

1. Discussion Objective:

Work Session Date: October 21, 2013

Review the current rules for Non-profit funding and determine if a change is necessary to better define the council's intent.

2. Submitter of Information:

- Council
- Town Staff
- Town Attorney

3. Estimated Time for this item: 30 minutes

5. Background:

- A. On August 30, 2012 at a Town Council Workshop on budget, a discussion was initiated by Council Member Mandel about funding requests from non-profits and how to best handle those criteria to be used in evaluating funding requests from non-profit organizations. He presented the Council with a two page document he used to frame the discussion. A copy of that document is included here along with minutes regarding that discussion.
- B. On September 17, 2012, the Town Council adopted a set of guidelines intended to determine which requests for funding or fee waivers would be brought to the Town Council for final discussion and decision. A copy of the agenda item and backup materials along with a copy of the minutes related to that item are included here as backup material.
- C. On November 19, 2012, the Town Council approved a major funding request (\$25,000) from the Fort Myers Beach Friends of the Arts. A copy of the agenda item and the minutes related to that item are also included herewith.
- D. Numerous request have been received for waiver of special Event Permit fees.
- E. Town Council also received another major funding request (\$25,000) from the non-profit organization Friends of Matanzas Preserve on May 6, 2013. That request was not approved and after much discussion council decide to readdress the issue of funding for non-profits and moved to place the matter on a future workshop session. A copy that agenda item backup materials and minutes is also included herewith.

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

Discussion ensued regarding the estimated amounts of the PST; how the PST reduced property taxes; the comparison of total budget for FY 2012 and FY 2013; taxes levied on an average house per \$100,000 in value; the overall property values in the Town; and how the PST helped to diversify the Town's revenue sources.

Town Manager Stewart reviewed Page 10 regarding revenues and expenditures, State requirements for a balanced budget, and the status of the reserve accounts.

Discussion ensued regarding the reserve, and the difference between Council-restricted and statutorily-restricted accounts.

Town Manager Stewart recommended continuing with reviewing the proposed Budget Book beginning with Page 12.

Council Member Mandel noted there were some sections that did not vary much from last year; and noted the departments he would like explanations for increases – General Services, \$225,000; Public Works, \$50,000; Parks & Recreation, \$40,000; Community Development, \$100,000.

Discussion was held and Town Manager Stewart and Finance Director Wicks responded concerning the following budget items:

- Town Council - none or nominal difference
- Committees - none or nominal difference
- Parks & Recreation - difference included contingency
- Town Clerk's Office - approximate 5% gap (Municipal Codes, etc.)
- General Services - \$200,000, fund accounting software, IT equipment replacement, Town insurances, seasonal and special events (fireworks)

Council Member Mandel noted that the Chamber of Commerce would not be able to become involved with the fund raising aspect of the fireworks for at least another year. He reviewed his handout concerning fund raising in general and fund raising for art, cultural, and historical events. He discussed his suggestion for evaluation criteria for funding requests to be limited to:

- 501C(3) status, past record of accomplishments.
- TDC and/or State funding.
- Membership contributions.
- A detailed presentation before Council should be required, as well as, a review of the financial statements of the group(s) making the requests.
- Recipient of funding shares profits with the Town (percentage to be determined with Council),
- The Town will be listed as a sponsor by the organization receiving funds from the Town.

Council Member Mandel discussed consideration of the funding requests from the Friends of the Arts and for fireworks.

Discussion ensued regarding fund raising efforts in the past for fireworks and events; potential future special event funding sources; the cost of a firework display; the cost of liability insurance for firework displays; and how to potentially evaluate funding requests for special events.

Town Manager Stewart asked if Council wanted the Town to use the evaluation criteria as suggested by Council Member Mandel for special event funding requests.

Discussion was held concerning the proposed evaluation criteria for special event funding requests; how the funds were budgeted for special event requests, and how funding applications were received by the Town in the past.

Finance Director Wicks suggested the Town place an advertisement, as done in the past, and to include a cut-off date of November 15th for applications requesting special event funding; and then Council could review the requests in December.

Discussion continued and Town Manager Stewart, Finance Director Wicks, and Public Works Director Lewis responded concerning the following budget items:

- Legal Services - nominal increase.
- Financial Services – reduction.
- Public Works Administration - Contracted Services, \$61,000 – basically for inspection services (i.e. Mound House, Newton Park, road resurfacing, etc.); stormwater work; \$74,000 for potential contractual services on an as-needed basis.

Discussion was held concerning the difference regarding cost and liability issues between using the services of an outside contractor versus a Town employees for certain projects.

Discussion continued and Town Manager Stewart, Finance Director Wicks, and Public Works Director Lewis responded concerning the following budget items:

- Public Works - Director Lewis readdressed the amount designated for contractual services noted previously, and pointed out that it included two positions related to beach maintenance; however, the positions were requested through TDC, and she stated she would move forward with the positions only if approved by TDC who would reimburse the Town for the position funds.

Discussion ensued regarding Crescent and Bowditch beaches which were owned by the County; and how the Town had approached the County regarding the maintenance, ownership, and TDC funding.

Discussion continued and Town Manager Stewart, Finance Director Wicks, and Public Works Director Lewis responded concerning the following budget items:

- Public Works - paver project and gazebo at Times Square.
- Public Works - West Coast Inland Navigational District funding assistance for marine law enforcement, and repair and replacement of the mooring system; Director Lewis discussed a need for some additional law enforcement for the waterways and noted that next fiscal year there may be some funding reductions from the West Coast Inland Navigational District.

