

**RESOLUTION OF THE TOWN COUNCIL OF
THE TOWN OF FORT MYERS BEACH, FLORIDA
RESOLUTION NUMBER 08-39**

A RESOLUTION OF THE TOWN OF FORT MYERS BEACH, FLORIDA, ADOPTING THE TENTATIVE TOWN OPERATING AND CAPITAL BUDGET FOR FISCAL YEAR 2008/2009, PROVIDING AUTHORITY; TOWN MANAGER'S RESPONSIBILITY; TENTATIVE BUDGET; PUBLIC HEARING; CONSISTENCY WITH THE TOWN COMPREHENSIVE PLAN; ADOPTION; SEVERABILITY; REPEALING CLAUSE; AND EFFECTIVE DATE.

WHEREAS, Florida Statute 200.065(2)(c) establishes the method for determining and levying an ad valorem millage rate and adopting a budget for all taxing authorities in the State of Florida; and

WHEREAS, Florida Statute 166.241 requires the governing body of each municipality in Florida to adopt a budget via ordinance or resolution before the start of each fiscal year; and

WHEREAS, Article XI, Section 11.03 of the Town Charter provides for adoption of the budget by resolution on or before the 30th day of September of each year; and

WHEREAS, the Town of Fort Myers Beach, by and through its Town Council, hereby determines that it is in the best interest of the Town and orderly governmental process to hold public hearings as required by the aforesaid state statutes and Town Charter provisions; and

WHEREAS, following due notice, on September 3, 2008, the Town Council held the required public hearing and, following public input on the budget, review and consideration of LPA Resolution 2008-35 regarding the proposed 2008-2009 Town capital improvement program, and review of all other pertinent matters, considered the adoption of a tentative 2008-2009 tentative Town operating and capital budget which sets forth appropriations and revenue estimated to be in the amount of \$20,198,727.00 for fiscal year 2008-2009.

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

SECTION ONE: Authority. This Resolution is enacted pursuant to the provisions of Chapter 95-494, Laws of Florida, Chapter 166, Florida Statutes, and other applicable provisions of law.

SECTION TWO: Town Manager's Responsibility. The Town Manager of the Town of Fort Myers Beach, Florida, has presented to the Town Council the tentative operating and capital budget covering the revenues and expenditures as estimated to be required for the fiscal year 2008/2009.

SECTION THREE: Tentative Budget. The Town Council, in duly called sessions, has reviewed the budget and, having made certain amendments thereto, has adopted a tentative operating and capital budget which sets forth the appropriations and revenue estimates in the amount of \$20,198,727.00 for Fiscal Year 2008-2009. A copy of the budget as amended by the Town Council during its meeting is attached hereto as Exhibit "A" and incorporated herein by reference.

SECTION FOUR. Consistency with the Town Comprehensive Plan. Following review of the report of the LPA as contained in LPA Resolution 2008-35, the Town Council hereby finds that the

proposed 2008/2009 Town capital improvement program (CIP) is consistent with the Town Comprehensive Plan as required by Plan Policy 11-A-1 and Policy 11-A-2(iii).

SECTION FIVE: Adoption. The Town of Fort Myers Beach, Florida, tentative operating budget, revenue, expenditures, and capital improvement budget for the fiscal year 2008/2009, which is attached hereto as Exhibit "A", is hereby adopted.

SECTION SIX: Public Hearing. A second public meeting and hearing will be held on September 15, 2008 at 6:30 p.m. at the Fort Myers Beach Town Hall, 2523 Estero Boulevard, Fort Myers Beach, Florida, to consider and adopt the final budget for fiscal year 2008-2009. Notice thereof is being published in a newspaper of general circulation in the Town of Fort Myers Beach according to law.

SECTION SEVEN: Severability. If any one of the provisions of this resolution should be held contrary to any express provision of law or contrary to the policy of express law, although not expressly prohibited, or against public policy, or shall for any reason whatsoever be held invalid, then such provision shall be null and void and shall be deemed separate from the remaining provisions of this resolution, and in no way affect the validity of all other provisions of this resolution.

SECTION EIGHT: Effective Date. This resolution shall become effective immediately upon adoption.

The foregoing Resolution was adopted by the Fort Myers Beach Town Council present after reasonable notice. Upon being put to a vote, the result was as follows:

Larry Kiker, Mayor	<u>aye</u>
Herb Acken, Vice Mayor	<u>aye</u>
Tom Babcock, Councilmember	<u>aye</u>
Jo List, Councilmember	<u>aye</u>
Bob Raymond, Councilmember	<u>aye</u>

DULY PASSED AND ENACTED this 3rd day of September, 2008.

TOWN OF FORT MYERS BEACH

ATTEST:

By:


Michelle D. Mayher, Town Clerk

By:


Larry Kiker, Mayor

Approved as to form by:


Anne Dalton, Town Attorney

**ANNUAL BUDGET
TOWN OF FORT MYERS BEACH, FLORIDA**

**MAYOR
LARRY KIKER**

**VICE-MAYOR
HERB ACKEN**

**MEMBERS OF CITY COUNCIL
BOB RAYMOND
TOM BABCOCK
JO LIST**

**TOWN MANAGER
W. SCOTT JANKE**

**DIRECTOR OF FINANCE
EVELYN WICKS**

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Town Council Goals and Objectives for Fiscal Year 2008-2009



Town of Fort Myers Beach, Florida



TOWN OFFICIALS AND MANAGEMENT TEAM

Town Manager W. Scott Janke
Town Attorney Anne Dalton, Esquire
Public Works Director Jack Green
Community Development Director Gerald Murphy
Director of Finance Evelyn Wicks
Town Clerk Michelle Mayher

THE TOWN OF FORT MYERS BEACH WELCOMES YOU!



For thousands of years, Fort Myers Beach has been designed and redesigned by nature. In 1921, modern technology arrived in the form of the first wooden-swing toll bridge. However, in 1926, a hurricane washed it away and severed the slim piece of land attaching Fort Myers Beach (then known as San Carlos) to the mainland, making it an island. However, the Town of Fort Myers Beach was not "born" until December 31, 1995 when the Town was officially incorporated.

Fort Myers Beach measures 2.9 square miles total, with a 7 mile long shoreline, which visitors can walk in its entirety. Our beautiful beaches have been dubbed the "World's Safest Beach" due to their shallow waters and no undertow.



People from all over the world come to our town every year to enjoy the many festivities, including a week-long Shrimp Festival, Pirate Festival and International Sand Sculpting Contest, as well as hundreds of places to dine and shop. All of this truly makes Fort Myers Beach "Paradise".

ARTS & CULTURE

Fort Myers Beach has such a tremendously rich cultural history. It is truly hard to determine which part of the island to visit first.

In the middle of the island sits the Fort Myers Beach Cultural and Environmental Learning Center. The historical home of William H. Case, also known as the Mound House, sits on this property and will soon be fully restored to its 1921 grandeur. It is also the oldest residential structure on Fort Myers Beach. Overlooking the Estero Bay Aquatic Preserve, it also occupies a 3 acre Calusa Indian shell mound complex of national archaeological significance, and was once occupied by members of the Koreshan Unity. Trees visible in 1911 photographs of the site are still standing today. This site, because of its excellent preservation of animal and plant remains, has the potential to produce additionally important paleo-environmental data associated with the last two centuries - a period critical to understanding present-day climatic and sea-level change.

RECREATION & TOURISM

Over 1.8 million people visit our beautiful beaches every year. The Town boasts hundreds of great restaurants and award winning resorts with a gorgeous view of the Gulf of Mexico and all are easily accessible with our on-island trolley system. There is an amazing array of both day and evening activities that can be enjoyed during a one-day trip, long weekend getaway or family vacation.



COMMUNITY PROFILE

Whether you enjoy golf, waterslides, parasailing, jet skiing, boating or shopping, you will never run out of great fun activities.

With our many parks and recreational centers, as well as nature's best, visitors can enjoy various activities such as fishing off of a 600 foot fishing pier, playing on any of our basketball, tennis and volleyball courts, enjoying a family picnic or barbeque, or simply taking a hike and enjoying the many sights and sounds.

There are also many events that take place year round and have a tremendous offering and following. Every year, visitors enjoy Santa riding his boat along the shoreline in the Christmas Holiday Boat Parade, as well as the Christmas Lighting Contest. Our Independence Day Festival culminates with a fireworks display that always wows and our Taste of the Beach event is always a big hit among those both young and old. There are also Offshore Powerboat races, Cardboard Boat races and an annual New Year's Eve celebration.

LIVABILITY & CLIMATE

Florida is well-known for its wonderful weather and Fort Myers Beach is no exception. The average daily temperature is 74°, so every day can be a beach day.

In addition, the Town of Fort Myers Beach has made a commitment to assuring our Town stays healthy and safe. To that end, the Town has completed many "green" projects that use recycled materials that are people and nature safe. Recently, roadwork normally requiring the use of concrete was replaced with a recycled material called Flexi-Pave™. Flexi-Pave™ is made from recycled tires and allows water to flow *through* it, as opposed to running off, thus reducing the need for retention of storm waters. Freeze and thaw conditions will not crack the slip-resistant material because the rubber itself is one big expansion and contraction joint.

The Town has implemented the use of Permeable Pavers which look like normal bricks, but this new technology allows water to filtrate through. This, again, reduces storm water run-off and preserves the quality of water we wish for our residents and visitors. Like Flexi-Pave™, the pavers are also strong enough to withstand vehicle traffic.

The Town of Fort Myers Beach is not only a beautiful, healthy place to live; it also enjoys a very low crime rate, excellent health care, easy access to the entire island and the varied cultural and annual events.

STATISTICAL AND ORGANIZATIONAL INFORMATION

Government

Date Established	December 31, 1995
Date of Incorporation as a Town	December 31, 1995
Fiscal Year	October 1 to September 30
Present Charter Ratified by Electorate	January 8, 1996
Form of Government	Council/Manager
Terms of Office	Three year staggered terms

Demographics and Geography

Population	6,874
Approximate Land Area	2.9 square miles
Total Number of Households	3,425
Average Household Size	1.91
Median Household Income	\$48,045

Municipal Services and Facilities

Mound House
289 Connecticut Street

Newton Park
4650 Estero Blvd.

Ft. Myers Beach Swimming Pool
2600 Oak Street

Beach Access (32)

Lynn Hall Park*
950 Estero Blvd.

Bowditch Park*
50 Estero Blvd.

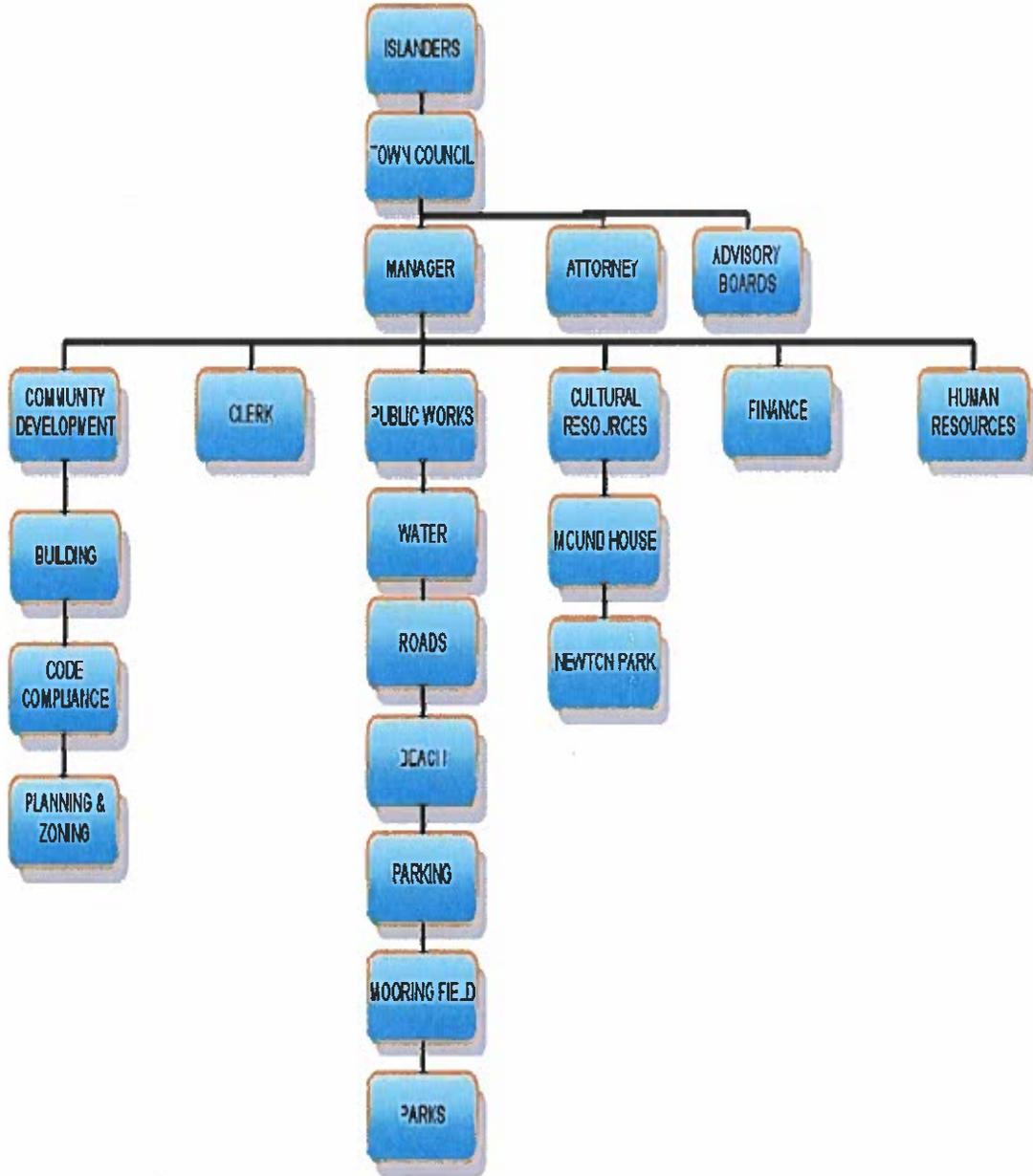
Bay Oaks Recreation Center and Community Park*
2731 Oak Street

Little Estero Island Critical Wildlife Area**

* *County-operated facility*

***State-operated park*

ORGANIZATIONAL CHART



GENERAL OVERVIEW

The Town of Fort Myers Beach FY2008/09 budget was prepared with current events in mind. The loss of over 11% of real property valuations, significantly increased cost of gasoline and the general stagnation of the economy have all been considered. The aim of the Town administration in preparing this budget was, to the extent possible, to develop a budget that maintained normalcy in terms of its impact on the local economy. While fiscal prudence required anticipating the potential adverse impacts on the tourism industry and its corresponding reduction in sales tax collections, on the positive side we are cautiously optimistic about the housing market and redevelopment of commercial properties here on the beach.

