevation (DFE)

APPLICANT JUSTIFICATION: The BFE at this location is 15 feet and the FDEP design flood elevation (DFE) to the Lowest Horizontal Structural Member (LHSM) is 19.5 feet (NAVD). The proposed structure is a single building of 67 feet2 inches to mean high roof in total height.

The height calculation is as follows: 19.5' – 67.2' = 47.7' of height above the DFE/ FDEP required flood height. The allowed height is 30 feet above BFE so the deviation request is for 17.7 feet, rounded up 5 inches to 18 feet for flexibility in design, above what is allowed for in the LDC. The final proposed height of the building then is 67.7 feet with the extra 5 inches for rounding.

The purpose of the Downtown zoning district is to create a desired quality and character of the center of the pedestrian-oriented commercial activities within the town. There is a mix of resort/hotel, rental and commercial properties that surround the subject property to the south and east with three (3) single-family homes to the north.

To the immediate south of the site is Beach Access #30 at the end of Palm Avenue and the Diamond Head Beach Resort – a 13-story resort that includes 121 hotel rooms, event space, commercial space, restaurant and bars, and other associated amenities.

Also, in the general vicinity are some of Fort Myers Beach's most high intensity establishments, including the Lani Kai Resort approximately 900 feet north of the site and the new Margaritaville Resort just ¼ mile north. 700 feet to the south of the subject property is the Neptune Resort, which recently filed for redevelopment of a 6-story structure and doubling the number of hotel rooms from 71 to 140 keys. Thus, the site is well located for redevelopment of timeshare resort uses in relation to similar uses, densities, and intensities in the Town's Downtown area.

Finally, the revised layout uses height to create a vertical development rather than sprawled horizontal layout that significantly increase the viewsheds to the Gulf of Mexico and the beach.

STAFF ANALYSIS: Staff recognizes that the location of the applicant's lot is adjacent and relatively close to multiple resorts which are both more intense and are taller than the proposed structure.

The revised designs have taken the critiques of the previous design from the wider community into account and have proposed a more modestly-tall building which will have a larger footprint compared to the previously proposed structure. While the large area of open space has been removed to meet the more sprawling design, the structure is much more "human scale" when compared to other resort-style projects in the area. While the applicant is requesting an additional 18-feet of height, the

additional height is being utilized mainly to accommodate the 75-units which the applicant is entitled to.

Staff agrees that the additional height is a proper request while utilizing a Planned Development rezoning process and will retain the general scale of what existed on-site, pre-storm.

III. FINDINGS AND CONDITIONS

LDC Sec. 34-85(b) and (c) and 34-216(2) sets forth the required considerations and findings for the approval of a rezoning.

Considerations. In reaching its decision, the town council shall consider the following, whenever applicable:

(1) Whether there exists an error or ambiguity which must be corrected.
Staff response: No errors or ambiguities exist.

(2) Whether there exist changed or changing conditions which make approval of the request appropriate.
Staff response: The previous structure was destroyed by Hurricane Ian and redevelopment of the site makes the requests appropriate.

(3) The impact of a proposed change on the intent of this chapter.
Staff response: No impact on the intent of this chapter will occur.

(4) The testimony of any applicant.

(5) The recommendation of staff and of the local planning agency.

(6) The testimony of the public.

(7) Whether the request is consistent with the goals, objectives, policies, and intent, and with the densities, intensities, and general uses as set forth in the Fort Myers Beach Comprehensive Plan.
Staff response: The proposed development is in compliance with the intensity of the district. If we were to apply density to the use, it would exceed the density without the Post Disaster-buildback that is requested. The new structure will be designed to current building and flood requirements which is supported by the comprehensive plan.

(8) Whether the request meets or exceeds all performance and locational standards set forth for the proposed use.
Staff response: The proposed development will meet performance standards set forth in 34-2031. There are no special location standards for mixed use developments.

(9) Whether urban services are, or will be, available and adequate to serve a proposed land use change.
Staff response: The urban services exist in this location.

(10) Whether the request will protect, conserve, or preserve environmentally critical areas and natural resources.
Staff response: The request will have no impact on environmentally critical areas and natural resources. The applicant may be required to request Special Exceptions at a later time to address at least one of the pools which existed pre-storm and which may extend further seaward of the 1978 CCCL.

(11) Whether the request will be compatible with existing or planned uses and not cause damage, hazard, nuisance, or other detriment to persons or property.
Staff response: The property has provided short-term rentals (timeshare) for a number of years, without incident. The proposed redevelopment of the 75 units and the proposed site-changes to not present a hazard, nuisance or reasonably be a detriment to the wider area.

(12) Whether the location of the request places an undue burden upon existing transportation or other services and facilities and will be served by streets with the capacity to carry traffic generated by the development.
Staff response: This use in this location will not place an additional burden on the transportation network or other facilities and services.

(13) For planned development rezonings, see § 34-216 for additional considerations.

(c) Findings. Before granting any rezoning, the town council shall find that the requested zoning district complies with:
(1) The Fort Myers Beach Comprehensive Plan.
Staff response: The proposed uses and requested deviations for the CPD comply with the Comprehensive Plan.

(2) This chapter.
Staff response: The proposed uses comply with this chapter except in regard to the deviations.

(3) Any other applicable town ordinances or codes.
Staff response: The proposed request complies with the town ordinances and codes, except in regard to the deviations.

(4) For planned development rezonings, see § 34-216 of this chapter for additional findings.

a. The proposed use or mix of uses is appropriate at the subject location;
Staff response: The proposed mix of uses is appropriate in this location, it is in the Boulevard Future Land Use category and Civic Center Mixed-Use District.

b. Sufficient safeguards to the public interest are provided by the recommended special conditions to the concept plan or by other applicable regulations;
Staff response: Sufficient safeguards are provided for the public interest.

c. All recommended special conditions are reasonably related to the impacts on the public's interest created by or expected from the proposed development;
Staff response: All conditions are related to the impacts on the public interest.

d. The proposed use meets all specific requirements of the comprehensive plan that are relevant to the requested planned development, such as the following:

1. Policies 4-B-4 and 4-C-3 on commercial uses in the "mixed residential" category.
Staff response: Not applicable.

2. Policies 4-B-5 and 4-C-3 on commercial rezonings in the "boulevard" category.
Staff response: The proposal is in compliance with these policies.

3. Policy 4-C-4 on building heights taller than the standard height limit.
Staff response: The request for additional height is proposed as part of the planned development rezoning process. The requested height appears to be appropriate for the location, providing a "human scaled" structure which is relatively similar in height to the buildings which existed prior to the storm.

4. Policy 4-C-8 on density transfers.
Staff response: Not applicable.

5. Policy 4-E-1 on pre-disaster build back.
Staff response: Not applicable.

6. Policy 7-J-2 on traffic impact analyses and potential design improvements that could offset traffic impacts.
Staff response: The proposed development has a similar use to the previous development and, no adverse impact on traffic is anticipated.

<u>Findings for Deviation Requests:</u>
Per Sec. 34-216(4) all deviations must be approved, approved with modification, or rejected based upon a finding that:

a. Each item enhances the achievement of the objectives of the planned development; and

Staff response: The requested deviations allow the development of the site.

b. The general intent of this chapter to protect the public health, safety and welfare will be preserved and promoted; and
Staff response: The proposed deviations preserve public health.

c. Each deviation operates to the benefit, or at least not to the detriment, of the public interest; and
Staff response: The deviations are not a detriment to the public interest, additional parking may need to be provided at a later date depending on impacts to surrounding uses.

d. Each deviation is consistent with the Fort Myers Beach Comprehensive Plan.
Staff response: The deviations are consistent with the comprehensive plan.

IV. STAFF RECOMMENDATIONS

Staff has reviewed the site plans, elevations and deviations for the redevelopment of Estero Island Beach Club

Staff recommends **APPROVAL WITH CONDITIONS** of Ord. 24-13 with the four (4) deviations contained therein.

V. CONDITIONS OF APPROVAL

1. Development shall provide signage warning exiting vehicles of pedestrian traffic within the Town's Palm Ave. and Palm Ave. beach accesses.
2. The final architectural design shall be substantially similar to the design approved by the Town Council.
3. The applicant shall provide a more detailed landscaping plan utilizing a type-B buffer and using largely 'Florida Friendly' species, or other salt-tolerant plants and trees.
4. Approval of this variance does not give the Applicant an undeniable right to permit approval. Development or redevelopment of the Property must comply with all applicable requirements of the Fort Myers Beach Comprehensive Plan and LDC in effect at the time of permit approval, except as specifically modified herein.
5. Height – The proposed structure is a single building of 67.7 feet in total height from sea level, a deviation of 18 feet above the LDC:
    - 48 feet above FDEP design flood elevation (DFE)
    - Stories – five (5) stories [four (4) stories over ground level parking]
6. Floor Area Ratio – maximum floor area is 100,000 square feet resulting in an FAR of 1.2.
7. Minimum of 75 parking spaces.
8. No access points on Estero Boulevard; one access on Miramar Street and one on Palm Avenue.

9. The applicant has submitted a list of public benefits which has been attached as Exhibit C and agrees to provide those benefits as listed.

VI. EXHIBITS

Exhibit A – Schedule of Uses
Exhibit B – Master Concept Plan
Exhibit C – List of Public Benefits

CONDITIONS OF APPROVAL AND PUBLIC BENEFITS

1. CONDITIONS OF APPROVAL:
    a. Height – The proposed structure is a single building of 67.7 feet in total height from sea level, a deviation of 18 feet above the LDC:
        - 48 feet above FDEP design flood elevation (DFE)
    b. Stories – five (5) stories [four (4) stories over ground level parking]
    c. Floor Area Ratio – maximum floor area is 100,000 square feet resulting in an FAR of 1.2.
    d. Minimum of 75 parking spaces.
    e. No access points on Estero Boulevard; one access on Miramar Street and one on Palm Avenue.
2. PUBLIC BENEFITS: The landowner commits to construct and/or manage the public features, special benefits and amenities identified below, *as subject to approval by the applicable permitting agencies*:
    a. **Public Parking for Beach Access #31 (Miramar Street)** - construct up to five parking spaces, as permitting by applicable agencies allows, on EIBC property parallel to Miramar Street right-of-way and establish a use easement for the Town of Fort Myers Beach in perpetuity. The spaces are to be completed at the time of the first certificate of occupancy. The spaces are to be installed by EIBC and then turned over to the Town for long term maintenance and operation.
    b. **Five-foot Sidewalk on the EIBC side of Miramar Street** – install a public sidewalk that connects to the public sidewalk on Estero Boulevard and runs to the Lee County CCCL line along Beach Access #31 to be completed at the time of the first certificate of occupancy. The sidewalk is to be installed by EIBC and then turned over to the Town for long term maintenance.
    c. **Seating and Bike Rack for Public Beach Access #31 at end of proposed Sidewalk on Miramar Street** – a public bench and seating will be installed by EIBC at the end of the new sidewalk near the 1978 Lee County CCCL line to be completed at the time of the first certificate of occupancy. The bench and bike rack is to be installed by EIBC and then turned over to the Town for long term maintenance.
    d. **Provide a drop off zone and turnaround for Beach Access #31** – South of EIBC's proposed entrance on Miramar and north of the 1978 Lee County CCCL EIBC will construct a drop off area and turn around for vehicles, to be completed at the time of the first certificate of occupancy. The area is to be installed by EIBC and then turned over to the Town for long term maintenance.
    e. **Extension of Miramar Street pavement** – extend the street pavement to the 1978 Lee County CCCL line, approximately 45 feet, to be completed at the time of the first certificate of occupancy. The pavement is to be installed by EIBC and then turned over to the Town for long term maintenance.
    f. **Beach Accessibility** – install a Mobi Mat for disabled person's access at the end new sidewalk or at the end of the extended pavement of Miramar Street for increased accessibility to be completed at the time of the first certificate of occupancy. The mat is to be installed by EIBC and then turned over to the Town for long term maintenance.

g. **Seating and Bike Rack on Estero Boulevard** – nested in the landscaping proposed along Estero Boulevard will be a public seating area and bike rack that will be shaded with landscaping. The bench and bike rack is to be installed by EIBC and then turned over to the Town for long term maintenance.

h. **Landscape Buffers** – a 15' landscaping buffer on Estero Boulevard and 5' buffers along Miramar Street and Palm Avenue according to the conceptual landscape plan. Landscaping will be maintained by EIBC in perpetuity.

ESTERO ISLAND BEACH CLUB

MASTER CONCEPT PLAN

1836-1840 ESTERO BOULEVARD
Fort Myers Beach, FL 33931

JOB DESCRIPTION

ESTERO ISLAND BEACH CLUB SCOPE OF WORK AIMED AT CONSTRUCTING 75 TIMESHARE UNITS INCLUDING THE LANDSCAPING AND THE STORM WATER MANAGEMENT DEVICES PER THE INITIALLY PERMITTED SPECIFICATIONS.

AUTHORITY HAVING JURISDICTION

TOWN OF FORT MYERS BEACH

GOVERNING CODES

· FLORIDA BUILDING CODE - BUILDING - 8TH EDITION (2023)

DRAWING INDEX

SHEET #	Description
T-0	COVER SHEET
C-1	PROPOSED SITE PLAN
C-2	EMERGENCY ACCESS

Location Map
SCALE: 1:300

Vicinity Map
SCALE: 1:300

No.	Date	Description	By
1			
2			
3			
4			
5			
6			
7			
8			

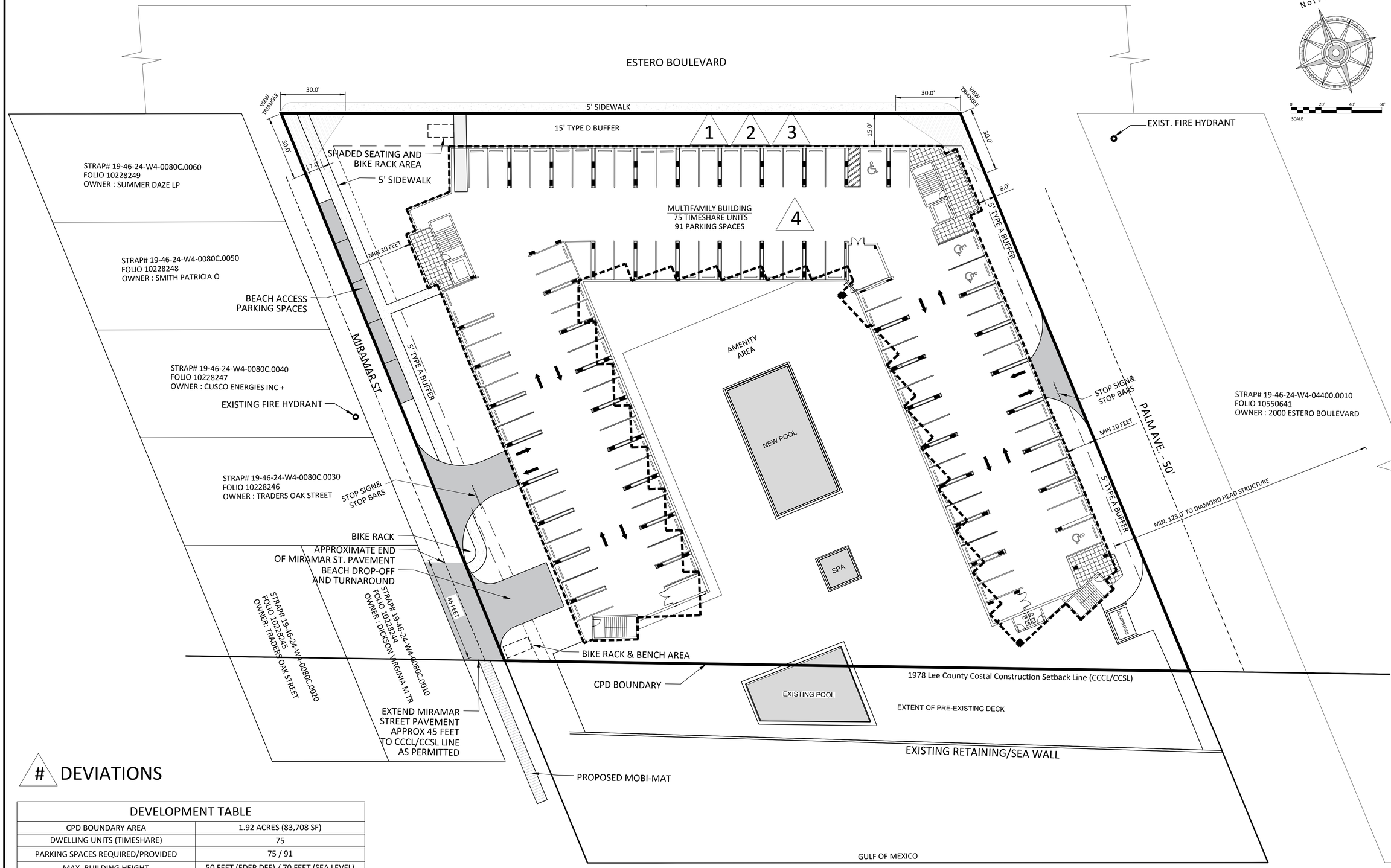
Revision

MECA Engineering Corporation
5237 Summerlin Commons Blvd. Suite 460
Fort Myers, FL 33907
T: (239) 275-2598 F: (219) 962-3969
www.mecaengineering.com
AUTHORIZATION NO. 30519

ARCHITECTURE

ESTERO ISLAND BEACH CLUB
MASTER CONCEPT PLAN
1836-1840 ESTERO BLV, FORT MYERS BEACH, FL 33931

Project No.:	FL-32-901
Drawn:	Checked:
Date:	05/22/2025
Scale:	AS NOTED
Sheet Title:	COVER SHEET
Sheet Number:	**T-0**



DEVIATIONS

DEVELOPMENT TABLE	
CPD BOUNDARY AREA	1.92 ACRES (83,708 SF)
DWELLING UNITS (TIMESHARE)	75
PARKING SPACES REQUIRED/PROVIDED	75 / 91
MAX. BUILDING HEIGHT	50 FEET (FDEP DFE) / 70 FEET (SEA LEVEL)
STORIES (INCLUDING GROUND LEVEL PARKING)	5
SETBACK, STREET (ESTERO BOULEVARD)	15 FEET (BUILDING)
	15 FEET (PARKING)
MINIMUM SETBACK, STREET (PALM)	8 FEET
MINIMUM SETBACK, STREET(MIRAMAR)	30 FEET
REAR/1978 CCCL/CCSL SETBACK	0 FEET
MAXIMUM FLOOR AREA RATIO	1.2

NOTE:
FINAL LOCATION OF TURNAROUND, MOBI MAT, AND SIDEWALK TO BE DETERMINED AT TIME OF DEVELOPMENT ORDER

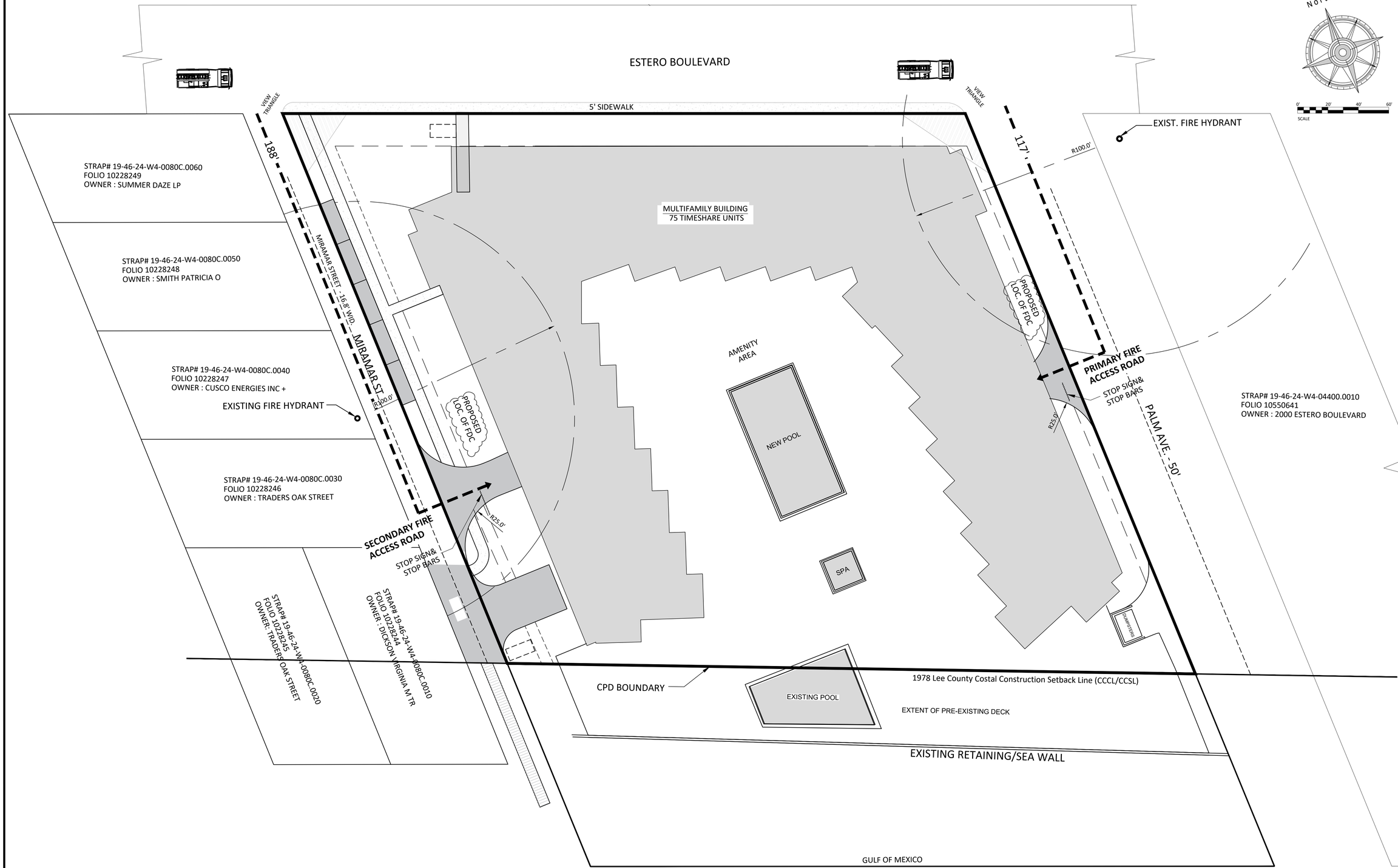
No.	Date:	Description:	By
1			
2			
3			
4			
5			
6			
7			
8			

Revision

MECA Engineering Corporation
5237 Summerlin Commons Blvd. Suite 460
Fort Myers, FL 33907
T: (239) 275-2598 F: (219) 962-3969
www.mecaengineering.com
MECA
AUTHORIZATION NO. 30519
ARCHITECTURE

ESTERO ISLAND BEACH CLUB
MASTER CONCEPT PLAN
1836-1840 ESTERO BLV, FORT MYERS BEACH, FL 33931

Project No.: FL-32-905
Drawn: B.N. Checked: M.A.
Date: 05/22/2025
Scale: 1" = 20'
Sheet Title: MASTER CONCEPT PLAN
Sheet Number: **C-1**



No.	Date:	Description	By
1			
2			
3			
4			
5			
6			
7			
8			

Revision

MECA Engineering Corporation
5237 Summerlin Commons Blvd. Suite 460
Fort Myers, FL 33907
T: (239) 275-2598 F: (219) 962-3969
www.mecaengineering.com
MECA
AUTHORIZATION NO. 30519
ARCHITECTURE

ESTERO ISLAND BEACH CLUB
EMERGENCY ACCESS EXHIBIT
1836-1840 ESTERO BLV, FORT MYERS BEACH, FL 33931

Project No.:	FL-32-905
Drawn: B.N.	Checked: M.A.
Date:	05/22/2025
Scale:	1" = 20'
Sheet Title:	FIRE ACCESS EXHIBIT
Sheet Number:	C-2

ESTERO ISLAND BEACH CLUB CPD

Schedule of Uses

Principal:

- Administrative offices
- Beach access
- Essential services and essential service equipment
- Home occupation, no outside help
- Hotel/motel
- Hotel/condo
- Parking, surface and garage
- Recreational facilities –private on-site
- Rental of any permitted dwelling unit for periods of one day or longer
- Resort accessory uses
- Timeshare units (fractional ownership)
- Temporary uses

Accessory:

Resort accessory uses, including:

- Rental of beach furniture and cabanas
- Meeting space
- Signs
- Business center
- Subordinate commercial uses

ESTERO ISLAND BEACH CLUB CPD
Request Narrative & Comprehensive Plan Compliance

I. Request

Estero Island Beach Club Association, Inc. ("Applicant") is requesting approval to rezone two (2) parcels totaling 1.92+/-acres, from the Downtown zoning district to Commercial Planned Development (CPD), while maintaining 0.78+/-acres of land seaward of the 1978 Lee County Coastal Construction Control Line (CCCL) within the EC zoning district. The CPD will allow for the post-disaster redevelopment of the site with the 75 multi-family/timeshare units, the same density existing prior to Hurricane Ian. Maximum number of stories requested is five (5) stories (four (4) stories of units over one level of parking) and a maximum height of 50 feet over 50 feet measured from FDEP Design Flood Elevation – Lowest Horizontal Structural Member (20.3 feet), a total of 70' from grade.

II. Property History & Existing Conditions

The subject property is generally located on the gulf side of Estero Boulevard approximately 1/2 mile southeast of Times Square. The location is the designated "Downtown" area with the heaviest concentration of resort-tourism and commercial businesses, as well as multi-story buildings, such as the Diamond Head Beach Resort to the immediate south.

Per the LDC requirements for height, stories and floor-to-area ratio (FAR) the project is located on the south side of Estero Boulevard east of the main pedestrian crossing fronting on Estero Boulevard.

The property was developed as the Estero Island Beach Club in 1981 with 75 timeshare units in two (2) buildings. The northern structure abutting Miramar Street was three stories tall, while the southern structure abutting Palm Avenue was two stories tall. These buildings were arranged perpendicular to the gulf with an "L" shape to the southern building that limited the view corridor to the Gulf to 40+/- feet from Estero Blvd. The property included three (3) pool areas serving as private, on-site amenities for the guests, including a pool located seaward of the 1978 Lee County CCCL, and beach access.

The site has two direct access points onto Estero Blvd., multiple access points from Miramar Street, and surface parking backing out onto Palm Avenue. The site provided 87 parking spaces with direct pull in spaces on Palm Avenue.

The existing site was permitted and built prior to the incorporation of the Town of Fort Myers Beach, which resulted in the property and its improvements being legal non-conforming, as the Town adopted a maximum building height of three stories and 30 feet in the Downtown District in this location, and a maximum density of 6 units per acre. The built site density was 39 du/ac (75 DUs on 1.92 acres landward of the CCCL).

Like much of Fort Myers Beach, the site was significantly impacted due to Hurricane Ian. The buildings are not habitable and must be demolished and rebuilt. The beachfront pool and pool deck are intact, a portion of which extends beyond the 1978 Lee County CCCL. The intention is to redevelop the entire property to the prior density to current Florida Building Code and FEMA standards, while resurfacing the pool that is mostly seaward of the 1978 Lee County CCCL and replacing the pool equipment, which is landside of the 1978 Lee County CCCL.

III. Surrounding Land Uses

The underlying future land use category ("FLU") is Pedestrian Commercial landward of the 1978 Lee County CCCL and Recreation seaward of the 1978 Lee County CCCL. The property is zoned Downtown landward of the CCCL and Environmentally Critical seaward of the 1978 Lee County CCCL. Likewise, all surrounding properties are in the Downtown zoning district, and the Pedestrian Commercial future land use category.

The purpose of the Downtown zoning district is to create a desired quality and character of the center of the pedestrian-oriented commercial activities within the town. There is a mix of resort/hotel, rental and commercial properties that surround the subject property to the south and east with three (3) single-family homes to the north.

To the immediate south of the site is Beach Access #30 at the end of Palm Avenue and the Diamond Head Beach Resort – a 13-story resort that includes 121 hotel rooms, event space, commercial space, restaurant and bars, and other associated amenities.

Also, in the general vicinity are some of Fort Myers Beach's most high intensity establishments, including the Lani Kai Resort approximately 900 feet north of the site and the new Margaritaville Resort just ¼ mile north. 700 feet to the south of the subject property is the Neptune Resort, which recently filed for redevelopment of a 6-story structure and doubling the number of hotel rooms from 71 to 140 keys. Thus, the site is well located for redevelopment of timeshare resort uses in relation to similar uses, densities and intensities in the Town's Downtown area.

Table 1 – Surrounding Land Uses

	Future Land Use	Zoning	Existing Land Uses
North	Pedestrian Commercial	Downtown	Single Family homes
South	Pedestrian Commercial	Downtown	Hotel / Resort (Diamond Head Beach Resort)
West	Recreation	Environmental Conservation	Gulf of Mexico
East	Pedestrian Commercial	Downtown	Commercial

IV. Proposed Development

The enclosed Master Concept Plan provides the proposed layout of the redesigned site. As noted above, the Applicant is requesting post-disaster buildback of the 75 units that existed prior to Hurricane Ian in a manner that is modern/marketable, attractive, and safe. The proposed redevelopment will provide a more resilient structure to protect public health, safety, and welfare, as well as property values amidst future storm-surge and wind events.

HEIGHT, STORIES and FAR

Per the LDC requirements for height, stories and floor-to-area ratio (FAR) the project is located on the south side of Estero Boulevard east of the main pedestrian crossing (§34-675(b)(3)c) fronting on Estero Boulevard [§34-675(c)(2)].

Height
The permitted height in the Downtown District at this location is a maximum of 30 feet above base flood elevation per LDC §34-675(b)(3)c. The BFE+1 at this location is 16 feet and the FDEP LHSM is 20'3" feet.

The proposed structure is a single building of 70 feet in total height from sea level:

- 54 feet as measured from one foot over base flood elevation (BFE+1) or
- 50 feet above FDEP design flood elevation (DFE)

Stories
Per LDC §34-675(b)(3)c at this location in the Downtown District a building may be no taller than three (3) stories. The proposed building is:

- Five (5) stories [four (4) stories over ground level parking]

FAR
The FAR permitted at this location in the Downtown zoning district per LDC §34-675(c)(2) is 1.2. Per LDC §34-633 the gross floor area includes the total floor area of all stories of a building within the surrounding exterior walls (whether the walls are solid or screened), plus all area below an elevated building that is six feet or more in height, plus all stories of covered parking, but not including any area whose roof is screened rather than solid (such as swimming pool enclosures).

The land area used in the calculation is the gross square footage within the site's private property line, minus wetlands, canals or other waterbodies, and minus any land designated "recreation" on the comprehensive plan's future land use map. The area of the subject property landward of the 1978 Lee County CCCL is 1.92 acres or 83,635.2 square feet.

- The maximum floor area is 100,000 square feet resulting in an FAR of 1.2.

It is our understanding that the Town staff, LPA and Council have moved towards future LDC amendments making this request permanent thus the request meets the intent of the will of the Town.

DENSITY
The density of 75 dwelling units results in a density of 27.8 dwelling units per acre (du/ac) using the entire 2.7 acres or 39 du/ac using the 1.92 acres landward of the 1978 Lee County CCCL. This density is vested per the Post-Disaster Buildback provisions.

INGRESS/EGRESS
Access and circulation are accommodated as shown on the MCP to provide improved ingress and egress when compared to existing conditions by eliminating an access point onto Estero Blvd in compliance with LDC §34-676(d)(1). Access will no longer be permitted directly to parking spaces from Palm Avenue. A single access point from Palm Avenue is now proposed to reach internal parking spaces with parking block facing Palm Avenue. Finally, the access point on Miramar Street that was closest to the Estero Boulevard intersection has been removed creating greater intersection separation and improving safety.

PARKING
Parking will be improved. The major change is code compliance by not having parking spaces that back out into a right-of way on Palm Avenue.

The former site provided 87 parking spaces. The proposed site plan proposed 91. The parking requirements are determined in LDC §34-2020(d) for standard residential units, while timeshare units are under hotel parking in §34-1804 that requires for 1.5 spaces per unit larger than 450 square feet. The worst-case parking requirement would be 75 dwelling units x 1.5 spaces per unit = 112.5 spaces. §34-676(a) provides off-street parking reductions in the Downtown district, which in this location is by multiplying the requirement by 67 percent; therefore, the worst-case requirement would be 112.5 spaces x .67 = 75 spaces.

EXISINTG AMENITIES
The MCP proposes to maintain the existing pool that is seaward of the 1978 Lee County CCCL and only make minor cosmetic improvements such as painting, as the amenity remains structurally intact post-Ian, in conformance with the LDC provisions governing post disaster buildback.

V. Public Benefits

The proposed zoning requests height and stories above the maximum permitted in the current Comprehensive Plan Downtown Land Use Category and Land Development Code Regulations. According to the Town's Comprehensive Plan FLU Policy 4-C-4 states that requests for additional height can be made and "the town shall balance the public benefits of the height limit against other public benefits that would result from the specific proposal."

Below are the proposed public benefits to the residents and visitors to the Beach and the Town for Fort Myers Beach overall.

1. **Public Parking for Beach Access #30 (Miramar Street)**
   - Currently there are no public parking spaces Miramar Street for the beach access along and no right-of way available. EIBC proposes to construct seven parallel spaces within the EIBC property line and establish a use easement for the Town of Fort Myers Beach.
2. **Five-foot Sidewalk on the EIBC side of Miramar Street**
   - Currently there is no sidewalk along Miramar Street and no right-of way available. EIBC proposes a public sidewalk that connects to the public sidewalk on Estero Boulevard and runs to the Lee County CCCL line.
3. **Bike Rack for Public Beach Access #30 at end of Proposed Sidewalk**
   - For those residents and visitors who are biking or using other forms of alternative transportation a bike rack will be placed at the end of the sidewalk by the Lee County CCCL line.
4. **Extension of Miramar Street pavement**
   - Lee County code did not require pavement of Miramar Street beyond the access to the abutting properties. EIBC is proposing to extend the street pavement to the Lee County CCCL line, approximately 45 feet.
5. **Beach Accessibility – Mobi Mat for disabled person's access**
   - Propose a Mobi Mat at the end new sidewalk or at the end of the extended pavement of Miramar Street for increased accessibility.

6. **Seating and Bike Racks on Estero Boulevard**
    - Nested in the landscaping proposed along Estero Boulevard will be a public seating area and bike rack that will be shaded with landscaping.
7. **Landscape Buffers**
    - The code does not require landscaping. EIBC is proposing a 15' landscaping buffer on Estero Boulevard and 5' buffers along Miramar Street and Palm Avenue according to the conceptual landscape plan.

VI. Infrastructure

The subject property was developed with 75 timeshare units since 1981 and has been adequately served by public utilities and services due to its urban location and general proximity to the Town's and County's investment in infrastructure. No increase in units is proposed through this CPD, thus additional evidence of infrastructure availability is not required by the application.

VII. Post-Disaster Buildback Compliance

Pursuant to LDC §34-3238(2), a property that is more than 50% damaged may be rebuilt according to the post-disaster buildback regulations in the Town's Land Development Code. Outlined below are the regulations pertaining to Post-Disaster Buildback and the CPD's compliance with the Town's requirements in LDC §34-3238(2).

A. The building must meet the floodplain regulations for new buildings, as provided in Article IV of Ch. 6 of this LDC.

To comply with local, state, and federal regulations the building will be constructed to meet or exceed modern floodplain regulations. The minimum finished floor of the building will be constructed to FDEP LHSM.

B. The building must meet the coastal construction requirements that apply to new structures and portions thereof, as provided in Article III of Ch. 6 of this LDC and in state regulations. Due to these requirements, habitable major structures and most minor structures that are damaged by more than 50 percent must be rebuilt landward of the 1978 coastal construction control line (CCCL).

The existing development placed all major structures landward of the 1978 Lee County CCCL, except for a beachfront pool that extends seaward of the CCCL. The proposed building will comply with this regulation and be placed entirely landward of the CCCL. The existing pool will be maintained seaward of the CCCL, as it was not damaged beyond 50 percent. Any improvements to this pool will be limited to "cosmetic" updates, pool equipment replacement and maintenance, such as repainting.

C. The building must comply with all current building, life safety, and accessibility codes.

As previously noted, the newly constructed building will comply with local, state, and federal regulations. This includes the Florida Building Code, safety, and accessibility requirements. All structural modifications to the site will obtain required permits and inspections from the Town and applicable agencies.

D. Residential buildings. A rebuilt residential building may exceed the density limits for new buildings on vacant land but cannot exceed the legally documented number of dwelling units in the building immediately before the natural disaster.

This does not directly apply as the former and proposed building is a timeshare building which is a commercial use. However, the plan proposes to develop the same density (75 units) that existing prior to Hurricane Ian as documented in the recorded Declaration of Condominium documents.

F. All buildings. The new building must comply with all other zoning and development regulations except where compliance with such regulations would preclude reconstruction otherwise intended by Policy 4-D-1 of the comprehensive plan.

The proposed request is to rezone the property from Downtown to a Commercial Planned Development (CPD) zoning category. The proposed development is to comply with the development regulations of the Downtown zoning district except for those identified in the deviations request for height, number of stories and design standards regarding primary entrance locations and screening of parking areas and to allow the density of the former building. Through this rezoning petition the proposed building will comply with all LDC regulations as outlined in the development standards portion of this application. Further, §VII of this request narrative provides detailed consistency between the proposed project and the town's comprehensive plan.

VIII. Decision-making Compliance

The following is an analysis of the CPD's consistency with the criteria for Rezonings in the LDC §34-85(b) in bold.

(1) Whether there exists an error or ambiguity which must be corrected.

The rezoning of the property does not create error or ambiguity but rather prevents future discrepancy issues. The CPD zoning district allows for with specific development regulations to meet unique site designs such as those constructing a legal non-conforming use using post disaster buildback in a restrictive zoning district. The CPD allows for a unique design to promote things such as larger view corridors through greater height and unique setbacks.

(2) Whether there exist changed or changing conditions which make approval of the request appropriate.

The Town of Fort Myers Beach and Estero Island have been changed by Hurricane Ian. Furthermore, the building code and flood zones have changed significantly since the site was first developed over 40 years ago. The proposed CPD will allow for development of a safe and modern structure, that complies with current development standards, and is more resilient to future weather events.

(3) The impact of a proposed change on the intent of this chapter.

N/A

(4) The testimony of any applicant.

As a quasi-judicial process, the CPD zoning will allow for substantive and competent evidence to be presented to and considered by the Local Planning Agency for recommendation and Town Council for a decision or conditions for approval. The testimony presented will conclude that the request is consistent with the goals, objective and policies of the Comprehensive Plan and all applicable development regulations.

(5) The recommendation of staff and of the local planning agency.

The Town Council will consider the staff report and recommendation as well as the report and recommendation of the LPA, which will be rendered after a public hearing where the staff and applicant will present evidence, the public will speak, and the LPA is permitted to ask questions of all parties.

(6) The testimony of the public.

During the quasi-judicial process, the public is invited to present evidence for support, concerns, or issues with the proposed development in an advertised forum according to Sunshine laws of Florida.

(7) Whether the request is consistent with the goals, objectives, policies, and intent, and with the densities, intensities, and general uses as set forth in the Fort Myers Beach Comprehensive Plan.

The proposed development considers Fort Myers Beach Comprehensive Plan and does not seek to increase density or change use. The site will comply with modern post-disaster buildback policies in the Comprehensive Plan and LDC, by meeting flood regulations and life safety and ADA requirements. The requested height increases will be compatible with surrounding building heights in this intensive Downtown core of the Town, while providing increased view corridors to the Gulf of Mexico for the benefit of the public.

(8) Whether the request meets or exceeds all performance and locational standards set forth for the proposed use.

The existing structures have been significantly damaged. With the ability to buildback the site under the same density and use, the development program will meet or exceed performance and locational standards. The newly constructed building will remove direct access onto Estero Boulevard helping with traffic flow and be served by the side streets as required by LDC 34-676(b)(1). It will also contribute to improved performance and functionality of the Downtown area by addressing safety, Gulf viewsheds, and an enhanced built form along Estero Blvd.

(9) Whether urban services are, or will be, available and adequate to serve a proposed land use change.

The proposed request does not increase density or intensity of the site. The 75 units have been served by adequate services and will continue to be served post-redevelopment.

(10) Whether the request will protect, conserve, or preserve environmentally critical areas and natural resources.

The proposed development will occur on impacted portions of the site where development historically occurred. No new impacts to environmentally sensitive areas are proposed. The project will comply with all local and state regulations pertaining to the area seaward of the CCCL through compliance with the stringent EC zoning district.

(11) Whether the request will be compatible with existing or planned uses and not cause damage, hazard, nuisance, or other detriment to persons or property.

The proposed development is identical in use and density with the former use of the property. The increased height and stories will be designed in such a way to not create negative impacts to the surrounding land uses by locating the building closest to Diamond Head and maximizing the setback to the single-family uses to the north. The CPD will enhance compatibility in terms of public viewsheds based on the building location.

(12) Whether the location of the request places an undue burden upon existing transportation or other services and facilities and will be served by streets with the capacity to carry traffic generated by the development.

The proposed development will serve to improve the vehicular and pedestrian access by eliminating curb cuts from Estero Boulevard improving circulation. The use will be identical to the existing density which already is served by Estero Boulevard. No TIS has been provided as the site will not generate more trips than the development that existed pre-Hurricane Ian.

According to LDC §34-216, Planned Development Rezonings must also comply with the following criteria:

a. The proposed use or mix of uses is appropriate at the subject location;

The use and location are appropriate for the proposed CPD, as the same use and density has existed on the site since 1981. It has long been a multifamily timeshare development with 75 units. The proposed request will not increase the density or intensity of the site. Additionally, the proposed development is similar in height and size to those in the surrounding area.

b. Sufficient safeguards to the public interest are provided by the recommended special conditions to the concept plan or by other applicable regulations;

The MCP, development standards and schedule of uses ensure there are sufficient safeguards to the public interest, relating to access, building placement, view corridors, and setbacks.

c. All recommended special conditions are reasonably related to the impacts on the public's interest created by or expected from the proposed development;

The Applicant will coordinate with Staff relating to appropriate conditions of approval for the CPD.

d. The proposed use meets all specific requirements of the comprehensive plan that are relevant to the requested planned development, such as the following:

1. Policies 4-B-4 and 4-C-3 on commercial uses in the "mixed residential" category.

N/A

2. Policies 4-B-5 and 4-C-3 on commercial rezonings in the "boulevard" category.

N/A

3. Policy 4-C-4 on building heights taller than the standard height limit.

The proposed building height demonstrates consistency with the surrounding development patterns, both existing and proposed. The proposed eight (8) story structure will be located on the southernmost portion of the site adjacent to the 13-story Diamond Head Beach Resort. This will maximize separation from nearby single-family homes and also significantly increase the public viewshed of the Gulf of Mexico from Estero Blvd. Surrounding heights are analyzed on the Surrounding Heights Map to further demonstrate the proposed height will be compatible with the built form in this Downtown core of the Town.

4. Policy 4-C-8 on density transfers.

N/A

5. Policy 4-E-1 on pre-disaster buildback.

N/A

6. Policy 7-J-2 on traffic impact analyses and potential design improvements that could offset traffic impacts.

The CPD will not result in significant traffic impacts as the site's existing density and intensity will remain the same.

IX. Comprehensive Plan Consistency Narrative

The following is an analysis of how the proposed Comprehensive Plan Amendment is consistent with the goals, objectives, and policies (GOPs) of the Town of Fort Myers Beach Comprehensive Plan. The adopted GOP headings are listed below, and the Applicant's compliance analysis is shown in **bold.**

POLICY 1-A-1 Changes along Estero Boulevard should improve on the characteristics that make it a boulevard in character and not just in name: safe and interesting to walk along, impressive landscaping, and scaled to people rather than high-speed traffic.

The proposed CPD rezone includes enhanced pedestrian safety and streetscape aesthetics via building placement, in direct compliance with this policy, including the elimination of two driveways directly onto Estero Boulevard that have historically brought pedestrian and car traffic into conflict. The MCP will provide

sidewalk connectivity throughout and increase views of the Gulf of Mexico that generally improve the aesthetics of Estero Boulevard.

POLICY 1-B-3 Identify potential mechanisms to implement and maintain special amenities such as entry features, monuments, or other special landscape projects.

The CPD proposes a widened view shed (90-feet-wide) to the Gulf and greater focus on the public beach access #30.

POLICY 4-A-1 Maintaining the town's current "human scale" is a fundamental redevelopment principle. Fort Myers Beach is best enjoyed from outside a car; new buildings should be designed to encourage use or admiration by people on foot or bicycle, rather than separating them with gates, walls, deep setbacks, or unnecessary building heights.

The MCP and development parameters propose ground floor parking and a narrow façade with the building arranged perpendicularly to the beach and Estero Boulevard. In doing so, the pedestrian walkway along Estero boulevard will benefit from a larger view of the Gulf, which is increasing from 40 feet to 90+/- feet.

POLICY 4-A-5 The town contains many important natural resources despite its urbanized character. Preservation of those resources is of the highest importance and is a frequent theme throughout this plan.

Uses and development in the areas waterward of the 1978 Coastal Construction Control Line (CCCL) will continue to comply with the above policy. Minor cosmetic repair to the pool seaward of the CCCL is proposed in accordance with the provisions of the LDC. Other portions of the Property are disturbed/developed. The development program will be designed and constructed to the latest South Florida Water Management District and Department of Environmental Protection standards to ensure high-quality development that protects natural resources.

POLICY 4-B-8 "RECREATION": applied to public parks, schools, undevelopable portions of Bay Beach, and those parts of Gulf beaches that lie seaward of the 1978 coastal construction control line. Additional accretions of beach, whether by natural causes or through beach renourishment, will automatically be assigned to this category. No new residential development is permitted (although several existing buildings were legally constructed partially seaward of the 1978 control line). The maximum density of residential development here is 1 dwelling units per 20 acres, with all dwelling units to be constructed outside this category. Allowable uses are parks, schools, libraries, bathing beaches, beach access points, and related public facilities. Non-recreational uses (such as the elementary school) now comprise 2.7% of the land in this category; additional school sites and public buildings shall not increase this percentage beyond 6%.

The proposed request takes into consideration the Recreation portion of the site and is only requesting to rezone those areas within the Downtown district zoning category. Because the Recreation category will remain, the uses and development in this area will continue to comply with the above policy based on restriction.

The design and scale of the proposed development has been carefully planned to remain consistent with the surrounding developments and provides a new building with softened landscaping and architectural details.

OBJECTIVE 7-E UPGRADE ESTERO BOULEVARD.

The proposed development increases pedestrian safety on Estero Boulevard by proposing access points off side streets rather than by direct curb cuts on Estero Boulevard.

OBJECTIVE 6-E DUNES AND BEACHES

The proposed development will contribute to the beach renourishment efforts by the Town and state agencies, as well as implement localized dune renourishment, as required by the Town.

POLICY 6-H-5 WATER QUALITY

The proposed project will abide by any required reviews by the FDEP and SFWMD to ensure water quality is maintained and the project meet the current standards will be applied.

X. Conclusion

In sum, the CPD rezoning request will allow for the redevelopment of the Estero Island Beach Club with a modern, attractive and safe structure that enhances the property's and Town's resiliency in the long-term.

The CPD will not increase the site's established density and is primarily requested to allow specific site development regulations that do not meet the requirements under the conventional Downtown zoning district.

The newly constructed building will contribute to Fort Myers Beach's aesthetic character, including substantial increases to views of the Gulf, and improved community appearance and safety along Estero Blvd.

As proposed through the CPD request and the Master Concept Plan, the CPD rezoning will be consistent with the vision and implementing goals, objectives and policies of the Town's Comprehensive Plan and Land Development Code Regulations. For these reasons, the Applicant respectfully requests approval of this petition.

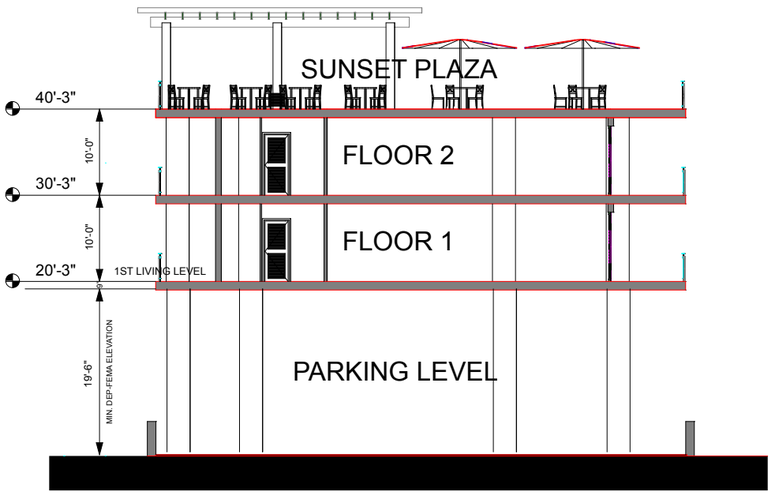


A NEW REBUILD FOR ESTERO ISLAND BEACH CLUB
FORT MYERS BEACH, FLORIDA

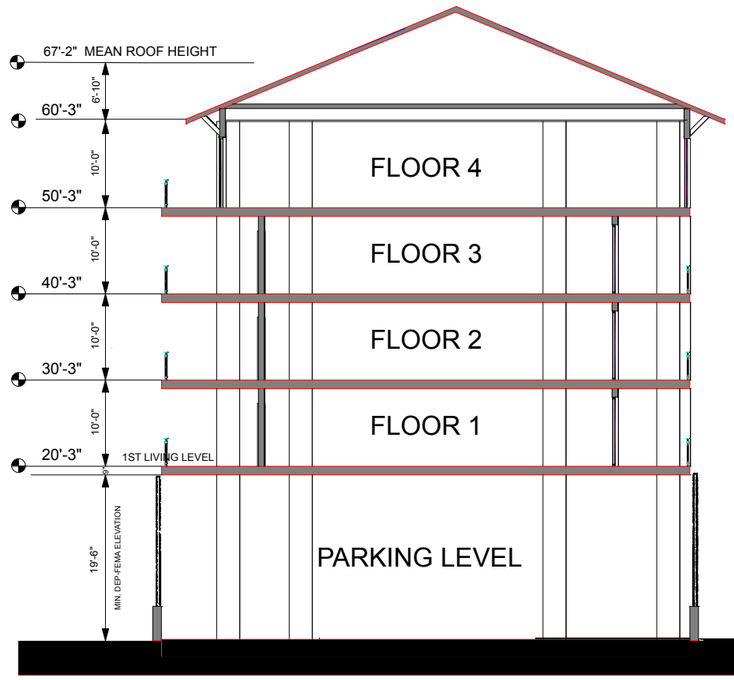
VIEW CORRIDORS FROM ESTERO BOULEVARD

ARCHITECTURE

2–18-25



BUILDING SECTION AT 2-STORY OVER PARKING



BUILDING SECTION AT 4-STORY OVER PARKING

BUILDING SECTIONS

A NEW REBUILD FOR ESTERO ISLAND BEACH CLUB
FORT MYERS BEACH, FLORIDA

ARCHITECTURE

2-18-25

Estero Island Beach Club CPD

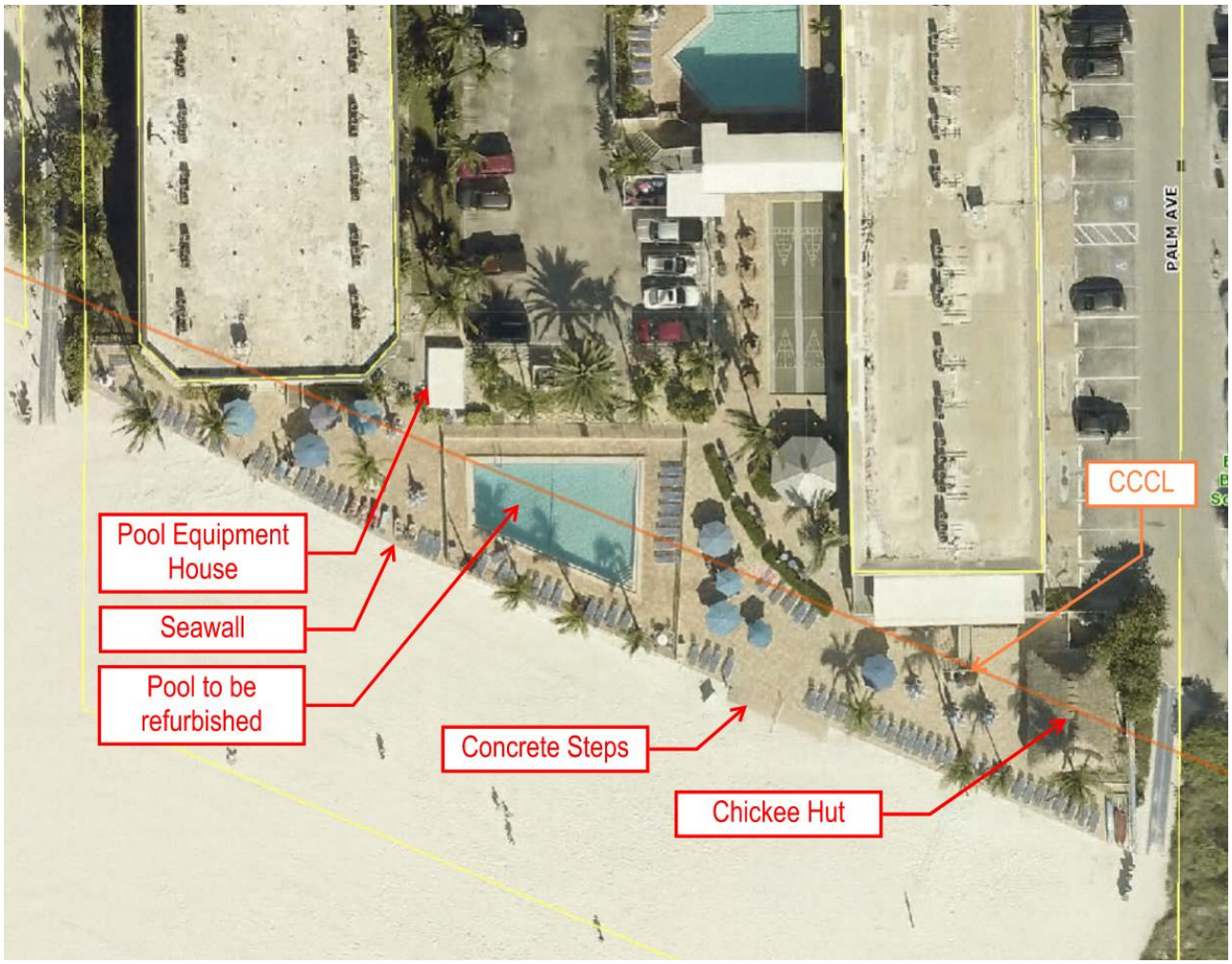
Development Waterward of CCCL

As shown in the exhibit below – an aerial from early 2022 – there was some limited development waterward of the Lee County 1978 CCCL, shown in orange on the image.

The exhibit and the Master Concept Plan (MCP) is noted to establish within the CPD that the following are permitted to be rebuilt between the CCCL and the existing retaining/sea wall:

- Decking/pavers
- Refurbishment of existing pool and pool equipment as necessary (it should be noted that the majority of the pool equipment was landward of the CCCL in the white square structure.

The chickee hut is not being pursued at this time.



Estero Island Beach Club CPD

Schedule of Deviations and Justifications

1. Deviate from LDC §34-995(b)(1) and (4) regarding entrances requires a primary entrance and views into the first floor of commercial buildings where:

   (1) The primary entrance to all buildings shall face the street and

   (4) Where building frontages exceed 50 feet, operable doors or entrances with public access shall be provided along streets at intervals averaging no greater than 50 feet;

   to allow the proposed timeshare residential building relief under the requirements.

   JUSTIFICATION: The use before the storm and the proposal is for timeshare units. Even though timeshare is categorized as hotel/motel and considered a commercial use, there is no storefront or retail/office uses on the ground floor that would dictate the needs for pedestrian interaction or entrances into storefronts.

2. Deviate from LDC §34-992(c) requiring the principal facades of hotel buildings that will not contain commercial uses below base flood elevation to screen under-building parking areas in a manner acceptable to the town manager or designee; to allow 50% of the under building parking area of the building façade fronting on Estero Boulevard and Palm Avenue to be fully screened and a 5-foot hedge in the unscreened areas to help hide vehciles.

   JUSTIFICATION: The use before the storm and the current proposal is for rebuilding the pre-existing timeshare units. Even though timeshare is categorized as hotel/motel and considered a commercial use, there is no storefront or retail/office uses on the ground floor because the V-Zone and the nature of the timeshare uses.

   Because of the increased design flood elevations as determined by FDEP being over 20 feet from grade there is an opportunity to leave the parking area partially unscreened to allow a view through the understory parking. The conceptual enhanced landscape plan is proposing a 15-foot wide buffer along Estero Boulevard and 5-foot landscape buffer on the Palm Avenue and Miramar Avenue streets, as well as a living walls hiding car parking areas and a minimum 60" hedge row abutting the building parking areas to hide majority of the parked cars.

3. Deviate from LDC §34-673(a)(1) that requires build to lines in the Downtown District in this location be from five feet to 10 feet; to not require build to lines but rather minimum building setbacks for the building on Estero Boulevard of 15 feet, a minimum building setback of 10 feet from Palm Avenue, and a minimum building setback of 30 feet from Miramar Street.

   JUSTIFICATION: The minimum 15-foot setback on Estero Boulevard is to provide for softening of the mass and height by providing distance from the right-of-way/property line to be used for landscaping and shade enhancement. It also allows for hedge row plantings to hide the understory parked cars from view of Estero Boulevard.

   The setback on Miramar creates room for new beach access parking space, a 5-foot buffer and sidewalk and improves the setback of the building from abutting the single-family homes on the other side of the street to the extent is was prior to Hurricane Ian, which was 15-feet or less.

The setback on Palm allows for increased view corridor between the applicant's propose building and Diamondhead Resort and allows for flexibility for some of the façade to be greater than 10 feet from the right-of-way/property line.

4. Deviate from LDC §34-675(b)(3)c that requires a maximum height of 30 feet above base flood elevation and no taller than three stories for properties on the south side of Estero Boulevard east of the main pedestrian crossing in the Downtown zoning district to allow a height of:

    - Five (5) stories [four (4) stories over ground level parking].
    - 48.2 feet above FDEP design flood elevation (DFE)

    JUSTIFICATION: The BFE at this location is 15' and the FDEP design flood elevation (DFE) to the Lowest Horizontal Structural Member (LHSM) is 19.5 feet (NAVD). The proposed structure is a single building of 67'2" feet to mean high roof in total height.

    The height calculation is as follows: 19.5' – 67.2' = 47.7' of height above the DFE/ FDEP required flood height. The allowed height is 30' above BFE so the deviation request is for 17.7, rounded up 5 inches to 18' for flexibility in design, above what is allowed for in the LDC. <u>The final proposed height of the building then is 67.7' with the extra 5 inches for rounding.</u>

    The purpose of the Downtown zoning district is to create a desired quality and character of the center of the pedestrian-oriented commercial activities within the town. There is a mix of resort/hotel, rental and commercial properties that surround the subject property to the south and east with three (3) single-family homes to the north.

    To the immediate south of the site is Beach Access #30 at the end of Palm Avenue and the Diamond Head Beach Resort – a 13-story resort that includes 121 hotel rooms, event space, commercial space, restaurant and bars, and other associated amenities.

    Also, in the general vicinity are some of Fort Myers Beach's most high intensity establishments, including the Lani Kai Resort approximately 900 feet north of the site and the new Margaritaville Resort just ¼ mile north. 700 feet to the south of the subject property is the Neptune Resort, which recently filed for redevelopment of a 6-story structure and doubling the number of hotel rooms from 71 to 140 keys. Thus, the site is well located for redevelopment of timeshare resort uses in relation to similar uses, densities, and intensities in the Town's Downtown area.

    Finally, the revised layout uses height to create a vertical development rather than sprawled horizontal layout that significantly increase the viewsheds to the Gulf of Mexico and the beach.

RMR
Residential Marketing Resources

ESTERO ISLAND BEACH CLUB

IMPACT STUDY

prepared for

RAL PROPERTY MANAGEMENT

MARCH 2025, revised 5/9/25

About Vaike O’Grady

Vaike O'Grady brings over two decades of expertise in residential real estate to developers, builders, and industry partners.

Drawing from her extensive experience with leading organizations like Newland Communities (now Brookfield Residential) and Metrostudy (now Zonda), Vaike specializes in conducting comprehensive market research to drive strategic decision-making. Her data-driven approach helps clients optimize their market position, enhance brand awareness, and improve customer engagement across the residential real estate ecosystem.

Vaike founded Residential Marketing Resources in 2023.

TABLE OF CONTENTS

Introduction..... 3

Executive Summary 5

Project Impact 6

Owner & Visitor Impact 21

Conclusions.....31

Assumptions & Limiting Conditions.....34

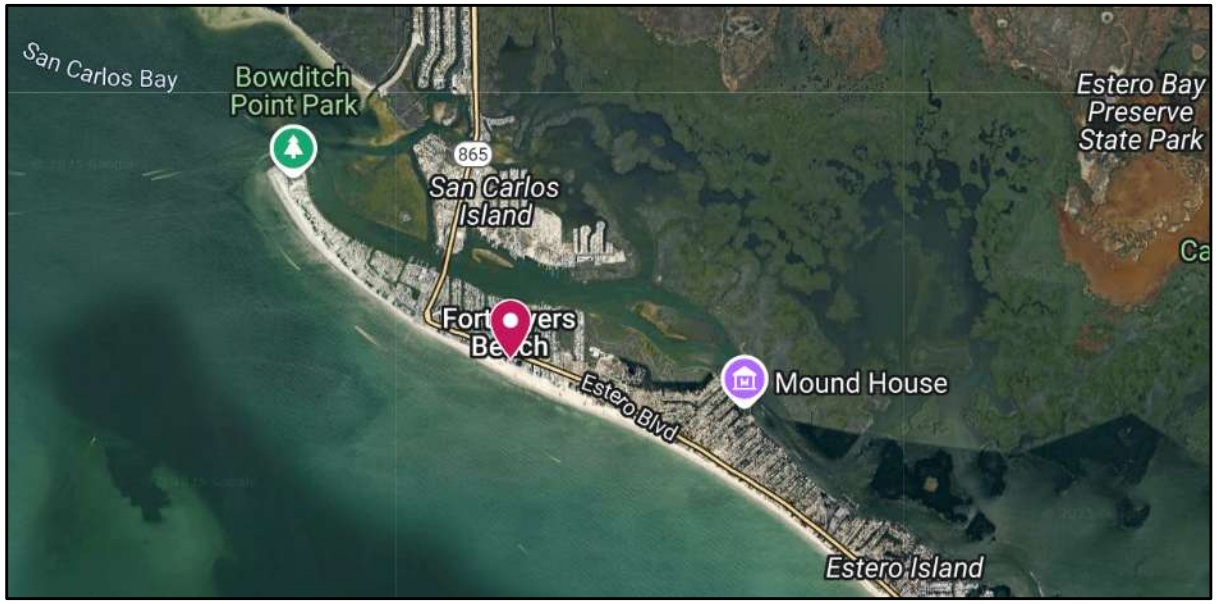
INTRODUCTION

Estero Island Beach Club

Estero Island Beach Club Association, Inc., 1836 Estero Boulevard, is requesting approval to rezone 1.92+/-acres, from the Downtown zoning district to Commercial Planned Development (CPD), while maintaining 0.78+/-acres of land seaward of the 1978 Lee County Coastal Construction Control Line (CCCL) within the EC zoning district.

The CPD will allow for the post-disaster redevelopment of the site with the 75 multi-family/timeshare units, the same density existing prior to Hurricane Ian.

The location of the site is along an iconic boulevard with beach frontage on the Gulf.



INTRODUCTION

Estero Island Beach Club

Before it was substantially destroyed by Hurricane Ian in September 2022, the Estero Island Beach Club (EIBC) offered owners and renting families the chance to make memories on the white sand beaches of Ft. Myers Beach, Florida.

Built in 1981, the resort featured 75 rooms and served approximately 3,800 owners.

Amenities on the property included 2 heated outdoor swimming pools as well as a whirlpool spa, outdoor gas grills, shuffleboard, and a children's playground.

Though attractive, the building was showing its age.

The site has since been leveled, and plans are substantially complete for a new and improved EIBC.





EXECUTIVE SUMMARY

Impact Study

The Estero Island Beach Club was a thriving resort community prior to late September 2022. when Hurricane Ian slammed Southwest Florida. An estimated 11,107 people enjoyed the resort and local community, adding millions to the local economy. The goal is to re-establish and reinvigorate the resort, enabling the facility to achieve its prior high occupancy rate and restore value to its over 3,800 owners. In the process, the EIBC will make significant contributions to the economy of Fort Myers Beach.

The rebuilding of the Estero Island Beach Club is expected to generate:

- As many as **90 local jobs** during the design, permitting, and construction process
- Significant investment in services and materials, many of which are locally sourced.
- Consistent employment for 8-12 people once operational
- **11,107 owners** and visitors coming to Fort Myers Beach annually
- Potential **$8.6 million annually** in additional revenue to local restaurants, shops, and services
- Consistent and significant property and sales taxes for the benefit of Fort Myers Beach.

RMR Residential Marketing Resources

Source: Regional Input-Output Modeling System (RIMS II), Bureau of Economic Analysis

PROJECT IMPACT

PROJECT IMPACT

Estero Island Beach Club Design Improvements



The proposed new design of the Estero Island Beach Club significantly improves the “curb appeal” of the resort, adding value to the Fort Myers Beach area as a whole.

New design and construction standards will reflect sustainable building practices. Improvements to the site plan will benefit local area residents by providing improved public beach access, parking and accessibility, landscaping, shaded seating and bike racks.

RMR
Residential Marketing Resources

PROJECT IMPACT

Estero Island Beach Club Improvements





The reconfigured elevation of the EIBC will front Estero Boulevard, providing an architecturally compelling façade while providing privacy for vacationing residents and visitors. The proposed development considers the Fort Myers Beach Comprehensive Plan and does not seek to increase density or change use. The site will comply with modern post-disaster build-back policies in the Comprehensive Plan and LDC by meeting flood regulations and life safety and ADA requirements. The requested height increases will be compatible with surrounding building heights in this intensive Downtown core of the Town, while providing view corridors to the Gulf of Mexico for the benefit of the public.

PROJECT IMPACT

Estero Island Beach Club Site Plan





EIBC's design elevates the building to FDEP design flood elevation with all parking under building at grade. The proposed building height is compatible with the surrounding proposed and existing development patterns. The new structure is 3 and 4 stories on Estero Boulevard and 5 stories along Palm and Miromar, much lower than the adjacent Diamond Head Resort , which is 13 stories. This will maximize separation from nearby single-family homes and significantly increase the public viewshed of the Gulf from Estero Blvd. In addition, the site plan increases pedestrian safety on Estero Boulevard with access points via side streets rather than by direct curb cuts on Estero Boulevard.

PROJECT IMPACT

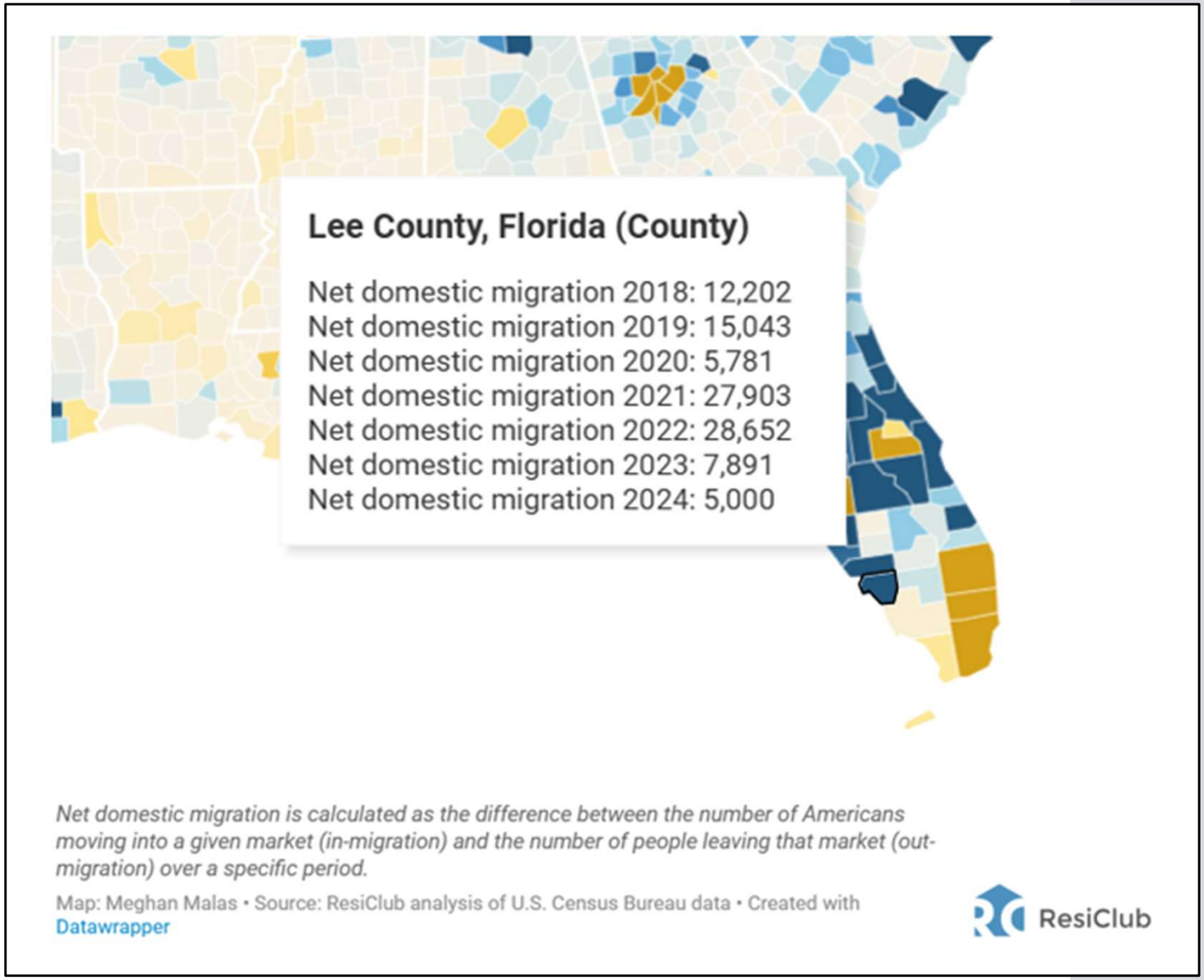
Additional Proposed Benefits to Fort Myers Beach

1. **Provide Public Parking for Beach Access #31 (Miramar Street)**
   Currently there are no public parking spaces Miramar Street for the beach access along and no right-of-way available. EIBC proposes to construct seven parallel spaces within the EIBC property line and establish a use easement for the Town of Fort Myers Beach.
2. **Construct a 5' Sidewalk on the EIBC side of Miramar Street**
   Currently there is no sidewalk along Miramar Street and no right-of way available. EIBC proposes a public sidewalk that connects to the public sidewalk on Estero Boulevard and runs to the Lee County CCCL line.
3. **Add a Bike Rack for Public Beach Access #31 at end of Proposed Sidewalk**
   For those residents and visitors who are biking or using other forms of alternative
   Transportation, a bike rack will be placed at the end of the sidewalk by the Lee County CCCL line.
4. **Extend the Miramar Street pavement**
   Lee County code did not require pavement of Miramar Street beyond the access to the abutting properties. EIBC is proposing to extend the street pavement to the Lee County CCCL line, approximately 45 feet.
5. **Beach Accessibility – Add Mobi Mat for disabled person's access**
   Propose a Mobi Mat at the end of the new sidewalk or at the end of the extended pavement of Miramar Street for increased accessibility.
6. **Seating and Bike Racks on Estero Boulevard**
   Nested in the landscaping proposed along Estero Boulevard will be a public seating area and shaded bike rack.
7. **Landscape Buffers**
   The code does not require landscaping. EIBC is proposing a 15' landscaping buffer on Estero Boulevard and 5' buffers along Miramar Street and Palm Avenue according to the conceptual landscape plan.

RMR Residential Marketing Resources

MIGRATION UPDATES

While Slowing, People are Stil Moving to Lee County



RMR Residential Marketing Resources

PROJECT IMPACT

Lee County Projected Employment Growth

Migration continues to push job growth. Between 2023 and 2031, Lee County employment is expected to grow by 11.1 percent. Significant growth is projected in key categories related to the proposed EIBC project, including Construction (15.6%), Rental and Leasing Services (12.4%), and Administrative and Support Service (9.7%). Employment growth in Accommodation and Food Services and Drinking Places is projected to grow by 23.8% and 21.1%, respectively.

NAICS Code	NAICS Title	Employment			Percent Growth
		2023	2031	Growth	
	Total, All Industries	329,923	366,626	36,703	11.1
23	**Construction**	38,924	43,584	4,660	12.0
236	Construction of Buildings	6,954	8,247	1,293	18.6
237	Heavy and Civil Engineering Construction	3,052	3,220	168	5.5
238	Specialty Trade Contractors	28,918	32,117	3,199	11.1
1023	**Financial Activities**	15,745	17,546	1,801	11.4
52	*Finance and Insurance*	7,714	8,502	788	10.2
522	Credit Intermediation & Related Activity	3,233	3,395	162	5.0
523	Financial Investment & Related Activity	1,101	1,252	151	13.7
524	Insurance Carriers & Related Activities	3,357	3,823	466	13.9
525	Funds, Trusts & Other Financial Vehicles	23	32	9	39.1
53	*Real Estate and Rental and Leasing*	8,031	9,044	1,013	12.6
531	Real Estate	4,909	5,534	625	12.7
532	Rental and Leasing Services	3,081	3,463	382	12.4
533	Lessors, Nonfinancial Intangible Assets	41	47	6	14.6
1024	**Professional and Business Services**	45,891	52,150	6,259	13.6
54	*Professional and Technical Services*	20,391	23,701	3,310	16.2
55	*Management of Companies and Enterprises*	2,541	3,173	632	24.9
56	*Administrative and Waste Services*	22,959	25,276	2,317	10.1
561	Administrative and Support Services	21,407	23,476	2,069	9.7
562	Waste Management and Remediation Service	1,552	1,800	248	16.0
1026	**Leisure and Hospitality**	42,747	51,051	8,304	19.4
71	*Arts, Entertainment, and Recreation*	8,683	9,674	991	11.4
711	Performing Arts and Spectator Sports	1,660	1,811	151	9.1
712	Museums, Parks and Historical Sites	180	194	14	7.8
713	Amusement, Gambling & Recreation Ind	6,843	7,669	826	12.1
72	*Accommodation and Food Services*	34,064	41,377	7,313	21.5
721	Accommodation	4,535	5,615	1,080	23.8
722	Food Services and Drinking Places	29,529	35,762	6,233	21.1

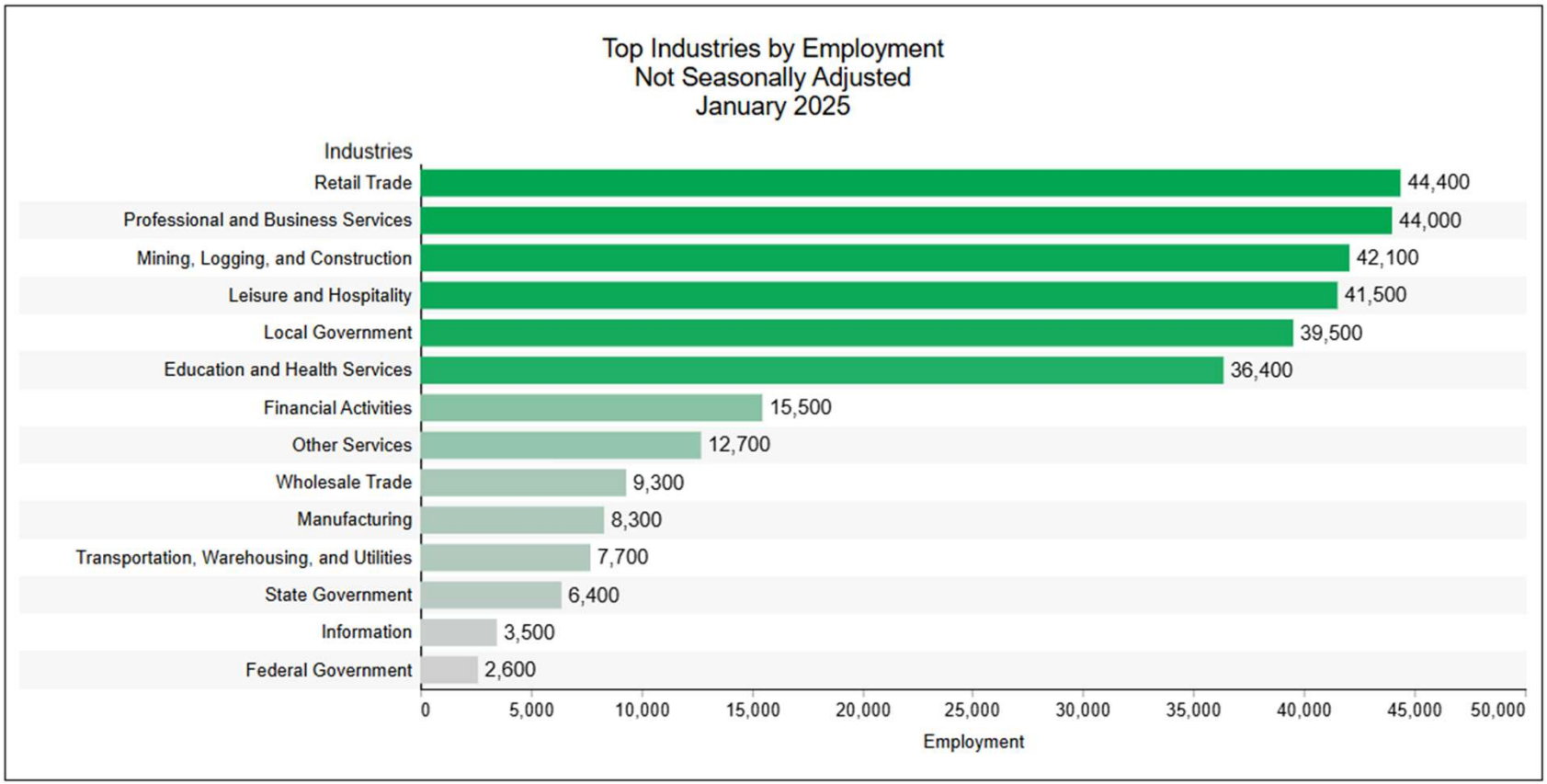
RMR Residential Marketing Resources

Source: FloridaJobs.org

PROJECT IMPACT

Cape Coral-Fort Myers MSA: Top Industries

The Cape Coral-Fort Myers employment base is centered around tourism. When combined, Retail Trade and Leisure and Hospitality make up 85,900 jobs, or approximately one quarter of the existing labor force.



RMR Residential Marketing Resources

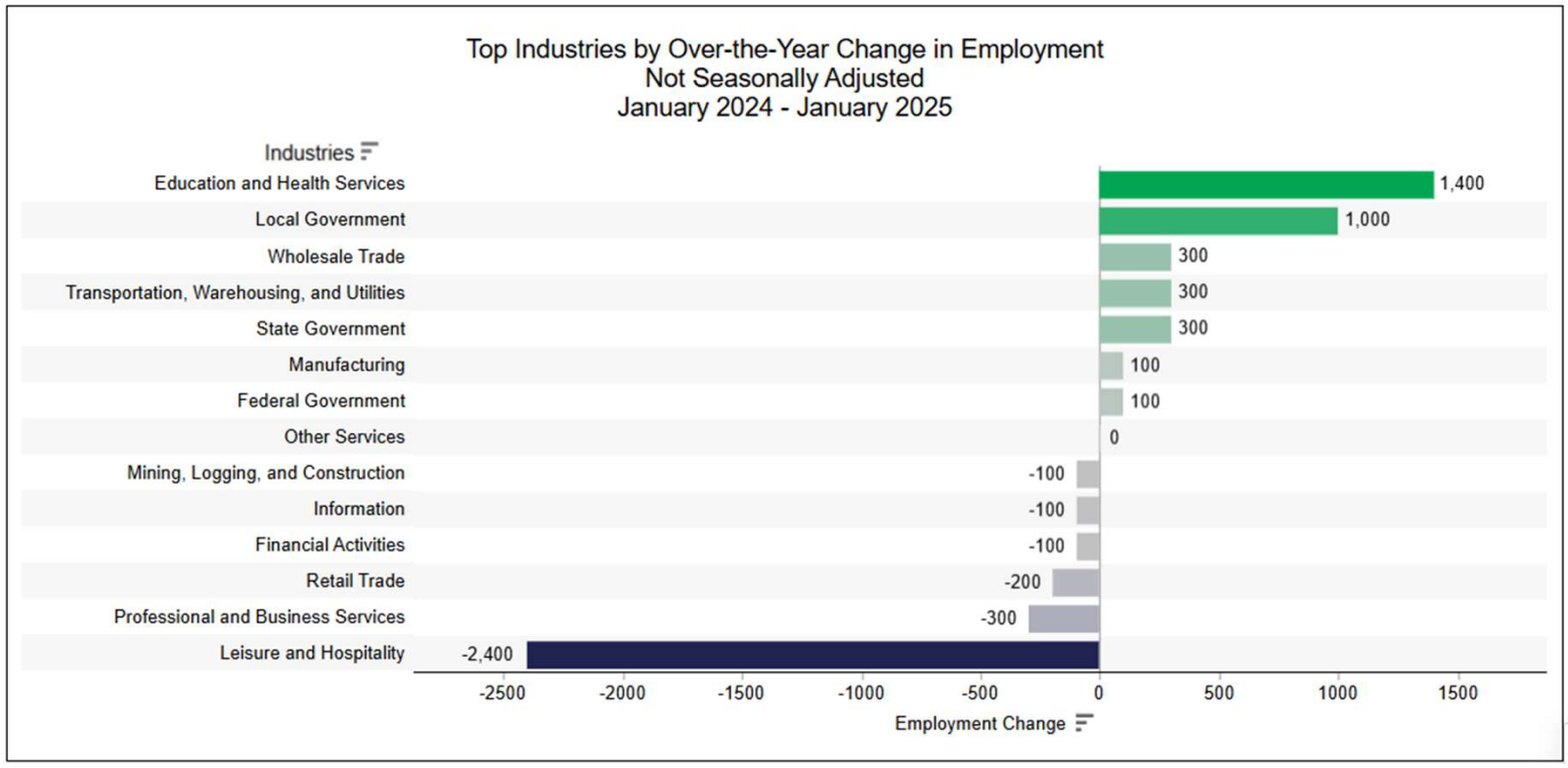
Source: FloridaJobs.org

PROJECT IMPACT

Cape Coral-Fort Myers MSA

As of January 2025, the Cape Coral-Fort Myers MSA had an unemployment rate of 4%, slightly higher than Florida a whole (3.7%) but lower than the US overall (4.4%). The MSA lost a significant number of jobs in Leisure and Hospitality over the past year, predominantly as a lingering effect of recent hurricanes.

Upon completion, the Estero Island Beach Club is likely to employ 8-12 local Fort Myers Beach residents, in such capacities as administration, sales, maintenance, and housekeeping. The project will play a small role in reversing the job losses since Hurricane Ian.



Source: FloridaJobs.org

PROJECT IMPACT

EIBC Building Quick Facts

- Florida Tropical design aesthetic with enhanced public view to the Gulf
- Approximately 100,000 livable square feet
- 75 rooms (consistent with prior density)
- Offers substantial public benefits
- Improved circulation by eliminating curb cuts from Estero Blvd.
- Significant sustainability updates:
  - Energy-saving feature to meet the stringent Florida Energy Code
  - Full Hurricane-Impact Windows and Doors
  - Full Concrete Construction
  - Elevated approximately 20 feet

Estimated construction cost: $35,581,500

RMR
Residential Marketing Resources

PROJECT IMPACT

Construction Timeline



Once approved and permitted, the estimated Construction Timeline is 14-18 months:

- Site preparation and foundation: 2-3 months

- Structural framing: 3-4 months

- Exterior finishing: 2-3 months

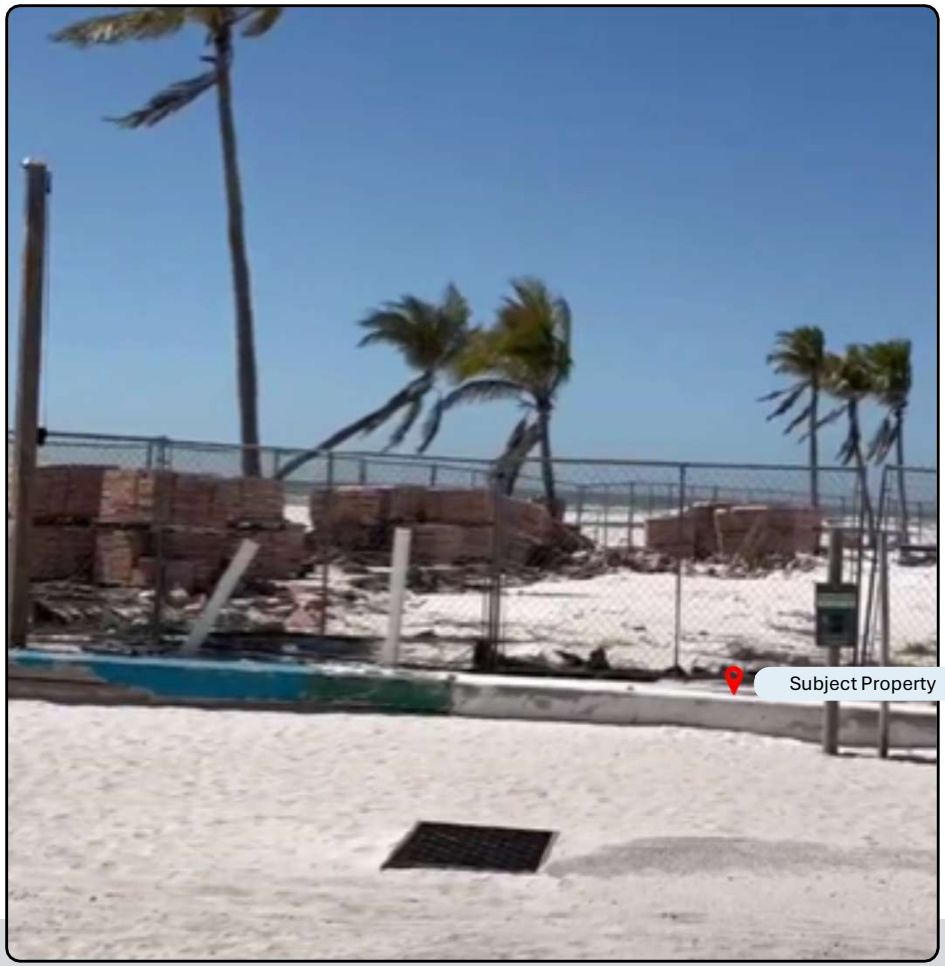
-Interior work and finishing: 5-6 months

-Amenity construction (pools, spa, courts): 2-3 months (overlapping with other phases)

This estimate assumes average construction complexity and moderate site conditions without significant challenges like difficult terrain or environmental remediation needs.

PROJECT IMPACT

Estimated Workforce during Construction



Pre-construction: 15-30 workers, including:
Architects, engineers, planners, landscape architects, government workers

Peak construction period: 40-60 workers, including:

- General laborers
- Carpenters
- Electricians
- Plumbers
- HVAC technicians
- Concrete specialists
- Tile/flooring installers
- Painters
- Pool construction specialists
- Landscapers

Design and construction of the newly-designed Estero Island Beach Club may employ as many as 90 local residents. Based upon common industry multipliers, ultimately 150 local jobs could be created before and during construction.*

** For every construction job created in the Cape Coral-Fort Myers MSA, the BEA's RIMS II modeling system projects 1.64 jobs added to the local economy.*

PROJECT IMPACT

Materials & Services Procurement

Before and during construction, Estero Island Beach is expected to purchase significant amounts of materials, much of which will be sourced locally:

Structural Materials

- Concrete (for foundations, floors, and structural elements)
- Steel reinforcement bars and beams
- Lumber for framing and temporary supports
- Masonry materials (bricks, blocks, mortar)
- Roofing materials (trusses, decking, underlayment, shingles/membrane)
- Prefabricated components (possibly for faster construction)

Exterior Envelope

- Exterior wall cladding (stucco, siding, stone veneer, etc.)
- Insulation (rigid foam, spray foam, fiberglass)
- Windows and exterior doors
- Waterproofing membranes
- Flashing and weather barriers
- Sealants and caulking

Interior Finishes

- Drywall and joint compound
- Interior doors and trim
- Flooring materials (carpet, tile, hardwood, luxury vinyl)
- Paint, primers, and wall coverings
- Ceiling materials (acoustic tiles, drywall)
- Cabinetry and countertops
- Bathroom fixtures and accessories
- Light fixtures and switches

MEP Systems (Mechanical, Electrical, Plumbing)

- Electrical wiring, conduit, panels, and fixtures
- Plumbing pipes, fittings, fixtures, and water heaters
- HVAC equipment (air handlers, ductwork, vents)
- Fire sprinkler systems and alarm components
- Low voltage systems (data, security, audio)

Pool and Spa Areas

- Concrete pool shells
- Pool equipment (pumps, filters, heaters)
- Spa equipment and fixtures
- Waterproofing and tiling materials
- Pool deck materials and coping stones
- Safety equipment and signage

Outdoor Areas

- Pavers or concrete for outdoor seating areas
- Shuffleboard court materials and equipment
- Outdoor furniture (tables, chairs, loungers)
- Landscaping materials (plants, mulch, soil)
- Irrigation components
- Outdoor lighting fixtures

Specialty Items

- Elevator components
- Commercial kitchen equipment (if applicable)
- Signage and wayfinding materials
- Accessibility features and hardware
- Sound attenuation materials between units

Temporary Materials

- Scaffolding and temporary supports
- Construction fencing and barriers
- Erosion control materials
- Site protection materials

RMR Residential Marketing Resources

PROJECT IMPACT

Economic Impact of Construction

The construction of the resort will generate approximately $46 million in total economic output in the region, create 270 jobs, and contribute $24.6 million to the regional GDP.

Impact Type	Multiplier	Economic Impact
Output	1.2867	$45.79 million
Earnings	0.4244	$15.1 million
Employment	7.5903 per $1M	270 jobs
Value Added	0.6910	$24.6 million

Source: Regional Input-Output Modeling System (RIMS II), Bureau of Economic Analysis

OPERATIONS IMPACT

Economic Impact of Operations

Once operational, the EIBC will likely provide jobs for 8-12 people. However, the implications for the local area are significant.

Assuming 20% of the total investment ($7.1 million) represents annual operational activity, and using accommodation multipliers, the ongoing operations of the timeshare resort will generate approximately $8.6 million annually in economic output, support 49 permanent jobs, and contribute $5.3 million annually to the regional GDP.

Impact Type	Multiplier	Economic Impact
Output	1.2119	$8.6 million
Earnings	0.3182	$2.3 million
Employment	6.9267 per $1M	49 jobs
Value Added	0.7487	$5.3 million

RMR Residential Marketing Resources

Source: Regional Input-Output Modeling System (RIMS II), Bureau of Economic Analysis

OWNER & VISITOR IMPACT

OWNER & VISITOR IMPACT

Lee County Visitor and Convention Bureau

A recent study completed by Downs and St. Germain Research for the Fort Myers Visitors and Convention Bureau found some positive indicators for the tourism economy, showing that the area continues to recover from the aftermath of Hurricane Ian.

- Visitation in Oct - Dec 2024 was up 7.6% and room nights were up 6.1% Year-over-Year. In 2024, 3,199,500 visitors came to the area, up 15.5% year-over-year (YOY).

- Compared to Oct-Dec 2023, Direct Spending was up 3.2% to $680 Million. In 2024, over $3 Billion was spent in the local economy. Direct spending includes accommodations, restaurants, entertainment, shopping, transportation, groceries, and "other" expenses.

- The Total Economic Impact of Tourism was up 2.7% year-over-year to $1.08 Billion for the quarter ended Dec 2024. In 2024, the total impact on the region was nearly $5 Billion.

$783.89 direct spend per visitor Oct-Nov 2024 → +/- $972 direct spend per visitor in 2024

RMR Residential Marketing Resources

SOURCE: Downs & St. Germain research for Fort Myers VCB, Oct-Dec 2024

OWNER & VISITOR IMPACT

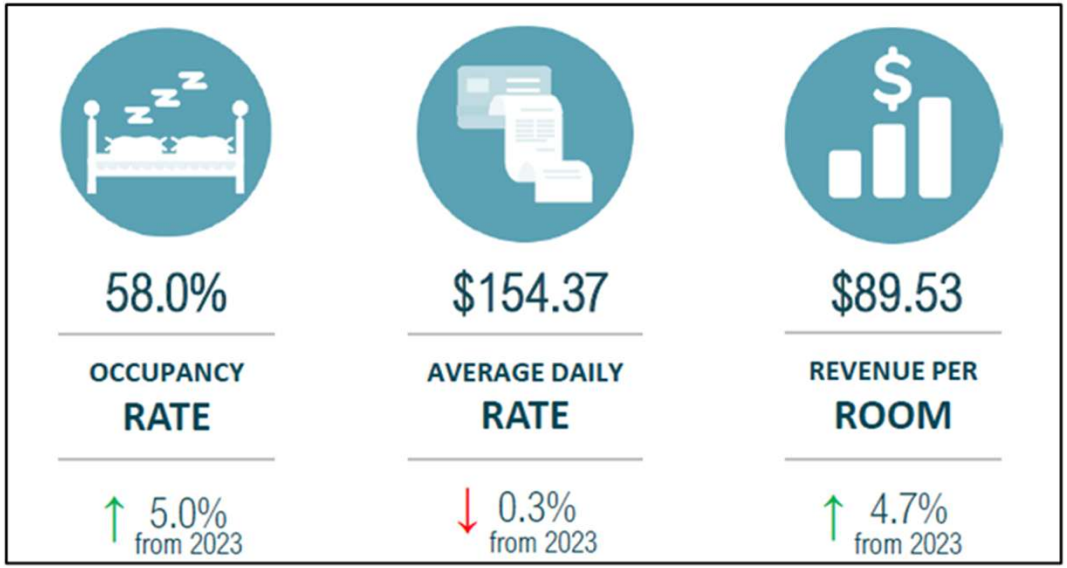
Hotel Comparison

Though hotel performance is improving, a resort like Estero Island Beach Club offers a distinct advantage to the economy of Fort Myers Beach.

Before Hurricane Ian, the **EIBC had an average occupancy of 90 percen**t, compared to the 58 percent recently cited for hotels in the area.

EIBC has nearly 3,800 owners who *regularly* visit Fort Myers Beach and have a strong affinity for the area, acting as cheerleaders for the destination.

Hotel Performance Snapshot (Oct-Dec 2024):



The average party staying at the EIBC consists 3.2 people, roughly the same size as in hotels (3.0).

For visitors in paid accommodations, the average stay for visitors to the Fort Myers area from Oct-Dec 2024 was 5.6 nights. Owners at the EIBC typically visit twice per year and stay 14 nights annually.

RMR Residential Marketing Resources

SOURCE: Oct-Dec 2024 Fort Myers Visitor Tracking, Occupancy & Economic Impact Study

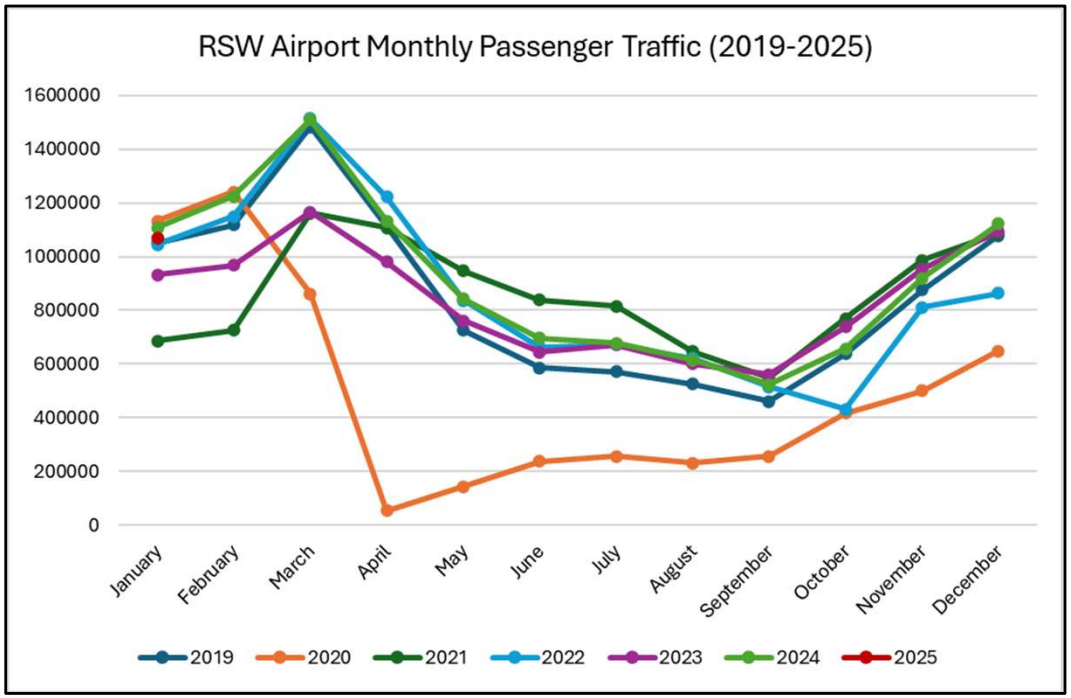
OWNER & VISITOR IMPACT

Seasonal Usage Patterns

According to the CVB, 71% of visitors to Southwest Florida in 2024 traveled via air, and 75% of those traveled through Southwest Florida International Airport (RSW).

RSW airport traffic ramps up in October, stays strong through the winter months, and typically peaks in March. With the notable exception of 2020, median annual airport traffic ranges between 825,000 and 880,000 per year. In January 2025, over 1 million visitors came through RSW, which is aligned with 2019, 2021, and 2023. (Hurricane Ian likely impacted January 2022 numbers.)

Source: https://www.flylcpa.com



Occupancy at Estero Island Beach Club conforms with these patterns.

During the peak months of October through March, we estimate an occupancy rate of 95%, or 71 units occupied.

- At 3.2 people per household, we can expect 5,200 people to stay over 25 weeks.

During off-season, April through September, we estimate an occupancy rate of 86%, or 65 units occupied.

- At 3.2 people per household, we can expect 5,907 people to stay over 26 weeks.

= 11,107 people staying at EIBC each year

RMR Residential Marketing Resources

OWNER & VISITOR IMPACT

Post-Hurricane Ian, Continued Undersupply

The completion of the EIBC will help to fill a remaining gap in the available accommodations within Fort Myers Beach. As of December 2024, below 50 percent of available hotels were open for business.

HOTEL ROOM UPDATE

Lee County Visitor & Convention Bureau

Community	Open	Closed	Total	Percentage Open
Boca Grande	181	12	193	93.8%
Bonita Springs	1,301	76	1,377	94.5%
Cape Coral	820	0	820	100.0%
Captiva	394	207	601	65.6%
Estero	566	0	566	100.0%
Fort Myers	6,875	85	6,960*	98.8%
Fort Myers Beach	1,182	1,213	2,395*	49.4%
Lehigh Acres	75	0	75	100.0%
North Fort Myers	412	139	551	74.8%
Pine Island	62	42	104	59.6%
Sanibel	696	875	1,571	44.3%
Total	**12,564**	**2,649**	**15,213***	**82.6%**

* Includes new properties opened Post-Ian. Total Pre-Ian was 14,266. 3-7-2025

fort MYERS ISLANDS, BEACHES & NEIGHBORHOODS

RMR Residential Marketing Resources

SOURCE: Oct-Dec 2024 Fort Myers Visitor Tracking, Occupancy & Economic Impact Study

OWNER & VISITOR IMPACT

Repeat Visitation Effects

Owners:

- Make recurring visits throughout the year, creating consistent economic activity
- Generally stay longer durations (average 7-9 days) compared to traditional hotel guests
- Tend to use self-catering facilities but also patronize local restaurants and attractions
- More likely to explore beyond the resort property due to familiarity with the area

Hotel/Resort Guests:

- Concentrated during peak travel periods
- Typically shorter stays (3-5 days on average)
- More likely to spend on resort amenities and packaged experiences
- Less likely to prepare meals, resulting in higher on-property food and beverage spending

RMR Residential Marketing Resources

PROJECT IMPACT:

Estero Island Beach Resort vs. Hotels

Employment Structure:

- Timeshare resorts maintain more consistent staffing levels year-round
- Create ongoing maintenance, housekeeping, and administrative positions
- Require regular refurbishment cycles (typically every 5-7 years), creating periodic construction work

Local Business Support:

- Timeshare guests use local grocery stores, markets, and retail shops more frequently
- Owners develop relationships with local businesses over repeated visits
- More distributed spending throughout the local economy beyond tourism-focused businesses

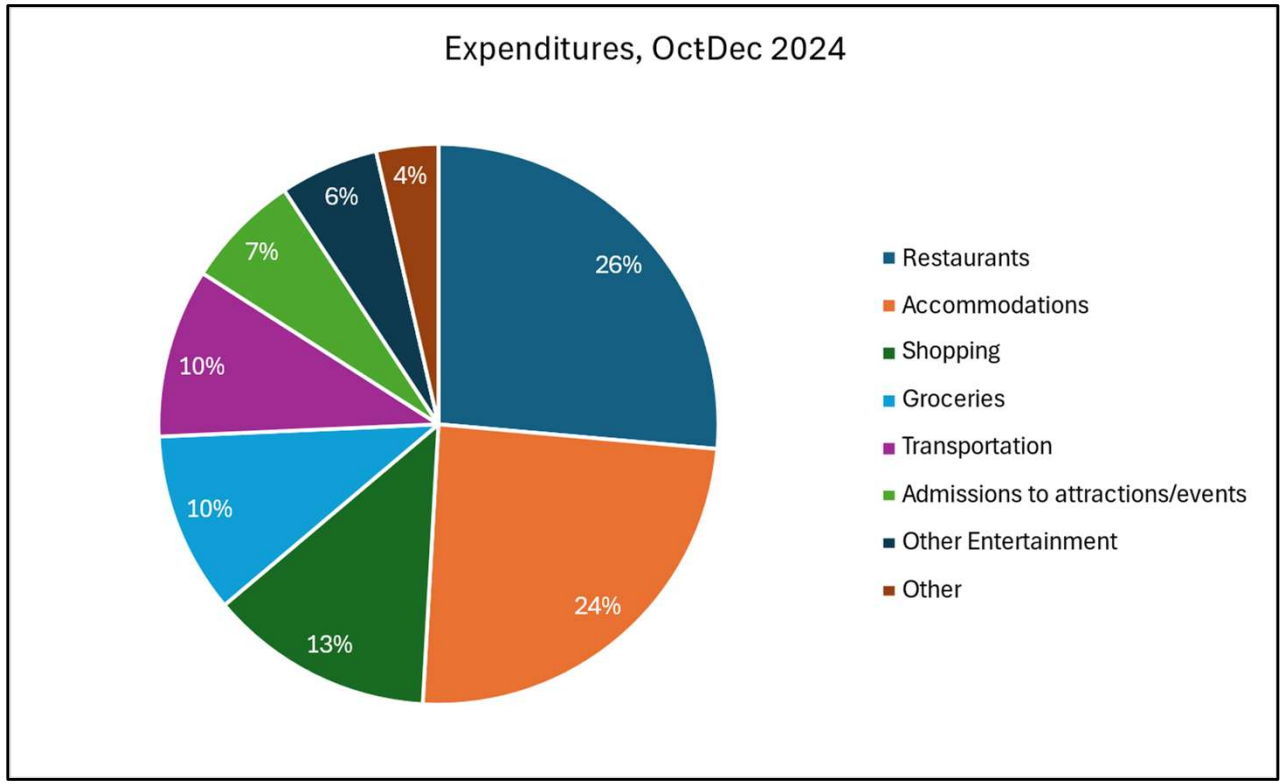
Tax Revenue:

- Predictable tax generation regardless of occupancy rates
- More consistent sales tax collection throughout the year

RMR
Residential Marketing Resources

OWNER & VISITOR IMPACT

Spending Patterns



The pie chart above shows the typical spending pattern for visitors to the FMB area from Oct – Dec 2024, per the Downs & St. Germain study. More than a quarter of direct spend is at Restaurants. Setting aside the cost for accommodations, the next largest spend categories are Shopping (13%), Groceries and Transportation (10% each).

SOURCE: Downs & St. Germain research for Fort Myers VCB, Oct-Dec 2024

OWNER & VISITOR IMPACT

Direct Expenditures

- At completion and launch, the EIBC should return to normal occupancy, which averages 90 percent.
  - Off-peak (Apr-Sept): 65 of 75 rooms occupied (86%).
  - Peak season (Oct-Mar): 71 of 75 rooms occupied (95%).
  - 11,107 owners and visitors are expected at EIBC on a yearly basis
- Expected annual per person direct expenditures:

Category	Per Person Expense	Percentage of Spend
Restaurants	$ 256.52	26%
Accommodations	$ 237.96	24%
Shopping	$ 125.79	13%
Groceries	$ 101.60	10%
Transportation	$ 94.77	10%
Admissions to attractions/events	$ 64.69	7%
Other Entertainment	$ 55.39	6%
Other	$ 34.82	4%
Total	**$ 971.54**	**100%**

Potential Direct Expenditures by EIBC owners and visitors during a typical year: $10,790,895.*

RMR Residential Marketing Resources

**includes typical accommodation expense, which may vary*

OWNER & VISITOR IMPACT

Sales Taxes

Based on the projected expenditures*, the Town of Fort Myers Beach would collect $56.55 per person in sales taxes, or $618,105 per year, for all EIBC visitors.

In addition, a Tourist Development Tax (or “bed tax”) of 5% per stay is remitted to Lee County whenever the owner rents a unit to a guest. A portion of that tax helps to support the Town of Fort Myers Beach.

*does not include groceries

RMR Residential Marketing Resources

CONCLUSIONS

CONCLUSIONS

Estero Island Beach Club

Rebuilding the Estero Island Beach Club will significantly benefit Fort Myers Beach by restoring accommodations capacity (currently at only 49.4% of pre-hurricane levels), creating jobs, generating tax revenue, and bringing consistent visitor spending to local businesses.

Economic Impact

- Construction will generate approximately $46 million in total economic output
- The project will create up to 90 local jobs during design, permitting, and construction
- Construction would support an estimated 270 jobs in the regional economy
- Once operational, EIBC will employ 8-12 local residents
- Annual operations will generate approximately $8.6 million in economic output and support 49 permanent jobs

RMR Residential Marketing Resources

CONCLUSIONS

Estero Island Beach Club

Visitor Impact

- The resort is expected to host 11,107 visitors annually with high occupancy rates (90% average)
- Visitors will generate an estimated $10.7 million in annual spending at local businesses
- The Town will collect approximately $618,105 in annual sales tax revenue
- EIBC owners typically stay longer and visit more frequently than hotel guests
- The timeshare model creates more consistent year-round economic activity

Design Improvements

- The new design features Florida Tropical aesthetic with enhanced public views of the Gulf
- Design includes sustainable features: energy-saving elements, hurricane-impact windows, full concrete construction
- The building will be elevated approximately 20 feet for flood protection
- The project will add public benefits including parking spaces, a sidewalk, bike racks, and beach accessibility features

RMR
Residential Marketing Resources

ASSUMPTIONS & LIMITING CONDITIONS

ASSUMPTIONS & LIMITING CONDITIONS

The following contingencies and limiting conditions are noted as fundamental assumptions that may affect the validity of the analysis and conclusions reached in this report:

- All information contained in this report, while based upon information obtained from the client and other sources deemed to be reliable, is in no way warranted by Residential Marketing Resources.
- The Town of Fort Myers Beach, Lee County, and the nation as a whole will not suffer any major economic shock during the time period of the forecast contained in this report.
- Population will continue to increase at or above the rate forecast.
- The sources of statistical data and demographic estimates used in this analysis are sufficiently accurate to be useful for planning purposes.
- The development will be designed, promoted, and managed in a professional manner.
- Radical changes in factors affecting the major assumptions noted above could alter the conclusions reached in this analysis or necessitate the re-evaluation of portions of this report.

RMR
Residential Marketing Resources

Vaike Talts O’Grady
Residential Marketing Resources
vaike@residentialmarketingresources.com

Business Impact Estimate

Proposed ordinance's title/reference:
Ordinance 25-XX CPD Approval for the Rebuild of 75-unit Time-share
AN ORDINANCE OF THE TOWN COUNCIL OF FORT MYERS BEACH, FLORIDA APPROVING/ APPROVING WITH CONDITIONS/ DENYING TO REZONE THE PROPERTY LOCATED AT 1836 ESTERO BOULEVARD, GENERALLY IDENTIFIED AS STRAP NUMBER 19-46-24-W4-03200.00CE & 19-46-24-W4-03200.1010 TO REZONE FROM DOWNTOWN TO COMMERCIAL PLANNED DEVELOPMENT (CPD) AND REQUEST FOUR (4) DEVIATIONS FROM REQUIREMENTS TO PROVIDE 1) OPERABLE DOORS ALONG ESTERO BLVD, 2) SCREENING MATERIAL ON THE GROUNDFLOOR, 3) INCREASE BUILD-TO LINE SETBACKS, AND 4) INCREASE THE MAXIMUM ALLOWED HEIGHT BY 18-FEET; PROVIDING FOR OTHER CLARIFICATIONS AS NECESSARY; PROVIDING FOR CONFLICTS OF LAW, SCRIVENER'S ERRORS, SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the Town is of the view that a business impact estimate is not required by state law[1] for the proposed ordinance, but the Town is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☒ The proposed ordinance is enacted to implement the following:
  a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
  b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
  c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or

[1] See Section 166.041(4)(c), Florida Statutes.

d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the Town hereby publishes the following information:

1. Summary of the proposed ordinance, (e.g. statement of the public purpose serving the public health, safety, morals and welfare):
The proposed ordinance approves CPD with deviations to redevelop a 75-unit timeshare and requesting additional height.

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the Town, including the following, if any:
(a) An estimate of direct compliance costs that businesses may reasonably incur;
(b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
(c) An estimate of the Town's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

Any costs incurred by the applicant will be to further their commercial business, this has been requested by the applicant themselves.

Ordinance 25-xx does not impose any new charge or fee on businesses.

There are no new charges or fees that will be imposed on businesses by the ordinance.

The Town will not likely incur additional costs.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

The proposed approval of the applicant's CPD with deviations will be relevant only to the applicant and their lot/ business.

4. Additional information the governing body deems useful (if any):
N/A

Town of Fort Myers Beach
Agenda Item Summary

Blue Sheet Number: **2025-363**

1. **Request:**

Meeting Date: June 2, 2025

This legislative agenda item is a Second Reading and Final Public Hearing for adoption of proposed Ordinance 25-03.

ORDINANCE TITLE:
AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA, AMENDING ARTICLE III "BEACH BICYCLE AND VEHICLE SAFETY" OF CHAPTER 28 "TRAFFIC AND VEHICLES" OF THE CODE OF ORDINANCES OF FORT MYERS BEACH, FLORIDA, TO ALLOW THE OPERATION OF ELECTRIC BICYCLES ON SIDEWALKS; ESTABLISHING SAFETY REGULATIONS; ESTABLISHING A MAXIMUM SPEED AND PASSING PROCEDURES; REQUIRING OPERATION WITH THE FLOW OF TRAFFIC; ESTABLISHING RESPONSIBLE PARTIES AND PENALTIES; ESTABLISHING ADDITIONAL REGULATIONS FOR THE SAFE OPERATION OF BICYCLES ON SIDEWALKS; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS OF LAW, AND AN EFFECTIVE DATE.

Why the action is necessary:

What the action accomplishes:

2. **Agenda:**
PUBLIC HEARINGS

3. **Requirement/Purpose:**
Ordinance

4. **Submitter of Information:**

---

5. **Background:**
The Town Council discussed changes to existing regulations related to bicycle operation and safety at recent public meetings and directed the Town Attorney to prepare an ordinance for adoption. The Public Safety Committee made comments to the Town Council at their meeting on March 3, 2025 regarding bicycle safety and operation on sidewalks in the Town. Discussion at first reading on March 3, 2025 followed and several questions were raised and are addressed in an attachment to this Agenda item. Also included as an attachment is a legal memorandum regarding several issues.

Attachments:
1. Final Second Reading Draft - 25-03 Bicycle Ordinance, with highlighted changes (1)
2. Regulation of Electric Bicycles - Memo - Town of Fort Myers Beach (2)
3. Final 3-28-25 Bicycle Ordinance Questions (1)
4. First Reading Draft - 25-03, Bicycle Ordinance
5. Formal E-bike Recommendations from the Safety Committee
6. M&P 5-8-24 - bicycle discussion
7. M&P 11-7-24 - bicycle discussion
8. PSC 2-20-25 draft minutes
9. Fort Myers News-Press_20250328_A05_1
10. Collier County proposed Amendment_to_Pedestrian_Safety_Ordinance_Revd 03.18.25
11. 25-03 Affidavit of Publication

Financial Impact:

6. **Alternative Action**

7. **Management Recommendations:**

8. **Recommended Approval:**

Lizzette Roman, Town Clerk Administrative Coordinator	Created/Initiated - 5/22/2025
Amy Baker, Town Clerk	Approved - 5/22/2025
nancy stuparich, Town Attorney	Approved - 5/26/2025
Amy Baker, Town Clerk	Approved - 5/27/2025
William McKannay, Town Manager	Final Approval - 5/28/2025

ORDINANCE NO. 25-03

AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA, AMENDING ARTICLE III "BEACH BICYCLE AND VEHICLE SAFETY" OF CHAPTER 28 "TRAFFIC AND VEHICLES" OF THE CODE OF ORDINANCES OF FORT MYERS BEACH, FLORIDA, TO ALLOW THE OPERATION OF ELECTRIC BICYCLES ON SIDEWALKS; ESTABLISHING SAFETY REGULATIONS; ESTABLISHING A MAXIMUM SPEED AND PASSING PROCEDURES; REQUIRING OPERATION WITH THE FLOW OF TRAFFIC; ESTABLISHING RESPONSIBLE PARTIES AND PENALTIES; ESTABLISHING ADDITIONAL REGULATIONS FOR THE SAFE OPERATION OF BICYCLES ON SIDEWALKS; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS OF LAW, AND AN EFFECTIVE DATE.

WHEREAS, Florida Statutes provide that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal service, and exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, Section 316.008, Florida Statutes, authorizes municipalities to enact an ordinance to "to permit, control, or regulate the operation of electric bicycles on sidewalks or sidewalk areas when such use is permissible under federal law"; and

WHEREAS, Section 316.20655, Florida Statutes, regulates electric bicycles but does not limit a local government's authority under Section 316.008, Florida Statutes, to enact ordinances governing the operation of electric bicycles on streets, highways, sidewalks, and sidewalk areas under the local government's jurisdiction; and

WHEREAS, Section 316.008(h), Florida Statutes, authorizes municipalities to regulate the operation of bicycles with respect to streets and highways under their jurisdiction and within the reasonable exercise of police power; and

WHEREAS, Article III "Beach Bicycle and Vehicle Safety" of Chapter 28 "Traffic and Vehicles" of the Code of Ordinances of Fort Myers Beach, Florida, regulates the operation of bicycles and other vehicles on sidewalks and public rights-of-way; and

WHEREAS, Section 28-84 of the Code of Ordinances of Fort Myers Beach, Florida, prohibits the operation of bicycles "having any type of helper motor and having two or more wheels" on public sidewalks; and

WHEREAS, the Town Council recognizes the increasing use of electric bikes as a mode of transportation within the Town; and

WHEREAS, some bicyclists and electric bike operators have expressed safety concerns with riding on busy roadways, prompting some to use sidewalks instead; and

WHEREAS, some electric bike operators have been observed riding on sidewalks at excessive speeds and against the flow of pedestrian traffic, creating hazards; and

WHEREAS, the sidewalks adjacent to Estero Boulevard between Old San Carlos Boulevard and Crescent Street are particularly congested with pedestrian traffic; and

WHEREAS, the Town Council desires to amend Article III "Beach Bicycle and Vehicle Safety" of Chapter 28 "Traffic and Vehicles" of the Code of Ordinances of Fort Myers Beach, Florida, to allow the operation of electric bikes on sidewalks under regulated conditions, to prohibit the operation of bicycles and electric bicycles on sidewalks in certain congested high-traffic areas, and to protect the safety of cyclists, electric bike operators, and pedestrians; and

WHEREAS, on the 3rd day of March, 2025, the Town Council held a first reading of the Ordinance and gave full and complete consideration to the request of the proposed ordinance to amend the Town's Code of Ordinances, the recommendation of staff, the documents in the record, comments from the Public Safety Committee and the testimony of interested persons; and

WHEREAS, a Business Impact Estimate was prepared and posted on the City's website on the 27th day of March, 2025, as required by Section 166.041(4), Florida Statutes; and

WHEREAS, an advertisement of the public hearing for adoption of the Ordinance was published in the _____ on the ___ day of _____, which is 10 days prior to the second reading of the proposed Ordinance as required by Section 166.041, Florida Statutes; and

WHEREAS, on the 2nd day of June, 2025, the Town Council held a second reading of the Ordinance; and

WHEREAS, the Town Council determined that adoption of the Ordinance as provided herein is in the best interest of the health, safety and welfare of the public.

NOW THEREFORE, IT IS HEREBY ORDAINED BY THE TOWN OF FORT MYERS BEACH AS FOLLOWS:

Section 1. That the above recitals are true and correct, and incorporated herein by this reference and are hereby adopted as the legislative and administrative findings of the town council.

Section 2. That Article III "Beach Bicycle and Vehicle Safety" of Chapter 28 "Traffic and Vehicles" of the Code of Ordinances of Fort Myers Beach, Florida, is hereby amended to read as follows:

ARTICLE III. – BEACH BICYCLE AND VEHICLE SAFETY

Sec. 28-81. Equipment Requirements.

All bicycles, as defined in F.S. § 316.003(4), and all electric bicycles, as defined in F.S. § 316.003(22), operated within the public rights-of-way or sidewalks must meet the following requirements:

(1) No bicycle shall be used to carry more persons than the number for which it its designed and equipped.

(2) A bicycle carrying any passenger who is a child under four years of age, or who weighs 40 pounds or less, must be provided with a seat or carrier that is designed to carry a child of that age or size and that secures and protects the child from the moving parts of the bicycle.

(3) A bicycle rider or passenger who is under 16 years of age must be provided with and must wear a bicycle helmet that is properly fitted and is fastened securely upon the rider's or passenger's head by a strap and that meets the federal safety standard for bicycle helmet, final rule 16 C.F.R. part 1203. As used in this section the term "passenger" includes a child who is riding in a trailer or semitrailer attached to a bicycle.

(4) Every bicycle shall be equipped with a functioning lamp on the front exhibiting a white light visible from a distance of at least 500 feet to the front and a functioning lamp on the rear exhibiting a red light visible from a distance of 500 feet to the rear. Said front and rear lamps shall be illuminated at all times the bicycle is being ridden, used or operated by any person.

(5) Every bicycle shall be equipped with a brake or brakes which will enable its rider to stop the bicycle within 25 feet from a speed of ten miles per hour on dry, level, clean pavement.

(6) Every bicycle shall be equipped with a horn or audible device when operated within a public right-of-way in good working order and capable of emitting sound audible under normal conditions from a distance of not less than 50 feet. No horn or other warning device shall emit an unreasonably loud or harsh sound or a whistle.

Sec. 28-82. Headsets.

No person shall operate a bicycle or electric bicycle while wearing a headset, headphone, or other listening device other than a hearing aid or instrument for the improvement of defective human hearing.

Sec. 28-83. Public sidewalks and paths, generally. ~~Vehicles prohibited.~~

(a) *Vehicles prohibited.* No person shall drive any vehicle, including one-wheeled vehicles hoverboards, or any type of electronic skateboards, other than by human power upon any public sidewalk or path except for authorized government personnel, emergency vehicles, and special mobile equipment for repair or maintenance of the sidewalk areas. This section does not apply to motorized wheelchairs having three or more wheels. Motorized micro-mobility devices, including but not limited to, electric scooters, electric skateboards, one-wheeled devices, and hoverboards are prohibited.

(b) *Bicycles upon public sidewalks and paths.*

(1) Except as otherwise provided in this article, any person may ride a bicycle upon a sidewalk instead of public streets where available, provided that such use does not endanger the safety of pedestrians.

(2) Notwithstanding the foregoing, it shall be unlawful for any person to ride a bicycle or electric bicycle upon any sidewalk adjacent to Estero Boulevard between Old San Carlos Boulevard and Avenue C.

(3) It shall be unlawful for any person to disobey any sign erected on or adjacent to a public sidewalk or path prohibiting bicycle riding.

(4) It shall be unlawful for any person to disobey any sign erected on a public sidewalk or path requiring bicycles to travel with the flow of traffic.

(5) When signage adjacent to and/or markings upon a sidewalk designate an area for bicycle travel, bicyclists riding on the sidewalk shall only ride within the area designated for bicycle travel and shall yield the remaining sidewalk space to pedestrians.

(6) Bicycles shall not be used on a sidewalk in a manner that endangers the safety of pedestrians.

(7) Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian.

(8) Bicyclists must exercise due care to avoid collisions with pedestrians, including reducing speed and giving an audible warning when necessary, especially when approaching children, pets, or individuals who appear confused or incapacitated.

Sec. 28-84. Assisted bicycles and electric bicycles. ~~prohibited.~~

(a) "Electric bicycle" means any bicycle or tricycle equipped with fully operable pedals, a seat or saddle for use of the rider, and an electric motor of less than 750 watts, which meets the requirements of one of the three classifications of electric bicycle under F.S. § 316.003(22).

(b) No bicycle having any type of helper motor and having two or more wheels shall be driven upon any public sidewalk, path, or beach. This section does not apply to motorized wheelchairs having three or more wheels. Motorized micro-mobility devices, including but not limited to electric scooters, electric skateboards, one-wheeled devices, and hoverboards are prohibited.

(c) Notwithstanding the prohibitions in subsection (b), electric bicycles may be operated on sidewalks under the following conditions:

(1) Electric bicycles shall not be operated on a sidewalk in a manner that endangers the safety of pedestrians; and

(2) A person operating an electric bicycle shall comply with all regulations under Florida law and this Code applicable to bicycles and bicycle operators; and

(3) Electric bicycles shall be restricted to a maximum speed of 15 miles per hour when operating on a public sidewalk; and

(4) Operators of electric bicycles shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing the pedestrian; and

(5) When passing a pedestrian, the operator of an electric bicycle shall reduce the speed of the electric bicycle to idle speed, meaning the lowest speed at which the electric bicycle can operate and maintain steering control. Generally, this will be between one and three miles per hour; and

(6) Operators of electric bicycles must exercise due care to avoid collisions with pedestrians or human-powered vehicles, including reducing speed and giving an audible warning when necessary, especially when approaching children, pets, or individuals who appear confused or incapacitated; and

(7) If sidewalks are present on both sides of a roadway, a person operating an electric bicycle on a sidewalk shall only use the sidewalk on the right side of the roadway and shall travel in the same direction as the adjacent vehicular traffic.

Sec. 28-85. Responsible parties.

All owners, riders, and operators of bicycles and electric bicycles, ~~bicycle owners or riders/operators of the bicycle,~~ including entities that rent or loan bicycles or electric bicycles to others for use on the public rights-of-way, are responsible for compliance with these regulations. Rental contract language shall not redirect or assign responsibility for compliance of section 28-81 or 28-84 of this article.

Sec. 28-86. Operation with flow of traffic.

Bicycles and electric bicycles shall travel in the same direction as traffic while being operated in a public right-of-way, and must be operated on the right as other vehicles which results in traveling with and not against the flow of traffic unless directed otherwise by town officials

Sec. 28-87. ~~Penalty~~Penalties.

(1) An enforcement officer who discovers the operation of a bicycle or an electric bicycle on a sidewalk in a manner that violates this article may issue a citation, as used by the town, to the operator of the bicycle or electric bicycle. Any person operating a bicycle or an electric bicycle on a sidewalk in violation of Section 28-83(b)(2), (3), (4), (5), (6), or (8), or Section 28-84(c)(1), (5), (6) or (7) will be subject to a $100.00 fine issued in accordance with the citation procedures for parking violations set forth in Sections 28-25 through 28-27.

(2) ~~Violations of any provision~~ All first-time violations of this Article, except as provided in (1) above, ~~of this article or failure to comply with any of the requirements herein for first-time offender(s)~~ shall result in the issuance of a written warning by enforcement officers. Except as otherwise provided by state law, all ~~All~~ subsequent violations of any provision or requirement of this article incurred by any person or company having previously received a written warning shall result in a fine not to exceed $50.00, in addition to any penalty that may be imposed under state law.

Secs. 28-88—28-110. Reserved.

Section 3. That the town council intends that the provisions of this ordinance be made a part of the Fort Myers Beach, Florida, Code of Ordinances, and that sections herein may be renumbered or re-lettered and the words or phrases herein may be changed to accomplish

codification; regardless, typographical errors that do not affect intent may be corrected with notice to and authorization of the town manager without further process.

Section 4. Whenever the requirements or provisions of this Ordinance conflict with the requirements or provisions of any other lawfully adopted ordinance or statute, the most restrictive shall apply.

Section 5. If any section, subsection, sentence, clause, word, or phrase of this Ordinance is for any reason, declared by a court of competent jurisdiction to be unconstitutional or invalid, such decision will not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared.

Section 6. This Ordinance shall become effective upon adoption by the town council.

The forgoing Ordinance was adopted by the town council upon a motion by _____ and seconded by _____, and upon being put on a roll call vote, the results were as follows:

Dan Allers, Mayor	___
Jim Atterholt, Vice Mayor	___
John R. King, Council Member	___
Karen Woodson, Council Member	___
Scott Stafford, Council Member	___

ADOPTED this ___ day of _____, 2025 by the town council of the Town of Fort Myers Beach, Florida.

TOWN OF FORT MYERS BEACH

_____
Dan Allers, Mayor

ATTEST:

_____
Amy Baker, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:

_____

Vose Law Firm, Town Attorney

This Ordinance was filed in the Office of the Town Clerk on this ___ day of _____, 2025.

VOSE LAW FIRM LLP
ATTORNEYS & COUNSELORS AT LAW

M E M O R A N D U M

TO: **Mayor, Vice Mayor and Town Council Members, Town of Fort Myers Beach**
FROM: **Gretchen R.H. "Becky" Vose, Esq., Town Attorney**
DATE: **April 7, 2025**
SUBJECT: **Statutory and Local Government Regulation of Electric Bicycles**

Background

This memorandum details the current statutory restrictions on the operation of electric bicycles and the types of restrictions that local governments may adopt to regulate electric bicycles under Florida law.

Statutory Provisions Authorizing Local Government Regulation of E-Bikes

Section 316.20655, Florida Statutes, provides for certain rights and duties with respect to the operation of electric bicycles, or "e-bikes", and states, in pertinent part:

> "(1) Except as otherwise provided in this section, an electric bicycle or an operator of an electric bicycle shall be afforded all the rights and privileges, and be subject to all of the duties, of a bicycle or the operator of a bicycle, including s. 316.2065. An electric bicycle is a vehicle to the same extent as a bicycle. However, this section may not be construed to prevent a local government, through the exercise of its powers under s. 316.008, from adopting an ordinance governing the operation of electric bicycles on streets, highways, sidewalks, and sidewalk areas under the local government's jurisdiction; to prevent a municipality, county, or agency of the state having jurisdiction over a bicycle path, multiuse path, or trail network from restricting or prohibiting the operation of an electric bicycle on a bicycle path, multiuse path, or trail network; or to prevent a municipality, county, or agency of the state having jurisdiction over a beach as defined in s. 161.54(3) or a dune as defined in s. 161.54(4) from restricting or prohibiting the operation of an electric bicycle on such beach or dune.
> . . .
>
> "(7) An operator may ride an electric bicycle where bicycles are allowed, including, but not limited to, streets, highways, roadways, shoulders, bicycle lanes, and bicycle or multiuse paths."

Pursuant to the above provisions, e-bikes are afforded the same rights and privileges as bicycles and may be operated anywhere that bicycles are allowed; however, a local government may:

(i) regulate the operation of e-bikes on streets, highways, sidewalks, and

sidewalk areas under the local government's jurisdiction;

(ii) restrict or prohibit the operation of e-bikes on a bicycle path, multiuse path, or trail network; and

(iii) restrict or prohibit the operation of e-bikes on a beach or dune.

Additionally, pursuant to Section 316.008, Florida Statutes, local governments may permit, control, or regulate the operation of e-bikes on sidewalks. Section 316.008, Florida Statutes, provides, in pertinent part:

> "(7)(a) A county or municipality may enact an ordinance to permit, control, or regulate the operation of vehicles, golf carts, mopeds, motorized scooters, electric bicycles, and electric personal assistive mobility devices on sidewalks or sidewalk areas when such use is permissible under federal law. The ordinance must restrict such vehicles or devices to a maximum speed of 15 miles per hour in such areas."

Statutory Restrictions on the Operation of E-Bikes

Because operators of e-bikes are subject to the duties of operators of bicycles under Florida law, operators of e-bikes must abide by the laws governing the operation of bicycles. Section 316.2065, Florida Statutes, sets forth a list of restrictions on the operations of bicycles, which include:

> "(2) A person operating a bicycle may not ride other than upon or astride a permanent and regular seat attached thereto unless the bicycle was designed by the manufacturer to be ridden without a seat.
>
> "(3)(a) A bicycle may not be used to carry more persons at one time than the number for which it is designed or equipped, except that an adult rider may carry a child securely attached to his or her person in a backpack or sling.
>
> "(b) Except as provided in paragraph (a), a bicycle rider must carry any passenger who is a child under 4 years of age, or who weighs 40 pounds or less, in a seat or carrier that is designed to carry a child of that age or size and that secures and protects the child from the moving parts of the bicycle.
>
> (c) A bicycle rider may not allow a passenger to remain in a child seat or carrier on a bicycle when the rider is not in immediate control of the bicycle.
>
> (d) A bicycle rider or passenger who is under 16 years of age must wear a bicycle helmet that is properly fitted and is fastened securely upon the passenger's head by a strap and that meets the federal safety standard for bicycle helmets, final rule, 16 C.F.R. part 1203. As used in this subsection, the term "passenger" includes a child who is riding in a

> trailer or semitrailer attached to a bicycle.
>
> (e) Law enforcement officers and school crossing guards may issue a bicycle safety brochure and a verbal warning to a bicycle rider or passenger who violates this subsection. A bicycle rider or passenger who violates this subsection may be issued a citation by a law enforcement officer and assessed a fine for a pedestrian violation, as provided in s. 318.18. The court shall dismiss the charge against a bicycle rider or passenger for a first violation of paragraph (d) upon proof of purchase of a bicycle helmet that complies with this subsection.
> . . .
>
> "(8) No parent of any minor child and no guardian of any minor ward may authorize or knowingly permit any such minor child or ward to violate any of the provisions of this section.
> . . .
>
> "(10) A person propelling a bicycle upon and along a sidewalk, or across a roadway upon and along a crosswalk, shall yield the right-of-way to any pedestrian and shall give an audible signal before overtaking and passing such pedestrian.
> . . .
>
> "(19) Except as otherwise provided in this section, a person who violates this section commits a noncriminal traffic infraction, punishable as a pedestrian violation as provided in chapter 318[1]. A law enforcement officer may issue traffic citations for a violation of subsection (3) or subsection (15) only if the violation occurs on a bicycle path or road, as defined in s. 334.03. However, a law enforcement officer may not issue citations to persons on private property, except any part thereof which is open to the use of the public for purposes of vehicular traffic."

(Ellipses indicates omitted text). Because the above restrictions were adopted by statute, independent of any local governmental regulation, such restrictions may be enforced by law enforcement officer, regardless of whether the local government enacts an ordinance to adopt the restrictions at the local level.

Analysis

Section 316.2065, Florida Statutes, currently requires operators of bicycles and e-bikes to yield the right-of-way to pedestrians and to give an audible signal before overtaking and passing such pedestrians when propelling a bicycle or e-bike along a sidewalk or across a roadway and along a crosswalk. Pursuant to Sections 316.008 and 316.20655, Florida Statutes, the Town may adopt an ordinance to further regulate the operation of e-bikes

[1] Section 318.18(1)(a), Florida Statutes, provides that the penalty for a pedestrian violation is a fine in the amount of $15.

on sidewalks and sidewalk areas. Such an ordinance could require operators of bicycles and e-bikes to yield the right-of-way to pedestrians by pulling off of the sidewalk and bringing the bicycle or e-bike to a complete stop until an oncoming pedestrian passes. Under Section 316.008(7)(a), Florida Statutes, if the Town adopts an ordinance restricting the operation of e-bikes, said ordinance would need to include a provision restricting e-bikes to a maximum speed of 15 miles per hour in any areas where the ordinance is effective.

Additionally, if the Town restricts the operation of e-bikes by ordinance, the Town could provide that all violations of the e-bike regulations are to be punished by a fine in an amount to be set by resolution in accordance with a citation process or as set forth in the Ordinance. Appeals would be under the jurisdiction of the Town's Special Magistrate similar to parking tickets.

Bicycle Ordinance Questions & Comments

1. SPEED LIMIT AND PASSING

Legal Question: Can the Town implement a lower speed limit for e-bikes on sidewalks?

Answer: Likely not. The statutory language appears to pre-empt the regulation of speed for lawful operation of an e-bike to the State by establishing a maximum speed of 15 miles per hour as stated in Section 316.008, Florida Statutes.

Explanation: The language establishing a maximum speed of 15 miles per hour for e-bikes is required by statute. Section 316.008, F.S. provides that "A county or municipality may enact an ordinance to permit, control, or regulate the operation of vehicles, golf carts, mopeds, motorized scooters, electric bicycles, and electric personal assistive mobility devices on sidewalks or sidewalk areas when such use is permissible under federal law. **The ordinance must restrict such vehicles or devices to a maximum speed of 15 miles per hour in such areas.**" Therefore, any ordinance adopted by a municipality must restrict e-bikes to a maximum speed of 15 miles per hour. Case law in Florida provides for an implied pre-emption of regulations to the State when the State mandates certain requirements upon municipalities. For this reason, the Town should not consider a change to the language as stated in the statute, even if the proposed change would lower the speed. Moreover, speed limits for e-bikes and bicycles would be difficult to enforce because the Town is challenged on how to accurately measure the speed of these vehicles.

In the alternative, other provisions in the ordinance that govern passing have been added to address the Town Council's concerns for speed and pedestrian safety

- 28-83(b)(3) - Bicycles shall not be ridden on a sidewalk in a manner that endangers the safety of pedestrians.
- 28-83(b)(7) - Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian.
- 28-83(b)(8) - Bicyclists must exercise due care to avoid collisions with pedestrians, including reducing speed and giving an audible warning when necessary, especially when approaching children, pets, or individuals who appear confused or incapacitated.

Note that these requirements can also be enforced against e-bike operators pursuant to Section 28-84(c)(2), which provides: "A person operating an electric bicycle shall comply with all regulations under Florida law and this Code applicable to bicycles and bicycle operators."

There was also a request to add language suggested by a resident. This language was incorporated in Sections 28-84(c)(4) and (5) of the draft ordinance for specifically for e-bikes. Pursuant to Council feedback, this language has now also been added to Sections 28(b)(7) and (8) and applies to all bicycle riders.

2. FINES AND ENFORCEMENT

Legal Question: Can the Town impose a $100.00 fine for endangering pedestrian safety?

Answer: It depends on whether the endangering conduct is already regulated by Chapters 316 and 318, F.S. The Town may impose a $100.00 fine for conduct not regulated by Chapters 316 and 318, F.S. If the conduct is regulated by Chapter 316 or 318, the Town is preempted from imposing a fine different from what the statute prescribes, unless specifically authorized by statute

Explanation and Revisions:

Sections 316.0087(a) and 316.20655, F.S. specifically authorize municipalities to regulate the operation of vehicles (including bicycles and e-bikes) on sidewalks. The Council discussed imposing a fine for "endangering pedestrian safety." While this approach may be viable in some circumstances, the Town must navigate around the fact that it is preempted from imposing additional fees, fines, or surcharges for conduct already regulated by statute. Currently, Section 318.18(1), F.S., provides a maximum fine of $15.00 (plus statutory fees) for nearly all bicycle and pedestrian violations.

Section 316.2065, F.S., already requires bicycle and e-bike operators to yield to pedestrians and give an audible warning before passing when riding on a sidewalk. Because passing conduct is regulated under Chapter 316, the Town cannot impose its own fine for violations of these requirements, even if the conduct would otherwise qualify as "endangering pedestrian safety."

However, a $100.00 fine could still be imposed for violations not covered by Chapters 316 and 318, such as failing to observe pedestrian-only zones or failing to remain in the area of the sidewalk designated for bicyclists. See *Thomas v. State*, 614 So. 2d 468 (Fla. 1993) (holding that penalties for violating a municipal ordinance requiring bicycles to be equipped with bells were not preempted because no similar requirement existed in Chapter 316). See also *Masone v. City of Aventura*, 147 So. 3d 492, 497 (Fla. 2014).

The previous version of the ordinance provided that the operation of an electric bicycle on a sidewalk in a manner that violates Chapter 28, Article III of the Code is punishable by a fine in an amount to be set by resolution. To specify a fine of $100.00 while addressing preemption concerns, the ordinance has been revised to allow for a $100.00 fine only for violations not already covered by Chapters 316 and 318, Florida Statutes. Specifically, Section 28-87(1) provides: "An enforcement officer who discovers the operation of a bicycle or an electric bicycle on a sidewalk in a manner that violates Sections 28-83(b)(2), (3), (4), (5), (6), or (8) or Section 28-84(c)(1), (5), (6), or (7) will be subject to a $100.00 fine issued in accordance with the citation procedures for parking violations set forth in Sections 28-25 through 28-27.

3. PEDESTRIAN ONLY ZONE

Legal Question: Can the Town implement a "pedestrian only zone" between Avenue C and Times Square?

Answer: Yes.

Explanation and Revisions:

The Town has the legal authority to define pedestrian-only sidewalk zones by ordinance. It is a valid exercise of police power to prohibit the riding of bicycles on sidewalks in the Town. See *McCrimmon v. State*, 505 So. 2d 13 (Fla. 5th DCA 1987) ("First, the municipal ordinance, which prohibited the riding of bicycles on sidewalks in the City of Orlando, was a valid exercise of municipal authority. *See* §§316.002 and **316.008**(**1**)(**h**), Fla.Stat.").

Language to this effect was added to Section 28-83(b)(2), but, for the sake of precision, it uses street names as the boundaries, which can be amended as needed in the future. Section 28-83(b)(2) provides: "Notwithstanding the foregoing, it shall be unlawful for any person to ride a bicycle or electric bicycle upon any sidewalk adjacent to Estero Boulevard between Old San Carlos Boulevard and Avenue C."

Additionally, Section 28-83(b)(3) was added to address the possibility of future pedestrian-only zones. Section 28-23(b)(3) provides: "It shall be unlawful for any person to disobey any sign erected on or adjacent to a public sidewalk or path prohibiting bicycle riding."

4. SIDEWALK MARKINGS AND SIGNAGE

Question: How can the Town designate a side of the sidewalk for bicycles and E-bikes?

Answer: The most straightforward approach would be to install signage designating a side of the sidewalk for bicyclists and e-bikes. Alternatively, the Town could try to enter into an interlocal agreement with the County to allow for sidewalk markings.

Explanation and Revisions:

The Council discussed the possibility of either adding a dividing line on the sidewalk between bikes and pedestrians or installing signage designating a side of the sidewalk for bicycles/e-bikes. No consensus was reached regarding which approach to adopt, however there were comments that pushback was anticipated from the County regarding sidewalk markings. Therefore, the ordinance was prepared to require bicyclists and e-bike operators to generally obey both signs and markings. Specifically, Section 28-83(b)(5) provides: "When signage adjacent to and/or markings upon a sidewalk designate an area for bicycle travel, bicyclists riding on the sidewalk shall only ride within the area designated for bicycle travel and shall yield the remaining sidewalk space to pedestrians." This way, the council can move ahead with the ordinance while continuing to evaluate the best approach to divide the traffic on sidewalks.

5. SIDEWALK JURISDICTION

Legal Question: Does the Town have jurisdiction to regulate conduct on the county-owned sidewalk?

Answer: Yes. The Town has jurisdiction to regulate the portions of the sidewalk within the municipal limits of the town.

No specific statute assigns regulatory jurisdiction over sidewalks. However, Section 316.006(2), Florida Statutes, sets forth the jurisdiction a municipality possesses over streets and highways:

> (a) Chartered municipalities shall have original jurisdiction over all streets and highways *located within their boundaries*, except state roads, and may place and maintain such traffic control devices which conform to the manual and specifications of the Department of Transportation upon all streets and highways under their original jurisdiction as they shall deem necessary to indicate and to carry out the provisions of this chapter or to regulate, warn, or guide traffic.

316.006(3)(a) continues, "Counties shall have original jurisdiction over all streets and highways located within their boundaries, **except** all state roads and **those streets and highways specified in [316.006(2)]**."

In Section 316.003(90)(a), the definition of "street or highway" encompasses "[t]he entire width between the boundary lines of every way or place of whatever nature when any part thereof is open to the use of the public for purposes of vehicular traffic." Section 316.006(109) defines a vehicle as "every device in, upon, or by which any person or property is or may be transported or drawn upon a highway." By these definitions, e-bikes and bicycles are vehicles, and the sidewalk can be regulated with the same authority as the Town may regulate a "street."

Therefore, since the Town is a charter municipality, it has jurisdiction to enforce traffic control regulations over all county streets and highways within the town limits (unless the Town has entered into an agreement to the contrary).

Based on the Lee County Charter, the Town also has the authority to regulate conduct upon county-owned sidewalks within Town limits. Section 1.4 of the Lee County Charter provides that "Municipal ordinances shall prevail over County ordinances to the extent of any conflict."

Moreover, Section 316.008(7)(a) specifically authorizes municipalities to regulate the conduct of vehicles on sidewalks within their municipal bounds. Section 316.008(7)(a) provides "A county or municipality may enact an ordinance to permit, control, or regulate the operation of vehicles, golf carts, mopeds, motorized scooters, electric bicycles, and electric personal assistive mobility devices on sidewalks or sidewalk areas when such use is permissible under federal law." Although there was some concern that Section 316.1995 might preempt this ordinance because it generally prohibits vehicles other than those powered by human force on sidewalks, Section 316.008 is specifically exempted, so it remains valid authority for municipal regulation. Therefore, the Town may regulate conduct upon county-owned sidewalks.

ORDINANCE 25-03

AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA, AMENDING ARTICLE III "BEACH BICYCLE AND VEHICLE SAFETY" OF CHAPTER 28 "TRAFFIC AND VEHICLES" OF THE CODE OF ORDINANCES OF FORT MYERS BEACH, FLORIDA, TO ALLOW THE OPERATION OF ELECTRIC BICYCLES ON SIDEWALKS; ESTABLISHING SAFETY REGULATIONS; ESTABLISHING A MAXIMUM SPEED AND PASSING PROCEDURES; REQUIRING OPERATION WITH THE FLOW OF TRAFFIC; ESTABLISHING RESPONSIBLE PARTIES AND PENALTIES; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS OF LAW, AND AN EFFECTIVE DATE.

WHEREAS, Florida Statutes provide that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal service, and exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, Section 316.008, Florida Statutes, authorizes municipalities to enact an ordinance to "to permit, control, or regulate the operation of electric bicycles on sidewalks or sidewalk areas when such use is permissible under federal law"; and

WHEREAS, Section 316.20655, Florida Statutes, regulates electric bicycles but does not limit a local government's authority under Section 316.008, Florida Statutes, to enact ordinances governing the operation of electric bicycles on streets, highways, sidewalks, and sidewalk areas under the local government's jurisdiction; and

WHEREAS, Article III "Beach Bicycle and Vehicle Safety" of Chapter 28 "Traffic and Vehicles" of the Code of Ordinances of Fort Myers Beach, Florida, regulates the operation of bicycles and other vehicles on sidewalks and public rights-of-way; and

WHEREAS, Section 28-84 of the Code of Ordinances of Fort Myers Beach, Florida, prohibits the operation of bicycles "having any type of helper motor and having two or more wheels" on public sidewalks; and

WHEREAS, the Town Council recognizes the increasing use of electric bikes as a mode of transportation within the Town; and

WHEREAS, electric bike operators have expressed safety concerns with riding on busy roadways, prompting some to use sidewalks instead; and

WHEREAS, some electric bike operators have been observed riding on sidewalks at excessive speeds and against the flow of pedestrian traffic, creating hazards; and

WHEREAS, the Town Council desires to amend Article III "Beach Bicycle and Vehicle Safety" of Chapter 28 "Traffic and Vehicles" of the Code of Ordinances of Fort Myers Beach, Florida, to allow the operation of electric bikes on sidewalks under regulated conditions and protect the safety of both electric bike operators and pedestrians; and

WHEREAS, on the ___ day of _____, 2025, the Town Council held a first reading of the Ordinance and gave full and complete consideration to the request of the proposed ordinance to amend the Town's Code of Ordinances, the recommendation of staff, the documents in the record, and the testimony of all interested persons; and

WHEREAS, a Business Impact Estimate was prepared and posted on the City's website on the ___ day of _____, 2025, as required by Section 166.041(4), Florida Statutes; and

WHEREAS, an advertisement of the public hearing for adoption of the Ordinance was published in the _____ on the ___ day of _____, which is 10 days prior to the second reading of the proposed Ordinance as required by Section 166.041, Florida Statutes; and

WHEREAS, on the ___ day of _____, 2025, the Town Council held a second reading of the Ordinance; and

WHEREAS, the Town Council determined that adoption of the Ordinance as provided herein is in the best interest of the health, safety and welfare of the public.

NOW THEREFORE, IT IS HEREBY ORDAINED BY THE TOWN OF FORT MYERS BEACH AS FOLLOWS:

Section 1. That the above recitals are true and correct, and incorporated herein by this reference and are hereby adopted as the legislative and administrative findings of the town council.

Section 2. That Article III "Beach Bicycle and Vehicle Safety" of Chapter 28 "Traffic and Vehicles" of the Code of Ordinances of Fort Myers Beach, Florida, is hereby amended to read as follows:

ARTICLE III. – BEACH BICYCLE AND VEHICLE SAFETY

Sec. 28-81. Requirements.

All bicycles, as defined in F.S. § 316.003(4), and all electric bicycles, as defined in F.S. § 316.003(22), operated within the public rights-of-way or sidewalks must meet the following requirements:

(1) No bicycle shall be used to carry more persons than the number for which it its designed and equipped.

(2) A bicycle carrying any passenger who is a child under four years of age, or who weighs 40 pounds or less, must be provided with a seat or carrier that is designed to carry a child of that age or size and that secures and protects the child from the moving parts of the bicycle.

(3) A bicycle rider or passenger who is under 16 years of age must be provided with and must wear a bicycle helmet that is properly fitted and is fastened securely upon the rider's or passenger's head by a strap and that meets the federal safety standard for bicycle helmet, final rule 16 C.F.R. part 1203. As used in this section the term "passenger" includes a child who is riding in a trailer or semitrailer attached to a bicycle.

(4) Every bicycle shall be equipped with a functioning lamp on the front exhibiting a white light visible from a distance of at least 500 feet to the front and a functioning lamp on the rear exhibiting a red light visible from a distance of 500 feet to the rear. Said front and rear lamps shall be illuminated at all times the bicycle is being ridden, used or operated by any person.

(5) Every bicycle shall be equipped with a brake or brakes which will enable its rider to stop the bicycle within 25 feet from a speed of ten miles per hour on dry, level, clean pavement.

(6) Every bicycle shall be equipped with a horn or audible device when operated within a public right-of-way in good working order and capable of emitting sound audible under normal conditions from a distance of not less than 50 feet. No horn or other warning device shall emit an unreasonably loud or harsh sound or a whistle.

Sec. 28-82. Headsets.

No person shall operate a bicycle or electric bicycle while wearing a headset, headphone, or other listening device other than a hearing aid or instrument for the improvement of defective human hearing.

Sec. 28-83. Vehicles prohibited.

No person shall drive any vehicle, including one-wheeled vehicles hoverboards, or any type of electronic skateboards, other than by human power upon any public sidewalk or path except for authorized government personnel, emergency vehicles, and special mobile equipment for repair or maintenance of the sidewalk areas. This section does not apply to motorized wheelchairs having three or more wheels. Motorized micro-mobility devices, including but not limited to, electric scooters, electric skateboards, one-wheeled devices, and hoverboards are prohibited.

Sec. 28-84. Assisted bicycles and Electric Bicycles ~~prohibited~~.

(a) "Electric bicycle" means any bicycle or tricycle equipped with fully operable pedals, a seat or saddle for use of the rider, and an electric motor of less than 750 watts, which meets the requirements of one of the three classifications of electric bicycle under F.S. § 316.003(22).

(b) No bicycle having any type of helper motor and having two or more wheels shall be driven upon any public sidewalk, path, or beach. This section does not apply to motorized wheelchairs having three or more wheels. Motorized micro-mobility devices, including but not limited to electric scooters, electric skateboards, one-wheeled devices, and hoverboards are prohibited.

(c) Notwithstanding the prohibitions in subsection (b), electric bicycles may be operated on sidewalks under the following conditions:

(1) Electric bicycles shall not be operated on a sidewalk if doing so would endanger the safety of pedestrians; and

(2) A person operating an electric bicycle shall comply with all regulations under Florida law and this Code applicable to bicycles and bicycle operators; and

(3) Electric bicycles shall be restricted to a maximum speed of 15 miles per hour when operating on a public sidewalk; and

(4) Operators of electric bicycles shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing the pedestrian; and

(5) When passing a pedestrian, the operator of an electric bicycle shall reduce the speed of the electric bicycle to idle speed, meaning the lowest speed at which the electric bicycle can operate and maintain steering control. Generally, this will be between one and three miles per hour; and

(6) Operators of electric bicycles must exercise due care to avoid collisions with pedestrians or human-powered vehicles, including reducing speed and giving an audible warning when necessary, especially when approaching children, pets, or individuals who appear confused or incapacitated; and

(7) If sidewalks are present on both sides of a roadway, a person operating an electric bicycle on a sidewalk shall only use the sidewalk on the right side of the roadway and shall travel in the same direction as the adjacent vehicular traffic.

Sec. 28-85. Responsible parties.

All owners, riders, and operators of bicycles and electric bicycles, ~~bicycle owners or riders/operators of the bicycle,~~ including entities that rent or loan bicycles or electric bicycles to others for use on the public rights-of-way, are responsible for compliance with these regulations. Rental contract language shall not redirect or assign responsibility for compliance of section 28-81 or 28-84 of this article.

Sec. 28-86. Operation with flow of traffic.

Bicycles and electric bicycles shall travel in the same direction as traffic while being operated in a public right-of-way, and must be operated on the right as other vehicles which results in traveling with and not against the flow of traffic unless directed otherwise by town officials

Sec. 28-87. ~~Penalty~~Penalties.

(1) A code enforcement officer who discovers the operation of a bicycle or an electric bicycle on a sidewalk in a manner that violates this article may issue a citation, as used by the town, to the operator of the bicycle. Any person operating a bicycle on a sidewalk in violation of the requirements of this article will be subject to a fine in an amount to be set by resolution in accordance with the citation procedures for parking violations set forth in Sections 28-25 through 28-27.

(2) ~~Violations of any provision~~ All first-time offenders of this Article, except as provided in (1) above, ~~of this article or failure to comply with any of the requirements herein for first-time offender(s)~~ shall result in the issuance of a written warning by enforcement officers. All subsequent violations of any provision or requirement of this article incurred by any

person or company having previously received a written warning shall result in a fine not to exceed $50.00, in addition to any penalty that may be imposed under state law.

Secs. 28-88—28-110. Reserved.

Section 3. The Town Council intends that the provisions of this ordinance be made a part of the Fort Myers Beach, Florida, Code of Ordinances, and that sections may be renumbered or re-lettered and the words or phrases herein may be changed to accomplish codification; regardless, typographical errors that do not affect intent may be corrected with notice to and authorization of the Town Manager without further process.

Section 4. Whenever the requirements or provisions of this Ordinance conflict with the requirements or provisions of any other lawfully adopted ordinance or Florida law, the most restrictive shall apply.

Section 5. If any section, subsection, sentence, clause, word, or phrase of this Ordinance is for any reason, declared by a court of competent jurisdiction to be unconstitutional or invalid, such decision will not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared.

Section 6. This Ordinance shall become effective upon adoption by the Town Council.

The forgoing Ordinance was adopted by the Town Council upon a motion by _____ and seconded by _____, and upon being put on a roll call vote, the results were as follows:

Dan Allers, Mayor	___
Jim Atterholt, Vice Mayor	___
John R. King, Council Member	___
Karen Woodson, Council Member	___
Scott Stafford, Council Member	___

ADOPTED this ___ day of _____, 2025 by the town council of the Town of Fort Myers Beach, Florida.

TOWN OF FORT MYERS BEACH

_____
Dan Allers, Mayor

ATTEST:

_____
Amy Baker, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:

_____
Vose Law Firm, Town Attorney

This Ordinance was filed in the Office of the Town Clerk on this ___ day of _____, 2025.

Formal Recommendation from the Safety Committee

The Safety Committee formally recommends the following actions to enhance pedestrian and cyclist safety:

---

1. Rescind the Current eBike Ordinance

- **Allow eBikes on Sidewalks:** Amend the ordinance to permit eBikes on sidewalks under the condition that they operate **at a speed less than 10 MPH** (no electric assistance).

---

2. Designated Sidewalk Path from Gulf View to Avenue C

- **Sidewalk Division:** Clearly mark the sidewalk to separate pedestrian and bike lanes.
  - **Allocation of Space:** 55% for pedestrians and 45% for bike traffic.
  - **See Illustration A**
- **Directional Flow:**
  - **Bike Lane Markings:** Indicate that bike traffic must flow **with the direction of vehicle traffic**.
  - **Pedestrian Symbols:** Mark the pedestrian side of the sidewalk for clear visual guidance.

---

3. Clear and Consistent Signage

- **Directional Signage:** Install signs along the route from Gulf View to Avenue C to inform cyclists that they must travel in the **same direction as vehicle traffic**.
- **No Bike Riding Zone:** Clearly mark the sidewalk between **Avenue C and Times Square** as a **No Bike Riding Area**.

---

4. Bike Rack Installation

- **New Bike Racks:** Add bike racks at strategic locations, including:
  - Near the **Library**
  - In the **Times Square** area
  - Bayside Park
  - Nervous Nellie's
  - Bowditch
  - Lynn Hall Park

5. Education and Outreach

- **Marketing and Educational Materials:** Distribute informative materials to all local **bike rental agencies** to educate renters on the new regulations and promote safety.
    - We would like to stress the importance of this. The rental shops can set the speed limits on their own ebikes to a max of, say, 15 mph without customer adjustment.

Illustrations A









D. Bicycle / Pedestrian Plan

Per Council's request, a discussion regarding the Town's bicycle ordinance and a discussion regarding an island bike/walk path.

Mayor Allers noted the 2017 MPO (Metropolitan Planning Organization) study was in the packet and included some good information. He indicated that he received emails regarding people who needed e-bikes for various reasons and they rode on the sidewalks because they did not feel safe in the bike lane or on the road. Now, they fear getting ticketed for riding on the sidewalk because of the ordinance. He thought they should not create a policy based on bad actors because most people would do the right thing. He questioned why one could not ride a bike on the beach and was open to changing the policy. Council Member Safford stated that people had to go with the traffic flow, and when they did not feel safe riding bikes, they would drive or go somewhere else. Mayor Allers added that some walkers felt unsafe on the sidewalks.

Council Member King questioned whether they could gather data for a year and revisit the policy. According to the LCSO (Lee County Sheriff's Office), setting speed limits was not feasible. Vice Mayor Atterholt questioned whether they could require bikers to get off their bikes when they pass walkers on the sidewalk. Town Attorney Stuparich stated that some of the requirements in the town's ordinance were in Florida statutes and could not be changed. Mayor Allers supported Vice Mayor Atterholt's suggestion.

Council Member Safford noted that he had not heard anyone complain about incidents with e-bikes on the beach. Town Attorney Stuparich will research whether they can mandate a forced stop on sidewalks. Vice Mayor Atterholt felt they needed to be very careful on the beach because of the relaxed vibe. Mayor Allers stated that education was essential and the enforcement had to have some teeth to help the LCSO.

Vice Mayor Atterholt thought they needed a strategy for next season to be more engaged in monitoring and enforcing the ordinance. Mayor Allers questioned whether they wanted to task the Public Safety Committee (PSC) to research programs. Town Attorney Stuparich noted that volunteers could provide education and advice, not enforcement. Town Manager Hyatt stated that he wanted to revive the CERT (Citizen Emergency Response Team) training through the state.

Vice Mayor Atterholt questioned whether bike rental businesses could be required to include additional information in their waivers. Town Attorney Stuparich will research the topic. Mayor Allers described markings on the sidewalks that directed bikers and pedestrians and mentioned discussing implementation with the county. Council Member Woodon pointed out that some people had challenges stopping their bikes before passing people on the sidewalk. Vice Mayor Atterholt described two different ways to stop.

Council Member Woodson described creating additional paths on the bay side to avoid Estero Blvd. Mayor Allers referred to the map on page 41 and stated that now was the time to create a new path. Director Kropacek indicated that a discussion was held earlier with a group through the R2P2 program and they were working on a plan to present to the town in June.

Mayor Allers referred to page 167 and felt they could quickly implement secured bike storage. He referred to page 63 and TDC (Tourist Development Council) funding to create advertising videos for education. He indicated that other grants were also available. He felt that financial incentives to encourage employers to provide bike parking for employees was a good idea.

E. CRA

Per Council's request, a discussion regarding CRA.

Mayor Allers felt that having three CRAs (Community Redevelopment Agency) made sense. He explained that it took blighted areas that allowed the town to increase the taxes, so when a CRA is set up, whatever increase in that tax base is, comes back to the town to work in areas within the CRA. It would allow them to take the funding from the tax increase and put it in three sections of the island to enable them to help improve the island for specific items within that section.

Town Attorney Stuparich explained that the CRA was designated as a dependent special district and was a local governmental entity. There were requirements to satisfy and the first was to determine whether the area was viewed as a blighted or slum area. The statutory definition of blighted contained several conditions and she felt that the current state of the beach and lack of affordable housing would qualify. She noted the county would have to concur and the town would have to have a discussion with them before moving forward. If they agree, a resolution or interlocal with the county would have to be drafted. The next stop would be to conduct a study from a planning and data perspective to confirm that information and conditions supported the definition of a blighted area. Town Attorney Stuparich noted that the study would cost money, so they should talk to the county first. A CRA board would have to be created with town council members and two additional members could be added. The board would develop a plan and the county would have to approve it. Then, a trust fund would be created to hold the money to be spent annually or build it up for a larger project.

Town Attorney Stuparich indicated that Lee County had a CRA in 1990 for Estero and San Carlos Islands but rescinded it in 2006 due to lack of money. She suggested that the previous CRA be reviewed and built on. She explained that a TIF (Tax Income and Financing) district was part of the CRA. When the boundary lines of the CRA are established, a baseline of the ad valorem revenue from that particular area is determined. As properties are redeveloped, it begins to increase, and that increment is what goes into the trust fund to be spent specifically in that area. She stated there was a lot of flexibility that they could do in the CRA. Council Member Safford noted that Lee Ford and Teresa Brown could provide valuable information about Fort Myers' CRAs. Consensus was reached to begin talks with Lee County and Mayor Allers will initiate contact. Town Attorney Stuparich will continue to research and work on documents.

DRAFT

Fort Myers Beach Management & Planning Session

Town Hall Council Chambers
2731 Oak Street
Fort Myers Beach, FL 33931

Minutes **Thursday, November 7, 2024** **9:00 AM**

ORDER OF BUSINESS

FINAL

I. CALL TO ORDER

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

II. PLEDGE OF ALLEGIANCE

III. ITEMS FOR DISCUSSION

A. Presentation: Bonita Estero Rail Trail

Ms. Deb Orton, President - Friends of BERT (Bonita Estero Rail Trail) Ms. Orton utilized PowerPoint for her presentation. Slides included Who We Are, What We Do, BERT Video, About BERT, Rail Corridor Funding Strategy - Partial List, Benefits BERT Will Bring, Florida Gulf Coast Trail, Florida Gulf Coast Trail Lee County Segment and What Happens Next. Ms. Orton asked the council to vote to endorse the project. The Town Council endorsed the project and Town Attorney Stuparich will draft a resolution. Town Attorney Stuparich described Trail Town and Ms. Orton elaborated. Natalie White of Schenkel Shultz Architecture described how BERT benefited Southwest Florida.

B. Public Benefits

Summary of LPA discussion of public benefits

Town Attorney Stuparich stated that the LPA (Local Planning Agency) requested a joint meeting to discuss the summary in the agenda packet. Vice Mayor Atterholt suggested adding essential, semi-essential services and early entrance as categories. Council Member Safford indicated there had to be a delta if they used a formula. Council Member Woodson noted that overall economic benefits and transportation were also discussed at the LPA meeting. She suggested adding monetary investment to keep the canals and waterways dredged and clean. Mayor Allers was not a fan of the point system

because smaller developments may be unable to provide what larger developments could. He described how water ferries were a public benefit if the visitors paid for them rather than taxpayers. Town Manager Hyatt indicated he would try to schedule a meeting next week.

C. Development Agreements with Deviations - Notice Requirements

Discussion regarding
A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA AMENDING RESOLUTION 24-73, CONTAINING THE PROCEDURES FOR DEVELOPMENT AGREEMENTS WITH DEVIATIONS TO CLARIFY THAT THESE DEVELOPMENT AGREEMENTS ARE HOME RULE DEVELOPMENT AGREEMENTS AND TO AMEND RELATED NOTICE REQUIREMENTS FOR CONSISTENCY WITH NOTICE REQUIREMENTS IN SECTION 2-98 AND CHAPTER 34 OF THE TOWN OF FORT MYERS BEACH LAND DEVELOPMENT CODE; AND PROVIDING AN EFFECTIVE DATE.

Town Attorney Stuparich read the title of the resolution and noted the item would be on the November 18, 2024 agenda. She indicated that the resolution had nothing to do with Seagate and was focused on procedures. She highlighted the changes in the document and described the differences between the notice requirements for a statutory development agreement and notice requirements for a planned development approval. She added that the changes were for consistency. Town Attorney Stuparich referred to page 31 regarding beginning the negotiation process.

Mayor Allers stated the town manager was not a planner, but the development agreement allowed him or his designee to make negotiations non-binding to bring to the council. The CPD (Commercial Planned Development) process allowed the staff to make a recommendation before going to the LPA and then to the town council. He felt that the development agreement circumvented the LPA process. He added that there was a lot of flexibility and latitude for developers but not the town and questioned what they could add to give the town more teeth. Town Attorney Stuparich replied that staff should have a clearer direction after special and public benefits were clarified in the joint meeting. Mayor Allers questioned where the guardrails were in the development agreement when special or public benefits were met. Town Attorney Stuparich responded that a formulation could be recommended based on the guidelines at the joint meeting.

Patrick Vanasse, resident and former LPA member, stated that initially, the LPA looked for a streamlined process to get smaller projects approved. He felt that the resolution was fine, and the town had the opportunity to ask what they wanted during negotiations because the town council made the final decision. Developers had to justify that the benefits commensurate with the ask. He noted the guardrails were the LDC and comp plan if the development agreement was incompatible with them. Mr. Vanasse questioned whether making the ordinance more stringent would conflict with Senate Bill 250.

Town Attorney Stuparich will research the Bill.

Mayor Allers preferred that the town manager and staff provide a recommendation before it went to the LPA and the town council. Town Attorney Stuparich read the language to add to the resolution. Vice Mayor Atterholt suggested that approvals or denials be based on a subjective decision, pro or con. Council Member King wondered whether an LPA recommendation became a crutch, and he did not do as much work as he should. He also mentioned that it became a ploy to attack the council for not following the LPA recommendations. Mayor Allers added that the resolution had to be consistent with everything else and clarifying why decisions were made was key. Town Attorney Stuparich will add language to 3.2.3 and 3.3.1.

D. Electric Bikes

Discussion Regarding the Town's Bicycle Ordinance and Electric Bicycle Regulations

Town Attorney Stuparich reviewed Florida statutes regarding e-bikes as stated on the green sheet. She noted that there was no definition of assisted bicycles and the town's code did not specifically reference electric bicycles, although the statute does. She asked for direction on what they would like to see.

Council Member Safford was fine with electric bikes on sidewalks, but he felt the fine for bad behavior had to be higher. Rental companies would have to provide a brochure with the penalties included. Mayor Allers suggested that short-term rentals add the rules to their information.

Council members agreed to discuss e-bikes on sidewalks and the beach.

Council Member Woodson favored e-bikes with speed limits because many people use bikes as their primary transportation. She questioned the list of prohibited vehicles and said she did not want golf carts on sidewalks.

Vice Mayor Atterholt indicated that law enforcement agencies did not have the equipment to gauge speed, which made enforcement challenging. He referred to the memo by Philip Miglioratti included in the packet. Mr. Miglioratti suggested they pass pedestrians at a speed that allowed them to maintain control of the bike and use audible notifications when approaching from behind. Vice Mayor Atterholt agreed that code enforcement had to have the tools to deal with bad behavior.

Council Member King questioned who would enforce it. He would like to go forward with it and study pedestrians' concerns, whether e-bikes or regular bikes. He would like to revisit the issue in a year when data is available.

Mayor Allers stated that bikes going in the wrong direction could be enforced.

Operations & Compliance Manager Thomas Yozzo stated they could not do a forced stop, so they had to call the LCSO (Lee County Sheriff's Office). He added that people generally complied, so they rarely had to call LCSO. He was allowed to inform bicyclists if they were traveling in the wrong direction.

He voiced concerns regarding liability issues with allowing bikes on the beach.

Mayor Allers felt that most people would not ride e-bikes on the beach because of sand damage. He noted there were no accidents in five years and agreed with revisiting it in a year.

Manager Yozzo indicated that adding language similar to Mr. Miglioratti's would allow him to stop people and ask them to slow down. Mayor Allers was okay with that language because it would help with potential liability litigation. Vice Mayor Atterholt shared his experiences riding his bike on the beach and avoiding people, wildlife and little kids. He mentioned bikes disrupting serene walks on the beach. Mayor Allers brought up people who could not walk on the beach anymore but could use e-bikes to get where they needed to go.

Manager Yozzo pointed out that enforcement was first-person. The ranger or officer had to observe the violation. He stated that the beach should be a safe space for children because they did not pay attention, and parents were not looking out for speeding bikes.

Council Member King wondered if they were trying to solve a problem that did not exist, especially since there had not been an accident in five years. Council Member Safford questioned whether they could allow riding on the beach during the off-season. Manager Yozzo replied that he would be worried about subjective enforcement.

Town Attorney Stuparich will come back with language to change the ordinance. Town Manager Hyatt added that they would work on creating a safety brochure. Council Member Safford suggested that the Public Safety Committee draft it. Manager Yozzo recommended that bikes be allowed on sidewalks with a directional provision. He felt the beach was a dangerous space for e-bikes. Mayor Allers was fine with keeping the beach the way it was. Vice Mayor Atterholt was a hard no on the beach. A consensus was reached to leave the beach as is and send the matter to the Public Safety Committee.

E. Certification of Vote of Appointed Advisory Board Members

Discussion regarding

A RESOLUTION OF THE TOWN OF FORT MYERS BEACH, FLORIDA, AMENDING SECTION 5 OF RESOLUTION 23-182 AS AMENDED BY RESOLUTION 24-178, TO INCLUDE CERTIFICATION OF THE VOTE BY THE TOWN COUNCIL BEFORE A VOTE TO APPOINT MEMBERS TO THE TOWN'S ADVISORY BOARDS, COMMITTEES, AGENCY AND COMMISSIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Attorney Stuparich read the title of the resolution and reviewed the changes as stated on the green sheet. She discussed section 5, regarding the method of voting. Concerns were raised about the lack of transparency. She proposed that council members announce who they voted for, and the town clerk or deputy clerk would record the votes on an Excel spreadsheet so the public could see how the votes were calculated. She suggested that ties be added back to the pot and vote on those who were left. Regarding ties, Council Member Woodson suggested that people who did not receive a vote be excluded from the pot.

Town Attorney Stuparich said they would go back and vote again on MERTF (Marine and Environmental Task Force) on November 18, 2024, and also go through the votes for other committees.

F. Fireworks

A discussion regarding New Years Eve fireworks.

Culture, Parks & Recreation Director Jeff Hauge stated they had a contract for the fireworks and the barge, but the funding did not come through. Due to the barge, the cost was about $80,000. Town Manager Hyatt indicated he would meet with Finance Director Onzick to find the funds. Director Hauge noted that the alternative was not to have them. Council members supported fireworks on New Year's Eve. Donations were welcome.

G. Downtown Lights

At Council's request, a discussion about light pole decorating along Estero Blvd.

Mayor Allers described decorating electric poles but asked if power would be available.

Director Hauge received three quotes for replacing the lights and the electrical system at Bayside Veteran's Park. The plan was to redo all the wiring, pull the pavers and redo the conduit, including down Old San Carlos. He did not have a timeline. Town Manager Hyatt stated that the repairs were considered an emergency and reimbursable by FEMA (Federal Emergency Management Agency). The work will be done as soon as possible.

IV. AGENDA MANAGEMENT

A. November 2024

The joint meeting with the LPA will be on November 13, 2024, at 8:30 a.m.

V. ADJOURNMENT

Council Member King moved to adjourn, seconded by Mayor Allers. The motion carried unanimously.

Minutes adopted as presented, November 4, 2024. Motion by Council Member King and seconded by Council Member Woodson. Passed 5-0.

Amy Baker, Town Clerk

MINUTES
FORT MYERS BEACH
PUBLIC SAFETY COMMITTEE
Town Hall Council Chambers
2731 Oak Street
Fort Myers Beach, FL 33931
Thursday, February 20, 2025

I. CALL TO ORDER

The meeting was called to order by Chair Thomas.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Members present: Todd Capela, Keran Farrell, James Knickle and Dawn Thomas.
Excused: Ron Benak and Jim Bougoulas.
Staff Liaison: Thomas Yozzo

IV. PUBLIC COMMENT – no comment.

V. APPROVAL OF MINUTES – January 23, 2025

James Knickle had an excused absence.

MOTION: PSC Member Farrell moved to approve the amended minutes, seconded by PSC Member Capela.
VOTE: The motion passed unanimously.

VI. STAFF REPORT AND UPDATES

Lt. Chitwood stated that there was nothing to report, but he was happy to answer questions. Traffic control was discussed. There were no e-bike incidents.

VII. FINALIZE OFFICIAL RECOMMENDATION FOR E-BIKE SIDEWALK AND BEACH TRAVEL FOR TOWN COUNCIL

Chair Thomas suggested that a line be drawn on the sidewalks from Times Square to the Red Coconut separating bikes and pedestrians with graphics and bikes have to flow with traffic. There should be a 10 mph limit for bikes. She supported Lt. Wirth's idea of adding a railing from Times Square to I Street with rumble strips so cars know it was a bike lane. She acknowledged it would take time and money, but that was her first preference. She thought people should walk their bikes in congested areas like Lani Kai and Margaritaville or ride in the street.

PSC Member Capela agreed with Lt. Wirth's idea but noted it would be expensive. He supported marking the sidewalks and making more room for pedestrians. He felt that three feet would be enough for bikes.
The first recommendation to the town council was to allow all bikes on the sidewalks and mark the sidewalks from Times Square to Red Coconut with markings showing that bikes need to go with traffic. There should be three feet for the bike lane, with the rest for pedestrians, signage indicating that bikes go with the flow of traffic and that no bikes ride on the sidewalks from Margaritaville to Times Square. Bike riders must walk their bikes or use the street.
Discussion was held regarding whether bikes or pedestrians should be closest to the road. A consensus was reached that pedestrians should be closest to the street. Liaison Yozzo suggested creating a map for clarity when presenting to the town council. PSC Member Capela suggested adding banks of bike racks by the Lani Kai so people can park their bikes and walk to Times Square. PSC Member Knickle wondered whether the Lani Kai would put bike racks in their parking lot.

MOTION: PSC Member Knickle moved that Chair Thomas present this information to the town council as a recommendation from the PSC, seconded by PSC Member Farrell.
VOTE: The motion carried unanimously.

VIII. MEMBER ITEMS AND REPORTS

PSC Member Capela thought the tram was useless and held up traffic because it only went 11 mph. He asked what they needed to do to discontinue the service. Chair Thomas asked about having a trolley on the beach during season. She described it as a big buggy pulling a couple of tram carts and people could get on and off. Liaison Yozzo suggested that Chair Thomas talk to Environmental Projects Manager Chadd Chustz regarding environmental impacts and public safety. Discussion was held regarding traffic congestion.
No items from other members.

IX. PUBLIC COMMENT – no public comment.

X. SET NEXT MEETING AGENDA – TBD

XI. ADJOURNMENT

MOTION: PSC Member Farrell moved to adjourn, seconded by PSC Member Knickle.
VOTE: The motion carried unanimously.

Adopted_____ with/without changes. Motion by_____
(Date)

Vote_____ Signature_____

- End of document

New regulations for e-bikes proposed in Collier County to improve safety

Laura Layden
Naples Daily News
USA TODAY NETWORK – FLORIDA

Collier County is looking at new regulations to address the growing popularity and dangers of electric bikes.

On Tuesday, county commissioners directed staff to advertise and bring back amendments to the pedestrian safety ordinance, adopted by the board in 2022.

An executive summary for the action item emphasized that e-bikes traveling on public sidewalks and bike lanes in the county have "increased and created more opportunities for crashes and injuries with other pedestrians, vehicles, and bicycles (manually or electrically operated)."

The recent death of 14-year-old Clayton Miller has brought e-bike safety to the forefront in Southwest Florida. The North Naples teen was killed March 15 after an SUV struck his bike in the Willoughby Acres community, when he rode through a stop sign.

What kind of changes are proposed?

