



Fort Myers Beach Town Council

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

Agenda

Thursday, September 8, 2022

3:00 PM

FY2023 BUDGET HEARINGS BEGIN AT 5:01 PM

ORDER OF BUSINESS

- I. CALL TO ORDER**
- II. INVOCATION**
- III. PLEDGE OF ALLEGIANCE**
- IV. APPROVAL OF FINAL AGENDA**
- V. PUBLIC COMMENT**
- VI. LOCAL ACHIEVEMENTS, RECOGNITIONS & APPOINTMENTS**
- VII. ADVISORY COMMITTEES ITEMS AND REPORTS**
 - A. Anchorage Advisory Committee (AAC)
- VIII. APPROVAL OF MINUTES**
 - A. August 15, 2022 Town Council
- IX. CONSENT AGENDA**
 - A. Resolution 22-28; Ann & Dan Hughes Loop
Ratification of Ann & Dan Hughes Loop at Mound House
 - B. LCSO Outreach Trailer
Approval of a License Agreement with the Lee County Sheriff's Office for the use of the property located at 1054 Fifth Street (former Ocean Jewels property) as a community outreach center (subject to vacation for FDOT foot of the bridge road improvements.)

C. Clean Vessel Act Grant

Authorization to apply for and execute +/- \$39,435 grant agreement with the Florida Department of Environmental Protection for the Clean Vessel Act Grant for the Matanzas Pass Mooring Field.

X. PUBLIC HEARINGSA. Request for temporary storage of LeeTran vehicles during TPI construction

Authorize Temporary LeeTram Parking on FMB fire district property located at 2545 Estero Blvd (Topps) for up to seven months.

B. Ordinance 22-12; Newton Park CPD Amendment

Ordinance 22-12 Newton Park CPD Amendment to Conditions of Approval and Adoption as an Ordinance

XI. ADMINISTRATIVE AGENDAA. Legal Services Contract Renewal

Authorize the Mayor to execute the annual renewal for Legal Services agreement with Fox Rothschild, LLP/John R. Herin Jr.

B. Lobbyist Ronald L. Book, P.A. Contract Renewal

Authorize the Town Manager to renew and execute an agreement in the amount of \$45,000 with the Town's State Lobbyist, Ronald L. Book, P.A.

C. Local Option Gas Tax

Authorize entering into a Local Option Gas Tax Master Interlocal Agreement with Lee County to begin January 23, 2023.

D. Special Event: Roar Offshore 2022

Approval request for Roar Offshore Special Event

~~ RECESS OF REGULAR MEETING ~~

XII. PUBLIC HEARINGS - BUDGET ITEMS 5:01 PM TIME CERTAINA. Resolution 22-29; FY22-23 Fee Schedule

Adopt the Town's Fee Schedule Commencing October 1, 2022 for the Fiscal Year 2022-2023

B. Resolution 22-30; FY23 Proposed Ad Valorem Millage

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, ADOPTING THE PROPOSED AD VALOREM MILLAGE RATE FOR THE TOWN OF FORT MYERS BEACH, FLORIDA FOR FISCAL YEAR 2022-2023 COMMENCING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023 FOR THE PURPOSE OF PROVIDING SUFFICIENT FUNDS FOR THE GENERAL FUND; SETTING THE SECOND AND FINAL BUDGET ADOPTION PUBLIC HEARING FOR THURSDAY SEPTEMBER 22nd, 2022 AT 5:01 P.M.; AND PROVIDING AN EFFECTIVE DATE.

C. Resolution 22-31; FY 22-23 Tentative Budget

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, ADOPTING THE TENTATIVE BUDGET FOR FISCAL YEAR 2022-2023 COMMENCING OCTOBER 1, 2022 AND ENDING ON SEPTEMBER 30, 2023; SETTING THE SECOND AND FINAL BUDGET ADOPTION PUBLIC HEARING FOR THURSDAY SEPTEMBER 22, 2022 AT 5:01 P.M.; AND PROVIDING FOR AN EFFECTIVE DATE.

XIII. FINAL PUBLIC COMMENT**XIV. TOWN MANAGER'S ITEMS**

- A. Update on foot of the bridge landscaping

XV. TOWN ATTORNEY'S ITEMS**XVI. COUNCILMEMBERS ITEMS AND REPORTS**

- A. Request to place Veteran's Tribute onto Agenda Management

XVII. ADJOURNMENT

NOTE: THIS MEETING IS BROADCAST LIVE ON COMCAST CHANNEL 98, YOUTUBE AND THE TOWN'S WEBSITE.

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.



Fort Myers Beach Town Council

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

Minutes

Monday, August 15, 2022

9:00 AM

ORDER OF BUSINESS

DRAFT

I. CALL TO ORDER

Members present: Mayor Murphy, Vice Mayor Hosafros, Council Member Allers, Council Member Atterholt and Council Member Veach.

II. INVOCATION

Town Clerk Baker.

III. PLEDGE OF ALLEGIANCE

IV. APPROVAL OF FINAL AGENDA

Vice Mayor Hosafros moved to move the committee appointments under the Administrative Agenda after Approval of Minutes and add approval of the Ann and Dan Hughes Loop at the Mound House; second by Council Member Veach. Motion carried unanimously.

V. PUBLIC COMMENT

Patrick Vanasse represented the LPA (Local Planning Agency) and indicated the LPA heard several cases regarding variances and side setbacks. The LPA felt there might be unintended consequences with the changes and asked that staff re-examine recent cases and look at how the change from a 7.5 foot side setback to a 15% setback might cause challenges for small or irregular lots. As a member of the little league, he stated that the fields were used every weekend and he was concerned about conversations to get rid of the fields. As a concerned citizen, he questioned whether increased fees at Bay Oaks would go back into their budget. He questioned why the fees were being increased since the budget was in good shape last year.

Mr. Vanasse stated that the LPA had requested a detailed budget two years in a row but only received general numbers for capital expenses. He noted they needed details so they could review the budget.

Sue Volvedich introduced herself as an applicant to join the LPA.

VI. LOCAL ACHIEVEMENTS AND RECOGNITIONS

Vice Mayor Hosafros recognized Public Works employees for working in the heat and thanked them for their service.

Council Member Veach thanked Council for their consideration in his absence at the last meeting.

No items from other members.

VII. ADVISORY COMMITTEES ITEMS AND REPORTS

Marine and Environmental Resources Task Force (MERTF) Chair Steve Johnson noted that their tentative budget was \$5,000.00 and asked the Council to consider increasing their budget to \$10,000.00. He described the costs of the pop-up events and the new brochure. He requested that the information from the invasive species project be added to the website. Town Manager Hernstadt revealed the list of properties was already on the website.

A. Bay Oaks Recreational Campus Advisory Board (BORCAB)

BORCAB Member Karen Woodson agreed with Mr. Vanasse's comments regarding BORCAB. Bay Oaks was built for residents and non-residents and a published statement concerning membership was misleading. She reported that over 10,000 visitors used the pool between August 2021 to July 2022 and the Rec Center recorded over 15,000 visits. Over 2,000 people participated in Pickleball and more than 1,000 enjoyed instructor-led classes. She explained that rates had not been changed in 11 years, but the increase was too much at once. BORCAB revised the proposed rates and felt the fees were more realistic.

Council Member Atterholt noted that some insurance plans paid a portion for wellness programs. He questioned whether the town could apply for a special exception to participate in the Silver Sneakers program. BORCAB Member Woodson agreed to look into participation in the programs. Town Manager Hernstadt explained that the increased fees had nothing to do with the new building, but the increases would help cover operating costs. Council Member Atterholt questioned whether the Town Attorney would formally inquire with the federal government why Bay Oaks was denied eligibility for the Silver Sneakers program and if a special exception was available. Town Council supported his request. Town Attorney Herin, Jr. responded that he felt that correspondence should come from the Town Manager and he would assist with research.

Council Member Veach questioned whether BORCAB considered limiting utilization at the old gym to avoid hiring additional staff. BORCAB Member Woodson replied that offices at the old gym would move to the new administrative building and the old gym would house hardcore physical activities like basketball and aerobics.

Town Manager Hernstadt indicated the town was looking to add four positions for the new building in the 4th quarter of FY23 and staff were looking into upgrading access controls to the existing building.

VIII. APPROVAL OF MINUTES

- A. August 1, 2022 Town Council
Vice Mayor Hosafros moved to approve the minutes; second by Council Member Allers.
Motion carried unanimously.
- B. August 4, 2022 Management & Planning Session
Amendment: Mayor Murphy noted the millage rate had never exceeded 1 mill (not 1%).
Vice Mayor Hosafros moved to approve the minutes as amended; second by Council Member Allers.
Motion carried unanimously.

IX. PUBLIC HEARINGS

- A. 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 PROVIDE FOR A TINTED GLASS OPACITY REQUIREMENT FOR ALL NEW CONSTRUCTION AND ALL 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.
Mayor Murphy read the title of the ordinance. Council Member Veach proposed an amendment that appropriate blinds be installed before a permit is approved or a certificate of occupancy is granted. Appropriate blinds would have to be sufficient to black out light emissions. Council Member Atterholt questioned whether adopting the amendment would cause a delay in enactment. Town Attorney Herin, Jr. replied negatively.
Public comment:
Eve Haverfield of Turtle Time discussed rolling back the 15% tint. She stated that the FWC (Fish & Wildlife Conservation Commission) was conducting tests regarding window tinting and the results should be available in the fall. She urged the Council to delay making a decision until recommendations

from the state were clarified. She noted that Environmental Project Manager Chadd Chustz made significant improvements by abating exterior and common lighting violations but imploring people to close their drapes was not working.

Cindy Johnson, resident and Turtle Time volunteer, stated that there had been improvement since the beginning of the year, but people still did not consistently close their blinds and curtains. She noted there were seven disorientations so far. She read a letter from Dr. Trindell at the FWC stating that 45% transmittance did not adequately block interior light from the sea turtle nesting beach. She discussed the study and felt the Council should wait for the results before changing the ordinance.

Bill Althoff, resident, supported the decision to replace the .15 glass requirement and encouraged efforts to adopt the statewide guideline of .45. He noted that many property owners supported protecting the endangered turtles and described efforts made to abide by the light rules. He discussed the higher cost of .15 glass and noted that every coastal county required .45 glass.

John R. King, Islands End Condo Association Board of Directors, reviewed the ordinance and the amendment concerning appropriate blinds. He urged Town Council to pass the ordinance.

Mary Rose Spalletta, resident, displayed a yellow sign placed at every turtle nest explaining that federal and state law required the town to protect the turtles. She added that Florida was number one in the world for producing live and healthy sea turtles. She discussed how the lights affected the females and hatchlings. She stated that the town should adopt the strictest rules to protect the turtles.

Jennifer Hatfield represented the fenestration and glazing industry alliance. She urged Council to adopt the changes. She noted they were collaborating with FWC on testing to determine an appropriate range. She discussed the tints and supported the 45% glass.

Public comment closed.

Council Member Allers moved to approve Ordinance 22-11 as written and not to include Council Member Veach's amendment, no second.

Council Member Veach moved to amend Ordinance 22-11 to include a provision that the appropriate blinds had to be installed before a CO or a permit was approved; second by Vice Mayor Hosafros.

Council Member Allers felt the town should not be in the interior design business. He did not think it was the government's job to approve someone's blinds. Council Member Veach stated that the government was not designing the blinds; they just had to effectively block the light. Council Member Allers discussed inspecting the interior of homes and questioned how far they wanted to go. Council Member Veach replied that blinds were a logical part of installing windows. Council Member Atterholt felt that requiring blinds was a reasonable compromise. Council Member Allers questioned who on staff was certified to be an inspector.

Vice Mayor Hosafros noted the inspectors were contracted. Council Member Allers did not think it was fair to the homeowners to require Council to sign off on a blind. Council Member Veach felt that blinds with 80% or more opacity with 45% glass would be a satisfactory number for a blind. Vice Mayor Hosafros pointed out that two condo associations threatened to sue the town over increased enforcement. Town Attorney Herin, Jr. replied that the threats had been resolved. Town Manager Hernstadt clarified that the process had been resolved, but common area violations would still apply. Council Member Atterholt relayed his condo association's response to a warning received last year and stated that property owners responded positively. He discussed the ability to add tinting to windows in high-turnover properties. Mayor Murphy asked Council Member Veach to restate his motion with a bare minimum requirement for blinds. Council Member Veach stated that any window replacement or installation would not be considered complete unless blinds were installed to block 80% of the light. Council Member Atterholt thought the amendment only affected new construction. Council Member Veach responded that it would also affect replacement windows and noted that requiring blinds would be part of the window inspection process.

Town Attorney Herin, Jr. stated that the ordinance had language that required all renovations, as well as new construction, to submit a lighting plan to confirm compliance with the ordinance. He recommended adding "blinds/shades" to subsections f. and k. under Sec. 32-105. Town Manager Hernstadt discussed how staff reviewed the lighting plan and indicated that staff did not look at interior plans. Project Manager Chustz commented that the lack of blinds was a problem with new construction, but not necessarily replacement windows. Council Member Veach restated his previous motion.

Council Member Veach moved that window coverings must be installed with any new or replacement windows before approval of the inspection for a CO (Certificate of Occupancy) or closing the permit, second by Vice Mayor Hosafros.

Motion carried 3-2 by roll call vote with Council Members Allers and Veach dissenting.

Council Member Allers commented that he voted no because he did not believe the amendment should be added. Council Member Veach stated that he thought it was still wrong and communication, enforcement and education were not working.

B. VAR20220031; 177 Hercules Dr.

Consider VAR20220031 for 177 Hercules Dr. allowing two variances for setbacks for a new garage and porch.

Mayor Murphy read the title of the variance. Town Clerk Baker stated that the applicants withdrew their applications.

X. ADMINISTRATIVE AGENDA**A. Stabilization of Archaeological Resources at Mound House.**

Approve a capital project from the general fund in the amount of \$43,967.28 for the Florida Museum of Natural History to provide archaeological services for the stabilization of the underground museum "Stories Beneath Our Feet" exhibit at Mound House.

Vice Mayor Hosafros moved to approve; second by Council Member Allers. Director of Culture, Parks & Recreation Alison Giesen noted that the underground museum continued to move and this project was the first of two steps to preserve the archeological resource.

Motion carried unanimously.

B. FY23 Contractual Agreements

Approve purchase orders/contracts in excess of \$25,000 for FY2023 in the areas of Environmental Services, Planning/Zoning, Building Services, and Community Development Administration, together with such changes as may be acceptable to the Town Manager and approved as to form and legality by the Town Attorney, and authorize the Town Manager to execute the Agreements on behalf of the Town.

Council Member Veach moved to approve; second by Vice Mayor Hosafros. Town Manager Hernstadt explained that building permits were taking longer than usual to process due to an influx of applications. He added that staff were working overtime and on weekends to process applications.

Motion carried unanimously.

**C. Supplemental Magistrate
Supplemental Magistrate**

Council Member Allers moved to approve the magistrate position; second by Vice Mayor Hosafros.

Council Member Allers commented that the budget would not be affected. Patrick Neal introduced himself.

Motion carried unanimously.

D. 2022 Canvassing Board

Appoint a member of the Town Council to serve on the canvassing board for the Town of Fort Myers Beach November 8, 2022 general election.

Vice Mayor Hosafros volunteered to serve on the canvassing board.

E. Local Planning Agency Appointment

Appointment to the Local Planning Agency (LPA)

Doug Eckmann introduced himself and reviewed his experience. Vice Mayor Hosafros stated that Mr. Eckmann was a valuable member of the Anchorage Advisory Committee.

Don Sudduth introduced himself and described his experience.

Joe Kirkbride described his background and noted his interest in the island's future.

Doug Eckmann received the votes for appointment to the LPA.

F. Historic Preservation Advisory Board Appointment**Appointment to the Historic Preservation Advisory Board (HPAC)**

Vice Mayor Hosafros moved to appoint Michael Yost to the HPAC; second by Council Member Allers.

Motion carried unanimously.

XI. FINAL PUBLIC COMMENT

No public comment.

XII. TOWN MANAGER'S ITEMSA. Landscape Maintenance**Landscape Maintenance for the foot of Matanzas Pass Bridge with Florida Department of Transportation (FDOT) proposed improvements.**

Town Manager Hernstadt commented that Lee County's proposed agreement was in their packet. The agreement indicated that the town assumed all liability. His position was that the FDOT could contract with the town as long as the town did not assume liability, or the town could pay Lee County to maintain the landscape if an agreement with TPI was not feasible. Council Member Atterholt supported the town covering the cost of maintaining the vegetation if a deal could not be reached with Margaritaville. Council Member Veach did not support the town taking liability for something they did not own or design.

Council Member Allers felt it was important to find out what Lee County was willing to do. Vice Mayor Hosafros was told that Lee County would not enter into an agreement with TPI. Council Member Veach remarked that the town could pay for the maintenance, but the question was who assumed liability. Council Member Atterholt felt that Lee County should assume liability for their road and he did not mind having the town pay for maintenance. Town Manager Hernstadt will contact Lee County administration.

B. Lee County Multi-Jurisdictional Program for Public Information 2021 Annual Evaluation**Annually, the Program for Public Information (PPI) is reviewed to evaluate the unified messages delivered to affected residents and businesses and the actions taken to reduce danger and property damage caused by flooding.**

Town Manager Hernstadt explained that the effort would accumulate points for the community rating system. Flood Plain Coordinator Kristin Schumacher provided the annual report from 2021 for Council to review. Consensus was reached to continue to participate in the program.

Town Manager Hernstadt referred to previous comments and clarified that the LPA was asked to comment on the capital improvement program, which involved projects, location and timing to meet the goals of the comp plan. He noted that the LPA still had 20 business days to discuss the budget.

He brought up the review of side setbacks and stated staff would review the topic if Council directed them. Town Manager Hernstadt added that the town had no plans to eliminate the ball fields at Bay Oaks.

XIII. TOWN ATTORNEY'S ITEMS

No items.

XIV. COUNCILMEMBERS ITEMS AND REPORTS

Vice Mayor Hosafros suggested that Advisory Committee Items and Reports be modified to include Appointments so applicants did not have to stay for the whole meeting. The agenda item would be adjusted to read, "Advisory Committee Items, Reports and Appointments." She received consensus to modify the agenda.

Council Member Allers stated that asbestos siding was still on the property next to the Beach Bar and the drainage went directly into his building. The owner indicated that he did not receive any response from the town. Town Manager Hernstadt will meet with Council Member Allers after the meeting.

Mayor Murphy questioned whether they could vote on approving the Ann and Dan Hughes Loop sign today. Consensus was reached to direct the Town Manager to order the sign and they would ratify the resolution at the next meeting. Mayor Murphy described the Florida League of Cities convention and he recommended that Council members attend the next one.

No items from other members.

XV. ADJOURNMENT

Council Member Allers moved to adjourn; second by Council Member Veatch.

Motion carried unanimously.

The meeting was adjourned at 11:55 a.m.

1. **Requested Motion:**

Meeting Date: September 8, 2022

Ratification of Ann & Dan Hughes Loop at Mound House

Why the action is necessary:

What the action accomplishes:

2. **Agenda:**

CONSENT AGENDA

3. **Requirement/Purpose:**

4. **Submitter of Information:**

5. **Background:**

Attachments:

1. 22-28, Ratifying Ann and Dan Hughes Loop at Mound House

Financial Impact:

6. **Alternative Action**

7. **Management Recommendations:**

8. **Recommended Approval:**

Amy Baker, Town Clerk
Amy Baker, Town Clerk
John R Herin Jr, Town Attorney
Amy Baker, Town Clerk
Roger Hernstadt, Town Manager

Created/Initiated - 8/31/2022
Approved - 8/31/2022
Approved - 9/1/2022
Approved - 9/1/2022
Final Approval - 9/1/2022

RESOLUTION NUMBER 22-28

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, RATIFYING ACTION OF THE TOWN COUNCIL TAKEN IN REGULAR SESSION ON AUGUST 15, 2022 REGARDING THE NAMING OF ANN & DAN HUGHES LOOP; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Florida Statutes provide that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal service, and exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, Article X of the Town Charter of the Town of Fort Myers Beach ("Town") empowers the Town to adopt, amend, or repeal such ordinances and resolutions as may be required for the proper governing of the Town; and

WHEREAS, throughout the history of the Town of Fort Myers Beach, Dan Hughes and his wife Ann have always had a special affinity and love for the grounds at Mound House and have contributed their time, talents and work along with generous donations and,

WHEREAS, the Town wishes to recognize Dan and Ann Hughes' contributions to Fort Myers Beach by naming the loop road around the Mound House grounds in their honor.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF FORT MYERS BEACH, AS FOLLOWS:

Section 1. The above recitals are true and correct and are hereby incorporated by reference as though fully set forth herein and are hereby adopted as the legislative and administrative findings of the Town Council.

Section 2. This Resolution memorializes and ratifies the actions of the Town Council, as discussed at the August 15, 2022 regular Town Council meeting, naming the loop around the Mound House grounds as "Ann & Dan Hughes Loop" and directing Town staff to procure and install sign(s) to the name the loop road.

Section 3. This resolution shall take effect immediately upon its adoption by the Town Council of the Town of Fort Myers Beach.

The foregoing Resolution was adopted by the Town Council upon a motion by _____ and seconded by _____, and upon being put to a vote, the result was as follows:

Raymond P. Murphy, Mayor
Rexann Hosafros, Vice Mayor
Dan Allers, Councilmember
Bill Veach, Councilmember
Jim Atterholt, Councilmember

ADOPTED this 8th day of September 2022 by the Town Council of the Town of Fort Myers Beach, Florida.

TOWN OF FORT MYERS BEACH

Raymond P. Murphy, Mayor

ATTEST:

Amy Baker, Town Clerk

**APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE
AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:**

John R. Herin, Jr., Town Attorney

This Resolution was filed in the Office of the Town Clerk on this _____ day September 2022.

1. **Requested Motion:**

Meeting Date: September 8, 2022

Approval of a License Agreement with the Lee County Sheriff's Office for the use of the property located at 1054 Fifth Street (former Ocean Jewels property) as a community outreach center (subject to vacation for FDOT foot of the bridge road improvements.)

Why the action is necessary:

What the action accomplishes:

2. **Agenda:**

CONSENT AGENDA

3. **Requirement/Purpose:**

Other

4. **Submitter of Information:**

5. **Background:**

The Town now owns the property located at 1054 Fifth Street. The Lee County Sheriff's Department has expressed interest in finding a temporary location to locate their mobile Community Outreach Center in the vicinity of the Times Square area of Fort Myers Beach.

Attachments:

1. 2022-23 TFMB-LCSO License Agreement

Financial Impact:

6. **Alternative Action**

7. **Management Recommendations:**

8. **Recommended Approval:**

Yadzia Roa, Deputy Town Clerk/Contracts Manager
John R Herin Jr, Town Attorney
Amy Baker, Town Clerk
Roger Hernstadt, Town Manager

Created/Initiated - 8/31/2022
Approved - 9/1/2022
Approved - 9/1/2022
Final Approval - 9/1/2022

**LICENSE AGREEMENT BETWEEN
THE TOWN OF FORT MYERS BEACH, FLORIDA
AND
THE LEE COUNTY SHERIFF'S OFFICE**

This License Agreement ("License") is made, entered into and effective this _____ day of _____, 2022 by and between the Town of Fort Myers Beach, located at 2525 Estero Boulevard, Fort Myers Beach, Florida 33931, (hereinafter referred to as "Licensor") and the Lee County Sheriff's Office, located at 14750 Six Mile Cypress Parkway, Fort Myers, FL 33912, (hereinafter referred to as "Licensee"), and shall set forth the agreement between said parties with regard to Licensee's right to utilize Licensor's real property at 1054 Estero Boulevard, Fort Myers Beach, FL, 33931 ("Property") subject to the terms, covenants and conditions set forth herein below.

NOW, THEREFORE in consideration of the License granted and the mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. **LICENSE:** Licensor hereby grants to Licensee this License to occupy and use the Property legally described on the attached **Exhibit A** and incorporated herein by reference. This License shall not be assigned, transferred, or hypothecated, nor may Licensee sub-let to any other third party.

Nothing contained herein shall be deemed or construed by the parties hereto, or by any third party, as creating any relationship whatsoever other than the relationship of Licensor and Licensee, it being expressly understood and agreed by the parties that this Agreement does not create the relationship of landlord and tenant, principal and agent, joint venture between the parties, or any other relation except as expressly provided hereinabove.

2. **LICENSE PERIOD:** The term of the License granted herein (the "Term") shall commence on October 15, 2022 and will terminate September 30, 2023 unless sooner terminated as provided herein. Licensee agrees that Licensor may terminate this License for whatever reason at any time and without cause or penalty by providing thirty (30) days written notice to Licensee. Licensor agrees that Licensee may terminate this License for whatever reason at any time and without cause or penalty by providing thirty (30) days written notice to the Licensor.

3. **PAYMENT:** Licensee will pay a License payment in the sum of \$1,150 total or \$150 the first month and \$100/month thereafter with a \$50 penalty if payment is not received by the 5th of each month. Initial payment is due to the Licensor within ten (10) business days of the execution of this License.

4. **PERMITTED USE:** Licensee shall use Property during the Term of this License as a community outreach center and related law enforcement purposes. Any improvements to the Property or the placement of any structures on the Property shall be subject to Licensor's prior written approval, which approval shall not be unreasonably

denied. Licensee shall obtain all required permits from all appropriate permitting authorities, including Licensors, prior to the commencement of any improvements or placement of structures or signage on the Property.

5. AS-IS CONDITION: Licensee hereby agrees and acknowledges that the Property is being made available in an "AS IS" condition, without warranty or representations of any type, including, without limitation, any implied warranties of habitability or suitability for a particular purpose. Licensee hereby acknowledges that it has had the opportunity to perform, and to the extent it so desires has performed, such inspections of the Property and is relying solely upon such inspections as the basis for accepting the Property in its "AS IS" condition and is not relying in any way upon any statement of Licensors or any information provided by Licensors or on Licensors' behalf.

6. COMPLIANCE WITH LAWS: Licensee shall, at its sole cost and expense, comply with all laws, ordinances, orders, rules and regulations (state, federal, municipal or any other agency having or claiming jurisdiction) related to the use, occupancy or condition of the Property.

7. ASSIGNMENT: This Agreement, and the rights granted hereunder, are non-assignable and non-transferable by Licensee. Any attempted assignment or other transfer of this License, or sublicense of any rights hereunder by Licensee shall be null and void, have no effect, and confer no rights upon any third party. Subject to the foregoing, the terms and conditions of this License shall be binding upon and inure to the benefit of Licensors and Licensee and their respective successors, assigns, heirs, administrators, executors, and representatives.

8. REMOVAL OF IMPROVEMENTS/HURRICANE WARNING: In the event of a hurricane warning, Licensee shall remove all movable items from the Property within forty-eight (48) hours.

9. TERMINATION: Upon the expiration or early termination of this License for any reason whatsoever, Licensee shall leave the Property in as good condition as when it was originally delivered to Licensee, and all improvements and personal property shall be removed within thirty (30) days of termination.

10. LICENSORS ACCESS TO LICENSED SPACE: Licensee agrees that Licensors, its agents, employees or any person authorized by Licensors may enter the Property at reasonable times and with prior notice (given the sensitive nature of Licensee's role as law enforcement) for the purpose of inspecting its condition or making repairs or improvements.

11. ENTIRE AGREEMENT: This License contains the entire agreement of the parties. Any representations or modifications concerning this instrument shall be of no force and effect, except a subsequent modification in writing and signed by both Licensors and Licensee. This License supersedes all prior agreements.

12. INSURANCE: Unless self-insured, Licensee shall secure and maintain throughout the duration of this License insurance of such type and in such amounts as required

herein. The underwriter of such insurance shall be qualified to do business in the State of Florida and have agents upon whom service of process may be made in the State of Florida. The name of the insured on all required policies shall be the same as Licensee. If requested by Licensor, the insurance coverage shall be primary insurance with respect to the Licensor, its officials, employees, agents, and volunteers. The insurance coverage shall include a minimum of:

Worker's Compensation and Employer's Liability Insurance. If applicable, coverage to apply for all employees at minimum statutory limits as required by Florida Law. If Licensee is exempt from the statutory requirement to maintain Worker's Compensation insurance, it shall indemnify and hold Licensor harmless for employee injury or claims.

Comprehensive Automobile and Vehicle Liability Insurance. If applicable, motor vehicle liability insurance, including applicable no-fault coverage, with limits of liability of not less than \$1,000,000.00 per occurrence, combined single limit for Bodily Injury Liability and Property Damage Liability. Coverage shall include all owned vehicles, all non-owned vehicles, and all hired vehicles.

Comprehensive General Liability. Comprehensive general liability coverage with limits of liability of not less than \$1,000,000.00 per occurrence combined single limit for Bodily Injury Liability and Property Damage Liability.

Licensee will add Licensor as an additional named insured on all insurance policies applicable under this License. Certificates of Insurance shall be provided to Licensor at the time of execution of this License and certified copies provided if requested. Certificates of Insurance shall include Licensor as additional named insured. Each policy certificate shall be endorsed with a provision that not less than thirty (30) calendar days' written notice shall be provided to Licensor before any policy or coverage is cancelled or restricted. If Licensee fails to deliver said certificates to Licensor in the above stated manner, Licensor may cancel this License or, but shall not be obligated to, procure the required policies, and bill the cost directly to Licensee. Licensee agrees to pay the bill within thirty (30) days after it has been received.

13. PUBLIC RECORDS: Nothing herein shall limit or waive Licensee's responsibilities as a Government Agency provided for under Florida's Public Record Laws, specifically, but not limited to Florida Statute 119.0701.

IF EITHER PARTY HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO EITHER PARTY'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS AGREEMENT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT:

**CHERRIE MCABEE
DIRECTOR, CENTRAL RECORDS
CMCABEE@SHERIFFLEEFL.ORG
14750 SIX MILE CYPRESS PKWY.
FORT MYERS, FLORIDA 33912**

(239) 477-1369

**AMY BAKER, TOWN CLERK
FMBPUBLICRECORDS@FMBGOV.COM
2525 ESTERO BOULEVARD
FORT MYERS BEACH, FLORIDA 33931
(239) 765-0202**

14. NOTICES: All notices required hereunder shall be in writing and may be delivered by personal service to the other party (in which case such notice shall be deemed delivered as of the day of such delivery), sent by overnight delivery service (in which case such notice shall be deemed delivered as of the date of delivery, attempted delivery or rejection), or sent postage prepaid by certified mail, return receipt requested (in which case such notice shall be deemed delivered as of the third day after the date of such mailing), to the address set forth to the intended party at:

LICENSOR:

Town of Fort Myers Beach
Attention: Roger Hernstadt, Town Manager
2525 Estero Boulevard
Ft. Myers Beach, Florida 33931
Tel: (239) 765-0202

LICENSEE:

Lee County Sheriff's Office
Attention: Abbi Smith, Chief Legal Counsel
14750 Six Mile Cypress Parkway
Fort Myers, FL 33912
Tel: (239) 477-1294

15. SEVERABILITY: If any term or provision of this License or any portion of a term or provision hereof or the application thereof to any person or circumstance, shall, to any extent, be invalid or unenforceable, the remainder of this License shall not be affected thereby, and each term and provision of this License and each portion thereof shall be valid and enforceable to the fullest extent permitted by law.

16. CAPTIONS AND TERMS: The captions and section numbers appearing in this License are for convenience only and are not a part of the License and do not in any way limit, amplify, define, construe or describe the scope or intent of the terms and provisions of this License, nor in any way affect this License.

17. UTILITIES & WASTE/TRASH REMOVAL: In the event utilities, waste and/or trash removal for the Property are collected separately, Licensee shall be solely responsible for contracting for such separately provided service and shall pay all costs directly to the service provider.

18. WAIVER OF JURY TRIAL: Licensors and Licensee hereby waive their respective right to trial by jury of any cause of action, claim, counterclaim or cross-complaint in any action, proceeding and/or hearing brought by either Licensors against Licensee or Licensee against Licensors on any matter whatsoever arising out of, or in any way connected with this License, Licensee's use or occupancy of the Property, or any claim of injury or damage, or the

enforcement of any remedy under any law, statute, or regulation, emergency or otherwise, now or hereafter in effect.

19. **INDEMNIFICATION:** Subject to the limitations set forth in Section 768.28, Florida Statutes, Licensee shall indemnify, defend and hold Licensor harmless from and against any and all loss, cost, damage, injury or expense arising out of or in any way related to claims of injury to or death of persons, or damage to property caused by the Licensee's negligent use or occupancy of the Property or activities of Licensee in or about the Property, except to the extent such claims arise from the negligence of Licensor; such indemnity shall include the obligation to provide all costs of defense against such claims.

20. **SOVEREIGN IMMUNITY:** Notwithstanding, nothing in this License or any attachments, exhibits, amendments or any other document referenced or incorporated in this License is intended to, nor will be interpreted as waiving any rights, defenses or limitations of liability or damages afforded Licensor or Licensee, nor extending, or expanding Licensor or Licensee's liability or damages beyond the limits enumerated in Section 768.28, Florida Statutes, which enumerated limits will be applicable to all claims and/or defenses including, but not limited to, those arising under contract or tort.

21. **GOVERNING LAW:** The validity, interpretation and enforcement of this License and any Exhibits incorporated and all claims arising from and/or related to this License as well as all claims between the parties will be exclusively governed by and construed in accordance with the laws of the United States and Florida. Any litigation related to this License in any way, including, but not limited to, enforcement of the terms, rights, duties, and obligations imposed, will lie exclusively in the state or federal courts situated in Lee County, Florida.

IN WITNESS WHEREOF, the parties have set their hands.

LICENSOR:

LICENSEE:

Roger Hernstadt, Town Manager

Date: _____

Name: _____

Title: _____

Date: _____

EXHIBIT

A

DESCRIPTION

LOT 5, BLOCK 6, BUSINESS CENTER SUBDIVISION, AS RECORDED IN PLAT BOOK 9, PAGE 9, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. LESS ROAD RIGHT-OF-WAY PARCEL 103, TAKEN BY FLORIDA DEPARTMENT OF TRANSPORTATION, RECORDED IN OFFICIAL RECORDS BOOK 1154, PAGE 1610 AND BOOK 1164, PAGE 129, PUBLIC RECORDS OF LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEASTERLY CORNER OF SAID LOT 5, BLOCK 6, THENCE S.22°19'38"E., ALONG THE EASTERLY LINE OF SAID LOT 5, BLOCK 6, A DISTANCE OF 40.00 FEET TO THE SOUTHEASTERLY CORNER THEREOF; THENCE S.67°38'39"W. ALONG THE SOUTHERLY LINE OF SAID LOT 5, BLOCK 6, A DISTANCE OF 83.09 FEET TO THE EASTERLY LINE SAID RIGHT-OF-WAY TAKE PARCEL 103 AND THE BEGINNING OF A NON TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 219.00 FEET, A CENTRAL ANGLE OF 01°25'48", WHOSE CHORD BEARS N.16°32'16" W. FOR A DISTANCE OF 5.47 FEET, ARC LENGTH 5.47 FEET TO THE BEGINNING OF A COMPOUND CURVE TO THE RIGHT HAVING A RADIUS OF 39.00 FEET; A CENTRAL ANGLE OF 83°27'39", WHOSE CHORD BEARS N.26°64'29"E., FOR A DISTANCE OF 51.92 FEET, ARC LENGTH 56.81 FEET TO AN INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY OF FIFTH STREET; THENCE N.67°38'39"E. ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 43.81 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.07 ACRES, MORE OR LESS.

SURVEYORS NOTES:

DESCRIPTION BASED ON THE RECORDED PLAT OF "BUSINESS CENTER", AS RECORDED IN PLAT BOOK 9, PAGES 9 AND 10, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

ORIENTATION BASED ON THE SOUTHERLY LINE OF LOT 5, BLOCK 6, BUSINESS CENTER AS BEARING S.67°38'39"W.

CERTIFICATE OF AUTHORIZATION LICENSE BUSINESS NO. 6891.

UNLESS IT BEARS THE ORIGINAL SIGNATURE AND RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, AND ALL SHEETS ARE INCLUDED, THIS MAP IS NOT VALID.
THIS IS NOT A SURVEY!

PREPARED BY:

PSM 6347

Digitally signed by
Thomas M. Rooks Jr.
Date: 2021.08.13
17:59:56 -04'00'

THOMAS M. ROOKS JR. P.S.M. DATE
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE . NO. 6347

DESCRIPTION DRAWING
PARCEL OF LAND IN
SEC. 24, T. 46 S. R. 23 E., TOWN
OF FORT MYERS BEACH,
ESTERO ISLAND,
LEE COUNTY, FLORIDA.

TPI
HOSPITALITY
100% Employee Owned
TPI HOSPITALITY
103 FIFTEENTH AVENUE NW
VALUJAR, NM, 86101
(505) 275-7207

CONSULTANT
MORRIS
DEPEW
ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS
P. O. BOX 11111, 4000 W. US HWY 1
Fort Myers
2914 Cleveland Avenue
Fort Myers, Florida 33901
(239) 337-3993

PROJECT MANAGER	TMR
DRAWING BY	BTM
APPROVED BY	
PROJECT LOCATION	TOWN OF FORT MYERS BEACH
DATE	8/13/2021
SHEET TITLE	DESCRIPTION / SKETCH
SHEET NUMBER	1 OF 2
SCALE NUMBER	15069A

1. Requested Motion:

Meeting Date: September 8, 2022

Authorization to apply for and execute +/- \$39,435 grant agreement with the Florida Department of Environmental Protection for the Clean Vessel Act Grant for the Matanzas Pass Mooring Field.

Why the action is necessary:

Provides staff direction whether to initiate the agreement with DEP.

What the action accomplishes:

Gives staff direction as to whether to initiate and execute a grant through the Florida DEP for additional funding for the maintenance and repairs of the pumpout vessel and for pumpout services.

2. Agenda:

CONSENT AGENDA

3. Requirement/Purpose:

4. Submitter of Information:

5. Background:

The CVA Grant provides a majority of funding for pumpout services offered to those within the Town's jurisdictional boundaries by Town staff. The grant also helps fund repairs and maintenance for the vessel used, the Town's pumpout boat. The grant requires at least a 25% match by the Town (\$13,145) and can begin on the execution date through Sept. 2022. Federal CVA Grant: \$39,435.00 Town's match: \$13,145 .00 is budgeted. Total funding amount: \$52,580.00

Attachments:

1. DRAFT- CVAGrantApplication-fy22-23

Financial Impact:

\$13,145.00

6. Alternative Action

7. Management Recommendations:

Approve and execute the grant and all associated documents.

8. Recommended Approval:

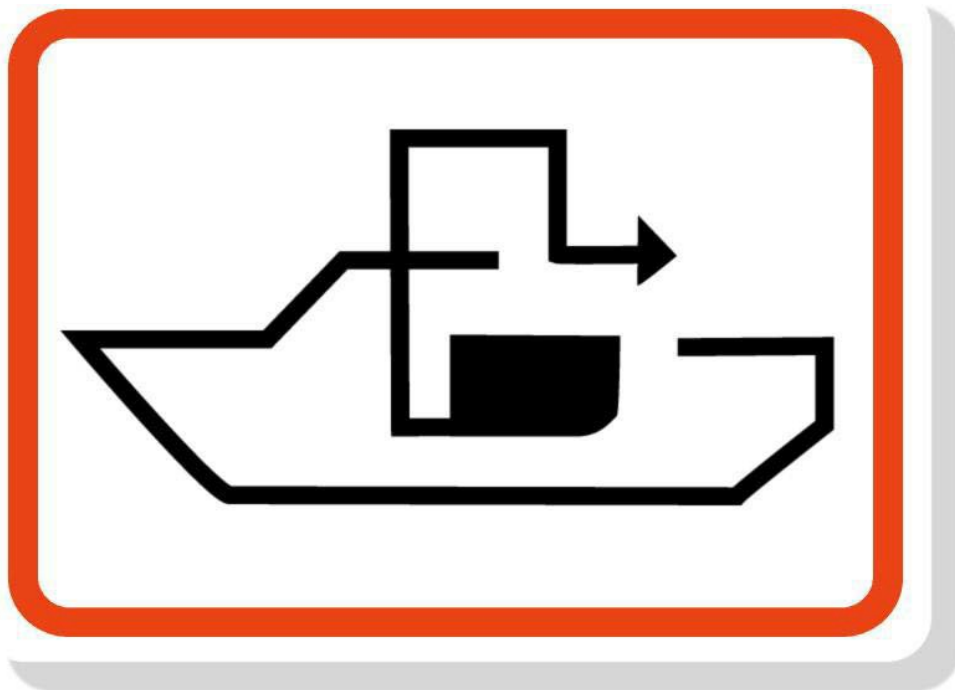
Flor Lemmer, Administrative Officer
Jason Freeman, Public Works Manager
John R Herin Jr, Town Attorney
Amy Baker, Town Clerk
Roger Hernstadt, Town Manager

Created/Initiated - 8/31/2022
Approved - 8/31/2022
Approved - 9/1/2022
Approved - 9/1/2022
Final Approval - 9/1/2022



Florida Department of Environmental Protection

Clean Vessel Act Grant Application & Instructions



KEEP FLORIDA'S WATER CLEAN

Clean Vessel Act Grant Requirements and Instructions

1. The Clean Vessel Act (CVA) application form is an Adobe Acrobat file that allows you to submit your completed application online via email. You will need Adobe Reader software to submit the application form. You may go to Adobe website at <https://get.adobe.com/reader/> to install Adobe reader software at no charge.
2. Be sure to review all the following requirements **before** completing the application form on page 4. Additional information can be found at the Clean Vessel Act website: <https://floridadep.gov/rcp/cva/content/apply-cva-grant>
3. ***These items should be completed before submitting your application.***
4. **No work may be started until a grant agreement is fully executed by this office and we inform you that you may begin your project.**

Public Access

To receive CVA funds, both publicly and privately-owned facilities must provide public access to the pumpout equipment. Federal marina facilities are not eligible to receive CVA funds.

Fees

Fees to use the pumpout equipment cannot exceed \$5.00 per vessel pumped for 5 years following installation of your pumpout. Any fees collected shall be reported back to the Department and used to defray the cost of operations, maintenance and repair of the pumpout equipment. If facilities are receiving funding for operations/maintenance/repair, for the time of the agreement, there should be no additional pumpout fees to the boater.

Plan your project

Provide a summary of your project in the application. For larger projects, please call the Clean Vessel Act grant program to discuss the project and for guidance on any additional documentation that may be needed. If you are planning a project but not yet ready to apply, please give us a call; we would like to learn of any future projects.

Engineering plans or drawing of proposed project site

Provide a drawing of your project with the proposed pumpout equipment, sanctions/connections, and sewer connections marked. It can be an aerial photo or drawing from your survey or can be hand drawn. We need enough information about the project to develop your agreement and to insure permitting requires are met.

Permits

Facilities are responsible for all permits applicable to the pumpout project. ***Failure to obtain required permits prior to placing a pumpout system/equipment into operation can result in enforcement actions and civil penalties.*** Costs for permits relating to the installation of the pumpout are reimbursable up to 75%. Grantees must submit copies of applicable permit issuance and permit inspections to the CVA Program to receive reimbursement for any work performed where permitting is required.

Business Registration

Private businesses (*not applicable to governmental entities*) must be registered with the State of Florida, **Division of Corporations/Sunbiz**. If your facility has not yet registered, please register at: <https://efile.sunbiz.org/onlmenu.html>.

Vendor Registration

All applicants for CVA grants (private businesses **and** governmental entities) must register with the State of Florida Department of Management Services, My Florida Marketplace Vendor System. If your facility is not a registered vendor in the state of Florida, please register at: <https://vendor.myfloridamarketplace.com>.

Insurance

All facilities must be insured by carriers licensed in or eligible to do business in Florida, and must maintain **applicable** Commercial General Liability, Automobile Liability, and Worker's Compensation coverage. A current Certificate of Insurance that includes the Florida Department of Environmental Protection as an additional insured must be submitted with the grant application. **Go to our website at <https://floridadep.gov/rcp/cva/content/cva-application-supporting-documents> for more detailed information on Insurance Requirements.**

If the applicant is a Florida governmental entity, which is self-funded for liability insurance, then the applicant must provide in writing, on official letter-head, from the applicant's CFO a statement confirming the governmental entity as self-insured.

W-9 Form and Substitute W-9 Filing

All applicants (private businesses **and** government entities) are required to submit a copy of their W-9 form with the grant application and file the facilities substitute W-9 with My Florida Marketplace. If the facility has not yet filed their substitute W-9 please file it at: <https://flvendor.myfloridacfo.com>.

Federal Funding and Accountability and Transparency Act (FFATA) Form

If you are requesting more than \$30,000 in grant funding, please complete and submit the FFATA Form with the grant application, located at <https://floridadep.gov/rcp/cva/forms/federal-funding-accountability-and-transparency-act-form>.

To complete this form, your facility will need a D-U-N-S number, if your facility does not yet have one, please register at: <http://www.dnb.com/get-a-duns-number.html>.

Allowable Expenses

Expenses that are applicable to the pumpout project includes:

- Permits
- Site preparation
- Renovation
- Equipment Purchase
- Equipment Installation
- Operations of Pumpout Equipment
- Maintenance and Repairs
- Sewage Hauling
- Pumpout Signage
- Educational Materials

Vendor Quotes

Applicants must submit **two** written quotes, from two different vendors, for any equipment or service costs that exceeds \$2,500. The lowest quote should be chosen, and all quotes should be submitted with the application package.

Reimbursement

Grant Recipients are reimbursed up to 75% of the total approved project cost and must provide a minimum of 25% of the total approved project cost as match. Expenditures made **prior** to the agreement execution date **will not** be reimbursed.

Quarterly Reporting

Progress Reports should be submitted every three months (quarterly) beginning the quarter following the contract's execution and continuing until the pumpout project has been completed and/or the final payment submission is received.

Quarterly Pumpout Gallon Reports will be due from the grantee every three months (quarterly) for a period of five years once the pumpout equipment is purchased and installed and/or during the operations/maintenance CVA Grant award period.

Signage

Facilities must display at least one pumpout operational accreditation sign posted in a clearly visible location on or adjacent to the pumpout system and one 3' by 4' international pumpout symbol sign clearly visible from the waterway. Additional signage can be installed based on the marina's needs. **Go to our website at** <https://floridadep.gov/rcp/cva/content/pumpout-signage-requirements> **to see signage examples and additional requirements.**

A DEP District Site Visit

Prior to approving funding for the purchase and installation of pumpout equipment, a DEP Clean Boating Coordinator may visit the facility to determine if any permits are needed for your project, and to ensure the proposed pumpout location allows for proper boater access and sewage disposal. This **is not** a regulatory inspection, but it must be conducted as a grant requirement to process the application and approve funding.

Clean Vessel Act Grant Application Form

Facility General Information

Facility Name: Town of Fort Myers Beach

Federal Employer ID #: 65-0632342

Facility's Fiscal Year-from: 2022

to: 2023

Facility Address: 2525 Estero Blvd

City: Fort Myers Beach

State: FL

ZIP Code: 33931

County: LEE

Mailing Address (if different):

City:

State:

ZIP Code:

County:

Facility Phone Number: (239) 765-0202

Facility Fax number: (239) 765-0909

Facility Website: <https://www.fortmyersbeachfl.gov/109/Matanzas-Pass-Mooring-Field>

Facility Email Address: pumpout@fmbgov.com

Is the facility involved in any community partnerships or public events?

☐ Yes

☒ No

If yes, please describe:

Contact Responsible for CVA Grant Application and Project Implementation Information

Name: Jason Freeman

Title: Public Works Director

Address: 2525 Estero Blvd

City: Fort Myers Beach

State: FL

ZIP Code: 33931

Phone: (239) 765-0202 x1700

Email Address: JASONF@FMBGOV.COM

Is the contact person: ☐ Consultant

☐ Contractor

☒ Facility Employee

☐ Other:

Facility Owner(s) Information

Name: Town of Fort Myers Beach

Address: 2525 Estero Blvd.

City: Fort Myers Beach

State: FL

ZIP Code: 33931

Phone: (239) 765-0202

Email Address: JASONF@FMBGOV.COM

Is the facility owned/operated by a self-insured governmental entity (state, county, or city)?

☒ Yes

☐ No

Facility Location Information

Type of Facility (check all that apply):

☐ Marina

☐ Boatyard

☐ Yacht/Boat Club

☐ Dockominium

☐ Boat Ramp

☒ Mooring Fields

Name of the common/local waterbody where the facility is located: Matanzas Pass Bay

Salinity of the common/local waterbody? ☐ Freshwater ☐ Saltwater ☒ Brackish

Facility's Coordinates (in decimal degrees)? Latitude: 26.456182 Longitude: -81.954217

Find your facility's coordinates here: <http://itouchmap.com/latlong.html>

Total number of slips at the facility? 89 Wet: Dry: Mooring: 89

Of the total number, how many are: Transient? 81 Dedicated to one owner?

Does the facility allow public access to docking and marina services? ☒ Yes ☐ No

Does the facility have live-aboards? ☒ Yes ☐ No If yes, approximately how many? 8

Does the facility have houseboats? ☐ Yes ☒ No If yes, approximately how many?

How many slips are available for: Vessel under 26' 89 Vessels 26' to 40' 89 Vessels over 40' 64

Facility's Current Pumpout Information

Proposed pumpout project is for a(n):

☒ Existing Marina Facility ☐ Facility currently under construction ☐ Proposed Marina Facility (not under construction)

Does the facility currently have pumpout equipment? ☒ Yes ☐ No

If yes, please describe the current equipment:

Is the pumpout out equipment currently operational? ☒ Yes ☐ No

Will the proposed pumpout project be replacing the current equipment? ☐ Yes ☒ No

Will the proposed pumpout project be in addition to the current equipment? ☒ Yes ☐ No

Was the current equipment purchased through a past CVA grant? ☒ Yes ☐ No If yes, what was the grant number? CVA 21-030 MV429

Proposed Pumpout Project Information

Type (s) of pumpout equipment requesting (check all that apply): ☐ Stationary Pumpout ☒ Pumpout Vessel ☐ Lift Station ☐ Portable Pumpout Unit ☐ Dump Station/Portable Toilet Dump ☐ Holding Tank

Where on the premises will the pumpout/dumpout be located? ☐ On a dock ☒ On land

Number of pumpout connections to be installed through this project? 0

Will there be connections available to all slips? ☐ Yes ☒ No

Disposal method for pumpout/dumpout/boat sewage?

☐ Directly to a permitted wastewater treatment facility

☐ Directly to an on-site sewage treatment system

☐ Directly to an on-site septic tank

☒ Into holding tank, then transported to permitted wastewater treatment facility

Availability of pumpout/dumpout services?

☒ Monday

☒ Tuesday

☒ Wednesday

☒ Thursday

☒ Friday

☐ Saturday

☐ Sunday

☒ Between the hours of 7:00 AM and 2:00 PM

☐ 24 Hours a day

Projected number of pumpouts/dumpouts each week? 150

Anticipated start date? 10/1/22

Anticipated end date? 9/30/2023

How did you learn about the CVA Grant Program?

☐ DEP Workshop

☐ DEP Website

☒ DEP Staff

☐ Radio/TV Ad

☐ Another Marina Owner/Operator

☐ Pumpout Vendor

The facility is a designated: ☐ Clean Marina ☐ Clean Boatyard ☐ Clean Retailer ☐ Clean and Resilient ☒ None

Are you interested in learning more about the Clean Marina Program? ☐ Yes ☒ No

How will the facility let the public know there are pumpout facilities available for their use? Promotion, Education local and online

Pumpouts will be provided at: ☐ No Charge ☒ \$5.00/pumpout

Does the facility have a policy in place to address pumpout compliance by the facility's tenants? ☒ Yes ☐ No

If fees (\$5.00/pumpout) are collected, they are to be used to defray the costs of operations, maintenance, and repairs, and should be reported to the Department quarterly. Does the facility have or plan to have a preventative maintenance plan to sustain the pumpout equipment after the installation?

☒ Yes ☐ No

Funding for operations may be limited. Has the facility considered a plan for funding self-sustainable pumpout operations?

☒ Yes ☐ No

If yes, please describe the sustainability plan below:

Briefly summarize the proposed pumpout project and how grant funds will be used to complete the project:

For Example: ABC Marina plans to install one stationary pumpout to service resident and visiting boaters. The pumpout will be installed on the dock with piping to service each boat slip.

The proposed pumpout equipment will be purchased and installed by contractors. The plumbing and electrical wiring will be installed by local contractors. We plan to purchase and install the signs ourselves utilizing marina staff time. ABC would also like to apply for funds to operate and maintain the equipment once installed.

The Town has brought the upland services in house. The town is maintaining a self-sustainable pumpout operation.

Estimated Project Budget

Tasks	Category	Total Amount	75% grant (automatically calculated)	25% match (automatically calculated)
Permits	Miscellaneous Expenses		\$ 0.00	\$ 0.00
Site Preparation	Contractual Services		\$ 0.00	\$ 0.00
	Salaries		\$ 0.00	\$ 0.00
Renovation	Contractual Services		\$ 0.00	\$ 0.00
	Salaries		\$ 0.00	\$ 0.00
Equipment Purchase	Equipment		\$ 0.00	\$ 0.00
Equipment Installation	Contractual Services		\$ 0.00	\$ 0.00
	Salaries		\$ 0.00	\$ 0.00
Operations of Equipment	Contractual Services		\$ 0.00	\$ 0.00
	Salaries	\$ 41,080.00	\$ 30,810.00	\$ 10,270.00
Maintenance and Repair	Contractual Services	\$ 1,000.00	\$ 750.00	\$ 250.00
	Supplies	\$ 5,500.00	\$ 4,125.00	\$ 1,375.00
	Salaries	\$ 3,000.00	\$ 2,250.00	\$ 750.00
Sewage Hauling	Contractual Services		\$ 0.00	\$ 0.00
Pumpout Signage	Miscellaneous Expenses	\$ 1,000.00	\$ 750.00	\$ 250.00
	Salaries		\$ 0.00	\$ 0.00
Education and Instructional Materials	Miscellaneous Expenses	\$ 1,000.00	\$ 750.00	\$ 250.00
	Total Project Amount 100%	\$ 52,580.00		
	Total Grant Award Amount (no greater than 75%)	\$ 39,435.00		
	Total Match Amount (no less than 25%)	\$ 13,145.00		

Note: The facility should include estimated hourly rate of pay for all in-house labor costs when calculating any salaried task above. Only the **direct** hourly rate of pay for the facility's employees are reimbursable. Thus, the facility **shall not be reimbursed for wage multipliers** (i.e. fringe benefits, overhead, indirect, and/or general and administrative rates). To request reimbursement for hourly rate of pay, the costs shall be itemized by employee position, hourly rate of pay, and the associated activity using the table below. At its discretion, the Department may request additional supporting documentation.

Hourly Rate of Pay for Grant Reimbursement

[Click here for detailed instructions on how to complete this table.](#)

(Please skip this chart if the proposed project's budget does not include in-house labor (salaries) costs)

Position Title	Rate/Hour	# Hours	Total Salary (automatically calculated)
Example: Operations Worker	\$12.00	150	\$1,800.00
Harbormaster	\$ 22.00	520.00	\$ 11,440.00
Operations Worker	\$ 20.00	520.00	\$ 10,400.00
Operations Worker	\$ 19.00	520.00	\$ 9,880.00
Operations Worker	\$ 18.00	520.00	\$ 9,360.00
Maintenance Worker	\$ 20.00	150.00	\$ 3,000.00

CVA Application Page 7

CVA Grant Application Submission Checklist

Check each box to indicate completion/agreement

- ☒ The facility is registered with the My Florida Marketplace Vendor System
- ☐ The facility is registered with the Florida Division of Corporations (not applicable to governmental facilities)
- ☐ The facility's Certificate of Insurance will be submitted with the grant application (not applicable to governmental facilities)
- ☒ The facility is a self-insured governmental entity and will submit a statement to indicate as such with the grant application
- ☒ If the equipment or service costs exceed \$2,500, two vendor quotes will be submitted with the grant application

If the total project cost exceeds \$30,000, the Federal Funding Accountability and Transparency Act Form will be submitted with the grant application

As an authorized agent for **The Town of Fort Myers Beach**, I verify that this facility is in regulatory compliance with the Florida Department of Environmental Protection, and all local, state, and federal permits and approvals applicable to the project specified in this application will be obtained **before** beginning work or purchasing any equipment.

Name: **Jason Freeman**

Title: **Public Works Director**

Date: **9/1/22**

Submission Instructions

- When you are satisfied with your entries and ready to submit the application, **save a copy of the application form** for your records by using the 'Save As' option under the 'File' Menu.
- Then click on the 'Submit Application' button below.
- An email window will appear with the application form attached.
- Before sending the email, attach all required documentation along with the application. It is helpful if all document attachments are clearly titled with your facility's name.
- **Your application will not be processed or approved until all required documentation is received.**

Print

Submit

If you are unable to submit the application with the submission button above, you can email, fax, or mail the completed application and required documentation to:

**Florida Department of Environmental
Protection Clean Vessel Act Grant Program
Mail Station 235
3900 Commonwealth Boulevard
Tallahassee, FL 32399-3000
Clean.Vessel.Act@FloridaDEP.gov
Fax Number: 1-866-340-4683**

For help or further instruction, please visit
the [Clean Vessel Act](#) website or call us at 850-245-2847

1. Requested Motion:

Meeting Date: September 8, 2022

Authorize Temporary LeeTram Parking on FMB fire district property located at 2545 Estero Blvd (Topps) for up to seven months.

Why the action is necessary:

The current LeeTram storage area is proposed to be utilized during the TPI construction phases. The proposed FMB fire district property will allow LeeTram to store the trams overnight in a secure location.

What the action accomplishes:

Approval will allow LeeTram to keep their trams overnight on the property located at 2545 Estero Blvd.

2. Agenda:

PUBLIC HEARINGS

3. Requirement/Purpose:

LDC Sec. 34-1352.(e), areas used for the commercial storage of motor vehicles, trailers, recreational vehicles, and construction equipment which is not being displayed for sale or rent shall be enclosed, unless storage, open is permitted through the approval of a suitable planned development zoning district.

4. Submitter of Information:

5. Background:

Due to TPI (Margaritaville) beginning construction, the area used by LeeTram for storing the trams overnight is being disrupted. An agreement between LeeTram and the FMB fire district would allow them to temporarily install a fence around the FMB fire district property located at 2545 Estero Blvd (Topps) and store the trams on the property from 11/01/2022 to 5/1/2023 24hrs a day.

Attachments:

1. LeeTran FMB Temporary Use Agreement

Financial Impact:

N/A

6. Alternative Action

Approve/Deny

7. Management Recommendations:

8. Recommended Approval:

Jason Smalley, Senior Planner
John R Herin Jr, Town Attorney
Amy Baker, Town Clerk
Roger Hernstadt, Town Manager

Created/Initiated - 8/31/2022
Approved - 9/1/2022
Approved - 9/1/2022
Final Approval - 9/1/2022



TEMPORARY USE APPLICATION

Property Address: 2545 & 2555 Estero Blvd Fort Myers, Beach, FL 33931
Property Owner's Name: Fort Myers Beach Fire Control Strap Number: 19-46-24-W3-000458.0000&0010
Applicant: Lee County BoCC/LeeTran Contact Person: Dawn Huff
Phone Number: 239-533-0233 Email: dhuff3@leegov.com
Description of Temporary Use (please be specific): LeeTran Tram Vehicle parking/storage area
Date(s) Requested: 11/1/2022 thru 5/1/2023 Hours 24 hours to _____
Number of Tents: n/a Sq. Ft. Per Tent: n/a Tent Side Walls: Yes _____ No _____
Temporary Lighting: Yes _____ No _____ Temporary Electric: Yes _____ No _____ Amps _____

ADDITIONAL INFORMATION / SUBMITTAL REQUIREMENTS

- A. Application fee per fee schedule.
- B. Notarized letter from property owner giving permission for use of property (not required for construction Office/Shed).
- C. Two site plans indicating available parking, loading space, existing structures and location of equipment, restroom facilities, etc.
- D. Evidence that adequate sanitary facilities meeting the requirements of Lee County Health Department are provided (Port-o-let contract or letter from neighboring business stating that restroom facilities are for their use and that hours of operation are compatible).
- E. Evidence that sounds emanating from the temporary use shall not adversely affect any surrounding property, per Noise Control Ordinance No. 15-01.
- F. Evidence of public liability insurance and property damage insurance.
- G. Where applicable, evidence that the applicant for a proposed use has complied with Town ordinances pertaining to Special Events LDC Section 22, Ordinance No.12-04.
- H. Evidence that the appropriate law enforcement and fire agencies that will be coordinating traffic control or emergency services have been advised of the plans for the temporary use and are satisfied with all aspects under their jurisdiction.
- I. If tent is 2,500 sq. ft. and over, plans will need to be reviewed by Plan Review (\$50 review fee).
- J. Two copies of the flame retardant certificates are required for each tent (if applicable).
- K. Temporary use applications for events between May 1st and October 31st will need to be reviewed by Environmental Sciences for compliance with LDC Section 14-11. (\$25 review fee).
- L. Temporary electric and lighting requires separate electrical trade permit application and inspection. (\$104 fee)

The undersigned applicant agrees to comply with the Town of Fort Myers Beach Land Development Code and any other applicable codes and certifies that to the best of his/her knowledge, the information submitted for the temporary permit is true and correct.

WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT.



This page is required for ALL Building Permit Applications

ACKNOWLEDGEMENT OF TOWN OF FORT MYERS BEACH REGULATIONS BY OWNER OR AGENT OF OWNER

NOTICE OF ADDITIONAL RESTRICTIONS: In addition to the requirements of this permit, there may be additional restrictions applicable to this property that maybe found in the public records of this County, and there may be additional permits required from other governmental entities such as the Water Management District, State agencies, or Federal agencies.

WARNING OF WORK IN THE COUNTY RIGHT-OF-WAYS: This permit does not authorize construction or installation of any structure or utility, above or below ground, within any right of way or easement reserved for access, drainage or utility purposes. This restriction specifically prohibits fencing, sprinkler systems, landscaping other than sod, signs, water, sewer, cable and drainage work therein. If such improvements are necessary, a separate permit for that purpose must be obtained from the Building Department.

NOTICE OF CLEARING RESTRICTIONS: Issuance of a Demolition Permit for a structure does not authorize removal of vegetation beyond the footprint of the structure. A Demo Permit is not a clearing permit.

INSPECTIONS This permit is void if the first inspection is not made within six (6) months from the date issued or if no inspection has been made for a period of six (6) months from the most recently passed inspection. The permit is void if the zoning classification is violated. Applicant agrees to comply with the sanitary regulations and understands that the proposed structure may not be used or occupied until an approved certificate of occupancy is issued.

Applicant further understands that failure to obtain permit or misrepresentation of the improvements is a misdemeanor and upon conviction, applicant can be punished as provided by the law. Failure to comply with the mechanics lien law can result in the property owner paying twice for improvements

WORK IN THE SPECIAL FLOOD HAZARD AREA: Be advised that Substantial Damage/Substantial Improvement requirements will apply to structures located in the Special Flood Hazard Area with Finished Floor Elevations below the Base Flood Elevation.

CERTIFICATION: Application is hereby made to obtain a permit to do the work and installations as indicated. I, THE OWNER OR AGENT OF OWNER, certify that I have not performed any work or installation prior to the issuance of a permit and that all work will be performed to meet the standards of all laws regulating construction in this jurisdiction. The permit or application fee may have additional fees imposed for failing to obtain permits prior to commencement of construction. The permit application or approved permit expires if work is not commenced within 180 days from the date of issuance. I, THE OWNER OR AGENT OF OWNER understand that the structure cannot be used or occupied until a certificate of occupancy is issued. By signing this permit application, I, THE OWNER OR AGENT OF OWNER, agree that I have been retained by the property owner to provide contracting services for the trade for which I am listed. Furthermore, it is my responsibility to notify the Building Plan Review and Inspection Division should I no longer be THE OWNER OR AGENT OF OWNER responsible for providing said contracting services. I, THE OWNER OR AGENT OF OWNER, agree that I understand the review and issuing of this permit does not exempt me from complying with all State and local County Codes and Ordinances.

Job Street Address: 2545 + 2555 Estero Blvd Fort Myers Beach, FL 33931

I, Robert L. Codie, III _____ (Property Owner), hereby certify that

_____ is my authorized agent/representative of the property described herein. All answers to the questions in this registration and any supplementary information attached to and made part of this registration is honest and true.

Robert L. Codie III
Signature of Property Owner

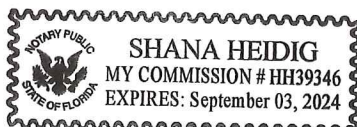
Robert L. Codie III
Typed or printed name of Property Owner

STATE OF FL COUNTY OF Lee

The foregoing instrument was certified and subscribed before me by means of __ physical presence

OR online notarization, this 26 day of July, 2022, by Robert L. Codie, III, X who is personally known to me OR ___ who has produced _____ as identification.

(SEAL)



Shana Heidig
Notary Public Signature



NOTICE OF COMMENCEMENT INFORMATION

Per Florida Statutes 713.135 a Notice of Commencement (NOC) is required for construction of improvements totaling more than \$2,500, with certain exceptions. For A/C Repairs or Replacements a notice of commencement is required for improvements more than or equal to \$7,500. The applicant shall file with the issuing authority prior to the first inspection either a certified copy of the recorded NOC or a notarized statement that the NOC has been filed for recording, along with a copy thereof. In order to comply with the state requirement, permits will be placed in inspection hold until proof of the NOC is filed with the building permitting and inspection department. The issuing authority shall not perform or approve subsequent inspections until the applicant files by mail, facsimile, hand delivery, email or any other means such as certified copy with the issuing authority.

WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT.



This page is required for ALL Building Permit Applications
ACKNOWLEDGEMENT OF TOWN OF FORT MYERS BEACH REGULATIONS BY THE QUALIFIER

NOTICE OF ADDITIONAL RESTRICTIONS: In addition to the requirements of this permit, there may be additional restrictions applicable to this property that maybe found in the public records of this County, and there may be additional permits required from other governmental entities such as the Water Management District, State agencies, or Federal agencies.

WARNING OF WORK IN THE COUNTY RIGHT-OF-WAYS: This permit does not authorize construction or installation of any structure or utility, above or below ground, within any right of way or easement reserved for access, drainage or utility purposes. This restriction specifically prohibits fencing, sprinkler systems, landscaping other than sod, signs, water, sewer, cable and drainage work therein. If such improvements are necessary, a separate permit for that purpose must be obtained from the Building Department.

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CERTIFICATION: Application is hereby made to obtain a permit to do the work and installations as indicated. I, THE QUALIFIER, certify that I have not performed any work or installation prior to the issuance of a permit and that all work will be performed to meet the standards of all laws regulating construction in this jurisdiction. The permit or application fee may have additional fees imposed for failing to obtain permits prior to commencement of construction. The permit application or approved permit expires if work is not commenced within 180 days from the date of issuance. I, THE QUALIFIER understand that the structure cannot be used or occupied until a certificate of occupancy is issued. By signing this permit application, I, THE QUALIFIER, agree that I have been retained by the property owner to provide contracting services for the trade for which I am listed. Furthermore, it is my responsibility to notify the Building Plan Review and Inspection Division should I no longer be THE QUALIFIER responsible for providing said contracting services. I, THE QUALIFIER, agree that I understand the review and issuing of this permit does not exempt me from complying with all County Codes and Ordinances.

Job Street Address: 2545-2555 Estero Blvd Fort Myers Beach, FL 33931

I, SCOTT WIRTH - FMB FIRE (Qualifier), hereby certify that

LEE TRAK / LEE Co. is my authorized agent/representative of the property described herein. All answers to the questions in this registration and any supplementary information attached to and made part of this registration is honest and true.


Signature of Qualifier

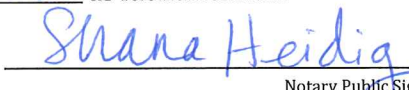
SCOTT WIRTH - DISTRICT Chief of Ops.

Typed or printed name of Qualifier

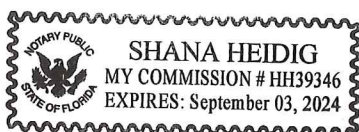
STATE OF FL COUNTY OF Lee

The foregoing instrument was certified and subscribed before me by means of ☒ physical presence

OR online notarization, this 1st day of August, 2022, by Scott Wirth, who is
FL DL
personally known to me OR ☒ who has produced W630-787-71-020-0 as identification.


Notary Public Signature

(SEAL)

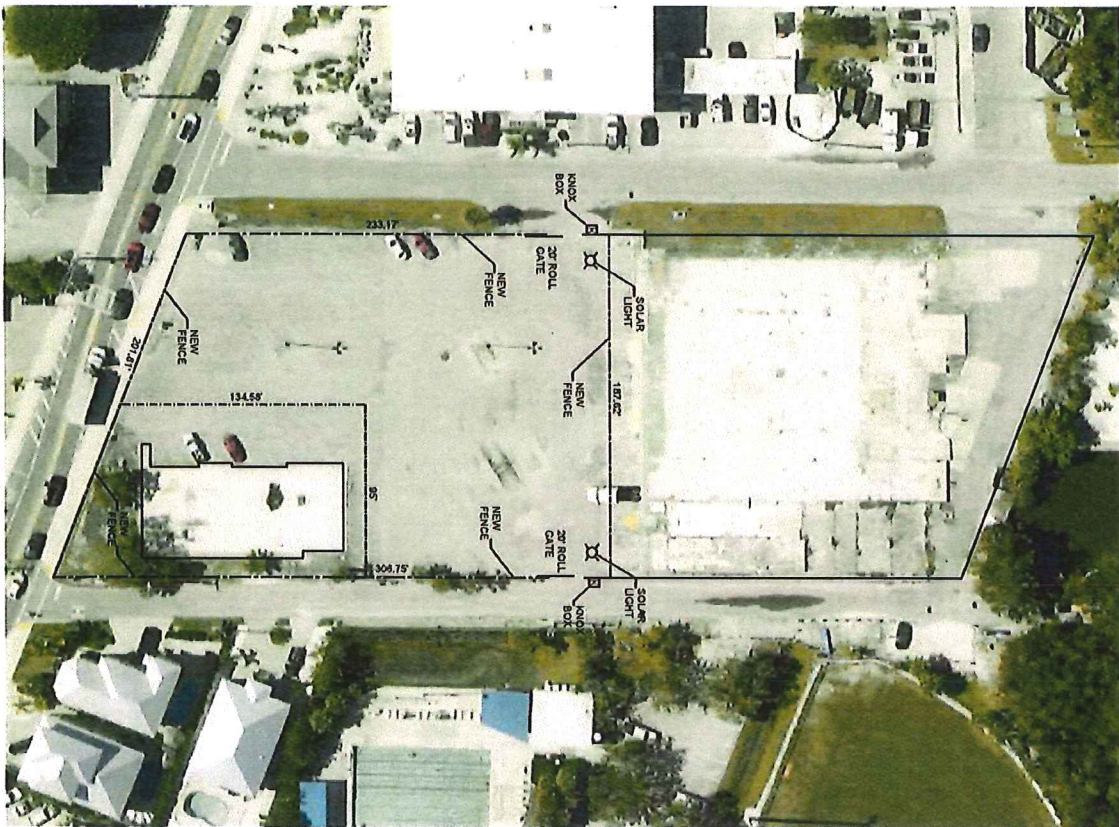
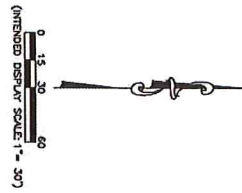




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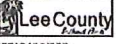
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FORMER TOPPS SITE PLAN
SCALE: 1"=30'

6" BLACK VINYL COATED CHAINLINK FENCE
APPROX. 1000 LF +/-
FENCE ASSEMBLY AND LIGHTING ASSEMBLY
WILL BE SUBMITTED SEPARATELY
SOLAR LIGHT WILL COMPLY WITH ALL CITY
OF FORT MYERS BEACH RULES AND
REGULATIONS

S:\VACUITE CONSTRUCTION MANAGEMENT\PROJECTS\LEE COUNTY TEAM DESIGN GROUP\LEE COUNTY - 2021 PROJECTS\FORT MYERS BEACH TEMP TRANS\01 DWG DOCS-PLANS\temp bccra.dwg - Aug 04, 2021 - 3:30pm

SHEET NUMBER C1	SHEET TITLE	DATE: Aug 03, 2021 DRAWN BY: AM REVISIONS:	LEE COUNTY BoCC FACILITIES CONSTRUCTION & MANAGEMENT 1500 MONROE STREET, FT. MYERS, FL 33901 239-533-8505	PROPOSED FENCE PERIMETER FORMER TOPPS SITE PLAN 2545 ESTERO BLVD. FORT MYERS BEACH, FLORIDA 33931	 STRAP NUMBER: 19-45-24-W3-00458-0000 19-45-24-W3-00458-0010
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Fort Myers Beach Fire Control District

Office of the Fire Chief

100 Voorhis Street · Fort Myers Beach, Florida 33931
Phone (239) 590-4200 • FAX (239) 463-6761

Board Of Fire Commissioners

Larry Wood
Chair

Ronald P. Fleming
Vice-Chair

John Bennett
Secretary & Treasurer

Jacki Liszak
Fire Commissioner

James Nickle
Fire Commissioner

Fire Chief
Ronald L. Martin

July 19, 2022

To whom it may concern,

The Fort Myers Beach Fire Control District has agreed to extend its agreement with Lee County to temporarily utilize property owned by the Fire District. A portion of the property, located at 2545/2555 Estero Blvd., will be used to assist the County with their seasonal operation of the Lee Tran Trolleys from November 1, 2022 until May 1, 2023. These trolley services exclusively serve the Fort Myers Beach Community.

These types of partnerships provide a synergistic benefit for the citizens and visitors to Fort Myers Beach and the District appreciates the opportunity to support Lee County in this endeavor.

Respectfully,



Ron Martin – Fire Chief

Shaping Our Community Through Excellence

Mailing Address: PO Box 2880 · Fort Myers Beach, FL 33932
www.fmbfire.org



Lee County
Southwest Florida

Phone – (239) 533-0835
Fax – (888) 242-3233
Email – risk@leegov.com

BOARD OF COUNTY COMMISSIONERS

Kevin Ruane
District One

July 18, 2022

Cecil L. Pendergrass
District Two

Ray Sandelli
District Three

Brian Hamman
District Four

Vacant
District Five

Roger Desjarlais
County Manager

Richard Wesch
County Attorney

Donna Marie Collins
Chief Hearing Examiner

Fort Myers Beach Fire Department
100 Voorhis Street
Fort Myers Beach, Florida 33931

Regarding: Self-Insurance/Sovereign Immunity as per Florida State Statute

To Whom It May Concern:

This letter will certify that Lee County Government, a political subdivision of the State of Florida, is a self-insured governmental entity for its liability in accordance with Florida Statute 768.28, Waiver of sovereign immunity in tort actions; recovery limits; limitation on attorney fees; statute of limitations; exclusions; indemnification; risk management programs. Our workers' compensation program operates in compliance with and under the auspices of Chapter 440, Florida Statutes.

§768.28(5): "Neither the state nor its agencies or subdivisions shall be liable to pay a claim or a judgment by any one person which exceeds the sum of \$200,000 or any claim or judgment, or portions thereof, which, when totaled with all other claims or judgments paid by the state or its agencies or subdivisions arising out of the same incident or occurrence, exceeds the sum of \$300,000."

§768.28(16)(a): "The state and its agencies and subdivisions are authorized to be self-insured, to enter into risk management programs, or to purchase liability insurance for whatever coverage they may choose, or to have any combination thereof, in anticipation of any claim, judgment, and claims bill which they may be liable to pay pursuant to this section."

§768.28(19): "Neither the state nor any agency or subdivision of the state waives any defense of sovereign immunity, or increases the limits of its liability, upon entering into a contractual relationship with another agency or subdivision of the state. Such a contract must not contain any provision that requires one party to indemnify or insure the other party for the other party's negligence or to assume any liability for the other party's negligence."

Fort Myers Beach Fire Department
Self-Insurance/Sovereign Immunity as per Florida State Statute
July 18, 2022
Page 2

Please be advised that Lee County Government will only respond to those claims that we are legally obligated to as a result of the negligence of County employees only. Lee County Government does not assume liability for negligence caused by others.

Should you have any questions or would like to discuss matter further, please contact me at the number provided above.

Respectfully,

A handwritten signature in blue ink, appearing to read "Mike Figueroa", followed by a horizontal line.

Mike Figueroa, Risk Program Manager
Office of Risk Management

1. **Requested Motion:**

Meeting Date: September 8, 2022

Ordinance 22-12 Newton Park CPD Amendment to Conditions of Approval and Adoption as an Ordinance

Why the action is necessary:

The Town requests a modification to the conditions of approval for the Newton Park CPD in order to align and create consistency with operations among the other town-owned properties, including recent amendments to the Mound House CPD.

What the action accomplishes:

Approval of the proposed amendment will create consistency between town-managed properties and allow the staff and Town Council to make operational decisions.

2. **Agenda:**

PUBLIC HEARINGS

3. **Requirement/Purpose:**

Ordinance

4. **Submitter of Information:**

5. **Background:**

Newton Park has conditions of approval that regulate the use of the property and structures. The Town desires to modify condition #7 to allow for consumption on premises operations similar to previous CPD amendments for the Mound House. The Newton Park CPD was also approved as a Resolution. Approval of the CPD in an Ordinance format replaces that previously approved Resolution.

Attachments:

1. Ordinance 22-12 Newton Park-C
2. Newton Park Staff Report
3. 09-24 Resolution Newton Park CPD
4. Current Application
5. 2009 Application
6. Newton Park_Letters of Recommendation for Denial_combined
7. DCI 2022085 Newton Park LPA Post Cards

Financial Impact:

6. **Alternative Action**

7. **Management Recommendations:**

Approve

8. **Recommended Approval:**

Jason Green, Community Development Services
Jason Green, Community Development Services
John R Herin Jr, Town Attorney
Amy Baker, Town Clerk
Roger Hernstadt, Town Manager

Created/Initiated - 8/31/2022
Approved - 9/1/2022
Approved - 9/1/2022
Approved - 9/2/2022
Final Approval - 9/2/2022

ORDINANCE 22-12

AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA, REPLACING TOWN OF FORT MYERS BEACH RESOLUTION NO. 09-24, AND AMENDING THE SCHEDULE OF USES FOR THE COMMERCIAL PLANNED DEVELOPMENT ZONING FOR THE PROPERTY LOCATED AT 4650 ESTERO BLVD., FORT MYERS BEACH; PROVIDING FOR REVISIONS TO CONDITIONS OF APPROVAL, AND OTHER CLARIFICATIONS AS NECESSARY; PROVIDING FOR CONFLICT OF LAW, SCRIVENER'S ERRORS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Florida Statutes provide that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal service, and exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, Article X of the Town Charter of the Town of Fort Myers Beach empowers the Town to adopt, amend, or repeal such ordinances and resolutions as may be required for the proper governing of the Town; and

WHEREAS, the Town of Fort Myers Beach, owner of 4650 Estero Blvd. known as Newton Park and identified as Strap number 29-46-24-W3-0080H.0010, filed an application to amend the Property's Commercial Planned Development ("CPD) to allow on-premises consumption of alcoholic beverages subject to compliance with all applicable provisions of state law; and

WHEREAS, the property is in the Recreation Land Use Category of the Comprehensive Plan of the Town of Fort Myers Beach, and is under common control of the applicant, as listed in the public records of Lee County Property Appraiser; and

WHEREAS, a public hearing was held before the Local Planning Agency (LPA) on August 9, 2022, at which the LPA gave full and complete consideration of the request, recommendations by staff, the documents in the record, and the testimony of all interested persons, and the LPA voted 5-0 to recommend approval of the requested CPD amendment, and

WHEREAS, on September 8, 2022, the Town Council held a first reading of the proposed Ordinance and gave full and complete consideration to the request of the proposed edits to the Land Development Code, the recommendation of the LPA, the recommendation of staff, the documents in the record, and the testimony of all interested persons; and

WHEREAS, the Town Council set a second reading of the proposed Ordinance and a public hearing on this matter to be legally advertised and held before the Town Council on September 22, 2022; at which time the Town Council gave full and complete consideration to the request, the recommendation of the LPA, the recommendation of staff, consistency with the Comprehensive Plan and Land Development Code, the documents in the record, and the testimony

of all interested persons; and

WHEREAS, the Town Council finds the proposed CPD amendment with conditions of approval are **consistent** with the Town of Fort Myers beach Comprehensive Plan and LDC and voted to **approve** the application.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, AS FOLLOWS:

Section 1. The above recitals are true, correct, incorporated herein by this reference, and adopted as the legislative and administrative findings of the Town Council.

