



Village of
ESTERO

VILLAGE OF ESTERO
VILLAGE COUNCIL MEETING
PACKET
DECEMBER 3, 2025, 09:30 AM



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
December 3, 2025, 09:30 am

Village Council: District 1 - Joanne Ribble, Mayor; District 2 - Jeff Hunt; District 3 - Jon McLain; District 4 - Lori Fayhee; District 5 - Rafael Lopez; District 6 - Jim Ward; District 7 - George Zalucki, Vice Mayor

1. CALL TO ORDER

INVOCATION

Pastor Kevin Morris Estero Community Church

PLEDGE OF ALLEGIANCE

ROLL CALL

2. APPROVAL OF AGENDA, ADDITIONS, AND DELETIONS

3. PUBLIC COMMENT ON NON-AGENDA ITEMS

4. CONSENT AGENDA

a. November 19, 2025 Village Council Meeting Minutes

Attachment: [11192025.pdf](#)

b. Financial Report for Month ended October 2025

Attachment: [SS Monthly Financial Report 10312025.pdf](#)

Attachment: [1 October Budget Report All Funds.pdf](#)

Attachment: [2 October Budget Report Available Funds.pdf](#)

5. CONSIDERATION OF ITEMS DEFERRED FROM CONSENT AGENDA

6. ACTION ITEMS

a. Resolution No. 2025-27 Reimbursement

A Resolution of the Village Council of the Village of Estero, Florida Regarding Reimbursement of Certain Costs Relating to the Acquisition, Construction and Equipping of Certain Stormwater Utility

Improvements, Park and Redevelopment Improvements, Sewer Utility System Improvements, Transportation Related Improvements and/or Park and Recreation Related Improvements Within the Village; Making Related Findings; Providing for Severability and for an Effective Date.

Recommended Action

Motion to Adopt Resolution No. 2025-27

Financial Impact

This resolution only preserves the ability to issue debt. There is no commitment nor requirement.

Attachment: [SS Res No 2025-27.pdf](#)

Attachment: [Res No. 2025-27.pdf](#)

b. Resolution No. 2025-28 Amending Resolution No. 2025-20 Updated Community Development Fees

A Resolution of the Village of Estero, Florida, Amending Resolution 2025-20 that Created a New Community Development Department Fee Schedule Including Building, Planning, Zoning and Land Use; Making Related Findings; and Providing for Severability and for an Effective Date.

Recommended Action

Motion to adopt Resolution No. 2025-28

Financial Impact

Potential minor revenue increase for building. The proposed addition of the recovery residence fee recovers the cost of application processing.

Attachment: [SS Res No 2025-28 Adopting Updated Comm Develop Fee.pdf](#)

Attachment: [1 Res No 2025-28 Amended ComDev Fees Resolution.pdf](#)

7. PUBLIC HEARING NOTICES

a. Resolution No. 2025-24 providing notice of intent to establish non-ad valorem assessment for package plant to central sewer system project for Sunny Grove Park, Inc.

A Resolution of the Village Council of the Village of Estero, Florida, Providing Notice of Intent to Utilize the Uniform Method of Collecting Non-Ad Valorem Assessments Levied Within the Municipal Boundaries of the Village of Estero for the Decommissioning of the Waste Water Package Facility and Installation of Common Sanitary Sewer Service for Sunny Grove Park, Inc.; Stating the Need for Such Levy; Making Related Findings; Providing for Severability and Providing for an Effective Date.

Recommended Action

Motion to adopt Resolution No 2025-24 and authorize the Village Manager to execute the related Interlocal Agreement with the Lee County Property Appraiser to administer the assessment process.

Financial Impact

Adoption of this Resolution does not have a financial impact on the Village.

Attachment: [SS Res No. 2025-24 Sunny Grove Utility Assessment .pdf](#)

Attachment: [1. Res No 2025-24 Sunny Grove Utility Assessment.pdf](#)

Attachment: [2. Exhibit A - Sunny Grove Utility Assessment Area Signed Sealed .pdf](#)

Attachment: [3. Exhibit B - Draft Tech Memo Estero Sunny Groves 20250922.pdf](#)

Attachment: [4. Location Map Sunny Grove.pdf](#)

Attachment: [5. Uniform Collection Interlocal Agreement Cypress Bend Sunny Grove 1.2.pdf](#)

b. Resolution No. 2025-25 providing notice of intent to establish non-ad valorem assessment for package plant to central sewer system project for Cypress Bend RV Resort.

A Resolution of the Village Council of the Village of Estero, Florida, Providing Notice of Intent to Utilize the Uniform Method of Collecting Non-Ad Valorem Assessments Levied Within the Municipal Boundaries of the Village of Estero for the Decommissioning of the Waste Water Package Facility and Installation of Common Sanitary Sewer Service for Cypress Bend RV Resort; Stating the Need for Such Levy; Making Related Findings; Providing for Severability and Providing for an Effective Date.

Recommended Action

Motion to adopt Resolution No. 2025-25 and authorize the Village Manager to execute the related Interlocal Agreement with the Lee County Property Appraiser to administer the assessment process.

Financial Impact

Adoption of this Resolution does not have a financial impact on the Village.

Attachment: [SS Res No 2025-25 Cypress Bend Utility Assessment.pdf](#)

Attachment: [1. Res No. 2025-25 Cypress Bend Utility Assessment.pdf](#)

Attachment: [2. Exhibit A - Cypress Bend Utility Assessment Area Signed Sealed .pdf](#)

Attachment: [3. Exhibit B - Draft Tech Memo Estero Cypress Bend 20250922.pdf](#)

Attachment: [4. Location Map Cypress Bend.pdf](#)

Attachment: [5. Uniform Collection Interlocal Agreement Cypress Bend Sunny Grove 1.2.pdf](#)

8. FIRST READING

a. First reading Ordinance No. 2025-16 Creating § 26-1 and Amending § 26-19 of the Village Code Related to Special Assessments

An Ordinance of the Village of Estero, Florida, Creating § 26-1 and Amending §26-19 of the Village Code Related to Special Assessments; Making Related Findings; Providing For Severability, Codification, and an Effective Date.

Recommended Action

Motion to adopt Ordinance No. 2025-16 on first reading and to schedule a second reading and public

hearing for December 17, 2025.

Financial Impact

N/A

Attachment: [SS Ord No 2025-16 amending Chapter 26 of the Village Code regarding special assessments.docx](#)

Attachment: [Ord 2025-16 Estero Assessment Code Edits.pdf](#)

9. SECOND READING AND PUBLIC HEARING

a. Second reading for Ordinance No. 2025-13 adopting a new Parks & Recreation Code

An Ordinance of the Village of Estero, Florida, Repealing Chapter 22 of the Village Code; Creating a New Chapter 22 of the Village Code Related to Parks and Recreation; Making Related Findings; Providing for Severability, Codification, and an Effective Date.

Recommended Action

Motion to adopt Ordinance No. 2025-13

Financial Impact

When the various phases of the Village's Sports Park and Estero River Park come online over time, the Village will incur costs for administration of the rules and procedures associated with the operation of these facilities. However, particularly as to league and tournament play at the Sports Park, the Village will attempt to adopt use fees to offset those costs.

Attachment: [SS 2nd Read Ord No. 2025-13 Park Process and Prodedures.pdf](#)

Attachment: [1 Ord No. 2025-13 Park Process.pdf](#)

10.COUNCIL COMMUNICATIONS / FUTURE AGENDA ITEMS

11.VILLAGE ATTORNEY'S REPORT

12.VILLAGE MANAGER'S REPORT

13.ADJOURNMENT

General Attachments

[- Transcript.pdf](#)

ESTERO VILLAGE COUNCIL MEETING
WEDNESDAY, DECEMBER 3, 2025, 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.

9:30:59AM	[SOUNDING GAVEL]
9:31:01AM	>>Mayor Ribble: GOOD MORNING, EVERYONE.
9:31:02AM	I'D LIKE TO CALL THE DECEMBER 3, 2025, 9:30 A.M. VILLAGE
9:31:08AM	COUNCIL MEETING TO ORDER.
9:31:09AM	I WOULD LIKE TO REMIND EVERYONE TO PLEASE SILENCE YOUR CELL
9:31:13AM	PHONES.
9:31:13AM	AND IF YOU COME UP TO THE PODIUM TO SPEAK, PLEASE SPEAK INTO
9:31:16AM	THE MICROPHONE.
9:31:17AM	THANK YOU.
9:31:18AM	TODAY, WE HAVE PASTOR KEVIN MORRIS FROM ESTERO COMMUNITY
9:31:22AM	CHURCH WHO WILL DO THE INVOCATION FOR US.
9:31:24AM	WELCOME, PASTOR KEVIN.
9:31:25AM	>> THANK YOU, MADAM MAYOR.
9:31:28AM	MEMBERS OF COUNCIL, LADIES AND GENTLEMEN, LET US REFLECT
9:31:34AM	ABOUT THIS MONTH, ABOUT THE SEASON, AND WHY WE CELEBRATE.
9:31:39AM	LET US PRAY.
9:31:40AM	ETERNAL GOD OF WISDOM AND COMPASSION, GRANT THIS COUNCIL
9:31:52AM	CLARITY OF MIND, STEADINESS OF PURPOSE, AND A SPIRIT OF
9:32:01AM	COOPERATION AS THEY SERVE THE PEOPLE OF THE WONDERFUL
9:32:06AM	VILLAGE OF ESTERO.
9:32:09AM	BLESS THIS GATHERING WITH RESPECTFUL DIALOGUE, THOUGHTFUL
9:32:14AM	DISCERNMENT, AND A SHARED COMMITMENT TO THE COMMON
GOOD.	
9:32:20AM	MAY EACH DECISION MADE HERE TODAY PROMOTE THE FLOURISHING,
9:32:26AM	SAFETY, AND WELL-BEING OF ALL WHO CALL ESTERO HOME, ALL WHO
9:32:33AM	WORK HERE, AND ALL WHO PASS THROUGH.
9:32:38AM	STRENGTHEN OUR LEADERS WITH INTEGRITY, PATIENCE, AND
9:32:46AM	HUMILITY.
9:32:47AM	INSPIRE ALL WHO PARTICIPATE IN THIS MEETING THIS MORNING,
9:32:52AM	THE COUNCIL MEMBERS, ALL THE WONDERFUL STAFF AND
CONCERNED	
9:32:59AM	CITIZENS TO WORK TOGETHER WITH OPEN HEARTS AND A VISION THAT

9:33:04AM REACHES BEYOND INDIVIDUAL INTERESTS TO THE WELL-BEING OF
 OUR
 9:33:08AM ENTIRE COMMUNITY.
 9:33:12AM MAY OUR TIME TOGETHER BE GUIDED BY FAIRNESS, WISDOM, AND
 9:33:17AM HOPE FOR A THRIVING FUTURE.
 9:33:20AM LORD, WE PRAY IN THE SPIRIT OF THE ONE WE CELEBRATE THIS
 9:33:27AM MONTH, THE ONE WHO CAME WITH LOVE, HOPE, FORGIVENESS, AND
 9:33:34AM SELFLESSNESS.
 9:33:37AM IN HIS NAME WE PRAY, AMEN.
 9:33:41AM >>Mayor Ribble: THANK YOU.
 9:33:41AM HAVE A GREAT DAY.
 9:33:47AM [PLEDGE OF ALLEGIANCE]
 9:34:05AM >>Mayor Ribble: MADAM CLERK, WILL YOU PLEASE CALL THE ROLL.
 9:34:08AM HERE.

 9:34:10AM >>Jeff Hunt: HERE.
 9:34:11AM >>Jon McLain: HERE.
 9:34:12AM >>Lori Fayhee: HERE.
 9:34:13AM >>Rafael Lopez: HERE.
 9:34:15AM >>Jim Ward: HERE.
 9:34:16AM >>Vice-Mayor Zalucki: HERE.
 9:34:19AM >>Mayor Ribble: NEXT ON THE AGENDA IS THE APPROVAL OF THE
 9:34:21AM AGENDA.
 9:34:22AM DOES ANYONE HAVE ANY ADDITIONS, DELETIONS, OR CHANGES?
 9:34:25AM IN THAT CASE, MAY I HAVE A MOTION?
 9:34:28AM COUNCILMAN HUNT AND A SECOND, COUNCILWOMAN FAYHEE.
 9:34:37AM MADAM CLERK, WILL YOU PLEASE CALL THE ROLL?
 9:34:39AM >>Jeff Hunt: AYE.
 9:34:40AM >>Jon McLain: AYE.
 9:34:41AM >>Lori Fayhee: AYE.
 9:34:43AM >>Rafael Lopez: AYE.
 9:34:44AM >>Jim Ward: AYE.
 9:34:46AM >>Vice-Mayor Zalucki: AYE.
 9:34:47AM >>Mayor Ribble: AYE.
 9:34:48AM NEXT WE HAVE PUBLIC COMMENT ON NON-AGENDA ITEMS.
 9:34:53AM MADAM CHAIR, DO WE HAVE ANYONE --
 9:34:56AM >>Carol Sacco: MAYOR, WE HAVE NONE.
 9:34:58AM >>Mayor Ribble: NO ONE.
 9:34:59AM ALL RIGHT.
 9:34:59AM WE'LL MOVE ON TO THE CONSENT AGENDA, WHICH IS THE
 NOVEMBER

 9:35:05AM 19, 2025, VILLAGE COUNCIL MEETING MINUTES AND THE FINANCIAL
 9:35:10AM REPORT FOR THE MONTH ENDING OCTOBER 2025.

9:35:15AM DOES COUNCIL HAVE ANY QUESTIONS?
 9:35:18AM IN THAT CASE, MAY I HAVE A MOTION, PLEASE?
 9:35:21AM VICE-MAYOR, THANK YOU.
 9:35:23AM A SECOND?
 9:35:24AM COUNCILMAN LOPEZ.
 9:35:30AM >>Carol Sacco: COUNCIL MEMBER WARD?
 9:35:31AM >>Jim Ward: AYE.
 9:35:32AM >>Rafael Lopez: AYE.
 9:35:34AM >>Lori Fayhee: AYE.
 9:35:35AM >>Jon McLain: AYE.
 9:35:37AM >>Jeff Hunt: AYE.
 9:35:39AM >>Vice-Mayor Zalucki: AYE.
 9:35:39AM >>Mayor Ribble: AYE.
 9:35:40AM WE WILL MOVE ON TO OUR ACTION ITEMS.
 9:35:51AM WE HAVE 6A, RESOLUTION NUMBER 2025-27, REIMBURSEMENT.
 9:36:00AM MADAM CLERK, WOULD YOU PLEASE READ THE TITLE OF THIS
 9:36:03AM RESOLUTION?
 9:36:04AM >>Carol Sacco: RESOLUTION 2025-27, A RESOLUTION OF THE
 9:36:07AM VILLAGE COUNCIL OF THE VILLAGE OF ESTERO, FLORIDA, REGARDING
 9:36:10AM REIMBURSEMENT OF CERTAIN COSTS RELATING TO THE ACQUISITION,
 9:36:13AM CONSTRUCTION, AND EQUIPPING OF CERTAIN STORMWATER UTILITY
 9:36:16AM IMPROVEMENTS, PARK AND REDEVELOPMENT IMPROVEMENTS,
 SEWER
 9:36:19AM UTILITY SYSTEM IMPROVEMENTS, TRANSPORTATION RELATED
 IMPROVEMENTS AND/OR PARK AND RECREATION RELATED
 IMPROVEMENTS
 9:36:26AM WITHIN THE VILLAGE, MAKING RELATED FINDINGS, PROVIDING FOR
 9:36:30AM SEVERABILITY AND FOR AN EFFECTIVE DATE.
 9:36:32AM >>Mayor Ribble: STEVE, WOULD YOU INTRODUCE THIS, PLEASE?
 9:36:34AM >>Steven Sarkozy: GOOD MORNING, MADAM MAYOR AND MEMBERS
 OF
 9:36:36AM COUNCIL.
 9:36:37AM AS WE CONTINUE LOOKING AT THE CAPITAL IMPROVEMENT PROGRAM
 9:36:43AM AND HOW WE'RE GOING TO ADDRESS SOME OF THOSE COSTLY ITEMS
 IN
 9:36:46AM THE FUTURE, WE'VE CONSIDERED DEBT AS A TOOL IN THE TOOLBOX
 9:36:51AM FOR COUNCIL TO GET SOME OF THESE THINGS DONE.
 9:36:56AM THIS RESOLUTION ALLOWS US TO CONSIDER SOME OF THOSE ITEMS.
 9:37:00AM I WOULD LIKE TO CALL ON KEVIN GREENVILLE, OUR FINANCE
 9:37:03AM DIRECTOR, TO EXPLAIN IN DETAIL THE RESOLUTION THAT'S
 9:37:06AM PROPOSED HERE.
 9:37:08AM >>Mayor Ribble: GOOD MORNING, KEVIN.
 9:37:09AM >>Kevin Greenville: GOOD MORNING, MAYOR.

9:37:10AM GOOD MORNING, COUNCIL.
 9:37:11AM THANK YOU, STEVE.
 9:37:13AM KEVIN GREENVILLE, FINANCE DIRECTOR FOR THE VILLAGE.
 9:37:16AM BEFORE YOU IS A RECOMMENDATION TO ADOPT RESOLUTION 25-27.
 9:37:21AM THE INTERNAL REVENUE SERVICE REQUIRES US TO PASS THIS, A
 9:37:26AM REIMBURSEMENT RESOLUTION.
 9:37:27AM THIS ONE IS FOR UP TO \$80 MILLION.
 9:37:30AM IF YOU'LL RECALL, COUNCIL APPROVED A SIMILAR RESOLUTION IN
 9:37:35AM JANUARY OF LAST YEAR.

9:37:37AM THIS ONE IS SIMILAR IN NATURE.
 9:37:39AM THE ONLY DIFFERENCE IS THAT IT INCLUDES RECREATION PROJECTS.
 9:37:43AM SO IT WILL ALLOW US TO TAKE OUT DEBT ON THE SPORTS PARK.
 9:37:46AM WE'RE NOT RECOMMENDING TO TAKE OUT \$80 MILLION RIGHT NOW.
 9:37:50AM IT DOESN'T OBLIGATE YOU GUYS TO DO THAT.
 9:37:52AM IT JUST PRESERVES THE RIGHT TO TAKE UP TO \$80 MILLION.
 9:37:56AM IF YOU HAVE ANY QUESTIONS ON THIS, I WOULD BE HAPPY TO
 9:38:00AM ANSWER.

9:38:00AM >>Mayor Ribble: COUNCIL?
 9:38:03AM >>Jeff Hunt: NABORS GIBLIN NICKERSON, HOW WERE THEY PICKED?
 9:38:07AM >>Kevin Greenville: SO THERE ARE ONLY TWO OR THREE BOND
 9:38:10AM COUNSELS IN FLORIDA.
 9:38:13AM SO WE SPOKE WITH A FEW OF THEM, AND OUR FINANCIAL ADVISORS
 9:38:18AM RECOMMENDED THEM AS WELL.
 9:38:19AM SO WE MOVED FORWARD WITH THEM.
 9:38:21AM THEIR ENGAGEMENT IS ABOUT \$25,000, SO IT WASN'T BROUGHT
 9:38:25AM FORWARD TO COUNCIL.
 9:38:26AM THAT'S ABOUT THE AVERAGE RATE FOR DEBT ISSUANCE FOR OUR
 9:38:29AM FIRST ONE THAT THEY ARE WORKING ON US WITH.
 9:38:33AM >>Mayor Ribble: ANYONE ELSE?
 9:38:34AM MADAM CLERK, IS THERE ANY PUBLIC COMMENT?
 9:38:36AM >>Carol Sacco: NO PUBLIC COMMENT AND NO E-COMMENTS.
 9:38:38AM >>Mayor Ribble: ALL RIGHT.
 9:38:39AM IN THAT CASE, MAY I HAVE A MOTION?
 9:38:41AM >> SO MOVED.

9:38:42AM >>Mayor Ribble: COUNCILMAN LOPEZ AND A SECOND BY
 COUNCILMAN
 9:38:45AM HUNT.
 9:38:46AM MADAM CLERK, WILL YOU PLEASE CALL THE ROLL?
 9:38:52AM >>Jeff Hunt: AYE.
 9:38:52AM >>Jon McLain: AYE.
 9:38:54AM >>Lori Fayhee: AYE.
 9:38:55AM >>Rafael Lopez: AYE.

9:38:57AM >>Jim Ward: AYE.
 9:38:58AM >>Vice-Mayor Zalucki: AYE.
 9:38:59AM >>Mayor Ribble: AYE.
 9:39:00AM ITEM 6B, RESOLUTION 2025-28, AMENDING RESOLUTION NUMBER
 9:39:07AM 2025-20, UPDATED COMMUNITY DEVELOPMENT FEES.
 9:39:12AM MADAM CLERK, WOULD YOU PLEASE READ THE RESOLUTION?
 9:39:17AM >>Carol Sacco: RESOLUTION 2025-28, A RESOLUTION OF THE
 9:39:20AM VILLAGE OF ESTERO, FLORIDA, AMENDING RESOLUTION NUMBER
 9:39:23AM 2025-20 THAT CREATED A NEW COMMUNITY DEVELOPMENT FEE
 9:39:27AM SCHEDULE INCLUDING BUILDING, PLANNING, ZONING AND LAND
 USE,
 9:39:30AM MAKING RELATED FINDINGS, AND PROVIDING FOR SEVERABILITY AND
 9:39:33AM FOR AN EFFECTIVE DATE.
 9:39:35AM >>Mayor Ribble: THANK YOU.
 9:39:35AM STEVE, WOULD YOU INTRODUCE THIS FOR US?
 9:39:37AM >>Steven Sarkozy: MAYOR AND MEMBERS OF COUNCIL, BACK IN
 9:39:40AM SEPTEMBER IMPLEMENTED THEN OCTOBER 1st WAS A NEW SET OF
 9:39:46AM FEES FOR COMMUNITY DEVELOPMENT.
 9:39:48AM WE'VE GOT A COUPLE OF ADDITIONAL ITEMS HERE THAT WERE

 9:39:52AM THOUGHT OF AT A LATER DATE.
 9:39:55AM I WOULD LIKE TO TURN THIS OVER TO MARY AND HAVE MARY BRIEFLY
 9:39:58AM EXPLAIN THE THREE CATEGORIES HERE THAT ARE PROPOSED.
 9:40:00AM CHRIS BAKER.
 9:40:03AM SORRY.
 9:40:05AM >>Mayor Ribble: GOOD MORNING, CHRIS.
 9:40:07AM >>Christopher Baker: I AM NOT MARY.
 9:40:09AM GOOD MORNING, MAYOR AND COUNCIL.
 9:40:10AM PLEASURE TO BE WITH YOU.
 9:40:11AM THANK YOU, STEVE, FOR THE INTRODUCTION.
 9:40:13AM AS STEVE MENTIONED, WE IMPLEMENTED NEW FEES IN ACCORDANCE
 9:40:17AM WITH COUNCIL DIRECTION AND THE ADOPTED POLICY ON OCTOBER
 9:40:19AM 1st.
 9:40:19AM AS A RESULT OF WORKING WITH OUR CUSTOMERS AND SO FORTH, WE
 9:40:22AM IDENTIFIED THREE FEES ON THE BUILDING SIDE OF THE HOUSE, IF
 9:40:26AM YOU WILL, THAT WERE INADVERTENTLY LEFT OFF OF THE FEE
 9:40:30AM SCHEDULE.
 9:40:30AM SO THIS IS JUST REALLY AN AMENDMENT TO INCLUDE THAT, SO IT
 9:40:34AM PROVIDES TRANSPARENCY FOR STAFF ON WHAT FEES ARE AS WELL AS
 9:40:37AM OUR CUSTOMERS.
 9:40:37AM THERE ARE THREE FEES.
 9:40:40AM THEY ARE LISTED IN YOUR STAFF REPORT FOR ELECTRIC AND
 9:40:43AM REVISIONS TO SINGLE-FAMILY PERMITS THAT HAD BEEN ISSUED AND
 9:40:46AM COMMERCIAL PERMITS THAT HAVE BEEN ISSUED.

9:40:48AM SO THAT'S ON THE BUILDING SIDE.

9:40:51AM THERE IS ONE ADDITION, IF YOU REMEMBER A COUPLE OF WEEKS

9:40:53AM AGO, COUNCIL PASSED A RECOVERY RESIDENCE ORDINANCE THAT

9:40:57AM ESTABLISHED A FEE OF \$700.

9:40:59AM AND REALLY ALL WE'RE DOING IS ASKING COUNCIL TO PLACE THAT

9:41:04AM FEE IN THE FEE SCHEDULE SO ALL OF OUR FEES ARE IN ONE

9:41:07AM LOCATION.

9:41:07AM THAT MAKES IT EASY FOR STAFF, FOR OUR CUSTOMERS, AS WELL AS

9:41:11AM FOR FUTURE AMENDMENTS BECAUSE EVERYTHING IS IN ONE SPOT.

9:41:13AM >>Mayor Ribble: GREAT.

9:41:14AM ANY QUESTIONS FROM COUNCIL?

9:41:15AM IS THERE ANY PUBLIC COMMENT?

9:41:19AM >>Carol Sacco: NO PUBLIC COMMENT AND NO E-COMMENTS.

9:41:22AM >>Mayor Ribble: ALL RIGHT.

9:41:23AM IN THAT CASE, MOTION, COUNCILMAN McLAIN AND SECONDED BY

9:41:29AM COUNCILWOMAN FAYHEE.

9:41:31AM MADAM CLERK, WOULD YOU PLEASE CALL THE ROLL?

9:41:34AM >>Jim Ward: AYE.

9:41:35AM >>Rafael Lopez: AYE.

9:41:36AM >>Lori Fayhee: AYE.

9:41:38AM >>Jon McLain: AYE.

9:41:39AM >>Jeff Hunt: AYE.

9:41:40AM >>Vice-Mayor Zalucki: AYE.

9:41:41AM >>Mayor Ribble: AYE.

9:41:42AM PUBLIC HEARING NOTICES.

9:41:48AM WE WILL NOW OPEN THE PUBLIC HEARINGS.

9:41:51AM ITEM 7A, RESOLUTION NUMBER 2025-24, SUNNY GROVE PARK,

9:41:58AM INCORPORATED, INTENT TO USE STATUTORY SPECIAL ASSESSMENT

9:42:03AM COLLECTION PROCESS.

9:42:04AM MADAM CLERK, HAS THE RESOLUTION BEEN PROPERLY ADVERTISED?

9:42:08AM >>Carol Sacco: YES, MAYOR.

9:42:09AM >>Mayor Ribble: WOULD YOU READ THE RESOLUTION, PLEASE?

9:42:12AM >>Carol Sacco: RESOLUTION 25-24, A RESOLUTION OF THE VILLAGE

9:42:15AM COUNCIL OF THE VILLAGE OF ESTERO, FLORIDA, PROVIDING A

9:42:17AM NOTICE OF INTENT TO UTILIZE THE UNIFORM METHOD OF

COLLECTING

9:42:20AM NON-AD VALOREM ASSESSMENTS LEVIED WITHIN THE MUNICIPAL

9:42:23AM BOUNDARIES OF THE VILLAGE OF ESTERO FOR THE

DECOMMISSIONING

9:42:26AM OF THE WASTEWATER PACKAGE FACILITY AND INSTALLATION OF

9:42:30AM COMMON SANITARY SEWER SERVICE FOR SUNNY GROVE PARK, INC.,

9:42:33AM STATING THE NEED FOR SUCH LEVY, MAKING RELATED FINDINGS,

9:42:37AM PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE
 9:42:39AM DATE.
 9:42:41AM >>Mayor Ribble: STEVE, PLEASE.
 9:42:42AM >>Steven Sarkozy: THANK YOU, MAYOR, MEMBERS OF COUNCIL.
 9:42:45AM THE NEXT TWO ITEMS HERE HAVE TO DO WITH THE INITIATION OF
 9:42:49AM OUR UTILITY EXTENSION PROGRAM THAT ADDRESSES THE ISSUE OF
 9:42:55AM PACKAGE PLANTS IN THESE CASES AND SEPTIC SYSTEMS NEAR THE
 9:42:58AM RIVER.
 9:42:59AM THE COUNCIL POLICY ESTABLISHED YEARS AGO WAS TO TRANSITION
 9:43:03AM ALL OF OUR NEIGHBORHOODS IN THE COMMUNITY AWAY FROM
 SEPTIC
 9:43:07AM SYSTEMS.

 9:43:07AM AND WE'RE TARGETING FIRST THOSE THAT ARE ALONG THE RIVER.
 9:43:12AM THESE TWO PROJECTS, SUNNY GROVE AND LATER CYPRESS BEND,
 ARE
 9:43:18AM TWO MANUFACTURED HOME COMMUNITIES THAT ARE CLOSE TO THE
 9:43:24AM RIVER OR HAVE AN IMPACT ULTIMATELY ON WATER QUALITY IN THE
 9:43:28AM ESTERO RIVER.
 9:43:29AM THE FIRST HERE TODAY, SUNNY GROVE PARK, IS ON U.S. 41 JUST
 9:43:35AM NORTH OF CORKSCREW.
 9:43:41AM THE PURPOSE OF OUR PRESENTATION HERE IS TO BRIEFLY DESCRIBE
 9:43:44AM THE PROJECT.
 9:43:45AM I THINK THE COUNCIL IS AWARE OF THAT, BUT FOR THE BENEFIT OF
 9:43:48AM THE COMMUNITY.
 9:43:49AM AND THEN ALSO WE'LL HAVE A DESCRIPTION OF THE PROCESS THAT
 9:43:53AM HAS BEEN OUTLINED HERE BY OUR VILLAGE ATTORNEY.
 9:43:56AM SO I WOULD LIKE TO FIRST INTRODUCE DAVID WILLEMS, OUR
 9:44:00AM COMMUNITY DEVELOPMENT CENTER -- SORRY, CITY ENGINEER, TO
 9:44:07AM DESCRIBE BRIEFLY THE PROJECT FOR THE BENEFIT OF THE PUBLIC.
 9:44:11AM >>Mayor Ribble: GOOD MORNING, DAVID.
 9:44:12AM >>David Willems: GOOD MORNING.
 9:44:16AM THIS IS WHERE SUNNY GROVES IS LOCATED, JUST NORTH OF THE
 9:44:21AM RIVER, ACROSS THE STREET FROM THE VILLAGE PROPERTY AND THE
 9:44:23AM FIRE STATION ALONG U.S. 41.
 9:44:26AM IT IS A PROJECT WE'VE BEEN WORKING ON FOR YEARS.
 9:44:29AM IT IS FINALLY MOVING FORWARD.
 9:44:31AM A FEW MONTHS AGO, VILLAGE COUNCIL APPROVED THE ADDENDUM,
 THE
 9:44:35AM GMP FOR THE PROJECT.

 9:44:37AM HAPPY TO SAY THAT THE CONTRACTOR IS NOW ON-SITE.
 9:44:39AM THEY ARE ACTUALLY WORKING ON THE PROJECT.
 9:44:41AM I BELIEVE THEY HAD THE BIG WET WELL FOR THE LIFT STATION

9:44:45AM DELIVERED YESTERDAY.
 9:44:47AM SO THEY ARE MOVING FORWARD.
 9:44:49AM JUST FROM A SUMMARY STANDPOINT, WHAT THE PROJECT SCHEDULE
 9:44:52AM LOOKS LIKE, THEY ARE STILL ON SCHEDULE.
 9:44:55AM THE LIFT STATION IS SUPPOSED TO BE RUNNING BY THE END OF
 9:45:00AM JUNE.
 9:45:01AM WHAT THAT WILL MEAN IS AT THAT POINT, NO MORE SEWAGE WILL GO
 9:45:04AM TO THE PACKAGE WASTEWATER TREATMENT PLANT AND THEY'LL START
 9:45:08AM DEMOLISHING THE PACKAGE WASTEWATER TREATMENT PLANT.
 9:45:10AM THE ENTIRE PROJECT IS SCHEDULED TO BE DONE AUGUST 26.
 9:45:15AM PART OF THIS PROJECT INCLUDES A FORCE MAIN ALONG U.S. 41,
 9:45:19AM WHICH WE COMPLETED SEVERAL MONTHS AGO WITH THE ESTERO
 RIVER
 9:45:23AM PARK PROJECT.
 9:45:23AM SO THIS WILL CONNECT INTO THAT.
 9:45:27AM GO DOWN TO CORKSCREW ROAD.
 9:45:29AM ANY QUESTIONS ON THE PROJECT ITSELF?
 9:45:33AM >>Jon McLain: DO THEY HAVE TO GO UNDER 41.
 9:45:35AM >>David Willems: THEY WILL DIRECTIONAL DRILL UNDER 41.
 9:45:38AM THE PROJECT WE DID ON THE OTHER SIDE WITH THE RIVER PARK,
 9:45:41AM ALMOST THAT ENTIRE RUN WAS DONE UNDERGROUND.
 9:45:43AM IT ACTUALLY GOES UNDERNEATH THE RIVER.
 9:45:48AM >>Mayor Ribble: ANY OTHER QUESTIONS?