Here are some of the changes Collier County is considering to improve its bike safety rules:

- Operation of a Class 3 electric bike (the fastest kind) would be prohibited on public roads, bicycle paths, and other shared roadways and pathways, by anyone under the age of 16.
- Bicycle riding would be allowed on public sidewalks, but use of electric bicycles, driven by anyone over the age of 16, would be restricted to the bicycle lane where available.
- Adults on electric bicycles could drive on sidewalks when accompanied by children under the age of 16.
- Anyone operating an electric bicycle on either the sidewalk or in a bicycle lane would have to stop – and remain stopped for school busses – while their stop arm is out.
- Passing the school bus on the side where children enter and exit when the stop signal is out would be a violation.
- A bicycle traveling in the opposite direction of traffic would have to come to a complete stop before entering an intersection and would have to yield to a vehicle that's already in the intersection.
- On shared pathways next to roads, including ones in parks and recreational areas, all bicycles and electric bicycles would have to yield to pedestrians.

One older e-bike owner, who lives in Lee County, raised personal safety concerns about having to ride on a bike path, rather than using the sidewalk, when he crossed the county line. He said there should be more consideration about that requirement, before it comes up for a vote.

New rules have been in the works for months

Commissioner Dan Kowal, who had a 28-year career in law enforcement, proposed the changes, saying he'd noticed that e-bikes had become "abundant," along sidewalks and pathways throughout the county, and they needed to be regulated better.

While most e-bikes are designed for speeds up to 28 miles per hour (Class 3), Kowal noted some custom or high-performance versions can top 35 miles per hour.

The work on the new regulations started about six months ago, before the recent accident, involving the local teen, and it involved conversations and coordination with the traffic unit of the Collier County Sheriff's Office, county staff and others.

Now, children are being armed with e-bikes and using them on public streets, sidewalks and other shared pathways, without training and supervision, Kowal said. With more regulation, he hopes the county can do a better job at protecting them, as well as the many others who are traveling around them.

"It would just basically reinforce keeping up with technology," Kowal said, and the "world around us."

ORDINANCE NO. 2025 - _____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, AMENDING ORDINANCE NO. 2022-02, THE "COLLIER COUNTY PEDESTRIAN SAFETY ORDINANCE", BY AMENDING SECTION THREE, DEFINITIONS; AMENDING SECTION FOUR, JURISDICTION; PROVIDING FOR A NEW SECTION ESTABLISHING REQUIREMENTS FOR THE OPERATION OF BICYCLES ON SIDEWALKS, CROSSWALKS, AND IN INTERSECTIONS WITHIN THE UNINCORPORATED PORTIONS OF COLLIER COUNTY, FLORIDA; PROVIDING FOR CONFLICT AND SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a recent compilation of motor vehicle crash data for 2020 published by the National Highway Traffic Safety Administration in October 2022 stated that Florida ranked fourth in the percentage of pedestrian fatalities in 2020; and

WHEREAS, Collier County has a significant government interest in pedestrian and bicyclist safety and this ordinance regulates conduct for the purpose of promoting pedestrian and bicyclist safety; and

WHEREAS, according to the Florida Department of Highway Safety and Motor Vehicles Crash Dashboard website at https://www.flhsmv.gov/traffic-crash-reports/crash-dashboard/, in 2022, there were 172 bicycle crashes in Collier County, resulting in 4 fatalities, and 164 injuries suffered, as well as, 190 pedestrian crashes resulting in 5 fatalities, and 122 injuries suffered (this data covers crashes occurring between January 1, 2022 and December 29, 2022); and

WHEREAS, the Florida Statutes expressly authorize local authorities such as Collier County to regulate the operation of bicycles and electric bicycles within their jurisdiction and within the reasonable exercise of their police power under the State Uniform Traffic Control Statute at §§ 316.008(h) and 316.2068(5); and

WHEREAS, the Board of County Commissioners finds that requiring the progression of bicycles on sidewalks and upon public rights of way to travel in the same direction as the flow of traffic will promote safer pedestrian travel and reduce the potential for crash events between vehicles and both pedestrian and bicycle travelers; and

WHEREAS, there has been a noticeable increase in the operation of electric bicycles on public sidewalks in Collier County, which presents enhanced opportunities for crashes and injuries with other pedestrian travelers upon those sidewalks, due in part to the steady accelerated speed which electric bicycles can maintain as compared to manually operated bicycles; and

WHEREAS, the Board of County Commissioners finds that this Amendment to Ordinance No. 2022-02 is narrowly tailored to impose specific regulations to protect the public health, safety, and welfare by reducing the likelihood of serious bodily injury or death that results from conflicts between vehicular traffic, bicyclists, and pedestrians progressing on the sidewalks, crosswalks, and intersections in the unincorporated area of Collier County; and

WHEREAS, the Board of County Commissioners seeks to prevent further pedestrian fatalities or injuries within the County.

NOW, THEREFORE, BE IT DULY ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, that:

SECTION ONE: Section Three: Definitions of Ordinance No. 2022-02, codified as Section 110-162 of the Code of Laws and Ordinances, is amended as follows:

SECTION THREE: DEFINITIONS.

For the purpose of this division, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

Bicycle means every vehicle propelled solely by human power, having two tandem wheels, and including any device generally recognized as a bicycle though equipped with two front or two rear wheels, as defined in § 316.003(4), Florida Statutes, including any device generally recognized as a bicycle though equipped with two front or two rear wheels. The term does not include motorized scooters, micromobility devices, or such similar devices as defined in § 316.003(41).

Bicycle lane means any portion of a roadway or highway which is designated by pavement markings and signs for preferential or exclusive use by bicycles. See also *Travel Lane* below.

Bicycle path means any road, path, or way that is open to bicycle travel, which road, path, or way is physically separated from motorized vehicular traffic by an open space or by a barrier and is located either within the right-of-way or within an independent right-of-way.

Crosswalk means: (a) that part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway, measured from the curbs or, in the absence of curbs, from the edges of the traversable roadway, and (b) any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

Electric bicycle means a bicycle or tricycle equipped with a fully operable pedals, a seat or saddle for the use of the rider, and an electric motor of less than 750 watts which meets the requirements of one of the following three classifications:

(a) "Class 1 electric bicycle" means an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the electric bicycle reaches the speed of 20 miles per hour.

(b) "Class 2 electric bicycle" means an electric bicycle equipped with a motor that may be used exclusively to propel the electric bicycle and that ceases to provide assistance when the electric bicycle reaches the speed of 20 miles per hour.

(c) "Class 3 electric bicycle" means an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the electric bicycle reaches the speed of 28 miles per hour.

Intersection means: (a) the area embraced within the prolongation or connection of the lateral curblines or, if none, then the lateral boundary lines of the roadways of two highways which join one another at, or approximately at, right angles; or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict, and (b) where a highway includes two roadways 30 feet or more apart, every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection. If the intersecting highway also includes two roadways 30 feet or more apart, every crossing of two roadways of such highways shall be regarded as a separate intersection.

Median means the portion of the roadway separating the opposing traffic flows. Medians can be depressed, raised, or flush.

Moped means any vehicle with pedals to permit propulsion by human power, having a seat or saddle for the use of the rider and designed to travel on not more than three wheels, with a motor rated not in excess of 2 brake horsepower and not capable of propelling the vehicle at a speed greater than 30 miles per hour on level ground and with a power-drive system that functions directly or automatically without clutching or shifting gears by the operator after the drive system is engaged. If an internal combustion engine is used, the displacement may not exceed 50 cubic centimeters. The term does not include an electric bicycle.

Motorized scooter means any vehicle or micromobility device that is powered by a motor with or without a seat or saddle for the use of the rider, which is designed to travel on not more than three wheels, and which is not capable of propelling the vehicle at a speed greater than 20 miles per hour on level ground. The term does not include an electric bicycle.

Motor vehicles means any vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails, but not including any bicycle or moped as defined in this section.

Pedestrian means any person afoot.

Person means any natural person, firm, co-partnership, association, or corporation.

Sidewalk is the portion of the street right-of-way intended for the use of pedestrians that is between the curb and the adjacent property line. If there is no curb or right-of-way parking area, it is the portion of the street right-of-way intended for the use of pedestrians that is between the roadway and the adjacent property line. If there is no curb but there is a right-of-way parking area, it is the portion of the street right-of-way intended for the use of pedestrians that is between the right-of-way parking area and the adjacent property line.

Traffic separator means a barrier, such as a concrete wall, raised median, guardrail, fence, or landscaped or gravel area, whether or not raised, that is less than 6 feet in width placed between lanes of a roadway to divide traffic moving in opposite directions.

Travel lane means the portion of the roadway dedicated to the movement of motor vehicles traveling from one destination to another where a motor vehicle may not remain stationary indefinitely without eventually obstructing the free flow of motor vehicle traffic, and not including~~,~~ shoulders, bicycle lanes, or on the street parking. Travel lanes do not include sidewalks, bike paths, private property, or streets closed to vehicular traffic. The term shall include ~~bike~~ bicycle lanes which are delineated but a contiguous part of the street or highway pavement.

SECTION TWO: Section Four of Ordinance No. 2022-02, codified as Section 110-163 of the Code of Laws and Ordinances of Collier County, Florida, is amended as follows:

SECTION FOUR: JURISDICTION

The provisions of this section shall be in effect upon all streets and highways and sidewalks owned and maintained by the county within the unincorporated area of the county over which Collier County has traffic control jurisdiction. This Ordinance does not apply to motorized wheelchairs having three or more wheels.

SECTION THREE: Ordinance No. 2022-02 is amended to include the following new section:

OPERATION OF BICYCLES ON PUBLIC SIDEWALKS AND CROSSWALKS WITH FLOW OF TRAFFIC.

1. Authorization: Bicycle riding is allowed upon the public sidewalks within the unincorporated area of Collier County over which the County has traffic control jurisdiction.

2. Power Assisted Bicycle Restrictions:

a. Any person over the age of 16 years old must operate an electric bicycle in the bicycle lane when available. Use of the sidewalks in such cases are prohibited and is a violation of this Ordinance.

b. If an adult is operating an electric bicycle while accompanying children under the age of 16 who are riding on a sidewalk, the adult shall lawfully be allowed to operate the electric bicycle on the sidewalk with those children, so as not to separate the children from the adult's supervision.

c. Any person under the age of 16 years old is prohibited from riding a Class 3 electric bicycle on public roads, bicycle paths, and shared roadways/pathways.

d. Any person using, operating, or driving an electric bicycle on either a sidewalk or in a bicycle lane must, upon approaching any school bus which displays a stop signal, bring such electric bicycle to a full stop while the bus is stopped, and the vehicle shall not pass the school bus until the signal has been withdrawn. Any person using, operating, or driving an electric bicycle that passes a school bus on the side that children enter and exit when the school bus displays a stop signal is a violation of this Ordinance. The driver of an electric bicycle upon a divided Roadway with an unpaved space of at least 5 feet, a raised median, or a physical barrier is not required to stop when traveling in the opposite direction of a school bus which is stopped in accordance with the provisions of this section.

e. An open intersection is one without traffic control signs or signals. Any person operating an electric bicycle or bicycle, traveling in the opposite direction of traffic, must come to a complete stop before crossing the open intersection, and must yield the right-of-way if a vehicle is already in the intersection.

f. At a signalized intersection, a bicyclist approaching on a sidewalk must obey the instructions of any applicable pedestrian control signal. That is, the bicyclist may start to cross a roadway in a crosswalk only during a steady "Walk" phase, if one is displayed. If no pedestrian signal is provided, the bicyclist may proceed in accordance with the signal indications for the parallel roadway traffic flow.

g. With respect to shared pathways that are not located adjacent to roadways, including those that are located in parks and recreational areas, all bicycles and electric bicycles must yield the right of way to pedestrians on these types of pathways, and when passing a pedestrian must deliver a warning by some type of sound device before the act of passing them.

SECTION FOUR: CONFLICT AND SEVERABILITY

In the event this Ordinance conflicts with any other Ordinance of Collier County or other applicable law, the more restrictive shall apply. If any phrase or portion of the Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion.

SECTION FIVE: INCLUSION IN THE CODE OF LAWS AND ORDINANCES

The provisions of this Ordinance shall become and be made a part of the Code of Laws and Ordinances of Collier County, Florida. The sections of the Ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

SECTION SIX: EFFECTIVE DATE

This Ordinance shall become effective upon filing with the Department of State.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Collier County, Florida, this _____ day of _____, 2025.

ATTEST:
CRYSTAL K. KINZEL,
Clerk of Courts & Comptroller

By: _____
, Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

By: _____
Burt L. Saunders, Chairman

Approved as to form and legality:

_____
Jeffrey A. Klatzkow, County Attorney

LocaliQ
Florida
GANNETT

PO Box 631244 Cincinnati, OH 45263-1244

AFFIDAVIT OF PUBLICATION

Amy Baker
Town Clerk/Town of Fort Myers Beach
2731 Oak St.
Fort Myers Beach FL 33931

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Advertising Representative of the News-Press, a daily newspaper published at Fort Myers in Lee County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of Public Notices, was published on the publicly accessible website of Lee County, Florida, or in a newspaper by print in the issues of, on:

03/11/2025

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.
Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 03/11/2025

Legal Clerk

Notary, State of WI, County of Brown

8-21-26
My commission expires

Publication Cost:	$187.90
Tax Amount:	$0.00
Payment Cost:	$187.90
Order No:	11107825
Customer No:	1124390
PO #:	
# of Copies:	1

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

NICOLE JACOBS
Notary Public
State of Wisconsin

NOTICE OF PUBLIC HEARING
Notice is hereby given that the Town Council of the Town of Fort Myers Beach will hold a public hearing at a meeting regarding the ordinance listed below beginning at 9:00 am on Monday, April 7, 2025 at Fort Myers Beach Town Hall Council Chambers, located at 2731 Oak Street Fort Myers Beach, FL 33931

ORDINANCE 25-03

AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA, AMENDING ARTICLE III "BEACH BICYCLE AND VEHICLE SAFETY" OF CHAPTER 28 "TRAFFIC AND VEHICLES" OF THE CODE OF ORDINANCES OF FORT MYERS BEACH, FLORIDA, TO ALLOW THE OPERATION OF ELECTRIC BICYCLES ON SIDEWALKS; ESTABLISHING SAFETY REGULATIONS; ESTABLISHING A MAXIMUM SPEED AND PASSING PROCEDURES; REQUIRING OPERATION WITH THE FLOW OF TRAFFIC; ESTABLISHING RESPONSIBLE PARTIES AND PENALTIES; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS OF LAW, AND AN EFFECTIVE DATE. If any person should choose to appeal a decision made at this public hearing, such person would need a record of the proceedings, and for that purpose may need to ensure that a verbatim record of the proceedings is made, which record indicates the testimony and evidence upon which the appeal is to be based. Copies of the full ordinance text are available at Fort Myers Beach Town Hall. Call 239-765-0202 for more information. Town Hall is open between the hours of 8:30 AM and 4:30 PM Monday-Friday. Reasonable accommodation will be made in accordance with the Americans with Disabilities Act. If you are in need of reasonable accommodation, contact Town Hall at 239-765-0202. Amy Baker, Town Clerk
11107825 March 11, 2025

Town of Fort Myers Beach
MAR 25 2025
Received by:

Town of Fort Myers Beach
Agenda Item Summary

Blue Sheet Number: **2025-399**

1. **Request:**

Meeting Date: June 2, 2025

This legislative agenda item is a First Reading and Public Hearing on proposed Ordinance 25-08. If approved at First Reading, a Second Reading and final adoption hearing will be scheduled for June 16, 2025, at 9:00 AM or at another time identified by Town Council.

ORDINANCE TITLE:
AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA AMENDING LAND DEVELOPMENT CODE SECTION 34-236, NOTICES TO REQUIRE APPLICANTS FOR REZONINGS, DEVELOPMENT AGREEMENTS AND DEVELOPMENTS OF REGIONAL IMPACT TO PROVIDE MAILED AND POSTED PUBLIC NOTICING PRIOR TO LOCAL PLANNING AGENCY AND TOWN COUNCIL PUBLIC HEARINGS; PROVIDING FOR SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS; CONFLICTS OF LAW; AND PROVIDING AN EFFECTIVE DATE.

Why the action is necessary:
The LDC at present does not require posted signs on site or dictate a timeframe for mailed notices. The code language has also been edited to include development agreements.

What the action accomplishes:
This action would provide clear rules for noticing that will benefit the public and provide clarity to applicants.

2. **Agenda:**	3. **Requirement/Purpose:**	4. **Submitter of Information:**
PUBLIC HEARINGS	Ordinance	Judith Frankel, Principal Planner

5. **Background:**
At the January 2025 LPA meeting, the LPA directed staff to bring forward an ordinance to amend the Land Development Code (LDC) section regarding notice requirements.
The intent of this ordinance is to create a notice timeframe, a posted notice requirement and to require applicants to do the work of providing notice to the public. At present, Town staff mail postcards to property owners within a 500ft radius and bills the applicant for that cost. The LDC does not provide a timeframe at present and there is no requirement for posting a notice at the site. The draft ordinance sets the timeframe at 7 days ahead of the public hearing.
The LPA reviewed the ordinance at their May 13th, 2025, meeting and voted 7 to 0 to recommend approval of the ordinance to the Town Council. The LPA recommended that staff create template postcards and signs for applicants to utilize.

Attachments:
1. Public Notice Ordinance
2. Business Impact Estimate - Ordinance 25-08 Public Notice

Financial Impact:
At present, Town staff sends out postcards and bills the applicant, requiring the applicant to send out the notices should be cost neutral. The cost of posted 18"x24" signs should be minimal to the applicant.

6. **Alternative Action**
Do not approve

7. **Management Recommendations:**
Approval

8. **Recommended Approval:**

Amy Baker, Town Clerk	Created/Initiated - 5/22/2025
Georgina Cid, Community Development Manager	Approved - 5/23/2025
Frankie Kropacek, Community Development Director	Approved - 5/23/2025
nancy stuparich, Town Attorney	Approved - 5/26/2025
Amy Baker, Town Clerk	Approved - 5/27/2025
William McKannay, Town Manager	Final Approval - 5/28/2025

ORDINANCE NO. 25-08

AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA AMENDING LAND DEVELOPMENT CODE SECTION 34-236, NOTICES TO REQUIRE APPLICANTS FOR REZONINGS, DEVELOPMENT AGREEMENTS AND DEVELOPMENTS OF REGIONAL IMPACT TO PROVIDE MAILED AND POSTED PUBLIC NOTICING PRIOR TO LPA AND TOWN COUNCIL HEARINGS; PROVIDING FOR SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS; CONFLICTS OF LAW; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Florida Statutes provide that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal service, and exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, Article X of the Town Charter of the Town of Fort Myers Beach empowers the Town to adopt, amend, or repeal such ordinances and resolutions as may be required for the proper governing of the Town; and

WHEREAS, the Town recognizes that redevelopment of the Town, following hurricane Ian requires evaluation and updates to the Land Development Code; and

WHEREAS, the Town Council desires updates to the Fort Myers Beach Land Development Code to clarify, improve and create consistency among sections; and

WHEREAS, the proposed changes to the Land Development Code are not more restrictive or burdensome to development; and

WHEREAS, a public hearing was held before the Local Planning Agency (LPA) on February 11th, 2025, at time which the LPA gave full and complete consideration of the request, recommendations by staff, the documents in the record, and the testimony of all interested persons, and the LPA voted 7 to 0, to recommend approval of this Ordinance; and

WHEREAS, on June 2nd, 2025, the Town Council held a first reading of the proposed Ordinance and gave full and complete consideration to the recommendation of the LPA, the recommendation of staff, the documents in the record, and the testimony of all interested persons to adopt Ordinance 25-08 as provided herein and approved scheduling an adoption public hearing; and

WHEREAS, a Business Impact Estimate was prepared and posted on the City's website on the ____ day of _____, 2024, as required by Section 166.041(4), Florida Statutes; and

WHEREAS, an advertisement of the public hearing for adoption of the Ordinance was published in the News-Press on the ____ day of _____, 2025, which is 10 days prior to the second reading of the proposed Ordinance as required by Section 166.041; and

WHEREAS, on the ___ day of _____, 2024, the Town Council held a second reading of the Ordinance; at which time the Town Council gave full and complete consideration to the recommendations of staff and the LPA, and the testimony of all interested persons; and

WHEREAS, the Town finds that it is in the best interests of the health, safety, and welfare of the Town's business owners, residents, and visitors to adopt the proposed change.

NOW THEREFORE IT IS HEREBY ORDAINED BY THE TOWN OF FORT MYERS BEACH, FLORIDA:

Section 1. The above recitals are true and correct, and incorporated herein by this reference and are hereby adopted as the legislative and administrative findings of the Town Council.

Section 2. LDC Sec. 34-236 is hereby amended to read as provided in Exhibit A.

Section 3. The Town Council intends that the provisions of this ordinance be made a part of the Fort Myers Beach Code of Ordinances, and that sections herein may be renumbered or re-lettered and the words or phrases herein may be changed to accomplish codification; regardless, typographical errors that do not affect intent may be corrected with notice to and authorization of the Town Manager without further process.

Section 4. Whenever the requirements or provisions of this ordinance conflict with the requirements or provisions of any other lawfully adopted ordinance or statute, the most restrictive shall apply.

Section 5. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason, declared by a court of competent jurisdiction to be unconstitutional or invalid, such decision will not affect the validity of the ordinance, or any part thereof, other than the part so declared.

Section 6. This ordinance shall become effective upon adoption by the Town Council.

The foregoing Ordinance was adopted by the Town Council upon a motion by Councilmember King and seconded by Mayor Allers and upon being put to a roll call vote, the result was as follows:

Dan Allers, Mayor	___
Jim Atterholt, Vice Mayor	___
John R. King, Council Member	___
Scott Safford, Council Member	___
Karen Woodson, Council Member	___

ADOPTED this __ day of _____ 2025, by the Town Council of the Town of Fort Myers Beach,

Florida.

TOWN OF FORT MYERS BEACH

_____
Dan Allers, Mayor

ATTEST:

_____
Amy Baker, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:

_____
Vose Law Firm, Town Attorney

The foregoing Ordinance was filed in the Office of the Town Clerk on the ___ day of _____, 2025.

Attached Exhibits
Exhibit A – Proposed Noticing Requirements

Exhibit A

Sec. 34-236. Notices.

(a) Minimum required information. A notice of public hearing under this chapter shall contain the following minimum required information:

(1) Action proposed.

a. Rezoning, development agreements and developments of regional impact. All required notices shall indicate the existing zoning of the property, the proposed zoning, and the general location of the property by reference to common street names and addresses, with sufficient clarity so as to advise the public, but need not describe the proposed plans or details thereof, or the specific legal description of the property.

b. Special exceptions and variances. All required notices shall indicate the existing zoning of the property; the proposed use by special exception, or the requirement from which the variance is being requested and the actual degree of variance being requested; and the location of the property by reference to common street names and addresses, with sufficient clarity so as to advise the public, but need not describe the proposed plans or details thereof or the specific legal description of the property.

c. Quasi-Judicial and Administrative Appeals. The notice shall summarize the decision or action upon which the appeal is based with sufficient clarity so as to advise the public of the subject matter.

(2) Time and place of hearing. The notice shall specify the date, time and place that the public hearing will be held by the local planning agency or the town council.

(3) Public availability of information. The notice shall indicate ~~where~~ that copies of the ~~proposed amendment~~ application may be obtained or reviewed~~, or where the application for public hearing may be reviewed.~~ by contacting Town Hall staff

(4) Location of record of notice. A copy of such notice shall be kept available for public inspection during the regular business hours at Town Hall ~~and at the director's office~~.

(b) Method of providing notice. Notices of hearings before the local planning agency and the town council shall be provided by the applicant or their agent in accordance with applicable statutes and subsection (a) of this section. All noticed requests shall utilize layman's language, i.e., "apartment building" rather than "multi-family dwelling," "restaurant" rather than "business zoning."

(c) Mailed notices.

a. Applications for Commercial, Institutional and Multi-family development. The property owners list and map of surrounding property owners required by §§ 34-202(a)(6) and (a)(7) of this chapter is for the purpose of mailing notice to property owners within 500 feet of the property described. ~~The notice is a courtesy only and is not jurisdictional.~~ The applicant or their agent must provide proof of mailed notices 7 calendar days prior to the scheduled public hearing date. Proof must be provide via map of 500 ft radius, list of mailing addresses and photographs of mailed notices with paid postage stamp. Accordingly, the failure to mail or to timely mail such notice, ~~or failure of any affected property owners to receive mailed notice,~~ will ~~not~~ constitute a defect in notice ~~or bar~~ and deny the public hearing from being heard as scheduled.

b. Single-Family or Two-Family Home variances. These applications are exempt from 34-202(a)(6) and (a)(7) The applicant or their agent must provide photographic proof of mailed notices 7 calendar days prior to the scheduled public hearing date. The applicant shall mail written courtesy notices to the abutting property owners and property owners parallel to the subject property line across any right-of-way, of the planning and zoning board meeting date and location ten days prior to the meeting.

(d) Posted notices. The applicant or their agent is responsible for posting a notice of a public hearing on site at least 7 calendar days prior to a scheduled meeting. A professionally lettered sign must be posted at each property boundary that fronts a public right-of-way. Photographic proof must be received by the Town Clerk 7 days in advance of the scheduled

hearing with the LPA or Town Council. Failure to post the notice or staff receipt of proof of posted notice will constitute a defect in notice and require rescheduling of the hearing.

(1)The posted notice, 18 inches by 24 inches, must be placed in a prominent place on the property by the applicant/agent at their own expense denoting the following: application request, date and time of hearing, hearing body (i.e. LPA or Town Council), location of hearing and phone number of Town Hall directing interested parties to contact for information.

Business Impact Estimate

Proposed ordinance's title/reference:
Ordinance 25-08 Implementing rules for public noticing requirements

AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA AMENDING LAND DEVELOPMENT CODE SECTION 34-236, NOTICES TO REQUIRE APPLICANTS FOR REZONINGS, DEVLOPMENT AGREEMENTS AND DEVELOPMENTS OF REGIONAL IMPACT TO PROVIDE MAILED AND POSTED PUBLIC NOTICING PRIOR TO LPA AND TOWN COUNCIL HEARINGS; PROVIDING FOR SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS; CONFLICTS OF LAW; AND PROVIDING AN EFFECTIVE DATE.

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the Town is of the view that a business impact estimate is not required by state law[1] for the proposed ordinance, but the Town is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☒ The proposed ordinance is enacted to implement the following:
  a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
  b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
  c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
  d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

[1] See Section 166.041(4)(c), Florida Statutes.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the Town hereby publishes the following information:

1. Summary of the proposed ordinance, (e.g. statement of the public purpose serving the public health, safety, morals and welfare):
The proposed ordinance defines rules for public hearing applicants to provide notice of hearings to the public.

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the Town, including the following, if any:
(a) An estimate of direct compliance costs that businesses may reasonably incur;
(b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
(c) An estimate of the Town's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

At present, the Town completes noticing tasks and bills the applicants for the costs. Under the proposed ordinance the applicant would complete the tasks and incur the costs directly. The cost vary depending on the number of postcards to be sent but will be the same or similar and the current costs.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

This will impact all applicants for public hearings.

4. Additional information the governing body deems useful (if any):
N/A

Town of Fort Myers Beach
Agenda Item Summary

Blue Sheet Number: **2025-413**

1. **Request:**

Meeting Date: June 2, 2025

1) Approve the Town Manager's recommendation based on the Selection Advisory Committee's evaluation of the responses received to RFP-25-02-AD, FMB Comprehensive Recovery and Resilience Implementation Plan; and
2) authorize the Town Manager to negotiate an agreement with AECOM Technical Services, the top ranked firm conditioned on approval by Lee County; and 3) Waive approval by the Town Council and authorize the Town Manager to approve the final agreement, subject to legal sign-off.

Why the action is necessary:

CDBG-DR Funding expires July 31, 2026 and per Town code and in accordance with state and federal procurement requirements, the request for proposal process was followed for competitive procurement.

What the action accomplishes:

Obtains a contract in for planning services in accordance with CDBG-DR funding received by the Town through Lee County.

2. **Agenda:**	3. **Requirement/Purpose:**	4. **Submitter of Information:**
ADMINISTRATIVE AGENDA	Other	Frankie Kropacek, Community Development Director

---

5. **Background:**

Through the use of Community Development Block Grant – Disaster Recovery (CDBG-DR) funding, the Town seeks to procure a qualified planning consultant (the "Consultant") to develop the Fort Myers Beach Comprehensive Recovery and Resilience Implementation Plan ("the Plan"). This Plan will build upon existing plans, studies, and guidance—such as the FEMA TA Long-Term Recovery Plan and the Coastal Florida Recovery and Resiliency Partnership Project (R2P2)—without duplicating existing efforts. It will serve as an actionable roadmap for implementing a cohesive set of recovery, resilience, and mitigation strategies that not only address immediate post-disaster needs but also position the Town for long-term sustainability and climate adaptation. The Consultant will work with the Town's consultant to also identify and facilitate updates to the Town's Comprehensive Plan in accordance with Florida Statute 163.3177, ensuring that these critical updates are adopted by the Town to fully realize the Plan's recommendations.

RFP-25-02-AD was issued to solicit proposals for the Comprehensive Recovery and Resilience Implementation Plan. The Town received 5 complete proposals. The Selection Advisory Committee reviewed the proposals on Wednesday, April 23, 2025, and unanimously voted to recommend to the Town Manager the ranking of AECOM Technical Services, Inc as the highest ranked firm and GHD Services Inc as the second-ranked firm and GAI Consultants as the third ranked firm.

Attachments:

1. Selection Committee - RFP25-02-AD
2. AECOM Consultants Proposal
3. GHD Consultants Proposal
4. GAI Consultants Proposal

5. Hagerty Consultants Proposal
6. Florida Technical Tech Consultants Proposal

Financial Impact:
No direct impact on the Town but with the HUD Funding, this will benefit the Town for years to come with the Long Range Recovery Plans.

6. **Alternative Action**
Do not accept the reccoemendations and potentially rebid the soliciation.

7. **Management Recommendations:**
Accept the reccomendations and authorize the Town Manager to negotiate and execute an agreement with the top ranked firm.

8. **Recommended Approval:**

Deborah Glavin, Contracts & Procurement Specialist	Created/Initiated - 5/22/2025
nancy stuparich, Town Attorney	Approved - 5/26/2025
Amy Baker, Town Clerk	Approved - 5/27/2025
William McKannay, Town Manager	Final Approval - 5/28/2025

Proposal RFP-25-02-AD NAME Proposing Firms	Understanding & Technical	Experience &	Engagement & Inclusivity	on, Best Practice
Max Points	25 Points	25 Points	15 Points	15 Points
AECOM Technical Service Inc				
Floida Technical Consultants				
GAI Consultants				
GHD Services Inc				
Hagerty Consulting				
Stantec	0	0	0	0

Proposal RFP-25-02-AD NAME Proposing Firms	Frankie	Jason	Judith	Traci
AECOM Technical Service Inc	91	84	83	83
GHD Services Inc	87	80	80	85
GAI Consultants	79	82	87	79
Hagerty Consulting	64	80	84	70
Floida Technical Consultants	56	53	48	63
Stantec	0	0	0	0
	377	379	382	380

Cost & Budget Reasonableness	Owned Business Status	Total Points
15 Points	5 Points	100 Possible
		0
		0
		0
		0
		0
0	0	0

Total Points	Ranking
	#1 Best
341	1
332	2
327	3
298	4
220	5
0	6

Comments
Bid Is Incomplete - No Documents Filed

RFP was posted in Demandstar - only six companies responded and Stantec file was incomplete

The Town of Fort Myers Beach will evaluate proposals received based upon
Project Understanding & Technical Approach (25 points)
Description: Evaluates the Consultant's understanding of the Town's needs, the complexity of the recovery and resilience challenges, and the clarity and thoroughness of the proposed methodology. Considers how well the approach integrates existing plans, avoids duplication,
Considerations:
• Depth of understanding of project scope and objectives
• Quality and feasibility of the proposed work plan, including timeline and deliver
• Clarity in addressing Comprehensive Plan amendments and adoption process

Relevant Experience & Qualifications (25 points)
Description: Assesses the Consultant's track record in delivering comparable post-disaster resilience and recovery planning projects, particularly in coastal communities. Also considers the qualifications and experience of key personnel and the Consultant's capacity to complete
Considerations:
• Demonstrated experience in similar federally funded or CDBG-DR projects
• Technical competence in areas such as FEMA Community Lifelines, hazard m
• Strength and relevance of assigned staff's expertise

Public Engagement & Inclusivity (15 points)
Description: Rates the Consultant's ability to conduct inclusive and meaningful stakeholder engagement. Evaluates strategies for reaching diverse community members, vulnerable populations, and key stakeholders to ensure the final Plan is reflective of the community's
Considerations:
• Robustness and creativity of proposed outreach methods
• Experience engaging diverse and vulnerable populations
• Clarity on how stakeholder input will be incorporated into the final Plan

Innovation, Best Practices & Evidence-Based Strategies (15 points)
Description: Measures the Consultant's capacity to integrate cutting-edge concepts, national best practices, and evidence-based programs into the project. Assesses the innovative qualities of the proposed approach and the Consultant's familiarity with recognized standards
Considerations:
• Inclusion of innovative planning tools and technologies
• Alignment with national best practices and proven, research-backed strategies
• Ability to adapt and apply lessons learned from similar coastal and post-disaste

Cost & Budget Reasonableness (15 points)
Description: Evaluates the transparency, competitiveness, and reasonableness of the proposed budget. Considers whether the Consultant's cost aligns with the scope and

Considerations:
• Appropriateness and clarity of cost breakdown
• Cost-effectiveness relative to the level of effort and deliverables proposed
• Justification for key expenses and ability to work within the Town's budget cons

M/WBE or Veteran-Owned Business Status (5 points)
Description: Considers whether the prime or subconsultants are minority-owned, women-owned, or veteran-owned businesses, reflecting the Town's commitment to supplier diversity
Considerations:
• Prime or subconsultant status as a certified M/WBE or Veteran-Owned Busines
• Demonstrated outreach or utilization of M/WBE or Veteran-Owned Business en

ı the following evaluation cri

rables

ıitigation, and coastal planning

er contexts

straints

ss
nterprises in project delivery

AECOM

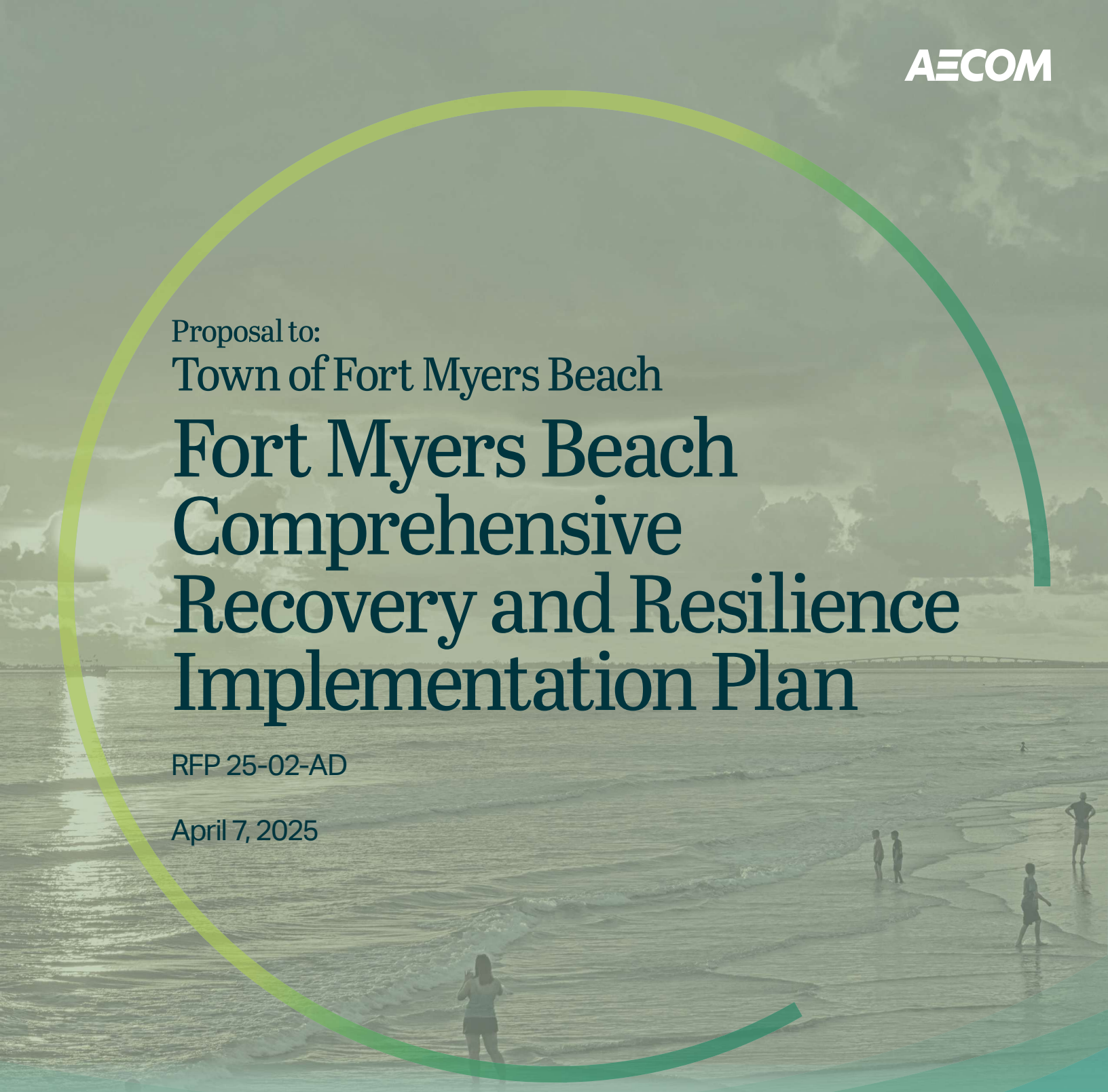
Proposal to:

Town of Fort Myers Beach

Fort Myers Beach Comprehensive Recovery and Resilience Implementation Plan

RFP 25-02-AD

April 7, 2025



Delivering a better world

1 Letter of Transmittal

AECOM
4415 Metro Parkway
Suite 404
Fort Myers, FL33916

T: 239.278.7996
aecom.com

Town of Fort Myers Beach
2731 Oak Street
Fort Myers Beach, FL 33931

Attention: Ms. Deborah Glavin, Contracts and Procurement Specialist
Sent via e-mail to: bids@fmbgov.com, dglavin@fmbgov.com

RE: Request for Proposal (RFP) Number (No.) 25-02-AD,
Fort Myers Beach Comprehensive Recovery & Resilience Implementation Plan

Dear Ms. Glavin:

For decades, AECOM Technical Services, Inc. (AECOM) has served South Florida municipalities in recovery and resiliency projects. We appreciate the opportunity to bring our expertise to the Town of Fort Myers Beach, and to collaborate with you to develop a comprehensive recovery and resilience implementation plan. Our team is committed to delivering effective, flexible and innovative solutions that align with the Community Development Block Grant Program's intent to build stronger and more resilient communities.

Recovery and resilience planning services focus on the realization of outcomes achieved through the integrated delivery of multiple projects using specific tools, processes, skills and initiatives. Having served numerous state agencies and local communities, we have a deep understanding of the unique processes, systems and objectives that may need to be supported. Our ongoing collaboration with the Florida Division of Emergency Management and Federal Emergency Management Agency (FEMA) aligns seamlessly with this assignment's objectives.

Leveraging our local and federal experience, we have identified several key factors essential for the successful execution of this contract:



A team with extensive disaster recovery and resilience planning expertise: As a leader in both disaster recovery services and climate resilience planning, we know what it takes for a Florida community to rebuild and adapt. With all services in-house, we provide a streamlined, end-to-end solution for lasting resilience. In fact, AECOM has deep expertise in disaster recovery, policy and grants management, and compliance monitoring. With a legacy of over 780 successful responses to declared disasters—including hurricanes, floods and human-caused hazards—we have supported FEMA and local governments for decades. The experience of responding to some of the country's most significant disasters has given our team the knowledge to advise you regarding how to prepare and prioritize investment in critical infrastructure systems.



Insights into local considerations and related State of Florida resiliency planning nuances: We understand the critical need for a comprehensive and forward-looking plan to guide the Town through recovery and resilience, given the impact of Hurricane Ian. We will integrate lessons learned and data from our Florida-based assignments such as the FEMA Technical Assistance Long-Term Recovery Plan, and the Coastal Florida Recovery and Resiliency Partnership Project (R2P2), providing a cohesive set of recovery, resilience and mitigation strategies. We will collaborate with you to update the Town's Comprehensive Plan in accordance with Florida Statute 163.3177 and provide technical services to support community development and infrastructure mapping.

A collaborative approach involving innovative industry best practices: Municipalities across the U.S. are navigating a dynamic landscape which includes ambitious performance goals, funding fluctuations, natural hazards, infrastructure needs and evolving regulatory requirements. Our team excels at collaborating with stakeholders to deliver strategic and technical recommendations, adeptly addressing complex challenges. We organize teams by discipline, working across sectors and applying industry best practices tailored specifically to your needs. We offer expertise gained from developing and implementing robust tools and methods for resilience planning, such as the Resilient Community Scorecards for the UN Disaster Risk Reduction Program and the National Institute of Standards and Technology (NIST) Community Resilience Guide for Buildings and Infrastructure. These tools help communities forge their own paths to resilience while benefiting from best practices and tried-and-true processes.

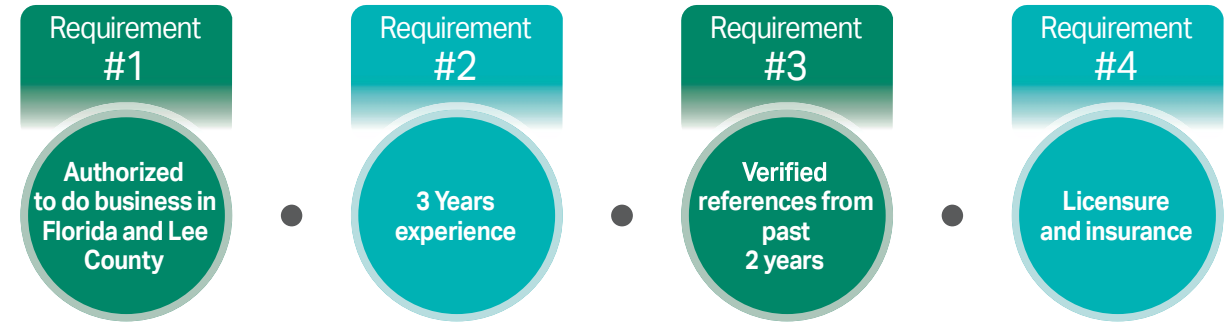
We acknowledge receipt of Addenda No. 1, date of issue, March 27, 2025 and Addenda No. 2, date of issuance March 31, 2025. We look forward to helping the Town of Fort Myers Beach realize its goals for comprehensive recovery and resilience planning, and we appreciate the opportunity to collaborate with you. Please send all correspondence for this proposal to our proposed Project Manager, Erica Harris, at Erica.Harris@aecom.com

Sincerely,
AECOM Technical Services, Inc.

Ronald Cavalieri, PE, BCEE
Associate Vice President
(Authorized Signatory)
4415 Metro Parkway
Fort Myers, FL 33916
ronald.cavalieri@aecom.com
239-278-7996

Erica Harris
Climate Resilience Market Sector Lead
110 E. Broward Blvd, Suite 700
Fort Lauderdale, FL 33301
erica.harris@aecom.com
740-590-9417

We exceed your stated minimum requirements.



AECOM is authorized to do business in Florida and Lee County

AECOM has more than three years of experience

Our proposal includes references from the past two years/present, for contracts requiring similar services

AECOM has the appropriate licensure and insurance required for completion of the project

This proposal includes data that shall not be disclosed outside the Government and shall not be duplicated, used, or disclosed-in whole or in part-for any purpose other than to evaluate this proposal. If, however, a contract is awarded to this offeror as a result of-or in connection with-the submission of this data, the Government shall have the right to duplicate, use, or disclose the data to the extent provided in the resulting contract. This restriction does not limit the Government's right to use information contained in this data if it is obtained from another source without restriction. The data subject to this restriction are contained in all pages of the proposal.

2 Title Page

Name of Proposer's Agency/Firm

AECOM Technical Services, Inc.

Local Address

4415 Metro Parkway
Fort Myers, FL 33916
PH: 239-278-7996

Contact Person

Names	Email Addresses
Ronald Cavalieri, PE, BCEE (Authorized to Make Representations for or on Behalf of the Proposer)	ronald.cavalieri@aecom.com
Erica Harris **Project Manager** (Secondary Contact Person)	erica.harris@aecom.com

RFP No. 25-02-AD

Fort Myers Beach Comprehensive Recovery & Resilience Implementation Plan

Date of Proposal Submittal: April 7, 2025



3 Table of Contents

1. Letter of Transmittal 1
2. Title Page 3
3. Table of Contents 4
4. Organization Profile and Qualifications 5
4.1 AECOM overview and capabilities 5
4.2 Certificate of authorization 6
4.3 Primary individuals, percentage of time they will contribute, availability 7
4.4 Capacity to complete the project on time and within budget 7
5. Experience 46
5.1 Qualifications in similar federally funded or CDBG-DR projects 47
5.2 Local knowledge and coordination 48
5.3 Ability to meet set standards 49
5.4 Integrating FEMA community lifelines 50
5.5 Hazard mitigation and coastal planning 51
5.6 Addressing community-specific vulnerabilities, and equity 52
6. Approach to Providing Services 61
6.1 Understanding of project scope and objectives 61
6.2 Technical approach, best practices & evidence-based strategies: and work products/deliverables 62
6.3 Work plan and timelines 70
6.4 Innovations 71
7. Compensation 72
Form C Price Proposal Form 73
8. Additional Information 75
Compliance Matrix 76
Florida Certificate of Status 77
Lee County Business Tax Receipt 78
State of Florida Women Business Certification 79
Financial resources 80
Certificate of Liability Insurance 88
9. Addenda 89
10. Additional Required Forms 95
RFP Form A Qualifications Statement 96
RFP Form B Reference Form 100
RFP Form D Proposer's Certification 101
Form 3A - Interest in Competitive Bid for Public Business 103
Anti-Lobbying Form 104
Conflict of Interest Disclosure Form 105
Non-Collusion Affidavit 106

4 Organization Profile and Qualifications

4.1 AECOM overview and capabilities

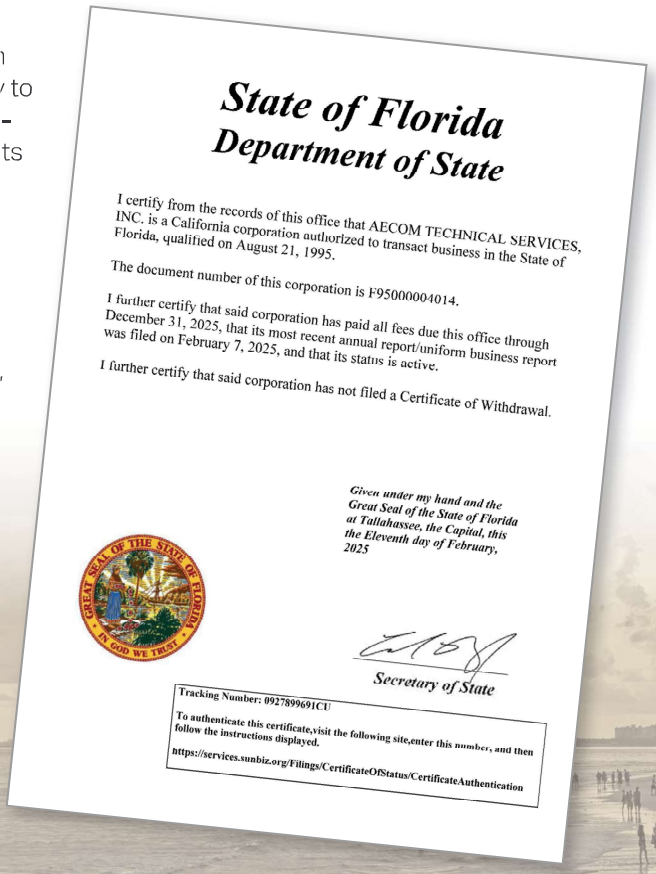
AECOM is a multi-disciplinary firm with a long history of partnering with municipalities and communities across Florida, dating back to 1957. We have served Lee County for nearly 40 years...and we live and work in the community. Our office in Fort Myers employs several people who were personally affected by Hurricane Ian. We will use this familiarity and knowledge of the local community, leadership and key stakeholders to develop a plan tailored to the unique needs of the Town of Fort Myers Beach, and help build a strong and resilient community for residents and visitors.

We offer our clients a diversified and highly specialized combination of services pertaining to recovery planning and resilience strategy development and implementation, project management, evaluations and studies, and policy and process optimization. Services also include design, engineering, environmental services, and program management. Our broad range of services spans across both local and international markets.

In this proposal, we have provided project experience examples which reflect our experience, depth of professional talent and proven history to support the Town in delivering your Scope of Work. Our integrated full-service approach adds value to statewide initiatives, and our specialists address diverse projects.

AECOM is a Fortune 500 firm with strong financial stability. We have included information regarding our financial strength in Section 8, Additional Information.

We have selected CMA Outreach, Inc. (CMA) as our project partner. CMA is a minority-owned small business firm based in the Fort Myers, and will serve as our subconsultant. AECOM and CMA collaborated on the successful completion of the City of Naples Critical Assets and Facilities Vulnerability Assessment and Adaptation Plan. This partnership enhances our services, capabilities and resources, allowing us to respond quickly while delivering projects effectively.



State of Florida
Department of State

I certify from the records of this office that AECOM TECHNICAL SERVICES, INC. is a California corporation authorized to transact business in the State of Florida, qualified on August 21, 1995.

The document number of this corporation is F95000004014.

I further certify that said corporation has paid all fees due this office through December 31, 2025, that its most recent annual report/uniform business report was filed on February 7, 2025, and that its status is active.

I further certify that said corporation has not filed a Certificate of Withdrawal.

Given under my hand and the Great Seal of the State of Florida at Tallahassee, the Capital, this the Eleventh day of February, 2025

Secretary of State

Tracking Number: 092789691CU

To authenticate this certificate, visit the following site, enter this number, and then follow the instructions displayed.

https://services.sunbiz.org/Filings/CertificateOfStatus/CertificateAuthentication

4.2 Certificate of authorization

State of Florida
Department of State

I certify from the records of this office that AECOM TECHNICAL SERVICES, INC. is a California corporation authorized to transact business in the State of Florida, qualified on August 21, 1995.

The document number of this corporation is F95000004014.

I further certify that said corporation has paid all fees due this office through December 31, 2025, that its most recent annual report/uniform business report was filed on February 7, 2025, and that its status is active.

I further certify that said corporation has not filed a Certificate of Withdrawal.

Given under my hand and the Great Seal of the State of Florida at Tallahassee, the Capital, this the Eleventh day of February, 2025

Secretary of State

Tracking Number: 0927899691CU

To authenticate this certificate,visit the following site,enter this number, and then follow the instructions displayed.

https://services.sunbiz.org/Filings/CertificateOfStatus/CertificateAuthentication

4.3 Primary individuals, percentage of time they will contribute, availability

Our team of dedicated professionals will engage with you for the duration of the project. Our project team has worked together on many disaster recovery, vulnerability, risk management, and resilience planning projects. All team members are available to start immediately, and will also be available as-needed up to 100% of their time for this project.



Erica Harris, Project Manager ▾ AECOM

Estimated at minimum 75% of project contribution

Erica is our proposed project manager and resilience and sustainability lead for the project. She serves as AECOM's Market Sector Lead for Climate Resilience in Florida, leading innovative solutions to address climate adaptation, risk mitigation and sustainable infrastructure across the state. She also supports resilience initiatives in other geographies across the country, bringing a broad range of experience from diverse environments and challenges. With expertise in regional planning, stakeholder and public engagement, and the integration of climate science into infrastructure solutions, Erica promotes strategic, data-driven approaches that enhance community resilience.



Rhonda Walker, PE, Recovery + Federal Grants Lead ▾ AECOM

Estimated at minimum 50% of project contribution

Rhonda will lead the disaster recovery and grants aspects of the project. Rhonda has 25 years of experience in disaster recovery, federal compliance, project development, planning, civil and environmental engineering, program management, project management, contracts, arbitration support, and budget control systems. Rhonda has extensive experience working with and managing compliance for federal grant programs including FEMA-PA, FEMA-IA, CDBG-DR, ARPA, and IRA. Rhonda advocates federal program and fiscal compliance to assure conformance with law, regulation, and policy and minimize audit findings



Kris Cella, Community Engagement Lead ▾ CMA Outreach, Inc. *(WBE)*

Estimated at minimum 45% of project contribution

Kris will lead the community engagement efforts. CMA has a well-known and trusted presence in Southwest Florida when it comes to community engagement efforts, including in Fort Myers Beach. With years of experience facilitating public outreach, stakeholder engagement, and strategic communication, the firm has built strong relationships with local governments, businesses, and residents. Their deep understanding of regional challenges and priorities allows them to effectively connect with the community, ensuring that public input is meaningfully integrated into planning and development initiatives. Kris will be a valuable partner for fostering transparent, inclusive, and impactful engagement efforts.



Marcos Bastian, AICP, Comprehensive Planning Lead ▾ AECOM

Estimated at minimum 45% of project contribution

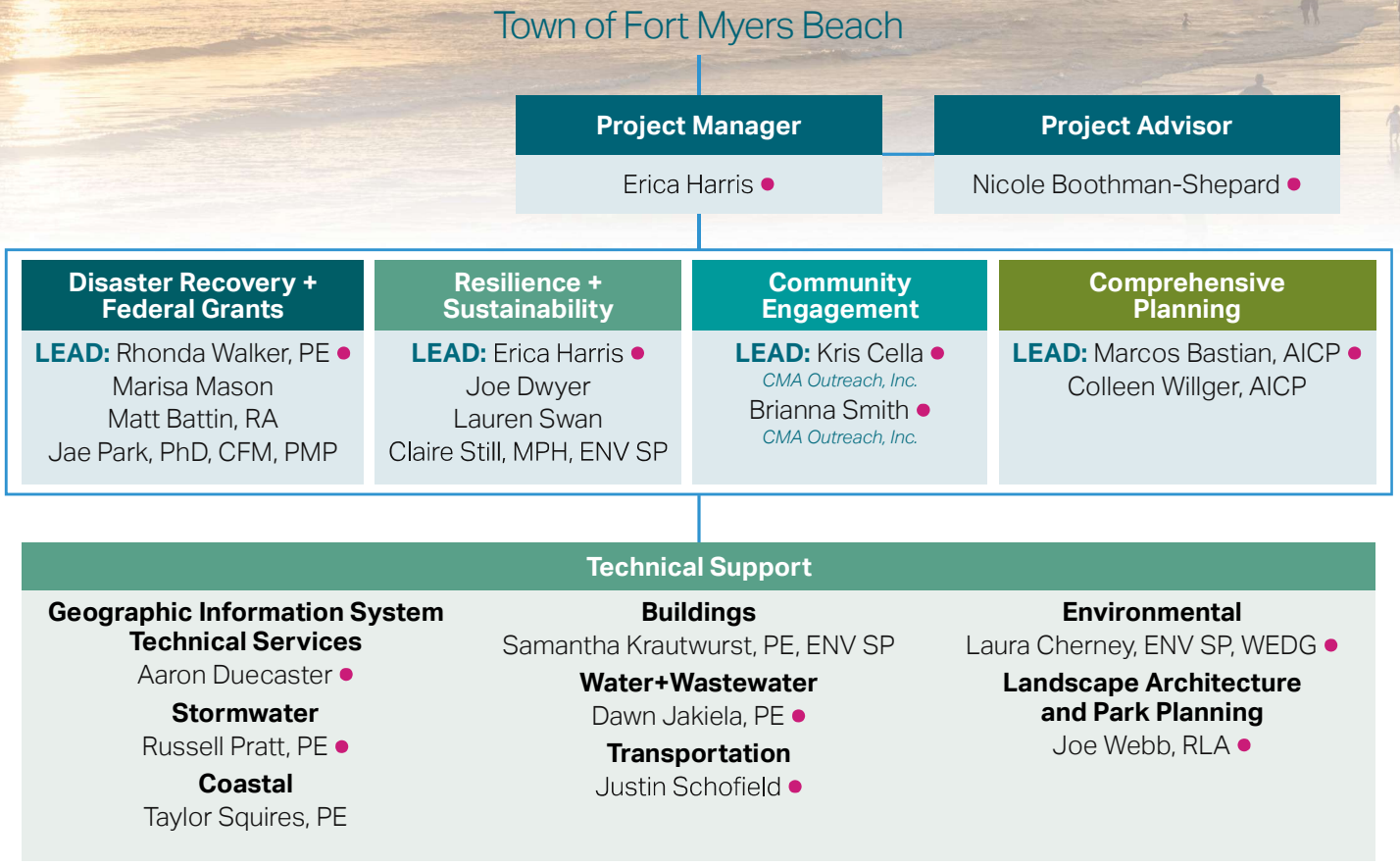
Marcos will lead the effort to review and revise the Town's Comprehensive Plan updates. He is a planning and urban design professional with 20 years of experience in comprehensive plan updates, urban design, land development, architecture, and geographic information systems. He specializes in translating traditional design principles into actionable strategies for urban infill and mixed-use communities. Marcos has a proven track record in shaping land use policies and regulations; developing form-based codes; and advancing historic preservation, adaptive reuse, and suburban retrofits. His experience spans master-planned communities, hospitality development, and large-scale planning initiatives.

This core team is responsible for completing the plan; however, since resilience planning is not one-dimensional, we also offer a diverse team of technical specialists across many critical infrastructure sectors to promote a comprehensive and integrated approach. By including specialists in each key discipline, we will develop holistic, actionable strategies that strengthen infrastructure, protect the community, and facilitate long-term recovery and sustainability.

4.4 Capacity to complete the project on time and within budget

As demonstrated on hundreds of Florida projects throughout the years, AECOM has a track record of on-time/within-budget project completions. We have the local presence, capacity and depth of staffing resources to manage this project to successful completion. Our proposed team can begin work within 24 hours from a notice to proceed, and we have access to hundreds of related subject matter experts to address virtually any project need that may arise.

Organizational Chart



● = Florida-based

Our proposed team brings expertise directly aligned with your recovery and resilience priorities, with over 250 combined years of experience in disaster recovery, climate adaptation, grant compliance and public engagement. The team includes nationally recognized experts who have delivered CDBG-DR, ARPA, HMGP and FEMA PA programs across Florida and the U.S., including award-winning efforts in Miami Beach, Naples, Cape Coral and Lee County.

- **Erica Harris, serving as Project Manager,** is a climate scientist with 18 years of experience in coastal vulnerability and sea level rise assessments.
- **Rhonda Walker, PE, the Recovery and Federal Grants Lead**, has 25 years of FEMA experience and has managed over $2 billion in recovery projects.
- **Nicole Boothman-Shepard, Project Advisor**, has overseen more than $8 billion in disaster funding and is an expert in FEMA and HUD compliance.
- **Kris Cella and Brianna Smith, leading and supporting Community Engagement,** bring 40 years of combined experience.
- **Marcos Bastian, AICP, the Comprehensive Planning Lead**, has 24 years of experience developing local planning frameworks, CRA plans and urban redevelopment strategies throughout Florida.
- **Matt Battin, RA, ENV SP, and Dr. Jae Park, PhD, CFM, PMP, both serving on the Recovery and Federal GrantsTeam**, bring specialized expertise in FEMA PA, HMGP and HMA program implementation, with experience spanning hazard mitigation, infrastructure assessment, and federal policy advising.



Erica Harris
Project Manager

Firm: AECOM

Office Location:

- Ft. Lauderdale, FL

Years of Experience:

With AECOM: 12

Total Years: 18

Education:

- MS, Oceanography, Oregon State University
- BS, GIS and Spatial Analysis

Erica is a coastal and climate scientist, with 18 years of experience, based in Florida and serves as a Climate Resilience Leader at AECOM. She leads climate vulnerability assessments and adaptation planning projects for waterfront communities and industries across the country. She frequently manages multi-agency projects focused on providing land use managers, engineers, and planners information and tools to enhance climate resilience, while maximizing co-benefits in the environmental, economic, and social sectors.

Project Experience

Critical Assets and Facilities Vulnerability Assessment and Adaptation Plan, Naples, FL. Project Technical Lead and Project Manager conducting a citywide vulnerability assessment and adaptation plan for public assets at risk to a suite of climate stressors (sea level rise, coastal storms, extreme heat, and precipitation). The project resulted in a prioritized set of strategies described in summary sheets to support grant pursuits. As a part of this effort, Erica also led a City working group, composed of representatives from all city departments, to ensure the plan reflected the City's priorities and maintains City ownership.

Sea Level Rise Vulnerability Assessment and Adaptation Plan, City of Miami Beach, FL. Project Manager and Technical Lead conducting a two-phase project to: 1) assist the city with prioritizing citywide assets and facilities based on their vulnerability to flood hazards (king tides, coastal storm surge, high groundwater, and rainfall), and 2) developing a flexible and phased approach for the City to consider adaptation strategies for flood protection. Erica also led multiple forms of public engagement to communicate the plan to the public, including focus group discussions, pop-up workshops, and a "salon style" panel discussion.

Thermal Hot Spot Analysis, Naples, FL. Project Manager for a study to use a time series of satellite data to identify potential urban heat islands across the City that could benefit from heat mitigation strategies (e.g., expansion of tree canopy and shade structures, increased water fountains).

Seawall Ordinance Study, Naples, FL. Project Manager for a study to assist the City with mapping existing seawall elevations, interviewing other communities to understand lessons learned for considering sea level rise in seawall ordinance updates, and providing revised ordinance language to increase the City's minimum seawall elevations.

City of Miami Sea Level Rise Vulnerability Assessment, Miami, FL. Project Manager leading the development of a citywide flood impacts study. Tasks included creating a geodatabase inventory of diverse community assets located within the City, evaluating the inventoried assets for potential flood impacts, and using a screening process to develop a prioritized list of infrastructure for adaptation funding pursuits.

Waterfront Shoreline Enhancement Plan, City of Miami, FL. Coastal Scientist and Technical Lead developing a set of prioritized set of nature-based shoreline enhancement projects that can be applied to Miami's different shoreline typologies. Tasks included coordinating with the City, The Nature Conservancy, and key stakeholders to identify prototype locations, developing a menu of shoreline strategy options, prioritizing strategies based on evaluation criteria, and developing design alternatives to be considered for each site.

PortMiami Sea Level Rise Vulnerability Assessment and Adaptation Guidance, Miami-Dade County, FL. Technical Lead developing a sea level rise vulnerability assessment to increase flood resilience of port assets and operations. The project identified key vulnerabilities of port infrastructure through the coming century and culminated with design guidance to incorporate sea level rise and coastal storm considerations into the port capital planning process.

Erica Harris, Project Manager *continued*

Business Case for Resilience in Southeast Florida and Tampa Bay, FL. Coastal and Climate Scientist contributing to the economic evaluation of potential flood risk and exposure versus the cost of adaptation for Southeast Florida and Tampa Bay communities. Erica served as the technical lead for selection of sea level rise and water level scenarios and development of high-level adaptation strategies that provide regional flood protection against future conditions.

MacDill Military Installation Resilience Review, Tampa, FL. Technical Lead and Project Manager for a resilience review to identify risks, hazards, and vulnerabilities at the installation and within adjacent communities that may impact the ability of the military to carry out missions at the MacDill Air Force Base. As a part of this work, Erica also led the development of potential solutions and targeted investments to mitigate potential hazard impacts. This project involved a strong technical and policy stakeholder engagement process to promote actions that are driven by regional priorities.

Climate Action and Adaptation Plan, City of Long Beach, CA. Adaptation Strategy Lead developing adaptation actions to enhance the resiliency of the city to climate stressors, including: sea level rise flooding, riverine flooding, extreme heat, and drought. Action details include city implementation leads, partners, timeline, performance metrics, implementation steps, costs, and equity impacts.

Climate Change Assessment of South Corridor Rapid Transit Project, Miami-Dade County, FL. Climate Adaptation Specialist performing a high-level climate vulnerability assessment for the South Corridor Bus Rapid Transit system from Dadeland South Metro Station to SW 344th Street in Florida City. To promote long-term viability of the busway, climate change impacts (e.g., extreme flooding and heat) and sustainability considerations are being implemented in the project design. The Envision infrastructure rating system is being used as a guiding framework to evaluate and rate the project on its long-term resilience and community, environmental, and economic benefits to the region.

Massachusetts Bay Transportation Authority Climate Change Vulnerability Assessment, Boston, MA. Climate Adaptation Specialist contributing to a climate change vulnerability assessment of the MBTA Red Line rapid transit line. Tasks included review of a multi-hazard vulnerability analysis based on the Federal Highway Administration's VAST tool and developing a menu of adaptation measures to provide asset-specific and area-scale protection of rail assets from the evaluated climate stressors. As a follow-up to the project, Erica is also leading the development of adaptation projects to provide targeted protection of a major Red Line maintenance and facility yard.

Promoting Nature-Based Hazard Mitigation Through FEMA Mitigation Grants, The Nature Conservancy, Various Cities. Key contributor to the content of a guidebook for The Nature Conservancy (TNC) and partnering communities to assist in pursuing funding through FEMA's Hazard Mitigation Assistance (HMA) program. The guidebook focuses on projects aimed at reducing hazards (coastal flooding, inland flooding, and wildfires) and enhancing community resilience using nature-based solutions. Erica also served as a facilitator at two workshops for how to apply the guidebook for over 50 TNC staff.

NASA Shoreline Study, Kennedy Space Center, Brevard County, FL. Climate and Coastal Scientist performing shoreline change and dune erosion modeling due to sea level rise and coastal storms along the Kennedy Space Center's Atlantic and estuarine shorelines. Results were used to inform resilience solutions to protect critical infrastructure in the area.

Olympia Sea Level Rise Response Plan, City of Olympia, WA. Coastal/Climate Scientist contributing to a cross-sector (City, Port, and Water Alliance) sea level rise response plan to analyze options for protecting downtown and develop recommendations, implementation schedules, decision making thresholds, funding needs, and emergency response approaches to address sea level rise vulnerabilities. Development of the plan included a climate science review, sea level rise planning framework, vulnerability and risk assessment, and strategy development and evaluation.

Military Installation Resilience Review, Northern VA. Regional Planning Council, Northern Virginia Supporting a resilience review to identify climate risks, hazards, and vulnerabilities at three military installations and adjacent host communities that may impact the ability of military to carry out missions. Leading the development of potential solutions and targeted investments to mitigate potential flood hazard impacts.

Pinellas Suncoast Transportation Authority Sustainability Action Plan, Pinellas County, FL. Resilience Task Lead for the development of a Sustainability Action Plan (SAP). The SAP builds on past sustainability goals, strategies, and an implementation roadmap to identify projects and aspirational goals for sustainable operations of the county's public transportation system. Tasks included facilitating interviews with key PSTA stakeholders to gather baseline information needed to develop metric-oriented targets for resilience, energy, water, waste, criterial air pollution, and greenhouse gas emissions.

Texas Department of Transportation Statewide Resiliency Plan, TX. Project Technical Advisor evaluating the vulnerability and risk of the statewide multimodal transportation system to extreme weather events and cyber security threats. The plan also includes the prioritization of projects to reduce risk of the transportation network and developing a foundational framework for stakeholders to consistently incorporate resilience into transportation planning.



Rhonda Walker, PE, ENV SP

Recovery + Federal Grants Lead

Firm: AECOM

Office Location:

- Orlando, FL

Years of Experience:

With AECOM: 26

Total Years: 26

Education:

- BS, Civil Engineering, Purdue University

Registrations/ Certifications:

- Professional Engineer: FL #64965
- Environmental Sustainability Professional #60486

Rhonda, a resident of Florida, has 25 years of experience in disaster recovery, federal compliance, project development, planning, civil and environmental engineering, program management, project management, contracts, and budget control systems. Her 15 years with FEMA's PA Program include deployments working with both Applicants and FEMA, as a Program Delivery Manager, PA Crew Leader, 406 Hazard Mitigation Specialist/Manager, Sr. Cost Estimator, and on project closeout. Rhonda has supervised Disaster Recovery divisions/groups with over 50 people while managing more than $2B in damage. Her experience with PA project development includes light to heavy horizontal projects such as roads, bridges, infrastructure, and marinas, as well as light to heavy vertical projects such as wastewater treatment facilities, water treatment facilities, schools, universities, hospitals, and government facilities.

Project Experience

Monterey County, FEMA Grant Management Support, Federal Policy SME. Subject Matter Expert in Policy and Compliance for federal and FEMA grants management, specifically for DRs 4683 and 4699. Provides expertise in FEMA policy and processes and procedures. Review and provide oversight on complicated projects following the floods/storms. Compile, expedite, and review County documentation for project submission to FEMA.

American Rescue Plan Act Grant Compliance, City of Detroit, MI. ARPA Compliance Lead providing expertise in federal policy and compliance for Department of the Treasury 31 CFR Part 35 Coronavirus State and Local Fiscal Recovery Funds and 2 CFR Part 200 Uniform Administrative Requirements. Supporting the City with compliance oversight during project scoping, procurement, project delivery and closeout of over $800M in eligible projects. Working closely with Office of Chief Financial Officer, Office of Development and Grants, Office of Contracting and Procurement, and Office of Departmental Financial Services. Promoting optimization and maximizing funding while supporting equity and diversity in the use of the ARPA funding. Tasks also include evaluation of expenditure categories, developed procurement compliance, and facilitating federal reporting to the Department of Treasury.

Federal Emergency Management Agency, US Virgin Island Support, USVI. Federal Policy Subject Matter Expert during the review and evaluation of procurement and standard operating procedure documents for the USVI housing program using CDBG-DR funding following Hurricanes Irma and Maria.

City of Cape Coral, Master Pump Station 100 Influent and Discharge Force Mains, Cape Coral, FL. ARPA Compliance Lead for Grant Administration Assistance and Compliance Monitoring providing expertise on American Rescue Plan Act's Coronavirus State and Local Fiscal Recovery Funds. Assisted City staff with compliance monitoring including verifying compliance with all federal and ARPA regulations and reporting assistance including providing U.S. Treasury project and expenditure reporting templates and on-call assistance.

Sheltering and Temporary Essential Power (STEP) Pilot Program, The Virgin Islands Housing Finance Authority, USVI. Subject Matter Expert for FEMA Policy and Compliance for the Virgin Islands Housing Finance Authority's (VIHFA) STEP program following Hurricanes Irma and Maria in 2017. Assisted in cost reasonable analysis and reporting to support the closeout of over $600M in Phase 1 Basic STEP and Phase 2 STEP-R Roof Hardening Programs which allowed for emergency repairs to individual homes to allow homeowners to stay in their homes until permanent repairs could be completed. The program was initiated and managed by VIHFA and eligible for FEMA Public Assistance under Cat B Emergency Protective Measures.

Rhonda Walker, Recovery + Federal Grants Lead *continued*

Hurricane Disaster Relief (DR- 4339), Puerto Rico, Federal Emergency Management Agency, PR. Program Delivery Manager who managed multiple Applicants as part of FEMA's Federal Delivery Model for Public Assistance. Teams' FEMA Policy advisor. Applicants included multiple private non-profit organizations as well as several Houses of Worship. Gained experience working with FEMA's Grants Manager platform.

Hurricane Disaster Relief (DR-4277), Federal Emergency Management Agency, LA. Public Assistance Crew Leader who supervised a team of project specialists assigned to work with local Parishes and State agencies. Projects included emergency protective measures, buildings, utilities, wastewater treatment plant. Completed projects for the Public Assistance Alternative Procedures (PAAP) program and completed cost estimates for all repair and mitigation.

Hurricane Disaster Relief (DR-4277), Federal Emergency Management Agency, LA. Project Specialist assigned to work with parks and city utilities on large multi-site projects. Projects included emergency protective measures, utilities, wastewater treatment plants (WWTP), park recreation structures, and park and playground exterior facilities. Completed hazard mitigation proposals for elevating mechanical equipment, wet-flood proofing of buildings and deepening an equalization basin at WWTP.

Hurricane Disaster Relief (DR-4085), Federal Emergency Management Agency, NY. Project Specialist who worked with State Parks on Long Island and the Hudson River Park Trust as well as smaller agencies. Projects included emergency protective measures, historical buildings, beach front structures, utilities, piers and docks, and picnic facilities. Gained experience regarding structures in Coastal barrier resource area (CBRA) Zones working with waterfront parks. Wrote HMPs for elevating mechanical and electrical equipment, and minor wet flood proofing of buildings.

Hurricane Disaster Relief (DR-1603, 1607), Federal Emergency Management Agency, LA. 406 Hazard Mitigation Specialist who completed and provided technical assistance for Hazard Mitigation Proposals (HMPs) for Katrina and Rita. Wrote and/or reviewed policy challenging mitigation projects including new construction of buildings or additions in order to elevate functional space out of flooded area, mitigation for environmental control, and construction of attached and detached floodwalls. Wrote HMPs for construction of a new building to elevate functional space, elevation of mechanical/ electrical equipment, and mitigation for provision of environmental control for three-building campus for $12.5 M.

Hurricane Disaster Relief (DR-1545, 1561, 1609), Federal Emergency Management Agency, FL. Closeout Specialist who completed closeout of large projects written following the 2004 and 2005 hurricane season in St. Lucie, Martin, and Palm Beach Counties. Reviewed and validated debris tickets and truck certifications as well as force account labor (timesheets, work logs, payroll), equipment usage logs, material usage, and invoices. Reviewed contracts, permits and associated documents and completed required documentation for closeout of large projects in all Categories.

Hurricane Disaster Relief (DR-1539, 1545, 1551, 1561, 1595, 1602, 1609), Federal Emergency Management Agency, FL. Hazard Mitigation Specialist for Enhanced 406 Mitigation initiative. Reviewed and evaluated projects written following the 2004 and 2005 hurricane seasons throughout the State of Florida for possible hazard mitigation opportunities.

Federal Emergency Management Agency, Flood Disaster Relief, PA. Public Assistance Project Officer working in central Pennsylvania with Lebanon and Schuylkill counties following flooding in late June 2006. Assisting county, city, borough and private and nonprofit applicants with completing project worksheets for reimbursement of expenses due to severe flooding.



Kris Cella

Community Engagement Lead

Firm: CMA Outreach, Inc.

Office Location:

- Ft Myers, FL

Years of Experience:

Total Years: 30

Education:

- BS, Geography, University of Arizona,

Kris is uniquely qualified in developing and implementing very successful, comprehensive large-scale public involvement programs during planning, design and construction phases for infrastructure projects. Her expertise in conducting public involvement programs is successfully used to gain acceptance of new projects from affected individuals and special interest groups. Projects have ranged from new developments to facility expansion programs to large-scale transportation projects.

Project Experience

Estero Boulevard Improvements, Lee County and Town of Fort Myers Beach, FL. Public Information Specialist for Lee County's construction projects to improve Estero Boulevard on Fort Myers Beach. Work consisted of coordination with stakeholders, project team members, property owners, tenants and the general public. Newsletters were mailed to property owners, businesses, and tenants on the island to announce construction of the Segments 1 through 6 from Crescent Street to the south end of Fort Myers Beach. Public involvement activities consisted of developing a joint Lee County/Fort Myers Beach letters announcing right-of-way staking to adjacent property owners in each segment. Duties further consisted of one-on-one meetings with property owners having notable encroachments to discuss options for resolution. Public involvement duties also included developing and maintaining a project website www.reFRESHFMBEACH.com that included both Lee County's project and the Town of Fort Myers Beach Waterline Replacement Project in one location. CMA staffs a 24-hour telephone hotline to respond to public inquiries and comments.

Climate Adaptation Plan, City of Naples, FL. Public Information Specialist for the City of Naples Climate Adaption Plan that includes addressing climate change by planning for and adapting to climate change impacts such as sea level rise, increased storm surge, and more extreme rain and heat events. The goal is to reduce the negative impact climate change has on infrastructure, services, and the well-being of the community. Public involvement notification consisted of small group meetings with organizations and HOA members, an electronic survey, webpage development, posters, and flyers distributed to city residents.

Big Carlos Bridge Project Development and Environment Study, Lee County, FL. Task Manager for the Public Involvement Program for the Big Carlos bridge located between the Town of Fort Myers Beach and the City of Bonita Springs. This project includes a Speaker's Bureau with presentations to over 20 HOA's and civic organizations. An alternatives public workshop was held, and a public hearing will be held in the future. Responsibilities include newsletter preparation and distribution, legal advertisements, coordination with local media, groups and agencies and meeting setup and facilitation.

City of Naples Stormwater Master Plan Update, City of Naples, FL. This project involved an update the Stormwater Master Plan which included two public workshops. Elements of the public involvement program included flyers, media releases, advertisements, and a slide show.

Transportation Concurrency Exception Area (TCEA) Mobility Planning Study, City of Fort Myers, FL. Public Information Director for a planning study create a greater emphasis on alternative modes of travel, including transit, bicycle and pedestrian facilities, and implementing land use strategies conducive to these travel modes. Work included a public information workshop (attended by over 200 people) that included a presentation of the mobility plan and discussions with the public on preliminary ideas for an improved multi-modal transportation system. Public involvement notification consisted of a project kick-off postcard and flyers posted in the downtown area inviting residents and interested parties to the public information workshop.

Alternate Transportation in Parks and Public Lands (ATPPL), Lee Tran, City of Sanibel, J.N. "Ding" Darling National Wildlife Refuge, Sanibel, FL. Public Involvement Task Manager for grant project awarded by United States Department of Interior. The Public Involvement Program includes coordination with multiple government entities and a nationwide project team. Tasks included stakeholder interviews, public opinion surveys (both in person and web-based), multiple flyers, newspaper advertisements, project newsletters, public information workshops, large comment database and project website database and project website.



Marcos Bastian, AICP

Comprehensive Planning Lead

Firm: AECOM

Office Location:

- Orlando, FL

Years of Experience:

With AECOM: 1

Total Years: 24

Education:

- MURP, Urban and Regional Planning, University of Florida
- BArch, Architecture, Universidade Federal do Parana

Registrations/ Certifications:

- American Institute of Certified Planners (AICP)

Marcos brings more than two decades of experience in Planning, Urban Design, Land Development, Architecture, and Geographic Information Systems (GIS). His work focuses on the implementation of traditional design principles to create transit-oriented nodes, urban infill, and mixed-use development. Marcos' past projects have also included land use policies and regulations, form-based codes, historic preservation, adaptive-reuse, suburban retrofit, master-planned communities, and hospitality development.

He is a member of the American Institute of Certified Planners (AICP), Urban Land Institute (ULI) Congress for the New Urbanism (CNU), and the University of Florida Urban & Regional Planning Advisory Council. As the Planning Practice Lead for Florida, Marcos is extending the reach of AECOM's Urbanism + Planning Team to serve a growing portfolio of State, Municipal, Institutional, and Private clients.

Project Experience

City of Groveland CRA Visioning Plan, Groveland, FL. The City of Groveland CRA Plan was developed to address six key goals: streetscape improvements, stormwater & drainage, economic development strategies, design of public venues; and preparation for FDOT's realignment of SR-50. These components were also supported by a detailed 10-year action program, and conceptual redevelopment scenarios for selected catalyst sites.

Vision 2050 and Orange Code, Orange County, FL. Section Chief, who led a diverse staff of designers and planners who developed Orange County's latest Comprehensive Plan. The Vision 2050 Plan will guide how - and where - growth will occur during the next three decades, and it will be implemented through the adoption of a new Form-Based Code that focuses on placemaking standards and context-based regulations.

I-Drive 2040 Visioning and Code, Orange County, FL. TLead Urban Designer in this visioning initiative involving the 3,600-Acre I-Drive District, which accounts for a significant portion of Orange County's robust travel, tourism and hospitality economy, with an anticipated $10B in private investment within the next decade. This project brought together a diverse set of stakeholders and interests, leading to the adoption of the I-Drive District Overlay and Code by the County in 2017.

Rural Residential Enclaves, Orange County, FL. Led a multi-year public engagement process that concluded with the implementation of policies to protect these rural enclaves, while still maintaining the necessary regulatory consistency with the County's long-term goal for urban infill and redevelopment. As Central Florida transitioned toward relatively denser development patterns in recent decades, some older residential communities begun to experience a mismatch between local expectations of a rural lifestyle, and the prevailing suburban character of their neighbors. In Orange County, these areas became known as Rural Residential Enclaves.

Port Charlotte Medical District, Port Charlotte, FL. Created site-design scenarios to guide the implementation of district-wide development standards and advance the goals of the County's CRA Redevelopment Plan. The Port Charlotte Medical District is an 11,000-Acre area located in the heart of Port Charlotte, FL. In collaboration with the government of Charlotte County.

Ocoee Regional Sports Complex, Ocoee, FL. Managed the planning and entitlement approvals for a 160-Acre Regional Sports Center that will redefine standards in youth sports. This project features 12 baseball fields, two multi-purpose fields, and other amenities, along with a waterfront promenade that includes three full-service hotels, and more than 400,000 sf of retail, restaurants, entertainment, and offices.

Marcos Bastian, Comprehensive Planning Lead *continued*

SunRail Station Area Planning, Orange County, FL. Led Orange County's strategic planning initiatives for SunRail, encompassing infill and redevelopment strategies for each station and adjacent neighborhoods. This included the implementation of the County's Transit-Oriented Development (TOD) zoning overlays and policies. SunRail, Central Florida's commuter rail system, commenced operations in 2014, linking downtown Orlando with surrounding cities and counties.



Nicole Boothman-Shepard

Project Advisor

Firm: AECOM

Office Location:

- Denver, CO

Years of Experience:

With AECOM: 10

Total Years: 28

Education:

- MS, University Administration, University of Rhode Island
- BA, Economics, University of Rhode Island

Nicole has facilitated the award of $1B in disaster funds as a national expert in catastrophe readiness, response, and recovery and as a technical expert in disaster policy and administration for the public sector. She advises public sector leaders on catastrophe management grounded in systems thinking and facilitates critical-path decision-making to develop near-term and long-term solutions to complex problems. She also advises government agencies on compliance and risk mitigation. Nicole is adept at structuring program management to truncate recovery time while promoting best-value decisions and capitalizing on long-term recovery opportunities that deliver social, economic, and environmental co-benefits. Her primary focus is catastrophe planning for housing, schools, transportation, and lifelines such as renewable energy, water infrastructure, and hospitals.

Project Experience

100 Resilient Cities, Resilient 305 Program, Miami Beach, FL. Subject Matter Expert supporting the development of resources for Resilient 305 Strategy and update including the Guide to Pre-Planning for Post-Catastrophe, facilitating functional exercises on lifeline restoration and community habitability, and presenting information on key changes to Federal disaster funding and innovative financial tools such as parametric insurance.

Program Director, City of Detroit, American Rescue Plan Act Grant Compliance, Detroit MI. Provides oversight and QA expertise in strategy, federal policy and compliance including grants management, and end-to-end program delivery. Supports City with strategic direction oversight during project scoping, procurement, project delivery, and closeout of $826M in ARPA eligible projects and $1.3B with anticipated leveraged funds. Provides executive advisement to City executives and leadership on synergistic program delivery with equity and performance outcomes as key drivers.

Government of the US Virgin Islands, USVI. As Senior Policy Advisor, Nicole advised agencies within the Territory's government on response and recovery for Category 5 Hurricanes, Irma and Maria. She supported multiple task orders under the USVI-AECOM Master Services Agreement. Oversaw cost estimate development for Congress on Irma and Maria. Advised USVI Commissioners of schools, housing, and property and procurement on FEMA PA.

National Academy of Science - National Cooperative Highway Research Program, Transportation Research Board NCHRP 08-107. Principal Investigator and Project Director for the publication A Contracting Strategies Guidebook for the Administration of Concurrent, Regional Emergencies. Leading applied research for the Transportation Research Board on optimum Federally funded procurement, contracting, and project delivery response and recovery strategies when multiple critical transportation corridors are catastrophically compromised in disaster.

Colorado Department of Transportation (CDOT), Flood Recovery Program, Statewide, CO. Senior Policy Advisor, provided strategic counsel to CDOT's Incident Commander and CFO on the execution of a $720M flood recovery program. Responsibilities included overseeing federal disaster funding, audit and political risk mitigation, ensuring federal compliance, managing data, and formulating project delivery strategies. Additionally, evaluated proposed resiliency enhancements under the Federal Highway Administration's Emergency Relief (FHWA ER) program.

Governor's Office of Homeland Security & Emergency Preparedness (GOHSEP), Shelter at Home Program, Baton Rouge, LA. Technical Expert who developed and monitored performance of program compliance involving over 130 laws, regulations and key policy provisions for FEMA including STEP Guidance.

Nicole Boothman-Shepard, Project Advisor *continued*

Sandy Recovery, NY. Subject Matter Expert who delivered strategic guidance to staff and clients on Sandy recovery, vulnerability analyses, green infrastructure, and building mitigations. Nicole's diverse client base included New York State, New York City, transit, housing, banking and finance.

Katrina Recovery, LA. Disaster Resilience Lead who spearheaded the Recovery School District and Orleans Parish School Board's $2B settlement with FEMA and OMB on New Orleans public schools' eligibility for Katrina damages, which included the largest Public Assistance grant in FEMA history. Settlement was a culmination of her 12 months of intensive strategic positioning and entrepreneurial policy approaches resulting in 400% increase in FEMA funding for clients. She represented clients in streamlined historic reviews involving $1B in historic investments resulting in successfully rehabilitating 50 K-12 campuses to Secretary of Interior Standards and concurrently designing to LEED Green designations by USGBC. Nicole negotiated all complex policy and tactical/change management solutions with FEMA, State Office of Community Development (CDBG grantee) and GOHSEP (State emergency management grantee) on funding, compliance and risk-management matters related to RSD's $1.8B in FEMA and CDBG capital program recovery.

MTA Bridges & Tunnels, Superstorm Sandy Funding Eligibility and Compliance, New York City, NY. Subject Matter Expert who identified and facilitated presentation of $750M in FEMA-funded Sandy recovery on the Brooklyn Battery and Queens-Midtown Tunnels as well as MTA bridges. She assessed resiliencies, considered expedited project delivery models and the FEMA Pilot program, and ensured procurement, contracting and grants aligned with fed laws.



Marisa Mason

Recovery + Federal Grants

Firm: AECOM

Office Location:

- Germantown, MD

Years of Experience:

With AECOM: 12

Total Years: 19

Education:

- Undergraduate Course Work, Environmental Studies

Registrations/ Certifications:

- Training: HUD CDBG-DR Implementation
- State Auditing Office Auditing Skills
- National Center for Housing Management – Certified Occupancy Specialist
- Section 3 Coordinator for CDBG Programs

Marisa has spent the past than 19 years serving communities ahead of and following major disasters. Her experience spans across all levels of government; whether working for or alongside the Department of Housing Urban Development (HUD), Federal Emergency Management Agency (FEMA), state and city grantees, local jurisdictions, or rural communities. Having dedicated her career to disaster mitigation, response, and long-term recovery, she has gained an invaluable understanding of the development of compliant programs, leading on the ground operations, conducting community outreach, and interpreting and applying federal and local regulations. Driving community recovery through disaster related programs has given her the ability to understand the needs of complex projects at various levels and push them forward to success.

Project Experience

CDBG-DR Flood Studies for Combined River Basins – West Region, Texas GLO, 25 Counties within Texas (Nueces, San Antonio, Guadalupe, Lavaca, and Colorado River Basins), TX. Task Leader, who supported both the project data collection task and advanced project assistance task under by providing review and technical assistance for regional and/or local jurisdictions' fully developed mitigation and flood planning projects that may meet the required eligibility criteria for various identified funding sources but have not been awarded under the past funding cycle(s). Leads a team of reviewers that will analyze up to six grant applications from local municipalities for funding from HUD under CDBG-MIT and from the Texas Water Development Board under their Flood Infrastructure Fund (FIF) grants with the goal of pushing them forward to award in one or several grant opportunities in the next funding cycle.

HUD CDBG-DR Hurricane Florence Recovery, North Carolina Department of Emergency Management, NC. Technical Assistant, supported the Project and Program Manager and the Section 3 Coordinator in fulfilling Section 3 obligations for a CDBG-DR Program. Responsibilities included assisting Grantee clients, developing Section 3 Plans in collaboration with the Program's Section 3 Coordinator, and preparing and submitting quarterly reports.

Hurricanes Maria and Irma CDBG-DR Housing Recovery Program, Puerto Rico Department of Housing (Vivienda) San Juan, PR. Regulatory Compliance Officer responsible for Section 3 and MWBE Officer; assessing and operationalizing current versions of the client's Program Guidelines related to the applicant's process through construction. Development of Standard Operating Procedures (SOP) and memos to the field relaying changes to policy by the client or by the funding agency HUD. Advising leadership on potential impacts of programmatic decisions and policy changes on customer operations and production goals, drawing upon experience with lessons learned from other Disaster Recovery grant programs in various disasters to recommend effective program implementation strategies. Additional strictly compliance-related responsibilities include drafting and executing internal monitoring of field and program processes to ensure compliance with SOPs and Puerto Rico Housing Program Guidelines.

CDBG-DR Build it Back Program for Superstorm Sandy Recovery, City of New York, NY. Senior Leadership Representative, served as liaison to New York City Housing Recovery Office's Senior Staff and Policy and Legal departments. Provided strategic direction to staff, updated Standard Operating Procedures (SOPs), compliance standards, and overall program goals. Delivered effective document management and control, led staff transition plans, and monitored performance in relation to contractual requirements.



Matt Battin, RA, ENV SP

Recovery + Federal Grants

Firm: AECOM

Office Location:

- Raleigh, NC

Years of Experience:

With AECOM: 13

Total Years: 23

Education:

- MArch, University of Michigan: Taubman College of Architecture and Urban Planning
- Bachelor of Design, University of Florida: College of Architecture
- Associate of Arts, Daytona Beach Community College

Registrations/ Certifications:

- Registered Architect: FL, LA
- Environmental Sustainability Professional (ENV SP)

Matt is experienced in FEMA disaster policy and project formulation and has worked closely with state and local governments as well as PNPs to substantiate damages, justify replacement, and define codes and standards necessary for restoration of community lifelines, services, and infrastructure. He is experienced with guiding sub-recipients through complex project development, procurement and contracting, as well as leveraging Public Assistance Alternative Procedures and Hazard Mitigation Grant Program funding to meet recovery objectives.

Supporting project development, as a policy expert, Matt has supported all categories of work collaborating with SMEs to substantiate technical requirements as eligible work. His project management experience includes the delivery of a COVID-19 AHS in Rhode Island and managing the FEMA PA Education and PNP Team for Louisiana central parishes, as well as the Central and Northern Parish Geographic Team, which included over 500 public applicants.

Throughout his career Matt has worked to address the disproportional impacts that disasters have on vulnerable communities, and to look for opportunities to approach recovery that address sustainability, resiliency, and equity. Matt brings more than 20 years of experience in architecture, building technology, and building assessment supporting FEMA, DoD, State, local, and private clients.

Project Experience

School District of Lee County, Emergency Remediation & Stabilization, Lee County, FL. Technical Disaster Lead and Subject Matter Expert for the program management team supporting the District's remediation and stabilization work in the aftermath of Hurricane Ian in 2022. Led the validation for reimbursement of 3 national contractors at 24 campuses for $26.5M in invoiced cost. AECOMs oversite activities resulted in approximately $2M is cost savings to the school district through the identification of inappropriately invoiced costs.

AECOM, East Region, Water Business Line, Disaster Resilience STTL. Market Sector Lead responsible for AECOM East Region, Water business line disaster resilience practice for prepositioning, growth strategy, technical approach, risk evaluation, and project cost development.

FEMA Insular Area Support Technical Assistance, USVI. AECOM's Program Manager supporting FEMA Headquarters Interagency Coordination Division to provide advisory and technical assistance to the Government of the US Virgin Islands. AECOM is providing technical design and review support, as well as construction management, project tracking and reporting through the development of database and dashboard system.

Natural Hazard Mitigation Toolkit, Confidential Client, North America. AECOM was tasked with the development of a Natural Hazards Mitigation Toolkit to help prioritize mitigation strategies and actions based on facility typology, hazard type, and associated cost. Matt provide support developing mitigation strategies, review of tool, and advisory support to meet the clients desired outcomes related to technical implementation and scope feasibility.

Matt Battin, Recovery + Federal Grants *continued*

Civil Resilience Programe Disaster Management Component, UK Overseas Territories: Foreign, Commonwealth, and Development Office, Turks and Caicos Islands. FEMA Technical Lead responsible for assessing the condition of six designated emergency shelters, owned by the TCI Government, to identify key issues for targeted programme funding. The scope was aligned with the overarching goals of the ISF Civil Resilience Programme and established a baseline for shelter compliance in relation to FEMA P-361 and the UK Equality Act. This project included the assessment of facilities and recommendations for improvements with cost impacts.

AECOM, National Goverments Disaster Resilience Solutions Leadership Team. Supports AECOM business line leadership and regional business development leads through the global disaster and resiliency leadership PMO for prepositioning, growth strategy, technical approach, risk evaluation, and project cost development.

City of Detroit Future Fund Program– ARPA, Detroit, MI. Program Manager managing over 30 staff for City of Detroit Office of the CFO to provide federal grants compliance expertise and strategic implementation guidance for the deployment of $826 million in ARPA funding. The program, administered by AECOM, is targeted to deliver transformational structural change and designed to promote long-term resilience for the City and its residents. Manage the is development of a framework to collaboratively optimize the City's ARPA funding, policy and technical eligibility recommendations, policies and procedures and organizational workflow to identify and recommend potential federal grant programs, subsequent stimulus and grant awards, and other funding sources as they become available. The programs scope of work includes Performance Measurement and Dashboard Design, Process Improvement, Process Improvement, Process Improvement, Project Plan Review, Cost Estimating and Project Delivery Optimization, Requests for Information, Monitoring Visits and Audit Support.

HHS Emergency Intake Site, Pomona Fairplex, CA. Co-authored capability and approach whitepaper for AECOM/8A teaming to support construction and wrap around services for unaccompanied minor emergency sheltering site. Supported PMO with contract compliance, HHS policy compliance, program delivery quality assurance and sub-contract management. Following initial build developed schematic design and cost benefit analysis to convert soft side structures to hard side modulars, reducing cost and improving performance for staff and children on site. Supported cost analysis alternatives, and sub-contractor change order valuation that resulted in over $25M in savings to the project. Project was identified by Secretary of Health and Human Services as a model facility.

State of Rhode Island, Alternate Hospital Sites (AHS) Assessment and Design, RI. Project Management Site Lead/ Architect. Oversaw AECOM's Rhode Island AHS contract to provide program management, facility assessment, medical planning and advisory, facility design, construction management oversight, and stimulus / federal grant funding advisory to the Rhode Island Emergency Management Agency. Deployed within 24 hours of notice to manage and deliver three low acuity COVID-19 positive hospital sites in 21 days. Facilitated and managed design across three sites for architectural and engineering services to adapt existing facilities to meet or exceed design criteria. Acted as point of contact for issue resolution with contractor during 24- hour construction build schedule.

FEMA, Public Assistance, AECOM Recovery, Nationwide. Served as Senior Advisor and Technical Specialist. Deployments include: Technical Specialist for DR-4277 – LA 2016 Floods; Education Team: Technical Specialist for DR-1603/1607 Katrina /Rita – New Orleans PNP; Arbitration Specialist and Arbitration / OIG Audit Response Team for DR- 1603/1607 Katrina /Rita. Served as Lead PAC managing up to 500 applicants. Developed policy position papers for FEMA management, responses to Congressional and POTUS inquiries that resulted in policy revision and changes in disaster implementation to 50% rule. Performed building inspection, documentation, and damage determination for schools municipal buildings, and infrastructure projects. Developed cost estimates using RS Means and CEF Format. Applied PA Policy, regulations, and appeals precedents for technically complex projects to define eligible damage, scope of work, and cost. For the PA Alternative Procedures Pilot Program provided project development and formulation.

AECOM, Leadership Team for Pandemic Responses. Subject Matter Expert/Architect. Coordinated a transdisciplinary team of AECOM SMEs in the development of an alternative care facility (ACF) planning scorecard. Team evaluated typical public building typologies and overlaid ACF program and wrap around services to assist in assessment, selection, and planning of emergency hospitals.

FEMA, Emergency Home Repairs Virgin Islands (EHRVI) Program – Leadership Document Team, USVI. Served as Subject Matter Expert/Architect. FEMA PA Policy Advisor provided support for EHRVI Program Cost Reasonableness Report. Developed technical and policy content for report to explain program activities, cost reasonableness and compliance with federal law, regulation, and policy, as well as building codes and consensus standards.

City of New York, Build It Back CDBG-DR Housing Program, New York, NY. Architect who provided the review of AECOM building assessments and designs for elevating 760 houses in Queens, NY as part of the NYC DDC - Tishman/ AECOM design build contract. Reviewed CDs for building code and programmatic compliance, constructability, and general document quality prior to delivery to client..



Jae Park, PhD, CFM, PMP

Recovery + Federal Grants

Firm: AECOM

Office Location:

- Germantown, MD

Years of Experience:

With AECOM: 17

Total Years: 33

Education:

- PhD, Urban and Regional Science, Texas A&M University
- MS, Community and Regional Planning, Iowa State University, Ames
- BS, Planning, Dankook University

Registrations/ Certifications:

- Certified Floodplain Manager

Dr. Park brings more than 30 years of experience and expertise in the areas of hazard mitigation, resilience and disaster recovery, grants management, and policies. He has helped many local, state, and federal governments rebuild resilient communities after major disasters such as Hurricanes Fran, Floyd, Isabel, Katrina, Sandy, Matthew, and Maria. Currently Dr. Park is a FEMA Hazard Mitigation Assistance contract program manager for AECOM. Prior to joining AECOM, he served as a policy advisor and chief policy analyst for the Mississippi Governor Office of Recovery and Renewal in coordinating Hurricane Katrina. He was an Assistant Director for Mitigation, Division of Emergency Management, State of North Carolina. During his tenure, he was instrumental in development of an overall long-term vision for the Hazard Mitigation and oversaw managing $800M mitigation funds for implementing various hazard mitigation planning and projects.

Project Experience

FEMA Hazard Mitigation Assistance (HMA) Program Service. Program Manager for this contract that involved the enhancement of the quality and speed of HMA grant awards, delivery, and the expansion of national outreach for all types of mitigation. AECOM is developing a program strategy to ensure that best practices, new ideas, and lessons learned are incorporated. AECOM has been providing technical support to facilitate the development of new Building Resilient Infrastructure and Community grant program under Disaster Recovery Reform Act of 2018. AECOM also is responsible for maintenance of HMA program guidance, policies, regulations, job aids, and online outreach communications.

Multidisciplinary Planning Services for Hampton Roads Region, VA. Resilience Funding Strategy Lead, for the development of a joint land use study with impacted local governments and Navy installations in Norfolk and Virginia Beach to carry out resilience measures to reduce the impacts of flooding, erosion, and extreme coastal storm events on critical infrastructure that supports Navy operations in Hampton Roads. Dr. Park leads development of Implementation Strategy, with responsible parties, timelines, and multiple prospective program funding sources identified for each strategy.

North Carolina Hurricane Matthew Disaster Resilience and Redevelopment Plan, NC. Technical Advisor for this contract that involved the development of Resilient Redevelopment Plans for the counties and municipalities impacted by Hurricane Matthew in State of North Carolina. The plan development includes activities including but not limited to public meeting, identify and verify the actual damages, risk assessments and then identify actionable strategies that will help advance recovery and promote resilience in the impacted communities. The resilient recovery strategies will be targeted to housing, infrastructure, economic development and ecosystem protection. Additional duty includes working with NC Governor's office and various state agencies in preparing Congressional Recovery funding request.

FEMA Unified Hazard Mitigation Assistance Grant Program Guidance Development and Updates. Task Lead for this project that included the development of Unified Hazard Mitigation Assistance Program guidance for five (5) hazard mitigation funding programs: PDM, FMA, RFC, SRL, and HMGP. The intent of this alignment is to enhance the quality and speed of grant awards on an allocation and competitive basis to State, local, and Tribal entities for worthwhile, cost-beneficial activities designed to reduce the risks of future damage in hazard-prone areas. Dr. Park supported updating the HMA Guidance for FY 2015, which is a comprehensive document that details the specific eligibility, implementation and close out criteria of the HMA grant programs.

Jae Park, Recovery + Federal Grants *continued*

HUD National Disaster Resilience Competition (NDRC) Support for State of MA, MS and NM. Task Lead for this program included $1B HUD set aside for to the communities struck by natural disasters in recent years. The NDRC was designed to promote risk assessment and planning and will fund the implementation of innovative resilience projects to better prepare communities for future storms and other extreme events. Dr. Park supported developing HUD NDRC Phase II grant applications for MA, MS and NM and the assistances ranged from resilience project scoping, program compliance check, data collection, and benefit cost analyses for various projects, such as wildfire mitigation, dam restoration, coastal protection, storm water management and green infrastructure, and renewable energy.

Mississippi Disaster Recovery and Renewal (Mississippi Office of the Governor). Served as a Chief Policy Advisor and Chief Analyst for the Mississippi Governor Office of Recovery and Renewal in coordinating Hurricane Katrina recovery efforts over $10 billion. Services provided include disaster recovery policy guidance and counsel; support implementation of the recovery recommendations of the Governor's Commission; and provide training, education, and outreach programs to government officials, organizations, and individuals to help them make more informed decisions regarding disaster recovery. He also coordinated community long-term recovery planning efforts with FEMA and impacted community leaders.

Division of Emergency Management, NC. Served as Assistant Director for Mitigation, involved with eleven presidentially declared disasters and worked with FEMA in setting hazard mitigation and recovery policies after the Hurricane Floyd. Primary task of the position centered on the development and implementation of a comprehensive mitigation program involved with grants management, hazard mitigation planning, NFIP and legal supports. He oversaw managing $800M federal and state funds for implementing various hazard mitigation projects, including buyout of 5,000 flood damaged structures, residential elevations and storm water management.



Joe Dwyer

Resilience + Sustainability

Firm: AECOM

Office Location:

- Coral Gables, FL

Years of Experience:

With AECOM: 1

Total Years: 5

Education:

- MA, Marine Policy, University of Rhode Island
- BS, Marine Policy, University of Rhode Island

Joe has over five years of experience as a Climate Resilience Planner. He can provide expertise with resilience and adaptation planning, climate science communication, public engagement and outreach, and GIS analysis. His experience includes conducting climate hazard vulnerability assessments, developing of community-focused adaptation plans, and managing large, spatial datasets to create public-focused mapping products. In his roles, he has overseen the consistent delivery of high-quality outputs that assist communities plan and prepare for evolving hazard conditions across the eastern U.S., including numerous Florida municipalities.

Project Experience

Critical Assets and Facilities Vulnerability Assessment and Adaptation Plan, Naples, FL. Technical lead for evaluating flooding and extreme heat risks to the community's facilities and assets. Coordinated with City staff to co-develop and prioritize tailored adaptation strategies to address identified vulnerabilities. Updated the City's Story Map with new data products and provided technical content for both the Vulnerability and Adaptation Plan final reports.

Sea Level Rise Vulnerability Assessment and Adaptation Plan, Miami Beach, FL. Technical Lead for assessing flooding vulnerability for over 67,000 City assets. Developed a community-specific methodology to prioritize critical assets and infrastructure for adaptation projects. Assisted the community with development of a novel adaptation planning approach to effectively utilize current resources and streamline future infrastructure projects to address sea level rise. Coordinated the creation of the community's unique ArcGIS Online Story Map briefing that leverages new applications to create a more interactive public-facing product.

Thermal Hot Spot Analysis, Naples, FL. Technical Lead to develop methodology that determined potential community urban heat islands using satellite data. Led the analysis of heat 'hotspots' and development of localized heat mitigation strategies (e.g., expansion of tree canopy and shade structures, increased public access to water features). Included case studies of successful implementations to guide adaptation efforts.

Business Case for Sea Level Rise Adaptation, Naples, FL. GIS Technical Lead for project identified in community's Adaptation Plan. Led the creation of a novel GIS database to estimate citywide damages from projected sea level rise impacts. Findings will inform the scale and scope of adaptation planning efforts to protect critical City assets.

City of Miami Sea Level Rise Vulnerability Assessment, Miami, FL. Technical Lead for assessing flooding vulnerability for over 160,000 City assets. Led the assessment and prioritization of infrastructure and community areas most vulnerable to current and future flooding impacts to assist adaptation planning efforts. Created tailored public-facing products to communicate the findings of the assessment to stakeholders and local decision makers.



Lauren Swan

Resilience + Sustainability

Firm: AECOM

Office Location:

- Coral Gables, FL

Years of Experience:

With AECOM: 11

Total Years: 19

Education:

- MLA, Landscape Architecture, State University of New York
- BA, Urban and Regional Planning, Florida Atlantic University

Lauren is a Vice President and Director of Resilience and Sustainable Development, where she aligns and progresses AECOM's Global ESG Strategy. With 19 years of experience, she is passionate about helping communities adapt to changing conditions and creating sustainable legacies for future generations. She leverages her skills in project management, design, and strategic planning to bring together technical specialists, community stakeholders, and public officials to collaborate and develop cohesive solutions to multi-faceted problems. Lauren leads a team of experts who work with clients to develop and implement strategies that incorporate climate and community sustainability principles into projects and programs.

Project Experience

Strategic Planning Support, Miami-Dade County, Miami-Dade County Department of Transportation and Public Works, FL. Project Manager responsible for development strategic plan, action agenda, ESG Framework, and capital planning tool that includes environmental and social vulnerability considerations in transportation capital planning and monitoring. The platform supports Miami-Dade County's strategic planning efforts, communications, and process management to better meet residents' mobility needs.

Natural Hazard Mitigation Toolkit, Confidential, North America. Project Manager responsible for development of a Natural Hazards Mitigation Toolkit to help inform mitigation strategies and actions based on facility typology and hazard type.

Tampa Bay Business Case for Resilience, Tampa Bay Region, FL. Engagement Lead partnering with the Tampa Bay Regional Planning Council analyzing the regional economic impact of sea level rise and coastal flooding, as well as potential economic opportunities associated with investments in resilience infrastructure for Citrus, Hernando, Hillsborough, Manatee, Pasco, and Pinellas Counties.

Resilient305 Annual Update, Miami-Dade County, FL. Project Manager responsible for working with the three governments and The Miami Foundation to develop the first annual three-government Resilient305 Strategy update to address action progress of climate change, social equity, and infrastructure-based needs.

Greater Miami and the Beaches Resilient305, Miami-Dade County, FL. Project Manager responsible for guiding extensive stakeholder engagement and research resulting in the development of a three-government Resilient305 Strategy to address issues of climate change, social equity, and infrastructure-based needs.

AECOM Internal Net Zero Strategy, Americas. Project Manager responsible for development of Americas-wide Net Zero Roadmap to reduce Scope 1, 2, and 3 emissions. This includes oversight of reporting data and performance of fleet conversions, real estate decisions, and procurement processes.

X-REEFS, Defense Advanced Research Projects Agency (DARPA), U.S. US Department of Defense (DoD), Reefense Program, Confidential Site. Technology Transfer Task Lead for the X-REEFS team under DARPA's Reefense program that seeks to develop a hybrid engineered and biological reef as a wave-attenuating mitigation solution to coastal flooding and storm surge.

Resilient305 Website, The Miami Foundation, Miami-Dade County, FL. Project Manager responsible for working with the three governments and The Miami Foundation to redevelop the Resilient305 website to reflect action implementation progress and Resilient305 partnerships.

Lauren Swan, Resilience + Sustainability *continued*

MacDill Air Force Base Military Installation Resiliency Review, Tampa Bay Regional Planning Council, FL. Project Manager for a multi-disciplinary team in the identification of various vulnerabilities affecting military readiness for four Navy installations. Guided all aspects of technical analysis, including impacts from tidal flooding and sea level rise on transportation, critical community facilities, and utilities that the military relies upon outside the fence line. Led technical and policy committee reviews, public outreach, and development of evaluation criteria and strategies for joint projects.

Miami Climate Action Plan, City of Miami, FL. Project Manager leading development of a greenhouse gas mitigation plan. The mitigation element of this project involves conducting a core and consumption based GHG inventory and forecast, setting a target, and developing GHG reduction strategies.

EPRI Solar Facilities Design Guidance, Defense Advanced Research Projects Agency (DARPA), U.S. Department of Defense. Serves as Technical Subject Matter Expert, Editor, and Coordinator responsible for outlining and coordinating authorship of guidance on the planning, engineering design, permitting, and construction of solar facilities on closed coal combustion residual sites.

Southeast Florida Business Case Analysis, Urban Land Institute, Palm Beach, Broward, Miami-Dade, Monroe Counties, FL. Project Manager partnering with the Urban Land Institute and Southeast Florida Regional Climate Change Compact counties on this project. As part of this project, AECOM is analyzing the regional economic impact of sea level rise and coastal flooding, as well as potential economic opportunities associated with investments in resilience infrastructure.

Resilient Reefs, Great Barrier Reef Foundation, Belize. Project Manager responsible for working with Belize Coastal Zone Management Authority & Institute to develop a collaborative Resilient Reefs Implementation Strategy for the country's Belize Barrier Reef System, inscribed as a UNESCO World Heritage site.



Claire Still, MPH, ENV SP

Resilience + Sustainability

Firm: AECOM

Office Location:

- Glen Allen, VA

Years of Experience:

With AECOM: 10

Total Years: 14

Education:

- Master of Public Health, Environmental Public Health, Emory University
- Bachelor of Science, Geology, The College of William and Mary

Registrations/ Certifications:

- Envision Sustainability Professional (ENV SP) #50519

Claire is the Social Value and Climate Lead for US East and LATAM who provides support to private and public sector clients to build, improve, monitor, and evaluate their sustainability to work towards more resilient and equitable practices. She has expertise in climate change vulnerability and adaptation, demographic analysis, public health, greenhouse gas inventories, resource usage reduction, sustainability reporting, environmental management systems, and large database management. Claire also co-led the development and is currently implementing AECOM's US Social Value in Client Delivery Strategy.

Project Experience

Pinellas County Suncoast Transit Authority (PSTA) Sustainability Action Plan, FL. Served on the core team as the APTA and GHG SME to develop PSTA's first Sustainability Strategic Plan. She helped lead several workshops with stakeholders to develop focus areas, KPIs, and actions.

Palm Beach County Department of Aviation (DOA), Sustainability Management Plan, FL. Hosted two workshops in-person with their core stakeholder group. Part of the core team developed the DOA's inaugural Sustainability Management Plan to help guide its sustainability efforts into the future for the County's airport system. This project included completing a comprehensive baseline of all airport sustainability metrics, development of actions aligning to the DOA's focus areas, and carrying out an implementation plan.

Miami-Dade County, South Corridor Sea Level Rise Assessment, FL. Led the sea level rise impact section and assessed the vulnerability of a proposed bus rapid transit line to future sea level rise scenarios in 2030, 2060, and 2100 using Southeast Florida Regional Climate Change Compact data. AECOM developed the National Environmental Policy Act (NEPA) documentation for the proposed South Corridor Rapid Transit Project in Miami-Dade County. This included identifying areas that should be prioritized for adaptation measures during initial construction such as elevating and hardening infrastructure, creating redundancy, and enhancing protective measures.

L3Harris Technologies, Sustainability and Climate/Water Risk Planning. Served as Technical Lead for climate and water risk planning for L3Harris for three cycles (2019, 2021, and 2023). As the primary author of the Climate and Water Risk Management Plan, she conducted desktop reviews of 50+ of L3Harris' global sites to review projected climate change exposures and water risks, assess these risks and identify key vulnerabilities at L3Harris offices, manufacturing sites, and warehouses, then provided facility- and corporate-level recommendations to mitigate these risks. Provided direction for the development of a high-level supply chain risk assessment to projected climate change.

Raleigh-Durham Airport Authority (RDUAA), Sustainability Management Plan, NC. .Served as the GHG SME on the project. Contributed to the team's development of the RDUAA's inaugural Sustainability Management Plan to improve the tracking and communication of the airport's sustainability initiatives. This project aimed to enhance efficiencies and integrate economic savings and environmental stewardship into the Authority's planning, construction, maintenance, operations, and design processes in a proactive and holistic manner.

L3Harris Corporation. Sustainability Report Development. Served as the AECOM lead for the development of L3Harris' second Sustainability Report released in March 2022. Was also a part of the core team that developed L3Harris' inaugural Sustainability Report in 2020-2021. This included a materiality assessment, peer benchmarking, and drafting content for material topics aligned to GRI.

Claire Still, Recovery + Federal Grants *continued*

Massachusetts Bay Transportation Authority (MBTA), Red Line Climate Change Vulnerability Assessment, MA. Served on the core team that conducted the assessment, wrote the final report, and presented the findings to MBTA. Developed the first climate change vulnerability assessment of the MBTA's Red Line. This assessment evaluated potential impacts of extreme temperatures, extreme precipitation, sea level rise, wind, and snow on the Red Line's assets. Developed the initial climate science review, the historical challenges memorandum, and the methodology based on the Federal Highway Administration Vulnerability Assessment Scoring Tool (FHWA VAST).

Virginia Department of Conservation and Recreation (DCR), Coastal Resilience Master Plan Outreach, VA. Served as the task lead for identifying underserved communities for prioritization for DCR's Resilience Master Planning process. This included methodology development utilizing social vulnerability and flood risk datasets and working directly with the engagement team to develop the outreach plan and support implementation.

New York State Office of Climate Change, State Agency Climate Vulnerability Assessments, NY. Assessed climate change vulnerability of 35 of New York's state agencies and providing action-oriented recommendations to improve agency resiliency. Served as primary author for all final assessment reports. Engaged with state agencies to discuss climate vulnerability and adaptation planning.

Federal Emergency Management Agency (FEMA), Building Resilient Infrastructure and Communities (BRIC) Project Support Material Development. Participated on the development team for the Mitigation Action Portfolio for FEMA's BRIC program. Conducted research and wrote case studies of key projects addressing natural hazards across the United States. Provided guidance on updates for the Mitigation Action Portfolio for future phases. Served as primary author on project support materials related to both climate change and equity in terms of BRIC funding.

North Carolina Department of Transportation, US 70 Climate Vulnerability Assessment, NC. Served as the Criticality Assessment Lead for the project which included an equity evaluation to prioritize environmental justice communities in the evaluation. Delivered a criticality and climate vulnerability assessment of the strategic corridor US 70 which includes 114 miles of roadway, bridges, and culverts from the coast to Raleigh, NC. The methodology utilizes the Federal Highway Administration Vulnerability Assessment Scoring Tool (FHWA VAST).

Ameren Corporation, Regional Climate Change Assessment. Served as Technical Lead and primary author on the final deliverable. Assessed the company's vulnerability to climate change, including temperature change, precipitation change, and extreme weather events, across their infrastructure, supply chain, and employees.

Urban Sustainability Directors Network, Climate Adaptation Training Material Development. Created new role-playing training materials to help city employees across the U.S. think about how extreme heat, riverine flooding, and sea level rise can affect their city's populations and key assets, as well as how to assess different adaptation strategies to address these vulnerabilities. Claire was a part of the core team for this project and served as the public health expert for the material development.

National Institute of Environmental Health Sciences' (NIEHS) Climate Resilience Plan Update. Worked with NIEHS to update their Climate Resilience Plan to align with new Executive Orders, updated climate science, and consider ISO and ASTM standards.

Metropolitan Atlanta Rapid Transit Authority (MARTA), Sustainability and ESG Program Support, Atlanta, GA. Served as Task Lead and the Technical Advisor for MARTA's sustainability program within AECOM's Environmental Engineering contract. Responsibilities included drafting Sustainability Reports, managing the recycling program, and developing APTA submittals. Managed numerous tasks with more than 40 staff. Work included Carbon Footprint Analysis, a Vulnerability Study, a Climate Action Resilience Plan, Recycling Program Management, Sustainability Planning, and ESG Reporting.



Brianna Smith

Community Engagement

Firm: CMA Outreach, Inc.

Office Location:

- Ft Myers, FL

Years of Experience:

Total Years: 10

Education:

- MPA, Florida Gulf Coast University
- BA, University of Central Florida

Brianna brings more than 10 years of public involvement experience. She helps with public information projects including preparing newsletters, media releases, advertisements, and conducting public meetings. She also communicates with residents, businesses, and property owners during project development. She is proficient with MS Word, Excel, Access, PowerPoint, Outlook, and ArcGIS software. She develops and maintains database mailing lists of elected officials, agencies, property owners and other interested parties. Benefits Brianna will bring to this project would be her outstanding interpersonal and community relations skills and the ability to communicate and work effectively within a diverse community, strong knowledge of local and regional media contacts and/or a proven ability to develop such relationships quickly, and ability to write, prepare, and edit communications for audiences of varying backgrounds.

Project Experience

Estero Boulevard Improvements, Lee County, FL. Public Information Specialist for Lee County's construction projects to improve Estero Boulevard on Fort Myers Beach. Work consisted of coordination with stakeholders, project team members, property owners, tenants and the general public. Newsletters were mailed to property owners, businesses, and tenants on the island to announce construction of the Segments 1 through 6 from Crescent Street to the south end of Fort Myers Beach. Public involvement activities consisted of developing a joint Lee County/Fort Myers Beach letters announcing right-of-way staking to adjacent property owners in each segment. Duties further consisted of one-on-one meetings with property owners having notable encroachments to discuss options for resolution. Public involvement duties also included developing and maintaining a project website www.reFRESHFMBEACH.com that included both Lee County's project and the Town of Fort Myers Beach Waterline Replacement Project in one location. CMA staffs a 24-hour telephone hotline to respond to public inquiries and comments.

Fort Myers Beach Waterline Replacement Project, Town of Fort Myers Beach, FL. Public Information Specialist for this project which includes replacement of waterlines on Fort Myers Beach. An extensive ongoing public involvement program is being conducted using a combination of public information workshops, small group and numerous, daily individual meetings with property and business owners. Newsletters and notification flyers are prepared periodically for distribution to the affected property owners and tenants in the waterline replacement area. Duties include coordination of water shut-offs, boil water notices and rescission notices for affected properties. Extensive coordination with Town staff and officials, beach property owners, tenants and tourists, and residents and business owners are significant factors of the program.

Crystal Drive Water Main Installation Project, Lee County, FL. Community Outreach Specialist for Lee County's watermain construction project from S. Cleveland Avenue (US 41) to Plantation Road. Work consisted of extensive coordination with County staff and officials, project team members, property owners and the general public. A public meeting and notification flyers announced project information about construction changes and activities. Residents and businesses were provided project contact cards listing project information and a 24-hour telephone hotline to address construction issues. Regular meetings were held with property owners and tenants to discuss project progress, roadway conditions and property owner concerns.



Colleen Willger, AICP

Comprehensive Planning

Firm: AECOM

Office Location:

- Raleigh, NC

Years of Experience:

With AECOM: 2

Total Years: 19

Education:

- MCRP, Community and Regional Planning, Iowa State University
- BS, Community and Regional Planning, Iowa State University

Registrations/ Certifications:

- American Institute of Certified Planners

Colleen is the Director of Urban Strategy in the Global Center of Excellence for Urban Analytics at AECOM. In her role, Colleen helps formalize how data-driven planning and technology influence capital programs and private investment in sustainability, resiliency, and equity. Over the past two decades, Colleen has led and managed change initiatives including comprehensive and place-based planning, community engagement, and research analysis to advance equity, economic vitality, and community vibrancy in diverse communities.

Project Experience

Waterfront Development Code, New York City, NY. Advisor, Technical Lead providing collaboration with team members to develop the first-of-its-kind in the United States: a comprehensive waterfront development code for New York City. The team is also advising how to set up a Waterfront marine administrative unit to enforce the code. The results will protect New York City from climate change through new marine building codes.

Strategic Planning, Miami-Dade County, FL. Project Manager providing guidance to the Department of Transportation and Public Works' Executive Leadership to reinvent its culture and operations for high-performance. The team is delivering a Strategic Plan, Action Agenda, Zero Emissions Transition Strategy for the department's fleet, as well as developing a bespoke Performance and Decision Support Platform for capital planning and project delivery for the equitable repositioning and reinvestment of infrastructure in the county.

Raleigh, Cary, Garner Transit-Oriented Development Planning, City of Raleigh, NC, Town of Cary, NC, Town of Garner, NC. Strategic Advisor. Colleen is advising three jurisdictions to connect a regional bus rapid transit (BRT) system while repositioning their land uses in a way that retains and enhances their authentic, local, minority-owned businesses. Colleen is preparing land use and zoning strategies as well as scenario planning to right-size development patterns for functional BRT and equitable outcomes like increased affordable housing and access to jobs.

Rocky Mount Comprehensive Plan, Rocky Mount, NC. Project Manager providing leadership for the revision of the City's first comprehensive plan in over 20 years to transform their downtown, offer affordable housing choices, implement open space connections, and build community capacity.

Comprehensive Plan Gap Analysis, Chesapeake, VA. Technical Lead, providing the assessment of existing comprehensive plan for policy area gaps for the run-up of Chesapeake's comprehensive plan rewrite. Provide examples of case studies, best practices, and emerging trends to broaden and deepen Chesapeake's legislative and regulatory efficacy.

District of Columbia Comprehensive Plan Rewrite, Washington, DC. Project Manager, leading the research phase of the DC Office of Planning's DC2050 comprehensive plan rewrite for performance-based planning. AECOM is preparing a land use scenario planning tool, racial equity analysis framework, and strategies to better connect the comprehensive plan with systems plans, place- based plans, facilities master plans, and capital improvement plans to achieve equitable, resilient, and affordable outcomes. An social excellence impact assessment will be developed to assess policy development in real time and test in the land use scenario planning tool to understand planning performance outcomes before they become policy implemented in the built environment.

Military Installation Resilience Review, Northern Virginia Regional Commission (NVRC), VA. Technical Lead who provided consistent policy for counties, NVRC, and military to achieve more reliable outcomes across jurisdictional lines for resiliency issues including emergency management, transit access, heat, and flood impacts. Advise on emerging trends for regional coordination and governance across jurisdictional lines across jurisdictional lines.

Colleen Willger, Comprehensive Planning *continued*

Complete Community Strategy, Chapel Hill, NC*. Executive Leadership Steering Committee. Colleen partnered with elected officials, consultant teams, Town leadership, and community stakeholders to build consensus around a bold new vision for Chapel Hill to meet the need for new housing while being inclusive, sustainable, and economically competitive. The outcome changed the conversation of how and where to grow to be consistent with the town values of equity and inclusion. The overall result culminated in the creation of a new Framework Element for the Town's Comprehensive Plan.

Shaping Our Future: A Transportation and Land Use Initiative, Chapel Hill, NC*. Served as Director who led a social-centered, data-driven, multi-scaled planning initiative for a $175M federally funded bus rapid transit infrastructure investment and corresponding land use changes to ultimately rewrite the outdated land use management ordinance.

Community Priority Process, Chapel Hill, NC*. Served as Director who collaborated with community leaders, business and development stakeholders, and advocacy coalitions to create a new pathway for affordable housing entitlements to promote production and delivery of more affordable and diverse housing types. The entitlement process was reduced from 24 months to six, allowing small and local firms to pursue development entitlements and seek federal tax relief to financially support their projects and reduce local subsidies.

PlanDC, Washington, DC*. Project Director, Project Manager, Author, and Subject Matter Expert who led the District's Comprehensive Plan Update to focus on housing, social matters, resilience, public facilities, and COVID-19 recovery; an unprecedented effort engaging over ten thousand residents and stakeholders through innovative engagement methods. Set the citywide and neighborhood-level visions for place-based planning tools that translated neighborhood needs and opportunities into specific development strategies that clearly guided agency and private sector investments.

Housing Framework for Equitable Growth, Washington, DC*. Core Team Member who collaborated across District agencies and divisions to produce the first neighborhood-level affordable housing goals in the United States as a companion policy document to the updated Comprehensive Plan. The housing equity report created goals for individual neighborhoods and wards throughout the District of Columbia for affordable housing preservation and production.

Single Family Zoning in the District of Columbia, Washington, DC*. Served as Project Director who managed the drafting and copyediting of a supplemental single family zoning report for the Comprehensive Plan Major Update. The report offered guidance to DC Council for options to increase the variety of housing types in areas zoned for single-family detached and semi-detached housing, as well as implications on social matters and affordability of allowing small multifamily buildings in all residential zones.

ReOpen DC, Washington, DC*. Staff Liaison to Advisory Board for Government Operations. During public health and economic emergency related to novel coronavirus Colleen advised District Government Executive Leadership on how to continue government operations and services through response, recovery, and reopening. She also advised on engagement with vulnerable communities and access to digital services.

***Project completed prior to AECOM employment.**



Aaron Duecaster

Geographic Information Systems Technical Services

Firm: AECOM

Office Location:

- Fort Lauderdale, FL

Years of Experience:

With AECOM: 3

Total Years: 6

Education:

- MS, Geosciences, Florida Atlantic University
- BS, Marine Science, Coastal Carolina University

Registrations/ Certifications:

- Part 107 sUAS / UAV Remote Pilot

Aaron brings six years of experience as a GIS analyst, remote sensing scientist, and in coastal habitat management for the purpose of establishing and achieving resilience goals. His technical skills include GIS mapping production and model development, data management and control, risk assessments, web application development, aerial image analysis, machine learning classification and regression, and geostatistical analysis. This experience has focused on spatial data analysis and tool development to provide solutions to various agencies on the mitigation of contaminates and natural hazards, travel safety and study, and built infrastructure impact and vulnerabilities. Additionally, he has extensive experience of managing UAS surveys and satellite products, geospatial data control and acquisition, and remote sensing/photogrammetric processing for image analysis. Aaron applies his technical skills to utilize innovative geospatial solutions towards developing effective environmental management practices and community resilience.

Project Experience

Sea Level Rise Vulnerability Assessment and Adaptation Plan, City of Miami Beach, FL. Serves as the GIS Lead, provides guidance for the collection of GIS datasets for the asset inventory, creating coastal hazard mapping layers, and performing exposure analyses. AECOM is tasked with the collection and management of City assets in GIS format, performing an updated sea level rise vulnerability assessment for the City through 2070.

Military Installation Resiliency Review, MacDill Airforce Base, Tampa, FL. GIS Lead for a vulnerability assessment of installation and community assets. Results will be used to inform project prioritization of actions that will reduce the risk to MacDill's missions while benefitting adjacent communities.

Vulnerability Assessment and Adaptation Plan, City of Naples, FL. GIS lead for a vulnerability assessment of installation and community assets. Tasks include collection of GIS datasets for the asset inventory, creating coastal hazard mapping layers, and performing exposure analyses.

Stormwater Master Plan Update, City of Miami Beach, FL. GIS Analyst translating stormwater model output into flood hazard layers to visualize the potential extent and depth of rainfall flooding. Results are used to analyze at-risk assets and areas of the City and prioritize improvement projects

Davie Stormwater Impervious Surface Area Calculation, Predictive Analytics, Town of Davie, FL. GIS Analyst for project to predict and delineat, with machine learning algorithms, the impervious surface areas for 500 parcels across Alachua County. The input was 4-band imagery supplied by FDOT that was segmented into objects and predicted for surface type based on training samples and the imagery spectral and textural properties.

Department of Transportation and Public Works Better Bus Project, Miami-Dade County, FL. GIS Manager performing a data inventory analysis to determine key community and environmental metrics that will help the county identify and priorities capital improvement projects and build a funding strategy as a part of the current administrations Justice40 initiative.

PolyFluoroalkylated Substance (PFAS) Investigation, NASA Kennedy Space Center, Merritt Island, FL. GIS Lead for a project to perform groundwater, surface water, and soil assessment of multiple areas surrounding Kennedy Space Center to delineate the extent of PFAS contamination. Responsible for figure production, data discovery of PFAS sources, database management, and web map development.

Aaron Duecaster, Geographic Information Systems Technical Services *continued*

Florida Department of Transportation – District 4, Traffic Operations Study, Fort Lauderdale, FL. Served as GIS Analyst who supported customization of ArcGIS tools for querying and analyzing crash data for pedestrians and bicyclists in counties of District 4. A Clustering Analysis GIS Tool was developed to identify locations that meet user specified roadway and crash frequency criteria. Analysis was performed to allocate resources for roadway safety improvements.

TVA Gallatin Fossil Fuel Plant Environmental Assessment Report, Sinkhole Risk Evaluation and Karst Risk Assessment. GIS Analyst tasked with managing field data that comprised of a trace dye analysis conducted to perform a sinkhole risk analysis based analysis detection locations and surface-subsurface characteristics.

Travel Time & Traffic Assessment, Monroe County, FL. Observed the volume of traffic and the effect of travel time in the Florida Keys to determine areas of consistent congestion. Key tasks were observing travel times, observing reasons for slowdowns, and providing solutions to resolve congestion issues.



Russell Pratt, Jr., PE

Stormwater

Firm: AECOM

Office Location:

- Fort Lauderdale, FL

Years of Experience:

With AECOM: 30

Total Years: 31

Education:

- MS, Geosciences, Florida Atlantic University
- BS, Marine Science, Coastal Carolina University

Registrations/ Certifications:

- Part 107 sUAS / UAV Remote Pilot

Russ is active in stormwater analysis, design for stormwater drainage systems for a wide variety of project types in rural and urban locations and wetland mitigation design. His technical expertise encompasses all aspects of stormwater drainage and detention, hydraulic computer modeling, master planning, hydrology, bridge scour analysis, and permitting. His engineering skills are greatly enhanced by his earlier experience in environmental laboratories and in construction management.

Project Experience

Shuttle Landing Facility Midfield Conceptual Development – Phase 2 and 3, Brevard County, FL. Project Engineer, prepared a conceptual stormwater master plan for future airside and landside development anticipated to occur in a 20 year period at the shuttle landing facility at NASA. The conceptual design includes closed piped storm sewers and open channels conveying stormwater runoff to eleven dry retention ponds and 5 wet detention ponds to provide a treatment train to treat and attenuate stormwater runoff from a contributing drainage area encompassing approximately 2,143-acres per criteria mandated by the St. Johns River Water Management District (SJRWMD). Responsibilities included developing existing and proposed condition hydrologic and hydraulic models for a drainage area encompassing approximately 2,625-acres using the ICPR computer model, preparing conceptual designs of stormwater management systems, and submitting a conceptual Environmental Resource Permit (ERP) to the SJRWMD.

Economic Development Transportation Project Fund (EDTPF Infrastructure Improvements – Roadway Package for NASA and SpaceX, Brevard County, FL. Project Engineer who evaluated the existing Environmental Resource Permits on file with the St. Johns River Water Management District (SJRWMD) along Central Control Road and Phillips Parkway within the limits of the Cape Canaveral Air Force Station (CCAFS) where approximately 1.51-acres of new roadway shoulder pavement is added. The purpose of the new shoulder pavement is to widen turn radii to improve roadway conditions to accommodate large vehicles that will be towing launch infrastructure to launch/manufacturing facilities. Submitted an application to the SJFWMD demonstrating the proposed project is exempt for permit requirements under F.A.C. 62-330.051(4).

Launch and Landing Facility Block 3 Sites A, B, N & O Civil Site Prep and Permitting, Brevard County, FL. Project Engineer responsible for the preparation of a conceptual stormwater design for the Midfield Development Sties A, B, N and O based on the conceptual stormwater master plan prepared for the Shuttle Landing Facility Midfield Conceptual Development- Phase 2 and 3 Project. The conceptual design includes closed piped storm sewers conveying stormwater runoff to a dry retention pond and a wet detention pond to provide a treatment train to treat and attenuate stormwater runoff from a contributing drainage area encompassing approximately 82.1-acres per criteria mandated by the St. Johns River Water Management District (SJRWMD). Responsibilities included modifying the proposed condition ICPR hydrologic and hydraulic model created for the Shuttle Landing Facility Midfield Conceptual Development- Phase 2 and 3 Project with the proposed development and drainage systems for Sites A, preparing a conceptual design of a stormwater management system for Sites A and), and submitting a conceptual Environmental Resource Permit (ERP) to the SJRWMD.

Construct Launch Abort System Hangar M&-1459, Brevard County, FL. Project Engineer responsible for the drainage design and preparing the Environmental Resource Permit (ERP) application to the St. Johns River Water Management District (SJRWMD) for a new Lauch Abort System (LAS) Hangar at the Kennedy Space Center. The LAS Hangar is comprised of a storage shelter building and access driveways that collectively add 1.13-acres of impervious area. Designed storm sewer systems to convey stormwater runoff from the project area to a proposed wet detention pond. Designed the proposed wet detention pond to treat and attenuate the stormwater

Russell Pratt, Jr., Stormwater *continued*

runoff from the project area in accordance with SJRWMD criteria. A hydrologic/hydraulic model for a contributing drainage area encompassing 83-acres was prepared utilizing the ICPR Version 4.0 computer programs as part of the design effort.

Pithlachascotee-Anclote Conservation Effort (PACE) Alternatives Analysis, Pasco County, FL. Project Manager to combine three ICPR Version 3.0 ICPR models for the Pithlachascotee, Anclote East and Anclote West Watersheds that collectively cover approximately 284 square miles into one combined ICPR Version 4.0 Model to allow interaction with ArcGIS software and the District's ArcHydro tools. Alternative BMPs were analyzed with the combined model to correct flooding throughout southwestern Pasco County. The Engineering Fees are $400,000 and anticipated construction costs for the analyzed BMPs are $75M.

Timber Oaks Drainage Improvement Project, Pasco County, FL. Project Manager and Engineer of Record, for designing regional stormwater ponds at the former Timber Oaks Golf Course. Major tasks included preparing a detailed hydrologic/hydraulic model with the ICPR computer program for a drainage area encompassing approximately 834-acres with no outfall and containing the 100-year, 24-hour storm event, preparing conceptual construction plans, determining environmental permitting constraints and requirements, preparing probable construction estimates and preparing a feasibility report. Final services included plans and specifications, and Environmental Resource Permit Application (ERP).

Hydrilla Lake Drainage Improvements, Polk County, FL. Project Manager and Engineer of Record, for a drainage improvement at the Tenoroc Public Use Area (PUA) owned and managed by the Florida Fish and Wildlife Management Commission. Work included storm sewer system designs, culvert designs, open channel design, and shoreline restoration. Tasks included hydrologic/hydraulic modeling, construction plan preparation, cost estimates, specifications, and preparing environmental resource permits with the Southwest Florida Water Management District (SWFWMD) and Florida Department of Environmental Protection (FDEP).

Roosevelt Creek Channel No 5 Drainage Improvements, Pinellas County, FL. Project Manager and Engineer of Record roles from the original project manager for Phase II which includes design and permitting services for the selected alternative to dredge Roosevelt Creek Channel No. 5, remove the existing salinity barrier outfall to Tampa Bay, repair storm sewer pipe conveying stormwater to the creek and installing Manatee exclusion gates at pipe openings. Currently providing Phase III limited construction phase services.

Widen and Rehabilitate George Bean Parkway and Economy Parking Road, Hillborough County, FL. Project Engineer for the drainage design and permitting associated with the rehabilitation of the entrance road into the Tampa International Airport identified as the George Bean Parkway and the rehabilitation of Economy Parking Road. Designed eight dry retention ponds located in the limited open space adjacent to both roadways. Modified the existing Airport wide stormwater model in ICPR Version 4.

Kracker Avenue Fish Farm Hydrologic Restoration, Hillsborough County, FL. Engineer of Record and Project Manager to convert an existing fish farm to create 25-acres of estuarine wetlands and freshwater wetlands hydraulically connected to Tampa Bay. The project also includes enhancements to upland buffers adjacent to the created wetlands and the use of reclaimed water from the County's Public Utilities Department to enhance wetland hydrology and create salinity gradients through the constructed wetlands.

TPA Air Cargo Expansion, Hillsborough County, FL. Project Engineer leading the design-build team for this project at TPA included planning, design and bid and award phase services for the expansion of the existing air cargo apron. Additionally, the geometry of Taxiway J was reconfigured to meet current FAA standards. The TPA Air Cargo Expansion project included site inspection, extensive geotechnical and subsurface utility exploration to evaluate the existing surface and subsurface conditions, a traffic study to evaluate existing and future traffic demand, and pavement designs for new airfield concrete pavement, a parking lot new, and roadways. The project included a new air cargo facility to house future cargo handling operations. Site work included a new employee parking lot, concrete truck court, local asphalt roadway reconstruction, utility improvements (sanitary sewer, water, electrical, communications), fencing, relocation of an existing sanitary sewer pump station and landscape and irrigation.

TPA New Taxiway A and Bridge, Hillsborough County, FL. Project Engineer provided engineering and construction administration services including planning, design, bid, and construction administration. Project included a 3,000-foot-long cross field taxiway designed to Airport Design Group (ADG) V and Taxiway Design Group (TDG) 6 criteria. The cast-in-place post-tensioned bridge was designed for ultimate configuration of access roads, service roads, and APM to service the future north terminal. Detailed coordination with the FAA regarding existing and proposed geometry was required. Phasing of the project was carefully crafted to minimize impacts to the airport.



Taylor Squires, PE
Coastal

Firm: AECOM

Office Location:
- Houston, TX

Years of Experience:

With AECOM: 11

Total Years: 12

Education:
- BS, Civil Engineering, University of Texas at Austin
- Coastal Engineering Certificate, Old Dominion University

Registrations/ Certifications:
- Professional Engineer: FL #95111, TX #131201
- AECOM Certified Project Manager

Taylor brings12 years of experience working on coastal restoration, coastal/maritime planning, and climate resilience projects. Her relevant experience includes restoration design (nature-based solutions, erosion control structures, living shorelines, wetland restoration, beneficial use of dredged material), resilience assessments (climate resilience, climate adaptation, mitigation, site development), dredged material management, construction oversight, site monitoring (wetlands, oyster reefs), large-scale planning for state agencies (coastal master planning, ports master planning), and outreach (technical advisory committee meetings, stakeholder outreach).

Project Experience

US Army Corps of Engineers, Coastal Storm Risk Management (CSRM), Okaloosa County, FL. Project Engineer, providing coastal engineering design analysis as part of coastal storm risk management (CSRM) in Okaloosa County. As part of the contract, AECOM is working with a survey subcontractor to provide surveys of the beach profile (berm and dune) and nearshore bathymetry along 16,500 feet in West Destin and 16,500 feet along Okaloosa Island. AECOM is also evaluating shoreline and volumetric change rates based on historical surveys/lidar and newly collected survey data. An AECOM subconsultant is developing a model to simulate long-term shoreline performance and volumetric change in SBEACH and GENCADE, calibrated to the historical surveys and past nourishment events. The AECOM team will produce an engineering report to summarize the results of the surveys, shoreline/volumetric change rate assessments, and shoreline/volumetric change models. Taylor is overseeing the shoreline/volumetric change rate assessments and production of the final report. The findings in the report will inform a future nourishment project planned for the sites.

EPA Gulf Breeze Causeway Resiliency Assessment Project Manager, Pensacola, FL. Project Manager who developed a resilience assessment for the Environmental Protection Agency's (EPA) Gulf Breeze Causeway near Pensacola. The EPA's facilities are situated on a small island just inland of the Santa Rosa Island, a barrier island off the Florida panhandle. Prior assessments of the causeway indicated its susceptibility to future storm impacts, and EPA requested that G.M. Hill and AECOM perform a more in-depth assessment of the causeway to determine potential hardening measures. At the time of this assessment, the causeway experienced sporadic inundation during low-frequency storm events. Taylor led a team of coastal engineers, bridge engineers, climate scientists, and GIS experts for a site assessment and climate assessment, development of design alternatives, and preparation of a recommended permitting strategy, including recommendations for NEPA compliance. The final product included a bridge and site inspection report, a climate assessment, a meteorological and oceanographic assessment, a bridge life expectancy assessment, design water level assessment, and two conceptual alternative designs, all presented in 50%, 90%, and 100% reports.

Florida Department of Transportation, US-1 Erosion Mitigation, Monroe County, FL. Engineering Task Lead compiled and observed environmental data for five sites being considered for armoring protection against coastal erosion in the Florida Keys. Taylor served as the task lead for a group of scientists, engineers, and GIS team members developing a profile of each site's existing conditions (geological processes, habitats, coastal oceanography, potential stakeholders, existing coastal protection) and conceptual drawings of nature-based solutions (nearshore breakwaters, mangrove planting, beach nourishment) that may be appropriate for each site's specific conditions. Taylor led discussions with FDOT employees interested in understanding how nature-based solutions might be applicable to help solve ongoing challenges related to shoreline erosion and roadway infrastructure stability along US-1.

Taylor Squires, Coastal *continued*

Reefense Project, DARPA, US DoD, Florida Keys, FL. Project Engineer, part of a research team led by University of Miami, AECOM is helping design and construction reef-mimicking structures as a mitigation solution to coastal erosion. The reef structures are designed to be self-healing, wave attenuating structures that promote coral settlement and growth, allowing the structures to adapt to sea level rise over time. The solutions AECOM helped develop will be deployed as two 50m pilot structures in the Florida Keys and the Reefense project will help similar structures of this kind be designed and constructed across the Atlantic Seaboard. AECOM's role on the project will include permitting, coordinating with concrete casting contractors for complex structural components, developing construction drawings and documents, and coordinating deployment with the construction contractor and dive team. Taylor serves as the lead engineer overseeing contractor coordination, preparing construction drawings and technical specifications, and leading a team of coastal engineers, scientists, and GIS analysts.

Texas General Land Office, Indianola Beach Hurricane Harvey Repair, Indianola, TX. Project Manager providing professional engineering services to assist the GLO with repairs to Indianola Beach on Matagorda Bay in Calhoun County, Texas in the aftermath of Hurricane Harvey. The site, which is an engineered beach stabilized by a series of rock groins, experienced erosion of several individual groin cells during the storm and received Federal Emergency Management Agency (FEMA) public assistance funding to restore the beach to pre-storm conditions. The AECOM team had been the project engineer on the original design and construction of the groin and beach cells at Indianola Beach and subsequently is producing new construction plans and technical specifications to complete the repairs. Since the permit for the original permit had expired, AECOM is also assisting the GLO with obtaining a new individual permit from the U.S. Army Corps of Engineers to complete the work, as well as procurement and construction management activities. Taylor serves as the project manager and lead engineer for the project. The project will be going to construction in early- mid 2025.

Texas Coastal Resiliency Master Plans, Texas Coastwide, Texas General Land Office. Serves as Deputy Project Manager responsible for assisting the GLO with developing the Texas Coastal Resiliency Master Plan. The Plan will help the GLO guide coastal management and grant administration throughout the state's 18 coastal counties. Taylor's responsibilities include: developing criteria to assess coastal project performance; developing cost estimates for proposed projects; assisting with Technical Advisory Committee (TAC) evaluation and public outreach meetings; completing conceptual engineering analyses for key projects; coordinating storm surge modeling efforts between GLO, the U.S. Army Corps of Engineers, and other entities; formulating adaptive management strategies for proposed coastal projects with consideration for climate resilience; enhancing coordination with federal and other entities to expand beneficial use of dredged material opportunities; and coordinating funding strategies for project implementation. The Plan is being completed in cooperation with the Harte Research Institute and the TAC to ensure all recommendations within the Plan are the most efficient and beneficial for the future of coastal resiliency in Texas. The total cost of the recommended projects in the 2023 Plan is $1.87B.

NASA Shoreline Study, NASA Kennedy Space Center, Brevard County, FL. Deputy Technical Lead for the Kennedy Space Center, located within a vulnerable coastal area exposed to Atlantic and bay-based wave forces. AECOM provided NASA with services to assess and develop resilience solutions for Atlantic and estuarine shorelines to protect critical transportation and space exploration infrastructure. AECOM's work involves sediment transport modeling, long-term shoreline change analysis that considers impacts from relative sea level rise, and development of shoreline mitigation alternatives. Taylor served as the deputy technical lead of the effort, assisting the project manager and overall technical lead overseeing teams focused on developing the alternatives for the Atlantic and estuarine studies. She provided technical oversight for design tasks, including making sand source recommendation and drafting preliminary engineering drawings, and wrote significant portions of both reports to recommend shoreline stabilization alternatives for Atlantic and estuarine shorelines on Cape Canaveral.



Samantha Krautwurst, PE, ENV SP

Buildings

Firm: AECOM

Office Location:

- Germantown, MD

Years of Experience:

With AECOM: 7

Total Years: 15

Education:

- BS, Civil Engineering, Cornell University

Registrations/ Certifications:

- Professional Engineer: MD #46828
- Environmental Sustainability Professional (ENV SP)

Samantha is an Associate Vice President at AECOM, serving as the Building Science Team Lead. She is a civil engineer with 15 years of experience, specializing in project and program management, as well as natural hazard mitigation. She is a nationally-recognized subject matter expert (SME) in natural hazard mitigation with a specialty in wind- and shelter- engineering building codes and standards. She has and does serve on multiple committees in all capacities ranging from co-chair to interested party. She is a co-lead for FEMA Building Science activities on a large Joint Venture. As an SME in natural hazard mitigation, Samantha has managed and authored over 20 natural hazard mitigation publications and technical papers. She is the highest tier member of the Structural Extreme Events Reconnaissance (StEER) Network, supported by the National Science Foundation and serves on their Wind Hazards Advisory Board. She has extensive experience performing post-natural disaster investigations. Samantha also has experience managing large-scale projects. She also has experience as a project and construction manager in charge of a large road corridor and bridge capital improvement projects for a Maryland county.

Project Experience

FEMA, Consolidated Resource Center (CRC) Support Contract. Member of the PMO Leadership for CRC-Surge; serves as Call Order Manager and Onboarding Lead. Assists Deputy Program Manager with overseeing and maintaining a cadre of up-to 100 staff working in CRC-Surge to process and deliver projects within Phases 2, 3, and 4 in the Completed and Standard Lanes. Tracks performance targets, provides deliverables, and helps to manage scope, schedule, budget. Call Order Manager for the first four Project Unit Price (PUP) Call Order models for FEMA CRCs to efficiently process quality projects through CRC-Surge. Leads efforts to onboard and train new staff brought to work in CRC-Surge.

FEMA, Building Science and MAT Subject Matter Expert and Lead. Serving as the Deputy Tier 1 Building Science Lead, as well as a Mitigation Assessment Team (MAT) SME to FEMA in order to support FEMA Building Science and Earthquake and Wind Programs Branches. Co-leads all building science activities on the Joint Venture; provides SME and managerial support. Co-leading with the Tier I SME event monitoring and executing a pre-MAT, as well as MAT, and meeting all activities in a SOW including, but not limited to: pre-deployment and field deployment activities, data analysis, publication management, authoring of publications, generating and giving presentations, coordination with the client. Gives presentations and teaches courses regarding MAT findings and recommendations, as well as generates Fact Sheets as requested by FEMA regions in response to natural disasters.

FEMA, Hurricane Ian Mitigation Assessment Team Building Science Disaster Support, Deputy Task Order Manager. Deputy Task Order Manager for Hurricane Ian MAT BSDS, activities including: resource management and coordination, financial management and reporting, monthly progress reporting and client meetings, oversight of field deployment and associated activities, supporting Task Order Manager, training and outreach, subject matter expert support, and the development of Recovery Advisories (three published July/ August 2023) and MAT Report (anticipated December 2023).

FEMA, December 2021 Kentucky Tornadoes Building Science Disaster Support, Task Order Manager. Task Order Manager for December 2021 Kentucky Tornadoes BSDS activities, including: financial management and reporting, monthly progress reporting and client meetings, publishing of: (1) FEMA/NIST Design Guide for New Tornado Load Requirements in ASCE 7-22 (January 2023), (2) FEMA/NIST Improving Windstorm and Tornado Resilience: Recommendations for One- and Two-Family Residential Structures Fact Sheet (February 2023), (3) FEMA 2021 Kentucky Tornadoes Recovery Advisory 1: Essential Facilities Located in Tornado-Prone Regions: Recommendations for Facility Owners (February 2023), and (4) FEMA 2021 Kentucky Tornadoes Recovery Advisory 2: Reconstructing

Samantha Krautwurst, Buildings *continued*

a Non-Residential Building After a Tornado (February 2023), and preparing and delivering 6-hours of training for various stakeholders.

FEMA, Codes and Standards Monitoring. Subject Matter Expert who supports and manages building code monitoring task order to protect and improve resiliency to wind and flood hazards. Coordinates with other wind engineer- and shelter-engineer SMEs and FEMA to develop, submit and help champion code change proposals for the 2027, 2024 and 2021 editions of the International Building Code, International Residential Code, and International Existing Building Code, as well as the 2020 and 2023 edition of ICC 500 (Standard for the Design and Construction of Storm Shelters). Technical Steering Committee member for the ASCE/SEI/AMS Wind Speed Estimation in Tornadoes Standard and Co-Chair of the EF-Scale working group; authoring multiple Damage Indicator sections for assigning an EF-scale for multiple types of construction, as well as serving as a chair and technical reviewer of the standard. Interested Party on the ASCE 7-22 Tornado Task Committee and ICC 500-2020 and ICC 500-2023 Committee.

FEMA, Safe Room Publication Updates (FEMA P-361 and FEMA P-320) and Pilot Training. Subject Matter Expert and Publications Manager who assisted with the management of, development for, and authoring content for the fourth edition of FEMA P-361, Safe Rooms for Tornadoes and Hurricanes, Guidance for Community and Residential Safe Rooms and the fifth edition of FEMA P-320, Taking Shelter from the Storm, Building or Installing a Residential Safe Room for Your Home. Revisions included full re-organization of content to parallel format of ICC 500-2020, Standard for the Design and Construction of Storm Shelters and close coordination with FEMA's Hazard Mitigation Assistance Branch. Fact Sheets, webpages, and other resources were also concurrently updated to go with the completion of FEMA P-320 and FEMA P-361. Coauthored and taught pilot course to FEMA Regions on the update to FEMA P-361 in October 2021. Currently managing the fifth edition update of FEMA P-361 and sixth edition update of FEMA P-320 with the release of ICC 500-2023.

NIST, Assessment of Resilience in Codes, Standards, Regulations, and Best Practices for Buildings and Infrastructure Systems. Served as a Subject Matter Expert to address comments from the client (at their request) during the final stages of the Task Order. Interfaced with the client, as well as authored multiple sections of the paper, and provided technical comment response and expertise.

FEMA, MAT Deployment and MAT Report (P-942). Project Engineer deployed on the initial pre-Mitigation Assessment Team (MAT) that investigated building performance following Hurricane Sandy and assisted extensively from the office for the pre- and full MAT deployment. Assisted with writing and document creation for Recovery Advisories and the early stages of the MAT Report, FEMA P-942.



Dawn Jakiela, PE

Water + Wastewater

Firm: AECOM

Office Location:

- Ft Myers, FL

Years of Experience:

With AECOM: 22

Total Years: 41

Education:

- BS, Civil Engineering, University of Connecticut

Registrations/ Certifications:

- Professional Engineer: FL #75034, CT #PEN.0016159
- Risk Assessment Methodology for Water
- OSHA HAZWOPER 40-Hour Training

Dawn offers extensive experience managing the planning, engineering design, and maintenance of municipal wastewater and water facilities. As the former city engineer in Meriden, Connecticut, she oversaw various municipal engineering projects, including wastewater treatment and collection, water treatment and distribution, stormwater management, and traffic systems. She provided technical input to long-range planning efforts for public infrastructure such as sanitary and stormwater collection systems and roadways. She assisted with the preparation of the city's capital improvement planning program. Dawn was also responsible for preparing the annual budget for the engineering division and assisted with the preparation of the annual budgets for the water and wastewater divisions.

Project Experience

Collier County, Public Utilities Master Plan, Naples, FL. Project Manager responsible for the 2014 comprehensive master plan for potable water, wastewater, and reuse water facilities and subsequent updates in FY 2017 and FY 2019. This evaluation included analyses of population and flow projections and available treatment plant capacities, raw water supplies, hydraulic modeling to assess the ability of the pipeline network to provide adequate flows and pressures, availability of potable water storage, alternative improvements to address system deficiencies and linear asset prioritization to recommend a capital improvement plan.

Collier County, Public Utilities Master Plan 2020, Naples, FL. Project Manager. Managed the 2020 comprehensive master plan for potable water, wastewater and reuse water facilities. Planning evaluations include analyses of population and flow projections for the District, including the new Northeast Service area, available treatment plant capacities, raw water supplies, hydraulic modeling to assess the ability of the pipeline network to provide adequate flows and pressures, availability of potable water storage, alternative improvements to address system deficiencies and linear asset prioritization to recommend a capital improvement plan.

Lee County Utilities, Countywide Wastewater Management Plan, Lee County, FL. Deputy Project Manager responsible for the 2020 wastewater management plan. Planning effort includes identifying septic parcels that may be contributing to water quality issues, prioritizing areas for connection to centralized sewer system based upon initial and final screening criteria, analysis of wastewater flows at each of the County's wastewater treatment plants, completion of wastewater treatment plant gap analyses, the layout of wastewater gravity, forcemain and pump stations, hydraulic modeling of the wastewater manifolded force main network, and development of a capital improvement program.

Marco Shores, Alternative Water and Sewer Improvements, Marco Island, FL. Project Manager responsible for preliminary engineering, design, permitting, bidding, and construction phase services to construct $9M potable water and wastewater improvements. Preliminary engineering included hydraulic modeling of the wastewater forcemain network to evaluate pump station impacts when reversing the flow direction of small duplex pump stations to convey flow to a new master pump station to facilitate decommissioning and abandonment of a wastewater treatment plant. New water transmission mains include 5,850 feet of new 20-16-inch inside diameter water mains installed using open cut, jack and bore, and HDD. Wastewater improvements include 17,360 feet of 10-inch to 12-inch inside diameter force mains using open cut, jack and bore and HDD and one new wastewater master pump station. Both the water and wastewater HDDs include a subaqueous crossing at the Marco River (approximately 2400 feet).

Collier County, Wastewater Basin Analyses Program (Basin 306), Collier County, FL. Project Manager who completed a comprehensive analysis of 27 county-owned duplex wastewater pump stations, three master pump stations and the related force main network. Preliminary engineering included hydraulic modeling of the manifolded force main network using sewer gems sanitary, a transient evaluation using a HAMMER v8i, and an outline of recommended improvements for force main and pump station improvements

Dawn Jakiela, Water + Wastewater *continued*

where pumps and control panels were replaced, valves and flow meters were relocated above grade, and diesel pumps and standby generators were provided at the master pump stations for reliability. Final design, permitting and construction phase services were provided for a $24M program of improvements which included a new 6200-square-foot building for master pump station 306 inline booster pump station and 17,500 linear square feet of large diameter (24 to 30 inches) force main with HDD and micro tunnel crossings of US-41.

City of Cape Coral, Comprehensive Utilities Master Plan Update, Cape Coral, FL. Project Manager who managed the 2020 master plan to identify potable water, irrigation water, and wastewater system improvements that will provide sufficient system capacity to meet projected demands and reliable service while meeting all regulatory requirements to provide the required level of service.

City of Cape Coral, Water Supply Facilities Work Plan, Cape Coral, FL. Project Manager. The City of Cape Coral is required to review, amend (if necessary) and adopt a water supply facilities work plan (work plan) within 18 months following the approval of the South Florida Water Management District (SFWMD) lower west coast water supply plan Update, which was recently updated in 2017. Responsible for the update of the Work Plan, which includes alternative and traditional water supply projects, conservation and reuse initiatives and other projects to meet the needs identified in the SFWMD's regional water supply plan update.

City of Cape Coral, Master Pump Station (MPS) 100 Wastewater Pump Station Feasibility Study, Cape Coral, FL. Project Manager who evaluated population projections, wastewater flow projections and new MPS 100 pump station and force main design criteria to reroute wastewater flows from the Everest WRF to the Southwest WRF. The evaluation included hydraulic modeling of the wastewater force main network, alternative analysis for new force main connection points, and planning level costs.

Town of Southington, Water Department Administration/ Garage Construction Services, Southington, CT. Project Manager responsible for the design and construction services for a 28,000-square-foot administration and garage facility, which will include separate buildings for chemical storage and material handling for the town's water department.

City of Naples, Port Royal Pump Stations Design, Permitting, Construction Administration Services, Naples, FL. Managed the design, bidding and construction phase services for $4M in improvements to the Public Works and Port Royal stormwater pumping stations, including the installation of new pumps and controls, a new standby generator, new bars screens and conveyor system and a new force main connection to the ASR facility.

City of Meriden, Water and Sewer Optimization Study, Meriden, CT. Reviewed and coordinated a water and sewer optimization study to assist the Public Utilities Commission and city council in determining whether to privatize the city's water and sewer divisions. Oversaw the development of the scope of work for the study and retention of a private firm to evaluate the overall efficiency of the water and sewer divisions. Assisted with identifying improvements to reduce costs, increase revenue, provide long-term stabilization of water and sewer rates, and enhance overall performance. Established benchmarking criteria to measure the overall performance of these divisions as compared to private and public facilities.

City of Meriden, Contract Negotiations Support, Meriden, CT. Provided technical input to the city's public utilities commission during negotiations for a sludge disposal contract with a private firm. Reviewed the contract terms relative to quantity and quality needed to prevent financial penalties. Reviewed the rewording of force majeure clauses to ensure that the city was protected. Considered alternate disposal methods should the private vendor or the city fail to meet the terms and conditions of the contract.

Town of Beacon Falls, Water Pollution Control Plant Disinfection Improvements, Beacon Falls, CT. Project Manager responsible for the design and construction services for a new ultraviolet disinfection system at the town's water pollution control plant. Interacted with the Department of Environmental Protection and prepared applications for Clean Water Fund financing.



Justin Schofield
Transportation

Firm: AECOM

Office Location:

- Ft Myers, FL

Years of Experience:

With AECOM: 2

Total Years: 20

Education:

- AA, General, Broward College
- Project Manager Academy - CPE, FMI Project Manager Institute
- FDOT Construction Academy

Registrations/ Certifications:

- TIN #S14343086
- CTQP: 10-24/Asphalt Paving Technician, Levels 1 and 2
- 9-26/Concrete Field Technician, Level 1
- 5-24/Earthwork Construction Inspection, Level 1
- 8-25/Earthwork Construction Inspection, Level 2
- 4-24/Drilled Shaft Inspection
- 5-24/Pile Driving Inspection
- 8-27/Final Estimates, Levels 1 and 2

Justin has experience in transportation, commercial and residential construction industries. He has worked directly for municipalities, as a consultant, and as a contractor. He has held Project Manager, Assistant Project Administrator, Contract Support Specialist, Sr. Inspector, Inspector and Engineering Technician positions with contractors, consultant engineering firms and government agencies. Justin has been involved in construction and maintenance projects of varying scope including roadway and bridge reconstruction, milling and resurfacing projects, canal revetment, signalization, maintenance, and safety enhancements. Experience in both local and high-speed limited access facilities.

Project Experience

I-75 at SR 951 Interchange Improvements, FDOT District One, Collier County, FL. Providing Project Administration and CEI services on this Design-Build Interstate Interchange Project. This project consists of the reconstruction of the I-75 at SR 951 Interchange from the existing Diamond Interchange to a Partial Cloverleaf Interchange with two connection ramps over SR 84/Davis Boulevard, from and to CR 951 (Collier Boulevard), to provide for the "Ultimate Configuration". The existing I-75 bridges over SR 951 will be widened to accommodate ramp traffic from Collier Boulevard for direct interstate access.

Pre-Event TS/Hurricane CEI, FDOT District One, FL. Project Administrator providing Disaster Monitoring/Construction Engineering and Inspection (CEI) services required for contract administration, disaster related damage assessment, recovery monitoring, construction inspection for emergency work and environmental clearance support for the event preparation and recovery efforts in District One for the contract duration. The services are performed on a task assignment basis. The major tasks under this contract were for Hurricanes Ian, Idalia, and Nicole.

FDOT GEC Contract, FDOT District One, FL. Augmented Staff Project Administrator responsible for the oversight of field operations and responsible for MAC approvals to ensure compliance with Contract Plans and Specifications. Reviewed and recommended approval/rejection of project schedules, the implementation of the public awareness plan, the Quality Assurance of project documentation (monthly and final estimates packages, supplemental agreements, change orders, time extensions, material certification, etc.), claim resolution and the coordination of day-to-day activities between the contractors, municipalities, permitting agencies and the Department.

FDOT, SR 35 (US 17) from Washington Loop Road to Desoto County Line, FDOT District One, Charlotte County, FL. Augmented Staff Project Administrator responsible for the $3.6M oversight of field operations and responsible for MAC approvals to ensure compliance with Contract Plans and Specifications. Reviewed and recommended approval/rejection of project schedules, the implementation of the public awareness plan, the Quality Assurance of project documentation (monthly and final estimates packages, supplemental agreements, change orders, time extensions, material certification, etc.), claim resolution and the coordination of day-to-day activities between the contractors, municipalities, permitting agencies and the Department.

Justin Schofield, Transportation *continued*

FDOT, S Tamiami Trail (SR 45) Intersection Lighting Retrofit, FDOT District One, Sarasota County, FL. Augmented Staff Project Administrator responsible for $1.6M oversight of field operations and responsible for MAC approvals to ensure compliance with Contract Plans and Specifications. Reviewed and recommended approval/rejection of project schedules, the implementation of the public awareness plan, the Quality Assurance of project documentation (monthly and final estimates packages, supplemental agreements, change orders, time extensions, material certification, etc.), claim resolution and the coordination of day-to-day activities between the contractors, municipalities, permitting agencies and the Department.

FDOT, District One School Zone Implementation Plan, FDOT District One, FL. Augmented Staff Project Administrator responsible for $4M oversight of field operations and responsible for MAC approvals to ensure compliance with Contract Plans and Specifications. Reviewed and recommended approval/rejection of project schedules, the implementation of the public awareness plan, the Quality Assurance of project documentation (monthly and final estimates packages, supplemental agreements, change orders, time extensions, material certification, etc.), claim resolution and the coordination of day-to-day activities between the contractors, municipalities, permitting agencies and the Department.

FDOT, SR 45/US 41 from Tara Blvd to North of French Creek Lane, FDOT District One, FL. Augmented Staff Project Administrator responsible for $560,000 oversight of field operations and responsible for MAC approvals to ensure compliance with Contract Plans and Specifications. Reviewed and recommended approval/rejection of project schedules, the implementation of the public awareness plan, the Quality Assurance of project documentation (monthly and final estimates packages, supplemental agreements, change orders, time extensions, material certification, etc.), claim resolution and the coordination of day-to-day activities between the contractors, municipalities, permitting agencies and the Department.

SR 776 from North of Placida Road/Pine Street/ CR 775 to Spinnaker Boulevard, FDOT District One, Charlotte County, FL. Project Administrator/Contract Support Specialist responsible improvements under this $5.6M contract consisted of milling and resurfacing, drainage improvements, curb and gutter, signalization, lighting, signing, and pavement marking, sidewalks, and shoulder treatments on SR 776 from West of Placida Road easterly for 3.178 miles to Spinnaker Boulevard. In charge of the oversight of field operations and responsible for MAC entry and approvals to ensure compliance with Contract Plans and Specifications. He reviews and approves the construction (CPM) schedule, the implementation of the public awareness plan, the Quality Assurance of project documentation (monthly and final estimates packages, supplemental agreements, change orders, time extensions, material certification, etc.), claim resolution and the coordination of day-to-day activities between the contractors, municipalities, permitting agencies and the Department.

SW 88th Street (Kendall Drive) from SW 162nd Avenue to SW 167th Avenue Roadway Improvements, Lennar Homes through Downrite Engineering (FDOT District Six Maintenance Permit), Miami-Dade County, FL. TVT Manager responsible for supporting this reconstruction project that involved subgrade and base construction, drainage installation, gravity wall, new lighting installation, milling and asphalt, and signing and pavement markings. In charge of the oversight of field inspections and material approvals to ensure compliance with contract plans and specifications. Assisted the client in the understanding of FDOT requirements/specifications and scheduled VT inspections. Reviewed MOT weekly reports and SWPPP reports. Provided the client guidance on construction schedule, implementation of the public awareness plan, Quality Assurance of project documentation (monthly and final estimates packages, supplemental agreements, change orders, time extensions, material certification, etc.), claim resolution and the coordination of day-to-day activities between the contractors, municipalities, permitting agencies and the Department.

Broward Operations CEI Consultant Construction Support, FDOT District Four, FL. Contract Manager responsible for task work order driven contract included, but was not limited to, roadway reconstruction, milling and resurfacing, drainage, lighting, signalization and signing and pavement marking, plans review, schedule review and utility coordination. Responsible for the overall management of the contract and assignment of TWO duties to appropriate staff. Also responsible for coordination with the FDOT, the preparation of all TWO and Amendments to the Contract and management of budget and schedule of assigned projects.

Districtwide CEI Services for District Construction Office Support, FDOT District Four, FL. Contract Manager responsible for $1.5M (each) task work order driven contracts included, but were not limited to, roadway reconstruction, milling and resurfacing, drainage, lighting, signalization and signing and pavement marking, plans review, schedule review and utility coordination. Responsible for the overall management of the contract and assignment of TWO duties to appropriate staff. Also responsible for coordination with the FDOT, the preparation of all TWO and Amendments to the Contract and management of budget and schedule of assigned projects.



Laura Cherney
Environmental

Firm: AECOM

Office Location:

- Miami, FL

Years of Experience:

With AECOM: 9

Total Years: 27

Education:

- Executive MBA Program, Florida International University, Miami
- BS, Environmental Engineering Sciences, University of Miami, Coral Gables

Registrations/ Certifications:

- Certified AECOM Project Manager

Laura is a Senior Ecologist and a Certified AECOM Project Manager based in the Miami, FL office. Laura has more than 25 years of extensive experience with marine and terrestrial wetland ecology, threatened and endangered species surveys, ecological studies; compliance with the National Environmental Policy Act (NEPA), and environmental resource permitting on projects ranging from large-scale transportation projects to habitat restoration projects. She has in-depth knowledge of federal, state, and local environmental laws and federal regulations including NEPA, Endangered Species Act (ESA), Clean Water Act, Coastal Zone Management Act, Magnuson–Stevens Fishery Conservation and Management Act, Marine Mammal Protection Act, and Robert T. Stafford Disaster Relief and Emergency Assistance Act. Ms. Cherney is skilled at managing projects, multidisciplinary teams, accelerated schedules, subconsultants, and project budgets. She has a broad background in strategic planning and logistics. She has conducted government, corporate, non-profit, and executive-level negotiations and has solid working relationships with clients and agency representatives.

Project Experience

Defense Advanced Research Projects Agency (DARPA), US Department of Defense (DoD), Reefense Program, FL. Project Manager for a $21M University of Miami-led research and development team awarded under DARPA's Reefense program that seeks to develop a hybrid engineered/biological reef-like structure as a wave-attenuating mitigation solution to coastal flooding and storm surge. The structures will be designed to adapt to sea level rise and increasing ocean temperatures over time. Coordinates project schedule, milestones, and deliverables across 11 different research organizations, 27 Principal Investigators (PIs), and leads monthly technical and financial reporting to DARPA. Coordinates multiple AECOM teams for engineering development of construction drawings and coordinating deployment including environmental permitting with federal and state regulatory agencies. The Reefense program seeks to deploy similar structures throughout the region.

Florida Department of Transportation (FDOT), District 6 – Districtwide resilience support for Miami-Dade and Monroe Counties, FL. Task Work Order (TWO) Lead to provide resilience support on an as-needed basis to FDOT D6 for ongoing and future transportation planning efforts and roadway improvement projects, including development of a Districtwide Resilience Guide as well as several Coastal Storm Risk Management (CSRM) studies being conducted by the U.S. Army Corps of Engineers (USACE) in the South Florida Region including the Florida Keys.

Confidential High-Tech Client, Environmental Regulatory Assessments, Various Sites Throughout the US. Project Manager for a national program to assist with the preliminary stages of site selection and due diligence activities for proposed sites located throughout the U.S. Conduct high-level desktop analyses utilizing existing publicly accessible databases and professional experience to identify any site constraints and/or regulatory concerns. Site constraints analysis consider a variety of resources – biological (protected species and habitat), water (wetlands, jurisdictional waters of the US, floodplains), and cultural (above and below ground) – as well as preliminary information about local regulations and the general timing and requirements for each. Manage multidisciplinary teams throughout U.S. to provide quality client deliverables in an expedited timeline.

City of Provo, Hazard Mitigation Project, Provo, UT. Lead NEPA Specialist to support Provo's water supply project to address the threat of drought. The Aquifer Storage Recharge (ASR) project will use excess water from the Provo River to recharge the Provo Aquifer. A portion of the drought mitigation project funding includes an award under FEMA's Building Resilient Infrastructure and Communities (BRIC) competitive grant program.

Laura Cherney, Environmental *continued*

Georgia Ports Authority (GPA), Colonels Island Terminal (CIT) Flood Mitigation Project, Brunswick, GA. Lead NEPA Specialist for mitigation project to reduce losses from coastal flooding and storm surge at the CIT, one of three terminals located at GPA's deepwater Port of Brunswick, the nation's second busiest port for import/export of automobile cargo. NEPA compliance ensured eligibility for FEMA hazard mitigation funding following $245M in damages from Hurricane Matthew.

US Agency for Global Media, Office of Cuba Broadcasting (OCB) – Assessment for Site Flooding and Shoreline Erosion at Radio Transmission Site, Marathon, FL. Lead Senior Ecologist to evaluate the extent of flooding and shoreline erosion at a radio communications site located in Marathon, the Florida Keys. Final engineering report provided recommendations and identified environmental issues associated with several options to mitigate shoreline erosion and enhance coastal resiliency against future sea level rise. Subsequent work anticipates implementing one or more of the recommended alternatives to adapt to climate change while being considering surrounding mangroves and other sensitive habitats.

Seminole Tribe of Florida – Advanced Mitigation Area Phase 2, Brighton Reservation, Glades County, FL. Project Manager for the development of an 880-acre freshwater wetland mitigation area at the Seminole Tribe's Brighton Reservation. Wetland mitigation credits will be used by the Tribe to provide compensation for wetland impacts resulting from future development. Hydrologic and hydrodynamic modeling analysis simulated the conditions pre and post implementation. Following exotic vegetation control and prescribed burns completed in Phase 1, Phase 2 includes engineering design of hydrologic improvements (earthwork to remove hydrologic barriers, installation of control structures and seepage pumps to redirect flows) and associated environmental permitting.

Florida Fish and Wildlife Conservation Commission (FWC) – New River High School Living Shoreline Project, Broward County, FL. Project Manager in support of conducting a topographic survey, soil and sediment sampling, and wetland delineation for the future development of the living shoreline. Ecological restoration project site contained an armored shoreline that was identified by FWC as having restoration potential.

National Park Service (NPS), Big Cypress National Preserve, FL – Backcountry Access Plan/ Environmental Impact Statement (EIS). Deputy Project Manager and Lead Ecologist that facilitated public scoping meetings and served as lead technical writer to support the preparation of an EIS for public review and approval by NPS. The project developed a backcountry access plan for the 729,000-acre Big Cypress National Preserve that provides management guidelines for backcountry access and use, while protecting the Preserve's natural and cultural resources, while providing for public enjoyment. The analysis focused on off-road vehicle trails, non-motorized trails, and a camping management approach. The plan also established a permanent route for the Florida National Scenic Trail and other hiking opportunities.

NPS, Everglades National Park, FL – Environmental Assessment (EA) for Cape Sable Canals Dam Restoration, Monroe County, FL. Deputy Project Manager and Lead Technical Writer for a project to restore three earthen dams (House and Slagle Ditches, and Raulerson Canal) located in the backcountry of Everglades National Park and in federally designated Wilderness Areas. This ecological restoration project in the Cape Sable region identified a sustainable solution to reverse man-made canal-induced saltwater intrusion and associated degradation of interior freshwater and brackish marsh wetlands. As part of NEPA compliance, identified and analyzed alternatives to avoid and minimize potential impacts to environmental resources, and evaluated mitigation measures to offset unavoidable impacts. Led the preparation of the EA and associated Finding of No Significant Impact (FONSI) for public review and approval by NPS.

US Fish and Wildlife Service – Environmental Impact Statement (EIS) to evaluate the Eastern Collier Multiple Species Habitat Conservation Plan (HCP), Collier County, FL. Project Manager and technical author for the preparation of a third-party EIS evaluating a HCP for proposed large-scale private land development in eastern Collier County. EIS evaluated USFWS action to issue incidental take permit (ITP) under Section 10 of the Endangered Species Act for multiple protected species including the Florida panther and 7 other federally listed species potentially affected by the proposed project. EIS was prepared on an accelerated timeline to meet deadlines set forth in a DOI Secretarial Order.



Joe Webb, RLA

Landscape Architecture and Park Planning

Firm: AECOM

Office Location:

- West Palm Beach, FL

Years of Experience:

With AECOM: 9

Total Years: 30

Education:

- BS, Landscape Architecture

Registrations/ Certifications:

- Registered Landscape Architect: FL

Joe is a Professional Landscape Architect who brings extensive, diverse experience in the planning, design and development of parks and recreation facilities. Joe has over thirty years of experience in both the public and private sectors and has been involved in numerous park planning and design projects from detailed design to large scale systems planning with an emphasis on the integration of open space with transportation and urban form.

Project Experience

Park, Recreation and Open Spaces System Planning, City of Tampa Parks and Recreation Master Plan, Tampa, FL. Landscape Architect. Park and Recreation System Master Plan project that includes extensive research and analysis, needs assessment, and sustainable implementation strategies for the City parks and recreation system. Working in partnership with City staff , the AECOM team conducted extensive evaluation of the facilities, programs and services provided by the City as well as a vision for the future of the system and a clear, phased implementation program.

City of Miami, Resilient Waterfront Enhancement Plan, Miami, FL. Landscape Architect. This project addressed ongoing flood vulnerabilities while acknowledging the multifaceted benefits of nature-based solutions to provide guidance for the design, permitting, financing, construction, and maintenance of a waterfront. The Plan includes a set of design alternatives developed as prototypes for pilot sites representative of the four common shoreline typologies across the City. Design alternatives were formulated using combinations of individual shoreline flood protection strategies prioritized considering associated trade-off s and co-benefits that enhance the overall resilience of the City's waterfront.

Miami-Dade County, Resilient Park Design Guidelines, Miami-Dade County, FL. Landscape Architect. The Miami-Dade County Resilient Park Design Guidelines serve as a framework for the County to provide a consistent and forward thinking approach to incorporation of resilience considerations in park planning and design. The guidelines focus on the unique local challenges posed by an evolving climate while simultaneously maximizing social, environmental, and economic co-benefits of the supported communities, whenever possible.

City of Miami, Morningside Park, Miami, FL. Landscape Architect. Project Included the redesign of a premier, 40 acre waterfront park on Biscayne Bay in a rapidly changing, diverse community in north central Miami. The project was designed to incorporate sustainable practices, resiliency and mitigate the impacts of sea level rise while preserving the historic character of the park.

5 Experience

Failing to plan is planning to fail.

We have assisted many state and local entities in comprehensive recovery and in the subsequent development of resilience strategies post-disaster. AECOM has provided crucial support to our clients when they discovered their plans were either nonexistent or insufficient. We have supported community and organization recovery from some of the worst natural events in history.

