

**RESOLUTION NUMBER 24-52**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, RATIFYING ACTION BY THE TOWN MANAGER ON FEBRUARY 27, 2024, TO WAIVE THE TOWN'S COMPETITIVE PROCUREMENT POLICY AND TO APPROVE A PURCHASE ORDER FROM SOFTRIM LLC FOR EQUIPMENT AND INSTALLATION OF INTERNET SERVICE FOR THE TOWN HALL MODULAR UNITS AT THE BAY OAKS RECREATION CAMPUS IN AN AMOUNT NOT TO EXCEED \$36,036.66 AS AN EMERGENCY PURCHASE; AND PROVIDING 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 resolutions as may be required for the proper governing of the Town; and

**WHEREAS**, the Town of Fort Myers Beach has been renting land from the Lee County Fire District as a temporary location for its Town Hall; and

**WHEREAS**, because the lease for the land will soon expire, Town staff has been working diligently to secure modular units for use as a Town Hall at the Bay Oaks Recreation Campus; and

**WHEREAS**, the modular units were recently delivered and quickly set up in anticipation of a new location to conduct the March 4, 2024 Town Council Meeting; and

**WHEREAS**, an emergency purchase of equipment and installation of Internet service was needed to allow the immediate use of the modular units in preparation for the March 4, 2024 Town Council Meeting, and thereafter by Town staff and the public; and

**WHEREAS**, without the emergency purchase there was a threat to the public welfare and safety due to a possible delay of the delivery of governmental services; and

**WHEREAS**, the purchase order with Softrim LLC for Internet service was made with as much competition as was practicable under the circumstances; and

**WHEREAS**, adoption of this Resolution is in the best interest of the health, safety and welfare of the Town.

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

Section 1. That 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. That the Town Manager is submitting the purchase order with Softrim LLC executed on the 27th day of February, 2024 to the Town Council for ratification and approval of the emergency purchase.

Section 3. That the 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 King and seconded by Council Member Woodson, 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 4<sup>th</sup> day of March 2024 by the Town Council of the Town of Fort Myers Beach, Florida.

## TOWN OF FORT MYERS BEACH

*Dan Allers*  
Dan Allers (Mar 6, 2024 09:06 EST)  
Dan Allers, Mayor

**ATTEST:**

*Amy Baker*  
Amy Baker (Mar 6, 2024 16:08 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*  
Becky Vose (Mar 5, 2024 20:24 EST)  
Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on this 5<sup>th</sup> day March, 2024.