

RESOLUTION NUMBER 23-159

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, LEE COUNTY, FLORIDA, APPROVING BUDGET AMENDMENT #2 TO THE TOWN GENERAL FUND; AND OTHER TOWN FUNDS PROVIDING AUTHORITY; EFFECTIVE DATE.

WHEREAS, Florida Statutes s. 200.065 establishes the method for adoption of a budget for all taxing authorities in the State of Florida and Florida Statutes s. 166.241 requires the governing body of each municipality in Florida to adopt a budget via ordinance or resolution before the start of each fiscal year; and

WHEREAS, on September 22, 2022, the Town Council of the Town of Fort Myers Beach, following due public notice, adopted a final operating budget for fiscal year 2022-23, as set forth with greater specificity in Town Resolution 22-33; and

WHEREAS, Section 11.05 of Article XI of the Charter of the Town of Fort Myers Beach provides that the Town Manager will report to Town Council regarding any anticipated excess revenues; any reduction of appropriations and any request for transfers for the Town operating budget, including the estimated amount of such increase, decrease, remedial action(s) taken, and recommendations as to any other steps to be taken; and

WHEREAS, Section 11.05(c) of Article XI of the Town Charter further provides that the Council shall take such action as it deems necessary to prevent or minimize any such deficit and for that purpose may, by resolution, reduce one or more appropriations; and

WHEREAS, the Town Manager has made various recommendations as set forth by Budget Amendment, which is attached hereto and hereby incorporated by reference.

IT IS HEREBY RESOLVED by the Town Council of Fort Myers Beach, Florida as follows.

Section 1. The above recitals as set forth in the various “Whereas” clauses are hereby adopted by reference and incorporated into the body of this Resolution.

Section 2. The Town Council hereby approves, adopts and accepts Budget Amendment #2, which is attached as a formal amendment to the 2022-23 Town Budgets. The Town Council further finds that Budget Amendment #2 is consistent with the requirements of Section 11.05 (a), (c) and (d) of Article XI of the Town Charter in that such amendment is anticipated to prevent or minimize an anticipated revenue deficit.

Section 3. This resolution is effective immediately upon adoption.

The foregoing Resolution was adopted by the Town Council upon a motion by Council Member Woodson 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	Aye
John R. King , Councilmember	Aye
Bill Veach, Councilmember	Aye
Karen Woodson, Councilmember	Aye

ADOPTED this 20th day of November 2023 by the Town Council of the Town of Fort Myers Beach, Florida.

TOWN OF FORT MYERS BEACH


[Dan Allers \(Nov 20, 2023 13:56 EST\)](#)

Dan Allers, Mayor

ATTEST:


[AMY BAKER \(Nov 20, 2023 17:48 EST\)](#)

Amy Baker, Town Clerk

APPROVED AS TO FORM:


[Becky Vose \(Nov 20, 2023 17:47 EST\)](#)

Vose Law Firm, Town Attorneys

This Resolution was filed in the Office of the Town Clerk on this 20th day of November 2023.

Budget Amendment #2: Final Budget Adjustment for Fiscal Year 2023

Account	Description	Adjustment	Explanation
General Fund Expense Adjustments			
10.12.512.51000	Executive Salaries	100,000	Former Town Manager Termination Payout
10.12.512.53401	Contracted Services	123,000	Interim Town Manager
10.18.514.53101	Legal Services	34,000	Former Town Attorney
10.19.519.58100	Contingency	(300,000)	Fund department budget overages
10.21.524.51200	Regular Wages	27,000	Residual Code Enforcment Gen Fund expenses
10.21.524.54200	Freight & Postage	4,000	Residual Code Enforcment Gen Fund expenses
10.21.524.54500	Insurance	8,000	Residual Code Enforcment Gen Fund expenses
10.21.524.55200	Operating Supplies	2,000	Residual Code Enforcment Gen Fund expenses
10.21.524.55206	Fuel	2,000	Residual Code Enforcment Gen Fund expenses
Emergency Fund Revenue Adjustments			
13.19.519.33150	FEMA Reimbursement	3,671,040	General Government - FEMA Reimbursement
13.19.519.36920	Insurance Claims	1,446,235	General Government - Insurance Claims
13.29.519.36920	Insurance Claims	1,536,949	Town Hall Maintenance - Insurance Claims
13.31.541.36920	Insurance Claims	281,463	Public Works Maintenance - Insurance Claims
13.33.543.36920	Insurance Claims	1,008	Marine Operations - Insurance Claims
13.34.545.36920	Insurance Claims	47,707	Parking Operations - Insurance Claims
13.37.579.36920	Insurance Claims	9,129	Bayside Park - Insurance Claims
13.40.533.33150	FEMA Reimbursement	4,000,000	Water Services - FEMA Reimbursement
13.40.533.36920	Insurance Claims	3,233,846	Water Services - Insurance Claims
13.50.572.36920	Insurance Claims	1,715,088	Bay Oaks Recreation Center - Insurance Claims
13.51.572.36920	Insurance Claims	247,878	Bay Oaks Pool - Insurance Claims
13.70.573.36920	Insurance Claims	633,944	Mound House - Insurance Claims
13.71.573.36920	Insurance Claims	373,961	Newton Park - Insurance Claims
13.72.579.33150	FEMA Reimbursement	3,487,287	Emergency Berm - FEMA Reimbursement
Emergency Fund Expense Adjustments			
13.19.519.53401	Contracted Services	3,671,040	General Government - FEMA Reimbursement
13.19.519.60000	Capital Outlay	1,446,235	General Government - Insurance Claims
13.29.519.53401	Contracted Services	1,536,949	Town Hall Maintenance - Insurance Claims
13.31.541.53401	Contracted Services	281,463	Public Works Maintenance - Insurance Claims
13.33.543.54605	Contracted Services	1,008	Marine Operations - Insurance Claims
13.34.545.63020	Signage	47,707	Parking Operations - Insurance Claims
13.37.579.54600	Repairs & Maintenance	9,129	Bayside Park - Insurance Claims
13.40.533.53401	Contracted Services	4,000,000	Water Services - FEMA Reimbursement
13.40.533.54600	Repairs & Maintenance	3,233,846	Water Services - Insurance Claims
13.50.572.54601	Repairs & Maintenance	1,715,088	Bay Oaks Recreation Center - Insurance Claims
13.51.572.54600	Repairs & Maintenance	247,878	Bay Oaks Pool - Insurance Claims
13.70.573.54601	Repairs & Maintenance	633,944	Mound House - Insurance Claims
13.71.573.60000	Capital Outlay	373,961	Newton Park - Insurance Claims
13.72.537.53401	Contracted Services	3,487,287	Emergency Berm - FEMA Reimbursement
Storm Water Fund Revenue & Expense Adjustments			
21.80.538.32520	Special Assessments	(365,000)	Reduction in revenue due to Hurricane Ian
21.80.538.60000	Capital Outlay	(365,000)	Reduction in revenue due to Hurricane Ian