We've supported community and organizational recovery from some of the worst natural events in history, positioning AECOM to best support you in preparing for and preventing irreparable damage and extreme financial loss. Our specialists use a community-driven process to help communities articulate post-disaster goals and objectives and create an overall recovery vision. The primary goal is to help identify and outline projects which can attract outside funding, as well as those with which the community can help realize its own recovery. Each team is tailored to the needs of each community and can encompass a multitude of disciplines, including landscape architects, urban planners, community planners, architects, transportation planners, grant specialists, historic preservation specialists, housing specialists, and more.

Our experience in disaster and resilience planning is characterized by a commitment to helping communities build back safer, stronger and smarter, facilitating long-term resilience and sustainability.

For decades, AECOM and our legacy firms have supported Florida communities with disaster-related services. Our services have included disaster and resilience planning, providing comprehensive services that support communities in preparing for, responding to, and recovering from both natural and human-caused disasters. Our approach is holistic, integrating sustainability and resilience into all phases of disaster management.

Worldwide, our services have involved assisting communities in building resilience against disasters such as floods, hurricanes, earthquakes, wildfires and even pandemics. Our solutions involve developing strategic resilience plans that align with refined operational approaches, embedding resilience principles into decision-making and resource prioritization. This ensures that communities can rapidly recover and maintain resilience throughout the life cycle of a disaster

In addition to strategic planning, AECOM provides practical support in disaster recovery operations. We have facilitated the restoration of housing for over 125,000 survivors, managed the design and construction of government buildings, schools and infrastructure systems, and provided critical services such as debris management and economic recovery planning.

REPRESENTATIVE RESPONSE AND RECOVERY EFFORTS IN THE LAST 10 YEARS

SUCCESSFUL RESPONSE TO OVER **780 DECLARED DISASTERS** FOR FEMA, STATE & LOCAL GOVERNMENTS

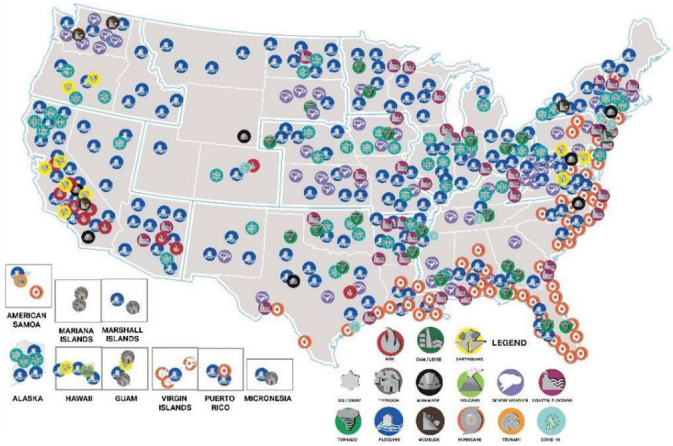
Support On **1,875** Task Orders For FEMA Since 1995

FEMA CADRE THAT HAS DEPLOYED **7+ YEARS** ON AVERAGE

EXPERIENCE DEPLOYING STAFF ON **LESS-THAN-24 HOURS' NOTICE** HUNDREDS OF TIMES FOR NATURAL AND HUMAN-CAUSED HAZARDS

PAST RESPONSES IN ALL **50 STATES** & ALL MAJOR TERRITORIES

AECOM HAS **NEVER** TURNED DOWN AN URGENT AND COMPELLING TASK ORDER



EARTHQUAKES

Haiti
New Zealand
Nepal
South Napa

HUMAN-CAUSED HAZARDS

9/11 World Trade Center & Pentagon
Capitol Hill Anthrax Response
Space Shuttle Colombia Recovery
Lac-Mégantic Train Derailment

HURRICANES

Irene
Isaac
Sandy
Maria
Irma
Rita
Allison
Dolly
Harvey
Ike
Gustav
Katrina
Ian

OTHER TYPES

Floods
Ice Storms
Landslides
Tornadoes
Tsunamis
Typhoons
Wildfires

5.1 Qualifications in similar federally funded or CDBG-DR projects

AECOM has a proven record of administering federal grant funding under the:

- FEMA Public Assistance (PA) Program
- Stafford Act Section 404 and 406 Hazard Mitigation Programs
- Stafford Act Section 428 Public Assistance Alternative Procedures
- National Flood Insurance Program, Community Disaster Loan Program
- Small Business Association
- Federal Highway Administration Emergency Relief
- U.S. Department of Agriculture
- FEMA Individual Assistance
- U.S. Department of Housing and Urban Development's CDBG-DR program
- Multiple other federal, state and private assistance programs that promote resiliency

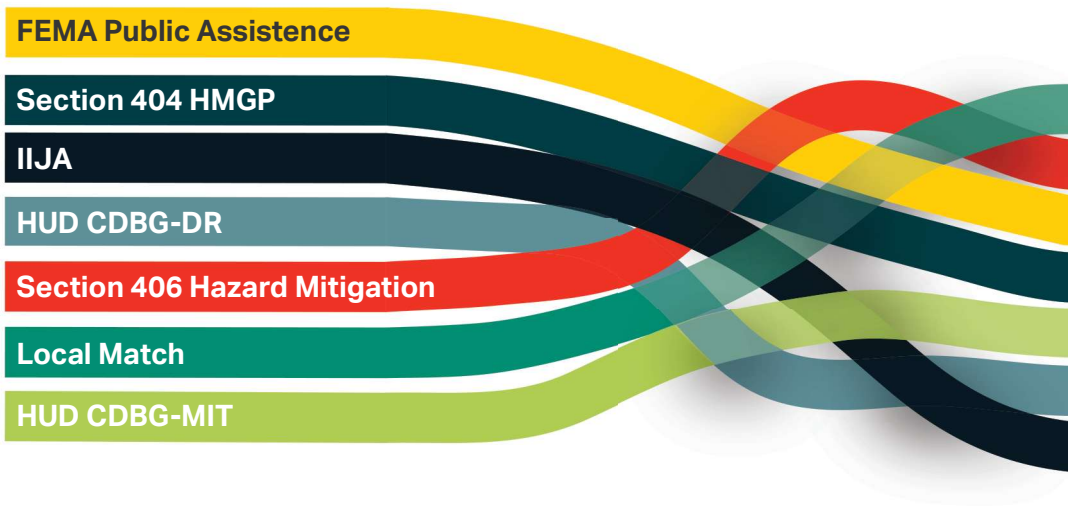
We are experienced in CBDG-DR funded programs after disaster events including USVI's Envision Program following Hurricanes Irma and Maria;, North Carolina's CDBG-DR ReBUILD NC Program following Hurricanes Florence and Matthew; New York's Build it Back following Hurricane Sandy; and New Jersey's Rehabilitation, Reconstruction, Elevation, and Mitigation Program following Hurricane Sandy. We provided comprehensive construction management services, case management, damage assessments, site inspections, implementation of environmental mitigation, and construction management oversight for reconstruction, rehabilitation, demolition and elevation projects. All of these programs required policy compliance and funding stream oversight for the federal funding.

AECOM Recovery and joint venture NISTAC (AECOM is the managing partner) have jointly executed 13 PA Technical Assistance Contracts with FEMA, consisting of over 1,700 task orders spanning two decades. AECOM Recovery (and its predecessor ERPMC) as well as NISTAC have been contracted with FEMA's Public Assistance Program since 1997 to provide architect-engineer, consultant and other professional services in support of the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

For FEMA's Individual Assistance Program, AECOM is contracted to support FEMA's direct housing mission with requirements that include: the transportation of Transportable Temporary Housing Units (TTHUs) from a FEMA storage site to a FEMA forward main staging area; the construction, operation, and staffing of a staging area; the transportation of Manufactured Housing Units and travel trailers installed on private sites, commercial sites, FEMA-developed group sites, and other alternate sites; installation and maintenance of the TTHUs; and deactivation and transportation of used/unneeded TTHUs to a FEMA designated storage site or other locations specified by FEMA.

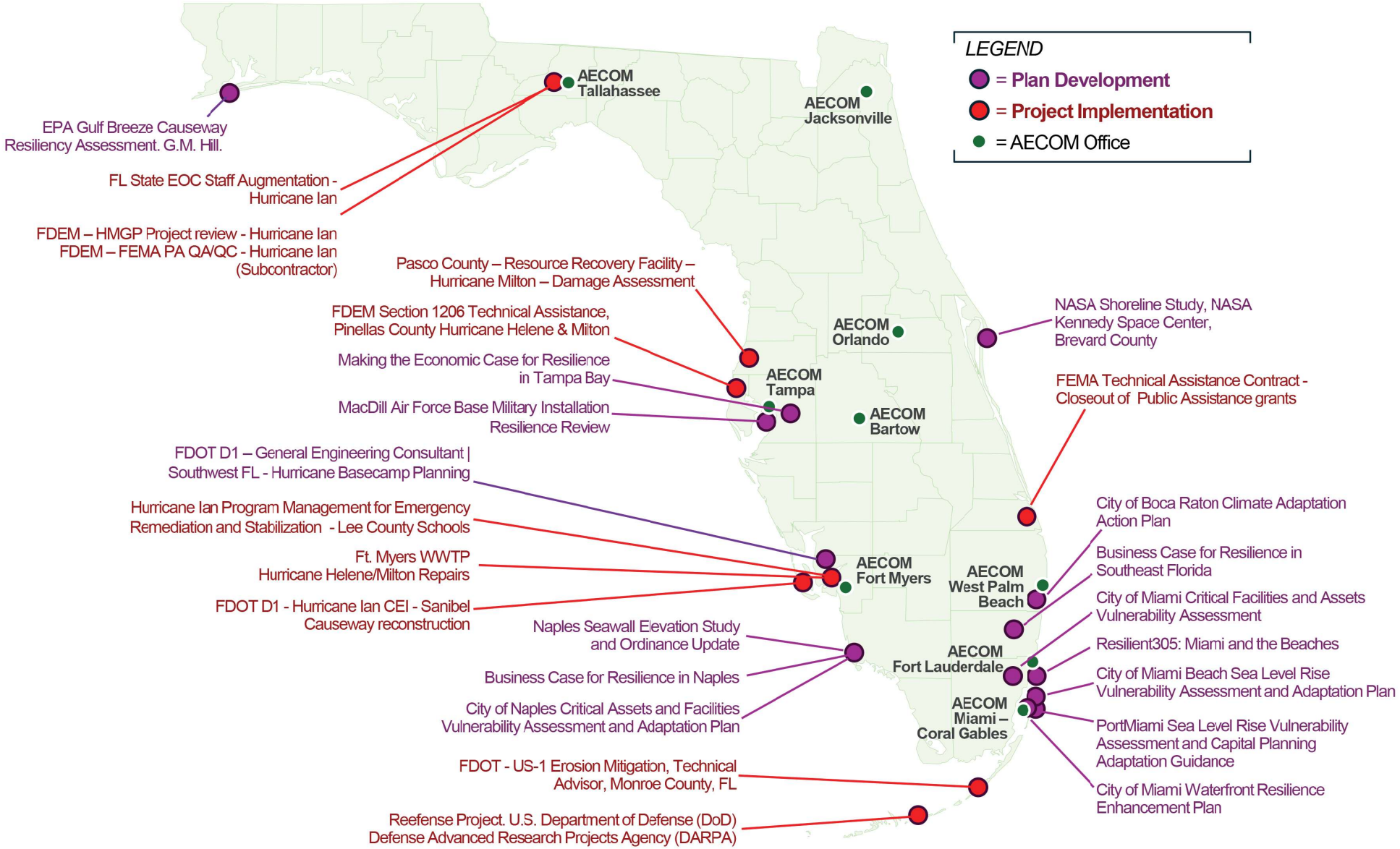
AECOM also has experience facilitating projects utilizing funding from FHWA-Emergency Relief and FEMA Public Assistance. Colorado Department of Transportation (CDOT) engaged AECOM under a $12 million contract task order under CDOT's Master Services Agreement with AECOM to assess facilities; identify scopes of work for federally funded emergency and permanent repair projects; and integrate into the incident command organizational structure to support the flood recovery program and project-level planning, design, prioritization, delivery and closeout for CDOT and local agency projects.

Figure 5-1: Examples of AECOM Funding Experience



5.2 Local knowledge and coordination

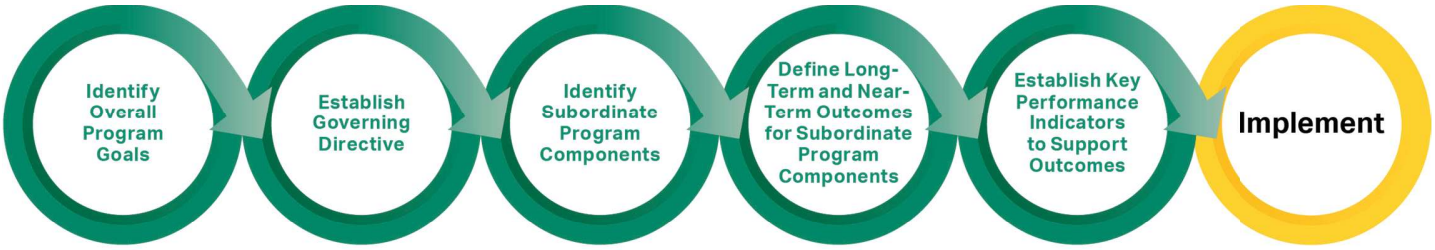
With a Florida presence dating back to 1957, AECOM has served clients in the Fort Myers area/surrounding cities for nearly 40 years. We will use this familiarity and knowledge of Florida disaster and resilience planning to provide you with solutions tailored to the unique needs of the Town. We maintain an office in Fort Myers, where we previously served the school district of Lee County in Hurricane Ian Emergency Remediation and Stabilization projects for all of the district's 119 schools.



5.3 Ability to Meet Set Standards

We strive to deliver high-quality projects for our clients, on time and within budget. We adhere to a structured and comprehensive approach to meeting project plans, specifications and project goals. We will begin by partnering with the Town to confirm a clear understanding of the scope, objectives, responsibilities, procedures and deadlines. From there, we will develop a detailed project plan that outlines tasks, milestones and responsibilities. The project plan is an effective planning and management tool and is used to share project information and expectations. By ensuring all project team members have access to the project plan document, stakeholders will maintain a common understanding of the project and its requirements.

Figure 5-1: Management Approach



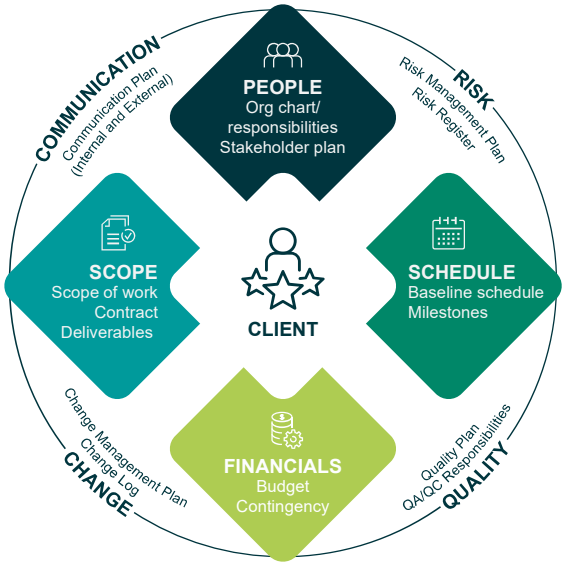
Communication and Responsiveness: We focus on clear, concise, and immediate communication, adhering to project goals.

Resource Management: Our resource management strategies will optimize labor and materials to facilitate efficiency without compromising response times or quality of project deliverables. AECOM will provide the Town with a single point of contact to streamline efforts.

Manage and Comply: AECOM's recovery and grants services staff have experience in compliance; grant package development; funding eligibility; distilling technical complex concepts for a non-technical audience; implementation of regulation, law, policy and technical guidance for federal grants; and close-out activities.

We have prepared billions of dollars in fully obligated grant applications and administered and managed many successful programs for grant-funded programs including FEMA PA, IA, HMA, and HUD CDBG-DR—through to closeout at the federal, state and local levels.

Figure 5-2: Communications Plan



Cost Control and Scheduling: To support this continuing mission, we use AECOM Workbench, which is a powerful cloud-based project management and financial tracking, reporting and analysis tool used by our project managers worldwide. This system includes performance measurement techniques to track budget and schedules to make sure that milestones are met throughout the project. Our team's Project Management Plan provides for continuous monitoring and improvement for adherence to set standards and key project milestones.

5.4 Integrating FEMA community lifelines

AECOM brings a broad range of experience with federal, state and local clients that have also recognized the need for planning for impacts prior to and recovery after impacts to community lifelines. Additionally, we support clients with resilience planning, design and construction of critical infrastructure in Florida and throughout the U.S., which informs our ability to support this scope of work. In addition to the work experience related to vulnerability assessments and resilience plans, we have provided planning expertise to FEMA on long-term community recovery teams since 2009, and we have been a partner to FEMA throughout the development of programs.

The goal of each plan is to encompass projects that help each community build back better and more resilient than before the disaster.

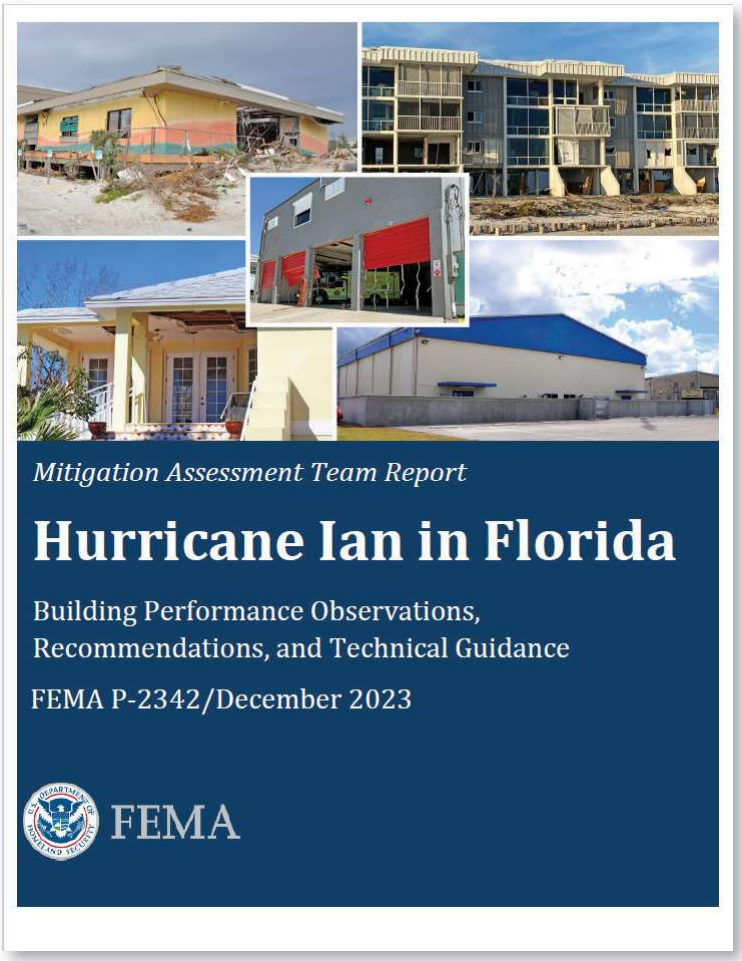
AECOM has also developed guidance documents to assist municipalities in a variety of ways by tracking schedules so they do not miss funding deadlines or clarifying the interrelatedness of various projects and the sequence which would provide the best leveraging opportunities.

In the Fort Myers Beach area and beyond, we supported the deployment of a Mitigation Assessment Team (MAT) following Hurricane Ian for FEMA's Building Science Disaster Support Program. The MAT evaluated the performance of buildings, other structures, and associated community lifelines. Using field observations, the MAT generated actionable recommendations for improving the natural hazard resilience of the built environment. **Recommendations pertaining to critical and essential facilities included a broader focus on increasing community lifeline resilience**. The 80+ recommendations were published in FEMA P-2342, MAT Report: Hurricane Ian in Florida (December 2023).

Hurricane Ian Recovery Advisory 2, "Reducing Loss of Utility Impacts to Critical Facilities," focuses on providing guidance for on-site systems of critical facilities that can provide continuance of operations when utilities are not available. Critical facilities are those defined by FEMA as those which support crucial community lifelines and enable continuous operations in the community essential to human health and safety or economic security.

Other guidance documents include a long-term recovery assessment tool (to determine the level of planning assistance a community may need) and a long-term community recovery planning process: a self-help guide (to help guide communities with the capacity to plan their own recovery). We have helped create these plans for communities in Alabama, Florida, Illinois, Iowa, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Montana, Nebraska, New York, North Carolina, North Dakota, Pennsylvania, Tennessee and Texas. These efforts have addressed events that range from floods in small towns of Iowa and Missouri to multicounty and statewide hurricane destruction in Florida and the Gulf Coast.

We know with certainty that when elected officials, administrators, and survivors speak with one voice on its community recovery vision, strategies and goals backed by effective and compliant administrative procedures, that vision inspires the whole of government to support its success with funding, technical assistance, and more. .



"FEMA created Community Lifelines to reframe incident information, understand and communicate incident impacts using plain language, and promote unity of effort across the whole community to prioritize efforts to stabilize the lifelines during incident response." --fema.gov website

5.5 Hazard mitigation and coastal planning

Hazard Mitigation

AECOM has supported FEMA's mitigation programs since 1995, beginning with a Hazard Mitigation Technical Assistance Program (HMTAP) contract. We also support the Department of Homeland Security and the Federal Insurance and Mitigation Administration (FIMA) in reducing the risk to life and property, including the existing built environment and future construction, in the pre- and post-disaster environments through regulations, local ordinances, land use and building practices.

We also led a FEMA Hazard Mitigation Assistance (HMA) Support project which involved full-time staff focused on program strategy, guidance, program outreach, training development and delivery, and facilitation of the application process. AECOM updated policy and aligned the delivery of the HMA programs such as Pre-Disaster Mitigation, Flood Mitigation Assistance, Repetitive Flood Claims, Severe Repetitive Loss, Hazard Mitigation Grant Program, and Building Resilient Infrastructure and Communities (BRIC).

Work performed has included providing technical assistance to the hazard mitigation assistance (HMA) programs, preparing documents to support compliance with the National Environmental Policy Act (NEPA) requirements, performing post-event assessments, supporting inter-agency cooperation, and assisting in developing, maintaining, and enhancing technical and non-technical documents. Environmental compliance work included EAs, BAs, and EISs, post events damage assessments, technical assistance for policy and regulations, and engineering feasibility.

Hazard Mitigation Services Highlights:

- BRIC public and industry engagement ,and development of the BRIC Mitigation Action Portfolio
- HMTAP post-event assessments
- FEMA Hazard Mitigation workshops since 2008
- FEMA with in-person and remote outreach activities for 5,000+ stakeholders
- Technical assistance with mitigations

Our benefit/cost analysis and BRIC Grant Application examples include:

- Resilient Moakley Park Flood Mitigation Project
- Boston Planning and Development Agency flood barriers including porous pavement, underground storage, green stormwater infrastructure and drainage
- Coastal Island End River Flood Mitigation Project for the City of Chelsea, MA, a flood barrier system and storm surge control facility including a system of berms, floodwalls and gates for coastal storm protection

Coastal Planning

Our coastal scientists, planners, engineers and modelers work together with our clients to understand the dynamics of complex coastal systems to enhance the coastal resilience of natural and urban shorelines. We apply state-of-the-art analysis tools and models to assess tidal hydrodynamics, storm surge, wave runup and overtopping, shoreline change, and coastal erosion hazards across a range of coastal settings. We assist our clients in developing innovative coastal resilience solutions to address these challenges. Our team can assist the Town with all aspects of the project life cycle, including planning, design, permitting and implementation. In coordination with our economists, we can assess the costs and benefits of coastal resilience projects, make the business case for action and help clients identify funding and financing strategies.

We have decades of experience in the following focus areas:

- Coastal wave and storm surge modeling
- Shoreline change and coastal erosion analysis and mapping
- Sea level rise vulnerability and adaptation
- Coastal and estuarine restoration planning, permitting and design
- Natural and nature-based/living shoreline planning, permitting and design
- Hybrid green-grey and traditional coastal protection planning, permitting and design
- Coastal resilience master planning

While our coastal specialists are more than capable at conducting coastal-specific technical studies and assessments, our strength lies in our ability to work side-by-side with other AECOM experts and stakeholders on multidisciplinary coastal resilience projects. While many firms specialize in one aspect of project implementation, AECOM brings a comprehensive view of resilience that blends the science, planning, engineering, modeling, design and economics into one integrated team.

Our team supports a range of resilience projects in collaboration with our environmental, transportation, marine and ports, and urban design colleagues across the country. This experience helps our coastal staff better understand the needs of these complex projects to build consensus among stakeholders so that we can tailor the outputs of coastal analysis and modeling efforts to directly inform project planning, design, permitting and implementation of coastal resilience projects.

5.6 Addressing community-specific vulnerabilities, and equity

In flood-prone communities, rising waters don't just threaten homes and infrastructure—they deepen existing inequalities. AECOM's approach to hazard resilience recognizes that those with the fewest resources often face the greatest risks. For this reason, our flood mitigation projects go beyond engineering solutions; they are designed to protect the most vulnerable and makes sure that resilience is shared by all.

By integrating flood resilience with social justice, AECOM is reshaping how communities prepare for a changing climate. Our work helps make sure that resilience is built for everyone, not just those with the loudest voices or the most resources.

That's why engagement is central to our approach. AECOM doesn't impose one-size-fits-all solutions. We work directly with residents, community leaders, and local organizations to understand how flooding affects the daily lives of the community. We are experienced with holding workshops, facilitating listening sessions, and creating open channels for dialogue so that people who have historically been left out of decision-making processes finally have a seat at the table. By prioritizing the lived experience alongside technical expertise, We help make sure that planning measures truly serve the needs of those who will be most impacted.

With this community-driven approach, AECOM secures investment in the places that need it most. Infrastructure upgrades are not just focused on business districts or wealthy neighborhoods but are directed toward underserved communities that have long been neglected. That could mean redesigning stormwater drainage systems in areas with historically outdated pipes lead to chronic flooding, or investing in nature-based solutions—such as rain gardens and retention ponds—that reduce flood risks while enhancing public spaces. In some cases, it involves elevating roads and bridges to keep essential routes open during storms, ensuring that emergency services can reach the people who need them most.



In developing the Resilient305 Plan for Miami-Dade County, AECOM designed and implemented an extensive stakeholder outreach plan that generated vested interest from all levels of stakeholders and ensured that our team met people where they were, not where we thought they were.

By aligning our past performance and technical expertise with scope requirements, we can successfully provide the services required as evidenced by the matrix below. The project proofs we have provided demonstrate our capabilities and consistent performance in delivering high-quality solutions in the region.

Table 5-1: Local/Florida Knowledge and Firm Qualifications Examples

		Grants + Compliance	Disaster Recovery + Resilience	Engagement + Facilitation	Sustainability + Comprehensive Planning
1★	**City of Lakeland:** Lake Bonnet Drainage Basin CDBG-MIT *Lakeland*	■	■	■	■
2★	**City of Naples:** Critical Asset and Facilities Vulnerability Assessment & Adaptation Plan *Naples*	■	■	■	■
3★	**City of Miami Beach:** Sea Level Rise Vulnerability Assessment & Adaptation Plan *Miami Beach*		■	■	■
4★	**Miami-Dade County:** Strategic Plan and Capital Planning Implementation *Miami-Dade County*		■	■	■
5★	**MacDill Air Force Base:** Military Installation Readiness Resilience Review *Tampa*	■	■	■	■
6★	**City of Miami:** Waterfront Resilience Enhancement Plan *Miami*		■	■	
7★	**School District of Lee County:** Program Manager to Lee County Schools for Hurricane Ian *Lee County*	■	■		
8	**City of Miami:** Critical Facilities and Assets Vulnerability Assessment *Miami*		■	■	
9	**City of Naples:** Business Case for Resilience *Naples*		■		■
10	**PortMiami:** Sea Level Rise Vulnerability Assessment and Adaptation Guidance *Miami-Dade County*		■		
11	**The Nature Conservancy:** Promoting Nature-Based Hazard Mitigation Through FEMA Mitigation Grants *Nationwide*	■	■		
12	**NASA - Kennedy Space Center:** NASA Shoreline Erosion Study *Brevard County*		■		■
13	**EPA:** Gulf Breeze Causeway Resiliency Assessment. (AECOM is a sub) *Gulf Breeze*		■		
14	**FL State EOC:** Staff Augmentation - Hurricane Ian *Tallahassee*		■		
15	**FDEM:** HMGP Project review - Hurricane Ian **FDEM:** FEMA PA QA/QC - Hurricane Ian - (AECOM is a sub) *Tallahassee*	■	■		
16	**Pasco County:** Resource Recovery Facility - Hurricane Milton - Damage Assessment *Pasco County*	■	■		
17	**FDEM:** Section 1206 Technical Assistance - Hurricane Helene & Milton *Pinellas County*	■	■	■	
18	**FDOT D1:** Hurricane Ian CEI - Sanibel Causeway Reconstruction *Southwest FL*	■	■	■	
19	**FDOT D1:** General Engineering Consultant - Hurricane Basecamp Planning *Southwest FL*	■	■	■	■
20	**City of Ft. Myers:** WWTP Hurricane Helene/Milton Repairs *Ft. Myers*	■	■		
21	Reefense Project. U.S. Department of Defense Advanced Research Projects Agency (AECOM is a sub) *Village of Key Biscayne*	■	■	■	
22	**FDOT**: US-1 Erosion Mitigation, Technical Advisor *Monroe County*		■		
23	**City of Naples:** Business Case for Resilience *Naples*		■		■
24	**City of Naples:** Seawall Elevation Study and Ordinance Update *Naples*		■		■
25	**Tampa Bay Partnership:** Making the Economic Case for Resilience *Tampa Bay Region*	■	■	■	■
26	**City of Boca Raton:** Climate Adaptation Action Plan *Boca Raton*				■
27	**Urban Land Institute:** Business Case for Resilience *Southeast FL*	■	■	■	■
28	**Rockefeller Foundation:** Resilient305: Miami and the Beaches *Miami-Dade County*	■	■	■	■

★= Full project description with references, project duration and list of accomplishments provided for each

1 Lake Bonnet Drainage Basin CDBG-MIT Project
City of Lakeland, FL

Client:
City of Lakeland

Point of Contact:
Laurie Smith

Title of Contact:
Lakes and Stormwater Manager

E-mail:
Laurie.Smith@Lakelandgov.net

Phone: 863-834-6276

Project Duration: 2023 - ongoing

Cost: $5.5 Million (Phase 1 contract, with Phase 2 approx. $5.5 million)

Accomplishments

As an example of our familiarity with large project feasibility studies, AECOM is currently assisting the City of Lakeland with their Community Development Block Grant Mitigation grant for The Lake Bonnet Drainage Basin.

AECOM is currently assisting the City of Lakeland with an award funded by the State of Florida Department of Commerce through HUD's Community Development Block Grant-Mitigation grant (CDBG-MIT) Program for The Lake Bonnet Drainage Basin. Urbanization over the past half-century has resulted in increased stormwater that encroaches on residential neighborhood and exacerbates flooding. The project is targeting HUD-designated most-impacted and distressed areas, primarily addressing the benefits to low-to-moderate income national objective.

AECOM is delivering the project in three Phases; Phase 1–Feasibility Study; Phase 2–Final Design; and Phase 3–Construction. The Feasibility Study phase has evaluated mitigation project activities for eligibility with the HUD CDBG-MIT requirements, coordinated with local, state, and federal permitting agencies, established the environmental review process, coordinated with private property owners for potential property acquisition and/or easements and the public at large, as well as the development of a project implementation plan. During Phase 2–Final Design, and Phase 3–Construction, public involvement activities will continue to disseminate information and engage with the public as appropriate.



AECOM has evaluated mitigation project activities for eligibility with the HUD CDBG-MIT requirements, coordinated with local, state, and federal permitting agencies, established the environmental review process, coordinated with private property owners for potential property acquisition and/or easements and the public at large, as well as the development of a project implementation plan.



The Lake Bonnet CDBG-MIT project aims to provide a unique opportunity for the City of Lakeland to implement a truly transformative project that will restore the wetlands around the project corridor, remove excess sediments that have accumulated in the lake, and improve the conveyance system in the Lake Bonnet drain basin to prevent the risk of future flooding in the May Manor Mobile Home Park and surrounding areas.

Simultaneously, this project seeks to enhance the overall well-being of the community and the natural environment by providing opportunities to encourage and ensure that employment and other economic opportunities generated by certain HUD financial assistance shall, to the greatest extent feasible and consistent with existing Federal, State, and local laws and regulations, be directed to low- and very low-income persons living in the area where the proposed project is located, particularly those who are recipients of government assistance for housing, and to business concerns which provide economic opportunities to low and very low-income persons.

The full impact of this project is intended to be felt throughout Polk County and beyond. It will help serve vulnerable communities and encourage young families to stay in the area. This project is essential to protecting the well-being of these vulnerable neighborhoods and will help foster growth in Lakeland for generations to come.



2 Critical Assets and Facilities Vulnerability Assessment and Adaptation Plan *City of Naples, FL*

Client:
City of Naples

Point of Contact:
Natalie Hardman, Natural Resources Manager, Streets and Stormwater Department

E-mail:
nhardman@naplesgov.com

Phone: 239-213-1031

Project Duration: 2019-2024

Cost: $700,000

Accomplishments

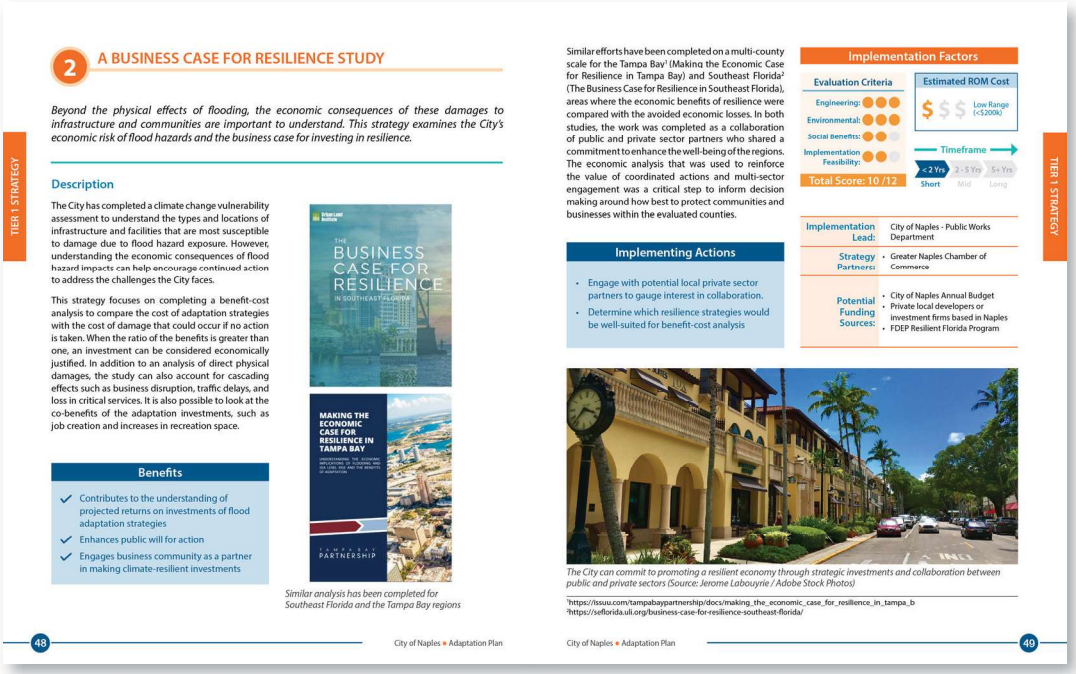
AECOM collaborated with the City of Naples in developing the Critical Assets and Facilities Vulnerability Assessment Adaptation Plan. This comprehensive planning document was utilized to identify key infrastructure susceptibilities, and to outline a suite of strategies to reduce potential impacts posed by flooding and extreme heat conditions.

Strategies included in the Adaptation Plan targeted City of Naples infrastructure organized around critical infrastructure, transportation, community facilities, natural habitats and cultural assets. **Through a combination of project evaluation criteria scoring, city staff input, and community feedback, a set of 47 ranked strategies were developed.** Strategies included a wide range of physical and non-physical (policy updates, additional studies, etc.) intervention types to provide holistic climate hazard protection. Strategies also included a mix of low-cost actions that can be carried out promptly and more costly projects with greater complexity that may require more time and resources to complete. This approach provides the city with flexibility to consider different adaptation strategies over time. Strategy details were described in a summary sheets documenting information such as a project description, benefits, supplemental actions needed to carry out the work, evaluation criteria scoring factors, cost estimates, potential funding sources, implementation timeframe, and recommended project lead and partners. Additional aspects included:

- **Extensive staff engagement across city departments:** Facilitated collaboration among all city departments to integrate climate adaptation and resilience into municipal planning, operations, and decision-making. This cross-departmental effort helps to ensure a cohesive and effective approach to climate challenges.
- **Community engagement:** The city initiated efforts to involve community leaders and residents in the adaptation planning process, including conducting surveys and hosting workshops with neighborhood associations to gather community input on climate adaptation concerns and preferences. This approach helps ensure that the strategies developed are informed by and responsive to the needs of the community.
- **Range of adaptation strategies:** The plan includes both long-term complex infrastructure upgrades and "low-hanging fruit" solutions that can be implemented immediately, such as improving drainage maintenance, expanding green infrastructure, and updating building codes to better withstand climate impacts.

After completing the Adaptation Plan, we continued to support the city with implementation of several prioritized strategies in the plan, including:

- **The Business Case for Resilience Study** to quantify the economic impacts posed by climate hazards
- **A thermal heat analysis** to identify potential urban heat island areas across the city
- **A seawall ordinance** update to inventory existing seawall elevations across the city and provide language to update the latest ordinance
- **Developing climate hazard outreach materials** to assist the city in communicating ongoing resilience initiatives and priorities with residents.



Example strategy summary sheet from the Adaptation Plan

3 Sea Level Rise Vulnerability Assessment and Adaptation Plan for the City of Miami Beach, FL

Client:
City of Miami Beach

Point of Contact:
Amy Knowles

Title of Contact:
Chief Resilience Officer for the City of Miami Beach

E-mail:
amyknowles@miamibeachfl.gov

Phone: 305-673-7084

Project Duration: 2023 - est. 2025

Cost: $550,000

Accomplishments

AECOM is supporting the City of Miami Beach in developing a Sea Level Rise Vulnerability Assessment and Adaptation Plan to increase the long-term flood resilience of city and community assets. The Vulnerability Assessment is designed to be compliant with requirements outlined in the Resilient Florida grant program. The project included:

- **Sea level rise vulnerability assessment:** Conducted a comprehensive analysis to identify critical assets and infrastructure at risk from sea level rise and compound flooding, providing a foundation for targeted adaptation strategies.
- **Adaptation pathways approach:** Developed a flexible, long-term planning framework that outlines multiple adaptation strategies based on future climate scenarios, helping to ensure scalable and cost-effective resilience solutions.
- **Community engagement and education:** Held a range of public workshops, meetings, and interviews to educate residents on sea level rise impacts, gather community input, and promote collaborative adaptation efforts.

In addition to assessing physical asset impacts, **the Vulnerability Assessment examines flood risk through a community sensitivity lens to examine the range of sea level rise hazard vulnerabilities experienced across the city.** This involves a combination of facilitated focus group interviews with residents and local businesses to understand community perspectives on flooding and identifying infrastructure that serves socially vulnerable neighborhoods to inform the prioritization of equitable adaptation strategies.

Findings of the vulnerability assessment are being used to inform the City of Miami Beach's Sea Level Rise Adaptation Plan, which outlines a comprehensive, forward-thinking and flexible framework to safeguard city infrastructure, protect residents, and maintain the City of Miami Beach's position as a global destination for visitors. The Adaptation Plan integrates ongoing city plans and initiatives to align adaptation efforts with existing flood management, land use, and neighborhood improvement projects, considering updates that may need to occur for the plans to provide flood protection through the end of the century. The goal of the Adaptation Plan is to develop a holistic, coordinated path to flood resilience that addresses the complex, interconnected nature of sea level rise hazards, which often require a flexible and phased approach to adapt in the face of inherent uncertainty.

Promoting a plan that reflects community priorities, **the project relies on a range of stakeholder and community engagement to inform the process.** Our approach to engagement includes pop-up style community outreach that coincides with ongoing city events, to conduct informal public conversations about the city's vulnerability to sea level rise hazards. We also conduct workshops with city department leads to discuss and prioritize solutions, develop online content related to sea level rise hazards for the city's website, and an informal salon gathering panel discussion about adaptation options for the city, hosted by a local university.



Pop-up workshop to gather input on preferences for adaptation strategies

4 Miami-Dade County Strategic Plan and Capital Planning Implementation *Miami-Dade County, FL*

Client:
Miami-Dade County, FL

Point of Contact:
Sean Adgerson

Title of Contact:
Deputy Director - Chief Operations Officer

E-mail:
sean.adgerson@miamidade.gov

Phone: 786-469-5675

Project Duration: 2021 - Present

Cost: $1.6 million

NOTE: Point of contact is new to position

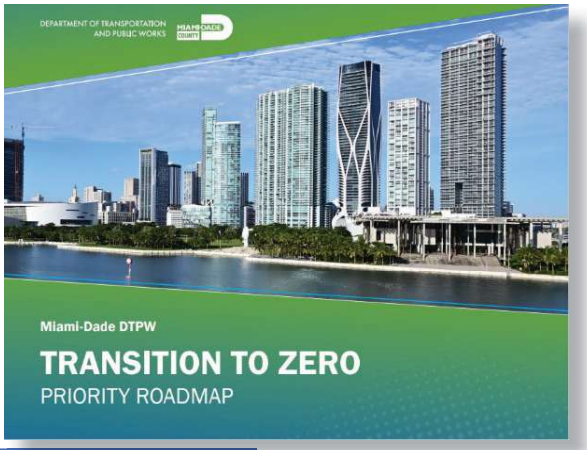
Accomplishments

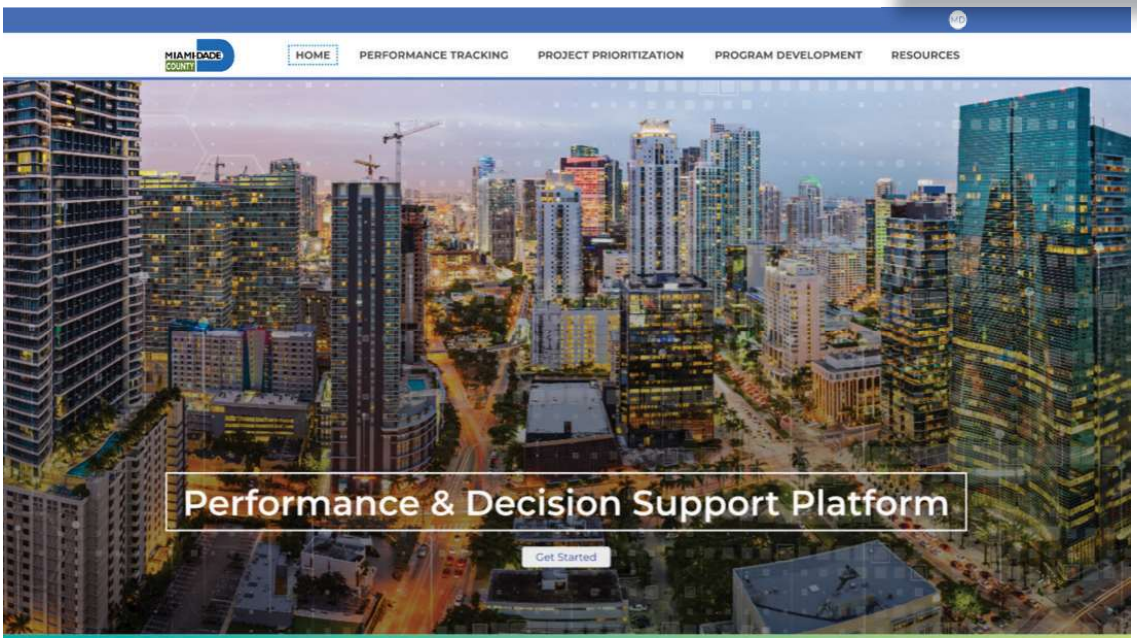
AECOM is supporting the Miami-Dade County Department of Transportation & Public Works with a new strategic plan, transition to zero emissions strategy, and capital planning implementation. The new suite of tools will improve the county's project delivery with a particular emphasis on enhanced performance, as well as social and environmental benefits.

This is a collaborative effort involving county staff input, municipal partners, mayoral initiatives, community priorities and integration of organizational values. Stakeholder interviews, workshops and focus groups were conducted to lay the foundation for the Strategic Plan. The new action-oriented strategy outlines departmental values, priorities, actions, and key performance indicators to align the agency's operational performance with their four pillars of safe, clean, efficient, and connected.

One of the goals for the Strategic Plan is to achieve zero emissions. AECOM worked with the county and peer agencies in other jurisdictions to identify achievable outcomes in a timely delivery that is scaled to the operational breadth of the department. Our team prepared a "Transition to Zero Priority Roadmap" for the department to use as a pitch for funding from investors, grants and capital planning.

The two strategies are integrated in a digital tool AECOM is building. The platform will help the county evaluate their performance and support their decision-making for sustainable, equitable, and organizational alignment. Their goal is to evaluate projects, programs, and policies for consistency with their Strategic Plan while building infrastructure in the areas needing investment most. The platform prioritizes projects based on the County's key performance indicators and aligns them with potential funding opportunities to assist the County with effective project delivery and organizational performance.





Web-based Performance & Decision Support Platform and the "Transition to Zero" Priority Roadmap

5 MacDill Air Force Base Military Installation Resilience Review

MacDill AFB, Tampa, FL

Client:
Tampa Bay Regional Council and MacDill Air Force Base

Point of Contact:
Cara Serra

Title of Contact:
Director of Resilience

E-mail:
cara@tbrpc.org

Phone: 727-570-5151

Project Duration: 2021 - 2024

Cost: $388,000

Accomplishments

AECOM assisted the Tampa Bay Regional Council and MacDill Air Force Base in a study that evaluated vulnerabilities of the base and adjacent communities to climate stressors such as sea level rise, coastal storms, heat and precipitation.

- **Comprehensive vulnerability assessment:** The MacDill Air Force Base Military Installation Resiliency Review (MIRR) involved an in-depth analysis of risks and future climate conditions affecting the base and its surrounding community. This assessment identified vulnerabilities related to energy, water, wastewater, transportation and critical infrastructure, providing a foundation for enhancing resilience and sustainability.
- **Development of a strategic action plan:** Building upon existing initiatives such as the 2019 Energy Installation Plan, the MIRR formulated a strategic roadmap to address identified vulnerabilities. This plan outlines specific actions and implementation strategies aimed at bolstering the base's resilience against extreme weather events and sea level rise.
- **Strengthened community collaboration:** The MIRR fostered enhanced collaboration between MacDill Air Force Base and local entities, including the Tampa Bay Regional Planning Council and the City of Tampa. This partnership approach helps to ensure that both military and community stakeholders are aligned in their efforts to improve regional resilience and sustainability.

The study focused on identifying shared susceptibilities within the installation and adjacent communities located outside of the fence line to understand issues that could affect the mission of the Air Force Base. The goal of the project was to coordinate efforts among MacDill Air Force Base and local and regional stakeholders to identify opportunities and projects to address mission susceptibilities while also providing benefits to the neighboring communities and surrounding environment.

To inform the study, AECOM completed climate hazard mapping, collecting the location of mission-critical infrastructure, and evaluating the potential timing and consequences of asset damage due to climate hazard exposure. Results of the study were used to identify key assets that should be prioritized for adaptation to reduce their risk to damage and mission impacts



Source: https://media.defense.gov/2015

6 City of Miami Resilient Waterfront Enhancement Plan

City of Miami, FL

Client:
City of Miami, FL

Point of Contact:
Alissa Farina

Title of Contact:
Project Manager

E-mail:
afarina@miamigov.com

Phone: 305-809-6551

Project Duration: 2022 - 2023

Cost: $200,000

Accomplishments

AECOM evaluated the costs and benefits of each design alternative to compare the environmental, social, and economic aspects of the projects. To understand potential permitting hurdles, AECOM coordinated with regulatory agencies through pre-permitting meetings at the County, State, and Federal levels.

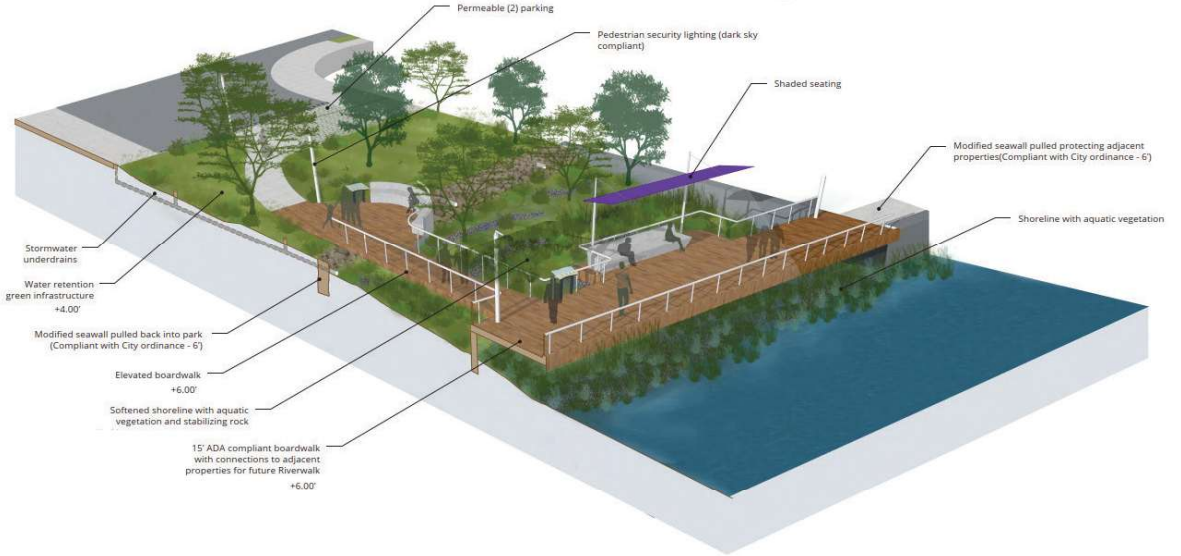
- Hardening the shoreline using nature-based flood protection to adapt to ongoing flood risks.
- Illustratively demonstrates options for nature-based flood protection with varying levels of complexity and benefits to provide inspiration and ideas for a range of waterfront settings.
- Engaged local, state, and federal permitting agencies in advance to understand and avoid potential hurdles of project design criteria.

To address ongoing flood vulnerabilities that threaten the City of Miami's long-term resilience, AECOM supported the city with developing their Resilient Waterfront Enhancement Plan. This plan laid out a suite of concept-level shoreline enhancement design alternatives to mitigate current and future flood risks while also emphasizing nature-based features that support local ecosystems in the design. Design alternatives were developed for four representative shoreline typologies: end of road on bay front, end of road on riverfront, park on bay front, and park on riverfront.

The projects were designed as prototypes that can easily be expanded or applied to other stretches of the waterfront with similar characteristics. To develop the plan, AECOM performed a shoreline prioritization assessment to select prototype locations based on flood risk, representative shoreline characteristics, and shoreline ownership.

AECOM also facilitated several workshops with City staff to identify preferred components of the design alternatives.





7 Hurricane Ian Program Management for Emergency Remediation and Stabilization *Lee County, FL*

Client:
School District of Lee County

Point of Contact:
Debbie Kirchen

Title of Contact:
Project Manager

E-mail:
debbiek@leeschools.net

Phone: 239-479-4216

Project Duration: 2022 - 2023

Cost: $24.6 million

Accomplishments

In the immediate aftermath of Hurricane Ian in 2022, the School District of Lee County selected AECOM to provide program management services to assist with emergency remediation and stabilization needs resulting from the widespread destruction of school campuses throughout Lee County.

- Rapid mobilization of recovery professionals to Lee County.
- On site validation of temporary repairs and stabilization work
- Utilized data analysis to identify labor billing errors and duplication of invoiced costs.
- From initial invoicing to final closeout, AECOM's program management services resulted in over $1.5 million in savings to the district.

Upon notice of selection, AECOM rapidly mobilized its staff and resources to support the district's recovery of 26 moderate to heavily damaged schools. Our team provided oversight and scope validation of remediation and stabilization work for three national contractors. We provided detailed review of labor, equipment and materials, cost reasonableness. Inspection teams validated that invoiced quantities were aligned to what was performed. AECOM maintained detailed financial reconciliation data sets that tracked approved amounts, unsupported costs, and disallowed costs based on each contractor's unique unit costs and contractual agreements.

Evidence of extreme water intrusion on school on classrooms







6 Approach to Providing Services

6.1 Understanding of the project scope and objectives

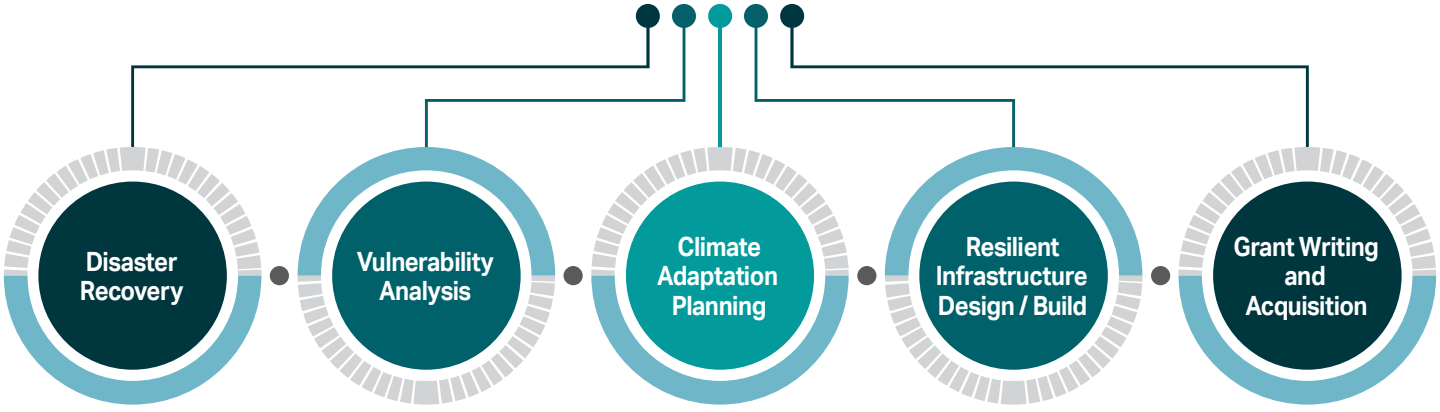
The Town of Fort Myers Beach has a unique opportunity to rebuild and redesign the town following the devastating damage caused by Hurricane Ian. This opportunity presents a chance to create a more resilient, sustainable and modern coastal community. Similar to the rest of Southwest Florida, the Town is also challenged by increasing long-term risks from climate hazards such as sea level rise, intensifying rainfall, future coastal storm events, and extreme heat conditions.

Key areas of opportunity include enhancing infrastructure to better withstand future storms, incorporating eco-friendly and flood-resistant building designs, improving public spaces and walkability, and revitalizing the local economy through smart urban planning. By embracing innovative architecture, green technology and a thoughtful approach to zoning and development, the Town will continue to emerge stronger, and better-prepared for the future.

Our multi-disciplinary services and experience will help the Town adapt to a changing climate and enhance community resilience. We will integrate climate resilience planning with disaster recovery by using a comprehensive, data-driven approach. AECOM incorporates hazards and vulnerability related data and analysis into our planning process for rebuilding efforts to restore and enhance communities' ability to withstand future storms, flooding and other climate-related threats.

We will look closely at the infrastructure that withstood the impacts of Ian as well as where failures occurred, to promote a stronger infrastructure system throughout the Town. Our solutions will include nature-based resilience strategies, advanced engineering and smart urban planning, all aimed at creating safer, more adaptable environments that balance economic, social, and environmental needs.

Managing climate challenges one step at a time



Recovery services for rapid response, damage assessment, emergency planning, infrastructure reconstruction, and long-term resilience solutions to help communities recover and rebuild effectively.

Identification of exposures that exist now and in the future as a result of climate change, and mitigating and managing these risks.

For events that cannot be mitigated, options exist to lessen the impact and adapt. We support planning for a future that considers and incorporates potential effects of factors, including catastrophic storm events, warming temperatures.

We have experience developing building codes and standards that consider changing climate conditions, to reduce future vulnerabilities.

AECOM supports organizations and governments to capture state and federal funding to increase the resiliency of city, county and community facilities, assets, and operations.

6.2 Technical approach, industry best practices & evidence-based strategies; and work products/deliverables

We have developed a proven framework to help municipalities recover from disasters and build long-term resilience. This approach not only addresses immediate recovery needs but also establishes adaptation measures to meet evolving climate hazards and sustainable actions that enhance community well-being. We have successfully applied this framework in numerous municipalities, including coastal communities in Florida, such as Naples, Miami Beach and the lower peninsula of Tampa, including the MacDill Air Force Base.

Our team will emphasize a highly collaborative process, engaging Town staff and the community to shape the plan through local values, needs and aspirations. The Plan will also establish measurable goals and objectives that provide an adaptable framework for tracking progress and adjusting strategies as conditions evolve. The final Plan will be evidence-based, community-driven, and nationally informed, incorporating innovative concepts, technologies, and best practices tailored to the Town's unique recovery and long-term resilience needs.

Our proposed approach, detailed below, will provide the Town with a clear pathway for action for recovery and strengthening its resilience against future storm events and long-term sustainability challenges.

Task 1. Comprehensive Review and Analysis of Existing Plans

Task 1.1 Information Collection and Review

The Town has already laid a strong foundation for recovery through recent plans and initiatives that focus on resilience, sustainability, and smart growth. Following the kick-off meeting, our team will collect relevant plans and documents including, but not limited to, the FEMA Technical Assistance 2024 Long-Term Recovery Plan, the Coastal Florida Recovery and Resiliency Partnership Project (R2P2) recommendations, Time Square Redevelopment Study, Community Beautification Study, and the Town of Fort Myers Beach's land use codes and adopted Comprehensive Plan, along with any current and proposed amendments.

Additional documents that may be requested for review may include the Stormwater Master Plan, neighborhood master plans, and documentation for the Estero Island Shore Protection Project. We will provide the Town staff with an initial list and summary of collected documents and their applicability to the Plan. Our proposed approach will begin with a thorough review of all these pertinent plans and projects and confirm that the final Plan's list of strategies aligns with previous efforts and avoids redundancy.

Task 1.2 Master Strategy List & Gap Analysis

AECOM will conduct a comprehensive review of collected documents to identify existing recovery, resilience and sustainability strategies. These strategies will be compiled into a comprehensive master list and serve as the foundation for strategies to consider in the final Plan. We will perform a gap analysis to pinpoint critical gaps, redundancies, and opportunities for potential supplemental strategies to consider for addressing outstanding resilience needs. We will also review community infrastructure that withstood Ian and promote strategies aligned with upgraded code requirements, mitigation techniques that have been successful in minimizing damages.

Additional strategies will be based on stakeholder and community engagement (Task 2) and approaches that have worked for other communities with similar needs as the Town. The draft master list and draft gap analysis will be submitted to the Town for review, enabling Town staff to provide additional insights about the status of ongoing planning efforts, projects, and potential initiatives that should be included in the review.

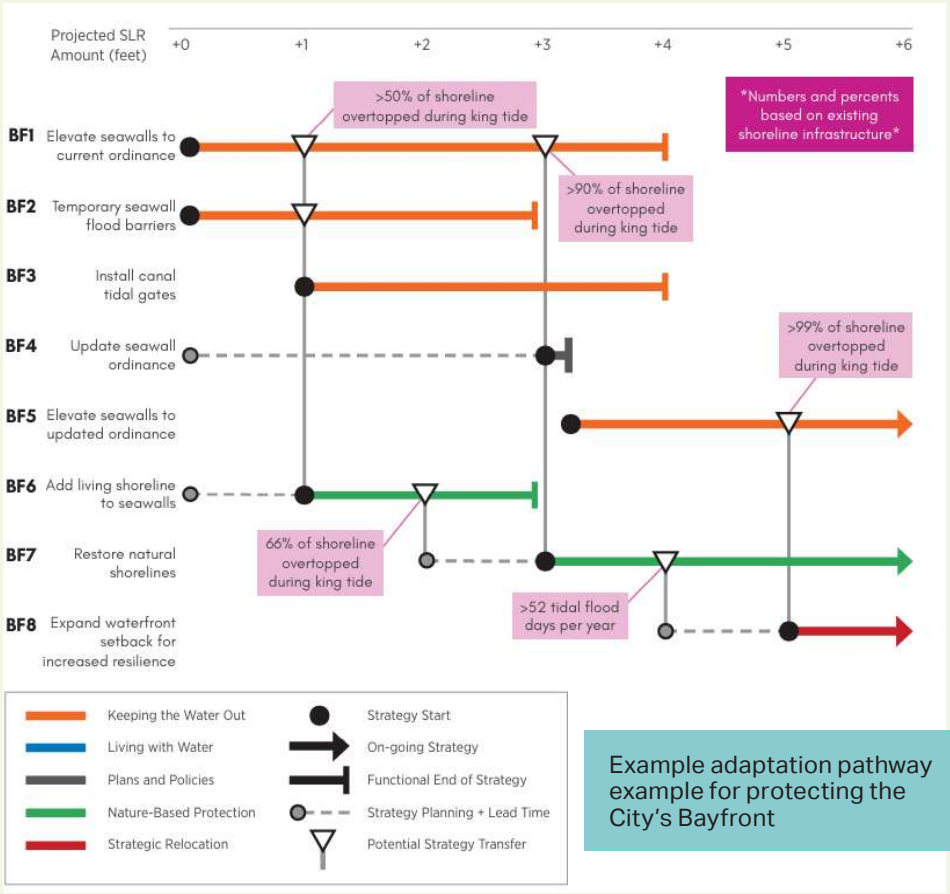
Deliverables:

- Existing Plans and Documents Technical Memo
- Initial and Final Gap Analysis Technical Memo
- Initial Strategy List

Showcase Example

City of Miami Beach Sea Level Rise Adaptation Plan

AECOM led the development of a comprehensive community-wide flood adaptation plan for the City of Miami Beach, a community that has been at the forefront of flood adaptation for decades. Rather than start from scratch, the plan was designed to build upon the city's extensive planning, engineering efforts, and ongoing studies already aimed at addressing flood challenges. To avoid duplication and verify alignment with ongoing initiatives, we began the project with a thorough review of the city's key planning documents. This allowed us to identify current flood protection approaches and explore opportunities to enhance each plan's long-term (end-of-century) flood resilience. Our recommendations were designed to seamlessly integrate into periodic plan updates, strengthening the city's overall ability to proactively manage future flood risks.



Example adaptation pathway example for protecting the City's Bayfront

The City of Miami Beach Adaptation Plan was innovative in its use of "adaptation pathways," a flexible, long-term planning approach that allows for adjustments based on changing conditions. Instead of relying on a fixed solution, AECOM worked with the city to develop a roadmap of multiple options that could be implemented in phases as sea level rise and impacts worsen. To help the city decide when to implement different strategies, AECOM provided options for clear and measurable thresholds (e.g., flood frequency, increased maintenance costs) that serve as an indicator for when the existing flood protection approach may be losing its effectiveness. This approach helps the City avoid over-investing in solutions that might become obsolete too quickly.

Task 2. Community Engagement and Outreach

Developing effective solutions will require an informed and engaged community. We recognize that a transparent and inclusive planning process is key to the successful implementation of proposed strategies and overall success of this project. Community engagement and outreach will be integral to this project. In coordination with the Town, our team will design and implement a robust public outreach campaign that actively engages residents (full-time, part-time, and seasonal), non-profit organizations, local businesses (particularly in tourism and hospitality), and vulnerable populations, including low-income households, elderly residents, people with disabilities, and non-English speakers. To maximize accessibility and participation, we will employ a multi-channel engagement approach, including public workshops, focus group interviews, surveys, online platforms, and informational sessions. We also recommend meeting the community where they are—so attending existing meetings or events as a pop-up workshop to provide information on the project and collect public input.

We anticipate engagement opportunities at key project stages, with methods that can be adapted in collaboration with Town staff to optimize resources and maximize effectiveness of the outreach.

Potential goals of community engagements events and outreach include:

- Promoting community needs, concerns, and input directly inform the Plan's development
- Fostering public buy-in, trust, and support throughout the planning process
- Communicating project goals, milestones, and opportunities for public participation
- Gathering valuable local knowledge and data to inform meaningful and actionable strategies

A proposed community engagement schedule, aligned with the key technical tasks of this proposal is outlined below:

Table 6-1: Key Technical Tasks

Task	Subtask	Community and Stakeholder Engagement/Outreach
Task 1. Comprehensive Review and Analysis of Existing Plans	Task 1.2 Develop Initial Strategy List & Gap Analysis	- Two pop-up workshops
Task 3. Data Collection, Analysis, and Visioning	Task 3.2 Strategy Evaluation and Prioritization Task 3.3 Visioning Process Workshop	- Online public/stakeholder questionnaire - Two pop-up workshops - Local business focus group interviews (up to five) - Vulnerable populations focus group interviews (up to three) - Town staff focus group interviews (up to 10) - One visioning workshop
Task 4. Integration of Sustainability and Resilience Strategies	Task 4.1 Development of Resilience Measures	- Online public/stakeholder questionnaire - Town staff focus group interviews (up to 10) - Two pop-up workshops - Public meeting
Task 5. Comprehensive Plan Updates	Task 5.1 Development of Comprehensive Plan Recommendations	- Collaboration with Town's consultants
Task 6. Implementation Roadmap	Task 6.1 Comprehensive Recovery and Resilience Implementation Plan	- Town Council Meeting

We have a track record of meeting public engagement requirements of large federal grant projects. We will document all engagement activities and prepare reporting materials in accordance with necessary grant requirements.

Following the public comment period anticipated for Task 6.1, we will synthesize key findings from all engagement activities into a community engagement findings technical memo. This document will highlight overarching themes and insights from the outreach efforts, reinforcing the Town's commitment to incorporating community feedback into the final Plan. The Memo will be included as part of the final Plan document.

Deliverables:

- Draft and Final Community Outreach Plan
- Sign-in sheets, presentation copies and related materials for each community engagement event
- Meeting minutes for each community engagement event
- Federal Grant Reporting Materials
- Community Engagement Findings Technical Memo

Showcase Example

Community Engagement

We employ a diverse and customized approach to community engagement, tailoring strategies to meet unique needs of each community. Our efforts have ranged from small focus group discussions with climate justice community leaders in the City of Miami, to interactive pop-up workshops at community events across Miami Beach. We also engage directly with decision-makers, presenting to publicly elected officials and leading workshops with neighborhood association presidents such as for the City of Naples.



Pop-up workshop in Miami Beach at the Hispanic Heritage Festival

To further enhance engagement, we developed a PlanEngage website for the City of Miami, providing a centralized, interactive and user-friendly platform for the public to learn more about the vulnerability assessment project and to participate in online surveys. Additionally, we created visual story maps for the cities of Miami Beach and Naples, translating high-level project concepts into visually engaging and easily digestible narratives for the public.

A key strength of our approach is the involvement of our in-house technical experts in event facilitation, allowing complex climate hazard information to be effectively translated for diverse audiences. This approach fosters meaningful dialogue, encourages community-driven solutions, and supports informed decision-making for resilience and disaster preparedness. In Naples, AECOM partnered with CMA Outreach, a long-time trusted community engagement firm, to support outreach efforts. Leveraging their deep local knowledge, CMA Outreach helped identify key stakeholders, populate contact lists, and brainstorm strategies to maximize community participation, ensuring broad and meaningful public involvement.

Task 3. Data Collection, Analysis, and Visioning

Task 3.1 Evaluation Criteria Data Collection & Development

We recognize that the Town cannot implement all proposed strategies simultaneously and will require a structured approach to prioritize and sequence them effectively. AECOM will collaborate with Town staff to develop a tailored evaluation framework that considers financial, social, environmental, and feasibility trade-offs among each of the strategies in the Initial Strategy List populated in Task 1.2. The criteria will be designed to address immediate recovery priorities and long-term resilience and sustainability goals.

We will employ a data-driven approach to inform the development of these criteria. Our team will analyze key community indicators, including demographics, environmental conditions, land use patterns, housing needs (with a focus on workforce housing), economic trends, infrastructure vulnerabilities, and cultural considerations. This analysis will help identify the most relevant evaluation criteria, aligning community needs and implementation feasibility.

Additionally, climate-related, social, and economic risks will be assessed to prioritize strategies that mitigate impacts on vulnerable populations and essential services. Criteria will be developed based around FEMA's seven Community Lifelines (safety and security, food, water, health and medical services, energy, communications, transportation, and hazardous materials) to align each strategy with the goal of reinforcing or restoring these essential systems. For example, a project that focuses on infrastructure upgrades may be evaluated based on how it enhances transportation and energy lifelines or improves the health and medical services capacity in the face of climate hazards. This approach allows decision-makers to prioritize projects that directly impact community well-being, recovery, and long-term resilience, so resources are allocated to areas that have the greatest potential to support recovery efforts and safeguard public safety during future emergencies.

Our GIS team will collaborate with the Town on digitization of all this data into the Town's GIS database, and assist with the development of the evaluation criteria for future planning and strategy development. Our GIS team is highly skilled in compiling and managing large spatial datasets and creating informative products to convey key insights, such as asset climate challenges, to both client staff and the public. For example, in the City of Miami's Critical Facilities and Assets Vulnerability Assessment, our GIS team developed an asset inventory of 160,000 features, incorporating newly digitized data, and produced mapping products that illustrate key asset vulnerabilities to future sea level rise and extreme precipitation events.

A draft set of evaluation criteria will be shared with Town staff for review and refinement, ensuring applicability to the Town's recovery, resilience and sustainability objectives. For example, AECOM will develop draft criteria to assess each strategy's alignment with national best practices, including FEMA's key principles for long-term community recovery, such as being project-oriented and community-driven.

Figure 6-2: Example Strategy Evaluation Criteria from Naples Critical Assets and Facilities Adaptation Plan

Engineering	Environmental	Social Benefits	Implementation Feasibility
1. Protect City's Critical Assets 2. Ability to adapt to climate considerations over time 3. Addresses multiple hazard types	1. Improves water quality 2. Protects, enhances, and expands sensitive habitats and ecosystem services 3. Reduces or offsets energy consumption or improves energy efficiency	1. Improves public health metrics (e.g., public access and access to emergency services) 2. Enhances resilience of the transportation network and supporting systems 3. Reduces risk of injury or loss of life	1. Funding/ financing is partially or fully available 2. Capital and maintenance costs 3. Ability to implement given current policies and regulations

Task 3.2 Strategy Evaluation and Prioritization

Using the finalized criteria from Task 3.1, we will conduct an initial evaluation of strategies from the Initial Strategy List (Task 1.2). A transparent, easy-to-interpret scoring methodology will be applied, assigning higher scorings to strategies that meet a greater number of key criteria. Strategies that score higher across all evaluation criteria will be prioritized for implementation based on the greater number of community benefits provided.

The initial prioritized strategy list will be shared with Town staff for validation. Staff input will verify that rankings align with the Town's goals and that the highest-priority strategies are achievable within the Town's available or anticipated resources and staffing capacity.

Task 3.3 Visioning Workshop

Our team will facilitate a Visioning Workshop to present the prioritized strategies and gather community feedback. This structured engagement session will be designed to promote meaningful participation from full-time and seasonal residents, local businesses, and vulnerable populations.

Participants will have the opportunity to review the highest-priority strategies (Task 3.2) and provide input on their alignment with community values, near-term recovery needs, and long-term resilience and sustainability goals. Additionally, the workshop will seek to establish clear, measurable objectives and realistic implementation timelines for the prioritized strategies. These goals and timelines will serve as the basis for the integration of strategies into the Town's ongoing recovery efforts (Task 4.1) and Comprehensive Plan updates (Task 5.1).

Following the workshop, we will integrate community feedback to refine the prioritized list of strategies and present the final version to Town staff for final review. This process will promote a plan that reflects both technical best practices and community-driven priorities.

Deliverables:

- Draft and Final Strategy Evaluation Criteria
- Prioritized Strategy List
- Draft and Final Strategy Goals and Objectives Technical Memo
- Sign-in sheet, presentation and related materials for Visioning Process Workshop

Showcase Example

Community Prioritization of Adaptation Strategies in Naples

As part of the City of Naples Critical Assets and Facilities Adaptation Plan, AECOM led a community-driven prioritization process to ensure resilience strategies would align with local needs. A key engagement effort included a workshop with the Neighborhood Association Presidents Council, bringing together neighborhood leaders from across the city. During the session, participants discussed the most pressing climate hazards and actively voted on priority adaptation strategies, ensuring that community voices played a central role in shaping the city's resilience planning efforts.



Workshop participants vote on high priority projects

In addition to engaging with the community, we led a city resilience working group that met at key points throughout the project to promote a plan that aligned with staff needs and maintained the City's voice. This approach was innovative for the City because it broke down traditional silos by bringing together staff from multiple departments—including public works, planning, emergency management, and finance—to promote a more holistic approach for hazard resilience and foster a culture of proactive problem solving. At the final City Council project presentation, all department leads were in attendance to support the Council's approval of the plan, highlighting the significance of this level of cross-departmental engagement,

Task 4. Integration of Sustainability and Resilience Strategies

Task 4.1 Development of Resilience Measures

The top-ranked strategies, prioritized through a combination of the evaluation criteria, Town staff needs, and stakeholder feedback in Tasks 1, 2 and 3 will be further developed into actionable measures (or projects) that the Town can carry out using existing funds or external grant opportunities. Details will include a project description, rough order of magnitude cost, potential project partners, steps for implementation, co-benefits, and potential funding sources. Because there is not a single solution that will be able to address all of the Town's resilience issues, measures are likely to include a suite of infrastructure projects, operational improvements, and policy and regulatory changes necessary to support strategy implementation.

These measures will add specificity to the broader strategies identified in and goals, with examples including:

- Pilot projects incorporating green infrastructure into traditional development to restore trees lost, while also beautifying the area and increasing hazard resilience.
- Stormwater network improvements or coastal protection projects addressing sea level rise and changing precipitation patterns.
- Hardening, elevating, or relocating critical facilities for continuity of essential services.
- Community-focused communication initiatives to increase awareness of hazard mitigation measures.
- Land use, building and zoning code updates that support the redevelopment of important community areas (e.g., Time Square) and promote best management practices for sustainability (e.g., LEED certification) and resilience (e.g., floodproofing critical building elements).

The Town's long-term resilience and sustainability will be at the core of our recommendations. Our team will identify and incorporate best practices, explore innovative planning concepts, "smart city" technologies, and evidence-based programs that have proven successful in similar coastal and post-disaster contexts. Our recommendations will be grounded in proven methodologies and align with national standards from organizations such as the American Planning Association, FEMA, and the National Institute of Standards and Technology to verify they are effective and forward-thinking .

Deliverables:

Draft and Final Sustainability and Resilience Measures

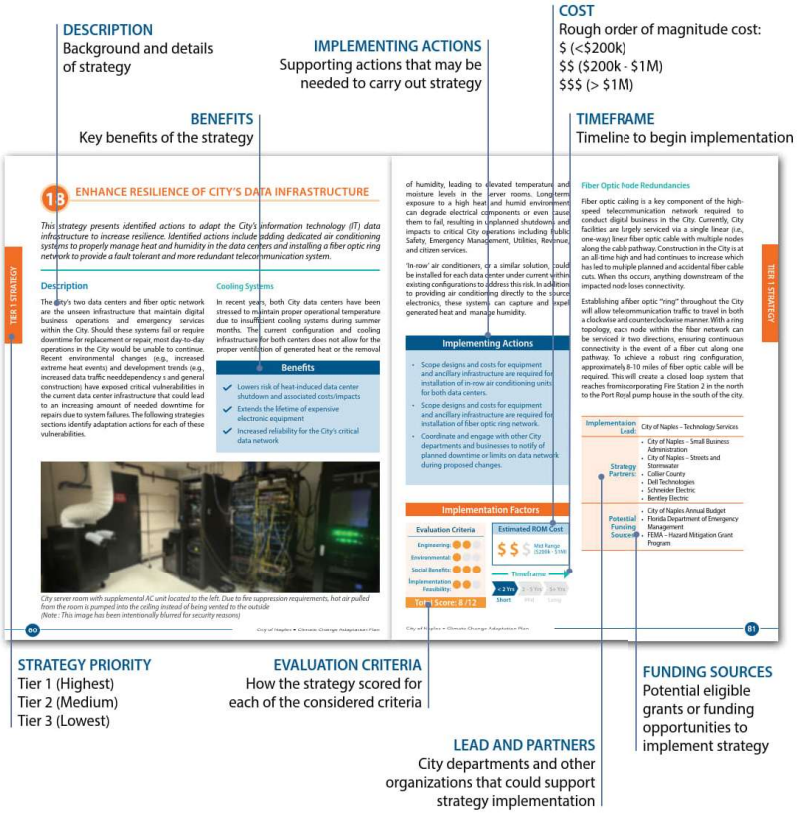
Presentation and related materials for Town staff Focus Groups

Development of the measures will include a series up to 10 interviews with relevant Town staff to help inform project details, such as implementation feasibility, resource needs, and verify alignment with the Town's objectives.

Showcase Example

Summarizing Measure Details for Naples Adaptation Plan

AECOM developed similar details for the City of Naples Critical Assets and Facilities Adaptation Plan using summary sheets to document each measure. This innovative way to summarize and share information provided a clear and concise approach for City staff to quickly reference when justifying project needs for internal budget requestor for pursuing external grant funding. A series of interviews with City staff was also conducted to inform realistic project needs and further engage staff in the process for documenting measure details.



Task 5. Comprehensive Plan Updates

Task 5.1 Development of Comprehensive Plan Recommendations

To promote Strategy Integration Roadmap measures being effectively embedded within the Town's existing planning framework, we will collaborate closely with the Town's consultant(s) to assess and update the Comprehensive Plan. This effort will focus on identifying amendments or updates needed to codify the Roadmap's recommendations. This approach will assure that the resilience and sustainability are implementable, enforceable, and strategically positioned to support the Town's long-term objectives.

Our team will work in tandem with the Town's consultant(s) to craft amendment language that not only enables implementation of the Roadmap's recommendations but also aligns with local policies, regulatory requirements, and development goals. We will verify that the Comprehensive Plan recommendations are in accordance with Florida Statute 163.3177 and adhere to all applicable requirements.

Beyond recommending specific updates, AECOM will provide guidance to weave resilience and sustainability principles throughout the Comprehensive Plan rather than confined to a single element. By integrating these priorities across all relevant planning elements, including land use, transportation, infrastructure, and economic development, the Town can establish a forward-thinking framework that enhances its ability to adapt to future challenges, fostering long-term resilience and sustainability.

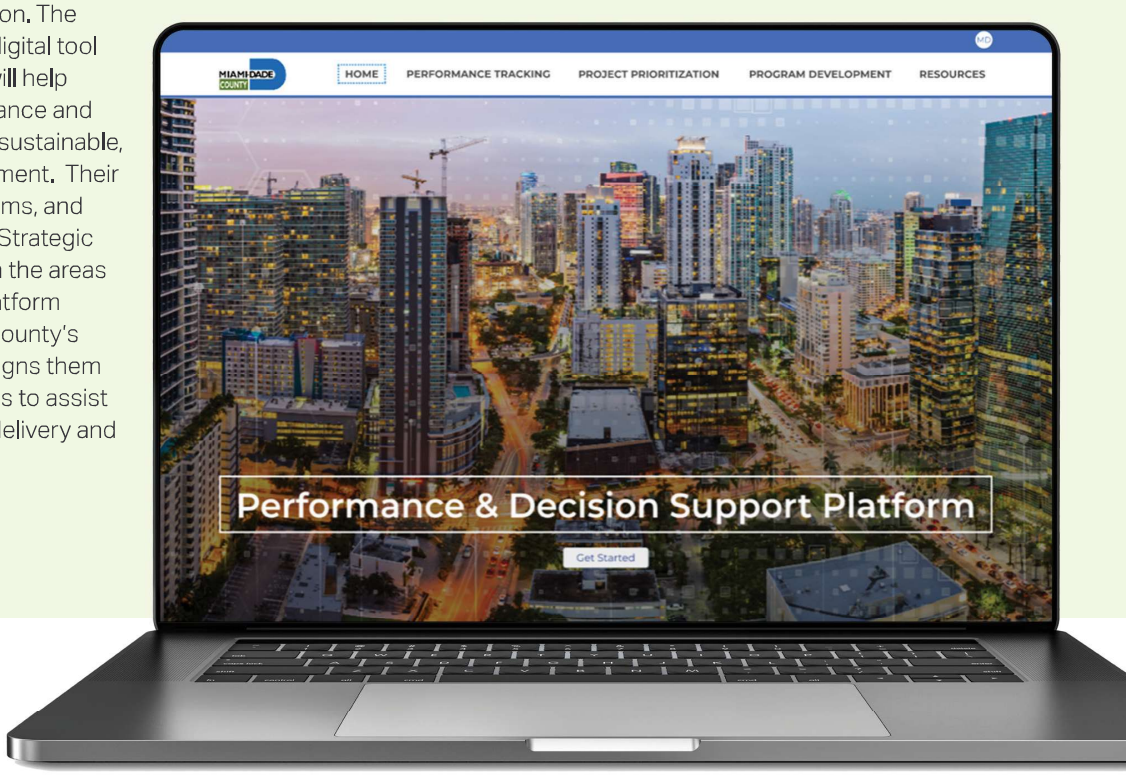
Deliverable:

Proposed Comprehensive Plan Amendment language

Showcase Example

Miami-Dade County Strategic Plan and Capital Planning Implementation

AECOM has extensive experience helping communities revitalize their Comprehensive and Strategic Plans with a focus on resilience and sustainability, allowing these plans serve as a dynamic tool for guiding future development. We are currently supporting Miami-Dade County's Department of Transportation and Public Works with a new Strategic Plan, Transition to Net Zero Emissions Strategy, and Capital Planning Implementation. The two strategies are integrated in a digital tool AECOM is building. The platform will help the County evaluate their performance and support their decision-making for sustainable, equitable, and organizational alignment. Their goal is to evaluate projects, programs, and policies for consistency with their Strategic Plan while building infrastructure in the areas needing investment most. The platform prioritizes projects based on the County's key performance indicators and aligns them with potential funding opportunities to assist the County with effective project delivery and organizational performance.



Task 6. Final Plan & Implementation Roadmap

Task 6.1 Comprehensive Recovery and Resilience Implementation Plan

Based on the findings and recommendations of Tasks 1-5, this project will culminate in a Comprehensive Recovery and Resilience Implementation Plan that will serve as a detailed blueprint for holistic and sustainable redevelopment by equipping Town leaders with a clear and actionable framework to guide recovery and long-term resilience efforts. Developed through extensive community engagement, the Plan will highlight how public participation was a foundational element of the planning process and will remain integral to successful implementation.

A key component of the Plan will be the Strategy Integration Roadmap. The Roadmap will provide a structured approached for executing the measures developed in Task 4.1. AECOM will coordinate closely with the Town to document Roadmap key milestones and align with timelines and goals set in the Visioning Workshop (Task 3.3). To track the effectiveness of these measures, the Roadmap will include defined metrics and key performance indicators, enabling the Town to measure progress against established goals and timelines. The Plan will also include the Comprehensive Plan Recommendations developed in Task 5.1, to highlight how resilience and sustainability efforts will continually be integrated into the Town's long-term planning efforts. Additionally, the final Plan will feature a financial strategy that identifies potential funding sources, including local, state, federal, nonprofit, and private opportunities, to support the implementation of resilience and sustainability initiatives.

The document will be easily navigable, and will make use of infographics, typography, and photographs for accessibility. Where appropriate, technical details will be included in an appendix. A report template will be developed by AECOM's graphics team with a style and color palette that aligns with other Town documents or preferences.

AECOM will produce one iteration of the Administrative Draft Plan and Implementation Roadmap, for review by Town staff, based on one round of consolidated comments. The comments received on the Administrative Draft will be incorporated into the Final Plan and Implementation Roadmap.

Deliverable:

Administrative Draft and Final Comprehensive Recovery and Resilience Implementation Plan

Showcase Example

Resilient305 Strategy as a Roadmap for Regional Resilience

AECOM served as the strategic partner for the Resilient305 Strategy, a collaboration between Miami-Dade County, the Cities of Miami, and Miami Beach. This plan serves as a model for regional resilience by demonstrating how multiple jurisdictions can work together to address shared climate and social challenges. By leveraging cross-sector partnerships, community engagement, and data-driven strategies, Resilient305 provides a roadmap of actions to enhance infrastructure, adapt to climate risks, and foster economic and social resilience. Its holistic approach—integrating environmental, economic, and social resilience—illustrates how coordinated planning can create long-term, sustainable solutions for regional challenges.

Immediate (0-1 year)	
Action 1	Preserve and Restore Biscayne Bay
Action 2	Build Reef Biodiversity and Defenses
Action 11	Maximize Opportunity Zones
Action 32	Pilot an Arrest Diversion for Opioid Users
Action 36	Time to Volunteer
Action 39	Get the 311 on Resilence for the 305
Action 41	See it To Believe It
Action 43	Roll-out 5-Step Guide to Innovative Recovery Financing
Action 44	Bounce Forward 305 - Distribute Resilient Urban Land Use Essentials Guide
Action 45	Send your Boss to Bootcamp
Action 47	Train Employees to be Resilient
Action 50	Create an Actionable Science Advisory Panel (ASAP)
Action 52	Create a Resilient305 ArcGIS Hub
Action 55	Plan Efficiently & Effectively Together
Action 57	Leverage the Power of Purchasing

Short-term (1-5 year)	
Action 3:	Bolster Our Beaches
Action 4:	Expand Nature-Based Infrastructure
Action 5:	Integrate Resilience into Parks and Open Spaces
Action 6:	Reduce "Back Bay" Flooding
Action 7:	Implement Sea Level Rise Strategy
Action 8:	Develop Sea Level Rise Checklist for Capital Projects
Action 9:	Create Development Review Checklist
Action 10:	Strengthen Resilience Planning
Action 13:	Design a Better Bus Network
Action 14:	Drive into the Future
Action 15:	It's Electric
Action 16:	Expand Renewable Energy
Action 17:	Building Efficiency 305
Action 18:	Stay and Live in the 305
Action 19:	Redeveloping Resilient Public Housing
Action 20:	Build an Inclusive Economy
Action 21:	Train for Construction
Action 23:	Buy Local
Action 24:	Be Counted
Action 25:	Re-establish the Financial Capability Collaborative
Action 26:	Teach Kids to Save

Short-term (1-5 year)	
Action 27:	Expand Youth Career Opportunities
Action 28:	Break the Cycle of Youth Violence
Action 29:	Respect Our Elders
Action 30:	Update the Social Services Master Plan
Action 31:	Advocate for Mental Health
Action 33:	Accelerate Progress of HIV/AIDS Strategy
Action 34:	Advance Pandemics Communication
Action 35:	Increase Neighborhood Response
Action 37:	Prepare Your Property
Action 38:	Support Resilience Hubs
Action 40:	Create a K-12 Plan for Resilience Literacy
Action 42:	Pre-planning for Post-disaster Toolkit
Action 46:	Resilient 35 in the 305 Network
Action 48:	RISE to the Rescue
Action 49:	Collaborate with Universities
Action 51:	Resilience Accelerator Workshops
Action 53:	Share Bold Integrated Water Models
Action 54:	Employ a One Water Approach
Action 56:	Finance a Resilient Future
Action 58:	Pilot Resilience Financing Decisions Toolkit
Action 59:	Demonstrate Cost Benefits of Resilience

Mid-term (5+year)	
Action 12:	Develop Mobility Hubs in the 305
Action 22	Promote Fair Chance Hiring





Actions included in the Resilient305 Strategy

Task 7. Project Management

Task 7.1 Kick-off Meeting

AECOM will begin the project with a kick-off meeting involving key Town staff, relevant partners, and the core AECOM project team. The kick-off meeting will introduce project members, confirm objectives and timelines, and discuss key project milestones. The meeting will also review the proposed approach, anticipated data requests, and the community engagement strategy.

Task 7.2 Regular Coordination Meetings

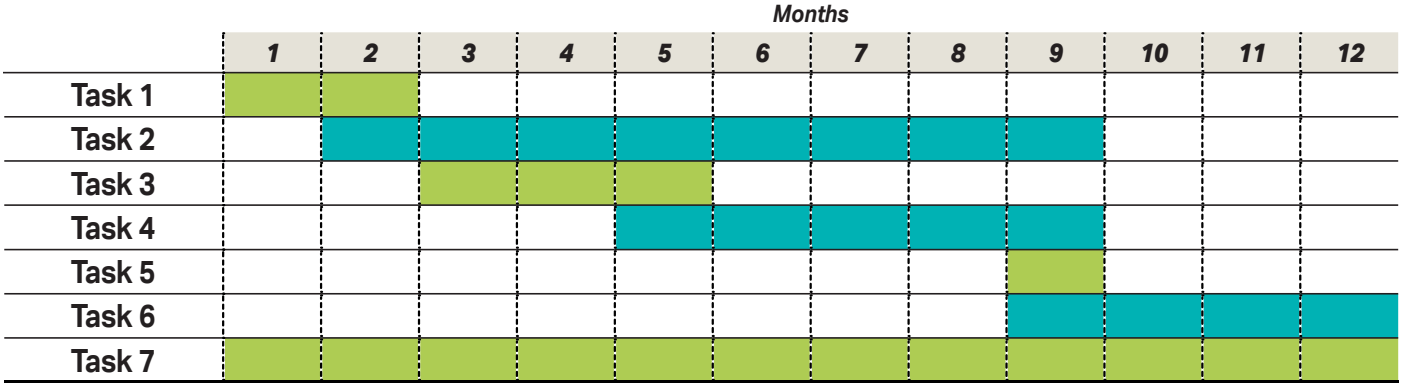
We will establish a structured project management approach, including a detailed schedule with defined milestones, deliverables, and deadlines. Regular coordination meetings will be held every other week with Town leadership to provide progress updates, address challenges, and refine the project direction as needed.

Task 7.3 Progress Reporting

Progress reports and task-based percent complete summaries will be submitted for review with monthly invoices, documenting work completed for each invoice period. Our team will also oversee all subcontractors, to comply with CDBG-DR regulations and federal procurement standards (2 CFR Part 200 and 24 CFR Part 570).

6.3 Work plan and timelines

Below is a depiction of our plan for each of the tasks in our approach.



6.4 Innovations

For over two decades, AECOM has been a trusted advisor to FEMA, supporting the development of the National Risk Index (NRI) tool and the Building Resilient Infrastructure and Communities (BRIC) program. We have served as contributing authors to several FEMA publications, such as building codes for hazard areas and flood resistant design and construction. Additionally, we have collaborated with the Rockefeller Foundation's 100 Resilient Cities Initiative, providing solutions to natural and socioeconomic challenges for over 35 local governments worldwide.

We work to effectively reduce the long-term vulnerability of an organization to the risks of natural hazards and long-term changes in climate through partnerships with all levels of staff and stakeholders. We have supported government and private sector clients in building their capacity through the development and implementation of guidance material and tools related to climate mitigation and adaptation. Under these efforts, AECOM has developed the following Natural Hazard Frameworks:

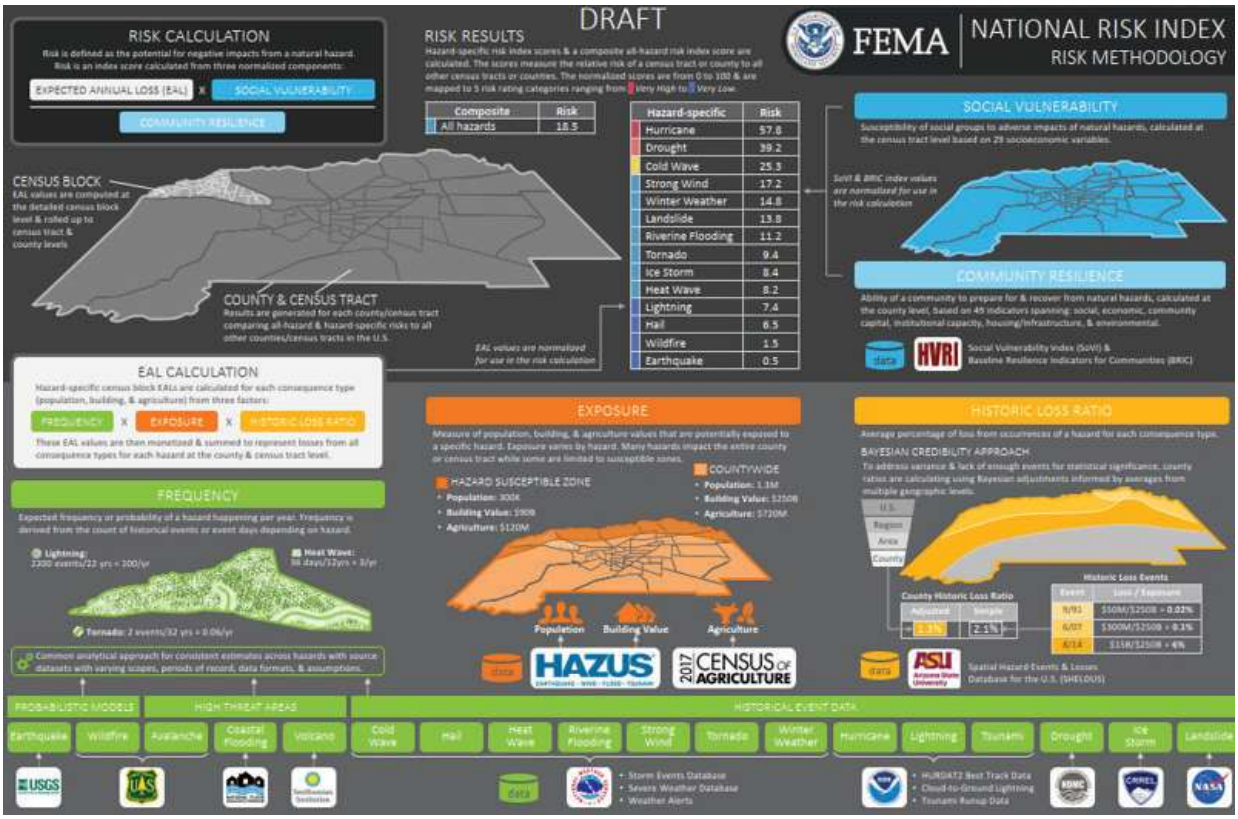
UN Disaster Resilience Scorecard (https://mcr2030.undrr.org/disaster-resilience-scorecard-cities) which provides a set of assessments that allow local governments to assess their disaster resilience, structuring around UNDRR's Ten Essentials for Making Cities Resilient.

Climate Adaptation Toolkit, USAID which operationalizes USAID's five-step methodology for incorporating climate change adaptation in infrastructure planning and design, as detailed in USAID's Climate Change Adaptation Guidance document.

U.S. Air Force Installation Energy Resilience Framework to improve the resilience posture of an installation's power, heating, cooling, and water infrastructure spanning building to district systems.

Climate Action for Urban Sustainability (CURB) Tool (https://www.c40knowledgehub.org/s/article/Climate-action-for-URBan-sustainability-CURB-scenario-planning-tool?language=en_US) for the World Bank and C40 that is used by cities worldwide to identify and prioritize greenhouse gas emission abatement interventions.

FEMA National Risk Index (https://hazards.fema.gov/nri/) tool was codeveloped to help illustrate the United States communities most at risk for 18 natural hazards.



These innovations have allowed our team to quickly access hazards against lifeline infrastructure and understand the potential impacts to community. We draft prioritization and phasing based on the assessments and utilize the tools for as visual communication aids to engage stakeholders and verify findings.

7 Compensation

Town of Fort Myers Beach RFP-25-02-AD

RFP Form C

Proposer: AECOM Technical Services, Inc.

PRICE PROPOSAL FORM

Note: Forms A, B & C are available in WORD format from the Contracts Manager upon request.

THIS FORM MUST BE SIGNED AND SUBMITTED WITH PROPOSAL TO BE DEEMED RESPONSIVE.

Name of Proposer: AECOM Technical Services, Inc.

Name of authorized representative of Proposer: Ronald Cavalieri, PE, BCEE

Project Cost

Item	# of Units for evaluation purposes Only	Price Per Unit
Task 1	1	$ 71, 512
Task 2	1	$ 360,122
Task 3	1	$ 192, 350
Task 4	1	$ 140, 012
Task 5	1	$ 9, 962
Task 6	1	$ 116, 014
Task 7	1	$ 84, 468
Engagement Materials	8 events	$ 1, 320
TOTAL PRICE		**$ 985,000**

Instructions: Show the project cost for each deliverable your firm will provide per the requested scope of work. Include the fees associated with each proposed deliverable. Fees should be detailed to the extent possible per deliverable.
The Total Unit Price Cost shall include all fees and reimbursements for out-of-pocket costs. The Town will not reimburse for any costs not actually incurred and paid for by the Proposer and included in its proposal. Reasonable proof thereof will be required.

The Total Unit Price Cost shall include the cost of:

e. Meetings with Town staff to discuss Fort Myers Beach Comprehensive Recovery and Resilience Implementation Plan progress.

Payments will be made on each deliverable upon receipt and acceptance by the Town.

Town of Fort Myers Beach RFP-25-02-AD

Additional Services

The Town may have the need for additional services, which may be requested over the next 3 years.

If the Proposer is interested in additional work, please provide the hourly rate, unit rate and staff positions available. The rates for the additional work will not be used for evaluation of the services required in this RFP.

Additional Work	
Title:	Hourly Rate/Per Unit Rate
Climate Adaptation Specialist	$209
Disaster Recovery Specialist	$199
Sr. Planner/Policy Specialist	$207
GIS Analyst	$118
Coastal Engineer	$165
Water/Wastewater Engineer	$297
Landscape Architect	$306
Transportation Planner	$200
Environmental Permitting	$205

By: R. Cavalieri Date: April 4, 2025

Name: Ronald Cavalieri, PE, BCEE

Title: Associate Vice President

8 Additional Information

Compliance Matrix

We have included all documents noted in the table below. This underscores our dedication to meeting expectations and providing a proposal that is both complete and responsive.

Submittal Requirements	**AECOM**
Addendum No. 1, Dated March 27, 2025 (included in 9. Addenda)	☑
Addendum No. 2, Dated March 31, 2025 (included in 9. Addenda)	☑
Form A - Qualifications Statement (included in 10. Additional Required Forms)	☑
Form B - Reference Form (included in 10. Additional Required Forms)	☑
Form C - Price Proposal (included in 7. Compensation)	☑
Form D - Proposer's Certification (included in 10. Additional Required Forms)	☑
Form 3A - Interest in Competitive Bid for Public Business (included in 10. Additional Required Forms)	☑
Anti-Lobbying Form (included in 10. Additional Required Forms)	☑
Conflict of Interest Disclosure Form (included in 10. Additional Required Forms)	☑
Non-Collusion Affidavit (included in 10. Additional Required Forms)	☑
Certificate of Liability Insurance (COI) (included in 8. Additional Information)	☑
Florida Certificate of Status (included in 8. Additional Information)	☑
Lee County Business Tax Receipt (included in 8. Additional Information)	☑
State of Florida Women Business Certification (included in 8. Additional Information)	☑
Financial Resources, FY 2024 (included in 8. Additional Information)	☑

State of Florida
Department of State

I certify from the records of this office that AECOM TECHNICAL SERVICES, INC. is a California corporation authorized to transact business in the State of Florida, qualified on August 21, 1995.

The document number of this corporation is F95000004014.

I further certify that said corporation has paid all fees due this office through December 31, 2025, that its most recent annual report/uniform business report was filed on February 7, 2025, and that its status is active.

I further certify that said corporation has not filed a Certificate of Withdrawal.

Given under my hand and the Great Seal of the State of Florida at Tallahassee, the Capital, this the Eleventh day of February, 2025



Secretary of State

Tracking Number: 0927899691CU

To authenticate this certificate,visit the following site,enter this number, and then follow the instructions displayed.

https://services.sunbiz.org/Filings/CertificateOfStatus/CertificateAuthentication

Lee County
Tax Collector
Noelle Branning

Business Tax Receipt

AECOM TECHNICAL SERVICES INC
AECOM TECHNICAL SERVICES INC
4840 COX ROAD ATTN TAX DEPT
GLEN ALLEN, VA 23060

Dear Business Owner:

Your **2024 - 2025** Lee County Business Tax Receipt is attached below for account number / receipt number: **1027668** / **1205323**

If there is a change in one of the following, refer to the instructions on the back of this receipt.

- Business name
- Ownership
- Physical location
- Business closed

This is not a bill. Detach the bottom portion and display in a public location.

I hope you have a successful year.

Sincerely,

R. Noelle Branning

Lee County Tax Collector

2024-2025
LEE COUNTY BUSINESS TAX RECEIPT

Account Number: 1027668
Receipt Number: 1205323
State License Number: NA

Account Expires: September 30, 2025

Location:
4415 METRO PKWY STE 404
FT MYERS, FL 33916

May engage in the business of:
ENGINEERING FIRM (102-0044)
THIS BUSINESS TAX RECEIPT IS NON REGULATORY

AECOM TECHNICAL SERVICES INC
AECOM TECHNICAL SERVICES INC
4415 METRO PKWY STE 404
FT MYERS, FL 33916

Payment Information:		
PAID	INT-00-03234354	02/25/2025
		$ 57.50

State of Florida

Woman Business Certification

CMA Outreach Inc.

Is certified under the provisions of
287 and 295.187, Florida Statutes, for a period from:

09/29/2023 to 09/29/2025

Pedro Allende
Florida Department of Management Services

FLORIDA DEPARTMENT OF MANAGEMENT SERVICES
SUPPLIER DEVELOPMENT

Office of Supplier Development
4050 Esplanade Way, Suite 380
Tallahassee, Florida 32399
850-487-0915
www.dms.myflorida.com/osd

Table of Contents

Report of Independent Registered Public Accounting Firm

To the Stockholders and the Board of Directors of AECOM

Opinion on the Financial Statements

We have audited the accompanying consolidated balance sheets of AECOM (the Company) as of September 30, 2024 and 2023, the related consolidated statements of operations, comprehensive income, stockholders' equity and cash flows for each of the three years in the period ended September 30, 2024, and the related notes and financial statement schedule listed in the Index at Item 15(a) (collectively referred to as the "consolidated financial statements"). In our opinion, the consolidated financial statements present fairly, in all material respects, the financial position of the Company at September 30, 2024 and 2023, and the results of its operations and its cash flows for each of the three years in the period ended September 30, 2024, in conformity with U.S. generally accepted accounting principles.

We also have audited, in accordance with the standards of the Public Company Accounting Oversight Board (United States) (PCAOB), the Company's internal control over financial reporting as of September 30, 2024, based on criteria established in Internal Control-Integrated Framework issued by the Committee of Sponsoring Organizations of the Treadway Commission (2013 framework) and our report dated November 19, 2024 expressed an unqualified opinion thereon.

Basis for Opinion

These financial statements are the responsibility of the Company's management. Our responsibility is to express an opinion on the Company's financial statements based on our audits. We are a public accounting firm registered with the PCAOB and are required to be independent with respect to the Company in accordance with the U.S. federal securities laws and the applicable rules and regulations of the Securities and Exchange Commission and the PCAOB.

We conducted our audits in accordance with the standards of the PCAOB. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement, whether due to error or fraud. Our audits included performing procedures to assess the risks of material misstatement of the financial statements, whether due to error or fraud, and performing procedures that respond to those risks. Such procedures included examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements. Our audits also included evaluating the accounting principles used and significant estimates made by management, as well as evaluating the overall presentation of the financial statements. We believe that our audits provide a reasonable basis for our opinion.

Critical Audit Matter

The critical audit matter communicated below is a matter arising from the current period audit of the financial statements that was communicated or required to be communicated to the audit committee and that: (1) relates to accounts or disclosures that are material to the financial statements and (2) involved our especially challenging, subjective, or complex judgments. The communication of the critical audit matter does not alter in any way our opinion on the consolidated financial statements, taken as a whole, and we are not, by communicating the critical audit matter below, providing a separate opinion on the critical audit matter or on the accounts or disclosures to which it relates.

Table of Contents

Revenue Recognition - Contract cost and claim recovery estimates

Description of the Matter

For the year ended September 30, 2024, contract revenues recognized by the Company were $16.1 billion. Contract revenues include $3.7 billion which relate to fixed price contracts and $6.0 billion which relate to guaranteed maximum price contracts. As described in Note 4 of the consolidated financial statements, the Company generally recognizes revenues for these contracts over time as performance obligations are satisfied. The Company generally measures its progress to completion using an input measure of total costs incurred divided by total costs expected to be incurred. In addition, the Company's estimate of transaction price includes variable consideration associated with claims only to the extent that a significant reversal would not be probable.

Recognition of revenue and profit over time as performance obligations are satisfied for long-term fixed price and guaranteed maximum price contracts is highly judgmental as it requires the Company to prepare estimates of total contract revenue and total contract costs, including costs to complete in-process contracts. These estimates are dependent upon a number of factors, including the accuracy of estimates made at the balance sheet date, such as engineering progress, material quantities, the achievement of milestones, penalty provisions, labor productivity and cost estimates.

As of September 30, 2024, the Company has recorded revenue related to claims and reported related contract assets and other non-current assets on the consolidated balance sheet. Revenue recognition relating to claims is highly judgmental as the amount has not been approved by the customer and it requires the Company to prepare estimates of amounts expected to be recovered. Changes in recovery estimates can have a material effect on the amount of revenue recognized.

How We Addressed the Matter in Our Audit

We obtained an understanding, evaluated the design, and tested the operating effectiveness of controls that address the risk of material misstatement of contract revenue including those associated with cost to complete estimates for long-term fixed price contracts and estimates of amounts expected to be recovered from claims. For example, we tested controls over the Company's review of estimated direct and indirect costs to be incurred and estimates of claim recovery amounts.

To evaluate the Company's determination of estimated costs to complete, we selected a sample of contracts and, among other things, inspected the executed contracts including any significant amendments; conducted interviews with and inspected questionnaires prepared by project personnel; tested key components of the cost to complete estimates, including materials, labor, and subcontractors costs; reviewed support for estimates of project contingencies; compared actual project margins to historical and expected results; and recalculated revenues recognized.

To test revenue recognized relating to claims, we selected a sample of projects and evaluated the estimates made by management by reviewing documentation from management's specialists and legal counsel to support the amount of the claim. We also tested management's estimation process by performing a lookback analysis to evaluate claims settled in the current year compared to management's prior year estimates.

/s/ Ernst & Young LLP

We have served as the Company's auditor since 1990.

Los Angeles, California
November 19, 2024

Table of Contents

Report of Independent Registered Public Accounting Firm

To the Stockholders and the Board of Directors of AECOM

Opinion on Internal Control Over Financial Reporting

We have audited AECOM's internal control over financial reporting as of September 30, 2024, based on criteria established in Internal Control — Integrated Framework issued by the Committee of Sponsoring Organizations of the Treadway Commission (2013 framework) (the COSO criteria). In our opinion, AECOM (the Company) maintained, in all material respects, effective internal control over financial reporting as of September 30, 2024, based on the COSO criteria.

We also have audited, in accordance with the standards of the Public Company Accounting Oversight Board (United States) (PCAOB), the 2024 consolidated financial statements of the Company and our report dated November 19, 2024 expressed an unqualified opinion thereon.

Basis for Opinion

The Company's management is responsible for maintaining effective internal control over financial reporting and for its assessment of the effectiveness of internal control over financial reporting included in the accompanying Management's Report on Internal Control over Financial Reporting. Our responsibility is to express an opinion on the Company's internal control over financial reporting based on our audit. We are a public accounting firm registered with the PCAOB and are required to be independent with respect to the Company in accordance with the U.S. federal securities laws and the applicable rules and regulations of the Securities and Exchange Commission and the PCAOB.

We conducted our audit in accordance with the standards of the PCAOB. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether effective internal control over financial reporting was maintained in all material respects.

Our audit included obtaining an understanding of internal control over financial reporting, assessing the risk that a material weakness exists, testing and evaluating the design and operating effectiveness of internal control based on the assessed risk, and performing such other procedures as we considered necessary in the circumstances. We believe that our audit provides a reasonable basis for our opinion.

Definition and Limitations of Internal Control Over Financial Reporting

A company's internal control over financial reporting is a process designed to provide reasonable assurance regarding the reliability of financial reporting and the preparation of financial statements for external purposes in accordance with generally accepted accounting principles. A company's internal control over financial reporting includes those policies and procedures that (1) pertain to the maintenance of records that, in reasonable detail, accurately and fairly reflect the transactions and dispositions of the assets of the company; (2) provide reasonable assurance that transactions are recorded as necessary to permit preparation of financial statements in accordance with generally accepted accounting principles, and that receipts and expenditures of the company are being made only in accordance with authorizations of management and directors of the company; and (3) provide reasonable assurance regarding prevention or timely detection of unauthorized acquisition, use, or disposition of the company's assets that could have a material effect on the financial statements.

Because of its inherent limitations, internal control over financial reporting may not prevent or detect misstatements. Also, projections of any evaluation of effectiveness to future periods are subject to the risk that controls may become inadequate because of changes in conditions, or that the degree of compliance with the policies or procedures may deteriorate.

/s/ Ernst & Young LLP

Los Angeles, California
November 19, 2024

Table of Contents

AECOM

Consolidated Balance Sheets
(in thousands, except share data)

	September 30, 2024	September 30, 2023
ASSETS		
CURRENT ASSETS:		
Cash and cash equivalents	$ 1,316,945	$ 1,030,447
Cash in consolidated joint ventures	263,932	229,759
Total cash and cash equivalents	1,580,877	1,260,206
Accounts receivable—net	2,793,307	2,544,453
Contract assets	1,806,458	1,525,051
Prepaid expenses and other current assets	758,693	730,145
Current assets held for sale	77,224	95,221
Income taxes receivable	159,500	14,435
TOTAL CURRENT ASSETS	7,176,059	6,169,511
PROPERTY AND EQUIPMENT—NET	354,377	382,638
DEFERRED TAX ASSETS—NET	326,685	439,604
INVESTMENTS IN UNCONSOLIDATED JOINT VENTURES	138,067	139,236
GOODWILL	3,480,155	3,418,930
INTANGIBLE ASSETS—NET	6,932	17,769
OTHER NON-CURRENT ASSETS	147,228	218,666
OPERATING LEASE RIGHT-OF-USE ASSETS	432,166	447,044
TOTAL ASSETS	$ 12,061,669	$ 11,233,398
LIABILITIES AND STOCKHOLDERS' EQUITY		
CURRENT LIABILITIES:		
Short-term debt	$ 3,080	$ 3,085
Accounts payable	2,560,122	2,190,755
Accrued expenses and other current liabilities	2,385,731	2,287,546
Income taxes payable	27,418	48,161
Contract liabilities	1,298,327	1,188,742
Current liabilities held for sale	35,559	45,625
Current portion of long-term debt	63,844	86,369
TOTAL CURRENT LIABILITIES	6,374,081	5,850,283
OTHER LONG-TERM LIABILITIES	156,406	123,846
OPERATING LEASE LIABILITIES, NON-CURRENT	510,573	548,851
LONG-TERM LIABILITIES HELD FOR SALE	—	792
DEFERRED TAX LIABILITY-NET	27,509	16,960
PENSION BENEFIT OBLIGATIONS	172,360	195,586
LONG-TERM DEBT	2,450,330	2,113,369
TOTAL LIABILITIES	9,691,259	8,849,687
COMMITMENTS AND CONTINGENCIES (Note 18)		
AECOM STOCKHOLDERS' EQUITY:		
Common stock—authorized, 300,000,000 shares of $0.01 par value as of September 30, 2024 and 2023; issued and outstanding 132,552,407 and 136,210,883 shares as of September 30, 2024 and 2023, respectively	1,326	1,362
Additional paid-in capital	4,347,197	4,241,523
Accumulated other comprehensive loss	(882,671)	(926,577)
Accumulated deficits	(1,281,647)	(1,103,976)
TOTAL AECOM STOCKHOLDERS' EQUITY	2,184,205	2,212,332
Noncontrolling interests	186,205	171,379
TOTAL STOCKHOLDERS' EQUITY	2,370,410	2,383,711
TOTAL LIABILITIES AND STOCKHOLDERS' EQUITY	$ 12,061,669	$ 11,233,398

See accompanying Notes to Consolidated Financial Statements.

Table of Contents

AECOM

Consolidated Statements of Operations
(in thousands, except per share data)

	Fiscal Year Ended		
	September 30, 2024	September 30, 2023	September 30, 2022
Revenue	$ 16,105,498	$ 14,378,461	$ 13,148,182
Cost of revenue	15,021,157	13,432,996	12,300,208
Gross profit	1,084,341	945,465	847,974
Equity in (losses) earnings of joint ventures	2,124	(279,352)	53,640
General and administrative expenses	(160,105)	(153,575)	(147,309)
Restructuring costs	(98,918)	(188,404)	(107,501)
Income from operations	827,442	324,134	646,804
Other income	17,570	8,357	5,942
Interest income	58,560	40,251	8,210
Interest expense	(185,420)	(159,342)	(110,274)
Income from continuing operations before taxes	718,152	213,400	550,682
Income tax expense for continuing operations	152,900	56,052	136,051
Net income from continuing operations	565,252	157,348	414,631
Net loss from discontinued operations	(104,997)	(57,207)	(79,929)
Net income	460,255	100,141	334,702
Net income attributable to noncontrolling interests from continuing operations	(59,322)	(43,262)	(25,521)
Net income (loss) attributable to noncontrolling interests from discontinued operations	1,333	(1,547)	1,430
Net income attributable to noncontrolling interests	(57,989)	(44,809)	(24,091)
Net income attributable to AECOM from continuing operations	505,930	114,086	389,110
Net loss attributable to AECOM from discontinued operations	(103,664)	(58,754)	(78,499)
Net income attributable to AECOM	$ 402,266	$ 55,332	$ 310,611
Net income (loss) attributable to AECOM per share:			
Basic continuing operations per share	$ 3.73	$ 0.82	$ 2.76
Basic discontinued operations per share	$ (0.76)	$ (0.42)	$ (0.55)
Basic earnings per share	$ 2.97	$ 0.40	$ 2.21
Diluted continuing operations per share	$ 3.71	$ 0.81	$ 2.73
Diluted discontinued operations per share	$ (0.76)	$ (0.42)	$ (0.55)
Diluted earnings per share	$ 2.95	$ 0.39	$ 2.18
Weighted average shares outstanding:			
Basic	135,544	138,614	140,768
Diluted	136,453	140,109	142,696

See accompanying Notes to Consolidated Financial Statements.

Table of Contents

AECOM

Consolidated Statements of Comprehensive Income
(in thousands)

	Fiscal Year Ended		
	September 30, 2024	September 30, 2023	September 30, 2022
Net income	$ 460,255	$ 100,141	$ 334,702
Other comprehensive (loss) income, net of tax:			
Net unrealized (loss) gain on derivatives, net of tax	(23,290)	2,165	41,002
Foreign currency translation adjustments	93,389	59,720	(220,043)
Pension adjustments, net of tax	(25,986)	(8,719)	98,893
Other comprehensive income (loss), net of tax	44,113	53,166	(80,148)
Comprehensive income, net of tax	504,368	153,307	254,554
Noncontrolling interests in comprehensive income of consolidated subsidiaries, net of tax	(58,196)	(44,877)	(23,241)
Comprehensive income attributable to AECOM, net of tax	$ 446,172	$ 108,430	$ 231,313

See accompanying Notes to Consolidated Financial Statements.

Table of Contents

AECOM

Consolidated Statements of Stockholders' Equity
(in thousands)

	Common Stock	Additional Paid-In Capital	Accumulated Other Comprehensive Loss	Accumulated Deficits	Total AECOM Stockholders' Equity	Non-Controlling Interests	Total Stockholders' Equity
BALANCE AT SEPTEMBER 30, 2021	$ 1,432	$ 4,115,541	$ (900,377)	$ (504,126)	$ 2,712,470	$ 117,107	$ 2,829,577
Net income	—	—	—	310,611	310,611	24,091	334,702
Dividends declared	—	—	—	(85,260)	(85,260)	—	(85,260)
Other comprehensive loss	—	—	(79,298)	—	(79,298)	(850)	(80,148)
Issuance of stock	25	52,605	—	—	52,630	—	52,630
Repurchases of stock	(68)	(50,023)	—	(422,879)	(472,970)	—	(472,970)
Stock-based compensation	—	38,471	—	—	38,471	—	38,471
Other transactions with noncontrolling interests	—	—	—	—	—	772	772
Contributions from noncontrolling interests	—	—	—	—	—	185	185
Distributions to noncontrolling interests	—	—	—	—	—	(12,580)	(12,580)
BALANCE AT SEPTEMBER 30, 2022	$ 1,389	$ 4,156,594	$ (979,675)	$ (701,654)	$ 2,476,654	$ 128,725	$ 2,605,379
Net income	—	—	—	55,332	55,332	44,809	100,141
Dividends declared	—	—	—	(100,872)	(100,872)	—	(100,872)
Other comprehensive loss	—	—	53,098	—	53,098	68	53,166
Issuance of stock	19	64,964	—	—	64,983	—	64,983
Repurchases of stock	(46)	(25,917)	—	(356,782)	(382,745)	—	(382,745)
Stock-based compensation	—	45,882	—	—	45,882	—	45,882
Contributions from noncontrolling interests	—	—	—	—	—	17,225	17,225
Distributions to noncontrolling interests	—	—	—	—	—	(19,448)	(19,448)
BALANCE AT SEPTEMBER 30, 2023	$ 1,362	$ 4,241,523	$ (926,577)	$ (1,103,976)	$ 2,212,332	$ 171,379	$ 2,383,711
Net income	—	—	—	402,266	402,266	57,989	460,255
Dividends declared	—	—	—	(120,454)	(120,454)	—	(120,454)
Other comprehensive loss	—	—	43,906	—	43,906	207	44,113
Issuance of stock	16	65,369	—	—	65,385	—	65,385
Repurchases of stock	(52)	(21,215)	—	(459,483)	(480,750)	—	(480,750)
Stock-based compensation	—	61,520	—	—	61,520	—	61,520
Contributions from noncontrolling interests	—	—	—	—	—	13,508	13,508
Distributions to noncontrolling interests	—	—	—	—	—	(56,878)	(56,878)
BALANCE AT SEPTEMBER 30, 2024	$ 1,326	$ 4,347,197	$ (882,671)	$ (1,281,647)	$ 2,184,205	$ 186,205	$ 2,370,410

See accompanying Notes to Consolidated Financial Statements.

Table of Contents

AECOM

Consolidated Statements of Cash Flows
(in thousands)

	Fiscal Year Ended		
	September 30, 2024	September 30, 2023	September 30, 2022
CASH FLOWS FROM OPERATING ACTIVITIES:			
Net income	$ 460,255	$ 100,141	$ 334,702
Adjustments to reconcile net income to net cash provided by operating activities:			
Depreciation and amortization	178,812	175,725	170,886
Equity in losses (earnings) of unconsolidated joint ventures	1,276	282,291	(46,303)
Distribution of earnings from unconsolidated joint ventures	24,254	41,178	27,175
Non-cash stock compensation	61,520	45,882	38,471
Impairment of long-lived assets	—	86,199	—
Loss on sale of discontinued operations	90,412	43,222	48,095
Foreign currency translation	15,468	969	(31,529)
Deferred income tax expense (benefit)	150,894	(135,878)	22,821
Other	(4,854)	6,388	15,295
Changes in operating assets and liabilities:			
Accounts receivable and contract assets	(500,798)	(402,498)	236,605
Prepaid expenses and other assets	(207,359)	131,903	132,003
Accounts payable	391,176	169,514	(102,873)
Accrued expenses and other current liabilities	91,983	97,239	48,019
Contract liabilities	109,390	137,484	(7,434)
Other long-term liabilities	(34,939)	(83,779)	(172,297)
Net cash provided by operating activities	$ 827,490	$ 695,980	$ 713,636
CASH FLOWS FROM INVESTING ACTIVITIES:			
Payment for business acquisition, net of cash required	$ (18,658)	$ —	$ —
Payments for sale of discontinued operations, net of cash disposed	—	—	(42,261)
Investment in unconsolidated joint ventures	(55,058)	(59,772)	(26,672)
Return of investment in unconsolidated joint ventures	—	20,874	11,723
Proceeds from sale of investments	3,180	5,977	10,242
Other investing activities	(21,000)	—	—
Proceeds from disposal of property and equipment	494	344	8,951
Payments for capital expenditures	(119,597)	(105,600)	(137,017)
Net cash used in by investing activities	$ (210,639)	$ (138,177)	$ (175,034)
CASH FLOWS FROM FINANCING ACTIVITIES:			
Proceeds from borrowings under credit agreements	$ 6,169,266	$ 3,506,668	$ 3,618,585
Repayments of borrowings under credit agreements	(5,878,475)	(3,552,639)	(3,657,308)
Cash paid for debt issuance costs	(16,573)	—	(155)
Dividends paid	(115,244)	(96,192)	(63,288)
Proceeds from issuance of common stock	34,556	32,897	26,666
Proceeds from exercise of stock options	2,056	6,168	—
Payments to repurchase common stock	(478,501)	(379,284)	(472,970)
Net distributions to noncontrolling interests	(16,177)	(2,223)	(12,395)
Other financing activities	3,632	11,670	(27,450)
Net cash used in financing activities	$ (295,460)	$ (472,935)	$ (588,315)
EFFECT OF EXCHANGE RATE CHANGES ON CASH	1,319	512	(8,307)
NET INCREASE (DECREASE) IN CASH AND CASH EQUIVALENTS	322,710	85,380	(58,020)
CASH AND CASH EQUIVALENTS AT BEGINNING OF YEAR	1,262,152	1,176,772	1,234,792
CASH AND CASH EQUIVALENTS AT END OF YEAR	1,584,862	1,262,152	1,176,772
LESS: CASH AND CASH EQUIVALENTS INCLUDED IN CURRENT ASSETS HELD FOR SALE	$ (3,985)	$ (1,946)	$ (4,563)
CASH AND CASH EQUIVALENTS OF CONTINUING OPERATIONS AT END OF YEAR	$ 1,580,877	$ 1,260,206	$ 1,172,209
SUPPLEMENTAL CASH FLOW INFORMATION:			
Interest paid	$ (177,450)	$ (153,975)	$ (104,644)
Net income taxes paid	$ (139,972)	$ (78,448)	$ (104,742)

See accompanying Notes to Consolidated Financial Statements.

ACORD®

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
03/25/2025

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Marsh Risk & Insurance Services
CA License #0437153
633 W. Fifth Street, Suite 1200
Los Angeles, CA 90071
Attn: LosAngeles.CertRequest@Marsh.Com

CN101348564-STND-GAUE-25-26 03 2025

INSURED
AECOM
AECOM Technical Services, Inc.
2090 Palm Beach Lakes Blvd., Suite 600
West Palm Beach, FL 33409

CONTACT NAME: Marsh | U.S. Operations
PHONE (A/C, No, Ext): 866-966-4664 **FAX (A/C, No):** 212-948-0533
E-MAIL ADDRESS: LosAngeles.CertRequest@marsh.com

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : ACE American Insurance Company	22667
INSURER B : N/A	N/A
INSURER C : Illinois Union Insurance Co	27960
INSURER D :	
INSURER E :	
INSURER F :	

COVERAGES **CERTIFICATE NUMBER:** LOS-002805449-03 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS		
A	X COMMERCIAL GENERAL LIABILITY			HDO G48971714	04/01/2025	04/01/2026	EACH OCCURRENCE	$	1,000,000
	CLAIMS-MADE X OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	$	1,000,000
							MED EXP (Any one person)	$	5,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						PERSONAL & ADV INJURY	$	1,000,000
	X POLICY PRO-JECT LOC						GENERAL AGGREGATE	$	1,000,000
	OTHER:						PRODUCTS - COMP/OP AGG	$	1,000,000
								$	
A	**AUTOMOBILE LIABILITY**			ISA H11370494	04/01/2025	04/01/2026	COMBINED SINGLE LIMIT (Ea accident)	$	1,000,000
	X ANY AUTO						BODILY INJURY (Per person)	$	
	OWNED AUTOS ONLY / SCHEDULED AUTOS						BODILY INJURY (Per accident)	$	
	HIRED AUTOS ONLY / NON-OWNED AUTOS ONLY						PROPERTY DAMAGE (Per accident)	$	
								$	
	UMBRELLA LIAB OCCUR						EACH OCCURRENCE	$	
	EXCESS LIAB CLAIMS-MADE						AGGREGATE	$	
	DED RETENTION $							$	
A	**WORKERS COMPENSATION AND EMPLOYERS' LIABILITY**			WI R C72792300 (AOS)	04/01/2025	04/01/2026	X PER STATUTE OTH-ER		
A	ANYPROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y/N: N / N/A			SCF C72792312 (WI Retro)	04/01/2025	04/01/2026	E.L. EACH ACCIDENT	$	2,000,000
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$	2,000,000
							E.L. DISEASE - POLICY LIMIT	$	2,000,000
C	ARCHITECTS & ENG.			EON G21654693 005	04/01/2025	04/01/2026	Per Claim/Agg		2,000,000
	PROFESSIONAL LIAB.			"CLAIMS MADE"			Defense Included		

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Re: AECOM Project No: 04192000. Client Ref No: 210. RFP-25-02-AD.

Town of Fort Myers Beach is named as additional insured for GL & AL coverages, but only as respects work performed by or on behalf of the named insured and where required by written contract.

CERTIFICATE HOLDER

Town of Fort Myers Beach
2731 Oak Street
Fort Myers Beach, FL 33931

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Marsh Risk & Insurance Services

© 1988-2016 ACORD CORPORATION. All rights reserved.

ACORD 25 (2016/03) **The ACORD name and logo are registered marks of ACORD**

9 Addenda

ADDENDUM TO PROPOSAL

RFP-25-02-AD **Addendum No.: 1**

Project Name: Fort Myers Beach Comprehensive Recovery and Resilience Implementation Plan

Date of Issue: March 27, 2025

The due date for all proposal questions is extended to:

Monday, March 31, 2025, Noon

CLARIFICATIONS TO THE PROPOSAL

Please see clarifications to Proposal Documents below:

Correction of Inquires e-mail address: Page 8 of the RFP-25-02-AD, INQUIRES, the e-mail is incorrect. The correct e-mail address for all inquiries is **bids@fmbgov.com**

Second Addendum to be released Monday, March 31, 2025, to include:

- Interest in Competitive Bid for Public Business
- Anti-Lobbying Form
- Conflict of Interest Form
- Non-Collusion Affidavit
- Additional Questions and Answers

The following inquiries were received regarding the above reference RFP:

Q. What is the project timeline?
A. From the Notice to Proceed to completion one full calendar year.

Q. What is the deadline for questions?
A. Normal circumstances, seven business days from the time the bid is due. With this Addendum, the RFP's questions are extended till Monday, March 31, 2025, at noon.

Q. The second page of RFP Form D seems to be a signature page for the Town of Fort Myers Beach to fill out. Does the RFP Form D still need to be notarized, or can we simply sign/submit the first page only without notary?
A. The form does not need to be notarized.

Q. Should Forms A & B be included within our Technical Proposal (like RFP Forms C& D)? IOF so, can you please specify in which section(s) they should go into? Or upload Forms A& B separately?
A Upload forms separately are approved.

Q. Qualification Statement (page 31) asks if the proposer has ever failed to complete any work awarded to them. What time frame for this request?
A. The period is for the past 4 years, before Hurricane Ian

Q. Has the Town already selected another consultant for the Comprehensive Plan language updates or is that intended to be part of the Recovery and Resilience Implementation Plan scope?
A. The Town's current consultant will be managing.

Q. Page 4 lists the consultant expectations for the scope. Are these existing plans and initiative that should be considered in the development of the Recovery and Resilience Implementation Plan or are these intended to be expected deliverables as part of the plan?
A. Yes, the Town would like to see portion of the R2P2 plan incorporated.

Q. Coordinate with the Town's Consultant(s) for Comprehensive Plan Update and please provide the Town Consultant(s) referenced:
A. The Comprehensive Plan is in the final stages and we more than likely would use any findings as future amendments or potential items to add to the LDC. In total perhaps 5 items dealing with mixing use and the downtown district area. The Corradino Group and Axis Group for recovery aspect consultants. The current copy of the Town's Comprehensive Plan is on the town website and a digital copy is available upon request. The current plan, which is almost complete does feature recovery and does mention mitigation steps.

Please Print AECOM Technical Services, Inc., (239) 278-7996
Company Name & Phone Number

Ronald Cavalieri
Signature

Deb Glavin, Contracts & Procurement Specialist
bids@fmbgov.com 239-765-0202

FMBeach
FORT MYERS BEACH • ESTERO ISLAND

ADDENDUM TO PROPOSAL

RFP-25-02-AD **Addendum No.: 2**

Project Name: Fort Myers Beach Comprehensive Recovery and Resilience Implementation Plan

Date of Issue: March 31, 2025

CLARIFICATIONS TO THE PROPOSAL

Please see clarifications to Proposal Documents below (Addressed in Addendum 1):

Correction of Inquires e-mail address: Page 8 of the RFP-25-02-AD, INQUIRES, the e-mail is incorrect. The correct e-mail address for all inquiries is **bids@fmbgov.com**

Addendum 2 includes the following forms

- Interest in Competitive Bid for Public Business
- Anti-Lobbying Form
- Conflict of Interest Form
- Non-Collusion Affidavit
- Form – RFP Form D – **please sign and notarize**
- Additional Questions and Answers

The following inquiries were received regarding the above reference RFP:

Q. What is the estimated budget for the project?
A. Estimated budget is $1.2M

Q. The 2nd page of Form D seems to be a signature page for the Town of Fort Myers Beach, do we still notarize and submit?
A. Please see the revised RFP Form D attached to Addendum 2, please sign and notarize.

Q. Please confirm whether the Consultant is expected to identify and facilitate updates to the Town's Comprehensive Plan in addition to developing a CDBG-DR funded Recovery and Resilience Plan.
A. There is no expectation to update the Comp Plan**Q.** Please confirm the level of support required to coordinate updates to the Town's Comprehensive Plan in collaboration with the Town's Consultants.
A. Merely communicate possible solutions to the Towns consultants

Q. Please confirm whether the Town currently has an existing Consultant reviewing the Town's Comprehensive Plan and whether the new Consultant would be expected to complement existing efforts being taken by the current Consultant or provide leadership on development/updates to the Comprehensive Plan.
A. The Town currently has an existing consultant and does not require those services

Q. Please confirm the extent to which the Consultant is responsible for implementing Community Engagement and Outreach activities. For example, is the Consultant responsible for supplying related tools, resources, or other materials (e.g., marketing materials, advertising through social media, data logs or other templates to capture community input).
A. All community engagement and materials is currently being handles by the consultant

Q. Please confirm whether the Town has any requirements or preference for in-person Community Engagement activities or virtual.
A. There are no such requirements, however, in person engagements work best

Q. In the event of in-person Community Engagement activities, please confirm whether the Consultant is responsible for providing and paying for a physical meeting location(s) to conduct activities.
A. Consultant would not be responsible for providing or paying for a physical meeting

Q. Please confirm whether the Consultant is responsible for identifying stakeholders or participants required to conduct Community Engagement activities or whether the Tow would provide contact information and other details to the Consultant.
A. The Town would provide such list

Q. Can the Town provide more information on the expectations that are required from the Consultant regarding the two studies mentioned on page 4 of the RFP (Time Square Redevelopment Study and Community Beautification Study).
A. The Time Square project is to aid in the redevelopment of the space, whereas the beautification is a townwide project

Q. Please confirm whether the Town has any preference for project coordination meetings being conducted in-person or virtual and whether the Consultant would be required to present the final Plan once it is drafted.
A. Virtual is approved

Q. As it applies to RFP form C, the Town requests both pricing by each deliverable and "the Total Unit Price Cost shall include the cost of: of Meetings with Town staff to discuss Fort Myers Beach Comprehensive Recovery and Resilience Implementation Plan progress." Will the Town please confirm that they would like meetings with Town staff to have a separate delivery to understand the cost and level of effort?
A. We would like an overall deliverable with meeting time built in

Q. Does the Town have a list of existing stakeholders and community organizations? If so, have relationships been established?
A. Stakeholders are already established

Q. The sample contract in the RFP states that the Consultant will be selected in accordance with CCNA guidelines, Chapter 287.055 of the Florida Statutes. These statutes typically require municipalities to evaluate and rank professional services that exceed $35,000 based on qualifications and experience only. Please clarify if RFP Form C - Price Proposal should be submitted with our submittal, or will that be negotiated upon award.
A. CCNA language has been removed from the contract

Q. Would the town consider extending the Submission Deadline due to the delay in providing answers to the questions in a timely manner?
A. Questions have been extended till March 31st at noon.

Q. Where will the responses and addendums be posed?
A. Responses to questions and Addendums are posted in Demandstar

Please Print AECOM Technical Services, Inc., (239) 278-7996
Company Name & Phone Number

Ronald Cavalieri
Signature

Deb Glavin, Contracts & Procurement Specialist
bids@fmbgov.com 239-765-0202

10 Additional Required Forms

Town of Fort Myers Beach RFP-25-02-AD

RFP FORM A

Proposer: AECOM Technical Services, Inc.

QUALIFICATIONS STATEMENT

Note: Forms A, B & C are available in WORD format from the Contracts Manager upon request.

THIS FORM MUST BE SUBMITTED WITH PROPOSAL TO BE DEEMED RESPONSIVE.

a. State the full and correct name of the partnership, corporation, or trade name under which you do business and the address of the place of business. (If a corporation, state the name of the president and secretary. If a partnership, state the names of all partners. If a trade name, state the names of the individuals who do business under the trade name.)

i. The correct and full legal name of the Proposer is: AECOM Technical Services, Inc.

ii. The business is a (Sole Proprietorship) (Partnership) (Corporation): Corporation

iii. The names of the corporate officers, or partners, or individuals doing business under a trade name, are as follows:

Officers:	Directors:
Crane, Matthew-Chief Operating Officer	Crane, Matthew
Crane, Matthew-President	Hall, Allison
Hall, Allison-Chief Financial Officer	Jensen, Karl
Hall, Allison-Senior Vice President	Tatevossian, Armond
Hall, Allison-Treasurer	
Jensen, Karl-Chief Executive Officer	
Tatevossian, Armond-Secretary	

b. Please describe your company in detail. AECOM is a leading global provider of professional infrastructure consulting and advisory services for governments, businesses and organizations throughout the world. We provide advisory, planning, consulting, architectural and engineering design, construction and program management services, and investment and development services to public and private clients worldwide in major end markets such as transportation, facilities, water, environmental, and energy.

c. The address of the principal place of business is:
Corporate: 300 South Grand Avenue, 9th Floor
Los Angeles, CA 90071

d. Company telephone number and e-mail addresses:
Local: 239-278-7996; ronald.cavalieri@aecom.com

e. Number of employees:
51,000

Town of Fort Myers Beach RFP-25-02-AD

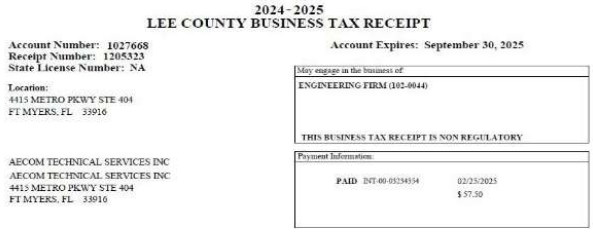
f. Name of employees to be assigned to this Project:

Staff:	Staff:
Erica Harris-AECOM	Colleen Willger, AICP-AECOM
Nicole Boothman-Shepard, MS-AECOM	Aaron Duecaster (GIS)-AECOM
Rhonda Walker, PE-AECOM	Russell Pratt-AECOM
Marisa Mason-AECOM	Taylor Squires-AECOM
Matt Battin, AIA-AECOM	Samantha Krautwurst-AECOM
Jae Park, PhD, CFM, PMP-AECOM	Dawn Jakiela, PE-AECOM
Joe Dwyer-AECOM	Justin Schofield-AECOM
Lauren Swan-AECOM	Laura Cherney-AECOM
Claire Still-AECOM	Joe Webb, RLA-AECOM
Marco Bastian, AICP-AECOM	Kris Cella - CMA Outreach, Inc.
	Brianna Smith - CMA Outreach, Inc.

g. Company identification numbers for the Internal Revenue Service:
95-2661922

h. Provide Lee County business tax receipt number, if applicable, and expiration date:

Account Number: 1027668
Receipt Number: 1205323
State License Number: N/A
Expiration Date: September 30, 2025



2024-2025
LEE COUNTY BUSINESS TAX RECEIPT

Account Number: 1027668
Receipt Number: 1205323
State License Number: NA

Account Expires: September 30, 2025

Location:
4415 METRO PKWY STE 404
FT MYERS, FL 33916

May engage in the business of:
ENGINEERING FIRM (102-0044)

THIS BUSINESS TAX RECEIPT IS NON REGULATORY

AECOM TECHNICAL SERVICES INC
AECOM TECHNICAL SERVICES INC
4415 METRO PKWY STE 404
FT MYERS, FL 33916

Payment Information:
PAID INT-00-05254354 02/25/2025
$ 57.50

i. How many years has your organization been in business? AECOM Technical Services, Inc. has been in business since September 29,1970 (55 years).
Does your organization have a specialty? Water, disaster recovery, facilities design, transportation design, environmental engineering, environmental consulting and environmental science.

j. List the last three projects of this nature that the firm has completed? Please provide project description, reference, and contact information and cost of work completed.

1. Project: City of Naples Critical Assets and Facilities Adaptation Plan
Description: AECOM supported the City of Naples in developing a Critical Assets and Facilities Vulnerability Assessment Adaptation Plan (Adaptation Plan), which was a comprehensive planning document to identify key infrastructure susceptibilities and outline a suite of strategies to reduce potential impacts posed by flooding and extreme heat conditions. Through a combination of project evaluation criteria scoring, City staff input, and community feedback, a set of 47 ranked strategies were developed. Strategies included a wide range of physical and non-physical (policy updates, additional studies, etc.) intervention types to provide holistic climate hazard protection.
Reference: Natalie Hardman, 29-213-1031, nhardman@naplesgov.com
Cost: $380k

2. Project: City of Miami Beach Sea Level Rise Adaptation Plan
Description: AECOM supported the City of Miami Beach in developing a Sea Level Rise Vulnerability Assessment and Adaptation Plan to increase the long-term flood resilience of

City and community assets. The project involved a strong community engagement component through a combination of facilitated focus group interviews with residents and businesses, pop-up workshops at community events, Commission meeting presentations, and open house community meetings. The final plan outlines a comprehensive, forward-thinking, and flexible framework to safeguard the City's infrastructure, protect its residents, and maintain its position as a global destination for visitors. The Adaptation Plan integrates ongoing City plans and initiatives to align adaptation efforts with existing flood management, land use, and neighborhood improvement projects, considering updates that may need to occur for the plans to provide flood protection through the end of the century. The goal of the Adaptation Plan is to develop a holistic, coordinated path to flood resilience that addresses the complex, interconnected nature of sea level rise hazards, which often require a flexible and phased approach to adapt in the face of inherent uncertainty.
Reference: Amy Knowles, 305-673-7084, amyknowles@miamibeachfl.gov
Cost: $550k

3. Project: MacDill Air Force Base Military Installation Resilience Review
Description: AECOM assisted the Tampa Bay Regional Council (TBRPC) and MacDill Airforce Base (AFB) in a study that evaluated vulnerabilities of the base and adjacent communities to climate stressors (sea level rise, coastal storms, heat, and precipitation). The study is focused on identifying shared susceptibilities within the installation and adjacent communities located outside of the fence line to understand issues that could affect the mission of the AFB. The goal of the project was to coordinate efforts among MacDill and local and regional stakeholders to identify opportunities and projects to address mission susceptibilities while also providing benefits to the neighboring communities and surrounding environment. To inform the study, AECOM completed climate hazard mapping, collecting the location of mission-critical infrastructure, and evaluating the potential timing and consequences of asset damage due to climate hazard exposure. Results of the study were used to identify key assets that should be prioritized for adaptation to reduce their risk to damage and mission impacts.
Reference: Cara Serra, 727-570-5151, cara@tbrpc.org
Cost: $300k

k. Have you ever failed to complete any work awarded to you? If so, where, and why?

Upon knowledge and belief, formed after reasonable inquiry, within the past four (4) years, AECOM Technical Services, Inc., (i) has not failed to complete a contract where the other party to such contract was not in breach unless the contract afforded ATS that right and (ii) ATS has not had a contract terminated by a client wherein that termination was ultimately determined to be other than for convenience.

l. Provide the following information concerning all contracts that are similar in nature or use the same project team proposed for this project that are **in progress** as of the date of submission of this Proposal for your company, division, or unit as appropriate.

Name of Project	Contract with:	Contract Amount	Estimated Completion Date	% of Completion to Date
Climate Adaptation Action Plan	City of Boca Raton	$200K	March 31, 2026	5%
Business Case for Resilience	City of Naples	$162K	July 31, 2025	50%

Town of Fort Myers Beach RFP-25-02-AD

Additional Resilience Planning Services	City of Naples	$79K	July 31, 2025	60%
Climate Action Plan	Orange County Water and Sewer Authority	$93K	November 30, 2025	0%

(Continue list as necessary)

m. Provide the following information for any subconsultants you will engage if awarded the contract.

Subcontractor Name	Address	Work to be Performed
CMA Outreach, Inc.	1631 Hendry St, Fort Myers, FL 33901	Community Engagement

The foregoing list of subconsultants may not be amended after award of the contract without the prior written approval of the Town Manager, whose approval shall not be unreasonably withheld.

RFP Form B

Proposer: AECOM Technical Services, Inc.

REFERENCE FORM

Forms A, B & C are available in WORD format from the Contracts Manager upon request.

THIS FORM MUST BE SUBMITTED WITH PROPOSAL TO BE DEEMED RESPONSIVE.

Give names, addresses and telephone numbers of four individuals, corporations, agencies, or institutions for which you have performed work similar to what is proposed in this RFP:

1. Name of Contact: Natalie Hardman
   Title of Contact: Natural Resources Division Manager for the City of Naples
   Email: nhardman@naplesgov.com
   Telephone Number: 239-213-1031 Fax Number: N/A
   Project: Critical Assets and Facilities Vulnerability Assessment and Adaptation Plan

2. Name of Contact: Amy Knowles
   Title of Contact: Chief Resilience Officer for the City of Miami Beach
   Email: amyknowles@miamibeachfl.gov
   Telephone Number: 305-673-7084 Fax Number: N/A
   Project: Sea Level Rise Vulnerability Assessment and Adaptation Plan

3. Name of Contact: Cara Serra of the Tampa Bay Regional Planning Council
   Title of Contact: Director of Resiliency Email: cara@tbrpc.org
   Telephone Number: 727-570-5151 Fax Number: N/A
   Project: MacDill Military Installation Resilience Review

4. Name of Contact: City of Lakeland
   Title of Contact: Lakes and Stormwater Manager Email: Laurie.Smith@Lakelandgov.net
   Telephone Number: 863-834-6276 Fax Number: N/A
   Project: Lakeland CDBG-MIT Project

FMB:204 RFP FORM D

Proposer: AECOM Technical Services, Inc.

THIS FORM MUST BE SIGNED AND SUBMITTED WITH PROPOSAL TO BE DEEMED RESPONSIVE.

The undersigned guarantees the truth and accuracy of all statements, and the answers contained herein.

PROPOSER'S CERTIFICATION

I have carefully examined the Request for Proposal referenced above ("RFP") and any other documents accompanying or made a part of this RFP.

I hereby propose to furnish the goods or services specified in the RFP. I agree that my proposal will remain firm for a period of 120 days in order to allow the Town adequate time to evaluate the proposals.

I certify that all information contained in this proposal, which includes the TOWN required RFP forms A, B, C and D, is truthful to the best of my knowledge and belief. I further certify that I am duly authorized to submit this proposal on behalf of the firm as its act and deed and that the firm is ready, willing, and able to perform if awarded the contract.

The firm and/or Proposer hereby authorizes the Town of Fort Myers Beach, its staff, or consultants, to contact any of the references provided in the proposal and specifically authorizes such references to release, either orally or in writing, any appropriate data with respect to the firm offering this proposal.

I further certify, under oath, that this proposal is made without prior understanding, agreement, connection, discussion, or collusion with any other person, firm or corporation submitting a proposal for the same product or service; no officer, employee or agent of the Town or any other Proposer is interested in said proposal; and that the undersigned executed this Proposer's Certification with full knowledge and understanding of the matters therein contained and was duly authorized to do so.

** If this proposal is selected, I understand that I will be expected to execute the Town's standard professional services agreement, in the form approved by the Town Attorney.

A person or affiliate who has been placed on the convicted vendor list following a conviction for public entity crimes may not submit a proposal on a contract to provide any goods or services to a public entity, may not submit a proposal on a contract with a public entity for the construction or repair of a public building or public work, may not submit proposals on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, sub-contractor, or consultant under a contract with a public entity, and may not transact business with any public entity in excess of the threshold amount provided in Sec. 287.017 Florida Statutes, for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list.

** Subject to mutually agreeable final contract terms and conditions.

Rev 3/31/2025

I further certify, under oath, that neither the entity submitting this sworn statement, not to my knowledge, any of its officers, directors, executives, partners, shareholder, employees, members, or agents active in the management of the entity has been convicted of a public entity crime subsequent to July 1, 1989.

AECOM Technical Services, Inc.
(Name of Business)

Ronald Cavalieri
(Signature)

Ronald Cavalieri, PE, BCEE, Associate Vice President
(Print Name and Title)

4415 Metro Parkway
(Address)

Fort Myers, FL 33916

[1]STATE OF FLORIDA)
COUNTY OF LEE)

SWORN TO AND SUBSCRIBED BEFORE ME, on this 1st day of April, 2025, by means of (✓) physical presence or ( ) online notarization, personally appeared Ronald Cavalieri as Assoc. Vice President of the (Company Name) who is personally known to me or (✓) who has produced Not applicable-Personally Known as identification.

Cherie C. Wolter
NOTARY PUBLIC – State of Florida

My commission expires:

CHERIE C. WOLTER
Notary Public - State of Florida
Commission # HH 611564
My Comm. Expires Nov 16, 2028
Bonded through National Notary Assn.

Rev 3/31/2025

FORM 3A INTEREST IN COMPETITIVE BID FOR PUBLIC BUSINESS

LAST NAME - FIRST NAME - MIDDLE INITIAL			OFFICE / POSITION HELD
Cavalieri-Ronald			Associate Vice President
MAILING ADDRESS 4415 Metro Parkway Fort Myers, FL 33916			AGENCY AECOM Technical Services, Inc.
CITY Fort Myers	ZIP 33916	COUNTY Lee	ADDRESS OF AGENCY 4415 Metro Parkway Fort Myers, FL 33916

WHO MUST FILE THIS STATEMENT

Sections 112.313(3) and 112.313(7), Florida Statutes, prohibit certain business relationships on the part of public officers and employees, their spouses, and their children. *See* Part III, Chapter 112, Florida Statutes, and/or the brochure entitled "A Guide to the Sunshine Amendment and Code of Ethics for Public Officers and Employees" for more details on these prohibitions. However, Section 112.313(12), Florida Statutes, provides certain limited exemptions to the above-referenced prohibitions, including one where the business is awarded under a system of sealed, competitive bidding; the public official has exerted no influence on bid negotiations or specifications; AND where disclosure is made, prior to or at the time of the submission of the bid, of the official's or his spouse's or child's interest and the nature of the intended business. This form has been promulgated by the Commission on Ethics for such disclosure, *if and when applicable* to a public officer or employee.

INTEREST IN COMPETITIVE BID FOR PUBLIC BUSINESS (Required by Section 112.313(12)(b), Fla. Stat.)

1. The competitive bid to which this statement applies has been / will be (strike one) submitted to the following government agency:
   Town of Fort Myers Beach for Comprehensive Recovery and Resilience Implementation Plan, (RFP) No. 25-02-AD

2. The person submitting the bid is: **NAME ▼** Ronald Cavalieri, PE, BCEE **POSITION ▼** Associate Vice President

3. The business entity with which the person submitting the bid is associated is:
   AECOM Technical Services, Inc.

4. My relationship to the person or business entity submitting the bid is as follows:
   Associate Vice President

5. The nature of the business intended to be transacted in the event that this bid is awarded is as follows:

   a. The realty, goods, and / or services to be supplied specifically include: Comprehensive Recovery and Resilience Implementation Plan

   b. The realty, goods, and / or services will be supplied for the following period of time: This contract will be for a period of three (3) years

   c. Will the contract be subject to renewal without further competitive bidding? ☒ Yes ☐ No. If so, how often?
   This contract will be for a period of three (3) years with an option to renew for two (2) terms of one-year each by mutual agreement of the parties.

6. Additional comments:

7. SIGNATURE	DATE SIGNED	DATE FILED
Ronald Cavalieri	04/01/25	

FILING INSTRUCTIONS

If you are a state officer or employee required to disclose the information above, please file this form with the Commission on Ethics, P.O. Drawer 15709, Tallahassee, FL 32317-5709; physical address: 325 John Knox Road, Building E, Suite 200, Tallahassee, FL 32303. If you are an officer or employee of a political subdivision of this state and are subject to this disclosure, please file the statement with the Supervisor of Elections of the county in which the agency in which you are serving has its principal office.

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES SECTION 112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED $10,000.

CE FORM 3A - REV. 1/07 (Refer to Rule 34-7.010(1)(c), F.A.C.)(Rev.9/2013)

FORT MYERS BEACH & ESTERO ISLAND

FMB:101 ANTI-LOBBYING FORM

To be submitted with each bid or offer exceeding $100,000.00.
The undersigned, Ronald Cavalieri, PE, BCEE of AECOM Technical Services, Inc.
(the "company") hereby certifies, to the best of his or her knowledge, that:

1. No Federal appropriated funds have paid or will be paid, by or on behalf of undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31, U.S.C. § 1352 (as amended by the Lobbying Disclosure Act of 1995). Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

The Company certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the Contractor understands and agrees that the provisions of 31 U.S.C. § 3801 et seq., apply to this certification and disclosure, if any.

Ronald Cavalieri

Signature of Company Authorized Official

Ronald Cavalieri, PE, BCEE — April 1, 2025

Name and Title of Company Authorized Official — Date

Rev 3/31/2024

FMB:102 Conflict of Interest Disclosure Form

Note: A potential or actual conflict of interest exists when commitments and obligations are likely to be compromised by the nominator(s)'other material interests, or relationships (especially economic), particularly if those interests or commitments are not disclosed.

This Conflict-of-Interest Form should indicate whether the nominator(s) has an economic interest in, or acts as an officer or a director of, any outside entity whose financial interests would reasonably appear to be affected by the addition of the nominated condition to the newborn screening panel. The nominator(s) should also disclose any personal, business, or volunteer affiliations that may give rise to a real or apparent conflict of interest. Relevant Federally and organizationally established regulations and guidelines in financial conflicts must be abided by. Individuals with conflict of interest should refrain from nominating a condition for screening.

Date: April 1, 2025

Name: Ronald Cavalieri, PE, BCEE

Position: Associate Vice President

Please describe below any relationships, transactions, positions you hold (volunteer or otherwise), or circumstances that you believe could contribute to a conflict of interest:

X I have no conflict of interest to report.

____ I have the following conflict of interest to report (please specify other nonprofit and for-profit boards you (and your spouse) sit on, any for-profit businesses for which you or an immediate family member are an officer or director, or a majority shareholder, and the name of your employer and any businesses you or a family member own:

1. _____

2. _____

3. _____

I hereby certify that the information set forth above is true and complete to the best of my knowledge.

Signature: Ronald Cavalieri

Date: April 1, 2025

Rev 3/31/2025

FMB:021 – NON-COLLUSION AFFIDAVIT

State of Florida)

County of Lee)

Ronald Cavalieri, PE, BCEE being first duly sworn, deposes and says that:

1) He/she is the Associate Vice President, (Owner, Partner, Officer, Representative or Agent) of AECOM Technical Services, Inc., the BIDDER that has submitted the attached Bid;
2) He/she is fully informed respecting the preparation and contents of the attached Bid and of all pertinent circumstances respecting such Bid;
3) Such Bid is genuine and is not a collusive or sham Bid;
4) Neither the said BIDDER nor any of its officers, partners, owners, agents, representatives, employees or parties in interest, including this affiant, have in any way colluded, conspired, connived or agreed, directly or indirectly, with any other Responder, firm, or person to submit a collusive or sham Bid in connection with the Work for which the attached Bid has been submitted; or to refrain from Responding in connection with such Work; or have in any manner, directly or indirectly, sought by agreement or collusion, or communication, or conference with any Responder, firm, or person to fix the price or prices in the attached Bid or of any other Responder, or to fix any overhead, profit, or cost elements of the Bid price or the Bid price of any other Responder, or to secure through any collusion, conspiracy, connivance, or unlawful agreement any advantage against (Recipient), or any person interested in the proposed Work;
5) The price or prices quoted in the attached Bid are fair and proper and are not tainted by any collusion, conspiracy, connivance, or unlawful agreement on the part of the Responder or any other of its agents, representatives, owners, employees or parties in interest, including this affiant.

Signed, sealed and delivered in the presence of:

By: Ronald Cavalieri

Ronald Cavalieri
(Printed Name)

ACKNOWLEDGEMENT

STATE OF Florida)
COUNTY OF Lee)

SWORN TO AND SUBSCRIBED BEFORE ME, on this 1st day of April, 2025, by means of ( ) physical presence or ( ) online notarization, personally appeared Ronald Cavalieri as Associate VP of AECOM Technical Services, Inc.

(✓) who personally known to me of ( ) who has produced N/A Personally known as identification.

Cherie C. Wolter
Notary Public Signature

My commission expires

CHERIE C. WOLTER
Notary Public - State of Florida
Commission # HH 611564
My Comm. Expires Nov 16, 2028
Bonded through National Notary Assn.

Rev 3/31/2025

About AECOM

AECOM is the global infrastructure leader, committed to delivering a better world. As a trusted professional services firm powered by deep technical abilities, we solve our clients' complex challenges in water, environment, energy, transportation and buildings. Our teams partner with public- and private-sector clients to create innovative, sustainable and resilient solutions throughout the project lifecycle – from advisory, planning, design and engineering to program and construction management. AECOM is a Fortune 500 firm that had revenue of $16.1 billion in fiscal year 2024. Learn more at aecom.com.

aecom.com

PROPOSAL

Comprehensive Recovery and Resilience Implementation Plan

RFP No. 25-02-AD • April 7, 2025



Submitted to: The Town of Fort Myers Beach, Florida

→ The Power of Commitment

01

→ Letter of Transmittal (Statement of Qualifications)

01 Letter of Transmittal Statement of Qualifications

2164 W. First St, Suite A
Fort Myers, FL 33901
(239) 936-4003
www.ghd.com

April 7, 2025

Proposal No. 12666820

Ms. Deb Glavin
Contracts and Procurement Specialist
The Town of Fort Myers Beach, Florida
2731 Oak Street
Fort Myers Beach, FL 33931

Subject: **Proposal for Fort Myers Beach Comprehensive Recovery and Resilience Implementation Plan; RFP 25-02-AD**

Dear Ms. Glavin and Members of the Selection Committee:

GHD Services Inc. (GHD) is pleased to present our qualifications to the Town of Fort Myers Beach, Florida (Town) for the Comprehensive Recovery and Resilience Implementation Plan (Plan). Planning and infrastructure resilience services are a key strength of our local GHD project team. Our team has an in-depth knowledge of the Town, and your specific requirements position us as a valuable partner for the successful execution of this project.We understand that the Town has received federal funding under the Community Development Block Grant – Disaster Recovery Funds and is expected to complete this scope of work by July 30, 2026. Our proposed team is comprised of experienced leaders that are capable of delivering this Plan within the budget and time requirements of the Town while also meeting the most stringent regulatory requirements. **Our goal will be to create a successful, sustainable, and resilient plan to create lasting community benefit for the Town.**

GHD offers the Town the following supporting benefits:

- **Schedule.** The GHD team is committed to delivering the Plan within nine months from receiving the Notice to Proceed. This provides the Town with peace-of-mind in completing this scope of work within the timeframe specified in the federal funding requirements.
- **National planning and infrastructure resilience experience.** Our multidisciplinary team of professionals range from environmental and coastal planners to urban designers, planners, landscape architects, and architects who have worked on comprehensive plans, zoning codes, workforce housing, and downtown revitalization and beautification.
- **Strategic local teaming partners with expertise in their respective fields.** To enhance our project team, we've hand-selected ADA Engineering, Inc. (ADA) who has contributed extensively to the Resilient Redundant Pumping Program (R2P2) through the design and implementation of high-performance drainage and pump station infrastructure that mitigates the risks of sea level rise, King Tide events, and extreme rainfall. Their projects consistently integrate redundant power systems, water quality treatment, and flood protection measures designed to enhance long-term system reliability. Additionally, we've included CMA Outreach, Inc. (CMA) who has conducted several community engagement campaigns in Fort Myers Beach including the design and construction of improvements to Estero Boulevard and the Town of Fort Myers Beach Waterlines Project.
- **Local, dedicated, and award-winning Project Manager.** Our Project Manager, Jesse Davis, PE, ENV SP, is a long-time member of the Fort Myers community and a Florida native. Through decades of living and working in the area, he has developed the type of local knowledge, regulatory relationships, and specific southwest Florida environmental experience that will assist the Town in navigating through complex projects. Jesse has extensive experience in coastal engineering and has provided design, permitting, environmental field assessments, and construction phase services for projects located within Florida, Alabama, Mississippi, and more. He played a key role (from conception to construction) for the permitting, design, and construction of a nature-based island storm protection system in Fort Pierce, Florida which was the recipient of the 2016 ASCE-COPRI Project Excellence Award.

- **Local knowledge and successful project delivery from our Fort Myers office.** Our Fort Myers staff have provided professional services within Lee County since 1980. We worked on over 100 projects for departments including Natural Resources, Utilities, Facilities and Construction Management, County Lands, Parks & Recreation, Transportation and Solid Waste. Additionally, members of our project team possess more than 170 years of combined experience working on multiple aspects of South Florida surface water ecosystem assessment and restoration projects. GHD has provided services locally for large restoration projects including preliminary design, and permitting of Ford Street Canal Preserve, a 7-acre aquatic filter marsh that provides enhanced residence time and nutrient up-take within the Caloosahatchee watershed. For the City of Fort Myers, GHD provides monthly MS4 permit surface water sampling and was successful in the completion of the preparation and approval of an Alternative Restoration Plan for Billy Creek and Manuel Branch in advance of TMDL development. GHD staff also completed several tasks including surface water management system modeling and design, collection of water quality samples, stream gauge flow measurements, continuous surface water level measurements, and sediment monitoring for the 17,000-acre Babcock Ranch Sustainable Community, parts of which are located in south Lee County.

On behalf of the entire GHD team, we look forward to serving as the Town's partner in developing the Plan. Should you have any questions, please feel free to contact Jesse Davis.

Regards,

Chrissi Harding
Vice President
5904 Hampton Oaks Parkway
Tampa, FL 33610
(813) 971-3882
chrissi.harding@ghd.com

Dean Goodin, PhD
Project Director
14501 George Carter Way, Suite 102
Chantilly, VA 20151
(804) 237-0306
dean.goodin@ghd.com

Jesse Davis, PE, ENV SP
Project Manager
5805 Blue Lagoon Drive, Suite 220A
Miami, FL 33126
(561) 293-8464
jesse.davis@ghd.com

STATEMENTS:

- Chrissi Harding is a principal of GHD, and is authorized to bind the company.
- Jesse Davis is your primary point-of-contact.
- GHD certifies that we have completely reviewed the RFP and have full knowledge of the scope, nature, and quality of work to be performed.
- This proposal is binding for 120 calendar days, and can be extended by mutual agreement, following proposal opening.

02

→ Title Page

02 Title Page

Proposer's Agency/Firm

GHD Services Inc.

Address

2164 West First Street, Suite A
Fort Myers, FL 33901

Name of Contact Person

Jesse Davis
Project Manager
(561) 293-8464
jesse.davis@ghd.com

Date

April 7, 2025

RFP No.

25-02-AD

Project Name

Fort Myers Beach Comprehensive Recovery and Resilience Implementation Plan



03

→ Table of Contents

03 Table of Contents

1. Letter of Transmittal (Statement of Qualifications) 02

2. Title Page 05

3. Table of Contents 07

4. Organization Profile and Qualifications 09

Business Documentation 16
Description of Primary Individuals 18
Resumes and Professional Qualifications 19

5. Experience 43

6. Approach to Providing Services 62

Project Understanding 63
Work Plan 64
Project Schedule 69

7. Compensation 70

RFP Form C 71

8. Additional Information 73

9. Addenda 81

10. Proposer's Certification Form 85

FMB: 101 Anti-Lobbying Form 87
FMB: 102 Conflict of Interest Disclosure Form 88
FMB: 204 RFP Form D 89
FMB: 021 Non-Collusion Affidavit 91
Form 3A Interest in Competitive Bid for Public Business 92

© GHD 2025: This document is and shall remain the property of GHD. The document may only be used for the purpose for which it was commissioned and in accordance with the Terms of Engagement for the commission. Unauthorized use of this document in any form whatsoever is prohibited.

04

→ Organization Profile and Qualifications

04 Organization Profile and Qualifications

GHD is pleased to present our qualifications for providing coastal recovery, resilience, and mitigation strategies based on community engagement and coordination with the Town. As detailed below, our multi-disciplinary team of professionals is qualified to provide the comprehensive services defined by the broad scope of this contract.

About GHD

Established in 1928, GHD remains wholly-owned by our people. Our firm is comprised of 12,000+ skilled individuals connected by over 160+ offices across five continents. **But our home is Florida, where we maintain five offices and employ over 100 professionals in the State.** Our people offer decades of knowledge and a deep understanding of the challenges facing communities today. We deliver projects with high safety, quality, and ethics standards across the entire asset value chain. As an employee-owned firm, we are driven by a client-service-led culture, and we will connect the knowledge, skill, and experience of our people with innovative practices, technical capabilities, and robust systems to create lasting community benefits for the Town.

Jesse Davis, PE, ENV SP will serve as Project Manager and is the primary contact for the Town. Jesse, a long-time resident of Florida, is well-established in the local community and is known for his experience by clients and regulators alike. His commitment to improving his community is demonstrated through both the work he does at GHD and his extensive involvement with local environmental non-profit partners. Jesse will be supported by members of our project team that possess decades of experience working on multiple aspects of South Florida surface water ecosystem assessment and restoration projects. Our Fort Myers staff has provided professional services within Lee County since 1980 on over 100 projects for departments including Natural Resources, Utilities, Facilities & Construction Management, County Lands, Parks & Recreation, Transportation, and Solid Waste, and is committed to continuing to support the local areas with our resources. Our team is fully available to fulfill the needs of the contract given our current and projected workload.

Abilities, skills, and strengths of GHD

Coastal environments are our "sweet spot." Our Florida offices were originally part of the HSA/Conestoga-Rovers & Associates (CRA) group of companies, which joined the GHD group through a merger in 2015. We have observed that coastal areas in Florida are under mounting pressure from extreme weather hazards and natural disasters in combination with a growing population. Coastal areas, including estuaries, bays, and shorelines, are used intensively and receive the by-products of inland human activities.

Over the past several decades, our coastal science activities and projects have significantly improved our knowledge of the coastal environment and its human impacts. These projects include:

- Helping municipalities and subnational jurisdictions in meeting regulatory compliance
- Designing, deploying and implementing coastal resilience solutions like seawalls, artificial reef walls, green infrastructure for flood management, sand retention structures, and urban flood protection
- Developing monitoring and evaluation schemas to assess solutions performance and provide input for adaptive management strategies
- Working with municipalities to review environmental and water programs by completing gap analyses and benchmarking exercises
- Conducting hazard analysis and vulnerability assessments for Capital Improvement Programs (CIP) in coastal communities across the country.

GHD's qualifications and capabilities for providing superior quality and cost-effective services are well known within Florida. We have built a reputation with numerous public and private sector clients by assigning highly qualified technical personnel with regulatory, consulting, military, and academic backgrounds. This has resulted in diverse, stable, and experienced teams capable of executing various projects.

Key Strengths

The following are a few key strengths that make GHD qualified to deliver exceptional service to the Town:

Local Experience: GHD has decades of experience negotiating cost-effective coastal resilience solutions for municipal clients throughout Florida. This is especially true with coastal communities where each project must be assessed based on impacts of federal, state, or local regulatory compliance on current or proposed activities. Appropriate permits for the construction and/or operation of a system or activity may require multiple agencies addressing both land and water. Additionally, our hands-on knowledge of local communities and their interests allow us to better integrate their vision and goals into our technical approaches.

Diverse Capabilities: Our team of industry-leading specialists with varied experience will provide technical capabilities across disciplines to create a cohesive, strategic, and forward-looking plan to guide recovery, resilience, and sustainable growth. These include:

- Strategic planning for municipal recovery and resilience
- Community engagement, equity planning, and analysis
- Collaborative goal and target development for community recovery, sustainability, and resilience
- Comprehensive planning and land develop code
- Environmental, infrastructure, and land use planning
- Urban design, landscape architecture, and architecture with coastal revitalization, community beautification, and workforce housing experience in Florida
- GIS infrastructure mapping
- Data analytics for hazard analysis and mitigation, risk analysis and assessment, and vulnerability assessments
- Innovative digital solutions, leading practices, and evidence-based strategies through our Future Communities strategic initiative and global network of technical specialists

GHD's offering is strengthened through our professional engineering knowledge which will be leveraged to provide insights for infrastructure resilience needs throughout evaluation and planning phases.

Community Engagement Experience: Our community engagement team includes local knowledge and partners that will help advance the project as it moves through important milestones. We also bring leading practices and lessons learned from similar engagement projects across the US and Canada that give us the know-how to implement effective traditional and innovative strategies, tools, and tactics.

Innovation: Our forward-looking, innovative approaches connect and sustain communities around the world. Delivering extraordinary social and economic outcomes, we are focused on building lasting relationships with our partners and clients. At GHD, we champion technical knowledge through our 50 technical service lines. Our technical service lines enable us to pull the best resources from around the US and the globe, resulting in the sharing of new ideas and approaches that have worked.

We will bring value-added technical capabilities and innovative approaches and solutions to develop the Plan in a meaningful way.

Ability to Meet Set Standards: Quality Assurance is a Team's plan for completing a project that meets quality expectations, while Quality Control is the informal and formal checking to see that the goal has been met.

As part of our project management and delivery process, GHD operates under a Practice Quality Management System, ISO 9001:2015, certified by Lloyds Register Quality Assurance. As an employee-owned company, we take pride in our work and understand that a sustainable business depends on client satisfaction. GHD subconsultants will be held to our quality management process to provide quality assurance and quality control (QA/QC) throughout the project. Our quality management process emphasizes delivering the products on time, within budgets, and meeting or exceeding our client's, requirements and expectations.

Financial Resources and Capabilities: GHD is an employee-owned company that has been in continual operation since its founding in 1928 and has enjoyed 97 years of profitability. With a strong balance sheet that is well-funded, and with net assets exceeding $55 million USD, GHD maintains favorable funding arrangements with its bank HSBC. Global revenues exceed $1.9 billion USD annually.

Our Florida offices have over 100+ full-time professionals, supported by an additional 5,000+ across North America. We leverage technical experience from various centers to enhance our local teams, offering clients the benefits of a globally recognized consulting firm.



Our commitment to you

We will strive to be the partner you can rely on to achieve your goals, and here is how we intend to do it:

- **We will understand you:** We will truly understand your needs and priorities through community engagement and collaboration with the Town and their consultant.
- **We will excel at delivery:** We will deliver quality, sustainable solutions, tailored to your specific needs and you can rely on us for delivery on-time and on-budget.
- **We will connect the potential:** We will help you to look further ahead and find better ways. Our network will connect you to knowledge, experience, and new technologies. Together we will explore opportunities and go beyond what has been done before.

The Power of Commitment

GHD recognizes and understands the world is constantly changing. We are committed to solving the world's biggest challenges in the areas of water, energy and urbanization.

We are a global professional services company that leads through engineering, construction and architectural expertise. Our forward-looking, innovative approaches connect and sustain communities around the world. Delivering extraordinary social and economic outcomes, we are focused on building lasting relationships with our partners and clients.

Established in 1928, we remain wholly owned by our people. We are 12,000 diverse and skilled individuals connected by over 160+ offices, across five continents – Asia, Australia, Europe, North and South America, and the Pacific region.

Find out more about us at www.ghd.com

97+ years in operation
135+ countries served
160+ offices worldwide
1.9Ⓑ USD revenue 2024
5 global markets
12Ⓚ people
45+ service lines

Providing engineering, environmental, advisory, architecture, digital and construction services

We rank #31 in the Top 150 Global Design Firms 2024

Ranking published by Engineering News Record (ENR)

- #9 water
- #6 sewer/waste

GHD is one of the world's leading professional services companies operating in the global markets of water, energy and resources, environment, property and buildings, and transportation. We provide engineering, environmental, advisory, digital and construction services to our clients.

- **We are committed to sustainable development.**
- **We improve the physical, natural and social environments of the many communities in which we live and operate.**



We rank #30 in the Top 200 Environmental Firms 2024

Ranking published by Engineering News Record (ENR)

- #10 environmental science
- #13 hazardous waste

GHD is local with unmatched national disaster recovery and coastal resiliency planning experience.



TOWN OF FORT MYERS BEACH

2731 Oak Street
Fort Myers Beach, FL 33931

GHD

2164 W First St, Suite A
Fort Myers, FL 33901



GHD'S FLORIDA OFFICES

Fort Myers

Miami

Orlando

Tampa

West Palm Beach

Subconsultants Overview

GHD is a full-service firm with 100+ staff in Florida with the capability and capacity to provide the required services in-house. GHD's teaming partners have been carefully selected to support GHD in providing the local knowledge, resources, and equipment needed to provide timely and efficient community engagement. Many of our staff and subconsultants have worked together in Florida for decades. We bring a cohesive team that not only has experience planning for long-term recovery and resiliency, but also implementing it.

ADA Engineering, Inc. (ADA)

*Certified MBE

- **Long-term resilience planning.** Legacy modeling projects or efforts in the southwest Florida area.
- **Implementation.** Neighborhood flood improvement projects that address compound flooding (precipitation, coastal flooding, storm intensification & SLR) for the City of Miami. Utilizes innovative methods such as elevating pump stations above coastal flood levels, and more.
- **Disaster recovery.** FEMA recovery efforts for the City of Miami and other municipalities (including those close to Fort Myers Beach) after Hurricane Irma.
- **Local experience:**
  - **Roosevelt Boulevard Pump Station (FDOT District 6, Monroe County):** ADA designed a stormwater pump station with a structure-mounted generator and water quality features to mitigate chronic King Tide flooding. The team provided modeling, utility coordination, permitting, and quality control.
  - **South Bayshore Lane Pump Station (City of Miami):** As part of Phase II flood improvements, ADA designed a new stormwater pump station and backup generator system. Services included drainage analysis, seawall evaluations, and outfall constructability reviews.
  - **Shorecrest South Flood Improvements and NE 10th Avenue R&D Project (City of Miami):** ADA provided drainage modeling, seawall height analysis, and design coordination to mitigate flooding in coastal areas through pump station integration and roadway elevation strategies.

CMA Outreach, Inc. (CMA)

*Certified DBE, MBE

- **Local to Fort Myers Beach.** Established in 1996 in Fort Myers Beach and has conducted over 350 engagement projects in the region. Familiarity and built trusted relationship with local residents and stakeholders.
- **Comprehensive public involvement services.** Public involvement services for transportation and infrastructure projects during the planning, design, and construction phases.
- **Community needs and concerns.** Evaluate community priorities prior to engagement activities and identify unique cultural or political issues that need to be addressed.
- **Technical and communication proficiency.** Excel in translating technical engineering jargon into easily understood language, fostering collaboration, transparency, communication, and open exchange with stakeholders.



Why our teaming partners?

Subconsultant	DBE/MBE	Locality	Experience in Florida	Teaming Experience
ADA	❁	❁	❁	❁
CMA	❁	❁	❁	❁

Local Business Tax Receipt

GHD SERVICES INC
GHD SERVICES INC
2675 WINKLER AVE STE 180
FT MYERS, FL 33901

Dear Business Owner:

Your **2024 - 2025** Lee County Local Business Tax Receipt is attached below for account number / receipt: number: **1031936** / **1400382**

If there is a change in one of the following, refer to the instructions on the back of this receipt.

- Business name
- Ownership
- Physical location
- Business closed

This is not a bill. Detach the bottom portion and display in a public location.

I hope you have a successful year.

Sincerely,

R. Noelle Branning

Lee County Tax Collector

2024-2025
LEE COUNTY LOCAL BUSINESS TAX RECEIPT

Account Number: 1031936
Receipt Number: 1400382
State License Number: 9931

Account Expires: September 30, 2025

Location:
2675 WINKLER AVE STE 180
FT MYERS, FL 33901

May engage in the business of:
ENGINEERING FIRM (101-0090)
THIS LOCAL BUSINESS TAX RECEIPT IS NON REGULATORY

GHD SERVICES INC
GHD SERVICES INC
2675 WINKLER AVE STE 180
FT MYERS, FL 33901

Payment Information:		
PAID	INT-00-02638087	09/30/2024
		$ 50.00

State of Florida
Department of State

I certify from the records of this office that GHD SERVICES INC. is a Delaware corporation authorized to transact business in the State of Florida, qualified on October 16, 2003.

The document number of this corporation is F03000005291.

I further certify that said corporation has paid all fees due this office through December 31, 2024, that its most recent annual report/uniform business report was filed on May 22, 2024, and that its status is active.

I further certify that said corporation has not filed a Certificate of Withdrawal.

