

VILLAGE OF ESTERO
VILLAGE COUNCIL MEETING
PACKET
JULY 5, 2023, 09:30 AM

www.Estero-fl.gov

The Village Council Meeting will be conducted physically in Council Chambers at Village Hall, 9401 Corkscrew Palms Circle, with an opportunity for members to participate virtually. The meeting will be broadcasted live via the Village of Estero website https://estero-fl.gov/council/watch-meetings-online/. Please see the bottom of this agenda for further information and instructions for public participation.

AGENDA
VILLAGE COUNCIL MEETING
9401 Corkscrew Palms Circle, Estero, Florida

July 5, 2023, 09:30 am

1. CALL TO ORDER

INVOCATION

Pastor Phil McMillan from Ocean Church

PLEDGE OF ALLEGIANCE

ROLL CALL

2. APPROVAL OF AGENDA, ADDITIONS, AND DELETIONS

3. PUBLIC COMMENT ON NON-AGENDA ITEMS

4. CONSENT AGENDA

a. June 21, 2023 Council Meeting Minutes

Attachment: 06212023_minutes.pdf

5. CONSIDERATION OF ITEMS DEFERRED FROM CONSENT AGENDA

6. ACTION ITEMS

a. Resolution No. 2023-12

A Resolution of Village Council of the Village of Estero, Florida, determining the proposed Millage Rate for fiscal year 2023-2024, setting the date, time and place for the public hearing required by state law; directing staff to transmit necessary documentation pursuant to the requirements of Florida Statutes and the rules and regulation of the department of revenue; and providing an effective date.

Recommended Action
Motion to adopt Resolution No. 2023-12.

Financial Impact
Approval of the resolution will provide the required information to initiate Ad Valorem taxes for the Fiscal Year 2023-2024.

Attachment: SS Resolution No. 2023-12 Millage Rate.pdf
Attachment: Resolution No. 2023 -12 Proposed Millage Rate.pdf

b. Presentation of the Comprehensive Annual Financial Report for the Fiscal Year Ended September 30, 2022 by Jeff Tuscan, CPA, Tuscan &. Company, PA.

Recommended Action
Approve Comprehensive Annual Financial Report.

Financial Impact
There is no financial impact of this report.

Attachment: SS Tuscan Audit Presentation.pdf
Attachment: 1 Cumulative Report of Findings _ Mgmt Letter Comments FY 22.pdf
Attachment: 2 2022 Village of Estero ACFR.pdf
Attachment: 3 Village of Estero Graphs FY 22.pdf

c. Village of Estero Water Monitoring Contract - 2024

Recommended Action
Motion to approve award of Supplemental Task Authorization 06 to Contract EC 2022-38 to Johnson Engineering to provide water monitoring services for The Village of Estero for $146,340.

Approve a $14,600 contingency for additional services that may be required to complete the project.

Authorize the Village Manager to sign the STA and other additional implementing documents within the scope of the STA on behalf of the Village of Estero Council.

Financial Impact
The project's financial impact is $160,940 ($146,340 plus $14,600 contingency).

Sufficient funds are available in Fiscal Year 2022-2023 unallocated general funds to fund this contract. The Fiscal Year 2023-2024 budget will include $170,000 under Water Level & Water Quality Monitoring to fund this project.

Attachment: SS VOE Water Monitoring Contract - 2024.pdf
Attachment: Location Maps.pdf
Attachment: EC 2022-38 STA 38 Water Monitoring.pdf
Attachment: Vendor Disclosure Form - WQ Monitoring_signed.pdf

d. Sandy Lane Path Prefabricated Bridge - Request for Bid (RFB) 2023-07

Recommended Action
Approve award of RFB 2023-07, Sandy Lane Path Prefabricated Bridge to Contech Engineered Solutions, LLC to provide the bridge as provided in the contract, at a grand total cost of $239,500.

Also approve a contingency fund amount of $23,950 (an amount equal to 10% of the total project cost) to cover unforeseen circumstances which may occur.

Authorize the Village Manager to execute the contract documents on behalf of the Village of Estero Council.

Financial Impact
The financial impact of the proposed project is $263,450. This includes the contract amount plus a 10% contingency. There are sufficient funds ($2,056,380) in the Fiscal Year 2022-2023 Sandy Lane Bike-Ped Improvements project budget to fund this contract.

Attachment: SS - Contech.pdf
Attachment: Contech Bid.pdf
Attachment: Contract - Contech.pdf
Attachment: Vendor Disclosure Form.pdf

e. Roadway/Sidewalk Assessment - Contract EC 2022-32 STA 01

Recommended Action
Motion to approve STA 1 to Contract 2022-32 with Tetra Tech, Inc. for the preparation of an engineering assessment of the existing roads and sidewalks maintained by the Village of Estero for $256,060.

Approve a $25,600 contingency (10%) for additional services that may be required to complete the project.

Authorize the Village Manager to sign the STA and other additional implementing documents within the scope of the STA on behalf of the Village of Estero Council.

Financial Impact
The fiscal impact is $296,160 for the roadway/sidewalk assessment project initial year cost. This includes $256,060 for the roadway/sidewalk assessment, a 10% project contingency of $25,600, and an approximate $14,500 cost for the Streetlogix software and initial year of maintenance fees. Thereafter, the annual maintenance fee for the Streetlogix software is currently $8,500.

Attachment: SS Road-Sidewalk Assessment EC 2022-32 STA 1.pdf
Attachment: EC 2022-32 STA 1 Document.pdf
Attachment: EC 2022-32 STA 1 Vendor Disclosure Form DN.pdf

f. Seminole Gulf Railway License Agreement

Recommended Action
Motion to Approve the Seminole Gulf Railway license agreement and approve payment of $55,233.34 to Seminole Gulf Railway to secure the license agreement.

Authorize the Village Manager to execute the agreement on behalf of the Village Council.

Financial Impact
Per the license agreement the Village of Estero will pay Seminole Gulf $55,233.34 in the first year. Following years will be $48,533.34 plus CPI or 2.5%, whichever is higher.

The Fiscal Year 2022-2023 Budget includes sufficient Capital Improvement Funds that area available for this project. A future budget amendment will specifically allocate funds for this project.

Attachment: SS SGR License Agreement.pdf
Attachment: Village of Estero - Swale from AX 979.84 to Estero River.pdf
Attachment: Location Map.pdf

g. Resolution No. 2023-14 Budget Amendment

A Resolution of the Village Council of the Village of Estero, Florida, Approving the First Budget Amendment for Fiscal Year 2022-2023 to Approve the Use of Village Funds and to Recognize Increased Revenues and Increased Expenditures For Capital Projects and Debt Retirement; and Providing an Effective Date.

Recommended Action
Motion to adopt Resolution No. 2023-14.

Financial Impact
Approval of the resolution will allocate fund balance carryforward for each fund within the Fiscal Year 2022-2023 budget.

Attachment: SS Resolution No. 2023-14 Budget Amendment _1.pdf
Attachment: Resolution No. 2023 -14 Budget Amendment _1.pdf
Attachment: Balance Sheet Governmental Funds September 30_ 2022.pdf

h. Estero Entertainment District P3 Partners Term Sheets

Recommended Action
Motion to approve the terms set forth in the Chicken N Pickle and High 5 term sheets dated July 5th 2023, and to authorize the Village Manager to proceed with negotiating a final Public Private Partnership Agreement and related CAM and lease agreements with each company based on these terms.

Financial Impact
In addition to the purchase price for the property, the Village will be required to invest approximately $12M for the public infrastructure to support this project. Funds for this purpose are available within the current Village budget but may require a reprioritization of the Capital Improvement Program or some form of debt financing, at the discretion of the Village Council.

Attachment: SS Entertainment District .pdf
Attachment: High 5.pdf
Attachment: Chicken N Pickle.pdf
Attachment: Village Center Hub Council Documents.pdf

7. SECOND READING

a. Second Reading of Ordinance No. 2023-06 Coconut Road EPD Rezoning

An Ordinance of the Village Council of the Village of Estero, Florida, Considering a Rezoning from Mixed Use Planned Development (MPD) to Estero Planned Development (EPD) for a 45.6-Acre Parcel on the Northwest Corner of US-41 and Coconut Road; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.

Recommended Action
Approve Ordinance No. 2023-06 with staff-recommended conditions

Financial Impact
Minor cost for newspaper advertisement for second reading.

Attachment: 1 SS Ord 2023-06 2nd Reading Coconut Road EPD _002_.pdf
Attachment: 6-29-23 DRAFT Ordinance 2023-06 Coconut Road EPD.pdf
Attachment: 3 VC transcript 6-21-2023.pdf
Attachment: 4 eComments.pdf
Attachment: 5 Council Staff Report 2nd Reading 6-21-2023.pdf
Attachment: 5 A. Staff Report Attachment - Future Land Use Map.pdf
Attachment: 5 B. Staff Report Attachment - Zoning Map.pdf
Attachment: 5 C. Staff Report Attachment - Narrative Statement.pdf

8. PUBLIC COMMENT ON NON-AGENDA ITEMS

9. COUNCIL COMMUNICATIONS / FUTURE AGENDA ITEMS

10. VILLAGE ATTORNEY'S REPORT

11. VILLAGE MANAGER'S REPORT

Adjourn Regular Session and Convene Workshop Items

12.WORKSHOP

a. FY 2023/2024 Budget Introduction

Attachment: Agenda Item Summary Sheet - FY 2023-2024 Budget Introduction.pdf
Attachment: Initial Council Presentation for FY 23-24.pdf
Attachment: Proposed Budget Summary 2023-2024.pdf

13.ADJOURNMENT

General Attachments

- Transcript.pdf

VILLAGE OF ESTERO COUNCIL MEETING
WEDNESDAY, JULY 5, 2023, 9:30 A.M.

DISCLAIMER:
THIS FILE REPRESENTS AN UNEDITED VERSION OF REALTIME CAPTIONING WHICH SHOULD NEITHER BE RELIED UPON FOR COMPLETE ACCURACY NOR USED AS A VERBATIM TRANSCRIPT.
ANY PERSON WHO NEEDS A VERBATIM TRANSCRIPT OF THE PROCEEDINGS MAY NEED TO HIRE A COURT REPORTER.

09:31:39AM -- CELL PHONE OR OTHER BEEPING DEVICE, PLEASE TURN THAT
09:31:41AM OFF NOT TO INTERRUPT OUR MEETING.
09:31:44AM APPRECIATE THAT.
09:31:48AM I WANT TO WELCOME YOU ALL AND THANK YOU FOR ATTENDING
09:31:50AM OUR MEETING.
09:31:51AM WE HAVE A BUSY MEETING AND MADE SOME CHANGES ON THE
09:31:54AM AGENDA WE'LL TALK TO YOU ABOUT.
09:31:55AM AND IT'S GOING TO KEEP US PRETTY BUSY HERE, SO BEFORE WE
09:31:59AM BEGIN, I'D JUST LIKE TO TAKE A SECOND AND KIND OF
09:32:02AM REFLECT ON HOW LUCKY WE ALL ARE HERE TO BE IN PARADISE,
09:32:06AM AND PARADISE IS AN AREA WE CALL THE VILLAGE OF ESTERO,
09:32:10AM SO WELCOME TO THE VILLAGE, AND HOPE THAT WE HAVE A VERY
09:32:13AM PRODUCTIVE AND GREAT MEETING TODAY.
09:32:18AM BEFORE WE START, WE'VE GOT A COUPLE ABSENCES IN HERE.
09:32:21AM ONE, THE VILLAGE MANAGER IS NOT ABSENT BUT THERE IS A
09:32:25AM WRECK I GUESS ON CORKSCREW ROAD, AND HE IS STUCK IN
09:32:29AM THAT.
09:32:29AM SO HE'LL BE HERE AT -- WHEN HE GETS HERE, WHICH I'M NOT
09:32:33AM SURE WHEN THAT'S GOING TO BE.
09:32:34AM AND THEN OBVIOUSLY COUNCILMEMBER LOPEZ.
09:32:37AM WE'LL TALK ABOUT THAT IN A FEW MINUTES.
09:32:39AM SO AS WE BEGIN, I'D LIKE TO CALL PASTOR PHIL McMILLAN
09:32:44AM FROM OCEAN CHURCH TO PROVIDE OUR INVOCATION.
09:32:48AM AND BEFORE PASTOR McMILLAN STARTS, NOT ONLY IS HE A
09:32:55AM PASTOR BUT HE'S RECENTLY BEEN APPOINTED TO THE GREATER
09:32:59AM ESTERO CHAMBER OF COMMERCE.
09:33:00AM SO WE -- THE CHAMBER CAN ALWAYS USE YOUR PRAYERS AND
09:33:04AM YOUR LEADERSHIP AND WE THANK YOU FOR STEPPING UP TO THE
09:33:08AM PLATE AND DOING THAT.
09:33:09AM SO THANK YOU VERY MUCH.
09:33:10AM >> IT'S AN HONOR.
09:33:12AM THANK YOU.
09:33:13AM CAN WE OUR OUR HEADS AND PRAY?
09:33:17AM HEAVENLY FATHER, THANK YOU FOR TODAY.
09:33:19AM WE THANK YOU THAT TODAY IS A NEW DAY.
09:33:21AM YOUR MERCIES ARE FRESH IN IT.

09:33:22AM WE'RE MINDFUL OF EVEN YESTERDAY.
09:33:24AM THANK YOU FOR THE FREEDOM THAT WE HAVE IN THIS COUNTRY
09:33:28AM EVEN AS IT TRANSITIONS DOWN TO FLORIDA.
09:33:30AM THANK YOU FOR THE STATE THAT SUPPORTS THAT FREEDOM, GOD,
09:33:33AM AND HERE IN THE VILLAGE OF ESTERO, WHERE WE CAN EXECUTE
09:33:37AM ALL THAT YOU DESIRE US TO DO.
09:33:38AM SO LORD, I PRAY FOR WISDOM.
09:33:40AM I PRAY FOR GUIDANCE OVER THESE GREAT COUNCIL MEMBERS AND
09:33:44AM MAYOR McLAIN AS THEY LEAD TODAY.
09:33:46AM HELP US BE MINDFUL OF ALL THAT WE HAVE LIKE MAYOR McLAIN
09:33:49AM SAID IN ESTERO.
09:33:50AM THAT IN EVERYTHING YOU DO, YOU BE GLORIFIED.
09:33:54AM HELP US SEE BEYOND OUR OWN PERSONAL EXPECTATIONS AND
09:33:58AM GOD, ALLOW US TO TAP INTO YOUR DESIRES TODAY.
09:34:00AM WE THANK YOU FOR YOUR BLESSING OVER THIS MEETING IN
09:34:03AM JESUS' NAME, AMEN.
09:34:05AM >>Mayor McLain: THANK YOU SO MUCH.
09:34:06AM THANK YOU, PHIL.
09:34:08AM WOULD YOU ALL PLEASE STAND AND JOIN ME IN THE PLEDGE OF
09:34:11AM ALLEGIANCE?
09:34:13AM [PLEDGE OF ALLEGIANCE]
09:34:30AM MADAM CLERK, WOULD YOU PLEASE CALL THE ROLL?
09:34:34AM >>Vice-Mayor Ribble: HERE.
09:34:36AM >>Larry Fiesel: HERE.
09:34:38AM >>Mayor McLain: HERE.
09:34:41AM >>Lori Fayhee: HERE.
09:34:42AM >>Jim Ward: HERE.
09:34:45AM >>George Zalucki: HERE.
09:34:50AM >>Mayor McLain: AND WE OBVIOUSLY HAVE -- AS I MENTIONED,
09:34:52AM LOPEZ, COUNCILMEMBER LOPEZ IS NOT HERE AND OUR VILLAGE
09:34:56AM MANAGER SHOULD BE JOINING US HERE SHORTLY.
09:34:58AM SO NEXT ON THE AGENDA IS THE APPROVAL OF THE AGENDA WITH
09:35:01AM ADDITIONS, AND/OR DELETIONS.
09:35:04AM BEFORE I TAKE COMMENTS FROM THE COUNCIL MEMBERS, ONE OF
09:35:09AM OUR COUNCIL MEMBERS HAS TO LEAVE BY ABOUT 1:45 TODAY.
09:35:13AM SO WE MADE CHANGES TO THE AGENDA TO MAYBE SOME OF YOU
09:35:15AM MAY HAVE PRINTED OUT EARLIER.
09:35:17AM WE'RE GOING TO BE MOVING ITEM 7A WHICH IS THE SECOND
09:35:21AM READING OF OUR ORDINANCE NUMBER 2023-06, WHICH HAS TO DO
09:35:27AM WITH THE COCONUT ROAD REZONING AT THE START OF THE
09:35:32AM MEETING.
09:35:32AM WE EXPECT THAT DISCUSSION TO GO ON FOR A LENGTHY PERIOD
09:35:37AM OF TIME.
09:35:39AM SO WE WANT TO MAKE SURE WE LOOK AT ALL THE FACTORS THAT
09:35:42AM ARE INVOLVED IN THAT.
09:35:43AM AFTER THAT, WE WILL TAKE A SHORT BREAK AND THEN
09:35:46AM RECONVENE TO START THE MEETING AGAIN ON -- WITH ITEM
09:35:51AM NUMBER 6H, WHICH IS THE ESTERO ENTERTAINMENT DISTRICT

09:35:58AM TERM SHEET FOR OUR PARTNERS THAT WE'VE GOT IN THERE.
09:36:00AM SO THOSE ARE TWO REALLY IMPORTANT AGENDA ITEMS AND WE
09:36:03AM SHOULD BE ABLE TO WRAP THAT UP BY 1:45 OR SO.
09:36:08AM SO I'LL ASK ANY OTHER COUNCIL MEMBERS IF THEY HAVE
09:36:13AM ADDITIONS OR DELETIONS TO THE AGENDA.
09:36:15AM IF NONE, I'LL TAKE A MOTION TO APPROVE THE AGENDA.
09:36:20AM VICE-MAYOR RIBBLE.
09:36:20AM I'LL TAKE A SECOND BY COUNCILMAN FIESEL.
09:36:24AM MADAM CLERK, WOULD YOU PLEASE TAKE THE ROLL?
09:36:32AM >>Larry Fiesel: AYE.
09:36:35AM >>Lori Fayhee: AYE.
09:36:37AM >>Jim Ward: AYE.
09:36:39AM >>George Zalucki: AYE.
09:36:40AM >>Vice-Mayor Ribble: AYE.
09:36:41AM >>Mayor McLain: AYE.
09:36:44AM NEXT ON THE AGENDA WE'LL TAKE PUBLIC COMMENTS ON ITEMS
09:36:48AM THAT ARE NOT ON THE AGENDA.
09:36:50AM AND I JUST WANT TO REMIND EVERYBODY, IF YOU SUBMITTED A
09:36:53AM CARD, GREAT.
09:36:56AM AND WE NEED TO LIMIT YOU TODAY TO THREE MINUTES MAXIMUM.
09:37:00AM SO WE'LL BE WATCHING THE CLOCK PRETTY CLOSELY THERE.
09:37:03AM DO WE HAVE ANYBODY TO SPEAK?
09:37:06AM >>Clerk: YES, MAYOR.
09:37:07AM WE HAVE MR. TOM SCHROEDER FROM SHADOW WOOD.
09:37:13AM >> GOOD MORNING.
09:37:14AM THANK YOU FOR THE OPPORTUNITY TO TALK WITH YOU TODAY.
09:37:16AM I'M HERE ON BEHALF OF OUR NEIGHBORHOOD ASSOCIATION AND
09:37:19AM SEVERAL OF OUR NEIGHBORS WHO CANNOT BE HERE TODAY IN
09:37:22AM PERSON.
09:37:24AM AND I'M HERE TO CALL YOUR ATTENTION TO THE LETTER SENT
09:37:26AM TO THE COUNCIL BY OUR NEIGHBORHOOD ASSOCIATION ON JUNE
09:37:30AM 27.
09:37:31AM IN THAT LETTER TO THE VILLAGE, WE ASK YOU ALL TO REVISIT
09:37:35AM THE PHASE ONE PICKLEBALL COURTS AT COCONUT PARK BECAUSE
09:37:40AM OF REQUIRED SOUND STUDY AND OTHER IMPORTANT INFORMATION
09:37:43AM PROVIDED TO THE ZONING BOARD WAS MATERIALLY DEFICIENT
09:37:47AM AND OMITTED IMPORTANT INFORMATION.
09:37:50AM FOR EXAMPLE, THE THREE SUBSTANTIAL AND MATERIAL
09:37:54AM DEFICIENCIES IN THE SOUND STUDY INCLUDE ONE, TAKING ONLY
09:37:57AM A FEW SOUND MEASUREMENTS FOR LESS THAN THREE HOURS ON A
09:38:01AM FRIDAY MORNING IN APRIL.
09:38:03AM NOT OVER SEVERAL DAYS.
09:38:04AM NOT AT DIFFERENT TIMES OF THE DAY.
09:38:06AM AND NOT IN THE EVENING WHEN IT IS QUIETER AND SOUND
09:38:10AM PROPAGATION IS GREATER.
09:38:11AM TWO, NOT ANALYZING SOUND PROPAGATION OVER WATER TO HOMES
09:38:16AM WITH A LINE OF SIGHT TO THE PICKLEBALL COURT LOCATION.
09:38:20AM THREE, NOT CALCULATING THE TOTAL NOISE OF ACTIVE

09:38:25AM PICKLEBALL PLAY AT 16 COURTS AND WITH 64 PLAYERS AND
09:38:29AM SOCIAL ACTIVITIES.
09:38:32AM INFORMATION OMITTED FROM THE APPLICATION REVIEWED BY THE
09:38:35AM ZONING BOARD INCLUDES ONE, NO MENTION OF ALTERNATIVE
09:38:39AM LOCATIONS FOR THE PROPOSED PHASE ONE COURTS THAT COULD
09:38:43AM GREATLY MITIGATE THE NOISE IMPACT FROM THOSE COURTS ON
09:38:46AM THE PLAYGROUND, THE GREEN, AND THE COMMONS CLUB AREAS.
09:38:50AM TWO, NOT ASSESSING HOW NOISE AND LIGHTS COULD IMPACT
09:38:55AM NEARBY NATURAL AREAS WHICH HAVE AN ACTIVE ROOKERY AND
09:38:59AM HAVE SIGHTINGS OF ENDANGERED AND THREATENED SPECIES,
09:39:03AM SPECIFICALLY THE WOOD STORK AND ROSEATE SPOONBILL.
09:39:08AM WE RECOGNIZE WE'RE PAST THE 30-DAY FORMAL PERIOD FOR
09:39:13AM COMMENT, HOWEVER, WE BELIEVE AND TRUST THAT THERE MUST
09:39:15AM BE A WAY FOR THE COUNCIL TO TAKE ACTION WHEN IT BECOMES
09:39:21AM AWARE OF MATERIAL DEFICIENCIES AND OMISSIONS IN AN
09:39:24AM APPLICATION.
09:39:24AM PARTICULARLY INFORMATION THAT IS REQUIRED AND RELIED
09:39:27AM UPON FOR APPROVAL.
09:39:29AM WE RECOGNIZE THAT YOU MAY WANT TO DISCUSS OUR REQUEST
09:39:33AM WITH STAFF TO DETERMINE ITS VALIDITY AND BEFORE YOU
09:39:38AM DETERMINE APPROPRIATE ACTION, AND WE'RE HAPPY TO MEET
09:39:41AM WITH THE STAFF AND WITH THE APPLICANT, THE CDDs, TO
09:39:45AM DISCUSS OUR CONCERNS AND WHAT THE DEFICIENCIES WE
09:39:48AM BELIEVE HAVE OCCURRED.
09:39:49AM THANK YOU.
09:39:50AM >>Mayor McLain: THANK YOU.
09:39:53AM ANY OTHER COMMENTS?
09:39:56AM >>Clerk: MR. RICHARD PENTON?
09:40:00AM HE IS FROM SHADOW WOOD.
09:40:02AM >> GOOD MORNING, MR. MAYOR, COUNCIL MEMBERS.
09:40:04AM THANKS FOR LISTENING TO ME.
09:40:06AM I'LL BE BRIEF.
09:40:07AM I'M HERE REPRESENTING THE SWEET BAY NEIGHBORHOOD AND
09:40:11AM SHADOW WOOD AS TOM SCHROEDER JUST DID.
09:40:18AM TO BE BRIEF, I'LL REINFORCE EVERYTHING TOM JUST SAID.
09:40:21AM WE'RE VERY LUCKY HERE IN ESTERO.
09:40:24AM IT'S A WONDERFUL COMMUNITY AS YOU OBVIOUSLY ALL KNOW,
09:40:26AM AND IT'S ATTRACTING MANY PEOPLE.
09:40:28AM THE GROWTH IS PROLIFIC, AND THAT SPEAKS FOR ITSELF.
09:40:34AM ONE OF THE MAIN CONCERNS I'VE GOT IN ADDITION TO WHAT
09:40:37AM TOM MENTIONED WAS THE IMPACT ON THE ROOKERY WHICH IS IN
09:40:42AM COCONUT PARK.
09:40:44AM IT'S ONE OF THE FEW REMAINING PERHAPS SANCTUARIES OF
09:40:49AM GREEN SPACE, SORT OF FLORIDA AS IT WAS BEFORE, THAT
09:40:52AM EVERYBODY IN THE COMMUNITY CAN ENJOY.
09:40:58AM AND THE INTERNET IS REPLETE WITH ARTICLES ON THE EFFECT
09:41:04AM OF NOISE AND LIGHT POLLUTION ON BIRDS, AND THE BUILDING
09:41:12AM OF ANOTHER AMOUNT OF COURTS THAT 64 PEOPLE CAN PLAY ON

09:41:18AM AND PICKLEBALL WILL HAVE NOTHING AGAINST THE SPORT.
09:41:21AM I THINK IT'S WONDERFUL.
09:41:24AM IT'S PROBABLY GOING TO HAVE A -- IS PROBABLY GOING TO
09:41:26AM HAVE A NEGATIVE IMPACT ON THAT SANCTUARY AND ROOKERY,
09:41:30AM AND AS FAR AS THE NOISE GOES IN GENERAL, I THINK THE
09:41:35AM BEST THING I'VE SEEN ON THAT RECENTLY IS AN ARTICLE IN
09:41:38AM THE NEW YORK TIMES THAT'S TITLED, "SHATTERED NERVES,
09:41:41AM SLEEPLESS NIGHTS, PICKLEBALL NOISE IS DRIVING EVERYBODY
09:41:45AM NUTS", AND THAT'S THE CRUX OF THIS.
09:41:48AM WELL, IN ADDITION TO HUMANS, I'M AFRAID IT WILL DRIVE
09:41:57AM BIRDS NUTS.
09:41:58AM IT HAS A NUMBER OF IMPACTS I WON'T ELABORATE ON IN THE
09:42:02AM TIME PERIOD BUT I HOPE YOU'LL CONSIDER THAT.
09:42:03AM I APPRECIATE YOUR TIME.
09:42:05AM THANK YOU.
09:42:05AM >>Mayor McLain: THANK YOU.
09:42:07AM >>Clerk: THAT'S IT, MAYOR.
09:42:12AM >>Mayor McLain: NEXT WE HAVE THE CONSENT AGENDA.
09:42:14AM DO ANY OF THE COUNCIL MEMBERS HAVE COMMENTS OR QUESTIONS
09:42:18AM REGARDING THE COUNCIL MINUTES?
09:42:20AM I SEE NO COMMENTS.
09:42:25AM I'LL ENTERTAIN A MOTION.
09:42:27AM COUNCILMEMBER WARD MADE THE MOTION.
09:42:29AM WE HAVE A SECOND BY COUNCILMEMBER ZALUCKI.
09:42:33AM WOULD YOU PLEASE TAKE THE ROLL PLEASE?
09:42:40AM >>George Zalucki: AYE.
09:42:41AM >>Jim Ward: AYE.
09:42:45AM >>Lori Fayhee: AYE.
09:42:48AM >>Larry Fiesel: AYE.
09:42:49AM >>Vice-Mayor Ribble: AYE.
09:42:50AM >>Mayor McLain: AYE.
09:42:51AM LET'S SEE.
09:42:58AM SO NEXT ON THE AGENDA IS ITEM 7A, THE SECOND READING AND
09:43:01AM PUBLIC HEARING ON ORDINANCE NUMBER 2023-06.
09:43:06AM THIS IS ALSO A PUBLIC HEARING AND IN THIS MANNER, THE
09:43:10AM COUNCIL WILL SIT IN ITS QUASI-JUDICIAL CAPACITY.
09:43:16AM I NEED TO ASK THE CLERK, HAS THIS ORDINANCE BEEN
09:43:20AM PROPERLY ADVERTISED?
09:43:22AM >>Clerk: YES, MAYOR.
09:43:25AM >>Mayor McLain: WOULD YOU PLEASE READ THE TITLE OF THE
09:43:27AM ORDINANCE?
09:43:27AM >>Clerk: ORDINANCE 2023-06.
09:43:32AM AN ORDINANCE OF THE VILLAGE OF ESTERO, FLORIDA,
09:43:33AM CONSIDERING A REZONING FROM MIXED USE PLANNED
09:43:35AM DEVELOPMENT TO ESTERO PLANNED DEVELOPMENT FOR A 45.6
09:43:40AM ACRE PARCEL ON THE NORTHWEST CORNER OF US-41 AND COCONUT
09:43:55AM ROAD PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY
09:44:01AM AND PROVIDING AN EFFECTIVE DATE.

09:44:02AM >>Mayor McLain: I NEED TO ASK WHAT A QUASI-JUDICIAL
09:44:08AM ENTAILS.
09:44:08AM >> THANK YOU, MR. MAYOR.
09:44:10AM THIS MORNING'S AGENDA, SPECIFICALLY THE COCONUT ROAD
09:44:15AM EPD, REZONING IS AN ITEM THE VILLAGE COUNCIL SITS IN A
09:44:18AM QUASI JUDICIAL CAPACITY TO REVIEW.
09:44:21AM THE DECISION OF WHETHER OR NOT TO APPROVE THIS
09:44:24AM APPLICATION LIKE ALL QUASI-JUDICIAL ITEMS MUST BE BASED
09:44:28AM ON THE CRITERIA AND COMPREHENSIVE PLAN AND THE LAND
09:44:31AM DEVELOPMENT CODE.
09:44:32AM AND ON SUBSTANTIAL COMPETENT EVIDENCE THAT IS PRESENTED
09:44:37AM AT THE HEARING.
09:44:37AM IF ANYONE INTENDS TO PROVIDE TESTIMONY ON THE
09:44:40AM APPLICATION THAT IS SUBJECT OF TODAY'S QUASI-JUDICIAL
09:44:45AM HEARING YOU MUST BE SWORN IN BY THE CLERK IN A MOMENT
09:44:47AM AND YOU SHOULD ALSO FILL OUT A PUBLIC SPEAKERS CARD AND
09:44:50AM GIVE IT TO THE CLERK BEFORE SPEAKING.
09:44:53AM PLEASE BE ADVISED THAT ANY PERSON WHO PROVIDES TESTIMONY
09:44:56AM THAT'S ANY EXPERT, ANY APPLICANT STAFF OR ANY PUBLIC
09:45:02AM CITIZEN MAY BE SUBJECT TO CROSS EXAMINATION.
09:45:08AM THE GENERAL PUBLIC WILL NOT BE PERMITTED TO CROSS
09:45:11AM EXAMINE WITNESSES BUT MAY REQUEST THE COUNCIL TO ADDRESS
09:45:16AM QUESTIONS ON THEIR BEHALF TO THE STAFF OR APPLICANT.
09:45:19AM THE APPLICANT AND VILLAGE STAFF MAY CROSS EXAMINE
09:45:21AM WITNESSES AND COUNCIL MEMBERS MAY ALSO ASK QUESTIONS OF
09:45:24AM ANY WITNESS.
09:45:27AM SO THAT'S A GENERAL EXPLANATION.
09:45:31AM LET ME GO OVER THE -- IN MORE DETAIL THE PROCESS.
09:45:37AM FIRST, THE CLERK WILL SWEAR IN ANY PERSON WHO INTENDS TO
09:45:40AM PROVIDE TESTIMONY ON THE APPLICATION.
09:45:43AM THEN WE HEAR FROM MARY GIBBS, THE VILLAGE COMMUNITY
09:45:48AM DEVELOPMENT DIRECTOR WHO WILL INTRODUCE THE ITEM.
09:45:50AM AND THEN THE APPLICANT WILL PROVIDE ITS EVIDENCE
09:45:53AM REGARDING ITS APPLICATION.
09:45:54AM THE VILLAGE STAFF IF IT WISHES MAY CROSS EXAMINE THE
09:45:58AM APPLICANT THEN.
09:45:59AM THE VILLAGE THEN WILL HAVE AN OPPORTUNITY TO PRESENT
09:46:04AM FURTHER EVIDENCE AND THE APPLICANT MAY CROSS EXAMINE THE
09:46:06AM VILLAGE WITNESSES.
09:46:07AM AND AFTER THIS, THE MAYOR WILL ALLOW ANYONE FROM THE
09:46:10AM PUBLIC WHO'S BEEN SWORN IN TO PROVIDE TESTIMONY.
09:46:14AM PLEASE MAKE YOUR COMMENTS CONCISELY IF YOU'RE GOING TO
09:46:17AM PROVIDE TESTIMONY AS A MEMBER OF THE PUBLIC AS PUBLIC
09:46:20AM TESTIMONY IS LIMITED TO THREE MINUTES PER PERSON.
09:46:23AM THE APPLICANT THEN -- THEN THE PUBLIC COMMENT PERIOD
09:46:30AM WILL BE CLOSED.
09:46:32AM AND AFTER THAT, THE APPLICANT HAS AN OPPORTUNITY FOR
09:46:36AM REBUTTAL, SO ANY COMMENT THAT THE PUBLIC WANTS TO MAKE

09:46:40AM MUST MAKE THEIR COMMENTS AND ASK THEIR QUESTIONS DURING
09:46:44AM THE PUBLIC TESTIMONY PART.
09:46:49AM AFTER THE APPLICANT HAS PROVIDED REBUTTAL, THE COUNCIL
09:46:55AM WILL DISCUSS THE MERITS OF THE APPLICATION TESTIMONY
09:47:01AM THEN HAVING BEEN CONCLUDED BUT THE COUNCIL MAY ASK
09:47:04AM QUESTIONS OF THE APPLICANT OR STAFF AT ANY TIME.
09:47:07AM OKAY.
09:47:07AM SO IN ADDITION, IF ANY OF THE COUNCIL MEMBERS HAD
09:47:10AM EX-PARTE COMMUNICATIONS REGARDING TODAY'S APPLICATION,
09:47:14AM THAT MEMBER WILL NEED TO DISCLOSE THE SUBJECT MATTER OF
09:47:17AM THAT COMMUNICATION AND THE PERSON TO WHOM THE COUNCIL
09:47:20AM MEMBER SPOKE, AND AT THIS TIME I'D ASK THAT ANY COUNCIL
09:47:24AM PERSON WHO HAD SUCH EX-PARTE COMMUNICATIONS, PLEASE
09:47:28AM DISCLOSE.
09:47:30AM >>Vice-Mayor Ribble: YES, I HAVE.
09:47:31AM I MET WITH THE APPLICANT IN LATE MARCH TO DISCUSS SOME
09:47:34AM OF MY CONCERNS WITH THE PROJECT.
09:47:37AM >> I TOO MET WITH THE APPLICANTS IN FEBRUARY -- OR IN
09:47:41AM APRIL TO GO OVER THE PRESENTATION OF THEIR DEVELOPMENT.
09:47:48AM >>Lori Fayhee: I MET WITH THEM ALSO.
09:47:50AM >> I ALSO MET WITH THE APPLICANT IN FEBRUARY OR MARCH
09:47:53AM AND BASICALLY LOOKED AT WHAT THEIR PLANS WERE AND MADE A
09:47:57AM FEW COMMENTS ABOUT IT.
09:47:58AM >> SIMILAR.
09:48:00AM ALSO HAD COMMENTS OR DISCUSSIONS WITH THE DEVELOPER.
09:48:04AM >> I AS WELL MET WITH THE DEVELOPER TO DISCUSS THE
09:48:09AM OVERALL PLAN.
09:48:10AM >> AS EACH COUNCILMAN AND MEMBER HAS BEEN ADVISED ON
09:48:13AM MANY OCCASIONS, WHEN YOU MEET WITH THE APPLICANT OR THE
09:48:17AM STAFF OR ANY OF THE PUBLIC ON AN APPLICATION, YOU ARE
09:48:22AM SIMPLY LISTENING AND ASKING QUESTIONS AND NOT FORMING AN
09:48:25AM OPINION AT THAT POINT.
09:48:27AM CORRECT?
09:48:29AM >> MAY I ADD SOMETHING?
09:48:33AM IF THIS IS WORKING.
09:48:34AM I WAS IN ALL THOSE MEETINGS WITH THE COUNCIL MEMBERS AS
09:48:37AM WELL WHEN THEY OCCURRED, SO IT WAS JUST A GENERAL KIND
09:48:40AM OF PRESENTATION OF THE PROJECT.
09:48:43AM >> THANK YOU.
09:48:45AM AND THEN IF ANY COUNCIL MEMBER HAS A CONFLICT OF
09:48:48AM INTEREST, PLEASE DISCLOSE THE CONFLICT AT THIS TIME.
09:48:53AM >> NO.
09:48:54AM >> NO.
09:48:56AM >> I HAVE NONE.
09:48:59AM >> THANK YOU.
09:49:00AM SO AT THIS POINT THE CLERK SHOULD ADMINISTER THE OATH.
09:49:04AM >>Clerk: PLEASE STAND IF YOU'RE GOING TO BE SPEAKING ON
09:49:07AM THIS SUBJECT.

09:49:10AM RAISE YOUR RIGHT HAND.
09:49:11AM DO YOU SWEAR TO TELL THE TRUTH, THE WHOLE TRUTH AND
09:49:14AM NOTHING BUT THE TRUTH SO HELP YOU GOD?
09:49:20AM >> ALSO, FOR THE RECORD, HAS THE CLERK RECEIVED ANY
09:49:22AM LETTERS OR OTHER WRITTEN COMMUNICATIONS?
09:49:27AM >>Clerk: I'LL DEFER TO MARY.
09:49:28AM >>Mary Gibbs: WE RECEIVED TWO E-COMMENTS THAT WERE
09:49:31AM FORWARDED TO THE COUNCIL ON MONDAY AND THE APPLICANT AND
09:49:34AM THERE WERE, I THINK, 12E-COMMENTS THAT ARE INCLUDED IN
09:49:37AM YOUR PACKET FROM THE PRIOR MEETING AT PLANNING, ZONING
09:49:40AM AND DESIGN BOARD.
09:49:41AM >> AND THOSE WILL BECOME A PART OF THE RECORD OR THE
09:49:44AM PROCEEDINGS.
09:49:48AM >>Mayor McLain: I DIDN'T HEAR THOSE LAST COMMENTS.
09:49:52AM >> THOSE WRITTEN COMMUNICATIONS BECOME A PART OF THE
09:49:54AM RECORD OF THE PROCEEDINGS.
09:49:55AM AND AT THIS POINT THE COMMUNITY DEVELOPMENT DIRECTOR
09:49:59AM SHOULD COME TO THE PODIUM TO INTRODUCE THE ITEM.
09:50:06AM >>Mary Gibbs: GOOD MORNING, EVERYBODY.
09:50:09AM FEELS LIKE ANOTHER MONDAY.
09:50:12AM SO THIS MORNING, WE'RE HERE TO TALK ABOUT THE REZONING
09:50:14AM FOR THE COCONUT ROAD EPD WHICH IS THE OFFICIAL NAME, BUT
09:50:18AM IT'S ALSO UNOFFICIALLY KNOWN AS WOODFIELD PROPERTY.
09:50:22AM AND THIS IS THE 45 ACRES THAT'S AT THE NORTHWEST CORNER
09:50:26AM OF US-41 AND COCONUT ROAD.
09:50:28AM THE SITE IS VACANT NOW.
09:50:30AM IT'S BEEN CLEARED PARTIALLY IN THE PAST, AND IT'S
09:50:34AM PROPOSED TO BE REZONED TO AN ESTERO PLANNED DEVELOPMENT
09:50:38AM FOR MIXED USE PROJECT THAT WILL CONTAIN 596 MULTIFAMILY
09:50:44AM UNITS OF WHICH 538 WOULD BE APARTMENTS AND THE REMAINDER
09:50:47AM WOULD BE TOWNHOMES.
09:50:51AM 82,000 SQUARE FEET OF RETAIL AND DINING AREA.
09:50:54AM 42,000 SQUARE FEET OF OFFICE USE WHICH WOULD BE MEDICAL
09:50:58AM AND GENERAL OFFICE.
09:51:00AM A HOTEL WITH 260 ROOMS AND SOME PUBLIC PARK SPACE AS
09:51:05AM CIVIC USES.
09:51:07AM SO I JUST WANT TO DO A QUICK INTRODUCTION BUT I WANT TO
09:51:11AM SPEND A COUPLE MINUTES GOING INTO THE HISTORY OF THIS
09:51:13AM PROPERTY, JUST FOR YOUR INFORMATION.
09:51:16AM THERE IS A COUPLE POINTS I WANT TO MAKE.
09:51:17AM AND ALSO I'M GOING TO MENTION THE REASONS FOR THE STAFF
09:51:21AM RECOMMENDATION.
09:51:21AM THIS PROPERTY WAS REZONED BY LEE COUNTY BACK IN 1998 AND
09:51:26AM IT WAS REZONED FOR A MIXED USE PLANNED DEVELOPMENT.
09:51:29AM BACK AT THE TIME THAT PEOPLE WEREN'T VERY CREATIVE, SO
09:51:32AM THE SITE PLAN THAT WAS APPROVED SHOWED STRIP COMMERCIAL
09:51:36AM ON THE FRONT OF THE PROPERTY.
09:51:38AM A LARGER COMMERCIAL KIND OF BOX IN THE MIDDLE AND LIGHT

09:51:42AM INDUSTRIAL ON THE BACK SIDE OF THE PROPERTY BY THE
09:51:44AM RESIDENCES.
09:51:45AM THE COUNTY A FEW YEARS LATER APPROVED A DEVELOPMENT
09:51:48AM ORDER THAT WAS SUPPOSED TO BE A KOHL'S DEPARTMENT STORE
09:51:51AM AND OTHER COMMERCIAL, AND THAT WAS NEVER BUILT.
09:51:54AM AFTER A FEW YEARS, THAT DEVELOPMENT ORDER EXPIRED SO IT
09:51:58AM MEANS NOTHING.
09:51:59AM THE ROAD WAS ACTUALLY CONSTRUCTED SO AS EVERYBODY KNOWS,
09:52:02AM THERE WAS A CUT-THROUGH ROAD.
09:52:05AM THAT ROAD WAS NEVER ACCEPTED BECAUSE IT NEVER WAS FULLY
09:52:09AM COMPLETED AND DID NOT MEET COUNTY SPECIFICATIONS.
09:52:12AM THERE WERE TWO DIFFERENT PROPERTY OWNERS FOR THE FRONT
09:52:14AM AND THE BACK PARTS OF THE PROPERTY.
09:52:16AM AND THEY GOT INTO SOME KIND OF LEGAL ALTERCATION WHICH
09:52:20AM RESULTED IN A LAWSUIT, AND EVENTUALLY THE PROPERTY WENT
09:52:24AM TO FORECLOSURE AND THE IBERIA BANK TOOK IT OVER.
09:52:29AM SO ABOUT THAT TIME WAS WHEN THE VILLAGE INCORPORATED AND
09:52:32AM THERE WAS A SERIES OF DEVELOPERS THAT CAME IN TO MEET
09:52:35AM WITH US AS STAFF TO SEE WHAT THEY COULD DO ON THE
09:52:39AM PROPERTY, BUT NOTHING REALLY PANNED OUT.
09:52:41AM SO HERE WE ARE TODAY.
09:52:43AM THE REASON I'M BRINGING THIS UP IS THAT EVEN THOUGH THIS
09:52:46AM DEVELOPMENT ORDER EXPIRED, THE ZONING THAT WAS PUT IN
09:52:50AM PLACE ON THE PROPERTY RUNS WITH THE LAND, SO WHAT THAT
09:52:52AM MEANS IS THE ZONING DOESN'T GO AWAY UNTIL IT'S REZONED.
09:52:56AM SO THEY DO HAVE ENTITLEMENTS ON THAT PROPERTY FOR
09:52:59AM CERTAIN AMOUNT OF SQUARE FOOTAGE AND THEY'RE GOING TO
09:53:02AM EXPLAIN THAT TODAY.
09:53:07AM THE LEE HEALTH SUBSEQUENTLY PURCHASED THE PROPERTY, AND
09:53:11AM THEY HIRED DOVER COLE WHICH IS A NATIONALLY KNOWN FIRM
09:53:15AM THAT DOES A LOT OF NEW TRADITIONAL AND INTERESTING
09:53:20AM DEVELOPMENTS HEADED BY VICTOR DOVER WHO I THINK IS
09:53:23AM ACTUALLY HERE TODAY IN THE BLACK.
09:53:25AM AND LEE HEALTH PREPARED A PLAN.
09:53:28AM THEY WENT AND MET WITH ALL THE NEIGHBORS AT THE TIME AND
09:53:30AM THEY PREPARED A PLAN THAT WAS GOING TO HAVE SOME
09:53:32AM HOSPITAL OR COMPONENTS AND ALSO SOME RESIDENTIAL
09:53:35AM COMPONENTS.
09:53:37AM BUT THEY NEVER DID REZONE THE PROPERTY.
09:53:40AM THEY PREPARED WHAT THEY CALL THE PATTERN BOOK AND TALKED
09:53:43AM TO EVERYBODY ABOUT IT.
09:53:44AM BUT THEY DID NOT REZONE THE PROPERTY, AND AT SOME POINT
09:53:49AM I THINK THAT DECIDED THAT WASN'T REALLY THEIR CORE
09:53:53AM COMPETENCY SO THEY SOLD THE PROPERTY AND WOODFIELD
09:53:58AM PURCHASED THE PROPERTY.
09:53:59AM THAT'S WHY THE APPLICANT IS HERE.
09:54:00AM THEY HAVE TO REZONE THE PROPERTY BECAUSE THE SITE PLAN
09:54:02AM THAT IS SHOWN DOES NOT MATCH WHAT WAS APPROVED BY THE

09:54:05AM COUNTY IN 1998.
09:54:06AM AND THAT'S WHY WE'RE HERE TODAY.
09:54:09AM SO THE STAFF HAS RECOMMENDED APPROVAL AND THE REASON IS
09:54:16AM THE PROPERTY IS IN WHAT WE CALL THE VILLAGE CENTER LAND
09:54:19AM USE CATEGORY, AND THAT WAS CREATED BY THE VILLAGE WHEN
09:54:22AM WE DID OUR FIRST COMPREHENSIVE PLAN.
09:54:26AM INCLUDES A LOT OF AREAS ALONG US-41 THAT WE THOUGHT
09:54:29AM WOULD BE GOOD FOR A MIXED USE DEVELOPMENT AND ALONG WITH
09:54:32AM A MIXED USE, YOU CAN HAVE A LITTLE BIT HIGHER DENSITIES
09:54:35AM AND INTENSITIES AND A LITTLE BIT HIGH ER HEIGHT THAN WE
09:54:39AM WOULD IN THE REST OF THE VILLAGE.
09:54:40AM SO THAT WAS THE POINT BEHIND THAT.
09:54:43AM THEY'RE PROPOSING 13 UNITS AN ACRE.
09:54:45AM THE DENSITY RANGE FOR VILLAGE CENTER FOR THE TIER 3
09:54:49AM WHICH THEY'RE PROPOSING RUNS FROM 10 TO 15.
09:54:52AM THE COUNCIL HAS SOME LEEWAY WITHIN THE DENSITY TO DECIDE
09:54:55AM WHAT THE DENSITY SHOULD BE BASED ON THEIR DESIGN AND
09:54:58AM WHAT THEY'RE OFFERING.
09:55:01AM THE PLANNING AND ZONING AND ALSO I SHOULD MENTION, WHEN
09:55:04AM WE DID APPROVE IT OR DID RECOMMEND APPROVAL, THERE WAS A
09:55:07AM LIST OF CONDITIONS THAT WERE PRETTY EXTENSIVE.
09:55:11AM PLANNING AND ZONING REVIEWED THIS AT THEIR MEETING ON
09:55:14AM JUNE 13.
09:55:14AM THEY HAD A RECOMMENDATION TO THE COUNCIL TO APPROVE IT
09:55:18AM WITH A 4-0 VOTE.
09:55:19AM WE WERE SHORT A FEW MEMBERS.
09:55:21AM THEY ALSO ADDED SEVERAL CONDITIONS AND RECOMMENDED SOME
09:55:24AM REVISED CONDITIONS.
09:55:26AM SO WE HAD A VERY LONG MEETING AT PLANNING AND ZONING.
09:55:28AM I THINK A LOT OF YOU WATCHED IT AND REMEMBERED SETTING A
09:55:35AM MARATHON RECORD.
09:55:35AM BUT WE DID HAVE QUITE A BIT OF DISCUSSION, AND THEY
09:55:39AM AGAIN, LIKE I SAID, THEY RECOMMENDED APPROVAL WITH EXTRA
09:55:43AM CONDITIONS.
09:55:44AM I DO WANT TO SAY THAT A LARGE ISSUE AND PROBABLY THE
09:55:48AM BIGGEST ISSUE THAT WAS DISCUSS AT THE MEETING IS
09:55:51AM TRANSPORTATION BECAUSE COCONUT ROAD AND US-41, EVERYBODY
09:55:54AM KNOWS THE TRAFFIC IS DIFFICULT THERE.
09:55:56AM WE DON'T WANT TO DOWNPLAY THAT.
09:55:58AM IT'S A BIG ISSUE AND NEEDS TO BE DISCUSSED.
09:56:01AM SO AT THE COUNCIL FIRST READING ON JUNE 21, COUNCIL
09:56:05AM ASKED THE APPLICANT TO PROVIDE A LOT MORE INFORMATION AT
09:56:08AM THE HEARING TODAY.
09:56:11AM ON TRAFFIC, PARKING, OPEN SPACE, STORMWATER, QUITE A FEW
09:56:15AM THINGS THAT YOU WANTED THEM TO ADDRESS.
09:56:17AM SO WE'RE GOING TO TURN IT OVER TO THE APPLICANT AND I'M
09:56:21AM GOING TO LET THEM EXPLAIN AND RUN THROUGH THEIR
09:56:23AM POWERPOINT AND ADDRESS THE COUNCIL'S QUESTIONS.

09:56:28AM AT SOME POINT WHEN WE TALK ABOUT CONDITIONS, I CAN COME
09:56:32AM BACK UP TO ADDRESS THE CONDITIONS.
09:56:35AM I BELIEVE THAT THE APPLICANT AGREES WITH MOST OF THE
09:56:37AM CONDITIONS THAT THE STAFF HAS PROPOSED.
09:56:40AM POSSIBLY NOT ALL.
09:56:42AM THEY MAY DISAGREE WITH A FEW SO I'M SURE THEY'LL BE
09:56:45AM HAPPY TO GO INTO THAT IN MORE DETAIL.
09:56:47AM BUT I THINK THAT IF YOU DON'T HAVE ANY QUESTIONS OF ME
09:56:51AM NOW, I THINK I'LL TURN IT OVER TO THE APPLICANT TO DO
09:56:53AM THEIR PRESENTATION.
09:56:55AM >>Mayor McLain: PRIOR TO DOING THAT, MARY, I RECOMMEND
09:56:58AM TO THE COUNCIL THAT THIS IS PRETTY EXTENSIVE.
09:57:01AM HOW MANY -- 70-PAGE POWERPOINT OR SOMETHING, THAT
09:57:04AM COUNCIL LETS THE APPLICANT GO THROUGH THE ENTIRE
09:57:08AM PRESENTATION, AND I RECOMMEND THAT EACH TAKE OUT THE
09:57:11AM PRESENTATION AND OUR CLERK HAS PROVIDED LITTLE NOTES, SO
09:57:17AM RIGHT AWAY ON THE POWERPOINT AND IF YOU'VE GOT
09:57:21AM QUESTIONS, USE THESE TO BE ABLE TO TAB THROUGH THAT
09:57:24AM BECAUSE WE WANT YOU TO ASK ALL THE QUESTIONS AND MAKE
09:57:27AM SURE YOU UNDERSTAND EXACTLY WHAT WE'VE DONE HERE.
09:57:30AM SO IT'S SOMETHING -- IF SOMETHING IS OF URGENCY THAT YOU
09:57:34AM TO INTERRUPT, DO IT BUT IT WOULD BE PREFERABLE TO LET
09:57:39AM THEM COMPLETE THEIR ENTIRE PRESENTATION, THEN WE'LL HAVE
09:57:42AM PLENTY OF TIME FOR QUESTIONS.
09:57:44AM >>Mary Gibbs: AND IF I CAN ADD ONE THING FOR THE
09:57:47AM PUBLIC'S BENEFIT, I DID ASK THE APPLICANT, IT WILL
09:57:50AM PROBABLY TAKE AN HOUR TO GO THROUGH THE PRESENTATION TO
09:57:52AM MAKE SURE THEY COMPLETE IT.
09:57:54AM SO IF ANYBODY HAS TO MAKE A QUICK DASH OUT TO THE
09:57:56AM FACILITIES, YOU'VE GOT AN HOUR.
09:58:01AM I BELIEVE THE ATTORNEY, RICHARD EVONOVICH WILL BE
09:58:06AM SPEAKING FIRST.
09:58:22AM >> THANKS YOU.
09:58:23AM RICH EVONOVICH ON BEHALF OF THE APPLICANT.
09:58:27AM I APPRECIATE THE MAYOR'S COMMENTS ABOUT OUR
09:58:30AM PRESENTATION.
09:58:31AM WE HAVE DONE OUR BEST TO ADDRESS ALL THE COMMENTS RAISED
09:58:38AM AT THE FIRST READING.
09:58:40AM HOPEFULLY WE'LL ADDRESS ALL OF THOSE IN OUR PROJECT
09:58:43AM OVERVIEW AND IF YOU CAN HOLD YOUR QUESTIONS TO THE END,
09:58:45AM THAT WOULD BE GREAT.
09:58:46AM OF COURSE IF YOU HAVE A QUESTION YOU WANT TO ASK RIGHT
09:58:48AM AWAY, WE'LL ANSWER THOSE QUESTIONS WHENEVER YOU'D LIKE
09:58:50AM US TO DO THAT.
09:58:53AM THE TEAM THAT IS HERE TODAY IS ROSS ABRAMSON WITH
09:58:58AM WOODFIELD DEVELOPMENT.
09:58:59AM HE'LL GO OVER THE PROJECT AND THEIR VISION.
09:59:01AM ALEXIS CRESPO WILL GO OVER THE PLANNING DETAILS FOR THE

09:59:06AM PROJECT.
09:59:07AM VICTOR DOVER WILL GO OVER THE PATTERN BOOK AND THE
09:59:10AM VISION AND THE PLACE MAKING THAT WE'RE ATTEMPTING TO DO
09:59:14AM THROUGH THIS PROJECT.
09:59:16AM SINA -- ALWAYS GET HIS LAST NAME WRONG -- ELBRAHIMI WILL
09:59:24AM GO OVER WATER MANAGEMENT AND CIVIL ENGINEERING QUESTIONS
09:59:27AM AND WE HAVE TWO PRESENTERS FOR TRAFFIC.
09:59:30AM WE HAVE ELIZABETH SUAREZ AND BILLY HATTAWAY WHO WAS THE
09:59:37AM FDOT TRAFFIC SECRETARY FOR THIS AREA AND WE HAVE A LOT
09:59:39AM OF PRESENTATION REGARDING TRAFFIC AND THE IMPACTS OF THE
09:59:42AM POTENTIAL PROJECT.
09:59:46AM MARY ALWAYS DOES A GREAT JOB OF GIVING YOU AN OVERVIEW
09:59:50AM OF THE PROJECT THAT BASICALLY I'LL SAY REPEATS A LITTLE
09:59:54AM BIT OF WHAT MARY SAID, SO I'LL TRY TO BE BRIEF.
09:59:57AM ON THE SCREEN IS THE 46 ACRES WE'RE TALKING ABOUT THAT
10:00:01AM AT THE NORTHWEST -- AT THE NORTHWEST QUADRANT OF COCONUT
10:00:05AM ROAD AND US-41.
10:00:08AM MARY WENT OVER THE PREVIOUS ZONING ON THE PROPERTY THAT
10:00:11AM STILL EXISTS ON THE PROPERTY, AND AS SHE MENTIONED, WE
10:00:14AM ARE WITHIN THE VILLAGE CENTER LAND USE DESIGNATION FOR
10:00:18AM YOUR PROPERTY.
10:00:21AM ROSS WILL GO OVER OUR PATTERN BOOK AND HOW WE HONORED
10:00:26AM THE MAJOR CONCEPTS THAT WERE APPROVED AS PART OF -- OR
10:00:30AM DISCUSSED AND VETTED AS PART OF THE LEE HEALTH PROJECT
10:00:34AM AND HOW WE ATTEMPTED TO INCORPORATE THOSE INTO THE
10:00:37AM PROPOSED PROJECT WITH RELATIVELY MINOR CHANGES OTHER
10:00:42AM THAN GOING TO A RESIDENTIAL DEVELOPMENT ALONG WITH
10:00:48AM COMMERCIAL AND OFFICE AND HOTEL AND OTHER USES THAT
10:00:52AM WE'RE PROPOSING FOR THE PROJECT.
10:00:54AM WE ARE ASKING FOR 596 DWELLING UNITS WHICH IS IN YOUR
10:00:58AM BASE DENSITY FOR TIER 3.
10:01:04AM WE ARE IN THE VILLAGE CENTER WHICH WE'RE REQUIRED TO
10:01:07AM REZONE TO ESTERO PLANNED DEVELOPMENT ZONING.
10:01:13AM WE HAVE 82,000 SQUARE FEET OF COMMERCIAL, RETAIL AND
10:01:17AM DINING AS PART OF THE PROJECT.
10:01:18AM IT IS BOTH -- IT'S A VERTICALLY INTEGRATED MIXED USE
10:01:23AM PROJECT.
10:01:23AM WE HAVE 42,000 SQUARE FEET OF OFFICE AS PART OF THIS
10:01:26AM PROJECT.
10:01:27AM AND WE HAVE A 260 HOTEL ROOM -- 260 HOTEL ROOM PROPOSED
10:01:36AM HOTEL AS PART OF THE PROJECT.
10:01:39AM AND WE HAVE CIVIC USES INCLUDING PARKS AND A CIVIC
10:01:42AM BUILDING THAT IS GOING TO BE CONSTRUCTED AS PART OF THIS
10:01:45AM PROCESS -- OR THIS PROJECT.
10:01:47AM AS I MENTIONED, WE'RE GOING TO SPEND A LOT OF TIME
10:01:50AM ADDRESSING YOUR CONCERNS AND COMMENTS YOU HAVE REGARDING
10:01:52AM TRAFFIC AS PART OF THE PRESENTATION.
10:01:55AM ALEXIS -- I'LL BRING ROSS UP FIRST TO GIVE YOU HIS

10:01:58AM VISION AND OVERVIEW OF THE PROJECT, THEN ALEXIS WILL
10:02:01AM TAKE YOU THROUGH THE PATTERN BOOK -- I'M SORRY, THROUGH
10:02:04AM THE ZONING REPRESENTED TESTIMONY.
10:02:07AM VICTOR WILL COME UP AND TALK ABOUT THE PATTERN BOOK.
10:02:09AM AND THEN WE'LL TALK ABOUT WATER MANAGEMENT AND THEN
10:02:12AM TRANSPORTATION AS PART OF THE PRESENTATION.
10:02:16AM WE DID OUR BEST TO TRY TO GET ALL OF YOUR QUESTIONS
10:02:19AM ANSWERED IN THE PRESENTATION.
10:02:21AM I NEVER ONCE GOT IT PERFECT YET BUT HOPEFULLY PRETTY
10:02:26AM CLOSE TO WHAT WE'RE DOING.
10:02:27AM ALEXIS AND I HAVE DONE ONE OTHER VILLAGE CENTER PROJECT
10:02:31AM IN THE VILLAGE, AND HOPEFULLY WE LEARNED FROM THAT AND
10:02:34AM INCORPORATED THOSE COMMENTS AND CONCERNS IN THE PHASING
10:02:37AM SCHEDULE WHICH WE'VE BEEN WORKING CLOSELY WITH MARY ON
10:02:41AM THAT TO MAKE SURE THAT AS WE BUILD THE PROJECT, YOU GET
10:02:44AM THE COMMERCIAL AND OFFICE AND OTHER USES ASSOCIATED WITH
10:02:47AM THE PROJECT.
10:02:48AM SO WITH THAT, I'LL TURN IT OVER TO ROSS UNLESS YOU HAVE
10:02:51AM QUESTIONS OF ME.
10:03:29AM >> THANK YOU ALL FOR YOUR TIME TODAY.
10:03:31AM I WANT TO START WITH A QUICK THANK YOU TO TWO PEOPLE WHO
10:03:35AM WERE INVOLVED IN THIS PROJECT LONG BEFORE WOODFIELD GOT
10:03:40AM INVOLVED AND WE WOULDN'T BE HERE TODAY WITH OUR
10:03:41AM APPLICATION WITHOUT THEM, AND THEY'VE REALLY PUSHED US
10:03:45AM TO PROVIDE THE BEST PROJECT WITH MIX OF USES FOR THE
10:03:50AM VILLAGE, SO STEVE SARKOZY AND MARY GIBBS, THANK YOU VERY
10:03:56AM MUCH FOR YOUR HELP.
10:03:57AM NEXT, I KNOW THAT THIS SITE IS THE GATEWAY TO THE
10:04:00AM VILLAGE OF ESTERO AND ONE OF THE MAIN FOCUSES FOR YOUR
10:04:05AM VILLAGE CENTER, AND WE MADE A COMMITMENT FROM THE START
10:04:08AM THAT WE WERE GOING TO BUILD UPON THE GOOD WILL OF THAT
10:04:13AM LEE HEALTH AND THE VILLAGE OF ESTERO WORKED TOWARDS
10:04:16AM DESIGNING THIS PROJECT BEFORE WE GOT INVOLVED.
10:04:19AM AND WE REMAIN COMMITTED TODAY.
10:04:21AM WE KNOW THE ZONING IS A BIG STEP, BUT THIS BY NO MEANS,
10:04:25AM THE FINAL STEP, SO WE WILL CONTINUE TO DO WHAT'S RIGHT
10:04:29AM AND WORK WITH THE VILLAGE AND STAFF AND WHETHER
10:04:33AM CONDITIONS ARE IN THE ZONING ORDINANCE OR NOT, WE'LL TRY
10:04:36AM TO DO THE RIGHT THING WHENEVER WE CAN.
10:04:38AM SO WE LOOK FORWARD TO CONTINUING THE CONVERSATION ON THE
10:04:42AM ITEMS THAT YOU GUYS BROUGHT FORTH A COUPLE WEEKS AGO, SO
10:04:46AM WITH THAT, I'LL TURN IT OVER TO ALEXIS.
10:04:50AM THANK YOU.
10:04:56AM >> THANK YOU.
10:04:56AM GOOD MORNING.
10:04:57AM ALEXIS CRESPO.
10:05:00AM VICE PRESIDENT OF PLANNING WITH RV PLANNING AND
10:05:05AM ARCHITECTURE.

10:05:05AM WE HAVE GOTTEN OUR DESIGN REVIEW BOARD PRESENTATION
10:05:09AM UPLOADED INITIALLY.
10:05:11AM SO APOLOGIZE FOR MAKING STAFF DO A LITTLE EXTRA WORK
10:05:13AM HERE.
10:05:14AM SO I'M GOING TO JUMP INTO THE ZONING ASPECTS.
10:05:17AM EVERYBODY IS VERY FAMILIAR WITH THIS SITE.
10:05:19AM IT'S REALLY THE FOCAL POINT IN THE LAST LARGE
10:05:23AM UNDEVELOPED TRACT, UNENTITLED, TRACT WITHIN THE VILLAGE
10:05:27AM OF ESTERO.
10:05:27AM WE DO HAVE NEIGHBORING RESIDENTIAL LAND USES THAT WE
10:05:31AM HAVE TO WORK INTO THIS PROPOSAL PRETTY CAREFULLY BECAUSE
10:05:35AM WE HAVE A VERY INTENSIVE INTERSECTION ACROSS FROM
10:05:37AM COCONUT POINT, BUT WE ALSO HAVE MARSH LANDING TO OUR
10:05:41AM NORTH AND COCONUT SHORES TO OUR WEST.
10:05:43AM AND SO REALLY BUILDING A THOUGHTFUL LAND PLAN THAT
10:05:48AM INCORPORATES THE DENSITY INTENSITY YOU WANT TO SEE IN
10:05:51AM YOUR VILLAGE CENTER PER YOUR COMPREHENSIVE PLAN BUT
10:05:54AM BALANCING THAT WITH OUR RESIDENTIAL NEIGHBORS, AND WE
10:05:56AM BELIEVE WITH THE CONDITIONS BEFORE YOU TODAY AND THE
10:05:58AM DIFFERENT EFFORTS AND STAFF PUSHING US ON CERTAIN THINGS
10:06:03AM THAT WE DO HAVE A PLAN THAT IS BOTH MEETING THE INTENT
10:06:05AM OF YOUR COMPREHENSIVE PLAN AND VISION FOR THIS PARCEL
10:06:08AM BUT ALSO RESPECTING THE COMMUNITY AND ADDRESSING THE
10:06:12AM INFRASTRUCTURE NEEDED TO SUPPORT IT.
10:06:14AM MARY, AS EVERYONE SAID, DID A GREAT JOB OF LAYING THE
10:06:18AM GROUNDWORK AND I THINK IT WAS COUNCILMEMBER FIESEL AT
10:06:21AM THE LAST MEETING SAID, DID WE INHERIT BAD LEE COUNTY
10:06:25AM ZONING HERE?
10:06:26AM IS THIS ONE OF THOSE PARCELS THAT CAME INTO THE VILLAGE
10:06:29AM UPON INCORPORATION WITH SOME ZONING THAT WE WOULDN'T
10:06:32AM CONSIDER IDEAL FOR THE VILLAGE.
10:06:35AM AND THAT IS THE CASE AS MARY NOTED, THIS HAS ZONING
10:06:38AM DATING BACK TO THE LATE 1990s.
10:06:42AM IT IS CLASSIC KIND OF STRIP COMMERCIAL BIG BOX,
10:06:47AM VEHICLE-ORIENTED, SUBURBIA THAT I BELIEVE IS ONE OF THE
10:06:53AM IMPETUS FOR THE VILLAGE INCORPORATING SAYING WE WANT
10:06:56AM BETTER DESIGN.
10:06:56AM WE WANT BETTER INTEGRATION OF USES.
10:06:58AM SO I'D SUBMIT TO YOU THAT WHAT WE'RE BRINGING FORWARD
10:07:01AM TODAY IS VERY MUCH MEETING THAT INTENT DATING BACK TO
10:07:05AM WHEN THE VILLAGE DECIDED TO BECOME THEIR OWN ENTITY AND
10:07:09AM CONTROL THEIR DESTINY ON THE PARCELS.
10:07:11AM AS MARY NOTED THE SITE HAS ENTITLEMENTS FOR HALF A
10:07:14AM MILLION SQUARE FEET OF NON-RESIDENTIAL LAND USES.
10:07:17AM THE INTENT WAS FOR ABOUT 200,000 SQUARE FEET OF LIGHT
10:07:21AM INDUSTRIAL ON THE WEST SIDE OF THE SITE ADJACENT CLOSEST
10:07:24AM TO COCONUT SHORES.
10:07:26AM THAT COULD BE KIND OF MANUFACTURING AND CLOSED TYPE

10:07:30AM USES, WAREHOUSING, DISTRIBUTION, THINGS OF THAT NATURE.
10:07:35AM THE FRONT SHOWN AS DEVELOPMENT AREA ONE THERE IS WHERE
10:07:37AM THE KOHL'S STORE WOULD BE LOCATED, AND THEN YOU CAN SEE
10:07:42AM A NUMBER OF OUT PARCELS ON US-41.
10:07:47AM AGAIN, VERY AUTO ORIENTED NATURE AND VERY INTENSE.
10:07:49AM AS ELIZABETH AND BILLY WILL DISCUSS WITH YOU AND THE
10:07:52AM COMPARISON OF THE TRIPS GENERATED BY THIS PROJECT
10:07:55AM COMPARED TO OUR TRIPS, WE'RE ACTUALLY SUBSTANTIALLY
10:07:59AM LOWER THAN THE TRIPS THAT WOULD OCCUR UNDER THE CURRENT
10:08:01AM ZONING.
10:08:04AM THIS IS OUR PROPOSED MASTER CONCEPT PLAN.
10:08:07AM THE PATTERN BOOK THAT DOVER COLE PREPARED IS AN
10:08:15AM ILLUSTRATIVE VERSION OF THIS.
10:08:17AM SO I'LL DEFER THE DETAILS TO VICTOR TO WALK YOU THROUGH
10:08:20AM THE PATTERN BOOK AND REALLY THE SITE DESIGN HERE.
10:08:23AM I JUST -- I DO WANT TO EMPHASIZE, WE'RE DOING VERTICALLY
10:08:26AM INTEGRATED MIXED USE.
10:08:27AM WE ARE ASKING FOR 596 DWELLING UNITS WHICH WOULD BE A
10:08:31AM MIX OF MULTI-FAMILY AS WELL AS TOWNHOMES WHICH IS A
10:08:34AM PRETTY UNIQUE PRODUCT TYPE TO INTRODUCE TO THIS AREA.
10:08:37AM THAT DENSITY IS 13 UNITS PER ACRE.
10:08:40AM THAT IS BELOW THE STANDARD MAXIMUM BASE DENSITY IN YOUR
10:08:46AM COMPREHENSIVE PLAN.
10:08:47AM THAT'S SOMETHING WE WENT BACK AND FORTH ON AND HAD TO
10:08:49AM CLARIFY AT THE DESIGN REVIEW BOARD MEETING.
10:08:52AM THERE WAS THE THOUGHT THAT WE WERE ASKING FOR MORE
10:08:54AM DENSITY THAN THE COMP PLAN ALLOWS OR WE WERE ACTUALLY
10:08:57AM SEEKING BONUS DENSITY IS WHAT THEY THOUGHT.
10:08:59AM SO WE WANTED TO MAKE SURE IT'S VERY CLEAR TODAY, WE'RE
10:09:02AM NOT SEEKING ANY BONING DENSITY.
10:09:04AM WE ARE CERTAINLY OFFERING INCENTIVES COMMENSURATE WITH
10:09:08AM THAT PROGRAM AND COMPREHENSIVE PLAN, BUT WE'RE NOT
10:09:11AM TRYING TO GO UP TO 20 PER ACRE AS COULD BE PERMITTED ON
10:09:15AM THE SITE THROUGH THE COMP PLAN BONUS DENSITY PROGRAM.
10:09:19AM IN ADDITION TO THAT WE INTEGRATED A LOT OF THOSE
10:09:21AM DWELLING UNITS ABOVE GROUND FLOOR RETAIL AND DINING TO
10:09:23AM HAVE A REALLY DYNAMIC ATTRACTIVE PLACE FOR NOT ONLY
10:09:29AM RESIDENTS TO GO BUT PEOPLE WITHIN THE AREA TO ENJOY
10:09:32AM CIVIC SPACES REALLY CLOSELY ORIENTED TO THAT RETAIL AND
10:09:35AM DINING.
10:09:35AM WE ACCOMMODATED RETAIL AND OFFICE SO THIS CAN BE A TRUE
10:09:39AM LIVE/WORK PROJECT WHEN WE TALK ABOUT TRIP GENERATION
10:09:42AM LATER IN THE PRESENTATION, YOU'LL HEAR ABOUT HOW WE CAN
10:09:45AM REDUCE VEHICLE MILES TRAVELED.
10:09:48AM WE CAN REDUCE PEOPLE GETTING IN THEIR VEHICLES WHEN WE
10:09:51AM DESIGN PROJECTS LIKE THIS WHEN THEY CAN GET THEIR DAILY
10:09:54AM GOODS AND SERVICES AND MIGHT EVEN HAVE EMPLOYMENT WITHIN
10:09:59AM THIS PROJECT.

10:10:00AM I THINK THAT'S THE GOAL OF THE VILLAGE CENTER CONCEPT.
10:10:02AM THE PLAN INCLUDES 260 HOTEL ROOMS.
10:10:06AM WE ARE SEEKING A MINIMUM OF 3,000 SQUARE FEET OF CIVIC
10:10:11AM SPACE, BUT WE'RE UNDERSTANDING THE COUNCIL IS INTERESTED
10:10:14AM IN POTENTIALLY ADDITIONAL SQUARE FOOTAGE, SO IN THE
10:10:17AM MODIFIED CONDITIONS, YOU'LL SEE THAT IT'S ESTABLISHED AT
10:10:20AM A MAXIMUM OF 6,000 SQUARE FEET AND A MINIMUM OF 3,000,
10:10:24AM SO THERE IS LEEWAY TO DO ADDITIONAL CIVIC SPACE THAT
10:10:27AM WE'LL WALK YOU THROUGH IN THE PRESENTATION.
10:10:30AM ALSO, THE PLAN INCLUDES PUBLIC PARKS, AMENITIES AND
10:10:35AM PRIVATE RECREATION AS WELL AS SUBSTANTIAL PRESERVE AREA
10:10:38AM ALONG OUR NORTH AND WESTERN BOUNDARIES WHERE WE -- MOST
10:10:43AM CLOSELY ABUT OUR NEIGHBORS.
10:10:45AM SO JUST THE GUIDING PRINCIPLES THAT WE UTILIZED AND THAT
10:10:51AM VICTOR ACTUALLY UTILIZED DEVELOPING THE LEE HEALTH
10:10:54AM CONCEPT AND MAKING IT FIT FOR THE WOODFIELD DEVELOPMENT
10:10:58AM PROGRAM WAS REALLY GUIDED BY, AGAIN, THE COMPREHENSIVE
10:11:00AM PLAN FOR THE VILLAGE AND THIS VILLAGE CENTER LAND USE.
10:11:04AM IT SPEAKS TO WANTING VERTICALLY INTEGRATED MIXED USE.
10:11:08AM IT SPEAKS TO WANTING TO CREATE VIBRANT PUBLIC SPACES,
10:11:12AM INTERCONNECTIVITY AND THE ABILITY TO LIVE, WORK AND PLAY
10:11:15AM IN THE SAME PROJECT.
10:11:16AM AND AS YOU CAN -- THERE IS A LOT OF TEXT ON THE SLIDE
10:11:19AM BUT YOU CAN SEE IN THE VILLAGE CENTERS YOU CAN GO UP TO
10:11:22AM 27 USE PER ACRE AND WE'RE WELL BELOW THAT.
10:11:25AM ALSO, SUBMIT FOR THE RECORD AND THIS IS OUTLINED IN THE
10:11:28AM STAFF REPORT AS WELL AS NARRATIVES THAT WE'RE FULLY
10:11:32AM CONSISTENT WITH THE MIXED USE STANDARDS OF YOUR
10:11:34AM COMPREHENSIVE PLAN AND TO EXPLAIN THAT WITH VISUALS THAT
10:11:36AM ARE MUCH MORE INTERESTING THAN THE SLIDE, I'M GOING TO
10:11:39AM ASK VICTOR TO COME UP AND WALK THROUGH THE PATTERN BOOK.
10:11:47AM >> GOOD MORNING, EVERYONE.
10:11:50AM I HAVE A COPY OF THE PATTERN BOOK HERE, BUT I'M SURE
10:11:53AM YOU'VE ALL SEEN IT.
10:11:54AM I'M JOINED TODAY ALSO BY KENNETH GARCIA FROM OUR OFFICE
10:11:58AM WHO HAS WORKED WITH -- ALONGSIDE ME AND OTHERS IN OUR
10:12:01AM FIRM FROM THE BEGINNING ON THIS PROJECT DESIGNING IT AND
10:12:04AM PRODUCING ALL THE BEAUTIFUL IMAGES IN THE BOOK.
10:12:06AM SO KENNETH IS HERE IF I FORGET SOMETHING, YOU'LL LET ME
10:12:12AM KNOW, RIGHT?
10:12:12AM IT'S AN HONOR TO BE BACK HERE AND TALK ABOUT THIS.
10:12:15AM I'M REMINDED THAT WHEN WE WERE FIRST APPROACHED BY THE
10:12:18AM LEE HEALTH AUTHORITY, THEIR CFO, BEN SPENCE, WE SAT DOWN
10:12:25AM AND TALKED ABOUT THIS AND MET WITH THEIR BOARD.
10:12:27AM ONE OF THE BOARD MEMBERS FROM LEE HEALTH SAID THAT AS
10:12:32AM HOSPITAL OPERATORS, THEY WERE IN THE MEDICAL REPAIR
10:12:36AM BUSINESS BUT THEY'D LOVE TO SEE PARSE OF THIS
10:12:39AM PROJECT -- PARTS OF THIS REGION DESIGNED FOR ACTIVE

10:12:41AM DAILY LIVING AND WITH AN EYE TOWARD IMPROVING PUBLIC
10:12:45AM HEALTH OUTCOMES THROUGH THE DESIGN OF OUR STREETS AND
10:12:49AM NEIGHBORHOODS.
10:12:49AM AND THAT'S AN IDEA THAT STARTED WITH THIS PROJECT WHEN
10:12:51AM WE DID THE INITIAL PLAN FOR LEE HEALTH, AND THEN HAS
10:12:54AM REMAINED WITH IT AS WOODFIELD ASKED US TO CONTINUE ON IT
10:12:58AM AND ADAPT IT IN ORDER TO ACCOMMODATE THEIR DEVELOPMENT
10:13:04AM PROGRAM, SO I'M VERY EXCITED TO SEE THAT IDEA REMAIN
10:13:06AM THROUGHOUT.
10:13:07AM ESSENTIALLY IT'S THIS.
10:13:09AM IN A NEIGHBORHOOD DESIGNED FOR A CULTURE OF DAILY
10:13:12AM PHYSICAL ACTIVITY, WHAT'S OUTSIDE MATTERS.
10:13:15AM SO WHAT YOU SEE WHEN YOU'RE STANDING IN THE STREETS AND
10:13:18AM THE KINDS OF PUBLIC SPACES PROVIDED INCLUDING THE
10:13:20AM STREETS AND THE SQUARES AND THE SURROUNDING NATURAL AREA
10:13:24AM IS WHERE WE WILL EXPERIENCE THINGS LIKE WALKING TO GET A
10:13:28AM MEAL WITH A FRIEND OR TO MAKE A SHORT ERRAND OR BIKING
10:13:34AM TO JOIN UP WITH THE VILLAGE'S LARGER TRAIL NETWORK, OR
10:13:40AM TO WORK AT THE HOSPITAL.
10:13:41AM THINGS LIKE THAT.
10:13:42AM SO AS YOU LOOK AT THIS, I WANT YOU TO REMEMBER THAT IN
10:13:46AM THE REGION, WE'RE SURROUNDED BY DEVELOPMENTS THAT ARE
10:13:49AM VERY THINLY SPREAD OUT OVER LARGE, LARGE AMOUNTS OF
10:13:53AM LAND.
10:13:54AM AND THEY'RE RELATIVE LY INCOMPLETE.
10:13:56AM HOUSING WAY OVER HERE.
10:13:57AM PLACES TO EAT WAY OVER THERE.
10:14:00AM PLACES TO WORK OR LODGE SOMEWHERE ELSE.
10:14:04AM AND THEY ARE DISCONNECTED GENERALLY IN SEPARATED PODS
10:14:10AM WITH PONDS AND THINGS AND ONE WAY IN AND ONE WAY OUT.
10:14:15AM AND WHAT WE HAVE HERE IS DELIBERATELY NOT LIKE THAT
10:14:19AM SURROUNDING CONTEXT.
10:14:20AM IT'S DELIBERATELY COMPACT, COMPLETE, CONNECTED, AND
10:14:24AM WALKABLE INSTEAD OF JUST AUTO-ORIENTED.
10:14:27AM SO THOSE ARE THE THEMES THAT DROVE THE DESIGN.
10:14:30AM WHAT YOU HAVE ON THE SCREEN IN FRONT OF YOU IS AN
10:14:33AM OVERALL ILLUSTRATIVE SITE PLAN WHICH WHEN WE CONDUCT AN
10:14:38AM INTERACTIVE PROCESS WITH MANY OF YOU AND YOUR NEIGHBORS,
10:14:41AM WE USED AS A KIND OF BULLETIN BOARDS FOR ALL THE THINGS
10:14:46AM SUGGESTED.
10:14:46AM HOW ABOUT A SQUARE.
10:14:47AM HOW CAN WE IMPROVE THE INTERSECTIONS.
10:14:49AM HOW CAN WE MAKE A NETWORK OF BLOCKS AND STREETS.
10:14:51AM SO OVER TIME, THAT WENT FROM BEING A DIAGRAM TO BEING A
10:14:54AM MAP AND THEN A THREE-DIMENSIONED DESIGN.
10:14:59AM IT'S ACTUALLY USEFUL TO LOOK AT IT AS IF IN THE DRONE OR
10:15:02AM IN A BALLOON LOOKING DOWN ON IT TO GET AN IDEA OF WHAT
10:15:06AM IT'S LIKE THREE-DIMENSIONALLY.

10:15:09AM ONE OF THE FIRST THINGS WE NOTICED IS THAT IN THE
10:15:11AM EXISTING CONDITIONS, IF YOU'RE IN THE FAR NORTHWEST
10:15:14AM CORNER OF THE SITE, IT'S GREEN AND TRANQUIL BECAUSE OF
10:15:18AM THE EXISTING FOREST OR OF THE DISTANCE FROM THE BUSY
10:15:23AM ROADS.
10:15:24AM IF YOU'RE IN THE FAR SOUTHEAST CORNER OF THE SITE, IT'S
10:15:28AM GRAY AND NOISY.
10:15:30AM SO WHAT WE THOUGHT WE'D START WITH IS HOW CAN WE TAKE
10:15:34AM SOME OF THE GOOD EXPERIENCE THAT WE HAVE IN THE
10:15:36AM NORTHWEST CORNER OF THE SITE AND BRING IT OUT TO THE
10:15:39AM US-41 EDGES AND ALL THE WAY INTO THE CORNER OF THE 41
10:15:43AM COCONUT INTERSECTION.
10:15:44AM THAT'S WHERE THE CRESCENT PARK YOU SEE IN THE FOREGROUND
10:15:48AM AND SQUARE ON THE 41 SIDE CAME FROM.
10:15:51AM WE KNEW THOSE SPACES NEXT TO THE BUSY ROADS WOULD NOT BE
10:15:54AM THE INTIMATE HEART OF THE NEIGHBORHOOD, SO WE CREATED A
10:15:57AM SQUARE AT THE END OF THE DIAGONAL YOU SEE THERE AND
10:16:01AM CONNECTED THE POINTS WITH THE DIAGONAL HAVING THE MOST
10:16:05AM PEDESTRIAN-FRIENDLY, INTERESTING AND ACTIVE USES LIKE
10:16:10AM THE RESTAURANT ROW AND HOTEL ALONG THE STREET THAT
10:16:14AM CONNECTS THE TWO.
10:16:15AM I'LL TALK ABOUT THE PATTERNS LIKE THE ONES I JUST
10:16:18AM DESCRIBED AND THE SHAPES AND SIZES OF THINGS.
10:16:21AM BUT JUST TO SIMPLIFY THE MAP A MINUTE AND PUT SOME
10:16:25AM LABELS ON IT, THIS SHOWS THE FUNDAMENTAL COMPONENTS OF
10:16:28AM THOSE BUILDINGS BUT ALSO THE PUBLIC SPACES.
10:16:32AM STARTING WITH THE CRESCENT LAKE IN THE CORNER, CONNECTED
10:16:35AM BY THE LITTLE DIAGONAL WE CALL THE RESTAURANT ROW TO THE
10:16:39AM CENTRAL GREEN, A CLASSIC VILLAGE GREEN OR TOWN SQUARE.
10:16:44AM WE TOOK ONE STREET WHICH CONNECTS DUE NORTH AND SOUTH TO
10:16:47AM COCONUT AND MADE IT WIDER AND GRANDER, SO WE CALL IT A
10:16:54AM RAMBLA BECAUSE IT HAS A FAMOUS PEDESTRIAN STREET LIKE IN
10:17:00AM BARCELONA.
10:17:01AM AT THE FAR END OF THAT ON THE FORMAL OR GRAND MANNER
10:17:04AM KIND OF ACCESS, WE POSITIONED THE SITE FOR THE CIVIC
10:17:07AM BUILDING.
10:17:07AM I'LL TALK MORE ABOUT THE CIVIC BUILDING IN A MOMENT.
10:17:10AM THEN TO THE WEST, WE KEPT THE FORESTED BUFFER AND
10:17:14AM EXPANDED UPON THE MINIMUM PRESERVATIONS THAT WOULD HAVE
10:17:17AM ALWAYS BEEN EXPECTED AND ADDED OUR MOST IMPORTANT
10:17:23AM STORMWATER FEATURE INTO THE FEATURE BECAUSE OF WHERE IT
10:17:28AM BELONGS AND ALSO TO GIVE RELIEF TO THE BUILT-UP AREAS OF
10:17:32AM THE PLAN TO THE NATURALISTIC BACKGROUND.
10:17:35AM THEN WE ADDED THE PARK THAT FRONTS 41 IN THE UPPER
10:17:39AM RIGHT-HAND CORNER OF THE SCREEN.
10:17:42AM IT'S USEFUL TO LOOK AT THE BEFORE AND AFTERS EVEN THOUGH
10:17:45AM THEY CAN BE KIND OF SHOCKING BECAUSE THEY ILLUSTRATE AN
10:17:49AM END STATE AFTER MULTIPLE PHASES OF DEVELOPMENT OVER TIME

10:17:52AM HAVE OCCURRED.
10:17:53AM THIS IS LOOKING FROM THE SOUTH TO THE NORTH ALONG THAT
10:17:55AM BROAD AVENUE AND RAMBLA STREET ON ACCESS WITH THE CIVIC
10:18:00AM BUILDING, AND YOU'LL NOTICE IN THESE AERIALS THAT WE
10:18:03AM HAVE LOTS OF PARKING BUT THE PARKING IS LOCATED IN THE
10:18:06AM MIDDLE OF THE BLOCK.
10:18:07AM THAT'S ONE OF THE MOST -- OF THE MOST IMPORTANT PATTERNS
10:18:10AM SO YOU NEVER LOOK ACROSS VAST PARKING FIELDS.
10:18:15AM PARKING IS ALWAYS PLENTIFUL AND ADJACENT TO WHAT IT
10:18:18AM NEEDS TO BE NEXT TO, BUT IT'S ALSO DISCREET AND SCREENED
10:18:24AM BY THE HABITABLE SPACES.
10:18:25AM SO NOW INSTEAD OF BLANK WALLS OR PARKING LOTS ADJACENT
10:18:29AM TO THE STREETS AS YOU SEE IN OTHER LATE 20th CENTURY
10:18:33AM DEVELOPMENTS IN THE REGION, HERE YOU'LL SEE DOORS AND
10:18:37AM WINDOWS AND BALCONIES AND STOREFRONTS FACING ALL THOSE
10:18:40AM PUBLIC SPACES.
10:18:42AM INCLUDING THE TWO EXISTING STREETS ON COCONUT AND 41 AND
10:18:46AM THE EXISTING STREET WITHIN THE PROPERTY.
10:18:48AM NOW IF YOU GO TO ANOTHER ANGLE, THIS IS LOOKING TOWARD
10:18:52AM THE SOUTHWEST AND WHAT SHOWS UP IN THE CENTER OF YOUR
10:18:54AM SCREEN HERE IS THAT -- THE SOUTHWEST AND WHAT SHOWS UP
10:18:57AM IN THE CENTER OF THE SCREEN AND NEIGHBORHOOD PARK OR
10:18:59AM SQUARE, THIS IS INTENDED TO BRING THE GREEN RELIEF AND
10:19:03AM GREEN ENVIRONMENT WE ASSOCIATE WITH THE WESTERN SIDE OF
10:19:06AM THE SITE ALL THE WAY TO THE EASTERN SITE.
10:19:09AM YOU CAN SEE HERE ALL ALONG 41, NOT PARKING LOTS OR BACK
10:19:15AM OF HOUSE BUT THE FRONTS OF BUILDINGS, DOORS AND WINDOWS
10:19:19AM FACING THE STREETS.
10:19:20AM AND THEN ON ANOTHER ANGLE LOOKING FROM THE SOUTHWEST
10:19:23AM TOWARD THE NORTHEAST, YOU CAN SEE ON THE CENTER OF THE
10:19:28AM SCREEN, THE CENTRAL GREEN.
10:19:29AM YOU HAVE ANOTHER ANGLE ON THAT.
10:19:33AM WHEN WE MOVE OVER CAMERA OVER THE CENTER OF THE PROJECT,
10:19:36AM YOU CAN SEE THIS CENTRAL GREEN.
10:19:38AM WE'LL TALK A LITTLE BIT ABOUT THE SIZE OF THAT.
10:19:42AM THIS -- THESE IMAGES WERE CREATED USING AN ELABORATE
10:19:48AM COMPUTER MODEL SO WE WORKED WITH THE ENGINEERS AND
10:19:51AM ARCHITECTS TO SHAPE THE BUILDINGS AND TO PLACE THEM IN
10:19:55AM CONTEXT WITH ONE ANOTHER AND STUDY THEM.
10:19:57AM SO YOU'RE LOOKING AT DESIGN ILLUSTRATIONS AND ALSO THE
10:20:00AM STUDY TOOL.
10:20:02AM THIS IS ANOTHER ANGLE ON THE NEIGHBORHOOD GREEN.
10:20:05AM THE CENTRAL GREEN.
10:20:06AM AND THEN THIS ONE LOOKING FROM THE NORTHWEST BACK TOWARD
10:20:08AM THE SOUTHEAST, YOU CAN SEE THE DIAGONAL I'VE BEEN
10:20:12AM TALKING ABOUT.
10:20:12AM WE'RE TRYING TO CREATE THE PSYCHOLOGICAL CONNECTION
10:20:16AM WITHOUT MAKING THE WHOLE THING FEEL ASWIRL IN TRAFFIC

10:20:23AM AND CARS.
10:20:24AM SO THESE PEDESTRIAN SPACES AND AS YOU MOVE FURTHER
10:20:27AM TOWARD THE NORTHWEST ARE TERMINATED BY A SMALL AREA
10:20:31AM WHERE WE HAVE TOWNHOUSES OR ROW HOUSES.
10:20:33AM THIS IS INTENDED TO BRING THE SCALE OF THE BUILDINGS
10:20:37AM DOWN TO A SIZE AND SHAPE THAT'S MORE COMPATIBLE WITH OUR
10:20:41AM NEIGHBORS TOWARD THE WEST AND NORTH BUT ALSO TO
10:20:45AM INTRODUCE VARIETY SO THAT NOT EVERYBODY IS A BIG
10:20:50AM MULTI-FAMILY BUILDING.
10:20:50AM SOME THINGS WILL BE IN A TOWNHOUSE FORMAT.
10:20:53AM LET'S TALK ABOUT THE SIZE OF THE CENTRAL GREEN.
10:20:56AM I KNOW THAT WATCHING LAST MEETING, WE KNOW THAT WAS AN
10:21:00AM ISSUE THAT CAME UP A FEW TIMES.
10:21:02AM IT WON'T SURPRISE YOU TO DISCOVER THIS WAS ORIGINALLY AM
10:21:06AM SPIRED BY THE -- INSPIRED BY THE GREENS IN SAVANNAH.
10:21:11AM THE STANDARD SAVANNAH SQUARE IS 200 FEET ON ONE SIDE AND
10:21:14AM VARIES FROM 100 TO 300 ON THE OTHER.
10:21:17AM SO BASICALLY YOU'RE LOOKING AT A GREEN THAT IS THE SIZE
10:21:19AM OF THE LARGEST OF THE 22 SQUARES IN SAVANNAH'S FAMOUS
10:21:24AM PLAN.
10:21:24AM WE RELY AS WE DO THIS WORK ON PRECEDENCE.
10:21:28AM BOTH HISTORICAL ONES LIKE THAT ONE AND MORE RECENT
10:21:31AM THINGS SO WE CAN GO THERE, STAND IN THE SPACE AND FEEL
10:21:35AM WHETHER IT'S SUFFICIENT SIZE.
10:21:37AM BUILDING FACE TO BUILDING FACE DIMENSIONS OF COURSE ARE
10:21:41AM LONGER BUT THE 200 TO 300 IS A NUMBER TO REMEMBER AS WE
10:21:44AM LOOK AT OTHER COMPARISONS.
10:21:45AM THIS IS A FLEXIBLE SPACE THAT WE WANT TO BE ABLE TO USE
10:21:48AM FOR BUSY DAYS WHEN THERE IS AN EVENT OR A CONCERT OR
10:21:53AM LOTS OF PEOPLE IN THE SQUARE.
10:21:54AM WE ALSO WANT IT TO FEEL RIGHT WHEN THERE ARE JUST A FEW
10:21:57AM OF US AROUND OR YOU'RE MEETING YOUR FRIEND THERE TO HAVE
10:22:00AM LUNCH OR A COFFEE ON THE BENCH.
10:22:03AM AND IT DOESN'T FEEL EMPTY WHEN -- WHEN IT'S NOT FULL OF
10:22:08AM PEOPLE ON CONCERT OR FESTIVAL DAY.
10:22:11AM THAT'S A REASON WHY IT'S NO BIGGER THAN IT ACTUALLY IS.
10:22:15AM THESE KINDS OF SPACES WHEN THEY GET LARGER AND LARGER
10:22:17AM TEND TO FEEL MORE AND MORE VACANT AND WIND SWEPT.
10:22:21AM THIS IS A GOOD SIZE WE KNOW BASED ON THE SAVANNAH
10:22:24AM PRECEDENT.
10:22:25AM WE CAN FEEL WITH ENOUGH ACTIVITY AND ENOUGH CONDENSING
10:22:28AM OF HUMAN EXPERIENCE TO FEEL NATURAL.
10:22:33AM WE'LL START WITH THIS PROJECT IN COLORADO.
10:22:34AM IT'S ONE OF THE DEVELOPMENTS FOR WHICH OUR FIRM IS BEST
10:22:38AM KNOWN.
10:22:38AM IT'S CALLED SOUTH MAIN.
10:22:41AM ALONG THE RIVERFRONT AND BUENA VISTA, COLORADO.
10:22:47AM THIS ONE HAS ABOUT THE SAME DIMENSION ON THE LONG SIDE,

10:22:50AM 300 FEET, BUT IT'S MUCH NARROWER ON THE SHORT SIDE.
10:22:54AM I WAS THERE A COUPLE WEEKS AGO FOR THE CONCERT AND THEY
10:22:58AM ONLY USED HALF THE SQUARE FOR THE BAND, THE SETUP, AND
10:23:01AM ALL OF THE AUDIENCE.
10:23:02AM AND YET IT FELT GENEROUS, SO I'M VERY CONFIDENT AS YOU
10:23:07AM CAN SEE FROM THE PICTURE WITH ALL THE TENTS AND THINGS
10:23:10AM ON FESTIVAL DAY THAT OUR 300 BY 200 SQUARE IS OF A
10:23:14AM SUFFICIENT SIZE TO ACCOMMODATE A LOT OF PEOPLE ENJOYING
10:23:18AM THEMSELVES AT ONE TIME.
10:23:20AM I THOUGHT WE'D LOOK AT VARYING SIZE FOR COMPARISON.
10:23:23AM SOME OF YOU MAY KNOW THE VILLAGE OF WEST CLAY IN CARMEL,
10:23:27AM INDIANA.
10:23:28AM IT'S FAMOUS FOR ITS ROUNDABOUTS, ANOTHER SUBJECT, BUT
10:23:33AM IT -- IT'S ALSO FAMOUS FOR CREATING NEW DEVELOPMENTS
10:23:36AM THAT HAVE SOME OF THESE PATTERNS FROM HISTORICAL
10:23:39AM SETTLEMENTS LIKE THE TRADITIONAL VILLAGE GREEN.
10:23:43AM THEIRS IS SMALLER IN ONE DIRECTION AND A LITTLE LARGER
10:23:46AM IN THE OTHER BUT IT'S ROUGHLY THE SAME ACREAGE AS OUR
10:23:50AM PROPOSAL.
10:23:51AM I FOUND IT INTERESTING THEY WERE COMPELLED TO USE THE
10:23:55AM LANDSCAPE ARCHITECTURE TO DIVIDE THESE INTO SMALLER
10:23:59AM SPACES.
10:23:59AM SOMETHING WE HAVE DONE IN A DIFFERENT WAY IN OUR DESIGN
10:24:02AM PLAN AS WELL.
10:24:03AM I THINK IT'S PARTLY BECAUSE AS THE SPACES GET LARGER AND
10:24:06AM LARGER THEY START TO FEEL TOO OPEN.
10:24:09AM NOW ONE OF THE MOST FAMOUS EXAMPLES IN NEW DEVELOPMENT
10:24:11AM HERE IN FLORIDA IS IN ROSEMARY BEACH UP IN THE
10:24:15AM PANHANDLE.
10:24:17AM IT'S A GREAT EXAMPLE FOR MANY THINGS BUT WHEN WE GO LOOK
10:24:19AM AT THAT CENTRAL GREEN, THAT IS SUCH AN IMPORTANT
10:24:24AM HALLMARK OF THE SPACE, IT'S MUCH, MUCH SMALLER.
10:24:27AM THESE SPACES ARE INTENDED TO BE CONDENSERS THAT BRING US
10:24:32AM TOGETHER AT A DISTANCE WHERE WE CAN SEE ONE ANOTHER'S
10:24:36AM FACES, NOT JUST, YOU KNOW, SEVERAL FOOTBALL FIELDS IN
10:24:38AM SIZE.
10:24:40AM AND HERE IS ONE MORE.
10:24:42AM THIS IS OUTSIDE RICHMOND IN VIRGINIA.
10:24:45AM THE GREEN IN THIS CASE, 160 BY 280.
10:24:48AM THEY DID NOT MAKE THE CHOICE TO OCCUPY THE CENTRAL GREEN
10:24:54AM WITH LANDSCAPE ARCHITECTURAL ELEMENTS OR DIVIDE INTO
10:24:58AM SMALLER SPACES WITH A PAVILION, AND I THINK IT SUFFERS
10:25:01AM AS A RESULT.
10:25:02AM IF YOU GET A CHANCE TO SEE BROAD STREET COMMONS, I'D BE
10:25:06AM INTERESTED TO HEAR YOUR REACTION.
10:25:08AM THAT PARK PAVILION IS AN IMPORTANT COMPONENT.
10:25:11AM OUR VISION FOR THAT IS IT COULD BE VERY SIMPLE.
10:25:14AM SO WE USE THIS EXAMPLE IN THE PHOTOGRAPHS FROM TEXAS

10:25:17AM JUST TO GIVE A HINT OF THE KIND OF THING THAT'S
10:25:22AM POSSIBLE.
10:25:22AM WE'RE EXCITED ABOUT IT BEING A PAVILION THAT CAN BE USED
10:25:25AM LOTS OF DIFFERENT WAYS.
10:25:26AM YOU CAN USE IT AS AN OUTSIDE CLASSROOM AND HAVE A
10:25:31AM TEACHING EVENT.
10:25:31AM YOU CAN USE IT AS A YOGA SPACE.
10:25:34AM YOU CAN USE IT FOR THE JAZZERCISE CLASS OR FESTIVAL OR
10:25:41AM CONCERT DAYS, YOU CAN MAKE IT A PLACE WHERE THE BAND
10:25:45AM SETS UP.
10:25:45AM WE DELIBERATELY IMAGINED THAT SHELTER AS HAVING A VERY
10:25:49AM SIMPLE FORM AND AN OPEN BACK.
10:25:51AM AND THAT'S BECAUSE ON THE DAYS WHEN THERE IS NOT A BAND
10:25:58AM THERE, YOU WON'T WANT SOMETHING IN THE BACK.
10:26:00AM YOU'LL WANT TO SEE THROUGH IT.
10:26:02AM THIS IS BECAUSE WE KNOW IT WILL LINE UP YOUR VISION
10:26:04AM ALONG THAT DIAGONAL THROUGH THIS THING AT THE AMENITY
10:26:07AM BUILDING THAT'S JUST BEYOND IT WHICH WILL BE CREATING
10:26:12AM OUR OWN SCENERY.
10:26:15AM WE DON'T WANT TO BLOCK THE SCENERY.
10:26:17AM AND IF YOU HAVE A BAND, YOU CAN ERECT ONE AND THAT'S
10:26:21AM STANDARD PRACTICE ANYWAY AMONG EVENT PROMOTERS AND
10:26:24AM PRODUCERS.
10:26:25AM THEY LIKE TO DO IT THEIR WAY.
10:26:27AM SO WE THINK YOU CAN HAVE THE BEST OF BOTH WORLDS.
10:26:32AM OPEN MOST DAYS AND WHEN THERE IS A BAND PERFORMANCE, YOU
10:26:35AM CAN ADD A BAFFLE TO CLOSE THE BACK.
10:26:38AM LET'S TALK ABOUT THE CIVIC BUILDING.
10:26:39AM THE MOST IMPORTANT THING ABOUT THIS BUILDING IS WHERE IT
10:26:42AM IS.
10:26:43AM THAT IS ON THAT LONG ACCESS ON PURPOSE AND SITTING WHERE
10:26:47AM IT ANCHORS THE CIVIC GREEN ON PURPOSE.
10:26:50AM BECAUSE IN THAT LOCATION, IT'S LENT IMPORTANCE BY THE
10:26:56AM GEOMETRY AND THAT'S WHY WE WANTED TO BRING THIS UP
10:26:58AM DURING THE PATTERN DISCUSSION.
10:26:59AM WE SAID AT LEAST 3,000 SQUARE FEET AND COULD GROW TO
10:27:02AM MORE THAN THAT.
10:27:03AM WE THOUGHT WE'D SHOW YOU THE EXAMPLE WE HAD IN MIND WHEN
10:27:06AM WE WERE PROPOSING IT.
10:27:08AM ORIGINALLY BACK IN THE VERY BEGINNING OF THE
10:27:10AM DISCUSSIONS, IT WAS AN AMBITION FOR A PERFORMING ARTS
10:27:14AM CENTER THAT MANY LOCAL FOLKS BROUGHT UP WITH US AND WAS
10:27:19AM THOUGHT THERE MIGHT BE A WAY TO GET THAT DONE.
10:27:22AM IF YOU COMPARE WHAT WE HAVE NOW TO IMAGES WE DID SEVERAL
10:27:26AM YEARS AGO WORKING FOR LEE HEALTH, THAT HAD A BIGGER
10:27:30AM BUILDING IN THIS LOCATION.
10:27:32AM IT WAS THOUGHT THEN A PERFORMING ARTS CENTER WAS
10:27:36AM POSSIBLE.

10:27:36AM IN THE END THIS CAN BE SEVERAL DIFFERENT SIZES.
10:27:39AM I THINK THAT'S A MATTER OF FINDING THE MERGER BETWEEN
10:27:43AM WOODFIELD'S BUSINESS PLAN AND YOUR BUSINESS PLAN AS A
10:27:46AM VILLAGE.
10:27:47AM BUT WANTED TO SHOW YOU THE EXAMPLE THAT INSPIRED US IN
10:27:50AM AGAIN ROSEMARY BEACH.
10:27:51AM THEIR CENTRAL BUILDING IS A ONE-ROOM BUILDING.
10:27:54AM THEY CALL IT A TOWN HALL.
10:27:56AM IT'S NOT AN OFFICE SPACE.
10:27:58AM IT'S A CEREMONIAL SPACE.
10:28:00AM THEY USE IT FOR ALL KINDS OF COMMUNITY GATHERINGS.
10:28:03AM IT'S VERY ELEGANT, TWO-STORY BUILDING WITH A HIGH VOLUME
10:28:07AM AND ONE BIG OPEN SPACE IN THE MIDDLE WHICH THEY CAN USE
10:28:10AM FOR A VARIETY OF EVENTS.
10:28:11AM YOU CAN SEE IN THE CENTRAL PICTURE IN THE BOTTOM OF THE
10:28:15AM FRAME, WHEN THEY HAVE IT SET UP WITH CHAIRS LIKE FOR A
10:28:18AM LECTURE OR A TOWN MEETING, AND THEN ON THE RIGHT SIDE
10:28:21AM THE WAY THEY SET IT UP FOR A WEDDING OR BANQUET.
10:28:24AM SO IT'S A FLEXIBLE SPACE.
10:28:27AM HOLDS ABOUT 150 PEOPLE.
10:28:30AM SO THIS WAS THE INSPIRATION FOR THE NEWEST VERSION OF
10:28:33AM THE CIVIC BUILDING.
10:28:36AM SO TO SUMMARIZE, I WANT TO SAY AGAIN WHAT'S OUTSIDE
10:28:39AM MATTERS.
10:28:39AM WE HAVE IN THE PLAN A WHOLE SERIES OF PUBLIC SPACES THAT
10:28:43AM PEOPLE CAN MOVE THROUGH FROM ONE TO THE NEXT.
10:28:47AM I THINK YOU'LL FIND PEOPLE TAKING THEIR DAILY WALKS AND
10:28:49AM GETTING THEIR RECOMMENDED DAILY EXERCISE BECAUSE OF
10:28:53AM THESE TREE-LINED STREETS WILL ENCOURAGE THEM TO DO SO.
10:28:56AM AS THEY GO FROM ONE OF THE SPACES TO THE NEXT TO THE
10:28:59AM NEXT, IT WILL BE LIKE THE SCENES UNFOLDING ANE MOVIE.
10:29:02AM ONE LEADS TO THE NEXT TO THE NEXT AND BECOMES PART OF
10:29:05AM THEIR REGULAR HABITS.
10:29:07AM NOW IN ORDER TO FACILITATE THAT WE HAVE TAKEN SPECIAL
10:29:10AM ATTENTION TO CERTAIN FRONTAGES LIKE THE LOCATIONS SHOWN
10:29:12AM IN RED HERE WHERE THE MOST ACTIVE GROUND FLOOR USES.
10:29:17AM THAT'S LIKE STOREFRONTS, FOR EXAMPLE, WOULD BE LOCATED.
10:29:20AM BECAUSE WE KNOW THAT PART OF WHAT WE LOOK FOR IN OUR
10:29:24AM DAILY WALKS IS TO SEE OTHER PEOPLE AND TO TAKE A LOOK AT
10:29:27AM WHAT'S GOING ON IN THE TOWN AND SEE BUILDINGS THAT ARE
10:29:30AM LIT FROM WITHIN AT TWILIGHT, WALKING THE DOG OR HEADING
10:29:34AM TOWARD THE RESTAURANT.
10:29:37AM PARKING ON THE OTHER HAND IS NOT THE THING YOU SEE OR IS
10:29:41AM SHOWCASED FROM ALL ANGLES.
10:29:43AM INSTEAD, GENERALLY LOCATED TO THE CENTER OF THE BLOCK.
10:29:47AM AND THAT IS PAIRED WITH A SERIES OF CONNECTIONS FOR
10:29:55AM WALKING, BIKING, ULTIMATELY MAKING IT MORE FEASIBLE TO
10:29:58AM USE TRANSIT AND LOCAL CIRCULATORS.

10:30:01AM THE KEY TO IT IS OF COURSE THE SIDEWALKS BUT WE ADDED
10:30:05AM THE SHARED USE PATHS AND BIKE PATHS AND TRAILS.
10:30:11AM THEN THE STREETS THEMSELVES, I STARTED BY SAYING THOSE
10:30:15AM WERE OUR MOST IMPORTANT PUBLIC SPACES.
10:30:17AM WE HAVE TAKEN CARE TO DESIGN EACH ONE OF THEM AND WORKEN
10:30:22AM WITH THE ENGINEERS ON THE DIMENSIONS.
10:30:24AM I'M CONFIDENT WE'LL HAVE A LOT OF VARIETY HERE.
10:30:26AM WON'T BE ALL ONE KIND OF ADDRESS.
10:30:28AM JUST TO REPEAT IT OVER AND OVER.
10:30:31AM THESE ARE BROKEN DOWN INTO TWO BROAD CATEGORIES AND WE
10:30:34AM CALL THEM TYPE A AND TYPE B.
10:30:36AM YOU'VE SEEN THAT IN THE PATTERN BOOK.
10:30:38AM I THINK FOR PEOPLE WHO ARE INTERESTED IN HEIGHT, I
10:30:41AM SHOULD SAY SOMETHING ABOUT WHAT WE SEE FROM WHERE.
10:30:44AM THIS IS A PAIR OF DIAGRAMS WE DID TO ANALYZE THE LINE OF
10:30:48AM SIGHT EXPERIENCE FROM OUR ADJACENT NEIGHBORS.
10:30:52AM THE ONE AT THE TOP IS OUR WESTERN NEIGHBORS FROM THE
10:30:55AM GROUND LEVEL, A PEDESTRIAN STANDING NEXT TO THE
10:30:59AM BUILDINGS THERE.
10:31:00AM AND THE KIND OF VISIBILITY THAT THEY'D HAVE OF OUR
10:31:04AM WESTERN MOST BUILDINGS.
10:31:06AM THAT DIAGONAL LINE IS THE LINE OF SIGHT IF THEY'RE
10:31:10AM LOOKING UP AT THE TOP OF THE BUILDING.
10:31:12AM WHAT YOU SEE IN THE MIDDLE IS THE FORESTED BUFFER, THE
10:31:18AM WATER, THE POND AREA, AND THE TREES ON THE TREE-LINED
10:31:22AM STREETS ARE ALL BETWEEN THAT PEDESTRIAN AND OUR
10:31:27AM BUILDINGS.
10:31:27AM AT THE BOTTOM OF THE SCREEN IS THE SAME THING FROM THE
10:31:30AM NORTH LOOKING SOUTH.
10:31:36AM AS FOR HEIGHTS, WE MADE AN EFFORT TO PUT THE TALLER
10:31:39AM BUILDINGS TOWARD THE MIDDLE AND CLOSER TO COCONUT AND 41
10:31:44AM AND THE SHORTER BUILDINGS ON THE EDGES AND FARTHER
10:31:47AM TOWARD THE WEST AND THE NORTH.
10:31:51AM THAT SEEN IN A KIND OF COLOR CODE WHERE THE PURPLISH
10:31:55AM COLOR IS THE HOTEL, AND THAT'S THE TALLEST BUILDING.
10:31:59AM AND AS FOR LAND USES, WHILE THIS IS A RESIDENTIALLY
10:32:02AM DRIVEN DEVELOPMENT PLAN, IT'S NOT JUST RESIDENTIAL.
10:32:07AM WE HAVE A VARIETY WITHIN THE RESIDENTIAL, MULTIPLE KINDS
10:32:10AM OF MULTI-FAMILY AND SINGLE-FAMILY ATTACHED UNITS, AND
10:32:15AM THEY ARE SURROUNDED AND EMBEDDED WITHIN A WHOLE VARIETY
10:32:20AM OF OTHER USES LIKE MEDICAL, OFFICE, THE HOTEL, RETAIL
10:32:24AM AND DINING AND THE LIKE.
10:32:27AM SO WITH THAT, I'LL BRING ALEXIS BACK UP AND WE'LL PAUSE
10:32:30AM ON THE PRETTY PICTURES AND GET TECHNICAL AGAIN.
10:32:34AM THANK YOU VERY MUCH.
10:32:39AM >> ALL RIGHT.
10:32:40AM AGAIN, ALEXIS CRESPO FOR THE RECORD.
10:32:43AM I'M GOING TO JUST RUN THROUGH OUR PROPOSED DEVIATIONS SO

10:32:47AM IN ORDER TO MAKE THE PLAN WORK, WE DID HAVE TO SEEK SOME
10:32:50AM DEVIATIONS FROM YOUR LAND DEVELOPMENT CODE WHICH IS NOT
10:32:53AM ATYPICAL OF THESE TYPES OF COMPLEX PROJECTS.
10:32:56AM AND WE HAVE OFFSET THOSE AS CONDITIONED IN YOUR STAFF
10:32:59AM REPORT WITH DESIGN ENHANCEMENTS.
10:33:01AM THE FIRST DEVIATION IS TO ALLOW FOR SOME ADDITIONAL
10:33:05AM HARDENED SHORELINE.
10:33:07AM YOUR CODE ALLOWS UP TO 20% OF A LAKE EDGE TO BE HARDENED
10:33:11AM AS YOU CAN SEE ON THE IMAGE THERE.
10:33:12AM WE'VE GOT AMENITY AND BUILDINGS UP AGAINST THE LAKE IN
10:33:15AM THOSE LOCATIONS.
10:33:17AM AND SO WE'RE JUST REQUESTING A 6% INCREASE IN HOW MUCH
10:33:20AM OF THE SHORELINE CAN BE HARDENED.
10:33:22AM WE WILL HAVE TO OFFSET THAT REQUEST BY DOING ENHANCED
10:33:26AM WATERS EDGE OR LITTORAL PLANTINGS, AND WE'D BE
10:33:30AM ACCOMMODATING THOSE ON THE WEST SIDE OF OUR MAIN LAKE
10:33:33AM AND THAT WOULD PUT IT NICELY ADJACENT TO THE PRESERVE,
10:33:36AM ADJACENT TO THAT BIG BUFFER, AGAINST COCONUT SHORES AS
10:33:40AM WELL AS MARSH LANDING.
10:33:41AM AND IN TERMS OF JUST THE URBAN FORM WE'RE TRYING TO
10:33:45AM ACHIEVE ON THE EASTERN SIDE OF THE LAKE, YOU CAN SEE
10:33:48AM THERE THAT PROVIDES A NICE DESIGN AND INTEGRATES THE
10:33:51AM USES WELL WITH THE LAKEFRONT.
10:33:53AM THE SECOND DEVIATION IS RELATED TO PARKING.
10:33:57AM WE'RE SEEKING ABOUT AN 11% REDUCTION TO THE REQUIRED
10:34:00AM NUMBER OF PARKING SPACES.
10:34:03AM YOUR CODE SPECIFICALLY SAYS FOR VILLAGE CENTERS WITH
10:34:05AM MIXED USES, THAT DEVIATIONS CAN BE CONSIDERED AND ARE
10:34:11AM APPROPRIATE IN THESE TYPES OF DEVELOPMENTS BECAUSE YOU
10:34:14AM ARE GOING TO HAVE A SITUATION WHERE YOU CAN POTENTIALLY
10:34:17AM PARK ONCE, LIVE THERE, WORK THERE, ET CETERA, AND LESS
10:34:22AM VEHICLE TRIPS OVERALL BEING NEEDED WITHIN THE PROJECT.
10:34:26AM WE DO HAVE STILL OVER CLOSE TO 1900 SPARK
10:34:32AM PARK -- PARKING SPACES DESIGNED TO THIS PLAN.
10:34:34AM THE MAJORITY OF THOSE, ABOUT 1375 SPACES ARE IN THOSE
10:34:38AM CONCEALED PARKING GARAGES.
10:34:40AM BUT THE BALANCE UPWARDS OF 500 ADDITIONAL SPACES ARE
10:34:43AM GOING TO BE A MIX OF ON-STREET PARKING SO PARALLEL
10:34:46AM PARKING ALONG THOSE KEY STREETS.
10:34:49AM ALSO, JUST CONVENTIONAL SURFACE PARKING ON THE NORTHERN
10:34:52AM EDGE OF THE PROJECT WHERE YOU'LL PULL INTO A
10:34:54AM CONVENTIONAL STYLE PARKING LOT.
10:34:57AM WE TRIED TO LIMIT THOSE -- THAT TYPE OF AREA BECAUSE IT
10:35:00AM IS MORE VEHICLE ORIENTED IN ITS NATURE AND CERTAINLY
10:35:03AM TRIED TO SCREEN THOSE AREAS.
10:35:04AM AND THEN WE DO HAVE SOME WITHIN THE BUILDING PARKING SO
10:35:08AM SOME OF THE UNITS MAY HAVE GARAGES OR PARKING SPACES
10:35:11AM UNDERNEATH THE BUILDINGS.

10:35:13AM NOT NECESSARILY IN A GARAGE.
10:35:15AM SO THERE IS A VARIETY OF PARKING.
10:35:17AM IT'S REALLY WELL DISPERSED AS YOU CAN SEE ON THE SLIDE
10:35:20AM BETWEEN THE SURFACE AND GARAGES TO ACCOMMODATE EACH AREA
10:35:24AM OF THE SITE.
10:35:25AM AND WE DID BACK THIS UP AS IS ALSO REQUIRED OF THE CODE
10:35:31AM WITH A PARKING DEMAND STUDY WHICH WAS INTEGRATED IN THE
10:35:34AM TRAFFIC STUDY DEMONSTRATING THE 11% REDUCTION WILL STILL
10:35:38AM FUNCTION BASED ON THE TRIPS ANTICIPATED FOR THE PROJECT.
10:35:42AM DEVIATION 3 IS TO ALLOW OUR LAKE THAT'S REALLY ANCHORING
10:35:47AM THAT INTERSECTION WITH VISUAL INTEREST THERE, HAVING IT
10:35:52AM ORIENTED CLOSER TO THE ROAD.
10:35:54AM YOU CAN SEE THIS KIND OF MIRRORS THAT REALLY NICE BROOKS
10:35:57AM ENTRY LAKE FEATURE ON THE EAST SIDE OF THE INTERSECTION
10:36:00AM THERE AND THIS WILL ALLOW US TO GET THAT LAKE EDGE A BIT
10:36:03AM CLOSER, BUT WE'RE ALSO GOING TO HAVE AN ENHANCED
10:36:06AM BUFFERING ALONG THAT AREA JUST TO MITIGATE ANY POTENTIAL
10:36:10AM IMPACTS OF WAYWARD VEHICLES AND THINGS OF THAT NATURE.
10:36:16AM DEVIATION 4 IS TO ALLOW FOR A REDUCED INTERSECTION
10:36:20AM SEPARATION.
10:36:20AM YOU CAN SEE THE YELLOW ARROW IS POINTING TO A ROAD THAT
10:36:25AM KIND OF LOOKS LIKE A FRONTAGE ROAD RUNNING PARALLEL TO
10:36:28AM US-41.
10:36:29AM WHEN YOU'RE PULLING IN TO THIS SPECIFIC ACCESS POINT AS
10:36:34AM OUR TRAFFIC ENGINEERS ARE GOING TO THROW THROUGH IN
10:36:38AM DETAIL, YOU'LL BE ABLE TO MAKE A RIGHT IN AT THIS
10:36:41AM ENTRANCE.
10:36:41AM THE INTERSECTION THERE IS ON THE SOUTH SIDE OF THE
10:36:43AM ROADWAY, SO THERE WOULD BE NO SITUATION WHERE YOU'RE
10:36:45AM TURNING RIGHT INTO THE PROJECT FROM US-41 AND THEN
10:36:50AM MAKING AN IMMEDIATE LEFT ON THAT FRONTAGE ROAD.
10:36:54AM WE'VE DESIGNED THE MEDIAN TO PRECLUDE ANY MOVEMENT LIKE
10:36:59AM THAT SO IT'S NOT INTERFERING WITH CIRCULATION IN AND OUT
10:37:01AM AND FOLKS MAKING THE RIGHT TURN AND CAN ONLY GO STRAIGHT
10:37:06AM IN THAT LOCATION, SO STAFF WAS SUPPORTIVE OF THAT
10:37:09AM DESIGN.
10:37:11AM DEVIATION 5 IS TO ALLOW FOR ALTERNATIVE STREET CROSS
10:37:14AM SECTIONS.
10:37:15AM YOUR CODE AGAIN, BECAUSE IT WAS LOOKING TO BE ENHANCED
10:37:18AM ABOVE AND BEYOND WHAT THE PREVIOUS LEE COUNTY CODE
10:37:23AM REQUIRED IN TERMS OF WIDER SIDEWALKS, PLANTINGS WITHIN
10:37:27AM THE STREETS TO MAKE THE PEDESTRIAN EXPERIENCE MORE
10:37:30AM COMFORTABLE.
10:37:31AM WE AS VICTOR OUTLINED AND THROUGH THE PATTERN BOOK DID
10:37:35AM SOME REALLY UNIQUE STREET SECTIONS WITH THE RAMBLA
10:37:41AM CONCEPT WHERE WE HAVE A LARGE SIDEWALK FACILITY ACTUALLY
10:37:43AM IN THE MEDIAN OF THE ROADWAY, SO IN ORDER TO ACHIEVE OUR
10:37:47AM UNIQUE STREET DESIGN, WE DID NEED DEVIATIONS FROM YOUR

10:37:50AM TYPICAL CROSS SECTIONS.
10:37:54AM AND THEN THE LAST DEVIATION MARY ALERTED US THAT THERE
10:37:58AM HAD BEEN A CODE CHANGE REQUIRING BUILDINGS OR
10:38:01AM RESIDENTIAL BUILDINGS OVER THREE STORIES TO REQUIRE
10:38:03AM ELEVATORS.
10:38:05AM ROSS AND WOODFIELD FULLY INTEND TO DO THAT ON THE
10:38:10AM MULTI-FAMILY HOUSING TYPES WITHIN THE PROJECT.
10:38:12AM HOWEVER, FOR THESE TOWNHOME UNITS, WE ARE REQUESTING THE
10:38:16AM ELIMINATION OF AN ELEVATOR REQUIREMENT FOR THOSE
10:38:20AM TOWNHOME STYLE OF UNITS.
10:38:21AM IT WOULD BE FAIRLY COST PROHIBITIVE TO HAVE THOSE TYPES
10:38:25AM OF UNITS WITH THE ELEVATOR.
10:38:27AM BUT AGAIN, ALL OF THE MULTI-FAMILY BUILDINGS WILL HAVE
10:38:32AM ELEVATORS, THREE STORIES AND UP.
10:38:34AM AND I THINK I'M ABOUT TO TURN IT OVER TO SINA HERE.
10:38:37AM BUT IT'S KIND OF -- HITS ON WHAT WE WERE TALKING ABOUT
10:38:40AM EARLIER.
10:38:40AM WE'RE NOT SEEKING BONUS DENSITY.
10:38:42AM WE ARE CONSISTENT WITH YOUR TIER 3 VILLAGE CRITERIA.
10:38:47AM WE HAVE OFFERED MANY PUBLIC INCENTIVES, EVEN THOUGH
10:38:49AM WE'RE NOT SEEKING THE BONUS DENSITY BUT THAT'S THE
10:38:53AM VERTICALLY INTEGRATED MIXED USE WHICH IS OFTEN HARD FOR
10:38:56AM DEVELOPERS TO MAKE WORK BUT WE HAVE THE APPLICANT HERE
10:38:58AM VERY WILLING TO DO THAT.
10:39:00AM PARKING GARAGES TO CONCEAL THE PARKING.
10:39:02AM UNGATED DEVELOPMENT WHICH IS REALLY A STRONG POINT IN
10:39:04AM YOUR VILLAGE CENTER.
10:39:05AM YOU DON'T WANT IT TO FEEL LIKE YOUR TYPICAL SUBURBAN
10:39:09AM GATED COMMUNITY.
10:39:10AM THEN ALL OF THE DIFFERENT PUBLIC SPACES AND AMENITIES,
10:39:14AM INTEGRATED THROUGHOUT THE PROJECT DESIGN THAT WE'RE
10:39:18AM PROPOSING.
10:39:19AM AND NOW I'LL TURN IT OVER TO SINA TO TALK A LITTLE BIT
10:39:24AM ABOUT STORM WATER MANAGEMENT.
10:39:33AM >> GOOD MORNING, EVERYONE.
10:39:35AM MY NAME IS SINA EBRAHIMI WITH KIMLEY HORN AND
10:39:41AM ASSOCIATES.
10:39:43AM PROFESSIONAL ENGINEER IN THE STATE OF FLORIDA AND CIVIL
10:39:44AM ENGINEER OF RECORD FOR THIS PROJECT.
10:39:45AM AS YOU HAVE HEARD THROUGH THE APPLICANT AND THROUGH
10:39:48AM MARY, PREVIOUS, THE EXISTING PROPERTY IS ENTITLED FOR
10:39:52AM SOME INTENSE COMMERCIAL AND INDUSTRIAL USES.
10:39:55AM AS MARY ALLUDED TO, SOME OF THE INFRASTRUCTURE, PART OF
10:39:58AM THE PREVIOUS DEVELOPMENT HAS BEEN CONSTRUCTED.
10:40:01AM AS PART OF THIS CONSTRUCTION, THE STORM WATER
10:40:03AM INFRASTRUCTURE FOR THE PREVIOUS DEVELOPMENT WAS PUT IN
10:40:07AM PLACE.
10:40:07AM A CONCEPTUAL PERMIT WAS PROVIDED IN 2006 AS PART OF THAT

10:40:11AM PREVIOUS DEVELOPMENT.
10:40:12AM OUR JOB AND REALLY WORKING WITH STAFF WAS TO MAINTAIN
10:40:15AM THAT EXISTING SYSTEM AND OBVIOUSLY BRING IT TO CURRENT
10:40:19AM STANDARDS WHICH ONLY GOT MORE STRINGENT SINCE 2006.
10:40:22AM IF YOU LOOK AT THE PREVIOUS DEVELOPMENT WITH THE INTENSE
10:40:25AM DEVELOPMENT OF COMMERCIAL AND INDUSTRIAL THEY PROVIDED
10:40:28AM 7.5 ACRES OF DRIED ATTENTION ON THE NORTHWEST CORNER
10:40:32AM ADJACENT TO THE RESIDENTIAL DEVELOPMENTS.
10:40:35AM WE WILL MAINTAIN THAT DRY DETENTION AREA BUT INCLUDE
10:40:40AM THREE ACRES OF LAKE AREA WHICH IS SHOWN TO BETTER
10:40:43AM ENHANCE WATER QUALITY WHICH IS A BIG ITEM TODAY
10:40:47AM NOWADAYS.
10:40:47AM AND WE ARE ALSO INCLUDING APPROXIMATELY TWO MORE ACRES
10:40:50AM OF DRIED ATTENTION FOR THE DEVELOPMENT YOU SEE IN FRONT
10:40:52AM OF US.
10:40:54AM OUR OUTFALL WILL BE MAINTAINED AS PART OF THE PREVIOUS
10:41:00AM DEVELOPMENT WHICH IS HALFWAY CREEK BASIN WHICH
10:41:02AM ULTIMATELY THIS IS ESTERO BAY.
10:41:04AM WHEN YOU LOOK AT THE TOTAL PERCENTAGES PREVIOUS
10:41:07AM DEVELOPMENT ONLY PROVIDED 16% OF DETENTION FOR THE
10:41:11AM OVERALL DEVELOPMENT.
10:41:12AM WE'RE PROVIDING ABOUT 28% OF DETENTION BOTH WET AND DRY
10:41:17AM FOR OUR DEVELOPMENT.
10:41:18AM AS MENTIONED, THE HALFWAY CREEK IS OUR BASIN AND WE'LL
10:41:21AM BE DISCHARGING TO THAT BASIN VIA FPL DITCH WHICH SEEMS
10:41:26AM CONSISTENT WITH THE ADJACENT DEVELOPMENTS AS YOU SEE
10:41:29AM SHOWING THE FLOW ARROWS.
10:41:33AM THESE IDENTIFY WHAT THE ADJACENT IS DOING TODAY AND WE
10:41:36AM PLAN ON ABIDING BY THE SAME DISCHARGE.
10:41:40AM WE WORKED WITH STAFF PRETTY INTENSE WITH THE DRAINAGE
10:41:42AM AND DESIGN.
10:41:43AM I BELIEVE STAFF AGREES WITH THE INTENT OF THE DRAINAGE
10:41:46AM CAN ZINE AND HOW WE'RE PLANNING ON MAINTAINING IT PER
10:41:49AM THE PREVIOUS AND ALSO DISCHARGING AND BRINGING UP TO
10:41:53AM CURRENT STANDARDS.
10:41:54AM WITH THE EXCEPTION OF THE DEVIATION, EVERYTHING
10:41:57AM REGARDING DRAINAGE HAS BEEN AGREED UPON WITH STAFF OR
10:42:00AM THE EXCEPTION OF THE MAINTENANCE OF THE DITCH EVERYTHING
10:42:05AM HAS BEEN AGREED UPON AS FAR AS THE DRAINAGE DESIGN WITH
10:42:08AM STAFF.
10:42:09AM I'M HAPPY TO ADDRESS ANY OTHER DRAINAGE QUESTIONS ANYONE
10:42:13AM HAS AFTER THE PRESENTATION.
10:42:14AM I'LL TURN IT OVER TO ELIZABETH FOR TRAFFIC.
10:42:24AM >> GOOD MORNING.
10:42:25AM BILLY HATTAWAY, A PRINCIPLE WITH FEHR AND PEERS.
10:42:31AM ELIZABETH IS GOING TO GO INTO MORE DETAIL BUT I WANT TO
10:42:34AM COVER SOME OF THE CONCERNS WE HEARD FROM COUNCIL AND
10:42:39AM CONSTITUENTS AT THE PLANNING AND BOARD MEETING.

10:42:42AM ONE OF THE THINGS PEOPLE KEPT BRINGING UP WAS CONCERNS
10:42:44AM ABOUT THE TRAFFIC ANALYSIS, NOT INCLUDING ALL THE
10:42:47AM APPROVED PROJECTS THAT ARE ALREADY BEEN APPROVED THAT
10:42:50AM ARE CONNECTED TO COCONUT ROAD.
10:42:52AM I WANT TO MAKE SURE IT WAS CLEAR THAT ALL THE APPROVED
10:42:55AM PROJECTS THAT ARE CONNECTED TO COCONUT ROAD WERE
10:42:59AM INCLUDED IN THE TRAFFIC ANALYSIS THAT WE DID FOR THIS
10:43:01AM PROJECT.
10:43:03AM ONE OTHER THING THAT CAME UP WAS THE 14% INCREASE THAT
10:43:07AM THE CITY OR THE VILLAGE GOT IN THEIR 2023 TRAFFIC
10:43:13AM COUNTS.
10:43:13AM WE GOT A COPY OF THAT TRAFFIC REPORT FROM JOHNSON
10:43:16AM ENGINEERING.
10:43:17AM WE USE 21 AND 22 BECAUSE AFTER THE PANDEMIC, WE SAW
10:43:21AM TRAFFIC COUNTS STARTED TO GO UP NATIONALLY AND FOR
10:43:27AM WHATEVER REASON, THE TRAFFIC COUNTS HERE IN THE VILLAGE
10:43:29AM ACTUALLY WENT DOWN AFTER THE PANDEMIC WHEN WE WENT BACK
10:43:33AM AND LOOKED AT EARLIER YEARS, THE TRAFFIC COUNTS, THE 14%
10:43:36AM INCREASE WAS BASICALLY THE SAME AS THE TRAFFIC THAT YOU
10:43:39AM HAD BEFORE 21-22.
10:43:43AM IN OTHER WORDS DURING THE PANDEMIC THE TRAFFIC COUNTS
10:43:47AM WERE BASICALLY THE SAME LEVEL AS '23.
10:43:51AM SHE REDID THE ANALYSIS BASED ON THE 14% INCREASE FROM
10:43:55AM THE TRAFFIC COUNTS WE ORIGINALLY HAD AND WE'RE STILL
10:43:58AM OPERATING ALL THE INTERSECTIONS ARE STILL OPERATING
10:44:01AM WITHIN THE ADOPTED LEVEL OF SERVICE E.
10:44:03AM SHE'LL GO INTO MORE DETAIL ABOUT WHAT THAT MEANS.
10:44:06AM WE WERE ALSO ASKED OR COMMENTS WERE MADE ABOUT CONCERNS
10:44:11AM WITH FLORIDA D.O.T. NOT APPROVING THE DRIVEWAYS OR
10:44:16AM SIGNAL TIMING CHANGES AT COCONUT ROAD AND US-41.
10:44:20AM ELIZABETH AND I THE SAME WEEK AS THE PLANNING AND ZONING
10:44:24AM BOARD, WE HAD A MEETING, A VIDEO CONFERENCE WITH MARK
10:44:28AM MATHIS WHO IS THE DISTRICT 1 TRAFFIC OPERATIONS ENGINEER
10:44:32AM AND WENT THROUGH THE SAME SLIDE DECK WITH MARK AND
10:44:34AM SHOWED HIM ALL THE THROUGH MOVEMENTS AT THE DRIVEWAYS
10:44:38AM AND INTERSECTION OF COCONUT ROAD.
10:44:40AM AND SO HE DIDN'T SEE ANY CONCERNS WITH THE DRIVEWAYS.
10:44:45AM THE ONLY CONCERN THAT HE WOULD HAVE HAD IF THERE WAS
10:44:49AM SPILL BACK FROM THE DRIVEWAY THAT'S FURTHER SOUTH AND
10:44:52AM ELIZABETH DURING THE ANALYSIS SAW WE'D BE WELL WITHIN
10:44:57AM THAT DISTANCE, SO THERE WOULD NOT BE SPILL BACK BLOCKING
10:45:00AM THE OTHER DRIVEWAYS.
10:45:02AM LIKEWISE, WE TALKED ABOUT EXTENSIVELY ABOUT THE SIGNAL
10:45:07AM TIMING AT COCONUT ROAD BECAUSE THE QUESTION WAS, WOULD
10:45:10AM THE DISTRICT BE OPEN TO DISCUSSIONS ABOUT ADJUSTING THE
10:45:13AM TIMING, AND HE SAID HE IN FACT WOULD BE
10:45:18AM BECAUSE -- BECAUSE ONE OF THE QUESTIONS THAT CAME UP WAS
10:45:20AM AROUND THE IDEA OF A TRIPLE LEFT TURN.

10:45:22AM IN OTHER WORDS, AN EASTBOUND TO NORTHBOUND TRIPLE LEFT
10:45:27AM TURN.
10:45:27AM I POSED THAT QUESTION TO HIM AND HE SAID THAT HE DID NOT
10:45:30AM LIKE TRIPLE F TURNS NOR DO I FROM A SAFETY STANDPOINT.
10:45:37AM THE CONCERN HE HAD WAS THERE IS TWO CONCERNS.
10:45:39AM ONE IS THAT THE OPPOSING TURNING MOVEMENTS, THE LEFT
10:45:44AM MOVEMENTS WOULD BASICALLY BE IN CONFLICT WITH THE TRIPLE
10:45:47AM LEFT TURN.
10:45:48AM THAT'S ONE CONCERN.
10:45:49AM IF YOU WIDEN IT TO ALLOW FOR THE TURNING MOVEMENTS SO
10:45:54AM THEY WOULDN'T CONFLICT WITH THE WESTBOUND LEFT TURNING
10:45:57AM MOVEMENTS YOU'D LIKELY HAVE TO GO TO A SPLIT PHASE AND
10:46:03AM YOU'D HAVE TO ALLOW FOR THE LEFT TURNS TO OPERATE AT
10:46:06AM DIFFERENT TIMES.
10:46:07AM HE SAID HE DIDN'T SEE ANY REASON WHY THE DISTRICT WOULD
10:46:10AM HAVE CONCERNS WITH HAVING DISCUSSIONS ABOUT ADJUSTING
10:46:13AM THE SIGNAL TIMING TO APPROVE THE CONDITIONS ON THE
10:46:15AM EASTBOUND COCONUT ROAD, BUT OBVIOUSLY, THAT WOULDN'T
10:46:19AM HAPPEN UNTIL THE PERMITTING PHASE BUT HE SEEMED VERY
10:46:23AM OPEN TO THOSE DISCUSSIONS.
10:46:27AM WITH THAT, I'LL TURN IT OVER TO ELIZABETH AND IF YOU
10:46:30AM HAVE QUESTIONS, WE'LL BE THERE TO RESPOND TO THEM.
10:46:34AM >> THANK YOU, BILLY.
10:46:36AM ELIZABETH SUAREZ ALSO WITH FEHR AND PEERS AND WE DID THE
10:46:41AM TRANSPORTATION ANALYSIS FOR THE PROJECT.
10:46:43AM THIS FIRST SLIDE IS ON OVERVIEW.
10:46:46AM WE'LL GO INTO A LOT MORE DETAIL IN THE FOLLOWING SLIDES.
10:46:48AM AS WAS MENTIONED EARLIER, THIS PROJECT GENERATES A LOT
10:46:51AM FEWER TRIPS, ABOUT 470 FEWER THAN THE EXISTING APPROVED
10:46:56AM PROJECT.
10:46:57AM AND THEN ALSO, SIGNIFICANTLY FEWER THAN THE PROPOSED LEE
10:47:02AM HEALTH PROJECT.
10:47:04AM IT ALSO PROVIDES A LOT OF ENHANCED MOBILITY OPTIONS AS
10:47:08AM VICTOR TALKED ABOUT.
10:47:10AM IT HAS A LOT OF BICYCLE AND PEDESTRIAN FACILITIES AND
10:47:13AM ENHANCED SIDEWALKS AND ALSO THE ROADWAY NETWORK IS
10:47:16AM DISPERSED AND HAS LOTS OF ACCESS POINTS WHICH PREVENTS
10:47:20AM ALL OF THE VEHICLES FROM BEING FUNNELED INTO JUST ONE
10:47:23AM POINT.
10:47:23AM AND THEN AGAIN, THERE ARE NO NEW LEVEL OF SERVICE
10:47:27AM DEFICIENCIES.
10:47:28AM AND SO I'LL TALK A LITTLE BIT MORE ABOUT WHAT THAT
10:47:31AM MEANS.
10:47:33AM SO THIS IS LEVEL OF SERVICE, AND THE VILLAGE OF -- IT'S
10:47:38AM A WAY TO MEASURE VEHICLE DELAY ON A ROADWAY OR AN
10:47:42AM INTERSECTION.
10:47:43AM AND SO THE VILLAGE HAS A STANDARD OF LEVEL OF SERVICE E
10:47:48AM IN THIS AREA.

