



Fort Myers Beach Town Council

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

Agenda

Monday, October 18, 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**
 - A. Bay Oaks Recreational Campus Advisory Board (BORCAB)
- VIII. APPROVAL OF MINUTES**
 - A. October 4, 2021 Town Council
 - B. October 7, 2021 Management & Planning Session
- IX. PRESENTATION**
 - A. FMB Camera Project - Flock Safety
- X. CONSENT AGENDA**
 - A. Proposed 2022 Town Council Meeting Schedule
Approve the monthly schedule for Town Council meetings for calendar year 2022
 - B. Submerged Land Lease - Mooring Field
Authorize the Mayor to execute the Submerged Land Lease with the Department of Environmental Protection for the Mooring Field, which includes the expansion west of Matanzas Pass Bridge and all associated documents.
 - C. RFP-21-19-TC Fireworks Displays

Accept the Selection Advisory Committee's rankings and authorize the Town Manager to execute a Professional Services Agreement with Zambelli Fireworks for the Town's Firework Displays as needed in response to RFP-21-19-TC in the not to exceed amount of \$22,000.000 for a 20-minute firework display.

XI. PUBLIC HEARINGS

A. Ordinance 21-06; Prohibition of Plastic Straws

First Reading and Public Hearing: AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA AMENDING ARTICLE VI OF CHAPTER 14 OF THE CODE OF ORDINANCES OF THE TOWN OF FORT MYERS BEACH ENTITLED "PROHIBITION OF PLASTIC STRAWS", TO PROHIBIT THE DISTRIBUTION OF NON-BIODEGRADABLE STRAWS; PROVIDING FOR CODIFICATION, SEVERABILITY, SCRIVENER ERRORS, CONFLICTS OF LAW AND AN EFFECTIVE DATE. Open the first public hearing and schedule for second reading and final adoption on November 1, 2021 at 9:00 AM

B. VAR20210063 16 Pepita Street

Approve/Approve with Conditions/Denial of VAR20210063 - a variance from Table 34-3, 25 feet rear waterbody setback, for a reduction of 8 feet 8 inches.

C. VAR20210064 3240 Shell Mound Blvd

Approve/Approve with conditions/Denial of VAR20210064 - 3240 Shell Mound Blvd, a request to reduce the required accessory structure (pool) setback from five to two feet in the rear and side yard (or from five to four feet in the rear or side yard).

D. VAR20210066 4969 Estero Blvd Accessory Structure in front of a principal structure

Approve/Approve with Conditions/Denial VAR20210066 - 4969 Estero Blvd, to allow an accessory structure (pool) in front of a principal structure.

XII. ADMINISTRATIVE AGENDA

A. Restroom Trailer - Palm Avenue Beach Access

Approve Resolution 21-58, allocate the funds for the purchase of a restroom trailer from Ready2Go Restroom Trailers for Palm Avenue Beach Access in the amount of \$70,600 utilizing Tourist Development Council funding, as budgeted in FY22 budget, piggybacking Florida Sheriff's Associate Contract, FSA20-EQU18.0 Heavy Equipment.

B. Fencing Equipment Purchase

Approve Resolution 21-57, allocate and appropriate funds for the purchase of fencing equipment and accessory items for Fort Myers Beach Elementary and Bay Oaks in the amount of \$36,140 as budgeted in FY22 budget, piggybacking Lee County's Contract, RFP160553DKR

Contract Number.

- C. Concrete Work Bay Oaks/School Street
Approve Resolution 21-51, Impact fees for Bay Oaks Sidewalks, Allocate and appropriate Road Impact Funds and appropriate a contract with Scott Commercial Contracting, LLC. for concrete construction work and accessory items for Bay Oaks front parcel and School Street sidewalk in the amount of \$32,879 in the FY22 budget, piggybacking Lee County's Contract, B190074JJB - Concrete Flat Work Sidewalks, Curbs, Gutters and other Related Items Contract.
- D. Concrete Work Fort Myers Beach Elementary School
Approve Resolution 21-56, allocate and appropriate funds for contracting with Scott Commercial Contracting LLC for concrete construction work and accessory items for Fort Myers Beach Elementary School in the amount of \$27,758 as budgeted in FY22 budget, piggybacking Lee County's Contract, B190074JJB - Concrete Flat Work Sidewalks, Curbs, Gutters and other Related Items Contract.
- E. FPL Lights Downtown
Authorization to install roadway lighting on Crescent Street, First Street, Second Street, Third Street and 5th Street in conjunction with the Downtown Sidewalks Project.
- F. To allocate and appropriate funds and approve the Supplemental Task Authorization #1, in the not to exceed amount of \$212,000 for design and permitting of the Estero Island Shoreline Protection Project
Approve, allocate and appropriate funds for Supplemental Task Authorization #1, in the not to exceed amount of \$212,000 for design and permitting of the Estero Island Shoreline Protection Project including additional geophysical surveys, access study, State funding requests, permit processing, final design, and stakeholder meeting administration. The Town is financially responsible for 14% of \$204,000 or \$28,560, plus \$8,000 for the southern segment beach access feasibility study.
- G. Tier 1 Water and Stormwater SRF Supplemental Task Authorization ABA
Authorize the Town Manager to execute an agreement for Tier 1 (17 side streets) - Water and Stormwater SRF Technical Services During Construction in the amount of \$157,050.00 on proposal 240-000-0114 with Angie Brewer & Associates.
- H. Resolution 21-52: Estero Boulevard Lighting Recommendation
Approve Resolution 21-52, Estero Boulevard Roadway Safety Lighting Recommendation ratifying the decision made at the October 7th Management and Planning Session to recommend to Lee County to install amber lighting along Estero Boulevard that functions as an arterial roadway in its day to day use and authorize the Mayor to coordinate implementation.

XIII. FINAL PUBLIC COMMENT**XIV. TOWN MANAGER'S ITEMS****XV. TOWN ATTORNEY'S ITEMS****XVI. COUNCILMEMBERS ITEMS AND REPORTS****A. FMB Camera Project**

Initial discussion of FMB camera project documentation from Flock Safety and Greenwire (at time of publication of the agenda, Greenwire had not been confirmed to be in attendance).

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



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