

RESOLUTION NUMBER 24-38

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, TO RATIFY AND APPROVE A CONTRACT AGREEMENT WITH FPL ENERGY SERVICES, INC. TO INSTALL ISLAND-WIDE SEA TURTLE FRIENDLY STREET LIGHTING IN THE AMOUNT OF \$7,766,387; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Article VIII, Section 2 of the State Constitution and Chapter 166 of the 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 services, and exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, Article X of the Town Charter empowers the Town Council to adopt, amend, or repeal such ordinances and resolutions as may be required for the proper governing of the Town; and

WHEREAS, island-wide sea turtle friendly lighting has been a long-standing need of the Town; and

WHEREAS, the lighting project will be fully funded through a state funded LAP grant from the Florida Department of Emergency Management; and

WHEREAS, FP&L Energy Services, Inc. as the energy provider of the island is ideally suited to provide sea turtle-friendly lighting.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE TOWN OF FORT MYERS BEACH AS FOLLOWS:

Section 1. The foregoing whereas clauses are ratified and confirmed as being true and correct, are the legislative and administrative findings of the Town Council and made a specific part of this Resolution.

Section 2. This Resolution ratifies and approves the Town Manger's execution of a contract agreement with FP&L Energy Services, Inc. to provide sea turtle friendly lighting for Estero Boulevard and its side streets in the amount of \$7,766,387.

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

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

ADOPTED this 20th day of February 2024 by the Town Council of the Town of Fort Myers Beach, Florida.

FORT MYERS BEACH TOWN COUNCIL


Dan Allers (Feb 21, 2024 11:50 EST)

Dan Allers, Mayor

ATTEST:


Amy Baker (Feb 22, 2024 15:42 EST)

Amy Baker, Town Clerk

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


Becky Vose (Feb 21, 2024 09:40 EST)

Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on this 20th day of February 2024.