



## Fort Myers Beach Town Council

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

**AMENDED** Agenda

Monday, March 2, 2026

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. Management & Planning Session - February 5, 2026
  - B. Town Council - February 17, 2026
- IX. CONSENT AGENDA
  - A. Resolutions 26-041 through 26-045 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 26-046 through 26-050 Extension of Local Emergency - Tropical Storm 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 26-051 through 26-055 Extension of Local Emergency - Tropical Storm 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.

X. ITEMS REMOVED FROM CONSENT AGENDA

XI. PUBLIC HEARINGS

- A. Ordinance 26-06; Purchasing

**UPDATED  
DOCUMENTS**

*This legislative agenda item is a First Reading and Public Hearing on proposed Ordinance 26-06. If approved at First Reading, a Second Reading and final adoption hearing will be scheduled for March 16, 2026 at 9:00 AM or at another time identified by Town Council.*

AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA, AMENDING DIVISION 1 PURCHASING OF GOODS AND SERVICES POLICIES AND PROCEDURES OF ARTICLE V FINANCE OF THE TOWN OF FORT MYERS BEACH CODE OF ORDINANCES TO 1) CLARIFY AND STREAMLINE EXISTING REGULATIONS AND PROCEDURES; 2) INCORPORATE BY REFERENCE STATUTORY MANDATORY TERMS AND CONDITIONS AND STATE AND FEDERAL GRANT REQUIREMENTS; AND 3) IMPLEMENT RECOMMENDATIONS PROVIDED TO THE TOWN BASED ON THE DISASTER READINESS ASSESSMENT PREPARED BY THE FLORIDA DIVISION OF EMERGENCY MANAGEMENT; PROVIDING FOR CONFLICT OF LAW, SCRIVENER'S ERRORS AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

- B. Ordinance 26-07; Smoking & Vaping

**RESCHEDULED TO M&P ON 3/5/2026**

*This legislative agenda item is a First Reading and Public Hearing on proposed Ordinance 26-07. If approved at First Reading, a Second Reading and final adoption hearing will be scheduled for April 6, 2026 at 9:00 AM or at another time identified by Town Council.*

**AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA AMENDING SECTION 18-30 OF THE CODE OF ORDINANCES OF THE TOWN OF FORT MYERS BEACH, FLORIDA TO PROHIBIT SMOKING AND VAPING IN THE TOWN'S PUBLIC PARKS, AND IN COUNTY PARKS AND BEACHES LOCATED IN THE TERRITORIAL BOUNDARIES OF THE TOWN; DEFINING THE TERMS "SMOKE" AND "VAPE;" EXCLUDING FROM REGULATION UNFILTERED CIGARS; AND PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.**

## **XII. ADMINISTRATIVE AGENDA**

- A. Special Event: 30th Anniversary Celebration  
**APPROVAL TO PROHIBIT PARKING ALONG OLD SAN CARLOS BOULEVARD FROM 12:00AM TO 5:00PM ON FRIDAY, MARCH 6, 2026, CLOSURE OF OLD SAN CARLOS BOULEVARD FROM 10:00AM TO 5:00PM FRIDAY, MARCH 6, 2026, AND THE TOWN'S SPECIAL EVENT PERMIT TO CELEBRATE THE TOWN'S 30TH ANNIVERSARY.**
- B. Resolution 26-059, 2027 Federal Appropriation Request Support  
**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, ENCOURAGING AND PROVIDING COMMUNITY SUPPORT FOR THE TOWN OF FORT MYERS BEACH COMMUNITY PROJECT FUNDING REQUESTS FOR FISCAL YEAR 2027 AND AUTHORIZE THE TOWN MANAGER TO DETERMINE FINAL APPROPRIATION REQUESTS AND SUBMIT IN COORDINATION WITH AND THROUGH THE TOWN'S FEDERAL LOBBYIST; AND PROVIDING FOR AN EFFECTIVE DATE.**
- C. Ahtna Liquidated Damages Waiver Request  
**Provide direction to Staff to grant or deny relief from Liquidated and Actual Damages to Ahtna Marine & Construction Company for the Town's Beach Renourishment and Hurricane Recovery Project.**
- D. Resolution 26-037, Newton Beach Park Ranking and Authorization to Negotiate  
**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, ACCEPTING/REJECTING OR MODIFYING THE RANKING AND DETERMINING JR EVANS ENGINEERING, P.A. AS THE MOST RESPONSIVE AND QUALIFIED FIRM AS RECOMMENDED BY THE TOWN MANAGER AND THE SELECTION ADVISORY COMMITTEE BASED ON THE RESPONSES RECEIVED TO RFQ-25-17-AD FOR THE FORT MYERS BEACH ENGINEERING & ARCHITECTURAL SERVICES NEWTON PARK BEACH FACILITY RECONSTRUCTION PROJECT; AUTHORIZE THE TOWN MANAGER OR DESIGNEE TO NEGOTIATE WITH THE QUALIFIED FIRM; AND PROVIDING FOR AN EFFECTIVE DATE.**
- E. Resolution 26-056; 2525 Estero Parking Lot

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, RATIFYING AND APPROVING THE TOWN MANAGER’S EMERGENCY CONTRACT WITH ICS MATERIALS, INC. RETROACTIVE TO DECEMBER 1, 2025 TO COMPLETE CONSTRUCTION OF A PARKING AREA WITH A PERMITER RETAINING WALL AT 2525 ESTERO BOULEVARD IN THE AMOUNT OF \$138,053.13; PROVIDING FOR CONFLICT, SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.**

F. Resolution 26-019; Purchase of Stormwater Video System Van  
**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, APPROVING THE PURCHASE OF AN VOYAGER STORMWATER VIDEO SYSTEM VAN FROM ARIES INDUSTRIES, INC. IN THE AMOUNT OF \$288,137.00, PROCURED THROUGH SOURCEWELL CONTRACT #120721, FOR USE IN THE TOWN’S STORMWATER SYSTEM MAINTENANCE PROGRAM; AUTHORIZING THE TOWN MANAGER TO SIGN THE PURCHASE ORDER WITH ATTACHED ADDENDUM; AND PROVIDING FOR AN EFFECTIVE DATE.**

G. Resolution 26-058; CEC RFQ-24-06 STA #3 - 2026 Beach Monitoring Tasks  
**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA APPROVING AND AUTHORIZING THE TOWN MANAGER TO EXECUTE SUPPLEMENTAL TASK AGREEMENT #3 OF CONTRACT RFQ-24-06-AD BETWEEN THE TOWN AND COASTAL ENGINEERING CONSULTANTS, INC. FOR PHYSICAL MONITORING OF BEACH PROFILES, PERMIT REQUIRED WINTER SHOREBIRD MONITORING, FUNDING, ADMINISTRATION, AND STAKEHOLDER TASKS, AND POST STORM SURVEYS AND ASSESSMENTS FOR A COST OF \$122,800.00; AND PROVIDING AN EFFECTIVE DATE.**

**XIII. FINAL PUBLIC COMMENT**

**XIV. TOWN MANAGER'S ITEMS**

**XV. TOWN ATTORNEY'S ITEMS**

**XVI. COUNCILMEMBERS ITEMS AND REPORTS**

A. Town Advisory Boards  
**Designation of a Council representative to the Anchorage Advisory Board (AAC) and Cultural & Environmental Learning Center Advisory Board (CELCAB).**

**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.