10:47:50AM SO YOU CAN'T READ THE WORDS.
10:47:53AM I DON'T EXPECT YOU TO.
10:47:54AM ESSENTIALLY LEVEL SERVICE E IS CONGESTED.
10:47:57AM SO IT'S NOT LIKE, STOP AND GO, BUT IT'S NOT FREE FLOW
10:48:01AM EITHER.
10:48:02AM AND SO I JUST WANTED TO ESTABLISH WHAT THAT IS, BECAUSE
10:48:05AM WHEN WE SAY THAT THE INTERSECTIONS OPERATE AT THE LEVEL
10:48:09AM OF SERVICE, WE'RE NOT SAYING THAT PEOPLE ARE JUST FLYING
10:48:13AM THROUGH THE INTERSECTIONS.
10:48:15AM THERE IS STILL A LITTLE BIT OF FRICTION THERE.
10:48:17AM AND THAT'S ACTUALLY PRETTY NORMAL FOR COMMUNITIES TO
10:48:21AM HAVE THAT AS A LEVEL OF SERVICE STANDARD BECAUSE WHEN
10:48:24AM YOU HAVE A STANDARD OF C OR D, THAT MEANS DURING THE
10:48:30AM WORST PART OF THE DAY, IT'S STILL OPERATING AT A C OR D,
10:48:33AM LIKE MORE OF A FREE FLOW CONDITION.
10:48:35AM AND SO THEN WHEN IT'S NOT CONGESTED, YOU'VE REALLY JUST
10:48:40AM OVER DESIGNED YOUR ROADWAY OR INTERSECTION.
10:48:45AM SO AS BILLY MENTIONED, WE DID CONSIDER PROPOSED PROJECTS
10:48:50AM OR APPROVED PROJECTS IN THE AREA.
10:48:53AM AND 11 OF THE PROJECTS HAVE DIRECT ACCESS TO COCONUT
10:48:57AM ROAD WEST OF US-41.
10:48:59AM AND THERE IS A FEW MORE THAT WE ANALYZE THAT AREN'T IN
10:49:05AM THIS GRAPHIC, BUT WE WOULD HAVE HAD TO ZOOM OUT A LITTLE
10:49:10AM FAR TO SHOW THOSE.
10:49:11AM I THINK IT WAS 18 OR 19 PROJECTS IN TOTAL.
10:49:13AM AND AS WAS ALSO MENTIONED, WE INITIALLY COLLECTED COUNTS
10:49:17AM IN 2021.
10:49:19AM AND THEN INCREASED THAT TO ADJUST IT FOR 2022 WHICH IS
10:49:25AM WHEN WE DID THE ANALYSIS.
10:49:27AM IT WAS BROUGHT TO OUR ATTENTION THAT MORE RECENT COUNTS
10:49:30AM HAD BEEN COLLECTED IN THE AREA, AND THAT WAS WHERE THAT
10:49:34AM 14% INCREASE ON COCONUT ROAD CAME FROM.
10:49:37AM SO THAT WAS -- IT WAS 14% INCREASE WEST OF US-41 AND
10:49:43AM 6% INCREASE EAST OF US-41.
10:49:46AM WE TESTED THE US-41/COCONUT ROAD INTERSECTION WITH THOSE
10:49:52AM INCREASED VOLUMES AND IT DID CONTINUE TO OPERATE AT
10:49:55AM LEVEL OF SERVICE E.
10:49:58AM THIS SHOWS OUR TRIP GENERATION FOR THE PROJECT.
10:50:01AM SO WE STUDIED THE P.M. PEAK HOUR BECAUSE THAT'S THE MOST
10:50:06AM CONGESTED TIME PERIOD.
10:50:07AM AND WHEN I AM LATER ON TALKING ABOUT LEVEL OF SERVICE,
10:50:13AM WE'RE LOOKING AT THE NEAR TERM, SO THAT'S THE NEXT 5 TO
10:50:17AM 10 YEARS WHEN ALL THOSE PROJECTS, APPROVED PROJECTS ARE
10:50:20AM CONSTRUCTED AND THEN YOU ADD THE WOODFIELD PROJECT ON
10:50:23AM TOP OF THAT.
10:50:24AM SO THIS IS THE TRIP GENERATION FOR THE WOODFIELD
10:50:26AM PROJECT.
10:50:26AM AND WHAT IS MORE STANDARD TO USE IS THE ITE TRIP

10:50:30AM GENERATION RATE, BUT THAT -- THAT [AUDIO BLIP] -- MIXED
10:50:37AM USE DEVELOPMENT HAS PROVED TO NOT ALWAYS BE VERY
10:50:41AM ACCURATE, SO WE HAVE DEVELOPED A METHODOLOGY THAT WE'VE
10:50:46AM VALIDATED AGAINST SITES THAT HAVE BEEN CONSTRUCTED AND
10:50:50AM THAT'S THIS MXD THAT YOU SEE.
10:50:53AM AND IT HAS PROVED TO BE A LOT MORE RELIABLE AND VERY
10:50:56AM CLOSE TO THE ACTUAL TRIP GENERATION OF A SITE.
10:51:01AM IN THIS CASE, IT WAS HIGHER THAN THE ITE TRIP GENERATION
10:51:05AM RATE, SO WE THOUGHT IT WOULD BE MORE CONSERVATIVE AND
10:51:09AM MORE ACCURATE TO USE THE MXD TRIP GENERATION.
10:51:15AM THIS IS THE COMPARISON OF THE PROJECT'S TRIPS TO THE
10:51:22AM APPROVED PROJECT AND LEE HEALTH PROJECT.
10:51:24AM SO ABOUT A 35% REDUCTION COMPARED TO BOTH PROJECTS.
10:51:33AM YOU'VE SEEN THIS PICTURE EARLIER.
10:51:34AM THIS JUST SHOWS ALL OF THE ACCESS POINTS TO THE
10:51:38AM DEVELOPMENT.
10:51:38AM AND SO I'M GOING TO GO THROUGH EACH ACCESS POINT AND
10:51:41AM TALK ABOUT WHAT THE LENGTH CONFIGURATIONS ARE AND LEVEL
10:51:47AM OF SERVICE IS EXPECTED TO BE.
10:51:49AM SO THIS INTERSECTION WASN'T IN THAT LAST GRAPHIC.
10:51:52AM IT'S JUST TO THE NORTH.
10:51:54AM I'LL ACTUALLY GO BACK.
10:51:55AM YOU CAN KIND OF SEE ONE OF THE PINK ARROWS ON THE NORTH,
10:51:58AM HOW IT HAS AN INTERNAL CONNECTION UP TO THE VILLAGE
10:52:02AM SHOPS WAY.
10:52:03AM AND SO WE'RE EXPECTING THAT A LOT OF THE VEHICLES THAT
10:52:06AM ARE WANTING TO GO NORTH ON US-41, THEY'LL GO UP TO THIS
10:52:11AM INTERSECTION AND MAKE A LEFT.
10:52:13AM WE DID STILL ASSIGN SOME TRAFFIC THAT WOULD GO SOUTH TO
10:52:18AM COCONUT ROAD AND THEN MAKE A LEFT AT COCONUT AND 41 TO
10:52:22AM GO NORTH.
10:52:23AM BUT WE DO EXPECT MOST VEHICLES WILL USE THIS
10:52:26AM INTERSECTION.
10:52:28AM AND IT WOULD OPERATE AT A LEVEL OF SERVICE C, BOTH WITH
10:52:32AM AND WITHOUT THE PROJECT AND AGAIN, THIS IS NEAR TERM SO
10:52:38AM THAT'S WITHOUT THE PROJECT.
10:52:41AM THAT'S ALL OF THE APPROVED DEVELOPMENT.
10:52:42AM AND THEN WITH THE PROJECT, THAT'S ALL THE APPROVED
10:52:45AM DEVELOPMENT PLUS THE PROJECT.
10:52:48AM SO THIS IS THAT NORTHERN-MOST ACCESS POINT, AND
10:52:53AM IT -- THIS IS RIGHT ACROSS FROM THE MALL.
10:52:55AM SO IT WOULD HAVE A SIMILAR LENGTH CONFIGURATION SO IT'S
10:52:59AM RIGHT IN, RIGHT OUT, BUT IT ALSO HAS A LEFT IN FROM
10:53:03AM COCONUT ROAD WHICH WOULD HAVE ITS OWN DEDICATED TURN
10:53:07AM LANE.
10:53:08AM THIS IS NOT CONNECTED AT ALL TO THE MALL DRIVEWAY.
10:53:13AM AND SO WITHOUT THE PROJECT, THERE'S, YOU KNOW, NO
10:53:17AM INTERSECTION THERE, BUT WHEN YOU ADD THE PROJECT, THAT

10:53:22AM INTERSECTION WOULD OPERATE AT LEVEL OF SERVICE C.
10:53:26AM SO ALL OF THAT DELAY IS BEING EXPERIENCED BY THE
10:53:31AM VEHICLES TRYING TO LEAVE THE SITE OR ENTERING, SO THE
10:53:36AM VEHICLES ON US-41, THEY DON'T HAVE A STOP SIGN OR
10:53:39AM ANYTHING, SO NONE OF THAT DELAY IS ON US-41.
10:53:44AM THIS IS THE SECOND INTERSECTION.
10:53:47AM THIS IS WHAT BILLY WAS SAYING WHERE FDOT MIGHT HAVE
10:53:54AM CONCERNS IF THE CUING FROM US-41 SPILLED BACK TO THE
10:54:00AM INTERSECTION BUT FROM OUR ANALYSIS, IT'S NOT EXPECTED TO
10:54:02AM DO SO, SO WE DON'T THINK THAT WOULD BE AN ISSUE.
10:54:05AM THIS ONE WOULD ONLY BY RIGHT IN, RIGHT OUT.
10:54:07AM THEN AGAIN AS EXPECTED TO OPERATE AT A LEVEL OF SERVICE
10:54:11AM C.
10:54:15AM THEN THIS IS THE FIRST ACCESS POINT ON COCONUT ROAD.
10:54:19AM THIS WOULD ALSO BE RIGHT IN, RIGHT OUT.
10:54:24AM AND EXPECTED TO OPERATE ACCEPTABLY.
10:54:28AM IT'S NOT EXPECTED TO HAVE A LOT OF TRAFFIC.
10:54:33AM AND THEN THIS WOULD BE THE SIGNALIZED INTERSECTION AT
10:54:38AM COCONUT ROAD.
10:54:39AM OR ON COCONUT ROAD AND WALDEN CENTER DRIVE.
10:54:42AM THIS IS WHAT IT LOOKS LIKE TODAY.
10:54:44AM WE JUST WANTED YOU TO SEE WHAT IT CURRENTLY LOOKS LIKE.
10:54:49AM AND THEN I THINK WE HAVE -- NO, WE DON'T HAVE WITH THE
10:54:53AM PROJECT, BUT YOU CAN SEE THE LANE CONFIGURATIONS WITH
10:54:57AM THE PROJECT IN THE CORNER.
10:54:58AM THIS WOULD OPERATE AT A LEVEL OF SERVICE F WITHOUT THE
10:55:01AM PROJECT.
10:55:02AM THAT'S BECAUSE WITHOUT THE PROJECT IN THE NEAR TERM WITH
10:55:05AM ALL THE APPROVED DEVELOPMENT, AND THERE IS APPROVED
10:55:08AM DEVELOPMENT JUST SOUTH OF THIS INTERSECTION, THERE WOULD
10:55:11AM BE A LOT OF VEHICLES GOING NORTH TRYING TO MAKE A LEFT
10:55:15AM TURN FROM THE SOUTHERN LEG ON TO COCONUT ROAD, AND THAT
10:55:21AM IS WHERE THAT DELAY IS COMING FROM.
10:55:23AM THAT LEVEL OF SERVICE F.
10:55:25AM IT'S FOR THOSE VEHICLES TRYING TO MAKE THAT NORTHBOUND
10:55:28AM LEFT FROM THE SOUTHERN LEG.
10:55:30AM BUT THEN WITH THE PROJECT, WE'RE ADDING A SIGNAL, SO IT
10:55:33AM WOULD OPERATE AT A LEVEL OF SERVICE E, BECAUSE IT GIVES
10:55:38AM BOTH THE WOODFIELD PROJECT AND THE DEVELOPMENT SOUTH OF
10:55:41AM THIS INTERSECTION THE ABILITY TO GET OUT OF THEIR
10:55:45AM RESPECTIVE DRIVEWAYS.
10:55:49AM AND THEN I THINK WHAT EVERYONE IS MOST INTERESTED IN IS
10:55:53AM COCONUT ROAD AND US-41.
10:55:55AM SO AS WE MENTIONED EARLIER, EVEN WITH THE HIGHER
10:56:00AM INCREASE IN TRAFFIC THAT WE LEARNED ABOUT DURING THE
10:56:03AM PLANNING AND ZONING MEETING, IT IS EXPECTED TO OPERATE
10:56:08AM AT A LEVEL OF SERVICE E WHICH IS THE STANDARD WITH THE
10:56:11AM PROJECT.

10:56:13AM ALSO, WHEN WE LOOKED AT THE COUNTS, BILLY MENTIONED THE
10:56:17AM REPORT THAT WE RECEIVED.
10:56:20AM THERE WERE ABOUT 2,000 MORE EASTBOUND TRIPS ON A DAILY
10:56:27AM BASIS THAN THERE WERE WESTBOUND TRIPS, WHICH IS A LITTLE
10:56:30AM ODD.
10:56:31AM USUALLY THEY'RE PRETTY EVEN ON A DAILY BASIS.
10:56:36AM YOU KNOW, YOU MIGHT HAVE A LOT OF PEOPLE GOING ONE WAY
10:56:39AM IN THE MORNING AND USUALLY HAVE -- THE MORNING AND
10:56:41AM USUALLY HAVE THE SAME PEOPLE GOING BACK IN THE AFTERNOON
10:56:43AM OR VICE VERSA.
10:56:44AM SOMETHING WE'VE HEARD FROM THE RESIDENTS OF PELICAN
10:56:47AM COLONY WAY IS THAT THEY ARE REALLY NERVOUS TO MAKE A
10:56:54AM LEFT OUT OF THEIR COMMUNITY TO GO NORTH ON US-41.
10:56:58AM SO PELICAN COLONY IS SOUTH OF COCONUT AND 41.
10:57:02AM SO A LOT OF THEM ACTUALLY GO UP TO COCONUT ROAD AND THEN
10:57:05AM MAKE A LEFT HERE BECAUSE IT'S SIGNALIZED.
10:57:09AM AND THERE IS A SIGNAL BEING PROPOSED AT THE PELICAN
10:57:14AM COLONY WAY AND US-41, AND THAT'S BEING REVIEWED RIGHT
10:57:18AM NOW BY FDOT AND WOULD MOST LIKELY BE CONSTRUCTED BEFORE
10:57:22AM THE PROJECT.
10:57:23AM AND WE CAN'T SAY THAT ALL OF THOSE -- THAT IMBALANCE OF
10:57:26AM THOSE 2,000 TRIPS WOULD BE SHIFTED TO THE NEW SIGNAL,
10:57:31AM BUT IT'S LIKELY THAT SOME OF THOSE TRIPS WOULD BE
10:57:34AM SHIFTED TO PELICAN COLONY WAY, SO IT WOULD ACTUALLY
10:57:38AM REDUCE THE EASTBOUND TRAFFIC ON COCONUT ROAD.
10:57:44AM THEN THIS IS JUST A SUMMARY OF SOME OF THE
10:57:46AM TRANSPORTATION CONDITIONS.
10:57:50AM YOU KNOW, WE ARE PROPOSING THAT THE COCONUT ROAD/US-41
10:57:55AM INTERSECTION BE SIGNALIZED.
10:57:57AM THERE IS ALSO PART OF THE CIP FOR THIS INTERSECTION HAS
10:58:03AM A SECOND NORTHBOUND LEFT TURN LANE, SO THE DEVELOPMENT
10:58:08AM WOULD BE WILLING TO PAY THEIR FAIR SHARE OF THAT
10:58:15AM CONSTRUCTION.
10:58:15AM THE THIRD POINT IS REALLY JUST SAYING THAT ALL OF THE
10:58:18AM PROPOSED DRIVEWAY POINTS OR ACCESS POINTS WOULD HAVE A
10:58:22AM DEDICATED RIGHT TURN LANE INTO THE PROJECT.
10:58:27AM OR, YOU KNOW, THE NORTHBOUND LEFT TURN LANE IN THE CASE
10:58:32AM OF THE NORTHERN-MOST INTERSECTION AT CERISE DRIVE.
10:58:38AM SO THAT WOULD NEED FDOT APPROVAL BUT AS BILLY MENTIONED,
10:58:41AM WE DON'T EXPECT ANY CONFLICT THERE.
10:58:43AM AND THEN FINALLY, JUST THERE IS A TRAFFIC SIGNAL THAT IS
10:58:48AM LOOKING A LITTLE OUTDATED SO THEY WANT IT REPAINTED.
10:58:53AM I'LL ALSO TOUCH HERE ABOUT THE PARKING CONCERN.
10:58:56AM WE DID THE PARKING STUDY FOR THIS PROJECT, AND SO JUST
10:59:00AM WANTED TO HIGHLIGHT THAT IT DOES INCLUDE PARKING FOR
10:59:05AM RESIDENTS.
10:59:05AM THERE ARE SOME DEDICATED PARKING SPOTS FOR RESIDENTS
10:59:09AM BECAUSE THOSE DON'T TURN OVER QUITE AS MUCH.

10:59:12AM IT DOES INCLUDE EMPLOYEES AND THEN OF COURSE VISITORS TO
10:59:15AM THE SITE.
10:59:16AM AND PART OF THE REASON FOR THE REDUCTION IS AGAIN, AS
10:59:20AM WAS MENTIONED, YOU KNOW, YOU MIGHT BE ABLE TO GO AND
10:59:22AM PARK ONE TIME AND GO TO EAT OR, YOU KNOW, MAYBE YOU WORK
10:59:26AM THERE AND THEN YOU GO EAT AFTER WORK INSTEAD OF DRIVING
10:59:30AM SOMEWHERE ELSE TO GO TO HAPPY HOUR OR WHATEVER IT IS,
10:59:34AM BUT THEN ALSO, DIFFERENT LAND USES WILL HAVE A DIFFERENT
10:59:39AM PARKING DEMAND DEPENDING ON THE TIME OF DAY.
10:59:41AM SO IF THE OFFICES -- FOR THE OFFICES, YOU'LL HAVE PEOPLE
10:59:45AM THAT GO THERE TO WORK, BUT THEN THEY'LL GO HOME AND
10:59:47AM THOSE PARKING SPOTS WILL BE FREE FOR PEOPLE WHO WANT TO
10:59:52AM GO TO THE RESTAURANTS OR ENTERTAINMENT OR SOMETHING LIKE
10:59:55AM THAT.
10:59:55AM THAT'S PART OF THE REASON FOR THE REDUCTION.
10:59:58AM AND THE AMOUNT OF PARKING SPOTS ALSO ACCOUNTS FOR THE
11:00:02AM PARKING LOTS ONLY BEING 85% FULL BECAUSE IF YOU PROVIDE
11:00:06AM EXACTLY HOW MUCH PARKING IS EXPECTED TO BE GENERATED OR
11:00:10AM THE DEMAND THAT'S EXPECTED TO BE GENERATED, THEN YOU'LL
11:00:13AM HAVE PEOPLE CIRCLING AROUND LOOKING FOR THE PARKING
11:00:17AM SPOT.
11:00:17AM THERE ARE EXTRA SPACES SO THAT YOU REDUCE THE AMOUNT OF
11:00:20AM TIME THAT SOMEBODY IS JUST LOOKING FOR A PARKING SPOT.
11:00:25AM SO THAT IS ALL I HAVE.
11:00:27AM I'M SURE THERE WILL BE MORE QUESTIONS FROM YOU LATER.
11:00:30AM AND I'LL TURN IT BACK OVER TO ALEXIS.
11:00:39AM >> ALL RIGHT.
11:00:40AM WE ARE DONE WITH OUR PRESENTATION.
11:00:43AM SO I JUST GET TO COME UP AND CONCLUDE WITH BASED UPON
11:00:48AM ALL THE DATA ANALYSIS WITHIN THE APPLICATION MATERIALS
11:00:52AM YOUR STAFF RECOMMENDED APPROVAL OF, WE'RE CONSISTENT
11:00:55AM YOUR LAND DEVELOPMENT CODE, YOUR COMPREHENSIVE PLAN.
11:00:59AM THIS DOES MEET YOUR TIER 3 DESIGN STANDARDS.
11:01:03AM WE HAVE SIGNIFICANT CIVIC SPACE AS WELL AS LIVE, WORK
11:01:09AM AND PLAY DESIGN CONCEPT IN LINE WITH THE VILLAGE'S
11:01:11AM VISION.
11:01:12AM I WAS GOING TO GO THROUGH SOME CONDITIONS, BUT MARY
11:01:16AM WORKED DILIGENTLY WITH US RIGHT UP UNTIL THE END OF THE
11:01:19AM DAY ON MONDAY AND AS OUTLINED IN YOUR DRAFT ORDINANCE,
11:01:23AM THERE IS SOME CHANGES IN RED, ADDITIONS SINCE THE
11:01:28AM PLANNING DESIGN AND REVIEW BOARD MEETING BUT WE'RE IN
11:01:33AM AGREEMENT AS SET FORTH IN YOUR ORDINANCE BEFORE YOU SO
11:01:36AM WE CAN MAKE THAT PART PRETTY CLEAN AND SIMPLE AND GET TO
11:01:38AM ANY QUESTIONS YOU HAVE.
11:01:40AM THANK YOU.
11:01:42AM >>Mayor McLain: OKAY.
11:01:44AM THERE MIGHT BE A FEW QUESTIONS, I THINK.
11:01:50AM SO, MARY, DO YOU HAVE ANY FURTHER COMMENTS OR SHOULD WE

11:01:53AM OPEN IT UP FOR COUNCIL?
11:01:55AM >>Mary Gibbs: I THINK AT ONE POINT, I HAVE ONE QUESTION
11:02:00AM ABOUT A PHASING CONDITION FOR THE APPLICANT, BUT I THINK
11:02:03AM I'LL HOLD THAT UNTIL YOU ALL GET FURTHER ALONG.
11:02:07AM >>Mayor McLain: OKAY.
11:02:08AM ANY COMMENTS FROM COUNCIL MEMBERS?
11:02:12AM WHO WOULD LIKE TO START?
11:02:17AM [LAUGHTER]
11:02:20AM YOU DID -- FROM MY OWN STANDPOINT, YOU DID A GREAT JOB
11:02:25AM PRESENTING THE DECK.
11:02:26AM WE'VE ALL SEEN THE DECK AHEAD OF TIME.
11:02:28AM BUT WITH THE FURTHER EXPLANATION, IT'S COMPLEX.
11:02:35AM MY STANDPOINT, ESPECIALLY THE TRAFFIC IS A PRETTY
11:02:38AM COMPLEX ISSUE THAT I'VE GOT PROBABLY QUESTIONS YOU
11:02:42AM COVERED, BUT I DON'T FULLY MAYBE UNDERSTAND IT, BUT I'LL
11:02:45AM HOLD MY COMMENTS UNTIL -- VICE-MAYOR WOULD LIKE TO ASK.
11:02:52AM >>Vice-Mayor Ribble: I'LL START, AND I'LL PROBABLY COME
11:02:55AM BACK IN AT DIFFERENT POINTS IN THIS DISCUSSION.
11:02:58AM BUT ONE OF THE THINGS I FOUND IN PHASING, AND MARY, I
11:03:01AM DON'T KNOW IF THIS IS THE SAME CONDITION YOU FOUND.
11:03:04AM THERE IS A DISCREPANCY IN YOUR PHASING FOR YOUR MASTER
11:03:08AM INFRASTRUCTURE AND WHAT IS ON PAGE 8 AND 9 IN THE
11:03:12AM ORDINANCE.
11:03:13AM IN THE PATTERN BOOK, IT SAYS THIS FIRST PHASING THE
11:03:16AM PROJECT WILL INCLUDE THE PLANNED DEVELOPMENT MASTER
11:03:18AM INFRASTRUCTURE INCLUDING STORM WATER RETENTION,
11:03:22AM ROADWAYS, UTILITIES, TRAFFIC SIGNAL, ROUND ABOUT OR
11:03:25AM TRAFFIC SIGNAL OR ROUND ABOUT AT COCONUT ROAD AND WALDEN
11:03:28AM CENTER DRIVE.
11:03:29AM THE ORDINANCE ALSO INCLUDES THE LANDSCAPE BUFFERS ON THE
11:03:35AM WESTERN, NORTHERN AND EASTERN SIDES, AND THE CHAIN LINK
11:03:42AM FENCE FOR MARSH LANDING.
11:03:45AM DO WE AGREE THAT THAT'S PART OF THE PHASING?
11:03:48AM OKAY.
11:03:50AM THE SECOND QUESTION I HAVE IS THE SECOND PHASE WITH THE
11:03:55AM 35,000 COMMERCIAL SPACE IN THE CENTRAL PARK AND THE
11:04:00AM PUBLIC COMPONENT OF RESTAURANT ROW AND RAMBLA STREET.
11:04:04AM THE HOTEL MAY BE CONSTRUCTED WITH QUADRANT ONE.
11:04:09AM I WOULD PREFER THAT THE CONDITION SAY THAT IT WILL BE
11:04:12AM CONSTRUCTED, AND MY REASON FOR THAT IS THE HOTEL IS SUCH
11:04:17AM AN INTEGRAL PART OF THAT PEDESTRIAN PASEO AND WILL
11:04:23AM INCLUDE, AGAIN, SOME COMMERCIAL AND RETAIL SPACE.
11:04:28AM I THINK IT WOULD MAKE IT MORE CONSISTENT WITH DOING THE
11:04:31AM HOTEL WITHIN THAT FIRST QUADRANT RATHER THAN
11:04:36AM CONSTRUCTING IT LATER.
11:04:39AM THAT'S ONE OF THE ISSUES THAT I HAVE.
11:04:41AM >>Mayor McLain: NOW MAYBE MARY, FROM WHAT I READ IN THE
11:04:45AM REVISED DOCUMENT, THE HOTEL WOULD BE PART OF QUADRANT

11:04:49AM ONE OR PHASE ONE.
11:04:52AM EITHER OR.
11:04:54AM THE QUADRANT WOULD BE EARLIER THAN PHASE ONE.
11:04:57AM AM I READING THAT CORRECTLY IN HERE?
11:04:59AM >>Mary Gibbs: THAT WAS PART OF MY QUESTION TO THE
11:05:01AM APPLICANT TOO BECAUSE THERE IS LANGUAGE THAT SHOWS ALL
11:05:04AM THE PHASING AND THE DIFFERENT PHASES.
11:05:06AM THEN THERE IS THE APPLICANT IS SUGGESTING ADDING A
11:05:08AM CONDITION THAT THEY COULD DO IT ALL AT ONCE.
11:05:11AM SO IT LEADS TO A LITTLE CONFUSE, IS THE HOTEL IN THE
11:05:15AM FIRST PHASE OR WHEN IS THE HOTEL.
11:05:19AM >> SO THE INTENTION OF THE LAST COMMENT WAS TO ALLOW
11:05:22AM SOME FLEXIBILITY.
11:05:24AM FOR EXAMPLE, IF YOU WERE KIND OF READING IT, THAT WOULD
11:05:27AM MEAN THAT THE FIRST PHASE INCLUDING ALL THE MASTER
11:05:30AM INFRASTRUCTURE WOULD POTENTIALLY NEED TO BE 100%
11:05:34AM COMPLETE INCLUDING ALL FINAL LIFTS ON ROADWAYS AND ALL
11:05:37AM THAT STUFF BEFORE WE COULD START ANY OF THE CONSTRUCTION
11:05:39AM ON THE HOTEL OR MULTI-FAMILY.
11:05:41AM AND I DON'T THINK THAT WOULD BE IN THE VILLAGE'S BEST
11:05:45AM INTEREST NOR MINE TO HAVE TO REALLY COMPLETE EVERYTHING
11:05:48AM 100%.
11:05:49AM WHEN WE'RE GOING TO BUILD ALL OF THE MASTER
11:05:51AM INFRASTRUCTURE AT ONCE, BUT WE'D LIKE THE ABILITY TO
11:05:54AM ALSO DURING THAT TIME WHILE WE'RE BUILDING THE PARKS AND
11:05:57AM EVERYTHING ELSE, TO BE ABLE TO START CONSTRUCTION ON THE
11:05:59AM OTHER PHASES.
11:06:00AM SO THAT'S REALLY WHY WE ADDED THAT LAST TERM THERE, TO
11:06:05AM ALLOW THAT FLEXIBILITY TO DEVELOP REALLY EVERYTHING IF
11:06:11AM WE WANT TO AT ONE TIME.
11:06:12AM THE WAY WE LOOKED AT IT IS YOU HAVE THE MAXIMUM AMOUNTS
11:06:16AM THAT WE COULD DEVELOP AND THE WHOLE MASTER PLAN, AND
11:06:19AM THEN REGARDLESS OF HOW EXACTLY IT'S PHASED, IF WE'RE
11:06:24AM BUILDING A CERTAIN QUADRANT, THERE IS A MINIMUM
11:06:27AM REQUIREMENT OF SQUARE FOOTAGE OR ELEMENTS THAT WE HAVE
11:06:29AM TO BUILD FOR EACH OF THOSE QUADRANTS OR WE CAN'T BUILD
11:06:34AM IT.
11:06:34AM THAT'S KIND OF THE WAY WE WERE VIEWING IT.
11:06:36AM THEN ON THE HOTEL, WE'RE SOLICITING PARTNERS RIGHT NOW
11:06:40AM TO BUILD THE HOTEL WITH US.
11:06:44AM MY HESITANCY OF SAYING WE'LL BUILD IT AT THE EXACT SAME
11:06:47AM TIME IS IT COULD TAKE A LITTLE LONGER TO DESIGN THE
11:06:52AM HOTEL THAN THE MULTI-FAMILY.
11:06:53AM WE ALREADY HAVE STARTED ON THE MULTI-FAMILY DESIGN,
11:06:56AM WE'RE ALREADY GETTING TO THE DETAILS.
11:06:58AM SO LET'S SAY THE DESIGN OF THE HOTEL LAGS A LITTLE BIT,
11:07:02AM EVEN IF IT'S A NUMBER OF MONTHS, THAT HOLDS UP THE
11:07:05AM CONSTRUCTION OF THE REST OF THAT QUADRANT WHILE WE'RE

11:07:08AM GETTING OUR BUILDING PERMIT, LET'S SAY, FOR THE HOTEL.
11:07:12AM SO THAT WAS REALLY THE REASON WHY WE SAID THAT THE HOTEL
11:07:17AM COULD TAKE PLACE AFTER IT.
11:07:18AM BUT IT WOULD BE IN OUR BENEFIT AS WELL AS YOURS TO HAVE
11:07:21AM THE HOTEL COME ONLINE THE SAME TIME AS THE REST OF THE
11:07:24AM BLOCK BECAUSE IT WOULD BE DETRIMENTAL TO THE PROJECT IF
11:07:27AM IT DIDN'T.
11:07:27AM SO OUR INTERESTS ARE ALIGNED THERE, BUT JUST HAVE THAT
11:07:30AM BIT OF FLEXIBILITY SO OUR HANDS AREN'T TIED TO START
11:07:34AM CONSTRUCTION ON THE MULTI FAMILY, IT WOULD BE HELPFUL.
11:07:37AM >> CAN YOU SHOW US QUADRANT ONE IN YOUR PRESENTATION SO
11:07:40AM WE HAVE A GOOD UNDERSTANDING OF WHAT'S GOING TO BE BUILT
11:07:44AM RIGHT IN THAT SECTION?
11:07:49AM >> GO -- AT THE END?
11:08:00AM OKAY.
11:08:00AM SO QUADRANT ONE, YOU CAN SEE IT HIGHLIGHTED IN YELLOW.
11:08:03AM IT'S BASICALLY THE ENTIRE SOUTHEAST OF THE PROJECT.
11:08:14AM >>Mayor McLain: AND THE OTHER YELLOW THAT I SEE OVER
11:08:16AM THERE, THAT WILL BE BUILT IN QUADRANT ONE ALSO?
11:08:21AM >> YEAH.
11:08:21AM SO THEN POTENTIALLY WHILE WE BUILD THAT MAIN SOUTHEAST
11:08:26AM PHASE, WE WANT -- WE WANTED THE OPTIONALITY TO BUILD THE
11:08:29AM PARKING GARAGE FOR THAT WESTERN PHASE FOR A COUPLE
11:08:34AM REASONS.
11:08:34AM FIRST IS WE COULD POTENTIALLY BENEFIT FROM PRICING OF
11:08:38AM BUILDING ALL THE GARAGES AT ONE TIME.
11:08:40AM GETTING THAT SUBCONTRACTOR ON, BUILDING IT ALL.
11:08:43AM WE COULD USE THAT GARAGE FOR CONSTRUCTION PARKING, BUT
11:08:49AM LET'S SAY WE HAD A DIFFERENT PARTNER ON THE EAST HALF OF
11:08:51AM THE PROJECT AND THE WEST HALF OF THE PROJECT.
11:08:54AM COST SHARING COULD BE AN ELEMENT THAT WE'D HAVE TO TRY
11:08:57AM TO WORK OUT.
11:08:59AM SO WE WANTED A BIT OF THE FLEXIBILITY IF WE WANTED TO
11:09:02AM PROVE AHEAD THE -- MOVE AHEAD THE SCHEDULE FOR THAT LAST
11:09:05AM GARAGE TO BE ABLE TO.
11:09:10AM >>Mayor McLain: ANY OTHER -- I DON'T KNOW IF WE HAVE TO
11:09:12AM GO THROUGH ALL YOUR QUESTIONS IF THERE IS OTHER COUNCIL
11:09:16AM MEMBERS ON THIS SPECIFIC QUESTION.
11:09:17AM MIGHT BE GOOD FOR US TO SETTLE THIS PHASING FIRST.
11:09:22AM >>Mary Gibbs: I HAVE A SUGGESTION.
11:09:24AM IF YOU ALL HAVE OTHER QUESTIONS, I THINK WE CAN -- NANCY
11:09:27AM AND I CAN WORK ON A LITTLE TWEAK TO THE CONDITION ON
11:09:31AM PHASING IF WHILE YOU'RE TALKING ABOUT ALL YOUR OTHER
11:09:35AM ISSUES, AND THEN WE CAN COME BACK AND DO THAT AFTER
11:09:39AM PUBLIC INPUT OR SOMETHING.
11:09:40AM >>Mayor McLain: I THINK THE CONCERN THAT YOU RAISED WAS
11:09:44AM WE WANT THE HOTEL BUILT.
11:09:46AM WITHOUT THE HOTEL, THIS DEVELOPMENT BECOMES AN APARTMENT

11:09:49AM COMPLEX AND THAT'S NOT CLEARLY NOT OUR INTEREST.
11:09:52AM WE WANT THE JOINT USE OF HOTELS, RESTAURANTS,
11:09:57AM WALKABILITY AND ALL THAT.
11:10:00AM WITHOUT ONE OF THOSE INTEGRAL PARTS, IT DOESN'T HAVE THE
11:10:05AM SAME VALUE I DON'T THINK TO THE VILLAGE OF ESTERO.
11:10:07AM I DON'T WANT TO PUT WORDS IN YOUR MOUTH -- OKAY, GOOD.
11:10:10AM OKAY.
11:10:10AM YOU CAN HAVE MORE QUESTIONS.
11:10:12AM >>Vice-Mayor Ribble: OKAY.
11:10:13AM ROSS, WHILE YOU'RE UP THERE.
11:10:15AM CAN YOU SPEAK TO THE TYPE OF APARTMENTS AND HOW THE
11:10:17AM UNITS WILL BE BUILT.
11:10:21AM ARE THEY -- ARE YOU GOING TO MARKET THEM AS LUXURY
11:10:24AM APARTMENTS?
11:10:25AM AND CAN YOU DESCRIBE WHAT THAT MEANS TO YOU?
11:10:29AM >> SO YEAH.
11:10:30AM OUR BUSINESS MODEL IS BUILDING CLASS A TOP OF MARKET
11:10:34AM LUXURY RENTAL APARTMENTS.
11:10:35AM SO IT WILL BE UP THERE WITH THE TOP OF RENTAL APARTMENTS
11:10:41AM IN SOUTHEAST FLORIDA.
11:10:44AM >>Vice-Mayor Ribble: AND DO YOU HAVE A BREAKDOWN OF THE
11:10:49AM TYPE OF UNIT, WHETHER IT BE ONE BEDROOM, TWO BEDROOM,
11:10:55AM THREE BEDROOM.
11:10:57AM DO YOU HAVE A BREAK DOWN OF EACH INDIVIDUAL BUILDING,
11:11:01AM WHAT THAT WILL BE.
11:11:02AM >> WE'RE GETTING INTO THAT DETAIL NOW.
11:11:04AM ABOUT 10% OF THE PROJECT IS THE TOWNHOME UNITS.
11:11:07AM THE REMAINING PROJECT WILL BE SPLIT BETWEEN STUDIOS,
11:11:13AM ONES, TWOS, AND THREE BEDROOMS.
11:11:15AM MAINLY ONES AND TWOS, AND THEN A SMALL PORTION OF
11:11:18AM STUDIOS AND THREE BEDROOMS.
11:11:19AM BUT REALLY TRY TO CAPTURE THAT MIDDLE --
11:11:23AM >>Vice-Mayor Ribble: THAT MIDDLE GROUND.
11:11:24AM THE TWO LARGEST COMPLEX OR THE ONE IN THE FIRST
11:11:28AM QUADRANT, YOU CAN AT THIS TIME TELL ME HOW MANY UNITS
11:11:31AM ARE GOING TO BE IN THOSE TWO BUILDINGS.
11:11:34AM BUT BOTH OF THOSE BUILDINGS, PLUS THE HOTEL, WILL USE
11:11:39AM THOSE TWO PARKING GARAGES.
11:11:40AM AND I KNOW YOU WANT A DEVIATION ON REDUCING THE PARKING,
11:11:44AM AND ALEXIS DESCRIBED WHY.
11:11:48AM BUT WHEN PEOPLE -- WHEN OUTSIDERS, WHEN VISITORS COME TO
11:11:53AM THIS COMPLEX, AND WE HOPE THEY DO AND WE HOPE THEY COME
11:11:57AM AND IT'S SUCCESSFUL, THEY'RE GOING TO ENTER AND THEY'RE
11:12:01AM GOING TO PARK IN THOSE TWO BUILDINGS WITH THE GREATEST
11:12:03AM CAPACITY OF APARTMENTS.
11:12:06AM ARE YOU SURE THAT THERE WILL BE SUFFICIENT PARKING FOR
11:12:11AM VISITORS IN THOSE TWO PARKING GARAGES?
11:12:13AM BECAUSE I DON'T SEE THEM -- THEY'RE NOT GOING TO BE

11:12:16AM USING THE OTHER -- THE OTHER TWO.
11:12:19AM >> RIGHT.
11:12:20AM THERE IS AN ELEMENT OF STREET PARKING THROUGHOUT THE
11:12:23AM COMMUNITY, BUT DOVER COLE REALLY EMPHASIZED FROM THE
11:12:28AM START MAKING SURE EACH OF THE QUADRANTS WERE
11:12:31AM SELF-SUFFICIENT FOR PARKING SO THAT THE APPROPRIATE
11:12:33AM AMOUNT AND CONVENIENCE OF PARKING WAS AVAILABLE.
11:12:37AM SO EACH QUADRANT HAS SUFFICIENT PARKING.
11:12:41AM >>Vice-Mayor Ribble: AND FOR VISITORS.
11:12:43AM >> AND FOR VISITORS, CORRECT.
11:12:44AM FOR RESIDENTS, RETAIL VISITORS, YEAH.
11:12:48AM >>Vice-Mayor Ribble: DOES THE COUNCIL MIND IF I GO ON?
11:12:52AM >>Mayor McLain: I'VE GOT A QUESTION MAYBE ABOUT THAT.
11:12:55AM IN YOUR PRESENTATION, DIDN'T YOU REDUCE THE NUMBER OF
11:12:58AM PARKING SPACES --
11:13:00AM >>Vice-Mayor Ribble: YES.
11:13:01AM >>Mayor McLain: MAYBE YOU SAID THAT.
11:13:02AM >>Vice-Mayor Ribble: AND THOSE ARE WHERE?
11:13:04AM IN THE PARKING GARAGES OR IN STREET AND OFF STREET?
11:13:08AM >> WE WANTED TO MAXIMIZE THE AMOUNT OF STREET PARKING
11:13:10AM FOR THAT CONVENIENCE BUT IT WAS REALLY THE AMOUNT OF
11:13:12AM GARAGE SPACES AND THAT -- FEHR AND PEERS DID THE SHARED
11:13:18AM PARK ING ANALYSIS AND ADDED A 15% AMOUNT ON TOP OF THAT
11:13:22AM SHARED PARKING STUDY SO THERE WOULD STILL BE THE
11:13:25AM CONVENIENCE OF PARKING AND THAT'S THE REDUCTION WE'RE
11:13:27AM ASKING FOR.
11:13:28AM WE STILL HAVE 15% OVER THE AMOUNT THAT THEY ANALYZED.
11:13:33AM >>Mayor McLain: I STILL HAVE A PROBLEM WITH THE LOGIC.
11:13:36AM YOU'VE GOT A HOTEL.
11:13:37AM YOU'RE GOING TO HAVE RESTAURANTS THERE.
11:13:39AM YOU'RE GOING TO HAVE OTHER SERVICES THERE.
11:13:42AM WHAT IS THE INTEREST OF THE DEVELOPER WANTING TO REDUCE
11:13:45AM IT?
11:13:45AM IF ANYTHING, I'D RATHER HAVE YOU -- BY MAYBE HAVING A
11:13:50AM LITTLE EXCESS.
11:13:51AM YOU'RE NOT AT LEVEL D FOR PARKING IF THERE IS SUCH A
11:13:54AM THING.
11:13:55AM WHY NOT PLAN IT FOR LEVEL C TO WHERE MAYBE YOU'RE A
11:13:59AM LITTLE OVER BUILT AND HOPE FOR SUCCESS AND, YOU KNOW,
11:14:02AM THIS IS A PRIME SPOT.
11:14:05AM SO I'VE GOT A CONCERN WITH THAT ASK OF A REDUCTION.
11:14:14AM >> IF I CAN, WHEN YOU LOOK AT YOUR VILLAGE CENTER
11:14:17AM CRITERIA, IT ACTUALLY SPEAKS TO REDUCING PARKING BECAUSE
11:14:21AM OF THAT SHARED PARKING ANALYSIS.
11:14:23AM SO YOUR OWN CODE ENCOURAGES THE REDUCTION OF PARKING
11:14:26AM WHEN YOU'RE IN THE VILLAGE CENTER.
11:14:27AM SO THAT'S ONE OF YOUR CODE REQUIREMENTS AND THEN
11:14:32AM ELIZABETH WILL EXPLAIN TO YOU HOW WE WOULD OVER

11:14:37AM PARK -- YOU WOULD BE ESSENTIALLY BUILDING PARKING FOR,
11:14:40AM USING AN ANALOGY FOR EASTER SUNDAY.
11:14:43AM WHEN YOU -- SO YOU'LL HAVE A SEA OF PARKING OUT THERE
11:14:45AM THAT'S NEVER GOING TO BE UTILIZED AND IT'S A WASTE OF
11:14:49AM SPACE.
11:14:49AM >>Mayor McLain: I WOULD AGREE WITH THAT LOGIC, AND I
11:14:53AM HAVEN'T READ THE CODE IN FINE DETAIL.
11:14:57AM IF IT WAS STREET PARKING AND A PARKING LOT LIKE SOME OF
11:14:59AM THE DEVELOPMENTS, COCONUT POINT ACROSS THE STREET.
11:15:02AM IF YOU HAD NOTHING BUT PAVEMENT THERE, IT'S REALLY NOT
11:15:06AM VERY ATTRACTIVE FOR THE VILLAGE OR ANY FACILITY TO HAVE
11:15:10AM OPEN BLACK SPACE.
11:15:13AM WHEN YOU'VE GOT PARKING SPACES, YOU KNOW, IN ELEVATED
11:15:17AM SPACES.
11:15:18AM I'M NOT SURE IF THAT LOGIC TRANSFERS EFFECTIVELY THAT
11:15:21AM WAY BECAUSE YOU'RE NOT GOING TO TELL IF IT'S THREE CARS
11:15:24AM IN THERE OR 50 CARS.
11:15:25AM AND WHERE ARE YOU GOING TO -- WHERE ARE YOU GOING TO
11:15:28AM TAKE THE SPACES OUT FROM WHAT I'M HEARING, IT'S PROBABLY
11:15:31AM NOT ON THE STREET BECAUSE YOU'RE GOING TO MAXIMIZE
11:15:36AM STREET PARKING.
11:15:36AM I THINK WE'RE SAYING WHY LIMIT AN EXTRA, WHATEVER THE
11:15:39AM NUMBER OF SPACES WERE, IS A CONCERN.
11:15:43AM OBVIOUSLY WANT TO GO HIGHER BUT -- I'M NOT A PARKING
11:15:47AM EXPERT BUT IT SEEMS LIKE WE'RE NOT GOING IN THE RIGHT
11:15:52AM DIRECTION FOR PARKING.
11:15:56AM >> I'LL JUMP IN AND THEN I THINK BILLY WILL PROBABLY ADD
11:15:59AM A FEW THINGS.
11:16:02AM YEAH.
11:16:02AM VICTOR.
11:16:03AM [LAUGHTER]
11:16:04AM YEAH.
11:16:05AM AMERICA HAS KIND OF OVER BUILT PARKING, ESPECIALLY IF
11:16:10AM YOU LOOK AT LIKE, THE WALMART TYPE SHOPPING CENTERS.
11:16:13AM IT'S LIKE, THE BLACK FRIDAY SCENARIO, BUT IF YOU GO OUT
11:16:16AM THERE ON BLACK FRIDAY, YOU'LL STILL FIND THE PARKING LOT
11:16:19AM HAS -- IS WAY OVER DESIGNED.
11:16:22AM AND SO EXTRA PARKING IS REALLY A WASTE OF RESOURCES AND
11:16:28AM SPACE.
11:16:29AM AND SO WE DEFINITELY WANT TO HAVE ENOUGH PARKING TO
11:16:35AM ACCOMMODATE THE PEOPLE WHO LIVE, WORK AND VISIT THE
11:16:37AM PROJECT.
11:16:38AM AND SO THAT'S, YOU KNOW, WHAT THE SHARED PARKING
11:16:42AM ANALYSIS LOOKS AT, AND AGAIN, WE DON'T -- WE DON'T WANT
11:16:48AM PEOPLE JUST CIRCLING THE SITE, LOOKING FOR A PARKING
11:16:51AM SPOT, AND THE DEVELOPER DOESN'T WANT THAT EITHER BECAUSE
11:16:56AM THEY'LL PROBABLY JUST LEAVE.
11:16:57AM AND SO WE HAVE INCLUDED THAT CUSHION SO THAT VEHICLES

11:17:03AM CAN MORE EASILY FIND A SPACE, AND AGAIN, IT'S -- A LOT
11:17:10AM OF RESTAURANTS AREN'T OPEN FOR BREAKFAST.
11:17:13AM THERE MIGHT BE SOME IN THIS AREA THAT ARE.
11:17:15AM EVERYBODY LIKES A GOOD BRUNCH.
11:17:16AM BUT A LOT OF THE SPACES IN THE MORNING, THOSE ARE GOING
11:17:20AM TO BE TAKEN UP BY PEOPLE WHO ARE WORKING IN THE OFFICES
11:17:23AM OR HAVE VISITING THE OFFICES, BUT THEN WHEN THOSE PEOPLE
11:17:28AM GO HOME, THEN YOU'LL HAVE PEOPLE WHO COME TO GO TO THE
11:17:32AM RESTAURANTS OR WHATEVER OTHER ENTERTAINMENT MIGHT BE IN
11:17:35AM THE AREA.
11:17:36AM AND WE DID ALSO, YOU KNOW, RESERVE SOME SPACES JUST FOR
11:17:39AM RESIDENTS BECAUSE THERE MIGHT BE SOME RESIDENT ONLY
11:17:45AM PARKING AND ALSO THE SPACES TEND NOT TO HAVE AS
11:17:48AM HIGH -- MIGHT NOT HAVE AS HIGH AS A TURNOVER, SO WE
11:17:52AM INCLUDED ALL OF THAT INTO THE ANALYSIS.
11:17:56AM >> GOING BACK TO THE FIRST POINT IS THAT, YOU KNOW,
11:18:01AM HISTORICALLY WE HAVE OVER PARKED EVERYTHING IN THE
11:18:03AM COUNTRY, AND THERE IS A LOT OF NEGATIVE CONSEQUENCES OF
11:18:07AM THAT.
11:18:07AM I MEAN, IF YOU GO TO A PLACE AND THE PLACE LOOKS EMPTY
11:18:10AM BECAUSE THERE IS WAY TOO MUCH PARKING, PEOPLE ARE LESS
11:18:13AM LIKELY TO GO, AND IT'S IN THE DEVELOPER'S BEST INTEREST
11:18:16AM TO PROVIDE ADEQUATE PARKING.
11:18:17AM SO THE PARKING STUDIES THAT WE DO TODAY ARE DIFFERENT
11:18:20AM THAN WHAT HAVE BEEN DONE HISTORICALLY, BUT THE GOAL IS
11:18:25AM TO STILL HAVE A SUCCESSFUL PROJECT AND ALLOWING ENOUGH
11:18:28AM PARKING SO THAT EVEN WHEN THE PARKING IS AT THE MAXIMUM,
11:18:32AM THERE IS STILL PARKING SPACES AVAILABLE.
11:18:34AM THAT'S THE INTENT OF THE STUDY NOW.
11:18:36AM AND SO TO GO ABOVE AND BEYOND THAT JUST IS EXCESSIVE
11:18:41AM REALLY.
11:18:41AM BUT I'LL LET VICTOR SPEAK TO IT AS WELL BECAUSE HE WORKS
11:18:44AM ON THESE TYPES OF PROJECTS DAY IN AND DAY OUT.
11:18:50AM >> WELL, I'LL PILE ON.
11:18:52AM THE EFFECT IS NATIONWIDE, MANY MUNICIPALITIES ARE DOING
11:18:56AM AWAY WITH ENTIRELY MINIMUM PARKING REQUIREMENTS.
11:18:58AM YOU'RE NOT DOING ANYTHING NEARLY SO DRAMATIC HERE.
11:19:03AM ALL YOU'RE DOING IS CARRYING OUT WHAT IT SAYS IN THE
11:19:05AM LAND DEVELOPMENT REGULATIONS YOU WANT US TO DO IN THE
11:19:07AM VILLAGE CENTER.
11:19:08AM IT MAKES IT DIFFERENT FROM SAY SOME STAND ALONE COMPLEX
11:19:11AM OR STAND ALONE SHOPPING CENTER OR OFFICE PARK.
11:19:14AM THAT SYNERGY BETWEEN THE USES IS WHAT MAKES THIS
11:19:17AM DIFFERENT.
11:19:17AM AND YOUR OWN REGS RECOGNIZE THAT.
11:19:21AM IF WE DIDN'T DO THE SHARED PARKING THAT ELIZABETH IS
11:19:24AM DESCRIBING, WE'D BE NEEDLESSLY OVER PROVIDING PARKING.
11:19:27AM AND NOT JUST BY A LITTLE BIT, BY THE 15% WHICH IS

11:19:32AM GENEROUS THAT THEY'RE ALREADY BUILDING IN FOR EXTRA.
11:19:35AM BUT BY MORE THAN THAT.
11:19:36AM WELL, IF SURFACE PARKING LOTS, SURFACE PARKING SPACES
11:19:41AM THAT, YOU KNOW, 14 OR $15,000 OF SPACE, THAT'S ONE
11:19:45AM THING.
11:19:45AM BUT IF IT'S PARKING STRUCTURE SPACES AT $30- OR $40,000
11:19:49AM A SPACE TO CONSTRUCT, THAT COST HAS TO BE RECOVERED
11:19:53AM SOMEWHERE.
11:19:54AM SO I'LL JUST SAY SOMETHING FROM THE BUSINESS SIDE PLAN
11:19:57AM OF THE HOUSE.
11:19:57AM IT'S A TERRIBLE IDEA TO ADD UNNECESSARY EXTRA COST TO
11:20:02AM THE RENTS ON THE UNITS OR ON THE RETAIL SPACES, FOR
11:20:08AM EXAMPLE, RIGHT WHEN YOU'RE TRYING TO RECRUIT THAT
11:20:11AM EXCELLENT RESTAURANT THAT YOU WANT OR YOU'RE HOPING TO
11:20:13AM MAKE HOUSING AVAILABLE CLOSE TO THE JOBS DIAGONALLY
11:20:18AM ACROSS AT THE HOSPITAL, JUST TO NAME ONE EXAMPLE BECAUSE
11:20:21AM THAT COST WILL HAVE TO BE RECOVERED SOMEWHERE.
11:20:24AM IF YOU PUT IT ON THE BACKS OF THE UNITS, YOU'RE MAKING
11:20:27AM THE HOUSING CRISIS WE ALREADY FACE WITH THE LONG
11:20:32AM DISTANCES PEOPLE TRAVEL BETWEEN HOME AND WORK THAT MUCH
11:20:34AM WORSE.
11:20:34AM SO THAT'S WHY IT'S BUILT INTO YOUR REGS THAT YOU HAVE
11:20:37AM THIS ABILITY TO DIAL THAT DOWN IN THE RIGHT PLACE, WHICH
11:20:40AM IS THIS PLACE, NOT EVERYWHERE IN TOWN.
11:20:44AM HAPPY TO ANSWER MORE QUESTIONS ABOUT THAT IF YOU'D LIKE.
11:20:47AM >>Mayor McLain: ANY OTHER COUNCIL QUESTIONS ON PARKING?
11:20:50AM GO AHEAD --
11:20:54AM >> ONE MORE THING, ELIZABETH JUST PULLED UP OUR PARKING
11:20:58AM ANALYSIS TO SHOW THAT CAPACITY DURING THE HIGHEST PEAK
11:21:01AM OF THE DAY THERE IS STILL 400 EXCESS SPACES.
11:21:03AM SO IT GOES UP FROM THERE.
11:21:05AM SO IT'S NOT LIKE WE'RE NOT -- WE'RE PROVIDING JUST THE
11:21:11AM MINIMUM IN ORDER TO BUILD THE PROJECT.
11:21:13AM THERE IS STILL DURING THE PEAKS 400 SPACES LEFT OVER.
11:21:18AM >> I'M CURIOUS ABOUT, IN QUADRANT ONE, I CAN'T TELL IF
11:21:23AM THERE IS OFF-STREET PARKING THERE.
11:21:28AM >> WE HAVE A -- SO THE LITTLE DASHED LINES ALONG THE
11:21:38AM STREET INDICATE ON-STREET PARKING.
11:21:44AM >> OKAY, THANK YOU.
11:21:49AM >> THANK YOU, MAYOR.
11:21:50AM THANK YOU FOR THE PRESENTATION.
11:21:51AM I TOO HAVE CONCERNS ABOUT PARKING AND TRAFFIC FLOW.
11:21:54AM I MADE THAT CLEAR AT THE LAST MEETING.
11:21:56AM IF SOMEONE COULD JUST SHARE WITH ME THE LOGIC BEHIND OR
11:22:00AM WHERE WE GOT ORIGINALLY THE 2107 SPACES THAT WERE
11:22:06AM REQUIRED, OKAY, HOW ARE WE MANAGING THAT NUMBER COMPARED
11:22:12AM TO WHAT YOU'RE ASKING FOR THE DEVIATION.
11:22:14AM SO IF THAT'S THE REQUIRED NUMBER, WHERE DID THAT COME

11:22:17AM FROM?
11:22:18AM HOW VALID IS IT BECAUSE WE'RE DEVIATING AND HOW DO YOU
11:22:22AM SQUARE THAT AGAINST WHAT YOU'RE ASKING FOR?
11:22:25AM >> SO THE 2107 COMES FROM YOUR CODE BEFORE ANY KIND OF
11:22:31AM SHARED PARKING ANALYSIS.
11:22:32AM SO THE AMOUNT OF PARKING SPACES THAT ARE REQUIRED PER
11:22:35AM HOTEL KEY FOR RESIDENTS UNIT OR -- RESIDENTIAL UNIT AND
11:22:40AM SQUARE FOOT OF OFFICE AND RETAIL.
11:22:42AM SO THAT'S WHERE THE 2107 COMES FROM.
11:22:44AM THEN THE 1872 THAT WE'RE PROVIDING IS THE SHARED PARKING
11:22:49AM ANALYSIS PLUS 15% FOR THAT CONVENIENCE FACTOR TO MAKE
11:22:53AM SURE THAT PEOPLE ARE NOT DRIVING AROUND TO TRY TO FIND A
11:22:56AM PARKING SPACE.
11:22:58AM THEY HAVE PROXIMATE, CONVENIENT SPACE TO ACCESS
11:23:06AM WHERE -- WHEN THEY'RE COMING.
11:23:07AM >> OKAY, ROSS.
11:23:08AM THANK YOU.
11:23:08AM SO A QUESTION I HAVE.
11:23:10AM WOULD IT BE FAIR TO SAY THE RESIDENTIAL UNITS REQUIRE
11:23:13AM TWO PARKING SPACES PER UNIT?
11:23:16AM WOULD THAT BE FAIR TO SAY?
11:23:17AM >> IN YOUR ZONING CODE, IT IS TWO PER UNIT.
11:23:22AM AND WHAT I FOUND IN THE EXPERIENCE IN MORE URBAN -- AND
11:23:26AM EVEN SUBURBAN IS REALLY LIKE 1.75 PARKING SPACES PER
11:23:30AM UNIT.
11:23:31AM IT'S REALLY THE MAXIMIZE FOR A GARDEN STYLE PROJECT
11:23:35AM MILES OUTSIDE OF DOWNTOWN WITHOUT ANY KIND OF SHARED
11:23:39AM PARKING, REALLY 1.75 IS AN APPROPRIATE AMOUNT.
11:23:42AM AND THAT INCLUDES VISITOR PARKING IN ADDITION TO THOSE
11:23:47AM RESIDENTIAL.
11:23:48AM ENDS UP TO A TOTAL OF 1.75.
11:23:51AM >> SO IS THE CALCULATION ONE CAR PER HOTEL ROOM AT MAX
11:23:57AM CAPACITY SO 260?
11:23:59AM >> IT'S I BELIEVE ONE SPACE PER 1.2 HOTEL UNITS IS HOW
11:24:03AM THE CODE CALCULATION.
11:24:05AM >> SO I THINK THE DELTA BETWEEN THE MAX WOULD BE 400 I
11:24:09AM THINK -- THE GENTLEMAN MENTIONED THAT.
11:24:11AM SO WE'RE RELYING ON 400 SPACES FOR THE REST OF THE
11:24:15AM DEVELOPMENT.
11:24:16AM SO THE TRANSIENT TRAFFIC FOR BUSINESS AND PLEASURE.
11:24:21AM IS THAT --
11:24:21AM >> THE NUMBER OF SPACES OUTSIDE OF THE RESIDENTIAL?
11:24:23AM >> CORRECT.
11:24:24AM >> LET ME SEE -- IT SHOULD BE ON THE MC -- YEAH?
11:24:39AM >> WHILE YOU'RE LOOKING FOR IT, I'LL ADD A COMMENT ABOUT
11:24:42AM THE HOTEL USE AND WHY THAT'S SUCH AN IMPORTANT COMPONENT
11:24:47AM HERE.
11:24:47AM IT WAS DRILLED INTO ME AND PROBABLY MARY WHEN WE WENT TO

11:24:51AM SCHOOL AND FOREVER, WE ALL LEARNED AND EVERY ZONING CODE
11:24:54AM THAT WAS BASED ON THE ITE PARKING GENERATION MANUAL AND
11:24:58AM SO ON, WE WERE TAUGHT YOU ALWAYS NEED TO HAVE .7 OR .75
11:25:04AM SPACES PER HOTEL ROOM KEY.
11:25:06AM THAT'S A NATIONAL STANDARD.
11:25:07AM EVERYWHERE YOU GO, THAT'S THE NUMBER EVERY HOTEL CHAIN
11:25:10AM USED.
11:25:10AM YOUR CODE STARTS AT 1.2.
11:25:13AM HOWEVER, IF YOU TALK TO HOTELIERS, THEY'LL TELL YOU IN
11:25:18AM THE LAST FIVE OR SIX YEARS THE ACTUAL DEMAND FOR PARKING
11:25:22AM SPACES AT HOTELS, THIS KIND OF CLOSE PROXIMITY TO
11:25:27AM REGIONAL AIRPORTS IS DROPPING EVERY YEAR, AND THE REASON
11:25:29AM IS BECAUSE PEOPLE USED TO SHOW UP AT AN AIRPORT, RENT A
11:25:34AM CAR, DRIVE TO THEIR MEETING OR THEIR HOTEL, PARK IT
11:25:38AM THERE.
11:25:39AM NOW THEY'RE GETTING UBER AT THE CURB.
11:25:41AM SO THE NUMBER NATIONALLY HAS BEEN DROPPING -- I'M NOT
11:25:44AM SAYING WE'D BE AS LOW AS THE NATIONAL NUMBER HERE.
11:25:47AM BUT THE NUMBER NATIONALLY IS DROPPING TO .3 AND
11:25:50AM CONTINUING TO DROP.
11:25:51AM PARKING SPACES ACTUALLY REQUIRED PER HOTEL ROOM KEY.
11:25:55AM SO YOUR NUMBER THAT WE START OFF WITH BEFORE WE APPLY
11:25:58AM THE MODEST REDUCTION IS ALREADY REALLY HIGH, JUST TO PUT
11:26:03AM IT IN PERFECTIVE.
11:26:06AM >> IT'S A LITTLE HARD TO READ ON THIS.
11:26:08AM WE HAVE A PRINTED OUT COPY.
11:26:10AM SO THE CODE IS FOR OFFICE, ONE SPACE PER 300 SQUARE
11:26:15AM FEET.
11:26:16AM SO THE TOTAL FOR THE 42,000 SQUARE FEET OF OFFICE IS
11:26:19AM 140.
11:26:21AM RETAIL IS ONE SPACE PER 350 SQUARE FEET.
11:26:27AM SO THAT'S ABOUT 180 SPACES.
11:26:31AM DINING IS A LITTLE BIT MORE.
11:26:32AM DINING IS 12 AND A HALF SPACES PER 1,000 SQUARE FEET.
11:26:36AM THAT'S 250 SPACES FOR DINING.
11:26:39AM THERE IS SOME FOR CIVIC AND SOME FOR THE HOTEL.
11:26:45AM THE HOTEL IS ONE SPACE PER TWO ROOMS SO TOTAL IS 125
11:26:55AM PARKING SPACES.
11:26:56AM THE OFFICE IS 140.
11:26:59AM THE HOTEL IS 217.
11:27:03AM AND THEN THE RESIDENTIAL IS TWO SPACES PER UNIT PLUS 10%
11:27:07AM FOR VISITORS.
11:27:08AM SO THE RESIDENTIAL CODE REQUIREMENT IS JUST OVER 1,300
11:27:13AM SPACES.
11:27:19AM >>Mayor McLain: AND WHAT'S THAT TOTAL, ROSS?
11:27:22AM >> THAT TOTAL IS THE 2,107.
11:27:28AM THERE WERE -- THERE WAS 12 ADDITIONAL IN THERE FOR THE
11:27:30AM CIVIC BUILDING.

11:27:34AM THAT'S REALLY -- I DIDN'T SAY.
11:27:36AM >> BUT YOUR POSITION IS THIS DEVELOPMENT WOULD BE ABLE
11:27:39AM TO HANDLE THE CAPACITY AT 235 FEWER PARKING SPOTS THAN
11:27:48AM THE NUMBER THAT WE JUST SPOKE ABOUT.
11:27:50AM >> RIGHT, AND THAT THE CODE REQUIRES.
11:27:52AM >> I HAVE A QUESTION ABOUT ALSO THE SUPPLY, THE
11:27:55AM EQUIPMENT TRUCKS FOR THE FOOD.
11:27:57AM WHERE DO THEY OFFLOAD THE MATERIALS, THEIR FOOD
11:28:03AM PRODUCTS.
11:28:03AM I'M LOOKING AT THE PLAN AND I JUST -- I'M STRUGGLING TO
11:28:05AM SEE WHERE A LARGE SEMI-TRUCK WOULD OFFLOAD FOOD SUPPLY.
11:28:10AM CISCO TRUCK, WHAT NOT.
11:28:11AM WHERE WOULD THAT OCCUR?
11:28:17AM >> WE'LL CERTAINLY HAVE LOADING ZONES PROXIMATE TO THE
11:28:19AM RETAIL AND WHERE TRASH WOULD BE ACCOMMODATED AS WELL.
11:28:22AM WE'RE GETTING INTO THOSE DETAILS NOW.
11:28:23AM WE DON'T HAVE ALL THAT THOUGHT THROUGH YET.
11:28:26AM >> I WOULD LIKE TO LEARN MORE ABOUT THAT BECAUSE, YOU
11:28:28AM KNOW, OBVIOUSLY IF YOU HAVE RESTAURANT ROW, YOU'RE GOING
11:28:31AM TO HAVE A LOT OF RESTAURANTS.
11:28:33AM THAT'S A KEY COMPONENT TO THIS DEVELOPMENT.
11:28:35AM WE HAVE TO MAKE SURE THAT THOSE VEHICLES CAN GET IN AND
11:28:37AM OUT AND NOT PLUG UP WHAT IS ALREADY A VERY CONDENSED
11:28:41AM AREA, PARTICULARLY SPEAKING ABOUT PARKING.
11:28:44AM MAYBE VICTOR, IF YOU HAVE ANY INSIGHT ON YOUR OVERALL
11:28:51AM PLAN WHERE THAT WOULD COME INTO PLAY.
11:28:54AM >> WELL, WHERE THIS IS MOST IMPORTANT IS THE QUADRANT IN
11:28:58AM THE SOUTHEAST CORNER.
11:28:58AM THAT'S REALLY TWO BLOCKS DIVIDED BY THE DIAGONAL WALKING
11:29:02AM STREET.
11:29:03AM AND IF YOU MAKE OUT THE COURTYARDS AND GARAGE, WHAT THAT
11:29:07AM IS BASICALLY STRADDLING IS AN ALLEY SYSTEM THAT GOES
11:29:09AM THROUGH THAT WHOLE AREA.
11:29:11AM SO THERE ARE PLACE FOR MACHINE ROOM S, FOR THE LOADING
11:29:18AM AND UNLOADING OF THE MATERIALS FOR THE TRASH COMPACTER,
11:29:26AM FOR EXAMPLE.
11:29:27AM BECAUSE THAT'S ALSO ANOTHER SPACE WE EXPECT WHENEVER WE
11:29:30AM HAVE THE RESTAURANTS, A LOT OF CARDBOARD BOXES AND
11:29:33AM THINGS.
11:29:33AM SO ALL THAT IS BAKED INTO THAT.
11:29:35AM THAT'S ONE OF THE REASONS WHY THOSE BLOCKS ARE A LITTLE
11:29:38AM BIGGER.
11:29:39AM IF YOU COMPARE THE DIMENSIONS OF THE SQUARE IN SAVANNAH
11:29:42AM AND SAID WE WERE BASING IT ON THAT, IF YOU DO THE SAME
11:29:44AM THING WITH THE SURROUNDING BLOCKS AND SAVANNAH, THEY'RE
11:29:48AM MUCH SMALLER.
11:29:49AM THE REASON IS BECAUSE WE KNEW WE'D HAVE TO HAVE ENOUGH
11:29:52AM ROOM FOR THAT.

11:29:53AM THAT WHOLE BOTTOM LEVEL OF GARAGES ALLOWS FOR
11:29:57AM PASS-THROUGH OF THE LARGER HIGH HEIGHT VEHICLES AS WELL.
11:29:59AM ON TOP OF THAT, I THINK WE HAVE THE ABILITY TO TAKE THE
11:30:03AM WALKING ONLY STREET AND MAKE IT AVAILABLE FOR VEHICLES
11:30:05AM FOR EARLY MORNING DELIVERIES.
11:30:08AM >> THAT'S WHAT I WAS STRUGGLING WITH.
11:30:10AM IF THAT'S A WALKING ONLY PATH ON RESTAURANT ROW, WHERE
11:30:15AM DO THE TRUCKS OFFLOAD THEIR --
11:30:17AM >> IT -- OF COURSE THAT'S THE SPACE WE ALSO HAVE TO MAKE
11:30:20AM AVAILABLE FOR EMERGENCY ACCESS.
11:30:22AM SO IF THE FIREFIGHTERS OR EMTs NEEDED TO GET IN THAT
11:30:28AM SPACE, THEY'D BE ABLE TO ENTER IT.
11:30:30AM WHEN WE MAKE IT PEDESTRIAN ONLY, IT DOESN'T MEAN WE
11:30:32AM CAN'T GET THERE FOR FIREFIGHTER ACCESS TO A BUILDING OR
11:30:35AM FOR DELIVERING SOMEBODY'S GRAND PIANO VIA CRANE TO A
11:30:39AM WINDOW.
11:30:40AM THOSE ARE THE KIND OF THINGS THAT END UP CAUSING YOU TO
11:30:43AM OCCASIONALLY BRING A VEHICLE INTO THE WALKING ONLY
11:30:47AM SPACE.
11:30:47AM BUT TO THE LEFT AND RIGHT OF THAT ON THE IMAGE WHERE YOU
11:30:50AM SEE THE GARAGES FROM THE TOP, THE BOTTOM LEVEL OF THAT
11:30:54AM HAS CIRCULATION SPACE.
11:30:55AM AND IN THAT, WE CAN HAVE ROOM FOR PARKING BUT WE CAN
11:30:59AM ALSO HAVE ROOM FOR LOADING AND UNLOADING.
11:31:05AM MAKE SENSE?
11:31:08AM >> THANK YOU.
11:31:09AM >>Mayor McLain: I'VE GOT MORE QUESTIONS ON PARKING
11:31:11AM SPACES.
11:31:12AM I HATE TO BEAT THIS TO DEATH BUT I THINK IT'S IMPORTANT
11:31:14AM WE ALL GET THIS RIGHT.
11:31:17AM WHEN YOU LOOK AT YOUR DEVIATION TWO, THE SLIDE YOU'VE
11:31:20AM GOT ON THAT, IT'S SHOWING TYPES OF PARKING AND THE
11:31:24AM NUMBERS.
11:31:25AM MAYBE YOU WENT OVER THIS.
11:31:26AM BUT THE TOTAL YOU ADD UP IS 2,036 SPACES.
11:31:35AM OUR MINIMUM NUMBER IS 217 AND YOU'RE ASKING FOR 1,872.
11:31:39AM SO I'M WONDERING WHEN I LOOK AT THAT ILLUSTRATION ON
11:31:42AM DEVIATION TWO, I'LL LET YOU GET TO THAT.
11:31:47AM SO IN THE LITTLE BOX ON THE RIGHT THERE.
11:31:49AM IF YOU GO DOWN TO 1,872, WHERE DO -- HOW DO YOU MAKE UP
11:31:55AM THESE NUMBERS THEN?
11:31:57AM ARE THESE ILLUSTRATED INCORRECTLY THEN?
11:32:00AM >> I THINK THIS IS AN OLD GRAPHIC THERE, YEAH.
11:32:04AM >>Mayor McLain: SO I'D BE INTERESTED IN WHERE THE
11:32:07AM SHORTFALL IS GOING TO HAPPEN.
11:32:09AM HOW WE GET FROM 2,036 TO 1,872.
11:32:18AM I WAS FIGURING -- I'M NOT -- I'M NOT GOING TO GUESS AT
11:32:22AM THAT.

11:32:22AM >> WELL, I KNOW WE'RE NOT REDUCING THE SURFACE PARKING
11:32:25AM OR THE ON-STREET.
11:32:27AM SO ALL OF THAT REDUCED PARKING WOULD COME FROM THE
11:32:29AM PARKING GARAGES.
11:32:31AM >>Mayor McLain: PARKING GARAGES.
11:32:35AM OKAY.
11:32:44AM SO IT DOESN'T LOOK LIKE THE BUILDING HEIGHT OR SHAPE
11:32:47AM CHANGED SINCE THE DISCUSSIONS.
11:32:49AM HOW DO YOU GO FROM 1,375 DOWN TO WHATEVER THE NUMBER IS?
11:32:54AM YOU MAKE THE SPACES BIGGER OR HOW DO YOU REDUCE IT
11:32:57AM WITHOUT REDUCING SURFACE AREA OR HEIGHT?
11:33:01AM >> THIS DESIGN CONTEMPLATES THE REDUCED PARKING.
11:33:05AM THE GARAGES THAT ARE SHOWN IN THE AERIAL IMAGES REFLECT
11:33:11AM THE REDUCED PARKING.
11:33:16AM >>Mayor McLain: ANY OTHER QUESTIONS?
11:33:18AM >> IT COULD BE A MATTER OF REDUCING A FULL LEVEL OR
11:33:22AM PARTIAL LEVEL.
11:33:23AM PULLING BACK THE TOP LEVEL OF THE GARAGE.
11:33:25AM >>Mayor McLain: COUNCILMEMBER WARD?
11:33:28AM >>Jim Ward: I WAS GOING TO ASK ABOUT THE 2,036.
11:33:31AM JUST TO CUT TO THE CHASE, ARE YOU SUGGESTING THAT THE
11:33:36AM 2,107 PARKING SPACES IN THE LAND DEVELOPMENT CODE IS
11:33:40AM OUTDATED COMPARED TO WHAT EXISTS TODAY?
11:33:45AM >> YES.
11:33:45AM >>Jim Ward: OKAY.
11:33:48AM >>Mary Gibbs: NO.
11:33:50AM >> MARY, DO YOU AGREE?
11:33:52AM >>Mary Gibbs: I WOULD NOT SAY THE CODE IS OUTDATED.
11:33:55AM WHAT I WOULD SAY IS THAT THE CODE PLANS FOR SINGLE USES.
11:33:59AM SO THE CODE IS, YOU'RE DOING APARTMENTS TWO PER
11:34:04AM APARTMENT.
11:34:04AM OKAY.
11:34:04AM OR TWO PER MULTI-FAMILY.
11:34:06AM YOU'RE DOING COMMERCIAL AS X PER SQUARE FEET.
11:34:10AM BUT WHEN YOU COMBINE THEM INTO A MIXED USE PROJECT,
11:34:14AM THERE IS SOME LEEWAY BECAUSE TYPICALLY THERE ARE
11:34:18AM ALTERNATIVE TIMES THAT PEOPLE GO TO THE STORE, GO HOME.
11:34:22AM SO THERE IS THE -- THE CODE DOES NOT BUILD IN THE
11:34:25AM FLEXIBILITY TO HAVE LESS PARKING FOR A MIX ED USE, AND
11:34:29AM THAT'S WHY THEY HAVE TO ASK FOR DEVIATION.
11:34:31AM SO I THINK OUR CODE IS ACCURATE, BUT I THINK THAT ASKING
11:34:34AM FOR THE DEVIATION FOR THE 10% OR 11% REDUCTION IN THIS
11:34:38AM CASE, THEY DID PROVIDE US A BIG STUDY THAT SHOWED THE
11:34:42AM TIMES OF USES.
11:34:43AM IT WAS PRETTY EXTENSIVE.
11:34:45AM AND I WAS PRETTY COMFORTABLE THAT THAT WAS REASONABLE.
11:34:49AM SO IT'S A YES AND NO ANSWER.
11:34:55AM >> BUT, MARY, FOR CLARIFICATION --

11:34:58AM >>Mayor McLain: I THINK YOU'RE TRYING TO AVOID -- AND I
11:35:00AM WON'T NAME THE RESTAURANT AND IT'S A DIFFERENT
11:35:03AM SITUATION.
11:35:04AM WE APPROVED A PROJECT THAT I WAS PART OF THAT WAS
11:35:08AM STACKING AT A FAST FOOD RESTAURANT.
11:35:11AM WE UNDERCUT AND HAD DISCUSSIONS ON THIS AND WE UNDER CUT
11:35:14AM IT AND I CAN TELL YOU TODAY, AND THIS IS RELATIVELY NEW
11:35:17AM WITHIN THE LAST THREE YEARS, IT CREATES A TRAFFIC
11:35:23AM HAZARD.
11:35:23AM AND I JUST DON'T LIKE TO UNDER CUT, BUT I'M GOING TO
11:35:29AM TAKE THE ADVICE, I GUESS OF OUR -- AND WEIGH THAT INTO
11:35:34AM MY DECISION MAKING HERE.
11:35:35AM >> MAY I?
11:35:37AM >>Mayor McLain: SURE.
11:35:38AM >> I'M WONDERING ABOUT THE PLAN B.
11:35:42AM IF IT TURNS OUT THAT WE HAVE AN EVENT AT THE CIVIC
11:35:47AM CENTER THAT'S A HUGE DRAW, WHERE WOULD THE OVERFLOW
11:35:53AM PARKING GO?
11:35:54AM >> THERE IS A SURFACE PARKING LOT YOU CAN SEE IN THE
11:35:57AM LIGHT PURPLE TO THE NORTH OF THE CIVIC BUILDING, AND
11:36:00AM JUST TO THE EAST OF IT IS A SMALLER STRUCTURED PARKING
11:36:02AM GARAGE.
11:36:04AM SO WE MADE SURE IT WAS PROXIMATE TO THE CIVIC BUILDING.
11:36:08AM >>Mayor McLain: BUT NO EXCESS OVER THE NUMBERS YOU'RE
11:36:11AM ALREADY PRESENTING.
11:36:12AM >> WELL, I THINK WITH SHARED PARKING, BECAUSE THAT'S
11:36:15AM ALSO WHERE THE OFFICE BUILDING IS.
11:36:18AM SO I DON'T IMAGINE -- LIKE WEEKENDS WHEN YOU'RE DOING
11:36:22AM LARGER EVENTS MAYBE IN THE CENTRAL GREEN OR CIVIC
11:36:24AM BUILDING, I DON'T IMAGINE MANY OF THE OFFICE USERS WOULD
11:36:28AM BE THERE.
11:36:28AM AND THERE'S -- FOR THE OFFICE, 140 PARKING SPACES THERE.
11:36:33AM AND ALSO, IN THE EVENINGS, IF THERE ARE DIFFERENT ART
11:36:36AM GALLERY EVENTS OR SOMETHING LIKE THAT AT THE CIVIC
11:36:39AM BUILDING, THERE COULD BE AVAILABLE OFFICE PARKING THERE
11:36:41AM AS WELL.
11:36:43AM WHICH IS ADJACENT TO THE CIVIC BUILDING.
11:36:48AM >>Mayor McLain: SO WE'RE GOING BACK TO VICE-MAYOR.
11:36:50AM SHE HAD THE FLOOR ON QUESTIONS.
11:36:52AM >>Vice-Mayor Ribble: OH, OKAY.
11:36:53AM AS FAR AS PARKING, THE -- I'LL CALL IT THE AMENITY
11:36:59AM BUILDING.
11:36:59AM THE BUILDING THAT HAS THE LARGE POOL.
11:37:01AM WHAT DO YOU ENVISION INCLUDED IN THAT BUILDING?
11:37:04AM >> THE LEASING OFFICES FOR PROBABLY THE WESTERN HALF.
11:37:08AM THE WAY WE'RE DESIGNING IS BASICALLY THERE WOULD BE
11:37:10AM SEPARATE AMENITIES FOR THE EAST HALF OF THE PROJECT AND
11:37:13AM WEST HALF SO THEY COULD RUN INDIVIDUALLY.

11:37:16AM IF WE STARTED -- IF WE DELIVERED THE EAST HALF OF THE
11:37:19AM PROJECT FIRST, HAVE THOSE AMENITIES AND LEASING OFFICE.
11:37:22AM BUT EACH OF THEM WOULD HAVE THEIR INDIVIDUAL LEASING
11:37:24AM OFFICE, CLUB LOUNGE, CO-WORKING FACILITIES IS A
11:37:30AM FANTASTIC THING WE'RE INCORPORATING IN MOST OF OUR
11:37:33AM PROJECTS AND THEN A LARGER AMENITY DECK IN THE BACK.
11:37:37AM >>Vice-Mayor Ribble: YOU'RE NOT ENVISIONING ANY KIND OF
11:37:39AM GYM SPACE THEN.
11:37:39AM >> OH, SORRY.
11:37:40AM AND A FITNESS CENTER, YES.
11:37:42AM >>Vice-Mayor Ribble: MY ONLY OTHER QUESTION IS THERE IS
11:37:44AM NO PARKING TO THAT BUILDING IN CLOSE PROXIMITY.
11:37:46AM I KNOW IT'S COUNTER INTUITIVE.
11:37:50AM I KNOW IT'S SUPPOSED TO BE PEDESTRIAN AND BIKE FRIENDLY
11:37:52AM AND IT'S COUNTER INTUITIVE THAT YOU'D DRIVE TO WORK OUT.
11:37:57AM BUT ON THE WEEKS LIKE WE HAD LATELY WITH VERY, VERY HOT
11:38:01AM TEMPERATURES, PEOPLE DON'T WANT TO SCHLEP EVEN TO THE
11:38:04AM POOL ON FOOT.
11:38:05AM I'M THINKING MOSTLY THE NORTHEASTERN QUADRANT OF PEOPLE
11:38:08AM TRYING TO GET THERE SINCE THEY DON'T HAVE A POOL
11:38:12AM ASSOCIATED WITH THEIR BUILDINGS.
11:38:16AM THERE IS NO PARKING TO ACCOMMODATE EXCEPT ON THE BACK OF
11:38:19AM THE OTHER TWO APARTMENT BUILDINGS IN THAT CENTRAL NORTH
11:38:23AM QUADRANT.
11:38:25AM I THOUGHT THAT WAS STRANGE.
11:38:26AM >> SO THE INTENT WAS JUST SOUTH OF THAT AMENITY BUILDING
11:38:32AM IS ABOUT 12 ON-STREET PARKING SPACES.
11:38:36AM SOME OF THOSE WOULD BE RESERVED FOR FUTURE RESIDENTS
11:38:39AM REALLY.
11:38:41AM BUT WE'RE ASSUMING THE LARGE MAJORITY OF THE FOLKS THAT
11:38:44AM ARE RESIDENTS THAT ARE VISITING THE AMENITIES WILL BE
11:38:48AM WALKING.
11:38:50AM >>Vice-Mayor Ribble: THE OTHER QUESTION I HAVE ABOUT
11:38:51AM THAT IS, IF VICTOR COULD ANSWER SOME OF THESE QUESTION.
11:38:56AM I SAW THIS FOR THE FIRST THING THIS MORNING, AND I'M
11:38:59AM PROBABLY NOT LOOKING AT IT CORRECTLY, BUT BEHIND THAT
11:39:02AM POOL LOOKS LIKE THERE ARE STEPS GOING DOWN TO THE LAKE.
11:39:07AM I DON'T KNOW IF THAT'S AN ARCHITECTURAL FEATURE OR
11:39:11AM YOU'RE INVITING PEOPLE TO GO INTO THE LAKE.
11:39:14AM >> WE WEREN'T PLANNING IT TO BE A BOAT LAUNCH OR
11:39:17AM ANYTHING LIKE THAT.
11:39:18AM JUST IN THE RENDERING WHAT WE'RE TRYING TO ILLUSTRATE IS
11:39:21AM YOU'D BE ENCOURAGED TO COME RIGHT UP TO THE WATER'S
11:39:24AM EDGE.
11:39:24AM IT'S NOT A SWIMMING LAKE.
11:39:26AM >>Vice-Mayor Ribble: NO, IT WOULDN'T BE BECAUSE OUR
11:39:27AM LITTLE CREATURES ARE GOING TO FIND THEIR WAYS INTO
11:39:29AM THERE.

11:39:30AM WOULD THERE BE SOME KIND OF -- SOME WAY TO STOP THEM
11:39:34AM FROM GOING IN?
11:39:35AM >> SURE.
11:39:37AM WE HAVEN'T INCORPORATED THAT IN THE RENDERINGS
11:39:40AM OBVIOUSLY.
11:39:40AM WE'RE NOT AT THAT STAGE, BUT OF COURSE.
11:39:42AM THE BUILDING CODE IS PRETTY PRECISE ABOUT WHAT WE HAVE
11:39:45AM TO DO NEXT TO A WATER BODY TO KEEP PEOPLE SAFE.
11:39:48AM >>Vice-Mayor Ribble: THE OTHER THING I'D LIKE TO MENTION
11:39:49AM IS IN YOUR CENTRAL GREEN, CAN YOU INTRODUCE A WATER
11:39:55AM FUTURE?
11:39:56AM NOT NECESSARILY -- FEATURE?
11:39:57AM NOT NECESSARILY IN THE CENTER BUT MAYBE DIAGONAL TO THE
11:40:02AM STAGE OR POSSIBLY A SPLASH PAD.
11:40:03AM IF YOU'RE ENTERTAINING THREE-BEDROOM RENTAL UNITS, THAT
11:40:09AM COULD MEAN FAMILIES.
11:40:11AM THERE IS REALLY NOTHING HERE EXCEPT EKE THAT FAMILIES
11:40:17AM CAN TAKE THEIR CHILDREN TO.
11:40:19AM OF COURSE THEY CAN PLAY CATCH ON THE GREEN BUT A SPLASH
11:40:23AM PAD OR A WATER FEATURE -- NOT THAT THEY'D GO INTO THE
11:40:27AM WATER FEATURE BUT THAT WOULD GIVE A COOLING EFFECT TO
11:40:30AM THE TEMPERATURES DOWN HERE.
11:40:31AM >> I THINK IT'S A FINE IDEA.
11:40:32AM I THINK IF ROSS WOULD HAVE ASKED ME THE SAME QUESTION, I
11:40:37AM WOULD HAVE SAID LET'S STUDY WHERE TO PUT IT BEST.
11:40:39AM YOU CAN FIND THE EXAMPLE WHERE THERE IS A SPLASH PAD
11:40:43AM SORT OF FOUNTAIN AT THE END OF CLEMATIS STREET IN WEST
11:40:51AM PALM BEACH.
11:40:51AM IT'S A POPULAR DRAW FOR THE ADJACENT RESTAURANTS AND
11:40:54AM THINGS.
11:40:54AM IT MIGHT BE WE WANT TO STUDY SOMEWHERE ALONG THE
11:41:00AM DIAGONAL TO INCORPORATE THAT FEATURE RATHER THAN A BLOCK
11:41:02AM AWAY.
11:41:03AM I THINK IF IT'S LIKE EVERYTHING ELSE WE STUDIED TOGETHER
11:41:05AM ON THE PROJECT, THE HOTEL AND SO FORTH, DIFFERENT KINDS
11:41:09AM OF RETAILERS AND RESTAURANTS, WE'LL PROBABLY DRAW IT IN
11:41:13AM FIVE LOCATIONS AND DO A LONG LIST OF PROS AND CONS ABOUT
11:41:16AM WHICH ONE WORKS THE BEST.
11:41:18AM IT'S A FINE IDEA, AND I WOULD ENCOURAGE THEM TO INCLUDE
11:41:21AM IT IN THEIR PROGRAM.
11:41:22AM I'D HESITATE TO DECIDE RIGHT HERE.
11:41:25AM >>Vice-Mayor Ribble: I'M NOT ASKING YOU TO.
11:41:27AM >> BUT IT'S A NICE IDEA.
11:41:30AM >>Mayor McLain: YOU'RE TALKING ABOUT THE CENTRAL GREEN?
11:41:32AM >>Vice-Mayor Ribble: THE CENTRAL GREEN.
11:41:33AM THE RAMBLA AREA.
11:41:36AM YOU HAVE A SIDEWALK UP THE CENTER WHICH IS A NICE IDEA.
11:41:40AM ARE YOU GOING TO PUT ANYTHING IN THERE TO ENCOURAGE

11:41:41AM PEOPLE TO USE THAT SUCH AS BENCHES OR WATER FEATURES
11:41:44AM DOWN THE CENTER OF THAT?
11:41:46AM >> YES.
11:41:46AM >>Vice-Mayor Ribble: TO DRAW PEOPLE TO IT.
11:41:48AM >> WE DID DO A LOT OF GROUND LEVEL STUDY OF THAT SPACE
11:41:52AM AND THOUGHT AHEAD ABOUT WHERE THE TREES SHOULD BE
11:41:55AM PLANTED AND ARRAYED AND WHERE BENCHES SHOULD OCCUR.
11:41:58AM YOU'VE SEEN THE ILLUSTRATIONS THAT SHOW PLACES ALONG THE
11:42:01AM WALK FOR YOU TO STOP AND GET A REST AND THE SHAPE OR
11:42:04AM WAIT AND MEET A FRIEND.
11:42:06AM OR JUST HAVE A CONVERSATION.
11:42:10AM IT'S ALSO ONE OF THE STREETS WE THINK PEOPLE WILL USE TO
11:42:13AM GO BACK AND FORTH ON TWO WHEELS, NOT JUST TWO FEET SO WE
11:42:18AM WANT TO GIVE THEM PLACES TO NATURALLY TURN OFF.
11:42:20AM IF IT WORKS THE WAY WE'D LIKE IT TO, THE GEOMETRY OF IT
11:42:24AM MAKES YOU WANT TO BE THERE.
11:42:26AM THAT'S ONE OF THE REASONS WHY WE PUT THE CIVIC BUILDING
11:42:30AM AT THE END.
11:42:31AM IT WILL BE THE POST CARD VIEW OF WHAT MAKES IT DIFFERENT
11:42:34AM THAN THE APARTMENT COMPLEXES YOU WERE TALKING ABOUT.
11:42:37AM MAKES IT MORE LIKE A NEIGHBORHOOD.
11:42:39AM SO YES, PLACES TO SIT ALONG AND THOUGHTFUL LANDSCAPE
11:42:45AM ARCHITECTURE ALONG THAT CENTRAL PROMENADE FOR SURE.
11:42:49AM SKIP THAT STEP, IT WON'T WORK, SO.
11:42:52AM >>Vice-Mayor Ribble: I HAVE ONE MORE IDEA.
11:42:55AM AND I DON'T WANT TO MESS WITH YOUR DESIGN SPECIFICALLY
11:42:58AM BECAUSE IT'S A BEAUTIFUL DESIGN.
11:42:59AM >> I'M USED TO IT.
11:43:01AM IT'S OKAY.
11:43:02AM >>Vice-Mayor Ribble: WHEN I TALKED ABOUT THE PARKING FOR
11:43:03AM THE AMENITY BUILDING, WHERE THE CIVIC BUILDING IS, IS IT
11:43:09AM A POSSIBILITY TO MOVE THOSE TWO APARTMENT BUILDINGS TO
11:43:14AM THE BACK OF THE CIVIC BUILDING AND PUT A LITTLE MORE
11:43:17AM PARKING ON EITHER SIDE OF THE CIVIC BUILDING THAT COULD
11:43:21AM GIVE YOU ROOM TO MAKE IT LARGER WHICH COULD BE VERY
11:43:25AM ATTRACTIVE TO YOUR HOTEL PARTNER AND BE MORE ATTRACTIVE
11:43:29AM TO US TO GIVE US A LITTLE MORE SQUARE FOOTAGE, AND THEN
11:43:33AM YOU COULD -- ALTHOUGH YOU DON'T WANT A PARKING FIELD,
11:43:36AM YOU COULD ADD PARKING THERE, BUT YOU COULD ALSO ADD
11:43:41AM TREMENDOUSLY MORE LANDSCAPING IN THE MEDIANS BETWEEN THE
11:43:44AM PARKING, HIDE A LITTLE BIT OF THE PARKING WITH BUSHES
11:43:47AM AND PUT A LOT OF TREES IN THAT AREA THAT WOULD GIVE YOU
11:43:50AM THE VISUAL FROM THE CENTRAL GREEN INTO MORE GREEN BEFORE
11:43:54AM YOU GET HIT WITH MORE BUILDINGS.
11:43:58AM JUST A THOUGHT.
11:43:59AM >> I THINK IT'S USEFUL TO TALK ABOUT THIS.
11:44:00AM THE FIRST THING TO REMEMBER IS THAT THERE IS ON-STREET
11:44:04AM PARKING ALL AROUND THE SQUARE.

11:44:05AM SO THE WHOLE CENTRAL SQUARE IS A PARKING SUPPLY WITHOUT
11:44:09AM LOOKING LIKE A PARKING LOT.
11:44:12AM >>Vice-Mayor Ribble: YES, I AGREE.
11:44:13AM >> I THINK IN SOME OF OUR CONVERSATIONS I SAID TO ROSS
11:44:16AM AND FOLKS IN HIS COMPANY, REMEMBER, NOBODY GOES TO PARIS
11:44:18AM TO SEE THE PARKING LOTS.
11:44:20AM WE WANT -- WE'RE SHAPING EXPERIENCES HERE SO WHEN WE
11:44:24AM PUSH BUILDINGS BACK AND PUT THE PARKING IN THE FRONT, WE
11:44:27AM ALWAYS RUN THE RISK THAT IT LOOKS LIKE BUILDINGS PARKING
11:44:31AM OUT OF PARKING LOTS -- PEEKING OUT OF PARKING LOTS AND
11:44:35AM NO IDEA OF A PERIMETER LIKE IN A TRADITIONAL VILLAGE.
11:44:37AM I THINK IT'S PRETTY IMPORTANT TO SHAPE THE EDGES OF THE
11:44:40AM SQUARE.
11:44:40AM WE'RE BACK TO OUR EXAMPLE.
11:44:41AM THE ARCHITECTURE IS NOT LIKE SAVANNAH.
11:44:43AM THE SPACE IS.
11:44:46AM WHEN YOU LOOK AT SQUARES LIKE THOSE, THEY'RE LIKE ROOMS.
11:44:49AM AND THE BUILDINGS THAT HAVE THEIR WALL S AND BACKUP
11:44:54AM SIDEWALK ON THE SIDES, THIS WOULD BE TRUE IF IT WAS
11:44:56AM TRIANGULAR SHAPED OR RECTANGULAR SHAPED.
11:44:59AM THEY'RE LIKE THE WALLS OF THAT ROOM.
11:45:01AM SO THEY'RE WHAT MAKE IT FEEL ENCLOSED.
11:45:04AM WE WALK AROUND LIKE THIS LOOKING AT THE BUILDING HEIGHT
11:45:07AM TO STREET WIDTH OR SQUARE WIDTH RATIO ALL THE TIME.
11:45:10AM THAT IS THE REASON WHY THE BUILDINGS ARE SET FORWARD AND
11:45:14AM THE PARKING IS BEHIND THEM.
11:45:15AM SO WE'VE GOT A LOT OF ON-STREET PARKING ON TWO SIDES OF
11:45:20AM EACH STREET AROUND THE SQUARE.
11:45:22AM SO THAT WILL ADD UP TO A FAIRLY HEALTHY NUMBER OF SPACES
11:45:26AM INCLUDING SOME CLOSE TO THE AMENITY CENTER THAT YOU
11:45:28AM ASKED ABOUT BEFORE.
11:45:29AM THAT SAID, OUR FARTHEST RESIDENT IN THE NORTHEAST CORNER
11:45:34AM IS, YOU KNOW, BASICALLY JUST A FEW HUNDRED FEET FROM THE
11:45:39AM POOL.
11:45:39AM IT'S NOT LIKE THEY'RE MILES AWAY.
11:45:42AM IT'S NOT LIKE A DISTANCE THAT YOU'RE GOING TO BE UNABLE
11:45:46AM TO TRAVEL.
11:45:47AM NOW THE SOUTH-FACING FACADES WHICH IS WHERE THE CIVIC
11:45:50AM BUILDING IS, ONE OF THE REASONS THE CIVIC BUILDING IS ON
11:45:54AM THAT FACE IS BECAUSE IT WILL BE LIT BY THE SUN SWINGING
11:46:00AM SOUTH DURING THE YEAR AND RISE IN THE EAST AND SWING
11:46:02AM SOUTH AS IT GOES.
11:46:03AM SO THE SOUTH FACING FACADE IS ALWAYS LIT, AND WE THOUGHT
11:46:07AM THAT WOULD MAKE IT MORE ATTRACTIVE.
11:46:09AM SO WE WANT -- WHATEVER WE DO WITH THE -- ANY ADJUSTMENTS
11:46:14AM TO THE FOOTPRINTS, I WANT TO HANG ON TO THAT BECAUSE
11:46:17AM IT'S ONE OF THE THINGS THAT WILL MAKE THAT PHOTOGRAPH
11:46:19AM YOU MAKE OF THAT SPACE FEEL RIGHT.

11:46:24AM THINGS LIKE PUTTING THAT CIVIC BUILDING ON THE ACCESS
11:46:28AM DOWN THE PROMENADE, THEY'RE THE REASONS PEOPLE -- THEIR
11:46:32AM PHONES AND TAKE AN INSTAGRAM.
11:46:34AM WE HAVE TO PROTECT THAT.
11:46:35AM EVEN AS WE THINK ABOUT THE FOOTPRINT OF THE BUILDING AND
11:46:40AM NUMBER OF SQUARE FEET.
11:46:41AM >>Vice-Mayor Ribble: SO IF YOU INCREASE THE SQUARE
11:46:43AM FOOTAGE OF THE BUILDING, YOU HAVE ROOM TO DO IT IN THAT
11:46:49AM CONFIGURATION?
11:46:50AM >> I KNOW IT'S -- IT SEEMS LIKE TO INCREASE IT, IT WOULD
11:46:53AM BASICALLY BE EXTENDING IT --
11:46:56AM >>Vice-Mayor Ribble: LENGTH-WISE, YEAH.
11:46:57AM CORRECT?
11:46:59AM GO AHEAD.
11:47:00AM >> WE'RE AT THE PRE-ARCHITECTURE PHASE.
11:47:03AM THERE'S PROBABLY MORE THAN ONE WAY TO SKIN THE CAT BUT
11:47:06AM WE HAVE WALKWAYS ON EITHER SIDE OF THE BUILDING NOW
11:47:10AM THAT, YOU KNOW, STICK -- KEEPING A SUFFICIENT WIDTH.
11:47:16AM THAT'S A COMPONENT THAT WOULD GET ADJUSTED LIKE SQUEEZE
11:47:20AM A WET BAR OF SOAP AND IT POPS OUT THE TOP.
11:47:24AM ONE HAS TO GO SOMEWHERE, RIGHT?
11:47:26AM SO WE ADD SQUARE FOOTAGE.
11:47:28AM THE SIMPLEST THING WOULD BE TO ADD IT TO THE NORTH INTO
11:47:31AM THE BLOCK.
11:47:32AM BUT I WOULDN'T RULE OUT ANOTHER WAY TO DO IT.
11:47:36AM >>Vice-Mayor Ribble: YEAH.
11:47:36AM THE EXAMPLE THAT YOU SHOWED US WAS ROSEMARY BEACH.
11:47:40AM AND I'VE BEEN THERE MANY TIMES.
11:47:42AM IT'S A SLEEPY LITTLE SEASIDE VILLAGE.
11:47:46AM IN THE PANHANDLE.
11:47:48AM THE POPULATION OF ROSEMARY BEACH IS 526 PEOPLE VERSUS
11:47:53AM WHAT WE'RE GOING TO HAVE HERE AND THE SURROUNDING AREA
11:47:57AM AND THAT WAS 32.
11:47:58AM THIS IS -- YOU PROPOSED ORIGINALLY WAS THREE.
11:48:04AM IF IT CAN BE A WEDDING VENUE, BOY, THAT'S A SMALL
11:48:09AM WEDDING VENUE.
11:48:10AM WHAT YOU SHOWED US SET UP AS A WEDDING VENUE, THERE WAS
11:48:14AM NO DANCE FLOOR.
11:48:15AM NO ROOM FOR A DANCE FLOOR OR BAND.
11:48:18AM THE HOTEL, I'M ASSUMING, IS NOT A CONVENTION TYPE HOTEL
11:48:23AM THAT WOULD HAVE ROOM TO DO BIG VENUES LIKE THAT.
11:48:27AM THEY'LL HAVE MEETING ROOMS I'M SURE.
11:48:28AM BUT A LARGER EVENT SPACE FOR THEM WOULD BE ATTRACTIVE.
11:48:33AM AND SO THAT'S WHY I'M ENCOURAGING YOU TO INCREASE THE
11:48:38AM SPACE OF THAT FOR THOSE REASONS.
11:48:44AM >> I'VE GOT SOME COMMENTS ON THAT ALSO.
11:48:46AM I THINK I ASKED FOR 6,000.
11:48:48AM IT -- THE LENGTH OF IT, I'M CONCERNED ABOUT, YOU KNOW,

11:48:53AM JUST LENGTH TURN S INTO A MASSIVE AREA.
11:48:57AM MY QUESTION IS THOUGH, WHERE DO YOU -- DO YOU VISUALIZE
11:49:01AM HAVING CHAIRS AND TABLES ON SITE THERE SO YOU DON'T HAVE
11:49:04AM TO ALWAYS RENT ALL THE EQUIPMENT?
11:49:07AM IF WE WANTED TO HAVE A CIVIC MEETING OR -- CIVIC MEETING
11:49:13AM OR IF THE CHAMBER OF COMMERCE WANTED TO HAVE 400 PEOPLE
11:49:18AM THERE AND THEY COULD PROBABLY GET INTO 3,000 SQUARE
11:49:22AM FEET, BUT THAT'S MAX, MAX LIMIT FOR THE FIRE CODE.
11:49:24AM HOW DO YOU SEGREGATE THE BUILDING IF IT'S GOING TO GET
11:49:29AM ELONGATED, BECAUSE I THINK YOU MAKE A VALID POINT THAT
11:49:31AM OUR POPULATION HERE IS EASILY GOING TO BE AN EXCESS OF
11:49:34AM 50,000.
11:49:35AM THIS IS GOING TO BE AN ATTRACTIVE SITE.
11:49:37AM WE'VE GOT 50% USE FOR CIVIC PURPOSES.
11:49:41AM SO IF YOU LOOK AT 3,000 SQUARE FEET, YOU DO NEED TO HAVE
11:49:47AM CHAIRS AND TABLES AVAILABLE.
11:49:49AM WHERE DO YOU STORE THOSE FOR 3,000 SQUARE FEET, THAT
11:49:53AM OPEN BUILDING YOU HAD IN THE ILLUSTRATION DOESN'T LOOK
11:49:56AM LIKE THERE IS MUCH STORAGE THERE.
11:49:59AM >>Vice-Mayor Ribble: AND WILL IT HAVE A CATERING
11:50:01AM KITCHEN?
11:50:02AM >> FOR SURE YOU'LL HAVE CLOSETS AND BATHROOMS AND
11:50:05AM CATERING KITCHENS -- AND CATERING KITCHENS BUILT INTO
11:50:08AM THE VOLUME.
11:50:10AM >>Mayor McLain: INTO THE 3,000?
11:50:11AM I THINK IT'S WILLFULLY SHORT.
11:50:12AM >> ARCHITECTURALLY, I HAVE NO DOUBT THE ARCHITECTS CAN
11:50:19AM DESIGN WHATEVER SIZE IS AGREED TO ON YOUR NEGOTIATIONS
11:50:22AM ABOUT THE BUSINESS PLANS.
11:50:25AM THE REARRANGEMENT OF THE BLOCK THAT WILL COME FROM ANY
11:50:28AM CHANGE IS WHAT IT IS.
11:50:30AM WE'LL FIGURE IT OUT.
11:50:34AM >>Mayor McLain: SO, MARY, YOU CAN MAYBE HELP ME OUT
11:50:37AM HERE.
11:50:37AM AND HEAR FROM OTHER COUNCIL MEMBERS TOO.
11:50:40AM YOU'RE LOOKING FOR APPROVAL TODAY FOR REZONING.
11:50:42AM ONE OF THE CONDITIONS WOULD BE, WE NEED TO HAVE SOME
11:50:46AM COMMITMENT OF ENLARGING THAT BUILDING.
11:50:50AM CAN WE WRITE THAT UP IN OUR AREA THERE FOR ANOTHER AREA
11:50:57AM TO BE CONCERNED?
11:50:58AM >>Mary Gibbs: I THINK YOU WOULD HAVE TO -- [AUDIO BLIP]
11:51:05AM -- ONE OF THE CONDITIONS BECAUSE IT SAYS 3,000 SQUARE
11:51:08AM FEET, BUT ON THE MAX ALLOWED, IT SAYS 6,000 SQUARE FEET
11:51:11AM BUT THAT DOESN'T COMMIT THE APPLICANT TO DOING LARGER
11:51:15AM THAN 3,000 SQUARE FEET.
11:51:16AM SO IT'S LEFT A LITTLE VAGUE AS TO, YOU KNOW, THE WAY I'D
11:51:20AM READ THE LANGUAGE NOW IS YOU DEFINITELY GET 3,000 SQUARE
11:51:23AM FEET BUT IF THE APPLICANT DECIDED THAT WAS ALL, THAT

11:51:25AM WOULD BE ALL YOU'D GET.
11:51:28AM SO --
11:51:29AM >>Mayor McLain: SO MAYBE FROM NANCY, WE'LL HAVE TO
11:51:31AM WRITE -- IF WE MAKE THESE COMMENTS, RATHER THAN LEAVING
11:51:34AM IT UP JUST TO THE APPLICANT, I THINK I'D LIKE TO HAVE US
11:51:37AM HAVE SOME SAY IN HELPING YOUR DEPARTMENT FIGURE OUT WHAT
11:51:43AM THAT SPACE LOOKS LIKE IN THE DESIGN PHASE AND WHAT'S THE
11:51:46AM APPROPRIATE SIZE WITH A MAXIMUM OF 6,000 SQUARE FEET.
11:51:51AM IF IT'S SLIGHTLY LESS, MAYBE WE MAKE SOME COMPROMISE BUT
11:51:56AM WITH SOME KIND OF APPROVAL.
11:51:58AM HOW DO -- CAN WE WRITE SOMETHING UP LIKE THAT?
11:52:01AM >> WELL, I'D LIKE TO HEAR FROM THE APPLICANT AS TO
11:52:04AM WHETHER THAT'S AN ACCEPTABLE CONDITION.
11:52:07AM >> YEAH.
11:52:08AM WE'VE ALWAYS -- WE'VE ALWAYS TRIED TO WORK OUR BEST WITH
11:52:12AM STEVE AND MARY AND I HOPE THAT YOU'D AGREE WHICH IS WHY
11:52:18AM WE PROPOSED TO INCREASE THE MAX TO 3,000 TO STUDY A
11:52:20AM LITTLE MORE.
11:52:23AM THERE IS A COUPLE FACTORS, YOU KNOW, FROM OUR POINT OF
11:52:26AM VIEW.
11:52:26AM NUMBER ONE, WE WOULD HAVE TO REDESIGN SOME OF THE BLOCK.
11:52:30AM SO YOU'RE MOVING THE -- YOU'RE INCREASING THE SIZE OF
11:52:34AM THE CIVIC BUILDING WHICH COULD POTENTIALLY TAKE AWAY
11:52:40AM SOME OF THE SURFACE PARKING THERE WHICH ADDS TO THE
11:52:43AM STRUCTURED PARKING.
11:52:43AM THERE IS A SIGNIFICANT INCREASE TO STRUCTURED PARKING
11:52:46AM VERSUS SURFACE.
11:52:47AM THEN WITH INCREASING THE SIZE OF THE CIVIC BUILDING,
11:52:50AM JUST NATURALLY PER SQUARE FOOT, YOU'RE REQUIRED
11:52:52AM ADDITIONAL PARKING SPACES WHICH ARE ADDITIONAL
11:52:55AM STRUCTURED PARKING SPACES.
11:52:57AM THE OTHER THING, WE'RE ESTIMATING 3,000 SQUARE FOOT
11:53:01AM CIVIC BUILDING AT 1.5 TO $2 MILLION.
11:53:06AM IT'S ANOTHER MILLION AND A HALF, TWO MILLION DOLLARS TO
11:53:08AM DOUBLE THE SIZE OF IT.
11:53:09AM THAT'S A SUBSTANTIAL BUDGET IMPACT.
11:53:13AM >>Mayor McLain: WHAT'S -- WHEN YOU LOOK AT THE TOTAL,
11:53:15AM YOU'RE LOOKING AT A $400 MILLION PROJECT POSSIBLY HERE?
11:53:19AM >> A LITTLE LESS THAN THAT, YEAH.
11:53:21AM NOT TOO FAR OFF.
11:53:22AM >>Mayor McLain: SO YOU'RE LOOKING AT A DECIMAL PLACE.
11:53:24AM A QUARTER PERCENT.
11:53:28AM THIRD OF A PERCENT MAYBE.
11:53:30AM WHEN YOU LOOK AT THE BIG PICTURE.
11:53:32AM I'M NOT TRYING TO FORCE YOU IN THAT.
11:53:34AM WE'RE CLEARLY TRYING TO TELL YOU THAT WE THINK THAT'S
11:53:37AM TOO SMALL FOR THE SIZE OF THE DEVELOPMENT AND FOR THE
11:53:40AM COMMUNITY THAT WE ARE HERE IN THE VILLAGE OF ESTERO.

11:53:43AM IT'S GOING TO BE LABELED AS A COMMUNITY CENTER, IT NEEDS
11:53:46AM TO BE ABLE TO HANDLE THE NEEDS.
11:53:49AM WE REALLY DON'T HAVE AN ESTERO RIGHT NOW.
11:53:51AM WE HAVE A REC CENTER, YOU CAN GET 100 OR 200 PEOPLE IN
11:53:55AM THERE.
11:53:56AM THIS WOULD BE A GREAT ASSET I THINK TO THE COMMUNITY TO
11:53:59AM HAVE SOME.
11:54:00AM SO I'D LIKE TO HAVE YOU WORK WITH US UP TO A MAXIMUM OF
11:54:04AM 6,000, AND IF IT CAN BE SATISFACTORY FOR THE NEEDS,
11:54:09AM SOMETHING LESS THAN THAT, I THINK THAT WOULD BE MAYBE
11:54:13AM OKAY.
11:54:14AM >> MR. MAYOR, IF I COULD.
11:54:17AM I THINK WE NEED A BREAK AT SOME POINT TO TALK WITH THE
11:54:21AM APPLICANT ABOUT SOME OF THESE CONDITIONS AND SEE IF WE
11:54:24AM CAN AGREE ON SOME LANGUAGE.
11:54:26AM I DON'T KNOW HOW CLOSE YOU ARE TO HAVING ALL YOUR
11:54:30AM QUESTIONS --
11:54:32AM >>Mayor McLain: IF THE COMMUNITY CENTER AND CIVIC
11:54:34AM BUILDING IS DONE, THAT'S GOOD.
11:54:35AM THE OTHER ONE YOU BROUGHT UP, VICE-MAYOR, WAS THE
11:54:38AM CENTRAL GREEN.
11:54:40AM I'D LIKE TO HAVE OTHER COMMENTS ON THAT.
11:54:42AM SO WE CAN GET THOSE OUT OF THE WAY, WE DON'T HAVE ANY
11:54:45AM FURTHER DISCUSSION WHICH WILL HELP US MOVE FORWARD.
11:54:47AM MAYBE WE CAN RESOLVE THE CENTRAL GREEN AND PLUSES AND
11:54:51AM MINUSES FROM COUNCIL MEMBERS.
11:54:53AM IT LOOKS --
11:54:54AM >> I'D LIKE TO ADD A COUPLE THINGS.
11:54:57AM ONE OF THE GOOD THINGS ABOUT STANDING HERE AND LISTENING
11:54:59AM IS A LOT OF MY QUESTIONS GET ALREADY ASKED BEFORE IT'S
11:55:03AM MY TURN, AND I APPRECIATE ALL THE COMMENTS BROUGHT IN
11:55:05AM HERE.
11:55:07AM ONE OF THE THINGS IS IN THE CENTRAL GREEN NEIGHBORHOOD
11:55:10AM PARK, TO DIVIDE IT AND LIKE A PICTURE IN THE WEST CARMEL
11:55:17AM WHERE IT'S NOT ONE BIG EXPANSIVE PIECE OF GRASS.
11:55:20AM YOU PUT A FOUNTAIN IN THE CENTER, SIDEWALKS TO BREAK IT
11:55:23AM DOWN SO IT'S NOT A BIG FOOTBALL FIELD.
11:55:26AM I'M VERY FAMILIAR WITH THIS ONE IN WEST CLAY BY THE WAY.
11:55:29AM AND IT BREAKS IT DOWN INTO SMALL SPACES RATHER THAN JUST
11:55:34AM ONE BIG GREEN SPACE AND VICTOR, TO YOUR POINT, THE
11:55:39AM ROUNDABOUTS, AS OF THIS MORNING THEY HAVE 150
11:55:42AM ROUNDABOUTS IN CARMEL.
11:55:44AM TOMORROW PROBABLY 151.
11:55:45AM BUT THEY'VE DONE THE SAME THING AT THE TOWN HALL, FIRE
11:55:51AM STATION, POLICE STATION IS.
11:55:53AM THEY BROKE IT INTO SMALL INTIMATE AREAS OF GRASS.
11:55:57AM I'D LIKE TO SEE A -- PRODUCE SOMETHING ALONG THAT WAY TO
11:56:00AM BREAK THAT UP.

11:56:03AM WE TALKED ABOUT THE CIVIC SPACE.
11:56:07AM I TOO THINK THAT MAKING IT A LITTLE LARGER WOULD BE
11:56:12AM ADVANTAGEOUS TO THE PROJECT, BUT I'M LOOKING AT THE
11:56:15AM RENDERING UP ON THE SCREEN HERE.
11:56:17AM I NOTICED IF YOU WERE TO MOVE IT, STRETCH THE BUILDING
11:56:20AM BACKWARD TOWARD THE NORTH, LOOKS LIKE YOU'D BE
11:56:24AM ELIMINATING THE OPPORTUNITY FOR PARKING GARAGES
11:56:26AM UNDERNEATH THE BUILDING.
11:56:27AM THAT WOULD BE SOMETHING THAT -- TAKE INTO
11:56:31AM CONSIDERATION --
11:56:32AM >> -- WOULD GET REARRANGED.
11:56:34AM >> I THINK MAKING IT A LITTLE LARGER WOULD BE
11:56:39AM ADVANTAGEOUS TO THE PRESENTATION.
11:56:41AM SOMEWHERE BETWEEN THE THREE YOU'RE PROPOSING AND 6,000
11:56:44AM IS MAYBE THE MAX, SOMETHING IN THE MIDDLE.
11:56:46AM WHATEVER WORKS OUT BEST FOR THE PROJECT.
11:56:49AM SO THAT'S -- I'M NOT GOING TO MAKE ANY COMMENTS ABOUT
11:56:54AM PARKING BY THE WAY.
11:56:55AM I'M DONE.
11:56:56AM >> SORRY, I MISSED YOUR FIRST COMMENT ABOUT BREAKING
11:56:59AM SOMETHING UP.
11:56:59AM >> THE GREEN.
11:57:01AM THE PARK.
11:57:03AM TO BREAK IT INTO -- WITH THE SIDEWALKS, DISSECTING IT,
11:57:08AM IT MAKES IT MORE INTIMATE SPACES.
11:57:10AM AND WHAT WORKS FOR, THAT I FOUND IN THE PRESENTATION IN
11:57:16AM CARMEL THAT VICTOR MENTIONED IS WHEN YOU HAVE A LARGE
11:57:19AM EVENT, PEOPLE BRING THEIR BLANKETS AND THEY STAY IN THE
11:57:24AM SIDEWALKS AND IT ALLOWS MOBILITY, AISLES OF MOVEMENT.
11:57:28AM >> WE WERE AT THE PRE-ARCHITECTURE STAGES, I SAID BEFORE
11:57:33AM THAT'S TRUE, THE LANDSCAPE OF THE SQUARE AS WELL.
11:57:36AM WHAT YOU HAVE HERE IS A CONCEPT BUT THERE WILL BE A
11:57:38AM WHOLE LAYER OF ARCHITECTURE DONE TO THAT SQUARE AND NOT
11:57:41AM AT ALL SURPRISED TO SEE US FIT SOME ADDITIONAL WALKWAYS
11:57:47AM ALONG THE LINES.
11:57:49AM THAT'S NORMAL.
11:57:49AM SOMETIMES WE DO A SQUARE AND YOU CAN SEE THIS IN THE
11:57:52AM EXAMPLE I SHOWED FROM RICHMOND FROM HENRICO COUNTY.
11:57:55AM THEY'LL LEAVE IT WITHOUT THE WALKWAYS THROUGH THE SQUARE
11:57:59AM FIRST AND SEE WHERE PEOPLE NATURALLY MAKE PATHS AND
11:58:03AM THAT'S WHERE THE WALKWAYS GO.
11:58:05AM IN SAVANNAH, THE CARS HAVE TO GO AROUND THE SQUARE BUT
11:58:07AM THE PEDESTRIANS CAN GO STRAIGHT WHICH IS KIND OF A NICE
11:58:11AM FEATURE AND THE TREES AND SIDEWALKS ARE DESIGNED THAT
11:58:14AM WAY.
11:58:14AM I THINK THE WHOLE LAYER OF WORK WOULD GET DONE.
11:58:17AM WHAT WE HAVE NOW IS A WELL-SHAPED GREEN RECTANGLE AS A
11:58:21AM CANVAS WAITING FOR THE LANDSCAPE ARCHITECT TO DO THEIR

11:58:25AM BEST WORK.
11:58:26AM >>Mayor McLain: ANY OTHER QUESTIONS?
11:58:27AM >> COULD YOU GO BACK TO THE --
11:58:30AM >>Mayor McLain: FOR TIME AND A BREAK, I'D LIKE TO FOCUS
11:58:34AM RIGHT NOW OUR ENERGY ON THE CENTRAL GREEN AND CIVIC
11:58:38AM BUILDING AND THEN WE CAN COME BACK AND ANSWER ANY OTHER
11:58:41AM QUESTIONS YOU HAVE.
11:58:41AM >> I JUST HAVE GENERAL COMMENTS.
11:58:43AM I'LL SAVE THAT FOR LATER.
11:58:45AM >>Mayor McLain: OKAY.
11:58:46AM I THINK YOU HAVE A GOOD EXAMPLE ON THE GREEN, THIS WEST
11:58:50AM CLAY AND CARMEL.
11:58:51AM SOMETHING LIKE THAT IS BETTER THAN A FOOTBALL FIELD OUT
11:58:53AM THERE, I THINK.
11:58:55AM ANY OTHER COMMENTS ON THESE TWO?
11:58:58AM SO WHAT TIME IS IT?
11:59:00AM ABOUT NOON.
11:59:02AM TEN-MINUTE BREAK.
11:59:03AM WOULD THAT BE OKAY?
11:59:10AM WE'VE GOT A WHILE TO GO, I THINK.
11:59:14AM >>Mary Gibbs: MAY I ASK A QUESTION TOO.
11:59:18AM I THINK CAROL SAID WE HAVE TWO SPEAKER CARDS.
11:59:20AM I DON'T KNOW IF YOU ALL WANT TO TAKE THE PUBLIC INPUT
11:59:24AM BEFORE YOU TAKE A BREAK OR --
11:59:26AM >>Mayor McLain: ARE YOU GUYS GOOD STAYING FOR ANOTHER
11:59:29AM HALF HOUR OR SO MAYBE?
11:59:31AM >> MR. MAYOR, WE ARE GOING TO TALK ABOUT THE TRAFFIC AS
11:59:33AM WELL.
11:59:36AM I'VE GOT LOTS MORE QUESTIONS.
11:59:39AM >>Vice-Mayor Ribble: I WOULD LIKE THE TRAFFIC TO BE AFTER
11:59:41AM THE BREAK IF THAT'S POSSIBLE.
11:59:43AM >>Mayor McLain: SO WE'LL HAVE THE PUBLIC COMMENTS.
11:59:44AM ARE YOU ALL RIGHT WITH US HAVING A -- HAVING A HALF HOUR
11:59:46AM BREAK FOR LUNCH AND THEN COME BACK AND -- DOES THAT FIT
11:59:52AM INTO YOUR SCHEDULE OKAY?
11:59:54AM I THINK WE'VE GOT A GOOD HOUR OR MORE GOING HERE.
11:59:57AM SO LET'S GO TO PUBLIC COMMENTS.
12:00:02PM THE -- MADAM CLERK, YOU'VE GOT THE CARDS AND --
12:00:08PM >>Clerk: WE HAVE TWO CARDS AND I THINK --
12:00:11PM >>Mayor McLain: -- ALSO BEEN SWORN IN?
12:00:12PM >>Clerk: YOU WANT TO OPEN THE HEARING FOR THE COMMENTS,
12:00:14PM CORRECT, NANCY?
12:00:17PM >>Mayor McLain: IT'S IMPORTANT FOR THE PUBLIC TO REALIZE
12:00:19PM WE'VE ONLY GOT THREE MINUTES ALLOTTED TIME.
12:00:24PM SO CALL UP THE FIRST PUBLIC COMMENT.
12:00:29PM >>Clerk: CALLING UP FRANCISCO FIGUEROA FROM -- I DON'T
12:00:33PM KNOW.
12:01:07PM >> TREVISA.

12:01:10PM GOOD MORNING -- STILL MORNING, BARELY.
12:01:13PM MAYOR McLAIN, VICE-MAYOR RIBBLE, AND MEMBERS, THANK YOU FOR
12:01:20PM THIS OPPORTUNITY.
12:01:21PM I AM FRANCISCO AND THE NEIGHBORS THAT ARE FAMILIAR WITH THE
12:01:27PM DEVELOPMENT WITH COCONUT ROAD.
12:01:30PM WE ARE NOT ANTIGROWTH.
12:01:32PM WE JUST WANT IT DONE PRUDENTLY.
12:01:34PM AND IF YOU GO TO THE HANDOUT HERE, JUST GOING TO ASK -- I AM
12:01:40PM GOING TO TELL YOU WHAT THE ASK IS.
12:01:42PM AND I AM GOING TO TELL YOU WHY.
12:01:43PM AND THEN ASK YOU TO DO YOUR DUTY TOWARD THE END.
12:01:47PM SO WE ARE ASKING FOR YOU TO DELAY THE APPROVAL OF THIS
12:01:50PM DEVELOPMENT UNTIL AN INDEPENDENT TRAFFIC STUDY IS
12:01:56PM COMMISSIONED AND COMPLETED.
12:01:58PM WE WOULD LIKE IT TO BE COMMISSIONED BY ALL THREE
12:02:01PM JURISDICTIONS THAT HAVE OVERSIGHT OVER COCONUT ROAD.
12:02:06PM WE HAVE THREE PARENTS THAT ARE OVERSEEING THIS PARTICULAR
12:02:09PM ROAD.
12:02:11PM LEE COUNTY, THE VILLAGE OF ESTERO, AND THE VILLAGE OF BONITA
12:02:19PM SPRINGS.
12:02:19PM WE WOULD LIKE FOR TO BE DONE BY ALL THREE AND TAKE INTO
12:02:23PM ACCOUNT ALL FUTURE POSSIBLE DEVELOPMENTS THAT ARE FEEDING
12:02:27PM INTO AND OUT OF COCONUT ROAD.
12:02:29PM OTHERWISE THIS IS PIECEMEAL.
12:02:31PM WE WANT ONE THAT IS NOT RELYING ON PREVIOUSLY OUTDATED
12:02:35PM TRAFFIC REPORTS.
12:02:36PM ONE THAT IS SUFFICIENTLY CONSERVATIVE.
12:02:38PM ONE THAT IS BASED ON TRAFFIC COUNTS DURING PEAK SEASON, NOT
12:02:42PM OFF SEASON.
12:02:43PM ONE THAT IS NOT BASED ON COVID PERIOD TRAFFIC COUNTS WHICH
12:02:48PM IS THE CASE.
12:02:49PM AND ONE THAT ALLOWS US TO GET TO ACCEPTABLE TRAFFIC
12:02:52PM MITIGATION STEPS TO KEEP IT AT INTERSECTION LEVEL E AND
12:02:57PM BELOW.
12:02:58PM SO LET ME ASK -- TELL YOU WHY.
12:03:00PM THE DEVELOPER TRAFFIC STUDIES AND BUILD ON PREVIOUS OUTDATED
12:03:04PM STUDIES.
12:03:05PM AND DO NOT CONSIDER THE FULLY DEVELOPED AVAILABLE PROPERTY
12:03:09PM OVER THE LONG-TERM.
12:03:11PM I SAT THROUGH BAY VIEW, WHICH IS UNDER THE PURVIEW OF BONITA
12:03:16PM SPRINGS.
12:03:17PM THEY ARE LOOKING AT THEIR PARTICULAR ONES.
12:03:19PM THEY DO THEIR OWN PIECEMEAL AND NOT SUFFICIENT.
12:03:22PM WE WILL PLAY CATCH-UP AND AMOUNT TO DUE DILIGENCE NEGLIGENCE
12:03:30PM WITH DUE DILIGENCE AND HARM TO THE PUBLIC.
12:03:34PM TRAFFIC STUDIES ARE NOT INDEPENDENT.
12:03:36PM NO DOUBTS OF THE PROFESSIONALISM OF THE TRAFFIC STUDIES THAT
12:03:40PM HAVE BEEN DONE BUT DO NOT MAKE THEM INDEPENDENT.

12:03:43PM AND IT IS IMPORTANT TO HAVE THEM BE INDEPENDENT.
12:03:47PM THE OTHER ONE -- IF YOU GO TO THE NEXT PAGE IS THE THREE
12:03:51PM GOVERNMENT JURISDICTIONS ARE NOT WORKING TOGETHER.
12:03:54PM THE PLANNING DEPARTMENTS DO HAVE CONVERSATIONS, BUT THOSE
12:03:58PM ARE INFORMAL AND DOES NOT MAKE UP WITH THE FACT YOU NEED A
12:04:01PM FORMAL LOOK AT ALL OF THESE TOGETHER.
12:04:04PM THE OTHER ONE IS THE -- THE OTHER MAIN POINT IS THE TRAFFIC
12:04:09PM STUDIES ARE NOT SUFFICIENTLY CONSERVATIVE.
12:04:13PM AS MENTIONED EARLIER, THE AVERAGE TRAFFIC VOLUME TAKEN ON
12:04:16PM U.S. 41 ON 2019 AND, AGAIN, IN 2022 SHOWED A DECREASE.
12:04:21PM AND I CAN'T BELIEVE THAT ANYBODY WOULD HAVE THAT SITUATION.
12:04:24PM AND THEN THE INTERSECTION TURNING DATA WAS DONE IN THE
12:04:28PM MIDDLE OF COVID, WHICH I THINK IS A MISREPRESENTATION AND
12:04:33PM THE REDUNDANCE OF SEPTEMBER WHICH IS NOT A PEAK TIME.
12:04:38PM WE ASK TO YOU DO YOUR DUTY AND COMMISSION THIS INDEPENDENT
12:04:44PM TRAFFIC STUDY SO WE CAN ALL COME AWAY TO MEET THE MISSION OF
12:04:49PM THE VILLAGE OF ESTERO.
12:04:51PM >>Clerk: THE NEXT ONE IS NANCY COHEN, WHO IS REPRESENTING
12:04:56PM HERSELF.
12:04:56PM >> YES.
12:05:03PM I AM NANCY COHEN.
12:05:05PM I LIVE IN THE COLONY AT PELICAN LANDING.
12:05:08PM USE COCONUT ROAD PRIMARILY FOR MY ACCESS.
12:05:13PM BUT I AM SPEAKING HERE TODAY FROM MYSELF.
12:05:20PM I MADE A BUNCH OF NOTES PRIOR TO COMING.
12:05:23PM LISTENED TO THE PRESENTATION.
12:05:25PM AS SOME OF YOU HAVE MENTIONED, IT IS A LITTLE CONFUSING.
12:05:28PM SOME OF IT IS RATHER RAPID.
12:05:30PM MAY I MAKE ONE SUGGESTION, IF WE COULD EVER USE A POINTER,
12:05:34PM IT WOULD BE VERY HELPFUL TO SEE WHAT IS GOING ON WHEN THEY
12:05:37PM ARE TALKING ABOUT IT.
12:05:38PM THE TRAFFIC DISCOVERY -- WELL, LET ME PREFACE THIS.
12:05:43PM I AM AN ARCHITECT.
12:05:44PM AND I LOVE THE CONCEPT.
12:05:45PM I THINK IT LOOKS GREAT.
12:05:47PM I THINK EVERYTHING ABOUT IT IS GREAT EXCEPT FOR -- BECAUSE
12:05:53PM IT IS SO COMPLEX AND THOUGHT OUT, THE ONE THING THAT HAS
12:05:59PM BEEN OVERLOOKED IS THE TRAFFIC IMPLICATIONS.
12:06:04PM AND, AGAIN, A COMPREHENSIVE TRAFFIC PLAN WILL BE WHAT I
12:06:09PM WOULD EXPECT TO SEE FROM ALL THE DIFFERENT ENTITIES.
12:06:12PM AND I AM NOT SURE IF U.S. 41 IS A STATE ROAD OR NOT, BUT
12:06:16PM THEY NEED TO BE IN IT AS WELL.
12:06:18PM CONCEPTS OF DOUBLE TURN LANES, WHO IS GOING TO TURN IN THAT
12:06:25PM VERY FIRST LANE IF YOU ARE IN THE MIDDLE LANE.
12:06:27PM WHAT IS GOING TO HAPPEN.
12:06:29PM WHAT IS GOING TO HAPPEN AT THE TRAFFIC LIGHT AT THE NEXT
12:06:32PM SITE WHERE A PEDESTRIAN HITS THE BUTTON AND THEY WANT TO
12:06:36PM CROSS.

12:06:36PM EVERYTHING GETS BACKED UP.
12:06:38PM HOW THE COORDINATION OF THE TRAFFIC LIGHT IS WITH THE U.S.
12:06:41PM 41 TRAFFIC LIGHT.
12:06:42PM I AM TALK ABOUT TRAFFIC LIGHT THAT IS FURTHER BACK OF THE
12:06:46PM PROJECT THAT IS PROPOSED.
12:06:47PM SO THOSE ARE SOME OF MY CONCERNS.
12:06:52PM ONE OF THE OTHER ONES IS THAT IF SOMEBODY COMES OUT OF THE
12:06:55PM PARKING GARAGE AND HEADS NORTH.
12:06:58PM BECAUSE THE FIRST ENTRANCE THERE IS ONLY A RIGHT IN, THEY
12:07:04PM ARE GOING TO BE REQUIRED TO GO SOUTH ON 41.
12:07:08PM HOW DO YOU GO BACK AROUND AND EVENT PARKING HAPPENS AND CARS
12:07:16PM ARE GOING BACK ON COCONUT ROAD, GOING INTO THE COMPLEX AND
12:07:20PM TRYING TO GET AROUND.
12:07:22PM I THINK IT CAN BE CONFUSING.
12:07:24PM I GUESS MY -- BECAUSE MY NOTES ARE A LITTLE -- ALL OVER
12:07:30PM HERE.
12:07:32PM I GUESS ONE THING I WOULD JUST CONSIDER TO SAY AGAIN IS THAT
12:07:38PM BECAUSE THIS IS COMPLEX WITH ALL THESE DIFFERENT ENTITIES OF
12:07:41PM BONITA SPRINGS AND LEE AND THESE HOUSING DEVELOPMENTS DOWN
12:07:45PM THE STREET HAVE ONLY ONE ENTRANCE ON TO COCONUT ROAD.
12:07:50PM THERE IS NO BACK ROAD CREATED.
12:07:51PM I THINK WE JUST HAVE TO BE VERY THOUGHTFUL AND AS IT WAS
12:07:57PM SUGGESTED.
12:07:57PM I THINK WE NEED AN INDEPENDENT STUDY THAT LOOKS AT
12:08:00PM EVERYTHING WITH EVERYBODY INVOLVED.
12:08:02PM AND I WOULD ALSO SAY USING THE TRAFFIC LIGHT NORTH OF THE
12:08:07PM PROJECT HAVEN'T BEEN MENTIONED, BUT I THINK WE NEED TO
12:08:11PM CONSIDER THAT.
12:08:12PM >>Mayor McLain: THANK YOU VERY MUCH.
12:08:15PM ALL RIGHT, SO I THINK --
12:08:17PM >>Clerk: THAT'S IT FOR PUBLIC COMMENT.
12:08:19PM >>Mayor Mclain: THANK YOU.
12:08:20PM SO WE ARE GOING TO GO AHEAD AND TAKE A BREAK.
12:08:22PM WE WILL GET BACK HERE AROUND 12:40.
12:08:26PM AND I JUST WANT TO BE CLEAR WITH COUNSEL THAT WE ARE GOING
12:08:32PM TO HAVE LUNCH UPSTAIRS.
12:08:34PM I THINK NANCY, YOU WILL BE THERE WITH US, ALSO.
12:08:37PM NO?
12:08:38PM >>Nancy Stroud: NO, BUT THE VILLAGE ATTORNEY WILL BE THERE,
12:08:41PM I ASSUME.
12:08:44PM >>Mayor McLain: WE HAVE THE VILLAGE ATTORNEY.
12:08:45PM WE WANT TO MAKE SURE THAT THE COUNCIL WILL NOT BE DISCUSSING
12:08:48PM THIS PROJECT DURING OUR LUNCH.
12:08:50PM I WANT THE PUBLIC TO UNDERSTAND THAT OR ANYTHING THAT WILL
12:08:54PM EVER COME BEFORE US FOR A VOTE TO MAINTAIN OUR SUNSHINE LAW,
12:08:57PM RIGHT,
12:08:58PM ROBERTS.
12:09:00PM SO IF THAT BE THE CASE, NOTHING FURTHER, WE WILL ADJOURN

12:09:04PM UNTIL 12:40.
12:09:05PM AND PICK UP WHERE WE ARE RIGHT NOW.
12:09:08PM THANK YOU.
12:09:08PM [GAVEL SOUNDING]
12:45:04PM >>Mayor McLain: LET ME CALL THE JULY 5th MEETING BACK TO
12:45:07PM ORDER.
12:45:08PM WHERE WE LEFT OFF WAS COUNCIL -- I THINK COUNCILMAN WARD HAD
12:45:15PM GENERAL QUESTIONS AND THEN WE HAVE ANY OTHER QUESTIONS FROM
12:45:17PM COUNCIL, WE WILL ADDRESS THOSE AND MOVE THIS FORWARD AS
12:45:22PM QUICKLY AS WE CAN.
12:45:23PM >>Jim Ward: I AM TRYING TO THINK -- CAN WE GET SOMEONE UP
12:45:33PM HERE TO JUST GO THROUGH THIS -- SOME QUESTIONS WITH ME FOR A
12:45:37PM MINUTE.
12:45:38PM SO JUST -- TO SUMMARIZE SOME OF THE THOUGHTS THAT I HAVE.
12:45:48PM I WILL START OFF WITH SOME OF THE THINGS THAT I DO LIKE.
12:45:51PM ONE OF THE THINGS THAT I DO IS THE AREA ON THE CORNER OF 41
12:45:55PM AND COCONUT WHERE YOU HAD THE RETENTION POND.
12:45:59PM BECAUSE I THINK IT GIVES A NICE OPENING VIEW TO THE TOTAL
12:46:02PM PROJECT.
12:46:03PM AND I THINK IT -- IT REALLY SETS A STANDARD.
12:46:06PM THE OTHER THINGS THAT I LIKE ARE THE -- ARE THE TOWN CENTER
12:46:10PM AREA THAT YOU PICKED UP AND ALSO THE -- WHAT DO YOU CALL IT?
12:46:18PM THE CIVIC CENTER AREA.
12:46:20PM I LIKE THE IDEA OF THAT GOING FROM 3,000 TO 6,000 FEET --
12:46:24PM SQUARE FEET.
12:46:25PM WHAT -- WHAT I AM A LITTLE CONCERNED ABOUT IS THE HEIGHT OF
12:46:29PM THE BUILDINGS ON 41.
12:46:31PM I GUESS THAT IS 45 TO 60 FEET.
12:46:33PM AND IT IS RIGHT ON 41.
12:46:35PM IT REALLY JUST LOOKS LIKE IT --
12:46:42PM >> GO TO THE RENDER VIEW.
12:46:45PM >>Jim Ward: JUST GO TO THE BUILDINGS ON 41.
12:46:47PM GO BACK TO THE SLIDE THAT YOU WILL.
12:46:49PM >> THE RENDERING?
12:46:51PM >>Jim Ward: THE INITIAL -- THE OVERVIEW SLIDE THAT --
12:46:56PM >> THAT IS 41 THERE.
12:46:58PM >>Jim Ward: THE FIRST SLIDE THAT WE HAD UP.
12:47:01PM OKAY.
12:47:02PM THAT IS FINE.
12:47:03PM SO JUST LOOKING AT THE BUILDINGS AS YOU ARE GOING DOWN WEST
12:47:07PM ON COCONUT, THOSE BUILDINGS ARE SCHEDULED TO BE ANYWHERE
12:47:11PM FROM 45 TO 60 FEET.
12:47:13PM I THINK THE ONES IN THE FRONT ARE PROBABLY 60 FEET.
12:47:17PM ONES GOING BACK WEST MAYBE -- MAY APPEAR TO BE SHORTER, BUT
12:47:23PM THAT'S MY CONCERN.
12:47:25PM IT IS GOING TO LOOK LIKE A WALL WHEN YOU GO DOWN THAT
12:47:29PM STREET.
12:47:29PM YOU KIND OF SET A REALLY NICE TONE AND THEN YOU GO INTO AN

12:47:33PM AREA WHERE -- IT JUST CONCERNS ME THAT IT IS TOO HIGH.
12:47:37PM AND IT IS -- IT IS NOT GOING TO GIVE YOU THE RIGHT LOOK FOR
12:47:41PM THE PROJECT.
12:47:44PM INITIALLY, I HAD SOME CONCERNS OF THE FIVE DEVIATIONS THAT
12:47:49PM YOU HAD, BECAUSE WHEN I LOOK AT A PROJECT LIKE THIS, IT HAS
12:47:55PM SOME CONCERNS WITHIN THE COMMUNITY AND SOME CONCERNS ON THE
12:47:59PM COUNCIL.
12:47:59PM I JUST KIND OF QUESTION WHY YOU CAN'T LIVE WITH THE -- THE
12:48:04PM LAND DEVELOPMENT CODE AND WHY YOU NEEDED FIVE DEVIATIONS.
12:48:07PM HAVING SAID THAT, AS WE WENT THROUGH SOME OF THEM, I
12:48:11PM UNDERSTOOD WHERE YOU WERE COMING FROM, PARTICULARLY AS IT
12:48:14PM RELATED TO IF THE PARKING DEVIATION.
12:48:19PM WHAT I WAS CONCERNING ABOUT WAS DEVIATION 4.
12:48:23PM WHERE YOU ARE GOING FROM THE 125 FEET TO THE 46 TO 109 --
12:48:33PM 146 TO 109 FEET AT THE INTERSECTION.
12:48:36PM I THINK THAT MAY BE -- I AM NOT QUITE SURE WHY -- WHY THAT
12:48:42PM IS NECESSARY.
12:48:42PM BUT I JUST HAD A CONCERN ABOUT THAT.
12:48:45PM AND THE LAST THING I THINK I HAVE A CONCERN ABOUT IS THE
12:48:54PM TRAFFIC STUDIES THAT WERE DONE ON 41 AND COCONUT.
12:48:58PM PARTICULARLY COCONUT, BECAUSE IT IS NOT INTUITIVE TO ME THAT
12:49:04PM YOU CAN HAVE LESS TRAFFIC ON COCONUT AS A RESULT OF THIS
12:49:09PM PROJECT THEN WITHOUT THE PROJECT.
12:49:10PM THAT IS WHAT SOME OF THE TRAFFIC STUDIES I THINK SEEM TO
12:49:26PM SUGGEST.
12:49:27PM AND IN ONE PARTICULAR AREA.
12:49:29PM ONE PARTICULAR SECTION, YOU ARE ACTUALLY SAYING THAT YOU CAN
12:49:34PM CONCEIVABLY DO FROM A LEVEL OF SERVICE F TO LEVEL OF
12:49:41PM SERVICE E WITHOUT THE PROJECT AND THAT JUST ISN'T INTUITIVE
12:49:45PM TO ME.
12:49:45PM HAVING SAID THAT, WHETHER A LEVEL OF SERVICE E OR LEVEL OF
12:49:50PM SERVICE F, NEITHER ONE OF THOSE IS GOOD.
12:49:53PM SO THOSE ARE THE KIND OF CONCERNS THAT I HAD JUST LOOKING AT
12:49:57PM IT FROM A 10,000-FOOT PERSPECTIVE.
12:50:00PM I THINK THERE IS A LOT MORE QUESTIONS THAT WE NEED TO GET
12:50:03PM INTO RELATIVE TO THE DENSITY AND THE -- THE TRAFFIC STUDY
12:50:09PM THAT I THINK WE WILL GET INTO A LITTLE BIT LATER ON, BUT I
12:50:12PM JUST WANTED TO TOUCH ON THOSE THREE OR FOUR.
12:50:14PM THE ONE LAST POINT I WILL MAKE IS, I AM KIND OF STRUGGLING
12:50:18PM WITH THE FACT THAT WE ARE LOOKING AT THIS TO BE A
12:50:24PM DEVELOPMENT THAT IS GOING TO BRING IN PEOPLE FROM OUTSIDE
12:50:27PM THE COMMUNITY.
12:50:27PM AND IF IT IS GOING TO BRING PEOPLE INTO THE TOWN SQUARE AND
12:50:32PM TO THE -- TO THE CIVIC CENTER.
12:50:35PM I STRUGGLE WITH THAT BECAUSE THAT IS GOING TO CREATE MORE
12:50:39PM TRAFFIC.
12:50:39PM IT IS GOING TO CREATE NEED FOR MORE PARKING WITHIN THE
12:50:44PM DEVELOPMENT.

12:50:45PM I WANT THAT TO BE A COMMUNITY CENTER.
12:50:48PM IT'S TEAMED TO BE PART OF THE VILLAGE CENTER AREA.
12:50:55PM AND I LIKE THAT CONCEPT, BUT WITH THAT, COMES ADDITIONAL
12:50:59PM TRAFFIC AND WITH THAT COMES ADDITIONAL PARKING REQUIREMENTS.
12:51:03PM SO I KIND OF STRUGGLE WITH THAT BECAUSE I LIKE WHAT YOU ARE
12:51:06PM DOING IN THAT RESPECT, BUT ON THE OTHER HAND, IT WILL CREATE
12:51:09PM ADDITIONAL CONCERNS THAT HAVE ALREADY BEEN RAISED ABOUT
12:51:12PM PARKING AND THE TRAFFIC AND THE DENSITY.
12:51:16PM SO THOSE ARE MY CONCERNS.
12:51:18PM >> YEAH, PLEASE.
12:51:23PM >> SO THE REASON THAT THE LEVEL OF SERVICE GOES DOWN WITH
12:51:28PM THE PROJECT IS BECAUSE THE REQUIREMENT OF THE SIGNAL AT THAT
12:51:32PM INTERSECTION, WITHOUT THE SIGNAL AND WITHOUT THE PROJECT,
12:51:36PM THAT IS WHY THE LEVEL OF SERVICE IS HIGHER.
12:51:38PM ALL OF THE TRAFFIC -- OR ALL THE DEVELOPMENTS AND WE ALSO
12:51:42PM LOOKED AT BONITA SPRINGS.
12:51:44PM NOT JUST THE VILLAGE VILLAGE, BUT LOOKING AT DEVELOPMENTS.
12:51:47PM ALL THE IMPROVED DEVELOPMENTS ARE INCLUDED IN THE TRAFFIC
12:51:51PM ANALYSIS HAND THIS INCLUDES -- I MEAN IF YOU HAVE RETAIL AND
12:51:54PM RESTAURANTS, THE TRAFFIC AND PARKING REQUIREMENTS THAT ARE
12:51:58PM IN THE DEVELOPMENT PLAN ACCOUNT FOR PEOPLE COMING INTO THE
12:52:01PM RESTAURANTS AND RETAIL.
12:52:03PM SO IT IS BASICALLY ACCOMMODATING TRIPS THAT WILL BE COMING
12:52:07PM IN FROM YOUTH SIDE.
12:52:08PM AND AS ELIZABETH MENTIONED IN OUR PRESENTATION, OUR COUNTS
12:52:14PM -- OUR TRAFFIC GENERATIONS ARE ACTUALLY HIGHER THAN WHAT IS
12:52:17PM BASICALLY NATIONALLY ACCEPTED WHICH IS THE ITE TRIP
12:52:22PM GENERATION GUIDE.
12:52:23PM OURS ARE MORE CONSERVATIVE WHAT MOST PEOPLE WILL COME IN AND
12:52:27PM PROVIDE FOR A TRAFFIC ANALYSIS BECAUSE WE DO RESEARCH TO
12:52:30PM VOLUME DATE THE TRIP GENERATIONS AND THE PARKING RATIOS WE
12:52:34PM USE FOR THIS PROJECT.
12:52:35PM AND REMEMBER I SAID THAT THE -- THAT THE -- EVEN AT THE
12:52:39PM MAXIMUM PARKING, YOU WOULD STILL HAVE 400 SPACES AVAILABLE
12:52:43PM BETWEEN -- DEPENDING ON TIME OF DAY, ROUGHLY 800 PARKING
12:52:49PM SPACES AVAILABLE WHEN IT IS FULLY PARKED.
12:52:53PM >>Jim Ward: AGAIN, I STRUGGLE INTUITIVELY.
12:52:55PM >> UNDERSTOOD, BUT --
12:52:58PM >>Jim Ward: I EVEN STRUGGLED WITH THE FACT THAT YOU
12:53:00PM CLASSIFIED IT AS A LEVEL OF SERVICE F AT THIS POINT, BECAUSE
12:53:04PM THAT DOESN'T SEEM INTUITIVE TO ME AT THIS POINT.
12:53:07PM I LIVE IN THAT AREA.
12:53:09PM I LIVE THREE OR FOUR BLOCKS FROM THAT AREA.
12:53:12PM >> UNDERSTOOD, BUT THAT IS WHAT THE ADOPTED LEVEL OF SERVICE
12:53:16PM IS FOR YOUR ROADWAYS IN THE COMMUNITY.
12:53:18PM AS WITH MOST COMMUNITIES THROUGHOUT THE STATE.
12:53:21PM OTHERWISE, YOU ARE OVERBUILDING ALL THE ROADWAYS FOR OUTSIDE
12:53:24PM OF THE PEAK PERIOD.

12:53:25PM SOME PEAKS CAN BE 20 MINUTES DEPENDING ON A COMMUNITY.
12:53:29PM SOME PEAKS CAN BE AN HOUR.
12:53:31PM DEPENDS ON THE TYPE OF TRIPS TAKING PLACE.
12:53:34PM BUT PLACED ON THE ANALYSIS, THESE ARE CONSERVATIVE ANALYSES.
12:53:39PM >> THAT COMES FROM THE MOVEMENT.
12:53:43PM IF YOU ARE SOUTH OF OUR PROJECT ON WALDEN CENTER DRIVE, AND
12:53:48PM YOU WANT TO GO WEST ON TO COCONUT ROAD, BECAUSE OF THE
12:53:52PM TRAFFIC COMING EAST, THAT NORTHBOUND LEFT TURN HAS TO WAIT
12:53:55PM LONG -- TOO LONG OF A PERIOD WHICH CAUSES THE FAILURE.
12:53:59PM BECAUSE NO LIGHT NOW.
12:54:02PM >> AS ELIZABETH MENTIONED EARLIER, WHEN THE SIGNAL GOES IN
12:54:05PM AT COCONUT POINT, THERE IS ABOUT A 2,000 TRIP PER HOUR --
12:54:11PM PARDON ME?
12:54:12PM PELICAN, SORRY.
12:54:14PM WHEN THAT SIGNAL GOES IN.
12:54:17PM THERE IS ABOUT A 2,000 TRIPS-PER-DAY DIFFERENCE BETWEEN
12:54:23PM EASTBOUND AND WESTBOUND.
12:54:23PM AND MOST OF THAT IS BECAUSE PEOPLE ARE COMING OUT OF THAT
12:54:26PM DEVELOPMENT TO TAKE A LEFT AT THE SIGNAL ON 41.
12:54:29PM A LARGE -- I WOULD EXPECT A LARGE PERCENTAGE OF THOSE TO GO
12:54:33PM AWAY, WHICH WILL ACTUALLY HELP THE ANALYSIS.
12:54:36PM WE DID NOT ASSUME THAT SIGNAL WAS INSTALLED WHEN WE DID THE
12:54:40PM TRAFFIC ANALYSIS.
12:54:41PM >>Jim Ward: SO THE TRAFFIC THAT IS COMING FROM THE SOUTH ON
12:54:45PM 41 HEADED NORTH, TO GET INTO THE PROJECT, MOST PEOPLE, I AM
12:54:50PM GUESSING, ARE GOING TO MAKE THE LEFT-HAND TURN ON COCONUT TO
12:54:54PM ACCESS THAT.
12:54:55PM >> CORRECT.
12:54:56PM >>Jim Ward: IF THEY GO FURTHER UP 41, IT WILL BE A DIFFERENT
12:55:00PM TURN CROSSING TRAFFIC.
12:55:01PM >> SURE, AGREED.
12:55:03PM >>Jim Ward: ANYONE COMING FROM THE SOUTH WILL BE USING
12:55:05PM COCONUT.
12:55:06PM >> MORE THAN LIKELY, BUT ACCESS POINT A WILL ALSO BE
12:55:13PM ACCESSIBLE.
12:55:14PM >>Jim Ward: OKAY.
12:55:15PM THANK YOU.
12:55:16PM >> TO EXPLAIN THE DEVIATION A LITTLE BIT FURTHER.
12:55:22PM THIS IS -- YOU KNOW --
12:55:25PM >>Clerk: CAN YOU SPEAK IN --
12:55:28PM >> TO EXPLAIN THE DEVIATION A LITTLE BIT FURTHER, WE CREATED
12:55:31PM A BOULEVARD ON THIS MAIN ACCESS POINT IN THE MIDDLE OF THE
12:55:35PM SITE AT 41.
12:55:36PM FIRST, TO ATTRACT AS MANY PEOPLE INTO THAT ACCESS POINT.
12:55:40PM ESPECIALLY AS YOU ARE TRAVELING SOUTH ON 41 TO MAKE SURE
12:55:44PM THEY TURN THERE INSTEAD OF GOING SOUTH TO COCONUT POINT.
12:55:47PM PUTTING A LOT OF EMPHASIS IN MANAGING THAT A FOCAL ENTRANCE
12:55:52PM POINT.

