

RESOLUTION 17-11

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, RESCINDING RESOLUTION 12-18 WHICH UPDATED THE JOINT UNIFIED LOCAL MITIGATION STRATEGY FOR LEE COUNTY; ADOPTING THE UPDATED LOCAL MITIGATION STRATEGY, PREPARED BY THE LOCAL MITIGATION STRATEGY WORKING GROUP OF LEE COUNTY, AS THE FORMAL GUIDE FOR THE TOWN OF FORT MYERS BEACH HAZARD MITIGATION ACTIVITIES; AND 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 of Fort Myers Beach ("Town") to adopt, amend, or repeal such resolutions as may be required for the proper governing of the Town; and

WHEREAS, Lee County and the Town are vulnerable to various natural and human caused hazards including tropical storms, tornadoes, floods, fires, coastal erosion, drought, extreme temperatures, exotic pests and chemical releases and face potential damage to life, property, natural resources and the local economy as a result of the occurrence of such hazards; and

WHEREAS, Lee County, the City of Bonita Springs, the City of Cape Coral, the City of Fort Myers, the Town of Fort Myers Beach, the Village of Estero, and the City of Sanibel, have formed the Local Mitigation Strategy Working Group, consisting of employees and community members and which is open for participation to any and all interested parties; and

WHEREAS, the Local Mitigation Strategy Working Group has identified these local hazards and reassessed the county-wide vulnerability and risk of these hazards based on the latest scientific and technically based risk assessment techniques; and

WHEREAS, the Working Group has identified and prioritized mitigation initiatives that would reduce local vulnerability from these hazards; and

WHEREAS, the Local Mitigation Strategy has been updated to reflect the knowledge gained from disasters that Lee County has experienced over the past fifteen (15) years; and

WHEREAS, the Joint Unified Local Mitigation Strategy furthers the Town of Fort Myers Beach Comprehensive Plan; and

WHEREAS, projects identified in the Local Mitigation Strategy Mitigation Initiatives List are given more consideration by federal and state-managed funding programs such as the Hazard Mitigation Grant Program, the Flood Mitigation Assistance Program, Emergency Management Preparedness Assistance Trust Fund, Communities Trust, Community Development Block Grant, Coastal Partnerships Initiative, and Home Investment Partnerships (HOME) Program; and

WHEREAS, the Local Mitigation Strategy can serve as the Flood Mitigation Plan as required of all communities participating in the National Flood Insurance Program and seeking project funding from the Flood Mitigation Assistance program; and

WHEREAS, the Local Mitigation Strategy can serve as the Post-Disaster Redevelopment Plan as required of all coastal counties in Florida by Florida Administrative Code Rule 9J-5 as part of the County Comprehensive Growth Management Plan; and

WHEREAS, the Local Mitigation Strategy is designed to be a process-oriented document with review and revision policies that allow the Local Mitigation Strategy to be changed to meet new or changing conditions including hazard-event frequency, perceived local needs and funding opportunities;

WHEREAS, the measures set forth below are necessary to provide for the protection of public health, safety, and welfare and to preserve the lives and property of the people of the Town.

IT IS HEREBY RESOLVED BY THE TOWN OF FORT MYERS BEACH AS FOLLOWS:

Section One. Whereas Clauses. The above "Whereas" recitals are incorporated herein by reference.

Section Two. Purpose: Adopting the updated Joint Unified Local Mitigation Strategy. The Town hereby adopts the updated Joint Unified Local Mitigation Strategy for Lee County, Florida, a part of which is attached hereto as Exhibit "A", as part of the formal guide for the Town of Fort Myers Beach hazard mitigation activities.

Section Three. Rescission of Resolution 12-18. Town of Fort Myers Beach Resolution 12-18 is hereby rescinded.

Section Four. Effective Date. This Resolution shall take effect immediately upon 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 Council Member Cereceda and seconded by Council Shamp and upon being put to a vote, the result was as follows:

Dennis Boback, Mayor	aye	Tracey Gore, Vice Mayor	aye
Anita Cereceda	aye	Bruce Butcher	aye
Joanne Shamp	aye		

DULY PASSED AND ADOPTED THIS 15th DAY OF MAY, 2017, BY THE

TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH

By: 
Dennis C. Boback, Mayor

ATTEST:
By: 
Michelle D. Mayher, Town Clerk

Approved as to form and legal sufficiency:

By: 
Peterson Law Group, Town Attorney