



## Fort Myers Beach Town Council

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

Agenda

Monday, June 1, 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. PRESENTATION
  - A. 2025 Consumer Confidence Report (Water)  
**2025 Consumer Confidence Report (Water)**
- VII. LOCAL ACHIEVEMENTS AND RECOGNITIONS
  - A. Proclamation: Code Enforcement Officers' Week
- VIII. ADVISORY COMMITTEES ITEMS / REPORTS / APPOINTMENTS
- IX. APPROVAL OF MINUTES
- X. CONSENT AGENDA
  - A. Resolutions 26-107 through 26-111; 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 26-112 through 26-116; 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 26-117 through 26-121; 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. Resolution 26-094, VAR20260011, 1161/1165 Estero Blvd

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH APPROVING/ APPROVING WITH CONDITIONS/ DENYING VARIANCE 20260011, REQUESTING FOR A VARIANCE FROM LDC SECTION 34-676(A), TO MULTIPLY THE PARKING REQUIREMENTS BY 0% AND ALLOW A 100% REDUCTION IN PARKING REQUIREMENTS WHERE A MAXIMUM PERCENTAGE OF 67% IS MULTIPLIED WITH PARKING REQUIREMENTS TO ALLOW A 33% PARKING REDUCTION BY RIGHT FOR PROPERTIES IN THE DOWNTOWN ZONING, FOR THE PROPERTY LOCATED AT 1161/1165 ESTERO BLVD, GENERALLY REFERRED TO AS STRAP NUMBER: 19-46-24-W4-0150E.0010 IN FORT MYERS BEACH; AND PROVIDING FOR OTHER CLARIFICATIONS AS NECESSARY; PROVIDING FOR CONFLICTS OF LAW, SCRIVENER'S ERRORS, SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.**

- B. Ordinance 26-09; FP&L Meter Installation Above FEMA Required Flood Elevation

***This legislative agenda item is a First Reading and Public Hearing on proposed Ordinance 26-09. If approved at First Reading, a Second Reading and Final Adoption Hearing will be scheduled for June 15, 2026 at 9:00 AM or at another time identified by Town Council.***

**AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA AMENDING ARTICLE III DIVISION 3 SECTION 34-638 OF THE LAND DEVELOPMENT CODE CREATING A NEW EXCEPTION TO MINIMUM SETBACK REQUIREMENTS REDUCING MINIMUM SETBACKS TO ACCOMMODATE NEW FLORIDA POWER AND LIGHT REQUIREMENTS**

FOR PLATFORMS TO LOCATE AND PROVIDE SERVICE TO ELEVATED ELECTRIC METERS; PROVIDING CRITERIA AND CONDITIONS FOR THE PERMITTED ELECTRIC METER EQUIPMENT AND ASSOCIATED PLATFORM, ACCESS STAIRWAYS AND RELATED STRUCTURES; PROVIDING FOR CLARIFICATIONS AS NECESSARY; PROVIDING FOR CONFLICTS OF LAW, SCRIVENER'S ERRORS, SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

C. Ordinance 26-08; Charter Changes

*This legislative agenda item is a Second Reading and Final Public Hearing on proposed Ordinance 26-08.*

AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA, PROPOSING AMENDMENTS THE FORT MYERS BEACH TOWN CHARTER; PROPOSING CHARTER AMENDMENTS 1) MANDATING ORDINANCES REQUIRING DISCLOSURE IN QUASI-JUDICIAL HEARINGS, AND PROHIBITING UNLAWFUL GIFTS; 2) REVISING THE TOWN COUNCIL COMPENSATION PROCESS; 3) REVISING THE TERM OF TOWN COUNCIL SEATS FILLED BY APPOINTMENT; 4) CLARIFYING THE SERVICE OF THE INTERIM MAYOR; 5) CLARIFYING THE QUALIFYING PERIOD FOR TOWN COUNCIL CANDIDATES; AND 6) PROVIDING FOR THE USE OF THE LEE COUNTY CANVASSING BOARD; PROVIDING FOR REFERENDA ON THE PROPOSED CHARTER AMENDMENTS; PROVIDING FOR BALLOT TITLES AND BALLOT SUMMARIES FOR SUCH REFERENDA; PROVIDING FOR DIRECTION TO THE TOWN CLERK AND COORDINATION WITH THE LEE COUNTY SUPERVISOR OF ELECTIONS; PROVIDING FOR FILING THE REVISED CHARTER WITH THE FLORIDA DEPARTMENT OF STATE; AND PROVIDING FOR FINDINGS, CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

XIII. ADMINISTRATIVE AGENDA

A. FY26/27 Budget Hearing Dates  
*Continued from May 18, 2026*

Asking Town Council to set a date and time for the September 2026 budget hearing dates.

B. Special Event: Fort Myers Beach Festival of the Arts

Approval of a Special Event for the Fort Myers Beach Festival of the Arts to be held on January 23 and January 24, 2027, at Times Square, Fort Myers Beach, from 6:00 AM to 8:00 PM, as requested by Danielle Lynch of Blue Ribbon Events, including setup, event operations, and breakdown, approximately 40 to 60 artist and vendor booths featuring fine art, handmade goods, artisan crafts, boutique merchandise, artist demonstrations, possible bottled alcohol sales, and community art activities, along with portable restroom facilities and event support amenities, subject to further approval by the Fort Myers Beach Fire Control District and the Lee County Sheriff's Office.