12:55:52PM THE SOUTHERN KIND OF ARTERY ROAD IS TOO CLOSE TO 41.
12:55:57PM THAT'S WHY WE NEED THE DEVIATION, BUT IN ORDER TO
12:56:01PM ACCOMMODATE THAT SHORTER DISTANCE AND STILL MAKE IT SAFE --
12:56:07PM I DON'T KNOW IF WE CAN POINT -- LET ME SEE IF I CAN POINT.
12:56:13PM OKAY.
12:56:20PM SO IF YOU ARE GOING SOUTH ON 41, AND YOU MAKE A RIGHT INTO A
12:56:25PM PROJECT, YOU ARE ON THE NORTH SIDE OF THIS LARGE MEDIAN HERE
12:56:29PM THAT IS IN THE MIDDLE.
12:56:30PM SO YOU ARE FORCED TO GO STRAIGHT.
12:56:32PM YOU CANNOT MAKE A RIGHT AND GO NORTH INTO THIS.
12:56:35PM THAT IS A ONE LANE ONLY GOING SOUTH.
12:56:38PM AND YOU ARE FORCED TO CONTINUE TRAFFIC GOING WEST.
12:56:41PM AND THEN IF YOU ARE COMING EAST OUT OF THE PROJECT, YOU CAN
12:56:45PM MAKE A RIGHT IN HERE OR YOU CAN MAKE A RIGHT OUT.
12:56:47PM BUT TO MAKE SURE THIS WAS NOT A BACK-UP INTERSECTION ON TO
12:56:52PM 41, THIS TRAFFIC MUST GO STRAIGHT.
12:56:55PM SO THAT WAS TO KIND OF ACCOMMODATE AND AVOID THE -- THE
12:57:00PM DANGEROUS SITUATION BECAUSE OF THAT PROXIMITY.
12:57:03PM >> BUT WAIT, THERE'S MORE.
12:57:04PM AT THE RISK OF SAYING -- POINTING OUT HOW INTERCONNECTED
12:57:08PM EVERYTHING IS, EACH OF THESE SUBJECTS IS CONNECTED TO
12:57:12PM EVERYTHING ELSE.
12:57:13PM LET ME PUT THIS BACK UP.
12:57:14PM IN THIS DIAGRAM ON THE FAR RIGHT SIDE IS WHERE YOU SEE THE
12:57:20PM WHITE FOOTPRINTS FOR THE BUILDINGS AND THE DARKER AREAS ARE
12:57:24PM THE RETENTION AND THE STREETS AND THE SQUARE IS OCCURRING.
12:57:27PM THIS IS ALSO RELATING TO AVOIDING THE APPEARANCE OF A WALL
12:57:31PM OF BUILDINGS ALONG 41.
12:57:33PM THAT EXTRA STREET AND THE -- THE CURVED STREET THAT GOES
12:57:41PM AROUND THE CRESCENT POND IN THE CORNER.
12:57:44PM WHAT THAT IS DOING IS LIMITING TO A CERTAIN AMOUNT HOW MUCH
12:57:47PM BUILDING FACE IS RIGHT ON 41.
12:57:50PM WE ARE DOING THAT PARTLY BECAUSE IN THE SCENERY WHEN YOU GO
12:57:53PM DOWN 41, YOU DON'T WANT IT TO LOOK LIKE A WALL OF BUILDINGS.
12:57:57PM WE ARE DOING IT FOR THE LIVABILITY OF THE UNITS.
12:57:59PM THE MARKETABILITY AND SO ON OF THE OFFICE UNITS AND WHAT IS
12:58:05PM ON THOSE BLOCKS ARE BETTER WE HAVE THOSE BROAD GAPS.
12:58:10PM SO AS YOU WORK FROM SOUTH TO NORTH, STARTING AT THE
12:58:13PM INTERSECTION AT COCONUT, FIRST, THERE IS A POND AND THE
12:58:18PM SURROUNDING PARK SPACE.
12:58:18PM THEN THE STREET.
12:58:19PM THEN WE START A BUILDING.
12:58:21PM KEEP GOING -- FOLLOW MY CURSOR GOING NORTH, ONE BUILDING
12:58:26PM LENGTH.
12:58:26PM AND THEN A STREET AND A SQUARE AND ANOTHER STREET AND THEN
12:58:30PM WE HIT OUR NEXT BUILDING, WE SEE THE NARROW END OF IT.
12:58:33PM THERE IS A GAP, AND ANOTHER BUILDING WHERE WE SEE THE NARROW
12:58:37PM END OF.

12:58:37PM THIS MULTIPLE CONNECTION POINT THING IS A STRATEGY FOR
12:58:41PM RESOLVING THE TRAFFIC IN THE WAY THAT ROSS HAS BEEN
12:58:44PM DESCRIBING.
12:58:44PM AND ALSO A STRATEGY OF RESOLVING THE APPEARANCE ISSUE.
12:58:48PM >>Jim Ward: AGAIN, I CAN UNDERSTAND THAT ON 41.
12:58:51PM WHAT I STRUGGLE WITH IS COCONUT.
12:58:54PM >>Vice-Mayor Ribble: I WAS WONDER GOING THERE COULD NOT BE
12:59:03PM -- COULD NOT BE SOFTENED POSSIBLY WITH MORE ARCHITECTURAL
12:59:07PM FEATURES, BECAUSE THAT IS MY FEELING TOO.
12:59:10PM WHEN YOU MAKE THAT TURN ON TO COCONUT, YOU HAVE THAT WALL OF
12:59:15PM BUILDING THERE, ESPECIALLY SINCE IT IS THE HIGHER -- HIGHER
12:59:18PM WALL OF THE TWO.
12:59:19PM >> SO AS SOON AS YOU TURN ON TO COCONUT, THE FIRST BUILDING
12:59:23PM WILL BE FOUR STORIES AND IT STAGGERS DOWN TO THREE STORIES
12:59:26PM TO MEET WITH THE MORE RESIDENTIAL NEIGHBORHOOD TO THE WEST.
12:59:30PM AND WE WILL CONTINUE TO WORK ON THE ARCHITECTURAL FOR THAT
12:59:36PM ARTICULATION AND DIFFERENT FEATURES, BUT THIS IS A MORE
12:59:41PM REALISTIC SENSE.
12:59:43PM >>Jim Ward: TO THAT POINT, WHAT IS THE DIFFERENCE IN THE TWO
12:59:45PM BUILDINGS THAT ONE IS A FOUR-STORY AND ONE IS A FIVE-STORY.
12:59:49PM ARE THEY THE SAME TYPE OF APARTMENTS?
12:59:52PM OR ARE THEY DIFFERENT?
12:59:54PM >> GENERALLY THE SAME TYPE OF APARTMENTS.
12:59:57PM >> ONE ON THE EASTERN BLOCK IS CLOSER TO 41.
01:00:00PM CLOSER TO THE CENTER OF THE CENTER OF TOWN.
01:00:03PM AS YOU START MOVING WEST, WE ARE GETTING CLOSER TO OUR
01:00:07PM NEIGHBORS, THE SMALLER SCALED BUILDING TO THE WEST.
01:00:09PM WE WERE STEPPING IT DOWN FOR THAT REASON.
01:00:12PM WE ARE ALSO INTRODUCING PLACES WHERE THE BUILDING GOES IN A
01:00:17PM LITTLE BIT, AND MAKE SHADOW, AND AS YOU CAN SEE IT GETS
01:00:23PM PUSHED BACK.
01:00:23PM THAT HAPPENS TWICE IN THOSE TWO BUILDINGS AND THE CORNER IS
01:00:26PM BRINGING UP THE TOWER.
01:00:27PM THE IDEA IS THAT WE ARE ADDRESSING IN THAT -- IN THIS
01:00:33PM CONCERN ABOUT A RELENTLESS LONG WALL OF BUILDINGS.
01:00:37PM AS ROSS SAID, WE WILL CONTINUE TO WORK ON IT.
01:00:39PM BUT I THINK THOSE ARE -- THOSE ARE THE USUAL MOVES.
01:00:43PM AND INTRODUCE A STREET.
01:00:45PM WHERE YOU CAN'T INTRODUCE A STREET, INTRODUCE A WALKWAY AND
01:00:49PM AN ENTRANCE.
01:00:49PM PUSH THE FACE OF THE BUILDING BACK AND TO THE CORNERS TO
01:00:53PM ADJUST THE MASS FOR BOTH LANDMARKING AND DIFFERENTIATING
01:00:59PM FROM THE WALL.
01:01:00PM THIS IS A PICTURE OF ALL THE MOVES AT ONCE.
01:01:02PM >> AS YOU GO TO YOUR DEVELOPMENT ORDER, YOU WILL WORK WITH
01:01:06PM THE ARCHITECTURAL REVIEW BOARD TO FINE TUNE THAT.
01:01:09PM YOU ARE GOING TO HAVE A FOUR-STORY AND A THREE-STORY, BUT --
01:01:14PM AND THERE ARE SOME NICE ARCHITECTURAL FEATURES IN THERE, BUT

01:01:17PM IT IS A LONG BUILDING.
01:01:18PM SO YOU -- YOU ARTICULATED VERY WELL ON 41 WITH THE BREAK-UP
01:01:26PM OF GREEN SPACE.
01:01:27PM YOU DON'T HAVE THAT ADVANTAGE HERE.
01:01:29PM SO YOU MAY HAVE TO DO A LITTLE MORE ARCHITECTURAL DESIGN TO
01:01:33PM INCORPORATE A NICER LOOK -- A SOLID WALL.
01:01:38PM OTHER THAN THAT, IT LOOKS -- I THINK IT LOOKS GREAT.
01:01:40PM >> ON THE -- ON THE TRAFFIC, I AM AGREEING WITH SOME OF THE
01:01:50PM PUBLIC COMMENTS THAT MAYBE WE NEED A NEW STUDY TO -- TO MAKE
01:01:56PM SURE THAT WE DON'T RUN INTO THESE DIFFICULTIES.
01:02:01PM AND MY QUESTION IS, HOW LONG DO YOU THINK IT WILL TAKE FOR
01:02:06PM OUR TRAFFIC PATTERN TO -- TO IMPROVE FOLLOWING THIS PROJECT
01:02:16PM BEING BUILT?
01:02:18PM I AM AFRAID 41 IS GOING TO BE CLOGGED UP.
01:02:22PM WE HAVE THREE MAIN ROADS THAT WE USE.
01:02:25PM THE INTERSTATE, LIVINGSTONE AND 41.
01:02:28PM SO IT COULD BOG US DOWN A LOT.
01:02:32PM >> SO I WAS HERE FOR THE PLANNING AND ZONING BOARD.
01:02:36PM I HEARD A LOT OF COMMENTS OF AN INDEPENDENT TRAFFIC STUDY.
01:02:40PM SO I WANT TO ADDRESS THAT FIRST.
01:02:42PM SO AS PROFESSIONALS, WE ARE REQUIRED TO DO THE RIGHT THING
01:02:46PM FOR THE COMMUNITIES.
01:02:47PM AND THAT'S WHY I AM WORKING FOR THIS PARTICULAR FIRM.
01:02:50PM IF YOU WERE TO HAVE ANOTHER INDEPENDENT TRAFFIC STUDY, THEY
01:02:54PM WILL IT BE USING THE ITE GUIDE BECAUSE THEY DON'T HAVE THE
01:02:57PM BENEFIT OF THE RESEARCH WE USED ON MIXED USE PROJECT.
01:03:00PM THEY WOULD SHOW LOWER TRAFFIC VOLUMES AND LESS CONGESTION
01:03:05PM THAN WHAT WE ARE SHOWING IN THIS ANALYSIS.
01:03:07PM THAT IS THE FIRST THING.
01:03:08PM IN TERMS OF YOUR QUESTION WHEN THERE WILL BE IMPROVEMENTS?
01:03:12PM IT WILL ONLY BE IF WE PUT A SIGNAL ON COCONUT ROAD THAT THAT
01:03:16PM INTERSECTION WILL IMPROVE.
01:03:19PM AND KEEP IN MIND THAT THE LEVEL OF SERVICE F IS DUE TO OTHER
01:03:24PM PROJECTS ALREADY APPROVED BY THE VILLAGE.
01:03:26PM THEY WILL HAVE A DIRECT IMPACT ON HOW THAT OPERATES.
01:03:29PM THE SIGNAL TO THE SOUTH WILL HAVE A DIRECT IMPACT ON HOW
01:03:32PM THAT OPERATES.
01:03:33PM AND FOR ME TO TELL YOU HOW THAT WILL IMPROVE, IT WOULDN'T BE
01:03:38PM FAIR FOR ME TO TELL YOU THE ANSWER TO THAT QUESTION.
01:03:40PM >> KNOWING THAT, IS THERE -- ARE THERE OTHER THOUGHTS YOU
01:03:45PM HAVE ON WAYS TO IMPROVE THE TRAFFIC ON 41?
01:03:52PM >> IT'S ONLY -- ONLY ON COCONUT GROVE.
01:03:55PM IT IS NOT ON 41.
01:03:57PM THE INTERSECTION AT 41 IS WORKING -- IT STILL WITHIN THE
01:04:02PM ADOPTED LEVEL OF SERVICE.
01:04:03PM >>Vice-Mayor Ribble: EVEN WITH THE COMPLETION OF THIS?
01:04:06PM >> YES, MA'AM.
01:04:06PM WITH ALL THE PROJECTS APPROVED AND THIS PROJECT, IT IS STILL

01:04:10PM AT THE SAME LEVEL AND THE DISTRICT HAS -- THE DISTRICT
01:04:13PM TRAFFIC OPERATIONS ENGINEER IS WILLING TO WORK WITH US TO DO
01:04:17PM THE BEST THEY CAN ON THIS SYSTEM.
01:04:19PM >> I THINK IN THESE DOCUMENTS, YOU HAVE AGREED -- YOU KNOW,
01:04:27PM WE PROBABLY WILL NOT PUT A ROUNDABOUT IN, BUT THE TRAFFIC
01:04:31PM SIGNAL YOU TALKED ABOUT.
01:04:32PM WE MADE THE AGREEMENT THAT WE WILL JOINTLY STUDY THE
01:04:36PM INTERSECTION OF COCONUT AND 41.
01:04:38PM IF THREE NORTHBOUND LANES ARE APPROPRIATE WITH ADDITIONAL
01:04:41PM STUDY AND TRAFFIC PATTERNS AND SOME GOING SOUTH, WE WILL
01:04:46PM WORK ON THAT TOGETHER.
01:04:47PM >> CORRECT.
01:04:48PM >> AND THAT IS GOING -- THAT IS GOING TO HELP THE CONGESTION
01:04:54PM IN THE IMMEDIATE PART OF YOUR -- IN YOUR DEVELOPMENT IN
01:04:56PM THERE.
01:04:56PM IT IS NOT GOING TO SOLVE THE ISSUES GOING WEST, YOU KNOW.
01:05:01PM I THINK THAT IS SEPARATE FROM THIS PROJECT THAT THE VILLAGE
01:05:04PM IS GOING TO HAVE TO WORK WITH THE APPROPRIATE PARTIES TO
01:05:08PM ADDRESS SOME COMMON SOLUTIONS IN THERE.
01:05:11PM WHATEVER THAT MIGHT BE.
01:05:12PM WHEN WE HAVE DONE SOME INDEPENDENT STUDY OF THAT ALREADY.
01:05:15PM IT IS A MATTER OF HOW WE SHARE COSTS ON THAT.
01:05:18PM SO I THINK YOU GUYS ARE WILLING TO WORK WITH US ON ALL
01:05:21PM ASPECTS TO KEEP THIS THING MOVING.
01:05:23PM SO -- AND I KIND OF TRUST THAT YOU CAN DO -- IT IS EASIER TO
01:05:31PM SAY LET'S KEEP DOING MORE STUDIES, IF THE RESULTS ARE GOING
01:05:34PM TO BE THE SAME.
01:05:35PM THERE WILL BE A LEAD TIME THERE THAT IT CAN'T HAPPEN, YOU
01:05:40PM KNOW, THAT QUICKLY.
01:05:41PM IT TAKES TIME FOR THE FIRMS TO DO THAT.
01:05:43PM I DON'T KNOW WHERE WE WILL END UP ON THAT.
01:05:45PM >>Vice-Mayor Ribble: I APPRECIATE THAT INFORMATION.
01:05:47PM HANG ON SO YOU DON'T GET WHIPLASH HERE.
01:05:49PM I AM CHANGING -- I AM CHANGING SUBJECTS.
01:05:52PM >> YES, MA'AM.
01:05:53PM >>Vice-Mayor Ribble: I AM INTERESTED IN THE INDIGENOUS
01:05:59PM PRESERVE AREA.
01:06:00PM SO IT SAYS THAT THE -- THE ACQUIRED ACREAGE SHOULD BE 9.28
01:06:10PM ACRES, RIGHT?
01:06:12PM WHO DO -- WHO ANSWERS THESE QUESTIONS?
01:06:17PM OKAY.
01:06:17PM AND THE PRESERVE AREA PROVIDED AS 7.5 ACRES.
01:06:24PM WHY WAS THAT CUT DOWN?
01:06:31PM >> SORRY, WHAT WAS THE ENVIRONMENT THAT YOU MENTIONED?
01:06:34PM >>Vice-Mayor Ribble: IT IS ON THIS SHEET.
01:06:35PM AND IT'S 9.28 ACRES ABOUT MIDWAY DOWN THE LEFT-HAND SIDE
01:06:46PM HERE.
01:06:46PM >> HI, THIS DATES BACK TO THE ORIGINAL LEE COUNTY ZONING

01:07:02PM APPROVAL.
01:07:02PM THERE WAS A DEVELOP NATION GRANTED BY LEE COUNTY FOR THAT
01:07:07PM AMOUNT OF NATIVE INDIGENOUS.
01:07:08PM I BELIEVE BECAUSE THAT IS THE ONLY NATIVE INDIGENOUS
01:07:11PM EXISTING AND CERTAINLY DUE TO THE CLEARING OF THE SITE, THAT
01:07:15PM IS ALL THERE IS NOW.
01:07:16PM WE ARE PRESERVING ALL OF OUR INDIGENOUS.
01:07:18PM >>Vice-Mayor Ribble: ONLY 7.6 ACRES NOW?
01:07:23PM >> CORRECT.
01:07:25PM >>Vice-Mayor Ribble: WHAT DOES THE REQUIREMENT COME FROM?
01:07:28PM YOU ARE SAYING THE DEVIATION BACK THEN CHANGED THEIR
01:07:31PM REQUIRED ACREAGE, IS THAT CORRECT?
01:07:34PM >> RIGHT, BASICALLY HALF OF YOUR OPEN SPACE IS REQUIRED TO
01:07:37PM BE IN THE FORM OF INDIGENOUS VEGETATION.
01:07:39PM SO IN THIS CASE, HALF OF THE OPEN SPACE WAS 9.28 ACRES.
01:07:45PM NOT SUFFICIENT NATIVE VEGETATION TO MEET THAT.
01:07:49PM SO A LESSER AMOUNT OF INDIGENOUS.
01:07:51PM WE STILL OVERALL EXCEEDED THE OPEN SPACE REQUIREMENTS IN THE
01:07:56PM NEW ESTERO CODE, INCLUSIVE OF THIS AREA BUT ALL THE OTHER
01:08:02PM CIVIC AND OPEN SPACE YOU SEE ON THE PLAN.
01:08:04PM >>Vice-Mayor Ribble: OKAY, ALONG THAT SAME LINE, YOU ARE
01:08:11PM ADDING -- IS IT A 50-FOOT BUFFER NEAR MARSH LANDING AND
01:08:19PM COCONUT SHORES.
01:08:20PM THAT LOOKS LIKE IT IS GOING TO CUT INTO THAT 7.6 ACRES AND
01:08:26PM REDUCE THAT EVEN FURTHER.
01:08:28PM >> WELL, WHERE YOU HAVE -- WHERE YOU HAVE INDIGENOUS ALONG
01:08:32PM YOUR PERIMETERS, YOU CAN UTILIZE THAT EXISTING NATIVE
01:08:36PM VEGETATION TO MEET THE BUFFER REQUIREMENTS.
01:08:40PM IT WILL BE A NATURAL NATIVE BUFFER NO LESS THAN 50 FEET AND
01:08:45PM CLEARLY UPWARDS OF SEVERAL HUNDRED FEET IN MOST LOCATIONS
01:08:48PM AND WE WILL GO OUT WITH STAFF.
01:08:49PM AND IF THERE IS NOT THE TEN TREES PER 100 LINEAR FEET
01:08:54PM CLUSTERED IN CERTAIN AREAS ALONG THAT BUFFER.
01:08:58PM WE HAVE TO SUPPLEMENT WITH ADDITIONAL PLANTS.
01:09:02PM THE INTENT TO USE THE PLANTINGS TO HELP SUPPLEMENT AND NOT
01:09:08PM CHOP MORES BECAUSE THAT WILL BE COUNTERINTUITIVE.
01:09:12PM >>Vice-Mayor Ribble: ALL RIGHT, I NOTICED, ALSO, THAT YOU
01:09:15PM ARE PLANNING A TEN-FOOT-WIDE TRAIL THROUGH THERE.
01:09:19PM AND LOOKING AT THE OTHER PLANS, FOR AUTOMOBILES, IT IS 12
01:09:26PM FOOT, RIGHT?
01:09:26PM DID I READ THAT CORRECTLY?
01:09:28PM >> THE TRAVEL LANES.
01:09:30PM >>Vice-Mayor Ribble: THE TRAVEL LANES ARE 12 FEET, RIGHT.
01:09:32PM SO 10 FEET FOR PEOPLE WALKING.
01:09:35PM THAT WOULD -- HAVE TO TAKE A LOT OF FRIENDS WITH YOU.
01:09:40PM A PRETTY BIG AREA.
01:09:42PM WOULD IT BE POSSIBLE TO CUT THAT TRAIL SO IT IS A LITTLE
01:09:45PM SMALLER TO ALLOW MORE OF A NATURE --

01:09:50PM >> TO REDUCE THE WIDTH OF IT.
01:09:51PM >>Vice-Mayor Ribble: -- ENVIRONMENT THERE.
01:09:53PM >> WE DID -- INITIALLY WE HAD THAT AND IT WAS KIND OF -- WE
01:09:57PM GOT IT FROM THE INITIALLY PLAN THAT HAD THAT NATURE WALK
01:10:03PM THROUGH KIND OF THE MIDDLE OF THE PRESERVE.
01:10:05PM SPEAKING TO THE NEIGHBORS TO THE NORTH AND TO THE WEST.
01:10:07PM WE WOULD RATHER HAVE A WALKWAY NOT CLOSER TO OUR PROPERTY
01:10:12PM AND REALLY ALONG THE WATERS EDGE NOW THOUGHT TO HAVE
01:10:22PM TEN-FOOT WIDE.
01:10:23PM TO HAVE TEN-FOOT WIDE FOR BIKING AND ALONG U.S 41.
01:10:34PM BIFURCATING THE SITE, A MULTIUSE PATH TO THE CENTRAL PARK
01:10:39PM AND CARRY THAT ALONG THE EDGE OF THE WATER TO BE ABLE TO
01:10:42PM CIRCULATE THE WHOLE SITE ON A BIKE AND WALKING TO ALLOW IT
01:10:50PM PULLED IT BACK FROM THE MIDDLE OF THE PRESERVE AND NEAR THE
01:10:53PM WATER'S EDGE.
01:10:55PM >>Vice-Mayor Ribble: I GUESS THAT LEADS ME TO ANOTHER
01:10:59PM QUESTION.
01:10:59PM I AM NOT FAMILIAR WITH THE COCONUT AND MARSH LANDING.
01:11:08PM DO THEY HAVE SOMETHING IN BETWEEN THIS ON THEIR PROPERTIES
01:11:11PM ALREADY?
01:11:15PM >> TO THE NORTH MARSH LANDING WAS NOT GATED.
01:11:18PM A BERM INSTALLED AS PART OF THE RETAIL CENTER AND WE HAVE A
01:11:23PM CONDITION THAT WE ARE GOING TO PUT IN A SIX-FOOT CHAIN-LINK
01:11:26PM FENCE WITHIN SOMEWHERE OF THAT PRESERVE AREA THAT WILL NOT
01:11:30PM BE VISIBLE FROM THE NEIGHBORS TO PROVIDE THAT SEPARATION AND
01:11:33PM SAFETY MEASURE.
01:11:34PM BUT IN SPEAKING WITH STAFF AND PLANNING AND ZONING, THEY
01:11:37PM SAID WHILE TAKING DOWN A WHOLE BUNCH OF NATIVE VEGETATION TO
01:11:41PM PUT A SOLID WALL IS REALLY NOT IN THEIR BEST INTEREST TO
01:11:45PM LOOK AT A WALL.
01:11:45PM SO WE HAVE AGREED TO PUT A CHAIN-LINK FENCE ALONG THE NORTH
01:11:49PM AND TO THE WEST.
01:11:50PM TO THE WEST, COCONUT SHORES, THEY HAVE THE FPL EASEMENT
01:11:55PM BETWEEN OUR SITE AND THEIR PROPERTY WHICH HAS AT LEAST A
01:12:00PM FENCE ALONG THE WESTERN EDGE OF THE FPL.
01:12:03PM THEY HAVE AN ADDITION ON THE EAST SIDE.
01:12:05PM BUT WE ARE OBLIGATED TO PUT IN A CHAIN LINK FENCE ON THE
01:12:09PM WEST SIDE AS WELL.
01:12:10PM >>Vice-Mayor Ribble: OKAY.
01:12:10PM THANK YOU.
01:12:11PM >>Mayor McLain: THAT IS GOOD?
01:12:14PM ANY OTHER QUESTIONS FROM THE COUNCIL?
01:12:17PM >>George Zalucki: I HAVE SOME RELATIVE TO TRAFFIC.
01:12:18PM CAN SOMEBODY TELL ME WHERE SERESE AND SAFFRON STREETS ARE
01:12:25PM SPECIFICALLY.
01:12:26PM THEY WEREN'T CALLED ON ANY OF THE MAPS; HOWEVER, THEY ARE
01:12:30PM REFERENCED IN YOUR TRIP GEN, ELIZABETH?
01:12:35PM >> ON THE SCREEN, ACCESS POINT A.

01:12:38PM >>George Zalucki: OKAY.
01:12:39PM >> SAFFRON.
01:12:45PM >>George Zalucki: AND SAFFRON IS ACCESS POINT B.
01:12:50PM >> THANK YOU FOR THAT.
01:12:51PM RIGHT-HAND TURNS INTO THE DRIVES.
01:12:54PM >> THEY ARE.
01:12:55PM >>George Zalucki: ELIZABETH, I BELIEVE YOU SAID DURING THE
01:12:58PM PRESENTATION EARLIER, IT WILL BE THE HIGHEST CONCENTRATION
01:13:01PM OF TRAFFIC COMING INTO THE FACILITY OR DID I NOT HEAR YOU
01:13:04PM PROPERLY?
01:13:05PM >> I DON'T THINK THAT IS WHAT I SAID, NO, BECAUSE -- YEAH,
01:13:09PM ACCESS POINT B IS DESIGNED TO BE THE MAIN ENTRANCE AND ALSO
01:13:14PM CLOSE TO THE PARKING AREAS.
01:13:19PM BUT FOR TRAFFIC THAT IS GOING NORTH ON U.S. 41, IF THEY WERE
01:13:25PM TO MAKE A LEFT IN, THEY WOULD USE SERESE OR ACCESS POINT A.
01:13:31PM WE ASSIGNED MOST OF THE TRAFFIC GOING NORTH ON U.S. 41 ON
01:13:35PM COCONUT ROAD.
01:13:36PM >>George Zalucki: THANK YOU.
01:13:41PM JUST FOR CLARITY, GO OVER EVERY POINT OF TRAFFIC CHANGE
01:13:45PM WITH FDOT THAT IS PROPOSING WITH THIS THAN WHAT IS
01:13:50PM CURRENTLY?
01:13:51PM >> THE ACCESS POINTS, BOTH SERESE AND SAFFRON WILL
01:13:57PM TECHNICALLY NEED FDOT APPROVAL.
01:14:00PM AND FROM OUR CONVERSATION, IT DOESN'T SEEM THAT WILL BE AN
01:14:03PM ISSUE.
01:14:04PM WE WILL HAVE TO JUST SHOW THAT THE QUEUEING -- LIKE FOR
01:14:07PM VEHICLES GOING SOUTHBOUND AT U.S. 41 AND COCONUT WOULDN'T
01:14:12PM SPILL BACK TO SAFFRON DRIVE.
01:14:15PM FROM OUR ANALYSIS IT DOESN'T.
01:14:17PM AND ALSO THOSE TURN LANES WILL ALSO NEED APPROVAL.
01:14:22PM BUT, AGAIN, IT SHOULDN'T BE AN ISSUE.
01:14:25PM >> OKAY.
01:14:26PM THOSE ARE THE ONLY TWO REQUESTS RELATIVE TO THIS PLAN AS FAR
01:14:30PM AS CHANGES TO TRAFFIC SIGNAL TIMING U.S 41 AND COCONUT WILL
01:14:37PM REQUIRE FDOT APPROVAL AND THE NORTHBOUND LEFT-TURN LANE
01:14:47PM GOING NORTH ON U.S 41 A SECOND NORTHBOUND TURN LANE FROM U.S
01:14:53PM 41 ON TO COCONUT ROAD SOMETHING AS PART OF THE CAPITAL
01:14:59PM IMPROVEMENT PROGRAM AND ALREADY SOMETHING THAT THE CITY OR
01:15:02PM THE VILLAGE IS TENTATIVELY PROPOSING AND SO THE DEVELOPER
01:15:06PM WOULD PAY THEIR FAIR SHARE OF THAT.
01:15:11PM >>George Zalucki: A LEFT-HAND TURN LANE ON U.S. 41 GOING
01:15:16PM WEST ON COCONUT.
01:15:18PM I HAVE DRIVEN OUT THERE.
01:15:20PM >> THERE WILL BE ONE.
01:15:21PM AN ADDITIONAL ONE.
01:15:22PM >>George Zalucki: WHERE WOULD YOU PUT THAT?
01:15:25PM >> I KNOW IT LOOKS NARROW, BUT IT IS KIND OF CUT OFF.
01:15:35PM >>George Zalucki: I DROVE THERE YESTERDAY, AND I HAVE

01:15:40PM GOT GPS.
01:15:40PM I AM NOT AN ENGINEER, FOUR FEET OF CONCRETE CURB.
01:15:45PM I DON'T KNOW WHERE YOU PUT AN EXTRA TURN LANE.
01:15:48PM MAYBE IT CAN BE REDESIGNED BUT FROM A LAYMAN'S PERSPECTIVE,
01:15:51PM I DON'T VISUALIZE THAT.
01:15:53PM ANYBODY TALK TO FDOT RELATIVE TO THAT DETAIL?
01:15:57PM >> WE DIDN'T MENTION THE LANE WIDTH OR THE WIDTH OF THE
01:16:03PM PAVEMENT, BUT I IMAGINE THERE IS AVAILABLE SPACE.
01:16:05PM >> SO AS I UNDERSTOOD, THE LEFT-TURN LANE HAS ALREADY BEEN
01:16:11PM PROPOSED BY THE VILLAGE.
01:16:12PM SO I WOULD -- WE WOULD HAVE TO LOOK AT THE ACTUAL GEOMETRY
01:16:17PM OF THE LAYOUT.
01:16:18PM REDUCTION IN TRAVEL LANE WIDTHS ACROSS THE ROADWAY TO
01:16:23PM ACCOMMODATE THAT ADDITIONAL LANE WIDTH WITHOUT MEASURING THE
01:16:29PM MEDIAN LANE WIDTH, HARD TO ANSWER THAT QUESTION ON TOP OF
01:16:33PM OUR HEAD, COMMISSIONER.
01:16:35PM >>George Zalucki: THANK YOU.
01:16:35PM LET'S SAY WE HAVE A LEFT-HAND TURN LANE AND THEN HAVE TWO.
01:16:40PM TURNING ON TO COCONUT ROAD.
01:16:41PM TWO LANES FROM U.S. 41.
01:16:45PM THE TWO RIGHT LANES TURN INTO WALDEN, THAT'S CORRECT?
01:16:50PM >> CORRECT.
01:16:51PM >>George Zalucki: A LEFT-HAND TURN READY TO GO ACROSS
01:16:56PM WALDEN.
01:16:56PM ONE CENTER LANE.
01:16:59PM WHAT I AM TRYING TO UNDERSTAND IF THERE IS AN ADDITIONAL
01:17:02PM LEFT-TURN LANE, WHERE IS THE BOTTLENECK.
01:17:05PM WHERE IS THAT TRAFFIC TURNING UP?
01:17:08PM IS THAT SOLVING A PROBLEM OR A LITTLE WESTBOUND DOWN COCONUT
01:17:13PM ROAD.
01:17:13PM DOES THAT MAKE SENSE?
01:17:15PM MY QUESTION WOULD BE IS THERE ANY DISCUSSION OF WIDENING
01:17:19PM COCONUT OF THE DEVELOPMENT ENTRANCE AT WALDEN TO DIFFUSE
01:17:24PM SOME TRAFFIC INTO THE -- INTO THE NEIGHBORHOOD, THE PROPOSED
01:17:29PM NEIGHBORHOOD AND KEEP THAT MIDDLE LANE OPEN.
01:17:32PM AND THEN IF WE HAVE A LEFT-HAND TURN LANE, IT WILL BE ABLE
01:17:36PM TO BE UTILIZED AND BLENDED INTO THAT STREET SEAMLESSLY.
01:17:44PM >> MAYBE INSTALLED IS WHAT YOU ARE TRYING TO EXPLAIN.
01:17:47PM THERE ARE TWO LANES ON COCONUT AND TURNS INTO THREE AND HERE
01:17:51PM IS AN ENLARGED VIEW.
01:17:53PM MIDDLE THRU LANE, RIGHT HAND LANE AND LEFT-HAND TURN.
01:17:58PM >>George Zalucki: TODAY.
01:17:59PM >> CORRECT.
01:18:00PM TWO LANES OFF OF U.S. 41 TO COCONUT.
01:18:03PM TWO LANES THEY CAN CHOOSE, THE RIGHT LANE OR THE INSIDE
01:18:06PM LANE.
01:18:06PM CHOOSE THE INSIDE LINE TURNS INTO WALDEN.
01:18:11PM YOU SEE WHAT I AM SAYING?

01:18:13PM THERE WILL BE SCRAMBLING TO GET THE TRAFFIC BACK IN THE
01:18:16PM CENTER LANE IF YOU WANT TO GO BACK ON COCONUT.
01:18:19PM >> A LANE DROP.
01:18:20PM >>George Zalucki: A LANE DROP AND A BUSY INTERSECTION.
01:18:23PM ANY THOUGHT OF RELIEVING THAT PINCH POINT?
01:18:28PM >> I DON'T -- WELL, WE HAVE NOT LOOKED AT THAT.
01:18:31PM I THINK IT IS MORE AN ISSUE OF PEOPLE KNOWING WHERE THEY ARE
01:18:34PM GOING.
01:18:35PM OBVIOUSLY, THE RESIDENTS THAT DRIVE THIS EVERY DAY KNOW THAT
01:18:38PM THEY HAVE TO PICK A LANE, RIGHT.
01:18:39PM THEY WILL EITHER PICK THE LEFT LANE IF THEY ARE DOING A LEFT
01:18:43PM OR A THRU.
01:18:45PM IF THEY ARE GOING TO THE DEVELOPMENT, THE RIGHT OUTERMOST
01:18:51PM LANES.
01:18:51PM PEOPLE GOING IN THE AREA, IF THEY DON'T HAVE THEIR GPS ON,
01:18:57PM THEY MAY END UP STUCK.
01:18:59PM >>George Zalucki: WHAT THE BENEFIT OF AN ADDITIONAL
01:19:02PM LEFT-TURN LANE WILL BE IF THEY HAVE A BOTTLENECK 100 YARDS
01:19:06PM DOWN THE ROAD ON COCONUT.
01:19:08PM THAT'S HOW I AM LOOKING AT IT.
01:19:10PM I DON'T KNOW THE BENEFIT WHEN IT CREATES CONGESTION FEW
01:19:15PM BLOCKS DOWN.
01:19:15PM >> YOU DROP IT SOMEWHERE.
01:19:16PM >>George Zalucki: DROP IT OR WIDEN IT.
01:19:18PM THANK YOU FOR THAT.
01:19:23PM I HAVE A COUPLE MORE QUESTIONS RELATIVE TO THE TRAFFIC.
01:19:27PM ELIZABETH, YOU MENTIONED IN YOUR REPORT THAT THE TRIP GEN
01:19:31PM USED IS MUD.
01:19:33PM >> STANDS FOR MIXED USE DEVELOPMENT.
01:19:36PM >>George Zalucki: OKAY.
01:19:38PM LIKE AN UPDATED METHODOLOGY?
01:19:42PM >> IT IS.
01:19:43PM A TOOL WE DEVELOPED.
01:19:44PM I THINK WE PARTNERED WITH A UNIVERSITY TO DEVELOP IT.
01:19:47PM I DON'T REMEMBER THE NAME OF THE UNIVERSITY.
01:19:49PM WE ACTUALLY VALIDATED IT IN DIFFERENT DEVELOPMENTS ACROSS
01:19:53PM THE UNITED STATES.
01:19:54PM TYPICALLY, ITE GENERATES HIGHER TRIPS THAN WHAT A
01:20:00PM DEVELOPMENT WOULD ACTUALLY GENERATE, WHICH WAS PART OF THE
01:20:02PM REASON THAT WE DEVELOP MXD IN THE FIRST PLACE.
01:20:07PM BUT IN THIS CASE, IT GENERATES MORE.
01:20:10PM IN OUR VALIDATION STUDIES, WHEN IT WAS GENERATING MORE TRIPS
01:20:16PM THAN ITE, THE HIGHER TRIP GEN WAS MORE ACCURATE.
01:20:21PM CLOSER TO WHAT THE DEVELOPMENT WAS GENERALLY GENERATING.
01:20:25PM WE THOUGHT IT WAS THE MOST CONSERVATIVE AND MOST ACCURATE
01:20:29PM GENERATION TO USE FOR THE DEVELOPMENT.
01:20:31PM >>George Zalucki: OKAY.
01:20:31PM THANK YOU FOR EXPLAINING THAT.

01:20:33PM SO THE QUESTION WILL BE, WAS THAT USED FOR THE LEE HEALTH
01:20:37PM TRIP GEN AS WELL?
01:20:39PM >> IT WAS.
01:20:40PM >>George Zalucki: BOTH METHODOLOGIES WERE USED?
01:20:43PM >> FOR LEE HEALTH BUT NOT THE APPROVED COCONUT CROSSING.
01:20:46PM >>George Zalucki: OKAY.
01:20:47PM THAT'S ALL I HAVE FOR TRAFFIC RIGHT NOW.
01:20:54PM THANK YOU.
01:20:54PM >>Mayor McLain: ANY OTHER QUESTIONS ON ANY SUBJECTS THAT WE
01:20:59PM TALKED ABOUT?
01:21:00PM VICE-MAYOR.
01:21:01PM >>Vice-Mayor Ribble: TO EXPOUND ON WHAT GEORGE WAS SAYING OF
01:21:05PM THE TWO LEFT TURNING LANES.
01:21:06PM I BELIEVE -- AND I BELIEVE YOU DO TOO THAT THAT SECOND TURN
01:21:11PM LANE WILL BE NECESSARY ONLY BECAUSE THE MAJORITY OF THE
01:21:14PM POPULATION COMING NORTHBOUND THAT LIVE IN THIS DEVELOPMENT,
01:21:16PM THAT IS THE ONE THEY WILL CHOOSE.
01:21:18PM AND TO NOT TO CREATE A BACK -UP MORE THAN WHAT IS ALREADY ON
01:21:23PM 41 DURING THOSE PEAK TIME HOURS WHEN PEOPLE ARE RETURNING
01:21:27PM FROM WORK AND GOING HOME.
01:21:29PM THEY ALSO -- THE -- THE LEFT HAND TURNING LANE THAT WILL
01:21:35PM TURN GOING NORTHBOUND INTO SERESE IS ALSO IMPERATIVE.
01:21:40PM WHAT BOTHERS ME ABOUT THE WHOLE THING IS ALL THESE UNKNOWNS
01:21:43PM FALL INTO FDOT'S LAP.
01:21:46PM YOU SEEM CONFIDENT THEY WILL GIVE YOU THE TURNING LANES, AND
01:21:50PM I SURE HOPE THEY DO, BUT I KNOW ONE OF THE CONDITIONS SAYS
01:21:53PM IF NONE OF THESE THINGS HAPPEN, THAT YOU ARE GOING TO HAVE
01:21:57PM COME UP WITH A PLAN B.
01:21:58PM I KNOW IT IS TOO SOON FOR YOU TO THINK ABOUT THAT UNTIL YOU
01:22:01PM HAVE THESE QUESTIONS ANSWERED.
01:22:02PM BUT I HOPE THAT IN THE BACK OF YOUR FIND, YOU ARE THINKING,
01:22:08PM WHAT ELSE CAN WE DO IF NONE OF THESE HAPPEN.
01:22:14PM WHAT IS ALSO APPARENT AND I HOPE YOU MAKE IT PART OF YOUR
01:22:19PM CONVERSATION WITH FDOT.
01:22:21PM THIS WHOLE THING AT THIS CORNER IS THAT LIGHT AT PELICAN
01:22:26PM BOULEVARD AND 41.
01:22:27PM WE STARTED THAT PROCESS WITH FDOT THREE YEARS AGO WHEN THAT
01:22:32PM LIGHT WAS PAID FOR AND THE PROGRAM WAS STARTED.
01:22:37PM WE HAVE BEEN WAITING FOR THREE YEARS AND THAT LIGHT ISN'T
01:22:40PM UP.
01:22:40PM THE VILLAGE IS DOING WHAT THEY CAN TO MOVE IT ALONG WITHOUT
01:22:44PM ANY SUCCESS.
01:22:45PM AND I WOULD URGE TO YOU PLEASE KEEP THAT AS PART OF YOUR
01:22:48PM PROJECT BECAUSE IT WILL RELIEVE A LOT OF YOUR TRAFFIC
01:22:53PM ESPECIALLY WHEN YOU ARE TURNING -- GOING EASTBOUND, THE
01:22:57PM RIGHT HAND -- RIGHT NOW THAT A DESIGNATED RIGHT-TURN LANE
01:23:01PM ONLY GOING 41 SOUTH.
01:23:03PM IF YOU MAKE IT BOTH, STRAIGHT AND SOUTH WITHOUT THAT LIGHT

01:23:10PM ON PELICAN COLONY BOULEVARD, THAT LIGHT -- THAT LANE WILL
01:23:14PM BACK UP TREMENDOUSLY.
01:23:15PM I THINK THE SUCCESS OF WHAT YOU ARE TRYING TO DO HERE
01:23:18PM DEPENDS ON THAT LIGHT, AND I PLEASE URGE YOU TO PUSH FOR
01:23:22PM THAT AS MUCH AS YOU CAN BECAUSE WE HAVE NOT HAD SUCCESS
01:23:26PM DOING IT.
01:23:26PM >> WE HAD A DISCUSSION WITH FDOT MAYBE SIX WEEKS AGO.
01:23:30PM AND WE PROPOSED THE SAME TURN LANES THE RIGHT DESIGNATED
01:23:39PM TURN LANES AND THE LEFT-TURN LANE WHICH WAS PREVIOUSLY
01:23:41PM APPROVED BY FDOT.
01:23:43PM AND THEY WERE SUPPORTIVE OF PREAPPROVING THEM AND WE BROUGHT
01:23:49PM THE TRAFFIC LIGHT AT PELICAN LANDING AND THEY SAID IT WAS
01:23:54PM BACK IN THE APPLICANT'S HAND BUT THEY HAVE A PRETTY
01:23:59PM DIFFICULT PROCESS AND THEY INDICATED IT WAS OUT OF THEIR
01:24:10PM HAND.
01:24:10PM >>Vice-Mayor Ribble: THEY SAID THEY WOULD BE DOING THE TURN
01:24:15PM LANE.
01:24:16PM >> THAT WILL BE NEEDED.
01:24:17PM >>Vice-Mayor Ribble: THAT WILL TAKE OFF THE PRESSURE FROM
01:24:19PM THE LEFT LANE AT COCONUT.
01:24:20PM THANK YOU.
01:24:22PM >>Mayor McLain: LOOKS LIKE WE HAVE EVERYBODY SATISFIED.
01:24:25PM I HAVE ONE QUESTION.
01:24:26PM WE DIDN'T TALK ABOUT BICYCLES.
01:24:29PM AND I MENTIONED BICYCLES.
01:24:31PM DO YOU HAVE ANY COMMENTS ON -- WE TALKED OF SAFE STREETS,
01:24:34PM WHICH MAY BE A LITTLE OVERKILL IN HERE, BUT HOW DO YOU
01:24:36PM ACCOMMODATE BICYCLES, TRAFFIC IN AND OUT OF YOUR DEVELOPMENT
01:24:40PM THAT YOU ARE PROPOSING?
01:24:45PM >> WE MAY GO BACK TO ONE OF THE RENDERINGS THAT WILL SHOW
01:24:48PM IT.
01:24:49PM WE HAVE THE TEN-FOOT-WIDE SIDEWALKS THAT RUN ALONGSIDE
01:24:53PM COCONUT.
01:24:53PM TURNS UP U.S. 41.
01:24:55PM WE DIDN'T WANT TO MAKE THE COMMITMENT IN THIS TO ENLARGE THE
01:25:00PM SIDEWALK WITHIN THE FDOT RIGHT-OF-WAY.
01:25:03PM AND THEY WERE SUPPORTIVE OF US TRYING TO WIDEN THAT.
01:25:07PM WE HAVE A MULTIUSE PATH GOING INTO THE SITE.
01:25:12PM THEY FIND THAT STREET REAL QUICKLY.
01:25:18PM ONE MORE.
01:25:18PM ACCESS POINT B, THAT THICK BLUE LINE THAT IS A TEN-FOOT WIDE
01:25:27PM MULTIUSE PATH MOVING INTO THE CENTRAL PARK AREA ALONG WITH A
01:25:32PM TEN-FOOT-WIDE MULTIUSE PATH GOING ALONG THE WEST AND NORTH.
01:25:37PM IT IS INDICATED CORRECTLY ON THIS DIAGRAM.
01:25:42PM >>Mayor McLain: THAT CONNECTS TO THE GREENWAY BACK THERE.
01:25:46PM THE TEN-FOOT AREA.
01:25:47PM >> THE INTENTION TEN-FOOT-WIDE MULTIUSE PATH AROUND THE SITE
01:25:53PM AND GOING THROUGH THE MIDDLE OF THE SITE.

01:25:54PM >>Mayor McLain: THERE ARE GOING TO BE PINCH POINTS FOR THAT.
01:26:01PM ONE OF YOUR ACCESS POINT D WHICH WILL BE A MAJOR AREA IN
01:26:05PM THERE.
01:26:05PM IF PEOPLE ARE IN THE WEST -- FAR WEST SIDE THERE WHERE IT
01:26:10PM KIND OF DEAD-ENDS THE TEN-FOOT BIKEWAY.
01:26:14PM NO WAY FOR THEM -- MAYBE NOT A REASON FOR THEM TO GO EAST TO
01:26:18PM THE PARKING SPACE.
01:26:18PM MAYBE IT IS EASIER TO STAY IN THE RETAIL HOTEL AREA, NOT TO
01:26:24PM GO INTO THE HOUSING AREA IN THERE.
01:26:29PM YOU WILL HAVE SOME BIKES IN TRAFFIC LANES I AM SURE.
01:26:33PM >> WE WILL WELCOME IT, AND CERTAINLY AS WE GET INTO THE
01:26:36PM LANDSCAPE DESIGN, WE WILL INCORPORATE PLACES FOR THE BIKES
01:26:40PM TO PARK.
01:26:41PM >>Mayor McLain: OKAY, THANK YOU.
01:26:42PM I THINK MAYBE WE ASKED ALL THE QUESTIONS AND NANCY IF YOU --
01:26:47PM MARY HAS SOME.
01:26:48PM >> MAY I MAKE A COUPLE OF COMMENTS AND THEN TURN IT OVER TO
01:26:55PM NANCY.
01:26:55PM TALKED ABOUT THE DEVIATION.
01:26:58PM A LOT OF PEOPLE THINK THAT DEVIATION IS A BAD THING.
01:27:02PM THEY ARE NOT ALWAYS A BAD THING.
01:27:04PM YOU GET A PLANNED DEVELOPMENT LARGER PROJECT, FLEXIBILITY
01:27:07PM AND IT IS VERY COMMON TO ASK FOR DEVIATIONS.
01:27:11PM SO -- WOODFIELD HAS A 45-ACRE SITE AND ASKED FOR SIX
01:27:16PM DEVIATIONS.
01:27:16PM JUST TO PUT THIS IN COMPARISON.
01:27:18PM WHEN WE FIRST DID GENOVA.
01:27:21PM SOME OF YOU OR MAY NOT REMEMBER 16 ACRES.
01:27:24PM IT WILL 19 DEVIATIONS.
01:27:27PM WHAT WOODFIELD IS ASKING FOR IS PRETTY REASONABLE AND LOW
01:27:31PM AMOUNT FOR THIS SIZE PROJECT.
01:27:33PM I ALSO WANT AGAIN TO TOUCH ON THE PARKING DEVIATION BECAUSE
01:27:37PM I KNOW THAT MADE EVERYBODY A LITTLE BIT NERVOUS.
01:27:40PM I ANALYZED THAT IN QUITE A BIT OF DETAIL.
01:27:42PM THEY PROVIDED A VERY DETAILED STUDY THAT SHOWS ALL THE TIMES
01:27:49PM AND ALL THE SQUARE FOOTAGE AND USES AND WHAT THE DEVELOPER
01:27:53PM ASKED FOR WAS NOT THE MAXIMUM.
01:27:54PM SO THEY DO ARE A LITTLE BIT OF EXTRA CONSERVATIVE VALUES IN
01:28:00PM THERE.
01:28:00PM THE LEE HEALTH WHEN THEY CAME IN.
01:28:02PM THEY ASKED FOR DEVIATION THAT WAS MUCH LARGER THAN WHAT
01:28:08PM WOODFIELD WAS ASKING FOR PARKING.
01:28:10PM I AM COMFORTABLE WITH THE PARKING DEVIATION.
01:28:12PM I THINK THAT WILL WORK.
01:28:13PM I ALSO WANT TO MENTION BECAUSE SO MANY PEOPLE KEEP TALKING
01:28:16PM OF INDEPENDENT TRAFFIC STUDY.
01:28:18PM THAT WE, OF COURSE, DID A COCONUT ROAD STUDY.
01:28:22PM DAVID IS HERE, AND HE RECALLS THE COCONUT ROAD STUDY.

01:28:26PM WE HAVE IN OUR CIP UPCOMING TO REDUCE THE VILLAGE WIDE
01:28:31PM TRAFFIC STUDY THAT WILL INCLUDE COCONUT ROAD.
01:28:33PM WHEN WE DID THE COCONUT ROAD STUDY.
01:28:37PM EVERYBODY IS TALKING OF DEVELOPMENTS.
01:28:39PM BUT SOME THAT WERE PENDING AND NOW APPROVED.
01:28:42PM OUR STUDY IS VERY CONSISTENT WITH THEIR STUDY.
01:28:45PM EVEN THOUGH A 14% INCREASE ON COCONUT ROAD, IT IS NOT
01:28:49PM AFFECTING THE LEVEL OF SERVICE, BUT WE DO -- EVERYBODY
01:28:53PM THINKS NO INDEPENDENT STUDY DONE AND WE DID HAVE OURS THAT
01:28:56PM BE COMPARE TO.
01:28:57PM SO I WANTED TO CLEAR THAT UP.
01:28:59PM AND THEN THERE WAS A QUESTION WHICH I THINK WAS A GOOD POINT
01:29:03PM ABOUT THE MASSING OF THE BUILDINGS ON COCONUT GROVE BECAUSE
01:29:06PM THEY ARE A LITTLE BIT TALLER AND NANCY WROTE UP SUGGESTED
01:29:14PM LANGUAGE FOR THE DESIGN REVIEW BOARD TO LOOK AT SO WE CAN
01:29:16PM ADDRESS THAT.
01:29:17PM AND NANCY HAS -- WHENEVER YOU ARE READY, SUGGESTIVE LANGUAGE
01:29:23PM CHANGES BASED ON SOME OF THE TOPICS WE TALKED ABOUT BEFORE
01:29:26PM THE BREAK.
01:29:27PM >>Mayor McLain: I THINK WE ARE READY.
01:29:30PM >>Nancy Stroud: THANK YOU, MAYOR McLAIN.
01:29:34PM WHILE THIS IS A GREAT DISCUSSION, I HOPE WE HAVE ALL THE
01:29:37PM COMMENTS WITH MARY AND STEVE'S HELP.
01:29:39PM AND WE -- IN CONSULTATION WITH THE APPLICANT, WE HAVE COME
01:29:43PM UP WITH SOME CHANGES THAT THE COUNCIL ADOPTS IN THE
01:29:48PM ORDINANCE.
01:29:49PM IF YOU HAVE THE ORDINANCE IN FRONT OF YOU, I WILL GO THROUGH
01:29:52PM THEM ON PAGE 7, PARAGRAPH 13, WHICH IS RELATED TO THE
01:30:09PM PATTERN BOOK RECOGNIZING THERE HAS BEEN SOME CHANGES
01:30:21PM PROPOSED AND AGREED TO THAT WOULD MODIFY THE PATTERN BOOK A
01:30:28PM LITTLE BIT.
01:30:35PM WE ARE PROPOSING TO SAY -- TO ADD TO THE FIRST SENTENCE THAT
01:30:44PM SAYS THE PROJECT MUST BE WITH THE PATTERN BOOK OF ESTERO
01:30:50PM PLANNING BOOK DATED JUNE 2023 ACCEPT AS MODIFIED BY THIS
01:31:03PM ORDINANCE.
01:31:04PM SO EVERYTHING THAT WE ARE REQUIRING IN THE ORDINANCE, YOU
01:31:08PM KNOW, WE WOULD -- WE WOULDN'T GO BACK TO THE PATTERN BOOK TO
01:31:16PM LOOK FOR IT.
01:31:17PM IT WOULD PRE-EFFORT WHATEVER IS IN THE PATTERN BOOK.
01:31:22PM THEN IN THE SECOND PARAGRAPH RELATED TO ARCHITECTURAL
01:31:33PM MASSING -- FIVE, SIX, SEVEN, EIGHT, THE EIGHTH -- A PERIOD
01:31:47PM AFTER SEATING AREAS.
01:31:48PM THE FIRST SENTENCE WILL SAY THE CENTRAL GREEN PARK SHOWN ON
01:31:51PM THE MASTER CONCEPT PLAN SHALL BE DESIGNED TO INCLUDE TREES
01:31:58PM AND SEATING AREA.
01:31:59PM PERIOD.
01:32:00PM THE PARK -- THE PARK SHALL FEATURE A COMBINATION OF
01:32:07PM LANDSCAPE AND HARD SCAPE TO BALANCE LARGE-BASED -- LARGE

01:32:13PM OPEN AREAS WITH SMALLER MORE INTIMATE ONES THAT RESPOND TO
01:32:20PM THE CONCERN THAT THERE IS GOING TO BE A BIG FOOTBALL FIELD
01:32:24PM OUT THERE AND NOT A BREAKING UP OF THE SPACE.
01:32:26PM THEN WE WOULD ALSO ADD A NEW PARAGRAPH E TO SAY THE INTERIOR
01:32:35PM OF THE DEVELOPMENT SHALL INCLUDE A WATER FEATURE OR
01:32:43PM FEATURES.
01:32:44PM GOING ON TO PROJECT PHASING WHICH IS PARAGRAPH 18.
01:32:52PM ON PARAGRAPH B, WE WOULD ADD THE SENTENCE "NO MORE THAN 300
01:33:03PM RESIDENTIAL C.O.s MAY BE APPROVED UNTIL THE HOTEL IS UNDER
01:33:08PM CONSTRUCTION."
01:33:09PM THIS WILL BE A WAY FOR MAKING SURE THAT THE HOTEL IS NOT IN
01:33:13PM FRONT OF THE PROJECT.
01:33:14PM THEN IN PARAGRAPH G OF -- SUBPARAGRAPH G OF PARAGRAPH 18, WE
01:33:27PM WOULD MODIFY THE SENTENCE TO SAY, ALL PHASES OF THE PROJECT
01:33:33PM MAY BE BUILT CONCURRENTLY AS LONG AS THE MINIMUM PUBLIC
01:33:37PM COMPONENTS AND COMMERCIAL SPACES IN THAT PHASE HAVE BEEN
01:33:42PM INCORPORATED.
01:33:42PM WE WOULD BE SURE THAT THERE IS A MIX IN EACH PHASE, EVEN IF
01:33:48PM THE WHOLE -- ALL PHASES ARE DEVELOPED CONCURRENTLY TO MAKE
01:33:55PM SURE IT STAYS A MIXED USE PROJECT.
01:33:57PM AND THEN FINALLY PARAGRAPH 30 RELATED TO SPECIFIC SPACE.
01:34:06PM WE WOULD ADD SENTENCE TO SAY "THAT THE CIVIC SPACE SHALL BE
01:34:12PM A MINIMUM OF 4500 SQUARE FEET AND SHALL BE A MAXIMUM OF
01:34:18PM 6,000 SQUARE FEET."
01:34:20PM SO THE APPLICANT HAS AGREED TO EXPAND THE MINIMUM.
01:34:24PM AND THAT WOULD BE ALL THE CHANGES THAT WE DISCUSSED.
01:34:30PM >>Mayor McLain: SO THE APPLICANT HAS AGREED TO ALL THOSE
01:34:33PM CHANGES THAT YOU JUST READ.
01:34:34PM BASED ON THAT, I THINK WE ARE MAYBE -- DO WE HAVE ANY
01:34:41PM FURTHER DISCUSSION?
01:34:44PM WE CLOSED THE PUBLIC HEARING PORTION OF IT.
01:34:46PM YOU DIDN'T DO ANY REBUTTAL ON IT.
01:34:49PM WE HAVE NEW CHANGES THAT WE JUST HEARD, SO I THINK WE ARE AT
01:34:52PM A POINT WHERE WE COULD TAKE A NOMINATION TO APPROVE THE
01:34:59PM PROJECT.
01:35:00PM ANY COUNCILMEMBERS WHO WOULD LIKE TO MAKE AN AMENDMENT TO
01:35:08PM THIS WITH ALL THE CHANGES THAT NANCY JUST WRITTEN.
01:35:12PM >> MR. MAYOR, I HAVE ONE QUESTION BEFORE WE GO TO A VOTE.
01:35:16PM MARY, ANY CONDITIONS RELATIVE TO THE TRAFFIC -- NOT JUST THE
01:35:22PM STUDY.
01:35:22PM YOU KIND OF MADE THE POINT ON THE STUDY, BUT ANY CONDITIONS
01:35:26PM RELATIVE TO FDOT APPROVAL.
01:35:29PM ANY CONTINGENCIES DEPENDING ON WHETHER WE GET THAT APPROVAL
01:35:34PM TO TAKE CARE OF, REMEDY SOME OF THE CONCERNS WE HAVE WITH
01:35:37PM TRAFFIC FLOW?
01:35:39PM >>Mary Gibbs: I THINK WE HAVE THAT COVERED IN THE
01:35:41PM CONDITION, THE TRANSPORTATION CONDITION THAT SAYS IF THOSE
01:35:44PM -- IF THOSE TURN LANES ARE NOT APPROVED AS THEY HOPE -- WE

01:35:47PM ALL HOPE THEY WILL BE APPROVED, THEN THEY WILL HAVE TO DO A
01:35:51PM REANALYSIS TO SEE WHAT THE IMPACT WILL BE, AND THEY WILL
01:35:53PM HAVE TO BE APPROPRIATE MITIGATION.
01:35:55PM SO IT WILL HAVE TO BE LOOKED AT.
01:35:57PM SO WE WILL HOPEFULLY WORK WITH THEM AND FDOT TO GET THAT
01:36:04PM APPROVED AND HOPEFULLY WOULDN'T HAVE TO DEAL WITH THAT.
01:36:08PM >> THANK YOU FOR THAT.
01:36:09PM HOW ABOUT THE QUESTION THAT DID ARISE OF THE DIFFERENCE
01:36:11PM BETWEEN PERHAPS A ROUNDABOUT AND A TRAFFIC LIGHT?
01:36:15PM >>Mary Gibbs: THE LANGUAGE IN THE ORDINANCE IS FINE AND
01:36:17PM SAYS -- THEY WILL PARTICIPATE IN EITHER-OR.
01:36:20PM I THINK THAT DAVID WILLEMS, OUR PUBLIC WORKS DIRECTOR,
01:36:25PM PROBABLY THINKS IT WILL BE A TRAFFIC SIGNAL BECAUSE
01:36:29PM RIGHT-OF-WAY CONSTRAINTS.
01:36:30PM EVEN THOUGH PLANNING ZONING AND DESIGN BOARD SEEM TO THINK
01:36:34PM IT WAS BETTER, RIGHT-OF-WAY CONSTRAINTS THAT WILL PROBABLY
01:36:37PM MAKE IT DIFFICULT TO DO A ROUNDABOUT HERE.
01:36:39PM WE ARE THINKING IT WILL PROBABLY BE A TRAFFIC LIGHT.
01:36:42PM >> OKAY, THANK YOU.
01:36:45PM >>Mayor McLain: ANY OTHER COMMENTS?
01:36:47PM IF NOT, I WILL ENTERTAIN A MOTION WITH ORDINANCE 2023-06 TO
01:36:52PM INCORPORATE ALL THE DISCUSSIONS THAT NANCY HAD MADE.
01:36:56PM SO I HAVE A MOTION?
01:36:59PM MOTION BY COUNCILMAN FIESEL HAS MADE THE MOTION.
01:37:04PM I AM LOOKING FOR A SECOND.
01:37:05PM SECONDED BY --
01:37:07PM >> MAYOR, JUST TO BE SURE SINCE IT IS A QUASI-JUDICIAL JUST
01:37:18PM TO BE CLEAR.
01:37:19PM THAT THE APPLICANT HAS AGREED TO THE CHANGES THAT WILL BE
01:37:21PM MOST ADVANTAGEOUS THAT THE APPLICANT STAND UP AND CONFIRM
01:37:26PM THAT BEFORE YOU ALL VOTED.
01:37:32PM >> WE AGREE TO THE CHANGES, THANK YOU.
01:37:35PM >>Mayor McLain: DO I HAVE TO DO ANOTHER MOTION?
01:37:38PM MADAM CLERK, TAKE THE ROLL.
01:37:39PM >>Larry Fiesel: AYE.
01:37:41PM >>Lori Fayhee: AYE.
01:37:43PM >>Jim Ward: AYE.
01:37:49PM >>George Zalucki: AYE.
01:37:50PM >>Vice-Mayor Ribble: AYE.
01:37:53PM >>Mayor McLain: AYE.
01:37:54PM ALL RIGHT.
01:37:58PM THANK YOU, ALL.
01:37:59PM SO NOW WE ARE GOING -- WE ARE NOT GOING -- WE WERE GOING TO
01:38:04PM TAKE A BREAK BUT SINCE WE WENT A LITTLE LONG IN THAT.
01:38:07PM JUMP RIGHT INTO THE NEXT AGENDA ITEM WHICH IS 6-H, THE
01:38:12PM ENTERTAINMENT DISTRICT OUR VILLAGE MANAGER HAS BEEN SILENT
01:38:21PM BUT CAN YOU INTRODUCE THIS ITEM.
01:38:22PM >>Steve Sarkozy: ABSOLUTELY.

01:38:23PM BACK IN FEBRUARY, THE VILLAGE COUNCIL HAD A PUBLIC-PRIVATE
01:38:28PM PROCESS ON APPROXIMATELY 20 ACRES THAT THE VILLAGE OWNS ON
01:38:32PM WILLIAMS ROAD.
01:38:33PM AND THE TARGETED DEVELOPMENT IN THAT AREA WAS PICKLEBALL AND
01:38:38PM OTHER -- OTHER ENTERTAINMENT RELATED ACTIVITIES THAT WOULD
01:38:46PM PROVIDE ENTERTAINMENT OPTIONS, RECREATIONAL OPTIONS FOR THE
01:38:50PM VILLAGE AS WELL AS REVENUE GENERATING POTENTIAL.
01:38:53PM WE HAVE CONCLUDED THAT AND HAVE BEEN IN NEGOTIATIONS WITH
01:38:56PM THE TWO FINALISTS AND WE ARE HERE TODAY TO GET AN APPROVAL
01:39:02PM OF A TERM SHEET THAT WILL CARRY US THROUGH THE SUMMER,
01:39:07PM ALLOWING US TO COME UP WITH FINAL LEGAL DOCUMENTS FOR THE
01:39:11PM PUBLIC-PRIVATE PARTNERSHIP AND ALSO IMPORTANTLY TO BEGIN THE
01:39:17PM DESIGN OF THE PRIVATE SPACES, AS WELL AS THE PUBLIC
01:39:22PM INFRASTRUCTURE.
01:39:22PM SO THAT IS THE STEP THAT WE ARE AT TODAY.
01:39:25PM IT IS AN IMPORTANT STEP, BUT I WOULD LIKE TO TURN THIS OVER
01:39:29PM TO MICHAEL CAMPRADO, WHO IS THE PRINCIPAL WHO IS OUR
01:39:35PM CONSULTANT ON THIS PROJECT.
01:39:37PM SO MICHAEL.
01:39:39PM >> THANK YOU, STEVE.
01:39:40PM GOOD AFTERNOON, EVERYONE.
01:39:42PM YOU LOOK VERY WEARY.
01:39:46PM [LAUGHTER]
01:39:47PM UNDERSTANDABLY.
01:39:48PM FIRST OF ALL, MIKE CAMPRADO, SOUND WAY, ESTERO.
01:39:55PM I WOULD LIKE TO SAY THAT.
01:39:56PM WE HAVE BEEN PRIVILEGED TO WORK WITH VILLAGE STAFF AND STEVE
01:40:02PM ON THIS EXCITING PROJECT OVER THE LAST SEVERAL MONTHS AS HE
01:40:05PM ALLUDED TO.
01:40:06PM HE MADE A VERY GOOD POINT.
01:40:08PM BUT BEFORE I DO THAT, I WANT TO THANK THE COUNCIL FOR BEING
01:40:11PM SO DILIGENT.
01:40:12PM BEING SO ATTENTIVE AND INVOLVED.
01:40:16PM JUST INPUT AS WELL AS THE INPUT FROM THE OVERALL COMMUNITY
01:40:20PM AND ALL THE VARIOUS INFORMATION SESSIONS AND STAKEHOLDER
01:40:23PM GROUPS, FOCUS GROUPS HAVE BEEN EXTRAORDINARY SPECIAL TO HELP
01:40:26PM US SAFE AND FORM THIS ENTERTAINMENT DISTRICT AS IT CONTINUES
01:40:30PM TO EVOLVE.
01:40:31PM THANK YOU FOR ALL OF YOUR ATTENTION AND INPUT.
01:40:33PM IT IS VERY MUCH APPRECIATED AND VERY I VEER ABOUT THAT.
01:40:37PM AT THE VERY HIGH LEVEL.
01:40:39PM I WANT TO START, FIRST, TO REINFORCE STEVE'S POINT WHERE WE
01:40:43PM ARE, WHY WE ARE HERE AND WHERE WE ARE GOING NEXT.
01:40:46PM I AM GOING TO DO SO IN TWO DIFFERENT WAYS.
01:40:49PM FIRST OF ALL, WE WERE AT -- WHAT I WOULD CONSIDER TO BE A
01:40:53PM VERY BINARY DECISION POINT TO MAKE.
01:40:56PM WE CAN BE VERY LINEAR IN OUR APPROACH.
01:40:59PM AND WE COULD TAKE ADDITIONAL TIME AND ADDITIONAL WORK

01:41:04PM LEGALLY WORKING WITH THE VILLAGE ATTORNEY ON THE DEFINITIVE
01:41:09PM PRIVATE-PUBLIC AGREEMENTS THAT WE WILL ENTER INTO.
01:41:13PM OUR TARGET DATE IS SEPTEMBER WHEN THE COUNCIL COMES BACK AND
01:41:18PM WE CAN WAIT UNTIL THEN TO DO ANYTHING ELSE.
01:41:20PM BUT THAT LINEAR APPROACH IN OUR VIEW COMES WITH ITS OWN
01:41:25PM DIFFICULTIES IN THAT IT JUST CONTINUES TO EXTEND OUT TH
01:41:28PM TIME PERIOD OF WHICH WE CAN GET OUR ENTERTAINMENT DISTRICT
01:41:31PM OPEN AND ENJOYED BY THE COMMUNITY.
01:41:32PM SO WHAT WE ARE TRYING TO DO IS COUNTER BALANCE THAT WITH THE
01:41:36PM OTHER OPTION WHICH IS WORKING CONCURRENTLY BETWEEN NOW AND
01:41:40PM THAT POINT.
01:41:40PM WHILE WE ARE DOING ALL THE DILIGENT LEGAL WORK WITH THE
01:41:43PM VILLAGE ATTORNEY AND GOING BACK AND FORTH OF THE FULL
01:41:49PM DEFINITIVE AGREEMENT.
01:41:49PM WE CAN COMMIT OURSELVES WITH OUR OTHER PRIVATE PARTNERS
01:41:53PM RECOGNIZING THAT WE ARE EACH GOING TO SPEND ADDITIONAL
01:41:55PM INVESTMENT OF TIME, ENERGY AND MONEY TO WORK THE DESIGN
01:41:59PM PROCESS AND ANSWER A LOT OF QUESTIONS THAT NEED TO BE
01:42:02PM ANSWERED FOR OTHER ANSWERS TO OCCUR AS WE SHARPEN OUR PENCIL
01:42:06PM AND REFINE OUR NUMBERS, OUR RETURNS ON INVESTMENT.
01:42:09PM DEVELOPMENT COST NUMBERS WHICH AS EVERY ONE CAN IMAGINE, IT
01:42:13PM IS DOVE DO WITH ANY LEVEL OF ACCURACY BEFORE WE START DOING
01:42:16PM SOME OF THE DESIGN WORK IN THE FIRST PLACE.
01:42:18PM RIGHT NOW WE ARE EFFECTIVELY WORKING OFF OF BACK OF NAPKINS
01:42:23PM AND CONCEPTS AND EASY TO GET TO A CERTAIN LEVEL OF ANSWERS
01:42:26PM TO QUESTIONS INCLUDING YOURS BUT NOT PRECISELY TO THE LEVEL
01:42:30PM WE WANT TO GET TO.
01:42:31PM SO OUR CHALLENGE BEING PRUDENT AND HAVING THE RESPONSIBILITY
01:42:34PM TO THE VILLAGE TO BE PRUDENT WITH THE VILLAGE'S INVESTMENT,
01:42:39PM IS TO MAKE SURE IT IS A INVESTMENT AND NOT A COST AND NOT
01:42:43PM GET TOO FAR AHEAD OF OUR SKIS AND KEEPING ON BALANCE,
01:42:48PM ONGOING ANSWERS TO ALL THE QUESTIONS WHILE WE ARE DOING SOME
01:42:51PM WORK AND MAKING SOME LEVEL OF INVESTMENT.
01:42:53PM THE TERM SHEET THAT YOU SEE -- THAT YOU ARE AUTHORIZING,
01:42:57PM HOPEFULLY THE VILLAGE MANAGER TO EXECUTE ON BEHALF OF THE
01:43:01PM VILLAGE IS TO COMMIT OURSELVES TO THIS NEXT COUPLE OF MONTHS
01:43:06PM WORTH OF WORK UP TO THE DEFINITIVE AGREEMENT.
01:43:13PM NOTHING ELSE BINDING BUT THE COMMITMENT TO OURSELVES AND OUR
01:43:17PM PARTNERS THAT WE WILL SEE WITH THE CONTINGENCY IN MIND THAT
01:43:21PM IF SOMETHING DOES HAPPEN, IT DOESN'T WORK FOR ANY ONE OF US,
01:43:24PM WE DON'T DO IT.
01:43:27PM I THINK YOU HEARD US SAY ALL ALONG THAT WE WANT TO BE FAST.
01:43:31PM WELL, WE WANT TO BE RIGHT.
01:43:32PM AND WE ALWAYS JUST CONTINUE TO BALANCE THAT OUT SO WHAT WE
01:43:37PM HAVE IN FRONT OF YOU TODAY IS NOT THE ONLY DEFINITIVE
01:43:42PM AGREEMENT THAT BINDS US TO DO THE PROJECT.
01:43:45PM BUT IN GOOD FAITH WITH THE NEXT COUPLE OF MONTHS WORKING
01:43:50PM WITH THE VILLAGE ATTORNEY FOR THE AGREEMENTS THAT YOU WILL

01:43:53PM SEE IN FRONT OF YOU FOR CONSIDERATION WHEN YOU GET BACK IN
01:43:56PM SEPTEMBER.
01:43:56PM I WANT TO MAKE SURE YOU ARE CLEAR ON THAT.
01:43:59PM THERE ARE A COUPLE OF MINOR ADJUSTMENTS WE MADE SINCE THE
01:44:04PM VERSION YOU HAVE IN YOUR PACKETS.
01:44:06PM NONE OF THEM AFFECTED THE MAJOR DEAL POINTS.
01:44:10PM CLARIFYING THINGS AT THE SUGGESTION.
01:44:12PM I KNOW COUNCILMEMBER WARD AND I TALKED A LITTLE BIT THE
01:44:18PM OTHER NIGHT AND CLARIFICATION OF SOME OF THE THINGS WE PUT
01:44:21PM INTO THE AGREEMENT.
01:44:22PM AGAIN, AN EXAMPLE OF THAT, WE HAD -- WE HAD ESTABLISHED KIND
01:44:26PM OF A -- WHAT WE THINK TO BE A FAIRLY DECENT ESTIMATE OF WHAT
01:44:31PM WE KNOW TODAY OF WHAT THE COMMON CHARGE MIGHT BE.
01:44:35PM A GOOD SUGGESTION TO STAY, YOU KNOW WHAT IN THE TERM SHEET,
01:44:39PM LEAVE IT OUT AND LEAVE IT TO BE DETERMINED.
01:44:40PM WE CAN COME UP WITH THAT LATER.
01:44:42PM IT IS GOING TO BE WHAT IT IS.
01:44:44PM A PASS-THROUGH REGARDLESS.
01:44:46PM AND SO THINGS LIKE THAT WE CLARIFIED A LITTLE BIT.
01:44:50PM CLARIFIED THE LANGUAGE WITH OUR PICKLEBALL PARTNER TO BE
01:44:55PM CLEAR WHAT THE REVENUE SHARE WAS OF, WHETHER IT IS TOTAL
01:45:00PM GROSS REVENUE OR PICKLEBALL REVENUE FOR THE OUTDOOR COURTS.
01:45:03PM CLARIFYING LANGUAGE AND WE DID A COUPLE OF TWEAKS.
01:45:06PM BUT OTHER THAN THAT, NOTHING THAT WILL BE SUBSTANTIALLY
01:45:09PM DIFFERENT IN THE BUSINESS TERMS THAT WE TALKED ABOUT AND THE
01:45:12PM PUBLIC CASH FLOW ANALYSIS.
01:45:15PM AND AS WE STARTED LOOKING AT CAPITAL REPLACEMENT RESERVE OF
01:45:20PM THOSE THINGS WE WILL CONTINUE TO OWN AND WILL CONTINUE TO BE
01:45:23PM UNDER OUR CONTROL TO MAKE SURE WE ARE ACCURATE IN ALL OF OUR
01:45:26PM FORECASTS IF WE ARE CONSIDERED TODAY, TOMORROW OR THE TOP
01:45:30PM LINE REVENUE.
01:45:30PM TO LOOK WHAT OUR CAPITAL RESERVE REQUIREMENTS MIGHT BE SO WE
01:45:34PM BEGIN OUT OF OUR ANNUAL CASH FLOWS, EXCUSE ME, THAT WE ARE
01:45:37PM SEEING, SETTING ASIDE AN APPROPRIATE AMOUNT OF MONEY
01:45:41PM ANNUALLY SO 5, 10, 15 YEARS DOWN THE ROAD WHEN WE NEED TO DO
01:45:45PM THE CAPITAL INVESTMENTS, WE HAVE FUNDS IN PLACE TO DO THAT.
01:45:48PM THOSE ARE THINGS WE CONTINUED TO WORK ON.
01:45:50PM TO GET US TO THIS POINT TODAY.
01:45:54PM AND WE FEEL VERY CONFIDENT.
01:45:56PM AND PREPARED TO GO THIS NEXT LEVEL NOW WITH OUR PARTNERS AND
01:46:01PM WITH VILLAGE ATTORNEY TO REALLY ROLL UP OUR SLEEVES AND GET
01:46:06PM TO THE REAL MEAT OF -- OF THE PLANNING PROCESS.
01:46:09PM IN FACT, A LOT OF OUR DESIGN TEAM HAS BEEN WORKING TODAY ON
01:46:13PM CONTINUING TO DEVELOP LAND PLANS, ETC.
01:46:16PM WITH THAT, I THINK I WILL PAUSE FOR NOW.
01:46:18PM I THINK MAYBE I WILL HOLD FOR QUESTIONS FOR JUST A SECOND,
01:46:21PM BECAUSE I THINK MAYBE WE WANT TO LOOK AT SOME IMAGES.
01:46:25PM >>Mayor McLain: I THINK ALL OF US -- GEORGE HAS BEEN DOWN TO

01:46:30PM AUSTIN, TEXAS AND WHEREVER PICKLE IS.
01:46:33PM AND HE KIND OF DID IT ON ALL OF OUR BEHALFS AND NONE OF US
01:46:37PM HAVE BEEN ABLE TO TALK TO HIM.
01:46:39PM I WOULD ASK HIM TO MAYBE ASK TAMMY TO COME UP.
01:46:42PM PUT YOUR PICTURES UP.
01:46:44PM AND THEN IF WE HAVE QUESTIONS, WE WILL ADDRESS THOSE TO
01:46:49PM GEORGE OR TO YOU.
01:46:50PM I AM -- PICTURES ARE ONE THING, BUT GETTING A VERBAL ON IT
01:46:55PM WILL BE IMPORTANT.
01:46:56PM AND GEORGE DOES HAVE A CLOCK TICKING ON HIM, AND WE WILL GO
01:47:00PM THROUGH THIS AS A REASONABLE PACE FIRST.
01:47:04PM >> WHAT DO YOU WANT FIRST?
01:47:06PM >>Mayor McLain: CHICKEN PICKLE FIRST.
01:47:08PM WE WILL START THERE.
01:47:09PM IT IS IN DALLAS.
01:47:10PM >> YEAH, MR. MAYOR, IF I COULD ADD A LITTLE COLOR.
01:47:24PM I LOVE YOUR COMMENT THERE.
01:47:25PM I BELIEVE MICHAEL HAS ALSO VISITED -- IF NOT ALL OF THESE
01:47:30PM BUT BOTH OF THESE.
01:47:31PM MICHAEL, OBVIOUSLY YOUR INPUT -- IF YOU WANT TO GIVE AN
01:47:35PM OVERVIEW AND PERHAPS I CAN ANSWER DETAILED QUESTIONS THAT
01:47:38PM PEOPLE HAVE.
01:47:40PM THIS IS CHICKEN AND PICKLE IN GRAND PRAIRIE.
01:47:43PM THIS IS THE PARKING LOT -- THE MAIN PARKING LOT YOU CAN WALK
01:47:46PM INTO.
01:47:47PM THE AREA -- THE GATES WITH A NICE ARCH OF CHICKEN AND
01:47:51PM PICKLE.
01:47:52PM THERE YOU GO.
01:47:52PM AS YOU WALK THROUGH, AS I KIND OF SHARED WITH STAFF, I WAS
01:47:57PM PRETTY MUCH IN AWE, I NEVER BEEN TO A FACILITY LIKE THIS.
01:48:02PM YOU LOOK TO THE RIGHT IS A BUILDING WHERE THE INDOOR
01:48:05PM PICKLEBALL OCCURS.
01:48:06PM TO THE LEFT IS WHERE THE RESTAURANT AND ENTERTAINMENT
01:48:10PM PAVILION AND OUTDOOR PICKLEBALL COURTS ARE.
01:48:14PM THERE YOU GO, TAMMY.
01:48:15PM THIS IS LOOKING TO THE LEFT.
01:48:16PM THAT IS THE RESTAURANT.
01:48:17PM A TWO-STORY RESTAURANT.
01:48:19PM IT HAS A SOCIAL SPACE ON THE ROOF WHICH IS REALLY NICE.
01:48:23PM AND ALSO AS YOU SEE THE ADIRONDACK CHAIRS WITH THE FAMILY
01:48:29PM PLAYING FOOS BALL.
01:48:31PM YOU CAN SEE THAT AT THE CENTER OF THE PHOTO, BLINKO AND THIS
01:48:42PM CORN HOLE.
01:48:42PM IT WAS QUITE BUSY.
01:48:44PM PEOPLE COMING IN AND OUT ON A REGULAR BASIS.
01:48:47PM PATRONS AT THE HIGH-TOPS.
01:48:49PM ADJACENT AREA TO THE OUTDOOR PICKLEBALL WHICH IS REALLY
01:48:53PM NICE.

01:48:53PM THERE ARE SHADED AREAS OUTSIDE AS WELL.
01:48:56PM AS YOU SCROLL AROUND, MORE PICNIC AREAS AS YOU CAN SEE
01:49:00PM ATTRACTING FAMILIES AND FOLKS TO ENJOY THAT ENTERTAINMENT
01:49:04PM SPACE.
01:49:08PM THIS IS IT COMING FROM THE OPPOSITE SIDE.
01:49:10PM THE SAME SIDEWALK AND THE OPPOSITE SIDE.
01:49:13PM THAT IS MORE OF A COMMON PAVILION IN THAT AREA.
01:49:17PM THAT HAD A LITTLE BRIDGE THAT CROSSED OVER.
01:49:19PM THE ENTRANCE.
01:49:20PM NOT LIKE WE HAVE SOMETHING LIKE THAT BUT SOMETHING I FOUND
01:49:24PM PRETTY NEAT IS DID SOME LOCAL BRANDING TO THE COMMUNITY
01:49:27PM WHICH I THINK IS BENEFICIAL AS WELL
01:49:30PM IT LOOKS LIKE THESE PARTNERS WILL BE OPEN TO BRANDING THAT.
01:49:34PM I CAN SEE VILLAGE OF ESTERO ON THE WALL AND THAT IS COMMON.
01:49:43PM AND A SOCIAL LOUNGE UP ON THE ROOF.
01:49:46PM THIS IS AN ELEVATOR I FOUND TO BE GREAT.
01:49:49PM ACCESS ON A TWO-STORY BUILDING WHICH IS REALLY GOOD.
01:49:53PM THERE IS THE SPACE THAT KIND OF LOOKS OVER -- I CAN ALMOST
01:49:57PM ENVISION THIS LOOKING OVER OUR SPACE.
01:49:58PM VERY INVITING.
01:50:00PM YOU KNOW, NOT -- OBVIOUSLY NOT MANY PEOPLE UP THERE AT THIS
01:50:04PM TIME OF THE DAY, BUT I CAN SEE THIS AS BEING MORE OF AN
01:50:07PM EVENING TYPE OF A SOCIAL EVENT, SPACE, LOUNGE CHAIRS AND
01:50:11PM WHATNOT.
01:50:11PM AND THIS IS OVERLOOKING THE FAMILY AREA FROM ABOVE.
01:50:15PM HAND THIS IS THE VIEW.
01:50:16PM YOU LOOK -- I LOOK A LITTLE BIT FURTHER TO THE SOUTH.
01:50:21PM THERE ARE THE COVERED PICNIC AREAS.
01:50:23PM YOU MIGHT SEE THE OUTDOOR PICKLEBALL.
01:50:25PM THERE YOU GO.
01:50:26PM OUTDOOR PICKLEBALL.
01:50:27PM I STARTED HERE AND TURN TO THE LEFT AND THIS IS WHAT YOU
01:50:31PM SEE.
01:50:31PM THE INDOOR COURTS.
01:50:32PM VERY INVITING.
01:50:34PM THEY HAD NICE MARKETING MATERIALS OUT AT THE TABLE.
01:50:37PM SOME OF THE STAFF.
01:50:38PM THEY GREETED ME KINDLY.
01:50:41PM I ASKED A FEW QUESTIONS AND I JUST TOOK SOME PICTURES OF THE
01:50:44PM PATRONS ENJOYING THE INDOOR PICKLEBALL AND THE AIR
01:50:49PM CONDITIONING.
01:50:49PM EVERYBODY LOOKED LIKE THEY WERE HAVING A GREAT TIME.
01:50:52PM YOU KNOW, TAKE NOTE.
01:50:54PM I BELIEVE THERE IS -- I BELIEVE THERE IS FOUR PICKLEBALL
01:50:58PM COURTS ON THE INSIDE THERE AND MAYBE ANOTHER THREE ON THE
01:51:00PM OUTSIDE.
01:51:01PM SO I THINK THIS FACILITY HAS SEVEN TOTAL.
01:51:08PM >> MAYBE SIX.

01:51:09PM >> MAYBE SIX.
01:51:12PM I DIDN'T COUNT.
01:51:13PM AND THE PLAN WILL BE UPWARDS OF 15.
01:51:16PM IMAGINE ON A GRANDER SCALE AND PUTTING ESTERO ON THE MAP FOR
01:51:21PM WHAT WORLD-CLASS -- WHAT I WOULD CALL WORLD-CLASS PICKLEBALL
01:51:25PM EVEN THOUGH I AM NOT A PLAYER.
01:51:27PM I LOVE TO SEE THE COMMUNITY ENGAGING IN THE SPORT.
01:51:30PM IS CALLED A CHICKEN COOP.
01:51:32PM THIS IS THE RESTAURANT.
01:51:33PM AND IT IS BASICALLY, YOU GO UP AND YOU ORDER IN LINE.
01:51:38PM THERE YOU GO.
01:51:39PM KIND OF CAFE STYLE -- CAFETERIA-STYLE.
01:51:43PM YOU GO TO THE TABLE WITH A MARKER AND THEY COME OUT AND
01:51:46PM BRING YOUR FOOD.
01:51:47PM I MUST SAY -- ONE OF THE PHOTOS IS MY MEAL WAS OUTSTANDING.
01:51:51PM I -- EVERYTHING WAS PHENOMENAL.
01:51:57PM I ATE EVERYTHING ON MY RATES.
01:51:59PM PLURAL.
01:52:05PM >> YOU DIDN'T EAT THAT.
01:52:06PM >> I DID.
01:52:07PM BROCCOLI IN THE UPPER LEVEL CORNER.
01:52:09PM PREPARED IT.
01:52:10PM I NEVER HAD IT THAT WAY.
01:52:11PM IT WAS WONDERFUL.
01:52:12PM I HAD TO TRY THE WINGS.
01:52:13PM GOOD SMOKEY FLAVOR.
01:52:15PM OF COURSE, THAT WAS A HALF CHICKEN.
01:52:17PM I DID NOT EAT THE BREAD.
01:52:19PM SO I JUST WANT TO MAKE THAT CLEAR.
01:52:21PM ANOTHER SHOT OF THE INSIDE.
01:52:26PM AS I WAS THERE A LITTLE LONGER FILLED IN WITH PATRONS AND
01:52:30PM ONE OR TWO SHOTS.
01:52:31PM A BIG GROUP OF PEOPLE THAT CAME IN.
01:52:33PM I SAT AT THE BAR.
01:52:35PM AND YOU TURN AROUND, SOME OF THE TABLE SEATING.
01:52:38PM AND A BIG GROUP RIGHT THERE THAT CAME IN RIGHT AFTER I --
01:52:42PM AFTER I STARTED EATING.
01:52:43PM AND THE FRIENDLY STAFF.
01:52:45PM I TOLD THEM I WANTED TO TAKE A PICTURE OF THEM.
01:52:47PM THIS LAST SLIDE.
01:52:49PM I SPOKE WITH MICHAEL, THE MANAGER, VERY INVITING.
01:52:52PM VERY CORDIAL.
01:52:54PM AND I JUST CAPTURED HIS INFORMATION.
01:52:58PM >> VERY PROFESSIONAL JOB ON YOUR PHOTOS.
01:53:03PM >> THANK YOU.
01:53:04PM ALL DONE WITH THIS OLD PHONE RIGHT HERE.
01:53:07PM >> LET'S TALK OF CHICKEN AND PICKLE JUST FOR A BIT.
01:53:10PM ANYBODY HAVE ANY COMMENTS ABOUT IT?

01:53:13PM >> A COUPLE, A SIGN ON THE WALL SAID SCHLITZ BEER.
01:53:18PM I DIDN'T EVEN THOUGHT IT WAS MADE.
01:53:20PM I SAW ON THE MENU -- WENT ON TO QUICKLY, PICKLE CHICKEN.
01:53:25PM HOW WAS THAT?
01:53:27PM >> SORRY?
01:53:28PM PICKLE CHICKEN?
01:53:29PM I DID NOT TRY THE PICKLE CHICKEN.
01:53:31PM I HAD THE HALF CHICKEN.
01:53:33PM >> I WAS LOOKING FOR A RECOMMENDATION.
01:53:35PM >> IF IT IS ANYTHING LIKE WHAT I ATE, IT WOULDN'T BE BAD.
01:53:39PM >>Mayor McLain: ANY OTHER QUESTIONS?
01:53:43PM >> I HAVE SOME.
01:53:43PM THEY HAVE GREEN ARTIFICIAL TURF AND BROWN ARTIFICIAL TURF.
01:53:49PM TWO DIFFERENT COLORS OF TURF.
01:53:51PM >> I NOTICED THAT TOO.
01:53:52PM I DIDN'T KNOW THE SIGNIFICANCE.
01:53:54PM >> LOOKED LIKE SOME OF THAT DIED OFF.
01:53:56PM BUT I THINK IT LOOKS GREAT.
01:53:59PM IT LOOKS LIKE THEY HAVE GARAGE DOORS THAT MAYBE OPEN IN
01:54:04PM THERE.
01:54:04PM SO ARCHITECTURALLY, THERE IS A CHALLENGE THERE FOR SURE.
01:54:08PM IF WE ARE LOOKING AT OLD FLORIDA.
01:54:10PM SO HOW -- WE ARE INCORPORATE THAT, THE SQUARE BUILDINGS AND
01:54:18PM THE WAY IT IS, THAT WILL BE A CHALLENGE FOR US TO WORK WITH
01:54:21PM THEM.
01:54:21PM BECAUSE WE CAN'T PUT THIS BUILDING IN THE WAY IT IS RIGHT
01:54:25PM NOW.
01:54:25PM BUT OTHER THAN THAT, I THINK IN MY OPINION, IT IS AS GREAT
01:54:28PM FACILITY.
01:54:28PM I THINK IT CAN BE ADDED TO THE -- YOU KNOW, TO OUR CITIZENS
01:54:35PM THERE TO ENJOY THAT UPSTAIRS, DOWNSTAIRS, AND THE PICKLEBALL
01:54:39PM IN THE MIDDLE OF THE DAY, IT LOOKED LIKE IT WAS PACKED UP
01:54:42PM PRETTY GOOD.
01:54:42PM SO I AM EXCITED ABOUT THAT.
01:54:44PM SO THAT IS GOOD.
01:54:45PM >> MY FIRST PICTURE WHEN I SAW THE PICTURES FROM GEORGE AT
01:54:53PM THE BRIEFING, IT SEEMED TO ME A GREAT FIT FOR ESTERO.
01:54:57PM SEEMED TO ME IT WOULD FIT THE DEMOGRAPHIC OF SOMETHING WE
01:55:00PM ARE LOOKING TO DO.
01:55:01PM I AM JUST CURIOUS, WHERE SHE SHOWED THE OUTDOOR ACTIVITIES
01:55:05PM AND THOSE NONPICKLEBALL ACTIVITIES.
01:55:09PM HOW DO THEY CHARGE FOR THAT?
01:55:11PM IS THERE A SPECIAL SEPARATE ADMISSION TO THAT AREA?
01:55:14PM HOW DO -- HOW DO THEY DO THAT?
01:55:17PM >> NO, THERE IS NONE.
01:55:19PM SOME PICKLEBALL COURTS OBVIOUSLY ARE RENTED.
01:55:21PM THOSE ARE ALL PAY AS YOU GO.
01:55:24PM BUT THOSE COMMON AREAS ARE REALLY DESIGNED TO SELL FOOD AND

01:55:30PM BEVERAGE.
01:55:32PM >>Mayor McLain: HOW OLD IS THAT FACILITY?
01:55:35PM >> GRAND PRAIRIE, I WANT TO SAY FIVE YEARS OLD.
01:55:39PM >>Mayor McLain: LOOKS LIKE A NICE MAINTENANCE CONDITION.
01:55:41PM SO IF THERE ARE NO QUESTIONS JUST TO KEEP THIS MOVING.
01:55:43PM LET'S GO TAKE A LOOK NOW AT HIGH 5.
01:55:47PM >> WELL, HERE IS HIGH 5, A DIFFERENT CONCEPT, YET A REALLY
01:56:02PM IMPRESSIVE ENTERTAINMENT VENUE THAT I THINK INCORPORATE AS
01:56:06PM LARGE SLOTH OF DEMOGRAPHICS FOR THE COMMUNITY.
01:56:09PM THIS IS THE OUTSIDE OF THIS BUILDING.
01:56:12PM AND TO YOUR POINT, MAYOR, IT IS A LARGE BRICK BUILDING.
01:56:16PM OBVIOUSLY SOME THINGS WILL NEED TO BE TWEAKED A LITTLE BIT
01:56:20PM TO CONFORM WITH OUR -- THE VILLAGE RESTRICTIONS AS FAR AS
01:56:24PM THAT GOES.
01:56:25PM AS YOU WALK IN -- BY THE WAY, THERE ARE DID NOT HAVE A
01:56:29PM PUTT-PUTT COURSE.
01:56:31PM I BELIEVE OURS INCLUDE ONE WHICH IS AN INTERESTING BENEFIT.
01:56:37PM AS YOU WALK THROUGH, THE FIRST THING YOU WALK INTO IS THE
01:56:40PM ARCADE.
01:56:41PM IMAGINE THE YOUNGER FAMILIES, THE KIDS RUNNING OFF TO THE
01:56:46PM ARCADE MACHINE AND THE PARENTS GO TO THE RESTAURANT OR THE
01:56:53PM BOWLING ALLEY IN THE BACK.
01:56:54PM THIS IS ALSO A TWO-STORY BUILDING.
01:56:56PM YOU WILL SEE A LOT OF PICTURES OF THE HIGH-END, HIGH-TECH
01:57:01PM ARCADE GAME.
01:57:01PM NITRO WAS JUST ADDED . HALO WAS A NEWER MACHINE JUST ADDED.
01:57:08PM SOME OF THOSE ARE STATE-OF-THE-ART MACHINES.
01:57:11PM SKEE BALL.
01:57:14PM SOME OF US OLDER FOLKS WILL REMEMBER PLAYING THAT.
01:57:16PM GOOD TO SEE THAT AND BASKETBALL AND THE LIKE.
01:57:20PM SOME MORE MACHINERY, MOTORCYCLES.
01:57:26PM A LITTLE AREA WHERE YOU CAN BUY KNICKKNACKS, GOODS AND WHAT
01:57:30PM NOT.
01:57:31PM THE NEXT ONE TAMMY SHOWS -- AND ONE MORE.
01:57:34PM WELL, WE WILL JUST FOLLOW THE SLIDES.
01:57:37PM GO AHEAD.
01:57:40PM THIS IS THE VIEW FROM THE ARCADE FROM THE SECOND STORY.
01:57:43PM IT IS LIKE A BALCONY.
01:57:49PM PARENTS WHO WANT TO KEEP AN EYE ON THEIR CHILDREN IF THEY
01:57:53PM ARE UPSTAIRS HAVING FOOD, LOUNGING OR PLAYING ANIMATED GOLF
01:57:58PM OR BOWLING, THEY CAN COME TO THE SECOND FLOOR AND LOOK DOWN
01:58:01PM THE BALCONY AT THEIR KIDS.
01:58:04PM IT IS A NICE VIEW.
01:58:05PM THIS IS THE FIRST-FLOOR BOWLING.
01:58:07PM VERY IMPRESSED WITH THE STYLE AND THE LAYOUT AND THE
01:58:10PM SEATING.
01:58:10PM VERY COMFORTABLE SEATING.
01:58:14PM OBVIOUSLY PLENTY OF EQUIPMENT THERE INCLUDED.

01:58:19PM BRANDING.
01:58:20PM THERE ARE THE SHOES.
01:58:21PM THAT IS PART OF THE LOUNGE THAT IS ON THE OPPOSITE SIDE OF
01:58:27PM THE RESTAURANT.
01:58:28PM THERE ARE SOME BOOTHS.
01:58:29PM AND WANT TO HAVE A PRIVATE DINNER OR LOUNGE.
01:58:32PM AN AREA WHERE YOU CAN HAVE THAT SOCIAL SPACE.
01:58:35PM I AM TALKING ABOUT THE BRANDING AGAIN.
01:58:37PM THIS IS AUSTIN.
01:58:38PM I CAN SEE THAT IN ESTERO HELPING TO BRAND OUR COMMUNITY AS A
01:58:42PM GREAT DESTINATION.
01:58:44PM LASER TAG IS ALSO INCLUDED IN THIS FACILITY.
01:58:47PM THIS IS ANOTHER EVENT THAT, YOU KNOW, TALKING TO THE
01:58:53PM MANAGEMENT THEY SAY CORPORATE EVENTS SELL, SO UTILIZE THE
01:58:56PM LASER TAG AND THE BOWLING.
01:58:58PM SO IT IS NOT -- IT CAN RESERVED FOR THOSE TYPE OF ENTITIES
01:59:03PM TO BE UTILIZED AND A COUPLE OF PICTURES OF THE LASER TAG
01:59:08PM WITH THE LIGHTS ON.
01:59:09PM THE MAIN DINING IN THE LOUNGE AREA.
01:59:11PM AS YOU CAN SEE, IT'S VERY CONNECTED TO -- TO EVERYTHING THAT
01:59:16PM IS GOING ON.
01:59:16PM SO NOT -- IT IS NOT SEPARATE.
01:59:18PM SO THE FAMILIES CAN CONNECT AND ALL THE ACTIVITIES ARE
01:59:23PM CONNECTED.
01:59:24PM I TOOK JESUS A QUICK SHOT OF THE KITCHEN.
01:59:31PM VERY CLEAN KITCHEN.
01:59:33PM VERY IMPRESSED WITH THE OVERALL CLEANLINESS OF THE KITCHEN
01:59:40PM AS WELL.
01:59:40PM THIST IS SOMETHING THAT I QUESTIONED MYSELF IS THE AX
01:59:44PM THROWING AND WHAT DOES THAT REALLY LOOK LIKE?
01:59:46PM BECAUSE I AM REALLY CONCERNED ABOUT SAFETY.
01:59:49PM WHEN I WAS THERE AND I SAW THAT EACH ONE OF THE STALLS IS
01:59:52PM CAGED INDIVIDUALLY, IT MADE ME FEEL GOOD THAT THE LIKELIHOOD
01:59:56PM OF ACCIDENTS IS EXTREMELY LOW WITH THIS.
01:59:58PM SO AS YOU CAN SEE, THERE ARE DIFFERENT LANES OF AX THROWING.
02:00:04PM AND THE PARTICIPANTS ARE IN THEIR LANE.
02:00:06PM THEY STAY IN THEIR LANE.
02:00:07PM THEY DON'T CROSS OVER.
02:00:08PM SO NOT CRAZY AXES BEING THROWN TO YOUR NEIGHBOR.
02:00:13PM ONE OF THE MANAGERS POSED WHERE AN AX IN HER HAND.
02:00:17PM NO, I DID NOT THROW AN AX.
02:00:19PM I DIDN'T WANT TO DISAPPOINT MYSELF.
02:00:22PM >>Mayor McLain: A BEER WITH YOUR AX?
02:00:25PM >> NO.
02:00:25PM YOU HAVE GOT TO STAY IN THE AREA.
02:00:28PM THIS IS CALLED UP TOP.
02:00:29PM FIVE OR SIX OR SEVEN LANES OF BOWLING UP TOP.
02:00:33PM IF YOU WANT TO HAVE A MORE PRIVATE EVENT WITH BOWLING, YOU

02:00:37PM CAN CERTAINLY UTILIZE THAT SPACE AS WELL.
02:00:39PM YOU CAN SEE IT IS VERY COMFORTABLE.
02:00:41PM I LIKE THE FACT IT HAS LEATHER SOFAS.
02:00:44PM DIFFERENT TYPES OF FABRICS AND SEATING AREAS.
02:00:48PM AND THERE IS A LITTLE LOUNGE AREA THAT IS JUST ADJACENT TO
02:00:52PM THE BOWLING LANES ON THE SECOND FLOOR.
02:00:55PM YOU CAN SEE NICE HIGH-BACKED CHAIRS.
02:00:58PM THIS IS TOP GOLF SIMULATORS AS WELL.
02:01:00PM THEY HAVE ONE OF THOSE AND THAT IS SOMETHING THAT IS VERY
02:01:03PM POPULAR IN THERE AS WELL FOR OUR GOLFERS.
02:01:06PM WHAT IS MOST IMPRESSIVE AND THE LAST COUPLE OF SLIDES HERE,
02:01:11PM THEY HAVE AN ENORMOUS AMOUNT OF MEETING SPACE THAT I KNOW WE
02:01:15PM NEED HERE IN THE VILLAGE, AND I THINK THEY WILL BE AS
02:01:18PM GRACIOUS TO LET US UTILIZE SOME OF THAT SPACE AT A VERY LOW
02:01:22PM RATE OR MAYBE COMPLIMENTARY, YET TO BE DETERMINED.
02:01:26PM BUT I WAS IMPRESSED WITH THE SPACE.
02:01:28PM THEY HAVE PARTITIONS.
02:01:30PM THE LARGE MEETING ROOM HAVE THE BIG FOLDING PARTITIONS,
02:01:35PM MULTIPLE MEETINGS OR OPEN IT UP TO ACCOMMODATE 150 OR SO
02:01:39PM PEOPLE.
02:01:39PM THIS ROOM RIGHT HERE ONE OF THE PICTURES WITH THE GLASS
02:01:42PM ROOM.
02:01:42PM MORE OF A BOARD MEETING ROOM WHICH I KNOW SOMETHING THAT OUR
02:01:46PM COMMUNITY CAN UTILIZE HERE IN ESTERO AS WELL.
02:01:49PM AND HERE IS JUST ANOTHER SLIDE WITH THE MANAGEMENT.
02:02:04PM WHAT I LIKE ABOUT HIS INPUT, HE WAS ASKING ME, GEORGE, WHAT
02:02:09PM IS YOUR COMMUNITY LOOKING FOR?
02:02:10PM BECAUSE IF THERE IS AN ELEMENT THAT YOU ARE LOOKING FOR, WE
02:02:14PM CAN HELP ACCOMMODATE IT.
02:02:16PM THEY ARE MODULAR IN THEIR APPROACH THEY CAN PLUG AND PLAY
02:02:20PM DIFFERENT ELEMENTS OF ENTERTAIN TO SATISFY YOUR COMMUNITY
02:02:24PM NEEDS.
02:02:24PM I THOUGHT THAT WAS VERY IMPRESSIVE.
02:02:27PM I THINK THAT IS IT.
02:02:29PM >>Mayor McLain: THANK YOU, GEORGE.
02:02:30PM ANY QUESTIONS, COMMENTS?
02:02:36PM >> GEORGE, YOU MENTIONED THE LAYOUT OF MEETINGS ROOMS AND
02:02:40PM ALL THAT.
02:02:41PM IS IT A STANDARD LAYOUT THAT WOULD FIT A PROPERTY IDENTICAL?
02:02:49PM >> THE FOOTPRINT -- IF YOU DON'T MIND ME ANSWERING.
02:02:52PM >> THAT'S OKAY.
02:02:53PM THE PHYSICAL FOOTPRINT OF THE ACTUAL BUILDING ITSELF IS THE
02:02:57PM SAME.
02:02:57PM AS GEORGE SAID PLUG AND PLAY AND WITHIN THAT VERY MODULAR.
02:03:01PM THE SITE PLAN IS BASED ON THE VARIOUS DIFFERENT SITES,
02:03:05PM VARIOUS DIFFERENT HOST JURISDICTIONS THAT THEY ARE IN.
02:03:08PM LAKE WAY, THAT BUILDING IS IN THE CITY OF LAKE WAY, WHICH IS
02:03:12PM OUTSIDE OF AUSTIN TOWARD THE HILL COUNTRY.

02:03:15PM AND THE CITY OF LAKE WAY, PRETTY MUCH DROVE THAT DESIGN
02:03:20PM DICTATED VIRTUALLY EVERYTHING.
02:03:22PM GAVE THEM A VERY SMALL FOOTPRINT.
02:03:25PM THEY DON'T HAVE MINIATURE GOLF BECAUSE THEY WEREN'T ALLOWED
02:03:28PM TO DO IT.
02:03:29PM THEY DO THAT THEIR BOX WITH A BIG PARKING FIELD.
02:03:32PM WHAT THEY WILL DO IS TAKE PROTOTYPICAL AND TIE IN THE
02:03:39PM MINIATURE GOLF ELEMENT IN THE SITE PLAN AROUND IT.
02:03:42PM >>Mayor McLain: YOU HAVE THE FLOOR.
02:03:50PM >> I HAVE ONE QUESTION THAT MAY HAVE BEEN ANSWERED, AND I
02:03:54PM JUST MISSED IT.
02:03:54PM HOW LONG IS THIS -- WITH THIS PARTNERSHIP LAST BETWEEN THE
02:03:57PM VILLAGE AND THESE COMPANIES?
02:04:01PM >> A LONG TIME.
02:04:03PM >> HAS THAT BEEN ESTABLISHED YET?
02:04:06PM >> NOT DEFINITIVELY, BUT SUFFICE IT TO SAY NONE OF US WILL
02:04:10PM BE HERE WHEN THE PARTNERSHIP IS OVER.
02:04:11PM MORE THAN LIKELY A 99-YEAR GIVE OR TAKE PARTNERSHIP
02:04:16PM AGREEMENT.
02:04:17PM WE HAVEN'T GOTTEN TO THAT POINT YET.
02:04:19PM AND RODNEY, YOU MAY WANT TO WEIGH IN ON THAT.
02:04:22PM THE STATUTE -- WITHOUT GETTING TOO FAR INTO THE WEEDS, WE
02:04:25PM WILL WANT AND NEED THAT PARTNERSHIP AGREEMENT GOES WELL
02:04:29PM BEYOND THE TERM OF THEIR BASE FINANCING WHICH IS MORE THAN
02:04:32PM LIKELY 30 YEARS.
02:04:33PM SO WE WILL -- THE WAY THAT IS TYPICALLY HANDLED IS, MAYBE A
02:04:38PM BASE TERM THAT IS LONGER OR A 30-YEAR TERM WITH AUTOMATIC
02:04:42PM EXTENSIONS.
02:04:43PM A NUMBER OF WAYS WE WILL WORK WITH THE VILLAGE ATTORNEY AND
02:04:46PM OUR PARTNERS.
02:04:47PM >> AND STIPULATIONS AS FAR AS IF THE QUALITY WOULD DECLINE
02:04:51PM OR ALL THIS.
02:04:53PM >> EXACTLY.
02:04:54PM RIGHTS OF TRANSFER, YES.
02:04:56PM >> THE ACTUAL REAL AGREEMENT THAT YOU SEE WILL BE A LOT
02:04:59PM LONGER AND MORE COMPLEX THAN THIS.
02:05:01PM I HAVE BEEN WORKING WITH THEM.
02:05:04PM VILLAGE MANAGER HAS TASKED BOTH OF US OF MAKING SURE NOT
02:05:10PM JUST THAT THE PROJECT SUCCEEDS AS MUCH AS WE CAN MAKE IT
02:05:12PM SUCCEED BUT THAT THE VILLAGE IS PROTECTED A LONG WAY FROM
02:05:17PM PROJECT NOT WORKING OUT AND BEING ABLE TO RECRUIT.
02:05:19PM AL THAT WILL BE ADDRESSED.
02:05:21PM >>Vice-Mayor Ribble: PERFECT.
02:05:22PM I ASSUME SO, BUT, THANK YOU.
02:05:29PM GEORGE OR MICHAEL, ANY ONE OF YOU HAVE ANY DISCUSSION OF
02:05:32PM SECURITY IN THE BUILDING WITH THE AMOUNT OF CHILDREN WHO
02:05:34PM MIGHT BE THERE AT ANY PARTICULAR TIME, IS THAT AN ISSUE FOR
02:05:38PM THEM OR DID THEY SPEAK TO THAT.

02:05:42PM >> I DON'T KNOW IF THEY TALKED TO YOU ABOUT THAT.
02:05:45PM TWO THINGS FIRST OF ALL.
02:05:46PM FIRST OF ALL, THEY WILL BE SECURITY IN THE BUILDING AS PART
02:05:50PM OF THE STAFF WHEN THEY ARE OPEN.
02:05:51PM SECOND, WE ARE CURRENTLY PLANNING SOME LEVEL RIGHT NOW IN
02:05:58PM THE BUDGET.
02:05:58PM PEOPLE TOLD ME THEY WERE A LITTLE OVERKILL.
02:06:01PM BUT ANY WAY FOR NOW TO END UP.
02:06:03PM BUT WE WILL ALSO PLAN ON SOME LEVEL OF PATROLLED PARKING LOT
02:06:06PM SECURITY AS WELL.
02:06:07PM >>Vice-Mayor Ribble: THANK YOU.
02:06:10PM >> PART OF THE COMMON AREA MAINTENANCE.
02:06:13PM >>Mayor McLain: MY COMMENTS, WHEN I FIRST SAW THE PHOTOGRAPH
02:06:17PM OF HIGH 5.
02:06:19PM NOT CHICKEN AND PICKLE, THE VERY FIRST THING I SEE IS THE
02:06:23PM ARCADE GAMES AND MAYBE I AM NOT GETTING TOO OLD, BUT NOT THE
02:06:27PM FIRST IMPRESSION I WANT TO SEE -- IT LOOKED A LITTLE -- I AM
02:06:31PM BEING CANDID.
02:06:32PM A LITTLE JUNKIE MAYBE NOT TO THE LEVEL I WANT.
02:06:39PM THERE ARE YOUNGER KIDS AND 20-YEAR-OLDS.
02:06:42PM MANY OF US SEE THE 20-YEAR-OLDS GRADUATING FROM FLORIDA GULF
02:06:46PM COAST TO HAVE A PLACE THEY WILL GO AND ENJOY ENTERTAINMENT.
02:06:49PM A LOT EXPERTS THAT THEY WILL LIKE.
02:06:53PM FROM WHAT I WILL SEE AND THE CONTRACTOR WHERE WE ARE RIGHT
02:06:57PM NOW, IT DOES TALK ABOUT BOWLING LANES, DUCK BOWLING, DUCK
02:07:02PM BOWLING, 18-HOLE MINIATURE GOLF, THROWING LASER, AX
02:07:10PM THROWING, LASER.
02:07:11PM WE CAN CONTROL THAT.
02:07:12PM DO WE HAVE CONTROL HOW MUCH ARCADE WE HAVE IN THERE VERSUS
02:07:16PM THE OTHER?
02:07:16PM OR DO THEY HAVE A STAMP THAT SAY YOU HAVE 30 MACHINES.
02:07:19PM I DON'T KNOW HOW MANY REASONS THEY HAVE.
02:07:24PM >> SHORT ANSWER IS, PROBABLY.
02:07:25PM IT DEPENDS ON HOW LOW YOU WANT TO TAKE THE WORD "CONTROL."
02:07:31PM THEY HAVE BEEN -- AND IN EVERY PLACE THEY WORK.
02:07:34PM BOTH COMPANIES BY THE WAY -- THIS EVEN APPLIES TO CHICKEN
02:07:38PM AND PICKLE.
02:07:39PM FOR EXAMPLE, IN THE OUTDOOR AREA.
02:07:41PM I DON'T MEAN TO DIGRESS, BUT THEY WILL BE MORE THAN HAPPY TO
02:07:47PM INCORPORATE BOCCHI INSTEAD OF CORN HOLE AND PING-PONG
02:07:53PM VERSUS FOOS BALL.
02:07:54PM PLUG AND PLAY.
02:07:57PM THEY OFFERED NOT TO DO TOP GOLF SUITE IF IT EFFECTS THE
02:08:03PM EXISTING MISS ALREADY IN ESTERO, THEY WILL TAKE THAT OUT AND
02:08:06PM PUT SOMETHING ELSE IN.
02:08:07PM THAT BEING SAID, A VERY, VERY PRECISE REVENUE PER SQUARE
02:08:12PM FOOT BUSINESS.
02:08:12PM SO -- AND ARCADE, WHICH I THINK OUT OF THE 30,000 SQUARE

02:08:18PM FEET IS 4,000 SQUARE FEET OUT OF THE 30,000 QUARTER FEET,
02:08:23PM GIVE OR TAKE.
02:08:24PM THE ARCADE FEATURE GIVEN THE TYPES OF ARCADE PIECES OF
02:08:30PM EQUIPMENT THEY HAVE WILL CALCULATE OUT LITERALLY TO THE
02:08:33PM PENNY PER SQUARE FOOT THAT THEY WILL GENERATE REVENUE WHICH
02:08:36PM WE WANT THEM TO HAVE.
02:08:37PM >>Mayor McLain: WANT THEM TO BE SUCCESSFUL.
02:08:41PM >> THEY WILL CERTAINLY LISTEN TO US.
02:08:43PM BUT IT IS IN THEIR BEST INTEREST TO APPEASE OUR DEMOGRAPHIC.
02:08:49PM DOESN'T MAKE SENSE FOR THEM TO COME IN WITH A GROUP OF -- OF
02:08:53PM FEATURES THAT APPEAL TO A -- TO A DEMOGRAPHIC THAT DOESN'T
02:08:59PM EXIST IN ESTERO.
02:09:00PM THAT WILL BE COUNTERINTUITIVE.
02:09:03PM >>Mayor McLain: SPACE TO MODIFY.
02:09:05PM >> I THINK THEY WILL TAKE OUR INPUT TO LET THEM TELL US
02:09:08PM EXACTLY WHAT TO DO AND MAYBE A LITTLE BIT OF A STRETCH.
02:09:10PM >>Mayor McLain: SO ARCHITECTURALLY WE WILL HAVE TO WORK WITH
02:09:17PM THEM.
02:09:17PM INTERIOR-WISE, SOME OF THE CHAIRS LOOKED A LITTLE -- I GUESS
02:09:21PM WE CAN LIVE -- LIVE WITH THAT, BUT ARCHITECTURALLY WE WILL
02:09:24PM HAVE TO PLAY WITH THEM A LITTLE BIT.
02:09:27PM WHEN I LOOKED AT THE AGREEMENT, WE HAVE A VERY AGGRESSIVE
02:09:32PM CONCEPT PLAN, DESIGN PLAN AND ALL THAT STUFF.
02:09:36PM IF WE GO THROUGH ALL THE HOOPS, DO YOU HAVE ANY CONCERNS
02:09:39PM THAT THE TWO PARTNERS ON THIS WOULD NOT BE ABLE TO DO THEIR
02:09:45PM END OF AN ACCELERATED AND KEEP UP THE PLAN WE HAVE IN THERE?
02:09:50PM >> NOT AT ALL.
02:09:51PM FROM A TIMING PERSPECTIVE, THEY WILL NOT BE THE ONES HOLDING
02:09:55PM US UP.
02:09:55PM >>Mayor McLain: OKAY.
02:09:58PM >> IF I HAVE A CONCERN, IF YOU WANT TO CALL IT THAT, WE HAVE
02:10:00PM A LOT OF WORK TO DO TO MAKE SURE WHAT THEY WANT US TO LOOK
02:10:05PM LIKE WILL FIT IN THEIR BUDGET.
02:10:07PM >>Mayor McLain: THE ARCHITECTURAL PART.
02:10:11PM >> THAT IS PROBABLY THE MOST -- THE THING I WILL BE MOST
02:10:14PM CONCERNED ABOUT.
02:10:15PM >>Jim Ward: JUST TO YOUR POINT.
02:10:19PM WHEN I SAW THIS AT THE BRIEFING AND I LOOKED AT THE
02:10:23PM PICTURES, MICHAEL KNOW THIS, STEVE KNOWS THIS, I DIDN'T HAVE
02:10:26PM THE SAME IMPRESSION AS CHICKEN AND PICKLE.
02:10:28PM I aGREED WITH YOU, THIS IS NOT MY DEMOGRAPHIC WHAT I WOULD
02:10:36PM DO.
02:10:37PM HAVING SAID THAT, MY 12-YEAR-OLD GRANDSON WILL BRING ME
02:10:45PM THERE KICKING AND SCREAMING.
02:10:46PM I HAVE A CONCERN OF HOW IT AFFECTS OUR DEMOGRAPHIC AND
02:10:51PM HOW IT FITS.
02:10:51PM MICHAEL SAID IT IS A LARGER DEMOGRAPHIC AND WORKS IN OTHER
02:10:54PM AREAS, SO I AM WILLING TO WORK WITH THAT.

02:10:57PM I AM SOMEWHAT CURIOUS THAT THERE IS NOBODY THERE.
02:11:02PM >> AT HIGH 5?
02:11:06PM >> WELL, THERE WAS.
02:11:06PM ONE MOM AND A CHILD BOWLING AND THE FIRST CUSTOMERS OF THE
02:11:10PM DAY AND I WAS THE SECOND ONE.
02:11:14PM >>Jim Ward: WERE THERE RELATIVELY EARLY.
02:11:16PM >> THEY OPEN AT 11 A.M. AND I WALKED IN RIGHT THEN.
02:11:20PM THAT'S WHY.
02:11:29PM >>Jim Ward: THE APPEARANCE IS VASTLY DIFFERENT THAN CHICKEN
02:11:32PM AND PICKLE.
02:11:33PM SO THAT WAS MY CONCERN.
02:11:35PM >> STEVE, I DIDN'T HAVE YOU INTRODUCE -- DO YOU HAVE ANY
02:11:42PM COMMENTS AT ALL THAT YOU WANT?
02:11:45PM >> IN TERMS OF BACKGROUND FOR THE GENERAL PUBLIC, WHEN WE
02:11:47PM DID -- WHEN WE DO CAPITAL IMPROVEMENT EFFORTS, AND
02:11:52PM THIS IS PART OF IT, WE DO THAT BASED OFF OF MASTER PLANS
02:11:57PM REGARDING, IN THIS CASE, THE PARKS AND RECREATION COMPONENT
02:12:01PM FOR THE COMMUNITY.
02:12:02PM AND PICKLEBALL WAS MENTIONED AS PART OF A HIGHLY DESIRABLE
02:12:09PM ELEMENT WE SHOULD DO UP FRONT.
02:12:10PM SO THIS IS AN EFFORT BY THE VILLAGE TO PROVIDE RECREATIONAL
02:12:17PM SERVICES, BUT IN A NONTRADITIONAL WAY.
02:12:20PM THE TRADITIONAL WAY IS WE WOULDN'T MAKE THE INVESTMENT.
02:12:24PM WE WOULD THEN STAFF IT AND WE WOULD HAVE TO PAY FOR THE
02:12:28PM ONGOING COST OF THE OPERATION.
02:12:29PM THIS IS DIFFERENT WITH THE PUBLIC-PRIVATE PARTNERSHIP WHERE
02:12:33PM WE ARE ENCOURAGING PRIVATE PARTNERS TO HELP US ACCOMPLISH A
02:12:37PM TASK.
02:12:37PM AND WE ARE THEN GETTING A RESIDUE FROM THE OPERATION.
02:12:42PM IN THIS CASE, OUR INVESTMENT COME BACK US TO SOMEWHERE
02:12:48PM BETWEEN 7.8 AND 9% RETURN ON OUR INVESTMENT.
02:12:54PM AND WE ARE GETTING THESE FACILITIES WITH ABOUT A $30 MILLION
02:13:00PM INVESTMENT FROM THE PRIVATE PARTNERS.
02:13:02PM SO A DIFFERENT WAY OF DOING THINGS.
02:13:04PM WE ARE GETTING A LONG-TERM RETURN THAT WILL GIVE US ABOUT A
02:13:07PM MILLION DOLLARS A YEAR.
02:13:08PM MICHAEL DIDN'T MENTIONED BUT HE TOLD NEW BRIEFS THAT WE ARE
02:13:11PM ONLY USING HALF OF THE PROPERTY THAT WE HAVE.
02:13:13PM SO THERE IS A POTENTIAL OF DOING OTHER PARTNERSHIPS OR OTHER
02:13:19PM ACTIVITIES ON THE OTHER PORTION OF THE 20 ACRES AND GET IN
02:13:23PM ANOTHER LINE OF REVENUE.
02:13:24PM AND IMPORTANTLY, WHEN WE HAD OUR FOCUS GROUPS ON THIS, I --
02:13:41PM AND IT KIND OF SURPRISED ME THAT OUR -- OUR PICKLEBALL
02:13:45PM COMMUNITY WAS SAYING, THEY FULLY EXPECT TO PAY -- THERE WILL
02:13:50PM BE SLIGHTLY LOWER CHARGE FOR ESTERO RESIDENTS, BUT THEY ARE
02:13:54PM GETTING PREFERRED SCHEDULING, WHICH IS WHAT THEY CAN'T GET
02:13:58PM ANYWHERE ELSE IN THE REGION.
02:13:59PM SO THIS WILL REALLY, I THINK, ACTIVATE THE PICKLEBALL

02:14:06PM COMMUNITY.
02:14:06PM I HAVE GOT NOTHING BUT COMPLIMENTS ABOUT KIND OF THE
02:14:12PM DIRECTION THAT WE ARE GOING.
02:14:14PM AND OUR INTENT WOULD BE TO CONTINUE TO ENGAGE THAT COMMUNITY
02:14:21PM AS WE WORK THROUGH THE SUMMER ON THE FINAL DESIGN AND
02:14:25PM NEGOTIATIONS ON THE CONTRACT.
02:14:26PM >>Mayor McLain: THANK YOU.
02:14:29PM I THINK WE GOT QUESTIONS ANSWERED.
02:14:31PM JIM, ONE MORE.
02:14:35PM >>Jim Ward: OPEN TO GENERAL QUESTIONS?
02:14:37PM MICHAEL ALLUDED TO THE FACT THAT HE AND I HAD A CONVERSATION
02:14:41PM ON MONDAY.
02:14:41PM AFTER THE BRIEFING ON FRIDAY, I SPENT SOME TIME ON THE
02:14:44PM FINANCIALS AND ALSO THE LEGAL DOCUMENTS AND I SENT MICHAEL A
02:14:49PM TWO-PAGE SUMMARY OF SOME QUESTIONS AND CONCERNS.
02:14:52PM AND I WANT TO THANK MICHAEL FOR GETTING BACK TO ME AS
02:14:55PM QUICKLY AS HE DID GIVEN THE FACT IT WAS A FOURTH OF JULY
02:14:59PM WEEKEND.
02:14:59PM WE DID SPEND ABOUT AN HOUR ON THE PHONE ON MONDAY GOING
02:15:02PM THROUGH SOME CONCERNS THAT I HAD RELATIVE TO THE FACT THAT,
02:15:07PM NUMBER ONE, IT IS NOT A BINDING AGREEMENT.
02:15:10PM THERE ARE CONTINGENCIES IN HERE THAT ALLOW US TO HAVE
02:15:16PM FURTHER DISCUSSION WITH THE OPERATORS AND ENSURE THAT WE
02:15:19PM HAVE A WIN-WIN SITUATION FOR THE VILLAGE, AS WELL AS THE TWO
02:15:23PM OPERATORS.
02:15:23PM BUT I WAS CONCERNED THAT THERE WAS SOME INCONSISTENCIES WITH
02:15:28PM THE LEGAL LANGUAGE AND THE FINANCIAL SCHEDULES THAT WE HAD
02:15:32PM RECEIVED.
02:15:33PM MIKE AND I HAVE RESOLVED MOST OF THAT.
02:15:37PM WE AGREED TO REVIEW DIFFERENT THINGS THAT I POINTED OUT,
02:15:41PM PARTICULARLY ONE OF THESE WITH RESPECT TO THE REVENUE SHARE
02:15:45PM AT CHICKEN AND PICKLE.
02:15:46PM I ASSUME IT WAS EVERYTHING UNDER THE ROOF OF CHICKEN AND
02:15:50PM PICKLE.
02:15:51PM TURNS OUT IT WAS ONLY THE PICKLEBALL REVENUE WHICH IS VASTLY
02:15:55PM DIFFERENT IN TERMS OF THE AMOUNT OF REVENUE THAT IS PRODUCED
02:15:59PM BY THE TOTAL ENTITY VERSUS JUST PICKLEBALL.
02:16:02PM HAVING SAID THAT, THE FINANCIAL INFORMATION THAT WE RECEIVED
02:16:06PM WAS ONLY RELATIVE TO THE PERCENTAGE OF REVENUE OF JUST
02:16:11PM PICKLEBALL.
02:16:11PM SO -- SO WE ARE OKAY AS FAR AS THE FINANCIALS ARE CONCERNED,
02:16:16PM BUT I THOUGHT THE LEGAL CONTRACT OR THE LEGAL MEMO THAT WE
02:16:23PM ARE GOING TO SIGN NEEDED FURTHER CLARIFICATION RELATIVE TO
02:16:26PM THAT.
02:16:26PM ANY OTHER POINT THAT MICHAEL INDICATED THAT I THOUGHT WE
02:16:32PM NEEDED TO INCLUDE SOME REPLACEMENT COSTS FOR FUTURE
02:16:35PM REPLACEMENT OF PICKLEBALL COURTS IN OUR FINANCIAL
02:16:39PM INFORMATION.

02:16:40PM AND MICHAEL HAS AGREED TO THAT AS WELL.
02:16:44PM AGAIN, I WANTED TO POINT OUT THAT I DID HAVE CONCERNS.
02:16:47PM MICHAEL AND I DID DISCUSS IT AND WE ARE PRETTY COMFORTABLE
02:16:52PM AT THAT POINT.
02:16:54PM >>Mayor McLain: THANK YOU FOR DELVING INTO THAT.
02:16:56PM IT WAS A GOOD LUCK.
02:16:57PM MADAM CLERK, DO WE HAVE ANYONE SIGNED UP TO SPEAK ON THIS?
02:17:02PM >>Clerk: NO, MAYOR, WE DO NOT.
02:17:04PM >>Mayor McLain: NO E-COMMENTS?
02:17:08PM >>Clerk: NO E-COMMENTS.
02:17:11PM >>Mayor McLain: WITH THAT, I WILL ENTERTAIN A MOTION FROM
02:17:13PM SOMEBODY TO MOVE THIS FORWARD.
02:17:15PM VICE-MAYOR RIBBLE HAS MADE THE MOTION.
02:17:18PM SECOND BY LARRY FIESEL.
02:17:20PM MADAM CLERK, PLEASE TAKE THE ROLL.
02:17:24PM >>George Zalucki: AYE.
02:17:25PM >>Jim Ward: AYE.
02:17:27PM >>Lori Fayhee: AYE.
02:17:31PM >>Larry Fiesel: AYE.
02:17:33PM >>Vice-Mayor Ribble: AYE.
02:17:36PM >>Mayor McLain: AYE.
02:17:37PM THANK YOU, MICHAEL.
02:17:38PM >> THANK YOU, ALL.
02:17:39PM >>Mayor McLain: COUNCILMEMBERS, REQUESTED TO LEAVE AFTER A
02:17:48PM RECORD MEETING WHICH WE ARE GOING TO CONTINUE TO GO ON THAT
02:17:51PM YOU WILL MAKE OUT.
02:17:51PM YOU WON'T MAKE HISTORY ON THAT PART.
02:17:55PM >>George Zalucki: WITH YOUR PERMISSION, MAYOR, IF IT IS NOT
02:17:58PM A PROBLEM, GO AHEAD AND EXCUSE MYSELF.
02:18:00PM >>Mayor McLain: THANK YOU.
02:18:02PM THE NEXT ITEM ON THE IS 6-A.
02:18:07PM WE ARE GOING BACK TO THE BEGINNING OF YOUR BOOK, RESOLUTION
02:18:11PM NUMBER 20, 23-12.
02:18:13PM MADAM CLERK, ANNOUNCE THE RESOLUTION.
02:18:16PM >>Clerk: RESOLUTION NUMBER 2023-12.
02:18:21PM RESOLUTION OF THE VILLAGE OF ESTERO DETERMINING PROPOSED
02:18:24PM MILLAGE RATE FOR FISCAL YEAR 2023-2024.
02:18:28PM SETTING A DATE, TIME AND PLACE FOR PUBLIC HEARING REQUIRED
02:18:31PM BY STATE LAW.
02:18:32PM DIRECTING STAFF TO TRANSMIT NECESSARY DOCUMENTATION PURSUANT
02:18:36PM TO THE REQUIREMENTS OF FLORIDA STATUTES AND THE RULES AND
02:18:39PM REGULATIONS OF THE DEPARTMENT OF REVENUE AND PROVIDING AN
02:18:42PM EFFECTIVE DATE.
02:18:42PM >>Mayor McLain: THANK YOU.
02:18:45PM STEVE, DO YOU HAVE ANY -- WOULD YOU LIKE TO INTRODUCE THIS
02:18:49PM ITEM?
02:18:50PM >>Steve Sarkozy: SURE, THIS IS CONSISTENT WITH THE
02:18:52PM REQUIREMENT OF STATE STATUTE AND THE STATE PRACTICE.

02:18:56PM THE STATUTE REQUIRES THAT WE DECLARE OUR PUBLIC HEARINGS FOR
02:19:00PM PUBLIC HEARINGS FOR SEPTEMBER AND THEY ARE LISTED THE 7th
02:19:04PM AND 20th AND ALSO WE PROVIDE A PRELIMINARY PROPERTY TAX
02:19:09PM RATE.
02:19:10PM THIS RATE IS PROPOSED TO BE OUR CURRENT RATE AT.75.
02:19:15PM WE CAN'T GO UP FROM THIS POINT FORWARD, BUT WE CAN GO DOWN.
02:19:20PM WHAT WE HAVE DONE IN THE PAST YEARS AS ESTABLISHED CURRENT
02:19:25PM LEVEL, AND THEN MODIFY THIS DOWNWARD DEPENDING UPON
02:19:32PM COUNCIL'S REVIEW OF YOUR FINAL BUDGET IN -- IN AUGUST AND
02:19:36PM SEPTEMBER.
02:19:36PM >>Mayor McLain: SO BASICALLY WE HAVE SOME TIME TO MAKE A
02:19:42PM FINAL DECISION ON THIS THING.
02:19:43PM YOU HAVE TIME.
02:19:44PM ANY COUNCILMEMBERS HAVE QUESTIONS ON THIS?
02:19:48PM WE WILL MODIFY THIS AGAIN.
02:19:50PM MADAM CLERK, DO WE HAVE --
02:19:52PM >>Clerk: NO PUBLIC COMMENTS OR E-COMMENTS, MAYOR.
02:19:56PM >>Mayor McLain: ENTERTAIN A MOTION OF THIS.
02:20:00PM COUNCILPERSON FAYHEE HAS MADE A MOTION AND A SECOND BY
02:20:05PM COUNCIL MEMBER WARD.
02:20:06PM MADAM CLERK, PLEASE CALL THE ROLL.
02:20:08PM >>Larry Fiesel: AYE.
02:20:12PM >>Lori Fayhee: AYE.
02:20:13PM >>Jim Ward: AYE.
02:20:15PM >>Vice-Mayor Ribble: AYE.
02:20:18PM >>Mayor McLain: AYE.
02:20:19PM NEXT ITEM 6-B, AUDIT.
02:20:22PM STEVE, CAN YOU INTRODUCE THIS ITEM.
02:20:25PM >>Steve Sarkozy: YES, THANK YOU, MAYOR, MEMBERS OF COUNCIL.
02:20:28PM THE AUDIT WAS PRESENTED TO THE COUNCIL AT THE -- AT THE LAST
02:20:32PM MEETING, WHICH PRESENTED AT A WORKSHOP.
02:20:35PM AND ACCORDING STATE STATUTE, IT HAS TO BE FORMALLY ADOPTED
02:20:39PM BY THE VILLAGE.
02:20:40PM JUST TO REITERATE, BUT WE -- WE INSIST THAT ALL OF OUR
02:20:44PM FINANCES ARE PROVIDED WITH THE HIGHEST LEVEL OF
02:20:48PM ACCOUNTABILITY AND FISCAL INTEGRITY.
02:20:51PM SO WE KEEP OUR RUNNING TRACK RECORD SINCE THE INCEPTION OF
02:20:55PM THE VILLAGE OF ANY FINDINGS OR ANY MANAGEMENT COMMENTS.
02:20:59PM WE ARE -- WE STRIVE EACH YEAR TO BRING FORWARD OUR TOTAL
02:21:05PM BUDGET AND FINANCIAL SYSTEM WITH NO FINDINGS AND REALLY
02:21:11PM SINCE -- FOR LAST SEVERAL YEARS, SIX YEARS, WE HAVE NOT HAD
02:21:15PM ANY FINDINGS OF ANY TYPE.
02:21:17PM AND THIS YEAR WE ONLY HAD ONE MINOR -- WHAT I CONSIDER MINOR
02:21:22PM MANAGEMENT COMMENT THAT IS A TWEAK TO IMPROVE OUR SYSTEM.
02:21:31PM WE ALREADY MADE MODIFICATIONS IN OUR PLAN TO ADDRESS THAT
02:21:34PM MANAGEMENT CONTRACT, AND WE ARE QUICK TO RESPOND TO ANY
02:21:38PM OUTSIDE AUDIT REVIEW, BUT THIS ITEM IS BEFORE YOU.
02:21:42PM NOTHING HAS CHANGED SINCE THE LAST PRESENTATION OF THIS

02:21:46PM AUDIT, BUT IT DOES REQUIRE FORMAL COUNCIL APPROVAL.
02:21:49PM >>Mayor McLain: THANK YOU, STEVE.
02:21:52PM ANY COMMENTS FROM COUNCIL?
02:21:55PM I SEE NONE.
02:21:56PM MADAM CLERK, ANYONE SIGNED UP?
02:21:59PM >>Clerk: NO E-COMMENTS OR PUBLIC COMMENTS.
02:22:02PM >>Mayor McLain: THANK YOU.
02:22:03PM I WILL ENTERTAIN A MOTION REGARDING THIS ITEM.
02:22:06PM COUNCILMEMBER WARD HAS MADE A MOTION.
02:22:09PM SECONDED WHICH VICE-MAYOR RIBBLE.
02:22:10PM MADAM CLERK, PLEASE CALL THE ROLL.
02:22:14PM >>Jim Ward: AYE.
02:22:16PM >>Lori Fayhee: AYE.
02:22:19PM >>Larry Fiesel: AYE.
02:22:21PM >>Vice-Mayor Ribble: AYE.
02:22:23PM >>Mayor McLain: AYE.
02:22:24PM NEXT ITEM 6-C, VILLAGE OF ESTERO WATER MONITORING CONTRACT
02:22:29PM 2024.
02:22:30PM STEVE, WILL YOU PLEASE INTRODUCE THIS ITEM.
02:22:33PM >>Steve Sarkozy: THANK YOU, MAYOR AND MEMBERS OF COUNCIL.
02:22:35PM THIS AS IT SAYS AN EXTENSION AND SOME MAINTENANCE ON THE
02:22:39PM WATER MONITORING CYCLE THAT WE HAVE.
02:22:42PM THE EXPANSION OF OUR WATER MONITORING LOCATIONS IS REALLY TO
02:22:48PM STRENGTHEN OUR ABILITY TO ANALYZE WATER QUALITY THROUGH BOTH
02:22:53PM THE NORTH AND SOUTH BRANCHES OF THE ESTERO RIVER.
02:22:57PM PARTICULARLY IMPORTANT NOW THAT WE ARE LOOKING AT DOING THE
02:23:00PM SEPTIC TO SEWER PROJECTS.
02:23:02PM WE WANT TO BE ABLE TO VALIDATE AND SUBSTANTIATE UP FRONT
02:23:07PM THAT WE HAVE A PROBLEM AND OBVIOUSLY THE SEPTIC TO SEWER
02:23:11PM WILL HELP US.
02:23:12PM OUR STORMWATER MASTER PLAN WHICH, OF COURSE, APPLIES HEAVILY
02:23:16PM ON THE ESTERO RIVER FOR MAJOR FLOWAGE IS REALLY DEPENDENT --
02:23:24PM ANALYSIS IS DEPENDENT ON HAVING GOOD WATER MONITORING
02:23:28PM LOCATIONS.
02:23:29PM AND THIS WILL ONLY HELP US TO STRENGTHEN THAT PLANNING
02:23:33PM EFFORT AS WE MOVE FORWARD.
02:23:35PM SO THIS -- THIS TOTAL COST TO US IS $146,340 WITH JOHNSON
02:23:43PM ENGINEERING WITH A 10% CONTINGENCY OF $14,600.
02:23:48PM AND RECOMMENDED TO PROVIDE ADDITIONAL PROFESSIONALISM AND
02:23:55PM DATA REGARDING OUR STORMWATER SYSTEM.
02:23:59PM >>Mayor McLain: THANK YOU, STEVE.
02:24:01PM ANY COMMENTS OR QUESTIONS FROM COUNCIL?
02:24:07PM I HAVE -- I JUST HAVE ONE QUESTION TO SHARE WITH EVERYBODY
02:24:10PM HERE.
02:24:11PM YOU KNOW A PRETTY GOOD CHUNK OF MONEY, BUT IT IS OBVIOUSLY
02:24:15PM NECESSARY.
02:24:15PM I TALKED TO DAVID AND STEVE A COUPLE OF DAYS AGO.
02:24:20PM IN THE FALL, I THINK, WHEN WE COME BACK FROM BREAK, SOME

02:24:24PM TIME IN THE FALL SEASON, I WOULD LIKE TO HAVE A WORKSHOP OR
02:24:30PM PRESENTATION ON, YOU KNOW, THE SURVEYS THAT WE ARE CURRENTLY
02:24:34PM DOING.
02:24:34PM WHAT IS THE RESULT OF THAT.
02:24:35PM TO WE UNDERSTAND ARE WE GETTING WORSE, BETTER OR WHATEVER.
02:24:38PM WE PROBABLY WILL DO THAT ANNUALLY BECAUSE SPENDING THESE
02:24:43PM DOLLARS.
02:24:43PM WE NEED TO MAKE SURE THAT WE UNDERSTAND WHAT THE RESULTS ARE
02:24:46PM SO WE CAN MAYBE MODIFY OTHER EXPENDITURES TO IMPROVE QUALITY.
02:24:51PM SO IT IS VERY IMPORTANT.
02:24:52PM NO PUBLIC COMMENTS ON THIS?
02:24:55PM >>Clerk: WE HAVE NO PUBLIC COMMENT AND NO E-COMMENTS.
02:24:58PM >>Mayor McLain: THANK YOU.
02:25:01PM I WILL NOW ENTERTAIN A MOTION TO APPROVE THIS ITEM.
02:25:05PM COUNCILWOMAN FAYHEE AND SECOND BY VICE-MAYOR RIBBLE.
02:25:13PM >>Larry Fiesel: AYE.
02:25:16PM >>Lori Fayhee: AYE.
02:25:17PM >>Jim Ward: AYE.
02:25:20PM >>Vice-Mayor Ribble: AYE.
02:25:21PM >>Mayor McLain: AYE.
02:25:22PM 6-D.
02:25:24PM PREFABRICATED BRIDGE.
02:25:26PM REQUEST FOR BID, RFP 2023-07.
02:25:31PM STEVE, INTRODUCE THIS ITEM.
02:25:34PM >>Steve Sarkozy: THANK YOU, MAYOR AND MEMBERS OF COUNCIL.
02:25:36PM THIS IS PART OF OUR CAPITAL IMPROVEMENT PROGRAM.
02:25:39PM SANDY LANE PROJECT RECEIVED A STATE GRANT FOR A SMALL
02:25:43PM PORTION OF THE TOTAL COST, BUT AS PART OF THAT, WE ARE
02:25:47PM BUILDING A -- A PATHWAY ON THE EAST SIDE OF SANDY LANE.
02:25:53PM AND BECAUSE OF THE NARROWNESS OF THE BRIDGE GOING OVER THE
02:26:00PM NORTH BRANCH AND THIS IS THE BRIDGE FOR PEDESTRIAN AND BIKE
02:26:06PM TRAFFIC.
02:26:07PM SO IF THIS IS A -- IS A PROPOSED BID FOR PREFABRICATED
02:26:15PM BRIDGE THAT WILL ACCOMPLISH THAT RIVER CROSSING.
02:26:19PM THE ABUTMENTS ARE KNOWN NOW SO THAT WE -- THE ABUTMENTS HAVE
02:26:26PM TO STAY OUT OF THE FLOODWAY.
02:26:28PM SO THE PREFABRICATED BRIDGE WILL CREATE ABUTMENT INTO AN
02:26:32PM ABUTMENT AS A FREE STANDING CLEAR SPAN BRIDGE OVER THAT
02:26:38PM SECTION.
02:26:38PM THIS COMES TO YOU WITH A RECOMMENDATION OF APPROVAL.
02:26:41PM AND THE -- AND THE SUCCESSFUL BIDDER IN THIS CASE HAS
02:26:47PM CONTACT WITH THE BID OF $239,500.
02:26:51PM AND WE ARE ASKING FOR APPROVAL OF THAT AMOUNT PLUS THE 10%
02:26:55PM CONTINGENCY AS PART OF THIS COUNCIL ACTION.
02:26:58PM >>Mayor McLain: I WILL ASK DAVID -- I DON'T KNOW WHAT A
02:27:05PM PREFABRICATED BRIDGE LOOKS LIKE, AND I CAN ASK THEM TO SHOW
02:27:10PM US WHAT IT LOOKS LIKE SO WE KNOW WHAT WE ARE VOTING FOR.
02:27:13PM >> THAT WAS ONE OF MY QUESTIONS, IS THIS SOMETHING WE HAVE

02:27:15PM SEEN OR APPROVED OR -- I THINK THE ESTERO ON THE RIVER, WE
02:27:20PM SAW THAT BRIDGE.
02:27:21PM >> THE BRIDGES FOR ESTERO AND SANDY LANE ARE BASICALLY GOING
02:27:25PM TO LOOK THE SAME.
02:27:27PM THEY WILL BE LONGER AND THE WIDTH WILL BE DIFFERENT.
02:27:29PM THIS IS WHAT THE BRIDGE WILL LOOK LIKE.
02:27:31PM SIMILAR COLOR.
02:27:32PM GOING TO BE THE BROWN.
02:27:33PM IT IS METAL AND THEY PAINT OVER IT.
02:27:36PM THESE -- WE HAVE THESE BRIDGES ALL AROUND THE AREA WHEREVER
02:27:40PM -- THERE ARE SEVERAL ALONG DANIELS PARKWAY WHERE IT GOES
02:27:44PM ACROSS THE -- THE SIX-MILE CYPRESS SLEW.
02:27:47PM SEVERAL OF THEM DOWN IN COLLIER COUNTY AS WELL.
02:27:51PM >>Mayor McLain: THE TIME BRIDGE GOING OVER THE ESTERO RIVER.
02:27:54PM >> CORRECT, AT SANDY LANE AND ESTERO ON THE RIVER.
02:27:58PM THEY ARE FINISHING UP THE DESIGN FOR ESTERO ON THE RIVER.
02:28:01PM SO WE WILL DO THE SAME PROCESS FOR THEM WHEN YOU COME BACK
02:28:04PM FROM BREAK.
02:28:08PM >>Lori Fayhee: YOU MENTIONED OTHER BRIDGES LIKE THESE.
02:28:10PM WERE THEY MADE FROM THE SAME COMPANY?
02:28:13PM >> PROBABLY.
02:28:13PM CONTACT IS THE LARGEST PROVIDER IN THE AREA.
02:28:16PM THERE ARE OTHER BRIDGE COMPANIES THAT YOU SEE -- WE RECEIVE
02:28:19PM TWO BIDS.
02:28:20PM BOTH OF THOSE COMPANIES ARE QUALIFIED TO DO THAT.
02:28:23PM CONTACT DOES A LOT OF THEM.
02:28:26PM >>Mayor McLain: YOU KNOW, WHEN I LOOK AT THIS, MY ONLY
02:28:29PM CONCERN I HAVE IS -- I THINK THE BRIDGE LOOKS FINE.
02:28:33PM BUT PEOPLE RIDING BICYCLES AND PEDESTRIANS ON THE SAME AREA,
02:28:38PM DO WE NEED TO ADDRESS THE ENTRANCE AND EXIT OF THIS BRIDGE?
02:28:43PM SOMEBODY RIDING A BICYCLE.
02:28:45PM IF THEY WOULD HAPPEN TO VEER RIGHT GOING ACROSS THE GOLDEN
02:28:50PM GATE BRIDGE FROM MY LEFT TO RIGHT, POTENTIALLY THEY CAN MISS
02:28:53PM THE BRIDGE AND GO DOWN THE HILL.
02:28:55PM >> THAT WILL BE -- ESPECIALLY ON -- ACTUALLY BOTH OF THEM,
02:29:00PM THERE IS A RAMP GOING UP TO THEM.
02:29:01PM >>Mayor McLain: OKAY.
02:29:03PM >> ON SANDY LANE, A LITTLE BIT OF A BOARDWALK COMING UP TO
02:29:09PM THE BRIDGE.
02:29:09PM YES, THAT WILL ABSOLUTELY BE PROTECTED.
02:29:12PM >>Mayor McLain: GOOD.
02:29:12PM ANY OTHER QUESTIONS?
02:29:17PM >>Larry Fiesel: I HAVE A NUMBER OF QUESTIONS.
02:29:19PM THE PRICE ACCORDING TO THE PROPOSAL IS A GRAND TOTAL COST.
02:29:23PM AND IN MY WORLD OF BIDDING PROJECTS OVER 47 YEARS, I NEVER
02:29:30PM GOT ANY CONTINGENCY.
02:29:32PM I GAVE A PRICE AND THAT WAS MY PRICE.
02:29:34PM A REASON WE HAVE THE CONTINGENCY?