Discussion ensued regarding the moored boats and clean-out services; abandoned or derelict vessels; marketing and/or advertising mooring availability and services; and seasonality of the mooring field.

Discussion continued and Town Manager Stewart, Finance Director Wicks, Public Works Director Lewis, and Parks & Recreation Director Evans responded concerning the following budget items:

- Public Works - parking fees, an RFP would be issued for parking services, parking revenues, parking at Newton Park.

Fort Myers Beach Town Council Work Session Meeting

August 30, 2012

Page 3 of 5

We should support the encouragement and development of arts and culture on our Island. Arts and culture add value to the tourism industry, which is the engine of our economy. Half of all Americans take at least one trip every year, and 80 percent of those travelers are looking for cultural or heritage tourism opportunities.

After a year of funding itself through generous contributions, the Fort Myers Beach Friends of the Arts applied for and was granted \$10,800 from the Tourism Development Council as well as \$2500 from the State of Florida for the 2012-2013 year. These grants are indicative of the success of the arts organization and it's contribution to our main industry.

The mission statement basically is the facilitation of art and culture during mostly non season periods by supporting various art groups.

Last year, the Friends facilitated exhibits by the Fort Myers Beach Art Association; Art of the Olympians; The Beach Artists Cooperative (BAC) for plays; The Fort Myers Beach Film Festival; The Florida Rep, for a play for the Beach Elementary School; and concerts by students from Cypress Lake High School. Additional programs are planned for the coming year.

These will strengthen tourism and our economy.

In addition, efforts should be focused on the heritage of our Island. As Mound House reaches completion, seminars might be considered, with the University of Florida Archeology Department. Advertised in archeological publications, these seminars might be conducted during non season and include not only lectures by visiting professors and scholars, but tours of Mound House and kyack tours of the area.

Our historical buildings and history should also be publicized as part of these efforts.

These will strengthen tourism and our economy.

Additional funding is required given the costs involved. The Fort Myers Friends of the Arts has asked the Town to fund the public relation (PR) efforts of the organization. Last year, the PR efforts not only obtained coverage of our events within the State, but in Canada and Europe. While only \$12,500 were spent, the equivalent of \$98,000 in press coverage was achieved. These efforts not only will help provide audiences for the presentations, but will inform people globally as to the desirability of visiting our Island.

Other art, cultural, and historical events should also be considered whether generated by arts groups, or community and/or business groups. Criteria for funding should show strong support for the organization and effort. Evaluative criteria might include:

- 501C(3) status
- Past record of accomplishments

- TDC and/or State Funding
- Membership contributions
- A detailed presentation before Council should be required as well as a review of the financial statements of the group(s) making the requests
- Recipient of funding shares profits with the Town; percentage to be determined with Council
- The Town will be listed as a Sponsor by the organization receiving funds from the Town.

The Council should consider funding these activities by allocating \$60,000 in the 2012-13 budget. \$35,000 for fireworks; \$25,000 for Friends of the Arts. In future years, if conditions permit, this amount might be raised to enable additional groups to participate.

Please join me in supporting the creativity of many of our Island residents, and other groups that will entertain, and enrich us, as well as help our economy.

1. Requested Motion:

Meeting Date: Sep 17, 2012

Approve the criteria for evaluating funding requests for charitable organizations.

Why the action is necessary:

This establishes the criteria to be applied evenly and fairly to all funding requests.

What the action accomplishes:

2. Agenda:

- Consent
 Administrative

3. Requirement/Purpose:

- Resolution
 Ordinance
 Other

4. Submitter of Information:

- Council
 Town Staff
 Town Attorney

5. Background:

At the August 30, 2012 work session, the Town Council discussed criteria to be used in evaluating requests from 501C3 organizations. Consensus of those present indicated a desire to adopt criteria as recommended. Recommended criteria is attached hereto.

6. Alternative Action:

7. Management Recommendations:

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

Criteria for Evaluating Funding Requests

Art, cultural, and historical events should also be considered whether generated by arts groups, or community and/or business groups. Criteria for funding should show strong support for the organization and effort. Evaluative criteria might include:

- 501C(3) status
- Past record of accomplishments
- TDC and/or State Funding
- Membership contributions
- A detailed presentation before Council should be required as well as a review of the financial statements of the group(s) making the requests
- Recipient of funding shares profits with the Town; percentage to be determined with Council
- The Town will be listed as a Sponsor by the organization receiving funds from the Town.

Council Member List explained the historical project that Messrs. List and Rodwell did regarding Matanzas Pass Preserve and how they used QR Codes to describe the historical spot using a smart phone.

Consensus requested the use of QR Codes for the historical designated spots be placed on the Action List.

VI. LOCAL ACHIEVEMENTS AND RECOGNITIONS

Mayor Kiker reported he and the Town Manager attended a P3 Seminar (Public/Private/Partnership).

VII. IMAGE OF FORT MYERS BEACH

Mayor Kiker noted there was a front page news article on the new shade structures at Crescent Park.

Discussion ensued about the intended resemblance of a sea grape for the shade structures.

VIII. ADVISORY COMMITTEES ITEMS AND REPORTS

No advisory committee speakers.

Council Member Mandel reported the Audit Committee met and they intended to appear before Council to request permission to study the investment policy for the Town.