MAJOR POLICY ISSUES

The General Fund Operating budget for fiscal year 2008/09 has been prepared with numerous changes and a great deal of desire to create a budget that all "Islanders" can understand. The preliminary and adopted budgets are posted on the Town's website (FortMyersBeachfl.gov).

On the financial side of things we are dealing with a significant devaluation of real property values in the Town of Fort Myers Beach. This reduction in values reduces property tax for the Town revenue by \$354,115 from last year if we were to hold the mill rate equal. The budget is at roll back rate (which is actually a higher tax rate than last year) plus a 4.15% increase less the impact of Amendment 1. The rate being used in this budget is .7093 and provides revenues from this source that are \$52,425 higher than last year. The Town of Fort Myers Beach continues to maintain one of the lowest property tax rates in the state of Florida.

In years past, the General Fund operating budget included a number of capital projects and grant revenues, most notably for the Mound House and the Newton Property. We have removed these revenues and the associated projects from the operating budget and appropriately moved them into the Capital Improvement Plan budget where they belong.

In the past most employee costs were rolled into the Administrative Department where they were not clearly associated with an operation. We have moved them into operating departments and divisions where they belong and can be easily identified. The FY 08/09 budget includes only 2 new positions. One of the positions is employed in the Cultural Resource Department where it is sorely needed as we anticipate opening the Mound House Exhibit in March of 2009. The second position being added is the Deputy Director of Public Works. I believe that this position should have been established a number of years ago when the Deputy Town Manager position was deleted and special project management was assigned to Public Works.

Parks and Recreation

Function and Budget

Fund: General - 01
 Department Public Works
 Division Parks and Recreation
 Division # 170

Expenditure Category	Actual Expenditures FY 07	Adopted Budget FY 08	Actual Expenditures 8 months	Estimated Expenditures FY 08	Adopted Budget FY 09
Personnel Costs	\$ -	\$ -	\$ -	\$ -	\$ -
Materials, Supplies & Services	490,559	606,000	371,044	601,000	701,120
Operating Budget	490,559	606,000	371,044	601,000	701,120
Capital Outlay	-	-	-	-	-
Non-Operating Budget	-	-	-	-	-
Total Budget	\$ 490,559	\$ 606,000	\$ 371,044	\$ 601,000	\$ 701,120

PERSONAL SERVICES DETAIL

Classification

of Positions

Total # of full-time employees 0

Section Description:

The Parks and Recreation section provides grounds keeping and maintenance for the Community Pool, Mound House and Newton Park. The section also oversees the Interlocal agreement and funding with Lee County for Bay Oaks Recreation Center and Park.

Parks and Recreation

Line Item Detail

Fund: General - 01
Department Public Works
Division Parks and Recreation
Division # 170

01.170.572.5731 Bay Oaks Recreation Center	<u>273,000</u>	
01.170.572.5732 Bay Oaks Community Park	<u>25,000</u>	
01.170.572.5733 Pool Operations & Maintenance	<u>235,200</u>	
01.170.572.5735 Community Pool	<u>90,000</u>	
01.170.572.5736 Pool Utilities	<u>37,800</u>	
01.170.572.5737 Mound House Grounds Maint.	<u>40,120</u>	
Total Materials, Supplies and Services		701,120
Total Budget		701,120

Maintenance

Function and Budget

Fund: General - 01
 Department Public Works
 Division Maintenance
 Division # 180

Expenditure Category	Actual Expenditures FY 07	Adopted Budget FY 08	Actual Expenditures 8 months	Estimated Expenditures FY 08	Adopted Budget FY 09
Personnel Costs	\$ -	\$ -	\$ -	\$ -	\$ 416,430
Materials, Supplies & Services	83,929	121,000	45,361	97,500	187,360
Operating Budget	83,929	121,000	45,361	97,500	603,790
Capital Outlay	-	-	-	-	-
Non-Operating Budget	-	-	-	-	-
Total Budget	\$ 83,929	\$ 121,000	\$ 45,361	\$ 97,500	\$ 603,790

PERSONAL SERVICES DETAIL

<u>Classification</u>	<u># of Positions</u>
Street Superintendent	1
Crew Leader	2
Maintenance Support	1
Maintenance Crew members	4
Total # of full-time employees	8

Section Description:

The maintenance section provides the majority of the support activities that ensure the maintenance staff has the resources to perform the majority of the Public Works department tasks.

Maintenance

Line Item Detail

Fund: General - 01
 Department: Public Works
 Division: Maintenance
 Division #: 180

	<u>249,230</u>	
01.180.541.5120 Salaries	<u>6,231</u>	
01.180.541.5120 Merit Increase	<u>25,000</u>	
01.180.541.5140 Overtime	<u>21,455</u>	
01.180.541.5120 FICA	<u>28,046</u>	
01.180.541.5220 Retirement	<u>86,468</u>	
01.180.541.5238 Life, Health & Disability		416,430
Total Personnel		
	<u>3,360</u>	
01.180.541.5410 Communications	<u>34,000</u>	
01.180.541.5452 Fuel	<u>35,000</u>	
01.180.541.5453 Vehicle/Equipment maintenance	<u>8,000</u>	
01.180.541.5461 Bridge Maintenance	<u>69,000</u>	
01.180.541.5511 Emergency Communications	<u>2,500</u>	
01.180.541.5515 Trailer Repair and Maintenance	<u>1,500</u>	
01.180.541.5892 "Request for Action" program	<u>34,000</u>	
01.180.541.5893 Solid & Horticultural Waste		187,360
Total Materials, Supplies and Services		
01.180.541.5464 Vehicle/Equipment Purchase	<u>-</u>	-
Total Capital		
Total Budget		603,790

Maritime

Function and Budget

Fund: General - 01
 Department: Public Works
 Division: Maritime
 Division #: 190

Expenditure Category	Actual Expenditures FY 07	Adopted Budget FY 08	Actual Expenditures 8 months	Estimated Expenditures FY 08	Adopted Budget FY 09
Personnel Costs	\$ -	\$ -	\$ -	\$ -	\$ 51,186
Materials, Supplies & Services	197,210	577,500	156,727	242,139	163,420
Operating Budget	197,210	577,500	156,727	242,139	214,606
Capital Outlay	-	-	-	-	151,000
Non-Operating Budget	-	-	-	-	-
Total Budget	\$ 197,210	\$ 577,500	\$ 156,727	\$ 242,139	\$ 365,606

PERSONAL SERVICES DETAIL

<u>Classification</u>	<u># of Positions</u>
Maintenance worker	1
Total # of full-time employees	1

Department Description:

The Maritime section provides contract oversight and management for the waterside law enforcement activities in cooperation with Lee County Sheriff's Office and with the upland services provider for the Matanzas Harbor Mooring Field. Town maintenance staff provide pump-out services and upkeep and maintenance of the Mooring Field facilities and oversees all dredging activities.

Line Item Detail

Fund:	<u>General - 01</u>		
Department	<u>Public Works</u>		
Division	<u>Maritime</u>		
Division #	<u>190</u>		
01.190.543.5120	Salaries	<u>33,421</u>	
01.190.543.5120	Merit Increase	<u>836</u>	
01.190.543.5210	FICA Taxes	<u>2,621</u>	
01.190.543.5220	Retirement	<u>3,426</u>	
01.190.543.5238	Life, Health & Disability	<u>10,883</u>	
	Total Personnel Costs		51,186
01.190.543.5410	Communications	<u>420</u>	
01.190.543.5542	MLE Enforcement (wages)	<u>50,000</u>	
01.190.543.5543	MLE Enforcement (fuel)	<u>12,000</u>	
01.190.543.5544	Abandoned vessel removal	<u>25,000</u>	
01.190.543.5545	Mooring Field Upland Sves Mgmt	<u>76,000</u>	
	Total Materials, Supplies and Services		163,420
01.190.541.5464	Boat/Equipment Purchase	<u>51,000</u>	
01.190.541.5464	Boat Replacement	<u>100,000</u>	
	Total Capital		151,000
	Total Budget		365,606

Parking

Function and Budget

Fund: General - 01
 Department Public Works
 Division Parking
 Division # 200

Expenditure Category	Actual Expenditures FY 07	Adopted Budget FY 08	Actual Expenditures 8 months	Estimated Expenditures FY 08	Adopted Budget FY 09
Personnel Costs	\$ -	\$ -	\$ -	\$ -	\$ -
Materials, Supplies & Services	332,567	340,000	202,440	336,340	325,500
Operating Budget	332,567	340,000	202,440	336,340	325,500
Capital Outlay	-	-	-	-	-
Non-Operating Budget	-	-	-	-	-
Total Budget	\$ 332,567	\$ 340,000	\$ 202,440	\$ 336,340	\$ 325,500

PERSONAL SERVICES DETAIL

<u>Classification</u>	<u># of Positions</u>
Total # of full-time employees	0

Section Description:

The Parking section provides contract oversight and management to the parking services provider. This includes Town owned parking lots and beach patrol.

Parking

Line Item Detail

Fund: General - 01
Department Public Works
Division Parking
Division # 200

01.200.549.5491	Parking - Administration	<u>309,000</u>	
01.200.549.5564	Parking - Repair & Maintenance	<u>16,500</u>	
	Total Materials, Supplies and Services		325,500
	Total Budget		325,500

Community Development Administration

Function and Budget

Fund: General - 01
 Department Community Development
 Division Administration
 Division # 230

Expenditure Category	Actual Expenditures FY 07	Adopted Budget FY 08	Actual Expenditures 8 months	Estimated Expenditures FY 08	Adopted Budget FY 09
Personnel Costs	\$ 469,429	\$ 641,798	\$ 307,457	\$ 471,314	\$ 469,612
Materials, Supplies & Services	22,655	25,000	22,527	17,850	135,440
Operating Budget	492,084	666,798	329,984	489,164	605,052
Capital Outlay	-	-	-	-	-
Non-Operating Budget	-	-	-	-	-
Total Budget	\$ 492,084	\$ 666,798	\$ 329,984	\$ 489,164	\$ 605,052

PERSONAL SERVICES DETAIL

<u>Classification</u>	<u># of Positions</u>
Director	1
Floodplain Development Coordinator	1
Zoning Coordinator	1
Administrative Assistant	1
Technician	2
Environmental Science Coordinataor	1
Total # of full-time employees	7

Department Description:

To deliver high quality, best value services, programs and facilities to our islanders.

Community Development Administration

Line Item Detail

Fund:	<u>General - 01</u>
Department	<u>Community Development</u>
Division	<u>Administration</u>
Division #	<u>230</u>

01.230.515.5120 Salaries	<u>319,590</u>	
01.230.515.5120 Merit Increase	<u>7,990</u>	
01.230.515.5210 FICA Taxes	<u>25,060</u>	
01.230.515.5220 Retirement	<u>32,758</u>	
01.230.515.5238 Life, Health & Disability	<u>84,214</u>	
Total Personnel Costs		469,612
01.230.515.5374 Neighborhood Landscaping	<u>12,500</u>	
01.230.515.5400 Travel/Training/Meals	<u>10,000</u>	
01.230.515.5410 Communications	<u>2,940</u>	
01.230.515.5434 Equipment	<u>10,000</u>	
01.230.515.5455 Professional Services	<u>50,000</u>	
01.230.515.5540 Membership & Dues	<u>4,000</u>	
01.230.515.5633 EAR Compliance	<u>45,000</u>	
01.230.515.5943 Emergency & Flood Management	<u>1,000</u>	
Total Materials, Supplies and Services		135,440
Total Budget		605,052

Code Compliance

Function and Budget

Fund: General - 01
 Department Community Development
 Division Code Compliance
 Division # 236

Note: included in other Divisions in prior years

Expenditure Category	Actual Expenditures FY 07	Adopted Budget FY 08	Actual Expenditures 8 months	Estimated Expenditures FY 08	Adopted Budget FY 09
Personnel Costs	\$ -	\$ -	\$ -	\$ -	\$ 124,123
Materials, Supplies & Services	-	-	-	-	60,840
Operating Budget	-	-	-	-	184,963
Capital Outlay	-	-	-	-	-
Non-Operating Budget	-	-	-	-	-
Total Budget	\$ -	\$ -	\$ -	\$ -	\$ 184,963

PERSONAL SERVICES DETAIL

<u>Classification</u>	<u># of Positions</u>
Code Enforcement Officer	<u>2</u>
Total # of full-time employees	2

Department Description:

The Code Compliance Division is dedicated to enhancing the quality of life for islanders by promoting, maintaining, and improving a safe and desirable environment to live, work and play through effective education and positive efforts to gain compliance with the Land Development Code and other Town codes and ordinances.

