

**RESOLUTION NUMBER 23-93**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, WAIVING THE TOWN'S COMPETITIVE PROCUREMENT POLICY AND APPROVAL OF THE PROPOSALS RECEIVED FOR ELECTRIC AND SITE WORK FOR TIMES SQUARE THE AMOUNTS NOT TO EXCEED \$96,000 AND \$55,000 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**, the Town of Fort Myers Beach has been working diligently on coordinating repairs to the Town's facilities including Times Square and received a donation of a replacement Times Square clock in June 2023; and

**WHEREAS**, the Town can meet the target installation date for through the use of Precision Power and Kelly General Contracting to complete electrical, site, and paver work required due to hurricane and storm surge damage to return the electrical components back to the clock.

**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 authorizes the Town to sign proposals for electrical and site work for Times Square and waive the Town's procurement policy directing Town staff to continue coordination with these contractors for repairs in the amounts not to exceed \$55,000 and \$96,000.

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 Mayor Allers and seconded by Council Member King, and upon being put to a vote, the result was as follows:

Dan Allers, Mayor	Aye
Jim Atterholt, Vice Mayor	<b>Absent</b>
John R. King, Council Member	Aye
Bill Veach, Council Member	Aye
Karen Woodson, Council Member	Aye

ADOPTED this 21<sup>st</sup> day of August 2023 by the Town Council of the Town of Fort Myers Beach, Florida.

**TOWN OF FORT MYERS BEACH**

**Dan Allers**

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Dan Allers, Mayor

**ATTEST:**

**Amy Baker**

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Amy Baker, Town Clerk

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

**Gretchen R. H. "Becky" Vose**

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Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on this 22<sup>nd</sup> day August 2023.

**Signature:** *Dan Allers*  
Dan Allers (Aug 22, 2023 14:19 EDT)  
**Email:** allersd@fmbgov.com

**Signature:** *Becky Vose*  
Becky Vose (Aug 22, 2023 14:31 EDT)  
**Email:** bvose@voselaw.com

**Signature:** *Amy Baker*  
AMY BAKER (Aug 22, 2023 14:03 EDT)  
**Email:** AMY@FMBGOV.COM