Mayor Kiker reported that at the next Council Meeting there would be a presentation on the Public Safety Task Force Results.

IX. APPROVAL OF MINUTES

- A. August 20, 2012 Town Council Meeting
- B. August 20, 2012 Council Work Session
- C. August 30, 2012 Council Work Session

MOTION: Council Member Kosinski moved to approve the minutes of as presented; second by Council Member Mandel.

VOTE: Motion approved, 5-0.

X. CONSENT AGENDA

- A. Establish Criteria for Evaluating Funding Requests
- B. Request to Record a Restrictive Covenant for State Division of Cultural Affairs Grant #13-9035 for Mound House
A request to record a restrictive covenant to guarantee that Mound House located at 451

Connecticut Street is maintained as a cultural facility/museum for a period of ten years.

MOTION: Council Member List moved to approve Consent Agenda Item A and B; second by Council Member Kosinski.

VOTE: Motion approved, 5-0.

XI. ADMINISTRATIVE AGENDA

A. Public Notification of Proposed Potable Water Rate Adjustment

A request to schedule a public hearing for a water rate adjustment on November 5, 2012 at 9:00 a.m.

Town Manager Stewart noted the previous report to Council that Lee County had informed the Town that they approved a wholesale water rate increase. He explained there was a notification process that the Town was required to follow and requested to schedule November 5, 2012 at 9:00 a.m. for a public hearing.

Public Comment was opened.

No speakers.

Public Comment closed.

MOTION: Council Member Kosinski moved to approve the public notification associated with the proposed potable water rate increase and set November 5, 2012 at 9:00 a.m. for a public hearing; second by Council Member List.

Town Attorney Miller pointed out that the action should be accomplished by an ordinance; and noted that she spoke with the Public Works Director and that they would come before Council at a later date with a more comprehensive ordinance related to potable water that would provide for future rate changes by resolution. She stated that the request would be an ordinance on November 5th.

VOTE: Motion approved, 5-0.

B. Town Manager Performance Evaluation

Mayor Kiker reviewed the evaluation package (i.e. categories, weight factors, and scoring) and complimented the Council on the evaluation form which was discussed and created at a Council Work Session last month. He announced that the total score was 428 out of 500, "Exceptional – Generally exceeds Council expectations" and he read the recommendations:

- The Town Manager shall contact each Town Council Member on a regular basis.
- The Town Manager is to provide a monthly roll-up report on financial status, community concerns, and twice a year is to provide a formal annual review.
- The Town should pursue more federal grants.

Town of Fort Myers Beach
Agenda Item Summary

Blue Sheet Number: 2012-115

1. Requested Motion:

Meeting Date: Nov. 19, 2012

Approve a request for non-profit organization funding in the amount of \$25,000 from the Fort Myers Beach Friends of the Arts

Why the action is necessary:

Council approval is required in order for the town to provide this type of funding.

What the action accomplishes:

Enables the town to support initiatives the Town Council feels are important and vital to the quality of life in our community

2. Agenda:

Consent
 Administrative

3. Requirement/Purpose:

Resolution
 Ordinance
 Other

4. Submitter of Information:

Council
 Town Staff
 Town Attorney

5. Background:

- A. On 9/17/12, Town Council established guidelines for any organization wishing to request funding for a program project or event.
- B. The required request form was properly completed by the requesting organization, and contains all required signatures and notarizations.
- C. Total funding requested is \$25,000.
- D. All supporting documents are included with this package.

6. Alternative Action:

Provide a different level of funding or totally deny the request.

7. Management Recommendations:

Approve request

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

OCT 19 2012

RECEIVED BY



The Town of Fort Myers Beach has established guidelines (Council meeting of 9/17/12) for any organization wishing to request funding assistance from the town for a program, project or event. This form will assist the applicant in answering those requirements.

1. Name of your organization: Fort Myers Beach Friends of the Arts
2. All applicant organizations must be authorized 501(c)3 organizations. Please provide a separate notarized statement from an authorized organization officer attesting to this. See attached.
3. What is the title of the program, project or event for which you are requesting funding? Public Relations Project for the Town of Fort Myers Beach Arts
4. On a separate document, please provide a detailed explanation of your program, project or event.
See attached
5. Has your organization received either TDC or State of Florida funding for this program, project or event?
Yes___ No X. If yes, please provide specific information. Submit separate documents if necessary.
There have been no funds raised for this project, but the Friends were awarded grants from the TDC and VISIT FLA for the FMB Film Festival which we support.
6. Contributions by the organization or its members will be an important consideration for the town in reaching a decision. Are there such contributions? Yes X No___ . If yes, provide specific information.
Memberships provide much of our funds. We do a membership drive each year reaching out to the community.
7. Provide information about your organization's recent record of accomplishments with any programs, projects or events. (2 years if available). Submit separate documents if necessary.
We have only been in operation for 11 months. See attached our accomplishments.
8. If funded, the receiving organization agrees to list the Town as a sponsor. Said sponsorship must be included on all advertisements for the program, project or event. Signature of this form below acknowledges and accepts this requirement.
9. Financial statements covering this program, project or event will be subject to review by the Town. Signature of this form below acknowledges and accepts this requirement.
10. The applicant organization will be required to give a detailed presentation and answer any questions at a council meeting.


