



Fort Myers Beach Town Council

**Town Hall Council Chambers
6231 Estero Boulevard
Fort Myers Beach, FL 33931**

Agenda

**Thursday, September 11, 2025
ORDER OF BUSINESS**

9:00 AM

I. CALL TO ORDER

II. INVOCATION

III. PLEDGE OF ALLEGIANCE

IV. APPROVAL OF FINAL AGENDA

V. PUBLIC COMMENT

VI. LOCAL ACHIEVEMENTS AND RECOGNITIONS

VII. PRESENTATIONS

A. Project Update

David Farmer of Metro Forecasting Models (MFM) will present a brief summary of his work to date with a longer presentation to be given at the October Management and Planning meeting on October 15, 2025.

VIII. ADVISORY COMMITTEES ITEMS / REPORTS / APPOINTMENTS

A. Anchorage Advisory Committee (AAC)

IX. APPROVAL OF MINUTES

A. Town Council - August 4, 2025

B. Town Council - August 18, 2025

C. Management & Planning Session - August 7, 2025

X. CONSENT AGENDA

A. Resolutions 25-252 through 25-255; 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.

- B. Resolutions 25-258 through 25-261; 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.

- C. Resolutions 25-265 through 25-268; 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 25-15, RPD20250181, 138/140 Delmar Ave.

This quasi-judicial agenda item is a First Reading and Public Hearing on proposed Ordinance 25-15. If approved at First Reading, a Second Reading and final adoption hearing will be scheduled for October 6, 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/APPROVING WITH CONDITIONS/DENYING AN APPLICATION TO REZONE PROPERTY LOCATED AT 138/140 DELMAR AVE, GENERALLY IDENTIFIED AS STRAP NUMBER 19-46-24-W3-0100B.0150 FORT MYERS BEACH FROM RESIDENTIAL CONSERVATION TO RESIDENTIAL PLANNED DEVELOPMENT TO ALLOW CONSTRUCTION OF A TWO-STORY DUPLEX ABOVE FLOOD ELEVATION AND A DEVIATION FROM SECTION 34-638(D)(2) OF THE LAND DEVELOPMENT CODE TO ALLOW A PORCH AND STOOP TO ENCROACH 15-FEET INTO THE 25 FOOT STREET SETBACK WHERE A MAXIMUM ENCROACHMENT OF 10 FEET IS PERMITTED FOR ACCESSORY USES; PROVIDING FOR CLARIFICATION AS NECESSARY; PROVIDING FOR CONFLICTS OF LAW, SCRIVENER'S ERRORS, SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

B. SEZ20250149, 4750 Estero Blvd

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA APPROVING/ APPROVING WITH CONDITIONS/DENYING SPECIAL EXCEPTION SEZ20250149 TO ALLOW LIKE-FOR-LIKE REPLACEMENT OF TWO TIKI HUTS, DECKING, FENCE, GRAVEL DRIVEWAY AND LANDSCAPING IN THE EC ZONING DISTRICT SEAWARD OF 1978 CCCL, FOR THE PROPERTY LOCATED AT 4750 ESTERO BOULEVARD, FORT MYERS BEACH, FLORIDA; PROVIDING FOR SCRIVENER'S ERRORS, SEVERABILITY, AND AN EFFECTIVE DATE.

XIII. ADMINISTRATIVE AGENDA

A. Resolution 25-273, Health Insurance Renewal

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, APPROVING THE SELECTION OF CIGNA FOR MEDICAL INSURANCE COVERAGE AND THE STANDARD FOR SUPPLEMENTAL INSURANCE COVERAGE FOR THE FISCAL YEAR 2025–2026; AND PROVIDING FOR AN EFFECTIVE DATE.

B. Resolution 25-247; CDBG-DR Organizational Change DR10262 North Island Water Tower

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, APPROVING A SECOND 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 AND CHANGE THE ADDRESS TO THE NEW TOWN HALL; AUTHORIZING THE EXECUTION OF THE SECOND AMENDMENT BY THE TOWN MANAGER; AND PROVIDING AN EFFECTIVE DATE.

C. Resolution 25-248; CDBG-DR Organizational Change Notification DR10263 Parks and Recreational Revitalization Program.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, APPROVING A SECOND 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 AND TO CHANGE THE TOWN HALL ADDRESS TO 6231 ESTERO BLVD., FORT MYERS BEACH IN THE AGREEMENT; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE SECOND AMENDMENT; AND PROVIDING AN EFFECTIVE DATE.