Palmetto/Easy Street – Special Assessment Fund

Function and Budget

Fund: Palmetto/Easy Street - 08
 Department _____
 Division _____
 Division # _____

Note: check

Expenditure Category	Actual Expenditures FY 07	Adopted Budget FY 08	Actual Expenditures 8 months	Estimated Expenditures FY 08	Adopted Budget FY 09
Personnel Costs	\$ -	\$ -	\$ -	\$ -	\$ -
Materials, Supplies & Services	19	-	-	15	3,750
Operating Budget	19	-	-	15	3,750
Capital Outlay	-	-	-	-	-
Non-Operating Budget	-	-	-	-	-
Total Budget	\$ 19	\$ -	\$ -	\$ 15	\$ 3,750

PERSONAL SERVICES DETAIL

<u>Classification</u>	<u># of Positions</u>
Total # of full-time employees	0

Anticipated revenues: 3,750

Department Description:

The Palmetto/Easy Street fund was developed to account for projects that directly benefited the property owners in the Palmetto/Easy Street area. This fund receives payments on the outstanding balance of the assessments. All payments are expected by 2011.

Palmetto/Easy Street – Special Assessment Fund

Revenue Detail Worksheet

Department Palmetto/Easy Street - 08
 Division _____
 Division # _____

#	Computation/Explanation	Amount
3750	Interest earnings	350
3110	Special Assessments	3,400
	Total Budget	3,750

Palmetto/Easy Street – Special Assessment Fund

Expense Detail Worksheet

Department Palmetto/Easy Street - 08
Division _____
Division # _____

#	Computation/Explanation	Amount
5951	Due to other funds	3,750
	Total Budget	3,750

Beach Access

Function and Budget

Fund: Beach Access - 09
 Department _____
 Division _____
 Division # _____

Expenditure Category	Actual Expenditures FY 07	Adopted Budget FY 08	Actual Expenditures 8 months	Estimated Expenditures FY 08	Adopted Budget FY 09
Personnel Costs	\$ -	\$ 83,000	\$ -	\$ -	\$ 80,957
Materials, Supplies & Services	42,400	130,250	74,871	89,602	218,331
Operating Budget	42,400	213,250	74,871	89,602	299,288
Capital Outlay	-	-	-	-	-
Non-Operating Budget	-	-	-	-	-
Total Budget	\$ 42,400	\$ 213,250	\$ 74,871	\$ 89,602	\$ 299,288

PERSONAL SERVICES DETAIL

<u>Classification</u>	<u># of Positions</u>
Maintenance worker*	2
Total # of full-time employees	2

*Note- the 2 maintenance worker positions are 100% funded by TDC grants.

Anticipated Revenues: \$ 299,288

Department Description:

The Beach Access section personnel are charged with the overall maintenance and repair of all beach and beach access facilities. These include all the dune walk-overs, signage, trash cans and associated facilities. Daily activities include collection of all trash and rubbish from beach side trash cans and general policing of the beach. The crew maintains and performs the grounds keeping tasks for all beach access pathways, nearby parking lots and all Lee Tran trolley stops.

Expense Detail Worksheet

Department Beach Access - 09
 Division _____
 Division # _____

#	Computation/Explanation	Amount
5120	Salaries	
	Maintenance worker	24,960
	Maintenance worker	24,960
		<u>49,920</u>
		49,920
5120	Merit Increase	
	Discretionary - up to 2.5%	1,248
		1,248
5210	Social Security (7.65% of full and part-time wages)	3,914
		3,914
5220	Retirement	
	10% annual contribution per employee	5,117
		5,117
5238	Life, Health & Disability Insurance	
	Single coverage for 2 employees @ 776.83 per mo	18,644
	Life, dental, AD&D coverage for 2 employees	2,114
		<u>20,758</u>
		20,758
5462	Beach access maint/repair	123,081
		123,081
5465	ADA reconstruction	45,000
		45,000
5843	Solid and horticultural waste	20,250
		20,250
5955	Beach raking	30,000
		30,000
	Total Budget	299,288

Function and Budget

Fund: Gas Tax - 11
 Department Streets and Roads
 Division _____
 Division # _____

Expenditure Category	Actual Expenditures FY 07	Adopted Budget FY 08	Actual Expenditures 8 months	Estimated Expenditures FY 08	Adopted Budget FY 09
Personnel Costs	\$ -	\$ -	\$ -	\$ -	\$ -
Materials, Supplies & Services	484,039	3,060,069	427,797	573,734	890,200
Operating Budget	484,039	3,060,069	427,797	573,734	890,200
Capital Outlay	-	-	-	-	1,784,185
Non-Operating Budget	-	-	-	-	-
Total Budget	\$ 484,039	\$ 3,060,069	\$ 427,797	\$ 573,734	\$ 2,674,385

PERSONAL SERVICES DETAIL

<u>Classification</u>	<u># of Positions</u>

Total # of full-time employees	0

Department Description:
 The Streets and Roads section captures all of the maintenance and repair costs associated with the maintenance, repair and general upkeep of all Town roadways, storm water facilities, road signage and traffic signals. Traffic mitigation activities and public transportation activities are captured within this section as well.

Emergency Preparedness

Function and Budget

Fund: Emergency Preparedness - 15
 Department _____
 Division _____
 Division # _____

Expenditure Category	Actual Expenditures FY 07	Adopted Budget FY 08	Actual Expenditures 8 months	Estimated Expenditures FY 08	Adopted Budget FY 09
Personnel Costs	\$ -	\$ -	\$ -	\$ -	\$ -
Materials, Supplies & Services					518,750
Operating Budget	-	-	-	-	518,750
Capital Outlay	-	-	-	-	-
Non-Operating Budget	-	-	-	-	-
Total Budget	\$ -	\$ -	\$ -	\$ -	\$ 518,750

PERSONAL SERVICES DETAIL

<u>Classification</u>	<u># of Positions</u>
Total # of full-time employees	0

Department Description:

The Emergency Preparedness fund is new for the 09 FY budget. This fund will account for payments during a declared emergency. The Town Council must specifically authorize any expenditures from this fund. A transfer from the General Fund's unrestricted fund balance will establish this fund. Interest earned in future years will accrue to the Emergency Preparedness fund balance.

Capital Projects

Revenue Detail Worksheet

Department Capital Projects - 13
 Division _____
 Division # _____

#	Computation/Explanation	Amount
Project	Stormwater Master Plan & NPDES Transfer from Gas Tax Fund	265,000
Project	No. Estero Improvements FEMA Grant	954,400
	Transfer from Gas Tax Fund	1,615,600
Project	Basin Based HMPG 1609	131,250
	Transfer from Gas Tax Fund	43,750
Project	Laguna Shores Special Assessments (60% of project cost)	190,000
	Transfer from General Fund	285,000
	<i>Sub-total Transportation</i>	\$ 3,485,000
Project	Beach Renourishment Transfer from Beach Renourishment Fund	1,000,000
Project	Neighborhood Landscape Transfer from General Fund	12,500
Project	Mound House Grants	1,169,185
	Park Impact Fees	49,567
	Gas Tax	28,585
Project	Newton Park Grants	544,000
Project	Land Acquisition Transfer from General Fund	225,000
	<i>Sub-total non-transportation</i>	\$ 3,028,837
	Total Capital Budget	\$ 6,513,837

Capital Projects

Expense Detail Worksheet		
Fund:	<u>Capital Projects - 13</u>	
Department	_____	
Division	_____	
Division #	_____	
		<u>Project Cost</u>
<i>Transportation</i>		
Stormwater		<u>265,000</u>
Basin Based Project HMPG 1609		<u>175,000</u>
No. Estero		<u>2,570,000</u>
Laguna Shores		<u>475,000</u>
Total Transportation		3,485,000
<i>Non-Transportation</i>		
Beach Renourishment		<u>1,000,000</u>
Neighborhood Landscape		<u>12,500</u>
Mound House		<u>1,247,337</u>
Property Acquisition		<u>225,000</u>
Newton Park		<u>544,000</u>
Total Non-transportation		3,028,837
Total Capital		<u>6,513,837</u>

Changes in Taxable Value, Millage Rates and Taxes Levied

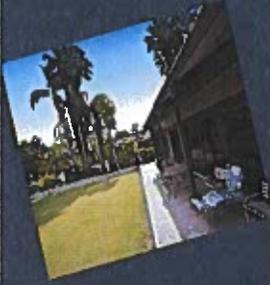
TOWN OF FORT MYERS BEACH, FLORIDA

Historical data since incorporation

YEAR	TAXABLE VALUE	MILLAGE	TAXES LEVIED
1996	\$ 1,097,507,100	1.0604	\$ 1,163,797
1997	1,149,535,220	1.0961	1,260,006
1998	1,192,180,910	1.0961	1,306,749
1999	1,289,215,850	1.0961	1,413,109
2000	1,387,116,900	1.0961	1,520,419
2001	1,616,283,120	1.0400	1,680,934
2002	1,888,027,310	1.0400	1,963,548
2003	2,291,140,270	1.0000	2,291,140
2004	2,655,675,540	0.8500	2,257,324
2005	3,063,418,220	0.7498	2,296,951
2006	3,780,475,940	0.6096	2,304,578
2007	3,910,189,400	0.6053	2,366,838
2008	3,404,949,619	0.7093	2,415,131

Tax Rate – Ft. Myers Beach & All Taxing Authorities

Property Taxes – Ft Myers Beach & others
Total 2007 tax bill paid - \$2,986.40



\$200,000 house	Taxes paid to:
School District (<i>Local & State</i>)	\$1,392.00
Lee County	834.40
Fire District	400.28
SW Florida Water District	124.80
<i>Town of Ft. Myers Beach</i>	<i>195.12</i>
Public Library	94.38
Mosquito Control	11.60
West Coast Inland Waterway	7.88

All Taxing Authorities
Ft. Myers Beach Valuation \$3,910,189,400

	Rate	Proceeds	Percent
Lee County Capital Improvements	0.5000	\$1,955,095	3.35%
Lee County General Revenue	3.6506	\$14,274,537	24.45%
Lee County Hyacinth Control	0.0214	\$83,678	0.14%
<i>Total County</i>	<i>4.1720</i>	<i>\$16,313,310</i>	<i>27.94%</i>
School District Local	2.5990	\$10,162,582	17.41%
School District State	4.3610	\$17,052,336	29.21%
<i>Total Schools</i>	<i>6.9600</i>	<i>\$27,214,918</i>	<i>46.62%</i>
<i>Town of Ft Myers Beach</i>	<i>0.8953</i>	<i>\$3,488,818</i>	<i>9.00%</i>
SFL Water Mgmt Okeechobee	0.5346	\$2,090,387	3.58%
SFL Water Mgmt Everglades	0.0894	\$349,571	0.60%
West Coast Inland Waterway	0.0394	\$154,061	0.26%
FMB Fire District	2.0014	\$7,825,853	13.40%
FMB Library	0.4719	\$1,845,218	3.16%
FMB Mosquito	0.0580	\$226,791	0.39%
<i>Total – All Other</i>	<i>3.8000</i>	<i>\$14,858,720</i>	<i>25.44%</i>
Grand Total	14.9320	\$58,386,948	100.00%

Appendix A – Glossary of Terms

Ad Valorem	Revenue generated by placing a tax on the value of real and personal property that is subject to taxation, as defined by Florida statutes.
Annual Budget	A budget applicable to a single fiscal year.
Appropriation	A legal authorization granted by a legislative body (e.g. the Council) to incur obligations and make expenditures for specific purposes.
Assessed Valuation	The valuation of real and personal property established by the Property Appraiser as the basis for levying taxes.
Budget	A fiscal plan of operation. The budget is comprised of proposed expenditures and proposed revenues together with specific authorizations and restrictions as appropriate. It also includes the current and prior fiscal period history. The budget quantifies executive and legislative objectives and provides a means to measure performance. As a guide for operations, the budget changes over time in response to changes in conditions. The budget embodies public policy and provides insight into how the policy will be implemented.
Capital Outlay	Expenditures for capital items such as equipment, machinery or vehicles greater than \$1,000 or more and a useful life in excess of one year.
Capital Improvement Plan	All capital expenditures planned for the next five years. The program specifies both proposed projects and the resources estimated to be available to fund the expenditures.
Charges for Services	This refers to a revenue source for a program which is attributable to a particular service provided. An example would be revenue for the water utility based upon the use of water by a customer.
CDBG	Community Development Block Grant is a grant program administered by the U.S. Department of Housing and Urban Development. The Town participates to provide After School programs and Senior Citizen programs.