Signature of Authorized Organization Officer

10-12-12
Date Application Submitted



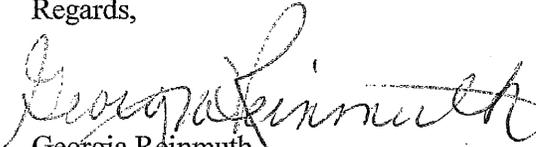
October 3, 2012

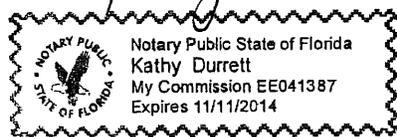
Town of Fort Myers Beach
2523 Estero Boulevard
Fort Myers Beach, FL 33931

Dear Mayor Bob Raymond and FMB Town Council:

We have applied for a 501 (c) 3 status last November, 2011. According to FL State Laws, we may operate as a 501 (c) 3 until final approval arrives. If you go to IRS online, you will see that they are just now reviewing applications from November 2011.

Regards,


Georgia Reinmuth
Treasurer

GREATER FORT MYERS BEACH AREA FRIENDS OF THE ARTS

Name of Company: Fort Myers Beach Friends of the Arts

Business Purpose: To facilitate and fund visual and performing art presentations in the greater Fort Myers Beach area.

Legal Address: 7225 Estero Boulevard, Fort Myers Beach, FL 33931

Company Management:

Directors: Corky Condon
290 Donora Blvd
Fort Myers Beach, FL 33931
239-207-2982

Mark List
202 Crescent Street
Fort Myers Beach, FL 33931
239-603-1198

Bud Nocera/FMB Chamber
17200 San Carlos Blvd
Fort Myers Beach, FL 33931
239-454-7500

Officers:

President:

Al Durrett
7253 Bay Beach Lane Unit #7F
Fort Myers Beach, FL 33931
239-470-1849

Vice-President:

Carla Mandel
7000 Estero Blvd Apt 601
Fort Myers Beach, FL 33931
239-980-7979

2nd Vice-President:

Beth Ann Tuyls
290 Dundee Road
Fort Myers Beach, FL 33931
239-825-1039

Secretary:

Bob Layfield
PO Box 7003
Fort Myers Beach, FL 33932
239-290-4039

Treasurer:

Georgia Reinmuth
7117 Quail Run Court W C13
Fort Myers, FL 33908
239-896-5927

Detailed explanation of our program, project or event:

The Fort Myers Beach Friends of the Arts was formed to provide residents and visitors with more art oriented events; including the performing arts and the visual arts. We should support the encouragement and development of arts and culture on our Island. Arts and culture add value to the tourism industry, which is the engine of our economy.

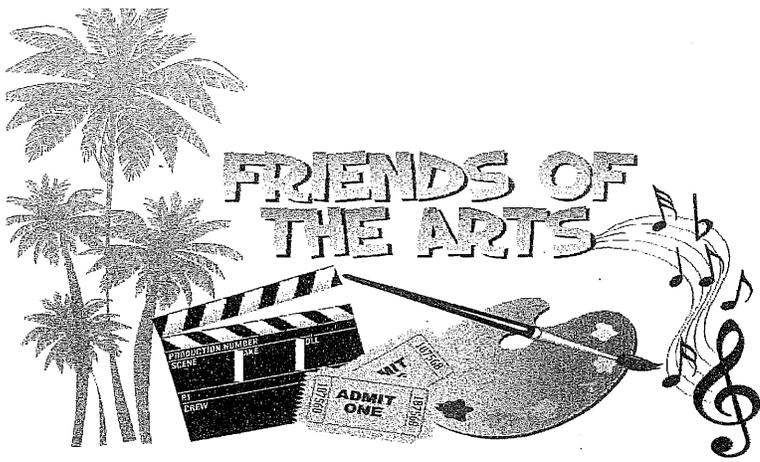
The Fort Myers Beach Friends of the Arts is asking the Town for ~~\$25,000~~ to fund the public relation efforts of this organization.

This grant would enable us to promote all events that are scheduled on FMB that pertain to the arts. It is not for just one project. Our purpose is to defray the expenses of public relations support that will attract and bring participants and patrons to art presentations on Fort Myers Beach. Anyone on the island that has an event relating to the arts would submit their request to us. It would be approved as an art event and then promoted through this grant.

In our efforts to bring back the FMB Film Festival last year, we worked with Above Water Public Relations. Our efforts not only obtained coverage of our events within the State, but in Canada and Europe. While only \$12,500 was spent, the equivalent of \$98,000 in press coverage/advertising was achieved. These efforts not only will help provide audiences for the presentations, but will inform people globally as to the desirability of visiting our Island; thus strengthening tourism and our economy.

MISSION STATEMENT

The Fort Myers Beach Friends of the Arts is a 501 C (3) tax deductible charitable organization. Its mission is to facilitate and fund arts presentations in the greater Fort Myers Beach area; enhancing economic conditions and the quality of life.



ORGANIZATIONS AND EVENTS WE SUPPORT

Paint the Beach – FMB Art Association

Event paid by sponsorships to the FMB Friends

Cypress Lake String Quartet

Donation made to students from Sponsorships

FMB Elementary School

Donation made to school from events

Heights Elementary Foundation

Poster Donation made to art class from Film Fest

Beach Arts Co-operative

Donation made to BAC from events

Beach Haus Productions

Donation made to Beach Haus from events

North Fort Myers Steel Drum Band

Donation made to NFM Steel Drum Band from event

FMB Film Festival

Revived and supported financially with membership donations

obe

Council Member Andre suggested, regarding corporate membership, that some type of limitation on the number of passes distributed by examined; and questioned the price charged per pass.

