

RESOLUTION NUMBER 24-179

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, APPROVING THE EMERGENCY ACCEPTANCE AND PURCHASE BY THE TOWN MANAGER OF SERVICES FROM GENERAL ELEVATOR SOLUTIONS IN THE AMOUNT OF \$139,553.00 FOR THE COMPLETION OF A HYDRAULIC ELEVATOR MODERNIZATION FOR THE NEW TOWN HALL BUILDING; 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, amend, or repeal such ordinances and resolutions as may be required for the proper governing of the Town; and

WHEREAS, the Town purchased and closed on the property at 6231 Estero Boulevard to be used as the new Town Hall location; and

WHEREAS, Section 2-480(d)(1) of the Fort Myers Beach Code of Ordinances authorizes the Town Manager to make emergency purchases of services when there exists a threat to the health, welfare or safety of the public, provided that such emergency purchases are made with such competition as is practicable under the circumstances; and

WHEREAS, the elevator in the existing building is not functional and currently limits accessibility and elevator repair lead times are acknowledged to be longer after Hurricane Ian; and

WHEREAS, the General Elevator Solutions has committed to repairing and returning the elevator to functionality within a reasonable timeframe to assist in accessibility to the future Town Hall offices; and

WHEREAS, Town Manager has certified the need for an emergency purchase of the needed services and authorized repairs to the elevator on an emergency basis to be performed by General Elevator Solutions, which were to be completed as part of the attached proposal obtained by the Town; and

WHEREAS, Section 2-480(d)(2) requires the Town Manager to submit any emergency purchase in excess of \$25,000.00 to the town attorney for review and to the Town Council for approval and ratification, as soon as practicable after the purchase.

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

Section 1. 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. This Resolution approves the emergency purchase authorized by the Town Manager in the amount of \$139,553.00 for the hydraulic elevator modernization performed by General Elevator Modernization.

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 Vice Mayor Atterholt and seconded by Council Member Safford, 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 9th day of September 2024 by the Town Council of the Town of Fort Myers Beach, Florida.

TOWN OF FORT MYERS BEACH


Dan Allers (Sep 15, 2024 06:54 EDT)

Dan Allers, Mayor

ATTEST:



Amy Baker, Town Clerk

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


Nate Vose (Sep 13, 2024 18:14 EDT)

Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on this 13th day September 2024.