Appendix A – Glossary of Terms

Contingency	An appropriation of funds to cover unforeseen expenses that occur during the budget year.
Debt Service	Payment of principal and interest related to debt.
Department	An organizational unit responsible for carrying out a major governmental function, such as Financial Services and Public Works.
Expense	A decrease in net total assets. Expenses represent the total cost of operations during a fiscal period. The cost of goods delivered or services rendered, debt service and capital outlay.
Fiscal Year	The annual period applicable to the annual operating budget. The Town's standard fiscal year runs from October 1 through September 30.
Fund	A fiscal and accounting entity which is comprised of a self-balancing set of accounts which reflect all assets, liabilities, equity, revenue and expenses necessary to disclose financial position and the results of operations. Generally, the number of individual funds should be kept at the lowest number which allows effective and efficient management, with activities which are similar in nature and purpose accounted for in the same fund.
General Fund	The fund used to account for both general government activities and those activities not required to be accounted for in another fund.
GIS	Geographical Information System.
Homestead Exemption	A state programs which deducts up to \$50,000 from the gross value of the primary residential real estate property occupied by a Florida resident in order to determine the net taxable value.
Infrastructure	The equipment, facilities and other capital improvements necessary to provide services.
Intergovernmental Revenues	Revenues from other governments in the form of grants, entitlements, shared revenues and payments in lieu of taxes.

Appendix A – Glossary of Terms

LAN	Local Area Network. Multiple computers connected by a communications system which enables them to share data.
Millage Rate	The ad valorem tax rate expressed in terms of the levy per thousand dollars of taxable assessed value.
Modified Accrual	Under the modified accrual basis of accounting, revenues are recognized when they are both measurable and available.
Non-Department	Functions and accounts which are not directly related to a department's primary service activities or which are separate from departmental operations for control purpose. (See General Services)
Objective	A clear statement of what a program is intended to achieve in the short-term, given a certain set of resources.
Other Revenues	Includes miscellaneous revenue items and often are interest earnings on invested fund balances.
Personal Services	Salaries, wages and fringe benefits such as overtime, pension, workers' compensation and insurance for employees.
Program	A program consists of clearly defined resources applied towards achieving a specific public goal.
Revenue	Funds that the government receives as income. It includes such items as tax payments, fees from specific services, receipts from other governments, fines, forfeitures, grants, shared revenues and interest income.
Right-of-Way (R.O.W.)	Strip of land over which facilities such as highways, railroads or power lines are built.

Appendix A – Glossary of Terms

Rolled Back Rate	The millage rate which, exclusive of new construction, will provide the same property (ad valorem) tax revenue for each taxing entity as was levied during the prior year. The roll back rate controls for changes in the market value of property and represents “no tax increase”. The only source of additional tax revenue, if the rolled-back rate is levied, is the tax upon new construction. Depending upon the circumstances, the rolled back rate may be higher than prior years.
Special Revenue Fund	A fund used to account for the proceeds of specific revenue sources (other than special assessments or expendable trusts) which are legally restricted to expense for specified purposes.
Transfers	Budget amounts transferred from one fund, one program, one unit, or one line item to another to assist in financing the service of the recipient fund, program, unit or line item.
Truth in Millage Law (TRIM)	A 1980 Florida law which changed the budget process for local taxing governments. It was designed to keep the public informed about the taxing intentions of the various taxing authorities.
User Fee	Fee charged for the use of certain municipal services

Appendix B – Public Works Services, Inc.

The Town of Fort Myers Beach (the "Town") is a municipality in the State of Florida. It is government by an elected Town Council, which is governed by State statutes and regulations. The Town Council established the Town of Fort Myers Beach Public Works Services, Inc. (the Company) to provide potable water to the incorporated area of the Town. The Company was incorporated on April 16, 2001, as a not-for-profit organization under the provisions of Internal Revenue Code Section 501 (c) (2). The Company is legally separate from the Town, but the Council acts as its governing Board of Directors. Therefore, the Company is considered a component unit of the Town. The Company is reported as a blended component unit within the Town's primary government financial statements.

The annual budget is adopted by the Board of Directors and is included in the Town's Budget document for management purposes.

Public Works Services, Inc.

Function and Budget

Fund: Public Works Services, Inc.
 Department Water Utility
 Division _____
 Division # _____

Expenditure Category	Actual Expenditures FY 07	Adopted Budget FY 08	Actual Expenditures 6 months	Estimated Expenditures FY 08	Adopted Budget FY 09
Transfer for Personnel	\$ -	\$ 81,000	\$ -	\$ 81,000	\$ -
Materials, Supplies & Services	2,212,716	2,834,439	972,694	1,801,404	2,209,869
Operating Budget	2,212,716	2,915,439	972,694	1,882,404	2,209,869
Capital Outlay	-	1,322,810	64,411	310,902	1,737,423
Non-Operating Budget	-	264,942	-	-	301,902
Total Budget	\$ 2,212,716	\$ 4,503,191	\$ 1,037,105	\$ 2,193,306	\$ 4,249,194

PERSONAL SERVICES DETAIL

<u>Classification</u>	<u># of Positions</u>
Total # of full-time employees	0

Anticipated revenues & cash forward: \$ 4,249,194

Department Description:

Fort Myers Beach Public Works Services, Inc. managed by the Public Works Department under the name of Beach Water provides transmission, distribution and storage of the Town's potable water supply. The Beach Water staff strives to treat all customers with respect, courtesy and professionalism and to meet the needs of our customers by providing exceptional water service, while meeting the challenges of maintaining and upgrading the water system infrastructure.

Public Works Services, Inc.

Revenues

Fund: Public Works Services, Inc.
Department Water Utility
Fund: _____
Division # _____

Estimated Fund Balance	<u>1,910,994</u>	
40.000.331.3500 Miscellaneous	<u>2,600</u>	
40.000.331.3655 Tap in charges	<u>1,000</u>	
40.000.331.3668 Establish service charge	<u>4,000</u>	
40.000.331.3669 Trip charges	<u>600</u>	
40.000.331.3671 Reconnection fees	<u>3,000</u>	
40.000.331.8004 Water	<u>2,277,000</u>	
40.000.331.8005 Water late charges	<u>10,000</u>	
40.000.331.8006 Water administration	<u>40,000</u>	
Total charges, fund balance and user fees		4,249,194
<i>Total Revenue</i>		\$ 4,249,194

Public Works Services, Inc

Expenditures

Fund: Public Works Services, Inc.
Department Water Utility
Fund: _____
Division # _____

40.000.533.5110	Transfer to General Fund	-	
40.000.533.5331	Professional Services	<u>105,721</u>	
40.000.533.5332	Accounting & Auditing	<u>16,500</u>	
40.000.533.5334	Other Contractual Services	<u>33,507</u>	
40.000.533.5343	Utility Services	<u>35,000</u>	
40.000.533.5345	Insurance	<u>72,100</u>	
40.000.533.5346	Repair and maintenance	<u>215,812</u>	
40.000.533.5349	Other current charges	<u>3,000</u>	
40.000.533.5351	Office supplies	-	
40.000.533.5352	Operating supplies	<u>900</u>	
40.000.533.5354	Operations equipment	<u>28,500</u>	
40.000.533.5440	Travel/Training/Meals	<u>3,000</u>	
40.000.533.5531	Professional Services Mgmt	<u>382,950</u>	
40.000.533.5540	Memberships and dues	<u>600</u>	
40.000.533.5543	Bulk water agreement	<u>1,305,779</u>	
40.000.533.5591	Professional services-Legal	<u>6,500</u>	
	Total Materials, Supplies and Services		2,209,869
40.000.533.5546	Capital Improvements	<u>1,737,423</u>	
	Total Capital		1,737,423
40.000.533.5572	Note interest	<u>121,902</u>	
40.000.533.5573	Loan principal	<u>180,000</u>	
	Total non-operating		301,902
	<i>Total Expenditures budget</i>		\$ 4,249,194

Appendix C – DRA (Downtown Redevelopment Agency)

The Town of Fort Myers Beach Community Redevelopment Agency (CRA) is included in the Town's reporting entity because of the significance of the operations and financial relationships with the Town. This component unit has the same governing body as the Town, and is accounted for in a special revenue fund. The CRA was established by the Lee Town Board of Town Commissioners pursuant to Resolution 90-07-21. The Town Council for the Town of Fort Myers Beach became the governing board of the CRA pursuant to the Town's Resolutions 98-13. The name was changed to the Downtown Development Agency (DRA) in 1999.

The annual budget is adopted by separate resolution and is included in the Town's Budget document for management purposes.

Appendix C – DRA (Downtown Redevelopment Agency)

Function and Budget

Fund: DRA - 03
 Department Downtown Redevelopment Agency
 Division _____
 Division # _____

Expenditure Category	Actual Expenditures FY 07	Adopted Budget FY 08	Actual Expenditures 8 months	Estimated Expenditures FY 08	Adopted Budget FY 09
Personnel Costs	\$ -	\$ -	\$ -		\$ -
Materials, Supplies & Services	8,034	213,250	15,299	17,000	29,254
Operating Budget	8,034	213,250	15,299	17,000	29,254
Capital Outlay	-	-	-	-	-
Non-Operating Budget	-	-	-	-	-
Total Budget	\$ 8,034	\$ 213,250	\$ 15,299	\$ 17,000	\$ 29,254

PERSONAL SERVICES DETAIL

<u>Classification</u>	<u># of Positions</u>
Total # of full-time employees	0

Anticipated revenues: \$ 29,254

Department Description:

The DRA Fund is used to account for the tax increment factor levied on the benefitting properties within the defined district. The Town expects to collect the majority of the remaining outstanding assessments from the Old San Carlos Streetscape project during FY 08.

Appendix C – DRA (Downtown Redevelopment Agency)

Revenue Detail Worksheet

Department DRA - 03
Division Downtown Redevelopment Agency
Division # _____

#	Computation/Explanation	Amount
	Outstanding assessments due (including interest) 29,254	29,254
	Total Budget	29,254

Appendix C – DRA (Downtown Redevelopment Agency)

Expense Detail Worksheet

Department DRA - 03
Division Downtown Redevelopment Agency
Division # _____

#	Computation/Explanation	Amount
	Transfer to other Funds	\$ 29,254
	Total Budget	29,254



Town of Fort Myers Beach

CHARTER

Incorporated 1995

- [Article I](#): CORPORATE NAME; PURPOSE OF THE CHARTER
- [Article II](#): TERRITORIAL BOUNDARIES
- [Article III](#): GENERAL POWERS OF THE MUNICIPALITY
- [Article IV](#): CHARTER OFFICERS
- [Article V](#): NOMINATIONS AND ELECTIONS; TERMS OF OFFICE
- [Article VI](#): TOWN MANAGER
- [Article VII](#): TOWN CLERK
- [Article VIII](#): TOWN ATTORNEY
- [Article IX](#): ADMINISTRATIVE DEPARTMENTS
- [Article X](#): ORDINANCES AND RESOLUTIONS
- [Article XI](#): FINANCIAL PROCEDURES
- [Article XII](#): INITIATIVE AND REFERENDUM
- [Article XIII](#): CHARTER AMENDMENTS
- [Article XIV](#): SEVERABILITY
- [Article XV](#): TRANSITION
- [Article XVI](#): INDEPENDENT SPECIAL DISTRICTS
- [Article XVII](#): REVENUE SHARING

Article I: Corporate Name; Purpose of the Charter

Section 1.01 Town of Fort Myers Beach. -- The municipality hereby established shall be known as the Town of Fort Myers Beach, Florida.

Section 1.02 Purpose of the charter. -- This charter is ordained and established by the people of the Town of Fort Myers Beach, Florida, to promote the general welfare and common good of the community by providing the framework for a municipal corporation to exercise municipal home rule powers under the Constitution and laws of the State of Florida.

Article II: Territorial Boundaries

Section 2.01 Boundaries of the Town of Fort Myers Beach.--The territorial boundaries of the Town of Fort Myers Beach upon the date of incorporation shall include the following areas situated in the County of Lee, State of Florida:

A corporate limit lying offshore from Estero Island, which line is described as follows: all that part of Lee County that is located and situated within Estero Island, including a corporate limit line offshore 1,000 feet in the Gulf of Mexico and 1,000 feet in the inland bays, and parallel with the shore line of said Estero Island, excluding all of San Carlos Island, Black Island and, structures exclusively attached thereto.

Section 2.02 Extension of the corporate limits; annexation.--The corporate limits of the Town of Fort Myers Beach may be revised as provided by general law.

Article III: General Powers of the Municipality

Section 3.01 All powers possible.--The Town of Fort Myers Beach shall have all governmental, corporate, and proprietary powers to enable it to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes except as otherwise provided by law. The powers of the Town of Fort Myers Beach shall be construed liberally in favor of the municipality, limited only by the Constitution, general law, and specific limitations contained herein.

Section 3.02 Joint exercise of powers.--The town may exercise any of its powers or perform any of its functions and may participate in the financing thereof, jointly or in cooperation by contract or otherwise, with any one or more states, counties, municipalities, or any agencies thereof, or the United States or any agency thereof.

