

RESOLUTION 22-15

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, ADOPTING AN UPDATED JOINT UNIFIED LOCAL MITIGATION STRATEGY FOR LEE COUNTY PREPARED BY THE LOCAL MITIGATION STRATEGY WORKING GROUP OF LEE COUNTY REGARDING THE TOWN'S HAZARD MITIGATION ACTIVITIES; REPEALING ALL CONFLICTING RESOLUTIONS; 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 ("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 because of the occurrence of such hazards ("Local Hazards"); and

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

WHEREAS, the Local Mitigation Strategy Working Group has identified Local Hazards and reassessed the county-wide vulnerability and risk of these Local 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 Local 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 the 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; and

WHEREAS, adoption of updated hazard mitigation measures necessary to provide for the protection of public health, safety, and welfare and to preserve the lives and property of the business owners, residents, and visitors of the Town is in the best interest of the Town.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE TOWN OF FORT MYERS BEACH 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 updated Joint Unified Local Mitigation Strategy for Lee County, Florida, attached as Exhibit “A”, is adopted as part of the Town’s hazard mitigation activities.

Section 3. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 4 This Resolution shall take effect immediately upon its adoption.

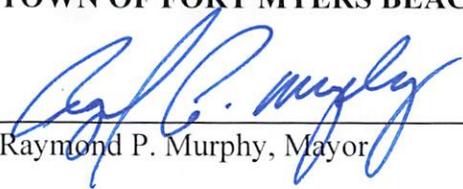
THE FOREGOING RESOLUTION was adopted by the Town Council upon a motion by Vice Mayor Hosafros and seconded by Council Member Veach, and upon being put to a vote, the result was as follows:

DULY PASSED AND ADOPTED on this 18th day of April 2022.

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

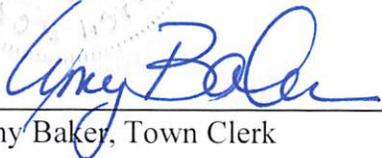
TOWN OF FORT MYERS BEACH

Raymond P. Murphy, Mayor



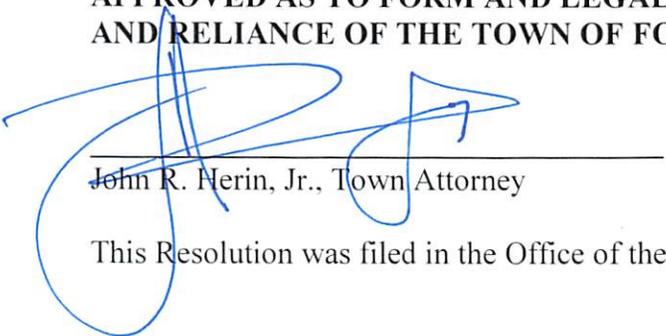
ATTEST:

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 19 day of April 2022.