

1. Requested Motion:

Meeting Date: March 18, 2013

Adopt Resolution 13-06 accepting the Basic Financial Statements and Audit for Fiscal Year 2011-2012 as presented by the Town Manager and further move that the Town Manager be authorized to fulfill any administrative functions in filing these documents with the State of Florida as required by Florida Statute.

Why the action is necessary:

Required by the State of Florida.

What the action accomplishes:

This action fulfills the requirements of Florida Statutes regarding financial responsibility of a municipality.

2. Agenda:

Consent
 Administrative

3. Requirement/Purpose:

Resolution
 Ordinance
 Other

4. Submitter of Information:

Council
 Town Staff
 Town Attorney

5. Background:

The Basic Financial Statements and Audit for Fiscal Year 2011-2012 were presented by Richard E. Hartley of Mauldin & Jenkins, Certified Public Accountants, LLC on March 18, 2013 for review by members of the Town Council. The draft financial statements were available to the council prior to the meeting and Mr. Hartley provided his contact information so that any council members with any questions regarding the documents could contact him directly. These documents are presented to the Town Council for action and acceptance.

6. Alternative Action:

None

7. Management Recommendations:

Accept Basic Financial Statements and Audit for Fiscal Year 2011-2012 as presented.

8. Recommended Approval:

Town Manager	Town Attorney	Finance Director	Public Works Director	Community Development Director	Parks & Recreation Director	Town Clerk
						

9. Council Action:

Approved Denied Deferred Other

RESOLUTION OF THE TOWN COUNCIL OF THE
THE TOWN OF FORT MYERS BEACH, FLORIDA
RESOLUTION NUMBER 13-06

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH,
FLORIDA, ACCEPTING THE BASIC FINANCIAL STATEMENTS AND AUDIT FOR FISCAL
YEAR 2011-2012 AS PRESENTED BY THE TOWN MANAGER; AND PROVIDING AN
EFFECTIVE DATE

WHEREAS, Florida Statutes provide that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal 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 Council of Fort Myers Beach has convened in public meeting on June 7, 2010, following proper notice as required by Florida Statute; and

WHEREAS, the Town Council has reviewed the Basic Financial Statements and audit for FY 2012 (fiscal year 2011-2012) which had been previously provided.

IT IS HEREBY RESOLVED BY THE TOWN COUNCIL OF 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 has presented the Basic Financial Statements and Audit for the fiscal year 2011-2012.

SECTION THREE: Acceptance of Audit and Direction to Town Manager. The Town of Fort Myers Beach hereby accepts the Basic Financial Statements for the fiscal year 2011-2012. Said audit is attached hereto as Exhibit "A" and hereby incorporated by reference and the Manager is directed to perform all administrative duties and responsibilities with regard to the Town's statutory responsibilities with the State of Florida and otherwise.

SECTION FOUR: 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 FIVE: Effective Date. This resolution is effective immediately upon adoption.

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

Bob Raymond, Mayor
Alan Mandel, Vice Mayor
Jo List, Councilmember
Joe Kosinski, Councilmember
Dan Andre, Councilmember

DULY PASSED AND ADOPTED THIS 18th DAY OF March, 2013, BY THE
TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH

ATTEST:

By: _____
Alan Mandel, Acting Mayor

By: _____
Michelle D. Mayher, Town Clerk

Approved as to legal sufficiency:

By: _____
Fowler White Boggs, PA