



Fort Myers Beach Town Council

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

Agenda

Monday, April 18, 2022

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. April 4, 2022 Town Council
 - B. April 7, 2022 Management & Planning
- IX. PRESENTATIONS**
 - A. Presentation: Marcus Goodson, Executive Director, Lee County Housing Authority
 - B. Discussion of Roadway Safety Lighting
Town Lighting Engineers and Florida Power & Light will be available for questions.
- X. CONSENT AGENDA**
 - A. Resolution 22-13; Interlocal Agreement with Lee County regarding Hazardous Waste Enforcement
Adopt Resolution 22-13 approving an Interlocal Agreement with Lee County for Hazardous Waste Enforcement and authorizing the Town Manager to execute the ILA and expend budgeted funds on behalf of the Town.

XI. PUBLIC HEARINGS

A. Ordinance 22-06; Tuckaway Cafe CPD Amendment

First Reading and Public Hearing for proposed Ordinance 22-06: AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA REPLACING TOWN OF FORT MYERS BEACH RESOLUTION NO. 12-07, AND AMENDING THE SCHEDULE OF USES FOR THE COMMERCIAL PLANNED DEVELOPMENT ZONING FOR THE PROPERTY LOCATED AT 2301, 2307 & 2311 ESTERO BLVD. AND 111 & 121 MANGO ST., FORT MYERS BEACH; AMENDING THE MASTER CONCEPT PLAN FOR THE RESTAURANT USE(S); PROVIDING FOR REVISIONS TO CONDITIONS OF APPROVAL, AND OTHER CLARIFICATIONS AS NECESSARY; PROVIDING FOR CONFLICTS OF LAW, SCRIVENER'S ERRORS, SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE. Open the first public hearing and schedule for second reading and final adoption on May 2, 2022 at 9:00 AM

B. Ordinance 22-05; Building Footprint Limits

Second Reading and Public Hearing for proposed Ordinance 22-05: AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA, AMENDING ARTICLE III., DIVISION 3, SECTIONS 34-638 "MINIMUM SETBACKS", TABLE 34-3 "DIMENSIONAL REGULATIONS IN CONVENTIONAL ZONING DISTRICTS", AND TABLE 34-1 "LAND USES ASSIGNED TO USE GROUPS AND SUB-GROUPS" OF THE TOWN OF FORT MYERS BEACH LAND DEVELOPMENT CODE; PROVIDING FOR CODIFICATION, CONFLICTS, SCRIVENER'S ERRORS, SEVERABILITY AND AN EFFECTIVE DATE.

C. Ordinance 22-09; PWVL/PAL's

Second Reading and Public Hearing for Proposed Ordinance 22-09 entitled: AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA AMENDING CHAPTER 27 "PERSONAL WATERCRAFT AND PARASAILING", SECTION 27-45 "DEFINITIONS"; SECTION 27-49 "REGULATIONS AND LOCATIONS FOR PERSONAL WATERCRAFT RENTALS"; SECTION 27-52 "PERSONAL WATERCRAFT VENDOR LICENSE AND PARASAILING ACTIVITY LICENSE APPLICATIONS AND REGULATORY FEES"; SECTION 27-53 "PERSONAL WATERCRAFT VENDOR LICENSE AND PARASAILING ACTIVITY LICENSE RENEWALS"; SECTION 27-55 "TRANSFERABILITY OF PWVL AND PAL LICENSES" OF THE CODE OF ORDINANCES, TOWN OF FORT MYERS BEACH, FLORIDA, AMENDING DEFINITIONS; AMENDING OPERATIONAL REQUIREMENTS AND LICENSE RENEWAL REQUIREMENTS; PROVIDING A LIMITED EXEMPTION TO THE CAP ON THE NUMBER OF ANNUAL LICENSES; PROVIDING THAT PERSONAL WATERCRAFT VENDOR LICENSES AND PARASAILING ACTIVITY LICENSE THAT ARE NOT ANNUALLY RENEWED OR ARE INACTIVE FOR ONE-YEAR OR MORE SHALL REVERT BACK TO THE TOWN;

ESTABLISHING NEW REQUIREMENTS FOR THE SALE AND TRANSFER OF PWVL AND PAL LICENSES; PROVIDING FOR CODIFICATION; CONFLICTS; SCRIVENER'S ERRORS; SEVERABILITY AND AN EFFECTIVE DATE.

XII. ADMINISTRATIVE AGENDA

A. New Beach Access Naming

The naming of the new beach access, which could replace Canal St., was provided by TPI Hospitality as a condition of development approval.

B. Preliminary Audit Review

Review of Preliminary Audited Financials

C. Resolution 22-16; Exposhow, Inc. Agreement

Adopt Resolution 22-16, Approving a piggyback contract between the Town and Exposhow, Inc. to provide fireworks for the 4th of July and New Years Eve, in an amount not to exceed \$60,000, utilizing the City of Marco Island's fireworks contract #2022-007, authorizing the Town Manager to execute the Agreement, expend budgeted funds, and take all appropriate actions to conduct the fireworks displays, and providing for an effective date.

D. Approval of Bridge closure for 4th of July parade and fireworks.

Approve closing of Matanzas Pass Bridge on July 4, 2022, from 9:30am to 11:30am for the parade, and from 9pm to 11:30pm for traffic coming on the island.

E. Resolution 22-15, Updating Joint Local Mitigation Strategy

Adopt Resolution 22-15, Updating the Town's Joint Local Mitigation Strategy.

F. STA#12: Times Square LAP Project Administration

Approve Supplemental Task Authorization #12 with DRMP, Inc. for engineering services in the not to exceed amount of \$78,200 and approve the one-year renewal for DRMP and authorize the Town Manager to execute the contract documents.

G. Potable Water - South Tank Repairs

Authorize the Town Manager to spend an additional \$131,896.00 for the emergency repairs to the South Potable Water storage tank.

XIII. FINAL PUBLIC COMMENT

XIV. TOWN MANAGER'S ITEMS

XV. TOWN ATTORNEY'S ITEMS

A. Code Violations / Liens

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.
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