Council Member Kosinski suggested placing the Parks & Recreation aspect of the topic back on a Work Session in order to discuss details that needed to be defined such as but not limited to the criteria for free membership as it related to a taxpayer or resident.

Town Manager Stewart discussed aspects of a resident and taxpayer and how it would relate to membership at a community recreation facility. He noted doubts if corporate membership would be utilized; however, noted that if offered, the staff would track it and report back to Council.

Discussion ensued regarding corporate membership.

Vice Mayor Mandel and Council Member Andre had offered suggestions for changes to the initial motion including "membership for residents" and "annual."

MOTION: Vice Mayor Mandel moved to approve by Resolution 12-26 for the revised fee schedule with the following changes: Contractor Registration Fee (\$50), Street Performer Fee (\$100); eliminating the flex-membership and including annual membership for all residents of the Island at Bay Oaks; second by Council Member Andre.

VOTE: Motion approved, 5-0.

Mayor Raymond noted the corporate membership concept would be discussed further at the item would be placed on Agenda Management.

C. Request for funding from non-profit organization, Fort Myers Beach Friends of the Arts

Town Manager Stewart reported the Fort Myers Beach Friends of the Arts had submitted an application for funding from the Town in the amount of \$25,000 and the supporting documents were included in the Agenda Packet. He noted the guidelines established by the Council this past September for non-profit organizations who were seeking funding from the Town. He explained the Council could approve the requested amount, approve a different level of funding, or deny the request.

Public Comment opened.

Bob Layfield, Fort Myers Beach Friends of the Arts Board Member, discussed his belief that funding the request was the right thing to do. He reported the funds would be used to hire a professional public relations firm to assist the organization with the promotion of all the arts on the Island. He noted that none of the funds would be used for the purchase of media and that there goal was to promote all the arts on the Island.

Public Comment closed.

MOTION: Council Member Andre moved to approve a request for non-profit organization funding in the amount of \$25,000 for the Fort Myers Beach Friends of the Arts; second by Council Member Kosinski.

Council Member Andre asked how much funds were set aside for programs such as the Friends of the Arts.

Town Manger Stewart reported approximately \$100,000 was set aside for special events.

Council Member List noted that included in the Friends of the Arts application was a list of the organizations which benefited from them. She feels that if awarded these funds would go pretty far.

Mayor Raymond wondered how much of the \$100,000 set aside had been used up to this point. Town Manager Stewart responded that all of the funds remained at this point.

VOTE: Motion approved, 5-0.

D. Appointment to the Local Planning Agency

Town Manager Stewart gave a brief overview of the item stating that both residents are island residents and that one of the applicants currently serves on another board.

The two applicants were in attendance and were asked if they would like to give a brief introduction to the Council.

Ms. Rexann Hosafros (applicant) declined the opportunity because she recently gave a brief introduction before the Council for the vacant seat; therefore, she wanted to afford the other applicant the same chance she had.

Mr. James Steele (applicant) accepted the invitation to address the Council and give an introduction. He gave a brief overview of his life and stated that he was a current member of the Audit Committee.

A written vote was taken by the Town Council

Acting Town Clerk Bargmann announced there were three votes for Mr. James Steele and two votes for Ms. Rexann Hosafros. **Mr. Steele was appointed by vote to the vacant Local Planning Agency seat.**

XIII. PUBLIC HEARINGS

A. Introduction of Ordinance 12-09, Street Performers Program

AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA, CREATING A NEW DIVISION VII IN CHAPTER 10 OF THE TOWN OF FORT MYERS BEACH CODE OF ORDINANCES, TO BE ENTITLED "STREET PERFORMERS," CREATING SECTION 10-190, "DEFINITIONS;" SECTION 10-191, "PROHIBITION;" SECTION 10-192, "PERFORMER'S

1. Requested Motion:

Meeting Date: May 6, 2013

Motion to approve Matanzas Pass Preserve request for \$25,000 in funding to support its Education and Resource Station Project.

Why the action is necessary:

Action is required to provide a council response to the request as only Council has the authority to approve or deny such requests.

What the action accomplishes:

2. Agenda:

Consent
 Administrative

3. Requirement/Purpose:

Resolution
 Ordinance
 Other

4. Submitter of Information:

Council
 Town Staff
 Town Attorney

5. Background:

All funding requests from outside organizations or persons must be acted upon by Town Council. The Town Manager has reviewed the application and acknowledges the organization has completed the required submittal of all information.

6. Alternative Action:

Deny request.

7. Management Recommendations:

This item is a policy matter for Council consideration and action. Staff only reports that the applicant has provided all information as required to move this item to an agenda for consideration.

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



TOWN OF
FORT MYERS BEACH

MAR 20 2013

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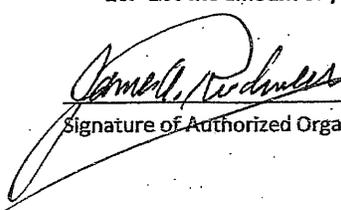
The Town of Fort Myers Beach has established guidelines (Council meeting of 9/17/12) for any organization wishing to request funding assistance from the town for a program, project or event. This form will assist the applicant in answering those requirements.