Budget Amendment #2: Final Budget Adjustment for Fiscal Year 2023

Account	Description	Adjustment	Explanation
Bridge Loan Revenue & Expense Adjustments			
35.16.513.36110	Interest Income	120,000	Interest Earned on Bridge Loan Proceeds @ 4%
35.16.513.38400	Loan Proceeds	11,900,000	Bridge Loan Proceeds
35.16.513.80000	Add to Reserve	12,020,000	Reserved for Future Use
Capital Fund Revenue & Expense Adjustments			
40.19.519.33425	Local Support Grant	(485,000)	Did not incur any grant reimbursable expenses
40.19.519.60000	Capital Outlay	(485,000)	Did not incur any grant reimbursable expenses
40.37.572.33400	Grants	500,000	Volunteer Florida Grant for Bayside Park
40.37.572.63000	Infrastructure	500,000	Volunteer Florida Grant for Bayside Park
\$10 Million Capital Improvement Revenue Bond: Revenue & Expense Adjustments			
41.32.541.38400	Loan Proceeds	27,897	Capital Improvement Loan Draw - FY23 Expenses
41.32.541.63000	Infrastructure	27,897	Capital Improvement Loan Draw - FY23 Expenses
41.32.541.38400	Loan Proceeds	97,724	Capital Improvement Loan Draw - FY22 Expenses
41.32.541.80000	Add to Reserve	97,724	Capital Improvement Loan Draw - FY22 Expenses
41.37.572.38400	Loan Proceeds	16,507	Capital Improvement Loan Draw - FY23 Expenses
41.37.572.63550	Open Spaces	16,507	Capital Improvement Loan Draw - FY23 Expenses
41.37.572.38400	Loan Proceeds	1,085,680	Capital Improvement Loan Draw - FY22 Expenses
41.37.572.80000	Add to Reserve	1,085,680	Capital Improvement Loan Draw - FY22 Expenses
41.50.572.38400	Loan Proceeds	68,912	Capital Improvement Loan Draw - FY23 Expenses
41.50.572.54600	Repairs and Maintenance	3,540	Capital Improvement Loan Draw - FY23 Expenses
41.50.572.54608	Road Maintenance	29,016	Capital Improvement Loan Draw - FY23 Expenses
41.50.572.62000	Buildings	36,356	Capital Improvement Loan Draw - FY23 Expenses
41.50.572.38400	Loan Proceeds	676,251	Capital Improvement Loan Draw - FY22 Expenses
41.50.572.80000	Add to Reserve	676,251	Capital Improvement Loan Draw - FY22 Expenses
Water Fund Revenue & Expense Adjustments			
50.40.533.34330	Water Sales	(2,725,000)	Reduction in revenue due to Hurricane Ian
50.40.533.34336	Capital Reserve Fees	(145,000)	Reduction in revenue due to Hurricane Ian
50.40.533.34347	Fire Service Fee	(90,000)	Reduction in revenue due to Hurricane Ian
50.40.533.36900	Miscellaneous	(40,000)	Reduction in revenue due to Hurricane Ian
50.40.533.55230	Bulk Water for Resale	(800,000)	Reduction in revenue due to Hurricane Ian
50.40.533.60000	Capital Outlay	(2,200,000)	Reduction in revenue due to Hurricane Ian