



## **Fort Myers Beach Town Council**

**Town Hall Council Chambers  
6231 Estero Blvd.  
Fort Myers Beach, FL 33931  
Monday, December 15, 2025**

**Agenda**

**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**
  - A. 2024 Mayor John Mullholland Stewardship Award Recipient: Tunaskin Aquatic Apparel, CO.
  - B. 2025 Mayor John Mullholland Stewardship Award Recipient: Mary Rose Spalletta
- VII. ADVISORY COMMITTEES ITEMS / REPORTS / APPOINTMENTS**
- VIII. APPROVAL OF MINUTES**
  - A. Town Council - December 1, 2025
- IX. CONSENT AGENDA**
- X. ITEMS REMOVED FROM CONSENT AGENDA**
- XI. PUBLIC HEARINGS**
  - A. Resolution 25-333, VAR20250261 for Beach Access #41  
**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH APPROVING/ APPROVING WITH CONDITIONS/ DENYING VARIANCE 20250261, REQUESTING A VARIANCE FROM LDC SECTION 34-652(F)(2) C., TO ALLOW AN 8-FOOT-WIDE DUNE WALKOVER WHERE A MAXIMUM 6-FOOT-WIDE DUNE WALKOVER IS PERMITTED FOR USES OTHER THAN SINGLE FAMILY RESIDENTIAL IN THE ENVIRONMENTALLY CRITICAL ZONING DISTRICT, FOR THE PUBLIC ACCESS EASEMENT (BEACH ACCESS #41) RECORDED FOR THE REAL PROPERTY LOCATED AT 252 ESTERO BOULEVARD; AND PROVIDING FOR OTHER CLARIFICATIONS AS NECESSARY;**

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

- B. Ordinance 25-21, CPA20250188, 1668 I Street, Additional Signage (Beach Bar)

This quasi-judicial agenda item is a Second Reading and Public Hearing on proposed Ordinance 25-21.

**AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA, APPROVING/APPROVING WITH CONDITIONS/ DENYING AN AMENDMENT TO THE COMMERCIAL PLANNED DEVELOPMENT (CPD) APPROVED BY ORDINANCE 24-18 FOR THE PROPERTY LOCATED AT 1668 I STREET, FORT MYERS BEACH, GENERALLY IDENTIFIED AS STRAP NUMBER 19-46-24-W4-0070B.0110 IN FORT MYERS BEACH; PROVIDING FOR AMENDMENT TO THE DEVIATIONS TO INCLUDE A DEVIATION TO ALLOW THREE SIGNS OF TOTAL 108 SQUARE FEET WHERE A MAXIMUM ONE SIGN OF 32 SQUARE FEET IS PERMITTED; PROVIDING FOR CONFLICT OF LAW, SCRIVENER'S ERRORS AND PROVIDING FOR AN EFFECTIVE DATE.**

- C. Ordinance 25-22; CPD20250201, Cottages at Myerside

This quasi-judicial agenda item is a Second Reading and Public Hearing on proposed Ordinance 25-22.

**AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA, APPROVING/APPROVING WITH CONDITIONS/ DENYING AN AMENDMENT TO THE COMMERCIAL PLANNED DEVELOPMENT (CPD) APPROVED BY ORDINANCE 24-15 FOR THE PROPERTY LOCATED AT 125, 131-151 SCHOOL STREET AND 2661-2681 ESTERO BLVD., FORT MYERS BEACH, GENERALLY IDENTIFIED AS STRAP NUMBERS 19-46-24-W3-0020C.0230; 19-46-24-W3-0020C.0270; 19-46-24-W3-0020C.0290 IN FORT MYERS BEACH; PROVIDING FOR REVISIONS TO THE SCHEDULE OF PERMITTED USES TO INCLUDE OUTDOOR CONSUMPTION OF ALCOHOLIC BEVERAGES ON THE PROPERTY AS A USE ASSOCIATED WITH THE APPROVED HOTEL AND RESTAURANT USES; PROVIDING FOR CONFLICT OF LAW, SCRIVENER'S ERRORS AND PROVIDING FOR AN EFFECTIVE DATE.**

- D. Ordinance 25-19; DA50250186, 50 Old San Carlos

This quasi-judicial agenda item is a Second and the Adoption Reading Public Hearing on proposed Ordinance 25-19.

**AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA APPROVING OR DENYING A HOME RULE DEVELOPMENT AGREEMENT FOR PROPERTY LOCATED AT 50 OLD SAN CARLOS BOULEVARD, FORT MYERS BEACH, FL, STRAP NOS. 24-46-23-W3-00208.002A OWNED BY CARLOS L. CHAVEZ AS TRUSTEE FOR THE CARLOS L. CHAVEZ TRUST, 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 24-247 FOR THE PURPOSE OF REDEVELOPMENT OF THE PROPERTY TO ALLOW A MIXED USE DEVELOPMENT WITH COMMERCIAL AT THE OPEN GROUND LEVEL AND SINGLE FAMILY RESIDENTIAL ABOVE.; 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.

## **XII. ADMINISTRATIVE AGENDA**

- A. Resolution 25-331; RFP-26-01-PW, Fort Myers Beach Landscaping and Irrigation

*Continued from December 1, 2025*

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, AWARDING RFP-26-01-PW TO TIDEWATER LANDSCAPE, AS THE MOST RESPONSIVE AND RESPONSIBLE BIDDER TO COMPLETE LANDSCAPING AND IRRIGATION REPAIRS TO RESIDENTIAL AND/OR COMMUNITY YARDS DAMAGED BY UTILITY WORK AS RECOMMENDED BY THE SELECTION ADVISORY COMMITTEE; AUTHORIZING THE TOWN MANAGER TO NEGOTIATE AND PREPARE AN AGREEMENT FOR THE RECOMMENDED SERVICES SUBJECT TO LEGAL REVIEW; AUTHORIZING THE TOWN MANAGER TO SIGN THE AGREEMENT; PROVIDING FOR SCRIVENER'S ERRORS, SEVERABILITY, AND AN EFFECTIVE DATE

- B. Resolution 25-354, Change Order #2 to ITB-25-02-EN, EarthBalance Dune Planting

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA APPROVING AND AUTHORIZING THE TOWN MANAGER TO EXECUTE CHANGE ORDER #2 TO CONTRACT ITB-25-02-EN BETWEEN THE TOWN OF FORT MYERS BEACH AND EARTHBALANCE CORPORATION TO ADD 120 DAYS TO THE DEADLINE FOR COMPLETION OF THE CONTRACT AND TO ALLOW AN INCREASE OF \$500,000 TO THE TOTAL AMOUNT OF THE CONTRACT, WHICH WILL NOW AUTHORIZE A CONTRACT PRICE NOT EXCEED \$1,105,579.50 AND WILL ALLOW FOR COMPLETION OF THE DUNE PLANTING PROJECT; AND PROVIDING FOR AN EFFECTIVE DATE.

- C. Resolution 25-336; STA#2, Coastal Engineering Consultants, Beach Access Survey Dune Vegetation Planting  
**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA AUTHORIZING THE TOWN MANAGER TO EXECUTE SUPPLEMENTAL TASK AUTHORIZATION #2 OF CONTRACT RFQ-24-06-AD BETWEEN THE TOWN AND COASTAL ENGINEERING CONSULTANTS, INC. FOR SURVEY SERVICES FOR DUNE VEGETATION PLANTING PURPOSES IN THE TOWN'S BEACH ACCESS RIGHT OF WAY FOR A COST OF \$69,900; AND PROVIDING FOR AN EFFECTIVE DATE.**
- D. FMB Lions Club Shrimp Festival  
**Approval for FMB Lions Club Shrimp Festival**
- E. Buffalo Grill Live Music  
**Approval for Buffalo Grill to have Live Music**
- F. 3rd Annual New Year Eve 5K run  
**Approval of 3rd Annual New Year Eve 5K run**

**XIII. FINAL PUBLIC COMMENT**

**XIV. TOWN MANAGER'S ITEMS**

**XV. TOWN ATTORNEY'S ITEMS**

**XVI. COUNCILMEMBERS ITEMS AND REPORTS**

**XVII. ADJOURNMENT**

**NOTE: THIS MEETING IS 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.