 9:45:49AM WE'LL TURN IT OVER TO ROB.
 9:45:53AM >>Robert Eschenfelder: COUNCIL MEMBERS, AS YOU HAVE IN YOUR
 9:45:59AM BACKGROUND MEMO, THIS PROCESS OF DOING A SPECIAL
 ASSESSMENT
 9:46:04AM HAS A VARIETY OF STATUTORY REQUIREMENTS AND A VARIETY OF
 9:46:07AM STEPS.
 9:46:08AM THIS IS THE FIRST OF THOSE STEPS.
 9:46:10AM WHAT I'M SAYING HERE APPLIES EQUALLY TO THE NEXT AGENDA
 9:46:14AM ITEM.
 9:46:14AM FLORIDA STATUTE 19736323A REQUIRES THAT IF THE VILLAGE
 9:46:20AM DESIRES TO USE THE UNIFORM METHOD OF COLLECTING A NON-AD
 9:46:22AM VALOREM ASSESSMENT FOR THE FIRST TIME, THE VILLAGE COUNCIL
 9:46:25AM SHALL ADOPT A RESOLUTION AT A PUBLIC HEARING PRIOR TO
 9:46:28AM JANUARY 1, WHICH RESOLUTION SHALL CLEARLY STATE ITS INTENT
 9:46:32AM TO USE THE UNIFORM METHOD OF COLLECTING SUCH ASSESSMENT.
 9:46:35AM SO THIS IS STEP ONE IN THE PROCESS.
 9:46:37AM THE NEXT STEP IN THE PROCESS IS THAT ASSUMING THAT THE
 9:46:43AM RESOLUTION IS ADOPTED, THE VILLAGE WILL WORK WITH THE
 9:46:47AM PROPERTY APPRAISER AND THE TAX COLLECTOR TO DEVELOP AN
 9:46:50AM ASSESSMENT ROLL.

9:46:51AM NOW WITH SUNNY GROVE, IT'S A SUPER EASY ASSESSMENT ROLL
 9:46:56AM BECAUSE IT IS A UNIFIED OWNED PARCEL.
 9:46:58AM THEY HAVE MANY TENANTS THAT ALL OWN SHARES, BUT THERE IS ONE
 9:47:02AM LEGAL ENTITY THAT ACTUALLY OWNS THE PARCEL SO THAT ONE LEGAL
 9:47:05AM ENTITY WOULD BE BEING ASSESSED.
 9:47:07AM IF WE DID THE ASSESSMENT PROCESS, THEN AT A TIME UP TO

 9:47:12AM SEPTEMBER 15, COUNCIL WOULD THEN NEED TO ADOPT A SEPARATE
 9:47:16AM ACTION WHICH IS TO ADOPT THE ACTUAL ASSESSMENT ROLL.
 9:47:20AM THAT'S LIKE BASICALLY SAYING HERE IS THE BILL, TAX COLLECTOR
 9:47:24AM AND PROPERTY APPRAISER, GO ASSESS THAT TO THE OWNERS.
 9:47:27AM THIS PARTICULAR COMMUNITY HAS EXPRESSED TO THE VILLAGE THAT
 9:47:32AM IT DOES NOT WANT TO DO THE ASSESSMENT PROCESS.
 9:47:35AM IT JUST WANTS TO TAKE ADVANTAGE OF THE OPPORTUNITY, WHICH IS
 9:47:39AM SET OUT IN THE RESOLUTION FOR EARLY PREPAYMENT.
 9:47:41AM THE STATUTE REQUIRES THAT WHEN THE LOCAL GOVERNMENT DOES
 ONE
 9:47:45AM OF THESE IT GIVES THE OPPORTUNITY FOR EARLY PREPAYMENT AT A
 9:47:49AM DISCOUNT.
 9:47:50AM SO IN THIS CASE, IT BENEFITS THE COMMUNITY TO DO AN EARLY
 9:47:55AM PREPAY BECAUSE NOT FOLDED INTO THAT COST IS IF WE HAVE TO
 9:48:01AM BOND IT AND -- BECAUSE ALL OF THOSE COSTS ARE ALSO FOLDED
 9:48:05AM INTO THE ASSESSMENT.
 9:48:06AM SO ALL THEY WOULD BE NEEDING TO PAY FOR IS THE CONSTRUCTION
 9:48:09AM PROJECT AS IT IS.
 9:48:10AM SO THEY HAVE EXPRESSED A WILLINGNESS AND A DESIRE TO DO
 9:48:14AM THAT.
 9:48:15AM BUT WE'RE STILL DOING THIS PROCESS BECAUSE WE HAVE TO MAKE
 9:48:18AM SURE WE CHECK THE BOX OFF BEFORE JANUARY 1 COMES IN CASE
 9:48:23AM THEY CHANGE THEIR MIND AND DECIDE FOR WHATEVER REASON
 THAT
 9:48:26AM THEY DON'T WANT TO EARLY PREPAY.
 9:48:28AM AND I THINK THAT THEY AND THEIR LEGAL COUNSEL ARE HERE
 9:48:31AM TODAY, AND THEY CAN SPEAK MORE TO WHAT THEIR INTENT IS.

 9:48:33AM BUT THOSE ARE THE PROCEDURAL STEPS THAT WOULD OCCUR
 9:48:36AM CULMINATING BY SEPTEMBER IN YOUR ADOPTION OF AN ASSESSMENT
 9:48:41AM ROLL.
 9:48:42AM >>Mayor Ribble: ANY QUESTIONS?
 9:48:45AM >>Jim Ward: WOULD THAT BE A ONE-TIME CHARGE OR WOULD THAT BE
 9:48:48AM A CONTINUING ANNUAL CHARGE?
 9:48:49AM >>Robert Eschenfelder: IT WOULD BE OVER A COURSE OF YEARS
 9:48:51AM UNTIL THE DEBT IS PAID.
 9:48:52AM SO A LOT OF TIMES, YOU KNOW, IF THESE ARE RESIDENTIAL

9:48:57AM OWNERS, OR WHATNOT, IT COULD GO FIVE YEARS, IT COULD GO
 9:49:00AM LONGER THAN FIVE YEARS.
 9:49:01AM IT JUST DEPENDS ON WHAT COUNCIL DECIDES IS THE AMOUNT OF
 9:49:04AM MONEY THAT IT WANTS TO ASSESS EACH YEAR.
 9:49:06AM THEN THE TAX COLLECTOR GOES AND COLLECTS THAT.
 9:49:08AM >>Jim Ward: THANK YOU.
 9:49:09AM >>Mayor Ribble: ANY OTHER QUESTIONS?
 9:49:10AM DO WE HAVE ANY PUBLIC COMMENT?
 9:49:13AM >>Carol Sacco: YES, WE DO.
 9:49:14AM OUR FIRST IS KATIE BERKEY.
 9:49:17AM SHE IS REPRESENTING SUNNY GROVE PARK.
 9:49:24AM >> GOOD MORNING.
 9:49:24AM KATIE BERKEY, FOR THE RECORD.
 9:49:26AM I'M WITH BECKER & POLIAKOFF IN FORT MYERS.
 9:49:32AM OUR OFFICE SERVES AS COUNSEL TO SUNNY GROVE PARK, INC.
 9:49:35AM WE HAVE A FEW FOLKS FROM THE BOARD HERE WITH ME AS WELL.

 9:49:39AM FIRST AND FOREMOST, SUNNY GROVE WOULD LIKE TO THANK YOU
 ALL,
 9:49:42AM THE VILLAGE'S COORDINATION OF THE PROJECT, THE EFFORTS
 9:49:45AM ALREADY UNDERTAKEN, THE EFFORTS, AS I UNDERSTAND, TO PURSUE
 9:49:48AM AVAILABLE GRANT FUNDING TO OFFSET THE COST OF THE TOTAL
 9:49:51AM PROJECT AND FOR CONTRIBUTION TO THE COST OF THE PROJECT.
 9:49:55AM AS COUNCIL FOR THE VILLAGE MENTIONED, SUNNY GROVE'S
 9:49:59AM INTENTION IS TO PROCEED UNDER THE NET CONSTRUCTION COST
 9:50:03AM OPTION TO AVOID THOSE ADDITIONAL COSTS ASSOCIATED WITH THE
 9:50:06AM ASSESSMENT OPTION, LIKE BONDING.
 9:50:09AM BUT FOR SUNNY GROVE TO PROCEED WITH ITS REQUIRED
 PROCEDURE
 9:50:13AM UNDER ITS BYLAWS AND GOVERNING DOCUMENTS, THEY DO NEED TO
 9:50:16AM KNOW THE FINAL NET CONSTRUCTION NUMBER, WHICH IS INFORMED
 BY
 9:50:20AM THE VILLAGE'S PERCENT CONTRIBUTION TO THE PROJECT AS WELL.
 9:50:24AM I KNOW, AS I UNDERSTAND, THE VILLAGE HAS DISCUSSED A
 9:50:27AM CONTRIBUTION OF 25%, WHICH WOULD BE APPROXIMATELY
 \$544,000.
 9:50:34AM I'M SURE YOU CAN APPRECIATE THAT'S NOT AN INSIGNIFICANT
 9:50:38AM DELTA FOR PURPOSES OF THE SHAREHOLDERS WHO NEED TO VOTE
 ON
 9:50:44AM THE FINANCING OPTION TO BE SECURED TO FOREGO THE
 ASSESSMENT
 9:50:49AM OPTION.
 9:50:49AM THE VILLAGE'S CONTRIBUTION IS VERY MUCH MATERIAL TO THE NEXT
 9:50:54AM STEP FOR SUNNY GROVE, WHICH IS THE SHAREHOLDER VOTE.

9:50:58AM FOR THAT REASON, WE RESPECTFULLY REQUEST AT THE EARLIER
 9:51:03AM OPPORTUNITY THAT WE GET CONFIRMATION OF THE VILLAGE'S
 9:51:06AM PERCENT CONTRIBUTION, THE FINAL NET CONSTRUCTION NUMBER,
 AND
 9:51:09AM THEN ALSO THE DROP-DEAD DATE BY WHICH PAYMENT NEEDS TO BE

 9:51:13AM RECEIVED UNDER THE NET CONSTRUCTION OPTION TO THEN NOT
 HAVE
 9:51:16AM TO ADMINISTER THE ASSESSMENT OPTION TO INFORM THE
 9:51:22AM SHAREHOLDER'S VOTE.
 9:51:24AM >>Mayor Ribble: GO AHEAD, STEVE.
 9:51:26AM >>Steven Sarkozy: COUNCIL MEMBERS, WE'RE INTENDING TO BRING
 9:51:28AM THAT PACKAGE BACK TO YOU ON THE DECEMBER 17th MEETING SO
 9:51:34AM THAT WE HAVE A CHANCE TO DISCUSS THAT WITH YOU IN A
 9:51:36AM BRIEFING.
 9:51:39AM THE 25% HAS BEEN DISCUSSED IN THE PAST, BUT THERE HAVE BEEN
 9:51:43AM NO COMMITMENTS BY THE VILLAGE COUNCIL TO DATE REGARDING
 9:51:46AM THAT.
 9:51:47AM >>Mayor Ribble: ALL RIGHT.
 9:51:49AM >> THANK YOU VERY MUCH.
 9:51:49AM >>Mayor Ribble: THANK YOU, KATY.
 9:51:50AM ANYONE ELSE, MADAM CLERK?
 9:51:55AM >>Carol Sacco: NO ONE ELSE, AND NO E-COMMENTS.
 9:51:57AM >>Mayor Ribble: IN THAT CASE, MAY I HAVE A MOTION?
 9:51:59AM COUNCILMAN LOPEZ AND COUNCILMAN McLAIN SECONDS.
 9:52:04AM MADAM CLERK, WILL YOU CALL THE ROLL?
 9:52:08AM >>Jeff Hunt: AYE.
 9:52:10AM >>Jon McLain: AYE.
 9:52:11AM >>Lori Fayhee: AYE.
 9:52:13AM >>Rafael Lopez: AYE.
 9:52:13AM >>Jim Ward: AYE.
 9:52:16AM >>Vice-Mayor Zalucki: AYE.

 9:52:16AM >>Mayor Ribble: AYE.
 9:52:18AM AGENDA ITEM 7B, RESOLUTION NUMBER 2025-25, CYPRESS BEND RV
 9:52:31AM RESORT, INTENT TO USE STATUTORY SPECIAL ASSESSMENT
 9:52:33AM COLLECTION PROCESS.
 9:52:34AM MADAM CLERK, HAS THE RESOLUTION BEEN PROPERLY ADVERTISED?
 9:52:38AM >>Carol Sacco: YES, MAYOR.
 9:52:39AM >>Mayor Ribble: WILL YOU PLEASE READ THE TITLE OF THE
 9:52:41AM RESOLUTION?
 9:52:41AM >>Carol Sacco: RESOLUTION 2025-25, A RESOLUTION OF THE
 9:52:45AM VILLAGE COUNCIL OF THE VILLAGE OF ESTERO, FLORIDA, PROVIDING
 9:52:47AM A NOTICE OF INTENT TO UTILIZE THE UNIFORM METHOD OF

9:52:50AM COLLECTING NON-AD VALOREM ASSESSMENTS LEVIED WITHIN THE
 9:52:53AM MUNICIPAL BOUNDARIES OF THE VILLAGE OF ESTERO FOR THE
 9:52:56AM DECOMMISSIONING OF THE WASTEWATER PACKAGE FACILITY AND
 9:52:59AM INSTALLATION OF COMMON SANITARY SEWER SERVICE FOR CYPRESS
 9:53:04AM BEND RV RESORT, STATING THE NEED FOR SUCH LEVY, MAKING
 9:53:07AM RELATED FINDINGS, PROVIDING FOR SEVERABILITY, AND PROVIDING
 9:53:10AM FOR AN EFFECTIVE DATE.
 9:53:12AM >>Mayor Ribble: THANK YOU.
 9:53:13AM I ASSUME DAVID WILL --
 9:53:16AM >>Steven Sarkozy: DAVID WILL GIVE US A BRIEF OVERVIEW.
 9:53:19AM >>David Willems: GOOD MORNING AGAIN.
 9:53:20AM VERY SIMILAR TO THE PREVIOUS PROJECT.
 9:53:23AM BEEN WORKING ON IT FOR SEVERAL YEARS.
 9:53:24AM THEY ARE WORKING OUT THERE.

 9:53:26AM THIS ONE YOU CAN ACTUALLY SEE WHEN YOU ARE GOING BY, IF YOU
 9:53:30AM DRIVE BY ESTERO PARKWAY, LOOK SOUTH, RIGHT NEXT TO THE
 9:53:32AM RAILROAD TRACKS, THEY ACTUALLY BUILT THEIR CONSTRUCTION
 9:53:35AM ENTRANCE THERE.
 9:53:35AM WE WERE ABLE TO COORDINATE WITH THE RAILROAD THAT WE WERE
 9:53:38AM NOT CHARGED FOR THAT.
 9:53:40AM WE BUILT A CONSTRUCTION ENTRANCE WITH THEIR APPROVAL.
 9:53:42AM THAT'S SO THEY DIDN'T HAVE TO GO DOWN THE VERY NARROW
 9:53:45AM STREETS WITH ALL THE CONSTRUCTION EQUIPMENT, WHICH IS A
 HUGE
 9:53:47AM BENEFIT FOR THE COMMUNITY.
 9:53:48AM WE HAD TO TAKE OUT SOME LANDSCAPING WITH THAT.
 9:53:50AM THAT WILL BE PUT BACK IN ONCE THE PROJECT IS COMPLETE.
 9:53:54AM SIMILAR TO THE OTHER PROJECT, THE LIFT STATION IS SCHEDULED
 9:53:59AM TO BE ONLINE MAY 4th, SO A LITTLE BIT EARLIER, AND THEN
 9:54:02AM THE PROJECT IS SCHEDULED TO BE DONE IN THE MIDDLE OF JULY.
 9:54:06AM THEY ACTUALLY ARE FROM A CONSTRUCTION SCHEDULE, THE FORCE
 9:54:10AM MAIN AND WATER MAIN, A LITTLE BIT AHEAD OF SCHEDULE.
 9:54:13AM THAT WAS NOT SCHEDULED TO BE STARTED UNTIL DECEMBER 14.
 9:54:17AM THE PART OF THE WATER MAIN THAT IS NOT UNDERNEATH THE ROAD
 9:54:20AM IS ACTUALLY INSTALLED ALREADY.
 9:54:23AM AND THEY ARE WORKING ON THE FORCE MAIN THIS WEEK.
 9:54:25AM THAT DOESN'T MEAN THE PROJECT WILL BE DONE EARLY BECAUSE
 THE
 9:54:29AM CRITICAL PATH ITEM IS THE POWER FROM FPL.
 9:54:32AM THEY CONTINUE TO TRY TO WORK WITH FPL ON THAT.
 9:54:35AM BUT THAT'S HISTORICALLY SOMETHING THAT JUST TAKES A LONG

 9:54:38AM TIME TO DO.

9:54:40AM WHAT THEY ARE TRYING TO DO IS NOT GET ALL THE CONSTRUCTION
 9:54:42AM DONE AND THEN IT SITS THERE WAITING FOR POWER.
 9:54:45AM THEY ARE WORKING ON THAT.
 9:54:47AM IT'S GOING FORWARD.
 9:54:49AM NO ISSUES RIGHT NOW.
 9:54:52AM IT WILL REALLY DEPEND ON FPL.
 9:54:55AM >>Mayor Ribble: ANY QUESTIONS FROM COUNCIL?
 9:54:57AM >>Steven Sarkozy: DAVID, CAN YOU ALSO MENTION CASCADES POND?
 9:55:00AM RECENTLY AS OF LAST WEEK, THERE WAS COMMUNICATION FROM
 9:55:05AM CASCADES ABOUT THAT.
 9:55:07AM >>David Willems: WE HAVE REALLY BEEN FOCUSED ON THE AREAS
 9:55:10AM THAT ARE CLOSE TO THE RIVER.
 9:55:12AM IF YOU LOOK AT THIS LOCATION, IT IS ACTUALLY NOT THAT CLOSE
 9:55:14AM TO THE RIVER.
 9:55:15AM BUT IF YOU LOOK A LITTLE CLOSE, THEIR LITTLE POND, WHICH IS
 9:55:19AM KIND OF UP IN THIS CORNER UP HERE, JUST OUTSIDE THE RED,
 9:55:23AM THAT IS THE POND WHERE THEY DISPOSE OF THEIR WATER.
 9:55:28AM IT'S LOCATED VERY CLOSE TO A POND ON THE CASCADES PROPERTY.
 9:55:34AM AND WHAT ENDS UP HAPPENING IS BECAUSE THIS WATER IS HIGHER
 9:55:38AM THAN THE GROUNDWATER, IT PUSHES THE WATER FROM THE POND
 AND
 9:55:40AM EVERYTHING THAT'S IN IT INTO THE CASCADES POND.
 9:55:44AM WE DID SOME PRELIMINARY WORK AT THE VERY BEGINNING OF THIS
 9:55:47AM SEVERAL YEARS AGO, AND IT DID SHOW THAT THAT POND WAS MUCH
 9:55:50AM HIGHER IN NUTRIENTS, NITROGEN SPECIFICALLY, THAN ALL THE
 9:55:55AM OTHER PONDS WITHIN THE CASCADES.
 9:55:56AM CASCADES ALSO HAS THE ISSUE THAT THEY PUT THEIR POOL, ONE OF
 9:56:01AM THEIR COMMUNITY POOLS, DIRECTLY ADJACENT TO THIS POND.
 9:56:04AM AND THERE ARE TIMES OF THE YEAR, AS YOU CAN IMAGINE WITH THE
 9:56:07AM WASTEWATER TREATMENT POND THAT DOES NOT SMELL VERY GOOD.
 9:56:10AM UNFORTUNATELY, THE PREVAILING WINDS, ESPECIALLY IN THE
 9:56:14AM WINTER, WHEN EVERYBODY IS HERE IS FROM THE POND TO THEIR
 9:56:20AM POOL.
 9:56:20AM THAT IS WHY THIS ONE IS CRITICALLY IMPORTANT, NOT ONLY FROM
 9:56:24AM A WATER QUALITY STANDPOINT, BUT FOR THE RESIDENTS THAT ARE
 9:56:27AM AROUND THERE AS WELL.
 9:56:30AM >>Mayor Ribble: WHAT IS THE PROCESS AND TIMELINE FOR THAT
 9:56:32AM POND?
 9:56:33AM >>David Willems: SO THAT IS PART OF DECOMMISSIONING OF THE
 9:56:37AM WASTEWATER TREATMENT PLANT.
 9:56:38AM ONCE THE WATER STOPS BEING PUMPED FROM THEIR PLANT INTO
 THAT
 9:56:43AM POND, MUCH LESS WATER WILL BE FLOWING TO THE POND AND YOU

9:56:47AM WON'T GET THE SEPTIC WATER AS MUCH.
 9:56:50AM YOU'RE JUST NOT PUTTING THAT SEWAGE IN THERE.
 9:56:52AM >>Mayor Ribble: THANK YOU, DAVID.
 9:56:53AM ANY OTHER QUESTIONS FOR DAVID?
 9:56:54AM ANYTHING ELSE?
 9:56:57AM MADAM CLERK, IS THERE ANY PUBLIC COMMENT?
 9:56:59AM >>Carol Sacco: NO PUBLIC COMMENT BUT WE DID HAVE ONE
 9:57:01AM E-COMMENT THAT WAS SENT OUT TO EVERYONE YESTERDAY.

 9:57:03AM >>Mayor Ribble: YES.
 9:57:04AM ALL RIGHT.
 9:57:06AM IF THERE ARE NO MORE QUESTIONS, COUNCILMAN HUNT HAS MADE
 THE
 9:57:10AM MOTION, AND I NEED A SECOND.
 9:57:12AM THE VICE-MAYOR SECONDS.
 9:57:13AM COULD YOU PLEASE CALL THE ROLL?
 9:57:16AM >>Jim Ward: AYE.
 9:57:18AM >>Rafael Lopez: AYE.
 9:57:19AM >>Lori Fayhee: AYE.
 9:57:21AM >>Jon McLain: AYE.
 9:57:22AM >>Jeff Hunt: AYE.
 9:57:23AM >>Vice-Mayor Zalucki: AYE.
 9:57:25AM >>Mayor Ribble: AYE.
 9:57:26AM AGENDA ITEM 8A, FIRST READING OF ORDINANCE NUMBER 2025-16,
 9:57:36AM CREATING SECTION 26-1 AND AMENDING SECTION 26-19 OF THE
 9:57:43AM VILLAGE CODE RELATED TO SPECIAL ASSESSMENTS.
 9:57:47AM MADAM CLERK, WILL YOU PLEASE READ THE TITLE OF THIS
 9:57:49AM ORDINANCE?
 9:57:51AM >>Carol Sacco: ORDINANCE 2025-16, AN ORDINANCE OF THE
 9:57:54AM VILLAGE OF ESTERO, FLORIDA, CREATING SECTION 26-1 AND
 9:57:57AM AMENDING SECTION 26-19 OF THE VILLAGE CODE RELATED TO
 9:58:02AM SPECIAL ASSESSMENTS, MAKING RELATED FINDINGS, PROVIDING FOR
 9:58:05AM SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.
 9:58:09AM >>Mayor Ribble: THANK YOU.
 9:58:10AM STEVE, WOULD YOU INTRODUCE THIS, PLEASE?

 9:58:13AM >>Steven Sarkozy: THANK YOU, MAYOR AND MEMBERS OF COUNCIL.
 9:58:16AM AS WE'RE GETTING INTO THE SPECIAL ASSESSMENT PROCESS FOR
 THE
 9:58:18AM UTILITY EXTENSION PROGRAMS OR THE SEPTIC TO SEWER PROGRAM,
 9:58:22AM THIS IS A PROCEDURAL MATTER THAT WE NEED TO COMPLY WITH
 9:58:26AM STATE STATUTE.
 9:58:27AM I'D LIKE ROB ESCHENFELDER, OUR VILLAGE ATTORNEY, TO BRIEFLY
 9:58:32AM EXPLAIN THE PROCESS HERE.

9:58:33AM >>Robert Eschenfelder: THANK YOU, MANAGER.
 9:58:34AM COUNCIL MEMBERS, AS THE MANAGER INDICATED, WE'RE STARTING
 TO
 9:58:38AM DEAL WITH SPECIAL ASSESSMENTS.
 9:58:42AM THEY WERE PRETTY MUCH DEALT WITH IN THE STATUTES THEMSELVES,
 9:58:45AM NOT EVERY LOCAL EVEN HAS THEIR OWN CODE ON THE PROCESS,
 BUT
 9:58:49AM I DISCOVERED THAT WE DID ADOPT SOME YEARS AGO BEFORE I WAS
 9:58:54AM HERE.
 9:58:56AM I GUESS I WAS GIVEN SOME HISTORY ON IT THAT YOU WERE
 9:58:59AM CONSIDERING DOING ASSESSMENTS AT THAT TIME.
 9:59:01AM YOU ADOPTED THE CODE, BUT THEN YOU NEVER DID THE
 9:59:03AM ASSESSMENTS.
 9:59:04AM THE CODE STILL SITS THERE.
 9:59:06AM WHEN I REVIEWED IT, SOME ARGUMENT TO BE MADE THAT WE PUT
 9:59:12AM UPON OURSELVES THINGS THAT ARE MORE DIFFICULT THAN STATE
 LAW
 9:59:16AM WOULD REQUIRE.
 9:59:17AM WHY WE DID, I DON'T KNOW.
 9:59:18AM SO I'M CREATING 26-1 TO SAY THIS IS JUST SUPPLEMENTAL.
 9:59:23AM IF WE CHOOSE TO JUST FOLLOW THE STATUTES, THEN NOT
 FOLLOWING
 9:59:28AM SOMETHING IN THE CODE ISN'T GOING TO MUCK UP THE WORK, SO
 TO
 9:59:32AM SPEAK, TO GIVE US THE MOST FLEXIBILITY OF OUR OPTIONS.
 9:59:35AM THEN AS I LOOK THROUGH THE CODE, THERE IS A THING IN THE
 9:59:41AM STATUTES CALLED AN EQUALIZING BOARD, WHERE IF SOMEBODY
 WHO
 9:59:43AM GETS AN ASSESSMENT, SOME LANDOWNER FEELS THAT THAT WAS AN
 9:59:48AM INAPPROPRIATE CALCULATION, OR WHATEVER, THEY HAVE THE
 9:59:51AM OPPORTUNITY TO COME FORWARD TO AN EQUALIZING BOARD TO
 HAVE
 9:59:55AM THAT PARSED.
 9:59:56AM THE STATUTE DEFINES THE EQUALIZING BOARD AS THE GOVERNING
 10:00:00AM BOARD.
 10:00:01AM FOR SOME REASON, OUR CODE DEFINED IT AS OUR PLANNING AND
 10:00:04AM ZONING BOARD.
 10:00:05AM AND I DON'T KNOW WHY.
 10:00:08AM TYPO.
 10:00:08AM BUT I'M JUST CORRECTING THAT TO BE WHAT IT IS.
 10:00:11AM PRETTY SIMPLE ORDINANCE BUT THAT'S WHY WE'RE BRINGING IT
 10:00:14AM FORWARD.
 10:00:15AM >>Mayor Ribble: THANK YOU, ROB.

10:00:16AM ANY QUESTIONS, COUNCIL?
 10:00:17AM MADAM CLERK, IS THERE ANY PUBLIC COMMENT?
 10:00:20AM >>Carol Sacco: NO PUBLIC COMMENT AND NO E-COMMENTS.
 10:00:22AM >>Mayor Ribble: THANK YOU.
 10:00:23AM IN THAT CASE, MAY I HAVE A MOTION?
 10:00:24AM COUNCILWOMAN FAYHEE AND COUNCILMAN WARD SECONDS.
 10:00:33AM MADAM CLERK, WOULD YOU PLEASE CALL THE ROLL?

 10:00:36AM >>Jeff Hunt: AYE.
 10:00:37AM >>Jon McLain: AYE.
 10:00:38AM >>Lori Fayhee: AYE.
 10:00:40AM >>Rafael Lopez: AYE.
 10:00:41AM >>Jim Ward: AYE.
 10:00:43AM >>Vice-Mayor Zalucki: AYE.
 10:00:44AM >>Mayor Ribble: AYE.
 10:00:44AM AGENDA ITEM 9A, SECOND READING FOR ORDINANCE NUMBER 2025-
 13,
 10:00:55AM ADOPTING A NEW PARKS AND RECREATION CODE.
 10:00:58AM MADAM CLERK, HAS THE ORDINANCE BEEN PROPERLY ADVERTISED?
 10:01:01AM >>Carol Sacco: YES, MAYOR.
 10:01:02AM >>Mayor Ribble: WILL YOU PLEASE READ THE ORDINANCE?
 10:01:04AM >>Carol Sacco: ORDINANCE 2025-13, AN ORDINANCE OF THE
 10:01:08AM VILLAGE OF ESTERO, FLORIDA, REPEALING CHAPTER 22 OF THE
 10:01:11AM VILLAGE CODE, CREATING A NEW CHAPTER 22 OF THE VILLAGE CODE
 10:01:14AM RELATED TO PARKS AND RECREATION; MAKING RELATED FINDINGS;
 10:01:18AM PROVIDING FOR SEVERABILITY, CODIFICATION, AND AN EFFECTIVE
 10:01:21AM DATE.
 10:01:21AM >>Mayor Ribble: STEVE, PLEASE.
 10:01:23AM >>Steven Sarkozy: THANK YOU, MADAM MAYOR AND MEMBERS OF
 10:01:25AM COUNCIL.
 10:01:26AM THIS WAS DISCUSSED AT THE PREVIOUS COUNCIL MEETING.
 10:01:29AM THE VILLAGE ATTORNEY MADE SOME ADJUSTMENTS IN THE
 PROPOSED
 10:01:34AM ORDINANCE.
 10:01:35AM I WOULD LIKE TO TURN IT OVER TO ROB ESCHENFELDER AGAIN TO

 10:01:38AM DESCRIBE THOSE CHANGES AND MORE BROADLY WHAT WE'RE
 GETTING
 10:01:42AM INTO WITH THE PARKS AND RECREATION CODE.
 10:01:44AM >>Robert Eschenfelder: AGAIN, AS WE DISCUSSED LAST TIME, WE
 10:01:48AM ARE GEARING UP TO BE ABLE TO ACTUALLY OPERATE A PARK SYSTEM
 10:01:54AM AND THE OLD LEE COUNTY CODE WAS REALLY NOT -- DIDN'T FIT
 10:01:58AM WITH HOW WE DO THINGS AND THAT'S WHAT WE HAD ADOPTED.
 10:02:00AM THIS IS AN ALL NEW CODE.

10:02:03AM COUNCIL MEMBER McLAIN IN THE LAST MEETING RAISED THE ISSUE
 10:02:08AM OF MODEL BOATS.
 10:02:12AM SO I'VE ADDED LANGUAGE TO THE CODE.
 10:02:15AM HOPEFULLY THAT ADDRESSES IT, COUNCIL MEMBER McLAIN.
 10:02:17AM IF IT DOESN'T, LET ME KNOW AND I'LL REDO IT.
 10:02:21AM I THINK THAT'S BEEN COVERED.
 10:02:23AM AGAIN, THERE'S JUST A LOT OF -- IT PROHIBITS A VARIETY OF
 10:02:28AM THINGS, BUT THEN THERE'S ALSO FLEXIBILITY FOR SOME THINGS.
 10:02:34AM MAYOR RIBBLE ASKED A DAY OR SO AGO ABOUT WHETHER THE
 10:02:38AM PROVISIONS ON E-BIKES AND SO FORTH MIGHT CONFLICT WITH
 WHAT
 10:02:42AM WE DID BACK IN 2020 FOR SIDEWALKS AND BIKE PATHS WITH
 10:02:47AM RESPECT TO E-BIKES.
 10:02:49AM REALLY, THERE ARE TWO SEPARATE TOPICS, IF ANY OF YOUR
 10:02:53AM CONSTITUENTS ASK, OUR BIKE PATHS AND OUR SIDEWALKS USUALLY
 10:02:58AM RUN ALONG ROADWAYS.
 10:03:00AM SO THE FACTORS AND CONSIDERATIONS THAT ARE THERE ARE
 10:03:02AM DIFFERENT.
 10:03:04AM THOSE ARE GOVERNED BY CHAPTER 316 OF FLORIDA STATUTES.