Section 2. The Town Council determines the Applicant **did** meet its burden of proof that the requested zoning amendment **does** meet the requirements of the Town Comprehensive Plan and LDC and approving the request to allow the use of on-site brewing and consumption of malt liquor with conditions is in the best interest of the Town. Therefore, based upon the recommendations, testimony, and evidence presented by the Applicant, Town staff, and interested parties, the Town Council **APPROVES** the requested amendment to the CPD zoning of the Property.

Section 3. Town Resolution 09-24 is repealed and replaced by this Ordinance and the schedule of uses and conditions of approval for the Property's CPD set forth in Exhibit "A," attached hereto and incorporated herein by this reference is approved.

Section 4. Whenever the requirements or provisions of this Ordinance conflict with the requirements or provisions of any other lawfully adopted LDC or Town Code provision, ordinance. or statute, the most restrictive shall apply.

Section 5. Any typographical errors that do not affect the intent of this Ordinance may be corrected with notice to and authorization of the Town Manager without further process.

Section 6. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason, declared by a court of competent jurisdiction to be unconstitutional or invalid, such decision will not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared.

Section 7. This Ordinance shall become effective upon adoption by the Town Council.

The foregoing Ordinance was adopted by the Town Council upon a motion by Council Member _____ and seconded by _____, and upon being put to a roll call vote, the result was as follows:

Raymond P. Murphy, Mayor	_____
Rexann Hosafros, Vice Mayor	_____
Dan Allers, Council Member	_____
Jim Atterholt, Council Member	_____
Bill Veach, Council Member	_____

ADOPTED this 22nd day of September 2022, by the Town Council of the Town of Fort Myers Beach, Florida.

FORT MYERS BEACH TOWN COUNCIL

Raymond P. Murphy, Mayor

ATTEST:

Amy Baker, Town Clerk

**APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE
AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:**

John R. Herin, Jr., Town Attorney

This Resolution was filed in the Office of the Town Clerk on this ____ day of September 2022.

EXHIBIT A

A. Conditions

1. Development must be consistent with the one-page Master Concept Plan stamped “Received April 7, 2009” for case FMBDCI2009-0001, attached as **Exhibit “B”**. The Master Concept Plan must be updated to reflect the final decision of Town Council prior to execution of the resolution approving this rezoning. If changes to the Master Concept Plan are subsequently pursued, appropriate approvals will be necessary.

2. The following limits apply to the project and uses:

a. Schedule of Uses

Principal:

Beach Access

Park, neighborhood

Recreation facility, public

Cultural facility

Membership organization

Recreation facility, commercial

Accessory:

Essential services

Essential services equipment

Hidden path

Day care center, adult (see condition #5 below)

Day care center, child (see condition #5 below)

Dwelling unit, caretaker

Place of worship (see condition #6 below)

School (see condition #6 below)

Theatre (see condition #6 below)

Temporary uses

On-premises consumption of alcoholic beverages (see condition #7 below)

Retail store, small

Administrative office

b. Site Development Regulations

Minimum Lot Width: **195± feet**

Minimum Lot Depth: **180± feet**

Minimum Lot Area: **34,667± square feet**

Maximum Building Height: **2 stories**, including space below base flood elevation as a story

25 feet

Maximum Floor Area Ratio: **0.8**

Setbacks:

Estero Boulevard:	15 feet
Strandview Avenue:	10 feet
Northeasterly lot line:	9.4 feet (existing building only)
	10 feet (all other structures)
Gulf of Mexico:	50 feet from Mean High Water Line

3. Approval of this rezoning does not authorize any activity that would violate any deed restriction or any contractual obligation regarding the subject property.

4. Land lying seaward of the Coastal Construction Setback Line recorded in Plat Book 31, Pages 1 through 21, Public Records of Lee County, Florida, is not rezoned by this resolution and remains zoned EC (Environmentally Critical).

5. The uses *day care center, adult* and *day care center, child* are included as accessory uses to clarify that groups of adults and/or groups of children may spend periods of time during day and evening hours, not extending to overnight stays, on the park grounds or in the buildings, whether gratis or for a fee.

6. The uses *place of worship, school, and theater* are included as accessory uses to clarify that the park grounds and buildings may occasionally host religious, educational, and/or cultural activities, regardless of whether the property is made available to an outside organization or entity gratis or for a fee, or the activities are organized by the Town gratis or for a fee.

7. ~~On-premises consumption of alcoholic beverages is limited to temporary permits issued in accordance with LDC Section 34-1264(d), or to a membership organization/ club in accordance with LDC Section 34-1264(a)(1)e.~~ Any on-premises consumption of alcoholic beverages must comply with all applicable provisions of state law and agency rules.

Nothing in this rezoning, including any of the attached conditions, constitute a variance or deviation from the provisions of Chapter 6, Article IV “Floodplain Regulations” of the LDC. Approval of this rezoning does not exempt the subject property from any provisions of the LDC with the exception of any approved deviation contained herein.



Town of Fort Myers Beach

COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT

TYPE OF CASE: Commercial Planned Development (CPD) Amendment

CASE NUMBER: DCI20220085

CASE NAME: Amending the conditions of approval for Newton Park
CPD (Resolution 09-24)

LPA

HEARING DATE: August 9, 2022, at 9.:00 AM

STAFF

RECOMMENDATION: Approve with conditions

PREPARED/

SUBMITTED BY: Jason Green, AICP, CFM

I. APPLICATION SUMMARY

Applicant/Owner: Alison Giesen/Town of Fort Myers Beach

Request: Modify condition #7 to allow the park to be operated similar to the changes made in recent years to Mound House and consistent with the Town Council operational directions.

Physical Address: 4650 Estero Blvd.

STRAP #: 29-46-24-W3-0080H.0010

FLU: Recreation

Zoning: Commercial Planned Development (CPD)

Adjacent zoning and land uses:

North: Residential Conservation (RC)
Mixed Residential, residential condominiums

South:	RC Mixed Residential, single-family residences
East:	Residential Planned Development (RPD) Mixed Residential, residential condominiums
West:	Gulf of Mexico beach

II. BACKGROUND AND ANALYSIS

Background:

The Town of Fort Myers Beach, Parks and Recreation Department is requesting a modification to condition 7 to allow the park to be operated similar to the changes made in recent years to the Mound House. This change is consistent with the Town Council's operational directions.

Analysis:

The existing language for the CPD would be amended as follows:

1. Development must be consistent with the one-page Master Concept Plan stamped "Received April 7, 2009" for case FMBDCI2009-0001, attached as **Exhibit "B"**. The Master Concept Plan must be updated to reflect the final decision of Town Council prior to execution of the resolution approving this rezoning. If changes to the Master Concept Plan are subsequently pursued, appropriate approvals will be necessary.
2. The following limits apply to the project and uses:

a. Schedule of Uses

Principal:

Beach Access
Park, neighborhood
Recreation facility, public
Cultural facility
Membership organization
Recreation facility, commercial

Accessory:

Essential services
Essential services equipment
Hidden path
Day care center, adult (see condition #5 below)
Day care center, child (see condition #5 below)

Dwelling unit, caretaker
 Place of worship (see condition #6 below)
 School (see condition #6 below)
 Theatre (see condition #6 below)
 Temporary uses
 On-premises consumption of alcoholic beverages (see condition #7 below)
 Retail store, small
 Administrative office

b. Site Development Regulations

Minimum Lot Width:	195± feet
Minimum Lot Depth:	180± feet
Minimum Lot Area:	34,667± square feet
Maximum Building Height:	2 stories , including space below base flood elevation as a story
	25 feet
Maximum Floor Area Ratio:	0.8
Setbacks:	
Estero Boulevard:	15 feet
Strandview Avenue:	10 feet
Northeasterly lot line:	9.4 feet (existing building only)
	10 feet (all other structures)
Gulf of Mexico:	50 feet from Mean High Water Line

3. Approval of this rezoning does not authorize any activity that would violate any deed restriction or any contractual obligation regarding the subject property.

4. Land lying seaward of the Coastal Construction Setback Line recorded in Plat Book 31, Pages 1 through 21, Public Records of Lee County, Florida, is not rezoned by this resolution and remains zoned EC (Environmentally Critical).

5. The uses *day care center, adult* and *day care center, child* are included as accessory uses to clarify that groups of adults and/or groups of children may spend periods of time during day and evening hours, not extending to overnight stays, on the park grounds or in the buildings, whether gratis or for a fee.

6. The uses *place of worship, school*, and *theater* are included as accessory uses to clarify that the park grounds and buildings may occasionally host religious, educational, and/or cultural activities, regardless of whether the property is made available to an outside organization or entity gratis or for a fee, or the activities are organized by the Town gratis or for a fee.

7. ~~On-premises consumption of alcoholic beverages is limited to temporary permits issued in accordance with LDC Section 34-1264(d), or to a membership organization/ club in accordance with LDC Section 34-1264(a)(1)c.~~ Any on-premises consumption of alcoholic beverages must comply with all applicable provisions of state law and agency rules.

Neighborhood Compatibility:

In a review of existing uses and the surrounding neighborhood, staff found the subject property is located within an area that would not be impacted from the minor change to condition 7.

Findings and Conclusions:

LDC Sec. 34-85 sets forth the required findings and conclusions for the approval of a special exception (staff analysis applicable only to the consumption on premises):

- a. *Whether there exists an error or ambiguity which must be corrected.*
There is no error or ambiguity. This amendment will allow this facility to function similarly to the Mound House and is consistent with Town Council operational directions
- b. *Whether there exist changed or changing conditions which make approval of the request appropriate.*
This change is consistent with Town Council directions regarding management of the facilities.
- c. *The impact of a proposed change on the intent of this chapter.*
This amendment will not change the intent of the chapter.
- d. *Whether the request is consistent with the goals, objectives, policies, and intent of the Fort Myers Beach Comprehensive Plan.*

The request is consistent with goals, objectives, policies, and intent of the Fort Myers Beach Comprehensive Plan.

- e. *Whether the request meets or exceeds all performance and locational standards for the proposed use.*

The request meets performance and location standards if approved and conditioned appropriately.
- f. *Whether urban services are, or will be, available and adequate to serve a proposed land use change.*

No additional services will be needed because the use already exists, and the function will not be altered.

- g. Whether the request will protect, conserve, or preserve environmentally critical areas and natural resources.*

The request does not impact the EC zoning district. There are no physical improvements proposed for the site or building.

- h. Whether the request will be compatible with existing or planned uses and not cause damage, hazard, nuisance, or other detriment to persons or property.*

There is no anticipated negative impact or injury to surrounding properties as there will be no change to the use of the property.

- i. Whether the location of the request places an undue burden upon existing transportation or other services and facilities and will be served by streets with the capacity to carry traffic generated by the development.*

The amendment to condition 7 will not place any additional burden on the transportation facilities in this area.

III. RECOMMENDATION

The proposed amendment will require the adoption of a new ordinance for the CPD with amendments to the conditions, as shown above in this staff report. Adoption of a new ordinance with amended conditions to the existing CPD for Newton Park will be minimal and not deleterious to the adjacent properties.

Therefore, staff recommends **APPROVAL** of DCI20220085.

Staff Report Exhibits:

A – Previous adopted Resolution 09-24

B – Complete Application

C – 2009 Application

D – Letter to Adjacent Property Owners

RESOLUTION OF THE TOWN COUNCIL OF
THE TOWN OF FORT MYERS BEACH, FLORIDA
RESOLUTION NUMBER 09-24
NEWTON PARK COMMERCIAL PLANNED DEVELOPMENT

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA:

WHEREAS, The Town of Fort Myers Beach ("Applicant") has initiated an application to rezone 0.79± acres from the RC (Residential Conservation) zoning district to a CPD (Commercial Planned Development) zoning district, to approve a schedule of uses for the adaptive reuse of an existing historic site, and to approve certain deviations from the requirements of the Land Development Code (LDC), all as indicated on the approved Master Concept Plan; and

WHEREAS, the subject property is located at 4600, 4610, and 4650 Estero Boulevard, in the "Recreation" Future Land Use Map (FLUM) category of the Comprehensive Plan of the Town of Fort Myers Beach, Lee County, Florida; and

WHEREAS, the Applicant has indicated the property's current STRAP numbers are: 29-46-24-W3-0080H.0030, 29-46-24-W3-0080H.0050, and 29-46-24-W3-0080H.0010, with the legal description attached hereto and incorporated herein by reference as **Exhibit "A"**; and

WHEREAS, a public hearing was legally advertised and held before the Local Planning Agency (LPA) on July 14, 2009, at which time the LPA recommended approval of the application as set forth with specificity in LPA Resolution 2009-15; and

WHEREAS, a public hearing was legally advertised and held before the Town Council on August 17, 2009, at which time the Town Council gave full and complete consideration to the recommendations of staff, the documents in the file, the recommendations of the LPA and the testimony of all interested persons.

NOW, THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA as follows:

The Town Council **APPROVES** the Applicant's request to rezone the subject property to a CPD zoning district subject to the seven (7) conditions and three (3) deviations set forth with specificity below.

A. CONDITIONS

1. Development must be consistent with the one-page Master Concept Plan stamped "Received September 14, 2009" for case FMBDCI2009-0001, attached as **Exhibit "B"**, as updated to reflect the final decision of Town Council prior to execution of this resolution. If changes to the Master Concept Plan are subsequently pursued, appropriate approvals will be necessary.

2. The following limits apply to the project and uses:

a. Schedule of Uses

Principal:

- Beach Access
- Park, neighborhood
- Recreation facility, public
- Cultural facility
- Membership organization
- Recreation facility, commercial

Accessory:

- Essential services
- Essential services equipment
- Hidden path
- Day care center, adult (see condition #5 below)
- Day care center, child (see condition #5 below)
- Dwelling unit, caretaker
- Place of worship (see condition #6 below)
- School (see condition #6 below)
- Theatre (see condition #6 below)
- Temporary uses
- On-premises consumption of alcoholic beverages (see condition #7 below)
- Retail store, small
- Administrative office
- Rental of Beach Furniture
- Boat Rentals limited to non-motorized craft up to sixteen feet

b. Site Development Regulations

Minimum Lot Width:	195± feet
Minimum Lot Depth:	180± feet
Minimum Lot Area:	34,667± square feet
Maximum Building Height:	2 stories , including space below base flood elevation as a story
	25 feet
Maximum Floor Area Ratio:	0.8
Setbacks:	
Estero Boulevard:	15 feet
Strandview Avenue:	10 feet
Northeasterly lot line:	9.4 feet (existing building only)
	10 feet (all other structures)
Gulf of Mexico:	50 feet from Mean High Water Line

3. Approval of this rezoning does not authorize any activity that would violate any deed restriction or any contractual obligation regarding the subject property.

4. Land lying seaward of the Coastal Construction Setback Line recorded in Plat Book 31, Pages 1 through 21, Public Records of Lee County, Florida, is not rezoned by this resolution and remains zoned EC (Environmentally Critical).

5. The uses *day care center, adult* and *day care center, child* are included as accessory uses to clarify that groups of adults and/or groups of children may spend periods of time during day and evening hours, not extending to overnight stays, on the park grounds or in the buildings, whether gratis or for a fee.

6. The uses *place of worship, school, and theater* are included as accessory uses to clarify that the park grounds and buildings may occasionally host religious, educational, and/or cultural activities, regardless of whether the property is made available to an outside organization or entity gratis or for a fee, or the activities are organized by the Town gratis or for a fee.

7. On-premises consumption of alcoholic beverages is limited to temporary permits issued in accordance with LDC Section 34-1264(d), except that the number of such permits issued per year shall not be limited to twelve (12), or to a membership organization/ club in accordance with LDC Section 34-1264(a)(1)c. Any on-premises consumption of alcoholic beverages must comply with all applicable provisions of state law and agency rules, as well as Town Ordinance 97-5.

B. DEVIATIONS

1. Deviation #1 from LDC Section 34-953 to allow the requested CPD zoning district to substitute the site development regulations provided in condition #2, above, for the applicable the regulations of the CR or CB zoning district **IS APPROVED**.

2. Deviation #2 from LDC Section 10-285 requiring connection separation between connections to a local street of 125 feet, to allow minimum separations of 76 feet for a connection to Strandview Avenue and 70 feet for a connection to an unnamed accessway, as indicated on the Master Concept Plan **IS APPROVED**.

3. Deviation #3 from LDC Sections 10-291 and 10-296 to allow the development to use the existing 20-foot shell accessway adjoining the northeasterly lot line, as indicated on the Master Concept Plan **IS APPROVED**.

C. FINDINGS AND CONCLUSIONS

The Town Council makes the following findings and reaches the following conclusions:

1. The requested CPD zoning district, as conditioned, **is consistent with** and **complies** with all specific requirements, goals objectives, policies and intent and with the densities, intensities and general uses set forth in the Fort Myers Beach Comprehensive Plan, Land Development Code Chapter 34 and all other applicable town ordinances or codes that are relevant to the requested planned development:

*Several Comprehensive Plan policies specifically refer to the Newton Property. **Policy 10-D-3** expresses the intent to “purchase the Newton estate to serve as an oasis park with interpretive and rest facilities”. **Policy 10-F-3** expresses the intent to “operate [the Newton Property] as a small community park”. These policies support the overall goals, expressed in Goals **10-D** and **10-F**, of increasing the level of access to recreation facilities and heightening appreciation of the Town’s recent history and cultural life. As a part of the small public park,*

*the proposed uses are consistent with the general uses set forth for the Recreation FLUM category in **Policy 4-B-8** and for public facilities in **Policy 4-B-13**.*

*Approval of the rezoning to CPD, as requested and as conditioned, will limit the use of the subject property to a group of uses consistent with the Recreation FLUM category and public facilities as detailed in Comprehensive Plan **Policy 4-B-8** and **Policy 4-B-13**. The use of the subject property for a public park and historic site was specifically planned in **Policy 10-D-3** and **Policy 10-F-3**. Accessory uses will be required to comply with general provisions of LDC Chapter 34, and site development will comply with LDC Chapters 10 and 34 except where granted deviations.*

2. There **is not** an error or ambiguity that must be corrected:

No error or ambiguity is evident. The Town acquired the subject property, which formerly constituted a private residence, and now proposes to use the former residential property as a recreational area that is also the site of an historic building.

3. There **exist** changed or changing conditions that make approval of the request, as conditioned, appropriate.

The Town has acquired the subject property and formulated its plans to renovate the historic building and improve the site to complete the conversion from a residential property to a small park. This changed condition makes approval of the request appropriate.

4. The proposed use or mix of uses, as conditioned, **is appropriate** at the subject location;

*The public park and historic site were specifically planned in Comprehensive Plan **Policy 10-D-3** and **Policy 10-F-3**. Accessory educational, religious, and cultural uses are appropriately allowed in a public park if conditioned to ensure that they do not expand commercially to intrude upon neighboring residential uses. These conditions would prevent such expansion.*

5. Sufficient safeguards to the public interest **are provided** by the conditions to the master concept plan or by other applicable regulations;

The specified conditions protect the public from the expansion of accessory uses of the park and historic site. Other applicable state regulations apply to the subject property through deed restrictions and protect the wider public interest for which the subject property was acquired. .

6. All conditions **are reasonably related** to the impacts on the public's interest created by or expected from the proposed development;

These conditions specify the applicable master concept plan, provide property development regulations, clarify that environmentally critical areas are not being

rezoned for development, and prevent the expansion of accessory uses in ways that could be detrimental to neighbors and the public in general.

7. The proposed use or mix of uses, as conditioned, **meets** all performance and locational standards set forth for the proposed use.

Specific performance and locational standards do not apply to most of the proposed uses. The location of the parking area is addressed by deviation #1. Required landscaped buffer areas will be provided between the parking area and rights-of-way. The on-premises consumption of alcoholic beverages will be limited in such a way as to comply with locational standards and will be required to comply with state law.

8. Regarding the requested deviations (#1, #2, and #3):

- a. Each Deviation **does enhance** the achievement of the objectives of the planned development;

Deviation #1 allows property development regulations appropriate to a park and existing historic site rather than form-based regulations designed for new development of commercial or mixed-use buildings. Strandview Avenue and the unnamed 20-foot accessway are existing facilities. Deviation #2 to allow connections to Strandview Avenue and the accessway that do not meet the minimum separation requirements will allow access to the property without creating new connections to Estero Boulevard. Further intensification of development adjoining Strandview Avenue and the accessway is not allowed. Deviation #3 from the accessway construction standards will allow continuing use of the park and historic site and maintain the existing shell accessway.

- b. Through each Deviation the general intent of Land Development Code Chapter 34 to protect the public health, safety, and welfare **will be** preserved and promoted;

Deviation #1 allows property development regulations appropriate to a park and historic site. Deviation #2 allows the property to have connections to existing local streets and reduces the number of connections to Estero Boulevard. Deviation #3 will allow the existing accessway to continue as a permeable shell surface rather than pavement, and will allow existing utility equipment to remain in place, rather than being relocated.

- c. Each Deviation **does operate** to the benefit, and **does not operate** to the detriment, of the public interest; and

Deviation #1 allows appropriate property development regulations instead of requiring the historic building to be relocated to meet a build-to line. Deviation #2 reduces the number of connections to Estero Boulevard by using the existing Strandview Avenue and accessway connections. Deviation #3 prevents unnecessary relocation of utility equipment and

allows the accessway to continue as a permeable surface rather than a source of stormwater runoff.

- d. Each Deviation is **consistent** with the Fort Myers Beach Comprehensive Plan.

*Comprehensive Plan **Policy 10-D-3** and **Policy 10-F-3** specifically plan the use of the subject property for a park and interpretive site. Redeveloping the property in accordance with form-based property development regulations would not be consistent with these policies, whereas the property development regulations provided in condition #2 and allowed by deviation #1 would be consistent with these policies. **Policy 7-H-10** states the intent to reduce and consolidate connections to Estero Boulevard, which is achieved by deviation #2. The comprehensive plan does not specifically address accessway construction standards.*

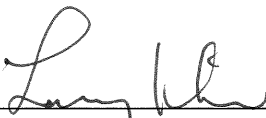
The foregoing Resolution was adopted by the Town Council upon a motion by Councilmember Babcock and seconded by Councilmember List and upon being put to a vote, the result was as follows:

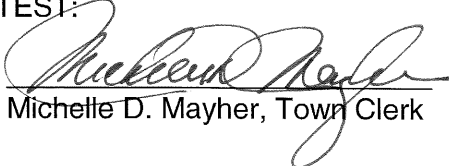
Larry Kiker, Mayor aye
Tom Babcock aye
Bob Raymond absent

Herb Acken, Vice Mayor aye
Jo List aye

DULY PASSED AND ADOPTED THIS 17TH DAY OF AUGUST, 2009, BY THE

TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH

By: 
Larry Kiker, Mayor

ATTEST:
By: 
Michelle D. Mayher, Town Clerk

Approved as to legal sufficiency:

By: 
Anne Dalton, Esquire, Town Attorney

FMBDCI2009-0001

Exhibit A

Lots 1, 2, 3, 4, 5, and 6, Block H, HYDE PARK SUBDIVISION, as recorded in
Plat Book 7, Page 20, Public Records of Lee County, Florida



COMMUNITY DEVELOPMENT DEPARTMENT

APPLICATION for ADMINISTRATIVE ACTION

This is the first part of a two part application. Please be sure to fill out this form, which requires general information, as well as the Supplemental Form application specific to action requested for the subject property. Please submit required applications, supplemental information, exhibits and documents to zoningpermits@fmbgov.com.

Site Address: 4650 ESTERO BLVD, FORT MYERS BEACH

STRAP Number: 29-46-24-W3-0080H.0010

Applicant: TOWN OF FORT MYERS BEACH/ NEWTON PARK Phone: 239-765-0202

Contact Name: ALISON GIESEN Phone: 239-462-8247

Email: ALISON@FMBGOV.COM Fax: _____

Current Zoning District: RC- RESIDENTIAL CONSERVATION

Future Land Use Map (FLUM) Category: REC

FLUM Density Range: _____ Platted Overlay: ☐ YES ☒ NO

ACTION REQUESTED

SUPPLEMENTAL FORM REQUIRED

- | | |
|--|--------------------------|
| ☒ Amendment to Planned Development | AA-A |
| ☐ Commercial Antenna | AA-B |
| ☐ Consumption on Premises (COP) | AA-C |
| ☐ Forced Relocation of Business | AA-D |
| ☐ Interpretation of Land Development Code | AA-E |
| ☐ Minimum Use Determination | AA-F |
| ☐ Setback Variance | AA-G |
| ☐ Accessory Apartment Determination | AA-H |
| ☐ Other – cite LDC Section: _____ | attach on separate sheet |

PART I – General Information

A. Applicant*: ALISON GIESEN- DIRECTOR OF CULTURE, PARKS AND REC. Phone: 239-462-8247

**Applicant must submit a statement under oath that he/she is the authorized representative of the property owner. Please see PART III to complete the appropriate Affidavit form for the type of applicant.*

Applicant Mailing Address: 2525 ESTERO BLVD, FORT MYERS BEACH

Email: ALISON@FMBGOV.COM Fax: _____

Contact Name: ALISON GIESEN Phone: 239-462-8247



COMMUNITY DEVELOPMENT DEPARTMENT APPLICATION for ADMINISTRATIVE ACTION

B. Relationship of Applicant to subject property:

- | | | |
|---|---|--|
| ☒ Owner* | ☐ Land Trust* | ☐ Partnership* |
| ☐ Corporation* | ☐ Association* | ☐ Condominium* |
| ☐ Subdivision* | ☐ Timeshare Condo* | ☐ Contract Purchaser* |
| ☐ Authorized Representative* | ☐ Other* (please indicate) _____ | |

**Applicant must submit a statement under oath that he/she is the authorized representative of the property owner.
Please see PART III to complete the appropriate Affidavit form for the type of applicant.*

C. Authorized Agent(s). Please list the names of all Authorized Agents (attach extra sheets if necessary)

Name: _____ Phone: _____

Address: _____

Email: _____ Fax: _____

D. Nature of Request: Amendment to the conditions of approval for Newton Park CPD (Res 09-24)

E. Is this request specific to a particular tract of land?

☐ YES* ☐ NO **If yes, complete PART II of this form*

PART II – Property Information

A. Is the action requested a result of a Code Violation or Notice of Violation?

☐ YES ☐ NO If yes, please provide the date of notice: _____

Specific nature of the Violation: _____

B. Property Owner(s): TOWN OF FORT MYERS BEACH Phone: _____

Property Owner Mailing Address: 2525 ESTERO BLVD, FORT MYERS BEACH, FL 33931

Email: _____ Fax: _____



COMMUNITY DEVELOPMENT DEPARTMENT APPLICATION for ADMINISTRATIVE ACTION

C. Legal Description:

Is the subject property within a platted subdivision recorded in the official Plat Books of Lee County? ☐ No. Attach a legible copy of the legal description.

☐ Yes. Property identified in subdivision: _____

Book: _____ Page: _____ Unit: _____ Block: _____ Lot(s): _____

D. Subject Property Dimensions:

Width (please provide an average width if irregular in shape) _____ feet

Depth (please provide an average width if irregular in shape) _____ feet

Frontage on street: _____ feet. Frontage on waterbody: _____ feet

Total land area: _____ ☐ acres ☐ square feet

E. Boundary Survey:

☐ Attach a Boundary Survey of the property meeting the minimum standards of Chapter 61G17-6 of the Florida Administrative Code. A Boundary Survey must bear the raised seal and original signature of a Professional Surveyor and Mapper licensed to practice Surveying and Mapping by the State of Florida.

F. Property Restrictions (check applicable):

☐ There are no deed restrictions and/or covenants on the subject property.

☐ There are deed restrictions and/or covenants on the subject property. Please attach a separate document listing the restrictions and/or covenants and including a narrative statement detailing how the restrictions/covenants may affect the request.



COMMUNITY DEVELOPMENT DEPARTMENT
APPLICATION for ADMINISTRATIVE ACTION

PART III

AFFIDAVIT

APPLICATION IS SIGNED BY AN INDIVIDUAL OWNER OR APPLICANT

I, _____ swear or affirm under oath, that I am the owner or the authorized representative of the owner(s) of the property and that:

I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the Town of Fort Myers Beach in accordance with this application and the Land Development Code;

All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;

I have authorized the staff of the Town of Fort Myers Beach Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made thru this application; and that

The property will not be transferred, conveyed, sold or subdivided unencumbered by the conditions and restrictions imposed by the approved action.

Signature of owner or authorized agent

Date

STATE OF _____ COUNTY OF _____

The foregoing instrument was certified and subscribed before me by means of ☐ physical presence OR ☐ online notarization, this _____ day of _____, 20____, by _____, ☐ who is personally known to me OR ☐ who has produced _____ as identification.

(SEAL)

Notary Public Signature



COMMUNITY DEVELOPMENT DEPARTMENT
APPLICATION for ADMINISTRATIVE ACTION

PART IV

AFFIDAVIT

APPLICATION IS SIGNED BY A CORPORATION, LIMITED LIABILITY COMPANY (L.L.C.),
LIMITED COMPANY (L.C.), PARTNERSHIP, LIMITED PARTNERSHIP, OR TRUSTEE

I, _____ (name), as _____ (title)
of _____ (company), swear or affirm under oath, that I am the
owner or the authorized representative of the owner(s) of the property and that:

1. I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the Town of Fort Myers Beach in accordance with this application and the Land Development Code;
2. All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;
3. I have authorized the staff of Fort Myers Beach Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made thru this application; and that
4. The property will not be transferred, conveyed, sold or subdivided unencumbered by the conditions and restrictions imposed by the approved action.

Name of Entity (corporation, partnership, LLP, LLC, etc)

Signature

Title

Typed or Printed Name

Date

STATE OF _____ COUNTY OF _____

The foregoing instrument was certified and subscribed before me by means of ☐ physical
presence OR ☐ online notarization, this _____ day of _____, 20____, by
_____, ☐ who is personally known to me OR ☐ who has produced
_____ as identification.

SEAL

Notary Public Signature



COMMUNITY DEVELOPMENT DEPARTMENT APPLICATION for ADMINISTRATIVE ACTION

EXPLANATORY NOTES

General – Page One

The applicant is responsible for the accuracy and completeness of this application. Time delays or additional expenses necessitated by submitting inaccurate or incomplete information will be the responsibility of the applicant.

All information submitted with the application becomes a part of the public record and will be a permanent part of the file.

All attachments and exhibits must be legible, suitable for recording, and of a size that will fit or conveniently fold into a letter size (8 ½ by 11) folder.

Place a check mark next to the type of action being requested.

1. Applications for an administrative amendment to a Commercial Planned Development (CPD) or Residential Planned Development (RPD) must include this form and Supplemental form AA-A.
2. Applications for administrative approval of Commercial Antenna placement must include this form and Supplemental form AA-B.
3. Applications for administrative approval of alcoholic beverage Consumption on Premises (COP) must include this form and Supplemental form AA-C. (Contact Staff at 239-765-0202 to determine whether your request can be processed administratively or if it requires a Special Exception application).
4. Applications for an administrative approval of a Forced Relocation of a Business must include this form and Supplemental form AA-D.
5. Applications for an Administrative Interpretation of the Land Development Code must include this form and Supplemental form AA-E.
6. Applications for a Minimum Use Determination must include this form and Supplemental form AA-F.
7. Applications for an administrative Setback Variance must include this form and Supplemental form AA-G. (Contact Staff at 239-765-0202 to determine whether your request can be processed administratively or if it requires a public hearing variance application).
8. Applications for an Accessory Apartment Determination must fill out this form and Supplemental form AA-H.
9. Applications for a Vacation of Right-of-Way and/or Easement must include this form and Supplemental form AA-I.
10. Other administrative applications, such as for deviations from LDC Chapter 10 or LDC Chapter 26, may require additional information.



COMMUNITY DEVELOPMENT DEPARTMENT APPLICATION for ADMINISTRATIVE ACTION

Part I

- A. Applicant's name: The applicant may be the landowner or an authorized agent.
- B. Relationship of applicant to owner: If the applicant is not the owner of the property state the relationship of the applicant to the owner (option holder, contract purchaser, lessee, trustee, agent, etc) and submit a notarized authorization from the owner(s) to the applicant.
- C. Authorized Agent's name: If the applicant will have others representing him/her in processing the application, indicate name, address, and phone number.
- D. Nature of request: State, in general terms, the purpose of the request.
- E. Specific property: If the request is specific to a particular tract of land, complete Part II of the form.

Part II

Part II must be completed for all applications in which a particular tract or parcel of land is involved. Applications for administrative interpretations of ordinances that do not affect only a particular parcel do not need to complete this part.

- A. If the request is due to a notice of violation, please indicate the date it was issued, the type of notice (building code, zoning, etc) and what the violation was.
- B. If the owner is the applicant, write "same as applicant."
- C. If the application includes only one or more undivided platted lots within a subdivision officially recorded in the Plat Books of Lee County, Florida, identify the property by lot number(s), block if applicable, subdivision unit if applicable, subdivision name, and plat book number and page number. If the property is not one or more undivided platted lots or is in an "unrecorded" subdivision, attach a metes and bounds legal description giving accurate bearings and distances for each course. The initial point in the description must be related to an established identifiable real property corner, such as a government corner or a recorded corner. The bearings in the description must be referenced to a well- established and monumented line.
- D. Provide the dimensions of the subject property, including frontage on streets and/or waterways. Also include total land area in square feet or acres.
- E. Submit a Boundary Survey meeting the minimum technical standards for surveying set out in Chapter 61G17-6 of the Florida Administrative Code. Make sure that the surveyor is aware of any specific needs of the survey (location of Coastal Construction Lines, locations of existing structures, locations of easements, locations of wetlands, etc) that are relevant to your request.
- F. If there are any deed restrictions or covenants that might affect the requested action, provide the information.



Town of Fort Myers Beach

Larry Kiker
Mayor

Herb Acken
Vice Mayor

Tom Babcock
Councilmember

Jo List
Councilmember

Bob Raymond
Councilmember

**TOWN OF
FORT MYERS BEACH**

APR 7 2009

RECEIVED BY

April 7, 2009

Frank Shockey
Interim Community Development Director
Town of Fort Myers Beach
2523 Estero Boulevard
Fort Myers Beach, FL 33931

Dear Dr. Shockey:

Enclosed please find one original and 13 complete copies of the zoning application for Newton Park with required exhibits and supplemental material. Should you require any additional documentation with this application, please contact me at (239) 765-0865.

Sincerely,

Theresa M. Schober
Director, Cultural Resources

NEWTON PARK ZONING SUBMITTAL

**TOWN OF
FORT MYERS BEACH**

APR 7 2009

SECTION 1: WAIVER REQUESTS

RECEIVED BY

**SECTION 2: APPLICATION FOR PUBLIC
HEARING**

SECTION 3: SUPPLEMENT PH-D



David M. Jones, Jr. and Associates, Inc.
Landscape Architects and Planners

March 9, 2009

Theresa Shober
Director Cultural Resources
Town of Fort Myers Beach
Fort Myers Beach, Florida 33931

Re: **Newton Beach Park: Request for Waivers**

Ms. Shober;

As our office finalizes the zoning application for the Newton Beach Park Property, we realized the formal request for any waivers has not been completed. We are recommending you request a waiver from the requirement to provide a Traffic Impact Statement (Sec 34.212.6) as a part of this zoning request.

Based on the limited number of on-site parking spaces being provided and the proposed use of the property as a passive park, we believe the traffic to the site would not be of any significant consequence.

Based on turnover of vehicles every two hours, the maximum number of trips to the site would be 10 vehicles per hour. It is also anticipated that most of the traffic would be from local residents. Therefore, we do not believe a full TIS is necessary.

The request must be submitted to the Director and his written response must be included in the zoning application.

Should you have any questions, please do not hesitate to call.

David M. Jones, Jr. and Associates, Inc.

Sincerely,

DAVID M. JONES, JR. AND ASSOCIATES, INC.


Gregory J. Diserio, RLA
Vice-President

Attachment: Waiver Request

APPLICATION FOR WAIVER OF SUBMITTAL REQUIREMENTS FORT MYERS BEACH

A request for a waiver or modification must be submitted to the director prior to submitting the application for public hearing. The request and the director's written response must accompany the application submitted and will become a part of the permanent file. [34-202(a)]

Application for waiver \modification of submittal items required for:

PUBLIC HEARINGS

_____ General Requirements
_____ Additional requirements for:
_____ Dev. of Regional Impact
_____ ☒ Planned Developments
_____ Rezoning (Not PD)
_____ Special Exception
_____ Variances
_____ Other

ADMINISTRATIVE ACTION

_____ Amendment to PD.
_____ Commercial antennas
_____ Consumption-on-premises
_____ Forced relocation of business
_____ Interpretation of Land Development Code
_____ Minimum Use Determination
_____ Setback Variance
_____ Tall structures
_____ Other

PLEASE PRINT OR TYPE:

STRAP 29-46-24-W3-0080H.0010
Number(s): 29-46-24-W3-0080H.0030
29-46-24-W3-0080H.0050

Name of _____
Project: **Newton Park**

Name of _____
Applicant*: **Town of Fort Myers Beach**

Street _____
Address: **2523 Estero Boulevard**

City: **Fort Myers Beach** State: **Florida** Zip: **33931**

Phone #: **239-765-0865** Fax #: **765-0909** E-mail: **theresa@fortmyersbeachfl.gov**

* If applicant is not the owner, a letter of authorization from the owner must be submitted.

SPECIFIC SECTION(S) AND REQUIREMENT(S) FOR WHICH A WAIVER IS SOUGHT:

Section Number	Requirement
#1 34.212.6	Traffic Impact Statement
#2	
#3	
#4	
#5	

SCOPE OF PROJECT AND REASON(s) FOR REQUEST

Explain the scope of the project and the reason(s) why you think the request for submittal waiver should be approved. Use additional sheets if necessary. (Please print or type)

The purpose of the project and the zoning application is to permanently construct a park and cultural facility on the subject property. The historic Seven Seas building will be renovated to serve as a museum and public facility promoting the islands history and natural resources. The property was purchased by the Town of Fort Myers Beach to preserve the property for public use.

Waivers are being requested for the following reasons:

1. The property is currently being operated as a park facility with on-site parking. The site is limited in size therefore the number of parking stalls has been limited to what is believed to be a reasonable number (19) given the balance of the site and the uses on the site. The low number of spaces will minimize the traffic movements onto the property. It is anticipated that the majority of the visitors to the site will be vehicles already existing on the island.

Under penalties of perjury, I declare that I have read the foregoing application and that the facts stated in it are true.

Signature of Applicant: _____

_____ Date

Directors ☒

Request Approved

Request Denied

Comments: _____

Signature: _____

Date: _____

FORT MYERS BEACH
~~LEE COUNTY COMMUNITY DEVELOPMENT~~
~~P.O. BOX 398 (1500 MONROE STREET)~~
~~FORT MYERS, FLORIDA 33902~~
~~PHONE (941) 479-8585~~

APPLICATION FOR PUBLIC HEARING FOR FORT MYERS BEACH

Applicant's Name: Town of Fort Myers Beach

Project Name: Newton Park

STRAP Number(s): 29-46-24-W3-0080H.0010

29-46-24-W3-0080H.0030

29-46-24-W3-0080H.0050

This is the first part of a two-part application. It requests general information required by the Town of Fort Myers Beach for any rezoning, special exception, appeal from an administrative action, or variance. The second part addresses additional information specific to the requested action. [34-201(b)]

STAFF USE ONLY

Case Number: DC 2009-0001

Date of Application: April 7, 2009

Planner in charge: Shuckey

Date found sufficient: _____

Public Hearing Dates: LPA: _____

Town Council: _____

Current Zoning: RC – Residential Conservation

Land Use Category: REC Platted Overlay? Yes X No

Comp Plan Density Range: N/A

REQUEST FOR

 Special Exception

 Extension of Master Concept Plan

 Variance

 DRI - without rezoning

 Conventional Zoning

 DRI - with rezoning

X Planned Development

 Appeal of Administrative action

**FORT MYERS BEACH
C/O LEE COUNTY
COMMUNITY DEVELOPMENT
P.O. BOX 398 (1500 MONROE STREET)
FORT MYERS, FLORIDA 33902
PHONE (239) 479-8585**

Case Number: _____ Name: _____

PART 1 - NATURE OF REQUEST

Action Requested: [check applicable action(s)]

_____ Special Exception for: _____ (Attach Sup. PH - A)
_____ Variance for: _____ (Attach Sup. PH - B)
_____ Conventional Rezoning from: _____ to: _____ (Attach Sup. PH - C)
☒ **Planned Development**
_____ ☒ Rezoning from: **RC** to: **CPD-CB** (Attach Sup. PH - D)
_____ Extension of Master Concept Plan (Attach Sup. PH - E)
_____ Public Hearing for DRI
_____ No rezoning is required.
_____ Rezoning is required from: _____ to: _____ (Attach Sup. PH - D)
_____ Appeal of Administrative action (Attach Sup. PH - F)

PART 2 - CURRENT CLASSIFICATION OF PROPERTY

(Please check all appropriate items):

A. Land Use Category: (refer to the Comprehensive Plan Future Land Use Map)

_____ Low Density	_____ Marina
_____ Mixed Residential	☒ Recreation
_____ Boulevard	_____ Wetlands
_____ Pedestrian Commercial	_____ Tidal Water

B. Platted Overlay? ☒ No ☐ Yes

C. Zoning Type (refer to the Zoning Map to determine current zoning)

_____ RS - Residential Single-family	_____ CM - Commercial Marina
☒ RC - Residential Conservation	_____ CO - Commercial Office
_____ RM - Residential Multifamily	_____ CB - Commercial Boulevard
_____ VILLAGE	_____ SANTINI
_____ SANTOS	_____ DOWNTOWN
_____ IN - Institutional	_____ RPD - Residential Planned Development
_____ CF - Community Facilities	_____ CPD - Commercial Planned Development
_____ CR - Commercial Resort	_____ EC - Environmentally Critical
_____ BB - Bay Beach	

Case Number: _____ Name: _____

PART 3- WAIVERS

Section Number

34.212.6 Traffic Impact Statement

PART 4 - APPLICANT INFORMATION

A. Name of applicant: Town of Fort Myers Beach

Address: Street : 2523 Estero Boulevard

City: Fort Myers Beach State: Florida Zip: 33931

Phone: Area Code: 239 Number : 765-0202 Ext: _____

Fax: Area Code: 239 Number 765-0909

E-mail address: _____

B. Relationship of applicant to property (please check appropriate response below):

1. ☒ **Owner - (Please indicate form of ownership below)**

Town: Town of Fort Myers Beach

2. **Authorized representative.** Submit authorization as "Exhibit 4 - 1" [34-202(b)(1)b.]

3. **Contract Purchaser/vendee.** Submit authorization as "Exhibit 4 - 2" [34-202(b)(1)c.]

4. ☒ **Town** Enter the date the action was authorized: March 10, 2008

Case Number: _____ Name: _____

- C. Agent authorized to receive all town or county - initiated correspondence regarding this application. [34-202(b)(1)b.]

Company Name: **Town of Fort Myers Beach**

Contact Person: **Theresa Schober, Director, Cultural Resources**

Address: Street **2523 Estero Boulevard**
City: **Fort Myers Beach** State: **Florida** Zip: **33931**
Area
Phone: Code: **239** Number: **765-0865** Ext: _____
Area
Fax: Code: **239** Number: **765-0841**
E-mail address: **Theresa@fortmyersbeachfl.gov**

PART 5 - OTHER AGENTS

List the names of other agents that the town or county may contact concerning this application. Use additional sheet if necessary and fasten to this page. [34-202(b)(1)b.]

A. Company Name: **Town of Fort Myers Beach**

Contact Person: **Scott Janke, Town Manager**

Address: Street : **2523 Estero Boulevard**
City: **Fort Myers Beach** State: **Florida** Zip: **33931**
Area
Phone: Code: **239** Number: **765-0202** Ext: _____
Area
Fax: Code: **239** Number: **765-0909**
E-mail address: **Scott@fortmyersbeachfl.gov**

B. Company Name: **David M. Jones, Jr. & Associates, Inc.**

Contact Person: **Gregory J. Diserio, Vice President**

Address: Street : **2221 McGregor Boulevard**
City: **Fort Myers** State: **Florida** Zip: **33901**
Area
Phone: Code: **239** Number: **337-5525** Ext: _____
Area
Fax: Code: **239** Number: **337-4494**
E-mail address: **Gdiserio@dmjafl.com**

Case Number: _____ Name: _____

PART 6 - PROPERTY OWNERSHIP

A. Single owner (Town of Fort Myers Beach) [34-201(a)(1)].

Name Town of Fort Myers Beach

Address: Street : 2523 Estero Boulevard

City: Fort Myers Beach State: Florida Zip: 33931

Phone: Area Code: 239 Number: 765-0202 Ext: _____

Fax: Area Code: 239 Number: 765-0909

E-mail address: _____

B. _____ Multiple owners (Corporation, partnership, trust, association) [34-201(a)(1)].

Disclosure Form is attached as "Exhibit 6 - 1." [34-201(b)2]

Property owners list is attached as "Exhibit 6 - 2." [34-202(a)(5) and 34-202(b)(1).a.]

_____ Property owners map is attached as "Exhibit 6 - 3." [34-202(a)(5)]

Case Number: _____ Name: _____

PART 7 - PROPERTY INFORMATION

A. STRAP Number(s): 29-46-24-W3-0080H.0010 29-46-24-W3-0080H.0050
29-46-24-W3-0080H.0030

B. Location [34-202(a)(4)]:

Street Address: 4600, 4610 and 4650 Estero Boulevard
An area location map is attached as "Exhibit 7 - 1."

C. Directions to property: From the base of the Sky Bridge drive South on Estero Boulevard 2.47 miles. Property located on gulf side south of Strandview Avenue

D. Property Dimensions:

Area: 34,473 square feet or .8 acres

Width along roadway: 195 feet

Depth: 180 feet

E. Legal Description [34-02(a)(1)]:

☒ Legal description (on 8 1/2" by 11" paper) is attached as "Exhibit 7 - 2."

☒ Electronic version of the legal description is attached.

F. Boundary Survey or certified sketch of description [34-202(a)(2)]:

The property consists of one or more undivided platted lots in a subdivision recorded in the Official County Plat Books. A copy of the applicable plat book page is attached as "Exhibit 7 - 3."

The property is not platted OR consists of one or more divided platted lots in a subdivision recorded in the Official County Plat Books.

☒ A Certified sketch of description is attached as "Exhibit 7 - 4."

☒ A Boundary survey is attached as "Exhibit 7 - 5."

G. Property Restrictions [34-202(b)(2)]:

1. ☐ There are no deed restrictions/covenants on this property that affect this request.

2. ☒ Restrictions/covenants are attached as "Exhibit 7 - 6"

3. ☒ A narrative explanation as to how the deed restrictions or covenants may affect this request is attached as "Exhibit 7 - 7."

H. Surrounding property owners:

1. ☒ A list of surrounding property owners is attached as "Exhibit 7 - 8." [34-202(a)(6)]

2. ☒ Two sets of mailing labels are attached as "Exhibit 7 - 9." [34-202(a)(6)]

3. ☒ A map of surrounding property owners is attached as "Exhibit 7 - 10." [34-202(a)(7)]

Case Number: _____ Name: _____

PART 8 - AFFIDAVIT A - 1
AFFIDAVIT FOR PUBLIC HEARING
APPLICATION IS SIGNED BY AN INDIVIDUAL OWNER OR APPLICANT

I, W. Scott Janke, Town Manager, swear or affirm under oath, that I am the owner or the authorized representative of the owner(s) of the property and that:

1. I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the Town in accordance with this application and the Land Development Code;
2. All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;
3. I have authorized the staff of Fort Myers Beach and Lee County Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made thru this application; and that
4. The property will not be transferred, conveyed, sold or subdivided unencumbered by the conditions and restrictions imposed by the approved action.

W. Scott Janke
Signature

W. Scott Janke, Town Manager
(Type or printed name)

STATE OF Florida
COUNTY OF Lee

The foregoing instrument was sworn to (or affirmed) and subscribed before me this
7th day of April by SCOTT JANKE who is personally
(date) (name of person providing oath or affirmation)
known to me or who has produced as identification.
(type of identification)

Signature of person taking oath or affirmation
Lois A. Poff

Name typed, printed or stamped
LOIS A. POFF



LOIS A. POFF
NOTARY PUBLIC - STATE OF FLORIDA
COMMISSION # DD450227
EXPIRES 7/12/2009
BONDED THRU 1-888-NOTARY1

PART 9 - SUBMITTAL REQUIREMENTS

If the application is for a rezoning, planned development, special exception or variance, please submit fourteen (14) copies of this application form and all applicable-exhibits. If the request is to appeal an administrative action, please submit five (5) copies of this application form and all applicable exhibits.

Copies Submitted	Exhibit Number	Exhibit Description
SUPPLEMENTAL FORMS (select applicable form)		
N/A	SUP A	Special Exception supplement
N/A	SUP B	Variance supplement
N/A	SUP C	Conventional rezoning
14	SUP D	Planned Development Rezoning or DRI with Rezoning requested
N/A	SUP E	Master Concept Plan Extension
N/A	SUP F	Appeal of Administrative Decision.
Exhibits - All requests		
14	3 - 1	Approved Waivers [34-202(a)]
N/A	4 - 1	Notarized Affidavit Authorizing the applicant. [34-202(b)(1)b.]
N/A	4 - 2	Contract purchaser/vendee authorization (if applicable). [34-202(b)(1)c.]
N/A	6 - 1	Ownership Interests (Disclosure Form) [34-202(b)(1)a.]
N/A	6 - 2	Subject property owners list (if applicable) [34-202(a)(5)]
N/A	6 - 3	Subject Property Owners map (if applicable) [34-202(a)(5)]
14	7 - 1	Area Location Map on 8 by 11 paper. [34-202(a)(4)]
14	7 - 2	Legal Description [34-202(a)(1)]
N/A	7 - 3	Plat Book page (if applicable) [34-202(a)(1)]
N/A	7 - 4	Certified sketch of description (if applicable) [34-202(a)(2)]
14	7 - 5	Boundary Survey (if applicable) [34-202(a)(2)]
14	7 - 6	Copy of Deed Restrictions\Covenants (if applicable) [34-202(b)(2)]
14	7 - 7	Narrative addressing effect of Deed Restrictions [34-202(b)(2)]
14	7 - 8	List of Surrounding Property Owners [34-202(a)(6)]
14	7 - 9	Two sets of mailing labels [34-202(a)(6)]
14	7 - 10	Map of Surrounding Property Owners [34-202(a)(7)]
14	8 - A1	Applicants' affidavit - Individual owner or applicant (if applicable) [34-202(b)(1)b.]
N/A	8 - A2	Applicants' affidavit - Corp., partnership, trustee, etc.(if applicable) [34-202(b)(1)b.]
Additional requirements for DRIs		
N/A		TIS - Traffic impact statement [34-203(a)]
N/A		Notice of proposed change Substantial Deviations Form RPM-BSP- Proposed Change - 1 pursuant to Section 380.06(19) F.S.
N/A		DRI, AMDA, FQD Form RPM-BSP-ADA - 1. Application for Development Approval pursuant to Section 380.06 F.S.
N/A		Form RPM-BSP-Abandonment-DRI-1. Application for abandonment of a DRI.



This Instrument Prepared By:
Peter Fodor, Florida Counsel
The Trust for Public Land
306 North Monroe Street
Tallahassee, Florida 32301

Property Appraiser's Parcel
Identification Numbers:
29-46-24-W3-0080H.0010
29-46-24-W3-0080H.0030
29-46-24-W3-0080H.0050

INSTR # 6049718
OR BK 04124 Pgs 2377 - 2379; (3pgs)
RECORDED 11/18/2003 04:10:17 PM
CHARLIE GREEN, CLERK OF COURT
LEE COUNTY, FLORIDA
RECORDING FEE 15.00
DEPUTY CLERK K Cartwright

**WARRANTY DEED
(STATUTORY FORM - SECTION 689.02, F.S.)**

THIS INDENTURE, made this 16th day of September A.D. 2003, between **THE TRUST FOR PUBLIC LAND, a non-profit California corporation**, whose address is 306 N. Monroe St., Tallahassee, FL 32301 Grantor, and **THE TOWN OF FORT MYERS BEACH, a Florida municipal corporation**, 2523 Estero Boulevard, Fort Myers Beach, Florida 33932, Grantee.

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and their heirs, legal representatives, successors and assigns. "Grantor" and "grantee" are used for singular and plural, as the context requires and the use of any gender shall include all genders.)

WITNESSETH: That the said grantor, for and in consideration of the sum of Ten Dollars and other good and valuable considerations, to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said grantee, and grantee's successors and assigns forever, the following described land situate, lying and being in Lee County, Florida, to-wit:

See Exhibit "A" attached hereto and by this reference made a part hereof.

By acceptance of this warranty deed, grantee herein hereby agrees that the use of the Property described herein shall be subject to the covenants and restrictions as set forth in that certain Grant Award Agreement attached hereto as Exhibit "B". These covenants and restrictions shall run with the Property herein described. If any of the covenants and restrictions of the Grant Award Agreement are violated by the grantee or by some third party with the knowledge of the grantee, fee simple title to the Property described herein shall be conveyed to the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida in accordance with the Grant Award Agreement without further notice to grantee, its successors and assigns, and grantee, its successors and assigns shall forfeit all right, title and interest in and to the Property described herein.

AND the said grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

THIS INSTRUMENT IS EXEMPT FROM DOCUMENTARY STAMP TAXES PURSUANT TO CHAPTER 201.02(6), FLORIDA STATUTES.

This conveyance is subject to easements, restrictions, limitations and conditions of record if any now exist, but any such interests that may have been terminated are not hereby re-imposed.

IN WITNESS WHEREOF the grantor has hereunto set grantor's hand and seal, the day and year first above written.

Signed, sealed and delivered in the presence of:

THE TRUST FOR PUBLIC LAND, a non-profit California corporation

Paula Tyler
(Signature of first witness)

By: [Signature]
W. Dale Allen, Senior Vice President

Paula Tyler
(Printed name of first witness)

(CORPORATE SEAL)

Stacy Savdie
(Signature of second witness)

STACY SAVDIE
(Printed name of second witness)

STATE OF FLORIDA
COUNTY OF LEON

The foregoing instrument was acknowledged before me this 18th day of September, 2003, by W. Dale Allen, Senior Vice President of **The Trust for Public Land, a non-profit California corporation**, on behalf of said corporation. Such person is personally known to me.

Stacy Savdie
NOTARY PUBLIC

(NOTARY PUBLIC SEAL)

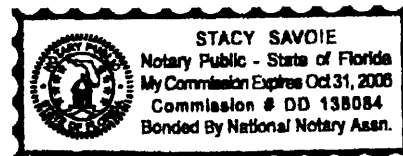


EXHIBIT "A"

LOTS 1,2,3,4,5 AND 6, BLOCK "H", HYDE PARK, A SUBDIVISION AS
PER MAP OR PLAT THEREOF RECORDED IN PLAT BOOK 7, PAGE 26 OF THE
PUBLIC RECORDS OF Lee COUNTY, FLORIDA.

Town of Fort Myers Beach
GAA\02-098-FF2
9/3/2003



This document prepared by:
Michael B. Marvin
Florida Communities Trust
Department of Community Affairs
2555 Shumard Oak Blvd.
Tallahassee, FL 32399

INSTR # 6049719
OR BK 04124 Pgs 2380 - 2390; (11pgs)
RECORDED 11/18/2003 04:10:17 PM
CHARLIE GREEN, CLERK OF COURT
LEE COUNTY, FLORIDA
RECORDING FEE 51.00
DEPUTY CLERK K Cartwright

FLORIDA COMMUNITIES TRUST
FF AWARD# 02-098-FF2
FCT Contract#~~03~~⁴-CT-7M-02-F2-~~A~~⁵1-098

GRANT AWARD AGREEMENT

THIS AGREEMENT is entered into this 29 day of September, 2003, by and between the FLORIDA COMMUNITIES TRUST ("FCT"), a nonregulatory agency within the State of Florida Department of Community Affairs, and TOWN OF FORT MYERS BEACH, a local government of the State of Florida ("FCT Recipient"), in order to impose terms, conditions, and restrictions on the use of the proceeds of certain bonds, hereinafter described, and the lands acquired with such proceeds and as described in Exhibit "A" attached hereto and made a part hereof ("Project Site"), as shall be necessary to ensure compliance with applicable Florida Law and federal income tax law and to otherwise implement provisions of Chapters 259.105, 259.1051, and 380, Florida Statutes.

WHEREAS, Part III Chapter 380, Florida Statutes, the Florida Communities Trust Act, creates a nonregulatory agency within the Department of Community Affairs, which will assist local governments in bringing into compliance and implementing the conservation, recreation and open space, and coastal elements of their comprehensive plans or in conserving natural resources and resolving land use conflicts by providing financial assistance to local governments and nonprofit environmental organizations to carry out projects and activities authorized by the Florida Communities Trust Act;

WHEREAS, Section 259.105(3)(c), F.S., of the Florida Forever Act provides for the distribution of twenty- two percent (22%) less certain reductions of the net Florida Forever Revenue Bond proceeds to the Department to provide land acquisition grants to local governments and nonprofit environmental organizations through the FCT for acquisition of community-based projects, urban open spaces, natural resource conservation areas, parks, greenways and outdoor recreation areas to implement local comprehensive plans;

Town of Fort Myers Beach
GAA\02-098-FF2
9/3/2003

WHEREAS, the Bonds were issued as tax-exempt bonds, meaning that the interest on the Bonds is excluded from the gross income of Bondholders for federal income tax purposes;

WHEREAS, Rule Chapter 9K-7, Florida Administrative Code (F.A.C.), authorizes FCT to impose conditions for funding on those FCT applicants whose projects have been selected for funding in accordance with Rule Chapter 9K-7, F.A.C.;

WHEREAS, the FCT has approved the terms under which the Project Site is acquired and the deed whereby the FCT Recipient acquires title to the Project Site shall contain such covenants and restrictions as are sufficient to ensure that the use of the Project Site at all times complies with Section 375.051, Florida Statutes and Section 9, Article XII of the State Constitution and shall contain clauses providing for the conveyance of title to the Project Site to the Board of Trustees of the Internal Improvement Trust Fund upon the failure of the FCT Recipient to use the Project Site acquired thereby for such purposes; and

WHEREAS, such covenants and restrictions shall be imposed by an agreement which shall describe with particularity the real property which is subject to the agreement and shall be recorded in the county in which the real property is located; and

WHEREAS, the purpose of this Agreement is to set forth the covenants and restrictions that are imposed on the Project Site subsequent to its acquisition with the FCT Florida Forever Bond award.

NOW THEREFORE, in consideration of the mutual covenants and undertakings set forth herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, FCT and FCT Recipient do hereby contract and agree as follows:

I. GENERAL CONDITIONS.

1. Upon execution and delivery by the parties hereto, the FCT Recipient shall cause this Agreement to be recorded and filed in the official public records of Lee County, Florida, and referenced in the warranty deed vesting fee simple title to the Project Site in the FCT Recipient, and in such manner and in such other places as FCT may reasonably request, and shall pay all fees and charges incurred in connection therewith.

2. The FCT Recipient and FCT agree that the State of Florida Department of Environmental Protection will forward this Agreement to Department of Environmental Protection Bond Counsel for review. In the event Bond Counsel opines that an amendment is required to this Agreement so that the tax exempt status of the Florida Forever Bonds is not jeopardized, FCT and FCT Recipient shall amend the Agreement accordingly.

Town of Fort Myers Beach
GAA\02-098-FF2
9/3/2003

3. This Agreement may be amended at any time. Any amendment must be set forth in a written instrument and agreed to by both the FCT Recipient and FCT.

4. This Agreement and the covenants and restrictions contained herein shall run with the Property herein described and shall bind, and the benefits shall inure to, respectively, the FCT and the FCT Recipient and their respective successors and assigns.

5. This Agreement shall be governed by and construed in accordance with the laws of the State of Florida, with respect to both substantive rights and with respect to procedures and remedies.

6. Any notice required to be given hereunder shall be given by personal delivery, by registered mail or by registered expedited service at the addresses specified below or at such other addresses as may be specified in writing by the parties hereto, and any such notice shall be deemed received on the date of delivery if by personal delivery or expedited delivery service, or upon actual receipt if sent by registered mail.

FCT: Florida Communities Trust
Department of Community Affairs
2555 Shumard Oak Blvd.
Tallahassee, FL 32399-2100
ATTN: Executive Director

FCT Recipient: Mr. Daniel Folke
Community Development Coordinator
2523 Estero Boulevard
Fort Myers Beach, Florida 33931

7. If any provision of the Agreement shall be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired.

II. PROJECT SITE REQUIREMENTS IMPOSED BY CHAPTER 259, CHAPTER 375, AND CHAPTER 380, PART III, FLORIDA STATUTES.

1. If any essential term or condition of this grant agreement is violated by the FCT Recipient or by some third party with the knowledge of the FCT Recipient and the FCT Recipient does not correct the violation within 30 days of notice of the violation, fee simple title to all interest in the Project Site shall be conveyed to the Board of Trustees of the Internal Improvement Trust Fund. The FCT shall treat such property in accordance with Section 380.508(4)(e), Florida Statutes.

Town of Fort Myers Beach
GAA\02-098-FF2
9/3/2003

2. Any transfer of the Project Site shall be subject to the approval of FCT and FCT shall enter into a new agreement with the transferee, containing such covenants, clauses, or other restrictions as are sufficient to protect the interest of the people of Florida.

3. The interest, if any, acquired by the FCT Recipient in the Project Site will not serve as security for any debt of the FCT Recipient unless FCT approves the transaction.

4. If the existence of the FCT Recipient terminates for any reason, title to all interest in real property it has acquired with the FCT award shall be conveyed to the Board of Trustees of the Internal Improvement Trust Fund, unless FCT negotiates an agreement with another local government or nonprofit organization which agrees to accept title to all interest in and to manage the Project Site.

5. In the event that the Project Site is damaged or destroyed or title to the Project Site, or any part thereof, is taken by any governmental body through the exercise or the threat of the exercise of the power of eminent domain, the FCT Recipient shall deposit with the FCT any insurance proceeds or any condemnation award, and shall promptly commence to rebuild, replace, repair or restore the Project Site in such manner as is consistent with the Agreement. The FCT shall make any such insurance proceeds or condemnation award moneys available to provide funds for such restoration work. In the event that the FCT Recipient fails to commence or to complete the rebuilding, repair, replacement or restoration of the Project Site after notice from the FCT, the FCT shall have the right, in addition to any other remedies at law or in equity, to repair, restore, rebuild or replace the Project Site so as to prevent the occurrence of a default hereunder.

Notwithstanding any of the foregoing, FCT will have the right to seek specific performance of any of the covenants and restrictions of this Agreement concerning the construction and operation of the Project Site.

III. PROJECT SITE OBLIGATIONS IMPOSED BY FCT ON THE FCT RECIPIENT.

1. The Project Site shall be managed only for the conservation, protection and enhancement of natural and historical resources and for passive, natural resource-based public outdoor recreation which is compatible with the conservation, protection and enhancement of the Project Site, along with other related uses necessary for the accomplishment of this purpose. The proposed uses for the Project Site are specifically designated in the Project Plan as approved by FCT.

2. The FCT Recipient shall prepare and submit to FCT an annual stewardship report as required by Rule 9K-7.013, F.A.C.

3. The FCT Recipient shall ensure that the future land use designation assigned to the Project Site is for a category dedicated to open space, conservation, or outdoor recreation uses as appropriate. If an amendment to the FCT Recipient's comprehensive plan is required to comply with

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this paragraph, the amendment shall be proposed at the next comprehensive plan amendment cycle available to the FCT Recipient.

4. FCT Recipient shall ensure, and provide evidence thereof to FCT, that all activities under this Agreement comply with all applicable local, state, regional and federal laws and regulations, including zoning ordinances and the adopted and approved comprehensive plan for the jurisdiction as applicable. Evidence shall be provided to FCT that all required licenses and permits have been obtained prior to the commencement of any construction.

5. The FCT Recipient shall, through its agents and employees, prevent the unauthorized use of the Project Site or any use thereof not in conformity with the FCT approved project plan.

6. FCT staff or its duly authorized representatives shall have the right at any time to inspect the Project Site and the operations of the FCT Recipient at the Project Site.

7. All buildings, structures, improvements, and signs shall require the prior written approval of FCT as to purpose. Further, tree removal, other than non-native species, and/or major land alterations shall require the written approval of FCT. The approvals required from FCT shall not be unreasonably withheld by FCT upon sufficient demonstration that the proposed structures, buildings, improvements, signs, vegetation removal or land alterations will not adversely impact the natural resources of the Project Site. The approval by FCT of the FCT Recipient's management plan addressing the items mentioned herein shall be considered written approval from FCT.

8. If archaeological and historic sites are located on the Project Site, the FCT Recipient shall comply with Chapter 267, Florida Statutes. The collection of artifacts from the Project Site or the disturbance of archaeological and historic sites on the Project Site will be prohibited unless prior written authorization has been obtained from the Department of State, Division of Historical Resources.

9. The FCT Recipient shall ensure that the Project Site is identified as being publicly owned and operated as a passive, natural resource-based public outdoor recreational site in all signs, literature and advertising regarding the Project Site. The FCT Recipient shall erect a sign(s) identifying the Project Site as being open to the public and as having been purchased with funds from FCT and FCT Recipient.

IV. OBLIGATIONS INCURRED BY FCT RECIPIENT AS A RESULT OF BOND PROCEEDS BEING UTILIZED TO PURCHASE THE PROJECT SITE.

1. If the Project Site is to remain subject, after its acquisition by the State and the FCT Recipient, to any of the below listed activities or interests, the FCT Recipient shall provide at least 60 days written notice of any such activity or interest to FCT prior to the activity taking place, and shall provide to FCT such information with respect thereto as FCT reasonably requests in order to

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evaluate the legal and tax consequences of such activity or interest:

- a. any lease of any interest in the Project Site to a non-governmental person or organization;
- b. the operation of any concession on the Project Site to a non-governmental person or organization;
- c. any sales contract or option to buy things attached to the Project Site to be severed from the Project Site, with a non-governmental person or organization;
- d. any use of the Project Site by non-governmental persons other than in such person's capacity as a member of the general public;
- e. a management contract of the Project Site with a non-governmental person or organization; and
- f. such other activity or interest as may be specified from time to time in writing by FCT to the FCT Recipient.

2. FCT Recipient agrees and acknowledges that the following transaction, events, and circumstances may not be permitted on the Project Site as they may have negative legal and tax consequences under Florida law and federal income tax law:

- a. a sale of the Project Site or a lease of the Project Site to a non-governmental person or organization;
- b. the operation of a concession on the Project Site by a non-governmental person or organization;
- c. a sale of things attached to the Project Site to be severed from the Project Site to a non-governmental person or organization;
- d. any change in the character or use of the Project Site from that use expected at the date of the issuance of any series of bonds from which the disbursement is to be made;
- e. any use of the Project Site by non-governmental persons other than in such person's capacity as a member of the general public;
- f. a management contract of the Project Site with a non-governmental person or organization; and

Town of Fort Myers Beach
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g. such other activity or interest as may be specified from time to time in writing by FCT to the FCT Recipient.

DELEGATIONS AND CONTRACTUAL ARRANGEMENTS BETWEEN THE FCT RECIPIENT AND OTHER GOVERNMENTAL BODIES, NOT FOR PROFIT ENTITIES, OR NON GOVERNMENTAL PERSONS FOR USE OR MANAGEMENT OF THE PROJECT SITE WILL IN NO WAY RELIEVE THE FCT RECIPIENT OF THE RESPONSIBILITY TO ENSURE THAT THE CONDITIONS IMPOSED HEREIN ON THE PROJECT SITE AS A RESULT OF UTILIZING BOND PROCEEDS TO ACQUIRE THE PROJECT SITE ARE FULLY COMPLIED WITH BY THE CONTRACTING PARTY.

V. CONDITIONS THAT ARE PARTICULAR TO THE PROJECT SITE AS A RESULT OF THE FCT APPROVED MANAGEMENT PLAN.

1. Two or more resource-based outdoor recreational facilities including picnic facilities and a nature trail and two or more user-oriented outdoor recreation facilities including a beach volleyball court and shuffleboard court shall be provided at the Project Site. The facilities shall be designed and located with minimal impact to natural resources on the Project Site.

2. A permanent recognition sign shall be maintained in the entrance area of the Project Site. The sign shall acknowledge that the Project Site is open to the public and was purchased with funds from the Florida Communities Trust Program and the Town of Ft. Myers Beach.

3. Interpretive signage shall be provided to educate visitors about the natural environment and unique history of the Project Site.

4. At least 24 environmental and historical education classes or programs shall be conducted annually at the Project Site by trained educators or resource professionals.

5. A staffed museum that provides year- round education programming shall be established on the Project Site.

6. The Project Site shall be managed in a manner that protects and enhances habitat for native wildlife species that utilize or could potentially utilize the site, including sea turtles. The development of the management plan shall be coordinated with the Fish and Wildlife Conservation Commission's Office of Environmental Services to ensure the preservation and viability of native wildlife species and their habitat. Periodic surveys shall be conducted to ensure that site management is compatible with the listed species using the Project Site.

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7. The water quality of Gulf of Mexico adjacent to the Project Site shall be protected and enhanced. The County shall implement a plan to improve water quality in the area including the removal of an existing seawall and creation of a beach dune. The dune will serve as a stormwater retention berm capturing upland runoff and filtering the stormwater through the berm.

8. Any proposed stormwater facility for the Project Site shall be designed to provide recreational open space or wildlife habitat.

9. Invasive exotic vegetation shall be removed from the project site and the disturbed areas will be planted with native vegetation to enhance the function and appearance of the Project Site.

10. The existing seawall will be removed and a beach dune will be created and restored to a natural condition in terms of biological composition and ecological function.

11. An ongoing monitoring and control program for invasive vegetation including exotic (non-native) and nuisance native plant species shall be implemented at the Project Site. The objective of the control program shall be the elimination of invasive exotic plant species and the maintenance of a diverse association of native vegetation. The Management Plan shall reference the Exotic Pest Plant Council's List of Florida's Most Invasive Species to assist in identifying invasive exotics on the Project Site.

12. A feral animal removal program shall be developed and implemented, as necessary, for dogs, cats, and other non-native wildlife that may be found on the Project Site.

13. A protection plan shall be developed and implemented, in conjunction with the Division of Historic Resources, for the protection of known historical resources located on the Project Site. Information on significant historical sites shall be provided to the Division of Historic Resources for the purpose of updating the Florida Master Site File.

14. The location and design of the parking and other site improvements shall have minimal impact on natural resources. The parking area shall incorporate pervious material wherever feasible.

15. Pedestrian and bicycle access to the Project Site shall be promoted through the provision of pedestrian oriented walkways and bicycle facilities that link the Project Site with adjacent residential neighborhoods. Bike parking stands shall be installed at the Project Site to provide an alternative to automobile transportation to the Project Site.

16. The development and management of the Project Site shall be coordinated with the agencies managing the Great Calusa Blueway, to ensure the Project Site is managed as a stopping point and destination on the County's canoe and kayak trail system.

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17. Proposed site improvements shall be designed and located to minimize or eliminate the long term risk of storm damage or flooding in conjunction with appropriate hazard mitigation agencies or experts.

18. The requirements imposed by other grant program funds that may be sought for activities associated with the Project Site shall not conflict with the terms and conditions of this Agreement.

THIS GRANT AWARD AGREEMENT embodies the entire Agreement between the parties.

IN WITNESS WHEREOF, the parties hereto have duly executed this Agreement.

Witness:

Daniel Folke
Print Name: Daniel Folke

Kath Knight
Print Name: KATH KNIGHT

TOWN OF FORT MYERS BEACH, a local government of the State or Florida

By: *Daniel Hughes*
Print Name: Daniel Hughes
Title: 9-22-03

Date: Mayor

Approved as to Form and Legality:

By: *Richard W. Coe*
Print Name: Richard W. Coe

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 22 day of September, 2003, by DANIEL HUGHES, as Mayor of the Town of Fort Myers Beach, on behalf of the local government, and who is personally known to me.

Jill C. Bitterman
Notary Public
Print Name: Jill C Bitterman
Commission No. _____
My Commission Expires: _____

Town of Fort Myers Beach
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9/3/2003

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OFFICIAL SEAL
Jill C. Bitterman
DD# 101828
My Commission Expires March 20, 2006

Witness:

Gayle H. Brett
Print Name: _____

Print Name: _____

FLORIDA COMMUNITIES TRUST

By: _____

Janice Browning,
Executive Director

Date: _____

9/29/03

Approved as to Form and Legality:

By: _____

Michael B. Marvin, Trust Counsel

STATE OF FLORIDA
COUNTY OF LEON

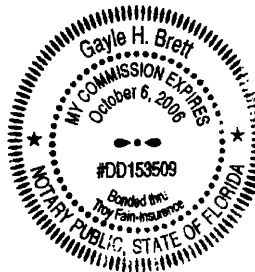
The foregoing instrument was acknowledged before me this 29th day of September, 2003, by Janice Browning as Executive Director of Florida Communities Trust. She is personally known to me.

Gayle H. Brett
Notary Public

Print Name: _____

Commission No. _____

My Commission Expires: _____



Town of Fort Myers Beach
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EXHIBIT "A"

LOTS 1,2,3,4,5 AND 6, BLOCK "H", HYDE PARK, A SUBDIVISION AS
PER MAP OR PLAT THEREOF RECORDED IN PLAT BOOK 7, PAGE 26 OF THE
PUBLIC RECORDS OF Lee COUNTY, FLORIDA.

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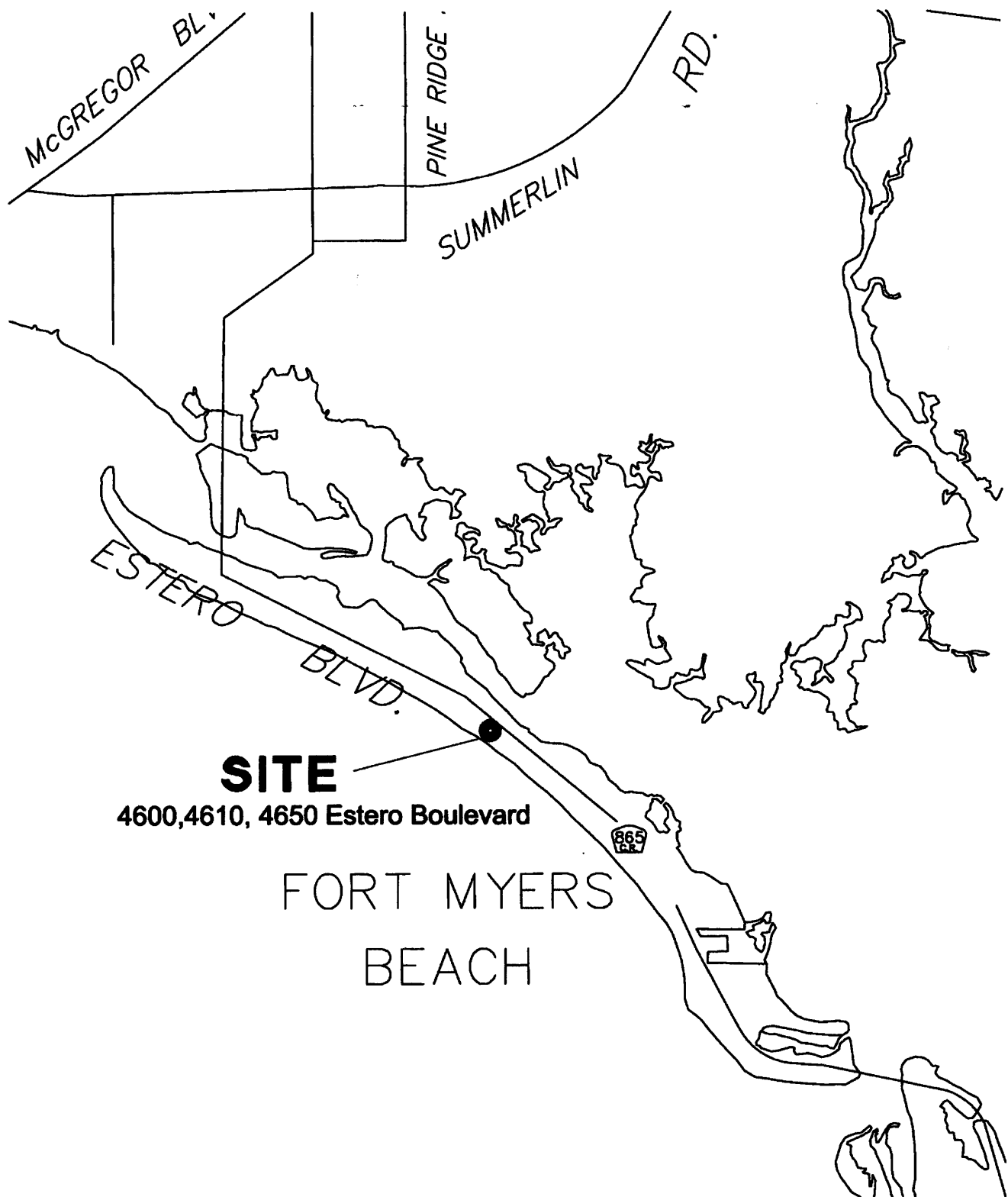
Exhibit 7-7
Newton Beach Park

PROPERTY RESTRICTIONS

The Newton Estate was acquired by the Town of Fort Myers Beach with grant funding from the Florida Communities Trust Florida Forever program and Lee County. Both grant agreements provide restrictions on the use of the property for conservation, protection and enhancement of natural and historical resources, and for passive, natural resource-based public outdoor recreation. As the Florida Forever program was developed to assist communities in meeting the objectives of their comprehensive plans, all uses and modifications to the property require approval through the Department of Community Affairs and the Division of Historical Resources when appropriate. To ensure this oversight, the Grant Award Agreement with Florida Communities Trust is Exhibit B of the Warranty Deed and is attached to this application as Exhibit 7-7.1.