1. Name of your organization: FRIENDS OF THE MATANZAS PRESERVE, INC.
(All applicant organizations must be authorized 501(c)(3) organizations. Please provide a separate notarized statement from an authorized organization officer attesting to this.)
2. What is the title of the program, project or event for which you are requesting funding?
MATANZAS PASS PRESERVE EDUCATION AND RESOURCE STATION PROJECT
3. On a separate document, please provide a detailed explanation of your program, project or event.
ATTACHED
4. Has your organization received either TDC or State of Florida funding for this program, project or event?
Yes ___ No If yes, please provide specific information. Submit separate documents if necessary.

5. Contributions by the organization or its members will be an important consideration for the town in reaching a decision. Are there such contributions? Yes No ___ If yes, provide specific information.
SEE ATTACHMENT

6. Provide information about your organization's recent record of accomplishments with any programs, projects or events. (2 years if available). Submit separate documents if necessary.
SEE ATTACHMENT

7. If funded, the receiving organization agrees to list the Town as a sponsor. Said sponsorship must be included on all advertisements for the program, project or event. Signature of this form below acknowledges and accepts this requirement.
8. Financial statements covering this program, project or event will be subject to review by the Town. Signature of this form below acknowledges and accepts this requirement.
9. The applicant organization will be required to give a detailed presentation and answer any questions at a council meeting.
10. List the amount of your total funding request. \$ 25,000.00


Signature of Authorized Organization Officer

3/20/2013
Date Application Submitted

Application for Program, Project or Event Financial Support from the Town of Fort Myers Beach

For fiscal year 2012-2013



Friends of the Matanzas Preserve, Inc.
P.O. Box 6561
Fort Myers Beach, Florida 33931
A 501(c) 3 Tax Exempt Organization



March 20, 2013

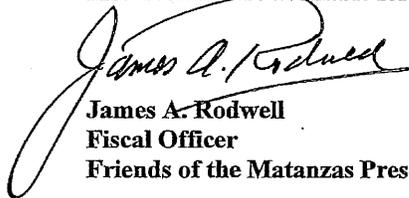
Town of Fort Myers Beach
2523 Estero Blvd.
Fort Myers Beach, FL 33931
Attn: Town Manager

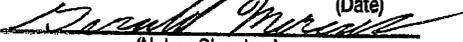
Re: Attest to Section 501(c)3 Status

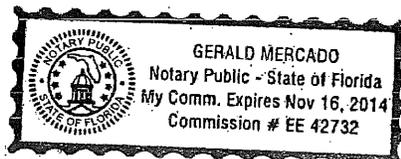
Sir

I attest that Friends of the Matanzas Preserve, Inc., is a Section 501(c)3 organization. Attached is IRS letter dated May 29, 2012, that recognizes the Friends as exempt under Section 501(c)3 in a determination letter issued in June 2008.

The Friends have filed federal tax return Form 990-EZ every year since 2008. Copies of filed returns are available for inspection.


James A. Rodwell
Fiscal Officer
Friends of the Matanzas Preserve, Inc.

State of FLORIDA County of LEE
Subscribed and sworn before me on 03/20/13
(Date)

(Notary Signature)





Department of the Treasury
Internal Revenue Service

P.O. Box 35045
Jacksonville FL 32202-0000

In reply refer to: 0752639087
May 29, 2012 LTR 4168C E0
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BODC: TE

FRIENDS OF THE MANTANZAS PRESERVE
INC
% THOMAS F MYERS PRES
190 TROPICAL SHORE WAY
FT MYERS BCH FL 33931-3316

010366

Employer Identification Number: 65-0708636
Person to Contact: Mr Lockley
Toll Free Telephone Number: 1-877-829-5500

Dear Taxpayer:

This is in response to your May 17, 2012, request for information regarding your tax-exempt status.

Our records indicate that you were recognized as exempt under section 501(c)(03) of the Internal Revenue Code in a determination letter issued in JUNE 2008.

Our records also indicate that you are not a private foundation within the meaning of section 509(a) of the Code because you are described in section(s) 509(a)(1) and 170(b)(1)(A)(vi).

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

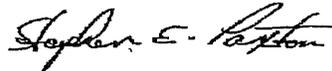
Please refer to our website www.irs.gov/eo for information regarding filing requirements. Specifically, section 6033(j) of the Code provides that failure to file an annual information return for three consecutive years results in revocation of tax-exempt status as of the filing due date of the third return for organizations required to file. We will publish a list of organizations whose tax-exempt status was revoked under section 6033(j) of the Code on our website beginning in early 2011.

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If you have any questions, please call us at the telephone number
shown in the heading of this letter.

Sincerely yours,



Stephen E. Paxton
Operations Manager, AM Operations 3

Friends of the Matanzas Preserve, Inc.
Question #3: Explanation of Capital Project

Traditionally, the Friends' sole mission has been to engage in land stewardship activities in the Preserve. Bimonthly workdays find volunteers working to remove exotic vegetation, plant native species and maintain trails. Although the land stewardship mission continues to be an important function of the organization, a movement has begun towards offering public service programs. These programs will directly benefit visitors and residents of the Town of Fort Myers Beach.

The first public service program began six years ago when the Friends held their first native plant sale on the Beach. This sale permitted the Friends to reach out to the community regarding the importance of planting native plants suited to a barrier island. Shortly thereafter, the Friends took on the responsibility of creating and implementing guided walks. The very first ethnobotany interpretive guided walk program in Lee County was developed and implemented by the Friends.