 10:03:07AM THAT'S WHAT WE SORT OF MODELED THAT CODE PROVISION ON.
 10:03:13AM INSIDE OUR PARKS, WE WANT TO KEEP OUR OPTIONS OPEN ABOUT
 10:03:16AM WHAT WE MAY OR MAY NOT ALLOW TO DO.
 10:03:18AM AT LEAST AS I'VE DRAFTED IT, ALL OF THE ELECTRONIC STUFF IS
 10:03:24AM BANNED STILL, BUT I DO HAVE THAT SKATEBOARDING, LIKE WITH A
 10:03:29AM HUMAN POWERED SKATEBOARDING AND USING ROLLER SKATES,
 10:03:33AM OLD-SCHOOL ROLLER SKATES, THOSE SORT OF THINGS ARE FINE,
 10:03:37AM UNLESS WE PUT UP A SIGN TO SAY THEY ARE NOT.
 10:03:39AM WE STILL HAVE A FLEXIBILITY IF THERE BECOME PROBLEMS OR
 10:03:41AM WHATNOT.
 10:03:42AM IT IS A PARK AFTER ALL.
 10:03:44AM YOU MIGHT WANT TO ALLOW FOR SOME KIDS TO BE ABLE TO DO
 THOSE
 10:03:49AM THINGS.
 10:03:49AM OTHER THAN THAT, THE ORDINANCE IS AS IT WAS LAST TIME.
 10:03:55AM UNLESS YOU HAVE QUESTIONS, WE'RE RECOMMENDING APPROVAL.
 10:03:56AM >>Mayor Ribble: ANY QUESTIONS FROM COUNCIL?
 10:04:01AM >>Vice-Mayor Zalucki: I THOUGHT YOU DID A GREAT JOB WITH THE
 10:04:03AM DOCUMENT.
 10:04:03AM I THINK THIS COULD BE A LIVING DOCUMENT, MEANING THAT IF WE
 10:04:10AM OBSERVE ISSUES DOWN THE ROAD, WE BRING IT BACK AND ADD TO
 OR
 10:04:13AM DELETE ISSUES THAT WE SEE IN THE FUTURE.
 10:04:17AM >>Robert Eschenfelder: CORRECT.

10:04:18AM ALSO, THE ORDINANCE DOES PROVIDE THAT THE VILLAGE MANAGER
 10:04:22AM WILL HAVE ABILITY ADMINISTRATIVELY TO ADOPT ADMINISTRATIVE
 10:04:27AM RULES SO LONG AS THEY DON'T CONFLICT WITH THIS CODE.

10:04:33AM THERE WILL BE THINGS LIKE HOW ONE APPLIES TO RENT A FIELD,
 10:04:41AM HOW A LEAGUE WILL BE ABLE TO CONTRACT WITH US TO USE THE
 10:04:43AM FIELDS ON A REGULAR BASIS, WAIVER FORMS, ALL THOSE THINGS
 10:04:50AM THAT YOU AREN'T PUTTING IN THE CODE BUT STILL NEED TO BE IN
 10:04:53AM PLACE TO FULLY OPERATE AND LEGALLY PROTECT OURSELVES.
 10:04:56AM ONCE THIS WILL BE ADOPTED, WE'LL BE WORKING WITH OUR
 10:04:58AM CONTRACTOR WHO IS MANAGING OUR PARKS RIGHT NOW TO PUT
 THOSE
 10:05:01AM IN PLACE.
 10:05:02AM BUT BETWEEN THOSE ADMINISTRATIVE RULES AND BEING ABLE TO
 10:05:05AM COME BACK AND TWEAK THE ACTUAL CODE, IT'S FINE.
 10:05:09AM I'M SURE EXPERIENCE WILL TEACH US ONCE WE ACTUALLY START
 10:05:14AM OPERATING, TWEAKS WILL NEED TO BE MADE.
 10:05:15AM >>Vice-Mayor Zalucki: THANK YOU.
 10:05:17AM >>Mayor Ribble: THANK YOU, ROB.
 10:05:18AM ANY OTHER QUESTIONS OR COMMENTS?
 10:05:19AM ANY PUBLIC COMMENT?
 10:05:25AM >>Carol Sacco: NO PUBLIC COMMENT AND NO E-COMMENTS.
 10:05:27AM >>Mayor Ribble: COUNCILMAN McLAIN, YOU MAKE THE MOTION AND
 10:05:30AM A SECOND, COUNCILMAN LOPEZ.
 10:05:33AM MADAM CLERK, WILL YOU PLEASE CALL THE ROLL?
 10:05:36AM >>Jim Ward: AYE.
 10:05:37AM >>Rafael Lopez: AYE.
 10:05:39AM >>Lori Fayhee: AYE.
 10:05:41AM >>Jon McLain: AYE.
 10:05:42AM >>Jeff Hunt: AYE.

10:05:42AM >>Vice-Mayor Zalucki: AYE.
 10:05:44AM >>Mayor Ribble: AYE.
 10:05:45AM THAT BRINGS US TO COUNCIL COMMUNICATIONS.
 10:05:50AM DOES ANY COUNCIL MEMBER HAVE ANYTHING FOR THE GOOD OF
 THE
 10:05:55AM VILLAGE?
 10:05:56AM VICE-MAYOR.
 10:05:56AM >>Vice-Mayor Zalucki: THANK YOU, MAYOR.
 10:05:57AM I APOLOGIZE IF YOU CAN'T HEAR ME.
 10:05:59AM MY MICROPHONE IS MESSED UP.
 10:06:01AM I'M PUSHING IT.
 10:06:02AM HOPEFULLY IT'S WORKING NOW.
 10:06:02AM I JUST WANT TO REMIND EVERYBODY -- AND, MAYOR, PERHAPS

10:06:03AM YOU'LL DO THIS IN YOUR REVIEW -- BUT DECEMBER 6, THIS
 10:06:08AM SATURDAY, WE HAVE A LOT GOING ON AT COCONUT POINT MALL.
 10:06:11AM THE FIRST THING, WHICH IS NEAR AND DEAR TO MY HEART, IS A
 10:06:14AM CAR SHOW STARTING AT 11:00 AND RUNS TO 2:00.
 10:06:17AM SPONSORED BY THE ROTARY CLUB OF ESTERO.
 10:06:19AM IT IS A FREE SHOW.
 10:06:22AM COME ON OUT.
 10:06:23AM GARY, IF I'M NOT MISTAKEN, YOU ARE ACCEPTING DONATIONS THAT
 10:06:27AM GO TOWARD YOUR CHARITABLE FUND, WHICH IS ALL GOOD STUFF.
 10:06:30AM THE REST OF THE DAY CONSISTS OF PARADE AT 6 P.M., COUNCIL
 10:06:35AM WILL BE THERE ALTOGETHER.
 10:06:36AM AND SOME OTHER ACTIVITIES.
 10:06:38AM I BELIEVE THE TREE LIGHTING BEGINS AT 7:00.

 10:06:40AM BUT I JUST WANTED TO BRING THAT UP AS A POINT OF INTEREST
 10:06:46AM FOR THIS COMING WEEKEND.
 10:06:47AM ALSO TO OFFICIALLY ANNOUNCE THAT ESTERO FEST IS SCHEDULED
 10:06:50AM FOR MARCH 21st, 2026 AT THE COMMUNITY PARK.
 10:06:54AM SO THIS IS -- EXCUSE ME -- 55 FLOATS.
 10:07:00AM WOW.
 10:07:01AM THANK YOU, GARY.
 10:07:02AM 55 FLOATS.
 10:07:03AM IT'S GOING TO BE A GREAT TIME FOR THE WHOLE FAMILY.
 10:07:05AM THANK YOU, MAYOR.
 10:07:07AM >>Jon McLain: WHAT TIME DO YOU WANT US THERE AND WHAT GARB?
 10:07:10AM WEAR OUR JERSEYS?
 10:07:13AM >>Mayor Ribble: ACTUALLY, THEY PREFER YOU WEAR TROPICAL
 10:07:18AM CLOTHING.
 10:07:19AM IT IS THE TROPICAL PARADE.
 10:07:20AM I GUESS IF WE'RE THERE BY 5 AT THE LATEST.
 10:07:27AM IF YOU REMEMBER WHERE WE WERE PROBABLY IN THAT GENERAL
 AREA.
 10:07:31AM I DID RECEIVE THE LINEUP JUST THIS MORNING.
 10:07:35AM I WILL SEND IT THROUGH CAROL TO ALL OF YOU LATER ON TODAY.
 10:07:38AM ALSO, I DO WANT TO REMIND YOU THAT THE DAY IS A FULL DAY OF
 10:07:45AM ACTIVITIES.
 10:07:46AM AFTER THE CAR SHOW UNTIL THE PARADE STARTS, THERE WILL BE
 10:07:49AM MANY ACTIVITIES FOR THE CHILDREN.
 10:07:51AM SO I'M HOPING ANYONE HEARING ME WILL BRING THEIR FAMILIES
 10:07:55AM OUT EARLY.

 10:07:57AM ENJOY THE VENDORS THERE AND ALL THE ACTIVITIES FOR THE
 10:08:01AM CHILDREN AND THEN STAY FOR THE PARADE AT 6.
 10:08:03AM I ALSO WANT TO REMIND EVERYONE, WE'RE STILL DOING OUR

10:08:06AM HOLIDAY CARDS FOR THE TROOPS.
 10:08:07AM WE ONLY HAVE A FEW MORE DAYS.
 10:08:10AM DECEMBER 6 IS THE LAST DAY.
 10:08:12AM IF YOU ARE STILL WRITING CARDS, GET THEM DROPPED OFF AT OUR
 10:08:16AM FIVE DROP-OFF AREAS, THE TWO PUBLIX IN ESTERO, CULVER'S ON
 10:08:22AM 41, MILLER'S ALE HOUSE ON 41 AND McDONALD'S ON 41.
 10:08:27AM THANK YOU.
 10:08:28AM ANYONE ELSE HAVE ANYTHING ELSE?
 10:08:30AM YES, JON.
 10:08:32AM >>Jon McLain: I HAVE A COUPLE OF ITEMS.
 10:08:34AM FOLLOWING OUR MEETING ON NOVEMBER 20, I DROVE UP TO
 ORLANDO
 10:08:39AM TO PARTICIPATE IN THE IAAPA.
 10:08:44AM WANT TO GUESS WHAT THAT MEANS?
 10:08:45AM IT'S INTERNATIONAL ASSOCIATION OF AMUSEMENT PARKS AND
 10:08:50AM ATTRACTIONS.
 10:08:50AM IF YOU'VE EVER BEEN TO THE ORLANDO CONVENTION CENTER, THIS
 10:08:58AM PLACE WAS FULL OF GAMES AND SOME PRETTY CRAZY PEOPLE UP
 10:09:02AM THERE, BUT IT WAS PRODUCTIVE.
 10:09:04AM STEVE WENT UP AND MICHAEL WENT UP.
 10:09:07AM WE HAD SOME CONSTRUCTIVE MEETINGS, I THINK, WITH -- WELL,
 10:09:11AM HIGH 5 WAS A REAL NICE HOST FOR US.
 10:09:14AM THEY TOOK US AROUND, STEVE AND I WALKED AROUND.

 10:09:17AM THEY SHOWED US SOME OF THEIR PARTNERS THAT THEY DEAL WITH.
 10:09:20AM THERE ARE A LOT OF VENDORS THERE OF GAMES, AND THERE WERE
 10:09:24AM OPERATORS AND THE PEOPLE THAT WE NEEDED TO SPEAK WITH
 WERE
 10:09:27AM THE OPERATORS.
 10:09:28AM YOU COULD BUY ALL KINDS OF STUFF.
 10:09:31AM THAT'S WHAT HIGH 5 IS GOING TO BE BRINGING TO THEIR
 10:09:35AM CONSTRUCTION SITE HERE, ONCE IT'S DONE.
 10:09:38AM WE HAD A COUPLE OF GOOD MEETINGS, BUT I THINK IT'S PRETTY
 10:09:41AM EARLY FOR US TO TALK ABOUT THE SPECIFICS ON THOSE.
 10:09:43AM MICHAEL, YOU KNOW, I LOVE WALKING AROUND TALKING TO PEOPLE
 10:09:47AM LIKE THAT.
 10:09:48AM I HAD A HOST OF CARDS FOR VIESTE, SAID IF YOU WANT TO
 10:09:55AM CONTINUE A DISCUSSION, GIVE MICHAEL A CALL.
 10:09:57AM I'M KEEPING YOUR PHONE BUSY, I HOPE.
 10:09:59AM I THINK THAT WAS PRETTY COOL.
 10:10:01AM GIVE YOU JUST A LITTLE UPDATE ON BERT, THERE ARE ONGOING
 10:10:07AM DISCUSSIONS.
 10:10:08AM I THINK WE'LL HAVE SOME DISCUSSIONS MAYBE BY THE END OF THIS
 10:10:11AM WEEK OR EARLY NEXT WEEK THAT MAY COME BECAUSE SOME

10:10:16AM QUASI-CONCLUSIONS WHERE WE CAN BRING IT BACK TO COUNCIL
AND
10:10:19AM SAY, HERE'S WHERE WE ARE.
10:10:21AM SO I'M HOPEFUL THAT MAYBE BY THE 17th AT OUR NEXT MEETING
10:10:26AM THAT WE MIGHT HAVE SOME DIRECTION FOR YOU ALL TO CONSIDER.
10:10:30AM AND THEN, STEVE, I'VE GOT A CONCERN IN MY DISTRICT.
10:10:37AM YOU MAY NOT ALL KNOW, BUT ESTERO PARKWAY ON THE SOUTH SIDE

10:10:41AM IS ALL IN ESTERO.
10:10:43AM ON THE NORTH SIDE, DEL LAGO IS IN THERE, THE VINES IS IN
10:10:48AM THERE.
10:10:48AM AS YOU GO TO CYPRESS WHERE THE CHURCHES ARE, JUST TO THE
10:10:54AM WEST OF CYPRESS VIEW, THERE'S PROPERTY THERE.
10:10:56AM 7-ELEVEN THERE.
10:10:59AM THAT'S UNINCORPORATED AREA OF LEE COUNTY.
10:11:01AM FORTUNATELY, WHEN THEY PUT IN THE PROTON CENTER, THE
BUILDER
10:11:06AM THERE AND THE OWNER OF THAT, I THINK THEY DID A REALLY NICE
10:11:10AM JOB BUILDING AN ATTRACTIVE BUILDING RIGHT ON THE CORNER OF
10:11:14AM BEN HILL -- EXCUSE ME, THREE OAKS AND ESTERO PARKWAY.
10:11:17AM INDICATIONS ARE NOW THAT ON THE EAST SIDE OF CYPRESS VIEW,
10:11:27AM THERE'S BEEN DISCUSSION ABOUT PUTTING AN AUTO STORAGE PARK
10:11:31AM IN THERE OF WHICH SOME OF THE UNITS ARE GOING TO SELL FOR
10:11:35AM LIKE A MILLION DOLLARS.
10:11:37AM WE HAD A LITTLE PREVIEW OF WHAT THAT BUILDING IS GOING TO
10:11:40AM LOOK LIKE.
10:11:41AM IT'S GOING TO BE A ONE-STORY BUILDING.
10:11:44AM MY OPINION, AS YOU ALL KNOW, I'M FREE TO GIVE OUT OPINIONS
10:11:48AM ON ARCHITECTURE, I THINK THIS IS WELL BEYOND OR WELL BELOW
10:11:54AM OUR EXPECTATIONS.
10:11:55AM I'D ASK STEVE TO MAYBE CONSIDER BEFORE FINAL APPROVAL, THERE
10:11:58AM IS NO FINAL APPROVAL ON THE BUILDING CONCEPTS, BUT IT'S
10:12:02AM NEGOTIATING, AND IT'S DONE AT STAFF LEVEL WITHIN LEE COUNTY,
10:12:07AM THAT MAYBE WE DRAFT APPROPRIATE LETTER OR HAVE SOME

10:12:10AM CONVERSATIONS AND MEETINGS AND SAY, YOU KNOW, CAN WE
WORK
10:12:13AM WITH THE DEVELOPER TO IMPROVE THE VIEW OF THIS?
10:12:19AM WE DIDN'T GIVE OUT PICTURES OF THAT TO FOLKS OR WE HAVE SOME
10:12:25AM OF THOSE -- SOME INFLUENCE ON THAT CONSTRUCTION.
10:12:30AM >>Steven Sarkozy: THIS IS AN UGLY PROJECT ON A BEAUTIFUL
10:12:34AM ROAD THAT WE PUT \$10 MILLION INTO.
10:12:41AM IN ONE PROJECT, IT WILL KIND OF CHANGE THE WHOLE APPEARANCE
10:12:44AM OF THAT ROAD.

10:12:45AM MARY BROUGHT THIS TO OUR ATTENTION.
 10:12:48AM I'D LIKE MARY TO COME FORWARD AND GIVE A BRIEF SUMMARY OF
 10:12:50AM WHERE WE ARE AT WITH THIS.
 10:12:54AM BUT I THINK WE'RE AT A POINT WHERE THERE MAY BE AN
 10:12:58AM OPPORTUNITY FOR US TO COMMUNICATE TO THE COUNTY OUR
 FEELINGS
 10:13:03AM ABOUT THIS, YOUR FEELINGS ABOUT THIS AT SOME POINT.
 10:13:06AM >>Mary Gibbs: JUST A QUICK UPDATE.
 10:13:08AM I THINK IT WAS MARILYN FOUND AN ARTICLE IN GULF SHORE NEWS
 10:13:12AM OR SOMETHING ABOUT THIS PROJECT.
 10:13:14AM AND COUNCIL MEMBER McLAIN BROUGHT IT TO OUR ATTENTION.
 10:13:17AM WE WERE NOT INFORMED BY THE COUNTY, BUT WE DID CONTACT
 THEM
 10:13:21AM TO FIND OUT WHAT'S GOING ON.
 10:13:22AM I'LL SHOW YOU THE LOCATION.
 10:13:24AM THIS IS ESTERO PARKWAY.
 10:13:30AM YOU CAN SEE THE CORNER OF THREE OAKS AND ESTERO PARKWAY.
 10:13:33AM AND THEN THIS IS RIGHT ACROSS ON THE NORTH SIDE OF THE ROAD
 10:13:36AM FROM THE ROOKERY.

 10:13:38AM ROOKERY POINT.
 10:13:39AM THERE ARE TWO PARCELS THAT ARE VACANT.
 10:13:41AM THIS ONE IS RIGHT NEXT TO THE LOCKUP STORAGE.
 10:13:44AM IT IS A FIVE-ACRE PIECE OF PROPERTY.
 10:13:46AM WHAT THEY HAVE A PROPOSED DEVELOPMENT ORDER IN NOW AT
 THE
 10:13:51AM COUNTY.
 10:13:51AM AND THIS IS WHAT THE ARCHITECTURAL PLAN THAT WAS SUBMITTED
 10:13:55AM LOOKS LIKE.
 10:13:55AM IT WAS A LITTLE BIT SHOCKING WHEN WE SAW THIS BECAUSE IT'S
 10:14:01AM VERY PLAIN, LONG, FLAT LINES AND MINIMAL ARCHITECTURE.
 10:14:07AM KIND OF LOOKS LIKE AN INDUSTRIAL BUILDING.
 10:14:09AM BUT THIS IS LIKE A PROPOSED CAR CONDOMINIUM.
 10:14:11AM IT'S WHERE PEOPLE GO AND WORK ON THEIR CARS, THE FANCY
 CARS,
 10:14:16AM KIND OF HANG OUT, HAVE FRIENDS OVER, WATCH TV AND MAYBE GET
 10:14:20AM AWAY FROM THEIR WIVES, I'M NOT SURE, OR SPOUSES.
 10:14:24AM MAYBE THE LADIES GO THERE AND LEAVE THE HUSBANDS AT HOME.
 10:14:28AM THEY SELL THESE CAR CONDOMINIUMS.
 10:14:30AM THEY ARE QUITE EXPENSIVE.
 10:14:31AM BUT THE OUTSIDE OF THE BUILDING IS NOT VERY ATTRACTIVE.
 10:14:34AM THIS IS A CLOSER VIEW OF WHAT THE PROPERTY IS.
 10:14:37AM IT'S JUST SOUTH OF THE CHURCHES.
 10:14:40AM OUR LADY OF LIGHT AND TWO OTHER CHURCHES IN THAT VICINITY.

10:14:42AM THIS IS THE RENDERING THAT THEY SHOWED WITH THE APPLICATION.
 10:14:47AM WHEN I TALKED TO THE COUNTY, IT'S REALLY -- THE APPLICATION
 10:14:52AM WAS RECENTLY SUBMITTED.

10:14:53AM IN CONVERSATIONS WITH THE STAFF, THEY HAVE GOT UNTIL
 10:14:57AM DECEMBER 17 TO SUBMIT COMMENTS BACK TO THE APPLICANT.
 10:15:01AM THEY KIND OF ACKNOWLEDGED THAT THIS WAS A FIRST CUT
 10:15:05AM ARCHITECTURE.
 10:15:07AM WE ASKED THEM YESTERDAY, CAN WE PROVIDE COMMENTS?
 10:15:10AM THEY SAID, YES, REMEMBER, IT IS A STAFF REVIEW AND MUST MEET
 10:15:13AM OUR LEE COUNTY LAND DEVELOPMENT CODE.
 10:15:14AM THE COUNTY'S LAND DEVELOPMENT CODE IS NOT AS STRICT AS OUR
 10:15:17AM CODE.
 10:15:18AM IT DOES HAVE SOME ARCHITECTURAL REQUIREMENTS, BUT IT'S MORE
 10:15:20AM LIKE A CHECKLIST, AND IT DOES NOT ADDRESS COLORS.
 10:15:24AM EVEN THOUGH THIS PROPOSAL HERE, THIS BUILDING IS LIKE ALL
 10:15:27AM WHITE WITH SOME RED TRIM AND I THINK SOME SHADES OF GRAY, I
 10:15:32AM DON'T THINK THEY WILL DO ANYTHING ABOUT THE COLORS BECAUSE
 10:15:34AM THAT'S NOT ADDRESSED IN THEIR CODE.
 10:15:36AM BUT WE'LL SEE WHAT WE CAN DO.
 10:15:38AM I TALKED TO THE STAFF PEOPLE.
 10:15:40AM I SAID WE MIGHT WANT TO SUBMIT COMMENTS TO THE STAFF.
 10:15:42AM I'M NOT SURE.
 10:15:43AM I THOUGHT THE COUNCIL WAS GOING TO DISCUSS IT.
 10:15:46AM BUT WE DO HAVE SOME OPPORTUNITY TO KIND OF CONVERSE WITH
 10:15:49AM THEM AND SEE IF THEY CAN ASK THE APPLICANT TO DO SOMETHING
 10:15:53AM TO THE BUILDING.
 10:15:54AM THEY DO HAVE -- I HAVE NOT BEEN ABLE TO ACCESS THE PLANS
 10:15:57AM BECAUSE I CAN'T GET THEM ONLINE.

10:15:59AM BUT THEY DO HAVE, I THINK, A 30-FOOT BUFFER ON THE SOUTH
 10:16:03AM SIDE ON ESTERO PARKWAY.
 10:16:05AM SO THERE WILL BE SOME PLANTINGS.
 10:16:07AM THIS IS A LITTLE SPARSE LOOKING, BUT THERE WILL BE
 10:16:10AM PLANTINGS.
 10:16:11AM I THINK WE'RE A LITTLE BIT MORE CONCERNED WITH THE
 10:16:14AM ARCHITECTURE ON THE VIEW AND LESS SO MAYBE WITH THE
 10:16:16AM LANDSCAPING.
 10:16:20AM >>Jon McLain: THANK YOU, MARY, FOR GETTING INVOLVED IN THAT.
 10:16:22AM HOPEFULLY WE'RE IN TIME THAT WE CAN MAKE A POSITIVE CHANGE.
 10:16:25AM THAT SHOULD PROBABLY BE ESTERO.
 10:16:28AM WHY WE ELIMINATED IT, WHEN WE DID, OUR FOUNDING, IS A LITTLE
 10:16:34AM BEYOND ME.
 10:16:34AM IT IS WHAT IT IS RIGHT NOW.

10:16:35AM THANK YOU FOR GETTING IT.
 10:16:37AM >>Mary Gibbs: THERE IS ANOTHER FIVE ACRE PIECE ON THE WEST
 10:16:39AM SIDE OF CYPRESS VIEW THAT WILL BE COMING IN FOR SOMETHING
 10:16:42AM ALSO THAT IS IN PART OF THE COUNTY.
 10:16:45AM >>Jon McLain: SINCE GEORGE HAS SO MANY CARS, MAYBE A
 10:16:49AM POTENTIAL CLIENT.
 10:16:49AM IF IT LOOKED BETTER, YOU MIGHT PUT YOUR CARS IN THERE.
 10:16:52AM THE CURRENT STATE, IT IS WELL BEYOND YOUR EXPECTATION.
 10:16:56AM >>Mayor Ribble: BUT THEIR DECISION IS THE SAME DAY AS OUR
 10:16:59AM NEXT COUNCIL MEETING.
 10:17:00AM >>Mary Gibbs: IT'S NOT A DECISION.

 10:17:02AM THE DEADLINE, KIND OF LIKE THE WAY WE REVIEW THINGS AT
 10:17:06AM STAFF.
 10:17:06AM YOU GET AN APPLICATION IN, REVIEW IT, SEND THEM QUESTIONS.
 10:17:09AM WE HAVE ARCHITECTURAL QUESTIONS, LANDSCAPING.
 10:17:12AM IT BASICALLY GETS REJECTED FOR MORE INFORMATION TYPICALLY.
 10:17:15AM AND THEN THEY'LL RESUBMIT.
 10:17:17AM SO THERE WILL BE ANOTHER REVIEW PERIOD, MAYBE TWO WEEKS OR
 10:17:21AM SOMETHING.
 10:17:22AM IT WON'T BE APPROVED.
 10:17:23AM THIS WILL NOT BE APPROVED ON THE 17th.
 10:17:26AM BUT THE COUNTY, AGAIN, A DEVELOPMENT ORDER IS JUST PURELY
 10:17:28AM STAFF LEVEL.
 10:17:29AM SO ONCE THE STAFF MEETS THE CODE, ACCORDING TO STAFF, THEN
 10:17:34AM THEY APPROVE IT, SO IT DOES NOT GO FOR ANY KIND OF PUBLIC
 10:17:37AM HEARING.
 10:17:37AM >>Mayor Ribble: MY POINT WAS, IF WE INTEND TO MAKE COMMENTS,
 10:17:40AM IT HAS TO BE DONE BEFORE THE 17th SO THAT THEY MAY
 10:17:43AM POSSIBLY CONSIDER OUR COMMENTS.
 10:17:45AM >>Mary Gibbs: I'M GOING TO CALL THE STAFF PERSON TODAY AND
 10:17:48AM TALK TO THEM AND SEE WHO IS GOING TO REVIEW THEIR
 10:17:52AM ARCHITECTURAL.
 10:17:52AM THEY MAY HAVE SIMILAR COMMENTS TO WHAT WE MIGHT HAVE.
 10:17:57AM >>Jim Ward: I HAPPENED TO SEE THAT ARTICLE.
 10:17:59AM APPARENTLY, IF I RECALL CORRECTLY, THERE ARE TWO PARTNERS
 10:18:02AM INVOLVED.

 10:18:02AM ONE I THINK WHO OWNS THE PROPERTY AND THE SECOND IS A
 10:18:06AM GENTLEMAN THAT HAS A NUMBER OF THESE MOTOR PLEXES IN
 OTHER
 10:18:10AM AREAS.
 10:18:11AM BUT THE ARTICLE WENT ON TO SAY THAT IT'S JUST NOT JUST A
 10:18:15AM MOTOR PLEX.

10:18:17AM THEY DO OTHER TYPES OF RECREATIONAL THINGS WITHIN THAT
 10:18:20AM SPACE.
 10:18:20AM THEY WENT ON TO TALK ABOUT IN OTHER AREAS WHERE THEY HAVE
 10:18:23AM DONE THIS, THEY HAVE ACTUALLY DONE SOME OUTSIDE VENUE
 10:18:26AM ACTIVITIES AS WELL.
 10:18:27AM I THINK THAT'S SOMETHING WE NEED TO BE COGNIZANT OF AS WELL.
 10:18:32AM >>Mary Gibbs: I DID SEE THE ARTICLE SAID FIRE PITS AND
 10:18:34AM PARTIES AND SOCIAL ACTIVITIES.
 10:18:36AM SO WE'LL SEE IF -- THEIR PLANS SHOW LIKE A MEZZANINE AREA
 10:18:41AM INSIDE, BUT IT DIDN'T -- FROM WHAT I COULD SEE, IT DIDN'T
 10:18:45AM ADDRESS WHAT ELSE MIGHT HAPPEN.
 10:18:46AM WE'LL TRY TO CLARIFY THAT.
 10:18:48AM >>Mayor Ribble: I'VE SEEN CAR SHOWS AT OTHERS IN THE AREA,
 10:18:51AM AND THEY ALSO HAVE POLITICAL EVENTS.
 10:18:53AM I BELIEVE ANYBODY WHO OWNS THE PROPERTY, OWNS A PROPERTY
 IN
 10:18:58AM THE MOTOR PLEX CAN DO ANYTHING THEY WANT ON THE COMMON
 10:19:04AM GROUNDS.
 10:19:04AM WE DON'T KNOW WHAT WE'LL BE SEEING IF THIS HAPPENS.
 10:19:11AM >>Jon McLain: IT'S KIND OF A SHAME THAT HE WILL BE CALLING
 10:19:14AM THE ESTERO MOTOR PLEX.

 10:19:16AM IT WOULD BE NICE IF WE COULD HAVE A CONVERSATION AND SAY,
 10:19:18AM GLAD TO HAVE YOU IN WITH A NAMEPLATE OF ESTERO.
 10:19:22AM HERE'S HOW WE CONDUCT OURSELVES.
 10:19:24AM BUT THAT MIGHT BE TOUGH TO GET THROUGH.
 10:19:26AM IF WE COULD HAVE THAT KIND OF DISCUSSION, IT WOULD BE NICE
 10:19:29AM TO INFLUENCE AT THAT LEVEL AS OPPOSED TO DEALING JUST WITH
 10:19:32AM STAFF.
 10:19:33AM SOMETHING IS BETTER THAN NOTHING.
 10:19:37AM >>Mayor Ribble: MR. SARKOZY, DO YOU PROPOSE A LETTER OR JUST
 10:19:40AM HAVE MEETINGS, PERSONAL MEETINGS IN THE MEANTIME?
 10:19:44AM >>Steven Sarkozy: GIVEN THE SHORT TIME TO RESPOND, I SUGGEST
 10:19:49AM THAT WE DO A LETTER TO EXTEND THE NOTION THAT THE COUNCIL
 10:19:56AM HAS CONCERN ABOUT THIS.
 10:19:57AM AND MAYBE WHAT YOU COULD DO IS JUST ASSIGN MARY TO PREPARE
 10:20:00AM THE LETTER.
 10:20:01AM SORRY.
 10:20:03AM >>Mayor Ribble: PLEASE, MARY, WOULD YOU?
 10:20:05AM >>Mary Gibbs: SURE.
 10:20:05AM >>Steven Sarkozy: AND THEN THAT COULD BE SIGNED BY MARY AND
 10:20:09AM THE MAYOR, SEND THAT OUT TO THE STAFF, ALL THE STAFF
 10:20:13AM INVOLVED.
 10:20:13AM AND THEN ALSO ENGAGE IN CONVERSATIONS WITH THE OWNER AND

10:20:17AM APPLICANT.
 10:20:18AM KIND OF A TWO-PRONG APPROACH.
 10:20:23AM >>Mayor Ribble: ALL RIGHT.

 10:20:24AM WELL THANK YOU.
 10:20:26AM >>Vice-Mayor Zalucki: I JUST HAVE A COMMENT.
 10:20:29AM I THINK IT COULD BE CHALLENGING FOR US TO HAVE THEM CHANGE
 10:20:32AM THE ARCHITECTURE BECAUSE YOU KNOW THAT'S WHERE THE MONEY
 IS.
 10:20:35AM THAT'S WHERE THE EXPENSE IS.
 10:20:36AM I THINK AT THE BASELINE, IF WE HAVE THEM MAYBE CONFORM TO
 10:20:41AM SOME OF OUR COLOR PALETTES THAT WE EMBRACE HERE IN ESTERO
 10:20:44AM AND ALSO EMBELLISH THE LANDSCAPING FROM THE ROAD VIEW,
 WHICH
 10:20:48AM I SEE IT JUST LOOKS LIKE A VERY STARK BUILDING, IF WE COULD
 10:20:51AM SOFTEN THAT LONG SIDE WITH A COLOR AND EMBELLISH THE
 10:20:54AM LANDSCAPING, I THINK I'D SEE THAT AS A WIN AT A BARE
 10:20:58AM MINIMUM.
 10:20:58AM AND TO COUNCILMAN McLAIN'S POINT, USING THE NAME ESTERO, I
 10:21:02AM KNOW WE DON'T HAVE RIGHTS ON THAT NAME, AT LEAST PROBABLY
 ON
 10:21:06AM A BUILDING LIKE THIS BECAUSE EVEN THOUGH IT IS NOT IN THE
 10:21:09AM VILLAGE, I GUESS THEY CAN NAME IT ESTERO.
 10:21:11AM BUT MAYBE JUST HAVING A CORDIAL CONVERSATION SAYING, LOOK,
 10:21:15AM IF YOU WANT TO EMBRACE OUR COMMUNITY, HERE ARE A FEW
 THINGS
 10:21:19AM THAT YOU CAN DO.
 10:21:19AM THANK YOU FOR THE FUTURE, TAKING CARE OF THIS, MARY.
 10:21:26AM >>Mayor Ribble: QUESTION.
 10:21:27AM DO THE ADJACENT NEIGHBORHOODS, DO THEY KNOW THIS IS
 10:21:31AM HAPPENING?
 10:21:31AM AND WILL THEY POSSIBLY HAVE ANY OBJECTIONS OR COMMENTS?
 10:21:36AM >>Mary Gibbs: THE COUNTY WILL -- SINCE IT IS A DEVELOPMENT

 10:21:39AM ORDER, NOT A REZONING, THE COUNTY WILL NOT NOTIFY ANYBODY.
 10:21:42AM SO THEY WILL NOT KNOW.
 10:21:45AM NORMALLY LIKE WE'LL POST A SIGN OR WE'LL HAVE A MEETING, BUT
 10:21:49AM THEY JUST -- IT'S JUST A STAFF FUNCTION.
 10:21:52AM IN THE LETTER, JUST A SUGGESTION, WE MIGHT WANT TO COPY THE
 10:21:58AM COUNTY MANAGER OR SOMETHING, TOO, JUST SO THEY KNOW.
 10:22:01AM OTHERWISE, THEY WON'T REALLY KNOW BECAUSE IT IS JUST DONE BY
 10:22:05AM STAFF.
 10:22:07AM >>Mayor Ribble: ANY OTHER COMMENTS OR SUGGESTIONS?
 10:22:08AM ALL RIGHT.