Specific conditions imposed by the Grant Award Agreement that affect property uses requested in this zoning application include the installation and operation of natural resource-based and user-oriented outdoor public recreation facilities, the operation of environmental and historical education classes and programs; a staffed museum; parking and other site improvements aimed at minimizing the impact to natural and cultural resources; promotion of pedestrian and bicycle access; and the coordination with the Division of Historical Resources for the protection of historical resources on the property.

The specific schedule of uses requested in this application have received approval for another Town-owned Florida Communities Trust parcel, the Mound House.



DAVID M. JONES JR. AND ASSOCIATES, INC.

LANDSCAPE ARCHITECTS AND PLANNERS

2221 MCGREGOR BOULEVARD FORT MYERS, FLORIDA 33901
(239) 337-5525 FAX (239) 337-4494

NEWTON BEACH PARK

FORT MYERS BEACH, FLORIDA

DESCRIPTION LOCATION MAP

DRAWN BY CHECKED PROJECT NUMBER

GJD

GJD

280065

SCALE

N.T.S.

DATE

8/2008

EXHIBIT

7-1

3/3/2009



320 160 0

320 Feet

SUPPLEMENT PH - D

ADDITIONAL REQUIRED INFORMATION FOR A PLANNED DEVELOPMENT APPLICATION FORT MYERS BEACH

Case Number: DE 2019-0001

Project Name: Newton Park

Authorized applicant: Town of Fort Myers Beach

STRAP Number(s): 29-46-24-W3-0080H.0010

29-46-24-W3-0080H.0030

29-46-24-W3-0080H.0050

CURRENT STATUS OF PROPERTY

Current Zoning: RC

Land Use Category: Recreation Platted Overlay? Yes ☒ No

Comprehensive Plan Density: N/A

REQUESTED ACTION

☐ DRI (rezoning required)

☒ Planned Development

☒ Rezoning from: RC to CPD

☐ Amendment to Master Concept Plan

Case Number: _____

Name: _____

- C. Comprehensive Plan Compliance.** Explain how the proposed development complies with the Comprehensive Plan. (use additional sheets if needed) [34-216(a)(2)(d)].

Recreation and Open Space Element 10-D, Policy 10-D-3 and 10-H-3: to increase access to recreational facilities, maintain levels of service for community parks. Policy 10-H-3 specifically directs the establishment of the Newton property as the Town's first "oasis park", small neighborhood parks and open spaces within the developed residential areas of the city.

The property is being developed as an oasis "park". The Town will operate it as a small community park with close links to the paddling trail in Matanzas Pass, the pedestrian and bicycle facilities on Estero Boulevard and the adjoining public beach.

Conservation Element, Objectives 6-B and 6-C. Policies 6-B-1, 6-B-9 and 6-B-4: to improve existing and establish additional areas for nature preserve and conservation uses, coordinating with other public agencies in establishing and managing natural reserves, expanding opportunities for conservation and public appreciation of natural resources and preserving remaining coastal strand and hammock natural communities.

The property will create native plant habitats and provide interpretive signage.

Coastal Management Element, Objective 5-E, Policy 5-E-4, Recreation Element, Objective 10-G, Future Land Use Element, Policy 4-A-6: to increase the number and quality of public beach access points for Town residents and visitors.

Handicap accessible beach access points are being provided.

Recreation Element, Objective 10-A, Policies 10-F-1, 10-G-2 and 10-G-3: to improve natural areas as a comprehensive recreational system, including designation of canoe trails, to link cultural and recreational points of interest by providing bike and pedestrian paths, to acquire the Newton Estate for a stopping point for the Great Calusa Blueway.

The site may be incorporated into the Great Calusa Blueway and will provide resources to direct the public to other environmental and cultural resources in the area.

Recreation Element, Objective 10-A, Policy 10-1-2, Conservation Element 6-B, Policy 6-B-9.v: to assume a leadership role with other agencies to improve natural areas, to work with Lee County, surrounding jurisdictions, state and federal agencies, non-profit organizations, corporation and others to identify funding and partnerships to implement the Recreation Element.

The Newton Park was acquired as a partnership with Florida Communities Trust, Lee County, and the Town to provide recreation and natural resource conservation.

Coastal Management Element, Objective 5-D, Policy 5-D-1, Conservation Element, Policies 6-B-4, 6-E-3, Community Design Element, Policy 1-B-2; to conserve and enhance the shoreline by increasing the number of dunes, construction of dune walkovers, removal of non-native species, preserve remaining costal strands and hammocks by removal of exotic species and replanting of native species, to landscape public property with native vegetation.

Nuisance exotic species were removed following acquisition. Newton Park will create native plant habitat, support dunes and dune walkovers should beach nourishment occur, and provide educational programs and signage on the importance of natural habitats.

Historic Preservation Element, Objectives 13-A and 13-C: to develop programs to identify, document and evaluate historic and archaeological resources for their long-term protection, to heighten public appreciation of Town's history and culture and improve public access to publicly supported resources.

Newton Park will incorporate the legacy of Jim and Ellie Newton and island history through interpretive signage and educational programs.

Historic Preservation Element, Objective 13-G: to establish and maintain a regulatory and incentive system that promotes restoration, reconstruction, and re-use of the towns' historic buildings.

The property is under pubic ownership specifically as a result of the Town pursuing Goal 13. Newton Park incorporates the restoration and adaptive reuse of Seven Seas, the Newton home for community meeting space and educational programs.

Case Number: _____ Name: _____

- D. Design Standards Compliance.** For CPDs - Explain how the proposed development complies with the Design Standards set forth in Section 34-991-1010. (use additional sheets if needed) [34-954]
N/A

- E.. Decision-making compliance.** Explain how the proposed development complies with the guidelines for decision-making embodied in sections 34-85(2). (use additional sheets if needed) [34-85(2)]

The use of the site has changed from it residential use in the past to a public park facility with a community education building, thereby requiring the zoning change.

The uses proposed are consistent with the goals, objectives and general uses set forth in the Fort Myers Beach Comprehensive Plan for recreation, conservation, and historic preservation.

Urban services are available and sufficient for the intended use.

The request will preserve, protect and conserve environmentally sensitive areas.

The request is compatible with surrounding land uses.

Case Number: _____

Name: _____

- F. Schedule of deviations and a written justification.** Provide a list of requested deviations, keyed to the master concept plan, and provide a written justification for each deviation. The location of each requested deviation must be located on the master concept plan. (use additional sheets if needed) [34-212(4)k., 34-931(b)]

1. Section 34-635. Commercial Design Standards.

Deviation from the requirements for commercial design standards (34-991 -1010) to apply to the existing building scheduled to remain on the site.

Justification: The existing Newton House (Seven Seas) building has been designated as a historical structure, thereby exempting the structure from the requirement to conform to the commercial standards.

2. Section 34-953 : Setback Lines Established

Deviation to allow existing setbacks for an existing structure.

Justification: The Newton House is existing. Moving the structure is not possible due to its historic nature.

3. Section 34-706(a) : Parking Lot Locations

Deviation from the requirement of offstreet parking to be in the side or rear yard to permit the shell parking lot in the front yard.

Justification: The location of the existing Newton House (Seven Seas) on the subject property and the historical designations associated with the site prohibit compliance with this section.

4. Section 10-285: Deviation from Section 10-285: Connection separation.

Deviation from Section 10-285 Table 10-1 requiring accessway separations of 125' when connecting to a local street and 60' when connecting to an accessway, to permit the following connections:

76' and 74' separation connecting the accessway and to Strandview Drive.

Justification:

The parking circulation has been designed as a oneway system. The access is from a shared accessway along the eastern property. This accessway is shared with a single family residence. The parking oneway exit connects with Strandview Drive along the western side of the property. This is an exit only so left hand turning from Strandview into the site is not permitted. Strandview is a dead end street with on street parking for the beach access.

5. Section 10-291 and 10-296: Deviation

Deviation from Sections 10-291 and 10-296 requiring Accessway design and construction Standards to permit the continued use of the existing shell accessway within the existing 20' accessway.

Justification: The existing width of the accessway is only 20' wide. There are existing utility structures that are constraining the opportunities to provide wider access. The accessway serves the proposed parking and a single family residence. The parking egress is to the west. Only the single family residential traffic is permitted to exit at this location.

[illegible]

Case Number: _____

Name: _____

PART 2 - SUBMITTAL REQUIREMENTS

All applications for a planned development must submit fourteen (14) copies of this application form and all applicable exhibits.

Copies Submitted*	Item
14	Public Hearing Application form [34-212(1)]
N/A	Evidence of Unified Control [34-212(3)]
14	Master Concept Plan. A clearly legible master concept plan, to be no less than 24 inches by 36 inches in size and at an appropriate scale to adequately show the proposed development in detail, including the information required on section 34-212(4). [34-212(4)]
N/A	Traffic Impact Statement. A traffic impact statement in the same format and to the same degree of detail required for development orders (see § 10-286), unless waived by the director in accordance with section 34-202(a). [34-212(6)]
14	Architectural elevations. Architectural elevations or a three-dimensional rendering that show, at a minimum, all building facades adjoining public streets. These drawings may substitute for the sketches required by section 34-202(b)(5) .[34-212(5)]
14	Schedule of Uses. A list of all proposed principal and accessory land uses. [34-933(a)]
N/A	Binding letter of interpretation from DCA or a complete and sufficient ADA REQUIRED FOR DRIs ONLY. [34-213(4)]

* includes 1 original

CONSTRUCTION NOTES

GENERAL NOTES

Patch at removals, ie: electrical devices, drapes, nails, anchors, etc. Fill holes, install wood Dutchmen, etc. Patches to match adjacent finishes.

EXTERIOR

001- Reconstruct original handrail at south side of deck using the materials removed from the north side of the deck. See Detail 6 / A3.2

002- Reusing existing original porch deck construct new deck to dimensions shown that is the same elevation as the interior floor for the area of the upper porch deck. Install new steps and handrails from new deck down to existing concrete slab. See Detail 6 / A3.2.

003- Install new ramp from upper deck to new landing with new handrails. See Details 4 / A3.2.

004- Construct new 4" concrete sidewalk from new wood deck to existing grade, at slope of 1:20.

005- Using soil (sand) removed from adjacent to north and south & west elevations and under residence create new slopes of 1:20 down to existing grade from new sidewalk.

006- Construct new deck with handrails. See Detail 2/A3.2.

007- Construct new steps with handrails. See Detail 2/A3.2.

008- Construct new deck with handrails. See Detail 5/A3.2. New deck and handrails to match existing construction techniques.

009- Construct new screened porch using existing concrete slab for the floor. See Details 1/A3.2.

010- Construct new deck and steps with handrails. See Detail 2/A3.2 for similar construction.

EXTERIOR CONTINUED

011- Clean joint at top of water table board and wood siding. Install new caulk before repainting building exterior.

012- Patch or replace any deterioration of 1 x 12 water table board with 45 degree chamfer at top edge.

013- Patch wood wall boards at removals. At deteriorated areas cut out deterioration and install Dutchman.

014- Replace deteriorated wood wall board(s), bottom 6" +/-.

015- Field verify existing attachment of all screen mould battens on walls, all elevations. Resecure loose batten with galvanized brads. Replace any missing or deteriorated portions of battens. Assume 50 linear feet will need replacement or is missing.

016- Construct stand for a/c condenser unit. See Details 9 & 10/A8.2.

017- Install new 6" dia. copper downspout w/ 45 degree miter at bottom and 12"x24" concrete splash block.

INTERIOR

101- Patch holes at cabinet removal.

102- Patch holes at necktie storage rack removal.

103- Patch holes at security system / electrical device removal.

104- Patch holes at security system panel removals.

105- Patch holes at rod removal.

106- Install new plumbing fixtures, see plumbing drawings and new finishes, see finish schedule.

107- Repair bottom 6" of plywood cover of structural column. Remove deteriorated plywood and patch in new plywood. Remove and replace (4) 4" x 8" panels of deteriorated 3/4" plywood flooring adjacent to sliding glass doors.

108- Patch holes at removals from wood board wall.

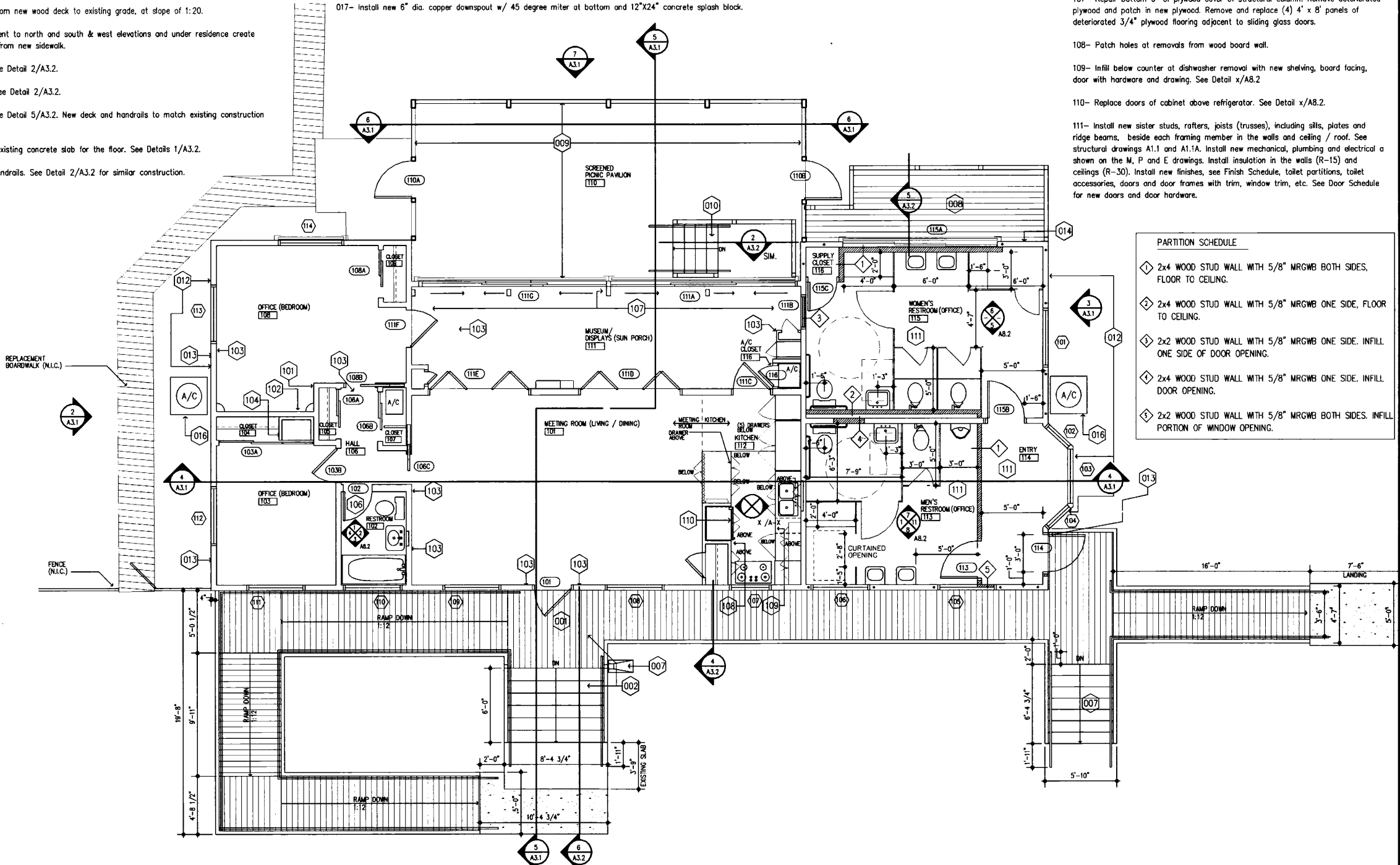
109- Infill below counter at dishwasher removal with new shelving, board facing, door with hardware and drawing. See Detail x/A8.2

110- Replace doors of cabinet above refrigerator. See Detail x/A8.2.

111- Install new sister studs, rafters, joists (trusses), including sills, plates and ridge beams, beside each framing member in the walls and ceiling / roof. See structural drawings A1.1 and A1.1A. Install new mechanical, plumbing and electrical as shown on the M, P and E drawings. Install insulation in the walls (R-15) and ceilings (R-30). Install new finishes, see Finish Schedule, toilet partitions, toilet accessories, doors and door frames with trim, window trim, etc. See Door Schedule for new doors and door hardware.

PARTITION SCHEDULE

- 1 2x4 WOOD STUD WALL WITH 5/8" MRGWB BOTH SIDES, FLOOR TO CEILING.
- 2 2x4 WOOD STUD WALL WITH 5/8" MRGWB ONE SIDE, FLOOR TO CEILING.
- 3 2x2 WOOD STUD WALL WITH 5/8" MRGWB ONE SIDE. INFILL ONE SIDE OF DOOR OPENING.
- 4 2x4 WOOD STUD WALL WITH 5/8" MRGWB ONE SIDE. INFILL DOOR OPENING.
- 5 2x2 WOOD STUD WALL WITH 5/8" MRGWB BOTH SIDES. INFILL PORTION OF WINDOW OPENING.



FLOOR PLAN
SCALE: 1/4"=1'-0"
A1.2

* "GO BOLT" IN EXISTING PERIMETER WALLS OF ROOMS 113, 114, 115, 116. SEE DRAWING A1.1A FOR STRUCTURAL DETAILS.

RENOVATION OF SEVEN SEAS
AT NEWTON BEACH PARK

4650 ESTERO BOULEVARD
TOWN OF FORT MYERS BEACH

PROJECT NO.: 0821
DATE: 03-23-2009
DRAWN BY: KAY, SKS
REVISIONS:

SHEET TITLE:
FLOOR PLAN

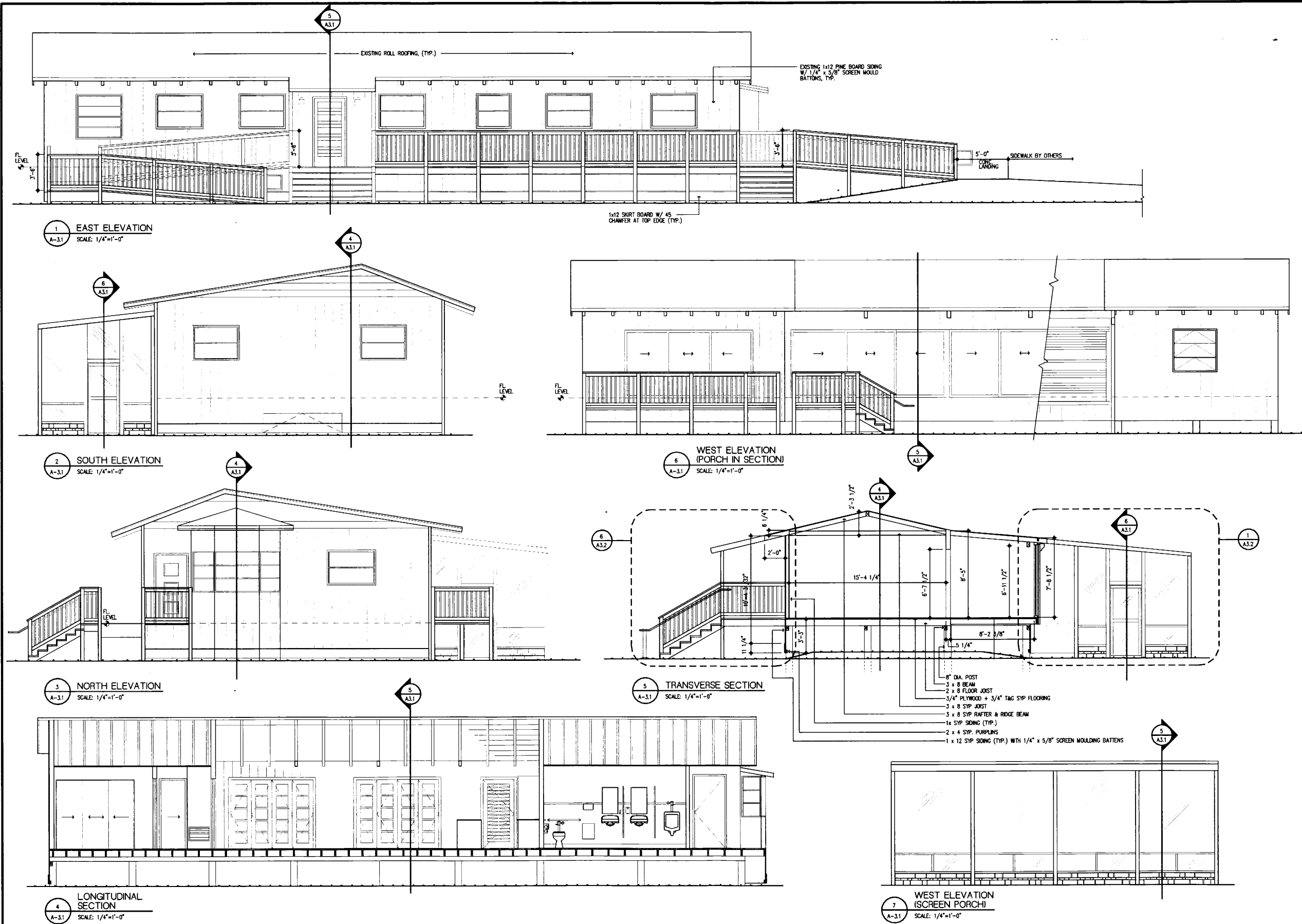
SHEET NO.:

A1.2

OF SHEETS

RENKER • EICH • PARKS ARCHITECTS
1609 Dr. Martin Luther King Jr. Street, Suite 301, Ft. Myers, FL 33901-1609 (772-431-2986)
LIC. #A-120447

H:\0068\0821 Newton Ph II\CD\Seven Seas\0821 Exterior Elevations & Sections.dwg
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RENOVATION OF SEVEN SEAS
AT NEWTON BEACH PARK
4650 ESTERO BOULEVARD
TOWN OF FORT MYERS BEACH

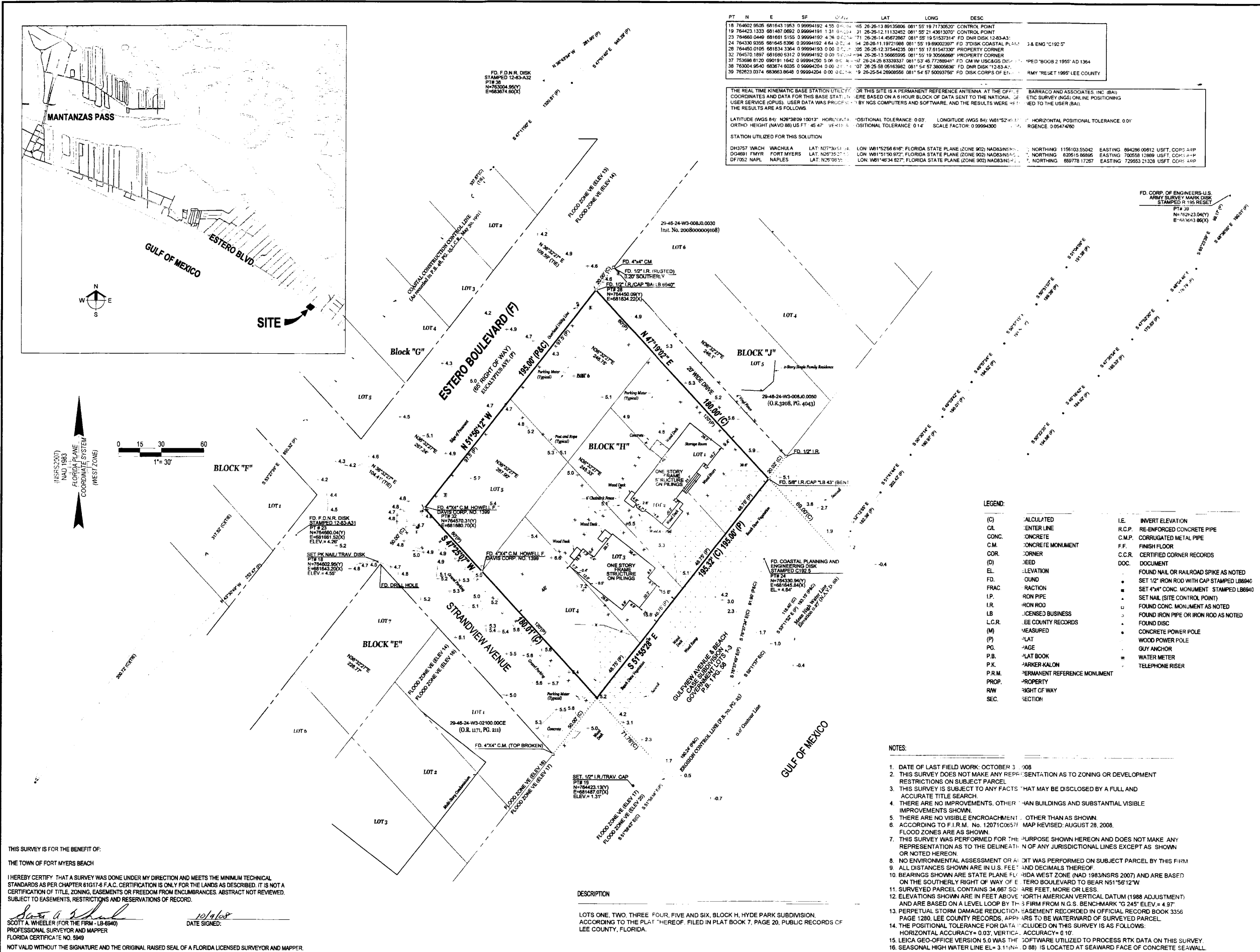
PROJECT NO.: 0821
DATE: 03-23-2009
DRAWN BY: KAY, SKS
REVISIONS:

SHEET TITLE:
EXTERIOR ELEVATIONS
AND SECTIONS

SHEET NO.:

A-3.1

OF SHEETS



PT	N	E	SP	Q	Q	Q	LAT	LONG	DESC
18	764802.9506	681643.1953	0.99994192	4.35	0.000000	0.000000	26-26-13.89135606	081° 55' 19.7130220"	CONTROL POINT
19	764823.1333	681481.0892	0.99994191	1.31	0.000000	0.000000	26-26-12.11132452	081° 55' 21.43613070"	CONTROL POINT
20	764860.0449	681661.5155	0.99994192	4.36	0.000000	0.000000	26-26-14.45672867	081° 55' 19.51537314"	FD DNR DISK 12-83-A31
21	764830.8355	681645.8396	0.99994192	4.64	0.000000	0.000000	26-26-11.19721988	081° 55' 19.69023977"	FD 3-DISK COASTAL PLANNING AND ENGINEERING DISK STAMPED C192-5
22	764845.0105	681634.3364	0.99994193	0.00	0.000000	0.000000	26-26-12.37544235	081° 55' 17.61547330"	PROPERTY CORNER
23	764570.1897	681680.5312	0.99994192	0.00	0.000000	0.000000	26-26-13.56656595	081° 55' 19.30565698"	PROPERTY CORNER
24	763698.8120	690191.1642	0.99994250	5.06	0.000000	0.000000	26-24-25.83339337	081° 53' 45.77389941"	FD CMW USCA&S DISK STAMPED 78008 2 1995 AD 1364
25	763004.9540	683674.6035	0.99994204	0.00	0.000000	0.000000	26-25-58.05163862	081° 54' 57.38056536"	FD DNR DISK 12-83-A31
26	762953.0374	683663.8648	0.99994204	0.00	0.000000	0.000000	26-25-54.28995558	081° 54' 57.50037557"	FD DNR DISK 12-83-A31

THE REAL TIME KINEMATIC BASE STATION UTILIZED FOR THIS SITE IS A PERMANENT REFERENCE ANTENNA AT THE OFFICE OF BARRACO AND ASSOCIATES, INC. (BAI). COORDINATES AND DATA FOR THIS BASE STATION WERE BASED ON A 9 HOUR BLOCK OF DATA SENT TO THE NATIONAL GEODETIC SURVEY (NGS) ONLINE POSITIONING USER SERVICE (OPUS). USER DATA WAS PROVIDED BY NGS COMPUTERS AND SOFTWARE, AND THE RESULTS WERE RETURNED TO THE USER (BAI). THE RESULTS ARE AS FOLLOWS:

LATITUDE (WGS 84): N26°38'09.10013" N; HORIZONTAL TOLERANCE: 0.03'; LONGITUDE (WGS 84): W81°52'40.10013" W; HORIZONTAL POSITIVE TOLERANCE: 0.01'; ORTHO HEIGHT (NAVD 88) US FT: 45.47'; VERTICAL TOLERANCE: 0.14'; SCALE FACTOR: 0.99994300; DISTURBANCE: 0.05474760

STATION UTILIZED FOR THIS SOLUTION:

DH3757 WACH WACHULA LAT: N27°30'51.50013" N; LONG: W81°52'56.61616" W; FLORIDA STATE PLANE (ZONE 902) NAD83; NORTHING: 1155103.55042; EASTING: 894206.00612; USFT CORRS: APP; DG4691 FMYR FORT MYERS LAT: N26°35'27.10013" N; LONG: W81°51'50.97272" W; FLORIDA STATE PLANE (ZONE 902) NAD83; NORTHING: 620515.66886; EASTING: 700558.12899; USFT CORRS: APP; FD7052 NAPL NAPLES LAT: N26°09'51.50013" N; LONG: W81°46'34.82277" W; FLORIDA STATE PLANE (ZONE 902) NAD83; NORTHING: 659778.17257; EASTING: 729553.21328; USFT CORRS: APP

Barraco
and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 MCGREGOR BOULEVARD
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATE OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR

**TOWN OF
FORT MYERS
BEACH**

PROJECT DESCRIPTION

Lots 1 thru 6 in Block "H"

**Hyde
Park**

PLAT BOOK 7 PAGE 20
LEE COUNTY RECORDS
lying in Section 29,
Township 46 South, Range 24 East
City of Fort Myers Beach
Lee County, Florida

PROJECT SURVEYOR

NOT VALID WITHOUT THE SIGNATURE
AND THE ORIGINAL RAISED SEAL OF A
FLORIDA LICENSED SURVEYOR OR MAPPER

FILE NAME: 22433.DWG

LAYOUT: LAYOUT1

LOCATION: J:\22433\DWG\SURVEYING\

PLOT DATE: THU 10-9-2008 9:51 AM

PLOT BY: BRANDON HARDY

DRAWING DATA

SURVEY DATE: OCTOBER 3, 2008

DRAWN BY: CDE

CHECKED BY: SAW

SCALE: 1"=30'

FIELD BOOK: 25473-78, 25748-50

PLAN REVISIONS

STRAP NUMBERS

29-46-24-W3-0080H 0050
29-46-24-W3-0080H 0030
29-46-24-W3-0080H 0010

**BOUNDARY &
TOPOGRAPHIC
SURVEY**

PROJECT / FILE NO: 22433
29-46-24

SHEET NUMBER: 1 of 1

THIS SURVEY IS FOR THE BENEFIT OF:
THE TOWN OF FORT MYERS BEACH

I HEREBY CERTIFY THAT A SURVEY WAS DONE UNDER MY DIRECTION AND MEETS THE MINIMUM TECHNICAL STANDARDS AS PER CHAPTER 61G17-6 F.A.C. CERTIFICATION IS ONLY FOR THE LANDS AS DESCRIBED. IT IS NOT A CERTIFICATION OF TITLE, ZONING, EASEMENTS OR FREEDOM FROM ENCUMBRANCES. ABSTRACT NOT REVIEWED. SUBJECT TO EASEMENTS, RESTRICTIONS AND RESERVATIONS OF RECORD.

Scott A. Wheeler
SCOTT A. WHEELER (FOR THE FIRM - LB-6940)
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 5949

10/9/08
DATE SIGNED:

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

- NOTES:
- DATE OF LAST FIELD WORK: OCTOBER 3, 2008
 - THIS SURVEY DOES NOT MAKE ANY REPRESENTATION AS TO ZONING OR DEVELOPMENT RESTRICTIONS ON SUBJECT PARCEL
 - THIS SURVEY IS SUBJECT TO ANY FACTS THAT MAY BE DISCLOSED BY A FULL AND ACCURATE TITLE SEARCH
 - THERE ARE NO IMPROVEMENTS, OTHER THAN BUILDINGS AND SUBSTANTIAL VISIBLE IMPROVEMENTS SHOWN.
 - THERE ARE NO VISIBLE ENCROACHMENTS, OTHER THAN AS SHOWN.
 - ACCORDING TO F.I.R.M. No. 12071C0657F, MAP REVISED: AUGUST 28, 2008, FLOOD ZONES ARE AS SHOWN.
 - THIS SURVEY WAS PERFORMED FOR THE PURPOSE SHOWN HEREON AND DOES NOT MAKE ANY REPRESENTATION AS TO THE DELINEATION OF ANY JURISDICTIONAL LINES EXCEPT AS SHOWN OR NOTED HEREON.
 - NO ENVIRONMENTAL ASSESSMENT OR AUDIT WAS PERFORMED ON SUBJECT PARCEL BY THIS FIRM.
 - ALL DISTANCES SHOWN ARE IN U.S. FEET AND DECIMALS THEREOF.
 - BEARINGS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD 1983/NSRS 2007) AND ARE BASED ON THE SOUTHERLY RIGHT OF WAY OF ESTERO BOULEVARD TO BEAR N51°56'12"W.
 - SURVEYED PARCEL CONTAINS 34,667 SQ. FEET, MORE OR LESS.
 - ELEVATIONS SHOWN ARE IN FEET ABOVE NORTH AMERICAN VERTICAL DATUM (1988 ADJUSTMENT) AND ARE BASED ON A LEVEL LOOP BY THIS FIRM FROM N.G.S. BENCHMARK "G 245" ELEV = 4.91'.
 - PERPETUAL STORM DAMAGE REDUCTION EASEMENT RECORDED IN OFFICIAL RECORD BOOK 3356 PAGE 1280, LEE COUNTY RECORDS, APPLICABLE TO BE WATERWARD OF SURVEYED PARCEL.
 - THE POSITIONAL TOLERANCE FOR DATA INCLUDED ON THIS SURVEY IS AS FOLLOWS:
HORIZONTAL ACCURACY = 0.03'; VERTICAL ACCURACY = 0.10';
 - LEICA GEO-OFFICE VERSION 5.0 WAS THE SOFTWARE UTILIZED TO PROCESS RTK DATA ON THIS SURVEY.
 - SEASONAL HIGH WATER LINE EL = 3.11 (NAD 88) IS LOCATED AT SEAWARD FACE OF CONCRETE SEAWALL.

DESCRIPTION

LOTS ONE, TWO, THREE, FOUR, FIVE AND SIX, BLOCK H, HYDE PARK SUBDIVISION, ACCORDING TO THE PLAT THEREOF, FILED IN PLAT BOOK 7, PAGE 20, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

	A	B	C
1	SCHEDULE OF USES:		
2	USE	PRINCIPAL USE	ACCESORY USE
3			
4	Civic		
5	Beach access	X	
6	Park, neighbourhood	X	
7	Recreation facility: public	X	
8	Cultural facility	X	
9	Essential services		X
10	Hidden path		X
11	Day care center, adult or child		X
12	Dwelling unit, caretaker		X
13	Place of worship		X
14	School		X
15	Theatre		X
16			
17	Retail		
18	Membership organization	X	
19	Recreation facilities, commercial	X	
20	Temporary uses		X
	On-premises consumption of		
21	alcoholic beverages		X
22	Retail store, small		X
23			
24	Office		
25	Administrative office	X	
26			
27	NOTE A: Possible outdoor retail use (accessory) locations.		

LEGAL DESCRIPTION:

LOTS ONE, TWO, THREE, FOUR, FIVE AND SIX,
BLOCK H, HYDE PARK SUBDIVISION, ACCORDING
TO THE PLAT THEREOF, FILED IN PLAT BOOK 7,
PAGE 20, PUBLIC RECORDS OF LEE COUNTY,
FLORIDA.

DAVID M. JONES JR. AND ASSOCIATES, INC.
LANDSCAPE ARCHITECTS AND PLANNERS

2221 MCGREGOR BOULEVARD FORT MYERS, FLORIDA 33901
(239) 337-5525 FAX (239) 337-4494

NEWTON BEACH PARK
FORT MYERS BEACH, FLORIDA

LEGAL DESCRIPTION

GJD	GJD	280065	N.T.S.	8/2008
-----	-----	--------	--------	--------

EXHIBIT

7-2

From: [Barbara & Jeff Bocker](#)
To: [zoning.permits](#); [Jason Smalley](#)
Subject: case 2022085 Newton Park
Date: Tuesday, August 2, 2022 1:31:49 PM

Local planning agency

As the owners of the home at 100 Gulfview Avenue beach access 18, we are opposed to allowing liquor sales at the park. It will only increase the problems we have already with people on our property, parking in are drive and on several occasions sleeping on our porch, and some just plain disrespectful tourist who think everything is theirs for the taking. We have seen many disturbing things on the beach from our home already. We believe there is not enough police and beach patrolling to take care of the things happening now, adding alcohol will make things even more unsafe on the beach. (There is already plenty of illegal alcohol on beach which patrols turns a blind eye to) Question for the committee why does it state at each access NO ALCOHOL ON BEACH and now we are going to permit it??? We have many friends in the Stradview condos who also put up with more and more disruptions from tourists. We do not mind sharing the beach with the tourists but we bought homes on the beach to relax in what use to be a quirky little island town.

Thank you for taking our concerns into consideration
Jeff and Barbara Bocker
815-238-5559

Note: Florida has a very broad public records law. Most communication(s) to or from Fort Myers Beach officials regarding Town business are public records available to the public and media upon request. Your email communications and email address may be subject to public disclosure.

From: [AL BYERLE](#)
To: [zoning.permits](#)
Subject: Newton Park Neighbor
Date: Wednesday, August 3, 2022 12:44:25 PM

We are not in favor of selling alcohol at Newton Park.

We were advised that there is a meeting on August 9 to discuss weddings and selling of alcohol at Newton Park. This may work for the Mound House but this is the beach. We live next door at Strandview Tower, 4560 Estero, Unit 403, since 1997 and have seen many changes in Newton property since it was developed into a park and it has also increased foot and vehicle traffic on our property. We get individuals using our parking spaces, shower, and pool as if it is part of Newton Park. Most of these individuals have been drinking. We don't need anymore incidents like we have been having. There is no drinking allowed on the beach and it should be the same for Newton Park.

Al and Anne Byerle
248-804-7444

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Town of Fort Myers Beach
Community Development Services - Planning Division
2525 Estero Blvd,
Fort Myers Beach, FL 33966

NOTICE TO PROPERTY OWNERS WITHIN 500 FEET

Notice is hereby given that the Local Planning Agency (LPA) of the Town of Fort Myers Beach will hold a public hearing which will take place at Town Hall, 2525 Estero Boulevard, Fort Myers Beach, Florida, 33931.

TIME: 9:00 AM
DATE: 8/9/2022
CASE: 2022085 Newton Park CPD Amendment to Conditions of Approval
ADDRESS: 4650 Estero Boulevard
APPLICANT: Town of Fort Myers Beach
REQUEST: Amendment to the conditions of approval for Newton Park CPD (Res 09-24)

TOWN CONTACT: JASON SMALLEY JSMALLEY@FMBGOV.COM

You may appear in person, through counsel, or through an authorized agent and provide testimony, legal argument, or other evidence. At this hearing the Local Planning Agency will review the application materials and hear testimony to make a recommendation. Complete records or transcripts of the proceedings are not provided by the Town.

Copies of the application and staff report are available for viewing at Fort Myers Beach Town Hall. Call 239-765-0202 for more information. Town Hall is open between the hours of 8:30 AM and 4:30 PM. Reasonable accommodations will be made in accordance with the Americans with Disabilities Act. If you need reasonable accommodation, contact Town Hall at 239-765-0202.



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Town of Fort Myers Beach
2525 Estero Blvd,
Fort Myers Beach, FL 33931

Town of Fort Myers Beach
2525 Estero Blvd,
Fort Myers Beach, FL 33931

«OwnerName»
«MailAddress»
«MailCity», «MailState», «MailZip»«Next Record»

«OwnerName»
«MailAddress»
«MailCity», «MailState», «MailZip»«Next Record»

Town of Fort Myers Beach
2525 Estero Blvd,
Fort Myers Beach, FL 33931

Town of Fort Myers Beach
2525 Estero Blvd,
Fort Myers Beach, FL 33931

«OwnerName»
«MailAddress»
«MailCity», «MailState», «MailZip»«Next Record»

«OwnerName»
«MailAddress»
«MailCity», «MailState», «MailZip»

1. Requested Motion:

Meeting Date: September 8, 2022

Authorize the Mayor to execute the annual renewal for Legal Services agreement with Fox Rothschild, LLP/John R. Herin Jr.

Why the action is necessary:

Legal Services Agreement is due for renewal.

What the action accomplishes:

Provides the Town with Legal Services for an additional year with no increase in general services cost or hourly rate.

2. Agenda:

ADMINISTRATIVE AGENDA

3. Requirement/Purpose:

4. Submitter of Information:

5. Background:

Attached is a draft renewal for the continued services of Town Attorney John R. Herin, Jr.

Attorney Herin has met or will be meeting individually with members of the Council for their performance comments and reviews. Attached for review and approval is the proposed Fifth Amendment to the Legal Services Agreement. As with all prior renewals, this renewal maintains the same cost for general legal services and hourly rates for the sixth consecutive year.

The current legal services agreement with Attorney John R. Herin, Jr. will expire September 30, 2021. This agreement will provide legal services for the Town for an additional year, expiring on September 30, 2023.

Attachments:

1. Fifth Amendment to Legal Services Agreement - FMB _ Fox Rothschild(137588816.1)-C

Financial Impact:

6. Alternative Action

Do not authorize the contract renewal and seek an alternative for legal services.

7. Management Recommendations:

Authorize Town Manager to sign/execute the Legal Services Agreement renewal with John R. Herin Jr.

8. Recommended Approval:

Yadzia Roa, Deputy Town Clerk/Contracts Manager
John R Herin Jr, Town Attorney
Amy Baker, Town Clerk
Roger Hernstadt, Town Manager

Created/Initiated - 8/31/2022
Approved - 9/1/2022
Approved - 9/1/2022
Final Approval - 9/1/2022

FIFTH AMENDMENT TO TOWN ATTORNEY LEGAL SERVICES AGREEMENT

THIS FIFTH AMENDMENT TO LEGAL SERVICES AGREEMENT (“First Amendment”) is made and entered into this 8th day of September 2022 by and between the TOWN OF FORT MYERS BEACH (“Town”), and FOX ROTHSCHILD LLP (“Firm”).

WITNESSETH:

WHEREAS, pursuant to a public procurement process, on December 18, 2018, the Town selected, appointed and entered into a Legal Services Agreement (“Agreement”) with the law firm of GrayRobinson, P.A., (“GrayRobinson”) to provide legal services to the Town. A copy of the Agreement is attached hereto as Exhibit “A” and made a part hereof by this reference; and

WHEREAS, the Agreement designated John R. Herin, Jr., Esq., as the primary attorney to serve as the Town Attorney as set forth in Section 8.01 of the Town Charter (“Designated Town Attorney”); and

WHEREAS, on February 11, 2019, Designated Town Attorney voluntarily left GrayRobinson and joined Firm; and

WHEREAS, Town and Designated Town Attorney entered into a First Amendment to the Agreement (“First Amendment”) to continue the professional relationship between the parties and assign the Agreement to Firm; and

WHEREAS, the term of the Agreement was retroactively extended from October 1, 2021 to September 30, 2022 (“Fourth Amendment”), and the parties desire to renew the Agreement as extended and modified by the First Amendment, Second Amendment, Third Amendment and Fourth Amendment as set forth herein.

NOW, THEREFORE, in consideration of the mutual covenants and promises contained herein, the Town and Firm agree to the following amendments to the Agreement as follows:¹

1. Amendment to Section 5 of the Agreement.
5. Duration and Termination. This Agreement is ~~retroactively~~ effective as of October 1, ~~2020~~ 2022. Designated Attorneys through the Firm shall provide Town Attorneys legal services as required by this Agreement and may be substituted without the consent of the Town. The term of this Agreement shall be for 365 calendar days, expiring on September 30, ~~2024~~ 2023, and thereafter may be renewed for additional one (1) year term(s) upon written agreement of the Town and Firm. Notwithstanding the foregoing or any other provision set forth herein, this Agreement may be terminated at the will of the Town or by the Firm upon giving no less than thirty (30) calendar days prior written notice of the termination

1/ Additions to existing text are shown by underline, and deletions are shown as ~~strikethrough~~.
126205656.1

of this Agreement.

2. Remaining Provisions of the Agreement. All other provisions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the Town and Firm have executed this Fifth Amendment this 8th day of September 2022.

Firm:

Town of Fort Myers Beach:

John R. Herin, Jr, Partner

Raymond P. Murphy, Mayor

Attest:

Amy Baker, Town Clerk

1. Requested Motion:

Meeting Date: September 8, 2022

Authorize the Town Manager to renew and execute an agreement in the amount of \$45,000 with the Town's State Lobbyist, Ronald L. Book, P.A.

Why the action is necessary:

The current contract for a Town Lobbyist expires on September 30, 2022.

What the action accomplishes:

Provides a lobbyist for the Town for an additional year.

2. Agenda:

ADMINISTRATIVE AGENDA

3. Requirement/Purpose:

4. Submitter of Information:

5. Background:

Mr. Book has been representing the Town of Fort Myers Beach on state matters since November of 2017 with many positive results. This agreement will extend his firm's services for another year.

Attachments:

1. Lobbyist Renewal Agreement FY23 w Agreement

Financial Impact:

6. Alternative Action

Do not renew the contract and hire an alternate Lobbyist.

7. Management Recommendations:

8. Recommended Approval:

Yadzia Roa, Deputy Town Clerk/Contracts Manager
John R Herin Jr, Town Attorney
Amy Baker, Town Clerk
Roger Hernstadt, Town Manager

Created/Initiated - 8/31/2022
Approved - 9/1/2022
Approved - 9/1/2022
Final Approval - 9/1/2022

PROFESSIONAL SERVICES AGREEMENT RENEWAL

The undersigned parties to that certain Professional Services Agreement entered into between the Town of Fort Myers Beach and **Ronald L. Book, P.A.** originally dated November 21, 2017, and most recently extended and renewed on October 1, 2020, hereby agree, pursuant to Section 2 of the Agreement, to renew the Agreement on the same terms and conditions for a period of one year, commencing on October 1, 2022, and expiring on September 30, 2023. Those terms and conditions are reflected in the prior agreement that is attached hereto and incorporated herein by reference as Exhibit A.

IN WITNESS WHEREOF, the parties have executed this Professional Services Agreement Renewal on the dates set forth below.

TOWN OF FORT MYERS BEACH

Ronald L. Book, P.A.

By: _____
Roger T. Hernstadt, Town Manager

By: _____

Title: _____

DATE: _____

DATE: _____

ATTEST:

Amy Baker, Town Clerk

APPROVED AS TO LEGAL FORM:

John R. Herin Jr., Town Attorney

**PROFESSIONAL SERVICES AGREEMENT BETWEEN THE
TOWN OF FORT MYERS BEACH
AND
RONALD L. BOOK, PA**

THIS AGREEMENT is made and entered into between Ronald L. Book, P.A., a Florida limited liability company, (hereinafter the "Consultant"), and the **TOWN OF FORT MYERS BEACH, FLORIDA**, a Florida municipal corporation, (hereinafter the "Town").

WHEREAS, the Consultant and Town, through mutual negotiation, have agreed upon a scope of services and fee for legislative consulting services on behalf of the Town before the Florida Legislature, the executive branch of the Florida government, and various regional and local governments; and

WHEREAS, the Town desires to engage the Consultant to perform the legislative consulting services specified below.

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein, the Consultant and the Town agree as follows.

1. **Scope of Services/Deliverables.**

- 1.1 Consultant shall provide legislative consulting services on behalf of the Town before the Florida Legislature, the executive branch of the Florida government, and various regional and local governments.
- 1.2 Specifically, Consultant shall provide the following services:
 - 1.2.1 No less than once a year, in person, meet with the Town Council and staff to assist the Town in developing a legislative program.
 - 1.2.2 Monitor and report on all state agency programs of interest to the Town, including any programs that could be helpful in funding, planning and operating the Town.
 - 1.2.3 Represent Town's interests before the Florida legislature and any executive branch body and any other entity that could be of benefit to the Town's interests.
 - 1.2.4 Monitor and track all legislation of interest to the Town.
 - 1.2.5 Provide no less than monthly reports during the legislative session and quarterly reports during the non-session months to the Town Manager and Town Attorney on all legislation being tracked. Such reports will be electronically transmitted to the Town Manager and Town Attorney.

1.2.6 Host Town officials during the legislative session in Tallahassee and arrange all appropriate meetings.

1.2.7 Attend staff meetings, workshops or Council meetings in Fort Myers Beach at the Town Manager's request.

2. **Term/Commencement Date.**

2.1 This Agreement is effective upon execution by both parties. The initial term is from October 1, 2020 through September 30, 2021 unless earlier terminated in accordance with Paragraph 8. The agreement can be extended by mutual consent of the Consultant and Town Council.

3. **Compensation and Payment.**

3.1 For all professional services provided by Consultant described in Section 1, the Town shall pay Consultant an annual fee of \$45,000.00, payable in four (4) equal quarterly installments of \$11,250.00.

3.2 Consultant shall be entitled to reimbursement of expenses incurred as a result of its representation of the Town. Such expenses may include use of on-line legislative and legal resources, copying and facsimile charges, postage and overnight delivery charges and other expenses directly related to representation of the Town. However, the total of such charges shall be capped at \$5,000 per year.

3.3 Consultant shall be reimbursed by the Town for reasonable travel expenses provided such expenses are pre-approved by the Town Manager in writing. If Consultant is traveling on behalf of several clients, the Town shall be charged only its pro-rated portion of the costs incurred.

3.4 Reimbursement of costs and travel expenses shall be paid by the Town to the Consultant upon approval of an invoice, including appropriate receipts and back-up documents.

3.5 Payments and reimbursements due under this section shall be paid by the Town pursuant to the Florida Prompt Payment Act.

3.6 If a dispute should occur regarding an invoice submitted, the Town Manager may withhold payment of the disputed amount and may pay to the Consultant the undisputed portion of the invoice. Upon written request of the Finance Director, the Consultant shall provide written documentation to justify the invoice. Any compensation disputes shall be decided by the Town Manager whose decision shall be final.

4. **No Subconsultants or Assignment.**

- 4.1 Although this Agreement is with Consultant, the parties understand that the services of Consultant are personal in nature and that the following members of Consultant's firm shall be designated by Consultant to perform services under this Agreement is Ronald L. Book.
- 4.2 In the event that any member of the firm can no longer perform services under this Agreement, Consultant shall immediately notify the Town Manager and the Town Manager shall have the right to immediately terminate this Agreement.
- 4.3 This Agreement shall not be subject to assignment by Consultant without prior written consent of the Town.

5. **Town's Responsibilities**

- 5.1 Furnish to Consultant, at the Consultant's written request, all available maps, plans, existing studies, reports and other data pertinent to the services to be provided by Consultant, in possession of the Town.

6. **Consultant's Responsibilities**

- 6.1 The Consultant shall exercise the same degree of care, skill and diligence in the performance of the work under this Agreement as is ordinarily provided by a professional under similar circumstances.

7. **Conflict of Interest.**

- 7.1 Consultant shall not be prohibited from representing or providing the like services to other persons and entities other than the Town, so long as Consultant shall avoid any representation or relation that would create a conflict of interest, as determined by the Town Attorney and Town Council.
- 7.2 Consultant shall not take on any client or matter, which would jeopardize Consultant's ability to devote the time, resources, and effort necessary to fulfill its obligations to the Town.

8. **Termination.**

- 8.1 Either party may terminate this Agreement without cause upon thirty (30) days written notice to the other.
- 8.2 The Town may terminate this Agreement immediately with cause.

- 8.2 Upon receipt of the Town's written notice of termination, Consultant shall stop all work on behalf of the Town unless directed otherwise in writing by the Town Manager.
- 8.3 In the event of termination, the Town shall be obligated to pay the Consultant only for approved fees and costs incurred by the Consultant prior to the date of termination. If the Consultant has already received the quarterly fee payment, the Consultant shall refund a pro-rated percentage of the fee back to the Town.

9. **Insurance.**

The Contractor shall secure and maintain throughout the duration of this Agreement insurance of such type and in such amounts as required by the Town Manager. The underwriter of such insurance shall be qualified to do business in the State of Florida and have agents upon whom service of process may be made in the State of Florida. If requested by the Town Manager, the insurance coverage shall be primary insurance with respect to the Town, its officials, employees, agents and volunteers. The insurance coverages shall include a minimum of:

- 9.1 Worker's Compensation and Employer's Liability Insurance. If applicable, coverage to apply for all employees at minimum statutory limits as required by Florida Law. Consultants with Worker's Compensation exemption shall not hold Town liable for employee injury or claims.
- 9.2 Comprehensive Automobile and Vehicle Liability Insurance. Motor vehicle liability insurance, including applicable no-fault coverage, with limits of liability of not less than \$100,000 per occurrence, combined single limit for Bodily Injury Liability and Property Damage Liability. Coverage shall include all owned vehicles, all non-owned vehicles, and all hired vehicles.
- 9.3 Professional Liability. The Consultant shall furnish professional liability errors and omissions insurance coverage in an amount not less than \$1,000,000.
- 9.4 Certificates of Insurance shall be provided to the Town at the time of execution of this Agreement and certified copies provided if requested. Certificates of Insurance shall include the Town as additional insured or certificate holder. Each policy certificate shall be endorsed with a provision that not less than thirty (30) calendar days' written notice shall be provided to the Town before any policy or coverage is cancelled or restricted.

10. **Nondiscrimination.**

10.1 During the term of this Agreement, Consultant shall not discriminate against any of its employees or applicants for employment because of their race, color, religion, sex, or national origin, and to abide by all Federal and State laws regarding nondiscrimination

11. **Attorneys Fees and Waiver of Jury Trial.**

11.1 In the event of any litigation arising out of this Agreement each party shall be responsible for its attorneys' fees and costs, including the fees and expenses of any paralegals, law clerks and legal assistants, and including fees and expenses charged for representation at both the trial and appellate levels.

11.2 In the event of any litigation arising out of this Agreement, each party hereby knowingly, irrevocably, voluntarily and intentionally waives its right to trial by jury.

12. **Indemnification.**

12.1 Consultant shall defend, indemnify, and hold harmless the Town, its officers, agents and employees, from and against any and all demands, claims, losses, suits, liabilities, causes of action, judgment or damages, arising out of, related to, or any way connected with Consultant's performance or non-performance of any provision of this Agreement. Consultant shall reimburse the Town for all its expenses including reasonable attorneys' fees and costs incurred in and about the defense of any such claim or investigation and for any judgment or damages arising out of, related to, or in any way connected with Consultant's performance or non-performance of this Agreement.

12.2 The provisions of this section shall survive termination of this Agreement.

[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

13. **Notices/Authorized Representatives.**

- 13.1 Any notices required by this Agreement shall be in writing and shall be deemed to have been properly given if transmitted by hand-delivery, by registered or certified mail with postage prepaid return receipt requested, or by a private postal service, addressed to the parties (or their successors) at the following addresses:

For the Town: Roger T. Hernstadt, Town Manager
Town of Fort Myers Beach, Florida
2525 Estero Boulevard
Fort Myers Beach, Florida 33931
239-765-0202

For The Consultant: Mr. Ronald L. Book, President
Ronald L. Book, P.A.
18851 NE 29 Ave., Ste. 1010
Aventura, FL 33180
305-935-1866

14. **Governing Law.**

- 14.1 This Agreement shall be construed in accordance with and governed by the laws of the State of Florida. Exclusive venue for any litigation arising out of this Agreement shall be in Lee County, Florida.

15. **Entire Agreement/Modification/Amendment.**

- 15.1 This writing contains the entire Agreement of the parties and supercedes any prior oral or written representations. No representations were made or relied upon by either party, other than those that are expressly set forth herein.
- 15.2 No agent, employee, or other representative of either party is empowered to modify or amend the terms of this Agreement, unless executed with the same formality as this document.

16. **Ownership and Access to Records and Audits.**

- 16.1 All records, books, documents, papers and financial information (the "Records") that result from the Consultant providing services to the Town under this Agreement shall be the property of the Town.
- 16.2 The Town Manager or his designee shall, during the term of this Agreement and for a period of three (3) years from the date of termination of this Agreement, have access to and the right to examine and audit any Records of the Consultant involving transactions related to this Agreement.
- 16.3 The Town may cancel this Agreement for refusal by the Consultant to allow access by the Town Manager or his designee to any Records pertaining to work performed under this Agreement that are subject to the provisions of Chapter 119, Florida Statutes.

17. **Severability.**

- 17.1 If any term or provision of this Agreement shall to any extent be held invalid or unenforceable, the remainder of this Agreement shall not be affected thereby, and each remaining term and provision of this Agreement shall be valid and be enforceable to the fullest extent permitted by law.

18. **Independent Contractor.**

- 18.1 The Consultant and its employees, volunteers and agents shall be and remain independent contractor and not agents or employees of the Town with respect to all of the acts and services performed by and under the terms of this Agreement. This Agreement shall not in any way be construed to create a partnership, association or any other kind of joint undertaking, enterprise or venture between the parties.

19. **Compliance with Laws.**

- 19.1 The Consultant shall comply with all applicable laws, ordinances, rules, regulations, and lawful orders of public authorities relating to the Project.

20. **Waiver**

- 20.1 The failure of either party to this Agreement to object to or to take affirmative action with respect to any conduct of the other which is in violation of the terms of this Agreement shall not be construed as a waiver of the violation or breach, or of any future violation, breach or wrongful conduct.

21. **Survival of Provisions**

- 21.1 Any terms or conditions of either this Agreement that require acts beyond the date of the term of the Agreement, shall survive termination of the Agreement, shall remain in full force and effect unless and until the terms or conditions are completed and shall be fully enforceable by either party.

22. **Prohibition Of Contingency Fees.**

- 22.1 The Consultant warrants that it has not employed or retained any company or person, other than a bona fide employee working solely for the Consultant, to solicit or secure this Agreement, and that it has not paid or agreed to pay any person(s), company, corporation, individual or firm, other than a bona fide employee working solely for the Consultant, any fee, commission, percentage, gift, or any other consideration, contingent upon or resulting from the award or making of this Agreement.

23. **Counterparts**

- 23.1 This Agreement may be executed in several counterparts, each of which shall be deemed an original and all of which shall constitute one and the same instrument.

[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the parties execute this Agreement on the respective dates under each signature: The Town, signing by and through its Town Manager, attested to by its Town Clerk, duly authorized to execute same and by Consultant by and through Ronald L. Book, who has been duly authorized to execute same.

JF

ATTEST:

TOWN OF FORT MYERS BEACH:


Michelle Mayher, Town Clerk

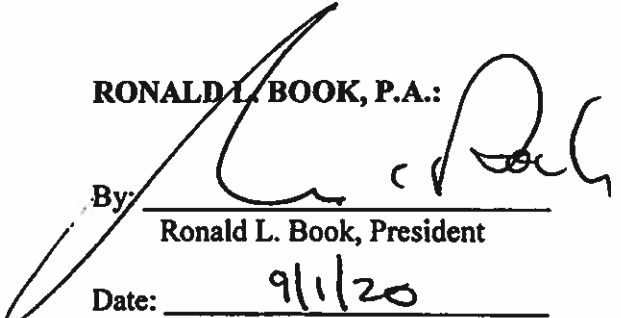
By: 
Roger T. Hernstadt, Town Manager

Date: 09/29/2020

APPROVED AS TO FORM AND LEGALITY FOR THE USE AND RELIANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA ONLY:


Town Attorney

RONALD L. BOOK, P.A.:

By: 
Ronald L. Book, President

Date: 9/1/20

1. **Requested Motion:**

Meeting Date: September 8, 2022

Authorize entering into a Local Option Gas Tax Master Interlocal Agreement with Lee County to begin January 23, 2023.

Why the action is necessary:

What the action accomplishes:

2. **Agenda:**

ADMINISTRATIVE AGENDA

3. **Requirement/Purpose:**

Other

4. **Submitter of Information:**

5. **Background:**

The current interlocal agreement that allocates the local option gas tax ends at the end of this year. In 2019, Lee County was able to get the county and all the cities on the same timeframe and formula for the first time in 30 years (with some transitional subsidies from Lee County and Cape Coral).

In the spirit of cooperation and maintaining a positive working relationship with Lee County, with the understanding that the new formula represents a loss to the Town, staff recommends entering into the proposed agreement. New allocations will begin January 1, 2023.

Attachments:

1. First Amendment Gas Tax Interlocal
2. Expiring Lee County Local Option Gas Tax ILA
3. FortMyersBeach
4. CountyMaintained
5. Attachment A

Financial Impact:

A reduction of \$140,000 annually

6. **Alternative Action**

7. **Management Recommendations:**

8. **Recommended Approval:**

Amy Baker, Town Clerk
Cheri Russ, Accounting Manager
John R Herin Jr, Town Attorney
Amy Baker, Town Clerk
Roger Hernstadt, Town Manager

Created/Initiated - 8/25/2022
Approved - 8/30/2022
Approved - 9/1/2022
Approved - 9/1/2022
Final Approval - 9/1/2022

**FIRST AMENDMENT TO MASTER INTERLOCAL AGREEMENT REGARDING
DISTRIBUTION FORMULA FOR ALLOCATION OF
REVENUE FROM LOCAL OPTION FUEL TAX LEVIED
PURSUANT TO SECTION 336.025(1)(a) AND 336.025(1)(b), FLORIDA
STATUTES, AMONG LEE COUNTY, CITY OF BONITA SPRINGS,
CITY OF CAPE CORAL, CITY OF FORT MYERS, CITY OF SANIBEL,
TOWN OF FORT MYERS BEACH AND VILLAGE OF ESTERO**

This Interlocal Agreement is entered into by and among: LEE COUNTY, a political subdivision of the State of Florida ("County"), CITY OF BONITA SPRINGS, CITY OF CAPE CORAL, CITY OF FORT MYERS, CITY OF SANIBEL, TOWN OF FORT MYERS BEACH, and VILLAGE OF ESTERO, all municipal corporations organized and existing under the laws of the State of Florida (collectively referred to as the "Municipalities") (County and Municipalities are collectively referred to as the "Parties").

RECITALS

WHEREAS, Section 336.025(1)(a), Florida Statutes, authorizes the County to levy and re-impose, in addition to other taxes allowed by law, a six-cent local option fuel tax, upon every gallon of motor fuel and special fuels sold in the county and taxed under Chapter 206, Florida Statutes; and

WHEREAS, Lee County adopted Ordinance 19-06 re-imposing the six-cent (6 cent) fuel tax becoming effective from September 1, 2019 to August 31, 2049; and

WHEREAS, Section 336.025(1)(b), Florida Statutes, authorizes the County to levy and re-impose an additional five-cent (5 cent) local option fuel tax upon every gallon of motor fuel sold in a county and taxed under the provision of Chapter 206, Florida Statute; and

WHEREAS, the County adopted Ordinance 19-07 re-imposing the additional five-cent (5 cent) fuel tax becoming effective from September 1, 2019 to August 31, 2049; and

WHEREAS, Section 336.025(1)(b)(2), Florida Statutes, authorizes the County to enter into interlocal agreements with one or more municipalities located therein, representing a majority of the population of the incorporated area within the county, setting forth a distribution formula for dividing the entire proceeds of the taxes among county government and all eligible municipalities within the county; and

WHEREAS, the County and Municipalities entered into an Interlocal Agreement Relating to Local Option Fuel Tax that expires December 31, 2022, setting forth a formula for distribution of the six-cent and five-cent local option fuel tax; and

WHEREAS, the Municipalities desire to continue the Interlocal Agreement with each other and with the County in order to distribute the proceeds of the five-cent and six-cent local option fuel tax; and

NOW, THEREFORE, IN CONSIDERATION, of the mutual terms, understandings, conditions, premises and covenants hereinafter set forth, and pursuant to Section 336.025, Florida Statutes, the County and Municipalities hereby agree as follows:

- 1. Recitals.** The foregoing recitals are true and correct and incorporated herein.

2. **Authority.** The County and Municipalities enter into this Interlocal Agreement pursuant to the authority provided by Section 336.025, Florida Statutes.
3. **Scope of Agreement.** This Agreement shall apply to the six-cent gas tax authorized in Section 336.025(1)(a), Florida Statutes, as well as the additional five-cent gas tax authorized by Section 336.025(1)(b), Florida Statutes.
4. **Effective Date.** This Agreement shall be effective and continue from and including January 1, 2023, through and including December 31, 2027.
5. **Existing Agreements.** The previous Agreements between the Parties relating to local option fuel tax or gas tax shall be terminated and be of no further force or effect and replaced by this Agreement upon its Effective Date.
6. **Distribution of Proceeds.** The County and Municipalities agree that from January 1, 2023 to December 31, 2027, the proceeds of the local option gas taxes levied upon every gallon of motor fuel and diesel fuel sold in Lee County shall be distributed between the County and Municipalities using a blended percentage allocation of each entity's maintained centerline miles of roadways as a percent of total maintained roadways and each entity's population as a percentage of the county's total population. Centerline miles and population will be weighted 50%/50% for the blended percentage allocation (see Attachment A).
 - 6.1 The population figures for the Municipalities will be based upon the latest University of Florida Bureau of Economics and Business Research ("BEBR") population figures, pursuant to Section 336.025, Florida Statutes, as may be amended.
 - 6.2 The County shall forward the finalized allocation percentages to the State of Florida Department of Revenue for distributing the proceeds of the local option gas tax in accordance with the distribution formula established pursuant to this Agreement.
 - 6.3 Any new municipality incorporated in the County during the term of this Agreement, which is eligible for participation in the distribution of the local option gas tax shall result in recalculation of the fifty percent (50%) of the proceeds based on the total population distribution among each Municipality and unincorporated Lee County, and fifty percent (50%) of the proceeds based upon centerline miles of roadway maintained by Lee County and each Municipality. Such redistribution shall become effective upon entering into an agreement with the new municipality.
 - 6.4 The Parties agree and confirm that all Local Option Gas Tax proceeds, as distributed by the State pursuant to this Agreement, will be utilized for only those purposes and uses as provided for by law.
7. **Ongoing Obligations.** This Interlocal Agreement is expressly contingent upon the County's continued levy by County Ordinances of the Local Option Gas Taxes as authorized by law, for the term of this Agreement. If the County's Local Option Gas Tax, for any lawful reason(s), is repealed, sunset, or otherwise terminated by the County as to their effectiveness, this Interlocal Agreement will automatically terminate and shall be of no further force or effect.

- 8. Amendment To Agreement.** This Interlocal Agreement may be modified or terminated only by agreement in writing and approved by the Parties.
- 9. Integration of Document.** This Interlocal Agreement, including any incorporated exhibits or amendments, constitutes the entire Agreement between the Parties and shall supersede and control over any or all prior Agreements or understandings, written or oral, relating to the matters herein.
- 10. Notices.** Whenever any Party desires to give notice to any other Party or Parties, such notice must be in writing, mailed, and sent by email to the designated representative(s) of the respective Parties. Any Party may change its designated representative(s) for notice purposes by providing notice thereof to all other Parties in accordance with this paragraph.
- 11. Counterparts.** This Agreement may be executed in any number of counterparts, each of which, when executed and delivered, shall constitute an original, but such counterparts shall together constitute one and the same instrument.
- 12. Ineligibility.** If, during the term of the imposition of this local option gas tax, any of the Municipalities become ineligible to receive a share of the proceeds of the local option gas tax for any reason, any funds otherwise undistributed because of such ineligibility shall be distributed by the Florida Department of Revenue to the remaining Municipalities in proportion to the distribution formula then in effect.
- 13. Miscellaneous.**
- A.** The Parties represent that they have full authority to enter into and execute this Interlocal Agreement.
 - B.** The terms and conditions of this Interlocal Agreement shall extend to and bind the successors and assigns of the County and the Municipalities.
 - C.** The drafting of this Interlocal Agreement has been a joint endeavor between the Parties and shall not, solely as a matter of judicial construction, be interpreted more strictly against one Party than the other.
 - D.** The invalidity of any provision hereof as may be found by a court of competent jurisdiction shall in no way affect or invalidate the remaining provisions of the Agreement.
 - E.** In no case shall the Parties be liable for either consequential or special damages of any kind whatsoever, including, but not limited to, lost revenues, or any other damages of any kind relating to this Agreement.
 - F.** Disputes arising under this Interlocal Agreement shall be resolved pursuant to Florida law. Venue shall be the Twentieth Judicial Circuit Court, in Lee County, Florida.

IN WITNESS WHEREOF, the Parties hereto have cause this Interlocal Agreement to be executed on the respective dates under each signature.

ATTEST: LINDA DOGGETT
CLERK OF THE COURTS

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Cecil L Pendergrass, Chairman

APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY:

By: _____
Office of the County Attorney

Date: _____

ATTEST:

TOWN OF FORT MYERS BEACH

By: _____
Clerk, Town of Fort Myers Beach

By: _____
Raymond P. Murphy, Mayor

APPROVED AS TO FORM:

By: _____
Town Attorney

Date: _____

ATTEST:

CITY OF FORT MYERS

By: _____
Clerk, City of Fort Myers

By: _____
Kevin B. Anderson, Mayor

APPROVED AS TO FORM:

By: _____
City Attorney

Date: _____

ATTEST:

CITY OF CAPE CORAL

By: _____
Clerk, City of Cape Coral

By: _____
John Gunter, Mayor

APPROVED AS TO FORM:

By: _____
City Attorney

Date: _____

ATTEST:

CITY OF BONITA SPRINGS

By: _____
Clerk, City of Bonita Springs

By: _____
Rick Steinmeyer, Mayor

APPROVED AS TO FORM:

By: _____
City Attorney

Date: _____

ATTEST:

VILLAGE OF ESTERO

By: _____
Clerk, Village of Estero

By: _____
Katy Errington, Mayor

APPROVED AS TO FORM:

By: _____
Village Attorney

Date: _____

ATTEST:

CITY OF SANIBEL

By: _____
Clerk, City of Sanibel

By: _____
Holly D. Smith, Mayor

APPROVED AS TO FORM:

By: _____
City Attorney

Date: _____

**MASTER INTERLOCAL AGREEMENT REGARDING
DISTRIBUTION FORMULA FOR ALLOCATION OF
REVENUE FROM LOCAL OPTION FUEL TAX LEVIED
PURSUANT TO SECTION 336.025(1)(a) AND 336.025(1)(b), FLORIDA
STATUTES, AMONG LEE COUNTY, CITY OF BONITA SPRINGS,
CITY OF CAPE CORAL, CITY OF FORT MYERS, CITY OF SANIBEL,
TOWN OF FORT MYERS BEACH AND VILLAGE OF ESTERO**

This Interlocal Agreement is entered into by and among: LEE COUNTY, a political subdivision of the State of Florida ("County"), CITY OF BONITA SPRINGS, CITY OF CAPE CORAL, CITY OF FORT MYERS, CITY OF SANIBEL, TOWN OF FORT MYERS BEACH, and VILLAGE OF ESTERO, all municipal corporations organized and existing under the laws of the State of Florida (collectively referred to as the "Municipalities") (County and Municipalities are collectively referred to as the "Parties").

RECITALS

WHEREAS, Section 336.025(1)(a), Florida Statutes, authorizes the County to levy and re-impose, in addition to other taxes allowed by law, a six-cent local option fuel tax, upon every gallon of motor fuel and special fuels sold in the county and taxed under Chapter 206, Florida Statutes; and

WHEREAS, Lee County adopted Ordinance 19-06 re-imposing the six-cent (6 cent) fuel tax becoming effective from September 1, 2019 to August 31, 2049; and

WHEREAS, Section 336.025(1)(b), Florida Statutes, authorizes the County to levy and re-impose an additional five-cent (5 cent) local option fuel tax upon every gallon of motor fuel sold in a county and taxed under the provision of Chapter 206, Florida Statute; and

WHEREAS, the County adopted Ordinance 19-07 re-imposing the additional five-cent (5 cent) fuel tax becoming effective from September 1, 2019 to August 31, 2049; and

WHEREAS, Section 336.025(1)(b)(2), Florida Statutes, authorizes the County to enter into interlocal agreements with one or more municipalities located therein, representing a majority of the population of the incorporated area within the county, setting forth a distribution formula for dividing the entire proceeds of the taxes among county government and all eligible municipalities within the county; and

WHEREAS, the County and Municipalities entered into Interlocal Agreements Relating to Local Option Fuel Tax that expire August 31, 2019, setting forth a formula for distribution of the six-cent and five-cent local option fuel tax; and

WHEREAS, the Municipalities desire to reestablish the Interlocal Agreement with each other and with the County in order to distribute the proceeds of the five-cent and six-cent local option fuel tax; and

NOW, THEREFORE, IN CONSIDERATION, of the mutual terms, understandings, conditions, premises and covenants hereinafter set forth, and pursuant to Section 336.025, Florida Statutes, the County and Municipalities hereby agree as follows:

1. **Recitals**. The foregoing recitals are true and correct and incorporated herein.

2. **Authority.** The County and Municipalities enter into this Interlocal Agreement pursuant to the authority provided by Section 336.025, Florida Statutes.
3. **Scope of Agreement.** This Agreement shall apply to the six-cent gas tax authorized in Section 336.025(1)(a), Florida Statutes, as well as the additional five-cent gas tax authorized by Section 336.025(1)(b), Florida Statutes.
4. **Effective Date.** This Agreement shall be effective and continue from and including September 1, 2019, through and including December 31, 2022.
5. **Existing Agreements.** The previous Agreements between the Parties relating to local option fuel tax or gas tax shall be terminated and be of no further force or effect and replaced by this Agreement upon its Effective Date .
6. **Distribution of Proceeds.** The County and Municipalities agree that from September 1, 2019 to December 31, 2019, the proceeds of the local option gas taxes will be distributed at the percentages in effect August 31, 2019. The County and Municipalities further agree that from January 1, 2020 to December 31, 2022, the proceeds of the local option gas taxes levied upon every gallon of motor fuel and diesel fuel sold in Lee County shall be distributed between the County and Municipalities using a blended percentage allocation of each entity's maintained centerline miles of roadways as a percent of total maintained roadways and each entity's population as a percentage of the county's total population. Centerline miles and population will be weighted 50%/50% for the blended percentage allocation (see Attachment A).
 - 6.1 The population figures for the Municipalities will be based upon the latest University of Florida Bureau of Economics and Business Research ("BEBR") population figures, pursuant to Section 336.025, Florida Statutes, as may be amended.
 - 6.2 The County shall forward the finalized allocation percentages to the State of Florida Department of Revenue for distributing the proceeds of the local option gas tax in accordance with the distribution formula established pursuant to this Agreement.
 - 6.3 Starting January 1, 2020, the City of Cape Coral and the County will contribute 2.39 percent and 2.40 percent, respectively, of their local gas tax allocation for a total of 4.79 percent to the City of Sanibel, City of Fort Myers, and Town of Fort Myers Beach – 2.08% to Sanibel, 2.42% to Fort Myers, and 0.29% to Fort Myers Beach – until December 31, 2022, to help mitigate the reduction in gas tax percentage to those cities based on the agreed upon formula. This means for the three years beginning January 1, 2020, Sanibel will receive a total of 3.5% gas tax, Fort Myers will receive a total 10.67% gas tax, and Fort Myers Beach will receive a total of 1.0% gas tax (see Attachment A).
 - 6.4 Any new municipality incorporated in the County during the term of this Agreement, which is eligible for participation in the distribution of the local option gas tax shall result in recalculation of the fifty percent (50%) of the proceeds based on the total population distribution among each Municipality and unincorporated Lee County, and fifty percent (50%) of the proceeds based upon centerline miles of roadway maintained by Lee County and each Municipality. Such redistribution shall become effective upon entering into an agreement with the new municipality.

6.5 The Parties agree and confirm that all Local Option Gas Tax proceeds, as distributed by the State pursuant to this Agreement, will be utilized for only those purposes and uses as provided for by law.

7. **Ongoing Obligations.** This Interlocal Agreement is expressly contingent upon the County's continued levy by County Ordinances of the Local Option Gas Taxes as authorized by law, for the term of this Agreement. If the County's Local Option Gas Tax, for any lawful reason(s), is repealed, sunset, or otherwise terminated by the County as to their effectiveness, this Interlocal Agreement will automatically terminate and shall be of no further force or effect.
8. **Amendment To Agreement.** This Interlocal Agreement may be modified or terminated only by agreement in writing and approved by the Parties.
9. **Integration of Document.** This Interlocal Agreement, including any incorporated exhibits or amendments, constitutes the entire Agreement between the Parties and shall supersede and control over any or all prior Agreements or understandings, written or oral, relating to the matters herein.
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11. **Counterparts.** This Agreement may be executed in any number of counterparts, each of which, when executed and delivered, shall constitute an original, but such counterparts shall together constitute one and the same instrument.
12. **Ineligibility.** If, during the term of the imposition of this local option gas tax, any of the Municipalities become ineligible to receive a share of the proceeds of the local option gas tax for any reason, any funds otherwise undistributed because of such ineligibility shall be distributed by the Florida Department of Revenue to the remaining Municipalities in proportion to the distribution formula then in effect.
13. **Miscellaneous.**
 - A. The Parties represent that they have full authority to enter into and execute this Interlocal Agreement.
 - B. The terms and conditions of this Interlocal Agreement shall extend to and bind the successors and assigns of the County and the Municipalities.
 - C. The drafting of this Interlocal Agreement has been a joint endeavor between the Parties and shall not, solely as a matter of judicial construction, be interpreted more strictly against one Party than the other.
 - D. The invalidity of any provision hereof as may be found by a court of competent jurisdiction shall in no way affect or invalidate the remaining provisions of the Agreement.

- E.** In no case shall the Parties be liable for either consequential or special damages of any kind whatsoever, including, but not limited to, lost revenues, or any other damages of any kind relating to this Agreement.
- F.** Disputes arising under this Interlocal Agreement shall be resolved pursuant to Florida law. Venue shall be the Twentieth Judicial Circuit Court, in Lee County, Florida.

ATTACHMENT A

LOCAL OPTION GAS TAX DISTRIBUTION									
	POPULATION 2019 BEER		CENTERLINE MILES		BASED ON 50/50 SPLIT BETWEEN CENTERLINE MILES AND POPULATION	LEE COUNTY AND CAPE CORAL SUBSIDY TO FT MYERS AND SANIBEL	PROPOSED	CURRENT	CONTRACT END
	Population	Percent Allocation	Centerline Miles	Percent Allocation	Percent Allocation	Percent Adjustment	Percent Allocation	Percent Allocation	
Cape Coral	180,204	25.24	1,559.0	34.11	29.68	(2.39)	27.29	24.95	12/31/22
Fort Myers	81,868	11.47	230.0	5.03	8.25	2.42	10.67	14.00	12/31/22
Sanibel	6,701	0.94	86.9	1.90	1.42	2.08	3.50	5.00	12/31/22
Fort Myers Beach	6,406	0.90	23.9	0.52	0.71	0.29	1.00	1.17	12/31/22
Bonita Springs	51,181	7.17	86.7	1.90	4.53		4.53	4.54	12/31/22
Estero	31,806	4.46	26.9	0.59	2.52		2.52	2.54	12/31/22
Lee County	355,737	49.83	2,556.7	55.94	52.89	(2.40)	50.49	47.80	
	713,903	100.00	4,570	100.00	100.00	0.00	100.00	100.00	

IN WITNESS WHEREOF, the Parties hereto have cause this Interlocal Agreement to be executed on the respective dates under each signature.