Given under my hand and the Great Seal of the State of Florida at Tallahassee, the Capital, this the Eighteenth day of June, 2024

Secretary of State

Tracking Number: 0719229176CU

To authenticate this certificate,visit the following site,enter this number, and then follow the instructions displayed.

https://services.sunbiz.org/Filings/CertificateOfStatus/CertificateAuthentication

Description of Primary Individuals | Percentage of Time Expected



Jesse Davis, PE, ENV SP | Project Manager | Jesse will be your Project Manager, and will lead the overall effort to complete your project on time and on budget. He will be responsible for project administration, invoicing, project schedule, technical review, directing staff and subconsultants, and meetings with the Town. He has over 19 years of experience in coastal engineering and has provided design, permitting, environmental field assessments, and construction phase services for projects located within Florida. **45%**



Omar Rais, MDP | Deputy Project Manager | Omar brings a proven track record of strong project management skills for multi-disciplinary teams using Agile framework, improving performance, and achieving project outcomes. He utilizes application policy tools to develop climate mitigation and adaptation strategies including pathways to Net Zero, industrial decarbonization, and environmental assessments, as well as having key experience in developing briefing and communication materials with political acuity. **35%**



Dean Goodin, PhD | Project Director | Dr. Goodin is a principal of GHD, and will be your Project Director. He will be actively involved to confirm your expectations and project requirements are fulfilled. He will oversee schedule adherence, technical review, and ongoing communication with the Town. For over 23 years, his combination of environmental, regulatory, and scientific technical experience are particularly beneficial for providing a cohesive, systematic approach to every project. **10%**



Luis Nunez | Urban Planning | Luis has more than 22 years of multi-disciplinary experience in urban planning, economic development, strategic planning, real estate, economics, and public policy. He is adept at community engagement, fiscal and economic impact analysis, public finance, sustainability and resiliency, social impacts related to equity, affordable housing, business attraction and retention, workforce development solutions, and market analysis. **30%**



Catherine Drumheller, QEP | Equity | Catherine's background includes leading environmental justice studies under NEPA, creating climate finance strategies, performing climate change and social equity assessments, applying sustainable development frameworks, and acting as an environmental chemistry subject matter expert for remedial action projects and environmental studies. She has extensive experience applying environmental justice principles on multiple projects. **30%**



Pradeep Nagarajan, PE, CFM | Stormwater (Planning, Modeling) | Pradeep has over 18 years of experience specializing in the field of water resources, stormwater, water and wastewater master planning, modeling and design projects. He has a strong background and extensive experience in utility planning, surface/ground water hydrology, hydraulics, basin scale water resources studies, flood analysis, stormwater management, and preparation of watershed master plans, **25%**



Nick Bragaia, PE, ENV SP | Coastal Resilience | Nick has over 7 years of professional experience working on a variety of interdisciplinary engineering projects. He is well-versed in coastal processes and performing calculations related to determining metocean conditions, climate data investigations, and the design of coastal structures. He is experienced in technical documentation from feasibility studies to design reviews and technical memorandum package submittals. **25%**



Jingwei Li, PE | Stormwater Resilience | Jingwei is a professional engineer with 10 years of experience, whose primary focus has been on hydrological and hydraulic modeling, groundwater analysis and modeling, stormwater planning, environmental mitigation, water resources, and GIS. She is experienced in analyzing surface water and groundwater data and GIS databases. **25%**



Yosef Yip | Community Engagement | Yosef has more than 15 years of experience in stakeholder and community engagement with a background in urban planning. He develops strategic outreach plans, fosters trust through equity-focused partnerships, and enhances public understanding of technical projects. He has successfully managed small- and large-scale initiatives for projects in multiple phases. **35%**

Subconsultants

- ADA Engineering, Inc.
- CMA Outreach, Inc.



◆ **Albert Argudin, CGC | R2P2 Implementation |** Albert has 24 years of professional consulting experience in the construction and engineering industry. He has served as the project manager for countless roadway and drainage improvement projects throughout South Florida. While being diversified in both horizontal and vertical construction projects, he has proven to have the ability and experience to manage project constraints, such as time and cost, while exceeding clients' expectations. **40%**



◆ **Kris Cella | Community Engagement |** Kris is highly qualified in developing and implementing comprehensive large-scale public involvement programs during planning, design, and construction phases for infrastructure projects. Her experience in conducting community engagement programs has been instrumental in gaining acceptance of new projects from affected individuals and special interest groups. Projects have ranged from new developments to facility expansion programs. **30%**



Local, Dedicated, and Knowledgeable Team

The GHD team was developed based on the specific technical requirements of the proposed scope of work. Our strong information technology systems will enable our team to communicate effectively, and share information and project documentation efficiently. The team presented in this proposal will be dedicated for the duration of the assignment, and will maintain availability and accessibility to the Town throughout the course of the work. We confirm that each project team member has the available time required to execute their specific role and responsibilities.

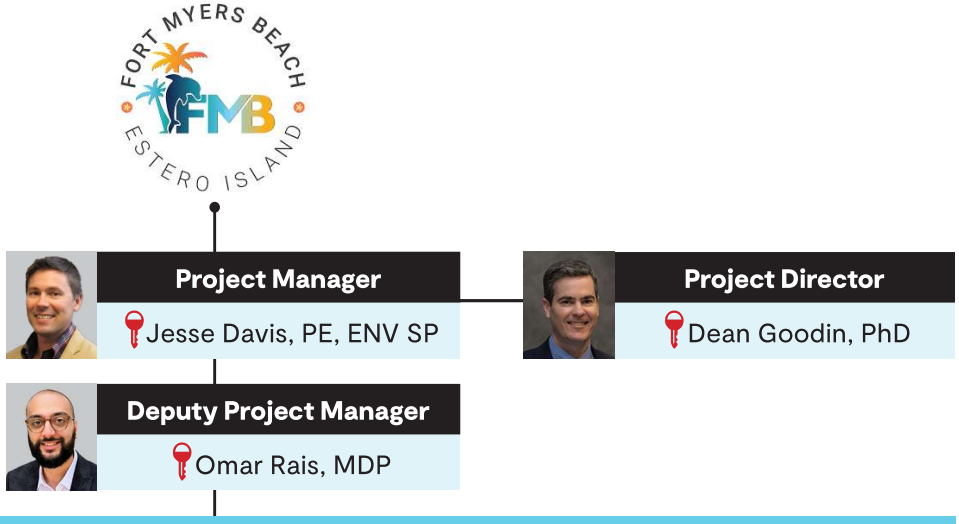
Resumes and Professional Qualifications

Organizational Chart

The organizational chart below illustrates our team's leadership, with Dean Goodin, PhD as Project Director, Jesse Davis, PE, ENV SP as Project Manager, and Omar Rais as Deputy Project Manager. Our primary individuals have been carefully selected to address the Town's anticipated scope of work. Jesse will direct primary team members and subject matter experts to verify task orders and project tasks are completed.

Choosing GHD offers the Town the advantage of working with a team that has a strong local presence, extensive experience, and a proven track record of delivering high-quality, responsive, and cost-effective services. Our collaborative approach and commitment to quality and client satisfaction makes us a reliable and valuable partner for the Plan.

The Town's primary contact is Jesse Davis, PE, ENV SP. His resume and professional qualifications are found in the following pages, along with resumes for other primary individuals (shown with key icon below).



Legend

Primary Individual

Subconsultants

- ADA Engineering, Inc. (MBE)
- CMA Outreach, Inc. (DBE, MBE)

Meet your project manager

The success of a project is intricately tied to robust leadership and demonstrated experience. Our Project Manager, with a wealth of experience, stands at the forefront of this success. Jesse's leadership, coupled with our team's collective experience and resources, will provide a successful delivery of the Town's Comprehensive Recovery and Resilience Implementation Plan.



Why Jesse?

- **Local.** Born and raised in South Florida.
- **Experienced.** Lessons learned on over 30+ coastal flood protection and resiliency projects.
- **Practical.** Hands-on experience in multiple phases of project delivery, field investigations, planning, permitting, design, underwater inspections, and construction.
- **Specialized experience.** Ocean Engineering degree specializing in marine structures from Florida Institute of Technology (2004). Envision Sustainability Professional (2018).

RELEVANT PROJECTS OVERVIEW

City of Miami

- Morningside and Shorecrest Seawalls and Living Shorelines
- Little River Mini Pocket Park - Seawall, Kayak Launch and Living Shoreline
- Legion Park: Seawall to Living Shoreline Conversion
- South Bayshore Lane Pump Station Outfall Design

Miami-Dade County

- Miami Beach Storm Protection: Planning, Modeling, Permitting and Design Services
- Matheson Hammock Park Seawall Replacement and Repairs
- County-wide Coastal Model Development

Indian Creek Village

- Top of Seawall Study

University of Florida

- UF Seawall Condition Assessment and Living Shoreline Demonstration

City of Key West

- Bike/Pedestrian Path Concept Study
- Turtle Kraals & C Dock Assessment & Repair Alternatives
- Rest Beach Seawall, SR A1A Shoreline Stabilization

City of North Port

- Jeffrey Lake Seawall Replacement

Ports

- MSC Cruises Terminal Expansion at PortMiami
- Port Everglades Bulkhead Replacement
- Port Everglades Harbor Monitoring Services

Town of Palm Beach

- Mid-Town Seawall Replacement

Marine Corps Air Station Cherry Point, NC

- Seawall Assessment and Living Shoreline Stabilization Project

Lancaster County, VA

- Belle Isle State Park Living Shoreline



Jesse Davis PE, ENV SP
Project Manager

Location
Miami, FL

Years' Experience
19

Qualifications/Accreditations
- MS, Ocean Engineering, Florida Institute of Technology
- BS, Ocean Engineering, Florida Institute of Technology

Professional Licenses
- Civil (FL, MS)
- Envision Sustainability Professional (ENV SP)

Memberships
- American Society of Civil Engineers

Jesse has 19 years of experience in coastal engineering and has provided design, permitting, environmental field assessments, and construction phase services for projects throughout the United States (East Coast, West Coast, and Great Lakes Region), the Caribbean, and South America. A notable career highlight includes playing a key role (from conception to construction) in the permitting, design, and construction of a nature-based island storm protection system in Fort Pierce, Florida, which was the recipient of the 2016 ASCE-COPRI Project Excellence Award for large projects. Jesse is ideally suited to manage this project. In addition to hands-on experience designing and providing construction phase services, Jesse has completed, managed, or is currently managing multi-disciplinary teams on projects that include floodplain management, coastal engineering & planning, civil engineering, environmental modeling & analysis, stormwater management system engineering, construction management & inspection, and geospatial analysis.

Relevant Experience

Fort Pierce City Marina Island Storm Protection | Fort Pierce, FL.
Jesse provided design, permitting, and construction oversight services to reconstruct the City's downtown waterfront after back-to-back impacts from Hurricanes Jeanne and Frances. The project included a 15-acre island breakwater system to protect the marina against 100-year storm events, 900-linear-feet of seawall, the replacement of the marina docks, and funding through FEMA's hazard mitigation grant program. The innovative network of breakwater islands was authorized by the regulatory agencies as a first of its kind pilot project within the state of Florida with construction completed in 2015. The islands have proven successful, with multiple technical awards including the 2016 ASCE-COPRI Project Excellence Award for large projects. This project was also highlighted by the USACE as an example on how to Engineer with Nature.

Post Hurricane Irma Debris Removal, City of Miami & Miami-Dade County Parks, Recreation, and Open Spaces Department | Miami, FL. Operations manager responsible for scheduling 14 contractors to perform post hurricane vegetative removal, stacking, loading, hauling and backfilling services for Miami-Dade County across 270 parks, the busway and Metrorail systems. Additional responsibilities included client coordination and reporting, truck certifications, disposal site monitoring, training, sign-in/sign-out coordination, and the dispatch of up to 250 monitors per day.

NAS Key West Dredge Readiness Plan | USACE | Key West, FL. The objective of the dredge readiness plan is to provide an outline of activities, estimated costs, and timelines for dredged material placement and management over the long term (i.e. 50 years) with an emphasis on beneficial use applications. Considering this, a preliminary list of 16 potential placement sites situated in and around NASKW facilities were provided by the US Navy to be included

in an alternatives analysis. At the conclusion of the multicriteria analysis, the 9 sites were ranked based on the established criteria. The rankings were presented to the Project Team at the 90% study review held at NASKW in Early August 2024. The Project Team recommended pursuing permitting and approval for 9 sites on the basis of providing maximum placement flexibility to the USACE/USN over the next 50 years of maintaining the Key West Navigation Channel.

Beach Erosion Control Modeling, Planning, Design and Permitting - Miami-Dade County, FL. Project Manager. Miami-Dade County beaches are known worldwide as a prime tourist destination and are important to the local economy. The County's beaches also provide resiliency and storm protection for billions of dollars in beachfront infrastructure and create habitat for protected animal species, including sea turtles. As part of the County's Sea Level Rise Strategy, GHD developed a coastal modeling tool (hydrodynamic, wave, and sediment transport) to aid in identifying and developing cost effective mitigation and adaptation strategies to maintain a resilient coastline, both now and into the future. GHD is now assisting the County with obtaining a permit modification to streamline truck haul beach nourishments along 13 miles of beach shoreline and developing a preliminary breakwater design to mitigate an erosion hotspot located on Miami Beach.

Turkey Creek Muck Removal Project, Brevard County Natural Resources Management | Palm Bay, FL. Jesse was responsible for the preparation of permit and bid documents as well as construction oversight for the removal of organic, fine-grained 'muck' deposits within the Turkey Creek, Turkey Lake, and Palm Bay water basins that discharge into the Indian River Lagoon. Dredged material (>225,000-cubic-yards) was placed into a previously utilized upland containment area located approximately 1.2-miles north of the dredge site. Construction began in late 2015 after obtaining permits from FDEP and USACE Jacksonville District. Services during active dredging included periodic site inspections and leading weekly progress meetings, as well as review and approval of contractor submittals and invoices.

Rest Beach Shoreline Armoring | City of Key West, FL. Engineer responsible for conducting storm erosion modeling, design calculations, alternatives analysis, cost estimates, plans and specifications for the armoring of a 660-foot segment of public beach/shoreline located adjacent to the White Street Pier. FDEP approved a 690-foot steel sheet pile seawall with concrete cap (inclusive of return wall segments) in May 2017. The City of Key West received a total of 8 responsive bids that were tightly grouped and below the engineer's estimate of probable construction costs—prompting the City Project Manager to comment that the results were indicative of a 'great set of plans and specifications.'

Reach 2 Dune Forepassing Project, Town of Palm Beach, FL | Town of Palm Beach. Engineer responsible for the preparation of permit and construction documents to support a dune construction project fronting approximately 1,800-linear-feet of shoreline. The project is located south of historic sand bypassing and dredging disposal from the maintenance dredging of the federally maintained Lake Worth Inlet. The dune volumes, while anticipated to be modest at approximately 10-cubic-yards per foot of shoreline, represents the first time that direct sand placement will occur on this segment of the Town's shoreline. Shoreline conditions did not allow for the construction of the project in early 2018 as anticipated.

Miami Harbor Deepening Project, Phase III | Great Lakes Dredge and Dock Company, LLC (GLDD) | Miami, FL. Served on a project team as the on-site coastal engineer working with the Prime Contractor (GLDD) to conduct environmental management and QA/QC reviews and reporting to the USACE, FDEP, and federal and state resource agencies. The base contract authorized the dredging of approximately 5 million cubic yards of sediment and unconsolidated material from the federal channel to depths of -50 feet mean low, low water (MLLW), with the outer Cut to -52 feet MLLW, with a one-foot allowable over dredge in stations within the federal channel. Water quality, coral relocation, hard bottom and seagrass monitoring, and reporting requirements are elements for which the Project Team had the oversight, QA/QC, and agency reporting requirements.

Oyster Reef Creation | NOAA | Hillsborough Bay, FL. Engineer responsible for the preparation of permit drawings and construction plans/specifications for the construction of three shallow water oyster reefs totaling an area of 0.5-acres. The project was a design-build contract with a goal of maximizing the area of oyster reef habitat constructed in order to improve water quality and foraging habitat for nesting, migratory, and wintering shorebirds.

Seawall Design Details | Key Biscayne, FL. Engineer responsible for design details, plan production, cost estimates, and site visits for the installation of storm water pipes through an existing seawall in Key Biscayne, FL. Design details included a check valve and manatee protection grate.



Omar Rais MDP

Deputy Project Manager

Location
Chicago, IL

Years' Experience
9

Qualifications/Accreditations
- Master of Development Practice, Sustainability, University of Waterloo, Canada
- BA (Honors), Political Science and Government, University of Toronto, Canada

Key Technical Skills
- Project Management
- Sustainability and Climate Change Policy and Strategy Development
- Stakeholder Engagement and Communication

Omar brings a proven track record of strong project management skills in for multi-disciplinary teams using Agile framework, improving performance, and achieving project outcomes through use of short-term targets and results-based management principles.

Omar has nine years of demonstrated application policy tools to develop climate mitigation and adaptation strategies including pathways to Net Zero, industrial decarbonization and environmental assessments, as well as having key experience in developing briefing and communication materials for senior management with political acuity.

Omar applies interpersonal skills to strengthen and steward partnerships between government entities and private organizations by anticipating client needs, proving his ability to engage with individuals of various backgrounds and thrive in fast-changing environments. He also brings a demonstrated experience in developing internal and external communication materials.

Relevant Experience

Construction, Engineering, Design, Delineation, Remediation and Reconstruction of Small Scale Sites in Port Hope | Communications Lead | Canadian Nuclear Labs (CNL).

- Work with the CNL Field Liaison Officer (FLO) to proactively relay timely, consistent, and pertinent information about the project, field work, and schedule to relevant stakeholders.
- Communicate field concerns, issues, interactions, or other challenges with property owners to CNL.
- Develop and implement communications and engagement frameworks that align with CNL external engagement guidelines.

Environmental Programs | Grants and Electrification Program Manager | United Airlines.

- Coordinate between internal stakeholders to identify and apply for electrification grants for ground support equipment (GSE).
- Prepare and submit grant compliance documents to establish good standing with grant administrators.
- Provide strategic advice on the development of a public goal for electrical GSE.

Zero Carbon Vehicles Transition | Stakeholder Engagement Lead | Metro Vancouver, Canada.

- Coordinate between internal stakeholders to plan out a ZEV transition that can maximize the potential benefits of electrification/hydrogen power, including significantly reduced fuel and operational costs, and minimize

the potential risks, such as range concerns and issues arising during the transition to new operations, maintenance, and asset management plans.
- Map stakeholders and their respective concerns to identify opportunities and concerns for each member jurisdiction of Metro Vancouver.
- Translate workshop comments to decision-making processes and closing the loop with communities and stakeholders to inform them of outcomes.

Ministry of Environment, Conservation & Parks | Strategic Partnerships Advisor | Ontario Public Service | Toronto, Canada.

- Provided leadership, policy knowledge, strategic advice, and analysis on provincial climate change policy.
- Led and supported the development of the Ministry's stance on industrial decarbonization, including providing strategic advice, developing decision schedules and coordinating with teams across the Ministry (legal, financial, program development) and seeking senior management approval to confirm alignment of positions with other environmental strategies (net zero, hydrogen battery production, and electric vehicles deployment). Contributed to the development of strategies for the Ministry to adopt regarding these issues.
- Supported provincial policy and program development for emissions reductions, sustainable finance and net-zero transitions by researching and preparing materials that provided recommendations on climate change issues based on several jurisdictional actions.
- Developed quarterly reporting materials on environmental assessments for the Northern Link Road and Webequie Supply Road on progress made for senior leadership as well as monitored and reported on relevant political developments in Northern Ontario.
- Coordinated and reviewed products (briefing notes, decks, and media responses) for senior management to help maintain strong working relationships with the political staff at the Minister's Office.

Ministry of Energy, Northern Development & Mines | Policy Advisor | Ontario Public Service | Ontario.

- Supported the development of government transition briefing materials (briefing notes, decks, and media responses) that pivoted ongoing projects to align better with a new government's mandate of reducing red tape and costs for businesses and improving energy affordability programs for Ontarians by coordinating efforts across the division including the Assistant Deputy and Deputy Ministers Offices.
- Facilitated the implementation of energy efficiency programs by liaising between implementation teams in utility companies and the Ministry's legal and corporate teams to confirm programs remain accessible for eligible ratepayers.



Dean Goodin PhD

Project Director

Location
Chantilly, VA

Years' Experience
23

Qualifications/Accreditations
- PhD, Natural Resources Management, Louisiana State University
- BS, Environmental Science, Louisiana State University

Key Technical Skills
- NEPA
- Natural Resources
- Coastal Protection and Restoration

Memberships
- Society of Military Engineers

Dr. Goodin is GHD's Maritime and Coastal Business Group Leader for the Southeast Region and he has demonstrated success working across various market sectors and leading multi-disciplinary teams. His combination of environmental, regulatory, and scientific technical experience are particularly beneficial for providing a cohesive, systematic approach to every project.

Dr. Goodin has more than 23 years of project management experience in the environmental consulting and natural resources management profession. His technical experience includes NEPA, natural resource assessments, coastal protection and restoration, wetland restoration, and regulatory compliance. He has managed projects for a variety of federal and state clients, including USACE, US Fish and Wildlife Service, US Forest Service, Air Force Center for Environmental Excellence, US Army Environmental Center, Federal Highway Administration, Louisiana Coastal Protection and Restoration Authority, and Louisiana Department of Transportation and Development.

Relevant Experience

Section 404 Assumption Program, Biological Assessment | Senior Project Manager | Florida Department of Environmental Protection | State of Florida. Dr. Goodin is the Senior Project Manager providing assistance to the FDEP in preparation of the Biological Assessment (BA) prepared for FDEP's assumption of the dredge and fill permitting program under Section 404 of the Clean Water Act in Florida. This statewide programmatic BA includes more than 235 threatened and endangered species found in the state, and includes an assessment of the assumption, a program to determine its effect on threatened and endangered species, an effects determination, and a request for formal consultation.

Facilitation and Research Support for the Commission on Oil Spill Response Coordination | Senior Scientist | Florida Department of Environmental Protection | Multiple Florida Counties. Supported the preparation of technical reports and provided technical support at Commission meetings. The Commission consists of local county commissioners and state governmental agency personnel. As part of this contract, prepared and facilitated commission meetings every 3 weeks in locations throughout northwest Florida. The purpose of these meetings was to formulate and recommend oil spill response actions for Florida counties and municipalities if another major oil spill occurs in the Gulf of Mexico. In support of these goals, also prepared six supporting technical reports on various oil spill response topics to assist the commission with its recommendations. These reports were presented at the Commission meetings; one report per meeting. A final report that included the Commission's recommendations was completed in December 2012 and submitted to the governor's office for consideration and implementation.

Environmental Site Assessment and Ecological Risk Assessment, Allapattah Ranch | Senior Scientist | South Florida Water Management District | Martin County, FL. Performed Phase I and Phase II environmental site assessment and ecological risk assessment on a 14,500-acre former cattle ranch and agricultural land located in Martin County, Florida. This project was an integral component in the Comprehensive Everglades Restoration Plan. Completed ecological risk assessment and analysis to predict risk to US Fish & Wildlife Service trust resource species. Participated in Endangered Species Act Section 7 consultation with the US Fish & Wildlife Service Vero Beach, Florida office. Responsibilities included soil, groundwater, and surface water collection and data analysis, ecological risk assessment modeling, review and analysis of food web models, and technical report writing. Completion of this project resulted in the successful construction of a stormwater treatment area with no adverse effects on local wildlife or trust resource species.

Environmental Site Assessment and Ecological Risk Assessment, St. Lucie Citrus Groves | Senior Scientist | South Florida Water Management District | St. Lucie County, FL. Performed Phase I and Phase II environmental site assessment and ecological risk assessment on three separate citrus groves, totaling approximately 18,000-acres, located in St. Lucie County, Florida. This project was an integral component in the Comprehensive Everglades Restoration Plan. Completed ecological risk assessment and analysis to predict risk to USFWS trust resource species. Participated in Endangered Species Act Section 7 consultation with the USFWS Vero Beach, Florida office. Responsibilities included soil and groundwater collection and data analysis, ecological risk assessment modeling, review and analysis of food web models, and technical report writing. Completion of this project resulted in the successful construction of a stormwater treatment area with no adverse effects on local wildlife or trust resource species.

Environmental Site Assessment and Ecological Risk Assessment, C 11 Project Area | Senior Scientist | South Florida Water Management District | Broward County, FL. Performed Phase II environmental site assessment on properties located in the C 11 Project Area in Broward County, Florida. This project was an integral component in the Comprehensive Everglades Restoration Plan. Land use types included nurseries, residential, industrial, and undeveloped forested wetlands. Completed ecological risk assessment and analysis to predict risk to USFWS trust resource species. Participated in Endangered Species Act Section 7 consultation with the USFWS Vero Beach, Florida office. Responsibilities included soil, groundwater, and surface water data analysis, ecological risk assessment modeling, review and analysis of food web models, and technical report writing.

Ecological Risk Assessment, Duda Property, Lake Apopka, FL | Senior Scientist | Natural Resources Conservation Service | Orange County, FL. Performed an ecological risk assessment and model to predict the effects of re-flooding former agricultural land on USFWS trust resource species. Completion of the model resulted in successful re-flooding along the Lake Apopka North Shore Restoration Area with no adverse ecological effects. Responsibilities included data analysis, ecological risk assessment modeling, review and analysis of food web models, and technical report writing.

Implementation of Innovative Remedial Strategies, Cape Canaveral Air Force Station, Patrick Air Force Base, and Kennedy Space Center, FL | Senior Scientist | Air Force Center for Environmental Excellence | Brevard County, FL. Implemented innovative remedial activities at multiple locations at Cape Canaveral Air Force Station, Kennedy Space Center, and Patrick Air Force Base. Remedial strategies included cyclodextrin enhanced remediation of VOC contaminated groundwater, air sparging of contaminated surface water, and monitored natural attenuation. Responsibilities included data analysis and technical report writing.

Environmental Site Assessments, Lake Apopka North Shore Restoration Area | Senior Scientist | St. Johns River Water Management District | Orange County, FL. Performed multiple Phase I and Phase II environmental site assessments on former agricultural lands. Tasks included the collection, chain of custody, packing and shipment of soil, sediment, surface water and groundwater samples, and the decontamination of sampling equipment. Installed temporary and permanent groundwater monitoring wells as part of the Phase II ESAs. Completed screening level ecological risk assessments to identify chemicals of potential ecological concern (COPEC). Identified and implemented remedial activities to remove residual soil COPECs.



Luis Nunez
Urban Planning

Location
Houston, TX

Years' Experience
22

Qualifications/Accreditations
- Master's, Urban Planning and Public Policy
- Bachelor of Government and International Relations

Key Technical Skills
- Urban Planning
- Land Use
- Economics
- Market Analysis
- Transportation Planning
- Grants
- Economic Development
- ESG
- Stakeholder and Community Engagement
- Master Planning
- Infrastructure
- Program Management
- Real Estate Development

Memberships
- National League of Cities
- Texas Municipal League
- Texas Economic Development Council
- American Planning Association
- American Association of Port Authorities
- International Economic Development Council
- Urban Land Institute

Luis has more than 22 years of multi-disciplinary experience in urban planning, economic development, strategic planning, real estate, economics, and public policy. As advisor, he has extensive experience with municipal planning and economic development strategic planning in the public, private, and nonprofit sectors. Since 2002, his career spans a broad spectrum of immersive work in diverse communities across the US and the globe. As a consultant, his practice includes an emphasis on the facilitation and implementation of actionable and integrated planning and economic development strategies and policies, land-use, and market-based redevelopment plans for special areas, such as corridors and downtowns. He is adept at community engagement, fiscal and economic impact analysis, public finance, sustainability and resiliency, social impacts related to equity, affordable housing, business attraction and retention, workforce development solutions, and market analysis.

Relevant Experience

City of Miami Climate Action Plan | Project Director | City of Miami | Miami, FL. An oceanside urban landscape, Miami is a city with breathtaking seaside views, which also makes it extremely vulnerable to sea-level rise, flooding and major storm events brought about by climate change. As a C40 City, Miami is part of an urban network of 100 municipalities collaborating around the world to set and achieve ambitious greenhouse gas (GHG) reduction targets by 2050. To address existential threats from the climate crisis, the City of Miami collaborated with GHD to help define a pathway to meet its carbon neutrality goal, promote and develop its green economy and solidify their Climate Action Plan (CAP). Luis worked with the City and key green economy stakeholders to prioritize goals for not only growing the local green economy but also developing an equitable green workforce. As a tourist-based economy, measures such as helping restaurants and businesses reduce their waste stream by connecting establishments to resources that can assist in reducing single-use plastic, integrate composting, and recover and redistribute surplus food was just one way, among others, to make the economy more sustainable. Cultivating an equitable and green workforce included initiatives to train City employees on emerging resilient and sustainable buildings initiatives and technologies including solar photovoltaic systems, energy storage, EV charging, energy efficiency, electrification, and climate adaption policies.

City of Richardson, Texas Economic Development Strategic Plan | Project Director | Richardson Economic Development Department | Dallas Metro, TX. In 2022, the City of Richardson, along with local partners in government, education, healthcare, and business embarked upon a strategic community and economic development planning process to create a shared vision for the community's future growth and an action plan to achieve it. The Richardson Economic Development Strategic Plan was the result of months of research,

stakeholder input and feedback, and oversight from project staff. Throughout the process, comments from stakeholders, including representatives from the City Council, City of Richardson staff, Chamber of Commerce, school districts, and other key civic and business leaders were incorporated into the planning process leading to a forward-focused Strategic Plan. Luis led over 200 stakeholder interviews and 6 presentations to City Council to confirm that the new strategic plan aligned with established Economic Development Administration (EDA) guidance. Key elements considered were the integration of economic development and resiliency as a set of factors which speak to the capacity of a region to recover quickly from a shock, withstand a shock, or the ability to avoid the shock altogether. The strategy intended to strategically re-position Richardson to attract and retain a diverse business ecosystem for many years to come with its strong engineering-based talent, but intense economic development competition from surrounding incorporated communities in the DFW Metroplex.

City of Austin, Texas Place-based Economic Development Strategies | Project Director | City of Austin Economic Development Department | Austin, TX. Small businesses in Austin have been struggling long before the pandemic due to increases in rent in the City's core and a population boom unlike any other in Austin's history. As a result, the City identified a need to work with small businesses to avoid further displacement and affordability issues. Luis led the community engagement and stakeholder outreach phase of the project, which provided direct inputs to further elevate Souly Austin, which is a place-based economic development program focused on creating and retaining strong, vibrant, culturally rich and diverse neighborhood business districts throughout Austin. Under the initiative, business owners receive a flexible set of tools to assist in the formation of merchants' associations and organized commercial districts. Merchants Associations are groups of area business owners that exist to anchor and stabilize neighborhood businesses around beautification efforts, marketing and promotions, business retention, and economic development activities within a commercial district. A vibrant commercial district offers a range of retail, restaurants, and services that reflect a unique culture and provide goods, services, and amenities to the community. These elements are essential to a socially and economically healthy Austin based in "complete communities" called for in both Imagine Austin and the City Council's Strategic Direction.

Healthy Pasadena Livable Centers | Project Director | Houston-Galveston Area Council/City of Pasadena Economic Development Department | Houston Metro, TX. The primary goal of Healthy Pasadena Livable Centers was to envision a vibrant locality that prioritizes the requirements of its elderly population, the medical district, and urban renewal. By placing emphasis on these aspects during the planning process, the Livable Centers Program aims to generate practical and actionable concepts that leverage the community's current advantages while effectively tackling long-standing issues. Luis led the study, which included over 50 stakeholder interviews and aims to generate catalyst projects for City of Pasadena, fostering equitable investment outcomes for the community. These outcomes will revolve around enhancing community assets along specific corridors, implementing significant infrastructure improvements, and adding amenities to support pedestrian activities. The central focus is on promoting community vitality and wellness to create a more prosperous future for Pasadena.

Economic Development and Diversification Strategy | Project Director | Texas General Land Office | Rio Grande Valley, TX. Luis led a team engaged by the Texas General Land Office (GLO) in early 2020 to complete an Economic Resilience and Diversification Study for the nine-county study area. This study was funded with Development Block Grant Disaster Recovery (CDBG-DR) funds which the State of Texas received after Hurricane Harvey. The overall objective of this study was to build an inventory of the economic assets and deficiencies within the study area, provide economic resilience strategies and an action plan for creating a diversified and more resilient economic base. The goal of the study was to better withstand the potential impact of future major storms on this region's already compromised economy. Several themes were reiterated throughout the various stakeholder engagement efforts that highlighted the regional challenges and opportunities for both rural and urban communities. Based on these themes, the project team developed goals and objectives around five topic areas. With stakeholder input, strategies were developed to align with these goals and objectives.

City of Richmond, Texas Economic Development Strategic Plan | Project Director | Development Corporation of Richmond | Houston Metro, TX. Growth and a mix of residential and commercial developments are impacting Richmond, which has given reason to update the strategic plan for the Development Corporation of Richmond. The update provided focus on how best to proceed with allocation of resources to attract new businesses and retain existing businesses. It contained priorities for a five-year horizon. The intent for the strategic planning process was not a long-term plan, but a short-term strategic plan that staff could immediately begin to implement.



Catherine Drumheller QEP

Equity

Location
Golden, CO

Years' Experience
24

Qualifications/Accreditations
- Master of Theological Studies, Environmental Ethics emphasis, Iliff School of Theology, Denver, CO
- BS, Environmental Science, Chemistry emphasis, Sam Houston State University
- Post-graduate Studies:
  - Water Resource Management, Colorado State University
  - Environmental Health and Natural Resource Law, University of Colorado
  - Energy Systems, University of Colorado
  - Climate Change and Human Vulnerability, University for Peace (UPEACE), Costa Rica
  - United Nations Sustainable Development Goals, UPEACE, Costa Rica
- Qualified Environmental Professional (QEP), Board for Global EHS Credentialing
- Training, Cooperative Research Centre (CRC) for Water Sensitive Cities
- Certificate, Sustainability Management, University of Colorado

Key Technical Skills
- International Council for Local Environmental Initiatives - Urban Transitions Alliance Equitable Transitions/Social Equity Framework
- Environmental Justice Assessments
- Demographic Studies

Memberships
- Association Environmental Studies and Sciences
- Institute of Professional Environmental Practice

Catherine's background includes leading environmental justice studies under NEPA, creating climate finance strategies, performing climate change and social equity assessments, applying sustainable development frameworks, acting as an environmental chemistry subject matter expert for remedial action projects and environmental studies, and leading desktop research studies. She has strong experience applying environmental justice principles to infrastructure development projects and climate adaptation projects and applying social ecological systems from process-relational perspectives. Catherine is well-versed in US Environmental Protection Agency (EPA) environmental justice tools including EPA's Environmental Justice Screening and Mapping Tool (EJScreen) and the Agency for Toxic Substances and Disease Registry (ATSDR) Environmental Justice Index (EJI) and Social Vulnerability Index (SVI), and the National Oceanic and Atmospheric Administration (NOAA) Fisheries Social Vulnerability Index (SVI). She has created social equity monitoring and evaluation schemas and integrated social equity with sustainability for sector-specific and environmental justice applications. She has led and performed technical work on over 50 federal and international projects including preparing plans, studies, reports, analyses, and research for the US Department of Defense (DoD), US Department of the Interior (DOI), and the Green Climate Fund.

Relevant Experience

Quality Management System Development | Quality Management System Consultant | Green Scientific Labs | Davie, FL. Provided support for ISO 17025 external audit, document management system creation, and state regulatory requirement compliance.

Environmental Justice Assessment | Senior Advisor | Mosaic, LLC | St. James Parish, LA. Performed environmental justice analyses for Title V and National Pollutant Discharge Elimination System (NPDES) permitting requirements new permit application for Prospective Purchaser Agreement (PPA) production facility. Applied EJScreen for identification of populations with environmental justice concerns. Analyzed environmental and human health impacts and evaluated direct, indirect, and cumulative effects, historical burden, and disproportionate and adverse impacts. Wrote environmental justice assessment appendix for permit application.

Environmental Justice Assessment | Senior Advisor | Tampa Port Services, LLC | St. James Parish, LA. Performed two environmental justice assessments for Title V and NPDES permitting requirements for two permit renewals for PPA production facility. Applied EPA EJScreen screening tool for threshold identification. Analyzed environmental impact and human health impact, and evaluated direct, indirect, and cumulative effects, historical burden, and disproportionately high and adverse impacts.

Mid-Breton Sediment Diversion Project Environmental Impact Statement | Environmental Scientist | New Orleans District (CE-MVN) USACE | Louisiana. Primary author for environmental justice study for the Analysis of Impacts and Environmental Consequences Technical Report in accordance with Executive Order (EO) 12898, EO 14008, EO 13985, and EO 14096 and climate change and socioeconomic impact studies.

Equity Analysis and Disadvantaged Community Support Program Development | Senior Advisor | GHD Internal Advisory-Future Communities Business Development Collaboration. Performed extensive research for the development of equity analysis and funding approach for disadvantaged and under-resourced communities. Delivered numerous presentations, documented Loveable urban planning methodology, and designed equity analysis methodology for lead service line replacement. Collaborated with Digital team to perform multi-factorial and geospatial analysis for Columbus, Ohio lead service line replacement.

Class VI Underground Injection Control (UIC) Primacy Application Support | Senior Advisor | Mississippi Oil and Gas Board (MSOGB) | Mississippi. Research and prepare environmental justice section for Class VI UIC primacy application for state regulator in accordance with legislative mandate and Code of Federal Regulations (CFR) requirements for regional and federal EPA review. Review general application and CFR crosswalk and draft rule.

Free Prior and Informed Consent (FPIC) Process Review and Community Profile, Due Diligence | Senior Advisor | Ford Motor Company | Shelbyville, KY. Conducted review to evaluate potential social, political, economic, and reputational risks and opportunities that may be relevant to the land or potential project site including:

- Profile of the study area (potentially affected communities).
- History with similar industry/projects, including outcomes of engagement, and issues/concerns raised by Indigenous peoples.
- Preliminary stakeholder analysis, including identification of Indigenous Peoples (and potential needs for FPIC).
- Preliminary understanding of potential impacts, including impacts on vulnerable or marginalized groups.
- Preliminary identification of potential benefits and/or community investment opportunities.

Lead Service Line Replacement Program Strategy | Senior Advisor | Buffalo Water | Buffalo, NY. Provided social equity and funding subject matter expertise and program development support for GHD's lead service line replacement program strategy.

Social Equity Review and Demographic Study | Senior Advisor | FMC, Inc. | Pocatello, ID. Performed social equity review including risks and opportunities analysis and demographic study for FMC Operable Unit (OU) 1 Superfund Site. Applied environmental justice principles and performed comparative analysis of socioeconomic, environmental, and climate justice indicators and indexes for Indigenous American jurisdiction geographies ("Tribal Lands") and city and county geographies. Leveraged public data analysis and geospatial analytical tools (EJScreen, CEJST) for socioeconomic indicator screening.

Napa Infrastructure Plan | Senior Advisor | City of Napa | Napa, CA. Created social equity scoring module for Capital Improvement Program project screening and prioritization. Co-created overall project scoring regime, facilitated scoring workshop with City staff, test scoring regime, and created performance dashboard and aggregation tool.

Crescent City Storm Drain Master Plan | Senior Advisor | City of Cresent City | Cresent City, CA. Identified and performed social equity analyses to meet grant requirements for Storm Drain Master Plan. Wrote social equity analysis chapter of Master Plan.

Blue Green Infrastructure Economics | Senior Advisor | GHD Internal Future of Water | New Zealand. As part of a Future of Water sprint, supported the development of a benefit screening and scoring regime for blue green infrastructure/nature-based solutions. Performed desktop research of leading practices, created multi-criteria analysis tool, applied ecosystems accounting to integrate quantification and monetization of benefits (where possible). Developed user interface, calculation module, and performance dashboard.

National Adaptation Plan | Senior Advisor | Government of Tuvalu | Tuvalu. As part of the National Adaptation Plan (NAP) process, lead climate finance strategy research and drafting of Finance Strategy NAP chapter in accordance with NAP process requirements, nationally determined contributions, and Green Climate Fund requirements. Aligned finance strategy with climate risk and vulnerability assessment and adaptation actions framework. Senior technical review of adaptation actions section.



Pradeep Nagarajan PE, CFM

Stormwater (Planning, Modeling)

Location
Atlanta, GA

Years' Experience
18

Qualifications/Accreditations
- MS, Computer Science (Advanced Information Systems), Florida International University
- MS, Environmental Engineering, Florida International University
- BTech, Chemical Engineering, Florida International University

Professional Licenses
- Civil Engineer, FL #66651

Key Technical Skills
- Hydrologic and Hydraulic Modeling
- Master Planning and Environmental Assessments
- Water Resources and Watershed Studies
- Asset Management and Stormwater Management
- Integrated Water Management
- Green Infrastructure/Low Impact Development (LID)
- Flood Mitigation and Floodplain Analyses
- Watershed Planning and Water Quality

Memberships
- Association of State Floodplain Managers
- American Society of Civil Engineers

Pradeep has over 18 years of experience specializing in the field of water resources, stormwater, water and wastewater master planning, modeling and design projects. He also mentors and supervises several water resource and wastewater engineers on a wide variety of projects. Pradeep has a strong background and extensive experience in utility planning, surface/ground water hydrology, hydraulics, basin scale water resources studies, flood analysis, stormwater management, preparation of watershed master plans, computer based mathematical 1D/2D modeling of water resources and environmental systems using INFOWORKS, Interconnected Pond and Channel Routing (ICPR), MIKE SHE, MIKE 11, MIKE URBAN, MIKE FLOOD, MIKE 21, MIKE VIEW, PCSWMM, XPSWMM, HEC-HMS, HEC RAS, ASAD etc., design of stormwater management and treatment structures, pumps, and piping systems, floodplain mapping, and water quality modeling. His experience also includes water distribution and wastewater collection system modeling, design of pipelines, preparation of Hazard Mitigation Grant Program (HMGP)/Pre-Disaster Mitigation (PDM) applications through FEMA to obtain federal and state grants for several clients on different projects.

Relevant Experience

North Fort Myers Surface Water Management Plan | Project Manager | Lee County | Lee County, FL. Served as Project Manager responsible for managing the overall aspects of the project that included data collection and development, GIS data acquisition and analysis, modeling, coordination with other agencies and development of final report. The focus area was between US 41 and State Route (SR) 31 between Charlotte County line in the north and Caloosahatchee River in the south. A total of 20 watersheds were studied in detail within the project boundary. Scope of services included delineation of watershed boundaries and interconnects using elevation data and ArcGIS, development of hydrologic/hydraulic model of the watersheds using ICPR, water quality modeling, and identification of improvement projects and best management practices to enhance flood control and water quality in the watersheds.

Miami-Dade Water and Sewer Department (WASD), Consent Decree Program Management/Construction Management Consultant – Wastewater Collection and Transmission System (WCTS) Hydraulic Modeling | Project Manager | Miami-Dade Water and Sewer Department | Miami, FL. Served as Project Manager assisting WASD on the Consent Decree by providing engineering services for the development and calibration of the water distribution and wastewater collection system. Responsible for overseeing the update and calibration of WCTS countywide wastewater hydraulic model using InfoWorks ICM. The task includes the update of the model based on GIS and as-built drawings information. Development of an updated set of 2013 dry weather wastewater flows and the development

of the projected 2035 dry weather wastewater flows, including sea-level rise and climate change. Two sets of modeling tools were developed depending on the type of structures included in the model. The pump model includes the pump stations owned by the County. This model has 13,764 nodes and 15,096 links, out of those 1,875 correspond to pumps. An alternative model (flow model) was also being refined to analyze project alternatives. This model has 4,737 nodes and 5,026 links. Development of Real Time Control rules for the more than 1,000 pump stations conceptualized in the model. A Rainfall Dependent Infiltration and Inflow module was being developed to enhance the capabilities of the model. This module uses additional information such as rainfall intensity, groundwater elevations and groundwater properties to calculate the amount of water flowing into the WCTS during a storm event. GIS Model integration procedures and tools were also developed to maintain a 1:1 relationship between the WCTS Model and WASD GIS Databases.

City of Cape Coral Utilities Comprehensive Master Plan Update | Technical Advisor | City of Cape Coral | Cape Coral, FL. Served as Technical Advisor responsible for overseeing the entire master plan for the City that includes water, wastewater, and irrigation systems. A key objective of the Master Plan is to integrate the City's hydraulic models with the population projections from the Cape Coral Interactive Growth Model, so that the City has the ability to model the impact of changes in population and level of service standards on recommended capital improvements. The project includes evaluation of population trends and demands, treatment capacity assessments, hydraulic modeling calibration and analysis for infrastructure improvements (InfoWater Software), and evaluation and prioritization of capital improvement projects.

Collier County Public Utilities Master Plan | Technical Advisor | Collier County | Collier County, FL. Served as Technical Advisor responsible for overseeing the master plan that included water, wastewater, and irrigation systems. A comprehensive master plan that provides direction to Collier County Water-Sewer District for near- and long-term infrastructure management strategies supported by technical evaluations and capital improvement programs focused on meeting future customer demands with best value solutions and fully leveraged assets. The project included evaluation of population trends and demands, treatment capacity assessments, hydraulic modeling for infrastructure improvements (InfoWorks InfoSWMM), and evaluation and prioritization of capital improvement projects. Final Master Plan Report was developed that would meet customer requirements over a 20-year planning horizon and final build-out condition anticipated in the Year 2034.

Northeast Service Area Hydraulic Modeling Master Plan | Technical Leader | Collier County | Collier County, FL. Served as Technical Leader providing guidance in developing the master plan for the Northeast Wastewater Service Area (NEWWSA) of the Collier County. The master plan evaluated different operating strategies with respect to routing projected wastewater flows from new developments in the NEWWSA of the County to a new water reclamation facility. The scope of work for the master plan included construction of a hydraulic model for the NEWWSA, development of alternative operating strategies, and hydraulic modeling analysis using SewerGEMS for proposed alternative strategies.

Kissimmee Basin Stormwater Modeling and Operations Study | Senior Engineer | South Florida Water Management District; USACE | Kissimmee, FL. Senior Engineer responsible for calibrating, refining and improving MIKE SHE/MIKE 11 modeling tools to extreme weather conditions observed in 2004 when three major hurricanes passed directly over the Kissimmee Basin. The USACE will apply these tools to perform a Joint Probability Analysis and evaluate potential flood inundation scenarios resulting from the proposed alternative plans. The goal of the study is to achieve a more acceptable balance between flood control, water supply, aquatic plant management, and natural resource requirements for the River Restoration project. As part of the Kissimmee River Restoration Project, the South Florida Water Management District and USACE called for the development of an Operations Planning Study to support changes to regulation schedules that define how water releases from water control structures in the Kissimmee Basin.

Digital Flood Insurance Rate Map and Flood Insurance Study for Broward County | Technical Leader | FEMA Region IV | Broward County, FL. Served as Technical Leader responsible for managing the overall aspects of the project that included data collection and development, GIS data acquisition and analysis, modeling, and development of the final report. The project area encompasses the complete Broward County with some portions of Dade County on the north and Palm Beach County on the south. Scope of services included modification of MIKE SHE/MIKE 11 model for the entire Broward County with new LIDAR based DEM and new Land Use data, calibration and verification of the model using known Hurricane storm events by modifying Structure/Gate openings,



Nick Bragaia PE, ENV SP

Coastal Resilience

Location
West Palm Beach, FL

Years' Experience
7

Qualifications/Accreditations
- MS, Civil and Coastal Engineering, Old Dominion University
- BS, Ocean Engineering, University of Rhode Island

Professional Licenses
- Civil, FL #95611
- Envision Sustainability Professional (ENV SP)

Memberships
- Institute for Sustainable Infrastructure

Nick has over 7 years of professional experience working on a wide variety of interdisciplinary engineering projects. His academic background is rooted in ocean engineering with an emphasis on coastal modeling investigations and coastal resiliency studies. Nick is well-versed in coastal processes and performing calculations related to determining metocean conditions, climate data investigations, and the design of coastal structures. He is experienced in technical documentation from feasibility studies to design reviews and technical memorandum package submittals.

Relevant Experience

Miami-Dade County Coastal Erosion Hotspots: Modeling, Planning & Design Services | Miami-Dade County RER-DERM | Miami, FL. The Miami-Dade County Division of Environmental Resources Management (DERM), Department of Regulatory and Economic Resources (RER) retained GHD to provide coastal modeling, planning, permitting, and design services to identify and mitigate coastal erosion hotspots along approximately 13-miles of the Miami-Dade County shoreline. The shoreline of interest extends from Florida Department of Environmental Protection (FDEP) reference monuments R-7 to R-74 and comprises beach shorelines extending from a northern boundary of Sunny Isles to the Government Cut north jetty. Nick has provided sediment transport modeling support along with engineering support and technical documentation composition for task deliverables.

Hoegh Xiamen Incident | Gallagher Marine Systems | Jacksonville, FL. In June 2020, an explosion occurred resulting in a ship fire onboard a car-carrying cargo ship docked at Blunt Island terminal in Jacksonville, FL. In response to this event, Nick assisted GHD's emergency response team and provided air quality monitoring services. He collected air samples in the surrounding community areas adjacent to the Blunt Island terminal and recorded data to be analyzed and used in reporting.

FDEP, Curry Hammock State Park Keys Tidal Connections Restoration | Marathon, FL. Key aspects of this project include construction phasing to maintain traffic flows along US Highway 1 throughout the duration of the project. The purpose of this project is to restore two tidal connections that were eliminated in the early 1900s by the construction of Henry Flagler's railroad. Restoring the circulation to areas of surface water that have been impeded and stagnant for decades will improve water quality and recreational activities. The project includes the design and installation of culverts beneath US Highway 1 to restore the tidal connection between Florida Bay and the Atlantic Ocean.

Golden Ray Wreck Removal | T&T Salvage | New Brunswick, GA. The GHD FIRST and Maritime and Coastal Teams have been supporting with the incident response and salvage of the Golden Ray cargo ship, a 656-foot-long vessel that overturned in St. Simon's Sound, Brunswick, Georgia in September 2019.

Approximately the size of a seven-story office, it was carrying ~4,200 vehicles. In early January 2020, GHD was engaged by T&T to provide coastal engineering and environmental consulting support services, with the plan to install an environmental protection barrier, the first of its kind, and remove the vessel by cutting it into pieces. Challenges include the size and weight of the ship, the dynamic hydrodynamic conditions, managing the oil, fuel, and debris release (including vehicles) that could occur during cutting and lifting operations, and the impacts the works could have on protected species and navigation. Nick provided coastal engineering services to inform the design of piling cluster structures to be used during the wreck removal. This included development of wind-wave conditions, coastal flood elevations, and wave force estimates on the piling and dry dock floating structures.

Modeling and Mitigating Coastal Erosion on the Southern Coast of Rhode Island | Academic Research | University of Rhode Island. Worked on a team of ocean engineers to setup, calibrate, and validate an integrated wave, current, and sediment transport model for an area of coastline in southern Rhode Island. The model was used to evaluate mitigation methods to minimize erosion due to storm activity. Mitigation methods investigated include beach vegetation and beach nourishment.

Montreal Rock Revetment Data and Design Review | St. Lawrence River, Canada. A new bridge abutment was constructed off of Nun's Island located on the western bank of the St. Lawrence River. This critical infrastructure is exposed to wind and vessel borne waves. A previous design report was submitted by an external consultant for the design of a rock revetment at this location. Nick performed a comprehensive data review of the previous coastal report and composed a technical memo detailing critical data gaps excluded from the original design and recommendations for future analysis. Future analysis recommendations included calculations of ice loading on proposed revetment along with estimating the size and impact of vessel wakes on the project site due to high marine traffic in the adjacent waterway.

Garapan Fishing Base Shoreline Stabilization Design | Western Pacific Regional Fisheries Management Council | Saipan, Commonwealth of the Northern Mariana Islands. GHD was retained by WESTPAC to provide engineering design services for improvements to the Garapan Fishing Base Facility in Saipan. The facility is a popular dock for commercial and recreational boaters and is situated in an open public space which is occasionally utilized for large events. One component of the project was to stabilize the existing shoreline from erosional events stemming from passing Typhoons. Nick provided engineering calculations to estimate median stable rock sizes for the proposed rock revetment along with designs of typical revetment cross-sections. This information was formulated into a technical memorandum package and submitted.



Jingwei Li PE

Stormwater Resilience

Location
West Palm Beach, FL

Years' Experience
10

Qualifications/Accreditations
- MS, Civil Engineering, Carnegie Mellon University
- BS, Civil Engineering, Carnegie Mellon University

Professional Licenses
- Civil (FL)

Jingwei is a professional engineer with 10 years of experience, whose primary focus has been on hydrological and hydraulic modeling, groundwater analysis and modeling, stormwater planning, environmental mitigation, water resources and GIS. She is experienced in analyzing surface water and groundwater data and GIS databases, developing groundwater, hydraulic and hydrological models. Her work history also includes Asset Management, Phase I and II Environmental Site Assessments, Spill Prevention and Countermeasure Control Plans, and Stormwater Pollution Prevention Plans. Jingwei possesses skills that give clients confidence that their projects will have an effective outcome.

Relevant Experience

Environmental Engineering Services | Project Manager | Miami-Dade County | Miami-Dade, FL. GHD is under contract to perform various activities and services for Miami-Dade County's National Pollutant Discharge Elimination System (NPDES) Program. The scope of services includes stormwater structure inspection and cleaning, water quality and sediment sampling, nutrient and bacteria removal efficiency analysis for stormwater treatment devices, estimation of outfall pollutant loadings, and developing Bacteria Pollution Control Plan (BPCP) for TMDL Waterbodies. The purpose of this project is to identify possible sources of pollution, which contributes to high concentrations of bacteriological and nutrient parameters of concern in surface waters of Miami-Dade County and to calculate nutrient reduction efficiency of various stormwater treatment devices.

Stormwater Master Plan Updates | Co-located Engineer and Project Manager | Miami-Dade County | Miami-Dade, FL. GHD is under contract to update Stormwater Master Plan for Miami-Dade County under the Equitable Distribution Program (EDP). The Stormwater Master Plan updates consist of four sections: system-wide groundwater elevation updates, stormwater quality updates, stormwater models updates, and prioritization of capital improvement projects. The plan estimates the effects of existing and future land uses on flood protection and water quality and identifies infrastructure and management strategies to accommodate those uses and mitigate future risk and damage. Scopes and tasks include implementing Miami-Dade County WASD (2040, 2060, 2080 and 2100) groundwater scenarios in the stormwater models, analyzing pollutant runoff loading estimates into Biscayne Bay, analyzing dredging impacts on water quality, developing County-wide salinity profiles, and providing engineering strategies and alternatives for ranking and prioritizing capital projects.

Flow Data Analysis | Co-located Engineer and Project Manager | South Florida Water Management District | South Florida. Conducted structure analysis, rating analysis, improvement and development of the District's culverts, spillways and weirs. Responsible for analyzing, generating and processing Computational Fluid Dynamics (CFD) flow data. Provided guidelines and planning of field measurements. Flow data analysis provides better simulation of the actual flow volumes, which helps improving overall water balance and utilize water resources more efficiently, especially during hurricane seasons.

Watershed Asset Management Plan (WAMP) | City of Fort Lauderdale | Fort Lauderdale, FL. GHD is under contract to perform a multi-year WAMP. The contract has included multiple task work orders that have been supported by Jingwei—including Community Rating System (CRS) analysis, identifying grant sources, developing strategic goals and objectives of the WAMP, conducting condition assessment & capacity analysis for stormwater pump stations SS1 & SS2, and surveying/GIS mapping of unverified stormwater assets (2,700+ red dots) using the City-issued Geodatabase.

Target-Lowe's Methan and Groundwater Monitoring | Project Manager | Target Corporation & Lowe's Companies | Hialeah, FL. After Phase I and Phase II assessment of the Site (former Hialeah Speedway property) located in Hialeah, FL were conducted, an Engineering Control Plan in support of No Further Action with conditions was submitted and approved by Department of Regulatory and Economic Resources – Division of Environmental Resources Management (DERM) for the 27.4-acre property. The property has been capped with asphalt paved areas, sidewalks, concrete building pads, and/or two feet of clean fill. A liner was installed along the outside excavation sidewall of the perimeter exfiltration piping and an impervious liner was installed in the stormwater drainage basin on the southern portion of the property at the location of a former bermed stockpile. Since 2014, GHD has performed semi-annual interior ambient and exterior methane monitoring, groundwater elevation contouring and groundwater water quality sampling at the site. Contingency plans were prepared for Target Corporation in 2018 and 2023.



Yosef Yip

Community Engagement

Location
Los Angeles, CA

Years' Experience
15

Qualifications/Accreditations
- MUP, Urban Design, City College of New York
- BES, Urban Planning, University of Waterloo, Canada

Key Technical Skills
- Stakeholder Engagement and Community Partnerships
- Inclusive Public Participation and Equitable Decision-Making, including Environmental Documentation
- Public Information in Emergency Management

Memberships
- American Planning Association, Former Board Member
- Women's Transportation Seminar, Member
- Young Professionals in Transportation, Former Board Member

Yosef has more than 15 years of experience in stakeholder and community engagement with a background in urban planning. His community building informs his ability to implement strategic outreach plans, foster trust through equity-focused partnerships with Community-Based Organizations (CBO) and enhance public understanding of technical projects. Yosef has successfully managed small- and large-scale initiatives for projects in multiple phases, while also working on multimodal projects like San Mateo County Transportation Authority's El Camino Real Complete Streets Corridor Plan. He has worked in a variety of sectors including transportation, energy, mobility, active transportation, emergency response, and more.

Relevant Experience

New York City Mayor's Office | Urban Designer and Outreach Specialist | New York, NY. After Hurricane Sandy hit the Northeast coast, Yosef joined the Mayor's Office to research urban design mitigation tools for NYC's "Build It Back" program. For a feasibility study, he collected GIS data concerning impacted properties. He also created infographic material to facilitate discussions for housing recovery options presented at community workshops. The program informed urban design policies with a focus on flood hazard risks and housing typologies.

State of New York | Planner and Community Outreach Specialist | New York, NY. As part of the post-Hurricane Sandy rebuild to resiliency efforts in Greater New York City, Yosef worked with NY State Rising Community Reconstruction Program to assess the vulnerability of devastated areas in Coney Island Peninsula and Sheepshead Bay/Gerritsen Beach. He was responsible for mapping vulnerable community assets, conducting GIS assessments, preparing research material, and coordinating community outreach efforts. He led community discussions for community engagement meetings, which included workshops and charrettes.

Oregon Wildfire Debris Cleanup Taskforce | Public Information Officer | State of Oregon. In response to Oregon's 2020 Labor Day wildfires, Yosef served as the public information officer for the fire debris cleanup and recovery taskforce. He collaborated closely with technical and operational staff from Oregon Department of Transportation, Office of Emergency Management, and Department of Environmental Quality to deliver top priorities for public communications through statewide stakeholder coordination, press releases, video and photography content, talking points, innovative and traditional outreach methods, and in-language material development to increase accessibility to information.

Community Engagement for Multi-Modal Transportation Projects | Engagement Task Lead | City of Los Angeles Bureau of Engineers | Los Angeles, CA. The Huntington Drive Multi-Modal Transportation Improvement Project aimed to enhance mobility, accessibility, connectivity, and safety for corridor users. Yosef led the engagement team throughout the project life, including targeted stakeholder discussions, Community Advisory Committee meetings, and a series of public workshops. Engagement activities were strategically timed, and input were folded into technical phases. He managed a local subconsultant's scope, budget, and confirmed deliverables met the agency's quality standards.

San Mateo County Transportation Authority | Engagement Task Lead | San Mateo, CA. Yosef developed and managed the Stakeholder and Community Engagement Plans for multiple projects, including the US 101 Multimodal Strategy, Regional Transit Connections Plan, and El Camino Real Complete Streets Corridor Plan. As an extension to the client, he established engagement goals, audiences, outreach tactics, and workplans. Input from the public and stakeholders informed the development of the project. More notably, engagement tactics that involved partnerships with CBOs applied cultural considerations and language needs. The team also developed a recognizable project brand that reflected the project mission.

Alameda County Transportation Commission | Communications and Public Relations, Project Manager | Alameda, CA. Yosef was the project manager who led the communications, public relations, and outreach services to support the agency's public affairs team. As an extension to the agency, he managed scope of work related to project messaging, publications, website maintenance, strategic communications, paid advertising, media placements, media relations, campaign management, event planning and community outreach, translation and interpretation services, video and photography, and Title VI monitoring. He managed contracting, subcontract agreements, project budgets, deliverable production, and vendor coordination.

USACE | Community Engagement for Emergency Management, Logistics Lead | Florida and USVI. Prior to hurricane landfall, Yosef deployed to two generator missions: 1) Pensacola, Florida, and 2) St. Croix, US Virgin Islands. In response to the power loss and/or cut-off, the emergency response team received a series of deployment orders for generator missions. He was responsible for coordinating logistics to set up and decommission the Generator Staging Bases (GSB), including inventory preparation, equipment, track generators, Bill of Materials (BOM), communication between the client and subcontractors, and site assessment.

County of Santa Clara | Community Engagement for Housing Projects, Project Manager | Santa Clara, CA. Yosef led the stakeholder outreach and engagement plan for County of Santa Clara's Housing Element Update, specifically emphasizing engagement in rural areas, communities with people experiencing low income, farm workers, and transient populations. The goal was to consult with stakeholders on their needs and objectives that will ultimately inform the Housing Element Update. The team developed an outreach strategy to engage with local CBOs, solicited feedback through an array of outreach tactics like virtual workshops, newsletters, social media, website development, and targeted outreach methods through partnerships with partner agencies and key community contacts.

California High-Speed Rail | Community Engagement for Rail Projects | Deputy Task Lead | Northern California. Under California High-Speed Rail's public affairs program, Yosef managed and implemented an ongoing stakeholder engagement plan, including community and equity groups along the proposed rail alignment from San Francisco to Merced. He was also a key member of the Diridon Integrated Station Concept Outreach team. Yosef supported over 300 meetings with elected officials, city/county and partner agencies, community leaders, environmental justice organizations and community working groups; prepared outreach tactics like open houses and communications with stakeholders; reviewed materials for 508/ADA compliance; and managed a database of over 3,000 contacts. He oversaw project management tasks and subconsultants budgets. During 2020's COVID-19 shelter-in-place mandate, the outreach team developed online open houses—which attracted 1,000+ website visits in 3 weeks and engaged with 140+ participants during online webinars.

Various Private Sector Clients | Stakeholder Engagement for ESG | ESG Stakeholder Specialist | Confidential. Yosef was a key member of an ESG advisory group that evaluated ESG performance and approach to implementing a sustainable business. Yosef conducted ESG-focused surveys for company staff, stakeholders, and board members. Accessibility and simplicity of these surveys were critical in obtaining high response rates. Yosef has worked closely with clients to effectively deliver, communicate, and gather data from their survey respondents. These ESG survey results ultimately fed into a company-wide ESG sustainability vision and action plan.



Kris Cella

Community Engagement

Location
Fort Myers, FL

Years' Experience
30

Qualifications/Accreditations
- BA, Geography (emphasis in regional land development), University of Arizona

Key Technical Skills
- Community Engagement
- Community Partnerships

Kris is highly qualified in developing and implementing very successful, comprehensive large-scale public involvement programs during planning, design, and construction phases for infrastructure projects. Her experience in conducting community engagement programs has been instrumental in gaining acceptance of new projects from affected individuals and special interest groups. Projects have ranged from new developments to facility expansion programs to large-scale transportation projects.

Relevant Experience

Estero Boulevard Improvements | Public Information Specialist | Lee County, FL. Public Information Specialist for Lee County's construction projects to improve Estero Boulevard on Fort Myers Beach. Work consisted of coordination with stakeholders, project team members, property owners, tenants and the general public. Newsletters were mailed to property owners, businesses, and tenants on the island to announce construction of the Segments 1 through 6 from Crescent Street to the south end of Fort Myers Beach. Public involvement activities consisted of developing a joint Lee County/Fort Myers Beach letters announcing right-of-way staking to adjacent property owners in each segment. Duties further consisted of one-on-one meetings with property owners having notable encroachments to discuss options for resolution. Public involvement duties also included developing and maintaining a project website www.reFRESHFMBEACH.com that included both Lee County's project and the Town of Fort Myers Beach Waterline Replacement Project in one location. CMA staffs a 24-hour telephone hotline to respond to public inquiries and comments.

Fort Myers Beach Waterline Replacement Project, Public Information Specialist | Town of Fort Myers Beach, FL. Public Information Specialist for this project which includes replacement of waterlines on Fort Myers Beach. An extensive ongoing public involvement program is being conducted using a combination of public information workshops, small group and numerous, daily individual meetings with property and business owners. Newsletters and notification flyers are prepared periodically for distribution to the affected property owners and tenants in the waterline replacement area. Duties include coordination of water shut-offs, boil water notices, and rescission notices for affected properties. Extensive coordination with Town staff and officials, beach property owners, tenants and tourists, and residents and business owners are significant factors of the program.

Climate Adaptation Plan | Public Information Specialist | City of Naples, FL. Public Information Specialist for the City of Naples Climate Adaption Plan that includes addressing climate change by planning for and adapting to climate change impacts such as sea level rise, increased storm surge, and more extreme rain and heat events. The goal is to reduce the negative impact climate change has on infrastructure, services, and the well-being of the community. Public involvement notification consisted of small group meetings

with organizations and HOA members, an electronic survey, webpage development, posters, and flyers distributed to city residents.

Big Carlos Bridge Project Development and Environment Study | Task Manager | Lee County, FL. Task Manager for the Public Involvement Program for the Big Carlos bridge located between the Town of Fort Myers Beach and the City of Bonita Springs. This project includes a Speaker's Bureau with presentations to over 20 HOAs and civic organizations. An alternatives public workshop was held, and a public hearing will be held in the future. Responsibilities include newsletter preparation and distribution, legal advertisements, coordination with local media, groups and agencies, and meeting setup and facilitation.

City of Naples Stormwater Master Plan Update | City of Naples, FL. This project to update the Stormwater Master Plan included two public workshops. Elements of the public involvement program included flyers, media releases, advertisements, and a slide show.

Transportation Concurrency Exception Area (TCEA) Mobility Planning Study | Public Information Director | City of Fort Myers, FL. Public information director for a planning study to create a greater emphasis on alternative modes of travel, including transit, bicycle and pedestrian facilities, and implementing land use strategies conducive to these travel modes. Work included a public information workshop (attended by over 200 people) that included a presentation of the mobility plan and discussions with the public on preliminary ideas for an improved multi-modal transportation system. Public involvement notification consisted of a project kick-off postcard and flyers posted in the downtown area inviting residents and interested parties to the public information workshop.

Alternate Transportation in Parks and Public Lands (ATPPL) | LeeTran, City of Sanibel | J.N. "Ding" Darling National Wildlife Refuge | Public Involvement Task Manager | Sanibel, FL. Public involvement task manager for grant project awarded by United States Department of Interior. The Public Involvement Program includes coordination with multiple government entities and a nationwide project team. Tasks included stakeholder interviews, public opinion surveys (both in-person and web-based), multiple flyers, newspaper advertisements, project newsletters, public information workshops, large comment database and project website.



Albert Argudin CGC

R2P2 Implementation

Location
Doral, FL

Years' Experience
24

Qualifications/Accreditations
- MS, Construction Management, Florida International University
- BS, ESS, University of Florida
- Intermediate Work Zone Traffic Controls (FDOT)
- Asphalt Paving Level I/II (CTQP)
- QC Manager (CTQP)
- Florida Stormwater Erosion and Sedimentation Control (FDEP)
- Primavera P3E Micro-Computer Aided Cost Estimating Second Generation (MII)
- FDOT Local Agency Program Checklist Training

Professional Licenses
- Certified General Contractor, Florida #1510041

Key Technical Skills
- Construction Management
- Design Management
- Water and Sewer
- Drainage Improvements
- Roadway Improvements

Albert has 24 years of professional consulting experience in the construction and engineering industry. He has served as the project manager for countless roadway and drainage improvement projects throughout South Florida. While being diversified in both horizontal and vertical construction projects, he has proven to have the ability and experience to manage project constraints, such as time and cost, while delivering projects that comply with the construction documents and exceed client expectations.

Relevant Experience

NW 58 ST Drainage Improvements and Outfall | Lead Construction Manager | City of Doral Public Works Department. ADA served as the General Contractor for the construction of critical stormwater drainage improvements within the City of Doral. The scope of work included the installation of new drainage infrastructure including 36-inch exfiltration trench and new drainage structures along NW 57th Street between NW 79th Avenue and NW 78th Avenue. This system was interconnected with a new 36-inch conveyance pipe along NW 79th Avenue from NW 57th Street to NW 58th Street and ultimately discharging to a new pollution control structure. A major component of the project involved constructing a 48-inch outfall including an inline valve to discharge from the south bank of the NW 58th Street Canal, significantly improving stormwater conveyance in the area. The project also included full roadway restoration, milling and resurfacing and pavement markings to restore impacted travel lanes. In addition, ADA completed canal bank improvements at Pond 1 and Pond 2 along the NW 58th Street Canal, reinforcing and elevating the top of bank in each segment to meet historical flood protection standards and support long-term storm resilience. Albert served as the Lead Construction Manager and provided comprehensive oversight and direction for construction activities, leading the coordination between field staff, subcontractors, and stakeholders from project initiation through closeout. He was also responsible for managing daily operations, resolving field issues, and confirming that work complied with contract specifications and City standards. He regularly engaged with City representatives, utility agencies, and project partners to maintain alignment on progress, timelines, and deliverables.

Chapman Field Roadway and Drainage Improvements | Lead Construction Manager | Miami-Dade Parks, Recreation and Open Spaces (PROS). ADA was selected as the General Contractor to deliver site improvements at Chapman Field in Miami-Dade County. The roadway improvements included the expansion of the canoe launch parking lot, incorporating new accessible parking to meet ADA standards and the construction of a new roadway connecting the canoe launch parking lot with the existing dog park. A new parking area was also constructed adjacent to the existing dog park, complete with ADA accessible spaces. ADA installed a new domestic water service line and a dual-purpose accessible water fountain with an integrated pet bowl. The

drainage improvements consisted of an interconnected drainage system including 18-inch exfiltration trench and new drainage collection system. Miscellaneous improvements included concrete sidewalk repairs, new chain link fence, pavement markings and signage. Albert served as the Lead Construction Manager responsible for oversight of ADA's operation, cost and schedule management and confirming compliance with the contract documents.

San Marco Island CEI services, Phase I, II, and III | Lead Construction Manager | City of Miami Office of Capital Improvements (OCI). ADA provided construction engineering observation services for the San Marco Island Roadway and Drainage Improvements project. The scope included milling and resurfacing, curb and sidewalk replacements, new pavement markings, and the installation of a new drainage system with a stormwater pump station. ADA was responsible for overseeing construction activities, coordinating infrastructure adjustments such as manholes and valves to meet new pavement elevations, and confirming work was performed in accordance with approved plans and specifications. Albert served as the Lead Construction Manager and was responsible for providing oversight of ADA's staff, attended progress meetings, reviewed construction schedules, and facilitated communication between stakeholders.

Miami International Airport Parking Garage 6 | Miami-Dade Aviation Department (MDAD). ADA provided civil design and permitting services for this design-build project located at Miami International Airport. The parking garage is a 7-level, 2,240-space, post-tensioned concrete parking structure totaling approximately 895,000 GSF. Each level connects to Park 6 via vehicular/pedestrian bridges and complies with EV parking requirements. ADA was responsible for the design and permitting of civil site improvements, including roadway design, grading, drainage, and water and sewer utilities. ADA is currently providing post-design services during the construction phase consisting of shop drawing reviews and periodic site visits in order to certify the drainage and utility improvements.

Ruben Dario Park - Phase 1 | Project Manager | City of Miami Office of Capital Improvements. ADA is providing comprehensive civil engineering services for the new park located at the intersection of NW 6th Street and NW 17th Avenue. Phase I includes four pavilions, a 16,798 SF playground, a 2,800 SF recreation center with restroom facilities, a 2,100 SF dog park, a fitness and walking trail, open green space, and a water feature. ADA's scope includes grading, drainage, and water and sewer infrastructure, along with permitting coordination with Miami-Dade RER, WASD, and the City's Department of Resilience and Public Works. Albert serves as the Project Manager for the civil improvements. He is coordinating the water and sewer improvements including a new agreement with Miami-Dade Water & Sewer and is overseeing the utility coordination for the project as well. He is also managing the grading and drainage design in conjunction with ADA's design team.

Hurricane Irma Disaster Debris Monitoring Service | Project Manager | City of Miami. ADA served as a subconsultant to provide full debris monitoring services for the City of Miami following Hurricane Irma. ADA managed field operations, certified truck capacities, verified contractor performance, and confirmed FEMA compliance. The team also conducted field inspections to inventory fallen trees, hanging limbs, and storm-related infrastructure damage, including sidewalks. ADA's team oversaw the removal of 540,391-cubic-yards. Additional tasks included selection and permitting of Temporary Debris Storage and Reduction Sites (TDSRS), daily progress reporting, and coordination with municipal staff to maintain recovery timelines and compliance. Albert served as ADA's Project Manager and played a key role in completing the City's debris clearance within an accelerated schedule. He led ADA's efforts and directly oversaw debris monitoring operations, including the collection, reduction, and haul-out processes. As part of his responsibilities, Albert conducted daily progress meetings with key City staff, providing oversight on production and overall progress. The reports and figures reviewed in these meetings were also used to brief the City Commission, providing transparency and alignment throughout the recovery effort.

Hurricane Irma Disaster Debris Monitoring Service | City of Doral Public Works Department. ADA provided full-service monitoring for the collection and removal of debris for the City of Doral in the aftermath of Hurricane Irma. ADA managed project logistics, staffing, equipment, and coordination necessary to execute large-scale recovery operations. Responsibilities included certifying truck capacities, monitoring field debris collection, overseeing field and tower monitors, verifying contractor performance, and confirming compliance with FEMA and applicable regulations. ADA also deployed inspectors to inventory hanging limbs, fallen trees, and assess property damage across both cities. ADA assigned a team that managed the removal of 26,307-cubic-yards of debris over 60 days.

Morningside & Shorecrest Sea Wall Replacement | City of Miami Office of Resilience and Public Works (DRPW). ADA is providing engineering design services for seawall replacement and drainage improvement projects at multiple locations along Biscayne Bay and within the Morningside area, including NE 61st Street, NE 59th Street, NE 55th Terrace, NE 84th Street and Ademar Canal, NE Bayshore Drive and Davis Canal.

05

→ Experience

05 Experience

Below is a partial summary of the GHD team's demonstrated project experience as it relates to the Town's requested scope of services. In the following pages, we've provided brief project descriptions along with client references.

Project Name	Firm Name	Planning	Related experience in Florida	Implementation in Coastal Communities	Hurricane Recovery	Ability to meet set standards	Past contracts with other governmental jurisdictions	Past history of meeting required time frames	Public engagement and inclusivity	Innovation, best practies, and evidence-based strategies	Partnered with M/SWBE, Veteran-Owned, or SBE Subconsultants
City of Fort Myers, Pollution Reduction Plan (Alternative Restoration Plan)	GHD	◇	◇	◇		◇	◇	◇	◇	◇	◇
Miami Beach Storm Protection: Planning, Modeling, Permitting and Design Services	GHD	◇	◇	◇	◇	◇	◇	◇	◇	◇	
Biscayne Bay Reasonable Assurance Plan	GHD	◇	◇	◇		◇	◇	◇	◇	◇	
City of Eureka, Sea Level Rise Vulnerability and Capital Improvement Plan (CIP) Adaptation Plan	GHD	◇		◇		◇	◇	◇		◇	◇
City of Trinidad, Coastal Resilience Planning	GHD	◇		◇		◇	◇	◇	◇	◇	
Port Hueneme Environmental Program Review	GHD	◇		◇		◇	◇	◇	◇		
Buffalo Water Lead Service Line Replacement (LSLR)	GHD	◇				◇	◇	◇	◇	◇	◇
City of North Port, Jeffrey Lake Seawall Replacement	GHD		◇	◇	◇	◇	◇	◇		◇	◇
Matheson Hammock Park Seawall Replacement and Repairs	GHD		◇	◇	◇	◇	◇	◇		◇	◇
City of Pacifica, Beach Boulevard Infrastructure Resiliency	GHD			◇		◇	◇	◇			◇
Living Seawall Tile Design – SIMS + REEF Design Lab	GHD			◇		◇	◇	◇		◇	
City of Miami, Debris Monitoring for Hurricane Irma	ADA		◇	◇	◇	◇	◇	◇	◇		◇
City of Miami, Shorecrest Flood Improvements Project	ADA		◇	◇	◇	◇	◇	◇	◇	◇	◇
FEMA Flood Insurance Modeling Assessments	ADA	◇	◇	◇	◇	◇	◇	◇			◇
Town of Fort Myers Beach Waterline Replacement Project	CMA		◇			◇	◇	◇	◇		◇



City of Fort Myers, Pollution Reduction Plan (Alternative Restoration Plan)

Fort Myers, FL

Client Name
City of Fort Myers

Client Reference
Richard H. Thompson, PE
Stormwater Resource Manager
(239) 822-8566
rthompson@cityftmyers.com

Date
2021

List of Accomplishments

- [x] Managed stormwater assets and benchmarked clean water program effectiveness
- [x] Streamlined regulatory compliance and planned healthier cities
- [x] Determined appropriate actions to improve overall water quality
- [x] Developed and implemented a Pollution Reduction Plan
- [x] Increased collaboration of stakeholders

GHD assisted the City of Fort Myers (City) with professional guidance and knowledge, incorporating a comprehensive approach to managing stormwater assets, benchmarking clean water program effectiveness, streamlining regulatory compliance, and planning healthier cities. As a trusted partner, GHD worked with the City to determine appropriate actions to improve overall water quality.

To determine the sources and develop management strategies for reducing the bacteria within the Billy's Creek and Manuel's Branch watershed, GHD worked with the City and coordinated with Florida Department of Environmental Protection (FDEP) to conduct both sampling and stakeholder activities. Monthly sampling was conducted in an iterative fashion to identify potential point source areas, utilizing "trigger" concentrations identified in the July 2018 FDEP document titled "Restoring Bacteria-Impaired Waters: A Toolkit to Help Local Stakeholder Identify and Eliminate Potential Pathogen Problems (Toolkit)" to determine appropriate response actions. Quarterly sampling was conducted with additional analysis for HF-183 and acetaminophen to assist in determining if the potential sources of bacteria were human in origin.

GHD assisted the City in the development and implementation of a Pollution Reduction Plan, which was accepted as an alternate water quality plan (4e) by the USEPA. Increased collaboration of stakeholders, an integral part of managing pollutants in the watersheds, has occurred, and through social marketing, public education programs to change behaviors that impair the local surface water bodies are being developed.



Miami Beach Storm Protection: Planning, Modeling, Permitting and Design Services

Miami Beach, FL

Client Name
Miami-Dade County RER-DERM

Client Reference
Alberto Pisani, PE, ENV SP
Senior Professional Engineer, Division of Water Management
(786) 493-1439
alberto.pisani@miamidade.gov

Date
2020-Ongoing

List of Accomplishments

- ☑ Identified and developed cost-effective mitigation and adaptation strategies
- ☑ Developed a County-wide coastal modeling tool
- ☑ Designed a nearshore segmented reef breakwater

Miami-Dade County (MDC) beaches are known worldwide as a prime tourist destination and are important to the local economy. The MDC's beaches also provide resiliency and storm protection for billions of dollars in beachfront infrastructure and create habitat for protected animal species, including sea turtles. The majority of these beaches (17 miles) are designated as critically eroded by the State of Florida and have required over 20 million cubic yards of sand placement since the 1970s. A few persistent erosional hot spots have accounted for a large percentage of the required nourishment activity.

As part of MDC's Sea Level Rise Strategy, and beginning in 2020, GHD has assisted MDC in identifying and developing cost=effective mitigation and adaptation strategies to prepare for sea level rise and coastal storms. GHD tasks to date have included:

- **Coastal Modeling.** GHD developed a County-wide coastal modeling tool to identify and evaluate cost effective mitigation and adaptation projects.
- **Permitting.** GHD obtained permits to streamline truck haul beach nourishment along 13 miles of MDC beaches. Prior to this action, MDC was required to obtain individual permits for each portion of their shoreline. The consolidated permit allows MDC to more efficiently manage their beach shorelines.
- **Reef Breakwater Design.** GHD, in conjunction with the University of Miami, is designing a nearshore segmented reef breakwater to mitigate an erosion hotspot located immediately south of 32nd street.
- **Envision Sustainability Assessment.** GHD is preparing an assessment to determine the likely accreditation level of the project 'as is'. GHD will also identify credits that could be achieved with additional studies/effort and the likely accreditation level, if included.
- **Evaluating the combined effects of independently proposed federal and state projects on local beaches.** GHD utilized the coastal modeling tool to evaluate the combined effects of a proposed Bal Harbour Jetty extension (FDEP Inlet Management Plan) and groin field (USACE Coastal Storm Risk Management Plan) would have on the local beach shorelines.



Biscayne Bay Reasonable Assurance Plan

Miami-Dade County, FL

Client Name
Miami-Dade County RER-DERM

Client Reference
Pamela Sweeney
Senior Water Scientist
(305) 372-6594
pamela.sweeney@miamidade.gov

Date
2022-2024

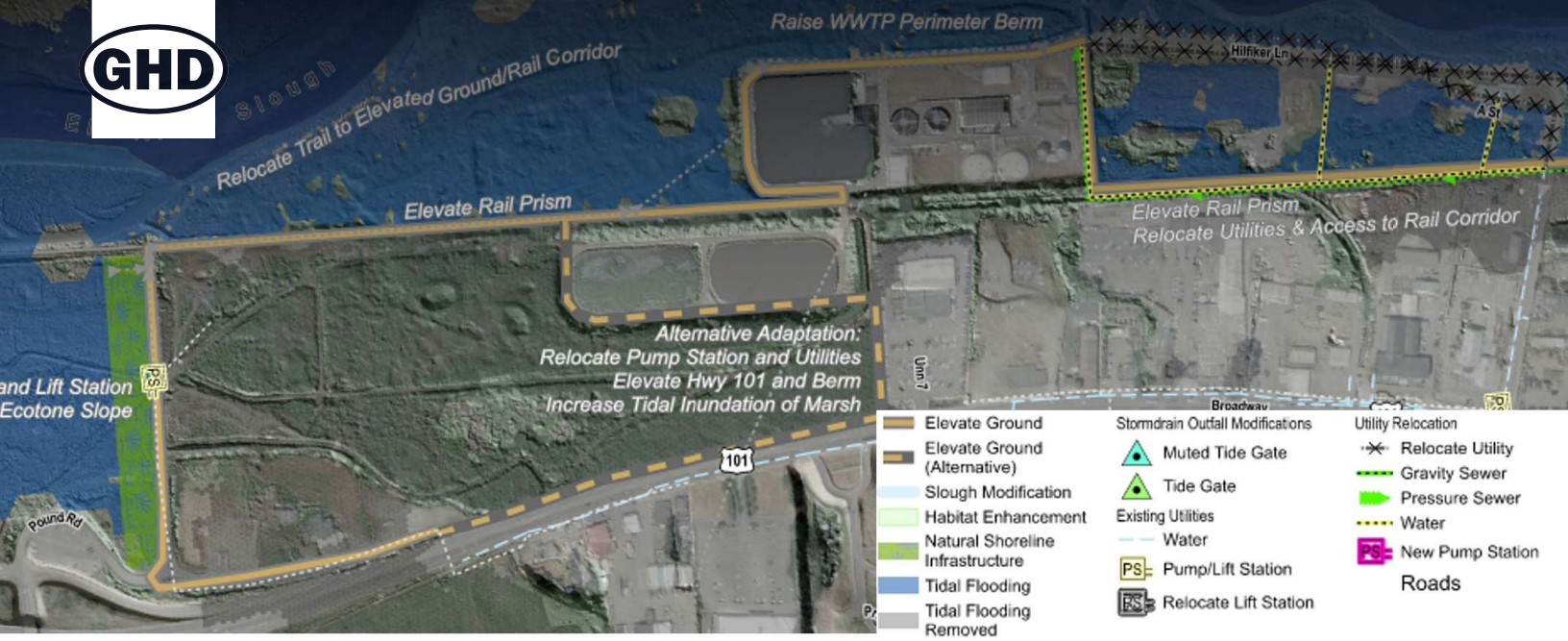
List of Accomplishments

- [x] Collaborated with stakeholders to develop an approvable Reasonable Assurance Plan
- [x] Evaluated restoration progress and plan effectiveness

As of the 2022-2024 biennial water quality assessment performed by the FDEP to confirm attainment of water quality standards, two-thirds of Biscayne Bay's waterbody segments were designated impaired for nutrients and/or chlorophyll. The State of Florida is delegated the authority to implement the federal Clean Water Act and biennial assessments are conducted to evaluate attainment with state water quality standards. The state then establishes whether or not a waterbody is impaired or requires additional study for a determination. Once designated impaired, the state is required to develop a TMDL allocation and a Basin Management Action Plan to enact load reductions. However, there is an alternative to this state-driven plan which is referred to as a **Reasonable Assurance Plan** or colloquially as a "RAP." Development of a RAP is stakeholder driven.

Miami-Dade County, through the support of the Mayor, Biscayne Bay Watershed Management Advisory Board, and Board of County Commissioners, has endeavored to collaborate with stakeholders as well as fund the necessary technical components required to develop an approvable RAP. The RAP will focus on nutrient reduction as a path to significantly improve Biscayne Bay water quality and habitat and will describe both existing conditions that resulted in the impairment as well as conditions required to meet Biscayne Bay's applicable nutrient criteria. To meet the RAP goal of providing allocations to individual entities that are nutrient sources to Biscayne Bay, assignment of estimated nutrient nitrogen and phosphorus loadings to these entities will be required. Loadings from non-point nutrient sources will also be assigned.

The RAP will include a delineation of the Bay's watershed, a current list of water quality impairments, identification of the causes of the impairments, estimation of existing pollutant loads, and derivation of water quality and ecological targets representing healthier conditions. In addition to defining the pollutant load reduction necessary to attain healthy conditions, the RAP will identify projects needed to reduce or maintain loads and estimate the technical and financial resources needed to implement the projects. The RAP will also describe stakeholder outreach efforts and provide a detailed monitoring program to evaluate restoration progress and plan effectiveness.



City of Eureka, Sea Level Rise Vulnerability and CIP Adaptation Plan

Eureka, CA

Client Name
City of Eureka

Client Reference
Jesse Willor
City Engineer
(707) 441-4031
jwillor@eurekaca.gov

Date
2022-2023

List of Accomplishments

- [x] Phased ciimate adaptation plan
- [x] Mitigated vulnerabilities of utilities and transportation infrastructure using GIS tools

The City's Capital Improvement Program (CIP) reflects the anticipated investments to maintain and enhance the City's infrastructure. Many CIP projects are focused on repair, maintenance, and upgrade of existing infrastructure to maintain or improve function, reliability and/or prolong service life. Incorporating the anticipated future sea levels and changes to coastal processes into the CIP planning process is an effective way to make sure public investments are accounting for future conditions. This project was developed to support the City's need to develop a phased climate adaptation plan, tailored to planning for coordinated implementation of projects for the City's roads, trails, water, sewer and drainage infrastructure within the Coastal Zone.

A two-dimensional PCSWMM hydrodynamic model was used to simulate tidal flooding from the extreme water levels to identify flood pathways from overtopping of the shoreline and surcharging of the storm drain system; the extent, depth and duration of flooding; and the resulting effect on transportation and utility infrastructure.

The project developed several adaptation concepts to mitigate the vulnerabilities of utilities and transportation infrastructure using GIS tools. The concepts provided a starting point for CIP efforts focused on maintaining and enhancing the City's utility and transportation infrastructure. Incorporating the probability of future conditions into the CIP process with an understanding of remaining design life and risk tolerance provides an effective way to implement public works projects while accounting for uncertainties associated with climate change and sea-level rise.



City of Trinidad, Coastal Resilience Planning

Trinidad, CA

Client Name
City of Trinidad

Client Reference
Becky Price-Hall
Grant & Project Coordinator
(707) 499-6454
rpricehall@trinidad.ca.gov

Date
2022-2024

List of Accomplishments

- [x] Understand community needs and values
- [x] Understand and incorporate concerns of the community about climate change impacts to economic, social, and physical city systems
- [x] Facilitated a shared vision of climate resilience
- [x] Created a technically robust plan for infrastructure resilience
- [x] Created a robust framework for evaluating resilience that incorporates community needs and values with engineering and climate change adaptation experience

The City of Trinidad received an Ocean Protection Council grant to develop an Integrated Trinidad Community Coastal Resilience Action Plan that identifies strategies and projects to address local coastal vulnerabilities. The City currently experiences bluff erosion that threatens coastal access trails, cultural resources, and biological areas of significance and will have to balance solutions and management strategies with the diverse interests of the local stakeholders including Tribes, residents, business owners, fishermen, recreators, infrastructure and utility owners/managers, resource and land managers, and many more. The project also aims to build community capacity and partnerships for coastal resilience, protect water quality, and incorporate hazard planning into the upcoming Local Coastal Program update.

GHD assisted the City to develop a community engagement plan to be implemented over the next two years. The plan identifies stakeholders, strategies for outreach, meeting designs, timeline, and includes feedback loops to adapt outreach and engagement strategies as necessary. The community engagement strategy is rooted in building community capacity to support future efforts and includes virtual and in-person engagement opportunities. Engagement began with outreach to local Tribes to develop synergetic partnerships and to coordinate various climate planning efforts. GHD's community engagement specialists facilitated community and tribal engagement in coordination with GHD's engineering staff in order to develop community-supported conceptual designs for coastal resilience projects. The City or other project partners could then pursue implementation funding.

GHD applied its unique "Loveable Cities" social sustainability framework, process, and community engagement strategy to understanding community values and priorities and include them alongside technical analysis for holistic evaluation of approaches to climate change adaptation.



Port Hueneme Environmental Program Review

Port Hueneme, CA

Client Name
Port Hueneme

Client Reference
Giles Pettifor
Director of Environment and Sustainability
(805) 488-3677
gpettifor@portofh.org

Date
2022-2024

List of Accomplishments

- ☑ Created a detailed 5-year decarbonization and resiliency roadmap, evaluation criteria, and implementation budget and schedule
- ☑ As part of the larger funding application preparation GHD performed, the Port of Hueneme was awarded a discretionary Port and Freight Infrastructure Project (PFIP) grant by CalSTA

The purpose of the Port Hueneme environmental program review (EPR) was to understand, define and achieve consensus for the Port's near-term and long-term decarbonization and resiliency goals and implementation priorities.

This EPR represented a vital first step in developing a single, comprehensive and easy-to-communicate environmental program structure that encompasses the full scope of policies, projects and activities that the Port must implement to fulfill its mission and achieve its ambitious vision of decarbonization and resiliency.

The EPR consisted of five steps:

1. Assess current state
2. Benchmark
3. Identify gaps
4. Define implementation framework
5. Create roadmap

The approach to the EPR was designed to incorporate, consider and align with existing and future policies, programs and projects, including:

- California Air Resources Board (CARB) compliance dates for port operations and equipment
- Board resolution to decarbonize (RTD)
- 10-year strategic plan (SP)
- PHRESH (Port of Hueneme, reducing emissions, supporting health)
- California Energy Commission zero-emission blueprint (ZEB)
- Climate action and adaptation plan (CAAP)
- Sea level rise (SLR) modeling and engineering standards development
- Equity planning and community benefits programs



Buffalo Water Lead Service Line Replacement (LSLR)

Buffalo, NY

Client Name
Buffalo Water Board

Client Reference
Oluwole McFoy, PE
Former Chairman, Buffalo Water Board
Currently Engineer, City of Houston
oluwole.mcfoy@houstontx.gov

Date
2022-2024

List of Accomplishments

- [x] EJ & equity data analytics and mapping
- [x] Community engagement and CBO partnering
- [x] Economic empowerment program
- [x] DBE development program
- [x] Local capacity and technical pipeline program
- [x] Administrative capacity support

Stakeholders

- [x] Buffalo Water (Client)
- [x] Buffalo residents
- [x] Historically under-resourced and disadvantaged communities
- [x] Low-income, minority, and vulnerable populations
- [x] Community-based Organizations (CBOs)

Project Description: Programmatic and technical support for funding and performing LSLR inventory and replacement.

Drivers: Buffalo Water has identified nearly 40,000 galvanized LSLs requiring replacement under the US EPA Lead and Copper Rule.

Challenge: Respond to a Lead and Copper Rule change reducing the LSRL timeline to 12 years, requiring an estimated $42-52 million annual investment.

GHD Role and Scope: Operationalize Buffalo Water's future vision to treat infrastructure projects as opportunities to "build the health and wealth of communities" by:

- Management of full LSL inventory
- Prioritization tools for the replacement of LSL in under-resourced communities
- LSLR implementation and funding strategy
- Funding sources that meet the financial and social needs

GHD Approach: Deep local relationship-building, integration of local knowledge, and collaborative equity analysis to develop an approach to meet community needs and client vision

- Tailored EJ index and geospatial tools for prioritization
- Community engagement strategy, structured partnerships with local CBOs
- Underrepresented Enterprise Empowerment program to build capacity at the local level and create lasting economic growth opportunities for the community in Buffalo

Results

- Funding strategy and sources to support program longevity
- Strategy and support for funding inventory and implementation
- Collaborative community engagement and local partnerships
- Specialized and contextual equity analyses and geospatial tools
- Economic empowerment & local capacity development, stemming out-migration



City of North Port, Jeffrey Lake Seawall Replacement

North Port, FL

Client Name
City of North Port

Client Reference
Anthony Friedman, PE
Project Manager
(941) 240-8098
afriedman@cityofnorthport.com

Date
2020-Ongoing (under construction)

List of Accomplishments

- ☑ Provided design and construction plans for the replacement for the existing Jeffrey Lake Seawall in an accelerated timeline
- ☑ Immediately mobilized field operations and met the expedited design timeline
- ☑ During Hurricane Ian, GHD engineers reviewed damages and provided recommendations for stabilization

GHD provided design and construction plans for the replacement for the existing Jeffrey Lake Seawall in an accelerated timeline.

Based on construction funding stipulations, the project must be designed and constructed on an extremely accelerated timeline. Design, from notice to proceed to final signed and sealed plans issuance for construction, is 30 days.

The existing seawall was in severe condition and potential for failure that would impact drainage and residential roadway operations. Based on permitting requirements, proposed seawall replacement design must be located inland of existing wall. There is also an existing outfall through the existing seawall that must remain in place and at full operation, therefore the proposed wall solution must consider this.

GHD committed staff to immediately mobilize field operations (geotechnical investigations and site evaluation) and meet the expedited design timeline.

Design alignment will give consideration to the permitting requirements put in place by the City of North Port as well as location of drainage structures, overhead electric utilities, and residential homes in the area.

The City's proposed preliminary layout was a cast-in-place concrete stem wall with footing. GHD is evaluating the alternative of a driven sheet pile wall for increased construction efficiency and shortened timeline, reduced footprint for impact to the neighborhood, and a better expected performance for the demands of the design in the project location.

During design, **Hurricane Ian** made landfall nearby and the subsequent water surge caused failure of the upper portion of the seawall which needed to be replaced. GHD dispatched engineers to review damage as well as provided recommendations for stabilization. The final design plans reflected current site conditions, along with additional precautions during construction, to prevent existing wall failure prior to final wall installation.



Matheson Hammock Park Seawall Replacement and Repairs

Miami, FL

Client Name
Miami-Dade County Parks, Recreation & Open Spaces Department (PROS)

Client Reference
Duane Kopp, PE
Construction Manager 2
(305) 755-7954
duane.kopp@miamidade.gov

Date
2021-Ongoing

List of Accomplishments

- [x] Seawalls
- [x] Community engagement
- [x] State and/or federal grant funds
- [x] Challenging environmental conditions or unique design requirements
- [x] Innovative solutions or approaches to enhance a project's sustainability or efficiency
- [x] Use of cutting edge technology
- [x] Our selected design will protect the Park's infrastructure from a 100-year storm event. The seawall will also meet the guidelines of FEMA's Hazard Mitigation Grant Funding Program.
- [x] Ooltic tile wall treatment to match existing park/South Florida aesthetic

GHD was recruited to replace a seawall on the upland side of a marina to combat sea level rise. This project includes the replacement of approximately 700-linear-feet of seawall on the upland side of a marina to mitigate sea level rise and sunny day flooding events that limit public enjoyment of the iconic Matheson Hammock Park. The seawall replacement project is the first component of a broader plan to mitigate frequent flooding and enhance the resiliency of the Matheson Park and its critical and historic infrastructure, which has been open to the public since 1930.

Matheson Hammock Park includes a 243-slip marina, restaurant, large wading lagoon and beach, mangrove trails, and numerous historic buildings and structures constructed of Miami's politic limestone.

Critical design and construction challenges include providing a solution that minimizes vibration and impacts to a historic building, maintaining power and water access to the marina facilities during construction, planning accommodations for future park projects, and developing alternatives that provide 100-year storm protection (per the FEMA Hazard Mitigation Grant funding guidelines).

GHD will perform a hydrology and hydraulics study to determine an optimum wall alignment and cap elevation that provides the appropriate level of protection. The structural analysis will consider challenge components to provide for a resilient and adaptable wall design. Our team reviewed several alignments and wall alternatives to determine the best solution for the client and meet the global goal of the project.

The expandable wall elevation is a key component of the project. It is assumed that the wall design life will outlive current sea level rise projections. Therefore, to allow for an interim wall height, GHD designed for a full future height wall loading that may expand on immediate construction at a later date. This allows for adaptation in the future for other park considerations.



City of Pacifica, Beach Blvd Infrastructure Resiliency

Pacifica, CA

Client Name
City of Pacifica

Client Reference
Roland Yip
Public Works Deputy Director
(650) 738-3771
ryip@pacifica.gov

Date
2020-2024

List of Accomplishments

- ☑ Created a multi-benefit solution to protect public infrastructure, recreational activities, and the community-at-large
- ☑ Funded in part through California Office of Emergency Services (CalOES) using federal disaster relief funding from FEMA

The 2,600-foot-long Beach Boulevard seawall is located on the rugged Pacific Coast, approximately 10 miles south of San Francisco, in an area renowned for coastal erosion. Beach Boulevard is a key transportation and utility corridor providing water, wastewater, gas, and electrical service to the Sharp Park community. Existing seawalls were constructed in 1984, but multiple failures demonstrate the shallow foundation structures are inadequate for the dynamic wave environment and prone to failure from scour, undermining, and excessive wave overtopping within the next 10 years.

This project aims to create a multi-benefit solution to protect public infrastructure, recreational activities, and the community-at-large, from further coastal hazard impacts along Beach Boulevard, including risks associated with future sea level rise.

Phase 1 involved a detailed feasibility study which consisted of an existing conditions report, multi-hazard risk assessment, alternative development and analysis, economic assessment, and a community engagement program. A range of potential project alternatives were evaluated in the feasibility study including beach nourishment, sand retention structures (e.g., groins, reefs, and breakwaters), rock revetment, and seawall. Each alternative was scored in a multi-criteria analysis which considered technical performance, economics, and environmental resources. Phase 1 culminated in 2021 with the selection of the preferred alternative consisting of a seawall, rock scour protection and beach nourishment (hybrid coastal protection system).

GHD's team also supported the City on Phase 2 of the project which involved preliminary engineering design, environmental document, permitting and final design. The preliminary design phase was completed in 2024 with preparation of 35% drawings, updated cost estimate, basis of design report, and detailed project description for use in CEQA scoping efforts.

Additionally, GHD provided professional design and construction management services on a range of other coastal engineering including emergency repairs to the Municipal Pier, and emergency bluff protection projects at 400-500 Esplanade to preserve public access, property, and infrastructure vulnerable to damage from ongoing bluff erosion.



Living Seawall Tile Design - SIMS + REEF Design Lab

Sydney, Australia

Client Name
Sydney Institute of Marine Science (SIMS)

Client Reference
Kate Parsons
Development Manager
+61 427 697 868
kate.parsons@sims.org.au

Date
2018-2024

List of Accomplishments

- [x] Seawalls
- [x] Living shorelines
- [x] Community engagement
- [x] Challenging environmental conditions or unique design requirements
- [x] Innovative solutions or approaches to enhance a project's sustainability or efficiency
- [x] Use of cutting edge technology

SIMS' mission is to help seawalls support biodiversity as much as they protect our society. The goal was to use the seawalls in Sydney to increase the ecological value of artificial structures within the marine environment and promote biodiversity through the creation of living seawalls. Typical seawalls inhibit biodiversity. Special tiles installed turn typical seawalls into living seawalls, by mimicking naturally occurring microhabitats and promote a range of marine species such as oysters, seaweed, mussels, barnacles, chitons, and more. The living seawalls also attract filter-feeding organisms that absorb and filter out pollutants from the water. As part of a pro bono effort, GHD partnered with SIMS and the Reef Design Lab to assess the living seawalls as part of SIMS' Living Seawalls Initiative. Our team assessed the strength and structural integrity of the concrete tile designs and their in-situ fixings.

GHD needed to blend ecological concepts and creative engineering to develop an affordable, adaptable, and scalable method to enhance existing seawalls. We needed to assess the design of a particular panel configuration and advise on modifications so that they would be suitable for operational use over a defined design life in a harsh marine environment.

We analyzed the living seawalls. Our analysis included determining typical meteorological wave and passing vessels wave conditions, deriving impacts loads from these waves, wake formulating destructive testing of sample tiles to establish engineering criteria, interpreting destructive testing results, numerical modeling of typical tiles, and studying what materials will support the walls' longevity. GHD designed an anchor arrangement suitable to support the installation of the living seawall tiles for a 50-year design life. We included fatigue and durability considerations. The anchor design also considered the anchor locations and safety of the installers, operators, other personnel, and nearby swimmers.

Our efforts helped to increase the ecological value and biodiversity in Sawmillers Reserve, Milson's Point, Clontarf, and Fairlight—where the living seawall tiles we helped with were installed. After the success of earlier projects, GHD subsequently assisted SIMS and Northern Beaches Council with a renewal concept design to install living seawall tiles on a proposed concrete stormwater culvert adjacent to the Fairy Bower Sea Pool in Manly, Australia.





City of Miami, Debris Monitoring for Hurricane Irma

Miami, FL

List of Accomplishments

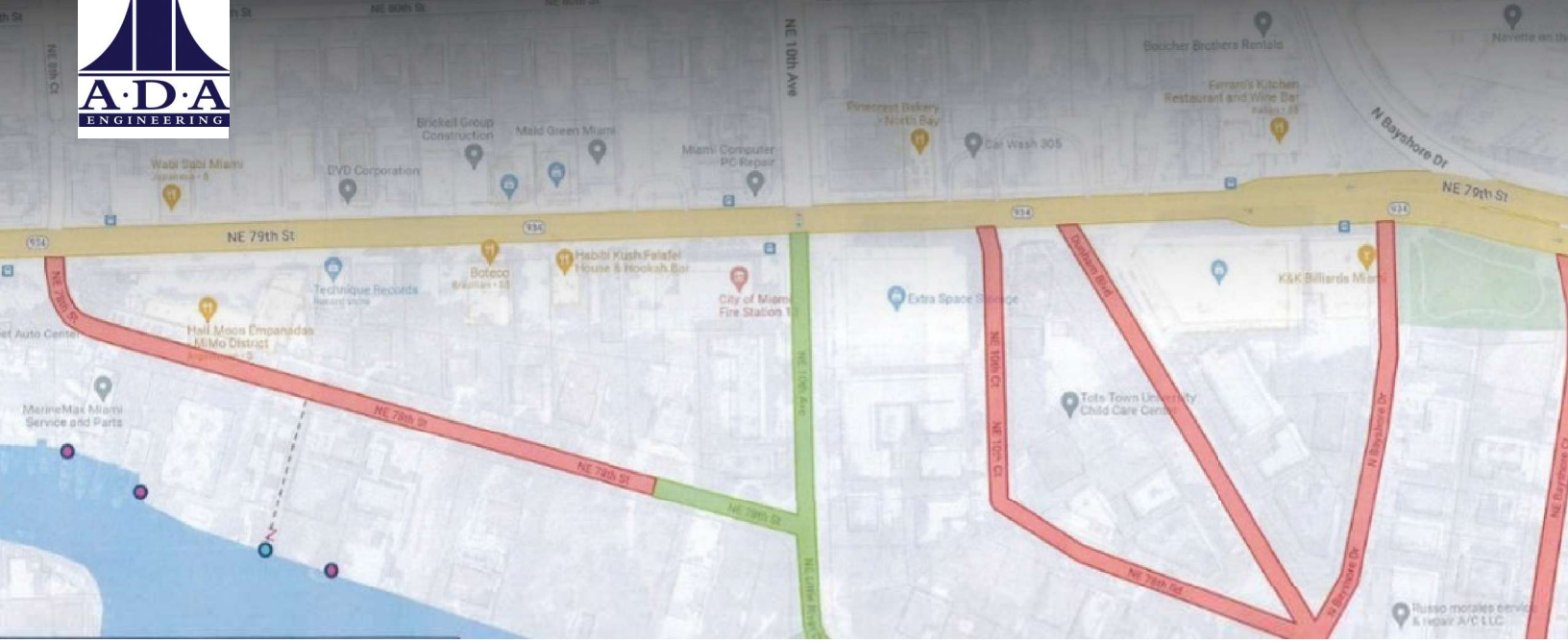
- ☑ Supported post-disaster resilience and recovery
- ☑ Compliance-driven operations
- ☑ Data collection for long-term planning
- ☑ Performed work in accordance with FEMA and applicable federal, state, and local regulations

ADA was a subconsultant on this project and provided project management, supervision, labor, logistical support, and necessary equipment to safely and accurately perform debris monitoring services for the City of Miami in the aftermath of Hurricane Irma.

ADA's staff was responsible for certifying the truck capacities, monitoring the pickup of debris in the field, providing oversight of field monitors, monitoring the tower at the debris transfer site, verifying contractor services, document control and overall project management. ADA also provided a team of inspectors to perform an inventory of hanging limbs and fallen trees, as well as survey property damage including damaged sidewalks within the City of Miami. Throughout the project, ADA continuously verified that multiple contractors were performing eligible work in accordance with FEMA and applicable federal, state, and local regulations.

R2P2 Applications:

- **Supported post-disaster resilience and recovery:** ADA's oversight of debris removal and infrastructure damage assessments directly aligns with R2P2's objective to strengthen municipal response capacity and provide safe, functional environments post-storm.
- **Compliance-driven operations:** By verifying that work adhered to FEMA, state, and local regulations, ADA reinforced R2P2's emphasis on accountability, eligibility, and regulatory alignment in resilience-focused recovery efforts.
- **Data collection for long-term planning:** ADA's field inspections and inventory of fallen trees, damaged sidewalks, and hazardous limbs provide critical post-disaster data to inform future risk reduction and adaptation strategies under R2P2.



City of Miami, Shorecrest Flood Improvements Project

Miami, FL

List of Accomplishments

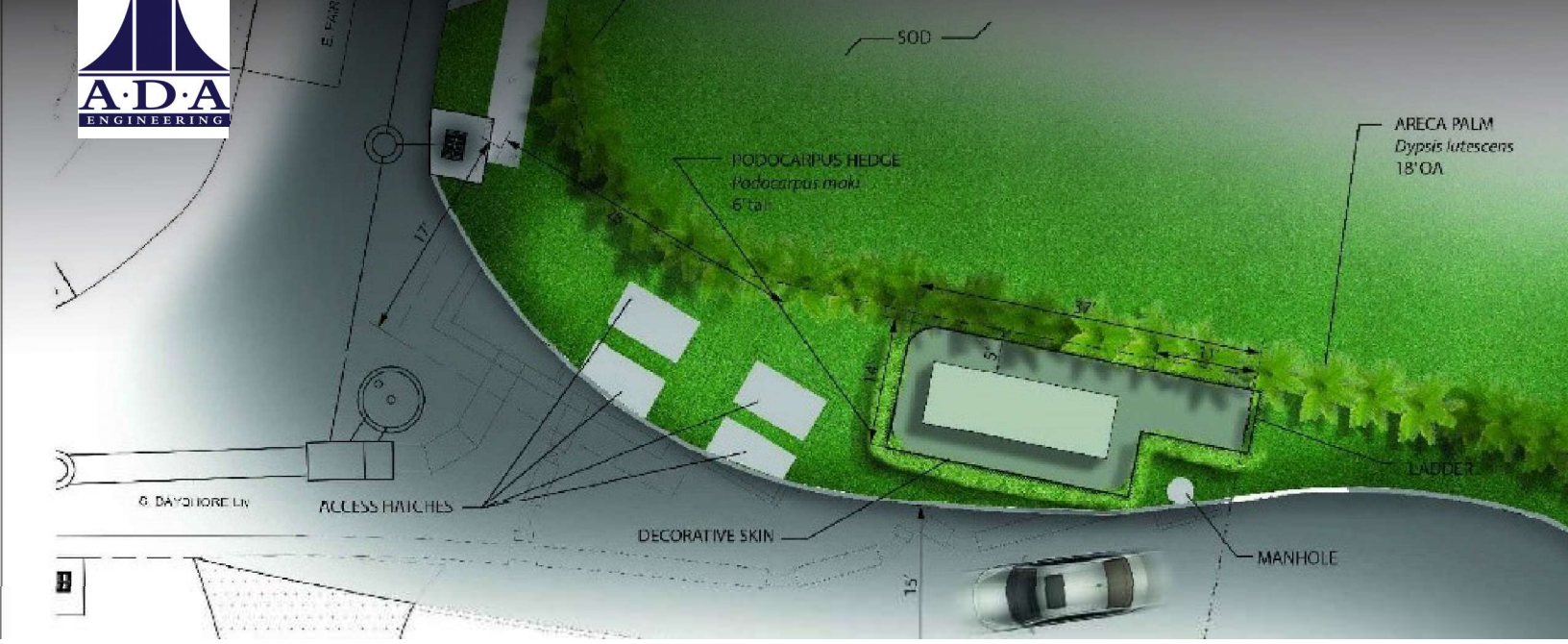
- ☑ Integrated resilience design
- ☑ Future-ready infrastructure
- ☑ Equity-focused implementation

The City of Miami's Department of Resilience and Public Works (RPW), through a Miscellaneous Professional Engineering Contract, retained ADA to provide professional engineering services for the design and construction support for roadway and drainage enhancements in the Shorecrest neighborhood. The project aims to address current flooding issues and mitigate the impacts of rising King Tide conditions along the City's coastal regions.

ADA is serving as the Design Criteria Professional and is providing the design criteria for the roadway and drainage improvements. The design level of effort includes 30%. Roadway improvements include the raising of the existing roadways without impacting the existing residences. Drainage improvements include a new water-tight interconnected system, upsizing an existing outfall to 48-inches including an inline valve to prevent tidal flooding and new stormwater pump station with Class V drainage wells. ADA is responsible for the preliminary stormwater modeling, drainage system and roadway design, as well as the yard piping and electrical components of the pump station including an emergency generator with sound attenuated enclosure. This project encompasses NE 80 Street from NE 8th Court to NE Bayshore Court, south of NE 79 Street, bounded by NE 78th Street to the West and NE Bayshore Court to the East.

R2P2 Applications:

- **Integrated resilience design:** ADA's role as Design Criteria Professional confirms that roadway elevation and watertight drainage systems are designed to withstand future King Tide conditions, aligning with R2P2's goals of long-term climate adaptation.
- **Future-ready infrastructure:** The upsized 48-inch outfall, new pump station with emergency power, and interconnected drainage system directly supports R2P2 objectives for flood protection, system redundancy, and service continuity in coastal neighborhoods.
- **Equity-focused implementation:** ADA's design raises roadways without impacting existing residences, reflecting R2P2's commitment to resilience solutions that protect vulnerable communities without displacement.



City of Miami, South Bayshore Lane Pump Station

Miami, FL

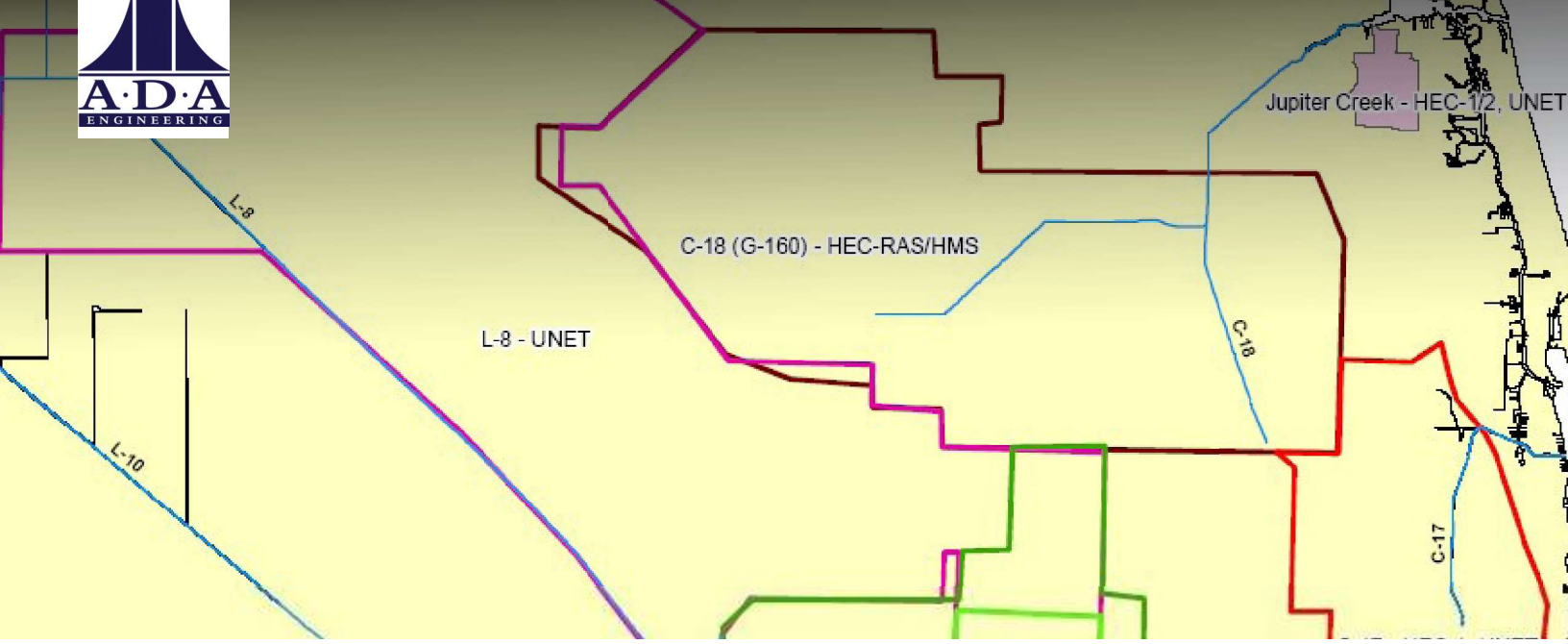
List of Accomplishments

- ☑ Targeted resilience in vulnerable areas
- ☑ Integrated and adaptive design
- ☑ Data-driven, budget-conscious planning

ADA was contracted by the City of Miami Office of Resilience & Public Works to design a stormwater pump station as part of Phase II of the Roadway and Drainage Improvements along South Bayshore Lane. The project involved reconstructing the roadway from South Bayshore Drive, with drainage improvements to mitigate the impacts of sea level rise. The scope of work included upgrades to sidewalks and pedestrian ramps, a bikeway, landscaping, roadway lighting, traffic signalization, utility coordination, and signing and pavement markings. ADA's responsibilities also encompassed project management, engineering analyses, preparation of construction documents, pump and generator design, and an assessment of the existing 15-inch RCP outfall to evaluate flow efficiency.

R2P2 Applications:

- **Targeted resilience in vulnerable areas:** ADA's work in Shorecrest, a flood-prone coastal neighborhood, aligns with R2P2's objective to prioritize infrastructure upgrades in high-risk, climate-sensitive zones.
- **Integrated and adaptive design:** The project incorporates elevation-sensitive roadway design, drainage system upgrades, and utility adjustments—supporting R2P2's emphasis on integrated, future-ready infrastructure solutions.
- **Data-driven, budget-conscious planning:** ADA's drainage analysis focuses on identifying critical improvements within budget constraints, reflecting R2P2's focus on scalable, cost-effective resilience strategies.



Palm Beach County FEMA H&H Interface Data Model Geospatial Database

Palm Beach County, CA

List of Accomplishments

- ☑ Advanced geospatial integration
- ☑ Supports flood risk and infrastructure mapping
- ☑ Interagency collaboration and QA/QC compliance

ADA was retained by the South Florida Water Management District (SFWMD) to develop the Palm Beach County Interface Data Model/Geospatial Database. The project's goal was to create a populated Arc Hydro H&H Interface Data Model (Geospatial Database) and a FEMA Standard/Enhanced DFIRM Database for Palm Beach County from existing Hydraulic and Hydrologic model data, to supplement the revised FEMA Flood Insurance Rate Maps (FIRM) currently being produced by FEMA.

These tasks included the inventory of electronic data and reports used by FEMA in preparation of revised FIRM Maps for Palm Beach County and additional information available from the SFWMD and the development of a Geospatial Database for Palm Beach County that complies with the standards defined by the Arc Hydro H&H Interface Data Model FEMA DFIRM Database Specifications. This project included importing HEC-RAS and HEC-HMS model data into an ArcMap geospatial database. Additional model data imported into the geodatabases included various sources of digital data in CAD and shapefile formats as well as the digitization of hardcopy data in GIS. A FEMA compliant QA/QC evaluation was also performed on the collected data and reports.

R2P2 Applications:

- **Advanced geospatial integration:** Developed a FEMA-compliant ArcHydro H&H Interface Geodatabase integrating HEC-RAS, HEC-HMS, CAD, shapefiles, and digitized records—supporting R2P2's emphasis on data-driven resilience planning.
- **Supports flood risk and infrastructure mapping:** The project enabled detailed modeling and analysis for FEMA's revised DFIRM maps, aligning with R2P2 goals of identifying vulnerable areas and informing mitigation priorities.
- **Interagency collaboration and QA/QC compliance:** Coordinated with SFWMD and FEMA to standardize datasets and perform quality control, reflecting R2P2's requirements for regional coordination and technical rigor.

Town of Fort Myers Beach reFRESH Waterlines Replacement Project Side Streets

Town of Fort Myers Beach Waterline Replacement Project

Fort Myers, FL

List of Accomplishments

- ☑ Extensive public involvement program
- ☑ Public information workshops, small group meetings, and daily meetings
- ☑ Creation and distribution of newsletters and notification flyers

CMA was the Public Information Consultant for the reFRESH Fort Myers Beach Waterlines Project, which replaced the old, unreliable water infrastructure with a new water system that is dependable and able to handle existing and increasing demand on the island. The project consisted of work being done along Estero Boulevard in coordination with the reFRESH Estero Boulevard Project, as well as four phases for the replacement of waterlines, storm drainage, and outfalls on side streets off of Estero Boulevard.

The project began in 2011 when the Town of Fort Myers Beach completed water main replacement for North Estero Boulevard. In 2015, the Town completed installation of new water mains in Basin Based Neighborhood, Bay Beach Lane, and Laguna Shores. In early 2016, new water mains on Estero Boulevard from Times Square to Red Coconut RV Park were installed. The project continued along Estero Boulevard and various side streets.

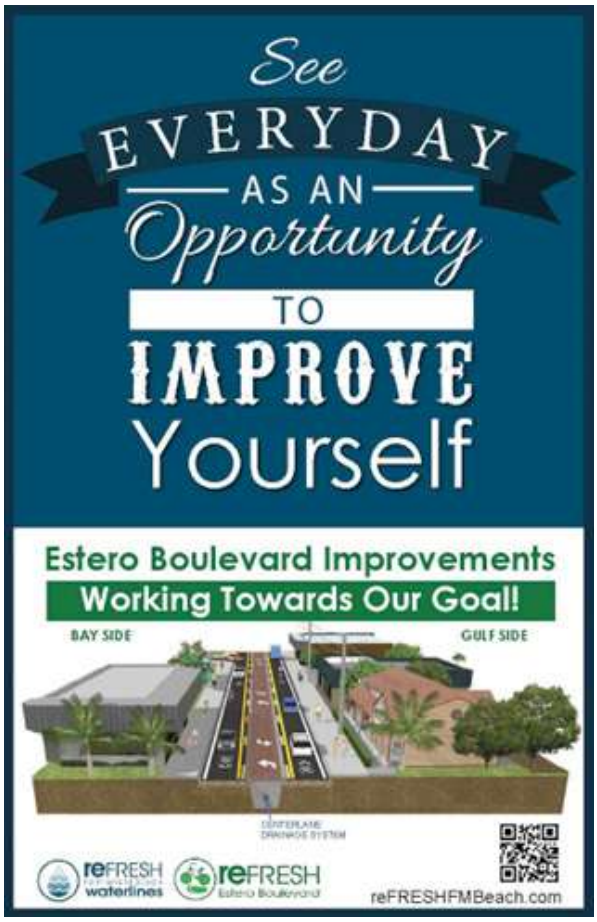
An extensive ongoing public involvement program is being conducted using a combination of public information workshops, small group meetings, and numerous, daily individual meetings with property and business owners. Newsletters and notification flyers are prepared periodically for distribution to the affected property owners and tenants in the waterline replacement area. Duties include the coordination of water shut-offs, boil water notices, and rescission notices for affected properties. Extensive coordination with Town staff and officials, beach property owners, tenants, tourists, residents, and business owners were significant factors of the program.



Adapt Naples Climate Adaptation Plan

Naples, FL

CMA was the Public Information Consultant for the Climate Adaptation Plan which was to address climate change by planning for and adapting to climate change impacts such a sea level rise, increased storm surge, and more extreme rain and heat events. The goal is to reduce the negative impact climate change has on infrastructure, services, and the well-being of the community. Public involvement notification consisted of small group meetings with organizations and HOA members, an electronic survey, webpage development, posters, and flyers distributed to city residents.



Lee County Estero Boulevard Improvements Project

Lee County, FL

CMA was the Public Information Consultant for the refresh Estero Boulevard Utility and Streetscape improvements included improving six miles of Estero Boulevard on Fort Myers Beach. Lee County improvements included sidewalks on both sides of the road, trolley stops, drainage improvements on Estero Boulevard, and connection to the Town of Fort Myers Beach's drainage projects. Sewer force mains and relocation of existing utilities, including FPL power poles, telephone, and cable lines, were also completed.

Lee County Department of Transportation worked with LeeTran to improve trolley stops and crosswalk locations. At some trolley stops, design plans incorporated travel lane shifts where possible that allow vehicles to continue past stopped trolleys. Street lighting at crosswalks will be improved, and landscaping opportunities will be included where space is available.

06

→ Approach to Providing Services

06 Approach to Providing Services

→Project Understanding

The Town of Fort Myers Beach Comprehensive Plan was developed in 1999 to serve as the foundational framework guiding the Town's growth, development, and preservation efforts. This Plan encompasses various elements including Future Land Use, Community Design, Coastal Management, Conservation, Transportation, Utilities, Recreation, Housing, Historic Preservation, and Capital Improvements. Each element outlines specific goals, objectives, and policies aimed at balancing economic interests, particularly those tied to tourism, with the community's desire to manage development responsibly.

Over the years, the Plan has undergone several amendments to address evolving community needs and regulatory requirements. Notably, in 2008-2009, 13 amendments were adopted, including updates to the Capital Improvements Element and the addition of a Public Schools Element. Further amendments in 2010 focused on revising the Future Land Use Map and updating the five-year schedule of capital improvements.

The Plan's Community Design Element plays a crucial role in bridging the gap between the Town's tourist-driven economy and residents' concerns about overdevelopment. By integrating resilience measures and promoting sustainable development practices, the Plan aims to preserve the unique character of Fort Myers Beach while accommodating growth.

Elements of the Comprehensive Plan:

1. **Future Land Use Element:** Outlines the desired development patterns, land use designations, and growth strategies to establish sustainable development.
2. **Community Design Element:** Focuses on the aesthetic and functional aspects of the Town's physical environment, promoting designs that reflect the community's character.
3. **Coastal Management Element:** Addresses the protection and sustainable use of coastal resources, emphasizing hazard mitigation and environmental preservation.
4. **Conservation Element:** Aims to protect natural resources including water quality, wildlife habitats, and air quality which promotes ecological integrity.
5. **Transportation Element:** Plans for a balanced transportation system that accommodates vehicles, pedestrians, bicyclists, and public transit, enhancing mobility and safety.
6. **Utilities Element:** Provides the provision of essential services such as water, sewer, and solid waste management, supporting The town's infrastructure needs.
7. **Recreation Element:** Promotes the development and maintenance of recreational facilities and open spaces to enhance residents' quality of life.
8. **Housing Element:** Addresses housing needs, advocating for a range of housing options that are safe, affordable, and suitable for various demographics.
9. **Historic Preservation Element:** Focuses on identifying, protecting, and preserving sites and structures of historical significance within the Town.
10. **Capital Improvements Element:** Provides a framework for planning and financing public infrastructure projects, delivering timely and efficient improvements.



→Work Plan

Project Initiation and Review of Existing Materials

Objective:

To compile and analyze relevant studies, literature, and data to develop a comprehensive understanding of existing conditions and critical assets within the Project Area. Establishing a solid foundation for the Fort Myers Beach Comprehensive Recovery and Resilience Implementation Plan (Plan).

Activities:

GHD will gather and review relevant existing plans, studies, and policy documents, including the FEMA Technical Assistance 2024 Long-Term Recovery Plan, Coastal Florida Recovery and Resiliency Partnership Project (R2P2) outcomes and recommendations, the current and proposed future amendments to the Town of Fort Myers Beach Comprehensive Plan, and other approved or draft plans and studies identified by the Town or the consultant. We will develop an inventory list of known data on existing conditions and critical assets within the Project Area, as well as planned improvements near or adjacent to the Project Area.



GHD will work with the existing Town consultant to identify proposed projects and plan elements for in-progress planning activities. These insights will be combined with the activities described below to confirm GHD has relevant analytical information. This will support the development of a future-forward comprehensive plan that meets current community needs while also supporting long-term resilience.

To confirm completeness and accuracy, GHD will send the inventory list to Town leadership and other identified stakeholders for review. We will incorporate feedback from Town leadership and stakeholders to finalize the inventory list.

GHD will compile the asset inventory in GIS, utilizing digitized and geo-referenced asset information where available. We will prepare maps to depict existing conditions and resources/assets of interest identified through community engagement events. Example maps may include topographic data, FEMA flood zones, ownership and municipal boundaries, land use and zoning, building types, waterways and contributing watersheds, transportation, disadvantaged community boundaries, and key community places and resources such as destinations and recreational areas, critical assets, public access points, and habitat designation.

We will compile relevant regulatory guidance and standards pertaining to vulnerability and adaptation projects, including Local Coastal Plan policies for Fort Myers Beach and surrounding areas.

GHD will collect and analyze data on community demographics, environmental conditions, land use patterns, housing needs (with emphasis on workforce housing), economic trends, and infrastructure vulnerabilities (including FEMA Community Lifelines). We will identify climate-related, social, and economic risks and recommend strategies to mitigate impacts on vulnerable populations and critical services.

Relevant studies, literature, and data reviewed by GHD will be summarized in an Existing Conditions section of the Plan. This section will describe the conditions of the Project Area, including past closures of infrastructure due to flooding, King tides, and storm surges. Mapping of existing conditions will be included to provide a visual representation of the data.

Deliverables:

- Analysis that highlights gaps within the existing plan and provides a comparison with adaptation and resilience leading practices
- Present to the Town for validation along with comments received from internal stakeholders
- Vulnerability assessment

Community Engagement and Outreach

Objective:

To establish a robust and inclusive community engagement process that gathers meaningful input from a broad cross-section of stakeholders, fostering transparency and responsiveness throughout the planning process.

Activities:

GHD is partnering with CMA to leverage their existing trusted stakeholder relationships and knowledge of Fort Myers Beach. Although CMA has developed many relationships with businesses and property owners during these projects, Hurricane Ian changed the island and many of the businesses have not returned. CMA's mission is to identify existing and potentially new businesses that may have committed to the area.

In partnership with CMA, GHD will create a brief Community Engagement Plan (CEP) to guide meaningful engagement and coordinate with past and existing efforts. The CEP will outline a community engagement approach, including a meeting schedule, announcement methods, target audiences, accessibility considerations, types of meetings (in-person, virtual, public hearings), and mechanisms for public input. The CEP will be flexible and responsive to community needs, providing a process for adjusting approaches if certain segments of the community are not being adequately reached.

Our team will conduct a stakeholder inventory and mapping effort to identify and assess internal and external stakeholders. We will identify functional stakeholder groups and methods to share project information or receive feedback at key project milestones.



An initial meeting with Town leadership will be held to identify key stakeholders and understand the issues, complexity, history, and nuances of the Project. **We will engage with municipal and regional partners early and throughout the process to provide consistent alignment with local needs, existing initiatives, and funding priorities.** Key stakeholders include agencies such as Southwest Florida Water Management District, Department of Environmental Protection, Natural Resources, Departments of Transportation (Lee County and FDOT), utilities, facilities management, and many other outside agencies. The stakeholder list will also include public, neighborhood and special interest advocates. The CEP will be reviewed and approved by Town leadership prior to conducting outreach and engagement activities.

Our team will organize and conduct public meetings to present information and solicit community feedback. Materials, including Board presentations, developed for these meetings will be ADA-accessible and reviewed for clarity and appropriate use of language. We will utilize a variety of community engagement tools, including project mailing lists, project flyers, and online platforms to develop meaningful and accessible infographics and other materials. Alternative online engagement platforms will be used to provide charts, maps, and metrics that convey the sentiment and local understanding of the Project. Public surveys will be developed for distribution through the chosen online engagement platform and summarized anonymously in the final planning document.

We will facilitate a visioning process informed by community input and leading practices. Our team will articulate a clear vision statement, along with measurable goals and objectives for the Town's recovery and resilience.

Engagement activities will be documented, and stakeholder feedback will be incorporated into the planning process. We will focus on transparency and responsiveness to confirm the Plan reflects the community's values, needs, and aspirations.

Deliverables:

- Identify stakeholder inventory and mapping
- Draft and Final Community Engagement Plan (CEP), which includes engagement objectives, target audiences, a menu of engagement activities for selection, a notification plan, and a timeline.
- Subject to Town's approval, below is a suggested list of engagement activities:
  - Project mailing list based on stakeholder mapping
  - Meeting advertising and notification
  - Project materials such as project factsheets, meeting presentations, content for the Town's webpage, and social media

- Two (2) presentations with the Town
- One (1) public workshop including meeting notification advertisements and media notification (I.e. Fort Myers Observer, Beach Radio, and NewPress)

- Host and facilitate meetings with key stakeholders
- Reoccuring meetings with the Town staff and partner agencies
- One (1) focus group meeting with neighborhood and special interest groups
- An Engagement Summary Report, including documentation of engagement activities and feedback incorporation

Data Collection and Analysis

Objective:

To gather and analyze comprehensive data on community demographics, environmental conditions, and infrastructure vulnerabilities, setting a solid foundation for the Town's recovery and resilience strategies.

Activities:

GHD will leverage the data collected during the Project Initiation phase, which includes comprehensive reviews of existing plans, studies, and policy documents, as well as GIS mapping of critical assets and existing conditions. This foundational data will be crucial in understanding the current state of the community and identifying areas of vulnerability. Building on this foundation, GHD will incorporate additional guidance from FEMA Community Lifelines and the NIST Community Resilience Planning Guide.

FEMA Community Lifelines provide a framework for understanding and communicating incident impacts using plain language, prioritizing efforts to stabilize lifelines during incident response. These lifelines include essential services such as safety and security, food, water, shelter, health and medical services, energy, communications, transportation, and hazardous materials management. By integrating this framework, GHD will confirm that the analysis covers critical aspects of community resilience.

The NIST Community Resilience Planning Guide offers a structured six-step process to help communities improve their resilience by setting priorities and allocating resources to manage risks for prevailing hazards. This process includes setting performance goals for vital social functions, recognizing the community's social and economic needs, and aligning community priorities with resilience goals. GHD will use this guide to confirm a comprehensive and holistic approach to resilience planning.

Based on the data collected in the Project Initiation and Existing Materials phase, GHD will evaluate the climate-related, social, and economic risks for the Town's vulnerable and general populations. The equity analysis will apply environmental, economic, and climate-related principles and will include a socio-economic and demographic study to characterize the affected environment and identify the external vulnerabilities of under-resourced and historically marginalized communities and populations. The social vulnerability assessment will be performed in accordance with the US Climate Resilience Toolkit data and references for the assessment of climate-related social vulnerability.

Publicly available data, analyses, indices, and geospatial tools will be used to conduct the analyses and assessments listed below. The analyses will be performed at the US Census tract or block group-level, depending on the availability of data.



Deliverables:

- Comparative analysis of FEMA Lifelines and NIST Community Resilience Planning Guide and how it applies to the existing Town Plan
- Physical and social interdependencies
- Social assessments, demographic study, and socio-economic co-benefits analyses

Integration of Sustainability and Resilience Strategies

Objective:

The GHD team will implement a comprehensive, future-focused approach aligned with the goals of the Resilient Redesign and Planning Program (R2P2). The integration of sustainability and resilience strategy applies the following methodology to provide flood resilience, regional coordination, and data-backed decision-making.

Activities:

Baseline Assessment and Data Integration

Our team will collect and integrate relevant hydrologic, hydraulic, GIS, and infrastructure data, incorporating existing conditions and recent improvements. We will establish a performance baseline using advanced modeling tools such as ICPR.

Future Conditions Modeling

We will apply regional sea level rise projections, groundwater rise scenarios, and future land use assumptions (2060+) to model the performance of existing infrastructure and flood conditions under changing climate dynamics.

Development and Evaluation of Adaptation Scenarios

We will develop and simulate flood mitigation alternatives—both gray and green—and evaluate them using R2P2-defined metrics including flood risk reduction, social equity, and system performance.

Resilience Metrics and Prioritization

Outcomes will be measured through key indicators: depth and duration of flooding, service disruptions, vulnerable population impact, and multi-benefit returns. Solutions will be prioritized based on resilience, scalability, and cost-effectiveness.

Deliverables:

- Deliverables, models, and technical documentation will be submitted in formats consistent with R2P2 standards, providing transparency, replicability, and integration into broader regional planning efforts.

Project Management and Reporting

Objective:

To confirm effective project management and reporting throughout the development of the Plan, maintaining clear communication, timely progress, and compliance with regulations.

Activities:

Within the first two weeks from issuance of the Notice to Proceed, GHD will prepare for and conduct an initial kick-off meeting with the Town's Project Manager (PM) and associated staff. This meeting will include the following tasks:

- Identify key project contacts and establish information exchange protocols
- Review project goals, objectives, and expectations to confirm alignment
- Establish a project team meeting schedule to facilitate regular communication
- Review the project timeline, scope of work, and deliverables
- Identify client-supplied maps, documents, and related information necessary for the project
- Review the community engagement strategy and approach to enhance effectiveness
- Discuss data needs, document and product format, organization, and graphic quality presentation, and consult with IT and GIS staff to meet the Town's GIS standards
- Understand key issues, areas of concern, and opportunities for the project, and conduct a tour if necessary
- Within 15 days of the kick-off meeting, GHD will prepare a draft Project Management Plan (PMP) which includes key stakeholders for the Community Engagement Plan for the Town's review and approval

This task will also serve as a discovery process, reviewing existing visioning, planning, and regulatory documents of subject jurisdictions, including but not limited to, the Comprehensive Plan, Zoning Codes, design guidelines, and previous studies. GHD will provide the kick-off meeting agenda and meeting minutes for electronic dissemination to meeting attendees.

Deliverables:

- Prepare for and facilitate the kick-off meeting, including the agenda, materials, and overall project schedule
- Schedule and facilitate regular project coordination meetings to be held in-person and/or virtually using MS Teams (or a similar platform) at a frequency agreed upon with the Town's PM. We will provide materials ahead of each meeting and follow-up with meeting notes. The frequency of coordination meetings can be adjusted by the Town as needed or requested.



Deliverables and Implementation Roadmap

Objective:

To develop a user-friendly, actionable final Plan document that includes a clear vision statement, goals, and objectives, specific actions, timelines, responsible parties, and integrated strategies for recovery and resilience.

Deliverables:

The Comprehensive Recovery and Resilience Implementation Plan will include the following key deliverables:

1. Final Plan Document

- **Vision Statement:** A clear and compelling vision statement that encapsulates the Town's aspirations for recovery and resilience.
- **Goals and Objectives:** Specific, measurable goals and objectives that align with the vision and address the Town's recovery and resilience needs.
- **Prioritized Actions:** Detailed actions prioritized based on urgency, impact, and feasibility. Each action will include timelines, responsible parties, and required resources.
- **Integrated Strategies:** Strategies that reflect existing approved and draft plans, confirming no duplication of effort. This includes recommendations from the FEMA Technical Assistance 2024 Long-Term Recovery Plan and the Coastal Florida Recovery and Resiliency Partnership Project (R2P2).
- **Financial and Funding Strategy:** Identification of potential funding sources (local, state, federal, nonprofit, or private) for implementation. This will include a detailed financial plan to support the execution of prioritized actions.
- **Metrics and Key Performance Indicators (KPIs):** Metrics to measure progress and success over time. KPIs will be established to monitor the effectiveness of the implemented strategies and actions.

2. Supporting Data and Analyses:

- **Community Demographics:** Detailed analysis of community demographics, including population trends, age distribution, income levels, and other relevant data.
- **Environmental Conditions:** Assessment of environmental conditions, including land use patterns, water quality, and natural resource management.
- **Housing Needs:** Analysis of housing needs with a particular emphasis on workforce housing and vulnerable populations.
- **Economic Trends:** Evaluation of economic trends, including employment rates, business growth, and economic vulnerabilities.
- **Infrastructure Vulnerabilities:** Identification of infrastructure vulnerabilities, including FEMA Community Lifelines and critical facilities.

3. GIS Maps:

- **Existing Conditions:** Maps depicting existing conditions, including topographic data, FEMA flood zones, land use and zoning, building types, transportation, waterways, and key community places and resources.
- **Identified Projects:** Mapping of identified projects from the previous Comprehensive Plan and updates to visualize progress and integration with current planning efforts.

4. Regulatory Guidance and Standards:

- Compilation of relevant regulatory guidance and standards for vulnerability and adaptation projects, including FDEP directives on water quality, TMDL compliance activities, and strategies to address toxic algal blooms like red tide.

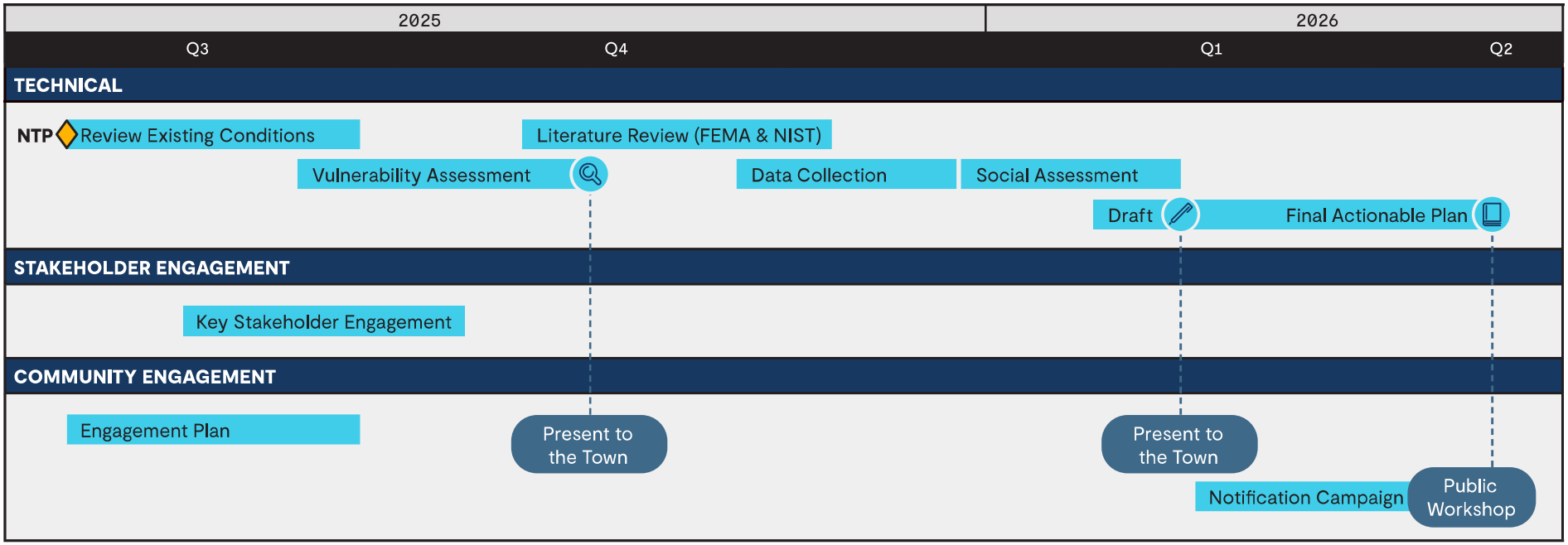
5. Community Engagement Summaries:

- Documentation of community engagement activities, including workshops, focus groups, surveys, and online engagement platforms. Summaries will include stakeholder feedback and how it has been incorporated into the planning process.



→Project Schedule

GHD understands the grant requirements for the project—to complete the project by June 2026. Our team will support the Town to meet the grant schedule. Our schedule is approximately 9 months starting from Notice to Proceed (NTP). The timeline graphic below presents the estimated timeline for each task deliverable.



*Timelines are estimates

07

→ Compensation

07 Compensation

RFP Form C

Proposer: GHD Services Inc.

PRICE PROPOSAL FORM

Note: Forms A, B & C are available in WORD format from the Contracts Manager upon request.

THIS FORM MUST BE SIGNED AND SUBMITTED WITH PROPOSAL TO BE DEEMED RESPONSIVE.

Name of Proposer: GHD Services Inc.

Name of authorized representative of Proposer: Chrissi Harding | Vice President

Project Cost

Item	# of Units for evaluation purposes Only	Price Per Unit
Comprehensive Recovery and Resilience Implementation Plan	1	$ 998,275.00
		$
		$
		$
		$
		$
		$
TOTAL PRICE $ 998,275.00		

Instructions: Show the project cost for each deliverable your firm will provide per the requested scope of work. Include the fees associated with each proposed deliverable. Fees should be detailed to the extent possible per deliverable.
The Total Unit Price Cost shall include all fees and reimbursements for out-of-pocket costs. The Town will not reimburse for any costs not actually incurred and paid for by the Proposer and included in its proposal. Reasonable proof thereof will be required.

The Total Unit Price Cost shall include the cost of:

e. Meetings with Town staff to discuss Fort Myers Beach Comprehensive Recovery and Resilience Implementation Plan progress.

Payments will be made on each deliverable upon receipt and acceptance by the Town.

Additional Services

The Town may have the need for additional services, which may be requested over the next 3 years.

If the Proposer is interested in additional work, please provide the hourly rate, unit rate and staff positions available. The rates for the additional work will not be used for evaluation of the services required in this RFP.

Additional Work	
Title:	Hourly Rate/ Per Unit Rate
Senior Technical Director 1	$287.18
Senior Technical Director 2	$273.24
Senior Technical Director 3	$270.20
Technical Director 1	$237.00
Technical Director 2	$144.62
Senior Consultant 1	$260.65
Senior Consultant 2	$195.47
Consultant 1	$161.19
GIS Professional	$102.92

By: Chrissi Harding Date: 4/7/2025

Name: Chrissi Harding

Title: Vice President

08

→ Additional Information

08 Additional Information

As one of GHD's Strategic Growth Initiatives, **Future Communities** will enable us to think differently about our approach to the Town's challenges, enabling our shift from service provider to trusted advisor.

Future Communities integrates everything we do, so that together, with the Town, we can provide thriving places and spaces that put people first.

Because no two communities are the same, our mission is to help the Town address, manage and mitigate the impacts of complex, often convergent forces, to support their strategic ambitions and community aspirations – laying the foundations for future success.

Our ambition is to help the Town get the balance right, to support the communities of today and tomorrow.

In the following pages, we've provided additional information for:

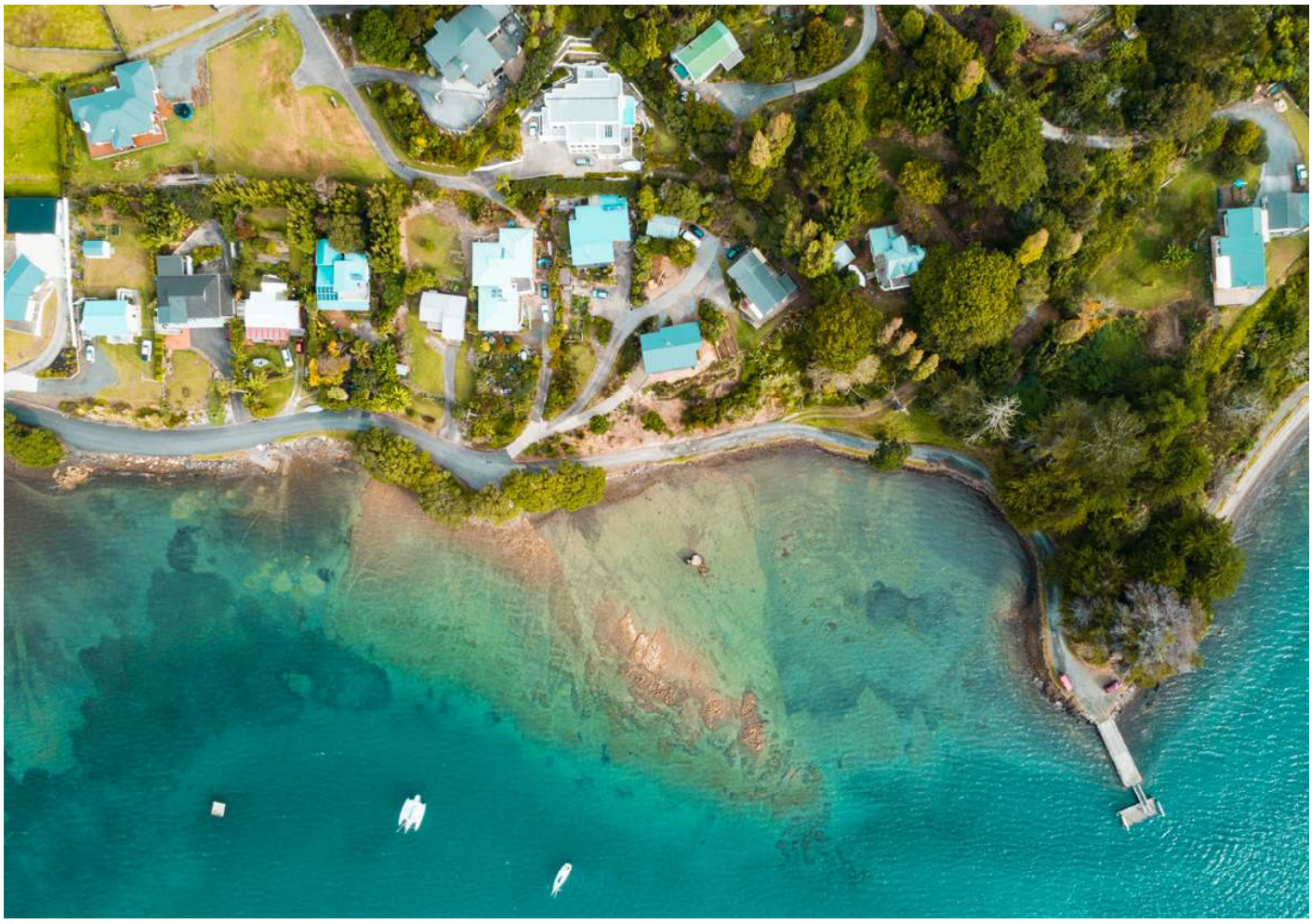
- Climate Risk and Resilience
- Loveable
- Place Mix
- GHD Unpack

Future Communities
→ Introducing Climate Risk and Resilience

Changing risk landscapes

Extreme weather events and natural disasters are happening more frequently and with increasing intensity. Alongside this, investors and lenders are implementing stringent ESG, sustainability and 'climate readiness' mandates to unlock funding. This means our clients now need to proactively plan for and manage events caused by climate change, while at the same time, meeting evolving investment drivers and stakeholder expectations.

With ongoing disruption as the norm, the landscape for infrastructure risk management and disaster response is changing. Traditional hazard and climate risk assessments are prescriptive, expensive, time-consuming and often not connected to a broader resilience vision. New solutions are needed.



Pairing existing expertise with creative problem solving

In response to these challenges, we are developing a new solution to help our clients proactively plan for, adapt and respond to immediate and future threats. We call this solution 'Climate Risk and Resilience', it's a holistic approach that encompasses a suite of interconnected services, processes, and creative problem-solving techniques to help our clients better respond to climate change-related threats to their business.

Using this adaptive framework, we 'plug in' any existing planning that our client may have undertaken and then work through various scenarios. We then identify a tailored suite of climate risk assessment, management and response solutions for our clients to consider for application at all scales. Through this exercise, we can create a workable blueprint for fully integrating climate risk and resilience into their operations

Recognising the interconnectedness of communities

'Climate Risk and Resilience' is a scalable solution, tailored to tackle complex challenges at any stage of planning, program management or asset lifecycle. By taking a macro view, we can account for intersecting social, cultural, economic and environmental factors in our recommendations to clients and help them focus on outcomes and value to stakeholders.

Our approach enables us to dig deeper into our clients' challenges through a facilitated engagement process, gathering new perspectives and identifying new voices to bring to the table. In doing so, we can identify actionable pathways towards a more resilient future for our clients, the infrastructure they deliver and the communities they serve.

With a focus on collaboration, 'Climate Risk and Resilience' draws on innovative approaches such as design thinking, origination and co-creation, to creatively work through the information and insights gathered. This smarter, more collaborative way of working helps to rapidly identify a logically phased 'resilience roadmap' that can then be planned and funded in stages.

"Our clients are facing competing and often, conflicting, demands as they strive to keep their communities safe. Climate Risk and Resiliency helps guide our clients through these difficult times, supporting them to create resilient communities that thrive in the future."

– Dr Kate Panayotou,
Climate Risk & Resilience Technical Leader

Collaborating on new solutions

Meaningful client partnerships underpin the success of our 'Climate Risk and Resilience' approach. Our solution is grounded in our ability to foster an environment within which we can test and challenge assumptions. Together, we will create solutions that enable our clients to better respond and adapt to change – ensuring our future communities feel supported by the infrastructure around them.

ghd.com/FutureCommunities

Our philosophy

Climate Risk and Resilience is a solution born out of Future Communities – our commitment to creating thriving places and spaces, together with our clients, that put people first.

Knowing that every community is different, Future Communities helps solve increasingly complex social, cultural, environmental, and economic challenges to deliver on our clients' strategic ambitions and community aspirations.

→ The Power of Commitment

Future Communities
→ Introducing **Loveable**

Putting people at the heart of place

Through our Loveable approach, we are inspiring a new phase in the evolution of community building. An approach that puts people outcomes first, celebrating the varying experiences and uniqueness of place.

By taking time to look at the multi-functional role infrastructure plays in our lives, we can capitalise on existing assets to bring greater social and economic return. Ultimately, this will enable our built environment to better meet the disparate, changing needs of our future communities.



Moving beyond what is liveable

Designing Loveable places means moving beyond tangible metrics of liveability and presumed functionality towards a deeper understanding of how communities interact with place. It's a paradigm shift that looks beyond the 'primary' function of a piece of infrastructure.

GHD's Loveable approach celebrates what makes a place unique, recognising the intangible elements that make us fall in love with the places we live, work and visit. Rather than counting the number of park benches in an area for instance, our approach considers whether people use them and how long they spend there. By taking this approach, we can create vibrant infrastructure that responds to local need and aspiration.

At the heart of what community value

Using a variety of community engagement and behavioural tools, our Loveable approach enables us to collect human-centric data in multiple ways. We then apply the Loveable framework to connect design, form, and function with the lived reality of a place.

This approach is guided by and developed in response to the dual pillars of 'place identity' and 'people's experience'. 'Place identity' celebrates the unique characteristics of place, such as landmarks, areas of social gathering or iconic institutions. 'People's experience' acknowledges the identify of community, the wants and needs of differing demographics, and the rhythms and rituals that play out within a space depending on the time of day or season.

By getting to the heart of what people truly value and want more of, we can build more socially cohesive and desirable communities. This creates added economic benefit; focusing on what people love attracts talent, which in turn attracts investment. Loveable places also lead to elevated environmental outcomes and flow-on socio-economic benefits, such as reduced loneliness and improved community mental health.

"Loveable is about embracing what is different about a place and celebrating those differences. It is about understanding its essence and ensuring that what the community values is at the heart of future planning."

– Michala Lander,
Loveable Lead

Partnering on new solutions

Through meaningful collaboration with our clients, Loveable seeks to harness rich data and new insights to address some of the biggest social and urban planning challenges of our time.

Through Loveable, we will capitalise on existing assets, celebrate the uniqueness of place and foster people's experience to build an inspired and productive future. A future that powerfully connects people with place, enhancing our sense of belonging and enabling our communities to thrive.

ghd.com/FutureCommunities

Our philosophy

Loveable is a solution born out of Future Communities – our commitment to creating thriving places and spaces, together with our clients, that put people first.

Knowing that every community is different, Future Communities helps solve increasingly complex social, cultural, environmental and economic challenges to deliver on our client's strategic ambitions and community aspirations.

→ The Power of Commitment

Seeding Growth

Place Mix

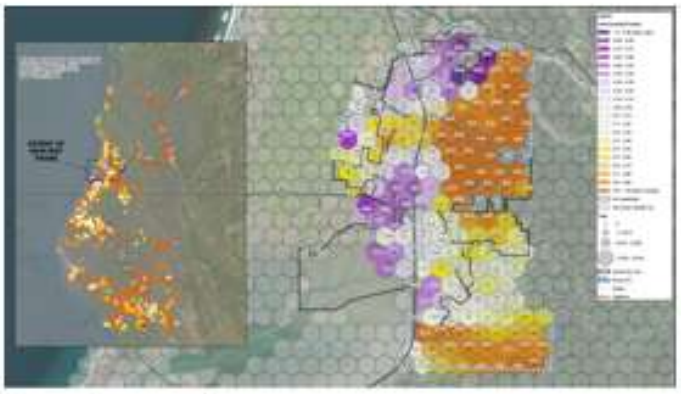
Lead by Todd Tregenza and Kamesh Vedula (US)

The Opportunity

How can we use readily available data to plan more vibrant, diverse, sustainable, and multimodal future communities? An approach that aptly captures the land use and transportation interplay at the granular scale. The tool uses elasticities established between land use density, diversity, transportation design and regional destinations, producing an output that demonstrates how far the candidate location, or neighborhood is from the "ideal" density, diversity or design. Leveraging readily available data to establish a baseline and then, on a city, community, neighborhood, or street block basis assess the potential to meet our client and community drivers around minimising trips, emissions and creating better with changes to land use patterns and the built environment.

Market drivers

- **Burning platform** with emissions (i.e. 38.2% of California's GHG emissions in 2021) and resultant policies & performance measures targeting emissions associated with transportation as a primary tool to achieve climate goals Tools available to the industry are not well suited to adapt to this change
- Place Mix **addresses a gap** that is increasingly growing rather than traditional travel demand models
- **Proven client need and revenue** with Place Mix originating from a client project as a way to obtain environmental impact clearance in California
  - Ukiah General Plan Update (complete)
  - Arcata Gateway Plan & General Plan (complete)
  - Fortuna Mill District Specific Plan (ongoing)
  - Humboldt County Multimodal & Vibrant Neighborhood Planning
- The burning platform is not unique to California, addressing a challenge that **spans geographies**



Development

The opportunities to expand and evolve Place Mix can be enabled through **client testing** more broadly across NA as well as APAC and EMEA to create **a readily applicable tool that suits diverse client needs**. There is opportunity for Place Mix to form part of the broader offerings scaled through Future Communities that provide a more people-centric response to client challenges.

Watch to learn more

GHD Unpack ™

Where stakeholder engagement meets data science and AI



Our Purpose

We seek to help our clients unearth a clearer picture of their community feedback so they can make more informed decisions that truly reflect the voices of the stakeholders they serve – decisions that are backed by defensible, data-driven results.

What it is

GHD Unpack is a transformational engagement service that uses data science and AI expertise to supercharge how qualitative community feedback is organized, analyzed and understood. A solution specifically created for clients who collect stakeholder and community feedback, this innovative process was co-created by senior engagement practitioners and data scientists – together.

The core of the service includes building and using a custom-AI model, protected under strict privacy and security protocols, to enable enhanced access and understanding of *qualitative* feedback at scale.

Depending on your needs, GHD Unpack can help you better understand your community feedback, including but not limited to:

Quantitative data
Community preferences, statistics and sentiment.

Qualitative data
Deep insights into community opinions, attitudes, stories, experiences, and detailed feedback on community issues.

Historical data
Feedback collected from past engagement efforts.

Why it matters

Qualitative data is rich and has been traditionally been challenging to manage and understand at scale. GHD Unpack enables us to explore, visualize and understand vast amounts of qualitative feedback – with the goal of enabling more informed community decisions that are backed by data-driven results.

The challenges
Our client's Engagement efforts face numerous systemic challenges when we rely on human analytics and reporting alone:

- As volume and complexity of qualitative feedback increases, the quality of analysis rapidly declines.
- The process is resource-intensive, with outputs that are often too high level and/or challenging to defend.
- Outputs are heavily prone to bias, affecting the consistency and accuracy of results.

The impact
Manual analysis limits our ability to gain comprehensive knowledge from qualitative community input - leading to mistrust and apathy around engagement.

09

→ Addenda

09 Addenda

GHD acknowledges receipt of the following addenda:

- Addendum No. 1, dated March 27, 2025
- Addendum No. 2, dated March 31, 2025



Q. What is the deadline for questions?
A. Normal circumstances, seven business days from the time the bid is due. With this Addendum, the RFP's questions are extended till Monday, March 31, 2025, at noon.

Q. The second page of RFP Form D seems to be a signature page for the Town of Fort Myers Beach to fill out. Does the RFP Form D still need to be notarized, or can we simply sign/submit the first page only without notary?
A. The form does not need to be notarized.

Q. Should Forms A & B be included within our Technical Proposal (like RFP Forms C& D)? IOF so, can you please specify in which section(s) they should go into? Or upload Forms A& B separately?
A. Upload forms separately are approved.

Q. Qualification Statement (page 31) asks if the proposer has ever failed to complete any work awarded to them. What time frame for this request?
A. The period is for the past 4 years, before Hurricane Ian

Q. Has the Town already selected another consultant for the Comprehensive Plan language updates or is that intended to be part of the Recovery and Resilience Implementation Plan scope?
A. The Town's current consultant will be managing.

Q. Page 4 lists the consultant expectations for the scope. Are these existing plans and initiative that should be considered in the development of the Recovery and Resilience Implementation Plan or are these intended to be expected deliverables as part of the plan?
A. Yes, the Town would like to see portion of the R2P2 plan incorporated.

Q. Coordinate with the Town's Consultant(s) for Comprehensive Plan Update and please provide the Town Consultant(s) referenced:
A. The Comprehensive Plan is in the final stages and we more than likely would use any findings as future amendments or potential items to add to the LDC. In total perhaps 5 items dealing with mixing use and the downtown district area. The Corradino Group and Axis Group for recovery aspect consultants. The current copy of the Town's Comprehensive Plan is on the town website and a digital copy is available upon request. The current plan, which is almost complete does feature recovery and does mention mitigation steps.

Please Print GHD Services, Inc. 813 971 3882
Company Name & Phone Number

Alissa Harding
Signature

Deb Glavin, Contracts & Procurement Specialist
bids@fmbgov.com 239-765-0202

Q. Does the Town have a list of existing stakeholders and community organizations? If so, have relationships been established?
A. Stakeholders are already established

Q. The sample contract in the RFP states that the Consultant will be selected in accordance with CCNA guidelines, Chapter 287.055 of the Florida Statutes. These statutes typically require municipalities to evaluate and rank professional services that exceed $35,000 based on qualifications and experience only. Please clarify if RFP Form C - Price Proposal should be submitted with our submittal, or will that be negotiated upon award.
A. CCNA language has been removed from the contract

Q. Would the town consider extending the Submission Deadline due to the delay in providing answers to the questions in a timely manner?
A. Questions have been extended till March 31st at noon.

Q. Where will the responses and addendums be posed?
A. Responses to questions and Addendums are posted in Demandstar

Please Print GHD Services, Inc. 813 971 3882
Company Name & Phone Number

Alissa Harding
Signature

Deb Glavin, Contracts & Procurement Specialist
bids@fmbgov.com 239-765-0202

10

→ Proposer's Certification Form

10 Proposer's Certification Form

See following pages for GHD's signed forms:

- FMB: 101 Anti-Lobbying Form
- FMB: 102 Conflict of Interest Disclosure Form
- FMB: 204 RFP Form D
- FMB: 021 Non-Collusion Affidavit
- Form 3A Interest in Competitive Bid for Public Business



FMB:101 ANTI-LOBBYING FORM

To be submitted with each bid or offer exceeding $100,000.00.
The undersigned, Chrissi Harding of GHD Services Inc.
(the "company") hereby certifies, to the best of his or her knowledge, that:

1. No Federal appropriated funds have paid or will be paid, by or on behalf of undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31, U.S.C. § 1352 (as amended by the Lobbying Disclosure Act of 1995). Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

The Company certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the Contractor understands and agrees that the provisions of 31 U.S.C. § 3801 et seq., apply to this certification and disclosure, if any.

Chrissi Harding
Signature of Company Authorized Official

Chrissi Harding, Vice President
Name and Title of Company Authorized Official

April 7, 2025
Date

Rev 3/31/2024

FMB:102 Conflict of Interest Disclosure Form

Note: A potential or actual conflict of interest exists when commitments and obligations are likely to be compromised by the nominator(s)'other material interests, or relationships (especially economic), particularly if those interests or commitments are not disclosed.

This Conflict-of-Interest Form should indicate whether the nominator(s) has an economic interest in, or acts as an officer or a director of, any outside entity whose financial interests would reasonably appear to be affected by the addition of the nominated condition to the newborn screening panel. The nominator(s) should also disclose any personal, business, or volunteer affiliations that may give rise to a real or apparent conflict of interest. Relevant Federally and organizationally established regulations and guidelines in financial conflicts must be abided by. Individuals with conflict of interest should refrain from nominating a condition for screening.

Date: April 7, 2025

Name: Chrissi Harding

Position: Vice President

Please describe below any relationships, transactions, positions you hold (volunteer or otherwise), or circumstances that you believe could contribute to a conflict of interest:

X
_____ I have no conflict of interest to report.

_____ I have the following conflict of interest to report (please specify other nonprofit and for-profit boards you (and your spouse) sit on, any for-profit businesses for which you or an immediate family member are an officer or director, or a majority shareholder, and the name of your employer and any businesses you or a family member own:

1. _____

2. _____

3. _____

I hereby certify that the information set forth above is true and complete to the best of my knowledge.

Signature: Chrissi Harding

Date: April 7, 2025

Rev 3/31/2025

FMB:204 RFP FORM D

Proposer: GHD Services Inc.

THIS FORM MUST BE SIGNED AND SUBMITTED WITH PROPOSAL TO BE DEEMED RESPONSIVE.

The undersigned guarantees the truth and accuracy of all statements, and the answers contained herein.

PROPOSER'S CERTIFICATION

I have carefully examined the Request for Proposal referenced above ("RFP") and any other documents accompanying or made a part of this RFP.

I hereby propose to furnish the goods or services specified in the RFP. I agree that my proposal will remain firm for a period of 120 days in order to allow the Town adequate time to evaluate the proposals.

I certify that all information contained in this proposal, which includes the TOWN required RFP forms A, B, C and D, is truthful to the best of my knowledge and belief. I further certify that I am duly authorized to submit this proposal on behalf of the firm as its act and deed and that the firm is ready, willing, and able to perform if awarded the contract.

The firm and/or Proposer hereby authorizes the Town of Fort Myers Beach, its staff, or consultants, to contact any of the references provided in the proposal and specifically authorizes such references to release, either orally or in writing, any appropriate data with respect to the firm offering this proposal.

I further certify, under oath, that this proposal is made without prior understanding, agreement, connection, discussion, or collusion with any other person, firm or corporation submitting a proposal for the same product or service; no officer, employee or agent of the Town or any other Proposer is interested in said proposal; and that the undersigned executed this Proposer's Certification with full knowledge and understanding of the matters therein contained and was duly authorized to do so.

If this proposal is selected, I understand that I will be expected to execute the Town's standard professional services agreement, in the form approved by the Town Attorney.

A person or affiliate who has been placed on the convicted vendor list following a conviction for public entity crimes may not submit a proposal on a contract to provide any goods or services to a public entity, may not submit a proposal on a contract with a public entity for the construction or repair of a public building or public work, may not submit proposals on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, sub-contractor, or consultant under a contract with a public entity, and may not transact business with any public entity in excess of the threshold amount provided in Sec. 287.017 Florida Statutes, for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list.

Rev 3/31/2025

I further certify, under oath, that neither the entity submitting this sworn statement, not to my knowledge, any of its officers, directors, executives, partners, shareholder, employees, members, or agents active in the management of the entity has been convicted of a public entity crime subsequent to July 1, 1989.

GHD Services Inc.

(Name of Business)

Chrissi Harding

(Signature)

Chrissi Harding, Vice President

(Print Name and Title)

5904 Hampton Oaks Parkway, Tampa, FL 33610

(Address)

[1]STATE OF FLORIDA)
COUNTY OF ~~LEE~~ Hillsborough)

by means of Physical Presence

SWORN TO AND SUBSCRIBED BEFORE ME, on this 1 day of April, 2025, by means of (✓) physical presence or ( ) online notarization, personally appeared Chrissi Harding as Vice President of the (Company Name) GHD Services Inc. who is personally known to me or ( ) who has produced _____ as identification.

Cheryl Tidwell

Cheryl Tidwell NOTARY PUBLIC – State of Florida

My commission expires: October 12, 2026

CHERYL TIDWELL
Notary Public - State of Florida
Commission # HH 321249
My Comm. Expires Oct 12, 2026
Bonded through National Notary Assn.

Rev 3/31/2025

FMB:021 – NON-COLLUSION AFFIDAVIT

State of Florida)

County of Hillsborough)

Chrissi Harding being first duly sworn, deposes and says that:

1) He/she is the Vice President, (Owner, Partner, Officer, Representative or Agent) of GHD Services Inc., the BIDDER that has submitted the attached Bid;
2) He/she is fully informed respecting the preparation and contents of the attached Bid and of all pertinent circumstances respecting such Bid;
3) Such Bid is genuine and is not a collusive or sham Bid;
4) Neither the said BIDDER nor any of its officers, partners, owners, agents, representatives, employees or parties in interest, including this affiant, have in any way colluded, conspired, connived or agreed, directly or indirectly, with any other Responder, firm, or person to submit a collusive or sham Bid in connection with the Work for which the attached Bid has been submitted; or to refrain from Responding in connection with such Work; or have in any manner, directly or indirectly, sought by agreement or collusion, or communication, or conference with any Responder, firm, or person to fix the price or prices in the attached Bid or of any other Responder, or to fix any overhead, profit, or cost elements of the Bid price or the Bid price of any other Responder, or to secure through any collusion, conspiracy, connivance, or unlawful agreement any advantage against (Recipient), or any person interested in the proposed Work;
5) The price or prices quoted in the attached Bid are fair and proper and are not tainted by any collusion, conspiracy, connivance, or unlawful agreement on the part of the Responder or any other of its agents, representatives, owners, employees or parties in interest, including this affiant.

Signed, sealed and delivered in the presence of:

By: Chrissi Harding

Chrissi Harding
(Printed Name)

ACKNOWLEDGEMENT

STATE OF Florida)
COUNTY OF Hillsborough)
SWORN TO AND SUBSCRIBED BEFORE ME, on this 1 day of April, 2025, by means of (/) physical presence or ( ) online notarization, personally appeared Chrissi Harding as Vice President of GHD Services Inc.,

(/) who personally known to me of ( ) who has produced _____ as identification.

Cheryl Tidwell
Notary Public Signature

My commission expires October 12, 2026

Cheryl Tidwell

CHERYL TIDWELL
Notary Public - State of Florida
Commission # HH 321249
My Comm. Expires Oct 12, 2026
Bonded through National Notary Assn.

Rev 3/31/2025

FORM 3A INTEREST IN COMPETITIVE BID FOR PUBLIC BUSINESS

LAST NAME - FIRST NAME - MIDDLE INITIAL			OFFICE / POSITION HELD
Harding, Chrissi			Vice President
MAILING ADDRESS			AGENCY
5904 Hampton Oaks Parkway			The Town of Fort Myers Beach, Florida
CITY	ZIP	COUNTY	ADDRESS OF AGENCY
Tampa, FL	33610	Hillsborough	2731 Oak Street Fort Myers Beach, FL 33931

WHO MUST FILE THIS STATEMENT

Sections 112.313(3) and 112.313(7), Florida Statutes, prohibit certain business relationships on the part of public officers and employees, their spouses, and their children. *See* Part III, Chapter 112, Florida Statutes, and/or the brochure entitled "A Guide to the Sunshine Amendment and Code of Ethics for Public Officers and Employees" for more details on these prohibitions. However, Section 112.313(12), Florida Statutes, provides certain limited exemptions to the above-referenced prohibitions, including one where the business is awarded under a system of sealed, competitive bidding; the public official has exerted no influence on bid negotiations or specifications; AND where disclosure is made, prior to or at the time of the submission of the bid, of the official's or his spouses's or child's interest and the nature of the intended business. This form has been promulgated by the Commission on Ethics for such disclosure, *if and when applicable* to a public officer or employee.

INTEREST IN COMPETITIVE BID FOR PUBLIC BUSINESS (Required by Section 112.313(12)(b), Fla. Stat.)

1. The competitive bid to which this statement applies has been / will be (strike one) submitted to the following government agency:
The Town of Fort Myers Beach, Florida

2. The person submitting the bid is: **NAME ▼** Chrissi Harding **POSITION ▼** Vice President

3. The business entity with which the person submitting the bid is associated is:
GHD Services Inc.

4. My relationship to the person or business entity submitting the bid is as follows:
Vice President

5. The nature of the business intended to be transacted in the event that this bid is awarded is as follows:

a. The realty, goods, and / or services to be supplied specifically include:
Planning, Coastal Resilience, Community Engagement

b. The realty, goods, and / or services will be supplied for the following period of time: One full calendar year

c. Will the contract be subject to renewal without further competitive bidding? ☐ Yes ☑ No. If so, how often?

6. Additional comments:
N/A

7. SIGNATURE	DATE SIGNED	DATE FILED
Chrissi Harding	April 7, 2025	TBD

FILING INSTRUCTIONS

If you are a state officer or employee required to disclose the information above, please file this form with the Commission on Ethics, P.O. Drawer 15709, Tallahassee, FL 32317-5709; physical address: 325 John Knox Road, Building E, Suite 200, Tallahassee, FL 32303. If you are an officer or employee of a political subdivision of this state and are subject to this disclosure, please file the statement with the Supervisor of Elections of the county in which the agency in which you are serving has its principal office.

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES SECTION 112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED $10,000.

CE FORM 3A - REV. 1/07 (Refer to Rule 34-7.010(1)(c), F.A.C.)(Rev.9/2013)



04.07.2025

Proposal for RFP NO. 25-02-AD

FORT MYERS BEACH COMPREHENSIVE RECOVERY AND RESILIENCE IMPLEMENTATION PLAN

TOWN OF FORT MYERS BEACH, FLORIDA

SUBMITTED BY: GAI Consultants, Inc.

in association with*:** ONE Architecture & Urbanism , Drummond Carpenter, Climate Resilience Consulting, ***and Center for Neighborhood Technology

Unity Stormwater Park | Ocoee, FL

April 7, 2025

Town of Fort Myers Beach
2731 Oak Street
Fort Myers Beach, FL 33931
via DemandStar

RFP 25-02-AD
FORT MYERS BEACH COMPREHENSIVE RECOVERY AND RESILIENCE IMPLEMENTATION PLAN

Dear Selection Committee Members:

On behalf of GAI's consultants (GAI) as prime consultant, in partnership with ONE Architecture (ONE) and our expert team, we are pleased to present our proposal for developing the **Town of Fort Myers Beach's Comprehensive Recovery and Resilience Implementation Plan.**

Together, we have assembled a multidisciplinary team of national experts with years of experience in community resilience planning, design, and implementation to provide the services the town requires to execute the work. This team recently collaborated on the FEMA TA Long-Term Recovery Plan and the Coastal Florida Recovery and Resilience Partnership Project (R2P2) in Central Florida, serving the Town of Eatonville and the City of Deltona. Therefore, we are familiar with the impacts of storm events in Florida and the impact that has had on tour Florida communities. Our team will collaborate with the Town to develop an actionable roadmap for implementing a cohesive set of recovery, resilience, and mitigation strategies. These strategies will address immediate post-disaster needs while positioning the Town for long-term sustainability and climate adaptation without duplicating existing efforts. Our GAI policy planning team will work with the Town's consultant to also identify and facilitate updates to the Town's Comprehensive Plan in accordance with Florida Statute 163.3177, ensuring that these critical updates are adopted by the Town to fully realize the Plan's recommendations.

ABOUT OUR TEAM

GAI Consultants, Inc. (GAI) is an engineering, design, planning, and economics consulting firm headquartered in Orlando, Florida and Pittsburgh, Pennsylvania. Through growth, acquisition, and continued success, GAI has over 1,000 employees, serving our clients from 34 office locations throughout the Eastern, Midwestern, and Southern United States. In Florida, we have offices in Fort Lauderdale, Jacksonville, **Orlando**, Palm Beach Gardens, Sanford, and Tampa.

Our specialized **Community Solutions Group (CSG)** is our idea-driven, specially positioned team for master planning, landscape architecture, redevelopment economics, and wayfinding/environmental graphics. CSG is based in Orlando; we serve all our Florida clients from there. We are committed to enhancing communities in practical, sustainable, and authentic ways to meet our client's needs while being politically aware, financially feasible, and aesthetically compelling.

Our master planning, landscaper architecture, civil engineering, and transportation practice has over 30 years of experience providing services to numerous communities throughout Florida, Florida, Pittsburgh, West Virginia, and the Midwest. We work on master development communities, citywide, district, downtown, corridor, and neighborhood master plans, as well as mobility plans, complete street plans and designs, and park planning and design. Some of our featured Florida projects include the creation of downtown plans for the Cities of Ocoee and Clermont in Florida, which involved the design and construction of stormwater parks. And the Orlando Lake Eola Master Plan. Our Planning team is currently working with the City of Kissimmee, FL, on their Land Use and Mobility Comprehensive Plan Update. We also hold several continuing planning, landscape architecture, and engineering services agreements with many municipalities in Florida.

PLANNING IS A TEAM SPORT

We recognize that successful planning is a collaborative effort, and we value our partnerships with clients, the community, and stakeholders. GAI relies on team members to bring their respective subject matter expertise. We've assembled a sub-consultant team that will complement the GAI team's experience and bring their unique skill sets to the Town of Fort Myers Beach's Comprehensive Recovery and Resilience Implementation Plan. As mentioned before, this is the same time that we worked together on the Central Florida R2P2 Project in 2024.

