



Fort Myers Beach Advisory Committee

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

Minutes

**Tuesday, October 7, 2025
ORDER OF BUSINESS**

2:00 PM

FINAL

I. CALL TO ORDER

Town Attorney Nancy Stuparich called the meeting to order at 2:00 p.m.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Members present: Anita Cereceda, Jim Dunlap, Beverly Milligan, Ed Schoonover, Bryan Thomas (virtually) and Henry Zuba.

Not present: Michele Cherney

Staff: Town Clerk Amy Baker and Town Attorney Nancy Stuparich.

Mr. Dunlap moved to allow Mr. Thomas to participate virtually, seconded by Mr. Schoonover.

The motion carried unanimously.

IV. PUBLIC COMMENT

No public comment.

V. FORT MYERS BEACH CHARTER REVIEW COMMISSION

A. Section 13.03. Charter Review

Section 13.03 of the Fort Myers Beach Town Charter entitled "Charter Review" provides:

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.

Town Attorney Stuparich reviewed the section.

VI. ORGANIZATION OF CHARTER REVIEW COMMISSION

A. Selection of Chair

Mr. Schoonover nominated Jim Dunlap as Chair, seconded by Ms. Milligan. The motion carried unanimously.

B. Selection of Vice Chair

Mr. Schoonover nominated Brian Thomas as Vice Chair, seconded by Chair Dunlap. The motion carried unanimously.

C. Approval of Meeting Dates

Approve the proposed meeting schedule for the Town of Fort Myers Beach Charter Review Commission

Chair Dunlap moved to publish the list of anticipated meeting dates provided, seconded by Mr. Schoonover.

The motion carried unanimously by roll call vote.

Town Attorney Stuparich noted that the committee's work had to be completed by April 6, 2026, due to the deadline to place items on the ballot. Town Clerk Baker explained the process. Ms. Cereceda described her experience on the last charter review committee. The biggest changes were shifting the election cycles and compensating town council members. Mr. Zuba added that another change was longer-term financing for debt, which had a significant impact on interest rates.

A description of the Charter Review Committee's scope and responsibilities will be published on the town's website.

D. Absences / Remote participation

Mr. Zuba moved to approve members participating virtually or by phone, seconded by Mr. Schoonover.

The motion carried unanimously by roll call vote.

Three members must be physically present for a quorum.

E. Roll of Alternates

Mr. Zuba suggested that if a member is absent, an alternate could be activated and vote as a full member during that meeting. All members agreed. If a member is absent and two alternates are present, they would alternate participation. Alternates should attend the meetings. Ms. Cereceda asked if she was the alternate for Ms. Milligan, would she be expected to vote as she thought Ms. Milligan would vote. Chair Dunlap replied that Ms. Cereceda would be expected to vote as she wanted.

Chair Dunlap moved that the alternates attend meetings in person whenever possible and fill in for the third person when there is no physical quorum.

They will fully participate and vote in lieu of that person and when two alternates are present, their participation would alternate based on who filled in at the previous meeting, seconded by Mr. Schoonover.

Consensus was reached that the alternates would be permitted to participate in all meetings but would not be permitted to vote.

The motion carried unanimously by roll call vote.

Town Attorney Stuparich asked whether the town council had to authorize the role of alternates since the charter did not address them. Chair Dunlap asked Liaison Safford to carry that message forward and get it codified as soon as possible. Liaison Safford replied positively.

Chair Dunlap asked whether they would have any restrictions regarding SB180. Town Attorney Stuparich replied that it referred only to land-use regulations. Chair Dunlap asked whether they had a budget for a survey commission to create a survey to include people who cannot participate in another venue. Mr. Zuba disagreed with outside consultation. Mr.

Schoonover would like the survey to focus only on residents. Ms. Milligan agreed with restricting respondents. Ms. Cereceda liked the idea of reaching out to residents. Town Clerk Baker suggested creating an email for CRC comments on the Charter Review Page. Members agreed. Chair Dunlap will contact his individual for more details. Liaison Safford will discuss the topic with Finance Director Onzick to determine whether funds are available.

Chair Dunlap discussed establishing a portal with Florida Gulf Coast University students and having an official relationship with them. Town Attorney Stuparich described the Florida League of Cities youth council of high school students with a formalized program. Mr. Zuba raised the cost and asked whether the staff had received recommendations from the League or the county LPA. Mr. Schoonover was in favor and asked that Chair Dunlap bring back more information. Vice Chair Thomas agreed and was initially in favor. Chair Dunlap will bring more information back.

Vice Chair Thomas asked whether the agenda attachments included the work from the 2016 charter review and, if not, whether it was possible to obtain it. Mr. Zuba replied that it did not represent all the recommendations. Town Clerk Baker replied that the minutes were available, but no videos were. She would distribute whatever she could find.

VII. OVERVIEW OF SUNSHINE LAW AND PUBLIC RECORDS

Ms. Cereceda noted that there was a Sunshine Law meeting for all committees on October 22, 2025, from 10:00 to 12:00 at the town hall. Town Attorney Stuparich provided an abbreviated review of the requirements of the Sunshine Law, ex parte communications and public records. Town Clerk Baker described the process for public records requests.

VIII. NEW BUSINESS - DISCUSSION OF CHARTER ARTICLES

Chair Dunlap asked how the agenda was created to make sure input from all members was included. Town Attorney Stuparich replied that it was up to their discretion.

Chair Dunlap supported having time limits on the agendas and asked how the agendas were created. Town Clerk Baker replied that all agendas had to be submitted two weeks prior to the meeting. Town Attorney Stuparich suggested allocating time at the end of their meetings to discuss topics for the next agenda. Mr. Zuba suggested adding member items at the end of the agenda rather than sending emails to the town clerk.

Ms. Milligan would like to define some terms as they go through the sections. Town Attorney Stuparich confirmed that Articles 1-3 will be covered at the next meeting. She described the contents of the packet they received earlier and reviewed relevant state statutes to explain why some articles were in the charter.

A. 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.

B. 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.

C. 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.

IX. NEXT MEETING DATE

A. Tuesday, November 4, 2025 2:00 p.m.

Mr. Schoonover indicated that he would have to participate remotely. Town Clerk Baker summarized the topics of the next agenda.

X. ADJOURNMENT

Mr. Zuba moved to adjourn, seconded by Mr. Schoonover. The motion carried unanimously.

Minutes adopted as presented November 4, 2025. Motion by Member Zuba and seconded by Member Thomas. Passed 5-0.



Amy Baker, Town Clerk