02:29:37PM DO WE EXPECT THEM TO IT GO BACK AND TELL MORE?
02:29:41PM >> THE CONTINGENCY IS NOT FOR THE CONTRACTOR.
02:29:44PM THAT IS NOT IN THEIR CONTRACT.
02:29:46PM THEY RECEIVE THE APPROVAL FOR THE CONTRACT, IT INCLUDES
02:29:50PM THEIR COST.
02:29:50PM THE ONLY REASON THE 10% IS THERE IF THERE ARE ANCILLARY
02:29:55PM COSTS THAT COME UP THAT ARE REALLY MINOR, INSTEAD OF HAVING
02:29:58PM STAFF COME BACK TO COUNCIL TO GET APPROVAL FOR THAT, STAFF
02:30:01PM IS ABLE TO DO THAT.
02:30:02PM OR ACTUALLY THE MANAGER IS ABLE TO DO THAT AS PART OF THAT
02:30:06PM PROJECT, BUT THEY DON'T.
02:30:07PM THAT IS NOT, THIS.
02:30:08PM THE VILLAGE IF THEY NEED TO USE IT.
02:30:11PM >>Larry Fiesel: ONE OF THE OTHERS ON PAGE 10-A, THEY SAY THE
02:30:15PM REMOVAL OF THE STRUCTURE FROM THE TRANSPORTER AND PLACEMENT
02:30:19PM IS INCLUDED IN THEIR PRICE.
02:30:20PM ON THE NEXT PAGE IS A CLARIFICATION OF MODIFICATION THAT
02:30:23PM SAYS OFF LOADING AND PLACEMENT IS BY OTHERS.
02:30:26PM WHICH IS IT?
02:30:28PM >> WE WORKED THROUGH THAT.
02:30:30PM OUR ORIGINAL BID SAID THAT WAS TO BE INCLUDED.
02:30:33PM WHEN THEY RESPONDED, THEY SAID IT WAS EXCLUDED FROM THEIR
02:30:38PM PORTION.
02:30:38PM AFTER WE TALKED ABOUT IT INTERNALLY AND TALKED ABOUT IT WITH
02:30:41PM THE PROJECT ENGINEER, IT ACTUALLY MAKES MORE SENSE FOR THE
02:30:45PM CONTRACTOR THAT IS ACTUALLY BUILDING THE PATH TO REMOVE IT
02:30:48PM FROM THEIR STRUCTURE.
02:30:49PM OTHERWISE, WE WILL HAVE TWO CRANES OUT ON-SITE AT THE SAME
02:30:54PM TIME.
02:30:54PM >>Larry Fiesel: OKAY, SO WILL WE HAVE A CONTRACT WITH THE --
02:31:01PM >> WE WILL.
02:31:02PM >>Larry Fiesel: CONTRACT TO -- THE PATHWAY CONTRACTOR?
02:31:05PM OKAY.
02:31:05PM >> THE PATHWAY CONTRACTOR, PART OF THAT CONTRACT IS TO PLACE
02:31:09PM THIS STRUCTURE.
02:31:10PM THIS IS ONLY BEING DONE RIGHT NOW TO GET AHEAD OF IT BECAUSE
02:31:14PM STRUCTURES LIKE THIS CAN TAKE SIX, EIGHT, NINE MONTHS TO
02:31:18PM FABRICATE AND THEY DIDN'T WANT THAT TO HOLD UP THE REST OF
02:31:22PM THE PROJECT.
02:31:22PM THEY WERE DOING THAT AHEAD OF TIME AND IN THE NEXT COUPLE OF
02:31:26PM MONTHS ANOTHER BID FOR THE PATH AND PLACING THE STRUCTURE.
02:31:29PM >>Larry Fiesel: CAN WE ASK PART OF THE -- THE BIDDER
02:31:37PM DISCLOSURE IS OWNERSHIP OF 5% OR GREATER IS ATTACHED
02:31:41PM AND THEN HIS RESPONSE BACK IS THAT OWNERSHIP DETAILS WILL
02:31:45PM NOT BE PROVIDED.
02:31:46PM I GUESS I WOULD DEFER TO COUNSEL ON THAT.
02:31:50PM IS THAT -- DO YOU SEE ANY -- THEY ARE NOT LIVING WITH WHAT
02:31:54PM WE HAVE ASKED FOR, AS I READ TAMPA.

02:31:57PM I READ THAT DISCLOSURE.
02:31:59PM THEY DID DISCLOSE LEVELS DOWN OF OWNERSHIP.
02:32:03PM WHAT THEY INDICATED THEY WOULD NOT DISCLOSE IS WHO WITHIN
02:32:08PM THE FINAL COMPANY, WHERE THE FAMILY OWNERSHIP IS.
02:32:10PM AND I DON'T SEE THAT IS SOMETHING THAT WE ARE CONCERNED
02:32:14PM ABOUT.
02:32:14PM SO -- AND BOTH -- BOTH THE VILLAGES PROCUREMENT MANAGER AND
02:32:19PM I ARE IN AGREEMENT THAT THE LEVEL OF DISCLOSURE WE WERE
02:32:23PM LOOKING FOR TO MAKE SURE THERE IS NO CONFLICT OF INTEREST OR
02:32:26PM WHATNOT HAVE BEEN SATISFIED WITH WHAT THEY DISCLOSED.
02:32:29PM >>Larry Fiesel: OKAY.
02:32:30PM I THINK THAT IS ALL.
02:32:31PM THEY SETTLED THEIR BID RIGGING SUIT IN NORTH -- NORTH AND
02:32:40PM SOUTH CAROLINA.
02:32:40PM JUST IN HERE FOR OUR UNDERSTANDING?
02:32:43PM >> SO WHENEVER WE DO SOLICITATIONS, ONE OF THE THINGS THAT
02:32:47PM WE ASK FOR IS WHO IS IN CHARGE WITH AND PLED GUILTY TO OR
02:32:53PM HAVE BEEN FOUND GUILTY OF CERTAIN CRIMES.
02:32:55PM OF COURSE BID RIG SOMETHING RIGHT UP THERE AND WE WANT TO
02:32:58PM MAKE SURE WE DEAL WITH HONEST VENDORS.
02:33:01PM I GIVE THEM CREDIT AS A VENDOR.
02:33:04PM TIME IN MY CAREER THAT A VENDOR HAS PUT IN ITS BID AND
02:33:08PM PROPOSAL AND HIDDEN STUFF THAT THE GOVERNMENT STAFF HAD TO
02:33:10PM DO ITS DUE DILIGENCE TO FIND AND SAY WHY DIDN'T YOU TELL US
02:33:14PM ABOUT THIS.
02:33:15PM YOU ARE DISQUALIFIED.
02:33:17PM THEY DID WHAT WE ASKED US TO DO.
02:33:18PM THEY DISCLOSED.
02:33:20PM I READ THROUGH THE SETTLEMENT AGREEMENT.
02:33:23PM WHEN I SAW THE SETTLEMENT AGREEMENT I WENT ONLINE STAND MY
02:33:27PM OWN RESEARCH AND OTHER THAN THAT DISAGREEMENT THAT THEY HAD
02:33:29PM WITH THE GOVERNMENT, THERE HAS BEEN NO OTHER NEWS ARTICLE OR
02:33:33PM COURT CASE I FOUNTAIN ON WESTLAW THAT FOUND THEM GUILTY OF
02:33:39PM ANYTHING.
02:33:39PM I WOULD ADVISE THEM NOT TO DO THAT IF THEY DID THAT.
02:33:42PM >>Larry Fiesel: THANK YOU.
02:33:43PM THAT'S ALL I HAVE.
02:33:44PM >>Mayor McLain: COUNCILPERSON FAYHEE.
02:33:51PM YOU ARE NOT GETTING OFF THAT EASY.
02:33:54PM >>Lori Fayhee: IF YOU WERE TO BUILD THAT BRIDGE HERE OTHER
02:33:57PM THAN CONTRACTING IT OUT, I AM ASSUMING THAT THE PRICE
02:34:01PM DIFFERENCE IS QUITE A BIT.
02:34:02PM >> THE INTENT OF THE PREFABRICATED BRIDGE THAT IT IS A KNOWN
02:34:06PM QUANTITY AND BUILD THE EXACT STAPLE BRIDGE AT THE SAME TIME.
02:34:09PM THE DESIGN STRUCTURALLY IS A LOT CHEAPER, FASTER AND THE
02:34:13PM WHOLE STRUCTURE ITSELF IS CHEAPER.
02:34:16PM >>Lori Fayhee: PROBABLY SAFER AS WELL, CORRECT?
02:34:18PM >> I WOULDN'T SAY THAT.

02:34:19PM CERTAIN STANDARDS THAT THEY ARE GOING TO HAVE TO MEET.
02:34:21PM WHETHER IT IS BUILT ON-SITE OR PREFABRICATED, SAFETY SHOULD
02:34:25PM BE THE SAME.
02:34:26PM >>Lori Fayhee: OKAY, HOW LONG DOES SOMETHING LIKE THIS LAST?
02:34:31PM IS IT --
02:34:32PM >> DESIGN IS ABOUT 50 YEARS OR SO.
02:34:36PM >>Lori Fayhee: OKAY, THANK YOU.
02:34:38PM >>Mayor McLain: ANY OTHER QUESTIONS?
02:34:41PM NONE?
02:34:42PM ANYBODY SIGNED UP TO TALK FROM THE PUBLIC.
02:34:44PM >>Clerk: NO PUBLIC COMMENT AND NO E-COMMENTS.
02:34:47PM >>Mayor McLain: SO NOW I WILL ENTERTAIN A MOTION.
02:34:51PM >> SO MOVED.
02:34:54PM >>Mayor McLain: LARRY FIESEL MADE THE MOTION.
02:34:56PM SECONDED BY COUNCILPERSON FAYHEE.
02:35:07PM >>Jim Ward: AYE.
02:35:09PM >>Lori Fayhee: AYE.
02:35:10PM >>Larry Fiesel: AYE.
02:35:13PM >>Vice-Mayor Ribble: AYE.
02:35:17PM >>Mayor McLain: AYE.
02:35:18PM 6-E, ROADWAY ASSESSMENT CONTRACT 2022-32, STA 01.
02:35:27PM STEVE, WOULD YOU LIKE TO INTRODUCE THIS ITEM.
02:35:31PM >>Steve Sarkozy: THANK YOU, MAYOR, MEMBERS OF COUNCIL.
02:35:33PM WHAT WE NEED TO DO IS MAINTAINING YOUR ROADS AND YOUR
02:35:36PM SIDEWALKS.
02:35:37PM IT IS TO PERIODICALLY DO A COMMUNITY WIDE ASSESSMENT OF THE
02:35:43PM CONDITION OF THOSE SIDEWALKS.
02:35:44PM SO THAT WE CAN PROFESSIONALLY AND PROPERLY RANK THE KIND OF
02:35:52PM WORK THAT NEEDS TO BE DONE AND IN WHAT ORDER.
02:35:56PM SO WE HAVE NOT DONE THAT FOR A NUMBER OF YEARS.
02:36:01PM IT WAS FIRST DONE WHEN WE INCORPORATED.
02:36:05PM AND GIVEN THE TIME AND THE TYPE OF TRAFFIC THAT WE HAVE ON
02:36:11PM OUR -- ON OUR ROADS AND SIDEWALKS, WE HAVE SEEN SOME
02:36:18PM DEGRADATION.
02:36:18PM SO IT IS APPROPRIATE THAT WE GO OUT THERE AND DO THIS
02:36:21PM PERIODIC UPDATE.
02:36:23PM THIS IS PROPOSED WITH TETRATECH.
02:36:28PM THEIR OFFICES ARE LOCATED IN ESTERO.
02:36:31PM AND THAT ASSESSMENT IS DONE IN A WAY THAT WE CAN THEN BRING
02:36:35PM BACK TO YOU THE CONDITIONAL ASSESSMENT PROFILE FOR ALL OF
02:36:39PM OUR STREETS AND SIDEWALKS ONCE THIS PROJECT IS COMPLETE.
02:36:42PM YOU -- AND WE WOULD USE THAT AS A -- AS A BASIS FOR OUR
02:36:49PM CAPITAL IMPROVEMENT PROGRAM, AND THE MAJOR MAINTENANCE THAT
02:36:53PM IS NEEDED ON SOME OF THE STREETS.
02:36:55PM SO THIS IS AN IMPORTANT PART OF DOING THINGS CONSISTENT WITH
02:36:59PM OUR MASTER PLANNING PROCESS.
02:37:04PM AND HELPS US REALLY PROVIDE THE BEST POSSIBLE SERVICE TO OUR
02:37:11PM COMMUNITY.

02:37:11PM THE TOTAL AMOUNT IS $256,006, AGAIN, WITH THE 10% CONTINGENT
02:37:22PM ACCOUNT.
02:37:22PM >>Mayor McLain: THANK YOU, STEVE.
02:37:23PM ANY QUESTIONS FROM ANYONE, COUNCILMEMBERS?
02:37:27PM WITH NO QUESTIONS.
02:37:28PM ANY PUBLIC COMMENTS?
02:37:30PM >>Clerk: NO PUBLIC COMMENT AND NO E-COMMENTS.
02:37:34PM >>Mayor McLain: I WILL ENTERTAIN A MOTION TO ACCEPT THIS.
02:37:36PM VICE-MAYOR RIBBLE HAS MADE THE MOTION AND SECONDED BY
02:37:40PM COUNCILMEMBER WARD.
02:37:41PM MADAM CLERK, PLEASE CALL THE ROLL.
02:37:44PM >>Larry Fiesel: AYE.
02:37:45PM >>Lori Fayhee: AYE.
02:37:47PM >>Jim Ward: AYE.
02:37:48PM >>Vice-Mayor Ribble: AYE.
02:37:50PM >>Mayor McLain: AYE.
02:37:52PM NEXT ITEM ON THE AGENDA IS 6-F, SEMINOLE GOLF RAILWAY
02:38:00PM LICENSE AGREEMENT, AND STEVE, INTRODUCE THIS ITEM AND MEMBERS OF
02:38:07PM COUNCIL.
02:38:07PM >>Steve Sarkozy: THIS ITEM IS WELL-KNOWN TO MANY OF OUR
02:38:11PM COUNCILMEMBERS AND A NUANCE OF THE WAY OUR STORMWATER SYSTEM
02:38:14PM WAS BUILT GOING BACK MANY, MANY YEARS.
02:38:17PM THE ENTIRE AREA OF EAST BROADWAY TO ESTERO PARKWAY HAS A
02:38:32PM NUMBER OF GATED COMMUNITIES AND THEIR STORMWATER SYSTEMS
02:38:35PM FLOW INTO THE HISTORICALLY PROVIDED RAILWAY RIGHT-OF-WAY
02:38:45PM OWNED BY SEMINOLE RAIL.
02:38:48PM UNFORTUNATELY, BACK WHEN THESE COMMUNITIES WERE BUILT, NO
02:38:51PM ONE GOT EASEMENTS FOR THAT FLOW WAY.
02:38:56PM SO AS A RESULT, THE -- THE SEMINOLE RAILWAY RIGHT-OF-WAY HAS
02:39:04PM NEVER BEEN MAINTAINED AS A STORMWATER CONVEYANCE SYSTEM.
02:39:10PM THIS IS THE AREA REALLY PRESENTED SOME MAJOR PROBLEMS DURING
02:39:15PM HURRICANE IRMA WHERE THE SHEET FLOW WAS BOTTLENECKED BECAUSE
02:39:20PM IT COULDN'T FLOW EFFICIENTLY FROM BROADWAY DOWN TO THE
02:39:24PM ESTERO RIVER.
02:39:25PM AFTER IRMA -- ACTUALLY DURING IRMA, WE WENT IN UNDER
02:39:32PM EMERGENCY ORDERS AND WE CLEANED UP PART OF THE DITCH TO HELP
02:39:36PM DRAIN THAT AREA.
02:39:36PM AND IT ADDRESSED THE FLOODING.
02:39:38PM BUT IT WAS PRETTY CLEAR THAT WE NEEDED TO GET IN ON A
02:39:42PM REGULAR BASIS TO -- TO CLEAN OUT THIS FLOW WAY.
02:39:47PM SO, WE PAID FOR ONE MAJOR CLEAN-OUT.
02:39:52PM THAT WAS -- DAVID WILL REMIND ME WHAT THAT IS WHEN HE COMES
02:39:57PM BACK UP, BUT IT IS REALLY NECESSARY THAT WE DO THIS ON A
02:40:00PM REGULAR BASIS.
02:40:01PM AND WHAT HAS BEEN NEGOTIATED HERE IS A LICENSE AGREEMENT
02:40:06PM THAT ALLOWS US TO GO IN ON AN ANNUAL BASIS ACTUALLY TO CLEAN
02:40:13PM OUT THIS FLOW WAY.
02:40:14PM SO THIS LICENSE AGREEMENT IS JUST THE START OF OUR COSTS

02:40:21PM RELATED TO THIS ELEMENT OF THE STORMWATER CONVEYANCE SYSTEM
02:40:27PM BUT IT IS AN UNNECESSARY EXPENSE GIVEN THE WAY THE SYSTEM
02:40:37PM WAS BUILT.
02:40:37PM DAVID, IF YOU CAN REMIND US THE COST OF THE LICENSE
02:40:40PM AGREEMENT.
02:40:41PM AND THEN THE FREQUENCY OF ADDITIONAL CHARGES AS WE MOVE
02:40:44PM FORWARD.
02:40:44PM >> SO THIS IS THE DITCH THAT RUN ALONG THE RAILROAD FROM
02:40:52PM ESTERO PARKWAY SOUTH TO THE ESTERO RIVER.
02:40:54PM NORTH OF BROADWAY AVENUE, THE VILLAGE ALREADY -- WE GOT A
02:40:58PM LICENSE AGREEMENT LAST YEAR.
02:40:59PM AND THE RAILROAD JUST CLEANED OUT THAT SECTION AT THE
02:41:03PM BEGINNING OF THIS YEAR.
02:41:04PM AND WE ACTUALLY HAVE A CONTRACT AND A CONTRACTOR THAT WILL
02:41:07PM BE GOING OUT THERE WITHIN THE NEXT WEEK OR SO TO CLEAN OUT
02:41:10PM THE SECTION NORTH OF BROADWAY.
02:41:12PM THAT IS TAKEN CARE OF.
02:41:13PM THE VILLAGE ACTUALLY -- THAT LICENSE AGREEMENT AND -- I JUST
02:41:18PM WANTED TO POINT THIS OUT.
02:41:19PM THIS ONE IS A LOT DIFFERENT THAN THAT ONE.
02:41:21PM WAS $25,000 A ONE-TIME PAYMENT FOR THE VILLAGE TO GET A
02:41:30PM LICENSE AGREEMENT TO GO IN THERE WHENEVER WE WANT TO AND
02:41:33PM MAINTAIN IT.
02:41:34PM THE PLAN IS TO DO THAT THREE OR FOUR TIMES A YEAR TO MAKE
02:41:38PM SURE THE OUTFALL STAYS CLEANED OUT.
02:41:40PM OVER THE LAST FEW MONTHS WE WORKED WITH SEMINOLE GULF.
02:41:44PM WE SUBMITTED DRAINAGE PLANS TO SEE WHERE THE DRAINAGE WAS
02:41:48PM COMING FROM AND THEY WANTED TO SEE IF THEIR PIPES WERE BIG
02:41:52PM ENOUGH OR NOT.
02:41:53PM ANALYSIS THAT THE PIPES WERE BIG ENOUGH TO CONVEY THE FLOW
02:41:57PM AND THEY CAME BACK WITH US WITH THIS LICENSE AGREEMENT WHICH
02:42:00PM IS THE DIFFERENCE IS THE LICENSE AGREEMENT IS $48,000 A YEAR
02:42:08PM EVERY YEAR IN PERPETUITY WITH AN ESCALATOR EACH YEAR.
02:42:13PM SO EACH YEAR, IT WILL BE 2.5% OR THE CPI, WHICHEVER IS
02:42:20PM HIGHER.
02:42:20PM A LOT DIFFERENT THAN THE OTHER ONE.
02:42:22PM BUT WHAT IT DOES ALLOW US TO DO IS SIMILAR TO THE ONE IN THE
02:42:27PM NORTH.
02:42:27PM WE WILL BASICALLY BE ABLE TO MAINTAIN THAT DITCH AT OUR
02:42:30PM EXPENSE THREE TO FOUR TIMES A YEAR SO THAT THOSE COMMUNITIES
02:42:34PM WILL NOW AFTER WE -- IF WE ENTER INTO THIS AGREEMENT, WE
02:42:38PM WILL HAVE A POSITIVE OUTFALL FROM THEIR COMMUNITIES ALL THE
02:42:42PM WAY TO THE RIVER.
02:42:44PM THE SAME COMPANY THAT IS CURRENTLY WORKING NORTH OF
02:42:48PM BROADWAY, WE HAVE A PROPOSAL FOR THEM FOR THE AREA SOUTH OF
02:42:51PM THE BROADWAY, AND IF THIS WAS APPROVED, WE CAN GET THAT
02:42:56PM EXECUTED AND WORKING ON THAT AS WELL.
02:42:58PM >>Mayor McLain: HOW MUCH DO YOU THINK?

02:43:00PM >> THE MAINTENANCE IS NOT.
02:43:01PM $10,000 TO $20,000.
02:43:04PM NOT A HUGE COST.
02:43:05PM BUT ADDED ON TO THE 45 TO 50, YOU KNOW, IT REALLY STARTS TO
02:43:11PM ADD UP.
02:43:12PM >>Mayor McLain: I WANT TO EXPRESS MY THANKS TO DAVID FOR HIS
02:43:17PM STICK-TO-IT-TIVENESS.
02:43:20PM I HAVE BEEN ON COUNCIL SIX YEARS, AND WE HAVE BEEN WORKING
02:43:24PM ON THE RAILROAD RIGHT-OF-WAY TO GET LICENSES ON THERE WITHIN
02:43:28PM MY DISTRICT.
02:43:28PM AND IT HAS BEEN A STRUGGLE FROM DAY ONE UNTIL NOW.
02:43:35PM AND, OF COURSE, WE HAVEN'T GOTTEN THE AGREEMENT SIGNED YET.
02:43:39PM AND WE ARE HOPEFUL THAT WILL HAPPEN AND DAVID CAN GET ON
02:43:42PM WITH CLEANING THIS OUT.
02:43:43PM A BIG DEAL TO -- TO MY DISTRICT FROM ESTERO PARKWAY NORTH.
02:43:49PM ESTERO PARKWAY AND SOUTH THAT THIS GETS CLEANED UP.
02:43:53PM AND ALL THE HOAs THERE DID A GOOD JOB OF CLEANING THEIR OWN
02:44:00PM BACK YARD, THEIR INTERCONNECTING LAKES SO THEY WILL DRAIN
02:44:02PM PROPERLY INTO THIS.
02:44:03PM THIS HOPEFULLY THE LAST IMPEDIMENT THEY HAVE IN THERE AND
02:44:08PM DEALING WITH THE RAILROAD CAN BE PRETTY DIFFICULT AS DAVID
02:44:12PM KNOW, IF WE CAN GET THIS SIGNED, I THINK IT WILL BE A BIG
02:44:16PM DEAL.
02:44:16PM ONE CONCERN I HAVE IS AS WE ALL KNOW ABOUT THE RAILS TO
02:44:19PM TRAILS AND NEGOTIATIONS, I BELIEVE, GOING ON WITH THE
02:44:22PM RAILROAD.
02:44:23PM SO WILL THIS CONTRACT CEASE AND DESIST BASED ON THE SALE OF
02:44:29PM THE PROPERTY?
02:44:30PM I WANT TO MAKE SURE WE DON'T HAVE SOME AGREEMENT HOOKED ON
02:44:34PM TO THIS THING NO MATTER WHAT HAPPENS WITH THE SALE, WE WANT
02:44:36PM TO SEE THAT REVENUE STREAM CONTINUE ON.
02:44:39PM HOPEFULLY WE WILL BE COVERED IF A SALE WERE TO OCCUR TO
02:44:44PM WHOEVER.
02:44:44PM THAT THIS AGREEMENT WITH THE RAILROAD WILL CEASE AND DESIST.
02:44:50PM >> YES, IT WOULD.
02:44:51PM IN FACT THE RAILROAD EVEN WHEN THEY E-MAILED THAT -- THIS TO
02:44:55PM US, POINTED THAT OUT THAT IF AND WHEN THE RAILROAD IS
02:44:59PM PURCHASED, IT GOES AWAY.
02:45:01PM >>Mayor McLain: GOOD.
02:45:03PM >> THEY ACTUALLY -- THE RAILROAD DOES IT -- THEY WILL
02:45:06PM ACTUALLY ACCEPT A LUMP SUM COST INSTEAD OF THE ANNUAL.
02:45:10PM BUT THEY SAID THEY WEREN'T EVEN GOING TO PROVIDE THAT TO US
02:45:13PM BECAUSE OF THAT REASON.
02:45:14PM WHY PAY THE ANNUAL IF IT GETS PURCHASED AND THEN THAT MONEY
02:45:18PM IS ALL GONE.
02:45:18PM >>Mayor McLain: RIGHT.
02:45:20PM ANY OTHER QUESTIONS FROM COUNCILMEMBERS?
02:45:25PM >>Jim Ward: I AM TRYING TO UNDERSTAND WHAT YOU STAYED

02:45:27PM INITIALLY ABOUT THE INITIAL PROJECT THAT WE DID LAST YEAR
02:45:31PM WAS $25,000 ONE-TIME.
02:45:33PM THIS IS $48,000 ANNUALLY?
02:45:37PM >> YES.
02:45:38PM >>Jim Ward: WHAT IS THE DIFFERENCE?
02:45:40PM >> FIGURE IT OUT IF YOU CAN.
02:45:46PM >>Lori Fayhee: THEY CHARGED US TOO LITTLE THE LAST TIME.
02:45:49PM >> IT IS A LITTLE DIFFERENT -- I HAVEN'T TALKED TO THEM OF
02:45:52PM THE EXACT REASON.
02:45:53PM WHEN YOU DO TALK WITH THEM, IT DOESN'T GO VERY FAR.
02:45:56PM BUT A LITTLE DIFFERENT SITUATION THAT THERE IS ALSO A
02:46:01PM LICENSE AGREEMENT FOR THE SECTION NORTH THAT THE COUNTY HAS
02:46:04PM PURCHASED.
02:46:04PM THE SECTION SOUTH, I DON'T KNOW THAT IT HAS EVER HAD A
02:46:07PM LICENSE AGREEMENT.
02:46:08PM I DON'T KNOW IF THAT MAKES ANY DIFFERENCE TO THE RAILROAD OR
02:46:12PM NOT, SO THERE IS A LITTLE BIT OF A DIFFERENCE THERE, MAYBE,
02:46:15PM I DON'T KNOW.
02:46:15PM >>Jim Ward: I PROBABLY WILL BITE MY TONGUE FOR SAYING THIS,
02:46:18PM BUT ANY RATIONALE FOR THE COMMUNITIES BEING BENEFITED TO
02:46:22PM PARTICIPATE IN THIS COST?
02:46:27PM >> YES, POSSIBLY.
02:46:28PM >>Jim Ward: WE HAVEN'T EXPLORED THAT.
02:46:35PM IT GETS DICEY BECAUSE WE ARE -- WE ARE DEALING WITH A NUMBER
02:46:40PM OF ASSUMPTIONS THAT IT WERE MADE IN THE PAST.
02:46:42PM AND IF WE DO THAT, THIS IS NOT THE ONLY LOCATION WHERE OTHER
02:46:49PM COSTS MIGHT BE INCURRED TO PROVIDE DRAINAGE FOR EXISTING
02:46:59PM COMMUNITIES.
02:46:59PM >>Mayor McLain: I THINK IT IS A SLIPPERY SLOPE.
02:47:04PM I HAVE BEEN AROUND A CENTURY IT SEEMS LIKE, BUT WHEN WE
02:47:08PM REDID ESTERO PARKWAY, WE HAD MONEY FROM THE COUNTY.
02:47:10PM EVERYBODY AGREED.
02:47:11PM I WAS A PROPONENT TO GET STREETLIGHTS ON THERE AND THEIR
02:47:17PM PROPOSAL AT THAT POINT WAS, THAT IS BENEFITING THE PEOPLE
02:47:20PM ALONG ESTERO PARKWAY, LET'S HAVE A SUPPLEMENTAL FEE SO THEY
02:47:25PM DON'T PUT IT ON THEIR TAX RECORDS.
02:47:27PM YOU LOOK AT THAT AND YOU SAY, ARE STREET LIGHTS ONLY
02:47:30PM BENEFITING RESIDENTS ALONG ESTERO OR THE GENERAL PUBLIC?
02:47:34PM THE SAME THING WITH THIS THING IS YOU GET A DRAINAGE DITCH
02:47:39PM IS A DEFINITE BENEFIT FOR THE RESIDENTS, BUT EVERYBODY ELSE
02:47:43PM IN THE WHOLE AREA HAVE DRAINAGE DITCHES THAT ARE BEING
02:47:47PM CLEANED OUT BY COUNTIES.
02:47:48PM >>Jim Ward: THE ONLY REASON I MENTION IT IF I UNDERSTAND IT
02:47:52PM CORRECTLY, STORMWATER THAT IS RUNNING THROUGH THE
02:47:55PM COMMUNITIES INTO THIS DITCH THAT IS IN A SENSE CREATING A
02:47:59PM PROBLEM AS TO WHY IT NEEDS TO BE CONSISTENTLY CLEANED AND
02:48:05PM DREDGED.
02:48:05PM IS THAT ACCURATE OR --

02:48:07PM >> I WOULDN'T SAY THE COMMUNITIES ARE CREATING A PROBLEM.
02:48:08PM THEY ARE JUST DRAINING TO WHERE THAT WATER HISTORICALLY
02:48:13PM DRAINED.
02:48:13PM THE PROBLEM IS THEY HAPPEN TO DRAIN TO THE RAILROAD WHICH
02:48:17PM DOESN'T MAINTAIN -- SO MOST OTHER COMMUNITIES, WHEN YOU ARE
02:48:21PM DRAINING THROUGH SOMEBODY'S PROPERTY, THOSE OTHER PROPERTY
02:48:24PM OWNERS ARE REQUIRED TO MAINTAIN THAT DRAINAGE.
02:48:27PM THE RAILROAD DOESN'T DO THAT.
02:48:30PM >>Jim Ward: THANK YOU.
02:48:32PM >> I HEARD YOU MENTION IF THE PIPES WERE LARGE ENOUGH ON THE
02:48:41PM FIRST PROJECT, IS THAT HOW THIS WORKS FOR THE DRAINAGE?
02:48:45PM NOT -- IT ALL GOES THROUGH PIPES, IS THAT CORRECT?
02:48:49PM >> THE DITCH AND THE PIPES.
02:48:50PM SO THERE ARE TWO PIPE CROSSINGS AND THEN THE REST OF IT IS A
02:48:54PM DITCH ALL THE WAY TO THE RIVER.
02:48:56PM >>Vice-Mayor Ribble: ALL RIGHT, I HAD QUESTIONS FROM
02:48:59PM COMMUNITY MEMBERS.
02:48:59PM AND THE OTHER ONE WAS ABOUT IF THE WATER IS GOING ON DOWN TO
02:49:03PM THE RIVER, THEN WE WILL HAVE MORE FLOODING AT THAT POINT.
02:49:08PM I BELIEVE THAT HAPPENS NATURALLY WITHOUT US WITH THE WATER,
02:49:15PM RIGHT?
02:49:15PM >> WE ARE NOT CHANGING WHERE THE WATER IS GOING.
02:49:18PM THE WATER WILL GO WHERE IT HAS ALWAYS GONE.
02:49:21PM >>Vice-Mayor Ribble: THANK YOU.
02:49:21PM I JUST DON'T WANT TO GIVE THE WRONG ANSWER.
02:49:24PM APPRECIATE IT.
02:49:25PM >>Mayor McLain: I THINK THAT WILL BENEFIT EVERYBODY ON THE
02:49:28PM NORTH FORK OF THE ESTERO RIVER.
02:49:29PM THIS WILL HELP.
02:49:30PM BUT I THINK IT IS PRETTY GOOD.
02:49:33PM THANK YOU, DAVID.
02:49:34PM HAVE WE GOT ANY PUBLIC COMMENTS?
02:49:37PM >>Clerk: NO PUBLIC COMMENTS AND NO E-COMMENTS.
02:49:40PM >>Mayor McLain: NO FURTHER QUESTIONS, ENTERTAIN A MOTION
02:49:44PM REGARDING THIS ITEM.
02:49:44PM >>Larry Fiesel: I WILL MAKE THE MOTION.
02:49:53PM I HATE FOR SOMEBODY TO PAY FOR THE PROPERTY.
02:49:55PM >>Mayor McLain: COUNCILMEMBER FIESEL MADE A MOTION AND
02:50:00PM SECONDED BY --
02:50:02PM >>Vice-Mayor Ribble: OKAY.
02:50:06PM >>Mayor McLain: OUR VICE-MAYOR RIBBLE.
02:50:08PM MADAM CLERK.
02:50:09PM >>Clerk: COUNCIL MEMBER FIESEL.
02:50:12PM >>Larry Fiesel: AYE.
02:50:13PM >>Lori Fayhee: AYE.
02:50:16PM >>Jim Ward: AYE.
02:50:17PM >>Vice-Mayor Ribble: AYE.
02:50:18PM >>Mayor McLain: AYE.

02:50:19PM 6-G, NEXT ITEM.
02:50:21PM BUDGET AMENDMENT.
02:50:26PM >> MAYOR, SORRY, I HAVE TO READ THE RESOLUTION.
02:50:31PM >>Mayor McLain: ITEM C.
02:50:34PM >> RESOLUTION 2023-14.
02:50:36PM RESOLUTION OF THE VILLAGE COUNCIL OF VILLAGE OF ESTERO
02:50:40PM APPROVING THE FIRST BUDGET AMENDMENT FOR FISCAL YEAR
02:50:44PM 2022-2023 TO APPROVE THE USE OF VILLAGE FUNDS AND RECOGNIZE
02:50:47PM INCREASED REVENUES AND INCREASED EXPENDITURES FOR CAPITA
02:50:52PM PROJECTS AND PROVIDING AN EFFECTIVE DATE.
02:50:54PM >>Mayor McLain: STEVE, WOULD YOU LIKE TO INTRODUCE THIS
02:51:00PM ITEM.
02:51:00PM >>Steve Sarkozy: CALL ON KEVIN GREENVILLE, OUR FINANCE
02:51:05PM DIRECTOR TO EXPLAIN THIS ITEM THAT ADDRESSES A PREVIOUS
02:51:08PM ISSUE.
02:51:09PM >>Kevin Greenville: THANK YOU, STEVE.
02:51:10PM GOOD AFTERNOON, MAYOR AND COUNCIL.
02:51:12PM THIS BUDGET AMENDMENT WILL BE THE FIRST ONE FOR FISCAL YEAR
02:51:17PM '22-'23.
02:51:19PM DURING THE AUDIT, WE HAD ONE MANAGEMENT COMMENT WHICH TWO OF
02:51:24PM OUR FUNDS WERE OVERAPPROPRIATED.
02:51:26PM WASN'T THAT BE DIDN'T HAVE THE FUNDS TO PAY FOR THE MONEY,
02:51:29PM BUT JUST OUR YEAR-END BUDGET AMENDMENT DID NOT ACCOUNT FOR
02:51:33PM ALL OF THE EXPENDITURES.
02:51:34PM THEY RECOMMENDED TO CORRECT THIS THAT WE DO A MIDYEAR BUDGET
02:51:39PM AMENDMENT UPON THE COMPLETION OF THE AUDITS AND WE DO A
02:51:43PM BUDGET AMENDMENT FOR OUR A AUDIT CARRY-FORWARD BALANCE IN
02:51:48PM EACH FUND.
02:51:48PM THIS CAN BE FOUND EACH YEAR ON THE GOVERNMENTAL FUND BALANCE
02:51:56PM SHEET.
02:51:56PM INCLUDES IN OUR PACKET PAGE 19 OF AUDITED FINANCIAL
02:52:01PM STATEMENT.
02:52:02PM DOWN AT THE BOTTOM, TOTAL FUND BALANCES, OUR AUDIT
02:52:06PM CARRY-FORWARD BALANCE FOR EACH FUND AND THIS BUDGET
02:52:10PM AMENDMENTS ADDS FUNDS TO OUR BUDGET TO MAKE SURE WE DON'T
02:52:14PM HAVE THIS ISSUE MOVING FORWARD IN ANY FISCAL YEAR.
02:52:17PM >>Jim Ward: CAN YOU EXPLAIN THE DOLLAR AMOUNT?
02:52:21PM >>Kevin Greenville: THE --
02:52:23PM >>Jim Ward: DOLLAR AMOUNT FOR CARRY FORWARD.
02:52:25PM >>Kevin Greenville: THE DOLLAR AMOUNT FOR THE CARRY FORWARD,
02:52:29PM FUND BALANCE.
02:52:29PM FUND BALANCE MEASURES YOUR IMMEDIATE AVAILABLE FUNDS
02:52:33PM PRIMARILY BEING YOUR CASH.
02:52:34PM SO WITHIN OUR GENERAL FUND, OUR ENDING FUND BALANCE WAS
02:52:39PM $19.9 MILLION.
02:52:40PM BUILDING FEE FUND $518,000.
02:52:44PM WITHIN CAPITAL PROJECTS, $12.7 MILLION.
02:52:47PM NONMAJOR GOVERNMENTAL FUND DRIVING RANGE FUND $123,261.

02:52:55PM THOSE FUNDS ARE BEING ADDED TO THE BUDGET.
02:52:57PM >>Larry Fiesel: I MEANT THE LAST TIME AND LAST -- IN THE
02:53:01PM AUDIT WHERE WE -- WHERE THEY -- TUSCAN IDENTIFIED THE
02:53:06PM PROBLEM AND THERE WERE TWO DOLLAR AMOUNTS RELATIVELY SMALL
02:53:09PM THAT WERE IDENTIFIED.
02:53:09PM >>Kevin Greenville: YES, YOU ARE CORRECT.
02:53:13PM STEVE, THAT IS WITHIN OUR BUILDING FEE FUND.
02:53:16PM WE WERE OVERBUDGETED I THINK THOUSAND DOLLARS THAT WAS DUE
02:53:20PM TO OUR CITY VIEW WHICH IS OUR PERMITTING SOFTWARE THAT WAS
02:53:26PM EXPENSED TO OUR GENERAL FUND.
02:53:28PM IT SHOULD HAVE BEEN IN OUR BUILDING FEE FUND WHEN WE DID
02:53:31PM THAT YEAR-END ADJUSTMENTS THROUGH IT OFF BY 900.
02:53:37PM AND OVERBUDGET IN OUR DRIVING RANGE FUND BY $1,000.
02:53:40PM THAT IS, YOU KNOW, A NEW FUND AND WE WEREN'T SURE WHERE
02:53:44PM THOSE YEAR-END NUMBERS WERE GOING TO COME IN.
02:53:46PM THOSE WERE THOSE TWO VERY SMALL AND MINOR DISCREPANCIES.
02:53:51PM >>Steve Sarkozy: THANK YOU.
02:53:52PM >>Mayor McLain: ANY QUESTIONS FROM COUNCIL?
02:53:56PM IF NOT, MADAM CLERK?
02:53:58PM >>Clerk: NO PUBLIC COMMENT OR E-COMMENTS.
02:54:01PM >>Mayor McLain: I WILL ENTERTAIN A MOTION ON THIS ITEM I
02:54:05PM THINK OUR COUNCILMEMBERS ARE TIRED OF MAKING MOTIONS TODAY.
02:54:07PM WARD.
02:54:10PM SECONDED BY COUNCILPERSON FAYHEE.
02:54:13PM MADAM CLERK.
02:54:15PM >>Jim Ward: AYE.
02:54:16PM >>Lori Fayhee: AYE.
02:54:18PM >>Larry Fiesel: AYE.
02:54:20PM >>Vice-Mayor Ribble: AYE.
02:54:22PM >>Mayor McLain: AYE.
02:54:24PM NOW WE WILL OPEN THE MEETING FOR COMMENTS THAT WERE NOT ON
02:54:30PM THE AGENDA.
02:54:30PM ANYBODY TO SPEAK?
02:54:32PM >>Clerk: I HAVE NONE, MAYOR.
02:54:34PM >>Mayor McLain: NOW WE ARE AT COUNCIL COMMUNICATIONS.
02:54:37PM ANY COUNCILMEMBERS HAVE ANY COMMENTS?
02:54:40PM WE WILL START WITH COUNCIL MEMBER WARD, IF YOU WOULD LIKE.
02:54:43PM >>Jim Ward: YEAH, JUST ONE COMMENT.
02:54:45PM THERE WAS SOME COMMENTS MADE AT THE BEGINNING OF THE MEETING
02:54:50PM RELATIVE TO THE PICKLEBALL COURTS AT THE BROOKS.
02:54:54PM I JUST WANT THE COUNCIL TO BE AWARE OF THE FACT THAT I DID
02:54:57PM HAVE CONVERSATIONS WITH TWO OR THREE PEOPLE RELATIVE TO THAT
02:55:02PM THAT EITHER SENT ME AN E-MAIL OR HAD CALLED ME DIRECTLY.
02:55:06PM AND I ENCOURAGED THEM TO TALK WITH MARY TO UNDERSTAND WHAT
02:55:11PM THEIR OPTIONS WERE.
02:55:13PM AS THE GENTLEMAN ACKNOWLEDGED, THEY WERE 30 DAYS.
02:55:17PM THEY WERE BEYOND THE 30-DAY PERIOD WHERE THEY COULD APPEAL.
02:55:20PM BUT I STILL ENCOURAGE THEM TO TALK TO MARY, BECAUSE THEY

02:55:24PM WERE VERY CONCERNED THAT THE STUDY THAT WAS DONE, THE NOISE
02:55:28PM STUDY THAT WAS DONE WAS INADEQUATE.
02:55:31PM THAT IT WAS DONE AT PERIODS OF TIME WHERE THE NOISE WOULD BE
02:55:35PM LESS THAT THE PICKLEBALL NOISE WOULD BE WHEN THERE WERE
02:55:42PM THREE PICKLEBALL COURTS IN OPERATION AND THE PROJECT IS --
02:55:47PM EXPECTED TO BE ABOUT 14 NEW PICKLEBALL COURTS.
02:55:52PM OBVIOUSLY THE NOISE FACTOR WILL BE NOTICEABLY DIFFERENT.
02:55:56PM I ENCOURAGE THEM TO TALK TO MARY.
02:55:58PM AND I TALKED TO MARY MYSELF JUST TO GET AN IDEA OF WHAT
02:56:01PM THEIR OPTIONS COULD BE.
02:56:02PM BUT I ALSO ENCOURAGED THEM TO TALK TO THE CDD.
02:56:06PM BECAUSE THE CDD IS THE ENTITY IS, IN A SENSE, CREATING A
02:56:12PM PROBLEM.
02:56:12PM HAVING SAID THAT, THEY DID GET APPROVAL FROM THE PLANNING
02:56:16PM AND ZONING BOARD AND DID GET APPROVAL FROM STAFF TO DO IT.
02:56:19PM SO I THINK THAT THE PEOPLE THAT WERE HERE AND TALKED TO ME
02:56:23PM DID RAISE SOME VALID CONCERNS.
02:56:25PM SO JUST WANTED COUNCIL TO BE AWARE OF THE FACT THAT I DID
02:56:30PM HAVE THAT DISCUSSION.
02:56:31PM >>Mayor McLain: I AM NOT SURE IF IT IS APPROPRIATE,
02:56:37PM COUNSELOR, BUT THEY EXCEEDED THEIR 30-DAY WINDOW FOR
02:56:40PM OBJECTING TO A DECISION.
02:56:42PM IS THERE -- IF THERE IS VALID REASONS AND YOU BRING UP ONE,
02:56:47PM YOU KNOW, THAT THE SOUND LEVEL WAS DONE -- WHATEVER TEN
02:56:51PM COURTS OR SOMETHING.
02:56:51PM IT IS NOW GOING TO BE HIGHER.
02:56:53PM SHOULD WE BE INVOLVED?
02:56:56PM >> NO, YOU SHOULD NOT -- NOT TO BE TOO BLUNT ON IT.
02:57:00PM BUT WE OBVIOUSLY HAVE TO REMEMBER THAT WE ARE INDIVIDUAL
02:57:03PM PROPERTY RIGHTS AND GOVERNMENT RIGHTS ARE AT ISSUE, WE HAVE
02:57:07PM PROCEDURES IN PLACE AND WE HAVE DEADLINES IN PLACE.
02:57:09PM AND IF THEY GO BUSTING THOSE, THERE WILL BE AN ARGUMENT ON
02:57:14PM THE OTHER SIDE THAT YOU HAVE DEPRIVED ME OF MY DUE PROCESS
02:57:17PM RIGHTS.
02:57:18PM I DID EVERYTHING I THOUGHT I SHOULD DO.
02:57:20PM IT WAS APPROVED.
02:57:21PM 30 DAYS WENT BY.
02:57:22PM NO ONE APPEALED IT.
02:57:23PM I AM NOW OUT THERE ACTING ON THAT DECISION.
02:57:27PM I DESERVE FINALITY OF DECISION.
02:57:29PM NOW IT IS DIFFERENT IF WE GET EVIDENCE THAT THE -- THAT THE
02:57:33PM APPLICANT IS DEFRAUDED US OR HIDDEN SOMETHING FROM US
02:57:37PM BECAUSE EQUABLY SPEAKING THAT THEY FORFEITED THEIR PROCESS.
02:57:41PM BUT WE HAVE NOTHING ALONG THOSE LINES.
02:57:44PM WHAT WE HAVE INSTEAD IS THE OPINION, RESPECTED AS IT IS OF
02:57:49PM SOME CITIZENS THAT THAT -- THAT TESTING THAT WAS DONE WASN'T
02:57:52PM ADEQUATE OR SUFFICIENT.
02:57:54PM WE WOULD RELY ON OUR PROFESSIONAL STAFF IN THE VILLAGE TO

02:57:59PM LOOK AT THESE THINGS AND UP TO MARY AND HER TEAM OR ANY OF
02:58:02PM THE OTHER DIRECTORS TO COME FORWARD AND SAY THE APPLICANT IS
02:58:05PM NOT GIVING US WHAT WE NEED.
02:58:06PM WE HAD THAT DISCUSSION TODAY WITH THE TRAFFIC STUDIES.
02:58:09PM AND WHAT METHODOLOGIST THAT ARE USED.
02:58:13PM A TIME AND A PLACE TO RAISE THOSE THINGS AND AFTER THE
02:58:18PM DEADLINE HAS GONE BY, WE CAN'T GET INVOLVED.
02:58:23PM >>Mayor McLain: THAT APPLIES TO COUNCIL.
02:58:25PM IF WE AGREE WITH PLANNING AND ZONING AND ARCHITECTURAL
02:58:27PM REVIEW BOARD, WE HAVE 30 DAYS TO OBJECT TO THAT DECISION AND
02:58:32PM AFTER THE 30 DAYS -- THAT CAN GET TRICKY WITH SUMMER BREAKS
02:58:37PM AND THAT KIND OF THING.
02:58:38PM IF YOU ARE AWARE OF THOSE MEETINGS AND YOU DON'T LIKE THE
02:58:42PM WAY THOSE MEETINGS WERE CONDUCTED THAT YOU BRING IT UP TO
02:58:45PM STEVE, AND ROB TO MAKE SURE WE ARE APPLYING BY THE LETTER OF
02:58:53PM THE LAW.
02:58:54PM >> I DID RECOGNIZE THAT AND GAVE COUNCIL OF THE PEOPLE AND
02:59:03PM CHANGE THE DECISION AS ASKED BY THE STAFF OF PLANNING AND
02:59:06PM ZONING BOARD OF COUNCIL TO INTERVENE IN THOSE AND ASK
02:59:11PM COUNCIL TO TAKE FURTHER ACTION.
02:59:13PM TAKE FURTHER DISCUSSIONS WITHIN THE BROOKS COMMUNITY ITSELF
02:59:16PM AND WITHIN THE CDD.
02:59:26PM >>Mayor McLain: GO TO COUNCILWOMAN FAYHEE IN THE REPORT.
02:59:30PM >>Lori Fayhee: NOTHING THIS WEEK BUT THANK THE COMMITTEE
02:59:32PM MEMBERS, COMMUNITY MEMBERS WHO CAME OUT AND SPOKE WITH US
02:59:35PM AND THOUGHTS THROUGH E-MAILS AND -- AND PERSONALLY, BUT THAT
02:59:40PM HELPS US TO HELP US TO MAKE GOOD DECISIONS FOR THE VILLAGE.
02:59:45PM AND I JUST WANT TO THANK YOU.
02:59:47PM THAT IS ALL I HAVE.
02:59:49PM >>Mayor McLain: COUNCILMAN FIESEL.
02:59:55PM >>Larry Fiesel: OW LAST MEETING UNTIL SEPTEMBER, AND WISH
03:00:00PM EVERYBODY A GOOD TIME OFF AND SUMMER.
03:00:01PM MIGHT HAVE SET A RECORD AT LEAST FOR COUNCIL MEETINGS TODAY.
03:00:05PM WE ARE TWO MINUTES SHORT OF FIVE HOURS.
03:00:07PM I THINK WE ACCOMPLISHED A LOT.
03:00:10PM IT WAS AN AGGRESSIVE, ENERGETIC AGENDA.
03:00:14PM WE KNEW THAT ONE PART WAS GOING TO BE LENGTHY.
03:00:18PM I AM HAPPY THAT WE DID APPROVE IT, BECAUSE I THINK IT IS THE
03:00:24PM GATEWAY TO THE VILLAGE FROM THE SOUTH.
03:00:26PM AND I THINK IT IS GOING TO BE QUITE AN ADDITION TO OUR
03:00:31PM COMMUNITY OVER ALL.
03:00:32PM OBVIOUSLY THERE IS A LOT OF THINGS THAT STILL HAVE TO BE
03:00:36PM IRONED OUT, BUT -- THAT IS OUTSIDE OF OUR JURISDICTION AT
03:00:40PM THIS POINT.
03:00:41PM HAPPY SUMMER TO EVERYBODY.
03:00:42PM >>Mayor McLain: VICE-MAYOR?
03:00:46PM >>Vice-Mayor Ribble: I JUST WANTED TO MENTION MOST OF US
03:00:49PM ATTENDED THE FOURTH OF JULY EVENT JULY 2 FOR THE HISTORICAL

03:00:55PM SOCIETY.
03:00:55PM IT WENT VERY WELL AND JUST REMINDED ME THAT BACK THEN WHEN
03:00:59PM THAT DOCUMENT WAS WRITTEN AS IT WAS READ TO US THAT DAY,
03:01:02PM THAT WAS THE ONLY MEANS OF COMMUNICATION PEOPLE HAD TO FIND
03:01:05PM OUT WHAT WAS GOING ON.
03:01:06PM AND WE HAVE COME A LONG WAY BUT YET STILL, WE HAVE A LOT OF
03:01:11PM PEOPLE WHO DON'T TAKE THE TIME TO LEARN WHAT IS GOING ON
03:01:17PM HERE IN THE VILLAGE AND EVERYWHERE ELSE IN THE COUNTRY AND
03:01:22PM AT THAT TIME PEOPLE WERE EAGER AND HUNGRY FOR THAT
03:01:25PM INFORMATION.
03:01:25PM I HOPE PEOPLE ARE STILL EAGER AND HUNGRY FOR INFORMATION ON
03:01:29PM WHAT IS HAPPENING IN THEIR GOVERNMENT.
03:01:31PM >>Mayor McLain: I WENT TO THE HISTORICAL SOCIETY READING AND
03:01:37PM SOMETIMES I HAVE BEEN OUT OF TOWN, BUT THEY HAVE ONE PERSON
03:01:40PM -- I CAN'T REMEMBER HIS NAME, BUT HE IS -- HE IS A PLAY
03:01:44PM ACTOR THAT DRESSES THE PART.
03:01:46PM AND REALLY NICE JOB READING -- READING IT.
03:01:49PM AND PRETTY MEANINGFUL HOW BRAVE PEOPLE WERE ON THOSE DAYS TO
03:01:54PM STAND UP FOR WHAT THEY BELIEVE IN WITH PRETTY ADVERSE
03:01:57PM CONDITIONS.
03:01:58PM SO I HOPE THAT OUR PUBLIC HERE IN IF THE U.S. CAN DO THE
03:02:02PM SAME THING ON A VARIETY ISSUES WE HAVE.
03:02:05PM AS COUNCILMAN FIESEL INDICATED, FIVE HOURS IS A LONG
03:02:13PM MEETING.
03:02:14PM HOPEFULLY WE DON'T HAVE TO GO THROUGH TOO MANY MORE LIKE
03:02:17PM THIS.
03:02:17PM I WANT TO THANK CAROL FOR AT THE VERY LAST MINUTE, WE
03:02:21PM YESTERDAY AFTERNOON GOING THROUGH THE AGENDA, WE JUST LOOKED
03:02:23PM AT IT AND SAID TIMING-WISE, WE WOULD BE BETTER TO SHIFT THAT
03:02:27PM AROUND AND COORDINATED THAT WITH THE APPLICANT AND THE LIKE
03:02:30PM TO GET THAT TO HAPPEN.
03:02:31PM I THINK AFTER FIVE HOURS, WE ACCOMPLISHED WHAT WE WANT
03:02:36PM WANTED TO DO AND GOOD FOR THE COUNTY ESTERO.
03:02:40PM I THINK WE ARE ALL DEDICATED TO THIS AND FIVE HOURS TO MAKE
03:02:44PM ESTERO BETTER IS A -- IS A WORTHWHILE EXPENDITURE OF TIME
03:02:48PM FOR EACH OF US.
03:02:49PM TALKING ABOUT TIME AND MONEY.
03:02:52PM AS YOU ALL KNOW, I AM ON THE RESILIENCY TASK FORCE WHICH WE
03:02:57PM MEET.
03:02:59PM CURRENTLY, WE MEET ONCE A MONTH.
03:03:01PM AND I THINK NOW GOING FORWARD, WE MAY END UP MEETING TWICE A
03:03:06PM MONTH OR MORE.
03:03:06PM BECAUSE WHERE WE ARE IN THIS PROJECT, I DON'T KNOW IF THERE
03:03:09PM HAS BEEN A LOT OF PUBLICITY ON IT, BUT WE STARTED OFF WITH A
03:03:13PM GRANT FROM HUD FOR 1,100,000.
03:03:19PM AND A LOT OF ACTIVITY AND STAFF -- STEVE AND HIS WHOLE STAFF
03:03:22PM HAVE BEEN WORKING NIGHT AND DAY TO GET AS MANY PROJECTS AS
03:03:26PM WE CAN UP AGAINST THIS.

03:03:27PM AND, OF COURSE, EVERYBODY IN LEE COUNTY AND ALL THE
03:03:31PM COMMUNITIES HAVE DONE THE SAME THING.
03:03:33PM SO WE HAVE ACCUMULATED ALL OF THOSE REQUESTS AND THE
03:03:35PM REQUESTS ARE ADDING UP TO A COUPLE OF WEEKS AGO AT $7.5
03:03:42PM BILLION.
03:03:42PM THE CHAIRMAN FROM LEE COUNTY COMMISSIONERS OF THIS GROUP WAS
03:03:47PM TRYING TO GET UP TO $10 MILLION.
03:03:49PM I THINK WE SUBMITTED MORE AND OTHERS PROBABLY HAVE.
03:03:52PM PROBABLY $9 BILLION.
03:03:56PM AND HIS INTENT IS WE GO BACK TO STATE AND FEDERAL GOVERNMENT
03:04:01PM TO TRY TO GET MORE MONEY.
03:04:02PM AND -- WHEN YOU IDENTIFIED THESE PROJECTS, NONE OF THEM ARE
03:04:07PM FLY-BY-NIGHT.
03:04:07PM YOU -- WE ALL HAVE TO PUT OUR LEE COUNTY HATS ON.
03:04:11PM BECAUSE ESTERO IS GREAT BY ITSELF, THAT WOULD BE NICE, BUT
03:04:16PM WE DON'T WANT TO BE A LITTLE KINGDOM TO OURSELVES.
03:04:19PM THERE IS SOME REALLY GOOD PROJECTS IN THERE.
03:04:21PM AND YOU DEVOTE TIME.
03:04:24PM I AM DEVOTING TIME, EVERYBODY IS, AT STAFF.
03:04:27PM I AM CONCERNED -- I WAS CONCERNED OF THE PROCESS AND WHAT IS
03:04:31PM THE CONTROL.
03:04:31PM WE HAVE A TASK FORCE THAT I AM INVOLVED IN WITH THE MAYOR'S
03:04:34PM POLICE AND SHERIFF POLICE AND FIRE WE ARE GOING TO
03:04:42PM ACCUMULATE ALL THESE SOMEHOW AND WE WILL DO SOME SORTING
03:04:45PM OUT.
03:04:47PM I ASKED THE QUESTION LAST WEEK OR TWO WEEKS AGO ARE WE
03:04:49PM MAKING THOSE DECISIONS.
03:04:51PM AND THE ANSWER WAS, YES, WE WILL BRING THOSE RECOMMENDATIONS
03:05:00PM TO THE COUNTY COMMISSIONERS AND PROBABLY FROM COMMENT.
03:05:05PM I THOUGHT IT WAS IMPORTANT THAT THE GROUP OF MAYORS OFFERING
03:05:09PM THESE REQUESTS TO HAVE A CHANCE TO SIT AROUND THE TABLE AND
03:05:12PM DISCUSS EACH ONE OF THESE ELEMENTS.
03:05:14PM I THINK THE PROCESS, AS CUMBERSOME AS HECK, IS COMING TO A
03:05:19PM POINT WHERE WE MAY START TO FIGURE OUT TO WHAT IS THE
03:05:21PM PRIORITY.
03:05:21PM WHAT IS THE PROJECTS.
03:05:22PM WHAT ARE THE PRIORITIES.
03:05:24PM AND WHAT IS THE FUNDING WE WILL DEDICATE IN THERE.
03:05:27PM I AM WILLING TO PUT AS MUCH TIME AS WE NEED TO MAKE SURE
03:05:33PM THAT WE ARE REPRESENTED, ONE.
03:05:34PM I THINK STAFF HAS DONE, WITH STEVE'S LEADERSHIP, HAS DONE
03:05:37PM THE VERY BEST WE CAN OF IDENTIFYING THE PROCESS I DON'T KNOW
03:05:48PM IF WE HAVE A WORKSHOP AND TALK ABOUT THAT.
03:05:51PM THIS IS A BIG EFFORT FOR THE COMMUNITY IN THE LAST TEN TO 15
03:05:59PM YEARS.
03:05:59PM THE PROJECT IN THE NEXT FIVE OR SIX AND WILL MAKE A BIG
03:06:04PM DIFFERENCE OF WHAT LEE COUNTY AND SOUTHWEST FLORIDA LOOKS
03:06:06PM LIKE.

03:06:06PM SO -- SO IT HAS A LOT OF LONG MEETINGS I THINK GOING FORWARD
03:06:11PM ON THIS.
03:06:11PM SO THAT'S ALL I GOT.
03:06:13PM I APPRECIATE YOU ALL BEING HERE TODAY AND STICKING IT OUT.
03:06:16PM I THINK LOPEZ OWES US LUNCH OR SOMETHING FOR NOT BEING HERE
03:06:21PM FOR A FIVE-HOUR MEETING.
03:06:23PM SO I WISH YOU ALL A GREAT SUMMER BREAK.
03:06:28PM YOU DESERVED IT.
03:06:29PM AND COME BACK REFRESHED.
03:06:31PM I DON'T THINK, CAROL, THAT WE WILL NEED ANY SPECIAL MEETINGS
03:06:36PM IN PRESIDENT MONTH OF JULY.
03:06:37PM I THINK WE SOLVED PART OF THAT TODAY.
03:06:39PM ANY OTHERS THAT WE MIGHT HAVE TO DO?
03:06:42PM >> WE HAVE THE PRESENTATION YET OF THE BUDGET HERE AT
03:06:45PM WORKSHOP, BUT WE -- WE MAY HAVE A COUPLE OF ITEMS THAT WOULD
03:06:51PM BENEFIT FROM HAVING A QUICK MEETING.
03:06:54PM AND THAT WOULD BE WORK WITH THE SCHOOL DISTRICT AND WORK ON
03:07:03PM THE TRANSFERENCE OF ONE OF OUR DRAINAGE DISTRICTS TO THE
03:07:09PM VILLAGE.
03:07:10PM BUT WE PREFER NOT TO.
03:07:14PM IF THERE IS A BENEFIT AND GETTING THINGS DONE LIKE THAT, I
03:07:18PM THINK IT WOULD BE WORTHWHILE TO BRING PEOPLE BACK.
03:07:21PM >>Mayor McLain: WE INDICATED IF THOSE HAPPEN, WE WILL GIVE
03:07:25PM YOU SOME NOTICE.
03:07:26PM I AM NOT SURE HOW LONG OF A NOTICE THAT WILL BE, BUT IF YOU
03:07:30PM WERE OUT OF TOWN AND CAN'T MAKE THE MEETING, THE MEETING
03:07:32PM WILL NOT BE HELD AGAINST THE THREE THAT WE CAN HAVE.
03:07:37PM SO IT WON'T BE.
03:07:39PM AND THIS -- AS FAR AS -- IF COUNCIL PEOPLE WANT TO
03:07:44PM PARTICIPATE, WILL WE BE ABLE TO MAKE THAT WITH A VIDEO
03:07:48PM PRESENTATION?
03:07:49PM MR. ATTORNEY?
03:07:51PM >>Robert Eschenfelder: SO, AGAIN, I -- I HAVE SENT OUT THE
03:07:55PM E-MAIL OF MY INTERPRETATION OF THE 2018 RESOLUTION THAT YOU
03:07:59PM ALL DID.
03:08:00PM ON THE -- ON THE ISSUE OF REMOTE ATTENDANCE.
03:08:05PM AND YOU REALLY -- THE WAY YOU WROTE IT IS VERY TIGHTLY OF
03:08:12PM VILLAGE BUSINESS.
03:08:13PM JUST THE FACT YOU ARE OUT OF TOWN ON VACATION REALLY DOESN'T
03:08:16PM ENTITLE YOU TO VIDEO PARTICIPATION.
03:08:18PM THAT IS A RULE YOU ALL MAY WANT TO REVISIT AS A POLICY, BUT
03:08:22PM FOR RIGHT NOW, THAT IS THE WAY IT IS WRITTEN.
03:08:25PM AND MY LEGAL ADVICE TO YOU IS THAT THAT WOULDN'T QUALIFY TO
03:08:29PM ALLOW FOR A VIDEO -- A VIDEO PRESENTATION.
03:08:34PM >>Mayor McLain: ABSENCE IS FINE IF WE DON'T COUNT THE
03:08:37PM ABSENCE?
03:08:38PM >>Robert Eschenfelder: ABSENCES IN TERMS OF YOUR THREE
03:08:40PM ALLOWED ABSENCES.

03:08:41PM THE CHARTER IS VERY CLEAR THAT IS REGULARLY SCHEDULED
03:08:44PM MEETINGS.
03:08:45PM >>Mayor McLain: THIS WILL NOT BE?
03:08:48PM >>Robert Eschenfelder: SPECIAL MEETINGS NO PROBLEM.
03:08:49PM THE QUESTION REALLY CAN I COME VIA VIDEO.
03:08:52PM AND REALLY UNDER YOUR RULES.
03:08:54PM >>Mayor McLain: ONE CONCERN THAT I WOULD HAVE IS, WE WOULD
03:08:59PM NEED A QUORUM AND THE QUORUM IS FOUR.
03:09:01PM AT LEAST FOUR PEOPLE IN ATTENDANCE?
03:09:04PM >>Robert Eschenfelder: WE HAVE A TENTATIVE DATE OR BLOCK OF
03:09:06PM TIME.
03:09:06PM SO CAROL, IF YOU CAN READ THOSE.
03:09:10PM >>Mayor McLain: I HAVE TALKED TO YOU BEFORE THAT.
03:09:12PM >> I WAS LOOKING AT JULY 26 DATE, BECAUSE WE WILL HAVE A
03:09:18PM QUORUM.
03:09:18PM EVERYONE IS IN THE AREA.
03:09:19PM YOU WILL BE THERE.
03:09:20PM >>Mayor McLain: I WILL BE HERE AND GEORGE WILL BE HERE.
03:09:22PM >> GEORGE COMES BACK ON THE 24th.
03:09:25PM AND IF NOTHING ELSE, WE HAVE A FULL COUNCIL PER THE 26 IF WE
03:09:31PM CAN MOVE FORWARD WITH THAT DATE.
03:09:32PM >>Mayor McLain: IF WE NEED IT.
03:09:42PM >>Lori Fayhee: POSSIBLE TO MAKE AN AMENDMENT TO THE POLICY
03:09:44PM WITHOUT HAVING A WHOLE MEET?
03:09:47PM >>Mayor McLain: WE HAVE TO HAVE A WHOLE MEETING ON THAT.
03:09:50PM >>Lori Fayhee: JUST AMEND IT THAT DURING VACATION WAS
03:09:54PM ACCEPTABLE TO ATTEND THE --
03:09:56PM >> THE RESOLUTION WAS ADOPTED BY COUNCIL.
03:09:58PM AND YOU REALLY SHOULDN'T CHANGE YOUR RESOLUTION JUST BY A
03:10:01PM VOICE VOTE.
03:10:02PM I THINK IT IS SOMETHING THAT YOU GOT TWO COUNCILMEMBERS WHO
03:10:06PM AREN'T HERE AND THEY DESERVE TO WEIGH IN.
03:10:08PM SO, YOU KNOW, IF YOU -- IF YOU FEEL YOU WANT TO TALK ABOUT
03:10:12PM IT, I WOULD RAISE IT.
03:10:13PM WOULD ASK FOR IT TO BE PUT ON A FUTURE WORKSHOP AGENDA AND
03:10:19PM WHETHER THE TWO -- TO ME, THERE ARE TWO ISSUES.
03:10:21PM THERE IS -- SHOULD BE AN EXCUSED ABSENCE AND SHOULD I BE
03:10:25PM ABLE TO ATTEND BY VIDEO.
03:10:27PM AND THE WAY IT IS WORDED, THOSE ARE TREATED THE SAME.
03:10:30PM THEY MAY NOT NEED TO BE TREATED THE SAME, BUT ALL OF YOU
03:10:34PM NEED TO TALK ABOUT THAT, IF YOU ARE GOING TO CHANGE IT.
03:10:36PM >>Lori Fayhee: I APPRECIATE THAT.
03:10:38PM I WAS JUST CURIOUS.
03:10:40PM >>Mayor McLain: GOOD.
03:10:41PM VILLAGE ATTORNEY REPORT.
03:10:43PM >>Robert Eschenfelder: JUST VERY QUICKLY.
03:10:44PM GREAT LONG MEETING TODAY.
03:10:46PM I WILL NOT BE HERE PHYSICALLY ON FRIDAY BECAUSE I WILL IN

03:10:49PM BOCA RATON ATTENDING THE FLORIDA MUNICIPAL ATTORNEY
03:10:53PM ASSOCIATION ANNUAL CONFERENCE BUT R BUT I WILL HAVE ALL OF
03:10:57PM MY DEVICES AND IF ANYBODY NEEDS KNEE I WILL RESPOND.
03:11:01PM >>Mayor McLain: HAVE A GOOD FINAL.
03:11:03PM VILLAGE MANAGER.
03:11:05PM >>Steve Sarkozy: NOTHING AT ALL.
03:11:08PM >>Mayor McLain: GOOD.
03:11:09PM AT THIS TIME, I WILL ADJOURN THE MEETING.
03:11:11PM THANK YOU, ALL.
03:11:12PM >>Lori Fayhee: WE HAVE A WORKSHOP.
03:11:15PM >>Mayor McLain: WE HAVE A WORKSHOP TOO?
03:11:19PM HOLY MOLY.
03:11:19PM I WAS TRYING TO GET THROUGH.
03:11:21PM YOU SAID FIVE HOURS.
03:11:24PM >> WE ARE ALREADY AT THE FIVE AND A HALF.
03:11:25PM >> WE ONLY HAVE A COUPLE OF HOURS LEFT FOR THE BUDGET FOR
03:11:29PM NEXT YEAR.
03:11:29PM DO I HAVE TO READJOURN THE MEETING?
03:11:35PM >>Mayor: NOW WE ARE IN THE WORKSHOP.
03:11:37PM THE WORKSHOP IS ITEM 12-A.
03:11:40PM IT IS FISCAL 2023-2024 BUDGET INTRODUCTION.
03:11:46PM TO STEVE CAN INTRODUCE THAT.
03:11:48PM >>Steve Sarkozy: IN WILL BE MERCIFULLY QUICK, BECAUSE YOU
03:11:51PM WILL HAVE PLENTY OF OTHER KICKS OF THE CAN IN AUGUST AND OF
03:11:55PM COURSE IN SEPTEMBER.
03:11:56PM BUT I WILL TURN IT OVER TO KEVIN GREENVILLE TO FLY THROUGH
03:11:59PM THESE FEW SLIDES.
03:12:00PM >>Kevin Greenville: THANK YOU, STEVE.
03:12:02PM GOOD AFTERNOON, MAYOR AND COUNCIL.
03:12:04PM I WILL TRY TO BE AS BRIEF AS POSSIBLE.
03:12:06PM IN MY COMMENTS.
03:12:08PM WE ARE REQUIRED UNDER THE VILLAGE CHARTER SECTION 8-2 TO
03:12:13PM PROPOSE A BUDGET FOR THE NEXT FISCAL YEAR TO COUNCIL BY JULY
03:12:18PM 15 OF EACH YEAR.
03:12:19PM WE ARE SATISFYING THAT REQUIREMENT BY THIS WORKSHOP.
03:12:23PM WITHIN YOUR COUNCIL PACKET, IS A PROPOSED BUDGET SUMMARY FOR
03:12:30PM NEXT FISCAL YEAR.
03:12:31PM THIS IS A VERY HIGH-LEVEL SUMMARY.
03:12:33PM WE HAVE DONE OUR INITIAL REVENUE AND EXPENDITURE PROJECTIONS
03:12:37PM FOR NEXT FISCAL YEAR.
03:12:39PM BEFORE THE FIRST PUBLIC HEARING ON SEPTEMBER 7, WE WILL
03:12:42PM PROVIDE TO YOU WITH PLENTY OF TIME TO REVIEW A FULL PROPOSED
03:12:47PM BUDGET BOOK WITH, YOU KNOW, EXTENSIVE DETAIL ON ALL REVENUE
03:12:51PM AND EXPENDITURE PROJECTIONS.
03:12:54PM I HAVE JUST A VERY BRIEF FIVE SLIDE BUDGET -- PROPOSED
03:13:00PM BUDGET INTRODUCTION.
03:13:01PM I WILL GO THROUGH IT VERY BRIEFLY.
03:13:03PM JUST THE AGENDA -- IT IS -- OUR PURPOSE OF THE ANNUAL

03:13:08PM BUDGET.
03:13:08PM OUR STANDARD AND GUIDELINES USED IN A BUDGET CALENDAR FOR
03:13:12PM THE FISCAL YEAR.
03:13:13PM THE PURPOSE OF OUR ANNUAL BUDGET IS TO RECOGNIZE OUR
03:13:17PM ESTIMATED REVENUE SOURCES TO APPROPRIATE ALL EXPENDITURES
03:13:21PM AND REVENUES.
03:13:22PM AND IT IS -- IT IS TO PLAN FOR ANY DEFICIENCIES OR SURPLUSES
03:13:27PM IN HOW WE BEST WILL MANAGE THOSE FUNDS.
03:13:30PM FLORIDA STATUTE 166241 REQUIRES US TO ADOPT A BALANCED
03:13:38PM ANNUAL BUDGET BY OCTOBER 1 OF EVERY YEAR.
03:13:41PM REVENUE ESTIMATES MUST BE REASONABLE.
03:13:44PM WE CANNOT VIOLATE ANY OF OUR CHARTER OR LOCAL LAWS IN OUR
03:13:50PM BUDGET PROCESS.
03:13:51PM IT IS MANAGEMENT'S RESPONSIBILITY TO PRESENT A BUDGET THAT
03:13:56PM FOCUSES ON COUNCIL'S DIRECTION AND VISION.
03:13:59PM AGAIN, VILLAGE CHARTER, SECTION 8-2 DOES REQUIRE US TO
03:14:05PM PROPOSE THIS BUDGET BY JULY 15 OF EACH YEAR.
03:14:08PM OUR BUDGET TIMELINE -- SO JUNE 7, WE HAD OUR FIRST PUBLIC
03:14:13PM HEARING ON THE CAPITAL IMPROVEMENT PLAN.
03:14:16PM JUNE 21, WE HAD OUR SECOND PUBLIC HEARING AND ADOPTED OUR
03:14:20PM CAPITAL IMPROVEMENT PLAN.
03:14:22PM TODAY IS THIS BRIEF PROPOSED BUDGET INTRODUCTION.
03:14:25PM SEPTEMBER 7 AT 5:05, WE WILL HAVE OUR FIRST PUBLIC HEARING
03:14:30PM ON THE BUDGET AND MILLAGE RATES.
03:14:32PM SEPTEMBER 20, WE WILL HAVE OUR SECOND PUBLIC HEARING ON THE
03:14:35PM PROPOSED BUDGET AND MILLAGE RATE.
03:14:38PM AN THEN THE NEW FISCAL YEAR WILL BEGIN ON OCTOBER 1.
03:14:42PM AND JUST SOME VERY BRIEF HIGHLIGHTS OF THE PROPOSED BUDGET.
03:14:47PM WE DID RECEIVE OUR PRELIMINARY TAXABLE REVENUE FROM LEE
03:14:53PM COUNTY MONDAY NIGHT AT 9:28.
03:14:56PM SO THAT IS WHY THIS WAS A DESKTOP AGENDA ITEM.
03:15:00PM I WANTED TO GET THAT IN THERE.
03:15:02PM OUR PROPERTY VALUE WAS PROJECTED TO INCREASE BY $715
03:15:06PM MILLION.
03:15:06PM THIS REPRESENTS A 9% YEAR-OVER-YEAR INCREASE OF OUR TAXABLE
03:15:14PM PROPERTY.
03:15:14PM WITH PROPOSED MILLAGE OF 7.5 PERCENT.
03:15:20PM THIS INCREASE OUR REVENUES APPROXIMATELY $536,000.
03:15:24PM WE ARE PROPOSING AN INCREASE FOR ALL VILLAGE STAFF, A COLA
03:15:29PM INCREASE OF SALARY OF 4.25%.
03:15:32PM THIS IS BASED OFF THE LAST FOUR QUARTERS.
03:15:36PM THE AVERAGE OF THE BUREAU AND LABOR STATISTICS WAGE INCREASE
03:15:42PM FOR LOCAL GOVERNMENT WORKERS.
03:15:44PM THE BUDGET ALSO INCLUDES THREE VACANT FULL-TIME POSITIONS
03:15:49PM THAT ARE VACANT RIGHT NOW.
03:15:50PM WE ARE PROPOSING AN ASSISTANT VILLAGE MANAGER, DIRECTOR OF
03:15:55PM PARKS DEVELOPMENT AND LANDSCAPE MAINTENANCE AND ASSISTANT
03:15:58PM COMMUNITY DEVELOPMENT DIRECTOR.

03:16:00PM SALARIES AND BENEFITS ARE PROPOSED IN THE BUDGET -- PROPOSED
03:16:05PM BUDGET BEFORE YOU.
03:16:06PM LIKE I SAID, FOR THE SEPTEMBER 7 MEETING, WE WILL HAVE A
03:16:10PM FULL PROPOSED AND VERY DETAILED 100-PLUS-PAGE BUDGET BOOK
03:16:15PM FOR YOUR VIEWING PLEASURE.
03:16:17PM SO WITH THAT, I LEAVE IT TO ANY QUESTIONS, MAYOR AND COUNCIL
03:16:21PM MAY HAVE.
03:16:21PM >>Mayor McLain: ANY QUESTIONS?
03:16:25PM >>Jim Ward: WHAT WAS THE THIRD, PERSONNEL INCREASE?
03:16:29PM >>Kevin Greenville: AN ASSISTANT COMMUNITY DEVELOPMENT
03:16:32PM DIRECTOR.
03:16:32PM >>Mayor McLain: ANY OTHER QUESTIONS?
03:16:41PM IF NOT, THANK YOU, KEVIN.
03:16:43PM >>Kevin Greenville: APPRECIATE IT.

DISCLAIMER:
THIS FILE REPRESENTS AN UNEDITED VERSION OF REALTIME
CAPTIONING WHICH SHOULD NEITHER BE RELIED UPON FOR COMPLETE
ACCURACY NOR USED AS A VERBATIM TRANSCRIPT.
ANY PERSON WHO NEEDS A VERBATIM TRANSCRIPT OF THE
PROCEEDINGS MAY NEED TO HIRE A COURT REPORTER.

Final Action Agenda/Minutes are supplemented by audio and video recordings of the meetings, as well as transcripts. Video recordings of Village Council meetings from June 8, 2016, forward, as well as agendas, staff reports, resolutions, ordinances, and other documents related to the meetings can be viewed online at https://estero-fl.gov/agendas/ at the corresponding meeting date.

DRAFT MINUTES

VILLAGE COUNCIL MEETING

Village of Estero Council Chambers
9401 Corkscrew Palms Circle
Estero, FL 33928

June 21, 2023 9:30 a.m.

1. CALL TO ORDER

INVOCATION

Father Hugh McGuigan Our Lady of Light

PLEDGE OF ALLEGIANCE

ROLL CALL
Present: Mayor Jon McLain - District 3, Councilmember Larry Fiesel - District 2, Councilmember Lori Fayhee – District 4, Councilmember Rafael Lopez - District 5, Councilmember Jim Ward - District 6, and Councilmember George Zalucki - District 7.
Absent: Vice Mayor Joanne Ribble - District 1.

Also present
Village Manager Steve Sarkozy, Village Attorney Robert Eschenfelder, Community Development Director Mary Gibbs, Village Land Use Attorney Nancy Stroud, Finance Director Kevin Greenville, and Deputy Village Clerk Tammy Duran.

2. PROCLAMATION

(a) Florida Everblades Kelly Cup

Brad Ralph, Head Coach of The Florida Everblades
Mike Kelly, Vice President of Business Development and Broadcasting for The Florida Everglades.

3. PRESENTATION

Honorable Representative Adam Botana

Council Questions or Comments
Councilmembers Zalucki, Fayhee, and Mayor McLain

4. APPROVAL OF AGENDA, ADDITIONS, AND DELETION

Motion: Motion to approve agenda.

Motion by: Councilmember Ward
Seconded by: Councilmember Fiesel

Action: Approved agenda.

Vote: (Roll Call)
Aye: Councilmembers Fiesel, Fayhee, Lopez, Ward, Zalucki, and Mayor McLain.
Nay:
Abstentions:

5. PUBLIC COMMENT ON NON-AGENDA ITEMS
In Person
Mark Novitski, Bella Terra
Richard Sherman, Wildcat Run

6. CONSENT AGENDA

(a) June 7, 2023 Council Meeting Minutes
(b) Florida Local Government Cybersecurity Grant Agreement
(c) Liaison Assignments

Motion: Motion to approve the Consent Agenda.

Motion by: Councilmember Zalucki
Seconded by: Councilmember Lopez

Action: Approved the Consent Agenda.

Vote: (Roll Call)
Aye: Councilmembers Fiesel, Fayhee, Lopez, Ward, Zalucki, and Mayor McLain.
Nay:
Abstentions:

7. CONSIDERATION OF ITEMS DEFERRED FROM CONSENT AGENDA
None.

8. ACTION ITEM

(a) Resolution No. 2023-13 Plat for Milan Villas

Staff Presentation/Comments
Steve Sarkozy, Village Manager
Mary Gibbs, Community Development Director

Presentation/Information by
Wayne Everett, DR Horton

Council Questions or Comments
Councilmember Ward and Mayor McLain

Public Comments
None.

Motion: Motion to approve Plat.

Motion by: Councilmember Ward
Seconded by: Councilmember Fiesel

Action: Approved Plat.

Vote: (Roll Call)
Aye: Councilmembers Fiesel, Fayhee, Lopez, Ward, Zalucki, and Mayor McLain.
Nay:
Abstentions:

(b) Cypress Park Circle Utility Extension Project (UEP) Design & Permitting – EC 2022-29 STA 02

Staff Presentation/Comments
Steve Sarkozy, Village Manager

Council Questions or Comments
None.

Public Comments
None.

Motion: Motion to approve STA 02 to Contract EC 2022-29 with Weston & Sampson to design and permit the extension of utilities to Cypress Park Circle for $311,650, approve a $31,000 contingency (10%) for additional services that may be required to complete the project, and authorize the Village Manager to sign the STA and other additional implementing documents within the scope of the STA on behalf of the Village of Estero Council.

Motion by: Councilmember Lopez
Seconded by: Councilmember Fayhee

Action: Approved STA 02 to Contract EC 2022-29 with Weston & Sampson to design and permit the extension of utilities to Cypress Park Circle for $311,650, approve a $31,000 contingency (10%) for additional services that may be required to complete the project, and authorize the Village

Manager to sign the STA and other additional implementing documents within the scope of the STA on behalf of the Village of Estero Council.

Vote: (Roll Call)
Aye: Councilmembers Fiesel, Fayhee, Lopez, Ward, Zalucki, and Mayor McLain.
Nay:
Abstentions:

(c) 8801 Corkscrew Road Structure Demolition - RFB 2023-04

Staff Presentation/Comments
Steve Sarkozy, Village Manager
Robert Eschenfelder, Village Attorney

Council Questions or Comments
Councilmembers Fiesel, Fayhee, Lopez, Ward, Zalucki, and Mayor McLain.

Public Comments
Jim Boesch, Estero
Marlene Rodak, Meadowbrook
John Quinn, Estero Forever Foundation

Motion: Motion to approve award of Request for Bids No. RFB 2023-04, 8801 Corkscrew Road Structure Demolition to Southwest Builders Inc. to demolish the structure located at 8801 Corkscrew Road at a grand total cost of $106,890, approve a contingency fund amount of $10,689 (an amount equal to 10% of the total project cost) to cover unforeseen circumstances which may occur, and authorize the Village Manager to execute the contract documents on behalf of the Village of Estero Council with the instructions that the Village Manager is not to move forward with the demolition until further direction from Council. Additionally, Resolution No. 2023-02 was clarified to correct the date of execution from March 15, 2023, to February 15, 2023 due to error.

Motion by: Councilmember Lopez
Seconded by: Councilmember Ward

Action: Approved award of Request for Bids No. RFB 2023-04, 8801 Corkscrew Road Structure Demolition to Southwest Builders Inc. to demolish the structure located at 8801 Corkscrew Road at a grand total cost of $106,890, approve a contingency fund amount of $10,689 (an amount equal to 10% of the total project cost) to cover unforeseen circumstances which may occur, and authorize the Village Manager to execute the contract documents on behalf of the Village of Estero Council with the instructions that the Village Manager is not to move forward with the demolition until further direction from Council. Additionally, Resolution No. 2023-02 was clarified to correct the date of execution from March 15, 2023, to February 15, 2023 due to error.

Vote: (Roll Call)
Aye: Councilmembers Fiesel, Fayhee, Lopez, Ward, Zalucki, and Mayor McLain.
Nay:
Abstentions:

(d) Estero Parkway Plant Replacements - EC 2021-04 Amendment 5

Staff Presentation/Comments
Steve Sarkozy, Village Manager

Council Questions or Comments
Councilmember Fiesel.

Public Comments
None.

Motion: Motion to approve Contract EC 2021-04 Amendment 5 to replace plant materials along Estero Parkway and authorize the Village Manager to sign the contract amendment and other additional implementing documents within the scope of the contract amendment on behalf of the Village of Estero Council.

Motion by: Councilmember Ward
Seconded by: Councilmember Fiesel

Action: Approved award Contract EC 2021-04 Amendment 5 to replace plant materials along Estero Parkway and authorize the Village Manager to sign the contract amendment and other additional implementing documents within the scope of the contract amendment on behalf of the Village of Estero Council.

Vote: (Roll Call)
Aye: Councilmembers Fiesel, Fayhee, Lopez, Ward, Zalucki, and Mayor McLain.
Nay:
Abstentions:

(e) 8801 Corkscrew Road Debris Removal – EC 2023-21 Amendment 1

Staff Presentation/Comments
Steve Sarkozy, Village Manager

Council Questions or Comments
None.

Public Comments
None.

Motion: Motion to approve Amendment 1 to Contract EC 2023-21 to mulch all debris and downed trees located at 8801 Corkscrew Road for $11,886.89 and authorize the Village Manager to sign the contract amendment and other additional implementing documents within the scope of the contract amendment on behalf of the Village of Estero Council.

Motion by: Councilmember Zalucki
Seconded by: Councilmember Fayhee

Action: Approved award Amendment 1 to Contract EC 2023-21 to mulch all debris and downed trees located at 8801 Corkscrew Road for $11,886.89 and authorize the Village Manager to sign the contract amendment and other additional implementing documents within the scope of the contract amendment on behalf of the Village of Estero Council.

Vote: (Roll Call)
Aye: Councilmembers Fiesel, Fayhee, Lopez, Ward, Zalucki, and Mayor McLain.
Nay:
Abstentions:

(f) Munis a Tyler Technologies Enterprise Resource Planning (ERP) Solution

Staff Presentation/Comments
Steve Sarkozy, Village Manager

Council Questions or Comments
None.

Public Comments
None.

Motion: Motion to approve the software as a service agreement (SaaS) for Munis ERP software between the Village of Estero and Tyler Technologies, Inc. and authorize the Village Manager to execute the contract documents on behalf of the Village of Estero Council.

Motion by: Councilmember Fayhee
Seconded by: Councilmember Fiesel

Action: Approved the software as a service agreement (SaaS) for Munis ERP software between the Village of Estero and Tyler Technologies, Inc. and authorized the Village Manager to execute the contract documents on behalf of the Village of Estero Council.
Vote: (Roll Call)
Aye: Councilmembers Fiesel, Fayhee, Lopez, Ward, Zalucki, and Mayor McLain.
Nay:
Abstentions:

(g) Entertainment District Design & Permitting - EC 2022-33 STA 01

Staff Presentation/Comments
Steve Sarkozy, Village Manager

Council Questions or Comments
Councilmembers Ward, Lopez, Fiesel, and Mayor McLain.

Public Comments
None.

Motion: Motion to approve STA 01 to Contract EC 2022-33 with RWA Engineering to design and permit the Estero Entertainment District for $485,045, subject to the consultant's acceptance of a revised Exhibit "C" (Project Schedule) to meet the time constraints of the Village, to authorize the Village Manager to sign the STA and other additional implementing documents within the scope of the STA on behalf of the Village of Estero Council, and to authorize the Village Manager to terminate the STA on 30 days' notice pursuant to S7.2 of EC 2022-33.

Motion by: Councilmember Lopez
Seconded by: Councilmember Fiesel

Action: Approved STA 01 to Contract EC 2022-33 with RWA Engineering to design and permit the Estero Entertainment District for $485,045, subject to the consultant's acceptance of a revised Exhibit "C" (Project Schedule) to meet the time constraints of the Village, to authorize the Village Manager to sign the STA and other additional implementing documents within the scope of the STA on behalf of the Village of Estero Council, and to authorize the Village Manager to terminate the STA on 30 days' notice pursuant to S7.2 of EC 2022-33.

Vote: (Roll Call)
Aye: Councilmembers Fiesel, Fayhee, Lopez, Ward, Zalucki, and Mayor McLain.
Nay:
Abstentions:

9. PUBLIC HEARING SETTLEMENT AGREEMENT

(a) Public hearing to consider proposed Settlement Agreement between the Village of Estero and Long Bay Partners, LLC; TOP CR Associates, LLC; and PAC Estero Apartments, LLC, related to The Brooks Town Center property lawsuits.

Staff Presentation/Comments
Steve Sarkozy, Village Manager

Mary Gibbs, Community Development Director
Nancy Stroud, Village Land Use Attorney

Council Questions or Comments
Councilmembers Ward, Zalucki, and Mayor McLain.

Public Comments
In Person
Mary O'Connor, Shadow Wood

eComment
Le Nidetz, Copperleaf
Regina Fisher, Shadow Wood
Mario Lucarelli, Shadow Wood

Motion: Motion to approve Settlement Agreement

Motion by: Councilmember Fiesel
Seconded by: Councilmember Fayhee

Action: Approved Settlement Agreement.

Vote: (Roll Call)
Aye: Councilmembers Fiesel, Fayhee, Lopez, Ward, Zalucki, and Mayor McLain.
Nay:
Abstentions:

10. FIRST READING

(a) First Reading of Ordinance No. 2023-06, Coconut Road EPD Rezoning

An Ordinance of the Village Council of the Village of Estero, Florida, Considering a Rezoning from Mixed Use Planned Development (MPD) to Estero Planned Development (EPD) for a 45.6-Acre Parcel on the Northwest Corner of US-41 and Coconut Road; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.

Staff Presentation/Comments
Steve Sarkozy, Village Manager
Mary Gibbs, Community Development Director

Council Questions or Comments
Councilmembers Fiesel, Fayhee, Lopez, Ward, Zalucki, and Mayor McLain.

Public Comments
eComments
Carol and Ray Stark, Shadow Wood
Kathleen Wilson, Coconut Shores
Barbara Piester, Coconut Shores

Andrew Coyle, Estero

Motion: Motion to pass First Reading of Ordinance No. 2023-06 and Set Public Hearing and Second Reading for July 5, 2023.

Motion by: Councilmember Zalucki
Seconded by: Councilmember Fiesel

Action: Passed First Reading of Ordinance No. 2023-06 and Set Public Hearing and Second Reading for July 5, 2023.

Vote: (Roll Call)
Aye: Councilmembers Fiesel, Fayhee, Lopez, Ward, Zalucki, and Mayor McLain.
Nay:
Abstentions:

11. SECOND READING AND PUBLIC HEARINGS

Village Land Use Attorney Stroud provided information regarding Board business and quasi-judicial hearings for 11(a). All audience members and staff providing testimony for the hearing were sworn in by Deputy Village Clerk Duran.

(a) Second Reading of Ordinance No. 2023-04, Village Initiated Rezoning on Williams Road

An Ordinance of the Village Council of the Village of Estero, Florida, Rezoning 21± Acres of Property Owned by the Village of Estero from Commercial Planned Development and Agriculture to Estero Planned Development (EPD) Zoning to Allow for Various Sports-Related and Recreation Uses; Providing for Severability; Providing for Conflicts; and Providing an Effective Date.

No ex parte communication or conflicts of interest were noted.

Staff Presentation/Comments
Steve Sarkozy, Village Manager
Mary Gibbs, Community Development Director

Council Questions or Comments
None.

Public Comments
eComments
Mary Ann Batos, Shadow Wood

Motion: Motion to approve Ordinance No. 2023-04.

Motion by: Councilmember Lopez
Seconded by: Councilmember Zalucki

Action: Approved Ordinance No. 2023-04.

Vote: (Roll Call)
Aye: Councilmembers Fiesel, Fayhee, Lopez, Ward, Zalucki, and Mayor McLain.
Nay:
Abstentions:

(b) Resolution No. 2023-11 Capital Improvement Program

A Resolution of the Village Council of the Village of Estero, Florida, Adopting the Capital Improvement Program for Fiscal Year 2023-2024; and Providing an Effective Date.

Staff Presentation/Comments
Steve Sarkozy, Village Manager

Council Questions or Comments
None.

Public Comments
None.

Motion: Motion to approve Resolution No. 2023-11.

Motion by: Councilmember Fayhee
Seconded by: Councilmember Zalucki

Action: Approved approve Resolution No. 2023-11.

Vote: (Roll Call)
Aye: Councilmembers Fiesel, Fayhee, Lopez, Ward, Zalucki, and Mayor McLain.
Nay:
Abstentions:

12. PUBLIC COMMENT ON NON-AGENDA ITEMS

None.

13. COUNCIL COMMUNICATIONS / FUTURE AGENDA ITEMS

Councilmembers Fiesel, Fayhee, Lopez, Zalucki, and Mayor McLain.

14. VILLAGE ATTORNEY'S REPORT

Robert Eschenfelder, Village Attorney

15. VILLAGE MANAGER'S REPORT

Steve Sarkozy, Village Manager

Adjourn Regular Session at 12:28 pm and Convene Workshop Item 12:28 pm

16. WORKSHOPS

(a) Tuscan Auditors

Staff Presentation/Comments
Steve Sarkozy, Village Manager

Presentation/Information by
Jeff Tuscan, CPA, Tuscan &. Company, PA

Council Questions or Comments
Councilmembers Ward and Zalucki.

Public Comments
None.

A consensus to give authority to the Village Manager to submit the audit report to the state before the June 30th deadline.

17. ADJOURNMENT at 12:40 pm

Motion by Councilmember Fiesel and seconded by Councilmember Lopez.

ATTEST: VILLAGE OF ESTERO, FLORIDA

By: _____ By: _____

Carol Sacco, Village Clerk Jon McLain, Mayor

(td/CS)

For an official copy of the signed minutes, please submit a Public Record Request.

AGENDA ITEM SUMMARY SHEET
VILLAGE COUNCIL MEETING
July 5, 2023

Agenda Item:

Resolution No. 2023-12

A Resolution of Village Council of the Village of Estero, Florida, determining the proposed Millage Rate for fiscal year 2023-2024, setting the date, time and place for the public hearing required by state law; directing staff to transmit necessary documentation pursuant to the requirements of Florida Statutes and the rules and regulation of the department of revenue; and providing an effective date.

Motion to adopt Resolution No. 2023-12.

Background:

It is anticipated on July 5, 2023, the Property Appraiser of Lee County, Florida will serve upon the Village of Estero a Certification of Taxable Value certifying to the Village of Estero its taxable value.

Florida Statute Section 200.065, requires that within thirty-five (35) days of service of the Certification of Taxable Value upon a municipality, said municipality shall furnish to the Property Appraiser the proposed millage rate, the rolled-back rate, and the date, time, and place at which a public hearing will be held to consider the proposed millage rate and the budget for Fiscal Year 2023-2024.

Description:

The proposed millage rate for fiscal year 2023-2024 is 0.7500 mills ($0.7500 per $1,000 of assessed property value) which is equal to the prior year rate. The two public hearings will be held on September 7, 2023, at 5:05 P.M. and September 20, 2023 at 5:05 P.M.

Action Requested:

Motion to adopt Resolution No. 2023-12.

Process and Timeline:

The next meetings on the millage rate will be public hearings on September 7, 2023, at 5:05 P.M. and September 20, 2023 at 5:05 P.M.

Financial Impact:

Approval of the resolution will provide the required information to initiate Ad Valorem taxes for the Fiscal Year 2023-2024.

Prepared by: Kevin Greenville, CPA

Attachments:

1. Resolution No. 2023-12

VILLAGE OF ESTERO, FLORIDA

RESOLUTION NO. 2023 –12

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF ESTERO, FLORIDA, DETERMINING THE PROPOSED MILLAGE RATE FOR FISCAL YEAR 2023-2024, SETTING THE DATE, TIME AND PLACE FOR THE PUBLIC HEARINGS REQUIRED BY STATE LAW; DIRECTING STAFF TO TRANSMIT NECESSARY DOCUMENTATION PURSUANT TO THE REQUIREMENTS OF FLORIDA STATUTES AND THE RULES AND REGULATIONS OF THE DEPARTMENT OF REVENUE OF THE STATE OF FLORIDA; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, it is anticipated on July 5, 2023, the Property Appraiser of Lee County, Florida will serve upon the Village of Estero a "Certification of Taxable Value" certifying to the Village of Estero its taxable value; and

WHEREAS, Florida Statute Section 200.065, requires that within thirty-five (35) days of service of the Certification of Taxable Value upon a municipality, said municipality shall furnish to the Property Appraiser the proposed millage rate, the rolled-back rate, and the date, time and place at which a public hearing will be held to consider the proposed millage rate and the budget for Fiscal Year 2023-2024.

NOW THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF ESTERO, FLORIDA, THAT:

Section 1. The proposed millage rate for fiscal year 2023-2024 to be discussed at the first budget hearing is hereby declared to be 0.7500 mills ($0.7500 per $1,000 of assessed property value).

Section 2. The Village Council hereby sets the date, time and place for the budget hearings required by Florida Statutes as follows:

Date	Time	Place
September 7, 2023	5:05 P.M.	Village Hall Administrative Bldg. 9401 Corkscrew Palms Circle Estero, Florida 33928
September 20, 2023	5:05 P.M.	Village Hall Administrative Bldg. 9401 Corkscrew Palms Estero, Florida 33928

Section 3. The Village Manager or designee is hereby directed to transmit all necessary documentation in compliance with the rules and regulations of the Florida Department of Revenue on their Internet-based system for completing and submitting documents for the Florida's Truth-In-Millage (TRIM) and maximum millage oversight process.

Section 4. This Resolution shall take effect immediately upon adoption.

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

ADOPTED BY THE VILLAGE COUNCIL of the Village of Estero, Florida this__ day of _____, 2023.

Attest: **VILLAGE OF ESTERO, FLORIDA**

By: _____ By: _____
Carol Sacco, Village Clerk Jon McLain, Mayor

AGENDA ITEM SUMMARY SHEET
VILLAGE COUNCIL MEETING
July 5, 2023

Agenda Item:

Presentation of the Comprehensive Annual Financial Report for the Fiscal Year Ended September 30, 2022 by Jeff Tuscan, CPA, Tuscan &. Company, PA.

Description:

In compliance with Florida Statutes 218.39, the Village's financial statements have been independently audited by Tuscan & Company, PA, a firm of licensed certified public accountants. The report provides details of operations for the twelve (12) months ending September 30, 2022. The independent auditor has issued an unmodified ("clean") opinion on the Village's financial statements for the fiscal year ended September 30, 2022.

The audit report also includes the Government Financial Officers Association of the United States and Canada (GFOA) awarded a Certificate of Achievement for Excellence in Financial Reporting to the Village of Estero for fiscal year ended September 30, 2021. The Village has achieved this prestigious award each fiscal year since inception.

Background & Financial Dashboard:

The Village is committed to maintaining the highest standard of controls and oversight of our financial affairs. The Auditor is provided complete access to any and all records – at their complete discretion. Our objective is to provide the highest level of accountability and integrity in our handling of taxpayers dollars. We also commit to complete transparency and fully disclose any issues. Below is our audit history.

Summary of Audit Findings and Management Letter Comments		
FY	Audit Findings	Mgmt Letter Comments
2014/2015	2	1
2015/2016	0	0
2016/2017	1	0
2017/2018	0	0
2018/2019	0	1
2019/2020	0	0
2020/2021	0	1
2021/2022	0	1

"Findings" represent serious deficiencies in our operation and a "management comment" represents a serious concern that warrants immediate attention. Either represents an opportunity to improve our operation to best preserve the public trust. The expectation is that we never have a "finding" and only rarely have a "management comment". You can see from our history that we take the audit very seriously and manage in accordance with the highest standards of professional conduct.

A history of our Audit Findings and Management Letter Comments is attached. Of course, all of the prior issues have been corrected.

A Certificate of Achievement is valid for a period of one year only. We believe that our current comprehensive annual financial report will meet the Certificate of Achievement Program's requirements and we are submitting it to the GFOA to determine its eligibility for this certificate.

Action Requested:

Approve Comprehensive Annual Financial Report.

Financial Impact:

There is no financial impact of this report.

Attachments:

1. Summary of Audit Findings and Management Letter Comments (2 pages)
2. Comprehensive Annual Financial Report
3. Village of Estero Graphs FY 22

Type	#	Finding	Criteria	Condition	Cause	Effect	Recommendation	View of Responsible Official and Planned Corrective Action
FINDING	2015-001	Segregate Payroll Duties	The basic premise of segregation of duties is that no one person should have access to both physical assets and the related accounting records or to all phases of a transaction. During the audit, we noted a lack of segregation of duties within the payroll process.	One employee maintains the payroll master file, including making changes to it for pay rate changes; prepares the payroll; transmits the payroll; and records the transactions in the general ledger.	The Village's finance staff consists of just one person, the Finance Director.	This lack of segregation of duties in the payroll function increases the risk that an error or irregularity could occur and go undetected.	While the Village Manager reviews and approves a preprocessing payroll report, we recommend that the Village Manager also review a payroll post-processing report and compare it to the approved preprocessing report. In addition, the Village Manager should review a payroll change report each pay period, detailing any changes made to the payroll master file.	Effective November 15, 2015, the Village Manager reviews and approves a post-processing report and agrees it to the approved processing report. The Village Manager also reviews a payroll change report to verify that any changes completed are as authorized. On January 27, 2016, a Finance Clerk began work in the Finance Department. This additional staff will allow for segregation of duties in the payroll process.
FINDING	2015-002	Approve Journal Entries	The proper initiation, authorization, recording, and processing of standard and nonstandard journal entries helps guard against the use of journal entries to obscure fraudulent financial reporting.	One employee prepares and records journal entries, without a review or approval of the entry or supporting documentation.	The Village's finance staff consists of just one person, the Finance Director.	This lack of journal entry review and approval increases the risk that an error or irregularity could occur and go undetected.	We recommend the adopting of a policy whereby a report detailing all journal entries will be reviewed by the Village Manager or other designated member of management each month. The report should be initialed and dated by the preparer and initialed and dated by the management reviewer.	On January 27, 2016, a Finance Clerk began work in the Finance Department. With two financial staff members, Finance Clerk and Finance Director, one staff member will prepare the journal entry and the other staff member will review the journal entry with supporting documentation. From November 2, 2015 through January 27, 2016, the Village Manager reviewed and approved all journal entries.
Mgmt Letter	ML#2015-001	Formal Written Policies	Written policies and procedures should be maintained and updated regularly to establish standard practices, establish procedures to address identifies risks in order to prevent or detect and correct errors or fraud, and establish responsibilities for preparation, review and approval of information.	Our review of internal controls revealed financial policies and procedures for recording transactions were not in formal approved written form.	The Village was created on December 31, 2014 and written policies and procedures have not yet been developed.	Without formal written policies and procedures in place, the Village is vulnerable to errors or fraud that might go undetected.	We recommend formal written policies and procedures be adopted which establish standard practices, establish procedures to address identifies risks in order to prevent pr detect and correct errors or fraud, and establish responsibilities for preparation, review and approval of information. Such policies should include string segregation of duties when possible. The policies and procedures should require physical documentation, such as signature/initials and dates, related to preparation, review and approval of information in order to hold those responsible individuals accountable. The policies and procedures should required at least annual updating of the written document in order to address new risks or new procedures required.	Village staff is currently developing formal written policies and procedures for recording transactions an expect those to be completed within the next few months.
FINDING	2017-001	Surcharge Fees	Village management is responsible for establishing and maintaining internal controls over the proper recording of all of the Village's transaction and reconciliation and review of the Village's account balances.	In accordance with State law, the Village is required to calculate and collect certain building surcharge fees on building permits to be remitted to the Florida Department of Business and Professional Regulation and Florida Department of Community Affairs. The Village retains 10% of the surcharge fees and records that amount as revenue in the financial statements. During testing of the permit revenues and associated fees, we noted one instance in which the Florida Department of Business and Professional Regulation and Florida Department of Community Affairs building surcharge fees were assessed on an incorrect total, including certain permit fees not subject to the surcharge fee.	The community development software requires manual calculation of the building surcharge fee base which provides an increased opportunity for error in assessing surcharge fees. The Village does not have internal controls in place to review that the correct surcharge fee base is entered into the system and that the resulting surcharge fee paid by the applicant is calculated correctly.	The Village's revenue is overstated by $2,428.	We recommend that the Village implement policies and procedures to improve the calculation and monthly reconciliation of the surcharge fees to ensure that the proper amounts are being charged and remitted to the State of Florida.	The Village has requested that the community development software be updated to automate the calculation of the building surcharge fee. The software update is in process and it will be implemented when testing is completed. In addition, the Village has implemented a monthly review of building surcharge fees.
Mgmt Letter	2019-01	Contracted Service Provider Reporting Must be Improved		We noted several programming and administrative issues with the proprietary software developed and maintained by the community development department's contract service provider.		1) Community development staff members were permitted to remove frees an issue permits prior to payment of fees in the software without documentations of approval. 2) Certain administrative fees were set up to calculate incorrectly in the software. 3) A software update allowed multiple credit card payments for the same permit on the public portal; however, fee payments were not recorded in the proprietary community development software. 4) No printable log o historical system errors and/or overrides was stored or available.		
Mgmt Letter	2020-01	Submit Public Depositor Annual Report by November 30		During the year ended September 30, 2021, we noted the Public Depositor Annual Report for fiscal year 2021 was not submitted timely to the Chief Financial Officer. Florida Statute 280.16(1)(d) requires a report of all public deposits must be submitted to the Chief Financial Officer annually by November 30. Therefore, the report for fiscal year 2021 was due by November 30, 2021. The actual report was not submitted until May 31,2022.				The Village's Interim Finance Director has prepared a list of Financial Reports and Submissions Requirements which includes the Report name, method of submission and due dates. The Village Manager and Village Clerk were provided this schedule. Therefore, if the Finance Director position is vacant or is not aware of certain reporting requirements, the Manager and Clerk will be aware of the deadlines for reporting.

Type	#	Finding	Criteria	Condition	Cause	Effect	Recommendation	View of Responsible Official and Planned Corrective Action
Mgmt Letter	2021-02	Expenditures in excess of the final approved budget		During the audit, we noted that the Village had expenditures in excess of its final approved budget in two funds; the building fund and the driving range fund. Florida Statute Chapter 166.241 (2) prohibits such excess expenditures.	The Village hired a new Finance Director on October 17, 2022. The new director prepared the year-end budget amendment due within sixty days of the fiscal year-end close on September 30, 2022. The building fund had excess expenditures totaling $946. This was due to a correcting entry of expenditures performed after the budget amendment was prepared. The driving range fund had excess expenditures totaling $21,039. The driving range fund was established during the fiscal year. With no historical data, budget amounts were estimated for the driving range.	The Village had expenditures in excess of its final approved budget in two funds; the building fund and the driving range fund. Florida Statute Chapter 166.241 (2) prohibits such excess expenditures.	We recommend the Village budget its audited carryforward in each fund which will provide a contingency and help to eliminate the potential of an over expenditure. Alternately, expenditures in excess of budget should be monitored and avoided.	At the completion of each annual fiscal year financial audit, the Village will adopt a mid-year budget amendment which will include the audited carryforward in each fund.

Village of Estero, Florida

Annual Comprehensive Financial Report

For the Fiscal Year Ended September 30, 2022

Prepared by the Finance Staff



Village of Estero, Florida

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Village of Estero, Florida
Annual Comprehensive Financial Report
For the Fiscal Year Ended September 30, 2022

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Introductory Section



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Joanne Ribble
Vice Mayor
District One

Larry Fiesel
District Two

Jon McLain
Mayor
District Three

Lori Fayhee
District Four

Rafael Lopez
District Five

Jim Ward
District Six

George Zalucki
District Seven

Steve Sarkozy
Village Manager

Robert M.
Eschenfelder, Esq.
Village Attorney

June 7, 2023

Honorable Mayor, Members of Village Council and Citizens of the Village of Estero
Village of Estero
Estero, Florida

Dear Mayor, Members of Village Council, and Citizens of the Village of Estero:

We are pleased to present to you the Annual Comprehensive Financial Report (ACFR) of the Village of Estero, Florida (Village) for the fiscal year ended September 30, 2022. Chapter 218.39 Florida Statutes requires that a complete set of financial statements be published within nine months of the fiscal year end. This report is published to fulfill that requirement.

Management assumes full responsibility for the completeness and reliability of the information contained in this report, based upon a comprehensive framework of internal control that it has established for this purpose. Because the cost of internal controls should not exceed anticipated benefits, the objective is to provide reasonable, rather than absolute, assurance that the financial statements will be free from material misstatement.

In addition, the Village maintains budgetary controls. The objective of these controls is to ensure compliance with legal provisions embodied in the annual budget approved by Village Council.

In compliance with the laws of the State of Florida, the Village's financial statements have been independently audited by Tuscan & Company, PA, a firm of licensed certified public accountants. The independent auditor has issued an unmodified ("clean") opinion on the Village's financial statements for the fiscal year ended September 30, 2022. The independent auditor's report is presented as the first component of the financial section of this report.

Management's Discussion and Analysis (MD&A) immediately follows the independent auditor's report and provides a narrative introduction, overview, and analysis of the basic financial statements. The MD&A complements this letter of transmittal and should be read in conjunction with it.

Profile of the Government

The Village, incorporated on December 31, 2014, is located in the southwest part of the State in Lee County. The Village currently occupies a land area of 30 square miles and serves a population of 37,842. The Village is empowered to levy a property tax on both real and personal properties located within its boundaries. It also is empowered by State Statute to extend its corporate limits by annexation, which may occur periodically when deemed appropriate by the governing council.

The Village operates under the Village Council-Manager form of government. Policy-making and legislative authority are vested in a governing Council consisting of the mayor, vice-mayor and five Council members, all elected on a non-partisan basis. For the initial elections, the four Council members that received the highest number of votes served four-year terms and the other three Council members served a two-year term. Thereafter, Council members serve four-year staggered terms, with three or four Council members elected every two years. The mayor, vice-mayor and five Council members are elected-at-large from seven districts. The mayor and vice-mayor are elected by a majority vote of the Council members and serve for a two-year term. The governing Council is responsible, among other things, for passing ordinances, adopting the budget, appointing committees, and hiring both the Village Manager and Attorney. The Village Manager is responsible for carrying out the policies and ordinances of the governing Council, for overseeing the day-to-day operations of the Village, and for appointing the heads of the various departments.

The Village provides the following services: streets and roads, community development, code enforcement, and general and administrative services. The Village uses the "government lite" concept of outsourcing Village services to minimize expenditures and provide exemplary services to the community.

Relevant Financial Policies

Budgetary control is established by Section 8 of the Village Charter which requires the adoption of an annual budget and supplemental amendments to increase, decrease or transfer funds within the annual budget framework. Budgetary control throughout the fiscal year is maintained through monitoring estimated purchase amounts. Budgeted amount for goods or services not received by fiscal year- end lapse and must be re-budgeted in the following year.

The Council is required to adopt a final budget by no later than the close of the fiscal year. The annual budget serves as the foundation for the Village's financial planning and control. The budget is prepared by fund, function (e.g., public safety) and department (e.g., community development).

The Village has an investment policy in place which places a priority on the safety of principal and liquidity.

The Village does not issue debt (long or short term) to finance operational costs. The Village does not have a maximum debt limit. Debt terms are matched with the life of the asset being financed. All debt service requirements are fully funded and paid each year. In the lone case of debt for the purchase of land any sale of all or a portion of the land has all proceeds dedicated to retiring a portion of that debt.

Economic condition and outlook

The continued construction of residential, multi-family and commercial property resulted in a 10.3% increase in taxable property values over the prior year. The median home value is projected to increase 10% over the next five years (Lee County Economic Development-Community Profile). The Village has benefitted by the construction of a new 150,000 square foot medical clinic developed by the Lee Health Medical System. In addition, Estero is the epicenter of new residential development with over 15,000 single family homes recently permitted and in various stages of construction on our outskirts. The entirety of this new construction views Estero as their home community. These new facilities are anticipated to provide significant employment opportunities as well as economic support for existing residential, commercial and retail properties. As a result, the Village's taxable property values are predicted to increase for the next few fiscal years; however, growth may slow as the Village nears build-out of vacant land.

The Village received approximately $16.9 million from the Coronavirus State and Local Fiscal Recovery Funds, a part of the American Rescue Plan Act (ARPA) during fiscal year 2022. These funds

are to be utilized for infrastructure, water quality and capital improvement initiatives within the Village. Funds must be obligated by December 31, 2024, and spent by December 31, 2026.

The national and state economics are key factors in assessing the Village's financial future. Changes in the national, state and local economies can affect both revenues and expenditures due to the impact of tax receipts and the costs of providing Village services. While economic changes at the state and national level can often translate into comparable changes locally, it is important to note that the Village of Estero and the Southwest Florida region often behave differently, showing economic trends and reflecting experience that may lag or precede noticed changes elsewhere.

Long-term financial planning

As a new community, we have had the luxury of establishing a standard protocol for how major spending initiatives are to proceed. In doing so, our protocols or procedures to identify needed community projects are standardized to avoid wide fluctuations in spending and chaotic decision-making.

Specifically, the Village has established a structured approach to identify capital projects. In each of the areas where the Village has functional responsibility for local services a community-wide master planning effort has been conducted to evaluate the current condition of the service being provided, the need for additional public investment and the relative priority of the need. Master Plans have been completed in the following areas:

- Storm Water Master Plan,
- Transportation Master Plan,
- Bike and Pedestrian Master Plan, and
- Parks and Open Space Master Plan.

While each Plan has its own framework and methodology, each was developed with the same general parameters. Each was conducted by an outside consulting firm specializing in the functional area of review. Each included a significant public outreach and specific stakeholder involvement. Each process was entirely transparent with routine postings to our webpage, emails of project updates with current information distributed to various interested parties with postings of all public meetings regarding the project.

Each of the above Master Plans has been completed. As a package, they provide the basis for public policy decision-making. The process is standardized and is embedded as part of the annual budget process.

Based on these studies, the Village has adopted a 5-year Capital Improvement Plan (CIP). The entire plan was first adopted in 2019 and has been reviewed and updated each year as part of the budget process. This five-year capital budget will provide data as to when major cash infusions will be necessary. These infusions may come from the issuance of debt, grants, new revenue sources, impact fees and/or a build-up of fund balance.

In addition, each capital expenditure is accompanied by an appropriate allocation for the annual maintenance of the project being built. The policy direction is to maintain all of our capital investments at the highest level to reflect the quality of our community.

Awards and Acknowledgements

The Government Financial Officers Association of the United States and Canada (GFOA) awarded a Certificate of Achievement for Excellence in Financial Reporting to the Village of Estero for fiscal year ended September 30, 2022. The Village has achieved this prestigious award each fiscal year since inception. In order to be awarded a Certificate of Achievement, the Village must publish an easily readable and efficiently organized comprehensive annual financial report. This report must satisfy both generally accepted accounting principles and applicable legal requirements.

A Certificate of Achievement is valid for a period of one year only. We believe that our current Annual Comprehensive Financial Report will meet the Certificate of Achievement Program's requirements and we are submitting it to the GFOA to determine its eligibility for this certificate.

The preparation of this Annual Comprehensive Financial Report would not have been possible without the efficient and dedicated service of the Finance staff. Their continuing effort toward improving the accounting and financial reporting systems advances the quality of information reported to the Village Council, State and Federal Agencies and the citizens of the Village of Estero. Also, special thanks should be expressed to the Village Clerk/Executive Assistant for her support. We sincerely appreciate and commend them for their contributions.

Appreciation is also extended to our external auditors, Tuscan & Company, PA, for their assistance and to the Mayor and Village Council members for their unfailing support for maintaining the highest standards of professionalism in the management of the Village of Estero finances.

Respectfully submitted,



Steven R. Sarkozy
Village Manager

Government Finance Officers Association

Certificate of Achievement for Excellence in Financial Reporting

Presented to

Village of Estero
Florida

For its Annual Comprehensive
Financial Report
For the Fiscal Year Ended

September 30, 2021

Christopher P. Morrill

Executive Director/CEO

Village of Estero, Florida

VILLAGE OFFICIALS

As of September 30, 2022



Mayor Katy Errington, District 4

Vice-Mayor Jon McLain, District 3

Village Council

Joanne Ribble, District 1

Larry Fiesel, District 2

Jim Boesch, District 5

Jim Ward, District 6

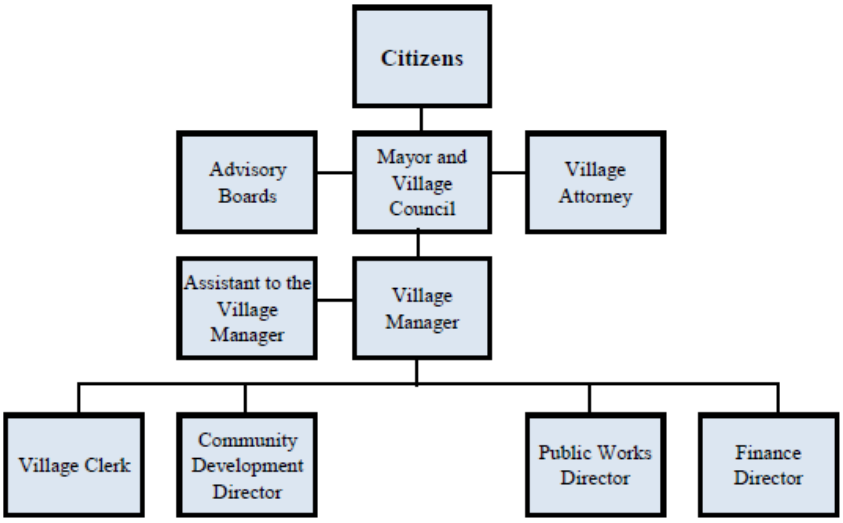
Jim Wilson, District 7

Village Administration

Steven R. Sarkozy, Village Manager
Robert D. Pritt, Interim Village Attorney
Carol Sacco, Village Clerk

Village of Estero, Florida

Organizational Chart



Financial Section

TUSCAN
& Company, PA
Certified Public Accountants & Consultants

Affiliations
Florida Institute of Certified Public Accountants
American Institute of Certified Public Accountants
Private Companies Practice Section
Tax Division

INDEPENDENT AUDITOR'S REPORT

Village Council
Village of Estero
9401 Corkscrew Palms Circle
Estero , Florida 33928

Opinions
We have audited the accompanying financial statements of the governmental activities, each major fund and the non-major fund of Village of Estero (the "Village") as of and for the year ended September 30, 2022, and the related notes to the financial statements, which collectively comprise the Village's basic financial statements as listed in the table of contents.

Summary of Opinions

Opinion Unit	Type of Opinion
Governmental Activities	Unmodified
General Fund	Unmodified
Building Fee Fund	Unmodified
Capital Projects Fund	Unmodified
Debt Service Fund	Unmodified
Driving Range Fund*	Unmodified

*non-major special revenue fund

In our opinion, based on our audit, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, each major fund and the non-major fund of Village of Estero as of September 30, 2022, and the respective changes in financial position, for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Matter of Emphasis
During the year ended September 30, 2022, the Village implemented GASB Statement No. 87 "Leases" as further described in NOTE 1. The prior year net position was required to be restated.

Basis for Opinions
We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the Village, and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

INTEGRITY ..... SERVICE ..... EXPERIENCE
12621 World Plaza Lane, Building 55 • Fort Myers, FL 33907 • Phone: (239) 333-2090 • Fax: (239) 333-2097

Village Council
Village of Estero

Management's Responsibility for the Financial Statements
Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the Village's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditor's Responsibilities for the Audit of the Financial Statements
Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with generally accepted auditing standards, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Village's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the Village's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Other Matters
Required Supplementary Information
Accounting principles generally accepted in the United States of America require that the management's discussion and analysis (MD&A) on pages 6-15, budgetary comparison for the general fund and building fee fund on pages 44-45, notes to required supplementary information on page 46, and schedule of changes in the net OPEB liability and related ratios GASB 75 and notes to the schedule on page 47, as listed in the table of

contents, be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board which considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information - management's discussion and analysis (MD&A) on pages 6-15, budgetary comparison for the general fund and building fee fund on pages 44-45, notes to required supplementary information on page 46, and schedule of changes in the net OPEB liability and related ratios GASB 75 and related notes to the schedule on page 47, as listed in the table of contents, in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the required supplementary information - management's discussion and analysis (MD&A) on pages 5-14, budgetary comparison for the general fund and building fee fund on pages 44-45, notes to required supplementary information on page 46, and schedule of changes in the net OPEB liability and related ratios GASB 75 and related notes to the schedule on page 47, as listed in the table of contents, because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Required Supplementary Information
Our audit was conducted for the purpose of forming an opinion on the financial statements of Village of Estero that collectively comprise the Village's basic financial statements. The accompanying Schedule of Expenditures of Federal Awards - year ended September 30, 2022 and related notes thereto as required by Title 2 U.S. Code of Federal Regulations (CFR) Part 200, "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards." is presented for purposes of additional analysis and is not a required part of the financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. Such information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the accompanying Schedule of Expenditures of Federal Awards and related notes thereto for the year ended September 30, 2022 is fairly stated, in all material respects, in relation to the basic financial statements as a whole.

Other Information
Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the Village's basic financial statements. The introductory section, individual fund financial schedules and statistical section as listed in the table of contents, are presented for purposes of additional analysis and are not a required part of the basic financial statements.

The individual fund financial schedules are the responsibility of management and were derived from and relate directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the individual fund financial schedules are fairly

stated, in all material respects, in relation to the basic financial statements as a whole.

The introductory and statistical sections have not been subjected to the auditing procedures applied in the audit of the basic financial statements and, accordingly, we do not express an opinion or provide any assurance on it.

Our audit was conducted for the purpose of forming an opinion on the financial statements that collectively comprise the Village's basic financial statements. The Management's Response to Independent Auditor's Report to Management on page 80 is not a required part of the basic financial statements but is required by Government Auditing Standards. Such information has not been subjected to the auditing procedures applied in the audit of the basic financial statements and, accordingly, we do not express an opinion or provide any assurance on it.

Other Reporting Required by Section 218.415, Florida Statutes

In accordance with Section 218.415, Florida Statutes, we have also issued a report dated June 7, 2023, on our consideration of the Village of Estero's compliance with provisions of Section 218.415, Florida Statutes. The purpose of that report is to describe the scope of our testing of compliance and the results of that testing, and to provide an opinion on compliance with the aforementioned Statute. That report is an integral part of an audit performed in accordance with Sections 218.39 and 218.415, Florida Statutes in considering the Village of Estero's compliance with Section 218.415, Florida Statutes.

Other Reporting Required by Government Auditing Standards

In accordance with Government Auditing Standards, we have also issued our report dated June 7, 2023, on our consideration of the Village of Estero's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contract and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with Government Auditing Standards in considering the Village of Estero's internal control over financial reporting and compliance.

Tuscan & Company, P.A.

TUSCAN & COMPANY, P.A.
Fort Myers, Florida
June 7, 2023

Management's Discussion and Analysis

As management of the Village of Estero, Florida (the Village), we offer readers of the financial statements this narrative overview and analysis of the Village's financial activities for the fiscal year ended September 30, 2022. We encourage readers to consider the information presented here in conjunction with additional information that we have furnished in our letter of transmittal, which precedes the Management's Discussion and Analysis.

Financial Highlights

- At the close of fiscal year ended September 30, 2022, the Village's assets exceeded its liabilities, resulting in net position of $110,552,787, all of which is related to governmental activities. Of this amount, $32,200,634 represents unrestricted net position, which may be used to meet the government's ongoing obligations to citizens and creditors.
- Total net position of the Village's governmental activities increased $27,392,184, or 33%.
- Total general and program revenues were $36,460,154 and increased by $18,184,256.
- Total expenses were $9,067,970 and decreased by $946,966.
- The fund balance of the governmental funds decreased by ($8,034,496).
- The governmental funds reported total ending fund balance of $33,347,560 as of September 30, 2022 of which $13,236,213 was restricted, $14,625 was non-spendable, $3,840,100 was committed, $123,261 was assigned and $16,133,361 was unassigned.
- At the end of the current fiscal year, unrestricted fund balance (the total of the committed, assigned, and unassigned components of fund balance) for the general fund was 129.3% of total General Fund expenditures and 97.7% of total General Fund revenue.
- The Village's total long-term debt had a net decrease of $17,091,587.

Overview of the Financial Statements

The discussion and analysis provided here are intended to serve as an introduction to the Village's basic financial statements. The basic financial statements consist of three components: (1) government-wide financial statements, (2) fund financial statements, and (3) notes to the financial statements. The report also includes supplementary information intended to provide further additional detail to support the basic financial statements themselves.

Government-wide Financial Statements. The government-wide financial statements are designed to provide readers with a broad overview of the Village's finances, in a manner similar to a private sector business.

The *Statement of Net Position* presents information that includes all of the Village's assets, liabilities, and deferred inflows/outflows of resources with the difference reported as net position. Over time, increases or decreases in net position may serve as a useful indicator of whether the financial position of the Village is improving or deteriorating. Evaluation of the overall economic health of the Village would extend to other nonfinancial factors such as diversification of the taxpayer base or the condition of the Village's infrastructure in addition to the financial information provided in this report.

The *Statement of Activities* presents information showing how the Village's net position changed during the most recent fiscal year. All changes in net position are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows. Thus revenues and expenses are reported for some items that will only result in cash flows in future periods (e.g., uncollected taxes and earned but unused vacation leave).

Both of the government-wide financial statements distinguish functions of the Village that are principally supported by taxes and intergovernmental revenues (governmental activities) from other functions that are intended to recover all or a significant portion of their costs through user fees and charges (business-type activities). The governmental activities include general government, public safety, physical environment, transportation and human services. The Village does not currently have any business-type activities.

The government-wide financial statements can be found on pages 17-18 of this report.

Fund Financial Statements. A fund is a group of related accounts that are used to maintain control over resources segregated for specific activities or objectives. The Village, like other state and local governments, uses fund accounting to ensure and demonstrate compliance with finance-related laws and regulations. All of the funds of the Village are governmental funds.

Governmental Funds. Governmental funds are used to account for essentially the same functions reported as governmental activities in the government-wide financial statements. However, unlike the government-wide financial statements, governmental fund financial statements focus on near-term inflows and outflows of spendable resources, as well as on balances of spendable resources available at the end of the fiscal year. Such information may be useful in assessing a government's near-term financing requirements.

Because the focus of governmental funds is narrower than that of the government-wide financial statements, it is useful to compare the information presented for governmental funds with similar information presented for governmental activities in the government-wide financial statements. By doing so, readers may better understand the long-term impact of the government's near-term financing decisions. Both the governmental fund balance sheet and the governmental fund statement of revenues, expenditures, and changes in fund balances provide reconciliations to facilitate this comparison between governmental funds and governmental activities.

The Village has five (5) governmental funds, the General Fund, Building Fee Fund (Special Revenue), Driving Range Fund (Special Revenue), Capital Projects Fund and the Debt Service Fund. All of which are classified as major funds, except for the Driving Range Fund.

The basic governmental fund financial statements can be found on pages 19-22 of this report.

Notes to the Financial Statements. The notes provide additional information that is necessary to acquire a full understanding of the data provided in the government-wide and fund financial statements. The notes to the financial statements begin immediately following the basic financial statements.

Other Information. In addition to the basic financial statements and accompanying notes, this report also presents certain required supplementary information.

Government-wide Overall Financial Analysis

As noted earlier, overtime net position may serve as a useful indicator of a government's financial position. In the case of the Village, assets exceeded liabilities by $110,552,787 at the close as of September 30, 2022.

Village of Estero, Florida
Summary of Net Position

	Governmental Activities	
	2022	2021*
Assets:		
Current and other assets	$ 48,077,981	$ 42,914,915
Capital assets	65,121,554	59,061,468
Total assets	113,199,535	101,976,383
Liabilities:		
Other liabilities	2,382,417	1,727,178
Long-term liabilities	264,331	16,952,758
Total liabilities	2,646,748	18,679,936
Net position:		
Investment in capital assets	64,858,901	41,861,098
Restricted	13,236,213	11,753,713
Unrestricted	32,457,673	29,681,636
Total net position	$ 110,552,787	$ 83,296,447

*Fiscal year 2021 balances are not restated

The largest portion of net position $64,858,901 (58.7%) reflects investment in capital assets (e.g., land, buildings, improvements, machinery and equipment, furniture, and infrastructure), less any related debt to acquire those assets that are still outstanding. The Village uses these capital assets to provide services to citizens; consequently, these assets are not available for future spending.

The restricted net position amount of $13,236,213 (12.0% of total net position) represents assets that are subject to external restrictions on how they are used. The remaining balance of unrestricted net position ($32,457,673; 29.3% of total net position), may be used to meet the government's ongoing obligations to citizens and creditors.

At fiscal year ended September 2022, the Village is able to report positive balances in all three categories of net position. The same situation held true for the prior fiscal year.

Governmental Activities. The governmental activities increased the Village's total assets by $11,223,152 decreased the Village's total liabilities by $16,033,188 and increased the total net position by $27,256,340 without consideration of restatement. The increase in net position resulting from governmental activities is 32.7% in comparison to prior fiscal year. The increase in the governmental activities' net investment in capital assets is $22,997,803, or 54.9%, in comparison to the prior fiscal year. The increase in net position is primarily the result of revenues exceeding operating expenses. Also, we experienced lower than expected capital projects expenses as the timeline for several capital projects was extended due to a longer than expected planning and design phase.

The following schedule compares the key elements of the changes in net position for the primary government for the fiscal years ended September 30, 2022 and 2021:

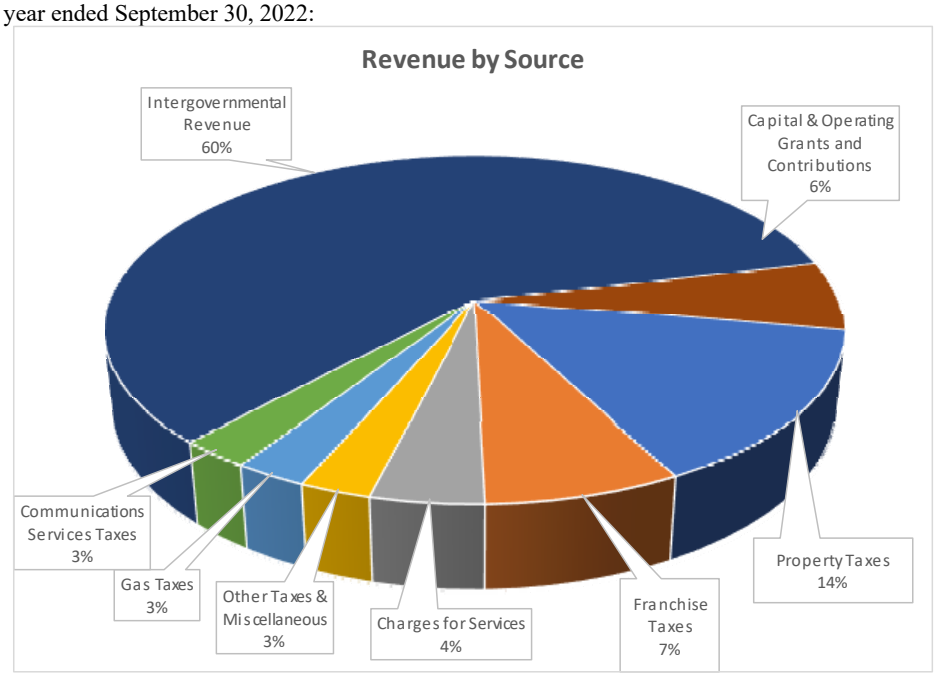
Village of Estero, Florida
Changes in Net Position

	Governmental Activities	
	2022**	2021*
Revenues:		
Program Revenues:		
Charges for services	$ 1,555,179	$ 1,262,362
Operating grants and contributions	155,768	723,146
Capital grants and contributions	2,175,135	732,890
General Revenues:		
Property taxes, levied for general purposes	5,280,762	5,109,211
Gas taxes	982,493	932,098
Franchise taxes	2,670,762	2,319,395
Communications services taxes	972,497	869,653
Other taxes	20,997	20,919
Intergovernmental revenue	21,696,901	6,190,304
Investment earnings	69,708	8,284
Miscellaneous	879,952	107,636
Total revenues	36,460,154	18,275,898
Expenses:		
General government	3,198,109	3,782,713
Public safety	1,324,224	1,298,406
Physical environment	363,253	1,625,322
Transportation	3,513,673	2,494,198
Human services	41,972	49,523
Culture and recreation	147,500	72,756
Interest and fiscal charges	479,239	692,018
Total expenses	9,067,970	10,014,936
Increase in net position	27,392,184	8,260,962
Net position - beginning, as restated	83,160,603	75,035,485
Net position - ending	$ 110,552,787	$ 83,296,447

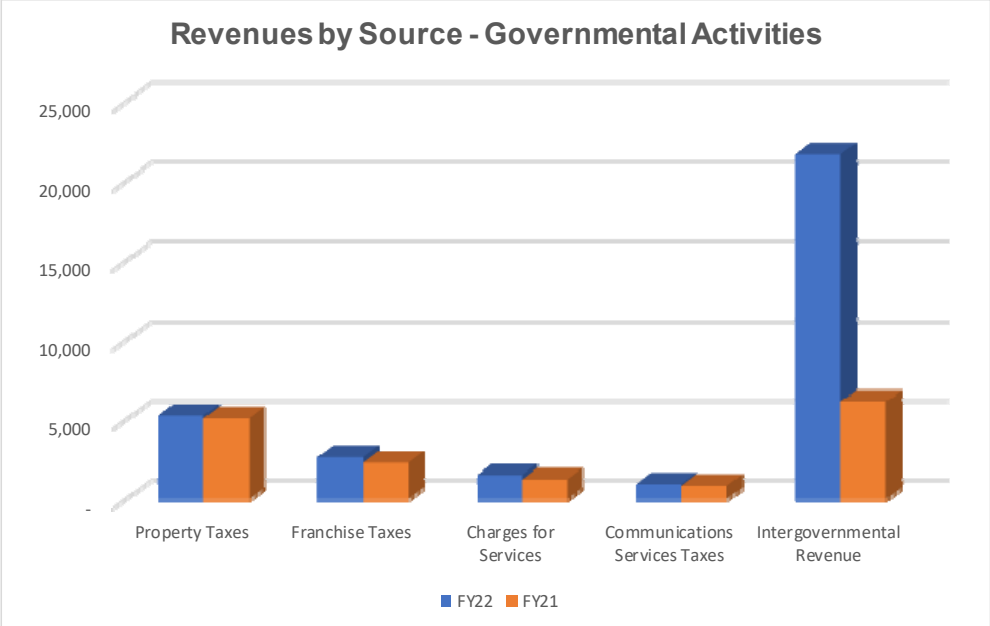
*Fiscal year 2021 balances are not restated

**Fiscal year 2022 beginning net posititon is restated due to the implementation of GASB Statement No. 87.

The following is a chart of revenues by source for governmental activities with percent of total revenues for fiscal year ended September 30, 2022:



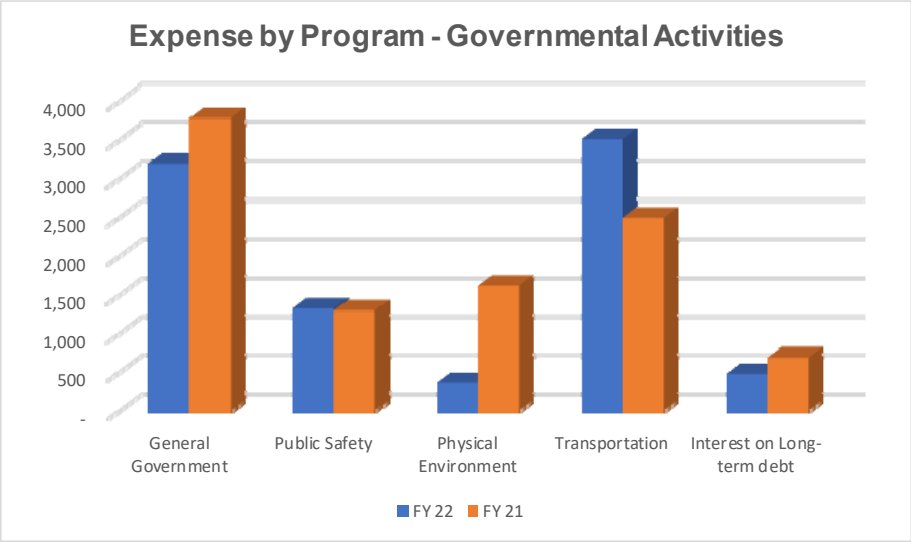
The following chart shows the significant revenues by source for governmental activities for fiscal year ended September 30, 2022 and 2021.



Revenues:

- *Property Taxes* increased in the current fiscal year due to a rise in the assessed valuation of real property within the Village.
- *Franchise Taxes* rose in the current fiscal year due to an increase in fees received from Florida Power & Light Company (FPL).
- *Intergovernmental revenues* were up significantly in the current year as the Village received Coronavirus SLFRF (State and Local Fiscal Recovery Funds) funding, a part of the American Rescue Plan Act

The following is a chart of significant expenses by program for governmental activities for fiscal year ended September 30, 2022 and 2021.



Expenses:

- *General government* expenses decreased $584,604, 15.5%, primarily related to a decrease in legal fees related to a prior year comprehensive plan legal challenge. Also, the Village incurred one-time CARES (Coronavirus Aid, Relief & Economic Security) related expenses in the prior year related to the COVID-19 outbreak.
- *Physical environment* expenses decreased $1,262,069, 77.7%, as a result of decreased storm water maintenance and master plans that were completed in the prior year.
- *Transportation* increased $1,019,475, 40.9%, as a result of landscaping expenses related to roadway projects that were completed in the past two fiscal years and increased roadway expenses.

Financial Analysis of the Village's Governmental Funds

Governmental Funds. The focus of the Village's governmental funds is to provide information on near-term inflows, outflows, and balances of spendable resources. Such information is useful in assessing the Village's financial requirements. In particular, unassigned fund balance may serve as a useful measure of a government's net resources available for discretionary use as they represent the portion of fund balance which has not yet been limited to use for a particular purpose by either an external party, the Village itself, or a group or individual that has been delegated authority to assign resources for use for particular purchase by the Village.

Financial Analysis of the Village's Governmental Funds (continued)

Governmental funds reported an ending fund balance of $33,347,560. $16,133,361 is unassigned fund balance which is available for spending at the Village's discretion, $13,236,213 is legally restricted as to use, $14,625 in non-spendable deposits, $3,840,100 was committed and $123,261 was assigned.

The total ending fund balance of governmental funds reflects the decrease of $8,034,496. This decrease is due to expenditures net of capital projects, debt proceeds and debt service payments exceeding revenues.

Major Governmental Funds

General Fund-The fund balance of the general fund had a net decrease of $4,335,791. Revenues of $20,435,217 exceeded expenditures of $4,992,536 which resulted in an excess of revenues over expenditures of $15,442,681. Additionally, $19,778,472 was transferred to the Capital Projects and Debt Service Funds.

Building Fee Fund-The fund balance of the building fee activity had a net decrease of $171,730 as expenditures of $1,323,576 exceeded the revenues of $1,151,846. In the current fiscal year, permit activity and related revenue for new construction was higher when compared to the prior year. The fund balance will be carried forward to provide funding for future inspections and investment in new software. The building fee funds are restricted for use on building code compliance.

Capital Projects Fund-The fund balance of the capital projects had a net increase of $1,654,230 as revenues of $2,604,574 and the transfers in from the general fund of $3,019,155 were greater than the sum of the expenditures of $3,969,499.

Debt Service Fund-The fund balance had a net decrease of $5,304,466 as transfers in from the General Fund for debt service of $12,359,317 plus investment earnings of $934 were exceeded by the expenditures of $17,664,717. The Debt was repaid in full in June of 2022 as part of the Villages debt reduction strategy.