ONE Architecture & Urbanism, Inc. (ONE) (New York, NY) is a global leader in large-scale climate adaptation planning and resilient infrastructure design and delivers award-winning planning, urban design, and architectural services worldwide. The firm's unique approach integrates financial, technical, and organizational issues into a single design process, enabling ONE to work closely with engineers, policymakers, and community leaders to prepare cities for an uncertain future by providing climate-change solutions that are both achievable and contribute to the communities they serve. Feature projects include:

- The New York City Climate Strong Communities (CSC) effort launched by the New York City Mayor's Office of Climate and Environmental Justice (MOCEJ) (Ongoing)
- Central Florida Recovery & Resilience Project (R2P2) (2024)
- The City of Houston Resilient Neighborhood Planning Project (2022)
- Resilient Northeastern New Jersey (2022)

Drummond Carpenter, PLLC (DC) is a Florida and federal-certified service-disabled veteran-owned small business (SDVOSB) headquarters in Maitland, FL, specializing in environmental and water resources engineering. With more than 35 professionals, Drummond Carpenter provides technical expertise in five primary practice areas: Green Infrastructure and Sustainability, Civil and Water Resources Engineering, Environmental Modeling, Environmental Assessment and Remediation, Nuclear Disposal and Storage. DC specializes in the planning, design, and implementation of green stormwater infrastructure (GSI), an increasingly popular method for capturing and treating stormwater at the source to improve water quality and reduce flood conditions while also providing social and economic benefits not associated with traditional grey stormwater infrastructure. Expertise spans from conceptual site design based on community input to hydrologic modeling of structural GSI techniques for improved sustainable watershed management. Feature projects include:

- City of Orlando and Orange County Florida Vulnerability Study
- Michigan Sea Grant Sustainable Small Harbor Project
- Green Infrastructure Design for several Michigan and Florida municipalities.

Climate Resilience Consulting (CRC) is a certified WBE women-owned small business and social enterprise that helps municipalities and organizations integrate climate resilience, environmental justice, and community revitalization into decision-making, creating opportunities and minimizing risks. CRC brings deep expertise in technical analysis and funding strategies to shape actionable and implementable resilience and recovery strategies. Feature projects include:

- EPA Community Change Equitable Resilience Technical Assistance for 26 communities in the US Mid-West, Mountains, North-East, Mid-Atlantic, and Caribbean Regions, including the Central Florida R2P2 Project. (2023-2024).
- Nationwide Ready-to-Fund Resilience Technical Assistance for NOAA / Climate Resilience Fund (2021-2023)
- Missouri and Nationwide Pre-Disaster Housing Planning Initiative for Client: Enterprise Community Partners / U.S. Department of Housing and Urban Development (ongoing)

Center for Neighborhood Technology (CNT) is a nationally recognized 501(c)(3) nonprofit organization based in Chicago, IL, with offices in Tampa, FL, that specializes in providing innovative analysis and solutions to support community-based organizations and local governments on climate adaptation and mobility projects. They provide interdisciplinary analysis of urban and regional problems to produce evidence-based solutions, including sophisticated data tools and online

resources to make findings usable and engage neighborhood partners and local government leaders, supporting and empowering them to improve their communities. Innovated and data-driven policy, financial, and technological solutions. Feature projects include:

- Green Infrastructure values calculator.
- The Housing + Transportation (H+T®) Affordability Index provides a comprehensive view of affordability that includes both the cost of housing and the cost of transportation at the neighborhood level.
- The Climate and Economic Justice Screening Tool

WHY US

We've assembled a talented team of experts, both nationally and in Florida, to support the Town in creating a long-term recovery plan and providing recommendations for land development code updates;

We understand the importance of listening and collaborating with the Town's key stakeholders and community members, especially those heavily impacted by the recent storm events;

We believe in the power of storytelling and strong graphics when presenting our ideas to elected officials and the general public;

We are ready to hit the ground running! and we will bring our best talents and people to the Town of Fort Myers Beach and continue supporting the Town after the project is completed.



Peter Sechler, PLA, AICP
Vice President | Project Executive
321.319.3126 | P.Sechler@gaiconsultants.com
Authorized Representative



A. Blake Drury, AICP
Assistant Vice President | Planning Director II
321.319.3125 | B.Drury@gaiconsultants.com
Project Executive



Claudia Ray
Senior Project Planner | Project Manager
321.445.8040 | C.Ray@gaiconsultants.com
Primary Point of Contact



Gainesville South Main Complete Street | Gainesville, FL

Proposal for RFP NO. 25-02-AD

FORT MYERS BEACH COMPREHENSIVE RECOVERY AND RESILIENCE IMPLEMENTATION PLAN

TOWN OF FORT MYERS BEACH, FLORIDA

SUBMITTED BY: GAI Consultants, Inc.

Address: 618 E. South Street, Suite 700, Orlando, Florida 32801

Office: 407.423.8398 **Direct:** 321.445.8040

Primary Point of Contact: Claudia Ray

Email: C.Ray@gaiconsultants.com



3 Table of Contents

Downtown Ocoee Master Plan | Ocoee, FL



TABLE OF CONTENTS

	COVER	1
1	LETTER OF TRANSMITTAL	3
2	TITLE PAGE	7
3	TABLE OF CONTENTS	9
4	ORGANIZATION PROFILE AND QUALIFICATIONS	11
5	EXPERIENCE	48
6	UNDERSTANDING, APPROACH, AND SCOPE OF WORK	74
7	COMPENSATION	89
8	ADDITIONAL INFORMATION (Not Applicable)	92
9	ADDENDA AND FORMS	94

4 Organization Profile and Qualifications



Lake Beauty Wetland Park | Orlando, FL

Authorization from the Florida Secretary of State (SunBiz)

GAI CONSULTANTS, INC.

DIVISION OF CORPORATIONS

Department of State / Division of Corporations / Search Records / Search by Entity Name /

Detail by Entity Name

Foreign Profit Corporation
G-A-I CONSULTANTS, INC.

Filing Information

Document Number	833525
FEI/EIN Number	25-1260999
Date Filed	12/11/1974
State	PA
Status	ACTIVE
Last Event	CORPORATE MERGER
Event Date Filed	12/22/2003
Event Effective Date	12/31/2003

Principal Address

385 EAST WATERFRONT DR.
HOMESTEAD, PA 15120-5005

Changed: 10/22/2012

Mailing Address

385 EAST WATERFRONT DR.
HOMESTEAD, PA 15120-5005

Changed: 02/05/2016

Registered Agent Name & Address

CORPORATION SERVICE COMPANY
1201 HAYS STREET
TALLAHASSEE, FL 32301

Name Changed: 06/26/2023

Address Changed: 06/26/2023

Officer/Director Detail

Name & Address

Title Sr. Vice President / Treasurer/ Secretary

PALVISAK, KARL S
385 East Waterfront Drive
Homestead, PA 15120

Title President

Morrocco, Anthony F
385 E Waterfront Drive
Homestead, PA 15120

Title CEO

Leadbetter, Kevin
12574 Flagler Center Blvd
Ste 202
Jacksonville, FL 32258

Title Executive VP, President Power & Energy/ CAO/ Assistant Secretary

Gould, Stephen
385 EAST WATERFRONT DR.
HOMESTEAD, PA 15120-5005

Title VP

Leo, Kathleen
618 E South Street
STE 700
Orlando, FL 32801

Title VP

Sechler, Peter
618 E South St
STE 700
Orlando, FL 32801

Title VP

Bevilacqua, David
385 EAST WATERFRONT DR.
HOMESTEAD, PA 15120-5005

Title Senior VP/ CFO

Pfordresher, Robert
618 E South St
Ste 700
Orlando, FL 32801

Title Senior Vice President

GAI CONSULTANTS, INC. (CONTINUED)

Nettuno, Gregory
12574 Flagler Center Blvd
Ste 202
Jacksonville, FL 32258

Title VP

Boylan, Steven
618 E South St
Ste 700
Orlando, FL 32801

Title Assistant Vice President

Wishart, Donald
618 E South St
Ste 700
Orlando, FL 32801

Annual Reports

Report Year	Filed Date
2023	01/11/2023
2024	01/08/2024
2025	01/14/2025

Document Images

01/14/2025 -- ANNUAL REPORT	View image in PDF format
01/08/2024 -- ANNUAL REPORT	View image in PDF format
08/11/2023 -- AMENDED ANNUAL REPORT	View image in PDF format
08/09/2023 -- AMENDED ANNUAL REPORT	View image in PDF format
06/26/2023 -- Reg. Agent Change	View image in PDF format
01/11/2023 -- ANNUAL REPORT	View image in PDF format
01/21/2022 -- ANNUAL REPORT	View image in PDF format
01/15/2021 -- ANNUAL REPORT	View image in PDF format
01/13/2020 -- ANNUAL REPORT	View image in PDF format
09/17/2019 -- AMENDED ANNUAL REPORT	View image in PDF format
01/04/2019 -- ANNUAL REPORT	View image in PDF format
08/21/2018 -- AMENDED ANNUAL REPORT	View image in PDF format
02/20/2018 -- ANNUAL REPORT	View image in PDF format
04/03/2017 -- AMENDED ANNUAL REPORT	View image in PDF format
02/10/2017 -- ANNUAL REPORT	View image in PDF format
05/03/2016 -- AMENDED ANNUAL REPORT	View image in PDF format
02/05/2016 -- ANNUAL REPORT	View image in PDF format
02/27/2015 -- ANNUAL REPORT	View image in PDF format
07/01/2014 -- AMENDED ANNUAL REPORT	View image in PDF format
01/27/2014 -- ANNUAL REPORT	View image in PDF format
10/14/2013 -- AMENDED ANNUAL REPORT	View image in PDF format
02/14/2013 -- ANNUAL REPORT	View image in PDF format
10/22/2012 -- Reg. Agent Change	View image in PDF format
01/04/2012 -- ANNUAL REPORT	View image in PDF format
11/03/2011 -- ANNUAL REPORT	View image in PDF format
08/01/2011 -- ANNUAL REPORT	View image in PDF format
01/07/2011 -- ANNUAL REPORT	View image in PDF format
03/19/2010 -- ANNUAL REPORT	View image in PDF format
03/18/2009 -- ANNUAL REPORT	View image in PDF format
05/05/2008 -- ANNUAL REPORT	View image in PDF format
02/19/2007 -- ANNUAL REPORT	View image in PDF format
04/07/2006 -- ANNUAL REPORT	View image in PDF format
03/21/2005 -- ANNUAL REPORT	View image in PDF format
05/03/2004 -- ANNUAL REPORT	View image in PDF format
12/22/2003 -- Merger	View image in PDF format
08/14/2003 -- REINSTATEMENT	View image in PDF format

Florida Department of State, Division of Corporations

GAI CONSULTANTS, INC. (CONTINUED)



State of Florida
Department of State

I certify from the records of this office that G-A-I CONSULTANTS, INC. is a Pennsylvania corporation authorized to transact business in the State of Florida, qualified on December 11, 1974.

The document number of this corporation is 833525.

I further certify that said corporation has paid all fees due this office through December 31, 2025, that its most recent annual report/uniform business report was filed on January 14, 2025, and that its status is active.

I further certify that said corporation has not filed a Certificate of Withdrawal.

Given under my hand and the Great Seal of the State of Florida at Tallahassee, the Capital, this the Fourteenth day of January, 2025

Secretary of State

Tracking Number: 0827107016CC

To authenticate this certificate, visit the following site, enter this number, and then follow the instructions displayed.

https://services.sunbiz.org/Filings/CertificateOfStatus/CertificateAuthentication



Tax Collector Scott Randolph — **Local Business Tax Receipt** — **Orange County, Florida**

2024 EXPIRES 9/30/2025 5000-0973592

5000 BUSINESS OFFICE $50.00 50 EMPLOYEES

TOTAL TAX $50.00
PREVIOUSLY PAID $50.00
TOTAL DUE $0.00

DEJIDAS GARY - PRESIDENT

G A I CONSULTANTS INC
DEJIDAS GARY
618 E SOUTH ST #700
ORLANDO FL 32801

618 E SOUTH ST #700
A - ORLANDO, 32801

PAID: $50.00 0055-01153029 9/10/2024

Tax Collector Scott Randolph — **Local Business Tax Receipt** — **Orange County, Florida**

This local Business Tax Receipt is in addition to and not in lieu of any other tax required by law or municipal ordinance. Businesses are subject to regulation of zoning, health and other lawful authorities. This receipt is valid from October 1 through September 30 of receipt year. Delinquent penalty is added October 1.

2024 EXPIRES 9/30/2025 5000-0973592

5000 BUSINESS OFFICE $50.00 50 EMPLOYEES

TOTAL TAX $50.00
PREVIOUSLY PAID $50.00
TOTAL DUE $0.00

DEJIDAS GARY - PRESIDENT

G A I CONSULTANTS INC
DEJIDAS GARY
618 E SOUTH ST #700
ORLANDO FL 32801

618 E SOUTH ST #700
A - ORLANDO, 32801

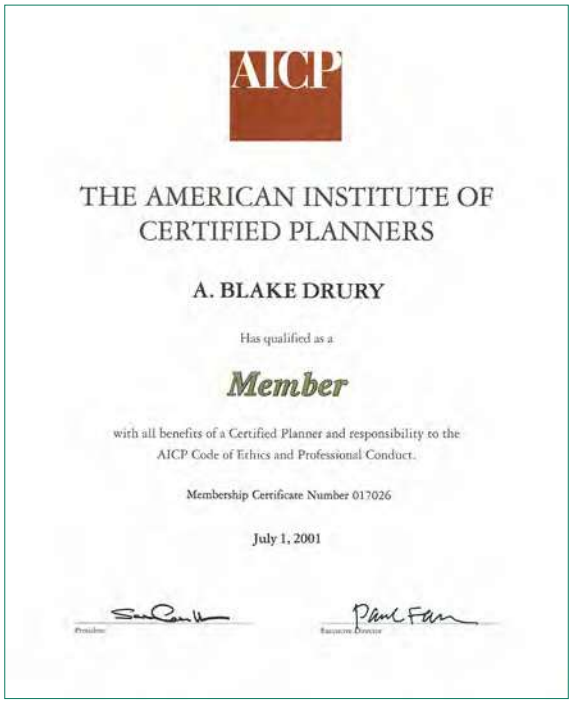
PAID: $50.00 0055-01153029 9/10/2024

SCOTT RANDOLPH, TAX COLLECTOR · ORANGE COUNTY, FLORIDA

This receipt is official when validated by the Tax Collector

Orange County Code requires this local Business Tax Receipt to be displayed conspicuously at the place of business in public view. It is subject to inspection by all duly authorized officers of the County.

octaxcol.com | octaxcol



AICP

THE AMERICAN INSTITUTE OF CERTIFIED PLANNERS

A. BLAKE DRURY

Has qualified as a

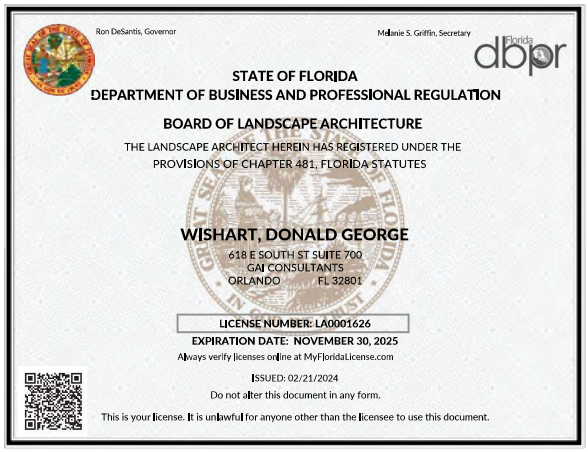
Member

with all benefits of a Certified Planner and responsibility to the AICP Code of Ethics and Professional Conduct.

Membership Certificate Number 017026

July 1, 2001

President Executive Director



Ron DeSantis, Governor — Melanie S. Griffin, Secretary — Florida dbpr

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

BOARD OF LANDSCAPE ARCHITECTURE

THE LANDSCAPE ARCHITECT HEREIN HAS REGISTERED UNDER THE PROVISIONS OF CHAPTER 481, FLORIDA STATUTES

WISHART, DONALD GEORGE
618 E SOUTH ST SUITE 700
GAI CONSULTANTS
ORLANDO FL 32801

LICENSE NUMBER: LA0001626
EXPIRATION DATE: NOVEMBER 30, 2025
Always verify licenses online at MyFloridaLicense.com

ISSUED: 02/21/2024
Do not alter this document in any form.
This is your license. It is unlawful for anyone other than the licensee to use this document.



Ron DeSantis, Governor — Melanie S. Griffin, Secretary — FBPE FLORIDA BOARD OF PROFESSIONAL ENGINEERS

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

BOARD OF PROFESSIONAL ENGINEERS

THE PROFESSIONAL ENGINEER HEREIN IS LICENSED UNDER THE PROVISIONS OF CHAPTER 471, FLORIDA STATUTES

SHIELDS, AIMEE J.
675 DARCEY DR
WINTER PARK FL 32792

LICENSE NUMBER: PE68011
EXPIRATION DATE: FEBRUARY 28, 2027
Always verify licenses online at MyFloridaLicense.com

Do not alter this document in any form.
This is your license. It is unlawful for anyone other than the licensee to use this document.

Team Roles and Responsibilities

The project's leadership team, comprising GAI Consultants as the prime consultant and ONE Architecture. Combined, both firms will perform most of the services outlined in the scope of work, with support from Drummond Carpenter, Climate Resilience Consulting, and the Center for Neighborhood Technology.

The graphic below shows our firm roles and services provided for this project, and the following pages provide detailed descriptions of each firm's location and experience.

LEADERSHIP TEAM

PRIME

gai consultants

Orlando, FL

SERVICES:

+ Master Planning Lead
+ Public Realm Design Lead
+Policy Planning Lead
+ Community Engagement Lead
+ Civil and Transportation Engineering Lead

SUB

one architecture
new york city amsterdam

New York City, NY

SERVICES:

+ Resilience Planning and Design Lead
+ Implementation
+ Community Engagement Support

SUPPORT TEAM

SUB

DRUMMOND CARPENTER
engineering + research

Maitland, FL

Florida-certified SDVOB by the Florida Department of Management Services

SERVICES:

+ Civil and Environmental Engineering Support

SUB

Climate Resilience Consulting

Chicago, IL

Certified WBE women-owned

SERVICES:

+ Resilience Strategy and Implementation Lead
+ Resilience Planning Support

SUB

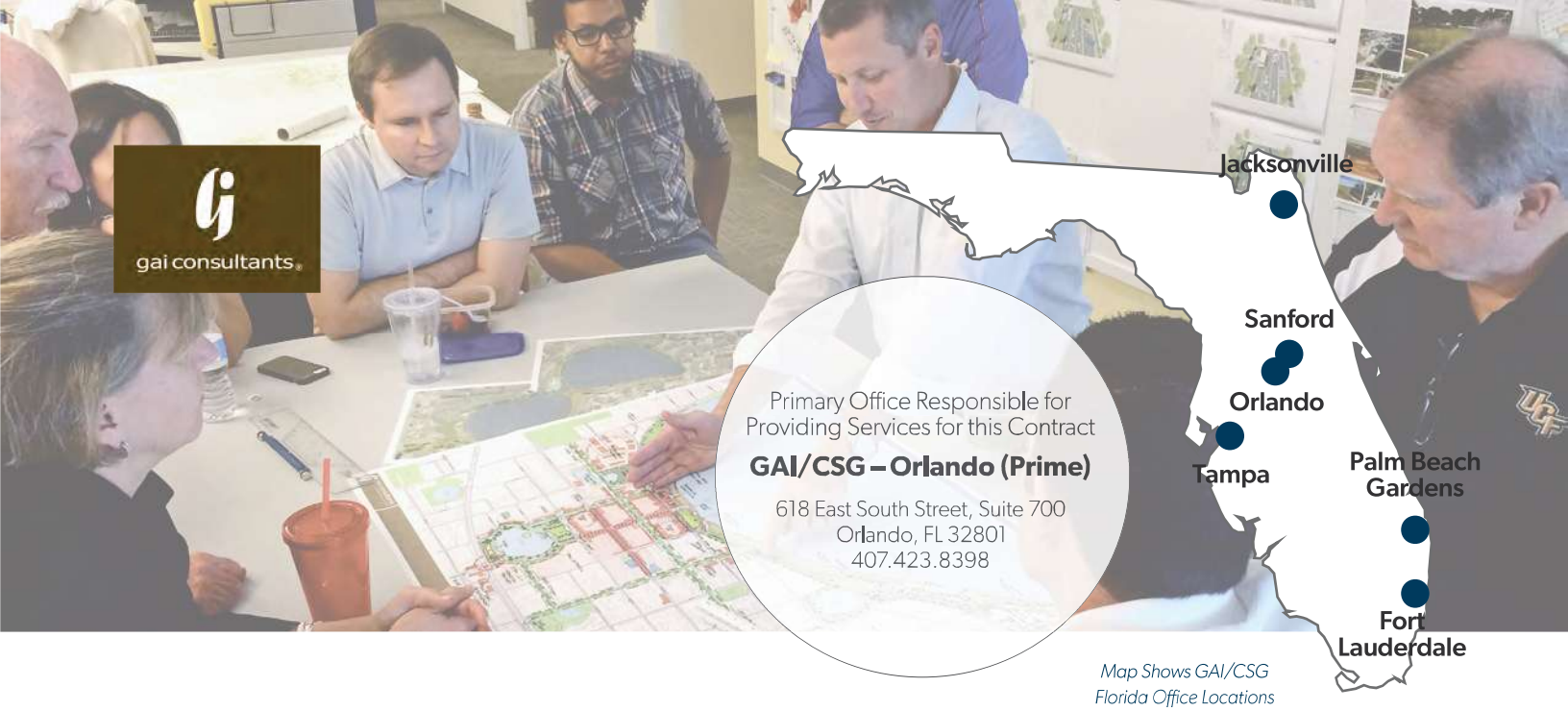
CNT

Tampa, FL

501(c)(3) nonprofit organization

SERVICES:

+ Measurement Tools
+ Community Engagement Support



Map Shows GAI/CSG Florida Office Locations

THE LINKAGE OF DESIGN, ENGINEERING, PLANNING, ECONOMICS, AND ENVIRONMENT IS WHAT SETS US APART AND ALLOWS US TO REALIZE OUR PASSION:
WORKING WITH PARTNERS TO CREATE COMMUNITY

GAI FIRM OVERVIEW

Transforming ideas into reality® since 1958, **GAI Consultants, Inc. (GAI)** is an engineering, environmental, and planning consulting firm. Through growth, acquisition, and much success, GAI has 1,000+ employees, serving our clients from 34 office locations throughout Florida and the United States. Our offices are organized to mobilize staff and services seamlessly. GAI has been in business for 67 years and has been practicing in Florida for 43 years.

WHAT WE ARE. As part of GAI, our specialized **Community Solutions Group (CSG)** practice combines with the broad knowledge of our engineering and environmental consulting firm to offer services in Landscape Architecture, Planning, Economics, and Management Consulting. CSG is our idea-driven, specially positioned team for landscape architecture, urban planning, redevelopment economics, and wayfinding/environmental graphics. We are committed to enhancing communities in ways that are practical, sustainable, and authentic to our clients' needs, while being politically aware, financially feasible, and aesthetically compelling.

WHO WE ARE. CSG is a unique team of landscape architects, urban designers, land use planners, public finance and economic development specialists, and public administrators who capture the full dimensions of strategy and solution. Committed to positioning communities for a sustainable future, we are recognized for delivering insightful, thorough, and technically sophisticated solutions. We embrace a philosophy that values the complex interrelation of people, place, and policy while considering a project's ability to positively impact its investors, community, and setting.

WHAT WE DO. Our work centers on finding resolution to place-based problems by implementing context-sensitive, sustainable solutions that are economically and fiscally beneficial and implementable. We engage diverse community groups to effect positive outcomes with shared benefits by integrating ideas. Consequently, our clients include governments, agencies, institutions, and developers who share an equal need to address complex and inter-related challenges. We work from planning to policy and concept to construction across the scales of region, city, and campus; neighborhood, street, and site.

GAI'S PRACTICES

Master Planning + Urban Design

CSG's master planning and urban design practice focuses on crafting plans that create livable places of lasting value for communities that require context-sensitive, sustainable solutions. We prioritize close collaboration with clients through an approach that emphasizes plans that reflect strong neighborhoods, livable transportation networks, interconnected park and open space systems, environmental sensitivity, and economic opportunities. Through work at the scale of city, neighborhood, and street, our plans create the framework for rich, interactive settings that bring people together in environments that facilitate meaningful experiences that enrich lives.

Landscape Architecture + Design

The Landscape Architecture Studio within CSG integrates an experienced team of professionals that strives to raise the standard of planning and design services to a new level with every project, producing sustainable, context-sensitive solutions that meet our clients' objectives. We listen to their concerns, their desires, and their needs; we gather a deep understanding of place and issues; we then deliver thoughtful and innovative solutions. The studio operates under a fundamental planning and design philosophy seeking to develop solutions that make a positive contribution to the economic and social values of a community or place. Whether the task is community master planning and place-making, streetscape and corridor design, sustainable stormwater strategies (LID), parks and open space design, or corporate and campus planning and design, we are committed to creating rich, diverse and sustainable places for people—beautiful works that allow people to connect to the environment and that respect the community's cultural, historical, and environmental heritage.

Wayfinding Planning and Design + Environmental Graphics

Our Wayfinding practice prides itself on creating unique, seamless, and functional systems for complex environments. We build legible communities by creating effective systems with a clear developed strategy—which demands specialist knowledge. One size does not fit all in wayfinding, and before we start our design process, we define a number of standards that have become best practices. We take into account natural features and notable landmarks, the range of users, and the goals and aspirations of the client and key stakeholders. By studying why people behave the way they do, and how they understand their environment, we can provide information in the way those users naturally receive it—making wayfinding intuitive and enhancing the overall experience of locals and visitors.

Urban Analytics + Real Estate Consulting

CSG's Urban Analytics and Real Estate Consulting services draw from the advising team's experience, education, and a culture that integrates allied disciplines to enhance the appropriate solutions. The firm's approach draws upon its knowledge of growth management techniques in many state settings, local regulatory constraints, infrastructure systems and design, public finance, awareness of the needs in the private marketplace, preferred land use forms, aesthetics, emerging trends in development, and the linkages among infrastructure, economic development as well as the character of the built environment. This knowledge enables our clients to choose critically between alternatives and implement a strategy or master plan that is flexible, cost effective, sustainable, and marketable—attributes sought by both our public and private clientele.

The complexity of managing public and private resources requires moving beyond simple facts more than ever—Our Urban Analytics team specializes in transforming data into insight. Ignoring fact-based management has also never been more risky. Making decisions in both public and private markets without analytics will either be lucky or wrong. Our focus on meeting client needs maximizes opportunities by providing data-driven insights gained through analysis of a community's physical, social, and economic elements. The extensive use of data, statistical and quantitative analysis, and explanatory and predictive models is the foundation of fact-based management to drive decisions and actions.

Civil Engineering/Land Development

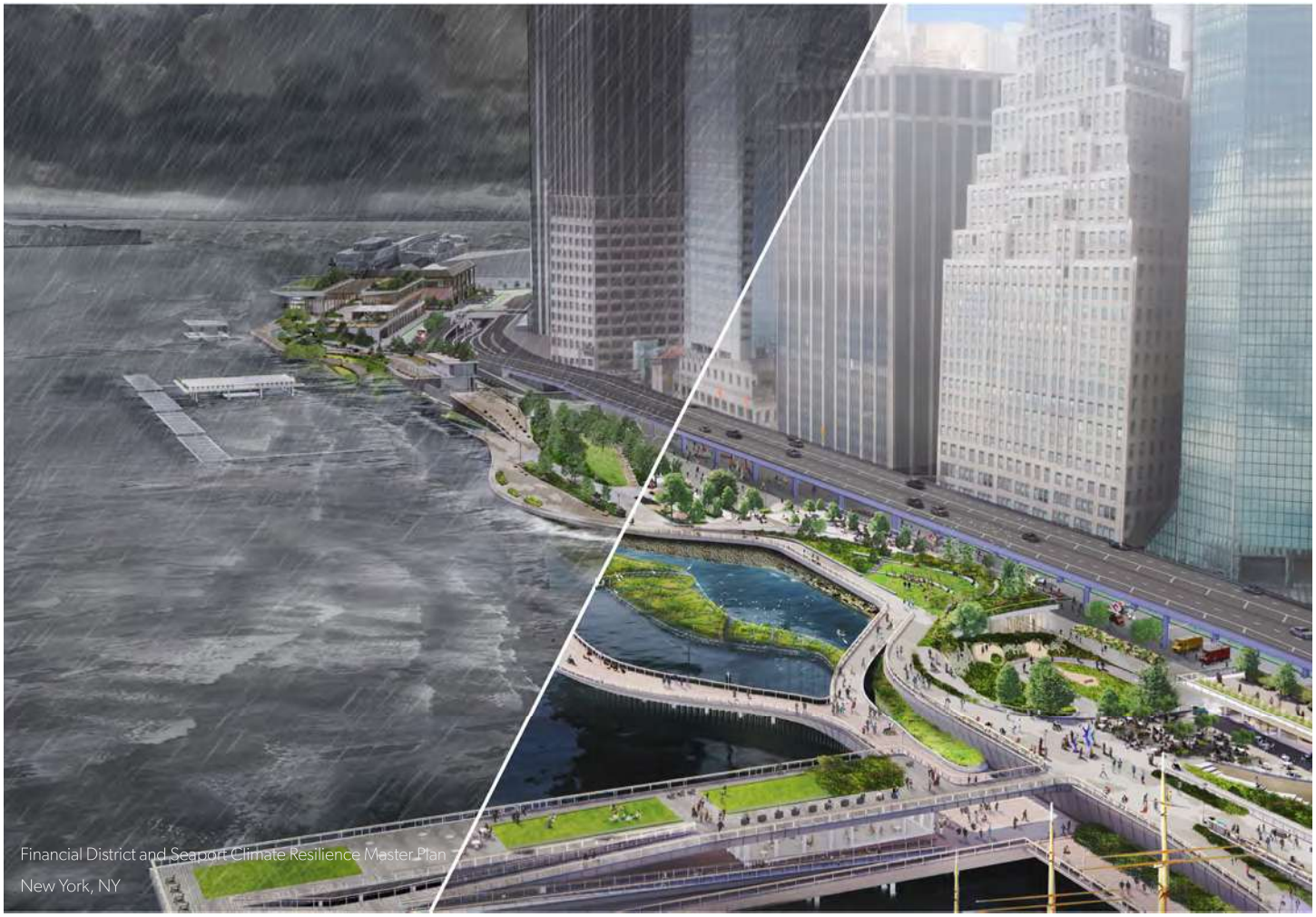
GAI provides a complete range of civil engineering services from planning and design to permitting and inspection on all types of land development and utility projects. GAI has extensive experience in stormwater studies; in designs to upgrade stormwater treatment and flood control facilities in urban areas; and in streetscape projects to upgrade urban streets, intersections and utilities; in commercial and high-density multi-family urban in-fill site development projects; in urban utility system redevelopment; in code compliance plan review on behalf of city and state governments; and in providing construction administration and preparing cost estimates.

Transportation/Roadway Engineering

GAI is well versed in highway engineering, particularly in the areas of reconstruction and upgrading of existing highway and roadway facilities. GAI can perform transportation studies and planning; the design of highways and interchanges; traffic signal engineering and construction administration.

Subconsultant Profile

one architecture
new york city amsterdam



Financial District and Seaport Climate Resilience Master Plan
New York, NY

ONE Architecture & Urbanism, a global leader in large-scale climate adaptation planning and resilient infrastructure design, delivers award-winning planning, urban design, and architectural services worldwide. The firm's unique approach integrates financial, technical, and organizational issues into a single design process, enabling ONE to work in close collaboration with engineers, policymakers, and community leaders to prepare cities for an uncertain future by providing climate-change solutions that are both achievable and that contribute to the communities they serve. In addition to guiding projects from their earliest planning phases through to architectural documentation, ONE has demonstrated a rare ability to forge consensus across multiple public agencies, community groups, and large multidisciplinary design teams.

The complexity of the challenge we face today — embedding climate change mitigation practices in cities while planning to adapt — requires integrated approaches to problem solving and collaborative tools. Design is a key tool to synthesize and communicate both these challenges and the opportunities to improve our cities. ONE approaches stakeholder engagement, detailed scenario-driven analysis, concept design, and implementation pathways as mutually informative components of a singular project narrative. As an expert on resilient open space and infrastructure on large teams, ONE brings acute attention to design integration and thoughtful mediation between agencies and constituencies.

One Architecture & Urbanism, Inc.

Address: 35 East Broadway, FL 5, New York, NY 10002 / Website: www.onearchitecture.nl

Primary Contact: Matthijs Bouw, (e) bouw@onearchitecture.nl, (p) 917 261 5809

Subconsultant Profile



Formed in 2016 with corporate headquarters in Maitland, FL, **Drummond Carpenter, PLLC (DC)** is a Florida and federal-certified service-disabled veteran-owned small business (SDVOSB) specializing in environmental and water resources engineering. With more than 35 professionals, Drummond Carpenter provides technical expertise in five primary practice areas:

- Green Infrastructure and Sustainability
- Civil and Water Resources Engineering
- Environmental Modeling
- Environmental Assessment and Remediation
- Nuclear Disposal and Storage

Sustainability and Resilience

Drummond Carpenter professionals assist communities in conducting vulnerability assessments, climate risk assessments, and sustainability master plans. This involves hydrologic and hydraulic modeling of flood scenarios on critical infrastructure assets; analyzing the exposure and sensitivity of critical assets to existing and projected flooding; prioritizing projects to adapt and/or mitigate to flooding or other extreme climate risks; proposing adaptation and/or mitigation strategies; and identifying funding opportunities for project/strategy implementation.

Drummond Carpenter specializes in the planning, design, and implementation of green stormwater infrastructure (GSI), an increasingly popular method to capture and treat stormwater at the source (to improve water quality and flood conditions) while also providing social and economic benefits not associated with traditional grey stormwater infrastructure. Expertise spans from conceptual site design based on community input to hydrologic modeling of structural GSI techniques for improved sustainable watershed management.

It has been our pleasure to assist GAI on the successful Central Florida Recovery and Resiliency Partnership Project, for the US Environmental Protection Agency, benefiting the City of Deltona and Town of Eatonville, Florida.

Florida-certified SDVOB by the Florida Department of Management Services

Drummond Carpenter, PLLC

Address: 630 North Wymore Rd, Suite 370, Maitland, FL 32751 / Website: www.DrummondCarpenter.com

Primary Contact: Cathy Foerster, AICP
(e) cfoerster@drummondcarpenter.com
(m) 904.315.4676

Drummond Carpenter Licenses and Certificates



State of Florida

Veteran Business Certification

Drummond Carpenter, PLLC

Is certified under the provisions of
287 and 295.187, Florida Statutes, for a period from:
11/02/2023 11/02/2025

J. Todd Inman
Florida Department of Management Services

SUPPLIER DIVERSITY

Office of Supplier Diversity
4050 Esplanade Way, Suite 380
Tallahassee, FL 32399
850-487-0915
www.dms.myflorida.com/osd

DRUMMOND CARPENTER
engineering + research



State of Florida
Department of State

I certify from the records of this office that DRUMMOND CARPENTER, PLLC is a limited liability company organized under the laws of the State of Florida, filed on January 11, 2016, effective January 11, 2016.

The document number of this limited liability company is L16000007184.

I further certify that said limited liability company has paid all fees due this office through December 31, 2025, that its most recent annual report was filed on March 19, 2025, and that its status is active.

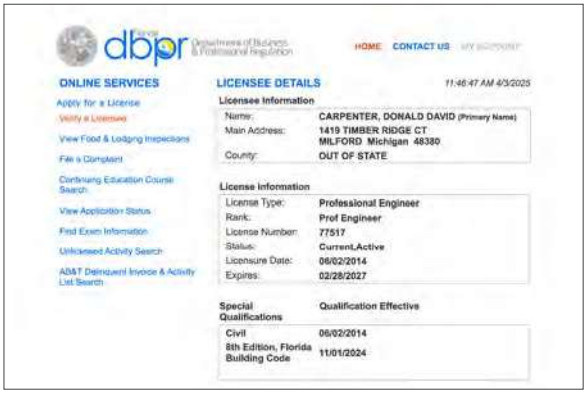
Given under my hand and the Great Seal of the State of Florida at Tallahassee, the Capital, this the Third day of April, 2025

Secretary of State

Tracking Number: 9332364584CU

To authenticate this certificate, visit the following site, enter this number, and then follow the instructions displayed.

https://services.sunbiz.org/Filings/CertificateOfStatus/CertificateAuthentication



dbpr Department of Business & Professional Regulation

HOME CONTACT US

ONLINE SERVICES

Apply for a License
Verify a License
View Food & Lodging Inspections
File a Complaint
Continuing Education Course Search
View Application Status
Find Exam Information
Unlicensed Activity Search
AB&T Delinquent Invoice & Activity List Search

LICENSEE DETAILS

11:46:47 AM 4/3/2025

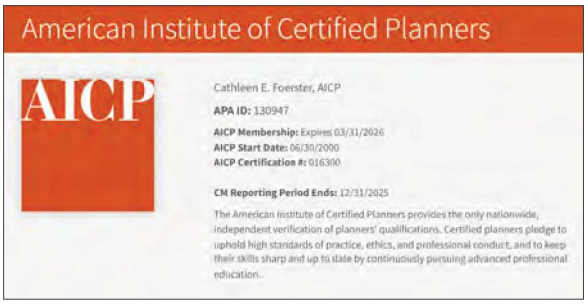
Licensee Information

Name:	CARPENTER, DONALD DAVID (Primary Name)
Main Address:	1419 TIMBER RIDGE CT MILFORD Michigan 48380
County:	OUT OF STATE

License Information

License Type:	Professional Engineer
Rank:	Prof Engineer
License Number:	77517
Status:	Current,Active
Licensure Date:	06/02/2014
Expires:	02/28/2027

Special Qualifications	Qualification Effective
Civil	06/02/2014
8th Edition, Florida Building Code	11/01/2024



American Institute of Certified Planners

AICP

Cathleen E. Foerster, AICP

APA ID: 130947

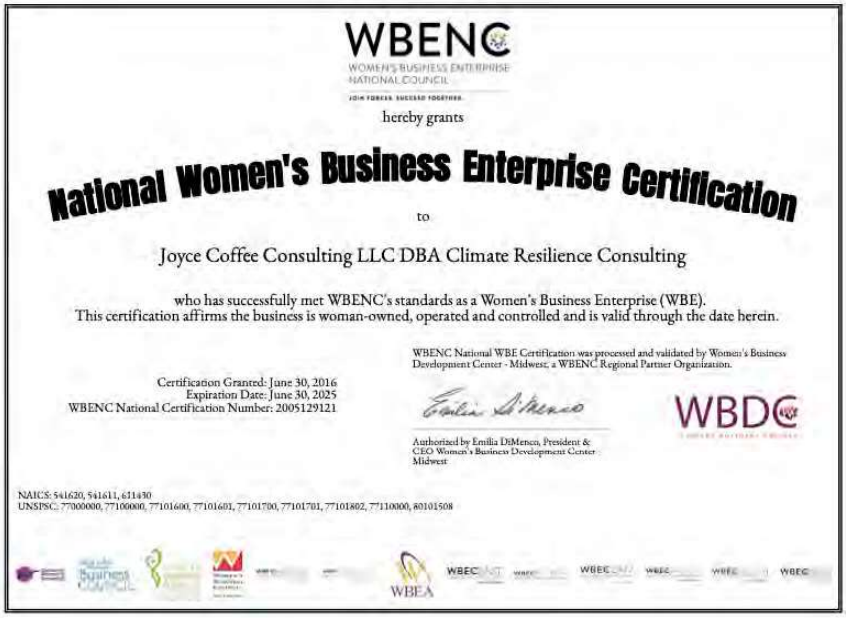
AICP Membership: Expires 03/31/2026
AICP Start Date: 06/30/2000
AICP Certification #: 016300

CM Reporting Period Ends: 12/31/2025

The American Institute of Certified Planners provides the only nationwide, independent verification of planners' qualifications. Certified planners pledge to uphold high standards of practice, ethics, and professional conduct, and to keep their skills sharp and up to date by continuously pursuing advanced professional education.

Subconsultant Profile

Climate Resilience Consulting



WBENC
WOMEN'S BUSINESS ENTERPRISE NATIONAL COUNCIL

hereby grants

National Women's Business Enterprise Certification

to

Joyce Coffee Consulting LLC DBA Climate Resilience Consulting

who has successfully met WBENC's standards as a Women's Business Enterprise (WBE).
This certification affirms the business is woman-owned, operated and controlled and is valid through the date herein.

Certification Granted: June 30, 2016
Expiration Date: June 30, 2025
WBENC National Certification Number: 2005129121

WBENC National WBE Certification was processed and validated by Women's Business Development Center - Midwest, a WBENC Regional Partner Organization.

Authorized by Emilia DiMenco, President & CEO Women's Business Development Center Midwest

WBDC

NAICS: 541620, 541611, 611430
UNSPSC: 77000000, 77100000, 77101600, 77101601, 77101700, 77101701, 77101802, 77110000, 80101508

WBEA

Certified WBE women-owned small business and social enterprise
Climate Resilience Consulting

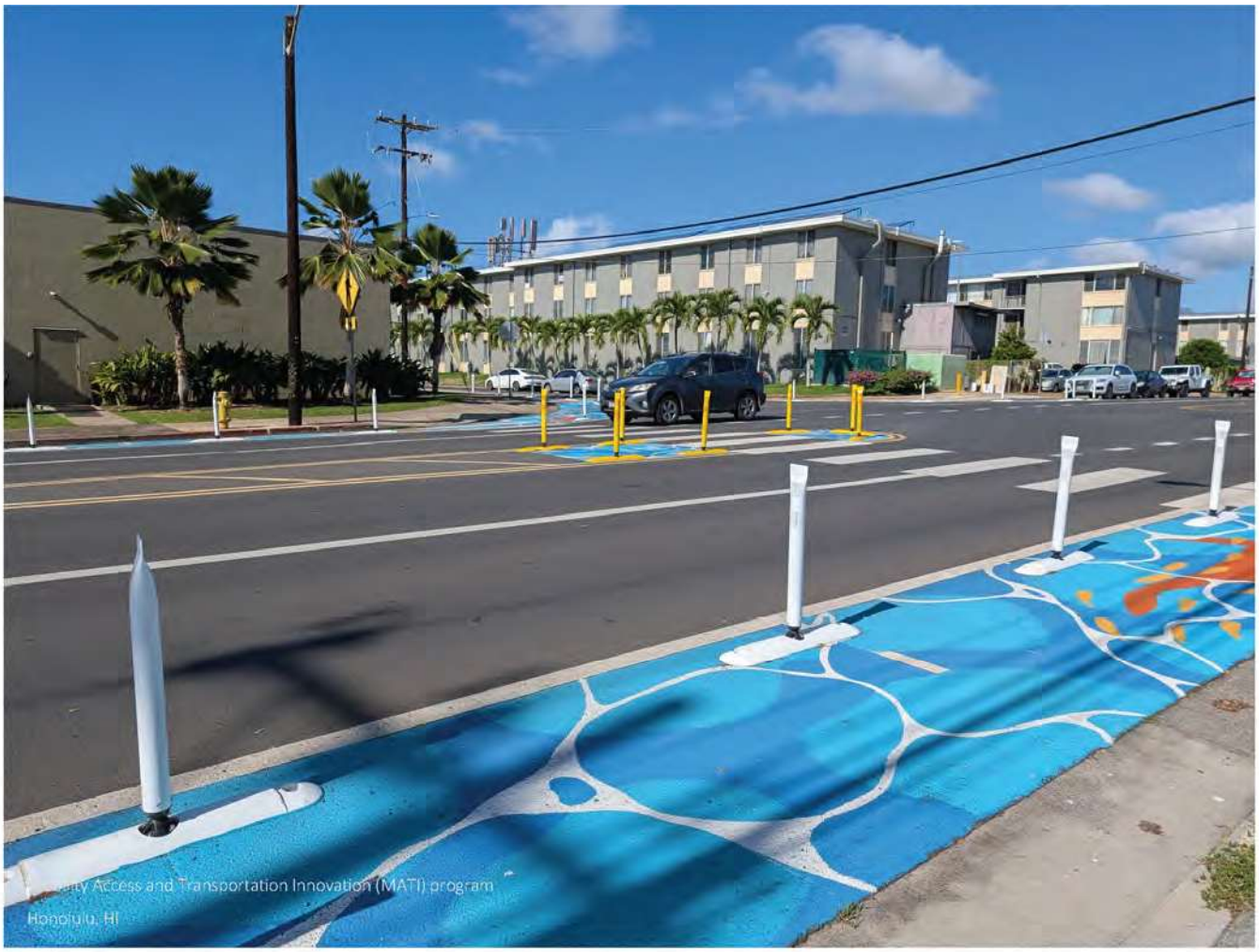
Address: 1447 N Oakley Blvd, Chicago, IL 60622 / Website: www.climateresilienceconsulting.com

Primary Contact: Joyce Coffee
(e) joyce@climateresilienceconsulting.com
(m) 312.894.9028

Climate Resilience Consulting (CRC) is a certified WBE women-owned small business and social enterprise that helps institutions integrate climate resilience, environmental justice, and community revitalization into decision-making, creating opportunities and minimizing risks. In 2020, we ushered in the Resilience Decade (2020–2030), a ten-year pledge to fortify cities, states, communities, and organizations against climate-related hazards and disruptions. Now, at the decade's midpoint, CRC is unwavering in its mission to save lives and improve livelihoods amidst extreme weather, including emphasizing community-led relocation. We develop actionable resilience and relocation strategies, co-create landscape restoration and hazard mitigation concepts, identify and strengthen funding opportunities for resilience implementation, and support the formation of partnerships and networks to advance recovery and long-term revitalization.

CRC brings deep expertise in facilitating participatory planning, community engagement, and technical analysis to shape actionable and implementable resilience and recovery strategies. We specialize in integrating resilience into comprehensive plans, hazard mitigation plans, and open space and green infrastructure projects. Our team has extensive experience supporting voluntary buyout programs, flood risk reduction, relocation planning, and equitable revitalization initiatives.

Project Name	Client	Location	Completion Date
Sustainable Communities Accelerator Network	US EPA	Nationwide	Ongoing
Central Florida Recovery and Resiliency Partnership Project	US EPA	Deltona and Eatonville, Florida	November 2024
US Climate Alliance Comprehensive Land Use Planning Initiative	US Climate Alliance	Nationwide	March 2025
Extreme Heat Behavioral Health Study	NOAA National Weather Service	Nationwide	May 2024
Supporting Equitable Resilience Planning through Active and Inclusive Community Engagement	US EPA	Nationwide	October 2023
Housing Consumer Smart Resilience and Sustainability	Confidential: National mortgage provider	Nationwide	August 2024
Metropolitan Water Reclamation District Stormwater and Net-Zero Initiative	Metropolitan Water Reclamation District	Chicago, IL	Ongoing
American Flood Coalition State-to-Local Resilience Technical Assistance	American Flood Coalition	Massachusetts, Rhode Island, Virginia	August 2023
Transportation Research Board – Managed Retreat and Resilience Framework	Transportation Research Board	Nationwide	Ongoing
Enterprise/HUD Climate Resilience Technical Assistance for Affordable Housing	Enterprise Community Partners / HUD	Nationwide	November 2024
Louisiana Long-Term Coastal Resilience Funding and Finance Playbook	Environmental Defense Fund	Louisiana	April 2021
Resilience Strategies for Inundated Communities (LA SAFE)	Louisiana Strategic Adaptation for Future Environments (LA SAFE)	Louisiana	February 2018
Miami Beach Stormwater and Climate Adaptation Plan Expert Advisory	Urban Land Institute	Miami Beach, FL	September 2019



The Center for Neighborhood Technology (CNT) is a nationally recognized 501(c)(3) nonprofit organization. CNT's mission is to deliver innovative analysis and solutions that support community-based organizations and local governments to create neighborhoods that are equitable, sustainable, and resilient.

CNT has been at the forefront of urban innovation since 1978. We work to—

- Democratize the built environment. Our work is distinguished by our people-first approach because the most effective solutions emerge when innovative data analysis meets local knowledge and community priorities.
- Build better systems. Our interdisciplinary team brings expertise in urban planning, community engagement, data science, engineering, policy, community development, and more to each project.

We bring a deep knowledge and command of mixed-methods and GIS research, urban planning, and data-informed policy development, plus community engagement and coalition-building as well as subject-matter expertise on climate, infrastructure, and economic development.

CNT provides:

- Analysis: innovative, interdisciplinary analysis of urban and regional problems to produce evidence-based solutions, including sophisticated data tools and online resources to make findings usable.
- Engagement and empowerment: engagement of neighborhood partners and local government leaders, supporting and empowering them to improve their communities.
- Innovation: innovative and data-driven policy, financial, and technological solutions.
- Entrepreneurship: where there are gaps in service, entrepreneurial approaches to create new programs to solve problems we uncover.

We deliver practical solutions that make communities more livable, sustainable, and economically vibrant. Our expertise combines rigorous data analysis with deep community engagement to create strategies that work for real people in real places.

Center for Neighborhood Technology

Address: 17 N State Street #1400,
Chicago, IL, 60602
www.cnt.org

Primary Contact: Heidy Persaud
(e) hpersaud@cnt.org
(m) 773 426 0376

Team Organization



The project leadership team consists of GAI's **Blake Drury, AICP** as Project Director and Policy Planning Lead; **Claudia Ray** as Project Manager, Primary Point of Contact, and Community Engagement Lead; **Aimee Shields, PE** and the Civil Engineering and Stormwater Infrastructure Lead; and **Donald Wishart, PLA**, as the Public Realm Design Lead, and ONE's Justine Shapiro-Kline, AIA, AICP, WEDG as Resilience Planning and Design Lead. This team will be responsible for supervising the work to be produced under this project. The percentage of time expected for each leadership member to contribute to this project varies from 10% to 60%. Detailed percentages are listed in the organizational chart on the following page.

The leadership team will be supported by a group of people specializing in:

- Resilience Planning and Design
- Community Outreach and Engagement
- Policy Planning
- Civil, Environmental, and Transportation Engineer.

Together, we have years of experience providing these services to municipalities and agencies in Florida and nationwide, encompassing the items outlined in the scope of work. The following page displays our team's organizational chart, followed by the resumes that outline our professional qualifications.

Organizational Chart

Prime:
GAI Consultants, Inc. (*GAI*)

Subconsultants:
One Architecture & Urbanism (*ONE*)
Drummond Carpenter, PLLC (*DC*) - Florida-certified SDVOB
Climate Resilience Consulting (*CRC*) - Women-Owned
Center for Neighborhood Technology (*CNT*)



PROJECT DIRECTOR — 5%
A. Blake Drury, AICP
GAI | Director, Planning and Urban Design



PROJECT MANAGER — 40%
Primary Point of Contact
Claudia Ray
GAI | Senior Project Planner



RESILIENCE PLANNING AND DESIGN — 30%
Justine Shapiro-Kline, AIA, AICP, WEDG
ONE | Director, Planning



CIVIL LEAD — 10%
Aimee Shields, PE
GAI | Senior Engineering Manager



DESIGN LEAD — 10%
Donald Wishart, PLA
GAI | Sr. Director, Landscape Architecture

Resilience Planning, Design and Engagement



RESILIENCE PLANNING AND DESIGN
Matthijs Bouw
One | Founder & President



RESILIENCE PLANNING AND DESIGN
Laura Frances, LEED GA
One | Senior Urban Planner



RESILIENCE PLANNING AND DESIGN
Pranav Thole
One | Urban Designer



FUNDING AND IMPLEMENTATION LEAD
Joyce Coffee, LEED AP
CRC | President



FUNDING AND IMPLEMENTATION
Robert Macnee, PhD
CRC | Deputy Director



COMMUNITY ENGAGEMENT SUPPORT
Heidy Persaud
CNT | Director of Transportation



COMMUNITY ENGAGEMENT SUPPORT
Peter Haas
CNT | Chief Analyst of Urban Analytics

Comprehensive Plan + GIS



PROJECT PLANNER
Andrew McCown, AICP
GAI | Senior Planning Manager



GIS ANALYST
Hannah Hollinger, LEED AP O+M
GAI | Senior Planner

Civil, Environmental Engineering, and Transportation Engineering



TRANSPORTATION LEAD
Manosh Varghese, PE
GAI | Senior Engineering Manager



ENVIRONMENTAL LEAD
Donald Carpenter, PhD, PE, LEED AP
DC | Principal Engineer



ENVIRONMENTAL ENGINEERING
Rachel Pieschek, PE
DC | Project Engineer



ENVIRONMENTAL ENGINEERING
Cathy Foerster, AICP
DC | Senior Planner

RESUMES ARE INCLUDED
ON THE FOLLOWING PAGES



Blake Drury, AICP,

Assistant Vice President, Director, Planning and Urban Design

ROLE: Project Director
YEARS OF EXPERIENCE: 27

EXPERTISE

Urban Design, Master Planning, Transportation Planning

EDUCATION

MS, Planning, 1998, University of Tennessee, Knoxville, Tennessee

BA, History (Cum Laude), 1996, University of Florida, Gainesville, Florida

LICENSES + REGISTRATIONS

American Institute of Certified Planners, #017026

AFFILIATIONS

American Planning Association

University of Central Florida, Adjunct Instructor (2007–2014)

City of Orlando, Municipal Planning Board 2019–Present (Chair 2023/2024)

Mr. Drury is an urban designer and city planner focused on creating livable communities. For the past 27 years, he has developed plans for public-sector clients in urban, suburban, and rural settings across North America—including initiation, conceptualization, and design of large-scale neighborhood redevelopment projects, downtown plans, and numerous transit station area planning programs. He also has extensive experience helping private-sector clients develop visions and principles to guide new communities, including master plans for many traditional neighborhood development design projects throughout the Southeast United States. Mr. Drury is frequently invited to speak at professional events throughout the region, and previously served as an Adjunct Instructor at the University of Central Florida for 7 years teaching urban design at the graduate and undergraduate levels.

HIGHLIGHTED EXPERIENCE

MASTER PLANNING

- **Envision St. Cloud Citywide Master Plan, St. Cloud, Florida.** Project Director. Citywide master plan addressing systems such as roads, parks, and land uses, attracting employment and promoting job growth, enhancing overall community character, and establishing a vision for possible future annexations.
- **LaVilla Master Plan, Jacksonville, Florida.** Project Director for the long-term redevelopment and community investment plan for the historic LaVilla neighborhood in downtown Jacksonville. The plan provides strategic direction and actionable opportunities for private development, P3, infrastructure, and an enhanced public realm. The mission is to allow the City and community partners to re-stitch the LaVilla neighborhood back into the fabric of downtown by capitalizing on the specific cultural history, land ownership patterns, and potential market niche. The plan also calls for park, trail, and greenway connections that will reconnect the neighborhood to the larger patterns of downtown.
- **Downtown and Waterfront Master Plan, Clermont, Florida.** Lead Urban Designer. Master planning for downtown and lakefront focused on leveraging park amenities and repositioning downtown for increased redevelopment activity.
- **Downtown Master Plan, Ocoee, Florida.** Project Director. Master planning focused on improved public realm and redevelopment for historic downtown in suburban Orlando including establishment of a vision framework of goals and objectives, a physical master plan for downtown, a prioritized list of streetscape and park projects, and a framework for a form-based code overlay.
- **Smyrna Downtown Master Plan, Smyrna, Tennessee.** Project Director. Master plan that gives strategic guidance for public realm and private lot improvements, design guidelines, as well as programs, incentives, and financing mechanisms to facilitate development of the Downtown that has been envisioned by the community.
- **Hillsborough and Nebraska Corridor Master Plan, Tampa, Florida.** Project Manager. Created urban design plan to improve the physical condition of parks, streetscapes, and development areas in a redeveloping corridor.

LAND USE, COMP PLANS & CODES

- **Kissimmee Future Land Use and Mobility Master Plan - Onward Kissimmee, Kissimmee, Florida.** Project Director. Update of the City's Comprehensive Plan Transportation and Land Use Elements. This project aims to shape the city's growth in preparation for future development and transportation improvements while honoring the city's roots and celebrating cherished places by actively listening to the voices of Kissimmee's citizens. The process involves identifying key issues and planning themes and creating a list of policy and infrastructure recommendations to be included in the Comprehensive Plan.

- **SR 429 Land Use + Economic Development Study, Cities of Ocoee and Winter Garden, Florida**. Project Manager. Areawide master plan that involved the creation of urban development visions for key sites to articulate opportunities, explore land use options, and ultimately promote the potential of the area. Plan promotes improved value, efficient delivery of services, and the ability to capitalize on the unique resources the two communities share.
- **Wolf Branch Innovation District Master Plan, Mount Dora, Florida.** Master planning for emergent multi-use employment center to ensure that the necessary regulatory structure is in place to guide the creation of a high-quality physical, economic, and social place. Includes land use plan, design guidelines, capital improvement plan, and administration plan.
- **City of Mount Dora Comprehensive Plan and Evaluation and Appraisal Report (EAR), Mount Dora, Florida.** Project Manager. Developed EAR and EAR-Based Comprehensive Plan Amendments for high-quality character town in Central Florida.
- **Citywide Design Framework and Form-Based Code, Lakeland, Florida.** Planner/Urban Designer. Provided urban form analysis, identification of design districts through character typologies, and development of design standards for multiple building types.
- **Form-Based Code Land Development Regulations, Eustis, Florida.** Planner/Urban Designer. Development of design district methodology and design standards for building, street, and park typologies.
- **Heritage Village Special District Form-Based Code, Longwood, Florida.** Project Manager. Development of a regulating plan and typological standards for buildings, streets, and public spaces.
- **Downtown Form-Based Code, Cocoa, Florida.** Planner/Urban Designer. Development of a regulating plan, evaluation of the existing and planned urban context, and development of typological standards for buildings, streets, and public spaces.

MOBILITY PLANNING AND COMPLETE STREETS

- **Maitland Bike and Pedestrian Master Plan, Maitland, Florida.** Project Director. Citywide plan to consolidate, update, and expand current bicycle and pedestrian facilities built around linking safely to schools, improving downtown walkability, and creating a bikeway system for all ages and abilities.
- **Orange County Complete Streets, Orange County, Florida.** Project Manager. Transportation planning and urban design focused on development of complete street retrofit prototypes for multiple corridors within Orange County.
- **Riverplace Boulevard Complete Street, Jacksonville, Florida.** Project Planner for public involvement and conceptual design exploration of several alternative scenarios for a place-based reconstruction of Riverplace Boulevard. The preferred concept includes separate bike lanes, increased sidewalks, safe crossings, narrowed lanes, and contemporary solutions to streetscape and urban stormwater drainage.
- **South Main Street Complete Street, Gainesville Community Redevelopment Agency (CRA), Gainesville, Florida.** Planner for transformative community-driven plan consisting of lane reductions, protected bike lanes and dedicated trails, traffic-calming roundabouts, rain gardens, back-in angled parking, and enhanced pedestrian facilities within a contemporary urban streetscape design.
- Denning Drive Complete Street, Winter Park, Florida. Project Manager. Conceptual transportation and urban design planning for four-lane to three-lane road diet, including separated multi-use trail and improved streetscape.

LAND AND SITE PLANNING

- **Sunbridge, Orange and Osceola Counties, Florida.** Lead Master Planner. Visioning, project conceptualization, and overall development plan for 24,000-acre, mixed-use community in the southeast portion of the Orlando metro area. Includes Planned Development (PD) Master Plan approval in Orange County and Concept Plan approval in Osceola County. (2015–Ongoing)
- **Dr. Phillips Packing District, Orlando, Florida.** Project Urban Designer. Initiative to master plan and adaptively redevelop more than 80 acres of industrial property and buildings, along with an adjacent degraded wetland that will be repositioned as a featured 90-acre stormwater, environmental, and recreational park.
- **Wildlight Market Street, Nassau County, Florida.** Lead Master Planner. Visioning and development plan for 100-acre, mixed-use neighborhood as first phase of multiphase development north of Jacksonville



Claudia Ray, MS,
Senior Planner and Urban Designer

ROLE: Project Manager / Primary Point of Contact, and Community Engagement Lead
YEARS OF EXPERIENCE: 19

EXPERTISE

Master Planning, Community Engagement, Streetscape Design

Languages – English, Spanish

EDUCATION

MS, Architecture and Urban Design, 2012, Columbia University

B. Architecture, 2005, Universidad Simon Bolivar, Venezuela

AFFILIATIONS

American Planning Association

Congress of New Urbanism City of Orlando Municipal Planning Board, past Member (2015–2018)

City of Orlando Affordable Housing Advisory Committee 03/20/2023-03/31/2026

Ms. Ray is a creative, forward-thinking Senior Project Planner and Urban Designer within GAI's Community Solutions Group (CSG). She has more than 19 years of experience working with public, private, and institutional clients on planning, landscape design, and architecture projects of all scales. Ms. Ray's award-winning work demonstrates her proven ability to envision, design, and implement strategies while understanding the place, and listening to stakeholders and clients. Project management and leadership skills empower Ms. Ray to create and develop livable cities and communities. She has a clear understanding of different scales of the built environment, its social and economic dynamics, governance, and private development.

HIGHLIGHTED EXPERIENCE

RESILIENCE PLANNING

- **EPA R2P2 Central Florida Technical Assistance:** Urban Designer and Planner. Provided resilience planning support for Eatonville and Deltona as part of the EPA's R2P2 project, aiding communities impacted by Hurricane Ian. Delivered a community-driven recovery report outlining strategies for flood resilience, resource preservation, and sustainability to secure future funding.

CORRIDOR, DOWNTOWN AND NEIGHBORHOODS PLANS

- **Kissimmee Vine Street Community Redevelopment Area (CRA) Plan Update, Osceola County, Florida.** As a Project Manager and Lead Urban Designer, Ms. Ray is currently leading the update of the 2012 CRA Plan to develop a new Community Redevelopment Plan envisioning the area's growth over the next decade. Ms. Ray oversees a robust community engagement process to refine goals, objectives, programs, and incentives. Identifying potential redevelopment sites and establishing distinct sub-areas along the corridor, each with tailored visions, goals, transportation initiatives, and investment strategies. Ms. Ray will develop actionable recommendations for private property improvements and streetscape enhancements to guide future redevelopment and growth.
- **Eatonville CRA Plan Update, Eatonville, Florida.** Lead Urban Designer and Planner for the Eatonville CRA Plan Update. Ms. Ray led the Eatonville CRA Plan Update, coordinating community meetings and preparing content aligned with stakeholder input. She analyzed the street network, building inventory, and future land use to identify key redevelopment sites, connectivity improvements, and future uses. Based on community input, she designed the master and vision plan, including a 95-acre site with mixed-use development and a museum.
- **Clark-Fulton Together Master Plan (WRT Project) City of Cleveland (CRA), Ohio.** Ms. Ray served as Project Manager on this comprehensive effort to create a roadmap for the Clark-Fulton neighborhood on Cleveland's west side. Ms. Ray led the bilingual planning and community engagement process and a team consisting of planners, designers, landscape architects, transportation engineers, and a local engagement specialist. The planning and community engagement bilingual process kicked off at the beginning of the Covid-19 Pandemic in early 2020. The plan was developed through an 18-month process of partnerships, informed by community voices. Claudia hosted over 50 meetings and events, both in-person and virtually, totaling 850+ community touch point and hundreds of social media views. Claudia, in partnership with WSP, engaged residents innovatively and safely in an uncommon time of constraints—via the use of postcards, surveys, bike rides, and scooter tours. The plan, was approved by the City of Cleveland Planning Commission in October 2021.
- **Ocoee Downtown Master Plan, City of Ocoee, Ocoee, Florida.** Urban Designer and Planner for the Ocoee Downtown Master and Vision Plan. Ms. Ray's role was to participate in community meetings and design workshops for the conception of downtown Ocoee's overall master plan and key streets, including a schematic design package for Blufford Street. The adopted master plan has resulted in unprecedented acceptance and enthusiasm by the Ocoee community. The City has immediately moved forward with implementation, including a major bond issue to

- fund top-priority projects. The goal of the master plan was to create a strategic vision for the future of downtown Ocoee to become the center of community life, as well as an economic engine for the City. The work required substantial focus on public engagement through workshops, walking audits, design charrettes, public meetings, and a robust social media campaign. Input collected from these efforts allowed the project team to formulate a design vision for downtown that was translated into a comprehensive list of park, streetscape, connectivity, and enabling infrastructure projects. The physical vision is also supported by regulatory and economic development tools.
- **Zephyrhills Community Redevelopment Area (CRA) Plan Update, Pasco County, Florida.** As a Project Manager and Lead Urban Designer, Ms. Ray is currently leading the creation of a comprehensive Community Redevelopment Plan to update the 2016 CRA Master Plan, envisioning the area's growth over the next decade. She leads a robust community engagement process to ensure stakeholder input and alignment. The action-oriented plan will emphasize transformative projects that drive investment, enhance resilience, and foster placemaking while improving walkability and connectivity. Ms. Ray is developing a clear, user-friendly document featuring an implementable matrix outlining the vision, goals, and objectives, organized into actionable projects, policies, and incentive programs.
- **OBTNext, A Corridor Master Plan for the Orange Blossom Trail (OBT) Corridor, Orange County, Florida.** Project Manager and Urban Designer/Planner of a Master and Implementation plan for an 8-mile segment of the OBT corridor in Orange County, Florida. Ms. Ray led multijurisdictional public, social, and online engagement campaigns, including walking audits and stakeholder meetings. Identified issues and opportunities through public input and data analysis, developed a vision and action plan and designed five catalyst sites. Produced comprehensive reports and a final master plan addressing economic competitiveness, evolving demographics, and market conditions. Coordinated efforts with the CRA Plan Update and Safe Neighborhood Plan to ensure a unified vision for the corridor's future. Learn more at obtnext.com.
- **Nebraska-Hillsborough Corridor Study, Tampa, Florida.** Designer responsible for creating a final report for the vision of Nebraska and Hillsborough Avenue. As part of the Envision Tampa Plan, the Nebraska and Hillsborough Avenue Corridor Plan helps position two avenues as neighborhoods of livable places, connects people, and encourages collaborative progress. This plan resulted in a series of planning, policies, and program strategies to bring infrastructure improvements to the area and change the physical, social, and economic conditions of the corridor. The plans and policies support transit-oriented development (TOD) strategies that the City uses as a model for guiding development in other areas of the central city. The process included public workshops, neighborhood meetings, site analysis, and visioning of the places and catalyst sites.

STREETSCAPE AND COMPLETE STREETS

- **Cleveland Street and Gulf to Bay Boulevard Streetscape, City of Clearwater, Clearwater, Florida.** Project Urban Designer of a "road diet" and streetscape design of Phase 3 of Cleveland Street and Gulf to Bay Boulevard in Clearwater, Florida. Ms. Ray's role was to design a set of different street section alternatives for both streets, and to create the streetscape schematic package for both streets.
- **Denning Drive Streetscape, City of Winter Park, Florida.** Project Urban Designer responsible for organizing and leading walking audits and community meetings; understanding the existing street design, land use, and transit system; developing several typical sections for potential scenarios that were considered by the City and the community; and designing the final streetscape plan and schematic package.
- **Wauwatosa Village Streetscapes and Parks Milwaukee County, Wauwatosa, Wisconsin.** Public Involvement Officer and Urban Designer for a master streetscape design of key streets and intersection for the Village of Wauwatosa, Wisconsin. Ms. Ray was responsible for the preparation and participation of stakeholder and community meetings; creation of inventory of the existing street conditions, including typical sections and materials; development of several typical sections for potential scenarios that were considered by the City and the community; and design of an overall streetscape master plan and schematic design package. CSG led the effort to redesign several streets and intersections in the historic Wauwatosa Village.

INFILL DEVELOPMENT

- **Greenleaf Mixed-Income Housing Development, District of Columbia**. Project Manager and Urban Designer of a 15 acre DC Public Housing redevelopment Site. The site sits on the District's most prime real estate and is close to destinations like the Nationals Park and Wharf Waterfront. The Greenleaf site will now be redeveloped as a mixed-use development that prioritizes community needs; respects the surrounding neighborhoods; embrace the social, economic, and racial diversity of existing and new residents; and supports the long-term health and vitality of existing residents the community. Over four phases, the proposed plan will deliver approximately 1,500 mixed-income and affordable multi-family units, 35,000 SF of retail or community space, and two acres of outdoor spaces.
- **Newark West Side Neighborhood Infill Development & Opportunities, Newark, NJ.** Project Manager and Lead Designer of neighborhood housing infill and streetscape improvement toolkit for the West Side Neighbohrood In Newwark, NJ. The City identified a series of parcels to be redeveloped as multi-family and mixed-use projects, as well as streetscape improvements. The projet's goal was to develop a plan that provides an understanding of the neighborhood, the existing physical conditions of the housing and commercial corridors, and provides a set of new development guidelines to developers working with the City in the revitalization of the West Side Neighborhood. The guidelines included the design of a new flexible housing mixed-use building typology for a 25 feet x 100 feet lots and public realm recommendations.



Justine Shapiro-Kline

Director, One Architecture & Urbanism

EXPERTISE:

Urban Planning, Urban Design, Climate Resilience Infrastructure, Community Engagement

EDUCATION

MArch, 2014, Columbia University GSAPP

MS, Urban Planning, 2014, Columbia University GSAPP

AB, History & Literature, Harvard College, 2008

AFFILIATIONS OR CERTIFICATIONS

American Institute of Architects (AIA)

Certified Planner, American Institute of Certified Planners, 2019

WEDG Associate, Waterfront Alliance, 2020

Registered Architect: NY

one architecture
new york city amsterdam

Justine Shapiro-Kline is an architect and planner with nearly a decade of experience working with communities, public agencies, and organizations on strategic initiatives, revitalization plans, and visioning efforts for adaptation to climate change and its impacts. Her practice prioritizes participatory design and integration of natural systems to support the development of sustainable communities and resilient places. Justine leads urban design, planning, and research, bringing an integrated and place-based approach to projects including through her current and recent work on Nature-based Solutions for the Mekong Delta, Vietnam (WWF); Improving Urban Resilience St. Vincent & the Grenadines (World Bank); the Newark 360 Master Plan; and the Geneva Brownfield Opportunity Area Open Space & Connectivity Strategy Planning (Geneva, New York).

HIGHLIGHTED EXPERIENCE

- **EPA Central Florida Recovery & Resiliency Partnership Project (Eatonville & Deltona, FL) (2023-2024).** The Recovery and Resiliency Partnership Project (R2P2), a U.S. EPA initiative, offers technical assistance to disaster-impacted communities, aiming to improve resilience, flood protection, and sustainability. In 2024, R2P2 supported Deltona and Eatonville, FL, both severely impacted by Hurricane Ian. The program developed solutions for key sites, including waterfront parks, City Hall, and green infrastructure toolkits for homes. These plans focus on stormwater management, nature-based infrastructure, and enhanced public amenities, while providing models for other communities facing similar climate challenges.
- **Climate Strong Communities (2023-).** In 2023, the NYC Mayor's Office of Climate and Environmental Justice (MOCEJ) launched Climate Strong Communities (CSC), a community-centered initiative aimed at rethinking infrastructure planning. CSC focuses on engaging stakeholders early, maximizing funding, and addressing underserved communities. The first year established a framework for climate risk assessments and project opportunities in six neighborhoods. ONE leads the effort, guiding project identification, interagency processes, and community engagement. After a successful first year, CSC expanded to nine new neighborhoods and continues to secure funding and develop tools for effective project delivery.
- **Newark 360 Master Plan, New Jersey (2021-2022).** Adopted by the City in September 2022, Newark 360 is a community-driven master plan that establishes goals, priorities, and strategies for the physical development of Newark for the coming decade. It is grounded in the city's core values of Health, Equity, and Resilience, and structured around a series of planning themes. As the lead for the Environment and Sustainability plan element, the ONE team led by Justine worked to ensure that environmental justice, climate adaptation and resilience principles, and an equitable energy transition are integrated into the citywide vision for sustainable development and specific neighborhood planning initiatives. The work responds to the extreme weather and climate impacts that Newarkers are already experiencing today and seeks multi-benefit solutions to improve air quality, reduce urban heat island effect, manage stormwater, and improve coastal flood resilience through green infrastructure and coordinated investment in complete and connected neighborhoods.
- **Sea2City, Vancouver, B.C. (2021-2022).** Sea2City was a collaborative design initiative of the City of Vancouver to plan for sea level rise along False Creek. ONE co-led with Mithun one of the two teams to participate in the design challenge, which sought to demonstrate a decolonized approach planning for the next century of this vibrant, central waterfront. The team worked with the City, technical and community advisory groups, and youth to develop a bold vision for the stewardship of the South False Creek waterfront and transformation of its surrounding neighborhoods. Key to the process was learning from and collaborating with Musqueam, Squamish and Tsleil-Waututh knowledge keepers, cultural advisors, and artists, who shared their stories, insights, and visions for the future of the waterfront. The resulting proposal comprises discrete pilot projects and an overall approach that reframes and adapts the city's relationship with the shoreline, the processes that shape it, and how it is inhabited.



Matthijs Bouw

Founder & President, One Architecture & Urbanism

EXPERTISE:

Strategic Planning, Urban Planning, Urban Design, Climate Resilience Infrastructure, Adaptation Planning, Nature-Based Solutions, Community Engagement

EDUCATION

Faculty of Architecture, Degree in Building Engineering and Architecture, Specialization: Construction Informatics, Master of Science in Architecture, 1995, Technical University Delft

AFFILIATIONS OR CERTIFICATIONS

American Institute of Architects (AIA) International Associate

Matthijs Bouw is the Dutch founder of One Architecture and Urbanism (ONE), an award-winning Amsterdam and New York-based firm. ONE is a global leader in the use of design to conceive and advance resilience and waterfront masterplanning projects, combining infrastructure design with nature-based solution projects to create special places. He directs the Urban Resilience Certificate Program at the Weitzman School of Design, where he is a Professor of Practice, the McHarg Center fellow for Risk and Resilience and a fellow at the Institute of Urban Research.

Bouw successfully led design teams around the world, demonstrating a unique ability to leverage design as a central tool for navigating complex challenges and for early project identification. Many of these designs are now being implemented by him and his team, such as multiple projects for Manhattan's coastal resilience. His pioneering work has led to many follow-up projects, and has inspired government agencies and developers to re-imagine how to develop infrastructure to be more community-centered, multi-functional, and use of nature-based solutions.

He is currently the lead designer of the Brooklyn Marine Terminal Masterplan in New York City, a 130-acre waterfront site where the maritime activities are re-envisioned and consolidated as a sustainable urban port, with significant mixed-use developments immediately adjacent.

HIGHLIGHTED EXPERIENCE

- **Resilient Northeastern New Jersey (2020-2022).** Resilient Northeastern New Jersey is a partnership focused on reducing flood risk and ensuring long-term vitality for communities like Jersey City, Newark, Hoboken, and Bayonne, which face flooding from storms, sewer overflows, and sea level rise. Led by Arcadis with guidance from NJDEP, ONE developed an action plan to address current and future flood risks. By collaborating with local governments and organizations, the project created a roadmap for resilient growth, combining existing efforts, flood data, and community input to guide future development and enhance regional resilience.
- **Climate Strong Communities (2023-).** In 2023, the NYC Mayor's Office of Climate and Environmental Justice (MOCEJ) launched Climate Strong Communities (CSC), a community-centered initiative aimed at rethinking infrastructure planning. CSC focuses on engaging stakeholders early, maximizing funding, and addressing underserved communities. The first year established a framework for climate risk assessments and project opportunities in six neighborhoods. ONE leads the effort, guiding project identification, interagency processes, and community engagement. After a successful first year, CSC expanded to nine new neighborhoods and continues to secure funding and develop tools for effective project delivery.
- **The Big U (2014).** For the 2014 Rebuild By Design competition, ONE collaborated on The BIG U, a protective system for Lower Manhattan, addressing the needs of communities impacted by Hurricane Sandy. Spanning from West 57th Street to East 42nd Street, it would shield ten miles of coast from storm surge and sea-level rise. The plan divides into smaller "Little U's," allowing phased implementation. The BIG U integrates coastal protection with park improvements, and has secured over $5 billion in coastal resiliency investment, with follow-up projects led by ONE.
- **EPA Community Change Grant Project (2023-2024).** Through its Community Change Grants program, the US EPA funded design assistance for over 50 community organizations across the US and its territories. ONE, partnering with Climate Resilience Consulting and Adaptation International, led a team providing technical support in EPA regions 1, 2, 3, 5, and 7, covering areas from Maine to Kansas and the Caribbean. In 2024, ONE led 16 design projects with community-based organizations in disadvantaged areas. These projects focused on climate action and pollution reduction, including resilience hubs, clean air upgrades, green infrastructure, and mobility strategies. They addressed challenges like extreme heat and flooding while improving neighborhood quality of life, social resilience, and economic access.

one architecture
new york city amsterdam



Laura Frances

Senior Urban Planner, One Architecture & Urbanism

EXPERTISE:

Urban Planning, Strategy Consulting, Real Estate Development, Municipal Finance

EDUCATION

Master of City Planning, 2024, University of Pennsylvania

Bachelor of Economics & Political Science, 2014, Northeastern University

AFFILIATIONS OR CERTIFICATIONS

LEED GA Certified

one architecture
new york city amsterdam

Laura Frances is an urban planner and strategy consultant specializing in real estate development, municipal finance, and public innovation. She excels at assembling multidisciplinary teams to create human-centered places through data-driven visioning and strategic implementation. Passionate about building resilient spaces, she focuses on bringing together the public and private sectors to drive more efficient, adaptive development while integrating innovation into the built environment. At the Penn Institute for Urban Research, Laura advanced global climate finance advocacy and policy research. Previously, as the founding Program Director at Centri Tech Foundation, she led grantmaking initiatives and developed public tools to strengthen digital infrastructure in public housing. She also founded Built Interest, a consultancy focused on urban mixed-use projects, advising clients such as Hines, Edge, and Allied London. Earlier in her career, she served as Director of Special Projects at Two Trees, where she shaped the design and development of the Domino Sugar Factory and award-winning Domino Park. Laura holds a Master's in City Planning from the University of Pennsylvania, specializing in urban technology, and a Bachelor's in Economics and Political Science from Northeastern University, where she interned at the White House Social Innovation Office.

HIGHLIGHTED EXPERIENCE

- **Climate Strong Communities (2023-).** In 2023, the NYC Mayor's Office of Climate and Environmental Justice (MOCEJ) launched Climate Strong Communities (CSC), a community-centered initiative aimed at rethinking infrastructure planning. CSC focuses on engaging stakeholders early, maximizing funding, and addressing underserved communities. The first year established a framework for climate risk assessments and project opportunities in six neighborhoods. ONE leads the effort, guiding project identification, interagency processes, and community engagement. After a successful first year, CSC expanded to nine new neighborhoods and continues to secure funding and develop tools for effective project delivery.
- **Domino Park, Brooklyn, New York (2014-2016).** Laura played a key role in shaping the waterfront design of Domino Park, ensuring it served as both a flood-resilient public space and a vital community asset. Collaborating with Field Operations, she helped program the park to maximize engagement and accessibility. She coordinated the salvaging of industrial artifacts from the former Domino Sugar Factory, integrating them into the design to support a circular economy. Her project management efforts contributed to the park's readiness for future ferry service expansion and its long-term success as a six-acre, privately owned public space that is enjoyed by over 1 million visitors per year.
- **Campfield Yards, Manchester, United Kingdom (2017-2018).** Campfield Yards was a landmarked, city-owned site in Manchester, redeveloped to reconnect the neighborhood to major transit routes while addressing sustainability goals, landmark regulations, and public-private financing requirements. The project aimed to mitigate nuisance flooding, reduce embodied carbon, and create space for the city's growing fashion and tech industries. As a strategic consultant to the client, Allied London, Laura contributed to this vision by conducting research on the site's historical significance and economic potential, shaping redevelopment strategies that balanced heritage preservation with technological upgrades. She collaborated with a local urban planning firm to develop a series of planning schemes and visioning documents, and later presented a final proposal to the local city council for consideration and eventual approval.
- **Global Commission for Urban SDG Finance, University of Pennsylvania (2024-2025).** The Global Commission for Urban SDG Finance brings together over 90 mayors, finance, and climate experts to identify barriers to urban climate financing and propose strategies to align global financial systems with urban development needs. Laura Frances helped operationalize the Commission in its second year in close collaboration with task force co-chairs to define project scopes. Her work included research on the Green Cities Guarantee Fund and the development of project portfolios prepared for climate investment. She contributed to the Commission's first recommendations statement, presented by Paris Mayor Anne Hidalgo and Rio de Janeiro Mayor Eduardo Paes at the July 2024 Mayor's Climate Summit, and later presented the Commission's guarantee fund research at the UN's Fourth International Conference on Financing for Development.



Pranav Thole

Urban Designer, One Architecture & Urbanism

EXPERTISE:

Urban Design, Climate Resilience Infrastructure, Community Engagement, Coastal Adaptation Design

EDUCATION

Master of Architecture in Urban Design MAUD, 2023, Harvard Graduate School of Design

Bachelor of Architecture, 2017, KRVIA, Mumbai University, India

AFFILIATIONS OR CERTIFICATIONS

WEDG Associate, Waterfront Alliance, 2025

Pranav is an Urban Designer at ONE, where he focuses on urban design, resilience, and climate adaptation. With a Master of Architecture in Urban Design (MAUD) from the Harvard Graduate School of Design and a Bachelor of Architecture from KRVIA, Mumbai University, Pranav brings a diverse, interdisciplinary approach to his work. He has contributed to projects like the EPA Central Florida Recovery & Resiliency Partnership (R2P2), developing climate-resilient strategies for post-Hurricane Ian communities, and the EPA Community Change Grant, addressing stormwater flooding, pollution reduction, and urban heat in various underserved communities. Pranav also played a key role in the Sea2City Design Challenge, contributing to a coastal adaptation framework for Vancouver's False Creek. His past experience includes working as a Project Architect at Sameep Padora + Associates, where he led design and construction for projects in India, and at Flying Elephant Studio, where he developed plans for affordable schools and public infrastructure. Pranav is also a co-author of "Architectures in Transition: Emergent Practices in South Asia" and "Post-water Paradise: Decolonizing Water Management in the Colorado River Basin." He is also a Research Associate at the Mittal South Asia Institute at Harvard University.

HIGHLIGHTED EXPERIENCE

- **EPA Central Florida Recovery & Resiliency Partnership Project (Eatonville & Deltona, FL) (2023-2024).** The Recovery and Resiliency Partnership Project (R2P2), a U.S. EPA initiative, offers technical assistance to disaster-impacted communities, aiming to improve resilience, flood protection, and sustainability. In 2024, R2P2 supported Deltona and Eatonville, FL, both severely impacted by Hurricane Ian. The program developed solutions for key sites, including waterfront parks, City Hall, and green infrastructure toolkits for homes. These plans focus on stormwater management, nature-based infrastructure, and enhanced public amenities, while providing models for other communities facing similar climate challenges.
- **Brooklyn Marine Terminal (2024-).** Justine led a multidisciplinary team on behalf of the City of Geneva to advance implementation of their Brownfield Opportunity Area vision for East Lakeview through several open space and access initiatives. The project assessed the feasibility of and delivered schematic designs and cost estimates for three key projects: the reconfiguration of the Routes 5 & 20 corridor for enhanced pedestrian and bike mobility as well as much-needed access from East Lakeview to the lakefront, a greenway along Marsh Greek, and the transformation of the Lehigh Valley elevated rail to a greenway trail with regional links. Completed in August 2022, the full report is available to download online.
- **Sea2City, Vancouver, B.C. (2021-2022).** Sea2City was a collaborative design initiative of the City of Vancouver to plan for sea level rise along False Creek. ONE co-led with Mithun one of the two teams to participate in the design challenge, which sought to demonstrate a decolonized approach planning for the next century of this vibrant, central waterfront. The team worked with the City, technical and community advisory groups, and youth to develop a bold vision for the stewardship of the South False Creek waterfront and transformation of its surrounding neighborhoods. Key to the process was learning from and collaborating with Musqueam, Squamish and Tsleil-Waututh knowledge keepers, cultural advisors, and artists, who shared their stories, insights, and visions for the future of the waterfront. The resulting proposal comprises discrete pilot projects and an overall approach that reframes and adapts the city's relationship with the shoreline, the processes that shape it, and how it is inhabited.
- **EPA Community Change Grant Project (2023-2024).** Through its Community Change Grants program, the US EPA funded design assistance for over 50 community organizations across the US and its territories. ONE, partnering with Climate Resilience Consulting and Adaptation International, led a team providing technical support in EPA regions 1, 2, 3, 5, and 7, covering areas from Maine to Kansas and the Caribbean. In 2024, ONE led 16 design projects with community-based organizations in disadvantaged areas. These projects focused on climate action and pollution reduction, including resilience hubs, clean air upgrades, green infrastructure, and mobility strategies. They addressed challenges like extreme heat and flooding while improving neighborhood quality of life, social resilience, and economic access.

one architecture
new york city amsterdam



Andrew McCown, AICP,

Assistant Planning Director, Associate

ROLE: Project Planner / Comp Plan Lead

YEARS OF EXPERIENCE: 21

EXPERTISE

Comprehensive and Master Planning

Community and Redevelopment Planning

Land Use Planning and Policy

Geographic Information Systems (GIS)

Project Management

EDUCATION

MS, City and Regional Planning, 2005, Georgia Institute of Technology

BS, Chemical Engineering, 2003, Georgia Institute of Technology

LICENSES + REGISTRATIONS

American Institute of Certified Planners, #024345

AFFILIATIONS

American Planning Association

Mr. McCown specializes in project management, policy writing, comprehensive planning and evaluation, neighborhood planning, campus planning, entitlement management, public involvement, and technical research. He has led and participated in a broad range of projects, including Comprehensive Plan Amendments and rezonings, Community and Citywide Vision Plans, Neighborhood Plans, hospital campus planning, community college system planning, and a number of large landholder entitlement strategy projects. With his engineering background and extensive knowledge of GIS applications he is able to effectively integrate a practical, technical approach into all areas of planning.

Mr. McCown is highly skilled at organizing and conducting public outreach efforts in support of planning efforts. His outreach activities have included coordinating and implementing charrettes, workshops, and public presentations, and conducting group exercises, leading breakout sessions, and coordinating live electronic polling.

HIGHLIGHTED EXPERIENCE

- **Water-Sensitive Land Use Strategy, One Water Master Plan, Winter Haven, Florida.** Planner assisting evaluation of current Comprehensive Plan policies and development of a menu of new land use strategies to help mitigate impacts from urbanization within the Peace River Watershed. The strategies focus on understanding the urban water cycle and promoting land use policies that repair or enhance the hydrological functions of built environment.
- **SR200-A1A Corridor Master Plan, Nassau County, Florida.** Planner. Two-year intensive planning effort for Nassau County to reimagine the main corridor connecting one of the fastest growing communities in the state. The Corridor Master Plan guides these new growth patterns that provide greater access to employment, housing, and commercial amenities for area residents in a manner that preserves natural habitat, mitigates for traffic congestion, establishes efficient land use patterns, encourages health and wellness, and facilitates a livable and sustainable community.
- **Kissimmee Future Land Use and Mobility Master Plan - Onward Kissimmee, Kissimmee, Florida.** Project Manager. Update of the City's Comprehensive Plan Transportation and Land Use Elements. This project aims to shape the city's growth in preparation for future development and transportation improvements while honoring the city's roots and celebrating cherished places by actively listening to the voices of Kissimmee's citizens. The process involves identifying key issues and planning themes and creating a list of policy and infrastructure recommendations to be included in the Comprehensive Plan.
- **Bartow Citywide Master Plan, City of Bartow, Bartow, Florida.** Project Manager and Planner for a citywide master plan for the City of Bartow, FL. The plan focused on the key character areas and corridors of the City in the larger context of the City's unique growth constraints. The effort included extensive public engagement, including virtual stakeholder meetings and charrettes.
- **SR 429 Land Use + Economic Development Study, Cities of Ocoee and Winter Garden, Florida.** Project Planner for areawide master plan that involved the creation of urban development visions for key sites that can be used to articulate opportunities, explore land use options, and ultimately promote the potential of the area. The visions are supported by concepts for land use and circulation patterns intended to promote improved value, efficient delivery of services, and the ability to capitalize on the unique resources the two communities share.
- **Riverplace Boulevard Complete Street, Jacksonville, Florida.** Project Planner for public involvement and conceptual design exploration of several alternative scenarios for a place-based reconstruction of Riverplace Boulevard. The preferred concept includes separate bike lanes, increased sidewalks, safe crossings, narrowed lanes, and contemporary solutions to streetscape and urban stormwater drainage.



Hannah Hollinger, LEED® AP O+M, Senior Planner

ROLE: GIS Analyst
YEARS OF EXPERIENCE: 8

EXPERTISE

GIS and Mapping, LEED Administration, Sustainability Planning

EDUCATION

MS, Urban and Regional Planning, 2020, University of Central Florida

BS, Environmental Studies, 2017, University of Central Florida

CERTIFICATIONS

LEED Accredited Professional, #0011092569

Ms. Hollinger serves as a Senior Planner for GAI's Community Solutions Group. She has a comprehensive academic background in environmental and planning topics, utilizing GIS applications to conduct spatial analyses and modeling for tasks such as data verification, site selection, and land suitability analyses. As a LEED-accredited professional, Ms. Hollinger has a solid background leading sustainability and green building initiatives, such as authoring water conservation, climate action, and campus master plans. Her experience enables her to identify communities' needs based on the existing urban character and incorporate sustainability into long-range planning and project goals.

Ms. Hollinger holds a master's degree in Urban and Regional Planning, as well as a bachelor's degree in Environmental Studies—both from the University of Central Florida (UCF).

HIGHLIGHTED EXPERIENCE

- **Zephyrhills Community Redevelopment Area (CRA) Plan Update, Pasco County, FL.** As a GIS Analyst and Urban Planner, Ms. Hollinger is instrumental in the creation of a comprehensive Community Redevelopment Plan to update the 2016 CRA Master Plan. Utilizing her expertise in geospatial data analysis, she evaluates the area's demographics, economic trends, and land use patterns to help identify areas of high community need and potential for growth. To enhance the community engagement process, Ms. Hollinger incorporates map-centric activities that gather valuable stakeholder input regarding the strengths, weaknesses, and opportunities in Zephyrhills. This approach fosters a sense of community ownership and ensures that redevelopment efforts align with the needs and desires of local residents.
- **Kissimmee Vine Street Community Redevelopment Area (CRA) Plan Update, Osceola County, FL.** As a GIS Analyst and Urban Planner, Ms. Hollinger is supporting the update of the 2012 CRA Plan to develop a new Community Redevelopment Plan envisioning the area's growth over the next decade. Ms. Hollinger leverages her GIS expertise to analyze the area's demographics, economic trends, and land use patterns. This process breaks down the data by the district sub-area, allowing for a more refined approach to the plan's goals and objectives.
- **Orange Blossom Trail CRA Redevelopment Plan, Orlando, Florida.** Project Planner responsible for data collection and analysis to support a FON and CRA redevelopment plan update. Elements included a physical conditions assessment and implementation strategy for the 8-mile segment of the Orange Blossom Trail corridor that is the focus of OBTNext.
- **Lakeland Catalyst, Downtown West, Lakeland, Florida.** Project Planner responsible for integrating 3D models of catalyst sites into ArcGIS Urban in support of the strategic plan for "Downtown West". Held part in producing an Existing Conditions Urban Visual Data Model that to communicate existing planning and urban form, economic development and opportunities, infrastructure and public services, and housing.
- **Seminole County Future Land Use Analysis, Seminole County, Florida.** Project Planner responsible for analyzing county-wide future land use data to evaluate a broad range of topics including environmental stewardship, residential capacity, and transportation infrastructure. Developed a series of maps to demonstrate key insights to aid in future EAR development.
- **Comprehensive Management Plan, Wekiva Wild and Scenic River, Florida.** Project Planner responsible for developing a digital narrative via ArcGIS StoryMap to communicate the CMP goals.
- **Water-Sensitive Land Use Strategy, One Water Master Plan, Winter Haven, Florida.** Project Planner responsible for developing the digital storytelling via ArcGIS StoryMap of land use strategies proposed to help mitigate impacts from urbanization within the Peace River Watershed. The strategies focus on understanding the urban water cycle and promoting land use policies that repair or enhance the hydrological functions of built environment.



Donald Wishart,

PLA, Assistant Vice President, Senior Director, Landscape Architecture

ROLE: Design Lead / Landscape Architecture
YEARS OF EXPERIENCE: 35

EXPERTISE

Landscape Architecture, Sustainable Site Design, Urban Landscapes, Innovative Low Impact Development (LID) Stormwater Strategies

EDUCATION

BLA, Landscape Architecture (with Honors), 1989, University of Florida

LICENSES + REGISTRATIONS

Professional Landscape Architect (PLA): FL – 1998, #LA0001626

AFFILIATIONS

American Society of Landscape Architects (ASLA)

Mr. Wishart is a Director and Senior Design Leader for GAI's Community Solutions Group, with 34 years of diverse landscape architecture experience. He focuses on creating innovative livable, sustainable places, and has worked on an extensive range of resort, recreational, residential, civic, and commercial projects located throughout the U.S. Mr. Wishart's experience includes master planning, sustainable site design, streetscape design, and detailed landscape architectural design and construction documentation—with expertise in creating and developing project vision and character and bringing that conception to the built form.

HIGHLIGHTED EXPERIENCE

- **EPA R2P2 Central Florida Technical Assistance:** Public Realm Design. Provided resilience planning support for Eatonville and Deltona as part of the EPA's R2P2 project, aiding communities impacted by Hurricane Ian. Delivered a community-driven recovery report outlining strategies for flood resilience, resource preservation, and sustainability to secure future funding.
- **Downtown Master Stormwater Pond and Park – Unity Park, Ocoee, Florida.** Principal Design Leader for a transformative 40+ acre, $7.5 million environmental stormwater park. Originating from the Downtown Master Plan by GAI/CSG, Unity Park integrates innovative green infrastructure to manage up to 4.1 million gallons of runoff from Ocoee's historic downtown, previously lacking stormwater facilities. Key low-impact design (LID) features include an upstream filter marsh, bioswales, a restored creek, and native aquatic and upland landscapes. Directed comprehensive services, including civil engineering, landscape architecture, electrical, structural, and geotechnical engineering, irrigation design, and permitting through the City of Ocoee and SJRWMD. Recognized with the Florida Stormwater Association's 2023 award for Innovative Accomplishment and Outstanding Commitment to Stormwater Management Practices Benefiting the Environment, highlighting its positive impact on water quality in Starke Lake and surrounding waterways.
- **South Main Street Complete Street, Gainesville Community Redevelopment Agency (CRA), Gainesville, Florida.** Principal Design Leader for this 6,000-ft project in the heart of the "Power District," which is a transitioning industrial and neighborhood corridor as well as part of the regional commuting pattern. This transformative community-driven plan includes lane reductions, protected bike lanes and dedicated trails, traffic-calming roundabouts, rain gardens, back-in angled parking, and enhanced pedestrian facilities within a contemporary urban streetscape design.
- **Riverplace Boulevard Complete Street, Jacksonville, Florida.** Senior Design Landscape Architect for this 2,000-ft project in the heart of Jacksonville's "South Bank CRA" mixed-use neighborhood. The community-driven plan features lane reductions, protected bike lanes, rain gardens, on-street parking, enhanced pedestrian facilities, and contemporary urban streetscapes. The project is now built and serves as a successful example of the Complete Street "toolkit" for Jacksonville and Northeast Florida.
- **5th Avenue South Streetscape and Sugden Theatre Plaza Conceptual Design, Naples, Florida.** Principal Design Leader. The components for the 5th Avenue Streetscape project included public involvement and the conceptual design of the 5th Avenue South streetscape and design alternatives for the Sugden Theater Plaza. The streetscape plans include conceptual design alternatives for prototypical areas of the existing streetscape and materials palette alternatives for the pedestrian portion of the streetscape along 5th Avenue South. The public involvement component included engagements with the Stakeholder Committee, the Business Improvement District Committee, the City of Naples staff, and the Community Redevelopment Area Advisory Board (CRAAB) as well as walking audits with City staff and the public.



Aimee Shields,

PE, Associate, Senior Engineering Manager

ROLE: Civil Engineer Lead
YEARS OF EXPERIENCE: 21

EXPERTISE

Civil Engineering, Infrastructure Engineering and Design, Permitting, Sanitary Sewer System Analysis and Design, Stormwater Management, Stormwater Pollution Prevention Control

EDUCATION

MBA, Business Administration, 2017, Point Park University

BS, Civil Engineering, 2003, Villanova University

LICENSES + REGISTRATIONS

Professional Engineer (PE): FL – 2008, #68011

CERTIFICATIONS/TRAINING

Advanced Project Management Training, GAI Consultants, Inc., 2009

High Performance Management Training, GAI Consultants, Inc., 2008

Florida Advanced Maintenance of Traffic Certification, 2020, #59189 (Exp. 12/21/27)

AFFILIATIONS

National Engineering Honor Society, Tau Beta Pi

National Civil and Environmental Engineering Honor Society, Chi Epsilon

HONORS + AWARDS

Engineering News-Record Southeast's Top Young Professionals, 2019

Ms. Shields has demonstrated expertise in project management and civil site design for commercial, residential, institutional, municipal, and private projects. Her design work includes grading, drainage, storm sewer systems, stormwater management facilities, water systems, sanitary sewers, pump stations, and roadways. Ms. Shields develops construction drawings and specifications, and prepares permit application packages for submittal and processing through various local, state, and federal permitting agencies. Her civil engineering experience includes urban infill, hospitality and streetscape/roadway projects, healthcare campus master planning, enabling/infrastructure, and expansion projects. She has also prepared feasibility studies, flood mitigation analyses, and engineer's estimates of probable cost. In addition to her PE license and MBA, Ms. Shields holds advanced certification for maintenance of traffic design.

HIGHLIGHTED EXPERIENCE

- **Packing District Complete Streets, Dr. Phillips Foundation, Orlando, Florida.** Project Engineer. Orlando's new Packing District is a $480 million, planned, 200-acre, mixed-used development that will include townhouses, apartments, a grocery store, shops, and a multiuse park. GAI is providing master planning, design, permitting, and construction phase services for a new regional park and master stormwater system, trails, utility infrastructure improvements, and new and improved roadways—including the design of a roundabout to improve traffic movements and serve as a gateway to the Packing District. The project included design and permitting of 2,000 lf of new roadway with trail, and streetscape improvements to 4,500 lf of existing roadway in FDOT right-of-way. Low Impact Design (LID) techniques, including rain gardens/stormwater planters, were employed to create stormwater management solutions. GAI's scope of services included design, permitting, and construction support for a 1.2-MGD master sanitary sewer lift station to serve the development. GAI prepared an Infrastructure Master Plan document to address the project's utility needs for both the short- and long-term.
- **New York Avenue Streetscape Improvements, City of Winter Park, Florida.** Project Manager for grading, drainage, and accessibility improvements for New York Avenue in the City's downtown corridor. The project included a new mast arm traffic signal design, which was located in the FDOT Right-of-Way at Fairbanks Avenue (SR 426).
- **Woods Avenue Roadway Improvements, Orange County, Florida.** Project Manager for design and permitting of a new roadway section in Orange County. The project includes 700 lf of roadway design and drainage improvements on an existing dirt road, as well as stormwater management. GAI also provided support for Right-of-Way acquisition.
- **Orlando Events Center Roadway, City of Orlando, Orlando, Florida.** Project Engineer. Design-build services for the Orlando Events Center, including roadway, streetscape, and utility improvements on South Street. GAI also provided construction administration services.
- **Orange Avenue Enhancements Project, City of Winter Park, Winter Park, Florida.** Project Engineer. Continuing services agreement to assist the City of Winter Park staff with review, details, and design edits to produce plans for bid on the 0.63-mile streetscape project on Orange Avenue. GAI also provided construction administration services.
- **Main Street Commercial Parking Garage, City of Wildwood, Florida.** Project Manager. Prepared construction documents and permit applications for a standalone 4-story, 126-space parking garage in the City of Wildwood downtown commercial district. Due to site constraints, the stormwater management system was achieved by constructing a retention vault under the garage ramp. The project also included a 200-LF extension of a public water main to provide a fire hydrant to serve the proposed garage. Permitting includes City, FDOT, FDEP, Sumter County, and SFWMD.



Manosh Varghese, PE,

Senior Engineering Manager

ROLE: Transportation Lead
YEARS OF EXPERIENCE: 18

EDUCATION

MS, Engineering Management, 2010, University of South Florida

BS, Civil Engineering, 2007, University of South Florida

LICENSES/REGISTRATIONS

Professional Engineer (PE): FL – 2012, #74869

EXPERTISE

AutoCAD Civil 3D

MicroStation 2D and 3D

Open Roads/FDOT Connect

AGi32

Visual Lighting Analysis

Mr. Varghese has over 18 years of experience in the planning, engineering, delivery, and management of transportation and civil projects. His management experience includes overseeing design projects, budgeting, managing scope, schedule, client relations, design and design-build project proposals. His design experience includes roadway, lighting, multi-modal (transit, pedestrian, bicycle), signing, pavement markings, permitting, utility design & coordination, temporary traffic control, traffic studies, and GIS. Mr. Varghese holds an MS in engineering management as well as a BS in civil engineering, both from the University of South Florida.

HIGHLIGHTED PROJECT EXPERIENCE

- **SR 5 from Taylor Avenue to Woodland Avenue, FDOT District 5, Flagler County, Florida.** Roadway Engineer for this segment of SR 5. The project involves milling and resurfacing to restore the pavement's functional condition along SR 5. It also includes reconstructing curb ramps to ensure compliance with ADA standards and updating signage and pavement markings.
- **SR 5 from Woodland Avenue to the Flagler County Line, FDOT District 5, Flagler County, Florida.** Roadway Engineer for this segment of SR 5. The project entails milling and resurfacing to restore the functional condition of the pavement along SR 5. It will also involve the reconstruction of curb ramps to meet ADA compliance, as well as updating signage and pavement markings.
- **SR 535/Vineland Road PD&E Study from US 192 to North of World Center Drive, FDOT District Five, Orange County, Florida*.** Roadway Lead. The purpose of this PD&E study is to accommodate future projected traffic demand and improve safety involved with widening of SR 535 from US 192 to World Center Drive, a project length of approximately 2.2 miles. In the existing condition, SR 535 is an urban minor arterial, access-class 3 facility with posted speeds ranging from 45 mph to 50 mph. The roadway has four travel lanes (two in each direction) from US 192 to SR 536/World Center Drive.
- **Design Services for SR 5/US 1 from Palmetto Park Road to SR 850/Northlake Boulevard, FDOT District Four, Palm Beach County, Florida*.** Project Manager. The purpose of this project is to design and construct 14 bus shelters along US 1 throughout Palm Beach County, along with any associated roadway impacts such as sidewalk tie-ins, curb and gutter, and any upgrades required to bring sites up to FDOT and ADA standards. The projects will also address any conflicts with existing features, such as lighting, signing and pavement markings (S&PM), signalization, utilities, and landscaping.
- **SR9/I-95 to CR 714/Martin Highway in Martin County, Florida*.** Roadway Lead. The purpose of this project is to improve capacity for local and regional travel, freight movement, emergency evacuation and to enhance economic development in northeast Martin County. Metric will analyze and assess the project's impact on the social, economic, cultural, natural, and physical environment, to develop the Location and Design Concept of the Project in accordance with FDOT policy, procedures, and requirements.
- **A1A Greenway Project, FDOT District Four, Fort Lauderdale, Florida*.** Reconstruction, Lane Reduction, Greenway Project – create signing and pavement marking plans as well as lighting plans. Perform lighting calculations and analysis. Coordinate with City of Fort Lauderdale and FDOT to determine needs of the client. Transit Design (multiple projects), Broward County Transit, Broward County, FL – Design and Coordination of Bus Stops / Hubs throughout Broward County – Prepare and submit engineering plans for multiple bus stop locations including bus bays along various jurisdictional roadways. Designs include widening and reconstruction of curb and gutter, sidewalk, minor drainage, utility coordination, team coordination, and permitting.
- **Tampa Avenue Improvements, City of Orlando, Florida*.** Roadway Lead. As a task work order under the City of Orlando Continuing Transportation Engineering and Planning Services contract, this project involved sidewalk improvements on Tampa Avenue from the south edge of South Street to Central Boulevard. The project also included a roundabout screening analysis for the intersection of Tampa Avenue at Central Boulevard and Fred L. Maxwell Boulevard. Based on the roundabout screening, the City would determine to either complete final design of a roundabout or reconstruct the existing signal with mast arms.

**Performed at a Previous Firm*

Donald Carpenter, PhD, PE, LEED AP
Principal Engineer, Drummond Carpenter, PLLC

Dr. Carpenter is a licensed professional engineer and accredited green design professional with expertise in civil site design, green stormwater infrastructure (GSI), stormwater modeling and monitoring, field data collection, sustainability master planning, and community engagement. Dr. Carpenter has more than 25 years' experience working with diverse clients across the US as a researcher and practicing professional. As a National Charrette Institute (NCI) Certified Charrette Facilitator, he has extensive experience in charrette facilitation, community engagement and master planning. His efforts facilitate community implementation of GSI and the development of community socio-economic sustainability plans.

Fields of Specialization

Green Stormwater Infrastructure (GSI)
Community Placemaking and Master Planning
Stakeholder Engagement and Education
Design of Stormwater Management Practices
Design Manual Development and Guidance
Resilience

Education

- PhD, Environmental and Water Resources Engineering, University of Michigan (2001)
- MS, Civil Engineering, Oregon State University (1996)
- BS, Civil Engineering, Purdue University (1993)

Licensure and Certifications

- Professional Engineer (MI #6201056764; PA #090966; FL #77517; OH #85501; NY #103544)
- Leadership in Energy and Environmental Design Accredited Professional (LEED AP)
- NCI Charrette Facilitation Certified, National Charrette Institute

Select Project Experience

Central Florida Recovery and Resiliency Partnership Project, *US Environmental Protection Agency, Deltona and Eatonville, FL.* Senior technical consultant for the Central Florida Recovery and Resiliency Partnership Project (R2P2) which provided technical assistance for the Town of Eatonville and City of Deltona who experienced severe flooding from Hurricane Ian. Initial project site considerations included developing innovative approaches to stormwater management, redeveloping downtown economic centers, and integrating greenspace project connectivity through river, bike, and pedestrian trails.

Lake Charlevoix Watershed Coastal Resilience*, Charlevoix, MI.* Dr. Carpenter led a team that selected areas for GSI retrofits based on existing infrastructure, master plans, and stakeholder meetings. Public feedback on proposed designs was solicited via interactive online ArcGIS StoryMaps. The final report included site analysis for potential GSI practices, stormwater modeling, estimates of runoff volume treated, cost estimates for implementation, and public survey data.

Sustainable Small Harbor Management Project, *Michigan.* Dr. Carpenter evaluated strategies for Great Lakes' small harbor communities to become more sustainable. Primary outcome was a comprehensive decision-making toolkit that included social, economic, and environmental components for communities to follow. The project also included conducting design charrettes at seven communities to inform toolkit development.

Green Infrastructure Planning for Water Towns, *Clinton River Watershed Council, Rochester MI.* Dr. Carpenter was the project manager for this multi-year project (2014 – 2023) to provide conceptual green infrastructure master plans for downtowns, parks, and municipal campuses. The conceptual plans include specific green infrastructure techniques along with community placemaking suggestions organized around different typologies. Plans also include cost estimates, artistic renderings, illustrative site plans, and hydrologic modeling for stormwater captured. In several communities, Drummond Carpenter advanced the plans to design and implementation.

Cathy Foerster, AICP
Senior Planner, Drummond Carpenter, PLLC

Ms. Foerster is a certified land planner with 30 years' professional experience in water resources planning, environmental planning, and community planning. Her expertise includes the preparation of adaptation strategies, vulnerability assessments, water quality improvement plans, coastal management plans, and stormwater master plans.

Ms. Foerster assists local governments in the successful completion of resilience assessments that are in compliance with the Florida Department of Environmental Protection Resilient Florida Program. This requires acquiring and analyzing data; conducting exposure and sensitivity analyses of critical assets and infrastructure; identifying adaptation strategies and projects; prioritizing adaptation and mitigation projects; public outreach; and grant management.

Ms. Foerster conducts public meetings and facilitates community engagement on resilience, water resources, coastal, and community redevelopment initiatives. She assists clients in the preparation of grant applications as well as compliance and reporting activities associated with awarded grants. She excels at editing and managing preparation of technical documents and coordinating diverse stakeholders who contribute to the final product.

Fields of Specialization

Resiliency Planning
Water Resources Planning
Community Planning, Outreach and Education
Grant Assistance and Compliance
Technical Editing

Education

- BA, University of Central Florida, Legal Studies, 1993

Licensure and Certifications

- Certified Land Planner, US, AICP No. 016300, 2000

Select Project Experience

Vulnerability Assessment, *City of Apopka, FL.* Prepared a vulnerability assessment in compliance with the Resilient Florida grant program. Tasks included data acquisition, exposure and sensitivity analyses of four state-prescribed critical asset categories (transportation, critical [water, wastewater, etc.], community, and natural/historic/cultural), recommendations to reduce flood vulnerability, and a prioritized list of critical assets. Served as the City's grant liaison with FDEP, responsible for all grant management and compliance activities. More than 1,300 critical assets were assessed and prioritized for flood resilience.

Vulnerability Assessment, *Lake County, FL, City of Cocoa Beach, FL and City of Titusville, FL.* Prior to joining Drummond Carpenter in March 2025, served as the project manager on three in-process/under development vulnerability assessments in compliance with the Resilient Florida grant program. Tasks included data acquisition, exposure and sensitivity analyses, recommendations to reduce flood vulnerability, and a prioritized list of critical assets. Served as the County's grant liaison with FDEP, responsible for all grant management and compliance activities.

San Sebastian River Resiliency Assessment, *St. Johns County, FL.* Reviewed existing county comprehensive planning policies to provide guidance to the Public Works Department on future activities that could result in adaptation strategies, land development code revisions and comprehensive plan revisions to support resiliency of the San Sebastian River and the study area.

Coastal Management Plan, *Town of Holden Beach, NC.* Lead planner and facilitator on the conversion of the Town's existing beach maintenance plan to an overall coastal management plan for the oceanfront (8-mile shoreline) and two inlets. The plan identifies short-term and long-term goals, strategies and projects. Facilitated three public meetings and two work sessions with the Town's Inlet and Beach Protection Board and Town Manager.

Rachel Pieschek, PE
Project Engineer, Drummond Carpenter, PLLC

Ms. Pieschek is a multi-disciplined professional, with a background in civil engineering and architecture. A licensed professional engineer (Michigan), she is experienced with green infrastructure design, stormwater best management practices (BMPs), hydraulic monitoring, hydrologic modeling and design, and community planning. In addition to modeling and monitoring projects, Ms. Pieschek works with municipalities and private entities to capture their vision in her designs. As a National Charrette Institute (NCI) Certified Charrette Facilitator, she has extensive experience in community engagement. With her architectural background, she is skilled with artistic rendering software to communicate with clients and stakeholders how the final project designs will interact with site constraints and human elements.

Fields of Specialization

Green Infrastructure and Low Impact Development	Hydrologic and Watershed Modeling
Stormwater Monitoring and Assessment	Green Infrastructure Design
Artistic Rendering and Illustrative Site Plans	Community Planning, Placemaking, Outreach

Education

- MS, Civil Engineering, Lawrence Technological University (2017)
- BS, Civil Engineering, Lawrence Technological University (2014)
- BS, Architecture, Lawrence Technological University (2014)

Licensure and Certifications

- Professional Engineer (Michigan PE #6201067414)
- NCI Charrette Facilitation Certified, National Charrette Institute

Select Project Experience

Central Florida Recovery and Resiliency Partnership Project, *US Environmental Protection Agency, Deltona and Eatonville, FL.* Project engineer for the Central Florida Recovery and Resiliency Partnership Project (R2P2) which provided technical assistance for the Town of Eatonville and City of Deltona who experienced severe flooding from Hurricane Ian. Initial project site considerations included developing innovative approaches to stormwater management, redeveloping downtown economic centers, and integrating greenspace project connectivity through river, bike, and pedestrian trails.

Flood Management Improvements, *Cross City FL.* Performed modeling of existing conditions and prepared final design documentation for permitting associated with a Regional Initiative Valuing Environmental Resources (RIVER) grant site located in Dixie County, FL. The design addressed localized flooding at the site that was impacting adjacent residences, businesses and two schools.

Sustainable Small Harbor Management Project, *Michigan Sea Grant, Ann Arbor, MI.* Design lead and charrette facilitator to evaluate strategies for Great Lakes' small harbor communities to become more sustainable. Primary outcome was a comprehensive decision-making toolkit that included social, economic, and environmental components for communities to follow. The project also included conducting design charrettes at seven communities to inform toolkit development.

Lake Charlevoix Watershed Coastal Resilience, *Tip of the Mitt Watershed Council, Charlevoix, MI.* Project engineer on for selection of areas for green stormwater infrastructure (GSI) retrofits based on existing infrastructure, master plans, and stakeholder meetings. Public feedback on proposed designs was solicited via interactive online ArcGIS StoryMaps. The final report included site analysis for potential GSI practices, stormwater modeling, estimates of runoff volume treated, cost estimates for implementation, and public survey data.

Climate Resilience Consulting

Joyce Coffee, LEED AP

(312) 894-9028 | joyce@climateresilienceconsulting.com | Linkedin/in/joycecoffee



Highlights

- Leads a certified WBE small business that works with clients to create practical strategies that enhance markets and revitalize communities through adaptation to climate change.
- Masters in Urban Planning with 25 years experience building resilience plans, policies and strategies in government, private, nonprofit, philanthropic and academic sectors.
- Created and lead resilience training local government on the NOAA funded "Ready-to-Fund Resilience"
- Author "Money for Resilience Infrastructure: How to Fund America's Climate Changed Future"
- Worked with over one hundred American cities of every size to leverage public and private investments for resilience finance.
- Creating and implementing local government resilience policy for twenty years related to scaling climate resilience and green infrastructure capacity via policies, economic development and investments.
- Built institutional resilience strategies emphasizing policy, resilience finance, economic revitalization, green infrastructure solutions, community engagement and equitable development including for the National Association of Realtors, the Institute for Building Technology and Safety, the Climate Bond Initiative, The Center for Planning Excellence, the National League of Cities and Willis Towers Watson.
- Crafted code, policy and finance resources to elevate climate resilience for affordable housing, coastal restorations, real estate, cities creating resilience hubs, etc.
- Appointed director or chair of over 20 international or national nonprofit boards and initiatives related to resilience and social equity.

Relevant Affiliations

American Flood Coalition, *Advisor*	*2020-Present*
Anthropocene Alliance, *Board of Directors Chair*	*2017-Present*
ARC3.3 Urban Climate Change Research Network Third Assessment *Advisor*	*2021-Present*
Global Adaptation and Resilience Investment Work Group	*2016-Present*
Institute for Diversity and Inclusion in Emergency Management, *Partner*	*2020-Present*
Kresge Equitable Climate Resilience, *Advisor*	*2020-Present*
Massachusetts Institute of Technology, Visiting Committee Appointee	*2022-Present*
Mayor Elect Lightfoot, Transition Team Environment Committee	*2019 Spring*
Mekong Water Challenge *Senior Advisor*	*2023-Present*
NOAA Advisory Group *Coordination Collaboration Resilience Ecosystem*	*2021-Present*
TechWomen Team, *Climate Resilience Impact Coach*	*2023-Present*
UNDRR ARISE *Board of Directors Co-Chair*	*2018-Present*
U.S. Global Change 5th Natl Climate Assessment (NCA5) *Technical Contributor*	*2022-Present*

Experience Chronology

Climate Resilience Consulting, Founder and President	**2016-Present**
Notre Dame Global Adaptation Initiative, Managing Director	**2013-2016**
Edelman, Vice President, Group Manager, Business + Social Purpose	**2011-2013**
City of Chicago, Director, Climate Action; Policy; Natural Resources & Stormwater	**2004-2011**
Farr Associates Architecture & Urban Design, Director	**2002-2004**
Montgomery Watson Harza (MWH®), Urban Environmental Planner	**1999-2002**
The World Bank, Urban Services Planner	**1998-1999**
USAID, US Asia Environmental Partnership Manager, Regional Field Operations	**1993-1998**

Education

UNITED NATIONS GLOBAL COMPACT, Inaugural small business ESG class	August 2023
CORNELL UNIVERSITY Certificate in Women's Entrepreneurship	June 2020
MASSACHUSETTS INSTITUTE OF TECHNOLOGY, Cambridge, MA M.S. City Planning	June 1999
TUFTS UNIVERSITY, Medford, MA Dual Degrees: B.S. Biology and Environmental Studies, minor in Asian Studies	June 1993

Relevant Recent Projects

Project Name	Role	Summary
Central Florida Recovery & Resiliency Partnership Project (R2P2)	Prime Contractor	Joyce served as the prime contractor of the recovery and resilience funding and finance strategy for the R2P2 initiative, supporting the Town of Eatonville and City of Deltona following Hurricane Ian. Joyce led the development of actionable, fundable infrastructure concepts alongside ONE and GAI.
EPA Community Change Equitable Resilience Technical Assistance (CCERTA)	Project Lead	Project Lead, supporting 26 communities in advancing resilience projects such as resilience hubs, green infrastructure, and open space planning. His role included facilitating stakeholder engagement, developing resilience concepts, and aligning projects with funding pathways.
Miami-Dade Resilience Funding Guide	Project Lead	Led development of a comprehensive guide for Southeast Florida communities to identify and pursue funding for flood mitigation, stormwater management, affordable housing, and climate resilience projects.
ULI Miami Beach Stormwater and Climate Adaptation Review	Project Lead	Led an Urban Land Institute advisory panel reviewing Miami Beach's stormwater and climate adaptation program. Delivered actionable recommendations on engineering, equity, and financing.
Broward County, Alachua County, and Miami Beach Resilience Advisory Support	Special Advisor for Resilience	Provided technical guidance to integrate resilience, flood risk reduction, and equity into infrastructure and redevelopment projects for multiple Florida jurisdictions.

Climate Resilience Consulting

Robert Macnee, Ph.D.



(224) 493-8992 | robert@climateresilienceconsulting.com | Linkedin

Highlights

- Deputy Director, working with clients to create practical strategies that enhance markets and revitalize communities through adaptation to climate change.
- Ph.D. in Environmental Management, focused on climate change impacts on health and communities and over 6 years of experience in economic development.
- Expert in developing resources to support institutions and governments to identify hotspots of climate vulnerability and exposure and make informed decisions about how to reduce climate risk fairly and effectively. He has published several academic papers in this field.
- Global portfolio, having worked with public, private, and academic organizations including the World Bank, U.S. Environmental Protection Agency, UK government, Asia-Pacific Economic Cooperation (APEC) Climate Center, and multiple city governments.
- Experience delivering over 50 projects supporting public and private sector clients on all aspects of project implementation, from transformation and risk management to procurement and workforce development to financing and partnering.
- Practical experience in capacity building, strategy development, impact assessment, and monitoring and evaluation for local and national governments and global organizations.
- Expert in Monitoring and Evaluation, having formally evaluated over $100 million of public and NGO funded projects.
- Lead analyst for a review of the World Bank's Quality Infrastructure Investment Fund and development of a framework for ongoing monitoring of the fund.
- Experienced at working with city and regional governments, having provided strategic, economic, & financial advisory services to clients to help secure over USD 70 million of public investment.
- Highly skilled writer, having produced multiple public facing documents, including the an assessment of regional digital economies for the UK government, developed to government accessibility guidelines
- Recognized for facilitation, having worked with multiple city governments and public and private institutions in workshops and online information sessions
- Recent and ongoing projects engaging with communities to support the development of public funded initiatives to improve resilience for clients including the U.S. Environmental Protection Agency and Department for Homes and Urban Development.
- Experience developing playbooks for government institutions, including on wildfire insurance.

Experience Chronology

Climate Resilience Consulting, Deputy Director	**2024-Present**
Steer, Principal Consultant of the Economic Development Practice	**2017-2023**
Osaka University, Ph.D Researcher (Japanese Government (Monbukagakusho) Scholarship)	**2013-2017**
New Zealand Transport Agency, Administrator	**2012-2013**
APEC Climate Center, Visiting Scientist	**2011-2012**

Education

OSAKA UNIVERSITY, Osaka, Japan	April 2017
Ph.D. Engineering – Environmental Management Lab	
THE UNIVERSITY OF LEEDS, Leeds, UK	June 2010
MS in Sustainability – Climate Change	
THE UNIVERSITY OF LEEDS, Leeds, UK	June 2008
BS in Geography	

Relevant Recent Projects

Project Name	Role	Summary
EPA Community Change Equitable Resilience Technical Assistance (CCERTA)	Lead Contractor Project Manager	Project manager for CRC, the lead contractor, 26 communities in advancing resilience projects such as resilience hubs, green infrastructure, and open space planning. His role included facilitating stakeholder engagement, developing resilience concepts, and aligning projects with funding pathways.
EPA Sustainable Communities Accelerator Network (SCAN)	Project Coordinator	Robert supports the EPA SCAN program by designing and facilitating monthly peer learning workshops and providing direct technical assistance to participating communities. His work includes designing and moderating workshops, delivering resilience strategy content, and helping local governments and nonprofits shape resilience implementation roadmaps.
HUD Climate Communities Initiative Technical Assistance (CCITA)	Technical Assistance Provider	Robert provided resilience and climate-focused technical assistance to HUD regional and state grantees. His work included providing direct technical assistance to strengthen the capacity of HUD grantees to address climate-related risks.
American Hospital Association – Climate and Community Health Initiative	Project Lead	Robert is leading the development of six snapshot reports and a comprehensive field scan for the AHA, focused on integrating climate resilience and public health considerations into hospital and health care system operations. He is synthesizing best practices and providing actionable recommendations for improving community health and resilience.



Heidy Persaud is a planner with over a decade of experience working with communities, nonprofits, government entities, and public agencies on transportation, land use, and sustainability efforts. Her practices prioritizes accountable engagement and equitable systems. Heidy is the Director of Transportation at Center for Neighborhood Technology and currently working on several transportation and urban resilience projects in Florida and Illinos.

Heidy Persaud

Director of Transportation, Center for Neighborhood Technology

EXPERTISE:

Urban Planning, Community Engagement, Transportation, Urban Resilience

EDUCATION

MUP, 2012, University of Illinois at Urbana-Champaign
BA, Public Health, 2007, University of Illinois at Urbana-Champaign

AFFILIATIONS OR CERTIFICATIONS

American Planning Association (Florida and Illinois Chapters)
Urban Land Institute- Tampa Bay

HIGHLIGHTED EXPERIENCE

- **Central Florida Recovery & Resiliency Partnership Project: Eatonville and Deltona (2024).** Central Florida R2P2 supported the City of Deltona and Town of Eatonville with technical assistance to develop solutions for key sites, supporting local advocacy for improved roadway infrastructure, planning for regional connectivity, and a green infrastructure toolkit for residential properties. Center for Neighborhood Technology contributed in engagement efforts by strategizing outreach plans, attending site meetings, facilitating breakout design sessions, and co-creating materials (English and Spanish) used for public meetings.
- **Mobility, Access, and Transportation Insecurity (MATI) program (2024-2026).** The Federal Transit Administration selected the University of Minesota's Center for Transportation Studies (CTS), CNT, and Toole Design Group to lead a $6 million Mobility, Access, and Transportation Insecurity Program (MATI). Through a competitive RFP process, eight community projects across the country were selected for Phase 1 funding to conduct exploratory research and programming to identify and address contributing factors leading to transportation insecurity. Program teams are exploring transportation insecurity for a diverse set of groups, including caregivers, women, low-income communities, agricultural and rural communities, shift-workers and older adults.As part of the program team, CNT has taken a critical role in program design, the RFP evaluation process, and providing Technical Assistance to the project and supporting research efforts in collaboration with the CTS.
- **Carrboro (NC) RainReady (2019-2020).** The Town of Carrboro hired CNT in 2019 to design a green infrastructure program to reduce flooding in homes and yards. We reviewed past plans, engineering studies, and climate data; conducted interviews with stormwater, planning, and legal Town staff; and fielded a survey to understand how flooding impacts residents and attitudes about green infrastructure. CNT then presented findings to a spirited public meeting of the local Stormwater Advisory Committee. Our report recommends a municipal cost sharing program structure that will reduce flooding for residents outside of the mapped floodplain through home assessments and small grants to subsidize landscaping costs. It also recommends development of partnerships to reduce the strain on municipal capacity and further study into the possibility of a public-private partnership to further scale green solutions to flooding in the public right-of-way.

CNT



Peter Haas

Chief Analyst of Urban Analytics, Center for Neighborhood Technology

EXPERTISE:
Data Analytics, Web Tool Development, GIS, Research and Analysis

EDUCATION
PhD, Particle Physics, Ohio State University
BS, Physics, Ohio State University

Peter Haas has been integral in the development of CNT's location efficiency metrics, and developed its Housing + Transportation (H+T ®) Affordability Index, co-produced with the Brookings Institution. He acted as the Analytical Director for the 22-member CNT Research Team producing a greenhouse gas emissions inventory and 33 mitigation strategies for the Chicago Climate Action Plan, and served as lead analyst on CNT's subcontract to develop the Location Affordability Index and related web tool for the U.S. Department of Housing and Urban Development and U.S. Department of Transportation.

HIGHLIGHTED EXPERIENCE

- **Housing + Transportation (H+T®) Affordability Index (2006-Present)**. CNT collaborated with Brookings Institution on research into the relative costs of transportation on housing affordability. The lesson learned from that work has been that location efficiency could bring down household expenses overall, changing everything from affordable mortgage calculations to regional planning. When transportation costs are factored into the equation, the number of affordable neighborhoods drops to 26%, resulting in a net loss of 59,768 neighborhoods that Americans can truly afford. The key finding from the H+T Index is that household transportation costs are highly correlated with urban environment characteristics, when controlling for household characteristics. Today 40,000 active users visit the Housing + Transportation Affordability Index tool with planners using it to document progress toward consolidated plan goals and in other work.

- **Green Values Stormwater Management Calculator (2021)**. Green infrastructure for stormwater management is an important contributor to both climate mitigation and adaptation. However, various barriers have stood in the way of its full implementation, and it is rarely applied at scale. One of the most significant barriers to green infrastructure installation is a lack of understanding and reliable documentation of the benefits that it provides. CNT has researched and found a clear link between green infrastructure and property values. This will help to allow municipalities, organizations, advocates and residents to go beyond small-scale applications of green infrastructure and make green infrastructure a central part of how communities become more resilient to climate change.

- **Urban Flooding Baseline Tool (2019-2021)**. The Urban Flooding Baseline Tool seeks to inform community residents, and municipal and regional leaders that flooding is experienced across communities, not just within individual homes. CNT developed the Urban Flooding Baseline to serve as a mapping tool and data source to visualize "where it is flooding," "why it is flooding," and "what are the impacts" for community residents and leaders. The data is focused on the municipal level, not on individual households or parcels. CNT hopes that it can be used as an educational tool for individuals new to stormwater management, spark discussions in communities, and act as a starting point for community stakeholders to advocate for better stormwater management practices within their municipalities.The tool provides content knowledge to assist with community advocacy, municipal action, and regional stormwater planning efforts. Flooding is a reality, but communities can take steps to reduce the impact.

CNT



Lake Beauty Park | Orlando, FL

Relevant Project Experience

Our work centers on finding resolution to place-based problems by implementing context-sensitive, sustainable solutions that are economically and fiscally beneficial and implementable. We engage diverse community groups to affect positive outcomes with shared benefits through integrated solutions. Consequently, our clients include governments, agencies, institutions, and developers who share an equal need to address complex and interrelated challenges. We work from planning to policy and concept to construction across the scales of region, city and campus; neighborhood, street, and site.

The following pages showcases our teams combined experience in the services listed in the RFP.

PROJECTS	GAI Consultants	One Architecture & Urbanism	Drummond Carpenter	Climate Resilience Consulting	Center for Neighborhood Technology
Central Florida Recovery & Resilience Project (R2P2)	●	●	●	●	●
Climate Strong Communities		●			
Houston Neighborhood Resilience Plans		●			
Resilient New Jersey		●			
Kissimmee Future Land Use and Mobility Plan – Onward Kissimmee	●				
Downtown Clermont Master Plan and Victory Pointe Park	●				
Downtown Master Stormwater Pond and Park - Unity Park	●				
South Main Street Lane Reduction and Complete Street	●				
Sustainable Small Harbor Management Project			●		
City of Orlando Comprehensive Vulnerability Assessment			●		
Orange County Comprehensive Vulnerability Assessment			●		
Community Change Equitable Resilience Technical Assistance		●		●	
Ready-to-Fund Resilience Technical Assistance				●	
Pre-Disaster Housing Planning Initiative				●	
Coastal States Organization Nearshore Engineering and Design				●	
Civic Innovation Hub					●
Urban Flooding Baseline					●

CENTRAL FLORIDA RECOVERY & RESILIENCE PROJECT (R2P2)

DELTONA & EATONVILLE, FLORIDA

CLIENT
U.S. Environmental Protection Agency

PRIME
Client Resilience Consulting (CRC)

SUBCONSULTANT
One Architecture & Urbanism
GAI Consultants, Inc.
Drummond Carpenter, PLLC
Center for Neighborhood Technology
Rebuild By Design

REFERENCE
William A. Drew Parker
U.S. EPA – Region 4 Disaster Mitigation and Recovery Coordinator
parker.william@epa.gov
404.562.9778

SERVICES
- Resilience & Climate adaptation planning
- Urban Planning and Design
- Vulnerability Analysis
- Data Analysis & GIS mapping
- Interagency Coordination
- Public Engagement

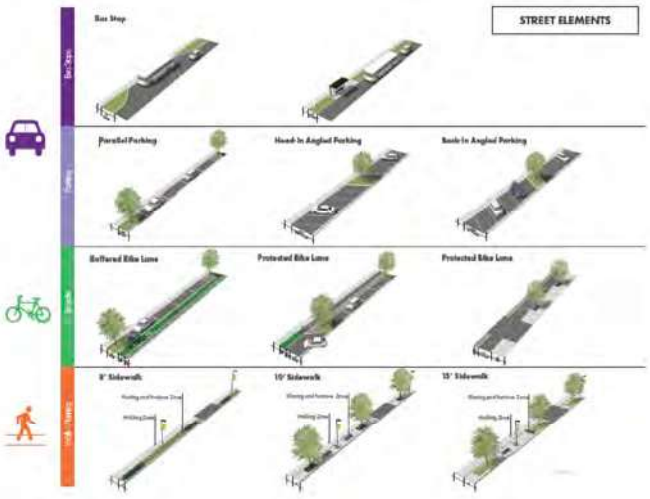
COMPLETION DATE
2024

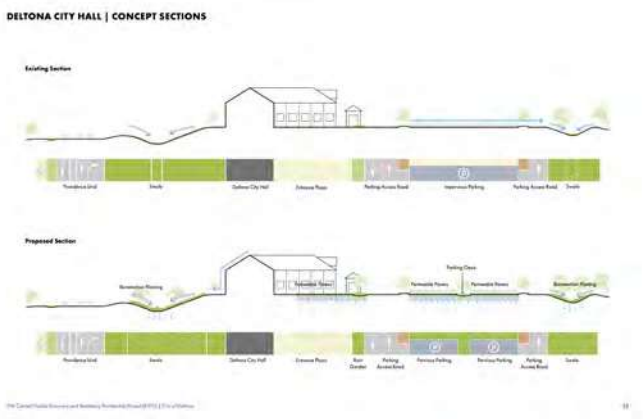
The Recovery and Resiliency Partnership Project (R2P2) delivers critical EPA technical assistance to Central Florida communities impacted by catastrophic flooding from Hurricane Ian in September 2022. The storm exposed significant infrastructure vulnerabilities in the municipalities of Deltona (Volusia County), particularly around Lake Monroe and the Theresa Basin, and Eatonville (Orange County), around Lakes Bell and King. Through a collaborative ten-month process involving federal, regional, and local partners, R2P2 developed tailored solutions for each community. The program convened site visits, staff meetings, funding and public workshops, and online engagement to ensure that proposed solutions reflected local priorities while building regional resilience.

Key outcomes include conceptual designs for three waterfront parks in Deltona and three similarly strategic sites in Eatonville, incorporating improved stormwater management, nature-based infrastructure, and enhanced public amenities. For Deltona, the ONE team also developed a residential green infrastructure toolkit and demonstration projects at City Hall, while Eatonville received technical support for roadway infrastructure advocacy.

GAI Consultants contributed to the site-specific conceptual designs, which incorporated improved stormwater management, investment in nature-based infrastructure, and enhanced public amenities and lake access, while increasing the resilience of essential town infrastructure. The projects identified in the report can subsequently be utilized to secure funding from federal, state, nonprofit, or other sources for implementation.







These community-driven designs serve dual purposes: meeting immediate local recovery needs while positioning both municipalities to leverage federal, state, and nonprofit funding for implementation. The resulting frameworks provide replicable models for other communities facing similar climate resilience challenges.



one architecture
new york city amsterdam

CLIMATE STRONG COMMUNITIES

NEW YORK, NEW YORK

CLIENT

New York City Mayor's Office of Climate and Environmental Justice

REFERENCE

Jordan Salinger

Deputy Director for Adaptation Strategies, NYC MOCEJ

jsalinger@cityhall.nyc.gov

949-735-8515

SERVICES

- Resilience & Climate adaptation planning
- Urban Planning
- Urban Design
- Vulnerability Analysis
- Data Analysis & GIS mapping
- Interagency Coordination

COMPLETION DATE

Ongoing

In 2023, the New York City Mayor's Office of Climate and Environmental Justice (MOCEJ) launched Climate Strong Communities (CSC), an initiative to rethink conventional infrastructure planning by engaging communities at the earliest stages of the process. Not only does CSC aim to develop a community-centered planning process by proactively engaging with stakeholders, it is equally focused on maximizing federal and state funding opportunities; investing in communities left unaddressed by past hurricane recovery funding; and leveraging existing resiliency planning and capital commitments. Taken together, this approach drives the development of the next generation of equitable, multi-hazard resiliency and sustainability projects.

Envisioned as a comprehensive citywide initiative that will expand and engage with more underinvested neighborhoods across the city in the coming years, the first year of CSC established a strategic framework for understanding climate threats and project opportunities alongside a robust approach to multi-stakeholder engagement and collaboration. CSC launched in six neighborhoods across the five boroughs: Soundview (Bronx), Brownsville (Brooklyn), Canarsie (Brooklyn), East Harlem (Manhattan), Corona (Queens), and Port Richmond (Staten Island)







As the lead consultant, ONE has convened an expert team of core team members and specialists to assist MOCEJ in building the CSC framework. We have ensured the integration and delivery of all tasks, including leading neighborhood context and climate-risk assessment; shaping the identification of projects; facilitating a new interagency process; and providing strategic guidance and support for extensive community engagement efforts and ongoing grant applications. Now in its second year, CSC has expanded to nine new neighborhoods—once again spanning all five boroughs—while simultaneously advancing efforts to secure funding through federal and state grant applications for Year 1 communities.







one architecture
new york city amsterdam

HOUSTON NEIGHBORHOOD RESILIENCE PLANS

HOUSTON, TEXAS

CLIENT
City of Houston

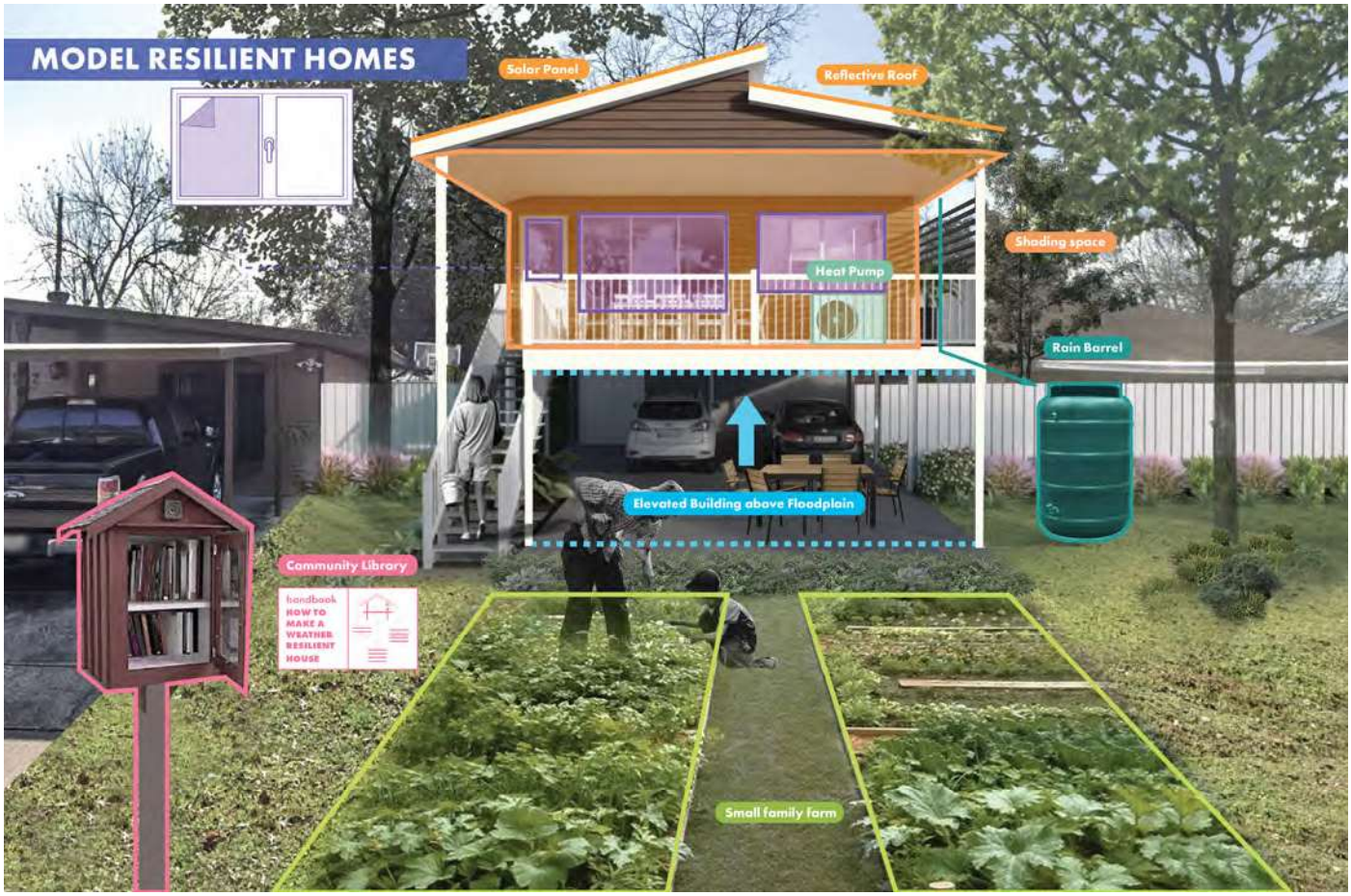
REFERENCE
Lynn Henson
Division Manager, City of Houston Planning and Development Department
lynn.henson@houstontx.gov
832-393-6548

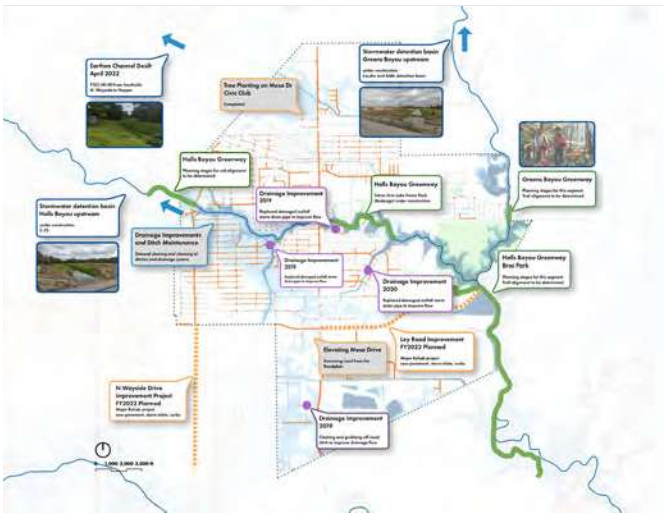
SERVICES
- Resilience & Climate adaptation planning
- Urban Planning
- Community engagement
- Vulnerability Analysis
- Concept development
- Interagency Coordination

COMPLETION DATE
2022

The Houston Resilient Neighborhood Planning project implements a key target of Resilient Houston, to develop 50 neighborhood plans by 2030, and is the first of its kind in Houston. It serves the purpose of providing a strategic action plan to achieve Resilient Houston's goals and targets at the neighborhood scale. It makes recommendations for people- and place-based strategies and actions to improve neighborhood resilience now and into the future. The shared purpose of Resilient Houston and Neighborhood Resilience plans is to reduce the impacts of stressors and shocks, and to improve preparation for—and the fastest and best recovery from—events.

A Neighborhood Resilience Plan takes direction from Resilient Houston by incorporating climate adaptation and risk reduction and infrastructure modernization, housing stability and security, healthy clean environment, social empowerment, economic development, and heat mitigation into place-based strategies for the community. The plan serves as a tool to direct neighborhood-based investments into practical and tangible projects to reduce flooding, manage heat, and address physical and social vulnerabilities to climate and other hazards. Simultaneously, the plan works to improve the overall quality of life and economic opportunities in the community.







Using multi-benefit strategies and actions, the plan demonstrates to community members, community-based organizations, private partners, and policy makers how resilience strategies and actions can be integrated to achieve multiple benefits. It also establishes strategies for tackling complex shocks and stresses aimed at addressing the community's exposure and sensitivity to extreme weather events, addresses the effects of compounding vulnerabilities, and advances the community's adaptive capacity. In a 15-month process, the planning team engaged three communities to formulate othree distinct Neighborhood Resilience Plans, as well as a replicable strategy to roll out to the other 47 neighborhoods.

GREEN STORMWATER INFRASTRUCTURE



RESILIENT NEW JERSEY

NORTHEASTERN NEW JERSEY

CLIENT

NJ Department of Environmental Protection; municipalities of Jersey City, Newark, Hoboken, and Bayonne; Hudson County, NJ

REFERENCE

Carly Foster

Associate Vice President, Arcadis
carly.foster@arcadis.com

850-228-6979

SERVICES

- Resilience & Climate adaptation planning
- Flood protection system design
- Architectural planning
- Urban planning

COMPLETION DATE

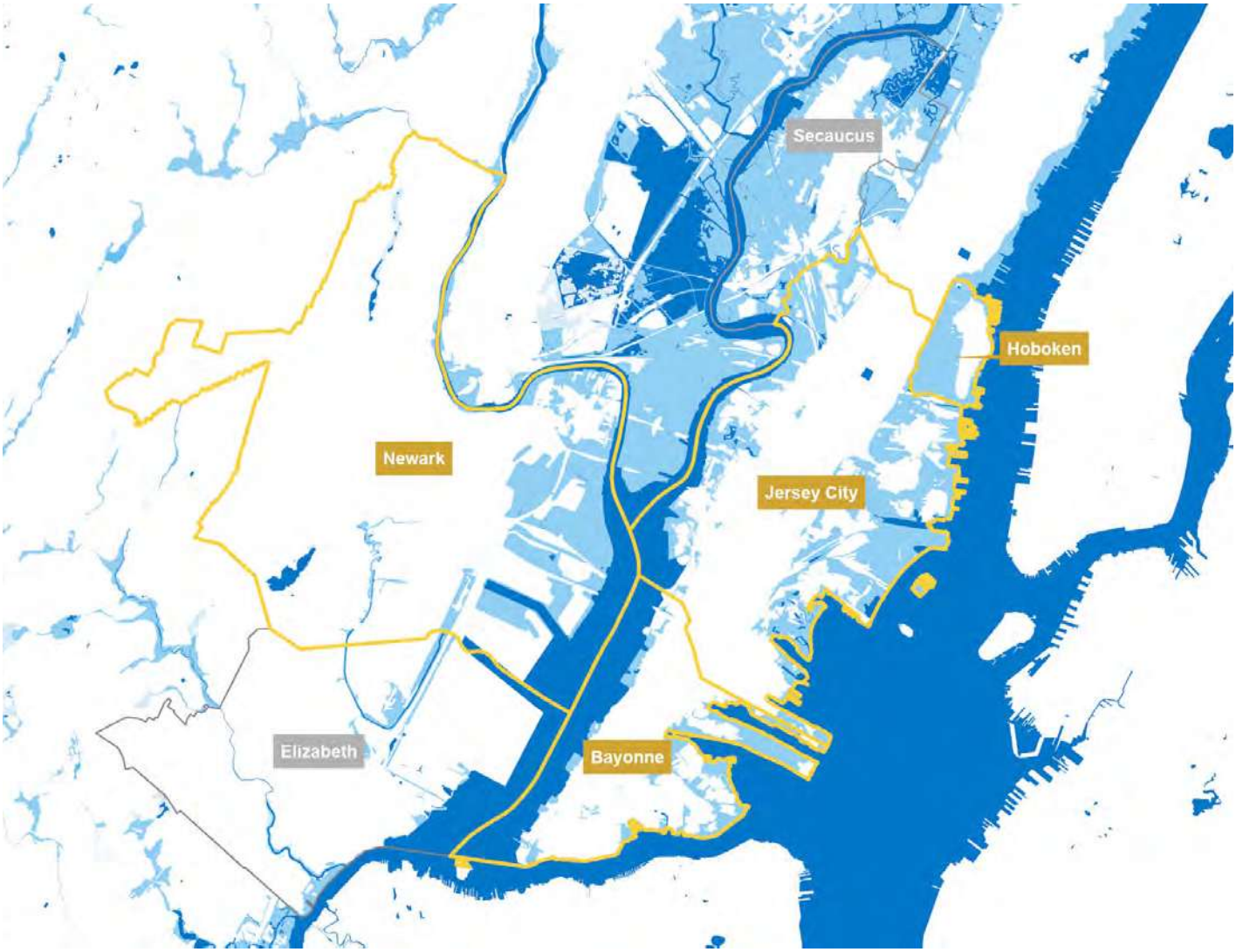
2022

Resilient Northeastern New Jersey is a regional resilience partnership aiming to build upon ongoing resilience work and provide a clear roadmap for ensuring long-term social, environmental, and economic vitality by reducing flood risk.

The communities of Jersey City, Newark, Hoboken, and Bayonne have experienced flooding during heavy rainstorms, combined sewer overflows, and coastal storms, such as Hurricane Sandy. Flooding is expected to worsen over time as climate change causes more intense rainfall and sea level rise. With our interdisciplinary project team, led by Arcadis, under the guidance of the New Jersey Department of Environmental Protection (NJDEP), ONE worked to develop an action plan to address current and future flood risks at a local and regional level. Through close collaboration with local city and county governments, numerous stakeholders and community organizations, and a robust outreach operation, the project offers holistic solutions that are integrated with the communities they serve.

The program built on existing efforts and capabilities in New Jersey to develop and implement planning solutions to address current and future flood-related hazards. An assessment of existing, ongoing, and planned resilience and development projects forms the basis of the project. With opportunities and gaps identified in the existing system, combined with







gathered research, modeled flood data, community input, and expert guidance, the project team developed several scenarios for future development. After stakeholder and public review, a unified scenario was advanced, providing a roadmap for local, regional, and state entities that would promote the health and well-being of the Northeastern New Jersey coastal and riverine communities through resilient growth.

KISSIMMEE FUTURE LAND USE AND MOBILITY PLAN – ONWARD KISSIMMEE

OSCEOLA COUNTY | KISSIMMEE, FLORIDA

CLIENT
Kissimmee, Florida

REFERENCE
Ashley Cornelison, Senior Planner
ashley.cornelison@kissimmee.gov
407-518-2141

SERVICES
- Visioning and Master Planning
- Land Use Planning
- Transportation Planning
- Community Engagement

COMPLETION DATE
2025 (In-Progess)

GAI Consultant's Community Solutions Group (CSG) is working with the City of Kissimmee, Florida, on a citywide visioning plan called Onward Kissimmee, which includes updating the Transportation and Land Use Elements of their Comprehensive Plan. This project aims to shape the city's growth in preparation for future development and transportation improvements, while honoring the city's roots and celebrating cherished places by actively listening to the voices of Kissimmee's citizens. The process involves identifying key issues and planning themes, as well as creating a list of policy and infrastructure recommendations to be included in the Comprehensive Plan. A robust community engagement process will inform these recommendations, with the project expected to be completed in the Fall 2025.









DOWNTOWN CLERMONT MASTER PLAN AND VICTORY POINTE PARK

LAKE COUNTY | CLERMONT, FLORIDA

CLIENT

City of Clermont, Florida

SERVICES

- Economic + Strategy
- Landscape Architecture + Design
- Urban Design + Planning
- Land Development
- Water

COMPLETION DATE

2015 Master Plan

2018 Victory Pointe Park

AWARDS

2016 Roy F. Kenzie Award – "Planning Studies", Florida Redevelopment Association

In partnership with the community and stakeholders, the GAI's Community Solutions Group (CSG) created a Downtown and Waterfront Master Plan for the City of Clermont, Florida, about 22 miles west of Orlando. One of the outcomes of the master plan was the visioning, design, and construction of Victory Point Park—a new stormwater park.

Clermont has always been committed to ensuring its downtown and waterfront's ongoing social, cultural, and economic value. For the last 100 years, the hills, historic downtown, adjacent neighborhoods, and the Lake Minneola waterfront have been the defining characteristics of the community—creating a setting for a livable, small-town feel that is connected to friends and family, the local Florida environment, and an emergent identification with healthy living.

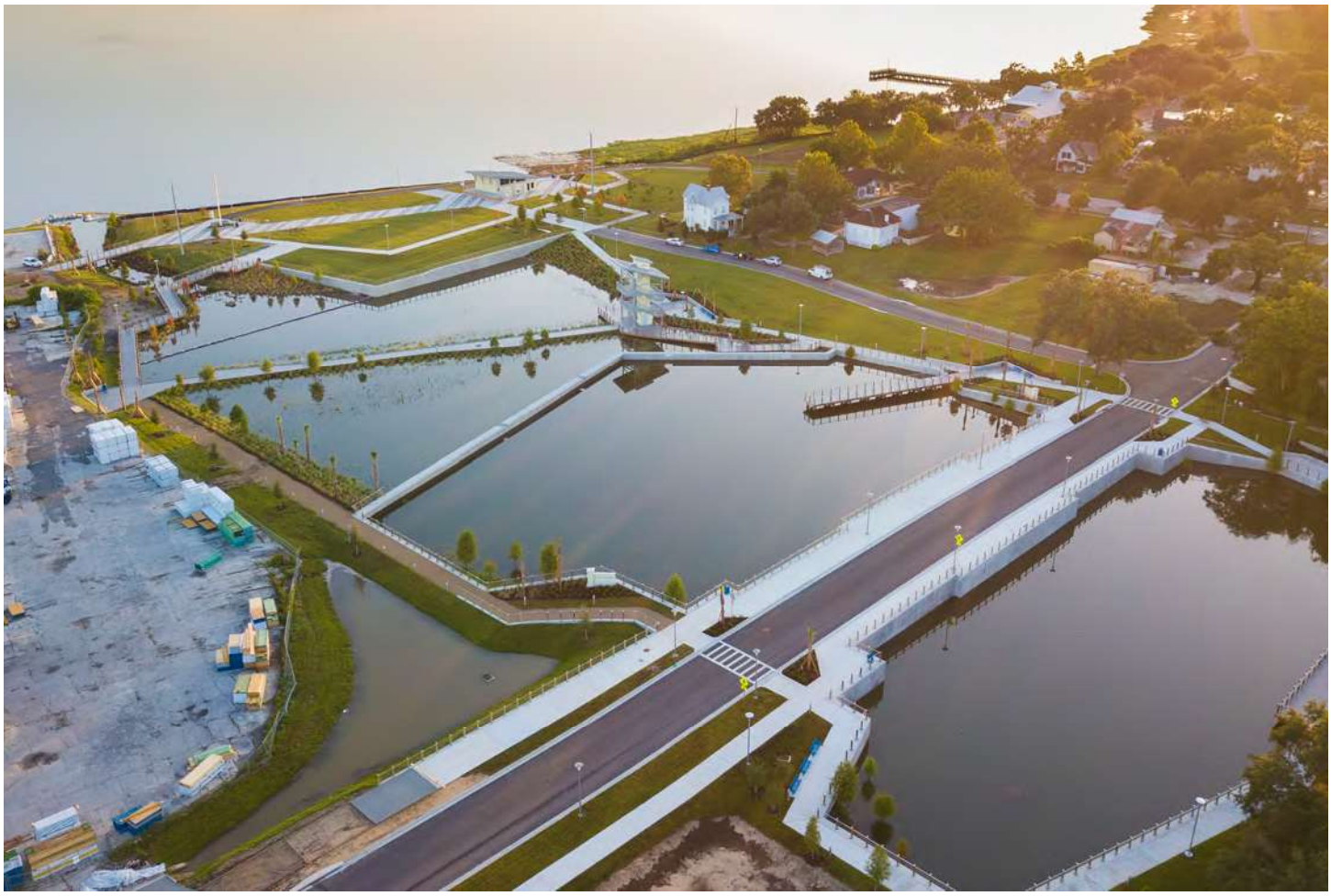
During the downtown master planning process, CSG conversed with stakeholders and the community about Clermont's character, vision, and future through an extensive visioning and rebranding process. The community's challenge was to leverage these assets while protecting and enhancing the character of the "real Clermont" to benefit those who live and work here.



Built on the input received, the plan was organized into five themes: 1) a place for people, 2) a great waterfront, 3) a quality sense of place, character, and image, 4) connectivity to the city, and 5) high-performing infrastructure and services. Projects were identified, including complete and green streets, park enhancement, infill redevelopment, and a master stormwater park, i.e., Victory Pointe Park.

Victory Pointe Park re-envisions the typical stormwater pond approach by creating a sustainable community open space amenity designed to receive stormwater from significant portions of Clermont's downtown streets and provide stormwater treatment through filtration within cascading filter marsh basins that reference native Florida ecosystems. The park also provides low-impact development strategies for stormwater management, a new city events venue, a wildlife habitat, and a signature address for adjacent future development.





DOWNTOWN MASTER STORMWATER POND AND PARK - UNITY PARK

ORANGE COUNTY | OCOEE, FLORIDA

CLIENT

City of Ocoee, Florida

REFERENCE

Virginia "Ginger" Corless, AICP, CPRP, Deputy Director, Development Services & CRA Administrator

vcorless@ocoee.org

407.554.7126

SERVICES

- Construction Management
- Land Development
  - Civil/Site Engineering
- Landscape Architecture and Design
  - Parks, Trails + Public Realm
  - Urban Streets + Livable Corridor
  - Green Infrastructure + Environmental Design
- Mechanical / Electrical / Structural
- Urban Design and Planning
  - Community Development
- Water
  - Groundwater Engineering
  - Stormwater Management / Flood Protection

COMPLETION DATE

2023

AWARDS

Florida Stormwater Association

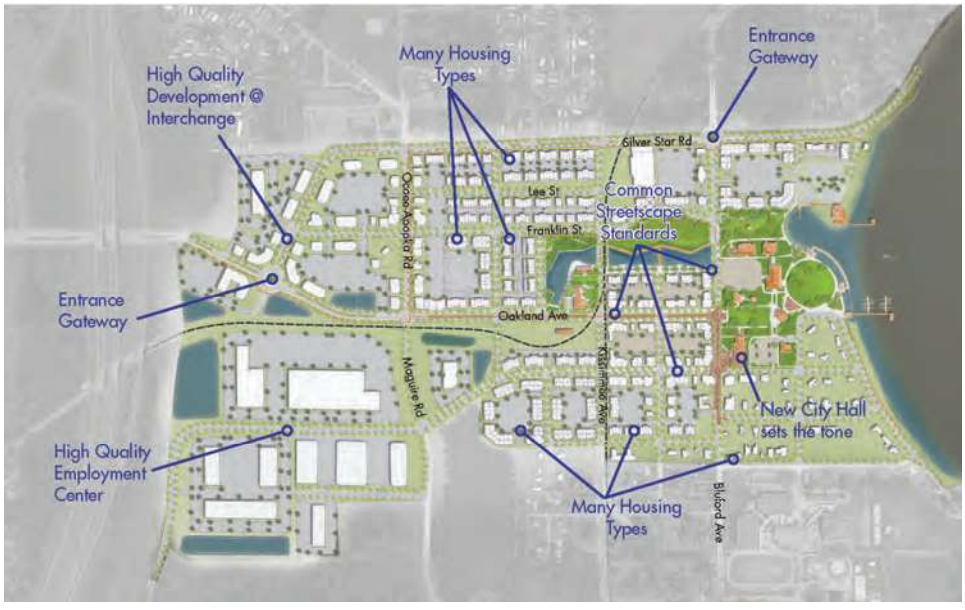
2023 Innovative Accomplishment and Outstanding Commitment to Stormwater Management Practices Benefiting the Environment and the Local Citizenry

Upon completion of the award-winning City of Ocoee Downtown Master Plan prepared by GAI's Community Solutions Group (CSG), the City of Ocoee, Florida, identified implementation of the master stormwater pond and environmental park, now known as Unity Park, as the first critical step to enable future redevelopment and economic growth downtown. The City engaged GAI/CSG as the prime consultant to provide professional technical services.

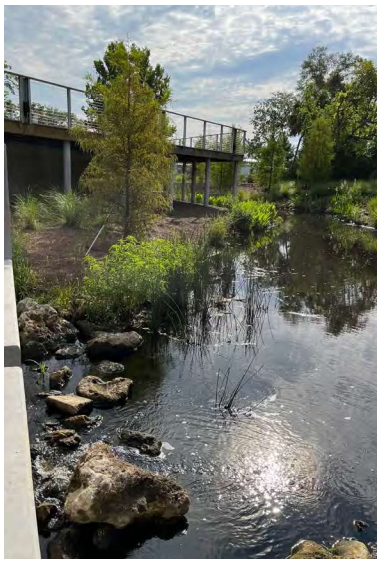
Unity Park serves two important functions: stormwater management for 40+ acres of redevelopment and public open space. After passing through a baffle box upstream, incoming stormwater enters the park's filter marsh and is cleaned through vegetative nutrient uptake and natural soil filtration. During intense rain events, water spills into the wet detention pond where traditional stormwater management is augmented with extensive littoral shelves, native aquatic plants, and cypress trees. A pre-existing swale and piped conveyance system through the site is realigned and naturalized as a gentle stream. The design incorporates check dams to slow the flow and encourage contaminant settling and vegetative nutrient uptake through additional native plantings.

These stormwater management functions are enveloped in a pedestrian-friendly and leisure-encouraging layout. The park features a quarter-mile walking loop, comprising a wide boardwalk with views of the filter marsh and naturalized stream, a pier and shade pavilion overlooking the wet pond, a Florida-native planting palette throughout, and new parking and streetscape along Franklin Street.

GAI and CSG's services included site civil engineering, landscape architecture, survey, electrical, structural, and geotechnical engineering, irrigation design, permitting through the City of Ocoee and SJRWMD, and construction phase management.








Neighborhood Watershed
Stage Three The Pond
Stage Four The Stream
3
4
POND
EVAPORATION
INFILTRATION
FILTER MARSH
WEIR
STREAM
Stream Watershed
1
Stage One Biofiltration + Stormwater Capture
2
Stage Two Filter Marsh
Downtown Watershed
ocoee
Florida
Unity Park
WETLAND PARK
Unity Park is the first of its kind in Ocoee. This park, beyond its qualities in beauty, wildlife habitat, and recreational opportunity, functions as a stormwater treatment facility. Water enters the pond and stream and systematically flows through a series of designed stages of natural, b-ological filtration. This state-of-the-art stormwater treatment pond effectively removes harmful levels of pollutants and improves water quality that ultimately aids in keeping Starke Lake clean and pristine for us all.
Unity Park was one of the firs initiatives to be implemented "rom the award-winning City of Ocoee Downtown Master Plan. The Downtown Master Plan identified implementation of this master stormwater pond and enviror mental park as the first critical step to enable future redevelopment and economic growth downtown.
Unity Park provides a scenic environment for residents to enjoy a ¼ mile long boardwalk and wa king path that circles the artificial wetland that will eventually connect to the City's Master Trail Plan while also serving as a space to naturally treat and store stormwater runoff. The five-acre park can store up to 4.1 million gallons of stormwater generated from the city's downtown district which covers 41.7 acres.
FLORIDA STORMWATER ASSOCIATION
FSA
2023
OUTSTANDING ACHIEVEMENT AWARD

SOUTH MAIN STREET LANE REDUCTION AND COMPLETE STREET

ALACHUA COUNTY | GAINESVILLE, FLORIDA

CLIENT

Gainesville Community Redevelopment Agency (CRA)

CHW Engineering, Inc.

REFERENCE

Andrew Meeker, RLA (Former CRA Manager)
Gainesville Community Redevelopment Agency (CRA)

Project Manager
UF Planning, Design & Construction
245 Gale Lemerand Drive
Gainesville, FL 32611
upstatemeeker7@ufl.edu
352.294-9049

SERVICES

- Landscape Architecture + Design
  - Urban Streets + Livable Corridors
  - Green Infrastructure + Environmental Design

COMPLETION DATE

2019

GAI's Community Solutions Group led the design of the new streetscape for 3,200 linear feet of South Main Street in Gainesville, Florida. This industrial corridor southeast of Gainesville's historic downtown area has been experiencing new and emergent private development, thus encouraging the need for multimodal transportation uses. South Main Street is also the location of the new Depot Park attraction, two regional bike trails, and the newly expanded and redeveloped Cade Museum.

Today, South Main Street carries a traffic volume of less than 15,000 average daily trips (ADT), so roadway capacity exists to reposition the right-of-way to better support the emergent diverse land uses. The plan not only reduces auto lanes, but incorporates new on-street parking, bicycle facilities, and Low Impact Design (LID) "rain garden" stormwater facilities. The street will maintain access for industrial trucks, school bus tours to the Cade Museum, and local traffic to businesses and public amenities. The streetscape is currently under construction through the CRA.








Gator Pine
Hawthorne Trail
design intent
SoMa


GO TO IT!
BEFORE CONSTRUCTION




CONCEPT RENDERING




AFTER CONSTRUCTION



DRUMMOND CARPENTER
engineering + research

PROJECT PROFILE

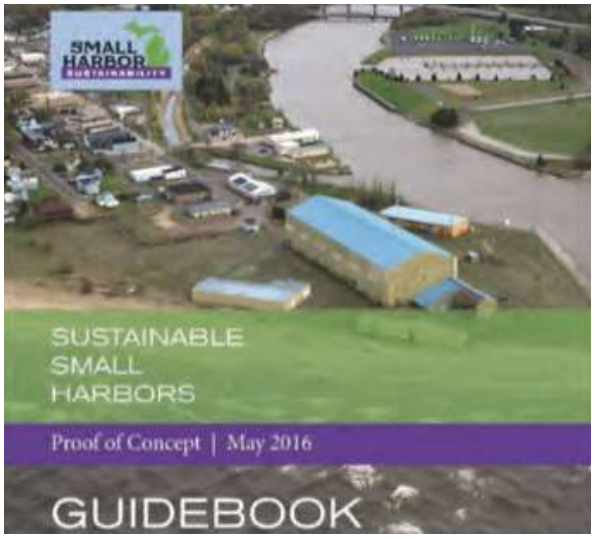
Sustainable Small Harbor Management Project

Client: Michigan Sea Grant

Location: Au Gres, New Baltimore, Pentwater, Ontonagon, St. Ignace, and Rogers City, MI

Service Areas: Green Infrastructure & Sustainability

Services Provided: Public Outreach
National Charrette Institute (NCI) Facilitation
Site Visioning
Community Planning
Graphical Rendering



Project Activities

Drummond Carpenter staff led this project that used an Integrated Assessment (IA) approach for evaluating strategies for Michigan small harbors to become more sustainable while facing an uncertain future. The project was co-funded by Michigan Sea Grant, Michigan Department of Natural Resources, Michigan Office of the Great Lakes, and Michigan State Housing Development Authority.

The project included developing a comprehensive decision-making toolkit that includes social, economic, and environmental components for small harbor harbors to follow to be more sustainable in the face of climate change and varying social constructs. The project also included intense community planning sessions in four case study communities (Au Gres, New Baltimore, Pentwater, and Ontonagon) and two Proof of Concept communities (St. Ignace and Rogers City) using the National Charrette Institute model for community engagement. Lessons learned during proof of concept were subsequently applied to additional communities in Michigan including Arcadia, Benton Harbor, Elk Rapids, Lexington, and St. Joseph.

Outcomes

The toolkit generated through this project is publicly available for small harbor communities to become more sustainable. In the case study and Proof of Concept communities, Drummond Carpenter staff facilitated the community visioning sessions and developed community "2035" vision reports. These reports aided the communities in implementing sustainability plans by generating tangible visions for their future using public input.



PROJECT PROFILE

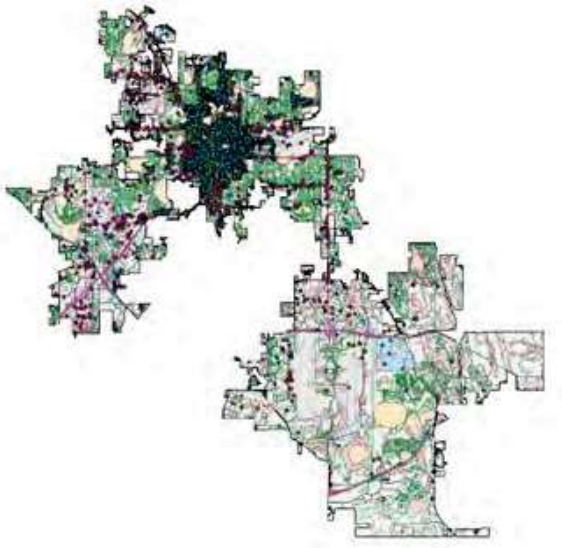
City of Orlando Comprehensive Vulnerability Assessment

Client: City of Orlando, FL

Location: Orlando, FL

Service Area: Sustainability and Resilience

Services Provided: Vulnerability Assessment
Stormwater Infrastructure Inventory
GIS Data Collection, Management and Analysis
Inundation Mapping and Modeling
Public/Stakeholder Outreach
Project Prioritization



Project Activities

Drummond Carpenter is assisting the City of Oralndo with the implementation of a Resilient Florida Program planning grant (23PLN24), pursuant to Section 380.093, Florida Statutes. This project involves development of a citywide two-dimensional TUFLOW HPC flood model to analyze over 160 square miles of urban and rural municipal areas to map flood risk of critical infrastructure assets under existing and future (2025, 2050 and 2080) rainfall intensities. More than 10,000 crtical assets (transportation, stormwater, wastewater, water, historical, cultural and community facilities, etc.) have been inventories. To date, the Drummond Carpenter team has compiled background data (e.g., critical/regionally significant assets, stormwater infrastructure, impervious surfaces, building footprints, land use/cover, soils, rainfall, lake stages) and begun model development (e.g., delineating model extents, developing breaklines, Green-Ampt parameterization). The Drummond Carpenter team is also completing a vulnerability assessment for Orange County and is coordinating efforts between the two entities regarding infrastructure inventory data, model domain boundaries, and rainfall change factors.

Outcomes

Drummond Carpenter will develop a final vulnerability assessment report that includes results from the exposure and sensitivity analyses, a summary of flood risks, including a list of critical and regionally significant assets impacted by each flood scenario; a prioritization of critical infrastructure for adaptation or mitigation strategies/projects. Future endeavors by the City utilizing the flood model are the development of a floodplain management plan and repetitive loss area analysis to improve the City's Community Rating System (CRS) classification.



DRUMMOND CARPENTER
engineering + research

PROJECT PROFILE

Orange County Comprehensive Vulnerability Assessment

Image Source: OCOEM, 2017

Client: Orange County, FL

Location: Orange County, FL

Service Area: Sustainability and Resilience

Services Provided: Vulnerability Assessment
Stormwater Infrastructure Inventory
GIS Data Collection, Management and Analysis
Inundation Mapping and Modeling
Public/Stakeholder Outreach
Project Prioritization



Project Activities

Drummond Carpenter is assisting the County with the implementation of a Resilient Florida Program planning grant (23PLN25), pursuant to Section 380.093, Florida Statutes. This project involves assembling a steering committee, conducting public and stakeholder outreach and education, and performing countywide exposure and sensitivity analyses under existing and future (2025, 2050 and 2080) rainfall intensities. The exposure analsysis requires coordinating with County Watershed Management Program staff and their watershed consultants to obtain existing ICPR models for the 11 major basins and developing a TUFLOW HPC model for the remaining basin that has not been studied previously (St. Johns River Basin). Approximately 2,500 stormwater structures will be incorporated into the new model. To date, the Drummond Carpenter team has compiled background data (e.g., critical/regionally significant assets, stormwater infrastructure), coordinated with municipalities within the County, and developed a preliminary TUFLOW HPC model for a basin with substantial development that may require a model update. The Drummond Carpenter team is also completing a vulnerability assessment for the City of Orlando and is coordinating efforts between the two entities regarding stormwater infrastructure inventory data, model domain boundaries, and rainfall change factors.

Outcomes

Drummond Carpenter will develop a final vulnerability assessment report that includes results from the exposure and sensitivity analyses, a summary of flood risks, including a list of critical and regionally significant assets impacted by each flood scenario; a prioritization of critical infrastructure for adaptation or mitigation strategies/projects. A final presentation to the Board of County Commissioners will contain the findings, recommendations, adaptation strategies, and future project funding opportunities.

Climate Resilience Consulting

CLIENT

U.S. Environmental Protection Agency

SERVICES

- Project managed fast-paced multi-partner, multi-site, multi-sector multi-million-dollar project with national and international institutions.
- Create resilience through extreme heat, flood and wildfire mitigation strategies for City/community implementation.
- Enable City and community partners to design and develop implementation plans and budgets for net zero and green infrastructure, including net zero/energy efficient public buildings, net zero mobility systems, and private home energy efficiency support programs.
- Design and deliver equitable public engagement processes.
- Identify pathways to garner city and industry support by framing resilience investments as cost-effective solutions, addressing concerns about broader applicability and political considerations such as potential insurance benefits.
- Development of budgets, workplans, governance, and partnership structures for each project.

DATES

November 2023-December 2024

COMMUNITY CHANGE EQUITABLE RESILIENCE TECHNICAL ASSISTANCE

26 COMMUNITIES IN THE US MID-WEST, MOUNTAINS, NORTH-EAST, MID-ATLANTIC, AND CARIBBEAN REGIONS

CRC served as the lead consultant for a team contracted by the US EPA under the Community Change Equitable Resilience Technical Assistance initiative. Our work supported 26 disaster-prone and disadvantaged urban and rural communities across the Midwest and Northeast, delivering design assistance, stakeholder engagement, and partnership development to enhance pollution reduction and climate resilience while centering community priorities.

The project emphasized improving air and water quality, flood mitigation, sea-level rise-caused erosion reduction, and urban heat island mitigation. It also focused on resource conservation and reducing the impact of extreme weather events to build long-term resilience for both physical infrastructure and social and cultural assets.

Our work included supporting communities in securing buy-in for resilience strategies, balancing diverse stakeholder concerns, and navigating funding pathways beyond federal sources. The approach recognized local decision-making power while providing technical expertise to shape solutions, such as determining the scale of restoration needed for effectiveness.

Additionally, CRC facilitated discussions on balancing competing interests—such as relocation versus in-place adaptation—and structured engagement to ensure community-led outcomes.

Projects ranged from designing energy-efficient, net-zero community-serving buildings to developing public parks and open spaces with increased urban greening and improved stormwater and air quality management systems. Our work supported cities in aligning resilience investments with funding sources, including potential industry contributions, and structured phased approaches to meet funder preferences.



Climate Resilience Consulting

CLIENT

NOAA / Climate Resilience Fund / ASAP

SERVICES

- Convening of a national advisory group of resilience practitioners and funders
- Research and documentation of resilience funding best practices
- Development of the "Ready-to-Fund Resilience" technical guidance document and toolkit
- Creation of a local government training curriculum
- Integration of equity, community engagement, and funding-readiness into technical assistance materials.

DATES

October 2021-March 2023

READY-TO-FUND RESILIENCE TECHNICAL ASSISTANCE

US, NATIONWIDE

CRC served as the lead author and technical assistance provider for the Ready-to-Fund Resilience (RFR) Initiative, a collaboration between the Climate Resilience Fund, NOAA's U.S. Climate Resilience Toolkit, and the American Society of Adaptation Professionals (ASAP). The project addressed a key challenge facing many communities: the gap between wellintentioned resilience plans and their successful implementation due to funding barriers.

CRC led a national advisory group composed of local government officials, nonprofit leaders, and resilience finance experts to develop a technical guidance document, online toolkit, and training program aimed at helping local governments and their partners design fundable climate resilience projects. This included developing strategies to:

- Align project design with funder expectations (FEMA, HUD, philanthropic).
- Use policy levers and partnerships to improve competitiveness for funding.
- Integrate equity and community engagement into project development to meet funding eligibility and maximize community benefits.

The RFR guidance became a key resource featured in the U.S. Climate Resilience Toolkit's "Steps to Resilience" framework and has been used by communities nationally to prepare competitive applications for FEMA BRIC, CDBG-DR, and other resilience funding programs. The project is highly relevant to Fort Myers Beach's need to produce an actionable, fundable, and community-driven Comprehensive Recovery and Resilience Implementation Plan.



Climate Resilience Consulting

CLIENT

Enterprise Community Partners / U.S. Department of Housing and Urban Development

SERVICES

- Facilitation of disaster housing planning processes
- Resilience and equity integration into disaster housing strategies
- Technical assistance on FEMA and HUD program alignment
- Stakeholder engagement, workshops, and action prioritization

DATES

November 2022 – Present

PRE-DISASTER HOUSING PLANNING INITIATIVE

MISSOURI AND NATIONWIDE

As part of HUD's Pre-Disaster Housing Planning Initiative, CRC serves as the resilience and equity technical assistance provider to Enterprise Community Partners and participating state governments. The initiative helps states integrate resilience into disaster housing strategies, prioritizing permanent housing solutions over temporary sheltering and ensuring long-term resilience to future disasters.

In Missouri and other locations, CRC has facilitated task force operations, prioritized resilience actions, and integrated climate adaptation into disaster housing planning. CRC also provides technical assistance to improve equity outcomes and ensure housing programs are aligned with FEMA, HUD, and CDBG-DR guidelines, ensuring states are ready to implement housing recovery programs post-disaster.



Climate Resilience Consulting

CLIENT

Coastal States Organization via ECT Inc.

SERVICES

- Equitable community engagement strategy design and implementation
- Stakeholder workshops and asset mapping
- Integration of nature-based solutions with resilience and cultural outcomes
- Production of community-facing interpretive materials
- Technical recommendations to address flood risk and social resilience

DATES

June 2023 – February 2024

COASTAL STATES ORGANIZATION NEARSHORE ENGINEERING AND DESIGN

INDIANA, MINNESOTA, WISCONSIN

CRC collaborated with the Coastal States Organization and ECT Inc. to deliver equitable community engagement and technical support for nearshore engineering and nature-based solution projects across Indiana, Minnesota, and Wisconsin. This project supported habitat restoration and flood resilience goals while prioritizing engagement with environmental justice communities, including Indigenous groups and underserved neighborhoods.