ATTEST: LINDA DOGGETT
CLERK OF THE COURTS

By: Melinda Butler
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

By: Brian Hamman
Brian Hamman, Acting Chair



APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY:

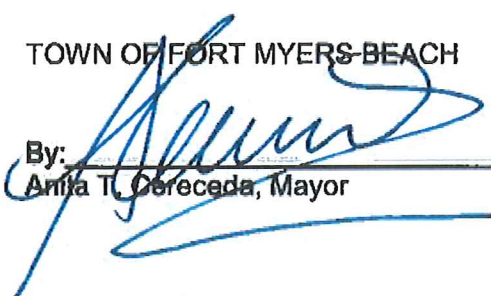
By: Gregory R. Fraser
Office of the County Attorney

Date: Sept. 19, 2019

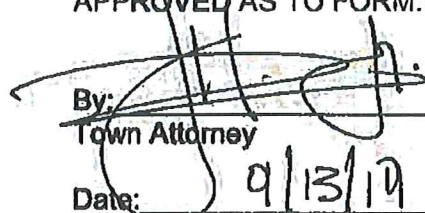
ATTEST:

By: 
Clerk, Town of Fort Myers Beach

TOWN OF FORT MYERS BEACH

By: 
Anita T. Cereceda, Mayor

APPROVED AS TO FORM:

By: 
Town Attorney

Date:

9/13/19

ATTEST:

By: *Gwen Carlucci*
Clerk, City of Fort Myers



CITY OF FORT MYERS

By: *Randall Henderson, Jr.*
Randall Henderson, Jr., Mayor

APPROVED AS TO FORM:

By: *Grant Williams Alley*
City Attorney

Date: *9/4/2019*

ATTEST:

By: Kimberly Bruns
Clerk, City of Cape Coral

CITY OF CAPE CORAL

By: [Signature]
Joe Coviello, Mayor

APPROVED AS TO FORM:

By: [Signature]
City Attorney

Date: 9/4/2019

ATTEST:

By: 
Clerk, City of Bonita Springs

CITY OF BONITA SPRINGS

By: 
Peter Simmons, Mayor

APPROVED AS TO FORM:

By: 
City Attorney

Date: Sept 4, 2019

ATTEST:

By: Kathy Hall
Clerk, Village of Estero

VILLAGE OF ESTERO

By: Steven Sarkozy
Steven Sarkozy, Village Manager

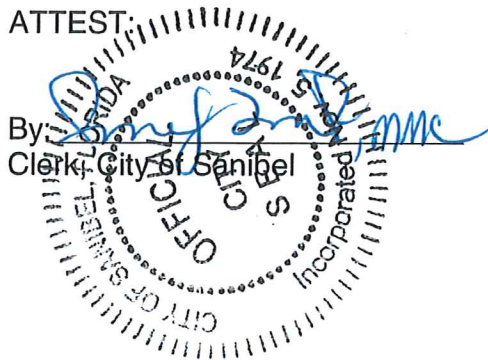


APPROVED AS TO FORM:

By: Paul H. Sevel
Village Attorney

Date: September 18, 2019

ATTEST:



CITY OF SANIBEL

By: [Signature]
Judith A. Zimomra, City Manager

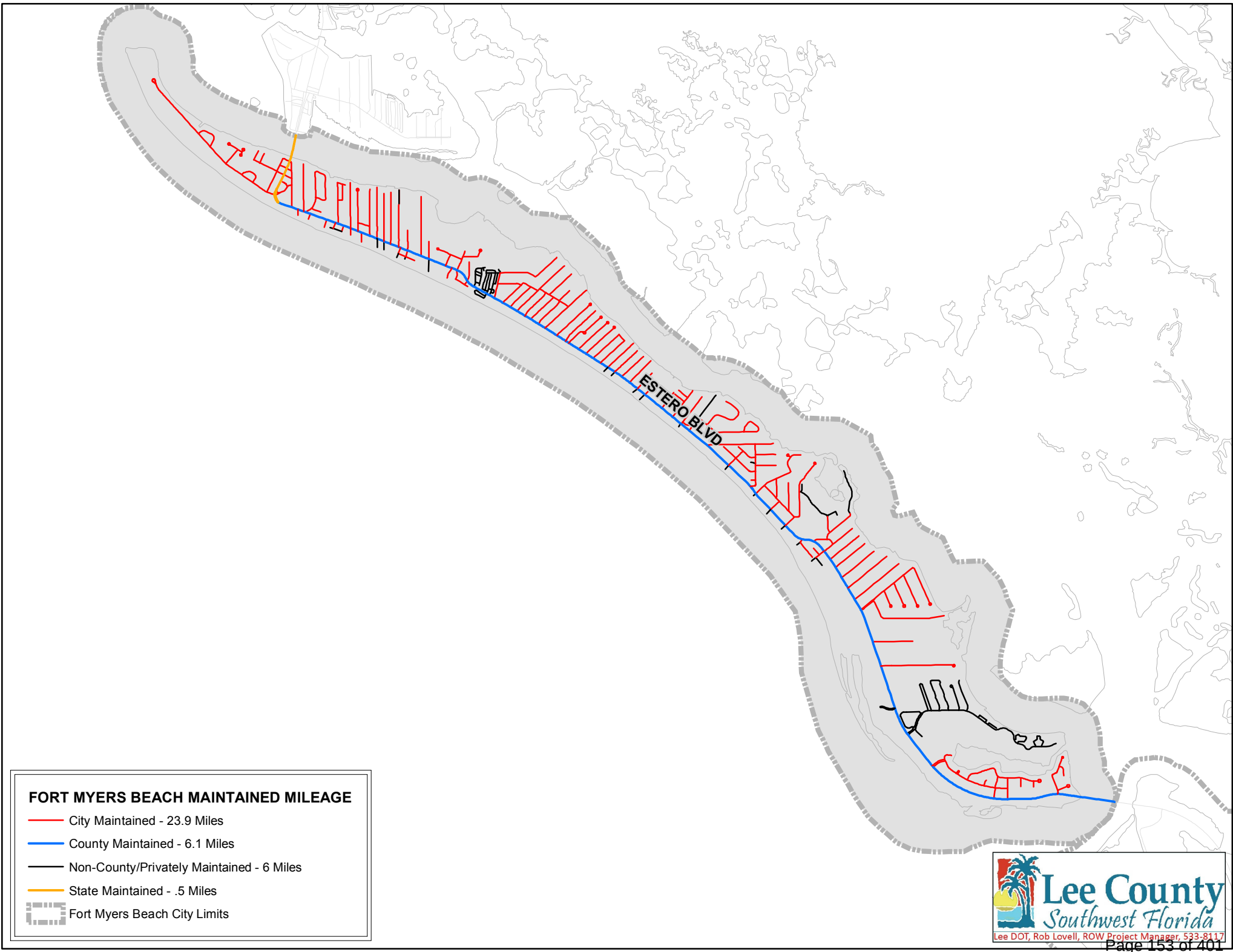
APPROVED AS TO FORM:

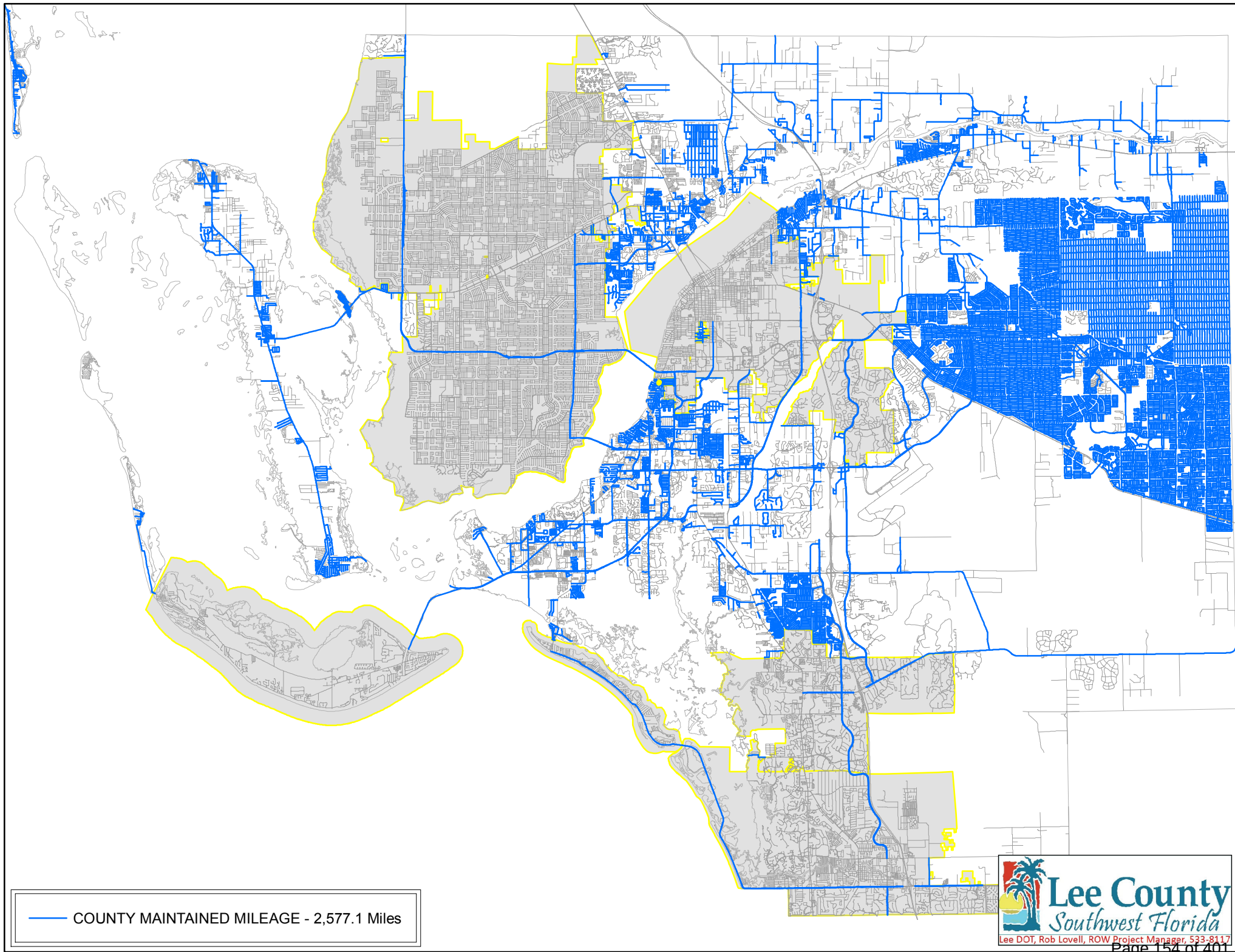
By: [Signature]
City Attorney

Date: 8/29/19

APPROVED FINANCIAL SUFFICIENCY

[Signature] 8/29/19
Steven C. Chaipel, Finance Director





ATTACHMENT A

LOCAL OPTION GAS TAX DISTRIBUTION							
	POPULATION 2021 BEBR		CENTERLINE MILES		PROPOSED	CURRENT	CONTRACT END
					BASED ON 50/50 SPLIT BETWEEN CENTERLINE MILES AND POPULATION		
	Population	Percent Allocation	Centerline Miles	Percent Allocation	Percent Allocation	Percent Allocation	
Cape Coral	201,554	25.76	1,562.6	33.88	29.82	27.29	12/31/20xx
Fort Myers	91,544	11.70	244.1	5.29	8.49	10.67	12/31/20xx
Sanibel	6,443	0.82	86.9	1.88	1.35	3.50	12/31/20xx
Fort Myers Beach	5,584	0.71	23.9	0.52	0.62	1.00	12/31/20xx
Bonita Springs	54,746	7.00	91.8	1.99	4.49	4.53	12/31/20xx
Estero	37,213	4.76	26.3	0.57	2.66	2.52	12/31/20xx
Lee County	385,495	49.26	2,577.1	55.87	52.56	50.49	
	782,579	100.00	4,613	100.00	100.00	100.00	

1. **Requested Motion:**

Meeting Date: September 8, 2022

Approval request for Roar Offshore Special Event

Why the action is necessary:

Ord.20-17

What the action accomplishes:

2. **Agenda:**

ADMINISTRATIVE AGENDA

3. **Requirement/Purpose:**

Ord.20-17

4. **Submitter of Information:**

5. **Background:**

Roar Offshore for October 6-8, 2022 is basically the same as 2021 with the exception of the change from Salty Sam's to the American Legion Hall for their pit area.

Requesting waiver of open container for October 6th from 5pm to 10 pm where the boats will be on display (also including Old San Carlos Blvd, First St, Second St, Third St., Fourth St. and Fifth St. and in Times Square). Requesting a waiver of the Town's parking fees for 71 spaces for 12 hours = \$4,260.00.

Attachments:

1. Roar Offshore 2022 Original Application
2. Roar Offshore 2022 Changes
3. Parking totals
4. Email from Tom Torgerson

Financial Impact:

Parking - \$4,260.00.

6. **Alternative Action**

7. **Management Recommendations:**

Staff recommends no waiver for parking fees.

8. **Recommended Approval:**

Patty Prevost, Code Supervisor/STR Coordinator
John R Herin Jr, Town Attorney
Amy Baker, Town Clerk
Roger Hernstadt, Town Manager

Created/Initiated - 8/31/2022
Approved - 9/1/2022
Approved - 9/1/2022
Final Approval - 9/1/2022



Town of Fort Myers Beach

2525 Estero Boulevard, Fort Myers Beach, Florida 33931
Tel: (239) 765-0202 Fax: (239) 765-0909 Email: Specialevents@fmbgov.com

Name of event	<u>The Roar Offshore Powerboat Races</u>	RECEIVED JUL 20 2022 By <u>11237</u>
Attach separate sheet of paper with detailed description of event		
Date(s) and times of event	<u>October 6-8th, 2022</u>	
Address of event	<u>Fort Myers Beach</u>	
Expected # of participants/attendees	<u>30,000.00</u>	
Sponsoring Organization	<u>Please see the list of sponsors attached</u>	
Organization address	<u>492 Keenan Court Fort Myers Fl., 33919</u>	
Contact Person/Phone#	<u>Cynthia K Hill-239.238.0777</u>	
E-mail	<u>cyndee@roaroffshore.com</u>	
Amplified Music	Y ☐ N ☒ 500 Ft Notifications <u> </u> Copy of Letter <u> </u>	
Renting Town Property	Y ☒ N ☐ Renting Parking Spaces	Y ☒ N ☐
How many Spaces?	<u>See Attached</u>	How many hours <u> </u> Each spot <u>24</u> hours
Extension of Premises?	Y ☒ N ☐ ABT Form <u> </u>	How many days? <u>1</u> (Over 3 days needs to go to Council)
Letters of Permission to use Property	<u>Yes in permit</u>	
Letters of Permission to use Parking	<u>None</u>	Parking Plan <u> </u>
Site Plan	<u>Yes</u>	Insurance <u>Yes</u> (Naming Town of FMB as Certificate Holder)
Requesting Water	Y ☐ N ☒	Electric Y ☐ N ☒
Requires Council Approval:		
Waiver of open container	Y ☒ N ☐	Waiver of Town parking fees Y ☒ N ☐
Waiver of Noise Ordinance	Y ☐ N ☒	Recurring Event Y ☐ N ☒
Applicant Signature	<u>Cynthia K Hill</u>	
Printed Name	<u>Cynthia K Hill</u>	
This permit is subject to the applicant meeting all requirements contained in Fort Myers Beach Code of Ordinance Book Part 2 Chapter 22 and in compliance with all items in the special event application.		



Town of Fort Myers Beach

2525 Estero Boulevard, Fort Myers Beach, Florida 33931
Tel: (239) 765-0202 Fax: (239) 765-0909 Email: Specialevents@fmbgov.com

Name of event Roar Offshore Powerboat Races
Attach separate sheet of paper with detailed description of event
Date(s) and times of event October 6-8 2022
Address of event Fort Myers Beach
Expected # of participants/attendees 30,000.00
Sponsoring Organization TBA
Organization address 492 Keenan Court, Ft. Myers FL 33919
Contact Person/Phone# 239-238-0777
E-mail cyndee@roaroffshore.com
Amplified Music Y ☐ N ☒ 500 Ft Notifications _____ Copy of Letter _____
Renting Town Property Y ☐ N ☒ Renting Parking Spaces Y ☒ N ☐
How many Spaces? 71 How many hours 9 AM -9 PM
Extension of Premises? Y ☒ N ☐ ABT Form _____ How many days? 1 (Over 3 days needs to go to Council)
Letters of Permission to use Property Yes See pages in permit
Letters of Permission to use Parking Yes Parking Plan _____
Site Plan Yes Insurance Yes (Naming Town of FMB as Certificate Holder)
Requesting Water Y ☐ N ☒ Electric Y ☐ N ☒
Requires Council Approval:
Waiver of open container Y ☒ N ☐ Waiver of Town parking fees Y ☒ N ☐
Waiver of Noise Ordinance Y ☐ N ☒ Recurring Event Y ☒ N ☒
Applicant Signature Cynthia K Hill
Printed Name Cynthia K Hill

This permit is subject to the applicant meeting all requirements contained in Fort Myers Beach Code of Ordinance Book Part 2 Chapter 22 and in compliance with all items in the special event application.

September 27, 2021

Applicant to Complete:

Company managing trash removal: See Port-a-Johns, Dumpster Placement

No. of dumpsters: _____ Type of dumpsters: + Trash Management plan

Who is responsible for clean-up and payment: _____

City right-of-way Parking Use: _____ Number of spaces: _____

To be completed by Town Hall employees:

FMB Public Works:

Public Works remarks: _____

Approval: _____ Date: _____

FMB Environment Science: Tel (239)765-0202 Fax (239)765-0909

FMB Environmental Sciences remarks: _____

Approval: _____ Date: _____



FORT MYERS BEACH FIRE DEPARTMENT

100 VOORHIS STREET · FORT MYERS BEACH, FLORIDA 33931
MAILING ADDRESS: POST OFFICE BOX 2880 · FORT MYERS BEACH, FLORIDA 33932

Special Events Application and Guidebook

Event Type:

☐ Small Outdoor/Indoor Event	☒ Large Outdoor/Indoor Event	☐ Firework Display
Date of Application: 7/19/2022		Date of Event: 10/6/2022 - 10/8/2022
Location: Fort Myers Beach, Salty Sam's, Beasley's property and Gulf Yachtworks Marina		
Event Start Date/Time: Oct. 6th 2022		Event End Date/Time: Oct. 9th 2022
Setup Date: Oct. 5th 2022	Setup Time: 8:00 AM	Inspection Time:
Event Sponsor: TBA		
Sponsor Contact:	Sponsor Phone #:	Sponsor Email:
Anticipated Number of Attendees: 30,000	Anticipated Number of Event Workers: 100	
Will there be carnival or mechanical rides: none	Number of Stages: none	
Total Number of Vendors: one High-Def printing	Total Number of Hot Food Vendors: None	
Number of Tents larger than 20 x 20: One tent at the Beach Bar 40 X60	Number of 10 x 10 Tents: 11	

Every vendor with a booth will receive a fire inspection and is responsible for paying an inspection fee. Please list the contact information for the responsible party below.

Please Note: If the event sponsor elects not to pay the vendor's inspection fee, a list of vendors with full contact information must be provided to the Fort Myers Beach Fire Department. This information will include contact name, number, and e-mail. All inspection fees will be due at time of service. All fees must be paid prior to releasing any permit.

Event applications submitted less than thirty (30) days prior to the event will be subject to additional fees. An expedited review may be requested and will be based upon availability, additional fees will apply.

Applications shall include the following:

- A legible site plan to include proposed layout of the event; fire hydrant locations; fire/emergency access; and distances to any structures.
- A life safety evaluation may be required based on the size of the event in accordance with the fire code.
- All vendors should review FMBFD guidelines, on our website at www.FMBFire.org
- Failure to comply with requirements of the FMBFD may result in additional fees and/or shutdown of the vendor(s).

Cynthia K Hill	Administrative Use Only	
Submitting Party Name (Print)	Date Received:	
	Received By:	
Submitting Party Name	Fees Due:	Paid:
(Sign) Date: 7/19/2022	Forwarded for Review:	☐

Designated Point of Contacts:

Captain Bryan Perera-Lee County Sheriff's Office Liason POC
email: BPerera@sheriffleefl.org phone: 239-791-9694

Michael Shepherd- Roar General Liason POC
email: Mshepherd@yaho.com phone: 573-434-0611

Tim Hill-Roar General Liason POC
email: tim@roaroffshore.com phone: 630-363-1986

Stu Slotnick-OPA- on water liason POC
email: nrloc@dmil.com phone: 979-868-6701

Ray LaBadie—Roar dry pits Liason POC
email: rab@verison.net phone:941-468-3050

Ralph Young- Roar wet pits Liason POC
email: capt.ralph.young@gmail.com phone: 941-662-5114

All communication between Liasons will be determined by appropriate fire district representatives.

Roar Offshore communications are separate from Public Safety Communications. All liasons will use 911 to report emergencies without delay. Call 911 immediately and then take the time to notify the rest of the Roar Offshore officials.

Questions from public on access:

Event staff and volunteers encountering the general public demanding access to the event site without paying are instructed to explain the event is fully permitted by the town, county and state, which provides us the ability to block off, secure and charge an admission fee. Event staff and volunteers are instructed to “NOT” be confrontational and immediately contact event management, who are available by cell phone or two way radio.

Medical Emergency mitigation plan

MERT is scheduled to be on-site during the the event.

Event staff is trained to immediately notify MERT and/or call 911 in case of emergency.

Mitigation plan for Severe Weather

Severe weather in Fort Myers Beach includes tropical storms, hurricanes, and thunder storms.

The event is being held during hurricane season. Due to the nature of the event Roar Offshore Powerboat National Championship (an outdoor activity) the event management is continually monitoring weather conditions. In the event of approaching severe weather the event producers/management will advise attendees they should seek shelter and/or close the event.

Lightning or dangerous conditions prior to the event – Seek safe shelter at an establishment. Roar Offshore will observe the National Weather Service 30/30 Lightning Policy (within 30 seconds you hear thunder after lightning strike is observed you wait 30 minutes). A minimum 30-minute warm-up and check in will be held prior to the start of the race. RACE CONTROL will make final call as to the start of the race based on weather and course safety, which includes all watercraft, (safety, turns, and officials) being in place.

Lightning or dangerous conditions during the event – As determined by RACE CONTROL the course will be cleared. A “CLEAR THE COURSE” call will be made with a series of 3 long blasts on air horns or whistles, waving of orange/red Flags as well as announced over all radios from the RACE Control. Racer and patrol boats will then proceed to the nearest safe location for docking to get off of the water and into a safe structure. Public will be notified of weather through Roar Offshore's live feed during the event.

Mitigation plan for civil or other disturbances

The following strategy is suggested to minimize the effects of Roar Offshore National Championships during a civil disturbance: Contact and rely solely on the guidance of first responders, Fire and Police personnel.

Mitigation plan for hazardous material incidents on and off the water.

On water plan establishes that Fast Response Towing & Salvage will operate in the event of a hazardous materials incident, oil spill, or other release on water. They are trained and qualified to minimize the exposure to or damage from materials that could adversely impact human health and safety or the environment. All Fast Response vessels carry spill containment kits.

Please see attached contract.

Point of Contact: Fast Response John Mutton Cell: 954-270-6937 email: bigtunatransport@aol.com

. EMERGENCY SPILLS on land: While petroleum spills may be just as hazardous to individuals and/or the environment as other chemical spills, additional considerations must be taken into account. An emergency spillage of a petroleum product (oil, gasoline, fuel oil, etc.) poses as an immediate threat of fire or explosion (based upon the type/quantity of spilled materials and location to nearby equipment/processes). All emergency petroleum spills should be reported to The Fort Myers Beach Fire Department immediately by calling 911. When reporting, be specific about the nature of the involved material and exact location. The individual discovering the spill should vacate the affected area at once. If possible, wait at a safe distance for the arrival of Fort Myers Beach Fire Department. Anyone who may be contaminated by the spill is to avoid contact with others as much as possible. Remain in the vicinity and await the arrival of medical/safety personnel.

Questions from public on access:

Event staff and volunteers encountering the general public demanding access to the event site without paying are instructed to explain the event is fully permitted by the town, county and state, which provides us the ability to block off, secure and charge an admission fee. Event staff and volunteers are instructed to “NOT” be confrontational and immediately contact event management, who are available by cell phone or two way radio.

Medical Emergency mitigation plan

MERT is scheduled to be on-site during the the event.

Event staff is trained to immediately notify MERT and/or call 911 in case of emergency.

EVENT DESCRIPTION



Our Vision:

By working with and within our community, the goal of Roar Offshore is to improve the Beach's economy during a traditionally slower period through an annual race series and additional community events in support of the race and community.

Our Mission:

The mission of Roar Offshore is to bring additional exposure and recognition to the boating, recreational, and entertainment opportunities that Fort Myers Beach has to offer while increasing tourism and community involvement.

Roar Offshore Impact:

- 60,000 - 70,000 spectators on land and water. Hosted by local Sponsors.
- Roar Offshore represents the Offshore Powerboat Associations National Championship with one of the largest Power Boat Racing prize purses in the USA.
- Statistics show Offshore Powerboat Racing attracts significant tourism dollars as well as hotel and condo rentals.
- Through the spectator and media experiences, Roar Offshore will be exposed to millions of people who would not otherwise be aware of the beautiful island.
- Race will be watched nation wide over-simulcast & Social Media.
- Program Guide Exposure with over 5,000 printed programs distributed before and during the race.

The Roar Offshore Board of Directors and Steering Committee is comprised of business and community leaders volunteering their time and efforts to create a World Class sanctioned powerboat race event on Fort Myers Beach. Each member takes responsibility for one or more aspects of the event utilizing resources and our Roar Offshore volunteer crew.

THURSDAY OCT 6 TH	FROM	UNTIL	LOCATION
RIBBON CUTTING CEREMONEY	10:00AM		SALTY SAM'S
RACE VILLAGE / DRY PITS OPEN TO THE PUBLIC	10:00AM	04:00PM	SALTY SAM'S
RACE TEAM REGISTRATION OPEN	12:00PM	04:00PM	DIAMONDHEAD BEACH RESORT
SAFETY INSPECTIONS	12:00PM	04:00PM	RACE VILLAGE
GPS REGISTRATION	12:00PM	04:00PM	RACE VILLAGE
BOAT PARADE STAGING ON MAIN STREET	03:30PM	05:30PM	MAIN STREET
ROAR OFFSHORE BOAT PARADE	05:45PM	6:15PM	FORT MYERS BEACH
ROAR OFFSHORE STREET PARTY	06:00PM	10:00PM	FORT MYERS BEACH
FRIDAY OCT 7 TH	FROM	UNTIL	LOCATION
DRY PITS OPEN TO THE PUBLIC	09:00AM	09:00PM	SALTY SAM'S RACE VILLAGE
RACER TEAM MEETING – MANDATORY	08:00AM	09:00AM	TBD
BOAT INSPECTIONS	09:00AM	05:00PM	SALTY SAM'S RACE VILLAGE
GPS REGISTRATIONS	10:00AM	05:00PM	SALTY SAM'S
CRANES AND RACE CONTROL OPERATIONAL	10:00AM		
SWIM/DUNKER TEST	12:00PM	04:00PM	TBD
TESTING	10:00AM	03:00PM	
VIP RACER RECEPTION – MEET AND GREET	04:30PM	06:30PM	TBD
ROAR OFFSHORE FESTIVAL OF SPEED	04:00PM	09:00PM	SALTY SAM'S RACE VILLAGE
SATURDAY OCT 8 TH	FROM	UNTIL	LOCATION
DRY & WET PITS OPEN	08:00AM	05:00PM	SALTY SAM'S RACE VILLAGE
CRANES AND RACE CONTROL OPERATIONAL	08:00AM		SALTY SAM'S RACE VILLAGE
MEDICAL AND DIVE TEAM BRIEFING	08:00AM	09:00AM	SALTY SAM'S RACE VILLAGE
PATROL FLEET BRIEFING	08:00AM	09:00AM	SALTY SAM'S RACE VILLAGE
PATROL FLEET ON COURSE	09:30AM		RACECOURSE
RACER PHYSICALS	07:00AM	08:00AM	TBD
RACER TEAM MEETING – MANDATORY	08:00AM	08:30AM	TBD
MARINE OBSERVER HELO SWEEP	09:00AM	10:00AM	RACECOURSE
RACE 1 BOATS TO MILLING AREA	09:30AM	10:00AM	RACECOURSE
RACE 1 – CLASS 1 - 7	10:00AM	11:00AM	RACECOURSE
HELO REFUEL	11:00AM	11:30AM	
RACE 2 BOATS TO MILLING AREA	11:00AM	11:30AM	RACECOURSE
RACE 2 – SUPER VEE EXTREME, PROSTOCK VEE	11:30AM	12:30PM	RACECOURSE
RACE 3- BOATS TO MILLING AREA	12:00PM	12:30PM	RACECOURSE
RACE 3 – SUPERSTOCK	12:30PM	01:30PM	RACECOURSE
HELO REFUEL	01:30PM	02:00PM	
RACE 4 – BOATS TO MILLING AREA	01:30PM	02:00PM	RACECOURSE
RACE 4 – SUPERCAT	02:00PM	03:00PM	RACECOURSE
RACE 5 – BOATS TO MILLING AREA	02:30PM	03:00PM	RACECOURSE
RACE 5 – CLASS ONE	03:00PM	04:00PM	RACECOURSE
TURBO CHARGED CLOSING CEREMONIES	05:00PM	07:00PM	TBD
AWARDS	07:30PM		TBD

SHARE THE BEACH

Environmental guide
for boaters &
beachgoers



Do's & Don'ts

- ✓ Do wait till sunrise to hit the beach during nesting season.
- ✗ Don't let plastic bags or trash fly away from you.
- ✓ Do bring your own trash bag and dispose of trash properly.
- ✗ Don't harass, feed, harm, chase, wound, kill, or touch sea turtles, manatees, dolphins, or birds as those actions are illegal and violators may face prosecution and/or jail.
- ✓ Do adhere to posted speed zones including manatee slow speed zones.
- ✗ Don't anchor in seagrass.
- ✓ Do assign a boat lookout wearing polarized sunglasses to watch for sea turtles, manatees, and dolphins when boating.
- ✗ Don't get too close to the black skimmer colony.
- ✓ Do look out for marked sea turtle nests.

A team of trained marine observers will be in the air and in the water, watching for manatees, dolphins and sea turtles. They will immediately alert race control of any sightings.

If you see a sick, injured, or dead marine mammal or turtle please call:
Florida Fish & Wildlife

1-888-404-FWCC

-or-

Turtle Time 239-481-5566

**No Dogs on the beach on
Race day Oct. 8 10AM-5PM**

TURTLES

- Loggerhead & green sea turtles can lay upwards of 100 eggs per nest, but once the turtle lays her eggs she leaves the eggs unguarded & the hatchlings to fend for themselves. Do not harass a sea turtle.
- It's estimated that only 1 in 1000 hatchlings survives to adulthood. Do not disturb a nest.
- Sea turtle nesting season runs May - Oct, with most turtles laying their eggs at night.
- In order to protect the nests, no flashlights may be used on the beach at night unless the bulb is changed to an amber LED light. No flash photography.
- Keep pets on a leash and away from nests & sea turtles.
- Fill in large holes on the beach that can trap hatchlings.
- If you find a hatchling wandering in daylight, place it on moist sand in a dry container, shade it and call Turtle Time, Inc. immediately.



SHARE THE BEACH WITH SEA TURTLES DURING NESTING SEASON, WAIT TILL SUNRISE TO HIT THE BEACH.

Did you know beach chairs & tents pose a hazard to the turtles and should not be left out over night?

MANATEES/DOLPHINS

- Adult Manatees are typically 9-10 feet long & weigh 800 to 1200 lbs.
- Manatees are especially vulnerable to impact from boat strikes as their lungs run dorsally along the length of their back.
- Manatees are classified as Threatened by the U.S. Fish and Wildlife Service and are protected by state and federal laws, including the Florida Manatee Sanctuary Act and Marine Mammal Protection Act.
- Most boat collisions with dolphins occur during June/July, at the height of their calving season. Remain 50 yards away from dolphins.
- Don't feed the dolphins: When you feed dolphins, whether it is intentional or not, you teach them to follow for food, and that puts them dangerously close to fishing gear and boat propellers where injuries and fatal accidents occur to them.



SHARE THE BEACH WITH MANATEES. IF YOU SEE A MANATEE SWIMMING TOWARDS YOU ALONG THE SHORE, GIVE THE MANATEE THE RIGHT OF WAY AND DON'T APPROACH IT

Did you know the force of an impact of a manatee or dolphin at 30 mph is four times that at 15 mph?



PROPERTY OWNER'S CONSENT LETTERS FOR DRY PITS AND PARKING LOTS



Oyster Bay Parks, Inc.

1711 Main Street
Fort Myers Beach, FL 33931
(239) 463-2171



Robert W. Beasley
Manager

6/27/22

From: Oyster Bay Land Company, Robert W. Beasley GM : office mailing address 1711 Main St Fort Myers Beach, FL 33931

To: Mike Shepherd, Chairman Roar Offshore Fort Myers Beach Powerboat Races

Dear Mike or to Whom it may concern,

This letter is to serve as Oyster Bay Land company official permission to use the Oyster Bay Land Company property located in unincorporated Lee County, FL at:

2020,2080,2140 Main St Fort Myers Beach, FL 33931 on San Carlos Island for the use of the Dry Pits and Crane operation to put the Race Boats in and out of the water at our property and for the parking and Staging the Race Boats for the week of the Fort Myers Beach Offshore Race to be held in October 2022 providing you carry General Liability insurance and "Oyster Bay Land Company and Oyster Bay Parks, Inc" is listed as an named additional Insured on your policy in a minimum amount of \$5,000,000.00 and providing all necessary permits for the use of our property are obtained from Local or State government as may be required for the event/use of our property.

Please let me know if you have any questions. My Direct cell phone number is 239-994-5049.

Sincerely,

Robert W. Beasley , GM Oyster Bay Land Company & Oyster Bay Parks, Inc

Hanson Marine Properties, Inc.
2500 Main Street
Fort Myers Beach, FL 33931

July 15, 2022

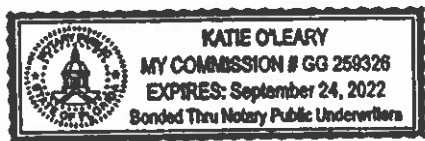
To whom it may concern:

ROAR Offshore Powerboat Races has requested Hanson Marine Properties, Inc. (hereinafter Hanson Marine or Salty Sam's Marina) located at 2200 and 2500 Main Street, Ft. Myers Beach, Florida, host the OPA National Championship Offshore Power Boat Races as a dry pits location for the event dated October 5th-9th, 2022. On behalf of Hanson Marine, Cyndee Hill of ROAR Offshore, may act on behalf of Hanson Marine to obtain all necessary permit applications required for the event. An appropriate representative of Salty Sam's Marina will sign off on any required applications.

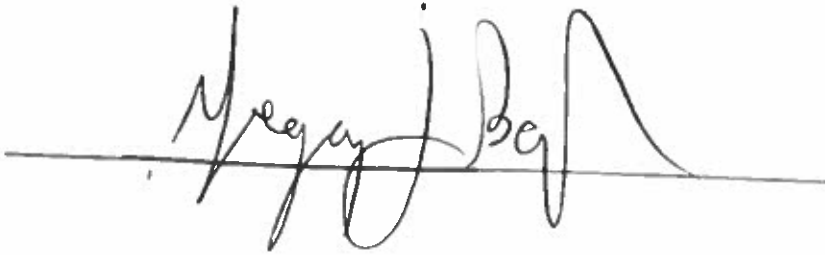
Sincerely,



Matt Hanson
President



I, Gregory Boyd, owner of Beach & Brew of FMB "doing business as" The Beach Bar, give permission to Cynthia Hill, Vice President of Roar Offshore, for the use of 1668 I Street, Fort Myers Beach, FL on Saturday October 8, 2022, and permission to apply for an extension of premise permit.

A handwritten signature in black ink, appearing to read "Gregory Boyd", is written over a horizontal line.

Gregory Boyd
Owner
Beach & Brew of FMB
The Beach Bar

File Message Help Acrobat

Re: Roar offshore - Message (HTML)

Search

Ignore Delete Archive Delete

Junk ~

Reply Reply Forward All

Respond

Quick Steps

ROS Permits - C... To Manager

Team Email Done

Reply & Delete Create New

Move

Rules

Actions

Assign Policy

Mark Unread

Categorize Follow Up

Tags

Editing

Read Aloud

Immersive Reader

Translate

Language

Zoom

Send to OneNote

OneNote

Re: Roar offshore



Hall, Jodi <JODI.HALL@7-11.com>
To: Cyndee Hill

If there are problems with how this message is displayed, click here to view it in a web browser

Start your reply all with:

[Will do, thanks!](#)

[Absolutely! Thank you!](#)

[Will do! Thank you so much!](#)

[Feedback](#)

[Reply](#)

[Reply All](#)

[Forward](#)

Tue 7/19/2022 10:09 AM

Absolutely no problem! Excited 😊 if you have a flyer to email me that would be great to. Please just ensure same location on the side of the parking lot by sidewalk same as last year.

Get Outlook for iOS

From: Cyndee Hill <cyndee@roaroffshore.com>

Sent: Tuesday, July 19, 2022 9:55:15 AM

To: Hall, Jodi <JODI.HALL@7-11.com>

Subject: Roar offshore

External - Potential security risk - Exercise caution

Good afternoon Jodi,

It's that time of year again. Car we put 2 regular and 1 hand cap porta john on your property on fort myers beach again this year? The races will be October 6 through the 8th. Please let me know. Thank you!

Regards,

Cyndee Hill

Vice President

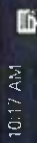
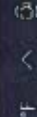
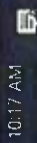
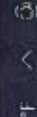
239-238-0777

cyndee@roaroffshore.com

www.roaroffshore.com



Type here to search



RACE VILLAGE & DRY PITS

DRY PITS:
SALTY SAM'S AND
ADJACENT PROPERTIES
2000 - 2140 MAIN ST
FORT MYERS BEACH, FL
33931

**All dry pit zones are
zoned commercial or
industrial.**

**Dry Pits
Strap #
19-46-24-0000022.0010**

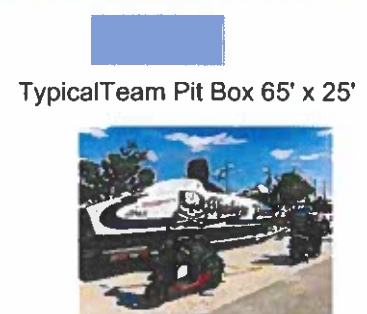
**Dry Pits
Strap #
19-46-24-0000021.001A**

**Dry Pits
Strap #
19-46-24-0000021.0000
through
.0040**

Crane In Area



Roar Offshore Race Village / Dry Pits



-Green highlighted line will be kept clear for fire truck access.

-Note that some pit boxes shown are over obstructions, i.e. parking blocks etc. The boxes in the editing program can not be rotated to fit in actual spaces, however are to scale.

-Pit box outlines are not actual vehicles or hard boundaries. Generally there would be no fixed objects or obstructions along the outer edges of these pits.

-Tow vehicles can be detached from boat trailers to accommodate odd shaped or tight spaces.

-The Shimp Dock building will be kept clear of pit boxes with 20 feet of clearance all around the building. Pit boxes are only placed in parking lots and will not obstruct any fire connections.

-A Roar Offshore official will place the race teams in rows and will make sure to leave 20' of clearance in between each row for fire lane clearance. Mike Shepherd has been doing this for 9 years and has experience. With the angle of the maps the pit boxes are not placed correctly. The pit boxes on the map can not be rotated to place them correctly on each map. These maps are only examples.

Roar Offshore Race Village / Gulf Marine Yachetworks Dry Pits



1148 Main St

Pit Box Legend



Extreme Team Pit Box
100' x 50'



Large Team Pit Box
70' x 30'



Crane In Area



Roar Offshore Race Village / Dry Pits



Pit Box Legend



Extreme Team Pit Box 100'x50'



Typical Team Pit Box 65' x 25'



Large Team Pit Box 70' x 30'



Green line is to be kept clear for fire lane.

Lighting in Race Village:

Roar Offshore is providing temporary lighting for race village. The next few pages are detailed informational pages about the lighting equipment. The Dry pits will have 2 lights placed through out the 1 pit area in the back of lot of Salty Sam's. The pit area in front of Shrimp Dock and Gulf Marina already have outdoor lighting available.

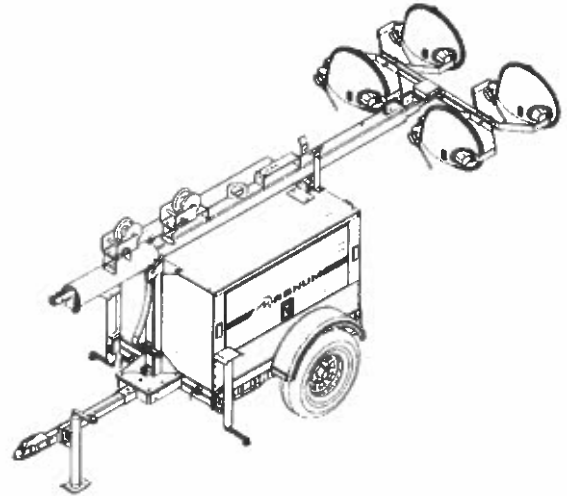
Ray LaBadie—Roar dry pits Liason POC
email: rab@verison.net phone: 941-468-3050 will be monitoring the fuel level in race village. Roar Offshore is not keeping added fuel on site. The lights provide 60 hours of light on one tank of diesel fuel so they should not need fuel. By chance if they do run out of fuel Ray LaBadie will take the light to be filled at the Sunoco gas station at the end of Main Street. No fuel will be kept on site. The lights will be in place for 3 nights from October 6, 2022 to October 9, 2022.

- October 6, 2022 Sunrise 7:50 Sunset 19:24 Day length 11:34
- October 7, 2022 Sunrise 7:50 Sunset 19:24 Day length 11:34
- October 8, 2022 Sunrise 7:50 Sunset 19:24 Day length 11:34

Magnum Light Tower – MLT3060 Specifications

ENGINE

- Kubota® D1005-E3BG1-MGM-I - liquid cooled, diesel engine
 - Standby - 13.1 hp @ 1800 rpm
 - Prime - 11.7 hp @ 1800 rpm
 - 3 cylinder
 - 1.0 L displacement
- Fuel consumption (prime) – 0.50 gph (1.89 Lph)
- 60 Hz engine/generator
- Industrial engine exhaust system
- Rubber vibration dampers isolate engine/generator from frame
- Cooling system capable of operating at 120°F ambient
- Full flow oil filter, spin on type
- Fuel filter with replaceable element
- Dry type cartridge air filter
- Polyethylene fuel tank with large diameter opening
 - 30 gal. capacity
 - 60 hr. run capacity
 - 3 ½" fill port



ENGINE CONTROLS

- Engraved, aluminum punched and anodized control panel
- Four position keyed switch – glow plugs (preheat, off, run, start)
- Hour meter
- Automatic low oil/high temperature shutdown system

GENERATOR

- Marathon Electric®
 - Brushless
- 6 kW standby output
- 120/240 VAC – 50/25A
- +/-6% capacitor voltage regulation

ELECTRICAL SYSTEM AND CONTROLS

- Individual floodlight circuits with 15A breakers
- Ballast indicator lights
- 30A start limit breaker (assures no load condition exists before starting)
- Standard individually breakered convenience outlets:
 - (1) 120 VAC 20 Amp GFCI duplex outlets (Nema 5-20R type)
 - (1) 240 VAC 30 Amp twistlock outlets (Nema L6-30R type)
- 440 CCA wet cell battery



FLOODLIGHTS

- Four light fixtures – 1000 watts each - metal halide
- Oval aluminum reflector
- Tempered glass lens
- Silicone gaskets for moisture and dust protection
- Individual floodlight On/Off switches

WIRING

- All wiring is sized to the amperage draw required
- AC & DC wiring diagrams are provided

MAST

- 30' maximum extension, 3-section, tubular steel
- Self-lubricating, graphite guides on all sides of mast tubes
- Industrial black powder coat finish
- Automatic locking system in horizontal position for travel
- 1500 lb. automatic self-braking winches
- 360° rotation with locking system
- Coiled mast cord
- Dual winch system located at ergonomic height allowing single person operation
- Equipped with single lifting eye and fork pockets

ENCLOSURE

- Steel enclosure – 14-gauge
 - UV & fade resistant, high temperature cured, white polyester powder paint
 - 68 dB(A) at 23 feet – prime power
- Stainless steel hinges on doors
- Multi-lingual operating/safety decals
- License plate holder with light
- Manual holder with operating manual

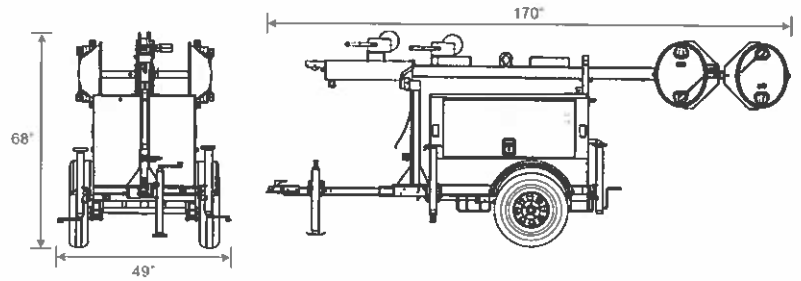
TRAILER

- Mast support - 3" square tube, 1/4" wall
- Removable tongue - 48" long
- Tubular steel frame - 3/16" wall
- Four, 2000 lb. adjustable leveling jacks – 4 point stance
- All jacks transport and lock in horizontal position for storage
- Side outriggers - 8' 1/4" span
- Safety chains with spring loaded safety hooks
- 2" ball hitch
- Single wall polyethylene fenders
- DOT approved tail, side, brake, and directional lights
 - Recessed rear lights
- 2200 lb. leaf spring axle
- ST175/80D13 – 6 ply
- 40.75 in. axle span



WEIGHTS & DIMENSIONS

- Dry weight: 1657 lbs (752 kg)
- Operating weight: 1870 lbs (848 kg)
- Mast stowed: 170 x 49 x 68 in (4.32 x 1.25 x 1.73 m)



WARRANTY

- Engine and generator covered under OEM warranty – consult factory for details.

CERTIFICATIONS

- CSA certified



Tents in Pit Area for Volunteers:

- There will be a total of 4 tents in the pit area. See map of pit area where tents will be set up for volunteers from October 7-9th from 9AM-6PM daily.
- Tents will be erected and torn down each day
- Tents will be securely weighted down for safety
- 1 table and 2 chairs placed under each tent.
- Volunteers will only let race teams to drive into the pit area. They will take down the owner's name, phone number along with make, model and color of the vehicle in case it needs to be moved if blocking a team.

Tents will be placed at
each pit entrance location.

Map 1



Tent place at Pit entrance Map 2





PORT-A-JOHNS, DUMPSTER PLACEMENT & TRASH MANAGEMENT PLAN

Salty Sam's and adjacent property pit area. Please see next few pages for placement.

Placing 4 regular and 1 handicap port-a-johns
1 Five yard dumpster

Placing 4 regular and 1 handicap port-a-johns
1 Five yard dumpster



2080 Main St. Fort Myers Beach FL 33931

As you enter the parking lot place the porta johns in the white square area to the right of the driveway.
Place the front of them with the door facing the driveway.

Salty Sam's back lot

See map for placement of 1 handicap and 4 regular porta johns and 1 6 yard dumpster

Place porta placement. 2503 Main St.
Fort Myers Beach, FL., 33931
As you turn into the parking lot place
porta johns to the left of the gravel
driveway as shown.



2140 Main Street pit area

See map for placement of 1 handicap and 4 regular porta johns and 1 6 yard dumpster

Porta Johns and
dumpsters will be
facing the
driveway.

Google Earth

200 ft



Gulf Marine Pit Area

Adding 1
Handicapped porta-
john

Town Hall Parking Lot

2525 Estero Blvd, Ft. Myers Beach
1 Regular porta john and 1 handicapped.

Placement of porta johns on the
corner in the grassy area to the
left of the parking lot



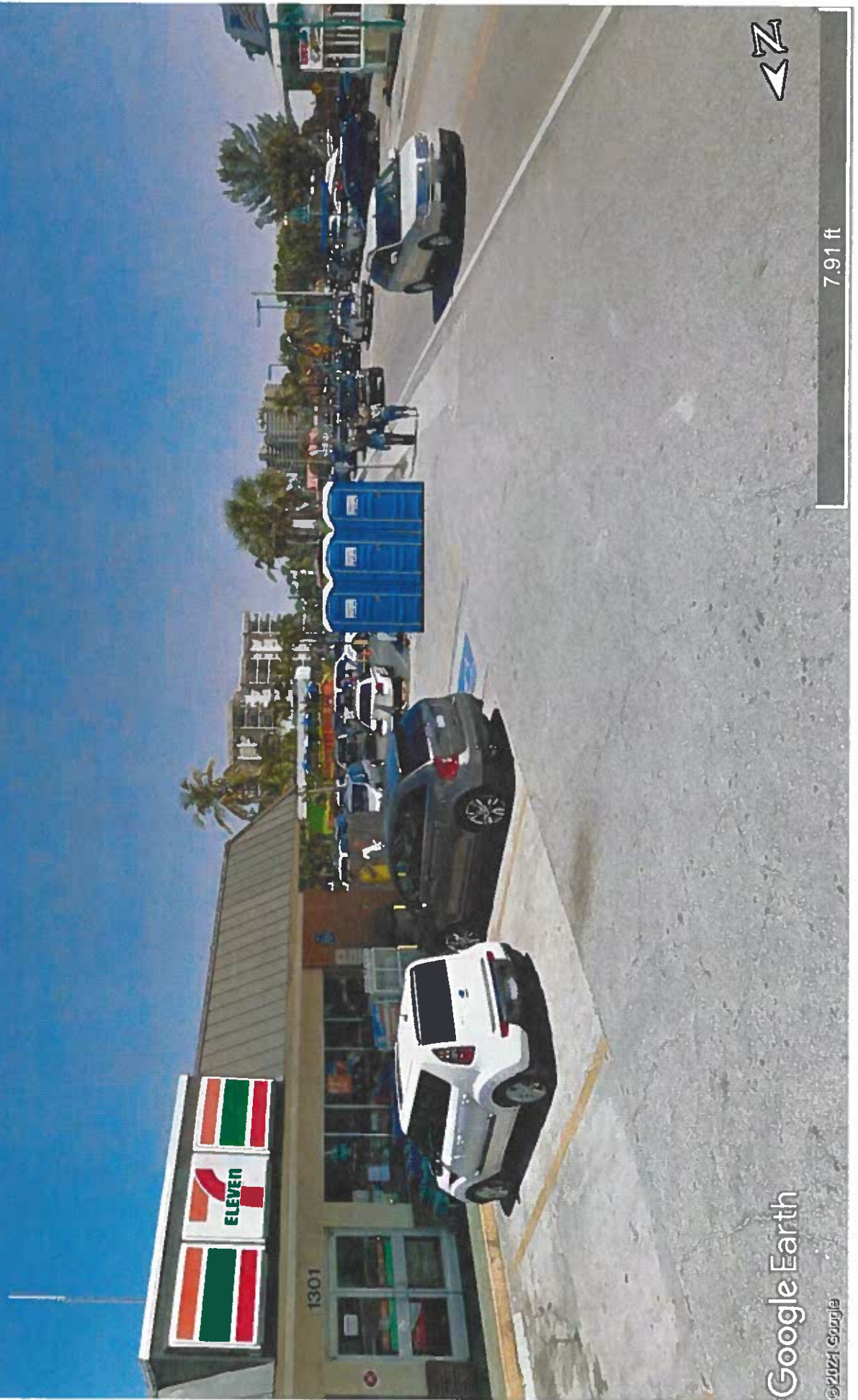
7-Eleven Parking Lot

1301 Estero Blvd., Ft. Myers Beach

Placing 2 regular and 1

Handicapped porta john

Placement of Porta Johns is
in the corner next to the
trolley stop by the bench.



Google Earth

© 2021 Google

7.91 ft



The Beach Bar Parking Lot

1668 I St., Ft. Myers Beach

Placing 3 regular and 1

Handicapped porta john

Placement of porta johns in
the first parking spot
closest to beach access.



Google Earth

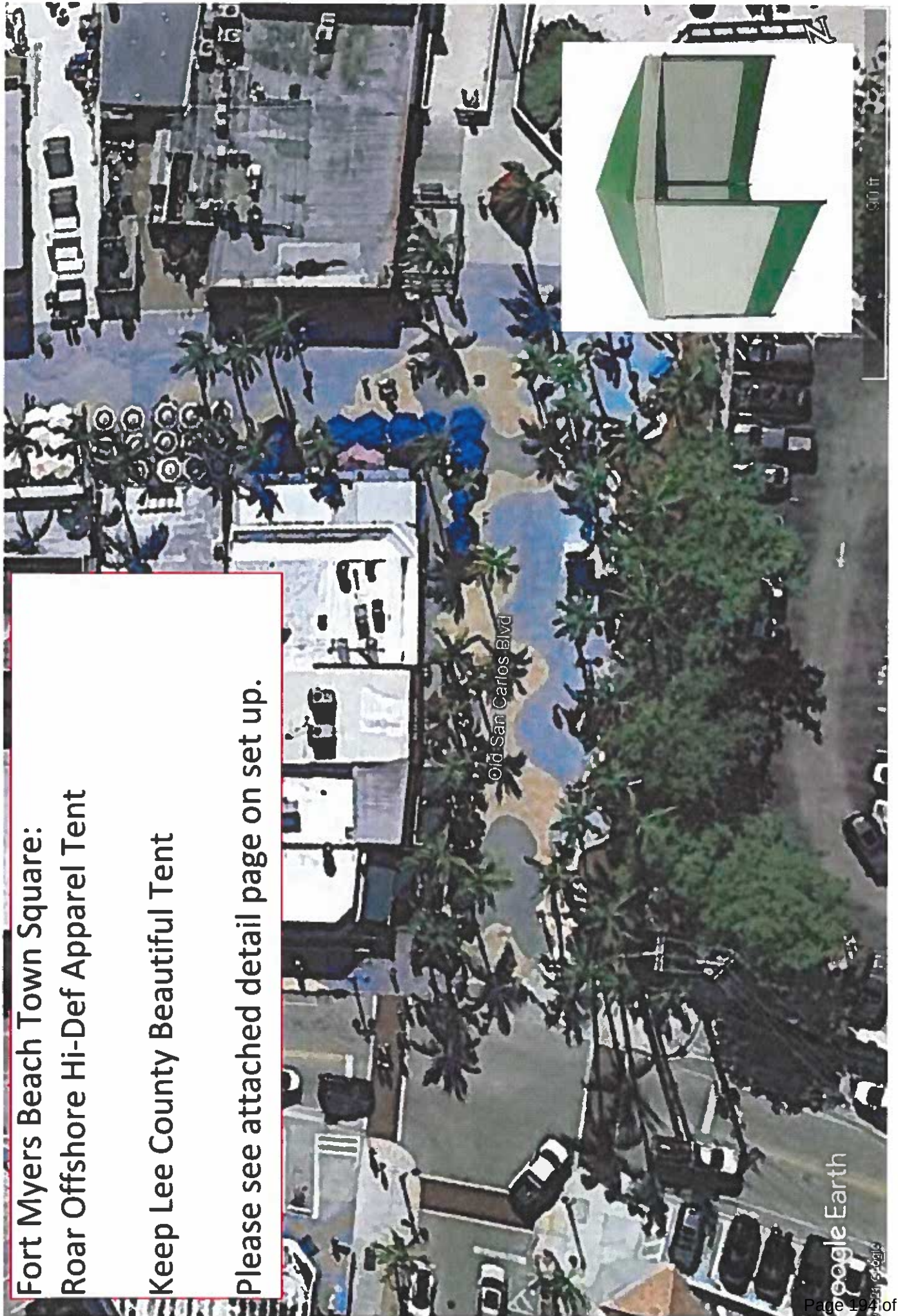
© 2021 Google

7.85 ft

Fort Myers Beach Town Square:
Roar Offshore Hi-Def Apparel Tent

Keep Lee County Beautiful Tent

Please see attached detail page on set up.



Roar Offshore is working together with Keep Lee County Beautiful and paying for additional help from Fort Myers Beach Public Works to keep Fort Myers Beach beautiful.

Thursday October 6, 2022

- Please see attached map where the disposable trash bins will be placed for the street party.
- Roar Offshore will have approximately 25 volunteers throughout the street party stationed about 20 yards apart from each other. At the end of the street party each volunteer will clean the area where they are stationed.
- At the end of the street party volunteers will secure the trash bag and break down the disposable trash bins. They both will be collected and put into the dumpster at Lynn Hall Park.
- Two additional employees from Public Works will help with recycling and trash collection from 4PM-8PM using Kubotas.

Friday October 7, 2022

- No events except for testing and tuning of the race boats.
- Normal operations for Public Works

Saturday October 8, 2022

- Roar Offshore will have volunteers along with Keep Lee County Beautiful volunteers to keep the beach clean during the event. Roar Offshore will have volunteers at sign in points for the volunteers which is also a designated spot to pick up lunch and water. Please see attached map where tents will be set up for the volunteers to check in. The volunteers will collect trash from the beach and then place it for pick up at designated locations (barrels) by Fort Myers Beach Public Works. The volunteers will clean the beach from 11:00 AM to 5:00 PM in three 2 hour shifts during the race.
- Keep Lee County will be putting on a demonstration on a new robot called the BeBot. Please see attached additional information and pictures.
- Public works will have 2 employees from 2:00PM-8PM for recycling and trash pick up using Kubotas.

Sunday October 9, 2022

Roar Offshore will have volunteers along with Keep Lee County volunteers on Sunday to collect trash and clean the beach. The volunteers will place the trash bags at designated locations (barels) for pick up by Public Works using Kubotas. The volunteers will volunteer from 8:00 AM-11:00 AM.

Presenting the BeBot: About this event

In partnership with Roar Offshore Keep Lee County Beautiful will host a cleanup during race weekend with BeBot demonstrations near the Fort Myers Beach Pier. The BeBot Beach experience aims to educate and engage the community while cleaning up trash on Fort Myers Beach. Before volunteers begin their cleanup, Keep Lee County Beautiful staff will present and demo the BeBot. At the end of the event, Kstaff will assist volunteers in sorting out the small litter collected by the BeBot. Collected debris will then be displayed and discussed!

What is a BeBot?

Donated to Keep Florida Beautiful by Surfing's Evolution and Preservation Foundation, a charitable organization that maintains healthy Florida beaches, the BeBot serves as a teaching tool to work alongside cleanup volunteers. The BeBot collects discarded small debris at the sand's surface level under the remote control of trained staff. The eco-friendly companion removes litter such as fragmented plastics and cigarette butts that might otherwise go unnoticed. This new technology is a unique way to captivate beachgoers' attention for an opportunity to educate them on litter prevention and waste reduction. Don't miss your chance to witness the BeBot in action!

Join Keep Lee County Beautiful to clean Fort Myers Beach!

WHERE TO MEET: Check-in for the cleanup will be located on the beach in front of Lynn Hall Park. Look for a Keep Lee County Beautiful pop up tent which will be 10 X10.

WHEN: Saturday, Oct. 8th. Cleanup begins at 10:00 AM and ends at 12:00 PM.

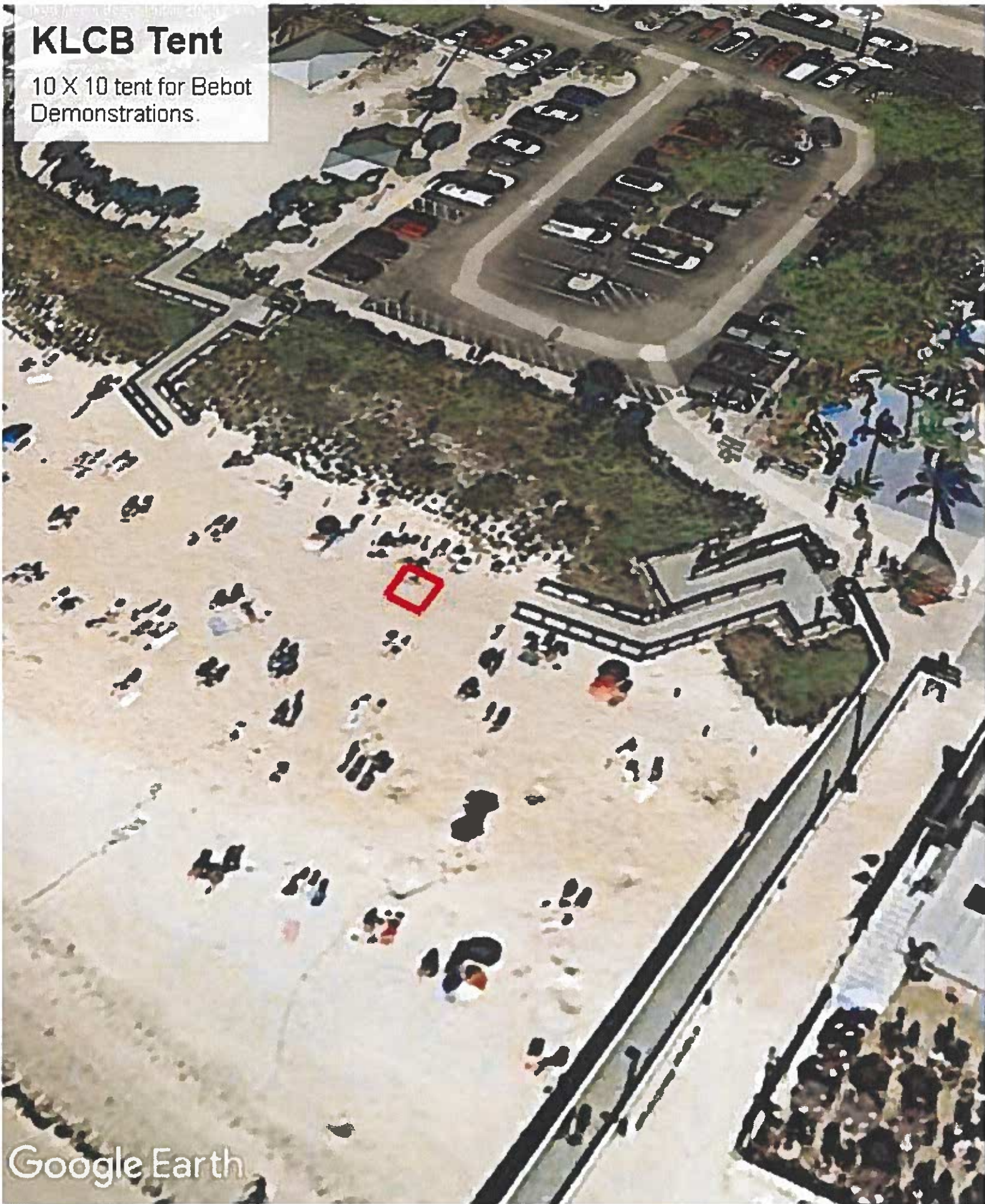
WHAT TO WEAR: Please wear closed toed shoes and clothing you don't mind getting dirty. We recommend a hat or sunglasses too.

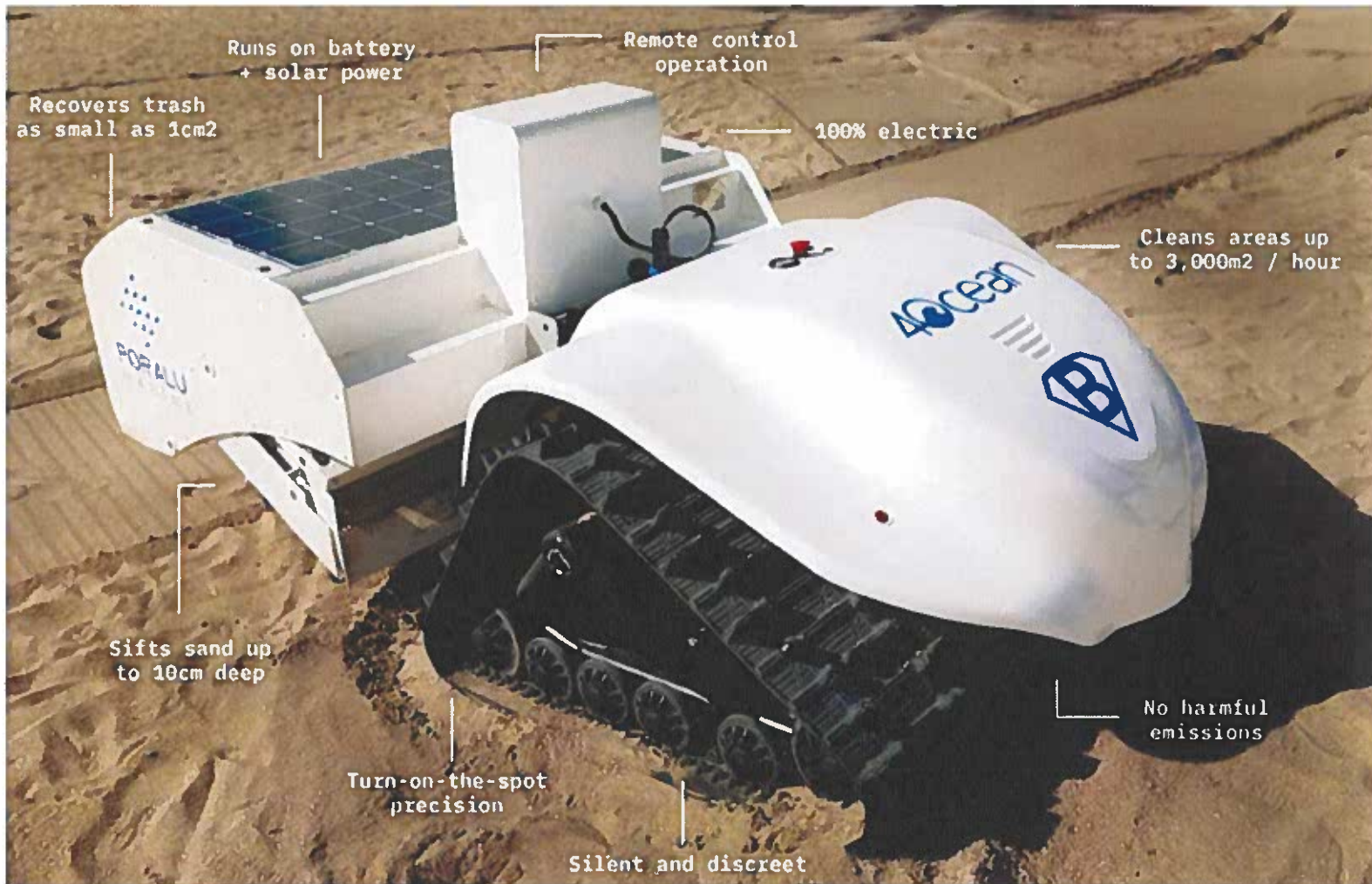
WHAT TO EXPECT: All cleanup supplies are provided including reusable gloves, trash bags, pickers, sunscreen, hand sanitizer, and bug spray. A water refill station will be available, please bring a reusable water bottle.

Please note: times are subject to change depending on volunteers from FGCU volunteers.

KLCB Tent

10 X 10 tent for Bebot
Demonstrations.









Information of Hi-Def's tent placement in Times Square:

1. Hi-Def Printing is requesting to place three 10x10 tents tied securely together and weighted down for safety to sell Roar Offshore Apparel on October 6 and October 8. Tents would be erected and tore down each day.

Set up on Thursday, October 6th would be between 12-1:00 PM and tear down will be after the parade is over.

-Set up on Saturday, October 8th would be 7:00 AM until after the races are over.

-They will not set up any lights because of turtle season.

-Tables will be set up inside of the tents the length of each tent to display merchandise.

2. HI-Def is requesting a parking spot close to Times Square for both days to park their van to make it easier to stock up on inventory when needed.

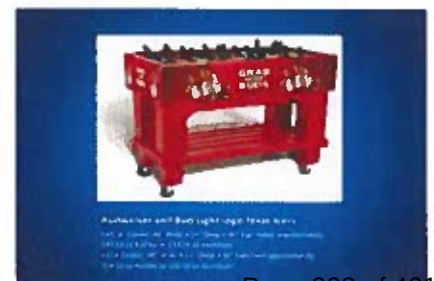
Information for tents for Keep Lee County Beautiful:

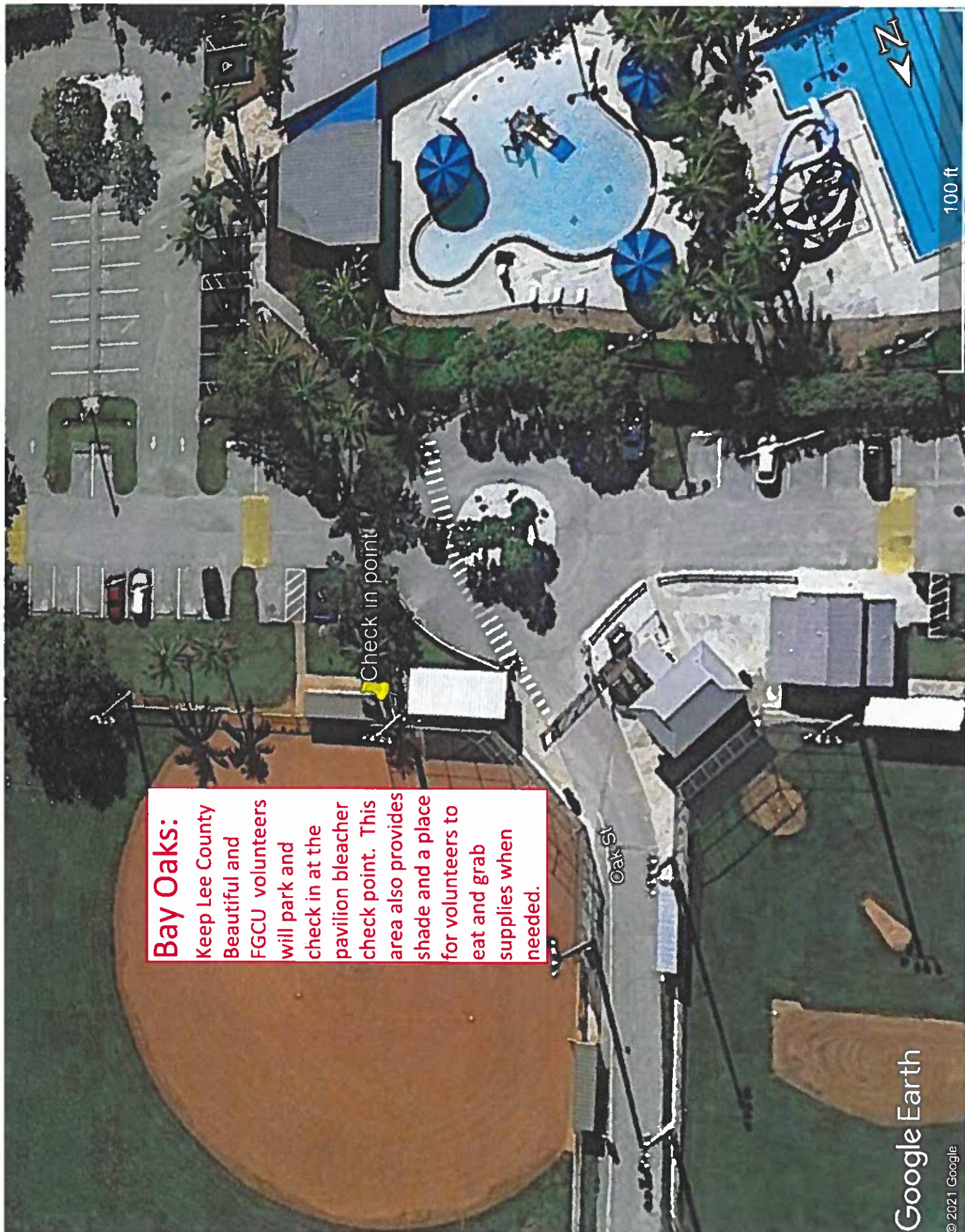
1. Roar Offshore will set up a secured 10 by 10 tent in Time's Square on October 8th (race day) for volunteers so they can check in. A second tent is needed in front of Lynn Hall Park for the BeBot. Also, this will be an area where volunteers can pick up their lunch and water when needed. A second area for FGCU students to sign in and grab supplies will be in the first pavilion with bleachers in Bay Oaks on Fort Myers Beach.

-Water will be kept in a bin filled with ice. It is 4x2 feet in length and can hold up to 2 cases of water. See photo.

-There will be one table and 3 chairs set up under the tent.

2. There will be one volunteer there at all times to hand out items when needed at each location.





Bay Oaks:

Keep Lee County Beautiful and FGCU volunteers will park and check in at the pavilion bleacher check point. This area also provides shade and a place for volunteers to eat and grab supplies when needed.

Roar Offshore Town Estimated Expenses**Thursday, October 6th – Town-wide garbage and recycle collection**

- 2 Employees from 4pm-8pm for recycling and trash
- 2 Kubotas for 4 hours each

Saturday, October 8th - Town-wide garbage and recycle collection and beach patrol

- 2 Employees from 12pm-8pm for recycling and trash
- 1 BASE Employee from 7am-5pm
- 2 Kubotas for 8 hours each
- 1 Kubota for 10 hours

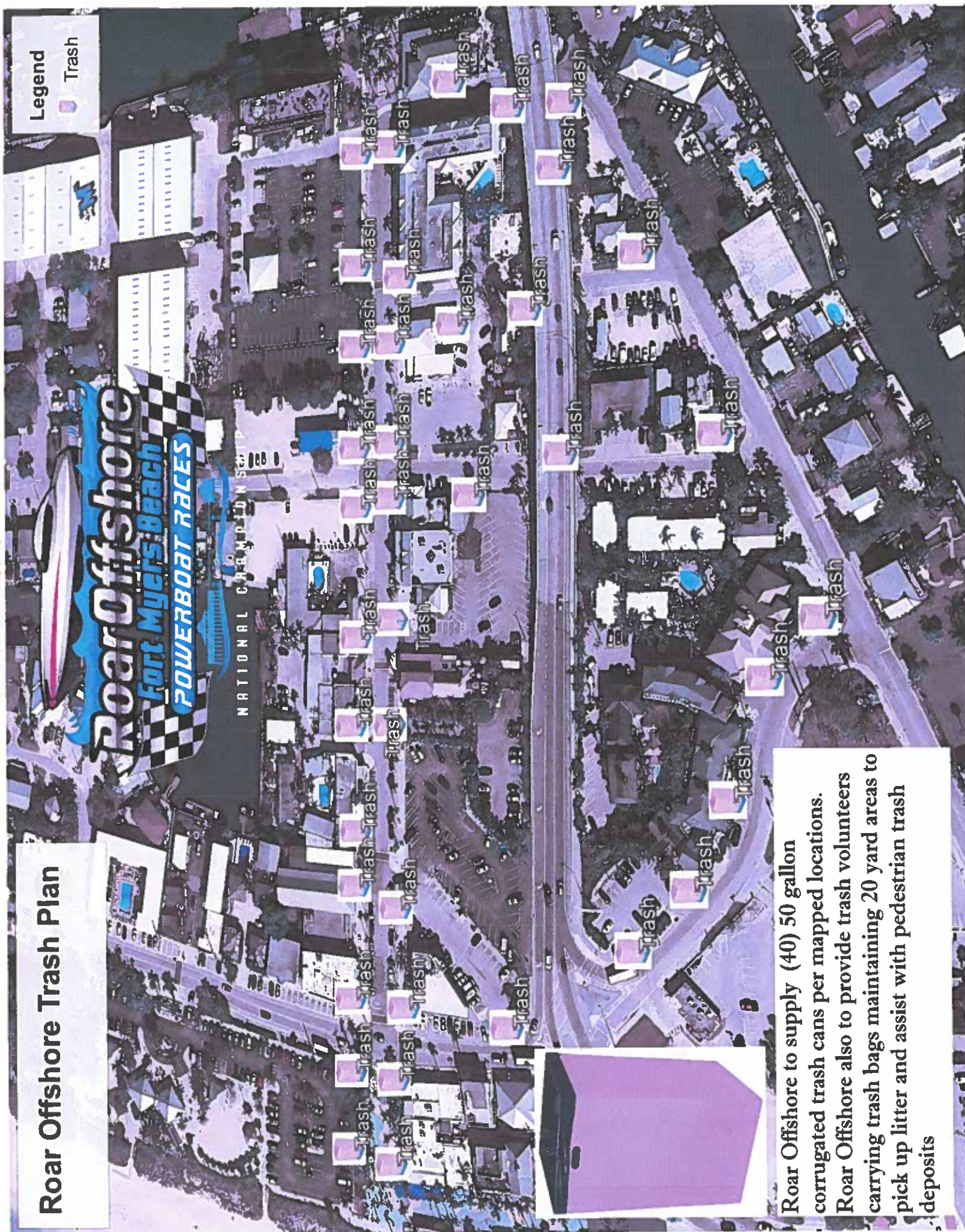
Sunday, October 9th – Town-wide garbage and recycle collection

- 2 Employees from 4-8pm for recycling and trash
- 2 Kubotas for 4 hours each

Other Needs Donated by Waste Management Company

- 2 packs of commercial trash bags
- 50 Temporary Trash cans
- Dumpster Delivery and Haul Fee
- Garbage Disposal by Tonnage
- Administrative Fees

Roar Offshore Trash Plan



Roar Offshore to supply (40) 50 gallon corrugated trash cans per mapped locations.
Roar Offshore also to provide trash volunteers carrying trash bags maintaining 20 yard areas to pick up litter and assist with pedestrian trash deposits

VIP TENT

VIP area at The Beach Bar

Roar Offshore is teaming up with the Beach Bar for a VIP tent area. The occupancy in The Beach Bar is 60 people inside and 250 people outside. Roar Offshore will not sell no more than 290 tickets with the extension of premise. Roar Offshore is including the Beach Bar in the large event permit and Roar Offshore will file the extension of premise for the Beach Bar. This leaves 20 spots to be filled by needed staff and volunteers.

There will be volunteers at the entrance to the Beach Bar and the VIP tent keeping an accurate count on the number of people inside of the Beach Bar and inside the VIP tent. There will also be 3 security guards at each entrance to help maintain the permitted maximum number of people both inside and in the VIP tent area.

The tent is 40x 80 and have a roof with no sides. The area underneath the tent will include 24 inch round tables with 10 resin padded white chairs around each table totaling 240 chairs. The tables will be placed 3 feet apart from each other. The area underneath the tent will also include 3 six foot rectangular table and 2 eight foot rectangular tables. These rectangular tables will be used for food and beverage. All tables will be lined with white linens. 3 Fire extinguishers comes with the tent rental.

Total tables: 24 - 60 inch round. 3 - 6 foot rectangular and 2 - 8 foot rectangular

Total chairs: 240

Please see the map and drawings for placement of tent, table and chairs.

There will also be a white picket fence surrounding the VIP area to help with occupancy levels. Please see attached picture of the fence. The fence totals approximately 280 linear feet. There will be volunteers checking for VIP wrist bends at both entrances.

