



Fort Myers Beach Town Council

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

Agenda

Monday, June 16, 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. LOCAL ACHIEVEMENTS AND RECOGNITIONS**
- VII. ADVISORY COMMITTEES ITEMS / REPORTS / APPOINTMENTS**
- VIII. APPROVAL OF MINUTES**

A. Town Council - May 28, 2025

B. Town Council - June 2, 2025

IX. CONSENT AGENDA

- A. Resolution 25-203, CDBG-DR Organizational Change Notification, DR10263
Parks Facility and Recreation Revitalization

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, APPROVING A FIRST AMENDMENT TO THE CDBG-DR SUBRECIPIENT GRANT AGREEMENT DR10263 BETWEEN THE TOWN AND THE LEE COUNTY BOARD OF COUNTY COMMISSIONERS TO CHANGE THE REFERENCED KEY PERSONNEL FOR THE PARKS FACILITY AND RECREATION REVITALIZATION PROJECT; AUTHORIZING THE EXECUTION OF THE FIRST AMENDMENT BY THE TOWN MANAGER; AND PROVIDING AN EFFECTIVE DATE.

- B. Resolution 25-204, CDBG-DR Organizational Change Notification, DR10262
North Island Water Tower

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, APPROVING A FIRST AMENDMENT TO THE CDBG-DR SUBRECIPIENT GRANT AGREEMENT DR10262 BETWEEN THE TOWN AND THE LEE COUNTY BOARD OF COUNTY

COMMISSIONERS TO CHANGE THE REFERENCED KEY PERSONNEL FOR THE NORTH ISLAND WATER TOWER PROJECT; AUTHORIZING THE EXECUTION OF THE FIRST AMENDMENT BY THE TOWN MANAGER; AND PROVIDING AN EFFECTIVE DATE.

- C. Resolution 25-205, CDBG-DR Organizational Change Notification, DR10157 Recovery and Resiliency Planning Project

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, APPROVING A FIRST AMENDMENT TO THE CDBG-DR SUBRECIPIENT GRANT AGREEMENT DR10157 BETWEEN THE TOWN AND THE LEE COUNTY BOARD OF COUNTY COMMISSIONERS TO CHANGE THE REFERENCED KEY PERSONNEL FOR THE RECOVERY AND RESILIENCY PLANNING PROJECT; AUTHORIZING THE EXECUTION OF THE FIRST AMENDMENT BY THE TOWN MANAGER; AND PROVIDING AN EFFECTIVE DATE.

X. ITEMS REMOVED FROM CONSENT AGENDA

XI. PUBLIC HEARINGS

- A. Ordinance 25-10; DCI20250035.1, 1051 Fifth Street, Lighthouse Resort CPD Expanded Boundary
This agenda item is a Second Reading and Public Hearing on proposed Ordinance 25-10.

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.

- B. Ordinance 25-11; DCI20250035.2, 1051 Fifth Street & 1060 Third Street (Lighthouse Island Resort)
This agenda item is a Second Reading and Public Hearing on proposed Ordinance 25-11 (Lighthouse).

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.

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

This quasi-judicial agenda item is a Second Reading and Public Hearing on proposed Ordinance 25-12 (Salty Crab Redevelopment).

ORDINANCE TITLE:

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 64 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 Blvd. (Estero Island Beach Club)

This quasi-judicial agenda item is a Second Reading and Public Hearing on proposed Ordinance 25-13 (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

GROUND FLOOR, 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 25-08, Noticing

This legislative agenda item is a 2nd First Reading and Public Hearing on proposed Ordinance 25-08.

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, DEVELOPMENTS OF REGIONAL IMPACT, SPECIAL EXCEPTIONS, ADMINISTRATIVE APPEALS, AND VARIANCES, INCLUSIVE OF VARIANCES OF SINGLE-FAMILY OR TWO FAMILY HOME VARIANCES TO REQUIRE THE APPLICANT TO PROVIDE PROOF OF MAILED AND POSTED PUBLIC NOTICING PRIOR TO LPALOCAL PLANNING AGENCY AND TOWN COUNCIL HEARINGS; AMENDING THE MANNER OF OBTAINING INFORMATION BY CONTACTING TOWN STAFF AND THE USE OF LAYMAN'S LANGUAGE IN REQUIRED NOTICES; PROVIDING FOR SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS; CONFLICTS OF LAW; AND PROVIDING AN EFFECTIVE DATE.

XII. ADMINISTRATIVE AGENDA

- A. Update on Impact Fees provided by Jason Green of Axis Infrastructure
Update on Impact Fees provided by Jason Green of Axis Infrastructure
- B. Resolution 25-200, 2026 F-ROC Participation
A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA AUTHORIZING THE TOWN MANAGER TO EXECUTE THE 2026 PARTICIPATION REQUEST AND RENEWAL FORM FOR THE FLORIDA RECOVERY OBLIGATION CALCULATION (F-ROC) PROGRAM; AUTHORIZING THE TOWN MANAGER OR THEIR DESIGNEE TO EXECUTE AND SUBMIT RELATED DOCUMENTS NEEDED TO IMPLEMENT AND ADMINISTER THE PROGRAM INCLUDING THE DISASTER READINESS ASSESSMENT, ANY POST DISASTER QUESTIONNAIRES, AND ABATEMENT ACTIVITIES; PROVIDING AN EFFECTIVE DATE.
- C. Resolution 25-206, 2nd Amendment to SPA-24-14-EN - Marine Debris - FMCR
A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA APPROVING A SECOND AMENDMENT TO THE EMERGENCY SERVICE PROVIDER AGREEMENT DATED

