



Fort Myers Beach Town Council

**Council Chambers
2525 Estero Blvd.
Fort Myers Beach, FL 33931**

Agenda

Monday, June 7, 2021

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 AND REPORTS**
- VIII. APPROVAL OF MINUTES**
 - A. Town Council Meeting - May 3, 2021
 - B. Management & Planning Session - May 6, 2021
 - C. Town Council Meeting - May 17, 2021
- IX. PRESENTATIONS**
- X. CONSENT AGENDA**
 - A. Resolution 21-32, Repealing Emergency Declarations
Resolution repealing all Emergency Declarations and Resolutions regarding the state of emergency declared in Governor Desantis' Executive Order 20-52.
 - B. Special Event - Dig the Beach Volleyball Series
Dig the Beach Volleyball Series- Special Event
 - C. Historic Preservation Advisory Committee Appointments
Appoint Members to the Historic Preservation Advisory Committee (HPAC)
- XI. PUBLIC HEARINGS**

- A. Ordinance 21-04: Text Amendment to LDC Sec 34-3273, Residential uses and setbacks on non-conforming lots and 34-268 Administrative Setback variances

AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA, APPROVING AN AMENDMENT TO TOWN OF FORT MYERS BEACH LAND DEVELOPMENT CODE, SECTION 34-268 ADMINISTRATIVE SETBACK VARIANCES AND SECTION 34-3273 GENERAL REQUIREMENTS FOR RESIDENTIAL USES ON NON CONFORMING LOTS; PROVIDING FOR SCRIVENER'S ERRORS AND AN EFFECTIVE DATE. Second reading and public hearing for adoption.

- B. Ordinance 21-05: Teco Franchise Agreement

First Reading and Public Hearing: AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA GRANTING TO PEOPLES GAS SYSTEM, A DIVISION OF TAMPA ELECTRIC COMPANY, ITS SUCCESSORS AND ASSIGNS, A NON-EXCLUSIVE NATURAL GAS FRANCHISE AGREEMENT TO USE THE PUBLIC RIGHTS OF WAY OF THE TOWN OF FORT MYERS BEACH FLORIDA, AND PRESCRIBING THE TERMS AND CONDITIONS UNDER WHICH SAID FRANCHISE MAY BE EXERCISED; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE; AND REPEALING PRIOR ORDINANCE. Open the first public hearing and schedule for second reading and final adoption on August 2, 2021 at 9:00 a.m.

XII. ADMINISTRATIVE AGENDA

- A. FY2020 Audit Report

Accept FY 2020 Audit Report prepared by Mauldin & Jenkins

- B. Audio and Visual Upgrades

Allocate additional funding and approve the purchase of up to \$283,550 of audio and visual equipment upgrades to the Town Council Chambers.

- C. 5-Year CIP (FY22-26)

Presentation of the 5-year Capital Improvement Plan (FY22-26) and inclusion with the proposed Fort Myers Beach Fiscal Year 2022 budget.

- D. Resolution 21-27; Adopting FY 2021-2022 Tentative Millage Rate

Approve Resolution 21-27 establishing the Town's Tentative Millage rate for Fiscal Year 2021-2022

- E. Recurring Special Event Sunset Celebration FY 2022

Sunset Celebration Recurring Special Event for FY 2022

- F. Adopt Resolution 21-25 approving the second amendment to the shared use interlocal agreement with the Lee County School Board

Adopt Resolution 21-25 approving a second amendment to the previously approved Interlocal Agreement with the School Board of Lee County for the shared use of Bay Oaks Recreational Campus facilities

for the students of Fort Myers Beach Elementary School throughout the school year.

G. SRF DW360801 Amendment 2

Final authorization for the Town Manager to increase the SRF DW360801 funding for North Estero Phase 2 Part 2, North Estero Phase 2 Part 1, and Tier 1 Side Street Projects by \$20,329,458.

H. SRF Loan SW360830

As a requirement of SRF Loan funding for the stormwater system improvements adopt a Fiscal Sustainability Plan for the Town's Stormwater System

I. Change Order #2: ITB-20-25-PW Intersection Improvements

Approve Change Order #2 in the amount of \$14,363.37 with Ajax Paving Industries of Florida, LLC and authorize the Town Manager to execute the associated documents, and allocate, appropriate, and expend funds from the capital budget.

J. Traffic Signal Maintenance Interlocal

Approve Resolution 21-26 for Interlocal for Traffic Signal Maintenance with Lee County for the traffic signal being installed at Old San Carlos Boulevard and Estero Boulevard and authorize the execution of contract documents.

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 TELEVISED LIVE ON COMCAST CHANNEL 98.

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 accommodations, please notify the Town Clerk's Office at least 72 hours in advance. (239) 765-0202



Help for the hearing impaired is available through the Assistive Listening System. Receivers can be obtained from the Town Clerk's Office.

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.