



Fort Myers Beach Town Council

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

Agenda

Monday, June 6, 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

A. 2022 Citizen of Distinction

Naming Patrick (Pat) McKeown as the 2022 Fort Myers Beach Citizen of Distinction in the area of Arts and Culture for his authoring of the history of the Mound House book "*Crown Jewel of Fort Myers Beach The Mound House*".

VII. ADVISORY COMMITTEES ITEMS AND REPORTS

Bay Oaks Recreational Campus Advisory Board (BORCAB)

VIII. APPROVAL OF MINUTES

A. May 16, 2022 Town Council

IX. CONSENT AGENDA

A. 290 Carolina Avenue - Utility Easement Agreement

Authorize the Town Manager to execute a Utility Easement agreement between Steven Proctor, who resides at 290 Carolina Avenue, and the Town of Fort Myers Beach.

B. Surplus Items

Declare listed items as surplus and authorize staff to dispose of these items utilizing a municipal government auction service.

C. Emergency POD Locations

Authorize the Town Manager to negotiate and execute Memorandums of Understanding (MOU) for emergency response Point-of-Distribution (POD) locations at Santini Plaza and the adjacent Fire Department property (2545 Estero Boulevard) for the 2022 hurricane season.

X. PUBLIC HEARINGS

A. Ordinance 22-10: Advisory Committees

2nd Reading and Public Hearing on proposed Ordinance 22-10 entitled: AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA AMENDING SECTION 2-94 "QUALIFICATIONS AND APPOINTMENTS OF MEMBERS" OF ARTICLE IV "BOARDS, COMMISSIONS, COMMITTEES AND OTHER AGENCIES", CHAPTER 2 OF THE CODE OF ORDINANCES, TOWN OF FORT MYERS BEACH, FLORIDA, DISSOLVING THE BAY OAKS RECREATIONAL CAMPUS ADVISORY BOARD ("BORCAB"), COMMUNITY RESOURCE ADVISORY BOARD ("CRAB"), AND CULTURAL AND ENVIRONMENTAL LEARNING CENTER ADVISORY BOARD ("CELCAB"); ESTABLISHING A NEW ADVISORY BOARD TO TAKE OVER THE FUNCTIONS OF BORCAB, CRAB, AND CELCAB; RENAMING THE MARINE RESOURCE TASK FORCE ("MRTF"); AND PROVIDING FOR CODIFICATION; CONFLICTS; SCRIVENER'S ERRORS; SEVERABILITY AND AN EFFECTIVE DATE.

B. Ordinance 22-11; Sea Turtle Conservation

Second reading and public hearing on proposed Ordinance 22-11 entitled: AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA AMENDING ARTICLE V OF CHAPTER 32 OF THE CODE OF ORDINANCES OF THE TOWN OF FORT MYERS BEACH ENTITLED "SEA TURTLE CONSERVATION" TO SPECIFY A FIFTEEN-PERCENT (15%) OPACITY OF TINTED GLASS FOR ALL NEW CONSTRUCTION TO REDUCE THE INSIDE TO OUTSIDE LIGHT TRANSMITTANCE VALUE, TO SPECIFY A FORTY-FIVE PERCENT (45%) OPACITY OF TINTED GLASS FOR ANY RENOVATIONS, RETROFITTING, OR WINDOW REPLACEMENTS TO EXISTING BUILDINGS TO REDUCE THE INSIDE TO OUTSIDE LIGHT TRANSMITTANCE VALUE, PROVIDING FOR SEVERABILITY; CODIFICATION; SCRIVENER'S ERRORS; CONFLICTS OF LAW AND AN EFFECTIVE DATE.

XI. ADMINISTRATIVE AGENDA

A. FY2021 Audit

Accept FY2021 Audit Report prepared by Mauldin & Jenkins

B. Resolution 22-24; Tentative FY 2022-2023 Millage Rate

Approve Resolution 22-24 establishing the Town's Tentative Millage rate for Fiscal Year 2022-2023

C. Playground Installation Agreement

Waive the Town's purchasing policies and procedures for an

emergency purchase at the request of the Lee County School District and approve an Agreement with Conidaris Builders to serve as the project manager/general contractor to obtain all required permits for the installation of playground equipment and accessory items at Fort Myers Beach Elementary in an amount not to exceed \$117,992.00 (existing piggyback agreement will be amended and lowered \$68,000).

D. Mooring Field Expansion Construction Agreement

Awarding the mooring field expansion bid to Dock Marine Construction Corporation, as the low, responsive and responsible bidder, in response to ITB-22-11-PW Matanzas Pass Mooring Field Expansion Construction in the amount not to exceed \$269,454.00 (Town's share is up to \$138,939 which includes a \$67,430 grant match) for up to ten double anchor mooring systems and nine single anchor mooring systems and authorize the Town Manager to negotiate the number and size of systems to be installed, negotiate a final and best offer, and execute a construction agreement with Dock Marine Construction Corporation.

E. Parking Sensors and App

Authorize the Town Manager to waive the Town's procurement policies and procedures and to negotiate a best and final offer and execute a sole source agreement with Civic Smart in the amount of \$119,688.00 (with a recurring monthly fee of \$1320.00), for a parking app and installation of individual parking space sensors.

F. EV Charging Stations

Approve Resolution No. 22-26, authorizing the Town Manager to enter into a piggyback contract with Charge Point, Inc. to install Level 3 dual EV charging stations at Times Square-Center St., and Level 2 Dual EV charging stations at Newton Park and Town Hall in an amount not to exceed \$122,139.75

G. ITB-22-14-UT Bid Rejection

Authorize the Town Manager to reject bids and solicit new bids for ITB-22-14-UT; Tier 1 Water and Stormwater Improvements pursuant to Section 2-480(a)(11) of the Town Code, which states: "An invitation for Bid may be cancelled, or any or all bids or proposals may be rejected in whole or in part, with or without cause".

XII. FINAL PUBLIC COMMENT

XIII. TOWN MANAGER'S ITEMS

A. Bayside Park

Notice of Improvement to properties in the vicinity of Bayside Park

B. FYs 2023-2025 CDBG program

Letters of intent to rejoin the Urban County Cooperation agreement, to collaborate with Lee County to potentially receive HUD funding.

C. Supplemental FY2023 Budget Information

XIV. TOWN ATTORNEY'S ITEMS

XV. COUNCILMEMBERS ITEMS AND REPORTS

XVI. 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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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.