10:22:11AM THANK YOU, MARY.
10:22:12AM MR. SARKOZY, DO YOU HAVE ANYTHING ELSE FOR US?
10:22:15AM >>Steven Sarkozy: NOTHING ELSE TODAY.
10:22:16AM THANK YOU.
10:22:16AM >>Mayor Ribble: MR. ESCHENFELDER?
10:22:19AM >>Robert Eschenfelder: NO, MA'AM.
10:22:20AM >>Mayor Ribble: ALL RIGHT.
10:22:20AM SEEING NOTHING ELSE, CAN WE HAVE A MOTION TO ADJOURN?
10:22:22AM MR. LOPEZ AND A SECOND BY MS. FAYHEE.
10:22:27AM THANK YOU, EVERYONE.
10:22:28AM HAVE A GREAT WEEKEND.
10:22:30AM COME TO THE PARADE.

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 REGULAR MEETING**

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

November 19, 2025 9:30 a.m.

1. CALL TO ORDER

INVOCATION

Pastor Kyle Strom Ocean Church

PLEDGE OF ALLEGIANCE

ROLL CALL

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

Also present

Village Manager Steve Sarkozy, Village Attorney Robert Eschenfelder, Community Development Director Mary Gibbs, Public Works Director David Willems, Finance Director Kevin Greenville, Deputy Village Clerk Tammy Duran, and Village Clerk Carol Sacco.

2. LETTER OF RECOGNITION

(a) Kaitlyn Mancini, Estero High School

(b) Avery Hughes, Bonita Springs High School

3. APPROVAL OF AGENDA, ADDITIONS, AND DELETIONS

Motion: Motion to approve agenda with the deletion of item 13b.

Motion by: Vice Mayor Zalucki

Seconded by: Councilmember McLain

Action: Approved agenda with the deletion of item 13b.

Vote: (Roll Call)

Aye: Councilmembers Hunt, McLain, Fayhee, Lopez, Ward, Vice Mayor
Zalucki, and Mayor Ribble.

Nay:

Abstentions:

4. PUBLIC COMMENT ON NON-AGENDA ITEMS

In Person

Barry Freedman, Engage Estero
Dr. Genelle Grant, Happehatchee

Staff Presentation/Comments

Steve Sarkozy, Village Manager

5. CONSENT AGENDA

(a) November 5, 2025 Village Council Meeting Minutes

Motion: Motion to approve consent agenda.

Motion by: Councilmember Fayhee

Seconded by: Councilmember Hunt

Action: Approved consent agenda.

Vote: (Roll Call)

Aye: Councilmembers Hunt, McLain, Ward, Fayhee, Lopez, Vice
Mayor Zalucki, and Mayor Ribble.

Nay:

Abstentions:

6. CONSIDERATION OF ITEMS DEFERRED FROM CONSENT AGENDA

None

7. ACTIONS

(a) Approval Audit Services Request for Proposal (RFP) 102225

Staff Presentation/Comments

Steve Sarkozy, Village Manager
Kevin Greenville, Finance Director

Council Questions or Comments

Councilmember Ward and Mayor Ribble

Public Comments

None

Motion: Motion to approve the scoring ranking and award a mutually agreeable
contract to the top scoring firm which is CBIZ CPAs P.C. to provide

audit services for the Village. Should negotiations fail with the top scoring firm, authorize negotiations to begin with the second scoring firm and award a mutually agreeable contract and authorize the Village Manager to sign a contract and any other additional implementation documents within the scope of the contract on behalf of the Village of Estero Council and begin implementation of Audit Services to the awarded firm.

Motion by: Vice Mayor Zalucki
Seconded by: Councilmember Lopez

Action: Approved the scoring ranking and award a mutually agreeable contract to the top scoring firm which is CBIZ CPAs P.C. to provide audit services for the Village. Should negotiations fail with the top scoring firm, authorize negotiations to begin with the second scoring firm and award a mutually agreeable contract and authorize the Village Manager to sign a contract and any other additional implementation documents within the scope of the contract on behalf of the Village of Estero Council and begin implementation of Audit Services to the awarded firm.

Vote: (Roll Call)

Aye: Councilmembers Hunt, McLain, Fayhee, Lopez, Ward, Vice Mayor Zalucki, and Mayor Ribble.

Nay:

Abstentions:

- (b) Resolution No. 2025-23 Approving the Second Budget Amendment for Fiscal Year 2024-2025

A Resolution of the Village Council of the Village of Estero, Florida, Approving the Second Budget Amendment for Fiscal Year 2024-2025 to Approve the Use of Village Funds and to Recognize Increased Revenues and Increased Expenditures for the Building Fee Fund, General Fund, and Driving Range Fund.

Staff Presentation/Comments

Steve Sarkozy, Village Manager
 Kevin Greenville, Finance Director

Council Questions or Comments

Councilmember Ward

Public Comments

None

Motion: Motion to adopt Resolution No. 2025-23.

Motion by: Councilmember Hunt
Seconded by: Councilmember Lopez

Action: Adopted Resolution No. 2025-23.

Vote: (Roll Call)

Aye: Councilmembers Hunt, McLain, Fayhee, Lopez, Ward, Vice Mayor Zalucki, and Mayor Ribble.

Nay:

Abstentions:

- (c) Resolution No. 2025-26 supporting the construction of a noise wall by FDOT to serve the Brooks Community.

A Resolution of the Village Council of the Village of Estero, Florida, Supporting the Construction by the Florida Department of Transportation of a Noise Wall for The Brooks Community; Making Related Findings; Providing for Severability and Providing for an Effective Date.

Staff Presentation/Comments

Steve Sarkozy, Village Manager

Council Questions or Comments

Mayor Ribble

Public Comments

eComments

Colleen Ellis, Copperleaf

Motion: Motion to adopt Resolution No. 2025-26.

Motion by: Councilmember Lopez

Seconded by: Councilmember Ward

Action: Adopted Resolution No. 2025-26.

Vote: (Roll Call)

Aye: Councilmembers Hunt, McLain, Fayhee, Lopez, Ward, Vice Mayor Zalucki, and Mayor Ribble.

Nay:

Abstentions:

8. FIRST READING

- (a) Ordinance No. 2025-13 Sports Parks Process and Procedure

An Ordinance of the Village of Estero, Florida, Repealing Chapter 22 of the Village Code; Creating a New Chapter 22 of the Village Code Related to Parks and Recreation; Making Related Findings; Providing for Severability, Codification, and an Effective Date.

Staff Presentation/Comments

Steve Sarkozy, Village Manager

Robert Eschenfelder, Village Attorney

Council Questions or Comments

Councilmembers Lopez, McLain, and Mayor Ribble

Public Comments

eComments

Reas Graber, Bella Terra

Mark Novitski, Bella Terra

Romona Novitski, Bella Terra

Lisa Ninchritz, Bella Terra

Motion: Motion to adopt Ordinance No. 2025-13 on first reading
and schedule 2nd reading on December 3, 2025.

Motion by: Councilmember Ward

Seconded by: Councilmember McLain

Action: Adopted Ordinance No. 2025-13 on first reading
and schedule 2nd reading on December 3, 2025.

Vote: (Roll Call)

Aye: Councilmembers Hunt, McLain, Fayhee, Lopez, Ward, Vice
Mayor Zalucki, and Mayor Ribble.

Nay:

Abstentions:

9. SECOND READINGS AND PUBLIC HEARINGS

(a) Second Reading Ordinance No. 2025-07 Pelican Sound

An Ordinance of the Village Council of the Village of Estero, Florida, Approving with Conditions an Amendment to the Residential Planned Development Zoning for the River Club Area of Pelican Sound Located Along the Estero River; Providing for Severability; and Providing an Effective Date.

Village Attorney Eschenfelder provided information regarding Council business and quasi-judicial hearings. All audience members and staff providing testimony for the hearing were sworn in by Village Clerk Sacco.

No ex parte communication or conflicts of interest were noted.

Staff Presentation/Comments

Steve Sarkozy, Village Manager

Mary Gibbs, Community Development Director

Robert Eschenfelder, Village Attorney

Presentation/Information by

Michael Pappas, P.E., RWA Consultants

Eric Long, Pelican Sound Golf & River Club

Brian Strojny, Coast Guard Auxiliary

Council Questions or Comments

Councilmembers Hunt, Ward, McLain, and Vice Mayor Zalucki

Public Comments

In Person

Neil Severance, Pelican Sound

eComments

Jennifer Gunder, Estero River Heights
Deborah Kane, Pelican Sound Golf and River Club
Shari Perkins, Pelican Sound Golf and River Club
Henry Bays, Pelican Sound Golf and River Club
Nancy Ackeer, Pelican Sound Golf and River Club
Heather Bultynck, Pelican Sound Golf and River Club
Diane Olson, Pelican Sound Golf and River Club
William Dickinson, Pelican Sound Golf and River Club
Judy Kessel, Pelican Sound Golf and River Club
Carole Hastings, Pelican Sound Golf and River Club
Wendy Zent, Pelican Sound Golf and River Club
John Butzer, Pelican Sound Golf and River Club
Marcia Graft, Pelican Sound Golf and River Club
John Graft, Pelican Sound Golf and River Club
Leo and Kathleen Sokolnicki, Pelican Sound Golf and River Club
James Vail, Pelican Sound Golf and River Club
Roger Levin, Pelican Sound Golf and River Club
Bill Shaw, Pelican Sound Golf and River Club
Robin Diller, Pelican Sound Golf and River Club
Brad Gibbons, Pelican Sound Golf and River Club
Richard Tschoeke, Pelican Sound Golf and River Club
Betsy Rechel, Pelican Sound Golf and River Club
Stacy Doster, Pelican Sound Golf and River Club
Gail Kolasinski, Pelican Sound Golf and River Club
Raymond Latiano, Pelican Sound Golf and River Club
John McConie, Pelican Sound Golf and River Club
Orrin Kessel, Pelican Sound Golf and River Club
Timothy & Regina Johnson, Pelican Sound Golf and River Club
Tom Putz, Pelican Sound Golf and River Club
Perry Anderson, Pelican Sound Golf and River Club
Eileen Newton, Pelican Sound Golf and River Club
Diana Ferriter, Pelican Sound Golf and River Club
Nadine Latham, Pelican Sound Golf and River Club
Jeffrey Osullivan, Pelican Sound Golf and River Club
Dawn Williamson, Pelican Sound Golf and River Club
Brian Gray, Pelican Sound Golf and River Club
Kristin Douglas, Pelican Sound Golf and River Club
John and Sandra Bird, Pelican Sound Golf and River Club
Claudia Merrill, Pelican Sound Golf and River Club
Beth Tarbox, Pelican Sound Golf and River Club

Amanda Lowe, Pelican Sound Golf and River Club
 Keith Merrill, Pelican Sound Golf and River Club
 Judith Simms, Pelican Sound Golf and River Club
 Wendy Tysall, Pelican Sound Golf and River Club
 Jim Fitzpatrick, Pelican Sound Golf and River Club
 Donald Vos, Pelican Sound Golf and River Club
 Richard Montague, Pelican Sound Golf and River Club
 Mark Williamson , Pelican Sound Golf and River Club
 Duane Maslowski, Pelican Sound Golf and River Club
 Jim Miller, Pelican Sound Golf and River Club
 Letitia Chafin, Pelican Sound Golf and River Club
 Linda Eugster, Pelican Sound Golf and River Club
 Walter Savage, Pelican Sound Golf and River Club
 Judith McNally, Pelican Sound Golf and River Club
 Julie Sirianni, Pelican Sound Golf and River Club
 Maureen Traverse, Pelican Sound Golf and River Club
 Joseph Lucas, Pelican Sound Golf and River Club
 John David Sabine , Pelican Sound Golf and River Club
 Sara Jackson, Pelican Sound Golf and River Club
 Susan Hansen, Pelican Sound Golf and River Club
 John Sirianni, Pelican Sound Golf and River Club
 Terese Helberg, Pelican Sound Golf and River Club
 Jay Ralston, Pelican Sound Golf and River Club
 Arnold Mantilia, Pelican Sound Golf and River Club
 Christine Mantilia, Pelican Sound Golf and River Club
 John Murphy, Pelican Sound Golf and River Club
 Vern Silver, Pelican Sound Golf and River Club
 Ken Stewart, Pelican Sound Golf and River Club
 James Billett, Pelican Sound Golf and River Club
 Donald Michael Brown, Pelican Sound Golf and River Club
 Paul Kikendall, Pelican Sound Golf and River Club
 Gail Wilkes, Pelican Sound Golf and River Club
 Gail Eulenstein, Pelican Sound Golf and River Club
 Maureen O'Brien, Pelican Sound Golf and River Club
 Rob Ballweber, Pelican Sound Golf and River Club
 Linda Damlich, Pelican Sound Golf and River Club
 Cynthia Gilchrist, Pelican Sound Golf and River Club
 Jim and Elaine McGivern, Pelican Sound Golf and River Club
 Jacklyn Hagerbach, Pelican Sound Golf and River Club
 Lee Hook, Pelican Sound Golf and River Club
 Robert Damore, Pelican Sound Golf and River Club
 Paul Litzinger, Pelican Sound Golf and River Club
 Gary Rodgers, Pelican Sound Golf and River Club
 Martha Burke, Pelican Sound Golf and River Club
 Merton Becker, Pelican Sound Golf and River Club
 Marilyn Endicott, Pelican Sound Golf and River Club
 Elaine Cosanitino, Pelican Sound Golf and River Club
 Jeffrey Grimley, Pelican Sound Golf and River Club
 Julie Grimley, Pelican Sound Golf and River Club
 Mark Kilian, Pelican Sound Golf and River Club

Gerald Tortorelli, Pelican Sound Golf and River Club
 Missy Wright , Pelican Sound Golf and River Club
 Tom Werner, Pelican Sound Golf and River Club
 Bill Wright, Pelican Sound Golf and River Club
 Pat Bawolek, Pelican Sound Golf and River Club
 Paul Duffell, Pelican Sound Golf and River Club
 Leigh Bowsher, Pelican Sound Golf and River Club
 John Simms, Pelican Sound Golf and River Club
 Gary Foster, Pelican Sound Golf and River Club
 Anne-Marie Theophile, Pelican Sound Golf and River Club
 Phil Holland, Pelican Sound Golf and River Club
 Paul Finnegan, Pelican Sound Golf and River Club
 Cheryl Nabholz, Pelican Sound Golf and River Club
 Christine Burns, Pelican Sound Golf and River Club
 Scott Carter, Pelican Sound Golf and River Club
 Susan Mulholland, Pelican Sound Golf and River Club
 Stacie Franklin, Pelican Sound Golf and River Club
 Maryellen Klein, Pelican Sound Golf and River Club
 James Baker, Pelican Sound Golf and River Club
 Sue Lottridge, Pelican Sound Golf and River Club
 Lynne Robertson, Pelican Sound Golf and River Club
 Theresa Bahnick, Pelican Sound Golf and River Club
 Dan Howell, Pelican Sound Golf and River Club
 Cindy Forrest, Pelican Sound Golf and River Club
 Gerald Walsh, Pelican Sound Golf and River Club
 David Koziol, Pelican Sound Golf and River Club
 Fernando Carballo, Pelican Sound Golf and River Club
 Noreen Carballo, Pelican Sound Golf and River Club
 Bruce Clark, Pelican Sound Golf and River Club
 Elaine Vail, Pelican Sound Golf and River Club
 Lisa Kilian, Pelican Sound Golf and River Club
 Sharon Sefferino, Pelican Sound Golf and River Club
 Jim Urick, Pelican Sound Golf and River Club
 Susan Ryan, Pelican Sound Golf and River Club
 Pat Yozamp, Pelican Sound Golf and River Club
 Cheryl Coleman, Pelican Sound Golf and River Club
 Mary Cook, Pelican Sound Golf and River Club
 Joseph Kafka, Pelican Sound Golf and River Club
 Susan Field, Pelican Sound Golf and River Club
 Lillian Hattenbach, Pelican Sound Golf and River Club
 Michael Molloy, Pelican Sound Golf and River Club
 James Hemlock, Pelican Sound Golf and River Club
 Jon Bowsher, Pelican Sound Golf and River Club
 Rosa Broseman, Pelican Sound Golf and River Club
 David Vranesich, Pelican Sound Golf and River Club
 Julie and Chuck Yellig, Pelican Sound Golf and River Club
 Raymond Ohara, Pelican Sound Golf and River Club
 Jonathan Hinton, Pelican Sound Golf and River Club
 Margaret Dressel, Pelican Sound Golf and River Club
 Janet Ohara, Pelican Sound Golf and River Club

Anne Fries, Pelican Sound Golf and River Club
 Jerome Rumack, Pelican Sound Golf and River Club
 Thomas E White, Pelican Sound Golf and River Club
 Marjorie Simony, Pelican Sound Golf and River Club
 Beth Schnell, Pelican Sound Golf and River Club
 Heidi Nielsen, Pelican Sound Golf and River Club
 David Reglin, Pelican Sound Golf and River Club
 Margaret Brown, Pelican Sound Golf and River Club
 Donna Dwyer, Pelican Sound Golf and River Club
 Kenneth Nielsen, Pelican Sound Golf and River Club
 Margaret Nielsen, Pelican Sound Golf and River Club
 George Cheatham, Pelican Sound Golf and River Club
 Joe Moran, Pelican Sound Golf and River Club
 Richard Simony, Pelican Sound Golf and River Club
 Lynde Sorensen, Pelican Sound Golf and River Club
 Christine Kingsley, Pelican Sound Golf and River Club
 Mike Ralston, Pelican Sound Golf and River Club
 Julie Li, Pelican Sound Golf and River Club
 Lawrence Hannah, Pelican Sound Golf and River Club
 Debra Heinz, Pelican Sound Golf and River Club
 Dawn McKee, Pelican Sound Golf and River Club
 Edward McKee, Pelican Sound Golf and River Club
 Kelly Mullen, Pelican Sound Golf and River Club
 Tracy Beers, Pelican Sound Golf and River Club
 Robert Twonbly, Pelican Sound Golf and River Club
 Lori Anstine, Pelican Sound Golf and River Club
 Randall Anstine, Pelican Sound Golf and River Club
 Kirk Paul Sawbash, Pelican Sound Golf and River Club
 Michael Downey, Pelican Sound Golf and River Club
 Steve Ettlinger, Pelican Sound Golf and River Club
 Greg Glass, Pelican Sound Golf and River Club
 David Bestq, Pelican Sound Golf and River Club
 Linda Swabash, Pelican Sound Golf and River Club
 Sue Michener, Pelican Sound Golf and River Club
 Richard Murphy, Pelican Sound Golf and River Club
 Lisa Wisniewski, Pelican Sound Golf and River Club
 James and Cynda Greenman, Pelican Sound Golf and River Club
 Ann Ripp, Pelican Sound Golf and River Club
 Gary Privett, Pelican Sound Golf and River Club
 Robert Schultz, Pelican Sound Golf and River Club
 Barbara Schultz, Pelican Sound Golf and River Club
 Suzy Urick, Pelican Sound Golf and River Club
 Dale Heinz, Pelican Sound Golf and River Club
 Ronald Bukovac, Pelican Sound Golf and River Club
 Lance Burmeister, Pelican Sound Golf and River Club
 Pete Davis, Pelican Sound Golf and River Club
 David Koch, Pelican Sound Golf and River Club
 Lynelle Reney, Pelican Sound Golf and River Club
 Gloria Elsea, Pelican Sound Golf and River Club
 Brian Strogny, Pelican Sound Golf and River Club

William Pritchard, Pelican Sound Golf and River Club
 Robert Hill, Pelican Sound Golf and River Club
 Ken Pryor, Pelican Sound Golf and River Club
 Beverly Alwine, Pelican Sound Golf and River Club
 Richard Thomas, Pelican Sound Golf and River Club
 Nancie McCusker, Pelican Sound Golf and River Club
 Joyce Vos, Pelican Sound Golf and River Club
 Mary Ann Rouleau, Pelican Sound Golf and River Club
 Bill Schneider, Pelican Sound Golf and River Club
 Gregg Ripp, Pelican Sound Golf and River Club
 Steve Hoven, Pelican Sound Golf and River Club
 Frank Best, Pelican Sound Golf and River Club
 Patti Mirsberger, Pelican Sound Golf and River Club
 Willam Horkiy, Pelican Sound Golf and River Club
 Dennis Zent, Pelican Sound Golf and River Club
 Michael McCusker, Pelican Sound Golf and River Club
 Mary Quigley, Pelican Sound Golf and River Club
 Don Baeolek, Pelican Sound Golf and River Club
 Gerald Walsh, Pelican Sound Golf and River Club
 Scott Gallagher, Pelican Sound Golf and River Club
 Gerald Walsh, Pelican Sound Golf and River Club
 Thomas Quigley, Pelican Sound Golf and River Club
 Michael Shields, Pelican Sound Golf and River Club
 Lisa Lynch, Pelican Sound Golf and River Club
 Jim Billett, Pelican Sound Golf and River Club
 Susan Carter, Pelican Sound Golf and River Club
 Susan Brennan, Pelican Sound Golf and River Club
 Thomas Lipsky, Pelican Sound Golf and River Club
 Robert Olsen, Pelican Sound Golf and River Club
 Mary Grace Gallagher, Pelican Sound Golf and River Club
 Carol Ralston, Pelican Sound Golf and River Club
 Paul Peracchio, Pelican Sound Golf and River Club
 Steven Ender, Pelican Sound Golf and River Club
 Linda Bassler, Pelican Sound Golf and River Club
 Susan Denman, Pelican Sound Golf and River Club
 John Nance, Pelican Sound Golf and River Club
 Donald Jancin, Pelican Sound Golf and River Club
 Gary Tilmann, Pelican Sound Golf and River Club
 John Nance, Pelican Sound Golf and River Club
 Karen Nay, Pelican Sound Golf and River Club
 Jean Garfield, Pelican Sound Golf and River Club
 George Brennan, Pelican Sound Golf and River Club
 F. Peter Blake, Pelican Sound Golf and River Club
 Benjamin Bachrach, Pelican Sound Golf and River Club
 Kurt Blumenthal, Pelican Sound Golf and River Club
 Joseph Bawolek, Pelican Sound Golf and River Club
 Gail Herdlein, Pelican Sound Golf and River Club
 Susan Enlow, Pelican Sound Golf and River Club
 Claudia Gram, Pelican Sound Golf and River Club
 Ronald E Podoll, Pelican Sound Golf and River Club

Steven Dahlin, Pelican Sound Golf and River Club
James Banks, Pelican Sound Golf and River Club
James Rozsypal, Pelican Sound Golf and River Club
Diane Siebold, Pelican Sound Golf and River Club

Motion: Motion to approve Ordinance No. 2025-07.

Motion by: Vice Mayor Zalucki
Seconded by: Councilmember Lopez

Action: Approved Ordinance No. 2025-07.

Vote: (Roll Call)

Aye: Councilmembers Hunt, McLain, Fayhee, Lopez, Ward, Vice Mayor Zalucki, and Mayor Ribble.

Nay:

Abstentions:

- (b) Second Reading Ordinance No. 2025-14 creating legislatively mandated regulations regarding recovery residence accommodation request

An Ordinance of the Village of Estero, Florida, Creating a New Section 4-6 of the Village Land Development Code Regarding Recovery Residences; Making Related Findings; Providing for Severability, Codification, and an Effective Date.

Staff Presentation/Comments

Steve Sarkozy, Village Manager

Robert Eschenfelder, Village Attorney

Council Questions or Comments

None

Public Comments

None

Motion: Motion to adopt Ordinance No. 2025-14.

Motion by: Councilmember McLain
Seconded by: Councilmember Ward

Action: Adopted Ordinance No. 2025-14.

Vote: (Roll Call)

Aye: Councilmembers Hunt, McLain, Fayhee, Lopez, Ward, Vice Mayor Zalucki, and Mayor Ribble.

Nay:

Abstentions:

10. COUNCIL COMMUNICATIONS / FUTURE AGENDA ITEMS

Councilmember Ward, Vice Mayor Zalucki, and Mayor Ribble

11. VILLAGE ATTORNEY'S REPORT

Robert Eschenfelder, Village Attorney

Council Questions or Comments

Councilmember Ward

12. VILLAGE MANAGER'S REPORT

None

Adjourn Regular Session at 10:50 am and Convene Workshop Items at 10:50 am

13. WORKSHOPS

(a) Village Wide Traffic Study Report

Staff Presentation/Comments

Steve Sarkozy, Village Manager

Presentation/Information by

Leah Holmes, Johnson Engineering

Council Questions or Comments

Councilmembers Hunt, Ward, and Vice Mayor Zalucki

Public Comments

In Person

Joe Ballerine, Fountain Lakes

Scott Stryker, Belle Terra

Francisco Figueroa, Estero

eComments

Patrick McGarry, Spring Ridge

(b) Council Salaries – DELETED FROM AGENDA

(c) BERT

Staff Presentation/Comments

Steve Sarkozy, Village Manager

Council Questions or Comments

None

Public Comments

None

14. ADJOURNMENT at 11:26 am

Motion by Councilmember McLain

ATTEST:

VILLAGE OF ESTERO, FLORIDA

By: _____

By: _____

Carol Sacco, CMC, Village Clerk

Joanne Ribble, Mayor

(td/CS)

For an official copy of the signed minutes, please submit a [Public Record Request](#).

AGENDA ITEM SUMMARY SHEET
VILLAGE COUNCIL MEETING
December 3, 2025

Agenda Item:

Financial Report for the month ended October 31, 2025.

Description:

This financial report provides budget to actual comparisons for the month ending October 31, 2025, which is the **first** month of the 2025-2026 fiscal year. Activity year to date is trending as projected during the first quarter of the fiscal year.

- *Ad valorem (real estate) taxes:* As expected, there were no collections reported during the first month of the fiscal year.
- *General Fund:* As expected, revenues for the first month of the fiscal year within the General Fund were minimal.
- *Reserved Funds:* In March of 2024, Council adopted a comprehensive update to Village financial policies. Included in this was an update to reserve policy as follows:

General Fund Committed Fund Balance – Emergency Reserve: The minimum level for the Emergency Reserve is 50% of General Fund budgeted expenditures less transfers out and any uses of fund balances.

General Fund Committed Fund Balance – Operating Reserve: The minimum level for the Operating Reserve is 20% of General Fund budgeted expenditures less transfers out and any uses of fund balances.

General Fund Assigned Fund Balance – Litigation Reserve: The minimum level for the Litigation Reserve is \$750,000. Given the geographical area is prone to legal challenges, these funds are to be used in the event legal action is taken, or, conversely, in an instance where the Village seeks a legal remedy to protect the public interest.

General Fund Assigned Fund Balance – Major Road Maintenance Reserve: The Major Road Maintenance Reserve was established in fiscal year 2019-2020 with an initial contribution of \$300,000 with 3% annual growth adjustments, unless directed otherwise by supermajority Council approval of an Ordinance amendment.

With the beginning of a new fiscal year in October, staff updated the required reserve amounts. After update, the General Fund has \$5,215,023 in emergency reserve funds, \$2,086,009 in operating reserve funds, \$750,000 in litigation defense reserve funds and \$2,298,500 in major road maintenance reserve funds. The remaining funds are allocated to Capital Projects and total \$31,044,345.

- *Available funds:* total funds categorized as available are \$31,044,345 which includes the General Fund Capital Projects reserve.

Action Requested:

Accept financial reports.

Financial Impact:

There is no financial impact of this report.

Prepared by: Kevin Greenville, CPA Finance Director

Attachments:

1. October 31, 2025, Budget Report All Funds
2. October 31, 2025, Available Funds Report



**Village of Estero
Budget Report All Funds
For Month Ending October 2025**

Account Description		Current Month Actual	Year to Date Actual	Budget	Budget Variance Amount	Year to Date Percentage
Revenue						
001-General Fund						
311000	Ad Valorem Taxes	0.00	0.00	-7,082,720.00	-7,082,720.00	0.00%
312410	Local Option Gas Tax-1-6 Cent	0.00	0.00	-625,000.00	-625,000.00	0.00%
315200	Local Communications Srvs Tax	0.00	0.00	-1,125,000.00	-1,125,000.00	0.00%
316000	Local Business Tax	0.00	0.00	-25,000.00	-25,000.00	0.00%
323100	Franchise Fees-Electric	0.00	0.00	-2,950,000.00	-2,950,000.00	0.00%
323400	Franchise Fees-Natural Gas	0.00	0.00	-137,500.00	-137,500.00	0.00%
323700	Franchise Fees-Solid Waste	0.00	0.00	-125,000.00	-125,000.00	0.00%
329500	ROW Permits	0.00	0.00	-1,000.00	-1,000.00	0.00%
331500	Federal Grant - Econ Environ	-12,689.68	-12,689.68	0.00	12,689.68	0.00%
334400	State Grant - Transportation	0.00	0.00	-152,500.00	-152,500.00	0.00%
335140	Rev Sharing-Mobile Home Lic Tx	0.00	-57.37	-3,750.00	-3,692.63	1.53%
335150	Rev Sharing-Alcohol Beverage Tx	0.00	0.00	-31,250.00	-31,250.00	0.00%
335160	Rev Sharing-Sales Tax	0.00	0.00	-850,000.00	-850,000.00	0.00%
335180	Rev Sharing-1/2 Cent Sales Tax	0.00	0.00	-3,925,000.00	-3,925,000.00	0.00%
335430	Rev Sharing-Fuel Tax	0.00	0.00	-195,000.00	-195,000.00	0.00%
341300	Administrative Fee	-4,610.40	-4,610.40	-150,000.00	-145,389.60	3.07%
341301	Cost Recovery-Admin Charge	-1,250.00	-1,250.00	-15,000.00	-13,750.00	8.33%
341900	Dev & Zoning-Fixed Fees	-10,200.00	-10,200.00	-52,500.00	-42,300.00	19.43%
341909	Dev & Zoning-Cost Recovery Fee	0.00	0.00	-90,500.00	-90,500.00	0.00%
342500	Code Comp & Contractor License	0.00	0.00	-45,000.00	-45,000.00	0.00%
359000	Fines & Forfeitures	0.00	0.00	-250.00	-250.00	0.00%
361100	Interest Income	-92,900.09	-92,900.09	-650,000.00	-557,099.91	14.29%
362000	Rents & Royalties	-3,000.00	-3,000.00	-36,000.00	-33,000.00	8.33%
369900	Miscellaneous Revenue	-2,268.62	-2,268.62	-32,500.00	-30,231.38	6.98%

Page Number 1 of 13



Village of Estero
Budget Report All Funds
For Month Ending October 2025

Account Description		Current Month Actual	Year to Date Actual	Budget	Budget Variance Amount	Year to Date Percentage
Total for General Fund		-126,918.79	-126,976.16	-18,300,470.00	-18,173,493.84	0.69%
110-Building Fee Fund						
445-Building Dept						
322000	Building Permit Fees	-140,541.58	-140,541.58	-1,782,140.00	-1,641,598.42	7.89%
329501	Surcharge Fee Retained	-1,202.72	-1,202.72	-3,150.00	-1,947.28	38.18%
341302	Convenience Fee	-3,552.62	-3,552.62	-53,465.00	-49,912.38	6.64%
361100	Interest Income	-1,415.57	0.00	-17,000.00	-17,000.00	0.00%
Total for Building Dept		-146,712.49	-145,296.92	-1,855,755.00	-1,710,458.08	7.83%
Total for Building Fee Fund		-146,712.49	-145,296.92	-1,855,755.00	-1,710,458.08	7.83%
201-Debt Service						
000-Non Divisional						
381001	Transfer from General Fund	0.00	0.00	-920,000.00	-920,000.00	0.00%
Total for Non Divisional		0.00	0.00	-920,000.00	-920,000.00	0.00%
Total for Debt Service		0.00	0.00	-920,000.00	-920,000.00	0.00%
300-Capital Projects						
350-Road Impact Fees						
324310	Road Imp Fee-Residential	-99,960.00	-99,960.00	-4,589,310.00	-4,489,350.00	2.18%
324320	Road Imp Fees-Commercial	0.00	0.00	-1,111,335.00	-1,111,335.00	0.00%
361100	Interest Income	-30,635.27	0.00	-400,000.00	-400,000.00	0.00%
Total for Road Impact Fees		-130,595.27	-99,960.00	-6,100,645.00	-6,000,685.00	1.64%
353-Comm Park Contributions						
361100	Interest Income	-251.03	0.00	-3,000.00	-3,000.00	0.00%
Total for Comm Park Contributions		-251.03	0.00	-3,000.00	-3,000.00	0.00%
355-Park Impact Fees						
324610	Park Imp Fees-Residential	-15,350.00	-15,350.00	-234,883.00	-219,533.00	6.54%
324620	Park Imp Fee-Commercial	0.00	0.00	0.00	0.00	0.00%