General Fund Budgetary Highlights

Final budget compared to Actual Results. The most significant differences between final budget and actual revenues are as follows:

Revenue source	Final budget	Actual revenues	Difference
Intergovernmental revenues	$ 12,396,880	$ 9,598,233	$ (2,798,647)

- *Intergovernmental Revenues* did not meet budget expectations due to the deferral of ARPA Funds received but not appropriated to specific projects.

The most significant differences between final budget and actual expenditures are as follows:

Expenditures	Final budget	Actual expenditures	Difference
General government	$ 3,951,614	$ 3,009,102	$ 942,512
Physical environment	$ 771,000	$ 133,167	$ 637,833

- *General government* services in the current fiscal year were less than budget primarily as the result of several budgeted positions remaining vacant throughout the fiscal year.
- *Physical environment* actual costs were less than budgeted primarily due to low storm water maintenance expenses during the fiscal year.

Original Budget Compared to Final Budget-General Fund.

The most significant differences from the original budget as compared to the final general fund budget are Intergovernmental revenues and Transfers out. Intergovernmental revenues increased $8.5 million due to receipt of the ARPA funds. The Transfers out budget increased $20 million due to the purchase of the driving range and the repayment of $12 million of outstanding debt.

Capital Assets and Debt Administration

Capital Assets. Non-depreciable capital assets can include land, artwork, and construction in progress. Depreciable assets can include buildings, improvements other than buildings, machinery and equipment, and infrastructure. The following is a schedule of the Village's capital assets as of September 30, 2022 and 2021:

Village of Estero, Florida
Capital Assets

	Governmental Activities	
	2022	2021
Land	$ 33,063,072	$ 28,092,646
Buildings and building improvements	1,521,436	1,067,086
Machinery and equipment	158,285	158,285
Infrastructure	37,137,938	27,381,018
Intangible right to use	951,818	-
Construction in progress	3,654,646	10,890,386
Total capital assets	76,487,195	67,589,421
Accumulated depreciation	(11,365,641)	(8,527,953)
Total capital assets, net	$ 65,121,554	$ 59,061,468

Additional information on the Village's capital assets can be found in Note 5 on page 34.

Debt Administration

As of September 30, 2022 and 2021, $257,039 and $16,919,830 were outstanding, respectively. Additional information on the Village's long-term debt can be found in Note 6 on page 35.

Village of Estero, Florida
Outstanding Debt

	Governmental Activities	
	2022	2021
Loan payable - direct borrowing	$ -	$ 16,919,830
Lease payable	257,039	-
	$ 257,039	$ 16,919,830

Economic Factors and Next Year's Budget Rates

The following were factors considered when next year's budget was prepared:

- The Village had the Parks and Recreation Master Plan completed. The Estero Community Park Expansion will begin next fiscal year.
- The Village has funded a project on Corkscrew Road that will have path, landscaping, and street lighting improvements which will begin next year.
- The Village will improve River Ranch Road. This project includes drainage, roadway and Bike and Pedestrian improvements.
- Bicycle and Pedestrian improvements are scheduled to begin Williams Road for the Sandy Lane and Broadway in FY2022-23.
- The Village continues the improvements in stormwater and drainage issues which exist around the Village. Current projects include the Villages of Country Creek Bypass Swale, Dry Creek Bed Sediment Removal, Estero River Sediment Removal and Trailside Drainage Improvements.
- The Village is committed to the "government-light" concept and has budgeted to continue using consultants or interlocal agreements for legal representation, permit issuance, planning and development review, law enforcement, physical environment, and transportation expenditures.
- In FY2022-23 The Village received funding from the American Rescue Plan Act of 2021 of $16.9 million to assist with the recovery and fund future infrastructure projects.

Request for information

This financial report is designed to provide the reader an overview of the Village. Questions regarding any information provided in this report should be directed to: Village of Estero, Finance Department, 9401 Corkscrew Palms Circle, Estero, Florida, 33928, phone (239) 221-5035.

Basic Financial Statements

Village of Estero, Florida
Statement of Net Position
September 30, 2022

	Governmental Activities
ASSETS	
Cash and cash equivalents	$ 34,684,261
Restricted - cash and cash equivalents	12,440,597
Investments	24,925
Receivables (net)	316,306
Due from other governments	503,699
Prepaids	93,568
Deposits	14,625
Capital assets:	
Non-depreciable	36,717,718
Depreciable (net)	28,403,836
Total assets	113,199,535
LIABILITIES	
Accounts payable	1,271,801
Accrued liabilities	365,718
Due to other governments	558,737
Customer deposits	186,161
Long-term liabilities:	
Due within one year	179,721
Due in more than one year	77,318
Total OPEB Liability	7,292
Total liabilities	2,646,748
NET POSITION	
Net investment in capital assets	64,858,901
Restricted for:	
Culture and recreation capital improvements	937,462
Highways and streets capital improvements	11,636,496
Parks and public land acquisition	143,343
Building code compliance	518,912
Unrestricted	32,457,673
Total net position	$ 110,552,787

The notes to the financial statements are an integral part of this statement.

Village of Estero, Florida
Statement of Activities
For the Year Ended September 30, 2022

Functions/Programs	Expenses	Program Revenues: Charges for Services	Program Revenues: Operating Grants and Contributions	Program Revenues: Capital Grants and Contributions	Net (Expense) Revenue and Changes in Net Position: Total Governmental Activities
Primary government:					
Governmental activities:					
General government	$ 3,198,109	$ 389,657	$ -	$ -	$ (2,808,452)
Public safety	1,324,224	1,152,376	(42,034)	-	(213,882)
Physical environment	363,253	-	-	-	(363,253)
Transportation	3,513,673	-	197,802	1,912,453	(1,403,418)
Human services	41,972	-	-	-	(41,972)
Culture and recreation	147,500	13,146	-	262,682	128,328
Interest and fiscal charges	479,239	-	-	-	(479,239)
Total governmental activities	$ 9,067,970	$ 1,555,179	$ 155,768	$ 2,175,135	$ (5,181,888)

General revenues:	
Taxes:	
Property, levied for general purposes	$ 5,280,762
Gas	982,493
Franchise	2,670,762
Communications services	972,497
Local business	20,997
Intergovernmental revenues	21,696,901
Investment earnings	69,708
Miscellaneous	879,952
Total general revenues	32,574,072
Change in net position	27,392,184
Net position - beginning, as restated	83,160,603
Net position - ending	$ 110,552,787

The notes to the financial statements are an integral part of this statement.

Village of Estero, Florida
Balance Sheet
Governmental Funds
September 30, 2022

	General	Special Revenue Building Fee	Capital Projects	Debt Service	Nonmajor Governmental Fund	Total Governmental Funds
ASSETS						
Cash and cash equivalents	$21,116,489	$ 738,961	$ 12,682,530	$ -	$ 146,281	$34,684,261
Restricted - cash and cash equivalents	12,440,597	-	-	-	-	12,440,597
Investments	17,600	-	7,325	-	-	24,925
Receivables (net)	298,530	1,121	16,469	-	186	316,306
Due from other governments	439,553	-	64,146	-	-	503,699
Deposits	14,625	-	-	-	-	14,625
Total assets	$34,327,394	$ 740,082	$ 12,770,470	$ -	$ 146,467	$47,984,413
LIABILITIES AND DEFERRED INFLOWS OF RESOURCES						
Liabilities:						
Accounts payable	$ 983,048	$ 212,378	$ 53,169	$ -	$ 23,206	$ 1,271,801
Accrued liabilities	365,718	-	-	-	-	365,718
Due to other governments	549,945	8,792	-	-	-	558,737
Customer deposits	186,161	-	-	-	-	186,161
Total liabilities	2,084,872	221,170	53,169	-	23,206	2,382,417
Deferred Inflows of Resources:						
Unearned revenues	12,254,436	-	-	-	-	12,254,436
Total deferred inflows of resources	12,254,436	-	-	-	-	12,254,436
Fund balances:						
Nonspendable	14,625	-	-	-	-	14,625
Restricted for:						
Culture and recreation capital improvements	-	-	937,462	-	-	937,462
Highways and streets capital improvements	-	-	11,636,496	-	-	11,636,496
Parks and public land acquisition	-	-	143,343	-	-	143,343
Building code compliance	-	518,912	-	-	-	518,912
Committed to reserves	3,840,100	-	-	-	-	3,840,100
Assigned for driving range	-	-	-	-	123,261	123,261
Unassigned	16,133,361	-	-	-	-	16,133,361
Total fund balances	19,988,086	518,912	12,717,301	-	123,261	33,347,560
Total liabilities, deferred inflows of resources, and fund balances	$34,327,394	$ 740,082	$ 12,770,470	$ -	$ 146,467	$47,984,413

The notes to the financial statements are an integral part of this statement.

Village of Estero, Florida

Reconciliation of the Balance Sheet of Governmental Funds to the Statement of Net Position

September 30, 2022

Amounts reported for governmental activities in the statement of net position are different because:

Fund balances - total governmental funds		$ 33,347,560
Prepaid expenditures for insurance and similar services extending over more than one accounting period are not allocated between or among accounting periods, but are accounted for as expenditures of the period of acquisition in the governmental funds		93,568
Amounts received from other governments are not earned in the current period as they have not been appropriated to a specific project and are reported as unearned revenues in the funds		12,254,436
Capital assets used in governmental activities are not financial		
Non-depreciable capital assets	36,717,718	
Depreciable capital assets	39,769,477	
Less accumulated depreciation	(11,365,641)	65,121,554
Long-term liabilities are not due and payable in the current period and, therefore, are not reported in the governmental funds		
Operating lease liability, due within one year	(179,721)	
Operating lease liability, due in more than one year	(77,318)	
Total other postemployment benefit (OPEB) liability	(7,292)	(264,331)
Net position of governmental activities		$ 110,552,787

The notes to the financial statements are an integral part of this statement.

Village of Estero, Florida

Statement of Revenues, Expenditures and Changes in Fund Balances
Governmental Funds

For the Year Ended September 30, 2022

	General	Special Revenue Building Fee	Capital Projects	Debt Service	Nonmajor Governmental Fund	Total Governmental Funds
REVENUES						
Taxes						
Property	$ 5,280,762	$ -	$ -	$ -	$ -	$ 5,280,762
Gas	571,663	-	410,830	-	-	982,493
Franchise	2,670,762	-	-	-	-	2,670,762
Communications services	972,497	-	-	-	-	972,497
Local business	20,997	-	-	-	-	20,997
Licenses, permits and assessments	1,450	1,150,596	-	-	-	1,152,046
Impact fees	-	-	1,977,097	-	-	1,977,097
Intergovernmental revenues	9,598,233	-	144,343	-	-	9,742,576
Charges for services	389,657	-	-	-	13,146	402,803
Fines and forfeitures	330	-	-	-	-	330
Investment earnings	48,722	1,250	18,609	934	193	69,708
Contributions from private sources	-	-	53,695	-	-	53,695
Other income	880,144	-	-	-	(192)	879,952
Total revenues	20,435,217	1,151,846	2,604,574	934	13,147	24,205,718
EXPENDITURES						
Current						
General government	3,009,102	-	-	-	-	3,009,102
Public safety	166,096	1,149,845	-	-	-	1,315,941
Physical environment	133,167	-	226,205	-	-	359,372
Transportation	1,408,458	-	159,361	-	-	1,567,819
Human services	41,972	-	-	-	-	41,972
Culture and recreation	77,967	-	-	-	69,688	147,655
Capital outlay	-	141,825	3,583,933	-	4,220,198	7,945,956
Debt service						
Principal retirement	142,558	29,199	-	16,919,830	-	17,091,587
Interest	13,216	2,707	-	744,887	-	760,810
Total expenditures	4,992,536	1,323,576	3,969,499	17,664,717	4,289,886	32,240,214
Excess (deficiency) of revenues over expenditures	15,442,681	(171,730)	(1,364,925)	(17,663,783)	(4,276,739)	(8,034,496)
OTHER FINANCING SOURCES (USES)						
Transfers in	-	-	3,019,155	12,359,317	4,400,000	19,778,472
Transfers out	(19,778,472)	-	-	-	-	(19,778,472)
Total other financing sources (uses)	(19,778,472)	-	3,019,155	12,359,317	4,400,000	-
Net change in fund balances	(4,335,791)	(171,730)	1,654,230	(5,304,466)	123,261	(8,034,496)
Fund balances - beginning	24,323,877	690,642	11,063,071	5,304,466	-	41,382,056
Fund balances - ending	$ 19,988,086	$ 518,912	$ 12,717,301	$ -	$ 123,261	$ 33,347,560

The notes to the financial statements are an integral part of this statement.

Village of Estero, Florida

Reconciliation of the Statement of Revenues, Expenditures and Changes in Fund Balances of Governmental Funds to the Statement of Activities

September 30, 2022

Amounts reported for governmental activities in the statement of activities are different because:		
Net change in fund balances - total governmental funds		$ (8,034,496)
Governmental funds report capital outlays as expenditures. However, in the statement of activities the cost of these assets is allocated over their estimated useful lives and reported as depreciation expense. This is the amount by which expenditures for capital assets exceeded depreciation in the current period.		
Expenditures for capital assets	7,945,956	
Depreciation	(2,178,822)	5,767,134
The repayment of the principal of long-term debt consumes the current financial resources of the governmental funds but issuing debt increases long-term liabilities in the statement of net position. Repayments on bond principal is an expenditure in the governmental funds, but the repayment reduces long-term liabilities in the statement of net position.		
Principal retirement		17,091,587
Other postemployment benefit (OPEB) expenses reported in the statement of activities do not require the use of current financial resources and, therefore, are not reported as expenditures in governmental funds. Change in OPEB Liability.		25,636
Expenditures for insurance and similar services extending over more than one accounting period are not allocated between or among accounting periods in the governmental funds, but are accounted for as expenditures of the period of acquisition. This amount represents the increase in prepaids at September 30, 2022 from September 30, 2021.		6,316
Revenues in the statement of revenues, expenditures and changes in fund balances reported in the statement of activities. This item represents the change caused by the "available" revenue recognition criteria.		12,254,436
Interest on long-term debt in the statement of activities differs from the amount reported in the governmental funds because interest is recognized as an expenditure in the funds when it is due, and thus requires the use of current financial resources. In the statement of activities, however, interest expense is recognized as the interest accrues, regardless of when it is due. This amount represents the decrease in accrued interest at September 30, 2022 from September 30, 2021.		281,571
Change in net position of governmental activities		$ 27,392,184

The notes to the financial statements are an integral part of this statement.

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Note 1 - Summary of Significant Accounting Policies

Introduction

The accounting and reporting framework and the more significant accounting principles and practices of the Village of Estero, Florida ("Village") are discussed in subsequent sections of this note. The remainder of the notes are organized to provide explanations, including required disclosures, of the Village's financial activities for the fiscal year ended September 30, 2022.

Reporting Entity

The Village was incorporated on December 31, 2014, pursuant to House Bill 1373 and amended on June 30, 2015 by House Bill 983. The Village operates under a Village Council-Manager form of government and consists of seven districts, each represented by an elected council member with each member elected-at-large. The Village Manager is hired by a majority vote of the Council. As of September 30, 2022, the Village of Estero has provided the following services to the Village residents: public works, streets and roads, building permit services, planning and zoning, code enforcement and general and administrative services.

The Village of Estero uses the "government lite" concept of outsourcing Village services to minimize expenditures and provide exemplary services to the community.

Governmental Accounting Standards Board (GASB) Statement No. 14, *Financial Reporting Entity* as amended requires the financial statements of the Village (the primary government) to include its component units, if any. A component unit is a legally separate organization for which the elected officials of the primary government are financially accountable. Blended component units, although legally separate entities are, in substance, part of the government's operations and so the data from these units are combined with data of the primary government. Based on the criteria established in GASB Statement No. 14 as amended, there are no component units required to be included or included in the Village's financial statements.

(a) Government-wide and Fund Financial Statements

The government-wide financial statements include the statement of net position and the statement of activities. These statements report financial information for the Village as a whole. The primary government and component units are presented separately within the financial statements with the focus on the primary government. Individual funds are not displayed, but the statements distinguish governmental activities, generally supported by taxes and Village general revenues, from business-type activities, generally financed in whole or in part with fees charged to external customers. The Village does not currently have any business-type activities or component units.

Note 1 - Summary of Significant Accounting Policies (Continued)

(a) Government-wide and Fund Financial Statements (continued)

The statement of activities reports the expenses of a given function offset by program revenues directly connected with the functional program. A function is an assembly of similar activities and may include portions of a fund or summarize more than one fund to capture the expenses and program revenues associated with a distinct functional activity.

Fund financial statements are provided for governmental funds. Major individual governmental funds are reported in separate columns with composite columns for non-major funds, if applicable.

(b) Measurement Focus, Basis of Accounting and Financial Statement Presentation

The government-wide statements are reported using the economic resources measurement focus and the accrual basis of accounting. This generally includes the reclassification or elimination of internal activity (between or within funds). Reimbursements are reported as reductions to expenses. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of the related cash flows. Property tax revenues are recognized in the year for which they are levied, while grants are recognized when grantor eligibility requirements are met.

Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the Village considers revenues to be available if they are collected within sixty days of the end of the current fiscal period. Expenditures generally are recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures, as well as expenditures related to compensated absences and claims and judgments, are recorded only when payment is due.

Property taxes, sales and franchise taxes, intergovernmental revenues, charges for services, and interest associated with the current fiscal period are all considered to be susceptible to accrual and so have been recognized as revenues of the current fiscal period, if available. All other revenue items are considered to be measurable and available only when cash is received by the Village.

The Village reports the following major funds in the governmental fund financial statements:

The *General Fund* is the operating fund of the Village. It accounts for all financial resources, except those required to be accounted for in another fund. Revenue is derived primarily from property taxes and other governmental revenue. The general operating expenditures, fixed charges and capital outlay costs that are not paid through other funds are paid from the General Fund.

The *Building Fee Fund* is considered as a special revenue fund and accounts for the resources collected for building permits fees levied within the Village's limits. This revenue is restricted for use enforcing the Florida Building Code.

The Village reports the following non-major funds in the governmental fund financial statements:

Note 1 - Summary of Significant Accounting Policies (Continued)

The *Driving Range Fund* is considered a special revenue fund and accounts for resources collected for operating the Golf Coast Driving Range located on the Village owned property on 9000 Williams Road, Estero, FL 33928.

(b) Measurement Focus, Basis of Accounting, and Financial Statement Presentation (continued)

The *Capital Projects Fund* accounts for resources accumulated to provide for capital projects. The capital projects fund accounts for gas tax and road and park impact fees levied within the Village which are restricted for use on road and park capital improvements.

The *Debt Service Fund* accounts for the accumulation of resources that are committed or assigned for the payment of principal and interest on long-term obligations of governmental funds.

(c) Assets, Liabilities, Deferred Outflows/Inflows of Resources and Net Position or Fund Balance

Cash and Investments

Cash and cash equivalents consist of amounts in cash on hand and cash on deposit with financial institutions including certificates of deposit.

The Village's investment policy allows management to invest any surplus funds in its control in the following as outlined in Florida Statute, Chapter 218.415 (17):

1. The Local Government Surplus Trust Fund (LGSTF), or any intergovernmental investment pool authorized pursuant to the Florida Interlocal Cooperation Act of 1969, as provided in Florida Statute, Chapter 163.01,

2. Securities and Exchange Commission registered money market funds with the highest credit quality rating from a nationally recognized rating agency,

3. Interest-bearing time deposits or savings accounts in qualified public depositories, as defined in Florida Statutes, Chapter 280.02, and

4. Direct obligations of the United States Treasury.

Investments for the Village are reported at amortized cost which approximates fair value.

Receivables

Receivables as of year-end for the government's general fund are reported net of allowance for uncollectibles. As of September 30, 2022, the allowance for uncollectible receivables was $0 as management believes all receivables to be fully collectible.

Note 1 - Summary of Significant Accounting Policies (Continued)

Prepaids

Certain payments to vendors reflect costs applicable to future accounting periods and are reported as prepaid items in the government-wide financial statements. In the fund financial statements, the purchases method is used as such expenditures are reported when payments are completed.

(c) Assets, Liabilities, Deferred Outflows/Inflows of Resources and Net Position or Fund Balance (continued)

Capital Assets

Capital assets include property, buildings, furniture, equipment, vehicles, software, and infrastructure assets. Capital assets used in governmental fund types of the Village are recorded at cost if purchased or constructed. Donated capital assets are recorded at their acquisition value at the date of donation. Capital assets are reported in the government-wide financial statements in the applicable governmental column. Interest incurred during construction is not capitalized on general capital assets.

The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend asset lives are not capitalized.

The threshold for capitalizing furnishings and equipment is $5,000 or more and useful lives in excess of one year. The threshold for capitalizing intangible assets is $25,000 or more and useful lives in excess of one year. The threshold for capitalizing infrastructure and capital improvement projects is $50,000 or more and useful lives in excess of one year.

Infrastructure assets are defined as public domain capital assets such as roads, bridges, sidewalks, traffic signals, easements and similar items that are immovable and of value only to the governmental unit.

Depreciation and amortization is calculated using the straight-line method over the estimated useful lives of the related assets. The ranges of the useful lives are as follows:

Asset	Years
Buildings and building improvements	5-20
Improvements other than buildings	7-50
Machinery and equipment	3-10
Infrastructure	10-50
Intangible software	3-5

Deferred Outflows/Inflows of Resources

In addition to assets, the statement of financial position will sometimes report a separate section for deferred outflows of resources. This separate financial statement element, *deferred outflows of resources*, represents a consumption of net assets that applies to a future period(s) and so will *not* be recognized as an outflow of resources (expense/ expenditure) until then. The Village does not have any items that qualify for reporting in this category.

Note 1 - Summary of Significant Accounting Policies (Continued)

(c) Assets, Liabilities, Deferred Outflows/Inflows of Resources and Net Position or Fund Balance (continued)

In addition to liabilities, the statement of financial position will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, *deferred inflows of resources,* represents an acquisition of net assets that applies to a future period(s) and so will *not* be recognized as an inflow of resources (revenue) until that time.

Compensated Absences

Employees can accrue paid time off (PTO). Any unused PTO at September 30 is paid out up to certain stated limits, unused PTO is not paid out at termination, therefore, no such amounts are accrued at September 30.

Net Position Flow Assumption

Sometimes the government will fund outlays for a particular purpose from both restricted (e.g., restricted bond or grant proceeds) and unrestricted resources. In order to calculate the amounts to report as restricted – net position and unrestricted – net position in the government-wide financial statements, a flow assumption must be made about the order in which the resources are considered to be applied. It is the government's policy to consider restricted – net position to have been depleted before unrestricted – net position is applied.

Fund Balance Flow Assumption

When both restricted and unrestricted resources are available for use, it is the Village's policy to use restricted resources first, then unrestricted resources as needed. When components of unrestricted fund balance can be used for the same purpose, committed fund balance is depleted first, followed by assigned fund balance. Unassigned fund balance is applied last.

Net Position/Fund Balances

Net position in government-wide fund financial statements are classified as net investment in capital assets; restricted; and unrestricted. Restricted net positions represent constraints on resources that are either a) externally imposed by creditors, grantors, contributors or laws or regulations of other governments or b) imposed by law through State Statute.

The Village has adopted a fund balance policy which includes a minimum level of fund balance of three months of general fund operating expenditures. If the unassigned fund balance falls below the minimum level, the Village Manager will prepare and submit a plan for committed and/or assigned fund balance reduction, expenditure reductions and/or revenue increases to the Council. The Council shall take action necessary to restore the unassigned fund balance to acceptable levels within no more than two years. The Village was in compliance with the fund balance policy at September 30, 2022.

Note 1 - Summary of Significant Accounting Policies (Continued)

(c) Assets, Liabilities, Deferred Outflows/Inflows of Resources and Net Position or Fund Balance (continued)

Net Position/Fund Balances (Continued)

The governmental fund financial statements fund balance is reported in five classifications.

Nonspendable	Nonspendable fund balances include amounts that are (a) not in spendable form or (b) legally or contractually required to be maintained intact. Including items that are not expected to be converted to cash, such as inventories and prepaid amounts.
Restricted	Restricted fund balances include amounts that can be spent only for specific purposes stipulated by (a) external resource providers such as creditors, grantors, contributors or laws or regulations of other governments, or (b) imposed by law through constitutional provisions or enabling legislation. The Village's restricted fund balances have constrains placed on the uses of resources by State Statute.
Committed	Committed fund balances are classified as such as a result of Village Council taking formal action and adopting an ordinance which can only be modified or rescinded by subsequent formal action. An ordinance is the Village's highest level of decision-making authority. The Village adopted an ordinance establishing reserve accounts which are presented as committed fund balance.
Assigned	Assigned fund balances are constrained by the Village's intent to be used for specific purposes but are neither restricted nor committed. As part of the budget process, the Village has allocated amounts to debt reduction which are presented as assigned fund balance.
Unassigned	Unassigned fund balance is the residual classification for the general fund. This classification represents spendable fund balance that has not been assigned to other funds and that has not been restricted, committed, or assigned to specific purposes within the general fund. Unassigned fund balance may also include negative balances for any governmental fund if expenditures exceed amounts restricted, committed, or assigned for those specific purposes.

Note 1 - Summary of Significant Accounting Policies (Continued)

(d) Revenues and expenditures/expense

Program Revenues

Amounts reported as program revenues include: (1) charges for services which report fees, fines and forfeitures and other charges to users of the Village's services; (2) operating grants and contributions which finance annual operating activities including restricted investment income; and (3) capital grants and contributions, which fund the acquisition, construction, or rehabilitation of capital assets. These revenues are subject to externally imposed restrictions to these program uses. Taxes and other revenue sources not properly included with program revenues are reported under general revenue.

Estimates

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management of the Village to make estimates and assumptions relating to the reporting of assets and liabilities and the disclosure of contingent assets and liabilities as of the date of the financial statements, and the reported amounts of revenue and expenditures or expenses during the reporting period. Actual results could differ from those estimates.

Change in Accounting Principle

During the fiscal year ended September 30, 2022, the Village implemented GASB Statement No 87, Leases. This standard requires the recognition of certain lease assets and liabilities for leases that were previously classified as operating leases and as inflows or outflows of resources recognized based on the payment provisions of the contract. It establishes a single model for lease accounting based on the foundational principle that leases are financings of the right to use an underlying asset. Under this standard, a lessee is required to recognize a lease liability and an intangible right-to-use assets, and a lessor is required to recognize a lease receivable and a deferred inflow of resources. This pronouncement required the restatement of the September 30, 2021 net position. In addition, beginning balances for capital assets and long-term liabilities were established to recognize the right-to-use assets and related liabilities as required by GASB 87.

Restatement of Prior Year's Net Position

Effective October 1, 2021, the Village was required by GASB Statement No. 87 to restate net position of governmental activities. Previously, the net position of governmental activities was reported as $83,296,447. The net result of the implementation of GASB Statement No. 87 reduced the beginning net position by $135,844. Therefore, the governmental activities beginning net position is restated as $83,160,603.

Note 2 - Cash

As of September 30, 2022, the carrying amount of the Village's deposits was $47,124,858, and the bank balance was $46,710,147. The Village's deposits consist of demand deposit accounts. These demand deposits are held by a bank that qualifies as a public depository under the Public Depository Security Act of the State of Florida as required by Chapter 280. When public deposits are made in accordance with Chapter 280, no public depositor shall be liable for any loss thereof and, therefore, the Village is not exposed to custodial credit risk.

The Village had restricted deposits of $12,440,597 that consists of deferred revenue of $12,254,436 and customer deposits of $186,161.

Note 3 - Investments

The Village has funds invested in the Florida Prime Surplus Funds Trust Fund, which is administered by the State Board of Administration (SBA). The SBA pool's investments are recorded at amortized cost and total $24,925 and are available for immediate withdrawal.

(a) General Description

The Florida Prime is administered by the State Board of Administration under the regulatory oversight of the State of Florida, Chapter 19-7 of the Florida Administrative Code.

In accordance with GASB Statement No. 79, *Certain External Investment Pools and Pool Participants,* Florida PRIME currently meets all of the necessary criteria to elect to measure all of the investments in Florida PRIME at amortized cost which approximates fair value. Therefore, the Village's participant account balance is recorded at amortized cost and exempt from the GASB Statement No. 72, Fair Value Measurement and Application.

(b) Investment Policies

All Florida Prime investment policies can be found at https://prime.sbafla.com/.

Village investment in Florida Prime was made in accordance with the provisions of Section 218.415(17), Florida Statutes "Investment of Local Government Surplus Funds".

(c) Credit Quality Disclosure

Florida Prime is rated by Standards and Poor's. The current rating is AAAm.

(d) Interest Rate Risk Disclosure

The dollar weighted average days to maturity (WAM) of Florida Prime at September 30, 2022, is 21 days. Next interest rate reset dates for floating rate securities are used in the calculation of the WAM. The weighted average life (WAL) of Florida PRIME at September 30, 2022, is 72 days.

(e) Foreign Currency Risk Disclosure

Florida Prime was not exposed to any foreign currency risk during the period from October 1, 2021 through September 30, 2022.

Note 3 - Investments (Continued)

(f) Securities Lending Disclosure

Florida Prime did not participate in a securities lending program in the period from October 1, 2021 through September 30, 2022.

(g) Limitations or Restrictions on Withdrawals Disclosure

With regard to the redemption gates relating to the SBA trust fund, Chapter 218.409(8)(a), Florida Statutes, states that "The principal, and any part thereof, of each account constituting the trust fund is subject to payment at any time from the moneys in the trust fund. However, the Executive Director may, in good faith, on the occurrence of an event that has a material impact on liquidity or operations of the trust fund, for 48 hours limit contributions to or withdrawals from the trust fund to ensure that the Board can invest moneys entrusted to it in exercising its fiduciary responsibility. Such action must be immediately disclosed to all participants, the Trustees, the Joint Legislative Auditing Committee, and the Investment Advisory Council. The Trustees shall convene an emergency meeting as soon as practicable from the time the Executive Director has instituted such measures and review the necessity of those measures. If the Trustees are unable to convene an emergency meeting before the expiration of the 48-hour moratorium on contributions and withdrawals, the moratorium may be extended by the Executive Director until the Trustees are able to meet to review the necessity for the moratorium. If the Trustees agree with such measures, the Trustees shall vote to continue the measures for up to an additional 15 days. The Trustees must convene and vote to continue any such measures before the expiration of the time limit set, but in no case may the time limit set by the Trustees exceed 15 days."

(h) Liquidity

With regard to liquidity fees, Florida Statute 218.409(4) provides authority for the SBA to impose penalties for early withdrawal, subject to disclosure in the enrollment materials of the amount and purpose of such fees. At present, no such disclosure has been made.

(i) Redemption Fees

As of September 30, 2022, there were no redemption fees or maximum transaction amounts, or any other requirements that serve to limit a participant's daily access to 100 percent of their account value.

(j) Financial Statements

The SBA will provide separate financial statements for Florida Prime for the fiscal year ended June 30, 2022, once the audit is complete. The SBA will not provide financial statements for Florida Prime for the period ending September 30, 2022.

Note 4 - Receivables, Prepaids, and Accrued Liabilities

(a) Receivables

Receivables as of September 30, 2022 for the governmental funds in the aggregate, including the applicable allowances for uncollectible accounts are as follows:

	General	Building Fee	Capital Projects	Debt Service	Nonmajor Governmental Funds	Total Governmental Funds
Receivables:						
Accounts (gross)	$ 298,530	$ 1,121	$ 16,469	$ -	$ 186	$ 316,306
Allowance for uncollectible receivable	-	-	-	-	-	-
Net total receivables	$ 298,530	$ 1,121	$ 16,469	$ -	$ 186	$ 316,306

(b) Prepaids

Prepaid assets for the Village total $93,568 at September 30, 2022.

(c) Accrued Liabilities

Accrued liabilities as of September 30, 2022 are as follows:

	General
Accrued liabilities:	
Wages, benefits and taxes	$ 51,715
Construction bond deposit	314,003
Total accrued liabilities	$ 365,718

(d) Customer Deposits

Customer deposits are received in advance for planning and zoning professional services as required by the Village cost recovery program. Deposits are required prior to commencement of the professional services and any amounts received in excess of professional service costs are refunded at completion of planning and zoning process.

Customer deposits as of September 30, 2022 total $186,161 and are offset by restricted cash.

Note 5 - Capital Assets

Capital asset activity for the year ended September 30, 2022 is as follows:

	Beginning Balance	Increases	Decreases	Adjustments/ Transfers/ Reclassifications	Ending Balance
Governmental Activities:					
Capital assets not being depreciated:					
Land	$ 28,092,646	$ 4,970,426	$ -	$ -	$ 33,063,072
Construction in progress	10,890,386	1,908,904	-	(9,144,644)	3,654,646
Total capital assets not being depreciated	38,983,032	6,879,330	-	(9,144,644)	36,717,718
Capital assets being depreciated:					
Buildings and building improvements	1,067,086	454,350	-	-	1,521,436
Machinery and equipment	158,285	-	-	-	158,285
Infrastructure	27,381,018	612,276	-	9,144,644	37,137,938
Intangible right to use	-	-	-	951,818	951,818
Total capital assets being depreciated	28,606,389	1,066,626	-	10,096,462	39,769,477
Less accumulated depreciation for:					
Buildings and building improvements	646,018	94,339	-	-	740,357
Machinery and equipment	130,067	16,918	-	-	146,985
Infrastructure	7,751,868	1,946,353	-	-	9,698,221
Intangible right to use	-	121,212	-	658,866	780,078
Total accumulated depreciation	8,527,953	2,178,822	-	658,866	11,365,641
Total capital assets being depreciated, net	20,078,436	(1,112,196)	-	9,437,596	28,403,836
Total governmental activities capital assets, net	$ 59,061,468	$ 5,767,134	$ -	$ 292,952	$ 65,121,554

Depreciation expense was charged to functions/programs of the primary government for the year ended September 30, 2022, as follows:

	General
General government	$ 225,324
Public safety	476
Physical environment	3,881
Transportation	1,949,141
Total depreciation expense-governmental activities	$ 2,178,822

Note 6 - Long-term Debt

The annual debt service requirements as of September 30, 2022 are as follows:

	Governmental Activities		
	Lease payable		
Years Ending September 30	Principal	Interest	Total
2023	$ 179,721	$ 7,959	$ 187,680
2024	77,318	880	78,198
	$ 257,039	$ 8,839	$ 265,878

The changes in long-term debt during fiscal year ended September 30, 2022 are as follows:

Governmental Activities	Beginning Balance	Additions	Deletions	Ending Balance	Due Within One Year
Note payable - direct borrowing	$ 16,919,830	$ -	$ (16,919,830)	$ -	$ -
Lease payable	428,796	-	(171,757)	257,039	179,721
Total Governmental Activities	$ 17,348,626	$ -	$ (17,091,587)	$ 257,039	$ 179,721

The Lease Payable was recalculated upon amendment to the lease on 6/1/2018. The Village used the incremental borrowing rate of 4.54% which was the 30-Year Mortgage rate on 6/1/2018.

During the year ended September 30, 2022, the Village paid the Note Payable in full. Interest expenditures for the year ended September 30, 2022 were $760,810.

Note 7 - Other Postemployment Benefits (OPEB)

General Information about the OPEB Plan

Plan Description. The Village administers a single-employer defined benefit plan (the "Plan") that provides the opportunity to obtain health insurance to its retired full-time employees and their dependents upon reaching the normal retirement age of 65 and 8 years if service or 33 years of service. Pursuant to the provisions of section 112.0801, Florida Statutes, former employees and eligible dependents who retire from the Village may continue to participate in the Village's fully insured health and hospitalization plan for medical and prescription drug coverage. No assets are accumulated in a trust or otherwise that meets the criteria in paragraph 4 of GASB Statement No. 75.

Benefits provided. The Village does not contribute toward the benefits (insurance premiums) of retired employees and there have been no substantive Plan provision changes since the last full valuation, which was for the fiscal year ending September 30, 2020. Therefore, there is no explicit subsidy. An interim valuation was completed for fiscal year ending September 30, 2022.

Note 7 - Other Postemployment Benefits (OPEB) (Continued)

Employees covered by benefits terms. The Village has 6 full-time active employees with 5 currently covered by the benefit terms, no inactive employees currently receive benefits, and no inactive employees are entitled to receive benefits.

The Village has elected to use the alternative measurement method and engaged an actuary to determine the liability using the alternative measurement method for postemployment healthcare benefits other than pensions as of September 30, 2022, which was the sixth year healthcare benefits were provided to employees.

Funding Policy. The Village OPEB benefits are unfunded and recorded on the "pay as you go" basis. As of September 30, 2022, there are no retirees receiving this benefit, and with the availability of more cost effective health insurance plans, it is not anticipated that there will be future participation that would be a material cost to the Village. This liability, which is no longer considered a likely cost, is not being funded by the Village. Therefore, the Plan does not issue a publicly available financial report and all required disclosures are presented herein.

As required by 112.0801, Florida Statutes, the Village offers the insurance coverage to the retirees at a premium cost of no more than the premium cost applicable to active employees. This results in a Village subsidy of the premium rates paid by retirees as it allows them to participate in the Plan at reduced or blended group (implicitly subsidized) premium rates for both active and retired employees.

The Village's total OPEB liability of $7,292 was measured as of September 30, 2022 and was determined by an actuarial valuation as of that date. The change in the OPEB liability was a decrease of $25,636 (OPEB expense), which was recognized during the fiscal year ended September 30, 2022. The General Fund and Building Fund will be used to liqudate the OPEB liability.

Total OPEB Liability

Actuarial Methods and Assumptions. The total OPEB liability as of September 30, 2022 was determined using the following actuarial assumptions and other inputs were applied to all periods included in the measurement:

Valuation Date	October 1, 2021 (Projected from October 1, 2020)
Measurement Date	September 30, 2022
Inflation	2.4%
Salary increases (payroll growth)	3.25%
Discount rate	4.77% (2022) 2.43% (2021)
Health care trend rates	7.5% for 2022; decreasing 0.5% per year to an ultimate rate of 4.5% for 2029 and later years
Retirees' share of benefit-related cost	100%
Funding Policy	Pay-as-you-go

The discount rate was based upon a yield for 20-year tax-exempt general obligation municipal bonds with an average rating of AA/Aa or higher. The prior valuation used a discount rate of 2.43% as of September 30, 2021. The current full valuation uses a discount rate of 4.77% as of September 30, 2022. The impact of this change is a significant decrease in liabilities. The discount rate will be updated annually to reflect market conditions as of the Measurement Date.

Note 7 - Other Postemployment Benefits (OPEB) (Continued)

The actuarial assumptions used in the valuation represent a reasonable long-term expectation of future OPEB outcomes. As national economic and Village experience change over time, the assumptions will be tested for ongoing reasonableness and, if necessary, updated.

The Village subsidizes the premium rates paid by retirees by allowing them to participate at blended premium rates for both active and retired employees. These rates provide an implicit subsidy for retirees because, on an actuarial basis, retiree claims are expected to result in higher costs to the plan on average than those of active employees.

The projection of future benefit payments for an ongoing plan involves estimates of the value of reported amounts and assumptions about the probability of occurrence of events far into the future. Examples include assumptions about future employment, mortality, and the healthcare cost trend. Amounts determined regarding the funded status of the Plan and the annual required contributions of the employer are subject to continual revision as actual results are compared with past expectations and new estimates are made about the future.

Per GASB Statement No. 75 paragraph 43(a) since the Village used the alternative measurement method the effects of assumptions are recognized immediately. As such, since the Plan holds no assets their deferred inflows/outflows are zero.

Changes in the total OPEB liability.

	Amounts
Total OPEB liability at beginning of year	$ 32,928
Changes for the year:	
Service cost	2,988
Interest	873
Changes in assumptions and other inputs	(636)
Difference between expected and actual experience	(28,861)
Net change in total OPEB liability (OPEB Credit)	(25,636)
Total OPEB liability at end of year	$ 7,292

Changes of assumptions and other inputs reflect a change in the discount rate from 2.43% as of October 1, 2021 and 4.77% as of September 30, 2022. The discount rate was updated from the prior valuation rate and will be updated annually to reflect market conditions as of the Measurement Date.

Sensitivity of the total OPEB liability to change in the discount rate. The following presents the total OPEB liability of the Village, as well as what the Village's total OPEB liability would be in it were calculated using a discount rate that is 1-percentage-point lower (3.77%) or 1-percentage-point higher (5.77%) than the current discount rate:

	1% Decrease (3.77%)	Discount Rate (4.77%)	1% Increase (5.77%)
Total OPEB Liability	$ 7,636	$ 7,292	$ 6,964

Note 7 - Other Postemployment Benefits (OPEB) (Continued)

Sensitivity of the total OPEB liability to change in the healthcare cost trend rates. The following presents the total OPEB liability of the Village, as well as what the Village's total OPEB liability would be if it were calculated using healthcare cost trend rates that are 1-percentage-point lower (6.50% decreasing to 3.50%) or 1-percentage-point higher (8.50% decreasing to 5.50%) than the current healthcare cost trend rates:

	1% Decrease (6.50% decreasing to 3.50%)	Healthcare Cost Trend Rates (7.50% decreasing to 4.50%)	1% Increase (8.50% decreasing to 5.50%)
Total OPEB Liability	$ 6,891	$ 7,292	$ 7,727

Note 8 - Retirement Plans

The Village offers a Defined Contribution Retirement 401(a) Plan (the "Plan") to its full-time employees through the Florida Municipal Pension Trust Fund (FMPTF). The Plan is a 40l(a) money purchase plan and the Village is a participating employer in the FMPTF trust agreement. The Plan was established on August 31, 2016 with a Village contribution effective date of October 1, 2016.

The Plan's assets are administered by FMPTF and the Plan is operated under a trust agreement which may be amended by the Master Trustees of the FMPTF. The Village does not exercise any control over the Plan assets or the trust agreement.

The Village's Plan provisions and contributions requirements are established and may be amended by the Village Council.

In a defined contribution plan, benefits depend solely on amounts contributed to the Plan plus investment earnings.

The Plan does not have age or service requirements and vesting is immediate for Plan participants. The Plan eligibility provisions require funding percentages applied to the salaries of those participating. The required funding percentages and the Village contribution is determined annually during the budget process by Village Council. Normal retirement age is 70.5.

For fiscal year ended September 30, 2022, the Village's retirement contribution reported as expenditures were $93,029 or 12.48% of covered payroll. The employee contribution requirement was 2.5% of applicable compensation.

The Village, also, offers a 457(b) Deferred Compensation Plan to all employees through the Florida Municipal Pension Trust Fund (FMPTF). The Village is a participating employer in the FMPTF trust agreement which allows for salary deferrals with no employer contributions.

Further information regarding the Florida Municipal Pension Trust Fund, including financial statements, is available via request to publicrecordstal@flcities.com or in writing to Florida Municipal Pension Trust Fund, Attn: Office of General Counsel, 301 S. Bronough St., Suite 300, Tallahassee, FL 32301.

Note 9 - Interfund Transfers

Interfund transfers for the year ended September 30, 2022, consisted of the following:

	Transfer In Funds:				
	General	Capital Projects Fund	Debt Service	Nonmajor Governmental Funds	Total Governmental Funds
Transfer Out Funds:					
General	$ -	$ 3,019,155	$ 12,359,317	$ 4,400,000	$ 19,778,472
	$ -	$ 3,019,155	$ 12,359,317	$ 4,400,000	$ 19,778,472

Transfers are used to move unrestricted general fund and debt service proceeds to finance various programs that the government must account for in other funds in accordance with budgetary authorization. These could include amounts provided as subsidies or matching funds for various grant programs, capital projects and debt service payments.

Note 10 - Risk Management

The Village is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; injuries to employees; and natural disasters.

The Village participates in the public entity risk pool administered by the Florida League of Cities, Inc. for general/professional liability, property, health insurance and workers compensation. The Village pays an annual premium for these insurance programs. Participation in this risk pool is non-assessable. There were no significant reductions in insurance coverage since the inception of the Village nor were there any settlements that exceed insurance coverage amounts for the fiscal year ended September 30, 2022 or the prior three years.

The Florida League of Cities, Inc. published financial report for the year ended September 30, 2022 can be obtained from the Florida League of Cities, Inc., Public Risk Service, 135 East Colonial Drive, Orlando, Florida 32801.

The Village retains the risk of loss up to a deductible amount (ranging from $0 to $35,000) with the risk of loss in excess of this amount transferred to the pool with limits of liability of up to $5,000,000 per occurrence.

Note 11 - Operating Leases – Right of Use (ROU) Asset

The Village is currently committed to various operating leases for office space and equipment with terms in excess of one year. The lease for office space meets the recording requirements of GASB Statement No. 87. The future minimum rental payments as of September 30, 2022 were as follows:

Years ending September 30	Principal	Interest	Total
2023	$ 179,721	$ 7,959	$ 187,680
2024	77,318	880	78,198
Total	$ 257,039	$ 8,839	$ 265,878

Rent expense for the fiscal year ended September 30, 2022 totaled $300,537.

At September 30, 2022, the net Lease Intangible Right of Use asset of $292,952 was amortized by $121,212 during the year ended September 30, 2022. The net Lease Payable of $257,039 was amortized by $171,757 during the year ended September 30, 2022.

On May 3, 2017, the Village amended the lease agreement for office space which provides a location for the Village administration and community development offices. The lease amendment expanded the square footage and extended the term of the lease to 8 years which expires February 2024. The Village has the option to renew for three additional terms of five years.

As of September 30, 2022, the monthly rent for office space is $18,099 plus common area maintenance estimated with annual increases of the greater of 2.5% or consumer price index.

Note 12 - Stewardship, Compliance and Accountability

Property Taxes

The billing and collection of all property taxes is performed for the Village by the Lee County Tax Collector. Property taxes are levied after formal adoption of the Village's budget and become due and payable on November 1 of each year. Discounts are allowed for payment of property taxes before March 1 of the following year. Taxes are recognized as revenue when levied to the extent that they result in current receivables. On April 1, any unpaid taxes become delinquent. If the taxes are still unpaid in May, tax certificates are then offered for sale to the general public. The proceeds collected are remitted to the Village.

Key dates in the property tax cycle (latest date, where appropriate) are as follows:

July 1	◆ Assessment roll validated
September 30	◆ Millage resolution approved and taxes levied following certificate of assessment roll
October 1	◆ Beginning of fiscal year for which tax is to be levied
November 1	◆ Property taxes due and payable (levy date) with various discount provisions through March 31
April 1	◆ Taxes become delinquent
June 1	◆ Tax certificates sold by Lee County, Florida Tax Collector

Note 12 - Stewardship, Compliance and Accountability (Continued)

For the year September 30, 2022, the total tax rate was 0.77 mils per $1,000 of assessed taxable property value. For the fiscal year ended September 30, 2022, the levy is based on taxable property values totaling $7,190,380,842. Property tax revenue is recognized in the fiscal year for which the taxes are levied.

No accruals for the property tax levy becoming due in November 2022 are included in the accompanying financial statements since taxes are levied for the subsequent fiscal year and are not considered available at September 30, 2022.

At September 30, 2022, delinquent property taxes are not material to the basic financial statements of the Village and, therefore, have not been accrued as taxes receivable.

Note 13 - Commitments and Contingencies

Litigation. The Village is party to a legal challenge of its comprehensive plan. Village officials believe it is too speculative to determine whether some of the legal proceedings will have a material adverse effect in the Village's financial position. Therefore, no related liability has been recorded at September 30, 2022.

Contracts. The Village has outstanding commitments for professional service contracts for planning, engineering and legal services and are reported in the General Fund and Capital Projects Fund at September 30, 2022. The outstanding commitment at September 30, 2022 is as follows:

	Contract Amount	Incurred to Date	Retainage	Balance to Complete, Including Retainage
General Fund				
Physical environment	$ 677,853	$ 487,400	$ -	$ 190,453
Transportation	760,656	736,881	-	23,775
Recreation and culture	161,000	150,092	-	10,908
Capital Projects Fund	18,267,282	12,757,581	5,614	5,515,315
				-
	$19,866,791	$ 14,131,954	$ 5,614	$ 5,740,451

Note 14 - Subsequent Events

On September 28, 2022, Hurricane Ian hit Southwest Florida as a Category 4 hurricane. Following the disaster, the Village spent $7,016,428 for the clean-up of debris. A Request for Public Assistance was filed with FEMA, and the request was approved in November 2022. The Village is working with FEMA to provide all the required documentation to receive disaster relief funds. Funding in the amount of $2.4 million was received in Fiscal Year 2022-23 to date.

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Required Supplementary Information

Village of Estero, Florida

Schedule of Revenues, Expenditures and Changes in Fund Balances
Budget and Actual
General Fund
For the Year Ended September 30, 2022

	Budgeted Amounts		Actual	Variance with
	Original	Final	Amounts	Final Budget
REVENUES				
Taxes				
Property	$ 5,281,886	$ 5,281,886	$ 5,280,762	$ (1,124)
Gas Tax	531,529	531,529	571,663	40,134
Franchise	2,291,500	2,291,500	2,670,762	379,262
Communications services	878,542	878,542	972,497	93,955
Local business	21,900	21,900	20,997	(903)
Licenses and permits	1,500	1,500	1,450	(50)
Intergovernmental revenues	3,914,673	12,396,880	9,598,233	(2,798,647)
Charges for services	117,500	117,500	389,657	272,157
Fines and forfeitures	500	500	330	(170)
Investment earnings	32,400	32,400	48,722	16,322
Miscellaneous				
Other	61,000	61,000	880,144	819,144
Total revenues	13,132,930	21,615,137	20,435,217	(1,179,920)
EXPENDITURES				
Current:				
General government	4,101,614	3,951,614	3,009,102	942,512
Public safety	281,120	281,120	166,096	115,024
Physical environment	771,000	771,000	133,167	637,833
Transportation	1,605,152	1,605,152	1,408,458	196,694
Human services	38,000	38,000	41,972	(3,972)
Culture and recreation	90,100	90,100	77,967	12,133
Capital outlay	-	-	-	-
Debt service				
Principal retirement	-	-	142,558	(142,558)
Interest	-	-	13,216	(13,216)
Total expenditures	6,886,986	6,736,986	4,992,536	1,744,450
Excess of revenues over expenditures	6,245,944	14,878,151	15,442,681	564,530
OTHER FINANCING USES				
Transfers out	(6,963,600)	(27,406,533)	(19,778,472)	7,628,061
Total other financing uses	(6,963,600)	(27,406,533)	(19,778,472)	7,628,061
Net change in fund balances	$ (717,656)	$ (12,528,382)	(4,335,791)	$ 8,192,591
Fund balances - beginning			24,323,877	
Fund balances - ending			$ 19,988,086	

The notes to the required supplementary information are an integral part of this schedule.

Village of Estero, Florida

Schedule of Revenues, Expenditures and Changes in Fund Balances
Budget and Actual
Building Fee Fund
For the Year Ended September 30, 2022

	Budgeted Amounts		Actual	Variance with
	Original	Final	Amounts	Final Budget
REVENUES				
Licenses and permits	$ 1,060,500	$ 1,060,500	$ 1,150,596	$ 90,096
Investment earnings	1,000	1,000	1,250	250
Total revenues	1,061,500	1,061,500	1,151,846	90,346
EXPENDITURES				
Current:				
Public safety				
Community development	1,111,100	1,111,100	1,149,845	(38,745)
Capital outlay	211,530	211,530	141,825	69,705
Debt service				
Principal retirement	-	-	29,199	(29,199)
Interest	-	-	2,707	(2,707)
Total expenditures	1,322,630	1,322,630	1,323,576	(946)
Excess (deficiency) of revenues over expenditures	(261,130)	(261,130)	(171,730)	89,400
Net change in fund balances	$ (261,130)	$ (261,130)	(171,730)	$ 89,400
Fund balances - beginning			690,642	
Fund balances - ending			$ 518,912	

The notes to the required supplementary information are an integral part of this schedule.

Village of Estero, Florida
Notes to Required Supplemental Information
For the Year Ended September 30, 2022

Budgets are adopted on a basis consistent with accounting principles generally accepted in the United States of America and are legally enacted through passage of a resolution required by Village Charter and as required by the State of Florida.

The level of control whereby expenditures cannot legally exceed the total amount budgeted is at the fund level and the annual budgets serve as the legal authorization for expenditures. The Village Council may establish or terminate departments by ordinance. As of September 30, 2022, the Council has established one department for community development.

For the year ended September 30, 2022, the Village of Estero adopted a budget for the General Fund, Building Fee Fund, Capital Projects Fund, the Debt Service Fund and the Driving Range Fund.

Budget amounts, as shown in the fund financial statements, are as originally adopted and as finally amended by the Council. The Council may, by resolution, provide for the transfer of all or part of any unencumbered appropriations balance from one department, fund, service, strategy or organizational unit to the appropriation for other departments or organizational units or a new appropriation within 60 days after year end. The Village Manager may transfer funds among programs within a department, fund, service, strategy, or organizational unit and shall report such transfers to the Council, in writing, in a timely manner.

The Village has two funds in which expenditures exceeded appropriations. The Building Fee Fund expenditures exceeded appropriations by $946. This was caused by adjusting entries made to reclassify software implementation expenditures that were initially charged to the General Fund and corrected after the final budget amendment was approved. The Driving Range Fund expenditures exceeded appropriations by $24,186. This fund was created during the fiscal year therefore, the budget figures were estimated based on limited knowledge and history.

Village of Estero, Florida

Schedule of Changes in the Net OPEB Liability and Related Ratios and Notes to the Schedule

Last Ten Fiscal Years

	2018	2019	2020	2021	2022
Total OPEB Liability					
Service cost	$ 2,650	$ 1,484	$ 1,653	$ 2,868	$ 2,988
Interest	580	483	511	762	873
Changes of benefit terms	-	-	-	-	-
Differences between expected and actual experience	(3,719)	-	7,382	600	(28,861)
Changes in assumptions and other inputs	(2,677)	501	6,566	(42)	(636)
Benefit payments	-	-	-	-	-
Net change in total OPEB liability	(3,166)	2,468	16,112	4,188	(25,636)
Total OPEB liability - beginning	13,326	10,160	12,628	28,740	32,928
Total OPEB liability - ending	$ 10,160	$ 12,628	$ 28,740	$ 32,928	$ 7,292
Covered-employee payroll	$ 706,888	$ 830,408	$ 682,386	$ 715,291	$ 745,500
Total OPEB liability as a percentage of covered-employee payroll	1.44%	1.52%	4.21%	4.60%	0.98%

Notes to the schedule:

No assets are accumulated in a trust that meets the criteria in paragraph 4 of GASB Statement No. 75 .

Changes of assumptions. The actuarial assumptions used in the September 30, 2022 valuation represent a reasonable long-term expectation of future OPEB outcomes. Discount rate changed from 4.15% in 2018 to 3.58% at September 30, 2019 then to 2.41% at September 30, 2020 to 2.43% at September 30, 2021 to 4.77% at September 30, 2022. As national economic and Village experience change over time, the assumptions will be tested for ongoing reasonableness and, if necessary, updated.

Note: Information is required to be presented for 10 years. However, until a full 10-year trend is compiled, the Village will present information for only those years for which information is available.

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Individual Fund Financial Schedules

Village of Estero, Florida

Schedule of Revenues, Expenditures and Changes in Fund Balances
Budget and Actual
Capital Projects Fund
For the Year Ended September 30, 2022

	Budgeted Amounts		Actual	Variance with
	Original	Final	Amounts	Final Budget
REVENUES				
Taxes				
Gas taxes	$ 387,933	$ 387,933	$ 410,830	$ 22,897
Impact fee	415,600	415,600	1,977,097	1,561,497
Intergovernmental revenues	1,100,000	1,100,000	144,343	(955,657)
Investment earnings	42,000	42,000	18,609	(23,391)
Contributions from private sources	132,000	132,000	53,695	(78,305)
Total revenues	2,077,533	2,077,533	2,604,574	527,041
EXPENDITURES				
Current:				
Physical environment	1,494,000	3,674,000	226,205	3,447,795
Transportation	5,605,700	5,811,300	159,361	5,651,939
Capital outlay	12,106,500	14,169,500	3,583,933	10,585,567
Total expenditures	19,206,200	23,654,800	3,969,499	19,685,301
Deficiency of revenues under expenditures	(17,128,667)	(21,577,267)	(1,364,925)	20,212,342
OTHER FINANCING SOURCES				
Transfers in	4,447,800	10,646,400	3,019,155	(7,627,245)
Total other financing sources	4,447,800	10,646,400	3,019,155	(7,627,245)
Net change in fund balances	$ (12,680,867)	$ (10,930,867)	1,654,230	$ 12,585,097
Fund balances - beginning			11,063,071	
Fund balances - ending			$ 12,717,301	

Village of Estero, Florida

Schedule of Revenues, Expenditures and Changes in Fund Balances
Budget and Actual
Debt Service Fund
For the Year Ended September 30, 2022

	Budgeted Amounts		Actual	Variance with Final Budget- Positive
	Original	Final	Amounts	(Negative)
REVENUES				
Investment earnings	$ 10,000	$ 10,000	$ 934	$ (9,066)
Total revenues	10,000	10,000	934	(9,066)
EXPENDITURES				
Current:				
Debt service				
Principal retirement	697,344	16,920,113	16,919,830	283
Interest and fiscal charges	678,485	744,887	744,887	-
Total expenditures	1,375,829	17,665,000	17,664,717	283
Deficiency of revenues under expenditures	(1,365,829)	(17,655,000)	(17,663,783)	(8,783)
OTHER FINANCING SOURCES (USES)				
Transfers in	2,515,800	12,360,133	12,359,317	(816)
Total other financing sources (uses)	2,515,800	12,360,133	12,359,317	(816)
Net change in fund balances	$ 1,149,971	$ (5,294,867)	(5,304,466)	$ (9,599)
Fund balances - beginning			5,304,466	
Fund balances - ending			$ -	

Village of Estero, Florida

Schedule of Revenues, Expenditures and Changes in Fund Balances
Budget and Actual
Nonmajor Governmental Fund -
Driving Range Fund
For the Year Ended September 30, 2022

	Budgeted Amounts		Actual	Variance with
	Original	Final	Amounts	Final Budget
REVENUES				
Charges for services	$ -	$ 10,000	$ 13,146	$ 3,146
Investment earnings	-	-	193	193
Miscellaneous	-	-	(192)	(192)
Total revenues	-	10,000	13,147	3,147
EXPENDITURES				
Current:				
Culture and recreation	-	15,700	69,688	(53,988)
Capital outlay	-	4,250,000	4,220,198	29,802
Total expenditures	-	4,265,700	4,289,886	(24,186)
Deficiency of revenues under expenditures	-	(4,255,700)	(4,276,739)	(21,039)
OTHER FINANCING SOURCES				
Transfers in	-	4,400,000	4,400,000	-
Total other financing sources	-	4,400,000	4,400,000	-
Net change in fund balances	$ -	$ 144,300	123,261	$ (21,039)
Fund balances - beginning			-	
Fund balances - ending			$ 123,261	

Statistical Section

Village of Estero, Florida
Statistical Section
(unaudited)

This part of the Village of Estero's annual comprehensive financial report presents detailed information as a context for understanding what the information in the financial statements, note disclosures, and required supplementary information says about the Village's overall financial health.

Contents Page

Financial Trends 55
These schedules contain trend information to help the reader understand how the Village's financial performance and well-being have changed over time.

Revenue Capacity 59
These schedules contain information to help the reader assess the Village's most significant local revenue source, the property tax.

Debt Capacity 63
These schedules present information to help the reader assess the affordability of the Village's current levels of outstanding debt and the Village's ability to issue additional debt in the future.

Demographic and Economic Information 67
These schedules offer demographic and economic indicators to help the reader understand the environment within which the Village's financial activities take place.

Operating Information 69
These schedules contain service and infrastructure data to help the reader understand how the information in the Village's financial report relates to the services the Village provides and the activities it performs.

Sources: Unless otherwise noted, the information in these schedules is derived from the annual comprehensive financial reports for the relevant year.

The Village of Estero was incorporated on December 31, 2014. Therefore, fiscal year 2015 is the first year of operations. Ten-year historic data will be accumulated and reflected in future year's financial statements.

Village of Estero, Florida
Net Position by Component
Last Ten Fiscal Years
(accrual basis of accounting)

Schedule 1

	Fiscal Year									
	2013 [1]	2014 [1]	2015	2016	2017	2018	2019	2020	2021	2022
Governmental/Primary Government Activities										
Investment in capital assets	$ -	$ -	$ 30,322	$ 471,087	$ 25,896,783	$ 24,798,963	$ 29,089,008	$ 38,568,728	$ 41,861,098	$ 64,858,901
Restricted	-	-	559,136	2,312,410	5,514,939	9,714,291	12,243,096	11,742,357	11,753,713	13,236,213
Unrestricted	-	-	582,076	5,503,844	13,155,253	21,312,574	23,550,463	24,724,400	29,681,636	32,457,673
Total governmental activities/ primary government net position	$ -	$ -	$ 1,171,534	$ 8,287,341	$ 44,566,975	$ 55,825,828	$ 64,882,567	$ 75,035,485	$ 83,296,447	$ 110,552,787

Note: The Village of Estero does not have business-type activities; therefore, net positions of governmental activities equal total primary government net positions.

[1] *The Village of Estero was incorporated December 31, 2014. Therefore, fiscal year 2015 is the first year of operations. Ten-year historic data will be accumulated and reflected in future year's financial statements.*

Village of Estero, Florida
Changes in Net Position
Last Ten Fiscal Years
(accrual basis of accounting)

Schedule 2

	2013 [1]	2014 [1]	2015	2016	2017	2018	2019	2020	2021	2022
Expenses										
Governmental activities:										
General government	$ -	$ -	$ 536,623	$ 2,289,683	$ 2,617,224	$ 2,788,737	$ 3,401,752	$ 3,203,219	$ 3,782,713	$ 3,198,109
Public safety	-	-	1,080	887,642	1,317,701	1,196,671	1,085,537	1,322,971	1,298,406	1,324,224
Physical environment	-	-	6,596	306,643	436,856	345,096	115,558	191,691	1,625,322	363,253
Transportation	-	-	-	2,548,077	2,237,548	2,196,698	2,412,108	2,904,122	2,494,198	3,513,673
Human services	-	-	-	48,428	48,428	22,756	33,879	37,932	49,523	41,972
Culture and recreation	-	-	-	-	-	-	129,032	88,794	72,756	147,500
Interest and issuance cost	-	-	5,150	-	-	-	608,273	762,353	692,018	479,239
Total governmental activities/primary government expenses	-	-	549,449	6,080,473	6,657,757	6,549,958	7,786,139	8,511,082	10,014,936	9,067,970
Program Revenues										
Governmental activities:										
Charges for services:										
General government	-	-	138	168,073	313,409	279,144	195,212	200,901	250,390	389,657
Public safety	-	-	-	685,873	1,306,426	1,334,561	1,021,456	1,188,320	1,011,972	1,152,376
Culture and recreation	-	-	-	-	-	-	-	-	-	13,146
Operating grants and contributions	-	-	62,027	-	176,414	177,777	176,336	212,849	723,146	155,768
Capital grants and contributions	-	-	497,081	1,431,918	29,267,345	3,322,274	1,830,982	3,360,893	732,890	2,175,135
Total governmental activities/primary government program revenues	-	-	559,246	2,285,864	31,063,594	5,113,756	3,223,986	4,962,963	2,718,398	3,886,082
General Revenues										
Governmental activities:										
Taxes										
Property, levied for general purposes	-	-	-	4,589,279	4,699,042	4,819,043	4,955,863	5,054,886	5,109,211	5,280,762
Gas	-	-	-	892,944	734,682	749,468	759,317	686,769	932,098	982,493
Franchise	-	-	-	1,713,134	2,224,309	2,288,523	2,333,614	2,280,032	2,319,395	2,670,762
Communication services	-	-	-	340,416	719,940	794,969	866,260	909,318	869,653	972,497
Local business taxes	-	-	6,242	22,640	22,028	22,561	23,047	19,624	20,919	20,997
Intergovernmental revenues	-	-	1,155,305	3,329,066	3,326,662	3,522,911	3,894,401	4,241,552	6,190,304	21,696,901
Investment earnings	-	-	190	18,481	119,081	407,796	680,027	319,602	8,284	69,708
Gain on sale of capital assets	-	-	-	-	-	-	-	86,685	-	-
Miscellaneous	-	-	-	4,456	28,053	89,784	106,363	102,569	107,636	879,952
Total governmental activities/primary government	-	-	1,161,737	10,910,416	11,873,797	12,695,055	13,618,892	13,701,037	15,557,500	32,574,072
Change in Net Position										
Total governmental activities/primary government	$ -	$ -	$ 1,171,534	$ 7,115,807	$ 36,279,634	$ 11,258,853	$ 9,056,739	$ 10,152,918	$ 8,260,962	$ 27,392,184

[1] *The Village of Estero was incorporated December 31, 2014. Therefore, fiscal year 2015 is the first year of operations. Ten-year historic data will be accumulated and reflected in future year's financial statements.*

Village of Estero, Florida

Fund Balances of Governmental Funds

Last Ten Fiscal Years

(modified accrual basis of accounting)

Schedule 3

	Fiscal Year									
	2013 [1]	2014 [1]	2015	2016	2017	2018	2019	2020	2021	2022
General Fund										
Non-spendable	$ -	$ -	$ -	$ 14,533	$ 14,633	$ 14,633	$ 14,633	$ 15,201	$ 14,945	$ 14,625
Restricted	-	-	62,027	-	-	-	-	-	-	-
Committed	-	-	-	-	-	-	5,124,700	6,044,700	6,266,700	3,840,100
Unassigned	-	-	580,773	5,568,981	13,118,237	21,257,077	14,625,120	14,228,047	18,042,232	16,133,361
Total General Fund	$ -	$ -	$ 642,800	$ 5,583,514	$ 13,132,870	$ 21,271,710	$ 19,764,453	$ 20,287,948	$ 24,323,877	$ 19,988,086
All Other Governmental Funds										
Restricted	$ -	$ -	$ 497,109	$ 2,312,410	$ 5,514,939	$ 9,714,291	$ 12,243,096	$ 11,742,357	$ 11,753,713	$ 13,236,213
Assigned, reported in:										
Debt service fund	-	-	-	-	-	-	4,040,555	4,179,199	5,304,466	-
Driving tange fund	-	-	-	-	-	-	-	-	-	123,261
Unassigned	-	-	-	(101,439)		-	-	-	-	-
Total all other governmental funds	$ -	$ -	$ 497,109	$ 2,210,971	$ 5,514,939	$ 9,714,291	$ 16,283,651	$ 15,921,556	$ 17,058,179	$ 13,359,474

[1] *The Village of Estero was incorporated December 31, 2014. Therefore, fiscal year 2015 is the first year of operations. Ten-year historic data will be accumulated and reflected in future year's financial statements.*

Village of Estero, Florida

Changes In Fund Balances of Governmental Funds

Last Ten Fiscal Years

(modified accrual basis of accounting)

Schedule 4

	Fiscal Year									
	2013 [1]	2014 [1]	2015	2016	2017	2018	2019	2020	2021	2022
Revenues										
Taxes	$ -	$ -	$ 6,242	$ 7,558,413	$ 8,576,415	$ 8,852,341	$ 9,114,437	$ 9,121,444	$ 9,251,276	$ 9,927,511
Licenses and permits	-	-	-	685,873	1,306,158	1,854,018	1,020,666	1,187,400	1,011,429	1,152,046
Impact fees	-	-	497,081	1,431,918	2,596,943	2,802,274	1,830,982	1,432,917	441,935	1,977,097
Intergovernmental	-	-	1,217,332	3,329,066	3,326,662	3,522,911	3,894,401	4,241,552	6,955,483	9,742,576
Charges for services	-	-	-	167,589	313,409	279,144	195,212	200,901	250,390	402,803
Fines and forfeitures	-	-	138	484	268	543	790	920	543	330
Investment earnings	-	-	190	18,481	119,081	407,796	680,027	319,602	8,284	69,708
Contributions from private sources	-	-	-	-	-	-	-	89,307	290,954	53,695
Miscellaneous								-		
Other	-	-	-	4,456	28,053	89,784	106,363	102,570	107,636	879,952
Total revenues	-	-	1,720,983	13,196,280	16,266,989	17,808,811	16,842,878	16,696,613	18,317,930	24,205,718
Expenditures										
General government	-	-	537,675	2,264,950	2,534,379	2,737,183	3,225,843	2,964,950	3,664,593	3,009,102
Public safety	-	-	1,080	875,992	1,300,626	1,177,337	1,064,991	1,305,996	1,285,350	1,315,941
Physical environment	-	-	6,596	306,643	436,856	433,352	112,001	191,691	241,108	359,372
Transportation	-	-	-	2,548,077	1,021,378	457,090	784,925	1,243,529	2,216,002	1,567,819
Human services	-	-	-	48,428	48,428	22,756	33,879	37,932	49,523	41,972
Culture/recreation	-	-	-	-	-	-	129,032	128,094	71,846	147,655
Capital outlay	-	-	30,573	497,614	71,998	642,901	25,371,816	9,247,823	4,225,884	7,945,956
Debt service								-	-	
Principal	-	-	-	-	-	-	768,416	1,641,295	670,459	17,091,587
Interest and issuance cost	-	-	5,150	-	-	-	289,872	770,588	720,613	760,810
Total expenditures	-	-	581,074	6,541,704	5,413,665	5,470,619	31,780,775	17,531,898	13,145,378	32,240,214
Excess (deficiency) of revenues over expenditures	-	-	1,139,909	6,654,576	10,853,324	12,338,192	(14,937,897)	(835,285)	5,172,552	(8,034,496)
Other Financing Sources (Uses)										
Transfers in	-	-	-	-	90,849	494,611	30,546,595	11,178,860	4,925,024	19,778,472
Transfers out	-	-	-	-	(90,849)	(494,611)	(30,546,595)	(11,178,860)	(4,925,024)	(19,778,472)
Proceeds from debt	-	-	-	-	-	-	20,000,000	996,685	-	-
Total other financing sources	-	-	-	-	-	-	20,000,000	996,685	-	-
Net change in fund balances	$ -	$ -	$ 1,139,909	$ 6,654,576	$ 10,853,324	$ 12,338,192	$ 5,062,103	$ 161,400	$ 5,172,552	$ (8,034,496)
Debt service as a percentage of noncapital expenditures	-	-	0.94%	0.0%	0.0%	0.0%	16.5%	29.1%	15.6%	73.5%

[1] *The Village of Estero was incorporated December 31, 2014. Therefore, fiscal year 2015 is the first year of operations. Ten-year historic data will be accumulated and reflected in future year's financial statements.*

Village of Estero, Florida

Assessed Value and Estimated Actual Value of Taxable Property

Last Ten Fiscal Years

Schedule 5

Fiscal Year Ended September 30	Real Property			Personal Property	Less: Allowable Exemptions [2]	Total Taxable Assessed Value	Total Direct Tax Rate	Estimated Actual Market (Just) Value	Taxable Assessed Value as a Percentage of Actual Value
	Residential Property	Commercial Property	Other Property						
2013 [1]	-	-	-	-	-	-	-	-	-
2014 [1]	-	-	-	-	-	-	-	-	-
2015 [1]	-	-	-	-	-	-	-	-	-
2016	5,962,856,036	690,966,701	158,665,392	150,308,030	1,284,789,616	5,675,825,842	0.8398	6,960,615,458	81.54%
2017	6,443,023,813	782,939,531	192,602,734	166,973,374	1,459,920,847	6,097,421,427	0.7998	7,557,342,274	80.68%
2018	6,889,049,163	741,778,217	213,442,459	180,814,659	1,539,523,465	6,484,202,557	0.7798	8,023,726,022	80.81%
2019	6,869,267,079	741,713,355	206,437,254	189,025,467	1,386,361,871	6,649,259,073	0.7750	8,035,620,944	82.75%
2020	6,916,404,302	762,528,773	352,626,099	203,210,714	1,474,537,084	6,808,708,418	0.7726	8,283,245,502	82.20%
2021	6,948,839,857	780,170,014	369,099,608	219,883,673	1,460,850,590	6,906,637,833	0.7726	8,367,488,423	82.54%
2022	7,317,007,658	840,319,265	406,615,395	235,269,948	1,667,873,721	7,189,827,701	0.7700	8,857,701,422	81.17%

Source: *Lee County Property Appraiser.*

Note: *Real property is reassessed every year.*

[1] *The Village of Estero was incorporated December 31, 2014. Therefore, fiscal year 2015 is the first year of operations; however, property taxes were not assessed by the Village of Estero until fiscal year 2016. Ten-year historic data will be accumulated and reflected in future year's financial statements.*

[2] *Allowable exemptions include the assessment differential value of capped parcels which is more commonly known as the "Save our Homes" and exemptions.*

Village of Estero, Florida

Property Tax Rates – Direct And Overlapping Governments

(Per $1,000 of Assessed Value)

Last Ten Fiscal Years

Schedule 6

	Village of Estero, Florida			Overlapping Rates[2]								
				Lee County			School					Total
Fiscal Year	Operating Millage	Debt Service Millage	Total Village Millage	General Revenue	Library Fund	Total Lee Cty	Local Board	State Law	Total School	Estero Fire District [3]	Other [4]	Direct & Overlapping Rates
2013 [1]	-	-	-	-	-	-	-	-	-		-	-
2014 [1]	-	-	-	-	-	-	-	-	-		-	-
2015 [1]	-	-	-	-	-	-	-	-	-		-	-
2016	0.8398	-	0.8398	4.1506	0.5956	4.7462	2.2480	5.0370	7.2850	2.1881	0.6605	14.8798
2017	0.7998	-	0.7998	4.0506	0.5956	4.6462	2.2480	4.7410	6.9890	2.1500	0.6361	15.2211
2018	0.7798	-	0.7798	4.0506	0.5956	4.6462	2.2480	4.4310	6.6790	2.1300	0.6542	14.8892
2019	0.7750	-	0.7750	4.0506	0.4956	4.5462	2.2480	4.1530	6.4010	2.1300	0.6205	14.4727
2020	0.7726	-	0.7726	4.0506	0.4956	4.5462	2.2480	3.8990	6.1470	2.1300	0.5958	14.1916
2021	0.7726	-	0.7726	4.0506	0.4956	4.5462	2.2480	3.8100	6.0580	2.1300	0.5729	14.0797
2022	0.7700	-	0.7700	3.8623	0.4714	4.3337	2.2480	3.6430	5.8910	2.1300	0.5640	13.6887

Source: *Lee County Property Appraiser.*

Note: *The Village's operating millage tax rate may be increased only by a majority vote of the Village Council.*

[1] *The Village of Estero was incorporated December 31, 2014. Therefore, fiscal year 2015 is the first year of operations; however, property taxes were not assessed by the Village of Estero until fiscal year 2016. Ten-year historic data will be accumulated and reflected in future year's financial statements.*

[2] *Overlapping rates are those of the local and county governments that apply to property owners within the Village of Estero. Not all overlapping rates apply to all Village of Estero property owners.*

[3] *The Village of Estero has three Fire Districts within its boundaries. Estero Fire Rescue District, 2.1300 millage rate, San Carlos Park Fire District, 2.7500 millage rate, and Bonita Springs Fire District 2.1800 millage rate.*

[4] *Other consists of Lee County Mosquito Control, Lee County Hyacinth Control, South Florida Water Management District and West Coast Inland Navigation District.*

Village of Estero, Florida
Principal Property Taxpayers
Current Fiscal Year and Nine Fiscal Years Ago

Schedule 7

	2022			2013 [1]		
Taxpayer	Taxable Assessed Value	Rank	Percentage of Total Taxable Assessed Value	Taxable Assessed Value	Rank	Percentage of Total Taxable Assessed Value
Coconut Point Developers LLC	$ 115,917,024	1	1.61%	-	-	-
Miromar Outlet West LLC	106,073,670	2	1.48%	-	-	-
Hertz Corporation	61,155,605	3	0.85%	-	-	-
Fort Myers Reef Acquisitions	55,265,640	4	0.77%	-	-	-
Passco Longitude	46,772,802	5	0.65%	-	-	-
CV Fort Myers Borrower LLC	43,084,800	6	0.60%	-	-	-
Miromar Outlet East LLC	29,211,717	7	0.41%	-	-	-
Lee-Tamiami LLC	28,214,919	8	0.39%	-	-	-
Coconut Point DE LLC	22,099,882	9	0.31%	-	-	-
Continental 376 Fund LLC	21,430,191	10	0.30%	-	-	-
Total	$ 529,226,250		7.37%	$ -		0.00%

Source: Lee County Property Appraiser.

[1] *The Village of Estero was incorporated December 31, 2014. Therefore, fiscal year 2015 was the first year of operations; however, property taxes were not assessed by the Village of Estero until fiscal year 2016. Ten-year historic data will be accumulated and reflected in future year's financial statements.*

Village of Estero, Florida
Property Tax Levies and Collections
Last Ten Fiscal Years

Schedule 8

Fiscal Year Ended Sep 30	Total Tax Levy For Fiscal Year	Collected within the Fiscal Year of the Levy		Collections in Subsequent Years	Total Collections to Date	
		Amount [2]	Percentage of Levy		Amount	Percentage of Levy
2013 [1]	-	-	0.00%	-	-	0.00%
2014 [1]	-	-	0.00%	-	-	0.00%
2015 [1]	-	-	0.00%	-	-	0.00%
2016	4,766,559	4,588,424	96.26%	(14,372)	4,574,052	95.96%
2017	4,876,718	4,699,042	96.36%	(29,960)	4,669,082	95.74%
2018	5,056,381	4,819,043	95.31%	44,332	4,863,375	96.18%
2019	5,153,176	4,954,539	96.17%	1,324	4,955,863	96.17%
2020	5,260,408	4,955,863	94.21%	-	4,955,863	94.21%
2021	5,310,460	5,109,211	96.21%	-	5,109,211	96.21%
2022	5,536,495	5,280,762	95.38%	-	5,280,762	95.38%

Source: Lee County Tax Collector.

[1] *The Village of Estero was incorporated December 31, 2014. Therefore, fiscal year 2015 was the first year of operations; however, property taxes were not assessed by the Village of Estero until fiscal year 2016. Ten-year historic data will be accumulated and reflected in future year's financial statements.*

[2] *Property taxes are levied on November 1 of each year, and are due and payable upon receipt of the notice of the levy. A 4% discount is allowed if the taxes are paid in November, with the discount declining by 1% each month thereafter. Accordingly, taxes collected will not be 100% of tax levy. Taxes become delinquent on April 1 of each year, and tax certificates for the full amount of any unpaid taxes and assessments are sold at public auction prior to June 1 of each year. The proceeds collected are remitted to the Village.*

Village of Estero, Florida
Ratios of Outstanding Debt by Type
Last Ten Fiscal Years

Schedule 9

Fiscal Year	Governmental Activities: General Obligation Bonds	Governmental Activities: Revenue Bonds	Governmental Activities: Notes, Loans and Agreements Payable	Total Primary Government	Percentage of Personal Income [2]	Per Capita [2]
2013 [1]	-	-	-	-	-	-
2014 [1]	-	-	-	-	-	-
2015 [1]	-	-	-	-	-	-
2016	-	-	-	-	-	-
2017	-	-	-	-	-	-
2018	-	-	-	-	-	-
2019	-	-	19,231,584	19,231,584	0.0%	593
2020	-	-	17,590,289	17,590,289	0.0%	531
2021	-	-	16,919,830	16,919,830	0.0%	455
2022	-	-	-	-	0.0%	-

Note: When applicable, details regarding the Village's outstanding debt can be found in the notes to the financial statements.

[1] *The Village of Estero was incorporated December 31, 2014. Therefore, fiscal year 2015 was the first year of operations. Ten-year historic data will be accumulated and reflected in future year's financial statements.*

[2] *See schedule 13 for personal income and population data. These ratios are calculated using personal income and population for prior calendar year.*

Village of Estero, Florida

Ratios of General Bonded Debt Outstanding

Last Ten Fiscal Years

Schedule 10

Fiscal Year	General Bonded Debt Outstanding: General Obligation Bonds	Less: Amounts Available in Debt Service Fund	Total	Percentage of Estimated Actual Taxable Value of Property	Per Capita
2013 [1]	-	-	-	0.00%	-
2014 [1]	-	-	-	0.00%	-
2015 [1]	-	-	-	0.00%	-
2016	-	-	-	0.00%	-
2017	-	-	-	0.00%	-
2018	-	-	-	0.00%	-
2019	-	-	-	0.00%	-
2020	-	-	-	0.00%	-
2021	-	-	-	0.00%	-
2022	-	-	-	0.00%	-

Note: When applicable, details regarding the Village's outstanding debt can be found in the notes to the financial statements.

[1] *The Village of Estero was incorporated December 31, 2014. Therefore, fiscal year 2015 was the first year of operations, Ten-year historic data will be accumulated and reflected in future year's financial statements.*

Village of Estero, Florida

Direct And Overlapping Governmental Activities Debt

As of September 30, 2022

Schedule 11

Governmental Unit	Debt Outstanding	Estimated Percentage Applicable	Estimated Share of Overlapping Debt
Debt repaid with property taxes			
Lee County	$ 171,870,000 [1]	7.5% [2]	$ 12,890,250
Village direct debt			-
Total direct and overlapping debt			$ 12,890,250

[1] *Lee County Clerk of Court, Finance Division*

[2] *Determined by dividing:*

"Total Taxable Assessed Valuation" from Schedule 5	$ 7,190,253,638
by the "Total Taxable Assessed Value" of Lee County	$ 96,000,834,000

[3] *See Schedule 9 herein.*

[4] *Lee County Property Appraiser*

Village of Estero, Florida
Legal Debt Margin Information
Last Ten Fiscal Years

Schedule 12

	2013 [1]	2014 [1]	2015	2016	2017	2018	2019	2020	2021	2022
Legal debt limit [2]	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total net debt applicable to limit	-	-	153,500	-		-	19,231,584	17,590,289	16,919,830	-
Legal debt margin	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total net debt applicable to the limit as a percentage of debt limit	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%

[1] *The Village of Estero was incorporated December 31, 2014. Therefore, fiscal year 2015 is the first year of operations. There is no legal debt limit established by the Village.*

[2] *No legal debt limit has been established for the Village.*

Village of Estero, Florida
Demographic And Economic Statistics
Last Ten Fiscal Years

Schedule 13

Fiscal Year	Population Village of Estero [3]	Population Lee County [3]	Lee County [2] Total Personal Income (in thousands) [4]	Village of Estero Per Capita Personal Income [5]	Village of Estero Median Age [5]	Lee County [2] School Enrollment *(2)*	Lee County [2] Unemployment Rate [6]
2013 [1]	-	-	-	-	-	79,446	-
2014 [1]	-	-	-	-	-	79,446	-
2015 [1]	30,118	665,562	29,096,374	43,717	60.2	79,446	5.1%
2016	30,565	680,255	29,738,708	43,717	60.2	79,446	4.5%
2017	30,945	698,185	35,534,824	50,896	60.2	79,446	4.6%
2018	31,806	713,618	37,787,500	52,952	61.0	79,446	4.0%
2019	32,412	734,890	39,146,855	53,269	61.7	79,446	3.4%
2020	33,120	750,493	40,284,963	53,678	64.2	95,578	6.4%
2021	37,213	782,579	46,647,969	59,608	65.8	95,023	4.0%
2022	37,842	802,178	50,725,726	63,235	59.9	97,264	3.0%

[1] *The Village of Estero was incorporated December 31, 2014. Therefore, fiscal year 2015 was the first year of operations; however, property taxes were not assessed by the Village of Estero until fiscal year 2016. Ten-year historic data will be accumulated and reflected in future year's financial statements. 2015 report originally issued contained data for Lee County and was subsequently been updated as Village of Estero data has become available for comparative purposes.*

Data Sources:

[2] *Village of Estero statistics unattainable.*

[3] *The Florida Legislature Office of Economic and Demographic Research, University of Florida.*

[4] *Determined by multiplying population by per capita income.*

[5] *Lee County Economic Development, Community Profile for 2015 as data is updated every five years.*

[6] *Data for all years is for Lee County as Village of Estero statistics were unobtainable. Lee County, Florida Department of Economic Opportunity.*

Village of Estero, Florida

Principal Employers [2]

Current Fiscal Year and Nine Fiscal Years Ago

Schedule 14

	2022			2013 [1]		
Employer	Employees	Rank	Percentage of Total County Employment	Employees	Rank	Percentage of Total County Employment
Lee Memorial Health Systems	14,028	1	4.04%			
Lee County School District	11,003	2	3.17%			
Publix Super Markets	4,624	3	1.33%			
Wal-Mart Corporation	3,467	4	1.00%			
Lee County Administration	2,696	5	0.78%			
City of Cape Coral	1,858	6	0.54%			
Gartner, Inc.	1,819	7	0.52%			
Lee County Sheriff's Office	1,564	8	0.45%			
Chico's FAS Inc.	1,532	9	0.44%			
McDonald's	1,522	10	0.44%			
Total	44,113		12.71%	-		0.00%

Source: Lee County Clerk of Court & Lee County Economic Development Office.

[1] *The Village of Estero was incorporated December 31, 2014. Therefore, fiscal year 2015 was the first year of operations. Ten-year historic data will be accumulated and reflected in future year's financial statements as data becomes available.*

[2] *Information listed is for Lee County as statistics for Village of Estero are unavailable.*

[3] *Lee County Economic Development was not able to update this data for FY 2022.*

Village of Estero, Florida

Full-Time Equivalent Village Government Employees by Function

Last Ten Fiscal Years

Schedule 15

	Full-time Equivalent Employees as of September 30									
	2013 [1]	2014 [1]	2015	2016	2017	2018	2019	2020	2021	2022
Function										
General Government	-	-	5.0	7.0	8.5	10.5	11.0	12.0	12.0	12.0
Total	-	-	5.0	7.0	8.5	10.5	11.0	12.0	12.0	12.0

Source: Village of Estero Annual Budget as amended.

[1] *The Village of Estero was incorporated December 31, 2014. Therefore, fiscal year 2015 was the first year of operations. Ten-year historic data will be accumulated and reflected in future year's financial statements.*

Village of Estero, Florida
Operating Indicators By Function [2]
Last Ten Fiscal Years

Schedule 16

	Fiscal Year									
	2013 [1]	2014 [1]	2015 [2]	2016 [2]	2017 [2]	2018 [2]	2019 [2]	2020 [2]	2021 [2]	2022 [2]
Function										
General Government	-	-	-	-	-	-	-	-	-	-
Total	-	-	-	-	-	-	-	-	-	-

Note: Operating Indicators are not available for General Government function.

Source: Various Village of Estero Departments

[1] *The Village of Estero was incorporated December 31, 2014. Therefore, fiscal year 2015 was the first year of operations. Ten-year historic data will be accumulated and reflected in future year's financial statements.*

[2] *The Village does not maintain Operating Indicators by Function; therefore, data is not available.*

Village of Estero, Florida

Capital Asset Statistics By Function [2]

Last Ten Fiscal Years

Schedule 17

	Fiscal Year									
	2013 [1]	2014 [1]	2015 [2]	2016 [2]	2017 [2]	2018 [2]	2019 [2]	2020 [2]	2021 [2]	2022 [2]
Function										
General Government	-	-	-	-	-	-	-	-	-	-
Total	-	-	-	-	-	-	-	-	-	-

[1] *The Village of Estero was incorporated December 31, 2014. Therefore, fiscal year 2015 was the first year of operations. Ten-year historic data will be accumulated and reflected in future year's financial statements.*

[2] *The Village does not maintain Capital Asset Statistics by Function; therefore, data is not available.*

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Single Audit Report



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INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF BASIC FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS

Village Council
Village of Estero
9401 Corkscrew Palms Circle
Estero, Florida 33928

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States of America, the basic financial statements of the governmental activities, each major fund and the non-major fund of the Village of Estero (the "Village") as of and for the year ended September 30, 2022, and the related notes to the financial statements which collectively comprise the Village's basic financial statements as listed in the table of contents and have issued our report thereon dated June 7, 2023.

Internal Control Over Financial Reporting
In planning and performing our audit of the financial statements, we considered the Village's internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Village's internal control. Accordingly, we do not express an opinion on the effectiveness of the Village's internal control.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A material weakness is a deficiency, or combination of deficiencies, in internal control such that there is a reasonable possibility that a

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material misstatement of the basic financial statements will not be prevented or detected and corrected on a timely basis. A significant deficiency is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses, as defined previously. However, material weaknesses may exist have not been identified.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Village of Estero's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, noncompliance with which could have a direct and material effect on the financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed an instance of noncompliance that is required to be reported under Government Auditing Standards. The instance of noncompliance noted is disclosed in our Independent Auditor's Report to Management.

Purpose of This Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Village's internal control or on compliance. This report is an integral part of an audit performed in accordance with Government Auditing Standards in considering the Village's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

Tuscan & Company, P.A.

TUSCAN & COMPANY, P.A.
Fort Myers, Florida
June 7, 2023

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Tax Division

INDEPENDENT ACCOUNTANT'S REPORT ON COMPLIANCE WITH SECTION 218.415, FLORIDA STATUTES

Village Council
Village of Estero
9401 Corkscrew Palms Circle
Estero, Florida 33928

We have examined the Village of Estero's compliance with Section 218.415, Florida Statutes, regarding the investment of public funds during the year ended September 30, 2022. Management is responsible for the Village of Estero's compliance with those requirements. Our responsibility is to express an opinion on the Village of Estero's compliance based on our examination.

Our examination was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants and, accordingly, included examining, on a test basis, evidence about the Village of Estero's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances. We believe that our examination provides a reasonable basis for our opinion. Our examination does not provide a legal determination on the Village of Estero's compliance with specified requirements.

In our opinion, the Village of Estero complied, in all material respects, with the aforementioned requirements for the year ended September 30, 2022.

This report is intended solely for the information and use of the Village of Estero, management and the Auditor General, State of Florida, and is not intended to be and should not be used by anyone other than these specified parties.

Tuscan & Company, P.A.

TUSCAN & COMPANY, P.A.
Fort Myers, Florida
June 7, 2023

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VILLAGE OF ESTERO, FLORIDA
SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
Year Ended September 30, 2022

Grantor Agency/Program Title	Federal CFDA/ Number		Grantor's Number	Federal Expenditures
FEDERAL AGENCY				
U.S. Department of Treasury				
TYPE A - MAJOR				
Passed through State of Florida				
Division of Emergency Management				
Coronavirus State and Local Fiscal Recovery Funds	21.027		Y5078	$ 4,709,977
U.S. Department of Housing and Urban Development				
TYPE B - NON MAJOR				
Passed through Lee County, Department of Human and Veteran Service				
Community Development Block Grant	14.218	(1)	9108	29,673
TOTAL FEDERAL FINANCIAL AWARDS				$ 4,739,650

(1) Part of CDBG - Entitlement Grants Cluster

VILLAGE OF ESTERO, FLORIDA
NOTES TO THE SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
Year Ended September 30, 2022

NOTE A - BASIS OF PRESENTATION

The Schedule of Expenditures of Federal Awards has been prepared on the accrual basis of accounting in conformity with accounting principles generally accepted in the United States of America and is in accordance with the provisions of the OMB Uniform Guidance.

Expenditures reported on the Schedule of Expenditures of Federal Awards include cash disbursements, whether capitalized or expensed, during the fiscal year as well as grant related amounts recorded as payable at year end. Revenues reported on the Schedule of Expenditures of Federal Awards include cash receipts, whether recognized or deferred, as well as grant receivables recorded at year end.

NOTE B - INDIRECT COSTS

The Village did not routinely allocate indirect costs to Federal Awards. Costs charged to such programs were direct costs.

The Village has elected not to use the 10% de minimus indirect cost rate allowed under the Uniform Guidance.

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Independent Auditor's Report on Compliance for Each Major Program and on Internal Control Over Compliance Required by the Uniform Guidance

Village Council
Village of Estero
9401 Corkscrew Palms Circle
Estero , Florida 33928

Report on Compliance for Each Major Federal Program
We have audited Village of Estero's (the "Village") compliance with the types of compliance requirements described in the OMB Compliance Supplement, as applicable, that could have a direct and material effect on each of Village of Estero's major federal program for the year ended September 30, 2022. Village of Estero's major federal program is identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs.

Management's Responsibility
Management is responsible for compliance with the requirements of laws, regulations, contracts, and grants applicable to its major federal program.

Auditor's Responsibility
Our responsibility is to express an opinion on compliance for the Village of Estero's major federal program based on our audit of the types of compliance requirements referred to above. We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States of America; and audit requirements of Title 2 U.S. Code of Federal Regulations Part 200, "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards" ("Uniform Guidance"). Those standards and the Uniform Guidance require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program occurred. An audit includes examining, on a test basis, evidence about Village of Estero's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances.

We believe that our audit provides a reasonable basis for our opinion on compliance for each major federal program. However, our audit does not provide a legal determination of Village of Estero's compliance with those requirements.

Opinion on Each Major Federal Program
In our opinion, Village of Estero's complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on each of its major federal programs for the year ended September 30, 2022.

Report on Internal Control Over Compliance
Management of Village of Estero is responsible for establishing and maintaining effective internal control over compliance with the types of compliance requirements referred to above. In planning and performing our audit of compliance, we considered Village of Estero's internal control over compliance with the types of requirements that could have a direct and material effect on each major federal program to determine the auditing procedures that are appropriate in the circumstances for the purpose of expressing an opinion on compliance for each major federal program and to test and report on internal control over compliance in accordance with the Uniform Guidance, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of Village of Estero's internal control over compliance.

A deficiency in internal control over compliance exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct noncompliance with a type of compliance requirement of a federal program on a timely basis. A material weakness in internal control over compliance is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. A significant deficiency in internal control over compliance is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over compliance that might be deficiencies, material weaknesses or significant deficiencies. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Purpose of the Report

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Accordingly, this report is not suitable for any other purpose.



TUSCAN & COMPANY, P.A.
Fort Myers, Florida
June 7, 2023

VILLAGE OF ESTERO, FLORIDA
SCHEDULE OF FINDINGS AND QUESTIONED COSTS - FEDERAL AWARDS
Year ended September 30, 2022

Section I – Summary of Auditor's Results

Financial Statements

Type of auditor's report issued			Unmodified	
Internal control over financial reporting:				
Control deficiency(ies) identified?		Yes	X	No
Significant deficiency(ies) identified?		Yes	X	No
Material weakness(es) identified?		Yes	X	None reported
Noncompliance material to financial statements noted?		Yes	X	No

Federal Awards

Internal control over major programs:				
Control deficiency(ies) identified?		Yes	X	No
Significant deficiency(ies) identified?		Yes	X	No
Material weakness(es) identified?		Yes	X	None reported
Type of auditors report issued on compliance for major programs			Unmodified	
Any audit findings disclosed that are required to be reported in accordance with 2 CFR, Section 200.516(a)?		Yes	X	No

Identification of major programs (Type A):

CFDA Number(s)	Name of Federal Program or Cluster
	U.S. Department of Treasury
21.027	Coronavirus State and Local Fiscal Recovery Funds

Dollar threshold used to distinguish between Type A and Type B programs: Threshold used was $750,000.

Auditee qualified as low-risk auditee?		Yes	X	No

VILLAGE OF ESTERO, FLORIDA
SCHEDULE OF FINDINGS AND QUESTIONED COSTS - FEDERAL AWARDS
Year ended September 30, 2022

Listing of Subrecipients and matching amounts passed-through:

None - not applicable

Section II- Financial Statement Findings
There were no deficiencies, material weaknesses, or instances of noncompliance related to the financial statements.

Section III- Federal Award Findings and Questioned Costs
There were no audit findings related to Federal Awards required to be reported by 2 CFR, Section 200.516(a).

Section IV- Status of Federal Prior Year Findings
There were no prior year findings as no Federal Single Audit was required.

TUSCAN
& Company, PA
Certified Public Accountants & Consultants

Affiliations
Florida Institute of Certified Public Accountants
American Institute of Certified Public Accountants
Private Companies Practice Section
Tax Division

Independent Auditor's Report on Compliance for Each Major Program and on Internal Control Over Compliance Required by the Uniform Guidance

Village Council
Village of Estero
9401 Corkscrew Palms Circle
Estero , Florida 33928

Report on Compliance for Each Major Federal Program
We have audited Village of Estero's (the "Village") compliance with the types of compliance requirements described in the OMB Compliance Supplement, as applicable, that could have a direct and material effect on each of Village of Estero's major federal program for the year ended September 30, 2022. Village of Estero's major federal program is identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs.

Management's Responsibility
Management is responsible for compliance with the requirements of laws, regulations, contracts, and grants applicable to its major federal program.

Auditor's Responsibility
Our responsibility is to express an opinion on compliance for the Village of Estero's major federal program based on our audit of the types of compliance requirements referred to above. We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States of America; and audit requirements of Title 2 U.S. Code of Federal Regulations Part 200, "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards" ("Uniform Guidance"). Those standards and the Uniform Guidance require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program occurred. An audit includes examining, on a test basis, evidence about Village of Estero's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances.

We believe that our audit provides a reasonable basis for our opinion on compliance for each major federal program. However, our audit does not provide a legal determination of Village of Estero's compliance with those requirements.

Opinion on Each Major Federal Program
In our opinion, Village of Estero's complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on each of its major federal programs for the year ended September 30, 2022.

Report on Internal Control Over Compliance
Management of Village of Estero is responsible for establishing and maintaining effective internal control over compliance with the types of compliance requirements referred to above. In planning and performing our audit of compliance, we considered Village of Estero's internal control over compliance with the types of requirements that could have a direct and material effect on each major federal program to determine the auditing procedures that are appropriate in the circumstances for the purpose of expressing an opinion on compliance for each major federal program and to test and report on internal control over compliance in accordance with the Uniform Guidance, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of Village of Estero's internal control over compliance.

A deficiency in internal control over compliance exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct noncompliance with a type of compliance requirement of a federal program on a timely basis. A material weakness in internal control over compliance is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. A significant deficiency in internal control over compliance is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over compliance that might be deficiencies, material weaknesses or significant deficiencies. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Purpose of the Report

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Accordingly, this report is not suitable for any other purpose.

Tuscan & Company, P.A.

TUSCAN & COMPANY, P.A.
Fort Myers, Florida
June 7, 2023

Village of ESTERO

Joanne Ribble
Vice Mayor
District One

Larry Fiesel
District Two

Jon McLain
Mayor
District Three

Lori Fayhee
District Four

Rafael Lopez
District Five

Jim Ward
District Six

George Zalucki
District Seven

Steve Sarkozy
Village Manager

Robert M.
Eschenfelder, Esq.
Village Attorney

June 14, 2023

Tuscan & Company, PA
12621 World Plaza Lane, Building 55
Fort Myers, FL 33907

Re: **Management Letter for Fiscal Year Ended September 30, 2022**

This letter will confirm receipt of your management letter reviewed by us.

Current Year Comment: During the audit, we noted that the Village had expenditures in excess of its final approved budget in two funds; the building fund and the driving range fund. Florida Statute Chapter 166.241 (2) prohibits such excess expenditures.

We recommend the Village budget its audited carryforward in each fund which will provide a contingency and help to eliminate the potential of an over expenditure. Alternately, expenditures in excess of budget should be monitored and avoided.

Management's Response: At the completion of each annual fiscal year financial audit, the Village will adopt a mid-year budget amendment which will include the audited carryforward in each fund.

Steven R. Sarkozy
Village Manager

Kevin Greenville, CPA
Village Finance Director

Village of ESTERO

June 14, 2023

Joanne Ribble
Vice Mayor
District One

Larry Fiesel
District Two

Jon McLain
Mayor
District Three

Lori Fayhee
District Four

Rafael Lopez
District Five

Jim Ward
District Six

George Zalucki
District Seven

Steve Sarkozy
Village Manager

Robert M.
Eschenfelder, Esq.
Village Attorney

BEFORE ME, the undersigned authority, personally appeared Steven Sarkozy, who being duly sworn, deposes and says on oath that:

1. I am the Village Manager of the Village of Estero which is a local government entity of the State of Florida;

2. The governing body of the Village of Estero adopted Ordinance No. 2018-09 and No. 2018-10 implementing an impact fee: and

3. The Village of Estero has complied and, as of the date of this Affidavit, remains in compliance with Section 163.31801, Florida Statutes.

FURTHER AFFIANT SAYETH NAUGHT.

Steve Sarkozy
Village Manager, in lieu of Chief Financial Officer

STATE OF FLORIDA
COUNTY OF LEE

SWORN TO AND SUBSCRIBED before me this 15 day of June 2023.

Carolin Sacco
Notary Public

Print Name: Carolin Sacco

Personally known ✓ or produced identification _____

Type of identification produced:
Known to me

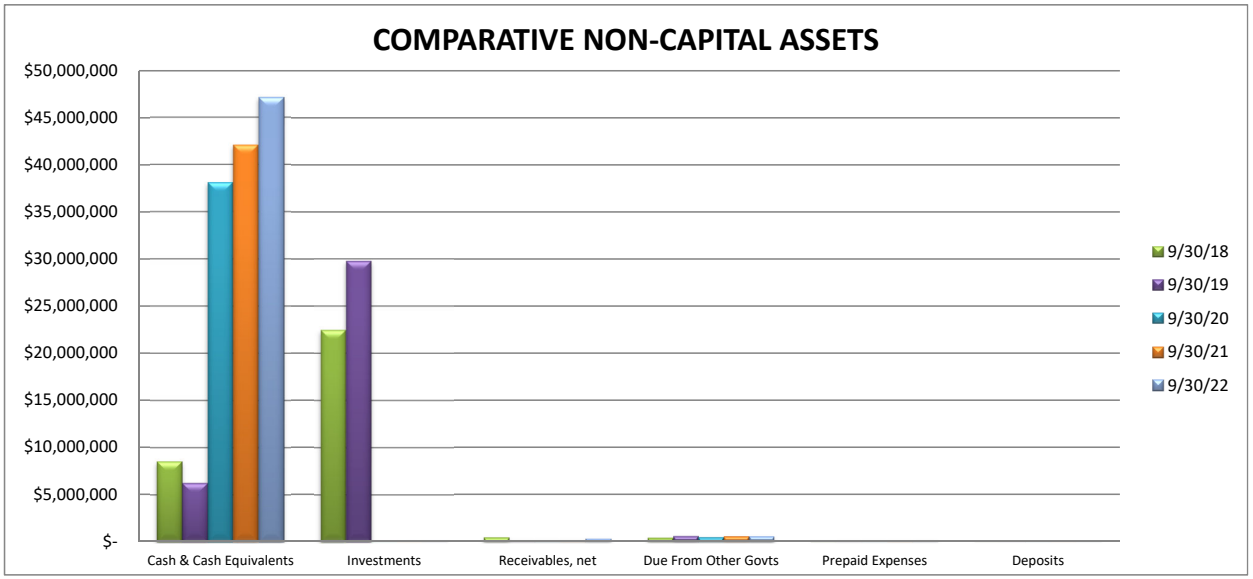
My Commission Expires:
11/28/2024

Notary Public State of Florida
Carolin Sacco
My Commission HH 048942
Expires 11/28/2024

VILLAGE OF ESTERO

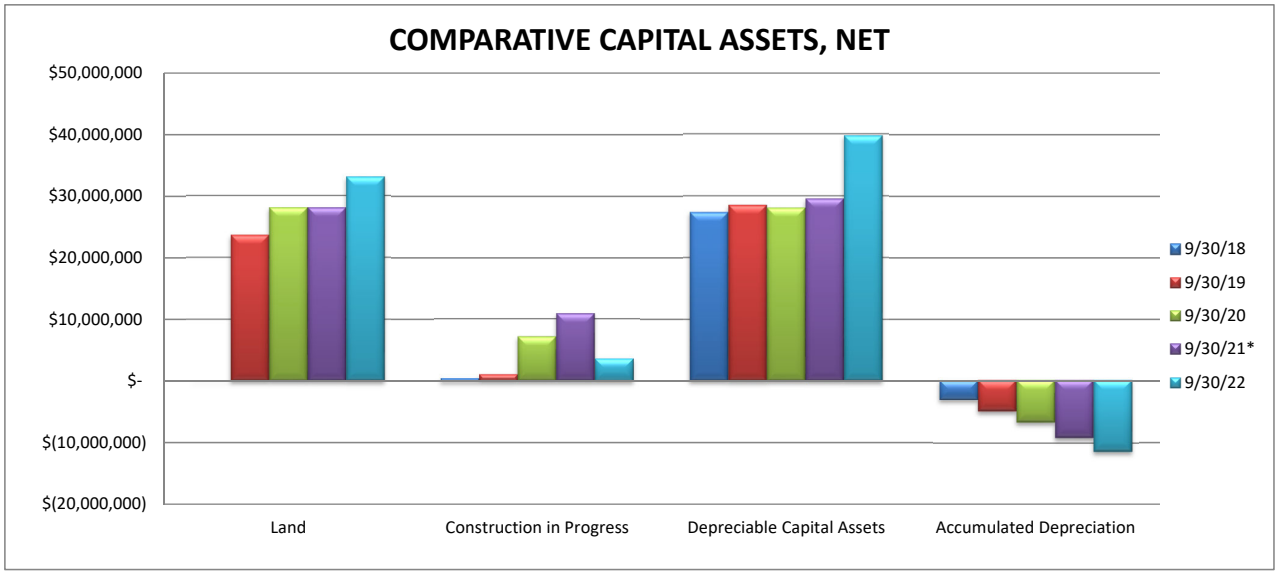
COMPARATIVE SUMMARY OF NON-CAPITAL ASSETS

September 30, 2018, 2019, 2020, 2021 & 2022



	9/30/18	9/30/19	9/30/20	9/30/21	9/30/22	Increase (Decrease)	% Inc (Dec)
Cash & Cash Equivalents	$ 8,547,937	$ 6,272,913	$ 38,125,325	$ 42,084,415	$ 47,124,858	**5,040,443**	**12%**
Investments	22,466,495	29,768,612	24,676	24,713	24,925	**212**	**1%**
Receivables, net	438,668	199,410	202,927	214,217	316,306	**102,089**	**48%**
Due From Other Govts	377,852	531,916	429,666	489,373	503,699	**14,326**	**3%**
Prepaid Expenses	51,024	76,484	77,146	87,252	93,568	**6,316**	**7%**
Deposits	14,633	14,633	15,201	14,945	14,625	**(320)**	**(2%)**
Total Non-Capital Assets	**$ 31,896,609**	**$ 36,863,968**	**$ 38,874,941**	**$ 42,914,915**	**$ 48,077,981**	**$ 5,163,066**	**12%**

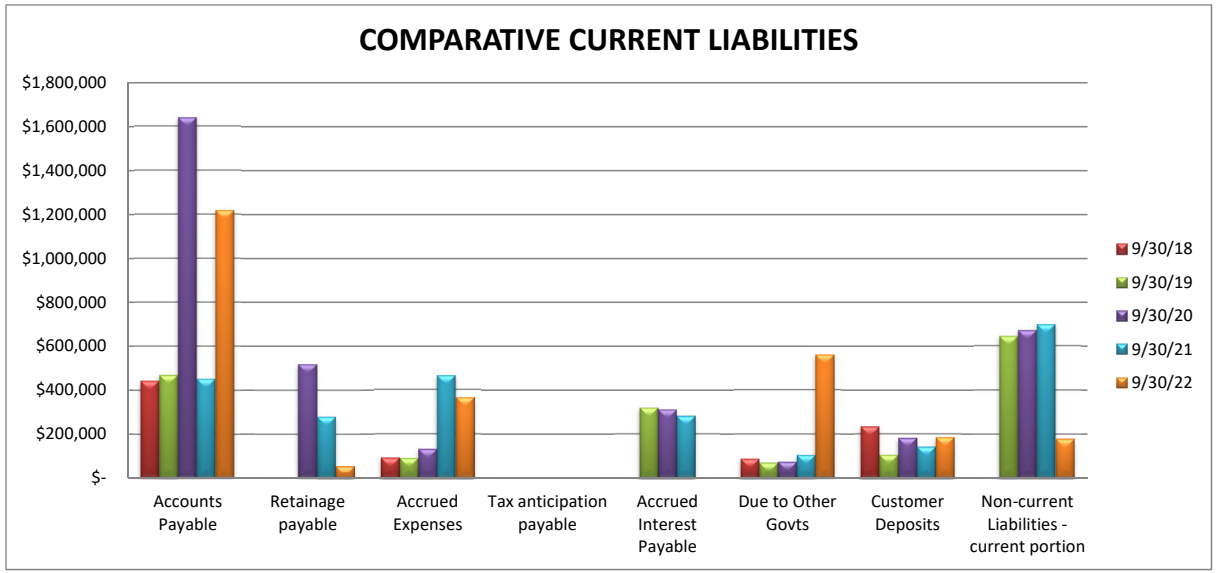
VILLAGE OF ESTERO **Page 2**
COMPARATIVE SUMMARY OF CAPITAL ASSETS, NET
September 30, 2018, 2019, 2020, 2021 & 2022



	9/30/18	9/30/19	9/30/20	9/30/21*	9/30/22	Increase (Decrease)	% Inc (Dec)
Land	$ -	$ 23,641,689	$ 28,092,646	$ 28,092,646	$ 33,063,072	**$ 4,970,426**	**18%**
Construction in Progress	527,742	1,111,454	7,197,119	10,890,386	3,654,646	**(7,235,740)**	**(66%)**
Depreciable Capital Assets	27,385,746	28,523,902	28,073,772	29,558,207	39,769,477	**10,211,270**	**35%**
Accumulated Depreciation	(3,114,525)	(4,956,453)	(6,727,541)	(9,186,819)	(11,365,641)	**(2,178,822)**	**24%**
Total Capital Assets, Net	**$ 24,798,963**	**$ 48,320,592**	**$ 56,635,996**	**$ 59,354,420**	**$ 65,121,554**	**$ 5,767,134**	**10%**

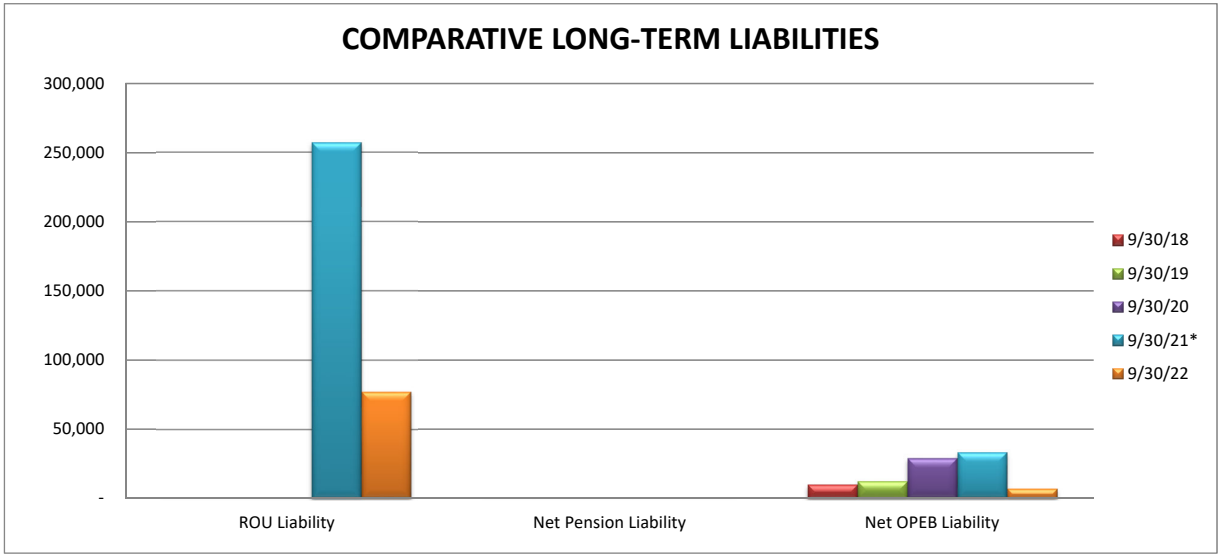
*Restated GASB 87

VILLAGE OF ESTERO
COMPARATIVE SUMMARY OF CURRENT LIABILITIES
September 30, 2018, 2019, 2020, 2021 & 2022



CURRENT LIABILITIES	9/30/18	9/30/19	9/30/20	9/30/21	9/30/22	Increase (Decrease)	% Inc (Dec)
Accounts Payable	$ 443,126	$ 469,635	$ 1,639,470	$ 452,108	$ 1,218,632	**$ 766,524**	**170%**
Retainage payable	-	-	517,536	280,540	55,169	**(225,371)**	**(80%)**
Accrued Expenses	93,205	92,362	132,377	463,632	365,718	**(97,914)**	**(21%)**
Tax anticipation payable	-	-	-	-	-	**-**	**N/A**
Accrued Interest Payable	-	318,401	310,166	281,571	-	**(281,571)**	**(100%)**
Due to Other Govts	89,065	70,644	74,703	106,302	558,737	**452,435**	**426%**
Customer Deposits	234,188	106,739	182,171	143,025	186,161	**43,136**	**30%**
Non-current Liabilities - current portion	-	644,610	670,459	697,344	179,721	**(517,623)**	**(74%)**
Subtotal	$ 859,584	$ 1,702,391	$ 3,526,882	$ 2,424,522	$ 2,564,138	$ 139,616	**6%**

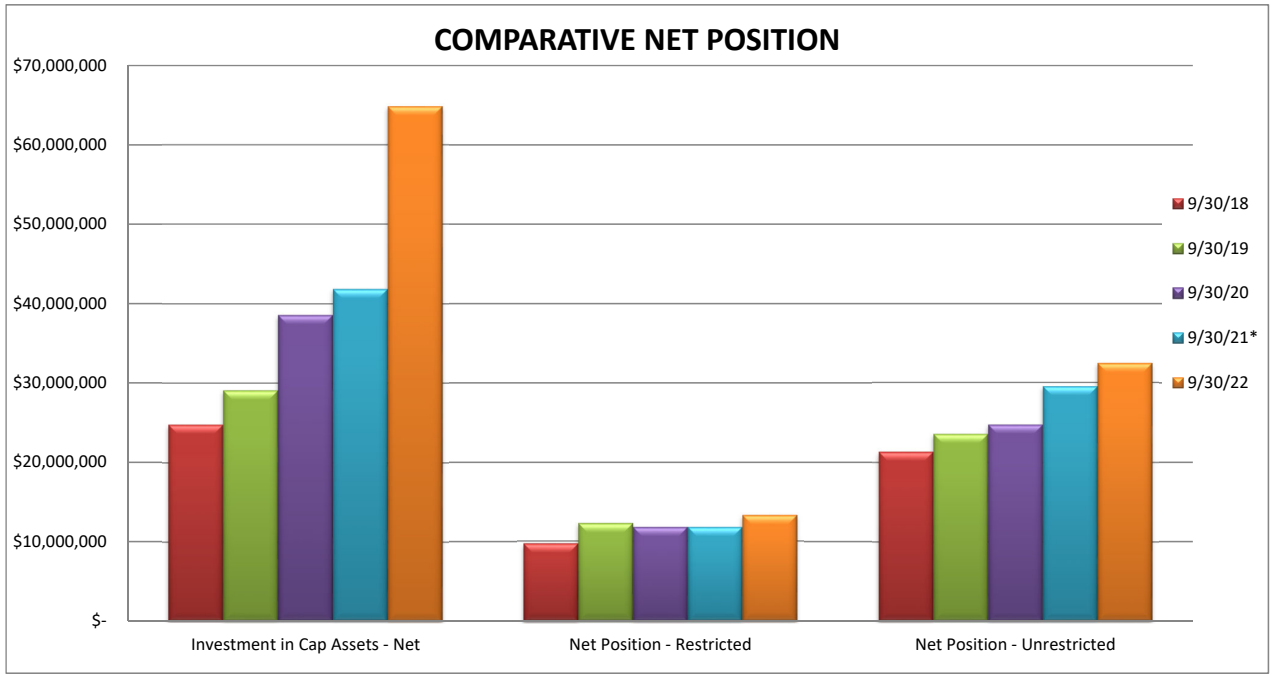
VILLAGE OF ESTERO
COMPARATIVE SUMMARY OF LONG-TERM LIABILITIES
September 30, 2018, 2019, 2020, 2021 & 2022



LONG-TERM LIABILITIES	9/30/18	9/30/19	9/30/20	9/30/21*	9/30/22	Increase (Decrease)	% Inc (Dec)
Debt Long Term	$ -	$ 18,586,974	$ 16,919,830	$ 16,222,486	$ -	**$ (16,222,486)**	**(100%)**
ROU Liability	-	-	-	257,039	77,318	(179,721)	**(70%)**
Net Pension Liability	-	-	-	-	-	-	**N/A**
Net OPEB Liability	10,160	12,628	28,740	32,928	7,292	**(25,636)**	**(78%)**
Subtotal	**$ 10,160**	**$ 18,599,602**	**$ 16,948,570**	**$ 16,512,453**	**$ 84,610**	**$ (16,427,843)**	**(99%)**
Current Portion of LT Debt	-	644,610	670,459	869,101	179,721		
Total Long-term Liabilities	**$ 10,160**	**$ 19,244,212**	**$ 17,619,029**	**$ 17,381,554**	**$ 264,331**		

*Restated GASB 87

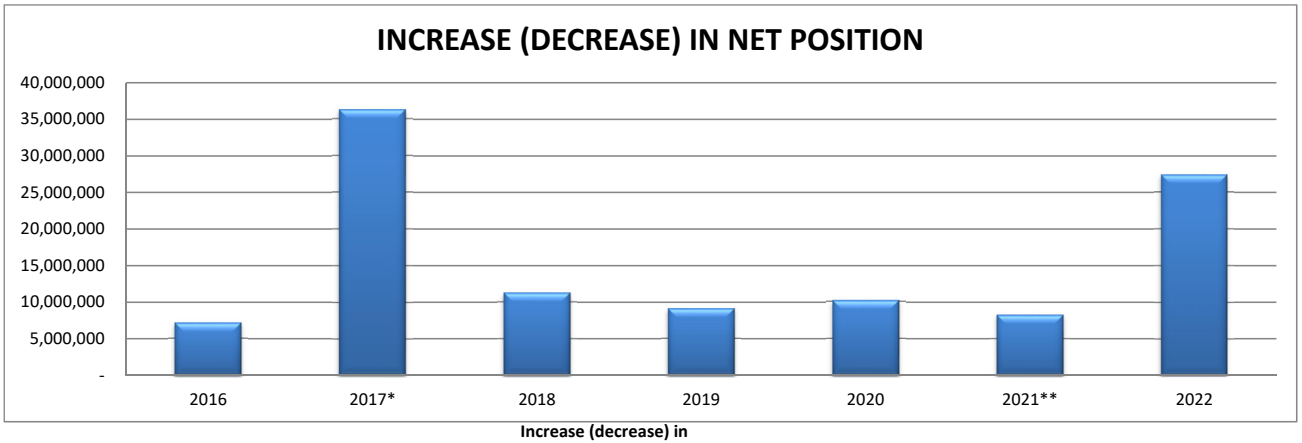
VILLAGE OF ESTERO
COMPARATIVE SUMMARY OF NET POSITION
September 30, 2018, 2019, 2020, 2021 & 2022



NET POSITION	9/30/18	9/30/19	9/30/20	9/30/21*	9/30/22	Increase (Decrease)	% Inc (Dec)
Investment in Cap Assets - Net	$ 24,798,963	$ 29,089,008	$ 38,568,728	$ 41,861,098	$ 64,858,901	**$ 22,997,803**	**55%**
Net Position - Restricted	9,714,291	12,243,096	11,742,357	11,753,713	13,236,213	**1,482,500**	**13%**
Net Position - Unrestricted	21,312,574	23,550,463	24,724,400	29,545,792	32,457,673	**2,911,881**	**10%**
Total Net Position	**$ 55,825,828**	**$ 64,882,567**	**$ 75,035,485**	**$ 83,160,603**	**$ 110,552,787**	**$ 27,392,184**	**33%**

* Restated GASB 87

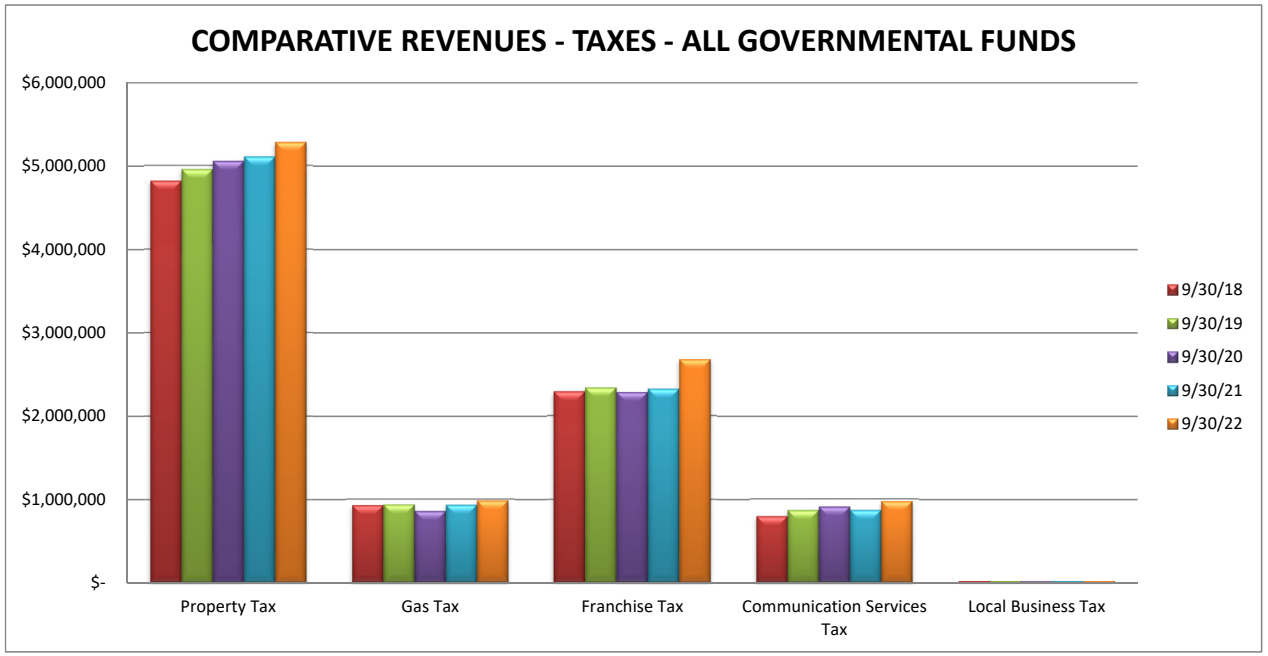
VILLAGE OF ESTERO
INCREASE (DECREASE) IN NET POSITION
Years Ended September 30, 2016 - September 30, 2022



Fiscal Year	Increase (decrease) in Net Position
2016	7,115,807
2017*	36,279,634
2018	11,258,853
2019	9,056,739
2020	10,152,918
2021**	8,260,962
2022	27,392,184

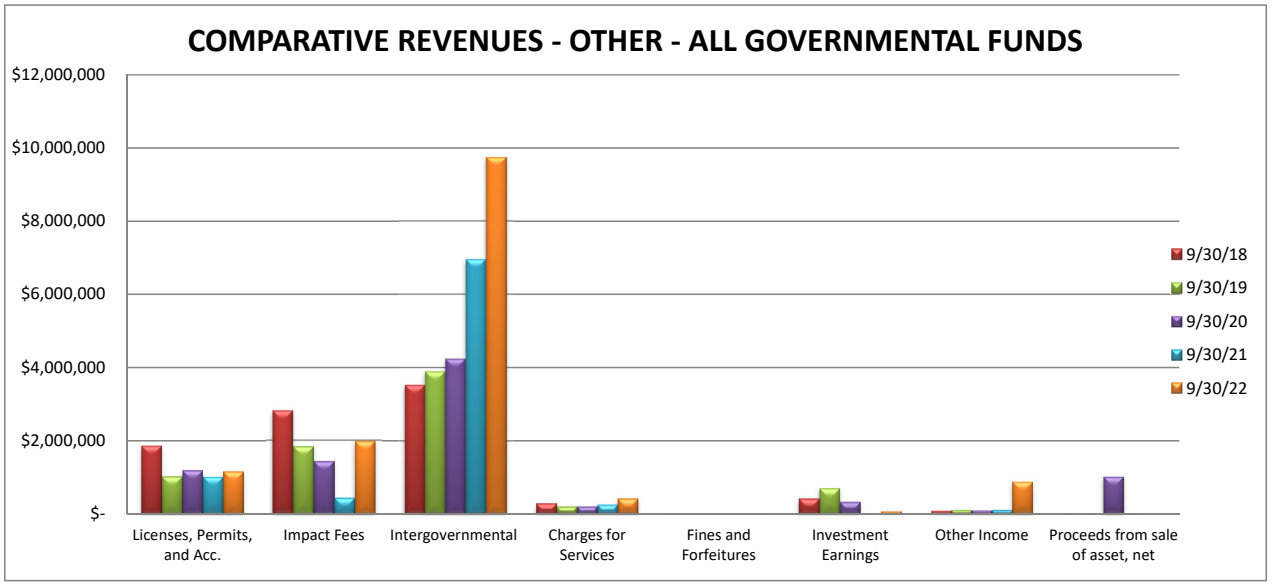
*Increase in investment in Capital Assets -Net during 9/30/17 is the result of $26,670,402 on roads and related infrastructure conveyed from Lee County
** Restated GASB 87

VILLAGE OF ESTERO **Page 7**
COMPARATIVE SUMMARY OF REVENUES - TAXES
(FUND-BASIS STATEMENTS)
Fiscal Years Ended September 30, 2018, 2019, 2020, 2021 & 2022



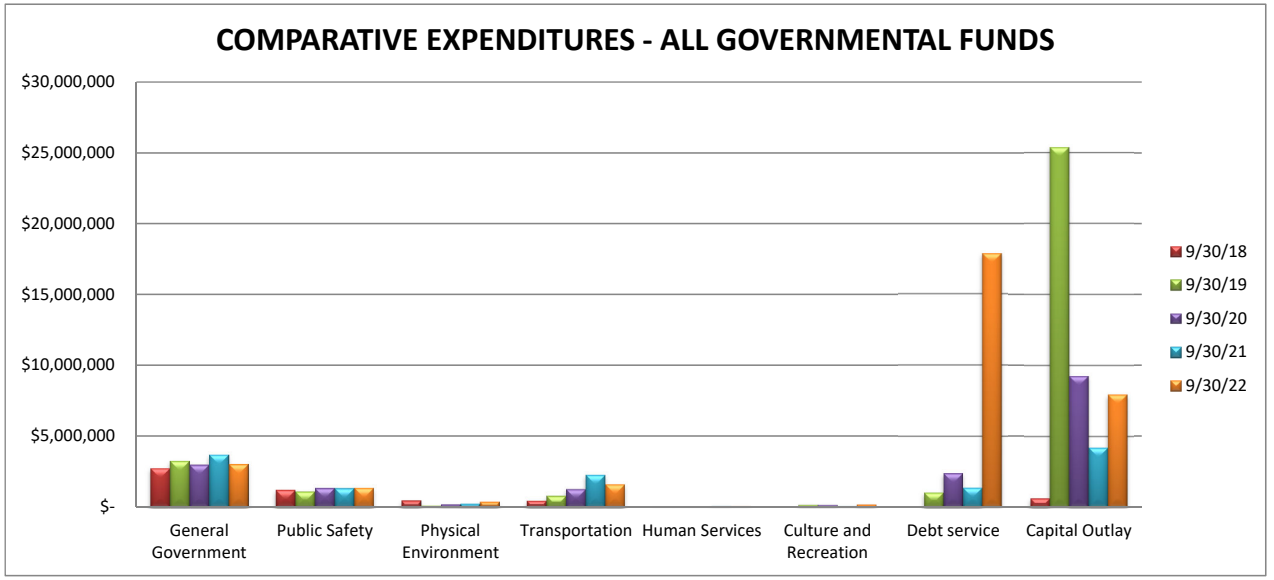
Revenues - Taxes	9/30/18	9/30/19	9/30/20	9/30/21	9/30/22	Increase (Decrease)	% Inc (Dec)
Property Tax	$ 4,819,043	$ 4,955,863	$ 5,054,886	$ 5,109,211	$ 5,280,762	**$ 171,551**	**3%**
Gas Tax	927,245	935,653	857,584	932,098	982,493	**50,395**	**5%**
Franchise Tax	2,288,523	2,333,614	2,280,032	2,319,395	2,670,762	**351,367**	**15%**
Communication Services Tax	794,969	866,260	909,318	869,653	972,497	**102,844**	**12%**
Local Business Tax	22,561	23,047	19,624	20,919	20,997	**78**	**0%**
Total	**$ 8,852,341**	**$ 9,114,437**	**$ 9,121,444**	**$ 9,251,276**	**$ 9,927,511**	**$ 676,235**	**7%**

VILLAGE OF ESTERO **Page 8**
COMPARATIVE SUMMARY OF REVENUES - OTHER
(FUND-BASIS STATEMENTS)
Fiscal Years Ended September 30, 2018, 2019, 2020, 2021 & 2022



Revenues - Other	9/30/18	9/30/19	9/30/20	9/30/21	9/30/22	Increase (Decrease)	% Inc (Dec)
Licenses, Permits, and Acc.	$ 1,854,018	$ 1,020,666	$ 1,187,400	$ 1,011,429	$ 1,152,046	$ 140,617	14%
Impact Fees	2,802,274	1,830,982	1,432,917	441,935	1,977,097	1,535,162	347%
Intergovernmental	3,522,911	3,894,401	4,241,552	6,955,483	9,742,576	2,787,093	40%
Charges for Services	279,144	195,212	200,901	250,390	402,803	152,413	61%
Fines and Forfeitures	543	790	920	543	330	(213)	(39%)
Investment Earnings	407,796	680,027	319,602	8,284	69,708	61,424	741%
Other Income	89,784	106,363	102,570	107,636	879,952	772,316	718%
Proceeds from sale of asset, net	-	-	996,685	-	-	-	N/A
Capital contributions	-	-	89,307	290,954	53,695	(237,259)	(82%)
Total Revenues	**$ 8,956,470**	**$ 7,728,441**	**$ 8,571,854**	**$ 9,066,654**	**$ 14,278,207**	**$ 5,211,553**	**57%**

VILLAGE OF ESTERO **Page 9**
COMPARATIVE SUMMARY OF EXPENDITURES
(FUND-BASIS STATEMENTS)
Fiscal Years Ended September 30, 2018, 2019, 2020, 2021 & 2022



Expenditures	9/30/18	9/30/19	9/30/20	9/30/21	9/30/22	Increase (Decrease)	% Inc (Dec)
General Government	$ 2,737,183	$ 3,225,843	$ 2,964,950	$ 3,664,593	$ 3,009,102	**$ (655,491)**	**(18%)**
Public Safety	1,177,337	1,064,991	1,305,996	1,285,350	1,315,941	**30,591**	**2%**
Physical Environment	433,352	112,001	191,691	241,108	359,372	**118,264**	**49%**
Transportation	457,090	784,925	1,243,529	2,216,002	1,567,819	**(648,183)**	**(29%)**
Human Services	22,756	33,879	37,932	49,523	41,972	**(7,551)**	**(15%)**
Culture and Recreation	-	129,032	128,094	71,846	147,655	**75,809**	**106%**
Debt service	-	1,058,288	2,411,883	1,391,072	17,852,397	**16,461,325**	**1183%**
Capital Outlay	642,901	25,371,816	9,247,823	4,225,884	7,945,956	**3,720,072**	**88%**
Total Expenditures	**$ 5,470,619**	**$ 31,780,775**	**$ 17,531,898**	**$ 13,145,378**	**$ 32,240,214**	**$ 19,094,836**	**145%**

AGENDA ITEM SUMMARY SHEET
VILLAGE COUNCIL MEETING
July 5, 2023

Agenda Item:

Village of Estero Water Monitoring Contract - 2024

Motion to approve award of Supplemental Task Authorization 06 to Contract EC 2022-38 to Johnson Engineering to provide water monitoring services for The Village of Estero for $146,340.

Approve a $14,600 contingency for additional services that may be required to complete the project.

Authorize the Village Manager to sign the STA and other additional implementing documents within the scope of the STA on behalf of the Village of Estero Council.

Background:

The Village's Stormwater Master Plan includes recommendations to obtain additional water monitoring data to better understand water levels and water quality around Estero and improve the accuracy of stormwater models.

The Village Council previously approved contracts for water monitoring in Fiscal Years 2020-2021, 2021-2022 and 2022-2023. To continue water monitoring, a new contract is required for Fiscal Year 2023-2024.

Description:

The attached contract with Johnson Engineering, Inc. will continue the Village's stormwater monitoring efforts. Tasks include the following;

- Replacing a damaged gage
- Nine water quality monitoring sites
- Four flow measurement sites
- Downloading data from seven surface water monitoring wells
- Download data for two United States Geological Survey sites
- Preparation of an annual monitoring report

Action Requested:

Motion to approve award of Supplemental Task Authorization 06 to Contract EC 2022-38 to Johnson Engineering to provide water monitoring services for The Village of Estero for $146,340.

Approve a $14,600 contingency for additional services that may be required to complete the project.

Authorize the Village Manager to sign the STA and other additional implementing documents within the scope of the STA on behalf of the Village of Estero Council.

Process and Timeline:

Johnson Engineering will continue stormwater monitoring throughout the Village for Fiscal Year 2023-2024. This contract will begin October 1, 2023.

Financial Impact:

The project's financial impact is $160,940 ($146,340 plus $14,600 contingency).

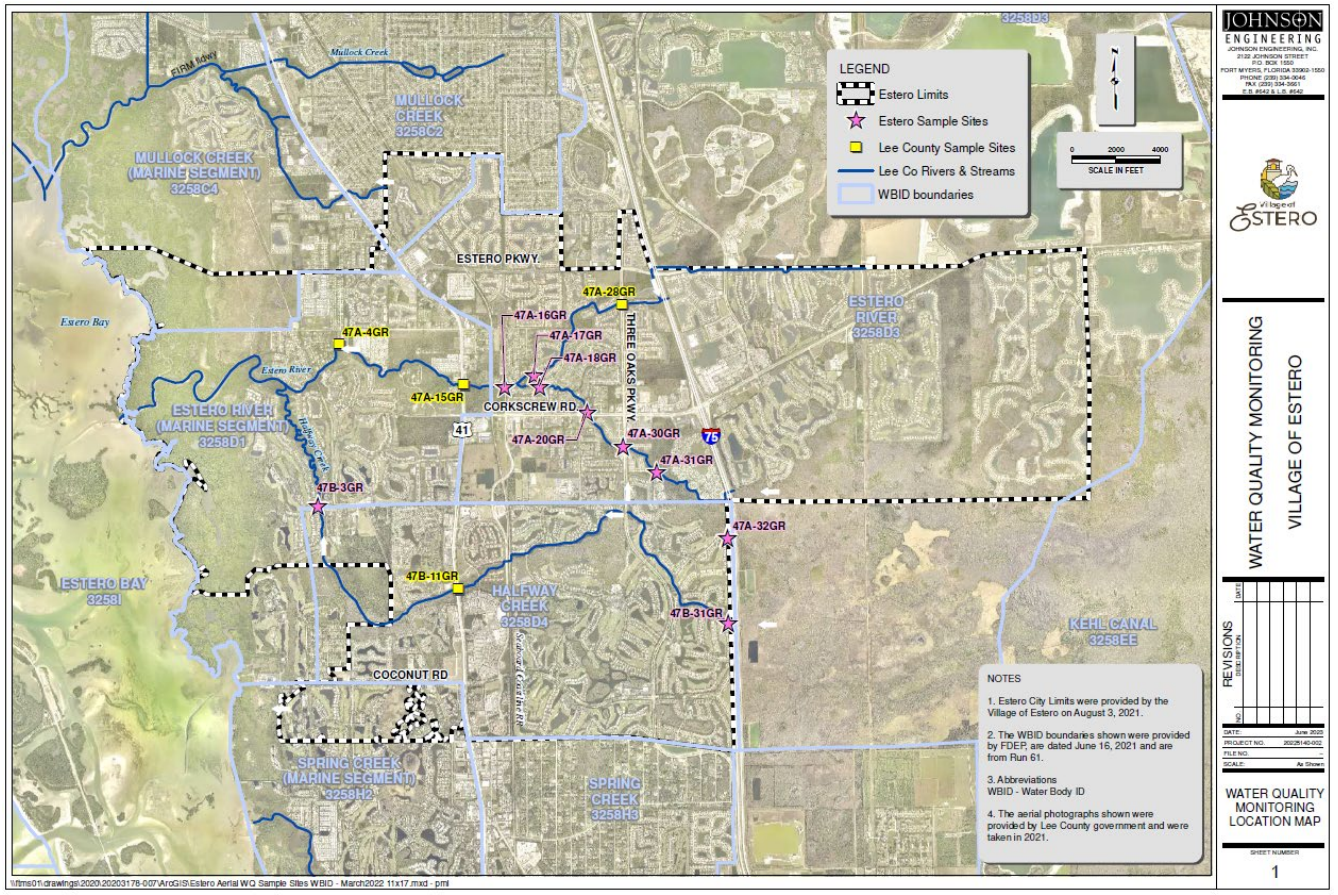
Sufficient funds are available in Fiscal Year 2022-2023 unallocated general funds to fund this contract. The Fiscal Year 2023-2024 budget will include $170,000 under Water Level & Water Quality Monitoring to fund this project.

Prepared by: David Willems, P.E.

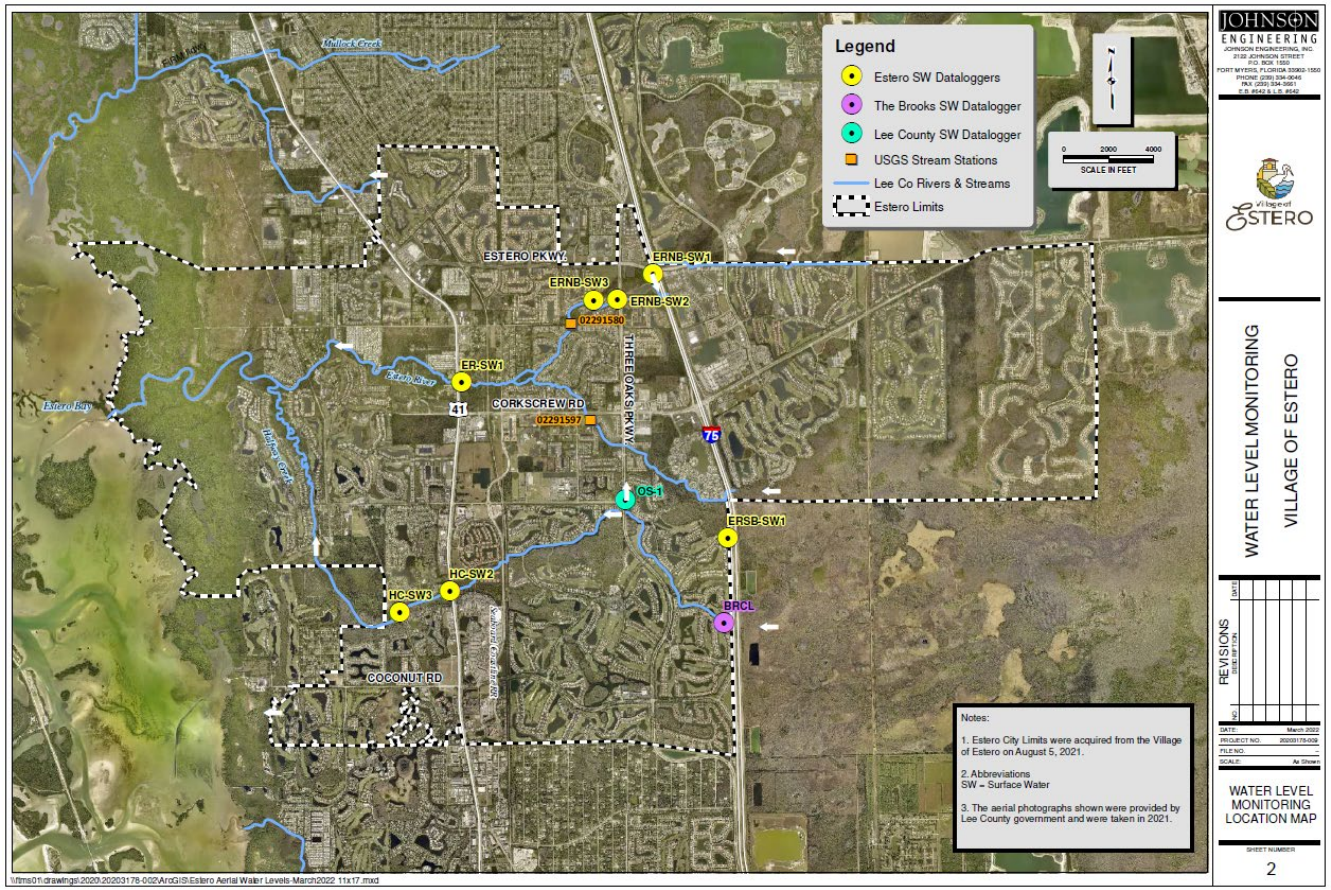
Attachments:

1. Location Maps
2. Contract
3. Ownership Disclosure

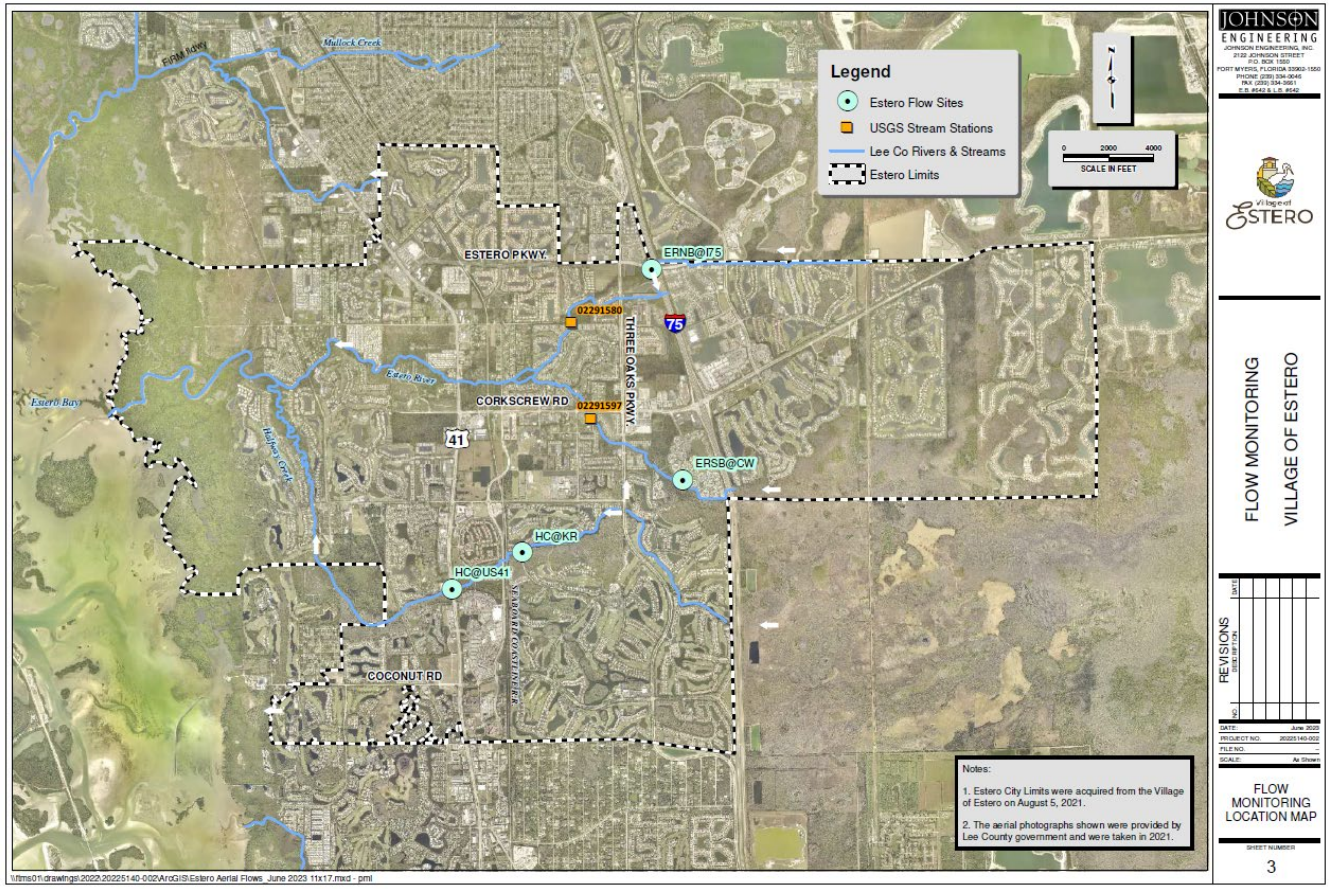
Attachment I to Exhibit A



Attachment II to Exhibit A



Attachment III to Exhibit A



Misc. Professional Services

EC 2022-38

STA No. 06

Project Name: Village of Estero Water Monitoring

Consultant: Johnson Engineering, Inc.