DECEMBER 2, 2024 WITH FLORIDA MARINE CONTRACTING & RECOVERY, LLC, WHICH WAS PREVIOUSLY RATIFIED BY THE TOWN COUNCIL ON JANUARY 8, 2025, TO FURTHER EXTEND THE TERM OF THE AGREEMENT RETROACTIVELY FROM APRIL 30, 2025 TO MAY 15, 2025 TO ALLOW FOR PAYMENT OF OUTSTANDING INVOICES FOR DEBRIS REMOVAL FROM WATERWAYS IN THE TOWN OF FORT MYERS BEACH CAUSED BY HURRICANES HELENE AND MILTON AND DISPOSAL AT AN AUTHORIZED WASTE MANAGEMENT SITE COMPLETED AFTER EXPIRATION OF THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

- D. Resolution 25-209, Award ITB-25-02-EN Estero Island Dune Planting Project

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA TO AWARD ITB-25-02-EN TO EARTHBALANCE CORPORATION AS THE ONLY RESPONSIVE AND RESPONSIBLE BIDDER, TO COMPLETE THE ESTERO ISLAND DUNE PLANTING PROJECT; AUTHORIZING THE TOWN MANAGER TO EXECUTE AN AGREEMENT BETWEEN THE TOWN OF FORT MYERS BEACH AND THE EARTHBALANCE CORPORATION IN THE AMOUNT OF \$509,859.50 OF WHICH THE TOWN SHALL EXPEND BUDGETED FUNDS IN THE AMOUNT OF \$76,988.78 AS ITS PORTION OF THE TOTAL COST WITH THE REMAINDER TO BE PAID BY A GRANT; PROVIDING FOR SCRIVENER'S ERRORS, SEVERABILITY, AND AN EFFECTIVE DATE.

- E. 406 Madison Ct, Kevin and Catherine Turner Quick Claim

Approve and authorize the Mayor to sign a Quit Claim Deed to Kevin D. and Mary Catherine Turner conveying any interest the Town may or may not have, in property located adjacent to the Turners' property to allow the Turners to complete immediate repairs to a seawall, which is placing their pool at risk of damage.

- F. Resolution 25-201, Purchase of Moss Marina Station Replacement Pumps

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, APPROVING AND AUTHORIZING THE TOWN MANAGER TO EXECUTE THE PURCHASE OF REPLACEMENT PUMPS FOR THE MOSS MARINA PUMP STATION IN A NOT-TO-EXCEED AMOUNT OF \$160,300.00; AND PROVIDING FOR AN EFFECTIVE DATE.

- G. Resolution 25-202, Purchase of AMI External Antenna System

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, AUTHORIZING THE TOWN MANAGER TO PURCHASE A NEPTUNE ADVANCED METERING INFRASTRUCTURE SYSTEM FROM FERGUSON WATERWORKS, INC., WHO IS A SOLE SOURCE PROVIDER OF THE SYSTEM IN THE STATE OF FLORIDA AS AUTHORIZED IN SECTION 2-480(C) OF THE CODE OF ORDINANCES IN A NOT-TO-EXCEED AMOUNT OF \$480,560.00; AND PROVIDING FOR AN EFFECTIVE DATE.

H. Resolution 25-207, Earthview Third Amendment

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, APPROVING A THIRD AMENDMENT TO THE AGREEMENT BETWEEN THE TOWN AND EARTHVIEW, LLC FOR STORMWATER MAINTENANCE AND REPAIRS TO INCREASE THE AMOUNT FOR THE PERFORMANCE OF GROUND PENETRATING RADAR SERVICES IN AN AMOUNT NOT-TO-EXCEED \$65,000.00; AMENDING CONTRACT TERMS TO INCLUDE A PROVISION CONCERNING FORCE MAJEURE AND COERCION; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE THIRD AMENDMENT AND PROVIDING AN EFFECTIVE DATE.

I. Resolution 25-91, Authorize Purchase of Boat from Scully Aluminum Boats, LLC

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, APPROVING THE PURCHASE OF AN ALUMINUM BOAT FROM SCULLY'S ALUMINUM BOATS, INC AND AUTHORIZING THE TOWN MANAGER TO EXECUTE A PURCHASE ORDER FOR THIS BOAT FOR A NOT-TO-EXCEED AMOUNT OF \$120,778.00; AND PROVIDING FOR AN EFFECTIVE DATE.

J. Resolution 25-208, Award ITB-25-04-PR Bay Oaks Recreational Campus Redevelopment Project

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA AWARDDING ITB-25-04-PR TO PERSONS SERVICE CORP AS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER; APPROVING AN AGREEMENT BETWEEN THE TOWN AND PERSONS SERVICE CORP TO INSTALL FIELD TURF (GRASS), PICKLEBALL COURTS AND WALKING PATH TO FINISH THE BAY OAKS RECREATIONAL CAMPUS REDEVELOPMENT PROJECT IN A NOT-TO-EXCEED AMOUNT OF \$450,615.00; AUTHORIZING THE EXECUTION OF THE AGREEMENT BY THE TOWN MANAGER; AND PROVIDING AN EFFECTIVE DATE.

XIII. FINAL PUBLIC COMMENT

XIV. TOWN MANAGER'S ITEMS

XV. TOWN ATTORNEY'S ITEMS

A. Resolution 25-211, Recall Defense Fees

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, MAKING FINDINGS; APPROVING THE PAYMENT OF REASONABLE ATTORNEY FEES FOR THE DEFENSE OF RECALL PETITIONS AGAINST TWO TOWN COUNCIL MEMBERS; AND PROVIDING FOR AN EFFECTIVE DATE.

XVI. COUNCILMEMBERS ITEMS AND REPORTS

XVII. 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.