Set up and tear down of VIP area

The tent takes approximately 6 hours to put up so Roar Offshore is requesting the tent be put up on Friday October 7th. Caloosa tent rental will be there between 8:00 & 1:00 to start setting up the tent. The tent will have no lighting and it will need to be inspected by The Fort Myers Beach Dept. The table and chairs will be delivered on October 8th at 8 AM and they will be set up in the early morning and the start time for tear down will be at 5:00 PM depending if the races finish on time.

Additional Information on VIP tent

1) Trash clean up

Roar Offshore is responsible for keeping the area clean and tidy. Roar is getting trash bags and cardboard trash bins for the event. We will have 6 volunteers at all times working the event to keep the area clear of debris and to make sure the trash bins do not overflow. The extra trash will be thrown into the trash bins located at The Beach Bar and at MoJoe's Cafe. Both The Beach Bar and MoJoe's are having an extra trash pick up to accommodate the extra trash for VIP tent.

2) Porta Johns

Roar Offshore will be placing 3 regular and 1 handicap porta johns in the parking spot at The Beach Bar closest to the beach access area. Please see map.

3) Security

Roar Offshore will be providing 2 security officers for the VIP area during the times the tent is open between 10 AM -5 PM on race day. Also for added security and for keeping track of occupancy levels we will have 2 volunteers at each entrance keeping a count of totals inside the The Beach Bar area that is separate from the VIP tent.

4) Food

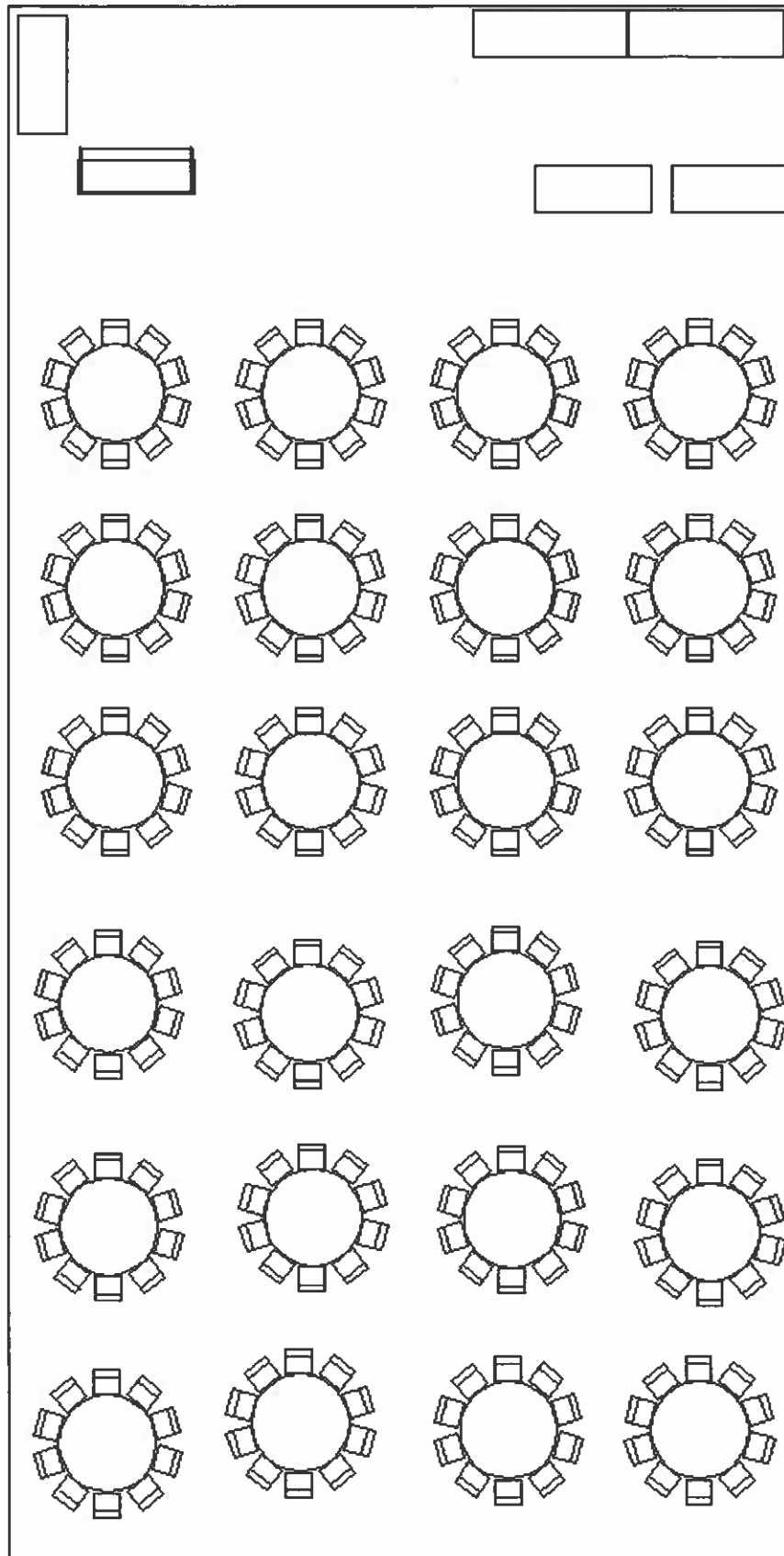
The staff serving the food in the VIP tent will wear gloves . The food served will be buffet style from MoJoe's Cafe on Fort Myers Beach. There will be one server assigned to each dish. VIP fans will not be able to serve their own food to help against the spread of illness.

5) Beverage

There will be 2 volunteer bartenders working the bar area,. Race fans will not have access getting their own drinks which include water, soda, cocktails, etc.. The bartenders will take of all drinks being served in the VIP area.

6) Ticket holders

All VIP ticket fans will have a lanyard and a wrist band to enter the VIP area. This is to control the number of occupancy in the VIP area. The wrist band will be securely placed where it's not too tight or too loose so it can't be stretched and shared with someone else. There will be a white picket fence surrounding the tent and VIP area to keep it secure. There will be volunteers on each end to check for VIP wristbands. The white picket fence is roughly 280 linear square feet.





Registered Fabric or
Concern Number

F-92001

Certificate of Flame Resistance

ISSUED BY: **Tent Renters Supply**
5008 East Hanna Ave
Tampa, Florida 33610



Date treated or manufactured:

April 2018

This is to certify that the materials described on the reverse side have been treated with a flame-retardant chemical or are inherently nonflammable.

FOR: Caloosa Tent Rental ADDRESS: 10879 Metro Parkway
CITY: Ft. Myers STATE: FL, 33966

Certification is hereby made that: (Check "a" or "b")

- ☐ (a) The articles described on the reverse side of this Certificate have been treated with a flame-retardant chemical approved and registered by the State Fire Marshal and the application of said chemical was done in conformance with the laws of the State of California and the Rules and Regulations of the State Fire Marshal.

Name of chemical used: _____ Chemical Registration #: _____

Method of application: _____

- ☒ (b) The articles described on the reverse side are made from a flame-resistant fabric or material registered and approved by the State Fire Marshal for such use.

Trade Name of flame-resistant fabric or material used: Architent VT B/O GLS Registration #: F-92001

The Flame Retardant Process Used Will Not Be Removed By Washing
(will or will not)

Tent Renters Supply
Name of Applicator or Production Superintendent

By: Matthew R. Perro President
Name Title

THIS REPRODUCIBLE ARTWORK IS FOR THE EXCLUSIVE USE OF STATE FIRE MARSHAL REGISTERED CONCERNS AND INDIVIDUALS FOR THE PRODUCTION OF REQUIRED FORMS

FR-3 (Revised 01/03/11)
Page 1 of 2

CONTROL NO.	43253
CUSTOMER ORDER NO.	43253
CUSTOMER INVOICE NO.	43253
YARDS OR QUANTITY	1 (See Size Type)
COLOR	SB white
SIZE/TYPE	(2) 40' x 80' 4-pc.Hip Roof Frame Top
DATE PROCESSED	April 2018

THIS REPRODUCIBLE ARTWORK IS FOR THE EXCLUSIVE USE OF STATE FIRE MARSHAL REGISTERED CONCERNS AND INDIVIDUALS FOR THE PRODUCTION OF REQUIRED FORMS

FR-3 (Revised 01/03/11)
Page 2 of 2

The Beach Bar
1668 I St. Ft.
Myers Beach
Placing 1 40' X 80'
tent

Blue lines are
showing
placement of a 40
X 80 feet tent

Yellow line
indicates how VIP
race fans will
enter and exit the
tent to keep
occupancy levels
down in the
Beach Bar.

WHITE PICKET FENCE



Google Earth



The Beach Bar VIP area

1668 I St., Ft. Myers Beach
40' X 80' open air (no sides) tent shown in blue.
10' x 10' open air Fenced Area shown by Yellow lines

40' x 80'
tent

10' x 10'
fenced
area

Google Earth

100 ft

The Beach Bar Parking Lot

1668 I St., Ft. Myers Beach
Placing 3 regular and 1
Handicapped porta john

Placement of porta johns
in the first parking spot
closest to beach access.

No Vehicles are permitted to be
parked on the side of the road, or
permitted to block beach access.
Any vehicles parked will be towed.

Google Earth

© 2021 Google

7.85 ft

BOAT PARADE & STREET PARTY

Additional Information for Boat Parade

Main Street will be down to a one lane road to prepare for the boat parade during 3:30 PM - 6:15 PM on Thursday, October 6th, 2022. Boats will line up on Main St. starting at the corner of Main St. and San Carlos Blvd. at 3:30 PM . They will be positioned in single file on Main St. from the corner of Main St. and Old San Carlos heading East to Salty Sam's Marina. Boats will line up on the North side of Main Street so they are positioned correctly to go over Matanza's Bridge. The boats will stay in their position until the parade starts at 5:45 PM. Roar Offshore will need additional law enforcement officers directing the flow of traffic.

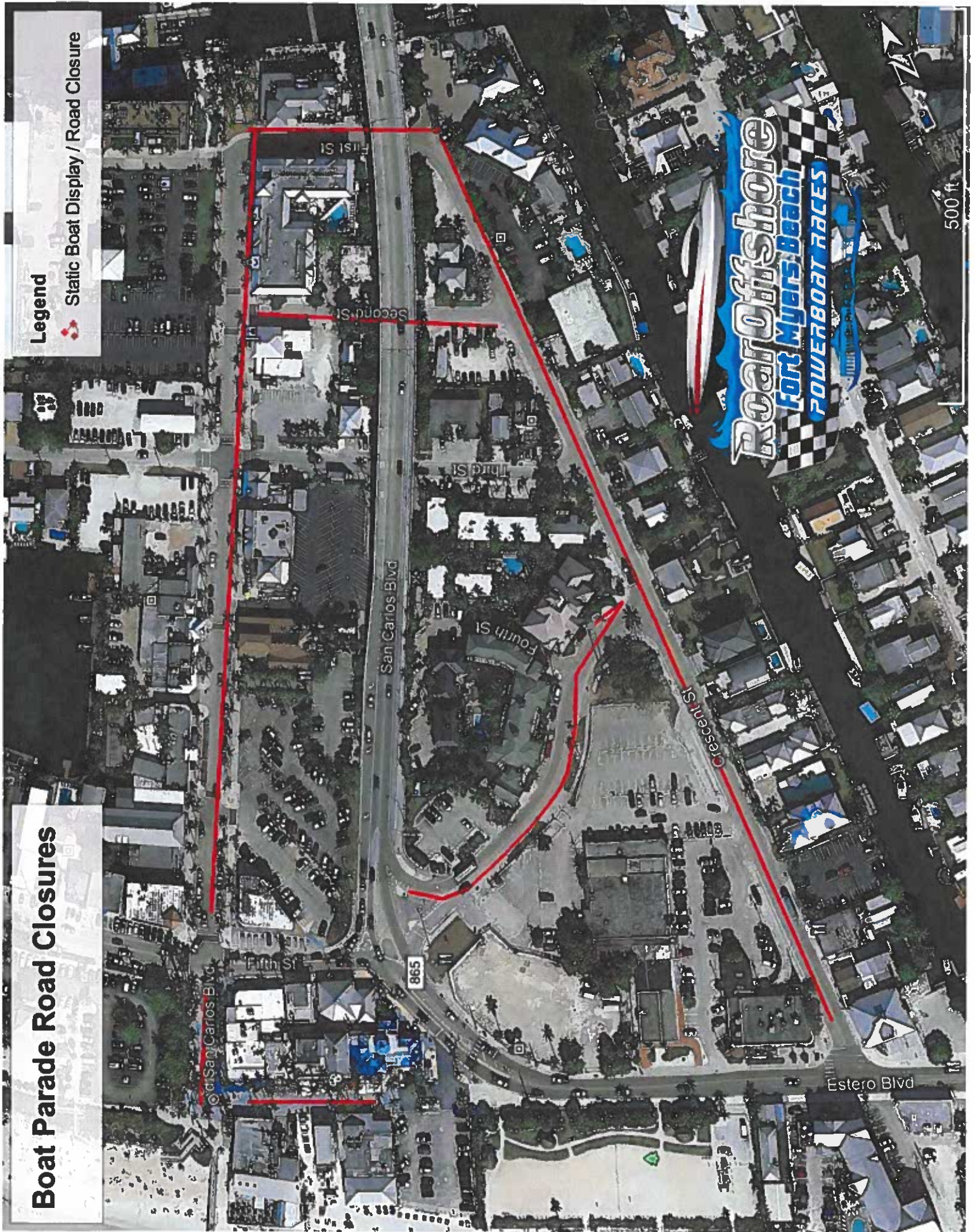
The town of Fort Myers Beach will be closing off all of the parking areas needed for the parade and street party the night before on October 5th, 2022 to insure no one parks in the spaces needed for the boats to park. The parking for the street party will be coned off. If someone moves a cone and parks, the Town of FMB will ticket them immediately. The Town of FMB will place signs out that say NO PARKING, RESERVED FOR EVENT.

Local traffic access roads are the following roads. Crescent Street. Locals can turn onto 5th Street to access 4th Street only 3rd Street and 1st Street are also open for local traffic only. No boats parked in the street for the street party will maintain a 20 foot clearance as indicated on the map. The boats will not block any driveways for local traffic or block the access route for emergency vehicles.

Boat Parade Road Closures

Legend

Static Boat Display / Road Closure



Boat Parade Route ON Island

Legend

 Parade Route onto island

- Boats to parade single file onto Fort Myers Beach from Pits at Salty Sam's marina.
- Bridge / Estero Blvd Closure 5:30pm to 6pm permitted by FDOT

Boat Parade Route OFF Island

Legend

Parade Route off island

- Hours 9:45pm - 10pm
- Boats to parade off Fort Myers Beach following flow indicated by green arrows
- LCSO will provide traffic control



OPEN CONTAINER REQUEST

Roar Offshore would like to request for open containers the night of the boat parade and street party. This request is not for the whole event but only for Thursday night on October 6th, 2022 from 5:00 PM to 10:00 PM. Roar Offshore would like to request that open containers only be allowed where the boats are lined up in the street. This will include Town Square but doesn't include Lynn Hall Park or Estero Blvd. It will also include Old San Carlos Blvd, First Street, Second Street, Third Street, Fourth Street and Fifth Street.



PRIVATE SECURITY

Detailed Security Information

Global Security is the security detail for Roar Offshore . They will have 2-3 security officers on site from Thursday, October 6th through Sunday October 9th from 8:00 PM - 7:00 AM. Also, they will have one security officer on site Thursday, October 6th through Saturday, October 19th from 12:00 PM - 6:00 PM securing the area where the beer tent will be. Global Security and Roar Offshore will ensure that all security personnel will complete the training course to be Standby/Fire watch certified. Global security must provide each certification certificate for each security personnel working the pit area prior to race weekend.

A Roar Offshore official will also be on site day and night to check in race teams throughout Wednesday, October 5th through Sunday October 9th. Salty Sam's also has one security detail that stays on the property and will make rounds throughout the evenings from Wednesday, October 6th through Sunday, October 9th.

If race teams come Tuesday or Wednesday they will only be placed on Salty Sam's property. Their security detail and our Roar Offshore official will be there to keep an eye on the teams. Teams rarely come early to the pits.

**“Exhibit A”
Cost Structure**

GLOBAL SECURITY will furnish Roar Offshore Powerboat Races, with unarmed uniformed licensed Security Officer.

The rate for this would be listed below

Security Guard	\$20.00 per guard hour
----------------	------------------------

Hours will be set by **Roar Offshore Powerboat Races**

Security Location	Fort Myers Beach
Shift times 2-3 guards 10/7-10/10	2000-0700
Shift times 1 guard 10/7 -10/8	1200-2000

1. Guard services can provided Roar Offshore Powerboat Races by an unarmed Uniformed licensed Security Officer. The officers will take specific direction from management.

Duties and responsibilities,

- Protection of common property
 - Traffic Control
 - Maintain a peaceful ambiance
 - fire watch/security during the night
2. GLOBAL SECURITY is currently working with the LCSO in the area and will continue to do so to insure total security and safety on property at all times
 3. Roar Offshore Powerboat Races and the property management company will have direct contact with the owners of GLOBAL SECURITY always. 24 hours a day.
 4. All GLOBAL SECURITY officers are prior or current military/law enforcement. All guards have extensive background checks and training.
 5. will be responsible for all responses to all emails within one business day.

6. GLOBAL SECURITY officers will be required to display in plain view all company ID badges. All GLOBAL SECURITY Company Badges have a current photo and all officers' information. GLOBAL SECURITY officers are required to release this information to anyone who requests it.
7. GLOBAL SECURITY is a smoke free company. GLOBAL SECURITY officers are not permitted to smoke on shift. GLOBAL SECURITY officers are permitted to utilize E Cigarettes on duty (OUTSIDE ONLY).
8. All requests from management and/or the board of directors should be directed to GLOBAL SECURITY management team. GLOBAL SECURITY officers are not permitted to implement policy or procedure without prior authorization from GLOBAL SECURITY management team.

BOAT LAUNCHING & CRANE OPERATION

Crane Operation:

- Ralph Young is our chair leader for crane operation. His contact information is p: and email:
- Hours of operation: Friday from 9:00AM - 5:00PM and Saturday 9:00AM - 5:00PM
- During crane operational hours OPA staff will be in charge of running the crane.
- Ralph Young's committee is responsible to keep race fans safe from crane area using 4 to 5 volunteers to keep the area safe at all times during operation.

Boat Launching:

Ray Labadie is our pit area supervisor. We will have 4 volunteers helping Salty Sam's guide traffic to and from the boat ramp for race teams on Friday October 8 and Saturday October 9. There can be no more than 4-5 race teams in the ramp area at all times to keep the area clear of traffic.

2022 ROAR OFFSHORE POWER BOAT RACES

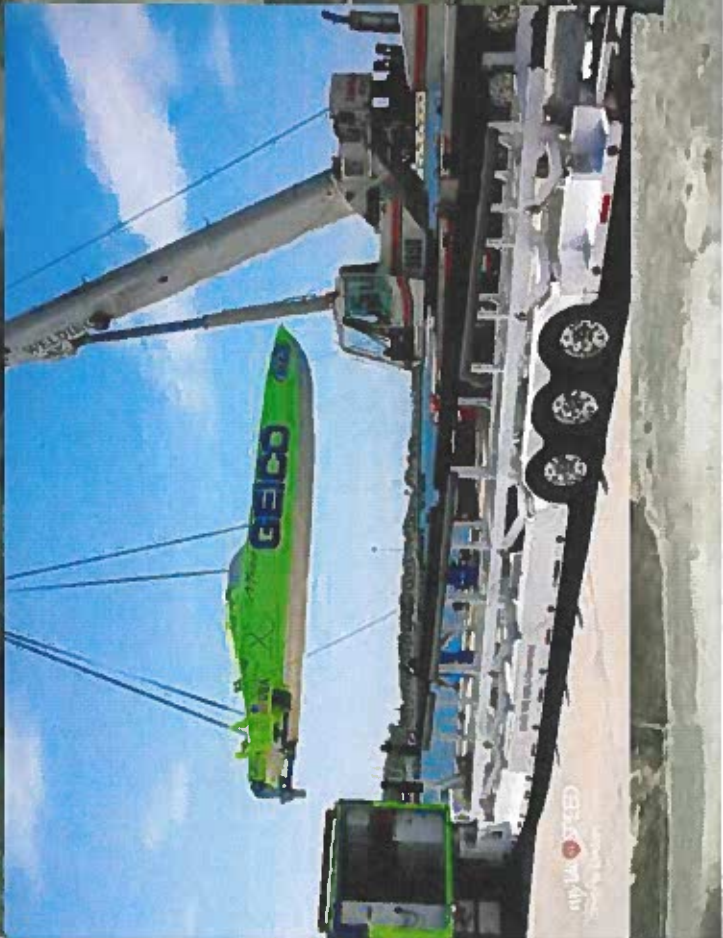
CRANE IN LOCATION 1:

1148 MAIN ST.
FORT MYERS BEACH, FL 33931



200 ft

2022 ROAR OFFSHORE POWER BOAT
RACES
CRANE IN LOCATION 2:
2080 MAIN ST. FORT MYERS BEACH, FL
33931



RACE COURSE & TRAVEL ROUTES TO COURSE

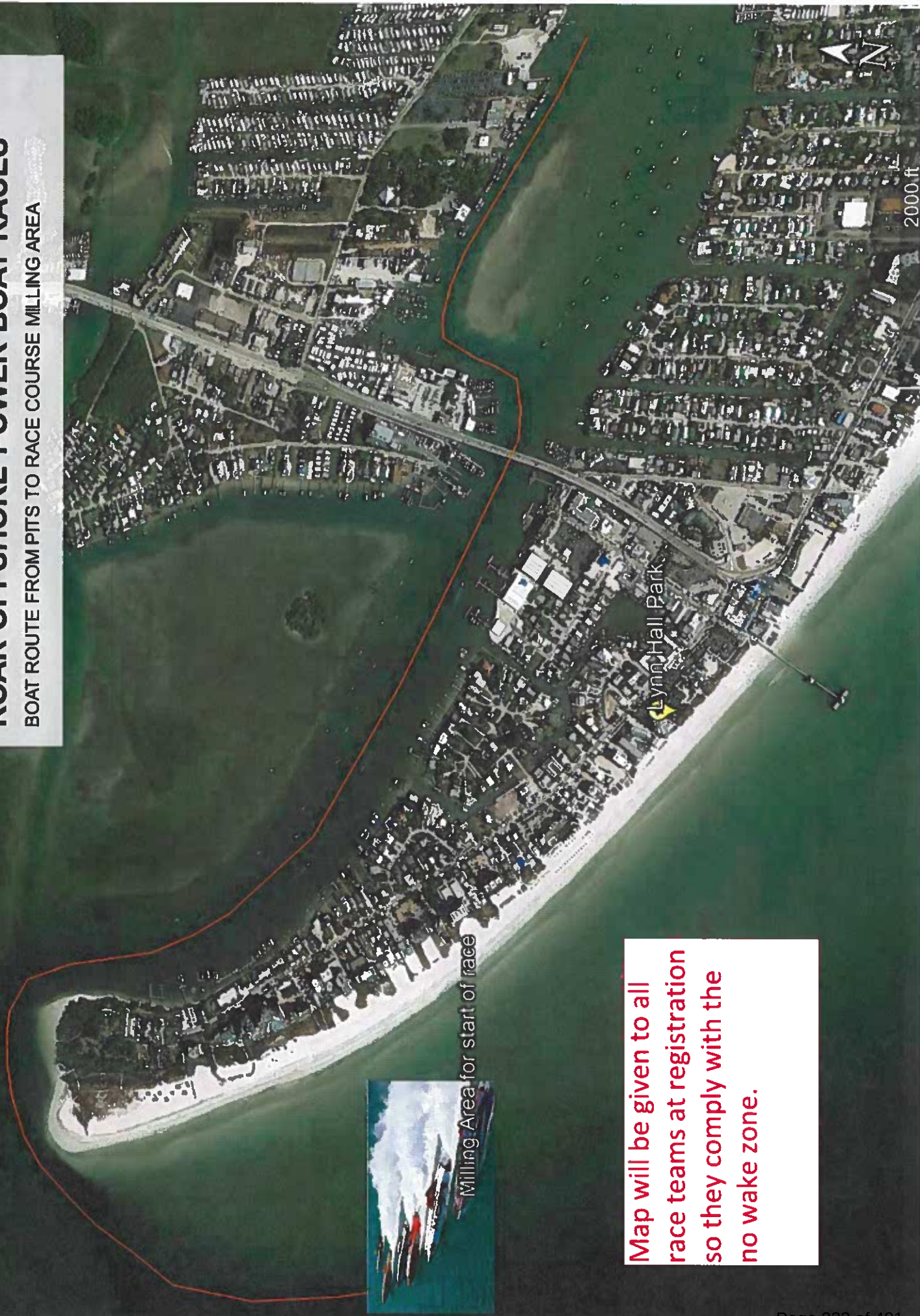
Patrol Boats Committee Chair

1. Establish committee and secure volunteers with boats
2. Make Patrol boat flags for each patrol boat
3. Coordinate with Safety committee chair and OPA officials once they arrive for race
4. Instruct each volunteer on dates, responsibilities and meeting requirements
5. Schedule Patrol boat meeting day before the race for information, assignments, etc
6. Coordinate with Coast Guard
7. Coordinate with board members on times and requirements
8. Have patrol boats patrolling and directing race boats to stay in the channel heading to the race course.
9. Keep spectators from anchoring in channel in the back bay and at the beach where the race course will be.



ROAR OFFSHORE POWER BOAT RACES

BOAT ROUTE FROM PITTS TO RACE COURSE MILLING AREA



Milling Area for start of race

Map will be given to all race teams at registration so they comply with the no wake zone.



CERTIFICATES OF LIABILITY



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
07/13/2022

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PRODUCER HAWK RACE CONSULTANTS, LTD "MOTORSPORTS INSURANCE SPECIALISTS" 1600 STEWART AVE PH 702 WESTBURY, NY 11590		CONTACT NAME: RH FELSEN PHONE (A/C, No, Ext): 516-466-9760 FAX (A/C, No): 516-466-9663 E-MAIL ADDRESS: HAWKRACE@AOL.COM															
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B	PARTICIPANT ACCIDENT		KPX 287291-00	12:01 AM 10-05-22	12:01 AM 10-05-23	AD & D: \$10,000 EXCESS MEDICAL \$20,000

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13133 PLACE: FT MYERS BEACH, FL GULF OF MEXICO

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CERTIFICATE HOLDER

CANCELLATION

ROAR OFFSHORE RACE
SPONSORS/EVENT
SPONSORS

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CELL 516.449.1134
HAWK RACE CONSULTANTS, LTD
"MOTORSPORTS INSURANCE SPECIALISTS"
1600 STEWART AVE PH 702
WESTBURY, NY 11590

CONTACT NAME **RH FELSEN**
PHONE (A/C No. Ext): **516-466-9760** **FAX (A/C No):** **516-466-9663**
E-MAIL ADDRESS: **HAWKRACE@AOL.COM**

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INSURED
OPA RACING LLC/ROAR OFFSHORE LLC-PROMOTER
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BRICKTOWN, NJ 08723

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FORT MYERS BEACH
BUSINESS DISTRICT OF LEE
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A	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ ALL OWNED AUTOS ☐ SCHEDULED AUTOS ☒ HIRED AUTOS ☒ NON-OWNED AUTOS			KEO-73167-00	12:01 AM 10-05-22	12:01 AM 10-05-23	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000. BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	UMBRELLA LIAB ☒ OCCUR EXCESS LIAB ☐ CLAIMS-MADE DED ☐ RETENTION \$			XKO 73168-00	12:01 AM 10-05-22	12:01 AM 10-05-23	EACH OCCURRENCE \$ 4,000,000. AGGREGATE \$ 4,000,000. \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A				WC STATUTORY LIMITS ☐ OTH-ER ☐ E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
B	PARTICIPANT ACCIDENT			KPX 287291-00	12:01 AM 10-05-22	12:01 AM 10-05-23	AD & D: \$10,000. EXCESS MEDICAL \$20,000.

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

REGATTA:ROAR OFFSHORE EVENT DATE: 10/05/2022 - 10/14/2023 (SETUP & TEAR-DOWN INCL.)
 CONDUCTING CLUB:OPA RACING LLC #254TEST DATE: 10/8/2022 REGION: 5 SANCTION ID:
 13133 PLACE: FT MYERS BEACH, FL GULF OF MEXICO

CERTIFICATE HOLDER IS ADDL. INSURED, ONLY RESPECTS TO OPERATIONS OF NAMED INSURED.

CERTIFICATE HOLDER

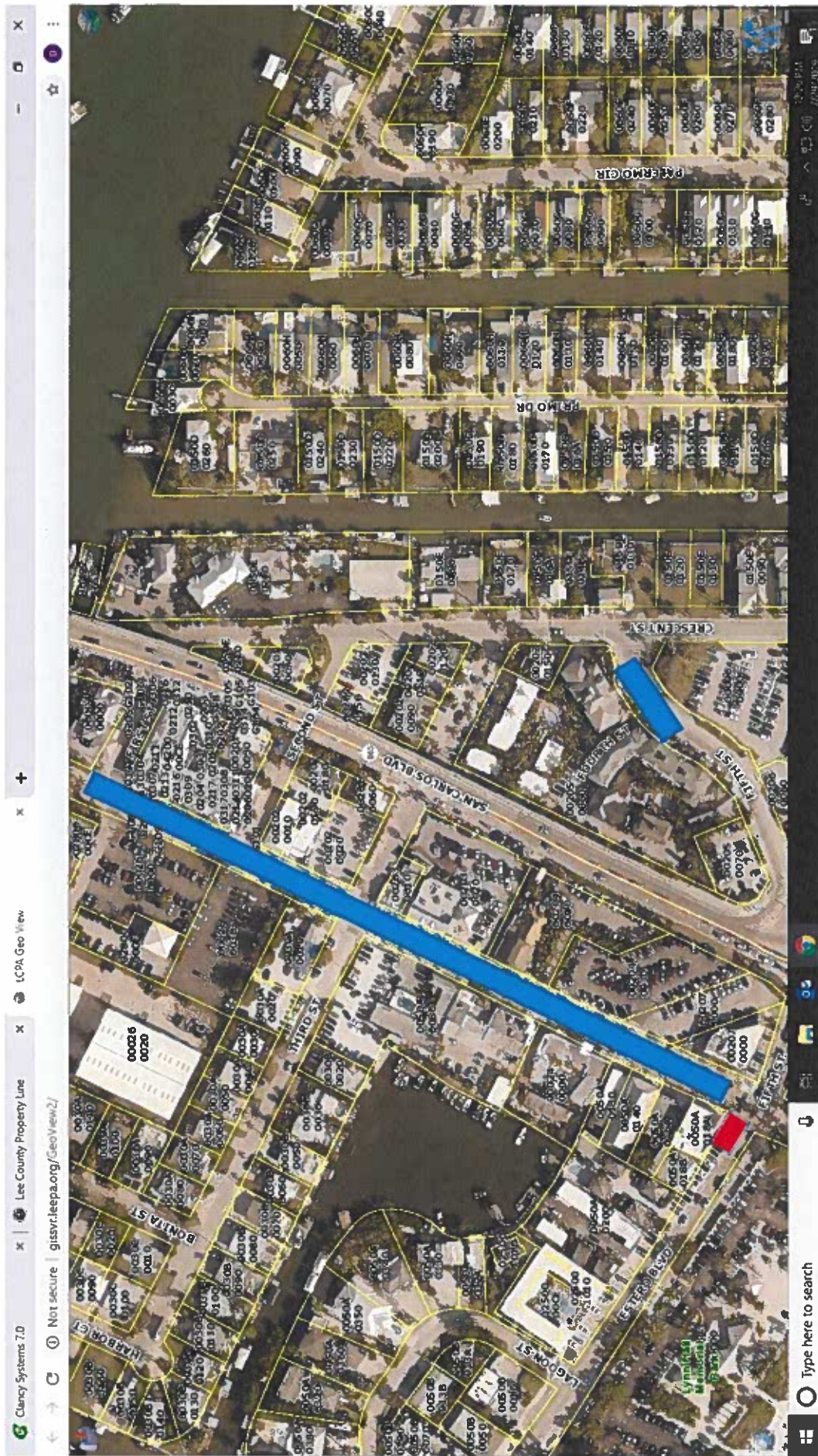
CANCELLATION

LEE COUNTY BOARD OF COUNTY COMMISSIONERS
 PO BOX 398
 FORT MEYERS, FL 33902

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

ROAR OFFSHORE 2022



Old San Carlos	64 spaces	October 6 th 12 hours	9:00 AM – 9:00 PM
Fifth St	<u>7 spaces</u>		
	71 spaces		

71 X \$5.00 per hour = \$355.00 X 12 hours = \$4,260.00 for ROAR OFFSHORE

Estero Blvd 2 spaces Thursday 6th and Saturday 8th
 2 X \$5.00 per hour = \$10.00 X 24 hours = \$240.00 for HI-DEF PRINTING

Sign in sheet – Roar Offshore Meeting – August 9, 2022 10:00am

CHRIS ARMIGER FMBFD

Jennifer Campbell FMBFD

Adrian Corujo LCEMS

Nichole Hansen LCEMS

Mike Shepherd Roar Offshore

Scott Wirth - FMBFD

James Dzymala - LCBO

Jon Hillmy - LCBO

CHRIS NYU - LCBO

JASON FREEMAN - TFMB PW

JACKI LISZAK - FMBCC

Patty Perost - TH

Roger Hernstad TH TM

Patty Prevost

From: Cyndee Hill <cyndee@roaroffshore.com>
Sent: Saturday, August 13, 2022 11:10 AM
To: Patty Prevost; Roger Hernstadt
Subject: Changes to permit.
Attachments: pages of permit changed.pdf

Here are the information per page that was modified in the FMB permit per Jennifer Campbell from the fire department.

Page 4. All dates have been changed. The Predator race team will have their own necessary permit.

Page 41. Wording was changed as advised.

Page 47. Date is changed to Oct. 8

Page 55. Moved pit boxes and made a fire lane that will be kept clear.

Page 57. Fire lane was added in green.

Page 87: Added on Saturday. Keep Lee County Beautiful is presenting the BeBot. Pages about this are 77 - 81

Page 81. Corrected the dates.

VIP:

Question? We will have both the inside and the outside VIP tent. The occupancy is 60 along with the tent outside. What is the maximum number of people that can be in the tent at one time?

VIP sales this year is at 300 because we have both inside and outside of the premise for ticket sales.

Page 86. Changed some wording in the first paragraph if the numbers are correct for the whole venue. Also changed the dates for tent set up and tear down.

Page 88. Changed map layout

Page 93. Added a note stating that no vehicles can park on the side of the road or in front of beach access.

Page 95. Added this sentence to the end of the first paragraph. **The teams in the street party will be advised to keep moving and to not stop or block any roadways.**

Page 98. This is a map showing how boats will be routing off island after the street party. All roads at this time will be open to the public. All local access roads are written on page 90.

PROVIDE A RESPONSE TO THE FOLLOWING:

1. WILL THERE BE FUELING OPERATIONS SIMILAR TO LAST YEAR? No Fueling truck this year
2. PROVIDE A COPY OF FIREWATCH CERTIFICATES FOR CREWS WORKING THE SECURITY DETAILS IN THE PITS. This is stated in the permit on page 97
3. ALL EVENTS BEING PLANNED IN CONJUNCTION WITH THE ROAR OFFSHORE EVENT NEED TO BE EITHER PERMITTED BY THE LOCATION OR INCLUDED ON THIS PERMIT. LAST MINIMUM ADDITIONS/CHANGES WILL NOT BE ACCEPTED AS ADVISED LAST YEAR - LAST

MINUTE CHANGES WILL NOT BE ACCEPTED FOR ANY PART OF THE EVENT.

Understood. There will be no more changes to the permit once all requested changes are made.

Regards,

Cyndee Hill

Vice President

239-238-0777

cyndee@roaroffshore.com

www.roaroffshore.com



Note: Florida has a very broad public records law. Most communication(s) to or from Fort Myers Beach officials regarding Town business are public records available to the public and media upon request. Your email communications and email address may be subject to public disclosure.

08-16-2022

To: Roar Offshore Board of Directors

Dear Cyndee,

This letter is to serve as American Legion official permission to use the property, located in Unincorporated Lee County FL at:

899 Buttonwood Dr., Fort Myers Beach, FL 33931 on San Carlos Island for the use of Dry Pits. Our property will be used for parking and staging the Race Boats for the week of the Fort Myers Beach Offshore Race to be held in October 6th - 8th 2022 providing that you carry General Liability Insurance and "American Legion" is listed as an insured on your insurance policy in a minimum amount of \$1,000,000.00 and providing any and all necessary permits to do so are obtained from Local County or State government as may be required.

Sincerely,

Marie Sigal

RACE VILLAGE & DRY PITS

**DRY PITS:
2140 MAIN ST
FORT MYERS
BEACH, FL 33931**

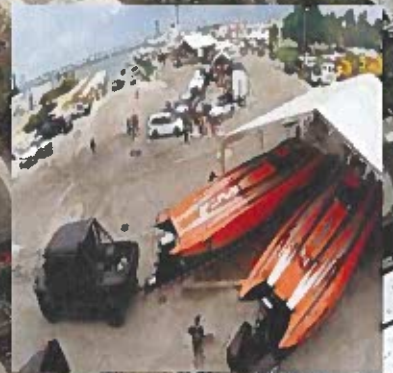
**All dry pit zones are
zoned commercial or
industrial.**

**Dry Pits
Strap #
19-46-24-0000021.0000
through .0040**

Google Earth

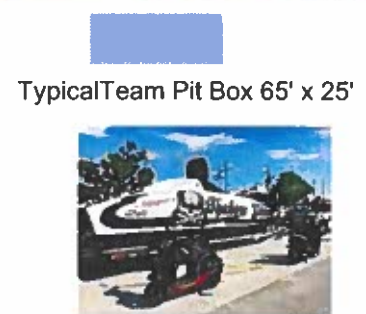
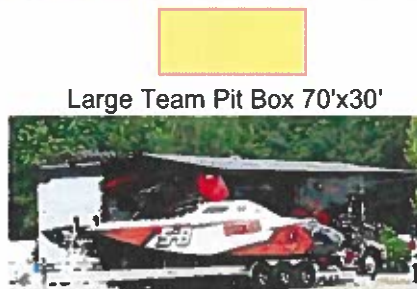
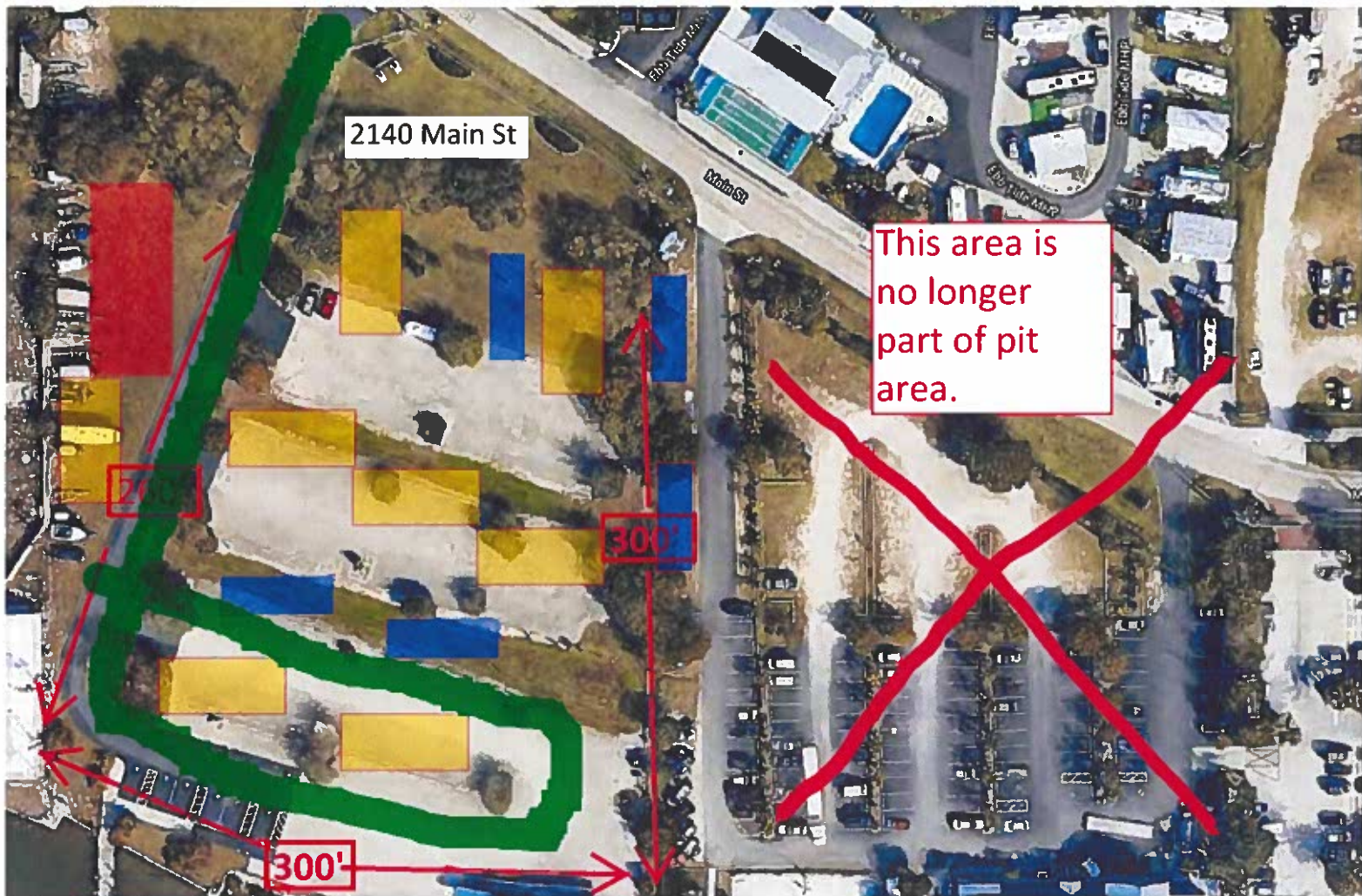
RoarOffshore
Fort Myers Beach
POWERBOAT RACES

NATIONAL CHAMPIONSHIP



400 ft

Roar Offshore Race Village / Dry Pits



-Green highlighted line will be kept clear for fire truck access.

-Note that some pit boxes shown are over obstructions, i.e. parking blocks etc. The boxes in the editing program can not be rotated to fit in actual spaces, however are to scale.

-Pit box outlines are not actual vehicles or hard boundaries. Generally there would be no fixed objects or obstructions along the outer edges of these pits.

-Tow vehicles can be detached from boat trailers to accommodate odd shaped or tight spaces.

-The Shimp Dock building will be kept clear of pit boxes with 20 feet of clearance all around the building. Pit boxes are only placed in parking lots and will not obstruct any fire connections.

-A Roar Offshore official will place the race teams in rows and will make sure to leave 20' of clearance in between each row for fire lane clearance. Mike Shepherd has been doing this for 9 years and has experience. With the angle of the maps the pit boxes are not placed correctly. The pit boxes on the map can not be rotated to place them correctly on each map. These maps are only examples.

Roar Offshore Race Village / Gulf Marine Yachetworks Dry Pits



1148 Main St

Pit Box Legend



Extreme Team Pit Box
100' x 50'



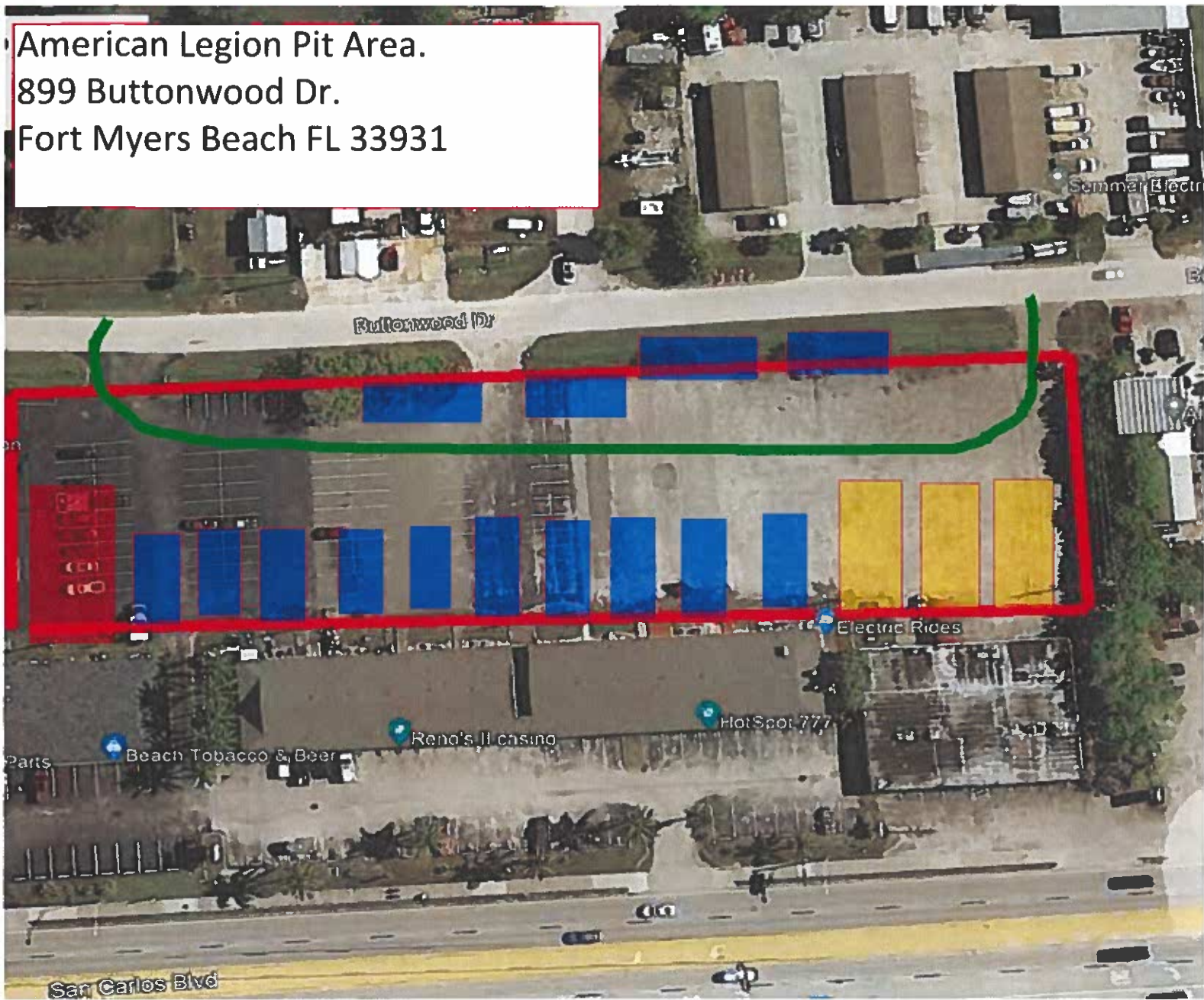
Large Team Pit Box
70' x 30'



Crane In Area



American Legion Pit Area.
899 Buttonwood Dr.
Fort Myers Beach FL 33931



Pit Box Legend

Extreme Team Pit Box 100'x50'



Green line is to be kept clear for fire lane.

Typical Team Pit Box 65' x 25'



Large Team Pit Box 70' x 30'



American Legion Pit Area

899 Buttonwood Dr,
Fort Myers Beach FL 33931

Placing 2 10X10 tents for
volunteers at each end of
the entrance to the pit area.



2140 Main
Street pit area
placing one
tent at
entrance to
pits for
volunteers.



Sunset Views Houseboat

Google Earth

American Legion Plt Area

899 Buttonwood Dr.,
Fort Myers Beach FL 33931

Adding 4 portajohns
on 1 handicap porta
john



BOAT PARADE & STREET PARTY

Additional Information for Boat Parade

Main Street will be down to a one lane road to prepare for the boat parade during 3:30 PM - 6:15 PM on Thursday, October 6th, 2022. Boats will line up on Main St. starting at the corner of Main St. and San Carlos Blvd. at 3:30 PM . They will be positioned in single file on Main St. from the corner of Main St. and Old San Carlos heading East to Salty Sam's Marina. Boats will line up on the North side of Main Street so they are positioned correctly to go over Matanza's Bridge. The boats will stay in their position until the parade starts at 5:45 PM. Roar Offshore will need additional law enforcement officers directing the flow of traffic. The teams in the street party will be advised to keep moving and to not stop or block any roadways.

The town of Fort Myers Beach will be closing off all of the parking areas needed for the parade and street party the night before on October 5th, 2022 to insure no one parks in the spaces needed for the boats to park. The parking for the street party will be coned off. If someone moves a cone and parks, the Town of FMB will ticket them immediately. The Town of FMB will place signs out that say NO PARKING, RESERVED FOR EVENT.

Local traffic access roads are the following roads. Crescent Street. Locals can turn onto 5th Street to access 4th Street only. 3rd Street and 1st Street are also open for local traffic only. Be advised that Fifth Street in front of the Lighthouse will remained closed. All boats parked in the street for the street party will maintain a 20 foot clearance as indicated on the map. The boats will not block any driveways for local traffic or block the access route for emergency vehicles.

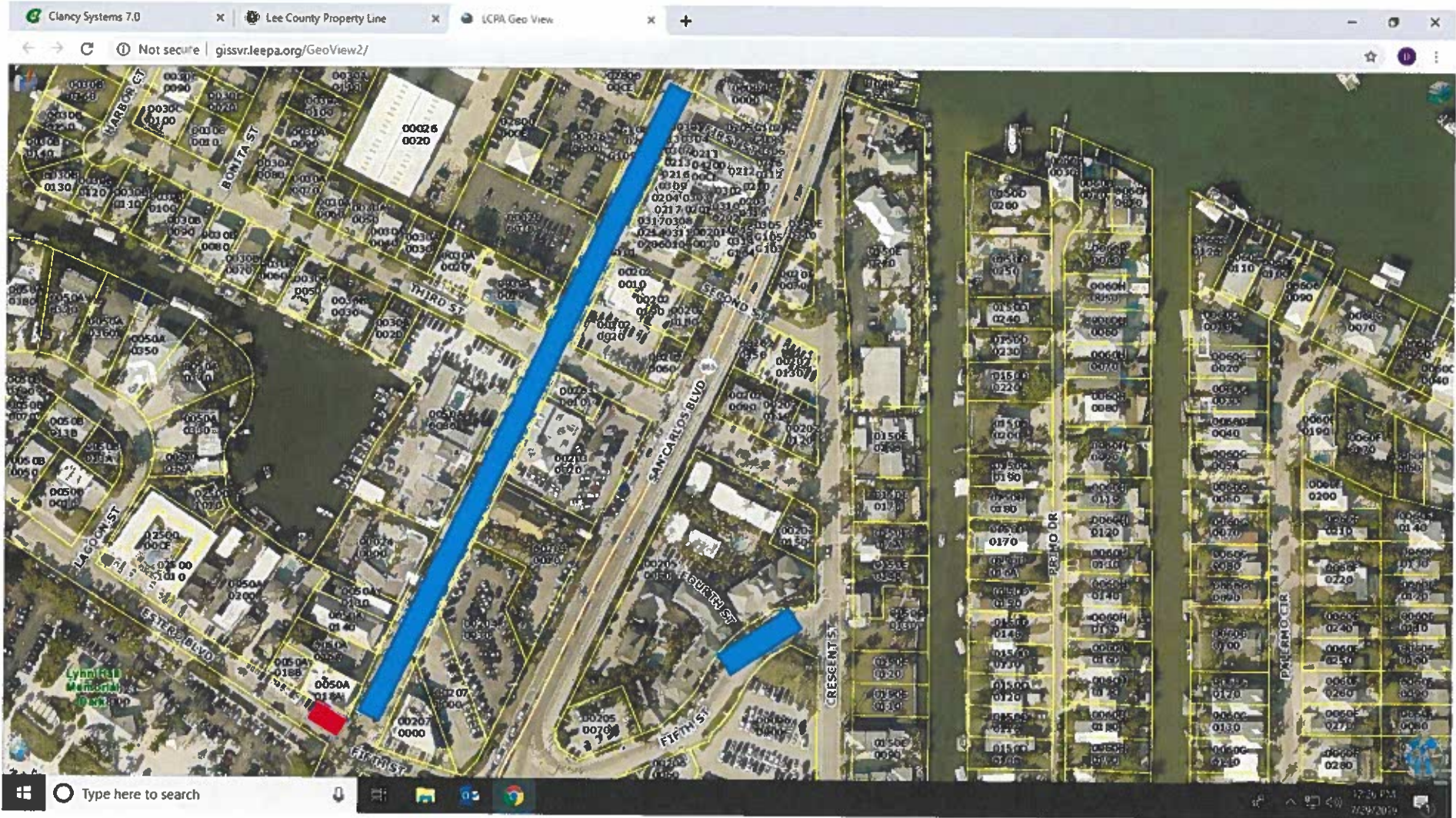


Boat Parade Route On Island



- Hours 9:45 PM- 10PM
- Boats to parade off FMB following flow indicated by yellow arrows
- LCSO will provide traffic control

ROAR OFFSHORE 2022



Old San Carlos
Fifth St

$$\begin{array}{r} 64 \text{ spaces} \\ \underline{7 \text{ spaces}} \\ 71 \text{ spaces} \end{array}$$

October 6th 12 hours 9:00 AM – 9:00 PM

71 X \$5.00 per hour = \$355.00 X 12 hours = \$4,260.00 for ROAR OFFSHORE

Estero Blvd  2 spaces Thursday 6th and Saturday 8th
2 X \$5.00 per hour = \$10.00 X 24 hours = \$240.00 for HI-DEF PRINTING

Michael Shepherd

From: Tom Torgerson <tom@tpihospitality.com>
Sent: Monday, August 29, 2022 11:53 AM
To: Michael Shepherd; David Cesario
Cc: John Dammermann; Robert Kisabeth
Subject: RE: [EXTERNAL]RE: Roar Offshore

Michael~

The Town Manager and I discussed this last week. We do not intend to block Crescent Street other than the west side of it our construction fence will be right up to the back of the street curb. On the other hand, Fifth Street can not be relied upon for usage for the parade as it is often barricaded and just a safety hazard.

~TT

1. **Requested Motion:**

Meeting Date: September 8, 2022

Adopt the Town's Fee Schedule Commencing October 1, 2022 for the Fiscal Year 2022-2023

Why the action is necessary:

Increase revenue to support increases in services and expenses.

What the action accomplishes:

2. **Agenda:**

PUBLIC HEARINGS - BUDGET
ITEMS 5:01 PM TIME CERTAIN

3. **Requirement/Purpose:**

Resolution

4. **Submitter of Information:**

5. **Background:**

As part of the annual budget process, the Town's fees and charges are reviewed to determine if they will generate the revenue needed to support the associated operations or services. Then Town Council considers the adoption of the fee schedule.

The fee schedules were presented to each appropriate advisory committee for their input. BORCAB and CELCAB regarding fees for Bay Oaks, Bay Oaks Pool, Mound House, and Newton Park meet the revenue goal's suggested by staff. The Anchorage Advisory Committee propose all does not fully meet the revenue generation needed. Any reduction in the aggregate of those increases will result in a reduction in services provided or the need to reduce other programs or to make up the initiatives short falls.

The proposed FY2023-2023 Town of Fort Myers Beach fee schedule is attached for adoption.

Attachments:

1. 22-29 FY22-23 Fee Schedule Resolution
2. FY22-23 Fee Schedule

Financial Impact:

6. **Alternative Action**

7. **Management Recommendations:**

8. **Recommended Approval:**

Cheri Russ, Accounting Manager
John R Herin Jr, Town Attorney
Amy Baker, Town Clerk
Roger Hernstadt, Town Manager

Created/Initiated - 8/30/2022
Approved - 9/1/2022
Approved - 9/1/2022
Final Approval - 9/1/2022

RESOLUTION NO. 22-29

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, ADOPTING FEE SCHEDULE FOR FISCAL YEAR 2022-2023 COMMENCING OCTOBER 1, 2022 AND ENDING ON SEPTEMBER 30, 2023; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Article X of the Town Charter of the Town of Fort Myers Beach (“Town”) empowers the Town to adopt, amend, or repeal such ordinances and resolutions as may be required for the proper governing of the Town; and

WHEREAS, the Town Council, on February 19, 2013, adopted Resolution 13-05 which approved a fee schedule for fees charged by the Town for various permits and services, said fees being based on the actual cost of providing services; and

WHEREAS, since the adoption of the fee schedule, the Town has reviewed, revised, and adopted a fee schedule for the various permits and services to be provided by the Town for the ensuing fiscal year; and

WHEREAS, the Town Council believes it is the best interest of the business owners, property owners and visitors to adopt the updated fee schedule attached to this Resolution as Exhibit “A”.

NOW THEREFORE, IT IS HEREBY RESOLVED BY THE TOWN OF FORT MYERS BEACH AS FOLLOWS:

Section 1. The above recitals are true, correct, and incorporated herein by this reference.

Section 2. The Town Council adopts the Town of Fort Myers Beach Fee Schedule attached hereto and incorporated herein as Exhibit “A”.

Section 3. The fee schedule attached as Exhibit “A” shall be implemented starting October 1, 2022.

Section 4. This Resolution shall take effect upon its adoption by the Town Council of the Town of Fort Myers Beach.

The foregoing Resolution was adopted by the Town Council upon a motion by _____ and seconded by _____, and upon being put to a vote, the result was as follows:

Raymond P. Murphy, Mayor	_____
Rexann Hosafros, Vice Mayor	_____
Dan Allers, Council Member	_____
Jim Atterholt, Council Member	_____
Bill Veach, Council Member	_____

ADOPTED this 8th day of September 2022 by the Town Council of the Town of Fort Myers Beach, Florida.

TOWN OF FORT MYERS BEACH

Raymond P. Murphy, Mayor

ATTEST:

Amy Baker, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE
AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:

John R. Herin, Jr., Town Attorney

This Resolution was filed in the Office of the Town Clerk on this _____ day of September 2022.



TOWN WIDE FEE SCHEDULE

	CURRENT FEE	PROPOSED FEE	NOTES
ADMINISTRATIVE ACTIONS			
Administrative COP	1000		
Administrative Setback Variance	750		
ABT Review (Alcoholic Beverages & Tobacco)		50	
Wireless Communication Facility	1500		
Single-Family Minimum Use Determinations (MUD)	350		
Appeal	1000		
Accessory Apartment Determination (AAD)	350		
Base Flood Elevation Determination Letter (FED) BFE	250		
DEP Setback Letter (DEP) (setbacks only - all other inquiries are ZVL or AI)	250		
Zoning Verification Letter (ZVL)	250		
Residential Zoning Requests	\$25 for first 15 minutes of staff time; \$10 for each additional 15 minute increments of staff time		
Historical Review		\$150	
Administrative Interpretation (ADI)	\$250 + \$100 for each additional issue/question		
Joint-use parking lot approvals	300		
Certificate of Use - Commercial	100		
Temporary Use Permit	100		
Home Occupation Certificate	25		
Sign Permit - Up to 2 signs & additional review after 2 charged at applicable review fees	\$100 + building permit fees as applicable + \$25.00 each additional		
Temporary Sign Permit (i.e. business opening signs)	50		
Garage Sale Permit	10		
Administrative Relief	500		
Pre-Application meetings (1st one No Charge)	\$250 + hourly costs for time over 1hr		
All Grant processing fees	500		
PD Administrative Amendment	1500		
Development Agreement-Original Agreement	5000		
Advertising Costs - Additional	at cost + 10%		
Development Agreement-Amendment	2500		
Advertising Costs - Additional	at cost + 10%		
CODE ENFORCEMENT			
Initial Inspection, Re-Inspection, Pre-Magistrate and Compliance per ½ hour	50		
Mail fees	Actual Postage Cost		
Recording Fees	24		
Code Enforcement Citation Fee	Not to exceed \$500		
Code Enforcement Irreparable/Irreversible Citation Fee	Not to exceed \$5000		
Administrative Support 1 Hour	30		
Fire Department Enforcement Fee	TBD		
Lien Search Fee	35		
Simplifile Fee	Actual Cost to file electronically		
DEVELOPMENT ORDERS			
Development Orders		3000	
Development Order Amendment		775	
LIMITED DEVELOPMENT ORDERS			
Type 1a: Cumulative addition or enlargement of an existing impervious area.	500		
Reseal or Restripe	200	350	
Type 2: Any out-of-door recreational facilities, provided the total cumulative additional impervious area does not exceed 8,000 sq. ft.	350		
Type 3: Any one-time subdivision of land into 4 or less lots where zoning district regulations permit such subdivision. / Condo creation	\$350 residential splits/\$500 commercial splits		
Type 4: Any single building accessory improvements thereto on a single non conforming lot as defined in LDC Section 34-3271(b).	500		
Type 5: Any improvements for public water access purposes in town-owned or town-maintained rights-of-way.	350		



TOWN WIDE FEE SCHEDULE

	CURRENT FEE	PROPOSED FEE	NOTES
DEVELOPMENT ORDERS (Continued)			
Type 6: Any development for fenced or screened outdoor storage as defined in Ch. 34.	350		
Type 7: The installation of new utility lines in existing right-of-ways.	1100		
Type 8: Any other improvement to land determined by the director to have insignificant impacts on public facilities.	1100		
LDO Amendment	50		
Resubmittal	100		
MOORING FIELD (plus all applicable taxes)			
Daily Rate	18	25	
Weekly Rate	103	Removing	
Monthly Rate	312	410	
Mooring Field Pump Out Paid Rented Mooring	1 pump free/24 hr		
Mooring Field Pump Out Non Mooring Field Rental per Pump Out	5		
DOCKWA Credit Card Processing Fee 3.5%	3.50%		
Lost FOB	5	25	
Late Fee	5/day		
Merchandise	Price as Marked		
Mooring Field Parking Permit plus any applicable fees	\$25/length of contract	\$30/ length of contract	
PARKING FEES			
Annual Rate - Resident i.e. Estero Island Property Owner	25		
Business Owner - Annual	50		
Parking bags per bag	6		
Parking Spot Per Hour (incl. Special Event)	5		
Parking Decal Lost/Stolen/Replacement	5		
Charging Stations		Level 2 - not to exceed \$2/hr Level 3 - not to exceed .60/min	
	>100/spot 1st Calendar Yr; \$50/spot per Calendar Yr if paid by Nov. 30th		
Right of Way (ROW) per Resolution 18-20			
PARKS AND RECREATION ORDINANCE 97-5			
Parks and Recreation Ordinance 97-5 Violations	Up to \$500		
PUBLIC HEARING			
Rezoning (conventional)	\$5800 + \$250/Ac over 1 Acre		
Special Exception	\$3800/\$3300 for amendment		
Variance (residential)	1800		
Additional Variance	500		
Variance (non-residential)	2800		
Additional Variance	700		
Application for land development code text amendment*	2800		
Per Added section	if actual charge		
Comprehensive Plan FLUM amendment*	5800		
Per Added acre	if actual charge		
Per Additional acre	1000		
Comprehensive Plan text amendment*	5800		
Per Added policy	if actual charge		
COMPREHENSIVE PLAN SMALL SCALE AMENDMENT			
Placement of Fill	1000		
With drainage plan	700		
Adjacent property owner notifications >50	Cost + 10%		
Administrative / Advertising Fee	Cost + 10%		
Vacations (ROW and/or Plat)	1000		
PD Amendment Minor (<1 acre total property area, Public Hearing)	2000		
MCP Extension / Application (w/o rezoning)	3000		
PD Reinstatement	4000		
*Outside consultant fees associated with any application will be passed through to the applicant at 103% of rate billed to the Town by consultant			
Hearings and Appeals going to Council	1000		
PD Base Fee (up to one acre)	\$8000 + \$1000/additional acre		
PD Amendment	6500		
Deviations (residential)	1-5: \$1800/6+: additional \$150/ea		

TOWN WIDE FEE SCHEDULE

	CURRENT FEE	PROPOSED FEE	NOTES
PUBLIC HEARING (Continued)			
Deviations (non-residential)	Outside consultant fees associated <u>and required for any application</u> will be passed through to the applicant at a rate determined by the Town Manager and billed to the Town by consultant		
Continuance (case scheduled and advertised)	\$00		
Deferrals	\$250 after advert /NC before		
Withdrawal	\$250 after advert./NC before		
Appeal to LPA	150		
PUBLIC WORKS			
Labor/Maintenance Cost (Grass cutting, lawn maintenance, special event tasks, etc.)	Actual Cost + \$35/ea		
Inspections/Review/Re-Inspection(s)	50		
Memorial Benches	\$565 (includes intallation) / must pay inscription cost @ \$4/letter	\$575 (includes intallation) / must pay inscription cost @ \$4/letter	
REGISTRATIONS AND YEARLY RENEWALS			
Displays, Rentals and Permits	150		
Contractor Registration / yearly renewal	25		
Driveway re-inspection	25		
REVIEW FEES			
Zoning Review	100		
Floodplain Review	\$100; \$50 ea submittal after 2nd or \$25 tradees, valuation & scope review		
LOMR/LOMA Review	500		
Environmental Review	100		
Re-inspection Fee	50		
FMB Review Fee	25		
Public Works Review Fee	\$70 + cost of subconsultant services		
FMB Review -Resubmittal	\$50 ea submittal after the 2nd resubmittal		
Parking Lot Permit	Per Code		
Parking Lot Yearly Inspection Fee	50		
RIGHT OF WAY PERMIT			
Right of Way Permit	50		
Business Extension/Sidewalk Café Policy per Resolution 18-46	12.50/Sq Ft		
Daily Rental of Bay Side Park (non business extension)	150	350/hr	
Times Square Event Rentals	To Be Approved By Council Per Event		
SPECIAL EVENTS			
Regular Special Event Permit	50		
Late Fees < 30 days Regular / <45 days Council for a COMPLETED app	50		
Special Event Permits going before Town Council	100		
Recurring	\$100 1st Day + \$1/ea additional day	100/day	
Events With More Than 10 Days	Additional 10% per day		
Beach Access Wedding Permit		350/hr	
STORMWATER REVIEW FEES			
Stormwater Ordinance 15-08	Per Ordinance		
Administrative Fee	Per Ordinance		
Stormwater Review, Inspection and Re-Inspection	50		
NPDES Annual Inspection	100		



TOWN WIDE FEE SCHEDULE

	CURRENT FEE	PROPOSED FEE	NOTES
STREET PERFORMERS			
Street Performers Permit Application	75		
Street Performers Background Check	75		
Street Performers Received after September 30th-Permit Application	150		
Street Performers Received after September 30th-Background Check	150		
TOWN CLERK			
Miscellaneous Duplications (8.5x11, 8.4x14, 11x17) -single side	0.15/pg		
Miscellaneous Duplications (8.5x11, 8.4x14, 11x17) -dbl side	0.20/pg		
Certification of document & duplication audio	1.00/DVD		No advisory committee meetings
Extensive services beyond 30 minutes	Hourly Rate		
Code of Ordinances/Land Development Code	Online		May be purchased from Municode directly
Comprehensive Plan	Cost + 5% as limited by statute		
TOWN HALL RENTAL			
Town Hall Meeting Room Rental - No Audio/Visual	\$30/hr per staff/security		
Town Hall Meeting Room Rental - Audio/Visual per hour	150		
Town Hall Meeting Room Rental - Public Works Set Up/Clean Up Fee per day	150		
WATER			
Per Rate Study	Resolution 17-33 Adopted 10-16-17		
Meters Purchase & Meters Testing	Actual Cost + 10% Administrative Fee		
Credit Card Processing Fee		3.50%	
Utility Review Fee	\$115 + Cost of Subconsultant Services		
OTHER			
Personal Watercraft Vendor License (PWVL) - Administration, License, Enforcement	170	1200	
Parasailing Vendor License (PLV) - Administration, License, Enforcement	170	1200	
PWVL/PAL License Late Fee (After October 1)	25		
Violation of PWVL/PAL License: 1st Violation	150		
Violation of PWVL/PAL License: 2nd and 3rd Violation	300		
Beach Raking Permit	\$25/Property		
Vehicle on the Beach Permit	\$100/Vehicle		
Beach Furniture Vendor License 1st Year	250	1200	
Beach Furniture Vendor License Renewal	100	1200	
Beach Furniture Vendor License Late Fee (After October 1)	25		
Short Term Rental Application Fee	300		



TOWN WIDE FEE SCHEDULE

	WITHIN 3 DAYS	4-10 DAYS	AFTER 10 DAYS	NOTES
PARKING FINES				
Meter Violation	35	50	70	
Prohibited Violations	50	60	75	
Handicap	200	225	250	
Immobilization Fee (officer \$20.00, Kubota \$15.00, boot \$10.00)	45			
Littering	50	250	500	
Towing Right to Provide Services permit	30			
Passport Fees	Actual cost paid by Customer			



**PARKS & RECREATION DEPARTMENT FEE SCHEDULES
BAY OAKS RECREATION CENTER**

	CURRENT FEE		PROPOSED FEE		NOTES
BAY OAKS RECREATION CAMPUS MEMBERSHIPS	Resident	Non-Resident	Resident	Non-Resident	ESTIMATED REVENUE
Annual Membership - Individual	0	45	60	120	\$22,200 + \$70,680 = \$92,880
6 Month Membership - Individual	0	30	40	75	\$40 + \$3,300 = \$3,340
Annual Membership - Family	0	85	120	240	\$10,440 + \$37,440 = \$47,880
6 Month Membership - Family	0	55	80	150	\$160 + \$4,200 = \$4,360
Adult Day Pass - Non-Resident (13+ Years)	0	5	7	10	\$4,200
Child Day Pass - Non-Resident (12 & under)	0	3	4	7	\$7,000
Town of Fort Myers Beach Employee Membership (Full Time staff)	0	50% Posted Cost	Same as Resident Fee	Same as Resident Fee	
Seasonal Membership - Individual	0	30	Removing	Removing	
Weekly Membership - Individual	0	15	Removing	Removing	
Weekly Membership - Family	0	30	Removing	Removing	
Monthly Membership - Individual	0	20	Removing	Removing	
Monthly Membership - Family	0	40	Removing	Removing	
Individual - Annual - Gym Use Only	0	100	Removing	Removing	
Individual - 6 months - Gym Use Only			Removing	Removing	
Individual - Annual - Weight/Cardio Room Only			Removing	Removing	
Individual - 6 months - Gym Use Only			Removing	Removing	
Day Pass (includes Gym/Weight/Cardio Room)			Removing	Removing	
Seasonal Membership - Family	0	55	Removing	Removing	
Corporate Membership - Non-Refundable Annual Administrative Fee	0	\$50/Plan	Removing	Removing	
Corporate Annual Membership Plan 1 (1-10 Participants)	0	\$32/Participant	Removing	Removing	
Corporate Annual Membership Plan 2 (11-50 Participants)	0	\$28/Participant	Removing	Removing	
Corporate Annual Membership Plan 3 (50+ Participants)	0	\$21/Participant	Removing	Removing	
BAY OAKS RECREATION CAMPUS FACILITY RENTAL					
			Non-Profit/Members	For Profit/Non Members	
Grounds (Dawn-2pm or 2pm-Dusk) (Grounds defined as passive areas not identified elsewhere within the Fee Schedule)	0	500	350/hr or 500/day	450/hr or 600/day	Building and Grounds 750/hr or 950/day
<i>**Building rental may not conflict with After School or Camp Programs</i>					
EXCLUSIVE USE OF THE RECREATION CENTER - CLOSED TO THE PUBLIC WITHIN NORMAL OPERATING HOURS	0				
Building - Per Hour Cost - 2 Hour Minimum - Free Parking	0	200	250/hr	350/hr	
Banner fee (Annually - Banner can not be larger than 8' x 3')	0	160	160	160	
Rod Vayo Field or Wade Jenkins Field - 2 hour minimum	0	50	75/hr	125/hr	
Ballfield Lights Cost Per Hour	0	35	50/hr	75/hr	
Concession Stand Per Hour/Per Room (Contingent With Additional Rental)	0	100	100/hr	200/hr	
Meeting Room - 2 hour rental min - Free Parking	0	10	50/hr	100/hr	
Bay Oaks & Pool Store Items and Beverages & Snacks	0	Priced as Marked			
Building - Per 8 Hour Increment During Normal Business Operations	0	750	Removing	Removing	
Gym - 1/2 floor - Per Hour during Normal Business Hours	0	120	Removing	Removing	
Gym - full floor - (Within normally operating hours) - Per Hour Cost 2 hour Minimum	0	150	Removing	Removing	
Reserved Picnic Table 2 per Hour	0	10	Removing	Removing	
Kitchen (Contingent with additional rental)	0	\$100 - Any food permit required is renter's responsibility	Removing	Removing	
Weight Room - Per Hour Cost - Exclusive Use (must pay for Equipment Inspection \$140.00)	0	\$100/Hr	Removing	Removing	
Tennis Court - 2 hour Minimum per court	0	30	Removing	Removing	
Outdoor Basketball Court - 2 hour Minimum per court	0	30	Removing	Removing	
Rod Vayo Field - per day	0	250	Removing	Removing	
Rod Vayo Field or Wade Jenkins Field - lined/screen	0	25	Removing	Removing	
Wade Jenkins Field - per day	0	150	Removing	Removing	
Batting Cage Per 2 Hour Rental	0	30	Removing	Removing	
Concession Stand Office	0	Not for Rent			
Bay Oaks Facility Storage Areas Per Month, Per Room (Contingent with Additional Rental)	0	100	Removing	Removing	
Disc Golf - per day	0	100	Removing	Removing	
Stage - Bay Oaks Per Room, Contingent with Additional Rental Cannot be Rented Independently	0	150	Removing	Removing	
Chairs - Inside use only - all chairs (100) - per day Plus \$25.00 Non refundable Deposit	0	50	Removing	Removing	
Tables - Inside use only - per day plus \$25.00 Non Refundable Deposit	0	2	Removing	Removing	
Bay Oaks equipment, i.e. popcorn machine, screens, tents etc./Teen Room	0	Not for Rent	Removing	Removing	



**PARKS & RECREATION DEPARTMENT FEE SCHEDULES
BAY OAKS RECREATION CENTER**

	CURRENT FEE		PROPOSED FEE		NOTES
BAY OAKS RECREATION CAMPUS PROGRAMS	Members/Residents	Non-Members	Members/Residents	Non-Members	
Sport Camps (3- 10 days) Football, Basketball, Baseball & Contractual - Member	8	10	No Charge	10	
Youth Sports - Soccer/Little League	No Charge	No Charge	No Charge		
Youth - Club Rec - during school year - per semester	100	135	125	175	\$5,500 + \$4,550 = \$10,050
Youth - Summer Camp - Per Week	75	100	100	150	\$21,000 + \$24,000 = \$45,000
Youth - Fun Days - Per Day	15	20	20	30	
Late Pickup from Programs (after 6:01 pm)	\$5 initial and 15 minute increments (accumulative) per household	\$5 initial and per 15 minute increments (accumulative) per household	20/15 min past 6pm (accumulative) per household	20/15 min past 6pm (accumulative) per household	
Teens/Tweens - Trips & Outings	100% cost recovery	100% cost recovery + \$4	100% cost recovery	100% cost recovery + \$4	
Adult Sports Teams, Leagues and Tournaments	100% cost recovery	100% cost recovery + \$4	100% of cost recovery	100% of cost recovery + \$4	
Pickle ball or Volleyball (day pass/membership required)	3	\$3/session or \$5/day pass	5/person per session Removing - Included in below	10/person per session Removing - Included in below	\$17,493
Seniors - Potluck Dinner	free	free			
Seniors - Trips, Outings, Events , Theater, Biking, Lunches, Kayaking, Potlucks	100% cost recovery	100% cost recovery + \$4	100% cost recovery	100% cost recovery + \$8	
Seniors - Kayaking	0	35	Included in Above	Included in Above	
Seniors - Biking	0	20	Included in Above	Included in Above	
Seniors Out To Lunch Bunch	0	5	Included in Above	Included in Above	
Athletic Contractual Programs - Fees vary-set by instructor and staff	70/30 split	70/30 split			
BORC Special Events and Fundraisers	0	100% cost of recovery	50% cost recovery	n/a	



PARKS & RECREATION DEPARTMENT FEE SCHEDULES
BAY OAKS POOL

POOL DAILY FEES	CURRENT RATE		PROPOSED FEE		NOTES
	Resident	Non-Resident	Resident	Non-Resident	
No child under 13 years of age admitted without an adult					Combo membership - save 20% of cost combined Pool and Rec Center
Day Pass (13 and up) (children 2 and under are free)	4	7	7	10	
Child (24 months - 12 years old)	2	5	4	7	\$40,160
Infant (<12 months)	Free	Free	Removing	Removing	
Senior	No Senior Rate	No Senior Rate	Removing	Removing	
POOL MEMBERSHIPS					
Annual - Individual (classes not included)	\$0	75	120	225	\$720 + \$8,025 = \$8,745
6 Month - Individual	n/a	n/a	75	150	
Annual - Family	125	150	250	450	\$7,500 + \$ 337,350 = \$44,850
6 Month - Family	n/a	n/a	150	300	\$300
Monthly - Individual	40	55	Removing	Removing	
Monthly - Family	75	85	Removing	Removing	
Weekly - Individual	15	20	Removing	Removing	
Weekly - Family	25	40	Removing	Removing	
Corporate Membership Non-Refundable Annual Administrative Fee	\$50/ Corporate Plan		Removing	Removing	
Corporate Annual Membership Plan 1 (1-10 participants)	\$32/Participant		Removing	Removing	
Corporate Annual Membership Plan 2 (11-50 participants)	\$28/Participant		Removing	Removing	
Corporate Annual Membership Plan 3 (50+ participants)	\$21/Participant		Removing	Removing	
POOL CLASSES					
Aqua Aerobics & Aqua Yoga Class			4	6	\$5,205
Open lap swimming Monday, Wednesdays, Fridays 9am-10am and Sundays 10am-12pm	\$3/day	\$4/day	3	5	\$6,420
Pool Contractual Programs - Fees vary-set by Instructor and staff	70/30 Split	70/30 Split			\$3,200
Pool Swimming Lessons	100% cost of recovery	100% cost of recovery	\$20/session	\$30/session	
Community CPR/AED/First Aid; CPR/Lifeguarding/AED for Professional Rescuer/Water & Land Spinal; Professional Rescuer CPR/AED & First Aid	\$65-\$120 Initial \$5 and per 15 minute increment (accumulative) per household	\$65-\$120 Initial \$5 and per 15 minute increment (accumulative) per household	\$75-\$175 \$10/15 min increment (accumulative) per household past 6pm	\$75-\$120 \$10/15 min increment (accumulative) per household past 6pm	
Late Pickup from Programs					
POOL RENTAL					
	Member/Non-Profit	Non-Member	Member/Non-Profit	Non-Resident	
Party Packages			TBD	TBD	
Funbrella Rental - 2 hours - with table and 8 chairs	20	40	Removing - Included in party packages above	Removing - Included in party packages above	
Pool Facility - 2 hours - up to 200 people no obstacle course Non-Profit	250		Removing - Included in party packages above	Removing - Included in party packages above	
Pool Facility - 2 hours - up to 200 people includes obstacle course For-Profit	350	700	Removing - Included in party packages above	Removing - Included in party packages above	
Ultimate Birthday Bash Includes obstacle course	\$100 + \$5 per adult & \$3 per child		Removing - Included in party packages above	Removing - Included in party packages above	
Birthday Bash	\$45 + \$5 per adult & \$3 per child		Removing - Included in party packages above	Removing - Included in party packages above	
Pool Party Fun	\$20 + general admission - 4 hour rental		Removing - Included in party packages above	Removing - Included in party packages above	