Page Number 2 of 13



Village of Estero
Budget Report All Funds
For Month Ending October 2025

Account Description		Current Month Actual	Year to Date Actual	Budget	Budget Variance Amount	Year to Date Percentage
361100	Interest Income	-3,043.26	0.00	-40,000.00	-40,000.00	0.00%
	Total for Park Impact Fees	-18,393.26	-15,350.00	-274,883.00	-259,533.00	5.58%
360-Physical Environment						
381001	Transfer from General Fund	-2,250.00	-2,250.00	-6,045,000.00	-6,042,750.00	0.04%
	Total for Physical Environment	-2,250.00	-2,250.00	-6,045,000.00	-6,042,750.00	0.04%
365-Transportation						
366000	Contributions & Donations	0.00	0.00	-4,250,000.00	-4,250,000.00	0.00%
381001	Transfer from General Fund	-2,100.00	-2,100.00	-6,868,815.00	-6,866,715.00	0.03%
	Total for Transportation	-2,100.00	-2,100.00	-11,118,815.00	-11,116,715.00	0.02%
366-Gas Tax						
312420	Local Option Gas Tax 1-5 Cent	-34,786.27	-414,739.91	-415,000.00	-260.09	99.94%
361100	Interest Income	-5,607.78	-91,958.59	-82,500.00	9,458.59	111.46%
	Total for Gas Tax	-40,394.05	-506,698.50	-497,500.00	9,198.50	101.85%
600-Parks & Recreation						
381001	Transfer from General Fund	-6,071,700.00	-6,071,700.00	-11,681,290.00	-5,609,590.00	51.98%
	Total for Parks & Recreation	-6,071,700.00	-6,071,700.00	-11,681,290.00	-5,609,590.00	51.98%
	Total for Capital Projects	-6,265,683.61	-6,698,058.50	-35,721,133.00	-29,023,074.50	18.75%
	Total for Revenue	-6,539,314.89	-6,970,331.58	-56,797,358.00	-48,907,026.42	12.27%
001-General Fund						
000-Non Divisional						
581360	Transfer to Physical Envriment	2,250.00	2,250.00	6,045,000.00	6,042,750.00	0.04%
581365	Transfer to Transportation	2,100.00	2,100.00	6,868,815.00	6,866,715.00	0.03%
581600	Transfer to Parks& Rec CapProj	6,071,700.00	6,071,700.00	11,681,290.00	5,609,590.00	51.98%
	Total for Non Divisional	6,076,050.00	6,076,050.00	24,595,105.00	18,519,055.00	24.70%
100-Village Council						
511000	Executive Salaries	10,356.43	10,356.43	124,280.00	113,923.57	8.33%

Page Number 3 of 13



Village of Estero
Budget Report All Funds
For Month Ending October 2025

Account Description		Current Month	Year to Date	Budget	Budget Variance	Year to Date
		Actual	Actual	Amount	Amount	Percentage
521000	FICA Taxes	792.29	792.29	9,530.00	8,737.71	8.31%
524000	Workers Compensation	133.23	133.23	1,170.00	1,036.77	11.39%
525000	Unemployment Compensation	50.70	50.70	2,200.00	2,149.30	2.30%
540000	Travel and Per Diem	0.00	0.00	25,000.00	25,000.00	0.00%
554000	Books Pub & Memberships	1,195.00	1,195.00	12,000.00	10,805.00	9.96%
555000	Training	0.00	0.00	2,500.00	2,500.00	0.00%
Total for Village Council		12,527.65	12,527.65	176,680.00	164,152.35	7.09%
101-Village Manager						
511000	Executive Salaries	30,865.17	30,865.17	397,090.00	366,224.83	7.77%
512000	Regular Salaries & Wages	20,694.27	20,694.27	46,970.00	26,275.73	44.06%
513000	Other Salaries & Wages	973.07	973.07	8,600.00	7,626.93	11.31%
521000	FICA Taxes	2,022.43	2,022.43	34,640.00	32,617.57	5.84%
522000	Retirement Contributions	3,240.85	3,240.85	46,405.00	43,164.15	6.98%
523000	Group Health Insurance	6,814.98	6,814.98	89,985.00	83,170.02	7.57%
524000	Workers Compensation	591.98	591.98	4,035.00	3,443.02	14.67%
525000	Unemployment Compensation	21.54	21.54	935.00	913.46	2.30%
531000	Professional Services	0.00	0.00	45,000.00	45,000.00	0.00%
534000	Misc Contracted Services	0.00	0.00	25,000.00	25,000.00	0.00%
534101	Public Relations	6,772.58	6,772.58	20,000.00	13,227.42	33.86%
540000	Travel and Per Diem	0.00	0.00	15,000.00	15,000.00	0.00%
541000	Communication Services	3,144.00	3,144.00	40,000.00	36,856.00	7.86%
554000	Books Pub & Memberships	0.00	0.00	4,000.00	4,000.00	0.00%
555000	Training	0.00	0.00	4,250.00	4,250.00	0.00%
Total for Village Manager		75,140.87	75,140.87	781,910.00	706,769.13	9.61%
110-Village Attorney						
531101	Legal Services	160.00	160.00	275,000.00	274,840.00	0.06%

Page Number 4 of 13



Village of Estero
Budget Report All Funds
For Month Ending October 2025

Account Description		Current Month	Year to Date	Budget	Budget Variance	Year to Date
		Actual	Actual		Amount	Percentage
531102	Land Use Legal Services	0.00	0.00	50,000.00	50,000.00	0.00%
531103	Code Enforcement Legal	0.00	0.00	10,000.00	10,000.00	0.00%
531106	Land Dev Code Legal	0.00	0.00	10,000.00	10,000.00	0.00%
531109	Miscellaneous legal	0.00	0.00	15,000.00	15,000.00	0.00%
531402	Comprehensive Plan	0.00	0.00	15,000.00	15,000.00	0.00%
Total for Village Attorney		160.00	160.00	375,000.00	374,840.00	0.04%
115-Village Clerk						
512000	Regular Salaries & Wages	5,336.38	5,336.38	190,970.00	185,633.62	2.79%
521000	FICA Taxes	408.24	408.24	14,650.00	14,241.76	2.79%
522000	Retirement Contributions	1,744.24	1,744.24	11,590.00	9,845.76	15.05%
523000	Group Health Insurance	0.00	0.00	24,870.00	24,870.00	0.00%
524000	Workers Compensation	49.45	49.45	1,715.00	1,665.55	2.88%
525000	Unemployment Compensation	20.16	20.16	875.00	854.84	2.30%
531117	Election Services	0.00	0.00	0.00	0.00	0.00%
534102	Codification	0.00	0.00	3,090.00	3,090.00	0.00%
540000	Travel and Per Diem	0.00	0.00	1,290.00	1,290.00	0.00%
548000	Legal Notices	0.00	0.00	5,150.00	5,150.00	0.00%
554000	Books Pub & Memberships	0.00	0.00	515.00	515.00	0.00%
555000	Training	0.00	0.00	775.00	775.00	0.00%
Total for Village Clerk		7,558.47	7,558.47	255,490.00	247,931.53	2.96%
130-Finance						
512000	Regular Salaries & Wages	45,130.71	45,130.71	406,370.00	361,239.29	11.11%
521000	FICA Taxes	3,362.75	3,362.75	31,100.00	27,737.25	10.81%
522000	Retirement Contributions	4,269.73	4,269.73	37,660.00	33,390.27	11.34%
523000	Group Health Insurance	8,758.27	8,758.27	85,470.00	76,711.73	10.25%
524000	Workers Compensation	414.80	414.80	5,440.00	5,409.70	7.63%

Page Number 5 of 13



Village of Estero
Budget Report All Funds
For Month Ending October 2025

Account Description		Current Month	Year to Date	Budget	Budget Variance	Year to Date
		Actual	Actual		Amount	Percentage
525000	Unemployment Compensation	30.30	30.30	1,315.00	1,315.00	2.30%
531000	Professional Services	0.00	0.00	10,500.00	10,500.00	0.00%
532000	Auditing Services	0.00	0.00	53,550.00	53,550.00	0.00%
540000	Travel and Per Diem	0.00	0.00	4,725.00	4,725.00	0.00%
554000	Books Pub & Memberships	0.00	0.00	2,100.00	2,100.00	0.00%
555000	Training	0.00	0.00	2,100.00	2,100.00	0.00%
Total for Finance		61,966.56	61,966.56	640,330.00	578,778.24	9.68%
170-Information Technology						
531110	IT Contracted Services	0.00	0.00	250,000.00	250,000.00	0.00%
531111	Webmaster Srvs & Maintenance	0.00	0.00	100,000.00	100,000.00	0.00%
531112	Audio Visual Services	0.00	0.00	100,000.00	100,000.00	0.00%
552001	Software Licensing	25,750.00	25,750.00	200,000.00	174,250.00	12.88%
552002	Small Tools & Equipment	0.00	0.00	10,000.00	10,000.00	0.00%
564000	Capital Outlay - Mach & Equip	0.00	0.00	10,000.00	10,000.00	0.00%
Total for Information Technology		25,750.00	25,750.00	670,000.00	644,250.00	3.84%
180-General Government						
531112	Audio Visual Services	0.00	0.00	31,500.00	31,500.00	0.00%
531113	Recruitment Services	0.00	0.00	20,000.00	20,000.00	0.00%
531114	Lobbying Services	3,993.00	3,993.00	60,000.00	56,007.00	6.66%
534000	Misc Contracted Services	275.00	275.00	150,000.00	149,725.00	0.18%
540000	Travel and Per Diem	0.00	0.00	5,250.00	5,250.00	0.00%
541000	Communication Services	566.25	566.25	7,500.00	6,933.75	7.55%
542000	Freight & Postage	0.00	0.00	5,000.00	5,000.00	0.00%
543000	Utilities	2,616.78	2,616.78	62,500.00	59,883.22	4.19%
544100	Building Lease	24,148.36	24,148.36	300,000.00	275,851.64	8.05%
544200	Equipment Rental & Leases	0.00	0.00	12,500.00	12,500.00	0.00%

Page Number 6 of 13



Village of Estero
Budget Report All Funds
For Month Ending October 2025

Account Description		Current Month	Year to Date	Budget	Budget Variance	Year to Date
		Actual	Actual		Amount	Percentage
545000	Insurance	0.00	0.00	250,000.00	250,000.00	0.00%
546000	Repair & Maintenance Services	0.00	0.00	20,000.00	20,000.00	0.00%
547000	Printing	0.00	0.00	2,500.00	2,500.00	0.00%
549101	State Administrative Fees	0.00	0.00	0.00	0.00	0.00%
549102	Tax Collector Fees	1.25	1.25	0.00	-1.25	0.00%
549103	Contingency	0.00	0.00	125,000.00	125,000.00	0.00%
551000	Office Supplies	0.00	0.00	15,000.00	15,000.00	0.00%
552000	Operating Supplies	0.00	0.00	25,000.00	25,000.00	0.00%
552005	Bank Charges	0.00	0.00	250.00	250.00	0.00%
554000	Books Pub & Memberships	0.00	0.00	2,000.00	2,000.00	0.00%
Total for General Government		31,600.64	31,600.64	1,094,000.00	1,062,399.36	2.89%
201-Law Enforcement/Security						
534201	Lee Cty Law Enforcement	252.00	252.00	6,300.00	6,048.00	4.00%
534501	Lee Cty Animal Control Svcs	0.00	0.00	44,625.00	44,625.00	0.00%
Total for Law Enforcement/Security		252.00	252.00	50,925.00	50,673.00	0.49%
210-Code Compliance Services						
531115	Special Magistrate Svcs	0.00	0.00	7,725.00	7,725.00	0.00%
531201	Code Compliance Contract Svcs	0.00	0.00	20,600.00	20,600.00	0.00%
549105	Other Chrges-Filing Fees	0.00	0.00	950.00	950.00	0.00%
Total for Code Compliance Services		0.00	0.00	29,275.00	29,275.00	0.00%
299-Disaster Response						
531000	Professional Services	0.00	0.00	25,000.00	25,000.00	0.00%
531116	Disaster Preparedness Services	0.00	0.00	10,000.00	10,000.00	0.00%
Total for Disaster Response		0.00	0.00	35,000.00	35,000.00	0.00%
360-Physical Environment						
531000	Professional Services	0.00	0.00	30,000.00	30,000.00	0.00%

Page Number 7 of 13



Village of Estero
Budget Report All Funds
For Month Ending October 2025

Account Description		Current Month	Year to Date	Budget	Budget Variance	Year to Date
		Actual	Actual		Amount	Percentage
531301	Water Level & Quality Monitor	0.00	0.00	200,000.00	200,000.00	0.00%
531305	NPDES Compliance	0.00	0.00	15,000.00	15,000.00	0.00%
531415	Reclaimed Water Study	0.00	0.00	0.00	0.00	0.00%
531502	Flood Plain-Com Rating System	0.00	0.00	100,000.00	100,000.00	0.00%
534000	Misc Contracted Services	0.00	0.00	50,000.00	50,000.00	0.00%
546301	Stormwater Maint	0.00	0.00	100,000.00	100,000.00	0.00%
549106	Water Quality Joint Advocacy	0.00	0.00	10,000.00	10,000.00	0.00%
Total for Physical Environment		0.00	0.00	505,000.00	505,000.00	0.00%
365-Transportation						
512000	Regular Salaries & Wages	0.00	40,501.75	376,450.00	335,948.25	10.76%
521000	FICA Taxes	0.00	2,970.52	28,820.00	25,849.48	10.31%
522000	Retirement Contributions	0.00	3,600.90	31,760.00	28,159.10	11.34%
523000	Group Health Insurance	0.00	6,112.99	77,780.00	71,667.01	7.86%
524000	Workers Compensation	0.00	7,885.25	11,400.00	3,514.75	69.17%
525000	Unemployment Compensation	0.00	25.35	1,100.00	1,074.65	2.30%
531306	Traffic Counts	0.00	0.00	20,000.00	20,000.00	0.00%
534000	Misc Contracted Services	0.00	0.00	100,000.00	100,000.00	0.00%
534301	Street Sweeping Services	0.00	0.00	35,000.00	35,000.00	0.00%
534302	Right-of-Way Permit Review	0.00	0.00	20,000.00	20,000.00	0.00%
534304	Traffic Study	0.00	0.00	100,000.00	100,000.00	0.00%
534306	Misc Construction Services	0.00	0.00	100,000.00	100,000.00	0.00%
540000	Travel and Per Diem	0.00	0.00	7,500.00	7,500.00	0.00%
541000	Communication Services	0.00	0.00	1,000.00	1,000.00	0.00%
543000	Utilities	0.00	282.97	97,500.00	97,500.00	0.29%
544200	Equipment Rental & Leases	0.00	0.00	5,000.00	5,000.00	0.00%
545000	Insurance	0.00	0.00	15,000.00	15,000.00	0.00%

Page Number 8 of 13



Village of Estero
Budget Report All Funds
For Month Ending October 2025

Account Description		Current Month	Year to Date	Budget	Budget Variance	Year to Date
		Actual	Actual	Amount	Amount	Percentage
546302	Bridge Maintenance	0.00	0.00	15,000.00	15,000.00	0.00%
546304	Irrigation Maintenance	0.00	0.00	82,500.00	82,500.00	0.00%
546305	Landscape Maintenance	0.00	4,250.00	1,651,000.00	1,646,750.00	0.26%
546306	Mowing Maintenance	0.00	0.00	40,000.00	40,000.00	0.00%
546307	Ditch Maintenance	0.00	0.00	175,000.00	175,000.00	0.00%
546309	Street Light Maintenance	0.00	534.10	92,500.00	91,965.90	0.58%
546310	Traffic Sign Maintenance	0.00	0.00	50,000.00	50,000.00	0.00%
546311	Traffic Signal Maintenance	0.00	0.00	50,000.00	50,000.00	0.00%
546312	Railroad Maintenance	0.00	0.00	125,000.00	125,000.00	0.00%
546313	Road Maintenance	0.00	22,345.00	550,000.00	527,655.00	4.06%
552000	Operating Supplies	0.00	258.80	6,000.00	5,741.20	4.31%
554000	Books Pub & Memberships	0.00	0.00	2,000.00	2,000.00	0.00%
555000	Training	0.00	0.00	2,000.00	2,000.00	0.00%
Total for Transportation		0.00	88,767.63	3,869,310.00	3,780,825.34	2.29%
439-Development Services						
512000	Regular Salaries & Wages	46,157.93	46,157.93	596,290.00	550,132.07	7.74%
521000	FICA Taxes	3,507.87	3,507.87	45,650.00	42,142.13	7.68%
522000	Retirement Contributions	3,892.63	3,892.63	47,460.00	43,567.37	8.20%
523000	Group Health Insurance	4,046.34	4,046.34	68,440.00	64,393.66	5.91%
524000	Workers Compensation	4,660.29	4,660.29	8,410.00	3,749.71	55.41%
525000	Unemployment Compensation	42.05	42.05	1,575.00	1,532.95	2.67%
531000	Professional Services	0.00	0.00	20,000.00	20,000.00	0.00%
531315	Growth Model Svcs	0.00	0.00	5,000.00	5,000.00	0.00%
531316	Development Svcs Manager	0.00	0.00	10,000.00	10,000.00	0.00%
531402	Comprehensive Plan	0.00	0.00	10,000.00	10,000.00	0.00%
531403	Land Development Code	0.00	0.00	10,000.00	10,000.00	0.00%

Page Number 9 of 13



Village of Estero
Budget Report All Funds
For Month Ending October 2025

Account Description		Current Month	Year to Date	Budget	Budget Variance	Year to Date
		Actual	Actual		Amount	Percentage
534000	Misc Contracted Services	0.00	0.00	200,000.00	200,000.00	0.00%
540000	Travel and Per Diem	0.00	0.00	3,500.00	3,500.00	0.00%
548000	Legal Notices	0.00	0.00	6,500.00	6,500.00	0.00%
554000	Books Pub & Memberships	3,000.00	3,000.00	10,000.00	7,000.00	30.00%
555000	Training	0.00	0.00	1,250.00	1,250.00	0.00%
Total for Development Services		65,307.11	65,307.11	1,044,075.00	978,767.89	6.26%
440-Planning, Zoning, Dev Review						
512000	Regular Salaries & Wages	0.00	0.00	60,000.00	60,000.00	0.00%
521000	FICA Taxes	0.00	0.00	5,000.00	5,000.00	0.00%
524000	Workers Compensation	0.00	0.00	500.00	500.00	0.00%
525000	Unemployment Compensation	0.00	0.00	250.00	250.00	0.00%
531000	Professional Services	0.00	0.00	7,500.00	7,500.00	0.00%
549104	Planning & Zoning-Fixed Fee	0.00	0.00	315,000.00	315,000.00	0.00%
Total for Planning, Zoning, Dev Review		0.00	0.00	388,250.00	388,250.00	0.00%
601-Parks Master Plan						
512000	Regular Salaries & Wages	0.00	0.00	0.00	0.00	0.00%
521000	FICA Taxes	0.00	0.00	0.00	0.00	0.00%
522000	Retirement Contributions	0.00	0.00	0.00	0.00	0.00%
523000	Group Health Insurance	0.00	0.00	0.00	0.00	0.00%
524000	Workers Compensation	0.00	0.00	0.00	0.00	0.00%
525000	Unemployment Compensation	0.00	0.00	0.00	0.00	0.00%
531000	Professional Services	28,706.25	28,706.25	330,000.00	301,293.75	0.00%
534601	YMCA Operating Agreement	1,500.00	1,500.00	137,500.00	136,000.00	1.09%
543000	Utilities	931.86	931.86	17,050.00	16,118.14	5.47%
544200	Equipment Rental & Leases	9,090.24	9,090.24	5,500.00	-3,590.24	165.28%
546000	Repair & Maintenance Services	0.00	0.00	24,750.00	24,750.00	0.00%

Page Number 10 of 13



Village of Estero
Budget Report All Funds
For Month Ending October 2025

Account Description		Current Month Actual	Year to Date Actual	Budget	Budget Variance Amount	Year to Date Percentage
Total for Parks Master Plan		40,228.35	40,228.35	514,800.00	474,571.65	7.81%
Total for General Fund		6,396,541.65	6,485,309.28	35,025,150.00	28,540,538.49	18.52%
110-Building Fee Fund						
445-Building Dept						
531000	Professional Services	0.00	0.00	50,000.00	50,000.00	0.00%
531110	IT Contracted Services	0.00	0.00	6,450.00	6,450.00	0.00%
531401	Building Service Contract	0.00	0.00	1,900,000.00	1,900,000.00	0.00%
541000	Communication Services	0.00	0.00	2,000.00	2,000.00	0.00%
542000	Freight & Postage	0.00	0.00	1,000.00	1,000.00	0.00%
543000	Utilities	1,085.96	1,085.96	12,500.00	11,414.04	8.69%
544100	Building Lease	4,946.05	4,946.05	66,950.00	62,003.95	7.39%
544200	Equipment Rental & Leases	83.98	83.98	12,500.00	12,416.02	0.67%
546000	Repair & Maintenance Services	3,708.84	3,708.84	4,000.00	291.16	92.72%
551000	Office Supplies	0.00	0.00	4,000.00	4,000.00	0.00%
552000	Operating Supplies	0.00	0.00	5,000.00	5,000.00	0.00%
552001	Software Licensing	0.00	0.00	0.00	0.00	0.00%
552009	Credit Card Fees	0.00	0.00	53,465.00	53,465.00	0.00%
Total for Building Dept		9,824.83	9,824.83	2,117,865.00	2,108,040.17	0.46%
Total for Building Fee Fund		9,824.83	9,824.83	2,117,865.00	2,108,040.17	0.46%
201-Debt Service						
000-Non Divisional						
571000	Principal Payments	0.00	0.00	420,000.00	420,000.00	0.00%
572000	Interest Expense	0.00	0.00	500,000.00	500,000.00	0.00%
Total for Non Divisional		0.00	0.00	420,000.00	420,000.00	0.00%
Total for Debt Service		0.00	0.00	420,000.00	420,000.00	0.00%
300-Capital Projects						



Village of Estero
Budget Report All Funds
For Month Ending October 2025

Account Description		Current Month Actual	Year to Date Actual	Budget	Budget Variance Amount	Year to Date Percentage
350-Road Impact Fees						
581365	Transfer to Transportation	0.00	0.00	0.00	0.00	0.00%
Total for Road Impact Fees		0.00	0.00	0.00	0.00	0.00%
351-Comm Park Impact Fees						
Total for Comm Park Impact Fees		0.00	0.00	0.00	0.00	0.00%
352-Reg Park Imp Fee						
Total for Reg Park Imp Fee		0.00	0.00	0.00	0.00	0.00%
354-Public Land						
Total for Public Land		0.00	0.00	0.00	0.00	0.00%
355-Park Impact Fees						
581365	Transfer to Transportation	0.00	0.00	0.00	0.00	0.00%
Total for Park Impact Fees		0.00	0.00	0.00	0.00	0.00%
360-Physical Environment						
563000	Capital Outlay - Infrastructure	2,250.00	2,250.00	14,125,106.00	14,122,856.00	0.02%
Total for Physical Environment		2,250.00	2,250.00	14,125,106.00	14,122,856.00	0.02%
365-Transportation						
563000	Capital Outlay - Infrastructure	2,100.00	2,100.00	16,050,000.00	16,047,900.00	0.01%
Total for Transportation		2,100.00	2,100.00	16,050,000.00	16,047,900.00	0.01%
366-Gas Tax						
581365	Transfer to Transportation	0.00	0.00	0.00	0.00	0.00%
Total for Gas Tax		0.00	0.00	0.00	0.00	0.00%
600-Parks & Recreation						
561000	Capital Outlay - Land	0.00	0.00	0.00	0.00	0.00%
563000	Capital Outlay - Infrastructure	6,071,700.00	6,071,700.00	27,295,000.00	21,223,300.00	22.24%
Total for Parks & Recreation		6,071,700.00	6,071,700.00	27,295,000.00	0.00	0.00%
Total for Capital Projects		6,076,050.00	6,076,050.00	57,470,106.00	30,170,756.00	0.00%

Page Number 12 of 13



Village of Estero
Budget Report All Funds
For Month Ending October 2025

Account Description	Current Month Actual	Year to Date Actual	Budget	Budget Variance Amount	Year to Date Percentage
Total for Expense	12,482,416.48	12,571,184.11	95,033,121.00	61,239,334.66	13.23%
Net Revenue / Expense	5,943,101.59	5,600,852.53	38,235,763.00	12,332,308.24	14.65%

Page Number 13 of 13



Village of Estero
Available Funds Report
For the Month Ending October 25

Available Funds Report

General Fund Capital Projects	\$ 8,474,716
Building Fee Fund	443,359
Gas Tax Capital Projects	3,220,361
Developer Contribution	258,644
Road Impact Fees	17,993,888
Estero Park Entry Contribution	112,937
Park Imp Fees	540,439
Total Available Funds	<u>\$ 31,044,345</u>

AGENDA ITEM SUMMARY SHEET
VILLAGE COUNCIL MEETING
December 3, 2025

Agenda Item:

Resolution No. 2025-27 Reimbursement Resolution

Motion to Adopt Resolution No. 2025-27

Background:

A common option for local governments to fund capital projects is through the issuance of tax-exempt bonds. Under Florida law, a bond is any indebtedness issued by a government to finance or refinance capital improvements. Local governments receive direct and indirect tax benefits under the Internal Revenue Code. One of these benefits is the ability to issue tax-exempt bonds pursuant to which the interest earned by the bondholder is exempt from federal income taxation. Because interest paid to bondholders is not includable in their gross income for federal tax purposes, bondholders are willing to accept a lower interest rate.

To preserve the Village's ability to issue debt on upcoming projects which may be initially funded with funds of the Village, the Internal Revenue Service requires a government to take affirmative action to indicate its intention to fund such projects with tax-exempt debt. The Village must pass a Reimbursement Resolution to signify its intent.

To assist with drafting the Reimbursement Resolution and for future legal advice regarding debt issuance, the Village has engaged Nabors, Giblin & Nickerson, P.A. to act as bond counsel.

Description:

The Reimbursement Resolution under consideration covers all types of improvements in the Village's capital improvement plan. The resolution would allow the Village to issue up to \$80 million in debt even if the projects were previously funded with cash. There is no requirement nor commitment to issue this debt by adoption of this resolution.

The Reimbursement Resolution would also allow the Village to fund capital projects with cash as costs are incurred and then potentially issue larger, more cost-efficient debt instruments rather than several smaller financings.

Page 1 of 2

Action Requested:

Motion to Adopt Resolution No. 2025-27

Process and Timeline:

Any reimbursement allocation from tax-exempt proceeds must occur no later than 18 months after the later of (i) the date of the original expenditure of Village funds, or (ii) the date the project is placed in service or abandoned, but in no event later than three years from the date the original expenditure is made.

Financial Impact:

This resolution only preserves the ability to issue debt. There is no commitment nor requirement.

Prepared by: Kevin Greenville, CPA

Attachments:

1. Resolution No. 2025-27

RESOLUTION NO. 2025-27**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF ESTERO, FLORIDA REGARDING REIMBURSEMENT OF CERTAIN COSTS RELATING TO THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF CERTAIN STORMWATER UTILITY IMPROVEMENTS, PARK AND REDEVELOPMENT IMPROVEMENTS, SEWER UTILITY SYSTEM IMPROVEMENTS, TRANSPORTATION RELATED IMPROVEMENTS AND/OR PARK AND RECREATION RELATED IMPROVEMENTS WITHIN THE VILLAGE; MAKING RELATED FINDINGS; PROVIDING FOR SEVERABILITY AND FOR AN EFFECTIVE DATE.**

WHEREAS, the Village of Estero, Florida has incurred and/or will incur various costs in relation to the acquisition, construction and equipping of certain stormwater utility capital improvements, park and redevelopment capital improvements, sewer utility system capital improvements and/or transportation-related capital improvements within the Village, as generally described in **Exhibit A** hereto and as more particularly described in the plans and specifications on file with the Village (the "Improvements"); and

WHEREAS, the Village has determined it is in its best interest to reimburse such costs from proceeds of tax-exempt debt; and

WHEREAS, the United States Department of Treasury has issued various regulations in regard to reimbursement of governmental costs through the issuance of tax-exempt debt; and

WHEREAS, it is the intent of the Village that the purpose of this Resolution is to meet the requirements of United States Treasury Regulations Section 1.150-2 and to be a declaration of official intent under such Section; and

WHEREAS, the Village Council of the Village of Estero finds that it is in the best interest of the Village to adopt this Resolution.

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

Section 1. It is the intent of the Village to reimburse various costs and expenditures relating to the acquisition, construction and equipping of the Improvements. The Village has paid for, and/or reasonably anticipates that it will pay for, such costs and expenditures from moneys on deposit in the Village's General Fund, Building Fee Fund and/or Driving Range Fund. It is reasonably expected that reimbursement of such costs and expenditures shall come from the issuance of tax-exempt debt which is not expected to exceed \$80,000,000 aggregate principal amount. It is currently the intention of the Village to principally secure such tax-exempt debt from a covenant of the Village to budget and appropriate sufficient legally available non-ad valorem revenues of the Village and/or by a pledge of and lien upon one or more legally available non-ad valorem revenues of the Village and/or by a pledge of and lien on the revenues of the specific enterprise fund(s) for which certain of the Improvements are being made. The expenditures to be

reimbursed shall be consistent with the Village's budgetary and financial policy as being the type of expenditures which shall be paid on a long-term basis.

Section 2. The Village shall comply with all applicable law in regard to the public availability of records of official acts by public entities such as the Village, including making this Resolution available for public inspection.

Section 3. This Resolution shall take effect immediately upon adoption.

ADOPTED BY THE VILLAGE COUNCIL of the Village of Estero, Florida
this__ day of _____, 2025.

Attest: **VILLAGE OF ESTERO, FLORIDA**

By: _____ By: _____
Carol Sacco, Village Clerk Joanne Ribble, Mayor

EXHIBIT A

GENERAL DESCRIPTION OF IMPROVEMENTS

- Acquisition of approximately 72 acres of real property for stormwater and/or park and redevelopment purposes
- Utility expansion projects for the sewer utility system that are within the Village's current capital improvement plan
- Various transportation capital improvements that are within the Village's current capital improvement plan, including but not limited to, road widening, pedestrian and biking paths, landscaping and signage
- Various park and recreation improvements that are within the Village's current capital improvement plan, including but not limited to, recreation facilities, recreation fields, trails, and bridges

A-1

**AGENDA ITEM SUMMARY SHEET
VILLAGE COUNCIL MEETING
December 3, 2025**

Agenda Item:

Resolution No. 2025-28 Amending Resolution No. 2025-20 Updated Community Development Fees

Motion to adopt Resolution No. 2025-28

Background:

On September 17, 2025, the Village Council adopted new fees and rescinded all previous resolutions relating to fees. The new fees went into effect and were implemented on October 1, 2025.

As a result of implementation of the fees and working with customers, it became apparent that there were three building fees inadvertently left off the fee schedule. Adding these fees, which were on the previous fee schedule, makes it easier for customers and staff.

Specifically, the following fees are to be added to the Building Department Fee Schedule Exhibit "A":

<u>Permit Type:</u>	<u>Fee:</u>
Commercial Electric	\$250.00
Plan Revisions for Approved Single Family Residential Permit	\$200.00
Plan Revisions for Approved Commercial Permit	\$500.00

Additionally, Council adopted Ordinance 2025-14 on November 19 that amended the Land Development Code to address Recovery Residences. Ordinance 2025-14 created a fee of \$700 for application processing. Therefore, Exhibit "B" Planning, Zoning, and Land Use Fee Schedule is amended to include:

<u>Zoning:</u>	<u>Fee:</u>
Recovery Residence	\$700.00

Action Requested:

Motion to adopt Resolution No. 2025-28.

Process and Timeline:

If approved by Council, the fees will be effective immediately.

Financial Impact:

Potential minor revenue increase for building. The proposed addition of the recovery residence fee recovers the cost of application processing.

Prepared by: Christopher Baker

Attachment:

1. Resolution No. 2025-28 (including amended fee schedules)

RESOLUTION NO. 2025-28

**A RESOLUTION OF THE VILLAGE OF ESTERO, FLORIDA,
AMENDING RESOLUTION 2025-20 THAT CREATED A NEW
COMMUNITY DEVELOPMENT DEPARTMENT FEE
SCHEDULE INCLUDING BUILDING, PLANNING, ZONING
AND LAND USE; MAKING RELATED FINDINGS; AND
PROVIDING FOR SEVERABILITY AND AN EFFECTIVE
DATE.**

WHEREAS, on September 17, 2025 the Village Council adopted Resolution 2025-20 that rescinded previous fees and created a new fee schedule for the Community Development Department; and

WHEREAS, the new fee schedule was effective on October 1, 2025; and

WHEREAS, as a result of implementing the new fees, fees for Commercial Electric Permits, Plan Revisions to Approved Single Family, and Plan Revisions to Approved Commercial Permits were inadvertently omitted from the fee schedule; and

WHEREAS, on November 19, 2025 Council amended the Land Development Code by Ordinance 2025-14 to create a fee for Recovery Residences; and

WHEREAS, it is beneficial for customers and staff to have all Community Development related fees incorporated into a single Resolution.