CRC designed and facilitated engagement strategies to ensure restoration efforts reflected community priorities and promoted cultural relevance. The team also developed interpretive and educational materials to enhance understanding and stewardship of restored sites. Special attention was given to minimizing unintended displacement effects (green gentrification) and maximizing health, access, and cultural benefits of the project.



CIVIC INNOVATION HUB

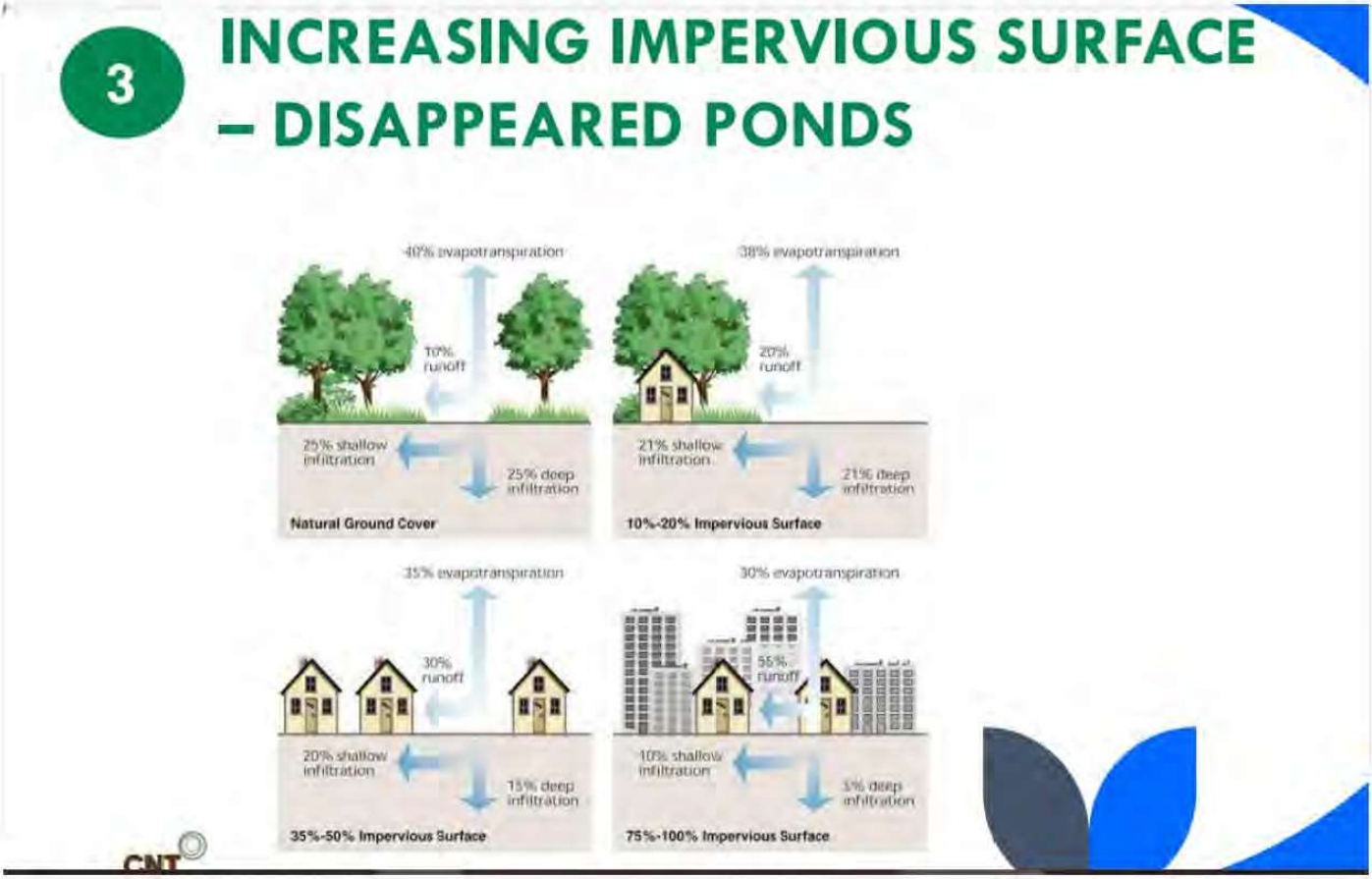
CALUMET, ILLINOIS

CLIENT
Robbins, IL and Blue Island,IL

SERVICES
- Outreach
- Capacity-Building

COMPLETION DATE
2024

The Civic Innovation Hub (CIH) organizes residents and local governments of the Calumet Region in the south suburbs of Chicago with the purpose of achieving community-led results on critical social, economic, and environmental infrastructure. With a focus on resilient stormwater management, CIH provides educational curriculum, data analysis and tools, community advocacy and knowledge-building resources, and networking opportunities.In 2024, the McDougal Foundation supported two capstone projects from the previous year's community-based participatory research project. CNT worked with a cohort of 12 residents from Blue Island and Robbins for phase two. CNT supported teams from each town to frame specific research questions and select methods to address the questions. We also trained them in areas that spanned from agenda creation and meeting facilitation to reading a budget and FOIA to stormwater management and economic development. Robbins participants focused on leveraging stormwater infrastructure projects for economic development, including the use of urban farming for food production in an area that's otherwise a food desert. Blue Island residents advocated for their municipal government to boost their quality of life by developing workable stormwater management solutions. Continuing work on the issue, the Blue Island group's main focus was to tally and map out brownfields—abandoned, contaminated industrial properties that could be redeveloped.



URBAN FLOODING BASELINE

CALUMET, ILLINOIS

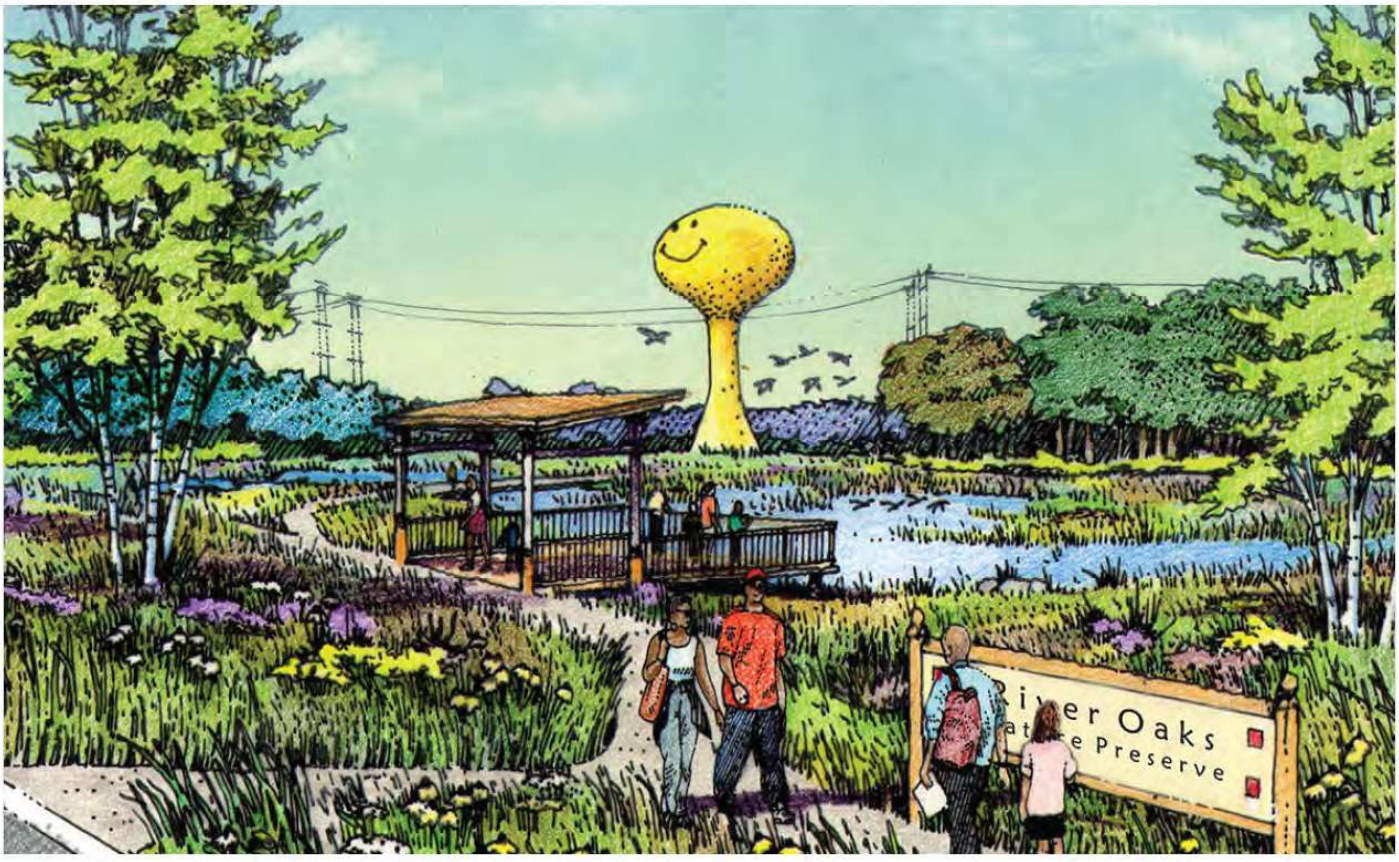
CLIENT
Calumet, IL

SERVICES
- Outreach
- Tool Development

COMPLETION DATE
2023

The Urban Flooding Baseline Project seeks to clearly define the problem of urban flooding in the Calumet region using available quantitative data sources and first-hand pictorial data from residents to improve flood mitigation plans. At the end of July 2021, CNT completed the Pilot and Phase 1 of the resident data collection. Each resident data collection leader was assigned a 1.5 mile x 1.5 mile region in the communities for Dolton, Dixmoor, Harvey, Markham, Phoenix, Posen, or Riverdale and was paid for their work. After a storm has happened, data collection leaders travel through their region to upload photos and descriptions of flooding they see in rights of way (like streets and sidewalks) and public property. CNT had 16 data collectors. Over the Pilot and Phase 1, the data collectors went out after 13 storms and uploaded almost 1,000 photos of locations that indicate areas of flooding or potential flooding concern. Phase 2 of the project began in September 2021 and went through May 2022 to capture storms from the fall and spring, as well as any fast snow melts that might have overwhelmed the sewer system.

The Urban Flooding Baseline Tool was created by CNT to inform community residents, and municipal and regional leaders that flooding is experienced across communities, not just within individual homes. The tool provides content knowledge to assist with community advocacy, municipal action, and regional stormwater planning efforts.





Victory Pointe Stormwtaer Park | Clermont, FL



Understanding of the Town's Needs

Over the last few years, the Town of Fort Myers Beach has been severely impacted by several hurricanes, including Ian, Helene, and Milton. These storms have strained the town's infrastructure, economy, homes, and buildings. Many residents were forced to evacuate and seek temporary shelter due to extensive damage and flooding. The slow recovery process has left many homes uninhabitable for extended periods. Older wood-frame homes and buildings required extensive repairs, with some buildings still unoccupied two years after the storms. This situation led some residents to sell their properties to developers rather than rebuild, resulting in a shift in the town's demographic and economic landscape. Despite these challenges, the town has demonstrated strong resilience and determination in its rebuilding efforts.

The storm surge inundated the public water supply system, overloaded the stormwater system, and filled drain outlets and channels with water, sand, and debris, limiting the flow of water even after the surge. The Town Hall, Pier, and Times Square were destroyed, and there was 2.5 feet of sand erosion on the beaches.

Therefore, the question arises: How will the town rebuild? What changes in policies and regulations are needed to ensure the needs of existing and future residents? What type of infrastructure improvements are required? How can we build a more resilient community and be prepared for future storm events?

Our team understands that it is imperative to build on previous efforts and provide the town with a clear vision, goals, actions, and projects that can be implemented within a realistic timeframe. The plan will rely on a shared consensus among residents, stakeholders, elected officials, and city staff, and ultimately, it needs to inform policy changes.

All the projects featured in this proposal address the questions described above. The following sections outline our approach to work and provide examples from our previous and current projects.

Our Approach

This section describes our approach and sample experience of the elements required in this RFP.

PROJECT COORDINATION & MANAGEMENT

GAI, as the prime consultant, will manage the overall plan effort. It will be our responsibility to establish a clear point of contact that facilitates direct communication between the Town staff, consultant, and our project team and to assist in coordinating team efforts to complete the plan. Regular video conferencing and in-person meetings will be integral to our communication strategy, along with establishing clear guidelines and responsibilities early on regarding decision-making throughout the planning process.

GAI will work closely with our sub-consultant's leadership to ensure that the project's goals, timelines, and deliverables are met throughout the project's course. We will work collaboratively to maximize our partners' specific professional experience, skills, and knowledge for their assigned roles.

Proposed elements of the project management plan include project kick-off meeting, work plan development, regular coordination and progress reports meetings, and project administration.

OUR GENERAL PLANNING PROCESS

Our Team is well-known for its ability to integrate and synthesize holistic outcomes in our planning and design work. This comes from our capacity to engage and listen to community concerns and issues and translate those ideas into meaningful, visionary, and unique solutions. This is achieved through a collaborative and iterative process, where we work with partners and other experts to develop and refine solutions.

UNDERSTANDING: Place Assessment & Evaluation

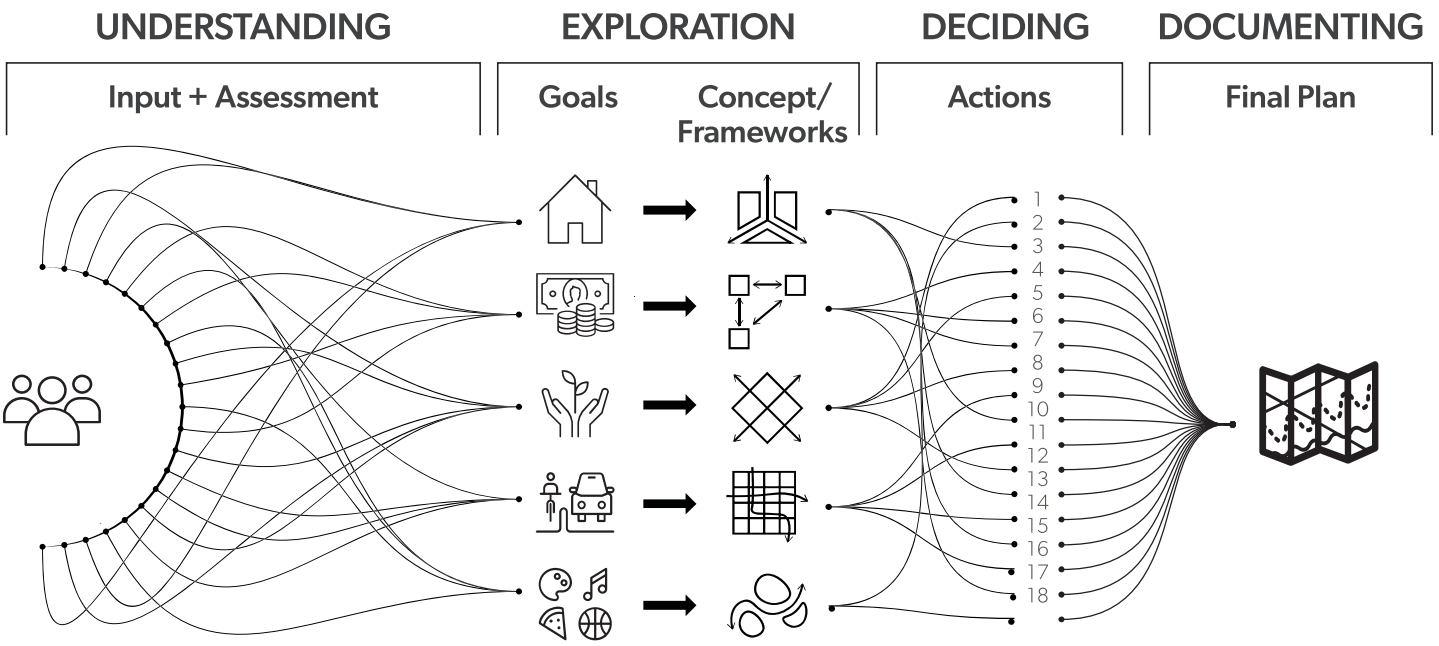
We begin each planning effort with a comprehensive review of all relevant plans, studies, reports, programs, and regulations. This is followed by an analysis and understanding of the place that lays the groundwork for data-driven planning by establishing a thorough understanding of existing conditions, assets, and opportunities. Our team utilizes the ESRI platform to collect, analyze, and display data and maps. This data gathering, inventory mapping, and analysis culminate in an existing conditions summary, which forms the foundation for a robust data-driven master planning process. This process is rooted in a quantitative understanding of opportunities for new art installations, their impact on the community, and alignment with the Town's policies.

EXPLORING: Vision & Opportunities

We use the findings from the place assessment as the foundation for our planning process. By collaborating closely with the town and community, we explore and test ideas, policies, and conceptual designs. These efforts inform the plan's vision, goals, and objectives. This exploration phase is complemented by a series of community engagement sessions with the project team and the public, ensuring the project's vision, goals, objectives, and initiatives are well-established.

CREATING: Recovery & Resilience Plan

We recognize the importance of compelling graphics and effective visual and oral communication in eliciting feedback and motivating leaders and stakeholders. These elements are essential for creating plans that are readily adopted, understood, championed, and implemented. We will develop a user-friendly document that clearly outlines our vision, goals, objectives, actions, funding strategy, implementation plan, and performance metrics.



COMMUNITY OUTREACH AND ENGAGEMENT

The public outreach and engagement process goes hand-in-hand with the plan creation process. The team's approach to public outreach, engagement, and communications is rooted in our desire to build trust and consensus, promote understanding, and create a sense of ownership among stakeholders on behalf of the places we serve. Achieving these outcomes involves setting clear communication goals; developing outreach plans with measurable objectives and defined tactics and timelines; identifying target audiences (e.g., affected and interested publics and key stakeholders); providing accurate, honest, timely, and accessible information and meaningful opportunities for public participation; following up post-engagement and sharing updates on project progress; and measuring engagement performance to inform future efforts.

The GAI Team has extensive experience working with municipalities across Florida, New York, New Jersey, Pennsylvania, and Chicago to create project branding, community engagement, and outreach strategies. Some successful examples include the Central Florida EPA R2P2, Onward Kissimmee, Houston Resilience Neighborhood Plan, Vine Street CRA Plan Update, Cleveland Clark-Fulton Neighborhood Plan, St. Pete's Warehouse Arts District, and Deuces Live Action Plan, and Orange Blossom Trail CRA Master Plan Update, among many others. We recognize the importance of community engagement and the need to build consensus among all participants and stakeholders to ensure a successful planning process.

The GAI Team excels at mediating between public and private interests and custom tailors every engagement activity based on the topic/theme of the session. It considers the place's social, economic, and physical conditions. GAI's Claudia Ray will lead the engagement process in partnership with CNT's Heidy Persaud and ONE's Justine Shapiro-Kline.

Ms. Ray has experience in designing and leading robust community engagement strategies tailored to each project. One example is the 18-month community engagement process for a neighborhood master plan for the Clark-Fulton neighborhood, a low-income LatinX community located on the west side of Cleveland, OH. Ms. Ray designed and led a fully bilingual, inclusive, transparent, and successful engagement process conducted during the first year and a half of the COVID-19 pandemic.

Clear Messaging, Communication, and Accessible Materials for All

Communication is critical to outreach and engagement because it is the primary means of sharing information and connecting with the public. The GAI Team will work with the town staff to create a project outreach strategy that reflects the broad constituency and may include traditional (print) and digital-based (online) communication techniques. The GAI Team believes a great communications and outreach strategy needs to be inclusive, transparent, and clearly express the project's goals, timeline, and expectations while building interest and excitement. As part of the outreach strategy, the GAI Team proposes:

- **Creation of Project Brand and Graphics:** We will design a project brand that will include a logo, color palette, fonts, presentation, deliverable templates, and graphics for flyers and invitations.
- **Communications Content Creation:** We will work with the Town's Project Manager on developing content for flyers, invitations, notifications and updates, and more. We will ensure all communication is clear and accessible by using simple language, large fonts, and visual aids, avoiding jargon and technical terms. For in-person meetings, we will allow extra time for older adults to process information, practice active listening, and encourage engagement through conversation starters. Key content will be translated for Spanish speakers, using clear language, visual aids, and considering cultural context to effectively reach the community.
- **Website and ArcGIS Dashboard:** We will create a project website that includes project information and access to online engagement activities, such as surveys and interactive mapping tools.



Navigating Conversations with Communities Impacted by Storm Events.

Communities impacted by hurricanes and floods experience years of trauma following the natural disaster. Damages and loss range from entire homes to sentimental belongings and even human life. Many times, adverse health impacts arise following these events, particularly those related to respiratory issues (ie. mold in homes), exposure to contaminated water, vector-borne diseases, and mental and emotional stress. Along with personal challenges, residents face uncertainty about their living situation, sometimes for years to come, as well as financial hardship, including home repair, rebuilding, escalating insurance rates, and impacts on local businesses. Outreach to Fort Myers Beach will be sensitive to the traumatic experiences of its residents and will hold listening sessions, allowing participants to share their experiences, as well as their fears and hopes for the future.

Targeting Community-Based Organizations

Community-based organizations (CBOs) work on behalf of neighborhoods, demographic or socioeconomic groups, religious communities, or others with a shared identity by providing services, advocating on issues, and more. In addition to professional skills and organizational resources, CBO staff possess a wealth of knowledge about and trust from their community members, which they have earned through regular and direct interaction with them. CBOs have not historically been seen as planning stakeholders and are prevented from actively participating by barriers at multiple levels of government. This underpins the need for increased and targeted public engagement, for more community-led design processes, and for sustainable partnerships with local CBOs and community members.

Building Consensus & Validation

The GAI Team will achieve collaboration and consensus by creating a multi-layered, inclusive, and transparent community engagement process that complements the master planning process. The Community Engagement will set expectations early in the process so that everyone who participates will understand the purpose of the Planning process, how their input will be used, and what the final deliverables include. We will communicate and educate all the participants with meaningful information to encourage participation and build trust through transparent and timely information sharing, results, and next steps. The following are the proposed community engagement activities and events.

- **Tours:** These are enjoyable ways to gain an understanding and learn about a place. Depending on the area, tours can be conducted by bicycle, bus, or on foot. During the tour, participants can assess the place's existing conditions by completing a virtual or paper survey.
- **Digital Surveys and Maps:** Surveys and mapping tools can be used to gather online engagement. These tools can also be customized and easily used on a smartphone. Our team works with the ArcGIS Suvey123 and ArcGIS Hub.
- **Workshops:** These interactive sessions gather feedback on vision, goals, and design from a large and/or small group of participants. The workshops can be designed in an open-house style, a half-or full-day event for the community to freely come and go as they please and provide input on the plan elements. The event can be organized on thematic interactive stations. Other workshops can include funding and budgeting workshops and elected officials.
- **Focus Groups Meetings:** These are structured discussions where a small group of people come together to share their thoughts, opinions, and experiences on a specific topic.
- **Local Planning Agency and Council Workshops:** These are meetings to present the draft plan to elected officials and gather their input before finalizing the plan.
- **Listening and Informational Sessions:** These sessions will provide a platform for residents and stakeholders to learn about the details of the planning process and share their thoughts, concerns, and suggestions. These sessions will be hosted at COBs, businesses, HOAs, Schools, and other places. These sessions will also allow participants to share their experiences during the storm events, as well as their fears and hopes for the future.








Happy Place




WE WANT TO HEAR FROM YOU



RESILIENCE PLANNING, DESIGN, AND IMPLEMENTATION

The GAI team takes an integrated approach to sustainability and resiliency planning that builds on engagement with the physical, social, and economic context of a project to develop design approaches and policy recommendations that deliver multi-benefit solutions. Our team brings together leaders in resilience planning, project design, and implementation. Our approach considers community development priorities alongside resilience and sustainability goals and embeds project implementation awareness from the earliest stages of project identification.

Over the past decade, our team has been a leader in climate resiliency and climate adaptive design, collaborating with municipalities, communities, and technical teams to deliver solutions at all scales, from the architectural design of coastal flood protection infrastructure to multi-hazard climate vulnerability assessments, strategic visioning efforts for sustainable development, and investment programs for regional resilience.

In each project, our team seeks to employ or develop the tools and methods that best support the client's objectives, whether that means drawing upon established standards (APA, FEMA, NIST materials and toolkits), looking to national or global emerging concepts, or adapting and evolving these standards to set up a framework for project ideation and evaluation that is directly responsive to local needs and priorities.

ONE Architecture will be leading the Resilience Planning, Design, and Implementation, and their approach begins by understanding the context for planning, studying recent plans, mapping vulnerabilities, critical infrastructure, and capital projects, and engaging local stakeholders to articulate priorities for planning and develop a gap analysis. This ensures that the Comprehensive Recovery and Resilience Implementation Plan builds upon and synthesizes all of the Town's planning and investment since Hurricane Ian, supports continued consensus-building and collaboration, and creates a platform and roadmap for long-term resilience and growth.

FUNDING STRATEGIES

Our team member at Climate Resilience Consulting (CRC) will bring their expertise in identifying and aligning diverse funding sources—federal, state, local, philanthropic, and private—to ensure that recovery and resilience strategies are not only visionary but also able to be implemented.

Their funding and finance strategy approach includes:

- Conducting funding landscape analyses and identifying relevant and competitive funding opportunities.
- Aligning plan recommendations with eligibility requirements for programs such as CDBG-DR, FEMA BRIC, HMGP, FMA, and other resilience-focused programs.
- Supporting communities in developing fundable project scopes and roadmaps, helping them move from planning to action.
- Advising communities on how to integrate funding considerations early into project prioritization and phasing.
- Developing detailed budgets, organizational structures, timelines, and evaluation and measurement frameworks for feasible resilience projects.
- Through their work with CCERTA and other national programs, they have helped communities structure projects to leverage federal funding effectively while advancing resilience, equity, and economic revitalization.

Most recently, CRC led two Funding Workshops as part of the Central Florida R2P2 Project, where a comprehensive list of federal funding and grant options were provided to each municipality to apply in the next few years.



106th St NYC, Low-Impact Development

ENVIRONMENTAL ENGINEERING AND STORMWATER DESIGN

GAI Consultants and Drummond Carpenter emphasize sustainability and innovation in their environmental and stormwater design. They focus on green infrastructure projects, such as rain gardens and urban retrofits, to manage stormwater naturally and improve water quality. Advanced hydrologic modeling is used to predict and manage stormwater flow, ensuring effective and resilient designs. Performance monitoring is conducted to assess the effectiveness of these projects and make necessary adjustments.

As part of the Downtown Master Plan for Clermont, Florida, GAI Consultants identified Victory Pointe Park as a key catalyst project. This park re-envisions the typical stormwater pond approach by creating a community amenity that provides recreation, wildlife habitat, and a signature address for future development. The park receives stormwater from downtown streets and includes cascading filter marsh treatment areas designed to reference native Florida environments.

COMPREHENSIVE PLAN UPDATE

GAI's comprehensive planning aims to shape future development by influencing its amount, type, timing, character, and location. With roots in planning at all scales, GAI has worked with both challenged communities like Eatonville and high-value areas such as Winter Park and Jacksonville's South Bank. Their holistic approach integrates various professions to deliver actionable solutions. Adhering to evolving Florida statutes and the Florida Administrative Code, GAI employs tools and techniques to minimize growth impact while promoting sustainable development. Our team, experienced with over 20 Community Redevelopment Agencies, balances redevelopment needs with land use. Currently, GAI is updating the Land Use and Transportation Plan Elements for Kissimmee, Florida. One of the challenges in the City of Kissimmee is that it has limited available land for new development, which will require a shift from new infill redevelopment to a combination of preservation and new development in their single-family neighborhoods.



Victory Pointe Stormwater Park, Clermont, FL

Scope of Work

Based on our understanding of the project's objectives and the task outlined in the RFP document, we propose the following scope of work.

The items proposed under each task are negotiable upon our team's selection to perform the work. We are committed to collaborating closely with the Town of Fort Myers Beach to ensure that all aspects of the project align with their specific needs and preferences. Our team is flexible and open to discussions regarding the scope, deliverables, and timelines to achieve the best possible outcomes.

Task 1: Project Initiation

To kick off the project, the GAI Team will work with the Client on all the items outlined below.

- **Project Management Plan:** Development of a comprehensive project management and monthly work plan.
- **Project Initiation Meeting (Virtual):** The project initiation is envisioned as an internal team meeting with the Town's Project Manager (PM) to confirm the project scope, objectives, schedule, deliverables, team roles, and responsibilities. The GAI Team will establish a project management and team communications strategy. We will discuss our approach to setting up the communications platform for the project, including the project brand and a general outreach and engagement plan, as well as key milestones and progress meeting dates for the initial phases of the planning process.
- **Data and Information Gathering:** CSG will collaborate with the Town to collect all relevant plans, reports, imagery, and available data (including GIS or other sources) pertinent to the project.
- **Project Kick-Off Meeting and Tour (In-Person):** The kick-off meeting and site visit will take place on the same day. The meeting will take place in the morning with the Town's project manager and all relevant departments and consultants. The goal of this meeting is to confirm the project goals, aspirations, schedule, deliverables, and responsibilities. In the second part of the day, the GAI Team, along with the Town Staff and consultant, will tour the town. The tour will focus on documenting key physical elements and existing conditions of the area conditions, and project sites.
- **Plan Review and Analysis:** The GAI team will conduct a comprehensive review and analysis of all relevant existing plans, including but not limited to:
  - FEMA Technical Assistance 2024 Long-Term Recovery Plan
  - Coastal Florida Recovery and Resilience Partnership Project (R2P2) outcomes and recommendations
  - Town of Fort Myers Beach Comprehensive Plan (current) and proposed future amendments
  - Other approved or draft plans, studies, and policy documents as identified by the Town or the GAI Team
  - Identification of gaps, redundancies, and opportunities for integration, ensuring the new plan does not duplicate prior efforts but instead builds upon them.

Deliverables:

- Project Management Plan
- Kick-Off Meeting Presentation
- Plan Review and Analysis Memo

Task 2: Community Outreach & Engagement

The GAI Team will work in collaboration with the Town's staff and planning consultant to prepare, coordinate, advertise, and facilitate the meetings, activities, and events proposed below. The Town will be responsible for advertising and promoting all meetings, activities, and events, as well as selecting and reserving the venue, covering rental fees and AV equipment, and providing chairs, tables, and refreshments. The GAI Team will create the presentation and participate in the activities for each meeting. Input-gathering activities will be delivered in print and digital formats on banners and boards.

2.1 Outreach and Communications

Communication is critical to outreach and engagement because it is the primary means of sharing information and connecting with the public. The GAI team will work with the Town to create a project outreach strategy that reflects the broad constituency and may include traditional (print) and digital-based (online) communication techniques. The GAI team believes a great communications and outreach strategy needs to be inclusive, transparent, and clearly express the project's goals, timeline, and expectations while building interest and excitement. The Town will

be responsible for advertising and promoting all events, meetings, and activities, as well as the venue selection, reservations, and rental fees. The town will provide AV equipment, chairs, tables, and refreshments at each meeting. As part of the outreach strategy, the GAI team proposes:

- **Community Engagement Plan:** GAI, CNT, and ONE will work with the Town to develop a plan that outlines the engagement approach and guiding principles, the process and methods, and identifies a preliminary list of key stakeholders.
- **Project-Branded Graphics:** CSG will create a project brand and design a logo (if needed) for the area. The brand package will include a color palette, fonts, and templates for flyers and other deliverables.
- **Communications Content Creation:** CSG will work with the CRA to develop content for flyers, invitations, notifications and updates, and more.
- **Website and Project Dashboard:** GAI will create a website and ArcGIS Dashboard for the project. The website will serve as the virtual home of the project, efficiently communicating the project's goal, process, and timeline. The page will include relevant maps, graphics, and spatial datasets. This page will then be used to host online engagement activities, such as surveys and interactive map features for gathering input.

Deliverables:

- Engagement Plan
- Project Brand Book
- Website

2.2 Community Engagement Events

The GAI team will foster collaboration and consensus through a multi-layered, inclusive, and transparent community engagement process aligned with the master planning process. This engagement will establish clear expectations upfront, ensuring participants understand the purpose of the Plan, how their input matters, and what the final deliverables entail. We will communicate and educate participants with meaningful information to encourage involvement and build trust through transparent and timely information sharing, precise results, and practical next steps. The GAI Team will create the presentations and input-gathering activities for all events. The activities will be delivered in both print and digital formats on banners and boards.

For this project, we have organized the Community Engagement process into three events, including area tours, focus group meetings, workshops, and surveys. Additionally, we have proposed a series of intimate listening sessions and workshops with elected officials. At the end of each event, the GAI team will create a presentation summarizing the input and key takeaways, as well as a final engagement report that includes a summary of all events and activities.

2.2.1 Launch (2-Day In-Person Event): This 2-day in-person event will introduce the project and its goals, scope, milestones, and engagement approach to the community. It aims to gather initial input to inform the assessment and evaluation of the place. Below are the proposed events and activities for this event.

- Project Launch Community Meeting: This will be a community-wide meeting to present the key objectives, timelines, and expectations of the projects. This meeting will set the stage for the activities to follow and ensure all participants are aligned. At the end of the presentation, the community will have the opportunity to participate in an interactive engagement activity.
- Tour: Participants will embark on a tour of designated areas, during which they can assess the existing conditions by completing a virtual or paper survey and sharing their initial ideas and areas of opportunities to address during the planning process.
- Focus Group Meetings: We will prepare and conduct up to eight in-person focus groups with the Town staff and consultants, residents, COBs, business owners, landowners, developers, and other key stakeholders.
- Digital Survey & Community Mapping: We will create a digital version of the participatory activities from the Community Meeting and Tour, making it accessible to those who were unable to attend in person.

Deliverables:

- Project Launch Events Engagement Summary Presentation
- Focus Group Meetings Notes and Takeaways Memo

2.2.2 Ideas and Opportunities (2-Day In-Person Event): This second round of community engagement events aims to explore plans, visions, goals, and strategies. The event will facilitate project identification and delve into project-specific designs, such as the Town Square site and other locations identified by stakeholders

and town leadership. This 2-day in-person event will include the following meetings and activities.

- Community Meeting: We will conduct a community-wide meeting to present the findings from the Launch Events and insights from the Area Assessment and Evaluation (Task 3). At the end of the presentation, the community will have the opportunity to participate in an interactive engagement activity.
- Site Workshops: We plan to conduct up to four (4) site workshops at various locations throughout the town. These workshops will serve as interactive sessions where community members, local stakeholders, and experts come together to envision the future of these areas. During each workshop, participants will engage in ideas generation and discussion about site-specific improvements, land use regulations, and initial funding strategies.
- Digital Survey: We will create a digital version of the participatory activities from the Community Meeting and Workshops, making it accessible to those who were unable to attend in person.

Deliverables:

- Ideas and Opportunities Events Engagement Summary Presentation

2.2.3 Recommendations and Priorities (2-Day Event): This final community engagement event will present and gather feedback on the draft plan and implementation. Similar to the previously proposed events, this will be a 2-day in-person event featuring a series of meetings and interactive activities.

- Community Meeting: We will conduct a community-wide meeting to present the draft plan and proposed implementation strategy. At the end of the presentation, the community will have the opportunity to participate in an interactive engagement activity to validate and prioritize the proposed strategies and projects.
- Funding and Implementation Workshops: We will conduct up to four (4) workshops with town leadership, staff, consultants, and selected federal, state, and county agencies to select and prioritize strategies, projects, and funding sources. Depending on the availability of participants, some workshops may be conducted virtually.
- Digital Survey: We will create a digital version of the participatory activities from the Community Meeting, making it accessible to those who were unable to attend in person.

Deliverables:

- Recommendations and Priorities Engagement Summary Presentation
- Funding Strategy Memo

2.3 Informational and Listening Sessions: We will conduct up to six (6) informational and listening sessions. This session will be a platform for residents and stakeholders to learn about the details of the planning process and share their thoughts, concerns, and suggestions. These sessions will be hosted at COBs, businesses, HOAs, Schools, and other places. These sessions will also allow participants to share their experiences during the storm events, as well as their fears and hopes for the future.

Deliverables:

- Recommendations and Priorities Engagement Summary Presentation
- Funding Strategy Memo

2.4 Official Public Meetings/Workshops: The GAI Team will attend one (1) Local Planning Agency and two (2) Town Council Meetings to present the draft and final plan. Additionally, the team can conduct one-on-one virtual or in-person meetings with elected officials if needed.

Deliverables:

- Draft Plan and Final Plan Presentation

Task 3: Assessment and Evaluation

The GAI Team will conduct a comprehensive Assessment and Evaluation to analyze community demographics, environmental conditions, land use patterns, housing needs (with a particular emphasis on workforce housing), economic trends, infrastructure vulnerabilities (including FEMA Community Lifelines), and cultural considerations that inform the Town's long-term resilience. This evaluation aims to identify climate-related, social, and economic risks and recommend strategies to mitigate impacts on vulnerable populations and critical services. This task will occur concurrently with the Launch and Ideas and Opportunities Engagement Events outlined in Task 2. During this task, we will also provide a series of case studies and best practices regarding sustainability and resilience measures and strategies.

3.1 Assessment and Evaluation Report

The elements of the town's assessment and evaluation report will include a series of maps, analysis, and photos of the following content:

- Town's character, history, and storm events documentation
- Jurisdictional boundaries, demographics, economic trends, and housing needs.
- Inventory of past, current, and future projects (Incorporate the existing plan review from Task 1)
- Existing Land Use and Parcel Characteristic Analysis (vacancy, ownership, land-to-value ratio)
- Land Pattern and Urban Form
- Transportation, Access, and Connectivity
- Parks and Recreations Spaces
- Tree Canopy and Extreme Heat Analysis
- Air Pollution
- Brownfields and Hazardous Materials
- Infrastructure Vulnerability (potable water lines, valves drainage, storm sewers, structures, among other relevant items)
- Climate & Environmental and Risk Mapping and Projections
- Coastal and Tidal Flooding

Deliverables:

- Assessment and Evaluation Presentation and Report
- Vulnerability Assessment Report

3.2 Case Studies and Best Practices

We will deliver a comprehensive collection of case studies and best practices that provide detailed insights into the implementation of specific sustainability and resilience measures, strategies, and interventions. These case studies will highlight successful examples from various communities, showcasing methods and techniques that have been proven effective in enhancing sustainability and resilience. By documenting these best practices, we aim to establish benchmarks and guidelines that others can adopt to achieve similar positive outcomes. Our samples will include tools for Green Infrastructure Tools and Key Performance Indicators to measure progress, ensuring that the strategies are both actionable and measurable.

Deliverables:

- Case Studies and Best Practices Presentation/Memo

Task 4: Integration of Sustainability and Resilience Strategies

Drawing on the analyses and assessments in Task 3, the team will synthesize qualitative (data) and quantitative (engagement) inputs to identify opportunities to integrate sustainability and resilience strategies. ONE has developed a variety of tools to help stakeholders better understand the risks, challenges, and benefits of potential solutions in order to facilitate project identification. Once the team has completed the analysis and assessment, we will use this data to identify sites with high potential for green infrastructure and other resilience strategies. These strategies will account for access to critical infrastructure and the protection of local resources.

Known for our capacity to integrate the technical with the strategic, ONE is equally capable of modeling climate change impacts, map production, spatial integration of flood/stormwater infrastructure in highly complex waterfront environments, planning, and urban design analyses, and long-term planning. Our team is well familiar with the process of developing and implementing complex resilience and climate action plans in a range of urban contexts and climate-vulnerable areas across the world.

4.1 Resilience and Sustainability Framework

- Articulate themes for planning in collaboration with Town and community stakeholders (e.g., housing, health, economy, education, open space / natural resources, food systems, utilities / critical infrastructure).
- Develop goals and objectives for resilience and sustainability planning.
- Develop project evaluation framework (e.g., risk reduction, community priority, implementation feasibility).
- Agree on metrics (where applicable) for evaluating project success.

4.2 Project Longlist Development

- Drawing from research, engagement, and past reports, develop a list of high-level project concepts.
- Engage Town and key stakeholders to evaluate longlist and assess relative priority.
- Consider regional alignments and impacts of priority projects.
- Ensure a balance of green and gray project typologies as well as social and physical resilience measures.

4.3 Design Studies and Engineering Analysis

- Conduct research and analysis as applicable to better define and elaborate project concepts.
- Perform design studies and engineering analysis for selected projects to assess feasibility and validate prioritization.
- Conduct research where applicable to ensure projects and recommendations align with national best practices.

4.4 Concept Plans and Cost Estimating

- Develop diagrams, plans, sections, and other visual materials to describe project intent for up to 5 selected priority projects.
- Prepare perspective views (renderings/collages) for priority projects.
- Prepare Rough Cost Estimate for public realm and infrastructure for up to five (5) projects.

Among other focus areas, the team anticipates developing concept plans for the following:

***Time Square Redevelopment Study:** focus on the revitalization of the downtown area, working with the private sector to reimagine the area through landscaping redevelopment.*

***Community Beautification Study:** based on the amount of tree loss that took place due to Hurricane Ian, the town is looking to beautify the area.*

Deliverables:

- Sustainability and Resilience Strategies Report
- Concept Plans and Cost Estimating

Task 5: Comprehensive Plan Update Coordination

GAI will assist the Town's consultant in identifying and implementing necessary amendments and updates to the Town's Comprehensive Plan. Therefore, in this task, we will:

- Collect any work already completed by the Town's Consultant regarding the Plan Elements that need to be amended and updated.
- Review all documents and findings from the Town's consultant and meet with the Town's Consultant to better understand the Plan Elements that need to be amended and updated.
- Assess up to five elements of the Town's existing Comprehensive Plan and identify the specific amendments or updates necessary to codify the Plan's recommendations.
- Ensure that the amended Comprehensive Plan fully enables the implementation of the Plan's recovery and resilience recommendations.

Deliverables:

- Memo with up to 5 Comp Plan Amendment and Recommendations
- Zoning Recommendation Memo

Task 6: Plan Development (Deliverables and Implementation Road Map)

The GAI team will develop an actionable Comprehensive Recovery and Resilience Implementation Plan that charts out an implementation roadmap that clearly outlines a vision statement, goals, and objectives alongside detailed strategies to advance concepts to implementation. Drawing on data and outcomes from all preceding tasks, the Plan will include a literature review of existing approved and draft plans while also providing a set of specific, prioritized actions and near--, medium--, and long-term recommendations. Working closely with the Town and relevant regional and state agencies, the team will identify responsible parties for each recommendation in the Plan.

As part of the plan development process, the project prioritization framework will be informed by an analysis of potential funding sources (local, state, federal, nonprofit, or private). The GAI team will conduct a funding workshop with key stakeholders to review grant funding opportunities, state programs such as the Clean Water State Revolving Fund, and private finance opportunities (philanthropy, private asset investments, and emerging tools such as Environmental Impact Bonds). This understanding of project funding and finance will inform the project implementation strategy in the final plan.

The GAI team has extensive experience creating reports that are approachable and useful for a range of audiences and purposes, from public engagement to (CDBG-DR) grant reporting to future grant applications. We will work with the Town to continue to engage key stakeholders as we refine the report. This collaboration is key to ensuring that all project documentation aligns with community needs and communications, positions the projects for successful funding applications, and describes a clear pathway forward for each project, including agency and community stakeholders, timelines, and implementation pathways.

6.1 Draft Plan Document

- Develop Plan outline and establish timelines for drafting and review.
- Identify any further analysis and illustrations required.
- Prepare and refine draft narrative.
- Create draft layout of document that includes all components identified in the outline.

6.2 Funding Strategy & Workshop

- Perform a scan of grant funding opportunities.
- Develop a summary of public and private funding/finance strategies based on priority projects.
- Organize and facilitate workshops with Town and key stakeholders
- Document workshop findings.

6.3 Final Plan Document

- Distribute and collect feedback from Town departments and relevant stakeholders
- Revise the plan based on feedback
- Distribute the plan in (an) accessible formats as required by the Town.

The final Plan document will be a user-friendly, actionable document that includes:

+ A clear vision statement, goals, and objectives.

+ Specific, prioritized actions, timelines, and responsible parties for each recommendation.

+ Integrated strategies that reflect existing approved and draft plans, ensuring no duplication of effort.

+ A financial and funding strategy, identifying potential funding sources (local, state, federal, nonprofit, or private) for implementation.

+ Metrics and key performance indicators to measure progress and success over time.

Deliverables:

- Draft Plan Document
- Final Plan Document
- Funding Strategy Memo

Task 7: Project Management and Reporting

Throughout the project's delivery, GAI will attend progress and coordination meetings with the Town staff and consultant. These meetings will focus on the development, coordination, and adoption of the plan.

7.1 Project Progress Meeting & Reporting: These bi-weekly virtual meetings are held between the GAI team and the Town's Project Manager and leadership throughout the project's lifespan to monitor progress and review interim deliverables. At each meeting, GAI will provide an agenda, a work plan, and an interim deliverable when applicable.

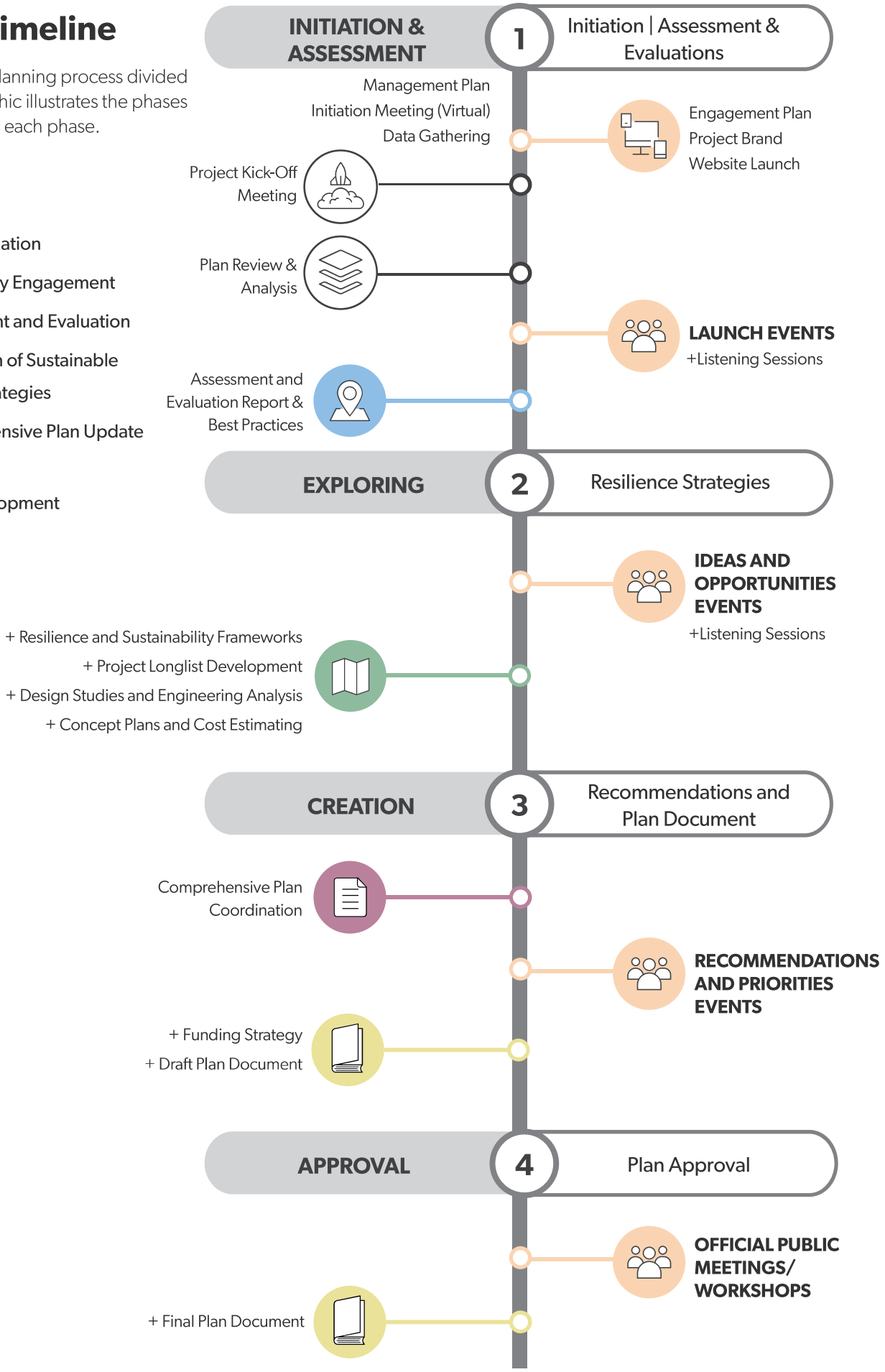
7.2 Project Management & Administration: GAI will complete general administrative tasks, including invoicing and ensuring that project activities comply with CDBG-DR regulations. GAI will also manage and coordinate internal meetings with sub-consultants.

Process and Timeline

We propose a 12-month planning process divided into four phases. This graphic illustrates the phases and the tasks performed in each phase.

LEGEND

- **Project Phases**
- **Task 1:** Project Initiation
- **Task 2:** Community Engagement
- **Task 3:** Assessment and Evaluation
- **Task 4:** Integration of Sustainable and Resilience Strategies
- **Task 5:** Comprehensive Plan Update Coordination
- Task 6: Plan Development





Orlando Health Rain Gardens | Orlando, FL

RFP Form C

Proposer: GAI Consultants, Inc.

PRICE PROPOSAL FORM

Note: Forms A, B & C are available in WORD format from the Contracts Manager upon request.

THIS FORM MUST BE SIGNED AND SUBMITTED WITH PROPOSAL TO BE DEEMED RESPONSIVE.

Name of Proposer: GAI Consultants, Inc.

Name of authorized representative of Proposer: Peter C. Sechler

Item	# of Units for evaluation purposes Only	Price Per Unit
Task 1 – Project Initiation		$ 60,000
Task 2 – Community Outreach and Engagement		$ 175,000
Task 3 – Assessment & Evaluation		$ 195,000
Task 4 – Opportunities and Strategies		$ 270,000
Task 5 – Comp Plan Update Coordination		$ 70,000
Task 6 – Plan Development		$ 280,000
Task 7 – Project Management and Reporting		$ 75,000
	Direct Expenses	$ 25,000
		TOTAL PRICE $ 1,150,000

Instructions: Show the project cost for each deliverable your firm will provide per the requested scope of work. Include the fees associated with each proposed deliverable. Fees should be detailed to the extent possible per deliverable.
The Total Unit Price Cost shall include all fees and reimbursements for out-of-pocket costs. The Town will not reimburse for any costs not actually incurred and paid for by the Proposer and included in its proposal. Reasonable proof thereof will be required.

The Total Unit Price Cost shall include the cost of:

e. Meetings with Town staff to discuss Fort Myers Beach Comprehensive Recovery and Resilience Implementation Plan progress.

Payments will be made on each deliverable upon receipt and acceptance by the Town.

Additional Services

The Town may have the need for additional services, which may be requested over the next 3 years.

If the Proposer is interested in additional work, please provide the hourly rate, unit rate and staff positions available. The rates for the additional work will not be used for evaluation of the services required in this RFP.

Additional Work	
Title:	Hourly Rate/Per Unit Rate
Add rows as necessary	

By: _____ Date: 4/3/2025

Name: Peter C. Sechler

Title: Vice President

2024-2025 Rate Schedule

Any changes in hourly rates to reflect increases in cost of living, taxes, benefits, etc. will take effect on January 1, 2026. Rates in the below table are "loaded" hourly rates and include all overhead, costs, and benefits per hourly unit rate.

Labor Classification	Invoice Rate
Expert Witness	$375.00
Senior Director 3	$360.00
Senior Director 2	$325.00
Senior Director 1	$305.00
Director 2	$275.00
Director 1	$240.00
Senior Manager 2	$220.00
Senior Manager 1	$200.00
Manager	$180.00
Assistant Manager	$170.00
Senior Professional 2	$160.00
Senior Professional 1	$150.00
Professional 2	$140.00
Professional 1	$130.00
Senior Project Technician	$120.00
Project Technician 2	$115.00
Project Technician 1	$105.00
Technician 1	$85.00
Administration/Support 2	$80.00
Administration/Support 1	$75.00



Riverplace Boulevard Complet Street | Jacksonville, FL

No Information Provided in this Section



Orlando Health Streetscapes | Orlando, FL

ADDENDUM TO PROPOSAL

RFP-25-02-AD **Addendum No.: 1**

Project Name: Fort Myers Beach Comprehensive Recovery and Resilience Implementation Plan

Date of Issue: March 27, 2025

The due date for all proposal questions is extended to:

Monday, March 31, 2025, Noon

CLARIFICATIONS TO THE PROPOSAL

Please see clarifications to Proposal Documents below:

Correction of Inquires e-mail address: Page 8 of the RFP-25-02-AD, INQUIRES, the e-mail is incorrect. The correct e-mail address for all inquiries is **bids@fmbgov.com**

Second Addendum to be released Monday, March 31, 2025, to include:

- Interest in Competitive Bid for Public Business
- Anti-Lobbying Form
- Conflict of Interest Form
- Non-Collusion Affidavit
- Additional Questions and Answers

The following inquiries were received regarding the above reference RFP:

Q. What is the project timeline?
A. From the Notice to Proceed to completion one full calendar year.

Q. What is the deadline for questions?
A. Normal circumstances, seven business days from the time the bid is due. With this Addendum, the RFP's questions are extended till Monday, March 31, 2025, at noon.

Q. The second page of RFP Form D seems to be a signature page for the Town of Fort Myers Beach to fill out. Does the RFP Form D still need to be notarized, or can we simply sign/submit the first page only without notary?
A. The form does not need to be notarized.

Q. Should Forms A & B be included within our Technical Proposal (like RFP Forms C& D)? IOF so, can you please specify in which section(s) they should go into? Or upload Forms A& B separately?
A. Upload forms separately are approved.

Q. Qualification Statement (page 31) asks if the proposer has ever failed to complete any work awarded to them. What time frame for this request?
A. The period is for the past 4 years, before Hurricane Ian

Q. Has the Town already selected another consultant for the Comprehensive Plan language updates or is that intended to be part of the Recovery and Resilience Implementation Plan scope?
A. The Town's current consultant will be managing.

Q. Page 4 lists the consultant expectations for the scope. Are these existing plans and initiative that should be considered in the development of the Recovery and Resilience Implementation Plan or are these intended to be expected deliverables as part of the plan?
A. Yes, the Town would like to see portion of the R2P2 plan incorporated.

Q. Coordinate with the Town's Consultant(s) for Comprehensive Plan Update and please provide the Town Consultant(s) referenced:
A. The Comprehensive Plan is in the final stages and we more than likely would use any findings as future amendments or potential items to add to the LDC. In total perhaps 5 items dealing with mixing use and the downtown district area. The Corradino Group and Axis Group for recovery aspect consultants. The current copy of the Town's Comprehensive Plan is on the town website and a digital copy is available upon request. The current plan, which is almost complete does feature recovery and does mention mitigation steps.

Please Print GAI Consultants, Inc. | Office Phone (Orlando): 407.423.8398
Company Name & Phone Number

Signature

Deb Glavin, Contracts & Procurement Specialist
bids@fmbgov.com 239-765-0202

ADDENDUM TO PROPOSAL

RFP-25-02-AD **Addendum No.: 2**

Project Name: Fort Myers Beach Comprehensive Recovery and Resilience Implementation Plan

Date of Issue: March 31, 2025

CLARIFICATIONS TO THE PROPOSAL

Please see clarifications to Proposal Documents below (Addressed in Addendum 1):

Correction of Inquires e-mail address: Page 8 of the RFP-25-02-AD, INQUIRES, the e-mail is incorrect. The correct e-mail address for all inquiries is **bids@fmbgov.com**

Addendum 2 includes the following forms

- Interest in Competitive Bid for Public Business
- Anti-Lobbying Form
- Conflict of Interest Form
- Non-Collusion Affidavit
- Form – RFP Form D – **please sign and notarize**
- Additional Questions and Answers

The following inquiries were received regarding the above reference RFP:

Q. What is the estimated budget for the project?
A. Estimated budget is $1.2M

Q. The 2nd page of Form D seems to be a signature page for the Town of Fort Myers Beach, do we still notarize and submit?
A. Please see the revised RFP Form D attached to Addendum 2, please sign and notarize.

Q. Please confirm whether the Consultant is expected to identify and facilitate updates to the Town's Comprehensive Plan in addition to developing a CDBG-DR funded Recovery and Resilience Plan.
A. There is no expectation to update the Comp Plan**Q.** Please confirm the level of support required to coordinate updates to the Town's Comprehensive Plan in collaboration with the Town's Consultants.
A. Merely communicate possible solutions to the Towns consultants

Q. Please confirm whether the Town currently has an existing Consultant reviewing the Town's Comprehensive Plan and whether the new Consultant would be expected to complement existing efforts being taken by the current Consultant or provide leadership on development/updates to the Comprehensive Plan.
A. The Town currently has an existing consultant and does not require those services

Q. Please confirm the extent to which the Consultant is responsible for implementing Community Engagement and Outreach activities. For example, is the Consultant responsible for supplying related tools, resources, or other materials (e.g., marketing materials, advertising through social media, data logs or other templates to capture community input).
A. All community engagement and materials is currently being handles by the consultant

Q. Please confirm whether the Town has any requirements or preference for in-person Community Engagement activities or virtual.
A. There are no such requirements, however, in person engagements work best

Q. In the event of in-person Community Engagement activities, please confirm whether the Consultant is responsible for providing and paying for a physical meeting location(s) to conduct activities.
A. Consultant would not be responsible for providing or paying for a physical meeting

Q. Please confirm whether the Consultant is responsible for identifying stakeholders or participants required to conduct Community Engagement activities or whether the Tow would provide contact information and other details to the Consultant.
A. The Town would provide such list

Q. Can the Town provide more information on the expectations that are required from the Consultant regarding the two studies mentioned on page 4 of the RFP (Time Square Redevelopment Study and Community Beautification Study).
A. The Time Square project is to aid in the redevelopment of the space, whereas the beautification is a townwide project

Q. Please confirm whether the Town has any preference for project coordination meetings being conducted in-person or virtual and whether the Consultant would be required to present the final Plan once it is drafted.
A. Virtual is approved

Q. As it applies to RFP form C, the Town requests both pricing by each deliverable and "the Total Unit Price Cost shall include the cost of: of Meetings with Town staff to discuss Fort Myers Beach Comprehensive Recovery and Resilience Implementation Plan progress." Will the Town please confirm that they would like meetings with Town staff to have a separate delivery to understand the cost and level of effort?
A. We would like an overall deliverable with meeting time built in

Q. Does the Town have a list of existing stakeholders and community organizations? If so, have relationships been established?
A. Stakeholders are already established

Q. The sample contract in the RFP states that the Consultant will be selected in accordance with CCNA guidelines, Chapter 287.055 of the Florida Statutes. These statutes typically require municipalities to evaluate and rank professional services that exceed $35,000 based on qualifications and experience only. Please clarify if RFP Form C - Price Proposal should be submitted with our submittal, or will that be negotiated upon award.
A. CCNA language has been removed from the contract

Q. Would the town consider extending the Submission Deadline due to the delay in providing answers to the questions in a timely manner?
A. Questions have been extended till March 31st at noon.

Q. Where will the responses and addendums be posed?
A. Responses to questions and Addendums are posted in Demandstar

Please Print GAI Consultants, Inc. | Office Phone (Orlando): 407.423.8398
Company Name & Phone Number



Signature

Deb Glavin, Contracts & Procurement Specialist
bids@fmbgov.com 239-765-0202

FMB:101 ANTI-LOBBYING FORM

To be submitted with each bid or offer exceeding $100,000.00.
The undersigned, Peter C. Sechler of GAI Consultants, Inc.
(the "company") hereby certifies, to the best of his or her knowledge, that:

1. No Federal appropriated funds have paid or will be paid, by or on behalf of undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31, U.S.C. § 1352 (as amended by the Lobbying Disclosure Act of 1995). Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

The Company certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the Contractor understands and agrees that the provisions of 31 U.S.C. § 3801 et seq., apply to this certification and disclosure, if any.

Signature of Company Authorized Official

Peter C. Sechler, Vice President
Name and Title of Company Authorized Official

4/3/25
Date

Rev 3/31/2024

FMB:102 Conflict of Interest Disclosure Form

Note: A potential or actual conflict of interest exists when commitments and obligations are likely to be compromised by the nominator(s)'other material interests, or relationships (especially economic), particularly if those interests or commitments are not disclosed.

This Conflict-of-Interest Form should indicate whether the nominator(s) has an economic interest in, or acts as an officer or a director of, any outside entity whose financial interests would reasonably appear to be affected by the addition of the nominated condition to the newborn screening panel. The nominator(s) should also disclose any personal, business, or volunteer affiliations that may give rise to a real or apparent conflict of interest. Relevant Federally and organizationally established regulations and guidelines in financial conflicts must be abided by. Individuals with conflict of interest should refrain from nominating a condition for screening.

Date:

Name:

Position:

Please describe below any relationships, transactions, positions you hold (volunteer or otherwise), or circumstances that you believe could contribute to a conflict of interest:

X I have no conflict of interest to report.

_____ I have the following conflict of interest to report (please specify other nonprofit and for-profit boards you (and your spouse) sit on, any for-profit businesses for which you or an immediate family member are an officer or director, or a majority shareholder, and the name of your employer and any businesses you or a family member own:

1. _____

2. _____

3. _____

I hereby certify that the information set forth above is true and complete to the best of my knowledge.

Signature: Peter C. Sechler, Vice President _____

Date: 4/3/25

Rev 3/31/2025

FMB:204 RFP FORM D

Proposer: GAI Consultants, Inc.

THIS FORM MUST BE SIGNED AND SUBMITTED WITH PROPOSAL TO BE DEEMED RESPONSIVE.

The undersigned guarantees the truth and accuracy of all statements, and the answers contained herein.

PROPOSER'S CERTIFICATION

I have carefully examined the Request for Proposal referenced above ("RFP") and any other documents accompanying or made a part of this RFP.

I hereby propose to furnish the goods or services specified in the RFP. I agree that my proposal will remain firm for a period of 120 days in order to allow the Town adequate time to evaluate the proposals.

I certify that all information contained in this proposal, which includes the TOWN required RFP forms A, B, C and D, is truthful to the best of my knowledge and belief. I further certify that I am duly authorized to submit this proposal on behalf of the firm as its act and deed and that the firm is ready, willing, and able to perform if awarded the contract.

The firm and/or Proposer hereby authorizes the Town of Fort Myers Beach, its staff, or consultants, to contact any of the references provided in the proposal and specifically authorizes such references to release, either orally or in writing, any appropriate data with respect to the firm offering this proposal.

I further certify, under oath, that this proposal is made without prior understanding, agreement, connection, discussion, or collusion with any other person, firm or corporation submitting a proposal for the same product or service; no officer, employee or agent of the Town or any other Proposer is interested in said proposal; and that the undersigned executed this Proposer's Certification with full knowledge and understanding of the matters therein contained and was duly authorized to do so.

If this proposal is selected, I understand that I will be expected to execute the Town's standard professional services agreement, in the form approved by the Town Attorney.

A person or affiliate who has been placed on the convicted vendor list following a conviction for public entity crimes may not submit a proposal on a contract to provide any goods or services to a public entity, may not submit a proposal on a contract with a public entity for the construction or repair of a public building or public work, may not submit proposals on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, sub-contractor, or consultant under a contract with a public entity, and may not transact business with any public entity in excess of the threshold amount provided in Sec. 287.017 Florida Statutes, for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list.

I further certify, under oath, that neither the entity submitting this sworn statement, not to my knowledge, any of its officers, directors, executives, partners, shareholder, employees, members, or agents active in the management of the entity has been convicted of a public entity crime subsequent to July 1, 1989.

GAI Consultants, Inc.
(Name of Business)

(Signature)

Peter C. Sechler, Vice President
(Print Name and Title)

618 E. South Street, Suite 700, Orlando, Florida 32801
(Address)

[1]STATE OF FLORIDA)
COUNTY OF ~~LEE~~ ORANGE)

SWORN TO AND SUBSCRIBED BEFORE ME, on this 3 day of April, 2025 by means of (✓) physical presence or ( ) online notarization, personally appeared Peter C. Sechler as Vice President of the (Company Name) GAI Consultants, Inc. who is personally known to me or (✓) who has produced _____ as identification.

NOTARY PUBLIC – State of Florida

My commission expires:

LISA D. RAMBO
Notary Public
State of Florida
Comm# HH510919
Expires 4/1/2028

Rev 3/31/2025

FMB:021 – NON-COLLUSION AFFIDAVIT

State of FLORIDA)

County of ORANGE)

Peter C. Sechler being first duly sworn, deposes and says that:

1) He/she is the Representative, (Owner, Partner, Officer, Representative or Agent) of GAI Consultants, Inc., the BIDDER that has submitted the attached Bid;
2) He/she is fully informed respecting the preparation and contents of the attached Bid and of all pertinent circumstances respecting such Bid;
3) Such Bid is genuine and is not a collusive or sham Bid;
4) Neither the said BIDDER nor any of its officers, partners, owners, agents, representatives, employees or parties in interest, including this affiant, have in any way colluded, conspired, connived or agreed, directly or indirectly, with any other Responder, firm, or person to submit a collusive or sham Bid in connection with the Work for which the attached Bid has been submitted; or to refrain from Responding in connection with such Work; or have in any manner, directly or indirectly, sought by agreement or collusion, or communication, or conference with any Responder, firm, or person to fix the price or prices in the attached Bid or of any other Responder, or to fix any overhead, profit, or cost elements of the Bid price or the Bid price of any other Responder, or to secure through any collusion, conspiracy, connivance, or unlawful agreement any advantage against (Recipient), or any person interested in the proposed Work;
5) The price or prices quoted in the attached Bid are fair and proper and are not tainted by any collusion, conspiracy, connivance, or unlawful agreement on the part of the Responder or any other of its agents, representatives, owners, employees or parties in interest, including this affiant.

Signed, sealed and delivered in the presence of:

By: _____

Peter C. Sechler
(Printed Name)

ACKNOWLEDGEMENT

STATE OF FLORIDA)
COUNTY OF ORANGE)
SWORN TO AND SUBSCRIBED BEFORE ME, on this 3 day of April, 2025, by means of (✓) physical presence or ( ) online notarization, personally appeared Peter C. Sechler as Vice President of GAI Consultants, Inc.,

(✓) who personally known to me of ( ) who has produced _____ as identification.

LISA D. RAMBO
Notary Public
State of Florida
Comm# HH510919
Expires 4/1/2028

_____
Notary Public Signature

My commission expires

Rev 3/31/2025

FORM 3A INTEREST IN COMPETITIVE BID FOR PUBLIC BUSINESS

LAST NAME - FIRST NAME - MIDDLE INITIAL			OFFICE / POSITION HELD
Sechler, Peter, C.			Vice President
MAILING ADDRESS			AGENCY
618 E. South Street, Suite 700			N/A
CITY	ZIP	COUNTY	ADDRESS OF AGENCY
Orlando	32801	Orange	N/A

WHO MUST FILE THIS STATEMENT

Sections 112.313(3) and 112.313(7), Florida Statutes, prohibit certain business relationships on the part of public officers and employees, their spouses, and their children. *See* Part III, Chapter 112, Florida Statutes, and/or the brochure entitled "A Guide to the Sunshine Amendment and Code of Ethics for Public Officers and Employees" for more details on these prohibitions. However, Section 112.313(12), Florida Statutes, provides certain limited exemptions to the above-referenced prohibitions, including one where the business is awarded under a system of sealed, competitive bidding; the public official has exerted no influence on bid negotiations or specifications; AND where disclosure is made, prior to or at the time of the submission of the bid, of the official's or his spouses's or child's interest and the nature of the intended business. This form has been promulgated by the Commission on Ethics for such disclosure, *if and when applicable* to a public officer or employee.

INTEREST IN COMPETITIVE BID FOR PUBLIC BUSINESS (Required by Section 112.313(12)(b), Fla. Stat.)

1. The competitive bid to which this statement applies has been / will be (strike one) submitted to the following government agency:
   Town of Fort Myers Beach
2. The person submitting the bid is: **NAME ▼** Peter C. Sechler **POSITION ▼** Vice President
3. The business entity with which the person submitting the bid is associated is:
   GAI Consultants, Inc.
4. My relationship to the person or business entity submitting the bid is as follows:
   Vice President
5. The nature of the business intended to be transacted in the event that this bid is awarded is as follows:
   a. The realty, goods, and / or services to be supplied specifically include: Professional Services: Planning, Design, and Engineering
   b. The realty, goods, and / or services will be supplied for the following period of time: Contract Terms
   c. Will the contract be subject to renewal without further competitive bidding? ☒ Yes ☐ No. If so, how often?
6. Additional comments:

7. SIGNATURE	DATE SIGNED	DATE FILED
PSechler	April 3 2025	

FILING INSTRUCTIONS

If you are a state officer or employee required to disclose the information above, please file this form with the Commission on Ethics, P.O. Drawer 15709, Tallahassee, FL 32317-5709; physical address: 325 John Knox Road, Building E, Suite 200, Tallahassee, FL 32303. If you are an officer or employee of a political subdivision of this state and are subject to this disclosure, please file the statement with the Supervisor of Elections of the county in which the agency in which you are serving has its principal office.

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES SECTION 112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED $10,000.

CE FORM 3A - REV. 1/07 (Refer to Rule 34-7.010(1)(c), F.A.C.)(Rev 9/2013)

RFP FORM A

Proposer: GAI Consultants, Inc.

QUALIFICATIONS STATEMENT

Note: Forms A, B & C are available in WORD format from the Contracts Manager upon request.

THIS FORM MUST BE SUBMITTED WITH PROPOSAL TO BE DEEMED RESPONSIVE.

a. State the full and correct name of the partnership, corporation, or trade name under which you do business and the address of the place of business. (If a corporation, state the name of the president and secretary. If a partnership, state the names of all partners. . If a trade name, state the names of the individuals who do business under the trade name.)

i. The correct and full legal name of the Proposer is: **G-A-I Consultants, Inc.**

ii. The business is a (Sole Proprietorship) (Partnership) (Corporation). **Corporation**

iii. The names of the corporate officers, or partners, or individuals doing business under a trade name, are as follows:

Sr. Vice President / Treasurer/ Secretary
Palvisak, Karl S.

President
Morrocco, Anthony F.

CEO
Leadbetter, Kevin

Executive VP, President Power & Energy/ CAO/ Assistant Secretary
Gould, Stephen

Senior VP/CFO
Pfordresher, Robert

Senior Vice President
Nettuno, Gregory

Vice President
Leo, Kathleen
Sechler, Peter
Bevilacqua, David

Assistant Vice President
Wishart, Donald

b. Please describe your company in detail.

Transforming ideas into reality® since 1958, **GAI Consultants, Inc. (GAI)** is an engineering, environmental, and planning consulting firm. Through growth, acquisition, and much success, GAI has 1,000+ employees, serving our clients from 34 office locations throughout Florida and the United States. Our offices are organized to mobilize staff and services seamlessly. GAI has been in business for 67 years and has been practicing in Florida for 43 years.

c. The address of the principal place of business is:

618 E. South Street, Suite 700, Orlando, Florida 32801

d. Company telephone number and e-mail addresses:

Orlando Office 407.423.8398

P.Sechler@gaiconsultants.com

e. Number of employees:

1,049 Company-wide

59 Fort Lauderdale, Florida

10 Sanford, Florida

75 Jacksonville, Florida

130 Orlando, Florida

4 Palm Beach Gardens,Florida

4 Tampa, Florida

f. Name of employees to be assigned to this Project:

A. Blake Drury
Claudia Ray
Andrew McCown
Hannah Hollinger
Donald Wishart
Aimee Shields
Manosh Varghese
Laura Smith

g. Company identification numbers for the Internal Revenue Service: **25-1260999**

h. Provide Lee County business tax receipt number, if applicable, and expiration date: **Not Applicable**

i. How many years has your organization been in business? **GAI has been in business for 67 years and has been practicing in Florida for 43 years.**
Does your organization have a specialty? **engineering, environmental, and planning**

j. List the last three projects of this nature that the firm has completed? Please provide project description, reference, and contact information and cost of work completed.

Detail information on the follow page, and in Experience Tab for the following projects:

EPA R2P2 Central Florida Technical Assistance

Downtown Master Stormwater Pond and Park - Unity Park

Resilient New Jersey

k. Have you ever failed to complete any work awarded to you? If so, where, and why? **No**



CENTRAL FLORIDA RECOVERY & RESILIENCE PROJECT (R2P2)

Eatonville and Deltona, Florida

GAI Consultants' Community Solutions Group (CSG), in collaboration with ONE Architecture and other consultants, provided resilience planning and design technical support to both the Town of Eatonville and the City of Deltona in Central Florida. This support was part of the U.S. Environmental Protection Agency's (USEPA) Disaster Recovery and Resilience Project (R2P2), which assists communities impacted by Hurricane Ian and other major disasters.

The R2P2 technical assistance initiative aims to bolster community resilience against future flood events, safeguard natural resources, and promote long-term sustainability. This 10-month planning process involved a series of public workshops, online engagement, site visits, and stakeholder meetings. The project culminated in a community-driven report encapsulating the community's vision for long-term recovery. The plans feature concept designs for parks and other areas identified by municipalities, green infrastructure toolkits for residential areas, planning for regional connectivity, and a funding strategy workshop. Our CSG team led the site-specific conceptual designs, which incorporated improved stormwater management, investment in nature-based infrastructure, and enhanced public amenities and lake access, while increasing the resilience of essential town infrastructure. The projects identified in the report can subsequently be utilized to secure funding from federal, state, nonprofit, or other sources for implementation.

CLIENT
U.S. Environmental Protection Agency

REFERENCE
William A. Drew Parker
parker.william@epa.gov
404.562.9778

COMPLETION DATE
2024

COST OF WORK COMPLETED
$420,000



DOWNTOWN MASTER STORMWATER POND AND PARK - UNITY PARK

Ocoee, Florida

Upon completion of the award-winning City of Ocoee Downtown Master Plan prepared by GAI's Community Solutions Group (CSG), the City of Ocoee, Florida, identified implementation of the master stormwater pond and environmental park, now known as Unity Park, as the first critical step to enable future redevelopment and economic growth downtown. The City engaged GAI/CSG as the prime consultant to provide professional technical services.

Unity Park serves two important functions: stormwater management for 40+ acres of redevelopment and public open space. After passing through a baffle box upstream, incoming stormwater enters the park's filter marsh and is cleaned through vegetative nutrient uptake and natural soil filtration. During intense rain events, water spills into the wet detention pond where traditional stormwater management is augmented with extensive littoral shelves, native aquatic plants, and cypress trees. A pre-existing swale and piped conveyance system through the site is realigned and naturalized as a gentle stream. The design incorporates check dams to slow the flow and encourage contaminant settling and vegetative nutrient uptake through additional native plantings.

These stormwater management functions are enveloped in a pedestrian-friendly and leisure-encouraging layout. The park features a quarter-mile walking loop, comprising a wide boardwalk with views of the filter marsh and naturalized stream, a pier and shade pavilion overlooking the wet pond, a Florida-native planting palette throughout, and new parking and streetscape along Franklin Street.

GAI and CSG's services included site civil engineering, landscape architecture, survey, electrical, structural, and geotechnical engineering, irrigation design, permitting through the City of Ocoee and SJRWMD, and construction phase management.

CLIENT
City of Ocoee, Florida

REFERENCE
Ginger Corless, AICP, CPRP
vcorless@ocoee.org
407.554.7126

COMPLETION DATE
2023

COST OF WORK COMPLETED
Downtown Master Plan $150,000
Unity Park Design Fee $400,000
Unity Park Construction $7.5 million



RESILIENT NEW JERSEY

Northeast New Jersey

Resilient Northeastern New Jersey is a regional resilience partnership aiming to build upon ongoing resilience work and provide a clear roadmap for ensuring long-term social, environmental, and economic vitality by reducing flood risk.

The communities of Jersey City, Newark, Hoboken, and Bayonne have experienced flooding during heavy rainstorms, combined sewer overflows, and coastal storms, such as Hurricane Sandy. Flooding is expected to worsen over time as climate change causes more intense rainfall and sea level rise. With our interdisciplinary project team, led by Arcadis, under the guidance of the New Jersey Department of Environmental Protection (NJDEP), ONE worked to develop an action plan to address current and future flood risks at a local and regional level. Through close collaboration with local city and county governments, numerous stakeholders and community organizations, and a robust outreach operation, the project offers holistic solutions that are integrated with the communities they serve.

The program built on existing efforts and capabilities in New Jersey to develop and implement planning solutions to address current and future flood-related hazards. An assessment of existing, ongoing, and planned resilience and development projects forms the basis of the project. With opportunities and gaps identified in the existing system, combined with gathered research, modeled flood data, community input, and expert guidance, the project team developed several scenarios for future development. After stakeholder and public review, a unified scenario was advanced, providing a roadmap for local, regional, and state entities that would promote the health and well-being of the Northeastern New Jersey coastal and riverine communities through resilient growth.

CLIENT

NJ Department of Environmental Protection; municipalities of Jersey City, Newark, Hoboken, and Bayonne; Hudson County, NJ

REFERENCE

Carly Foster

Associate Vice President, Arcadis
carly.foster@arcadis.com

850-228-6979

COMPLETION DATE

2022

COST OF WORK COMPLETED

$ 283,000

l. Provide the following information concerning all contracts that are similar in nature or use the same project team proposed for this project that are **in progress** as of the date of submission of this Proposal for your company, division, or unit as appropriate.

Name of Project	Contract with:	Contract Amount	Estimated Completion Date	% of Completion to Date
Onward Kissimmee	City of Kissimmee, Florida	$250,000	August 2025	50%

(Continue list as necessary)

m. Provide the following information for any subconsultants you will engage if awarded the contract.

Subcontractor Name	Address	Work to be Performed
One Architecture & Urbanism	New York, NY	Resilience Planning and Design
Drummond Carpenter, PLLC	Maitland, FL	Civil and Environmental Engineering
Climate Resilience Consulting	Chicago, IL	Resilience Strategy and Implementation
Center for Neighborhood Technology	Chicago, IL | Tampa, FL	Community Engagement

The foregoing list of subconsultants may not be amended after award of the contract without the prior written approval of the Town Manager, whose approval shall not be unreasonably withheld.

RFP Form B

Proposer: GAI Consultants, Inc.

REFERENCE FORM

Forms A, B & C are available in WORD format from the Contracts Manager upon request.

THIS FORM MUST BE SUBMITTED WITH PROPOSAL TO BE DEEMED RESPONSIVE.

Give names, addresses and telephone numbers of four individuals, corporations, agencies, or institutions for which you have performed work similar to what is proposed in this RFP:

1.	Name of Contact:	Central Florida EPA R2P2 **William A. Drew Parker, CFM, GISP**		
	Title of Contact:	Region 4 Disaster Mitigation and Recovery Coordinator	Email:	parker.william@epa.gov
	Telephone Number:	office: 404.562.9778 cell: 470.799.8118	Fax Number:	Not Available
	Project:	**Central Florida Recovery & Resilience Project (R2P2)**		
2.	Name of Contact:	City of Ocoee **Virginia "Ginger" Corless, AICP, CPRP**		
	Title of Contact:	CRA Administrator	Email:	vcorless@ocoee.org
	Telephone Number:	407.554.7126	Fax Number:	Not Available
	Project:	**Downtown Master Stormwater Pond and Park - Unity Park**		
3.	Name of Contact:	City of Kissimmee **Ashley Cornelison**		
	Title of Contact:	Senior Planner	Email:	ashley.cornelison@kissimmee.gov
	Telephone Number:	407.518.2141	Fax Number:	Not Available
	Project:	**Kissimmee Future Land Use and Mobility Plan – Onward Kissimmee**		
4.	Name of Contact:	NJ Department of Environmental Protection **Carly Foster**		
	Title of Contact:	Associate Vice President, Arcadis	Email:	carly.foster@arcadis.com
	Telephone Number:	850.228.6979	Fax Number:	Not Available
	Project:	**Resilient New Jersey (ONE Architecture)**		
5.	Name of Contact:	City of Houston **Lynn Henson**		
	Title of Contact:	Division Manager	Email:	lynn.henson@houstontx.gov
	Telephone Number:	832.393.6548	Fax Number:	Not Available
	Project:	**Houston Neighborhood Resilience Plans (ONE Architecture)**		



GAI Consultants, Inc.

618 East South Street
Suite 700
Orlando, Florida 32801
407.423.8398

gaiconsultants.com

© 2025 GAI Consultants, Inc.

1. Letter of Transmittal

April 4, 2025

Town of Fort Myers Beach
2731 Oak Street
Fort Myers Beach, FL 33931

Dear Members of the Evaluation Committee,

As a disaster recovery firm navigating recovery for clients nationally and in the State of Florida, Hagerty Consulting, Inc. (Hagerty) stands ready to assist with the preparation of a meaningful Comprehensive Recovery and Resiliency Implementation Plan (the Plan) that unites the community with actionable next steps toward the Town of Fort Myers Beach's (the Town's) objectives for recovery, resilience, mitigation, and long-term sustainability.

Hagerty is passionate about helping our clients prepare for and recover from disasters. Unlike many of our competitors, advising communities on long-term recovery and resilience planning is our central line of business and we are proud to employ staff that have lived through the entire recovery life cycle and know how to maximize value to clients through outstanding management consulting services.

In Florida, we have supported communities, including Lee County, with every recent catastrophic event including Hurricanes Ian, Nicole, Irma, Michael, Helene, and Milton and can seamlessly integrate our knowledge and insights into the Town's planning activities. In an environment of increasing natural disasters, our firm is more committed than ever to delivering a holistic service offering to our clients that includes both the technical know-how to support resilient recovery processes and practical and up to date advice that can provide communities with scalable and sustainable funding strategies that unlock project implementation opportunities. We are experts in engaging with a diverse range of communities and understand how to leverage plans and resources to maximize impact while minimizing duplication of efforts. In addition, our well-established Community Development Block Grant – Disaster Recovery (CDBG-DR) Practice Area offers the Town a seasoned group of subject matter experts that will advise the Town on key CDBG-DR principles so that those priorities are reflected in the final Plan.

CHICAGO
1618 ORRINGTON AVE, SUITE 201
EVANSTON, IL 60201
847-492-8454

"The letter must name all of the people authorized to make representations for or on behalf of the Proposer, and must include their titles, addresses, email, and telephone numbers. An official authorized to negotiate and execute a contract on behalf of the Proposer must sign the letter of transmittal.

The following individuals are authorized to make representations for Hagerty and I attest that I am authorized to negotiate and execute a contract on behalf of Hagerty.

Name & Title	Contact Information
Bradley R. Grining, Chief Operating Office	1618 Orrington Ave. Ste 201, Evanston, IL 60201 847-492-8454 | brad.grining@hagertyconsulting.com
Katherine G. Freeman, Director of Operations	1618 Orrington Ave. Ste 201, Evanston, IL 60201 847-492-8454 x 119 | katie.freeman@hagertyconsulting.com
Michelle Masoncup, General Counsel	1618 Orrington Ave. Ste 201, Evanston, IL 60201 847-492-8454 | michelle.masonsup@hagertyconsulting.com

We appreciate your consideration of our proposal and look forward to continuing the conversation. Should you have any questions, please don't hesitate to contact me directly.

Sincerely,



Katherine G. Freeman

Director of Operations, Hagerty Consulting, Inc.
1618 Orrington Avenue, Suite 201, Evanston, IL 60201
katie.freeman@hagertyconsulting.com | Office: 847-492-8454 x119 | Mobile: 510-851-2664

2. Title Page

Comprehensive Recovery and Resiliency Implementation Plan

Fort Myers Beach
Submitted by: Hagerty Consulting, Inc.

Due April 7, 2025 at 08:00am ET

PREPARED BY:
Hagerty Consulting, Inc.
1618 Orrington Ave, Suite 201
Evanston, IL 60201
847-492-8454

CONTACT:
Katie Freeman
Director of Operations
katie.freeman@hagertyconsulting.com
847-492-8454 x119

HAGERTY

3. Table of Contents

1. Letter of Transmittal i

2. Title Page iii

3. Table of Contents iv

4. Organization Profile and Qualifications 5

SunBiz License and Proof of Good Standing 5

Description of Primary Individuals Supervising the Project 8

Resumes 10

5. Experience 31

Past Performance References 35

6. Approach to Providing Services 39

Understanding of Local Needs 39

Task 1: Project Initiation and Review of Existing Materials 41

Task 2: Community Engagement and Outreach 43

Data Collection, Analysis, and Visioning 50

Integration of Sustainability and Resiliency Strategies 54

Coordination with the Town's Consultant(s) for Comprehensive Plan Updates 56

Final Deliverable and Implementation Roadmap Development 58

Project Management and Reporting 60

7. Compensation 63

8. Additional Information 64

9. Addenda 65

Addenda 1 65

Addenda 2 68

Required Forms 72

Lobbying Affidavit 73

Non-Collusion Affidavit 75

Conflict of Interest Disclosure 77

Form 3A – Interest in Competitive Bid for Public Business 79

4. Organization Profile and Qualifications

Hagerty is an emergency management, disaster recovery, and grants management consulting firm. We are dedicated to helping our clients prepare for, respond to, and recover from disasters, while also navigating federal funding to invest in resilience, infrastructure, and recovery. Since our incorporation in 2002, Hagerty has grown into a team of 400 full-time professionals and a cadre of 1,000 independent consultants that have supported more than 750 projects nationwide. Our expertise spans the entirety of the emergency management and federal grants management lifecycles: **we understand how to help communities recover, build resilience, and maximize federal funding.**

Hagerty's Professionals are Experts in Planning Services



SunBiz License and Proof of Good Standing

Please see the next page for our SunBiz License and proof of incorporation.

2025 FOREIGN PROFIT CORPORATION ANNUAL REPORT

FILED
Feb 06, 2025
Secretary of State
4519455025CC

DOCUMENT# F10000003279

Entity Name: HAGERTY CONSULTING SERVICES, INC.

Current Principal Place of Business:

1618 ORRINGTON AVE
SUITE 201
EVANSTON, IL 60201

Current Mailing Address:

1618 ORRINGTON AVE
SUITE 201
EVANSTON, IL 60201

FEI Number: 37-1431085

Certificate of Status Desired: No

Name and Address of Current Registered Agent:

CORPORATION SERVICE COMPANY
1201 HAYS STREET
TALLAHASSEE, FL 32301 US

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE:

Electronic Signature of Registered Agent — Date

Officer/Director Detail :

Title	PST	Title	DIRECTOR
Name	HAGERTY, STEPHEN H	Name	ALTENBERND, LISA
Address	6 MILBURN PARK	Address	6 MILBURN PARK SUITE 201
City-State-Zip:	EVANSTON IL 60201	City-State-Zip:	EVANSTON IL 60201

I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am an officer or director of the corporation or the receiver or trustee empowered to execute this report as required by Chapter 607, Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.

SIGNATURE: STEPHEN H HAGERTY PRESIDENT 02/06/2025

Electronic Signature of Signing Officer/Director Detail — Date

State of Florida
Department of State

I certify from the records of this office that HAGERTY CONSULTING SERVICES, INC. is an Illinois corporation authorized to transact business in the State of Florida, qualified on July 20, 2010.

The document number of this corporation is F10000003279.

I further certify that said corporation has paid all fees due this office through December 31, 2025, that its most recent annual report/uniform business report was filed on February 6, 2025, and that its status is active.

I further certify that said corporation has not filed a Certificate of Withdrawal.

Given under my hand and the Great Seal of the State of Florida at Tallahassee, the Capital, this the Tenth day of February, 2025

Secretary of State

Tracking Number: 0617213371CU

To authenticate this certificate,visit the following site,enter this number, and then follow the instructions displayed.

https://services.sunbiz.org/Filings/CertificateOfStatus/CertificateAuthentication

Description of Primary Individuals Supervising the Project

We specialize in providing solutions for our clients' most complex problems by analyzing existing policies, identifying options, and assisting them in executing solutions. As requested in the RFP, we offer the names of the staff involved in supervising the completion of this project. As a firm with 400+ full-time employees and a cadre of over 1,000 independent consultants, we will provide additional support staff to complete the project based on the needs of the Town, staff expertise, and availability.

Table of Staff Available to Support Project

Project Position	Staff Name	% of Time Expected to Contribute to this Work
Project Executive	John H. Hageman	As Needed
Project Advisor	Tracey Phillips	As Needed
Resilience and Recovery Subject Matter Expert	Harrison Newton	As Needed
Program Manager	Monica Cardin	50%
Project Manager and Senior Planner	Bridget Huston*	100%

**Town's Primary Point of Contact*

PROJECT EXECUTIVE, JOHN HAGEMAN, has over a decade of experience in strategic management, public sector finance and administration, and restructuring and turnaround. At Hagerty, Mr. Hageman leads the firm's Federal Funds Management services, helping state and local governments identify, secure, manage, and implement federal funds with an economic recovery, infrastructure, climate, and resilience. He has expertise in navigating new federal programs under the *American Rescue Plan Act* (ARPA), *Infrastructure Investment and Jobs Act* (IIJA), and *Inflation Reduction Act*. Mr. Hageman oversees a portfolio of engagements and Hagerty professionals who assist state and local governments in their administration of over $17 billion in federal funds, while simultaneously supporting recovery and resiliency efforts due to environmental and natural disasters.

PROJECT ADVISOR, TRACEY PHILLIPS, is a senior disaster recovery and emergency manager with over 20 years of federal and private sector experience leading diverse teams in disaster and office environments. Ms. Phillips is well-versed in federal fund management with a specific focus on disaster recovery and emergency management projects through her time at the Federal Emergency Management Agency (FEMA). Ms. Phillips served as director for Hurricane Harvey long term recovery at the Texas Recovery Office for more than two years and was responsible for disaster operations including the performance, financials, and acquisitions management of close to $8 billion in program delivery operations. In addition, Ms. Phillips served as the FEMA Public Assistance (PA) Senior Policy Advisor to the Gulf Coast Recovery Office in

support of the region's recovery from Hurricanes Katrina and Rita. Before joining Hagerty, Ms. Phillips served as a senior advisor to FEMA's Deputy Administrator and aided in the establishment of a program office to administer close to $7 billion in FEMA IIJA appropriated dollars.

RESILIENCE AND RECOVERY SUBJECT MATTER EXPERT, HARRISON NEWTON, is a community resilience professional with 13 years of experience and is the District of Columbia's (DC's) former Deputy Chief Resilience Officer and the former Deputy Director of the Center for Community Resilience at The George Washington University (GWU). Mr. Newton is a pioneering leader with deep public sector experience involving health and welfare, preparedness, infrastructure, and energy programs. As a resilience officer, Mr. Newton was central to the design and implementation of a city-wide engagement strategy to develop the city's first resilience strategy – *Resilient DC*. He worked on resilience scoping efforts at the Washington Navy Yard to improve coordination among law enforcement and military officials in response to an active shooter incident. He helped design a planning session at Ft. McNair between base officials, architects, DC officials and stakeholders to confront climate resilience risks. At GWU, Mr. Newton provided executive oversight and leadership in support of 10 projects in the United States (US) to improve resilience and address the social determinants of health.

PROGRAM MANAGER, MONICA CARDIN, is a practicing planner with over 15 years of experience supporting local government efforts to plan for sustainable development and redevelopment. Ms. Cardin is the former Director of Community Development and City Planner for Del City, Oklahoma, where she managed planning and development efforts, including significant comprehensive plan amendments, zoning and land use matters, building code development, stormwater management and code enforcement. She has previously worked with the US Department of Defense on a Joint Land Use Study for Tinker Air Force Base and Del City and as a partner for development on behalf of Del City. Ms. Cardin is a Certified Floodplain Manager, has represented Del City as a member of the Association of Central Oklahoma Governments (ACOG), and chaired several committees within ACOG.

PROJECT MANAGER AND SENIOR PLANNER, BRIDGET HUSTON, is a seasoned resilience and sustainability professional with over nine years of experience advancing climate adaptation, disaster recovery, and community resilience initiatives at the local, regional, and state levels. She specializes in data-driven vulnerability assessments and the integration of climate risk, policy, and infrastructure resilience into comprehensive planning frameworks. Her work spans adaptation and disaster recovery planning, funding strategy development, and the design of both grey and green infrastructure solutions to mitigate environmental hazards.

Resumes

Please see the following pages.

John H. Hageman

Project Executive

HAGERTY

Education

- Bachelor of Arts, Indiana University College of Arts and Sciences, 2012
- Professional Certificate in Municipal Finance, The University of Chicago Harris School of Public Policy, 2018

Relevant Highlights

- Worked on the two largest financial crises in US history
- Experience advising elected and senior appointed government officials
- Fiscal management reform and restructuring expertise
- Focuses on helping governments transform and rebuild their operations during critical crises
- Experienced consulting professional with dedicated public service focus

Professional Biography

Mr. John H. Hageman is a Deputy Director at Hagerty Consulting, Inc. (Hagerty) with over a decade of experience in strategic management, public sector finance and administration, and restructuring and turnaround. Mr. Hageman specializes in helping governments recover from fiscal, economic, and environmental distress and crises, having held critical, executive-level roles on the two largest municipal financial crises in United States (US) history prior to joining Hagerty.

At Hagerty, Mr. Hageman leads the firm's Federal Funds Management services, helping state and local governments identify, secure, manage, and implement federal funds with an economic recovery, instructure, climate, and resilience. He has expertise in navigating new federal programs under the *American Rescue Plan Act* (ARPA), *Infrastructure Investment and Jobs Act* (IIJA), *and Inflation Reduction Act*. Mr. Hageman oversees a portfolio of engagements and Hagerty professionals who assist state and local governments in their administration of over $17 billion in federal funds, while simultainiously supporting recovery and resiliencey efforts due to environmental and natural disasters.

Relevant Professional Experience

Project Executive | State of Washington, Federal Grant Writing and Technical Assistance Program | Hagerty Consulting, Inc.

- Oversee the state-wide Federal Funds Grant Writing Assistance Program for Washington to help local and tribal governments, businesses, nonprofits ports, and other resource-constrained communities apply for and access federal funds.
- A new program for the state, responsibilities include full program design and launch, hiring and staffing, and establishing all processes, resources, and service lines necessary for a team of federal grant writers to support full grant application development and submission across Washington.
- Provide advice and guidance to client and team on project management and implementation of services.

Project Executive | State of Wyoming, Grant Writing and Technical Assistance Program | Hagerty Consulting, Inc.

- Oversees the state-wide Wyoming Grants Assistance Program (WYGAP), offering support to non-profit organizations, small businesses, local and tribal governments, and more in efforts to attain and manage federal funding.

- Oversees efforts to produce applicable opportunity scans, assessing potential programs for WYGAP users; technical assistance meetings and direct outreach; and efforts to deliver comprehensive planning for integrating state and Federal funds into programmatic needs.

Project Executive | Manatee County, Florida, Community Development Block Grant – Disaster Recovery and Department of Transportation Grant Writing | Hagerty Consulting, Inc.

- Oversee efforts within the County to administer Community Development Block Grant-Disaster Recovery (CDBG-DR) funds, including the development of a federally compliant, US Department of Housing and Urban Development program-focused Action Plan.
- Oversaw grant writing for Transportation Ferry Grant, which serves resident passengers and visitors seeking to participate in economic investment and tourism activities.

Project Executive | Harris County, Texas, American Rescue Plan Act State and Local Fiscal Recovery Funds Consulting Support | Hagerty Consulting, Inc.

- Leading evaluation services to ensure that the County's ARPA programs are compliant with State and Local Fiscal Recovery Funds (SLFRF) Recovery Plan Performance reporting guidelines from 2023 to 2026.
- Developed the County's ARPA evaluation design, oversaw the evaluation process, and supported the County departments with collecting and supplying the data on key metrics to the County's public-facing ARPA dashboard.
- Ensures all programmatic needs and reporting structures are complete and compliant.

Project Executive | Dallas County, Texas, American Rescue Plan Act State and Local Fiscal Recovery Funds Consulting Support | Hagerty Consulting, Inc.

- Leading evaluation services to ensure that the County's ARPA programs are compliant with SLFRF Recovery Plan Performance reporting guidelines from 2023 to 2026.
- Developed the County's ARPA evaluation design, oversaw the evaluation process, and supported the County departments with collecting and supplying the data on key metrics to the County's public-facing ARPA dashboard.

Project Executive | Fort Bend County, Texas, American Rescue Plan Act State and Local Fiscal Recovery Funds Consulting Support | Hagerty Consulting, Inc.

- Leading evaluation services to ensure that the County's ARPA programs are compliant with SLFRF Recovery Plan Performance reporting guidelines from 2023 to 2026.
- Developed the County's ARPA evaluation design, oversaw the evaluation process, and supported the County departments with collecting and supplying the data on key metrics to the County's public-facing ARPA dashboard.

Project Executive | Los Angeles County, California, American Rescue Plan Act Program Evaluation | Hagerty Consulting, Inc.

- Leading evaluation services to ensure that the County's ARPA programs are compliant with SLFRF Recovery Plan Performance reporting guidelines from 2023 to 2026.
- Developed the County's ARPA evaluation design, oversaw the evaluation process, and supported the County departments with collecting and supplying the data on key metrics to the County's public-facing ARPA dashboard.

Program Manager | Maryland Department of Budget and Management, American Rescue Plan Act Administration and Management | Hagerty Consulting, Inc.

» Leads Hagerty team that supports the State's $3.7 billion Coronavirus State Fiscal Recovery Funds allocation. Responsible for US Treasury and Uniform Guidance compliance, ARPA policy advisory, federal and internal reporting, and technical assistance to the Department of Budget and Management and State agencies.

» Conceptualized and oversaw the design and administration of the State of Maryland's Non-Entitlement Units of Government (NEUs) Technical Assistance Program, which supports 145 NEUs in the administration of $500 million in Coronavirus SLFRF.

Project Advisor | New York City Office of Management and Budget, American Rescue Plan Act Support and Advisory Services | Hagerty Consulting, Inc.

» Provided direction and guidance to Hagerty team that supports the New York City Office of Management and Budget in compliance with US Treasury program guidance and Uniform Guidance, organizational design/implementation, and federal reporting associated their $5.9 billion SLFRF.

» Advised the City and Hagerty team on the development and implementation of a new, internal Stimulus Unit focused on SLFRF.

Subject Matter Expert | Pinellas County, Florida American Rescue Plan Act Recovery Support | Hagerty Consulting, Inc.

» Provided subject matter expertise to the County in their planning efforts associated with its $189 million SLFRF.

Program Manager | Nassau County, New York, Office of Emergency Management, ARPA Implementation Program Management | Hagerty Consulting, Inc.

» Oversee Hagerty team that supports the administration of a portion of the County's $385 million SLFRF.

» Provide subject matter expertise on program administration and internal controls. Specialized focus in assisting the County implement a $30+ million grant assistance program for small business and non-profits.

Program Manager and Subject Matter Expert | Huntsville Utilities, Alabama, Federal Funds Strategy | Hagerty Consulting, Inc.

» Provide oversight and subject matter expertise to Hagerty team that supports Huntsville Utilities in the assessment of unfunded priorities and the identification of federal funds. Advise on water, electric, and cyber programs within the IIJA.

Program Manager and Subject Matter Expert | Dallas County, Texas, American Rescue Plan Act Risk Assessments and Monitoring | Hagerty Consulting, Inc.

» Provide oversight and subject matter expertise to Hagerty team that supports Dallas County in performing risk assessments, subrecipient monitoring, and compliance support.

Senior Advisor and Consultant | Hageman Consulting

» Worked with the U.S.-Congressionally created Financial Oversight and Management Board for Puerto Rico to assess the Commonwealth of Puerto Rico's financial organization, laws, policies, technology, and human capital during the largest municipal bankruptcy in US history. Developed and recommended key initiatives, strategies, and implementation plans focused on strengthening the Commonwealth's fiscal management operations.

- Advised the incoming City of Detroit Chief Financial Officer (CFO) as part of transition efforts. Led and performed fiscal management improvements, organizational analyses, and executive coaching for C-suite finance executives.

Chief of Staff | City of Detroit, Office of the Chief Financial Officer

- Led day-to-day operations of the Office of the CFO, the City's cross-functional financial organization with 470+ full time employees and a $56 million budget.
- Created and managed the CFO's office, including staff covering strategic planning, fiscal management reform, performance management, human capital, and messaging/communications.
- Directed, managed and/or executed top-priority fiscal management reform initiatives. Examples include: (1) implemented a restructuring of all finance functions Citywide, (2) designed/operationalized a new Forecasting and Economic Analysis Division, (3) created all new financial/budget policies and drafted changes to City legislation, and (4) performed quality control and oversight on Oracle Cloud Enterprise Resource Planning implementation.
- Advised on and participated in bond offerings, including the City's first General Obligation tax-exempt bond offering ($135 million) on its own credit in decades. Focused on telling Detroit's turnaround story and messaging/communications with rating agencies, investors, media, and the general public.
- Worked to create a plan to address higher than expected legacy pension obligations, including establishing an irrevocable IRS Section 115 Trust to accumulate funds to partially offset pension contributions resuming in FY 24.

Employment History

Hagerty Consulting, Inc., Deputy Director, 2023 to Present

Hagerty Consulting, Inc., Senior Manager, 2021 to 2023

Hageman Consulting, Inc., Independent Consultant, 2019 to 2021

City of Detroit, Michigan Government, Chief of Staff, Office of the Chief Financial Officer (OCFO), 2015 to 2019

Public Consulting Group, Business Analyst, 2013 to 2015

AmeriCorps VISTA, Hearts & Hands of Indiana, Volunteer Coordinator, 2012 to 2013

Obama For America, Deputy Field Organizer, 2012

Indiana University, School of Public Health, Research Assistant, 2012

Tracey Phillips

Project Advisor

HAGERTY

Education

- Bachelor of Arts, English/Technical Writing & History, Stephen F. Austin State University, 1991

Relevant Highlights

- Ongoing Exceptional Performance Ratings – Achieved Excellence & Monetary Awards, 2014 to 2019
- FEMA Administrator's Award for Special Projects Related to PA Redesign, 2015 and 2017

Professional Biography

Ms. Tracey Phillips is a senior disaster recovery and emergency manager with over 20 years of federal and private sector experience leading diverse teams in disaster and office environments. She served as director for Hurricane Harvey long-term recovery at the Texas Recovery Office for more than two years and was responsible for disaster operations including the performance, financial, and acquisitions management of close to $8 billion in program delivery operations. In addition, Ms. Phillips served as the Federal Emergency Management Agency (FEMA) Public Assistance (PA) senior policy advisor to the Gulf Coast Recovery Office in support of the region's recovery from Hurricanes Katrina and Rita. More recently, Ms. Phillips served as a senior advisor to FEMA's Deputy Administrator and aided in the establishment of a program office to administer close to $7 billion in FEMA *Infrastructure Investment and Jobs Act* (IIJA) appropriated dollars.

Relevant Professional Experience

Deputy Director, Recovery | Hagerty Consulting, Inc.

- Serves as the Recovery Practice Leader for Texas clients coordinating multiple project teams and recovery/resilience client services across the State.
- Serves as the Project Executive for Texas Department of State Health Services managing a hybrid team of professionals supporting the Novel Coronavirus (COVID-19) operations statewide and FEMA cost recovery totaling ~$9 billion as well as 2024 Derecho and Hurricane Beryl.
- Serves as Project Executive for all FEMA disaster operations support and client services for Montgomery County and Fort Bend County, as well as the Cities of Corpus Christi and Dallas.
- Provide executive, advisory, and/or subject matter expertise related to long-term recovery and resiliency efforts. Served as the Long-Term Recovery Advisor and Subject Matter Expert for Lee County, Florida. Currently serving as the Long-Term Recovery Advisor for City of Los Angeles, California.

Senior Advisor to Deputy Administrator | FEMA

- Detailed to the Deputy Administrator to aid in establishment of Program Office to administer close to $7 billion in FEMA IIJA appropriated dollars.
- Established Financial and Acquisitions doctrine and managed initial budgets, spend plans, and acquisition package movements for all FEMA IIJA programs through the Resilience Office.

- Used project and portfolio management techniques to align infrastructure protection, climate change and nature-based solutions, and implementation plans necessary to begin client services for applicants.

Director | Texas Recovery Office, Hurricane Harvey Recovery | FEMA

- Served as director for Hurricane Harvey long term recovery for more than two years at the Texas Recovery Office (TRO).
- Responsible for disaster operations including 400 recovery, mitigation, and mission support staff and performance, financial, and acquisitions management for close to $8 billion in program delivery operations.
- Established a Program Management Office.
- Developed, implemented, monitored, and managed virtual work environment concept of operations.
- Compressed geographic footprint from six Texas facilities to two facilities in Houston and Austin.
- Developed workload analysis tool and used it to align staff size and facilities from ~400 to ~150 in eight months with no Equal Employment Opportunity issues or complaints.
- Transitioned long-term recovery office from TRO back to Region VI.
- Established protocol for aligning PA performance management at the staff member level up the hierarchy to enhance performance across the enterprise.
- Used performance alignment techniques to achieve a 95 percent obligation rate for all Hurricane Harvey PA grants in five years, demonstrating a new agency best practice.

Senior Program Advisor | Public Assistance Front Office | FEMA

- Served as senior program advisor with a specialization in lean management, continuous improvement, and change management in the following areas: policy implementation, program compliance, coordination of effort, innovation in senior managerial guidance, business practices, budgets and spend plans, performance maximization, personnel issues, consensus building, and resource management.
- PA project manager of the *Disaster Recovery Reform Act* PA implementation project.
- Developed PA management solution tools: strategic resource management, project management, action and correspondence management, contract-task order-invoice management suite of Microsoft Dynamics tools with a change control/management capability developed with mission support, Office of the Chief Information Officer, and recovery technology.
- Served as project manager of the PA Doctrine Analysis and Development project.
- Served as the project manager of the Recovery End-to-End Lifecycle project with the Recovery Front Office and PA Front Office.

Program Management Officer | Public Assistance Front Office | FEMA

- Detailed to PA Front Office to establish a full program management function for the division.
- Responsible for setting up a program office to provide division-wide support for project management, budget/financial management, and performance management.
- Utilized lean and change management techniques with a formalized structure for change control/management using digital tools to identify and analyze any need for change.

Various Roles | Public Assistance Redesign Team | FEMA

- Served as a change agent and lean specialist on the PA Redesign Team during the design phase.
- Facilitated meetings with PA stakeholders in redesign and implementation discussions and meetings.
- Spent six months in Denton, Texas with the redesign team to benchmark, analyze, and recommend process and organizational improvements that became the redesigned PA operating model.
- After approval of final design, served as project manager for the implementation phase of the new delivery model.
- Responsible for implementation planning, delivery schedule, budget/spend plan, communication plan, contract management, and change control process needed to support the project.
- Developed business model Consolidated Resource Centers (CRC), transitioned into the project manager for standing up the CRCs and the Grants Management Tool to support new model operations nationwide.

Senior Program Advisor | Hurricane Sandy Recovery | FEMA

- Led PA team to assess the long-term recovery-PA operation in the Sandy Recovery Office (SRO) in Queens, New York and New Jersey and presented leadership with a recommended Corrective Action Plan (CAP).
- Identified, reviewed, and analyzed the program organization and processes and developed the CAP that was accepted by recovery and PA leadership.
- Upon transition of the change management plan to SRO, became project manager as recommended in the CAP to realign FEMA-required insurance reviews and procedures in the SRO.
- As an insurance subject matter expert (SME), provided program management and operational support to SRO insurance specialist teams at FEMA SRO offices in New York and New Jersey.
- Developed effective methodologies for consistently applying FEMA PA statutory, regulatory, and policy requirements as they relate to obtaining and maintaining insurance coverage and ensuring against duplicating benefits.
- Acted as the Hurricane Sandy insurance SME for Region 2 and worked with the Office of the Comptroller of the Currency to develop requirements and standards for the Letter of Understanding used to document insurance issues on all 428 projects.

Senior Program Advisor | Recovery Front Office, Recovery Operations Coordination | FEMA

- Duties included the review and evaluation of all functions and positions within the newly founded Individual Assistance organization and to provide a revised functional organization with delineated responsibilities for the newly established Disaster Survivor Assistance (DSA) division.
- Developed DSA establishment and governance papers including the organizational structure, strategic planning, and concept of operations documents.
- Performed gap analysis and recommended additional doctrine and management tools needed to effectively manage the new division.
- Worked with the Recovery Front Office-Operation Coordination to identify and analyze current operational functions, then recommend changes necessary to eliminate gaps and duplications in organizations, doctrine, and procedures across organizations within the directorate.

Consultant | Technology Systems and Commercial Insurance Specialist | Hagerty Consulting, Inc.

- Developed FEMA Infrastructure Support Dashboard, a national PA program management tool for Joint Field Office (JFO) operations.
- Developed stand-alone project and program management tools using various platforms, databases, and integrated software solutions at the request of FEMA headquarters.
- Deployed to Hurricane Sandy JFO as program advisor to lead White House mandated, integrated FEMA/Department of Transportation (DOT) assessment team identifying damage to infrastructure in New York and New Jersey.
- Served as the main point of contact coordinating New York's Metropolitan Transit Authority, the Port Authority of New York/New Jersey, New Jersey Transit, and the City of New York DOT to complete the damage assessment so that special Sandy Relief funding could be allocated.
- Reassigned to New York and New Jersey Hurricane Sandy JFOs for FEMA Region II as the FEMA liaison to the Port Authority.

Various Roles | AECOM

- Served as Senior Leader for AECOM in the Americas and Near East during the 2010 Chile Earthquake, 2011-12 Christchurch Earthquake, 2011-12 Brisbane Queensland Floods, and 2011-12 Fukushima Japan Tsunami and Nuclear Disaster.
- Served as Principal and one of five members of a leadership team managing the joint venture responsible for technical assistance contract for FEMA. Provided international emergency management and risk management consulting services.
- Served as Chief of Operations – Deputy Program Manager of FEMA/Department of Homeland Security (DHS) technical assistance contractor cadre of more than 300 employees providing recovery support in FEMA field offices, regions, and headquarters.
- Responsible for contract management and administration including budgets, spend plans, performance management, multi-discipline team building, creativity in management strategy, and resolution of personnel issues for organization providing technical assistance to public sector clients.
- Provided expert advice on community planning, capacity building, and operational support.
- Ensured compliance with corporate mission, goals, and timelines for organizations, programs, and projects.
- Coordinated with federal, state, tribal, territorial, local elected and/or appointed officials and organizations.
- Briefed executives on legislative, budgetary, and federal, state, tribal, territorial, and/or local actions.
- Crafted outreach strategies to internal and external organizations to encourage participation.
- Provided technical expertise on commercial insurance, risk management, and emergency management.
- Developed new methodologies to identify, analyze, and recommend changes necessary to enhance effectiveness of community recovery operations.
- Presented corporate briefings, spoke to industry stakeholders, and participated in press conferences to convey technical and emergency management information to a variety of audiences and stakeholders.
- Provided quality customer service and effectively communicated with a large customer base, while managing numerous programs.

FEMA Technical Assistance Contractor and Independent Consultant | Cunningham Lindsey Group Limited

- Directly interfaced with private and public sector clients while managing their respective insurance claims and federal grant packages.
- Developed commercial insurance and risk management expertise consulting for insurance industry leaders.
- Ensured compliance with federal, state, and local laws and regulations, as well as applicable guidelines issues by DHS and FEMA related to PA program delivery.

Employment History

Hagerty Consulting, Inc., Deputy Director, 2023 to Present

Federal Emergency Management Agency, Various Roles, 2013 to 2023

Hagerty Consulting, Inc., Consultant, 2012 to 2013

AECOM, Vice President, Thought Leader, Senior Program Manager, 2003 to 2012

Cunningham Lindsey Group Limited, FEMA Technical Assistance Contractor, Independent Consultant, 1994 to 2003

Longview Independent School District, High School Teacher, 1992 to 1993

Associated Managing Agents of North America, Vice President Claims and General Adjuster, 1984 to 1987

Harrison Newton

Subject Matter Expert

HAGERTY

Education

- Master of Public Health, Drexel University, 2009
- Bachelor of Science, Communications and Political Science, Texas Christian University, 1996

Training and Certifications

- FEMA ICS (Level 100 -1400)
- Web Emergency Operations Center Command (Tactical Emergency Response System)
- Licensed Environment Risk Assessor, Connor Environmental, 2003

Relevant Highlights

- Over a decade of experience in emergency public health response efforts
- Expert in strategic planning, public speaking, program development, urban resilience programming, and strategic leadership
- Co-led Washington, DC's first resilience strategy; led teams of senior managers and cross-sector personnel of strategic priorities across health, housing, emergency management and climate resilience

Professional Biography

Mr. Harrison Newton is a resilience professional with 20 years of experience in designing strategy development processes and plans for major cities, counties and states across the nation. He is the former Deputy Director of the Center for Community Resilience at George Washington University. In that role, he co-led research, technical assistance, and the policy team at one of the nation's most prestigious universities, providing executive oversight and leadership in support of 10 United States (US) projects to improve resilience and address the social determinants of health.

Mr. Newton is a pioneering leader with deep public sector experience as an architect of city resilience efforts involving health and welfare, preparedness, infrastructure, and energy programs. Mr. Newton has created tools, program management strategies, and practices that create dynamic approaches to improving financial management, maximizing program benefits, enhancing cross-sector collaboration, and instilling missions with higher purposes. He has built high-performance teams and reformed underperforming teams, with experience in providing daily operations management, budgeting oversight, action-plan implementation, and strategic thought-leadership. He is certified in Federal Emergency Management Agency (FEMA) Incident Command Systems (ICS), and he completed his Bachelor of Science in Communications and Political Science from Texas Christian University and his Master of Public Health from Drexel University.

Relevant Professional Experience

Strategy and Development Lead | City of Los Angeles, Palisades Wildfire Longterm Recovery and Resilience Plan Development | Hagerty Consulting, Inc.

- Leading the design and development of Los Angeles' resilience focused longterm recovery plan in the wake of the Palisades Wildfires.
- Serving as co-facilitator for a Stakeholder-led Recovery Task Force, aligning municipal, philanthropic, and community stakeholders toward shared recovery goals
- Co-facilitated stakeholder engagement groups, incorporating local knowledge and lived experience into actionable, community-validated priorities.

Subject Matter Expert | State of Wyoming, Grant Writing and Technical Assistance Program | Hagerty Consulting, Inc

- Advise Governor's Office and State Budget Department on federal funding under the *Infrastructure Investment and Jobs Act* and *Inflatation Reduction Act*.
- Work with local governments, small businesses, non-profits, and tribes on identifying, securing, and managingn federal funding.
- Provide advise and guidance to local governments on planning, community engagement, resilience, and other programs and investment areas.

Strategy and Development Lead | Lee County, Florida; Hurricane Ian Longterm Recovery and Resilience Plan Development | Hagerty Consulting, Inc.

- Led the design and development of Lee County's post-disaster Longterm Recovery and Resilience Plan following Hurricane Ian, coordinating efforts across jurisdictions and sectors.
- Served as lead facilitator for a countywide Recovery Task Force, aligning municipal, philanthropic, and community stakeholders toward shared recovery goals
- Co-facilitated stakeholder engagement groups, incorporating local knowledge and lived experience into actionable, community-validated priorities.
- Designed and executed the full planning process, including visioning workshops, solution-building sessions, and technical expert convenings.
- Oversaw the production of technical briefs to support the upgrading of over 80 identified projects with resilience components, aligning them with federal recovery frameworks and hazard mitigation priorities.

Subject Matter Expert | New York City Emergency Management, COVID-19 Recovery and Response | Hagerty Consulting, Inc

- Providing support to New York City Emergency Management (NYCEM) in support of immediate response activities associated with the Novel Coronavirus (COVID-19) pandemic.
- Served as the lead for Hagerty's support to NYCEM following Hurricane Ida. Led teams providing direct support to displaced households.

Project Manager | Texas General Land Office, Resilient Housing Study | Hagerty Consulting, Inc

- Manage all aspects of a state-wide effort to study construction standards, post-disaster alternative housing approaches and nationwide best practices to identify the resilience value of different recovery-related approaches.

Deputy Director, Center for Community Resilience | George Washington University

- Co-led a research, technical assistance, and policy team; provided executive oversight and leadership in support of 10 US cross-sector resilience projects.
- Led internal visioning sessions and authored the center's strategic plan and business strategy.
- Designed and led the implementation of the qualitative research approach for a network of Philadelphia clinics and primary-care health sites building a resilience plan.
- Oversaw the design and research approach for a community-wide gap analysis for two counties under study by Washington State Department of Health and Human Services.

Deputy Chief Resilience Officer | Executive Office of the Mayor, Washington, DC

- Assessed and strengthened the city's resilience in areas of homeland security, environment, infrastructure, and health, and aligned stakeholder and community vision to support a city that could thrive in the face of change.
- Directed research to identify key areas of risk for Washington DC and designed a strategic response.
- Orchestrated vision and risk assessment sessions for Chief Executive Officers, key executives, and senior management.
- Led five teams of senior managers and cross-sector personnel in the development of strategic priorities across health, housing, emergency management, and climate resilience.
- Co-led the city's first resilience strategy, which served as a key part of the second term agenda for Mayor Muriel Bowser.
- Executed 20 events across the city with stakeholder groups to conduct visioning and solidify support.

Director, Office on Resilience Launch | Office of the City Administrator, Washington, DC

- Conceived and implemented the district's approach to the 100 Resilient Cities program, establishing a focus on resilience within the Office of the City Administrator (OCA).
- Guided the district's successful application to the 100 Resilient Cities network.
- Developed and led a team of executives, consultants, and district representatives in identifying priorities, designing an operational model for building cross-sector, and performing interagency advanced tactics for resilience.
- Greenlighted initiatives and oversaw the lifecycle of resulting projects, including coordinating with the city administrator to design the district's first resilience cabinet.
- Led planning and execution of three major city-wide stakeholder conferences around resilience for city leaders and stakeholders.
- Collaborated with OCA leaders to secure a $5 million fund for resilience initiatives.
- Represented OCA to dozens of working groups across health, housing, environment, planning, development, and outreach efforts.
- Planned resilience-focused events with the White House, Environmental Protection Agency, and FEMA.

Chief, Indoor Environmental Health Branch | Washington, DC Department of Environment

- Orchestrated interagency emergency public health response efforts, on operational and strategic planning levels, for interior hazard assessment and response to environmental health-related illness.
- Directed the development of property assessment tools, a performance analytics database, and new inspection report tools, including STATA and ArcView GIS, to develop policy and protocol.
- Crafted technical assistance protocol for interior repair and remediation.
- Supervised a team of up to 14, including nurses, property hazard assessors, public health analysts, a physician, a data/surveillance manager, and an epidemiologist.
- Reduced desk work, increasing productivity and producing cost savings, by creating a data portal and database that allowed field risk assessors and public health nurses to conduct assessments, generate reports, and share findings.

Employment History

Hagerty Consulting, Inc, Senior Managing Associate, 2021 to Present

George Washington University, Deputy Director, Center for Community Resilience, 2019 to 2021

Executive Office of the Mayor, Washington, DC Deputy Chief Resilience Officer, 2017 to 2019

Office of the City Administrator, Washington, DC Director, Office on Resilience Launch, 2016 to 2017

Washington, DC Department of Energy and Environment, Associate Director, Energy Administration, 2015 to 2016

Washington, DC Department of Energy and Environment, Interim Chief of Staff, 2014 to 2015

Washington, DC Department of Environment, Chief, Indoor Environmental Health Branch, 2009 to 2014

Monica Cardin

Program Manager

HAGERTY

Education

- Master of Public Administration, University of Central Oklahoma, 2015
- Bachelor of Arts, Political Science, University of Kansas, 2001

Training and Certifications

- CFM, Association of State Floodplain Managers
- CCEA, International Code Council
- Property Maintenance and Housing Code Inspector, International Code Council
- QSI, American Stormwater Institute
- Oklahoma Floodplain Managers Association (OFMA) Past-Chair, Past-Secretary, Outreach Committee Chair, and Past Flood Insurance Committee Chair
- Area-Wide Planning and Technical Advisory Committee (APTAC), Past-Chair

Relevant Highlights

- Former City Planner
- Director of Community Services
- Presentation on Resilience at OFMA Annual Conference
- OFMA Trainer on Resilience

Professional Biography

Ms. Monica Cardin is a public administrator with over 17 years of experience leading in planning, zoning, administration, and regulatory compliance matters. She is a Certified Floodplain Manager (CFM) with extensive experience in municipal operations, code compliance, disaster response, floodplain regulations, stormwater management regulations, and grants management. She is a frequent presenter at national and state conferences. Ms. Cardin is also a Certified Code Enforcements Administrator (CCEA), a Qualified Stormwater Inspector (QSI), and is the Past-Chair of the Oklahoma Floodplain Managers Association.

Ms. Cardin joined Hagerty Consulting, Inc. (Hagerty) in 2021 to support recovery and investment projects stemming from the passage of the *American Rescue Plan Act* (ARPA). She provides project management and subject matter expertise on state and local governments engagements focused on resilience, grants management, and disaster recovery.

Relevant Professional Experience

Senior Grant Management Consultant | Harris County, Texas; ARPA State & Local Fiscal Recovery Funds Consulting Support

- Manage grant management and compliance efforts associated with Harris County's $900+ million in federal funding.
- Lead compliance and monitoring team, ensuring team completes deliverables timely and within cost constraints; provide advice on grant compliance.

Program Manager | Dallas County State and Local Fiscal Recovery Funds Compliance and Monitoring | Hagerty Consulting, Inc

- Supported the $50 million of Coronavirus State and Local Fiscal Recovery Funds (SLFRF) for their Nonprofit Partnership Program.
- Developed monitoring procedures, including monitoring tools and FAQs.
- Advised on 2 CFR 200 and SLFRF guidance.
- Delivered four trainings on monitoring procedures and tools.

Project Manager | City of Cape Coral, Florida; Recovery and Resilience Plan | Hagerty Consulting, Inc

- Led Hagerty's support with the City of Cape Coral to develop and produce a recovery and resilience plan. Managed the project and worked with client to ensure deliverables were completed.

- Provided subject matter expertise on federal funding opportunities to support resilience efforts, including advising the client on resilience program design, identifying funding opportunities for Recovery and Resilience Plan, and writing a grant submission for Resilient Florida.

Federal Funding Subject Matter Expert | Lee County, Hurricane Ian Recovery | Hagerty Consulting, Inc

- Created and finalized the Funding Optimization deliverable, focusing on identifying funding sources to support the Lee County recovery and resilience plan.
- Oversaw and conducted research into funding federal and state funding opportunities.

Subject Matter Expert | State of Wyoming | Hagerty Consulting, Inc.

- Developed 2 CFR 200 presentations for the 2023 State Grant Conference.
- Advised on comprehensive planning questions.
- Developed and presented Comprehensive Plan to the 2024 Tribal Summitt.
- Advised on Floodplain issues and other water-related questions.

Federal Funding Subject Matter Expert | Kerr-Tar Cog Emergency Services and Shelter | Hagerty Consulting, Inc

- Led project team to develop fund mapping opportunities for Emergency Service and Shelter needs.
- Coordinated with COG leadership and other consultants on the project.
- Reviewed private funding opportunities to address critical needs.

Project Manager | Fort Bend ARPA Non-Profit Reporting | Hagerty Consulting, Inc

- Supporting the $19 million of Coronavirus SLFRF for their Non-Profit Partnership Grant Program.
- Oversaw the development of the Non-Profit Partnership Grant Program Standard Operating Procedures manual as well as toll development for risk assessment, monitoring and closeout procedures.
- Delivered six virtual training sessions on monitoring procedures and numerous one-on-one technical assistance sessions.
- Successfully administering the program to 78 non-profits.

Program Manager | Fort Bend Payroll Validation Services | Hagerty Consulting, Inc

- Oversaw and assisted with the review of FEMA-PA for Category B submission due by December 31, 2022. Identified an additional $10 million dollars available to claim.
- Reviewed and validated all payroll expenses listed as ARPA SLFRF and CRF as well as assisted in validating and reviewing program eligibility for the Summer Youth Program for three previous years.
- Provided four final reports that included best practice recommendations and findings.

Recovery Consultant IV | Arkansas Coronavirus Aid, Relief, and Economic Security Act Funds Management | Hagerty Consulting, Inc.

- Supporting clients receiving collectively over $4.2 billion of SLFRF under the ARPA by assisting with financial management, monitoring and compliance, strategic planning and implementation, and reporting activities to maximize all ARPA funding for communities.
- Oversaw the grants management system implementation to help track and report funds available to the State.

- Delivered the Cities, Towns, and Counties Program deployment, allowing localized funding to become available within 10 weeks.
- Assisted in the administration of the BIG program, which required Hagerty's consultants to review and validate portions of claims made by thousands of businesses, totaling over $562 million, as well as administering a formula to equitably distribute grant funds to Applicant business from the tourism, hospitality, and personal care industries.

Director of Community Services | City of Del City, Oklahoma

- Administered many city functions, including planning and zoning, permitting and inspections, code enforcement, licensing, floodplain management, stormwater quality, parks and recreation, economic development, disaster response and special events.
- Served as primary advisor and liaison to several boards and commissions, including the Planning Commission and Board of Adjustment.
- Served as Chair of the APTAC for the Association of Central Oklahoma Governments (ACOG).
- Served as a representative of Del City on the Regional Transit Authority. Working with various stakeholders from other community leaders, organizations, and Tinker Air Force Base AFB.
- Acted as project manager for numerous city-wide efforts.
- Managed team of professional, technical, and administrative staff across several worksites.
- Developed training and development plans and monitored employee progress.
- Created internal training modules and related documentation.
- Maintained key relationships with key community partners such as ACOG, Tinker AFB, major employers and community members such as the neighborhood watch associations and neighboring jurisdictions.

Deputy Director of Community Services, Acting Disaster Response Lead | City of Del City, Oklahoma

- Served as primary City management lead on several disasters.
- Led recovery efforts on DR-4575 (Severe Winter Storm), an ice storm that resulted in widespread tree debris and multi-week power outages during sub-freezing temperatures.
- Served as Planning Section Chief during Emergency Operations Center activation.
- Worked with Oklahoma Department of Environmental Quality to qualify acceptable debris staging areas.
- Managed all reporting, including submission of Project Worksheets and supporting documentation for PA Categories A, B, and F.
- Worked with FEMA representatives weekly to ensure timely reimbursement for response and recovery costs.
- Led response and recovery efforts on numerous declared and undeclared flooding disasters.
- Conducted substantial damage evaluations, provided technical assistance, and identified mitigation opportunities.

Deputy Director of Community Services, Acting Floodplain Administrator and Hazard Mitigation Lead | City of Del City, Oklahoma

- Led City's efforts to mitigate risks from natural hazards.
- Served as floodplain administrator and Point of Contact for creation of Countywide Hazard Mitigation Plan.

- Enforced provisions of an aggressive, higher standards ordinance designed to reduce frequency and severity of flood losses in an extremely flood-prone community.
- Reported to FEMA and state coordinating agency.
- Served as Community Rating System Coordinator; earned and maintained Class 6 rating.
- Devised community engagement plan for flood risk reduction.

City Planner | City of Del City, Oklahoma

- Oversaw City's revitalization efforts, managing resources from planning, economic development, code enforcement and development services to achieve desired outcomes.
- Drafted updates to planning documents and regulations as needed, including the Comprehensive Plan, Planning and Zoning Ordinance, and Code of Ordinances.
- Partnered with various organizations, such as ACOG and Tinker AFB, to encourage economic development and community revitalization.

Employment History

Hagerty Consulting, Inc., Senior Managing Associate, 2021 to Present

City of Del City, Oklahoma, Director of Community Development, 2021

City of Del City, Oklahoma, City Planner and Deputy Director of Community Services, 2009 to 2021

Central Oklahoma Workforce Investment Board, Oklahoma, Executive Assistant and IT Manager, 2005 to 2008

City of Lawrence, Kansas, Permit Technician, 2002 to 2005

Bridget Huston

Project Manager and Senior Planner

HAGERTY

Education

- Master of Science, Urban and Regional Planning, Florida Atlantic University, 2022
- Master of Science, Environmental Science, Florida Atlantic University, 2020
- Bachelor of Science, Wildlife Ecology, University of Florida, 2016

Training and Certifications

- American Institute of Certified Planners, 2024

Relevant Highlights

- Significant experience working with Florida local governments in planning, resilience, and recovery.
- Skilled in ArcGIS
- Extensive experience supporting resiliency planning projects for clients at the state and local level.

Professional Biography

Ms. Bridget Huston, AICP, is a seasoned resilience and sustainability professional with over nine years of experience advancing climate adaptation, disaster recovery, and community resilience initiatives at the local, regional, and state levels. She specializes in data-driven vulnerability assessments and the integration of climate risk, policy, and infrastructure resilience into comprehensive planning frameworks. Her work spans adaptation and disaster recovery planning, funding strategy development, and the design of both grey and green infrastructure solutions to mitigate environmental hazards.

She has a proven ability to translate complex environmental and social data into actionable strategies that guide public policy, inform investment decisions, and support long-term community resilience. She brings extensive experience in GIS analysis, climate modeling, stakeholder engagement, and applied research, and is a trusted leader in building consensus across diverse stakeholder groups. She has successfully incorporated resilience strategies into municipal capital improvement plans and contributed to high-impact initiatives, including the Florida Adaptation Planning Guidebook.

Grounded in strong local knowledge, Bridget has helped develop the Captiva Island Vulnerability Assessment and Bayside Adaptation Plan, as well as the Longboat Key Vulnerability Assessment and Adaptation Plan—ensuring each is responsive to community-specific risks, priorities, and opportunities.

Relevant Professional Experience

Grants and Resilience Strategist | State of Washington, Federal Grant Writing and Technical Assistance Program | Hagerty Consulting, Inc.

- Provides tailored grant writing and navigation support to businesses, nonprofits, educational institutions, municipal governments, and state agencies in Washington State, assisting them in securing federal funding for clean energy projects, policies, and infrastructure investments.
- Coordinates and manages all aspects of climate and resilience grant applications, including proposal development, budgeting, formatting, presentation, peer review, and required documentation to enhance funding success.
- Facilitates an efficient and effective workflow to support the advancement of climate and sustainable initiatives, ensuring alignment with program objectives and meeting individual grant submission deadlines.

- Plans and facilitates sustainability and resilience centered webinar and workshops.

Resilience Project Manager | APTIM

- Founding team member and Lead Project Manager of APTIM's Resilience Market division.
- Conducted various coastal, climate, and urban resilience analyses inclusive of climate modeling, and ArcGIS application for identifying vulnerable critical and community assets and infrastructure.
- Lead development of adaptation strategies (inclusive of green infrastructure and adaptable design) to address disaster, storm, flood, and heat risk.
- Integrated climate resilience initiatives into municipality capital improvement planning, policy development, and adaptation efforts at various scales across various planning horizons.
- Collected, analyzed, and interpreted data from maps, tools, and models related to local critical infrastructure and climate hazards and assist in development of maps and querying in ArcGIS.
- Conducted Greenhouse Gas Inventories and generated sustainability strategic plans and roadmaps for various clients.
- Produced over ten climate vulnerability and risk assessments for various Florida municipalities.

Community Resilience Planner | South Florida Regional Planning Council

- Provided technical assistance to local member governments in the Region.
- Performed scenario-based planning and utilized sea level rise projections and tidal information to inform vulnerability analyses and adaptation strategies relevant to urban planning and infrastructure design.
- Managed junior planning staff and responsible for project, budget, and deliverable management and reporting.
- Assisted the Florida Department of Transportation (FDOT) with transportation planning efforts and led GIS efforts to track performance of FDOT ride-share programs.
- Applied technical information and tools in the review of projects for resilience considerations and prepare formal comment.

Project Assistant | City Manager's Office, City of Wilton Manors, Florida

- Led city-wide sea level rise vulnerability assessment for Wilton Manors, FL in August 2021 to better inform city planning strategies, budgeting, and capital improvement project adaptation and mitigation for years 2040, 2050, 2060, and 2070.
- Utilized ArcGIS spatial analyst tools to generate local vulnerability maps that examine the intersection between the 2019 Unified Sea Level Rise Projections and city facilities, infrastructure, and demographic data, and the future flood implications.
- Collaborated with various stakeholders and experts on sea level rise, resilience, and planning, in Broward County to discuss and align on current policy, initiatives, and federal, state and local resilience goals.
- Planned and coordinated outreach events to encourage resident involvement and to obtain community members testimonies regarding their experiences with flooding.

Research Assistant | Florida Atlantic University's Center for Environmental Studies

- Developed The Community Climate Resilience Project, a longitudinal study devoted to characterizing climate resilience to local environmental hazards (flooding, hurricanes, heat, etc.) within various Broward County communities.

- Created and employed household level surveys that push beyond traditional Census-driven vulnerability and resilience assessments by producing a richer representation of resilience, one which accounts for multidimensional community level resilience indicators.
- Employed quantitative and qualitative analysis of data via the Statistical Package for Social Sciences (SPSS) to measure dynamic processes within communities and generate community resilience scores to help fuel future community preparedness.

Employment History

Hagerty Consulting, Inc., Senior Managing Associate, 2025 to Present

APTIM, Resilience Project Manager, 2022 to 2025

South Florida Regional Planning Council, Community Resilience Planner, 2021 to 2022

City of Wilton City Manager's Office, Project Assistant, March 2021 to July 2021

Florida Atlantic University Center for Environmental Studies, Research Assistant, 2018 to 2021

City of Sunrise Utilities Department, Sustainability Intern, February 2019 to August 2019

Florida Atlantic University, Graduate Teaching Assistant, 2019 to 2020

Tropical Audubon Society, Communication Intern, 2018 to 2019

Costa Farms, Research and Development Associate, 2016 to 2017

5. Experience

Our sophisticated understanding of recovery and resilience practices and principles intersect with extensive experience in community engagement and planning, creating a distinct advantage further described in the following sections.

The Hagerty Advantage: Over 20 years supporting clients recover from more than 70 presidentially declared disasters

We serve as a partner to state and local governments across the nation as they seek to address the challenges faced on their worst days. Hagerty began serving the emergency management community by leading the recovery operation in New York City following the September 11th terrorist attacks – a $7.4 billion operation that was operationally closed out within 24 months. **Since then, Hagerty professionals have supported state and local agencies as they have recovered from nearly every major disaster that has impacted our nation.**

Hagerty's support for disaster recovery and resilience planning pre-dates the development of the National Disaster Recovery Framework. In 2008, Hagerty served as a subcontractor to develop annexes to the Congressionally mandated National Disaster Housing Strategy (NDHS). The NDHS federal doctrine was a first step to providing guidance and operational tools to recovery practitioners across the country to enhance planning for and execution of housing recovery programs. Between 2008 and 2011, Hagerty supported several additional initiatives focused on planning for recovery. For example, our professionals developed Emergency Support Function (ESF) 14: Long-Term Community Recovery toolkits and resources for FEMA to support field execution and operations, and our professionals executed scenario-specific contingency planning for FEMA to understand the application of traditional recovery funding programs, like Individual Assistance and PA, against non-traditional disaster scenarios.

Our work in recovery program management and program execution directly informs post-disaster recovery planning executed by our professionals. **The post-disaster recovery plans that Hagerty creates are action-oriented by aligning recovery solutions with potential resources, implementation partners, and the long-term strategic objectives of our clients.**

The Hagerty Advantage: Proven expertise in helping communities create recovery and resilience strategies and plans that put resources front and center with federal grants

Hagerty has over 20 years of experience providing strategic, financial, and programmatic expertise to state and local government partners to support their efforts to successfully identify, secure, and manage grants. Hagerty professionals have supported our clients through the largest and most complex disaster response and recovery efforts in the US including Hurricanes Michael, Matthew, Katrina, Rita, Sandy, and Ian; the Deepwater Horizon oil spill; the Camp, Woolsey, and Hill wildfires; and the Novel Coronavirus (COVID-19) pandemic.

Our professionals provide support across a variety of federal funding sources, including pandemic relief programs such as ARPA, State and Local Fiscal Recovery Funds Program, Emergency Rental Assistance Program, and Coronavirus Relief Funds. In addition, Hagerty's experience spans disaster relief programs such as CDBG-DR and -Mitigation and FEMA PA, mitigation programs such as Building Resilient Infrastructure and Communities (BRIC), Flood Mitigation Assistance and Hazard Mitigation Grant Program (HMGP), and preparedness programs such as the Urban Area Security Initiative.

The Town will benefit from our firm's deep knowledge of federal funding that can support infrastructure, resilience, climate, and recovery efforts. **We help communities craft strategies, programs, and projects with an eye towards funding and implementation.**

Hagerty's Funding Management Overview



Our recovery and resilience planning processes are strategically guided by the real-world lessons learned from past operations**. Our expertise, along with our experience managing federal funds, ensures that the Town's recovery programs, structures, and processes will incorporate considerations for eligibility under the federal funding streams available following a presidentially declared disaster event.**

The Hagerty Advantage:

Proven experience delivering successful community engagement

Hagerty has extensive experience facilitating planning processes incorporating large, diverse stakeholder groups. Hagerty has a track record of designing facilitation processes that bring together stakeholders with diverse perspectives through our applied experience in regional planning. This experience includes successfully leading the largest catastrophic planning effort in the US to date. The New Madrid Seismic Zone catastrophic planning initiative included eight states and FEMA regions IV, V, VI, and VII. To support this planning effort, our professionals analyzed plans at the local, state, and federal levels and facilitated extensive workshops and seminars structured to develop courses of action across ESFs, resulting in joint

region-state operational plans. To execute this initiative, **Hagerty successfully engaged over 1,500 stakeholders from more than 120 federal, state, county, and city government agencies, volunteer, and private-sector organizations.**

Hagerty also understands the importance of ensuring all stakeholders are engaged throughout the planning process to ensure the inclusion of perspectives of the whole community in disaster preparedness, response, and recovery, especially vulnerable populations who are most often disproportionally impacted by disasters. In addition to a whole community approach applied to our planning work with FEMA, Hagerty's teams have successfully managed outreach campaigns focused on engagement and preparedness among vulnerable populations. For our clients in the Illinois – Indiana – Wisconsin (IL-IN-WI) Combined Statistical Area (Chicago Region), we expanded the *Gear Up, Get Ready* emergency preparedness campaign to include multiple languages and targeted guidance for individuals with disabilities and others with access and functional needs (www.gearupgetready.org). This effort included direct outreach to more than 130,000 households and collaboration with over 200 community organizations and non-profits. Our work for *Gear Up, Get Ready* also included the execution of two whole community conferences in the region.

Community Engagement in Lee County, Florida

Hagerty professionals offered demonstrated experience supporting community engagement in Lee County. Following Hurricane Ian, to inform development of the *ResilientLee* Recovery and Resilience Plan, Hagerty professionals designed and executed 17 Town Hall events that were attended by more than 1,000 community members combined. **Two Town Hall events were hosted in the Town of Fort Myers Beach.** Hagerty personnel further developed, led, and analyzed feedback to two online surveys that yielded nearly 6,000 unique responses related to the community's priorities for recovery and resilience.

The Hagerty Advantage:

Steadfast and long-term relationship with clients in the state of Florida

As a firm, we are equipped with a deep understanding of the State's unique geographic and community-based considerations, emergency management structures and capabilities, as well as state, local, county, and non-governmental partners. Hagerty holds an office location in Tallahassee and significant staff presence in areas including the Panhandle, Miami-Dade, Palm Beach, and Lee Counties.

The Hagerty team has steadfast and long-term relationships with communities across the state in addition to the Florida Division of Emergency Management. We have supported clients with every recent significant disaster and catastrophic event including Hurricanes Ian, Nicole, Irma, Michael, Helene, and Milton, COVID-19, and the Surfside Building Collapse.

Moreover, we offer six years of familiarity and demonstrated experience delivering services in Lee County. In 2022, our personnel provided immediate Hurricane Ian disaster response support to Lee County. Following the response, the firm served as a partner to Lee County for a year-long initiative to develop a regional Hurricane Ian recovery framework through the ResilientLee Recovery and Resilience Plan. As part

of that effort, Hagerty personnel directly engaged with local elected officials, municipal leadership, and members of communities throughout Lee County, **including the Town of Fort Myers Beach, to understand local needs and inform the priorities included in the ResilientLee Recovery and Resilience Plan.**

As residents of the State of Florida and champions of its communities, our team is committed to the recovery and resilience of the State. Our objective remains to offer the best-in-class service that considers the direct impact of Hurricane Ian while building capacity and capability to withstand the impact of the next disaster.

Past Performance References

Hagerty knows there is no better evidence of our ability to support the Town than our references from past and current clients. The following provides an overview of Hagerty's past performance and references for consideration. Should you require additional information, we will be happy to provide it upon request.

LEE COUNTY, FLORIDA: LONG-TERM RECOVERY PLANNING AND COMPREHENSIVE EMERGENCY MANAGEMENT SUPPORT

Point of Contact and Title	Dave Harner, County Manager
Contact Information	Email: dharner@leegov.com | Phone: 239-533-2221
Period of Performance	December 2019 to Present

Accomplishments and Project Description

Hagerty supported Lee County, Florida, with the development of the ResilientLee Recovery and Resilience Plan following the historic damage of Hurricane Ian in 2022. The plan is a recommended roadmap that may be used in whole or in part by Lee County and its municipalities to support their unique communities build back from, and continue to thrive despite, the devastating impact of the storm.

Included in the plan is 43 recommended Recovery Initiatives to inform long-term recovery and resilience decision-making among jurisdictions in recovery areas related to Planning and Capacity, Economic Recovery, Education and Workforce, Health and Social Services, Infrastructure, Housing, Natural Resources, and Cultural Resources. Each Initiative articulates an approach to how the County, its municipalities, and community partners can work together to advance the desired objective. Many Initiatives describe key potential projects and logical next steps to initiate work. To secure resources to implement Recovery Initiatives, the plan also provides a Funding Roadmap that aligns identified initiatives and projects with available federal and state grant funding opportunities.

To develop the plan, Hagerty professionals supported County leadership with the establishment of a Recovery Task Force (RTF) comprised of local elected officials and leadership from the County's public safety, school, and healthcare systems. Eight Recovery Branch Teams were implemented to inform the RTF through the promotion of local subject matter discussion and provision of targeted support to develop the identified Recovery Initiatives. Hagerty facilitated monthly meetings of the RTF and eight Recovery Branch Teams throughout the effort. Additionally, the Hagerty team designed and facilitated 14 workshops that brought together RTF members, Recovery Branch Team members, nationally recognized subject matter experts, and County and municipal officials on topical areas related to supporting business and workforce, community resilience, critical infrastructure, and attainable and resilient housing.

A critical priority of the ResilientLee effort included robust community engagement. Hagerty coordinated and led 17 Town Hall events across the County attended by more than 1,000 community members combined. To complement feedback obtained through the Town Hall events, our professionals developed, disseminated, and analyzed responses to two virtual community surveys. The first community survey yielded more than

5,000 responses regarding recovery and resilience priorities, and the second yielded more than 775 responses to augment the Plan's draft Recovery Initiatives.

Throughout the entirety of the project, Hagerty completed all activities in adherence to Florida's Sunshine Law and developed and maintained the ResilientLee website to house materials and resources for the public. The initiative culminated with the Lee Board of County Commissioners' successful adoption of the plan in March 2024. Hagerty was pleased to learn that within six months of the Plan's approval, the County secured $20 million in federal funding through the US Department of Transportation's Promoting Resilient Operations for Transformative, Efficient, and Cost-Saving Transportation program based upon information included in the Plan's Funding Roadmap.

CAPE CORAL, FLORIDA: RECOVERY AND RESILIENCE PLANNING

Point of Contact and Title	Ryan W. Lamb, Director of Emergency Management and Resilience
Contact Information	Email: rlamb@capecoral.gov | Phone: 239-533-2221
Period of Performance	March 2024 – September 2024

Accomplishments and Project Description

Since 2021, Hagerty has assisted the City of Cape Coral with disaster recovery planning and administration activities, including providing response and disaster recovery support services following the devastating effects of Hurricanes Ian and Nicole. In early 2024, Cape Coral tasked Hagerty's expert team with developing a Recovery and Resilience Plan (R&R Plan) to aid the City in establishing a comprehensive grant strategy that responds to long-term planning priorities in the aftermath of the dual disasters. The R&R Plan developed by Hagerty closely followed the City's vision for long-term recovery and resilience, ideas adopted from Lee County's ResilientLee plan, the City's identified Community Lifelines, and the City's Cape Compass 2030 Strategic Plan.

To help guide project development, the team focused on the following principles:



Our approach was centered on soliciting comprehensive feedback from Cape Coral staff and stakeholders to develop a robust needs assessment that could permit the City and Hagerty's team to identify funding opportunities most aligned with the City's needs. Through dedicated conversations with City staff and other stakeholders, Hagerty professionals identified twelve priority projects, which we then grouped into six priority themes:

- Emergency Services and Sheltering;
- Energy;
- Community Development and Enhanced Resilience;
- Water and Stormwater Mitigation;
- Enhanced Mobility and Evacuation; and,
- Economic Revitalization.

Following the identification of priority needs and project ideas, Hagerty conducted a fund mapping exercise to match programs/projects with potential funding opportunities. The goal of the fund mapping exercise was to identify potential funding opportunities for either an entire project, a phase of the project/program, or a specific part of the project/program. This effort allowed the City's staff to review a full inventory of the funding landscape for the 12 identified and priority projects.

CITY OF PANAMA CITY, FLORIDA: RECOVERY PLANNING

Point of Contact and Title	Jennifer Aldridge, Project Manager
Contact Information	Email: jaldridge@pcgov.org | Phone: 850-872-3004
Period of Performance	February 2020 to February 2023

Accomplishments and Project Description

For nearly five years, Hagerty has been a close partner on the City of Panama City's road to recovery from Hurricane Michael. The hurricane was the third-strongest hurricane to make landfall in the US, and the second strongest hurricane to hit the continental US. In six short hours, the Category 5 storm damaged or destroyed 98 percent of the City's infrastructure. More than 5.7 million cubic yards of debris covered City streets, which ultimately cost the City $94.6 million to remove. Hagerty professionals initially supported the City with project submission to FEMA and other federal agencies for recoupment and rebuilding activities. **Soon, the City expanded Hagerty's responsibilities to develop the City's Long-Term Recovery Plan, working with City leadership and in deep engagement with residents**. As part of this comprehensive effort, Hagerty facilitated numerous community engagement events with understanding key priorities from the community regarding the reconstruction of their City. Consequently, the City published its Long-Term Recovery Plan in 2019; this document has served as a key reference to guide the City's project submissions to FEMA and other federal agencies in the long-term.

In June 2020, Hagerty began Phase II of Long-Term Recovery Planning efforts. During this process, Hagerty carried out an in-depth combination of a survey and an interviews series with the Long-Term Recovery Planning Advisory Committee and other City stakeholders to gather information about the progress made and challenges encountered across the different functional areas of the City. Information was collected along the four lines of effort outlines in the Recovery Action Plan and Redevelopment Plan: Safety and Security, Infrastructure, Economy, and Quality of Life. In addition to the written deliverables developed during Phase II, Hagerty worked with geographic information system (GIS) specialists—internal and with the City—to create an interactive recovery progress map on the City's recovery website, RebuildPC.org.

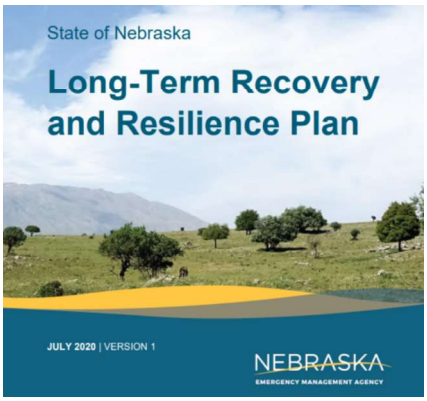
STATE OF NEBRASKA: LONG TERM RECOVERY PLANNING

Point of Contact and Title	Chris Schroeder, Client Lead
Contact Information	Email: chris.schroeder@nebraska.gov | 402-460-9087
Period of Performance	September 2019 to September 2021

Accomplishments and Project Description

Hagerty was engaged by the Nebraska Emergency Management Agency (NEMA) to support post-disaster recovery planning following the 2019 flooding, bomb cyclone, and straight-line winds—the second longest disaster on record with FEMA. To effectively develop a Long-Term Recovery and Resilience Plan, Hagerty first conducted a comprehensive assessment of impacts across the state.

The Baseline Conditions and Impact Assessment Report was developed to summarize the impacts of the 2019 disasters across six topic areas: infrastructure, economy and agriculture, housing, health and social services, community planning and capacity building, and natural and cultural resources. The report refers to pre-disaster conditions to convey the severity of the 2019 disaster impacts. The report also leveraged economic impact modeling software, IMPLAN, to buttress the economic component of the narrative by estimating the total value of agricultural losses, business to business spending, and personal spending by employees in the agricultural sector. The purpose of the report was to establish a comprehensive picture of impacts and resulting needs, to create a baseline understanding of long-term recovery needs before beginning development of a statewide Long-Term Recovery and Resilience Plan.



Following the conclusion of the Impact Assessment Report, Hagerty supported NEMA to develop a Long-Term Recovery and Resilience Plan that serves as a roadmap to guide the state in effective planning and recovery from future disasters — outlining a series of objectives, strategies, and tactics to achieve priorities established by State leadership via the Governor's Task Force for Disaster Recovery. Hagerty took great care to structure the Long-Term Recovery and Resilience Plan in a manner that is operationally oriented by identifying key leads, partners, resources, timelines, implementation steps, and an explanation of potential benefits for each strategy in the plan. As mentioned previously, in an engagement with Fort Myers Beach a key priority for Hagerty staff is that our work supporting the Town in developing a Recovery and Resilience Plan produces a document that actively supports the Town in long-term planning. Lastly, a core feature of the plan developed for NEMA was the including of a comprehensive funding strategy with matching federal level and state-led programs that complemented major recovery projects and activities. alignment to available federal funds and to statewide funding priorities for recovery.

6. Approach to Providing Services

Understanding of Local Needs

A crucial element of Hagerty's approach to successfully support the Town in its long-term recovery and resilience planning in response to the devastating impacts from Hurricane Ian includes a clear understanding of local challenges and urgent priorities that will support our professionals to prepare for immediate support. The Hagerty team values the direct experience it received engaging with the Town through development of the ResilientLee Recovery and Resilience Plan and will leverage these insights to hit the ground running toward this important initiative. Recognizing that recovery is fluid and a community's priorities, resources, and needs evolve over time, we have also thoroughly evaluated the underlying objectives for the Plan outlined in this solicitation in addition to a sampling of publicly available planning and strategy documents including the Coastal Florida Recovery and Resiliency Partnership Project (R2P2), the Recovery and Resiliency Planning Program (as part of the Town's CDBG-DR application and the publicly available agreement link on the Town's CDBG-DR webpage), and the Coastal Management Element (as of January 2024). We recognize that these documents capture, at distinct moments in the Town's recovery process, general priorities from which all recovery efforts must proceed. Hagerty's preliminary analysis emphasizes the Town has an unprecedented opportunity to build upon past efforts to integrate modern and innovative approaches to connecting communities, specifically addressing future funding towards rebuilding and restructuring public parks and spaces to increase mobility and accessibility and become more resilient.

The following key findings reflect our research and are outlined to contextualize our approach for engaging the Town and its community members.

Key Finding #1: Contextualizing Hurricane Ian's Impact in Fort Myers Beach

Hagerty recognizes that while the Southwest Florida Region is familiar with hurricanes, Hurricane Ian caused the most devastation the area has experienced. Residents across Lee County were displaced from their homes, healthcare facilities and services were disrupted, infrastructure systems failed, natural and cultural resources sustained significant damage, and the overall economic impact is extreme and ongoing.

Moreover, the Town is one of the jurisdictions in Lee County most severely impacted by Hurricane Ian. Experiencing 15 feet levels of above ground storm surge, the island's landscape was dramatically changed and historic landmarks, businesses, and residences, including Times Square and other areas heavily frequented by locals and visitors alike, were washed away. Nearly every structure on the island was severely impacted in some way.

Our professionals understand the importance of developing a Plan that advances the Town's offering as an accessible and affordable place to live and significant tourist destination. Repairing or rebuilding hotels, vacation rentals, homes, and attractions on the beach will take time and meaningful action and have direct implications for the restoration of economic activity that benefits the Town and the entire region. Our approach to this initiative is designed to build upon the Town's previous recovery efforts, avoiding

duplication, to successfully and effectively build a path toward long-term recovery and enhanced resilience to future disasters.

Key Finding #2: Identifying the Town's Recovery Priorities to Ground our Approach

Hagerty recognizes the significant undertaking of obtaining funding that can be strategically deployed to support a multitude of community needs. The Town's deliberate allocation of CDBG-DR funds through this project to address critical priorities demonstrates its commitment to finding long-term solutions to connect the community in public spaces by addressing issues such as traffic congestion and the next steps for the redevelopment of the once thriving Times Square.

In our review of the R2P2 plan, we focused on three Community Goals relevant to technical assistance provision. The following table outlines our assessment of these goals in the context of our approach for project engagement and the placement of Hagerty personnel to ensure they are fully realized.

R2P2: Broad Community Goals	Hagerty's Analysis
Mobility Improvements	Hagerty is well acquainted with supporting clients with disaster recovery initiatives that encompass a range of priorities, including mobility. Our team understands clearly that the mobility conditions in Fort Myers Beach are unique, given the surging seasonal population and limited surface transportation routes onto the island itself. Our experts in disaster recovery are not only committed to understanding such local environments, but in an engagement Hagerty would deploy our subject matter experts in the complex recovery planning requested by the Town. In engagements throughout Florida and the rest of the country, Hagerty professionals work closely with client staff to approach questions on mobility and transportation from the angle of resilience: ensuring that these investments are made with long-term assessments and community preferences in-mind.
Beach Access	Disaster recovery projects should incorporate strategies to revitalize economic development while also maintaining original natural conditions. This task is made more difficult in the aftermath of multiple damaging Hurricanes and in the context of a regional economy strongly geared towards tourism. Our staff expect to work with client staff and community stakeholders alike to methodically identify the local ordinances and community/stakeholder perspectives required to present successful recovery proposals that fulfill the balance between economic stability and environmental recovery.
Resiliency	For more than two decades, Hagerty teams have worked with clients across the country and throughout the Florida Gulf Coast. During an engagement with the Town, our teams would familiarize themselves with existing codes and planning documents to understand the growth parameters and inherent disaster vulnerabilities and incorporate these findings into the entire plan development process: from stakeholder engagement to data collection and delivery.

Task 1: Project Initiation and Review of Existing Materials

Project Initiation

We will begin the project by developing a Workplan and Project Schedule that will serve as the roadmap for all project activities and milestones. These will be crafted in close collaboration with the Town to guarantee that it meets all specified requirements and expectations. Hagerty's approach is structured to be thorough, adaptable, and responsive to any emerging needs or changes in project scope.

Upon notice of award, the Hagerty team will work with the Town to schedule a **Project Kickoff Meeting** with representatives from the Town and key stakeholders. This meeting will be crucial in establishing a clear understanding of the project's objectives, priorities, timeline, and expectations, while jumpstarting collaboration across Town departments and partner organizations.

Key objectives of the Project Kickoff Meeting include:

- Providing an overview of the project schedule, deliverables, and anticipated milestones;
- Refining and validating project goals and objectives, consistent with recovery priorities and CDBG-DR guidelines;
- Confirming data needs, existing datasets, and interdepartmental coordination processes;
- Reviewing stakeholder and public engagement approaches to ensure broad and inclusive participation; and
- Validating hazard types and risk factors that will shape the Town's Plan.

Hagerty will provide a post-meeting summary, including the finalized agenda, list of attendees, key discussion points, and agreed-upon next steps to ensure accountability and progress tracking.

Review of Existing Materials

Following project initiation and in close coordination with Town officials, Hagerty will conduct a comprehensive review and analysis of existing plans, studies, and policies to inform the Town's Plan. This review will not only integrate prior work, but identify any gaps, redundancies, or opportunities for alignment, ensuring that the Town's Plan is a forward-looking document that supports streamlined, actionable recovery and prioritizes resilience activities.

Documents to be reviewed will include, but are not limited to:

- **FEMA Technical Assistance 2024 Long-Term Recovery Plan**: Hagerty will extract key recommendations from FEMA's post-disaster recovery support, particularly those tied to infrastructure resilience, economic redevelopment, and housing recovery, ensuring those priorities are operationalized in the Plan.

- **Coastal Florida Recovery and Resiliency Partnership Project (R2P2)**: The outcomes of this regional resilience effort will be assessed for strategies that can be adapted locally, particularly with regard to hazard mitigation, coastal adaptation, and recovery governance.
- **Town of Fort Myers Beach Comprehensive Plan** (current and proposed amendments): Hagerty will evaluate the Comprehensive Plan for alignment with post-Hurricane Ian recovery goals and make recommendations to amend or supplement policies to better address resilience, land use, and infrastructure needs.
- **Lee County 2022 Hazard Identification and Risk Assessment (HIRA):** This foundational document outlines hazards, risks, and community profiles applicable to the Town and countywide systems.
- **Florida Department of Environmental Protection (FDEP) Final Statewide Vulnerability Assessment (SVA):** The SVA offers a Florida-wide view of exposure to sea level rise. Hagerty will use it to align local adaptation strategies with state-level vulnerability trends.
- **Times Square Redevelopment Study**: As the Town's commercial core, revitalization of Times Square is central to economic resilience. Hagerty will assess the study's redevelopment concepts and identify opportunities for integration with mobility, stormwater, and placemaking strategies.
- **Community Beautification Study**: Recommendations tied to canopy restoration, shade, and public realm enhancements will be reviewed for incorporation into strategies supporting ecological and psychological recovery.
- **Land Development Code:** Hagerty will evaluate how current code provisions support or limit hazard mitigation and resilient redevelopment and will identify updates that advance climate-adaptive standards.
- **GIS Technical Services Products**: Available mapping and data—including infrastructure networks, elevation, stormwater systems, and critical assets—will be reviewed for integration into the Plan's analysis and implementation strategy.

In addition to these sources, Hagerty is aware of several current and forthcoming efforts that will be critical to informing the Plan. These include:

- **Town of Fort Myers Beach Vulnerability Assessment** (FDEP Agreement No. 23PLN117): Funded by the Florida Department of Environmental Protection and scheduled for completion in September 2025, this assessment will provide hazard-specific risk analysis under Section 380.093, F.S. Hagerty will incorporate the assessment's findings into the hazard prioritization, asset risk profiles, and adaptation recommendations of the Plan.
- **FDEP-Funded Stormwater Swale Improvements Project**: With a project budget of $2,598,000 fiscal Year 2024–2025 and an anticipated end date of June 29, 2027, this resilience-focused capital project offers a near-term opportunity to align infrastructure upgrades with long-term stormwater and flood adaptation strategies.

Development of a Comprehensive Review Matrix

Hagerty will coordinate closely with Town staff to obtain the most recent versions of the abovementioned source materials and catalog all findings in a **comprehensive review matrix**. This matrix will track each

document's scope, topical focus, key recommendations, hazards addressed, and implementation status, while identifying overlaps, gaps, and integration opportunities. The matrix will help ensure alignment with the Town's recovery and resilience goals, while avoiding duplication. It will be maintained as a living document throughout the project and shared with the Town as a working reference to support transparency.

Task 2: Community Engagement and Outreach

Hagerty will support the Town in the development and execution of a **Community Engagement Plan** with broad reach and accessibility at its core. The Plan will outline the approach the Hagerty team will use to define community stakeholders, engage community members, identify participation barriers, and craft strategies to increase attendance and participant contributions throughout the process. We believe engagement must be more than a checkbox; it must be an ongoing dialogue that informs, educates, and empowers the community throughout the planning process.

Develop Comprehensive Stakeholder List

From the document review conducted and in close coordination with Town Officials, we will use the understanding of any existing collaborative stakeholder relationships as the starting point for the engagement strategy. Hagerty's goal is to maximize the Town's existing positive relationships, expand into new relationships, and integrate Hagerty as a trusted member and contributor to this process.

From there, we will expand this initial list to include additional stakeholders, community members, or relationships the Town may have wanted to engage previously but did not have the time or resources to do so in a robust manner.

Our team will work with trusted local partners and stakeholders - including faith organizations, senior centers, civic groups, and housing advocates—to proactively reach historically underrepresented and harder-to-reach populations.

By building on these existing networks, we will ensure our outreach is culturally appropriate, locally grounded, and responsive to community dynamics.

Establish a Robust Public Outreach and Engagement Strategy

Hagerty's engagement strategy is grounded in the principle that meaningful participation requires intentional inclusion, accessible communication, and visible accountability. Recognizing the diversity of the Town—including a high proportion of seasonal residents, elderly individuals, non-English speakers, and residents with limited mobility or digital access—we will tailor our outreach efforts to meet people where they are, with flexible, multilingual, and the *American Disability Act of 1990* (ADA)-compliant engagement methods.

Broad outreach is core to the Community Engagement Plan, ensuring representation by disadvantaged or marginalized communities. Building on our approaches elsewhere, Hagerty will identify a broad range of stakeholders to be engaged throughout the project to that robust outreach is a foundational principle from the onset. As it applies to development of the strategy, Hagerty will implement a range of principles, including:

- Ensuring that communities impacted by resilience actions are involved in identifying solutions that will be most beneficial to their communities.
- Incorporating mechanisms to track the impact and outcomes of resilience actions, and that those metrics are incorporated in program design with clear ownership for tracking.
- Meeting communities where they are through the deployment of both high and low-tech strategies to directly engage disadvantaged partners.
- Creating opportunities for visionary and transformative solutions (e.g., those that shift cultural and political values) while also considering practical designs that can be implemented within year one of the program.
- Educating the community on key national best practices to encourage engagement with key planning principles and streamline engagement.

Execute a Multi-Modal Community Engagement Plan

To ensure broad and equitable participation, Hagerty's engagement strategy will utilize a diverse set of tools and activities tailored to the Town's unique demographics, geography, and community rhythms. We recognize that traditional public meetings alone are not sufficient to capture the full spectrum of voices- particularly in a community with a large seasonal population, aging residents, language diversity, and varying levels of access to digital tools. **Hagerty's multi-modal approach addresses these barriers head-on by offering both in-person and digital pathways for input, targeted outreach for underserved groups, and continuous communication to keep the community and stakeholders informed and involved throughout the project.**

Outreach and engagement can take a variety of forms, including one-on-one meetings, surveys, roundtable discussions, workshops, or other means of digital and in-person communication.

The Community Engagement Plan will consider and proactively mitigate potential barriers to participation, such as identifying familiar and easily accessible locations known to the participants to increase attendance.

With the Town's approval, Hagerty will transition into execution of the Community Engagement Plan which will involve Hagerty's coordination, promotion, and facilitation of at least three stakeholder meetings, two community workshops, pop up engagement at community events, and an online survey and planning platform. The table below outlines the proposed cadence of the various engagement elements across the project timeline, inclusive of both virtual and in person engagement.

Community Engagements	Month											
	1	2	3	4	5	6	7	8	9	10	11	12
Vision Spark Session	●											
Community Survey	●	●	●	■	●	●	●	●	■			
Interactive Planning Website	●	●	●	●	●	●	●	●	●	●	●	●
Stakeholder Meetings		●					●			●		
Community Workshops				■					■			
Pop-Up Engagement at Community Events				■					■			

● Online / Virtual Meeting ■ In-Person Meeting

Key Components of Hagerty's Multi-Modal Engagement Plan

VISION SESSION

To establish a strong foundation for the planning process, Hagerty will facilitate a Vision Spark Session within the first month of the contract. This session will be held during the project initiation phase and is planned to occur **closely after the Project Kickoff Meeting to ensure continuity between project initiation and vision-setting.**

The Visioning Spark Session will convene Town staff, key stakeholders, and community members, including representatives from local businesses, civic groups, and vulnerable populations. The session will be professionally facilitated and structured to encourage creative, inclusive dialogue—using breakout discussions and interactive exercises to surface shared values, recovery priorities, and early ideas for the Town's long-term resilience goals. The outcomes of this session will directly inform the development of a draft vision statement and preliminary goals, which will later be refined and validated through broader public engagement activities. This early session helps ensure the Plan is shaped from the start by a diverse cross-section of voices in the community.



COMMUNITY SURVEY

Hagerty will design and distribute an interactive community survey within the first month of project initiation that gathers feedback on risks, priorities, and recovery needs. The survey will be made available on the project website, and social media posts, and will be distributed via QR codes on digital flyers at all Engagement events. It will be short (5 to 10 minutes), mobile-friendly, available in Spanish, and inclusive of both open-ended and multiple-choice questions to provide both quantitative and qualitative insights. Survey response collection will conclude after the final Community Workshop.



INTERACTIVE PLANNING WEBSITE

A dedicated project website (or Town-hosted landing page) will serve as the digital backbone of the outreach effort. It will launch within the first month of project initiation and will house all public materials and events, offer digital tools for feedback submission, and archive key documents such as the workshop slides, meeting summaries, and draft chapters of the Implementation Plan. The site will also feature:

- A public-facing project recap and timeline with status updates;
- “Feedback spotlight” sections showing how community input is influencing the plan;
- A Q&A function to allow residents to ask questions and receive public responses.



STAKEHOLDER MEETINGS

Hagerty will convene three stakeholder meetings to ensure the Implementation Plan reflects the technical expertise, institutional knowledge, and recovery priorities of key partners across Fort Myers Beach. The Comprehensive Stakeholder List, developed within the first month of the project timeline, will guide outreach and participation in these sessions. This list will include representatives from a wide range of sectors and institutions, such as:

- Local government and municipal departments (e.g., planning, public works, utilities)
- Emergency management and public safety officials
- State and federal agency representatives
- Business and tourism sector stakeholders
- Environmental and conservation organizations
- Community-based organizations and advocacy groups
- Infrastructure and utility providers
- Faith-based and civic organizations

These groups will be structured to promote cross-sector collaboration, share updates on recovery efforts, identify key opportunities or challenges, and help shape the agenda and focus areas of the broader community workshops. All sessions will be designed as interactive, discussion-based meetings with clear facilitation and summary materials.

- **Meeting 1:** Focus on identifying recovery and resilience priorities, cross-sector coordination needs, and community challenges to inform. This meeting will inform the structure and focus of Community Workshop 1.
- **Meeting 2:** Offer a check-in with stakeholders to preview and refine draft strategies, helping shape the direction of Community Workshop 2.
- **Meeting 3:** Focus on reviewing the draft Implementation Plan. Stakeholders will provide detailed feedback on proposed actions, roles, timelines, and alignment with other initiatives prior to finalization.

IN-PERSON COMMUNITY WORKSHOPS

To promote robust community engagement, Hagerty will host two in-person large-scale public workshops during the project – one in the plan development phase to gather input on recovery and resilience priorities and a second in the later stage to present and receive feedback on the draft implementation strategies). Workshops will be scheduled during evening hours and/or weekends to maximize participation and held in ADA-accessible venues with ample parking and transit access. Outreach for these events will intentionally seek to reach a broad cross-section of Fort Myers Beach residents. Special attention will be given to ensure the workshops reflect the full diversity of community voices and experiences, particularly those often underrepresented in public planning processes. This includes residents of the Town living in neighborhoods most impacted by Hurricane Ian or facing barriers to long-term recovery, seasonal and part-time residents including outreach through condo associations, Homeowner Association (HOA) meetings, community newsletters, and Spanish-speaking residents and renters living in multifamily or manufactured housing.

Workshop 1: Visioning & Priority-Setting

The first community workshop will take place during the plan development phase and focus on gathering community input to shape the direction of the Implementation Plan. This session will center on identifying key recovery and resilience priorities, understanding community values, and exploring what long-term recovery should look like for Fort Myers Beach. Through interactive small-group discussions, live polling, and ranking exercises, participants will have the opportunity to share what matters most to them - whether it's housing recovery, infrastructure resilience, natural systems restoration, or economic revitalization. Insights from Workshop 1 will directly inform the development of strategies and actions in the Implementation Plan.

Workshop 2: Strategy Feedback & Plan Refinement

The second workshop will be held during the later stages of the project to present draft resilience and recovery strategies and initiatives back to the community for review and feedback. Participants will be able to evaluate proposed strategies, weigh in on priorities, and suggest refinements before the plan is finalized. This session will include opportunities to comment on specific actions, assess alignment with community values, and ensure the plan reflects the diversity of needs across different neighborhoods and population groups. The feedback gathered will be used to fine-tune the final plan and ensure it is actionable, inclusive, and community driven.

POP-UP ENGAGEMENT AT COMMUNITY ENGAGEMENT EVENTS

To the extent that it is possible and desirable by the Town, Hagerty will also seek to prioritize meeting the community where they already gather by hosting pop-up engagement booths at farmers markets, festivals, and Town-sponsored events. These brief, informal interactions allow for quick collection of input through tools like interactive boards, dot voting, and short surveys. Pop-ups are especially effective in reaching working families, visitors, and residents who may not engage through more formal avenues. **This timing of these engagements will be coordinated in accordance with the Hagerty team's in-person presence as a result of the two Community Workshops.** Pop-up engagement may also be virtual as appropriate in partnership with virtual Town-sponsored events.

Stakeholder Engagement Highlight: Oregon Department of Energy (ODOE), Preventing Outages and Enhancing the Resilience of the Electric Grid 40101(d)

In Spring 2023, Hagerty traveled to communities throughout Oregon to host two public Community Workshops to gather feedback from investor and consumer-owned utility companies, local jurisdictions, nonprofits, and disadvantaged members of the community, as well as Tribal Nations. The events aimed to inform ODOE's overall program design strategy and subsequent evaluation criteria for subrecipients applying for $19 million in 40101(d) Grid Resilience Funding through a competitive selection process.

To encourage in-person attendance, travel stipends were made available to a wide range of stakeholders, and handwritten letters were drafted and sent to the Tribal leaders of each federally recognized tribe in Oregon. Two events were hosted, one in the western region of Oregon at the ODOE's headquarters, and another on the eastern side of the State near several major Tribal lands, to further promote accessibility and participation. Each event was hybrid – live and virtual – so that individuals could also call in if they weren't available to attend.

Hagerty created presentations for two days of events and manned all the associated technology, logistics, and facilitation such as developing discussion questions, attendance keeping, timekeeping, and notetaking. Our presence allowed ODOE staff to be fully engaged in the discussion and with their residents and community members. Hagerty documented all feedback, reviewed all subsequent public comments, and pulled direct quotes from transcripts, consolidating these fluid discussion points into organized, and actionable insights. What resulted was an informed program design and comprehensive evaluation criteria that would determine a competitive subrecipient selection process and could be posted to ODOE's website.

Engagement Content and Communication

Through stakeholder meetings, community workshops, and community pop up events, Hagerty will create an environment that values the contributions of each of the community members present while demonstrating to stakeholders that their time and input will be used thoughtfully throughout the project and any sensitive information will be handled appropriately. The meetings will include:

- An overview of the Plan, its purposes and objectives to support the Town as it rebuilds from Hurricane Ian and strengthens its resiliency.
- A summary of findings from previous assessments, public input, and current conditions to ground discussions in shared knowledge;
- Interactive exercises such as live polling, mapping activities, or facilitated small-group discussions to capture priorities and ideas in real time;
- Space for participants to express concerns, identify opportunities, and share lived experiences related to risk, recovery, or adaptation;
- Availability of materials and facilitators in multiple languages (e.g., English and Spanish), with accommodations for accessibility and hearing/visual impairments to ensure inclusive participation.
- Opportunities for ongoing and future input, with clear communication regarding next steps and communications so that participants understand how their feedback will be incorporated.

To expand the reach of outreach efforts, Hagerty will collaborate closely with the Town's communications team to amplify engagement opportunities through trusted platforms. We will use a combination of traditional and digital communication tools, including social media (e.g., Facebook, Nextdoor, Instagram), and e-newsletters. Where possible, we will coordinate with neighborhood and HOA networks to distribute information directly to part-time and seasonal residents.

All engagement activities will be thoroughly documented through detailed meeting notes, participant lists, and synthesized summaries of input. These findings will be shared with Town staff and the Core Planning Team at key milestones, allowing community input to actively shape the Plan's development. The final Implementation Plan will include a dedicated appendix summarizing engagement activities, findings, and the tangible ways community feedback informed strategies—reinforcing transparency, accountability, and trust.

Project Highlight: Focused on Funding in Manatee County, Florida

Hagerty was selected by Manatee County in 2024 to assist in the preparation of their grant application to the US Department of Transportation, Federal Transit Administration, Fiscal Year 2024 Competitive Funding Opportunity: Passenger Ferry Grant Program, Electric or Low-Emitting Ferry Pilot Program, and Ferry Service for Rural Communities Program. In June 2024, Manatee County engaged Hagerty to prepare the grant application with an approaching deadline and tight turnaround.

Hagerty initiated the project by performing research on past grant awardees to gain insight on crafting the County's application. We prepared a grant application outline utilizing the directions from the Notice of Funding Opportunity and funder-defined evaluation criteria to guide the development of the grant application. Additionally, Hagerty created a comprehensive grant application checklist to ensure all aspects of the grant application process and deliverables were thoroughly addressed.

Hagerty prepared the draft grant application which served as a foundation for further refinement with the County, ensuring clarity, completeness, and alignment with the funder's objectives. As part of this effort, we worked collaboratively with the County's Working Group that included members of the Financial Management Department, Public Works Department, Manatee County Area Transit, and the Bradenton Area

Convention and Visitors Bureau. To develop the grant application, we analyzed existing ferry usage and transit data to justify the expansion of ferry services and data on disadvantaged communities to emphasize the economic benefits of ferry service expansion on ferry users. Additionally, Hagerty drafted supporting documents for the application, including a Letter of Support template. Ultimately, the $6 million grant application was successfully submitted on time, complete with all required documentation and supporting files.

At the completion of the project, we provided the County with a comprehensive written debrief summarizing key insights from the grant application process. Along with the debrief, we offered preliminary recommendations to strengthen future federal grant applications and improve overall competitiveness.

Data Collection, Analysis, and Visioning

Data Collection and Analysis

Hagerty Consulting recognizes that effective long-term recovery and resilience planning must be grounded in rigorous analysis of current conditions and emerging risks—combined with a shared community vision for the future. Our approach integrates robust quantitative data, qualitative insight from stakeholders, and lessons learned from Hurricane Ian to shape a clear and actionable path forward for the Town.

Hagerty will compile and analyze a broad range of datasets to establish a comprehensive baseline of the Town's social, environmental, economic, and physical systems. This analysis will inform the development of realistic, community-centered strategies that address current vulnerabilities and future risks.