MOUND HOUSE

	STUDENT - 13+ & ADULTS W/COLLEGE					CHILDREN 5-12		CHILDREN 5 & UNDER		NOTES
	MH MEMBER	ADULT NON-MEMBER	ID							
MUSEUM ADMISSION										
General Admission	Free	10	8	5	Free					
Proposed: General Admission	Free	15	8	5	Free					
General Admission FMB Resident	Free	5	4	2.50	Free					
Proposed: General Admission FMB Resident	Free	7.5	4	2.50	Free					
Free admission for retired or active military and their families on Veteran's Day	Free	Free	Free	Free	Free					
Free admission for Teachers, Mound House Members	Free	Free	Free	Free	Free					
Guided Museum Tours, Group Tours	Free	\$5 + Museum Admission	\$5 + Museum Admission	\$5 + Museum Admission	Free					
Proposed: Guided Museum Tours, Group Tours	Free	20	13	10	Free					
Proposed: Educational Programs	Free	20	13	10	Free					
Summertime Family Rates (June - August)	TBD	TBD	TBD	TBD	Free					
GROUP RATES										
Proposed: Student Tours (FGCU)	N/A	8	N/A	N/A	N/A					
Group Tours Non Refundable Deposit if cancelled within 3 business days of the tour	Removing	Removing	Removing	Removing	Removing					
STUDENT TOURS										
Students for each activity	\$2/Child + material fee if applicable	\$2/Child + material fee if applicable	\$2/Child + material fee if applicable	\$2/Child + material fee if applicable	Free					
For every 10 children 1 free adult admission	N/A	N/A	5/child + material fee if applicable	5/Child + material fee if applicable	Free					
Proposed: Students for each activity	N/A	N/A	N/A	N/A	Free					
For every 10 children 1 free adult admission	Free	4	N/A	N/A	N/A					
Extra Adults with Student groups	Free	5	N/A	N/A	N/A					
Proposed: Extra Adults with Student groups	Free	2	2	2	Free					
Program Fee for additional activities	Actual Cost	Actual Cost	Actual Cost	Actual Cost	Actual Cost					
MATERIAL FEES										
KAYAK TOURS										
Kayak Tours Non Refundable Deposit if cancelled within 2 business days of the event Per Person	10	20	20	20	N/A					
Proposed: Kayak Tours Non Refundable Deposit if cancelled within 2 business days of the event Per Person	10	15	15	15	N/A					
Proposed: Mangroves by Kayak Tour includes museum admission and free parking	20	50	50	50	N/A					
Family Fun Kayak Tours	10	25	15	15	N/A					
Proposed: Family Fun Kayak Tours includes free admission and free parking	15	30	30	30	30					
Sunset Kayak Tour	25	50	50	50	N/A					
SPECIALTY TOURS/EVENTS										
Specialty Tours - As Determined	Free	\$5 + Museum Admission	\$5 + Museum Admission	\$5 + Museum Admission	N/A					
Boat Tours Mound Key	20	25	25	25	N/A					
Proposed: Boat Tours Mound Key	Removing	Removing	Removing	Removing	Removing					
Boat Tours - Pure Florida Boat Tours	15	20	20	20	20					
Multi Day Program (Joyful Living Retreat)	150-200	150-200	150-200	150-200	150-200					

MOUND HOUSE

MOUND HOUSE FACILITY RENTAL		MH MEMBER/FMB RESIDENTS	NON-MEMBERS	NON-PROFIT/EDUC ORGANIZATIONS	NOTES
Wedding Ceremony Only (after hours not to exceed 200 people)		\$200 Base Rate	\$250 Base Rate	N/A	
Proposed: Wedding Ceremony Only (grounds not to exceed 150 people; free parking)		\$350/hr	\$400/hr	N/A	
Ceremony with Reception (after normal business hours) not to exceed 200 people Event up to 4 hours		\$800 Base Rate	\$1000 Base Rate	N/A	
Proposed: Ceremony with Reception (after normal business hours) not to exceed 200 people Event up to 4 hours		Removing	Removing	N/A	
Orientation Room-Main Museum		\$45 for 1st Hr/\$20 additional Hr	\$55 for 1st Hr/\$30 additional Hr	\$50 for 1st Hr/\$20 additional Hr	
Proposed: Orientation Room-Main Museum		\$65 for 1st Hr/\$45 additional Hr	\$75 for 1st Hr/\$50 additional Hr	\$70 for 1st Hr/\$45 additional Hr	
After Hours Rental (after 5:30 pm or anytime Sunday per hour)		100	100	100	
Proposed: After Hours Rental (after 5:30 pm or anytime Sunday per hour)		100	150	125	
Grounds (Observation Pier, Special Event Area, Back Patio/ Porch area)		\$150 Base Rate	\$200 Base Rate	\$150 Base Rate	
Proposed: Grounds (Observation Pier, Special Event Area, Back Patio/ Porch area) - Not to exceed 150 people; free parking		350 Base Rate/hour	400 Base Rate/hour	375 Base Rate/hour	
Individual		35			
Dual		50			
Proposed: Dual plus NARIM		100			
Family		50			
Extended Family		100			
Contributor		200			
Patron		500			
Benefactor		1000			
Corporate		2500			
Museum Store Items		Priced as Marked			
Gift Certificates		Priced as Marked			
Mound House Staff Speakers Fee		100			
Friends of the Mound House Membership		\$10 extra per MH Membership			

NEWTON BEACH PARK RENTALS (parking not included unless otherwise noted)		TOWN OF FVB RESIDENT	FOR PROFIT or INDIVIDUAL	NON-PROFIT or EDUC ORGANIZATION
Seven Seas Historic Cottage (parking not included)		\$40 for 1st Hr/\$20 additional Hr	\$55 for 1st Hr/\$35 additional Hr	\$45 for 1st Hr/\$20 additional Hr
Proposed: Seven Seas Historic Cottage (parking not included) Extra staff site visits/ planning sessions Per Visit Proposed: Extra staff site visits/ planning sessions Per Visit Outside patio/Lania only Per Hour Proposed: Outside patio/Lania only Per Hour Lania only - Additional per hour Proposed: Lania only - Additional per hour		\$200/Hr 20 40 20 Removing 10 Removing	\$250/hr for 1st 2 Hrs then \$75 additional Hr 20 60 30 Removing 20 Removing	\$200/hr for 1st 2 Hrs then \$65 additional Hr 20 50 25 Removing 15 Removing
Large 5 table - Chickee Hut only - up to 2 hours Parking Not Included Proposed: Large 5 table - Chickee Hut only - up to 2 hours Parking Not Included 2 table - Chickee Hut - up to 2 hours Parking Not Included Proposed: 2 table - Chickee Hut - up to 2 hours Parking Not Included 3 Small round shade structures gulf side - up to 2 hours Parking Not Included Proposed: 3 Small round shade structures gulf side - up to 2 hours Parking Not Included Newton Park - exclusive use of entire facility, including 10 parking spaces - up to 8 hours/restrooms are open to public Proposed: Newton Park - Cottage and Outside Tiki Huts; restrooms are open to the public		20 15/hr 10 10/hr 10 Removing 1000 800	25 25/hr 20 15/hr 20 Removing 1200 1200	25 20/hr 15 10/hr 15 Removing 100 900
Newton Park - exclusive use of entire facility, including 10 parking spaces - half day option- no to exceed 4 hours/restrooms are open to public Proposed: Newton Park - exclusive use of entire facility, including 10 parking spaces- half day option- no to exceed 4 hours/restrooms are open to public After Sunset Fee (applies if rental extends past 8 PM not to exceed past 10pm) - no exterior rentals or lighting allowed during turtle nesting season. May through October		Removing \$150/Hr \$40/Hr; \$30/additional Hr or as stated in contract TBD	Removing \$150/Hr N/A	Removing \$150/Hr N/A
Short Term Instructors Proposed: Short Term Instructors EDUCATIONAL PROGRAMS Beachwalks Proposed: Concessionaire General Educational Programming		Free 70/30 \$5-\$15 TBD	N/A	N/A



BUILDING PERMIT FEE SCHEDULE

REF #	PERMIT	CURRENT FEE	PROPOSED FEE	NOTES
	FIRE REVIEW OR FIRE INSPECTION FEE NOT INCLUDED AND WILL BE CHARGED SEPERATELY BY THE FIRE DEPARTMENT *** IMPACT FEES NOT INCLUDED *** *** SOLID WASTE AND DCA/DBPR FEES NOT INCLUDED*** 1/3 OF THE BUILDING PERMIT FEE WILL BE REFUNDED IF THE PERMIT IS NOT ISSUED WITHIN 3 WEEKS OF RECEIPT OF COMPLETED APPLICATION AND ALL ADDITIONAL INFORMATION REQUESTED BY REVIEWERS.			
	<i>COM – Commercial New Construction, Additions, Alterations, Modular,</i> 1 Foundation Includes: Application Processing Fee Commercial Building Plan Review & Inspection Commercial Environmental Review Commercial Flood Review Commercial Stormwater Review Commercial Zoning Review Plumbing Review, Sub-Contractor Permit, & Plumbing Inspection Electrical Review, Sub-Contractor Permit, & Electrical Inspection(s) Mechanical Review, Sub-Contractor Permit, & Mechanical Inspection	.65 per sq. ft. + 35% of building permit for application and all review fees. EX. 5,000 sq. ft. project = \$4,387.50	.70 per sq. ft. + 35% of building permit for application and all review fees. EX. 5,000 sq. ft. project = \$4,725.00	
	2 COM – Concrete Restoration Includes: Application Processing Fee Commercial Plan Review Threshold Engineer Report Review Inspection	450	525	
	3 COM - Roof/ReRoof/Roofover Includes: Application Processing Fee Building Review Flood Review Inspection	425	500	
	4 CONDO - Condo Residential Unit Remodel/Interior Flat Fee Includes: Application Processing Fee Building Review and Inspection Flood Review Electrical Review and Electrical Inspection Mechanical Review and Mechanical Inspection Plumbing Review and Plumbing Inspection	Flat Fee of \$775 for All Condo Remodel Projects	\$930 for All Condo Remodel Projects	
	5 CONDO - Carport/Garage Flat Fee Includes: Application Processing Fee Building Review and Inspection Stormwater Review Zoning Review Electrical Review and Inspection	600	700	
	6 DEMO - Commercial and Residential Includes: Application Processing Fee Building Plan Review Environmental Review Inspection	400	475	



BUILDING PERMIT FEE SCHEDULE

REF #	PERMIT	CURRENT FEE	PROPOSED FEE	NOTES
7	DRV - All Driveways Includes: Application Processing Fee Environmental Review Flood Review Stormwater Review Zoning Review Inspection	525	625	
8	DSH - Dock, Walkway, Pier Platform, Boat Lift, Holst, Davit Repair, Rip Rap, Seawall, Dredging, Piling, Boat Ramp Includes: Application Processing Fee Environmental Review Zoning Review Inspection	325	400	
9	DSH - Boathouse and Dock Permit (New Dock/New Boathouse) Includes: Building Review and Inspection Electrical Review and Inspection	600	Flat Fee \$720 (\$330 for boathouse with \$390 dock fee)	
10	DSH - Boathouse, New or Repair (New Boathouse, Existing Dock) Includes: Application Processing Fee Building Review and Inspection Environmental Review Zoning Review Electrical Review and Inspection	400	475	
11	FEN - Fence (All Fences, Pool Barriers, Retaining/Garden Wall) Includes: Application Processing Fee Building Plan Review and Inspection Environmental Review Flood Review	400	475	
12	POL - Pools (Above Ground, Below Ground, Spas) Includes: Application Processing Fee Building Review and Inspection Environmental Review Flood Review Stormwater Review Zoning Review	700	850	
13	RES - Interior Remodel (up to 50% of Structure Value) Includes: Application Processing Fee Building Review and Inspection Flood Review Electrical Review and Inspection Mechanical Review and Inspection Plumbing Review and Inspection	675	800	
14	RES - New One & Two Family Dwelling Construction, Remodel, Addition, Carport, Stand Alone Garage *** IMPACT FEES NOT INCLUDED *** Includes: Application Processing Fee Building Plan Review and Inspection Environmental Review Flood Review Stormwater Review Zoning Review Electrical Review and Electrical Inspection Mechanical Review and Mechanical Inspection Plumbing Review and Plumbing Inspection Roof Sewer Connection	Up to 1500 sqft = \$1550 1501-2500 sqft = \$2150 2501-3500 sqft = \$2750 3501-4500 sqft = \$3350 4501-5500 sqft = \$3950 5501-6500 sqft = \$4550 6501+ sqft = Commercial Calculation	Up to 1500 sqft = \$1860 1501-2500 sqft = \$2580 2501-3500 sqft = \$3300 3501-4500 sqft = \$4020 4501-5500 sqft = \$4740 5501-6500 sqft = \$5460 6501+ sqft = Commercial Calculation	



BUILDING PERMIT FEE SCHEDULE

REF #	PERMIT	CURRENT FEE	PROPOSED FEE	NOTES
15	RES - Roof, Reroof, Roofover, Insulated Pan Roof Application Processing Fee Flood Review Inspection	250	300	
16	STRUC - Commercial or Residential Sheds, Decks, Screen Enclosure/Pool Enclosure, Dumpster Enclosure, Radio/TV Antenna, Freestanding Signs, Mobile Home/RV Setup Includes: Application Processing Fee Building Review and Inspection Environmental Review Flood Review Stormwater Review Zoning Review	525	625	
17	STRUC - Structure Move Includes: Application Processing Fee Building Review and Inspection Environmental Review Flood Review Stormwater Review Zoning Review Electrical Review and Inspection Mechanical Review and Inspection Plumbing Review and Inspection	750	900	
18	TRADES - Over the Counter Electrical, Mechanical, Plumbing, Solar, Other Misc. (Flatwork, Interior Piping, Dumpster, Gas, Pavers, Fence Repair) Building Permits Not Stated. Includes: Application Processing Fee Any Necessary Reviews	175	200	
19	WIN - Windows (Commercial, Condos, Residential) up to 5 Windows, Including Sliding Glass Doors Includes: Application Processing Fee Building Review and Inspection Flood Review	325	400	
20	WIN - Windows (Commercial, Condos, Residential) over 5 Windows, including Sliding Glass Doors Includes: Application Processing Fee Building Review and Inspection Flood Review	# Windows x \$25/ea Ex 10 Windows = \$200	# Windows * \$30 + \$50 Ex 10 Windows = \$350	
MISCELLANEOUS FEES				
21	MISC - 1st Work Without Permit	3x Building Permit Fee		
22	MISC - 2nd Work Without Permit	5x Building Permit Fee		
23	MISC - Change of Contractor	50	60	
24	MISC - Building Code Administrators and Inspectors Surcharge (Pursuant to Florida Statute)	1.5% of Building Permit Fee or \$2 Minimum	Determined by Statute	
25	MISC - Department of Business and Professional Regulation Surcharge (Pursuant to Florida Statute)	1% of Permit Fee or \$2 Minimum	Determined by Statute	
26	MISC - Inspection/Partial Pass (additional inspection requested by contractor)	50	60	
27	MISC - Inspection/Re-inspection After Failed Inspection	50	60	
28	MISC - Inspection/Lock-Out (Inspector did not have access to construction site and has to reschedule inspection)	50	60	
29	MISC - Permit Extension 1st 3 Months	100	120	
30	MISC - Permit Extension 2nd 3 Months	150	180	
31	MISC - Plan Revision (after issuance of permit)	50	60	
32	MISC - Recording Services	Actual Cost		
33	MISC - Reissuance of Expired Permit: Commercial (not including Code Enforcement fees)	500	600	



BUILDING PERMIT FEE SCHEDULE

PERMIT	CURRENT FEE	PROPOSED FEE	NOTES
MISCELLANEOUS FEES (Continued)			
MISC - Reissuance of Expired Permit: Residential (not including Code Enforcement Fees)	250	300	
MISC - Reissuance of Expired Permit: Trade (not Including Code Enforcement Fee)	100	120	
MISC - Resubmittal Fee after 1st resubmittal (if our reviewers request more information and the information provided by the permit holder does not fulfill request)	\$50/Resubmittal	\$60/Resubmittal	
37 MISC - Generator Installation Permit	450	540	
38 MISC - Temporary CO	175	210	

1. Requested Motion:

Meeting Date: September 8, 2022

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, ADOPTING THE PROPOSED AD VALOREM MILLAGE RATE FOR THE TOWN OF FORT MYERS BEACH, FLORIDA FOR FISCAL YEAR 2022-2023 COMMENCING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023 FOR THE PURPOSE OF PROVIDING SUFFICIENT FUNDS FOR THE GENERAL FUND; SETTING THE SECOND AND FINAL BUDGET ADOPTION PUBLIC HEARING FOR THURSDAY SEPTEMBER 22nd, 2022 AT 5:01 P.M.; AND PROVIDING AN EFFECTIVE DATE.

Why the action is necessary:

Florida Statute and the Town Charter establish the procedure for setting both the Town millage rate and Town budget for the operating year.

What the action accomplishes:

Complies with Florida state law and provides a basis for adoption of a final millage rate by Town Council.

2. Agenda:

PUBLIC HEARINGS - BUDGET
ITEMS 5:01 PM TIME CERTAIN

3. Requirement/Purpose:

4. Submitter of Information:

5. Background:

A Proposed Millage Rate must be adopted by the Town Council prior to August 1st each year, and submitted to the County Property Appraiser prior to August 4th. Fiscal Year 2022-2023 Ad Valorem is being tentatively proposed at .9900 mills. Once the millage rate has been set it cannot be increased, only reduced.

Florida Statute 12D-17.003 *Truth in Millage ("TRIM")* compliance as well as the Town Charter establishes the procedures for setting the Town's millage rate and adoption.

Attachments:

1. 22-30 Proposed 2022-2023 Millage
2. DR-420 2022

Financial Impact:

6. Alternative Action

7. Management Recommendations:

8. Recommended Approval:

Cheri Russ, Accounting Manager
Cheri Russ, Accounting Manager
John R Herin Jr, Town Attorney
Amy Baker, Town Clerk
Roger Hernstadt, Town Manager

Created/Initiated - 8/30/2022
Approved - 8/30/2022
Approved - 9/1/2022
Approved - 9/1/2022
Final Approval - 9/1/2022

RESOLUTION NUMBER 21-30

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, ADOPTING THE PROPOSED AD VALOREM MILLAGE RATE FOR THE TOWN OF FORT MYERS BEACH, FLORIDA FOR FISCAL YEAR 2022-2023 COMMENCING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2022 FOR THE PURPOSE OF PROVIDING SUFFICIENT FUNDS FOR THE GENERAL FUND; SETTING THE SECOND AND FINAL PUBLIC HEARING FOR THURSDAY SEPTEMBER 22, 2022 AT 5:01 P.M. TO ADOPT THE FINAL OPERATING AD VALOREM MILLAGE RATE FOR FISCAL YEAR 2022-2023; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Florida Statutes provide that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal service, and exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, Article X of the Town Charter of the Town of Fort Myers Beach (“Town”) empowers the Town to adopt, amend, or repeal such ordinances and resolutions as may be required for the proper governing of the Town; and

WHEREAS, the 2022 Tax Assessment Roll for the Town has been prepared, equalized, and certified, showing a total taxable value of real and personal property in the amount of \$4,468,370,071.00; and

WHEREAS, Section 200.065, *Fla. Stat.* requires rolled-back data to be presented in aggregate for the Town; and

WHEREAS, Section 200.065, *Fla. Stat.* establishes the method of determining and levying an ad valorem millage rate and adopting a budget for all taxing authorities in the State of Florida; and

WHEREAS, following proper notice, on September 8, 2022, the Town Council held the required public hearing to consider any adjustments to the tentative millage rate adopted on June 6, 2022 and, following public input, adopted a proposed ad valorem millage rate and tentative budget for fiscal year 2022-2023.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH AS FOLLOWS:

Section 1. The above recitals are true, correct, and incorporated herein by this reference.

Section 2. The Town Council does hereby adopt the proposed operating ad valorem millage rate for fiscal year 2022-2023 at .9900 mills, which is .9900 for each \$1,000 of assessed valuation. The current year rolled-back rate is .8368 mils. The proposed operating millage rate is

15% GREATER THAN the rolled-back rate.

Section 3. A public meeting and hearing will be held on September 22, 2022 at 5:01 PM at the Town Hall of the Town of Fort Myers Beach, Florida located at 2525 Estero Boulevard, Fort Myers Beach, Florida to consider and adopt the final millage rate for fiscal year 2022-2023.

Section 4. This resolution shall take effect immediately upon its adoption by the Town Council of the Town of Fort Myers Beach.

The foregoing Resolution was adopted by the Town Council upon a motion by _____ and seconded by _____ and upon being put to a vote, the result was as follows:

Raymond P. Murphy, Mayor	_____
Rexann Hosafros, Vice Mayor	_____
Dan Allers, Council Member	_____
Jim Atterholt, Council Member	_____
Bill Veach, Council Member	_____

ADOPTED this 8th day of September, 2022 by the Town Council of the Town of Fort Myers Beach, Florida.

TOWN OF FORT MYERS BEACH

Raymond P. Murphy, Mayor

ATTEST:

Amy Baker, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE
AND RELIANCE OF THE TOWN OF FORT MYERS BEACH SOLELY:

John R. Herin, Jr., Town Attorney

This Resolution was filed in the Office of the Town Clerk on this ____ day of September 2022.



CERTIFICATION OF TAXABLE VALUE

[Reset Form](#)
[Print Form](#)

DR-420
R. 5/12
Rule 12D-16.002
Florida Administrative Code
Effective 11/12

Year : 2022	County : LEE
Principal Authority : TOWN OF FORT MYERS BEACH	Taxing Authority : TOWN OF FORT MYERS BEACH

SECTION I : COMPLETED BY PROPERTY APPRAISER

1.	Current year taxable value of real property for operating purposes	\$	4,439,005,108	(1)
2.	Current year taxable value of personal property for operating purposes	\$	29,364,963	(2)
3.	Current year taxable value of centrally assessed property for operating purposes	\$	0	(3)
4.	Current year gross taxable value for operating purposes <i>(Line 1 plus Line 2 plus Line 3)</i>	\$	4,468,370,071	(4)
5.	Current year net new taxable value (Add new construction, additions, rehabilitative improvements increasing assessed value by at least 100%, annexations, and tangible personal property value over 115% of the previous year's value. Subtract deletions.)	\$	55,581,516	(5)
6.	Current year adjusted taxable value <i>(Line 4 minus Line 5)</i>	\$	4,412,788,555	(6)
7.	Prior year FINAL gross taxable value from prior year applicable Form DR-403 series	\$	3,886,776,743	(7)
8.	Does the taxing authority include tax increment financing areas? If yes, enter number of worksheets (DR-420TIF) attached. If none, enter 0	☐ YES ☒ NO	Number 0	(8)
9.	Does the taxing authority levy a voted debt service millage or a millage voted for 2 years or less under s. 9(b), Article VII, State Constitution? If yes, enter the number of DR-420DEBT, <i>Certification of Voted Debt Millage</i> forms attached. If none, enter 0	☐ YES ☒ NO	Number 0	(9)
SIGN HERE	Property Appraiser Certification		I certify the taxable values above are correct to the best of my knowledge.	
	Signature of Property Appraiser:		Date :	
	Electronically Certified by Property Appraiser		7/1/2022 3:59 PM	

SECTION II : COMPLETED BY TAXING AUTHORITY

If this portion of the form is not completed in FULL your taxing authority will be denied TRIM certification and possibly lose its millage levy privilege for the tax year. If any line is not applicable, enter -0-.				
10.	Prior year operating millage levy <i>(If prior year millage was adjusted then use adjusted millage from Form DR-422)</i>	0.9500	per \$1,000	(10)
11.	Prior year ad valorem proceeds <i>(Line 7 multiplied by Line 10, divided by 1,000)</i>	\$	3,692,438	(11)
12.	Amount, if any, paid or applied in prior year as a consequence of an obligation measured by a dedicated increment value <i>(Sum of either Lines 6c or Line 7a for all DR-420TIF forms)</i>	\$	0	(12)
13.	Adjusted prior year ad valorem proceeds <i>(Line 11 minus Line 12)</i>	\$	3,692,438	(13)
14.	Dedicated increment value, if any <i>(Sum of either Line 6b or Line 7e for all DR-420TIF forms)</i>	\$	0	(14)
15.	Adjusted current year taxable value <i>(Line 6 minus Line 14)</i>	\$	4,412,788,555	(15)
16.	Current year rolled-back rate <i>(Line 13 divided by Line 15, multiplied by 1,000)</i>	0.8368	per \$1000	(16)
17.	Current year proposed operating millage rate	0.9900	per \$1000	(17)
18.	Total taxes to be levied at proposed millage rate <i>(Line 17 multiplied by Line 4, divided by 1,000)</i>	\$	4,423,686	(18)

19.	TYPE of principal authority (check one)		☐ County	☐ Independent Special District	(19)
			☒ Municipality	☐ Water Management District	
20.	Applicable taxing authority (check one)		☒ Principal Authority	☐ Dependent Special District	(20)
			☐ MSTU	☐ Water Management District Basin	
21.	Is millage levied in more than one county? (check one)				(21)
	☐ Yes ☒ No				
DEPENDENT SPECIAL DISTRICTS AND MSTUs				STOP HERE - SIGN AND SUBMIT	
22.	Enter the total adjusted prior year ad valorem proceeds of the principal authority, all dependent special districts, and MSTUs levying a millage. <i>(The sum of Line 13 from all DR-420 forms)</i>			\$ 3,692,438	(22)
23.	Current year aggregate rolled-back rate <i>(Line 22 divided by Line 15, multiplied by 1,000)</i>			0.8368 per \$1,000	(23)
24.	Current year aggregate rolled-back taxes <i>(Line 4 multiplied by Line 23, divided by 1,000)</i>			\$ 3,739,132	(24)
25.	Enter total of all operating ad valorem taxes proposed to be levied by the principal taxing authority, all dependent districts, and MSTUs, if any. <i>(The sum of Line 18 from all DR-420 forms)</i>			\$ 4,423,686	(25)
26.	Current year proposed aggregate millage rate <i>(Line 25 divided by Line 4, multiplied by 1,000)</i>			0.9900 per \$1,000	(26)
27.	Current year proposed rate as a percent change of rolled-back rate <i>(Line 26 divided by Line 23, minus 1, multiplied by 100)</i>			18.31 %	(27)
First public budget hearing		Date :	Time :	Place :	
S I G N H E R E	Taxing Authority Certification		I certify the millages and rates are correct to the best of my knowledge. The millages comply with the provisions of s. 200.065 and the provisions of either s. 200.071 or s. 200.081, F.S.		
	Signature of Chief Administrative Officer :				Date :
	Title :		Contact Name and Contact Title :		
	ROGER T. HERNSTADT, TOWN MANAGER		Cheri Russ, Budget Manager		
	Mailing Address :		Physical Address :		
2525 ESTERO BLVD		2525 ESTERO BLVD			
City, State, Zip :		Phone Number :		Fax Number :	
FORT MYERS BEACH, FL 33931		2397650202		2397650909	

Instructions on page 3

CERTIFICATION OF TAXABLE VALUE INSTRUCTIONS

“Principal Authority” is a county, municipality, or independent special district (including water management districts).

“Taxing Authority” is the entity levying the millage. This includes the principal authority, any special district dependent to the principal authority, any county municipal service taxing unit (MSTU), and water management district basins.

Each taxing authority must submit to their property appraiser a DR-420 and the following forms, as applicable:

- DR-420TIF, Tax Increment Adjustment Worksheet
- DR-420DEBT, Certification of Voted Debt Millage
- DR-420MM-P, Maximum Millage Levy Calculation - Preliminary Disclosure

Section I: Property Appraiser

Use this DR-420 form for all taxing authorities except school districts. Complete Section I, Lines 1 through 9, for each county, municipality, independent special district, dependent special district, MSTU, and multicounty taxing authority. Enter only taxable values that apply to the taxing authority indicated. Use a separate form for the principal authority and each dependent district, MSTU and water management district basin.

Line 8

Complete a DR-420TIF for each taxing authority making payments to a redevelopment trust fund under Section 163.387 (2)(a), Florida Statutes or by an ordinance, resolution or agreement to fund a project or to finance essential infrastructure.

Check “Yes” if the taxing authority makes payments to a redevelopment trust fund. Enter the number of DR-420TIF forms attached for the taxing authority on Line 8. Enter 0 if none.

Line 9

Complete a DR-420DEBT for each taxing authority levying either a voted debt service millage (s.12, Article VII, State Constitution) or a levy voted for two years or less (s. 9(b), Article VII, State Constitution).

Check “Yes” if the taxing authority levies either a voted debt service millage or a levy voted for 2 years or less (s. 9(b), Article VII, State Constitution). These levies do not include levies approved by a voter referendum not required by the State Constitution. Complete and attach DR-420DEBT. Do not complete a separate DR-420 for these levies.

Send a copy to each taxing authority and keep a copy. When the taxing authority returns the DR-420 and the accompanying forms, immediately send the original to:

Florida Department of Revenue
Property Tax Oversight - TRIM Section
P. O. Box 3000
Tallahassee, Florida 32315-3000

Section II: Taxing Authority

Complete Section II. Keep one copy, return the original and one copy to your property appraiser with the applicable DR-420TIF, DR-420DEBT, and DR-420MM-P within 35 days of certification. Send one copy to the tax collector. “Dependent special district” (ss. 200.001(8)(d) and 189.403(2), F.S.) means a special district that meets at least one of the following criteria:

- The membership of its governing body is identical to that of the governing body of a single county or a single municipality.
- All members of its governing body are appointed by the governing body of a single county or a single municipality.
- During their unexpired terms, members of the special district's governing body are subject to removal at will by the governing body of a single county or a single municipality.
- The district has a budget that requires approval through an affirmative vote or can be vetoed by the governing body of a single county or a single municipality.

“Independent special district” (ss. 200.001(8)(e) and 189.403 (3), F.S.) means a special district that is not a dependent special district as defined above. A district that includes more than one county is an independent special district unless the district lies wholly within the boundaries of a single municipality.

“Non-voted millage” is any millage not defined as a “voted millage” in s. 200.001(8)(f), F.S.

Lines 12 and 14

Adjust the calculation of the rolled-back rate for tax increment values and payment amounts. See the instructions for DR-420TIF. On Lines 12 and 14, carry forward values from the DR-420TIF forms.

Line 24

Include only those levies derived from millage rates.



Reset Form

Print Form

MAXIMUM MILLAGE LEVY CALCULATION PRELIMINARY DISCLOSURE

For municipal governments, counties, and special districts

DR-420MM-P
R. 5/12
Rule 12D-16.002
Florida Administrative Code
Effective 11/12

Year: 2022		County: LEE	
Principal Authority: TOWN OF FORT MYERS BEACH		Taxing Authority: TOWN OF FORT MYERS BEACH	
1.	Is your taxing authority a municipality or independent special district that has levied ad valorem taxes for less than 5 years?	☐ Yes	☐ No (1)
IF YES,  STOP HERE. SIGN AND SUBMIT. You are not subject to a millage limitation.			
2.	Current year rolled-back rate from Current Year Form DR-420, Line 16	0.8368	per \$1,000 (2)
3.	Prior year maximum millage rate with a majority vote from 2021 Form DR-420MM, Line 13	0.9499	per \$1,000 (3)
4.	Prior year operating millage rate from Current Year Form DR-420, Line 10	0.9500	per \$1,000 (4)
If Line 4 is equal to or greater than Line 3, skip to Line 11. If less, continue to Line 5.			
Adjust rolled-back rate based on prior year majority-vote maximum millage rate			
5.	Prior year final gross taxable value from Current Year Form DR-420, Line 7	\$ 0	(5)
6.	Prior year maximum ad valorem proceeds with majority vote (Line 3 multiplied by Line 5 divided by 1,000)	\$ 0	(6)
7.	Amount, if any, paid or applied in prior year as a consequence of an obligation measured by a dedicated increment value from Current Year Form DR-420 Line 12	\$ 0	(7)
8.	Adjusted prior year ad valorem proceeds with majority vote (Line 6 minus Line 7)	\$ 0	(8)
9.	Adjusted current year taxable value from Current Year form DR-420 Line 15	\$ 0	(9)
10.	Adjusted current year rolled-back rate (Line 8 divided by Line 9, multiplied by 1,000)	0.0000	per \$1,000 (10)
Calculate maximum millage levy			
11.	Rolled-back rate to be used for maximum millage levy calculation (Enter Line 10 if adjusted or else enter Line 2)	0.8368	per \$1,000 (11)
12.	Adjustment for change in per capita Florida personal income (See Line 12 Instructions)	1.0613	(12)
13.	Majority vote maximum millage rate allowed (Line 11 multiplied by Line 12)	0.8881	per \$1,000 (13)
14.	Two-thirds vote maximum millage rate allowed (Multiply Line 13 by 1.10)	0.9769	per \$1,000 (14)
15.	Current year proposed millage rate	0.9900	per \$1,000 (15)
16.	Minimum vote required to levy proposed millage: (Check one)		
☐	a. Majority vote of the governing body: Check here if Line 15 is less than or equal to Line 13. The maximum millage rate is equal to the majority vote maximum rate. Enter Line 13 on Line 17.		
☐	b. Two-thirds vote of governing body: Check here if Line 15 is less than or equal to Line 14, but greater than Line 13. The maximum millage rate is equal to proposed rate. Enter Line 15 on Line 17.		
☒	c. Unanimous vote of the governing body, or 3/4 vote if nine members or more: Check here if Line 15 is greater than Line 14. The maximum millage rate is equal to the proposed rate. Enter Line 15 on Line 17.		
☐	d. Referendum: The maximum millage rate is equal to the proposed rate. Enter Line 15 on Line 17.		
17.	The selection on Line 16 allows a maximum millage rate of (Enter rate indicated by choice on Line 16)	0.9900	per \$1,000 (17)
18.	Current year gross taxable value from Current Year Form DR-420, Line 4	\$ 4,468,370,071	(18)

Continued on page 2

Taxing Authority : TOWN OF FORT MYERS BEACH		DR-420MM-P R. 5/12 Page 2	
19.	Current year proposed taxes <i>(Line 15 multiplied by Line 18, divided by 1,000)</i>	\$ 4,423,686	(19)
20.	Total taxes levied at the maximum millage rate <i>(Line 17 multiplied by Line 18, divided by 1,000)</i>	\$ 4,423,686	(20)
DEPENDENT SPECIAL DISTRICTS AND MSTUs			STOP HERE. SIGN AND SUBMIT.
21.	Enter the current year proposed taxes of all dependent special districts & MSTUs levying a millage. <i>(The sum of all Lines 19 from each district's Form DR-420MM-P)</i>	\$ 0	(21)
22.	Total current year proposed taxes <i>(Line 19 plus Line 21)</i>	\$ 4,423,686	(22)
Total Maximum Taxes			
23.	Enter the taxes at the maximum millage of all dependent special districts & MSTUs levying a millage <i>(The sum of all Lines 20 from each district's Form DR-420MM-P)</i>	\$ 0	(23)
24.	Total taxes at maximum millage rate <i>(Line 20 plus Line 23)</i>	\$ 4,423,686	(24)
Total Maximum Versus Total Taxes Levied			
25.	Are total current year proposed taxes on Line 22 equal to or less than total taxes at the maximum millage rate on Line 24? (Check one)	☒ YES ☐ NO	
SIGN HERE	Taxing Authority Certification		I certify the millages and rates are correct to the best of my knowledge. The millages comply with the provisions of s. 200.065 and the provisions of either s. 200.071 or s. 200.081, F.S.
	Signature of Chief Administrative Officer :		Date :
	Title : ROGER T. HERNSTADT, TOWN MANAGER	Contact Name and Contact Title : Cheri Russ, Budget Manager	
	Mailing Address : 2525 ESTERO BLVD	Physical Address : 2525 ESTERO BLVD	
	City, State, Zip : FORT MYERS BEACH, FL 33931	Phone Number : 2397650202	Fax Number : 2397650909

Complete and submit this form DR-420MM-P, Maximum Millage Levy Calculation-Preliminary Disclosure, to your property appraiser with the form DR-420, Certification of Taxable Value.

**MAXIMUM MILLAGE LEVY CALCULATION
PRELIMINARY DISCLOSURE
INSTRUCTIONS**

DR-420MM-P
R. 5/12
Page 3

General Instructions

Each of the following taxing authorities must complete a DR-420MM-P.

- County
- Municipality
- Special district dependent to a county or municipality
- County MSTU
- Independent special district, including water management districts
- Water management district basin

Voting requirements for millages adopted by a two-thirds or a unanimous vote are based on the full membership of the governing body, not on the number of members present at the time of the vote.

This form calculates the maximum tax levy for 2022 allowed under s. 200.065(5), F.S. Counties and municipalities, including dependent special districts and MSTUs, which adopt a tax levy at the final hearing higher than allowed under s. 200.065, F.S., may be subject to the loss of their half-cent sales tax distribution.

DR-420MM-P shows the preliminary maximum millages and taxes levied based on your proposed adoption vote. Each taxing authority must complete, sign, and submit this form to their property appraiser with their completed DR-420, Certification of Taxable Value.

The vote at the final hearing and the resulting maximum may change. After the final hearing, each taxing authority will file a final Form DR-420MM, Maximum Millage Levy Calculation Final Disclosure, with Form DR-487, Certification of Compliance, with the Department of Revenue.

Specific tax year references in this form are updated each year by the Department.

Line Instructions

Lines 5-10

Only taxing authorities that levied a 2021 millage rate less than their maximum majority vote rate must complete these lines. The adjusted rolled-back rate on Line 10 is the rate that would have been levied if the maximum vote rate for 2021 had been adopted. If these lines are completed, enter the adjusted rate on Line 11.

Line 12

This line is entered by the Department of Revenue. The same adjustment factor is used statewide by all taxing authorities. It is based on the change in per capita Florida personal income (s. 200.001(8)(i), F.S.), which Florida Law requires the Office of Economic and Demographic Research to report each year.

Lines 13 and 14

Millage rates are the maximum that could be levied with a majority or two-thirds vote of the full membership of the governing body. With a unanimous vote of the full membership (three-fourths vote of the full membership if the governing body has nine or more members) or a referendum, the maximum millage rate that can be levied is the taxing authority's statutory or constitutional cap.

Line 16

Check the box for the minimum vote necessary at the final hearing to levy your adopted millage rate.

Line 17

Enter the millage rate indicated by the box checked in Line 16. If the proposed millage rate is equal to or less than the majority vote maximum millage rate, enter the majority vote maximum. If a two-thirds vote, a unanimous vote, or a referendum is required, enter the proposed millage rate. For a millage requiring more than a majority vote, the proposed millage rate must be entered on Line 17, rather than the maximum rate, so that the comparisons on Lines 21 through 25 are accurate.

All TRIM forms for taxing authorities are available on our website at
<http://floridarevenue.com/property/Pages/Forms.aspx>

1. Requested Motion:

Meeting Date: September 8, 2022

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, ADOPTING THE TENTATIVE BUDGET FOR FISCAL YEAR 2022-2023 COMMENCING OCTOBER 1, 2022 AND ENDING ON SEPTEMBER 30, 2023; SETTING THE SECOND AND FINAL BUDGET ADOPTION PUBLIC HEARING FOR THURSDAY SEPTEMBER 22, 2022 AT 5:01 P.M.; AND PROVIDING FOR AN EFFECTIVE DATE.

Why the action is necessary:

What the action accomplishes:

2. Agenda:

PUBLIC HEARINGS - BUDGET
ITEMS 5:01 PM TIME CERTAIN

3. Requirement/Purpose:

Resolution

4. Submitter of Information:

5. Background:

Florida Statue requires the Town to hold two hearings to adopt an operating budget and capital budget as part of the annual budget process.

Attachments:

1. 22-31 FY22-23 Tentative Budget Resolution
2. FY23-27 Capital Improvement Plan
3. FY22-23 Tentative Annual Budget

Financial Impact:

6. Alternative Action

7. Management Recommendations:

8. Recommended Approval:

Cheri Russ, Accounting Manager
Cheri Russ, Accounting Manager
John R Herin Jr, Town Attorney
Amy Baker, Town Clerk
Roger Hernstadt, Town Manager

Created/Initiated - 8/31/2022
Approved - 8/31/2022
Approved - 9/1/2022
Approved - 9/1/2022
Final Approval - 9/1/2022

RESOLUTION NO. 22-31

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, ADOPTING THE TENTATIVE BUDGET FOR FISCAL YEAR 2022-2023 COMMENCING OCTOBER 1, 2022 AND ENDING ON SEPTEMBER 30, 2023; SETTING THE SECOND AND FINAL BUDGET ADOPTION PUBLIC HEARING FOR THURSDAY SEPTEMBER 22, 2022 AT 5:01 P.M. AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Florida Statutes provide that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal service, and exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, Article X of the Town Charter of the Town of Fort Myers Beach (“Town”) empowers the Town to adopt, amend, or repeal such ordinances and resolutions as may be required for the proper governing of the Town; and

WHEREAS, Section 200.065, Florida Statutes establishes the method of determining and levying an ad valorem millage rate and adopting a budget for all taxing authorities in the State of Florida; and

WHEREAS, WHEREAS, following proper notice, on September 8, 2022, the Town Council held the required public hearing to consider any adjustments to the tentative millage rate adopted on June 6, 2022 and, following public input, adopted a proposed ad valorem millage rate and tentative budget for fiscal year 2022-2023.

NOW THEREFORE, IT IS HEREBY RESOLVED BY THE TOWN OF FORT MYERS BEACH AS FOLLOWS:

Section 1. The above recitals are true, correct, and incorporated herein by this reference.

Section 2. The Town Council does hereby adopt the tentative annual budget for fiscal year 2022-2023, attached hereto and incorporated herein as Exhibit “A”.

Section 3. The Town Council does hereby adopt the capital improvement plan for fiscal year 2022-2023, attached hereto and incorporated herein as Exhibit “B”.

Section 4. A public meeting and hearing will be held on September 22, 2022 at 5:01 PM at the Town Hall of the Town of Fort Myers Beach, Florida located at 2525 Estero Boulevard, Fort Myers Beach, Florida to consider and adopt the final Town budget, capital improvement plan and fee schedule for fiscal year 2022-2023.

Section 5. This resolution shall take effect immediately upon its adoption by the Town Council of the Town of Fort Myers Beach.

The foregoing Resolution was adopted by the Town Council upon a motion by _____ and seconded by _____ and upon being put to a vote, the result was as follows:

Raymond P. Murphy, Mayor	_____
Rexann Hosafros, Vice Mayor	_____
Dan Allers, Council Member	_____
Jim Atterholt, Council Member	_____
Bill Veach, Council Member	_____

ADOPTED this 8th day of September, 2022 by the Town Council of the Town of Fort Myers Beach, Florida.

TOWN OF FORT MYERS BEACH

Raymond P. Murphy, Mayor

ATTEST:

Amy Baker, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE
AND RELIANCE OF THE TOWN OF FORT MYERS BEACH SOLELY:

John R. Herin, Jr., Town Attorney

This Resolution was filed in the Office of the Town Clerk on this _____ day of September 2022.



CAPITAL IMPROVEMENT PLAN

PROJECT DESCRIPTION		FUNDING SOURCE					
		2023	2024	2025	2026	2027	5-YR TOTAL
Roadway Improvements							
Old San Carlos Repaving	Impact Fees	\$ 125,000.00					\$ 125,000
	Gas Taxes						\$ -
	Grants - LAP						\$ -
	General Revenue						\$ -
Stormwater Improvements							
Swale Reclamation		Construct.	Construct.	Construct.	Construct.		
	Impact Fees						\$ -
	Gas Taxes						\$ -
	Grants						\$ -
	General Revenue						\$ -
	Stormwater Utility	\$ 150,000	\$ 150,000	\$ 150,000	\$ 150,000		\$ 600,000
Water Improvements							
Waterline Replacement				Construct.	Construct.		
LCU	Impact Fees						\$ -
	Gas Taxes						\$ -
	Grants						\$ -
	General Revenue						\$ -
	Water Utility			\$ 5,000,000	\$ 6,000,000		\$ 11,000,000
	Stormwater Utility						\$ -
Multi-Purpose Infrastructure							
Tier 1 Streets		Construct.	Construct.				
LCU	Impact Fees	\$ 335,530					\$ 335,530
	Gas Taxes						\$ -
	Grants	\$ 536,513	\$ 500,000				\$ 1,036,513
	General Revenue						\$ -
SRF Funding	Water Utility	\$ 5,391,200					\$ 5,391,200
SRF Funding	Stormwater Utility	\$ 3,310,514	\$ 1,098,756				\$ 4,409,270
Bay Oaks Redevelopment		Construct.					
Site work, Building, Front Parcel	Impact Fees	\$ 200,000					\$ 200,000
	Gas Taxes						\$ -
	Grants	\$ 1,000,000					\$ 1,000,000
	General Revenue						\$ -
	Water Utility						\$ -
	Stormwater Utility						\$ -
	Bank Loan	\$ 8,800,000					\$ 8,800,000
Times Square Redevelopment		Construct.					
Utilities, Pavers, Furnishings	Impact Fees						\$ -
	Gas Taxes						\$ -
	Grants						\$ -
	General Revenue	\$ 1,000,000					\$ 1,000,000
	Water Utility						\$ -
	Stormwater Utility						\$ -
	Bank Loan	\$ -					\$ -
Mooring Field Expansion/Upland Services							
	Impact Fees						\$ -
	Gas Taxes						\$ -
	Grants						\$ -
	General Revenue	\$ 100,000					\$ 100,000
	Water Utility						\$ -
	Stormwater Utility						\$ -
	Bank Loan						\$ -



CAPITAL IMPROVEMENT PLAN

PROJECT DESCRIPTION		FUNDING SOURCE					
		2023	2024	2025	2026	2027	5-YR TOTAL
Lighting Improvements							
<i>Estero Boulevard Lighting</i>							
	Impact Fees	\$ 100,000					\$ 100,000
	Gas Taxes						\$ -
	Grants						\$ -
	General Revenue						\$ -
	Water Utility						\$ -
	Stormwater Utility						\$ -
	Bank Loan						\$ -
<i>Old San Carlos Lighting</i>							
	Impact Fees	\$ 100,000					\$ 100,000
	Gas Taxes						\$ -
	Grants						\$ -
	General Revenue						\$ -
	Water Utility						\$ -
	Stormwater Utility						\$ -
	Bank Loan						\$ -
Landscaping Improvements							
<i>Estero Boulevard Landscaping</i>							
	Impact Fees						\$ -
	Gas Taxes						\$ -
	Grants						\$ -
	General Revenue	\$ 100,000					\$ 100,000
	Water Utility						\$ -
	Stormwater Utility						\$ -
	Bank Loan						\$ -



**TOWN OF FORT MYERS BEACH
FY 2022-2023 ADD-ON LIST**

BUDGET UTILIZING .95 MILLAGE RATE

Tax Information:

Current Year Millage & Revenue - @ 96% - Information Only	0.9500	\$	4,075,154	
Proposed Millage & Revenue - @ 96% - Information Only	0.9900	\$	4,246,739	\$ 171,585

Revenues - Informational

Ad Valorem Taxes	\$	4,000,000
Parking	\$	1,400,000
Public Service Tax	\$	900,000
Half Cent Sales Tax	\$	650,000
Building Permits	\$	720,000
Communication Svc Tax	\$	550,000
Administrative Charges From Utilities	\$	240,000
State Revenue Sharing	\$	200,000
*Local Option Gas Tax	\$	215,000
*New Local Option Gas Tax	\$	150,000
All Others	\$	11,060,663
Total Operating Revenues	\$	20,085,663

*New Gas Tax agreement 01/2023
New County Proposal at .62 = \$226,300
Difference of (\$138,700) from FY22 allocation

Funds available for Initiatives

	\$	2,112,340.00
+ Millage Increase to .9900 (for recurring expenses)	\$	172,000.00
- Parking App	\$	(125,000.00)
- Charging Stations	\$	(115,000.00)
	\$	2,044,340.00

Revenues Available

Revenues	\$	20,085,663
Carry Forward	\$	746,560
Total	\$	20,832,223

Expenses

Proposed Budgeted Expenses	\$	19,355,663
R&R - Capital	\$	730,000
Newton Park Swings	\$	30,000
Total	\$	20,115,663

Funds Available for Add On List

\$ 2,760,900.05

Informational Only

Reserves - Funded in Budget

GFOA	\$	500,000
Emergency	\$	215,000
Legal	\$	110,000
Compensated Absences	\$	200,000
Beach	\$	100,000
Grant Matches	\$	2,343,255
Total	\$	3,468,255

Other - Funded in Budget

Insurance Premium Increase	\$	100,000
\$1/Hr FT Longevity Pay Plan Adj	\$	90,000
Annual Employee Bonus	\$	140,000
Utility Expense Increase	\$	50,000
Bayside R&R	\$	15,000
Resiliency Grants Specialist	\$	15,000
Public Safety Committee	\$	5,000
Anchorage Advisory Comm	\$	5,000
CELCAB	\$	5,000
MERTF	\$	5,000
BORCAB	\$	5,000
Additional Funds for Committees	\$	4,440
Annual Debt Service (\$10M Loan)	\$	581,400

Add On Items

Beach Renourishment (Multi-year funding)	\$	1,000,000
\$3.5M total cost		
Assumes add'l allocation in 2024		
Amber Street Lights per Year (Multi-year funding)	\$	500,000
Workforce Housing	\$	380,900
Add'l Rev from Short Term Rentals		
Bay Oaks FF&E	\$	500,000
Community Policing	\$	210,000
add'l \$40,000 from General Fund		
Back of Building Remodel	\$	250,000
Additional Parking at TH	\$	15,000
Strategic Plan Update (\$3000/mtg)		
Required Resiliency Study	\$	50,000
Fishing Pier	\$	75,000
Bay Oaks Add'l Personnel (\$196,000/yr)	\$	45,000
Quarter of the year		
Azure Migration	\$	50,000
Moving server to cloud		
Pool Upgrades	\$	84,000
Accounting System R&R	\$	25,000
\$200,000 total estimate		
Total Add On Requests	\$	2,760,900

Unencumbered Balance

\$ 0



Annual Budget

2022-2023

**** TENTATIVE ****



Ad Valorem Tax Information



FMB PROPERTY TAX BURDEN



Home Value \$500,000

Millage rate	1.00	500
Millage rate	0.99	495
Millage rate	0.95	475
Millage rate	0.90	450

Example: xxx Carolina Ave - 2020 Assessed Value \$538,613; Total Tax Bill \$8,180.54; Town of FMB receives \$511.68 or .06%

TAXABLE VALUE AND REVENUE GENERATED BY MILLAGE

2022 TAXABLE VALUE \$ 4,468,370

MILL	100%	96%
0.10	\$446,837	\$428,964
0.20	\$893,674	\$857,927
0.30	\$1,340,511	\$1,286,891
0.40	\$1,787,348	\$1,715,854
0.50	\$2,234,185	\$2,144,818
0.60	\$2,681,022	\$2,573,781
0.70	\$3,127,859	\$3,002,745
0.80	\$3,574,696	\$3,431,708
0.87	\$3,887,482	\$3,731,983
0.90	\$4,021,533	\$3,860,672
Current → 0.95	\$4,244,952	\$4,075,154
Proposed → 0.99	\$4,423,686	\$4,246,739
1.00	\$4,468,370	\$4,289,635

Historical Tax Rates & Proceeds

Taxable value, Millage Rates, and Taxes levied since incorporation

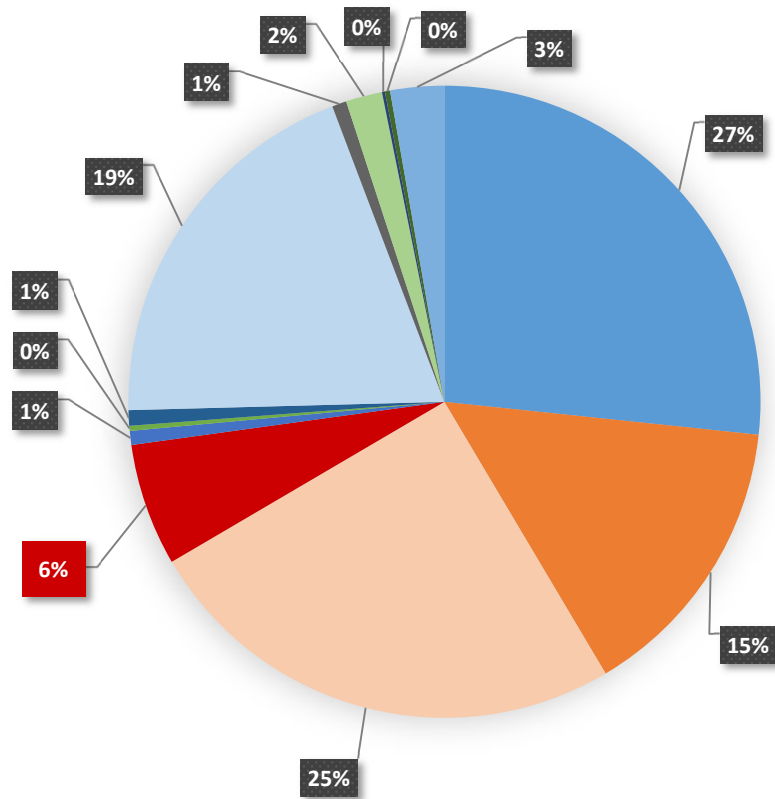
Fiscal Year	Final Taxable Value	Millage	Taxes Levied (100%)	Property Value Inc/Dec
1996	1,097,507,100	1.0604	1,163,797	
1997	1,149,535,220	1.0961	1,260,006	5%
1998	1,192,180,910	1.0961	1,306,749	4%
1999	1,289,215,850	1.0961	1,413,109	8%
2000	1,387,116,900	1.0961	1,520,419	8%
2001	1,616,283,120	1.0400	1,680,934	17%
2002	1,888,027,310	1.0400	1,963,548	17%
2003	2,291,140,270	1.0000	2,291,140	21%
2004	2,665,675,540	0.8500	2,265,824	16%
2005	3,063,418,220	0.7498	2,296,951	15%
2006	3,780,475,940	0.6096	2,304,578	23%
2007	3,910,189,400	0.6053	2,366,838	3%
2008	3,422,119,910	0.7093	2,427,310	-12%
2009	3,003,712,140	0.8187	2,459,139	-12%
2010	2,639,001,882	0.9144	2,413,103	-12%
2011	2,526,745,775	0.8144	2,057,782	-4%
2012	2,472,045,775	0.7687	1,900,262	-2%
2013	2,523,669,687	0.7687	1,939,945	2%
2014	2,669,949,004	0.7687	2,052,390	6%
2015	2,821,651,000	0.7687	2,169,003	6%
2016	3,121,463,874	0.8000	2,497,171	11%
2017	3,076,325,000	0.8000	2,461,060	-1%
2018	3,324,763,223	0.8700	2,892,544	8%
2019	3,561,171,592	0.8700	3,098,219	7%
2020*	3,690,694,551	0.9500	3,506,160	4%
2021	3,886,776,743	0.9500	3,692,438	5%

*Increased by Town Council to fund \$10 million loan



Tax Percentage to Taxing Authority

Based on a home on FMB assessed at \$538,000 the Town of Fort Myers Beach receives 6% of the total tax bill



Lee County General Revenue - 27% - \$2181.71

Public School - By State Law - 25% - \$2052.12

SFL Water Mgmt District Levy- 1% - \$59.41

SFL Water Mgmt Okeechobee Levy - 1% - \$64.20

Ft Myers Beach Mosquito - 1% - \$60.49

Lee County Hyacinth Control - 0% - \$11.90

Lee County Solid Waste Assmt - 3% - \$225.82

Public School - By Local Board -15% - \$1210.80

Town of Ft Myers Beach - 6% - \$511.68

SFL Water Mgmt Everglade Const - 0% - \$20.47

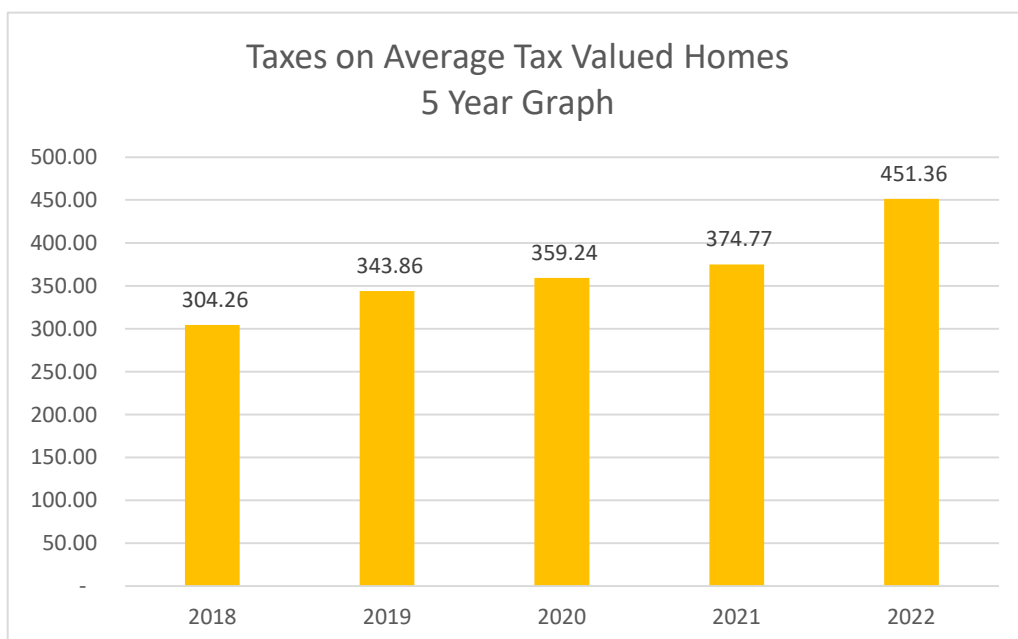
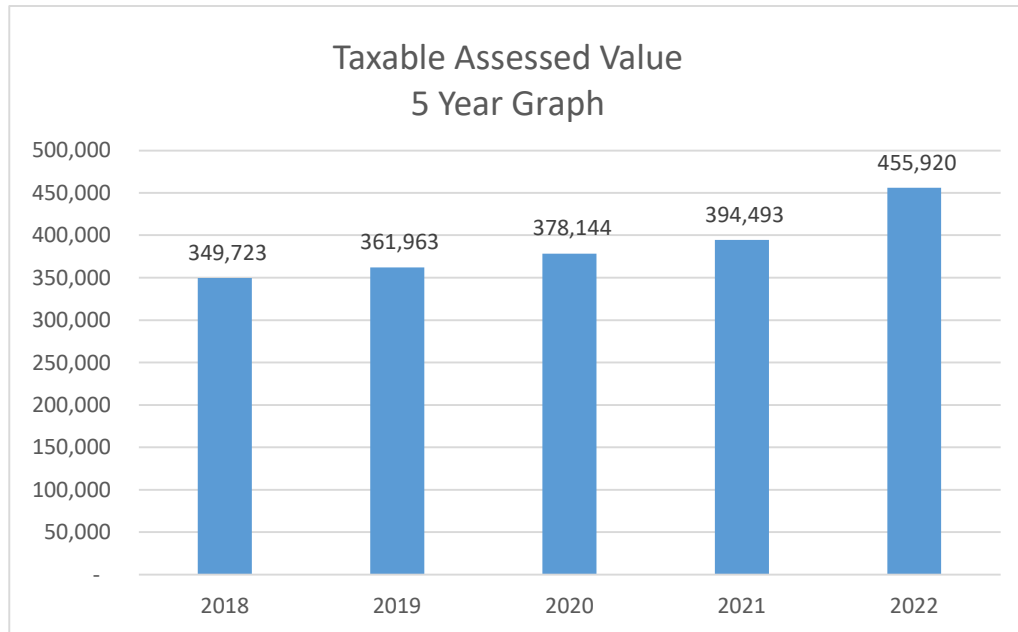
Ft Myers Beach Fire District - 20% - \$1607.81

Ft Myers Beach Library - 2% - \$152.91

West Coast Inland Navigation District - 0% - \$21.22



Town of Fort Myers Beach 5 Years Average Taxable Value of Residential Property





CERTIFICATION OF TAXABLE VALUE

[Reset Form](#)
[Print Form](#)

DR-420
R. 5/12
Rule 12D-16.002
Florida Administrative Code
Effective 11/12

Year : 2022	County : LEE
Principal Authority : TOWN OF FORT MYERS BEACH	Taxing Authority : TOWN OF FORT MYERS BEACH

SECTION I : COMPLETED BY PROPERTY APPRAISER

1.	Current year taxable value of real property for operating purposes	\$	4,439,005,108	(1)
2.	Current year taxable value of personal property for operating purposes	\$	29,364,963	(2)
3.	Current year taxable value of centrally assessed property for operating purposes	\$	0	(3)
4.	Current year gross taxable value for operating purposes <i>(Line 1 plus Line 2 plus Line 3)</i>	\$	4,468,370,071	(4)
5.	Current year net new taxable value (Add new construction, additions, rehabilitative improvements increasing assessed value by at least 100%, annexations, and tangible personal property value over 115% of the previous year's value. Subtract deletions.)	\$	55,581,516	(5)
6.	Current year adjusted taxable value <i>(Line 4 minus Line 5)</i>	\$	4,412,788,555	(6)
7.	Prior year FINAL gross taxable value from prior year applicable Form DR-403 series	\$	3,886,776,743	(7)
8.	Does the taxing authority include tax increment financing areas? If yes, enter number of worksheets (DR-420TIF) attached. If none, enter 0	☐ YES ☒ NO	Number 0	(8)
9.	Does the taxing authority levy a voted debt service millage or a millage voted for 2 years or less under s. 9(b), Article VII, State Constitution? If yes, enter the number of DR-420DEBT, Certification of Voted Debt Millage forms attached. If none, enter 0	☐ YES ☒ NO	Number 0	(9)
SIGN HERE	Property Appraiser Certification		I certify the taxable values above are correct to the best of my knowledge.	
	Signature of Property Appraiser:		Date :	
	Electronically Certified by Property Appraiser		7/1/2022 3:59 PM	

SECTION II : COMPLETED BY TAXING AUTHORITY

If this portion of the form is not completed in FULL your taxing authority will be denied TRIM certification and possibly lose its millage levy privilege for the tax year. If any line is not applicable, enter -0-.				
10.	Prior year operating millage levy <i>(If prior year millage was adjusted then use adjusted millage from Form DR-422)</i>	0.9500	per \$1,000	(10)
11.	Prior year ad valorem proceeds <i>(Line 7 multiplied by Line 10, divided by 1,000)</i>	\$	3,692,438	(11)
12.	Amount, if any, paid or applied in prior year as a consequence of an obligation measured by a dedicated increment value <i>(Sum of either Lines 6c or Line 7a for all DR-420TIF forms)</i>	\$	0	(12)
13.	Adjusted prior year ad valorem proceeds <i>(Line 11 minus Line 12)</i>	\$	3,692,438	(13)
14.	Dedicated increment value, if any <i>(Sum of either Line 6b or Line 7e for all DR-420TIF forms)</i>	\$	0	(14)
15.	Adjusted current year taxable value <i>(Line 6 minus Line 14)</i>	\$	4,412,788,555	(15)
16.	Current year rolled-back rate <i>(Line 13 divided by Line 15, multiplied by 1,000)</i>	0.8368	per \$1000	(16)
17.	Current year proposed operating millage rate	0.9900	per \$1000	(17)
18.	Total taxes to be levied at proposed millage rate <i>(Line 17 multiplied by Line 4, divided by 1,000)</i>	\$	4,423,686	(18)

19.	TYPE of principal authority (check one)		☐ County	☐ Independent Special District	(19)
			☒ Municipality	☐ Water Management District	
20.	Applicable taxing authority (check one)		☒ Principal Authority	☐ Dependent Special District	(20)
			☐ MSTU	☐ Water Management District Basin	
21.	Is millage levied in more than one county? (check one)		☐ Yes	☒ No	(21)
DEPENDENT SPECIAL DISTRICTS AND MSTUs				STOP HERE - SIGN AND SUBMIT	
22.	Enter the total adjusted prior year ad valorem proceeds of the principal authority, all dependent special districts, and MSTUs levying a millage. <i>(The sum of Line 13 from all DR-420 forms)</i>			\$ 3,692,438	(22)
23.	Current year aggregate rolled-back rate <i>(Line 22 divided by Line 15, multiplied by 1,000)</i>			0.8368 per \$1,000	(23)
24.	Current year aggregate rolled-back taxes <i>(Line 4 multiplied by Line 23, divided by 1,000)</i>			\$ 3,739,132	(24)
25.	Enter total of all operating ad valorem taxes proposed to be levied by the principal taxing authority, all dependent districts, and MSTUs, if any. <i>(The sum of Line 18 from all DR-420 forms)</i>			\$ 4,423,686	(25)
26.	Current year proposed aggregate millage rate <i>(Line 25 divided by Line 4, multiplied by 1,000)</i>			0.9900 per \$1,000	(26)
27.	Current year proposed rate as a percent change of rolled-back rate <i>(Line 26 divided by Line 23, minus 1, multiplied by 100)</i>			18.31 %	(27)
First public budget hearing		Date :	Time :	Place :	
S I G N H E R E	Taxing Authority Certification		I certify the millages and rates are correct to the best of my knowledge. The millages comply with the provisions of s. 200.065 and the provisions of either s. 200.071 or s. 200.081, F.S.		
	Signature of Chief Administrative Officer :				Date :
	Title :		Contact Name and Contact Title :		
	ROGER T. HERNSTADT, TOWN MANAGER		Cheri Russ, Budget Manager		
	Mailing Address :		Physical Address :		
2525 ESTERO BLVD		2525 ESTERO BLVD			
City, State, Zip :		Phone Number :		Fax Number :	
FORT MYERS BEACH, FL 33931		2397650202		2397650909	



Reset Form

Print Form

MAXIMUM MILLAGE LEVY CALCULATION PRELIMINARY DISCLOSURE

For municipal governments, counties, and special districts

DR-420MM-P
R. 5/12
Rule 12D-16.002
Florida Administrative Code
Effective 11/12

Year: 2022		County: LEE	
Principal Authority : TOWN OF FORT MYERS BEACH		Taxing Authority: TOWN OF FORT MYERS BEACH	
1.	Is your taxing authority a municipality or independent special district that has levied ad valorem taxes for less than 5 years?	☐ Yes	☐ No (1)
IF YES,  STOP HERE. SIGN AND SUBMIT. You are not subject to a millage limitation.			
2.	Current year rolled-back rate from Current Year Form DR-420, Line 16	0.8368	per \$1,000 (2)
3.	Prior year maximum millage rate with a majority vote from 2021 Form DR-420MM, Line 13	0.9499	per \$1,000 (3)
4.	Prior year operating millage rate from Current Year Form DR-420, Line 10	0.9500	per \$1,000 (4)
If Line 4 is equal to or greater than Line 3, skip to Line 11. If less, continue to Line 5.			
Adjust rolled-back rate based on prior year majority-vote maximum millage rate			
5.	Prior year final gross taxable value from Current Year Form DR-420, Line 7	\$ 0	(5)
6.	Prior year maximum ad valorem proceeds with majority vote (Line 3 multiplied by Line 5 divided by 1,000)	\$ 0	(6)
7.	Amount, if any, paid or applied in prior year as a consequence of an obligation measured by a dedicated increment value from Current Year Form DR-420 Line 12	\$ 0	(7)
8.	Adjusted prior year ad valorem proceeds with majority vote (Line 6 minus Line 7)	\$ 0	(8)
9.	Adjusted current year taxable value from Current Year form DR-420 Line 15	\$ 0	(9)
10.	Adjusted current year rolled-back rate (Line 8 divided by Line 9, multiplied by 1,000)	0.0000	per \$1,000 (10)
Calculate maximum millage levy			
11.	Rolled-back rate to be used for maximum millage levy calculation (Enter Line 10 if adjusted or else enter Line 2)	0.8368	per \$1,000 (11)
12.	Adjustment for change in per capita Florida personal income (See Line 12 Instructions)	1.0613	(12)
13.	Majority vote maximum millage rate allowed (Line 11 multiplied by Line 12)	0.8881	per \$1,000 (13)
14.	Two-thirds vote maximum millage rate allowed (Multiply Line 13 by 1.10)	0.9769	per \$1,000 (14)
15.	Current year proposed millage rate	0.9900	per \$1,000 (15)
16.	Minimum vote required to levy proposed millage: (Check one)		
☐	a. Majority vote of the governing body: Check here if Line 15 is less than or equal to Line 13. The maximum millage rate is equal to the majority vote maximum rate. Enter Line 13 on Line 17.		
☐	b. Two-thirds vote of governing body: Check here if Line 15 is less than or equal to Line 14, but greater than Line 13. The maximum millage rate is equal to proposed rate. Enter Line 15 on Line 17.		
☒	c. Unanimous vote of the governing body, or 3/4 vote if nine members or more: Check here if Line 15 is greater than Line 14. The maximum millage rate is equal to the proposed rate. Enter Line 15 on Line 17.		
☐	d. Referendum: The maximum millage rate is equal to the proposed rate. Enter Line 15 on Line 17.		
17.	The selection on Line 16 allows a maximum millage rate of (Enter rate indicated by choice on Line 16)	0.9900	per \$1,000 (17)
18.	Current year gross taxable value from Current Year Form DR-420, Line 4	\$ 4,468,370,071	(18)

Continued on page 2

Taxing Authority : TOWN OF FORT MYERS BEACH		DR-420MM-P R. 5/12 Page 2	
19.	Current year proposed taxes <i>(Line 15 multiplied by Line 18, divided by 1,000)</i>	\$ 4,423,686	(19)
20.	Total taxes levied at the maximum millage rate <i>(Line 17 multiplied by Line 18, divided by 1,000)</i>	\$ 4,423,686	(20)
DEPENDENT SPECIAL DISTRICTS AND MSTUs			STOP HERE. SIGN AND SUBMIT.
21.	Enter the current year proposed taxes of all dependent special districts & MSTUs levying a millage. <i>(The sum of all Lines 19 from each district's Form DR-420MM-P)</i>	\$ 0	(21)
22.	Total current year proposed taxes <i>(Line 19 plus Line 21)</i>	\$ 4,423,686	(22)
Total Maximum Taxes			
23.	Enter the taxes at the maximum millage of all dependent special districts & MSTUs levying a millage <i>(The sum of all Lines 20 from each district's Form DR-420MM-P)</i>	\$ 0	(23)
24.	Total taxes at maximum millage rate <i>(Line 20 plus Line 23)</i>	\$ 4,423,686	(24)
Total Maximum Versus Total Taxes Levied			
25.	Are total current year proposed taxes on Line 22 equal to or less than total taxes at the maximum millage rate on Line 24? (Check one)	☒ YES ☐ NO	(25)
SIGN HERE	Taxing Authority Certification		I certify the millages and rates are correct to the best of my knowledge. The millages comply with the provisions of s. 200.065 and the provisions of either s. 200.071 or s. 200.081, F.S.
	Signature of Chief Administrative Officer :		Date :
	Title : ROGER T. HERNSTADT, TOWN MANAGER	Contact Name and Contact Title : Cheri Russ, Budget Manager	
	Mailing Address : 2525 ESTERO BLVD	Physical Address : 2525 ESTERO BLVD	
	City, State, Zip : FORT MYERS BEACH, FL 33931	Phone Number : 2397650202	Fax Number : 2397650909

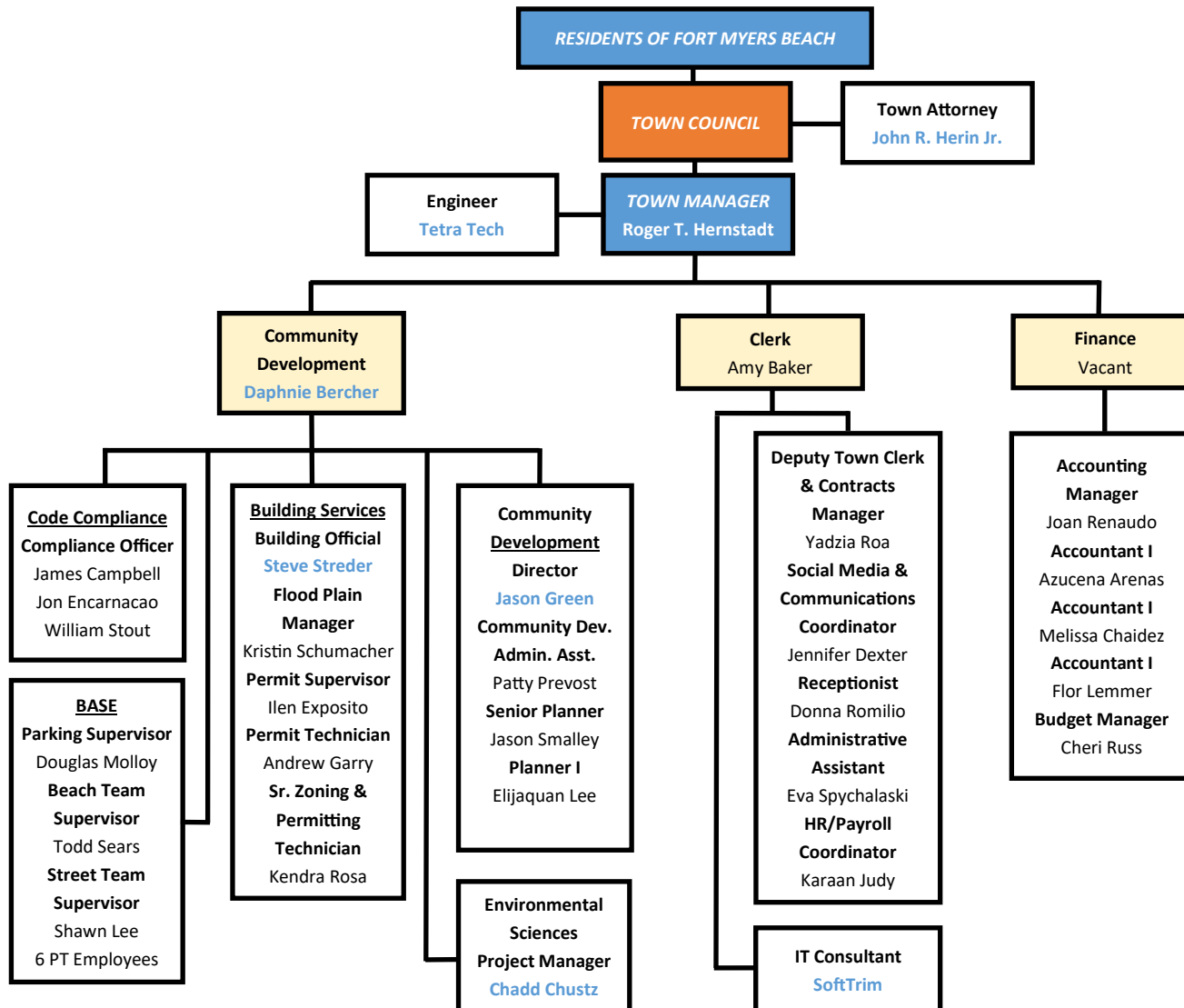
Complete and submit this form DR-420MM-P, Maximum Millage Levy Calculation-Preliminary Disclosure, to your property appraiser with the form DR-420, Certification of Taxable Value.