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

Section 1. Amendment of Building Department Fee Schedule.

The Amended Building Department Fee Schedule attached hereto as **Exhibit “A”** is hereby adopted as the Village of Estero’s Building Department Fee Schedule.

Section 2. Amendment of Planning, Zoning and Land Use Fee Schedule.

The Amended Planning, Zoning and Land Use Fee Schedule attached hereto as **Exhibit “B”** is hereby adopted as the Village of Estero’s Planning, Zoning and Land Use Fee Schedule.

Section 3. Fee Schedule Effective Date.

The fee schedules adopted herein shall become effective immediately.

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

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

DULY ADOPTED with a quorum present and voting this 3rd day of December, 2025.

Attest:

Joanne Ribble, Mayor

Carol Sacco, Village Clerk

Exhibit “A”

Amended Building Department Fee Schedule (December 3, 2025)

Permit Type	Fee (\$)
Residential Fence	50
Residential Pre-Fab Accessory Bldg	75
Residential Accessory Structure	150
Residential Natural Gas Generator	275
Res HVAC Change Out	175
Residential Shutters With or Without Electric	300
Residential Interior Remodel / Alteration	175
Residential Reroof	200
Misc Residential Plumbing/Gas	225
Misc Residential Electric/Service Change	225
Pool With or Without Spa	600
Pool Renovation	275
Hot Tub/Spa (Stand Alone Not Part of Pool)	150
Garage Door Replacement	100
Pool Enclosure	125
Pool Heater	100
Water Heater Change Out	100
Photovoltaic	150
Concrete Restoration	250
Dumpster Slab and Enclosure	200
Pre-Fab Accessory Bldg	75
Window/Door Replacement	150
Residential Demolition of Complete Structure	150
Low Voltage Lighting	150
Commercial Fence or Wall	200
Hood	300
Commercial Natural Gas Lines / Tank / Generator	500
Commercial HVAC Change Out	375
HVAC Duct Work Only	125
Mobile/Manufactured Home	200
Commercial Walk-In Cooler	250
Commercial Shutters With or Without Electric	300
Commercial Interior Renovation/Alteration/Remodel	Declared Valuation plus plan review
Commercial Demolition Complete Structure	250
Commercial Reroof	200
Commercial Electric	250
Structure Moving	750

Pier/Boathouse/Davit	Declared Valuation plus plan review
Seawall Repair	Declared Valuation plus plan review
Re-inspection Fee	150
Foundation Only	20% of Plan Review and Permit Fees
Sign (Per Sign)	225
Construction Trailer/Office	400
Commercial Accessory/ Awning/ Canopy	Declared Valuation plus plan review
Plan Revisions for Approved Single Family Residential Permit	200
Plan Revisions for Approved Commercial Permit	500

Miscellaneous Building Fees	Fee(\$)
Change of Contractor	75
Temporary Certificate of Occupancy	
1st TCO	Included in Permit
Each Subsequent Request	500
Permit Extensions	
1st Extension	Included in Permit
Each Subsequent Extension	250

New Construction Permit and Inspections Fee

Valuation	Fee (\$)
-	-
\$1.00 to \$10,000	\$75.00
\$10,001 to \$50,000	\$75.00 for first \$10,000 plus \$10.50 for each additional \$1,000 or fraction thereof to and including \$50,000
\$50,001 to \$100,000	\$415 for the first \$50,000 plus \$6.75 for each additional \$1,000 or fraction thereof to and including \$100,000
\$100,001 to \$500,000	\$752.50 for the first \$100,000 plus \$6.50 for each additional \$1,000 or fraction thereof to and including \$500,000
\$500,001 to \$1,000,000	\$3,152.50 for the first \$500,000 plus \$5.00 for each additional \$1,000 or fraction thereof to and including \$1,000,000.00
\$1,000,001 to 10,000,000	\$5,652.50 for the first \$1,000,000 plus \$3.00 for each additional \$1,000 or fraction thereof to and including \$10,000,000
\$10,000,001 and Above	\$6,652.50 for the first \$10,000,000 plus \$2.75 for each additional \$1,000 or fraction thereof

Single Family and Multi-Family Residential Plan Review Fee

25% of permit and inspections fees

Commercial Plan Review Fee

50% of permit and inspections fees

Refunds

No refund on permits of \$50 or less unless issued in error

No refund on any permit shall be granted if work has commenced

Refund on all other permits shall be at 75% of the permit fee

There shall be no refund on any plan or zoning review fee

After the fact permits are charged two times (2x) permit and plan review fees in all instances

Electronic Recording Fees

While not mandatory, as a courtesy to the contracting community, the Community Development Department may offer to record any document for an applicant associated with a permit or development application. The applicant will be assessed the actual cost for the recording/filing by the Lee County County Clerk of Courts based on that office's current schedule of service charges and fees, along with the submission fee charged by Simplifile to permit the Village to use the Simplifile Electronic Recording System and the fee for using a credit card. No refunds of fees are permitted once a document is recorded. By offering this courtesy, the Village does not become the applicant's agent and bears no responsibility to ensure proper filing. The applicant will need to ensure any document has been correctly filed or recorded.

Private Provider Fee Reduction

Owners and contractors utilizing a private provider for plan review and/or building inspections pursuant to Florida Statutes § 553.791 will receive a 15% reduction in permitting fees conditioned on submission of the required notification and acknowledgment statement required by Florida Statutes § 553.791(4).

Additional Fees

ACH Fee	\$1.90
Returned Check Fee	\$50.00
Convenience Fee for Credit Card/Debit Card Use	3.50%

Exhibit “B”

Planning, Zoning and Land Use

Amended Planning, Zoning, and Land Use Fee Schedule (December 3, 2025)

Planning	Fee (\$)
Community Development District (CDD)	15,000
Amendments to CDD	1,500
Comprehensive Plan Text or Map Amendment	10,000
Development Agreements	8,000
Development of Regional Impact	
New DRI	18,000
DRI Amendment, Build-out or Abandonment	12,500
Zoning	Fee (\$)
Zoning Verification Letter	500
Minimum Use / Single Family Determination	800
Historic District	750
Consumption on Premises - Administrative	850
Administrative Variance	850
Community Gardens	100
Wireless Communication Tower	8,500
Planned Development Rezoning	12,500
Planned Development Amendment	10,000
Bonus Density	5,000
Rezoning	10,000
Recovery Residence	700
Special Exception	
Residential	2,500
Non-Residential	8,500
Variance	
Residential	1,500
Non-Residential	5,500
Use Permit	300
Temporary Use	300
Appeal	1,000
Property Records Request	50

Development Review	Fee (\$)
LDO Type A	400
LDO Type B, C, E	900
LDO Type D	2,500
LDO Resubmittal	150
LDO Amendment	400
Zoning Process or Development Review Extension Request	150
SB2156 Extension	200
Development Order	12,500
DO Amendment	8,000
Minor Change	500
Reinspection LDO/ DO	150
Plat Review	5,000
Vacation of ROW, Plat, or Utility Easement	5,000
Lot Split or Recombination	1,500

Flood	Fee(\$)
Letter of Map Revision (all types)	500
No Rise	300

Environmental	Fee (\$)
Tree Removal (9 trees or less; LDO for 10 or more trees)	50
Tree Removal After the Fact (per tree)	250

Additional Fees	
ACH Fee	\$1.90
Returned Check Fee	\$50.00
Convenience Fee for Credit Card/Debit Card Use	3.50%

Cost Recovery

Where the Village's Community Development Director determines that a comprehensive plan amendment, zoning, land use, development agreement, variance or other development application presents the need for specialized or extensive technical or legal analysis for which Village staff are unable to timely provide, the Director may require a Cost Recovery Deposit (CRD) to allow the Village to retain additional contracted consulting or legal services. In the event the Director determines a CRD is required, the Director will determine the amount of the initial deposit based on the Director's reasonable, good faith evaluation of the anticipated additional costs. In the event a CRD is determined to be required, the applicant shall pay the initial deposit upon being presented with the CRD estimate. If, as the review or processing work for the application proceeds, a supplemental CRD is determined to be required, the applicant shall pay this supplemental amount as well. The Community Development Director will coordinate with the Finance Director to ensure that all applicant funds paid into a CRD are used only to pay for the application review and processing costs. In the event CRD funds remain deposited with the Village when the Village's work on the application has been completed and all time for appeals has expired, the applicant may request the return of all such remaining funds. Applicants seeking such recovery shall contact the Director to make such request.

AGENDA ITEM SUMMARY SHEET
VILLAGE COUNCIL MEETING
December 3, 2025

Agenda Item:

Resolution No. 2025-24 providing notice of intent to establish non-ad valorem assessment for package plant to central sewer system project for Sunny Grove Park, Inc.

Motion to adopt Resolution No 2025-24 and authorize the Village Manager to execute the related Interlocal Agreement with the Lee County Property Appraiser to administer the assessment process.

Background:

The Village of Estero has within its boundaries an existing residential community known as Sunny Grove Park (SGP), which is owned by Sunny Grove Park, Inc. As an older community within Lee County, SGP is not connected to the centralized sanitary sewage system but instead has been served by what is known as a “package plant” which treats sewage onsite and is privately operated by SGP.

The Village has for some years been planning to address such circumstances within the Village by planning and assembling funding for a series of Utility Extension Projects (UEP) to include the SGP project (the “Project”). The Village has determined that the SGP package plant is failing and has contributed to discharges which are harmful to the SGP community’s property values, its environment, water quality, and which are inconsistent with state and federal environmental regulations which the community’s package plant are subject to.

While local government often funds jurisdiction-wide projects through general (ad valorem) funds, where a project uniquely benefits certain properties, local government can use a special assessment method to pay for the projects. Special assessments are charges assessed against the property of some particular locality because that property derives some special benefit from the expenditure of the money.

To create a special assessment, the property assessed must derive a direct, special benefit from the service provided and that the assessment must be fairly and reasonably apportioned among properties that receive the special benefit and irrespective of the size of the geographic area being assessed. The test for the validity of a special assessment is not merely whether some benefit results from the assessment, but rather whether the improvement or service provides a direct, special benefit to the real property burdened.

Page 1 of 4

Florida's courts have confirmed that a local government's legislative determination of a special benefit warranting a special assessment carries presumption of correctness and there is a presumption of special benefit to all property abutting on or directly served by the project, for purposes of determining whether special assessment may be made. The apportionment of assessments on real property to finance contemplated improvements, such as local sewer improvements, is a legislative function and if reasonable men may differ as to whether property assessed was benefited by improvement, determination of the city officials as to such benefits must be sustained by the courts.

In this case, the Project will result in the decommissioning and demolition of the SGP package plant and placing the SGP community onto the Lee County Utilities sanitary sewer system.

Prior to determining to proceed with a non-ad valorem assessment for the Project, the Village retained the services of an independent utility consulting firm which specializes in the study of community-specific utility projects and developing appropriate assessment methodology. The Village has received the consulting firm's report and recommendations with respect to the Project which contains the consultant's findings of special benefit and the proposed assessment apportionment and apportionment methodology.

The consulting firm's report and recommendations establish that the Project will convey special benefits to including:

- The enhancement of resident health by removing the risks of potential environmental contamination often associated with older or on-site treatment systems;
- Elimination of the burden of maintenance and liability for individual outdated package systems;
- Ensuring a more reliable and sanitary waste disposal method for residents as opposed to the current, less effective means of treating wastewater;
- Increase in the marketability and value of the overall property and homesites therein since a reliable connection to centralized sanitary sewer is a key selling point that can make a property more attractive to prospective buyers;
- Increase of the utility of property within the assessment area by reducing the land needed for on-site package sewage treatment facilities;
- Future development and redevelopment potential of the assessment area or parcels within the assessment area is improved, which in turn provides a greater return on investment for property owners;

Page 2 of 4

There would be no need for the Village to undertake the Project but for the unique need for the community within the assessment area to decommission its existing package plant and become connected to and gain the use of the central sewer system.

Florida law provides several statutory options to create a special assessment. Florida Statutes § 197.3632(3)(a) requires that if the Village desires to use the uniform method of collecting a non-ad valorem assessment for the first time, the Village Council shall adopt a resolution at a public hearing prior to January 1, which resolution shall clearly state its intent to use the uniform method of collecting such assessment.

Staff recommends that if SGP is unable to pay the construction costs up front (with an expected payment date no later than July of 2026), pursuant to the statute, the Village should utilize the uniform method for collecting non-ad valorem capital project assessments imposed over a number of years to recoup capital construction costs of the Project for the existing residential area known as Sunny Grove Park and owned by Sunny Grove Park, Inc.

SGP does have the option to pay its portion of the Project cost (net of the grant and any approved Village contribution) so as to avoid the use of the special assessment process. If it avails itself of that option, then staff will simply not proceed with bringing forward a Final Levy and Tax Roll resolution, and no special assessment would be required. Since this method of paying its share of the Project costs would be significantly less, SGP's representatives have indicated their desire to use this method once its members vote to approve the financing for the payment. Nevertheless, to ensure the Village's legal option of using a special assessment for the project is preserved, adoption of the Resolution is required.

Action Requested:

Motion to adopt Resolution No. 2025-24 and authorize the Village Manager to execute the related Interlocal Agreement with the Lee County Property Appraiser to administer the assessment process.

Process and Timeline:

If approved by Council, Village staff will proceed to work with the SGP's leadership to secure the early cost payment. If that option fails to occur, staff will work with the Property Appraiser and Tax Collector, as well as with the contractor and community, to comply with the procedures necessary to adopt a non-ad valorem assessment roll at a public hearing to be held prior to September 15th 2026.

Financial Impact:

Page 3 of 4

Adoption of this Resolution does not have a financial impact on the Village.

Prepared by: Robert Eschenfelder, Village Attorney

Attachment(s):

1. Resolution No. 2025-24
2. Exhibit A – Sunny Grove Utility Assessment Area
3. Exhibit B – Draft Tech Memo Estero Sunny Grove
4. Location Map Sunny Grove
5. Uniform Collection Interlocal Agreement

RESOLUTION NO. 2025 – 24

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF ESTERO, FLORIDA, PROVIDING NOTICE OF INTENT TO UTILIZE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS LEVIED WITHIN THE MUNICIPAL BOUNDARIES OF THE VILLAGE OF ESTERO FOR THE DECOMMISSIONING OF THE WASTE WATER PACKAGE FACILITY AND INSTALLATION OF COMMON SANITARY SEWER SERVICE FOR SUNNY GROVE PARK, INC.; STATING THE NEED FOR SUCH LEVY; MAKING RELATED FINDINGS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Village of Estero has within its boundaries an existing residential community known as Sunny Grove Park (SGP), which is owned by Sunny Grove Park, Inc.; and

WHEREAS, as an older community, SGP is not connected to the centralized sanitary sewage system but instead has been served by what is known as a “package plant” which treats sewage onsite; and

WHEREAS, the Village has for some years been planning to address such circumstances within the Village by planning and assembling funding for a series of Utility Extension Projects (UEP) to include the SGP project (the “Project”); and

WHEREAS, the Village has determined that the SGP package plant is failing and has contributed to discharges which are harmful to the SGP community’s property values, its environment, water quality, and which are inconsistent with state and federal environmental regulations which the community’s package plant are subject to; and

WHEREAS, “[s]pecial assessments are ‘charge[s] assessed against [the] property of some particular locality because that property derives some special benefit [from] the expenditure of [the] money.’ ” *City of Gainesville v. State*, 863 So.2d 138, 144 (Fla. 2003); and

WHEREAS, to the extent any particular lot or land within the assessment area is vacant, vacant lots and lands, may, and usually do, receive present special appreciable benefit from construction of sewer in proximity with and accessible by them for sewerage purposes sufficient to sustain an assessment made on basis of benefits. *Meyer v. City of Oakland Park*, 219 So.2d 417 (1969); and

WHEREAS, to create a special assessment, the property assessed must derive a direct, special benefit from the service provided and that the assessment must be fairly and reasonably apportioned among properties that receive the special benefit and irrespective of the size of the geographic area being assessed, the test for the validity of a special assessment is not merely whether some benefit results from the assessment, but rather whether the improvement or service

provides a direct, special benefit to the real property burdened. *Donnelly v. Marion County*, 851 So.2d 256 (Fla. 5th DCA 2003), review denied 860 So.2d 978; and

WHEREAS, a local government's legislative determination of a special benefit warranting a special assessment carries presumption of correctness and there is a presumption of special benefit to all property abutting on or directly served by the project, for purposes of determining whether special assessment may be made. *Hanna v. City of Palm Bay*, 579 So.2d 320 (Fla. 5th DCA 1991); and

WHEREAS, the use to which property is voluntarily put at time of assessment to finance a local improvement is not determinative of whether such property has either greater or less benefits accruing than other property in improvement district, since proper measure of benefits accruing from improvement is not limited to use which is made of improvement at that time, but extends to use which could be made of improvement in the future on property being devoted to any use which reasonably might be made of it. *City of Hallandale v. Meekins*, 237 So.2d 318 (Fla. 4th DCA 1970), adopted 245 So.2d 253; and

WHEREAS, the apportionment of assessments on real property to finance contemplated improvements, such as local sewer improvements, is a legislative function and if reasonable men may differ as to whether property assessed was benefited by improvement, determination of the city officials as to such benefits must be sustained. *City of Hallandale v. Meekins*, 237 So.2d 318 (Fla. 4th DCA 1970), adopted 245 So.2d 253; and

WHEREAS, although a court may recognize valid alternative methods of apportionment, even if such other methods of apportionment may also appear to be valid, the method used by the municipality must be upheld unless it is determined to be arbitrary and so long as the legislative determination by the City is not arbitrary, a court should not substitute its judgment for that of the local legislative body. *City of Winter Springs v. State*, 776 So.2d 255, 259 (Fla. 2001); and

WHEREAS, the Project will result in the decommissioning and demolition of the SGP package plant and placing the SGP community onto the Lee County Utilities sanitary sewer system; and

WHEREAS, prior to determining to proceed with a non-ad valorem assessment for the Project, the Village retained the services of an independent utility consulting firm which specializes in the study of community-specific utility projects and developing appropriate assessment methodology; and

WHEREAS, the Village has received the consulting firm's report and recommendations with respect to the Project which contains the consultant's findings of special benefit and the proposed assessment apportionment and apportionment methodology; and

WHEREAS, the Village Council has considered the consulting firm's report and recommendations and specifically finds that the Project will convey special benefits to SGP including:

- The enhancement of resident health by removing the risks of potential environmental contamination often associated with older or on-site treatment systems;
- Elimination of the burden of maintenance and liability for individual outdated package systems;
- Ensuring a more reliable and sanitary waste disposal method for residents as opposed to the current, less effective means of treating wastewater;
- Increase in the marketability and value of the overall property and homesites therein since a reliable connection to centralized sanitary sewer is a key selling point that can make a property more attractive to prospective buyers;
- Increase of the utility of property within the assessment area by reducing the land needed for on-site package sewage treatment facilities;
- Future development and redevelopment potential of the assessment area or parcels within the assessment area is improved, which in turn provides a greater return on investment for property owners;

and

WHEREAS, the Village's Public Works staff have advised the Council that there would be no need for the Village to undertake the Project but for the unique need for the community within the assessment area to decommission its existing package plant and become connected to and gain the use of the central sewer system; and

WHEREAS, similar findings have been found by the Florida Supreme Court in *Citizens Advocating Responsible Environmental Solutions, Inc. v. City of Marco Island*, 959 So.2d 203 (Fla. 2007) to support a special assessment for a sanitary sewer conversion project; and

WHEREAS, the Village Council finds that the apportionment methodology recommended by the utility consultant and adopted by the Village Council is a fair apportionment methodology; and

WHEREAS, Florida Statutes § 197.3632(3)(a) requires that if the Village desires to use the uniform method of collecting a non-ad valorem assessment for the first time shall adopt a resolution at a public hearing prior to January 1 or, if the property appraiser, tax collector, and Village agree, March 1, which resolution shall clearly state its intent to use the uniform method of collecting such assessment; and

WHEREAS, as authorized by Florida Statutes § 197.3632, the Village Council intends to utilize the uniform method for collecting non-ad valorem capital project assessments imposed over a number of years to recoup capital construction costs of the Project for the existing residential area known as Sunny Grove Park and owned by Sunny Grove Park, Inc.; and

WHEREAS, in accordance with Florida Statutes § 197.3632(3)(a), the Village Clerk published notice of the Village's intent to use the uniform method for collecting such assessment, and notice of a public hearing to consider adoption of this Resolution, one time per week in a newspaper of general circulation within Lee County for four consecutive weeks preceding the hearing to adopt this Resolution; and

WHEREAS, on December 3rd 2025, the Village Council for the Village of Estero held a duly noticed public hearing prior to the adoption of this Resolution; and

WHEREAS, as required by Florida Statutes § 197.3632(2), the Village has agreed with the property appraiser and tax collector in writing regarding reimbursement of the necessary administrative costs incurred by those offices related to the assessments imposed pursuant to this Resolution; and

WHEREAS, the Village Council finds that it is in the best interests of the Village, its residents, businesses, and its environment, to adopt this Resolution.

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

Section 1. Declaration of Intent and Need: The Village Council for the Village of Estero intends to utilize the uniform method for the collection of non-ad valorem capital project assessments to recoup capital construction costs for the Project, commencing on October 1st 2026. The Council confirms, as elaborated on in this Resolution's exordial clauses, that there is a public purpose for the Project and need for the levy. The levy is necessary to ensure that the property owner benefitted from the Project bears its proportional share of the Project's costs so such costs are not borne by all Village property owners.

Section 2. Legal Description: Pursuant to Florida Statutes § 197.3632(3)(a), a legal description of the boundaries of the real property subject to the levy is attached hereto and incorporated herein as **Exhibit "A"**.

Section 3. Cost Estimate: The Project's estimated cost is \$ 2,690,492 (net of anticipated grant funding and Village match).

Section 4. Methodology: The method of apportioning the Project cost among the parcels of property located within the assessment area is set forth in the utility consultant's assessment memo, incorporated herein as **Exhibit "B"**.

Section 5. Prepayment: The method of prepayment of any assessment adopted by a separate assessment roll shall be set forth in the final levy adopting resolution.

Section 6. Reallocation: In the event the property within the assessment area is further subdivided during the assessment period, the Village Council will adopt a reallocation assessment roll.

Section 7. Mailings: In accordance with Florida Statutes § 197.3632(3)(a), upon adoption of this Resolution, the Village Clerk shall provide a copy of the Resolution by United States mail to the Lee County Property Appraiser, the Lee County Tax Collector, and the State of Florida Department of Revenue by January 10th 2026 or, if the property appraiser, tax collector, and local government agree, March 10th 2026.

Section 8. Final Levy: In accordance with Florida Statutes § 197.3632(3)(b) and (4)(a)-(b), after having received the information from the Property Appraiser by June 1st 2026, the Village Council will adopt a non-ad valorem assessment roll at a public hearing held between January 1st and September 15th 2026 using the procedures set forth in those statutory provisions.

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

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

DULY ADOPTED with a quorum present and voting this 3rd day of December, 2025.

Attest:

Joanne Ribble, Mayor

Carol Sacco, Village Clerk

FOLIO ID: 10273549
OWNER: SUNNY GROVE PARK INC

SKETCH OF DESCRIPTION

(NOT A BOUNDARY SURVEY)

LEGAL DESCRIPTION: A SEWER ASSESSMENT LIMITS ACROSS SUNNY GROVE TRAILER PARK AS DESCRIBED IN THE WARRANTY DEED, ACCORDING TO THE WARRANTY DEED THEREOF, AS RECORDED IN OFFICIAL RECORDS BOOK 1524, PAGES 1084-1093, LEE COUNTY PUBLIC RECORDS, FLORIDA.

BEING MORE PARTICULARLY DESCRIBED AS:

EXHIBIT "A"

PARCEL 1:

A PARCEL OF LAND LYING IN THE SOUTH HALF (S½) OF SECTION 28, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, WHICH PARCEL IS DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER (NE¼) OF THE SOUTHEAST QUARTER (SE¼) OF THE SOUTHWEST QUARTER (SW¼) OF SAID SECTION 28, RUN EASTERLY ALONG THE SOUTH LINE OF SAID FRACTION OF A SECTION FOR 658.48 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION OF A SECTION; THENCE RUN EASTERLY ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER (NW¼) OF THE SOUTHWEST QUARTER (SW¼) OF THE SOUTHEAST QUARTER (SE¼) FOR 647.68 FEET TO THE WESTERLY LINE OF THE TAMiami TRAIL (U.S. #41); THENCE RUN NORTHERLY ALONG SAID WESTERLY LINE FOR 285.0 FEET; THENCE DEFLECT 89°33'40" TO THE LEFT AND RUN WESTERLY FOR 150 FEET; THENCE DEFLECT 89°33'40" TO THE RIGHT AND RUN NORTHERLY PARALLEL WITH SAID WESTERLY LINE OF THE TAMiami TRAIL FOR 85.83 FEET, MORE OR LESS, TO A POINT 439.40 FEET SOUTH OF THE NORTH LINE OF THE SOUTH HALF (S½) OF THE SOUTH HALF (S½) OF THE SOUTHWEST QUARTER (SW¼) OF THE NORTHWEST QUARTER (NW¼) OF THE SOUTHEAST QUARTER (SE¼) OF SAID SECTION 28; THENCE DEFLECT 89°57'30" TO THE LEFT AND RUN WESTERLY FOR 1153.84 FEET TO A POINT ON THE WEST LINE OF SAID NORTHEAST QUARTER (NE¼) OF THE SOUTHEAST QUARTER (SE¼) OF THE SOUTHWEST QUARTER (SW¼) SAID POINT BEING 370 FEET NORTH OF THE POINT OF BEGINNING; THENCE RUN SOUTHERLY ALONG SAID WEST LINE FOR 370 FEET TO THE POINT OF BEGINNING. SUBJECT TO THE RIGHT OF WAY OF THE ESTERO RIVER LYING OVER AND ACROSS THE SOUTHEASTERLY PORTION OF SAID PARCEL. ALSO SUBJECT TO A CANAL RIGHT OF WAY OVER AND ACROSS THAT PART OF THE WESTERLY 50 FEET OF SAID PARCEL LYING NORTH OF THE ESTERO RIVER.

CONTAINING 904,815.5303 SQUARE FEET OR 20.7717 ACRES, MORE OR LESS.

TABLE OF CONTENTS

SHEET 1 SKETCH DESCRIPTION	SHEET 5 SKETCH
SHEET 2 SKETCH DESCRIPTION	
SHEET 3 SKETCH DESCRIPTION	
SHEET 4 NOTES	

*NOT VALID WITHOUT SHEETS 1 THROUGH 5 OF 5.



TETRA TECH

www.tetratech.com

201 EAST PINE STREET, SUITE 1000
ORLANDO, FL 32801
PHONE: 407.839.3955 FAX: 407.839.3790

LEGAL DESCRIPTION
SEWER ASSESSMENT
LIMITS

VILLAGE OF ESTERO
PRIVATE WWTP UTILITY EXP.

LAWRENCE E. JENKINS
PROFESSIONAL
SURVEYOR AND MAPPER
FLORIDA REGISTRATION #5364
TETRA TECH - LB #26

Project No.: 200-162668-21001

Date: 11/12/2025

Designed By: TAY/LEJ

SHEET 1 OF 5

V-101

Wednesday, November 12, 2025 2:55:37 PM DRAWING: O:\Projects\Orlando\IER\162668-21001\CAD\Survey\Easements\V-101X SUNNY GROVE EASEMENT.DWG

FOLIO ID: 10273549
OWNER: SUNNY GROVE PARK INC

SKETCH OF DESCRIPTION

(NOT A BOUNDARY SURVEY)

LEGAL DESCRIPTION:

PARCEL 2:

A PARCEL OF LAND LYING IN THE SOUTH HALF (S½) OF SECTION 28, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, WHICH PARCEL IS DESCRIBED AS FOLLOWS:

FROM THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER (NE¼) OF THE SOUTHEAST QUARTER (SE¼) OF THE SOUTHWEST QUARTER (SW¼) OF SAID SECTION 28 RUN EASTERLY ALONG THE SOUTH LINE OF SAID FRACTION OF A SECTION FOR 658.48 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION OF A SECTION; THENCE RUN EASTERLY ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER (NW¼) OF THE SOUTHWEST QUARTER (SW¼) OF THE SOUTHEAST QUARTER (SE¼) FOR 647.68 FEET TO THE WESTERLY LINE OF THE TAMiami TRAIL (U.S. #41); THENCE RUN NORTHERLY ALONG SAID WESTERLY LINE FOR 285.0 FEET TO THE POINT OF BEGINNING OF THE LANDS HEREIN DESCRIBED. FROM SAID POINT OF BEGINNING CONTINUE NORTHERLY ALONG SAID WESTERLY LINE OF THE TAMiami TRAIL FOR 525.23 FEET TO AN INTERSECTION WITH THE NORTH LINE OF THE SOUTH HALF (S½) OF THE SOUTH HALF (S½) OF THE SOUTHWEST QUARTER (SW¼) OF THE NORTHWEST QUARTER (NW¼) OF THE SOUTHEAST QUARTER (SE¼) OF SAID SECTION; THENCE RUN WESTERLY ALONG SAID NORTH LINE FOR 150 FEET; THENCE RUN SOUTHERLY ALONG A LINE PARALLEL WITH SAID WEST LINE OF THE TAMiami TRAIL FOR 525.23 FEET; THENCE DEFLECT 89°33'40" TO THE LEFT AND RUN EASTERLY FOR 150 FEET TO THE POINT OF BEGINNING, LESS AND EXCEPT THE NORTH 230 FEET OF THE EAST 120 FEET THEREOF.

PARCEL 3:

A PARCEL OF LAND LYING IN THE SOUTH HALF (S½) OF SECTION 28, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, WHICH PARCEL IS DESCRIBED AS FOLLOWS:

FROM THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER (NE¼) OF THE SOUTHEAST QUARTER (SE¼) OF THE SOUTH- WEST QUARTER (SW¼) OF SAID SECTION 28, RUN NORTHERLY ALONG THE WEST LINE OF SAID FRACTION OF A SECTION FOR 370 FEET TO THE POINT OF BEGINNING OF THE LANDS HEREIN DESCRIBED. FROM SAID POINT OF BEGINNING DEFLECT 89°41'00" TO THE RIGHT AND RUN EASTERLY FOR 1153.84 FEET, MORE OR LESS, TO A POINT 150 FEET WEST OF THE WEST LINE OF THE TAMiami TRAIL (U.S. #41); THENCE RUN NORTHERLY PARALLEL WITH AND 150 FEET WESTERLY OF THE WESTERLY LINE OF SAID TAMiami TRAIL FOR 439.40 FEET TO THE NORTH LINE OF THE SOUTH HALF (S½) OF THE SOUTH HALF (S½) OF THE SOUTHWEST QUARTER (SW¼) OF THE NORTH- WEST QUARTER (NW¼) OF THE SOUTHEAST QUARTER (SE¼) OF SAID SECTION 28; THENCE RUN WESTERLY ALONG SAID NORTH LINE FOR 492.58 FEET TO THE WEST LINE OF THE NORTHWEST QUARTER (NW¼) OF THE SOUTHEAST QUARTER (SE¼); THENCE RUN SOUTHERLY ALONG SAID WEST LINE FOR 162.76 FEET TO THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER (NE¼) OF THE SOUTHEAST QUARTER (SE¼) OF THE SOUTHWEST QUARTER (SW¼) OF SAID SECTION 28; THENCE RUN WESTERLY ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER (NE¼) OF THE SOUTHEAST QUARTER (SE¼) OF THE SOUTHWEST QUARTER (SW¼) FOR 658.46 FEET TO THE NORTHWEST CORNER OF SAID FRACTION OF A SECTION; THENCE RUN SOUTHERLY ALONG SAID WEST LINE FOR 283.95 FEET TO THE POINT OF BEGINNING. SUBJECT TO THE CANAL RIGHT OF WAY OVER AND ACROSS THE WESTERLY 50 FEET OF SAID PARCEL.

TABLE OF CONTENTS

SHEET 1 SKETCH DESCRIPTION
SHEET 2 SKETCH DESCRIPTION
SHEET 3 SKETCH DESCRIPTION
SHEET 4 NOTES
SHEET 5 SKETCH

*NOT VALID WITHOUT SHEETS 1 THROUGH 5 OF 5.



TETRA TECH

www.tetratech.com

201 EAST PINE STREET, SUITE 1000
ORLANDO, FL 32801
PHONE: 407.839.3955 FAX: 407.839.3790

LEGAL DESCRIPTION
SEWER ASSESSMENT
LIMITS

VILLAGE OF ESTERO
PRIVATE WWTP UTILITY EXP.