Key Areas of Analysis



COMMUNITY DEMOGRAPHICS AND HOUSING NEEDS

Using US Census, American Community Survey, U.S. Department of Housing and Urban Development Low- to Moderate-Income, and Town-provided data, Hagerty will assess population characteristics, with a specific focus on vulnerable populations and post-Hurricane Ian displacement patterns. Particular emphasis will be placed on assessing workforce housing conditions, recognizing that Hurricane Ian exacerbated an already limited supply of affordable, year-round housing for essential workers in sectors like hospitality, retail, emergency services, and public works. We will examine the availability, affordability, location, and vulnerability of workforce housing, identifying key barriers to recovery and long-term housing stability. This assessment will include both renter- and owner-occupied units and consider constraints posed by geography, seasonal demand, and rebuilding costs. The findings will inform tailored housing resilience strategies focused on maintaining a stable, accessible, and storm-hardened workforce housing supply critical to the Town's economic recovery and operational continuity.

LAND-USE PATTERNS AND ENVIRONMENTAL CONDITIONS

Land use data from the Comprehensive Plan and zoning map will be reviewed alongside environmental datasets—such as FEMA flood zones, storm surge layers, and wetland coverage. We will also utilize the FDEP's SVA and its Resilient Florida online geospatial database to integrate sea level rise exposure, tidal flooding probabilities, and critical infrastructure data into our spatial analysis. **This allows the Town's conditions to be assessed in the broader regional and statewide context, helping to prioritize resilience investments aligned with state-level tools.**

LOCAL AND REGIONAL VULNERABILITY ASSESSMENTS

Hagerty will leverage findings from the Town's ongoing Resilient Florida-funded Vulnerability Assessment and Adaptation Plan, currently in development under FDEP Agreement No. 23PLN117 and scheduled for completion in 2025. This plan, produced in accordance with Section 380.093, Florida Statutes, will provide critical insight into sea level rise exposure, storm surge vulnerability, and risks to critical assets and infrastructure. In addition, Hagerty will draw upon the Lee County Vulnerability Assessment and the 2022 HIRA to ensure alignment between local planning efforts and regional hazard mitigation and adaptation strategies. Integrating these assessments into our analysis will allow Hagerty to build upon existing technical work, identify gaps or areas requiring further action, and align the Implementation Plan with both Town-specific and countywide resilience goals.

INFRASTRUCTURE VULNERABILITIES AND FEMA COMMUNITY LIFELINES

Hagerty will assess the Town's critical infrastructure systems through the lens of FEMA's Community Lifelines framework, identifying vulnerabilities that could disrupt essential services during future hazard events. **This assessment will be directly informed by the Town's ongoing Resilient Florida-funded Vulnerability Assessment and Adaptation Plan,** which is expected to provide detailed infrastructure exposure and risk data, including elevation, sea level rise scenarios, and asset-level vulnerability profiles. We will leverage these findings to identify priority weaknesses across all seven lifelines - Safety and Security, Food/Water/Sheltering, Health and Medical, Energy, Communications, Transportation, and Hazardous Materials and assess cascading impacts to residents, businesses, and emergency response operations. GIS will be used to visualize and map lifeline interdependencies, overlaying physical infrastructure with social vulnerability and environmental risk layers to identify where strategic upgrades or redundancies could mitigate compounding risks.

ECONOMIC TRENDS AND INDUSTRY EXPOSURE

Hagerty will assess the local economy's structure, focusing on the recovery of the tourism and service sectors. We will also examine small business fragility, employment trends, and economic vulnerability using sources such as the Florida Department of Economic Opportunity and Lee County Economic Development Office.

CULTURAL AND SOCIAL CONSIDERATIONS

Community spaces—such as Times Square, beach corridors, and Newton Park—will be analyzed not only for their physical risks, but for their social value, recognizing their importance in supporting mental health, community identity, and civic cohesion.

Assessing Unmet Needs and Data Validation in Manatee County, Florida

Hagerty was engaged earlier this year by Manatee County, Florida to provide CDBG-DR action plan, program design, and planning services associated with Hurricanes Debby, Helene, and Milton. As part of our current work, Hagerty is collecting and assessing data to develop and inform an unmet needs assessment, mitigation needs assessment, and fair housing and civil rights assessment. Additionally, Hagerty is supporting the County with communications and outreach, action plan development, policy and procedure development, funding strategy, program design, and program planning.

Risk Identification and Strategy Development

Building on the robust data collection and conditions analysis outlined above, Hagerty will then synthesize findings into a Conditions and Risk Summary, which will guide the development of goals, strategies, and actions in the Implementation Plan. This process will combine insights from the Town's Resilient Florida-funded Vulnerability Assessment and Adaptation Plan, the Lee County HIRA, and stakeholder engagement efforts to identify and prioritize the most pressing threats to Fort Myers Beach's people, places, and systems.

Our analysis will focus on the intersection of **climate-related hazards** (e.g., storm surge, sea level rise, flooding), **social vulnerabilities** (e.g., low-income renters, seniors, persons with disabilities, non-English speakers), and **economic fragility** (e.g., small businesses, tourism, limited housing stock). This layered approach ensures that we consider both physical exposure and capacity to recover, producing a **risk profile that accounts for the human and economic dimensions of resilience**.

Hagerty will lead the development of a tailored suite of **evidence-based strategies** to reduce risks and build long-term adaptive capacity. Our team will evaluate potential actions using criteria such as effectiveness, equity, cost, and alignment with local priorities and funding opportunities.

Strategies may include:

- Resilient land use and zoning changes to shift vulnerable development out of high-risk areas;
- Investments in workforce housing that is storm-hardened and located near lifeline services;
- Green infrastructure and drainage upgrades to improve stormwater management;
- Business continuity and economic recovery programming for small and tourism-based businesses;
- Emergency management and communication enhancements for at-risk populations.

Best Practices to Build Housing Resilience

Hagerty worked with the State of Texas, General Land Office (GLO) to develop the "Resilient Housing Study", conducting a multi-pronged resilience assessment of the State's past CDBG-DR housing programs. Hagerty identified and provided key guidance for the GLO to increase the housing resilience of its future housing programs and reduce repetitive loss of the housing stock in future disasters. As part of our work, Hagerty benchmarked various housing resiliency programs and provided GLO with key takeaways. This work has provided Hagerty invaluable insight into the best practices and lessons learned that can help improve long-term impacts of resilience housing programs.

Visioning and Goal Setting Process

To ensure that the Comprehensive Recovery and Resilience Implementation Plan is grounded in local priorities and reflects the lived experiences of those affected by Hurricane Ian, Hagerty will facilitate a structured, inclusive visioning process early in the planning effort. This process will occur before broad-scale community engagement is complete and **will focus on defining a shared direction for recovery and resilience based on what is already known from Town leadership, staff, and representative stakeholders**.

The visioning effort will center on a Vision Session- a facilitated, half-day session designed to clarify purpose, surface shared priorities, and generate the measurable goals that will guide the rest of the planning process. Participants will include:

- Town department leaders and staff;
- Representatives from key sectors (e.g., housing, tourism, small business, environment, utilities);
- Voices from vulnerable and underserved populations;
- Subject matter experts familiar with post-disaster recovery and resilience.

The session will be facilitated by a neutral expert—familiar with resilience planning but not embedded in the community—to guide productive conversation, keep participants focused on outcomes, and ensure everyone's input is heard and valued. Modeled after best-practices, the workshop will include:

- Real-time feedback loops and breakout groups for deep discussion;
- Scenario-based exercises to explore trade-offs and future conditions;
- Hands-on activities that help prioritize outcomes and define success.

Additional community input will also be gathered in parallel through ongoing public surveying to ensure broader participation from those unable to attend the workshop. This broader input will be incorporated into the same synthesis process to ensure alignment between institutional priorities and grassroots perspectives.

The outcomes of this process will be:

- A **shared vision statement** that captures the Town's recovery and resilience goals in language the community understands and embraces;
- A set of **measurable goals and objectives** that will structure the rest of the Plan and be used to guide strategy development, implementation tracking, and performance monitoring.

These goals will be designed to reflect the core themes identified through engagement and analysis—such as rebuilding smarter, ensuring equitable housing access, supporting local business recovery, protecting the shoreline and ecosystem, and ensuring that all residents feel safer and better prepared for future disruptions.

Hagerty will present a draft **Vision and Goals Memorandum** to the Town for validation before incorporating it into the final Plan. This early investment in community-centered visioning ensures that the Implementation Plan is not only technically sound but also **publicly supported and community-owned**, increasing its longevity, relevance, and impact.

Project Highlight: Hagerty's Engagement with Fort Myers Beach on ResilientLee

Town officials served as voting members of the ResilientLee RTF for 13 months, culminating in the Lee County Board of Commissioners adopting the Longterm Recovery and Resilience Plan unanimously on February 23, 2024. The Town participated in supporting the infrastructure and natural resources task forces, helping to inform the plan's focus on issues like beach re-nourishment, economic development, access to natural resources, tourism development, working waterfronts and debris removal planning. Fort Myers Beach also partnered with Hagerty to conduct two public workshops supporting community input and hosted the Hagerty design team on two occasions to refine plan initiatives. **Hagerty is strongly prepared to support the Town in this engagement given our direct experience in working Town officials and community members on recovery and resilience initiatives.**

Integration of Sustainability and Resiliency Strategies

As Fort Myers Beach transitions from recovery to long-term resilience, it is critical that planning strategies not only address immediate needs but also embed forward-looking solutions that prepare the Town for future disruptions. Hagerty's approach to integrating sustainability and resilience is grounded in national best practices and **tailored to the unique challenges and opportunities of a barrier island community with limited land, aging infrastructure, and a tourism-based economy.**

Hagerty will ensure that every recommendation in the Comprehensive Recovery and Resilience Plan reflects the dual imperatives of risk reduction and sustainability. Drawing on data collected through the vulnerability assessment, public engagement, and infrastructure evaluations, we will identify and prioritize strategies that

address climate-related hazards, enhance community safety and cohesion, and support environmentally responsible development. Our team will incorporate both proven and innovative measures to strengthen Fort Myers Beach's resilience, ensuring they are implementable, fundable, and tied to long-term outcomes.

Resilience measures to be considered include:

- **Green infrastructure and nature-based solutions**: Hagerty will prioritize low-impact development and ecosystem-based solutions that manage flooding, reduce heat, and enhance aesthetics. These may include bioswales, rain gardens, permeable pavement, dune restoration, living shorelines, and mangrove re-establishment. These strategies reduce dependence on grey infrastructure and offer multiple co-benefits for water quality, habitat, and recreation.
- **Coastal stormwater and flood management improvements**: Recognizing the Town's vulnerability to storm surge, high tide flooding, and extreme rainfall, Hagerty will identify opportunities to modernize and expand coastal stormwater infrastructure. This will build on current investments, such as the FDEP-funded Stormwater Swale Improvements Project, and may include pump stations, elevated outfalls, tide-adaptive valves, and retrofits to enhance capacity and resilience of aging systems.
- **Critical facilities hardening**: To ensure continuity of essential services during and after hazard events, Hagerty will identify projects and policy mechanisms for reinforcing emergency operations centers, health facilities, evacuation routes, community centers, water and sewer systems, and public works assets. This may include structural retrofits, floodproofing, utility redundancy, and integration of renewable backup energy systems such as solar + storage.
- **Hazard mitigation planning alignment**: Strategies will be designed to align with and support eligibility for FEMA's Hazard Mitigation Assistance programs, including BRIC and HMGP, as well as Florida's Resilient Florida and CDBG-DR funds. Hagerty will build a pipeline of mitigation actions tied to documented risks, community priorities, and scoring thresholds from federal grant programs—positioning the Town for implementation success.

In addition to foundational strategies, Hagerty will explore and propose **innovative resilience concepts and technologies** that have shown success in similar coastal or post-disaster communities, including Smart City and Monitoring Technologies, Adaptive Zoning and Development Tools, and Community-Based and Equity-Centered Programs.

Innovative Resilience Concepts and Technologies



To ensure all strategies are technically sound and future-ready, Hagerty will align recommendations with nationally recognized frameworks and methodologies, including:

- **American Planning Association:** Planning Advisory Service Reports on Planning for Resilience, post-disaster recovery frameworks, and climate-smart land use.
- **FEMA:** Community Lifelines framework, Local Mitigation Planning Policy Guides, and BRIC technical criteria.
- **National Institute of Standards and Technology:** Community Resilience Planning Guide for Buildings and Infrastructure Systems, which promotes systems-level thinking and performance-based decision-making.

Project Highlight: State of California Home Hardening Program

Hagerty supported the California Governor's Office of Emergency Services (Cal OES) in developing a first-in-the-nation community home hardening program to retrofit homes with fire-resistant materials and create defensible space for socially vulnerable homeowners at high risk of wildfires. In coordination with state and local partners, Hagerty developed the framework for the program, created local implementation tools, and designed processes that California communities can use to establish locally run, state supported home hardening programs. To make the largest impact with the program, Hagerty built a social vulnerability ranking system to identify and pre-select communities with high vulnerability indicators and then accelerated program development by establishing a community home hardening model based on lessons learned and best practices.

Hagerty's Program Design Considered Both Equity and Resilience

How were communities pre-selected?	Pre-selected communities have populations with high social vulnerability (e.g., age, low-income, or mobility challenges) in high-risk wildfire areas. Rankings were standardized across different sized communities.
What defines low- and moderate-income households?	Households with an income of no greater than 80 percent of area median income.

Coordination with the Town's Consultant(s) for Comprehensive Plan Updates

Hagerty recognizes that aligning the Fort Myers Beach Comprehensive Recovery and Resilience Plan with the Town's Comprehensive Plan is essential to ensuring that recovery and resilience strategies are not only actionable but legally supported and institutionally embedded.

Hagerty is aware that, as of March 2025, the Town of Fort Myers Beach has initiated a formal review process to update its Comprehensive Plan. This effort includes active community engagement, such as public input sessions and workshops—most recently at the Fort Myers Beach Public Library—to gather feedback on future land use, growth, and resilience priorities. While a dedicated external planning consultant has not yet been publicly identified, Town planning staff and senior planning advisors are currently leading the

process. Hagerty will coordinate closely with Town staff and the Town's Consultant responsible for updating the Comprehensive Plan to ensure seamless integration of recommendations and consistency across planning efforts.

Building on our review of the Town's current Comprehensive Plan and proposed amendments, Hagerty will identify specific elements, goals, policies, and implementation strategies that require revision or expansion to codify the recommendations of the Implementation Plan. This includes, but is not limited to:

- Future Land Use Map and policies that reflect updated vulnerability data and resilience priorities;
- Housing and Community Development elements that support resilient and affordable workforce housing;
- Infrastructure elements that incorporate long-term adaptation planning and hazard mitigation investments;
- Conservation and Coastal Management elements aligned with ecosystem-based resilience strategies; and
- Capital Improvement elements that reflect prioritized recovery and resilience projects.

Our team will provide the Town and its planning consultant(s) with a crosswalk that links key Implementation Plan recommendations with applicable Comprehensive Plan elements. This tool will serve as the foundation for coordination meetings and document drafting, ensuring that plan updates fully reflect the findings, goals, and strategies developed through this project.

Additionally, Hagerty will participate in joint meetings and planning sessions with the Town and its consultant team to:

- Review draft Comprehensive Plan language and suggest technical or policy edits;
- Ensure internal consistency across updated plan elements;
- Confirm that enabling policies are in place to support project funding and implementation; and
- Align with State of Florida requirements under Chapter 163, Florida Statutes, particularly in relation to post-disaster redevelopment, adaptation action areas, and planning consistency with vulnerability assessments.

By proactively coordinating with the Comprehensive Plan consultant(s), Hagerty will ensure that the Implementation Plan is not a standalone document but a catalyst for lasting, integrated resilience across all of the Town's planning and regulatory frameworks.

Project Highlight: Coordination for Los Angeles County Recovery Planning

Hagerty was awarded a contract by Los Angeles County, California to update and integrate Recovery Support Functions (RSFs) into their recovery planning documents. This required synthesis of best practice, firm expertise, and local County knowledge to streamline and clarify the County's plan for recovery. The starting point for this project was a series of recovery planning documents, including: a Recovery Plan, Recovery Framework, RSF Universal Playbook, nine RSF Concept of Operations documents, and nine RSF One-Pagers. The Hagerty team used these documents as a starting point to develop an innovative, useful, and operational

plan for recovery. Hagerty's unique planning process involved comprehensive background research, integration of firm expertise, and stakeholder engagement.

Core to Hagerty's success with this project was the comprehensive research and review process initiated prior to starting plan redrafting. To begin, Hagerty reviewed the County's existing plan documentation in order to align the plan with existing recovery processes and with industry best practice. To understand challenges faced by communities in the recovery process, Hagerty gathered relevant local, state, and national after-action reports to inform stakeholder meetings and plan updates. As a part of the research and review process, Hagerty interviewed representatives from Cal OES to discuss examples of recovery best practice in the State as well as preferred methods of coordination between local counties and the State. This approach allowed Hagerty to consider lessons that the State has learned through multiple recent recovery efforts for integration into the plan.

Final Deliverable and Implementation Roadmap Development

Hagerty will produce a comprehensive, actionable, and user-friendly Comprehensive Recovery and Resilience Implementation Plan that will serve as a roadmap for Fort Myers Beach to advance recovery from Hurricane Ian and strengthen long-term resilience. Our goal is to deliver a plan that is more than a static report—it will be a living tool, ready for implementation, funding pursuit, interdepartmental coordination, and community engagement.

Draft Plan Development

To develop the **Draft Comprehensive Recovery and Resiliency Implementation Plan**, Hagerty will compile and organize the information collected during the preceding phases to align with the structure and format discussed at the onset of the planning effort. During the plan development phase, Hagerty will strive to develop an actionable plan that can be used by the Town and its partners to both articulate recovery, mitigation, and resiliency priorities and establish a vision for bolstering resilience within the region.

Hagerty will document and memorialize the development process in a dedicated **Plan Maintenance section**, including guidance for ongoing updates, interagency alignment, and future planning integration—such as with the Town's Threat and Hazard Identification and Risk Assessment, Hazard Mitigation Plan, and Capital Improvement Plan.

The Draft Comprehensive Recovery and Resiliency Implementation Plan will:

- Translate risk identification and public input into a forward-thinking action framework;
- Establish goals, objectives, and strategies that reflect Town priorities and risk-based needs;
- Provide a clear vision statement, developed with input from the community and stakeholders;
- Outline specific, prioritized actions with associated timelines and lead/supporting parties; and

- Suggest integrated strategies that reflect existing approved and draft plans (e.g., the FEMA 2024 Technical Assistance Long-Term Recovery Plan, FDEP-funded Vulnerability Assessment and Adaptation Comprehensive Plan amendments, and R2P2 outcomes).

A central feature of the Plan will be a **detailed Implementation Roadmap**. This section will identify specific actions, responsible parties, partnerships, and sequencing needed to move each strategy from concept to execution. Each action item will include:

- Description and rationale;
- Timeframe (short-, medium-, long-term);
- Lead and support entities;
- Dependencies or enabling conditions (e.g., policy updates, data needs);
- Funding pathways and grant alignment; and
- Performance indicators to track impact over time.

As part of our experience in federal funds management, Hagerty continually catalogs and analyzes new funding streams to provide the most crucial and up-to-date grant information to our clients. During this phase, we will leverage that deep and ever-evolving knowledge, including our own internal grant-tracking tools and state and federal resources that provide information on key grant programs. Hagerty's dedicated funding and grant advisory team will provide a **comprehensive and current funding strategy**, leveraging our in-house funding database and federal recovery expertise. Each priority action will be matched with potential funding sources and associated details, such as:

- Funding agency
- Application requirements
- Grant type
- Submission deadline, including pre-application deadlines
- Eligible applicants
- Eligible uses
- Special population and equity considerations
- Match requirements
- Administrative and pre-award costs
- Reporting requirements
- Selection considerations
- Review and selection process
- Period of performance
- Roles and responsibilities for researching, developing, and submitting the grant application
- Record of updates gained from attending pre-submittal grant webinars and workshops
- Benefit Cost Analysis requirements

Once the Draft Plan is complete, Hagerty will facilitate a virtual **Plan Review Meeting** to familiarize the Town with the draft Plan, answer questions about the planning process or specific content, and outline the remaining steps prior to submission to the Town and publishing for the public. Immediately following the Plan Review Meeting, the draft Plan will first be reviewed by the Town for final feedback and edits.

Project Highlight: City of Asheville, North Carolina, Recovery Strategy and Management

On September 27, 2024, Tropical Storm Helene made landfall in Asheville, North Carolina, causing an estimated $500 million in damage and displacing over 10 million cubic yards of debris. The following day, an emergency declaration was issued for 25 counties, and Hagerty was soon after competitively selected to support the City's response and long-term recovery, including designing and managing the City long-term recovery strategy and plan. We've supported Asheville across debris operations, emergency housing, communications, recovery strategy, grants management, and mitigation, and played a key role in developing its $225 million CDBG-DR Action Plan. Hagerty continues to serve as a trusted advisor to the City, supporting FEMA PA cost recovery, HMGP application development, community engagement, and the design of a long-term recovery strategy.

Final Plan Development

Hagerty will integrate any necessary reviews and adjudicate any comments, questions, or edits submitted by the Town. Hagerty will then submit the **Final Comprehensive Recovery and Resiliency Implementation Plan** to the Town for final approval and adoption.

The Hagerty team will lead a **virtual one-hour Stakeholder Long-Term Recovery Plan Presentation** to the Town to adjudicate feedback and assist with the confirmation of the final document. After the Stakeholder Plan Presentation, all rounds of edits will be completed, and the final Comprehensive Recovery and Resiliency Implementation Plan will be delivered to the Town. At the Town's request, the Hagerty team is also prepared to support communications for the public release and dissemination of the Plan to project participants (e.g., Survey Respondents) and the general community.

Project Closeout

The Hagerty team will facilitate the transition of the project and all related materials to the Town, ensuring the Town has access to key project resources developed. As a final step in this project, Hagerty will facilitate a virtual **Project Closeout Meeting** and provide a **Next Steps Memo** to present the finalized version of all documents and any recommendations for the Town recovery planning and implementation moving forward.

Project Management and Reporting

Hagerty understands that successful project delivery requires proactive communication, clear milestones, transparent reporting, and strong coordination across all team members, Town staff, and potential partners. Our project management approach is designed to maintain accountability, ensure alignment with the Town's expectations, and deliver a high-quality product on time and within scope—while remaining flexible to evolving needs.

Project Schedule and Milestones

At project initiation, Hagerty will develop a detailed **project schedule** with defined milestones, task durations, interdependencies, and deadlines. The schedule will be presented for Town review and approval during the kickoff meeting and updated throughout the project as needed.

This schedule will include:

- Major phases and deliverables (e.g., risk analysis, public engagement, draft plan development, final plan
- Community meeting dates and public input windows;
- Internal and external review periods; and
- Submission dates for draft and final deliverables.

Communication and Collaboration

The most critical factor for success is maintaining open, consistent, and responsive communication between the Town and Hagerty. This ensures expectations are clear, quality standards are defined and upheld, and accountability is consistently reinforced. Through open communication, we can fully understand and effectively execute the Town's vision for success and can eliminate misunderstandings of project goals and expectations. We recommend scheduling and facilitating routine **Project Status Meetings** with the Town. These meetings provide the Town with visibility into project progress, address issues/challenges, and review/discuss key project decisions. Hagerty will coordinate with the Town to identify dates and times that work best for the Project Status Meetings, adjusting meeting dates/times to accommodate conflicts as needed. From our experience, we have found that conducting routine project status meetings for these types of planning efforts will allow the Town to have greater visibility on material development and to provide input and perspectives on how to enhance draft and final deliverables to best meet the needs of participating stakeholder groups.

Progress Reporting and Documentation

Additionally, throughout the project, Hagerty will provide the Town with written **Monthly Status Reports (MSRs).** These reports will detail the current project status, including descriptions of the work accomplished, the methods and procedures used, a statement of the impact of the project, timelines, milestones, and future activities. Hagerty has found that producing MSRs ensures that the client has visibility on project progress, including the status of tasks, major accomplishments, and issues/challenges. The MSRs will ensure that the Town can summarize and articulate key project activities to stakeholders and monitor the status of the effort, including how services may evolve based on the needs of the effort.

Project Management Tools and Practices

Project Status Meetings	Bi-weekly meetings to provide overall updates and seek feedback on key issues or decision points. Will include a review of timelines to ensure operational readiness and alignment with scope.
Monthly Status Reports	Monthly written reports that include updates to project timelines; identification of efficiencies and deficiencies; and outlining any key decisions or policy changes that may impact the project.
SharePoint Site	Maintained throughout the project to include both document sharing and storage and overall project management. Includes an integrated project schedule shared with the stakeholder team.
Upland PSA	Internal Hagerty management tool, which tracks and allocates time associated with projects and specific tasks. Used to track consultant time on a weekly basis (with daily/hourly tracking) in support of budget and task management.

7. Compensation

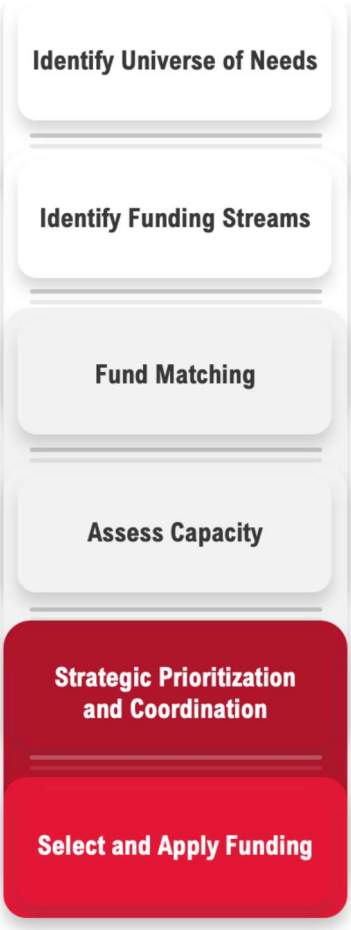
Form C, Fee Proposal, has been provided as a separate upload on the submission portal.

8. Additional Information

During the "Final Deliverable and Implementation Roadmap Development" Phase, Hagerty recommends additional focus on identifying potential alternative funding sources that may complement disaster recovery aid programs. The shifting federal funding landscape creates opportunities and challenges for local governments. To help maximize potential funding sources, Hagerty can integrate our **six-step method to identify, prioritize, and match funds** to supplement disaster recovery funding.

As Hagerty gains an understanding of the Town's needs, we can match those needs with various federal and state funding programs. Hagerty can provide the Town with a roadmap for alternative funding programs that may augment disaster recovery funding. Due to Hagerty's expertise in federal disaster recovery programs, this effort can help the Town braid and stack multiple federal and state grant programs in order to support recovery and resilience efforts and investments.

Hagerty's Grant Strategy, Identification, and Pursuit Process



The Value of Matching Town Needs with Federal Funding Programs

The universe of grant funding is larger than ever, and each has its own unique set of eligible applicants, application requirements, eligible uses, submission requirements, and compliance considerations.

- Aligns priorities with available grant opportunities, ensuring opportunities are not missed
- Improves coordination with partners to maximize community benefit
- Offers a strategic, proactive approach to grant development, application, and management

9. Addenda

Addenda 1

Please see next page(s).

ADDENDUM TO PROPOSAL

RFP-25-02-AD **Addendum No.: 1**

Project Name: Fort Myers Beach Comprehensive Recovery and Resilience Implementation Plan

Date of Issue: March 27, 2025

The due date for all proposal questions is extended to:

Monday, March 31, 2025, Noon

CLARIFICATIONS TO THE PROPOSAL

Please see clarifications to Proposal Documents below:

Correction of Inquires e-mail address: Page 8 of the RFP-25-02-AD, INQUIRES, the e-mail is incorrect. The correct e-mail address for all inquiries is **bids@fmbgov.com**

Second Addendum to be released Monday, March 31, 2025, to include:

- Interest in Competitive Bid for Public Business
- Anti-Lobbying Form
- Conflict of Interest Form
- Non-Collusion Affidavit
- Additional Questions and Answers

The following inquiries were received regarding the above reference RFP:

Q. What is the project timeline?
A. From the Notice to Proceed to completion one full calendar year.

Q. What is the deadline for questions?
A. Normal circumstances, seven business days from the time the bid is due. With this Addendum, the RFP's questions are extended till Monday, March 31, 2025, at noon.

Q. The second page of RFP Form D seems to be a signature page for the Town of Fort Myers Beach to fill out. Does the RFP Form D still need to be notarized, or can we simply sign/submit the first page only without notary?
A. The form does not need to be notarized.

Q. Should Forms A & B be included within our Technical Proposal (like RFP Forms C& D)? IOF so, can you please specify in which section(s) they should go into? Or upload Forms A& B separately?
A. Upload forms separately are approved.

Q. Qualification Statement (page 31) asks if the proposer has ever failed to complete any work awarded to them. What time frame for this request?
A. The period is for the past 4 years, before Hurricane Ian

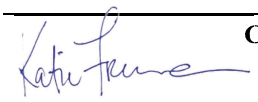
Q. Has the Town already selected another consultant for the Comprehensive Plan language updates or is that intended to be part of the Recovery and Resilience Implementation Plan scope?
A. The Town's current consultant will be managing.

Q. Page 4 lists the consultant expectations for the scope. Are these existing plans and initiative that should be considered in the development of the Recovery and Resilience Implementation Plan or are these intended to be expected deliverables as part of the plan?
A. Yes, the Town would like to see portion of the R2P2 plan incorporated.

Q. Coordinate with the Town's Consultant(s) for Comprehensive Plan Update and please provide the Town Consultant(s) referenced:
A. The Comprehensive Plan is in the final stages and we more than likely would use any findings as future amendments or potential items to add to the LDC. In total perhaps 5 items dealing with mixing use and the downtown district area. The Corradino Group and Axis Group for recovery aspect consultants. The current copy of the Town's Comprehensive Plan is on the town website and a digital copy is available upon request. The current plan, which is almost complete does feature recovery and does mention mitigation steps.

Please Print Hagerty Consulting, Inc. 847-492-8454

Company Name & Phone Number



Signature

Deb Glavin, Contracts & Procurement Specialist
bids@fmbgov.com 239-765-0202

Addenda 2

Please see next page(s).

ADDENDUM TO PROPOSAL

RFP-25-02-AD **Addendum No.: 2**

Project Name: Fort Myers Beach Comprehensive Recovery and Resilience Implementation Plan

Date of Issue: March 31, 2025

CLARIFICATIONS TO THE PROPOSAL

Please see clarifications to Proposal Documents below (Addressed in Addendum 1):

Correction of Inquires e-mail address: Page 8 of the RFP-25-02-AD, INQUIRES, the e-mail is incorrect. The correct e-mail address for all inquiries is **bids@fmbgov.com**

Addendum 2 includes the following forms

- Interest in Competitive Bid for Public Business
- Anti-Lobbying Form
- Conflict of Interest Form
- Non-Collusion Affidavit
- Form – RFP Form D – **please sign and notarize**
- Additional Questions and Answers

The following inquiries were received regarding the above reference RFP:

Q. What is the estimated budget for the project?
A. Estimated budget is $1.2M

Q. The 2nd page of Form D seems to be a signature page for the Town of Fort Myers Beach, do we still notarize and submit?
A. Please see the revised RFP Form D attached to Addendum 2, please sign and notarize.

Q. Please confirm whether the Consultant is expected to identify and facilitate updates to the Town's Comprehensive Plan in addition to developing a CDBG-DR funded Recovery and Resilience Plan.
A. There is no expectation to update the Comp Plan**Q.** Please confirm the level of support required to coordinate updates to the Town's Comprehensive Plan in collaboration with the Town's Consultants.
A. Merely communicate possible solutions to the Towns consultants

Q. Please confirm whether the Town currently has an existing Consultant reviewing the Town's Comprehensive Plan and whether the new Consultant would be expected to complement existing efforts being taken by the current Consultant or provide leadership on development/updates to the Comprehensive Plan.
A. The Town currently has an existing consultant and does not require those services

Q. Please confirm the extent to which the Consultant is responsible for implementing Community Engagement and Outreach activities. For example, is the Consultant responsible for supplying related tools, resources, or other materials (e.g., marketing materials, advertising through social media, data logs or other templates to capture community input).
A. All community engagement and materials is currently being handles by the consultant

Q. Please confirm whether the Town has any requirements or preference for in-person Community Engagement activities or virtual.
A. There are no such requirements, however, in person engagements work best

Q. In the event of in-person Community Engagement activities, please confirm whether the Consultant is responsible for providing and paying for a physical meeting location(s) to conduct activities.
A. Consultant would not be responsible for providing or paying for a physical meeting

Q. Please confirm whether the Consultant is responsible for identifying stakeholders or participants required to conduct Community Engagement activities or whether the Tow would provide contact information and other details to the Consultant.
A. The Town would provide such list

Q. Can the Town provide more information on the expectations that are required from the Consultant regarding the two studies mentioned on page 4 of the RFP (Time Square Redevelopment Study and Community Beautification Study).
A. The Time Square project is to aid in the redevelopment of the space, whereas the beautification is a townwide project

Q. Please confirm whether the Town has any preference for project coordination meetings being conducted in-person or virtual and whether the Consultant would be required to present the final Plan once it is drafted.
A. Virtual is approved

Q. As it applies to RFP form C, the Town requests both pricing by each deliverable and "the Total Unit Price Cost shall include the cost of: of Meetings with Town staff to discuss Fort Myers Beach Comprehensive Recovery and Resilience Implementation Plan progress." Will the Town please confirm that they would like meetings with Town staff to have a separate delivery to understand the cost and level of effort?
A. We would like an overall deliverable with meeting time built in

Q. Does the Town have a list of existing stakeholders and community organizations? If so, have relationships been established?
A. Stakeholders are already established

Q. The sample contract in the RFP states that the Consultant will be selected in accordance with CCNA guidelines, Chapter 287.055 of the Florida Statutes. These statutes typically require municipalities to evaluate and rank professional services that exceed $35,000 based on qualifications and experience only. Please clarify if RFP Form C - Price Proposal should be submitted with our submittal, or will that be negotiated upon award.
A. CCNA language has been removed from the contract

Q. Would the town consider extending the Submission Deadline due to the delay in providing answers to the questions in a timely manner?
A. Questions have been extended till March 31st at noon.

Q. Where will the responses and addendums be posed?
A. Responses to questions and Addendums are posted in Demandstar

Please Print Hagerty Consulting, Inc., 847-492-8454

Company Name & Phone Number

Katie Frame

Signature

Deb Glavin, Contracts & Procurement Specialist
bids@fmbgov.com 239-765-0202

Required Forms

Please see next page(s).

Lobbying Affidavit

Please see next page(s).

FMB:101 ANTI-LOBBYING FORM

To be submitted with each bid or offer exceeding $100,000.00.
The undersigned, Katherine G. Freeman of Hagerty Consulting, Inc.
(the "company") hereby certifies, to the best of his or her knowledge, that:

1. No Federal appropriated funds have paid or will be paid, by or on behalf of undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31, U.S.C. § 1352 (as amended by the Lobbying Disclosure Act of 1995). Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

The Company certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the Contractor understands and agrees that the provisions of 31 U.S.C. § 3801 et seq., apply to this certification and disclosure, if any.

Signature of Company Authorized Official

Katherine G. Freeman, Director of Operations — 04/04/2025

Name and Title of Company Authorized Official — Date

Rev 3/31/2024

Non-Collusion Affidavit

Please see next page(s).

FMB:021 – NON-COLLUSION AFFIDAVIT

State of Illinois)

County of Cook)

Katherine G. Freeman being first duly sworn, deposes and says that:

1) He/she is the Representative, (Owner, Partner, Officer, Representative or Agent) of Hagerty Consulting, Inc., the BIDDER that has submitted the attached Bid;
2) He/she is fully informed respecting the preparation and contents of the attached Bid and of all pertinent circumstances respecting such Bid;
3) Such Bid is genuine and is not a collusive or sham Bid;
4) Neither the said BIDDER nor any of its officers, partners, owners, agents, representatives, employees or parties in interest, including this affiant, have in any way colluded, conspired, connived or agreed, directly or indirectly, with any other Responder, firm, or person to submit a collusive or sham Bid in connection with the Work for which the attached Bid has been submitted; or to refrain from Responding in connection with such Work; or have in any manner, directly or indirectly, sought by agreement or collusion, or communication, or conference with any Responder, firm, or person to fix the price or prices in the attached Bid or of any other Responder, or to fix any overhead, profit, or cost elements of the Bid price or the Bid price of any other Responder, or to secure through any collusion, conspiracy, connivance, or unlawful agreement any advantage against (Recipient), or any person interested in the proposed Work;
5) The price or prices quoted in the attached Bid are fair and proper and are not tainted by any collusion, conspiracy, connivance, or unlawful agreement on the part of the Responder or any other of its agents, representatives, owners, employees or parties in interest, including this affiant.

Signed, sealed and delivered in the presence of:

By: Katherine G. Freeman

Katherine G. Freeman
(Printed Name)

ACKNOWLEDGEMENT

STATE OF Illinois)
COUNTY OF Cook)
SWORN TO AND SUBSCRIBED BEFORE ME, on this 3rd day of April, 2025, by means of (X) physical presence or ( ) online notarization, personally appeared Katherine G. Freeman as Director of Operations of Hagerty Consulting, Inc.,

(X) who personally known to me of ( ) who has produced _____ as identification.

Michelle Curnyn
Notary Public Signature

My commission expires

OFFICIAL SEAL
MICHELLE CURNYN
Notary Public, State of Illinois
Commission No. 977023
My Commission Expires August 22, 2027

Rev 3/31/2025

Conflict of Interest Disclosure

Please see next page(s).

FMB:102 Conflict of Interest Disclosure Form

Note: A potential or actual conflict of interest exists when commitments and obligations are likely to be compromised by the nominator(s)'other material interests, or relationships (especially economic), particularly if those interests or commitments are not disclosed.

This Conflict-of-Interest Form should indicate whether the nominator(s) has an economic interest in, or acts as an officer or a director of, any outside entity whose financial interests would reasonably appear to be affected by the addition of the nominated condition to the newborn screening panel. The nominator(s) should also disclose any personal, business, or volunteer affiliations that may give rise to a real or apparent conflict of interest. Relevant Federally and organizationally established regulations and guidelines in financial conflicts must be abided by. Individuals with conflict of interest should refrain from nominating a condition for screening.

Date: 04/04/2025

Name: Katherine G. Freeman

Position: Director of Operations

Please describe below any relationships, transactions, positions you hold (volunteer or otherwise), or circumstances that you believe could contribute to a conflict of interest:

X I have no conflict of interest to report.

_____ I have the following conflict of interest to report (please specify other nonprofit and for-profit boards you (and your spouse) sit on, any for-profit businesses for which you or an immediate family member are an officer or director, or a majority shareholder, and the name of your employer and any businesses you or a family member own:

1. _____

2. _____

3. _____

I hereby certify that the information set forth above is true and complete to the best of my knowledge.

Signature: Katie Freeman

Date: 04/04/2025

Rev 3/31/2025

Form 3A – Interest in Competitive Bid for Public Business

Please see next page(s).

FORM 3A INTEREST IN COMPETITIVE BID FOR PUBLIC BUSINESS

LAST NAME - FIRST NAME - MIDDLE INITIAL	OFFICE / POSITION HELD
N/A	N/A
MAILING ADDRESS	AGENCY
N/A	N/A
CITY ZIP COUNTY	ADDRESS OF AGENCY
N/A	N/A

WHO MUST FILE THIS STATEMENT

Sections 112.313(3) and 112.313(7), Florida Statutes, prohibit certain business relationships on the part of public officers and employees, their spouses, and their children. *See* Part III, Chapter 112, Florida Statutes, and/or the brochure entitled "A Guide to the Sunshine Amendment and Code of Ethics for Public Officers and Employees" for more details on these prohibitions. However, Section 112.313(12), Florida Statutes, provides certain limited exemptions to the above-referenced prohibitions, including one where the business is awarded under a system of sealed, competitive bidding; the public official has exerted no influence on bid negotiations or specifications; AND where disclosure is made, prior to or at the time of the submission of the bid, of the official's or his spouses's or child's interest and the nature of the intended business. This form has been promulgated by the Commission on Ethics for such disclosure, *if and when applicable* to a public officer or employee.

INTEREST IN COMPETITIVE BID FOR PUBLIC BUSINESS (Required by Section 112.313(12)(b), Fla. Stat.)

1. The competitive bid to which this statement applies has been / will be (strike one) submitted to the following government agency:
   N/A
2. The person submitting the bid is: N/A **NAME ▼** **POSITION ▼**
3. The business entity with which the person submitting the bid is associated is: N/A
4. My relationship to the person or business entity submitting the bid is as follows: N/A
5. The nature of the business intended to be transacted in the event that this bid is awarded is as follows:
   a. The realty, goods, and / or services to be supplied specifically include: N/A
   b. The realty, goods, and / or services will be supplied for the following period of time: N/A
   c. Will the contract be subject to renewal without further competitive bidding? ☐ Yes ☐ No. If so, how often?
6. Additional comments:
   N/A

7. SIGNATURE	DATE SIGNED	DATE FILED
N/A	N/A	N/A

FILING INSTRUCTIONS

If you are a state officer or employee required to disclose the information above, please file this form with the Commission on Ethics, P.O. Drawer 15709, Tallahassee, FL 32317-5709; physical address: 325 John Knox Road, Building E, Suite 200, Tallahassee, FL 32303. If you are an officer or employee of a political subdivision of this state and are subject to this disclosure, please file the statement with the Supervisor of Elections of the county in which the agency in which you are serving has its principal office.

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES SECTION 112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED $10,000.

Letter of Transmittal

Florida Technical Consultants

Contracts and Procurement Specialist
The Town of Fort Myers Beach
2731 Oak Street,
Fort Myers Beach, FL 33931
Tel: (239) 765-0202

Re: **Request for Proposal (RFP) No. 25-02-AD For Fort Myers Beach Comprehensive Recovery and Resilience Implementation Plan**

To Whom It May Concern:

Florida Technical Consultants, LLC (FTC) is pleased to provide this Statement of Qualifications in response to your Request for Proposal (RFP) No. 25-02-AD for Fort Myers Beach Comprehensive Recovery and Resilience Implementation Plan. FTC is a Civil Engineering and Land Use Planning consulting firm offering specialized GIS (Geographic Information Systems) consulting services to governmental agencies and private companies in Palm Beach and the surrounding counties in Central and South Florida.

The Civil Engineering consulting services offered by FTC focus on the computerized mapping, modeling, inspection, and asset management of water, sewer, reclaimed and storm water utility systems utilizing GIS (Geographic Information Systems) computer software. FTC also offers land use planning services that are primarily focused on the computerized mapping, digital transformation, land planning processes, and plan and regulation development in local governments using advanced GIS software. These services include permit and site plan review, planning report writing, zoning and landscape inspections, preparation of review documents and reports, participation in staff meetings, and creating presentation graphics for public meetings. In addition, FTC can also provide clients with a wide range of additional GIS services covering many municipal and private business applications. FTC is an ESRI Silver Business Partner with an ArcGIS Online Specialty and has completed large GIS based utility projects with Cooper City, Boynton Beach Utilities, South Martin Regional Utilities, the Solid Waste Authority of Palm Beach County, and the Coral Springs Improvement District.

As the President of FTC, I have been a licensed and practicing Professional Engineer in the South Florida region continuously for the past 20 years. I am the firm's primary contact and am authorized to make representations for and enter contracts on behalf of FTC. I believe the information presented in this Statement of Qualifications will demonstrate to you in detail the scope of the GIS consulting services we offer. Please feel free to contact me at your convenience if you have any questions or if you require additional information.

Sincerely,

James Barton, P.E. President
Florida Technical Consultants LLC
2240 Woolbright Rd. Suite 400, Boynton Beach, FL 33426
Tel: (954) 914-8488, Email: jbarton@fltechinc.com

Florida Technical Consultants, LLC
2240 Woolbright Rd. Suite 400
Boynton Beach, FL 33426
Tel (954) 914-8488
James Barton P.E., President
jbarton@fltechinc.com
www.fltechinc.com

The Town of Fort Myers Beach

Request for Proposal (RFP) No. 25-02-AD
for
Fort Myers Beach Comprehensive Recovery and Resilience Implementation Plan

Submitted by:
Florida Technical Consultants LLC

Due Date:
April 7th, 2025

Submitted to:
The Town of Fort Myers Beach
2731 Oak Street,
Fort Myers Beach, FL 33931
Tel: (239) 765-0202

Florida Technical Consultants

Table of Contents

Letter of Transmittal 1

Title Page 2

Table of Contents 3

Organization Profile and Qualifications 4

Experience 21

Approach to Providing Services 35

Compensation 40

Additional Information 42

Addenda ..... -

Organization Profile and Qualifications

Executive Summary

Florida Technical Consultants, LLC (FTC) is a Civil Engineering and Land Use Planning consulting firm offering specialized GIS (Geographic Information Systems) consulting services to governmental agencies and private companies in Palm Beach and the surrounding counties in Central and South Florida. FTC has been in business since January 2014 and is set up as a Limited Liability Company (LLC) under the state of Florida. The firm maintains a current status on the Engineering Business Registry under the Florida Department of Business & Professional Regulation (DBPR) and has obtained pre-qualification as a Professional Consultant under Florida's CCNA (Consultants Competitive Negotiation Act) for many municipalities and government agencies in Florida. These include Pembroke Pines, Cooper City, Deerfield Beach, Marathon, Miami Gardens, Hollywood, and North Miami Beach. FTC has also obtained SBE/CBE certifications for Palm Beach County, the City of West Palm Beach, Broward County and SFWMD. FTC's main office is located at 2240 Woolbright Rd. Suite 400, Boynton Beach, FL 33426.

The Civil Engineering consulting services offered by FTC are primarily focused on the computerized mapping, modeling, inspection and asset management of municipal utility and infrastructure systems utilizing the GIS computer software. These systems include potable water systems, gravity sewer systems, sewer force mains, reclaimed water systems, storm water systems and various other municipal infrastructure. FTC also provides low resolution engineering services for project design, construction, and inspection for these same systems which are based on these GIS applications along with a wide range of additional GIS services covering many municipal and private business applications. FTC is an ESRI Silver Business Partner with an ArcGIS Online Specialty and has completed large GIS based utility projects with Cooper City, Boynton Beach Utilities, South Martin Regional Utilities, the Solid Waste Authority of Palm Beach County, and the Coral Springs Improvement District in South Florida.

FTC's land use planning services are primarily focused on the computerized mapping, digital transformation, land planning processes, and plan and regulation development in local governments using advanced GIS software. These services include permit and site plan review, planning report writing, zoning and landscape inspections, preparation of review documents and reports, participation in staff meetings, and creating presentation graphics for public meetings. FTC also provides comprehensive planning services for digital zoning and 3D mapping, smart cities, census demographic analysis, sustainable development, and community engagement based on these GIS applications. As an ESRI Silver Business Partner with an ArcGIS Online Specialty, FTC has completed multiple GIS-based planning projects with Cooper City, Village of Palm Springs, City of Marathon, Riviera Beach Development Services, the Solid Waste Authority of Palm Beach County, and Nassau County in Florida.

Organization Profile and Qualifications

Licenses and Certifications

Corporate Registration

State of Florida
Department of State

I certify from the records of this office that FLORIDA TECHNICAL CONSULTANTS, LLC is a limited liability company organized under the laws of the State of Florida, filed on January 21, 2014.

The document number of this limited liability company is L14000011037.

I further certify that said limited liability company has paid all fees due this office through December 31, 2025, that its most recent annual report was filed on January 8, 2025, and that its status is active.

Given under my hand and the Great Seal of the State of Florida at Tallahassee, the Capital, this the Eighth day of January, 2025

Secretary of State

Tracking Number: 4999097715CC

To authenticate this certificate,visit the following site,enter this number, and then follow the instructions displayed.

https://services.sunbiz.org/Filings/CertificateOfStatus/CertificateAuthentication

James Barton Engineering License

Ron DeSantis, Governor

Melanie S. Griffin, Secretary

FBPE FLORIDA BOARD OF PROFESSIONAL ENGINEERS

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
BOARD OF PROFESSIONAL ENGINEERS

THE PROFESSIONAL ENGINEER HEREIN IS LICENSED UNDER THE PROVISIONS OF CHAPTER 471, FLORIDA STATUTES

BARTON, JAMES H.
12008 NORTH LAKE DRIVE
BOYNTON BEACH FL 33436

LICENSE NUMBER: PE59257
EXPIRATION DATE: FEBRUARY 28, 2027
Always verify licenses online at MyFloridaLicense.com

Do not alter this document in any form.

This is your license. It is unlawful for anyone other than the licensee to use this document.

DBPR Engineering Business Registry

THE OFFICIAL SITE OF THE FLORIDA DEPARTMENT OF BUSINESS & PROFESSIONAL REGULATION

Florida dbpr Department of Business & Professional Regulation

HOME CONTACT US MY ACCOUNT

ONLINE SERVICES

Apply for a License
Verify a Licensee
View Food & Lodging Inspections
File a Complaint
Continuing Education Course Search
View Application Status
Find Exam Information
Unlicensed Activity Search
AB&T Delinquent Invoice & Activity List Search

LICENSEE DETAILS *5:47:02 AM 3/13/2025*

Licensee Information

Name:	FLORIDA TECHNICAL CONSULTANTS, LLC (Primary Name)
Main Address:	2240 WOOLBRIGHT RD SUITE 400 BOYNTON BEACH Florida 33426
County:	PALM BEACH

License Information

License Type:	Engineering Business Registry
Rank:	Registry
License Number:	30931
Status:	Current
Licensure Date:	11/26/2014
Expires:	

Special Qualifications | **Qualification Effective**

Alternate Names

View Related License Information
View License Complaint

2601 Blair Stone Road, Tallahassee FL 32399 :: Email: Customer Contact Center :: Customer Contact Center: 850.487.1395

The State of Florida is an AA/EEO employer. Copyright ©2023 Department of Business and Professional Regulation - State of Florida. Privacy Statement

Under Florida law, email addresses are public records. If you do not want your email address released in response to a public-records request, do not send electronic mail to this entity. Instead, contact the office by phone or by traditional mail. If you have any questions, please contact 850.487.1395. *Pursuant to Section 455.275(1), Florida Statutes, effective October 1, 2012, licensees licensed under Chapter 455, F.S. must provide the Department with an email address if they have one. The emails provided may be used for official communication with the licensee. However email addresses are public record. If you do not wish to supply a personal address, please provide the Department with an email address which can be made available to the public. Please see our Chapter 455 page to determine if you are affected by this change.

Matthew Davis AICP Certification

AICP

This certificate hereby qualifies

Matthew Davis

as a member with all the benefits of a Certified Planner and a commitment to the AICP Code of Ethics and Professional Conduct.

Certified Planner Number: 35262

Joel Albizo, FASAE, CAE
Chief Executive Director

Mitchell J. Silver, FAICP
President

AICP
American Institute of Certified Planners
Creating Great Communities for All

Verify: https://www.credly.com/go/70IBkCT3

Organization Profile and Qualifications

Licenses and Certifications

Florida Technical Consultants

Certificate of Qualifications

CERTIFICATE OF QUALIFICATIONS
Consultants Competitive Negotiation Act
(CCNA)

This certificate is awarded to
Florida Technical Consultants, LC

105 - Storm Sewer Design
106 - Water Dist/Sewer Collect/System & Force Main Design
119 - Civil Engineering

City of West Palm Beach

DQ'ba Levengood, CPPO, CPPB
Procurement Official

August 18, 2025
Expiration Date

South Florida Water Management District SBE

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

April 19, 2024

REGISTERED VENDOR NO.: 122171

Mr. James Barton, LEED AP, President
Florida Technical Consultants, LLC
2240 Woolbright, Suite 400
Boynton Beach, FL 33426

CERTIFICATION EFFECTIVE DATE:
July 1, 2024

CERTIFICATION EXPIRATION DATE:
July 1, 2027

Dear Mr. Barton:

Congratulations, the South Florida Water Management District (District) has recertified your firm as a Small Business Enterprise (SBE). This certification is valid for three (3) years and may **only** be applied when business is conducted in the following area(s):

Professional and Civil Engineering; GIS Services; GIS Training; Permitting Services; Engineering Data and Development Updating; Construction Inspections.

Your submittal of bids or proposals to supply other products or services outside of the specialty area(s) noted above will not count toward SBE participation. If you require certification in other specialty areas, please contact the Procurement Bureau, SBE Section, for additional information.

Renewal is required every three (3) years and should be requested a minimum of 45 days prior to the above expiration date.

If any changes occur within your company during the certification period such as ownership, affiliate company status, address, telephone number, licensing status, gross revenue, or any information that relates to your SBE Certification status, you must notify this office in writing immediately. It is imperative that we maintain current information on your company at all times.

Certification is not a guarantee that your firm will receive work, nor an assurance that your firm will remain in the District's vendor database.

We look forward to a mutually beneficial working relationship.

Sincerely,

Jennifer Dollar
SBE Program Specialist
Procurement Bureau

JD/ds

3301 Gun Club Road, West Palm Beach, Florida 33406 • (561) 686-8800 • 1-800-432-2045
Mailing Address: P.O. Box 24680, West Palm Beach, FL 33416-4680 • www.sfwmd.gov

Certified Business Entity (CBE) Certification

BROWARD COUNTY
FLORIDA

Office of Economic and
Small Business Development

Governmental Center Annex
115 S. Andrews Avenue, Room A680 • Fort Lauderdale, Florida 33301 • 954-357-6400 • FAX 954-357-5674 • TTY 954-357-5664

This Certificate is Awarded to:

FLORIDA TECHNICAL CONSULTANTS, LLC

As set forth in the Broward County Business Opportunity Act of 2012, the certification requirements have been met for:

County Business Enterprise (CBE)
Anniversary Date: September 20th

Authorized Representative

The Office of Economic and Small Business Development must be notified within 30 days of any material changes in the business which may affect ownership and control. Failure to do so may result in the revocation of this certificate and/or imposition of other sanctions.

A Service of the Broward County Board of County Commissioners
www.BrowardSmallBusiness.com

Palm Beach County SBE Certification

Palm Beach County
Office of Equal Business Opportunity

Certifies That
Florida Technical Consultants, LLC.
Vendor # **VS0000002820**
is a Small Business Enterprise (SBE) as prescribed by section 2-80.21 - 2.80.30 of the Palm Beach County Code for a three year period from
June 30, 2024 to June 29, 2027

The following services and/or products are covered under this certification:

Civil Engineering; Highways; Streets; Airport Pay-Parking Lots - Engineering; Mapping Services, Digitized, Cartography; Waste Water Treatment Engineering; Water Supply, Treatment, and Distribution/Engineering

Allen Gray, Manager
05/17/2024

PALM BEACH COUNTY FLORIDA

Palm Beach County Board of County Commissioners
Maria Sachs, Mayor
Maria G. Marino, Vice Mayor
Gregg K. Weiss
Michael A. Barnett
Marci Woodward
Sara Baxter
Mack Bernard

County Administrator
Verdenia C. Baker

West Palm Beach Small Business Certification

SMALL BUSINESS CERTIFICATION

The City of West Palm Beach's Small Business Program
Certifies that

FLORIDA TECHNICAL CONSULTANTS LLC

Has met the necessary requirements for certification as a Small Business under the Small Business Program as prescribed by the City of West Palm Beach's Ordinance Number 3366-00.

The following List of Services and/or Product are covered under this certification:

* * * *

- Computer Hardware and Peripherals for Mini and Main Frame Computers: Geographic Information System
- Data Processing Services and Software
- Mapping Services, Digitized, Cartography See 962-52 for Standard Mapping Services
- Engineering Services, Professional: Civil
- Highways; Streets; Airport Pay-Parking Lots- Engineering
- Waste Water Treatment
- Water Supply

* * * *

Issued by the City of West Palm Beach for a three-year period June 30, 2024 to June 29, 2027

Organization Profile and Qualifications

Licenses and Certifications

Florida Technical Consultants

Boynton Beach - Business Tax Receipt

City of Boynton Beach Certificate of Use/Business Tax Receipt

Expires on September 30, 2025

Business Control Number: 0039492
Date Issued: 09/25/24
Business Name: Florida Technical Consultants
Business Location: 2240 W Woolbright Rd 400

Any changes in name, address, suite, ownership, nature of business, etc. will require a new application.

COU/BTR Number	Classification Code	Classification	Additional Information
25-00059703	CU2	CERT OF USE & OCC COMM	

City of Boynton Beach Certificate of Use/Business Tax Receipt

Expires on September 30, 2025

Business Control Number: 0039492
Date Issued: 09/30/24
Business Name: Florida Technical Consultants
Business Location: 2240 W Woolbright Rd 400

Any changes in name, address, suite, ownership, nature of business, etc. will require a new application.

COU/BTR Number	Classification Code	Classification	Additional Information
25-00059702	541330	ENGINEER - PER PROFESSIONAL	ENGINEERING FIRM - JAMES BARTON

City of Boynton Beach
100 E. Ocean Ave. • Boynton Beach, FL 33435-0190

PBC - Business Tax Receipt

ANNE M. GANNON
CONSTITUTIONAL TAX COLLECTOR
Serving Palm Beach County
Serving *you.*

P.O. Box 3353, West Palm Beach, FL 33402-3353
www.pbctax.com Tel: (561) 355-2264

"LOCATED AT"
2240 WOOLBRIGHT RD STE 400
BOYNTON BEACH FL 33426

TYPE OF BUSINESS	OWNER	CERTIFICATION #	RECEIPT #/DATE PAID	AMT PAID	BILL #
ENGINEER	BARTON JAMES	39257	U24.572340 9/30/2024	36.30	B40152436

This document is valid only when receipted by the Tax Collector's Office.

FLORIDA TECHNICAL CONSULTANTS LLC
FLORIDA TECHNICAL CONSULTANTS LLC
2240 WOOLBRIGHT RD STE 400
BOYNTON BEACH FL 33426

STATE OF FLORIDA
PALM BEACH COUNTY
2024 / 2025 LOCAL BUSINESS TAX RECEIPT
LBTR Number: 2018106539
EXPIRES: 9/30/2025

This receipt MUST be conspicuously displayed at the place of business and in such a manner as to be open to the view of the public.

ANNE M. GANNON
CONSTITUTIONAL TAX COLLECTOR
Serving Palm Beach County
Serving *you.*

P.O. Box 3353, West Palm Beach, FL 33402-3353
www.pbctax.com Tel: (561) 355-2264

"LOCATED AT"
2240 WOOLBRIGHT RD STE 400
BOYNTON BEACH FL 33426

TYPE OF BUSINESS	OWNER	CERTIFICATION #	RECEIPT #/DATE PAID	AMT PAID	BILL #
ENGINEER BUSINESS	FLORIDA TECHNICAL CONSULTANTS LLC	39831	U24.572340 9/30/2024	36.30	B40152436

This document is valid only when receipted by the Tax Collector's Office.

FLORIDA TECHNICAL CONSULTANTS LLC
FLORIDA TECHNICAL CONSULTANTS LLC
2240 WOOLBRIGHT RD STE 400
BOYNTON BEACH FL 33426

STATE OF FLORIDA
PALM BEACH COUNTY
2024 / 2025 LOCAL BUSINESS TAX RECEIPT
LBTR Number: 2018106537
EXPIRES: 9/30/2025

This receipt MUST be conspicuously displayed at the place of business and in such a manner as to be open to the view of the public.

Coral Springs Tax Receipt

CORAL SPRINGS
— BUSINESS TAX OFFICE —
www.CoralSprings.org/businesstax

Development Services Department
Business Tax Office
9500 West Sample Road, Coral Springs, FL 33065
Mon-Thurs: 7:30AM - 5PM, Fri: 7:30AM - 2:30PM
Phone: 954-344-5964

LOCAL BUSINESS TAX RECEIPT

FLORIDA TECHNICAL CONSULTANTS LLC
2728 UNIVERSITY DR BLDG 2700
CORAL SPRINGS FL 33065

License #: BT-2347
Type of Business: BUSINESS TAX RECEIPT GENERAL BUSINESSES
Expiration Date: September 30, 2025
Business Location: 2728 UNIVERSITY DR

POST THIS BUSINESS TAX RECEIPT IN A CONSPICUOUS PLACE

ALL WINDOW SIGNS SHALL COMPLY WITH LAND DEVELOPMENT CODE CHAPTER 18

CONDITIONS
(If no conditions exist, then TYPE OF BUSINESS is only condition)

Broward County Tax Receipt

BROWARD COUNTY LOCAL BUSINESS TAX RECEIPT
115 S. Andrews Ave., Rm. A-100, Ft. Lauderdale, FL 33301-1895 – 954-357-4829
VALID OCTOBER 1, 2024 THROUGH SEPTEMBER 30, 2025

Business Name: JAMES H BARTON
Receipt #: 315-280623
Business Type: ENGINEER (ENGINEER)

Owner Name: FLORIDA TECHNICAL CONSULTANTS LLC
Business Location: 2728 UNIVERSITY DR
CORAL SPRINGS
Business Phone: 954-914-8488
Business Opened: 10/11/2016
State/County/Cert/Reg:
Exemption Code:

Rooms	Seats	Employees	Machines	Professionals
		1		

For Vending Business Only
Number of Machines: Vending Type:

Tax Amount	Transfer Fee	NSF Fee	Penalty	Prior Years	Collection Cost	Total Paid
30.00	0.00	0.00	0.00	0.00	0.00	30.00

Receipt Fee 30.00
Packing/Processing/Canning Employees 0.00

THIS RECEIPT MUST BE POSTED CONSPICUOUSLY IN YOUR PLACE OF BUSINESS

THIS BECOMES A TAX RECEIPT
WHEN VALIDATED

This tax is levied for the privilege of doing business within Broward County and is non-regulatory in nature. You must meet all County and/or Municipality planning and zoning requirements. This Business Tax Receipt must be transferred when the business is sold, business name has changed or you have moved the business location. This receipt does not indicate that the business is legal or that it is in compliance with State or local laws and regulations.

Mailing Address:
FLORIDA TECHNICAL CONSULTANTS LLC
533 E OCEAN AVE STE 2
BOYNTON BEACH, FL 33435

Receipt #WWW-23-00295231
Paid 09/24/2024 30.00

2024 - 2025

BROWARD COUNTY LOCAL BUSINESS TAX RECEIPT
115 S. Andrews Ave., Rm. A-100, Ft. Lauderdale, FL 33301-1895 – 954-357-4829
VALID OCTOBER 1, 2024 THROUGH SEPTEMBER 30, 2025

Business Name: JAMES H BARTON
Receipt #: 315-280623
Business Type: ENGINEER (ENGINEER)

Owner Name: FLORIDA TECHNICAL CONSULTANTS LLC
Business Location: 2728 UNIVERSITY DR
CORAL SPRINGS
Business Phone: 954-914-8488
Business Opened: 10/11/2016
State/County/Cert/Reg:
Exemption Code:

Rooms	Seats	Employees	Machines	Professionals
		1		

Signature

For Vending Business Only
Number of Machines: Vending Type:

Tax Amount	Transfer Fee	NSF Fee	Penalty	Prior Years	Collection Cost	Total Paid
30.00	0.00	0.00	0.00	0.00	0.00	30.00

Receipt #WWW-23-00295231
Paid 09/24/2024 30.00

ACORD®

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 02/24/2025

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER		CONTACT NAME: Robert Macoviak	
Harvey E. Oyer Jr. Inc. Oyer, Macoviak and Associates 1903 S Congress Ave Ste 350 Boynton Beach FL 33426		PHONE (A/C, No, Ext): (561) 732-9305	FAX (A/C, No): (561) 364-9848
		E-MAIL ADDRESS: rmacoviak@oyerinsurance.com	
		INSURER(S) AFFORDING COVERAGE	NAIC #
INSURED FLORIDA TECHNICAL CONSULTANTS LLC 2240 WOOLBRIGHT RD STE 400 BOYNTON BEACH FL 33426		INSURER A : Continental Casualty	20443
		INSURER B : Transportation	20494
		INSURER C : Hiscox	10200
		INSURER D :	
		INSURER E :	
		INSURER F :	

COVERAGES **CERTIFICATE NUMBER:** CL2493006537 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PRO-JECT ☐ LOC OTHER:			6021699408	10/25/2024	10/25/2025	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG Pkg Arch/Engr/Survey	$ 2,000,000 $ 1,000,000 $ 10,000 $ 2,000,000 $ 4,000,000 $ 4,000,000 $
B	AUTOMOBILE LIABILITY ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☒ HIRED AUTOS ONLY ☒ NON-OWNED AUTOS ONLY			6025101036	02/24/2025	02/24/2026	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)	$ $ $ $ $
A	☒ UMBRELLA LIAB ☐ OCCUR ☐ EXCESS LIAB ☐ CLAIMS-MADE ☐ DED ☐ RETENTION $			7092541083	10/25/2024	10/25/2025	EACH OCCURRENCE AGGREGATE	$ $ $
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y / N ☐ If yes, describe under DESCRIPTION OF OPERATIONS below	N / A		6025101036	02/24/2025	02/24/2026	☒ PER STATUTE ☐ OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	$ 1,000,000 $ 1,000,000 $ 1,000,000
C	Professional Liability			P100.213.591.8	04/18/2024	04/18/2025	Aggregate Each Claim	2,000,000 2,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

Florida Technical Consultants LLC
2240 Woolbright Rd Ste 400
Boynton Beach FL 33426

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

© 1988-2015 ACORD CORPORATION. All rights reserved.

ACORD 25 (2016/03) **The ACORD name and logo are registered marks of ACORD**

ADDITIONAL COVERAGES

Ref #	Description	Coverage Code	Form No.	Edition Date
E	Cyber Insurance-BCS Insd Co Eff 7/16/2024-07/16/2025			

Limit 1	Limit 2	Limit 3	Deductible Amount	Deductible Type	Premium
1,000,000			2,500		

Ref #	Description	Coverage Code	Form No.	Edition Date
	BAIL	BAIL		

Limit 1	Limit 2	Limit 3	Deductible Amount	Deductible Type	Premium
1,000					

Ref #	Description	Coverage Code	Form No.	Edition Date
	Umbrella(C)	CUMBR		

Limit 1	Limit 2	Limit 3	Deductible Amount	Deductible Type	Premium
1,000,000	1,000,000		10,000		

Ref #	Description	Coverage Code	Form No.	Edition Date
	Increased employer's liability	INEL		

Limit 1	Limit 2	Limit 3	Deductible Amount	Deductible Type	Premium

Ref #	Description	Coverage Code	Form No.	Edition Date
	Expense constant	EXCNT		

Limit 1	Limit 2	Limit 3	Deductible Amount	Deductible Type	Premium

Ref #	Description	Coverage Code	Form No.	Edition Date
	Per Aggregate Bene Ded	PAGBD		

Limit 1	Limit 2	Limit 3	Deductible Amount	Deductible Type	Premium

Ref #	Description	Coverage Code	Form No.	Edition Date

Limit 1	Limit 2	Limit 3	Deductible Amount	Deductible Type	Premium

Ref #	Description	Coverage Code	Form No.	Edition Date

Limit 1	Limit 2	Limit 3	Deductible Amount	Deductible Type	Premium

Ref #	Description	Coverage Code	Form No.	Edition Date

Limit 1	Limit 2	Limit 3	Deductible Amount	Deductible Type	Premium

Ref #	Description	Coverage Code	Form No.	Edition Date

Limit 1	Limit 2	Limit 3	Deductible Amount	Deductible Type	Premium

Ref #	Description	Coverage Code	Form No.	Edition Date

Limit 1	Limit 2	Limit 3	Deductible Amount	Deductible Type	Premium

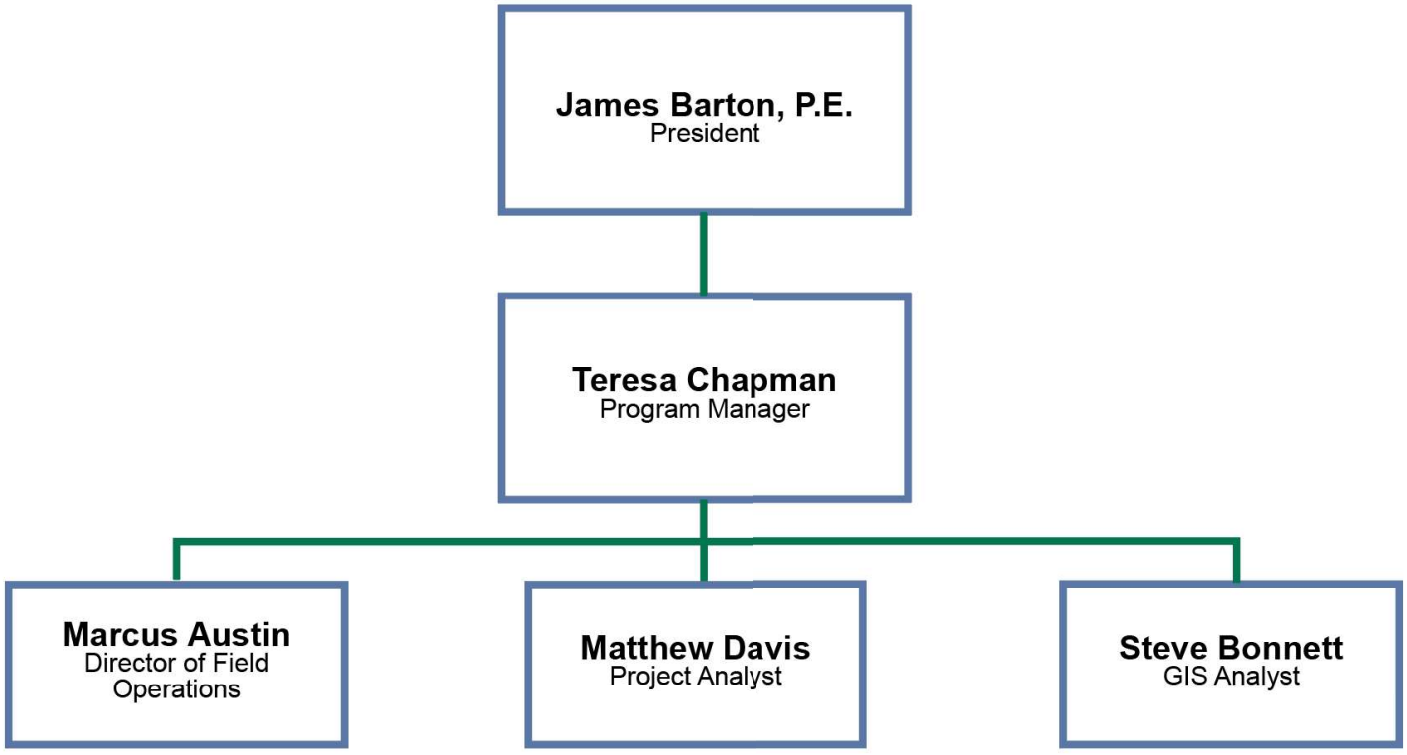
OFADTLCV

Copyright 2001, AMS Services, Inc.

Organization Profile and Qualifications

Key Personnel

The following organization chart along with resumes show the proposed principal FTC staff with their individual qualifications, who will perform work as required if the firm is awarded a contract.





James Barton, P.E.
President

Professional Summary

James is the primary project contact for FTC and provides all project management functions, program development, GIS utility data build and on-site training. His background experience covers all program components with 20 years experience in engineering design and project management of water, sanitation and stormwater programs. These include water resources, infrastructure, rehabilitation, GIS implementation, environmental engineering, utilities and road construction. James has routinely integrated GIS technology with engineering, developing software tools to assist in system modeling, design, and construction administration. Since becoming an ESRI authorized GIS Trainer in 2003, he has provided training to over 75 students in various organizations and disciplines. His specialty is training for people specializing in utilities, public works and engineering as well as providing training for people with fire, police and city and county administrations.

Education

B.Sc. Civil Engineering, Queen's University, Kingston, Ontario, Canada - 1990

Professional Experience

- **President/Principal Engineer** - Florida Technical Consultants, Boynton Beach, FL
  2014 to present (10 years)
- **Senior Engineer** - Chen Moore & Associates, Ft. Lauderdale, FL
  2001 to 2014 (13 years)
- ***Water Engineer*** - CARE Canada/Unicef/US AID, Mozambique and Angola, Africa
  1991 to 2001 (9 years)

Registration

- Professional Engineer, State of Florida, 2003 (#59257)

Affiliations

- American Society of Civil Engineers (ASCE)
- American Water Works Association (AWWA)
- Florida Engineering Society (FES)
- Urban and Regional Information Systems Association (URISA)

Certifications

- ESRI Authorized GIS Trainer
- LEED Accredited Professional

Past Projects

- **Project:** Gasparilla Island Water Association GIS Support, Boca Grande, Florida
  Role: Project Engineer
  Description: FTC converted the City's CAD Atlas to GIS. ArcGIS Applications were developed, and the staff was trained to inventory and field verify features. Systems included water and sewer.

- **Project:** City of Marathon Hurricane Recovery, Marathon, Florida
  Role: Project Engineer
  Description: FTC worked extensively with the City of Marathon on post hurricane assessment and recovery after the catastrophic hurricane Irma hit the Florida Keys in 2017. Working along with the City, FTC staff utilized the FEMA Substantial Damage Estimator tool and integrated this tool with GIS to carry out damage assessment.

- **Project:** South Martin Regional Utility, Hobe Sound, Florida
  Role: Project Engineer
  Description: FTC converted the utility atlas to GIS including water and sewer. The process was complicated by the existing CAD parcel data being geographically incorrect in some cases necessitating field verification. Mobile apps were created in ArcGIS Online to validate data from the field.



Teresa Chapman
Program Manager

Professional Summary

Teresa has over 8 years of engineering and GIS implementation experience. In her capacity as Program Manager with FTC, she has utilized GIS in real-world engineering situations to improve informational management and decision support for both clients and their engineers. Teresa supports the data collection, tracking and analysis functions of her team for multiple municipalities and has performed utility design, permitting, bidding assistance and construction administration services throughout her career. She also has experience in water resources, sanitary sewer systems, infrastructure rehabilitation, and road construction and continues to expand her knowledge base.

Education

B.Sc. Ocean Engineering, Florida Atlantic University, Boca Raton, FL - 2010

Professional Experience

- **Program Manager** - Florida Technical Consultants, Boynton Beach, FL
  2019 to present (5 years)
- **Associate Engineer** - Chen Moore & Associates, West Palm Beach, FL
  2013 to 2018 (5 years)

Affiliations

- American Society of Civil Engineers (ASCE)
- American Water Works Association (AWWA)
- Florida Engineering Society (FES)
- International Propeller Club of the United States
- Palm Beach Countywide GIS Forum

Certifications

- InfoWater Training Certificate
- Stormwater Management Inspector
- MOT

Past Projects

- **Project:** Boynton Beach Utilities, Boynton Beach, Florida
  Role: Project Manager
  Description: Responsible for creating GIS Datasets to support modeling for potable water, sanitary sewer, reclaimed water, and stormwater systems. ArcGIS applications were developed to identify routine procedures to improve efficiency.

- **Project:** City of Westlake, Westlake, Florida
  Role: Project Manager
  Description: Worked with City staff, developers and field staff to manage plats as they are recorded with the Property Appraiser's office. Created an addressing scheme for the City following Palm Beach County's addressing methods. Converted CAD data of utilities to a GIS database.

- **Project:** Town of Palm Beach, Palm Beach, Florida
  Role: Project Manager
  Description: FTC converted the City's CAD Atlas to GIS. CAD text data was used to populate senior GIS geodatabases. Applications were developed and staff was trained to inventory and field verify features.



Matthew Davis, AICP
Project GIS Analyst

Professional Summary

Matt is certified by AICP as a Certified Planner and has a proven track record in developing and implementing GIS policies, open data software, advanced analysis systems, and architecture deployment of digital content. He's highly adept at delivering innovative initiatives, conducting site visits, providing predictive analysis, and executing improvement strategies focused on quality and consistency. Matt is skilled in monitoring budgets and drafting funding, resourcing, and status reports and he's considered an expert in leading, training, and empowering technical teams. Matt has been instrumental in building productive relationships with clients, technologists, businesses, and stakeholders. He brings to the table a strong background in Fast, Agile, Urban design processes, and technology implementation.

Education

PhD in Public Policy - National Security Studies, Liberty University, Lynchburg, VA - 2028 (est)
M.E. Engineering Management, University of Colorado, Boulder, CO - 2024 (est)
B.Arts, McMaster University, Hamilton, Ontario - 2018
Certificate in Visualizing Data, NYU Stern School of Business, New York, NY - 2020
Post Graduate Certificate in GIS, Fanshawe College, London, Ontario - 2011
Diploma in GIS and Urban Planning, Fanshawe College, London, Ontario - 2007

Professional Experience

- **Project AICP/GIS Analyst** - Florida Technical Consultants, Boynton Beach, FL
  2022 to present (2 years)
- **Strategic Innovation Officer** - City of Hallandale Beach, FL
  2019 to 2022 (3 years)
- **GIS Coordinator** - City of Lake Worth, Lake Worth, FL
  2018 to 2019 (2 years)
- **Senior GIS Technologist** - Haldimand County, Cayuga, Ontario
  2010 to 2018 (8 years)

Affiliations

- Urban and Regional Information Systems Association
- United States Geospatial Intelligence Foundation
- Atlantic Association of Geomatics and Planning
- American Planning Association (AICP)

- Congress for the New Urbanism (CNU-A)
- Canadian Association of Certified Planning Technicians (CPT)
- Canadian Institute of Planners (MCIP-I)

Past Projects

- **Project:** Village of Palm Springs Planning Department, Palm Springs, Florida
  Role: GIS Planning Consultant
  Description: Provided comprehensive digital planning support for the Village of Palm Springs by delivering report maps and cloud-hosted digital planning documents, including zoning and future land use maps. Also assisted in maintaining Conduits, the village's application used for public research. Additionally, we automated GIS parcel updates to enhance and support governmental operations, ensuring accurate and efficient data management for planning and decision-making processes.

- **Project:** Downtown Cayuga Conceptual Streetscape Design Plan, Haldimand County, Ontario
  Role: Urban Designer
  Description: Developed a conceptual streetscape design plan for downtown Cayuga. This project aimed to enhance the streets as integral parts of the community's public space system, involving community engagement through surveys and public meetings to capture the desires and expectations of the downtown business community.

- **Project:** Downtown Caledonia Improvement Strategies, Haldimand County, Ontario
  Role: Urban Designer
  Description: Developed the "Finding Quick Wins in Big Moves for Downtown Caledonia" document, incorporating community consultation to provide detailed physical improvement strategies for downtown Caledonia. This plan aimed to enhance the public realm, support community economic development, and align with the needs and aspirations of the community.

- **Project:** Hagersville Downtown Streetscape Plan, Haldimand County, Ontario
  Role: Urban Designer
  Description: Worked on the Hagersville Streetscape Plan to translate the County's broader Streetscape Plan into specific recommendations for downtown Hagersville. The plan focused on creating a central business area that serves as the heart of the community, enhancing pedestrian comfort, visual appeal, and local history while accommodating all users and modes of travel within the downtown area.



Professional Summary

Marcus is an expert in utility infrastructure having managed construction programs for several municipalities worth over $100 million during the last 25 years. He uses GIS to manage construction and assess the condition of infrastructure. Marcus's primary focus is working with field teams to grow the use of GIS in the organization. He is a result-oriented leader with extensive experience in collaborative planning, development and delivery of strategic projects and services through teams and organizations. Marcus has a proven ability to manage large, complex teams and projects delivering timely, cost-effective and high-quality results. He can initiate change and cross-functional process improvements and recommendations to facilitate efficient work-flow.

Marcus Austin, GC
Director of Field Operations

Education

A. Sc. Civil Engineering, Hudson Valley Community College, Troy, NY - 1987

Professional Experience

- **Director of Field Operations** - Florida Technical Consultants, Boynton Beach, FL
  2017 to present (7 years)
- **Director of Construction** - Chen Moore & Associates, Ft. Lauderdale, FL
  2002 to 2017 (15 years)
- **Project Manager** - Craven Thompson & Associates, Ft. Lauderdale, FL
  1992 to 2001 (9 years)
- **Project Manager / Designer** - The Anderson Group, Albany, NY
  1989 to 1992 (3 years)

Registration - General Contractor's License #1506546, State of Florida, 2003

Past Projects

- **Project:** Town of Palm Beach GIS Coordination, Palm Beach, Florida
  Role: GIS Project Manager
  Description: Involved in numerous utility design, permitting, construction services and GIS projects for the Town. Utility projects include Water and Drainage systems. Directly worked with Public Works Staff to inventory data and build datasets for tracking and public outreach. Worked closely with the GIS department to develop best practices, applications and training for various departments around the Town utilizing GIS data.

- **Project:** City of Miami Gardens GIS Coordination, Miami Gardens, Florida
  Role: GIS Project Manager
  Description: Assists the City with various GIS tasks including Stormwater System Updates, Stormwater Cleaning Tracker, Express Bus Routes, Bus Shelter Inventory and various PDF maps used for informational distribution.

- **Project:** FEMA Research, West Palm Beach, Florida
  Role: GIS Project Manager
  Description: Assisted the City of West Palm Beach with researching Elevation Certificates from the past 5 years. Certificates were checked to verify compliance with FEMA standards and corrections were sent to surveyors in an attempt to obtain a correct form. Elevation Certificates pertaining to “Finished Construction” were given a reference number and scanned into a database. Certificates were then implemented into a GIS map and represented as a point in the corresponding location. Hyperlinks were added to the point to allow quick access to original documents.



Steve Bonnett
GIS Analyst

Professional Summary

Steve served as GIS Manager at Broward County Water/Wastewater Services for over 17 years. He was educated as an engineer but transitioned to GIS approximately 24 years ago. He oversaw the day-to-day GIS operations for the Utility. He guided the GIS from old ArcInfo coverages to a current high availability enterprise GIS. He managed an Oracle SDE geodatabase with a geometric network. He managed a staff of four individuals who were highly educated and experienced. His skills include Enterprise GIS, SDE geodatabases, geometric networks, AutoCAD, and various ESRI software extensions. Prior to coming to the County, he was the GIS manager for a town in Oregon for three years.

Education

Florida Atlantic University – GIS
Oregon State University – Engineering
Linn-Benton Community College – Civil Engineering Technology - Drafting

Professional Experience

- **GIS Analyst** - Florida Technical Consultants, Boynton Beach, FL
  2019 to present (5 years)
- **GIS Manager**- Broward County Water/Wastewater Services, Pompano Beach, FL
  2012 to - 2019 (7 years)

Certifications

- GISP - 2013

Past Projects

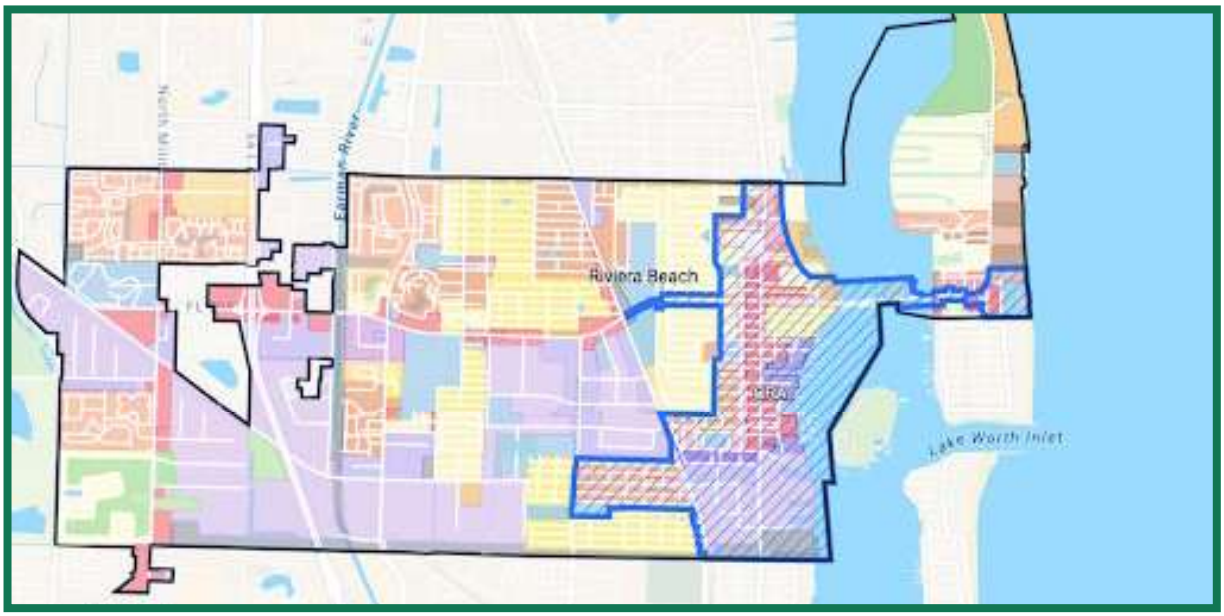
- **Project:** Broward County Water/Wastewater Service, Pompano Beach, FL
  Role: Project Manager
  Description: Mr. Bonnett served for 17 years as the Project Manager and liaison to the Consultant in converting old ArcInfo coverages into an enterprise SDE geodatabase. He was responsible for designing the database schema, QA/QC of the existing data, testing the deliverables from the consultant, and then performing the final data load. After the data load, a geometric network was created. The results of this project resulted in 75% reduction in time inputting GIS data from asbuilts into the GIS enterprise geodatabase.

A sampling of some of the major projects completed by FTC which demonstrate its experience and expertise is as follows:

Riviera Beach Development Services

Address:	600 West Blue Heron Boulevard, Riviera Beach, FL 33404
Phone:	(561) 845-4185, Mobile: (561) 385-2336
Email:	mrtlow@rivierabeach.org
Contact Person:	Michael R.T. Low CEng MIChem, Executive Director Utilities
Project Dates:	May 2022 to present
Contract Award Value:	$148,620

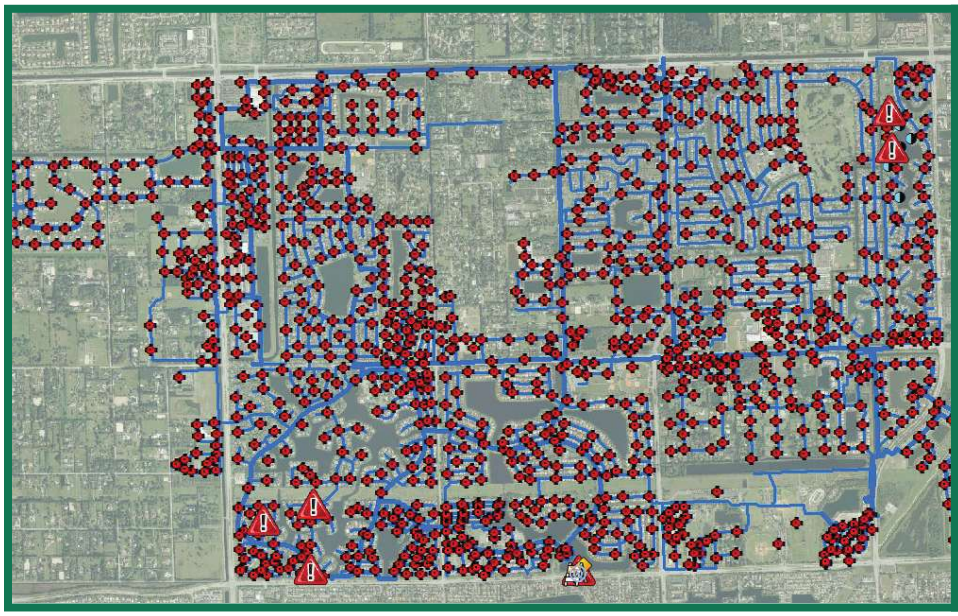
Project Summary: FTC provides cloud-hosted GIS solutions for Riviera Beach Development Services, enhancing decision support for planning staff. We facilitate plan submittals through ease of access to planning documentation and legislation. Our support enables planning staff to improve efficiency with 24/7 access to comprehensive planning and zoning digital data. Additionally, we provide direct links to external sources, such as Municode, using advanced technology, streamlining the planning process and ensuring accurate, up-to-date information is readily available.

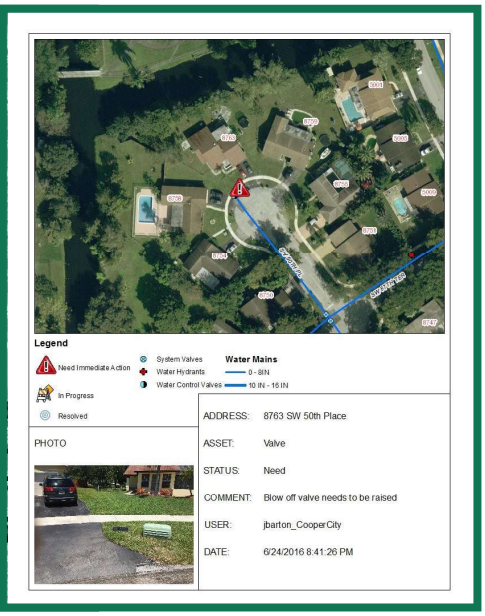


Cooper City Utility Department

Address:	11791 SW 49th St., Cooper City, Florida 33330
Phone:	954-434-5519
Email:	rverma@coopercityfl.org
Contact Person:	Raj Verma, Utilities Director
Project Dates:	Oct. 2014 to present
Contract Award Value:	$200,000.00

Project Summary: This is a large and ongoing project in which FTC converted Cooper City's entire CAD Atlas to GIS. The systems included are water, sewer and drainage. In addition, FTC has set up geometric networks which were run for valve isolation and capacity analysis. Other activities included coordinating hydrant labels for the Fire Department and tracking the progress of the contractor who was responsible for the ongoing valve turning contract. Online ArcGIS applications were also developed, and Cooper City's Utilities' staff was trained to update and verify features as well as track emergency utility repairs.





City of Marathon Planning Department

Address:	9805 Overseas Highway, Marathon, Florida 33050
Phone:	305-703-0033
Email:	garrettg@ci.marathon.fl.us
Contact Person:	George Garrett, City Manager
Project Dates:	Sept. 2017 - Dec. 2017
Contract Award Value:	$100,000.00

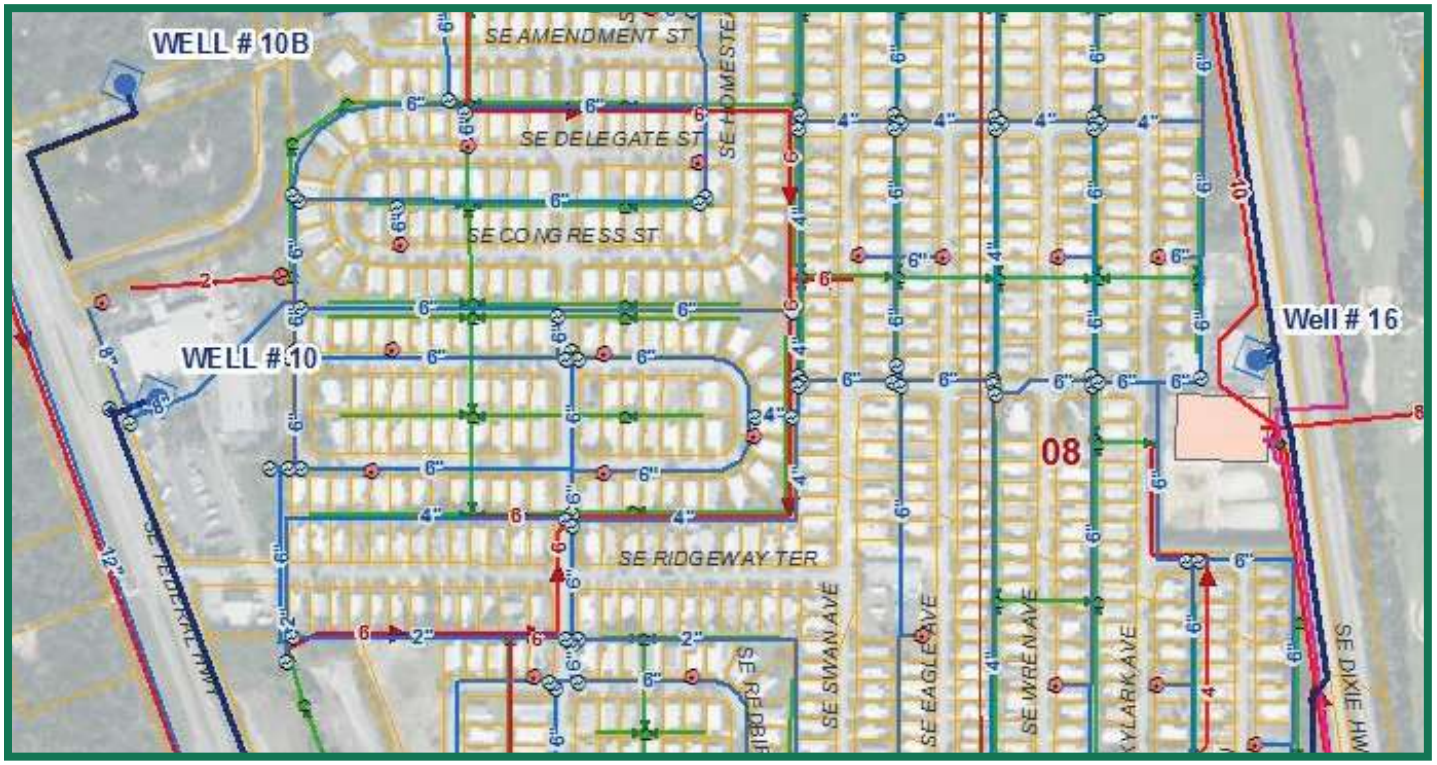
Project Summary: FTC provides technical planning support for the City of Marathon by managing comprehensive plan documents and environmental overlays. We digitize zoning and future land use documents, maintaining an accurate and up-to-date inventory based on commission approvals. This information is business-critical for site plan reviews, zoning verification, and effective communication with the public. Our services ensure that all planning materials are current and reflect the latest decisions, facilitating informed and effective municipal planning and development



South Martin Regional Utility (SMRU)

Address:	9000 SE Athena St, Hobe Sound, FL 33455
Phone:	772-545-0171
Email:	dthomas@tji.martin.fl.us
Contact Person:	Dave Thomas, Operations Manager
Project Dates:	May 2015 to present
Contract Award Value:	$115,000.00

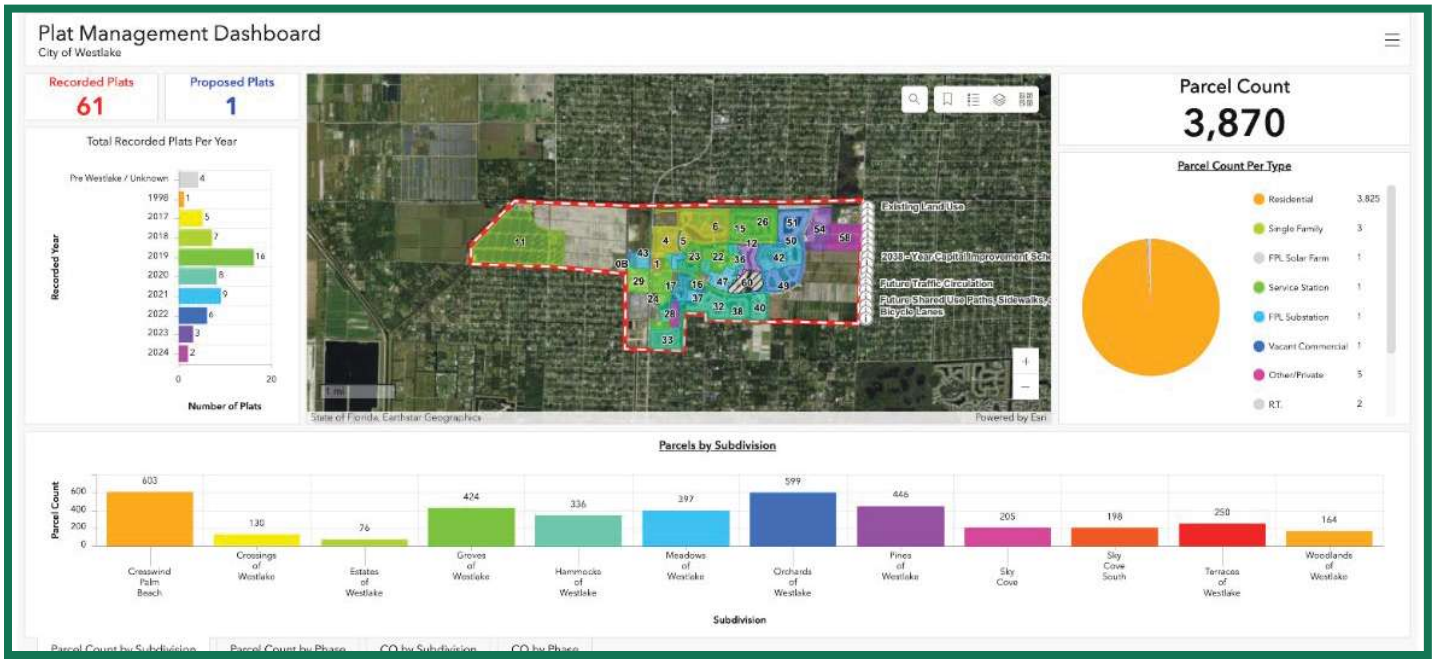
Project Summary: For this project FTC converted the client's entire utility Atlas to GIS which included both water and sewer systems. The process was complicated by the fact that some of the existing CAD parcel data was incorrect which in cases necessitated field verification. To facilitate this field verification FTC developed mobile apps in ArcGIS in order to validate the data in the field.



City of Westlake

Address:	4001 Seminole Pratt Whitney Road, Westlake, FL 33470
Phone:	(561) 530- 5880
Email:	ken.cassel@inframark.com
Contact Person:	Ken Cassel
Project Dates:	January 2019 to Present
Contract Award Value:	Ongoing contract for $80,000 / year

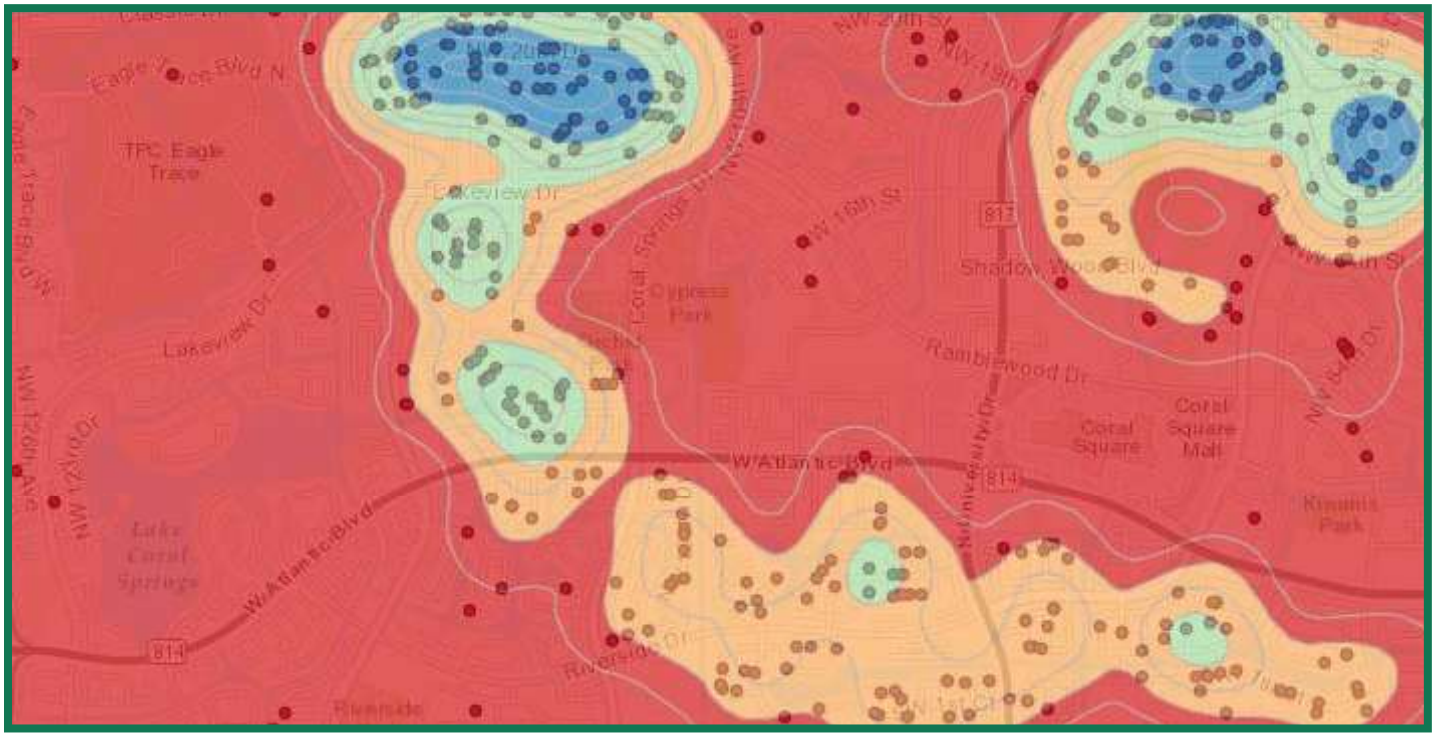
Project Summary: FTC provides a broad range of planning support to Westlake's fast growing city. We provide the city with all of their addressing and maintain their addressing database, sharing this data with the county and property appraiser. Working with Westlake's Building Department and Developers we create and maintain interactive applications and dashboards to view up to date parcel and plat information for the city. We provide the city with tax roll support through interactive dashboards as well as data verification with our data being updated before the county and property appraiser. FTC manages and maintains all of Westlake's GIS data, providing almost real time updates. Alongside planning support, FTC provides comprehensive support for the Seminole Improvement District and manages all GIS for utilities..



Coral Springs Improvement District (CSID)

Address:	10300 NW 11th Manor, Coral Springs, FL 33071
Phone:	954-753-0380
Email:	joes@csidfl.org
Contact Person:	Joe Stephens, Utilities Director
Project Dates:	Oct. 2015 to present
Contract Award Value:	$40,000.00

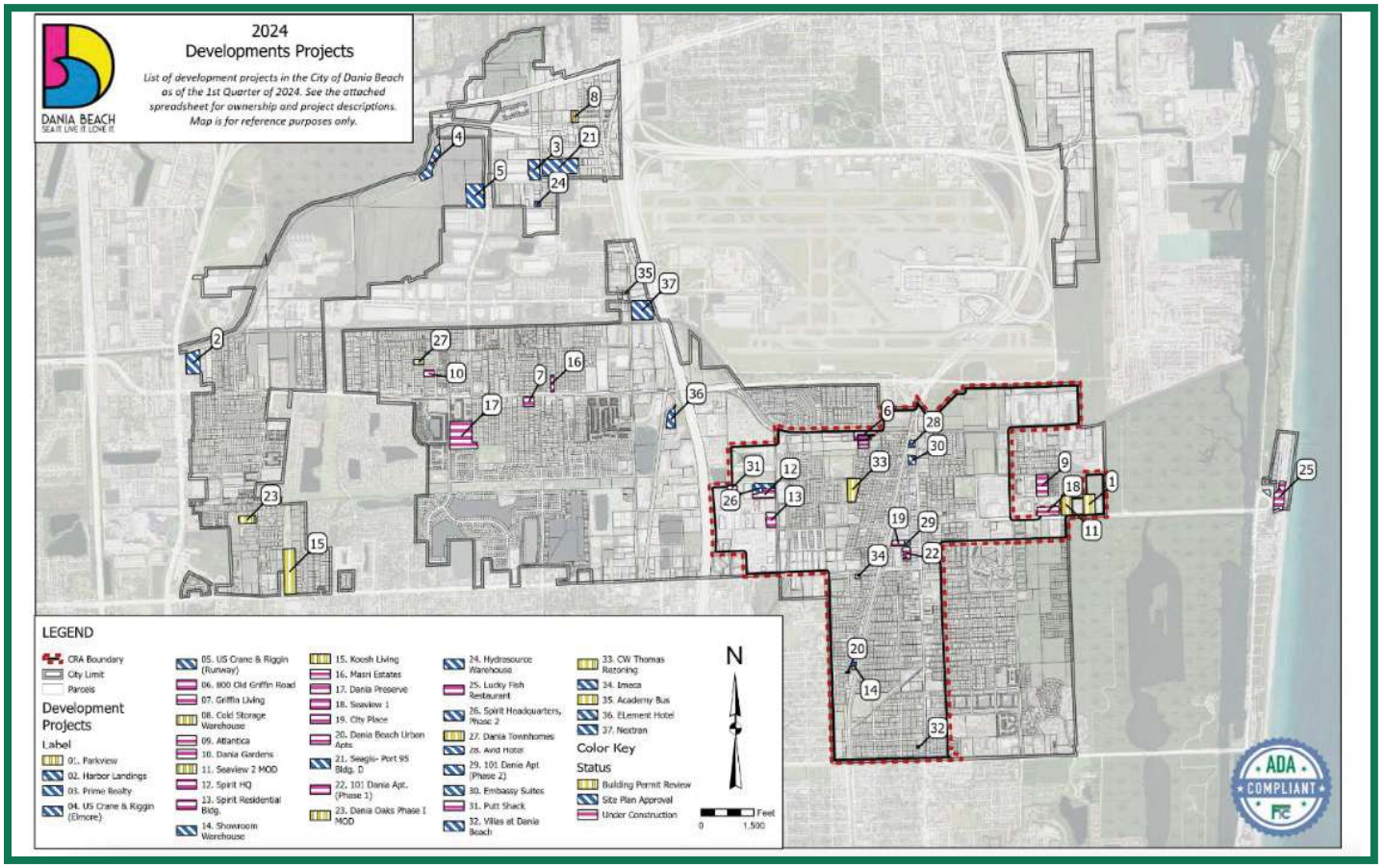
Project Summary: FTC provided the client with data setup services and training so that the client's staff was able to collect and input their data directly into their GIS program. In addition, FTC's services included mapping of water main breaks with a density analysis being carried out to prioritize replacement. Also, staff was trained in the use of ArcGIS for both field and desktop applications.



City of Dania Beach Community Development Department

Address:	100 W Dania Beach Boulevard, Dania Beach, FL 33004
Phone:	(954) 924-6805 ext. 3645
Email:	enorena@daniabeachfl.gov
Contact Person:	Eleanor Norena
Project Dates:	January 2022 to present
Contract Award Value:	Ongoing contract for $80,000 / year

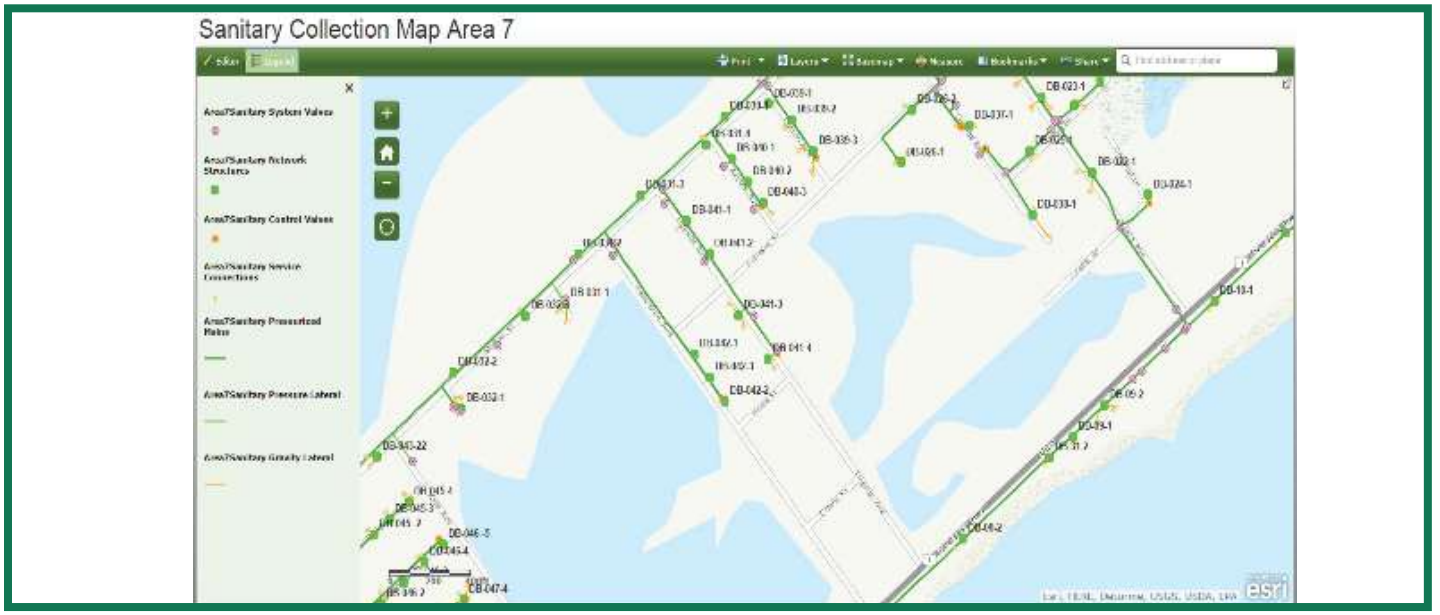
Project Summary: FTC has worked with Dania Beach to support all of the city's GIS needs. We provide the City of Dania Beach with updates to their current zoning, future land use and code compliance maps as well as updates to the city boundary including annexations and de-annexations whenever requested by the city. We regularly provide the city with site maps for their city council meetings including but not limited to zoning or future land use changes, variances and ordinances . We maintain the city's current Development Projects map, which recently won the FPZA Innovation – Technology award for ADA Compliance. FTC provides and maintains public facing applications such as the Current Development Project StoryMap that includes project images and descriptions for construction currently underway in Dania Beach.



City of Marathon

Address:	9805 Overseas Highway, Marathon, Florida 33050
Phone:	305-703-0033
Email:	garrettg@ci.marathon.fl.us
Contact Person:	George Garrett, City Manager
Project Dates:	Sept. 2017 - Dec. 2017
Contract Award Value:	$100,000.00

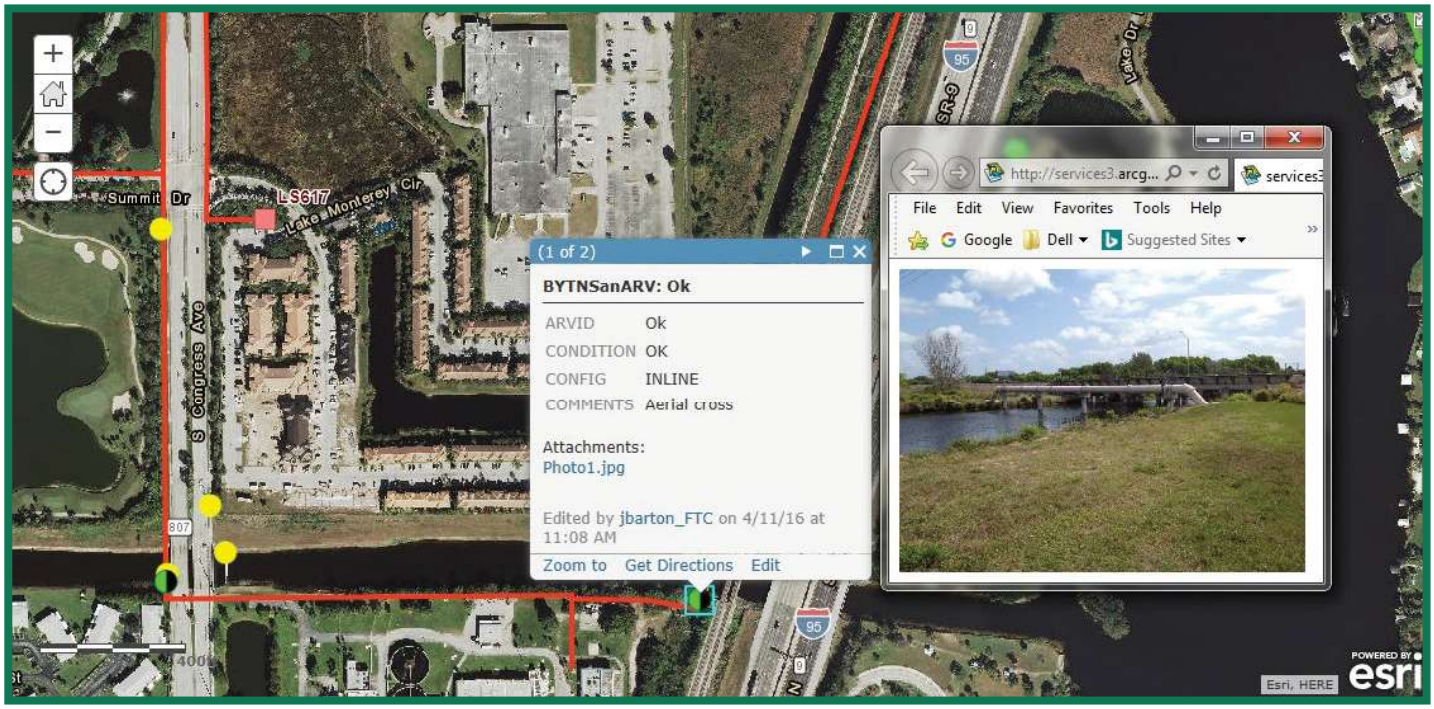
Project Summary: FTC worked extensively with the City of Marathon on post hurricane assessment and recovery after the catastrophic hurricane Irma hit the Florida Keys in 2017. FTC working along with the City's staff utilized the Federal Emergency Management Agency's (FEMA) Substantial Damage Estimator (SOE) tool and integrated this tool with GIS to carry out hurricane damage assessments and plan recovery operations in Marathon. The system linked assessor's tax parcel numbers, address information, aerial four-dimensional photos (both pre- and post-disaster) and permit information. Teams which included a community code enforcement officer or city planner and a FEMA employee then used iPads pre-loaded with the SOE tool to make an assessment of the damaged structure. Utilizing GIS along with FEMA's SOE tool was an effective way of reporting substantial damage information and allowed communicating interactively with people in the office.



City of Boynton Beach Utilities Department

Address:	124 E. Woolbright Rd., Boynton Beach, FL 33435
Phone:	561-742-6427
Email:	bryantw@bbfl.us
Contact Person:	Waneya Bryant, Manager of Asset Management Systems
Project Dates:	Dec. 2016 to present
Contract Award Value:	$150,000.00

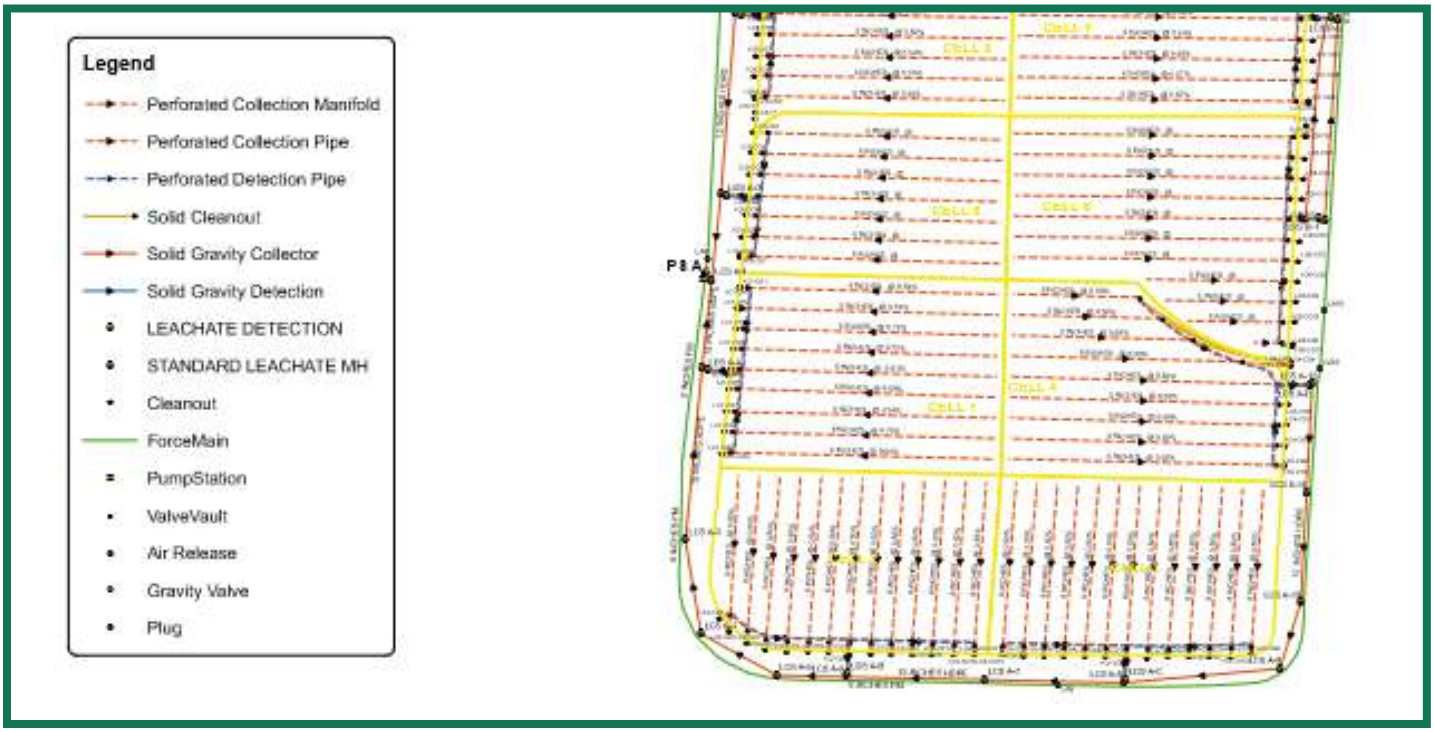
Project Summary: FTC created a GIS data set to support modeling of the potable water, sanitary sewer, reclaimed water and stormwater systems. Several sources of existing data were merged and topologically cleaned for snapping and node creation. Elevations were extracted and used to populate nodes. In addition, ArcGIS applications were developed and the client's staff were trained to inventory and field verify the various systems' features.



Solid Waste Authority of Palm Beach County (SWA)

Address:	7501 N. Jog Road West, Palm Beach, FL 33412
Phone:	561-640-4000
Email:	jrudd@swa.org
Contact Person:	Josephine Rudd, GIS Director
Project Dates:	Sept. 2020 to present
Contract Award Value:	$50,000.00

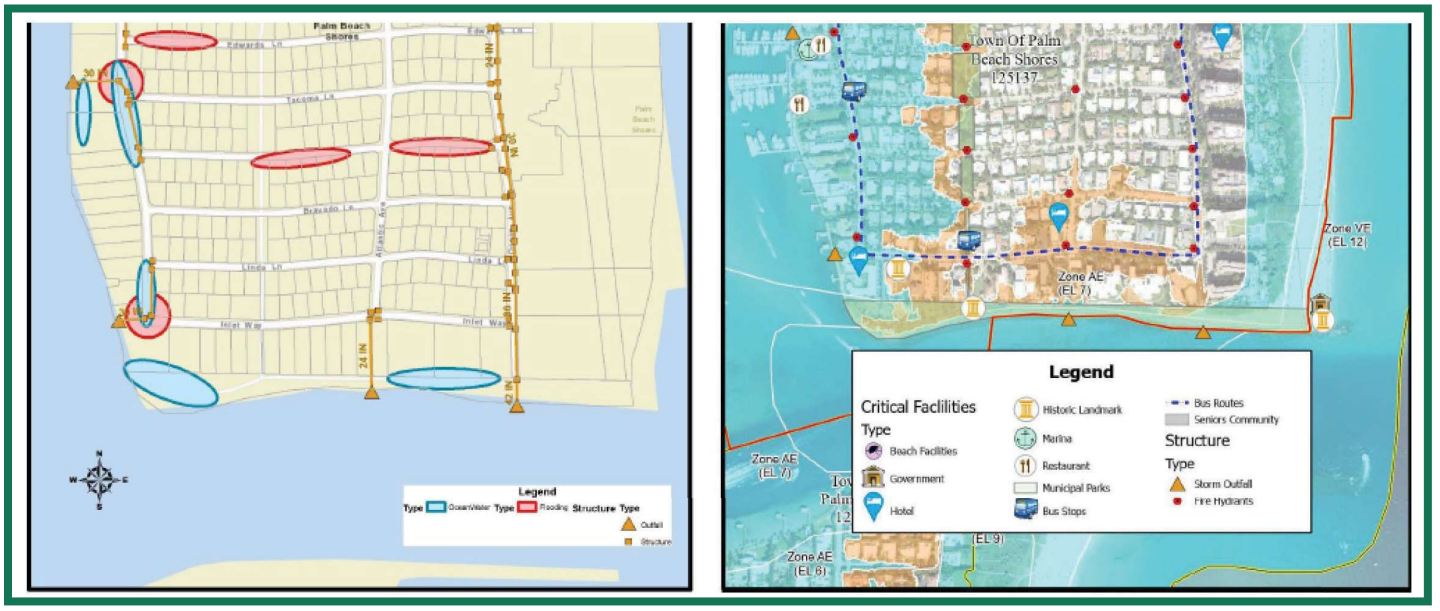
Project Summary: For this project FTC converted the client's entire utilities CAD Atlas to GIS while working as a subcontractor for another company. The utility systems which were converted to GIS included the water, sewer, drainage, leachate, electrical, and gas well monitoring systems. Several methods were also used to map well monitoring values in order to visualize trends. FTC is now training SWA staff in converting CAD drawings to GIS and in maintaining the overall GIS systems.



Town of Palm Beach Shores

Address:	247 Edwards Lane, Palm Beach Shores, FL 33404
Phone:	561-844-3457
Email:	awelch@pbstownhall.org
Contact Person:	Alan Welch, Public Works Director
Project Dates:	Sept. 2014 to present
Contract Award Value:	$50,000.00

Project Summary: FTC was the Town Engineer supporting many initiatives focused on stormwater improvements. The first was an engineering project installing 42 inch stormwater pipes along East Ocean Ave., removing a system bottleneck and eliminating a serious flooding issue. FTC then inventoried and created GIS data for all Town infrastructure. This data was used to create Storm Water Master Plan components and support a Vulnerability Assessment for future grants.



Cooper City Planning Department

Address:	11791 SW 49th St., Cooper City, Florida 33330
Phone:	954-434-5519
Email:	rverma@coopercityfl.org
Contact Person:	Raj Verma, Utilities Director
Project Dates:	Oct. 2014 to present
Contract Award Value:	$200,000.00

Project Summary: FTC provides regularized data updates for Cooper City to support taxation assessment, governmental operations, and land planning decision support. We maintain and update digital land records that support the land planning process through digital maps, ensuring that all information is current and accurately reflects the city's land use and zoning requirements. This continuous update process aids in maintaining efficient and effective governmental operations and planning.



City of North Miami

Address:	776 NE 125 Street North Miami, FL 33161
Phone:	305-895-9831
Email:	pwisler@northmiamifl.gov
Contact Person:	Wisler Pierre-Louis, Public Works Director
Project Dates:	Nov. 2022 to present
Contract Award Value:	$25,000.00

Project Summary: Florida Technical Consultants (FTC) embarked on a rigorous GIS and Cityworks Assessment for the City of North Miami. The assessment dove into the intricacies of core datasets, their applications, and an extensive review of the technology infrastructure. Further, FTC recognized potential process inefficiencies, investigated opportunities for GIS enterprise expansion, and analyzed emerging industry trends including adoption of ArcGIS Pro. Emphasis was also placed on optimizing communication strategies and enhancing user analytics. Concluding the project, the City will receive a technical memo from FTC, capturing essential findings and actionable recommendations, with all pertinent platform updates implemented directly on the City's infrastructure.



Experience

Client References

#1 - City of Pembroke Pines

Michael Bailey, P.E.
Utilities Director
8300 South Palm Drive,
Pembroke Pines, FL 33025
Tel: 954-518-9060, Fax: 954-518-8900
Email: mfbailey@ppines.com
Project Dates: Oct. 2014 - present
Contract Award Value: $200,000.00

Project Summary: This is a large and ongoing project in which FTC converted the client's entire CAD Atlas to GIS. The systems included are water, sewer and drainage. In addition, FTC has set up geometric networks which were run for valve isolation and capacity analysis.

#2 - Gasparilla Island Water Association

Ronald L. Bolton
Executive Director
P.O. Box 310,
Boca Grande, FL 33921-0310
Tel: 954-593-3823
Email: ron@mygiwa.com
Project Dates: Sept. 2014 to Present
Contract Award Value: $360,000

Project Summary: FTC converted the City CAD Atlas to GIS. ArcGIS Applications were developed, and the staff was trained to inventory and field verify features. Systems included water and sewer.

#3 - City of Westlake

Ken Cassel
City Manager
4001 Seminole Pratt Whitney Road,
Westlake, FL 33470
Phone: (561) 530- 5880
Email: ken.cassel@inframark.com
Project Dates: January 2019 to Present
Contract Award Value: Ongoing $80,000/year

Project Summary: FTC provides a broad range of planning support to Westlake's fast growing city. We provide the city with all of their addressing and maintain their addressing database, sharing this data with the county and property appraiser. Working with Westlake's Building Department and Developers we create and maintain interactive applications and dashboards to view up to date parcel and plat information for the city. We provide the city with tax roll support through interactive dashboards as well as data verification with our data being updated before the county and property appraiser. FTC manages and maintains all of Westlake's GIS data, providing almost real time updates. Alongside planning support, FTC provides comprehensive support for the Seminole Improvement District and manages all GIS for utilities.

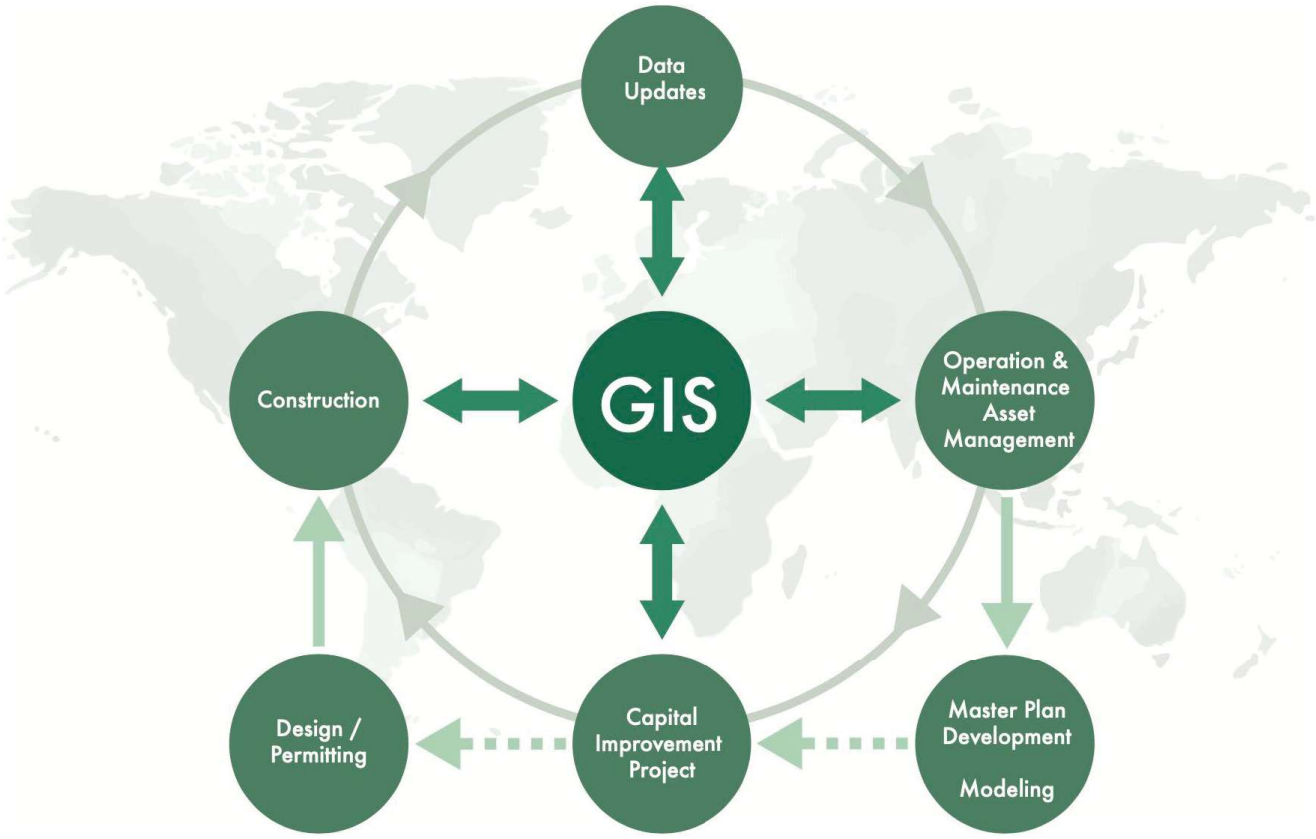
Approach to Providing Services

Methodology

The primary focus of FTC is in providing comprehensive Civil Engineering and Land Planning consulting firm offering specialized consulting services utilizing GIS in the following areas:

- **Computerized Land Planning using advanced GIS software**
- **Utility Operations, Maintenance and Asset Management**
- **Master Planning, Modeling and Engineering Studies**
- **Post Hurricane and Disaster Recovery Damage Assessment**
- **Capital Improvement Project Development**
- **Engineering Data Development and Updating**
- **Engineering Design and Permitting**
- **Construction Inspection Services**

The following graphic and accompanying descriptions show the services FTC offers, the methodology behind these services, and how GIS data is central to the management of assets and information within municipal utilities and engineering departments.



Computerized Land Planning using advanced GIS software

FTC's planning services are primarily focused on the computerized mapping, digital transformation, land planning processes, and plan and regulation development in local governments using advanced GIS software. These services include permit and site plan review, planning report writing, zoning and landscape inspections, preparation of review documents and reports, participation in staff meetings, and creating presentation graphics for public meetings. FTC also provides comprehensive planning services for digital zoning and 3D mapping, smart cities, census demographic analysis, sustainable development, and community engagement based on these GIS applications.

Utility Operations, Maintenance and Asset Management

FTC can effectively implement GIS tools and develop GIS applications to provide essential support to all types of utility projects' field operations. Since the field staff are so critical to operations, FTC focuses on developing the capacity and capabilities of these teams. Some of the specific areas where FTC can develop and implement GIS applications are as follows:

- Water System operations tracking including valve turning, hydrant replacement, meter replacement, water testing, and outage management.
- Sanitary System lift station condition assessments, gravity main lining projects and blockages/ overflow monitoring.
- Stormwater flood areas mapping, 3-D surface modeling and NPDES tracking.
- Public Works management including asphalt condition analysis, sidewalk planning and maintenance, and ADA management.
- Utility map inventory
- As Built access from mobile devices.
- Treatment Plant facilities mapping.
- Public parks and community rating system applications.

Master Planning. Modeling and Engineering Studies

GIS data is now the standard platform for managing engineering data for master planning, modeling and other types of engineering studies. FTC is very experienced at GIS based planning and modeling software for water, sewer and stormwater applications with additional types of system analysis being available using the GIS software's built-in tools. FTC can assemble these different GIS tools into a common platform which provides a robust program management capability. FTC can create Dashboards which provide real time tracking of programs and project status. These allow Utility managers and field staff to review system analytics and intuitively gather information about the system being monitored. This information can then be used for planning purposes as well as permitting and regulatory reporting requirements.

Post Hurricane and Disaster Recovery Damage Assessment

FTC has also worked extensively with the Federal Emergency Management Agency's (FEMA) Substantial Damage Estimator (SOE) tool and has integrated this tool with GIS to carry out hurricane damage assessments and plan recovery operations in the Florida Keys. Utilizing GIS along with FEMA's SOE tool is an effective way of reporting substantial damage information. The system links assessor's tax parcel numbers, address information, aerial four-dimensional photos (both pre- and post-disaster) and permit information. It gives the advantage of using the software in the field and communicating interactively with people in the office.

Capital Improvement Project Development

The end result of the data analysis carried out for Master Planning and Engineering Studies are recommendations for system improvements by way of Capital Improvement Projects (CIPs). FTC can provide a very data driven platform utilizing GIS which can be applied to identify utility problem areas, map their locations, perform site research with field staff and develop recommendations for Capital Improvement Projects. Once developed, FTC can then utilize GIS for tracking of these Capital Improvement Projects as well as provide overall budget management through GIS dashboards.The benefits of a GIS based CIP platform over a paper based report is that the GIS platform can be updated on an ongoing basis as projects progress and as new challenges arise.

Engineering Data Development and Updating

The FTC process for data development starts with evaluating and loading the data into the GIS system. Data sources include existing digital data, as-built drawings, wall maps and staff knowledge of the system. Corrections are then made based on high resolution aerials. Where there are still questions, field teams are mobilized to collect data directly from the field. FTC can create inspection tools and apps which field staff can then utilize on mobile devices to directly update and confirm the data in question. Having reliable data for utility systems saves money in design, construction, and maintenance. It also streamlines the utility response times to outages and repair issues.

Engineering Design and Permitting

FTC's staff have been using a GIS based design approach for over 20 years and can apply the GIS platform to all components of the design cycle including:

- Site Investigation
- Report Preparation
- Project Planning
- Design

- Preparation of plans, specifications, and contract documents
- Permit Preparation
- Preparations of schedules, bid awards and evaluations

Having good utility data is crucial for Engineering Design. It allows consultants to collaborate with management and make better decisions. The status of engineering projects can also be included in the CIP tracking program. Information from preliminary designs, surveys, and test holes can be brought into GIS to improve the base data. FTC uses an integrated approach for all projects which avoids duplication of effort and ensures that data changes are not lost in the plans and that the data is set up for GIS migration at the end of construction.

Construction Inspection Services

FTC offers Construction Inspection services which utilize the GIS platform to ensure the timely completion of the project and minimize resident issues. FTC knows that for any project to be successful the goals of the project need to be met, the construction process needs to be smooth and of the highest quality, resident issues are addressed and the contractor makes a profit. FTC's Construction Inspection services include understanding the project by reviewing plans and permits, inspecting affected utilities, performing site reviews and carrying out pre-construction meetings with residents. During construction FTC will monitor field operations and track progress as well as providing periodic updates to key stakeholders and residents. At the project's completion FTC will close out the project quickly and effectively and will facilitate the updating of the construction data into the GIS system. FTC has completed very large, complicated projects with great success using GIS to facilitate the construction process.

Approach to Providing Services

Project Management

Florida Technical Consultants

FTC currently employs 11 full time Engineers and GIS Specialists to carry out the firm's workload of the GIS based consulting projects. The following is a listing of some of the major projects which FTC is currently working on as the Prime contractor.

Client: City of Riviera Beach
Project Value: $148,620
Status: 80% complete

Client: Coral Springs Improvement District
Project Value: $145,440
Status: 74% complete

Client: City of Marathon
Project Value: $80,000
Status: 53% complete

Client: Village of Palm Springs
Project Value: $60,000
Status: 5% complete

Client: City of Pembroke Pines
Project Value: $100,000
Status: 71% complete

Client: City of Hollywood
Project Value: $153,600
Status: 14% complete

FTC also has a large number of small clients due to the nature of the GIS consulting services that FTC provides. Most of the projects that FTC works on are ongoing projects that update yearly as municipal budgets are generated. FTC's workload is certainly substantial. However, any projects initiated for the Town of Fort Myers Beach would be given the highest priority, particularly during the start-up phase. If FTC's workload surpassed current levels, new staff would be brought on board to handle this additional work. FTC does not usually employ subcontractors nor is this anticipated to change.

FTC always strives to become part of the client's "team" which maximizes the use of the client's existing resources and provides a seamless integration of the GIS projects. FTC brings to the table a highly skilled team which includes a Florida licensed Professional Engineer and trained GIS Specialists along with support staff to fulfill and support the requirements of all of its clients. FTC trusts that you will find that it has the capabilities and expertise to provide you with the GIS based Civil Engineering consulting services that you require.

Town of Fort Myers Beach RFP-25-02-AD

RFP FORM A

Proposer: Florida Technical Consultants, LLC

QUALIFICATIONS STATEMENT

Note: Forms A, B & C are available in WORD format from the Contracts Manager upon request.

THIS FORM MUST BE SUBMITTED WITH PROPOSAL TO BE DEEMED RESPONSIVE.

a. State the full and correct name of the partnership, corporation, or trade name under which you do business and the address of the place of business. (If a corporation, state the name of the president and secretary. If a partnership, state the names of all partners. . If a trade name, state the names of the individuals who do business under the trade name.)

i. The correct and full legal name of the Proposer is: Florida Technical Consultants, LLC

ii. The business is a (Sole Proprietorship) (Partnership) (Corporation) LLC - S - Corp

iii. The names of the corporate officers, or partners, or individuals doing business under a trade name, are as follows: James Barton, P.E., LEED AP, President

b. Please describe your company in detail. (FTC) is a Civil Engineering firm based in FL, with a Speciality in GIS Consulting Services.

c. The address of the principal place of business is: 2240 Woolbright Road, Suite 400, Boynton Beach, FL 33426

d. Company telephone number and e-mail addresses: 954-914-8488 - jbarton@fltechinc.com

e. Number of employees: 8

f. Name of employees to be assigned to this Project: 3

g. Company identification numbers for the Internal Revenue Service: 47-1886339

h. Provide Lee County business tax receipt number, if applicable, and expiration date: N/A

i. How many years has your organization been in business? Does your organization have a specialty?

FTC in business 11 years - FTC Civil Engineering FIrm with a GIS Speciality

j. List the last three projects of this nature that the firm has completed? Please provide project description, reference, and contact information and cost of work completed. Please see pages 21 through 33

k. Have you ever failed to complete any work awarded to you? If so, where, and why? Never

l. Provide the following information concerning all contracts that are similar in nature or use the same project team proposed for this project that are **in progress** as of the date of submission of this Proposal for your company, division, or unit as appropriate.

Name of Project	Contract with:	Contract Amount	Estimated Completion Date	% of Completion to Date
GIS Consulting	Cooper City Utility Dept	$200,000.	ongoing	N/A
GIS Consulting	South Martin (SMRU)	$115,000.	ongoing	N/A
GIS Consulting	CIty of Westlake	$80,000.yr.	ongoing	N/A
GIS Consulting	Coral Springs (CSID)	$40,000.	ongoing	N/A
GIS Consulting	City of Dania Beach	$80,000.yr	ongoing	N/A
GIS Consulting	PBC Solid Waste	$50,000.yr	ongoing	N/A

(Continue list as necessary)

m. Provide the following information for any subconsultants you will engage if awarded the contract.

Subcontractor Name	Address	Work to be Performed
N/A		

The foregoing list of subconsultants may not be amended after award of the contract without the prior written approval of the Town Manager, whose approval shall not be unreasonably withheld.

Town of Fort Myers Beach RFP-25-02-AD

RFP Form B

Proposer: Florida Technical Consultants, LLC

REFERENCE FORM

Forms A, B & C are available in WORD format from the Contracts Manager upon request.

THIS FORM MUST BE SUBMITTED WITH PROPOSAL TO BE DEEMED RESPONSIVE.

Give names, addresses and telephone numbers of four individuals, corporations, agencies, or institutions for which you have performed work similar to what is proposed in this RFP:

1. Name of Contact: Michael Bailey, P.E., Utilities Director
   Title of Contact: GIS Consulting Email: mfbailey@ppines.com
   Telephone Number: 954-518-9060 Fax Number: 954-518-8900
   Project: City of Pembroke Pines

2. Name of Contact: Ronald L Bolton
   Title of Contact: GIS Consulting Email: ron@mygiwa.com
   Telephone Number: 954-593-3823 Fax Number:
   Project: Gasparilla Island Water Association

3. Name of Contact: Ken Cassel, City Manager
   Title of Contact: GIS Consulting Email: ken.cassel@inframark.com
   Telephone Number: 561-530-5880 Fax Number:
   Project: City of Westlake

4. Name of Contact: Talia Garcia, P.E., Engineering Manager
   Title of Contact: GIS Consulting Email: TGarcia@bocaraton-fl.gov
   Telephone Number: 561-338-7307 Fax Number:
   Project: City of Boca Raton

RFP Form C

Proposer: Florida Technical Consultants, LLC

PRICE PROPOSAL FORM

Note: Forms A, B & C are available in WORD format from the Contracts Manager upon request.

THIS FORM MUST BE SIGNED AND SUBMITTED WITH PROPOSAL TO BE DEEMED RESPONSIVE.

Name of Proposer: Florida Technical Consultants, LLC

Name of authorized representative of Proposer: James Barton, P.E., LEED AP, President

Project Cost

Item	# of Units for evaluation purposes Only	Price Per Unit
Principal	Hourly	$ 165
Professional Engineer	Hourly	$ 150
Project Manager	Hourly	$ 155
Project GIS Analyst	Hourly	$ 150
GIS Technician	Hourly	$ 110
Construction Services Manager	Hourly	$ 145
		$
TOTAL PRICE	**$** TBD	

Instructions: Show the project cost for each deliverable your firm will provide per the requested scope of work. Include the fees associated with each proposed deliverable. Fees should be detailed to the extent possible per deliverable.
The Total Unit Price Cost shall include all fees and reimbursements for out-of-pocket costs. The Town will not reimburse for any costs not actually incurred and paid for by the Proposer and included in its proposal. Reasonable proof thereof will be required.

The Total Unit Price Cost shall include the cost of:

e. Meetings with Town staff to discuss Fort Myers Beach Comprehensive Recovery and Resilience Implementation Plan progress.

Payments will be made on each deliverable upon receipt and acceptance by the Town.

Additional Services

The Town may have the need for additional services, which may be requested over the next 3 years.

If the Proposer is interested in additional work, please provide the hourly rate, unit rate and staff positions available. The rates for the additional work will not be used for evaluation of the services required in this RFP.

Additional Work	
Title:	Hourly Rate/Per Unit Rate
N/A	
Add rows as necessary	

By: _____ Date: 04/01/2025

Name: James Barton, P.E., LEED AP

Title: President

FMB:204 RFP FORM D

Proposer: Florida Technical Consultants, LLC

THIS FORM MUST BE SIGNED AND SUBMITTED WITH PROPOSAL TO BE DEEMED RESPONSIVE.

The undersigned guarantees the truth and accuracy of all statements, and the answers contained herein.

PROPOSER'S CERTIFICATION

I have carefully examined the Request for Proposal referenced above ("RFP") and any other documents accompanying or made a part of this RFP.

I hereby propose to furnish the goods or services specified in the RFP. I agree that my proposal will remain firm for a period of 120 days in order to allow the Town adequate time to evaluate the proposals.

I certify that all information contained in this proposal, which includes the TOWN required RFP forms A, B, C and D, is truthful to the best of my knowledge and belief. I further certify that I am duly authorized to submit this proposal on behalf of the firm as its act and deed and that the firm is ready, willing, and able to perform if awarded the contract.

The firm and/or Proposer hereby authorizes the Town of Fort Myers Beach, its staff, or consultants, to contact any of the references provided in the proposal and specifically authorizes such references to release, either orally or in writing, any appropriate data with respect to the firm offering this proposal.

I further certify, under oath, that this proposal is made without prior understanding, agreement, connection, discussion, or collusion with any other person, firm or corporation submitting a proposal for the same product or service; no officer, employee or agent of the Town or any other Proposer is interested in said proposal; and that the undersigned executed this Proposer's Certification with full knowledge and understanding of the matters therein contained and was duly authorized to do so.

If this proposal is selected, I understand that I will be expected to execute the Town's standard professional services agreement, in the form approved by the Town Attorney.

A person or affiliate who has been placed on the convicted vendor list following a conviction for public entity crimes may not submit a proposal on a contract to provide any goods or services to a public entity, may not submit a proposal on a contract with a public entity for the construction or repair of a public building or public work, may not submit proposals on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, sub-contractor, or consultant under a contract with a public entity, and may not transact business with any public entity in excess of the threshold amount provided in Sec. 287.017 Florida Statutes, for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list.

Rev 3/31/2025

I further certify, under oath, that neither the entity submitting this sworn statement, not to my knowledge, any of its officers, directors, executives, partners, shareholder, employees, members, or agents active in the management of the entity has been convicted of a public entity crime subsequent to July 1, 1989.

Florida Technical Consultants, LLC
(Name of Business)

(Signature)

James Barton, P.E., LEED AP, President
(Print Name and Title)

2240 Woolbright Road, Suite # 400,
(Address)

Boynton Beach, FL 33426

STATE OF FLORIDA)
COUNTY OF LEE)

SWORN TO AND SUBSCRIBED BEFORE ME, on this 1st day of April, 2025 by means of (✓) physical presence or ( ) online notarization, personally appeared James Barton, P.E. as President of FTC * of the (Company Name) who is personally known to me or (✓) who has produced _____ as identification.

* FTC - Florida Technical Consultants, LLC

NOTARY PUBLIC – State of Florida

My commission expires:

JUDITH A. CLARK
Notary Public-State of Florida
Commission # HH 565628
My Commission Expires
July 22, 2028

Rev 3/31/2025

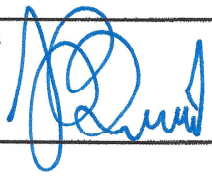
FORM 3A INTEREST IN COMPETITIVE BID FOR PUBLIC BUSINESS

LAST NAME - FIRST NAME - MIDDLE INITIAL	OFFICE / POSITION HELD
Barton, James H	President
MAILING ADDRESS	AGENCY
2240 Woolbright Road, Suite # 400	Florida Technical Consultants, LLC
CITY ZIP COUNTY	ADDRESS OF AGENCY
Boynton Beach, FL 33426 Palm Bch.	2240 Woolbright Road, Suite 400, Boynton Beach, FL 33426

WHO MUST FILE THIS STATEMENT

Sections 112.313(3) and 112.313(7), Florida Statutes, prohibit certain business relationships on the part of public officers and employees, their spouses, and their children. *See* Part III, Chapter 112, Florida Statutes, and/or the brochure entitled "A Guide to the Sunshine Amendment and Code of Ethics for Public Officers and Employees" for more details on these prohibitions. However, Section 112.313(12), Florida Statutes, provides certain limited exemptions to the above-referenced prohibitions, including one where the business is awarded under a system of sealed, competitive bidding; the public official has exerted no influence on bid negotiations or specifications; AND where disclosure is made, prior to or at the time of the submission of the bid, of the official's or his spouses's or child's interest and the nature of the intended business. This form has been promulgated by the Commission on Ethics for such disclosure, *if and when applicable* to a public officer or employee.

INTEREST IN COMPETITIVE BID FOR PUBLIC BUSINESS (Required by Section 112.313(12)(b), Fla. Stat.)

1. The competitive bid to which this statement applies has been / will be (strike one) submitted to the following government agency:
   Fort Myers Beach Comprehensive Recovery and Resiliense Implementation Plan RFP 25-02-AD
2. The person submitting the bid is: NAME ▼ James Barton, P.E., LEED AP POSITION ▼ President
3. The business entity with which the person submitting the bid is associated is: Florida Technical Consultants, LLC
4. My relationship to the person or business entity submitting the bid is as follows: President
5. The nature of the business intended to be transacted in the event that this bid is awarded is as follows:
   a. The realty, goods, and / or services to be supplied specifically include: Civil Engineer/GIS Speciality
   b. The realty, goods, and / or services will be supplied for the following period of time: As needed during the contract term
   c. Will the contract be subject to renewal without further competitive bidding? ☐ Yes ☒ No. If so, how often?
6. Additional comments: None
7. SIGNATURE  DATE SIGNED 04/01/2025 DATE FILED

FILING INSTRUCTIONS

If you are a state officer or employee required to disclose the information above, please file this form with the Commission on Ethics, P.O. Drawer 15709, Tallahassee, FL 32317-5709; physical address: 325 John Knox Road, Building E, Suite 200, Tallahassee, FL 32303. If you are an officer or employee of a political subdivision of this state and are subject to this disclosure, please file the statement with the Supervisor of Elections of the county in which the agency in which you are serving has its principal office.

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES SECTION 112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED $10,000.

FMBeach
FORT MYERS BEACH • ESTERO ISLAND

FMB:101 ANTI-LOBBYING FORM

To be submitted with each bid or offer exceeding $100,000.00.
The undersigned, James Barton, P.E., President of Florida Technical Consultants, LLC (the "company") hereby certifies, to the best of his or her knowledge, that:

1. No Federal appropriated funds have paid or will be paid, by or on behalf of undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31, U.S.C. § 1352 (as amended by the Lobbying Disclosure Act of 1995). Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

The Company certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the Contractor understands and agrees that the provisions of 31 U.S.C. § 3801 et seq., apply to this certification and disclosure, if any.

Signature of Company Authorized Official

James Barton, P.E., LEED AP, President
Name and Title of Company Authorized Official

04/01/2025
Date

FMB:102 Conflict of Interest Disclosure Form

Note: A potential or actual conflict of interest exists when commitments and obligations are likely to be compromised by the nominator(s)'other material interests, or relationships (especially economic), particularly if those interests or commitments are not disclosed.

This Conflict-of-Interest Form should indicate whether the nominator(s) has an economic interest in, or acts as an officer or a director of, any outside entity whose financial interests would reasonably appear to be affected by the addition of the nominated condition to the newborn screening panel. The nominator(s) should also disclose any personal, business, or volunteer affiliations that may give rise to a real or apparent conflict of interest. Relevant Federally and organizationally established regulations and guidelines in financial conflicts must be abided by. Individuals with conflict of interest should refrain from nominating a condition for screening.

Date: 04/01/2025

Name: James Barton, P.E., LEED AP

Position: President of Florida Technical Consultants, LLC

Please describe below any relationships, transactions, positions you hold (volunteer or otherwise), or circumstances that you believe could contribute to a conflict of interest:

✓ I have no conflict of interest to report.

_____ I have the following conflict of interest to report (please specify other nonprofit and for-profit boards you (and your spouse) sit on, any for-profit businesses for which you or an immediate family member are an officer or director, or a majority shareholder, and the name of your employer and any businesses you or a family member own:

1. _____

2. _____

3. _____

I hereby certify that the information set forth above is true and complete to the best of my knowledge.

Signature: _____ James Barton, P.E., LEED AP, President

Date: 04/01/2025

Rev 3/31/2025

FMB:021 – NON-COLLUSION AFFIDAVIT

State of Florida)

County of Palm Beach)

James Barton, P.E., LEED AP being first duly sworn, deposes and says that:

1) He/she is the Owner/President, (Owner, Partner, Officer, Representative or Agent) of Florida Technical Consultants, LLC, the BIDDER that has submitted the attached Bid;
2) He/she is fully informed respecting the preparation and contents of the attached Bid and of all pertinent circumstances respecting such Bid;
3) Such Bid is genuine and is not a collusive or sham Bid;
4) Neither the said BIDDER nor any of its officers, partners, owners, agents, representatives, employees or parties in interest, including this affiant, have in any way colluded, conspired, connived or agreed, directly or indirectly, with any other Responder, firm, or person to submit a collusive or sham Bid in connection with the Work for which the attached Bid has been submitted; or to refrain from Responding in connection with such Work; or have in any manner, directly or indirectly, sought by agreement or collusion, or communication, or conference with any Responder, firm, or person to fix the price or prices in the attached Bid or of any other Responder, or to fix any overhead, profit, or cost elements of the Bid price or the Bid price of any other Responder, or to secure through any collusion, conspiracy, connivance, or unlawful agreement any advantage against (Recipient), or any person interested in the proposed Work;
5) The price or prices quoted in the attached Bid are fair and proper and are not tainted by any collusion, conspiracy, connivance, or unlawful agreement on the part of the Responder or any other of its agents, representatives, owners, employees or parties in interest, including this affiant.

Signed, sealed and delivered in the presence of:

By: _____

James Barton, P.E., LEED AP, President

(Printed Name)

ACKNOWLEDGEMENT

STATE OF Florida)
COUNTY OF Palm Beach)

SWORN TO AND SUBSCRIBED BEFORE ME, on this 1st day of April, 2025, by means of (✓) physical presence or ( ) online notarization, personally appeared James Barton, P.E. as President of Florida Technical Consultants, LLC

(✓) who personally known to me of ( ) who has produced _____ as identification.

_____
Notary Public Signature

My commission expires

JUDITH A. CLARK
Notary Public-State of Florida
Commission # HH 565628
My Commission Expires
July 22, 2028

Rev 3/31/2025

ADDENDUM TO PROPOSAL

RFP-25-02-AD **Addendum No.: 1**

Project Name: Fort Myers Beach Comprehensive Recovery and Resilience Implementation Plan

Date of Issue: March 27, 2025

The due date for all proposal questions is extended to:

Monday, March 31, 2025, Noon

CLARIFICATIONS TO THE PROPOSAL

Please see clarifications to Proposal Documents below:

Correction of Inquires e-mail address: Page 8 of the RFP-25-02-AD, INQUIRES, the e-mail is incorrect. The correct e-mail address for all inquiries is **bids@fmbgov.com**

Second Addendum to be released Monday, March 31, 2025, to include:

- Interest in Competitive Bid for Public Business
- Anti-Lobbying Form
- Conflict of Interest Form
- Non-Collusion Affidavit
- Additional Questions and Answers

The following inquiries were received regarding the above reference RFP:

Q. What is the project timeline?
A. From the Notice to Proceed to completion one full calendar year.

Q. What is the deadline for questions?
A. Normal circumstances, seven business days from the time the bid is due. With this Addendum, the RFP's questions are extended till Monday, March 31, 2025, at noon.

Q. The second page of RFP Form D seems to be a signature page for the Town of Fort Myers Beach to fill out. Does the RFP Form D still need to be notarized, or can we simply sign/submit the first page only without notary?
A. The form does not need to be notarized.

Q. Should Forms A & B be included within our Technical Proposal (like RFP Forms C& D)? IOF so, can you please specify in which section(s) they should go into? Or upload Forms A& B separately?
A. Upload forms separately are approved.

Q. Qualification Statement (page 31) asks if the proposer has ever failed to complete any work awarded to them. What time frame for this request?
A. The period is for the past 4 years, before Hurricane Ian

Q. Has the Town already selected another consultant for the Comprehensive Plan language updates or is that intended to be part of the Recovery and Resilience Implementation Plan scope?
A. The Town's current consultant will be managing.

Q. Page 4 lists the consultant expectations for the scope. Are these existing plans and initiative that should be considered in the development of the Recovery and Resilience Implementation Plan or are these intended to be expected deliverables as part of the plan?
A. Yes, the Town would like to see portion of the R2P2 plan incorporated.

Q. Coordinate with the Town's Consultant(s) for Comprehensive Plan Update and please provide the Town Consultant(s) referenced:
A. The Comprehensive Plan is in the final stages and we more than likely would use any findings as future amendments or potential items to add to the LDC. In total perhaps 5 items dealing with mixing use and the downtown district area. The Corradino Group and Axis Group for recovery aspect consultants. The current copy of the Town's Comprehensive Plan is on the town website and a digital copy is available upon request. The current plan, which is almost complete does feature recovery and does mention mitigation steps.

Please Print Florida Technical Consultants, LLC Phone #: 954-914-8488
Company Name & Phone Number



James Barton, P.E., LEED AP, President
Signature

Deb Glavin, Contracts & Procurement Specialist
bids@fmbgov.com 239-765-0202

ADDENDUM TO PROPOSAL

RFP-25-02-AD **Addendum No.: 2**

Project Name: Fort Myers Beach Comprehensive Recovery and Resilience Implementation Plan

Date of Issue: March 31, 2025

CLARIFICATIONS TO THE PROPOSAL

Please see clarifications to Proposal Documents below (Addressed in Addendum 1):

Correction of Inquires e-mail address: Page 8 of the RFP-25-02-AD, INQUIRES, the e-mail is incorrect. The correct e-mail address for all inquiries is **bids@fmbgov.com**

Addendum 2 includes the following forms

- Interest in Competitive Bid for Public Business
- Anti-Lobbying Form
- Conflict of Interest Form
- Non-Collusion Affidavit
- Form – RFP Form D – **please sign and notarize**
- Additional Questions and Answers

The following inquiries were received regarding the above reference RFP:

Q. What is the estimated budget for the project?
A. Estimated budget is $1.2M

Q. The 2nd page of Form D seems to be a signature page for the Town of Fort Myers Beach, do we still notarize and submit?
A. Please see the revised RFP Form D attached to Addendum 2, please sign and notarize.

Q. Please confirm whether the Consultant is expected to identify and facilitate updates to the Town's Comprehensive Plan in addition to developing a CDBG-DR funded Recovery and Resilience Plan.
A. There is no expectation to update the Comp Plan**Q.** Please confirm the level of support required to coordinate updates to the Town's Comprehensive Plan in collaboration with the Town's Consultants.
A. Merely communicate possible solutions to the Towns consultants

Q. Please confirm whether the Town currently has an existing Consultant reviewing the Town's Comprehensive Plan and whether the new Consultant would be expected to complement existing efforts being taken by the current Consultant or provide leadership on development/updates to the Comprehensive Plan.
A. The Town currently has an existing consultant and does not require those services

Q. Please confirm the extent to which the Consultant is responsible for implementing Community Engagement and Outreach activities. For example, is the Consultant responsible for supplying related tools, resources, or other materials (e.g., marketing materials, advertising through social media, data logs or other templates to capture community input).
A. All community engagement and materials is currently being handles by the consultant

Q. Please confirm whether the Town has any requirements or preference for in-person Community Engagement activities or virtual.
A. There are no such requirements, however, in person engagements work best

Q. In the event of in-person Community Engagement activities, please confirm whether the Consultant is responsible for providing and paying for a physical meeting location(s) to conduct activities.
A. Consultant would not be responsible for providing or paying for a physical meeting

Q. Please confirm whether the Consultant is responsible for identifying stakeholders or participants required to conduct Community Engagement activities or whether the Tow would provide contact information and other details to the Consultant.
A. The Town would provide such list

Q. Can the Town provide more information on the expectations that are required from the Consultant regarding the two studies mentioned on page 4 of the RFP (Time Square Redevelopment Study and Community Beautification Study).
A. The Time Square project is to aid in the redevelopment of the space, whereas the beautification is a townwide project

Q. Please confirm whether the Town has any preference for project coordination meetings being conducted in-person or virtual and whether the Consultant would be required to present the final Plan once it is drafted.
A. Virtual is approved

Q. As it applies to RFP form C, the Town requests both pricing by each deliverable and "the Total Unit Price Cost shall include the cost of: of Meetings with Town staff to discuss Fort Myers Beach Comprehensive Recovery and Resilience Implementation Plan progress." Will the Town please confirm that they would like meetings with Town staff to have a separate delivery to understand the cost and level of effort?
A. We would like an overall deliverable with meeting time built in

Q. Does the Town have a list of existing stakeholders and community organizations? If so, have relationships been established?
A. Stakeholders are already established

Q. The sample contract in the RFP states that the Consultant will be selected in accordance with CCNA guidelines, Chapter 287.055 of the Florida Statutes. These statutes typically require municipalities to evaluate and rank professional services that exceed $35,000 based on qualifications and experience only. Please clarify if RFP Form C - Price Proposal should be submitted with our submittal, or will that be negotiated upon award.
A. CCNA language has been removed from the contract

Q. Would the town consider extending the Submission Deadline due to the delay in providing answers to the questions in a timely manner?
A. Questions have been extended till March 31st at noon.

Q. Where will the responses and addendums be posed?
A. Responses to questions and Addendums are posted in Demandstar

Please Print Florida Technical Consultants, LLC Phone: 954-914-8488
Company Name & Phone Number

James Barton, P.E., LEED AP, President
Signature

Deb Glavin, Contracts & Procurement Specialist
bids@fmbgov.com 239-765-0202

Town of Fort Myers Beach
Agenda Item Summary

Blue Sheet Number: **2025-444**

1. **Request:**

Meeting Date: June 2, 2025

Approval of Final Settlement Agreement Between the Town of Fort Myers Beach and the Florida Municipal Insurance Trust for Hurricane Ian Insurance Proceeds in the Amount of $737,500.00.

Why the action is necessary:

What the action accomplishes:

2. **Agenda:**	3. **Requirement/Purpose:**	4. **Submitter of Information:**
ADMINISTRATIVE AGENDA	Other	Nancy Stuparich, Town Attorney

5. **Background:**

During recovery efforts after Hurricane Ian on March 28, 2023, the interim Town Manager executed an agreement with Garrett Claims Group ("Garrett") to work as a public adjuster on behalf of the Town. The Town Council ratified the agreement on April 3, 2023. The agreement authorized Garrett to review all insurance claims/proceeds/coverage related to Hurricane Ian with the Florida Municipal Insurance Trust (FMIT), which is the Town's property and liability insurance company. During the last 2 years, Garrett has prepared multiple analysis of individual claims and payments received working with the Town's Finance Department and has been negotiating resolution of disputes with FMIT. The parties had a final negotiation on May 2, 2025 in hopes of finalizing any and all pending claims and payments due. The proposed final settlement is attached for review and approval by the Town Council. FMIT has agreed to pay the Town an additional $737,500.00, from which the Town will make payment to Garrett pursuant to its contract with the Town.

Attachments:

1. Garret Claims Group Contract
2. Mediation Settlement Agreement - Town of Fort Myers Beach
3. Final Settlement Release

Financial Impact:

6. **Alternative Action**

7. **Management Recommendations:**

8. **Recommended Approval:**

Amy Baker, Town Clerk	Created/Initiated - 5/22/2025
nancy stuparich, Town Attorney	Approved - 5/26/2025
Amy Baker, Town Clerk	Approved - 5/27/2025
William McKannay, Town Manager	Final Approval - 5/28/2025

GARRETT CLAIMS GROUP
PUBLIC ADJUSTERS

CONTINGENCY FEE AGREEMENT AND ASSIGNMENT

I/We, **Town of Fort Myers Beach** (hereinafter "the Insured") hereby retain Garrett Claims Group, Inc. (hereinafter "GCG, Inc."), Florida License # A093884, to act as the Insured's exclusive Adjuster for my/our insurance claim, as more particularly described below:

Insured:	**Town of Fort Myers Beach**
Insured Address:	**2525 Estero Boulevard, Fort Myers Beach, FL 33931**
Insurance Co.:	**Florida Municipal Insurance Trust**
Policy Number(s):	**FMIT #0778**
Claim Number (s):	**GC2022106859**
Description of Loss:	**Hurricane Ian**
Location of Loss:	**All scheduled and respective locations**
Date of Loss:	**September 28, 2022**
Type of Claim:	**Emergency**

The services to be provided by GCG, Inc. hereunder are limited to preparation of the Insureds claim and negotiations with the insurance company, which services shall include the preparation of loss estimates, inventories, proofs of loss, appraisals and related documents. The Insureds hereby acknowledge that GCG, Inc. cannot and will not offer any legal advice concerning their rights and obligations under their insurance policy and that GCG, Inc.'s services are limited to preparation, presentation and negotiation of their claim with the insurance company.

In consideration of the services provided by GCG, Inc., the Insured agrees to pay GCG, Inc. **eight percent (8%)** of any future amounts paid in excess of **$7,100,110.73** to Insured by the insurance company, whether the result of a voluntary payment, payment of any appraisal award, or a settlement or satisfaction of any litigation relating to the Insured's contract and extra-contractual claim(s) under the policy **("Insurance Proceeds")**. In addition, the Insured agrees to reimburse GCG, Inc. for authorized expenses memorialized in writing under a separate agreement, if necessary, engineering and other professional fees incurred. Payment will be due to GCG, Inc. on all partial payments and settlement amounts as paid by the insurance company. GCG, Inc. shall be named as an additional payee on check, drafts or other instrument of payment.

The Insured hereby grants GCG, Inc. an irrevocable and absolute assignment of any insurance proceeds recovered to the extent of any payment due GCG, Inc. hereunder for fees and expenses and hereby agrees that GCG, Inc.'s name shall be included on all drafts, checks or other instruments of payment issued by the insurance company or mortgage company.

In the event the Insured or the Insured's attorney requests GCG, Inc. to provide any services in addition to the services identified above in connection with any litigation, GCG, Inc. shall be entitled to payment at the rate of $325.00 per hour, plus expenses, for such services.

KD
Initials

Conditions

- GCG, Inc. shall not make any settlement with the insurance company without the consent of the Insured.
- **Pursuant to s. 817.234, Florida Statutes, any person who, with the intent to injure, defraud, or deceive an insurer or insured, prepares, presents, or causes to be presented a proof of loss or estimate of cost or repair of damaged property in support of a claim under an insurance policy knowing that the proof of loss or estimate of claim or repairs contains false, incomplete, or misleading information concerning any fact or thing material to the claim commits a felony of the third degree, punishable as provided in s. 775.082 , s. 775.083, or s. 775.084, Florida Statutes.**
- **You, the insured, may cancel this contract for any reason without penalty or obligation to you within 10 days after the date of this contract by providing notice to GCG, Inc. submitted in writing and sent by certified mail, return receipt requested, or other form of mailing that provides proof thereof, at the address specified in the contract.**
- In the event any dispute arises between the parties concerning this Agreement resulting in litigation, the prevailing party shall be entitled to recover reasonable attorney's fees and costs incurred.
- This Agreement constitutes the entire agreement between the parties concerning the subject matter of this Agreement, and no representations, inducements, promises or understandings not set forth herein have been made or relied upon by the parties. This Agreement may be changed or modified only in writing signed by both parties. All parties to this Agreement have the authority to enter into this binding agreement.
- The Insured hereby acknowledges receipt of a copy of this Agreement.

Dated and signed this 28th day of March 2023.

Garrett Claims Group, Inc.

By:_____
Patrick H. Garrett, its President
Florida License # A093884

Insured(s)

_____
Signature(s)

Keith Wilkins
Print Name(s)

GARRETT CLAIMS GROUP
PUBLIC ADJUSTERS

NOTICE OF REPRESENTATION AND ASSIGNMENT

Date: April 5, 2023

To:	**Florida Municipal Insurance Trust**
Insured:	**Town of Fort Myers Beach**
Insured Address:	**2525 Estero Boulevard, Fort Myers Beach, FL 33931**
Policy Number(s):	**FMIT #0778**
Claim Number (s):	**GC2022106859**
Location of Loss:	**All scheduled and respective locations**
Date of Loss:	**September 28, 2022**
Type of Loss:	**Hurricane Ian**

Dear Madam/Sir:

Please be advised that Garrett Claims Group, Inc. (GCG, Inc.,) is acting as the exclusive Adjuster on behalf of the above-named Insured(s) for the above-referenced loss. Please direct all future correspondence and communication by you or by anyone on your behalf to and through GCG, Inc. and/or the Insured's counsel, with copies of all correspondence mailed to the above-named Insured(s).

We hereby formally request the expeditious provision of a certified copy of the complete, applicable policy of insurance including all policy forms, declarations and endorsements.

Please be advised that the Agreement between GCG, Inc. and the Insured(s), a copy of which is enclosed, provides that GCG, Inc., by assignment, has an interest in this claim and any insurance proceeds. As provided in the parties' agreement, GCG, Inc. must be included as a payee on any draft, check or other instrument of payment for all or any portion of the claim. In the event payment is made in property, goods, and/or services, GCG, Inc. may have an interest therein. Failure to honor GCG, Inc.'s secured status may result in your multiple liability on this claim.

Dated this **28th** day of **March** 20**23**.

Sincerely,

Garrett Claims Group, Inc.

By: _____
Patrick H. Garrett, President
Florida License # A093884

Insured(s): _____
Signature(s)

Keith Wilkins
Print Name(s)

Pursuant to s. 817.234, Florida Statutes, any person who, with the intent to injure, defraud, or deceive an insurer or insured, prepares, presents, or causes to be presented a proof of loss or estimate of cost or repair of damaged property in support of a claim under an insurance policy knowing that the proof of loss or estimate of claim or repairs contains false, incomplete, or misleading information concerning any fact or thing material to the claim commits a felony of the third degree, punishable as provided in s. 775.082 , s. 775.083 , or s. 775.084, Florida Statutes.

SETTLEMENT AGREEMENT, GENERAL MUTUAL RELEASE AND INDEMNITY AGREEMENT

This Settlement Agreement, General Mutual Release and Indemnity Agreement ("Agreement") is entered into as of this 2nd day of May, 2025 by and between Florida Municipal Insurance Trust ("FMIT") and the Town of Fort Myers Beach (collectively the "parties").

WHEREAS, the parties are in dispute as to their rights, duties and obligations with respect to the insurance claims submitted on behalf of the Town of Fort Myers Beach for damage sustained during Hurricane Ian on September 28, 2022.

NOW, THEREFORE, in consideration of the mutual covenants contained in this Agreement the sufficiency and receipt of which are acknowledged by the parties, the parties agree and acknowledge as follows:

1. The parties have reached a settlement and agree to resolve globally any and all claims related to Hurricane Ian (whether known or unknown as of the date of this agreement).

2. The Town of Fort Myers Beach acknowledges that FMIT will issue a global/new money payment in the amount of SEVEN HUNDRED THIRTY-SEVEN THOUSAND FIVE HUNDRED DOLLARS AND NO CENTS ($737,500.00) within thirty (30) days contingent upon approval from FMIT's Board of Trustees.

3. This settlement agreement is also contingent upon final approval by the Town Council of the Town of Fort Myers Beach, which will be determined on or before May 19, 2025.

4. In exchange for the settlement funds, the Town of Fort Myers Beach agrees to execute a mutually agreeable settlement release.

5. Counsel for FMIT shall provide a copy of the settlement release and/or such other documents that are necessary to complete this agreement to counsel for the Town of Fort Myers Beach on or before May 19, 2025.

Dated this _____ day of _____ _____.

By: /s/ Chris Smith
Chris Smith, Property and Liability Claims Manager
o/b/o Florida Municipal Insurance Trust

By: _____
Andrew E. Hyatt, Town Manager
o/b/o the Town of Fort Myers Beach

SETTLEMENT AGREEMENT
AND GENERAL RELEASE OF ALL CLAIMS

This Settlement Agreement and General Release of All Claims ("Agreement") is made and entered into by and between FLORIDA MUNICIPAL INSURANCE TRUST ("FMIT") along with its predecessors, parents, successors, affiliates, divisions, assigns, officers, directors, shareholders, representatives, administrators, contractors, employees, former employees, employers, former employers, attorneys, and agents and employees and representatives thereof and their respective spouses, heirs, agents, employees and representatives, including THE FLORIDA LEAGUE OF CITIES, INC. ("FLC"), and TOWN OF FORT MYERS, and its successors, assigns, administrators, representatives, public adjusters, agents, heirs, and those purportedly claiming any rights through it ("Claimant") (all parties to the Agreement collectively referred to as the "Parties") in connection with a dispute as to loss or damages which was reported to have occurred on or about September 28, 2022, to the properties located throughout the town of Fort Myers (a complete listing of all assets insured by FMIT is attached hereto as Exhibit "A"). The claims arose out of insurance claims under the policy of insurance numbered FMIT #0778 ("the Policy") (claim numbers are included on Exhibit "A") and any and all claims arising out of the hurricane, as well as any other property damage claims of any kind regarding or related to the claim ("Subject Claim") through the date that this Settlement Agreement and General Release is executed.

By means of this Agreement, the Claimant agrees to, and intends to, fully, unconditionally, and generally release any and all claims that it has, as well as its successors, assigns, administrators, representatives, public adjusters, agents, spouses, heirs, and those purportedly claiming any rights through them, have, may have, or ever may claim to have, against FMIT or FLC and, as applicable, each of its affiliates, predecessors, successors, parents, subsidiaries, divisions, assigns, officers, directors, shareholders, representatives, administrators, contractors, employees, former employees, employers, former employers, attorneys, and agents and employees and representatives thereof in any way related to the Subject Claim. This includes all claims that were asserted or could have been asserted with respect to the Subject Claim, whether for property damage known or unknown; whether for damage accrued or unaccrued; whether for property damage past, present or future; and any other damage in any way arising from or related to the events and insurance claims that are related to the Subject Claim and pending Action, including loss of business income and extra expense coverage.

The remaining terms of the Agreement are fully set forth below.

1. Consideration

(a) In consideration of the payment of seven hundred, thirty-seven thousand, five hundred dollars and zero cents ($737,500.00) ("Settlement Amount"), by FMIT, the receipt and sufficiency of which is hereby acknowledged, the Claimant gives the releases, covenants,

Initials:_____/_____

representations, and warranties stated in the Agreement. The Settlement Amount shall be made payable as follows:

(i) One check in the amount of seven hundred, thirty-seven thousand, five hundred dollars and zero cents ($737,500.00) payable to the Town of Fort Myers and Garrett Claims Group.

(b) FMIT's payment of seven hundred, thirty-seven thousand, five hundred dollars and zero cents ($737,500.00), as described above, includes reasonable attorney's fees and costs and shall constitute the total consideration for this Release. Town of Fort Myers acknowledges and agrees it has the sole right to said payment and exclusive authority to execute this Release.

(c) Counsel for Claimant will be responsible for providing the check(s) listed in paragraph 1(a) above to the Claimant (and others) using a method that is trackable.

2. Disbursement of Settlement Amount

(a) The Settlement Amount will not be disbursed by counsel for FMIT until receipt of all necessary W-9 Form(s) and this Agreement has been properly executed by Claimant and returned to counsel for FMIT.

3. General Release

(a) Claimant hereby voluntarily and knowingly, individually and collectively, releases and forever discharges FMIT and FLC, collectively, separately, and severally, directly, and vicariously, from any and all state, local, and federal claims, causes of action, liabilities, and judgments of every type and description whatsoever (including, but not limited to, all claims in equity, under local, federal, or state tort, contract, extra-contractual, or statutory law) that the Claimant, its successors, assigns, administrators, representatives, agents, spouses, heirs, and those purportedly claiming any rights through them, have, or may ever claim to have against FMIT and FLC for compensatory or punitive damages or other legal or equitable relief of any type or description whatsoever regarding or relating to the Subject Claim and pending Action, including all claims that were asserted or could have been asserted, whether for property damage known or unknown; whether for damage accrued or unaccrued; whether for property damage past, present or future; and for any other damage in any way arising from or related to the events and insurance claims that are the subject of the Subject Claim. This also includes all claims pertaining to FMIT's or FLC's handling of said claim, as well as any and all other extra-contractual liability related thereto (including but not limited to property damage, loss of use, loss of business income, additional living expenses and increased costs and expenses; whether such portions of the claim have yet to accrue or not), as well as any extra-contractual liability related thereto (including but not limited to attorney's fees and public adjuster fees).

Initials: _____/_____

Confidential

(b) The Subject Claim, causes of action, security interests, liabilities, and judgments released in Paragraph 3(a) above shall be referred to collectively herein as the "Released Claim."

(c) The Claimant hereby covenants and agrees, individually and collectively, that it will forever refrain and forebear from commencing, instituting, or prosecuting any lawsuit, action, or other proceeding, of any kind, against FMIT and FLC, individually or collectively, based on, arising out of, related to, or connected in any way with any of the Released Claim.

(d) The Claimant understands and agrees that the Agreement shall be binding on it as well as upon its successors, assigns, administrators, representatives, public adjusters, agents, spouses, heirs, and those purportedly claiming any rights through them.