Tim Denison: tim@johnsoneng.com

Village of Estero Contract No.: EC 2022-38

Village of Estero Account Number: 001-260-5373105

Brief Description: Monitoring water quality, flow and water levels throughout the Village of Estero

Total Fees: $146,340

The Consultant shall perform the services outlined in the attached Exhibit A – Scope of Services and Exhibit B - Fees, under the terms and conditions outlined in the above referenced Village of Estero Contract No. EC 2022-38.

Consultant: Johnson Engineering, Inc.

By: _____

Name: _____

Title: _____

Date: _____

Village of Estero

By: _____

Name: Steve Sarkozy

Title: Village Manager

Date: _____

Attachments:
Exhibit A – Scope of Services
Exhibit B - Fees

EXHIBIT A

EC 2022-38 MISCELLANEOUS PROFESSIONAL SERVICES
SUPPLEMENTAL TASK AUTHORIZATION No. 6

SCOPE OF SERVICES

June 28, 2023

FOR: WATER MONITORING ASSISTANCE 2023-2024

A. PROJECT OVERVIEW

Johnson Engineering, Inc. ("CONSULTANT") shall provide water monitoring assistance to The Village of Estero (VILLAGE). The VILLAGE recently implemented a water resource monitoring program. The program was designed to improve the VILLAGE's understanding of its water resources. The data can be used to help guide future actions/programs by the VILLAGE. The water quality parameters follow those measured by Lee County to allow direct comparisons.

B. SCOPE OF SERVICES

TASK 1: Surface Water Datalogger Reinstallation
CONSULTANT will reinstall surface water datalogger ERNB-SW2 at the location shown on the Water Level Monitoring Location map, *Attachment II.* The metal support pipe and PVC pipe housing the In-Situ Rugged Troll at that location were damaged during recent dredging activities. CONSULTANT will resurvey the top of the well casing and reference elevation to the North American Vertical Datum of 1988 (NAVD88) using a benchmark set in the nearby sidewalk.

TASK 2: Monthly Water Quality Sampling and Flow Monitoring
CONSULTANT will conduct monthly surface water sampling at nine (9) water quality monitoring locations shown on the Water Quality Monitoring Location Map, *Attachment I,* which has been updated to include the four (4) new locations along Estero River that were added recently. CONSULTANT will conduct the monthly surface water sampling from October 1, 2023, through September 30, 2024. Sampling of the Estero River locations will be conducted on the same day that Lee County will be sampling nearby locations. Sampling of locations along Halfway Creek will be conducted within one (1) day of when Lee County will be sampling nearby locations. Samples will be collected at each location where water is at least a foot deep. One (1) field blank sample will also be collected every other month. CONSULTANT will record field measurements of temperature, pH, specific conductance, dissolved oxygen, and turbidity at each location. CONSULTANT will collect the samples in accordance with proper Florida Department of Environmental Protection (FDEP) Standard Operating Procedures (SOP). CONSULTANT will prepare a Chain-Of-Custody (COC) for the samples and deliver them to a state certified laboratory following proper COC procedures in adherence to established hold times. The samples will be laboratory analyzed for E. Coli, enterococci, chlorophyll-a, ammonia nitrogen, organic nitrogen, nitrate nitrogen, nitrite nitrogen, nitrate+nitrite, total Kjeldahl nitrogen, total nitrogen, ortho phosphorus, and total phosphorus. Flow direction and approximate velocity will also be noted at each location. In addition, CONSULTANT will record surface water velocity, water depth, and channel area as needed to calculate flow at the four (4) sites labeled on the updated Flow Monitoring Location Map, *Attachment III*. Velocity and level data recorded by the Doppler flowmeter below Knollview Blvd. (HC@KR) will also be downloaded.

TASK 3: Quarterly Surface Water Level Downloading
CONSULTANT will download water level data from the seven (7) surface water monitor wells shown on the Water Level Monitoring Location map, *Attachment II,* at quarterly intervals. CONSULTANT will also download the BaroTroll as part of this task.

TASK 4: Data Management
CONSULTANT will manage the water quality, water level, and flow data in Excel spreadsheets. The digital and lab report data provided by the lab each month will be reviewed as part of the QAQC process and the lab will be contacted about any discrepancies. Flow data from two (2) United States Geological Society (USGS) sites shown on the Flow Monitoring Location Map, *Attachment III*, will be downloaded from USGS. Water level, flow, and water quality data from Lee County sites in Village of Estero will be downloaded from Lee County.

TASK 5: Annual Water Monitoring Report
CONSULTANT will prepare a monitoring report covering data collected from October 2023 through September 2024. The report will summarize the data collected using tables and charts. It will also provide a comparison of the Village of Estero water quality data to the nearby Lee County water quality data. The report will be provided on or before January 31, 2025.

C. SCHEDULE

Upon notice to proceed by VILLAGE, monitoring will be for the period beginning October 1, 2023 through September 30, 2024.

SUB-CONSULTANT SERVICES:

LAB: Laboratory Testing
Benchmark EnviroAnalytical, Inc. for laboratory testing.

EXHIBIT B

EC 2022-38 MISCELLANEOUS PROFESSIONAL SERVICES
SUPPLEMENTAL TASK AUTHORIZATION No. 6

COMPENSATION

June 28, 2023

FOR: WATER QUALITY MONITORING ASSISTANCE 2023-2024

The fees for Task 1 through 5 will be Lump Sum and the Subconsultant will be billed on a Time & Materials basis. Total not to exceed **$146,340.00.**

For services provided and performed by CONSULTANT for providing and performing the Task(s) set forth and enumerated in Exhibit A entitled "Scope of Services", the VILLAGE shall compensate the CONSULTANT as follows:

TASK	ITEM	AMOUNT (Estimated if T&M)	FEE TYPE (LS; T&M)
1	Surface Water Datalogger Reinstallation	$1,500.00	LS
2	Monthly Water Quality Sampling and Flow Monitoring (Oct 2023 through Sept 2024)*	$49,500.00	LS
3	Quarterly Surface Water Level Downloading (4 quarters)**	$9,500.00	LS
4	Data Management	$4,000.00	LS
5	Annual Water Monitoring Report (1 year)	$6,600.00	LS
TOTAL COMPENSATION FOR CONSULTANT'S SERVICES:		**$71,100.00**	**LS**

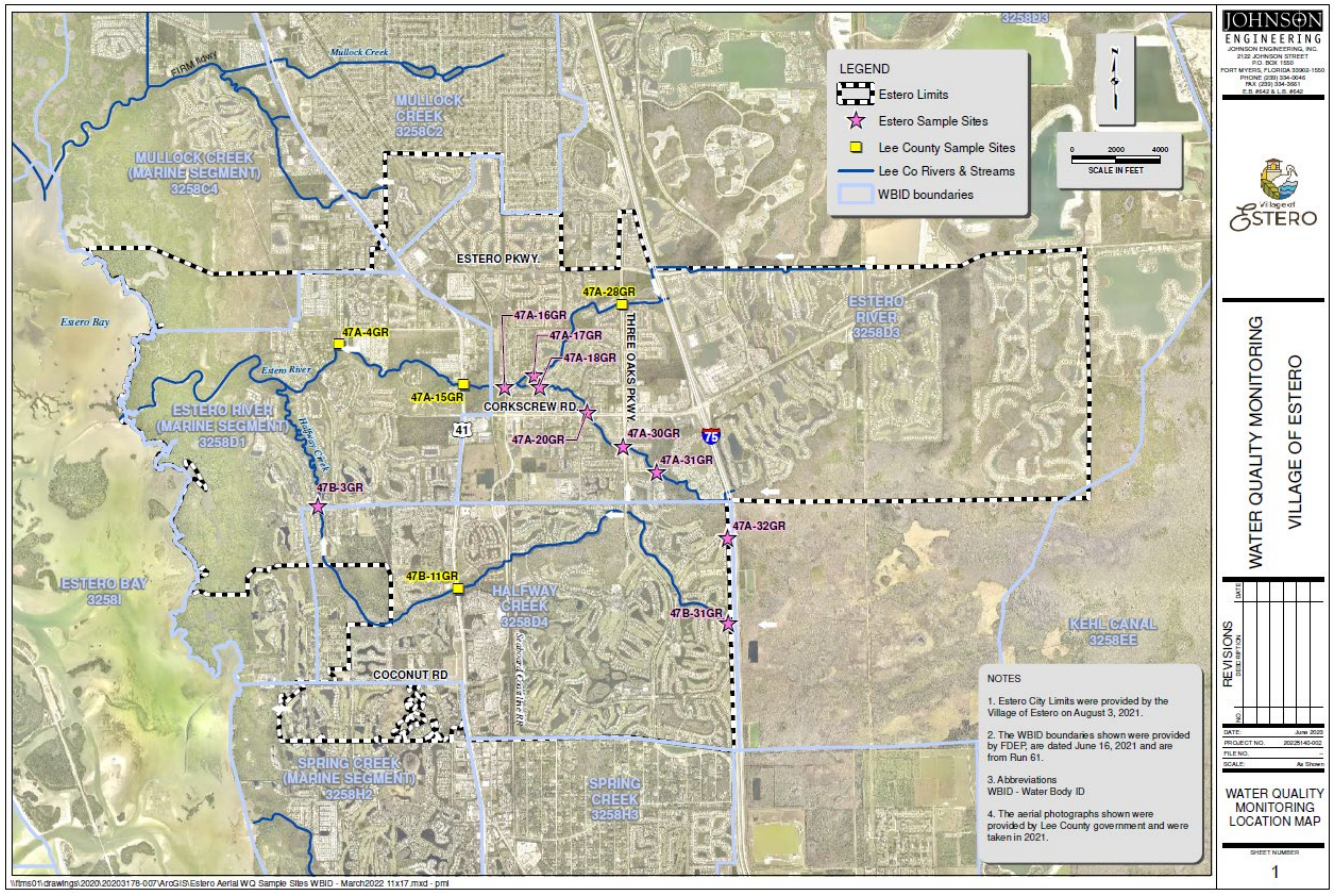
* Task 2: To be billed at approximately $4,125 per month.
** Task 3: To be billed at approximately $2,375 per quarter.

For services of CONSULTANT's Sub-Consultants engaged to perform or furnish services, the VILLAGE shall compensate the CONSULTANT as follows:

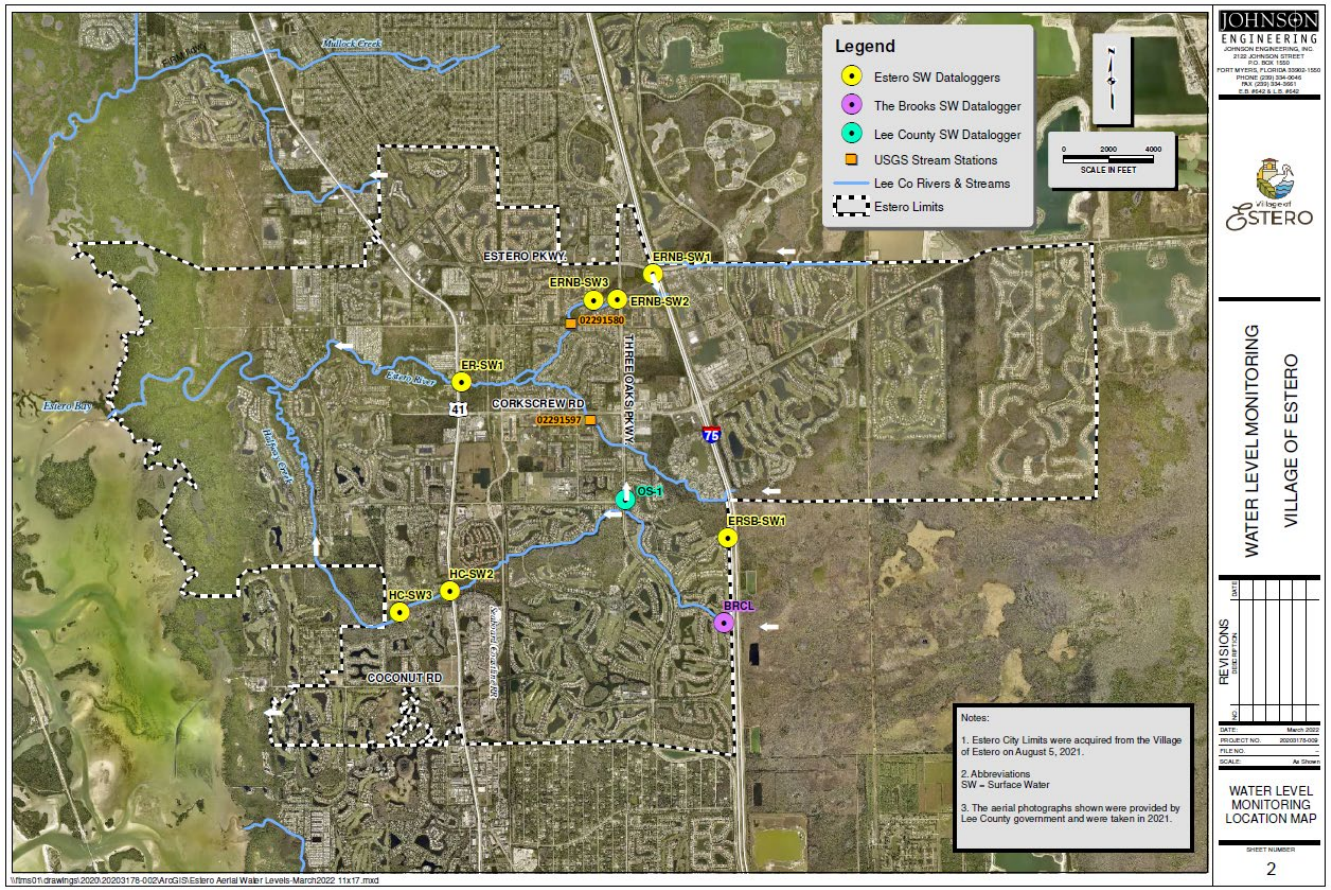
TASK	SUB-CONSULTANT	AMOUNT (Estimated if T&M)	FEE TYPE (LS; T&M)
LAB	Cost for lab analysis of the samples is estimated at $660 per sample x 9 samples for 12 monthly events plus 6 field blanks	$75,240.00	T&M
TOTAL COMPENSATION FOR SUB-CONSULTANT'S SERVICES:		**$75,240.00**	**T&M**

TOTAL COMPENSATION, INCLUDING SUB-CONSULTANTS:	**$146,340.00**	**LS; T&M**

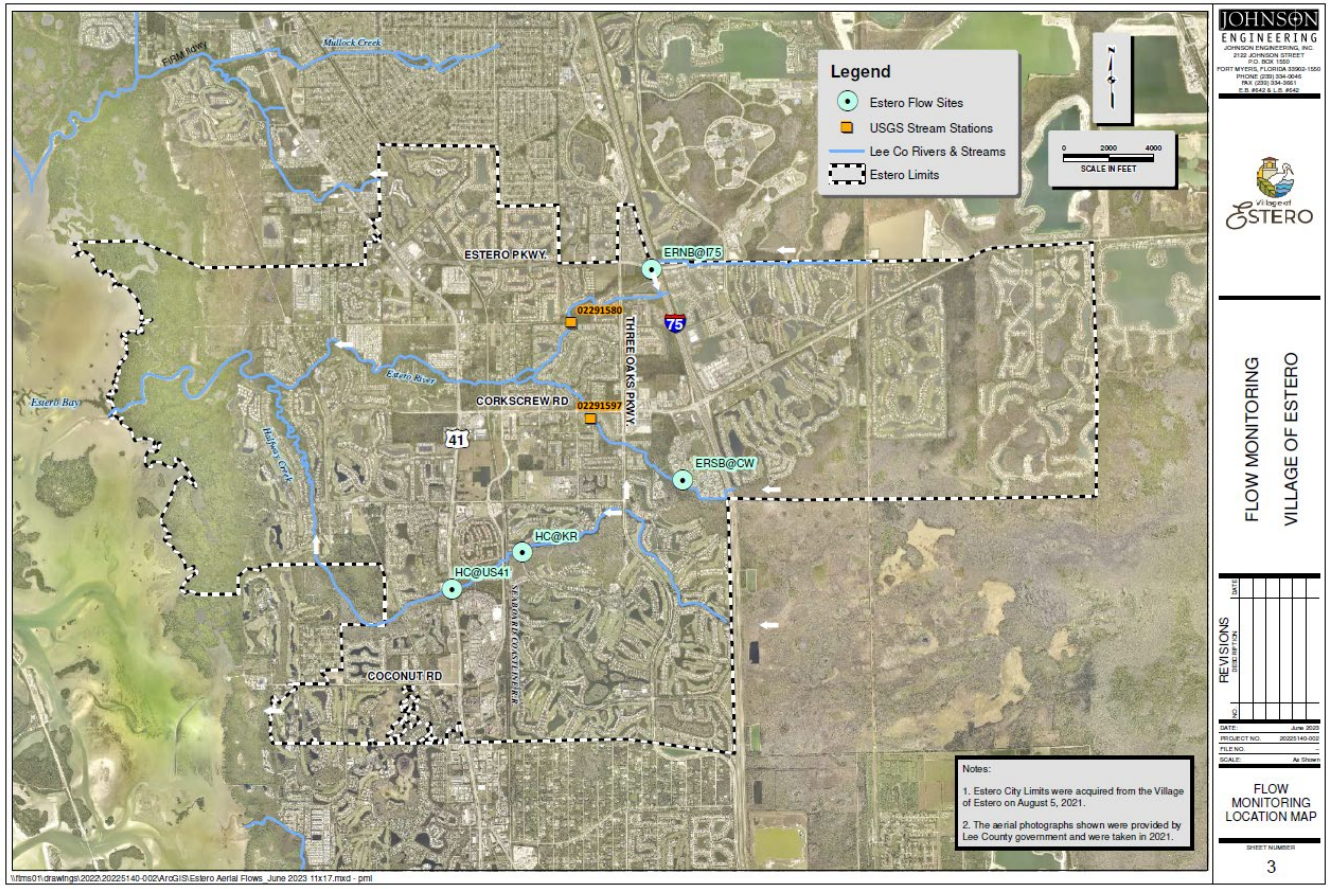
Attachment I to Exhibit A



Attachment II to Exhibit A



Attachment III to Exhibit A



CN No.: CN 2023-01

VILLAGE OF ESTERO, FLORIDA
VENDOR DISCLOSURE FORM

Project No.: **EC 2022-38 / STA 06**

Project Name: **Water Quality Monitoring Assistance 2023-2024**

Please check as appropriate:

_____	I am the sole proprietor/owner. The company is not publicly held.
X	The company is not publicly held. The names and addresses of the owners having a greater than 5% interest is attached.
_____	The company is publicly held. The names and addresses of the owners having a greater than 5% interest is attached.

I do hereby certify that to the best of my knowledge and belief certify that the information above and attached is true and correct.

Signed: _____
Vendor

Printed Name **Lonnie V. Howard, President**

Company Name: **Johnson Engineering, Inc.**

Date: **28JUN2023**

CN No.: CN 2023-01

NAMES & ADDRESSES OF OWNERS

NOTE: Please list individuals; the listing of a corporation(s) is **NOT** acceptable.

Lonnie V. Howard, 1386 Coffee Mill Hammock Road, Moore Haven, FL 33471

Michael S. Dickey, 17060 Shady Grove Lane, Cape Coral, FL 3399

Ryan K. Bell, 25007 67th Avenue East, Myakka City, FL 34251

Dana L. Hume, 5270 Grillet Place, Fort Myers, FL 33919

Matthew M. Howard, 375 Pollywog Point, LaBelle, FL 33935

Andrew D. Tilton, 18810 Serenoa Court, Alva, FL 33920

AGENDA ITEM SUMMARY SHEET
VILLAGE COUNCIL MEETING
July 5, 2023

Agenda Item:

Sandy Lane Path Prefabricated Bridge - Request for Bid (RFB) 2023-07

Approve award of RFB 2023-07, Sandy Lane Path Prefabricated Bridge to Contech Engineered Solutions, LLC to provide the bridge as provided in the contract, at a grand total cost of $239,500.

Also approve a contingency fund amount of $23,950 (an amount equal to 10% of the total project cost) to cover unforeseen circumstances which may occur.

Authorize the Village Manager to execute the contract documents on behalf of the Village of Estero Council.

Background:

The Village of Estero hired Atkins to design and permit bicycle and pedestrian improvements along Sandy Lane. They are working to complete the construction plans and obtain the required permits. Permits are expected to be completed in August/September.

The project includes a pedestrian bridge over the Estero River. The design of the bridge has been completed.

Description:

The fabrication of the pedestrian bridge has the potential to delay completion of the project due to a potential long lead time. To expedite the project and prevent potential delays, the Village of Estero requested bids to purchase the prefabricated bridge structure prior to completion of permitting and bidding of the overall project.

Bids were received on June 2, 2023 and the Village received two bids.

Contech was deemed to be the lowest responsive bidder with a total cost of $239,500.

The action requested completes the competitive bid process by approving award of the bid and accompanying contract to the lowest responsive and responsible bidder.

Staff has attached firm ownership disclosure of greater than 5% as recommended by the Village Attorney.

Action Requested:

Approve award of RFB 2023-07, Sandy Lane Path Prefabricated Bridge to Contech Engineered Solutions, LLC to provide the bridge as provided in the contract, at a grand total cost of $239,500.

Also approve a contingency fund amount of $23,950 (an amount equal to 10% of the total project cost) to cover unforeseen circumstances which may occur.

Authorize the Village Manager to execute the contract documents on behalf of the Village of Estero Council.

Process and Timeline:

Per the bid and contract documents, the contractor has 140 calendar days after execution of the contract to complete fabrication of the bridge.

Financial Impact:

The financial impact of the proposed project is $263,450. This includes the contract amount plus a 10% contingency. There are sufficient funds ($2,056,380) in the Fiscal Year 2022-2023 Sandy Lane Bike-Ped Improvements project budget to fund this contract.

Prepared by: David Willems, P.E.

Attachments:

1. Contech Engineered Solutions, LLC Bid
2. Contract
3. Vendor Disclosure Form

RFB 2023-07/Addendum 2

VILLAGE OF ESTERO, FLORIDA
PROPOSAL QUOTE FORM
SANDY LANE PATH PREFABRICATED BRIDGE

DATE SUBMITTED: June 2, 2023

VENDOR NAME: Contech Engineered Solutions, LLC

TO: The Village of Estero
Estero, Florida

Having carefully examined the "General Provisions", and the "Special Provisions", all of which are contained in the Contract Documents, the Undersigned proposes to furnish the following which meets these specifications:

NOTE REQUIREMENT: IT IS THE SOLE RESPONSIBILITY OF THE VENDOR TO CHECK THE VILLAGE OF ESTERO WEB SITE FOR ANY PROJECT ADDENDA ISSUED FOR THIS PROJECT. THE VILLAGE WILL POST ADDENDA TO THIS WEB PAGE, BUT WILL NOT NOTIFY.

The undersigned acknowledges receipt of Addenda numbers: 1 and 2

GRAND TOTAL COST – SANDY LANE PATH PREFABRICATED BRIDGE:

$ 239,500.00

NOTE: GRAND TOTAL COST SHALL INCLUDE DELIVERY OF THE STRUCTURE, F.O.B. ESTERO, FL WITH REMOVAL OF THE STRUCTURE FROM THE TRANSPORTER AND PLACEMENT AS DIRECTED BY VILLAGE STAFF.

TO BE DELIVERED WITHIN 140 CALENDAR DAYS AFTER RECEIPT OF NOTICE TO PROCEED.

IF YOUR FIRM IS NOT ABLE TO PROVIDE THE PREFABRICATED BRIDGE WITHIN 140 CALENDAR DAYS; PLEASE PROVIDE THE NUMBER OF CALENDAR DAYS YOUR FIRM WOULD REQUIRE FOR DELIVERY – DELIVERY IN: 140 CALENDAR DAYS.
Following approved submittals.
IF NO FIRM IS ABLE TO DELIVER THE BRIDGE WITHIN 140 CALENDAR DAYS; LONGER DELIVERY PERIODS WILL BE CONSIDERED.

Page 10A

Bid No.: RFB 2023-07

Bidders should carefully read all the terms and conditions of the specifications. Any representation of deviation or modification to the bid may be grounds to reject the bid.

Are there any modifications to the bid or specifications:

YES_____ NO X with Clarification

Failure to clearly identify any modifications in the space below or on a separate page may be grounds for the bidder being declared nonresponsive or to have the award of the bid rescinded by the Village.

MODIFICATIONS:

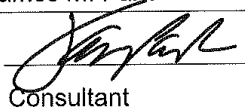
Clarification: bid includes manufacturing and delivery of Sandy Lane Path Prefabricated Pedestrian Bridge. Offloading, placement and installation by others.

ANTI-COLLUSION STATEMENT

THE BELOW SIGNED VENDOR HAS NOT DIVULGED TO, DISCUSSED OR COMPARED HIS RESPONSE WITH OTHER VENDORS AND HAS NOT COLLUDED WITH ANY OTHER VENDOR OR PARTIES TO A RESPONSE WHATSOEVER. NOTE: NO PREMIUMS, REBATES OR GRATUITIES TO ANY EMPLOYEE OR AGENT ARE PERMITTED EITHER WITH, PRIOR TO, OR AFTER ANY DELIVERY OF MATERIALS.

FIRM NAME Contech Engineered Solutions, LLC

BY (Printed): James M. Park

BY (Signature): 

TITLE: Bridge Consultant

FEDERAL ID # OR S.S.# Fed ID: 31-1177165

ADDRESS: 9100 Centre Point Dr, Suite 400

West Chester, OH 45069

PHONE NO.: 407-506-2803

CELLULAR PHONE NO.: 407-506-2803

E-MAIL ADDRESS: james.park@conteches.com

Bid No.: RFB 2023-07

VILLAGE OF ESTERO, FLORIDA
INVITATION TO BID
SANDY LANE PATH PREFABRICATED BRIDGE

GENERAL SCOPE OF PROJECT

The Village of Estero is requesting sealed bids from qualified firms for the manufacture and delivery of a prefabricated bridge structure to Sandy Lane within the Village of Estero, Florida.

Sandy Lane is an approximately 0.75 mile long road that runs between Corkscrew Road and Broadway Avenue East in Estero, Florida. Sandy Lane is located approximately 0.34 miles east of US 41.

The proposed bridge will be located along the east side of an existing roadway bridge, approximately 0.23 miles north of Corkscrew Road over the Estero River. The bridge will provide bicycle and pedestrian access over the Estero River. The existing roadway bridge is not wide enough to safely provide bicycle or pedestrian access.

BRIDGE

Contractor to submit paint chips that represent finish type and color.

The bridge shall be a prefabricated structure per the attached plans and specifications.

The following documents accompany this bid:

- Sandy Lane Bridge Plans.

BASIS OF AWARD

The bid will be awarded to the overall lowest, responsive, and responsible bidder (Grand Total) meeting all specification requirements.

In the event the lowest responsible and responsive bid for a project exceeds the available funds the Village may negotiate an adjustment of the bid price with the lowest responsible and responsive bidder, to bring the total cost of the project within the amount of available funds.

End of Scope of Work and Specifications Section

Bid No.: RFB 2023-07

VILLAGE OF ESTERO, FLORIDA
VENDOR DISCLOSURE FORM

Project No.: 2023-07

Project Name: Sandy Lane Path Prefabricated Pedestrian Bridge

Please check as appropriate:

_____	I am the sole proprietor/owner. The company is not publicly held.
X	The company is not publicly held. The names and addresses of the owners having a greater than 5% interest is attached.
_____	The company is publicly held. The names and addresses of the owners having a greater than 5% interest is attached.

I do hereby certify that to the best of my knowledge and belief certify that the information above and attached is true and correct.

Signed: _____
Vendor

Printed Name James M. Park

Company Name Contech Engineered Solutions, LLC

Date: June 1, 2023

Bid No.: RFB 2023-07

NAMES & ADDRESSES OF OWNERS

NOTE: Please list individuals; the listing of corporations is **NOT** acceptable.

Contech Engineered Solutions is owned by the Quikrete Companies. Quikrete is privately owned by the Winchester Family of Georgia and ownership details will not be provided. The corporate address is as follows: 5 Concourse Pkwy Suite #1900, Atlanta, GA 30328

Bid No.: RFB 2023-07

AFFIDAVIT CERTIFICATION
IMMIGRATION LAWS

SOLICITATION NO.: 2023-7 PROJECT NAME: Sandy Lane Path Prefabricated Pedestrian Bridge

VILLAGE OF ESTERO WILL NOT INTENTIONALLY AWARD VILLAGE CONTRACTS TO ANY CONTRACTOR WHO KNOWINGLY EMPLOYS UNAUTHORIZED ALIEN WORKERS, CONSTITUTING A VIOLATION OF THE EMPLOYMENT PROVISIONS CONTAINED IN 8 U.S.C. SECTION 1324 a(e) {SECTION 274A(e) OF THE IMMIGRATION AND NATIONALITY ACT ("INA").

VILLAGE OF ESTERO MAY CONSIDER THE EMPLOYMENT BY ANY CONTRACTOR OF UNAUTHORIZED ALIENS A VIOLATION OF SECTION 274A(e) OF THE INA. SUCH VIOLATION BY THE RECIPIENT OF THE EMPLOYMENT PROVISIONS CONTAINED IN SECTION 274A(e) OF THE INA SHALL BE GROUNDS FOR UNILATERAL CANCELLATION OF THE CONTRACT BY VILLAGE OF ESTERO.

BIDDER ATTESTS THAT THEY ARE FULLY COMPLIANT WITH ALL APPLICABLE IMMIGRATION LAWS (SPECIFICALLY TO THE 1986 IMMIGRATION ACT AND SUBSEQUENT AMENDMENTS).

Company Name: Contech Engineered Solutions, LLC

Signature	Title	Date
	Bridge Consultant	June 1, 2023

STATE OF Ohio
COUNTY OF Butler

The foregoing instrument was signed and acknowledged before me this 2nd day of June 20 23, by James Park who has produced
(Print or Type Name)
as identification.
(Type of Identification and Number)

Jamie K. Minnick
Notary Public Signature

Jamie K. Minnick
Printed Name of Notary Public

2023-RE-859311 2-1-28
Notary Commission Number/Expiration

JAMIE K MINNICK NOTARY PUBLIC - STATE OF OHIO COMMISSION EXPIRES FEB 1, 2028

The signee of this Affidavit guarantee, as evidenced by the sworn affidavit required herein, the truth and accuracy of this affidavit to interrogatories hereinafter made.

Bid No.: RFB 2023-07

VILLAGE OF ESTERO, FLORIDA

MAJOR INSURANCE REQUIREMENTS

Minimum Insurance Requirements: The Village of Estero in no way represents that the insurance required is sufficient or adequate to protect the vendors' interest or liabilities. The following are the required minimums the vendor must maintain throughout the duration of this contract. The Village reserves the right to request additional documentation regarding insurance provided.

a. Commercial General Liability - Coverage shall apply to premises and/or operations, products and completed operations, independent contractors, contractual liability exposures with minimum limits of:

   $1,000,000 per occurrence
   $2,000,000 general aggregate
   $1,000,000 products and completed operations
   $1,000,000 personal and advertising injury

b. Business Auto Liability - The following Automobile Liability will be required and coverage shall apply to all owned, hired and non-owned vehicles use with minimum limits of:

   $1,000,000 combined single limit (CSL)
   $500,000 bodily injury per person
   $1,000,000 bodily injury per accident
   $500,000 property damage per accident

c. Workers' Compensation - Statutory benefits as defined by FS 440 encompassing all operations contemplated by this contract or agreement to apply to all owners, officers, and employees regardless of the number of employees. Workers Compensation exemptions may be accepted with written proof of the State of Florida's approval of such exemption. Employers' liability will have minimum limits of:

   $500,000 per accident
   $500,000 disease limit
   $500,000 disease – policy limit

*The required minimum limit of liability shown in a. and b. may be provided in the form of "Excess Insurance" or "Commercial Umbrella Policies." In which case, a "Following Form Endorsement" will be required on the "Excess Insurance Policy" or "Commercial Umbrella Policy."

Verification of Coverage:

1. Coverage shall be in place prior to the commencement of any work and throughout the duration of the contract. A certificate of insurance will be provided to the Village Manager for review and approval. The certificate shall provide for the following:

   a. The certificate holder shall read as follows:
      The Village of Estero, Florida
      9401 Corkscrew Palms Circle
      Estero, Florida 33928
   b. "The Village of Estero, Florida, its agents, employees, and public officials" will be named as an "Additional Insured" on the General Liability policy, including Products and Completed Operations coverage.

Special Requirements:

1. An appropriate "Indemnification" clause shall be made a provision of the contract.
2. It is the responsibility of the general contractor to insure that all subcontractors comply with all insurance requirements.

Bid No.: RFB 2023-07

PUBLIC ENTITY CRIME FORM

This form must be signed and sworn to in the presence of a notary public or other officer authorized to administer oaths.

1. This sworn statement is submitted to Village of Estero, Florida
(*Print name of the public entity*)

by James M. Park
(*Print individual's name and title*)

For Contech Engineered Solutions LLC
(*Print name of entity submitting sworn statement*)

whose business address is 9100 Centre Pointe Dr., West Chester, Ohio 45069

(If applicable) its Federal Employer Identification Number (FEIN) is 31-1177165

(If the entity has no FEIN, include the Social Security Number of the individual signing this sworn statement: On the attached sheet.) Required as per IRS Form W-9.

2. I understand that a "public entity crime" as defined in Paragraph 287.133(1) (g), Florida Statutes, means a violation of any state or federal law by a person with respect to and directly related to the transaction of business with any public entity or with an agency or political subdivision of any other state or with the United States, including but not limited to, and bid or contract for goods or services to be provided to any public entity or agency or political subdivision or any other state or of the Unites States, and involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentation.

3. I understand that "convicted" or "conviction" as defined in Paragraph 287.133(1) (b), Florida Statutes, means a finding of guilt or a conviction of a public entity crime, with or without an adjudication of guilt, in any federal or state trial court of record relating to charges brought by indictment or information after July 1, 1989, as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere.

4. I understand that "affiliate" as defined in Paragraph 287.133(1)(a), Florida Statutes, means:
   1. A predecessor or successor of a person convicted of a public entity crime: or:
   2. An entity under the control of any natural person who is active in the management of the entity and who has been convicted of a public entity crime. The term "affiliate" includes those offices, directors, executives, partners, shareholders, employees, members and agents who are active in the management of the affiliate. The ownership by one person of shares constituting a controlling interest in another person, or a pooling of equipment or income among persons when not fair market value under an arm's length agreement, shall be a facie case that one person controls another person. A person who knowingly enters into a joint venture with a person who has been convicted of a public entity crime in Florida during the preceding 36 months shall be considered an affiliate.

5. I understand that a "person" as defined in Paragraph 287.133(1) (c), Florida Statutes, means any natural person or entity organized under the laws of any state or of the United States with the legal power to enter a binding contract and which bids or applies to bid on contracts for the provision of goods or services let by a public entity, or which otherwise transacts or applies to transact business with a public entity. The term "person" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in management of the entity.

6. Based on information and belief, the statement which I have marked below is true in relation to the entity submitting those sworn statement. (*Please indicate which statement applies.*)

Bid No.: RFB 2023-07

_____ Neither the entity submitted this sworn statement, nor any officers, directors, executives, partners, shareholders, employees, members, and agents who are active in management of an entity nor affiliate of the entity have been charged with and convicted of a public entity crime subsequent to July 1, 1989.

__X__ The entity submitting this sworn statement, or one or more of the officers, directors, executives, partners, shareholders, employees, member, or agents who are active in management of the entity, or an affiliate of the entity have been charged with and convicted of a public entity crime subsequent to July 1, 1989. PLEASE SEE ATTACHED SUPPLEMENT

_____ The entity submitting this sworn statement, or one or more of its officers, directors, executives, partners, shareholders, employees, member, or agents who are active in management of the entity, or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989. However, there has been subsequent proceeding before a Hearing Officer of the State of Florida, Division of Administrative Hearing and the Final Order entered by the Hearing Officer determined that it was not in the public interest to place the entity submitting this sworn statement on the convicted vendor list. (Attach a copy of the final order)

I UNDERSTAND THAT THE SUBMISSION OF THIS FORM TO THE CONTRACTING OFFICER FOR THE PUBLIC ENTITY IDENTIFIED IN PARAGRAPH 1 (ONE) ABOVE IS FOR THAT PUBLIC ENTITY ONLY AND, THAT THIS FORM IS VALID THROUGH DECEMBER 31 OF THE CALENDAR YEAR IN WHICH IS FILED. I ALSO UNDERSTAND THAT I AM REQUIRED TO INFORM THE PUBLIC ENTITY PRIOR TO ENTERING INTO A CONTRACT IN EXCESS OF THE THRESHOLD AMOUNT PROVIDED IN SECTION 287.017, FLORIDA STATUTES, FOR CATEGORY TWO OR ANY CHANGE IN THE INFORMATION CONTAINED IN THIS FORM.

_____
(*Signature*)

June 1, 2023
(*Date*)

STATE OF Ohio
COUNTY OF Butler

PERSONALLY APPEARED BEFORE ME, the undersigned authority, James Park
(*Name of individual signing*)
who, after first being sworn by me, affixed his/her signature in the space provided above on this 2nd day of June, 2023.

Jamie Minnick
(NOTARY PUBLIC)

My Commission Expires: Feb. 1, 2028



Contech Engineered Solutions LLC

Supplement to
Public Entity Crime Form

RFB 2023-07

Contech Engineered Solutions LLC ("**Contech**") hereby submits this Supplement to Public Entity Crime Form, associated with its proposal to supply a prefabricated bridge under Bid No. RFB 2023-07 and hereby incorporates this Supplement into such Public Entity Crime Form.

On June 7, 2021, Contech agreed to resolve an investigation being conducted by the U.S. Department of Justice, Antitrust Division. The investigation concerned allegations that a Contech employee in North Carolina improperly coordinated with a local dealer when pricing and bidding on certain projects with the North Carolina Department of Transportation ("**NCDOT**"). Contech cooperated with the government throughout the investigation and pled guilty to one count each of fraud and antitrust charges to fully resolve the matter.

The resolved matter has no impact on any of Contech's work in Florida. The conduct at issue is several years old, relates exclusively to Contech's North Carolina aluminum product supply operations, and principally involved a single former employee, whom Contech has terminated. Moreover, Contech coordinated closely with the NCDOT from the outset and continues to be a valued supplier and partner on NCDOT projects. Indeed, NCDOT recently issued a letter confirming its desire to continue working with Contech, in which NCDOT concluded that the conduct in the case:

> [W]as ***limited primarily to the actions of a former employee*** rather than a corporate strategy, that this behavior had ***little to no economic impact on NCDOT***, and that Contech has taken corrective measures to ensure that ***future bids will be submitted in full conformance*** with anti-collusion and other requirements of state procurement.

No action has been taken by or is pending with the Department of General Services. However, Contech self-reported its guilty plea arrangement to the Florida Department of Transportation ("**FLDOT**") via a June 7, 2021 telephone call from Contech's outside counsel to FLDOT. On August 5, 2021, FLDOT issued a Letter of Concern based on information reported by Contech to which Contech responded on August 23, 2021. FLDOT and Contech met on August 25, 2021 to discuss such response. On September 14, 2021, FLDOT issued a Notice of Intent to Deny or Revoke the Certificate of the Contractor ("**NOIR**") to Contech on the grounds of Contech's guilty plea arrangement. On October 25, 2021, Contech and FLDOT met to mediate the issues raised in the NOIR (and Contech's responses thereto) with such meeting resulting in a mutually agreed settlement that was memorialized and signed on December 8, 2021. A copy of such settlement agreement is attached hereto.

Contech takes very seriously any allegation of employee misconduct, and so the company has implemented targeted remedial measures to prevent recurrence of this sort of issue. Among

other things, these measures include enhancing the company's antitrust compliance policies and guidelines; updating its antitrust training and requiring relevant employees to complete annual refresher training; and instituting a new back-end monitoring program to detect and deter any potential misconduct. Contech has every confidence that these measures will be effective in ensuring compliance going forward.

Should you have questions or require further information, please do not hesitate to contact Nick Ivezaj at nivezaj@conteches.com or (404) 926-3114.

STATE OF FLORIDA
FLORIDA DEPARTMENT OF TRANSPORTATION
Haydon Burns Building
605 Suwannee Street
Tallahassee, Florida

CONTECH ENGINEERED SOLUTIONS, LLC, **DOT CASE: 21-043**

and

DEPARTMENT OF TRANSPORTATION,

_____/

SETTLEMENT AGREEMENT

Contech Engineered Solutions, LLC (Contech) and the Florida Department of Transportation (Department) wish to resolve DOT Case No. 21-043 without proceeding to hearing and state as follows:

WHEREAS, on or about June 7, 2021, Contech self-reported to the Department that it had pled guilty to one count of conspiracy to commit bid rigging and one count of conspiracy to commit mail or wire fraud and agreed to pay fines and restitution, and on August 5, 2021, the Department issued a Letter of Concern based on the information reported by Contech.

WHEREAS, on or about August 23, 2021, Contech provided a written response to the Department's Letter of Concern.

WHEREAS, the parties met on August 25, 2021, to discuss Contech's written response to the Letter of Concern.

WHEREAS, on September 14, 2021, as required by section 337.165, Florida Statutes, the Department issued a Notice of Intent to Deny or Revoke the Certificate of the Contractor (NOIR) to Contech on the grounds that Contech pled guilty to one count of conspiracy to commit bid rigging and one count of conspiracy to commit mail or wire fraud.

WHEREAS, on October 5, 2021, Contech filed a Response to the Department's NOIR

requesting prehearing mediation pursuant to the Notice of Administrative Hearing Rights attached to the Department's NOIR.

WHEREAS, on October 25, 2021, the parties met to mediate the issues raised in the NOIR and Contech's Response thereto with those negotiations resulting in a mutually agreeable settlement without the need of the parties to proceed to a hearing.

NOW, THEREFORE, having been fully advised of the issues, Contech and the Department stipulate and agree to the following:

1. Contech will provide on a quarterly basis for the next three years a formal written certification that the company: (1) has continued to maintain and implement the robust Antitrust Compliance program described in its October 5, 2021, Response to the NOIR; (2) has continued to perform quarterly back-end monitoring reviews to validate compliance with antitrust and procurement laws and regulations; and (3) has no reason to believe that it is the subject or target of any criminal or civil investigation by any Government entity regarding compliance with antitrust or procurement laws and regulations. Absent other instruction from the Department, Contech will provide this certification via U.S. Mail and email to the Department's Procurement Manager, Carla Perry, by the 16th day of the months of February, May, August, and November through November 16, 2024.

3. Contech's current professional services prequalification letter will be reissued to include the following conditional language:

> *Contech is required to seek approval from the FDOT Procurement Manager or their designee to respond to an FDOT professional services solicitation. Approval must be requested by Contech at least two weeks prior to the FDOT procurement advertisement deadline. Approval will be contingent upon the firm's continued compliance with laws and regulations. Contech's conformance with the requirements of 14-75.0022(4)(c), F.A.C., will be re-evaluated with each request for approval presented to the Procurement Office. Your firm shall be limited to pursuing projects in the referenced work types with fees estimated at less than $500,000.00. This status shall be valid until November 16, 2022, for contracting*

purposes. The Department's decision regarding approval or disapproval of Contech's request to respond to an FDOT solicitation shall be final.

4. If Contech fails to perform the terms of this Stipulation of Settlement, the Department will provide Contech with written notice and an opportunity to cure the deficiency. If Contech fails to cure the deficiency within ten business days of receiving the Department's written notice, the Department may issue to Contech a subsequent Notice of Intent to Revoke the Certificate of the Contractor for a period up to 36 months pursuant to Rule 14-75.0051, F.A.C., based upon Contech's deficiency in performing the terms of this Stipulation of Settlement.

5. Each party understands that this Agreement does not admit any liability or wrongdoing whatsoever, and they understand, acknowledge, and hereby agree that all claims are expressly contested, disputed, and denied.

5. This Agreement was freely and voluntarily entered into by the parties.

6. Contech waives any right to appeal the matters agreed upon under Chapter 120, Florida Statutes.

7. Each party acknowledges participation in the negotiation of this Agreement and agrees that no provision of this Agreement shall be construed against or interpreted to the disadvantage of either party by any court or other governmental or judicial authority by reason of such party having or being deemed to have structured, dictated, or drafted such provision.

8. Each party shall bear its own costs and attorney's fees in this matter.

9. Each party warrants that the signatory has the authority to execute this Agreement.

10. The terms of this Agreement may not be changed, waived, discharged, or terminated orally, but only by an instrument or instruments in writing, signed by the party against which enforcement of the change, waiver, discharge, or termination is asserted.

11. If a provision of this Stipulation of Settlement is held invalid, the remainder shall

not be affected. In such an instance the remainder would then continue to conform to the terms and requirements of applicable law.

12. This agreement will become effective when all the parties have signed it. The date this agreement is signed by the last party to sign it (as indicated by the date associated with that party's signature) will be deemed the date of this agreement.

13. Upon the date of this agreement, the Department's NOIR to Contech will be deemed to be withdrawn by the Department.

Signed this 8th day of DECEMBER, 2021 by

NICK IVEZAJ
General Counsel
Contech Engineered Solutions, LLC

Signed this 8 day of December, 2021 by

WILL WATTS
Chief Engineer
Florida Department of Transportation

Department Legal Review:

Bid No.: RFB 2023-07

Scrutinized Companies Certification

1. This sworn statement is submitted with a bid, proposal, contract, or contract renewal RFB 2023-07 ___, for Sandy Lane Path Pedestrian Bridge
Project or contract number] **[Project name]**

2. This sworn statement is submitted by Contech Engineered Solutions, LLC whose
[Name of entity submitting sworn statement]
business address is 9100 Centre Point Dr, Suite 400 West Chester, OH 45069.

3. Federal Employer Identification Number (FEIN) is 32-1177165 (or if the entity has no FEIN, include the Social Security Number of the individual signing this sworn statement).

4. My name is James M. Park and my relationship to the above is:
[Please print name of individual signing]

Bridge Consultant.

5. Based on information and belief, the certification, which I have marked below, is true in relation to the entity submitting this sworn statement as required by §287.135, Florida Statutes.

[X] Scrutinized Companies that Boycott Israel List (bid, proposal or contract renewal for any amount)

[X] The entity submitting this sworn statement is not on the Scrutinized Companies that Boycott Israel List nor is it engaged in a boycott of Israel.

[ ] The entity submitting this sworn statement is on the Scrutinized Companies that Boycott Israel List or is actively engaged in a boycott of Israel..

[X] Scrutinized Companies with Activities in Sudan List (bid, proposal or contract renewal for $1 Million or more)

[X] The entity submitting this sworn statement is not on the Scrutinized Companies with Activities in Sudan List.

[ ] The entity submitting this sworn statement is on the Scrutinized Companies with Activities in Sudan List.

[X] Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List (bid, proposal or contract renewal for $1 Million or more)

[X] The entity submitting this sworn statement is not on the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List.

[ ] The entity submitting this sworn statement is on the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List.

[X] Business Operations in Cuba or Syria (bid, proposal or contract renewal for $1 Million or more)

[X] The entity submitting this sworn statement does not have business operations in Cuba or Syria.

[ ] The entity submitting this sworn statement does have business operations in Cuba or Syria.

Pursuant to §287.135, Florida Statutes, if the Village determines the entity executing this Certification has been placed on the Scrutinized Companies that Boycott Israel List or is engaged in a boycott of Israel after this certification is executed, any associated contract with the Village may be subsequently terminated by the Village. Similarly, if the Village determines the entity is found to have submitted a false certification, is

Bid No.: RFB 2023-07

later placed on the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or has been engaged in business operations with Cuba or Syria, the Village may terminate any associated contracts with the entity.

Notwithstanding any other contract ianguage to the contrary, the entity executing this Certification expressly assents to the termination provisions included herein as binding upon any contracts between it and the Village.

By the signature(s) below, I, the undersigned, as authorized signatory to commit the certifying entity, attest that the information as provided in this form is truthful and correct at the time of submission.

AFFIANT

James M Park
Typed Name of AFFIANT

Bridge Consultant
Title

STATE OF Ohio COUNTY OF Butler

The foregoing instrument was executed before me this 2nd day of June, 2023, by James Park, as Bridge Consultant of Contech Engineered Solutions, who personally swore or affirmed that he/she is authorized to execute this document and thereby bind the Corporation, and who is personally known to me OR has produced _____ as identification.

Jamie K Minnick
NOTARY PUBLIC, State of Ohio

(stamp)



Bid No.: RFB 2023-07

VILLAGE OF ESTERO - BIDDERS CHECK LIST

IMPORTANT:_ Please read carefully and return with your response package. Please check off each of the following items as the necessary action is completed:

X 1. The Solicitation has been signed and with corporate seal (if applicable).

X 2. The Solicitation prices offered have been reviewed (if applicable).

X 3. The price extensions and totals have been checked (if applicable).

X 4. Substantial and final completion days inserted (if applicable).

X 5. The original (must be manually signed) and 1 hard copy original and others as specified of the Solicitation has been submitted.

_____ 6. Two (2) identical sets of descriptive literature, brochures and/or data (if required) have been submitted under separate cover.

X 7. All modifications have been acknowledged in the space provided.

X 8. All addendums issued, if any, have been acknowledged in the space provided.

_____ 9. Licenses (if applicable) have been inserted.

_____ 10. Erasures or other changes made to the Solicitation document have been initialed by the person signing the Solicitation.

X 12. The following Forms completed/signed/notarized as required: Vendor Disclosure Form, Affidavit Certification Immigration Laws, Insurance Certificate, Public Entity Crime Form, ~~Trench Safety Form, Bid Bond and/or Certified Check~~, Scrutinized Companies Certification.

X 13. Any Delivery information required is included.

N/A 14. The mailing envelope has been addressed to: Bid submitted via email as directed.
Village of Estero
9401 Corkscrew Palms Circle #101
Estero, FL 33928

N/A 15. The mailing envelope MUST be sealed and marked with:
Solicitation Number
Opening Date and/or Receiving Date

X 16. The Solicitation will be mailed or delivered in time to be received no later than the specified opening date and time. (Otherwise Solicitation cannot be considered or accepted.)

_____ 17. If submitting a "NO BID" please write Solicitation number here _____
and check one of the following:
_____ Do not offer this product _____ Insufficient time to respond.
_____ Unable to meet specifications (why)
_____ Unable to meet bond or insurance requirement.
Other: _____

Company Name and Address:
_____
_____

The Village of Estero
9401 Corkscrew Palms Circle
Estero, FL 33928

(239) 319-2821
www.Estero-fl.gov

May 22, 2023
SUBJECT: ADDENDUM NUMBER: Two (2)
REFERENCE: RFB 2023-07 Sandy Lane Path Prefabricated Bridge

NOTE: The due date for receipt of bids for this project has changed – it is now June 2, 2023 at 2:00 p.m.

The following revisions/responses/clarifications shall become a part of the Bid Documents and shall be as binding as if contained therein:

Revision:

Replace page 10 with attached 10A.

The following language is stricken from the Proposal Quote Form (page 10):

IN THE EVENT THAT PERMITS ARE DELAYED OR THE VILLAGE'S CONTRACTOR IS NOT READY TO TAKE DELIVERY OF THE BRIDGE STRUCTURE IT MAY BE NECESSARY FOR THE BIDDER TO STORE THE BRIDGE UNTIL THE VILLAGE'S CONTRACTOR IS READY FOR DELIVERY. PLEASE PROVIDE A MONTHLY RATE TO STORE THE BRIDGE STRUCTURE.

$_____/month, to be billed daily.

Responses/Clarifications:

1. The drawings do not clarify what type of paint on the bridge. Do you want 2-coat vs. 3-coat urethane vs. 3-coat organic zinc? Which one do you want us to submit for the bid as the specifications do not say?

   Response: Three (3) coats of paint per spec 975-2.3.1 and Table 975-1.

2. The plans call for the bridge to be fabricated from steel. Will you accept/approve an alternative option for aluminum?

   Response: Yes, aluminum will be considered.

3. Please clarify the intent of how the bridge is to be received per this bid. Is it the intent for the bridge to be delivered when a contractor, hired under separate contract, is ready to set it? Or, is it the intent of this bid for the bridge to be delivered and staged without the site being ready for the install?

   Response: The intent of this bid is for bridge to be delivered when a contractor is hired under separate bid and set when the site is ready.

4. Please clarify as there are two possibly conflicting statements in the Bid Package on page 10:

"IN THE EVENT THAT PERMITS ARE DELAYED OR THE VILLAGE'S CONTRACTOR IS NOT READY TO TAKE DELIVERY OF THE BRIDGE STRUCTURE IT MAY BE NECESSARY FOR THE BIDDER TO STORE THE BRIDGE UNTIL THE VILLAGE'S CONTRACTOR IS READY FOR DELIVERY."

And

"GRAND TOTAL COST SHALL INCLUDE DELIVERY OF THE STRUCTURE, F.O.B. ESTERO, FL WITH REMOVAL OF THE STRUCTURE FROM THE TRANSPORTER AND PLACEMENT AS DIRECTED BY VILLAGE STAFF."

Response: Store the bridge until the contractor is ready. The grand total includes delivery, transportation, and storage.

5. I wanted to inquire and confirm the finish of the bridge on this project to be weathering steel, galvanized, painted or galvanized and painted.

   Response: See response to question 1.

6. Can you confirm the decking to be composite decking with no vehicle loading?

   Response: Yes, the deck is composite with no vehicle loading.

7. Page 10 reads ".....removal of the structure from the transporter and placement as directed by village staff". I just want to confirm that is the village, not the supplier, that will be responsible for the equipment costs and coordination related to the offload and placement.

Response: No, that is not correct. The first part of the sentence quoted reads "GRAND TOTAL COST SHALL INCLUDE DELIVERY OF THE STRUCTURE F.O.B. ESTERO, FL WITH REMOVAL OF THE STRUCTURE FROM THE TRANSPORTER..." **The supplier will be responsible for the equipment costs and coordination related to the offload and placement.**

8. Page 12 mentions a finish color. Would a weathering steel bridge be considered in lieu of painted steel? Is there any specification for the paint system?

Response: No, the bridge will not be weathering steel, a color will be specified after selection. See response to question 1.

BIDDER IS ADVISED, YOU ARE REQUIRED TO ACKNOWLEDGE RECEIPT OF THIS ADDENDUM WHEN SUBMITTING A BID. FAILURE TO COMPLY WITH THIS REQUIREMENT MAY RESULT IN THE BIDDER BEING CONSIDERED NON-RESPONSIVE.

ALL OTHER TERMS AND CONDITIONS OF THE BIDDING DOCUMENTS ARE AND SHALL REMAIN THE SAME.

Bob Franceschini, C.P.M., CPPB
Procurement Manager

RFB 2023-07/Addendum 2

VILLAGE OF ESTERO, FLORIDA
PROPOSAL QUOTE FORM
SANDY LANE PATH PREFABRICATED BRIDGE

DATE SUBMITTED:_____

VENDOR NAME:_____

TO: The Village of Estero
Estero, Florida

Having carefully examined the "General Provisions", and the "Special Provisions", all of which are contained in the Contract Documents, the Undersigned proposes to furnish the following which meets these specifications:

NOTE REQUIREMENT: IT IS THE SOLE RESPONSIBILITY OF THE VENDOR TO CHECK THE VILLAGE OF ESTERO WEB SITE FOR ANY PROJECT ADDENDA ISSUED FOR THIS PROJECT. THE VILLAGE WILL POST ADDENDA TO THIS WEB PAGE, BUT WILL NOT NOTIFY.

The undersigned acknowledges
receipt of Addenda numbers: _____

GRAND TOTAL COST – SANDY LANE PATH PREFABRICATED BRIDGE:

$_____

NOTE: GRAND TOTAL COST SHALL INCLUDE DELIVERY OF THE STRUCTURE, F.O.B. ESTERO, FL WITH REMOVAL OF THE STRUCTURE FROM THE TRANSPORTER AND PLACEMENT AS DIRECTED BY VILLAGE STAFF.

TO BE DELIVERED WITHIN 140 CALENDAR DAYS AFTER RECEIPT OF NOTICE TO PROCEED.

IF YOUR FIRM IS NOT ABLE TO PROVIDE THE PREFABRICATED BRIDGE WITHIN 140 CALENDAR DAYS; PLEASE PROVIDE THE NUMBER OF CALENDAR DAYS YOUR FIRM WOULD REQUIRE FOR DELIVERY – DELIVERY IN: _____ CALENDAR DAYS.

IF NO FIRM IS ABLE TO DELIVER THE BRIDGE WITHIN 140 CALENDAR DAYS; LONGER DELIVERY PERIODS WILL BE CONSIDERED.

The Village of Estero
9401 Corkscrew Palms Circle
Estero, FL 33928

(239) 319-2821
www.Estero-fl.gov

May 8, 2023
SUBJECT: ADDENDUM NUMBER: One (1)
REFERENCE: RFB 2023-07 Sandy Lane Path Prefabricated Bridge

The due date for receipt of bids for this project has been postponed until further notice.

The new due date will be specified in an upcoming Addendum.

BIDDER IS ADVISED, YOU ARE REQUIRED TO ACKNOWLEDGE RECEIPT OF THIS ADDENDUM WHEN SUBMITTING A BID. FAILURE TO COMPLY WITH THIS REQUIREMENT MAY RESULT IN THE BIDDER BEING CONSIDERED NON-RESPONSIVE.

ALL OTHER TERMS AND CONDITIONS OF THE BIDDING DOCUMENTS ARE AND SHALL REMAIN THE SAME.

Bob Franceschini, C.P.M., CPPB
Procurement Manager

Form **W-9**
(Rev. October 2018)
Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification

▶ Go to *www.irs.gov/FormW9* for instructions and the latest information.

Give Form to the requester. Do not send to the IRS.

Print or type. See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.
Contech Engineered Solutions, LLC

2 Business name/disregarded entity name, if different from above

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.

☐ Individual/sole proprietor or single-member LLC ☑ C Corporation ☐ S Corporation ☐ Partnership ☐ Trust/estate

☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____

Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is **not** disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

☐ Other (see instructions) ▶

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):
Exempt payee code (if any) 5
Exemption from FATCA reporting code (if any) N/A
(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.
5 Concourse Pkwy Ste 1900

Requester's name and address (optional)

6 City, state, and ZIP code
Atlanta, GA 32328-6111

7 List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number
[ ][ ][ ] - [ ][ ] - [ ][ ][ ][ ]

or

Employer identification number
3 1 - 1 1 7 7 1 6 5

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here Signature of U.S. person ▶ Kathleen J. Konarz Date ▶ 1/4/23

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to *www.irs.gov/FormW9*.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, *later.*

Cat. No. 10231X Form **W-9** (Rev. 10-2018)

Client#: 237886 QUIKHOL1

ACORD™ CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 5/31/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer any rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	CONTACT NAME: Dokmai Bell
EPIC Insurance Brokers & Consultants 2405 Satellite Blvd., Ste. 200 Duluth, GA 30096 770 282-0202	PHONE (A/C, No, Ext): 678.475.5771 FAX (A/C, No): E-MAIL ADDRESS: dokmai.bell@epicbrokers.com

INSURED	INSURER(S) AFFORDING COVERAGE	NAIC #
Contech Engineered Solutions, LLC 9100 Centre Pointe Drive, Suite 400 West Chester, OH 45069-9700	INSURER A : Continental Casualty Company	20443
	INSURER B : ACE Property and Casualty Insurance Co	20699
	INSURER C : Great American Insurance Company	16691
	INSURER D : Liberty Mutual Fire Ins Co	23035
	INSURER E : LM Ins Corp/Liberty Insurance Corp	33600
	INSURER F : Ironshore/Everest/AIG	25445

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE X OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: POLICY X PRO-JECT X LOC OTHER:	X		GL6049837965	01/01/2023	01/01/2024	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG Policy Agg.	$2,000,000 $2,000,000 $15,000 $2,000,000 $4,000,000 $4,000,000 $10,000,000
D	AUTOMOBILE LIABILITY X ANY AUTO OWNED AUTOS ONLY HIRED AUTOS ONLY SCHEDULED AUTOS NON-OWNED AUTOS ONLY			AS2651290199023 Hired Phys. Dam ACV Comp/Coll Ded. $5,000	01/01/2023	01/01/2024	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)	$10,000,000 $ $ $
B C	X UMBRELLA LIAB X OCCUR X EXCESS LIAB CLAIMS-MADE DED X RETENTION $0			XEUG72501032003 TUE025104911	01/01/2023 01/01/2023	01/01/2024 01/01/2024	EACH OCCURRENCE AGGREGATE	$25,000,000 $25,000,000
E E E	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y/N N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N / A		WA565D290199183 WA765D290199293 WC5651290199193	01/01/2023 01/01/2023 01/01/2023	01/01/2024 01/01/2024 01/01/2024	X PER STATUTE OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	$3,000,000 $3,000,000 $3,000,000
F	Architects & Engineers E&O			DCP7NABW6QZ004 PL5EX00096231 027015071	01/01/2023 01/01/2023 01/01/2023	01/01/2024 01/01/2024 01/01/2024	LIMIT: $15,000,000 AGG LIMIT: $15,000,000	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

RE: Project Name: Sandy Lane Pedestrian Bridge

The Village of Estero, Florida, its agents, employees, and public officials are named as Additional Insured with respects to General Liability where required by written contract subject to policy terms, conditions and exclusions. .

CERTIFICATE HOLDER

The Village of Estero, Florida
9401 Corkscrew Palms Circle
Estero, FL 33928

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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ACORD 25 (2016/03) 1 of 1 #S5615443/M5149391 The ACORD name and logo are registered marks of ACORD CMA06

THIS AGREEMENT ("Agreement"), is made and entered into this ___ day of ___ 2023 ("Effective Date") by and between the Village of Estero, a Florida municipal corporation, whose address is 9401 Corkscrew Palms Circle #101, Estero, Florida 33928, ("Village") and Contech Engineered Solutions, LLC ("Bidder") whose address is 9100 Centre Point Dr., Suite 400, West Chester, OH 45069, as follows:

WITNESSETH

WHEREAS, the Village has determined that the purchase of one (1) prefabricated bridge structure for Sandy Lane Path is required; and

WHEREAS, this bridge has been competitively solicited through Request for Bids RFB 2023-07 ("RFB") in accordance with the Village's procurement regulations; and

WHEREAS, the Bidder submitted its Bid in response to the RFB, and the Village determined that Bidder met the Village's minimum qualifications and Bidder's bid was the lowest responsive bid received; and

WHEREAS, the Parties subsequently negotiated the terms of this Agreement.

NOW, THEREFORE, the Village and the Bidder, in consideration of the mutual covenants contained herein, do agree as follows:

ARTICLE 1.
CONTRACT DOCUMENTS; PRECEDENCE

1.1. This Agreement shall consist of the following Contract Documents (each of which are incorporated by reference and made a part hereof):

a. This Agreement.
b. All Addenda issued subsequent to the RFB.
c. The RFB, including all attachments thereto.
d. The Bidder's Bid.

1.2 In the event of any conflict between the Contract Documents, the document earlier listed above shall prevail over any later listed document. In the event of any conflict between a term of this Agreement and any Exhibit or Attachment thereto, the term in the Agreement shall prevail over the Exhibit or Attachment.

ARTICLE 2.
SCOPE OF SERVICES

2.1. Bidder agrees to perform all the services and provide all the materials requested and described in the Scope of Work which is attached hereto as Exhibit A and incorporated herein by this reference, which are hereinafter collectively referred to as the "Scope of Services."

2.2. Bidder agrees to provide its services and materials in the times allowed for performance contained in the Scope of Services. The Bidder will make no claims for additional compensation or damages owing to suspensions, delays, or hindrances which

arise during the performance of this Agreement. Such suspensions, delays or hindrances may only be compensated for by an extension of time as the Village may decide. However, such extension will not operate as a waiver of any other rights of the Village.

ARTICLE 3.
COMPENSATION AND PAYMENT OF BIDDER'S SERVICES

3.1. Village will pay Bidder for the product provided and related services performed by Bidder.

3.2. Payment for product provided and services rendered by Bidder will be made on a Lump Sum basis. Product delivered will be subject to review and approval by the Village Manager or his or her designee.

3.3. Bidder must submit all billings for payment of product provided and associated services rendered to the Village Finance Department (please email all billing invoices to: accountspayable@estero-fl.gov) for processing.

3.4. Bidder acknowledges that each billing must be reviewed and approved by the Village Manager or designee.

3.5. Village will pay Bidder's billing(s) and will follow the dispute resolution procedures set forth in Florida Statutes 218.70 through 218.80, the Local Government Prompt Payment Act. Bidder will be entitled to payment of any portion of a billing not in dispute.

3.6. It is expressly understood by the Village and the Bidder that funding for any successive fiscal years may be contingent upon appropriation of monies by the Village Council or other entities. In the event that funds are not available or appropriated, the Village reserves the right to terminate the Agreement without penalty or liability. Termination will occur (1) upon notice to the Bidder or automatically (2) on the last day of the then current fiscal year or (3) when the appropriation made for the then-current year or specific appropriation for the services covered by this Agreement is spent, whichever event occurs first. If terminated, the Village will pay Bidder for all work completed at time of termination.

ARTICLE 4.
BIDDER'S RESPONSIBILITIES

4.1. Bidder will perform or furnish the product and related services to a level of technical skill, ability, and diligence customarily provided by an experienced professional in their field of expertise when rendering the same product and services in the same location, and in accordance with sound principles and practices generally acknowledged by professionals in their field of expertise, as represented to the Bidder, in writing, to be possessed by Bidder, all in accordance with the standards contained elsewhere in this Agreement and in accordance with generally accepted standards of professional consulting practice and with the laws, statutes, ordinances, codes, rules and regulations governing Bidder's profession. Only to the extent this Agreement expressly allows subcontracting, any subcontract issued by the Bidder related to the provision of the Scope

of Services shall ensure the subcontractor will perform pursuant to these same standards of care.

4.2. Bidder will be solely responsible for providing its own office space and business equipment, including any vehicles necessary for the performance of the work of its staff assigned to perform work under this Agreement, and for paying all expenses it or its employees incurred while performing the services including, but not limited to, license fees, memberships, and dues; automobile and other travel expenses; meals and entertainment technology equipment and software; and any applicable insurance premiums.

4.3. Bidder will, without additional compensation, correct and revise any errors, omissions, or other deficiencies in its work product, services, or materials arising from the negligent act, error or omission of Bidder or any authorized subcontractors engaged by Bidder for one year after the completion of Bidder's services under this Agreement. The foregoing shall be construed as an independent duty to correct rather than a waiver of the Village's rights under any applicable statute of limitations. Village review of, approval of, acceptance of, or payment for any of Bidder's work product, services, or materials shall not be construed to operate as a waiver of any of the Village's rights under this Agreement, or cause of action Village may have arising out of the performance of this Agreement.

4.4. Bidder will, without additional compensation, correct and revise any minor deficiencies in its work product identified that can be addressed in process, even if the deficiencies would not be deemed to arise from a negligent act, error or omission of the Bidder.

4.5. Bidder will be responsible for notifying the Village promptly whenever a delay is anticipated or experienced, including a delay in approval by any governmental agency having jurisdiction over any work task. The Village shall allow the Bidder to extend response times for valid, documented delays. The Village shall be the sole determiner of the validity of the delays.

4.5. Risk of Loss: To the extent this Agreement contemplates the Bidder's delivery of equipment, parts, or any other physical commodity, Bidder shall bear the risk of loss FOB delivery destination.

ARTICLE 5.
OWNERSHIP AND USE OF DOCUMENTS

5.1. All documents, data, studies, surveys, analyses, sketches, tracings, specifications, plans, designs, design calculations, details, computations, drawings, maps, models, photographs, reports, and other documents and plans resulting from Bidder's services under this Agreement will become the property of and shall be delivered to the Village without restriction or limitation as to use regardless of the format of the document (paper or electronic). However, any use subsequent to or other than for the specific project for which such items were created, shall be at sole risk of the Village.

5.2. Bidder agrees that any software, computer systems and databases used for providing the documents necessary to this Agreement will be compatible with existing

Village software and systems. It is anticipated that any software utilized will be run on windows based PC's and will consist of Microsoft Office 2021 (or newer) and Adobe Acrobat DC (or newer).

ARTICLE 6.
VILLAGE'S RESPONSIBILITIES

6.1. The Village will perform the responsibilities contained in this Article 6 in a timely manner so as not to delay the services of Bidder.

6.2. The Village will furnish to Bidder, upon request of Bidder and at Village's expense, all existing studies, reports and other available data pertinent to the services to be performed under this Agreement which are within the Village's possession. However, Bidder will be required to evaluate all materials furnished hereunder using reasonable professional judgment before relying on such materials.

6.3. The Village will provide reasonable access and entry to all public property required by Bidder to perform the services described in this Agreement. All such access and entry shall be provided at the Village's expense. The Village will also use reasonable efforts to obtain permission for reasonable access and entry to any private property required by Bidder to perform the services described in this Agreement.

6.4. The Village will review all documents, plans, or other materials provided by Bidder in a timely manner so as to not delay the process of the Bidder.

6.5 Delivery of Commodities. To the extent this Agreement contemplates the Bidder's delivery of equipment, parts, or any other physical commodity, the Village shall provide Bidder with the date(s), time(s) and location(s) where such equipment, parts or commodities shall be delivered, and shall ensure that an authorized Village agent is present to receive and inspect and unload the delivered equipment, parts or commodities. The Village will provide appropriate contacts for delivery coordination, of the contractor selected under separate agreement for installation of the bridge.

ARTICLE 7.
TERM / TERMINATION

7.1. The term of this Agreement will begin on the Effective Date and year first written above and shall be continued until superseded by a subsequent Village agreement, or until terminated in accordance herewith, or until all Parties have performed all of their duties under the Agreement such that the Agreement has ceased being executory. Notwithstanding the termination or expiration of the Agreement, any warranties set forth herein, and any duties to indemnify the Village, shall remain in effect.

7.2. A Party may terminate this Agreement at any time upon thirty (30) calendar days written notice to the other Party. In the event the Village terminates this Agreement, the Bidder must cease work and will deliver to the Village all documents, (including reports, designs, specifications, and all other data) prepared or obtained by the Bidder in connection with its services. The Village will, upon receipt of the aforementioned documents, pay any undisputed invoices of the Bidder.

ARTICLE 8.
NOTICES

8.1. Any notice required or permitted to be sent herein shall be sent certified mail, return receipt requested to the Parties at the addresses listed above to the designated contacts below:

Bidder: Contech Engineered Solutions, LLC Village: Steve Sarkozy

8.2. Each Party shall immediately notify the other of any changes in address or designated contact.

ARTICLE 9.
ASSIGNMENT; SUBCONTRACTING

9.1. This Agreement, or any interest herein, will not be assigned, transferred or otherwise encumbered, under any circumstances by Bidder without the prior written consent of the Village. Further, no portion of the Scope of Services may be performed by subcontractors or without the express prior written approval by the Village Manager or designee. In the event the Village authorizes subcontracting, Bidder shall remain fully responsible and liable for all such subcontracted work, and Bidder shall ensure that any subcontractor maintains the same insurance coverage as are required herein, and are bound to perform the work in the same manner and to the same standards as the Bidder is required to perform under this Agreement.

ARTICLE 10.
EXTENT OF AGREEMENT / SEVERABILITY / MODIFICATION

10.1. This Agreement represents the entire and integrated agreement between the Village and Bidder and supersedes all prior negotiations, representations or agreements, either written or oral.

10.2. In the event any provision of this Agreement be held invalid and unenforceable, the remaining provisions will remain valid and binding upon the parties. One or more waivers by either party of any breach of any provision, term, condition or covenant will not be construed by the other party as a waiver of any subsequent breach.

10.3. No modification, amendment or alteration in the terms or conditions contained herein will be effective unless contained in a written Amendment executed by both Parties.

10.4. This is a nonexclusive contract. The Village has the right to enter contracts with other providers providing similar services.

ARTICLE 11.
GOVERNING LAW / VENUE

11.1. This Agreement shall be governed and construed in accordance with Florida law. In the event any litigation arises between the Parties in connection with the interpretation or performance of this Agreement, venue for such litigation shall lie exclusively in Lee County, Florida.

ARTICLE 12.
INDEPENDENT CONTRACTOR STATUS

12.1. Bidder is an independent contractor and is not an employee, servant, agent, partner or joint venturer of the Village.

12.2. Neither the Village nor any of its employees will have any control over the conduct of Bidder or any of Bidder's employees, except as herein set forth, and Bidder expressly warrants not to represent at any time or in any manner that Bidder or any of Bidder's agents, servants or employees are in any manner agents, servants or employees of the Village. It is understood and agreed that Bidder is, and will remain at all times remain, a wholly independent contractor and that Bidder's obligations to the Village are solely as prescribed by this Agreement.

ARTICLE 13.
AUDIT AND RECORDS REQUIREMENTS

13.1. Bidder will maintain books, records, documents, and other evidence directly pertaining to or connected with the services under this Agreement which will be available and accessible at Bidder's manufacturing plant in Ft. Payne, Alabama for the purpose of inspection, audit, and copying during normal business hours by the Village, or any of its authorized representatives. Such records must be retained for a minimum of three (3) years after completion of the services. Prior to destruction of any records, the Bidder will notify the Village and deliver to the Village any records the Village requests. Bidder will require all subcontractors to comply with the provisions of this paragraph by insertion of the requirements hereof in a written contract agreement between Bidder and the subcontractor.

13.2. Public Records Act Compliance. The Bidder shall comply with all applicable requirements contained in the Florida Public Records Law, including but not limited to any applicable provisions in Florida Statutes 119.0701. Pursuant to that statute, the Bidder shall:

(a) Keep and maintain public records required by the Village to perform the Services provided hereunder.

(b) Upon request from the Village's custodian of public records, provide the Village with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in Chapter 119, Florida Statutes, or as otherwise provided by law.

(c) Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed, except as authorized by law for the duration of the term of this Agreement and following completion of this Agreement if the Bidder does not transfer the records to the Village.

(d) Upon completion of the Agreement, transfer, at no cost, to the Village all public records in the possession of the Bidder or keep and maintain public records required by the Village to perform the service. If the Bidder transfers all public records to the Village upon completion of the Agreement, the Bidder shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If the Bidder keeps and maintains public records upon completion of the Agreement, it shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to the Village, upon request from the Village's custodian of public records, in a format that is compatible with the information technology systems of the Village.

If the Bidder fails to comply with the requirements in this Section, the Village may enforce these provisions in accordance with the terms of this Agreement. If the Bidder fails to provide the public records to the Village within a reasonable time, it may be subject to penalties under Florida Statutes 119.10.

IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE ESTERO VILLAGE CLERK (CUSTODIAN OF PUBLIC RECORDS) AT 239-221-5035, records@estero-fl.gov, OR VILLAGE HALL, 9401 CORKSCREW PALMS CIRCLE, ESTERO, FL 33928.

ARTICLE 14.
INDEMNIFICATION

14.1. Bidder will pay on behalf of or indemnify and hold harmless the Village, its officials, officers, employees, agents and volunteers from and against any and all claims, actions, damages, fees, fines, penalties, defense costs, including reasonable attorneys' fees and court costs (whether such fees and costs are incurred in negotiations, collection of attorneys' fees or at the trial level or on appeal), suits or liabilities, of whatever kind of nature, to the extent caused by any negligent or intentional act, error, omission, or default of Bidder or Bidder's officers, employees, agents, servants, volunteers or subcontractors, if any, related to the Bidder's performance or failure to perform under the terms of this Agreement.

14.2 Bidder must maintain during the term of this Agreement the insurance policies, at the associated policy limits, as are set forth in Exhibit C of this Agreement.

ARTICLE 15.
EMPLOYEE RESTRICTIONS

15.1. Immigration Compliance; E-Verify. Bidder acknowledges that it is responsible for complying with the provisions of the Immigration Reform and Control Act of 1986, U.S.C. 1324, et seq., and regulations relating thereto. Failure to comply with the above statutory provisions shall be considered a material breach and shall be grounds for immediate termination of this Agreement. The Bidder's employment of unauthorized aliens is a violation of 274(e) of the Federal Immigration and Employment Act. The Bidder shall utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired during the term of this Agreement, and shall require the same verification procedure of any Subcontractors authorized by the Village.

Pursuant to Florida Statutes 448.095(2), Bidder shall register with and use the E-Verify system to verify the work authorization status of all newly hired employees. Bidder's contract with the Village cannot be renewed unless, at the time of renewal, Bidder certifies in writing to the Village that it has registered with and uses the E-Verify system. If Bidder enters into a contract with a subcontractor to perform Services under this Agreement, the subcontractor must provide the Bidder with an affidavit stating that the subcontractor does not employ, contract with, or subcontract with an unauthorized alien and Bidder shall maintain a copy of such affidavit for the duration of the contract. If Bidder develops a good faith belief that any subcontractor with which it is contracting has knowingly violated Florida Statutes 448.09(1) (making it unlawful for any person knowingly to employ, hire, recruit, or refer, either for herself or himself or on behalf of another, for private or public employment within the state, an alien who is not duly authorized to work by the immigration laws or the Attorney General of the United States) Bidder shall terminate the contract with the subcontractor. If the Village develops a good faith belief that Bidder has knowingly violated Florida Statutes 448.09(1) (making it unlawful for any person knowingly to employ, hire, recruit, or refer either for herself or himself or on behalf of another, for private or public employment within the state, an alien who is not duly authorized to work by the immigration laws of Attorney General of the United States) the Village shall terminate this contract. Pursuant to Florida Statutes 448.095(2)(c)(3), termination under the above-circumstances is not a breach of contract and may not be considered as such.

15.2. If an owner (except a stockholder in a publicly traded corporation) or an employee of the Bidder has been convicted of any offenses requiring registration as a sexual offender or sexual predator, regardless of the location of conviction, the Bidder will ensure that the offender's or predator's work on the project is consistent with the terms of their probation and registry requirements.

15.3. The Bidder will incorporate the terms of this section into all contracts with any authorized subcontractors.

ARTICLE 16.
NO CONTINGENT FEES

16.1. Bidder certifies that it has not employed or retained any company or person, other than a bona fide employee working solely for Bidder to solicit or secure this

Agreement and that it has not paid or agreed to pay any person, company, corporation, individual or firm, other than a bona fide employee working solely for Bidder any fee, commission, percentage, gift or other consideration contingent upon or resulting from the award or making of this Agreement. For the breach or violation of this provision, Village has the right to terminate the Agreement without liability at its discretion, to deduct from the contract price, or otherwise recover, the full amount of such fee, commission, percentage, gift or consideration.

ARTICLE 17.
MISCELLANEOUS PROVISIONS

17.1. The Parties represent and warrant to each other that this Agreement constitutes a legal, valid, and binding obligation enforceable in accordance with its terms, and that the execution and performance of the Agreement (i) does not breach any agreement of such Party with any third party, (ii) does not violate any law, rule or regulation, (iii) is within its organizational powers, and (iv) has been authorized by all necessary action of such Party.

17.2. Each Party to this Agreement further represents and warrants that all appropriate authority exists so as to duly authorize the person executing this Agreement to so execute the same and fully bind the Party on whose behalf he or she is executing.

17.3 No delay or failure to exercise a right under this Agreement shall impair such right or shall be construed to be a waiver thereof, but such right may be exercised from time to time and as often as deemed expedient. The failure of one Party at any time to require performance by the other Party of any term in this Agreement shall in no way affect the right of the demanding Party thereafter to enforce same. Nor shall waiver by one Party of any breach of any term of this Agreement by the other Party be taken or held to be a waiver of any succeeding breach of such term or as a waiver of any term itself. To be effective, any waiver shall be in writing and signed by the Party granting such waiver. Any such waiver shall be limited to the particular right so waived and shall not be deemed to waive any other right under this Agreement.

17.4 The laws of the State of Florida shall govern the rights, obligations, duties and liabilities of the Parties to this Agreement and shall govern the interpretation of this Agreement. Any and all legal or equitable actions necessary to enforce this Agreement shall be held and maintained solely in the state and federal courts in and for Lee County, Florida. Venue shall lie exclusively in Lee County.

17.5 In any civil, administrative, bankruptcy, or other proceeding concerning this Agreement, each Party shall pay all of their own costs, attorneys' fees and expenses, including all costs, fees, and expenses incurred in any administrative hearing, trial, appeal, and mediation, notwithstanding the outcome of those proceedings. Each Party hereby waives any award of attorney fees it might otherwise recover as the prevailing Party in such proceedings.

17.6 The Bidder shall at all times comply with all laws now in effect or hereafter enacted, which are applicable in any way to the Bidder's officers, employees, agents, or subcontractors, or the delivery of the Bidder's Services to the Village.

17.7 Nothing contained herein shall be deemed or construed by the Parties, or by any third party, as creating the relationship of principal and agent or of partnership or of joint venture between the Parties, it be understood and agreed that nothing contained herein, nor any acts of the Parties, shall be deemed to create any relationship between the Parties other than the relationship of independent contractors.

17.8 This Agreement only provides rights and remedies for the Client and Bidder. Notwithstanding anything else contained herein, this Agreement does not provide any rights or remedies for any other Person. There are no third-party beneficiaries under this Agreement.

17.9 Pursuant to Florida Statutes 287.135, the Bidder is not eligible to enter, or renew, this Agreement if:

(i) The Bidder is on the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with activities in the Iran Petroleum Energy Sector List (as identified in Florida Statutes 215.473);

(ii) The Bidder engages in business operations in Cuba or Syria; or

(iii) The Bidder is on the Scrutinized Companies that Boycott Israel List (as identified in Florida Statutes 215.4725), or is engaged in a boycott of Israel.

17.10 By entering into this Agreement, the Bidder certifies that it is not on the Scrutinized Companies with Activities in Sudan List, the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or the Scrutinized Companies that Boycott Israel List, and that it is not engaged in a boycott of Israel. The Bidder acknowledges that it will execute a certification to this effect at the time it executes this Agreement.

The Bidder shall notify the Village if, at any time during the term of this Agreement, it is placed on the Scrutinized Companies with Activities in Sudan List, the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or the Scrutinized Companies that Boycott Israel List, or that it is engaged in a boycott of Israel. Such notification shall be in writing and provided by the Bidder to the Client within ten (10) days of the date of such occurrence.

In the event the Village determines, using credible information available to the public, that the Bidder has submitted a false certification or that Bidder is found to have been placed on the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, the Scrutinized Companies with Activities in Sudan List, or the Scrutinized Companies that Boycott Israel List or engaged in a boycott of Israel, the Village may, in its sole discretion, terminate this agreement and seek a civil penalty and other damages and relief against the Bidder, pursuant to Florida Statutes 287.135. In addition, the Village may pursue any and all other legal remedies against the Bidder.

17.11 This Agreement may be executed in one or more counterparts, each of which shall be deemed an original and all of which taken together shall constitute one and the same instrument.

ARTICLE 18.
TRUTH-IN-NEGOTIATION CERTIFICATE

If applicable, in accordance with Section 287.055(4), Florida Statutes, signature of this Agreement by Bidder shall act as the execution of a truth-in-negotiation certificate stating that wage rates and other factual unit costs supporting the compensation of this Agreement are accurate, complete, and current at the time of contracting. The original contract price and any additions thereto shall be adjusted to exclude any significant sums by which Village determines the contract price was increased due to inaccurate, incomplete, or noncurrent wage rates and other factual unit costs. All such contract adjustments shall be made within one (1) year following the end of this Agreement.

IN WITNESS WHEREOF, the Parties hereto have caused the execution of this Agreement by their respective authorized officers as of the Effective Date.

Contech Engineered Solutions, LLC	VILLAGE OF ESTERO
_____	_____
	Steve Sarkozy, Village Manager

Exhibit List:
Exhibit A – Scope of Services
Exhibit B – Pricing Proposal
Exhibit C – Insurance Requirements

EXHIBIT A

SANDY LANE PATH PREFABRICATED BRIDGE

STATEMENT OF WORK

A. PROJECT OVERVIEW
To provide the manufacture and delivery of a prefabricated bridge structure to Sandy Lane within the Village of Estero, FL.

B. SCOPE OF SERVICES (ATTACHED)
Bidder will provide the manufacture and delivery of a prefabricated bridge structure to Sandy Lane within the Village of Estero, FL in accordance with the terms of this contract and RFB 2023-07.

C. SCHEDULE
As scheduled and requested.

D. COMPENSATION
Per the Grand Total Cost quoted in RFB 2023-07 (see Exhibit B).

EXHIBIT B

PRICING PROPOSAL

Per pricing submitted in response to RFB 2023-07 – Grand Total Cost: $239,500 (plus applicable sales taxes).

EXHIBIT C

INSURANCE REQUIREMENTS

As per attached.

VILLAGE OF ESTERO, FLORIDA

MAJOR INSURANCE REQUIREMENTS

Minimum Insurance Requirements: The Village of Estero in no way represents that the insurance required is sufficient or adequate to protect the vendors' interest or liabilities. The following are the required minimums the vendor must maintain throughout the duration of this contract. The Village reserves the right to request additional documentation regarding insurance provided.

a. Commercial General Liability - Coverage shall apply to premises and/or operations, products and completed operations, independent contractors, contractual liability exposures with minimum limits of:

    $1,000,000 per occurrence
    $2,000,000 general aggregate
    $1,000,000 products and completed operations
    $1,000,000 personal and advertising injury

b. Business Auto Liability - The following Automobile Liability will be required and coverage shall apply to all owned, hired and non-owned vehicles use with minimum limits of:

    $1,000,000 combined single limit (CSL)
    $500,000 bodily injury per person
    $1,000,000 bodily injury per accident
    $500,000 property damage per accident

c. Workers' Compensation - Statutory benefits as defined by FS 440 encompassing all operations contemplated by this contract or agreement to apply to all owners, officers, and employees regardless of the number of employees. Workers Compensation exemptions may be accepted with written proof of the State of Florida's approval of such exemption. Employers' liability will have minimum limits of:

    $500,000 per accident
    $500,000 disease limit
    $500,000 disease – policy limit

*The required minimum limit of liability shown in a. and b. may be provided in the form of "Excess Insurance" or "Commercial Umbrella Policies." In which case, a "Following Form Endorsement" will be required on the "Excess Insurance Policy" or "Commercial Umbrella Policy."

Verification of Coverage:

1. Coverage shall be in place prior to the commencement of any work and throughout the duration of the contract. A certificate of insurance will be provided to the Village Manager for review and approval. The certificate shall provide for the following:

   a. The certificate holder shall read as follows:
      The Village of Estero, Florida
      9401 Corkscrew Palms Circle
      Estero, Florida 33928
   b. "The Village of Estero, Florida, its agents, employees, and public officials" will be named as an "Additional Insured" on the General Liability policy, including Products and Completed Operations coverage.

Special Requirements:

1. An appropriate "Indemnification" clause shall be made a provision of the contract.
2. It is the responsibility of the general contractor to insure that all subcontractors comply with all insurance requirements.

Bid No.: RFB 2023-07

VILLAGE OF ESTERO, FLORIDA
VENDOR DISCLOSURE FORM

Project No.: 2023-07

Project Name: Sandy Lane Path Prefabricated Pedestrian Bridge

Please check as appropriate:

_____	I am the sole proprietor/owner. The company is not publicly held.
X	The company is not publicly held. The names and addresses of the owners having a greater than 5% interest is attached.
_____	The company is publicly held. The names and addresses of the owners having a greater than 5% interest is attached.

I do hereby certify that to the best of my knowledge and belief certify that the information above and attached is true and correct.

Signed: _____
Vendor

Printed Name James M. Park

Company Name Contech Engineered Solutions, LLC

Date: June 1, 2023

Bid No.: RFB 2023-07

NAMES & ADDRESSES OF OWNERS

NOTE: Please list individuals; the listing of corporations is **NOT** acceptable.

Contech Engineered Solutions is owned by the Quikrete Companies. Quikrete is privately owned by the Winchester Family of Georgia and ownership details will not be provided. The corporate address is as follows: 5 Concourse Pkwy Suite #1900, Atlanta, GA 30328

AGENDA ITEM SUMMARY SHEET
VILLAGE COUNCIL MEETING
July 5, 2023

Agenda Item:

Roadway/Sidewalk Assessment - Contract EC 2022-32 STA 01

Motion to approve STA 1 to Contract 2022-32 with Tetra Tech, Inc. for the preparation of an engineering assessment of the existing roads and sidewalks maintained by the Village of Estero for $256,060.

Approve a $25,600 contingency (10%) for additional services that may be required to complete the project.

Authorize the Village Manager to sign the STA and other additional implementing documents within the scope of the STA on behalf of the Village of Estero Council.

Background:

In 2016, the Florida Gulf Coast University performed an assessment of the approximately 26.3 miles of roadways as part of the roadway turnover by Lee County to the Village of Estero. This report identified three roads in need of immediate attention. They were Estero Parkway, Trailside Drive and Poinciana Avenue. All three of these roadways have been repaired and resurfaced.

Description:

The Village of Estero Staff is proposing to update the roadway assessment with a more complete assessment of the Village owned rights-of-way. The proposed assessment will include roadway surface conditions, shoulder conditions, roadway signs, and sidewalk/pathways within Village rights-of-way. The proposed assessment will use GIS software to document conditions and provide a mechanism for future updates to track changes. The assessment software will prioritize repair/preventative maintenance.

Village Staff has negotiated a contract with Tetra Tech to assess the Village's roadways. Following is a summary of the project's tasks.

- Consultant will utilize a vehicle mounted data collection system to document existing conditions and identify pavement issues.
- Visual inspection of sidewalks and roadway shoulders,
- Visual inspection of roadway signage including reflectivity
- Use of the Streetlogix (or similar) software to assist in evaluating the condition of the assets, including condition rankings. Village will need to purchase the software. Estimated Costs - $14,500, not of this contract
- The consultant will assist the Village staff in becoming proficient in the use of the software.
- Prepare a summary report of the work accomplished along with recommendations for future management of the asset inventories and the development of a 5-year pavement rehabilitation plan for inclusion within the Village's capital improvement plan.

Action Requested:

Motion to approve STA 1 to Contract EC 2022-32 with Tetra Tech, Inc. for the preparation of an engineering assessment of the existing roads and sidewalks maintained by the Village of Estero for $256,060.

Approve a $25,600 contingency (10%) for additional services that may be required to complete the project.

Authorize the Village Manager to sign the STA and other additional implementing documents within the scope of the STA on behalf of the Village of Estero Council.

Process and Timeline:

A project schedule is included (Schedule D) in the attached contract. Following is a summary of the schedule. Time is from the project Notice to Proceed.

Right-of-way and Pavement Management System	2 months
Automated survey and facilities conditions surveys	2 months
Video Imagery	3 months
Condition Evaluation	4 months
Pavement Rehabilitation Plan	5 months
Evaluation Report	6 months
GIS Database Assistance	1 year

Financial Impacts:

The fiscal impact is $296,160 for the roadway/sidewalk assessment project initial year cost. This includes $256,060 for the roadway/sidewalk assessment, a 10% project contingency of $25,600, and an approximate $14,500 cost for the Streetlogix software and initial year of maintenance fees. Thereafter, the annual maintenance fee for the Streetlogix software is currently $8,500.

Prepared by: David Willems, P.E.

Attachments:

1. EC 2022-32 STA 1 document
2. Vendor Disclosure

Misc. Contractor
Services/Professional Services

RFQ/CN ____

STA No. 1

Project Name: Roadway/Sidewalk Assessment

Contractor: Tetra Tech, Inc.

Village of Estero Contract No.: EC 2022-32

Village of Estero Account Number: 300-700-5416377

Brief Description: An engineering assessment of the existing Village of Estero maintained roadways, sidewalks, and associated infrastructure to evaluate the current conditions, identify needed corrective maintenance, and establish a roadway and sidewalk management planning tool for development of a capital improvement plan to ensure long term viability.

Total Fees: $256,060 (NTE)

The Consultant shall perform the services outlined in the attached Exhibit A for the Fees identified therein, under the terms and conditions outlined in the above referenced Village of Estero Contract No. EC 2022-32.

Tetra Tech, Inc.	Village of Estero
By: DMN	By: _____
Name: Daniel M. Nelson	Name: Steve Sarkozy
Title: Vice President	Title: Village Manager
Date: 6/20/23	Date: _____

Attachment:
Exhibit A

EXHIBIT A

ROADWAY/SIDEWALK ASSESSMENT

STATEMENT OF WORK

A. Project Overview

is the Village of Estero currently owns and maintains approximately 26.3 miles of roadway comprised of the following:

- Armada Court (792 ft)
- Broadway E&W (12,778 ft)*
- Charing Cross Circle (3,274 ft)
- Coconut Drive (1,320 ft)
- Coconut Road (17,582 ft, 4-lane)*
- Commons Way (580 ft)
- Coralee Avenue (1,214 ft)
- Corkscrew Village Lane (500 ft)*
- County Road (528 ft)
- Estero Parkway (9,504 ft, 4-lane)*
- Highlands Avenue (1,848 ft)*
- Lords Way Street (580 ft)*
- Mederia Lane (686 ft)
- Palmetto Terrace (792 ft)
- Park Place (1,214 ft)
- Pine Tree Lane (2,164 ft)
- Poinciana Avenue (661 ft)
- Porthole Court (792 ft)
- River Ranch Road (3,960 ft)*
- Riverside Drive (1,373 ft)
- Royal Palm Drive (1,214 ft)
- Sandy lane (3,854 ft)
- See See Street (1,161 ft)
- Spring Creek Road (2,904 ft)
- Trailside Drive (2,166 ft)
- Via Coconut Point (14,362, 4-lane)*
- Williams Road (13,200 ft)*

* All or a portion of these roads have sidewalks either on one or both sides of the road.

Florida Gulf Coast University (FGCU) previously performed an assessment of the roads in 2016 as part of the roadway turnover by Lee County. The FGCU report has been utilized to identify and upgrade some of the roads in most need of repair. Estero desires to perform an updated, more comprehensive review and develop a pavement management system that will meet current and future needs and assist in forecasting and planning of future road maintenance. The plan shall review and consider roadway surface conditions, shoulder conditions, roadway signs and sidewalk/pathways within the accompanying right-of-ways (as applicable). Following completion of the initial evaluation and assessment, Estero desires for the roads to be prioritized for repair/preventative maintenance, and to be incorporated into GIS shape files.

To complete the proposed services, Estero has requested Tetra Tech's assistance through the Miscellaneous Professional Services Contract EC 2022-32 dated June 1, 2022.

B. PROJECT TEAM

For this effort, ENGINEER will perform the proposed services in-house with assistance from WGI to perform data collection and from Streetlogix for condition assessment and asset management software assistance.

C. SCOPE OF SERVICES

The scope of services presented below is for the professional services requested to be performed by Tetra Tech (ENGINEER).

Task 1 – Right-of-Way and Pavement Management System Development

Upon authorization, ENGINEER will proceed with the development of a right-of-way and pavement management system for use in assisting Estero with documentation of history as well as to assist in planning for future maintenance. For this effort, ENGINEER recommends using Streetlogix, which is a GIS-based asset management system specializing in streets. Estero will be required to purchase Streetlogix for its use.

The following will be performed:

a. Data Request –ENGINEER will submit a data request to the Village for information which may assist with performing the proposed services. It is understood that the Village may not have some data. The request is anticipated to include but not be limited to:
   - As-built documents
   - Geotechnical information (road cores, standard penetration tests, etc.)
   - Planned improvements
   - Any existing inventory of Village assets within the roadways (signs, traffic control, lighting, etc.)

b. Inventory Development – For each road, using the data collected under Task 1.a, along with imagery from Google Earth, Lee County Property Appraiser (LeePa) data, and data collected according to the following scope, ENGINEER will develop a desk-top inventory to document:
   - Road Centerline lengths
   - Right-of-Way Width
   - Presence of curb-and-gutter, type
   - Construction History
     - As-built documentation (as applicable)
   - Materials of construction (asphalt, concrete, etc.)
   - Striping and Markings (painted and thermoplastic)
   - Bike paths (as applicable)
   - Right-of-way Attributes
     - Stormwater
     - Road Signs
     - Sidewalks
     - Landscaping
     - Shoulder

c. Workshop No. 1 – Following completion of the Inventory Development, ENGINEER will schedule and hold a joint in-person/virtual workshop to review the inventory performed and the management system platform (Streetlogix). It is anticipated that the ENGINEER and WCI will be present in person with Streetlogix present virtually.

d. Software Purchase – Following determination of the recommended software, Estero will proceed with purchase of software along with any training for Streetlogix. ENGINEER will participate in the training.

Notes:

1. Estero is responsible for purchase of the selected software along with any annual licensing or maintenance costs.

Task 2 – Automated Survey (Pavement)

For each road and associated right-of-way, ENGINEER will utilize WGI to perform the following evaluation for incorporation into the GIS-based Management System developed in Task 1:

a. ENGINEER will utilize a vehicle mounted data collection system that includes: pavement inspection system, video inspection, Mobile LiDAR, and Pavement Laser Crack Measurement Data Systems (LCMS) to collect data needed to identify pavement distresses including cracks, ruts, patches, raveling, shoving, potholes, depressions, swelled areas, pavement markings and raised pavement markers (RPMs). The Mobile LiDAR will provide the basis for roadway asset inventory while the LCMS will provide data collection for pavement condition indexing (PCI). The Mobile LiDAR information will be collected in such a manner that with proper horizontal and vertical survey control, the data can be utilized for roadway design, drainage studies, flood hazard analysis (including first floor building elevations), etc.

b. The collected data will be processed into a GIS integrated pavement management system with imagery and video to display the variations in roadway condition.

c. Data collected will be analyzed under Task 8 – Condition Evaluation.

d. Create a roadway grading system modeled after FDOT's system or another approved system.
e. Grade the roadways using the approved system.
f. Identify short-term roadway improvements and condition monitoring efforts based on the roadway grades.

Task 3 – Sidewalk Condition Survey

The following rights-of-way include sidewalks at the estimated lengths, with a total estimated length of approximately 19 miles:

- Broadway West – 7,650 lf (one side only)
- Coconut Road – 27,700 total lf (mixed one side and both sides)
- Corkscrew Village Lane – 90 lf (one side only)
- Estero Parkway – 19,008 total lf (both sides of road)
- Highlands Avenue – 890 lf (one side only)
- Lords Way – 580 lf (one side only)
- River Ranch Road – 2,865 lf (one side only)
- Via Coconut Point – 28,728 total lf (both sides of road)
- Williams Road – 13,200 lf (one side only)

For those roads which include existing sidewalks, ENGINEER will perform the following:

a. Field inventory public sidewalks (owned by Estero)
   - Location
   - Width
   - Length
   - Material of construction (Concrete, asphalt, brick pavers, etc.)
b. Assess the condition of the public sidewalks
   - Erosion (proximity with or without undermining)
   - Cracking (nature and severity)
   - Drop-off hazards (conformance with FDOT Design Manual §222.4)
   - Gaps between panels (greater than 1/2-inch and excluding expansion joint material)
   - Areas of rough surfaces, spalling, exposed aggregate
   - Areas of ponding/settlement
   - Areas of uplift/root damage
c. Review sidewalks and crosswalks for ADA compliance (4.7 of the Code of Federal Regulations 28 CFR Part 36)
   - Running slope (5% max., except for ramps)
   - Cross slope (2% max.)
   - Curb ramp configuration at intersections and midblock crossings (conformance with FDOT Standard Plans Index 522-002)
   - Driveway crossings (conformance with FDOT Standard Plans Index 522-003)
   - Trip hazards (i.e. vertical changes in level exceeding ¼" or beveled changes in level exceeding ½" or steeper than 1:2)
   - Sidewalk termination signage

Notes:

1. Depending on the conditions, field data collection may be either through the vehicle based Mobile LiDAR unit (while roadway data is being collected) or through a smaller Segway type unit equipped with similar technology.

Task 4 – Shoulder Condition Survey

For those roadways owned by Estero, ENGINEER will utilize data collected under Task 2, in addition to performing a visual inspection of the roadway shoulders to determine the condition and identify potential hazards and maintenance issues. ENGINEER will review both the outside and inside edges of pavement for divided roads (Coconut Road, Via Coconut Road and Estero Parkway). The following conditions will be identified:

- Ponding
- Washouts
- Grass overgrown onto road (Y/N)
- Paved shoulders (width and condition)
- Cross slope (positive drainage where applicable)
- Curbing (Y/N and condition)
- Shoulder drop-off depth (using American Association of State Highway and Transportation Officials (AASHTO) Roadside Design Guide or similar)
- Vehicle ruts/off-tracking
- Erosion

Task 5 – Street Sign Survey

ENGINEER will utilize data collected under Task 2 along with visual inspections to perform the following to assist with inventory of the road signage along those roads owned by Estero:

a. Capture all road sign locations for input into GIS based asset management/inventory system.
b. Retroreflectivity of the road signs utilizing handheld retroreflectivity tool.
c. Note the following related to the road signs:
   - Material of sign and post
   - Installation (compliance with FDOT Standard Plan Index 700-101)
   - Sign/post condition

Notes:

1. ENGINEER previously reviewed the signage and striping at the intersections of Williams Road & Via Coconut Road and Via Coconut Road & Pelican Colony Boulevard. The road signage recommendations associated with that effort will be incorporated into this study.

2. Retroreflectivity needs to be performed manually using a retroreflectometer.

Task 6 – Video Imagery

ENGINEER will provide copies of photos and videos collected in Tasks 2 through 5 to Estero. Photos and videos will be linked within the GIS-based asset management system (Streetlogix or similar platform) implemented in Task 1.

Task 7 – GIS Database Assistance

Following completion of the surveys performed in Tasks 2 through 5 and in conjunction with Task 1 (Right-of-Way and Pavement Management System), ENGINEER will input all data into Estero's GIS database and will provide additional support as outlined below:

a. GIS Incorporation – Utilizing the selected software, ENGINEER will incorporate the data collected from Pavement Management System application into Estero's existing GIS and Information Technology system(s). Recognizing the software can be utilized for future work, the intent of this effort is to input historical data as collected within this task and does not include establishment of future work such as work orders, capital improvement projects, etc. (CIP assistance will be performed under Task 9.)

b. GIS Workshop – Following incorporation of the data into Estero's existing GIS system (with the purchased software), ENGINEER will hold a second workshop with Estero and its GIS staff (or consultant) to familiarize them with the information, the software and its capabilities. The software company will be invited to attend.
c. As-Needed Assistance – Following completion of setting up the Right-of-Way and Pavement Management System into Estero's existing GIS system, ENGINEER shall provide up to 100 hours of GIS assistance over a 12-month period.

Task 8 – Condition Evaluation

Following completion of the surveys performed in Tasks 2 through 5 and in conjunction with Task 1 (Right-of-Way and Pavement Management System), ENGINEER will perform a condition evaluation in accordance with ASTM International Standard D6433. To accomplish this, we will utilize Streetlogix or a similar platform (as identified in Task 1) to assist Estero in evaluating the condition of the infrastructure for immediate and future improvements. Streetlogix utilizes a Pavement Condition Index (PCI) to "rank" the condition of pavement using a 0-100 scale and including:

- 0-10 – Failed
- 10-25 – Serious
- 25-40 – Very Poor
- 40-55 – Poor
- 55-70 – Fair
- 70-85 – Satisfactory
- 85-100 – Good

The ranking system takes into consideration cracks, joints, depressions, rutting, swelled pavement, corrugation, weathering, railroad crossings and related features. Similar metrics will be developed to evaluate related right-of-way features to include:

- Pavement Markings
- Raised Pavement Markings (RPMs) – presence or absence
- Sidewalks – cracking, heaving, drop hazards, erosion, etc.
- Shoulders – drop, vehicle off-tracking, erosion, etc.
- Street signs – general condition, damage, reflectivity

Task 9 – Pavement Rehabilitation Plan

Once the condition evaluation has been completed, ENGINEER will develop a 5-year pavement rehabilitation plan for inclusion within Estero's Capital Improvement Plan (CIP). As a part of this task, ENGINEER will develop estimated capital costs as well as life-cycle costs.

Task 10 – Evaluation Report

Upon completion of Tasks 1 through 9, ENGINEER will repair a summary report to include the following:

- Discussion of the methodology for data collection and analysis
- Roadway Surface:
  - Pavement Inspection Output
  - Recommendations
- Shoulders:
  - Shoulder inventory
  - Recommendations
- Street signs:
  - Street sign inventory
  - Recommendations

Following completion of a DRAFT report, a PDF submittal will be provided to Estero for review and comment. Upon receipt of comments, a review meeting will be held, followed by incorporation and submittal of the FINAL report to Estero.

D. SCHEDULE

Task No.	Task	Days from Notice to Proceed
1	Right-of-Way and Pavement Management System Development	60
2	Automated Survey	60
3	Sidewalk Condition Survey	60
4	Shoulder Condition Survey	60
5	Street Sign Survey	60
6	Video Imagery	90
7	GIS Database Assistance	365
8	Condition Evaluation	120
9	Pavement Rehabilitation Plan	135
10	Evaluation Report	175

E. COMPENSATION

Proposed fee breakdown is summarized below. The basis of payment is time and materials:

Task No.	Task	Fee
1	Right-of-Way and Pavement Management System Development	$12,125
2	Automated Survey	$51,528
3	Sidewalk Condition Survey	$38,850
4	Shoulder Condition Survey	$15,621
5	Street Sign Survey	$32,710
6	Video Imagery	$5,148
7	GIS Database Assistance	$15,888
8	Condition Evaluation	$42,771
9	Pavement Rehabilitation Plan	$6,310
10	Evaluation Report	$33,610
	Expenses	$1,500
	TOTAL	**$256,060**

Price Proposal

Roadway/Sidewalk Assessment

Assessment of roadway and sidewalk conditions for planning

Submitted to: Village of Estero (Attn: Robert Wiley)

Contract Type: T&M

Project Phases / Tasks	Total Labor Hrs	Bill Rate >	280.00	255.00	120.00	175.00	230.00	100.00	115.00	Labor	Subs	ODCs	Task Pricing Totals
			Program Manager (D Nelson)	Sr Project Manager (E Fey)	Engineer 2 (D Brady)	Sr GIS Application Developer (A Montalvo)	Sr Engineer 1 (M Thatcher)	Project Administrator (R Tobin)	CAD Designer (S Cyr)				
	879		28	147	352	224	48	32	48	146,525	108,035	1,500	256,060
1 - R/W Pavement Management System Development	**31**		**4**	**9**	**4**	**14**	**-**	**-**	**-**	**6,345**	**5,780**	**-**	**12,125**
Data Request	8			2	4	2				1,340			1,340
Inventory Development	6			2		4				1,210	5,780		6,990
Workshop No. 1	12		4	4		4				2,840			2,840
Software Purchase Assistance	5			1		4				955			955
2 - Automated Survey (Pavement)	**114**		**-**	**14**	**32**	**54**	**14**	**-**	**-**	**20,080**	**31,448**	**-**	**51,528**
Mobile LiDAR Data Collection	6			2		4				1,210	31,448		32,658
GIS Processing	18			2		16				3,310			3,310
Roadway Grading System Development	22			2		20				4,010			4,010
Roadway Grading	34			4	12	10	8			6,050			6,050
Condition Assessment/Short-Term Improvements	34			4	20	4	6			5,500			5,500
3 - Sidewalk Condition Survey	**102**		**2**	**28**	**64**	**-**	**8**	**-**	**-**	**17,220**	**21,630**	**-**	**38,850**
Field Inventory	2			2						510	21,630		22,140
Condition Assessment	60			16	40		4			9,800			9,800
ADA Compliance Review	40		2	10	24		4			6,910			6,910
4 - Shoulder Condition Survey	**54**		**4**	**10**	**40**	**-**	**-**	**-**	**-**	**8,470**	**7,151**	**-**	**15,621**
Condition review based on Task 2 data collected	54		4	10	40					8,470	7,151		15,621
5 - Street Sign Survey	**28**		**-**	**8**	**10**	**10**	**-**	**-**	**-**	**4,990**	**27,720**	**-**	**32,710**
Road Sign Location Verification	24			4	10	10				3,970			3,970
Field Data Collection Using Handheld Device	4			4						1,020	27,720		28,740
6 - Video Imagery	**12**		**-**	**2**	**-**	**10**	**-**	**-**	**-**	**2,260**	**2,888**	**-**	**5,148**
Incorporate Video Data from Mobile LiDAR	12			2		10				2,260	2,888		5,148
7 - GIS Database Assistance	**70**		**4**	**12**	**-**	**54**	**-**	**-**	**-**	**13,630**	**2,258**	**-**	**15,888**
Incorporate Data into GIS	14			4		10				2,770			2,770
GIS Workshop	12		4	4		4				2,840			2,840
Provide As-Needed GIS Assistance	44			4		40				8,020	2,258		10,278
8 - Condition Evaluation	**208**		**6**	**26**	**116**	**44**	**16**	**-**	**-**	**33,610**	**9,161**	**-**	**42,771**
WGI Evaluation Assistance	2			2						510	9,161		9,671
Streelogix Evaluation of Roadways Based on Collected Data	48			4	20	20	4			7,840			7,840
Condition Ranking	**158**		**6**	**20**	**96**	**24**	**12**	**-**	**-**	**25,260**	**-**	**-**	**25,260**
Roadways	32		2	4	20	4	2			5,140			5,140
Sidewalks	32		2	4	20	4	2			5,140			5,140
Pavement Markings	18			2	10	4	2			2,870			2,870
Raised Pavement Markings	18			2	10	4	2			2,870			2,870
Street Signs	32		2	4	20	4	2			5,140			5,140
Right-of-Ways	26			4	16	4	2			4,100			4,100
9 - Pavement Rehabilitation Plan	**38**		**2**	**6**	**20**	**4**	**4**	**2**	**-**	**6,310**	**-**	**-**	**6,310**
5-Year Plan Development	38		2	6	20	4	4	2		6,310			6,310

Labor Plan — 7 Resources

Price Summary / Totals

Task Pricing Totals	256,060
Total Price	**256,060**

Pricing by Resource

10 - Evaluation Report	**222**	**6**	**32**	**66**	**34**	**6**	**30**	**48**	**33,610**	**-**	**-**	**33,610**
Draft Report	138	2	20	40	20	4	20	32	20,560			20,560
Meeting with Village to Review Draft	8	2	2	2	2				1,660			1,660
Finalize Report	76	2	10	24	12	2	10	16	11,390			11,390
Other Direct Costs	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**1,500**	**1,500**
Expenses	-										1,500	1,500
Totals	**879**	**28**	**147**	**352**	**224**	**48**	**32**	**48**	**146,525**	**108,035**	**1,500**	**256,060**

January 24, 2023

Danny Nelson, Vice President
Tetra Tech
10600 Chevrolet Way, Suite 102
Estero, FL 33928
danny.nelson@tetratech.com

Re: Village of Estero Roadway/Sidewalk Assessment

Dear Mr. Nelson,

WGI, Inc. (WGI) is pleased to provide this proposed estimate to Tetra Tech Name (CLIENT) for professional services on the above-referenced project. Our scope of services and corresponding fees are detailed below based upon our meetings related to division of the overall scope of services. We understand the services provided herein will be contracted as a subconsultant to Tetra Tech under your existing Village of Estero's Continuing Services Contract.

SCOPE OF SERVICES

GEOSPATIAL SERVICES

WGI will perform services in accordance with the statement of work defined in Exhibit A of this document with the following exceptions detailed under each task and which are redacted in the attached exhibit.

Task 1: Roadway Inventory	**$ 5,505.00**
Exceptions: Tasks 1a, 1c, and 1d	
Task 2: Data Collection	
Exceptions: Task 2f	**$29,950.00**
Task 3: Sidewalks	**$20,600.00**
Task 4: Shoulders	**$ 6,810.00**
Task 5: Signs	**$26,400.00**
Task 6: Video Imagery	**$ 2,750.00**
Task 7: GIS Database	**$ 2,150.00**
Task 8: Condition Evaluation	**$ 8,725.00**

Notes:

- Project datum will be based on the State Plane Coordinate System, Florida West Zone (NAD83).
- Vertical datum will be based on the North American Vertical Datum of 1988 (NAVD 88).
- No software will be purchased on behalf of the Village of Estero.
- Attendance at on-site meetings are not included in the estimation.
- WGI will coordinate appropriate data delivery standards sufficient for import into Streetlogix software environment.

BASIS OF THIS PROPOSAL

This proposal is based on the following:

1. The proposal was developed with the benefit of the Draft Statement of Work for Roadway and Sidewalk Assessment as provided by Tetra Tech. Any changes to the aforementioned scope of work may affect the proposed fixed fee.

INFORMATION REQUIRED

The following additional information will be required to begin services on this project:

1. AutoCAD, GIS or other digital files depicting roadway centerlines;
2. Any existing roadway assets within the Village's GIS;
3. Recent, planned, or on-going pavement project locations and scope of rehabilitation.

Any additional optional services requested by CLIENT will be provided for a fixed fee to be negotiated once a scope of service is defined.

We appreciate the opportunity to be of service to Tetra Tech.

Respectfully submitted,
WGI, Inc.

Sandor Laszlo, PE
Senior Operations Manager
Emerging Technology

Stephen J. Clancy, PSM, GISP
Vice President
Geomatics

EXHIBIT A

ROADWAY/SIDEWALK ASSESSMENT

STATEMENT OF WORK

A. Project Overview

Following incorporation, some of the localized public roads were transferred to the Village of Estero (Estero) by Lee County. In all there is approximately 26.3 miles of roadway comprised of the following:

- Armada Court (792 ft)
- Broadway E&W (12,778 ft)*
- Charing Cross Circle (3,274 ft)
- Coconut Drive (1,320 ft)
- Coconut Road (17,582 ft, 4-lane)*
- Commons Way (580 ft)
- Coralee Avenue (1,214 ft)
- Corkscrew Village Lane (500 ft)*
- County Road (528 ft)
- Estero Parkway (9,504 ft, 4-lane)*
- Highlands Avenue (1,848 ft)*
- Lords Way Street (580 ft)*
- Mederia Lane (686 ft)
- Palmetto Terrace (792 ft)
- Park Place (1,214 ft)
- Pine Tree Lane (2,164 ft)
- Poinciana Avenue (661 ft)
- Porthole Court (792 ft)
- River Ranch Road (3,960 ft)*
- Riverside Drive (1,373 ft)
- Royal Palm Drive (1,214 ft)
- Sandy lane (3,854 ft)
- See See Street (1,161 ft)
- Spring Creek Road (2,904 ft)
- Trailside Drive (2,166 ft)
- Via Coconut Point (14,362, 4-lane)*
- Williams Road (13,200 ft)*

* All or a portion of these roads have sidewalks either on one or both sides of the road.

Estero previously had the Florida Gulf Coast University (FGCU) perform an assessment of the roads in 2016 as part of the roadway turnover by Lee County. The FGCU report has been utilized to identify and upgrade some of the roads in most need of repair. Estero now desires to perform a more comprehensive review and develop a pavement management system that will meet current and future needs and assist in forecasting and planning of future road maintenance. The plan shall review and consider roadway surface conditions, shoulder conditions, roadway signs and sidewalk/pathways within the accompanying right-of-ways (as applicable). Following completion of the initial evaluation and assessment, Estero desires for the roads to be prioritized for repair/preventative maintenance, and to be incorporated into GIS shape files.

To complete the proposed services, Estero has requested Tetra Tech's assistance through the Miscellaneous Professional Services Contract EC 2022-32 dated June 1, 2022.

B. PROJECT TEAM

For this effort, ENGINEER will perform the proposed services in-house with assistance from WGI to perform data collection and from Streetlogix for condition assessment and asset management software assistance.

C. SCOPE OF SERVICES

The scope of services presented below is for the professional services requested to be performed by Tetra Tech (ENGINEER).

Task 1 – Right-of-Way and Pavement Management System Development

Upon authorization, ENGINEER will proceed with the development of a right-of-way and pavement management system for use in assisting Estero with documentation of history as well as to assist in planning for future maintenance. For this effort, ENGINEER recommends using Streetlogix, which is a GIS-based asset management system specializing in streets. Estero will be required to purchase Streetlogix for its use.

The following will be performed:

~~a. Data Request - ENGINEER will develop a data request to include but not be limited to:~~

- ~~As-built documents~~
- ~~Geotechnical information (road cores, standard penetration tests, etc.)~~
- ~~Planned improvements~~

b. Inventory Development – For each road, using the data collected under Task 1.a, along with imagery from Google Earth and Lee County Property Appraiser (LeePa) data, ENGINEER will develop a desk-top inventory to document:
   - Road Centerline lengths
   - Right-of-Way Width
   - Presence of curb-and-gutter, type
   - Construction History
     - As-built documentation (as applicable)
   - Materials of construction (asphalt, concrete, etc.)
   - Striping and Markings (painted and thermoplastic)
   - Bike paths (as applicable)
   - Right-of-way Attributes
     - Stormwater
     - Road Signs
     - Sidewalks
     - Landscaping
     - Shoulder

~~c. Workshop No. 1 – Following completion of the Inventory Development, ENGINEER will schedule and hold a virtual workshop to review the inventory performed and the management system platform (Streetlogix).~~

~~d. Software Purchase – Following determination of the recommended software, Estero will proceed with purchase of software along with any training for Streetlogix. ENGINEER will participate in the training.~~

Notes:

1. Estero is responsible for purchase of the selected software along with any annual licensing or maintenance costs.

Task 2 – Automated Survey (Pavement)

For each road and associated right-of-way, ENGINEER will utilize WGI perform the following evaluation for incorporation into the GIS-based Management System developed in Task 1:

a. ENGINEER will utilize a vehicle mounted pavement inspection system, this includes video inspection, Mobile LiDAR, and Pavement Laser Crack Measurement Data Systems (LCMS) laser profiling to collect data needed to identify cracks, ruts, patches, raveling, shoving, potholes, depressions, swelled areas, pavement markings and raised pavement markers (RPMs). The Mobile LiDAR will provided the basis for roadway asset inventory while the LCMS will provide data collection for pavement condition indexing (PCI).
b. the collected data will be processed into a GIS integrated pavement management system with imagery and video to display the variations in roadway condition.
c. Data collected will be analyzed under Task 8 – Condition Evaluation.
d. Create a roadway grading system modeled after FDOT's system or another approved system.
e. Grade the roadways using the approved system.
~~f. Identify short-term roadway improvements and condition monitoring efforts based on the roadway grades.~~

Task 3 – Sidewalk Condition Survey

The following rights-of-way include sidewalks at the estimated lengths, with a total estimated length of approximately 19 miles:

- Broadway West – 7,650 lf (one side only)
- Coconut Road – 27,700 total lf (mixed one side and both sides)
- Corkscrew Village Lane – 90 lf (one side only)
- Estero Parkway – 19,008 total lf (both sides of road)
- Highlands Avenue – 890 lf (one side only)
- Lords Way – 580 lf (one side only)
- River Ranch Road – 2,865 lf (one side only)
- Via Coconut Point – 28,728 total lf (both sides of road)
- Williams Road – 13,200 lf (one side only)

For those roads which include existing sidewalks, ENGINEER will perform the following:

a. Field inventory public sidewalks (owned by Estero)
   - Location
   - Width
   - Length
   - Material of construction (Concrete, asphalt, brick pavers, etc.)

b. Assess the condition of the public sidewalks
   - Erosion (proximity with or without undermining)
   - Cracking (nature and severity)
   - Drop-off hazards (conformance with FDOT Design Manual §222.4)
   - Gaps between panels (greater than 1/2-inch and excluding expansion joint material)
   - Areas of rough surfaces, spalling, exposed aggregate
   - Areas of ponding/settlement
   - Areas of uplift/root damage

c. Review sidewalks and crosswalks for ADA compliance (4.7 of the Code of Federal Regulations 28 CFR Part 36)
   - Running slope (5% max., except for ramps)
   - Cross slope (2% max.)
   - Curb ramp configuration at intersections and midblock crossings (conformance with FDOT Standard Plans Index 522-002)
   - Driveway crossings (conformance with FDOT Standard Plans Index 522-003)
   - Trip hazards (i.e. vertical changes in level exceeding ¼" or beveled changes in level exceeding ½" or steeper than 1:2)
   - Sidewalk termination signage

Notes:

1. Depending on the conditions, filed data collection may be either through the vehicle based Mobile LiDAR unit (while roadway data is being collected) or through a smaller Segway type unit equipped with similar technology.

Task 4 – Shoulder Condition Survey

For those roadways owned by Estero, ENGINEER will utilize data collected under Task 2, in addition to performing a visual inspections of the roadway shoulders to determine the condition and identify potential hazards and maintenance issues. ENGINEER will review both the outside and inside edges of pavement for divided roads (Coconut Road, Via Coconut Road and Estero Parkway). The following conditions will be identified:

- Ponding
- Washouts
- Grass overgrown onto road (Y/N)
- Paved shoulders (width and condition)

- Cross slope (positive drainage where applicable)
- Curbing (Y/N and condition)
- Shoulder drop-off depth (using American Association of State Highway and Transportation Officials (AASHTO) Roadside Design Guide or similar)
- Vehicle ruts/off-tracking
- Erosion

Task 5 – Street Sign Survey

ENGINEER will utilize data collected under task 2 along with visual inspections to perform the following to assist with inventory the road signage along those roads owned by Estero:

a. Capture all road sign locations for input into GIS based asset management/inventory system.
b. Develop a platform for the Village to utilize a handheld unit to record retroreflectivity of the road signs
c. Note the following related to the road signs:
   - Material of sign and post
   - Installation (compliance with FDOT Standard Plan Index 700-101)
   - Sign/post condition

Notes:

1. ENGINEER previously reviewed the signage and striping at the intersections of Williams Road & Via Coconut Road and Via Coconut Road & Pelican Colony Boulevard. The road signage recommendations associated with that effort will be incorporated into this study.

2. Retroreflectivity needs to be performed manually using a retroreflectometer. In order to perform this task, an inventory of signs would need to be developed. As development of this inventory would be performed as part of this task, and given the fact that Estero is still in the recovery stage from Hurricane Ian (which would impact the ability to prepare an accurate inventory or to perform retroreflectivity testing), this task will need to be deferred to a future authorization.

Task 6 – Video Imagery

ENGINEER will provide copies of photos and videos collected in Tasks 2 through 5 to Estero. Photos and videos will be linked within the GIS-based asset management system (Streetlogix or similar platform) implemented in Task 1.

Task 7 – GIS Database Assistance

Following completion of the surveys performed in Tasks 2 through 5 and in conjunction with Task 1 (Right-of-Way and Pavement Management System), ENGINEER will input all data into Estero's GIS database and will provide additional support as outlined below:

a. GIS Incorporation – Utilizing the selected software, ENGINEER will incorporate the data collected Pavement Management System application into Estero's existing GIS and Information Technology system(s). Recognizing the software can be utilized for future work, the intent of this effort is to input historical data as collected within this task and does not include establishment of future work such as work orders, capital improvement projects, etc.
b. GIS Workshop – Following incorporation of the data into Estero's existing GIS system (with the purchased software), ENGINEER will hold a second workshop with Estero and its GIS staff (or consultant) to familiarize them with the information, the software and its capabilities. The software company will be invited to attend.

c. As-Needed Assistance – Following completion of setting up the Right-of-Way and Pavement Management System into Estero's existing GIS system, ENGINEER shall provide up to 100 hours of GIS assistance over a 12-month period.

Task 8 – Condition Evaluation

Following completion of the surveys performed in Tasks 2 through 5 and in conjunction with Task 1 (Right-of-Way and Pavement Management System), ENGINEER will perform a condition evaluation in accordance with ASTM International Standard D6433. To accomplish this, we will utilize Streetlogix or a similar platform (as identified in Task 1) to assist Estero in evaluating the condition of the infrastructure for immediate and future improvements. Streetlogix utilizes a Pavement Condition Index (PCI) to "rank" the condition of pavement using a 0-100 scale and including:

- 0-10 – Failed
- 10-25 – Serious
- 25-40 – Very Poor
- 40-55 – Poor
- 55-70 – Fair
- 70-85 – Satisfactory
- 85-100 – Good

The ranking system takes into consideration cracks, joints, depressions, rutting, swelled pavement, corrugation, weathering, railroad crossings and related features. Similar metrics will be developed to evaluate related right-of-way features to include:

- Pavement Markings
- Raised Pavement Markings (RPMs) – presence or absence
- Sidewalks – cracking, heaving, drop hazards, erosion, etc.
- Shoulders – drop, vehicle off-tracking, erosion, etc.
- Street signs – general condition, damage, reflectivity

~~**Task 9 – Pavement Rehabilitation Plan**~~

~~Once the condition evaluation has been completed, ENGINEER will develop a 5-year pavement rehabilitation plan for inclusion within Estero's Capital Improvement Plan (CIP). As a part of this task, ENGINEER will develop estimated capital costs as well as life-cycle costs.~~

~~**Task 10 – Evaluation Report**~~

~~Upon completion of Tasks 1 through 9, ENGINEER will repair a summary report to include the following:~~

- ~~Discussion of the methodology for data collection and analysis~~
- ~~Roadway Surface:~~
  - ~~Pavement Inspection Output~~
  - ~~Recommendations~~
- ~~Shoulders:~~
  - ~~Shoulder inventory~~
  - ~~Recommendations~~
- ~~Street signs:~~
  - ~~Street sign inventory~~
  - ~~Recommendations~~



Asset Management Software Proposal

Tetra Tech on behalf of Estero, FL

May 10, 2023

www.streetlogix.com

Proposal for Tetra Tech on behalf of Estero, FL

Prepared for:

Danny Nelson

Vice President

Tetra Tech on behalf of Estero, FL

Prepared by:

Streetlogix

603 Salem Street

Wakefield, MA 01880

617.399.8236

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Asset Management Software Proposal
Estero, FL

May 10, 2023

Danny Nelson
Tetra Tech on Behalf of Estero, FL
10600 Chevrolet Way, Ste 102
Estero, FL 33928

We are pleased to submit this proposal to Estero, FL for the Streetlogix asset management software. More than 200 communities in North America are currently using our powerful asset management software to prioritize maintenance and repair projects, create capital improvement plans, estimate budget requirements and secure funding. Municipalities worldwide are faced with aging infrastructure and limited budget resources to repair and maintain them. Today with the help of AI and advanced analytics, your municipality can start to maximize the value of your data.

Streetlogix's web-based apps are designed as easy-to-use asset/work order management platforms to save you a considerable amount of time and money. We strongly believe Streetlogix is the most user-friendly software on the market. Additionally, by leveraging the latest techniques in data management, Streetlogix can generate a capital improvement plan, running over 4,000 iterations of various combinations in only a few seconds and then selecting the most optimized plan.

Below are the highlights of Streetlogix features:

- Powerful Decision-Making Tools
- User-Friendly Dashboards
- GIS Visualization – Esri Integration
- Mobile Applications included in the Work Order Solution
- Unlimited Number of Users
- Management and Dispatching of Resources
- Integration of GIS and Transportation Module
- 360° Imagery Viewer & Imagery Support

On behalf of the team at Streetlogix, we are pleased to submit this proposal for your review and look forward to meeting with you soon to discuss any questions you may have.

Yours truly,

Angie M. Stevens

Angie Stevens
Channel Sales Manager

Asset Management Software Proposal
Estero, FL

1. ABOUT US

At Streetlogix, we come to work each day because we want to solve our clients' biggest problems when it comes to managing their street assets.

Throughout the history of business, people have used data to make more informed decisions. Streetlogix enables exactly this for our municipal clients.

Municipalities no longer have to spend months working within complicated excel spreadsheets. Now, they can leverage the power of AI to improve their decision-making abilities with a few clicks of the mouse.

This all came about as a result of a 2009 groundbreaking project at Northeastern University that received more than $18 million in funding over a 5-year period. This stamp of approval was due to the power of the project to end localized pavement inspections and enable continuous network-wide health monitoring of roadways.

We embrace progress. In 2018, we launched Streetlogix. This extensively customizable, web-based GIS asset management software has changed the landscape for municipalities. Municipalities can now optimize their budget within a user-friendly GIS environment. The system provides objective information on the current state of their infrastructure and makes maintenance and repair recommendations, including the prioritization of roadway projects. Using unprecedented data visualization and budget optimization tools, our clients have been creating defensible data-driven Capital Improvement Plans while successfully justifying their budgeting requests.

Streetlogix has grown to service over 200 customers throughout the US and Canada. With a team of 50+ professionals stationed throughout the country, we continue to expand and grow, bringing on new clients all over North America. The company continues to innovate, introducing new software tools for Work Order Management and Citizen Engagement solutions to better manage and maintain critical infrastructure assets. As our customers' needs evolve, so do our services and resources.

The most important thing you need to know about Streetlogix is our data-driven approach. It will change the way you monitor your street assets – for the better and for the future.

streetlogix

Powered by AI

2. OUR TEAM



A**ngie Stevens – Channel Sales Manager –** Angie is responsible for developing and executing Streetlogix's Partnership Program. Her primary goal is to build relationships with our partners and understand their needs. Angie provides project governance, customer on-boarding and enablement, and implements business strategies to drive and help the partners' customers realize the full potential of their Streetlogix investment. She has a long history in developing channel relationships to create wins for her organizations, its partners, and most importantly its customers. Previously, Angie was a Channel Sales Manager at Cartegraph, as well as a Strategic Partner Account Manager at 360training and QuickStart. She received her B.A. in English from the University of Missouri – Columbia.



Chris Hahn – Director of Customer Success – Chris works closely with our customers throughout their implementation of Streetlogix and on-going customer care, helping to ensure that clients reach their goals for integrating asset management technologies to enhance their operations. Chris brings over 16 years of progressive experience in the software industry, most recently focusing on municipal enterprise level software solutions. Chris is primarily responsible for streamlining business operations, using his vast experience to ensure that consistent delivery and client satisfaction are the cornerstones of our customer's experience. Using his business analyst background, Chris is well positioned to understand customers' needs and goals to help tailor solutions that optimize their operations and workflows.



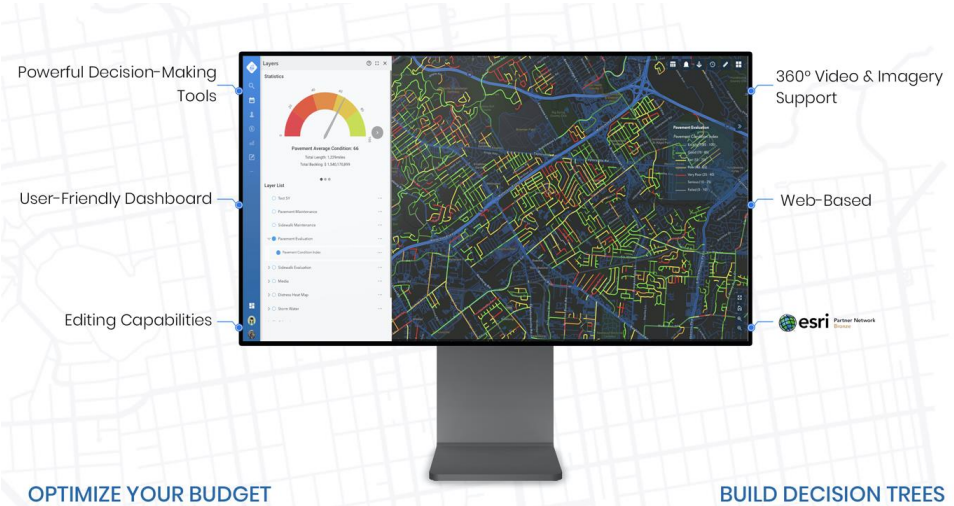
Ozzy Amin – Customer Success Manager - Ozzy brings years of specialized experience in propelling client success and curating top of the line customer experiences to the Streetlogix application. He is the main point of contact for all customers after their implementation and onboarding period. Ozzy merits his success on how well his clients grow and how far they succeed. He holds a high aptitude for providing fast solutions and creating effective strategies with concrete results that allow clients to accurately achieve their goals. With a bachelor's degree from the University of British Columbia in Interdisciplinary Studies and a focus on Creative Writing, Ozzy uses his unique set of communication skills to create tailored experiences that go beyond industry standards.

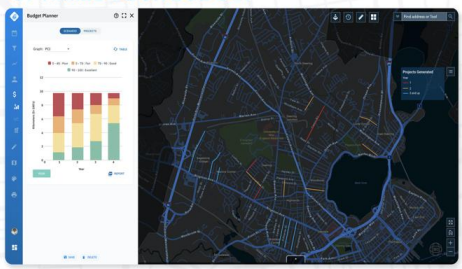
Asset Management Software Proposal
Estero, FL

3. ASSET MANAGEMENT SOFTWARE

Streetlogix is a cloud-based mapping, analysis, and decision-making tool for the public sector. Use it to create maps, analyze data and plan road repairs, sidewalk projects, and right-of-way budgeting decisions. Your data and maps are stored in a secure and private infrastructure and can be configured to meet your mapping and IT requirements.

Key Features:









SOFTWARE INTEGRATION

Streetlogix uses a RESTful API to integrate with your other asset management, accounting, or financial systems and ensures a seamless information flow between different systems.

4. WORK ORDER MANAGEMENT SYSTEM

Streetlogix's **Work Order Management System** brings greater organization, efficiency, and accountability to your task management planning, allowing you to effectively schedule, track and manage all work orders, as well as monitor work order performance metrics in a centralized dashboard. Plus, you can track and complete work orders in the field using our app on your mobile device.

Work Order Key Features:



TASK CALENDAR

MOBILE APPLICATION

5. CITIZEN ENGAGEMENT APP

Streetlogix's **Citizen Engagement App** empowers your residents to submit service requests while enabling you to easily monitor the submissions. Our 311 application ensures your residents that each request is heard, acknowledged and tracked. It is simple to use, easy to set up, and allows automatic updates for residents on efforts to keep their community functioning. Streetlogix Citizen Engagement app helps you build a collaborative, transparent and stronger community.



6. PRICING OVERVIEW

STREETLOGIX SOFTWARE MODULE PRICING					
streetlogix MODULES	POPULATION	ANNUAL LICENSE	ANNUAL DATA	IMPLEMENTATION FEE	TOTALS
ASSET MANAGEMENT	37,522	$7,500	$1,000	$6,000	$14,500

Annex

APPENDIX A – SCOPE OF WORK AND DELIVERABLES

ASSET MANAGEMENT MODULE

DATA VISUALIZATION AND ANALYTICS

Roads

Municipal staff will be given access to Streetlogix, our GIS web-based application, in order to view and analyze all collected survey data in addition to data from other sources to assist in decision making.

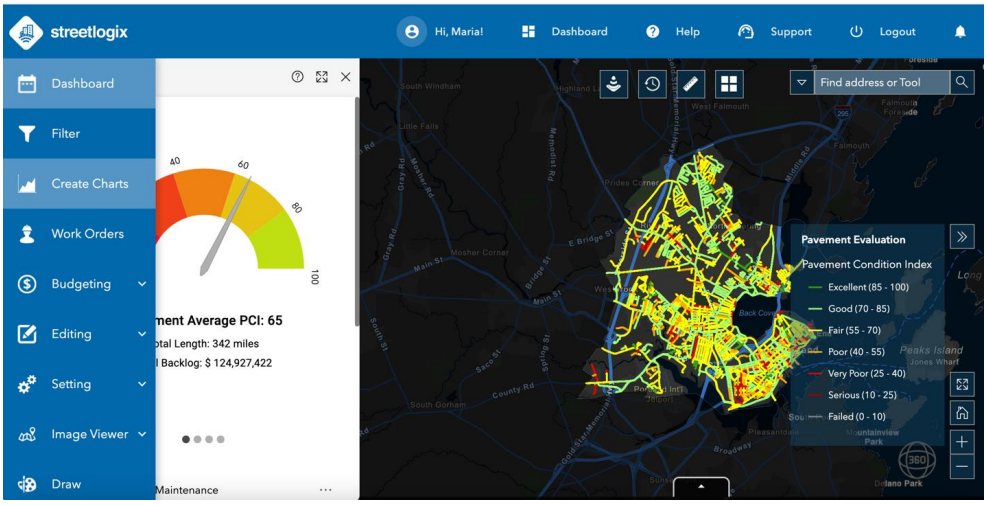
This provides staff an easy-to-use tool to quickly review PCI results, distress data and imagery along with pavement history and other data that the city wants to be integrated. All data is hosted in the cloud, allowing users to login from anywhere on any computer to view the results. Streetlogix has many data import and export features making it compatible with most asset management platforms. Streetlogix provides powerful data visualization and management tools including 360 viewer and extensive charts and dashboards (examples below).

Sidewalks

Municipalities are given access to our GIS web-based application, Streetlogix, in order to view and analyze all collected survey data in addition to data from other sources to assist in decision making.

This provides clients an easy-to-use tool to quickly review sidewalk condition results, distresses and sidewalk images. All data is hosted in the cloud allowing users to login from anywhere on any computer to view the results. Streetlogix has many data import and export features making it compatible with any existing GIS solution. Streetlogix provides powerful data visualization and management tools including image viewer and extensive charts and dashboards (examples below).

Portal view: Overall stats, available layers and PCI



Asset Management Software Proposal
Estero, FL

MAINTENANCE PLANNING

Roads

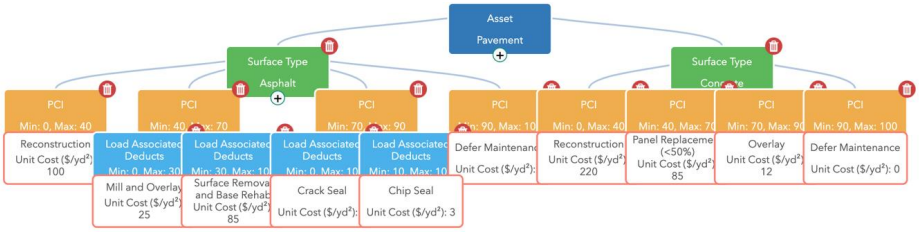
Once the inventory condition database and GIS web-app have been finalized, the work on implementing the pavement management side of the software begins. While pavement condition indicators are concerned with the current condition of the network, the management side of the process concerns itself with the analysis of condition, prediction of future condition, generation of maintenance options and pavement management scenarios. At this stage, the Client's preferred repair methods and associated costs are used to customize our road management modules. The results are compiled and reported to the client in our Streetlogix software and as a pdf document.

Our decision-trees are highly customizable and we work with staff to tailor it to ensure our AI will provide the neccesarry maintenance and repair suggestions. All decision trees & underlying data will be editable by staff.

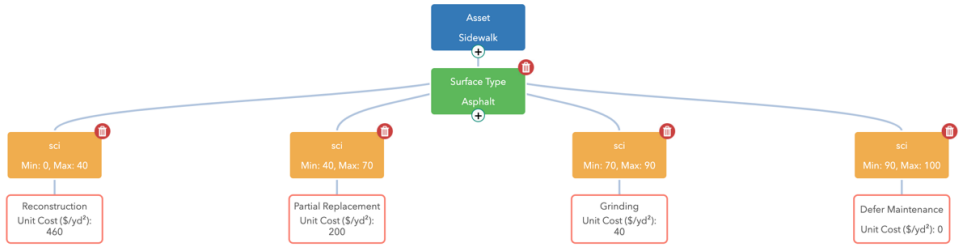
Sidewalks

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Roads:



Sidewalks:



APPENDIX B – OUR CLIENTS

City of Keller, TX

City of Atlanta, GA

City of Gainesville, FL

City of Wilmington, NC

Tippecanoe County, IN

City of Louisville, KY

City of Pleasant Grove, UT

Montgomery County, TN

City of Kilgore, TX

Blount County, TN

City of Spokane Valley, WA

Town of Erie, CO

City of Brentwood, TN

City of Seguin, TX

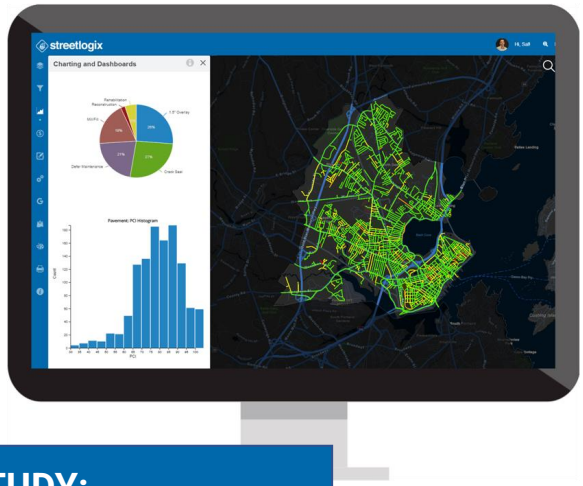
City of Sidney, OH

City of Hillsboro, OR

City of Portland, ME

City of La Vista, NE

Asset Management Software Proposal
Estero, FL



CASE STUDY:

City of Portland leverages Asset Management Software to perform data-driven budget planning and prioritize roadway projects

With a population of about 66,500, Portland is Maine's largest city and a buzzing tourist destination. The historic coastal city is known for its 19th century architecture, active waterfront and amazing food.

The Challenge

Like many communities throughout the United States, Portland faced limited staff time, resources, and labor-intensive procedures to manage and process incoming city-wide roadway data. The City searched for a new, innovative and automated approach to analyze road conditions, as well as other city-owned assets within the right of way.

Among various capabilities, the solution had to allow City Staff to:

- track and maintain many of their assets within the right of way;
- view the City's right of way assets on one accessible platform and;
- integrate asset management tools and applications into current workflows and procedures.

The Solution

To fulfill its asset management needs, the City of Portland selected Streetlogix, a highly customizable, web-based asset management software that enables municipalities to optimize road budgets within a user-friendly GIS environment. The software allows users to view the current state of their infrastructure and makes maintenance and repair recommendations, including prioritizing roadway projects. Streetlogix's intuitive analysis and decision-making tools improve decision making, estimate budget requirements and create capital improvement plans to optimize every dollar invested. Streetlogix is an ESRI Partner and integrates seamlessly with all ArcGIS products.

streetlogix

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Asset Management Software Proposal
Estero, FL

With Streetlogix, City Staff has gained a better understanding and knowledge of the City's assets and where to target roadwork investment.