LAWRENCE E. JENKINS
PROFESSIONAL
SURVEYOR AND MAPPER
FLORIDA REGISTRATION #5364
TETRA TECH - LB #26

Project No.: 200-162668-21001

Date: 11/12/2025

Designed By: TAY/LEJ

SHEET 2 OF 5

V-102

Wednesday, November 12, 2025 2:55:41 PM DRAWING: O:\Projects\Orlando\IER\162668-21001\CAD\Survey\Easements\V-102 SUNNY GROVE EASEMENT.DWG

Wednesday, November 12, 2025 2:55:46 PM DRAWING: O:\Projects\Orlando\IER\162668-21001\CAD\Survey\Easements\V-103 Sunny Grove EASEMENT.DWG

FOLIO ID: 10273549
OWNER: SUNNY GROVE PARK INC

SKETCH OF DESCRIPTION

(NOT A BOUNDARY SURVEY)

LEGAL DESCRIPTION:

LESS AND EXCEPT EXHIBIT "B" & "C"

EXHIBIT "B"

A TRACT OR PARCEL OF LAND LYING IN THE SOUTHWEST QUARTER (SW¼) OF SECTION 28, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER (NE¼) OF THE SOUTHEAST QUARTER (SE¼) OF THE SOUTHWEST QUARTER (SW¼) OF SAID SECTION 28; THENCE RUN NORTHERLY ALONG THE WEST LINE OF THE NORTHEAST QUARTER (NE¼) OF THE SOUTHEAST QUARTER (SE¼) OF THE SOUTHWEST QUARTER (SW¼) OF SAID SECTION 28 FOR 110 FEET, MORE OR LESS, TO THE WATERS OF THE ESTERO RIVER; THENCE RUN SOUTH- EASTERLY ALONG THE WATERS OF THE ESTERO RIVER TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER (NE¼) OF THE SOUTHEAST QUARTER (SE¼) OF THE SOUTH- WEST QUARTER (SW¼) OF SAID SECTION 28; THENCE RUN WESTERLY ALONG SAID SOUTH LINE FOR 169 FEET, MORE OR LESS, TO THE POINT OF BEGINNING. TRACT HEREIN DESCRIBED CONTAINS 0.193 ACRE, MORE OR LESS.

EXHIBIT "C"

A TRACT OR PARCEL OF LAND LYING IN THE SOUTHWEST QUARTER (SW¼) OF SECTION 28, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER (NE¼) OF THE SOUTHEAST QUARTER (SE¼) OF THE SOUTHWEST QUARTER (SW¼) OF SAID SECTION 28 RUN EASTERLY ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER (NE¼) OF THE SOUTHEAST QUARTER (SE¼) OF THE SOUTHWEST QUARTER (SW¼) OF SAID SECTION 28 FOR 326.45 FEET TO THE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED; THENCE DEFLECT 61°55'39" TO THE RIGHT AND RUN SOUTHEASTERLY FOR 144.5 FEET, MORE OR LESS, TO THE WATERS OF THE ESTERO RIVER; THENCE RUN NORTHWESTERLY ALONG THE WATERS OF THE ESTERO RIVER TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER (NE¼) OF THE SOUTHEAST QUARTER (SE¼) OF THE SOUTH- WEST QUARTER (SW¼); THENCE RUN EASTERLY ALONG SAID SOUTH LINE FOR 76 FEET, MORE OR LESS, TO THE POINT OF BEGINNING. TRACT HEREIN DESCRIBED CONTAINS 0.193 ACRE, MORE OR LESS.

TABLE OF CONTENTS

SHEET 1 SKETCH DESCRIPTION
SHEET 2 SKETCH DESCRIPTION
SHEET 3 SKETCH DESCRIPTION
SHEET 4 NOTES

SHEET 5 SKETCH

*NOT VALID WITHOUT SHEETS 1 THROUGH 5 OF 5.



TETRA TECH

www.tetrattech.com

201 EAST PINE STREET, SUITE 1000
ORLANDO, FL 32801
PHONE: 407.839.3955 FAX: 407.839.3790

LEGAL DESCRIPTION
SEWER ASSESSMENT
LIMITS

VILLAGE OF ESTERO
PRIVATE WWTP UTILITY EXP.

LAWRENCE E. JENKINS
PROFESSIONAL
SURVEYOR AND MAPPER
FLORIDA REGISTRATION #5364
TETRA TECH - LB #26

Project No.: 200-162668-21001

Date: 11/12/2025

Designed By: TAY/LEJ

SHEET 3 OF 5

V-103

FOLIO ID: 10273549
OWNER: SUNNY GROVE PARK INC

SKETCH OF DESCRIPTION

(NOT A BOUNDARY SURVEY)

SURVEYOR'S NOTES:

1. THIS IS NOT A BOUNDARY SURVEY.
2. BEARINGS BASED ON THE SOUTH LINE OF NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 28 BEING S.89°03'48"W.
3. THERE MAY BE EASEMENTS AND RESTRICTIONS OF RECORDS AND/OR PRIVATE AGREEMENTS NOT FURNISHED TO THIS SURVEYOR THAT MAY AFFECT PROPERTY RIGHTS AND/OR LAND USE RIGHTS OF THE LANDS SHOWN HEREON.
4. NO UNDERGROUND INSTALLATIONS, FOUNDATION FOOTINGS OR IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS NOTED.
5. NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
6. THIS SURVEY WAS PERFORMED IN ACCORDANCE WITH THE STANDARDS OF PRACTICE FOR SURVEYS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS, CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE.

TABLE OF CONTENTS

SHEET 1 SKETCH DESCRIPTION
SHEET 2 SKETCH DESCRIPTION
SHEET 3 SKETCH DESCRIPTION
SHEET 4 NOTES

SHEET 5 SKETCH

*NOT VALID WITHOUT SHEETS 1 THROUGH 5 OF 5.



TETRA TECH

www.tetrattech.com

201 EAST PINE STREET, SUITE 1000
ORLANDO, FL 32801
PHONE: 407.839.3955 FAX: 407.839.3790

NOTES
SEWER ASSESSMENT
LIMITS

VILLAGE OF ESTERO
PRIVATE WWTP UTILITY EXP.

LAWRENCE E. JENKINS
PROFESSIONAL
SURVEYOR AND MAPPER
FLORIDA REGISTRATION #5364
TETRA TECH - LB #26

Project No.: 200-162668-21001

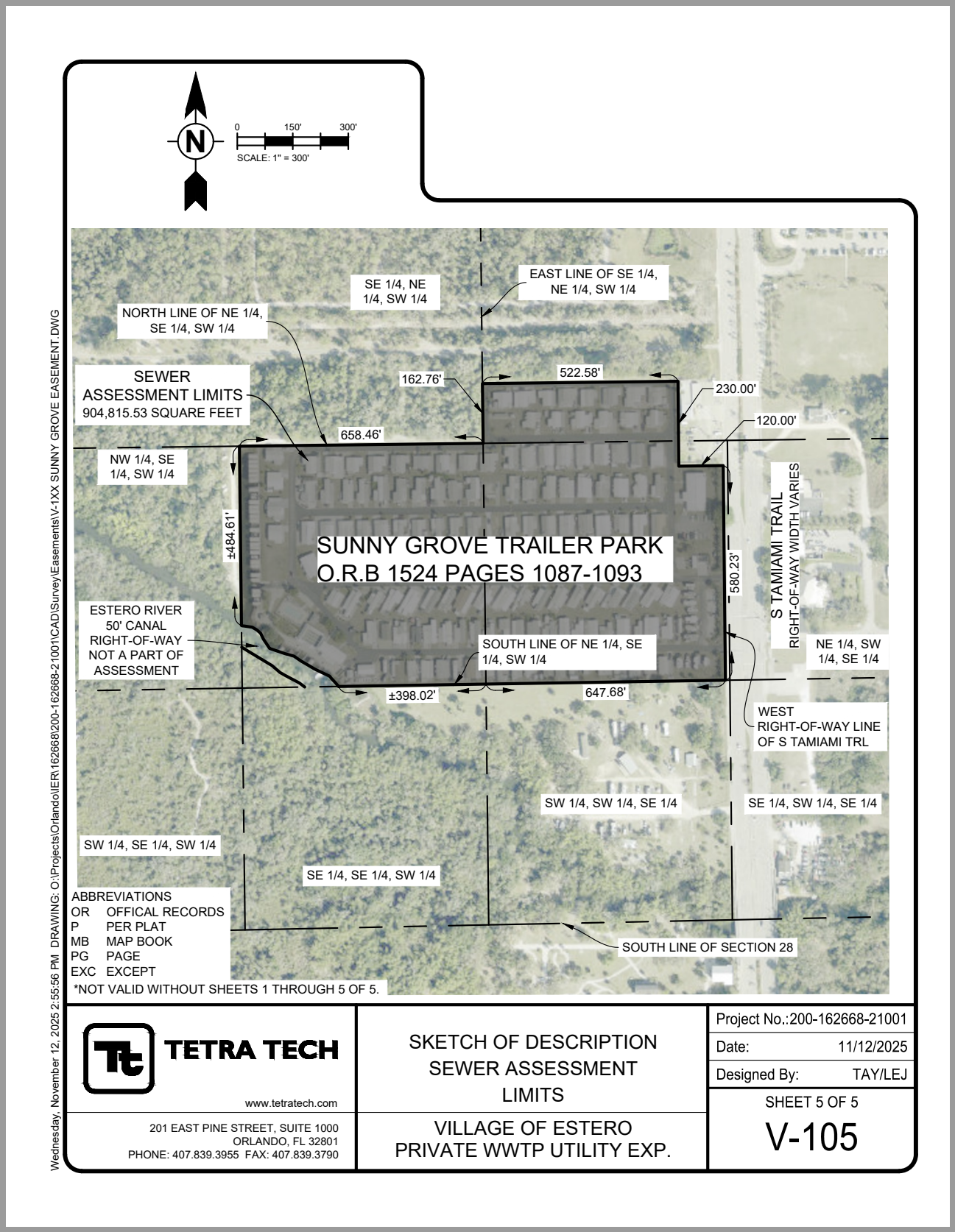
Date: 11/12/2025

Designed By: TAY/LEJ

SHEET 4 OF 5

V-104

Wednesday, November 12, 2025 2:55:51 PM DRAWING: O:\Projects\Orlando\IER\162668-21001\CAD\Survey\Easements\V-104 SUNNY GROVE EASEMENT.DWG





Assessment Memo

To: Kevin Greenville
Finance Director
Village of Estero
9401 Corkscrew Palms Circle
Estero, FL 33928

From: Jeff Rackley
Stantec Consulting Services
1701 Hermitage Boulevard, Suite 102
Tallahassee, FL 32308

Date: September 22, 2025

Reference: Village of Estero, Sunny Groves Assessment Memo

Background

The Sunny Groves area, consisting of 37.2 acres with a Mobile Home/RV Park with club house and other amenity structures, is currently served by a central water system but utilizes an on-site package wastewater treatment plant. As part of a broader infrastructure plan, the community must transition from this decentralized system to the central sewer. In order to connect this area to central sewer a pump station and force main will be needed to connect to the existing eight-inch force main located at the corner of Corkscrew Road and US 41.

Objective

The Village engaged Stantec to conduct a study to allocate the cost of connecting to the central sewer system to each benefiting parcel within the Sunny Groves area and determine the appropriate assessment amount to be collected from each property. The improvements are expected to include all construction costs including the demolition of the existing package treatment plant, rehabilitation of the existing pump station, removal and fill of percolation pond, and asphalt and sidewalk replacement in addition to design fees, easement acquisition and all Lee County Utilities connection fees ("Improvements"). The assessment will fund costs related to the improvements, together with financing costs, contingencies, assessment program costs and the annual cost of collection of the assessments.

Special Benefits

The Improvements are reasonably expected to provide special benefits to the lots and parcels comprising the Sunny Groves Area which include, but are not limited to; 1) the enhancement of public health by removing the risks of potential environmental contamination often associated with older or on-site treatment systems, 2) elimination of the burden of maintenance and liability for individual systems, and 3) ensure a more reliable and sanitary waste disposal method for residents. These improvements can also increase the marketability and value of properties. A reliable sewer

Design with community in mind

September 22, 2025

Page 2 of 5

Reference: Village of Estero, Sunny Groves Assessment Report

connection is a key selling point that can make properties more attractive to prospective buyers and can be a prerequisite for future development and redevelopment, providing a greater return on investment for property owners.

Assessable Costs

Stantec relies on certain information provided by the Village as the basis for our analysis. This included the total construction cost estimates, general financing terms, and estimated financing costs. The Village estimates the total construction cost of the proposed improvements to total \$2,179,298.

The Village plans to contribute a 25% match in the amount of \$544,825 as well as applying state grant funds in the amount of \$208,000 towards construction costs. These funding amounts are subtracted from the total to be funded by the assessment program.

The total cost, net of the funding described above, equals \$2,179,298 as shown in Table 1.

Table 1 – Net Construction Costs

Construction Cost w/ 5% Contingency	\$ 2,932,123
Less: Village Match	\$ (544,825)
Less: State Grant Funds	\$ (208,000)
Net Construction Costs	\$ 2,179,298

There are additional assessable costs that are included in the assessment program to fund the establishment of a debt service reserve fund, capitalized interest, cost of issuance, the assessment study, surveying, financing and other contingency costs. The Total Assessed Costs to be funded by the assessment program equals **\$2,690,492**, as shown in Table 2 below.

Table 2 – Total Assessed Cost

Net Construction Costs	\$ 2,179,298
Debt Service Reserve Fund	\$ 269,049
Capitalized Interest	\$ 53,810
Cost of Issuance	\$ 53,810
Assessment Development, Survey, Financing, etc.	\$ 134,525
Total Assessed Cost	\$ 2,690,492

Design with community in mind

September 22, 2025

Page 3 of 5

Reference: Village of Estero, Sunny Groves Assessment Report

Assessment Methodology

The Sunny Groves Area is comprised of a Mobile Home/RV Park with club house and other amenity structures. A standard equivalent residential unit ("ERU") value was developed to address the differences in wastewater generation for each building use type. An ERU is based on the estimated gallons per day of water usage for each building use relative to the average gallons per day of water usage for a single family residential dwelling unit. Therefore, the assessment units are assigned to each parcel based on the number of ERUs allocated to each building use contained on the parcel. The Sunny Groves Area contains a total of **165.5765 ERUs** as shown in Table 3 below.

Table 3 – ERU Assignment

Building Use	Units	Unit Type	GPD Per Unit		Total GPD	ERUs
			Estimate	Estimate		
1	Manufactured Office	456 Square Feet	0.15	68		0.228
2	Health Club/Club House	5,250 Square Feet	0.15	788		2.625
3	Health Club/Club House	2,711 Square Feet	0.15	407		1.3555
4	Service/Repair Garage	800 Square Feet	0.75	600		2
5	Restroom	336 Square Feet	0.15	50		0.168
Other	Mobile Home	155 Spaces/Dwellings	300	46,500		155
Other	RV	12 Spaces (300 Sq Ft)	0.35	1,260		4.2
Total						165.5765

Accordingly, the principal amount allocated to each ERU is approximately \$16,249 per ERU (\$2,690,492 / 165.5765 ERUs).

The Village plans on debt funding the Total Assessed Cost with a ten (10) year loan at an assumed interest rate of 5.00%. The annual collection and administration costs associated with the assessment program are included at 7.00% for a total annual cost of **\$374,657**, as shown in Table 4 below.

Table 4 – Estimated Total Annual Cost

Total Assessed Cost	\$	2,690,492
Term (years)		10
Interest rate		5.00%
Estimated Annual Principal & Interest Payment	\$	348,431
Annual Collection/Admin. Costs (7%)	\$	26,226
Estimated Total Annual Cost	\$	374,657

Design with community in mind

September 22, 2025

Page 4 of 5

Reference: Village of Estero, Sunny Groves Assessment Report

The Total Annual Cost divided by the total Assessment Units in the Sunny Groves Area equals an Annual Assessment of **\$2,263** per ERU for ten (10) annual installments as shown in Table 5 below.

Table 5 – Annual Assessment per EDU

Estimated Total Annual Cost	\$	374,657
Total ERUs		165.5765
Annual Assessment per ERU	\$	2,263

The calculated annual assessment for each building/use is provided in Table 6 below.

Table 6 – Annual Assessment by Building/Use

Building	Use	Units	Unit Type	Annual Assessment
1	Manufactured Office	456	Square Feet	\$516
2	Health Club/Club House	5,250	Square Feet	\$5,940
3	Health Club/Club House	2,711	Square Feet	\$3,067
4	Service/Repair Garage	800	Square Feet	\$4,526
5	Restroom	336	Square Feet	\$380
Other	Mobile Home	155	Spaces	\$350,765
Other	RV	12	Spaces	\$9,505
Total				\$374,700

The calculations set forth herein may reflect minor rounding to the nearest whole dollar.

The methodology described herein is scalable and readily adjustable to address changing variables associated with interest rate, payment term, project cost increases (if any) resulting from inflation or other factors, or cost decreases (if any) resulting from actual construction costs being lower than estimated or additional funding being made available for the project from currently unanticipated sources.

The Village is undertaking the improvements based on the premise that the property owners in Sunny Groves will bear a certain portion of the cost. The calculations herein are based on reasonable construction and financing cost estimates provided by Village staff and its consultants. In the event the actual cost of the project is lower than the estimated amounts contemplated herein, any such cost savings may be applied to reduce the amount the Village would have otherwise contributed to the project from funds other than the assessments (if any), for other costs associated with the project or improvements to the right of way, or to reduce the amount of the assessment imposed against each property.

Design with community in mind

September 22, 2025

Page 5 of 5

Reference: Village of Estero, Sunny Groves Assessment Report

Implementation Timeline

A proposed implementation timeline including the necessary and required steps for adoption of the proposed assessments for FY 2026 is provided below.

2025: (September–December)

- Resolution of Intent: The local governing body adopts a Resolution of Intent to use the uniform method for collection in the following year. Notice of the public hearing for the resolution must be published.
- Agreement: The local government and the County Tax Collector must execute an interlocal agreement outlining collection services and reimbursement.

2026: (January–May)

- Notification: By January 10, the Resolution of Intent is sent to the Property Appraiser, Tax Collector, and the Florida Department of Revenue.
- Assessment Creation: The local government creates the new assessment roll and coordinates with the Property Appraiser.

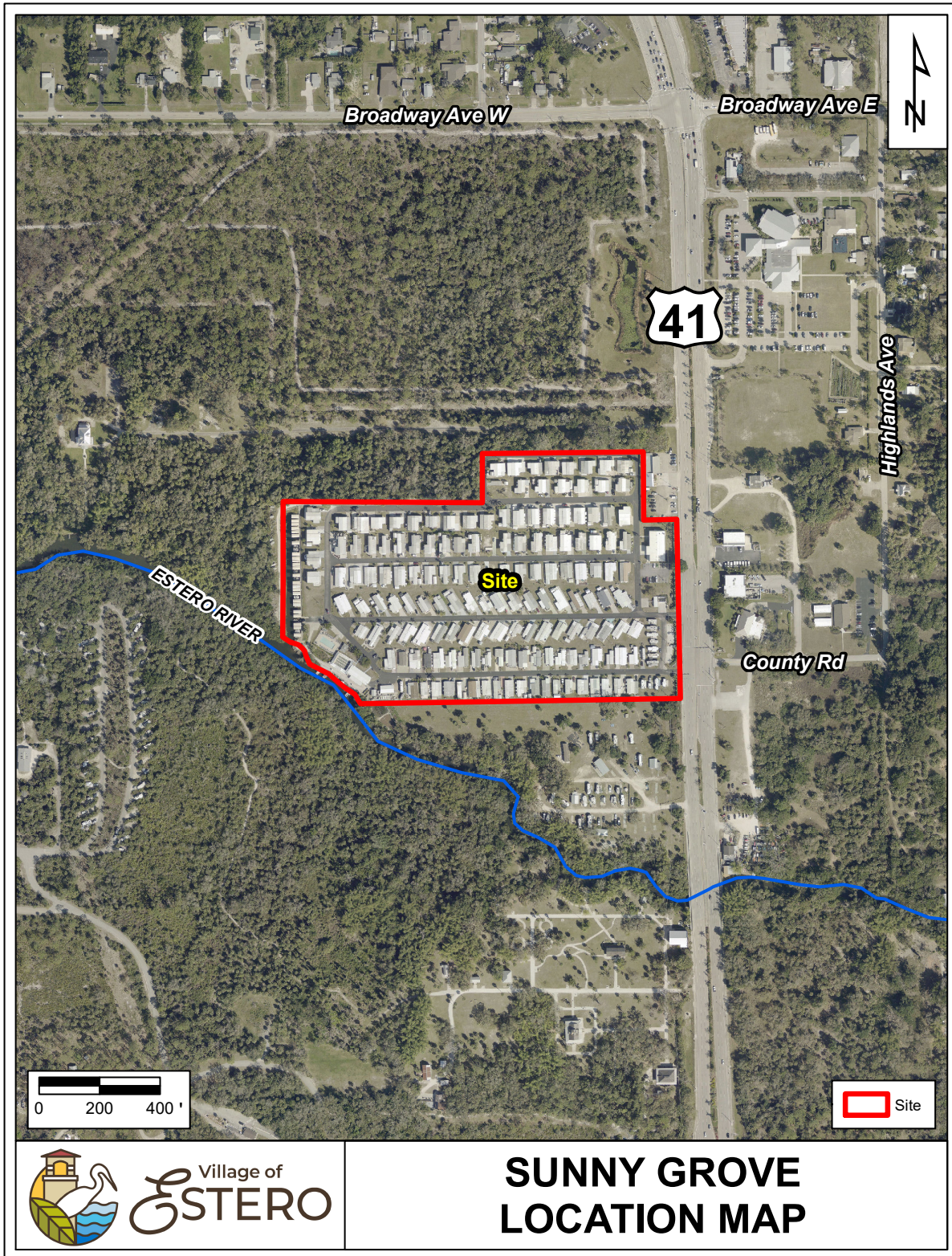
2026: (June–September)

- Data Exchange: By June 1, the Property Appraiser provides property information, such as names and addresses, to the local government.
- Property Owner Notice: Before the assessment roll hearing, the local government must mail notices to property owners at least 20 days in advance.
- Public Hearing: A public hearing is held between January 1 and September 15 for the adoption of the assessment roll.

Conclusion

The methodology described herein represents a fair and reasonable approach to apportioning the benefits and costs of the contemplated capital improvements among the specially benefited parcels of real property. The method is also relatively uncomplicated, easily understood and cost effective with respect to initial implementation and annual administration expenses, resulting in lower annual assessments for the properties benefitted by the improvements.

Design with community in mind



UNIFORM COLLECTION INTERLOCAL AGREEMENT
(CYPRESS BEND & SUNNY GROVE)

This Agreement, made and entered into this _____ day of _____, 2026
("Agreement"), by and between Village of Estero,
("Local Government"), and **Matthew Caldwell, Lee County Property Appraiser**, a constitutional
officers of the State of Florida, whose address is 2480 Thompson Street, Fort Myers, Florida
33901-3074

1. Section 197.3632, Florida Statutes, authorizes non-ad valorem special assessments of Local Governments may be collected using the "Uniform Method" provided in that section. Pursuant to that opinion, the Property Appraiser and the Local Government shall enter into an agreement providing for reimbursement to the Property Appraiser of administration costs, including costs of inception and maintenance, incurred as a result of such inclusion.
2. Pursuant to section 197.3632(3)(b), the Property Appraiser agrees to provide in compatible electronic medium (1) the legal description of the property within the boundaries described by the resolution adopted by the Local Government, (2) the names and addresses of the owners of such property, and (3) the property identification numbers of such property contained in the ad valorem tax roll submitted to the Department of Revenue.
3. The parties herein agree that commencing with the 2026 assessment roll, the Property Appraiser will include on the assessment rolls such special assessments as are certified to him by the Village of Estero.
4. This agreement shall continue from year to year unless cancelled by either party by giving written notice prior to January 1 of the year that the agreement shall stand terminated.
5. Local Government shall comply with all relevant requirements of Chapter 197, Florida Statutes, and all related Florida Administrative Code rules relating to, but not limited to, compliance with advertising and notices required for the use of the Uniform Method provided in 197.3632.
6. Local Government shall use its best efforts in furnishing the Property Appraiser with up-to-date data concerning its boundaries, proposed assessments and other information as requested from time to time by the Property Appraiser. The Property Appraiser shall, using the information provided by the Local Government, place the non ad valorem special assessments, as made from time to time and certified to him, on properties within the assessment district boundaries. The assessments shall, as far as practicable, be uniform (e.g. one uniform assessment for maintenance, etc.) to facilitate the making of the assessments by the mass data techniques utilized by the Property Appraiser.
7. The Property Appraiser shall be reimbursed for all necessary administrative costs incurred, including but not limited to the costs of personnel, forms, supplies, data processing, computer equipment, postage and programming. The parties agree the administrative costs shall be reimbursed at the rate of \$1 per parcel as identified by STRAP number for each year in which such assessments are placed on the tax rolls. Local Government shall pay Property Appraiser within forty five days of receipt of invoice from Property Appraiser.

8. If the actual costs of performing the services under this Agreement exceed the compensation provided for in Paragraph 7, the amount of compensation shall be the actual costs of performing the services under the Agreement.

9. The parties agree to consult and cooperate with one another as necessary for the efficient and timely delivery of the information to be provided in Paragraphs 2 and 6.

10. In performing the services provided in this agreement, the Property Appraiser shall not in any way, express or implied, directly or indirectly, be responsible for proposing, imposing, certifying or levying any non-ad valorem special assessment or determining whether any such any non-ad valorem special assessment is authorized, constitutional, legal or valid. Local Government is solely responsible to levy the assessments, certify its roll and to ensure all assessments are authorized, constitutional, legal and valid.

11. Local Government shall be responsible for all changes and adjustments to the non-ad valorem special assessments and will provide all such changes or adjustments to the Property Appraiser. All questions regarding any assessments will be handled by Local Government and Property Appraiser will refer all communications and questions regarding the assessments to Local Government.

12. To the extent permitted by law, Local Government shall indemnify, defend and hold harmless the Property Appraiser against any claims, judgments, expenses, liabilities and, including attorney's fees, arising from Local Government's actions or omissions regarding the imposition, levy, roll preparation and certification of the assessments.

13. Information provided by the Property Appraiser may contain information that is confidential and exempt from disclosure under Chapter 119, Fla. Stat., Florida's Public Records Law. Local Government shall familiarize its staff with the applicable statutory provisions and rules governing the Public Records Law and the applicable exemptions and provisions regarding confidentiality. Local Government shall comply with the Public Records Law and all applicable exemptions and provisions regarding confidentiality.

EXECUTED on the date first above written.

Property Appraiser signature

Matthew H Caldwell
Lee County Property Appraiser

Local Government Signature

Steve Sarkozy, Village Manager

Local Government Authorized Signer Name

Village of Estero

Local Government Name

AGENDA ITEM SUMMARY SHEET
VILLAGE COUNCIL MEETING
December 3, 2025

Agenda Item:

Resolution No. 2025-25 providing notice of intent to establish non-ad valorem assessment for package plant to central sewer system project for Cypress Bend RV Resort.

Motion to adopt Resolution No. 2025-25 and authorize the Village Manager to execute the related Interlocal Agreement with the Lee County Property Appraiser to administer the assessment process.

Background:

The Village of Estero has within its boundaries an existing residential community known as Cypress Bend RV Resort (Cypress). As an older community within Lee County, Cypress is not connected to the centralized sanitary sewage system but instead has been served by what is known as a “package plant” which treats sewage onsite and is privately operated by Cypress.

The Village has for some years been planning to address such circumstances within the Village by planning and assembling funding for a series of Utility Extension Projects (UEP) to include the Cypress project (the “Project”). The Village has determined that the Cypress package plant is failing and has contributed to discharges which are harmful to the Cypress community’s property values, its environment, water quality, and which are inconsistent with state and federal environmental regulations which the community’s package plant are subject to.

While local government often funds jurisdiction-wide projects through general (ad valorem) funds, where a project uniquely benefits certain properties, local government can use a special assessment method to pay for the projects. Special assessments are charges assessed against the property of some particular locality because that property derives some special benefit from the expenditure of the money.

To create a special assessment, the property assessed must derive a direct, special benefit from the service provided and that the assessment must be fairly and reasonably apportioned among properties that receive the special benefit and irrespective of the size of the geographic area being assessed. The test for the validity of a special assessment is not merely whether some benefit results from the assessment, but rather whether the improvement or service provides a direct, special benefit to the real property burdened.

Page 1 of 4

Florida's courts have confirmed that a local government's legislative determination of a special benefit warranting a special assessment carries presumption of correctness and there is a presumption of special benefit to all property abutting on or directly served by the project, for purposes of determining whether special assessment may be made. The apportionment of assessments on real property to finance contemplated improvements, such as local sewer improvements, is a legislative function and if reasonable men may differ as to whether property assessed was benefited by improvement, determination of the city officials as to such benefits must be sustained by the courts.

In this case, the Project will result in the decommissioning and demolition of the Cypress package plant and placing the Cypress community onto the Lee County Utilities sanitary sewer system.

Prior to determining to proceed with a non-ad valorem assessment for the Project, the Village retained the services of an independent utility consulting firm which specializes in the study of community-specific utility projects and developing appropriate assessment methodology. The Village has received the consulting firm's report and recommendations with respect to the Project which contains the consultant's findings of special benefit and the proposed assessment apportionment and apportionment methodology.

The consulting firm's report and recommendations establish that the Project will convey special benefits to including:

- The enhancement of resident health by removing the risks of potential environmental contamination often associated with older or on-site treatment systems;
- Elimination of the burden of maintenance and liability for individual outdated package systems;
- Ensuring a more reliable and sanitary waste disposal method for residents as opposed to the current, less effective means of treating wastewater;
- Increase in the marketability and value of the overall property and homesites therein since a reliable connection to centralized sanitary sewer is a key selling point that can make a property more attractive to prospective buyers;
- Increase of the utility of property within the assessment area by reducing the land needed for on-site package sewage treatment facilities;
- Future development and redevelopment potential of the assessment area or parcels within the assessment area is improved, which in turn provides a greater return on investment for property owners;

Page 2 of 4

There would be no need for the Village to undertake the Project but for the unique need for the community within the assessment area to decommission its existing package plant and become connected to and gain the use of the central sewer system.

Florida law provides several statutory options to create a special assessment. Florida Statutes § 197.3632(3)(a) requires that if the Village desires to use the uniform method of collecting a non-ad valorem assessment for the first time, the Village Council shall adopt a resolution at a public hearing prior to January 1, which resolution shall clearly state its intent to use the uniform method of collecting such assessment.

Staff recommends that if Cypress is unable to pay the construction costs up front (with an expected payment date no later than July of 2026), pursuant to the statute, the Village should utilize the uniform method for collecting non-ad valorem capital project assessments imposed over a number of years to recoup capital construction costs of the Project for the existing residential area known as Cypress Bend RV Resort.

Cypress property owners do have the option to pay their portion of the Project cost (net of the grant and any approved Village contribution) so as to avoid the use of the special assessment process. Such all owners avail themselves of that option, then staff will simply not proceed with bringing forward a Final Levy and Tax Roll resolution, and no special assessment would be required. Nevertheless, since it is unlikely that every property owner within the Cypress community will pre-pay their share of the Project's costs, and to ensure the Village's legal option of using a special assessment for the project is preserved, adoption of the Resolution is required.

Action Requested:

Motion to adopt Resolution No. 2025-25 and authorize the Village Manager to execute the related Interlocal Agreement with the Lee County Property Appraiser to administer the assessment process.

Process and Timeline:

If approved by Council, Village staff will proceed to work with the Cypress property owners to secure early cost payments from as many such owners as wish to avail themselves of that option. Staff will also work with the Property Appraiser and Tax Collector, as well as with the contractor and owners who do not pre-pay, to comply with the procedures necessary to adopt a non-ad valorem assessment roll at a public hearing to be held prior to September 15th 2026.

Financial Impact:

Adoption of this Resolution does not have a financial impact on the Village.

