

RESOLUTION OF THE TOWN COUNCIL OF
THE TOWN OF FORT MYERS BEACH, FLORIDA
RESOLUTION NUMBER 07-23

A RESOLUTION OF THE TOWN OF FORT MYERS BEACH, FLORIDA, APPROVING THE SUPPLEMENTAL AGREEMENT FOR THE LOCAL AGENCY PROGRAM, TRAFFIC OPERATIONS IMPROVEMENT – SAN CARLOS AT PRESCOTT, CONTRACT NUMBER AN G22 AND AUTHORIZING TOWN STAFF TO PERFORM NECESSARY ANCILLARY ACTIONS TO IMPLEMENT SAME; PROVIDING 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, the Town has the authority to enter into a local governmental agreement with the State of Florida Department of Transportation Local Agency Program for the Traffic Operations Improvement – San Carlos at Prescott, as described as Contract Number: AN G22, and to undertake the project described in such agreement and supplemental agreement; and

WHEREAS, it is in the best interest of health, safety and welfare of the citizens of the Town that the Town enter into the aforesaid local governmental agreement with the Florida Department of Transportation in the form attached.

IT IS HEREBY RESOLVED BY THE TOWN OF FORT MYERS BEACH, FLORIDA:

Section 1. Adoption of Recitals. The above recitals as set forth in the various “Whereas” clauses are hereby adopted and incorporated into the body of this Resolution.

Section 2. Approval and Authorization of Ancillary Actions. The Town Council of the Town of Fort Myers Beach hereby approves the attached Supplemental Agreement, authorizes the Town Manager to execute same on behalf of the Town and hereby directs and authorizes the Town Manager or designee to implement the required provisions of this Agreement and to perform such other acts as are reasonably required by the Florida Department of Transportation in connection with this Project.

Section 3. Effective Date. This Resolution shall take effect immediately upon its adoption by the Town Council of the Town of Fort Myers Beach Town.

The foregoing Resolution was adopted by the Town Council upon a motion by Council Member Meador and seconded by Council Member Shenko and, upon being put to a vote, the result was as follows:

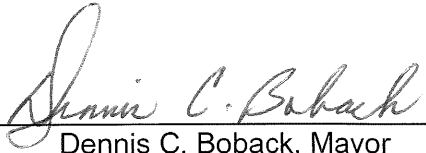
Dennis Boback, Mayor	aye
Larry Kiker, Vice Mayor	aye
Charles Meador, Jr.	aye
Herb Acken	aye
William Shenko, Jr.	aye

DULY PASSED AND ADOPTED this 9th day of July, 2007.

ATTEST:

TOWN OF FORT MYERS BEACH

By: 
Michelle D. Mayher, Town Clerk

By: 
Dennis C. Boback, Mayor

Approved as to legal sufficiency by:


Anne Dalton, Town Attorney