"Streetlogix's platform allowed for a seamless transition and integration of Portland's existing databases and schemas, while providing fewer intensive procedures in maintaining and updating copious amounts of data within the platform, and further integrating asset management processes and procedures into everyday work," explained Christopher Branch, Portland's Director of Public Works.

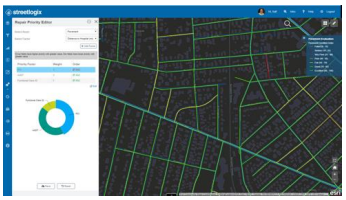
Staff is now able to interactively share, edit, and view right-of-way assets and historic right-of-way datasets on a common platform, as well as perform budget planning and estimate future maintenance and repair costs.

"Streetlogix has enabled the City of Portland to target spending by using the information to identify the streets, sidewalks, and other assets, that will give us the 'best bang for the buck'".

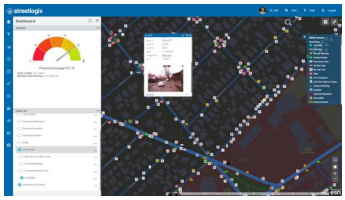
Christopher Branch
Director of Public Works
City of Portland, ME



Decision Trees



Priority Editor



Other Assets - Street Signs

The Benefit

"Streetlogix's budget planning and estimator tools have brought value to the City by closely monitoring and prioritizing its current and future work," continued Branch. Whether it's conducting a reconstruction of a sidewalk or doing a mill and fill on a particular segment of road, these tools have provided the ability to further manage transportation and construction projects city-wide.

The software's charting and dashboards widget has been extremely informative and most popular to Portland's users. This widget has allowed Portland to bring a clear illustration of the data being represented in Streetlogix while providing additional information that can be passed on to city leaders and decision-makers.

City Staff has also benefitted from the interactive web viewer, its powerful visualizations of data and its capabilities to extract and download various amounts of data in a variety of formats. "This has enabled the City to target spending by using the information in Streetlogix to identify the streets, sidewalks, and other assets, that will give us the "best bang for the buck'," added Branch. Furthermore, it has proven to be a critical tool in explaining to elected officials the condition of these assets and allow them to make data-based decisions on how to invest in road infrastructure.

CN No.: CN 2022-06

VILLAGE OF ESTERO, FLORIDA
VENDOR DISCLOSURE FORM

Project No.: EC 2022-32 STA 1

Project Name: Roadway and Sidewalk Assessment

Please check as appropriate:

_____	I am the sole proprietor/owner. The company is not publicly held.
_____	The company is not publicly held. The names and addresses of the owners having a greater than 5% interest is attached.
X _____	The company is publicly held. The names and addresses of the owners having a greater than 5% interest is attached.

I do hereby certify that to the best of my knowledge and belief certify that the information above and attached is true and correct.

Signed: _____
Vendor

Printed Name: Daniel Nelson, Vice President

Company Name: Tetra Tech, Inc.

Date: 6/20/23

CN No.: CN 2022-06

NAMES & ADDRESSES OF OWNERS

NOTE: Please list individuals; the listing of a corporation(s) is **NOT** acceptable.

Tetra Tech is a publicly traded company on Nasdaq

AGENDA ITEM SUMMARY SHEET
VILLAGE COUNCIL MEETING
July 5, 2023

Agenda Item:

Seminole Gulf Railway License Agreement

Motion to Approve the Seminole Gulf Railway license agreement and approve payment of $55,233.34 to Seminole Gulf Railway to secure the license agreement.

Authorize the Village Manager to execute the agreement on behalf of the Village Council.

Background:

The ditch located on the Seminole Gulf Railway (SGLR) property from Estero Parkway south to the Estero River is the stormwater outfall for Belle Lago, The Reserve, The Cascades, and a portion of Estero Parkway.

The Village of Estero currently holds a license agreement for the portion of the ditch located north of Broadway Ave. East. This license agreement allows the Village to maintain that section of the ditch as needed to maintain stormwater flows. The license agreement north of Broadway Ave East does not have an annual payment.

Description:

The Village submitted an application to Seminole Gulf to gain authority to maintain the ditch from Broadway Ave. East to the Estero River. The attached license agreement is for the ditch located between d Broadway Ave. E and the Estero River.

Following is a summary of the license agreement.

- The Village is granted the right to use, maintain, repair, renew and ultimately remove the swale.
- Supervision over the location of the maintenance, repair, alteration, renewal, relocation, and removal of the swale shall be subject to the approval of SGLR.
- When performing work Village will pay for any necessary inspectors, flagmen or watchmen.
- If SGLR is required to maintain the swale, the Village will reimburse SGLR for costs incurred.

- SGLR has the authority to supervise swale work.
- Village to pay SGLR $6,700 for legal and administrative costs.
- Village to pay SGLR a "Base Rent" of $48,533.34 paid upon execution of this agreement.
- Village to pay SGLR the "Base Rent" of $48,533.34 plus an annual increase equal to the greater of the Consumer Price Index (CPI) or 2.5% each year.

A copy of the license agreement is attached.

Action Requested:

Motion to Approve the Seminole Gulf Railway license agreement and approve payment of $55,233.34 to Seminole Gulf Railway to secure the license agreement.

Authorize the Village Manager to execute the agreement on behalf of the Village Council.

Process and Timeline:

After Council approval, Village staff will execute the agreement and submit it to SGLR. Village of Estero will pay fees as outlined in the agreement.

Final execution of the agreement is dependent upon SGLR signatures.

Following execution of the agreement the Village will hire a contractor to clean out the ditch.

Financial Impact:

Per the license agreement the Village of Estero will pay Seminole Gulf $55,233.34 in the first year. Following years will be $48,533.34 plus CPI or 2.5%, whichever is higher.

The Fiscal Year 2022-2023 Budget includes sufficient Capital Improvement Funds that area available for this project. A future budget amendment will specifically allocate funds for this project.

Prepared by: David Willems, P.E.

Attachments:

1. Seminole Gulf Railway License Agreement

2. Location Map

June 2, 2023
SGLR # 7036

LICENSE AGREEMENT FOR ACCESS AND MAINTENANCE OF LONGITUDINAL DRAINAGE SWALE VILLAGE OF ESTERO, FLORIDA

THIS LICENSE AGREEMENT, made this ____ day of _____, 20____ ("Agreement"), between **SEMINOLE GULF RAILWAY, LP**, a limited partnership under the laws of the State of Delaware, whose mailing address is 4110 Center Pointe Drive, Suite 207, Fort Myers, Florida, 33916, hereinafter referred to as **"SGLR"** and the **VILLAGE OF ESTERO,** a political subdivision of the State of Florida, whose mailing address is 9401 Corkscrew Palms Circle, Estero, Florida, 33928 hereinafter referred to as the **"VILLAGE"**.

WITNESSETH:

WHEREAS, SGLR owns the track and other rail facilities (**"Rail Facilities"**) comprising a line of railroad lying generally between Arcadia and Naples, Florida; and

WHEREAS, , VILLAGE has applied to SGLR for permission to access and maintain a longitudinal drainage swale (the "Swale") approximately 40 feet wide and running parallel for approximately 2600 feet, for a total of 104,000 square feet more or less, on the West side of the tracks of SGLR beginning at a point at approximately Milepost AX 979.84 (Broadway Avenue West) and ending at the northern edge of Estero River in Lee County, as more particularly described in the drawing ("Drawing") attached hereto as Exhibit "A" 1-10 and made part hereof; and

WHEREAS, SGLR is willing to accord to VILLAGE the License and permission so applied for, but only upon and subject to the terms, conditions and limitations set forth in this Agreement.

NOW, THEREFORE, in consideration of the foregoing and other good and valuable consideration, intending to be legally bound, the parties do hereby agree as follows:

1. SGLR, insofar as it has the legal right to do so and in consideration of the covenants and conditions hereinafter stated on the part of VILLAGE to be kept and performed, hereby grants to VILLAGE, as a license, the right to use, maintain, repair, renew, and ultimately remove the Swale across the right-of-way and property of SGLR at the location aforesaid, and as shown in detail in Exhibit "A" 1-10.

2. VILLAGE represents and warrants that it is duly authorized in accordance with the laws of the State of Florida to enter into this Agreement and to be bound by the covenants and conditions contained herein. This Agreement shall be governed by the laws of the State of Florida.

3. (a) The Swale shall be located and maintained in exact accordance with Exhibit "A" 1-10, and no departure shall at any time be made therefrom except upon permission in writing granted by SGLR; provided, however, that if any governmental or regulatory body having jurisdiction in the premises has regulated the manner and means of construction, maintenance, repair, alteration, renewal, relocation or removal thereof, then VILLAGE shall comply therewith after prior notice to SGLR as to any required departure from Exhibit "A" 1-10. Supervision over the location of the maintenance, repair, alteration, renewal, relocation and

removal of the Swale shall be subject to the approval of SGLR.

(b) The maintenance, repair, renewal, alteration, or removal of the Swale shall be done under such conditions, including access to the site, as will be satisfactory to SGLR, and as will not interfere with the proper and safe use, operation and enjoyment of the property of SGLR or its successors or assigns.

(c) VILLAGE, when performing any work in connection with the Swale, shall request SGLR to furnish, at VILLAGE'S own cost and expense, any necessary inspectors, flagmen or watchmen for the protection of any person or property, including persons not parties hereto and their property. SGLR shall be notified at least fourteen (14) days in advance of the performance of any work on the Swale, excepting emergency repairs in which case VILLAGE shall notify SGLR as soon as reasonably possible.

(d) In addition to, but not in limitation of any of the foregoing provisions, if at any time SGLR should deem it necessary to place inspectors, flagmen or watchmen or any other persons to protect any persons or property during the construction, maintenance, repair, alteration, renewal or removal of the Swale, SGLR shall have the right to place such inspectors, flagmen, watchmen, or other persons at the sole cost and expense of VILLAGE. Upon receipt of a bill from SGLR, VILLAGE shall promptly pay SGLR the full cost and expense of employing such persons. The furnishing or failure to furnish inspectors, flagmen, watchmen or other person by SGLR under this paragraph, however, shall not release VILLAGE from any and all other liabilities assumed by VILLAGE under the terms of this Agreement, including its obligations under Section 8 hereof.

4. If VILLAGE desires or is required, as herein provided, to revise, renew, add to or alter the Swale in any manner whatsoever, it shall submit plans to SGLR who shall review them at VILLAGE'S cost. VILLAGE'S plans shall comply with AREMA standards and SGLR's design requirements. VILLAGE shall obtain written approval thereof before any work or alteration of the Swale is performed. SGLR reserves the right to make adjustments in charges in connection with any such work and those charges shall be consistent with those customary in the industry for similar services.

5. VILLAGE shall at all times be obligated to perform such maintenance or renewal of the Swale as may be required for the safe operation and maintenance of the properties of SGLR and its lessees and shall, upon notice in writing from SGLR requiring it so to do, promptly make such repairs and renewals thereto as may be required by SGLR. However, if necessary to protect the property, traffic, patrons or employees of SGLR, or any other person, from damage or injury, SGLR may with or without notice to VILLAGE at any time make such repairs and renewals thereto and furnish such material therefor as it deems adequate and necessary, all at the sole cost and expense of VILLAGE. VILLAGE shall promptly reimburse any costs incurred by SGLR pursuant to this Section to SGLR upon demand.

6. SGLR's right of supervision over the location of the construction work and inspection of the Swale from time to time thereafter, and SGLR's right to approve or disapprove of any contemplated work on the Swale, shall extend for such distance on each side of the Swale as may, in SGLR's judgment, be necessary to support and sustain the tracks and roadbed of SGLR.

7. VILLAGE shall comply with all Federal, State and local laws, now or hereinafter enacted, and shall assume all costs, expense and responsibility in connection therewith, without any liability whatsoever on the part of SGLR.

8. (a) It is understood between the parties hereto that the installation and existence of the Swale involves some risk, and VILLAGE as part of the consideration for this Agreement, hereby releases and

waives any right to ask for or demand damages from SGLR for or on account of loss of or injury to the Swale or other property or facilities of VILLAGE, that is over, under, upon or in the property or facilities of SGLR, including the loss of or interference with service provided by or through the Swale or use thereof and whether attributable to the fault, failure or negligence of SGLR. VILLAGE agrees it will exercise its privileges hereunder at its own sole risk. VILLAGE agrees to reimburse SGLR for all cost and reasonable expenses for any damage to SGLR's land or facilities resulting from VILLAGE'S use of the Swale.

(b) In conformance with Section 725.06 Florida Statutes, to the extent it applies to this Agreement, the specific consideration given for the promises of the VILLAGE set forth in this agreement is the right granted to VILLAGE to continue to use the Swale, together with One Dollar ($1.00) in hand paid by SGLR to VILLAGE, receipt whereof is hereby acknowledged and the adequacy of which VILLAGE accepts as completely fulfilling the obligations of SGLR under the requirements of Section 725.06 Florida Statutes.

(c) VILLAGE agrees to indemnify, defend and save harmless SGLR and their respective officers, directors, agents and employees (hereinafter referred to as SGLR Entities), from all liability, loss, cost and expense, including attorneys' fees, which may be sustained by any SGLR Entity by reason of the death of or injury to any person or damage to any property arising out of or resulting from the use, repair, renewal or removal of the Swale by VILLAGE, its contractors, agents or employees, whether any such liability, loss, cost or expense is based on tort, contract, equitable theory or any other grounds. If a claim is made or an action is brought against either party to this Agreement and for which the other party may be responsible hereunder in whole or in part, such other party shall be notified. If the VILLAGE fails or refuses to timely defend an action brought against the SGLR Entities which the VILLAGE is obligated to defend pursuant to this agreement, the SGLR Entities may defend the cause at the expense of the VILLAGE upon notice to the VILLAGE that such action is being taken.

(d) VILLAGE shall require any of its third party contractors performing work, related to this License, and working on the premises, sign Exhibit "C" herein and furnish the original to SGLR prior to the commencement of any work, and provide AAR Form railroad protective public liability insurance providing for a limit of not less than Two Million Dollars ($2,000,000) with respect to damages arising out of bodily injury to or death of one person, and, subject to that limit for each person, a total limit of Six Million Dollars ($6,000,000) for all damages arising out of bodily injury to or death of two or more persons in any one accident and for property damage for any one accident and for the duration of this Agreement comprehensive general public liability and property damage coverage as per Insurance Service Office form CG001 with broad form endorsement or equivalent with a limit of not less than Five Million Dollars ($5,000,000) combined single limit. Coverage is to include underground work and contractual liability with Insurance Service Office endorsement CG2417 or provide equivalent coverage. In no event shall there be any subrogation against SGLR. The AAR Form Policy shall be issued in the name of SGLR and the original of that policy shall be in the hands of SGLR prior to the commencement of any work. SGLR shall be named as additional insured on all other policies. All detailed requirements as shown in Exhibit "D" attached.

9. Assignment of this Agreement by the VILLAGE to any other entity shall only be done with the approval of SGLR. SGLR will cooperate with the licensee should the VILLAGE request assignment of the Agreement. Any assignment will in no event place SGLR in any different position than the terms of this Agreement provide. In particular, without limiting the foregoing, any successor to VILLAGE shall undertake all of the obligations of this Agreement. Any and all expense associated with assignment of this Agreement to any other entity at any time will be borne by the VILLAGE. Upon assignment, the VILLAGE shall be released from all continuing obligation and liabilities of this Agreement, except any obligations or liabilities arising out of acts occurring prior to the date and time of any assignment.

10. All costs and expenses in connection with the maintenance, repair, alteration, renewal, relocation or removal of the Swale shall be borne by VILLAGE, and in the event of work being performed or materials furnished by SGLR pursuant to this Agreement, VILLAGE agrees to pay to SGLR the actual cost of material plus the current applicable overhead percentages for storage, handling, transportation, purchasing and other related material, management expenses and the actual cost of labor plus the current applicable overhead percentages as developed and published by SGLR for fringe benefits, payroll taxes, administration, supervision, use of tools, machinery and other equipment, supplies, employers' liability insurance, public liability insurance, and other insurance, taxes and all other indirect expenses. In the alternative SGLR may choose to bill at the "AAR Labor Rate" then in effect. It is to be understood that the aforementioned material and labor overhead charges are to be applied at the rates which are effective at the time of the performance of any work by employees or contractors of SGLR.

11. VILLAGE, shall, at its sole cost and expense within thirty (30) days of written request from SGLR, or within such additional period as may be necessary to enable VILLAGE, exercising due diligence, to procure all necessary governmental permits, change the location of the Swale insofar as it is located over, upon or in the Property or Rail Facilities of SGLR to another location to permit and accommodate changes of grade or alignment and improvement in or additions to the Property or Rail Facilities of SGLR upon land now or hereafter owned or used by SGLR. Said construction shall at all times comply with the terms and conditions of this Agreement with respect to the original construction except as to location of the Swale. In the event of the lease, sale or disposal of the Property or Rail Facilities or any part thereof affected by this License, then VILLAGE shall make such adjustments or relocations in the portion of the Swale over, upon, or in the Property and Rail Facilities of SGLR as may be required by SGLR or any of its grantees. If VILLAGE shall fail or refuse to comply therewith, then SGLR may make such repairs or adjustments or changes in location and provide necessary material therefore, at the sole cost and expense of VILLAGE.

12. VILLAGE will be responsible for any settlement caused to the roadbed, right-of-way and/or tracks, facilities and appurtenances of SGLR arising solely from or as a result of the Swale, and VILLAGE agrees to pay SGLR upon receipt of a proper invoice, the full cost and reasonable expense of repairing or restoring SGLR's facilities.

13. Upon the removal or abandonment of the Swale, all the rights of VILLAGE hereunder shall cease and terminate, and this instrument shall thereupon become and be null and void, without any liability on the part of either party to the other party except only as to any charges and liability accrued prior thereto, and the obligation of VILLAGE at SGLR's request to remove its Swale from SGLR's property. All property of SGLR shall be restored in good condition and to the satisfaction of SGLR. If VILLAGE fails or refuses to remove their Swale and appurtenances under the foregoing conditions, SGLR may do so at the cost and expense of VILLAGE, and SGLR shall not be liable in any manner to VILLAGE for said removal.

14. As part of the consideration of this Agreement, VILLAGE covenants and agrees that no assessments, taxes or charges of any kind shall be made against SGLR or its property by reason of the construction of the Swale of VILLAGE, VILLAGE further covenants and agrees to pay SGLR promptly upon bills rendered therefore the full amount of any assessments, taxes or charges of any kind which may be levied, charged, assessed or imposed against SGLR or its respective property by reason of this license or the construction or maintenance of the Swale.

15. This Agreement may terminate if VILLAGE is in default of any of the provisions of this Agreement. In the event VILLAGE is in default of any of the provisions herein, SGLR shall give VILLAGE notice thereof and a reasonable opportunity to cure the default. If after a reasonable time VILLAGE fails to cure the default, or take reasonable steps to cure the default, SGLR shall give VILLAGE written notice of its

intent to terminate this Agreement 30 days following receipt of the written notice and this Agreement, and all rights and obligations herein, shall terminate except for the provisions of Paragraph 12.

16. The License conferred hereby shall only be for the benefit of VILLAGE and their grantees, successors, and assigns.

17. VILLAGE understands that this Agreement does not allow VILLAGE to install or permit the installation of any other Swale within the limits of the crossing.

18. (a) In consideration of the License hereby granted, VILLAGE shall pay SGLR, prior to the execution of this Agreement, a fee of Six Thousand Seven Hundred Dollars ($6,700) to cover SGLR's legal and administrative costs in preparing and reviewing this Agreement ("Preparation Fee"), receipt of which is hereby acknowledged.

(b) VILLAGE shall pay SGLR Forty Eight Thousand Five Hundred Thirty Three Dollars Thirty Four Cents ($48,533.34) per year (**"Base Rent"**), plus applicable taxes, payable annually, the first year's rent payable upon execution of this agreement. The annual Base Rent payment thereafter shall be due at the beginning of each subsequent year of the License, subject to the annual adjustment as provided in section 18(c) herein. It is also acknowledged that the Base Rent is discounted from the fair market value of Seventy Two Thousand Six Hundred Fifty One Dollars Forty Three Cents ($72,651.43) as the VILLAGE will be maintaining the Swale.

(c) For subsequent years during the initial term, the Base Rent shall be increased, using a formula based on the annual rent, in accordance with increase in the Consumer Price Index - using as the base, the index for the initial month of this Lease. In the event such index shall no longer be published, then another price index generally recognized as authoritative shall be substituted by SGLR. The CPI increase shall be no less than 2.5% per annum. The Base Rent will be adjusted each year on the anniversary date of the execution of this Lease and will be payable together with any adjustments annually as provided for in Section 18(a).

19. The terms of this Agreement shall be binding and effective upon the parties hereto, and unless and until terminated, as hereinbefore provided, this Agreement shall inure to the benefit of and be binding upon the parties hereto their successors and assigns provided, however, that this Agreement may not be assigned without the prior written consent of SGLR.

20. Any correspondence in connection with the contents of this Agreement should be addressed.

If to SGLR:

Seminole Gulf Railway, LP
4110 Center Pointe Drive, Suite 207
Fort Myers, Florida 33916
Attn: President
Phone: 239/275-6060
Fax: 239/275-0581

If to VILLAGE:

Village of Estero
9401 Corkscrew Palms Circle
Estero, Florida, 33928
Attn: Village Manager

SIGNATURES ON NEXT PAGE

IN WITNESS WHEREOF, the parties hereto have executed these presents in duplicate the day and year first above written.

WITNESSES FOR SGLR:

_____

_____

SEMINOLE GULF RAILWAY, L.P.
By its General Partner,
Seminole Gulf Railway, Inc.

By:_____

G. Bruce Fay
President

ATTEST:

_____

_____

VILLAGE OF ESTERO

By:_____

APPROVED AS TO FORM:

By: _____
VILLAGE Attorney

ACKNOWLEDGMENT OF SEMINOLE GULF RAILWAY, L.P.

STATE OF FLORIDA

COUNTY OF LEE

The foregoing instrument was acknowledged before me this _____day of _____, 20___,

by _____, who is personally known to me on behalf of the Corporation, in its

capacity as general partner of Seminole Gulf Railway, L.P.

_____(Seal)
NOTARY

My Commission Expires:

ACKNOWLEDGMENT OF VILLAGE OF ESTERO, FLORIDA

STATE OF FLORIDA

COUNTY OF LEE

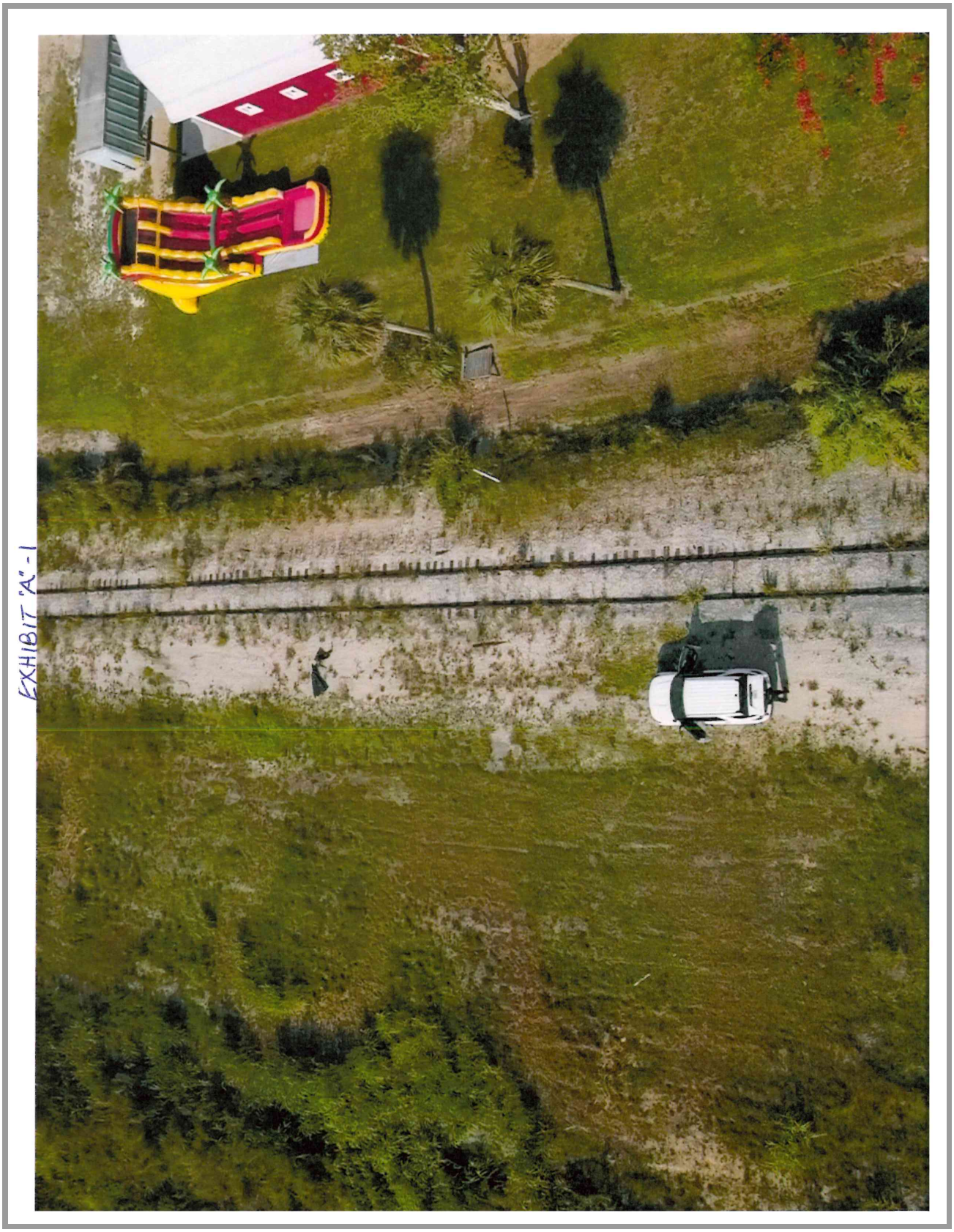
The foregoing instrument was acknowledged before me this_____ day of _____, 20___,

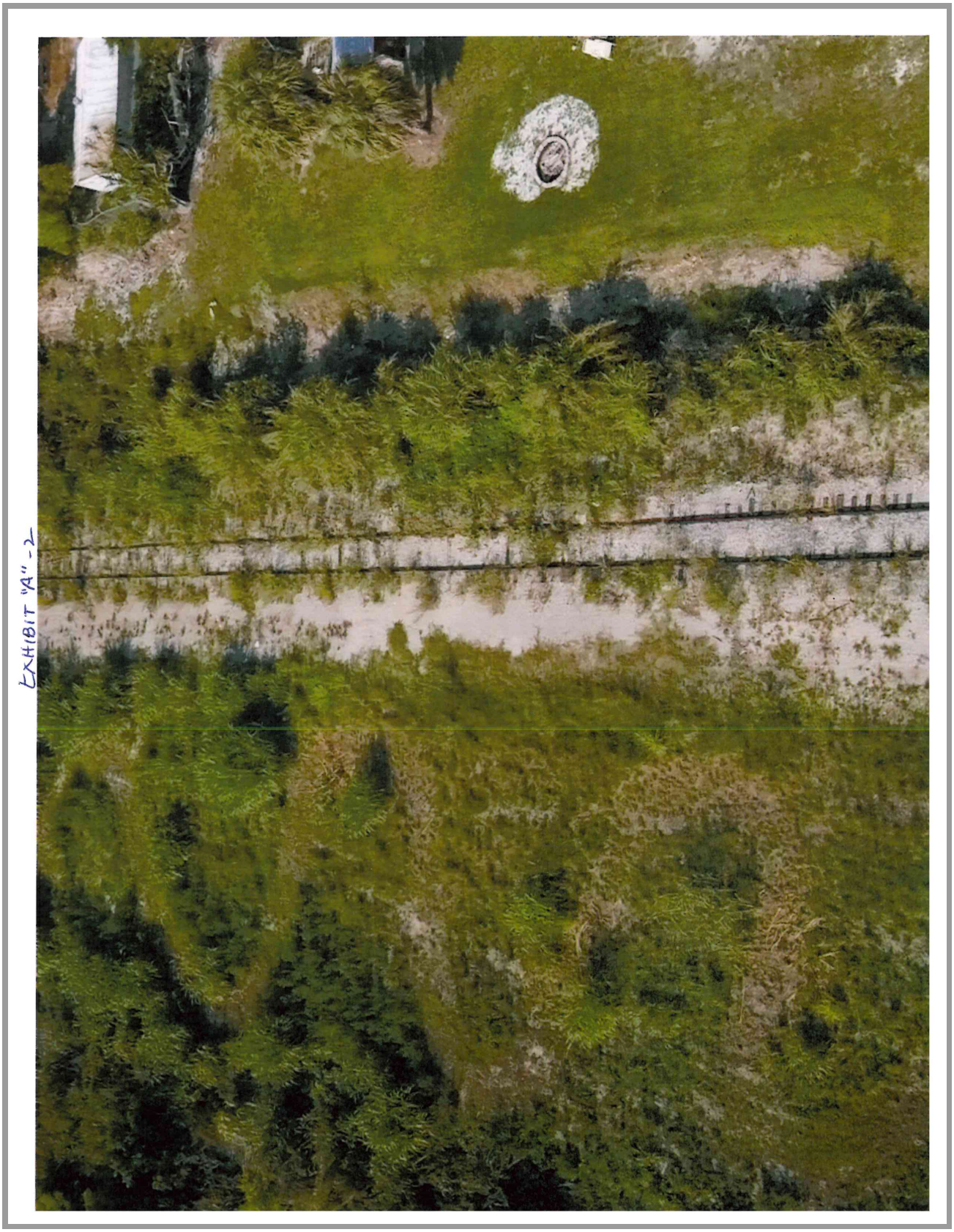
by, _____who is personally known to me and who did take an oath as

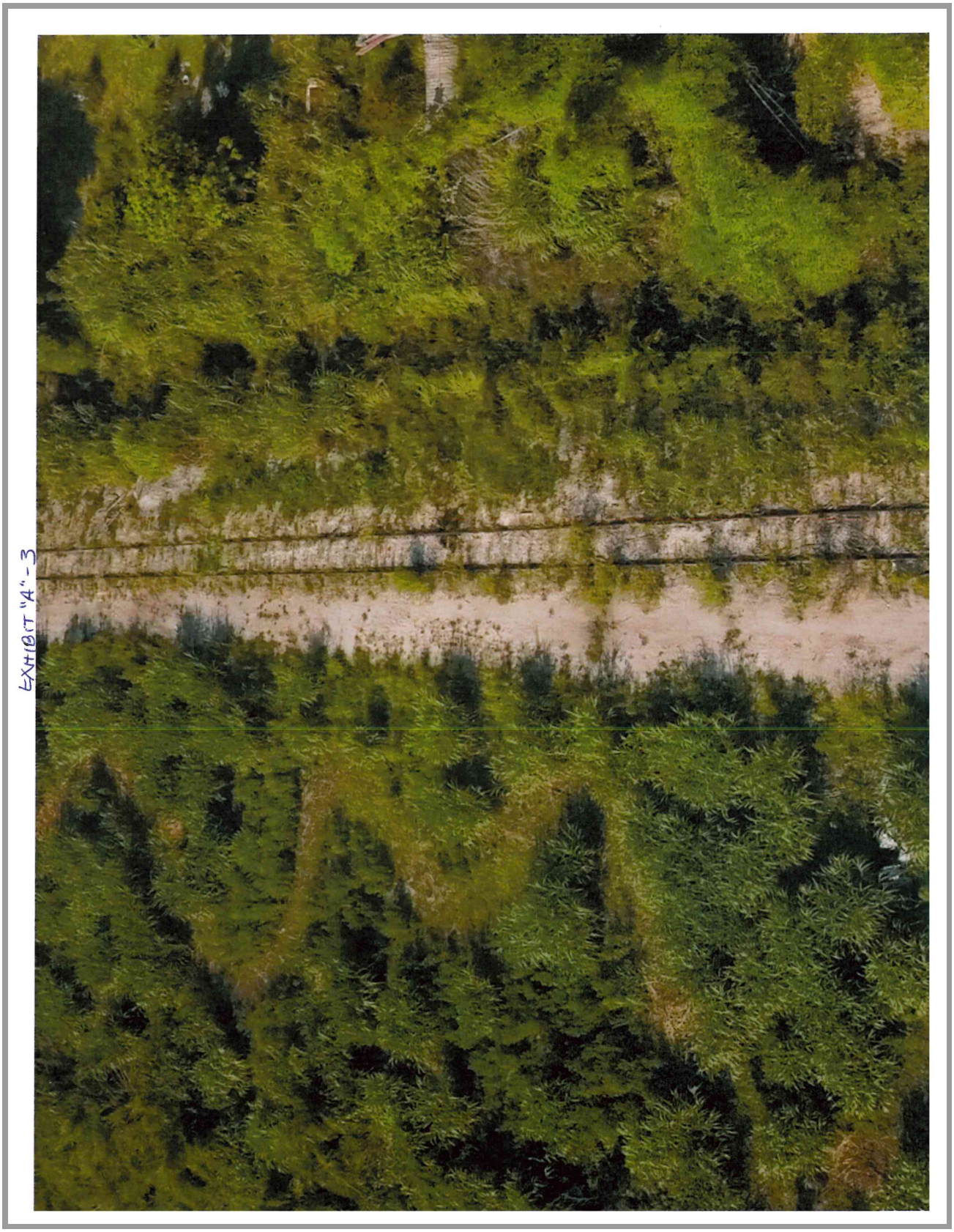
the _____, Village of Estero, on behalf of the VILLAGE

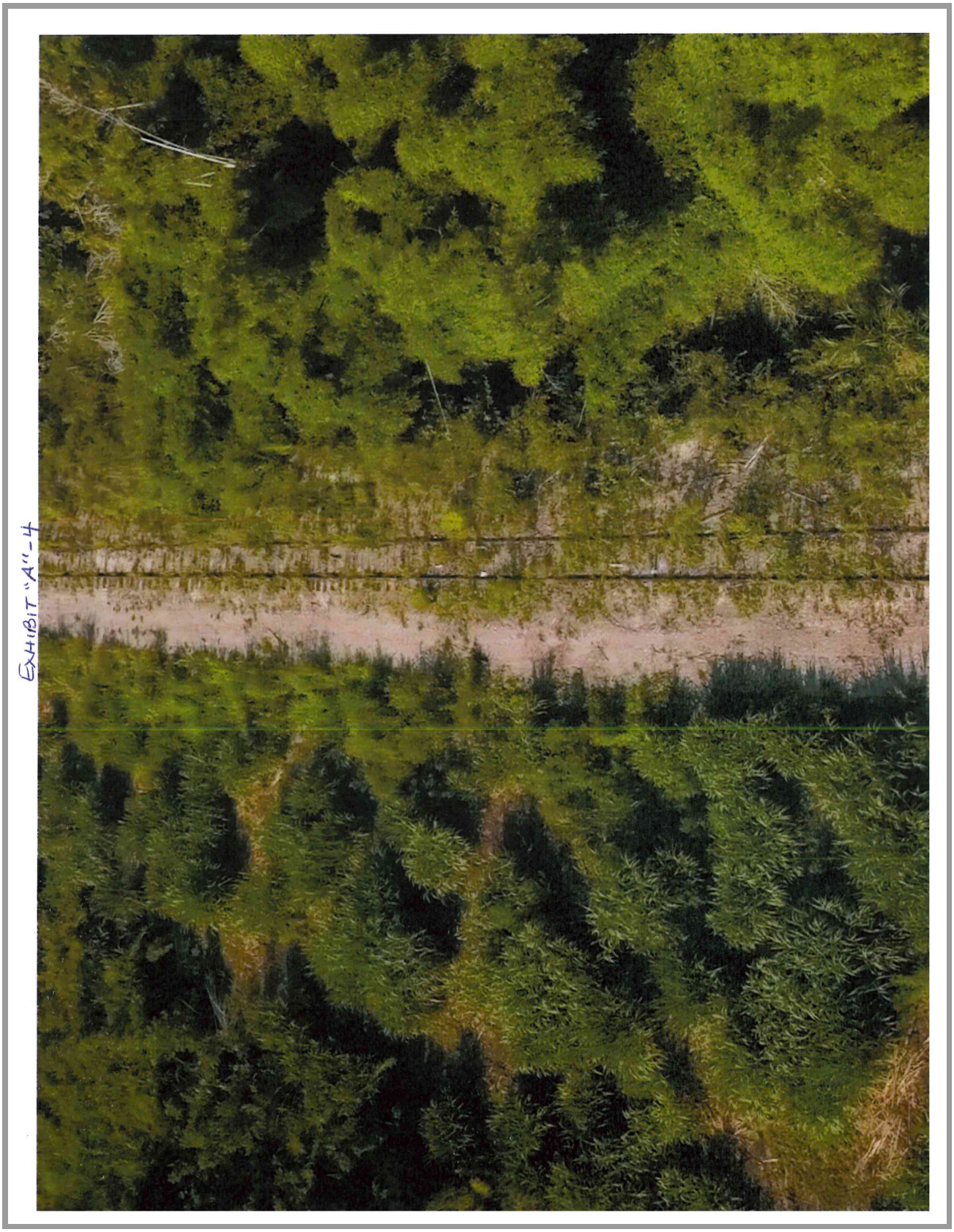
_____(Seal)
NOTARY STATE OF FLORIDA

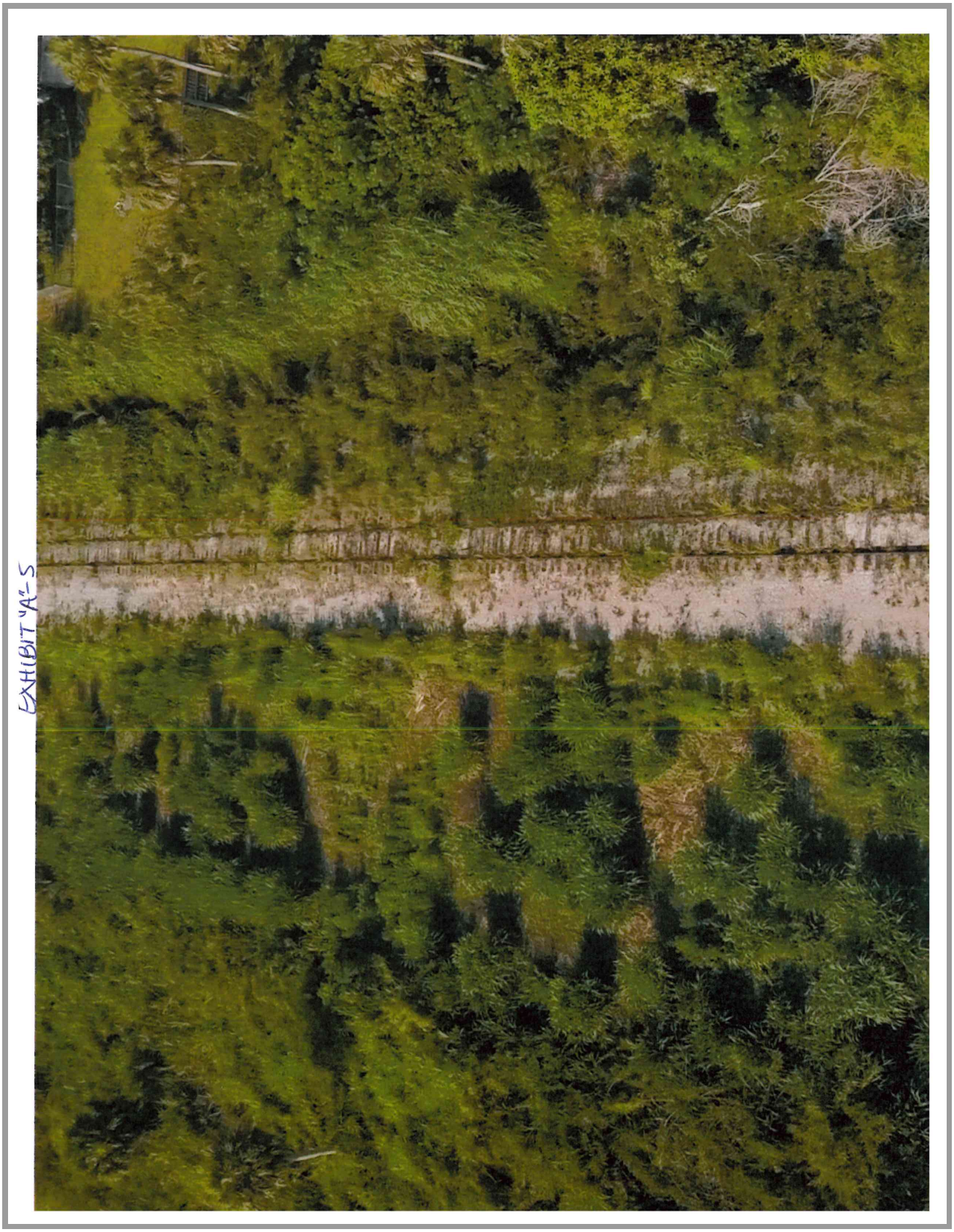
My Commission Expires:

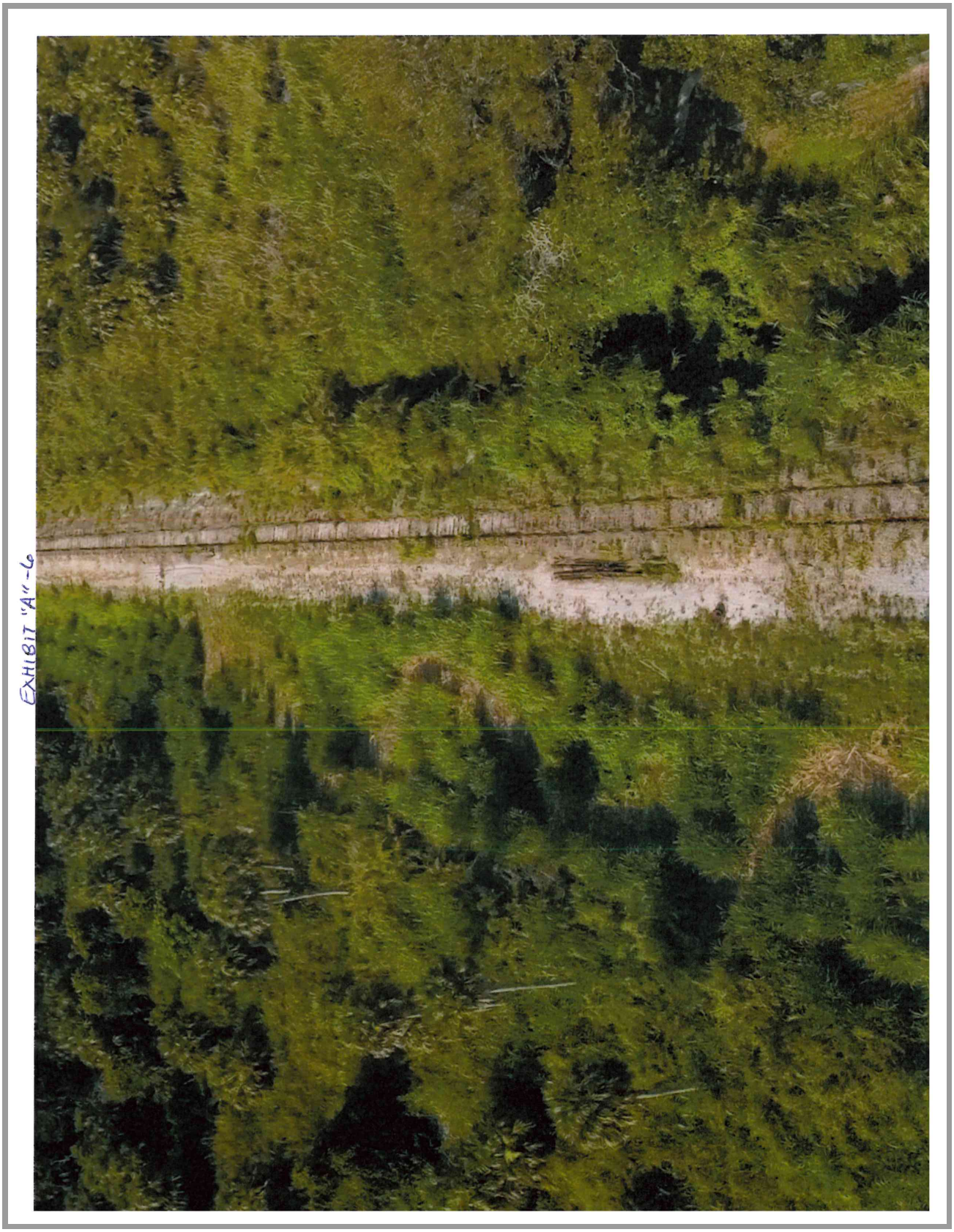

EXHIBIT "A" - 1


EXHIBIT "A" - 2


EXHIBIT "A" - 3


EXHIBIT "A"-4


EXHIBIT "A"-5


EXHIBIT "A" -6

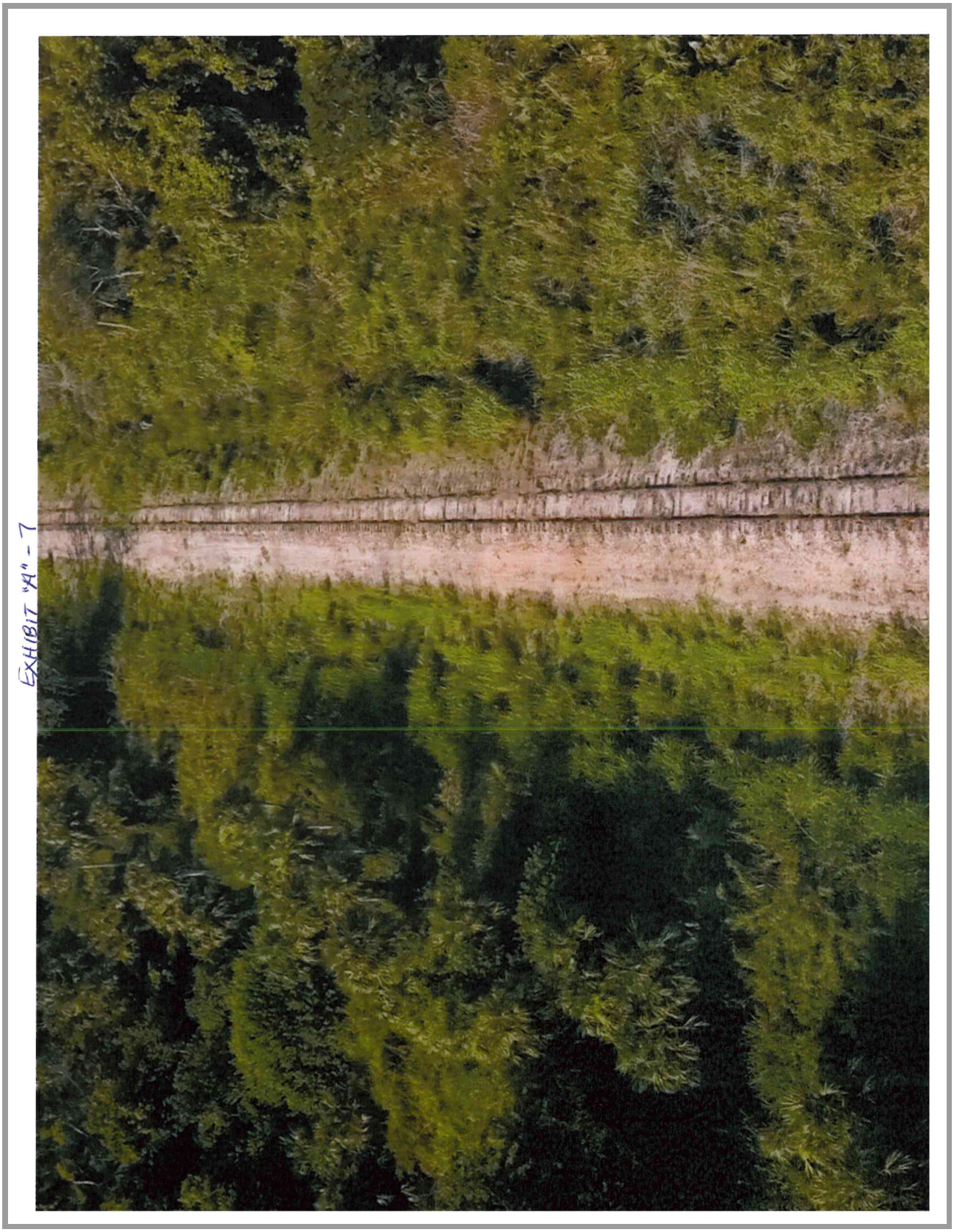
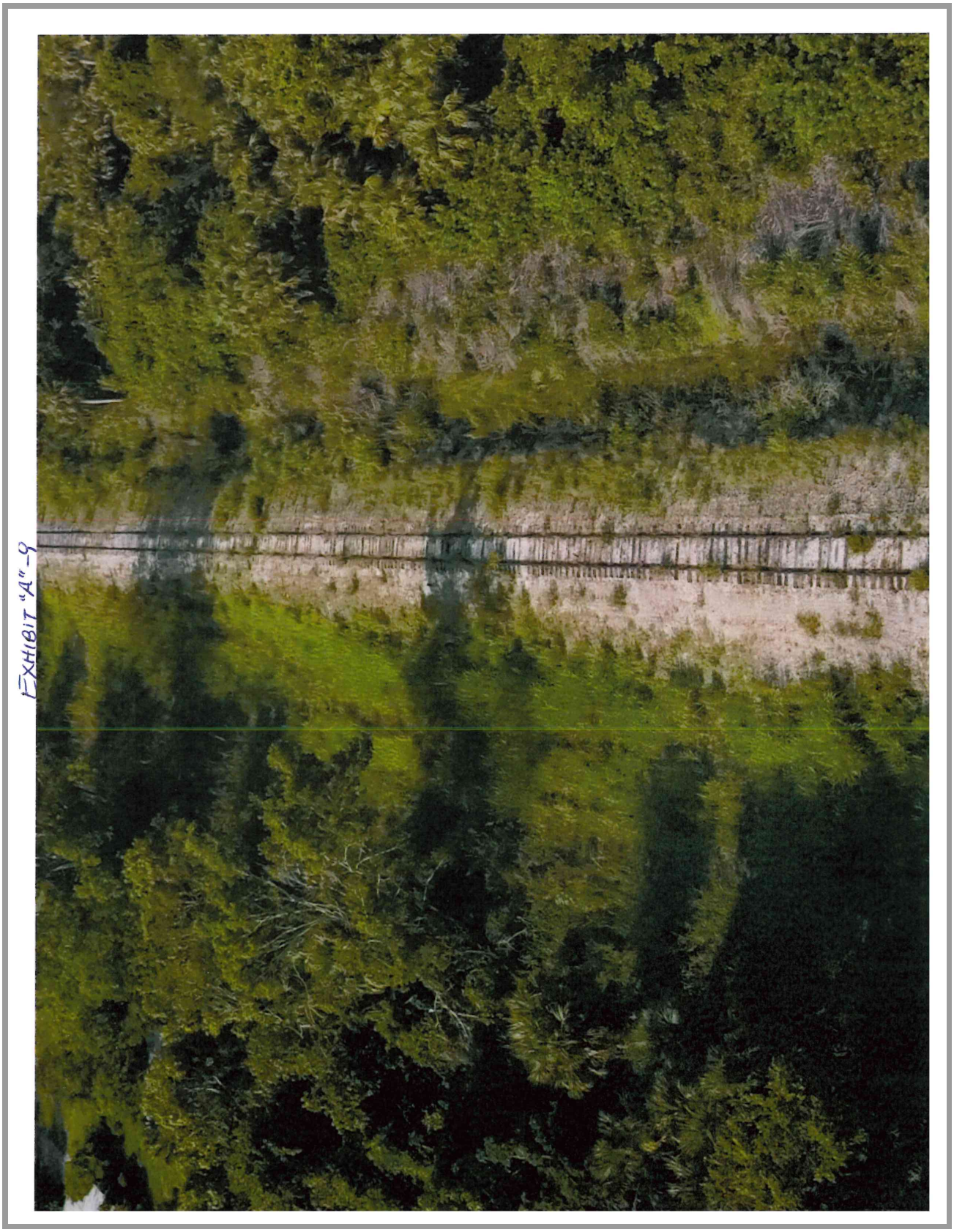
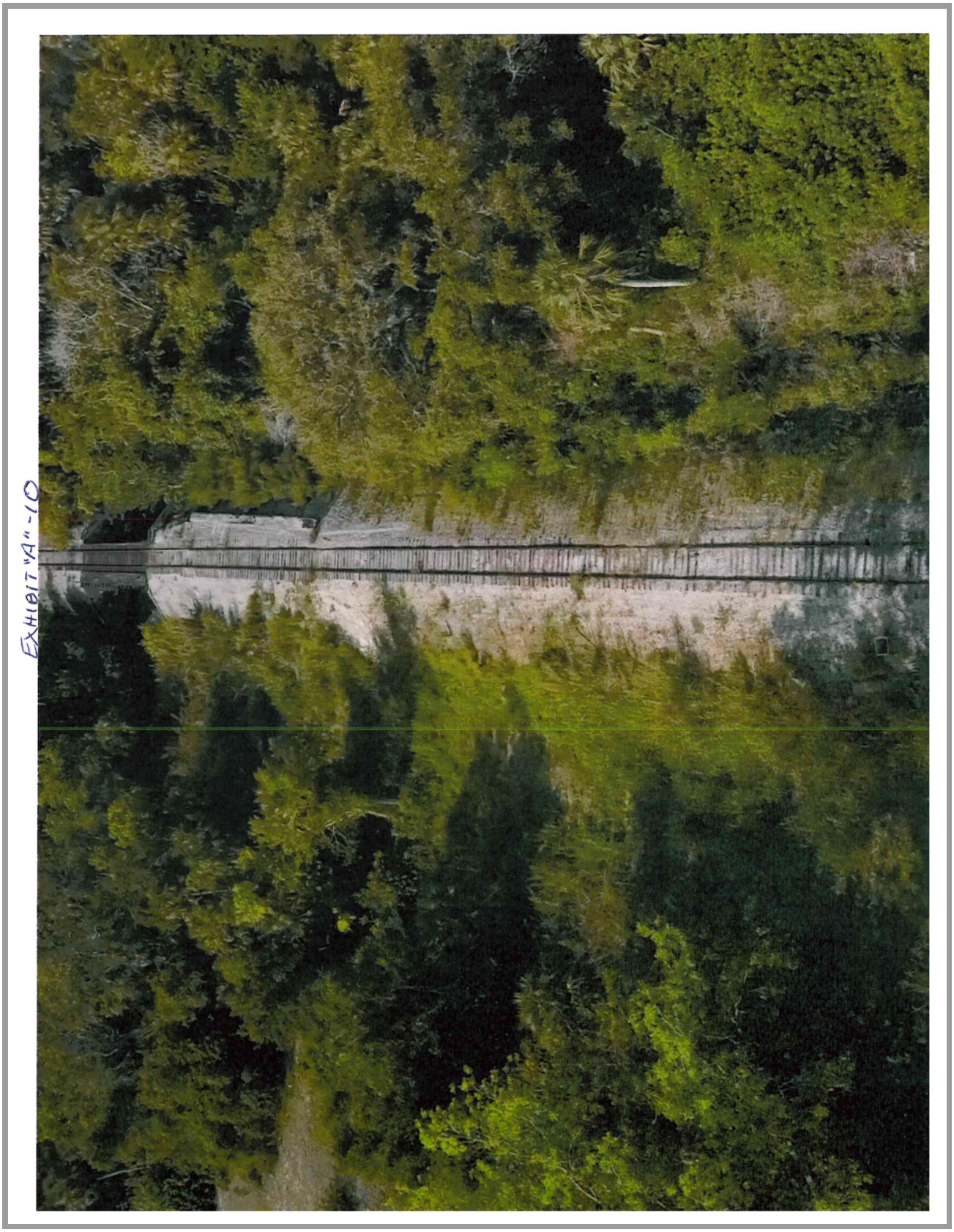

EXHIBIT "A" - 7


EXHIBIT "A"-8


EXHIBIT "A"-9


EXHIBIT "A" -10

NO EXHIBIT "B"

EXHIBIT "C"
RELEASE AND INDEMNIFICATION

FOR VALUE RECEIVED, and in consideration of being authorized by Seminole Gulf Railway LP, a Delaware limited partnership ("SGLR") to enter upon the property of SGLR in the performance of the contract between the undersigned contractor_____, whose address is _____ (the "CONTRACTOR") and Village of Estero ("VILLAGE"), which is a political subdivision of the State of Florida, with respect to the construction and maintenance and the usual appurtenances thereto which traverses the railroad property of SGLR (the "Swale") pursuant to the Agreement attached hereto as Exhibit "A" (the "Agreement"), the undersigned, intending to be legally bound, agree as follows:

1. CONTRACTOR will comply with all the obligations of VILLAGE with respect to construction and maintenance of the Swale under the Agreement, including, without limitation, the provisions of Paragraph 3 thereof.

2. CONTRACTOR acknowledges and appreciates the risks and danger assumed and attendant upon the exercise of the permission granted hereunder, and assumes all risk of injury (including death) to itself, its officers, employees and agents, or to its property, occurring or arising while or resulting from being upon or about the property of SGLR, regardless of SGLR's fault or negligence.

3. CONTRACTOR, for itself and for its successors and assigns, agrees to release, indemnify, defend and save harmless SGLR and its respective officers, employees, agents, successors and assigns, from and against all damages, losses, claims, demands, suits, costs or expenses, including counsel fees, which SGLR may suffer or sustain, or be subject to, directly or indirectly, for personal injury, death or property damage suffered by anyone whomsoever (including SGLR and CONTRACTOR) and arising out of or caused either wholly or in part by the work performed on SGLR's property by the undersigned, regardless of the fault, failure or negligence of SGLR except for gross negligence.

4. In conformance with Section 725.06 Florida Statutes, to the extent it applies to this indemnity, the specific consideration given for the promises of the CONTRACTOR set forth in this Release and Indemnification is the right granted CONTRACTOR to perform work on SGLR's property, together with One Dollar ($1.00) in hand paid by SGLR to CONTRACTOR, receipt whereof is hereby acknowledged, and the adequacy of which CONTRACTOR accepts as completely fulfilling the obligations of SGLR under the requirements of Section 725.06 Florida Statutes.

5. CONTRACTOR agrees to obtain the insurance specified in paragraph 8(d) of the Agreement. If any such insurance shall be provided on a claims-made basis, then in addition to the coverage requirements specified in paragraph 8(d) of the Agreement, CONTRACTOR agrees to make every effort to maintain similar insurance for at least two years following completion of the construction or maintenance of the Swale. If the insurance is terminated for any reason, CONTRACTOR agrees to purchase an extended reporting provision of at least two years to report claims arising from work performed in connection with construction of the Swale.

6. CONTRACTOR is responsible for the provision and maintenance of all appropriate insurance.

IN WITNESS WHEREOF, the undersigned has caused these presents to be executed this____day of_____, 20____.

ATTEST:	CONTRACTOR:
_____	By:_____
Title:_____	Title:_____

EXHIBIT "D"

INSURANCE AND RIGHT-OF-WAY REQUIREMENTS

Entity or Contractor working on property of Seminole Gulf Railway LP, shall carry, with respect to the operations it or any of its subcontractors performs, the following insurance coverage:

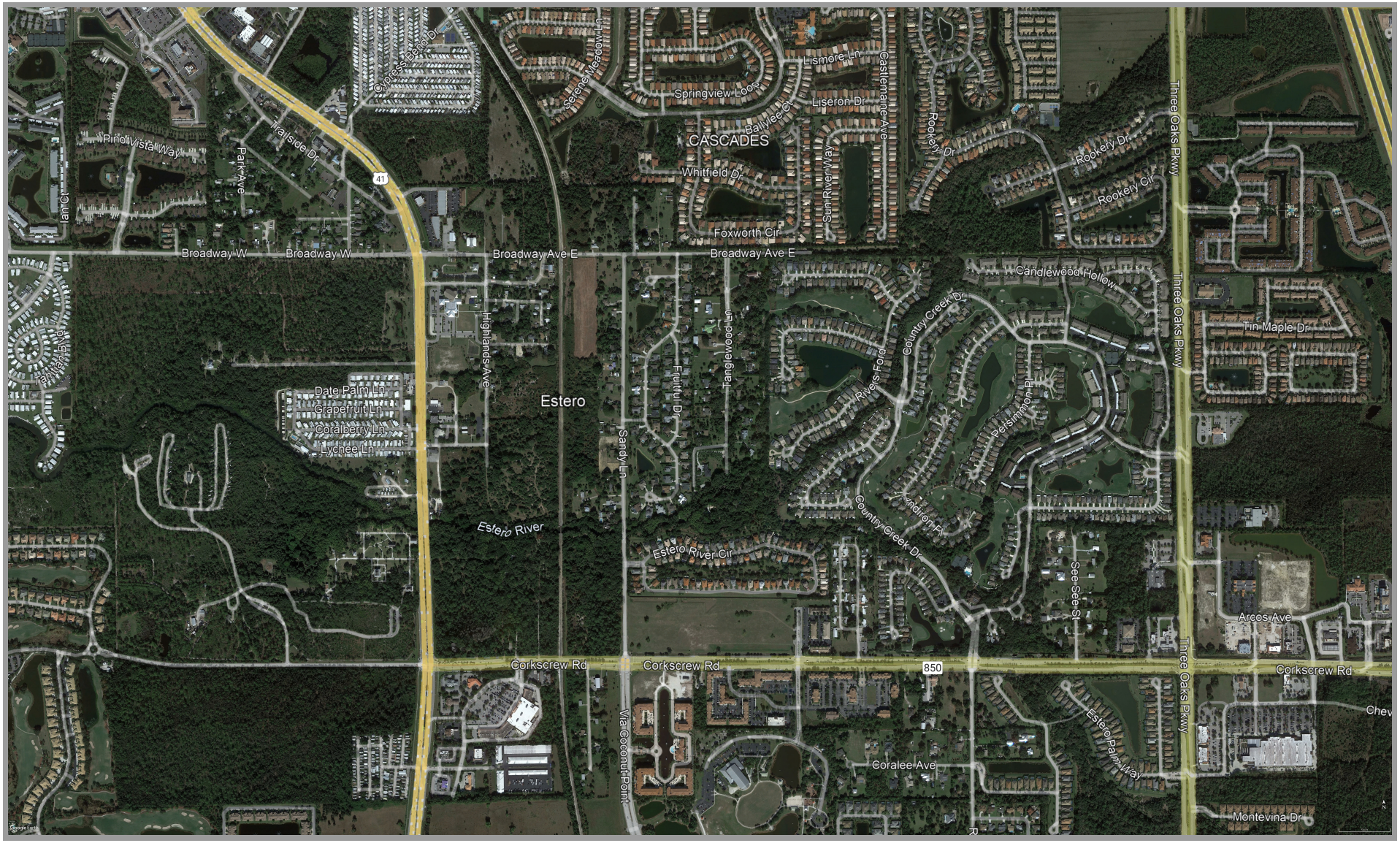
Railroad Protective Liability Insurance with **per occurrence limit** of not less than **Two Million Dollars ($2,000,000)** and aggregate limit of not less than **Six Million Dollars ($ 6,000,000)** written on the **ISO** form, without exclusions. The policy is to name **Seminole Gulf Railway LP**. as the **named insured(s).** The original policy for Railroad Protective liability insurance must be provided to Seminole Gulf Railway LP, **prior to the commencement of any work on Railroad property**. **A RAILROAD PROTECTIVE LIABILITY PROGRAM IS AVAILABLE THROUGH THE NATIONAL BROKER, MARSH. VISIT THE MARSH WEBSITE FOR AN APPLICATION AND CONTACT INFORMATION.**

Commercial General Liability Coverage using form CG0001 10-01 without modification. A combined single limit of $5,000,000 per occurrence and $5,000,000 Aggregate is required. (This requirement may be met with an umbrella or excess general liability policy if the general liability policy limit alone is not sufficient). Seminole Gulf Railway LP shall be named as an additional insured using forms CG2010 (7-04) and CG2037 (7-04), or the equivalent. Copies of additional insured endorsements naming Seminole Gulf Railway LP as an additional insured must be attached to the certificate of insurance. **BLANKET ADDITIONAL INSURED ENDORSEMENTS ARE NOT ACCEPTABLE.**

Auto liability with a combined single limit of not less than **One Million Dollars ($1,000,000**). **Seminole Gulf Railway LP** shall be included as **additional insured.**

Workers compensation and employers liability with standard limits of liability. The policy is to contain a waiver of subrogation in favor of **Seminole Gulf Railway**.

Such policies of insurance shall be endorsed to provide thirty (30) days' notice to each name insured by the insurance company before any reduction to or cancellation of the policies. **SEMINOLE GULF RAILWAY LP** shall be furnished with a **certificate of insurance** for the coverage provided for herein indicating conformance to the foregoing, **prior to the commencement of any work on Railroad property**.


Cypress Island Dr
Serene Meadow Ln
Springview Loop
Lismore Ln
Castlemaine Ave
Liseron Dr
Bal Mee Dr
CASCADES
Rookery Dr
Rookery Dr
Rookery Cir
Three Oaks Pkwy
Whitfield Dr
Sunset Reserve Way
Foxworth Cir
Pino Vista Way
Park Ave
Trailside Dr
41
Broadway W
Broadway W
Broadway Ave E
Broadway Ave E
Candlewood Hollow
Tanglewood Ln
Highlands Ave
Fruitful Dr
Country Creek Dr
Rivers Edge
Persimmon Pl
Tin Maple Dr
Date Palm Ln
Grapefruit Ln
Coralberry Ln
Lychee Ln
Estero
Sandy Ln
Estero River
Estero River Cir
Country Creek Dr
Candleton Pl
See See St
Arcos Ave
Corkscrew Rd
Corkscrew Rd
850
Corkscrew Rd
Via Coconut Point
Coralee Ave
Estero Palm Way
Three Oaks Pkwy
Montevina Dr

AGENDA ITEM SUMMARY SHEET
VILLAGE COUNCIL MEETING
July 5, 2023

Agenda Item:

Resolution No. 2023-14

Motion to adopt Resolution No. 2023-14.

Background:

The Village performs budget amendments throughout each fiscal year as new appropriations, transfers, or increased revenue occur. Resolution No. 2023-14 is the first budget amendment for fiscal year 2022-2023.

During the audit for the fiscal year ended September 30, 2022, the Village's external auditors, Tuscan & Company, P.A., noted the Village had expenditures in excess of its final approved budget in two funds; the building fund and the driving range fund.

Florida Statute Chapter 166.241 (2) prohibits such excess expenditures.

Description:

To correct this, the auditors recommend the Village budget its audited carryforward in each fund upon completion of the prior year financial audit which will provide a contingency and help to eliminate the potential of an over expenditure.

For the fiscal year ended September 30, 2022, the audited carryforward balances for each fund can be found on the Balance Sheet of Governmental Funds located on page 19 within the audit report.

Action Requested:

Motion to adopt Resolution No. 2023-14.

Process and Timeline:

The appropriations will become effective immediately upon adoption.

Financial Impact:

Approval of the resolution will allocate fund balance carryforward for each fund within the Fiscal Year 2022-2023 budget.

Prepared by: Kevin Greenville, CPA

Attachments:

1. Resolution No. 2023-14
2. Balance Sheet Governmental Funds September 30, 2022

VILLAGE OF ESTERO, FLORIDA

RESOLUTION NO. 2023 –14

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF ESTERO, FLORIDA, APPROVING THE FIRST BUDGET AMENDMENT FOR FISCAL YEAR 2022-2023 TO APPROVE THE USE OF VILLAGE FUNDS AND TO RECOGNIZE INCREASED REVENUES AND INCREASED EXPENDITURES FOR CAPITAL PROJECTS AND DEBT RETIREMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Resolution No. 2022-28, adopted the 2022-2023 fiscal year budget; and

WHEREAS, during the audit for the fiscal year ended September 30, 2022, the Village's external auditors, Tuscan & Company, P.A., noted the Village had expenditures in excess of its final approved budget in two funds; the building fund and the driving range fund. Florida Statute Chapter 166.241 (2) prohibits such excess expenditures;

WHEREAS, the auditors recommend the Village budget its audited carryforward in each fund upon completion of the prior year financial audit which will provide a contingency and help to eliminate the potential of an over expenditure;

WHEREAS, as provided in the Village Charter Section 8(6)(d), the following transfer of unencumbered appropriations will be transferred within the 2022-2023 Budget.

NOW THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF ESTERO, FLORIDA, THAT:

Section 1. The Village Council approves the first amendment to the 2022-2023 budget as follows:

Increase the appropriation of available fund balance in the General Fund to $19,988,086.

Increase the appropriation of available fund balance in the Building Fee Fund to $518,912.

Increase the appropriation of available fund balance in the Capital Projects Fund to $12,717,301.

Increase the appropriation of available fund balance in the Driving Range Fund to $123,261.

Section 2. This Resolution shall take effect immediately upon adoption.

ADOPTED BY THE VILLAGE COUNCIL of the Village of Estero, Florida this__ day of _____, 2023.

Attest: **VILLAGE OF ESTERO, FLORIDA**

By: _____ By: _____
Carol Sacco, Village Clerk Jon McLain, Mayor

Village of Estero, Florida
Balance Sheet
Governmental Funds
September 30, 2022

	General	Special Revenue Building Fee	Capital Projects	Debt Service	Nonmajor Governmental Fund	Total Governmental Funds
ASSETS						
Cash and cash equivalents	$21,116,489	$ 738,961	$ 12,682,530	$ -	$ 146,281	$34,684,261
Restricted - cash and cash equivalents	12,440,597	-	-	-	-	12,440,597
Investments	17,600	-	7,325	-	-	24,925
Receivables (net)	298,530	1,121	16,469	-	186	316,306
Due from other governments	439,553	-	64,146	-	-	503,699
Deposits	14,625	-	-	-	-	14,625
Total assets	$34,327,394	$ 740,082	$ 12,770,470	$ -	$ 146,467	$47,984,413
LIABILITIES AND DEFERRED INFLOWS OF RESOURCES						
Liabilities:						
Accounts payable	$ 983,048	$ 212,378	$ 53,169	$ -	$ 23,206	$ 1,271,801
Accrued liabilities	365,718	-	-	-	-	365,718
Due to other governments	549,945	8,792	-	-	-	558,737
Customer deposits	186,161	-	-	-	-	186,161
Total liabilities	2,084,872	221,170	53,169	-	23,206	2,382,417
Deferred Inflows of Resources:						
Unearned revenues	12,254,436	-	-	-	-	12,254,436
Total deferred inflows of resources	12,254,436	-	-	-	-	12,254,436
Fund balances:						
Nonspendable	14,625	-	-	-	-	14,625
Restricted for:						
Culture and recreation capital improvements	-	-	937,462	-	-	937,462
Highways and streets capital improvements	-	-	11,636,496	-	-	11,636,496
Parks and public land acquisition	-	-	143,343	-	-	143,343
Building code compliance	-	518,912	-	-	-	518,912
Committed to reserves	3,840,100	-	-	-	-	3,840,100
Assigned for driving range	-	-	-	-	123,261	123,261
Unassigned	16,133,361	-	-	-	-	16,133,361
Total fund balances	19,988,086	518,912	12,717,301	-	123,261	33,347,560
Total liabilities, deferred inflows of resources, and fund balances	$34,327,394	$ 740,082	$ 12,770,470	$ -	$ 146,467	$47,984,413

The notes to the financial statements are an integral part of this statement.

AGENDA ITEM SUMMARY SHEET
VILLAGE COUNCIL MEETING
July 5, 2023

Agenda Item:

Estero Entertainment District P3 Partners Term Sheets

Motion to approve the terms set forth in the Chicken N Pickle and High 5 term sheets, and to authorize the Village Manager to proceed with negotiating a final Public Private Partnership Agreement and related CAM and lease agreements with each company based on these terms.

Background:

In 2020 and 2022 The Village of Estero purchased two approximately 10 acres properties along Williams Road to create a combined 20-acre property owned by the Village. Half of the property is currently wooded, and the other half is currently used as a driving range.

Florida law allows private entities seeking to engage in a public private partnership with government agencies to submit proposals. Some months ago, the Village received several proposals from private companies to develop the property as a public/private partnership to provide recreation venues/opportunities for the community. As outlined further below, based on prior Council approvals, Village staff and consultants have evaluated the various proposals, narrowed those proposals which are in the Village's best interests, and have engaged in initial discussions on core terms and conditions.

Description:

The Village began the Public-Private-Partnership process for the solicitation and selection of partners on the 20-acre Williams Road site in late February of this year. The objective has been to attract private investment to our property with the purpose of providing the desired recreational activities and a financial return to the community.

The Village engaged Vieste incorporated as our consultant. Vieste and Village staff have provided periodic briefings to the Village Council as the business plans have taken shape to ensure that the direction and desired outcomes are attained. There has also been active community involvement with public information meetings and the formation of a focus group to provide comments on the design and operations of any proposed facility.

Two firms are being recommended as partners to the Village. “Chicken and Pickle” is a national leader in the provision of private pickleball facilities and “High 5” is a provider of multi-generational recreational activities also with facilities across the nation. Each firm will be investing approximately $15M of their own equity in the project. Both firms are being advanced concurrently as they provide complimentary activities and benefit from a collaborative planning effort on the site.

The Village Council previously approved a contract with RWA Engineering for the civil engineering design and site development services for the purpose of design and construction of the public roadway, storm water elements, parking, landscaping and public utilities to serve the site. That contract has an aggressive schedule to provide “pad-ready” parcels for the selected private partners. That schedule is as follows:

Concept Plan Complete:	7/31/2023
Design Complete:	11/15/2023
Landscape Plan Complete:	11/15/2023
Permitting Complete:	3/31/2023

The intent is to provide parcels for construction in April, 2024.

Approval of the attached term sheets will allow the Village, as well as both “Chicken and Pickle” and “High 5”, to enter the final phase of developing a detailed Public Private Partnership Agreement, and to begin planning and actual design of their facilities to be ready for vertical construction in April or May of 2024.

Action Requested:

Motion to approve the terms set forth in the Chicken N Pickle and High 5 term sheets dated July 5th 2023, and to authorize the Village Manager to proceed with negotiating a final Public Private Partnership Agreement and related CAM and lease agreements with each company based on these terms.

Process and Timeline:

The staff will utilize the summer break in the Village Council meeting schedule to advance the engineering and design of the public infrastructure as explained previously, as well as to work with the consultant, Village Attorney, and the two firms, to finalize the Public-Private-Partnership Agreement and related CAM and lease agreements for presentation to the Village Council in the fall.

Financial Impact:

In addition to the purchase price for the property, the Village will be required to invest approximately $12M for the public infrastructure to support this project**.** Funds for this purpose are available within the current Village budget but may require a reprioritization of the Capital Improvement Program or some form of debt financing, at the discretion of the Village Council.

Prepared by:

Steve Sarkozy, Village Manager and Robert Eschenfelder, Village Attorney**.**

Attachments:

1. July 5 agreement with High 5
2. July 5 agreement with Chicken and Pickle
3. Village Center Hub – Executive Summary, prepared by Vieste Inc.

July 5, 2023
Mr. Scott Emley
High Five Entertainment, LLC
1502 Ranch Road 620 South
Lakeway, Texas 78734

Dear Scott:

This term sheet outlines the significant business terms of a Public Private Partnership Agreement the Parties intend to negotiate to construct and operate a High 5 Entertainment Center consisting of two floors of indoor/outdoor entertainment space, featuring bowling, an arcade, laser tag, mini golf, escapes rooms, and a full-service restaurant (the "Project") within the Village of Estero at the location of the Village Center Hub (the "Site"). This term sheet is binding among the Parties as provided for in Section XI below, and outlines significant terms, relevant to the Parties and the project with the good faith intent of incorporating the terms into a final Public Private Partnership agreement (the "Agreement").

I. PARTIES

A. Village of Estero ("Village")

B. HD5 Entertainment, LLC or assigns ("High 5")

C. Collectively the "Parties"

II. SITE DESCRIPTION

Open Space Master Plan

Village staff and consultants developed a long-range vision that:

- Leverages existing Village, county, state, federal, institutional, and private assets;
- Responds to residents' top priority needs;
- Reflects the Village's "government-light" philosophy;
- Is based on sound planning principles and aspirational level-of-service guidelines;
- Respects existing land development patterns and character.

The Village's vision for its parks and recreation system is to create a high-quality, beautifully maintained parks and recreation system that meets the needs of all Village residents including youth, families, adults, and retirees. The system will include parks, open space, and recreation areas owned by the Village, homeowner associations (HOAs), Lee County, the State of Florida, the Lee County School District, and other facility and program providers. The Parks and Recreation System can be conceptualized as a network of interconnected "subsystems," each with its own guiding principles, primary and secondary providers, and service-delivery models. The Village's proposed subsystems include local parks, community parks, special purpose venues, recreation centers, multi-purpose athletic fields, trails & bikeways, and natural areas, all with recreation, education, environmental, culture, and social programs intertwined so as to enrich residents' lives and improve the overall community. Each existing and proposed park and open space should be designed and maintained to be consistent with the character of the surrounding "hub" it is located in. Per the Open Space Master Plan, the "Village Center Hub" should be designed as a high-density, active, urban civic space.

Village Center Hub

The "Village Center Hub" is defined by Corkscrew Road to the north, S. Tamiami Trail/US 41 to the west, Williams Road to the south, and River Ranch Road to the east (excluding the residential area in the northeast quadrant). The hub is already home to the Village's civic uses, including the Village Hall, Estero High School, and Estero Community Park and Recreation Center. The proposed new hospital/mixed-use development between US 41 and Via Coconut

Point will add new health care, wellness, entertainment, retail, and office-uses to the area. The hub is to be master planned to create higher-intensity, mixed-use land uses along both Corkscrew Road and US 41; an internal, multi-modal street network that connects to both roads; and an iconic new Village Hall/Civic Center that establishes a civic presence and brand. Additional uses could include a fitness and wellness center, spa, urban lake front promenade, performing arts center, outdoor amphitheater, and other civic and lifestyle uses.

Entertainment District

The "Entertainment District" is designed to be a vibrant gathering point for Estero residents and visitors alike. It will be anchored by at least two complimentary family entertainment concepts. These concepts will offer a wide variety of indoor and outdoor options.

Site Development – CAM

The Entertainment District Site, shown on **Exhibit A**, will be constructed, owned, and maintained by the Village of Estero. The remaining common area of the site shall be used for storm drainage, traffic circulation, parking, and green spaces for the benefit of all. There will be a common area maintenance agreement between the Village of Estero and the family entertainment operators.

III. PROJECT DESCRIPTION

A. The project will include an indoor entertainment component including, but not limited to, 16 full-size USBC bowling lanes, 8 lanes of duckpin bowling, bocce, 18-holes of outdoor miniaturized golf, axe throwing, laser tag, arcade and virtual reality, and escape rooms.

B. The Parties acknowledge that the Entertainment District is designed to offer a wide variety of complimentary entertainment options offered by different operators. Spirit of collaboration and mutual economic benefit.

IV. FINANCIAL TERMS

A. The Village of Estero will contribute the land underlying its primary indoor entertainment building and construct the 18-holes of miniature golf, including infrastructure.

B. The Village of Estero will receive an economic return in High 5 Estero, commensurate to its portion of the total capital raise for the entire High 5 project. The Village would have no default guaranties to the primary lender.

C. Each year, the Village will receive a 9% coupon payment against the total value of the amount contributed. Assuming a $4 million valuation, that would translate to an annual $360,000 payment.

D. Additionally, if an annual profit distribution is available, the Village is entitled to receive a profit distribution commensurate to an estimated 15% interest in High 5 Estero. While The Village does not own any part of High 5, High 5 will treat payments of this profit distribution to The Village as if The Village is on par with all investors. The Village's actual interest (currently estimated at 15%) will be determined once the capital stack is finalized and The Village's total investment value is realized and funded or conveyed.

Common Area Maintenance

A. The Village shall fund, design, engineer, construct and maintain all common areas including roads, parking lots, utilities, stormwater retention, wayfinding signage, hardscape, and landscape areas.

B. The Operator shall have reciprocal easement rights to traffic and pedestrian circulation and non-dedicated parking areas. A mutually agreeable number of parking spaces shall be dedicated to the Operator adjacent to its building structure.

C. The Operator shall pay a Common Area Maintenance ("CAM") fee of $___ per square foot to the Village, pursuant to a Common Area Maintenance Agreement, to cover normal maintenance costs, amortization of common area improvement costs and imputed land value for that portion of land that would have otherwise been purchased by Operator for parking, drainage and site circulation.

V. COMMUNITY ACCESS

The Parties mutually commit to provide priority access and discounted rates to Estero residents to the entertainment venue on a mutually agreeable schedule.

VI. COMMUNITY SUPPORT

The Operator commits to maximize support for local charitable and community organizations in its programming offering opportunities for events benefiting those organizations.

High 5 Entertainment agrees to private management of public programming where mutually acceptable.

VII. DESIGN & DEVELOPMENT

The Village of Estero will design, engineer, and construct all site improvements including mass grading, public utility main lines, storm drainage, roads, and parking areas.

The Village of Estero will deliver to High 5 a pad ready site.

The Village of Estero will design, engineer, and construct certain infrastructure required to support the outdoor miniature golf element. Said improvements shall be designed to specifications approved by High 5.

VIII. PROPERTY MANAGEMENT

The Operator shall be responsible for managing its owned property.

The Village of Estero shall be responsible for managing all common areas pursuant to a Common Area Maintenance ("CAM") agreement.

IX. PARKING

The Operator shall be provided a mutually agreeable number of dedicated parking spaces and service/delivery space at its primary building.

The Operator and the Village shall enter into a reciprocal easement agreement allowing pedestrian and vehicular access throughout the site for circulation, parking, and common area enjoyment.

X. CONTINGENCY

The cost reimbursement obligations set forth in Section XI below are subject to mutual agreement between the Parties on Site Plan and project build out budget, to be determined in advance of execution of a final Public Private Partnership Agreement and associated agreements.

XI. NATURE OF TERM SHEET; AGREEMENT TO PROCEED IN GOOD FAITH AND TO REIMBURSE

This term sheet is intended to memorialize the mutual agreement of the Parties that they are jointly committed to enter into a Public Private Partnership Agreement for the project. However, the Parties agree that the terms and conditions set forth herein are in the nature of a letter of intent, as that phrase is applied in Florida law, and shall not constitute a final Public Private Partnership Agreement between them until such an Agreement has been agreed to and executed by the Parties.

Notwithstanding the foregoing, the Parties to this term sheet acknowledge that they will, moving forward but prior to execution of an Agreement, both be incurring significant expenses related to the development of plans, documents, maps, engineered drawings, engineering, financial and legal services, and similar expenses. The Parties therefore agree to negotiate with each other in good faith towards a Public Private Partnership Agreement, and that by executing this term sheet, they each assume liability to the other if one or the other becomes unable or unwilling to enter into a Public Private Partnership Agreement and/or to subsequently design and construct the related improvements, and that failure to do so would constitute a default of these obligations. In the event of a default of these obligations, the defaulting Party would be required to compensate the non-defaulting Party for expenses incurred up to the date of default, with an amount not to exceed TBD.

_____	_____
_____	_____
Steve Sarkozy	Scott Emley
Village Manager – Village of Estero	President - High Five Entertainment, LLC

Exhibit A

The Entertainment District – Site Plan

To be inserted once finalized and mutually agreed upon.

July 5, 2023

Chicken N Pickle Holdings LLC
107 E 18th Ave
North Kansas City, MO 64116

Dear Dave:

This term sheet outlines the significant business terms of a Public Private Partnership Agreement the Parties intend to negotiate to construct and operate a pickleball-based family entertainment venue (the "Project") within the Village of Estero at the location of the Village Center Hub (the "Site"). This term sheet is binding among the Parties as provided for in Section XI below, and outlines significant terms, relevant to the Parties and the project with the good faith intent of incorporating the terms into a final Public Private Partnership agreement (the "Agreement").

I. PARTIES

A. Village of Estero ("Village")

B. Chicken N Pickle ("CnP")

C. Collectively the "Parties"

II. SITE DESCRIPTION

Open Space Master Plan

Village staff and consultants developed a long-range vision that:

- Leverages existing Village, county, state, federal, institutional, and private assets;
- Responds to residents' top priority needs;
- Reflects the Village's "government-light" philosophy;
- Is based on sound planning principles and aspirational level-of-service guidelines;
- Respects existing land development patterns and character.

The Village's vision for its parks and recreation system is to create a high-quality, beautifully maintained parks and recreation system that meets the needs of all Village residents including youth, families, adults, and retirees. The system will include parks, open space, and recreation areas owned by the Village, homeowner associations (HOAs), Lee County, the State of Florida, the Lee County School District, and other facility and program providers. The Parks and Recreation System can be conceptualized as a network of interconnected "subsystems," each with its own guiding principles, primary and secondary providers, and service-delivery models. The Village's proposed subsystems include local parks, community parks, special purpose venues, recreation centers, multi-purpose athletic fields, trails & bikeways, and natural areas, all with recreation, education, environmental, culture, and social programs intertwined so as to enrich residents' lives and improve the overall community. Each existing and proposed park and open space should be designed and maintained to be consistent with the character of the surrounding "hub" it is located in. Per the Open Space Master Plan, the "Village Center Hub" should be designed as a high-density, active, urban civic space.

Village Center Hub

The "Village Center Hub" is defined by Corkscrew Road to the north, S. Tamiami Trail/US 41 to the west, Williams Road to the south, and River Ranch Road to the east (excluding the residential area in the northeast quadrant). The hub is already home to the Village's civic uses, including the Village Hall, Estero High School, and Estero Community Park and Recreation Center. The proposed new hospital/mixed-use development between US 41 and Via Coconut Point will add new health care, wellness, entertainment, retail, and office-uses to the area. The hub is to be master

planned to create higher-intensity, mixed-use land uses along both Corkscrew Road and US 41; an internal, multi-modal street network that connects to both roads; and an iconic new Village Hall/Civic Center that establishes a civic presence and brand. Additional uses could include a fitness and wellness center, spa, urban lake front promenade, performing arts center, outdoor amphitheater, and other civic and lifestyle uses.

Entertainment District

The "Entertainment District" is designed to be a vibrant gathering point for Estero residents and visitors alike. It will be anchored by at least two complimentary family entertainment concepts. These concepts will offer a wide variety of indoor and outdoor options.

Site Development – CAM

The Entertainment District Site, shown on **Exhibit A**, will be constructed, owned, and maintained by the Village of Estero. Certain parcels shall be ground leased to the family entertainment operator for specific use. The remaining common area of the site shall be used for storm drainage, traffic circulation, parking, and green spaces for the benefit of all. There will be a common area maintenance agreement between the Village of Estero and the family entertainment operators.

III. PROJECT DESCRIPTION

A. The project will include approximately 20,000 sf of indoor entertainment space, 6 environmentally controlled pickleball courts, and outdoor socializing space to be defined.

B. The project will include 12-15 outdoor pickleball courts financed and constructed by the Village of Estero, managed by the Operator.

C. The Parties acknowledge that the Entertainment District is designed to offer a wide variety of complimentary entertainment options offered by different operators. Spirit of collaboration and mutual economic benefit.

IV. FINANCIAL TERMS

A. The Village of Estero will contribute approximately 2 acres to the Operator underlying its primary indoor entertainment building, 6 indoor, environmentally controlled pickleball courts, and socializing space.

B. The Village of Estero shall receive a revenue share based on the percentage of sales generated at the following rates:
   - 10% of the first $500,000.00 in sales
   - 20% of sales between $500,000.01 and $1,000,000.00
   - 30% of sales over $1,000,000.01.

C. The Village shall pay 3.5-3.75 million dollars for 12-15 covered, outdoor pickleball courts with common social areas that will be operated by CnP. Design and construction of the outdoor pickleball courts is to be determined. CnP shall manage the Village's outdoor pickleball courts and include said courts in its reservation system.

   1. Priority access will be granted to Estero residents to the outdoor courts, being provided access to the reservation system.

2. The Parties shall mutually agree on a budget for CnP to operate the outdoor courts. The operating budget shall include an amount for normal replacement and repair costs to be defined.

3. The Village shall be responsible for major capital replacement items for the outdoor pickleball courts, to be defined.

Common Area Maintenance

A. The Village shall fund, design, engineer, construct and maintain all common areas including roads, parking lots, utilities, stormwater retention, wayfinding signage, hardscape, and landscape areas.

B. The Operator shall have reciprocal easement rights to traffic and pedestrian circulation and non-dedicated parking areas. A mutually agreeable number of parking spaces shall be dedicated to The Operator adjacent to its building structure.

C. The Operator shall pay a Common Area Maintenance ("CAM") fee of $___ per square foot to the Village, pursuant to a Common Area Maintenance Agreement, to cover normal maintenance costs and amortization of common area improvement for that portion of land that would have otherwise been purchased by Operator for parking, drainage, and site circulation. This fee will be determined and included on this term sheet prior to execution.

V. COMMUNITY ACCESS

In addition to granting priority access to Estero residents to the outdoor courts as referenced in Section IV. D. 1. above, the Parties also commit to provide priority access and discounted rates to Estero residents to the entertainment venue and indoor pickleball courts on a mutually agreeable schedule.

VI. COMMUNITY SUPPORT

The Operator commits to maximize support for local charitable and community organizations in its programming offering opportunities for events benefitting those organizations.

VII. DESIGN & DEVELOPMENT

The Village of Estero will design, engineer, and construct all site improvements including mass grading, public utility main lines, storm drainage, roads, and parking areas.

The Village of Estero will deliver to the Operator a pad ready site, per specifications as outlined in **Exhibit A** to this binding term sheet.

The Village of Estero will fund the 12-15 outdoor courts.

VIII. PROPERTY MANAGEMENT

The Operator shall be responsible for managing its owned property.

The Village of Estero shall be responsible for managing all common areas pursuant to a Common Area Maintenance ("CAM") agreement.

IX. PARKING

The Operator shall be provided a mutually agreeable number of dedicated parking spaces and service/delivery space at its primary building.

The Operator and the Village shall enter into a reciprocal easement agreement allowing pedestrian and vehicular access throughout the site for circulation, parking, and common area enjoyment.

X. CONTINGENCY

The cost reimbursement obligations set forth in Section XI below are subject to mutual agreement between the Parties on Site Plan and project build out budget, to be determined in advance of execution of a final Public Private Partnerhsip Agreement and associated agreements.

XI. NATURE OF TERM SHEET; AGREEMENT TO PROCEED IN GOOD FAITH AND TO REIMBURSE

This term sheet is intended to memorialize the mutual agreement of the Parties that they are jointly committed to enter into a Public Private Partnership Agreement for the project. However, the Parties agree that the terms and conditions set forth herein are in the nature of a letter of intent, as that phrase is applied in Florida law, and shall not constitute a final Public Private Partnership Agreement between them until such an Agreement has been agreed to and executed by the Parties.

Notwithstanding the foregoing, the Parties to this term sheet acknowledge that they will, moving forward but prior to execution of an Agreement, both be incurring significant expenses related to the development of plans, documents, maps, engineered drawings, engineering, financial and legal services, and similar expenses. The Parties therefore agree to negotiate with each other in good faith towards a Public Private Partnership Agreement, and that by executing this term sheet, they each assume liability to the other if one or the other becomes unable or unwilling to enter into a Public Private Partnership Agreement and/or to subsequently design and construct the related improvements, and that failure to do so would constitute a default of these obligations. In the event of a default of these obligations, the defaulting Party would be required to compensate the non-defaulting Party for expenses incurred up to the date of default, with an amount not to exceed TBD.

_____	_____
_____	_____
Steve Sarkozy	Dave Johnson
Village Manager – Village of Estero	Founder – Chicken N Pickle

Exhibit A

The Entertainment District – Site Plan

To be inserted once finalized and mutually agreed upon.

Village Center Hub

July 5, 2023 - Council Meeting

VIESTE

Village of ESTERO

Village Center Hub - Public Cash Flow Analysis

	Excludes Contributed Land	Including Contributed Land
Land Accquisition		
20-Acre Williams Road Property	$ 7,250,000	22%
	$ 7,250,000	**$ 1,608,631**
VOE Investment		
Site Development	5,579,250	
High 5 Entertainment	1,250,000	
City-owned Outdoor Pickleball	3,500,000	
Soft Costs	1,500,000	
Total Investment	**$ 11,829,250**	**$ 13,437,881**
VOE Return		
High 5 Annual Payment to Village	$ 489,429	
High 5 Revenue Share	59,448	
High 5 Common Infrastructure Cap Rate	50,721	
CnP Revenue Share	450,000	
Ad Valorem Taxes	9,291	
Total Annual Revenue	**$ 1,058,889**	**$ 1,058,889**
Annual Return on Investment	**8.95%**	**7.88%**
CAM Budget		
Utilities	43,080	
Landscape Maintenance	62,000	
Parking Lot Maintenance	24,040	
Security	99,360	
Parking Lot Lighting	7,400	
Signs & Directions	11,000	
Trash Removal	-	
Pest Control	-	
Insurance	12,000	
Marketing	60,000	
Management Fees	60,000	
Capital Reserve (not otherwise incl.)	11,750	
Contingency	60,000	
Total CAM Budget	450,630	
CAM Payment Allocation	$ 4.50 /sf	

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Village of ESTERO

Village Center Hub
Conceptual Site Development Budget

DESCRIPTION	QUANTITY	UNIT	COST	SUBTOTALS	TOTALS
General Requirements					
Site Clearing and Grading					
Clearing, Grubbing & Grading	10	Acres	$ 50,000	$ 500,000	
Soil Import	1	Allowance	$ 150,000	$ 150,000	
Traffic Control	1	Allowance	$ 10,000	$ 10,000	
Erosion Control	10	Allowance	$ 10,000	$ 100,000	
Layout Surveying	1	Allowance	$ 25,000	$ 25,000	
Adverse Site Conditions	1	Allowance	$ 50,000	$ 50,000	
Site Cleanup	1	Allowance	$ 25,000	$ 25,000	
Pad Preparation (High 5 & CP)	2	Allowance	$ 75,000	$ 150,000	**$ 1,010,000**
Storm Water Management					
Retention/detention ponds	1	Allowance	$ 150,000	$ 150,000	
Underground piping and Outfalls	10	Acres	$ 50,000	$ 500,000	
Secondary Drainage(TBD)		0	$ -	$ -	**$ 650,000**
Sanitary Sewer					
Underground Main & Laterals	2500	LF	$ 150	$ 375,000	**$ 375,000**
Water Service					
Underground Main & Laterals	1375	LF	$ 150	$ 206,250	**$ 206,250**
Electric Service					
Underground Primaries	1	Allowance	$ 75,000	$ 75,000	
Secondaries to Pad Sites	0	Allowance	$ 125,000	$ -	
Site Lighting	1	Allowance	$ 150,000	$ 150,000	
Low Voltage - Security, CATV		Allowance	$ 100,000	$ -	**$ 225,000**
Parking & Paving					
"High 5" Parking	200	Spaces	$ 5,000	$ 1,000,000	
"C&P" Parking	200	Spaces	$ 5,000	$ 1,000,000	
Add'l Parking	16	Spaces	$ 5,000	$ 80,000	
Roads & Circulation	525	LF	$ 750	$ 393,750	
Trails & Sidewalks					
Striping					**$ 2,473,750**
Landscaping & Hardscape					
Irrigation	1	Allowance	$ 150,000	$ 150,000	
Trees, Plantings & Sod	1	Allowance	$ 75,000	$ 75,000	
Misc. Hardscape	1	Allowance	$ -	$ -	
Signage	1	Allowance	$ 25,000	$ 25,000	**$ 250,000**
				Subtotal	**$ 5,190,000**
			Contingency	**7.5%**	**$ 389,250**
				Total Site Development Cost	**$ 5,579,250**

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Village of ESTERO

Village Center Hub
Common Area Maintenance Budget

	Cost		Period	Annualized		Annual Total	
Utilities							
Water	By Tenants						
Sanitary	By Tenants						
Electricty	$	34,080	Annual	$	34,080		
Irrigation	$	750	Monthly	$	9,000		
						$	43,080
Landscape Maintenance							
Mowing and Trimming	$	4,500	Monthly	$	54,000		
Fertilizer and Chemicals	$	3,000	Annual	$	3,000		
Seasonal Color Plantings	$	5,000	Annual	$	5,000		
Pond and Feature Maintenance						$	62,000
Parking Lot Maintenance							
Daily Cleaning/Litter Removal	$	1,170	Monthly	$	14,040		
Curb & Asphalt Repairs	$	5,000	Annual	$	5,000		
Sealcoating & Re-striping	$	25,000	5 Years	$	5,000		
						$	24,040
Security	$	8,280	Monthly	$	99,360	$	99,360
Parking Lot Lighting							
Replace Damaged Poles & Fixtures	$	5,000	Annual	$	5,000		
LED Fixture Replacement	$	24,000	10 yrs	$	2,400		
						$	7,400
Signs & Directions							
Replacement of Damaged Signage	$	5,000	Annual	$	5,000		
Capital Replacement	$	30,000	5 yrs	$	6,000		
						$	11,000
Trash Removal	By tenants						
Pest Control (In Landscaping)							
Insurance	$	12,000	Annual	$	12,000		
						$	12,000
Marketing	TBD					$	60,000
Management Fees	TBD					$	60,000
Imputed Land Value Return	TBD						
Capital Reserve (not otherwise incl.)							
Mill & Repave	$	35,000	20 years	$	1,750		
Landscaping & Pond R&R	$	250,000	25 years	$	10,000		
Pickleball Courts - Resurface							
						$	11,750
Contingency						$	60,000
Total Annual CAM						**$**	**450,630**
							$4.5/SF

Allocations			
Use	Acres	SF	Phase 1 Share
High 5	1.50	65,279	16.71%
High 5 Parking (Common)	1.55	67,721	17.34%
CnP	1.41	61,510	15.75%
CnP Parking (Common)	1.88	81,900	20.97%
Common Area & Detention	2.62	114,177	29.23%
Future Phase	11.03		
Total	**20.00**		**100.00%**

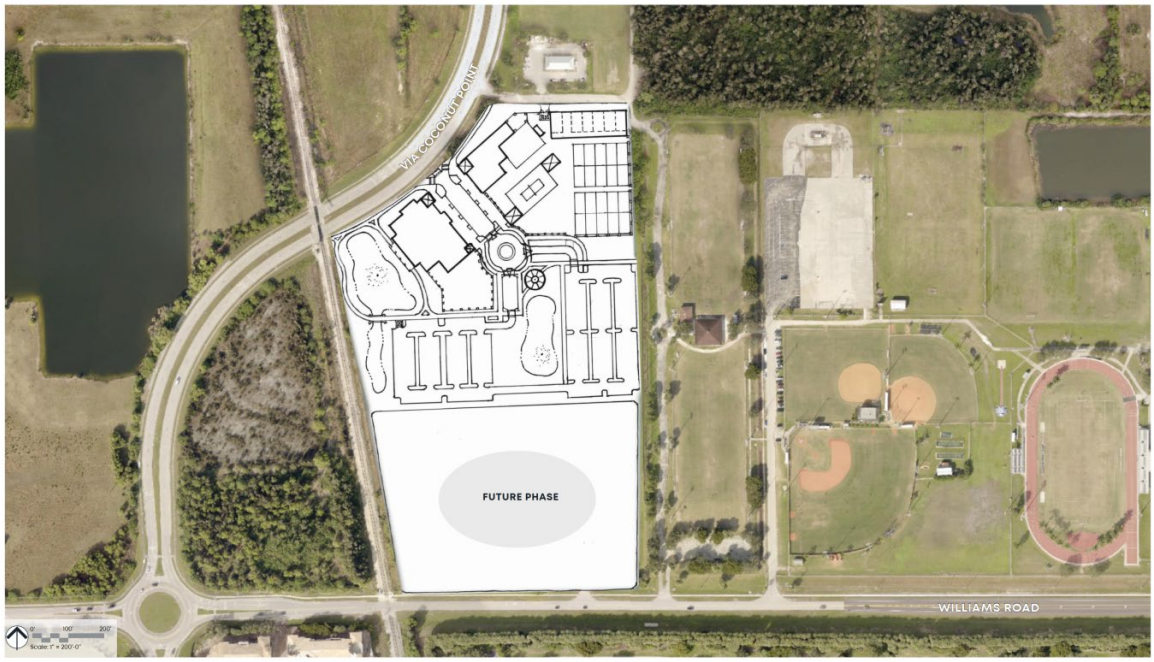
High Five Entertainment VOE Equity	
Expense	Allocation
Land value	543,242.37
Site development	932,463.69
Mini golf	1,250,000.00
Common Area Allocation	2,461,697.68
Soft costs	250,695.98
Total	**$5,438,099.72**

Property Tax Calculation		
	High 5	Chicken & Pickle
Land Value	1,449,677	724,838
Improvement Value	8,400,000	4,000,000
Millage	0.7500	0.7500
Annual Property Tax	6,279.17	3,012.08

Cost Benefit Analysis Summary Entertainment District Over 30-year Term of Agreement		
	With Project	Without Project
VOE Investment	11,829,250	0
VOE New Revenue (5% NPV)	17,985,539	0
Net Benefit	**$6,156,289**	**$0**

Cost Benefit									
Year	%	High 5 Land Lease	High 5 Revenue Share	CnP CA Cap Rate	CnP Revenue Share	Outdoor Pickleball Courts	Ad Valorem Taxes	Common Infr. Cap Rate	Total
1	0%	489,429	59,448	50,721	450,000	0	9,291	0	$1,058,889
2	2%	489,429	60,637	50,721	459,000	0	9,477	0	$1,069,264
3	2%	489,429	61,850	50,721	468,180	0	9,667	0	$1,079,846
4	2%	489,429	63,087	50,721	477,544	0	9,860	0	$1,090,640
5	2%	489,429	64,348	50,721	487,094	0	10,057	0	$1,101,650
6	2%	489,429	65,635	50,721	496,836	0	10,258	0	$1,112,880
7	2%	489,429	66,948	50,721	506,773	0	10,463	0	$1,124,334
8	2%	489,429	68,287	50,721	516,909	0	10,673	0	$1,136,018
9	0%	489,429	68,287	50,721	516,909	0	10,673	0	$1,136,018
10	0%	489,429	68,287	50,721	516,909	0	10,673	0	$1,136,018
11	2%	489,429	69,653	50,721	527,247	0	10,886	0	$1,147,935
12	2%	489,429	71,046	50,721	537,792	0	11,104	0	$1,160,091
13	2%	489,429	72,467	50,721	548,547	0	11,326	0	$1,172,490
14	2%	489,429	73,916	50,721	559,518	0	11,553	0	$1,185,137
15	2%	489,429	75,394	50,721	570,709	0	11,784	0	$1,198,036
16	2%	489,429	76,902	50,721	582,123	0	12,019	0	$1,211,194
17	2%	489,429	78,440	50,721	593,765	0	12,260	0	$1,224,615
18	2%	489,429	80,009	50,721	605,641	0	12,505	0	$1,238,304
19	0%	489,429	80,009	50,721	605,641	0	12,505	0	$1,238,304
20	0%	489,429	80,009	50,721	605,641	0	12,505	0	$1,238,304
21	2%	489,429	81,609	50,721	617,754	0	12,755	0	$1,252,267
22	2%	489,429	83,242	50,721	630,109	0	13,010	0	$1,266,510
23	2%	489,429	84,906	50,721	642,711	0	13,270	0	$1,281,037
24	2%	489,429	86,605	50,721	655,565	0	13,536	0	$1,295,855
25	2%	489,429	88,337	50,721	668,676	0	13,806	0	$1,310,969
26	2%	489,429	90,103	50,721	682,050	0	14,082	0	$1,326,385
27	2%	489,429	91,905	50,721	695,691	0	14,364	0	$1,342,110
28	2%	489,429	93,744	50,721	709,605	0	14,651	0	$1,358,149
29	0%	489,429	93,744	50,721	709,605	0	14,651	0	$1,358,149
30	0%	489,429	93,744	50,721	709,605	0	14,651	0	$1,358,149
Total		$14,682,869	$2,292,598	$1,521,615	$17,354,146	$0	$358,315	$0	$36,209,544
NPV (5%)		$7,523,723	$1,109,580	$779,699	$8,399,120	$0	$173,418	$0	$17,985,539

Entertainment District Conceptual Site Plan



LRK

Estero Village Center - Entertainment District
Estero, FL | 01.22067.00 | 06.14.2023
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Entertainment District Concept

Village of ESTERO VIESTE

AGENDA ITEM SUMMARY SHEET
VILLAGE COUNCIL MEETING
July 5, 2023

Agenda Item:

Second Reading of Ordinance No. 2023-06, Coconut Road EPD Rezoning

Approve Ordinance No. 2023-06 with staff-recommended revisions

Background:

This is a rezoning for 45± acres of property on the northwest corner of US-41 and Coconut Road. The site is vacant and is proposed to be rezoned to "Estero Planned Development" for a mixed-use project including 596 multifamily units, 82,000 square feet of retail and dining, 42,000 square feet of office use, 260 room hotel, and public park and civic uses.

See attached staff report for detail.

Description:

The Planning, Zoning, and Design Board reviewed the project at its June 13th meeting and voted 4/0 to recommend approval with additional conditions.

Please note: Due to the close timing of the Planning Zoning and Design Board meeting and Council first and second readings, staff may be making additional revisions to the attached Ordinance.

The Council first reading was June 21, 2023. Council had several items that they requested be addressed at the second reading. Items generally include the following: (an excerpt of the meeting is attached to provide more details)

- More detail on traffic issues
  - Level of Service, turn lanes, signal timing.
  - Clarify if traffic study is cumulative.
  - Roundabout vs. signal not vetted.
  - Intersections – What improvements are needed (additional turn lanes, etc.)
  - What are the impacts if turn lanes on US-41 are not approved by FDOT?
  - Should traffic study be updated to include recent traffic increases?
  - Managing capacity and flow on US-41 and Coconut Road.
  - Traffic projections.

- Parking

- Explain Deviation.
- Explain employee and service vehicles parking.
- Parking fee or free for visitors?

- Other
  - Size of civic amenity area.
  - Open space – provide more or larger area within the central portion of the development.
  - Deviations – do they exacerbate density?
  - Management of public amenities.
  - Stormwater/flooding issues and impact on Marsh Landing.
  - Bicycle connectivity and bicycle parking.

Action Requested:

Approve Ordinance No. 2023-06 with staff-recommended conditions

Process and Timeline:

- Public Information Meeting February 21, 2023
- Planning, Zoning and Design Board Hearing June 13, 2023
- Council First Reading June 21, 2023
- Council Second Reading and Public Hearing July 5, 2023

Financial Impact:

Minor cost for newspaper advertisement for second reading.

Prepared by: Mary Gibbs

Attachments:

1. Ordinance No. 2023-06
2. Excerpt of Transcript of June 21, 2023 Council Meeting
3. Public Correspondence
4. Staff Report

VILLAGE OF ESTERO, FLORIDA
ZONING
ORDINANCE NO. 2023-06

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF ESTERO, FLORIDA, CONSIDERING A REZONING FROM MIXED USE PLANNED DEVELOPMENT (MPD) TO ESTERO PLANNED DEVELOPMENT (EPD) FOR A 45.6-ACRE PARCEL ON THE NORTHWEST CORNER OF US-41 AND COCONUT ROAD; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Coconut Road Estero Apartments, LLC, represented by Ross Abramson (the "Applicant"), filed for a rezoning on property located on the northwest corner of US-41 and Coconut Road for a project known as **Coconut Road EPD**; and

WHEREAS, the Property STRAP numbers are 09-47-25-E2-U1902.2012, 09-47-25-E2-U1900.2033, 09-47-25-E2-U1908.2037, 09-47-25-E2-U1908.2404; 09-47-25-E1-U1874.2023 and 09-47-25-E1-U1877.2039, and the Properties are legally described in Exhibit A attached hereto; and

WHEREAS, the Property was zoned as Mixed Use Planned Development by Lee County; and

WHEREAS, the Applicant has requested a rezoning to Estero Planned Development (EPD) (Case No. DCI2022-E005); and

WHEREAS, the Applicant has requested deviations; and

WHEREAS, a Public Information Meeting was held on February 21, 2023 at the Planning Zoning and Design Board; and

WHEREAS, at a public hearing held on June 13, 2023 the Planning Zoning and Design Board recommended approval with conditions of the rezoning request; and

WHEREAS, a duly noticed first reading was held before the Village Council on June 21, 2023; and

WHEREAS, a duly noticed second reading and public hearing was held before the Village Council on July 5, 2023, at which time the Village Council gave consideration to the evidence presented by the Applicant and the Village staff, the recommendations of the Planning, Zoning, and Design Board and the comments of the public.

NOW, THEREFORE, be it ordained by the Village Council of the Village of Estero, Florida:

Section 1. Rezoning.

The Village Council approves/denies the rezoning from Mixed Use Planned Development to Estero Planned Development with the following conditions and deviations.

Section 2. Conditions of Approval.

1. Master Concept Plan

   Development of this project must be consistent with the Master Concept Plan (MCP) titled "Woodfield – Estero Planned Development", dated May 26, 2023. Resolution Z-98-075 and all prior zoning actions and administrative amendments issued by Lee County are null and void as a result of this zoning action and are superseded by this Zoning Ordinance.

2. Development Parameters

   This project is limited to a maximum of 596 multiple family and townhouse dwelling units, 42,000 square feet of medical and general office use, 82,000 square feet of commercial retail and dining use, 260 hotel rooms, and 6,000 square feet of civic space. Uses must be consistent with the Schedule of Uses below.

3. Maximum Building Height and Stories

   70 feet for Hotel (Block 7) (6 stories)
   60 feet for Blocks 3, 6 & 8 (Residential & Commercial) (4 stories)
   45 feet for Blocks 1-2, 4-5, and 9-10 (Residential, Commercial and Civic) (3 stories)
   Architectural features may extend up to 15 feet above maximum height but may not exceed 20% of the total roof area.

4. Uses and Site Development Regulations

   The following uses and limits apply to the project:

   Schedule of Uses

   Banks and financial institutions
   Bar and Consumption on Premises (see Conditions 25 and 26)
   Brewpub or micro-brewery, -winery, or distillery (see Conditions 25 and 26)
   Business services, Groups I & II
   Cinemas and theaters

Clubs, lodges, or community-oriented associations
Convenience food and beverage store without gas service
Convention center or Exhibition Hall
Counseling, nonresidential
Cultural facility, noncommercial
Day care center
Drugstore
Dwelling, live-work Multiple-family
Dwelling, Multiple-family
Dwelling, Townhouse
Grocery store or food market
Hotels/motels
Dryclean & Laundry services
Library
Medical or dental lab
Office, general business
Office, medical (24-hour emergency medical office or emergency services prohibited)
Outpatient care facilities
Park, Village
Personal services Groups I and II (excluding escort services, palm readers, fortunetellers, card readers and tattoo parlors)
Pet services
Place of worship
Post office
Real estate sales office
Recreational facilities, indoor and outdoor
Repair shop, household
Restaurant, convenience
Restaurant, fast casual or fast food
Restaurant, standard
Retail sales groups I and II
Utility, minor
Vocational or trade school

Accessory Uses

Antenna
Automated teller machine (ATM) Automatic car wash
Bike parking rack
Bike share station
Clubhouse (as accessory to a residential development, golf, or tennis facility)
Community recreation facility (as accessory to a residential development)
Cool roof
Dock

Electric vehicle (EV) level 1, 2 or 3 charging station
Excavation, water retention
Fences, walls
Garage or carport
Greenhouse
Green roof
Home garden
Home occupation
Laundromat (as accessory to a multifamily dwelling)
Outdoor display of merchandise (as accessory to a retail sales use)
Outdoor seating (as accessory to an eating or drinking establishment)
Parking lot, accessory
Parking structure
Pickleball facilities (appropriate setbacks and conditions to be determined at time of development order by Planning Zoning and Design Board)
Satellite earth stations and amateur radio antennas
Signs, in accordance with LDC Chapter 6
Solar energy collection facility, small-scale
Swimming pools, tennis courts, porches, decks, and similar recreational facilities

Property Development Regulations

Minimum Lot Area:	N/A
Minimum Lot Width:	N/A
Minimum Lot Depth:	N/A
Minimum Building Separation:	25 feet[1]
Maximum Lot Coverage:	55%
Maximum Height:	See Condition 3

Note: If Property is subdivided, a zoning amendment will be necessary to establish alternative property development regulations.

[1]All buildings will provide separation in accordance with applicable fire codes. 10 feet of separation is allowed between accessory structures/buildings, and between the civic buildings and adjoining structures.

Minimum Building Setbacks

Street, Principal & Accessory:	
US-41:	45 feet minimum
Coconut Road:	25 feet minimum (except balconies may encroach up to 5 feet in the setback)
Side:	15 feet Principal
Rear:	10 feet Principal

Waterbody:	10 feet Principal, 5 feet Accessory
Accessory:	5 feet
Minimum Open Space:	40%

5. Connectivity

The developer will be responsible for roadway and pedestrian connections to US-41, Coconut Road and Lyden Drive rights-of-way. The roadway connections and pedestrian connections must be installed prior to the issuance of the first Certificate of Compliance within the planned development.

6. Traffic Signal – Modified by PZDB

The developer will be responsible for the installation of a traffic light or roundabout as a site-related improvement at the intersection of Coconut Road and Walden Center Drive. If sufficient right-of-way is available and a roundabout is elected by the Village, the roundabout will be constructed in the existing right-of-way. The roundabout or traffic light, roadway connections, and pedestrian connections must be installed prior to the issuance of the first Certificate of Compliance within the planned development. The roundabout or traffic light is not eligible for impact fee credits.

7. LeeTran Bus Shelter

The developer must construct a transit bus stop shelter in accordance with LeeTran specifications, including paved walkway to and from the development and bus stop, signage, bicycle rack, bus pull-off area within right-or-way, proper curbing (Type E), shelter and lighting. The architectural design must complement the development design as approved by the Village. The bus shelter must be installed prior to the issuance of the first Certificate of Compliance within the planned development.

8. Impact Fees

Applicant or successor will pay impact fees in effect at the time of building permit issuance.

9. Transportation NOTE: This condition has been revised. See underlined.

a. At time of the first development order, the Applicant will coordinate with FDOT and Village to determine if modification of the timing of the signals for the eastbound turn lane on Coconut Road to US-41 north, and the westbound turn lane on US-41 to Coconut Road are warranted. If modifications are not needed at that time, subsequent development orders shall evaluate the need.

b. Once it is determined that an additional northbound left turn lane from US-41 to Coconut Road and/or an additional eastbound left turn lane on Coconut Road to US-41 north is warranted, the Applicant will enter into a development agreement with the Village of Estero to address its proportionate fair share of the improvement.

c. The Applicant will reserve right-of-way for the additional eastbound left turn lane on Coconut Road to US-41 and donate the right-of-way once it is determined it is warranted.

d. If approved by FDOT, the Applicant will provide turn lanes as shown on the MCP, in addition to those in paragraphs a. and b. above, on US-41 at the following project access points at time of first development order:

- Southbound right turn on US-41 at Cerise Drive
- Northbound left turn on US-41 at Cerise Drive
- Southbound right turn on US-41 at Saffron Drive

If the access points or turn lanes are not approved, the Applicant will reanalyze the impacts as part of the development order and provide appropriate mitigation.

e. Applicant will repaint traffic signal pole at Coconut Road and US-41 with FDOT permission.

f. PZDB recommendation - The intersection of Coconut Road and Walden Center Drive will be analyzed for the highest and best capacity (traffic light, roundabout, etc.,) at time of first development order.

10. Landscape

Applicant or successor will be responsible for installation, irrigation, and maintenance of plantings along the roadway shoulder of US-41 extending along the east boundary of this project if approved by FDOT. Landscape palette is subject to review by Village staff at time of first development order.

Applicant will provide foundation plantings (perimeter planting) that exceed the minimum Code requirement for residential and commercial buildings with specifics to be provided at time of development order.

11. No Blasting or Pile Driving

No development blasting or pile driving is permitted as part of this project.

12. Utilities

The project will be developed with underground utilities, including electric. The project potable water service and sewer service is provided by Bonita Springs Utilities (BSU) and the project must connect to those services as part of any local development order for the site. Existing overhead power lines along US-41 and through the FPL Easement Area may remain.

13. Pattern Book (Modified slightly by PZDB)

The project must be consistent with the Pattern Book entitled "Woodfield Estero Planned Development Pattern Book" dated June 2, 2023. The Pattern Book is not conceptual. Photographic images may be illustrative, but development must be in substantial compliance with the Pattern Book, including a consistent architectural, landscape and signage theme for all commercial and residential development.

Specific details such as: landscaping plant species, parking lot screening from US-41 and similar buffer items; additional urban streetscape; pedestrian activity areas along the pedestrian paseo and "Rambla" Streets (north and south); hardscape; fountains in the lakes; placemaking elements; public amenities and recreational features in the public space; details of how spaces will be activated; methods to create "human scale"; addition of bike racks throughout; color scheme to ensure the variation of contrasting building colors to differentiate buildings, and architectural massing, rooflines, variation, and other details, will be evaluated as part of development order review. Taller trees shall be planted adjacent to buildings on Coconut Road to soften the massing of the tall buildings, subject to Planning Zoning and Design Board approval.

A consistent lighting theme will be provided at time of development order.

No signage plan is included in the Pattern Book. A unified signage plan will be submitted at time of development order review, including attractive signature entry features/monument signs to be reviewed by Planning Zoning and Design Board as a planned development minor amendment.

14. Buffers

As part of local development order approval for the project, the development order plans must demonstrate buffering consistent with the Master Concept Plan and the Pattern Book which show enhanced buffers and landscaping, as well as compliance with the Land Development Code. As part of local development order approval, all required buffer plantings must be 100% native vegetation.

The buffer along Coconut Road will consist of an enhanced Type "D" buffer, minimum 20 feet wide, with 4 trees per 100 linear feet planted at 14-18 feet, and a double hedge row 48" tall at time of planting.

The buffer along US-41 will consist of an enhanced Type "D" buffer, minimum 32 feet wide, with 4 trees per 100 linear feet planted at 14-18 feet, and a double hedge row 48" tall at time of planting.

PZDB recommendation – Buffers along the western, northern and eastern boundaries will be installed in Phase I as part of the master infrastructure.

50-foot-wide Type "F" buffers will be provided to the North, adjacent to Marsh Landing and to the West, adjacent to the FPL Easement as shown on the Master Concept plan, regardless of existing vegetation within the indigenous preserve area. The buffer shall be 50 feet wide, with 15 trees staggered per 100 linear feet planted at 10 feet, and a double staggered hedgerow 48" at time of planting. The north and west boundary buffer will include a 6-foot tall black chain link fence installed within the buffers and screened from adjacent properties by existing or planted vegetation so as not to be visible from the project exterior.

15. Public Gathering Areas and Public Park

a. The Applicant shall provide details regarding the improvements associated with the public areas, including the Central Green, Neighborhood Park, Crescent Park, Paseo and Rambla Street North & South as shown in the Pattern Book at the time of the first development order.

b. The Central Green park shown on the Master Concept Plan shall be designed to include shade trees and seating areas and be open to the public through a public easement or similar document or condition acceptable to the Village attorney at time of the first development order. The Central Green park shall be constructed at the time of the first development order.

c. A 10-foot-wide nature trail will be provided around the Western Lake Open Space. If the FPL easement becomes a multi-use path, the Applicant will provide pedestrian connections from the development to the easement.

d. The improvements are at the Applicant's cost and will be maintained by the Applicant or its successor.

16. Indigenous Preserve

A minimum of 7.6 acres of indigenous open space will be provided along the northern and western property lines as shown on the Master Concept Plan.

17. Concurrency

Approval of this rezoning does not constitute a finding that the proposed project meets the regulatory concurrency requirements set forth in the Land Development Code and the Comprehensive Plan. The developer is required to demonstrate compliance with mandatory concurrency requirements prior to issuance of a local development order.

18. Project Phasing NOTE: This condition has been revised.

This project may be developed in multiple phases and must be developed in the following order. At a minimum, the project will be phased to ensure that commercial uses and public amenities in each phase are developed concurrently with residential uses to ensure the mixed use nature of the development.

a. The first phase of the project will include the planned development master infrastructure, including stormwater retention, roadways, utilities, perimeter landscape buffers along the western, northern and eastern (US-41 frontage), and traffic signal or roundabout, at Coconut Road and Walden Center Drive.

b. The second phase shall include Quadrant 1 (as shown ~~on the Master Concept Plan~~ in the Pattern Book) and shall include a minimum of 35,000 s.f. of commercial space along with the central park, the US-41 park, public component of restaurant row and the Rambla Street. The hotel may be constructed together with Quadrant 1 or at any time after the Phase I infrastructure.

c. Quadrants 2 & 3 may be constructed at any time after the start of the second phase (Quadrant 1). Quadrants 2 & 3 shall include a minimum of 20,000 s.f. of commercial space, a minimum of 20,000 s.f. of office space, along with a minimum 3,000-square-foot civic building.

d. Quadrant 4 may be constructed at any time after the start of the second phase (Quadrant 1).

e. Parking (including garage, on-street or surface) shall be provided for each phase. Parking will meet the minimum requirements, which may be reduced proportionately per Deviation 2.

f. Prior to the issuance of the last residential building Certificate of Compliance, a minimum of eighty-five percent (85%) of the commercial square footage shall be constructed.

g. Applicant new requested language: All phases of the project may be built concurrently as long as the minimum public components and commercial spaces have been incorporated.

19. Green Building Standards, Residential Impact Standards, and Hurricane Preparedness

The Applicant will provide sufficient information at the time of development order to demonstrate compliance with Green Building Standards (LDC 5-8), Residential Impact Standards (5-13), compliance with the Hurricane Preparedness (LDC 7-5) and Mitigation. The Applicant should consider solar panels on parking garage rooftops.

20. Stormwater Management NOTE: This condition has been revised.

The project's proposed stormwater outfall discharges to a ditch along the east side of the FPL transmission line on property owned by Coconut Shores Community Association and Marsh Landing Community Association. At time of first development order, the Applicant will use all reasonable efforts to obtain a drainage easement to secure drainage rights and maintain authority over the ditch. The easement will include the ditch from the project's outfall to the wetland flowway located between Marsh Landing and Fountain Lakes. Should the adjacent property owners not agree to provide the easement, the easement will not be required for development order approval.

~~The project's proposed stormwater outfall discharges to a ditch along the FPL transmission line on property owned by Coconut Shores Community Association and Marsh landing Community Association. At the time of first development order, the Applicant will work with the property owners to obtain an easement to maintain the ditch from the project's outfall to the wetland flowway located between Marsh Landing and Fountain Lakes.~~

21. Incentive Offerings

The Applicant's incentive offerings, and the time by which each offering must be completed, are incorporated into this zoning approval as part of the Master Concept Plan and Pattern Book.

22. Maintenance

The Applicant or successor will maintain in good condition all common areas including, but not limited to the Neighborhood Park, Rambla Street Linear Park, Central Green and Plaza/Paseo, shall be maintained in perpetuity by a Property Owners Association or similar entity that will consist of both the residential and commercial parcels.

23. Building Construction

Buildings will be constructed of concrete block or poured concrete, and all buildings 3-story or greater will contain elevators, except that townhomes as approved by Deviation 6 are not required to have elevators.

24. Construction Traffic Management Plan

A Construction Traffic Management Plan shall be submitted with the first development order application indicating construction hours of operation, and access, equipment and staging details. The Plan shall designate a contact person for the public to contact for construction issues, such as noise, dust, etc.

25. Outdoor Consumption on Premises

Prior to development order approval, any outdoor seating areas in conjunction with consumption on premises of alcoholic beverages must demonstrate compliance with the following:

a. The development order site plan must show the proposed location and square footage of the outdoor seating area.

b. Outdoor Consumption on Premises is limited to 10 a.m. to 11 p.m. Sunday through Thursday, and 10 a.m. to 12 a.m., Friday and Saturday. Any variation from these hours would require a minor amendment to be reviewed by the Planning Zoning and Design Board in a public hearing.

c. For the purposes of this condition, outdoor seating shall be defined as roofed or non-roofed areas of a restaurant, bar or microbrewery which are not enclosed.

d. Nowithstanding the above, temporary outdoor consumption permits may be issued as allowed in the Land Development Code.

26. Outdoor Entertainment/Live Music

Outdoor entertainment or live music for restaurant, bar, microbrewery or similar use will be limited to the Central Green and Plaza/Paseo areas and limited to the hours of 10 a.m. to 11 p.m. Sunday through Thursday, and 10 a.m. to 12 a.m., Friday and Saturday. Any variation from these hours would require a minor amendment to be reviewed by the Planning Zoning and Design Board in a public hearing. Notwithstanding the above, temporary permits may be issued as allowed in the Land Development Code.

27. Leases

All rental leases for the project must require minimum 12-month leases. Lease restrictions are not applicable to the Hotel.

28. Public Easements

Public easements must be provided for public's use of public easement areas identified on Pattern Book page 10 including Rambla Street Linear Park, Plaza/Paseo, Central Green, and Neighborhood Park prior to the Certificate of Compliance for each improvement. Documents are subject to approval by the Village Attorney.

29. Radio Enhancement

The Applicant shall conduct an assessment model at the time of development order to determine if the minimum radio signal's strength for the fire department communication is in compliance with NFPA1:11.10, NFPA 1221:11.3.9, standards for inbound and outbound signal strength and quality. If minimum signal strength is not available, the Applicant shall install radio enhancement in the building. This will be evaluated at time of development order.

30. Civic Space

PZDB recommendation – The civic space will be available for use by established charities and civic organizations, such as art leagues. Such use is subject to approval by owner, which shall not be unreasonably withheld and coordination of schedules with other users, at a nominal administrative fee to cover utility service costs, plus customary janitorial costs and the cost of repair for any damages incurred during use. Charities and civic users will need to provide appropriate liability insurance. The coordinated schedule shall be made available on a monthly basis, no less than 30 days in advance. The civic space will be available to the established charities and civic organizations a minimum of 50% of operating hours.

31. Land Development Code (LDC)

Where the Village LDC is referenced in these conditions of approval for implementation of the condition at the time of development order, the LDC in effect at the time of the development order shall be applicable. Any subsequent amendments to the local development order shall require compliance with the Land Development Code in effect at the time.

Section 3. Deviations (If Rezoning is Approved)

1. A request to deviate from Land Development Code (LDC) Section 5-408.I.6., which states that hardened shoreline structures may comprise up to 20 percent of an individual lake shoreline; to allow hardened shoreline structures to comprise up to 26% percent.

APPROVED for those portions of the lake that abut Buildings A & B and the pool area between those buildings. The equivalent littoral shelf design will be provided at time of development order.

2. A request to deviate from Land Development Code (LDC) Section 5-204.B.1. Minimum Number of Off-Street Parking Spaces, which requires a total of 2,107 parking spaces for the proposed mix of uses, density and intensity; to allow for a total of 1,872 parking spaces.

APPROVED.

3. A request for relief from Village LDC Section 7-206 (G)(3)(A)(1) which requires excavation to occur no less than 50 feet from an existing property line and collector or arterial street, to allow for excavation to occur no less than 25 feet from an existing property line. LDC Section 2-506 (C) allows for this deviation request.

APPROVED for Lakeside Street and Crescent Lake area shown in Pattern Book. Staff will review at time of development order to determine if additional protective measures for wayward vehicles are needed.

4. A request to deviate from Land Development Code (LDC) 5-304(1)(A) which requires 125 feet between intersections on local roads to allow for a minimum separation of 46', 106' and 109' for 3 intersections within the project as identified in the Pattern Book.

APPROVED AS SHOWN IN THE PATTERN BOOK.

5. A request to deviate from Section 3-707.H.3.A. of the Estero Land Development Code which encourages connecting streets to follow the typical cross-sections shown on Figure 3-707.T.3. to allow connecting streets to be provided per the cross-sections depicted on the proposed Tiered Development Plan.

APPROVED AS SHOWN IN THE PATTERN BOOK.

6. Added at PZDB - Deviation from LDC Section 4-219 which requires elevators in 3-story and taller multifamily/townhouse buildings, to omit elevators in the townhome buildings only (58 units) as shown on the Master Concept Plan.

APPROVED FOR TOWNHOMES ONLY AS SHOWN ON THE MASTER CONCEPT PLAN.

Section 4. Findings and Conclusions

Based upon the analysis of the application and standards for the approval in the Land Development Code for the Estero Planned Development Zoning District, the following findings are made:

1. The Applicant has (has not) provided sufficient justification for the rezoning by demonstrating compliance with the Comprehensive Plan and the Land Development Code.

2. The request with the proposed conditions will (will not) meet or exceed all performance and locational standards set forth for the potential uses allowed by the request.

3. The request is consistent with the densities, intensities and general uses set forth in the Village of Estero Comprehensive Plan.

4. The proposed uses with the conditions in this Ordinance are (are not) compatible with existing and proposed uses in the surrounding area.

5. Adequate public facilities are (are not) available to serve the proposed use (Transportation).

6. The request will not adversely affect environmentally critical areas and natural resources.

7. The development should not adversely affect property values in the area.

8. The project will (will not) result in an orderly development pattern and address a community need for mixed-use development patterns.

9. The proposal, as conditioned, is (is not) consistent with the general criteria of the Estero Planned Development zoning district as follows:

    a. Goals. The mixed-use nature of the site will promote social vitality in the area and create a walkable community as well as streets that are safe and attractive for walking or bicycling.

    b. Reasonable Standards. The Applicant has used physical form and the relationship of the building with the landscaping and public space to meet the Village Center goals.

c. Accessibility. Public spaces are accessible, physically connected and walkable.

d. Streets. A connected and continuous street network has been designed to encourage the mix of uses within the project.

e. Street Design. Distances between intersections enhance the walkability and connectivity of streets.

f. Lots and Blocks. A network of streets has been provided to create blocks and lots.

g. The Visual Edge. A visual edge is created by the project design.

h. Architecture. The building design is consistent with the Village architectural standards and will create a distinctive project.

i. Quality of Buildings. Concrete block construction is proposed.

Section 5. Exhibits

The following exhibits are attached to this Ordinance and incorporated herein by reference:

Exhibit A Legal Description
Exhibit B Woodfield Estero Planned Development Master Concept Plan dated 5/6/2023
Exhibit C Woodfield Estero Planned Development Pattern Book dated June 2, 2023

Section 6 Severability.

Should any section, paragraph, sentence, clause, phrase or other part of this Ordinance subsequent to its effective date be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole or any portion thereof, other than the part so declared to be invalid.

Section 7 Effective Date.

This Ordinance shall take effect immediately upon adoption.

PASSED on first reading the 21st day of June, 2023.

PASSED AND ADOPTED BY THE VILLAGE COUNCIL of the Village of Estero, Florida on second reading this 5th day of July, 2023.

Attest: **VILLAGE OF ESTERO, FLORIDA**

Carol Sacco, Village Clerk — Jon McLain, Mayor

Reviewed for legal sufficiency:

By: _____
Nancy Stroud, Esq., Village Attorney

Vote:	AYE	NAY
Mayor McLain	____	____
Vice Mayor Ribble	____	____
Councilmember Fiesel	____	____
Councilmember Fayhee	____	____
Councilmember Lopez	____	____
Councilmember Ward	____	____
Councilmember Zalucki	____	____

Council 1st Reading
06/21/2023

11:31:46 ORDINANCE NUMBER 2023-06.
11:31:55 MADAM CLERK, HAS THE ORDINANCE BEEN PROPERLY ADVERTISED?
11:31:58 >>Tammy Duran: YES.
11:31:59 >>Mayor McLain: WILL THE CLERK PLEASE READ THE TITLE OF THE
11:32:02 ORDINANCE?
11:32:02 >>Tammy Duran: AN ORDINANCE OF THE VILLAGE COUNCIL OF THE
11:32:05 VILLAGE OF ESTERO, FLORIDA, CONSIDERING A REZONING FROM
11:32:08 MIXED-USE PLANNED DEVELOPMENT TO ESTERO PLANNED DEVELOPMENT
11:32:11 FOR A 45.6-ACRE PARCEL ON THE NORTHWEST CORNER OF U.S. 41
11:32:18 AND COCONUT ROAD; PROVIDING FOR CONFLICTS; PROVIDING FOR
11:32:21 SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

11:32:28 >>Mayor McLain: THANK YOU.
11:32:28 STEVE, WOULD YOU LIKE TO INTRODUCE THIS ITEM?
11:32:31 >>Steven Sarkozy: THANK YOU, MAYOR, MEMBERS OF COUNCIL.
11:32:32 THIS IS A LARGE REZONING PROJECT COMING BEFORE COUNCIL, AND
11:32:35 THIS IS THE FIRST READING.
11:32:37 THE PROPOSED SECOND READING WOULD OCCUR ON JULY 5th OF
11:32:41 THIS YEAR.
11:32:42 THIS IS A 45-ACRE SITE THAT WAS ORIGINALLY OWNED IN THE
11:32:48 RECENT PAST BY LEE HEALTH.
11:32:51 LEE HEALTH WENT THROUGH A PLANNING PROCESS UTILIZING AN
11:32:55 OUTSIDE CONSULTING FIRM OUT OF MIAMI CALLED DOVER, KOHL.
11:33:00 THAT PROJECT WAS -- HAD CONSIDERABLE PUBLIC INVOLVEMENT AND
11:33:07 WAS PLANNING TO COME TO THE VILLAGE COUNCIL SOME YEARS AGO.
11:33:10 HOWEVER, LEE HEALTH DECIDED TO, INSTEAD HAD OF DEVELOPING IT
11:33:15 THEMSELVES, THEY DECIDED TO SELL THE PROPERTY.
11:33:18 THE NEW OWNER IS WITH US TODAY WITH SOMEWHAT A VERY SIMILAR
11:33:24 PROJECT, SUBSTANTIALLY SIMILAR, IN FACT.
11:33:26 THIS FIRST READING EFFORT IS AN OPPORTUNITY FOR US TO GET A

11:33:33 FIRST GLANCE AT THE PROJECT AND MAKE ANY COMMENTS.
11:33:36 I'D LIKE TO TURN IT OVER TO MARY FOR A DESCRIPTION OF THE
11:33:42 PROJECT AND THEN OPEN IT UP FOR PUBLIC AND COUNCIL REVIEW.
11:33:47 >>Mary Gibbs: SO AS STEVE SAID, THIS PROPERTY IS ASKING FOR
11:33:50 A REZONING FOR A MIXED USE PLANNED DEVELOPMENT.
11:33:53 THEY'VE GOT PROPOSED 596 MULTIFAMILY UNITS, 82,000 SQUARE
11:34:00 FEET OF WHAT WOULD BE RETAIL AND DINING, 42,000 SQUARE FEET

11:34:04 OF OFFICE, HOTEL WITH ABOUT 260 ROOMS, AND THERE ARE SOME
11:34:11 PUBLIC PARK AND CIVIC USES ALSO.
11:34:13 THEY ARE REZONING THIS BECAUSE THE PROPERTY IS ALREADY ZONED
11:34:16 FOR MIXED USE, BUT IT'S GOT A SITE PLAN THAT HAS COMMERCIAL
11:34:20 IN THE FRONT AND LIGHT INDUSTRIAL IN THE BACK.
11:34:22 SO THE SITE PLAN AND THE ZONING PARAMETERS DO NOT WORK FOR
11:34:26 THIS PROJECT, SO THEY'VE GOT TO REZONE IT.
11:34:29 SO WE HAD A MEETING AT PLANNING ZONING AND DESIGN BOARD JUNE
11:34:33 13th.
11:34:34 IT WAS A VERY LONG MEETING.
11:34:36 IT WENT PAST MY BEDTIME, WHICH, BY THE WAY, IS QUITE EARLY.
11:34:40 AFTER QUITE A BIT OF DISCUSSION, PLANNING ZONING AND DESIGN
11:34:44 BOARD RECOMMENDED APPROVAL 4-0.
11:34:47 WE BARELY HAD A QUORUM, SO IT WAS A LITTLE BIT DICEY.
11:34:51 THEY ADDED SOME ADDITIONAL CONDITIONS.
11:34:53 SO WE TRIED TO INTERSPERSE THEM IN THE ORDINANCE.
11:34:58 I HAD TO DRAFT UP THE ORDINANCE WITH THE STAFF CONDITIONS,
11:35:01 THE CHANGES MADE BY PLANNING ZONING AND DESIGN BOARD.
11:35:04 SO IF YOU LOOK IN YOUR PACKET, I'VE GOT SOME LITTLE NOTES IN
11:35:09 RED THAT SAY HERE THIS CONDITION WAS MODIFIED.
11:35:12 THE PLANNING ZONING AND DESIGN BOARD OR THIS CONDITION IS
11:35:16 STILL UNDER REVIEW AND MAY BE CHANGED BECAUSE SEVERAL THINGS

11:35:21 CAME UP, SO WE HAD TO KIND OF SIT BACK AND SAY, OKAY, HOW
11:35:25 ARE WE GOING TO REVISE THESE CONDITIONS?
11:35:27 SO WE ARE STILL -- IT'S A WORK IN PROGRESS.

11:35:32 WE'RE STILL MAKING SOME REVISIONS.
11:35:34 THE MAIN ISSUES I THINK THAT WE'RE LOOKING AT REVISING MAY
11:35:38 BE THE STORMWATER CONDITION.
11:35:40 THERE IS A CONDITION ON PHASING THAT WE'RE STILL TRYING TO
11:35:42 FINE TUNE, AND THEN THE TRANSPORTATION CONDITIONS BECAUSE
11:35:46 THERE WAS A LOT OF DISCUSSION ABOUT TRAFFIC ISSUES AT THE
11:35:48 MEETING.
11:35:49 WE ARE TRYING TO FINE TUNE THEM.
11:35:55 WE'LL BRING BACK TO YOU, REVISE THE ORDINANCE AGAIN BEFORE
11:35:58 WE COME BACK TO THE JULY 5th PUBLIC HEARING.
11:36:00 WE DID GET A FEW E-COMMENTS.
11:36:07 THEY ARE STARTING TO COME IN.
11:36:08 I THINK WE GOT FIVE OR SIX.
11:36:10 WE INCLUDED THE ONES THAT HAD BEEN SENT TO PLANNING ZONING
11:36:13 AND DESIGN BOARD.
11:36:13 THEY ARE IN YOUR PACKET NOW.
11:36:15 WE HAVE MORE, BUT TODAY IS NOT THE PUBLIC HEARING.
11:36:19 SO WHAT WE ARE ASKING IS IF YOU HAVE ANY QUESTIONS OR ANY
11:36:24 ISSUES YOU'D LIKE THE APPLICANT TO ELABORATE ON AT THE
11:36:27 PUBLIC HEARING, IF YOU WANT TO LET US KNOW NOW, GIVE US SOME
11:36:31 HINTS, THESE ARE THE THINGS THAT YOU WOULD LIKE MORE
11:36:33 INFORMATION ON OR HERE ARE SOME THINGS YOU WOULD LIKE TO
11:36:35 HAVE DISCUSSED AT THE MEETING OR SOME QUESTIONS, THIS WOULD
11:36:37 BE A GOOD TIME BECAUSE WE DO HAVE THE APPLICANT HERE TODAY.
11:36:41 THEY WILL BE TAKING NOTES.

11:36:43 AGAIN, IT'S NOT A PUBLIC HEARING, SO WE'RE NOT TAKING PUBLIC
11:36:45 INPUT, BUT ANYTHING THAT YOU WOULD LIKE US TO MAKE SURE WE
11:36:49 ADDRESS ON JULY 5th, PLEASE LET US KNOW.
11:36:56 >>Mayor McLain: ANY QUESTIONS?
11:36:58 >>Larry Fiesel: AS WE JUST SAW ON THE RESIDENCES AT THE
11:37:02 BROOKS, WE HAD ENCUMBRANCES ON US BECAUSE OF THE LEE COUNTY
11:37:06 ZONING IN PREVIOUS YEARS.
11:37:07 IS THIS PIECE OF PROPERTY UNDER OUR COMPLETE CONTROL OR DO
11:37:10 WE HAVE ANYTHING THAT WE'VE INHERITED FROM LEE COUNTY
11:37:14 PREVIOUS?
11:37:16 >>Mary Gibbs: THE ONE THING THAT WILL COME UP IS THAT THEY
11:37:18 HAVE APPROVAL FOR -- THERE IS AN UNDERLYING ZONING THAT'S
11:37:21 THE KIND OF COMMERCIAL IN THE FRONT AND THE INDUSTRIAL IN
11:37:24 BACK.
11:37:25 I'M GOING TO TALK ABOUT THAT MORE AT THE PUBLIC HEARING.
11:37:28 NOBODY HAS BEEN ABLE TO REALLY MAKE THAT SITE PLAN WORK, BUT
11:37:31 THEY DO HAVE SOME SQUARE FOOTAGE ENTITLEMENTS.
11:37:34 THE ZONING RUNS WITH THE LAND, SO IT DOESN'T GO AWAY.
11:37:37 SO IT'S NOT REALLY LIKE A BLANK SLATE, BUT IT'S A LITTLE BIT
11:37:40 DIFFERENT FROM THE BROOKS BECAUSE THEY ARE CHANGING THE SITE
11:37:43 PLAN AND CHANGING IT AROUND, ASKING FOR DIFFERENT USES.
11:37:46 SO I'LL EXPLAIN THAT MORE AT THE PUBLIC HEARING.
11:37:51 >>Larry Fiesel: I DON'T KNOW IF THIS IS TO BE DISCUSSED AT
11:37:53 THIS POINT OR SOMETIME LATER DOWN THE ROAD, BUT THEY DID
11:37:57 BRING UP THE INTERSECTION AT WALDEN CENTER DRIVE BECOMING A

11:38:02 SIGNALIZED INTERSECTION AS IS IN THE PROPOSAL RIGHT NOW,
11:38:06 WE'RE LOOKING AT A ROUNDABOUT CONFIGURATION.
11:38:09 SIGNAL OBVIOUSLY IS A SIGNAL THAT THE DEVELOPER WOULD HAVE
11:38:13 IN THEIR PACKAGE.

11:38:16 THE ROUNDABOUT HOWEVER WOULD BECOME A PART OF THE VILLAGE
11:38:18 ROAD.
11:38:19 SO I JUST NEED TO KNOW HOW THAT ROUNDABOUT GETS -- DOES THAT
11:38:24 BECOME THE VILLAGE'S RESPONSIBILITY OR --
11:38:27 >>Mary Gibbs: THE WAY WE'RE WORKING OUT THE CONDITION, THAT
11:38:31 IS SITE RELATED.
11:38:32 IT BECOMES THE APPLICANT'S RESPONSIBILITY.
11:38:34 BUT PLANNING AND ZONING BROUGHT UP THE ROUNDABOUT.
11:38:37 WE INITIALLY LOOKED AT A ROUNDABOUT.
11:38:39 OUR ENGINEERS DIDN'T THINK THE ROUNDABOUT -- THEY THOUGHT
11:38:41 THAT WAS GOING TO BACK UP TRAFFIC MORE.
11:38:43 THEIR ENGINEER DIDN'T THINK IT WAS.
11:38:45 SO WE'RE TRYING TO WORK THROUGH THAT TO SEE WHAT IS THE
11:38:49 BETTER ALTERNATIVE.
11:38:51 DAVID WILLEMS IS GOING TO BE LOOKING AT THAT, EXCEPT HE'S
11:38:54 NOT HERE THIS WEEK.
11:38:55 SO THIS IS ONE OF THESE EVOLVING CONDITIONS THAT WE'LL COME
11:38:58 BACK ON JULY 5th AND HOPEFULLY HAVE SOME MORE INFORMATION
11:39:01 ABOUT THAT.
11:39:01 THE ENGINEER ON THE PLANNING ZONING AND DESIGN BOARD THOUGHT
11:39:07 THAT A ROUNDABOUT WOULD WORK, BUT THE RIGHT-OF-WAY IS

11:39:10 CONSTRAINED.
11:39:11 SO THERE WERE A LOT OF TECHNICAL ISSUES THAT NEED TO BE
11:39:14 LOOKED AT.
11:39:16 >>Mayor McLain: I WOULD LIKE TO, BEFORE WE OPEN IT UP TO
11:39:19 COUNCIL, I WOULD JUST LIKE TO MAKE A FEW COMMENTS AND THEN
11:39:23 HAVE COUNCIL MEMBERS MAYBE ADDRESS ANY ISSUES, QUESTIONS, OR
11:39:29 RECOMMENDATIONS FOR THE DEVELOPER.
11:39:32 I JUST WANTED TO MAKE A FEW STATEMENTS.

