

RESOLUTION NUMBER 25-205

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, APPROVING A FIRST AMENDMENT TO THE CDBG-DR SUBRECIPIENT GRANT AGREEMENT DR10157 BETWEEN THE TOWN AND THE LEE COUNTY BOARD OF COUNTY COMMISSIONERS TO CHANGE THE REFERENCED KEY PERSONNEL FOR THE RECOVERY AND RESILIENCY PLANNING PROJECT; AUTHORIZING THE EXECUTION OF THE FIRST AMENDMENT BY THE TOWN MANAGER; 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, on November 20, 2023, the Town and Lee County Board of County Commissioners entered into a Subrecipient Agreement, which included Exhibit J in Section XVIII that identified the Town’s key personnel; and

WHEREAS, Exhibit J required the Town to notify Lee County of any changes in key personnel within 30 days; and

WHEREAS, it is necessary to amend Exhibit J to replace Andrew Hyatt, as Town Manager and Joe Onzick, as Financial Director, with William McKannay; and

WHEREAS, the Town desires to complete and execute this First Amendment as soon as possible to be in compliance with the requirements of Exhibit J.

NOW, THEREFORE, IT IS HEREBY 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. The First Amendment to the Agreement attached hereto as “Exhibit A”, between Lee County and the Town of Fort Myers Beach is approved. The Town Manager is authorized to execute the First Amendment on behalf of the Town.

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 by the Town Council upon a motion by Council Member King 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, Council Member	Aye
Scott Safford, Council Member	Aye
Karen Woodson, Council Member	Aye

ADOPTED this 16th day of June 2025 by the Town Council of the Town of Fort Myers Beach, Florida.

TOWN OF FORT MYERS BEACH

Dan Allers

Dan Allers (Jul 15, 2025 12:56 EDT)

Dan Allers, Mayor

ATTEST:

Amy Baker

Amy Baker (Jul 15, 2025 09:48 EDT)

Amy Baker, Town Clerk

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

Nancy Stuparich

Nancy Stuparich (Jul 16, 2025 11:47 EDT)

Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on this 15th day of July 2025.

**FIRST AMENDMENT TO CDBG-DR SUBRECIPIENT AGREEMENT
LEE COUNTY BOARD OF COUNTY COMMISSIONERS
CDBG-DR SUBRECIPIENT AGREEMENT**

THIS FIRST AMENDMENT is made and entered into this 16th day of June, 2025, by and between the TOWN OF FORT MYERS BEACH, a Florida municipality, hereinafter referred to as the “Town”, and Lee County Board of County Commissioners, hereinafter referred to as “Lee County”, to that certain CDBG-DR Grant Agreements , dated November 20, 2023 (“Agreement”) DR10157 – Recovery and Resiliency Planning Program.

WITNESSETH:

WHEREAS, on November 20, 2023, the Town and Lee County entered into a Subrecipient Agreement, which included Exhibit J in Section XVIII that named the Town’s key personnel involved in the project; and

WHEREAS, Exhibit J also required the Town to notify Lee County within 30 days in the event of a change in key personnel; and

WHEREAS, recently William McKannay was appointed to serve as the Town Manager and will also be assuming the role of Financial Director replacing Andrew Hyatt, as Town Manager and Joe Onzick, as Financial Director; and

NOW, THEREFORE, in consideration of the covenants set forth herein, the parties agree to this Amendment as follows:

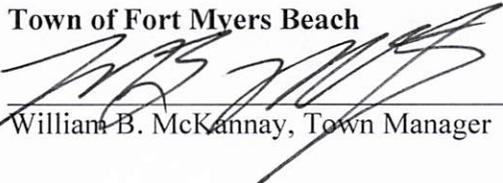
- 1. Amendment.** This Amendment hereby amends and supplements the terms of the Agreement. In the event of a conflict between the terms of the Agreement and terms of this Amendment, the terms of this Amendment shall prevail.
- 2. Exhibit J.** Exhibit J is amended as provided in Attachment A.

IN WITNESS WHEREOF, the parties hereto have executed and delivered this instrument on the days and year indicated below and the signatories below to bind the parties set forth herein.

ATTEST:


Amy Baker (Jul 15, 2025 09:48 EDT)

Amy Baker, Town Clerk

Town of Fort Myers Beach


William B. McKannay, Town Manager

APPROVED AS TO FORM & SUFFICIENCY

Nancy Stuparich
Nancy Stuparich (Jul 16, 2025 11:07 EDT)

Vose Law Firm, Town Attorney