Personnel Information



ORGANIZATIONAL CHART

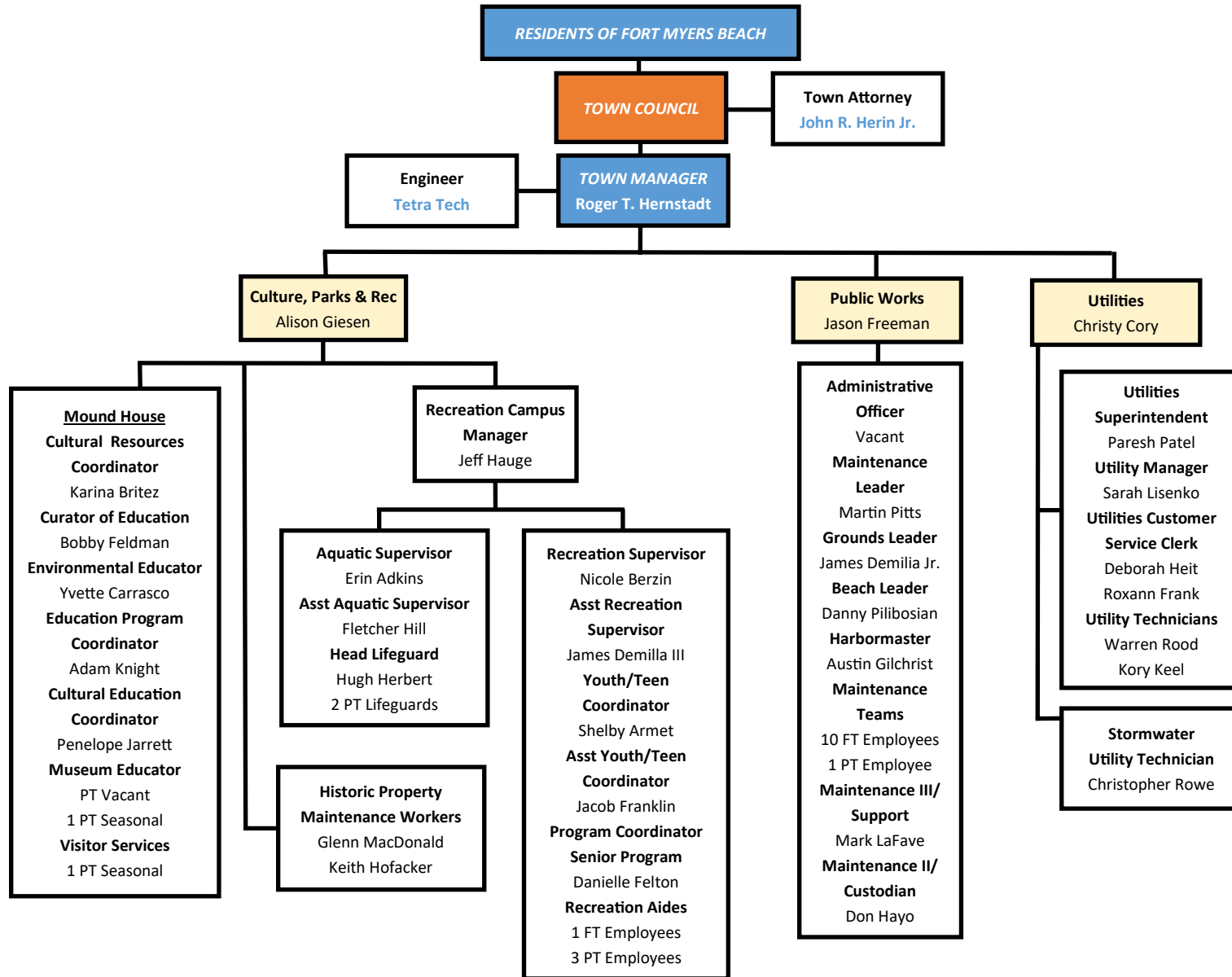


Contracted Staff

Directors



ORGANIZATIONAL CHART



Contracted Staff

Directors



CURRENT PERSONNEL CONTROL

Fund/Department	Position Title		FY 18-19	FY 19-20	FY 20-21	FY 21-22	FY22-23
Fund 10							
Executive	Town Manager	1	1	1	1	1	1
Town Clerk	Town Clerk		1	1	1	1	1
	Receptionist		0	1	1	1	1
	Contracts Manager/Deputy Clerk		0	1	0.5	1	1
	Communications Coordinator		0	0	1	1	1
	Administrative Assistant		0	0	0.5	1	1
	HR/Payroll Coordinator	6	0	0	0	1	1
Finance	Finance Director		0.5	0.5	0.5	1	1
	Assistant Finance Director		0	0	0	1	0
	Director of Admin Services		1	0	0	0	0
	Administrative Officer		1	0	0	0	0
	Accounting Manager		0	0	0	0	1
	Senior Accountant		1	1.5	0.5	0	0
	Accountant I		0	0	0	0	3
	Budget Manager		0	0	0	1	1
	Accounts Payable Specialist		1	1	1	1	0
	Accounting Administrator II		0	0	0	1	0
	HR/Finance Coordinator		1	1	1	0	0
	Accountant II	6	0	0	0	1	0
Community Development	Director of Community Development		0	0	0	0	0
	Building Services Manager/Assistant						
	Community Development Director		1	1	0	1	0
	Principal Planner		1	0	0	0	1
	Planner I		0	0	0	0	1
	Environmental Tech		1	1	1	0	0
	Zoning & Permit Tech (Moved to Bldg)		1	1	0	0	0
	Permit Tech (Moved to Bldg)		2	2	0	0	0
	Administrative Assistant	2	1	1	1	1	0
Code Compliance	Code Compliance Officer - Full Time		0	0	0	0	2
	Code Compliance Officer - Part Time		2	2	1.5	2	0.5
	Administrative Assistant	3.5	0	0	1	1	1
Public Works - Administration	Public Works Director		0	0	1	1	0
	Administrative Officer I		0	0	1	1	1
	Public Works Manager		1	1	0	0	1
	Administrative Assistant	2	0.5	1	0	0	0
Public Works - Maintenance	Maintenance Leader - Grounds		1	1	1	1	1
	Maintenance Leader - Public Works		1	1	1	1	1
	Maintenance - Custodial		1	1	1	1	1
	Maintenance Support		1	1	1	1	1
	Maintenance Worker - Full Time	10	6	5	5	5	6
Parking	Compliance Supervisor		2	2	3	2	2
	Compliance Team Leader		0	0	0	1	0
	Compliance Ambassador	6	4	4	3	3	4
Mooring Field	Harbormaster		0	0	0	0	1
	Maintenance Worker	2	0	0	0	0	1



CURRENT PERSONNEL CONTROL

Fund/Department	Position Title	FY 18-19	FY 19-20	FY 20-21	FY 21-22	FY22-23
Fund 10						
Bay Oak Recreation Center	Recreation Director	1	0	0	0.5	1
	Recreation Campus Manager	0	1	1	0	1
	Recreation Supervisor	0	1	1	1	1
	Assistant Recreation Supervisor	0	0	0	1	1
	Program Coordinator Lead	1	0	0	0	0
	Senior Program Coordinator	2	2	2	1	1
	Youth/Teen Program Coordinator	1	1	1	1	1
	Youth/Teen Asst. Program Coordinator	0	0	0	0	1
	Recreation Aide - Full Time	1	0	0	2	2
	Senior Recreation Aide	0	0	0	1	0
	Lead Recreation Aide	0.5	0	0	0	0
	Recreation Aide - Part Time	2.5	3.5	3.5	1.5	1.5
	Recreation Aide/Maintenance 10.5	0.5	0.5	0	0	0
Bay Oaks Pool	Aquatics Supervisor	1	1	1	1	1
	Assistant Aquatics Supervisor	0	1	1	1	1
	Head Lifeguard	5	0	0	1	1
	Recreation Lifeguard - Full Time	2.5	3	3	1	0
	Recreation Lifeguard - Part Time 4.5	0	0	0	0.5	1.5
Mound House	Cultural Affairs Director	1	1	1	0.5	1
	Cultural Resources Coordinator	1	1	1	1	1
	Curator of Education	0	0	0	0	1
	Environmental Educator	1	1	1	1	1
	Educator	0	1	1	1	0
	Education Coordinator	0.5	0.5	0.5	0.5	1
	Museum Educator	0	0	0	1	1
	PT Recreation Aide	0	0	0	0.5	0
	Museum Interpreter	0.5	1	0.5	0.5	0
	Visitor Services Associate (Seasonal) 6.5	0.5	1	0.5	0.5	0.5
Fund 21						
Storm Water Maintenance	Storm Water Technician	0	0	1	0	0
	Storm Water Technician II 1	0	0	0	1	1
Fund 22						
TDC Beach Maintenance	Maintenance Crew Lead/Harbor Master	1	1	1	1	0
	Maintenance Worker - Full Time	4	4	4	4	6
	Maintenance Worker - Part Time	0	0	1.5	1	0
	Compliance Ambassador - Parking	0	0	0	1	1
	Compliance Ambassador 7	0	0	1	0	0
TDC Mound House	Maintenance Worker 1 2	0	0	0	2	2
Fund 24						
Building Services	Building Services Manager (Moved to Community Development)	0	0	1	0	0
	Building Official - Contracted	0	0	0	0	0
	Coastal Resource Coordinator	0	0	0	1	0
	Flood Plain Manager	0	0	0	0	1
	Permit Supervisor	0	0	0	0	1
	Sr. Zoning & Permitting Tech	0	0	0	0	1
	Zoning & Permit Tech	0	0	1	1	0
	Permit Tech 5	0	0	3	2	2



CURRENT PERSONNEL CONTROL

Fund/Department	Position Title	FY 18-19	FY 19-20	FY 20-21	FY 21-22	FY22-23
Fund 50						
Water Services	Utility Director	1	1	1	1	1
	Assistant Finance Director (Water Utility)	1	1	1	0	0
	Utilities Superintendent	0	0	0	0	1
	Customer Service Clerk - Full Time	1	1	1	2	2
	Billing Clerk	1	1	1	0	0
	Utility Manager	0	0	0	1	1
	Utility Technician II	0	0	0	1	1
	Water Utility Tech	3	3	3	2	2
TOTAL:		83	68.5	65.5	69	76
						83



CURRENT PERSONNEL COST

Title	Hourly Rate	Base Annual Salary	10% Benefit Allowance	Total Benefit Annual	Total Cost
Town Manager	82.16	170,893	17,089	35,042	237,404
Town Clerk	38.00	79,040	7,904	13,875	115,375
Front Desk Receptionist	19.00	39,520	3,952	20,132	70,881
Contract Manager/Deputy Town Clerk	28.00	58,240	5,824	13,311	88,100
Social Media & Comm Coordinator	36.05	74,984	7,498	13,663	109,964
HR/Payroll Coordinator	31.00	64,480	6,448	13,381	96,183
Administrative Assistant	20.00	41,600	4,160	12,928	63,853
Finance Director	40.00	83,200	8,320	12,928	114,778
Budget Manager	38.00	79,040	7,904	13,418	110,175
Accounting Manager	38.00	79,040	7,904	13,426	110,182
Accountant I	21.00	43,680	4,368	13,020	66,491
Accountant I	22.00	45,760	4,576	20,422	76,439
Accountant II	21.00	43,680	4,368	13,062	66,533
Senior Planner	40.00	83,200	8,320	13,411	115,260
Planner I	24.00	49,920	4,992	13,220	74,329
Code Supervisor	26.00	54,080	5,408	13,120	82,567
Code Compliance Officer	20.00	31,200	-	-	34,225
Code Compliance/BASE Officer	21.00	43,680	4,368	13,044	66,515
Code Officer II	25.00	52,000	5,200	13,081	76,737
Code Compliance/BASE Officers	17.00	26,520	-	-	29,187
Flood Plain Supervisor	23.00	47,840	4,784	15,904	74,467
Sr. Permitting & Zoning Technician	27.00	56,160	5,616	20,665	92,783
Permitting Technician I	24.00	49,920	4,992	12,968	77,072
Permit Supervisor	22.00	45,760	4,576	12,968	71,730
Permitting Technician	20.00	41,600	4,160	12,853	63,778
Public Works Director	30.00	62,400	6,240	13,731	93,862
Administrative Officer II	24.00	49,920	4,992	12,968	74,077
Maintenance Worker III (Lead)	27.00	56,160	5,616	22,250	94,368
Maintenance Worker II	24.00	49,920	4,992	13,120	77,225
Maintenance Worker I	19.00	39,520	3,952	13,142	63,892
Maintenance Worker II	24.00	49,920	4,992	35,289	99,394
Maintenance Worker I	18.00	37,440	3,744	12,853	60,932
Maintenance Worker III (Lead)	27.00	56,160	5,616	13,194	85,312
Maintenance Worker I	16.00	33,280	3,328	12,892	53,631
Maintenance Worker I	21.00	43,680	4,368	13,006	69,098
Maintenance Worker I	17.00	35,360	3,536	12,930	56,216
Maintenance Worker I	16.00	33,280	3,328	12,930	53,669
Harbormaster	27.00	56,160	5,616	13,235	85,353
Maintenance Worker I	16.00	24,960	-	-	27,508
Maintenance Worker I	16.00	33,280	3,328	13,235	56,822
Maintenance Worker I	17.00	35,360	3,536	13,235	59,493



Title	Hourly Rate	Base Annual Salary	10% Benefit Allowance	Total Benefit Annual	Total Cost
Administrative Officer II	17.00	35,360	3,536	-	41,872
Beach and Street Supervisor II	27.00	56,160	5,616	22,854	94,972
Beach and Sreet Supervisor I	24.00	49,920	4,992	20,653	84,758
Beach Ambassador	16.00	24,960		-	27,508
Beach Ambassador	19.00	39,520	3,952	13,026	61,404
Beach Ambassador	17.00	26,520		-	29,187
Beach Ambassador	17.00	26,520		-	29,187
Beach Ambassador	16.00	24,960		-	27,508
Beach Ambassador	17.00	26,520		-	29,187
Beach Ambassador	17.00	26,520		-	29,187
Utility Director	41.00	85,280	8,528	23,690	133,202
Utilities Superintendent	40.00	83,200	8,320	12,968	114,817
Utilities Customer Service Clerk	20.00	41,600	4,160	12,968	63,892
Utilities Customer Service Clerk	20.00	41,600	4,160	22,346	73,270
Water Utility Tech	19.00	39,520	3,952	13,219	61,597
Water Utility Tech	20.00	41,600	4,160	12,968	63,892
Water Utility Tech	25.00	52,000	5,200	12,864	79,640
Utility Manager	26.00	54,080	5,408	12,968	82,414
Director	40.00	83,200	8,320	12,968	114,817
Director Stipend	10.43	21,694	-	-	24,228
Campus Manager	32.00	66,560	6,656	13,337	94,817
Recreation Supervisor	22.00	45,760	4,576	12,968	68,985
Asst. Recreation Supervisor	21.00	43,680	4,368	13,006	66,477
Senior Program Coordinator	24.00	49,920	4,992	13,044	77,149
Program Coordinator-Youth and Teen	20.00	41,600	4,160	12,880	63,805
Asst. Program Coodinator - Youth & Teen	19.00	39,520	3,952	12,784	61,163
Recreation Aid	17.50	36,400	3,640	12,827	57,386
Recreation Aid	18.00	37,440	3,744	12,890	58,722
Recreation Aid	15.00	23,400		12,857	39,621
Recreation Aid	15.00	23,400		12,857	39,621
Recreation Aid	15.00	23,400		-	25,828
Program Coordinator - Athletics	19.00	9,880	988	12,880	24,974
Operations Manager	26.00	13,520	1,352	12,880	29,430
Recreation Aid	16.00	4,160		-	4,585
Recreation Aid	16.00	4,160		-	4,585
Aquatics Supervisor	26.00	54,080	5,408	12,921	79,124
Assistant Aquatics Supervisor	21.00	43,680	4,368	12,940	66,411
Lifeguard	17.00	35,360	3,536	12,890	56,176
Lifeguard	15.00	15,600		-	17,219



CURRENT PERSONNEL COST

Title	Hourly Rate	Base Annual Salary	10% Benefit Allowance	Total Benefit Annual	Total Cost
Lifeguard	16.00	16,640		-	18,338
Lifeguard	16.00	16,640		-	18,338
Lifeguard	15.00	15,600		-	17,219
Lifeguard	16.00	16,640		-	18,338
Director of Culture/Parks & Recreation	43.15	89,752	8,975	14,357	129,622
Environmental Educator Manager	24.00	49,920	4,992	13,448	74,557
Cultural Resources Coordinator	26.00	54,080	5,408	13,120	82,567
Education Coordinator	23.00	47,840	4,784	13,333	71,896
Environmental Educator Manager	25.00	52,000	5,200	13,044	76,700
Education Coordinator	23.00	11,500	-	-	12,584
Visitor Services Associate	20.00	10,000	-	-	10,970
Intern	15.00	15,600	-	-	16,793
Intern	17.00	17,680	-	-	19,033
Museum Educator	20.00	31,200		-	34,225
Beach Ambassador	18.50	28,860		-	31,706
Beach Ambassador	16.00	24,960		-	27,508
Maintenance Worker I	22.00	45,760	4,576	12,853	68,870
Maintenance Worker I	21.00	43,680	4,368	13,006	69,098
Maintenance Worker I	19.00	39,520	3,952	12,781	63,531
Maintenance Worker I	20.00	41,600	4,160	12,985	66,406
Maintenance Worker I	17.00	35,360	3,536	12,930	56,216
Maintenance Worker I	21.00	43,680	4,368	22,984	79,076
Stormwater Utility Tech	24.00	49,920	4,992	13,295	77,400
Maintenance Worker I - Mound House	17.00	35,360	3,536	12,892	56,177
Maintenance Worker II - Mound House	21.00	43,680	4,368	12,974	69,066
Total		4,551,563	399,175	1,159,306	6,764,712

FTE Total: 83



Budget Reports



ALL FUNDS - BUDGET BY DEPARTMENT FY 2022-2023

FUNDS	NUMBER OF POSITIONS		TOTAL PERSONNEL COST	OPERATING	TRANSFERS/OTHERS	CAPITAL	TOTAL PROPOSED BUDGET
	FT	PT					
GENERAL							
Legislative	0	0	\$ 95,600	\$ 134,800	\$ -	\$ -	\$ 230,400
Executive	1	0	\$ 251,200	\$ 96,005	\$ -	\$ -	\$ 347,205
Legal	0	0	\$ -	\$ 250,000	\$ -	\$ -	\$ 250,000
Town Clerk	6	0	\$ 549,300	\$ 111,300	\$ -	\$ -	\$ 660,600
Finance	6	0	\$ 548,500	\$ 97,800	\$ -	\$ -	\$ 646,300
General Services	0	0	\$ -	\$ 1,052,619	\$ 2,310,000	\$ -	\$ 3,362,619
Code Compliance	3	1	\$ 290,700	\$ 102,815	\$ -	\$ -	\$ 393,515
Short Term Rental	0	0	\$ -	\$ 49,250	\$ -	\$ -	\$ 49,250
Public Works - Admin	2	0	\$ 184,500	\$ 80,472	\$ -	\$ -	\$ 264,972
Public Works - Maint	10	0	\$ 746,000	\$ 615,040	\$ -	\$ -	\$ 1,361,040
Times Square	0	0	\$ -	\$ 45,600	\$ -	\$ -	\$ 45,600
Maritime	0	0	\$ -	\$ 52,785	\$ -	\$ -	\$ 52,785
Mooring Operations	2	0	\$ 115,200	\$ 224,980	\$ -	\$ -	\$ 340,180
Bayside Park	0	0	\$ -	\$ 15,000	\$ -	\$ -	\$ 15,000
Town Hall Maint	0	0	\$ -	\$ 95,690	\$ -	\$ -	\$ 95,690
Parking & BASE	3	6	\$ 412,000	\$ 257,890	\$ -	\$ -	\$ 669,890
Community Development	2	0	\$ 192,000	\$ 576,670	\$ -	\$ -	\$ 768,670
Bay Oaks	9	3	\$ 793,500	\$ 384,050	\$ -	\$ -	\$ 1,177,550
Bay Oaks Pool	3	3	\$ 291,500	\$ 152,805	\$ -	\$ -	\$ 444,305
Mound House	5	3	\$ 530,000	\$ 160,415	\$ -	\$ -	\$ 690,415
Newton Park	0	0	\$ -	\$ 42,400	\$ -	\$ -	\$ 42,400
Totals	52	16	\$ 5,000,000	\$ 4,598,386	\$ 2,310,000	\$ -	\$ 11,908,386
BUILDING SERVICES	5	0	\$ 383,000	\$ 469,850	\$ -	\$ -	\$ 852,850
BEACH ACCESS & SHORELINE (TDC)	8	2	\$ 591,500	\$ 817,325	\$ -	\$ -	\$ 1,408,825
GAS TAX	0	0	\$ -	\$ 375,000	\$ -	\$ -	\$ 375,000
IMPACT FEES	0	0	\$ -	\$ -	\$ -	\$ 242,431	\$ 242,431
CAPITAL IMPROVEMENTS	0	0	\$ -	\$ -	\$ -	\$ 2,030,000	\$ 2,030,000
COMMUNITY ENHANCEMENT FUND	0	0	\$ -	\$ -	\$ -	\$ 8,800,000	\$ 8,800,000
AMERICAN RESCUE PLAN ACT	0	0	\$ -	\$ -	\$ -	\$ -	\$ -
LOAN DEBT SERVICE	0	0	\$ -	\$ -	\$ -	\$ 581,380	\$ 581,380
BEACH WATER UTILITY FUND	8	0	\$ 683,000	\$ 3,303,965	\$ 2,618,052	\$ 7,973	\$ 6,612,990
STORMWATER FUND	1	0	\$ 82,500	\$ 334,950	\$ 1,232,644	\$ 540,000	\$ 2,190,094
ALL FUNDS TOTAL	74	18	\$ 6,740,000	\$ 9,899,476	\$ 6,160,696	\$ 12,201,784	\$ 35,001,956

Town of Fort Myers Beach
Tentative Annual Budget
All Funds Summary
From 10/01/2021 to 6/30/2022

		FY20 Actual	FY21 Actual	Current Year Actual	Current Year Budget	FY23 Budget*
Revenues						
General	10	8,086,868	9,698,536	8,152,349	10,136,293	11,908,386
Road Impact	11	8,001	534,477	1,393,415	-	1,439,645
Parks Impact	12	30,000	195,703	7,095	-	242,431
Emergency	13	131,724	2,910	-	-	-
Gas Tax	20	556,211	381,925	267,207	330,000	1,149,487
Storm Water	21	2,395,879	1,167,385	1,135,833	1,802,500	4,547,552
Beach Access	22	1,131,630	1,569,163	(285,147)	862,875	1,408,825
Building	24	470,078	1,219,114	606,474	752,670	1,102,205
General Debt Service Fund	30	-	-	581,380	581,380	581,380
Capital Fund	40	1,362,579	1,495,472	1,260,188	2,883,950	3,935,380
Community Enhancement Projects	41	-	708,089	233,220	4,529,960	8,800,000
Water Utility	50	5,322,957	6,050,877	4,819,095	6,409,464	9,600,030
American Rescue Plan Act	60	-	-	-	-	3,553,056
Total Revenues		19,495,926	23,023,650	18,171,108	28,289,092	48,268,377
		FY20 Actual	FY21 Actual	Current Year Actual	Current Year Budget	FY23 Budget
Expenses						
General	10	7,980,439	8,011,818	7,133,823	10,136,293	11,908,386
Road Impact	11	60,712	-	229,874	-	1,439,645
Parks Impact	12	125,293	-	-	-	242,431
Emergency	13	-	-	-	-	-
Gas Tax	20	729,912	204,827	167,473	330,000	1,149,487
Storm Water	21	357,986	598,045	901,062	1,802,500	4,547,552
Beach Access	22	1,104,537	1,002,255	1,002,630	862,875	1,408,825
Building	24	668,168	549,025	552,094	752,670	1,102,205
General Debt Service Fund	30	-	-	518,054	581,380	581,380
Capital Fund	40	1,226,105	774,023	1,279,261	2,883,950	3,935,380
Community Enhancement Projects	41	-	500,655	1,353,027	4,529,960	8,800,000
Water Utility	50	3,618,762	3,976,462	3,608,672	6,409,464	9,600,030
American Rescue Plan Act	60	-	-	-	-	3,553,056
Total Expenses		15,871,914	15,617,110	16,745,970	28,289,092	48,268,377

Town of Fort Myers Beach
Tentative Annual Budget
General Fund Revenue and Expenditures by Department
From 10/01/2021 to 6/30/2022

				Current Year	Current Year	
		FY20 Actual	FY21 Actual	Actual	Budget	FY23 Budget
Revenues						
Town Council	10	-	-	-	-	-
Town Manager	12	-	-	-	-	-
Town Clerk	14	-	-	-	-	-
Finance	16	5,589,507	6,192,700	5,677,992	7,659,243	8,747,821
Short Term Rentals	17	142,550	141,767	210,635	122,000	169,100
Legal	18	-	-	-	-	-
General Government	19	151,422	172,332	-	-	-
Community Development	20	124,261	128,851	175,037	187,950	188,500
Code Enforcement	21	405,473	103,920	28,110	90,000	25,000
Town Hall Maintenance	29	-	-	-	-	-
Public Works Administration	30	5,541	8,167	9,833	15,000	5,000
Public Works Maintenance	31	2,479	827,131	2,683	-	800
Times Square	32	76,698	65,178	850	75,000	-
Maritime	33	105,530	47,690	6,688	25,000	76,205
Parking Meter Operations	34	1,167,875	1,608,236	1,623,983	1,452,000	1,877,560
Mooring Field Operations	36	163,684	207,328	206,883	235,200	409,000
Bayside Park	37	-	-	-	-	15,000
Bay Oaks Recreation Center	50	55,230	73,096	62,038	68,000	112,500
Bay Oaks Pool	51	14,421	21,397	41,356	64,000	89,000
Mound House	70	79,866	100,664	106,136	138,500	163,500
Newton Park	71	2,331	80	125	4,400	29,400
Total Revenues		8,086,868	9,698,536	8,152,349	10,136,293	11,908,386

				Current Year	Current Year	
		FY20 Actual	FY21 Actual	Actual	Budget	FY23 Budget
Expenses						
Town Council	10	196,837	155,561	118,696	215,400	230,400
Town Manager	12	287,032	338,753	214,663	340,305	347,205
Town Clerk	14	399,597	543,265	431,497	619,256	660,600
Finance	16	455,035	515,657	402,849	575,150	646,300
Short Term Rentals	17	57,018	35,489	48,965	49,250	49,250
Legal	18	220,475	327,893	137,804	250,000	250,000
General Government	19	2,423,077	1,964,593	2,087,763	2,607,130	3,362,619
Community Development	20	444,843	323,476	420,128	739,270	768,670
Code Enforcement	21	214,312	209,794	196,590	307,910	393,515
Town Hall Maintenance	29	-	69,638	65,950	95,690	95,690
Public Works Administration	30	234,757	230,889	210,516	267,807	264,972
Public Works Maintenance	31	771,180	844,185	665,169	1,119,665	1,361,040
Times Square	32	35,934	47,544	41,453	37,300	45,600
Maritime	33	83,828	85,551	82,625	52,250	52,785
Parking Meter Operations	34	545,896	553,829	442,979	574,420	669,890
Mooring Field Operations	36	139,209	157,156	153,034	299,960	340,180
Bayside Park	37	-	-	-	-	15,000
Bay Oaks Recreation Center	50	665,157	750,086	645,863	912,750	1,177,550
Bay Oaks Pool	51	241,906	298,460	299,864	413,695	444,305
Mound House	70	519,513	506,507	437,512	603,685	690,415
Newton Park	71	44,833	53,492	29,902	55,400	42,400
Total Expenses		7,980,439	8,011,818	7,133,823	10,136,293	11,908,386

Town of Fort Myers Beach
Tentative Annual Budget
General Fund Revenue Details
From 10/01/2021 to 6/30/2022

			FY20 Actual	FY21 Actual	Current Year Actual	Current Year Budget	FY23 Budget
Revenues							
Ad Valorem Taxes	31100		3,001,904	3,404,467	3,528,958	3,546,858	4,075,154
Public Service Tax	31410		927,085	981,603	658,970	900,000	950,000
Gas Utility Tax	31440		11,249	14,520	11,745	11,000	12,000
Communication Service Tax	31500		572,003	-	-	-	-
State Communications Services	31510		-	536,425	379,545	595,000	550,000
Local Business Tax	31600		4,584	4,159	1,272	2,000	2,000
Building Permit Fees	32200		25,013	10,158	765	70,200	-
Plans Review Fee	32210		5,541	8,167	9,833	15,000	5,000
Lee County Interlocal Agreement	32211		-	820,000	-	-	-
Other Licenses & Permits	32220		4,485	13,956	19,030	53,000	20,000
Solid Waste Franchise	32370		70,973	97,360	77,885	83,000	80,000
Zoning Fees	32900		70,233	59,976	-	50,100	-
Election Qualifying Fees	32901		4,852	-	-	-	-
Sign Fees	32910		-	325	-	150	-
Original Short Term Rental Fees	32920		-	100	-	-	-
Code Case Fees	32930		3,650	1,325	-	2,000	-
Code Enforcement Liens R	32931		400	33,260	-	-	-
Special Events Permits	32940		2,590	3,410	3,799	4,000	-
FEMA Reimbursement	33150		-	31,043	-	-	-
Mound House Grant	33410		2,025	-	-	-	-
WCIND Grant - Law Enforcement	33420		40,360	47,690	6,688	25,000	35,000
Safety Grant	33430		1,898	750	-	-	-
FEDP Grant/CVA	33436		-	12,326	9,244	54,000	241,205
State Revenue Sharing	33512		139,746	207,312	151,491	200,000	200,000
Mobile Home License	33514		14,182	16,515	11,970	11,000	13,000
Alcoholic Beverages License	33515		25,776	29,673	25,084	21,000	10,000
Half Cent Sales Tax	33518		578,325	643,492	515,024	600,000	700,000
FBIP Grant	33740		65,500	-	-	-	-
Recording Fees	34110		(50)	-	-	-	-
Administrative Charge	34130		242,354	282,150	230,817	246,000	300,000
Lien Searches	34191		10,134	16,545	21,950	3,000	25,000
Registration Fees	34192		100	24,950	35	25,000	-
New Short Term Rental	34193		142,650	121,282	210,635	105,000	169,100
Right of Way	34194		108,623	95,194	101,208	127,000	105,000
Solid Waste Fees	34340		(1,269)	1,108	-	-	-
Late Fees	34360		81	-	-	-	-
Environmental Restoration	34370		805	1,120	-	1,000	-
Flood Plain Review Fees	34390		21,247	-	-	-	-
Harborage User Fees	34420		162,229	193,928	190,712	180,000	201,000
Pump Out Services	34425		1,125	1,075	1,441	1,200	2,000
Parking Facilities Revenue	34450		1,136,450	1,586,222	1,621,283	1,400,000	1,877,560
Parking Permits	34451		-	-	4,622	-	5,000
Mound House Programs & Tours	34710		20,177	25,502	32,420	25,000	50,000
Pool Revenue	34720		14,410	21,397	41,356	62,000	87,000
Newton Classes	34731		1,509	-	-	1,400	400
Mound House Admissions	34733		27,352	26,884	32,460	50,000	50,000
Mound House Memberships	34734		8,733	10,201	9,310	15,000	18,500
BORC Revenue	34750		52,680	35,046	60,538	65,000	90,000
Code Citation	35400		61,265	7,425	-	35,000	-
Code Enforcement Fees	35410		329,404	45,350	6,125	45,000	-
Other Fines & Foreiture	35910		3,837	3,011	2,166	-	-
Merchandise	36001		21,607	29,241	29,089	32,000	39,800
Interest Income	36110		96,288	5,162	31,484	90,000	5,000
Newton Park Rentals	36200		823	80	125	3,000	7,000
Mound House Rentals	36201		400	1,063	925	5,000	5,000
Donations (Non-Specific)	36600		-	1,000	-	2,000	2,000
Sponsorship Donations	36601		281	311	-	-	-
Mound House Donations	36602		2,453	8,643	2,995	11,500	5,000
BORC Donations	36603		2,550	20,100	-	3,000	3,000
Fireworks Donations	36605		15,000	-	-	-	-
Scholarships	36606		-	-	3,000	-	-
Street Performers Licenses	36700		1,200	1,050	525	-	-
Miscellaneous	36900		13,020	33,655	98,418	30,500	45,500
Miscellaneous - Claims/Premium Reimb	36901		16,541	119,597	-	-	-
Other Misc. Revenue	36902		1	1,437	7,406	-	32,000
Refunds & Rembursement	36904		486	797	-	-	-
Transfers In from Reserves	38190		-	-	-	1,329,385	1,870,667
Total Revenues			8,086,868	9,698,536	8,152,349	10,136,293	11,908,386

Town of Fort Myers Beach
Tentative Annual Budget
10 - General
10 - Town Council
From 10/01/2021 to 6/30/2022

		FY20 Actual	FY21 Actual	Current Year Actual	Current Year Budget	FY23 Budget
Expenses						
Executive Salaries	51000	86,546	79,200	64,800	86,400	86,400
FICA	52100	6,621	6,059	4,957	6,610	6,700
Life and Health	52300	10	-	-	-	-
Workers Compensation	52400	1,859	2,137	1,635	2,045	2,500
Lobbyist	53102	49,603	39,671	36,339	60,000	75,000
Studies and Agreements	53405	2,066	-	-	-	-
Publication Advertisement	53408	13,089	17,454	4,501	18,700	18,000
Stenographic Services	53409	10,086	-	-	-	-
Other Contractual Service	53420	300	-	-	-	-
Travel and Per Diem	54000	100	523	671	10,000	10,000
Communications Services	54100	-	-	246	-	-
Cell Phone & Electronic Devices	54102	4,506	3,930	2,113	4,345	4,000
Freight and Postage Services	54200	71	-	-	-	-
Insurance	54500	-	-	-	-	-
Printing and Binding	54700	-	40	-	-	-
Other Current Charges and Obligations	54900	19,363	3,439	839	6,500	6,500
Election Fees	54902	142	-	-	-	-
Training	55500	-	300	-	-	-
Office Supplies	55100	-	297	245	200	200
Books, Publications, Subscriptions	55400	2,475	2,511	2,350	2,600	2,600
Contingency	58100	-	-	-	18,000	18,500
Total Expenses		196,837	155,561	118,696	215,400	230,400

Town of Fort Myers Beach
Tentative Annual Budget
10 - General
12 - Town Manager
From 10/01/2021 to 6/30/2022

			FY20 Actual	FY21 Actual	Current Year Actual	Current Year Budget	FY23 Budget
Expenses							
Executive Salaries	51000		214,913	221,216	145,164	173,000	173,000
Special Pay	51500		-	-	-	6,800	-
Personnel Benefits	51600		7,200	6,840	5,160	7,200	7,200
Benefits Allowance	51700		-	3,790	3,390	3,500	17,000
FICA	52100		11,593	12,056	8,653	13,200	14,500
Retirement	52200		-	-	-	17,300	17,500
Life and Health	52300		14,811	17,072	16,039	27,400	22,000
Workers Compensation	52400		277	318	436	300	800
Travel and Per Diem	54000		40	1,518	941	2,550	2,550
Cell Phone & Electronic Devices	54102		1,838	918	837	1,500	1,500
Insurance	54500		33,734	36,065	21,671	33,300	36,000
Office Supplies	55100		(18)	64	362	200	400
Operating Supplies	55200		38	93	-	-	-
Uniforms	55201		347	264	232	500	500
Books, Publications, Subscriptions	55400		2,259	2,499	1,930	2,450	2,450
Training	55500		-	500	-	-	-
Contingency	58100		-	35,538	9,848	51,105	51,805
Total Expenses			287,032	338,753	214,663	340,305	347,205

Town of Fort Myers Beach
Tentative Annual Budget
10 - General
14 - Town Clerk
From 10/01/2021 to 6/30/2022

		FY20 Actual	FY21 Actual	Current Year Actual	Current Year Budget	FY23 Budget
Expenses						
Regular Wages	51200	286,027	359,230	283,731	352,000	360,000
Overtime	51400	-	134	111	-	-
Special Pay	51500	-	-	-	12,800	-
Benefit Allowance	51700	-	7,304	6,663	7,000	36,000
FICA	52100	21,787	27,605	22,693	27,000	32,000
Retirement	52200	21,033	20,993	13,089	24,400	34,000
Life and Health	52300	39,539	70,917	65,658	89,100	87,300
Workers Compensation	52400	562	645	915	620	1,700
Legal Services	53101	-	158	-	-	-
Technological Services	53107	-	298	-	-	-
Professional Services	53108	156	45	45	-	-
Accounting Services	53201	-	-	40	-	-
Publication Advertisement	53408	740	-	433	18,000	18,000
Stenographic Services	53409	-	199	5,958	12,636	16,000
Travel and Per Diem	54000	-	1,070	3,024	9,350	9,000
Cell Phone & Electronic Devices	54102	2,200	2,974	1,584	3,440	2,000
Web Service	54103	-	1,548	-	-	-
Freight and Postage Services	54200	4	-	-	-	-
Insurance	54500	25,842	36,393	20,529	35,300	36,000
Other Current Charges and Obligations	54900	-	156	-	300	-
Office Supplies	55100	84	683	-	500	500
Operating Supplies	55200	-	159	159	-	-
Uniforms	55201	-	-	-	-	600
Books Publications, Subscriptions	55400	1,623	12,604	2,288	18,810	14,500
Training	55500	-	150	-	-	-
Contingency	58100	-	-	4,576	8,000	13,000
Total Expenses		399,597	543,265	431,497	619,256	660,600

Town of Fort Myers Beach
Tentative Annual Budget
10 - General
16 - Finance
From 10/01/2021 to 6/30/2022

		FY20 Actual	FY21 Actual	Current Year Actual	Current Year Budget	FY23 Budget
Expenses						
Regular Wages	51200	223,105	202,028	178,685	340,700	375,000
Overtime	51400	53	5,836	1,169	-	3,000
Special Pay	51500	-	-	-	2,800	-
Benefit Allowance	51700	-	4,207	4,604	6,900	37,500
FICA	52100	16,710	15,679	14,109	26,100	31,500
Retirement	52200	7,252	4,381	12,415	20,800	15,000
Life and Health	52300	26,342	45,406	51,608	75,800	86,500
Workers Compensation	52400	572	486	746	500	1,400
Professional Services	53108	343	36,825	135	-	-
Accounting and Auditing	53200	35,310	33,760	38,593	30,000	35,000
Accounting Services	53201	19,110	36,753	27,309	18,000	16,000
Other Services	53400	-	6,240	4,425	-	-
Contracted Services	53401	4,492	7,500	16,343	-	-
Contracted Labor	53402	69,123	52,524	24,717	-	-
Publication Advertisement	53408	2,850	-	-	-	-
Travel and Per Diem	54000	1,768	16	-	-	-
Cell Phone & Electronic Devices	54102	749	1,675	768	1,000	1,500
Information Technology Services	54105	660	545	291	2,400	2,400
Freight and Postage Services	54200	68	-	27	-	-
Insurance	54500	31,245	36,975	20,647	33,000	30,000
Printing and Binding	54700	-	70	-	-	-
Other Current Charges and	54900	-	85	-	-	-
Bank Charges	54901	8,344	7,153	1,631	4,000	6,000
Merchant Credit Card Fees	54916	3,740	2,079	553	5,000	-
Office Supplies	55100	290	3,443	2,432	1,900	2,500
Operating Supplies	55200	-	354	474	-	500
Uniforms	55201	-	430	-	-	-
Books Publications Subscriptions	55400	514	539	70	1,250	500
Training	55500	2,395	10,667	1,099	5,000	2,000
Total Expenses		455,035	515,657	402,849	575,150	646,300

Town of Fort Myers Beach
Tentative Annual Budget
10 - General
17 - Short Term Rentals
 From 10/01/2021 to 6/30/2022

		FY20 Actual	FY21 Actual	Current Year Actual	Current Year Budget	FY23 Budget
Expenses						
Workers Compensation	52400	32	37	-	-	-
Other Services	53400	37,045	35,000	35,000	35,000	35,000
Contracted Services	53401	-	-	13,950	13,950	13,950
Contracted Labor	53402	17,896	452	-	-	-
Office Supplies	55100	-	-	15	300	300
Books, Publications, Subscriptions	55400	2,045	-	-	-	-
Total Expenses		57,018	35,489	48,965	49,250	49,250

Town of Fort Myers Beach
Tentative Annual Budget
10 - General
18 - Legal
 From 10/01/2021 to 6/30/2022

		FY20 Actual	FY21 Actual	Current Year Actual	Current Year Budget	FY23 Budget
Expenses						
Legal Services	53101	220,380	279,715	132,804	150,000	150,000
Other Services	53400	-	48,078	5,000	100,000	100,000
Books, Publications, Subscriptions	55400	95	100	-	-	-
Total Expenses		220,475	327,893	137,804	250,000	250,000

Town of Fort Myers Beach
Tentative Annual Budget
10 - General
19 - General Government
From 10/01/2021 to 6/30/2022

			FY20 Actual	FY21 Actual	Current Year Actual	Current Year Budget	FY23 Budget
Expenses							
Life and Health	52300		1,342	41,376	1,977	48,000	-
Unemployment	52500		-	9,605	(168)	-	-
Other Post Employment Benefits	52600		(8,720)	-	-	-	-
Professional Services	53100		65,000	-	-	-	-
Technological Services	53107		-	3,022	-	5,000	5,000
Professional Services	53108		270	-	-	-	-
Accounting and Auditing	53200		39	-	144	-	-
Accounting Services	53201		-	2,269	2,986	1,500	5,000
Other Services	53400		18,072	36,212	1,295	124,000	124,000
Contracted Services	53401		20,343	15,705	10,225	17,700	18,000
Pest Control	53407		1,140	-	-	-	-
Publication Advertisement	53408		430	-	2,295	-	-
Stenographic Services	53409		-	7,863	690	8,000	8,000
Other Contractual Service	53420		20,000	(248)	-	-	-
Travel and Per Diem	54000		15	-	-	-	-
Telephone Service	54101		69,839	27,589	10,125	75,600	75,600
Cell Phone & Electronic Devices	54102		457	2,035	2,622	120	2,000
Web Service	54103		17,942	26,188	26,580	15,480	27,000
Internet Service	54104		9,063	41,994	30,908	7,500	7,500
Information Technology Services	54105		177,320	177,611	191,388	189,820	190,000
Emergency Communications	54107		2,218	60	-	1,380	1,400
Freight and Postage Services	54200		19,684	10,164	9,415	14,400	14,000
Utility Services	54300		7,669	670	415	7,000	7,500
Electricity	54301		13,982	20	-	15,000	15,000
Storage Facility Rental	54401		12,222	-	-	-	-
Copier Rental	54402		23,459	13,602	10,057	20,400	20,000
Insurance	54500		40,585	20,046	10,760	38,900	3,281
Repairs & Maintenance Building	54601		11,233	147	4,078	-	-
Repairs & Maintenance Equipment	54603		272	-	-	-	-
Repairs & Maintenance Facilities	54605		8,218	1,750	-	3,000	3,000
Keep Lee County Beautiful	54801		1,500	1,500	1,500	1,500	1,500
Horizon Council & Charlotte	54803		5,000	5,000	5,000	5,000	5,000
Advisory Committees	54804		-	-	6,277	25,000	24,440
Other Current Charges and Obligations	54900		5,596	2,046	1,592	8,570	8,000
Bank Charges	54901		148	2,187	868	-	-
Election Fees	54902		1,176	-	-	1,200	1,500
After School Program	54903		2,254	-	-	23,000	23,000
Licenses, Permits and Fees	54906		1,382	447	774	550	1,500
Street Performers	54907		578	238	-	-	-
Merchandise for Resale	54908		490	-	-	-	-
Other Contractual Service - Special Events	54915		20,001	-	-	-	-
Merchant Credit Card Fees	54916		569	2,928	1,022	900	500
Coronavirus-19	54962		-	6,549	-	-	-
Office Supplies	55100		18,917	14,505	9,804	16,505	17,000
Operating Supplies	55200		8,317	3,076	474	-	-
Emergency Supplies	55202		-	1,200	-	-	-
Drinking Water	55203		588	683	638	600	500
Small Tools & Equipment	55204		-	86	-	-	-
Books, Publications, Subscriptions	55400		3,619	4,792	10,688	5,000	-
Training	55500		-	2,104	2,588	-	-
Contingency	58100		-	116,272	419,366	615,125	443,398
Transfer Out to Gas Tax Fund	59105		23,000	-	-	-	-
Transfer Out to Capital	59112		1,354,805	1,363,245	730,000	730,000	1,730,000
Transfer Out to Gas	59115		100,000	-	-	-	-
Transfer out to General Debt Service	59117		-	-	581,380	581,380	580,000
Transfer Out to Beach Access Fund	59118		343,043	-	-	-	-
Debt Interest	72000		-	56	-	-	-
Total Expenses			2,423,077	1,964,593	2,087,763	2,607,130	3,362,619

Town of Fort Myers Beach
Tentative Annual Budget
10 - General
20 - Community Development
From 10/01/2021 to 6/30/2022

			FY20 Actual	FY21 Actual	Current Year Actual	Current Year Budget	FY23 Budget
Expenses							
Regular Wages	51200		45,888	43,125	81,219	114,400	134,000
Overtime	51400		33	8	-	-	-
Special Pay	51500		-	-	-	4,500	-
Benefit Allowance	51700		-	722	2,010	2,300	13,500
FICA	52100		3,499	3,355	6,360	8,800	11,500
Retirement	52200		1,650	1,473	3,350	4,600	6,000
Life and Health	52300		15,406	24,707	17,370	30,300	27,000
Workers Compensation	52400		1,577	1,812	1,517	1,700	3,000
Planning Services	53106		32,019	-	-	-	-
Professional Services	53108		269	7,825	-	-	-
Other Services	53400		1,885	-	-	-	-
Contracted Services	53401		273,894	197,905	219,066	305,700	305,700
Contracted Labor	53402		4,250	-	-	-	-
Flood Plain Services	53404		-	165	-	-	-
Studies and Agreements	53405		-	745	67,596	166,000	166,000
Publication Advertisement	53408		-	-	-	1,200	1,000
Other Contractual Services	53420		36,469	23,336	807	27,100	27,100
Other Contractual Services - Grant Match	53425		-	-	-	10,000	10,000
Other Contractual Services - Grant Match	53425		-	-	-	15,000	15,000
Travel and Per Diem	54000		883	565	556	1,000	1,000
Cell Phone & Electronic Devices	54102		821	906	459	1,495	1,495
Information Technology Services	54105		5,112	-	-	-	-
GIS Services	54106		-	-	-	800	800
Freight and Postage Services	54200		74	43	1,279	1,200	2,700
Insurance	54500		1,703	6,301	3,968	6,300	13,000
Repairs & Maintenance - Vehicles	54604		150	289	549	200	13,925
Printing and Binding	54700		499	45	-	600	600
Other Current Charges and Obligations	54900		7,725	-	-	-	-
Licenses, Permits and Fees	54906		259	674	134	125	150
Merchandise for Resale	54908		2,488	1,694	1,059	1,000	1,000
Merchant Credit Card Fees	54916		569	1,094	911	650	1,300
Office Supplies	55100		732	973	5,317	1,100	6,100
Operating Supplies	55200		1,111	3,360	959	900	1,000
Emergency Supplies	55202		-	77	-	-	-
Fuel	55206		615	292	1,102	1,000	4,000
Books, Publications, Subscriptions	55400		4,808	529	1,314	800	1,800
Training	55500		455	1,456	887	-	-
Contingency	58100		-	-	2,339	30,500	-
Total Expenses			444,843	323,476	420,128	739,270	768,670

Town of Fort Myers Beach
Tentative Annual Budget
10 - General
21 - Code Enforcement
From 10/01/2021 to 6/30/2022

			FY20 Actual	FY21 Actual	Current Year Actual	Current Year Budget	FY23 Budget
Expenses							
Regular Wages	51200		102,950	112,515	111,871	164,300	209,000
Overtime	51400		171	755	1,624	-	-
Special Pay	51500		-	-	-	3,500	-
Benefit Allowance	51700		-	1,970	2,427	1,000	15,000
FICA	52100		7,549	8,596	8,877	12,600	17,200
Retirement	52200		2,870	2,503	4,773	5,200	10,000
Life and Health	52300		23,102	29,632	24,687	13,200	39,500
Workers Compensation	52400		2,554	2,936	2,403	2,810	2,810
Special Magistrate Services	53105		10,488	2,109	5,692	10,000	10,000
Professional Services	53108		-	90	45	-	-
Contracted Services	53401		40,720	27,762	22,685	23,920	30,000
Other Contractual Services	53420		-	343	-	-	13,620
Cell Phone & Electronic Devices	54102		2,171	1,803	1,606	1,495	2,000
Freight and Postage Services	54200		1,131	691	348	1,135	1,135
Insurance	54500		14,111	15,048	7,850	13,800	30,000
Repairs & Maintenance - Vehicles	54604		831	342	468	-	4,000
Printing and Binding	54700		-	-	-	600	600
Other Current Charges and Obligations	54900		1,013	-	-	-	-
Licenses, Permits and Fees	54906		-	-	225	-	-
Nuisance Abatement Program	54930		-	-	-	50,000	-
Office Supplies	55100		2,445	55	85	1,000	1,000
Operating Supplies	55200		-	175	-	600	600
Uniforms	55201		-	314	120	250	250
Fuel	55206		295	1,905	806	700	5,000
Books, Publications, Subscriptions	55400		1,811	50	-	600	600
Training	55500		100	200	-	1,200	1,200
Total Expenses			214,312	209,794	196,590	307,910	393,515

Town of Fort Myers Beach
Tentative Annual Budget
10 - General
29 - Town Hall Maintenance
 From 10/01/2021 to 6/30/2022

			Current Year	Current Year	
			Actual	Budget	
Expenses			FY20 Actual	FY21 Actual	FY23 Budget
Contracted Services	53401	-	890	-	9,100
Janitorial Services	53403	-	5,256	2,737	4,600
Pest Control	53407	-	1,140	760	1,200
Other Contractual Service	53420	-	5,461	4,352	8,590
Telephone Service	54101	-	1,656	-	-
Utility Service	54300	-	7,346	6,165	8,250
Electricity	54301	-	15,016	13,152	16,000
Storage Facility Rental	54401	-	19,848	17,213	20,000
Repairs & Maintenance - Buildings	54601	-	2,744	14,252	7,000
Repairs & Maintenance - Landscape	54602	-	394	124	4,800
Repairs & Maintenance - Equipment	54603	-	1,512	-	-
Repairs & Maintenance - Facilities	54605	-	1,637	1,529	1,300
Repairs & Maintenance - Street Lighting	54607	-	-	1,026	-
Licenses, Permits and Fees	54906	-	75	-	250
Operating Supplies	55200	-	3,487	2,402	12,000
Small Tools & Equipment	55204	-	2,995	-	-
Books, Publications, Subscriptions	55400	-	180	-	-
Infrastructure - Cap	63000	-	-	2,240	-
Total Expenses		-	69,638	65,950	95,690

Town of Fort Myers Beach
Tentative Annual Budget
10 - General
30 - Public Works Administration
From 10/01/2021 to 6/30/2022

		FY20 Actual	FY21 Actual	Current Year Actual	Current Year Budget	FY23 Budget
Expenses						
Regular Wages	51200	125,437	124,064	116,166	126,880	125,000
Overtime	51400	218	22	181	500	-
Special Pay	51500	-	-	-	4,900	-
Benefit Allowance	51700	-	2,520	2,517	2,540	11,500
FICA	52100	9,644	9,520	9,145	9,700	9,500
Retirement	52200	12,855	6,846	5,129	10,100	9,000
Life and Health	52300	23,234	23,473	20,064	26,100	29,500
Workers Compensation	52400	205	236	737	300	1,500
Engineering Services	53104	31,798	30,058	31,030	50,000	50,000
Professional Services	53108	8,316	-	90	-	-
Other Services	53400	-	248	-	2,000	2,000
Contracted Services	53401	495	-	-	500	500
Other Services - Administrative	53410	922	-	-	-	-
Travel and Per Diem	54000	-	540	239	1,000	1,000
Communication Services	54100	411	6,568	6,599	8,240	8,240
Cell Phone & Electronic Devices	54102	697	1,802	1,825	1,215	2,500
Web Service	54103	12	17	14	12	12
Freight and Postage Service	54200	-	90	94	-	-
Insurance	54500	18,355	20,835	13,016	20,400	12,000
Repairs & Maintenance - Equipment	54603	-	-	727	-	-
Licenses, Permits and Fees	54906	832	-	-	500	50
Office Supplies	55100	553	279	482	500	50
Operating Supplies	55200	66	1,529	675	300	300
Uniforms	55201	252	210	75	500	500
Fuel	55203	-	-	200	-	-
Books, Publications, Subscriptions	55400	174	1,331	897	820	820
Training	55500	281	700	615	800	1,000
Total Expenses		234,757	230,889	210,516	267,807	264,972

Town of Fort Myers Beach
Tentative Annual Budget
10 - General
31 - Public Works Maintenance
From 10/01/2021 to 6/30/2022

			FY20 Actual	FY21 Actual	Current Year Actual	Current Year Budget	FY23 Budget
Expenses							
Regular Wages	51200		343,443	348,154	286,821	389,000	435,000
Overtime	51400		18,282	17,438	21,676	30,000	30,000
Special Pay	51500		-	-	-	12,800	-
Benefit Allowance	51700		-	7,524	7,585	7,800	44,000
FICA	52100		27,150	28,020	24,073	29,800	37,000
Retirement	52200		35,998	29,037	25,075	32,600	38,000
Life and Health	52300		96,344	105,467	114,420	119,600	162,000
Workers Compensation	52400		27,722	31,863	24,834	30,500	45,000
Engineering Services	53104		-	-	8,335	-	-
Professional Services	53108		150	184	45	500	500
Other Services	53400		526	6,337	-	11,850	-
Contracted Labor	53402		3,766	3,250	-	10,000	-
Publication Advertisement	53408		427	469	-	-	-
Other Contracted Services - Grant Match	53425		-	-	-	112,150	218,090
Travel and Per Diem	54000		-	-	-	250	250
Communication Services	54100		1	-	-	-	-
Cell Phone & Electronic Devices	54102		8,628	9,029	9,591	9,000	10,000
Web Service	54103		11	7	11	15	1,500
Freight and Postage Services	54200		73	29	15	250	250
Electricity	54301		811	647	5,620	500	25,000
Waste	54302		23,477	11,848	12,036	17,000	17,000
Recycling	54303		1,943	5,869	948	3,300	3,300
Rental and Leases	54400		954	-	1,982	-	-
Equipment Rental	54404		-	253	758	2,000	2,000
Insurance	54500		103,706	111,182	63,356	99,600	104,000
Repairs & Maintenance - Buildings	54601		138	-	-	-	-
Repairs & Maintenance - Landscape	54602		2,729	3,438	8,509	115,000	100,000
Repairs & Maintenance - Equipment	54603		7,638	3,589	1,615	15,000	15,000
Repairs & Maintenance - Vehicles	54604		14,605	13,762	3,422	10,500	10,500
Repairs & Maintenance - Facilities	54605		1,943	-	-	1,000	1,000
Repairs & Maintenance - Infrastructure	54606		-	-	-	400	400
Other Current Charges and Obligations	54900		-	2,753	-	-	-
Licenses, Permits and Fees	54906		-	-	-	300	300
Coronavirus - 19	54962		-	2,811	-	-	-
Office Supplies	55100		807	344	40	500	500
Operating Supplies	55200		11,428	15,852	14,835	17,000	17,000
Uniforms	55201		16,509	19,053	11,812	17,100	17,100
Emergency Supplies	55202		156	3,892	2,279	250	250
Drinking Water	55203		928	1,311	961	1,200	1,200
Small Tools & Equipment	55204		3,769	8,423	2,279	7,500	7,500
Fuel	55206		11,632	10,194	9,652	15,000	15,000
Books, Publications, Subscriptions	55400		-	-	5	400	400
Training	55500		715	3,068	528	-	2,000
Various Signage - Cap	63020		-	-	2,052	-	-
Landscaping	63300		-	39,088	-	-	-
Debt Principal	71000		3,635	-	-	-	-
Debt Interest	72000		1,136	-	-	-	-
Total Expenses			771,180	844,185	665,169	1,119,665	1,361,040

Town of Fort Myers Beach
Tentative Annual Budget
10 - General
32 - Times Square
From 10/01/2021 to 6/30/2022

		FY20 Actual	FY21 Actual	Current Year Actual	Current Year Budget	FY23 Budget
Expenses						
Other Contractual Services	53420	(19,718)	630	673	850	850
Utility Services	54300	1,104	1,234	2,481	1,500	3,100
Electricity	54301	1,063	676	911	1,200	2,400
Waste	54302	11,805	16,180	14,135	12,000	15,000
Recycling	54303	-	41	1,333	-	-
Equipment Rental	54404	2,267	-	1,197	1,500	1,500
Repairs & Maintenance	54600	814	922	-	-	-
Repairs & Maintenance - Landscaping	54602	5,128	4,592	11,490	-	2,500
Repairs & Maintenance - Equipment	54603	12,422	5,712	2,343	4,850	4,850
Repairs & Maintenance - Facilities	54605	9,974	5,292	2,111	8,400	8,400
Repairs & Maintenance - Streets	54607	11,075	9,804	3,459	7,000	7,000
Office Supplies	55100	-	(250)	250	-	-
Operating Supplies	55200	-	2,008	1,070	-	-
Small Tools & Equipment	55204	-	703	-	-	-
Total Expenses		35,934	47,544	41,453	37,300	45,600

Town of Fort Myers Beach
Tentative Annual Budget
10 - General
33 - Maritime
From 10/01/2021 to 6/30/2022

		FY20 Actual	FY21 Actual	Current Year Actual	Current Year Budget	FY23 Budget
Expenses						
Regular Wages	51200	2,793	11,513	22,138	-	-
Overtime	51400	-	521	593	-	-
Benefit Allowance	51700	-	148	115	-	-
FICA	52100	271	977	1,863	-	-
Other Services	53400	474	237	-	-	-
Contracted Services	53401	-	358	-	-	-
Other Contractual Services	53401	-	-	2,300	5,000	13,735
Other Contractual Services	53420	8,300	-	-	-	-
Other Contractual Services - Law Enforcement	53421	58,880	51,632	22,624	25,000	15,000
Other Contractual Services - Grant Match	53425	-	6,000	-	-	-
Electricity	54301	-	-	-	250	-
Insurance	54500	6,224	6,339	3,882	6,000	6,300
Repairs & Maintenance	54600	(212)	-	-	-	-
Repairs & Maintenance - Landscaping	54602	-	-	-	2,500	1,500
Repairs & Maintenance - Equipment	54603	2,101	1,170	272	-	-
Repairs & Maintenance - Facilities	54605	3,298	-	-	-	-
Repairs & Maintenance - Waterways	54615	374	2,428	26,773	12,000	12,000
Licenses, Permits and Fees	54906	-	-	250	-	250
Operating Supplies	55200	55	3,828	1,314	1,000	2,000
Fuel	55206	670	-	-	-	2,000
Training	55500	600	400	500	500	-
Total Expenses		83,828	85,551	82,625	52,250	52,785

Town of Fort Myers Beach
Tentative Annual Budget
10 - General
34 - Parking Meter Operations
From 10/01/2021 to 6/30/2022

		FY20 Actual	FY21 Actual	Current Year Actual	Current Year Budget	FY23 Budget
Expenses						
Regular Wages	51200	272,970	246,746	210,646	293,300	302,000
Overtime	31400	327	375	159	-	-
Special Pay	51500	-	-	-	7,100	-
Benefit Allowance	51700	-	4,469	2,787	2,900	15,000
FICA	52100	19,958	18,349	16,248	22,400	25,000
Retirement	52200	14,269	12,235	10,299	14,400	13,000
Life and Health	52300	49,767	53,852	44,334	47,000	57,000
Workers Compensation	52400	10,843	12,463	9,837	11,930	16,000
Legal Services	53101	2,125	1,698	-	-	-
Technological Services	53107	30	-	-	-	-
Professional Services	53108	156	182	-	190	190
Accounting Services	53201	-	-	50	-	-
Contracted Services	53401	51,337	54,676	11,862	40,000	20,000
Other Contractual Services	53420	260	990	-	-	-
Cell Phone & Electronic Devices	54102	6,083	6,732	3,813	6,000	6,000
Web Service	54103	80	40	-	-	-
Information Technology Services	54105	550	-	510	900	900
Freight and Postage Services	54200	83	37	-	200	200
Insurance	54500	49,646	53,129	29,745	48,600	50,600
Repairs & Maintenance	54600	1,165	-	-	-	-
Repairs & Maintenance - Equipment	54603	333	-	-	500	500
Repairs & Maintenance - Vehicles	54604	1,191	7,791	4,191	7,000	7,000
Printing and Binding	54700	466	34	99	1,500	-
Other Current Charges and Obligations	54900	1,013	-	300	-	20,500
Bank Charges	54901	388	189	7,805	-	10,000
Licenses, Permits and Fees	54906	128	128	256	250	250
Other Contact Services - Teen Program	54911	260	-	-	-	-
Other Services - Special Events	54915	-	-	302	-	-
Merchant Credit Card Fees	54916	50,013	67,700	89,232	50,000	100,000
Office Supplies	55100	1,150	51	39	500	500
Operating Supplies	55200	5,976	5,322	2,710	6,000	6,000
Uniforms	55201	2,257	590	1,045	3,000	3,000
Small Tools & Equipment	55204	823	98	700	1,000	1,000
Fuel	55206	1,902	5,700	5,013	5,000	10,000
Training	55500	347	254	-	250	250
Contingency	58100	-	-	-	4,500	5,000
Total Expenses		545,896	553,829	442,979	574,420	669,890

Town of Fort Myers Beach
Tentative Annual Budget
10 - General
36 - Mooring Operations
From 10/01/2021 to 6/30/2022

		FY20 Actual	FY21 Actual	Current Year Actual	Current Year Budget	FY23 Budget
Expenses						
Regular Wages	51200	20,448	15,200	60,708	27,000	82,000
Overtime	51400	347	-	-	485	1,500
Special Pay	51500	-	-	-	1,040	-
Benefit Allowance	51700	-	248	1,123	500	5,700
FICA	52100	1,345	-	4,636	2,100	6,800
Retirement	52200	-	(951)	3,490	2,700	5,700
Life and Health	52300	-	-	2,771	2,200	13,500
Workers Compensation	52400	-	-	28	-	3,000
Professional Services	53100	-	5,000	90	-	-
Accounting Services	53201	-	-	160	-	-
Other Services	53400	687	5,549	4,462	5,400	5,400
Contracted Services	53401	94,461	98,794	39,330	99,000	50,000
Janitorial Services	53403	-	163	1,665	-	3,000
Publication Advertisement	53408	1,680	1,080	1,080	2,500	3,000
Other Contractual Service	53420	-	-	1,841	-	2,800
Other Contractual Service - Grant Match	53425	-	-	-	98,635	67,430
Travel and Per Diem	54000	329	-	-	500	500
Telephone Service	54101	-	-	1,372	-	400
Cell Phone & Electronic Devices	54102	433	437	658	4,800	4,800
Internet Service	54104	-	416	2,516	-	4,000
Freight and ostage Service	54200	26	-	-	500	-
Electricity	54301	226	140	698	1,000	1,000
Waste	54302	-	-	1,219	-	-
Insurance	54500	5,037	6,515	2,277	6,200	33,000
Repairs & Maintenance	54600	5,931	1,797	-	4,000	4,000
Repairs & Maintenance - Buildings	54601	-	264	-	-	-
Repairs & Maintenance - Equipment	54603	3,307	1,785	2,844	10,000	7,000
Repairs & Maintenance - Vehicles	54604	-	484	299	500	750
Repairs & Maintenance - Facilities	54605	-	-	815	-	-
Bank Charges	54901	1,551	3,957	5,201	5,000	5,000
Licenses, Permits and Fees	54906	61	250	-	500	-
Merchandise for Resale	54908	-	-	331	-	1,000
Merchant Credit Card Fees	54916	-	-	1,929	-	2,000
Office Supplies	55100	-	392	320	-	500
Operating Supplies	55200	2,005	13,308	6,299	10,500	10,500
Uniforms	55201	830	-	1,550	5,500	5,500
Emergency Supplies	55202	-	209	45	-	-
Small Tools & Equipment	55204	-	-	223	3,000	3,000
Fuel	55206	505	1,318	2,543	2,000	3,000
Books, Publications, Subscriptions	55400	-	-	100	-	-
Training	55500	-	800	410	4,400	4,400
Total Expenses		139,209	157,156	153,034	299,960	340,180

Town of Fort Myers Beach
Tentative Annual Budget
10 - General
37 - Bayside Park
 From 10/01/2021 to 6/30/2022

				Current Year	Current Year	
		FY20 Actual	FY21 Actual	Actual	Budget	FY23 Budget
Expenses						
Utility Services	54300	-	-	-	-	1,500
Electricity	54301	-	-	-	-	2,000
Repairs & Maintenance	54600	-	-	-	-	11,500
Total Expenses		-	-	-	-	15,000

Town of Fort Myers Beach
Tentative Annual Budget
10 - General
50 - Bay Oaks Recreation Center
From 10/01/2021 to 6/30/2022

			FY20 Actual	FY21 Actual	Current Year Actual	Current Year Budget	FY23 Budget
Expenses							
Regular Wages	51200		286,279	335,058	257,244	378,700	536,000
Overtime	51400		1,084	4,762	10,431	-	-
Special Pay	51500		-	-	-	7,800	-
Benefit Allowance	51700		-	6,328	6,000	6,600	45,000
FICA	52100		21,218	25,916	20,890	29,000	45,000
Retirement	52200		20,479	16,260	10,206	25,900	24,500
Life and Health	52300		54,033	63,718	68,066	98,500	143,000
Workers Compensation	52400		12,474	14,337	11,396	13,700	21,000
Professional Services	53108		189	594	225	600	600
Accounting Services	53201		-	1,800	1,465	1,800	1,800
Other Services	53400		(1,069)	-	-	-	-
Contracted Services	53401		6,093	4,500	22,388	29,900	29,900
Janitorial Services	53403		-	2,940	10,150	-	-
Pest Control	53407		900	1,435	1,872	1,880	2,500
Telephone Service	54101		149	4,260	3,403	6,200	6,200
Cell Phone & Electronic Devices	54102		3,238	3,664	3,435	4,800	4,800
Internet Service	54104		4,526	3,155	1,456	5,220	5,000
Utility Services	54300		36,663	50,002	31,223	48,000	49,700
Electricity	54301		35,762	35,068	33,959	45,000	45,000
Waste	54302		1,146	661	3,001	3,500	6,000
Copier Rental	54402		3,039	2,616	-	3,600	2,600
Equipment Rental	54404		-	7,148	491	2,500	500
Insurance	54500		77,035	82,979	46,204	75,800	60,000
Repairs & Maintenance	54600		1,105	136	4,859	2,000	4,000
Repairs & Maintenance - Building	54601		612	1,925	2,666	500	500
Repairs & Maintenance - Landscape	54602		21,536	23,229	1,508	8,700	1,100
Repairs & Maintenance - Equipment	54603		3,661	3,295	3,224	3,000	1,500
Repairs & Maintenance - Vehicles	54604		2,846	457	316	900	900
Repairs & Maintenance - Facilities	54605		9,487	7,450	10,618	6,400	6,400
Repairs & Maintenance - Street Lighting	54607		-	-	-	800	800
Printing and Binding	54700		-	-	210	-	-
Promotional Activities	54800		318	338	466	2,500	2,500
Other Current Charges and Obligations	54900		75	62	-	-	-
Bank Charges	54901		768	427	-	540	540
After School Program	54903		1,455	828	-	22,000	22,000
Licenses, Permits and Fees	54906		3,740	2,234	1,625	3,430	3,430
Fireline Refunds	54910		-	-	10	-	-
Other Services - Teen Program	54911		50	-	374	5,380	5,380
Other Services- Youth Program	54912		4,757	4,456	4,860	11,500	11,500
Other Services- Athletic Program	54913		12,650	2,473	1,254	10,350	10,350
Other Services- Senior Program	54914		12,329	8,246	15,641	15,000	15,000
Other Services- Special Events	54915		6,497	1,250	38,653	15,000	45,000
Merchant Credit Card Fees	54916		871	902	843	1,200	1,200
Coronavirus	54962		-	11,900	700	-	-
Office Supplies	55100		1,240	1,901	960	2,000	2,000
Operating Supplies	55200		11,899	5,014	7,876	8,250	8,250
Uniforms	55201		1,377	1,597	84	700	700
Small Tools & Equipment	55204		4,061	-	-	450	450
Fuel	55206		167	613	2,110	1,200	3,000
Books, Publications, Subscriptions	55400		79	350	-	450	450
Training	55500		339	3,800	3,500	1,500	1,500
Total Expenses			665,157	750,086	645,863	912,750	1,177,550

Town of Fort Myers Beach
Tentative Annual Budget
10 - General
51 - Bay Oaks Pool
From 10/01/2021 to 6/30/2022

			Current Year		Current Year	
			FY20 Actual	FY21 Actual	Actual	Budget
Expenses						FY23 Budget
Regular Wages	51200	106,591	115,190	124,060	192,400	214,500
Overtime	51400	1,034	5,252	6,681	-	-
Special Pay	51500	-	-	-	4,700	-
Personal Leave BuyOut	51550	-	-	6,510	-	-
Benefit Allowance	51700	-	2,300	2,312	2,300	13,500
FICA	52100	8,233	9,392	10,677	14,800	18,000
Retirement	52200	4,618	3,126	4,445	6,600	5,500
Life and Health	52300	19,421	28,490	26,478	37,800	40,000
Workers Compensation	52400	6,469	7,435	5,890	7,100	11,000
Professional Services	53108	139	90	90	400	400
Accounting Services	53201	-	1,800	1,350	1,800	1,800
Contracted Services	53401	2,040	180	1,045	7,040	4,500
Contracted Labor	53402	-	857	-	-	-
Pest Control	53407	450	657	180	1,000	1,000
Telephone Service	54101	369	411	-	685	685
Cell Phone & Electronic Devices	54102	578	608	614	1,700	1,700
Utility Services	54300	20,191	26,607	27,269	20,000	30,000
Electricity	54301	14,200	18,711	20,697	24,000	25,000
Insurance	54500	38,550	40,137	24,419	37,600	27,000
Repairs & Maintenance	54600	172	3,177	3,884	15,000	5,000
Repairs & Maintenance - Building	54601	-	-	333	-	-
Repairs & Maintenance - Landscape	54602	540	1,083	-	-	-
Repairs & Maintenance - Equipment	54603	2,303	261	1,651	2,700	2,700
Repairs & Maintenance - Facilities	54605	2,311	3,088	4,091	6,100	5,000
Repairs & Maintenance - Street Lighting	54607	-	-	-	750	750
Bank Charges	54901	648	426	-	640	640
Licenses, Permits and Fees	54906	1,254	763	1,361	530	530
Merchant Credit Card Fees	54916	356	609	742	900	900
Office Supplies	55100	198	1,371	863	1,500	1,500
Operating Supplies	55200	10,528	22,937	19,583	20,050	25,000
Uniforms	55201	713	981	2,098	1,500	1,800
Emergency Supplies	55202	-	-	-	900	900
Small Tools & Equipment	55204	-	-	-	1,000	1,000
Books, Publications, Subscriptions	55400	-	-	-	500	500
Training	55500	-	2,523	2,540	1,700	3,500
Total Expenses		241,906	298,460	299,864	413,695	444,305

Town of Fort Myers Beach
Tentative Annual Budget
10 - General
70 - Mound House
From 10/01/2021 to 6/30/2022

			FY20 Actual	FY21 Actual	Current Year Actual	Current Year Budget	FY23 Budget
Expenses							
Regular Wages	51200		262,657	232,937	221,742	317,400	380,000
Overtime	51400		1,163	84	2,327	-	-
Special Pay	51500		-	-	-	6,200	-
Benefit Allowance	51700		-	5,050	5,163	4,900	30,000
FICA	52100		20,079	17,828	17,511	24,300	32,000
Retirement	52200		23,615	15,623	14,174	19,000	20,500
Life and Health	52300		47,966	52,212	58,159	52,200	67,500
Workers Compensation	52400		6,438	7,399	5,993	7,100	12,000
Legal Services	53101		-	-	500	-	-
Professional Services	53108		378	180	180	435	-
Accounting Services	53201		-	1,800	2,484	1,800	2,000
Contracted Services	53401		3,020	3,047	4,100	4,000	3,000
Janitorial Services	53403		6,948	5,814	6,304	9,425	8,000
Educational Programs	53406		528	346	-	550	550
Pest Control	53704		341	68	-	865	865
Other Contractual Services	53420		3,247	3,051	1,150	-	-
Other Contractual Services - Grant Match	53425		-	2,974	-	4,000	4,000
Travel and Per Diem	54000		-	56	-	-	-
Communication Services	54100		57	-	-	-	-
Telephone Service	54101		113	2,738	2,444	3,600	2,000
Cell Phone & Electronic Devices	54102		3,618	3,550	2,567	4,500	2,500
Web Service	54103		1,017	1,479	19	1,650	-
Internet Service	54104		4,642	2,399	1,454	4,505	2,500
Information Technology Services	54105		180	220	603	3,144	3,000
Emergency Communications	54107		268	383	204	600	400
Freight and Postage Services	54200		152	207	74	380	100
Utility Services	54300		138	138	138	300	-
Electricity	54301		3,401	3,696	693	4,500	-
Copier Rental	54402		4,093	4,726	74	5,000	1,500
Insurance	54500		83,168	96,905	57,846	84,000	83,000
Repairs & Maintenance	54600		351	153	(8,537)	-	2,000
Repairs & Maintenance - Buildings	54601		11	378	190	300	300
Repairs & Maintenance - Landscape	54602		247	776	-	100	100
Repairs & Maintenance - Equipment	54603		1,617	1,342	1,148	-	-
Repairs & Maintenance - Facilities	54605		4,024	4,580	8,905	6,700	3,000
Printing and Binding	54700		-	1,088	138	350	350
Promotional Activities	54800		2,560	1,366	3,741	2,500	2,000
Other Current Charges and Obligations	54900		728	-	-	155	-
Bank Charges	54901		565	252	164	-	-
Licenses, Permits and Fees	54906		504	1,853	599	2,235	600
Merchandise for Resale	54908		17,062	15,077	13,729	18,000	16,000
Other Services - Special Events	54915		3,910	975	-	-	-
Merchant Credit Card Fees	54916		1,492	1,416	2,872	1,500	3,000
Office Supplies	55100		941	975	1,596	900	1,200
Operating Supplies	55200		5,851	4,703	4,732	2,400	4,000
Uniforms	55201		208	544	583	1,000	500
Emergency Supplies	55202		84	-	-	-	-
Educational Supplies	55205		427	2,004	45	-	-
Fuel	55206		-	-	11	-	100
Books, Publications, Subscriptions	55400		1,173	1,490	448	1,500	1,000
Training	55500		531	2,624	1,245	1,691	850
Total Expenses			519,513	506,507	437,512	603,685	690,415

Town of Fort Myers Beach
Tentative Annual Budget
10 - General
71 - Newton Park
From 10/01/2021 to 6/30/2022

		FY20 Actual	FY21 Actual	Current Year Actual	Current Year Budget	FY23 Budget
Expenses						
Regular Wages	51200	464	-	-	-	-
Overtime	51400	-	-	-	-	-
FICA	52100	32	-	-	-	-
Contracted Services	53401	722	240	488	550	550
Janitorial Services	53403	3,151	1,925	1,325	2,800	2,950
Pest Control	53407	2,221	-	-	200	200
Other Contractual Svc - Grant Match	53425	-	54	-	-	-
Telephone Service	54101	301	644	1,190	900	1,800
Internet Service	54104	3,591	3,520	1,941	5,500	4,600
Utility Service	54300	206	217	224	250	-
Electricity	54301	909	910	531	900	-
Insurance	54500	32,375	37,044	23,224	31,600	19,000
Repairs & Maintenance	54600	-	837	509	1,000	1,600
Repairs & Maintenance - Building	54601	34	4,955	287	4,500	4,500
Repairs & Maintenance - Facilities	54605	270	3,148	160	5,200	5,200
Promotional Activities	54800	-	-	-	1,750	1,750
County Fees	54905	-	-	-	250	250
Licenses, Permits and Fees	54906	48	-	25	-	-
Operating Supplies	55200	509	-	-	-	-
Total Expenses		44,833	53,492	29,902	55,400	42,400

Town of Fort Myers Beach
Tentative Annual Budget
11 - Road Impact Revenues
 From 10/01/2021 to 6/30/2022

		FY20 Actual	FY21 Actual	Current Year Actual	Current Year Budget	FY23 Budget
Revenues						
Road Impact Fees	32430	-	532,075	46,659	-	-
Interest Income	36110	8,001	2,402	-	-	-
Prior Year Carryover	38100	-	-	-	-	1,439,645
Transfer in from Reserves	38191	-	-	1,346,755	-	-
Total Revenues		8,001	534,477	1,393,415	-	1,439,645

Town of Fort Myers Beach
Tentative Annual Budget
11 - Road Impact
31 - Public Works Maintenance
 From 10/01/2021 to 6/30/2022

		FY20 Actual	FY21 Actual	Current Year Actual	Current Year Budget	FY23 Budget
Expenses						
Engineering Services	53104	-	-	58,445	-	-
Road Maintenance	54608	-	-	101,922	-	-
Infrastructure - Cap	63000	41,689	-	-	-	1,439,645
Various Signage - Cap	63020	-	-	5,148	-	-
Curbs & Sidewalks - Cap	63150	19,023	-	64,358	-	-
Total Expenses		60,712	-	229,874	-	1,439,645

Town of Fort Myers Beach
Tentative Annual Budget
12 - Parks Impact Revenues
From 10/01/2021 to 6/30/2022

		FY20 Actual	FY21 Actual	Current Year Actual	Current Year Budget	FY23 Budget
Revenues						
Park Impact Fees	32460	-	195,703	7,095	-	-
National Fitness Campaign Grant	33475	30,000	-	-	-	-
Prior Year Carryover	38100	-	-	-	-	242,431
Transfer in from Reserves	38191	-	-	-	-	-
Total Revenues		30,000	195,703	7,095	-	242,431

Town of Fort Myers Beach
Tentative Annual Budget
12 - Parks Impact
50 - Bay Oaks Recreation Center
 From 10/01/2021 to 6/30/2022

		FY20 Actual	FY21 Actual	Current Year Actual	Current Year Budget	FY23 Budget
Expenses						
Infrastructure - Cap	63000	-	-	-	-	242,431
Other Machinery & Equipment	64500	125,293	-	-	-	-
Total Expenses		125,293	-	-	-	242,431

Town of Fort Myers Beach
Tentative Annual Budget
20 - Gas Tax Revenues
 From 10/01/2021 to 6/30/2022

			FY20 Actual	FY21 Actual	Current Year Actual	Current Year Budget	FY23 Budget
Revenues							
Local Option Gas Tax	31241		208,764	213,962	152,218	190,000	215,000
New Local Option Gas Tax	31242		151,454	155,917	109,660	140,000	160,000
FDOT Grants	33443		9,117	7,106	5,329	-	-
State Revenue Sharing Proceeds	33512		41,742	-	-	-	-
Interest Income	36110		20,784	(3,060)	-	-	-
Miscellaneous	36900		-	8,000	-	-	-
Other Misc. Revenue	36902		1,350	-	-	-	-
Transfer from General Fund	38111		123,000	-	-	-	-
Priory Year Carryover	38100		-	-	-	-	774,487
Total Revenues			556,211	381,925	267,207	330,000	1,149,487

Town of Fort Myers Beach
Tentative Annual Budget
20 - Gas Tax
31 - Public Works Maintenance
From 10/01/2021 to 6/30/2022

		FY20 Actual	FY21 Actual	Current Year Actual	Current Year Budget	FY23 Budget
Expenses						
Professional Services	53100	3,206	-	-	-	-
Engineering Services	53104	-	-	3,335	15,000	15,000
Other Services	53400	(1,769)	-	95	-	-
Sheriff Services	53411	82,179	56,244	71,076	73,000	100,000
Other Contractual Service	53421	-	2,380	-	-	-
Freight and Postage Services	54200	-	-	-	-	-
Utility Services	54300	51	1,034	144	500	-
Electricity	54301	57,835	61,183	44,096	61,300	65,000
Waste	54302	103	447	-	-	-
Rentals and Leases	54400	40,911	-	-	-	-
Equipment Rental	54404	5,400	-	-	-	-
Repairs & Maintenance - Landscape	54602	-	410	225	-	-
Repairs & Maintenance - Equipment	54603	1,606	4,066	-	14,500	-
Repairs & Maintenance - Vehicles	54604	-	4,865	24,994	-	25,000
Repairs & Maintenance - Infrastructure	54606	8,144	500	1,450	8,000	8,000
Repairs & Maintenance - Street Lighting	54607	-	306	-	8,700	9,000
Road Maintenance	54608	9,075	14,428	2,781	15,000	19,000
Office Supplies	55100	-	-	-	-	-
Operating Supplies	55200	-	501	79	7,500	7,500
Small Tools & Equipment	55204	550	1,220	449	2,000	2,000
Fuel	55206	928	1,023	1,721	500	500
Contingency	58100	16,196	-	-	124,000	124,000
Transfer Out to Stormwater	59103	150,000	-	-	-	-
Infrastructure	63000	69,482	-	-	-	774,487
Roads	63010	-	45,999	17,029	-	-
Curbs & Sidewalks	63150	194,801	9,120	-	-	-
Landscaping	63300	-	1,100	-	-	-
Machinery and Equipment	64000	33,509	-	-	-	-
Contruction in Process	65000	57,705	-	-	-	-
Total Expenses		729,912	204,827	167,473	330,000	1,149,487

Town of Fort Myers Beach
Tentative Annual Budget
22 - Beach Access Revenues
From 10/01/2021 to 6/30/2022

		FY20 Actual	FY21 Actual	Current Year Actual	Current Year Budget	FY23 Budget
Revenues						
TDC Equip, ADA Grant, Im	33791	787,541	-	-	862,875	1,408,825
Interest Income	36110	1,046	-	-	-	-
Transfer in from General Fund	38110	343,043	-	-	-	-
Total Revenues		1,131,630	-	-	862,875	1,408,825

Town of Fort Myers Beach
Tentative Annual Budget
22 - Beach Access
70 - Mound House
From 10/01/2021 to 6/30/2022