The Friends have also been involved in the creation of additional programs such as: Visions of the Past, Trails Day public events and the Earth Education program for elementary school children.

It is the goal of the organization to expand its Earth Education program and perhaps add a Junior Ranger program. Adding adult education programs is also envisioned as well as a weekly environmental lecture series during season that mirrors the program of the Friends of Barefoot Beach. Various programs and events that are offered at Six Mile Cypress Slough, Manatee Park, Corkscrew Regional Ecosystem Watershed, among others are being considered for adoption at the Preserve.

Current and projected programs fall under the following general categories:

- a. Children's ecology education;
- b. Adult ecology education;
- c. Recreational events in the Preserve;
- d. Ecological awareness by providing instructional material to Preserve visitors;
- e. Eco-tourism support;
- f. Florida Gulf Coast University colloquium classes and service hours; and
- g. Florida Gulf Coast University research projects

To achieve our goals, the Friends are seeking to acquire a facility that will enable the Friends to establish a presence at the Preserve. The purpose of the project is to build a facility that will provide a public restroom, space for resource displays, storage and a multipurpose class room. Such a facility will provide an infrastructure, resources and material support for the present and envisioned public service programs as briefly described above for Matanzas Pass Preserve.

The project includes acquisition of a 36' x 11' modular building that will be placed on a raised deck with a covered porch. Access to the building will include an ADA compliant ramp.

The Preserve is an asset to the town of Fort Myers Beach by not only providing storm protection with the mangrove fringe but providing a place for storm water wash overs and helping to keep property values stable in its surrounding neighborhood. All natural areas contribute to property values, but it is also an added dimension to a true barrier island experience and visit. Visitors and residents learn the value of beaches and mangrove forest, and this experience is not available in all beach communities. Educational programs, guided walks and fun events in the preserve provide a layer of understanding of our barrier island ecosystem that visitors and residents can take with them when they visit other tropical barrier islands. Understanding our natural systems is a goal of ecotourism as well as having fun in a beautiful natural area. This benefits all who visit from near and far, to love the areas they visit and take this ownership with them to provide the best environment for their homes and neighborhoods.

Friends of the Matanzas Preserve, Inc.

Question #5: Contributions by the Organization

- At the March meeting of the board of directors of the Friends of the Matanzas Preserve, Inc., the board approved a two year Capital Campaign to fund the construction of a facility at the Preserve. The Capital Campaign Plan has a goal to raise \$70,000 over a two year period. Each board member then pledged to make personal financial commitment to the Campaign.
- The board of directors designated funds in the amount of \$10,000 to the Capital Project in 2012.
- It is anticipated that the board will designate an additional \$10,000 from fund raising activities in 2013.
- An additional \$15,000 in funding is anticipated in pledges from regular and life members, businesses, grants, and other individuals.

Friends of the Matanzas Preserve, Inc.

Question #6: Record of Accomplishments

- Friends' have logged close to 2,000 volunteer hours in service to the Preserve per Lee County records.
- Volunteers take part in land stewardship activities in the Preserve every two weeks year around.
- Interpretative guided walks for visitors to the Preserve are conducted by volunteers every week during the five month winter season.
- The first ethnobotany interpretative program in Lee County was developed and implemented by the Friends.
- Specialized guided walks for Florida Master Naturalist classes.
- 347 Lee County third graders participated in the Earth Education Home Sweet Home project that was implemented by the volunteers. The first time this program was conducted by a park or preserve in Lee County.
- Establishment of a seeding station in the Preserve for the purpose of promoting the growth and preserving the genetic codes of endangered species. This is the very first seeding station devoted to preserving native species in all of the Lee Counties Parks and Preserves.
- Organized and participated in events in the Preserve such as Visions of the Past and Trail Days.
- Conducted plant sales of native plants on the Beach for the past six years.
- Developed and implemented a fully operational website.
- Opened the first smart trail in a Lee County Preserve using QR codes linked to videos on YouTube.

- Ongoing program to revise a 30 year old plant list. To date over 125 species have been identified and photographed in the Preserve.

Friends of the Matanzas Preserve, Inc.
Statement of Uses and Sources of Funds
Facility Capital Project

Uses of Funds

Estimated Building Costs

Site plan and survey	\$	4,700
Modular unit 36' x 11' with shipping and permitting		30,000
Interior finish and furnishings		10,000
Utility hookup		5,000
Materials		
Footings	\$	900
Deck and stairway		4,400
ADA ramp		2,200
Pergola roof and support post		1,000
Total materials		8,500
Labor (120 hours x \$45)		5,400
		<u>63,600</u>
12% Contracting fee on materials and labor		1,620
10% contingency fee		6,400
Total uses of funds	\$	<u><u>70,000</u></u>

Sources of Funds

Individual pledges from Friends board members	\$	10,000
Friends net assets designated from 2012 fund raising		10,000
Friends net assets designated from 2013 fund raising		10,000
Pledges from Friends life and regular members, businesses and other individuals		5,000
Grant requests		35,000
Total sources of funds	\$	<u><u>70,000</u></u>

B. Matanzas Pass Preserve Request for Funding

A request for a motion to approve Matanzas Pass Preserve request for \$25,000 in funding to support its Education and Resource Station Project.

Town Manager Stewart explained he reviewed the application based upon the criteria established by Town Council in order to determine whether or not the applicant would qualify for Council's consideration. He reported the applicant had met the various criteria necessary to submit the application; however, that did not denote the Town Manager's recommendation or approval of the application.