- C. Special Event: Holly Jolly Market  
**Approval of a Special Event for the Holly Jolly Market to be held on December 19 and December 20, 2026, at Times Square, Fort Myers Beach, from 6:00 AM to 8:00 PM, as requested by Danielle Lynch of Blue Ribbon Events, including approximately 40 to 60 artist and vendor booths featuring handmade goods, holiday gifts, art, fine crafts, boutique merchandise, and bottled alcohol sales, along with portable restroom facilities and event support amenities, subject to further approval by the Fort Myers Beach Fire Control District and the Lee County Sheriff's Office.**
- D. Special Event: Mermaid Fest  
**Approval of a Special Event for Mermaid Fest to be held on April 17 and April 18, 2027, at Times Square, Fort Myers Beach, from 6:00 AM to 8:00 PM, as requested by Danielle Lynch of Blue Ribbon Events, including setup, event operations, and breakdown, approximately 40 to 60 artist and vendor booths featuring nature and Florida-themed art, handmade goods, educational nonprofit participation, environmental awareness activities, wellness demonstrations, the Mermaid Contest with cash awards, and related event support amenities, along with portable restroom facilities, subject to further approval by the Fort Myers Beach Fire Control District and the Lee County Sheriff's Office.**
- E. Resolution 26-106; Quitclaim Deed to the Johnsons  
**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, APPROVING THE CONVEYANCE OF CERTAIN REAL PROPERTY BY QUITCLAIM DEED TO CHRISTOPHER LEE JOHNSON AND MARY SUSAN JOHNSON; AUTHORIZING THE TOWN MANAGER TO EXECUTE SAID QUITCLAIM DEED; AUTHORIZING ALL APPROPRIATE TOWN OFFICIALS TO TAKE ALL NECESSARY ACTIONS TO EFFECTUATE THE CONVEYANCE; AND PROVIDING AN EFFECTIVE DATE.**
- F. Resolution 26-124; Mayor Execute Mod#2 of FDEM Contract D1502  
**A RESOLUTION OF THE TOWN OF FORT MYERS BEACH, LEE COUNTY, FLORIDA, DELEGATING AUTHORITY TO THE MAYOR TO EXECUTE MODIFICATION #2 TO SUBGRANT AGREEMENT CONTRACT NUMBER 1502 BETWEEN THE FLORIDA DIVISION OF EMERGENCY MANAGEMENT AND TOWN OF FORT MYERS BEACH TO EXTEND CONTRACT NUMBER 1502 TO DECEMBER 31, 2026; AND PROVIDING AN EFFECTIVE DATE.**
- G. Resolution 26-125; Florida Forest Service Technical Assistance Grant  
**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH FLORIDA APPROVING THE PROPOSAL FROM NATURAL RESOURCE PLANNING SERVICES, INC. DBA LEGACY ARBORIST SERVICES TO CREATE A TREE CANOPY ANALYSIS, TREE INVENTORY AND URBAN FORESTRY MANAGEMENT PLAN TO BE**

**PAID FOR BY FLORIDA FORESTRY SERVICE WITH A IN-KIND MATCH FROM THE TOWN USING GRANT FUNDS FROM THE FDEM LAP D1502; AUTHORIZING THE MAYOR TO SIGN THE ACCEPTANCE OF THE PROPOSAL; AND PROVIDING FOR AN EFFECTIVE DATE.**

- H. Resolution 26-122, STA#12, Carlos Circle Drainage, Tetra Tech  
**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA AUTHORIZING THE TOWN MANAGER OR HIS DESIGNEE TO APPROVE SUPPLEMENTAL TASK AUTHORITY (STA) NO. 12 IN THE AMOUNT OF \$92,840 WITH TETRA TECH UNDER RFQ-22-25-AD FOR CARLOS CIRCLE DRAINAGE IMPROVEMENTS FOR UTILITIES; AND PROVIDING FOR AN EFFECTIVE DATE.**
- I. Resolution 26-098; Lien Reduction Request CE Case No. 20240994  
**Rescheduled to June 1, 2026 (from 5/18) at the request of Himmelstein Associates, LLC.**

**A RESOLUTION OF THE TOWN OF FORT MYERS BEACH REDUCING / NOT REDUCING THE AMOUNT OF THE LIEN DUE AND OWING THE TOWN FROM TO \$16,250.00 PLUS \$250.00 IN ADMINISTRATIVE COSTS FOR A TOTAL OF \$16,500.00 TO ZERO AS REQUESTED BY HIMMELSTEIN ASSOCIATES, LLC, FOR A VIOLATION OF KEEPING OR MAINTAINING A NON-COMPLIANT STRUCTURE(S) AND/OR SHIPPING CONTAINER ON THE PROPERTY, WHICH WAS NOT BUILT TO CURRENT FLOOD DESIGN CODES IN A SPECIAL HAZARD AREA IN SECTION 6-494 OF THE FMB CODE OF ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE.**

**XIV. FINAL PUBLIC COMMENT**

**XV. TOWN MANAGER'S ITEMS**

**XVI. TOWN ATTORNEY'S ITEMS**

**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.