			FY20 Actual	FY21 Actual	Current Year Actual	Current Year Budget	FY23 Budget
Expenses							
Regular Wages	51200		61,270	60,804	47,266	57,100	54,000
Overtime	51400		623	977	797	-	-
Benefit Allowance	51700		-	1,368	1,516	1,100	7,000
FICA	52100		4,777	4,920	3,791	4,400	3,700
Retirement	52200		8,839	8,253	4,094	5,700	5,800
Life and Health	52300		21,024	21,370	25,604	17,700	17,000
Workers Compensation	52400		1,497	1,720	1,316	-	1,300
Contracted Services	53401		751	-	4,152	5,000	8,000
Contracted Labor	53402		-	8,520	500	10,000	4,000
Janitorial Services	53403		7,182	6,750	6,385	8,800	9,500
Pest Control	53407		260	891	690	250	1,000
Other Contractual Services	53420		-	-	756	3,200	850
Freight and Postage Services	54200		-	-	-	750	750
Utility Services	54300		8,423	6,300	8,583	9,500	15,000
Electricity	54301		1,458	1,377	2,854	3,000	5,200
Equipment Rental	54404		-	118	-	-	-
Repairs & Maintenance - Building	54601		-	-	512	-	3,500
Repairs & Maintenance - Landscaping	54602		8,474	11,886	1,513	12,000	13,200
Repairs & Maintenance - Equipment	54603		1,623	144	150	1,200	3,500
Repairs & Maintenance - Vehicles	54604		2,083	861	82	2,750	2,000
Repairs & Maintenance - Facilities	54605		11,037	371	8,949	10,500	-
Operating Supplies	55200		270	234	1,501	3,300	7,800
Drinking Water	55203		-	676	-	-	-
Fuel	55206		-	-	75	500	-
All Terrain Vehicles	64030		-	15,340	-	-	-
Total Expenses			139,591	152,878	121,087	156,750	163,100

Town of Fort Myers Beach
Tentative Annual Budget
22 - Beach Access
71 - Newton Park
From 10/01/2021 to 6/30/2022

			FY20 Actual	FY21 Actual	Current Year Actual	Current Year Budget	FY23 Budget
Expenses							
Regular Wages	51200		14,895	10,580	13,280	21,900	26,000
Overtime	51400		540	887	1,068	-	-
Benefit Allowance	51700		-	178	-	400	1,000
FICA	52100		1,149	870	1,093	1,700	3,000
Retirement	52200		-	-	(178)	2,200	-
Life and Health	52300		-	-	(129)	6,300	10,000
Contracted Services	53401		-	-	1,725	4,000	4,000
Contracted Labor	53402		-	8,702	500	5,000	2,500
Janitorial Services	53403		4,671	8,910	5,670	10,500	10,500
Pest Control	53407		760	504	131	775	600
Other Contractual Services	53420		-	-	-	1,200	-
Freight and Postage Services	54200		-	-	-	750	700
Utility Services	54300		4,378	4,998	1,746	6,500	7,000
Electricity	54301		697	910	861	1,000	2,000
Repairs & Maintenance	54600		470	381	-	-	-
Repairs & Maintenance - Buildings	54601		87	-	213	-	-
Repairs & Maintenance - Landscaping	54602		4,779	5,667	-	4,000	5,000
Repairs & Maintenance - Equipment	54603		-	-	-	1,500	2,400
Repairs & Maintenance - Vehicles	54604		-	14,317	-	-	600
Repairs & Maintenance - Facilities	54605		1,121	10,745	3,775	2,500	12,575
Licenes, Permits and Fees	54906		-	128	-	-	-
Office Supplies	51100		-	36	-	-	-
Operating Supplies	52200		1,140	1,526	95	6,550	7,500
Fuel	55206		-	-	-	5,350	500
Building Improvements	63720		223,029	-	-	-	-
Machinery and Equipment	64000		-	-	-	500	500
Total Expenses			257,716	69,339	29,852	82,625	96,375

Town of Fort Myers Beach
Tentative Annual Budget
22 - Beach Access
72 - Beach Renourishment
 From 10/01/2021 to 6/30/2022

		FY20 Actual	FY21 Actual	Current Year Actual	Current Year Budget	FY23 Budget
Expenses						
Open Spaces - Cap	63550	-	101,818	249,620	-	-
Total Expenses		-	101,818	249,620	-	-

Town of Fort Myers Beach
Tentative Annual Budget
22 - Beach Access
75 - TDC Beach Maintenance
From 10/01/2021 to 6/30/2022

			FY20 Actual	FY21 Actual	Current Year Actual	Current Year Budget	FY23 Budget
Expenses							
Regular Wages	51200		236,965	264,441	220,108	255,300	304,000
Overtime	51400		27,805	22,646	15,269	20,300	-
Benefit Allowance	51700		-	5,469	4,906	3,400	25,000
FICA	52100		19,996	23,168	18,360	19,500	26,000
Retirement	52200		19,294	19,949	11,464	17,200	21,000
Life and Health	52300		61,326	68,880	58,276	50,300	88,000
Workers Compensation	52400		11,046	19,904	15,226	16,500	17,000
Professional Services	53100		8,045	-	-	-	-
Other Services	53400		(17,513)	25,516	-	-	-
Contracted Services	53401		14,817	3,750	399	-	-
Contracted Labor	53402		48,925	704	153	-	-
Janitorial Services	53403		-	-	3,673	5,000	-
Freight and Postage Services	54200		18	250	1,342	10,000	3,500
Utility Services	54300		593	575	2,160	2,000	6,000
Electricity	54301		-	-	2,670	-	-
Waste	54302		72,087	56,467	27,361	65,000	68,850
Recycling	54303		2,400	41	289	-	-
Rental and Leases	54400		-	739	-	-	-
Equipment Rental	54404		3,395	805	-	5,000	5,000
Repairs & Maintenance	54600		-	-	2,348	-	70,000
Repairs & Maintenance - Landscaping	54602		16,902	11,105	-	10,000	10,000
Repairs & Maintenance - Equipment	54603		7,846	6,568	3,960	8,000	8,000
Repairs & Maintenance - Vehicles	54604		9,489	24,582	17,023	13,000	8,000
Repairs & Maintenance - Facilities	54605		-	-	588	-	-
Licenses, Permits and Fees	54906		-	-	128	-	-
Operating Supplies	55200		12,406	57,214	66,479	23,000	31,000
Drinking Water	55203		785	-	-	-	-
Small Tools & Equipment	55204		23,785	5,291	2,215	16,000	16,000
Fuel	55206		5,377	6,623	7,420	18,000	24,000
Training	55500		-	175	-	-	-
Various Signage	63020		17,513	-	-	-	-
Bridges	63100		11,800	2,279	-	-	-
Machinery and Equipment	64000		36,125	16,930	15,768	10,000	418,000
All Terrain Vehicles	64030		33,473	13,111	30,862	40,000	-
Machinery & Other Equipment	64500		22,530	21,040	73,621	16,000	-
Total Expenses			707,230	678,220	602,071	623,500	1,149,350

Town of Fort Myers Beach
Tentative Annual Budget
24 - Building Revenues
From 10/01/2021 to 6/30/2022

		FY20 Actual	FY21 Actual	Current Year Actual	Current Year Budget	FY23 Budget
Revenues						
Building Permit Fees	32200	157,644	1,218,202	606,050	677,000	720,000
Other Permit Fees	32201	264,366	112	-	74,670	-
Plans Review Fees	32202	3,150	-	-	1,000	-
DBPR Retained Fee	32371	-	-	423	-	-
Permit Revisions	32203	2,675	250	-	-	-
Reinspection Fees	32204	7,783	550	-	-	-
Fire Permits	32205	1,889	-	-	-	-
Other Licenses & Permits	32220	13,020	-	-	-	-
Sign Fees	32910	200	-	-	-	-
Recording Fees	34110	2,769	-	-	-	-
Administrative Charge	34130	233	-	-	-	-
Right of Way	34194	50	-	-	-	-
Flood Plain Review Fees	34390	14,650	-	-	-	-
Plans Review Fees	34492	450	-	-	-	-
Miscellaneous	36900	1,199	-	-	-	-
Prior Year Carryover	38100	-	-	0	-	382,205
Total Revenues		470,078	1,219,114	606,474	752,670	1,102,205

Town of Fort Myers Beach
Tentative Annual Budget
24 - Building
24 - Building Services
From 10/01/2021 to 6/30/2022

			FY20 Actual	FY21 Actual	Current Year Actual	Current Year Budget	FY23 Budget
Expenses							
Regular Wages	51200		271,776	249,689	153,535	183,000	242,000
Overtime	51400		4,312	1,680	84	-	-
Special Pay	51500		-	-	-	7,000	-
Benefit Allowance	51700		-	5,154	3,644	3,700	25,000
FICA	52100		20,201	18,489	12,045	14,000	21,000
Retirement	52200		25,190	17,815	8,544	13,200	19,000
Life and Health	52300		67,685	75,553	54,394	61,800	76,000
Workers Compensation	52400		451	519	615	500	700
Engineering Services	53104		-	-	-	41,660	41,660
Professional Services	53108		109	-	-	-	-
Other Services	53400		-	-	225	-	-
Contracted Services	53401		192,762	113,941	225,935	321,350	321,350
Studies and Agreements	53405		18,391	-	-	-	-
Other Contractual Services	53420		6,489	8,811	11,361	19,750	19,740
Travel and Per Diem	54000		423	534	-	500	-
Cell Phone & Electronic Devices	54102		4,006	3,794	2,167	1,430	2,600
Web Service	54103		80	40	-	-	-
Information Technology Services	54105		1,803	-	38,208	-	40,000
GIS Services	54106		-	-	-	1,400	-
Freight and Postage Services	54200		19	42	-	-	-
Insurance	54500		39,992	36,436	26,313	40,600	21,000
Repairs & Maintenance - Equipment	54603		158	-	-	-	-
Bank Charges	54901		1,476	928	440	-	-
Licenses, Permits and Fees	54906		-	-	-	400	400
Merchant Credit Cards Fees	54916		6,829	13,414	11,790	12,500	12,500
Office Supplies	55100		71	90	336	2,400	2,400
Operating Supplies	55200		860	1,775	876	5,000	5,000
Educational Supplies	55205		179	-	-	-	-
Uniforms	55201		-	-	309	-	-
Books, Publications, Subscriptions	55400		4,298	322	722	1,000	1,000
Training	55500		608	-	550	1,500	1,500
Contingency	58100		-	-	-	19,980	249,355
Total Expenses			668,168	549,025	552,094	752,670	1,102,205

Town of Fort Myers Beach
Tentative Annual Budget
30 - Debt Service Revenues
 From 10/01/2021 to 6/30/2022

			FY20 Actual	FY21 Actual	Current Year Actual	Current Year Budget	FY23 Budget
Revenues							
Transfer in from General Fund	38111		-	-	581,380	581,380	581,380
Total Revenues			-	-	581,380	581,380	581,380

Town of Fort Myers Beach
Tentative Annual Budget
30 - Debt Service
19 - General Government
 From 10/01/2021 to 6/30/2022

				Current Year	Current Year	
			FY20 Actual	FY21 Actual	Actual	Budget
Expenses						FY23 Budget
Debt Principal	71000	-	-	500,000	310,880	500,000
Debt Interest	72000	-	-	18,054	270,500	81,380
Total Expenses		-	-	518,054	581,380	581,380

Town of Fort Myers Beach
Tentative Annual Budget
40 - Capital Fund Revenues
 From 10/01/2021 to 6/30/2022

		FY20 Actual	FY21 Actual	Current Year Actual	Current Year Budget	FY23 Budget
Revenues						
FDOT Grants	33443	-	76,390	530,188	-	-
FBIP Grant	33740	-	43,000	-	-	-
Interest Income	36100	7,774	836	-	-	-
Prior Year Carryover	38100	-	-	-	-	1,905,380
Transfer in from General Fund	38111	1,354,805	1,363,245	730,000	730,000	1,730,000
Transfer in from Reserves	38191	-	-	-	2,153,950	300,000
Donations (Non-Specific)	36600	-	12,000	-	-	-
Revenues		1,362,579	1,495,472	1,260,188	2,883,950	3,935,380

Town of Fort Myers Beach
Tentative Annual Budget
40 - Capital Fund
14 - Town Clerk
 From 10/01/2021 to 6/30/2022

		FY20 Actual	FY21 Actual	Current Year Actual	Current Year Budget	FY23 Budget
Expenses						
Professional Fees	53108	-	575	-	-	-
Capital Outlay	60000	-	-	-	-	56,286
Communications & Information	64700	-	10,459	12,008	-	5,000
Total Expenses		-	11,034	12,008	-	61,286

Town of Fort Myers Beach
Tentative Annual Budget
40 - Capital Fund
16 - Finance
 From 10/01/2021 to 6/30/2022

		FY20 Actual	FY21 Actual	Current Year Actual	Current Year Budget	FY23 Budget
Expenses						
Office Furniture & Equipment	64600	-	-	6,612	12,562	9,927
Total Expenses		-	-	6,612	12,562	9,927

Town of Fort Myers Beach
Tentative Annual Budget
40 - Capital Fund
19 - General Government
 From 10/01/2021 to 6/30/2022

		FY20 Actual	FY21 Actual	Current Year Actual	Current Year Budget	FY23 Budget
Expenses						
Other Services	53400	-	59,649	-	-	-
Information Technology Services	54105	-	7,683	-	-	-
Office Supplies	55100	-	1,140	-	-	-
Books, Publications, Subscriptions	55400	-	16,686	-	-	-
Capital Outlay	60000	-	-	-	-	179,297
Improvements to Building	62500	-	-	-	25,000	25,000
Infrastructure - Cap	63000	-	-	24,665	-	-
Landscaping - Cap	63300	1,105	-	10,880	-	-
Building Improvements	63720	-	10,184	-	35,000	35,000
Other Machinery & Equipment - Cap	64500	-	-	71,190	-	-
Office Furniture & Equipment - Cap	64600	2,105	-	3,778	50,000	50,000
Communications & Information Technology	64700	75,567	37,728	246,008	35,000	35,000
Total Expenses		78,777	133,069	356,521	145,000	324,297

Town of Fort Myers Beach
Tentative Annual Budget
40 - Capital Fund
20 - Community Development
 From 10/01/2021 to 6/30/2022

		FY20 Actual	FY21 Actual	Current Year Actual	Current Year Budget	FY23 Budget
Expenses						
Capital Outlay	60000	23,889	-	-	-	14,651
Trucks & Vans	64020	-	-	-	4,200	4,200
Total Expenses		23,889	-	-	4,200	18,851

Town of Fort Myers Beach
Tentative Annual Budget
40 - Capital Fund
29 - Town Hall Maintenance
 From 10/01/2021 to 6/30/2022

		FY20 Actual	FY21 Actual	Current Year Actual	Current Year Budget	FY23 Budget
Expenses						
Improvements to Building	62500	-	-	22,080	23,000	-
Infrastructure - Cap	63000	-	-	24,875	-	-
Machinery and Equipment	64000	-	-	-	76,700	-
Total Expenses		-	-	46,955	99,700	-

Town of Fort Myers Beach
Tentative Annual Budget
40 - Capital Fund
30 - Public Works Administration
 From 10/01/2021 to 6/30/2022

				Current Year	Current Year	
			FY20 Actual	FY21 Actual	Actual	Budget
						FY23 Budget
Expenses						
Capital Outlay	60000		-	-	-	872
Communications & Information Technology	64700		-	-	-	1,000
Total Expenses			-	-	-	1,872

Town of Fort Myers Beach
Tentative Annual Budget
40 - Capital Fund
31 - Public Works Maintenance
 From 10/01/2021 to 6/30/2022

			Current Year	Current Year	
			Actual	Budget	FY23 Budget
Expenses	FY20 Actual	FY21 Actual			
Publication Advertisement 53408	-	19,151	-	-	-
Office Supplies 55100	-	1	-	-	-
Capital Outlay 60000	-	-	-	-	984,498
Improvements to Buildings - Cap 62500	-	-	-	27,000	27,000
Infrastructure - Cap 63000	-	-	-	8,000	8,000
Roads - Cap 63010	-	138,738	474,025	-	-
Various Signage - Cap 63020	9,346	31,792	14,355	25,000	25,000
Curbs & Sidewalks 63150	234,629	(2,103)	-	-	-
Lighting Systems - Cap 63330	499	7,688	-	129,000	29,000
Parking Areas 63350	3,761	-	-	-	-
Machinery and Equipment - Cap 64000	-	24,992	-	-	-
Trucks & Vans - Cap 64020	-	23,414	39,013	12,400	12,400
All Terrain Vehicles - Cap 64030	9,402	13,766	-	6,000	6,000
Heavy Equipment - Transportation - Cap 64300	-	-	7,744	19,800	19,800
Other Machinery & Equipment - Cap 64500	7,220	46,480	-	21,890	21,890
Debt Interest 72000	-	6,391	-	-	-
Total Expenses	264,857	310,310	535,136	249,090	1,133,588

Town of Fort Myers Beach
Tentative Annual Budget
40 - Capital Fund
32 - Times Square
 From 10/01/2021 to 6/30/2022

		FY20 Actual	FY21 Actual	Current Year Actual	Current Year Budget	FY23 Budget
Expenses						
Infrastructure	63000	348,460	21,230	4,330	1,112,563	1,112,563
Total Expenses		348,460	21,230	4,330	1,112,563	1,112,563

Town of Fort Myers Beach
Tentative Annual Budget
40 - Capital Fund
33 - Maritime
 From 10/01/2021 to 6/30/2022

		FY20 Actual	FY21 Actual	Current Year Actual	Current Year Budget	FY23 Budget
Expenses						
Capital Outlay	60000	-	-	-	-	78,267
Improvements to Building	62500	-	-	-	20,000	20,000
Docks	63200	207,705	-	-	109,500	9,500
Waterways	63525	-	-	-	500,000	300,000
Building Improvements	63720	14,202	-	10,210	-	-
Boats	64200	2,800	-	117,476	-	-
Other Machinery & Equipment	64500	20,266	-	-	-	-
Total Expenses		244,973	-	127,686	629,500	407,767

Town of Fort Myers Beach
Tentative Annual Budget
40 - Capital Fund
34 - Parking Meter Operations
 From 10/01/2021 to 6/30/2022

		FY20 Actual	FY21 Actual	Current Year Actual	Current Year Budget	FY23 Budget
Expenses						
Capital Outlay	60000	-	-	27,183	-	14,330
All Terrain Vehicles	64030	11,200	3,000	-	3,000	3,000
Boats	64200	14,995	-	-	5,000	5,000
Other Machinery & Equipment	64500	-	23,068	-	25,125	25,125
Total Expenses		26,195	26,068	27,183	33,125	47,455

Town of Fort Myers Beach
Tentative Annual Budget
40 - Capital Fund
36 - Mooring Field Operations
 From 10/01/2021 to 6/30/2022

		FY20 Actual	FY21 Actual	Current Year Actual	Current Year Budget	FY23 Budget
Expenses						
Capital Outlay	60000	-	-	36,948	206,250	-
Various Signage	63020	-	-	115	-	-
All Terrain Vehicles	64030	-	-	20,247	3,000	3,000
Boats	64200	8,000	-	-	4,415	4,415
Other Machinery & Equipment	64500	46,339	55,895	3,417	5,000	5,000
Total Expenses		54,339	55,895	60,728	218,665	12,415

Town of Fort Myers Beach
Tentative Annual Budget
40 - Capital Fund
50 - Bay Oaks Recreation Center
 From 10/01/2021 to 6/30/2022

		FY20 Actual	FY21 Actual	Current Year Actual	Current Year Budget	FY23 Budget
Expenses						
Repairs & Maintenance - Building	54601	-	2,886	15,065	-	-
Licenses, Permits and Fees	54906	-	500	-	-	-
Capital Outlay	60000	-	-	-	2,000	312,178
Land	61000	-	-	-	10,000	10,000
Buildings	62000	-	-	-	6,200	6,200
Fences	63250	-	-	-	9,250	9,250
Landscaping	63300	-	-	-	1,900	1,900
Lighting Systems	63330	-	-	-	15,250	15,250
Athletic Fields	63500	-	-	-	7,150	7,150
Building Improvements	63720	-	-	2,475	94,400	94,400
Machinery and Equipment	64000	-	-	-	5,000	5,000
Vehicles	64010	-	40,457	-	-	-
Trucks & Vans	64020	-	39,525	-	18,500	18,500
All Terrain Vehicles	64030	-	-	-	1,875	1,875
Golf Carts	64040	-	-	-	3,000	3,000
Other Machinery & Equipment	64500	18,078	7,903	-	35,630	35,630
Debt Principal	71000	-	9,346	6,605	700	-
Debt Interest	72000	-	2,103	1,027	-	-
Total Expenses		18,078	102,720	25,173	210,855	520,333

Town of Fort Myers Beach
Tentative Annual Budget
40 - Capital Fund
51 - Bay Oaks Pool
 From 10/01/2021 to 6/30/2022

		FY20 Actual	FY21 Actual	Current Year Actual	Current Year Budget	FY23 Budget
Expenses						
Freight and Postage Services	54200	-	746	-	-	-
Repairs & Maintenance - Facilities	54605	-	14,486	-	-	-
Capital Outlay	60000	-	-	-	-	146,943
Improvements to Building	62500	-	-	-	1,700	1,700
Fences	63250	-	-	-	3,000	3,000
Swimming Pools	63700	153,234	10,729	11,355	14,650	14,650
Building Improvements	63720	2,814	-	-	30,150	30,150
Machinery and Equipment	64000	-	7,353	4,888	25,300	25,300
Other Machinery & Equipment	64500	-	8,110	-	27,550	27,550
Office Furniture & Equipment	64600	-	-	6,518	6,200	6,200
Total Expenses		156,048	41,424	22,761	108,550	255,493

Town of Fort Myers Beach
Tentative Annual Budget
40 - Capital Fund
70 - Mound House
 From 10/01/2021 to 6/30/2022

		FY20 Actual	FY21 Actual	Current Year Actual	Current Year Budget	FY23 Budget
Expenses						
Educational Programs	53406	-	-	3,677	-	-
Capital Outlay	60000	-	-	-	-	12,208
Open Spaces - Cap	63550	-	-	2,763	-	-
Building Improvements	63720	-	8,174	47,730	49,665	-
Boats	64200	2,307	-	-	-	-
Other Machinery & Equipment	64500	8,182	7,297	-	7,420	7,420
Office Furniture & Equipment	64600	-	-	-	555	555
Total Expenses		10,489	15,471	54,170	57,640	20,183

Town of Fort Myers Beach
Tentative Annual Budget
40 - Capital Fund
71 - Newton Park
 From 10/01/2021 to 6/30/2022

		FY20 Actual	FY21 Actual	Current Year Actual	Current Year Budget	FY23 Budget
Expenses						
Capital Outlay	60000	-	-	-	-	7,849
Lighting Systems	63330	-	-	-	500	500
Building Improvements	63720	-	56,800	-	1,000	1,000
Total Expenses		-	56,800	-	1,500	9,349

Town of Fort Myers Beach
Tentative Annual Budget
41 - Community Enhancements Revenues
From 10/01/2021 to 6/30/2022

		FY20 Actual	FY21 Actual	Current Year Actual	Current Year Budget	FY23 Budget
Revenues						
Prior Year Carryover	38100	-	-	-	-	-
Loan Proceeds	38400	-	708,089	233,220	4,529,960	8,800,000
Total Revenues		-	708,089	233,220	4,529,960	8,800,000

Town of Fort Myers Beach
Tentative Annual Budget
41 - Community Enhancements
32 - Times Square
From 10/01/2021 to 6/30/2022

		FY20 Actual	FY21 Actual	Current Year Actual	Current Year Budget	FY23 Budget
Expenses						
Utility Services	54300	-	-	1,030	-	-
Storage Facility Rental	54401	-	-	2,849	-	-
Repair & Maintenance - Street Lighting	54607	-	-	6,290	-	-
Licenses Permits and Fees	54906	-	1,100	-	-	-
Infrastructure	63000	-	329,398	125,680	3,500,000	-
Open Spaces	63550	-	5,305	-	-	-
Total Expenses		-	335,803	135,849	3,500,000	-

Town of Fort Myers Beach
Tentative Annual Budget
41 - Community Enhancements
37 - Bayside Park
 From 10/01/2021 to 6/30/2022

		FY20 Actual	FY21 Actual	Current Year Actual	Current Year Budget	FY23 Budget
Expenses						
Freight and Postage Services	54200	-	-	633	-	-
Utility Services	54300	-	-	590	-	-
Waste	54302	-	-	11,181	-	-
Rental and Leases	54400	-	-	62	-	-
Storage Facility Rental	54401	-	-	2,882	-	-
Licenses Permits and Fees	54906	-	1,072	1,763	-	-
Small Tools & Equipment	55204	-	-	279	-	-
Infrastructure	63000	-	-	29,940	-	-
Various Signage - Cap	63020	-	-	356	-	-
Docks - Cap	63200	-	-	420	-	-
Storm Drain System - Cap	63400	-	-	13,047	-	-
Open Spaces	63550	-	79,287	637,684	550,000	-
Total Expenses		-	80,359	698,837	550,000	-

Town of Fort Myers Beach
Tentative Annual Budget
41 - Community Enhancements
50 - Bay Oaks Recreation Center
 From 10/01/2021 to 6/30/2022

		FY20 Actual	FY21 Actual	Current Year Actual	Current Year Budget	FY23 Budget
Expenses						
Legal Services	53101	-	35,874	(3,757)	-	-
Storage Facility Rental	54401	-	-	887	-	-
Other Current Charges and Obligations	54900	-	-	100	-	-
Licenses Permits and Fees	54906	-	1,442	2,109	-	-
Buildings	62000	-	45,678	265,751	479,960	8,800,000
Open Spaces	63550	-	1,500	253,251	-	-
Total Expenses		-	84,494	518,341	479,960	8,800,000

Town of Fort Myers Beach
Tentative Annual Budget
60 - American Rescue Plan Act Revenues
From 10/01/2021 to 6/30/2022

		FY20 Actual	FY21 Actual	Current Year Actual	Current Year Budget	FY23 Budget
Revenues						
Deferred Revenue	36900	-	1,776,528	-	-	-
Prior Year Carryover	38100	-	-	-	-	3,553,056
Total Revenues		-	1,776,528	-	-	3,553,056

Town of Fort Myers Beach
Tentative Annual Budget
60 - American Rescue Plan Act
19 - General Government
 From 10/01/2021 to 6/30/2022

		FY20 Actual	FY21 Actual	Current Year Actual	Current Year Budget	FY23 Budget
Expenses		-				
Capital Outlay	60000	-	-	-		3,553,056
Total Expenses		-	-	-	-	3,553,056



Utilities

Town of Fort Myers Beach
Tentative Annual Budget
21 - Storm Water Revenues
From 10/01/2021 to 6/30/2022

		FY20 Actual	FY21 Actual	Current Year Actual	Current Year Budget	FY23 Budget
Revenues						
Special Assessments	32520	1,179,819	1,152,687	1,133,050	1,800,000	2,187,594
FEMA Reimbursement	33150	440,765	-	-	-	-
FDEP Grant	33436	500,000	-	-	-	-
Division of Emergency Management	33445	-	4,222	-	-	-
Right of Way	34194	150	-	-	-	-
Customer Responsibility Charges	34335	(301)	645	-	-	-
Storm Water Fees	34350	-	542	-	-	-
Plans Review Fee	34492	7,400	1,100	-	-	-
Interest Income	36110	8,074	8,190	2,783	2,500	2,500
Miscellaneous	36900	109,972	-	-	-	-
Prior Year Carryover	38100	-	-	-	-	2,357,458
Transfer in from Gas Tax	38121	150,000	-	-	-	-
Total Revenues		2,395,879	1,167,385	1,135,833	1,802,500	4,547,552

Town of Fort Myers Beach
Tentative Annual Budget
21 - Storm Water
80 - Storm Water Capital
 From 10/01/2021 to 6/30/2022

		FY20 Actual	FY21 Actual	Current Year Actual	Current Year Budget	FY23 Budget
Expenses						
Retirement	52200	177	-	-	-	-
Other Services	53400	-	-	-	536,735	-
Insurance	54500	-	-	(259)	-	-
Repairs and Maintenance	54600	288	467	-	-	-
Other Current Charges and Obligations	54900	250	21,782	-	-	-
Bank Charges	54901	-	-	206	-	-
Licenses, Permits and Fees	54906	275	29	-	-	-
Merchant Credit Card Fees	54916	-	-	621	-	-
Depreciation	55900	91,580	115,899	-	-	-
Capital Outlay	60000	-	-	-	-	2,357,458
Storm Drain System	63400	-	-	534,599	-	540,000
Water Lines	63600	-	-	-	-	-
Debt Principal	71000	-	-	-	-	1,155,660
Debt Interest	72000	-	71,486	77,237	-	76,984
Total Expenses		92,570	209,663	612,405	536,735	4,130,102

Town of Fort Myers Beach
Tentative Annual Budget
21 - Storm Water
81 - Storm Water Maintenance
From 10/01/2021 to 6/30/2022

			FY20 Actual	FY21 Actual	Current Year Actual	Current Year Budget	FY23 Budget
Expenses							
Regular Wages	51200		33,804	50,436	38,954	45,800	50,000
Overtime	51500		1,415	4,294	2,938	-	4,000
Special Pay	51500		-	-	-	1,800	-
Benefit Allowance	51700		-	1,112	1,031	9,000	5,000
FICA	52100		2,692	4,253	3,230	3,500	4,500
Retirement	52200		3,050	4,253	3,406	4,600	5,000
Life and Health	52300		7,665	12,393	9,602	9,700	14,000
Workers Compensation	52400		3,686	5,550	3,293	2,200	6,000
Other Post Employment Benefits	52600		3,748	2,723	-	-	-
Contracted Services	53401		-	13,466	8,308	-	-
Other Contractual Services	53420		4,949	3,750	-	-	-
Cell Phone & Electronic Devices	53401		1,964	884	697	1,000	1,000
GIS Services	54106		8,331	(506)	-	-	-
Utility Services	54300		234	-	-	-	-
Waste	54302		-	-	11,631	-	-
Insurance	54500		2,455	1,495	1,781	-	-
Repairs & Maintenance	54600		126,023	14,513	199,250	250,000	250,000
Repairs & Maintenance - Vehicles	54604		51	96	33	-	-
Repairs & Maintenance - Infrastructure	54606		2,559	14,657	-	-	-
Repairs and Maintenance - Swales & Ditches	54609		60,189	190,508	-	-	-
Licenses, Permits and Fees	54906		-	177	170	75	75,000
Office Supplies	55100		26	62,493	-	-	-
Operating Supplies	55200		1,805	182	3,956	2,950	2,950
Uniforms	55201		770	-	-	-	-
Small Tools & Equipment	55204		-	170	-	-	-
Fuel	55206		-	1,483	376	-	-
Contingency	58100		-	-	-	416,980	-
Debt Principal	71000		-	-	-	518,160	-
Total Expenses			265,416	388,382	288,657	1,265,765	417,450

Town of Fort Myers Beach
Tentative Annual Budget
50 - Water Utility Revenues
 From 10/01/2021 to 6/30/2022

			Current Year	Current Year	
			Actual	Budget	
		FY20 Actual	FY21 Actual		FY23 Budget
Revenues					
Plans Review Fee	32210	2,464	1,327	916	2,464
Water Impact Fees	32421	4,326	-	-	25,000
Administrative Charge	34130	293,038	160,978	281,196	311,000
Water Sales	34330	4,419,116	5,239,565	4,100,922	5,410,000
Customer Responsibility Charge	34335	25,698	83,941	8,698	-
Capital Reserve Fees	34336	432,696	433,678	316,964	480,000
New Account Service Charge	34343	20,556	28,549	21,684	-
Trip Charge	34344	13,897	9,948	1,620	-
Reconnection Fees	34345	6,930	7,143	4,474	-
Connection Fees Residents	34346	7,403	-	-	-
Fire Service Fee	34347	67,422	81,363	91,974	81,000
Late Fees	34360	6,120	2,048	143	-
Interest Income	36110	8,338	2,383	167	-
Miscellaneous	36900	13,726	-	(10,270)	100,000
Miscellaneous - Claims/Premiums	36901	-	143	10	-
Other Misc. Revenue	36902	608	(588)	(41)	-
Returned Check Charge	36903	620	400	638	-
Prior Year Carryover	38100	-	-	-	2,987,040
Total Revenues		5,322,957	6,050,877	4,819,095	6,409,464
					9,600,030

Town of Fort Myers Beach
Tentative Annual Budget
50 - Water Utility
40 - Water Services
From 10/01/2021 to 6/30/2022

			FY20 Actual	FY21 Actual	Current Year Actual	Current Year Budget	FY23 Budget
Expenses							
Regular Wages	51200		375,961	408,414	274,273	349,300	439,000
Overtime	51400		5,150	5,714	5,236	7,000	8,000
Special Pay	51500		-	-	-	-	-
Benefit Allowance	51700		-	7,987	6,657	6,800	44,000
FICA	52100		27,052	31,753	21,530	26,000	37,000
Retirement	52200		35,765	32,106	16,607	24,700	30,000
Life and Health	52300		123,556	85,712	83,324	97,100	125,000
Workers Compensation	52400		11,429	13,137	10,441	12,575	-
Other Post Employment Benefits	52600		6,404	(2,195)	-	-	-
Tuition Reimbursement	52700		-	-	1,157	-	-
Legal Services	53101		-	126	-	10,000	10,000
Professional Services	53108		123	225	-	-	-
Accounting and Auditing	53200		32,310	30,760	35,000	35,000	35,000
Other Services	53400		10,429	7,993	-	-	-
Contracted Services	53401		62,407	91,728	95,521	76,200	86,200
Contracted Labor	53402		-	16,028	924	-	-
Publication Advertisement	53408		-	-	-	-	-
Other Services - Administrative	53410		245,875	246,065	180,000	240,000	240,000
Other Contractual Service	53420		31,597	62,511	-	-	-
Travel and Per Diem	54000		-	-	-	5,000	500
Communications Services	54100		2,166	2,897	2,245	4,000	4,000
Telephone Service	54101		260	982	696	-	-
Cell Phone & Electronic Devices	54102		6,353	5,723	6,119	1,320	1,320
Web Service	54103		150	20	-	-	-
Internet Service	54104		4,334	3,793	2,641	4,200	4,200
Information Technology Services	54105		-	1,200	-	-	-
GIS Services	54106		8,331	(506)	-	-	-
Freight and Postage Services	54200		33	27	-	-	-
Utility Services	54300		3,882	5,517	6,422	5,200	5,200
Electricity	54301		40,564	43,653	34,576	47,000	47,000
Waste	54302		-	598	-	-	-
Insurance	54500		65,951	72,900	52,674	80,000	69,585
Repairs & Maintenance	54600		149,488	329,538	179,221	155,500	155,000
Repairs & Maintenance - Landscape	54602		95	-	-	-	-
Repairs & Maintenance - Vehicles	54604		966	1,364	361	-	-
Repairs & Maintenance - Facilities	54605		14,953	95	-	-	-
Road Maintenance	54608		3,886	-	-	-	-
Promotional Activities	54800		425	(38)	-	-	-
Other Current Charges and Obligations	54900		560	(21,037)	495	800	800
Bank Charges	54901		58,975	66,525	39,071	40,000	84,000
Licenses, Permits and Fees	54906		-	480	-	-	-
Office Supplies	55100		464	16	250	-	-
Operating Supplies	55200		29,149	91,576	20,012	43,660	45,160
Uniforms	55201		1,148	609	-	-	-
Drinking Water	55203		85	89	-	-	-
Small Tools & Equipment	55204		-	1,837	239	-	-
Fuel	55206		4,954	4,310	4,214	6,000	6,000
Bulk Water for Resale	55230		1,649,219	1,709,176	1,641,622	2,100,000	2,100,000
Books, Publications, Subscriptions	55400		48	557	-	-	-
Training	55500		472	77	-	-	-
Depreciation	55900		410,269	440,203	-	410,000	410,000
Contingency	58100		-	-	47,950	762,655	-
Water Lines	63600		-	-	61,566	-	-
Machinery and Equipment	64000		-	-	-	-	-
Vehicles	64010		-	-	165	-	-
Debt Principal	71000		-	-	-	1,557,154	2,131,768
Debt Interest	72000		193,169	152,451	168,142	-	486,284
Total Expenses			3,618,407	3,952,695	2,999,353	6,107,164	6,605,017

Town of Fort Myers Beach
Tentative Annual Budget
50 - Water Utility
41 - Water Capital
From 10/01/2021 to 6/30/2022

		FY20 Actual	FY21 Actual	Current Year Actual	Current Year Budget	FY23 Budget	FY23 Budget
Expenses							
Freight and Postage Services	54200	30	365	-	-	-	-
Other Current Charges and Obligations	54900	250	-	-	-	-	-
Repairs & Maintenance	54600	-	4,002	-	-	-	-
Licenses, Permis and Fees	54906	75	-	-	-	-	-
Capital Outlay	60000	-	-	-	-	-	2,692,713
Water Lines	63600	-	-	498,987	200,000	200,000	200,000
Machinery and Equipment	64000	-	-	-	8,490	8,490	8,490
Trucks & Vans	64020	-	-	-	5,000	5,000	5,000
Golf Carts	64040	-	-	2,214	1,600	1,600	1,600
Other Heavy Equipment	64400	-	-	108,119	72,565	72,565	72,565
Other Machinery & Equipment	64500	-	19,401	-	14,645	14,645	14,645
Debt Principal	71000	-	-	-	-	-	-
Debt Interest	72000	-	-	-	-	-	-
Total Expenses		355	23,767	609,320	302,300	302,300	2,995,013



PRIOR YEAR CARRYOVER - RESTRICTED FUNDS

FUNDS	PRIOR YEAR CARRYOVER
BUILDING SERVICES	\$ 249,355
BEACH ACCESS & SHORELINE (TDC)	\$ -
GAS TAX	\$ 774,487
IMPACT FEES	\$ 1,439,645
CAPITAL IMPROVEMENTS	\$ 1,905,380
COMMUNITY ENHANCEMENT FUND	\$ -
AMERICAN RESCUE PLAN ACT	\$ 3,553,056
LOAN DEBT SERVICE	\$ -
BEACH WATER UTILITY FUND	\$ 2,987,040
STORMWATER FUND	\$ 2,357,458



Capital Improvement Plan Schedule



PROJECT DESCRIPTION		FUNDING SOURCE					
		2023	2024	2025	2026	2027	5-YR TOTAL
Roadway Improvements							
<i>Old San Carlos Repaving</i>							
	Impact Fees	\$ 125,000.00					\$ 125,000
	Gas Taxes						\$ -
	Grants - LAP						\$ -
	General Revenue						\$ -
Stormwater Improvements							
<i>Swale Reclamation</i>		Construct.	Construct.	Construct.	Construct.		
	Impact Fees						\$ -
	Gas Taxes						\$ -
	Grants						\$ -
	General Revenue						\$ -
	Stormwater Utility	\$ 150,000	\$ 150,000	\$ 150,000	\$ 150,000		\$ 600,000
Water Improvements							
<i>Waterline Replacement</i>				Construct.	Construct.		\$ -
	LCU						\$ -
	Impact Fees						\$ -
	Gas Taxes						\$ -
	Grants						\$ -
	General Revenue						\$ -
	Water Utility			\$ 5,000,000	\$ 6,000,000		\$ 11,000,000
	Stormwater Utility						\$ -
Multi-Purpose Infrastructure							
<i>Tier 1 Streets</i>		Construct.	Construct.				\$ -
	LCU	\$ 335,530					\$ 335,530
	Impact Fees						\$ -
	Gas Taxes						\$ -
	Grants	\$ 536,513	\$ 500,000				\$ 1,036,513
	General Revenue						\$ -
SRF Funding	Water Utility	\$ 5,391,200					\$ 5,391,200
SRF Funding	Stormwater Utility	\$ 3,310,514	\$ 1,098,756				\$ 4,409,270
Bay Oaks Redevelopment		Construct.					
<i>Site work, Building, Front Parcel</i>							
	Impact Fees	\$ 200,000					\$ 200,000
	Gas Taxes						\$ -
	Grants	\$ 1,000,000					\$ 1,000,000
	General Revenue						\$ -
	Water Utility						\$ -
	Stormwater Utility						\$ -
	Bank Loan	\$ 8,800,000					\$ 8,800,000
Times Square Redevelopment		Construct.					
<i>Utilities, Pavers, Furnishings</i>							
	Impact Fees						\$ -
	Gas Taxes						\$ -
	Grants						\$ -
	General Revenue	\$ 1,000,000					\$ 1,000,000
	Water Utility						\$ -
	Stormwater Utility						\$ -
	Bank Loan	\$ -					\$ -
Mooring Field Expansion/Upland Services							
	Impact Fees						\$ -
	Gas Taxes						\$ -
	Grants						\$ -
	General Revenue	\$ 100,000					\$ 100,000
	Water Utility						\$ -
	Stormwater Utility						\$ -
	Bank Loan						\$ -



CAPITAL IMPROVEMENT PLAN

PROJECT DESCRIPTION		FUNDING SOURCE					
Lighting Improvements		2023	2024	2025	2026	2027	5-YR TOTAL
<i>Estero Boulevard Lighting</i>							
	Impact Fees	\$ 100,000					\$ 100,000
	Gas Taxes						\$ -
	Grants						\$ -
	General Revenue						\$ -
	Water Utility						\$ -
	Stormwater Utility						\$ -
	Bank Loan						\$ -
<i>Old San Carlos Lighting</i>							
	Impact Fees	\$ 100,000					\$ 100,000
	Gas Taxes						\$ -
	Grants						\$ -
	General Revenue						\$ -
	Water Utility						\$ -
	Stormwater Utility						\$ -
	Bank Loan						\$ -
Landscaping Improvements		2023	2024	2025	2026	2027	5-YR TOTAL
<i>Estero Boulevard Landscaping</i>							
	Impact Fees						\$ -
	Gas Taxes						\$ -
	Grants						\$ -
	General Revenue	\$ 100,000					\$ 100,000
	Water Utility						\$ -
	Stormwater Utility						\$ -
	Bank Loan						\$ -



Town Wide Fee Schedules



TOWN WIDE FEE SCHEDULE

	CURRENT FEE	PROPOSED FEE	NOTES
ADMINISTRATIVE ACTIONS			
Administrative COP	1000		
Administrative Setback Variance	750		
ABT Review (Alcoholic Beverages & Tobacco)		50	
Wireless Communication Facility	1500		
Single-Family Minimum Use Determinations (MUD)	350		
Appeal	1000		
Accessory Apartment Determination (AAD)	350		
Base Flood Elevation Determination Letter (FED) BFE	250		
DEP Setback Letter (DEP) (setbacks only - all other inquiries are ZVL or AI)	250		
Zoning Verification Letter (ZVL)	250		
Residential Zoning Requests	\$25 for first 15 minutes of staff time; \$10 for each additional 15 minute increments of staff time		
Historical Review		\$150	
Administrative Interpretation (ADI)	\$250 + \$100 for each additional issue/question		
Joint-use parking lot approvals	300		
Certificate of Use - Commercial	100		
Temporary Use Permit	100		
Home Occupation Certificate	25		
Sign Permit - Up to 2 signs & additional review after 2 charged at applicable review fees	\$100 + building permit fees as applicable + \$25.00 each additional		
Temporary Sign Permit (i.e. business opening signs)	50		
Garage Sale Permit	10		
Administrative Relief	500		
Pre-Application meetings (1st one No Charge)	\$250 + hourly costs for time over 1hr		
All Grant processing fees	500		
PD Administrative Amendment	1500		
Development Agreement-Original Agreement	5000		
Advertising Costs - Additional	at cost + 10%		
Development Agreement-Amendment	2500		
Advertising Costs - Additional	at cost + 10%		
CODE ENFORCEMENT			
Initial Inspection, Re-Inspection, Pre-Magistrate and Compliance per ½ hour	50		
Mail fees	Actual Postage Cost		
Recording Fees	24		
Code Enforcement Citation Fee	Not to exceed \$500		
Code Enforcement Irreparable/Irreversible Citation Fee	Not to exceed \$5000		
Administrative Support 1 Hour	30		
Fire Department Enforcement Fee	TBD		
Lien Search Fee	35		
Simplifile Fee	Actual Cost to file electronically		
DEVELOPMENT ORDERS			
Development Orders		3000	
Development Order Amendment		775	
LIMITED DEVELOPMENT ORDERS			
Type 1a: Cumulative addition or enlargement of an existing impervious area.	500		
Reseal or Restripe	200	350	
Type 2: Any out-of-door recreational facilities, provided the total cumulative additional impervious area does not exceed 8,000 sq. ft.	350		
Type 3: Any one-time subdivision of land into 4 or less lots where zoning district regulations permit such subdivision. / Condo creation	\$350 residential splits/\$500 commercial splits		
Type 4: Any single building accessory improvements thereto on a single non-conforming lot as defined in LDC Section 34-3271(b).	500		
Type 5: Any improvements for public water access purposes in town-owned or town-maintained rights-of-way.	350		

TOWN WIDE FEE SCHEDULE

	CURRENT FEE	PROPOSED FEE	NOTES
DEVELOPMENT ORDERS (Continued)			
Type 6: Any development for fenced or screened outdoor storage as defined in Ch. 34.	350		
Type 7: The installation of new utility lines in existing right-of-ways.	1100		
Type 8: Any other improvement to land determined by the director to have insignificant impacts on public facilities.	1100		
LDO Amendment	50		
Resubmittal	100		
MOORING FIELD (plus all applicable taxes)			
Daily Rate	18	25	
Weekly Rate	103	Removing	
Monthly Rate	312	410	
Mooring Field Pump Out Paid Rented Mooring	1 pump free/24 hr		
Mooring Field Pump Out Non Mooring Field Rental per Pump Out	5		
DOCKWA Credit Card Processing Fee 3.5%	3.50%		
Lost FOB	5	25	
Late Fee	5/day		
Merchandise	Price as Marked		
Mooring Field Parking Permit plus any applicable fees	\$25/length of contract	\$30/ length of contract	
PARKING FEES			
Annual Rate - Resident i.e. Estero Island Property Owner	25		
Business Owner - Annual	50		
Parking bags per bag	6		
Parking Spot Per Hour (incl. Special Event)	5		
Parking Decal Lost/Stolen/Replacement	5		
Charging Stations		Level 2 - not to exceed \$2/hr Level 3 - not to exceed .60/min	
	\$100/spot 1st Calendar Yr; \$50/spot per Calendar Yr if paid by Nov. 30th		
Right of Way (ROW) per Resolution 18-20			
PARKS AND RECREATION ORDINANCE 97-5			
Parks and Recreation Ordinance 97-5 Violations	Up to \$500		
PUBLIC HEARING			
Rezoning (conventional)	\$5800 + \$250/Ac over 1 Acre		
Special Exception	\$3800/\$3300 for amendment		
Variance (residential)	1800		
Additional Variance	500		
Variance (non-residential)	2800		
Additional Variance	700		
Application for land development code text amendment*	2800		
Per Added section	if actual charge		
Comprehensive Plan FLUM amendment*	5800		
Per Added acre	if actual charge		
Per Additional acre	1000		
Comprehensive Plan text amendment*	5800		
Per Added policy	if actual charge		
COMPREHENSIVE PLAN SMALL SCALE AMENDMENT			
Placement of Fill	1000		
With drainage plan	700		
Adjacent property owner notifications >50	Cost + 10%		
Administrative / Advertising Fee	Cost + 10%		
Vacations (ROW and/or Plat)	1000		
PD Amendment Minor (<1 acre total property area, Public Hearing)	2000		
MCP Extension / Application (w/o rezoning)	3000		
PD Reinstatement	4000		
<i>*Outside consultant fees associated with any application will be passed through to the applicant at 103% of rate billed to the Town by consultant</i>			
Hearings and Appeals going to Council	1000		
PD Base Fee (up to one acre)	\$8000 + \$1000/additional acre		
PD Amendment	6500		
Deviations (residential)	1-5: \$1800/6+: additional \$150/ea		

TOWN WIDE FEE SCHEDULE

	CURRENT FEE	PROPOSED FEE	NOTES
PUBLIC HEARING (Continued)			
Deviations (non-residential)	Outside consultant fees associated and required for any application will be passed through to the applicant at a rate determined by the Town Manager and billed to the Town by consultant		
Continuance (case scheduled and advertised)	500		
Deferrals	\$250 after advert./NC before		
Withdrawal	\$250 after advert./NC before		
Appeal to LPA	150		
PUBLIC WORKS			
Labor/Maintenance Cost (Grass cutting, lawn maintenance, special event tasks, etc.)	Actual Cost + \$35/ea		
Inspections/Review/Re-Inspection(s)	50		
Memorial Benches	\$565 (includes intallation) / must pay inscription cost @ \$4/letter	\$575 (includes intallation) / must pay inscription cost @ \$4/letter	
REGISTRATIONS AND YEARLY RENEWALS			
Displays, Rentals and Permits	150		
Contractor Registration / yearly renewal	25		
Driveway re-inspection	25		
REVIEW FEES			
Zoning Review	100		
Floodplain Review	\$100; \$50 ea submittal after 2nd or \$25 tradees, valuation & scope review		
LOMR/LOMA Review	500		
Environmental Review	100		
Re-inspection Fee	50		
FMB Review Fee	25		
Public Works Review Fee	\$70 + cost of subconsultant services		
FMB Review -Resubmittal	\$50 ea submittal after the 2nd resubmittal		
Parking Lot Permit	Per Code		
Parking Lot Yearly Inspection Fee	50		
RIGHT OF WAY PERMIT			
Right of Way Permit	50		
Business Extension/Sidewalk Café Policy per Resolution 18-46	12.50/Sq Ft		
Daily Rental of Bay Side Park (non business extension)	150	350/hr	
Times Square Event Rentals	To Be Approved By Council Per Event		
SPECIAL EVENTS			
Regular Special Event Permit	50		
Late Fees < 30 days Regular / <45 days Council for a COMPLETED app	50		
Special Event Permits going before Town Council	100		
Recurring	\$100 1st Day + \$1/ea additional day	100/day	
Events With More Than 10 Days	Additional 10% per day		
Beach Access Wedding Permit		350/hr	
STORMWATER REVIEW FEES			
Stormwater Ordinance 15-08	Per Ordinance		
Administrative Fee	Per Ordinance		
Stormwater Review, Inspection and Re-Inspection	50		
NPDES Annual Inspection	100		

TOWN WIDE FEE SCHEDULE

	CURRENT FEE	PROPOSED FEE	NOTES
STREET PERFORMERS			
Street Performers Permit Application	75		
Street Performers Background Check	75		
Street Performers Received after September 30th-Permit Application	150		
Street Performers Received after September 30th-Background Check	150		
TOWN CLERK			
Miscellaneous Duplications (8.5x11, 8.4x14, 11x17) -single side	0.15/pg		
Miscellaneous Duplications (8.5x11, 8.4x14, 11x17) -dbl side	0.20/pg		
Certification of document & duplication audio	1.00/DVD		No advisory committee meetings
Extensive services beyond 30 minutes	Hourly Rate		
Code of Ordinances/Land Development Code	Online		May be purchased from Municode directly
Comprehensive Plan	Cost + 5% as limited by statute		
TOWN HALL RENTAL			
Town Hall Meeting Room Rental - No Audio/Visual	\$30/hr per staff/security		
Town Hall Meeting Room Rental - Audio/Visual per hour	150		
Town Hall Meeting Room Rental - Public Works Set Up/Clean Up Fee per day	150		
WATER			
Per Rate Study	Resolution 17-33 Adopted 10-16-17		
Meters Purchase & Meters Testing	Actual Cost + 10% Administrative Fee		
Credit Card Processing Fee		3.50%	
Utility Review Fee	\$115 + Cost of Subconsultant Services		
OTHER			
Personal Watercraft Vendor License (PWVL)- Administration, License, Enforcement	170	1200	
Parasailing Vendor License (PLV) - Adminstration, License, Enforcement	170	1200	
PWVL/PAL License Late Fee (After October 1)	25		
Violation of PWVL/PAL License: 1st Violation	150		
Violation of PWVL/PAL License: 2nd and 3rd Violation	300		
Beach Raking Permit	\$25/Property		
Vehicle on the Beach Permit	\$100/Vehicle		
Beach Furniture Vendor License 1st Year	250	1200	
Beach Furniture Vendor License Renewal	100	1200	
Beach Furniture Vendor License Late Fee (After October 1)	25		
Short Term Rental Application Fee	300		



TOWN WIDE FEE SCHEDULE

	WITHIN 3 DAYS	4-10 DAYS	AFTER 10 DAYS	NOTES
PARKING FINES				
Meter Violation	35	50	70	
Prohibited Violations	50	60	75	
Handicap	200	225	250	
Immobilization Fee (officer \$20.00, Kubota \$15.00, boot \$10.00)	45			
Littering	50	250	500	
Towing Right to Provide Services permit	30			
Passport Fees	Actual cost paid by Customer			



PARKS & RECREATION DEPARTMENT FEE SCHEDULES
BAY OAKS RECREATION CENTER

	CURRENT FEE		PROPOSED FEE		NOTES
BAY OAKS RECREATION CAMPUS MEMBERSHIPS	Resident	Non-Resident	Resident	Non-Resident	ESTIMATED REVENUE
Annual Membership - Individual	0	45	60	120	\$22,200 + \$70,680 = \$92,880
6 Month Membership - Individual	0	30	40	75	\$40 + \$3,300 = \$3,340
Annual Membership - Family	0	85	120	240	\$10,440 + \$37,440 = \$47,880
6 Month Membership - Family	0	55	80	150	\$160 + \$4,200 = \$4,360
Adult Day Pass - Non-Resident (13+ Years)	0	5	7	10	\$4,200
Child Day Pass - Non-Resident (12 & under)	0	3	4	7	\$7,000
Town of Fort Myers Beach Employee Membership (Full Time staff)	0	50% Posted Cost	Same as Resident Fee	Same as Resident Fee	
Seasonal Membership - Individual	0	30	Removing	Removing	
Weekly Membership - Individual	0	15	Removing	Removing	
Weekly Membership - Family	0	30	Removing	Removing	
Monthly Membership - Individual	0	20	Removing	Removing	
Monthly Membership - Family	0	40	Removing	Removing	
Individual - Annual - Gym Use Only	0	100	Removing	Removing	
Individual - 6 months - Gym Use Only			Removing	Removing	
Individual - Annual - Weight/Cardio Room Only			Removing	Removing	
Individual - 6 months - Gym Use Only			Removing	Removing	
Day Pass (includes Gym/Weight/Cardio Room)			Removing	Removing	
Seasonal Membership - Family	0	55	Removing	Removing	
Corporate Membership - Non-Refundable Annual Administrative Fee	0	\$50/Plan	Removing	Removing	
Corporate Annual Membership Plan 1 (1-10 Participants)	0	\$32/Participant	Removing	Removing	
Corporate Annual Membership Plan 2 (11-50 Participants)	0	\$28/Participant	Removing	Removing	
Corporate Annual Membership Plan 3 (50+ Participants)	0	\$21/Participant	Removing	Removing	
BAY OAKS RECREATION CAMPUS FACILITY RENTAL			Non-Profit/Members	For-Profit/Non-Members	
Grounds (Dawn-2pm or 2pm-Dusk) (Grounds defined as passive areas not identified elsewhere within the Fee Schedule)	0	500	350/hr or 500/day	450/hr or 600/day	Building and Grounds 750/hr or 950/day
<i>**Building rental may not conflict with After School or Camp Programs</i>					
EXCLUSIVE USE OF THE RECREATION CENTER - CLOSED TO THE PUBLIC WITHIN NORMAL OPERATING HOURS	0				
Building - Per Hour Cost - 2 Hour Minimum - Free Parking	0	200	250/hr	350/hr	
Banner fee (Annually - Banner can not be larger than 8' x 3')	0	160	160	160	
Rod Vayo Field or Wade Jenkins Field - 2 hour minimum	0	50	75/hr	125/hr	
Ballfield Lights Cost Per Hour	0	35	50/hr	75/hr	
Concession Stand Per Hour/Per Room (Contingent With Additional Rental)	0	100	100/hr	200/hr	
Meeting Room - 2 hour rental min - Free Parking	0	10	50/hr	100/hr	
Bay Oaks & Pool Store Items and Beverages & Snacks	0	Priced as Marked			
Building - Per 8 Hour Increment During Normal Business Operations	0	750	Removing	Removing	
Gym - 1/2 floor - Per Hour during Normal Business Hours	0	120	Removing	Removing	
Gym - full floor - (Within normally operating hours) - Per Hour Cost 2 hour Minimum	0	150	Removing	Removing	
Reserved Picnic Table 2 per Hour	0	10	Removing	Removing	
Kitchen (Contingent with additional rental)	0	\$100 - Any food permit required is renter's responsibility	Removing	Removing	
Weight Room - Per Hour Cost - Exclusive Use (must pay for Equipment Inspection \$140.00)	0	\$100/Hr	Removing	Removing	
Tennis Court - 2 hour Minimum per court	0	30	Removing	Removing	
Outdoor Basketball Court- 2 hour Minimum per court	0	30	Removing	Removing	
Rod Vayo Field - per day	0	250	Removing	Removing	
Rod Vayo Field or Wade Jenkins Field - lined/screen	0	25	Removing	Removing	
Wade Jenkins Field - per day	0	150	Removing	Removing	
Batting Cage Per 2 Hour Rental	0	30	Removing	Removing	
Concession Stand Office	0	Not for Rent			
Bay Oaks Facility Storage Areas Per Month, Per Room (Contingent with Additional Rental)	0	100	Removing	Removing	
Disc Golf - per day	0	100	Removing	Removing	
Stage - Bay Oaks Per Room, Contingent with Additional Rental Cannot be Rented Independently	0	150	Removing	Removing	
Chairs - Inside use only - all chairs (100) - per day Plus \$25.00 Non refundable Deposit	0	50	Removing	Removing	
Tables - Inside use only - per day plus \$25.00 Non Refundable Deposit	0	2	Removing	Removing	
Bay Oaks equipment, i.e. popcorn machine, screens, tents etc./Teen Room	0	Not for Rent	Removing	Removing	



PARKS & RECREATION DEPARTMENT FEE SCHEDULES
BAY OAKS RECREATION CENTER

	CURRENT FEE		PROPOSED FEE		NOTES
BAY OAKS RECREATION CAMPUS PROGRAMS	Members/Residents	Non-Members	Members/Residents	Non-Members	
Sport Camps (3- 10 days) Football, Basketball, Baseball & Contractual - Member	8	10	No Charge	10	
Youth Sports - Soccer/Little League	No Charge	No Charge	No Charge		
Youth - Club Rec - during school year - per semester	100	135	125	175	\$5,500 + \$4,550 = \$10,050
Youth - Summer Camp - Per Week	75	100	100	150	\$21,000 + \$24,000 = \$45,000
Youth - Fun Days - Per Day	15	20	20	30	
Late Pickup from Programs (after 6:01 pm)	\$5 initial and 15 minute increments (accumulative) per household	\$5 initial and per 15 minute increments (accumulative) per household	20/15 min past 6pm (accumulative) per household	20/15 min past 6pm (accumulative) per household	
Teens/Tweens - Trips & Outings	100% cost recovery	100% cost recovery + \$4	100% cost recovery	100% cost recovery + \$4	
Adult Sports Teams, Leagues and Tournaments	100% cost recovery	100% cost recovery + \$4	100% of cost recovery	100% of cost recovery + \$4	
Pickle ball or Volleyball (day pass/membership required)	3	\$3/session or \$5/day pass	5/person per session Removing - Included in below	10/person per session Removing - Included in below	\$17,493
Seniors - Potluck Dinner	free	free			
Seniors - Trips, Outings, Events , Theater, Biking, Lunches, Kayaking, Potlucks	100% cost recovery	100% cost recovery + \$4	100% cost recovery	100% cost recovery + \$8	
Seniors - Kayaking	0	35	Included in Above	Included in Above	
Seniors - Biking	0	20	Included in Above	Included in Above	
Seniors Out To Lunch Bunch	0	5	Included in Above	Included in Above	
Athletic Contractual Programs - Fees vary-set by instructor and staff	70/30 split	70/30 split			
BORC Special Events and Fundraisers	0	100% cost of recovery	50% cost recovery	n/a	



PARKS & RECREATION DEPARTMENT FEE SCHEDULES
BAY OAKS POOL

	CURRENT RATE		PROPOSED FEE		NOTES
POOL DAILY FEES	Resident	Non-Resident	Resident	Non-Resident	ESTIMATED REVENUE
No child under 13 years of age admitted without and adult					Combo membership - save 20% of cost combined Pool and Rec Center
Day Pass (13 and up) (children 2 and under are free)	4	7	7	10	
Child (24 months - 12 years old)	2	5	4	7	\$40,160
Infant (<12 months)	Free	Free	Removing	Removing	
Senior	No Senior Rate	No Senior Rate	Removing	Removing	
POOL MEMBERSHIPS					
Annual - Individual (classes not included)	60	75	120	225	\$720 + \$8,025 = \$8,745
6 Month - Individual	n/a	n/a	75	150	
Annual - Family	125	150	250	450	\$7,500 + \$ 537,350 = \$44,850
6 Month - Family	n/a	n/a	150	300	\$300
Monthly - Individual	40	55	Removing	Removing	
Monthly - Family	75	85	Removing	Removing	
Weekly - Individual	15	20	Removing	Removing	
Weekly - Family	25	40	Removing	Removing	
Corporate Membership Non-Refundable Annual Administrative Fee	\$50/Corporate Plan		Removing	Removing	
Corporate Annual Membership Plan 1 (1-10 participants)	\$32/Participant		Removing	Removing	
Corporate Annual Membership Plan 2 (11-50 participants)	\$28/Participant		Removing	Removing	
Corporate Annual Membership Plan 3 (50+ participants)	\$21/Participant		Removing	Removing	
POOL CLASSES					
Aqua Aerobics & Aqua Yoga Class			4	6	\$5,205
Open lap swimming Monday, Wednesdays, Fridays 9am-10am and Sundays 10am-12pm	\$3/day	\$4/day	3	5	\$6,420
Pool Contractual Programs - Fees vary-set by instructor and staff	70/30 Split	70/30 Split			\$3,200
Pool Swimming Lessons	100% cost of recovery	100% cost of recovery	\$20/session	\$30/session	
Community CPR/AED/First Aid; CPR/Lifeguarding/AED for Professional Rescuer/Water & Land Spinal; Professional Rescuer CPR/AED & First Aid	\$65-\$120	\$65-\$120	\$75-\$175	\$75-\$120	
	Initial \$5 and per 15 minute increment (accumulative) per household	Initial \$5 and per 15 minute increment (accumulative) per household	\$10/15 min increment (accumulative) per household past 6pm	\$10/15 min increment (accumulative) per household past 6pm	
Late Pickup from Programs					
POOL RENTAL					
	Member/Non-Profit	Non-Member	Member/Non-Profit	Non-Resident	
Party Packages			TBD	TBD	
			Removing - Included in party packages above	Removing - Included in party packages above	
Funbrella Rental - 2 hours - with table and 8 chairs	20	40	Removing - Included in party packages above	Removing - Included in party packages above	
Pool Facility - 2 hours - up to 200 people no obstacle course Non-Profit	250		Removing - Included in party packages above	Removing - Included in party packages above	
Pool Facility - 2 hours - up to 200 people includes obstacle course For-Profit	350	700	Removing - Included in party packages above	Removing - Included in party packages above	
Ultimate Birthday Bash includes obstacle course	\$100 + \$5 per adult & \$3 per child		Removing - Included in party packages above	Removing - Included in party packages above	
Birthday Bash	\$45 + \$5 per adult & \$3 per child		Removing - Included in party packages above	Removing - Included in party packages above	
Pool Party Fun	\$20 + general admission - 4 hour rental		Removing - Included in party packages above	Removing - Included in party packages above	

	STUDENT - 13+ & ADULTS W/COLLEGE					
	MH MEMBER	ADULT NON-MEMBER	ID	CHILDREN 6-12	CHILDREN 5 & UNDER	NOTES
MUSEUM ADMISSION						
General Admission	Free	10	8	5	Free	
Proposed: General Admission	Free	15	8	5	Free	
General Admission FMB Resident	Free	5	4	2.50	Free	
Proposed: General Admission FMB Resident	Free	7.5	4	2.50	Free	
Free admission for retired or active military and their families on Veteran's Day	Free	Free	Free	Free	Free	
Free admission for Teachers, Mound House Members	Free	Free	Free	Free	Free	
Guided Museum Tours, Group Tours	Free	\$5 + Museum Admission	\$5 + Museum Admission	\$5 + Museum Admission	Free	
Proposed: Guided Museum Tours, Group Tours	Free	20	13	10	Free	
Proposed: Educational Programs	Free	20	13	10	Free	
Summertime Family Rates (June - August)	TBD	TBD	TBD	TBD	Free	
GROUP RATES						
Proposed: Student Tours (FGCU)	N/A	8	N/A	N/A	N/A	
Group Tours Non Refundable Deposit if cancelled within 3 business days of the tour	Removing	Removing	Removing	Removing	Removing	
STUDENT TOURS						
Students for each activity	\$2/Child + material fee if applicable	\$2/Child + material fee if applicable	\$2/Child + material fee if applicable	\$2/Child + material fee if applicable	Free	
For every 10 children 1 free adult admission						
Proposed: Students for each activity	N/A	N/A	5/child + material fee if applicable	5/Child + material fee if applicable	Free	
For every 10 children 1 free adult admission						
Extra Adults with Student groups	Free	4	N/A	N/A	N/A	
Proposed: Extra Adults with Student groups	Free	5	N/A	N/A	N/A	
Program Fee for additional activities	2	2	2	2	Free	
Material Fees	Actual Cost	Actual Cost	Actual Cost	Actual Cost	Actual Cost	
KAYAK TOURS						
Kayak Tours Non Refundable Deposit if cancelled within 2 business days of the event Per Person	10	20	20	20	N/A	
Proposed: Kayak Tours Non Refundable Deposit if cancelled within 2 business days of the event Per Person	10	15	15	15	N/A	
Proposed: Mangroves by Kayak Tour includes museum admission and free parking	20	50	50	N/A	N/A	
Family Fun Kayak Tours	10	25	15	15	N/A	
Proposed: Family Fun Kayak Tours includes free admission and free parking	15	30	30	30	30	
Sunset Kayak Tour	25	50	50	N/A	N/A	
SPECIALITY TOURS/EVENTS						
Speciality Tours - As Determined	Free	\$5 + Museum Admission	\$5 + Museum Admission	\$5 + Museum Admission	N/A	
Boat Tours Mound Key	20	25				
Proposed: Boat Tours Mound Key	Removing	Removing				
Boat Tours - Pure Florida Boat Tours	15	20				
Multi Day Program (Joyful Living Retreat)	150-200	150-200				



MOUND HOUSE

	MH MEMBER/FMB RESIDENTS	NON-MEMBERS	NON-PROFIT/EDUC ORGANIZATIONS	NOTES
MOUND HOUSE FACILITY RENTAL				
Wedding Ceremony Only (after hours not to exceed 200 people)	\$200 Base Rate	\$250 Base Rate	N/A	
Proposed: Wedding Ceremony Only (grounds not to exceed 150 people; free parking)	\$350/hr	\$400/hr	N/A	
Ceremony with Reception (after normal business hours) not to exceed 200 people Event up to 4 hours	\$800 Base Rate	\$1000 Base Rate	N/A	
Proposed: Ceremony with Reception (after normal business hours) not to exceed 200 people Event up to 4 hours	Removing	Removing	N/A	
Orientation Room-Main Museum	\$45 for 1st Hr/\$20 additional Hr	\$55 for 1st Hr/\$30 additional Hr	\$50 for 1st Hr/\$20 additional Hr	
Proposed: Orientation Room-Main Museum	\$65 for 1st Hr/\$45 additional Hr	\$75 for 1st Hr/\$50 additional Hr	\$70 for 1st Hr/\$45 additional Hr	
After Hours Rental (after 5:30 pm or anytime Sunday per hour)	100	100	100	
Proposed: After Hours Rental (after 5:30 pm or anytime Sunday per hour)	100	150	125	
Grounds (Observation Pier, Special Event Area, Back Patio/ Porch area)	\$150 Base Rate	\$200 Base Rate	\$150 Base Rate	
Proposed: Grounds (Observation Pier, Special Event Area, Back Patio/ Porch area) - Not to exceed 150 people; free parking	350 Base Rate/hour	400 Base Rate/hour	375 Base Rate/hour	
Individual	35			
Dual	50			
Proposed: Dual plus NARM	100			
Family	50			
Extended Family	100			
Contributor	200			
Patron	500			
Benefactor	1000			
Corporate	2500			
Museum Store Items	Priced as Marked			
Gift Certificates	Priced as Marked			
Mound House Staff Speakers Fee	100			
Friends of the Mound House Membership	\$10 extra per MH Membership			

	TOWN OF FMB RESIDENT	FOR-PROFIT or INDIVIDUAL	NON-PROFIT or EDUC ORGANIZATION
NEWTON BEACH PARK RENTALS <i>(parking not included unless otherwise noted)</i>			
Seven Seas Historic Cottage (parking not included)	\$40 for 1st Hr/\$20 additional Hr	\$55 for 1st Hr/\$35 additional Hr	\$45 for 1st Hr/\$20 additional Hr
Proposed: Seven Seas Historic Cottage (parking not included)	\$200/Hr	\$250/hr for 1st 2 Hrs then \$75 additional Hr	\$200/hr for 1st 2 Hrs then \$65 additional Hr
Extra staff site visits/ planning sessions Per Visit	20	20	20
Proposed: Extra staff site visits/ planning sessions Per Visit	40	60	50
Outside patio/Lania only Per Hour	20	30	25
Proposed: Outside patio/Lania only Per Hour	Removing	Removing	Removing
Lania only - Additional per hour	10	20	15
Proposed: Lania only - Additional per hour	Removing	Removing	Removing
Large 5 table - Chickee Hut only - up to 2 hours Parking Not Included	20	25	25
Proposed: Large 5 table - Chickee Hut only - up to 2 hours Parking Not Included	15/hr	25/hr	20/hr
2 table - Chickee Hut - up to 2 hours Parking Not Included	10	20	15
Proposed: 2 table - Chickee Hut - up to 2 hours Parking Not Included	10/hr	15/hr	10/hr
3 Small round shade structures gulf side - up to 2 hours Parking Not Included	10	20	15
Proposed: 3 Small round shade structures gulf side - up to 2 hours Parking Not Included	Removing	Removing	Removing
Newton Park - exclusive use of entire facility, including 10 parking spaces - up to 8 hours/restrooms are open to public	1000	1200	100
Proposed: Newton Park - Cottage and Outside Tiki Huts; restrooms are open to the public	800	1200	900
Newton Park - exclusive use of entire facility, including 10 parking spaces- half day option- no to exceed 4 hours/restrooms are open to public	650	700	650
Proposed: Newton Park - exclusive use of entire facility, including 10 parking spaces- half day option- no to exceed 4 hours/restrooms are open to public	Removing	Removing	Removing
After Sunset Fee (applies if rental extends past 8 PM not to exceed past 10pm) - no exterior rentals or lighting allowed during turtle nesting season. May through October	\$150/Hr	\$150/Hr	\$150/Hr
Short Term Instructors	\$40/Hr; \$30/additional Hr or as stated in contract		
Proposed: Short Term Instructors	TBD	N/A	N/A
EDUCATIONAL PROGRAMS			
Beachwalks	Free		
Proposed: Concessionaire	70/30		
General Educational Programming	\$5-\$15 TBD		



Building Permit Fee Schedule



BUILDING PERMIT FEE SCHEDULE

REF #	PERMIT	CURRENT FEE	PROPOSED FEE	NOTES
	FIRE REVIEW OR FIRE INSPECTION FEE NOT INCLUDED AND WILL BE CHARGED SEPERATELY BY THE FIRE DEPARTMENT *** IMPACT FEES NOT INCLUDED *** *** SOLID WASTE AND DCA/DBPR FEES NOT INCLUDED*** 1/3 OF THE BUILDING PERMIT FEE WILL BE REFUNDED IF THE PERMIT IS NOT ISSUED WITHIN 3 WEEKS OF RECEIPT OF COMPLETED APPLICATION AND ALL ADDITIONAL INFORMATION REQUESTED BY REVIEWERS.			
	<i>COM – Commercial New Construction, Additions, Alterations, Modular,</i> 1 Foundation Includes: Application Processing Fee Commercial Building Plan Review & Inspection Commercial Environmental Review Commercial Flood Review Commercial Stormwater Review Commercial Zoning Review Plumbing Review, Sub-Contractor Permit, & Plumbing Inspection Electrical Review, Sub-Contractor Permit, & Electrical Inspection(s) Mechanical Review, Sub-Contractor Permit, & Mechanical Inspection	.65 per sq. ft. + 35% of building permit for application and all review fees. EX. 5,000 sq. ft. project = \$4,387.50	.70 per sq. ft. + 35% of building permit for application and all review fees. Ex 5,000 sq. ft. project = \$4,725.00	
	2 COM – Concrete Restoration Includes: Application Processing Fee Commercial Plan Review Threshold Engineer Report Review Inspection	450	525	
	3 COM - Roof/ReRoof/Roofover Includes: Application Processing Fee Building Review Flood Review Inspection	425	500	
	4 CONDO - Condo Residential Unit Remodel/Interior Flat Fee Includes: Application Processing Fee Building Review and Inspection Flood Review Electrical Review and Electrical Inspection Mechanical Review and Mechanical Inspection Plumbing Review and Plumbing Inspection	Flat Fee of \$775 for All Condo Remodel Projects	\$930 for All Condo Remodel Projects	
	5 CONDO - Carport/Garage Flat Fee Includes: Application Processing Fee Building Review and Inspection Stormwater Review Zoning Review Electrical Review and Inspection	600	700	
	6 DEMO - Commercial and Residential Includes: Application Processing Fee Building Plan Review Environmental Review Inspection	400	475	



BUILDING PERMIT FEE SCHEDULE

REF #	PERMIT	CURRENT FEE	PROPOSED FEE	NOTES
7	DRV - All Driveways Includes: Application Processing Fee Environmental Review Flood Review Stormwater Review Zoning Review Inspection	525	625	
8	DSH - Dock, Walkway, Pier Platform, Boat Lift, Hoist, Davit Repair, Rip Rap, Seawall, Dredging, Piling, Boat Ramp Includes: Application Processing Fee Environmental Review Zoning Review Inspection	325	400	
9	DSH - Boathouse and Dock Permit (New Dock/New Boathouse) Includes: Building Review and Inspection Electrical Review and Inspection	600	Flat Fee \$720 (\$330 for boathouse with \$390 dock fee)	
10	DSH - Boathouse, New or Repair (New Boathouse, Existing Dock) Includes: Application Processing Fee Building Review and Inspection Environmental Review Zoning Review Electrical Review and Inspection	400	475	
11	FEN - Fence (All Fences, Pool Barriers, Retaining/Garden Wall) Includes: Application Processing Fee Building Plan Review and Inspection Environmental Review Flood Review	400	475	
12	POL - Pools (Above Ground, Below Ground, Spas) Includes: Application Processing Fee Building Review and Inspection Environmental Review Flood Review Stormwater Review Zoning Review	700	850	
13	RES - Interior Remodel (up to 50% of Structure Value) Includes: Application Processing Fee Building Review and Inspection Flood Review Electrical Review and Inspection Mechanical Review and Inspection Plumbing Review and Inspection	675	800	
14	RES - New One & Two Family Dwelling Construction, Remodel, Addition, Carport, Stand Alone Garage *** IMPACT FEES NOT INCLUDED *** Includes: Application Processing Fee Building Plan Review and Inspection Environmental Review Flood Review Stormwater Review Zoning Review Electrical Review and Electrical Inspection Mechanical Review and Mechanical Inspection Plumbing Review and Plumbing Inspection Roof Sewer Connection	Up to 1500 sqft = \$1550 1501-2500 sqft = \$2150 2501-3500 sqft = \$2750 3501-4500 sqft = \$3350 4501-5500 sqft = \$3950 5501-6500 sqft = \$4550 6501+ sqft = Commercial Calculation	Up to 1500 sqft = \$1860 1501-2500 sqft = \$2580 2501-3500 sqft = \$3300 3501-4500 sqft = \$4020 4501-5500 sqft = \$4740 5501-6500 sqft = \$5460 6501+ sqft = Commercial Calculation	



BUILDING PERMIT FEE SCHEDULE

REF #	PERMIT	CURRENT FEE	PROPOSED FEE	NOTES
15	RES - Roof, Reroof, Roofover, Insulated Pan Roof Application Processing Fee Flood Review Inspection	250	300	
16	STRUC - Commercial or Residential Sheds, Decks, Screen Enclosure/Pool Enclosure, Dumpster Enclosure, Radio/TV Antenna, Freestanding Signs, Mobile Home/RV Setup Includes: Application Processing Fee Building Review and Inspection Environmental Review Flood Review Stormwater Review Zoning Review	525	625	
17	STRUC - Structure Move Includes: Application Processing Fee Building Review and Inspection Environmental Review Flood Review Stormwater Review Zoning Review Electrical Review and Inspection Mechanical Review and Inspection Plumbing Review and Inspection	750	900	
18	TRADES - Over the Counter Electrical, Mechanical, Plumbing, Solar, Other Misc.(Flatwork, Interior Piping, Dumpster, Gas, Pavers, Fence Repair) Building Permits Not Stated. Includes: Application Processing Fee Any Necessary Reviews	175	200	
19	WIN - Windows (Commercial, Condos, Residential) up to 5 Windows, including Sliding Glass Doors Includes: Application Processing Fee Building Review and Inspection Flood Review	325	400	
20	WIN - Windows (Commercial, Condos, Residential) over 5 Windows, including Sliding Glass Doors Includes: Application Processing Fee Building Review and Inspection Flood Review	# Windows x \$25/ea Ex 10 Windows = \$200	# Windows * \$30 + \$50 Ex 10 Windows = \$350	
MISCELLANEOUS FEES				
21	MISC - 1st Work Without Permit	3x Building Permit Fee		
22	MISC - 2nd Work Without Permit	5x Buildin Permit Fee		
23	MISC - Change of Contractor	50	60	
24	MISC - Building Code Administrators and Inspectors Surcharge (Pursuant to Florida Statute)	1.5% of Building Permit Fee or \$2 Minimum	Determined by Statue	
25	MISC - Department of Business and Professional Regulation Surcharge (Pursuant to Florida Statute)	1% of Permit Fee or \$2 Minimum	Determined by Statue	
26	MISC - Inspection/Partial Pass (additional inspection requested by contractor)	50	60	
27	MISC - Inspection/Re-inspection After Failed Inspection	50	60	
28	MISC - Inspection/Lock-Out (Inspector did not have access to construction site and has to reschedule inspection)	50	60	
29	MISC - Permit Extension 1st 3 Months	100	120	
30	MISC - Permit Extension 2nd 3 Months	150	180	
31	MISC - Plan Revision (after issuance of permit)	50	60	
32	MISC - Recording Services	Actual Cost		
33	MISC - Reissuance of Expired Permit: Commercial (not including Code Enforcement fees)	500	600	



BUILDING PERMIT FEE SCHEDULE

PERMIT	CURRENT FEE	PROPOSED FEE	NOTES
MISCELLANEOUS FEES (Continued)			
MISC - Reissuance of Expired Permit: Residential (not including Code			
34 Enforcement Fees)	250	300	
MISC - Reissuance of Expired Permit: Trade (not including Code			
35 Enforcement Fee)	100	120	
MISC - Resubmittal Fee after 1st resubmittal (if our reviewers request more			
information and the information provided by the permit holder does not			
36 fulfill request)	\$50/Resubmittal	\$60/Resubmittal	
37 MISC - Generator Installation Permit	450	540	
38 MISC - Temporary CO	175	210	