

RESOLUTION OF THE TOWN COUNCIL OF
THE TOWN OF FORT MYERS BEACH, FLORIDA
RESOLUTION NUMBER 07- 38

A RESOLUTION OF THE TOWN OF FORT MYERS BEACH, FLORIDA, APPROVING THE RENEWAL OF THE FDOT MAINTENANCE AGREEMENT WITH THE TOWN AND AUTHORIZING THE TOWN TO PERFORM NECESSARY ANCILLARY ACTIONS TO IMPLEMENT SAME; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Article VIII, Section 2 of the State Constitution and Chapter 166 of the 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 services, and exercise any power for municipal purposes, except when expressly prohibited by law; and

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

WHEREAS, the Town has the authority to enter an Renewal Agreement with the State of Florida Department of Transportation for the State to perform litter removal, manual weed control, graffiti removal, mowing, and mechanical sweeping, as further described in Contract Number: BDJ25; and

WHEREAS, it is in the best interest of health, safety and welfare of the citizens of the Town that the Town enter into the aforesaid renewal agreement with FDOT in the form attached.

NOW, IT IS HEREBY RESOLVED BY THE TOWN OF FORT MYERS BEACH, FLORIDA:

Section 1. Adoption of Recitals. The above recitals as set forth in the various "Whereas" clauses are hereby adopted and incorporated into the body of this Resolution.

Section 2. Approval and Authorization of Ancillary Actions. The Town Council of the Town of Fort Myers Beach hereby approves the attached Agreement, authorizes the Mayor to execute same on behalf of the Town and hereby directs and authorizes the Town Manager or designee to act in connection with the application for this grant and to provide such additional information as may be required by FDOT.

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

The foregoing Resolution was adopted by the Town Council upon a motion by Council Member Shenko and seconded by Vice Mayor Kiker and, upon being put to a vote, the result was as follows:

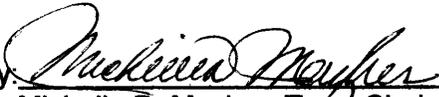
Dennis Boback , Mayor	aye
Larry Kiker, Vice Mayor	aye
Charles Meador, Jr.	aye
Herb Acken	aye

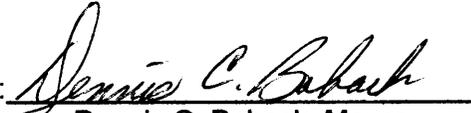
William Shenko, Jr. aye

DULY PASSED AND ADOPTED this 3rd day of October, 2007.

ATTEST:

TOWN OF FORT MYERS BEACH

By: 
Michelle D. Mayher, Town Clerk

By: 
Dennis C. Boback, Mayor

Approved as to legal sufficiency by:


Arne Dalton, Town Attorney