RESOLUTION 2025-04

A RESOLUTION OF THE VILLAGE OF ESTERO, FLORIDA, ESTABLISHING A POLICY REGARDING COUNCIL APPROVED PROCLAMATIONS; MAKING RELATED FINDINGS; PROVIDING FOR SEVERABILITY AND FOR AN EFFECTIVE DATE.

WHEREAS, the Village Council regularly receives a variety of requests for it to issue proclamations in support of a broad range of persons, entities, events, topics, and initiatives; and

WHEREAS, the law does not compel a municipal governing board to issue any proclamations, which by their nature are expressions of the governing board itself, which has the sole authority to determine which subjects are worthy of a proclamation; and

WHEREAS, in light of the many requests received each year, and the need to articulate why certain requests are not granted, the Council has determined that the Village should formalize a policy related to which topics are appropriate for the issuance of a proclamation of the Council; and

WHEREAS, the Council finds that the adoption of this Resolution is in the best interests of the Village's residents and businesses.

NOW, THEREFORE BE IT RESOLVED by the Village Council of the Village of Estero, Florida, that:

Section 1. The following policies apply to requests for Village Council proclamations which are submitted either from the public or a Council Member:

A. A proclamation may be requested by any Village Council Member, or any resident or business residing or located in the Village.

B. Requests for a proclamation must be accompanied by documentation which will be of sufficient detail to allow the Village to verify eligibility under the standards established in this Resolution. While not mandatory, proposed text of the resolution is also encouraged to be submitted although the Village reserves the right to modify or reject proposed language.

C. Requests for a proclamation must be reviewed by Village staff to ensure compliance with the policies established in this Resolution. Therefore, persons or entities desiring a resolution must submit such requests, along with all required backup documentation and narratives, as early as possible but not later than thirty days prior to the Council meeting date on which the proclamation is desired to be adopted. Failure to submit in advance may result in an inability of staff to conduct the necessary reviews in time for the desired adoption date.

D. Proclamations must be specific to the Village of Estero, Florida. Persons or entities requesting proclamations must be clearly associated with the person, entity, event, topic or initiative being honored or addressed in the proclamation.

E. The person, entity, event, topic or initiative which is to be the subject of a proclamation must be of specific significance, interest or relevance to Estero residents, businesses, initiatives or programs. While the interest can also be applicable to other communities (such as to the Village's fellow Lee County municipalities but with particular interest to interests shared with the Village), regional, statewide, or national subjects are generally not eligible to receive proclamations.

F. Village Council proclamations must be for or related to:

- Persons, entities, events, topics, and initiatives with specific significance, interest or relevance to Estero residents, businesses, initiatives or programs, or to the Village government,

- Matters directly related to the culture or history of the Village of Estero,

- A commemoration of a specific accomplishment, point in time, or event that impacts the Village's residents, businesses, or Village government in a manner different from similar impacts on broader society,

- Commemoration of significant one-time individual milestones such as a Village resident's centennial birthday, a Village employee's attainment of a significant professional designation, a resident's attainment of Eagle Scout status, a Village business's 50th anniversary, and similar milestone events where the person or entity being honored is a Village resident or business, or is directly related to the Village,

- Recognition of a special event within the Village which is being sponsored or co-sponsored by the Village,

- A statement of the Village Council supporting or opposing any legislative measure proposed or pending before the Florida Legislature or the United States Congress which legislation has or would have a significant impact on the Village.

- Recognition of an act of heroism, bravery or ethical integrity which occurred within the Village, or which directly benefitted the Village or one or more residents of the Village.

G. Proclamation requests may not be approved:

- To advertise or promote a business or organization, except where that business or organization is being recognized for a special contribution it has made to the Village

or the Village's community,

- For events or organizations with no direct relationship to Estero,
- For matters which are otherwise widely recognized, such as state or national holidays, days of mourning, or commemorations.
- For campaigns or events contrary to Estero policies, the adopted positions of the Council, or the wellbeing of Estero's citizens,
- Regarding a political party or any individual, group, organization or business which is actively involved in any political campaign,
- In recognition of common individual milestones (birthdays, graduations, etc.), with the exceptions of significant one-time individual milestones such as a Village resident's centennial birthday, a Village employee's attainment of a significant professional designation, a resident's attainment of Eagle Scout status, a Village employee's retirement, a Village business's 50th anniversary, and similar milestone events where the person or entity being honored is a Village resident or business, or is directly related to the Village,
- In the nature of a "lifetime achievement award" where the individual is still living.

H. Nothing herein shall preclude the authority of the Council to determine, on its own, to issue a proclamation on any subject it determines is in the Village's best interests.

Section 2. The Village Manager and Village Clerk are authorized to directly respond to persons or entities seeking proclamations to inform them that their request does not fall within the subjects which are authorized to receive proclamations under this policy, or that additional supporting materials are necessary to allow the request to be considered.

Section 3. If the Manager determines (after consulting with the Village Attorney on any legal concerns), that the proclamation request appears to satisfy the criteria set forth in Section 1 above for the granting of a proclamation, the Manager, Clerk, or their respective designee, shall draft a suitable proclamation for placement on a future Council agenda. The ultimate decision to adopt a proclamation shall be the sole discretionary decision of the Council.

Section 4. The Village will bear the cost of finalizing a proclamation and may also acquire a suitable low cost frame. However, no other Village resources should be used related to proclamations.

Section 5. Notwithstanding the limits on the adoption of a proclamation set forth in this Resolution, any individual Council Member may provide letters of

commendation or support on Village letterhead, in the name of that Council Member only and not speaking for the Village Council, regarding any person, entity or event that Council Member deems appropriate. However, if a Council Member does so, he or she shall perform all work associate with printing, mailing or otherwise distributing copies of such correspondence. Council Members shall not ask staff to do this work.

Section 6. The Village Manager shall ensure the proclamation criteria and rules set forth in this Resolution are posted on the Village's website such that those who may wish to request a proclamation may be able to easily review the criteria and rules.

BE IT FURTHER RESOLVED that the creation of this policy regarding proclamations does not, and is not intended to, create a First Amendment forum. The Village Council reserves the sole discretion to adopt or not adopt a proclamation, which are solely expressions of the Village Council.

BE IT FURTHER RESOLVED that if any section, subsection, sentence, clause, provision or word of this Resolution is held unconstitutional or otherwise legally invalid, same shall be severable and the remainder of this Resolution shall not be affected by such invalidity, such that any remainder of the Resolution shall withstand any severed provision, as the Village Council would have adopted the Resolution even absent the invalid part.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon adoption.

DULY ADOPTED with a quorum present and voting this ___ day of May, 2025.

_____
Joanne Ribble, Mayor

Attest:

_____
Carol Sacco, Village Clerk