- D. Resolution 25-249; CDBG-DR Organizational Change Notification DR10157 Recovery and Resiliency Planning Program

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

- E. Resolution 25-256; Amendment #1 Andrew Site Works for Additional Fire Hydrants

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, AMENDING THE CONTRACT APPROVED AUGUST 4, 2025 WITH ANDREW SITEWORK FOR THE PURCHASE AND REPLACEMENT OF 18 ADDITIONAL NON-OPERABLE FIRE HYDRANTS LOCATED THROUGHOUT THE TOWN FOR AN ADDITIONAL COST NOT TO EXCEED \$145,256 FOR A TOTAL NOT TO EXCEED CONTRACT AMOUNT OF \$435,768; PROVIDING FOR SEVERABILITY AND FOR AN EFFECTIVE DATE.

- F. Resolution 25-270; Ground Penetrating Radar Services

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, APPROVING A THIRD AMENDMENT TO THE AGREEMENT BETWEEN THE TOWN OF FORT MYERS BEACH AND EARTHVIEW, LLC FOR STORMWATER MAINTENANCE AND REPAIRS TO: 1) INCREASE FUNDS AVAILABLE FOR ADDITIONAL GROUND PENETRATING RADAR SERVICES IN AN AMOUNT NOT-TO-EXCEED \$130,000.00 AND 2) INCLUDE ADDITIONAL STANDARD CONTRACT TERMS AND CONDITIONS; AUTHORIZING THE EXECUTION OF THE THIRD AMENDMENT BY THE TOWN MANAGER; AND PROVIDING AN EFFECTIVE DATE.

- G. Resolution 25-269, Palermo Circle Stormwater Piping

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, UNDER THE EMERGENCY PROCUREMENT POLICY TO APPROVE A PROPSAL FROM ANDREW SITEWORK LLC WITH THE TOWN'S CONTRACT ADDENDUM FOR THE INSTALLATION OF STORMWATER PIPING ON PALERMO CIRCLE FOR A NOT TO EXCEED PRICE OF \$36,171.60 TO ALLEVIATE THE FLOODING ON ESTERO BLVD BY DIVERTING ESTERO STORMWATER TO THE OUTFALL ON SANTOS BLVD VIA PALERMO CIRCLE; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE EMERGENCY PURCHASE; AND PROVIDING FOR AN EFFECTIVE DATE.

H. Resolution 25-272; Axis Infrastructure, Inc. STA #17

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA APPROVING SUPPLEMENTAL TASK AUTHORIZATION (STA) #17 WITH AXIS INFRASTRUCTURE, INC. IN AN AMOUNT NOT TO EXCEED \$195,000, RETROACTIVE TO MAY 1, 2025, FOR A CUMULATIVE TOTAL OF PAYMENT FOR SERVICES UNDER RFQ 20-22-AD TO CLOSE OUT THE FY2025 FOR THE CONTINUATION OF PLANNING SERVICES ; AUTHORIZING THE TOWN MANAGER TO SIGN STA #17 AND PROVIDING FOR AN EFFECTIVE DATE.

I. Bid Protest, ITB-25-05-PW, Water Meter Replacement

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA APPROVING/DENYING THE BID PROTEST FOR THE WATER METER REPLACEMENT PROJECT, ITB-25-05-PW RECEIVED FROM UTILITIES ONE PURSUANT TO SECTION 2-486(a) OF THE TOWN OF FORT MYERS BEACH CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

J. Resolution 25-245; DeBiasi Utility Easement

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, ACCEPTING A UTILITY EASEMENT FROM THE LEO J. DIBIASI AND VALERI J. DIBIASI REVOCABLE LIVING TRUST DATED AUGUST 20, 2014 ("THE TRUST") AND DIRECTING THE FINANCE DIRECTOR TO MAKE A PAYMENT OF \$85,000 UPON RECORDING OF THE UTILITY EASEMENT AS AGREED TO BY THE TOWN IN A SETTLEMENT AGREEMENT DATED APRIL 7, 2025; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

XIV. FINAL PUBLIC COMMENT**XV. TOWN MANAGER'S ITEMS****XVI. TOWN ATTORNEY'S ITEMS**

A. Executive Session

B. Any action to be taken from the Litigation Executive Session

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.