

RESOLUTION NUMBER 17-10

A RESOLUTION OF THE TOWN OF FORT MYERS BEACH, LEE COUNTY FLORIDA, APPROVING THE FDOT MAINTENANCE AGREEMENT WITH THE TOWN AND AUTHORIZING THE MAYOR TO EXECUTE 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 an Agreement with the State of Florida Department of Transportation for the State to perform litter removal, manual weed control, graffiti removal, mowing, and mechanical sweeping, as further described in Contract Number: BE334; and

WHEREAS, it is in the best interest of health, safety and welfare of the citizens of the Town that the Town enters into the aforesaid agreement with FDOT in the form attached.

IT IS HEREBY RESOLVED by the Town of Fort Myers Beach as follows:

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 for Mayor to execute same. The Town Council of the Town of Fort Myers Beach hereby approves the attached Agreement, authorizes the Mayor to execute same on behalf of the Town.

Section 3. Effective Date. 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 motion by Council Member Anita Cereceda and seconded by Council Member Bruce Butcher and, upon being put to a vote, the result was as follows:

Dennis C. Boback, Mayor	AYE	Tracey Gore, Vice Mayor	AYE
Anita Cereceda, Council Member	AYE	Bruce Butcher, Council Member	AYE
Joanne Shamp, Council Member	AYE		

DULY PASSED AND ADOPTED this 1st day of May, 2017.

ATTEST:

By: *Michelle D. Mayner*
Michelle D. Mayner, Town Clerk

TOWN OF FORT MYERS BEACH

By: *Dennis C. Boback*
Dennis C. Boback, Mayor

Approved as to legal sufficiency by:

John J. ...
Town Attorney