

RESOLUTION NUMBER 23-91

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, RATIFYING ACTION OF THE TOWN TAKEN AUGUST 16, 2023 REGARDING THE WAIVING OF THE TOWN'S COMPETITIVE PROCUREMENT POLICY AND APPROVAL OF THE PROPOSALS RECEIVED FOR ELECTRIC AND SITE WORK FOR BAYSIDE PARK IN THE AMOUNTS NOT TO EXCEED \$83,400 AND \$60,000; 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 Bayside Park facility; and

WHEREAS, the Town can meet the target opening date for Bayside Park through the use of Kelly Contractors and Precision Power to complete electrical, site, and paver work required due to hurricane and storm surge damage to return the park back to previous conditions.

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 memorializes and ratifies the actions of the Town to sign proposals for electrical and site work for Bayside Park and waiving of the Town's procurement policy, directing Town staff to continue coordination with these contractors for repairs in the amounts not to exceed \$83,400 and \$60,000.

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 Vice Mayor Atterholt and seconded by Council Member Woodson, and upon being put to a vote, the result was as follows:

Dan Allers, Mayor	Aye
Jim Atterholt, Vice Mayor	Aye
John R. King, Councilmember	Aye
Bill Veach, Councilmember	Aye
Karen Woodson, Councilmember	Aye

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

TOWN OF FORT MYERS BEACH

Dan Allers

Dan Allers, Mayor

ATTEST:

Amy Baker

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. Vose

Vose Law Firm, LLP, Town Attorney

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

Signature: *Dan Allers*
Dan Allers (Aug 22, 2023 14:06 EDT)
Email: allersd@fmbgov.com

Signature: *Becky Vose*
Becky Vose (Aug 22, 2023 10:51 EDT)
Email: bvose@voselaw.com

Signature: *Amy Baker*
AMY BAKER (Aug 22, 2023 10:19 EDT)
Email: AMY@FMBGOV.COM