Council Member Andre asked if this request pertained to the remaining funds the Town had set aside for various items/requests.

Town Manager Stewart reported he was unsure of the exact amount of the remaining funds.

Discussion was held concerning what the funds could be used for and the remaining funds available.

Public Comment opened.

Jim Rodwell, Board Member of the Friends of Matanzas Pass Preserve (Friends), noted that Council had approved a similar amount to another not-for-profit organization a few months ago. He mentioned that in the past he had individually spoken with the Council about having a facility at the Preserve. He described how funding from the County had always been problematic; and reported the Friends may receive some in-kind services from the County in 2014, but no funding. He added that the Friends of Matanzas Pass Preserve would need to raise about \$70,000 for the facility, and they were hoping the Town would assist them in their fundraising efforts. He stated the proposed building would not be a recreation center for the Friends of Matanzas Pass Preserve or a gift shop or a nature center; rather it would be a building to support their programs. Mr. Rodwell reported the four programs were land stewardship, education, events, and resources; and added that the land stewardship program did not require a building. He explained how the education program (i.e. programs for adults and children) would benefit from having a facility. He stated that Lee County would not be conducting any events this year in the Matanzas Pass Preserve due to budget cutbacks. He discussed events, both existing and proposed, at the Preserve and how a facility would benefit that programming. He explained how the proposed facility would assist with resource programming (i.e. walking guides with QR codes, display boards, etc.).

Council Member Raymond explained that he could not support the request because the site was a County-owned property. He added that he personally supported the proposed building; however, he did not believe the Fort Myers Beach taxpayers should be the only ones to support it.

Council Member Andre noted that the Town did benefit from Matanzas Pass Preserve.

Council Member List asked who would own the proposed building.

Mr. Rodwell reported the County had approved the project all the way up to their highest level; the County would own the building; and the Friends would have an interlocal agreement with the County. He added that the Friends would operate the proposed building and there would be no staff located at the proposed building.

Town Manager Stewart added that, as a general rule, when a structure was constructed on a government-owned property [absent any contract to the contrary] the structure became the property of the owner.

Town Attorney Miller explained an agreement could be structured any number of ways, but normally the entity that owned the property under the structure wanted to own the building.

Town Manager Stewart noted that the subject funding set aside by Council was to be used for '*art, cultural, and historic events*'.

Council Member List explained that her first reaction was that the subject site was County property; however, the Preserve had greatly benefited the Town.

Vice Mayor Kosinski noted the Preserve benefited the Town and the Friends did a lot for the community.

Mayor Mandel asked if Council had set a deadline for funding requests.

Town Manager Stewart reported that traditionally Council had asked organizations to submit requests for major funding before the beginning of the year.

Mayor Mandel noted he was a member of the Friends of Matanzas Pass Preserve; and that the Preserve did benefit the Town and tourism.

Vice Mayor Raymond asked how much the Town would spend on fireworks since they had taken over that responsibility.

Town Manager Stewart reported the Town would spend approximately \$70,000 on fireworks between two events.

Vice Mayor Raymond reiterated his objections to spending Town funds for a project on County-owned property. He noted to the Town Manager that when the budget was presented to Council, he would be looking at the funding allocated for events and programs.

Discussion was held regarding placing the funding request in next year's budget.

Jeff Butzer, resident and member of the Friends of Matanzas Pass Preserve, explained that the request was about programming; that the programming helped to make the Preserve come alive; and that funding the Friends request would be a good use of the money.

Public Comment closed.

Council Member Raymond pointed out that the Council should keep in mind what would they do the next time an organization came before Council with a funding request.

Town Manager Stewart mentioned that at the appropriate time in the Agenda he would speak to Council about a methodology that might help them through these types of issues.

Discussion ensued regarding programming requests versus construction requests; and postponing the funding request until the next budget cycle or 'escrowing' the funds.

Mr. Rodwell stated the funds, if approved, could be escrowed with the restriction that it could not be spent until the project began. He suggested the Council consider making a 'pledge' for the payment in the next budget cycle.

Discussion was held concerning that the request was for funding construction and not programming; and reviewing the matter further at a Work Session prior to approval.

Council Member Andre stated he was a member of the Board of Directors for the Friends of the Matanzas Pass Preserve.

MOTION: Council Member List moved to table the request and set-up a date and time for the item to be on a Work Session; second by Vice Mayor Kosinski.

VOTE: Motion approved; 5-0.

C. Bond Attorney Presentation

This presentation was to inform the Council of impending financing that may be required for the potable water system rebuild.

Town Attorney Miller introduced Attorney Christopher Traber of Nabors Giblin & Nickerson.

Town Manager Stewart explained that Council would be dealing with determining ways for the Town to finance the potable water project.

Attorney Christopher Traber of Nabors Giblin & Nickerson utilized a PowerPoint presentation to inform Council of the impending financing that may be required for the potable water system rebuild as follows:

- Bonds, Notes or Other Debt
 - Local government borrows money to acquire or construct capital projects.
 - Interest received on debt by holder may be excluded from income for federal tax purposes.
 - Issued pursuant to local law, state law, federal tax law and state/federal securities law.
- Typical Flow of Funds – Underwriter, Issuer, Paying Agent, and Bondholders; debt service; and key documents
- Milestones in Financing
 - Revenue Analysis/Project Needs/Structuring Review