

RESOLUTION OF THE TOWN COUNCIL OF
THE TOWN OF FORT MYERS BEACH, FLORIDA
RESOLUTION NUMBER 95-4

A RESOLUTION ESTABLISHING AN EMERGENCY; WAIVING THE REQUIREMENT FOR COMPETITIVE NEGOTIATIONS AND CONTRACTORS BIDDING; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Fort Myers Beach, Florida will assume all governmental, corporate and proprietary powers provided Florida municipalities by law as of December 31, 1995; and,

WHEREAS, in order to properly exercise the governmental powers and duties required for the protection of public health, safety and welfare of the citizens of Fort Myers Beach, the Fort Myers Beach Town Council has determined the need to rent space in a building; and,

WHEREAS, modifications must be made to the structure; and,

WHEREAS, time is of the essence in providing such facilities and an emergency exists;

NOW, THEREFORE IT IS HEREBY RESOLVED BY THE TOWN OF FORT MYERS BEACH, FLORIDA as follows:

SECTION 1. Establishing an emergency. This resolution is necessary to meet a public emergency affecting life, health, property, and the public peace and is therefore exempt from notice requirements.

SECTION 2. Waiver of requirements of competitive negotiations and contractor bidding. The Town Manager is authorized and directed, without compliance with competitive negotiations or bidding procedures, to retain the appropriate professional for the design of the required building modifications and a contractor to perform

the construction.

SECTION 3. Effective Date. This resolution shall become effective immediately upon adoption.

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

Anita T. Cereceda	<u>aye</u>
Ted FitzSimons	<u>aye</u>
William (Rusty) Isler	<u>aye</u>
Garr Reynolds	<u>aye</u>
Ray Murphy	<u>aye</u>

DULY PASSED AND ADOPTED this 28th day of December, 1995.

ATTEST:

By: William A. Mills
William A. Mills, Town Clerk

TOWN OF FORT MYERS BEACH

By: Anita T. Cereceda
Anita T. Cereceda, Mayor

Approved as to form by:

Richard V.S. Roosa
Richard V.S. Roosa, Town Attorney