Article IV: Charter Officers

Section 4.01 Council members; elections.--

- (a) There shall be a town council, hereinafter referred to as the council, with all legislative powers of the town vested therein, consisting of five council members, all of whom shall be elected from the town at-large, for the initial election. The council shall place the matter of a change in the charter regarding at-large or district elections for council members to a vote of the electorate no later than 2 years after formation of the municipality with public hearings as to said matter as required under section 13.03 hereof.
- (b) Council seats shall be designated as seats #1, #2, #3, #4, and #5. Candidates shall be required to seek election to a specific seat on the council.
- (c) Each member of the council shall be a resident of the town and a registered voter and shall have resided within the corporate limits of the municipality for a minimum of 1 year prior to qualifying for election.
- (d) The council are elected officials who are accountable to the citizens at regularly held elections and who are subject to recall as provided by law. The citizens, through these processes, have the opportunity to elect, reelect, or dismiss their elected officials whose promise of performance or actual performance in office best reflects the policies which the citizens desire to implement in the government of the town.
- (e) Policy making is the sole prerogative of the elected council. Administrative staff, whether hired or appointed under terms of this charter, is subordinate to the elected officials, whose power derives from the consent of, and election by, the citizens of the town.
- (f) Except as otherwise prescribed herein or provided by law, legislative and police powers of the town shall be vested in the council, including the establishment of boards, commissions, and committees. The council shall provide for the exercise of its powers

and for the performance of all duties and obligations imposed on the municipality by law.

Section 4.02 Mayor.--At the first regularly scheduled meeting following the town's regular election, the council, by majority vote, shall elect from its membership a mayor. The mayor shall serve as chairperson during meetings of the council and shall serve as the head of municipal government for the purpose of execution of legal documents as required by ordinance. The mayor shall also serve as the ceremonial head of the town.

Section 4.03 Vice mayor.--At the first regularly scheduled meeting following the town's regular election, the council, by a majority vote, shall elect from among its membership a vice mayor who shall serve as mayor during the absence or disability of the mayor and, if a vacancy occurs, shall become interim mayor pursuant to section 4.08 of this charter.

Section 4.04 Prohibitions--

(a) Neither the council, nor any individual member of the council, shall in any manner dictate the employment or removal of any employee other than the town manager and town attorney. No individual member of the council shall give orders to any officer or employee of the town. Recommendations for the improvements in the town government operations shall come through the town manager, but each member of the council shall be free to discuss or recommend improvements to the town manager, and the council is free to direct the town manager to implement specific recommendations for improvement in town government operations.

(b) No present or former elected town official shall hold any compensated appointive office or employment with the town until 1 year after the expiration of the official's elected term.

Section 4.05 Compensation.--

(a) An ordinance establishing, increasing, or decreasing compensation of the council may be adopted at any time; however, in no event shall any establishment of compensation or any increase in compensation become effective prior to the first day of the first month following the first regular election of the town subsequent to the adoption of such ordinance.

(b) The council may provide for reimbursement of actual expenses incurred by its members while performing their official duties.

Section 4.06 Vacancies.--The office of a member of the council shall become vacant upon the member's inability to fulfill the duties of the office, resignation, or removal from office as authorized by law or this charter.

Section 4.07 Forfeiture of office.--A member of the council may forfeit the office, if the member:

- (a) Lacks at any time during the term of office any qualification for the office prescribed by this charter or by law;
- (b) Violates any express prohibition of this charter;
- (c) Is convicted of a felony or criminal misdemeanor which misdemeanor involves the office of town council; or
- (d) Misses three consecutive regularly scheduled council meetings.

If any of these events should occur, a hearing shall automatically be conducted at the next regularly scheduled council meeting, and the member may be declared to have forfeited office by majority vote of the council.

Section 4.08 Filling of vacancies.--A vacancy on the council, except for the position of mayor, shall be filled by appointment by majority vote of the council members remaining, and said appointment shall be effective until a successor is chosen at the next regular election. In the event that a majority of the members of the council are removed by death, disability, law, or forfeiture of office, the governor shall appoint an interim council that shall call a special election to be held within 45 days following the occurrence of the vacancies to elect a new council. In the event that the mayor becomes unable to fulfill the duties of his office, ceases to be qualified, or is removed from office as provided by law or this charter, the vice mayor of the council shall assume the full powers and duties of the mayor. The vice mayor of the council shall temporarily relinquish his office as council member and shall assume the office of mayor for the remainder of the unexpired term. The council vacancy thus created shall be filled by an interim appointment under the provisions of this charter, to be effective only until such time as the mayor resumes his office or until the expiration of the term of the office, whichever occurs first.

Section 4.09 Judge of qualifications.--The council shall be the judge of the election and qualifications of its members and of the grounds for forfeiture of their office and for that purpose shall have power to subpoena witnesses, administer oaths, and require the production of evidence. A council member charged with conduct constituting grounds for forfeiture of this office shall be notified by the town clerk by certified mail and shall be entitled to a public hearing at the next regularly scheduled meeting of the council as outlined in section 4.07 of this charter. Notice of such hearing shall be published in one or more newspapers of general circulation in the town at least 1 week in advance of the hearing.

Section 4.10 Independent financial audit.--The council shall provide for an independent annual financial audit of all town accounts and may provide for more frequent audits as it deems necessary. Such audits shall be made by a certified public accountant or a firm of such accountants who have no personal interest, direct or indirect, in the fiscal affairs of the town government or in any of its officers. Residency in the town shall not be construed as a prohibited interest.

Section 4.11 Meetings.--The council shall meet regularly at least eight times per year and shall meet no less often than bimonthly at such times and locations within the boundaries of the town as the council may prescribe. Special meetings may be held on the call of the mayor or the town manager and, whenever practical, upon no less than a 24-hour notice to each member and the public. Action taken at a special meeting shall be limited to the purpose for which the special meeting is called. A special meeting may be held outside the town with proper notice. All meetings shall be public and shall be scheduled to commence no earlier than 7 a.m. nor later than 10 p.m.

Section 4.12 Rules and journal.--The council shall determine its own rules and order of business and shall provide for keeping a journal and minutes of its proceedings. The journal and minutes shall be public records.

Section 4.13 Voting; quorum.--Roll call voting shall be required for ordinances or upon the specific request of a council member and shall be recorded in the minutes; otherwise, voting shall be by ayes and nays. Three members of the council shall constitute a quorum. No action of the council shall be valid or binding unless adopted by the affirmative vote of a majority of the council. All council members in attendance shall vote on all council actions, except when, with respect to any such member, there is, or appears to be, a possible conflict of interest as defined under general law.

Article V: Nominations and Elections;

Terms of Office

“Section 5.01. Elections. The regular election of the members of the council shall be held on the second Tuesday in March. If necessary, a runoff election will be held on the second Tuesday in April. The time period that candidates must qualify shall be from noon of the 50th day prior to the second Tuesday in March to noon of the 46th day, or as adjusted by a holiday or leap year. “

Section 5.02 Commencement of Term.-- The term of a member of the council shall begin at the first council meeting following the general election.

Section 5.03 Terms of office.--The terms for all council seats, #1, #2, #3, #4, and #5, shall be for 3 years, except during the transition period, seats #1 and #2 shall initially be for a term from November, 2000 to March, 2004 and seats #3, #4, & #5 shall be for a term from: November, 2001 to March, 2005 No member of the council shall serve for more than two consecutive full terms. After 1 year out of office, a candidate may re-qualify for any vacant seat.

Section 5.06 Nonpartisan elections.--All elections for officers of the town shall be conducted on a nonpartisan basis without any designation of political party affiliation.

Section 5.07 Multiple candidates.-- In the event that more than two candidates qualify for election to a single office those candidates shall participate in the regular election and the

candidate receiving a majority of votes cast shall be elected. If no candidate receives a majority, then the two candidates receiving the most votes shall participate in a runoff election established in Section 5.01. to decide the winner for that office.

Section 5.08 Recall.--The qualified electors of the municipality shall have the power to recall and to remove any elected official of the town as prescribed by general law.

Article VI: Town Manager

Section 6.01 Appointment and qualifications.--The council shall appoint a town manager for an indefinite term and fix compensation. The town manager shall be appointed primarily on the basis of executive and administrative qualifications.

Section 6.02 Removal.--The council may remove the town manager for any reason by affirmative vote of the council. If the vote is less than unanimous by all council members, the town manager may, within 7 days of the dismissal motion by council, submit to the mayor a written request for reconsideration. Any action taken by the council at the reconsideration hearing shall be final.

Section 6.03 Powers and duties.--The town manager shall be the chief administrative officer of the town and shall implement and administer all ordinances, resolutions, and policies adopted by the council and shall perform such other duties as may be required by the council or law. The town manager shall be responsible to the council and shall have the following powers and duties:

- (a) To hire or fill existing positions and, when the town manager deems it necessary for the good of the town service, suspend or remove town employees, except as otherwise provided by law or this charter.
- (b) To direct and supervise the administration of all employees, departments, and agencies of the town, except as otherwise provided by this charter or by law.
- (c) To attend all council meetings and shall have the right to take part in discussion but may not vote.
- (d) To ensure that all laws, provisions of this charter, and acts of the council, subject to enforcement by the town manager or by officers subject to the town manager's direction and supervision, are faithfully executed.
- (e) To submit to the council and make available to the public a complete report on the administrative activities of the town as of the end of each fiscal year.
- (f) To make such other reports as the council may require concerning the operation of town departments, offices, and agencies subject to the town manager's direction and supervision.
- (g) To keep the council fully advised as to the condition and future needs of the town and

to make written recommendations to the council concerning the affairs of the town.

(h) To perform the duties of town clerk in addition to the duties of town manager during any period of time so appointed by the council.

(i) To perform such other duties as are specified in this charter or as may from time to time be assigned by the council.

Article VII: Town Clerk

Section 7.01 There may be a town clerk who shall be appointed by the town manager with the consent of the council. The town clerk shall serve at the pleasure of the town manager and shall:

(a) Give notice of council meetings to its members and the public.

(b) Keep the journal and minutes of the proceedings of the council and its committees, which shall be public records.

(c) Authenticate by signature and record in full in books kept for that purpose all ordinances and resolutions passed by the council.

(d) Be the custodian of the town seal.

(e) Have the power to administer oaths.

(f) Perform such other duties as may be assigned by the town manager.

Article VIII: Town Attorney

Section 8.01 There shall be a town attorney appointed by the council, who may represent the town in all legal proceedings and shall perform all other duties assigned by the council. The council may remove the town attorney for any reason by motion requiring three affirmative votes.

Article IX: Administrative Departments

Section 9.01 Establishment of additional departments.--The council may establish such other departments as it determines necessary for the efficient administration and operation of the town; such departments, offices, or agencies shall be established by ordinance.

Article X: Ordinances and Resolutions

Section 10.01 Definition of ordinances and resolutions.--As used in this charter, the following words and terms shall have the following meanings unless some other meaning is plainly indicated:

(a) "Ordinance" means an official legislative action of the council, which action is a regulation of a general and permanent nature and enforceable as a local law.

(b) "Resolution" means an expression of the council concerning matters of administration, an expression of a temporary character, or a provision for the disposition of a particular item of the administrative business of the town.

Section 10.02 Adoption of ordinances.--Every proposed ordinance shall be introduced in writing and in the form required for final adoption. No ordinance shall contain more than one subject and matters properly connected therewith, which shall be clearly expressed in its title. The enacting clause for an ordinance shall be: "IT IS HEREBY ORDAINED BY THE TOWN OF FORT MYERS BEACH AS FOLLOWS..."

(a) An ordinance may be introduced by any member at any regular or special meeting of the council. A proposed ordinance may be read by title, or in full, on at least two separate council meeting days and shall, at least 10 days prior to adoption, be noticed once in a newspaper of general circulation in the town. The notice of proposed enactment shall state the date, time, and place of the meeting; the title of a proposed ordinance; and the place or places within the town where such proposed ordinance may be inspected by the public.

(b) To meet a public emergency affecting life, health, property, or the public peace, the council, by a two-thirds vote of those present as required by general law, may adopt an emergency ordinance without complying with the requirements of notice expressed in the foregoing paragraph. An emergency ordinance may not levy taxes; grant, renew, or extend a franchise; set service or user charges for any municipal services; or authorize the borrowing of money. An emergency ordinance shall become effective upon adoption and automatically stand repealed as of the 61st day following the date on which it was adopted. This shall not prevent reenactment of such an ordinance under regular procedures.

(c) Ordinances which rezone specific parcels of private real property or which substantially change permitted use categories shall be enacted pursuant to general law.

(d) An ordinance shall, upon its final passage, be recorded in a book kept for that purpose and shall be signed by the mayor and the town clerk. A copy of the ordinance shall be available in the town hall.

Section 10.03 Adoption of resolutions.--Every proposed resolution shall be introduced in writing and in the form required for final adoption. No resolution shall contain more than one subject which shall be clearly expressed in its title. The clause which shall be used for all resolutions approved by the council shall be: "IT IS HEREBY RESOLVED BY THE TOWN OF FORT MYERS BEACH AS FOLLOWS..." A resolution may be introduced by any member at any regular or special meeting of the council. A resolution shall, upon its final passage, be recorded in a book kept for that purpose and shall be signed by the mayor and the town clerk. A copy of the resolution shall be available in the

town hall.

Article XI: Financial Procedures

Section 11.01 Fiscal year.--The fiscal year of the town shall begin on the first day of October and end on the last day of September.

Section 11.02 Submission of budget and budget message.--On or before the 15th day of July of each year, the town manager shall submit to the council a budget in accordance with state law. It shall outline the financial policies of the town for the ensuing fiscal year; describe the important features of the budget; indicate any major changes from the current year in financial policy, including any changes in budgetary accounting methods from the current year expenditures and revenues together with the reasons for such changes; summarize the town's debt position; and include such other material as the town manager deems necessary.

Section 11.03 Council action on the budget.--

(a) The council shall adopt the budget by resolution on or before the 30th day of September of each year.

