

RESOLUTION NUMBER 24-18

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, ENCOURAGING AND SUPPORTING AN AMENDMENT TO SB 250, AS AMENDED, OR OTHER APPLICABLE FLORIDA STATUTES, TO PROVIDE A TWO-YEAR MORATORIUM AS TEMPORARY RELIEF FROM THE FINANCIAL HARDSHIP ON OWNERS OF CONDOMINIUMS IN AREAS IMPACTED BY HURRICANE IAN FROM REQUIRED FUNDING OF RESERVES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in response to the tragic collapse of the 12 story Champlain Towers South Condominium on June 21, 2021 in Surfside, Florida, the Florida Legislature enacted legislation (SB 4D), which in effect prohibits condominium owners from waiving or reducing funding requirements for reserves for buildings greater than 3 stories in height; and

WHEREAS, the Fort Myers Beach community will always remember September 28, 2022 as a time of personal and public tragedy and loss due to Hurricane Ian; and

WHEREAS, in addition to the loss of life and personal property by many residents of Ft. Myers Beach, Hurricane Ian was also responsible for the destruction of the many condominiums, in excess of 3 stories, rendering the unit owners displaced, homeless and/or severely financially impacted; and

WHEREAS, the Florida Legislature responded quickly to provide relief to communities and residents from loss and damage due to Hurricane Ian, by enactment of SB250, which was recently amended to extend the time for communities and lives to be rebuilt; and

WHEREAS, the condominium community in Fort Myers Beach recently brought the financial hardship caused by reserve funding requirements to the attention of the Town Council, and following public discussion at their meetings on January 11, 2024 and January 22, 2024, the Town Council determined that it is in the best interest of the Town to assist its condominium residents by bringing this hardship to the attention of our legislative leaders and supporting an amendment to SB250 or other applicable Florida law that would provide a two year moratorium from required funding of reserves, thereby providing condominium residents with temporary financial relief to expedite repairs and rebuilding of their homes, lives and our Town; and

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 findings of the Town Council.

Section 2. The Town Council hereby strongly encourages the Florida Legislature to enact a two-year moratorium to provide temporary relief to condominium owners in areas devastated or impacted by Hurricane Ian from required reserve funding in condominium buildings greater than 3 stories in height.

The foregoing Resolution was adopted by the Town Council upon a motion by Mayor Allers 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	Aye
Karen Woodson	Aye
VACANT	N/A

ADOPTED this 22 day of January 2024 by the Town Council of the Town of Fort Myers Beach, Florida.

FORT MYERS BEACH TOWN COUNCIL

Dan Allers
Dan Allers (Jan 26, 2024 18:48 EST)

Dan Allers, Mayor

ATTEST:

Jason Freeman

Jason Freeman, Deputy Town Clerk

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

Becky Vose
Becky Vose (Jan 26, 2024 18:49 EST)

Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on this 26th day of January 2024.