

RESOLUTION NUMBER 23-108

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 DIRECT PURCHASE OF REPLACEMENT LIGHTING AT BAYSIDE PARK IN THE AMOUNT NOT TO EXCEED \$117,906.39; 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 has coordinated with the original sole source provider of the lighting installed previously at Bayside Park and approved by Town Council on November 15, 2021 for replacement items 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 authorizes the waiving of the Town's procurement policy, directing Town staff to continue coordination and purchase of replacement lighting in the amount not to exceed \$117,906.39.

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 11th day of September 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. "Becky" Vose

Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on this 11th day September 2023.

Signature: 
Dan Allers (Sep 11, 2023 16:25 EDT)
Email: allersd@fmbgov.com

Signature: 
Becky Vose (Sep 11, 2023 16:26 EDT)
Email: bvose@voselaw.com

Signature: 
AMY BAKER (Sep 26, 2023 09:47 EDT)
Email: AMY@FMBGOV.COM