

**RESOLUTION NO. 22-09**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA AUTHORIZING THE TOWN MANAGER OR DESIGNEE TO APPLY FOR, EXECUTE A GRANT AGREEMENT, AND ADMINISTER GRANT FUNDING FROM THE FLORIDA BOATING IMPROVEMENT PROGRAM FOR IN THE AMOUNT OF UP TO \$3,000,000.00 FOR CONSTRUCTION OF THE MATANZAS PASS MOORING FIELD UPLAND SERVICES FACILITIES; 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 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 ("Town") has an opportunity to apply for grant funding from the Florida Boating Improvement Program ("Grant") through Florida Fish and Wildlife Conservation Commission ("FWC") for construction of the Matanzas Pass Mooring Field upland services facilities ("Project"); and

**WHEREAS**, the Town has purchased and expended \$1,000,000 for the acquisition of land for this Project, and

**WHEREAS**, the Town desires to apply for a Grant in the not-to-exceed amount of \$3,000,000 to provide the Town with funds to complete the Project, to execute a grant funding agreement ("Grant Agreement") with the FWC, and administer the Grant Agreement; and

**WHEREAS**, a Resolution of the Town designating a "Project Manager", authorizing the Project Manager to apply for the Grant, execute the Grant Agreement, and administer the Grant Agreement on behalf of the Town is required by the FWC as a condition precedent to applying for the Grant; and

**WHEREAS**, the Town will be required to commit matching funds (up to \$3,000,000) to complete the Grant requirement, which funding is available within the current and future fiscal year budgets for the Project; and

**WHEREAS**, the Town finds that it is in the best interests of the health, safety, and welfare of the Town's residents and visitors to apply for the Grant, enter into the Grant Agreement, and administer the Grant Agreement.

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

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

Section 2. The Town Manager or designee is designated as the Project Manager and authorized to apply for the Grant in the not-to-exceed amount of \$3 million, enter into a Grant Agreement with the FWC, to expend matching funds in the amount of up to \$3 million and other budgeted funds for the Project, and administer the Grant Agreement on behalf of the Town.

Section 3. This Resolution shall take effect immediately upon its adoption.

**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:

**DULY PASSED AND ADOPTED** on this 21<sup>st</sup> day of March, 2022.

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

**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 \_\_\_\_\_ 2022.