(b) Unless authorized by the electors of the town at a duly held referendum election, the council shall not authorize or allow to be authorized the issuance of revenue bonds or enter into lease-purchase contracts or any other unfunded multi-year contracts all for the purchase of real property or the construction of any capital improvement, the repayment of which extends in excess of 36 months, unless mandated by state or federal governing agencies.

Section 11.04 Public records.--Copies of the budget and the capital program as adopted shall be public records and shall be made available to the public at suitable locations in the town.

Section 11.05 Budget amendments.--

(a) SUPPLEMENTAL APPROPRIATIONS.--If, during the fiscal year, the town manager certifies that there are available for appropriation revenues in excess of those estimated in the budget, the council, by resolution, may make supplemental appropriations for the year up to the amount of such excess, so long as a fiscally responsible reserve is maintained.

(b) EMERGENCY APPROPRIATIONS.--To meet a public emergency affecting life, health, property, or the public peace, the council, by resolution, may make emergency appropriations. To the extent that there are no unappropriated revenues to meet such appropriations, the council may by such emergency resolution authorize the issuance of emergency notes, which may be renewed from time to time, but the emergency notes and renewals in any fiscal year shall be paid not later than the last day of the fiscal year succeeding that in which the emergency appropriations were made.

(c) **REDUCTION OF APPROPRIATIONS.**--If, during the fiscal year, it appears probable to the town manager that the revenues available will be insufficient to meet the amount appropriated, the town manager shall report to the council without delay, indicating the estimated amount of the deficit, any remedial action taken, and recommendations as to any other steps to be taken. The council shall then take such further action as it deems necessary to prevent or minimize any deficit and for that purpose may, by resolution, reduce one or more appropriations.

(d) **TRANSFER OF APPROPRIATIONS.**--At any time during the fiscal year, the town manager may transfer any unencumbered appropriations among programs within a department, office, agency or a program provided by inter local agreement and, upon written request by the town manager, the council may by resolution transfer between funds any unencumbered appropriations from one department, office, agency or a program provided by inter local agreement to another.

Article XII: Initiative and Referendum

Section 12.01 Initiative and referendum.--At least 25 percent of the qualified electorate of the town shall have the power to petition the council to propose an ordinance or to require reconsideration of an adopted ordinance, and if the council fails to adopt such ordinance so proposed, or to repeal such adopted ordinance, without any change in substance, then the council shall place the proposed ordinance, or the repeal of the adopted ordinance, on the ballot at the next municipal election.

Section 12.02 Tolls Referendum. – The council may impose road or bridge tolls only after approval by the electors, as provided by general law.

Article XIII: Charter Amendments

Section 13.01 Initiation by ordinance.--The council may, by ordinance, propose amendments to any or all of this charter to be submitted to the electors, as provided by general law.

Section 13.02 Initiation by petition.--The electors of the town may propose amendments to this charter by petition to be submitted to the council to be placed before the electors, as provided by general law.

Section 13.03 Charter review.--The charter will be reviewed no later than 3 years after approval, then no later than 5 years after the initial charter review, and thereafter at least every 10 years. A five-member charter review commission shall be appointed and funded by the council. The charter review commission shall be appointed at least 6 months before the next scheduled election and complete its work and present any recommendations for change no later than 60 days before the election. The council shall hold a minimum of two public hearings on the proposed changes to the charter prior to placing the proposed changes on the scheduled election ballot.

Article XIV: Severability

Section 14.01 Invalidity of character provision or application.--If any provision of this charter is held invalid, the other provisions of the charter shall not be affected thereby. If the application of this charter or any of its provisions to any person or circumstance is held invalid, the application of the charter and its provisions to other persons or circumstances shall not be affected thereby.

Article XV: Transition

Section 15.03 Creation and establishment of the town of Fort Myers Beach.--For the purpose of compliance with section 200.066, Florida Statutes, relating to assessment and collection of ad valorem taxes, the Town of Fort Myers Beach is hereby created and established effective December 31, 1995.

Section 15.11 Contractual services and facilities.-- Services for fire, police, public works, parks and recreation, planning and zoning, building inspection, development reviews, animal control, and solid waste collection may be supplied by contract between the town and county, special districts, municipalities, or private enterprise until such time as the town council establishes such independent services. Facilities for housing the newly formed municipal operations may be rented or leased until the town is in the position to obtain its own facilities.

Section 15.12 Elimination of transition elements from the charter.--Upon completion of the transition phase as contained herein, those sections of the charter relating to transition shall be eliminated from the charter.

Article XVI: Independent Special Districts

Section 16.01 It is recognized that certain services within the municipal boundaries are provided by independent special districts created by special acts of the Florida Legislature. The municipality is empowered to merge the functions of said districts with those of the municipality only upon dissolution of the special district, or upon affirmative vote of a majority of the town council and an affirmative vote of the majority of the council or board governing the district after meeting all requirements for merger or dissolution in the district's enabling legislation and chapter 189, Florida Statutes. It is recognized that certain planning and interlocal agreements may be necessary between the town and such districts and the town council shall endeavor to maximize the benefits of the districts to the fullest extent possible. In the event the town council desires to supplement or duplicate services determined to be inadequate, the council is fully empowered to do so.

Article XVII: Revenue Sharing

Section 17.01 It is recognized that the services provided by independent districts within the municipal boundaries provide essential services which would customarily be provided by municipal government. It is therefore declared that the Town of Fort Myers Beach

shall be eligible to participate in revenue-sharing beyond the minimum entitlement in any fiscal year, provided that the town and all independent special districts created under special law, combined, levy ad valorem taxes in amounts as required by section 218.23, Florida Statutes.

End of document.

RESOLUTION NUMBER 08-27

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, ESTABLISHING TOWN COUNCIL GOALS AND OBJECTIVES FOR FISCAL YEAR 2008-2009; 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 services, 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 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 of Fort Myers Beach Comprehensive Plan is the Town's vision for its future and all actions of the Town are required to be in compliance with the Comprehensive Plan; and

WHEREAS, the Capital Improvement Element of such Plan requires the Town to set priorities for Town Capital Improvements; and

WHEREAS, it is in the best interest of the health, safety and welfare of the citizens of Fort Myers Beach that the Town Council set the Town's goals and objectives for 2008-2009 and implement such goals and objectives through determination of priorities in the Town Capital Improvement Program and the Town Process Improvement Program, all in compliance with the Town Comprehensive Plan.

IT IS HEREBY RESOLVED BY THE TOWN OF FORT MYERS BEACH AS FOLLOWS:

Section 1. Incorporation of Whereas Clauses. The above "Whereas" clauses are hereby incorporated by reference as though fully set forth herein.

Section 2. Town Council Goals and Objectives 2008-2009. The Town of Fort Myers Beach Town Council's Goals and Objectives for Fiscal Year 2008-2009 with methodologies of implementation thereof, comprised of a fifteen (15) page document, are attached hereto as Exhibit A and hereby incorporated by reference.

Section 3. Compliance with the Town of Fort Myers Beach Comprehensive Plan. The Town Council finds the Town Council Goals and Objectives document to be in full compliance with the Town Comprehensive Plan, including but not limited to the Capital Improvements Element thereof.

Section 4. The Town Council hereby adopts the Town Council Goals and Objectives for Fiscal Year 2008-2009 as guidance to the Town Council, Town staff, the Town Attorney, and the residents, business owners, property owners, and others involved with the governance of the Town.

Section 5. The Town Council recognizes that this document is intended to be a "living" document which may need modification based upon future circumstances. It is therefore the intent of the Town Council that this document may be modified via Resolution duly noticed for consideration at a general or special meeting as needed.

Section 6. Effective Date. This resolution shall take effect immediately upon its adoption by the Town Council of the Town of Fort Myers Beach.

UPON MOTION BY COUNCILMEMBER RAYMOND AND SECOND BY COUNCILMEMBER BABCOCK THIS RESOLUTION WAS DULY PASSED AND ADOPTED ON THIS 2ND DAY OF JUNE, 2008.

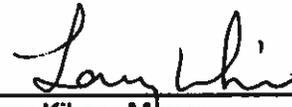
Larry Kiker, Mayor AYE
Tom Babcock, Councilmember AYE
Bob Raymond, Councilmember AYE

Herb Acken, Vice Mayor NAY
Jo List, Councilmember AYE

ATTEST:

TOWN OF FORT MYERS BEACH

By: 
Michelle Mayher, Town Clerk

By: 
Larry Kiker, Mayor

Approved as to legal sufficiency by:

By: 
Anne Dalton, Town Attorney

**Town of Fort Myers Beach
Town Council Goals and Objectives
Fiscal Year 2008 – 2009**

Definitions:

- Goal:** Where we want to be.
Statement of results intended.
- Objectives:** The steps needed to get to a goal.
Statement of results to be achieved
- Projects:** How to accomplish the Objectives.
Statement of specific Results.
- Process:** How Town Council conducts Town business.
The Town Charter provides Town Council with the power to govern.
- Substance:** What the Town Council delivers to the Town.
Town Council must assure that its Goals and Objectives align with the Town's Comprehensive Land Use Plan (CLUP).
- CIP:** Capital Improvement Program/Project
- PIP:** Process Improvement Program/Project
- Top Priority:** Time-sensitive and/or critical projects. Non-action on these items would have a negative impact to our community.
- High Priority:** Doable projects that have been key elements of Islanders' expectations.
- Important:** Desirable projects that may be less time-sensitive and/or less critical.
- Council Contact (CC):** Town Council member who will act as the "point person" on a Process Improvement Project (PIP).

Town Council Roles and Responsibilities:

See Appendix A

Overarching Principles:

All Town Council Goals will be fiscally responsible, customer focused, strategic, measurable and consistent with the Town Charter (Summary of Articles and Sections in Appendix B) and Comprehensive Land Use Plan - CLUP (Summary of Goals and Objectives in Appendix C).

Goal #1:

Improve the effectiveness and efficiency of government and the way it interacts with the community.

CIP's:

Top Priority Capital Improvement Projects (CIP's):

- Information Systems/Technology (CLUP Objective 14-B)

High Priority Capital Improvement Projects (CIP's):

- Emergency Operations Trailer (CLUP Objective 14-B, 14-D)
- Town Hall Project (CLUP Objective 14-B)

Goal #1 (Continued):

Improve the effectiveness and efficiency of government and the way it interacts with the community.

PIP's:

Top Priority Process Improvement Projects (PIP's) – Scores of 19 – 25 votes:

- **Comp Plan, LDC and Ordinance Changes (Charter Sec 10.02; All CLUP Objectives)**
(CC: Herb Acken)
 - o Evaluation and Appraisal Report (25)
 - o Right of Way Issues (25)
 - o Parcelization (25)
 - o Vision 2025 (23)
 - o Animal Control Ordinance (21)
- **Search for New Revenue Sources (25) (Charter Sec 2.02)**
(CC: Jo List)
- **Committees/Volunteerism (25) (Charter Sec 10.02)**
(CC: Bob Raymond)
 - o Standing Advisory Committees
 - o Ad Hoc Committees
 - o Partner/Interact with Local Organizations and Groups
 - o Volunteers to Help Staff
- **Communications with Islanders (25) (Charter Sec 3.01)**
(CC: Larry Kiker)
 - o Advertising in Local Media
 - o Quarterly Town Information Sheet
 - o "Town Corner" in Local Newspapers
- **Criteria for Town Manager Performance (25) (Charter Sec 6.01)**
(CC: Larry Kiker)
- **Form a Youth Council (25) (Charter Sec 3.01)**
(CC: Jo List)
- **Criteria for Town Council Performance (21) (Charter Sec 3.01)**
(CC: Larry Kiker)
- **Update Council Policies and Procedures Manual (21) (Charter Sec 3.01)**
(CC: Tom Babcock)
 - o Handling of Special Events Budgeting
 - o Define Roles and Responsibilities of Council/Manager/Attorney
 - o Productive, Efficient, Informative Town Council Meetings
 - o Policy for Working with Developers
 - o Policy on Lobbying
- **Define a Code Enforcement Improvement Project (21) (Charter Sec 3.01)**
(CC: Tom Babcock)
- **Interact with Committees and Groups Outside of the Town of FMB (21)**
(CC: Bob Raymond)
- **Criteria for Town Attorney Performance (19) (Charter Sec 3.01)**
(CC: Larry Kiker)

Goal #1 (Continued):

Improve the effectiveness and efficiency of government and the way it interacts with the community.

PIP's (Continued):

High Priority Process Improvement Projects (PIP's) – Scores of 10 – 18 votes:

- Customer Surveys (18) (Charter Sec 3.01)
(CC: Larry Kiker)
- Comp Plan and LDC Changes (Charter Sec 10.02; All CLUP Objectives)
(CC: Herb Acken)
 - o Review the Sign Ordinance (17)
- Define Criteria for Reserve Town funds (17) (Charter Sec. 11.02, 11.03)
(CC: Tom Babcock)
- Beach Patrol Interlocal (17) (Charter Sec 3.01)
(CC: Larry Kiker)
- Reconvene Charter Review Commission (17) (Charter Sec 13.03)
(CC: Tom Babcock)

Goal#2:

Become good stewards of our natural resources and the environment.

