

RESOLUTION NUMBER 23-124

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA APPROVING A SOLE SOURCE PURCHASE AGREEMENT BETWEEN THE TOWN AND STEWART MATERIALS FOR THE SOLE SOURCE PURCHASE OF 26,460 TONS OF BEACH COMPATIBLE SAND FOR A COST OF \$313,551.00.

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, requires beach compatible sand to recover Town beaches from Hurricane Ian impacts including repair or beach accesses, construction of a berm to protect upland properties along segments of beach that did not qualify for the FEMA emergency berm and are not included in the Estero Island Shoreline Protection Project, and renourishment of the segment of beach known as Carlos Point Beach (aka Bird Beach) that is also not included in the Estero Island Shoreline Protection Project;

WHEREAS, the Town Council has determined it is in the best interest of the Town to approve the requested sole source purchase agreement with Stewart Mine Materials.

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

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

Section 2. The Town Council hereby approves the sole source purchase agreement between the Town and Stewart Materials, for the purchase of 26,460 tons of beach compatible sand for a cost of \$313,551. A copy of the Sole Source Purchase Agreement is attached hereto as Attachment "A".

The foregoing Resolution was adopted by the Town Council upon a motion by Council Member King and seconded by Council Member Veach, and upon being put to a vote, the result was as follows:

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

ADOPTED this 2nd day of October 2023 by the Town Council of the Town of Fort Myers Beach, Florida.

FORT MYERS BEACH TOWN COUNCIL

Dan Allers
Dan Allers (Oct 2, 2023 17:44 EDT)

Dan Allers, Mayor

ATTEST:

Amy Baker
AMY BAKER (Oct 3, 2023 11:09 EDT)

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
Gretchen R. H. Vose (Oct 2, 2023 22:15 EDT)

Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on this 2nd day of October 2023.