11:39:35 THE WOODFIELD DEVELOPMENT IS PART OF THE VILLAGE CENTER AND
11:39:40 THEREFORE WILL OBVIOUSLY BE A VERY PROMINENT LANDMARK IN THE
11:39:46 VILLAGE OF ESTERO.
11:39:47 IT'S EXTREMELY IMPORTANT THAT WE COLLECTIVELY, WHEN I SAY
11:39:50 COLLECTIVELY, I MEAN COUNCIL, PLANNING BOARD AND ZONING
11:39:54 BOARD AND THE DEVELOPER, WE ALL WORK TOGETHER TO ADDRESS ANY
11:39:57 ISSUES THAT IMPACT THE QUALITY OF LIFE OF OUR CITIZENS.
11:40:00 AND ANYTHING WE DO NOW AT THIS POINT I THINK IN THE VILLAGE
11:40:03 OF ESTERO CAN GOING TO HAVE IMPACT.
11:40:05 WE OBVIOUSLY WANT TO BALANCE THE IMPACTS TO BE MORE
11:40:08 FAVORABLE THAN UNFAVORABLE.
11:40:11 AND THERE'S A LOT OF UNRESOLVED ISSUES THAT MARY HAS ALREADY
11:40:15 ADDRESSED THAT'S A LOT OF WORK NEEDS TO BE DONE BETWEEN NOW
11:40:18 AND JULY 5th.
11:40:21 IT'S THE EXPECTATION THAT THE VILLAGE LEADERSHIP WILL
11:40:24 PROTECT THE QUALITY OF LIFE THAT MAKES ESTERO THE BEST PLACE
11:40:27 TO LIVE IN ALL OF SOUTHWEST FLORIDA AND A PLACE THAT WE CALL

11:40:31 HOME.
11:40:31 I THINK MOST OF THE COUNCIL MEMBERS, IF NOT ALL, AND MYSELF
11:40:36 INCLUDED, I WATCHED THE ENTIRE MARATHON SESSION WITH THE
11:40:40 PLANNING AND ZONING BOARD.
11:40:42 I AGREE WITH THE PLANNING AND ZONING BOARD THAT IF THIS
11:40:45 PROJECT IS EXECUTED PROPERLY, IT WILL BE A GREAT ADDITION TO
11:40:48 THE VILLAGE.
11:40:50 HOWEVER, I, AND I'M SURE MY FELLOW COUNCIL MEMBERS, HAVE
11:40:54 SEVERAL QUESTIONS AND CONCERNS THAT NEED TO BE RESOLVED
11:40:57 BEFORE THE SCHEDULED SECOND READING ON JULY 5th.
11:41:01 I KNOW I MADE THIS STATEMENT AND SAID I LIKE FAST, AS
11:41:06 INDICATED EARLIER IN SOME OF THE OTHER PROJECTS, BUT I ALSO

11:41:08 LIKE RIGHT BETTER.
11:41:12 SO I LIKE IT FAST BUT DOING IT RIGHT IS MAYBE A BETTER
11:41:15 CHOICE THAN JUST FAST.
11:41:16 IN ORDER TO FACILITATE THE DEVELOPER'S TIMETABLE, AT LEAST
11:41:23 FROM MY EXPERIENCE, OUR FIRST READINGS HAVE BEEN PRETTY
11:41:27 QUICK FIRST READINGS.
11:41:28 I WOULD SAY THAT TODAY THAT WE EITHER -- MAYBE IT'S NOT A
11:41:32 DEVIATION, BUT MAYBE CHANGE THE FORMAT ON THIS FIRST READING
11:41:36 TO HAVE COUNCIL OPENLY SURFACE ANY QUESTIONS THAT THEY MAY
11:41:40 HAVE REGARDING THIS DEVELOPMENT PROPOSAL AND ANY
11:41:44 RECOMMENDATIONS.
11:41:45 I'M GOING TO HOLD OFF ON MY COMMENTS TO ALLOW COUNCIL
11:41:48 MEMBERS THE OPPORTUNITY TO EXPRESS THEIR THOUGHTS.

11:41:54 AND THEN I'VE GOT SEVERAL QUESTIONS OF MY OWN.
11:41:56 THAT'S THE PROCESS I WOULD LIKE TO USE TODAY.
11:41:59 DOES ANYBODY HAVE ANY OBJECTIONS TO MOVING FORWARD WITH
11:42:01 THAT?
11:42:02 IF NOT, I'LL OPEN IT UP TO COUNCIL MEMBERS.
11:42:07 JIM, GO AHEAD.
11:42:09 >>Jim Ward: THANK YOU.
11:42:09 THERE'S BEEN A LOT OF CONCERN RAISED IN THE COMMUNITY IN THE
11:42:14 LAST COUPLE OF WEEKS REGARDING THIS PROJECT.
11:42:17 IT'S A LOT OF DISCUSSION ON SOCIAL MEDIA BOARDS RELATIVE TO
11:42:23 THIS.
11:42:24 A PRIMARY CONCERN IS TWOFOLD.
11:42:27 ONE, TRAFFIC AND THE IMPACT ON INFRASTRUCTURE OF THE
11:42:31 SURROUNDING COMMUNITY ON COCONUT ROAD AND 41.
11:42:34 SO THAT'S A PRIMARY CONSIDERATION I THINK THAT WE NEED TO
11:42:38 ADDRESS IN TERMS OF ENSURING THAT WE HAVE A PROPER TRAFFIC

11:42:43 STUDY DONE TO ENSURE WE UNDERSTAND THE RAMIFICATIONS NOT
11:42:46 ONLY OF THIS PROJECT, BUT OF THE PROJECT THAT'S GOING ON
11:42:50 WEST OF THIS PROJECT AT THE LONDON BAY.
11:42:53 I KNOW THEY ARE TWO DIFFERENT PROJECTS BUT THEY'LL ALL COME
11:42:57 DOWN COCONUT ROAD.
11:42:58 SO I THINK IT'S IMPORTANT TO UNDERSTAND THE IMPACT THAT
11:43:01 WE'RE GOING TO HAVE ON TRAFFIC AND INFRASTRUCTURE,
11:43:05 PARTICULARLY ON THE COCONUT ROAD AREA.
11:43:08 THE SECOND IS DENSITY.

11:43:10 THE RESIDENTS SEEM TO THINK THAT THE DENSITY IS FAR IN
11:43:14 EXCESS OF WHAT SHOULD BE ON THAT LIMITED PROPERTY.
11:43:19 I THINK WE NEED TO ADDRESS SOME OF THAT, PARTICULARLY AS YOU
11:43:22 LOOK AT THE DEVIATIONS THAT HAVE BEEN REQUESTED AND WHETHER
11:43:25 THOSE DEVIATIONS EXACERBATE THE PROBLEM OF DENSITY ON THE
11:43:31 PROPERTY.
11:43:32 SO I THINK THOSE ARE TWO THINGS I'D LIKE TO SEE THE
11:43:36 DEVELOPER ANSWER AS WE GO THROUGH THIS PROCESS.
11:43:40 THAT'S MY THOUGHTS ON IT AT THIS POINT.
11:43:43 >>Mayor McLain: ANY OTHER COMMENTS?
11:43:46 >>George Zalucki: YES, I ALSO WATCHED THE ENTIRE MARATHON
11:43:49 SESSION, EXCEPT I WATCHED IT IN THREE DIFFERENT CLUMPS.
11:43:52 SO THEY SAY THE BEST WAY TO EAT AN ELEPHANT IS ONE BITE AT A
11:43:56 TIME AND THAT'S WHAT I DID.
11:43:57 HOWEVER, I DID TAKE SOME GOOD NOTES.
11:44:00 JUST MY OBSERVATION FOR THE DEVELOPMENTAL TEAM TO CONSIDER
11:44:04 AT THE NEXT MEETING.
11:44:05 FIRST OF ALL, LET ME GO ON RECORD SAYING I DO EMBRACE THE
11:44:08 DEVELOPMENT AND ITS CONCEPT.
11:44:10 I REALLY DO.

11:44:11 I THINK IT FITS WELL INTO THE EPD IN THE VILLAGE CENTER
11:44:16 VISION THAT WE HAVE HERE.
11:44:17 THE CONCERNS I HAVE PRIMARILY RELATE TO TRAFFIC AND SAFETY.
11:44:19 AND I THINK THAT IS A COMMON THING YOU'RE PROBABLY HEARING.
11:44:23 HERE ARE THE FACTS THAT I GARNERED FROM VIEWING THE MEETING.

11:44:26 I'LL JUST GO THROUGH THESE BULLET POINTS VERY QUICKLY FOR
11:44:30 YOU TO CONSIDER.
11:44:30 NUMBER ONE IS F.D.O.T. HAS NOT APPROVED THE REQUIRED CHANGES
11:44:34 TO EASE THE TRAFFIC CONCERNS AT THAT INTERSECTION.
11:44:39 THE TWO TURN LANES ON SOUTH U.S. 41 INTO THE PROJECT, THE
11:44:44 ONE TURN LANE ON NORTH U.S. 41 ONTO COCONUT, AND TWO TURN
11:44:49 LANES THAT WAS RECOMMENDED ON COCONUT ROAD INTO, I THINK
11:44:54 IT'S D AND E -- ENTRANCE D AND E OFF OF COCONUT, THERE ARE
11:44:58 NO TURN LANES THERE EITHER.
11:44:59 SO I WANTED TO BRING THAT UP AS A POINT OF POSSIBLE
11:45:03 CONTENTION AND CONCERN AS FAR AS TRAFFIC FLOW GOES.
11:45:06 THE TRAFFIC SIGNAL OR ROUNDABOUT, WHATEVER IT ENDS UP BEING
11:45:11 AT WALDEN AND COCONUT HAS NOT BEEN FULLY DETERMINED AND
11:45:14 VETTED YET.
11:45:15 THE SIGNAL SEQUENCE TIMING ADJUSTMENT HAS NOT BEEN APPROVED
11:45:18 BY F.D.O.T. NOR HAS IT BEEN DETERMINED TO BE OF ANY
11:45:22 SIGNIFICANT EFFECT EVEN IF THEY DO APPROVE SIGNAL TIMING.
11:45:27 THE LEVEL OF SERVICE RATINGS ON ALL OF THE ACCESS POINTS ARE
11:45:33 E OUT OF A SCALE OF A TO F.
11:45:35 AND ONE OF THEM IS AN F.
11:45:40 SO WE'RE DEALING ON THE FAR END OF COMPLEXITY WHEN IT COMES
11:45:43 TO THE SCALE OF LEVEL OF SERVICE REGARDING TRAFFIC FLOW.
11:45:46 AND I THINK EVERYBODY ACKNOWLEDGES THAT.
11:45:48 ELIZABETH MADE A PRESENTATION, SUAREZ, I BELIEVE IS HER

11:45:53 NAME, THE TRAFFIC STUDY.

11:45:55 AND EVEN SHE SAID AND I QUOTE, EVEN WITHOUT THE PROJECT, IT
11:45:58 IS ALREADY EXPERIENCING A LOT OF DELAYS, END QUOTE.
11:46:01 FOR US TO CONSIDER PUTTING IN 596 ADDITIONAL SINGLE-FAMILY
11:46:08 UNITS AND 260 ROOM HOTEL PLUS ALL OF THE BUSINESS AND THE
11:46:13 MEDICAL, ARE WE DOING JUSTICE OR ARE WE JUST ADDING MORE
11:46:16 PAIN, MORE INSULT TO INJURY?
11:46:18 THAT'S A QUESTION I HAVE.
11:46:20 I WOULD LIKE THAT TO BE FURTHER EXPLAINED.
11:46:22 ALSO, TRAFFIC STUDY WAS PERFORMED IN 2021.
11:46:27 MARY GIBBS WAS QUOTED AS SAYING THAT THE TRAFFIC ON COCONUT
11:46:31 ROAD HAS INCREASED 14% IN ONE YEAR.
11:46:35 I'LL LET MARY SPEAK TO THAT HERSELF IF SHE WOULD LIKE.
11:46:39 THOSE ARE THE NOTES I TOOK.
11:46:41 IF IT WENT UP FROM 2021, WHICH IS WHEN THE TRAFFIC STUDY WAS
11:46:44 PERFORMED TO 2022, AND WE KNOW HOW THIS WHOLE AREA HAS
11:46:48 GROWN, WHAT IT'S GOING TO LOOK LIKE IN TWO, THREE, FOUR
11:46:51 YEARS, RIGHT?
11:46:51 WHAT ARE THE PROJECTIONS.
11:46:52 THAT'S WHAT I WOULD LIKE TO KNOW A LITTLE MORE ABOUT.
11:46:55 BECAUSE ONCE THIS IS DONE, IT'S HERE FOREVER AND WE HAVE TO
11:46:58 CONSIDER THAT FACT.
11:47:01 HERE ARE THE KEY QUESTIONS.
11:47:03 I'LL BOIL IT DOWN TO THIS.
11:47:04 WHAT IF F.D.O.T. DOES NOT APPROVE TURN LANES ON U.S. 41?
11:47:08 WHAT IF F.D.O.T. DOES NOT APPROVE THE LIGHT TIMING ON U.S.

11:47:11 41 AND COCONUT.
11:47:13 SHOULD THERE BE AN UPDATED TRAFFIC STUDY THAT INCLUDES THE

11:47:16 TRAFFIC SIGNAL OR ROUNDABOUT OPTIONS AT WALDEN AND COCONUT
11:47:20 AND THE CURRENT ONE CONSIDERING THAT THE TRAFFIC HAS
11:47:22 INCREASED 14% ONE YEAR?
11:47:24 SOME OTHER DETAILS BEYOND JUST THE TRAFFIC IS WHO IS GOING
11:47:29 TO CONTROL, MANAGE, AND SCHEDULE AND MAINTAIN THE PUBLIC
11:47:32 AMENITIES?
11:47:32 I THINK THAT'S SOMETHING WE'RE TRYING TO DETERMINE.
11:47:36 TALKED ABOUT -- YOU ALL TALKED ABOUT IMPACT FEES.
11:47:39 WHAT ARE THOSE FEES AND WHO ARE THEY GOING TO GO TO?
11:47:43 WHERE WILL 235 CARS PARK IF THE PLAN REQUIRES 2107 SPOTS AND
11:47:53 ONLY 1,872 ARE ALLOCATED?
11:47:56 SO WHAT HAPPENS WITH THAT DELTA?
11:47:59 I THINK THE PEAK WAS DETERMINED TO BE 800 CARS AT PEAK PER
11:48:03 DAY.
11:48:04 WE DON'T KNOW IF THAT'S GOING TO BE TRUE OR NOT, BUT IT
11:48:07 SEEMS LIKE THERE'S 235 CARS THAT SHOULD BE ALLOWED TO PARK
11:48:13 THAT IT'S NOT ACCOUNTED FOR.
11:48:14 MY QUESTION WOULD BE, WHERE ARE THOSE CARS GOING TO GO?
11:48:17 SHOULD THERE BE ANOTHER BUS STOP IN FRONT OF THE PROJECT?
11:48:21 I DON'T KNOW IF THAT'S SOMETHING MANDATED BY F.D.O.T., BUT
11:48:24 IT'S MY UNDERSTANDING THAT THERE IS A BUS STOP IN FRONT OF
11:48:30 MARSH LANDING.
11:48:31 SO WOULD THAT JUST ADD COMPLEXITY TO TURNING INTO THE

11:48:34 PROJECT IF IT'S IN FRONT?
11:48:36 IMAGINE A BIG BUS.
11:48:38 NOW WE HAVE THREE DIFFERENT ENTRANCES AND THEN WE HAVE MORE
11:48:41 BACKUPS ON U.S. 41.
11:48:43 THAT TO ME COULD BE A SAFETY CONCERN.
11:48:45 ANYWAY, THOSE ARE MY COMMENTS.

11:48:49 THOSE ARE MY QUESTIONS.
11:48:50 I WOULD REALLY APPRECIATE TO HAVE MORE OF THAT INFORMATION
11:48:53 BACK AT NEXT MEETING, BUT I JUST WANT TO GO ON RECORD SAYING
11:48:57 OVERALL I LIKE THE WAY THAT YOU'RE GOING.
11:49:00 THESE ARE VERY SERIOUS CONCERNS THAT I'M THINKING ABOUT.
11:49:03 THANK YOU.
11:49:05 >>Mayor McLain: ANY OTHER COMMENTS?
11:49:10 >>Mary Gibbs: MAY I MAKE A COMMENT?
11:49:11 WHEN WE COMMENT, WE'RE TALKING ABOUT, OR QUESTIONS, WE DON'T
11:49:15 WANT TO SAY I LIKE THE PROJECT OR DON'T LIKE THE PROJECT
11:49:18 BECAUSE WE'RE RESERVING THAT FOR THE PUBLIC HEARING FOR
11:49:21 THOSE COMMENTS.
11:49:22 THESE ARE REALLY JUST QUESTIONS, QUESTIONS OR THINGS YOU
11:49:26 WANT THEM TO ADDRESS.
11:49:28 >>Lori Fayhee: AND THIS IS PRIMARILY JUST ON THE REZONING OF
11:49:31 THE PROPERTY.
11:49:32 >>Mary Gibbs: CORRECT.
11:49:33 >>Lori Fayhee: WE'RE NOT APPROVING ANYTHING ELSE.
11:49:35 WHAT DID THE PRIOR ZONING LOOK LIKE?

11:49:42 >>Mary Gibbs: WE'LL BE EXPLAINING THAT AT THE PUBLIC
11:49:44 HEARING.
11:49:44 >>Lori Fayhee: OKAY.
11:49:45 I'LL BE PATIENT THEN.
11:49:48 THANK YOU.
11:49:53 >>Mayor McLain: I CAN MAKE COMMENT ABOUT THE VILLAGE CENTER
11:49:56 DESIGNATION ALLOWS FOR HIGHER DENSITY THAN IF IT WASN'T.
11:49:59 WE AS PART OF OUR VILLAGE FOUNDATION DECLARED THIS SITE AND
11:50:04 OTHERS TO BE PART OF THE MASTER VILLAGE CENTER.
11:50:08 AM I GETTING THAT CLOSE TO RIGHT?

11:50:10 >>Mary Gibbs: WELL, THAT IS THE LAND USE CATEGORY.
11:50:11 AND THEN THERE'S SLIDES IN THE APPLICANT'S POWERPOINT THAT
11:50:16 EXPLAIN THAT, THAT YOU'LL SEE WHEN YOU GET TO THE SECOND
11:50:20 READING, WE'LL EXPLAIN THE WHOLE LAND USE DESIGNATION AND
11:50:22 THE WHOLE CALCULATIONS OF DENSITY.
11:50:27 >>Mayor McLain: ANY OTHER QUESTIONS.
11:50:28 LARRY.
11:50:29 >>Larry Fiesel: AFTER WATCHING THE MEETING FOR FOUR HOURS
11:50:32 AND 47 MINUTES, I BELIEVE, ONE WOULD THINK THAT THERE
11:50:35 WOULDN'T BE ANY QUESTIONS LEFT TO BE ANSWERED.
11:50:37 I'M REASONABLY COMFORTABLE WITH THE PRESENTATION THAT WAS
11:50:44 GIVEN BY THE DEVELOPER.
11:50:46 THE DENSITY WE'VE ADDRESSED, IT'S ALLOWABLE.
11:50:48 THEY WERE ASKING FOR LESS DENSITY THAN WHAT IS FULLY
11:50:51 ALLOWABLE.

11:50:51 THE TRAFFIC IS STILL A STUDY THAT NEEDS TO BE FINALIZED IN
11:50:57 GREATER DETAIL BECAUSE WE KNOW THAT COCONUT HAS BEEN AN
11:51:01 ISSUE IN YEARS PAST.
11:51:04 THIS ISN'T A NEW ISSUE, AND THE DEVELOPER DIDN'T CREATE THAT
11:51:07 ISSUE THAT'S THERE NOW.
11:51:08 STORMWATER MANAGEMENT I THINK WAS A CONCERN THAT FOLKS FROM
11:51:14 BOTH OF THE ADJACENT COMMUNITIES ADDRESSED.
11:51:17 I'M PRETTY COMFORTABLE THAT SOUTH FLORIDA WATER MANAGEMENT
11:51:21 WILL HAVE THAT UNDER CONTROL BEFORE THE DEVELOPMENT ORDER IS
11:51:26 ISSUED AND THE TWO LAKES OBVIOUSLY ARE THERE FOR PURPOSE OF
11:51:31 HELPING IN THAT STORMWATER MANAGEMENT.
11:51:33 I THINK IT MIGHT BE A BETTER CONDITION WHEN THE PROJECT IS
11:51:36 COMPLETED THAN WHAT EXISTS THERE NOW.
11:51:38 BUT I THINK COUNCILMAN ZALUCKI AND YOU ALL HAVE RAISED THE

11:51:45 QUESTIONS THAT STILL NEED TO HAVE SOME FINAL ANSWERS TO.
11:51:48 BUT I THINK WE'RE MOVING IN THE RIGHT DIRECTION TO GET OUR
11:51:53 CONCERNS ADDRESSED BEFORE WE MEET NEXT TIME.
11:51:59 >>Rafael Lopez: GEORGE, THANK YOU.
11:52:00 I CAN'T EVEN TOP THAT.
11:52:02 I APPRECIATE THAT.
11:52:04 BUT WHAT I NOTICED IN REVIEWING THE PROJECT, I THINK THE
11:52:08 DEVELOPER IS REALLY GOING TO HAVE A LOT OF PROBLEMS WITH
11:52:10 COCONUT ROAD GOING EAST BECAUSE NOT ALL OF COCONUT ROAD
11:52:14 BELONGS TO ESTERO.
11:52:16 SO I THINK THERE'S A LOT OF DEVELOPMENT GOING EAST OF

11:52:19 COCONUT ROAD.
11:52:20 SO ANYONE BETWEEN YOUR DEVELOPMENT AND ANY OTHER FUTURE
11:52:24 DEVELOPMENTS EAST ON COCONUT ROAD BY THE HOTEL IS -- IT'S
11:52:30 NOT GOING TO BE HAPPY WITH ANY DEVELOPMENT OUT THERE.
11:52:32 SO I THINK YOU GUYS, THE DEVELOPERS HERE HAVE TO REALLY WORK
11:52:37 ON THAT COCONUT ROAD WEST OF 41 BECAUSE I THINK THAT'S GOING
11:52:42 TO BE THE BIGGEST PROBLEM, DISCUSS THIS AT OUR MEETING.
11:52:47 I THINK THAT SHOULD BE THE FOCUS APART FROM EVERYTHING THAT
11:52:52 COUNCILMAN ZALUCKI MENTIONED, WHICH HE MAKES AN EXCELLENT
11:52:57 POINT ON ALL THE POINTS OF HIS.
11:52:58 I THINK THE BIG PROBLEM IS GOING TO BE THE TRAFFIC.
11:53:01 41 IS GOING TO BE 41 BUT YOUR BIGGEST HEADACHE I THINK IS
11:53:04 GOING TO BE COCONUT AND ANY OTHER DEVELOPMENTS GOING EAST OF
11:53:08 THERE.
11:53:08 SO THAT'S ALL I HAVE.
11:53:10 >>Mayor McLain: OKAY.
11:53:11 GOOD.
11:53:11 I'VE GOT A COUPLE OF QUESTIONS HERE.

11:53:13 SOME OF IT MAY ECHO WHAT COUNCILMAN ZALUCKI ALREADY
11:53:19 COMMENTED ON, BUT ONE OF HIS COMMENTS WAS THIS ROAD, COCONUT
11:53:24 ROAD IS ALREADY RATED AS AN E.
11:53:28 F IS LIKE A BLOCKADE.
11:53:30 SO WE'RE RIGHT ON THE EDGE OF THAT.
11:53:33 SO MY QUESTION IS, CAN THE DEVELOPER ON THE JULY 5th
11:53:37 MEETING COMMENT ON THE RELIABILITY OF THE TRAFFIC STUDY THAT

11:53:40 THEY COMPLETED IN 2002, AND DID IT INCLUDE -- IT WAS
11:53:46 INDICATED THEY INCLUDED ALL DEVELOPMENTS, BUT DURING THE
11:53:50 MARATHON SESSION, I LISTENED AND HEARD A FEW THINGS THAT
11:53:55 KIND OF RAISED THE QUESTION, WAS IT 100% OF ALL NEW
11:53:58 DEVELOPMENT?
11:53:59 DID IT INCLUDE THE RITZ-CARLTON, THE COLONY HIGH-RISES AND
11:54:04 THEN THE NEW ONE TO ME WAS THE EXPANSION OF THE HYATT TIME
11:54:08 SHARES ADDITIONS?
11:54:10 I HAVE NO IDEA WHAT THAT PROJECT IS GOING TO ENCOMPASS, BUT
11:54:13 THEY MUST HAVE SOME PLAN.
11:54:15 IS IT 50 UNITS OR IS IT 100 UNITS?
11:54:18 WE NEED TO DO THAT AND THEN ANY OTHER DEVELOPMENTS THAT MAY
11:54:22 BE INCLUDED IN THERE.
11:54:24 IF WE'RE AT LEVEL E NOW AND I THINK GEORGE INDICATED THERE'S
11:54:28 ONE AREA THAT'S AN F, I'M NOT SURE WHERE THAT IS, BUT WE'LL
11:54:32 GET TO THAT LATER, I SURE DON'T WANT TO MOVE FORWARD WITHOUT
11:54:38 ADDRESSING THAT ISSUE.
11:54:41 I THINK WE NEED TO MAKE SURE THAT YOU CAN BACK UP YOUR
11:54:47 STATEMENT THAT THE SURVEY WAS COMPLETE AND THAT, IN FACT,
11:54:51 YES, IT'S F, NOT F, E, AND THAT IT'S -- AT TIMES IT'S GOING
11:54:56 TO BE TROUBLESOME GETTING OUT OF THERE AND THERE ARE A LOT
11:54:59 OF THINGS WE HAVE TO DO TO ADDRESS THAT.

11:55:02 SOME OF MY OTHER QUESTIONS MAY HIT THAT ALSO.
11:55:06 WE TALK ABOUT HOW DO WE MAXIMIZE THE CAPACITY AND FLOW ON
11:55:09 COCONUT ROAD IN THE PROXIMITY OF THE DEVELOPMENT AND 41.

11:55:14 AND WE TALKED ALREADY ABOUT TRAFFIC LIGHT OR ROUNDABOUT OR
11:55:17 OTHER CREATIVE SOLUTION.
11:55:20 AND I'M NOT A TRAFFIC GUY.
11:55:21 I DON'T KNOW WHAT THOSE SOLUTIONS MIGHT BE.
11:55:23 BUT I DID THINK ABOUT, DO WE NEED TWO TRAFFIC LANES FROM 41
11:55:29 TRAVELING WEST ON COCONUT INTO YOUR DEVELOPMENT?
11:55:33 BECAUSE THE WAY I LOOK AT YOUR DIAGRAMS AT THIS POINT IS IT
11:55:38 LOOKS LIKE THERE ARE TWO LANES THAT COME RIGHT TO YOUR DOOR
11:55:44 AND YOU CAN MAKE A RIGHT-HAND TURN INTO THE DEVELOPMENT AND
11:55:46 THEN THERE IS A CONTINUATION LANE IN THERE.
11:55:49 TO I GUESS THE ROUNDABOUT OR WHATEVER.
11:55:55 THAT MAY BE SUFFICIENT.
11:56:01 BUT DO WE HAVE TWO LANES -- IF YOU'RE GOING NORTH ON 41,
11:56:05 THERE'S ONLY ONE TRAFFIC LANE TAKING A LEFT THERE.
11:56:09 SO IF THAT'S -- I'M NOT A TRAFFIC ENGINEER, AS I SAY, BUT I
11:56:14 THINK THAT'S A PROBLEM.
11:56:15 THEN THE OTHER PROBLEM IS AS YOU'RE GOING EAST ON COCONUT,
11:56:21 HOW MANY LANES DO WE NEED?
11:56:23 DO WE NEED TWO LANES GOING NORTH?
11:56:25 DO WE NEED TWO LANES GOING SOUTH?
11:56:28 AND DO WE NEED ONE LANE GOING FORWARD?
11:56:31 IF I ADD ALL THOSE LANES UP, THAT COULD BE SEVEN LANES IN
11:56:34 THERE.
11:56:34 I DO THINK THAT IS A SPOT ON 41 AND COCONUT THAT IF WE DON'T
11:56:44 EXPAND THE RIGHT-OF-WAYS THAT WE'RE GOING TO HAVE TROUBLE

11:56:48 WITH HOW WE CONTROL THAT, NO MATTER WHAT WE DO WITH
11:56:51 ROUNDABOUT, SIGNALS, ALL THAT, STILL A CINCH POINT THERE.
11:56:55 SO THE QUESTION IS, CAN THE DEVELOPER LOOK AT THAT
11:56:59 INTERSECTION MORE THOROUGHLY AND ALSO LOOK AT RIGHT-OF-WAY,
11:57:06 GIVE AWAY SO WE CAN MAKE THAT TRAFFIC FLOW MORE
11:57:09 APPROPRIATELY SO IT GETS OUT OF THE E RATING AT THAT
11:57:12 INTERSECTION?
11:57:13 THE REST OF THE ROAD WE'RE GOING TO HAVE TO DEAL WITH ON
11:57:17 MORE TRAFFIC STUDIES AND THE LIKE.
11:57:19 I THINK AT THAT POINT IN YOUR AREA THAT WE REALLY NEED TO
11:57:23 LOOK AT HOW WE UNCLOG THE POTENTIAL PROBLEMS THAT WE HAVE IN
11:57:26 THERE.
11:57:27 HOPEFULLY I MADE THAT SOMEWHAT CLEAR.
11:57:30 THE OTHER QUESTION I HAD IS, THE DENSITY I THINK IS VERY
11:57:36 HEAVY IN THERE.
11:57:39 BUT WHAT I WAS CONCERNED A LITTLE BIT ABOUT IS PARKING.
11:57:44 HOW MUCH PARKING IS ACTUALLY GOING TO BE ALLOCATED TO YOUR
11:57:48 EMPLOYEES?
11:57:49 WHEN I LOOK AT HOW MANY ROOMS, 296 ROOM HOTEL OR 200,
11:57:54 WHATEVER, ALMOST 300, 300 ROOMS, I DON'T KNOW HOW MANY
11:57:59 EMPLOYEES THAT WOULD BE, BUT IS THERE SUFFICIENT PARKING FOR
11:58:03 ALL THE CUSTOMERS, EMPLOYEES?
11:58:08 ALSO, WHERE DO THESE SERVICE VEHICLES PARK?
11:58:12 UPS, FEDEX, GARBAGE TRUCKS.
11:58:16 THE GARBAGE TRUCKS CAN BE MOVED, BUT FEDEX AND UPS WILL BE

11:58:20 STOPPING AND DELIVERING TO THE RESTAURANTS AND THE
11:58:22 BUSINESSES THAT ARE IN THERE.
11:58:24 ARE THEY GOING TO BE ON THE STREETS THAT YOU ALREADY HAVE
11:58:26 WHICH ARE IN SOME AREAS 12-FOOT WIDE, BUT IF THEY PARK A UPS

11:58:31 TRUCK THERE, NOBODY IS GOING TO GET THROUGH THE
11:58:32 INTERSECTION.
11:58:33 SO I HOPE YOU CAN ADDRESS HOW YOU ADDRESS THE PEOPLE THAT
11:58:38 ARE SERVICING THE AREA.
11:58:40 AND THEN ANOTHER QUESTION I'D LIKE TO UNDERSTAND IS, IS
11:58:44 PARKING GOING TO BE FREE FOR VISITORS?
11:58:46 IS THERE A FEE THAT'S EXPECTED FOR PARKING AND FOR ESTERO
11:58:53 RESIDENTS, VISITORS, OR WHATEVER?
11:58:55 THE FOURTH ITEM I'VE GOT IS WHEN I LOOK AT THE OVERALL PLAN,
11:59:03 I LOOK AT THAT 3,000-SQUARE-FOOT PUBLIC AMENITY FACILITY IN
11:59:07 THERE, I THINK IT NEEDS TO BE BIGGER.
11:59:10 I WOULD RECOMMEND THAT IT GOES FROM 3,000 TO 6,000 AND THEN
11:59:15 YOU CAN ACCOMMODATE APPROPRIATE SIZE GROUPS FOR VILLAGE USE,
11:59:21 FOR PRIVATE USE AND THE LIKE IN THERE.
11:59:23 I THINK IT'S A SMALL BUILDING AND A LARGE COMPLEX AND I
11:59:30 THINK IT NEEDS TO BE INCREASED.
11:59:32 YOU'VE MET THE OPEN SPACE REQUIREMENTS FOR ZONING.
11:59:39 HOWEVER, WHEN I LOOK AT IT, AND I'M NOT AN EXPERT, BUT WHEN
11:59:42 I LOOK AT THE OPEN SPACE, IT SEEMS TO BE DOMINATED ON THE
11:59:47 WESTERN EDGE OF THE PROPERTY WITH ALL THE TREES AND YOU WILL
11:59:50 PUT A NICE WALKING PATH IN THERE, BUT WHEN I LOOK AT THE

11:59:53 OPEN SPACE ACTUALLY WITHIN THE DEVELOPMENT, YOU'VE GOT A
11:59:58 LITTLE POSTAGE STAMP PARK THERE WITH A LITTLE SHELTER.
12:00:02 I THINK THAT YOU NEED TO LOOK AT OPENING UP EITHER THAT
12:00:05 SPACE IN A LARGER PROPORTION AND ALSO REDESIGN THE LITTLE
12:00:12 SHADE SHELTER THAT YOU'VE GOT THERE AND MAKE THAT INTO AN
12:00:15 ACTUAL BAND SHELTER THAT PROJECTS THE CLASS THAT YOU WANT TO
12:00:19 BUILD INTO THIS AREA IN HERE.
12:00:21 I THINK POSTAGE STAMP GREEN AREAS DON'T MAKE IT.

12:00:24 YOU'VE GOT SOME OTHER SPOTS OBVIOUSLY IN THE FRONT OF THE
12:00:26 PROPERTY, BUT I THINK THAT ONE IS A LITTLE UNDERWHELMING.
12:00:30 WE TALKED A LITTLE BIT ABOUT STORMWATER MANAGEMENT.
12:00:36 I THINK THERE ARE ISSUES THERE ALREADY.
12:00:39 IN THE PAST GETTING WATER OUT, AS I LISTEN TO THE PLANNING
12:00:44 AND ZONING BOARD MEETING, THE PUBLIC COMMENTS WERE PRETTY
12:00:48 VALID.
12:00:49 ONE LADY IN PARTICULAR SAID THAT AFTER A HEAVY RAIN THAT HER
12:00:52 STREET GETS FLOODED.
12:00:54 SO THAT TELLS YOU WE'RE RIGHT ON -- IF WE'RE LOOKING AT
12:00:58 STREETS BEING E BRIDGING ON F, IT LOOKS LIKE DRAINAGE IN
12:01:01 THAT AREA NEEDS TO BE REALLY LOOKED AT VERY SERIOUSLY AND WE
12:01:05 NEED TO HAVE THE DEVELOPER COOPERATE WITH THE IMPROVEMENT TO
12:01:10 THAT SO THAT THEY ARE NOT CONTRIBUTING, MORE NEIGHBORS COME
12:01:14 TO US AND SAY THERE ARE MORE STREETS FLOODING AFTER THIS
12:01:17 DEVELOPMENT THAN WHAT WAS BEFORE.
12:01:18 SO I THINK WE NEED A REAL CONCERTED EFFORT DOING THAT.

12:01:23 AND I GUESS MY LAST QUESTION IS, BEING A BICYCLE PERSON,
12:01:31 PROBABLY NOT A FANATIC, BUT I LIKE TO RIDE AND I LIKE TO BE
12:01:35 SAFE.
12:01:36 AND I WANT TO MAKE SURE THAT WE ENSURE CONNECTIVITY OF THIS
12:01:40 DEVELOPMENT FOR THE WHOLE BICYCLING COMMUNITY.
12:01:43 AND THE FUTURE OF ESTERO LOOKS LIKE WE MAY HAVE A GREAT
12:01:47 OPPORTUNITY OF OUR RAILS TO TRAILS PROJECT THAT WILL BE
12:01:50 BORDERING CLOSE TO THIS PROPERTY, WHICH WILL ENCOURAGE
12:01:53 PEOPLE TO RIDE FROM THE TRAIL TO YOUR DEVELOPMENT THERE.
12:01:58 AND WHEN THEY GET THERE, I'D LIKE TO MAKE SURE THAT THEY
12:02:01 HAVE SAFE BIKING OPPORTUNITIES.
12:02:04 AND IN LOOKING AT YOUR PLANS, YOUR MAIN STREET DOES HAVE

12:02:09 12-FOOT TRAFFIC LANES, 8-FOOT PARKING, AND I'M NOT SURE WHAT
12:02:13 THE SIDEWALK IS.
12:02:14 IT'S PROBABLY SIX OR EIGHT FEET.
12:02:16 SO IT'S REALLY NICE.
12:02:17 HOWEVER, WHERE DO THE BICYCLISTS GO?
12:02:22 ON THAT MAIN STREET, ARE THEY GOING TO SHARE THE 12-FOOT
12:02:25 LANE?
12:02:25 I WOULD PREFER, YOU'RE ALL FAMILIAR WITH THE -- I'M BLANKING
12:02:32 OUT THE NAME -- SAFE BICYCLE LANES IN THERE.
12:02:35 IN PARTS OF YOUR DEVELOPMENT, YOU DO HAVE BICYCLE LANES, BUT
12:02:38 IN THE MAIN ROW OF WHERE YOUR RESTAURANTS ARE GOING TO BE
12:02:42 AND THE LIKE, I DON'T SEE ANY INDICATION THAT YOU'RE
12:02:45 PROVIDING AN ATMOSPHERE THAT'S CONDUCIVE TO PEOPLE WANTING

12:02:49 TO RIDE BICYCLES IN THE AREA.
12:02:52 AND THAT BEING THE CASE, I KNOW THIS WILL BE IN THE
12:02:55 DEVELOPMENT ORDER AND THE LIKE, IF WE'RE GOING TO ENCOURAGE
12:02:58 BICYCLING, WHICH I THINK IS A MANDATE, WHERE ARE THEY GOING
12:03:03 TO PUT THESE BIKES?
12:03:05 YOU NEED TO HAVE SUFFICIENT BIKE RACKING BECAUSE PEOPLE ARE
12:03:09 BUYING THESE -- A TREK BIKE TODAY FOR $7,000.
12:03:13 IF YOU DON'T ANCHOR THAT THING TO A WALL OR SOMEWHERE, IT'S
12:03:16 NOT GOING TO BE THERE WHEN YOU GET BACK FROM YOUR
12:03:19 RESTAURANT.
12:03:19 YOU NEED TO PROVIDE SUFFICIENT OPPORTUNITIES.
12:03:23 WHAT I WAS TRYING TO THINK ABOUT IS THE SAFE STREETS.
12:03:27 IF YOU CAN USE SOME OF THOSE CONCEPTS WITHIN YOUR
12:03:30 DEVELOPMENT, I THINK THAT WOULD BE GOOD.
12:03:33 A LOT OF TIMES THAT CAN BE FOR MUNICIPAL STREETS, BUT YOU
12:03:36 ARE GOING TO HAVE ENOUGH TRAFFIC IN THERE YOU SHOULD AT

12:03:39 LEAST TRY TO ENCOMPASS SAFE STREETS PRINCIPLES WITHIN YOUR
12:03:45 DEVELOPMENT.
12:03:45 SO HOPEFULLY BETWEEN ALL THE COMMENTS THAT YOU'VE RECEIVED
12:03:51 HERE TODAY, BETWEEN NOW AND JULY 5th, THAT YOU CAN ADDRESS
12:03:55 THESE AND BE ABLE TO RESPOND TO EACH OF THOSE.
12:03:59 AND THAT WOULD BE GREATLY APPRECIATED.
12:04:02 I THINK WE ALL WANT TO MAKE SURE THIS PROJECT IS DONE IN A
12:04:07 FASHION THAT'S GOOD FOR EVERYBODY BUT WE WANT TO MAKE SURE
12:04:11 WE GET IT RIGHT.

12:04:12 I THINK SOME OF THESE CONCERNS MUST BE ADDRESSED.
12:04:16 >>Larry Fiesel: ONE COMMENT, BACK TO TRAFFIC.
12:04:18 IT SEEMS TO BE A TOPIC THAT WE'VE DISCUSSED HERE AND COCONUT
12:04:20 ROAD AND AS A VILLAGE, OF COURSE, WE NEED TO BE SENSITIVE TO
12:04:24 OUR OWN RESIDENCES THAT ARE ON THE NORTH SIDE OF COCONUT
12:04:27 THAT HAVE ACCESS TO COCONUT ROAD AND THAT'S SOMETHING WE'VE
12:04:30 DISCUSSED ON A NUMBER OF OCCASIONS.
12:04:32 BUT ONE THING I WOULD LIKE TO REMIND EVERYONE IS THAT A
12:04:35 GREAT DEAL OF THE ISSUES ON COCONUT ROAD ARE BEING CREATED
12:04:38 BY DEVELOPMENTS UNDER WHICH WE HAVE NO CONTROL OUTSIDE OF
12:04:41 OUR JURISDICTION.
12:04:42 WE'VE GOT THE COLONY GOING TO BUILD TWO RESIDENTIAL TOWERS.
12:04:45 RITZ-CARLTON, TWO RESIDENTIAL TOWERS.
12:04:48 THE HYATT TIME SHARE.
12:04:50 DON'T KNOW WHAT THEY ARE BUILDING BUT OBVIOUSLY GOING TO BE
12:04:52 A LOT OF HOMES THERE.
12:04:54 THOSE ARE ALL OUTSIDE OF THE PURVIEW OF THE VILLAGE.
12:05:00 THEY ARE IN ANOTHER CITY, AS A MATTER OF FACT.
12:05:03 WE'RE SUFFERING THE RESULTS OF THEIR DEVELOPMENT AND THEY
12:05:06 HAVE NOT BEEN WILLING TO COME FORWARD WITH ANY HELP IN US

12:05:10 GETTING THROUGH THAT PROCESS.
12:05:11 ONE THING I WOULD CAUTION, AS THE VILLAGE OF ESTERO THAT WE
12:05:16 DON'T GET PARALYZED BECAUSE OF THE RESULTS OF OTHER
12:05:19 DEVELOPERS OUTSIDE OF OUR CONTROL.
12:05:22 TRAFFIC IS A PROBLEM, BUT IT'S NOT ALL OF OUR MAKING.

12:05:26 >>Mayor McLain: GOT IT.
12:05:27 OKAY.
12:05:30 I THINK WE'VE GOT QUESTIONS.
12:05:33 HOPEFULLY THAT WAS HELPFUL FOR THE DEVELOPER.
12:05:34 >>Mary Gibbs: SOUNDS LIKE A LOT OF HOME WORK FOR THE
12:05:37 DEVELOPER.
12:05:38 >>Mayor McLain: THAT IS THE WHOLE IDEA, I GUESS.
12:05:40 >>Larry Fiesel: MARY, YOU MENTIONED THAT YOUR BEDTIME WAS
12:05:43 GETTING EARLIER.
12:05:43 WE'RE NOT KEEPING YOU, ARE WE?
12:05:45 >>Mary Gibbs: NO, I TOOK SOME NODOZ BEFORE I GOT UP HERE.
12:05:52 >>Mayor McLain: WE'RE AT THE POINT WHERE WE ARE LOOKING FOR
12:05:54 A MOTION.
12:05:55 WE TOOK A TON OF COMMENTS AND RECOMMENDATIONS.
12:05:59 THE MOTION SHOULD BE -- MAYBE NANCY CAN HELP US FRAME -- HOW
12:06:03 DO WE ENCOMPASS OUR COMMENTS INTO MAKING THIS THING MOVE
12:06:07 FORWARD.
12:06:07 >>Nancy Stroud: I THINK A MOTION IS TO PASS THE ORDINANCE ON
12:06:10 FIRST READING.
12:06:12 >>Mayor McLain: OKAY.
12:06:13 AS SIMPLE AS THAT.
12:06:14 >>Nancy Stroud: THAT'S GOOD.
12:06:15 AND THEN WE HAVE WRITTEN DOWN ALL THE COMMENTS AND THE
12:06:19 DEVELOPER IS ALSO HERE TO LISTEN TO THE COMMENTS.

12:06:22 I'M SURE YOU'LL GET RESPONSES.

12:06:23 >>Mayor McLain: THAT'S PRETTY SIMPLE.
12:06:25 DO I HAVE A MOTION?
12:06:27 >> MR. MAYOR, I'LL MAKE THE MOTION.
12:06:28 >>Mayor McLain: GEORGE.
12:06:30 >>Mary Gibbs: ARE WE SETTING THE SECOND READING DATE FOR
12:06:34 JULY 5th?
12:06:39 >> THAT'S PART OF THE MOTION.
12:06:39 >>Mayor McLain: WE HAVE A MOTION BY COUNCILMEMBER ZALUCKI,
12:06:44 SECONDED BY COUNCILMAN FIESEL.
12:06:46 WOULD THE CLERK PLEASE CALL THE ROLL?
12:06:49 >>Larry Fiesel: AYE.
12:06:51 >>Lori Fayhee: AYE.
12:06:52 >>Rafael Lopez: AYE.
12:06:53 >>Jim Ward: AYE.
12:06:55 >>George Zalucki: AYE.
12:06:57 >>Mayor McLain: AYE.
12:06:58 WE ARE AT 12:06.
12:07:02 I THINK WE CAN KEEP MOVING, IF EVERYBODY IS OKAY WITH THAT.
12:07:11 NEXT AGENDA ITEM IS ITEM NUMBER 11A.
12:07:20 AND THIS IS THE SECOND READING AND PUBLIC HEARING OF
12:07:23 ORDINANCE NUMBER 2023-04.
12:07:29 SO THIS IS A PUBLIC HEARING AND IN THIS MANNER, THE COUNCIL
12:07:34 WILL SIT IN THE QUASI-JUDICIAL CAPACITY.
12:07:38 I NEED TO ASK THE CLERK, HAS THIS ORDINANCE BEEN PROPERLY
12:07:42 ADVERTISED?

12:07:43 >>Tammy Duran: YES.
12:07:44 >>Mayor McLain: WOULD YOU PLEASE READ THE TITLE OF THE

PUBLIC COMMENT CARD : Entry # 45094

Comments must be received by noon one day before the actual meeting and they will be distributed to the Council/Board but will not be read at the meeting.

Choose The Meeting You Are Commenting On

Planning Zoning and Design Board Meeting

Name

Vicky Shaw

Address

23027 LONE OAK DR
ESTERO 33928
United States
Map It

Community

MARSH LANDING

Email

VICKY@THESHAWSONLINE.COM

Phone

(802) 393-1964

Representing

Myself-homeowner near proposed development

Date

06/12/2023

Agenda Item No. or Topic

Woodfield Development

Comments

I live in Marsh Landing, directly adjacent to the proposed Woodfield Development. I am in disbelief at the density proposed for the 45.6-acre parcel. The number of doors/floors and hotel rooms, PLUS civil, retail and commercial space planned for this small area is mind-blowing. I'm concerned about the environmental impact on our community (they are going to elevate the land then all the storm water pools in our community which is directly behind them) and also the light and noise pollution that will negatively impact the residences that border this development. I implore the board to consider the massive increase in traffic at the lights just outside our community. Those lights experience backups daily already without this development. The total traffic impact from two huge projects - Ritz Carlton + Woodfield should be carefully considered.

One of the things that makes Estero special is that it is not over developed and you don't have high buildings crowding the skyline. I see the zoning changes being considered for Woodfield as a shift for the planning/zoning board and not in harmony with what makes Estero special. I'm not in favor of this change to grant additional floors/heights in Estero nor put such density and broad

PUBLIC COMMENT CARD : Entry # 45094

use in a small area of land. Please weigh the negative impact on the directly neighboring communities and traffic when deciding how much of Woodfield's proposed use and variances to allow. Thank you for considering my thoughts and concerns.

Notes

Admin Notification (ID: 5e70ca9c71a8d)
added 24 mins ago

WordPress successfully passed the notification email to the sending server.

PUBLIC COMMENT CARD : Entry # 45088

Comments must be received by noon one day before the actual meeting and they will be distributed to the Council/Board but will not be read at the meeting.

Choose The Meeting You Are Commenting On

Planning Zoning and Design Board Meeting

Name

Karen Smith

Address

9175 Spring Run Blvd #1810
Estero 34134
United States
Map It

Community

The Brooks

Email

cactushuggers@aol.com

Phone

(919) 721-1237

Representing

The surrounding Communities

Date

06/12/2023

Agenda Item No. or Topic

Results of the density proposed by The Woodfield developer

Comments

I would like to point out that due to the density proposed by the Woodfield developer
there will be serious damage done to the exsisting communities on Coconut Road.

Notes

Admin Notification (ID: 5e70ca9c71a8d)
added 4 hours ago

WordPress successfully passed the notification email to the sending server.

PUBLIC COMMENT CARD : Entry # 45082

Comments must be received by noon one day before the actual meeting and they will be distributed to the Council/Board but will not be read at the meeting.

Choose The Meeting You Are Commenting On

Planning Zoning and Design Board Meeting

Name

Roxanne Relland

Address

3460 Morning Lake Drive
Unit 202
Estero 34134
United States
Map It

Community

Coconut Shores

Email

ROXANNERELLAND@MAC.COM

Phone

(845) 270-0553

Representing

Myself and 600 petitioners from multiple communities

Date

06/11/2023

Agenda Item No. or Topic

Woodfield development request

Comments

Woodfield should not be allowed to increase the density of their project.
The 2016 ADT is woefully misrepresenting the traffic numbers. Florida has had hundreds of thousands of people moving into the area.If you extrapolate all traffic data from the Coconut Road communities traffic data The number of cars will be 30-50,000.
The properties contiguous with Woodfield will require sound barriers (a 10' masonry wall on top of a 5' dirt berm) to mitigate the noise.
The Village must make this part of the approval process. Woodfield is asking for extreme density.
This must be denied.Is the board willing to do this?
To protect the neighborhood?

Notes

Admin Notification (ID: 5e70ca9c71a8d)
added 18 hours ago

WordPress successfully passed the notification email to the sending server.

PUBLIC COMMENT CARD : Entry # 45081

Comments must be received by noon one day before the actual meeting and they will be distributed to the Council/Board but will not be read at the meeting.

Choose The Meeting You Are Commenting On

Planning Zoning and Design Board Meeting

Name

Jeff McNichol

Address

3460 Morning lake dr
Estero 34124
United States
Map It

Community

coconut shores

Email

jmcnic3630@aol.com

Phone

(845) 729-0094

Representing

Roxanne Relland

Date

06/11/2023

Agenda Item No. or Topic

Storm water/ sewer

Comments

1. Storm water control isn't show properly in plan at all. There needs to storm retention built in to property i can speak more on this to proper people.
2. How is sewer coming to be improved for extra development and all the added employs to take care of added development.
3. zoning change doesn't conform how town is zoned to date.
4. Buffer areas for the increase in any development.
5. I believe the town needs to have zoom /teams calls to expand on all the subjects

How is the town of Estero and Woodfield development going to mitigate these problems?
The town and the communities need to engage a consultant.

Notes

Admin Notification (ID: 5e70ca9c71a8d)
added 18 hours ago

WordPress successfully passed the notification email to the sending server.

PUBLIC COMMENT CARD : Entry # 45077

Comments must be received by noon one day before the actual meeting and they will be distributed to the Council/Board but will not be read at the meeting.

Choose The Meeting You Are Commenting On

Planning Zoning and Design Board Meeting

Name

Don Sikora

Address

23463 Olde Meadowbrook Cir
Estero 34134
United States
Map It

Community

Meadowbrook

Email

donon14@aol.com

Phone

(269) 735-9016

Representing

Self

Date

06/10/2023

Agenda Item No. or Topic

Woodfield development

Comments

Concerns about traffic, Coconut Rd., Drainage.

Notes

Admin Notification (ID: 5e70ca9c71a8d)
added June 10, 2023 at 12:09 pm

WordPress successfully passed the notification email to the sending server.

PUBLIC COMMENT CARD : Entry # 45041

Comments must be received by noon one day before the actual meeting and they will be distributed to the Council/Board but will not be read at the meeting.

Choose The Meeting You Are Commenting On

Planning Zoning and Design Board Meeting

Name

Jill Keene-Lucas

Address

23430 Olde Meadowbrook Circle
Estero 34134
United States
Map It

Community

Meadowbrook

Email

jillykeene@gmail.com

Phone

(562) 900-8226

Representing

Petition with 600 names to reduce dencity in the Woodfield

Date

06/13/2023

Agenda Item No. or Topic

Woodfield's density

Comments

In one month 600 people took the time to sign a petition protesting against the proposed density and height of the Woodfield developement.
Traffic congestion, flooding and safety, are but a few of the serious problem a development of this density will create.

Notes

Admin Notification (ID: 5e70ca9c71a8d)
added June 8, 2023 at 5:08 pm

WordPress successfully passed the notification email to the sending server.

PUBLIC COMMENT CARD : Entry # 45003

Comments must be received by noon one day before the actual meeting and they will be distributed to the Council/Board but will not be read at the meeting.

Choose The Meeting You Are Commenting On

Planning Zoning and Design Board Meeting

Name

Mark Erickson

Address

23251 coconut shrs dr
Estero 34134
United States
Map It

Community

COCONUT SHORES

Email

farmmark1969@aol.com

Phone

(630) 899-8140

Representing

my property

Date

06/07/2023

Agenda Item No. or Topic

WOODFIELD ESTERO -CASE DCI2022-E005

Comments

This project does not respect the current conditions of density and safety-Coconut road has no outlet-Current approved projects will make safe evacuation nearly impossible and adding this as proposed with 500 plus rental apartments and a hotel and commercial usage will only create havoc with residents lives-There comes a time when responsible representation must say no to some new projects-the current residents' safety cannot be ignored because some developer makes glorious promises and then leaves before the errors of their ways are shown and the residents bear the burden of a lack of thought

Notes

Admin Notification (ID: 5e70ca9c71a8d)
added June 7, 2023 at 4:27 pm

WordPress successfully passed the notification email to the sending server.

PUBLIC COMMENT CARD : Entry # 44973

Comments must be received by noon one day before the actual meeting and they will be distributed to the Council/Board but will not be read at the meeting.

Choose The Meeting You Are Commenting On

Planning Zoning and Design Board Meeting

Name

Christine Hamilton

Address

9231 Spring Run Blvd,
#2101
Estero 34135
United States
Map It

Community

Spring Run

Email

ChristineHamilton1075@gmail.com

Phone

(239) 898-6287

Representing

myself

Date

06/07/2023

Agenda Item No. or Topic

zoning

Comments

I have lived in Spring Run for 22 years and have never looked back--until now.. I feel strongly zoning rules/conditions should be changed. There is so much building going on causing the traffic to keep getting worse--to the point many of us don't venture too far during the winter months. Please consider changing the zoning to a mandatory low density. I understand taxes are a priority for the village, but start thinking of the citizens who live here. The apartment buildings, new condo's and homes seem to be taking over. This is no longer a "village". We are quickly becoming a city. Not what we could foresee when we voted to be come part of Estero.

Notes

Admin Notification (ID: 5e70ca9c71a8d)
added June 7, 2023 at 7:14 am

WordPress successfully passed the notification email to the sending server.

PUBLIC COMMENT CARD : Entry # 44885

Comments must be received by noon one day before the actual meeting and they will be distributed to the Council/Board but will not be read at the meeting.

Choose The Meeting You Are Commenting On

Planning Zoning and Design Board Meeting

Name

Elaine Garn

Address

22163 Seashore Circle
Estero 33928
United States
Map It

Community

Fountain Lakes

Email

ecgapr@gmail.com

Phone

(239) 565-3351

Representing

myself

Date

06/07/2023

Agenda Item No. or Topic

Vieste development on Coconut Rd.

Comments

I am opposed to the development due to the high density of the project. US 41 is very busy all day long, but especially at Coconut Road where all of the traffic from The Brooks, coconut Point Mall, the Colony, El Dorado, and the other communities west of 41 off Coconut converge, along with all of the other north/south traffic from/to Naples/Ft. Myers. My grandson's day care is just south of the intersection, and it takes us 15-20 mins. to get to AND from the daycare because of the heavy traffic.

Notes

Admin Notification (ID: 5e70ca9c71a8d)
added June 4, 2023 at 11:49 am

WordPress successfully passed the notification email to the sending server.

Tammy Duran

From: Mary Gibbs
Sent: Wednesday, May 31, 2023 10:28 AM
To: Tammy Duran
Subject: FW: Woodfield

For e comments for PZDB meeting

-----Original Message-----
From: pmpinbonita@aol.com <pmpinbonita@aol.com>
Sent: Sunday, May 28, 2023 1:00 PM
To: Mary Gibbs <gibbs@estero-fl.gov>
Subject: Woodfield

[NOTICE: This message originated outside of the Village of Estero -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Good morning neighbor,

Please please reconsider the Woodfield development at Coconut and 41. The density is too much. Two mid-rise and an ugly Parking Garage is not what Estero is about!!!

Margaret Pure

Tammy Duran

From: Tammy Duran
Sent: Friday, June 9, 2023 7:35 AM
To: Jim Hart; Mary Gibbs
Subject: FW: Comments for June 13, PZDB hearing regarding the Woodfield mixed use development
Attachments: Comments to Estero.docx

Can you please see the attachment. He has questions that he would like us to answer for him for Tuesday's meeting. Are you able to assist me with this, I am not sure what he is asking.

Thank you,

Tammy Duran
Deputy Village Clerk
9401 Corkscrew Palms Circle
Estero, FL 33928
Office: (239) 221-5035
www.estero-fl.gov

Please note: Florida has a very broad public records law. Most written communications to or from Village Employees and officials regarding Village business are public records available to the public and media upon request. Your email communication may be subject to public disclosure. Under Florida law, email addresses are public records. If you do not want your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

From: LARRY SHERMAN <tinalarrys@aol.com>
Sent: Thursday, June 8, 2023 8:11 PM
To: Carol Sacco <sacco@estero-fl.gov>; Tammy Duran <Duran@estero-fl.gov>
Subject: Re: Comments for June 13, PZDB hearing regarding the Woodfield mixed use development

[NOTICE: This message originated outside of the Village of Estero -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Hi Carol and Tammy,
Could you please reply to my questions tomorrow?
Thank you.
Larry

> On Jun 8, 2023, at 10:28 AM, LARRY SHERMAN <tinalarrys@aol.com> wrote:
>
> Good Morning Carol and Tammy,
> I have reviewed the transportation assessment you sent me for the Woodfield mixed use development. My comments are attached below. Could you please forward my comments to the board members? Also, can you put me on the agenda to speak at the June 13th hearing?
> Thank you.

Comments Regarding Woodfield EDP
Transportation Assessment Dated April 2023

I am submitting the following comments to the Village of Estero for the June 13, 2023 PZDB hearing at 4:30 pm.
My name is Larry Sherman and I reside at 23850 Via Italia Circle #505 in Estero. I have lived full time in Estero for the past 13 years. I am a licensed Professional Engineer (PE) and have 35 years of experience in traffic engineering. During my 13 years of full time residence in Estero I have traversed the area of this transportation assessment thousands of time as both a motorist and bicyclist.
I think the Woodfield Village mixed-use development is an appropriate use of the property in the northwest corner of Tamiami Trail and Coconut Road.
However, I do have some serious concerns about the traffic control recommendations made in the transportation assessment.

I offer the following comments regarding the study intersection locations shown in Figure 1 of the transportation assessment:

I will start with intersection 4 in Figure 1, the intersection of Coconut Road with Walden Center Drive and the site driveway. I am starting with this intersection as I am very concerned about the recommendation to signalize this intersection.
The transportation assessment recommends the installation of a traffic signal at this location based on the intersection meeting the peak hour warrant. A traffic signal is not warranted at this intersection.
Use of the peak hour warrant is not appropriate for a mixed-use development such as this. Section 4C.04 Warrant 3, Peak Hour of the Federal Manual of Uniform Traffic Control Devices (MUTCD) specifically states “This signal warrant shall be applied only in unusual cases such as office complexes, manufacturing plants, industrial complexes or high-occupancy vehicle facilities that attract or discharge large numbers of vehicles over a short time.” Florida DOT guidance regarding Warrant 3, Peak Hour Warrant states “peak hour warrant is generally not used except in unique circumstances” and goes on to say “The MUTCD limits the application of this warrant to only specific traffic generators such as large employment centers”.
Thus, the use of the peak hour warrant for this mixed-use development is inappropriate based on both Federal and Florida standards. The appropriate

warrants to use when evaluating this mixed-use development would be Warrant 1 and Warrant 2, not Warrant 3 The Peak Hour Warrant.

Besides not being an appropriate Warrant to utilize for this development there are other factors that indicate that a traffic signal is not necessary at this location. Right turning movement volumes at intersections have minimal delays as right turning vehicles experience fewer conflicts that other movements. For this reason right turn movements are not considered significant when evaluating a location relative to the traffic signal warrants. As seen in Figure 10 (peak hour traffic volumes and lane configurations- near-term plus project conditions) the northbound to eastbound right turn at the intersection of Coconut Road with Walden Center Drive and the site driveway is 280 vehicles. This right turn accounts for exactly 50% of the total of both northbound and southbound traffic entering this intersection. Thus, half the traffic entering the intersection from the side roads is relatively inconsequential with regard to the need for a traffic signal.

Another matter to note in Figure 10 is that the lane configuration for eastbound Coconut Road traffic is wrong. It shows 3 lanes; a left turn lane, a thru lane and a combination thru and right turn lane. There will be only 2 lanes on this eastbound approach, a left turn lane and a combination thru and right turn lane. The hatched area that widens from 3 ft to 11 ft in approximately 300 ft approaching the intersection can not be made to function as a thru lane. To have an additional thru lane this eastbound approach would have to be widened. Thus, the statement that the intersection will operate acceptably with a traffic signal is questionable since the lane configuration used is incorrect. Also, with only one eastbound thru lane eastbound Coconut Road traffic may very well queue back far enough to adversely impact the intersection of Coconut Road with North Commons Drive. The queued vehicles would at certain times block the visibility of westbound Coconut Road traffic for vehicles turning left out of North Commons Drive.

With regard to lane configuration the Walden Center Drive and site driveway are currently a poor layout and would not function well particularly if signalized. The wide medians, especially the one on the site driveway, result in the opposing left turn lanes being offset. To function well the opposing left turn lanes should be aligned as close to head-to-head as possible. This improves the visibility of the opposing thru traffic and helps to prevent the possible overlapping of left turn movements for whatever type truck is being used as the design vehicle. The truck turning analyses on Figures 11,12 & 13 in the transportation assessment did not include this intersection.

Traffic signals are not a panacea as some people might think. When installed where not warranted they increase overall delays and increase the potential for accidents. At this intersection they would most certainly increase overall delays as some eastbound and westbound Coconut Road traffic, which is now free flow, will have to stop. The stopping of this heaviest traffic entering the intersection in turn will inevitably lead to rear end accidents.

Another very significant safety concern is the fact that westbound traffic only has 1 thru lane at this intersection. The curb in the northwest corner and the object marker sign (black/yellow) in this corner have been struck many times over the years. Some motorists, particularly at night, miss the various signs and don't anticipate the narrow curb to curb width of Coconut Road immediately on the west side of this intersection. This situation would only get worse with the addition of a traffic signal. There would be 2 signal heads facing westbound traffic a minimum of 8 ft apart. These 2 signal heads when displaying two 12 inch "green balls", particularly at night, will further increase the occurrence of accidents involving westbound motorists colliding with the curb and object marker warning sign in the northwest corner. Westbound motorists will focus on the two 12 inch "green balls", rather than signing, and some will assume they have two travel lanes on Coconut Road west of this intersection. Again, this will be particularly true during hours of darkness.

Thus, a traffic signal at this location would increase delays and the potential for accidents. One might argue that because the unsignalized LOS under stop sign control is F at this intersection it needs a traffic signal. That is simply not true. It is not uncommon for an experienced traffic engineer to decide that a traffic signal is not warranted at a stop sign controlled intersection that is operating at LOS F. If a traffic signal is likely to increase delays and accidents for some of the aforementioned reasons it would be good engineering judgement to not install a traffic signal. This is not to say that the intersection should not be monitored for traffic control improvements in the future. In the future, rather than relying on traffic projections, actual traffic counts can be taken and delay studies can be conducted so as to have factual data rather than estimates based on projections

Intersection 1 in Figure 1 is the signalized intersection of Village Shops Way at Tamiami Trail. The transportation assessment states that "vehicle queues could be managed through minor signal timing modifications ". This is also suggested to resolve queuing issues at intersection 6, Coconut Road at Tamiami Trail.

This makes it sound like the signalized intersections in this corridor operate independently and are not in a coordinated system. In fact the signals on Tamiami Trail are in a coordinated system from Estero Parkway to Bonita Beach Road. Lee County operates this system with 4 timing patterns to accommodate traffic at various times of the day as follows:
AM peak (180 second cycle length)
Midway (150 second cycle length)
PM peak (200 second cycle length)
Off peak (120 second cycle length)

The signal coordination is essential to accommodate the 55,000 vehicle per day on Tamiami Trail in a safe and efficient manner. The side road traffic is serviced but timings for the side road movements can not just be allocated additional green time as if it were an independent signal not contained in a coordinated system. Thus, the recommendation to simply adjust green times to resolve queuing issues is misleading.

Intersection 2 in Figure 1 is the intersection of Cerise Drive/Palma Re Coco Drive with Tamiami Trail. The transportation assessment states "this intersection is expected to operate acceptably with the addition of project traffic through the near term…". During the AM peak hour all lanes of southbound Tamiami Trail back up well beyond this location. Northbound left turn into the site will be extremely difficult during the AM peak hours.

Intersection 3 in Figure 1 is the right-in right-out driveway at Tamiami Trail. The transportation assessment states that "…a right turn lane is not recommended" at this location. This section of Tamiami Trail has high operating speeds (> 50mph). Vehicles decelerating to turn right into the driveway in the thru lane would be hazardous. A southbound right turn lane is warranted. Almost all driveways along Tamiami Trail from Corkscrew Road to Old 41 have right turn lanes. There are only a couple of driveways, for smaller single use sites, that don't have a right turn lane.

Intersection 5 in Figure 1 is the right-in right-out site driveway on Coconut Road. Although not critical this driveway might be limited to just right turns in. All projected right turn out traffic (though few) are projected to make a U-turn at the intersection of Coconut Road at Walden Center Drive and the site driveway. This

involves the weaving across the two westbound lanes in a relatively short distance. Consider making this a right turn in only driveway.

Intersection 6 in Figure 1 is the intersection on Coconut Road and Tamiami Trail. The transportation assessment states "This intersection will operate acceptably under existing conditions with the addition of projected traffic." On page 39 of the transportation assessment it indicates that near term traffic improvements include "construction of a second northbound left turn lane at the intersection of Tamiami Trail and Coconut Road". On Estero's "Capital Improvement Schedule" there is a project listed for this intersection with an estimated cost of $379,200. This amount seems low given that the plan is to do improvements on all 4 legs of the intersection. Also, the project is yet to be scheduled. Thus, there is a distinct possibility that there will be no improvements made to this intersection prior to the opening of the Woodfield multi-use development. This would have far reaching negative impacts on traffic flow and safety particularly for the northbound left turn movement from Tamiami Trail to westbound Coconut Road.

Mary Gibbs

From: GARY KERL <gkerl007@aol.com>
Sent: Monday, June 5, 2023 9:51 PM
To: John Cavey
Cc: Mary Gibbs; jillykeene@gmail.com; sandy siegler; carolyn Kerl
Subject: Woodfield Estero

[**NOTICE:** This message originated outside of the Village of Estero -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

June 5, 2023

Dear John Cavey:

In regard to the proposed Woodfield Development (located at the Northwest corner of Coconut Road and US 41), we were asked to provide our comments and desires related to this development. We and other residents of our community (Marsh Landing) as well as neighboring communities have identified the following issues and concerns that we would like addressed:

Security, Privacy and Noise: The proposed Woodfield development is in very close proximity to Marsh Landing and other existing communities. Our desire is to have a solid wall (concrete, etc.) with no pass thru or opening between the proposed Woodfield Development and the Marsh Landing development and other adjacent communities within close proximity so there is no entry through the surrounding communities to Marsh Landing. In order to maintain the beauty of our properties, in addition to the wall, we would like landscaping located on the Marsh Landing side of the wall. The wall should be placed as far away from the Marsh Landing property line as possible. Doing this will help reduce the noise and provide for some privacy and security desired for both Marsh Landing and the proposed Woodfield development. This wall and landscaping will also facilitate maintaining the indigenous preserve and protected wildlife in this area.

Development Density Issues –
Traffic, Flooding, Water Management, Noise: The current proposed Woodfield development consists of rental units, a hotel and other community centers and commercial/retail properties. A major concern we have is the type of housing and density of this proposed community and the resulting increase in traffic, waterissues (runoff, sanitation, excess consumption), excessive noise and uncontrolled traffic.

We recommend the density be reduced and changes be made to the type of units built to enhance versus degrade our quality of life, while maintaining the return on investment of the developer through building more profitable and prestigious housing, hotel and retail establishments.

Thank you.

Best Regards,

Gary and Carolyn Kerl
Marsh Landing Community
23232 Grassy Pine Dr.
Estero, FL 33928

Coconut Road EPD Rezoning
Zoning Staff Report

for

Village Council

First and Second Readings

PROJECT NAME:	**Coconut Road EPD**	
CASE TYPE:	**Planned Development Rezoning**	
CASE NUMBERS:	**DCI2022-E005**	
VILLAGE COUNCIL	**June 21, 2023** **July 5, 2023**	**First Reading** **Second Reading**

SUMMARY OF REQUEST

The applicant is requesting a rezoning, with deviations, from Mixed Use Planned Development to Estero Planned Development (EPD) for a 45.6-acre parcel on the northwest corner of US-41 and Coconut Road.

The proposal is for a Tier 3 development that would allow a mixed-use project consisting of:

- 596 dwelling units (538 multi-family apartment and 58 townhome units)
- 42,000 square feet of general and medical office use
- 82,000 square feet of retail and dining uses
- Hotel with 260 rooms
- 3,000 square feet of civic use
- Public park areas

STAFF RECOMMENDATION

Staff recommends approval of the request with the conditions in the Ordinance. The Planning Zoning and Design Board reviewed this case at its meeting on June 13, 2023 and recommended approval with additional conditions (4/0 vote).

GENERAL INFORMATION

Applicant
Coconut Road Apartments, LLC – Ross Abramson

Owners
Coconut Road Estero Apartments
7474 Creedmoor Rd #306
Raleigh, NC 27613

Authorized Agent
Alexis Crespo, AICP
RVi Planning and Landscape Architecture
28100 Bonita Grande Dr, Suite 305
Bonita Springs, FL 34135

Location
4.5 acres at the northwest corner of US-41 and Coconut Road. STRAP Nos: 09-47-25-E2-U1902.2012, 09-47-25-E2-U1900.2033, 09-47-25-E2-U1908.2037, 09-47-25-E2-U1908.2404; 09-47-25-E1-U1874.2023 and 09-47-25-E1-U1877.2039,

Surrounding Zoning and Land Use
North Marsh Landing residential development zoned RPD

East US-41, then Coconut Point Mall (zoned MPD)

South Coconut Road, then Pelican Landing, zoned RPD/CPD

West FPL easement, then Coconut Shores zoned RPD

Zoning
Mixed Use Planned Development (MPD). The property was rezoned from Residential Planned Development, Commercial Planned Development and Agriculture, to Mixed Use Planned Development by Lee County in 1998 through Zoning Resolution Z-98-075. Minor administrative amendments were subsequently approved by Lee County.

Comprehensive Plan Land Use Category
Village Center

Public Information Meeting
A Public Information Meeting was held at the Planning Zoning and Design Board on February 21, 2023.

The applicant recently held neighborhood meetings with Marsh Landing, Pelican Landing and Coconut Shores.

STAFF ANALYSIS

Project History
This property was rezoned for a “Mixed Use” Planned Development by Lee County in 1998. The master Concept Plan at the time was unimaginative, with strip commercial uses along the frontage

of US-41 and Coconut Road, and light industrial uses on the western half of the site. A development order (site plan) was approved years later but nothing was ever built and that development order has expired. The property is currently mostly cleared and vacant except for a preserve area on the north and west edges of the site. A road was installed years ago but never completed nor accepted by Lee County.

The property went into foreclosure at one point in time. The property was later purchased by Lee Health, who explored development opportunities. Lee Health hired a well-known new urbanist planning consultant, Dover Kohl, to prepare plans for the site. Numerous focus groups and community meetings were held over a period of time to develop these plans. Subsequently, Lee Health decided to sell the property.

The site was purchased by Woodfield Development, who agreed to use the work done on the Dover Kohl plans with some modifications for their proposed mixed use development.

The site, which is mostly cleared and vacant, has most recently been used through interlocal agreement with Lee County for a temporary disposal site for Hurricane Ian debris.

Request
The applicant is proposing a rezoning to Estero Planned Development (EPD). This is the specific zoning district that is required in the Village Center Land Use category.

The applicant is requesting Village Center Tier 3 Development which allows for mixed use and:

- A base residential density of 10-15 units per acre with a maximum of 20 units per acre based upon accepted incentive offers;
- Higher non-residential intensity; and
- Maximum building heights between 60 and 70 feet.

This project proposes 596 units which is a residential density of approximately 13 dwelling units per acre (based on 45.6-acre total project site), 82,000 square feet of retail and dining use, hotel with 260 rooms, 3,000 square feet of civic uses, and 42,000 square feet of general and medical office use. Maximum height proposed is 70 feet, excluding architectural features.

The Village Center standards include goals such as creating socially vital centers; safe streets for walking and bicycling; fostering interconnection and walkability; and human scale. These standards, along with Comprehensive Plan policies and Land Development Code standards, are the basis of analysis of the proposal.

MASTER CONCEPT PLAN

The applicant has provided a Master Concept Plan that shows:

- 10 Development Tracts (called Blocks)
- Two lakes, neighborhood park and central green
- 4 parking garages
- A pedestrian paseo linking Crescent Lake with the Central Green
- Hotel
- Vertical mixed use (multi family and commercial)

- An area of existing indigenous native vegetation and proposed lake along the north and west property boundaries to serve as a buffer to the adjacent residential developments

PATTERN BOOK

The applicant has requested a "Tier 3" development.

A Tier 3 development is required to provide a detailed Pattern Book with illustrative site plan and facade detailing. The applicant's Pattern Book is extensive and is somewhat similar to a Regulating Plan prepared for form-based codes. The Pattern Book contains information on:

- Landscaping
- Open space
- Connectivity
- Architecture
- Parking
- Street network and cross-sections
- Height
- Development phasing program

ARCHITECTURE

The architectural style is described by the applicant as "Spanish Colonial Revival", similar to the style in Palm Beach, Florida and Santa Barbara, California. The Land Development code describes Spanish Revival and Spanish Colonial as two separate styles, not a combined style. However, the Pattern Book does indicate that other styles may be used to create a variety in neighborhoods.

The palette consists of warm, natural tones, with hints of limestone to create a timeless aesthetic.

The Pattern Book does not contain any information on signage. Staff suggests a condition that a signage plan be submitted with the first development order.

BUILDING HEIGHT

According to the applicant's Pattern Book, building height for the western half of the project is 34-45 feet (3-4 stories) maximum, with an additional 15 feet for architectural features. The uses in this area are primarily multiple family residential: on the eastern half of the site, building heights range from 35 to 45 feet along US-41 to 45-60 feet in the center of the project (which include office and commercial), and with the maximum 70 feet for a hotel. An additional 15 feet is requested for architectural features such as towers.

Staff requested clarification of the number of stories, and the applicant submitted a Master Concept Plan with the number for stories for each tract. The western portion of the property is limited to 3 stories, with 3 stories adjacent to US-41, and with 4 to 6 stories internal to the site.

The line of sight diagram provided in the Pattern Book shows a distance of more than 200 feet from the closest building in Marsh Landing to the project buildings, and a larger distance from Coconut Shores.

SCHEDULE OF USES

The proposed Schedule of Uses includes a variety of residential, commercial and civic uses, and a summary is provided below:

- Residential uses include Live-Work, Multi-Family, and Townhomes.
- Commercial Uses include a variety of Retail, General and Medical Office, Restaurant, and Personal Service uses.

PROJECT PHASING

The applicant has included a Conceptual Phasing description in the Pattern Book with 4 phases. The applicant has verbally indicated that the project may be developed in one phase. A project of this intensity may require more than one phase.

The Phasing Schedule has been provided to ensure that the project does develop as a Tier 3 mixed use development with residential, commercial and park uses being developed concurrently.

The applicant's Phasing Schedule shows a general mix of uses. The civic use is shown in Phase 3, because construction is planned to occur later in that area. Staff has proposed a project phasing condition in the Ordinance. The applicant has verbally indicated that the first phase may consist of "infrastructure" which means roads, utilities, and lakes, before any vertical construction. The phasing condition is being revised and will be included in the Ordinance.

TRANSPORTATION

This project is located at a major intersection in the Village; US-41 and Coconut Road. Coconut Road is a collector road maintained by the Village of Estero. US-41 is an arterial road maintained by FDOT. The applicant submitted a detailed traffic analysis of the proposed project (64 pages and technical appendix). The analysis looked at roadway segments and intersections, and also evaluated traffic impacts with and without the project, including background traffic and pending projects along Coconut Road.

The analysis indicates that the project will generate between 10,400 to 11,800 daily trips per day when built out, depending on the traffic model used and accounting for pass-by trips and internal capture. The site is vacant now so any additional development will increase traffic, but it should be noted that Lee County approved mixed use zoning on the property which the applicant has stated could generate a greater amount of vehicle trips on the roadways.

The traffic analysis identifies problem areas in the "near-term" (including approved projects in the study area that are expected to be occupied within the next 5 to 10 years) on several road segments:

- Coconut Road from Walden Center Drive to US-41 – LOS F with and without project (EB/NB)
- US-41 from Estero Parkway (Pelican Colony Blvd) south of Coconut Road. All segments LOS F with and without project (EB/NB)

The intersection of Coconut Road and US-41 is expected to degrade to LOS E from approved and pending projects in the area.

No widening of US-41 or capital improvements beyond six lanes are planned through 2045 by FDOT, Lee County or the MPO. Possible improvements to I-75 as part of the I-75 Southwest Connect Project could help alleviate traffic impacts on US-41. The Village is planning a

roundabout on Coconut Road at Coconut Shores, but no other improvements are planned at this time.

Based on the results of the applicant's analysis, they recommend:

- US-41 and Village Shops Way (signal timing modification)
- Coconut Road and Walden Center Drive (install traffic signal)
- Coconut Road and US-41 (signal timing modifications – needed for existing conditions)

Staff did not agree with the applicant's traffic distribution which indicates that the vast majority of the US-41 northbound traffic from the project will go through internal roads with multiple stop signs through Lyden Drive to the Vandenburg Way traffic light at US-41, in lieu of a more direct route to Coconut Road and a left turn northbound onto US-41. Consequently, staff recommends that the applicant add a left turn lane on eastbound Coconut Road to northbound US-41, and an additional left turn lane on US-41 westbound to Coconut Road when needed.

The applicant will pay impact fees in effect at the time building permits are issued. The applicant will also be responsible for installation of a traffic light at the development's entrance on Coconut Road.

The applicant has met with FDOT throughout this process and the staff has also met with FDOT. No written comments have been received from FDOT. It is more likely that comments may be received when the development order is submitted for review, as more specifics will be available at that time.

It should be noted that there are policies in the Comprehensive Plan encouraging connections to adjacent properties. The applicant originally proposed a pedestrian connection to the FPL powerline path to the west. This path is currently only utilized for FPL to access their powerlines. It is not used by pedestrians. The proposed connections were removed until/unless the FPL powerline path is converted to a pedestrian path. A condition is proposed to provide a pedestrian connection to the FPL easement if it becomes a multi-use path.

There will be a sidewalk along Coconut Road that will be widened into a multi-use pathway.

Vehicular and Pedestrian Connections/interconnections
Two new access points are proposed on US-41 to the site, as well as a new access point on Coconut Road. The new access points on US-41 are subject to approval by FDOT. There is an existing access point on Coconut Road that will need to be signalized. There is also a connection from the traffic light at Coconut Point to the Lyden Drive reverse access road. Connections must be provided consistent with the Framework Plan in the Land Development Code.

Parking
The majority of parking will be provided in four parking garages. The garages for the most part will be encircled by the multifamily buildings and not visible from US-41 or Coconut Road. Additionally, there will be some surface parking lots in the center of the blocks, and on-street parking. Parking is proposed to be provided in proximity to the various uses. More specifics will be provided at time of development order. The applicant has not determined at this time if parking will be assigned for residential units or if the parking garages will charge fees or be open to the public for nonresidential uses.

A LeeTran bus stop and shelter is recommended for the project along US-41 and a condition is included in the rezoning ordinance.

A parking deviation has been requested to reduce the total required parking from 2,107 to 1,872 spaces. This will be discussed in the Deviations section of the staff report.

PERIMETER BUFFERS AND LANDSCAPING

The project plan shows an indigenous vegetation area to be preserved on the northern and western edges of the site. This area was identified as preserve on the previous Zoning Master Concept Plan approved by Lee County, and it has not been cleared. This area is over 7 acres in size. Landscaping is proposed to be supplemented to create a Type "F" 50-foot buffer along these boundaries.

Coconut Road will have a Type "D" 20' wide landscape buffer with 14-18-foot tall trees at installation.

US-41 will have a Type "D" enhanced buffer that will be 32-45 feet wide, with 14-17-foot tall trees at installation.

Internal areas will be landscaped, and streetscape will be provided. Details of plantings will be established at time of development order.

Approximately half of the site is open space, with the largest area being the indigenous preserve on the north and west sides of the project.

OTHER ISSUES

Environmental

The project area includes an indigenous preserve on the west and northern parts of the property (approximately 7 acres). The remainder of the property has been cleared. The site contains a 0.6-acre wetland that was previously permitted to be impacted per the South Florida Water Management District Permit 36-03587-P.

Flood Issues

The majority of the site is located in the X Zone which is outside the Special Flood Hazard Area as shown on the Flood Insurance Rate Maps. A small segment of the northern portion of the property falls within the AE Zone (approximate elevation 13.9 feet NAVD).

This development will need to provide mitigation for hurricane sheltering due to its location in the hurricane storm surge area. This will be determined at development order.

Stormwater Management

The project engineer has submitted a drainage statement that indicates that the site is within the Estero Bay Watershed.

Runoff will be collected in the Surface Water Management System via storm inlets and pipes and will be conveyed to onsite wet retention ponds and existing dry detention areas for the northern and western portions of the property.

The site will discharge via a proposed outfall to the existing ditch within the FPL easement west of this site to an existing roadway swale along Coconut Road and ultimately outflow to Halfway Creek.

Utilities
This project is in the franchise area of Bonita Springs Utilities for wastewater service. A condition requiring connection is included in the Ordinance. No comments from BSU have been received at this time. Underground electric utilities are required in the Village Center, and a condition to this effect is included in the Ordinance.

Fire
Estero Fire has reviewed the proposal and requested an auto-turn for the entrance and exits of the property, as well as the proposed road surface to ensure that a large fire apparatus can maneuver the roadways. The Applicant has provided this documentation and confirmed that the surface will take the weight of a large fire truck.

Estero Fire also requested an assessment model to determine necessity of radio enhancement regarding adequacy of signal strength. Staff recommends a condition to ensure that this requirement is part of the review at development order.

ESTERO PLANNED DEVELOPMENT ANALYSIS
The Land Development Code contains criteria for Estero Planned Developments, dependent upon the specific Tier.

Section 3-707
The goals of the Village Center area include creating an active and social neighborhood environment with mixed uses and a focus on walking and biking, both within and to the development.

Development Tier, Density, And Height
The project is proposed as a Tier 3 development which allows for higher residential and commercial density mixed-use neighborhoods consistent with the goals for a “Village Center”. The base density allows 10-15 units per acre, with 15.1 - 20 if incentive offers are accepted. The proposed development is requesting a density of 13 units per acre. (Mixed use can calculate density on the entire 46 acres.) The request for additional density above 15 requires a determination by the Council regarding the incentive offers and public benefits commensurate with the additional density. The applicant is not requesting additional density above 13 units per acre. The proposed density is in the mid-range of the standard base density.

The applicant outlines the proposed incentive offers in its Pattern Book. Upon evaluation, staff believes the more significant offers include:

- Vertical mixed-use
- Parking garages to conceal parking
- Ungated development
- Central Green with outdoor stage
- Neighborhood Park
- Civic Building (3,000 s.f.)
- Paseo Plaza area

Non-residential intensity includes 42,000 square feet of office uses, 82,000 square feet of retail and dining uses, some of which is comprised of vertical mixed use along the Paseo/Restaurant Row area, as well as a proposed hotel and small civic building.

The mix of uses is an important aspect of a Tier 3 development and therefore needs to be assured from the outset through the phases of construction. Staff is suggesting a condition in the Ordinance to ensure that the project develops as proposed.

Tiers 2 and 3 anticipate a greater variety of housing types. This development proposes primary multi-family units (538 apartments) with only a small amount of townhome units (58).
Height – The buildings transition in height from 45 feet at the western half of the site to 60 and 70 feet in the center. A Tier 3 development is allowed a base building height of up to 60 feet and increases up to 70 feet based upon incentive offers. The applicant has requested that architectural features include an additional 15 feet above the maximums requested.

Transportation Framework Plan
The Code includes a "Framework Plan" which provides for a street network connecting properties in the Village Center. The purpose is to ensure a basic street network. The applicant's Master Concept Plan conforms to this requirement.

COMPREHENSIVE PLAN ANALYSIS

The project is located in the Village Center, an area that the Comprehensive Plan describes as the heart of the Village of Estero. This area has specific goals to create socially vital centers which could support relatively intense commercial and residential development. The walkable, mixed use areas have anticipated uses that include housing, employment, hospital, shopping, office, hotel, recreation, park and civic uses.

Comprehensive Plan Policies

FLU-1.1.1 This policy in summary supports high quality development standards for architecture, landscape and other elements, pedestrian circulation, and community amenities including public spaces and parks; and encourages higher density, compact mixed-use development in designated locations;

Staff Comment: This project is a higher density development (13 du/ac) that proposes compliance with the high quality and visual appearance desired by the Village. The mix of uses includes non-residential commercial and park use, but the development is primarily a residential development. There are elements of vertical mixed use to support the Tier 3 designation.

FLU 1.2.10 Village Center
Village Center is that area in the heart of the Village that is intended to include a hub of activity and commercial/residential mixed uses that create a social center that is walkable, safe, and attractive, and located proximate to existing residential neighborhoods, state parks and the Estero River, and major transportation corridors.

Staff Comment: The policy defines the future development of the center of the Village, and the project is in compliance with many of the goals of this policy. The proposed Tier 3 development includes:

- Interconnected neighborhoods and mixed-use of low to midrise residential and commercial buildings in an urban form.
- The provision of public benefits, including a Central Green, neighborhood park, parking garages, paseo corridor and civic building.

FLU-1.9.1 Mixed Use Development Form. The Village encourages mixing of complementary residential and nonresidential uses on a single site to reduce vehicle miles travelled, support pedestrian, bicycle and transit opportunities and activate street and public spaces with pedestrians for greater economic, recreational and social opportunities resulting in built environments and landscapes that provide a true sense of place

Staff Comment: The project proposes residential and nonresidential uses, with streets designed for pedestrian use. The Central Green is intended to promote social opportunities for those within the development as well as the general public.

DEVIATIONS

The applicant requested six deviations from the Village's Land Development Code. Discussion of each request along with the applicant's explanation and staff recommendations are below.

Deviation 1: Request to deviate from Land Development Code (LDC) 5-408.1.6 which states that hardened shoreline structures may comprise up to 20 percent of an individual lake shoreline, to allow hardened shoreline structures to comprise up to 26 percent.

The applicant is requesting this deviation to provide a seawall or bulkhead for a portion of the westernmost lake, adjacent to the residential amenity building so that the recreation area will provide a closer view of the lake. The development will incorporate a compensatory littoral zone equal to the linear footage of the shoreline structure so that most of the area will remain natural.

Staff recommends approval of the 26 percent subject to providing the compensatory littoral zone.

Deviation 2: Request to deviate from Land Development Code Section 5-204.B.1., minimum number of off-street parking spaces which requires a total of 2,107 parking spaces, to be reduced to 1,872 parking spaces.

The applicant has requested this reduction in parking based on the mixed-use nature of the development. The applicant refers to the Urban Land Institute Shared Parking Study. These types of studies indicate that mixed-use projects by their nature would not require the total number of spaces typical of single uses, because some uses will occur at different times of the day. The applicant's analysis indicates that peak parking demand with full occupancy of all sites would be 1,628 spaces.

LDC Section 3-707.R.7.B regarding public benefits and Incentive Offers in Tier 3 states:

> "Off-street parking. (Medium-High Value). Development plans with deviation requests for reduced on-site parking levels which are accompanied by plans for either centralized off-street parking or structured parking facilities especially in non-residential areas will be viewed as high value offers. Such plans may include requests for deviations to reduce the required number of on-site parking requirements under the Land Development Code."

As such, staff recommends approval of the parking deviation.

Deviation 3: A request for relief from Land Development Code Section 7-206.G.3.A.1. which requires excavation to occur no less than 50 feet from existing property lines and collector or arterial streets, to allow excavation to occur no less than 25 feet from existing property lines (see LDC 2-506.C.)

The applicant is requesting this deviation for the Lakeside Street, to allow driving, biking and walking along the proposed 10-foot-wide multi-use path adjacent to the street. The multi-use path is 15 feet from the waters edge but the face of the curb is set 35 feet from the waters edge. There will be street trees and a landscape buffer between the roadway and lake to serve as a natural barrier between any wayward cars.

The deviation is also requested along Coconut Road and US-41 by Crescent Lake, the retention lake at the southeast corner of the site.

Staff recommends approval of both requests based on the justification provided and the low speeds in these areas. At time of development order, staff will evaluate if additional protective measures are needed.

Deviation 4: A request to deviate from Land Development Code Section 5-304(1)(A) which requires 125 feet between intersections on local roads to allow a minimum separation of 46' to 109' for 3 intersections within the project.

This deviation is needed to implement a smaller, more walkable scale of development and to create active block frontages. The deviations are shown in the Pattern Book and are:

109 feet at Intersection A (west of US-41/Cerise Drive)
106 feet at Intersection B (internal to project)
46' at Intersection C (US-41 at access point north of Coconut Road)

Staff recommends approval as shown in the Pattern Book.

Deviation 5: A request to deviation from Land Development Code 3-707.H.3.A. which encourages connecting streets to follow the typical sections of Figure 3-707.TZ.3. to allow connecting streets to be provided per the cross-sections in the Pattern Book.

The applicant is proposing 8 different street types with different rights-of-way and street features. Variations of cross-sections are allowed as long as they meet the goals of connectivity and walkability. These cross-sections follow best practices to ensure slow vehicle speeds.

Staff recommends approval.

Deviation 6: The applicant added a deviation at the Planning Zoning and Design Board meeting on June 13, 2023 from LDC Section 4-219 which requires elevators in 3-story and taller multifamily/townhouse buildings, to omit elevators in the townhome buildings only (58 units) as shown on the site plan.

See draft Ordinance for staff recommendation.

FINDINGS OF FACT

Staff has proposed findings of fact below for Council consideration depending on Council's determination:

1. The applicant has (has not) provided sufficient justification for the rezoning by demonstrating compliance with the Comprehensive Plan and the Land Development Code.

2. The request with the proposed conditions will (will not) meet or exceed all performance and locational standards set forth for the potential uses allowed by the request.

3. The request is consistent with the densities, intensities and general uses set forth in the Village of Estero Comprehensive Plan.

4. The proposed uses with the conditions in the Ordinance are (are not) compatible with existing and proposed uses in the surrounding area.

5. Adequate public facilities are (are not) available to serve the proposed use (Transportation).
6. The request will not adversely affect environmentally critical areas and natural resources.

7. The development should not adversely affect property values in the area.

8. The project will (will not) result in an orderly development pattern and address a community need for mixed-use development patterns.

9. The proposal, as conditioned, is (is not) consistent with the general criteria of the Estero Planned Development zoning district as follows:

    a. Goals. The mixed-use nature of the site will promote social vitality in the area and create a walkable community as well as streets that are safe and attractive for walking or bicycling.

    b. Reasonable Standards. The applicant has used physical form and the relationship of the building with the landscaping and public space to meet the Village Center goals.

    c. Accessibility. Public spaces are accessible, physically connected and walkable.

    d. Streets. A connected and continuous street network has been designed to encourage the mix of uses within the project.

    e. Street Design. Distances between intersections enhances the walkability and connectivity of streets.

    f. Lots and Blocks. A network of streets has been provided to create blocks and lots.

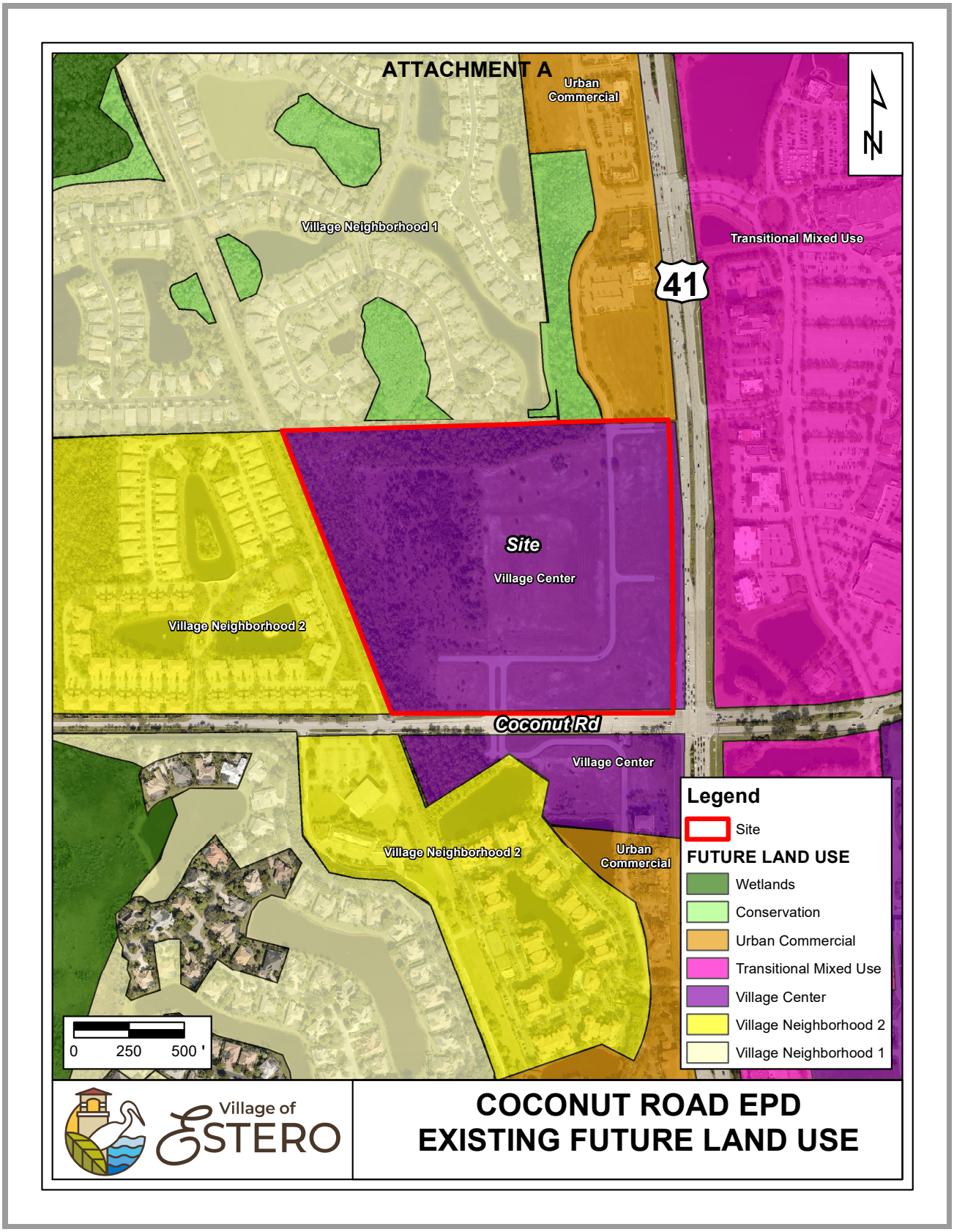
    g. The Visual Edge. A visual edge is created by the project design.

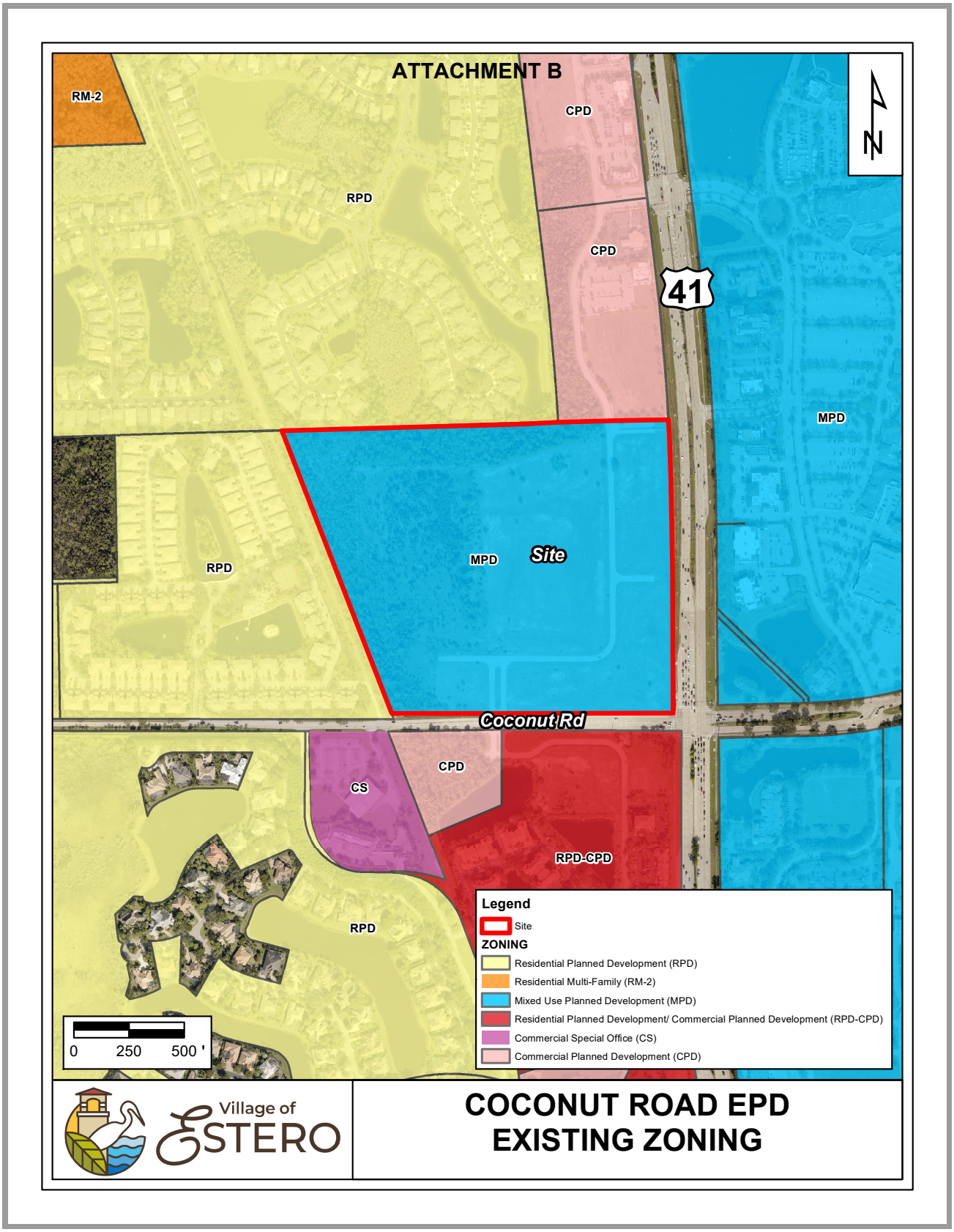
    h. Architecture. The building design is consistent with the Village architectural standards and will create a distinctive project.

i. Quality of Buildings. Concrete block construction is proposed.

ATTACHMENTS

A. Future Land Use Map
B. Zoning Map
C. Applicant Information


ATTACHMENT A
Urban Commercial
Village Neighborhood 1
Transitional Mixed Use
41
Site
Village Center
Village Neighborhood 2
Coconut Rd
Village Center
Village Neighborhood 2
Urban Commercial
N
0 250 500 '
Legend
Site
FUTURE LAND USE
Wetlands
Conservation
Urban Commercial
Transitional Mixed Use
Village Center
Village Neighborhood 2
Village Neighborhood 1
Village of ESTERO
COCONUT ROAD EPD
EXISTING FUTURE LAND USE


ATTACHMENT B
RM-2
CPD
RPD
CPD
41
MPD
RPD
MPD
Site
Coconut Rd
CPD
CS
RPD-CPD
RPD
N
0 250 500 '
Legend
Site
ZONING
Residential Planned Development (RPD)
Residential Multi-Family (RM-2)
Mixed Use Planned Development (MPD)
Residential Planned Development/ Commercial Planned Development (RPD-CPD)
Commercial Special Office (CS)
Commercial Planned Development (CPD)
Village of ESTERO
COCONUT ROAD EPD
EXISTING ZONING

ATTACHMENT C

WOODFIELD ESTERO EPD
NARRATIVE STATEMENT

Rezone Request

The Applicant, Coconut Road Estero Apartments, LLC, is requesting to rezone the 45.6+/-acre subject property from Mixed Use Planned Development (MPD) to Estero Planned Development (EPD) to allow for a dynamic mix of residential and non-residential uses in a compact urban form. The site is located at the northwest corner of U.S. 41 and Coconut Road, the last undeveloped quadrant of land at this major node within the Village of Estero. The subject property is located within the Village Center Future Land Use Category and the entire project is proposed as a Tier 3 mixed-use development comprised of 596 residential dwelling units, consisting of both multi-family and townhouse dwelling types, as well as general and medical office, retail, restaurants, a hotel, amenity/wellness center, and civic uses. The project will also feature a preserve area, stormwater management, connected open spaces, and extensive walking trails. Proposed uses depicted on the Master Concept Plan and Pattern Book are as follows:

- 20,000 square feet of medical office
- 22,000 square feet of general office
- 82,000 square feet of retail/dining
- 3,000 square feet civic/cultural facility
- 20,000 square foot wellness center/private residential amenity
- 260-room hotel
- 596 residential units

Proposed ingress and egress to the site will be provided by one full access and two restricted accesses from U.S. 41, and one full access and one restricted access from Coconut Road. An internal roadway will also connect with Lyden Drive to the north. Vehicle parking for the project will be provided by a mixture of structured, surface and on-street facilities.

Development History of the Subject Property

The subject property originally obtained MPD zoning approval from Lee County in November 1998 pursuant to Resolution Z-98-075. At that time, the MPD zoning was approved for 50,000 square feet of office space, 200,000 square feet of light industrial uses, 250,000 square feet of retail uses and 150 hotel rooms. Resolution Z-98-075 also approved 142 residential dwelling units as an alternative to the 200,000 square feet of light industrial uses. The MPD zoning approval has since been amended administratively four times (ADD2003-00056, ADD2005-00237, ADD2008-00116A and ADD2008-00116B) as indicated on the “List of Zoning Resolutions and Approvals” attached as part of this application.

A development order (DOS2003-00102) was granted by the County in October 2003. The development order reflected the approved Master Concept Plan depicting two large development tracts and seven outparcels accessed by a reverse frontage road. The property was then cleared in 2006 and the frontage road and utilities were constructed in 2007. Additional development orders were approved in 2007 and 2008 for a 150-room hotel (DOS2007-00169) and a department store (DOS2008-00023) on the easterly development tract and a bank (DOS2007-00205) on one of the outparcels. None of these projects were constructed and the property remains as an undeveloped

site with limited partially constructed infrastructure in place.

Since these original zoning approvals were obtained, the Village of Estero incorporated, and established a new vision for highly livable, walkable and urban nodes of development at key locations to provide public amenities, entertainment, employment and residential uses. The vision also includes a high-quality urban form characterized by enhanced architecture, integration of uses, pedestrian-scale development, and true elements of placemaking to create vibrant public spaces for the enjoyment of all of Estero's residents.

Comprehensive Plan Compliance

The proposed rezoning request is consistent with the following policies of the Village of Estero Comprehensive Plan:

> ***FLU-1.1.1 FUTURE LAND USE****. Support the unique character and quality of life within the Estero community by managing growth and development and by maintaining and executing comprehensive plan policies, Land Development Code (LDC) regulations, and other planning tools that:*
>
> *A. Implement and maintain high quality development standards for architecture, landscape architecture, hardscaping, site planning, landscaping and buffering, signage, lighting designs and visual appearance of developments, transportation facilities, pedestrian circulation and community amenities including public spaces and parks within mixed use and non-residential developments;*
>
> *B. Promote the use of low impact design, sustainable energy, water, and other environmental features;*
>
> *C. Encourage higher density, compact mixed-use development in designated locations as a means of increasing internal capture and reducing overall vehicle miles travelled;*
>
> *D. Promote targeted industries in appropriate areas of Estero—e.g.: healthcare, arts and culture, technology, and Class A office facilities;*
>
> *E. Encourage the redevelopment of underutilized commercial and residential lands for older properties seeking to comply with current comprehensive plan policies and LDC standards; and*
>
> *F. Facilitate public participation in the land development approval process by having the owner or agent applying for Planned Developments, Rezonings, Variances, Special Exceptions, Plan Amendments, and other amendments and Development Orders, within the Village, participate in a public information meeting pursuant to adopted Village regulations and policies.*

This proposed EDP rezoning significantly improves upon the MPD zoning approval by Lee County through an urban compact design, enhanced connectivity, significant civic space, and better integration of land uses. The rezoning will allow an underutilized site to be developed with a compact vertical mixed-use project with proposed uses that include high density residential, retail commercial, medical offices, a wellness center and a civic/cultural facility. The EPD rezoning process requires a public information meeting and other opportunities for public participation are provided at hearings before the Planning Zoning and Design Review Board and the Village Council.

> ***FLU-1.2.10 VILLAGE CENTER.*** *The Village Center area is characterized by primarily undeveloped or underdeveloped land lying near US 41 in the heart of the Village of Estero. The*

Village Center is intended to improve the quality of life for Estero's residents and visitors by providing a variety of neighborhood and housing types and more diverse economic activity in the heart of Estero. The specific goals of the Village Center include creating: socially vital centers supportive of business both big and small, a central location for a hospital with full range of medical services, neighborhoods and streets that are safe and attractive for walking and bicycling, the preservation of community history, and the protection of the environment, particularly along the Estero River. Urban services are in place or readily expandable to support relatively intense

commercial and residential development in the Village Center. The Village Center area has some of the larger undeveloped parcels of land left in the Village in close proximity to Village Neighborhoods, Transitional Mixed-Use areas, major attractions of the County and State parks and Estero River, and major corridors of the CSX Railway, US 41 and Corkscrew Road.

A. *Uses: Uses in the Village Center include housing, employment, hospital, shopping, office, hotel, recreation, park and civic uses. Public schools, assisted living, public and quasi-public uses are allowed in the Village Center future land use category.*

B. *Development type: Future development in this category is encouraged to be interconnected neighborhoods and mixed-use of low to midrise residential, commercial and mixed use building types in an urban form and including passive and active recreation facilities.*

C. *Density/Intensity: Landowners in the Village Center Area may develop within the standard density range with one dwelling unit per acre (1 du/acre) to six dwelling units per acre (6 du/acre); however the Village encourages land to be developed or redeveloped with a greater mix of uses and higher densities per a tiered system described further below, with up to a maximum of 27 dwelling units per acre when the highest degree of walkable mixed- use pattern is achieved, subject to the public hearing process. Commercial development must not exceed 2 FAR.*

D. *Implementation: The Village Center is implemented through LDC standards, plans, and incentives that address the community's need for a central civic and economic core that is connected to surrounding residential neighborhoods, commercial areas, the Estero River, the Old Estero area, the Estero Community Park, and other parks and recreational facilities.*

   1. *The Land Development Code establishes the Estero Planned Development Zoning District which contains tiered standards that apply to the Village Center Area and which may include sub-districts which may have specific policies applying therein. Rezoning to the Estero Planned Development Zoning District must be sought to take advantage of the new tiered standards and densities with respect to specific development tracts. The Village's intention is to use this new zoning district whenever increases in density and intensity are requested in the Village Center Area (as "increase in intensity" is defined in this Plan). The Village will coordinate with FDOT in the review of any new "Village Center" land development or redevelopment project to assess potential impacts of density increases on State and SIS transportation facilities, such as US 41 and 1-75.*

   2. *The Land Development Code provisions that implement the Village Center future land use category consider such reasonable guidelines as are necessary in order to foster predictable built results and higher quality public spaces by using physical form (rather than separation of uses) as the organizing principle for achieving such objectives. Such guidelines may consider designating locations where different building form standards apply, the relationship of buildings to the public space, public standards for such elements in the public space as sidewalks, travel lanes, on-street parking, street trees, street furniture, and other aspects of the urban built environment that may be applicable to foster interconnection, social vitality and walkability in the Village Center Area. The Land Development Code provisions may also consider other alternative types of*

reasonable guidelines that may accomplish such goals in a different or complementary manner.

3. *Properties in the Village Center Area which have vested rights under the law may proceed under such vested rights as otherwise provided in the comprehensive plan and Land Development Code, and shall not be required by virtue of this Policy to seek rezoning to the Village Center standards if the property owner seeks no increase in either intensity beyond such vested rights, or in density beyond 10% of vested dwelling units, as such terms "density" and "intensity" are defined in the Definitions section of this Plan.*
4. *The Land Development Code provides standards for four levels of development in the Village Center Area that will contribute to a walkable mixed-use environment in the Village Center Area:*
    a. *Tier 1 provides a minimum network of connecting streets that will allow the general public and residents to move by car, bike, or on foot within and through development tracts.*
    b. *Tier 2 accommodates residential neighborhoods with higher densities and a potential for a greater variety of housing types, as well as mixed-use neighborhoods with higher levels of non-residential uses, and, in each case, greater connectivity than Tier 1.*
    c. *Tier 3 accommodates mixed-use neighborhoods with similar attributes as Tier 2 but with higher levels of non-residential uses as well.*
    d. *Tier 4 allows an entire development tract to be planned as a compact community, as provided in Chapter 32 of the Land Development Code.*

E. *Public Benefits: The Land Development Code provides minimum standards for each tier and describes public benefits that developers may offer to obtain specified density/intensity incentives in each tier. Public benefits shall be calibrated to the needs of each Tier and the particular proposed development plan, and must meet or exceed the goals and objectives of the comprehensive plan; meet or exceed the general land development code criteria for the Village Center; and create significant public benefit appropriate to the tier and the particular development plan.*

Base and maximum residential densities will be set by the Village Council during the planned development rezoning process based on its determination of an application's compliance with this comprehensive plan and the specific standards and requirements for each tier. Increases in base residential densities may be allowed after consideration of incentive offers as provided in the Land Development Code. Densities cannot exceed the top of the following ranges:

1. *Tier 1: Base level is up to 6 dwelling units per acre of Tier 1-only land plus up to 3 additional dwelling units per acre of Tier 1-only land after consideration of accepted incentive offers, for a maximum of 9 dwelling units per acre of Tier 1-only land.*
2. *Tier 2: Base level is up to 10 dwelling units per acre of Tier 2 land plus up to 4 dwelling units per acre of Tier 2 land after consideration of accepted incentive offers, for a maximum of 14 dwelling units per acre of Tier 2 land.*
3. *Tier 3: Base level is up to 15 dwelling units per acre of Tier 3 land plus up to 5 dwelling units per acre of Tier 3 land after consideration of accepted incentive offers, for a maximum of 20 dwelling units per acre of Tier 3 land.*
4. *Tier 4: Base level is up to 21 dwelling units per acre of Tier 4 land plus up to 6 dwelling units per acre of Tier 4 land after consideration of accepted incentive offers, for a maximum of 27 dwelling units per acre of Tier 4 land.*

Additional density above the base level up to the maximum density may be granted through the planned development process based on accepted incentive offers providing specific

public benefits, such as enhanced interconnectivity, preservation of indigenous vegetation, innovative landscaping and street design, offsite improvements, dedication of onsite public spaces, public trails, gathering spaces, river trail easement, river buffer, civic building site, architectural excellence, enhanced parking design (under building parking), or other similar items as specified in more detail in the Land Development Code.

F. *Density Calculation: With respect to these base and maximum residential density calculations:*
   1. *For land in Tier 1-only, densities are calculated based on the definition of "Density" of the comprehensive plan, thus excluding non-residential land in Tier 1.*
   2. *For land in Tiers 2, 3, and 4, densities are calculated based on this definition except that non-residential land is included for these tiers only.*

The subject property is designated as Village Center on the Village of Estero Future Land Use Map and existing urban services are currently in place to support the proposed development. Access to the site will be provided from U.S. 41, a state-maintained arterial roadway, and from Coconut Road, a Village maintained major collector roadway. The subject property lies within the Bonita Springs Utilities franchise area for central sewer and potable water which has adequate capacity available to serve the proposed mix of uses. Additional existing community facilities and public services which are currently available include:

Fire Protection:	The property is within the Estero Fire District. Fire Station 42 is located at 8005 Sweetwater Ranch Road, approximately 0.9 miles away.
Police Protection:	A Lee County Sheriff's Substation is located at 8350 Hospital Drive, approximately 0.8 miles away.
Emergency Medical:	Medic Station 29 is located at Fire Station 42 at 8005 Sweetwater Ranch Road, approximately 0.9 miles away.
Solid Waste:	The property is within Lee County Solid Waste Franchise Area 3 and is served by Waste Pro.
Public Transit:	Lee Tran Route 240 runs along U.S. 41 from the Bell Tower Shops to Coconut Point Mall where it connects with Route 600. Route 600 connects with Collier Area Transit (CAT) routes at the Creekside Transfer Center on Immokalee Road to the south.

The entire project will be designed as a Tier 3 development and will comply with all applicable design criteria and incentives as outlined in the Land Development Code. The Tiered Development Plan depicts interconnected development blocks with midrise multi-family buildings, townhomes, commercial and civic buildings, and mixed-use buildings with ground floor non-residential uses and upper story residential for a bonafide vertically integrated mixed use project. The\ urban form is indicative of the buildings relationship to the internal and external streets, sidewalk seating areas, on-street parking, and multiple components of green space and civic areas connecting the pedestrian ways throughout the site. All proposed uses are consistent with those allowed within the Village Center Future Land Use Category. The proposed gross residential density of 13 dwelling units per acre complies with base density allowed in Tier 3 of up to 15 du/ac (596 du/45.6 acres). The proposed floor area ratio (FAR) for non-residential uses is 0.32, which complies with the maximum allowable intensity of FAR 2 per the Comprehensive Plan.

FLU-1.9.1 MIXED USE DEVELOPMENT FORM. *The Village encourages mixing of*

complementary residential and nonresidential uses on a single site to reduce vehicle miles travelled, support pedestrian, bicycle and transit opportunities and activate streets and public spaces with

pedestrians for greater economic, recreational and social opportunities resulting in built environments and landscapes that provide a true sense of place.

A. *The Village Center and Transitional Mixed Use future land use categories are intended to accommodate mixed use development patterns, and the Village Neighborhood categories allow for a limited mix of use in suitable locations, subject to compatibility standards.*

B. *Mixed use development shall be limited to uses that are complementary rather than conflicting, as those terms are specified in the definition of mixed use found in the Definitions section. The ultimate determination of allowable commercial uses will be through a public hearing process and will be based upon the needs of the Village, character of the surrounding area, the compatibility of the uses, and the characteristics of the transportation network.*

   1. *Carefully mixing complementary uses can reduce overall trip lengths, support pedestrian, bicycle and transit opportunities and create pedestrian friendly streetscapes. Mixed uses will be encouraged within individual buildings (e.g. residential above retail or office space) but may be located in separate buildings that can be easily reached using publicly accessible sidewalks and streets. Mixed Use areas will provide for placemaking including, without limitation, public gathering places, civic uses, such as green spaces or community centers, and other placemaking public amenities described further below. Mixed-use patterns will be integrated within an overall design framework to create a pedestrian friendly, human scale environment, through objective, measurable compatibility standards including size, scale, proportion, and materials detailed in the land development regulations. Flexibility in design will allow for choice and variety in architectural style.*

C. *Forms of mixed use development include horizontal mixed use, integrated horizontal mixed use, and vertical mixed use:*

   1. *Horizontal mixed use includes single use buildings on distinct parcels in one overall development project. This is the simplest form of mixed use in that basic proximity and pedestrian and bicycle connectivity between residences and nonresidential destinations affords the reduction of vehicle miles travelled. This form requires buffering between residential and nonresidential uses. Neighborhood commercial centers with direct pedestrian/bicycle infrastructure linking to residential areas is an example of horizontal mixed use.*
   2. *Integrated horizontal mixed use includes single use buildings on distinct parcels in one overall development project. Integration of the project is achieved through placement of nonresidential uses within ¼-mile walking distance to residences, and with placemaking design elements so that separate uses are perceived as unified live, work, play, and shop destinations. Placemaking design elements are spaces and infrastructure meant to function for public access, use, and interaction. Context driven and accessible to the public through dedication of a public access easement, examples of placemaking design elements include indoor or outdoor spaces, walkable streets, environmental features, or public art. Recognizing that integrated design is more challenging, incentives for this form of development include higher allowable density and intensity, and relief from development standards which shall be implemented in the land development code, such as: Buffering between uses is not required; cumulative parking requirements for integrated horizontal mixed-use projects could be reduced based on sharing of facilities for residential and nonresidential uses with alternating peak*

   demands; stormwater facilities, utility and transportation infrastructure, and common area

maintenance can also be shared.

3. *Vertical mixed use includes residential and nonresidential uses in the same building. A development project with vertical mixed-use buildings as the primary building type (fewer than half of the buildings are single use buildings) constitutes a vertical mixed- use development project. Vertical mixed-use projects shall be integrated with placemaking design elements that are context driven and accessible to the public, so that the development project is perceived as unified live, work, play, and shop destination. Recognizing the increased complexity of permitting, constructing, financing, and managing vertical mixed-use projects, the Village shall implement incentives for this form of development including the highest allowable density and intensity, and relief from development standards which shall be implemented through the land development code, such as: The allowable density per the Future Land Use category may be calculated using the gross acreage of the project; buffering between uses is not required; cumulative parking requirements for integrated horizontal mixed- use projects could be reduced based on sharing of facilities for residential and nonresidential uses with alternating peak demands; stormwater facilities, utility and transportation infrastructure, and common area maintenance can also be shared.*

The project is proposed as a vertical mixed-use development providing a variety of complementary uses intended to reduce overall trip lengths, support pedestrian, bicycle and transit opportunities and create pedestrian friendly streetscapes. Key placemaking elements that have been integrated into the overall design framework include:

- Urban green spaces featuring a large central green that can host outdoor events, two smaller parks along U.S. 41, and a 7.6 acre preserve area.
- Pedestrian enhancements including “Restaurant Row” or an internal main street providing for a pedestrian paseo that serves access to outdoor dining and connect to sidewalks and trail systems throughout the site. Sidewalks are provided along every internal and external street.
- Off-street parking with two parking garages located in the center of blocks and hidden by liner buildings. The remaining off-street parking consists of surface parking lots which are also located in the center of blocks behind buildings and building integrated parking for townhouses in the northwest corner of the site.
- Multi-modal transportation design elements include a Lee Tran bus shelter along U.S. 41, internal bike racks and sidewalks, internal trail system, and connectivity to the multi-use pathway along U.S. 41 and Coconut Road.
- Traffic calming features include ten-foot traffic lanes on most of the internal roadways.
- A landmark hotel with high quality and cohesive architecture contributes to hierarchy of buildings within the project and adds to the sense of place.
- Dedicated sites for a future wellness center/private recreational amenity and a civic site for multi-purpose meeting space or other uses will be determined in concert with the Village of Estero Staff to provide key public benefits of health and culture.

FLU-1.9.2 MIXED USE DEVELOPMENT STANDARDS. *Development standards and criteria for mixed use development shall accomplish the following desired attributes:*

A. *Provisions for outdoor livability, including interconnected pedestrian and bike facilities, public plazas, and seating.*
B. *Well defined centers and edges with public or civic space creating an element around which other development is located. When necessary, development density and intensity will gradient from the center to the edge suitable to integrated surrounding land uses.*
C. *Development plans will create focal points of signature buildings, civic spaces, natural*

amenities, and other prominent features through placement or street layout.

D. *Local climate and history will dictate the architectural and landscape design and natural methods of cooling and heating will be encouraged. Evaluate Green Building techniques as an alternative way to provide open space.*

E. *Streets and roads will be fronted by design features including sidewalks which define and contribute to a pedestrian street character. Building design, placement, and entrances will be at a pedestrian scale and oriented towards streets or other public space such as parks or squares.*

F. *The street system will be designed to provide safe access to, through (where feasible), and within each development in a way that equally serves automobile and non-automobile modes of transportation with the following considerations:*

1. *Narrow traffic lanes and other traffic calming techniques to maintain safe multimodal transportation.*
2. *An interconnected street system with a pedestrian circulation system to connect the nonresidential uses with residential uses and areas, extended to adjacent sites at the least intrusive locations, with interconnections. The intent is to provide multiple vehicular, bicycle, and pedestrian linkages to adjacent local destinations, including residential neighborhoods, as an alternative to arterial and collector roads, except where such connections are precluded by physical layout of natural environmental features. Link pedestrian routes and bikeways with the street system or other public space such as parks or squares avoiding routes through parking lots and other locations out of the public realm.*
3. *A system of alleyways for service vehicles and access to parking.*
4. *Convenient access to transit facilities.*
5. *Sidewalks shaded by rows of street trees.*
6. *Automobile-oriented uses will have a limited number of driveways, and drive-in or drive- up windows will be located to avoid conflict with pedestrian and bicycle traffic. Auto- centric uses may not be allowed as incompatible with residential uses or will be strictly limited especially relative to the interface of pedestrian and bicycle traffic with drive throughs.*
7. *Additional provisions to achieve the goals of development of walkable environments may be established in the Land Development Code.*

G. *Large scale development design techniques should integrate the establishment into the surrounding community. Such design techniques will include:*

1. *Creation of a series of smaller, well defined customer entrances to break up long facades and provide pedestrian scale and variety, that may be achieved through the use of liner buildings.*
2. *Limited number and size of signs.*
3. *Landscaping and use of pocket parks and courtyards and other placemaking design elements adequate to soften large building masses.*

H. *Crime Prevention Through Environmental Design (CPTED) guidelines will be incorporated to the maximum extent possible.*

I. *Parking areas will be designed to minimize intrusiveness and impacts on the pedestrian character, through the following techniques:*

1. *On-street parking with landscaping and design features, such as corner and midstreet bump outs, that afford traffic calming and produce a comfortable and safe pedestrian environment will be promoted.*
2. *Parking lot locations will not separate pedestrian areas including sidewalks, squares, and*

plazas from the front of buildings containing the primary entrance.

3. *Parking lots will be screened from all streets, sidewalks, and open spaces, and will be designed to maintain or enhance the street edge.*
4. *Parking lots will be designed with safe pedestrian connections to business entrances and public space to create a park-once environment.*
5. *Reduction of paved parking areas will be evaluated wherever practicable through measures such as provision of shared parking and parking structures to serve multiple uses and alternative paving materials. Large expanses of pavement will be discouraged. Reduced ratios of required parking for non-residential uses for integrated horizontal mixed use and vertical mixed-use projects will be evaluated in the land development regulations.*

J. *Public space and landscaping will be provided that includes:*
   1. *Public areas will provide adequate urban landscaping that includes street trees, planted areas, and street furniture.*
   2. *Required surface and storm water management facilities will be designed integrally with civic spaces, and as a physical or visual amenity that provides usable open space or an aesthetic feature that resembles natural areas.*
   3. *Paved areas (including parking) will require overhead shading from tree canopy or building features based on factors such as scale of development and performance standards.*

K. *Connectivity and Buffering: Mixed use developments will be well integrated both internally and externally.*
   1. *Automotive, pedestrian and/or bicycle connections to adjacent commercial development will be provided.*
   2. *Connections to existing residential neighborhoods will be encouraged and will not be precluded by the Mixed Use Development's design.*
   3. *Buffering of uses internal to an integrated horizontal mixed use or vertical mixed use development are not required.*
   4. *Buffering from adjacent developments, when deemed absolutely necessary, will not preclude future interconnectivity.*

The Tiered Development Plan and Pattern Book submitted as part of this application indicate that the project is consistent with the mixed-use attributes outlined above, specifically:

- An interconnected street system with narrow traffic lanes and wide sidewalks providing multiple vehicular, bicycle, and pedestrian linkages within the project and to adjacent local destinations.
- Focal points for the public including open spaces, preserve areas and signature buildings such as the hotel and civic site.
- Creative use of open space and placemaking design elements to soften large building masses.
- Reduction of pavement areas through the use of parking structures and shared parking to serve multiple uses. See also requested parking deviation.
- Stormwater management facilities that incorporate on-site lakes and preserve areas as visual amenities.
- Landscaping, buffering and open space areas that meet or exceed the requirements of the Land Development Code.
- A 7.6-acre indigenous preserve area along the northern and western boundaries of the site that will serve as buffer between the two abutting residential developments, and integrated into the site’s natural amenities for residents and visitors.

FLU-1.12.1 *Along the Village's major corridors (Estero Parkway, U.S. 41, Corkscrew Road, and Three Oaks Parkway) and along the minor corridors (Broadway, Williams Road, Coconut Road, and Via Coconut Point), consider establishing corridor conscious development standards for the built environment that provide a pleasing and safe public realm for motorists, bicyclists, pedestrians and transit users. Such development standards should be based on planning for the various corridors to ensure these routes are functional and safe while identifying opportunities for enhanced conditions along the roadways to include, where appropriate: buildings oriented toward the street, bicycle racks, shaded pedestrian links and trails, plazas connecting from the right-of-way to buildings, transit stop accommodations, and buffering.*

The project includes the following design elements to promote a pleasing and safe realm for motorists, bicyclists, pedestrians and transit users:

- Sidewalks, bike paths and nature trails connecting to the existing multi-modal paths along U.S. 41 and Coconut Road.
- A pull-out for Lee Tran bus stop/shelter along U.S. 41.
- Two parks and a lake along the U.S. 41 frontage.
- A roundabout on Coconut Road that aligns with Walden Center Drive to the south.

TRA-1.2.4 *During the review of comprehensive plan amendments, rezonings, zoning amendments, and development order applications, applicants must provide an evaluation addressing potential for addition of new interconnections between communities, creation of pedestrian and vehicular interconnection, and addition of new connections to the surrounding road network.*

The proposed project will continue to utilize Lyden Drive to provide a vehicular interconnection to the property to the north. In addition, the access point on Coconut Road that lines up with Walden Center Drive which serves as a frontage road to the south along U.S. 41. Pedestrian and bicycle connections will be made to the multi-use pathways along U.S. 41 and Coconut Road.

TRA-1.2.6 *Discourage cul-de-sacs in new development and redevelopment.*

No cul-de-sacs are being proposed as part of the development. The proposed design provides true urban form with integrated mixed-use buildings and a connected street network.

HOU-1.1.3 *New development must be compatible with existing residential uses.*

HOU-1.1.4 *Protect residential neighborhoods from encroachment and detrimental impacts from other more intensive land uses and continue to enforce existing regulations that provide buffering from more intensive uses.*

The project has been designed to promote compatibility with the existing residential uses to the north and west and protect them from encroachment or detrimental impacts from the proposed development. Most of the more intensive non-residential uses are proposed on the eastern portion of the property and will set back approximately 160-200 feet from the northern property where the property abuts Marsh Landing. Proposed development on the western and northwestern portion of the property is predominantly townhome and multi-family uses with a minimum building setback of 60 feet from the western property line. Additional building separation is provided a 100 foot wide Florida Power & Light easement between the subject property and Coconut Shores to the west. Further protection of these existing residential neighborhoods to the north and west will be provided by a 7.6 acre indigenous preserve area along the northern and western boundaries of the site which

provides a vegetated buffer averaging over 100 feet in width.

HOU-1.5.2 *Encourage a mix of housing types in areas designated for mixed use.*

A mixture of multi-family dwelling units (condominiums and/or apartments) and townhouses are proposed to ensure diversity of housing in the project.

INF-1.3.1 *No building permit will be issued unless potable water supply will be available to meet current and projected growth demands, or surety is given that it will be available prior to occupancy.*

The subject property is within the Bonita Springs Utilities water franchise. Capacity is available to provide service to the proposed development per the letter provided herein.

INF-1.4.5 *No development order for new development, or change in use or intensity in an approved development order, will be issued unless sanitary sewer service is available at the minimum acceptable level of service within 1/4 mile of the development, or surety is given that it will be installed prior to occupancy.*

INF-1.5.4 *No development order for new development will be issued unless potable water service, at the minimum acceptable level of service, is available at the property line, or surety is given that it will be installed prior to occupancy.*

The subject property is within the Bonita Springs Utilities water franchise. Capacity is available to provide service to the proposed development per the letter provided herein.

REC-1.6.1 *Encourage the incorporation of pocket parks, linear parks, neighborhood parks and/or open space in the design of all new developments. Open space can be provided for spaciousness along streets, in private common areas, and in public areas.*

The proposed development will include a large central green that can host outdoor events, two smaller parks along U.S. 41 frontage, and a 7.6-acre preserve area.

Compliance with the EPD Standards of the Land Development Code

The Land Development Code (LDC) requires that any rezoning or zoning amendment within the Village Center Area shall be to either Compact Community Planned Development (CCPD) or Estero Planned Development (EPD). The proposed rezoning request includes a Tiered Development Plan depicting a Tier 3 vertical mixed-use project that will comply with the following requirements for EPD zoning district established pursuant to Section 3-707 of the Estero Land Development Code:

Density: The proposed gross residential density is 13 dwelling units per acre. Tier 3 developments permit a maximum base density of up to 15 dwelling units per acre and a maximum density of 20 dwelling units per acres with incentive offers providing public benefits. Thus, the EPD is below the maximum allowable density.

Building Height: The proposed maximum building height is 70 feet. A deviation is requested to allow for the additional height to support the mixed use and intensive development program encouraged by the Village and consistent with the intent for the Village Center.

Pattern Books: A Pattern Book illustrating the anticipated visual character of the proposed development is included as part of the EPD rezoning application. The Pattern Book meets the standards outlined in LDC Section 3-707.G.2.

Streets: The project provides a network of Type A connecting streets in accordance with the EDP District Framework Plan. Proposed public and semi-public streets and cross-sections are depicted

on page two of the Tiered Development Plan.

Lots and Blocks: Proposed block perimeters depicted on the Tiered Development Plan range from approximately 1,300 to 1,500 linear feet. This complies with best practices criteria that block perimeters in the Village Center Area will not exceed 1,600 lineal feet for Tiers 2 or 3, as measured along the inner edges of each surrounding street.

Surface Water Management: Proposed surface water management facilities consist of lakes and natural areas providing dry detention. These facilities are located along the perimeter of the site to minimize impacts on connectivity and walkability. Best practices for compact stormwater management include reducing impervious areas through the use of structure garages and shared parking and bulkheads along portions of the lake banks. Enhanced littoral plantings are proposed where hardened shoreline exceeds 20% of the lake edge.

Visible Edges: Buildings will have their principal façade along the edge of the street with building entrances accessible from the street. Parking lots will be located in the center of blocks behind the buildings and be visually buffered from the street. Parking garages are also utilized to screen views of surface parking and maintain an urban form of development.

Tier 3 General Standards: The project will feature mixed use neighborhoods with a variety of housing types (multi-family and townhouses) and a high level of non-residential uses. Proposed public gathering places include a large central green that can host outdoor events, two smaller parks along U.S. 41, a pedestrian paseo that serves as access to outdoor dining and a trail through the preserve area. Opportunity for indoor public gathering places include the civic site, and a wellness center for residents of the project.

Architectural Diversity and High-Quality Development: The project will comply with Architectural, Form, and Design standards in accordance with LDC Section 5-703. Architectural styles will be predominantly Spanish Colonial Revival as depicted in the Pattern Book. Buildings will be constructed with high quality sustainable materials that are well suited for the climate of Southwest Florida.

Public Benefits and Incentive Offers: The requested maximum building height of 70 feet exceeds the Tier 3 base height allowance and requires acceptance of incentive offers providing public benefits. Incentive offers proposed by the project in exchange for the additional height include the following:

- **Interconnected street system** (Tier 1 High Value, LDC Sec. 3-7070.R.5.A): Type A connecting streets are proposed to be publicly dedicated.
- **Best practices** (Tier 1 High Value, LDC Sec. 3-7070.R.5.A): Compact stormwater management systems with lake bulkheading create an urban amenity, and block perimeters do not exceed 1,600 linear feet for a walkable environment in the Village Center.
- Enhanced Site Landscaping (Tier 1 Med.-High Value, LDC Sec. 3-7070.R.5.E): The US 41 and Coconut Road landscaping buffers will feature enhanced plantings to further beautify the public realm.
- **Enhanced street designs** (Tier 1 Med.-High Value, LDC Sec. 3-7070.R.5.F): The Rambla Street is proposed with an 8-foot wide linear public space down the center, and treelined sidewalks at a minimum width of 8 feet along both sides internal streets. All street cross sections provide for sidewalks and pedestrian amenities as shown in the Pattern Book.
- **Public civic spaces** (Tier 1 Med.-High Value, LDC Sec. 3-7070.R.5.G): The PD provides 5.5 acres of public parks, 0.8 acres of public plaza space, and 3.1 acres of public sidewalks and paths. Of the 5.5 acres of public park space provided, a +/-1.5 acre central park is designed at the heart of the project for programming of outdoor events, and two neighborhood parks accessible along U.S. 41 are designed to be dedicated for public use.

- **Public hike/bike trails** (Tier 2 High Value, LDC Sec. 3-7070.R.6.A): An 8-foot wide public hiking and biking trail is proposed through the preserve area and around the large lake, and connects to the FPL easement for off-site connectivity to trails.
- **Gathering places** (Tier 2 Med.-High Value, LDC Sec. 3-7070.R.6): In addition to three proposed public parks to serve as gathering places on the site, the pedestrian paseo provides access to businesses such as restaurants, outdoor dining and the central park. A gazebo overlooking the lake and another at the northeast edge of the Preserve Area also provide for outdoor gathering options.
- **Site for Civic Building** (Tier 2 Medium Value, LDC Sec. 3-7070.R.6.E): The proposed development includes a +/-1 acre site designated for civic use.
- **Architectural Excellence/Innovation Design** (Tier 2 High Value, LDC Sec. 3-7070.R.6.F): The enhanced architectural design is illustrated in the Pattern Book, inspired by Palm Beach and Mizner Mediterranean and Santa Barbara Spanish Colonial styles.
- **On-Street Parking** (Tier 3 Med.-High Value, LDC Sec. 3-7070.R.7.A): Broad connecting streets are provided with on-street parking.
- **Off-street Parking** (Tier 3 Med.-High Value, LDC Sec. 3-7070.R.7.B): Off-street parking is provided in centralized parking lots and structured facilities that are screened from view by liner building and that promote shared parking to reduce of the number of overall spaces.
- **Vertical Mixed Use** (Tier 4 High Value, LDC Sec. 3-7070.R.8.A): The features multiple buildings throughout the project with ground floor restaurant and retail space and upper floor multi-family units to achieve the urban feel intended by the EPD district.

Compliance with the Decision Making Guidelines

The rezoning to EPD meets the following criteria established as a basis for granting a rezoning pursuant to Section 2-501.C.2.A. of the Village of Estero Land Development Code:

- The request is consistent with and furthers the goals, objectives, and policies of the comprehensive plan as enumerated above and all other applicable Village adopted plans.
- The request is not in conflict with any portion of the LDC. The requested deviations improve the quality of the proposed development; promote the intent of the Code to protect the health, safety and general welfare of the public; contribute to compatibility with surrounding property and cause no undue burdens on essential public facilities.
- The request addresses a demonstrated community need for a mixed-use development project within the Village Center.
- The request is compatible with existing and proposed uses surrounding the subject land and is the appropriate zoning district for the land.
- The request will result in a logical and orderly development pattern.
- The request will not adversely affect the property values in the area.
- The request will result in development that is adequately served by public facilities (roads, potable water, wastewater, solid waste, storm water, schools, parks, police, and fire and emergency medical facilities.
- The request will not result in significantly adverse impacts on the natural environment—including, but not limited to, water, air, noise, storm water management, wildlife, vegetation, wetlands, environmentally critical areas, and the natural functioning of the environment.

Summary

Based on the documentation provided above, the rezoning request is consistent with the Comprehensive Plan, complies with the Land Development Code and meets the required criteria

established as a basis for granting a rezoning. The proposed uses are compatible with the uses and residential densities permitted in the Village Center Area and will not adversely impact environmentally critical areas or natural resources. Furthermore, the area has the necessary infrastructure and public facilities available to support the proposed development. Given these factors, the requested zoning change from MPD to EPD is appropriate at this location.

WORKSHOP ITEM SUMMARY SHEET
VILLAGE COUNCIL MEETING
July 5, 2023

Agenda Item:

Fiscal Year 2023-2024 Proposed Budget Introduction

Description:

The Village Charter Section 8 (2) requires submission of the proposed budget to Council on or before July 15th of each year.

Two public hearings will be held on September 7, 2023, at 5:05 P.M. and September 20, 2023, at 5:05 P.M. to approve the millage rate and proposed budget for Fiscal Year 2023-2024.

Financial Impact:

The proposed budget will provide funding for Fiscal Year 2023-2024.

Prepared by: Kevin Greenville, CPA

Attachments:

1. FY 23-24 Proposed Budget Introduction Presentation
2. Proposed Budget Summary 2023-2024

Village of ESTERO

FY 2023/2024 Proposed Budget Introduction

Village Staff

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Village of ESTERO

Agenda

Purpose of the Annual Budget

Standards and Guidelines Used

Budget Calendar

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Village of ESTERO

Purpose of the Annual Budget

To recognize estimated revenue sources.

To appropriate the revenues into expenditure categories that reflect the will and direction of Village Council.

To recognize and plan for deficiencies or surpluses in funding sources and determine how to best manage it.

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Village of ESTERO

Standards and Guidelines

Florida statue 166.241 requires all municipalities to adopt an annual balanced budget by October 1.

Revenue estimates must be reasonable and expected.

Village Resolutions and Ordinances must not be violated within the formulation of the budget.

It is Management's responsibility to present a budget that focuses on the goals of Council's directives.

The Village Charter Section 8 (2) requires submission of the proposed budget to Council on or before July 15th of each year.

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Village of ESTERO

Budget Timeline

2022-2023 Budget Timetable	
June 7, 2023	Village Council – 1st Public Hearing Proposed 2023-24 Capital Improvement Plan
June 21, 2023	Village Council – 2nd Public Hearing Proposed 2023-24 Budget and Capital Improvement Plan
July 5, 2023	Fiscal Year 2023-2024 Proposed Budget Introduction
September 7, 2022 (5:05 p.m.)	Village Council – 1st Public Hearing Budget and Millage Rate
September 20, 2023 (5:05 p.m.)	Village Council – 2nd Public Hearing Budget and Millage Rate
October 1, 2023	New Fiscal Year Begins

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Village of ESTERO

QUESTIONS?

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PROPOSED BUDGET SUMMARY
Village of Estero - Fiscal Year 2023-2024

ESTIMATED REVENUES		GENERAL FUND	BUILDING FUND	CAPITAL PROJECTS	DRIVING RANGE	TOTAL ALL FUNDS
Taxes:						
Ad Valorem Taxes						
General Fund Millage per $1,000	**0.7500**	**$ 6,323,755**	$ -	$ -	$ -	$ 6,323,755
Gas Tax		635,000	-	435,250	-	1,070,250
Franchise Fees		2,625,000	-	-	-	2,625,000
Communication Services Tax		975,000	-	-	-	975,000
Other Taxes		25,000	-	-	-	25,000
Licenses and Permits		1,250	1,178,500	-	-	1,179,750
Intergovernmental Revenues		7,451,960	-	-	-	7,451,960
Charges for Services		266,000	33,500	-	363,755	663,255
Fines and Forfeitures		250	-	-	-	250
Impact Fees		-	-	1,138,500	-	1,138,500
Investment Earnings		600,000	17,250	127,750	5,750	750,750
Other Miscellaneous Revenues		96,000		-	-	96,000
TOTAL SOURCES		**18,999,215**	**1,229,250**	**1,701,500**	**369,505**	**22,299,470**
Transfers In		-	-	31,245,915	-	31,245,915
Fund Balances/Reserves/Net Assets		32,242,520	518,910	12,717,300	123,260	45,601,990
TOTAL REVENUES, TRANSFERS & BALANCES		**$ 51,241,735**	**$ 1,748,160**	**$45,664,715**	**$ 492,765**	**$ 99,147,375**
EXPENDITURES						
General Government		$ 4,895,000	$ -	$ -	$ -	$ 4,895,000
Public Safety		311,000	1,535,000	-	-	1,846,000
Physical Environment		695,000	-	25,098,625	-	25,793,625
Transportation		2,659,000	-	11,007,280	-	13,666,280
Human Services		54,000	-	-	-	54,000
Culture and Recreation		345,000	-	-	357,505	702,505
TOTAL EXPENDITURES		**8,959,000**	**1,535,000**	**36,105,905**	**357,505**	**46,957,410**
Transfers Out		31,245,915	-	-	-	31,245,915
Fund Balances/Reserves/Net Assets		11,036,820	213,160	9,558,810	135,260	20,944,050
TOTAL APPROPRIATED EXPENDITURES, TRANSFERS, RESERVES & BALANCES		**$ 51,241,735**	**$ 1,748,160**	**$45,664,715**	**$ 492,765**	**$ 99,147,375**