CIP's:

Top Priority Capital Improvement Projects (CIP's):

- Laguna Shores Dredging (CLUP Objective 5-E)
- Beach Nourishment (CLUP Objectives 5-A, 5-D, 6-E)
- Conversion of Newton Park (CLUP Objectives 5-E, 10-A, 10-D, 10-E, 10-F, 10-G, 10-I, 13-F)
- Stormwater Master Plan (CLUP Objective 9-F)
- Mound House (CLUP Objectives 10-A, 10-D, 10-E, 10-F, 10-G, 10-I, 13-F)
- Beach Access Upgrades (CLUP Objective 5-E)

High Priority Capital Improvement Projects (CIP's):

- Beach Catamaran Access (CLUP Objective 5-E)

PIP's:

Top Priority Process Improvement Projects (PIP's) – Scores of 19 – 25 votes:

- Comp Plan, LDC and Ordinance Changes (Charter Sec 10.02; All CLUP Objectives)
(CC: Herb Acken)
 - o Fertilizer Ordinance (25)
 - o Develop Energy/Green Comp Plan Element (25)
- Water Quality/Explore Sensor Technology (25) (CLUP Objective 6-A)
(CC: Tom Babcock)
- Neighborhood Stormwater Project (PRISM) (21) (CLUP Objective 9-A)
(CC: Tom Babcock)

Goal#3:

Encourage a balanced and viable community.

CIP's:

Top Priority Capital Improvement Projects (CIP's):

- North Estero Blvd Improvements (CLUP Objective 1-A, 7-B, 7-E)
- Estero Blvd Renovation (CLUP Objective 1-A, 7-B, 7-E, 7-H)
- Water System Improvements (CLUP Objective 6-I, 8-A, 8-B)
- Bicycle Path – Pave shoulder as short-term improvement (CLUP Objective 7-A, 7-B)
- Pump Station Buildings (CLUP Objective 6-I, 8-A)
- Judiciously Placed Bathrooms Near Beach (Accesses etc.) (CLUP Objective 1-B)

Important Capital Improvement Projects (CIP's):

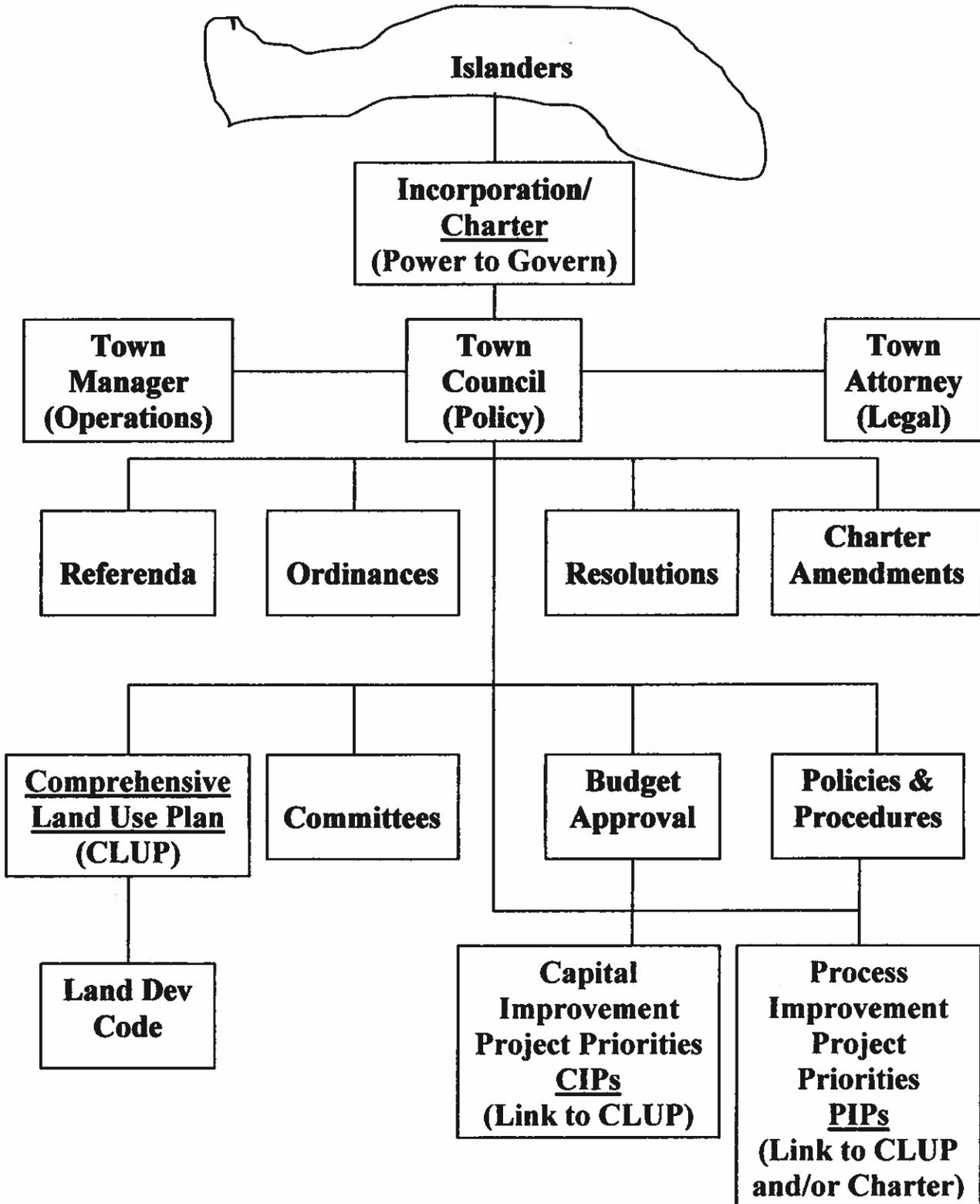
- Byway/Matanzas Linear Park (CLUP Objective 1-B, 3-D)

PIP's:

High Priority Process Improvement Projects (PIP's) – Scores of 10 – 18 votes:

- Land Acquisition for Municipal Needs (17) (CLUP Objective 10-A)
(CC: Herb Acken)
- Encourage Building an Island Middle School (17) (CLUP Objective 3-A)
(CC: Herb Acken)
- Bay Oaks Interlocal Agreement (15) (Charter Sec 11.02, 11.03)
(CC: Jo List)

Appendix A
Town Council Roles and Responsibilities



Appendix B
Summary of the Articles in the
Town of Fort Myers Beach Charter

ARTICLE I: Corporate Name; Purpose of the Charter

Section 1.01 Town of Fort Myers Beach

Section 1.02 Purpose of the charter

ARTICLE II: Territorial Boundaries

Section 2.01 Boundaries of the Town of Fort Myers Beach

Section 2.02 Extension of the corporate limits; annexation

Article III: General Powers of the Municipality

Section 3.01 All powers possible

Section 3.02 Joint exercise of powers

ARTICLE IV: CHARTER OFFICERS

Section 4.01 Council members; elections

Section 4.02 Mayor

Section 4.03 Vice mayor

Section 4.04 Prohibitions

Section 4.05 Compensation

Section 4.06 Vacancies

Section 4.07 Forfeiture of office

Section 4.08 Filling of vacancies

Section 4.09 Judge of qualifications

Section 4.10 Independent financial audit

Section 4.11 Meetings

Section 4.12 Rules and journal

Section 4.13 Voting; quorum

ARTICLE V: NOMINATIONS AND ELECTIONS; TERMS OF OFFICE

Section 5.01 Elections

Section 5.02 Commencement of term

Section 5.03 Terms of office

Section 5.06 Nonpartisan elections

Section 5.08 Recall

Article VI: Town Manager

Section 6.01 Appointment and qualifications

Section 6.02 Removal

Section 6.03 Powers and duties

Article VII: Town Clerk

Section 7.01 There may be a town clerk who shall be appointed by the town manager with the consent of the council

Article VIII: Town Attorney

Section 8.01 There shall be a town attorney appointed by the council, who may represent the town in all legal proceedings and shall perform all other duties assigned by the council. The council may remove the town attorney for any reason by motion requiring three affirmative votes.

Article IX: Administrative Departments

Section 9.01 Establishment of additional departments

Article X: Ordinances and Resolutions

Section 10.01 Definition of ordinances and resolutions

Section 10.02 Adoption of ordinances

Section 10.03 Adoption of resolutions

Article XI: Financial Procedures

Section 11.01 Fiscal year

Section 11.02 Submission of budget and budget message

Section 11.03 Council action on the budget

Section 11.04 Public records

Section 11.05 Budget amendments

Article XII: Initiative and Referendum

Section 12.01 Initiative and referendum

Section 12.02 Tolls Referendum

Article XIII: Charter Amendments

Section 13.01 Initiation by ordinance

Section 13.02 Initiation by petition

Section 13.03 Charter review

Article XIV: Severability

Section 14.01 Invalidity of charter provision or application

Article XV: Transition

Section 15.03 Creation and establishment of the town of Fort Myers Beach

Section 15.11 Contractual services and facilities

Section 15.12 Elimination of transition elements from the charter

Article XVI: Independent Special Districts

Article XVII: Revenue Sharing

Appendix C
Summary of the Goals and Objectives from the
Town on Fort Myers Beach Comprehensive Land Use Plan (CLUP)

Chapter 1 – Introduction

Chapter 2 – Envisioning Tomorrow’s Fort Myers Beach

Chapter 3 - Community Design Element

GOAL 1 To continually improve the appearance and functioning of transportation corridors, commercial areas, and links to natural and recreational areas.

OBJECTIVE 1-A ESTERO BOULEVARD — Improve the functioning and appearance of EsteroBoulevard as the premier public space and primary circulation route of Fort Myers Beach.

OBJECTIVE 1-B OTHER PUBLIC SPACES — Beautify public spaces throughout the island.

GOAL 2 To upgrade residential neighborhoods throughout Estero Island.

OBJECTIVE 2-A HIDDEN PATHS — Create an additional interconnected system of pedestrian and bicycle pathways throughout the island to improve mobility and promote community interaction.

OBJECTIVE 2-B SIDE STREETS — Encourage residents to achieve a higher ambition for their residential streets, improving their walkability, comfort, beauty, interconnectedness, and safety.

GOAL 3 To revitalize and improve specific transitional neighborhoods.

OBJECTIVE 3-A HEART OF THE ISLAND — Redevelop the School/Library/Bay Oaks area a the new “heart of the island.”

OBJECTIVE 3-B NEAR-TOWN NEIGHBORHOODS — Revitalize older residential areas using traditional neighborhood techniques for renovations and infill.

OBJECTIVE 3-C SANTINI “MAIN STREET” — Redevelop the Villa Santini Plaza and its environs as a “Main Street” town center for the south end of the island.

OBJECTIVE 3-D TIMES SQUARE — Stimulate the revitalization of the downtown core area (near Times Square) as the nucleus of commercial and tourist activities.

Chapter 4 – Future Land Use Element

GOAL 4: To keep Fort Myers Beach a healthy and vibrant “small town,” while capitalizing on the vitality and amenities available in a beach–resort environment and minimizing the damage that a hurricane could inflict.

OBJECTIVE 4-A SMALL-TOWN CHARACTER — Maintain the small-town character of Fort Myers Beach and the pedestrian-oriented “public realm” that allows people to move around without their cars even in the midst of peak-season congestion..

OBJECTIVE 4-B FUTURE LAND USE MAP CATEGORIES — Reduce the potential for further overbuilding through a new Future Land Use Map that protects remaining natural and historic resources, preserves the small-town character of Fort Myers Beach, and protects residential neighborhoods against commercial intrusions.

OBJECTIVE 4-C APPLYING THE FUTURE LAND USE MAP — The Future Land Use Map shall be interpreted in accordance with the following policies.

OBJECTIVE 4-D POST-DISASTER REDEVELOPMENT — Provide for the organized and healthy reconstruction of Fort Myers Beach after a major storm by showcasing successful local examples of floodproofing, by requiring redevelopment activities to meet stricter standards for flood- and wind-resistance, and by improving the current post-disaster buildback policy.

OBJECTIVE 4-E HAZARD MITIGATION — Mitigate the potential effects of hurricanes by easing regulations that impede the strengthening of existing buildings, by encouraging the relocation of vulnerable structures and facilities, and by allowing the upgrading or replacement of grandfathered structures without first awaiting their destruction in a storm.

OBJECTIVE 4-F REDEVELOPMENT — Take positive steps to redevelop areas that are reaching obsolescence or beginning to show blight by designing and implementing public improvements near Times Square to spur private redevelopment there, by supporting the conversion of the Villa Santini Plaza into a pedestrian precinct, by providing an opportunity for landowners to replace vulnerable mobile homes and recreational vehicles with permanent structures in the Gulfview Colony/Red Coconut area, and by providing building code relief for historic buildings.

Chapter 5 – Coastal Management Element

GOAL 5: To keep the public aware of the potential effects of hurricanes and tropical storms and to plan a more sustainable redevelopment pattern that protects coastal resources, minimizes threats to life and property, and limits public expenditures in areas subject to destruction by storms.

OBJECTIVE 5-A COASTAL PLANNING GENERALLY — Protect and enhance coastal resources through an on-going planning process that recognizes the advantages and limitations of living within a sensitive coastal environment. Enhancement of coastal resources can be measured by increased sea turtle nesting, improvements in estuarine water quality, and restoration of sand dunes. Important limitations on development in this coastal high hazard area include the existing over-concentration of people plus town, state, and federal policies against public expenditures that subsidize further private development.

OBJECTIVE 5-B NATURAL DISASTER PLANNING — Reduce the threat of loss of life and property resulting from catastrophic storms by reducing evacuation times and improving shelter capabilities from their current levels.