(e) The Claimant understands and agrees that neither FMIT nor FLC has dictated the scope or method of repair of the conditions addressed with respect to the Subject Claim. The Claimant further understands and agrees that FMIT and FLC have no responsibility or liability for any problems, deficiencies, defects, or any other type of problem with the repairs that are implemented (or not implemented) by it for the conditions addressed in the Subject Claim.

4. No Assignment or Transfer of Released Claims

(a) The Claimant represents and warrants that as of the signing of this Agreement, it has not assigned, transferred, or hypothecated, or purported to assign, transfer, or hypothecate, to any person, firm, corporation, association, or entity whatsoever any of the Released Claim. The Claimant further represents and warrants that as of the signing of this Agreement, there are no unpaid obligations incurred and owing by the Claimant to any contractors, remediation companies, water extraction companies, public adjusters, and/or other persons and/or entities who have provided services of any kind to the Claimant related to or as a result of the Released Claim, or if such liens exist, the Claimant agrees to satisfy any such liens out of the proceeds from the Settlement Amount.

(b) The Claimant hereby agrees to indemnify and hold harmless FMIT and FLC against, without limitation, any and all rights, claims, warranties, demands, debts, obligations, liabilities, costs, expenses (including public adjuster fees), causes of action, and judgments based on, arising out of, or connected with any such transfer, assignment, or hypothecation, or purported transfer, assignment, or hypothecation.

5. Release Includes Unknown Claims

(a) The Claimant understands and agrees, individually and collectively, that the Released Claim is intended to and does include any and all claims of every nature and kind

Initials: _____/_____

Confidential

whatsoever (whether known, unknown, suspected or unsuspected, or accrued or unaccrued) which it has or may have against FMIT or FLC in connection with the Subject Claim and pending Action.

(b) The Claimant acknowledges that it may hereafter discover facts different from or in addition to those which it now knows or believes to be true with respect to the Subject Claim and agrees that, in any such event, this Agreement shall nevertheless be and remain effective in all respects, notwithstanding such different or additional facts, or the discovery thereof.

6. Public Adjuster Fees and Expenses

(a) The Claimant understands and agrees that the Settlement Amount includes and encompasses any and all claims with respect to public adjuster fees, costs, and expenses for or by any and all public adjusters, experts, and consultants, of any kind, who have represented the Claimant or with whom it has consulted or who has done anything in connection with the Subject Claim. The Claimant further agrees to indemnify and hold harmless FMIT and FLC against any claims that may arise out of disputes regarding any unpaid fees and costs, of any kind, by any and all public adjusters, experts, and consultants, of any kind, who have represented the Claimant or with whom it has consulted or who have done anything in connection with the Subject Claim.

(b) This Release does include reasonable attorney's fees and costs.

7. No Admission of Liability

(a) The Parties understand and agree that this Agreement is a release of a disputed claim and does not constitute an admission of liability on the part of any party as to any matter whatsoever and that the Parties merely intend by this Agreement to avoid further dispute or litigation.

(b) The Claimant understands that FMIT and FLC expressly deny all allegations of coverage and wrongdoing in connection with the Subject Claim and pending Action.

8. Modification

No provision of this Agreement may be changed, altered, modified or waived except in writing signed by the Parties (or their authorized representatives), which writing shall specifically reference this Agreement and indicate that the Parties intend to waive or modify it. The waiver by any party to this Agreement or a breach of any of the provisions of this Agreement shall not operate or be construed as a waiver of any subsequent or simultaneous breach.

Initials: _____/_____

Confidential

9. Drafting of Agreement and Severability

(a) The Parties acknowledge this Agreement is a product of negotiation and shall not be construed against any one Party as the drafter.

(b) If any provision or portion of this Agreement, or of any documents or instruments executed in connection with this Agreement, is found to be invalid or unenforceable, all other provisions or portions of any provisions shall nevertheless continue in full force and effect.

10. Entire Agreement

The Parties acknowledge that this Agreement constitutes a full, final, and complete settlement of their differences and supersedes and replaces any and all other written or oral exchanges, agreements, understandings, arrangements, or negotiations between or among them relating to the Subject Claim and pending Action, and affirmatively state that there are no other prior or contemporaneous agreements, exchanges, representations, arrangements, or understandings, written or oral, between or among them relating to the subject matter hereof other than that as set forth in this Agreement, and that this Agreement contains the sole and entire agreement between them with respect to the Subject Claim and pending Action. The Parties further acknowledge and agree that language proposed for, deleted from, or otherwise changed in the various drafts of this Agreement but not included here shall not be considered in any way in the interpretation and application of this Agreement and shall not in any way affect the rights and obligations of the Parties.

11. Applicable Law

This Agreement shall be construed and enforced according to the laws of the State of Florida, without regard to the application of conflicts of law principles.

12. No Contra Proferentum

The Parties acknowledge that this is a negotiated Agreement and that the principle of contract interpretation known as *contra proferentum* is inapplicable to its construction.

13. Headings and Captions

The headings and captions used in this Agreement are for convenience of reference only, and shall in no way define, limit, expand or otherwise affect the meaning or construction of any provision of this Agreement.

Initials: _____/_____

Confidential

14. Cooperation

The Parties agree to cooperate fully and to execute any and all supplementary documents and to take all additional actions that may be necessary or appropriate to give full force to the terms and intent of this Agreement.

15. Liens, Hold Harmless and Indemnity

The Claimant agrees, as a further consideration and inducement for this compromised settlement, to satisfy any and all liens, including but not limited to attorney liens and/or claims for benefits paid by collateral sources arising out of the above-described proceeds, and furthermore, the Claimant promises to hold harmless and indemnify FMIT and FLC for all claims whereby any third party (including but not limited to any other mortgagees and secured creditors or assignees thereof) alleges that all or part of the sums paid by FMIT and FLC should have been paid to said third party. Additionally, the Claimant promises to indemnify FMIT and FLC for any costs and attorneys' fees incurred in defending any such allegation made by any such third party.

[*Remainder of page left intentionally blank*]

Initials: _____/_____

Confidential

I HAVE READ THE GENERAL RELEASE AND HEREBY ACKNOWLEDGE THAT I UNDERSTAND AND ACCEPT ALL OF THE TERMS AND CONDITIONS THEREIN AND THAT I HAVE DONE SO WITH THE ADVICE OF MY COUNSEL.

SIGNATURE:

TOWN OF FORT MYERS

_____

STATE OF FLORIDA)
)
COUNTY OF LEE)

By:_____
(Print name)

Its:_____
(Print title)

SWORN TO AND SUBSCRIBED BEFORE ME on this ___ day of _____, 2025 by _____ who is personally known to me or who has produced _____ as identification, and who did take an oath.

_____ (Signature)

_____ (Print Name)

(Seal)

Notary Public, State of _____

My Commission Expires:

END OF RELEASE

Initials: _____/_____

Confidential

Town of Fort Myers Beach
Agenda Item Summary

Blue Sheet Number: **2025-452**

1. **Request:**

Meeting Date: June 2, 2025

Approve the Selection Advisory Committee's recommendation for award of RFP-25-03-EN Fill and Grading Bay Oaks Recreational Campus to Persons Service Corporation.

Why the action is necessary:

In accordance with the Town Procurement Policy

What the action accomplishes:

Approves the recommendation of the Selection Advisory Committee and continues the award process.

2. **Agenda:**

ADMINISTRATIVE AGENDA

3. **Requirement/Purpose:**

4. **Submitter of Information:**

Jeff Hauge, Community Services Director, Frankie Kropacek, Community Development Director

---

5. **Background:**

RFP-25-03-EN was issued to solicit proposals for the Fill and Grading Bay Oaks Recreation Campus. The Town received 1 complete proposal. The Selection Advisory Committee reviewed the proposal on Thursday, May 15, 2025, and unanimously voted to recommend to the Town Manager the recommendation of Persons Services Corporation, Inc, in accordance with the Towns Procurement Policy. In order to ensure the project continues within the grant funding timeline, the decision to move forward with one bid is highly recommended.

Originally, this was the first bid in 2024, and the proposals were rejected due to the high bid amounts.

This project is in relation to the overall Bay Oaks Redevelopment Project and grant funding. The contractor is able to meet the deadline required for this project..

Attachments:

1. PSC_RFP-25-03-EN_Fort Myers Beach_FINAL Proposal
2. PSC RFP Form A - Qualifications Statement
3. PSC RFP Form B - Reference Form
4. PSC RFP Form C - Price Proposal Form
5. PSC RFP Form D - Proposer's Certification
6. SAC RFP-25-03-EN (Minutes)
7. Fill and Grading of Bay Oaks Recreational Campus (3)

Financial Impact:

Proposal amount is $1,689,381.63

6. **Alternative Action**

Deny the recommendation and rebid.

7. **Management Recommendations:**

To approve

8. **Recommended Approval:**

Deborah Glavin, Contracts & Procurement Specialist	Created/Initiated - 5/27/2025
nancy stuparich, Town Attorney	Approved - 5/27/2025
Amy Baker, Town Clerk	Approved - 5/28/2025
William McKannay, Town Manager	Final Approval - 5/28/2025

PERSONS

SERVICES CORP.



Response to Solicitation

Town of Fort Myers Beach

Fill & Grading of Bay Oaks Recreational Campus

Due: May 14, 2025 – 12:30 pm

Point of Contact:
Samantha Vincenty
svincenty@personsservices.com
954-290-8075

1835 S. Perimeter Rd., Suite 175 Fort Lauderdale, FL 33309

May 14, 2025

Contracts & Procurement Specialist
2731 Oak Street
Fort Myers Beach, FL 33931

Re: RFP-25-03-EN

On behalf of Persons Services Corp., I am pleased to submit this Response to the Town of Fort Myers Beach.

Persons Services Corp. (PSC) stands out as a Construction Management and General Contracting firm with over 45 years of experience managing global construction, infrastructure, industrial, and disaster recovery programs. Our team's unique blend of expertise and experience has enabled us to successfully complete demolition and construction projects for Florida's public and private sectors. We take pride in our reputation for delivering safe, high-quality, and performance-driven work.

Upon reviewing PSC's credentials, proven experience, and comprehensive internal capabilities, we are confident that you will appreciate how we have been able to serve some of the most demanding owners continually and have remained in business for over four decades. PSC is the ideal company to serve you as Construction Manager for the PJ Meli Aquatic Complex project.

I, Samantha Vincenty, certify that the ITB documents have been thoroughly reviewed and acknowledged. I affirm that all information in this submittal is complete and accurate. We have the necessary personnel, equipment, and time to ensure this commitment is unwavering.

Sincerely,



Samantha Vincenty
Regional General Manager | 954-616-5106 x339 | svincenty@personsservices.com
www.personsservices.com

Table of Contents

Section 1 – Business Structure 4

Staffing 8

Section 2 Experience 12

_Project Specific Examples of Government Work for Municipalities / Disaster Recovery 15

Current Workload 16

Section 3 – Approach 17

Section 4 – Compensation (RFP Form C) 18

Section 5 – Additional Information 19

Section 6 – Addenda 20

Section 1 – Business Structure

Persons Services Corp. (PSC) is headquartered out of Mobile, Alabama with offices across the Southeast including **Fort Lauderdale, FL** which handles all Florida based projects with staff located throughout Florida. Our firm is privately held with over 45 years of experience in almost all aspects of the construction industry. We take pride in our role as a premiere project solutions company, offering a comprehensive range of services. Our status as a privately owned entity allows us to adapt to each client's and project's unique needs. We provide General and Specialty Contracting Services with established trade partners and direct-hire construction services that cover the complete spectrum from engineering, civil, mechanical, piping, electrical, and instrumentation to start-up assistance in-house. A timeline of our growth is illustrated below in Figure A.1.

Our services are designed to deliver the most cost-effective solutions through proven project delivery systems by a best-in-class workforce.

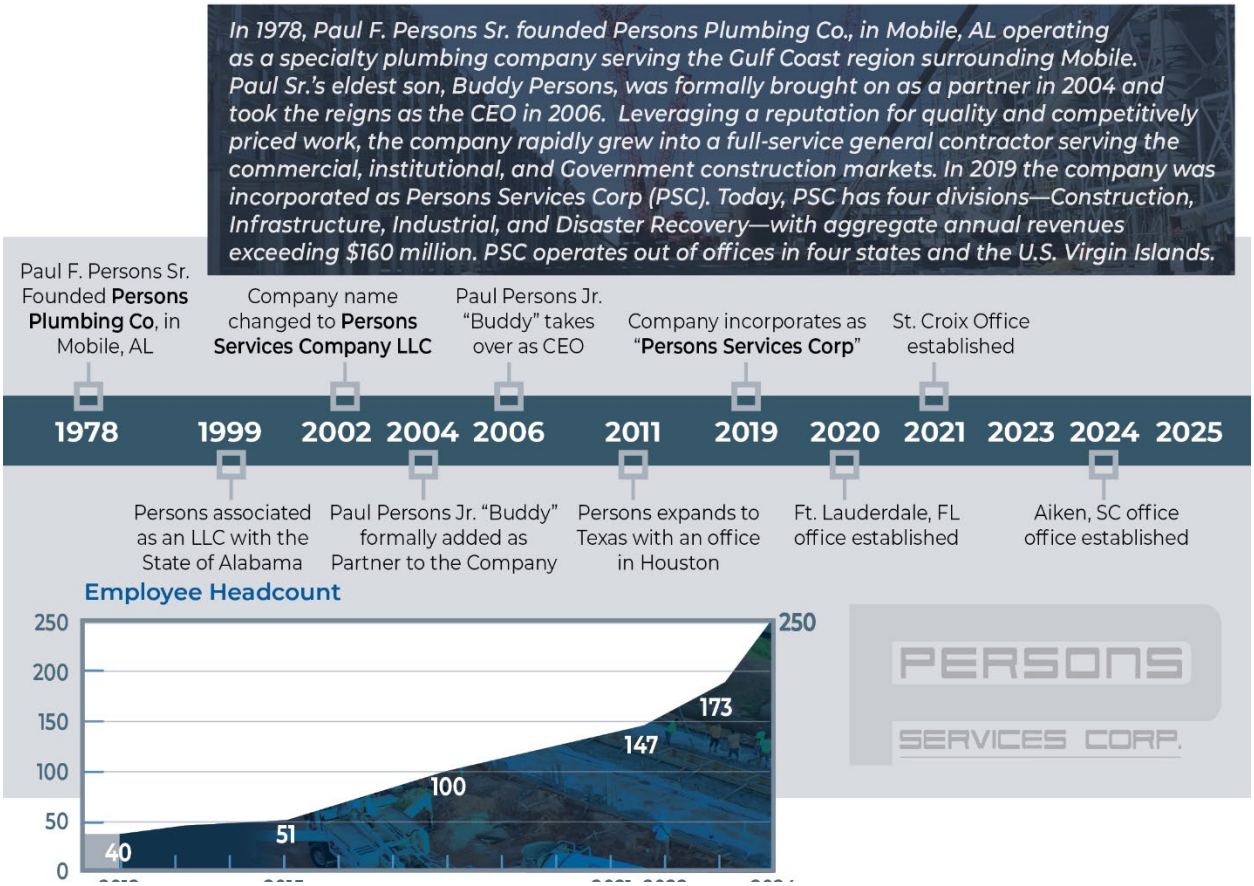


Figure A.1. Persons Services Corp. has experienced continuous growth since its founding, expanding into a fully diversified construction firm.

Persons Services Corp. brings a unique advantage to the Town of Fort Myers Beach as our corporate umbrella includes owning and operating a steel fabrication facility, more than 750 pieces of Heavy Equipment, Trailers, Trucks and Vehicles, in addition to working with some of the latest construction technology. Our team is able to not only deliver the management services this contract requires, but, when needed, we are able to self-perform schedule-critical work to avoid delays.



Figure A.2. PSC has an extensive suite of in-house capabilities to call upon as need demands.

We are proud of our continuous growth, reputation, and accomplishments. Being recognized by Engineering News Record (ENR) and other industry-leading publications as a top contractor in the US is a testament to our performance ability. PSC was recognized this year by Inc. 5000 as the 25th fastest growing company in Alabama.

This success is driven by our core values, which promote integrity, communication, and quality above all else. Our unique differentiators include a deep level of expertise, the 'Master Builder' mentality, and a commitment to providing comprehensive project planning solutions. With unparalleled transparency, exceptional communication, and a dedication to mastery, we ensure that every construction venture becomes an empowering and gratifying experience for our clients.

PSC is not on the Vendor List maintained by the Florida Department of Management Service per Florida Statute 287.1346, 287.133, 287.134, 287.1351, 287.137, 287.135, 287.057(1-3), 287.057(25).

State of Florida
Department of State

I certify from the records of this office that PERSONS SERVICES CORP. is an Alabama corporation authorized to transact business in the State of Florida, qualified on May 21, 2019.

The document number of this corporation is F19000002589.

I further certify that said corporation has paid all fees due this office through December 31, 2025, that its most recent annual report/uniform business report was filed on January 13, 2025, and that its status is active.

I further certify that said corporation has not filed a Certificate of Withdrawal.

Given under my hand and the Great Seal of the State of Florida at Tallahassee, the Capital, this the Fifth day of March, 2025

Secretary of State

Tracking Number: 3422652816CU

To authenticate this certificate,visit the following site,enter this number, and then follow the instructions displayed.

https://services.sunbiz.org/Filings/CertificateOfStatus/CertificateAuthentication

Lee County Tax Collector
Noelle Branning

Local Business Tax Receipt

PERSONS SERVICES CORP
PERSONS SERVICES CORP
4474 HALLS MILL RD
MOBILE, AL 36693-5622

Dear Business Owner:

Your **2024 - 2025** Lee County Local Business Tax Receipt is attached below for account number / receipt: number: **1080604 / 2204017**

If there is a change in one of the following, refer to the instructions on the back of this receipt.

- Business name
- Ownership
- Physical location
- Business closed

This is not a bill. Detach the bottom portion and display in a public location.

I hope you have a successful year.

Sincerely,

R. Noelle Branning

Lee County Tax Collector

2024-2025
LEE COUNTY LOCAL BUSINESS TAX RECEIPT

Account Number: 1080604
Receipt Number: 2204017
State License Number: CGC1527992

Account Expires: September 30, 2025

Location:
4474 HALLS MILL RD
MOBILE, AL 36693-5622

May engage in the business of:
GENERAL CONTRACTOR-CERTIFIED
THIS LOCAL BUSINESS TAX RECEIPT IS NON REGULATORY

PERSONS SERVICES CORP
PERSONS SERVICES CORP
4474 HALLS MILL RD
MOBILE, AL 36693-5622

Payment Information:		
PAID	INT-00-02459257	07/15/2024
		$ 50.00

Staffing

Equipped with a proven and collaborative approach to the unique needs of institutional construction, PSC stands ready to deliver exceptional Construction Manager at Risk services to Florida International University. PSC built our key personnel team and organizational structure to inject energy, a sense of urgency, and drive for continuous improvement into our approach.

Our project team will operate under the oversight of a PSC Project Executive Samantha Vincenty. Samantha is the Regional General Manager of our Southeast and Caribbean group and will support the management team with unfettered access to any corporate resources that Project Manager (PM) Jason Ottilige may require to deliver this project to the Town at the highest level of customer satisfaction.

Jason will lead the project team with the administrative support of Project Coordinator Sharlene Roca and onsite support of Superintendent Kenneth Temple. The project will operate with the input, direction, and guidance of General Superintendent Billy Martin Jr. and Director of Project Management Lucas Cooke.

- **Project Executive *Samantha Vincenty*** has led construction teams to success for more than 24 years. 10% allocation to this project.
- **Project Manager *Jason Ottilige*** has 15 years of industry experience and has delivered complex emergency disaster response and recovery services along the Southeast. Jason will be the Town's primary contact for the project regarding the implementation and management of the contract. 30% allocation to this project.
- **General Superintendent *Billy Martin Jr.*** is one of PSC's most accomplished and senior superintendents with over 30 years of experience delivering multi-million dollar industrial and commercial projects to municipal and private clients. 5% allocation to this project.
- **Site Superintendent *Kenneth Temple*** is a quality-dedicated construction professional with more than two decades of experience guaranteeing safe, fast-paced and organized jobsites. Kenny will be the Town's onsite contact for field related items or questions. 100% allocation to this project.

Please find resumes for the key personnel to be assigned to this project located in the following pages.



SAMANTHA VINCENTY

Project Executive

Samantha has more than 20 years of management experience in the construction industry. She is a talented team lead, providing operations, estimating, scheduling, team building, and management support to complex projects with rigorous deadlines. She has numerous years of experience with municipal construction and CMAR project delivery.

Based out of PSC's Fort Lauderdale Office, in her role as Project Executive for this contract, Samantha will support the management team with unfettered access to any corporate resources needed to deliver this project to the University at the highest level of customer satisfaction.

BACKGROUND

EDUCATION
Western Governor's University,
MBA, Healthcare Management
City University of New York,
BA, Communications

YEARS EXPERIENCE
Industry – 20

CERTIFICATIONS
LEED Accredited
OSHPD & AHCA

EXPERIENCE

GFI CAPITAL RESOURCES
The Ritz-Carlton Residences
The Villa Collection
Miami Beach, FL

CITY OF TAMARAC
Colony West Clubhouse/Cart Barn
Tamarac, FL

AD1 GLOBAL
Fairfield Inn & Suites
Tamarac, FL

TOWN OF JUPITER
Town Hall Phase 2
Jupiter, FL

JACKSON MEMORIAL
Labor + Delivery OR Remodel
Miami, FL

MIAMA DADE COLLEGE
MDC West Campus
Doral, FL

HUDSON CAPITAL GROUP
Quay Plaza
Fort Lauderdale, FL

TOWN OF DAVIE
Davie Boys & Girls Club
Davie, FL

CITY OF POMPANO BEACH
Ali Cultural Center
Pompano Beach, FL

RIVERSIDE HOTEL
Spa + Amenities Center
Miami Beach, FL



BILLY MARTIN, JR.

General Superintendent

Billy has more than 30 years of experience in the construction industry. His diverse portfolio of successful commercial and industrial projects includes New School Facilities, Office Complexes, Medical Facilities, Detention Centers, Mixed-Use Retail Construction, Aviation, Multi-Family, and Hospitality among others.

Solution-oriented, Mr. Martin is highly experienced in site logistics, job site quality, scheduling, labor relations, and customer management.

As General Superintendent, Billy provides day-to-day team leadership, ensuring projects are completed on time and in line with quality and safety standards.

BACKGROUND

EXPERTISE

- Institutional Facility Construction
- Education Facility Construction
- Site Safety
- OSHA Compliance

CERTIFICATIONS

- AGC Certification
- OSHA 30-Hour
- OSHA 10-Hour
- OSHA 1926 Review Training, Project Accident Investigation
- Construction Education Foundation Inc. 30-Hour Safety Training
- MSHA Safety Training
- Quoin Stormwater Management
- McCarthy Building Management and Leadership
- Certified Lead Testing and Abatement
- Crane and Rigging Safety
- Confined Space Training

EXPERIENCE

BALDWIN COUNTY SCHOOL BOARD
Robertsdale High School Addition
Robertsdale, AL

CITY OF DAPHNE
Daphne Justice Center
Daphne, AL

DFW INTERNATIONAL AIRPORT
Terminal D Expansion
Dallas, TX

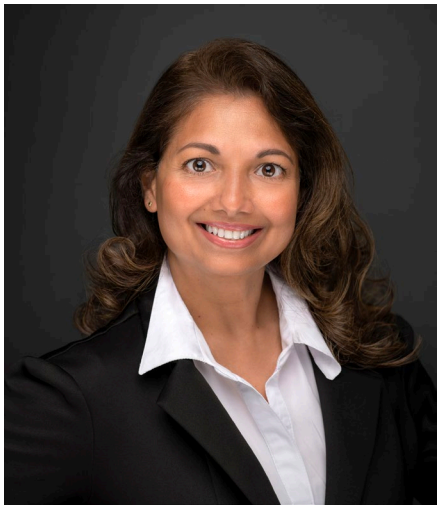
BLUE CROSS BLUE SHIELD
Corporate Headquarters
Richardson, TX

DALLAS COUNTY
Southwestern Institute of Forensic Sciences (SWIFS)
Dallas, TX

DALLAS COUNTY
Detention Center S Tower
Dallas, TX

CYPRESS-FAIRBANKS INDEPENDENT SCHOOL DISTRICT
Cypress Fairbanks ISD High School
Cypress, TX

AIRPORT AUTHORITY OF THE CITY OF GULF SHORES
Gulf Shores Airport New Terminal
Gulf Shores, AL



SHARLENE ROCA

Project Administrator

As Project Administrator, Sharlene is an integral member of the project team responsible for delivering building development projects of varying size and complexity. She is responsible for all aspects of construction and administration alongside accounting. Utilizing Procore, Sharlene works closely with project leadership to manage financial controls and reporting for the project budget, assembling contracts and change orders. Sharlene excels as a team player with demonstrated interpersonal and organizational skills.

BACKGROUND

EDUCATION
Miami Dade College
Computer Operations

YEARS EXPERIENCE
Industry – 15

EXPERIENCE

MIAMI DADE COLLEGE
MDC West Campus
Doral, FL

MIAMI DADE COUNTY SCHOOLS
International Studies Preparatory Academy "ISPA"
Coral Gables, FL

TOWN OF JUPITER
Town Hall Phase 2
Jupiter, FL

1116 LOVE STREET LLC
Love Street Mixed-Use
Jupiter, FL

BROWARD COLLEGE
Broward College
Fort Lauderdale, FL

TOWN OF DAVIE
Davie Boys & Girls Club
Davie, FL

CITY OF POMPANO BEACH
Ali Cultural Center
Pompano Beach, FL

CITY OF TAMARAC
Colony West Clubhouse/ Cart Barn
Tamarac, FL



JASON OTTILIGE

Project Manager

Jason Ottilige is a seasoned Construction Project Manager with over 20 years of experience in disaster response and six years in construction management. His responsibilities include overseeing all phases of construction projects, from planning and budgeting to execution and closeout. He coordinates subcontractors, manage schedules and costs, ensure quality and safety standards are met, and serves as the primary liaison between clients, architects, and field teams to ensure timely, successful project delivery.

At Persons Services Corp., Jason oversees multiple residential and commercial reconstruction projects, including resorts, storage facilities, and condominiums. Jason excels at coordinating vendors, managing budgets, creating construction schedules, and ensuring quality execution from planning to completion.

His background in emergency operations equips him with strong leadership, logistical coordination, and problem-solving skills, making him a reliable asset for complex, high-pressure construction environments.

BACKGROUND

YEARS EXPERIENCE

Industry – 20

CERTIFICATIONS

- ICS – 100 Certified
- ICS – 200; 800.b
- IS-00100.b; 00120.a; 00130; 00200.b; 00899.b
- NIMS Certified IS-00700.a
- Radiological Emergency management IS-0003
- TS10 Debris Management
- TS27 Logistics Operations
- OSHA 10, 30, 40 HAZWOPER
- ATTSA Traffic Control Course
- Qualified Stormwater Management Inspector Certified

EXPERIENCE

PINK SHELL RESORT & MARINA
Hurricane Hospitality Renovation
Fort Myers Beach, FL

FLORIDA COMMERCE
Rebuild FL CDBG-DR Hurricane Ian
South Florida

METRO STORAGE
Hurricane Commercial Renovation
Tamiami, FL

CONGRESS JEWELERS
Hurricane Commercial Build Back
Sanibel, FL

BEACHAVEN ASSOC.
Hurricane Residential Renovation
Siesta Key, FL

ISLAND BREEZE CONDO
Hurricane Residential Renovation
Fort Myers Beach, FL



KENNETH TEMPLE

Superintendent

Kenny has more than 30 years of experience in the construction industry. His diverse portfolio of successful commercial and industrial projects includes Fire stations, Site Projects, Mixed-Use Retail Construction, Multi-Family, and Hospitality among others.

Solution-oriented, Kenny is highly experienced in managing crews, job site quality, customer management and planning.

As the Project Superintendent, Kenny provides day-to-day team leadership and guidance, ensuring projects are completed on time and in line with quality and safety standards.

BACKGROUND

EXPERTISE

- Site Construction
- Municipal Construction
- Site Safety
- OSHA Compliance

CERTIFICATIONS

- OSHA 30-Hour
- Forklift Extended Reach Training
- AAMA-Certified Window Installer #70004256
- Trench Safety Training

EXPERIENCE

TOWN OF JUPITER
Town Hall Ph 2
Jupiter, FL

CITY OF DANIA BEACH
Nyberg Swanson Historical
Dania Beach, FL

INN BY THE SEA
185,000 SF 5 Story Condominium
Pass Christian, MS

FOUR POINTS SHERATON
10 Story Hotel
Biloxi, MS

LAUNDRY ENTERPRISES
9 Laundromat Built-outs
NY Tri County

SCORES STEAKHOUSE
New Club and Steakhouse

Section 2 Experience

Persons Services Corp. brings offers a comprehensive suite of construction services spanning various sectors including infrastructure, industrial and disaster response. PSC has successfully performed projects across various municipalities through our various offices locations which have included environmental response and services, site preparation, infrastructure planning, environmental planning and overall construction management.

For this project we have teamed up with ICS Materials with whom we have successfully worked with in the past and carries the same dedication to quality, teamwork and client relationships. Combined, our teams have over 75 years of experience with reconstruction, clearing, earthwork, infrastructure, utilities and asphalt and concrete sitework packages.

ICS Materials Inc has performed the following municipal projects

Fort Myers Beach Berm

ICS Materials was contracted by Grubbs Emergency Services to complete almost 2.9 million dollars to install and repair berms

Newton Park Parking Lot

ICS Materials was contracted by the Town of Fort Myers Beach for this project.

Hurricane Milton Recovery

ICS Materials was contracted by the Town of Fort Myers Beach to assist with Hurricane Milton recovery efforts



Persons Services Corp.

PSC Specific Examples of Government Work for Municipalities / Disaster Recovery



Boys & Girls Club Addition

PSC delivered a new addition and interior renovations for the Town of Davie.



Historic Restoration of Nyberg-Swanson House

PSC delivered this historic building renovation for the City of Dania Beach.



Town Hall Phase II

PSC was contracted by the Town of Jupiter to deliver $3M in demolition and civil / underground site work.

Splendora CDBG Sewer Project

PSC was contracted by the City of Splendora for a infrastructure project involving civil work, lift stations and force mains.

SCDRO Hurricane Matthew & Florence Program

PSC was contracted for aid with disaster recovery and reconstruction

Brazosport Water Authority Segment 3

Installation of 24,000 LF of water lines including directional drilling under the Brazos River for the Water Authority.

Pink Shell Resort & Marina – Disaster Recovery & Remodel

PSC was contracted for demolition, renovation and restoration of the resort post Hurricane Ian including sitework and re-grading of beach areas (ICS Materials was our subcontractor as part of this project).



Current Workload

Please note that the projected workload list below includes the entirety of PSC's General Construction workload for the next three years. Projects that involve one or more members of our proposed project team have been highlighted in green.

Jobs in Progress for Construction (Current - 3 year)		
Job Name	**Contract Value**	**% to Comp**
Ali Cultural Center – City of Pompano Beach	1,239,718.00	85%
Beard Equipment Expansion	3,790,143.43	10%
Charles A. Seales Fire Station	5,838,915.00	75%
Town of Jupiter Town Hall	3,046,124.00	1%
Corrections Modular Facility	564,002.57	10%
Daphne Justice Center	5,702,275.51	66%
Daphne North Elementary	11,406,523.00	62%
Discount Tires – D'Iberville	3,304,940.96	55%
Discount Tires – Daphne	3,325,286.63	84%
Enterprise SCC-Workforce	13,377,695.95	64%
Gulf Shores Airport Terminal	5,855,503.00	43%
Holsberry Industrial	299,852.00	28%
Jason Pilger Chevrolet	1,157,434	74%
Kaleo Residence Building	20,579,774.00	24%
Mobile Aquatics Center	23,151,607.00	78%
Robertsdale HS Addition	5,099,350.00	23%
USA Marching Band Building	8,622,105.95	83%
Whataburger-Daphne	3,081,294.00	45%

Section 3 – Approach

PSC will manage and perform this project in an organized and phased approach which will involve:

Coordinating locates and utility shut-offs and verification
SWPPP installation and maintenance to ensure compliance with local stormwater regulations throughout the project.
Removal of all vegetation, tree stumps, roots, existing pavement and/or abandoned utility lines as identified and reviewed with the Town.
Crushing, Excavation and Backfilling: Crushing, 6" strip and backfill
Rough & Fine Grading: Perform initial contouring of the site to establish proper drainage and final grade to meeting final elevations and slopes with surface water directed away from buildings and towards drainage structures per specified elevations.
Excess Materials: Remove excess materials from site generated by this scope of work
Surveying & Final As-built to be provided with elevations as per the designed specifications for the final walk-thru.

Site Cleanup will be completed eliminating the construction generated debris upon completion of grading activities.

Our team will be utilizing excavators, skid steers, wheel loaders, graders, dump trucks and compactors throughout various stages of the construction. The expected overall timeline is 45 days.

Section 4 – Compensation (RFP Form C)

Please find the RFP Form C in the following pages.

FMB:202 RFP Form C

Proposer: Persons Services Corp.

PRICE PROPOSAL FORM

Note: Forms A, B & C are available in WORD format from the Contracts Manager upon request.

THIS FORM MUST BE SIGNED AND SUBMITTED WITH PROPOSAL TO BE DEEMED RESPONSIVE.

Name of Proposer: Persons Services Corp.

Name of authorized representative of Proposer: Samantha Vincenty

Project Cost

Item	# of Units for evaluation purposes Only	Price Per Unit
General Conditions	1 LS	$ 146,957.00
Mobilization	1 LS	$ 55,000.00
SWPPP	1 LS	$ 13,200.00
Crushing Operation	1 LS	$ 360,000.00
6" Strip	1 LS	$ 10,687.50
Fill	1 LS	$ 425,000.00
Grading	1 LS	$ 124,000.00
Trench backfill & Compaction	1 LS	$ 15,000.00
Remove Excess material from site	1 LS	$ 371,280.00
GPS, Survey & As built	1 LS	$ 53,500.00
Bond & Fee	1 LS	$ 114,757.13
TOTAL PRICE	**$ 1,689,381.63**	

Instructions: Show the project cost for each deliverable your firm will provide per the requested scope of work. Include the fees associated with each proposed deliverable. Fees should be detailed to the extent possible per deliverable.
The Total Unit Price Cost shall include all fees and reimbursements for out-of-pocket costs. The Town will not reimburse for any costs not actually incurred and paid for by the Proposer and included in its proposal. Reasonable proof thereof will be required.

Payments will be made on each deliverable upon receipt and acceptance by the Town.

Additional Services: Permits if required by Town of Fort Myers Beach

If the Proposer is interested in additional work, please provide the hourly rate, unit rate and staff positions available. The rates for the additional work will not be used for evaluation of the services required in this RFP.

Additional Work	
Title:	Hourly Rate/Per Unit Rate
Add rows as necessary	

Signature: _____

Date: May 14, 2025

Name: Samantha Vincenty

Title: Regional General Manager

POSITION	HOURLY RATE
Section 1 - Hourly Rates	
Vice President	$ 325.00
Project Executive / Group Manager	$ 255.00
Sr Project Manager	$ 225.00
Construction Manager / Project Manager	$ 195.00
General Superintendent	$ 225.00
Sr. Superintendent	$ 195.00
Field Superintendent	$ 175.00
Sr. Scheduler	$ 195.00
Sr. Estimator	$ 195.00
Scheduler	$ 145.00
Estimator	$ 150.00
Safety Manager	$ 195.00
QA/QC Manager	$ 175.00
Foreman	$ 125.00
Project Administration	$ 95.00
Permit Expeditor	$ 105.00

Section 5 – Additional Information

Please find attached on the following pages the forms and certifications required by the solicitation.

- RFP Form A
- RFP Form B
- RFP Form D
- Conflict of Interest Disclosure
- Non-Collusion Affidavit
- Equal Employment Opportunity
- Drug-Free Workplace Certification

RFP FORM A

Proposer: Persons Services Corp.

QUALIFICATIONS STATEMENT

Note: Forms A, B & C are available in WORD format from the Contracts Manager upon request.

THIS FORM MUST BE SUBMITTED WITH PROPOSAL TO BE DEEMED RESPONSIVE.

1. State the full and correct name of the partnership, corporation or trade name under which you do business and the address of the place of business. (If a corporation, state the name of the president and secretary. If a partnership, state the names of all partners. If a trade name, state the names of the individuals who do business under the trade name.)

   1.1. The correct and full legal name of the Proposer is: Persons Services Corp.

   1.2. The business is a (Sole Proprietorship) (Partnership) (Corporation). : Corporation

   1.3. The names of the corporate officers, or partners, or individuals doing business under a trade name, are as follows: Paul F Persons
   Paul Stevens

2. Please describe your company in detail. see included proposal

3. The address of the principal place of business is: 4474 Halls Mill Rd, Mobile, AL 36693
   Local office: 1835 S. Perimeter Rd, suite 175, Fort Lauderdale, FL 33309

4. Company telephone number and e-mail addresses:
   Florida office: 954-616-5106 Email: bidsec@personsservices.com

5. Number of employees:
   277

6. Name of employees to be assigned to this Project:
   Jason Ottilige / Brian Cook

7. Company identification numbers for the Internal Revenue Service:

8. Provide Lee County business tax receipt number, if applicable, and expiration date:
   Receipt # 2204017, Expires: September 30, 2025

9. How many years has your organization been in business? Does your organization have a specialty? 47

10. List the last three projects of this nature that the firm has completed? Please provide project description, reference and contact information and cost of work completed. (see attached 01)

11. Have you ever failed to complete any work awarded to you? If so, where and why? None

12. Provide the following information concerning all contracts that are similar in nature or use the same project team proposed for this project that are **in progress** as of the date of submission of this Proposal for your company, division or unit as appropriate.

Name of Project	Contract with:	Contract Amount	Estimated Completion Date	% of Completion to Date
Included on page 12 of Proposal - Current Workload				

(Continue list as necessary)

13. Provide the following information for any sub-consultants you will engage if awarded the contract.

Subcontractor Name	Address	Work to be Performed
ICS Materials Inc	16301 Palm Beach Blvd Unit 3, Alva, FL 33920	SWPPP, Grading, Sitework

The foregoing list of subconsultants may not be amended after award of the contract without the prior written approval of the Town Manager, whose approval shall not be unreasonably withheld.

Attached 01

10. List the last three projects of this nature that the firm has completed. Please provide project description, reference and contact information and cost of work completed.

Project No. 1

Name:	Town Hall Phase II
Brief Description:	Demolition & Site Improvement Project
Owner:	Town of Jupiter, Florida
Contact:	Roger Held
Email:	rogerh@jupiter.fl.us
Phone:	561-741-2669
Contract Value:	$3,046,124.00

Project No. 2

Name:	Brazosport Water Authority Segment 3
Brief Description:	24,000 LF of 24" water transmission line including a 2,500 LF directional drill under the Brazos River
Owner:	BWA
Contact:	Wyatt Ringgold
Email:	wringgold@sbcglobal.net
Phone:	979-236-7351
Contract Value:	$4,900.000.00

Project No. 3

Name:	Splendora CBDG Sewer
Brief Description:	Force Main Utility expansion and Force Main for City of Splendora, TX
Owner:	City of Splendora
Contact:	Danna Welter
Email:	dannwelter@gmail.com
Phone:	281-689-3197
Contract Value:	$555.000.00

Project No. 4

Name:	Pink Shell Beach Resort & Marina
Brief Description:	Renovations of White Sand Villas and Captiva
Owner:	White Sand Villas Condominium Association
Contact:	Bill Waichulis
Email:	bwaichulis@boykin.com
Phone:	239-777-8705
Contract Value:	$3,500,000.00

FMB:201 RFP Form B

Proposer: Persons Services Corp.

REFERENCE FORM

Forms A, B & C are available in WORD format from the Contracts Manager upon request.

THIS FORM MUST BE SUBMITTED WITH PROPOSAL TO BE DEEMED RESPONSIVE.

Give names, addresses and telephone numbers of four individuals, corporations, agencies, or institutions for which you have performed work similar to what is proposed in this RFP:

1. Name of Contact: Roger Held
   Title of Contact: Email: rogerh@jupiter.fl.us
   Telephone Number: 561-741-2669 Fax
   Number: Project: Town Hall Phase II | Town of Jupiter, FL

2. Name of Contact: Wyatt Ringgold
   Title of Contact: Email: wringgold@sbcglobal.net
   Telephone Number: 979-236-7351 Fax
   Number: Project: Brazosport Water Authority Segment 3 | BWA, Lake Jackson, TX

3. Name of Contact: Danna Welter
   Title of Contact: City Secretary Email: dannwelter@gmail.com
   Telephone Number: 281-689-3197 Fax
   Number: Project: Splendora CBDG Sewer | City of Splendora, TX

4. Name of Contact: Bill Waichulis
   Title of Contact: Email: bwaichulis@boykin.com
   Telephone Number: 239-777-8705 Fax
   Number: Project: Pink Shell Beach Resort & Marina | Fort Myers, FL

FMB:204 RFP FORM D

Proposer: Persons Services Corp.

THIS FORM MUST BE SIGNED AND SUBMITTED WITH PROPOSAL TO BE DEEMED RESPONSIVE.

The undersigned guarantees the truth and accuracy of all statements, and the answers contained herein.

PROPOSER'S CERTIFICATION

I have carefully examined the Request for Proposal referenced above ("RFP") and any other documents accompanying or made a part of this RFP.

I hereby propose to furnish the goods or services specified in the RFP. I agree that my proposal will remain firm for a period of 120 days in order to allow the Town adequate time to evaluate the proposals.

I certify that all information contained in this proposal, which includes the TOWN required RFP forms A, B, C and D, is truthful to the best of my knowledge and belief. I further certify that I am duly authorized to submit this proposal on behalf of the firm as its act and deed and that the firm is ready, willing, and able to perform if awarded the contract.

The firm and/or Proposer hereby authorizes the Town of Fort Myers Beach, its staff, or consultants, to contact any of the references provided in the proposal and specifically authorizes such references to release, either orally or in writing, any appropriate data with respect to the firm offering this proposal.

I further certify, under oath, that this proposal is made without prior understanding, agreement, connection, discussion, or collusion with any other person, firm or corporation submitting a proposal for the same product or service; no officer, employee or agent of the Town or any other Proposer is interested in said proposal; and that the undersigned executed this Proposer's Certification with full knowledge and understanding of the matters therein contained and was duly authorized to do so.

If this proposal is selected, I understand that I will be expected to execute the Town's standard professional services agreement, in the form approved by the Town Attorney.

A person or affiliate who has been placed on the convicted vendor list following a conviction for public entity crimes may not submit a proposal on a contract to provide any goods or services to a public entity, may not submit a proposal on a contract with a public entity for the construction or repair of a public building or public work, may not submit proposals on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, sub-contractor, or consultant under a contract with a public entity, and may not transact business with any public entity in excess of the threshold amount provided in Sec. 287.017 Florida Statutes, for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list.

I further certify, under oath, that neither the entity submitting this sworn statement, not to my knowledge, any of its officers, directors, executives, partners, shareholder, employees, members, or agents active in the management of the entity has been convicted of a public entity crime subsequent to July 1, 1989.

Persons Services Corp.

(Name of Business)

Samantha Vincenty

(Signature)

Samantha Vincenty - Regional General Manager

(Print Name and Title)

1835 S. Perimeter Rd, suite 175

(Address)

Fort Lauderdale, FL 33309

[1]STATE OF FLORIDA)
COUNTY OF ~~LEE~~ BROWARD)

SWORN TO AND SUBSCRIBED BEFORE ME, on this 14 day of MAY, 2025, by means of (X) physical presence or ( ) online notarization, personally appeared SAMANTHA VINCENTY as REGIONAL MANAGER of the (Company Name) who is personally known to me or (X) who has produced PSC as identification.

Olga Lucia Cala

NOTARY PUBLIC – State of Florida

My commission expires:

Notary Public State of Florida
Olga Lucia Cala
My Commission HH 470406
Expires 12/5/2027

CONFLICT/NON-CONFLICT OF INTEREST STATEMENT

CHECK ONE

[X] To the best of our knowledge, the undersigned firm has no potential conflict of interest due to any other clients, contracts, or property interest for this project.

OR

[ ] The undersigned firm, by attachment to this form, submits information which may be a potential conflict of interest due to other clients, contracts, or property interest for this project.

Litigation Statement

CHECK ONE

[X] The undersigned firm has had no litigation and/or judgments entered against it by any local, state, or federal entity and has had no litigation and/or judgments entered against such entities during the past ten (10) years.

[ ] The undersigned firm, by attachment to this form, submits a summary and disposition of individual cases of litigation and/or judgments entered by or against any local, state or federal entity, by any state or federal court, during the past ten (10) years.

Failure to check the appropriate boxes above may result in disqualification of your proposal. Likewise, failure to provide documentation of a possible conflict of interest, or a summary of past litigation and/or judgments, may result in disqualification of your proposal.

Signed, as to both statements:

Persons Services Corp.
Company Name


Authorized Signature

Samantha Vincenty - Regional General Manager 05/16/2025
Name (Print or Type) Title

FORM 4 - NON-COLLUSION AFFIDAVIT

STATE OF FLORIDA
COUNTY OF BROWARD

I state that I Samantha Vincenty - Regional General Manager (Name and Title) of Persons Services Corp. (Name of Firm),
am authorized to make this affidavit on behalf of my firm and its owner, directors and officers. I am the person responsible in my firm for the price(s) and amount(s) of this Response, and the preparation of the Response. I state that:

1. The price(s) and amount(s) of this Response have been arrived at independently and without consultation, communication or agreement with any other Provider, potential provider, Proposal, or potential Proposal.

2. Neither the price(s) nor the amount(s) of this Response, and neither the approximate price(s) nor approximate amount(s) of this Response, have been disclosed to any other firm or person who is a Provider, potential Provider, Proposal, or potential Proposal, and they will not be disclosed before Proposal opening.

3. No attempt has been made or will be made to induce any firm or persons to refrain from submitting a Response for this contract, or to submit a price(s) higher that the prices in this Response, or to submit any intentionally high or noncompetitive price(s) or other form of complementary Response.

4. The Response of my firm is made in good faith and not pursuant to any agreement or discussion with, or inducement from, any firm or person to submit a complementary or other noncompetitive Response.

5. Persons Services Corp., its affiliates, subsidiaries, officers, director, and employees
(Name of Firm)
are not currently under investigation, by any governmental agency and have not in the last three years been convicted or found liable for any act prohibited by State or Federal law in any jurisdiction, involving conspiracy or collusion with respect to Proposal, on any public contract, except as follows:

I state that I and the named firm understand and acknowledge that the above representations are material and important, and will be relied on by the State of Florida for which this Response is submitted. I understand and my firm understands that any misstatement in this affidavit is, and shall be treated as, fraudulent concealment from the State of Florida of the true facts relating to the submission of responses for this contract.

Dated this 14 day of May 2025

Name of Organization: Persons Services Corp.

Signed by: Samantha Vincenty

Print Name Samantha Vincenty

being duly sworn deposes and says that the information herein is true and sufficiently complete so as not to be misleading.

Subscribed and sworn before me this 14 day of MAY 2025

Notary Public:

My Commission Expires: 12/5/2027

Notary Public State of Florida
Olga Lucia Cala
My Commission HH 470406
Expires 12/5/2027

EQUAL OPPORTUNITY STATEMENT

The Respondent (Bidder) shall complete the following statement by signing this form where indicated.

Failure to complete this form may be grounds for rejection of bid:

1. The awarded Contractor shall comply with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987 and the Florida Civil Rights Act of 1992, as amended) prohibiting employment discrimination and shall comply with the regulations and guidelines promulgated pursuant to this Act by the Secretary of the Interior and the Heritage Conservation and Recreation Service.

2. During the performance of this contract, the awarded Contractor, for itself, its assignees and successors in interest (hereinafter referred to as the “Contractor”) agrees as follows:

3. The Contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The Contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to the following: Employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided setting forth the provisions of this nondiscrimination clause.

4. The Contractor will, in all solicitations or advertisements for employees placed by or on behalf of the Contractor, state that all qualified applicants will receive considerations for employment without regard to race, color, religion, sex, or national origin.

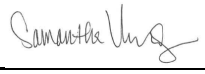
5. The Contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice to be provided advising the said labor union or workers' representatives of the Contractor's commitments under this section, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

6. The Contractor will comply with all provisions of Executive Order 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.

7. The Contractor will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the administering agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

8. In the event of the Contractor's noncompliance with the nondiscrimination clauses of this contract or with any of the said rules, regulations, or orders, this contract may be canceled, terminated, or suspended in whole or in part and the Contractor may be declared ineligible for further Government contracts or federally assisted construction contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, and such other sanctions as may be imposed and remedies invoked as provided in Executive Order 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

9. The Contractor will include the portion of the sentence immediately preceding paragraph (1) and the provisions of paragraphs (1) through (7) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to section 204 of Executive Order 11246 of September 24, 1965, so that such provisions will be binding upon each sub-Contractor or vendor. The Contractor will take such action with respect to any subcontract or purchase order as the administering agency may direct as a means of enforcing such provisions, including sanctions for noncompliance: Provided, however, That in the event a Contractor becomes involved in, or is threatened with, litigation with a sub-Contractor or vendor as a result of such direction by the administering agency the Contractor may request the United States to enter into such litigation to protect the interests of the United States.

Firm Name:	Persons Services Corp.
Name of Authorized Official:	Samantha Vincenty
Title of Authorized Official:	SEC Regional General Manager
Signature of Authorized Official:	
Date:	**May 14, 2025**

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

DRUG-FREE WORKPLACE PROGRAM CERTIFICATION

287.087 Preference to businesses with drug-free workplace programs. Whenever two or more bids, proposals, or replies that are equal with respect to price, quality, and service are received by the state or by any political subdivision for the procurement of commodities or contractual services, a bid, proposal, or reply received from a business that certifies that it has implemented a drug-free workplace program shall be given preference in the award process. In order to have a drug-free workplace program, a business shall:

(1) Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.

(2) Inform employees about the dangers of drug abuse in the workplace, the business' policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violations.

(3) Give each employee engaged in providing the commodities or contractual services that are under bid a copy of the statement specified in subsection (1).

(4) In the statement specified in subsection (1), notify the employees that, as a condition of working on the commodities or contractual services that are under bid, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or nolo contendere to, any violation of chapter 893 or of any controlled substance law of the United States or any state, for a violation occurring in the workplace no later than 5 days after such conviction.

(5) Impose a sanction on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program if such is available in the employee's community by, any employee who is so convicted.

(6) Make a good faith effort to continue to maintain a drug-free workplace through implementation of this section.

Does the individual responding to this solicitation certify that their firm has implemented a drug-free workplace program in accordance with the provision of Section 287.087, Florida Statutes, as stated above?

[✓] YES

[ ] NO

NAME OF BUSINESS: Persons Services Corp.

Section 6 – Addenda

TOWN of FORT MYERS BEACH BID NO. **RFP-25-03-EN**

ADDENDUM TO PROPOSAL

RFP-25-03-EN **Addendum No.: 1**

PROJECT NAME: FILL AND GRADING AT BAY OAKS RECREATIONAL CAMPUS

Date of Issue: April 30, 2025

CLARIFICATIONS TO THE REQUEST FOR PROPOSAL

- **RFP FORM C** has been replaced and is attached to this addendum- please include this form with your proposal submission
- **RFP FORM B** has been replaced and is attached to this addendum- please include this form with your proposal submission
- The scoring descriptions have been removed from the original RFP document

PROPOSAL SUBMISSION DEADLINE EXTENSION

Questions will be now accepted until 12:00PM EST on Friday, May 2, 2025. Proposals are now due no later than May 14, 2025, by 12:30PM EST. The bid opening will occur on the same day at 2:00PM EST.

Town of Fort Myers Beach
bids@fmbgov.com
239-765-0202

TOWN of FORT MYERS BEACH BID NO. **RFP-25-03-EN**

ADDENDUM TO PROPOSAL

RFP-25-03-EN **Addendum No.: 2**

PROJECT NAME: FILL AND GRADING AT BAY OAKS RECREATIONAL CAMPUS

Date of Issue: May 6, 2025

The following inquiries were received for the above referenced RFP:

Q. Are there any plans, existing surveys, available to see what the existing grades vs proposed grades. These are required to generate the fill calculations.
A. There currently are no Plans, but the fill needs to be 2 ½ to 3 feet from the grading level.

Q. Are CADD files available
A. There are no CADD files available.

Q. The RFP referenced plans and specifications
A. There are no Plans and/or Specifications

Q. Does the project have an estimated value, mobilization or completion date required?
A. There is no estimated value, but the project must be completed by July 1, 2025.

Town of Fort Myers Beach
bids@fmbgov.com
239-765-0202

TOWN of FORT MYERS BEACH BID NO. **RFP-25-03-EN**

ADDENDUM TO PROPOSAL

RFP-25-03-EN **Addendum No.: 3**

PROJECT NAME: FILL AND GRADING AT BAY OAKS RECREATIONAL CAMPUS

Date of Issue: May 13, 2025

SELECTION ADVISORY COMMITTEE DATE CHANGE

Proposals opening will occur Thursday, May 15, 2025, at 12:30PM EST.

Town of Fort Myers Beach
bids@fmbgov.com
239-765-0202

RFP FORM A

Proposer: Persons Services Corp.

QUALIFICATIONS STATEMENT

Note: Forms A, B & C are available in WORD format from the Contracts Manager upon request.

THIS FORM MUST BE SUBMITTED WITH PROPOSAL TO BE DEEMED RESPONSIVE.

1. State the full and correct name of the partnership, corporation or trade name under which you do business and the address of the place of business. (If a corporation, state the name of the president and secretary. If a partnership, state the names of all partners. If a trade name, state the names of the individuals who do business under the trade name.)

   1.1. The correct and full legal name of the Proposer is: Persons Services Corp.

   1.2. The business is a (Sole Proprietorship) (Partnership) (Corporation). : Corporation

   1.3. The names of the corporate officers, or partners, or individuals doing business under a trade name, are as follows: Paul F Persons
   Paul Stevens

2. Please describe your company in detail. see included proposal

3. The address of the principal place of business is: 4474 Halls Mill Rd, Mobile, AL 36693
   Local office: 1835 S. Perimeter Rd, suite 175, Fort Lauderdale, FL 33309

4. Company telephone number and e-mail addresses:
   Florida office: 954-616-5106 Email: bidsec@personsservices.com

5. Number of employees:
   277

6. Name of employees to be assigned to this Project:
   Jason Ottilige / Brian Cook

7. Company identification numbers for the Internal Revenue Service:

8. Provide Lee County business tax receipt number, if applicable, and expiration date:
   Receipt # 2204017, Expires: September 30, 2025

9. How many years has your organization been in business? Does your organization have a specialty? 47

10. List the last three projects of this nature that the firm has completed? Please provide project description, reference and contact information and cost of work completed. (see attached 01)

11. Have you ever failed to complete any work awarded to you? If so, where and why? None

12. Provide the following information concerning all contracts that are similar in nature or use the same project team proposed for this project that are **in progress** as of the date of submission of this Proposal for your company, division or unit as appropriate.

Name of Project	Contract with:	Contract Amount	Estimated Completion Date	% of Completion to Date
Included on page 12 of Proposal - Current Workload				

(Continue list as necessary)

13. Provide the following information for any sub-consultants you will engage if awarded the contract.

Subcontractor Name	Address	Work to be Performed
ICS Materials Inc	16301 Palm Beach Blvd Unit 3, Alva, FL 33920	SWPPP, Grading, Sitework

The foregoing list of subconsultants may not be amended after award of the contract without the prior written approval of the Town Manager, whose approval shall not be unreasonably withheld.

Attached 01

10. List the last three projects of this nature that the firm has completed. Please provide project description, reference and contact information and cost of work completed.

Project No. 1

Name:	Town Hall Phase II
Brief Description:	Demolition & Site Improvement Project
Owner:	Town of Jupiter, Florida
Contact:	Roger Held
Email:	rogerh@jupiter.fl.us
Phone:	561-741-2669
Contract Value:	$3,046,124.00

Project No. 2

Name:	Brazosport Water Authority Segment 3
Brief Description:	24,000 LF of 24" water transmission line including a 2,500 LF directional drill under the Brazos River
Owner:	BWA
Contact:	Wyatt Ringgold
Email:	wringgold@sbcglobal.net
Phone:	979-236-7351
Contract Value:	$4,900.000.00

Project No. 3

Name:	Splendora CBDG Sewer
Brief Description:	Force Main Utility expansion and Force Main for City of Splendora, TX
Owner:	City of Splendora
Contact:	Danna Welter
Email:	dannwelter@gmail.com
Phone:	281-689-3197
Contract Value:	$555.000.00

Project No. 4

Name:	Pink Shell Beach Resort & Marina
Brief Description:	Renovations of White Sand Villas and Captiva
Owner:	White Sand Villas Condominium Association
Contact:	Bill Waichulis
Email:	bwaichulis@boykin.com
Phone:	239-777-8705
Contract Value:	$3,500,000.00

FMB:201 RFP Form B

Proposer: Persons Services Corp.

REFERENCE FORM

Forms A, B & C are available in WORD format from the Contracts Manager upon request.

THIS FORM MUST BE SUBMITTED WITH PROPOSAL TO BE DEEMED RESPONSIVE.

Give names, addresses and telephone numbers of four individuals, corporations, agencies, or institutions for which you have performed work similar to what is proposed in this RFP:

1. Name of Contact: Roger Held
   Title of Contact: Email: rogerh@jupiter.fl.us
   Telephone Number: 561-741-2669 Fax
   Number: Project: Town Hall Phase II | Town of Jupiter, FL

2. Name of Contact: Wyatt Ringgold
   Title of Contact: Email: wringgold@sbcglobal.net
   Telephone Number: 979-236-7351 Fax
   Number: Project: Brazosport Water Authority Segment 3 | BWA, Lake Jackson, TX

3. Name of Contact: Danna Welter
   Title of Contact: City Secretary Email: dannwelter@gmail.com
   Telephone Number: 281-689-3197 Fax
   Number: Project: Splendora CBDG Sewer | City of Splendora, TX

4. Name of Contact: Bill Waichulis
   Title of Contact: Email: bwaichulis@boykin.com
   Telephone Number: 239-777-8705 Fax
   Number: Project: Pink Shell Beach Resort & Marina | Fort Myers, FL

FMB:202 RFP Form C

Proposer: Persons Services Corp.

PRICE PROPOSAL FORM

Note: Forms A, B & C are available in WORD format from the Contracts Manager upon request.

THIS FORM MUST BE SIGNED AND SUBMITTED WITH PROPOSAL TO BE DEEMED RESPONSIVE.

Name of Proposer: Persons Services Corp.

Name of authorized representative of Proposer: Samantha Vincenty

Project Cost

Item	# of Units for evaluation purposes Only	Price Per Unit
General Conditions	1 LS	$ 146,957.00
Mobilization	1 LS	$ 55,000.00
SWPPP	1 LS	$ 13,200.00
Crushing Operation	1 LS	$ 360,000.00
6" Strip	1 LS	$ 10,687.50
Fill	1 LS	$ 425,000.00
Grading	1 LS	$ 124,000.00
Trench backfill & Compaction	1 LS	$ 15,000.00
Remove Excess material from site	1 LS	$ 371,280.00
GPS, Survey & As built	1 LS	$ 53,500.00
Bond & Fee	1 LS	$ 114,757.13
TOTAL PRICE	**$ 1,689,381.63**	

Instructions: Show the project cost for each deliverable your firm will provide per the requested scope of work. Include the fees associated with each proposed deliverable. Fees should be detailed to the extent possible per deliverable.
The Total Unit Price Cost shall include all fees and reimbursements for out-of-pocket costs. The Town will not reimburse for any costs not actually incurred and paid for by the Proposer and included in its proposal. Reasonable proof thereof will be required.

Payments will be made on each deliverable upon receipt and acceptance by the Town.

Additional Services: Permits if required by Town of Fort Myers Beach

If the Proposer is interested in additional work, please provide the hourly rate, unit rate and staff positions available. The rates for the additional work will not be used for evaluation of the services required in this RFP.

Additional Work	
Title:	Hourly Rate/Per Unit Rate
Add rows as necessary	

Signature: _____

Date: May 14, 2025

Name: Samantha Vincenty

Title: Regional General Manager

POSITION	HOURLY RATE
Section 1 - Hourly Rates	
Vice President	$ 325.00
Project Executive / Group Manager	$ 255.00
Sr Project Manager	$ 225.00
Construction Manager / Project Manager	$ 195.00
General Superintendent	$ 225.00
Sr. Superintendent	$ 195.00
Field Superintendent	$ 175.00
Sr. Scheduler	$ 195.00
Sr. Estimator	$ 195.00
Scheduler	$ 145.00
Estimator	$ 150.00
Safety Manager	$ 195.00
QA/QC Manager	$ 175.00
Foreman	$ 125.00
Project Administration	$ 95.00
Permit Expeditor	$ 105.00

FMB:204 RFP FORM D

Proposer: Persons Services Corp.

THIS FORM MUST BE SIGNED AND SUBMITTED WITH PROPOSAL TO BE DEEMED RESPONSIVE.

The undersigned guarantees the truth and accuracy of all statements, and the answers contained herein.

PROPOSER'S CERTIFICATION

I have carefully examined the Request for Proposal referenced above ("RFP") and any other documents accompanying or made a part of this RFP.

I hereby propose to furnish the goods or services specified in the RFP. I agree that my proposal will remain firm for a period of 120 days in order to allow the Town adequate time to evaluate the proposals.

I certify that all information contained in this proposal, which includes the TOWN required RFP forms A, B, C and D, is truthful to the best of my knowledge and belief. I further certify that I am duly authorized to submit this proposal on behalf of the firm as its act and deed and that the firm is ready, willing, and able to perform if awarded the contract.

The firm and/or Proposer hereby authorizes the Town of Fort Myers Beach, its staff, or consultants, to contact any of the references provided in the proposal and specifically authorizes such references to release, either orally or in writing, any appropriate data with respect to the firm offering this proposal.

I further certify, under oath, that this proposal is made without prior understanding, agreement, connection, discussion, or collusion with any other person, firm or corporation submitting a proposal for the same product or service; no officer, employee or agent of the Town or any other Proposer is interested in said proposal; and that the undersigned executed this Proposer's Certification with full knowledge and understanding of the matters therein contained and was duly authorized to do so.

If this proposal is selected, I understand that I will be expected to execute the Town's standard professional services agreement, in the form approved by the Town Attorney.

A person or affiliate who has been placed on the convicted vendor list following a conviction for public entity crimes may not submit a proposal on a contract to provide any goods or services to a public entity, may not submit a proposal on a contract with a public entity for the construction or repair of a public building or public work, may not submit proposals on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, sub-contractor, or consultant under a contract with a public entity, and may not transact business with any public entity in excess of the threshold amount provided in Sec. 287.017 Florida Statutes, for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list.

I further certify, under oath, that neither the entity submitting this sworn statement, not to my knowledge, any of its officers, directors, executives, partners, shareholder, employees, members, or agents active in the management of the entity has been convicted of a public entity crime subsequent to July 1, 1989.

Persons Services Corp.

(Name of Business)

Samantha Vincenty

(Signature)

Samantha Vincenty - Regional General Manager

(Print Name and Title)

1835 S. Perimeter Rd, suite 175

(Address)

Fort Lauderdale, FL 33309

[1]STATE OF FLORIDA)
COUNTY OF ~~LEE~~ BROWARD)

SWORN TO AND SUBSCRIBED BEFORE ME, on this 14 day of MAY, 2025, by means of (X) physical presence or ( ) online notarization, personally appeared SAMANTHA VINCENTY as REGIONAL MANAGER of the (Company Name) who is personally known to me or (X) who has produced PSC as identification.

Olga Lucia Cala

NOTARY PUBLIC – State of Florida

My commission expires:

Notary Public State of Florida
Olga Lucia Cala
My Commission HH 470406
Expires 12/5/2027

MINUTES
FORT MYERS BEACH
Selection Advisory Committee
Town Hall Council Chambers
2731 Oak Street
Fort Myers Beach, FL 33931
May 15, 2025

I. CALL TO ORDER

The meeting was called to order at 12:30 p.m. by Contract & Procurement Specialist Debbie Glavin. Other members present:

Community Services Director Jeff Hauge
Assistant to the Town Manager Traci Kohler
Community Development Director Frankie Kropacek

II. RFP-25-03-EN – Fill & Grading of Bay Oaks Recreation Campus

Specialist Glavin stated the proposal was open yesterday, May 14, 2025, and they received one proposal from Parsons' Service Corporation. The selection committee reviewed the proposal based on Ordinance 24-11.
Director Kropacek noted the company had worked for the town before in many capacities and he was confident they could perform the work.
Dr. Kohler indicated that they were able to meet the time consideration and the budget requirements.
Director Hauge agreed and added that having money left over to finish the project was a plus.

MOTION: Director Kropacek moved to approve the RFP, seconded by Director Hauge.
VOTE: The motion carried unanimously.

Specialist Glavin adjourned the meeting.

Signature_____

- End of document

THE TOWN OF FORT MYERS BEACH

REQUEST FOR PROPOSAL

FILL AND GRADING OF BAY OAKS RECREATIONAL CAMPUS

RFP-25-03-EN

DATE ISSUED: Tuesday, April 22, 2025

Electronic responses are to be submitted via Demandstar.com

Wednesday, May 7, 2025, by 12:30 P.M. Local Time
To:
TOWN OF FORT MYERS BEACH
VIA DEMANDSTAR.COM

BID OPENING: May 7, 2025, at 1:00 p.m. Local Time

Town of Fort Myers Beach

2731 Oak Street
Fort Myers Beach, FL 33931

TOWN OF FORT MYERS BEACH, FLORIDA

RFP-25-03-EN

The Town of Fort Myers Beach, Florida invites qualified firms to submit proposals to provide:

FILL AND GRADING OF BAY OAKS RECREATIONAL CAMPUS

The Town intends to award a contract to a firm(s) to provide services necessary for the project (the "Project") described herein.

The Town of Fort Myers Beach, Florida (the "Town") will receive sealed, electronic proposals until 1**2:30 p.m**. (local), Wednesday, May 7**, 2025 via Demandstar.com** only.

The Town's contact person for this RFP is:

Contracts & Procurement Specialist
2731 Oak Street
Fort Myers Beach, Florida 33931
Email: **Bids@fmbgov.com**

RFP documents may be obtained via the Internet at www.Demandstar.com. If you do not have internet access, you may obtain the documents by contacting the Town Clerk/Contracts Manager (an additional charge will apply). See Part II, Section H of the RFP for information regarding submitting a proposal.

This solicitation may be cancelled, or any or all bids or proposals may be rejected in whole or in part with or without cause.

LEGAL NOTICE TO BIDDERS

NOTICE IS HEREBY given that **electronic bids** will be received by the TOWN OF FORT MYERS BEACH electronically through www.demandstar.com until 12:30 PM LOCAL TIME on May 7, 2025. Bids will be opened at 1:00pm, May 7, 2025, in the Town Hall Council Chambers, 2731 Oak St, Fort Myers Beach, FL. 33931.

PROJECT: **FILL AND GRADING OF BAY OAKS RECREATIONAL CAMPUS**

Any bids received by the Town after the above date and time shall remain unopened.

SCOPE OF WORK: The purpose of this RFP is to find a contractor to bring the existing recreational park area to base flood and prepped for further uses on the **BAY OAKS** Property by means of (mixed concrete, sand, dirt and stone).

The TOWN **will** require a Public Construction Bond for this project.

The official bid documents and project specifications shall be obtained from www.demandstar.com.

The Town of Fort Myers Beach reserves the right, in its sole judgment in the best interest of the Town of Fort Myers Beach, to waive any informalities in any bids; to make award(s) including multiple awards; to waive any non-substantive, in Town's sole judgment, irregularity or technicality in bids received, and/or to reject any or all bids.

OBTAINING BIDDING DOCUMENTS

Ordering Instructions: The official bid Documents (project specifications and drawings) shall be obtained from Demandstar.com at www.demandstar.com

The BIDDER must furnish the TOWN with a mailing address, e-mail address, phone number and facsimile number for contact purposes. It shall be BIDDER'S sole responsibility to keep all such information current with the TOWN until the execution of a contract by the TOWN for this project. If the official documents are not obtained directly from Demandstar.com, or are modified in any manner, the bid **will not** be accepted for consideration by the TOWN.

Complete sets of Bid Documents must be used in preparing the Bid. The TOWN will not assume any responsibility for errors or misinterpretations resulting from the use of incomplete sets of Bid Documents.

SUBMITTAL OF BIDS

BID SUBMITTALS MUST COMPLY WITH THE FOLLOWING TO BE VALID:

Bids must be electronically submitted via Demandstar.com and identified as

FILL AND GRADING OF BAY OAKS RECREATIONAL CAMPUS
RFP-25-03-EN

Any questions regarding use of Demandstar for submittal should be directed to Demandstar prior to proposal due date.

ALL REQUIRED FORMS MUST BE ELECTRONICALLY SUBMITTED THROUGH DEMANDSTAR.COM. **FAILURE TO COMPLY AND SUBMIT MAY RESULT IN DISQUALIFICATION OF THE PROPOSAL**.

The TOWN reserves the right to waive informalities in any bids; to reject any or all bids with or without cause; and/or to accept the bid that in its judgment will be in the best interest of the TOWN.

The TOWN shall not be responsible for any cost incurred by any PROPOSER in the preparation of these Proposal Documents.

Table of Contents

Legal Notice to Bidder	**2**
Part I RFP General Information	**4**
Part II Scope of Work	**14**
Part III State and Federal Requirements	**18**
Forms	
RFP Form A	**A-1**
RFP Form B	**A-3**
RFP Form C	**A-5**
RFP Form D	**A-7**

PART I: RFP GENERAL INFORMATION

For the purposes of this Request for Proposals (RFP): **Proposer** shall mean the contractor, consultant, respondent, organization, firm, or other person submitting a response to this RFP. **Town** shall mean the Town of Fort Myers Beach, Town Manager, as applicable, and any officials, employees, agents, and elected officials.

A. GENERAL INFORMATION

INVITATION TO PROPOSE; PURPOSE

The Town solicits proposals from responsible Proposers to perform work for or provide goods and/or services to the Town as specifically described in Part II, Statement of Work.

ACCOMODATION FOR DISABILITIES

Prospective Proposers with disabilities requiring an accommodation to attend the pre-Proposal meeting or to otherwise participate in this RFP process should contact the Town Clerk's Office as promptly as possible to allow the Town to examine the request and determine what if any accommodations are possible.

DEVIATION FROM SPECIFICATION

Any deviation from specifications must be clearly stated, explained in detail, and accepted by the Town in writing. Otherwise, items offered are expected to be in strict compliance with specifications and the successful Proposer shall be held accordingly.

INFORMALITIES

The Town reserves the right to both waive any informality in Proposals and to determine, in its sole discretion, whether or not, the informality is minor.

INFORMATION AND LITERATURE

Proposers are to furnish all information and literature requested. Failure to do so may be cause for rejection.

PRICING

As provided in Proposal C, which will be attached to the Contract.

RESPONSIBLE PROPOSER

A contractor, business entity or individual which is fully capable to meet all of the requirements of the solicitation and subsequent contract, which possesses the full capability, including financial and technical, to perform as contractually required, and which must be able to fully document the ability to provide good faith performance in accordance with Town Ordinance 24-11.

RESPONSIVE PROPOSER A

contractor, business entity or individual which has submitted a proposal that fully conforms in all material respects to the RFP and all of its requirements, including requirements as to form and substance in accordance with Town Ordinance 24-11.

CONTRACT AWARDS

The Town Council anticipates entering into a contract with the Proposer who submits the proposal judged by the Town to be most responsive and responsible. The Town anticipates the awarding of one contract but reserves the right to award more than one contract if it is in its best interest. If the Town selects a Proposal, the Town will provide a written notice of the award.

The Town reserves the right to reject proposals containing any additional terms or conditions not specifically requested in the original conditions and specifications.

The Proposer understands that neither this RFP nor the notice of award constitutes an agreement or a contract with the Proposer. A contract or agreement is not binding until a written contract, or agreement has been approved as to be formed by the Town Attorney and has been executed by both the Town (with Council approval, if applicable) and the successful Proposer.

PROPOSED EXPENSES

The proposals should be prepared simply and economically, providing a straightforward, concise description of the proposers' ability to fulfill the requirements of the proposal. No out-of-scope services shall be provided in the absence of prior written authorization in the form of a written supplemental agreement and issuance of an appropriate amendment to the contract. The Town will not pay a retainer or similar fee. The Town is not responsible for any expenses that the proposer may incur in preparing and submitting proposals called for in this request. The Town will not pay for any out-of-pocket expenses, such as word processing, photocopying, postage, per diem, travel expenses and the like, incurred by the proposer. The Town will not be liable for any costs incurred by the proposer in connection with any interviews/presentations (i.e., travel, accommodation, etc.).

INQUIRIES

The Town will not respond to oral inquiries. Proposers may mail or email written inquiries for interpretation of this RFP to the attention of the Contract and Procurement Specialist.

bids@fmbgov.com Please mark the correspondence "RFP-25-03-EN QUESTION".

The Town will respond to written inquiries received no later than 7 working days prior to the date scheduled for submission of the proposals. The Town will record its responses to inquiries and any supplemental instructions in the form of a written addendum. It is the sole responsibility of a Proposer to remain informed as to any changes to the RFP.

DELAYS

The Town may postpone scheduled due dates at its sole discretion. The Town will attempt to notify all registered Proposers of all changes in scheduled due dates by written addenda.

COMMITTEE MEETINGS AND NOTIFICATIONS

Notice of the Evaluation Committee meetings will be posted with reasonable advanced notice in advance of such meetings. Proposers are responsible for checking the following locations for updates on this proposal's status: physical posting at Town Hall, a link to which may be found on the Town's web page www.fmbgov.com.

Pursuant to Florida Statutes § 286.0113, any portion of a meeting at which a negotiation with a vendor is conducted pursuant to a competitive solicitation, at which a vendor makes an oral presentation, or answers questions as part of a competitive solicitation is exempt from the Public Meeting requirements of Florida Statutes § 286.011 and Art. I, § 24(b) of the Florida Constitution.

TAX EXEMPTIONS

The Town of Fort Myers Beach is tax exempt.

PROPOSAL SUBMISSION

PROPOSALS MUST COMPLY WITH THE FOLLOWING TO BE VALID:

Proposals must be electronically submitted via Demandstar.com and identified as

FILL AND GRADING OF BAY OAKS RECREATIONAL CAMPUS
RFP-25-03-EN

Any questions regarding the use of Demandstar for submittal should be directed to Demandstar prior to the proposal due date.

ALL REQUIRED FORMS MUST BE ELECTRONICALLY SUBMITTED THROUGH THE DEMANDSTAR.COM**. FAILURE TO COMPLY AND SUBMIT MAY RESULT IN DISQUALIFICATION OF THE PROPOSAL**.

The TOWN reserves the right to waive informalities in any proposals; to reject any or all proposals with or without cause; and/or to accept the proposal that in its judgment will be in the best interest of the TOWN.

The TOWN shall not be responsible for any cost incurred by any PROPOSER in the preparation of these Proposal Documents.

B PROPOSAL FORMAT

In order to ensure a uniform review process and to obtain the maximum degree of comparability, it is required that the proposals be organized in the manner specified herein. Unless otherwise specified, Proposers shall use the proposal forms provided by the Town herein. These forms may be duplicated, but failure to use the forms may cause your proposal to be rejected. Any erasures or corrections on the form must be made in ink and initialed by Proposer in ink. All information submitted by the Proposer shall be printed, typewritten, or completed in ink. Proposals shall be signed in ink.

All proposals shall be submitted as specified in this RFP. Any attachments shall be clearly identified. In order to be deemed responsive and considered for contract award, the proposal must respond to all parts of the RFP. Any other information thought to be relevant, but not applicable to the enumerated categories, should be provided as an appendix to the proposal. If publications are supplied by a Proposer to respond to a requirement, the response should include reference to the document number and page number. Proposals lacking this reference may be considered to have no reference material included in the additional

documents.

Proposers shall prepare their proposals using the following format:

1. **Letter of Transmittal (Statement of Qualifications)**
   This letter will summarize in a brief and concise manner the Proposer's understanding of the scope of work and make a positive commitment to provide its services on behalf of the Town. The letter must name all of the people authorized to make representations for or on behalf of the Proposer, and must include their titles, addresses, email, and telephone numbers. An official authorized to negotiate and execute a contract on behalf of the Proposer must sign the letter of transmittal.

2. **Title Page**
   The title page shall show the name of Proposer's agency/firm, address, telephone number, name of contact person, email, date, and the RFP No. and the Project name.

3. **Table of Contents**
   Include a clear identification of the material by section and by page number.

4. **Organization Profile and Qualifications**
   This section of the proposal must describe the Proposer, including the size, range of activities, and experience providing similar services.

   Each Proposer must include:

   - Documentation indicating that it is authorized to do business in the State of Florida and, if a corporation, is incorporated under the laws of one of the States of the United States.
   - A description of the primary individuals responsible for supervising the work including the percentage of time each primary individual is expected to contribute to this work.
   - Resumes and professional qualifications of all primary individuals and identify the person(s) who will be the Town's primary contact and provide the person(s') background, training, experience, qualifications, qualifications, and authority.

5. **Experience**
   The Proposer must describe its expertise in and experience with providing goods and/or services similar to those required by this RFP. Describe previous experience relating to the Scope of Work requested in this RFP. Has the firm worked for other governmental entities, particularly municipalities? If so, please describe the work performed and include contact information for references, the time the firm was engaged and a list of accomplishments for each.

6. **Approach to Providing Services**
   This section of the proposal should explain the Scope of Work as understood by the Proposer and detail the approach, activities, and work products to be provided. This section shall also include a list of equipment the Proposer proposes to use to perform the Work in accordance with the requirements of this RFP.

7. **Compensation**
   The proposal shall document the fee proposal for the goods and/or services on RFP Form C.

8. Additional Information

Any additional information which the Proposer considers pertinent for consideration should be included in a separate section of the proposal.

9. Addenda (if applicable)

The Proposer shall include acknowledgment of receipt of addenda (if any) in their sealed proposal. The Proposer should include a signed copy of each addendum in the proposal package.

C. PROPOSAL – PROCEDURAL INFORMATION

10. Interviews

The Town reserves the right to conduct personal interviews or require presentations prior to award. The Town is not responsible for any expenses which Proposers may incur in connection with a presentation to the Town or related in any way to this RFP.

11. Request for Additional Information

The Proposer shall furnish such additional information as the Town may reasonably require. This includes information which indicates financial stability as well as ability to provide the services. The Town reserves the right to make investigations of the qualifications of the Proposer as it deems appropriate, including but not limited to, a background investigation. Failure to provide the additional information requested may result in disqualification of the proposal.

12. **Proposal Acknowledgement**

By submitting a proposal, the proposer certifies that it has completely reviewed the RFP and has full knowledge of the scope, nature, and quality of work to be performed.

13. Proposals Binding

All proposals submitted shall be binding for at least one hundred twenty (120) calendar days following proposal opening. Town may desire to accept a proposal after the 120-day period. In such a case, the Proposer may choose whether or not to continue to honor the proposal terms.

Alternate Proposals An alternate proposal is viewed by the Town as a proposal describing an approach to accomplishing the requirements of this RFP which differs from the approach set forth in the solicitation. An alternate proposal may be a second proposal submitted by the same Proposer, which differs in some degree from the prior proposal or from this RFP. Alternate proposals may be in the area of technical approach, or other provisions or requirements of this RFP. The Town will, during the initial evaluation process, consider all alternate proposals submitted and reserves the right to award a contract based on an alternative proposal if the same is deemed to be in the Town's best interest.

14. Proposer's Certification Form

Each Proposer shall complete the "Proposer's Certification" form included as RFP Form D and submit the form with the proposal. This form must be acknowledged before a notary public with a notary seal affixed on the document.

D. PUBLIC RECORDS

The contractor is required to comply with the provision of F.S. 119.0701. Specifically, the Contractor is required to keep and maintain the records required the Town to perform the services. Upon request by the Town, Contractor is required to provide the Town with a copy of the requested records, or the ability to inspect and copy records, within a reasonable time and at a cost to the Town that does not exceed the costs established under F.S. chapter 119. Upon completion of the contract the Contractor must transfer, at no cost to the Town, all public records in a format compatible with the Town's information technology system, or, in the alternative, the Contract may retain the records in a manner consistent with F.S. 119.0701(2)(b)4.

IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CUSTODIAN OF THE PUBLIC RECORDS AT (239) 765-0202, FMBPUBLICRECORDS@FMBGOV.COM, 2731 OAK STREET, FORT MYERS BEACH, FLORIDA 33931.

Pursuant to Section 119.071(2) Florida Statutes: Sealed proposals, proposals or replies received by the Town pursuant to a competitive solicitation are exempt from s. 119.071(1) and s. 24(a), Art. I of the State Constitution until such a time as the Town provides notice of its intended decision or until 30 days after opening the proposals, proposals, or final replies, whichever is earlier.

E. IRREGULARITIES; REJECTION OF PROPOSALS

The Town reserves the right to reject proposals with or without cause and for any reason, to waive any irregularities or informalities, and to solicit and re-advertise other proposals. Incomplete or non-responsive proposals may be rejected by the Town as non-responsive. The Town reserves the right to reject any proposal for any reason, including, but without limitation, if the Proposer fails to submit any required documentation, if the Proposer is in arrears or in default upon any debt or contract to the Town or has failed to perform faithfully any previous contract with the Town or with other governmental jurisdictions. All information required by this RFP must be supplied to constitute a proposal.

F. EVALUATION METHOD AND CRITERIA

The Town shall be the sole judge of its own best interests, the proposals, and the resulting negotiated contract or agreement, if any. The Town reserves the right to investigate the financial capability, reputation, integrity, skill, business experience and quality of performance under similar operations of each Proposer, including shareholders, principals, and senior management, before making an award.
Awards, if any, will be based on the evaluation criteria in this section. The Town's evaluation criteria may include, but is not limited to, consideration of the information required in this RFP and the following factors:

A. Ability to meet set standards

B. Availability of qualified personnel
C. Compensation
D. Expertise of personnel
E. Financial resources and capabilities
F. Past contracts with other governmental jurisdictions
G. Past performance records
H. Qualifications of Proposer
I. References
J. Related experience in Florida
K. Technical soundness of proposal
L. Past history of meetings required time frames
M. Approach to work.

The Town of Fort Myers Beach will evaluate proposals received based upon the following evaluation criteria:

Project Understanding & Technical Approach and Timeline (25 points)

Description: Evaluates the Consultant's understanding of the Town's needs, the challenges, and the timeline for completion of the scope of work. Consider how well the approach integrates existing plans, avoids duplication, and outlines a clear path to comprehensive plan updates and implementation.

Considerations:

- Depth of understanding of project scope and objectives
- Quality and feasibility of the proposed work plan, including timeline and deliverables
- Complete understanding of coastal base flood evaluations.

Relevant Experience & Qualifications (25 points)

Description: Assesses the Consultant's track record in delivering comparable post-disaster resilience and recovery planning projects, particularly in coastal communities. Also considers the qualifications and experience of key personnel and the Consultant's capacity to complete the project on time and within budget.

Considerations:

- Technical competence in areas such as FEMA Community Lifelines, hazard mitigation, and coastal planning
- Strength and relevance of assigned staff's expertise

Public Engagement & Inclusivity (15 points)

Description: Rates the Consultant's ability to conduct inclusive and meaningful stakeholder engagement. Evaluates strategies for reaching diverse community members, vulnerable populations, and key stakeholders to ensure the final Plan is reflective of the community's vision and needs.

Considerations:

- Robustness and creativity of proposed outreach methods
- Experience engaging diverse and vulnerable populations
- Clarity on how stakeholder input will be incorporated into the final Plan

Innovation, Best Practices & Evidence-Based Strategies (15 points)

Description: Measures the Consultant's capacity to integrate cutting-edge concepts, national best practices, and evidence-based programs into the project. Assesses the innovative qualities of the proposed approach and the Consultant's familiarity with recognized standards from organizations such as APA, FEMA, and NIST.

Considerations:

- Inclusion of innovative planning tools and technologies
- Alignment with national best practices and proven, research-backed strategies
- Ability to adapt and apply lessons learned from similar coastal and post-disaster contexts

Cost & Budget Reasonableness (15 points)

Description: Evaluates the transparency, competitiveness, and reasonableness of the proposed budget. Consider whether the Consultant's cost aligns with the scope and complexity of the project and demonstrates efficient use of project funding.

Considerations:

- Appropriateness and clarity of cost breakdown
- Cost-effectiveness relative to the level of effort and deliverables proposed
- Justification for key expenses and ability to work within the Town's budget constraints
- Timeline for completion of the job

M/WBE or Veteran-Owned Business Status (5 points)

Description: Considers whether the prime or subconsultants are minority-owned, women-owned, or veteran-owned businesses, reflecting the Town's commitment to supplier diversity and compliance with 2 CFR 200.321.

Considerations:

- Prime or subconsultant status as a certified M/WBE or Veteran-Owned Business
- Demonstrated outreach or utilization of M/WBE or Veteran-Owned Business enterprises in project delivery

Total: 100 points

Selection

The Town Manager may conduct the selection process, or at the option of the Town Manager, it may be referred to a selection advisory committee (the "Committee") as per Ordinance 24-11. Either the Town Manager or the Committee will review all proposals received and establish a list of selected Proposers deemed to be the most qualified to provide the service requested based in part on the criteria set forth above. The Town Manager may submit a recommended firm or a "short list" or a combination of a recommended firm and the "short list" to the Town Council and the Town Council shall make a final award. The Town Manager, the Committee or the Town Council may request oral presentations from the Proposers. Proposers are advised that the Town reserves the right to conduct negotiations with the most qualified Proposer but may not do so. Therefore, each Proposer should endeavor to submit its best proposal initially.

G. REPRESENTATIONS AND WARRANTIES

In submitting a proposal, Proposer warrants and represents that:

a. The proposer has examined and carefully studied all data provided, and any applicable Addenda; receipt of which is hereby acknowledged.

b. Proposer has visited the relevant site, if any, and is familiar with and satisfied as to the general, local and "site" conditions that may affect cost, progress, and performance of goods and/or services in their proposal.

c. Proposer is familiar with and is satisfied as to all federal, state, and local laws and regulations that may affect cost, progress and performance of the goods and/or services in their proposal.

d. If applicable, Proposer has obtained and carefully studied (or assumes responsibility for having done so) all documents available related to the subject of the RFP and performed any examinations, investigations, explorations, tests, studies and data concerning conditions that may affect cost, progress, or performance of the goods and/or services that relate to any aspect of the means, methods, techniques, sequences, and procedures to be employed by Proposer, including safety precautions and programs incident thereto.

e. Proposer has given Town written notice of all conflicts, errors, ambiguities, or

discrepancies that Proposer has discovered in this RFP and any addenda thereto, and the written resolution thereof by the Town is acceptable to Proposer.

f. The RFP is generally sufficient in detail and clarity to indicate and convey understanding of all terms and conditions for the performance of the proposal that is submitted.

g. No person has been employed or retained to solicit or secure award of the contract upon an agreement or understanding for a commission, percentage, brokerage or contingent fee, and no employee or officer of the Town has any interest, financially or otherwise, in the RFP or contract.

B. TOWN CONTRACT

The selected Proposer is expected to execute the Town's standard professional services agreement, in the form approved by the Town Attorney. A sample is attached to this RFP.

End of Part I

PART II– SCOPE OF SERVICES AND WORK

A. OBJECTIVE

The Town of Fort Myers Beach is seeking to have the area deemed Bay Oaks Recreational Campus brought to base flood and prepped for future work.

B. GENERAL INFORMATION

The Town of Fort Myers Beach intends to build a multi-use field as well as six pickle ball courts on the Bay Oaks Recreational Campus but first, the existing property needs to be brought to base flood elevation. This process will require fill (mixed concrete, sand, dirt and stone) and finished grading to comply with the next phase of the Bay Oaks Recreational Park.

C. SCOPE OF WORK

The Town of Fort Myers Beach seeks to contract with a qualified Contractor for the construction of improvements to the Bay Oaks Recreational Campus located at 2731 Oak Street in Fort Myers Beach, Florida including all tools, materials, labor, supervision, and equipment for the project. This site development project encompasses various tasks, such as demolition, grading, and bringing the park area to base flood. The scope is further defined and detailed within the Plans, Technical Specifications and General Conditions associated with this project. The contractor is responsible for reviewing all documentation associated with this project and shall be responsible for notifying the Town of any conflicts or deficiencies during review which would affect the Contractor's final project costs.

1. Site Work Includes

- **Clearing and Grubbing**:
  Remove all vegetation, roots, debris, and other organic materials from designated work areas.
- **Demolition (if applicable)**:
  Removal and proper disposal of any existing pavements, structures, or underground utilities as required.
- **Earthwork**:
  - Excavation and filling as necessary to establish subgrade elevations.
  - Removal and off-site disposal of excess or unsuitable material.
  - Import, placement, and compaction of approved fill materials as needed.
- **Trenching and Backfilling**:
  Coordination and trenching for underground utilities (water, sewer, electrical, storm drainage). Proper backfill and compaction in layers per specifications.
- **Erosion and Sediment Control**:
  Install and maintain silt fences, sediment basins, and other BMPs (Best Management Practices) per local stormwater regulations.

2. Finished Grading Includes

- **Rough Grading**:
  Rough contouring of the site to prepare for final grading, ensuring proper drainage away from structures.
- **Final Grading**:
  Precise grading to meet final elevations and slopes indicated on the grading plan.
  Ensure all surface water is directed to proper drainage structures and away from buildings.
- **Compaction Testing**:
  Provide necessary field testing to confirm compaction per geotechnical and civil engineering specifications.
- **Preparation for Surface Materials**:
  Preparation of subgrade for paving, concrete, landscaping, or turf installation as applicable.

3. Deliverables and Inspections

- As-built grading plan (if required).
- Compaction test reports.
- Final inspection with representative.
- Site cleaned and free of debris upon completion.

4. Exclusions

- Landscaping and irrigation installation (unless otherwise noted).
- Asphalt or concrete paving.
- Off-site work or work outside property boundaries unless specified.

TOWN PROJECT PERSONNEL

The Project Manager for this project is Jeff Hauge, Town of Fort Myers Beach, 2731 Oak St., Fort Myers Beach, Florida 33931, Phone (239) 765-0202.

The TOWN contact person for questions concerning Proposal is Town of Fort Myers Beach, Contract and Procurement Specialist, 2731 Oak St., Fort Myers Beach, FL, 33931, Phone (239) 765-0202.

Minimum Requirements

In order to be deemed responsive and considered for contract award, each Proposer shall satisfy the following mandatory minimum requirements:

1) The Proposer shall be authorized to do business in Florida and Lee County.

2) The Proposer shall have verified references from the past (2) Years' or present contracts for services similar to the services requested herein.

3) Appropriate licensure and insurance required for completion of the project.

A. INSURANCE AND LICENSES

The successful Proposer shall maintain in full force and effect throughout the contract:

(a) insurance coverage reflecting the minimum amounts and conditions required by the Town, and (b) any required licenses. The insurance requirements are as follows:

1. Workers' Compensation Insurance to comply for all employees for statutory limits in compliance with the applicable State and Federal laws;

2. Employer's Liability with a minimum limit per accident in accordance with statutory requirements.

3. Commercial General Liability Insurance with minimum limits of $1,000,000 per occurrence and $1,000,000 aggregate for Bodily Injury Liability and a minimum limit of $1,000,000 for Property Damage Liability, or a minimum combined single limit of $2,000,000.

4. Business Automobile Liability Insurance with minimum limits of $1,000,000 per person and $1,000,000 per accident for Bodily Injury Liability and a minimum limit of $1,000,000 for Property Damage Liability, or a minimum combined single limit of $1,000,000, with coverage including owned vehicles, hired and non-owned vehicles, and employee non-ownership.

The Proposer shall provide original certificates of coverage and receive notification of approval of those certificates from the Town prior to providing services under this RFP. The insurance coverage provided by Proposer is subject to the approval of the Town. The insurance certificates and required policies (except for worker's compensation) shall list the Town of Fort Myers Beach as ADDITIONAL INSURED and shall provide for the Town to receive no less than thirty (30) days written notice of cancellation or material change. Further modification of the insurance requirements may be made at the sole discretion of the Town if circumstances change or adequate protection of the Town is not presented. Proposer, by submitting a Proposal, agrees to abide by such modifications.

Public Records. Contractor is required to comply with the provision of F.S. 119.0701. Specifically, the Contractor is required to keep and maintain the records required the Town to perform the services. Upon request by the Town, Contractor is required to provide the Town with a copy of the requested records, or the ability to inspect and copy records, within a reasonable time and at a cost to the Town that does not exceed the costs established under F.S. chapter 119. Upon completion of the contract the Contractor must transfer, at no cost to the Town, all public records in a format compatible with the Town's information technology system, or, in the alternative, the Contract may retain the records in a manner consistent with F.S. 119.0701(2)(b)4.

IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CUSTODIAN OF THE PUBLIC RECORDS AT (239) 765-0202, FMBPUBLICRECORDS@FMBGOV.COM, 2525 ESTERO BOULEVARD, FORT MYERS BEACH, FLORIDA 33931.

END OF PART II

PART Ill– FEDERAL AND STATE

A. STATE REQUIRED CONTRACTUAL TERMS AND CONDITIONS

E-VERIFY COMPLIANCE as a condition to entering into this agreement the Proposer agrees to comply with the provisions of Section 448.095, Florida Statutes, "Employment Eligibility," as amended from time to time. This includes but is not limited to the obligation to register with and use E-Verify System to verify the work authorization status of all employees hired after January 1, 2021 and requiring all subcontractors to provide an affidavit to PROPOSER attesting that the subcontractor does not employ, contract with, or subcontract with, an unauthorized alien. PROPOSER agrees to maintain a copy of such affidavit for the duration of an Agreement. Failure to comply with this paragraph will result in the termination of the Agreement as provided in Section 448.095, Florida Statutes, PROPOSER is registered with and uses the E-Verify system to verify the work authorization status of all newly hired employees, that in accordance with such statute, PROPOSER requires from each of its subcontractors an affidavit stating that the subcontractor does not employ, contract with, or subcontract with an unauthorized alien, and that PROPOSER is otherwise in compliance with Sections 448.09 and 448.095, Florida Statutes.

PROHIBITION AGAINST CONTRACTING WITH SCRUTINIZED COMPANIES By execution of this Contract, in accordance with the requirements of §§287.135 and 215.473, Fla. Stat., Contractor certifies that Contractor is not participating in a boycott of Israel. Contractor further certifies that Contractor is not on the Scrutinized Companies that Boycott Israel list, not on the Scrutinized Companies with Activities in Sudan List, and not on the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or has Contractor been engaged in business operations in Cuba or Syria. Subject to limited exceptions provided in state law, the Town will not contract for the provision of goods or services with any scrutinized company referred to above. Submitting a false certification shall be deemed a material breach of Contract. The Town shall provide notice, in writing, to Contractor of the Town's determination concerning the false certification. Contractor shall have five (5) days from receipt of notice to refute the false certification allegation. If such false certification is discovered during the active Contract term, Contractor shall have ninety (90) days following receipt of the notice to respond in writing and demonstrate that the determination of false certification was made in error. If Contractor does not demonstrate that the Town's determination of false certification was made in error then the Town shall have the right to terminate the contract and seek civil remedies pursuant to §287.135, Fla. Stat., as amended from time to time.

NON-APPROPRIATION TOWN's performance and obligation to pay under a future agreement is contingent upon an appropriation during the TOWN's annual budget approval process. If funds are not appropriated for a fiscal year, then PROPOSER shall be notified as soon as is practical by memorandum from the Town Manager or designee that funds have not been appropriated for continuation of the Agreement, and the Agreement shall expire at the end of the fiscal year for which funding has been appropriated. The termination of the Agreement at fiscal year-end shall be without penalty or expense to the TOWN subject to the TOWN paying all invoices for services rendered during the period the Agreement was funded by appropriations.

PUBLIC ENTITIES CRIME OR CONVICTED VENDOR LIST PROPOSER agrees and assumes a continuous duty to disclose to the TOWN if the PROPOSER or any of its affiliates as defined by Section 287.133(1)(a), Florida Statutes are placed on the Convicted Vendor List or the Antitrust Violator Vendor List maintained by the Florida Department of Management Services.

DATA MANAGEMET; NOTICE OF BREACH PROPOSER shall cooperate with the TOWN and

provide timely incident reporting, response activities/fact gathering, public and agency notification, severity level assessment, after-action reports etc, which the TOWN must report in accordance with Sections 282.3185(5) & (6), Florida Statutes in the event of a data breach.

ENVIRONMENTAL AND SOCIAL GOVERNMENT AND CORPORATE ACTIVISM The TOWN will not give preference or requested documentation from the Proposer based on Proposer's social, political, or ideological interest. Proposer agrees to similarly not request documentation or give preference to any subcontractor based on the subcontractor's social, political, or ideological interests.

FORCE MAJEURE The Town reserves the right to suspend, modify or terminate this contract in the event of an act of god or act of man beyond the control of the parties, including but not limited to a hurricane, tropical storm, tornado, or other destructive weather event, flooding, pandemic, plague, war, armed conflict, domestic or foreign terrorism, riot, labor condition, state or federal governmental action, and catastrophic internet disturbance, making performance inadvisable, economically impracticable, illegal, or impossible.

B. FEDERAL CONTRACTUAL REQUIREMENTS (HUD)

NO LOBBYING; REQUIRED AFFIDAVIT
After the issuance of any solicitation, or during renegotiation of an existing contract, no prospective offerors or their agents, representatives or persons acting at the request of such offerors shall contact, communicate with, or discuss, either in person, by phone, email or text message, any matter relating to the solicitation or the renegotiation with any Town officers, agents or employees (including the Town council and Town manager) other than the purchasing agent designated in the solicitation, unless otherwise provided for in the solicitation or otherwise directed by the designated purchasing agent or procurement official. This prohibition includes copying such persons on written communications with the purchasing agent but does not apply to presentations made to evaluation committees or at a council meeting where the council is considering approval of a proposed contract. The prohibition ends upon execution of the final contract or when the solicitation has been canceled, or the renegotiation efforts are terminated. Renegotiation will be deemed to have commenced upon vote of the council directing renegotiation or on issuance of a written notice from the procurement official to the existing contractor instituting a renegotiation process. **Failure of businesses seeking to conduct business with the Town to strictly adhere to this section will result in the offender's proposal, proposal or response being disqualified from further consideration, and may also result in the suspension or debarment of the offending business.**

As part of its proposal submission, each Proposer must submit the attached Affidavit acknowledging the foregoing Code provision and attesting compliance therewith.

NON-COLLUSION AFFIDAVIT As part of its proposal submission, each Proposer must submit the attached Non-Collusion Affidavit.

CONFLICT OF INTEREST DISCLOSURE As part of its proposal submission, each Proposer must submit the attached certification confirming that the proposal was not influenced by or the result of collusion with any other actual or potential Proposer, and is not otherwise in violation of federal, state, associate, or agent which who is also an officer or employee of the Town or of its agencies. Offerors must disclose the name of any officer or employee of the Town who owns, directly or indirectly, an interest of five percent (5%) or more in the Offeror's firm or any of its branches or affiliate companies.

ANTI-DISCRIMINATION/ EQUAL EMPLOYMENT OPPORTUNITY The successful Proposer will be required, during the term of its performance, to refrain from discrimination against any employee or applicant for employment because of race, color, religion, sex, disability, or national origin. The

contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, disability, or national origin.

VENDOR LIST CERTIFICATIONS The Town requires a certification from Proposer that their firm is not on the following Vendor List maintained by the Florida Department of Management Services. The Florida Department of Management Services prohibits the use of vendors which appear on their Vendor Lists.

Florida Statute	287.1346	Forced Labor Vendor List (Awarded Firm required to provide Affidavit)
Florida Statute	287.133	Convicted Vendor List/Public Entity Crimes
Florida Statute	287.134	Discriminatory Vendor List
Florida Statute	287.1351	Suspended Vendor List
Florida Statute	287.137	Antitrust Violator List
Florida Statute	287.135	Scrutinized List of Prohibited Companies
Florida Statute	287.057(1-3)	Federal Excluded Parties List
Florida Statute	287.057(25)	Anti-Lobbying Clause (Cone of Silence)

FLORIDA CIVIL RIGHT ACT The Contractor or Consultant shall comply with Florida Statute 760, which states that the contractor shall comply with the Florida Civil Rights Act of 1992, which states that individuals in the state are free from discrimination because of race, color, religion, sex, pregnancy, national origin, age, handicap, or marital status.

NON-FEDERAL ENTITY CONTRACTS UNDER FEDERAL AWARDS

This project is funded in part or in whole by: U. S Department of Housing and Urban Development (HUD) Community Development Block Grant – Disaster Recovery (CDBG-DR) Program. Proposers are required to comply in accordance with Federal Grant Requirements, 2 CFR part 200 and 24 CFR part 570, terms, conditions, and specifications which apply as follows:

BYRD ANTI-LOBBYING AMENDMENT

31 U.S.C. § 1352 (as amended). Contractors who proposal/propose for an award of $100,000 or more shall file the required certification (Exhibit IV). Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, officer or employee of Congress, or an employee of a Member of Congress in connection with obtaining any Federal contract, grant, or any other award covered by 31 U.S.C. § 1352. Each tier shall also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tear up to the recipient who in turn will forward the certification(s) to the awarding agency.

SUSPENSION AND DEBARMENT

1. This contract is a covered transaction for purposes of Chapter 2 Code of Federal Regulations. As such, a contract award (see 2 CFR § 180.220) must not be made to parties listed on the governmentwide exclusions in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 CFR § 180 that implement Executive Orders 12549 (3 CFR part 1986 Comp., p. 189) and 12689 (3 CFR part 1989 Comp., p. 235), “Debarment and Suspension.” SAM Exclusions contains the names of parties debarred, suspended, or otherwise excluded by

agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549. The Contractor is required to verify that none of the Contractor's principals (defined at 2 C.F.R. § 180.995), or its affiliates (defined at 2 C.F.R. § 180.905) are excluded (defined at 2 C.F.R. § 180.940) or disqualified (defined at 2 C.F.R. § 180.935).

2. The Contractor must comply with 2 C.F.R. pt. 180, subpart C and 2 C.F.R. pt. 3000, subpart C, and must include a requirement to comply with these regulations in any lower tier covered transaction it enters into.

3. This certification is a material representation of fact relied upon by the Town of Fort Myers Beach. If it is later determined that the Contractor did not comply with 2 C.F.R. pt. 180, subpart C and 2 C.F.R. pt. 3000, subpart C, in addition to remedies available to the Town of Fort Myers Beach, the Federal Government may pursue available remedies, including but not limited to suspension and/or debarment.

4. The proposer or proposer agrees to comply with the requirements of 2 C.F.R. pt. 180, subpart C and 2 C.F.R. pt. 3000, subpart C while this offer is valid and throughout the period of any contract that may arise from this offer. The proposer or proposer further agrees to include a provision requiring such compliance in its lower tier covered transactions.

SUBCONTRACTS The CONTRACTOR or sub- CONTRACTOR must insert in any subcontracts the clauses contained in 29 CFR 5.5(a)(1) through (11), along with the applicable wage determination(s) and such other clauses or contract modifications as the U.S. Department of Housing and Urban Development may by appropriate instructions require, and a clause requiring the subcontractors to include these clauses and wage

determination(s) in any lower tier subcontracts. The prime contractor is responsible for compliance by any subcontractor or lower tier subcontractor with all the contract clauses in this section. In the event of any violations of these clauses, the prime contractor and any subcontractor(s) responsible will be liable for any unpaid wages and monetary relief, including interest from the date of the underpayment or loss, due to any workers of lower-tier subcontractors, and may be subject to debarment, as appropriate.

ACCESS TO RECORD The Contractor agrees to provide the Town of Fort Myers Beach, the FEMA Administrator, the Comptroller General of the United States, or any of their authorized representatives access to any books, documents, papers, and records of the Contractor which are directly pertinent to this contract for the purposes of making audits, examinations, excerpts, and transcriptions.

The Contractor agrees to permit any of the foregoing parties to reproduce by any means whatsoever or to copy excerpts and transcriptions as reasonably needed.

The Contractor agrees to provide the FEMA Administrator or his authorized representatives access to construction or other work sites pertaining to the work being completed under the contract
In compliance with the Disaster Recovery Act of 2018, the Town of Fort Myers Beach and the Contractor acknowledge and agree that no language in this contract is intended to prohibit audits or internal reviews by the FEMA Administrator or the Comptroller General of the United States.

COMPLIANCE WITH FEDERAL LAW, REGULATIONS, AND EXECUTIVE ORDERS This is an acknowledgement that ARPA and/or FEMA financial assistance/grants may be used to supplement all or a portion of the contract. If so, the proposer will comply with all 16 applicable Federal law, regulations, executive orders, FEMA and ARPA policies, procedures, and directives.

NO OBLIGATION BY FEDERAL GOVERNMENT The Federal Government will not be a party to the contract and is not subject to any obligations or liabilities to the non-Federal entity, contractor, or any other party pertaining to any matter resulting from the contract.

PROGRAM FRAUD AND FALSE OR FRAUDULENT STATEMENTS OR RELATED ACTS The Contractor acknowledges that 31 U.S.C. Chap. 38 (Administrative Remedies for False Claims and Statements) applies to the Contractor's actions pertaining to this contract.

CHANGES Either party may request modification of the provisions of this Agreement including the not to exceed amount, duration, scope, and rate(s). Changes which are mutually agreed upon shall be valid only when reduced to writing, duly signed by each of the parties hereto, and attached to the original of this Agreement.

TERMINATION FOR CAUSE AND CONVENIENCE If, through any cause, Contractor shall fail to fulfill in a timely and proper manner its obligations under this Contract, or if Contractor shall violate any of the covenants, agreements, warranties or stipulations of this Contract, the Town of Fort Myers Beach, shall thereupon have the right to terminate this Contract for cause by giving written notice to Contractor of such termination and specifying the date thereof, at least ten (10) calendar days before the effective date of such termination. In such event, all finished and unfinished documents, data, studies, surveys, drawings, specifications, field notes, maps, models, photographs, and reports prepared by Contractor under this Contract shall become the property of the Town of Fort Myers Beach, and Contractor shall be entitled to receive just and equitable final compensation for any work satisfactorily completed hereunder provided such compensation is approved by the Town of Fort Myers Beach, in its sole discretion. Notwithstanding the above, Contractor shall not be relieved of liability to the Town of Fort Myers Beach for damages sustained by the Town of Fort Myers Beach by virtue of any intentional and/or negligent act or omission or any breach of the Contract by Contractor, and the Town of Fort Myers Beach may withhold any payment for the purpose of reasonable setoff until such time as the exact amount of damages due the Town of Fort Myers Beach from Contractor is determined. Contractor agrees that the Town of Fort Myers Beach shall have all rights and remedies afforded to it at law to recover any damages sustained by the Town of Fort Myers Beach in connection with the work performed by Contractor under the Contract. In the alternative, the Town of Fort Myers Beach shall also have all rights and remedies afforded to it in equity to enforce the terms of the Contract. The exercise of any one right or remedy shall be without prejudice the enforcement of any other right or remedy allowed at law or in equity. The contractor or the Town of Fort Myers Beach may terminate this contract for its convenience at any time by giving at least thirty (30) calendar days' notice in writing to the other party. If the Contract is terminated by the Town of Fort Myers Beach and/or Contractor as provided herein, Contractor will be paid for the time and work properly provided, and expenses incurred up to the termination date, if such final compensation is approved by the Town of Fort Myers Beach, in its sole discretion.

EQUAL EMPLOYMENT OPPORTUNITY The regulation at 41 C.F.R. Part 60-1.4(b) requires the insertion of the following contract clause: "During the performance of this contract, the contractor agrees as follows:

The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color,

religion, sex, or national origin. Such action shall include, but not be limited to the following: Employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided setting forth the provisions of this nondiscrimination clause.

The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive considerations for employment without regard to race, color, religion, sex, or national origin.

The contractor will send to each labor union or representative of workers with which it has a collective bargaining agreement or other contract or understanding, a notice to be provided advising the said labor union or workers' representatives of the contractor's commitments under this section and shall post copies of the notice in conspicuous places available to employees and applicants for employment. The contractor will comply with all provisions of Executive Order 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.

The contractor will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to its books, records, and accounts by the administering agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

In the event of the contractor's noncompliance with the nondiscrimination clauses of this contract or with any of the said rules, regulations, or orders, this contract may be canceled, terminated, or suspended in whole or in part and the contractor may be declared ineligible for further Government contracts or federally assisted construction contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, and such other sanctions as may be imposed and remedies invoked as provided in Executive Order 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

The contractor will include the portion of the sentence immediately preceding paragraph (1) and the provisions of paragraphs (1) through (7) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to section 204 of Executive Order 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as the administering agency may direct as a means of enforcing such provisions, including sanctions for noncompliance: Provided, however, That in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the administering agency the contractor may request the United States to enter into such litigation to protect the interests of the United States."

RIGHTS TO INVENTIONS MADE UNDER A CONTRACT OR AGREEMENT Pursuant to Subsection (F) of Appendix II to 2 C.F.R. Part 200, if the Federal award meets the definition of "funding agreement" under 37 CFR § 401.2 (a) and the recipient or subrecipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that "funding agreement," the recipient or subrecipient agrees to comply with the requirements of 37 CFR Part 401, "Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements," and any implementing regulations issued by the awarding agency.

DAVIS-BACON ACT If this Contract is subject to a requirement by the Federal program legislation related to the funding award, the Contractor shall comply with the Davis–Bacon Act (40 U.S.C. 3141–3144, and 3146–3148) as supplemented by Department of Labor regulations (29 CFR Part 5, "Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction"). In accordance with the statute, Contractor must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, Contractor shall pay wages not less than once a week. The Contractor acknowledges it is in possession of a copy of the current prevailing wage determination issued by the Department of Labor. The Contractor acknowledges that the decision of the Town to award the Agreement, and Contractor's agreement to enter a contract with any subcontractor, is conditioned upon the acceptance of the wage determination. The Town will report all suspected or reported violations to the Federal awarding agency.

The Contractor (and its subcontractors) shall also comply with the Copeland "Anti–Kickback" Act (40 U.S.C. 3145), as supplemented by Department of Labor regulations (29 CFR Part 3, "Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States"). The Act provides that each contractor or subrecipient must be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled. The Town will report all suspected or reported violations to the Federal awarding agency.

CONTRACT WORK HOURS AND SAFETY STANDARDS ACT For contracts that are only subject to Contract Work Hours and Safety Standards Act and are not subject to the other statutes in 29 C.F.R. § 5.1 where an additional contract provision is required:

The contractor or subcontractor shall maintain payrolls and basic payroll records during the course of the work and shall preserve them for a period of three years from the completion of the contract for all laborers and mechanics, including guards and watchmen, working on the contract. Such records shall contain the name and address of each such employee, social security number, correct classifications, hourly rates of wages paid, daily and weekly number of hours worked, deductions made, and actual wages paid.

Records to be maintained under this provision shall be made available by the contractor or subcontractor for inspection, copying, or transcription by authorized representatives of the Department of Homeland Security, the Federal Emergency Management Agency, and the Department of Labor, and the contractor or subcontractor will permit such representatives to interview employees during working hours on the job."

CLEAN AIR ACT AND THE FEDERAL WATER POLLUTION CONTROL ACT The contractor agrees to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act, as amended, 42 U.S.C. § 7401 et seq.

The contractor agrees to report each violation to the Florida DEP and understands and agrees that the Florida DEP will, in turn, report each violation as required to assure notification to the Town of Fort Myers Beach, Federal Emergency Management Agency, and the appropriate Environmental Protection Agency Regional Office.

The contractor agrees to include these requirements in each subcontract exceeding $100,000 financed in whole or in part with Federal assistance provided by FEMA.

FEDERAL WATER POLLUTION CONTROL ACT The contractor agrees to comply with all applicable standards, orders or regulations issued pursuant to the Federal Water Pollution Control Act, as amended, 33 U.S.C. 1251 et seq.

The contractor agrees to report each violation to the Florida DEP and understands and agrees that the Florida DEP will, in turn, report each violation as required to assure notification to the Town of Fort Myers Beach, Federal Emergency Management Agency, and the appropriate Environmental Protection Agency Regional Office.

The contractor agrees to include these requirements in each subcontract exceeding $100,000 financed in whole or in part with Federal assistance provided by FEMA.

LIQUIDATED DAMAGES For each deliverable due date agreed to by the State Project Manager and Contractor, a penalty of $500 per day will be assessed for each business day that the delivery exceeds the agreed due date. The penalty will be assessed against accounts payable to the Contractor under this Contract. The Contractor shall not be assessed a penalty for delays due to circumstances not subject to its control.

RULES, REGULATIONS, LAWS, ORDINANCES AND LICENSES It shall be the responsibility of the Proposer to assure compliance with all other federal, state, local laws, or regulations/requirements as they may apply. Any involvement with the Town of Fort Myers Beach shall be in accordance with but not limited to:

LOCAL GOVERNMENT PROMPT PAYMENT ACT In addition to any other invoicing and payment terms the Parties may negotiate, invoice payments will be subject to the Florida Local Government Prompt Payment Act, Florida Statutes § 218.70, et seq.

PUBLIC PROPOSAL DISCLOSURE Per Florida Statute 218.80, there are no permit fees for this project, therefore permitting fees to be paid by contractor is zero dollars.

BACKGROUND SCREENING In accordance with Florida Statute 435, all employees required by law to be screened must undergo background screening as a condition of employment and continued employment which includes, but need not be limited to, employment history checks and statewide criminal correspondence checks through the Department of Law Enforcement, and a check of the Dru Sjodin National Sex Offender Public Website, and may include local criminal records checks through local law enforcement agencies.

CONTRACTING WITH ENTITIES OF FOREIGN COUNTIES OF CONCERN PROHIBITED Pursuant to Florida Statute 607.1501(1), a governmental entity may not knowingly enter into a contract with an entity which would give access to an individual's personal identifying information if:

a. The entity is owned by the government of a foreign country of concern;
b. The government of a foreign country of concern has a controlling interest in the entity; or
c. The entity is organized under the laws of or has its principal place of business in a foreign country of concern; or
d. Foreign corporations are prohibited from transacting business in Florida until the corporation obtains a certificate to do business from the state department.

Beginning January 1, 2024, a governmental entity may not accept a proposal on, a proposal for, or a reply to, or enter into, a contract with an entity which would grant the entity access to an individual's personal identifying information unless the entity provides the governmental entity with an affidavit signed by an officer or representative of the entity under penalty of perjury attesting that the entity does not meet any of the criteria in paragraphs (2)(a)-(c).

Beginning July 1, 2025, a governmental entity may not extend or renew a contract with an entity listed in paragraphs (2)(a)-(c) if the contract would give such entity access to an individual's personal identifying information.

Beginning July 1, 2025, when an entity extends or renews a contract with a governmental entity which would grant the entity access to an individual's personal identifying information, the entity must provide the governmental entity with an affidavit signed by an officer or representative of the entity under penalty of perjury attesting that the entity does not meet any of the criteria in paragraphs (2)(a)-(c). The Attorney General may bring a civil action in any court of competent jurisdiction against an entity that violates this section.

PROHIBTION AGAINST CONSIDERING SOCIAL, POLITIAL, OR IDEALOLOGICAL INTERESTS IN GOVERNMENT CONTRACTING In accordance with Florida Statute 287.05701 the Town may not request documentation of or consider a vendor's social, political, or ideological interests when determining if the vendor is a responsible vendor. An awarding body may not give preference to a vendor based on the vendor's social, political, or ideological interests.

INSPECTOR GENERAL COOPERATION In accordance with Florida Statutes § 20.055(5), it is the duty of every state officer, employee, agency, special district, board, commission, contractor, and subcontractor to cooperate with the inspector general in any investigation, audit, inspection, review, or hearing.

BUSINESS RELATIONSHIP DISCLOSURE REQUIREMENT Sections 112.313(3), 112.313(7) and 112.317, F.S., prohibit certain business relationships on the part of public officers and employees, their spouses, and their children. If this **disclosure is applicable, the Bidder must request the form entitled** *"INTEREST IN COMPETITIVE BID FOR PUBLIC BUSINESS" (*Required by § 112.313(12)(b), F.S.*)* to be completed and **returned with the Solicitation Response. It is the Bidder's responsibility to request the form and disclose this relationship; failure to do so may result in being declared non-responsive.**

NOTICE: UNDER THE PROVISIONS OF § 112.317, F.S., A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR, AND MAY BE PUNISHED BY, ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED $10,000.00.

END OF PART III

RFP FORM A

Proposer: _____

QUALIFICATIONS STATEMENT

Note: Forms A, B & C are available in WORD format from the Contracts Manager upon request.

THIS FORM MUST BE SUBMITTED WITH PROPOSAL TO BE DEEMED RESPONSIVE.

1. State the full and correct name of the partnership, corporation or trade name under which you do business and the address of the place of business. (If a corporation, state the name of the president and secretary. If a partnership, state the names of all partners. If a trade name, state the names of the individuals who do business under the trade name.)

    1.1. The correct and full legal name of the Proposer is:

    1.2. The business is a (Sole Proprietorship) (Partnership) (Corporation).

    1.3. The names of the corporate officers, or partners, or individuals doing business under a trade name, are as follows:

2. Please describe your company in detail.

3. The address of the principal place of business is:

4. Company telephone number and e-mail addresses:

5. Number of employees:

6. Name of employees to be assigned to this Project:

7. Company identification numbers for the Internal Revenue Service:

8. Provide Lee County business tax receipt number, if applicable, and expiration date:

9. How many years has your organization been in business? Does your organization have a specialty?

10. List the last three projects of this nature that the firm has completed? Please provide project description, reference and contact information and cost of work completed.

11. Have you ever failed to complete any work awarded to you? If so, where and why?

12. Provide the following information concerning all contracts that are similar in nature or use the same project team proposed for this project that are **in progress** as of the date of submission of this Proposal for your company, division or unit as appropriate.

Name of Project	Contract with:	Contract Amount	Estimated Completion Date	% of Completion to Date

(Continue list as necessary)

13. Provide the following information for any sub-consultants you will engage if awarded the contract.

Subcontractor Name	Address	Work to be Performed

The foregoing list of subconsultants may not be amended after award of the contract without the prior written approval of the Town Manager, whose approval shall not be unreasonably withheld.

RFP Form B

Proposer: _____

REFERENCE FORM

Forms A, B & C are available in WORD format from the Contracts Manager upon request.

THIS FORM MUST BE SUBMITTED WITH PROPOSAL TO BE DEEMED RESPONSIVE.

Give names, addresses and telephone numbers of four individuals, corporations, agencies, or institutions for which you have performed work similar to what is proposed in this RFP:

1. Name of Contact:
   Title of Contact: Email:
   Telephone Number: Fax Number:
   Project:

2. Name of Contact:
   Title of Contact: Email:
   Telephone Number: Fax Number:
   Project:

3. Name of Contact:
   Title of Contact: Email:
   Telephone Number: Fax Number:
   Project:

4. Name of Contact:
   Title of Contact: Email:
   Telephone Number: Fax Number:
   Project:

Instructions: Show the project cost for each deliverable your firm will provide per the requested scope of work. Include the fees associated with each proposed deliverable. Fees should be detailed to the extent possible per deliverable.
The Total Unit Price Cost shall include all fees and reimbursements for out-of-pocket costs. The Town will not reimburse for any costs not actually incurred and paid for by the Proposer and included in its proposal. Reasonable proof thereof will be required.

The Total Unit Price Cost shall include the cost of:

5. Meetings with Town staff to discuss water meter replacement progress.
6. A written report detailing all replacements and CSV file(s) containing all replaced meters in the format requested above.

Payments will be made on each deliverable upon receipt and acceptance by the Town.

Additional Services

The Town may have the need for additional services, which may be requested over the next 3 years.

If the Proposer is interested in additional work, please provide the hourly rate, unit rate and staff positions available. The rates for the additional work will not be used for evaluation of the services required in this RFP.

Additional Work	
Title:	Hourly Rate/Per Unit Rate
Add rows as necessary	

By:_____ Date: _____

Name: _____

Title: _____

RFP FORM C

Proposer: _____

THIS FORM MUST BE SIGNED AND SUBMITTED WITH PROPOSAL TO BE DEEMED RESPONSIVE. The undersigned guarantees the truth and accuracy of all statements and the answers contained herein.

PROPOSER'S CERTIFICATION

I have carefully examined the Request for Proposal referenced above ("RFP") and any other documents accompanying or made a part of this RFP.

I hereby propose to furnish the goods or services specified in the RFP. I agree that my proposal will remain firm for a period of 120 days in order to allow the Town adequate time to evaluate the proposals.

I certify that all information contained in this proposal, which includes the TOWN required RFP forms A, B, C and D, is truthful to the best of my knowledge and belief. I further certify that I am duly authorized to submit this proposal on behalf of the firm as its act and deed and that the firm is ready, willing and able to perform if awarded the contract.

The firm and/or Proposer hereby authorizes the Town of Fort Myers Beach, its staff or consultants, to contact any of the references provided in the proposal and specifically authorizes such references to release, either orally or in writing, any appropriate data with respect to the firm offering this proposal.

I further certify, under oath, that this proposal is made without prior understanding, agreement, connection, discussion, or collusion with any other person, firm or corporation submitting a proposal for the same product or service; no officer, employee or agent of the Town or any other Proposer is interested in said proposal; and that the undersigned executed this Proposer's Certification with full knowledge and understanding of the matters therein contained and was duly authorized to do so.

If this proposal is selected, I understand that I will be expected to execute the Town's standard professional services agreement, in the form approved by the Town Attorney.

A person or affiliate who has been placed on the convicted vendor list following a conviction for public entity crimes may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, sub-contractor, or consultant under a contract with a public entity, and may not transact business with any public entity in excess of the threshold amount provided in Sec. 287.017 Florida Statutes, for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list.

I further certify, under oath, that neither the entity submitting this sworn statement, not to my knowledge, any of its officers, directors, executives, partners, shareholder, employees, members or agents active in the management of the entity has been convicted of a public entity crime subsequent to July 1, 1989.

_____
Name of Business

By: Signature

_____
Print Name and Title

_____

_____
Mailing Address

FMB:204 RFP FORM D

Proposer: _____

THIS FORM MUST BE SIGNED AND SUBMITTED WITH PROPOSAL TO BE DEEMED RESPONSIVE.

The undersigned guarantees the truth and accuracy of all statements, and the answers contained herein.

PROPOSER'S CERTIFICATION

I have carefully examined the Request for Proposal referenced above ("RFP") and any other documents accompanying or made a part of this RFP.

I hereby propose to furnish the goods or services specified in the RFP. I agree that my proposal will remain firm for a period of 120 days in order to allow the Town adequate time to evaluate the proposals.

I certify that all information contained in this proposal, which includes the TOWN required RFP forms A, B, C and D, is truthful to the best of my knowledge and belief. I further certify that I am duly authorized to submit this proposal on behalf of the firm as its act and deed and that the firm is ready, willing, and able to perform if awarded the contract.

The firm and/or Proposer hereby authorizes the Town of Fort Myers Beach, its staff, or consultants, to contact any of the references provided in the proposal and specifically authorizes such references to release, either orally or in writing, any appropriate data with respect to the firm offering this proposal.

I further certify, under oath, that this proposal is made without prior understanding, agreement, connection, discussion, or collusion with any other person, firm or corporation submitting a proposal for the same product or service; no officer, employee or agent of the Town or any other Proposer is interested in said proposal; and that the undersigned executed this Proposer's Certification with full knowledge and understanding of the matters therein contained and was duly authorized to do so.

If this proposal is selected, I understand that I will be expected to execute the Town's standard professional services agreement, in the form approved by the Town Attorney.

A person or affiliate who has been placed on the convicted vendor list following a conviction for public entity crimes may not submit a proposal on a contract to provide any goods or services to a public entity, may not submit a proposal on a contract with a public entity for the construction or repair of a public building or public work, may not submit proposals on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, sub-contractor, or consultant under a contract with a public entity, and may not transact business with any public entity in excess of the threshold amount provided in Sec. 287.017 Florida Statutes, for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list.

I further certify, under oath, that neither the entity submitting this sworn statement, not to my knowledge, any of its officers, directors, executives, partners, shareholder, employees, members, or agents active in the management of the entity has been convicted of a public entity crime subsequent to July 1, 1989.

_____
(Name of Business)

_____
(Signature)

_____
(Print Name and Title)

_____
(Address)

_____

[1]STATE OF FLORIDA)
COUNTY OF LEE)

SWORN TO AND SUBSCRIBED BEFORE ME, on this ____ day of _____, 20__, by means of ( ) physical presence or ( ) online notarization, personally appeared _____ as _____ of the (Company Name) who is personally known to me or ( ) who has produced _____ as identification.

_____
NOTARY PUBLIC – State of Florida

My commission expires:

Town of Fort Myers Beach
Agenda Item Summary

Blue Sheet Number: **2025-453**

1. **Request**:

Meeting Date: June 2, 2025

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, AWARDING RFP-25-03-EN TO PERSONS SERVICES CORP, AS THE MOST RESPONSIVE AND RESPONSIBLE BIDDER TO COMPLETE THE FILL AND GRADING OF BAY OAKS RECREATIONAL CAMPUS PROJECT AS RECOMENDED BY THE SELECTION ADVISORY COMMITTEE; AUTHORIZING THE TOWN MANAGER TO NEGOTIATE AND PREPARE AN AGREEMENT FOR THE RECOMMENDED SERVICES IN AN AMOUNT NOT TO EXCEED $1,689,381.63 SUBJECT TO LEGAL REVIEW; AUTHORIZING THE MAYOR TO SIGN THE AGREEMENT; PROVIDING FOR SCRIVENER'S ERRORS, SEVERABILITY, AND AN EFFECTIVE DATE.

Why the action is necessary:

In accordance with the Towns Procurement Policy

What the action accomplishes:

Awards agreement with Persons Service Inc and continues the Bay Oaks Redevelopment Campus Project

2. **Agenda**:

ADMINISTRATIVE AGENDA

3. **Requirement/Purpose**:

4. **Submitter of Information**:

---

5. **Background**:

RFP-25-03-EN was issued to solicit proposals for the Fill and Grading Bay Oaks Recreation Campus. The Town received 1 complete proposal. The Selection Advisory Committee reviewed the proposal on Thursday, May 15, 2025, and unanimously voted to recommend to the Town Manager the recommendation of Persons Services Corporation, Inc, in accordance with the Towns Procurement Policy.

This project is in relation to the overall Bay Oaks Redevelopment Project and grant funding.

Attachments:

1. 25-199, Approving RFP-25-03-EN Agreement Bay Oaks
2. PSC_RFP-25-03-EN_Fort Myers Beach_FINAL Proposal

Financial Impact:

Proposal amount is $1,689,381.63

6. **Alternative Action**

Do not approve the agreement or recommend renegotiation

7. **Management Recommendations**:

To Approve

8. **Recommended Approval**:

Deborah Glavin, Contracts & Procurement Specialist	Created/Initiated - 5/27/2025
Jeff Hauge, Community Services Director	Approved - 5/27/2025
nancy stuparich, Town Attorney	Approved - 5/27/2025

Amy Baker, Town Clerk
William McKannay, Town Manager

Approved - 5/28/2025
Final Approval - 5/28/2025

RESOLUTION NUMBER 25-199

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, AWARDING RFP-25-03-EN TO PERSONS SERVICES CORP, AS THE MOST RESPONSIVE AND RESPONSIBLE BIDDER TO COMPLETE THE FILL AND GRADING OF BAY OAKS RECREATIONAL CAMPUS PROJECT AS RECOMENDED BY THE SELECTION ADVISORY COMMITTEE; AUTHORIZING THE TOWN MANAGER TO NEGOTIATE AND PREPARE AN AGREEMENT FOR THE RECOMMENDED SERVICES IN AN AMOUNT NOT TO EXCEED $1,689,381.63 SUBJECT TO LEGAL REVIEW; AUTHORIZING THE MAYOR TO SIGN THE AGREEMENT; PROVIDING FOR SCRIVENER'S ERRORS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, Florida Statutes provide that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal service, and exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, Article X of the Town Charter of the Town of Fort Myers Beach ("Town") empowers the Town to adopt, amend, or repeal such ordinances and resolutions as may be required for the proper governing of the Town; and

WHEREAS, the Town of Fort Myers Beach is seeking to find a contractor to bring the existing recreational park area to base flood and prepped for further uses on the Bay Oaks Property by means of (mixed concrete, sand, dirt and stone); and

WHEREAS, the Town of Fort Myers Beach solicited an RFP in April 2025 to receive proposals for the Fill and Grading of Bay Oaks; and

WHEREAS, the Town of Fort Myers Beach received grant funding to assist with the funding of this project and requires work to be done by the current deadline of August 2025; and

WHEREAS, the Town received a single proposal from Persons Services Corp., and the Selection Advisory Committee met on May 15, 2025, and unanimously recommended to the Town Manager the award of an agreement to be executed to the most responsive and responsible bidder to complete the work; and

WHEREAS, pursuant to a competitive procurement process in compliance with State Law and Town Code – RFP-25-03-EN "Fill and Grading of Bay Oaks Recreational Campus," the Town awards the bid to Persons Services Corp; and

WHEREAS, Persons Services Corp, has agreed to execute an agreement for the Fill and Grading of Bay Oaks Recreational Campus Project containing similar terms as included in the bid; and

WHEREAS, it is in the best interest of the Town to award the project to Persons Service Corp.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, AS FOLLOWS:

Section 1. The above recitals are true, correct, incorporated herein by this reference, and adopted as the legislative and administrative findings of the Town Council.

Section 2. The Town Council hereby awards the bid as provided herein with Persons Services Corp., authorizes the Town Manager to negotiate and prepare an agreement for the services included within the proposal subject to legal review, and authorize the Mayor to execute the agreement.

Section 3. This resolution shall take effect immediately upon adoption.

The foregoing Resolution was adopted by the Town Council upon a motion by _____ and seconded by _____, and upon being put to a roll call vote, the result was as follows:

Dan Allers, Mayor	___
Jim Atterholt, Vice Mayor	___
John R. King, Council Member	___
Scott Safford, Council Member	___
Karen Woodson, Council Member	___

ADOPTED this 2nd day of June 2025by the Town Council of the Town of Fort Myers Beach, Florida.

TOWN OF FORT MYERS BEACH

_____
Dan Allers, Mayor

ATTEST:

_____
Amy Baker, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE TOWN OF FORT MYERS BEACH SOLELY:

_____
Vose Law Firm, Town Attorney

This Resolution was filed in the Office of the Town Clerk on this _____ 2025.

PERSONS

SERVICES CORP.



Response to Solicitation

Town of Fort Myers Beach

Fill & Grading of Bay Oaks Recreational Campus

Due: May 14, 2025 – 12:30 pm

Point of Contact:
Samantha Vincenty
svincenty@personsservices.com
954-290-8075

1835 S. Perimeter Rd., Suite 175 Fort Lauderdale, FL 33309

May 14, 2025

Contracts & Procurement Specialist
2731 Oak Street
Fort Myers Beach, FL 33931

Re: RFP-25-03-EN

On behalf of Persons Services Corp., I am pleased to submit this Response to the Town of Fort Myers Beach.

Persons Services Corp. (PSC) stands out as a Construction Management and General Contracting firm with over 45 years of experience managing global construction, infrastructure, industrial, and disaster recovery programs. Our team's unique blend of expertise and experience has enabled us to successfully complete demolition and construction projects for Florida's public and private sectors. We take pride in our reputation for delivering safe, high-quality, and performance-driven work.

Upon reviewing PSC's credentials, proven experience, and comprehensive internal capabilities, we are confident that you will appreciate how we have been able to serve some of the most demanding owners continually and have remained in business for over four decades. PSC is the ideal company to serve you as Construction Manager for the PJ Meli Aquatic Complex project.

I, Samantha Vincenty, certify that the ITB documents have been thoroughly reviewed and acknowledged. I affirm that all information in this submittal is complete and accurate. We have the necessary personnel, equipment, and time to ensure this commitment is unwavering.

Sincerely,



Samantha Vincenty
Regional General Manager | 954-616-5106 x339 | svincenty@personsservices.com
www.personsservices.com

Table of Contents

Section 1 – Business Structure 4

Staffing 8

Section 2 Experience 12

_Project Specific Examples of Government Work for Municipalities / Disaster Recovery 15

Current Workload 16

Section 3 – Approach 17

Section 4 – Compensation (RFP Form C) 18

Section 5 – Additional Information 19

Section 6 – Addenda 20

Section 1 – Business Structure

Persons Services Corp. (PSC) is headquartered out of Mobile, Alabama with offices across the Southeast including **Fort Lauderdale, FL** which handles all Florida based projects with staff located throughout Florida. Our firm is privately held with over 45 years of experience in almost all aspects of the construction industry. We take pride in our role as a premiere project solutions company, offering a comprehensive range of services. Our status as a privately owned entity allows us to adapt to each client's and project's unique needs. We provide General and Specialty Contracting Services with established trade partners and direct-hire construction services that cover the complete spectrum from engineering, civil, mechanical, piping, electrical, and instrumentation to start-up assistance in-house. A timeline of our growth is illustrated below in Figure A.1.

Our services are designed to deliver the most cost-effective solutions through proven project delivery systems by a best-in-class workforce.

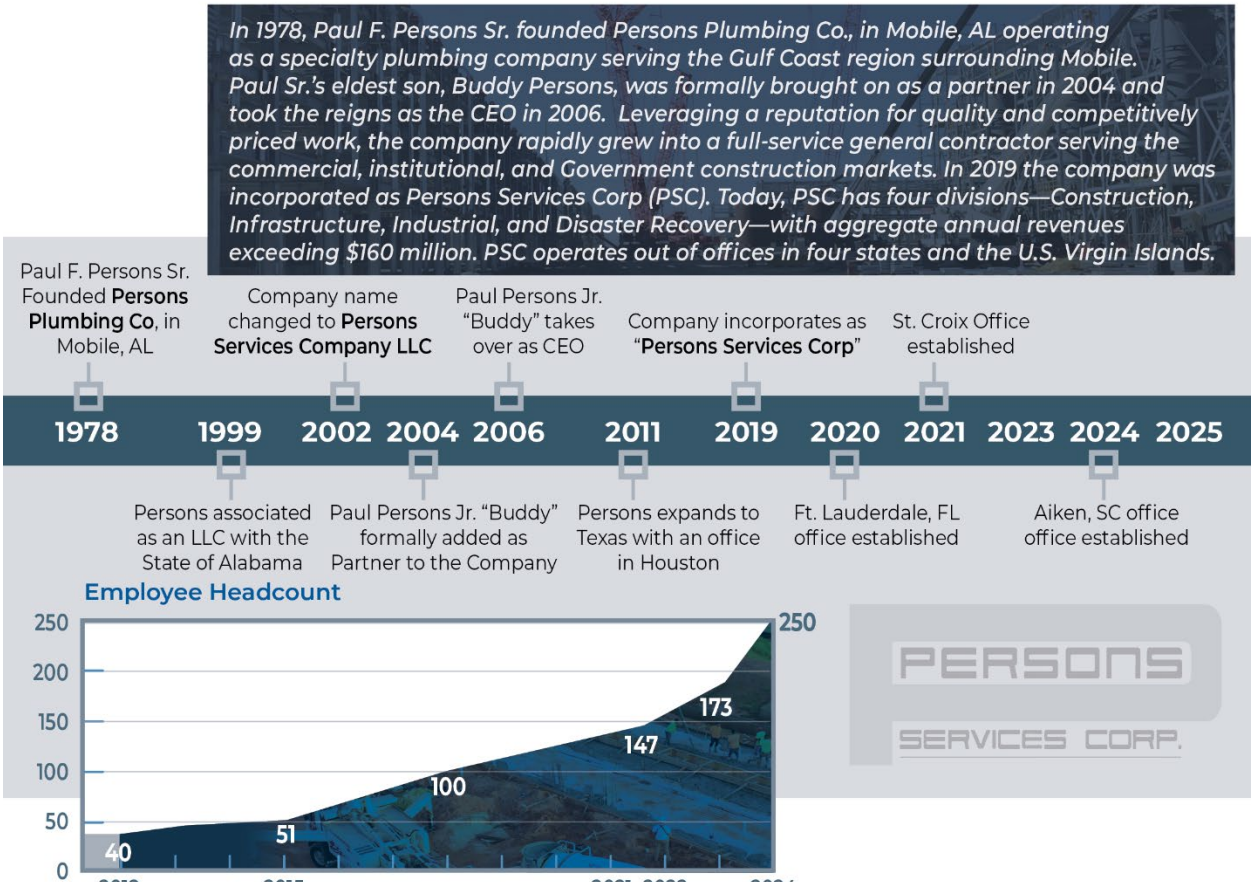


Figure A.1. Persons Services Corp. has experienced continuous growth since its founding, expanding into a fully diversified construction firm.

Persons Services Corp. brings a unique advantage to the Town of Fort Myers Beach as our corporate umbrella includes owning and operating a steel fabrication facility, more than 750 pieces of Heavy Equipment, Trailers, Trucks and Vehicles, in addition to working with some of the latest construction technology. Our team is able to not only deliver the management services this contract requires, but, when needed, we are able to self-perform schedule-critical work to avoid delays.



Figure A.2. PSC has an extensive suite of in-house capabilities to call upon as need demands.

We are proud of our continuous growth, reputation, and accomplishments. Being recognized by Engineering News Record (ENR) and other industry-leading publications as a top contractor in the US is a testament to our performance ability. PSC was recognized this year by Inc. 5000 as the 25th fastest growing company in Alabama.

This success is driven by our core values, which promote integrity, communication, and quality above all else. Our unique differentiators include a deep level of expertise, the 'Master Builder' mentality, and a commitment to providing comprehensive project planning solutions. With unparalleled transparency, exceptional communication, and a dedication to mastery, we ensure that every construction venture becomes an empowering and gratifying experience for our clients.

PSC is not on the Vendor List maintained by the Florida Department of Management Service per Florida Statute 287.1346, 287.133, 287.134, 287.1351, 287.137, 287.135, 287.057(1-3), 287.057(25).

State of Florida
Department of State

I certify from the records of this office that PERSONS SERVICES CORP. is an Alabama corporation authorized to transact business in the State of Florida, qualified on May 21, 2019.

The document number of this corporation is F19000002589.

I further certify that said corporation has paid all fees due this office through December 31, 2025, that its most recent annual report/uniform business report was filed on January 13, 2025, and that its status is active.

I further certify that said corporation has not filed a Certificate of Withdrawal.

Given under my hand and the Great Seal of the State of Florida at Tallahassee, the Capital, this the Fifth day of March, 2025

Secretary of State

Tracking Number: 3422652816CU

To authenticate this certificate,visit the following site,enter this number, and then follow the instructions displayed.

https://services.sunbiz.org/Filings/CertificateOfStatus/CertificateAuthentication

Lee County Tax Collector
Noelle Branning

Local Business Tax Receipt

PERSONS SERVICES CORP
PERSONS SERVICES CORP
4474 HALLS MILL RD
MOBILE, AL 36693-5622

Dear Business Owner:

Your **2024 - 2025** Lee County Local Business Tax Receipt is attached below for account number / receipt: number: **1080604 / 2204017**

If there is a change in one of the following, refer to the instructions on the back of this receipt.

- Business name
- Ownership
- Physical location
- Business closed

This is not a bill. Detach the bottom portion and display in a public location.

I hope you have a successful year.

Sincerely,

R. Noelle Branning

Lee County Tax Collector

2024-2025
LEE COUNTY LOCAL BUSINESS TAX RECEIPT

Account Number: 1080604
Receipt Number: 2204017
State License Number: CGC1527992

Location:
4474 HALLS MILL RD
MOBILE, AL 36693-5622

Account Expires: September 30, 2025

May engage in the business of:
GENERAL CONTRACTOR-CERTIFIED
THIS LOCAL BUSINESS TAX RECEIPT IS NON REGULATORY

PERSONS SERVICES CORP
PERSONS SERVICES CORP
4474 HALLS MILL RD
MOBILE, AL 36693-5622

Payment Information:		
PAID	INT-00-02459257	07/15/2024
		$ 50.00

Staffing

Equipped with a proven and collaborative approach to the unique needs of institutional construction, PSC stands ready to deliver exceptional Construction Manager at Risk services to Florida International University. PSC built our key personnel team and organizational structure to inject energy, a sense of urgency, and drive for continuous improvement into our approach.

Our project team will operate under the oversight of a PSC Project Executive Samantha Vincenty. Samantha is the Regional General Manager of our Southeast and Caribbean group and will support the management team with unfettered access to any corporate resources that Project Manager (PM) Jason Ottilige may require to deliver this project to the Town at the highest level of customer satisfaction.

Jason will lead the project team with the administrative support of Project Coordinator Sharlene Roca and onsite support of Superintendent Kenneth Temple. The project will operate with the input, direction, and guidance of General Superintendent Billy Martin Jr. and Director of Project Management Lucas Cooke.

- **Project Executive *Samantha Vincenty*** has led construction teams to success for more than 24 years. 10% allocation to this project.
- **Project Manager *Jason Ottilige*** has 15 years of industry experience and has delivered complex emergency disaster response and recovery services along the Southeast. Jason will be the Town's primary contact for the project regarding the implementation and management of the contract. 30% allocation to this project.
- **General Superintendent *Billy Martin Jr.*** is one of PSC's most accomplished and senior superintendents with over 30 years of experience delivering multi-million dollar industrial and commercial projects to municipal and private clients. 5% allocation to this project.
- **Site Superintendent *Kenneth Temple*** is a quality-dedicated construction professional with more than two decades of experience guaranteeing safe, fast-paced and organized jobsites. Kenny will be the Town's onsite contact for field related items or questions. 100% allocation to this project.

Please find resumes for the key personnel to be assigned to this project located in the following pages.



SAMANTHA VINCENTY

Project Executive

Samantha has more than 20 years of management experience in the construction industry. She is a talented team lead, providing operations, estimating, scheduling, team building, and management support to complex projects with rigorous deadlines. She has numerous years of experience with municipal construction and CMAR project delivery.

Based out of PSC's Fort Lauderdale Office, in her role as Project Executive for this contract, Samantha will support the management team with unfettered access to any corporate resources needed to deliver this project to the University at the highest level of customer satisfaction.

BACKGROUND

EDUCATION
Western Governor's University,
MBA, Healthcare Management
City University of New York,
BA, Communications

YEARS EXPERIENCE
Industry – 20

CERTIFICATIONS
LEED Accredited
OSHPD & AHCA

EXPERIENCE

GFI CAPITAL RESOURCES
The Ritz-Carlton Residences
The Villa Collection
Miami Beach, FL

CITY OF TAMARAC
Colony West Clubhouse/Cart Barn
Tamarac, FL

AD1 GLOBAL
Fairfield Inn & Suites
Tamarac, FL

TOWN OF JUPITER
Town Hall Phase 2
Jupiter, FL

JACKSON MEMORIAL
Labor + Delivery OR Remodel
Miami, FL

MIAMA DADE COLLEGE
MDC West Campus
Doral, FL

HUDSON CAPITAL GROUP
Quay Plaza
Fort Lauderdale, FL

TOWN OF DAVIE
Davie Boys & Girls Club
Davie, FL

CITY OF POMPANO BEACH
Ali Cultural Center
Pompano Beach, FL

RIVERSIDE HOTEL
Spa + Amenities Center
Miami Beach, FL



BILLY MARTIN, JR.

General Superintendent

Billy has more than 30 years of experience in the construction industry. His diverse portfolio of successful commercial and industrial projects includes New School Facilities, Office Complexes, Medical Facilities, Detention Centers, Mixed-Use Retail Construction, Aviation, Multi-Family, and Hospitality among others.

Solution-oriented, Mr. Martin is highly experienced in site logistics, job site quality, scheduling, labor relations, and customer management.

As General Superintendent, Billy provides day-to-day team leadership, ensuring projects are completed on time and in line with quality and safety standards.

BACKGROUND

EXPERTISE

- Institutional Facility Construction
- Education Facility Construction
- Site Safety
- OSHA Compliance

CERTIFICATIONS

- AGC Certification
- OSHA 30-Hour
- OSHA 10-Hour
- OSHA 1926 Review Training, Project Accident Investigation
- Construction Education Foundation Inc. 30-Hour Safety Training
- MSHA Safety Training
- Quoin Stormwater Management
- McCarthy Building Management and Leadership
- Certified Lead Testing and Abatement
- Crane and Rigging Safety
- Confined Space Training

EXPERIENCE

BALDWIN COUNTY SCHOOL BOARD
Robertsdale High School Addition
Robertsdale, AL

CITY OF DAPHNE
Daphne Justice Center
Daphne, AL

DFW INTERNATIONAL AIRPORT
Terminal D Expansion
Dallas, TX

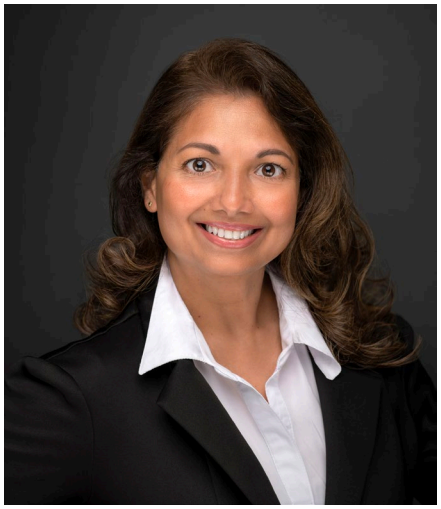
BLUE CROSS BLUE SHIELD
Corporate Headquarters
Richardson, TX

DALLAS COUNTY
Southwestern Institute of Forensic Sciences (SWIFS)
Dallas, TX

DALLAS COUNTY
Detention Center S Tower
Dallas, TX

CYPRESS-FAIRBANKS INDEPENDENT SCHOOL DISTRICT
Cypress Fairbanks ISD High School
Cypress, TX

AIRPORT AUTHORITY OF THE CITY OF GULF SHORES
Gulf Shores Airport New Terminal
Gulf Shores, AL



SHARLENE ROCA

Project Administrator

As Project Administrator, Sharlene is an integral member of the project team responsible for delivering building development projects of varying size and complexity. She is responsible for all aspects of construction and administration alongside accounting. Utilizing Procore, Sharlene works closely with project leadership to manage financial controls and reporting for the project budget, assembling contracts and change orders. Sharlene excels as a team player with demonstrated interpersonal and organizational skills.

BACKGROUND

EDUCATION
Miami Dade College
Computer Operations

YEARS EXPERIENCE
Industry – 15

EXPERIENCE

MIAMI DADE COLLEGE
MDC West Campus
Doral, FL

MIAMI DADE COUNTY SCHOOLS
International Studies Preparatory Academy "ISPA"
Coral Gables, FL

TOWN OF JUPITER
Town Hall Phase 2
Jupiter, FL

1116 LOVE STREET LLC
Love Street Mixed-Use
Jupiter, FL

BROWARD COLLEGE
Broward College
Fort Lauderdale, FL

TOWN OF DAVIE
Davie Boys & Girls Club
Davie, FL

CITY OF POMPANO BEACH
Ali Cultural Center
Pompano Beach, FL

CITY OF TAMARAC
Colony West Clubhouse/ Cart Barn
Tamarac, FL



JASON OTTILIGE

Project Manager

Jason Ottilige is a seasoned Construction Project Manager with over 20 years of experience in disaster response and six years in construction management. His responsibilities include overseeing all phases of construction projects, from planning and budgeting to execution and closeout. He coordinates subcontractors, manage schedules and costs, ensure quality and safety standards are met, and serves as the primary liaison between clients, architects, and field teams to ensure timely, successful project delivery.

At Persons Services Corp., Jason oversees multiple residential and commercial reconstruction projects, including resorts, storage facilities, and condominiums. Jason excels at coordinating vendors, managing budgets, creating construction schedules, and ensuring quality execution from planning to completion.

His background in emergency operations equips him with strong leadership, logistical coordination, and problem-solving skills, making him a reliable asset for complex, high-pressure construction environments.

BACKGROUND

YEARS EXPERIENCE

Industry – 20

CERTIFICATIONS

- ICS – 100 Certified
- ICS – 200; 800.b
- IS-00100.b; 00120.a; 00130; 00200.b; 00899.b
- NIMS Certified IS-00700.a
- Radiological Emergency management IS-0003
- TS10 Debris Management
- TS27 Logistics Operations
- OSHA 10, 30, 40 HAZWOPER
- ATTSA Traffic Control Course
- Qualified Stormwater Management Inspector Certified

EXPERIENCE

PINK SHELL RESORT & MARINA
Hurricane Hospitality Renovation
Fort Myers Beach, FL

FLORIDA COMMERCE
Rebuild FL CDBG-DR Hurricane Ian
South Florida

METRO STORAGE
Hurricane Commercial Renovation
Tamiami, FL

CONGRESS JEWELERS
Hurricane Commercial Build Back
Sanibel, FL

BEACHAVEN ASSOC.
Hurricane Residential Renovation
Siesta Key, FL

ISLAND BREEZE CONDO
Hurricane Residential Renovation
Fort Myers Beach, FL



KENNETH TEMPLE

Superintendent

Kenny has more than 30 years of experience in the construction industry. His diverse portfolio of successful commercial and industrial projects includes Fire stations, Site Projects, Mixed-Use Retail Construction, Multi-Family, and Hospitality among others.

Solution-oriented, Kenny is highly experienced in managing crews, job site quality, customer management and planning.

As the Project Superintendent, Kenny provides day-to-day team leadership and guidance, ensuring projects are completed on time and in line with quality and safety standards.

BACKGROUND

EXPERTISE

- Site Construction
- Municipal Construction
- Site Safety
- OSHA Compliance

CERTIFICATIONS

- OSHA 30-Hour
- Forklift Extended Reach Training
- AAMA-Certified Window Installer #70004256
- Trench Safety Training

EXPERIENCE

TOWN OF JUPITER
Town Hall Ph 2
Jupiter, FL

CITY OF DANIA BEACH
Nyberg Swanson Historical
Dania Beach, FL

INN BY THE SEA
185,000 SF 5 Story Condominium
Pass Christian, MS

FOUR POINTS SHERATON
10 Story Hotel
Biloxi, MS

LAUNDRY ENTERPRISES
9 Laundromat Built-outs
NY Tri County

SCORES STEAKHOUSE
New Club and Steakhouse

Section 2 Experience

Persons Services Corp. brings offers a comprehensive suite of construction services spanning various sectors including infrastructure, industrial and disaster response. PSC has successfully performed projects across various municipalities through our various offices locations which have included environmental response and services, site preparation, infrastructure planning, environmental planning and overall construction management.

For this project we have teamed up with ICS Materials with whom we have successfully worked with in the past and carries the same dedication to quality, teamwork and client relationships. Combined, our teams have over 75 years of experience with reconstruction, clearing, earthwork, infrastructure, utilities and asphalt and concrete sitework packages.

ICS Materials Inc has performed the following municipal projects

Fort Myers Beach Berm

ICS Materials was contracted by Grubbs Emergency Services to complete almost 2.9 million dollars to install and repair berms

Newton Park Parking Lot

ICS Materials was contracted by the Town of Fort Myers Beach for this project.

Hurricane Milton Recovery

ICS Materials was contracted by the Town of Fort Myers Beach to assist with Hurricane Milton recovery efforts



Persons Services Corp.

PSC Specific Examples of Government Work for Municipalities / Disaster Recovery



Boys & Girls Club Addition

PSC delivered a new addition and interior renovations for the Town of Davie.



Historic Restoration of Nyberg-Swanson House

PSC delivered this historic building renovation for the City of Dania Beach.



Town Hall Phase II

PSC was contracted by the Town of Jupiter to deliver $3M in demolition and civil / underground site work.

Splendora CDBG Sewer Project

PSC was contracted by the City of Splendora for a infrastructure project involving civil work, lift stations and force mains.

SCDRO Hurricane Matthew & Florence Program

PSC was contracted for aid with disaster recovery and reconstruction

Brazosport Water Authority Segment 3

Installation of 24,000 LF of water lines including directional drilling under the Brazos River for the Water Authority.

Pink Shell Resort & Marina – Disaster Recovery & Remodel

PSC was contracted for demolition, renovation and restoration of the resort post Hurricane Ian including sitework and re-grading of beach areas (ICS Materials was our subcontractor as part of this project).



Current Workload

Please note that the projected workload list below includes the entirety of PSC's General Construction workload for the next three years. Projects that involve one or more members of our proposed project team have been highlighted in green.

Jobs in Progress for Construction (Current - 3 year)		
Job Name	**Contract Value**	**% to Comp**
Ali Cultural Center – City of Pompano Beach	1,239,718.00	85%
Beard Equipment Expansion	3,790,143.43	10%
Charles A. Seales Fire Station	5,838,915.00	75%
Town of Jupiter Town Hall	3,046,124.00	1%
Corrections Modular Facility	564,002.57	10%
Daphne Justice Center	5,702,275.51	66%
Daphne North Elementary	11,406,523.00	62%
Discount Tires – D'Iberville	3,304,940.96	55%
Discount Tires – Daphne	3,325,286.63	84%
Enterprise SCC-Workforce	13,377,695.95	64%
Gulf Shores Airport Terminal	5,855,503.00	43%
Holsberry Industrial	299,852.00	28%
Jason Pilger Chevrolet	1,157,434	74%
Kaleo Residence Building	20,579,774.00	24%
Mobile Aquatics Center	23,151,607.00	78%
Robertsdale HS Addition	5,099,350.00	23%
USA Marching Band Building	8,622,105.95	83%
Whataburger-Daphne	3,081,294.00	45%

Section 3 – Approach

PSC will manage and perform this project in an organized and phased approach which will involve:

Coordinating locates and utility shut-offs and verification
SWPPP installation and maintenance to ensure compliance with local stormwater regulations throughout the project.
Removal of all vegetation, tree stumps, roots, existing pavement and/or abandoned utility lines as identified and reviewed with the Town.
Crushing, Excavation and Backfilling: Crushing, 6" strip and backfill
Rough & Fine Grading: Perform initial contouring of the site to establish proper drainage and final grade to meeting final elevations and slopes with surface water directed away from buildings and towards drainage structures per specified elevations.
Excess Materials: Remove excess materials from site generated by this scope of work
Surveying & Final As-built to be provided with elevations as per the designed specifications for the final walk-thru.

Site Cleanup will be completed eliminating the construction generated debris upon completion of grading activities.

Our team will be utilizing excavators, skid steers, wheel loaders, graders, dump trucks and compactors throughout various stages of the construction. The expected overall timeline is 45 days.

Section 4 – Compensation (RFP Form C)

Please find the RFP Form C in the following pages.

FMB:202 RFP Form C

Proposer: Persons Services Corp.

PRICE PROPOSAL FORM

Note: Forms A, B & C are available in WORD format from the Contracts Manager upon request.

THIS FORM MUST BE SIGNED AND SUBMITTED WITH PROPOSAL TO BE DEEMED RESPONSIVE.

Name of Proposer: Persons Services Corp.

Name of authorized representative of Proposer: Samantha Vincenty

Project Cost

Item	# of Units for evaluation purposes Only	Price Per Unit
General Conditions	1 LS	$ 146,957.00
Mobilization	1 LS	$ 55,000.00
SWPPP	1 LS	$ 13,200.00
Crushing Operation	1 LS	$ 360,000.00
6" Strip	1 LS	$ 10,687.50
Fill	1 LS	$ 425,000.00
Grading	1 LS	$ 124,000.00
Trench backfill & Compaction	1 LS	$ 15,000.00
Remove Excess material from site	1 LS	$ 371,280.00
GPS, Survey & As built	1 LS	$ 53,500.00
Bond & Fee	1 LS	$ 114,757.13
TOTAL PRICE	**$ 1,689,381.63**	

Instructions: Show the project cost for each deliverable your firm will provide per the requested scope of work. Include the fees associated with each proposed deliverable. Fees should be detailed to the extent possible per deliverable.
The Total Unit Price Cost shall include all fees and reimbursements for out-of-pocket costs. The Town will not reimburse for any costs not actually incurred and paid for by the Proposer and included in its proposal. Reasonable proof thereof will be required.

Payments will be made on each deliverable upon receipt and acceptance by the Town.

Additional Services: Permits if required by Town of Fort Myers Beach

If the Proposer is interested in additional work, please provide the hourly rate, unit rate and staff positions available. The rates for the additional work will not be used for evaluation of the services required in this RFP.

Additional Work	
Title:	Hourly Rate/Per Unit Rate
Add rows as necessary	

Signature: _____

Date: May 14, 2025

Name: Samantha Vincenty

Title: Regional General Manager

POSITION	HOURLY RATE
Section 1 - Hourly Rates	
Vice President	$ 325.00
Project Executive / Group Manager	$ 255.00
Sr Project Manager	$ 225.00
Construction Manager / Project Manager	$ 195.00
General Superintendent	$ 225.00
Sr. Superintendent	$ 195.00
Field Superintendent	$ 175.00
Sr. Scheduler	$ 195.00
Sr. Estimator	$ 195.00
Scheduler	$ 145.00
Estimator	$ 150.00
Safety Manager	$ 195.00
QA/QC Manager	$ 175.00
Foreman	$ 125.00
Project Administration	$ 95.00
Permit Expeditor	$ 105.00

Section 5 – Additional Information

Please find attached on the following pages the forms and certifications required by the solicitation.

- RFP Form A
- RFP Form B
- RFP Form D
- Conflict of Interest Disclosure
- Non-Collusion Affidavit
- Equal Employment Opportunity
- Drug-Free Workplace Certification

RFP FORM A

Proposer: Persons Services Corp.

QUALIFICATIONS STATEMENT

Note: Forms A, B & C are available in WORD format from the Contracts Manager upon request.

THIS FORM MUST BE SUBMITTED WITH PROPOSAL TO BE DEEMED RESPONSIVE.

1. State the full and correct name of the partnership, corporation or trade name under which you do business and the address of the place of business. (If a corporation, state the name of the president and secretary. If a partnership, state the names of all partners. If a trade name, state the names of the individuals who do business under the trade name.)

   1.1. The correct and full legal name of the Proposer is: Persons Services Corp.

   1.2. The business is a (Sole Proprietorship) (Partnership) (Corporation). : Corporation

   1.3. The names of the corporate officers, or partners, or individuals doing business under a trade name, are as follows: Paul F Persons
   Paul Stevens

2. Please describe your company in detail. see included proposal

3. The address of the principal place of business is: 4474 Halls Mill Rd, Mobile, AL 36693
   Local office: 1835 S. Perimeter Rd, suite 175, Fort Lauderdale, FL 33309

4. Company telephone number and e-mail addresses:
   Florida office: 954-616-5106 Email: bidsec@personsservices.com

5. Number of employees:
   277

6. Name of employees to be assigned to this Project:
   Jason Ottilige / Brian Cook

7. Company identification numbers for the Internal Revenue Service:

8. Provide Lee County business tax receipt number, if applicable, and expiration date:
   Receipt # 2204017, Expires: September 30, 2025

9. How many years has your organization been in business? Does your organization have a specialty? 47

10. List the last three projects of this nature that the firm has completed? Please provide project description, reference and contact information and cost of work completed. (see attached 01)

11. Have you ever failed to complete any work awarded to you? If so, where and why? None

12. Provide the following information concerning all contracts that are similar in nature or use the same project team proposed for this project that are **in progress** as of the date of submission of this Proposal for your company, division or unit as appropriate.

Name of Project	Contract with:	Contract Amount	Estimated Completion Date	% of Completion to Date
Included on page 12 of Proposal - Current Workload				

(Continue list as necessary)

13. Provide the following information for any sub-consultants you will engage if awarded the contract.

Subcontractor Name	Address	Work to be Performed
ICS Materials Inc	16301 Palm Beach Blvd Unit 3, Alva, FL 33920	SWPPP, Grading, Sitework

The foregoing list of subconsultants may not be amended after award of the contract without the prior written approval of the Town Manager, whose approval shall not be unreasonably withheld.

Attached 01

10. List the last three projects of this nature that the firm has completed. Please provide project description, reference and contact information and cost of work completed.

Project No. 1

Name:	Town Hall Phase II
Brief Description:	Demolition & Site Improvement Project
Owner:	Town of Jupiter, Florida
Contact:	Roger Held
Email:	rogerh@jupiter.fl.us
Phone:	561-741-2669
Contract Value:	$3,046,124.00

Project No. 2

Name:	Brazosport Water Authority Segment 3
Brief Description:	24,000 LF of 24" water transmission line including a 2,500 LF directional drill under the Brazos River
Owner:	BWA
Contact:	Wyatt Ringgold
Email:	wringgold@sbcglobal.net
Phone:	979-236-7351
Contract Value:	$4,900.000.00

Project No. 3

Name:	Splendora CBDG Sewer
Brief Description:	Force Main Utility expansion and Force Main for City of Splendora, TX
Owner:	City of Splendora
Contact:	Danna Welter
Email:	dannwelter@gmail.com
Phone:	281-689-3197
Contract Value:	$555.000.00

Project No. 4

Name:	Pink Shell Beach Resort & Marina
Brief Description:	Renovations of White Sand Villas and Captiva
Owner:	White Sand Villas Condominium Association
Contact:	Bill Waichulis
Email:	bwaichulis@boykin.com
Phone:	239-777-8705
Contract Value:	$3,500,000.00

FMB:201 RFP Form B

Proposer: Persons Services Corp.

REFERENCE FORM

Forms A, B & C are available in WORD format from the Contracts Manager upon request.

THIS FORM MUST BE SUBMITTED WITH PROPOSAL TO BE DEEMED RESPONSIVE.

Give names, addresses and telephone numbers of four individuals, corporations, agencies, or institutions for which you have performed work similar to what is proposed in this RFP:

1. Name of Contact: Roger Held
   Title of Contact: Email: rogerh@jupiter.fl.us
   Telephone Number: 561-741-2669 Fax
   Number: Project: Town Hall Phase II | Town of Jupiter, FL

2. Name of Contact: Wyatt Ringgold
   Title of Contact: Email: wringgold@sbcglobal.net
   Telephone Number: 979-236-7351 Fax
   Number: Project: Brazosport Water Authority Segment 3 | BWA, Lake Jackson, TX

3. Name of Contact: Danna Welter
   Title of Contact: City Secretary Email: dannwelter@gmail.com
   Telephone Number: 281-689-3197 Fax
   Number: Project: Splendora CBDG Sewer | City of Splendora, TX

4. Name of Contact: Bill Waichulis
   Title of Contact: Email: bwaichulis@boykin.com
   Telephone Number: 239-777-8705 Fax
   Number: Project: Pink Shell Beach Resort & Marina | Fort Myers, FL

FMB:204 RFP FORM D

Proposer: Persons Services Corp.

THIS FORM MUST BE SIGNED AND SUBMITTED WITH PROPOSAL TO BE DEEMED RESPONSIVE.

The undersigned guarantees the truth and accuracy of all statements, and the answers contained herein.

PROPOSER'S CERTIFICATION

I have carefully examined the Request for Proposal referenced above ("RFP") and any other documents accompanying or made a part of this RFP.

I hereby propose to furnish the goods or services specified in the RFP. I agree that my proposal will remain firm for a period of 120 days in order to allow the Town adequate time to evaluate the proposals.

I certify that all information contained in this proposal, which includes the TOWN required RFP forms A, B, C and D, is truthful to the best of my knowledge and belief. I further certify that I am duly authorized to submit this proposal on behalf of the firm as its act and deed and that the firm is ready, willing, and able to perform if awarded the contract.

The firm and/or Proposer hereby authorizes the Town of Fort Myers Beach, its staff, or consultants, to contact any of the references provided in the proposal and specifically authorizes such references to release, either orally or in writing, any appropriate data with respect to the firm offering this proposal.

I further certify, under oath, that this proposal is made without prior understanding, agreement, connection, discussion, or collusion with any other person, firm or corporation submitting a proposal for the same product or service; no officer, employee or agent of the Town or any other Proposer is interested in said proposal; and that the undersigned executed this Proposer's Certification with full knowledge and understanding of the matters therein contained and was duly authorized to do so.

If this proposal is selected, I understand that I will be expected to execute the Town's standard professional services agreement, in the form approved by the Town Attorney.

A person or affiliate who has been placed on the convicted vendor list following a conviction for public entity crimes may not submit a proposal on a contract to provide any goods or services to a public entity, may not submit a proposal on a contract with a public entity for the construction or repair of a public building or public work, may not submit proposals on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, sub-contractor, or consultant under a contract with a public entity, and may not transact business with any public entity in excess of the threshold amount provided in Sec. 287.017 Florida Statutes, for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list.

I further certify, under oath, that neither the entity submitting this sworn statement, not to my knowledge, any of its officers, directors, executives, partners, shareholder, employees, members, or agents active in the management of the entity has been convicted of a public entity crime subsequent to July 1, 1989.

Persons Services Corp.

(Name of Business)

Samantha Vincenty

(Signature)

Samantha Vincenty - Regional General Manager

(Print Name and Title)

1835 S. Perimeter Rd, suite 175

(Address)

Fort Lauderdale, FL 33309

[1]STATE OF FLORIDA)
COUNTY OF ~~LEE~~ BROWARD)

SWORN TO AND SUBSCRIBED BEFORE ME, on this 14 day of MAY, 2025, by means of (X) physical presence or ( ) online notarization, personally appeared SAMANTHA VINCENTY as REGIONAL MANAGER of the (Company Name) who is personally known to me or (X) who has produced PSC as identification.

Olga Lucia Cala

NOTARY PUBLIC – State of Florida

My commission expires:

Notary Public State of Florida
Olga Lucia Cala
My Commission HH 470406
Expires 12/5/2027

CONFLICT/NON-CONFLICT OF INTEREST STATEMENT

CHECK ONE

[X] To the best of our knowledge, the undersigned firm has no potential conflict of interest due to any other clients, contracts, or property interest for this project.

OR

[ ] The undersigned firm, by attachment to this form, submits information which may be a potential conflict of interest due to other clients, contracts, or property interest for this project.

Litigation Statement

CHECK ONE

[X] The undersigned firm has had no litigation and/or judgments entered against it by any local, state, or federal entity and has had no litigation and/or judgments entered against such entities during the past ten (10) years.

[ ] The undersigned firm, by attachment to this form, submits a summary and disposition of individual cases of litigation and/or judgments entered by or against any local, state or federal entity, by any state or federal court, during the past ten (10) years.

Failure to check the appropriate boxes above may result in disqualification of your proposal. Likewise, failure to provide documentation of a possible conflict of interest, or a summary of past litigation and/or judgments, may result in disqualification of your proposal.

Signed, as to both statements:

Persons Services Corp.

Company Name



Authorized Signature

Samantha Vincenty - Regional General Manager 05/16/2025

Name (Print or Type) Title

FORM 4 - NON-COLLUSION AFFIDAVIT

STATE OF FLORIDA
COUNTY OF BROWARD

I state that I Samantha Vincenty - Regional General Manager (Name and Title) of Persons Services Corp. (Name of Firm),
am authorized to make this affidavit on behalf of my firm and its owner, directors and officers. I am the person responsible in my firm for the price(s) and amount(s) of this Response, and the preparation of the Response. I state that:

1. The price(s) and amount(s) of this Response have been arrived at independently and without consultation, communication or agreement with any other Provider, potential provider, Proposal, or potential Proposal.

2. Neither the price(s) nor the amount(s) of this Response, and neither the approximate price(s) nor approximate amount(s) of this Response, have been disclosed to any other firm or person who is a Provider, potential Provider, Proposal, or potential Proposal, and they will not be disclosed before Proposal opening.

3. No attempt has been made or will be made to induce any firm or persons to refrain from submitting a Response for this contract, or to submit a price(s) higher that the prices in this Response, or to submit any intentionally high or noncompetitive price(s) or other form of complementary Response.

4. The Response of my firm is made in good faith and not pursuant to any agreement or discussion with, or inducement from, any firm or person to submit a complementary or other noncompetitive Response.

5. Persons Services Corp., its affiliates, subsidiaries, officers, director, and employees
(Name of Firm)
are not currently under investigation, by any governmental agency and have not in the last three years been convicted or found liable for any act prohibited by State or Federal law in any jurisdiction, involving conspiracy or collusion with respect to Proposal, on any public contract, except as follows:

I state that I and the named firm understand and acknowledge that the above representations are material and important, and will be relied on by the State of Florida for which this Response is submitted. I understand and my firm understands that any misstatement in this affidavit is, and shall be treated as, fraudulent concealment from the State of Florida of the true facts relating to the submission of responses for this contract.

Dated this 14 day of May 2025

Name of Organization: Persons Services Corp.

Signed by: Samantha Vincenty

Print Name Samantha Vincenty

being duly sworn deposes and says that the information herein is true and sufficiently complete so as not to be misleading.

Subscribed and sworn before me this 14 day of MAY 2025

Notary Public:

My Commission Expires: 12/5/2027

Notary Public State of Florida
Olga Lucia Cala
My Commission HH 470406
Expires 12/5/2027

EQUAL OPPORTUNITY STATEMENT

The Respondent (Bidder) shall complete the following statement by signing this form where indicated.

Failure to complete this form may be grounds for rejection of bid:

1. The awarded Contractor shall comply with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987 and the Florida Civil Rights Act of 1992, as amended) prohibiting employment discrimination and shall comply with the regulations and guidelines promulgated pursuant to this Act by the Secretary of the Interior and the Heritage Conservation and Recreation Service.

2. During the performance of this contract, the awarded Contractor, for itself, its assignees and successors in interest (hereinafter referred to as the “Contractor”) agrees as follows:

3. The Contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The Contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to the following: Employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided setting forth the provisions of this nondiscrimination clause.

4. The Contractor will, in all solicitations or advertisements for employees placed by or on behalf of the Contractor, state that all qualified applicants will receive considerations for employment without regard to race, color, religion, sex, or national origin.

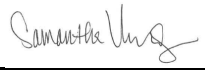
5. The Contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice to be provided advising the said labor union or workers' representatives of the Contractor's commitments under this section, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

6. The Contractor will comply with all provisions of Executive Order 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.

7. The Contractor will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the administering agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

8. In the event of the Contractor's noncompliance with the nondiscrimination clauses of this contract or with any of the said rules, regulations, or orders, this contract may be canceled, terminated, or suspended in whole or in part and the Contractor may be declared ineligible for further Government contracts or federally assisted construction contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, and such other sanctions as may be imposed and remedies invoked as provided in Executive Order 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

9. The Contractor will include the portion of the sentence immediately preceding paragraph (1) and the provisions of paragraphs (1) through (7) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to section 204 of Executive Order 11246 of September 24, 1965, so that such provisions will be binding upon each sub-Contractor or vendor. The Contractor will take such action with respect to any subcontract or purchase order as the administering agency may direct as a means of enforcing such provisions, including sanctions for noncompliance: Provided, however, That in the event a Contractor becomes involved in, or is threatened with, litigation with a sub-Contractor or vendor as a result of such direction by the administering agency the Contractor may request the United States to enter into such litigation to protect the interests of the United States.

Firm Name:	Persons Services Corp.
Name of Authorized Official:	Samantha Vincenty
Title of Authorized Official:	SEC Regional General Manager
Signature of Authorized Official:	
Date:	**May 14, 2025**

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

DRUG-FREE WORKPLACE PROGRAM CERTIFICATION

287.087 Preference to businesses with drug-free workplace programs. Whenever two or more bids, proposals, or replies that are equal with respect to price, quality, and service are received by the state or by any political subdivision for the procurement of commodities or contractual services, a bid, proposal, or reply received from a business that certifies that it has implemented a drug-free workplace program shall be given preference in the award process. In order to have a drug-free workplace program, a business shall:

(1) Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.

(2) Inform employees about the dangers of drug abuse in the workplace, the business' policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violations.

(3) Give each employee engaged in providing the commodities or contractual services that are under bid a copy of the statement specified in subsection (1).

(4) In the statement specified in subsection (1), notify the employees that, as a condition of working on the commodities or contractual services that are under bid, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or nolo contendere to, any violation of chapter 893 or of any controlled substance law of the United States or any state, for a violation occurring in the workplace no later than 5 days after such conviction.

(5) Impose a sanction on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program if such is available in the employee's community by, any employee who is so convicted.

(6) Make a good faith effort to continue to maintain a drug-free workplace through implementation of this section.

Does the individual responding to this solicitation certify that their firm has implemented a drug-free workplace program in accordance with the provision of Section 287.087, Florida Statutes, as stated above?

[✓] YES

[ ] NO

NAME OF BUSINESS: Persons Services Corp.

Section 6 – Addenda

TOWN of FORT MYERS BEACH BID NO. **RFP-25-03-EN**

ADDENDUM TO PROPOSAL

RFP-25-03-EN **Addendum No.: 1**

PROJECT NAME: FILL AND GRADING AT BAY OAKS RECREATIONAL CAMPUS

Date of Issue: April 30, 2025

CLARIFICATIONS TO THE REQUEST FOR PROPOSAL

- **RFP FORM C** has been replaced and is attached to this addendum- please include this form with your proposal submission
- **RFP FORM B** has been replaced and is attached to this addendum- please include this form with your proposal submission
- The scoring descriptions have been removed from the original RFP document

PROPOSAL SUBMISSION DEADLINE EXTENSION

Questions will be now accepted until 12:00PM EST on Friday, May 2, 2025. Proposals are now due no later than May 14, 2025, by 12:30PM EST. The bid opening will occur on the same day at 2:00PM EST.

Town of Fort Myers Beach
bids@fmbgov.com
239-765-0202

TOWN of FORT MYERS BEACH BID NO. **RFP-25-03-EN**

ADDENDUM TO PROPOSAL

RFP-25-03-EN **Addendum No.: 2**

PROJECT NAME: FILL AND GRADING AT BAY OAKS RECREATIONAL CAMPUS

Date of Issue: May 6, 2025

The following inquiries were received for the above referenced RFP:

Q. Are there any plans, existing surveys, available to see what the existing grades vs proposed grades. These are required to generate the fill calculations.
A. There currently are no Plans, but the fill needs to be 2 ½ to 3 feet from the grading level.

Q. Are CADD files available
A. There are no CADD files available.

Q. The RFP referenced plans and specifications
A. There are no Plans and/or Specifications

Q. Does the project have an estimated value, mobilization or completion date required?
A. There is no estimated value, but the project must be completed by July 1, 2025.

Town of Fort Myers Beach
bids@fmbgov.com
239-765-0202

TOWN of FORT MYERS BEACH BID NO. **RFP-25-03-EN**

ADDENDUM TO PROPOSAL

RFP-25-03-EN **Addendum No.: 3**

PROJECT NAME: FILL AND GRADING AT BAY OAKS RECREATIONAL CAMPUS

Date of Issue: May 13, 2025

SELECTION ADVISORY COMMITTEE DATE CHANGE

Proposals opening will occur Thursday, May 15, 2025, at 12:30PM EST.

Town of Fort Myers Beach
bids@fmbgov.com
239-765-0202