OBJECTIVE 5-C POST-DISASTER REDEVELOPMENT — Plan for post-disaster rebuilding that will reduce the exposure of human life and property to future disasters and improve the community in other ways during the rebuilding process.

OBJECTIVE 5-D BEACHES AND DUNES — Conserve and enhance the shoreline of Estero Island by increasing the amount of dunes, renourishing beaches to counter natural erosion, and reducing negative man-made impacts on beaches and dunes.

OBJECTIVE 5-E ACCESS TO THE WATER — Increase the number of well-maintained accesses to beaches, bays, and navigable waters to serve the existing and future population and visitors.

OBJECTIVE 5-F HARBOR PLANNING — Initiate a cooperative planning process for Matanzas Pass and surrounding waterways by 1998.

Chapter 6 – Conservation Element

GOAL 6: To protect the natural resources in and around the town from further damage and improve their future health and sustainability through regulations, education, enforcement, timely management, public improvements, and cooperation with other entities with similar goals.

OBJECTIVE 6-A ESTUARIES AND BAYS – Improve the condition and function of estuaries and bays surrounding Estero Island, including their components such as sea grass meadows, tidal flats, soft bottoms, oyster bars, tidal creeks, and open water.

OBJECTIVE 6-B WILDLIFE AND NATIVE HABITATS – Improve the viability of existing native coastal and upland habitats and establish additional areas for nature preserve and conservation uses.

OBJECTIVE 6-C PROTECTED SPECIES – Increase cooperation with local, state, and federal agencies in protecting wildlife species listed as endangered, threatened, or of special concern, and conserve the habitats upon which they depend in order to maintain balanced, biologically productive ecosystems.

OBJECTIVE 6-D WETLANDS – Preserve all remaining wetlands; protect them from further degradation; and improve their condition and natural functions.

OBJECTIVE 6-E DUNES AND BEACHES – Protect and improve dunes and beaches as recreation areas, valuable habitat, protection from storms, and areas of high scenic and aesthetic value. The effect of the town's efforts may be a noticeable transition from today's manicured and compacted beach towards a naturally appearing and functioning beach. This transition will be accomplished through education, regulation, and assistance in physical restoration activities.

OBJECTIVE 6-F AIR QUALITY – Continue to meet or exceed federal air quality standards based on monitoring results from state agencies.

OBJECTIVE 6-G SOIL EROSION – Conserve and protect soils to reduce water and air pollution from wind and water erosion.

OBJECTIVE 6-H WATER QUALITY – Improve the water quality and economic value of the water bodies surrounding the Town of Fort Myers Beach beyond the levels existing in 1997.

OBJECTIVE 6-I WATER SUPPLY – Insure continued supplies of drinking water of sufficient quantity and quality to meet the projected demands of all consumers and the environment.

OBJECTIVE 6-J GROUNDWATER – Maintain the quality of groundwater resources and improve as necessary to meet state or federal standards.

Chapter 7 – Transportation Element

GOAL 7: To improve peak-season mobility without reducing the permeability of Estero Boulevard to foot traffic or damaging the small-town character of Fort Myers Beach. The town seeks to reduce speeding, improve evacuation capabilities, and improve mobility through balanced transportation improvements such as a continuous system of sidewalks and bikeways, a network of trolleys and water taxis linked to off-island systems, and parking options matched to road capacity.

OBJECTIVE 7-A DEFINING THE PROBLEMS — Through this plan, the Town of Fort Myers Beach will address its three major transportation problems: congestion (by supporting public transit and pedestrian improvements), parking (by improving public parking near Times Square), and speeding (through passive traffic calming on Estero Boulevard).

OBJECTIVE 7-B CONVENTIONAL SOLUTIONS — The usual response to traffic congestion is widening roads or building alternate routes. Estero Island’s long narrow shape, frequent navigable canals, sensitive environmental, and highly urbanized character preclude these solutions. Congestion management at Fort Myers Beach must aim to reduce delay and improve safety, not just for motorists but for pedestrians and bicyclists as well.

OBJECTIVE 7-C EVACUATION ROUTE — Estero Boulevard’s critical function as the sole evacuation route for Fort Myers Beach shall be considered in all planning and development activities.

OBJECTIVE 7-D VARIETY OF TRAVEL MODES — The Town of Fort Myers Beach shall make efforts every year to improve mobility for its residents and visitors, striving for a balanced transportation system that allows safe movement even during peak periods of traffic congestion. These efforts may include further subsidies to improve the trolley system, the use of impact fees to improve sidewalks, and creation of critical links on the hidden path system.

OBJECTIVE 7-E UPGRADE ESTERO BOULEVARD — As part of its congestion avoidance strategy, the town shall methodically upgrade Estero Boulevard to reduce speeding and encourage walking, as higher traffic speeds and car oriented businesses are antithetical to its pedestrian character. (If a suitable partnership to this end cannot be achieved with Lee County, the town shall consider taking on maintenance responsibility for Estero Boulevard.)

OBJECTIVE 7-F OPTIMIZE THE PARKING SUPPLY — Off-island parking facilities served by convenient public transportation should be provided to meet peak season demands. For year-around demand, the town shall provide additional on-island public parking spaces, based in part on a new peak season occupancy survey of existing public parking spaces.

OBJECTIVE 7-G THE FUTURE OF THE BRIDGES — Match bridge capacity to Estero Island with the capacity of Estero Boulevard.

OBJECTIVE 7-H EXPERIMENT WIDELY — The town shall constantly search for innovative solutions to long-standing traffic problems and to new problems as they develop, and shall coordinate its efforts with those of the Lee County Metropolitan Planning Organization. The town shall serve as a catalyst for traffic engineering experiments that would evaluate minor improvements that might improve traffic flow at Fort Myers Beach. Some potential improvements are described in the following policies.

OBJECTIVE 7-I LEVEL-OF-SERVICE STANDARD — Maintain minimum acceptable levels of service for the transportation system.

OBJECTIVE 7-J PROTECTING PUBLIC ACCESS — Although no future right-of-way needs have been identified, some existing town and county rights-of-way are substandard and few are wider than needed. The town shall not vacate or acquiesce in the vacation of existing rights-of-way except where no public purpose would be served by retaining the right-of-way.

Chapter 8 – Utilities Element

GOAL 8: To improve the existing systems that provide safe drinking water, irrigation water, sewer service, and solid waste disposal in order to reduce environmental impacts on land and water while keeping costs as economical as possible.

OBJECTIVE 8-A RELATIONS WITH UTILITIES — Increase the town's role in influencing utility providers about service alternatives, facility locations, and conservation of resources.

OBJECTIVE 8-B LEVELS OF SERVICE — Maintain minimum acceptable levels of service for potable water, sanitary sewer, and solid waste disposal.

OBJECTIVE 8-C WATER CONSERVATION — Take all reasonable steps to conserve potable water supplies, aiming for a 10% per-capita reduction in water use by 2005.

OBJECTIVE 8-D SOLID WASTE — Add recycling pickup at commercial enterprises, and maintain an efficient solid waste system that stresses recycling of reusable materials plus safe and efficient disposal of that which cannot be recycled.

Chapter 9 – Stormwater Management Element

GOAL 9: To provide optimal flood protection and improved Stormwater quality within the constraints imposed by location and existing land-use patterns.

OBJECTIVE 9-A CONTAMINATION — Reduce the level of contamination that occurs as rainfall flows toward tidal waters.

OBJECTIVE 9-B RECHARGE — Increase groundwater recharge rates by reducing Stormwater runoff.

OBJECTIVE 9-C EROSION — Reduce erosion caused by stormwater runoff.

OBJECTIVE 9-D LEVELS OF SERVICE — Maintain interim levels of service for flood protection.

OBJECTIVE 9-E PRELIMINARY DRAINAGE STUDY — Identify by 1999 all existing drainage facilities and poorly drained areas.

OBJECTIVE 9-F STORMWATER MASTER PLAN — Evaluate by 2000 the need to improve public stormwater management facilities.

Chapter 10 – Recreation Element

GOAL 10: To provide residents and visitors of all ages a comprehensive, accessible system of parks, active recreation areas, open spaces, beach accesses, natural preserves, private recreational facilities, and cultural activities that provide a variety of recreational opportunities and promote an understanding of our community's environmental and cultural heritage.

OBJECTIVE 10-A NATURAL RESOURCES — Assume a leadership role with other agencies to improve the viability of the natural areas around the town as an integral part of a comprehensive recreational system. Measures of success may include public acquisition of additional beachfront land; designation of canoe trails or water shuttle service linking Fort Myers Beach to surrounding natural resources; or the successful implementation of a plan for the coordinated use and protection of Matanzas Pass.

OBJECTIVE 10-B BOWDITCH POINT PARK — Enhance the natural resources at Bowditch Point Park while increasing its accessibility for recreational purposes.

OBJECTIVE 10-C DOWNTOWN AS A RECREATION HUB — Make the Times Square area the nucleus of the town's comprehensive recreational system.

OBJECTIVE 10-D COMMUNITY RECREATION — Increase the already high level of access to recreation facilities, and maintain the required level of service for community parks.

OBJECTIVE 10-E NATURAL PRESERVES — Enhance public access to the town's nature preserve areas, while ensuring their ecological sustainability and providing for their long term maintenance.

OBJECTIVE 10-F CULTURAL FACILITIES AND PROGRAMS — Achieve a heightened appreciation of the town's recent and ancient history and cultural life.

OBJECTIVE 10-G PUBLIC ACCESS — Increase the number and quality of public access points to the Gulf beaches and Estero Bay.

OBJECTIVE 10-H NEIGHBORHOOD PARKS — Within five years, begin providing small scale parks to serve individual neighborhoods and pedestrians.

OBJECTIVE 10-I IMPLEMENTATION — Provide a comprehensive and cost-effective recreational system that meets the future needs of Fort Myers Beach.

Chapter 11 – Capital Improvement Element

GOAL 11: To provide major public improvements that help create the safe and beautiful community envisioned in this comprehensive plan.

OBJECTIVE 11-A CAPITAL IMPROVEMENTS PROGRAM — Adopt each year, as part of the budget process, a capital improvements program (CIP) that implements this plan, ensures the availability of services at adopted levels, and carries out the fiscal policies in this element.

OBJECTIVE 11-B LEVEL-OF-SERVICE STANDARDS — Adopt and maintain a concurrency management system that ensures that public facilities are provided in accordance with the adopted level-of-service (LOS) standards for potable water, sanitary sewer, solid waste, stormwater, recreation, and transportation.

OBJECTIVE 11-C CAPITAL FINANCING POLICIES — Manage the fiscal resources of the town to ensure the equitable financing of needed public facilities and services.

Chapter 12 – Housing Element

GOAL 12: To keep a wide variety of housing types available to people at all stages of their lives.

OBJECTIVE 12-A GENERAL HOUSING STRATEGIES — Maintain or increase 1997 federal/state funding levels for affordable housing; maintain an adequate supply of land to meet forecasted housing needs; and maintain current levels of on-island housing suitable for employees working within the town.

OBJECTIVE 12-B NEIGHBORHOOD-SPECIFIC HOUSING STRATEGIES — This plan's vision for revitalized and stable neighborhoods shall guide neighborhood-specific strategies to upgrade the housing stock and maintain a wide range of housing types and costs.

OBJECTIVE 12-C REVISE THE CURRENT REGULATORY SYSTEM — Complete a thorough revision of the town's land development regulations by the end of 1999 to provide clear and consistent rules for development and redevelopment.

OBJECTIVE 12-D HISTORICALLY SIGNIFICANT HOUSING — Retain at least 90% of the town's historically significant housing for residential uses (or appropriate adaptive re-uses).

Chapter 13 – Historic Preservation Element

GOAL 13: To maintain “the best of the old” when redeveloping our community by appreciating, protecting, and promoting the historic resources of Fort Myers Beach. To provide stewardship of the legacy of our predecessors, cultivating our understanding of the past as a means of sustaining our future.

OBJECTIVE 13-F GENERAL STRATEGIES — Begin in 1999 to develop programs to aggressively identify, document, and evaluate historic and archaeological resources in and around the Town of Fort Myers Beach in order to encourage their long-term protection.

OBJECTIVE 13-G REGULATIONS AND INCENTIVES — By the end of 1998, establish and maintain a regulatory and incentive system that promotes restoration, reconstruction, and re-use of the town's historic buildings.

Chapter 14 – Intergovernmental Coordination Element

GOAL 14: to efficiently coordinate plans, policies, and public services among the many public and private agencies that play important community roles.

OBJECTIVE 14-A COORDINATION OF PLANS — Ensure coordination of this comprehensive plan with comprehensive plans of Lee County and the Lee County School Board, other units of local government providing services but not having regulatory authority over the use of land, and with regional and state plans.

OBJECTIVE 14-B COORDINATION OF SERVICES — Ensure coordination among relevant entities in establishing level-of-service standards for public facilities, providing for efficient delivery of services, monitoring progress toward goals, and constructing improvements.

OBJECTIVE 14-C COORDINATION OF NEW DEVELOPMENT — Work closely with Lee County in evaluating and addressing the effects of new development.

OBJECTIVE 14-D COORDINATION OF IMPLEMENTATION — Promote cooperative solutions to multijurisdictional problems and opportunities through active participation in coordinating entities, strengthening coordination mechanisms, leading by example (particularly through timely implementation of the policies of the town's comprehensive plan), and fostering community involvement in implementing this plan.

Chapter 15 – Procedures and Monitoring