Prepared by: Robert Eschenfelder, Village Attorney

Attachment(s):

1. Resolution No. 2025-25
2. Exhibit A – Cypress Bend Utility Assessment Area
3. Exhibit B – Draft Tech Memo Estero Cypress Bend
4. Location Map Cypress Bend
5. Uniform Collection Interlocal Agreement

RESOLUTION NO. 2025 – 25

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF ESTERO, FLORIDA, PROVIDING NOTICE OF INTENT TO UTILIZE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS LEVIED WITHIN THE MUNICIPAL BOUNDARIES OF THE VILLAGE OF ESTERO FOR THE DECOMMISSIONING OF THE WASTE WATER PACKAGE FACILITY AND INSTALLATION OF COMMON SANITARY SEWER SERVICE FOR CYPRESS BEND RV RESORT; STATING THE NEED FOR SUCH LEVY; MAKING RELATED FINDINGS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Village of Estero has within its boundaries an existing residential community known as Cypress Bend RV Resort (Cypress); and

WHEREAS, as an older community, Cypress is not connected to the centralized sanitary sewage system but instead has been served by what is known as a “package plant” which treats sewage onsite; and

WHEREAS, the Village has for some years been planning to address such circumstances within the Village by planning and assembling funding for a series of Utility Extension Projects (UEP) to specifically benefit certain communities to include the Cypress project (the “Project”); and

WHEREAS, the Village has determined that the Cypress package plant is failing and has contributed to discharges which are harmful to the Cypress community’s property values, its environment, water quality, and which are inconsistent with state and federal environmental regulations which the community’s package plant are subject to; and

WHEREAS, “[s]pecial assessments are ‘charge[s] assessed against [the] property of some particular locality because that property derives some special benefit [from] the expenditure of [the] money.’ ” *City of Gainesville v. State*, 863 So.2d 138, 144 (Fla. 2003); and

WHEREAS, to the extent any particular lot or land within the assessment area is vacant, vacant lots and lands, may, and usually do, receive present special appreciable benefit from construction of sewer in proximity with and accessible by them for sewerage purposes sufficient to sustain an assessment made on basis of benefits. *Meyer v. City of Oakland Park*, 219 So.2d 417 (1969); and

WHEREAS, to create a special assessment, the property assessed must derive a direct, special benefit from the service provided and that the assessment must be fairly and reasonably apportioned among properties that receive the special benefit and irrespective of the size of the geographic area being assessed, the test for the validity of a special assessment is not merely whether some benefit results from the assessment, but rather whether the improvement or service

provides a direct, special benefit to the real property burdened. *Donnelly v. Marion County*, 851 So.2d 256 (Fla. 5th DCA 2003), review denied 860 So.2d 978; and

WHEREAS, a local government's legislative determination of a special benefit warranting a special assessment carries presumption of correctness and there is a presumption of special benefit to all property abutting on or directly served by the project, for purposes of determining whether special assessment may be made. *Hanna v. City of Palm Bay*, 579 So.2d 320 (Fla. 5th DCA 1991); and

WHEREAS, the use to which property is voluntarily put at time of assessment to finance a local improvement is not determinative of whether such property has either greater or less benefits accruing than other property in improvement district, since proper measure of benefits accruing from improvement is not limited to use which is made of improvement at that time, but extends to use which could be made of improvement in the future on property being devoted to any use which reasonably might be made of it. *City of Hallandale v. Meekins*, 237 So.2d 318 (Fla. 4th DCA 1970), adopted 245 So.2d 253; and

WHEREAS, the apportionment of assessments on real property to finance contemplated improvements, such as local sewer improvements, is a legislative function and if reasonable men may differ as to whether property assessed was benefited by improvement, determination of the city officials as to such benefits must be sustained. *City of Hallandale v. Meekins*, 237 So.2d 318 (Fla. 4th DCA 1970), adopted 245 So.2d 253; and

WHEREAS, although a court may recognize valid alternative methods of apportionment, even if such other methods of apportionment may also appear to be valid, the method used by the municipality must be upheld unless it is determined to be arbitrary and so long as the legislative determination by the City is not arbitrary, a court should not substitute its judgment for that of the local legislative body. *City of Winter Springs v. State*, 776 So.2d 255, 259 (Fla. 2001); and

WHEREAS, the Project will result in the decommissioning and demolition of the Cypress package plant and placing the Cypress community onto the Lee County Utilities sanitary sewer system with the assistance of a new lift station; and

WHEREAS, prior to determining to proceed with a non-ad valorem assessment for the Project, the Village retained the services of an independent utility consulting firm which specializes in the study of community-specific utility projects and developing appropriate assessment methodology; and

WHEREAS, the Village has received the consulting firm's report and recommendations with respect to the Project which contains the consultant's findings of special benefit and the proposed assessment apportionment and apportionment methodology; and

WHEREAS, the Village Council has considered the consulting firm's report and recommendations and specifically finds that the Project will convey special benefits to Cypress including:

- The enhancement of resident health by removing the risks of potential environmental contamination often associated with older or on-site treatment systems;
- Elimination of the burden of maintenance and liability for individual outdated package systems;
- Ensuring a more reliable and sanitary waste disposal method for residents as opposed to the current, less effective means of treating wastewater;
- Increase in the marketability and value of the overall property and homesites therein since a reliable connection to centralized sanitary sewer is a key selling point that can make a property more attractive to prospective buyers;
- Increase of the utility of property within the assessment area by reducing the land needed for on-site package sewage treatment facilities;
- Future development and redevelopment potential of the assessment area or parcels within the assessment area is improved, which in turn provides a greater return on investment for property owners;

and

WHEREAS, the Village's Public Works staff have advised the Council that there would be no need for the Village to undertake the Project but for the unique need for the community within the assessment area to decommission its existing package plant and become connected to and gain the use of the central sewer system; and

WHEREAS, similar findings have been found by the Florida Supreme Court in *Citizens Advocating Responsible Environmental Solutions, Inc. v. City of Marco Island*, 959 So.2d 203 (Fla. 2007) to support a special assessment for a sanitary sewer conversion project; and

WHEREAS, the Village Council finds that the apportionment methodology recommended by the utility consultant and adopted by the Village Council is a fair apportionment methodology; and

WHEREAS, Florida Statutes § 197.3632(3)(a) requires that if the Village desires to use the uniform method of collecting a non-ad valorem assessment for the first time shall adopt a resolution at a public hearing prior to January 1 or, if the property appraiser, tax collector, and Village agree, March 1, which resolution shall clearly state its intent to use the uniform method of collecting such assessment; and

WHEREAS, as authorized by Florida Statutes § 197.3632, the Village Council intends to utilize the uniform method for collecting non-ad valorem capital project assessments imposed over a number of years to recoup capital construction costs of the Project for the existing residential area known as Cypress Bend RV Resort; and

WHEREAS, in accordance with Florida Statutes § 197.3632(3)(a), the Village Clerk published notice of the Village's intent to use the uniform method for collecting such assessment, and notice of a public hearing to consider adoption of this Resolution, one time per week in a newspaper of general circulation within Lee County for four consecutive weeks preceding the hearing to adopt this Resolution; and

WHEREAS, on December 3rd 2025, the Village Council for the Village of Estero held a duly noticed public hearing prior to the adoption of this Resolution; and

WHEREAS, as required by Florida Statutes § 197.3632(2), the Village has agreed with the property appraiser and tax collector in writing regarding reimbursement of the necessary administrative costs incurred by those offices related to the assessments imposed pursuant to this Resolution; and

WHEREAS, the Village Council finds that it is in the best interests of the Village, its residents, businesses, and its environment, to adopt this Resolution.

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

Section 1. Declaration of Intent and Need: The Village Council for the Village of Estero intends to utilize the uniform method for the collection of non-ad valorem capital project assessments to recoup capital construction costs for the Project, commencing on October 1st 2026. The Council confirms, as elaborated on in this Resolution's exordial clauses, that there is a public purpose for the Project and need for the levy. The levy is necessary to ensure that the property owner benefitted from the Project bears its proportional share of the Project's costs so such costs are not borne by all Village property owners.

Section 2. Legal Description: Pursuant to Florida Statutes § 197.3632(3)(a), a legal description of the boundaries of the real property subject to the levy is attached hereto and incorporated herein as **Exhibit "A"**.

Section 3. Cost Estimate: The Project's estimated cost is \$ 2,320,511 (net of anticipated grant funding and Village match).

Section 4. Methodology: The method of apportioning the Project cost among the parcels of property located within the assessment area is set forth in the utility consultant's assessment memo, incorporated herein as **Exhibit "B"**.

Section 5. Prepayment: The method of prepayment of any assessment adopted by a separate assessment roll shall be set forth in the final levy adopting resolution.

Section 6. Reallocation: In the event the property within the assessment area is further subdivided during the assessment period, the Village Council will adopt a reallocation assessment roll.

Section 7. Mailings: In accordance with Florida Statutes § 197.3632(3)(a), upon adoption of this Resolution, the Village Clerk shall provide a copy of the Resolution by United States mail to the Lee County Property Appraiser, the Lee County Tax Collector, and the State of Florida Department of Revenue by January 10th 2026 or, if the property appraiser, tax collector, and local government agree, March 10th 2026.

Section 8. Final Levy: In accordance with Florida Statutes § 197.3632(3)(b) and (4)(a)-(b), after having received the information from the Property Appraiser by June 1st 2026, the Village Council will adopt a non-ad valorem assessment roll at a public hearing held between January 1st and September 15th 2026 using the procedures set forth in those statutory provisions.

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

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

DULY ADOPTED with a quorum present and voting this 3rd day of December, 2025.

Attest:

Joanne Ribble, Mayor

Carol Sacco, Village Clerk

OWNER: CYPRESS BEND RV RESORT
CONDO A

SKETCH OF DESCRIPTION

(NOT A BOUNDARY SURVEY)

LEGAL DESCRIPTION: A SEWER ASSESSMENT LIMITS COVERING ALL OF CYPRESS BEND R.V. RESORT AS DESCRIBED IN CYPRESS BEND R.V. RESORT, ACCORDING TO THE CONDOMINIUM PLAT THEREOF, AS RECORDED IN CONDOMINIUM PLAT BOOK 7, PAGES 165-173, LEE COUNTY PUBLIC RECORDS, FLORIDA. (LESS THE SEMINOLE GULF RAIL ROAD RIGHT-OF-WAY.)

BEING MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST CORNER OF SECTION 28, TOWNSHIP 46 SOUTH, RANGE 25 EAST, SAID POINT BEING THE POINT OF BEGINNING; THENCE RUN N.00°38'19"W., FOR A DISTANCE OF 1,297.22 FEET TO THE NORTH 1/4 CORNER; THENCE RUN S.89°13'36"E., FOR A DISTANCE OF 1,320.78 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4; THENCE RUN S.00°44'50"E., FOR A DISTANCE OF 1,286.06 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4; THENCE RUN N.89°42'44"W., FOR A DISTANCE OF 1,262.99 FEET; THENCE RUN S.00°38'19"E., FOR A DISTANCE OF 142.61 FEET TO A POINT OF A CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES S.34°52'31"W., A RADIAL DISTANCE OF 1,769.02 FEET; THENCE NORTHWESTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 00°54'31", A DISTANCE OF 28.05 FEET; THENCE ALONG A LINE NON-TANGENT TO SAID CURVE, N.56°02'00"W., A DISTANCE OF 45.00 FEET TO THE POINT OF BEGINNING. (LESS THE SEMINOLE GULF RAIL ROAD 130 FOOT RIGHT-OF-WAY NOT A PART OF THESE LIMITS.)

CONTAINING 1,628,244.4984 SQUARE FEET OR 37.3793 ACRES, MORE OR LESS.

SURVEYOR'S NOTES:

1. THIS IS NOT A BOUNDARY SURVEY.
2. BEARINGS BASED ON THE EAST BOUNDARY LINE OF CYPRESS BEND R.V. RESORT BEING S.00°44'50"E.
3. THERE MAY BE EASEMENTS AND RESTRICTIONS OF RECORDS AND/OR PRIVATE AGREEMENTS NOT FURNISHED TO THIS SURVEYOR THAT MAY AFFECT PROPERTY RIGHTS AND/OR LAND USE RIGHTS OF THE LANDS SHOWN HEREON.
4. NO UNDERGROUND INSTALLATIONS, FOUNDATION FOOTINGS OR IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS NOTED.
5. NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
6. THIS SURVEY WAS PERFORMED IN ACCORDANCE WITH THE STANDARDS OF PRACTICE FOR SURVEYS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS, CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE.

TABLE OF CONTENTS

SHEET 1 SKETCH DESCRIPTION
SHEET 2 SKETCH

*NOT VALID WITHOUT SHEETS 1 THROUGH 2 OF 2.



TETRA TECH

www.tetrattech.com

201 EAST PINE STREET, SUITE 1000
ORLANDO, FL 32801
PHONE: 407.839.3955 FAX: 407.839.3790

LEGAL DESCRIPTION AND NOTES
SEWER ASSESSMENT
LIMITS

VILLAGE OF ESTERO
PRIVATE WWTP UTILITY EXP.

LAWRENCE E. JENKINS
PROFESSIONAL
SURVEYOR AND MAPPER
FLORIDA REGISTRATION #5364
TETRA TECH - LB #26

Project No.: 200-162668-21001

Date: 11/5/2025

Designed By: TAY/LEJ

V-100

Wednesday, November 5, 2025 9:02:50 AM DRAWING: O:\Projects\Orlando\IER162668\200-162668-21001\CAD\Survey\Easement\IV-1XX CYPRESS BEND EASEMENT.DWG



V-101



Assessment Memo

To: Kevin Greenville
Finance Director
Village of Estero
9401 Corkscrew Palms Circle
Estero, FL 33928

From: Jeff Rackley
Stantec Consulting Services
1701 Hermitage Boulevard, Suite 102
Tallahassee, FL 32308

Date: September 22, 2025

Reference: Village of Estero, Cypress Bend Assessment Memo

Background

The Cypress Bend area, consisting of 39.2 acres with 401 mobile home residences, is currently served by a central water system but utilizes an on-site package wastewater treatment plant. The on-site plant is located east of the Seminole Gulf Railway and south of Estero Parkway. As part of a broader infrastructure plan, the community must transition from this decentralized system to the central sewer.

Objective

The Village engaged Stantec to conduct a study to allocate the cost of connecting to the central sewer system to each benefiting parcel within the Cypress Bend area and determine the appropriate assessment amount to be collected from each property. The improvements are expected to include all construction costs including the demolition of the existing package treatment plant, rehabilitation of the existing pump station, removal and fill of percolation pond, and asphalt and sidewalk replacement in addition to design fees, easement acquisition and all Lee County Utilities connection fees ("Improvements"). The assessment will fund costs related to the improvements, together with financing costs, contingencies, assessment program costs and the annual cost of collection of the assessments.

Special Benefits

The Improvements are reasonably expected to provide special benefits to the lots and parcels comprising the Sunny Groves Area which include, but are not limited to; 1) the enhancement of public health by removing the risks of potential environmental contamination often associated with older or on-site treatment systems, 2) elimination of the burden of maintenance and liability for individual systems, and 3) ensure a more reliable and sanitary waste disposal method for residents. These improvements can also increase the marketability and value of properties. A reliable sewer connection is a key selling point that can make properties more attractive to prospective buyers and

Design with community in mind

September 22, 2025

Page 2 of 5

Reference: Village of Estero, Cypress Bend Assessment Report

can be a prerequisite for future development and redevelopment, providing a greater return on investment for property owners.

Assessable Costs

Stantec relies on certain information provided by the Village as the basis for our analysis. This included the total construction cost estimates, general financing terms, and estimated financing costs. The Village estimates the total construction cost of the proposed improvements to total \$2,708,804.

The cost associated with Lee County Utilities' water main relocation of \$241,287 will be covered by the County. Additionally, the Village plans to contribute a 25% match in the amount of \$469,903, as well as applying state grant funds in the amount of \$118,000 towards construction costs. These funding amounts are subtracted from the total to be funded by the assessment program.

The total cost, net of the funding described above, equals \$1,879,614 as shown in Table 1.

Table 1 – Net Construction Costs

Construction Cost	\$	2,708,804
Less: LCU Water Main Relocation	\$	(241,287)
Less: Village Match	\$	(469,903)
Less: State Grant Funds	\$	(118,000)
Net Construction Costs	\$	1,879,614

There are additional assessable costs that are included in the assessment program to fund the establishment of a debt service reserve fund, capitalized interest, cost of issuance, the assessment study, surveying, financing and other contingency costs. The Total Assessed Costs to be funded by the assessment program equals **\$2,320,511**, as shown in Table 2 below.

Table 2 – Total Assessed Cost

Net Construction Costs	\$	1,879,614
Debt Service Reserve Fund	\$	232,051
Capitalized Interest	\$	46,410
Cost of Issuance	\$	46,410
Assessment Development, Survey, Financing, etc.	\$	116,026
Total Assessed Cost	\$	2,320,511

Design with community in mind

September 22, 2025

Page 3 of 5

Reference: Village of Estero, Cypress Bend Assessment Report

Assessment Methodology

The Cypress Bend Area is comprised of residential single family mobile home dwelling units of substantially similar size and occupant capacity. Each dwelling unit is reasonably expected to generate a similar demand for services and will receive similar benefit from the Village's provision of the sewer improvements. Therefore, the assessment units are assigned to each parcel equally based on the number of dwelling units contained on the parcel. The Cypress Bend Area contains a total of **401** dwelling units.

Accordingly, the principal amount allocated to each assessed parcel is approximately \$5,787 per Dwelling Unit (\$2,320,511 / 401 Dwelling Units).

The Village plans on debt funding the Total Assessed Cost with a ten (10) year loan at an assumed interest rate of 5.00%. The annual collection and administration costs associated with the assessment program are included at 7.00% for a total annual cost of **\$323,136**, as shown in Table 3 below.

Table 3 – Estimated Total Annual Cost

Total Assessed Cost	\$	2,320,511
Term (years)		10
Interest rate		5.00%
Estimated Annual Principal & Interest Payment	\$	300,517
Annual Collection/Admin. Costs (7%)	\$	22,620
Estimated Total Annual Cost	\$	323,136

The Total Annual Cost divided by the total Assessment Units in the Cypress Bend Area equals an Annual Assessment of **\$806** per dwelling unit for ten (10) annual installments as shown in Table 4 below.

Table 4 – Annual Assessment per Dwelling Unit

Estimated Total Annual Cost	\$	323,136
Total Residential Units		401
Annual Assessment per Dwelling Unit	\$	806

The calculations set forth herein may reflect minor rounding to the nearest whole dollar.

The methodology described herein is scalable and readily adjustable to address changing variables associated with interest rate, payment term, project cost increases (if any) resulting from

Design with community in mind

September 22, 2025

Page 4 of 5

Reference: Village of Estero, Cypress Bend Assessment Report

inflation or other factors, or cost decreases (if any) resulting from actual construction costs being lower than estimated or additional funding being made available for the project from currently unanticipated sources.

The Village is undertaking the improvements based on the premise that the property owners in Cypress Bend will bear a certain portion of the cost. The calculations herein are based on reasonable construction and financing cost estimates provided by Village staff and its consultants. In the event the actual cost of the project is lower than the estimated amounts contemplated herein, any such cost savings may be applied to reduce the amount the Village would have otherwise contributed to the project from funds other than the assessments (if any), for other costs associated with the project or improvements to the right of way, or to reduce the amount of the assessment imposed against each property.

Implementation Timeline

A proposed implementation timeline including the necessary and required steps for adoption of the proposed assessments for FY 2026 is provided below.

2025: (September–December)

- Resolution of Intent: The local governing body adopts a Resolution of Intent to use the uniform method for collection in the following year. Notice of the public hearing for the resolution must be published.
- Agreement: The local government and the County Tax Collector must execute an interlocal agreement outlining collection services and reimbursement.

2026: (January–May)

- Notification: By January 10, the Resolution of Intent is sent to the Property Appraiser, Tax Collector, and the Florida Department of Revenue.
- Assessment Creation: The local government creates the new assessment roll and coordinates with the Property Appraiser.

2026: (June–September)

- Data Exchange: By June 1, the Property Appraiser provides property information, such as names and addresses, to the local government.
- Property Owner Notice: Before the assessment roll hearing, the local government must mail notices to property owners at least 20 days in advance.
- Public Hearing: A public hearing is held between January 1 and September 15 for the adoption of the assessment roll.

Design with community in mind

September 22, 2025

Page 5 of 5

Reference: Village of Estero, Cypress Bend Assessment Report

Conclusion

The methodology described herein represents a fair and reasonable approach to apportioning the benefits and costs of the contemplated capital improvements among the specially benefited parcels of real property. The method is also relatively uncomplicated, easily understood and cost effective with respect to initial implementation and annual administration expenses, resulting in lower annual assessments for the properties benefitted by the improvements.

Design with community in mind



UNIFORM COLLECTION INTERLOCAL AGREEMENT
(CYPRESS BEND & SUNNY GROVE)

This Agreement, made and entered into this _____ day of _____, 2026
("Agreement"), by and between Village of Estero,
("Local Government"), and **Matthew Caldwell, Lee County Property Appraiser**, a constitutional
officers of the State of Florida, whose address is 2480 Thompson Street, Fort Myers, Florida
33901-3074

1. Section 197.3632, Florida Statutes, authorizes non-ad valorem special assessments of Local Governments may be collected using the "Uniform Method" provided in that section. Pursuant to that opinion, the Property Appraiser and the Local Government shall enter into an agreement providing for reimbursement to the Property Appraiser of administration costs, including costs of inception and maintenance, incurred as a result of such inclusion.
2. Pursuant to section 197.3632(3)(b), the Property Appraiser agrees to provide in compatible electronic medium (1) the legal description of the property within the boundaries described by the resolution adopted by the Local Government, (2) the names and addresses of the owners of such property, and (3) the property identification numbers of such property contained in the ad valorem tax roll submitted to the Department of Revenue.
3. The parties herein agree that commencing with the 2026 assessment roll, the Property Appraiser will include on the assessment rolls such special assessments as are certified to him by the Village of Estero.
4. This agreement shall continue from year to year unless cancelled by either party by giving written notice prior to January 1 of the year that the agreement shall stand terminated.
5. Local Government shall comply with all relevant requirements of Chapter 197, Florida Statutes, and all related Florida Administrative Code rules relating to, but not limited to, compliance with advertising and notices required for the use of the Uniform Method provided in 197.3632.
6. Local Government shall use its best efforts in furnishing the Property Appraiser with up-to-date data concerning its boundaries, proposed assessments and other information as requested from time to time by the Property Appraiser. The Property Appraiser shall, using the information provided by the Local Government, place the non ad valorem special assessments, as made from time to time and certified to him, on properties within the assessment district boundaries. The assessments shall, as far as practicable, be uniform (e.g. one uniform assessment for maintenance, etc.) to facilitate the making of the assessments by the mass data techniques utilized by the Property Appraiser.
7. The Property Appraiser shall be reimbursed for all necessary administrative costs incurred, including but not limited to the costs of personnel, forms, supplies, data processing, computer equipment, postage and programming. The parties agree the administrative costs shall be reimbursed at the rate of \$1 per parcel as identified by STRAP number for each year in which such assessments are placed on the tax rolls. Local Government shall pay Property Appraiser within forty five days of receipt of invoice from Property Appraiser.

8. If the actual costs of performing the services under this Agreement exceed the compensation provided for in Paragraph 7, the amount of compensation shall be the actual costs of performing the services under the Agreement.

9. The parties agree to consult and cooperate with one another as necessary for the efficient and timely delivery of the information to be provided in Paragraphs 2 and 6.

10. In performing the services provided in this agreement, the Property Appraiser shall not in any way, express or implied, directly or indirectly, be responsible for proposing, imposing, certifying or levying any non-ad valorem special assessment or determining whether any such any non-ad valorem special assessment is authorized, constitutional, legal or valid. Local Government is solely responsible to levy the assessments, certify its roll and to ensure all assessments are authorized, constitutional, legal and valid.

11. Local Government shall be responsible for all changes and adjustments to the non-ad valorem special assessments and will provide all such changes or adjustments to the Property Appraiser. All questions regarding any assessments will be handled by Local Government and Property Appraiser will refer all communications and questions regarding the assessments to Local Government.

12. To the extent permitted by law, Local Government shall indemnify, defend and hold harmless the Property Appraiser against any claims, judgments, expenses, liabilities and, including attorney's fees, arising from Local Government's actions or omissions regarding the imposition, levy, roll preparation and certification of the assessments.

13. Information provided by the Property Appraiser may contain information that is confidential and exempt from disclosure under Chapter 119, Fla. Stat., Florida's Public Records Law. Local Government shall familiarize its staff with the applicable statutory provisions and rules governing the Public Records Law and the applicable exemptions and provisions regarding confidentiality. Local Government shall comply with the Public Records Law and all applicable exemptions and provisions regarding confidentiality.

EXECUTED on the date first above written.

Property Appraiser signature

Matthew H Caldwell
Lee County Property Appraiser

Local Government Signature

Steve Sarkozy, Village Manager

Local Government Authorized Signer Name

Village of Estero

Local Government Name

The following attachment is not a PDF, so a link to the native file format is being provided instead:

[SS Ord No 2025-16 amending Chapter ... regarding special assessments.docx \(LINK\)](#)

ORDINANCE NO. 2025-16

**AN ORDINANCE OF THE VILLAGE OF ESTERO,
FLORIDA, CREATING § 26-1 AND AMENDING § 26-19 OF
THE VILLAGE CODE RELATED TO SPECIAL
ASSESSMENTS; MAKING RELATED FINDINGS;
PROVIDING FOR SEVERABILITY, CODIFICATION, AND
AN EFFECTIVE DATE.**

WHEREAS, on September 9th 2020, the Village Council of the Village of Estero adopted Ordinance 2020-06 related to special assessments for infrastructure projects; and

WHEREAS, however, there are several statutory options for Florida local governments to set and assess special assessments for infrastructure projects without need for a locally-adopted code; and

WHEREAS, since the Village has several pending utility-related projects designed to specially benefit certain neighborhoods/properties of the Village, the Village Attorney has reviewed the Village's code provisions related to special assessments and has recommended adoption of the revisions set forth in this Ordinance; and

WHEREAS, the Village Council finds that it is in the best interests of the Village of Estero, its citizens, visitors, businesses, and property owners, to adopt this Ordinance.

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

Section 1. Section 26-1 of the Village Code is hereby created to read as follows:

Sec. 26-1. – Scope of chapter.

This chapter is intended to be supplemental to the provisions of Florida law related to special assessments. The village reserves the right to use any applicable statutory method for developing and assessing a special assessment. The village's use of statutory provisions as opposed to the provisions of this chapter shall not result in the invalidity of any such assessment.

Section 2. The definition of "Equalizing board" in § 26-19 of the Village Code is hereby amended to read as follows:

Equalizing board means the village council, as required by Florida Statutes § 170.08.

Section 3. For purposes of codification of any existing section of the Estero Village Code herein amended, words underlined represent additions to original text, words ~~stricken~~ are deletions from the original text, and words neither underlined nor stricken remain unchanged.

Section 4. If any section, subsection, sentence, clause, provision or word of this Ordinance is held unconstitutional or otherwise legally invalid, same shall be severable and the remainder of this Ordinance shall not be affected by such invalidity, such that any remainder of the Ordinance shall withstand any severed provision, as the Village Council would have adopted the Ordinance and its regulatory scheme even absent the invalid part.

Section 5. The Codifier shall codify the substantive amendments to the Estero Village Code contained in Sections 1 and 2 of this Ordinance as provided for therein, and shall not codify the exordial clauses nor any other sections not designated for codification.

Section 6. Pursuant to Florida Statutes § 166.041(4)(a), prior to the date the public notice of the public hearing for this Ordinance was published, the Village prepared and posted on its website a business impact estimate which included: a) a summary of the Ordinance, a statement of the public purpose to be served by the Ordinance, b) an estimate of the direct economic impact of the Ordinance on private, for-profit businesses in the Village, c) an estimate of direct compliance costs that businesses may reasonably incur due to the Ordinance, d) identification of any new charge or fee on businesses created by the Ordinance or for which businesses will be financially responsible, e) an estimate of the Village's regulatory costs and of revenues from any new charges or fees imposed on businesses to cover such costs, and f) a good faith estimate of the number of businesses likely to be impacted by the Ordinance.

Section 7. Pursuant to Florida Statutes § 166.041(4), this Ordinance shall take effect immediately upon adoption.

ADOPTED ON FIRST READING on the **3rd day of December, 2025**, by the Village Council of the Village of Estero, Florida.

ADOPTED ON SECOND AND FINAL READING on the **17th day of December, 2025**, by the Village Council of the Village of Estero, Florida.

VILLAGE OF ESTERO, FLORIDA

Attest:

By: _____
Joanne Ribble, Mayor

By: _____
Carol Sacco, CMC, Village Clerk

AGENDA ITEM SUMMARY SHEET
VILLAGE COUNCIL MEETING
December 3, 2025

Agenda Item:

Ordinance No. 2025-13 adopting a new Parks & Recreation Code.

Motion to adopt Ordinance No. 2025-13.

Background:

As the Council knows, the Village of Estero became a municipality in 2014. Since that time, it has endeavored to plan for and create park and recreational venues and opportunities for its residents with a Parks and Recreation Master Plan informing those efforts.

Upon incorporation, the Village had adopted a placeholder parks code modeled after the Lee County code. However, the County's code is designed for a much different parks system and contains provisions not related to the Village's current and planned future parks and recreation facilities and operational model.

In the past year the Village has begun designing and constructing its own parks and recreation locations, facilities and programs, with its Sports Park (the result of cooperative efforts between the Village and the School Board), and Estero River Park (intended to provide more passive recreation opportunities for residents) being at the forefront. In advance of these facilities being finally constructed and brought online, the Village's staff and attorney have determined that the current Parks and Recreation Code should be updated to reflect the Village's operational realities and policy goals, and to ensure prevailing state and federal law (including standards around large public events) is recognized.

The Village Attorney has worked with staff and the Village's consultants to develop the provisions of the new parks and recreation code set forth in this proposed Ordinance, and its adoption is recommended.

Once the new Code is adopted, the Village staff will work to finalize the various administrative regulations and forms associated with daily operations. Chief among those will be detailed rules around how leagues and tournaments will be able to acquire field capacity, site security measures, informational and regulatory signage, and special event procedures. In addition, as the facilities become ready for full occupancy and use, the Village Manager will explore new opportunities for additional revenue generation

Page 1 of 2

through concession agreements which may provide enhanced experiences for patrons while maintaining the quality level the Village desires.

Action Requested:

Motion to adopt Ordinance No.2025-13

Process and Timeline:

Once approved by Council, Village staff will begin complying with, and ensuring park and recreation program users comply with, the Code's terms, and the Village Manager will promulgate related administrative regulations and forms.

Financial Impact:

When the various phases of the Village's Sports Park and Estero River Park come online over time, the Village will incur costs for administration of the rules and procedures associated with the operation of these facilities. However, particularly as to league and tournament play at the Sports Park, the Village will attempt to adopt use fees to offset those costs.

Prepared by: Robert Eschenfelder, Village Attorney

Attachment(s):

1. Ordinance No. 2025-13

ORDINANCE NO. 2025-13

**AN ORDINANCE OF THE VILLAGE OF ESTERO,
FLORIDA, REPEALING CHAPTER 22 OF THE VILLAGE
CODE; CREATING A NEW CHAPTER 22 OF THE
VILLAGE CODE RELATED TO PARKS AND
RECREATION; MAKING RELATED FINDINGS;
PROVIDING FOR SEVERABILITY, CODIFICATION, AND
AN EFFECTIVE DATE.**

WHEREAS, the Village of Estero became a municipality in 2014 and since that time, it has endeavored to create park and recreational venues and opportunities for its residents; and

WHEREAS, upon incorporation, the Village had adopted a parks code modeled after the Lee County code, which is designed for a much different parks system; and

WHEREAS, the Village has now begun establishing its own parks and recreation locations, facilities and programs and, in advance of these being brought on line, the Village has determined that its Code be updated to reflect the Village's operational realities, policy goals, and to ensure prevailing state and federal law is recognized; and

WHEREAS, the Village staff has worked to develop the provisions of the new parks and recreation code set forth in this Ordinance; and

WHEREAS, the Village Council finds that it is in the best interests of the Village of Estero, its citizens, visitors, businesses, and property owners, to adopt this Ordinance.

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

Section 1. Chapter 22 (PARKS AND RECREATION) of the Village Code is hereby repealed in its entirety.

Section 2. A new Chapter 22 of the Village Code, entitled PARKS AND RECREATION, is hereby created as follows:

Chapter 22 – PARKS AND RECREATION

ARTICLE I. – DEFINITIONS AND GENERALLY APPLICABLE REGULATIONS

Sec. 22-1. Area of applicability.

Unless otherwise specified, this chapter shall be applicable to and govern all village-owned or village-operated parks.

Sec. 22-2. Definitions.

The following definitions apply to this chapter:

Commercial means an activity or use that is undertaken to generate income or potential income in connection with a for-profit enterprise or entity.

Concessionaire means any authorized business entity that provides instructional services, recreational activities, food and/or beverages services, or sells souvenirs at a village park.

Designated public official means an official designated to supervise certain activities within a Village park. That official may include a law enforcement officer, a code enforcement officer, a park ranger, an employee with management or oversight responsibility over a village park, security personnel for any village park, or a beach lifeguard.

Director means the village manager or such other person(s) as may be designated as such by the manager.

Large scale event means an event involving more than twenty (20) individuals.

Park means a park, playground, pocket park, recreational center, recreation area, conservation area, preserve or any other area in the village, owned or used by the village, and devoted to active or passive recreation, as designated by the village council, and includes all entryways, parking lots, pools, water bodies, maintenance structures and similar areas or structures within or adjoining such parks.

Person means any natural person, or nongovernmental legal entity or organization of any kind.

Special event means a planned use, program, or activity, planned and implemented by a person, association, or organization, other than the village, involving people gathered for a designated activity other than normal park and recreational activities of swimming, picnicking, exercising, nature watching, or sports activities. Examples of a special event include, but are not limited to, organized sport tournaments, weddings, individual or group instruction, educational seminars, music concerts, and any other activity where a fee for admission or participation is charged.

Vehicle means any wheeled conveyance, whether motor powered, animal drawn, or self-propelled. The term shall include any trailer in tow of any size, kind or description, but shall not include any baby carriage, motorized or nonmotorized wheelchair, or other device required to allow reasonable access to parks or park facilities for persons with disabilities.

Sec. 22-3. Park property.

(1) In general. The following provisions apply to all village parks, including parking, office, maintenance, and related support areas:

(a) Proper use of property and facilities. No person shall willfully mark, deface, disfigure, injure, tamper with, inhibit the function of, vandalize, or remove, any building, bridge, table, bench, fireplace, railing, paving or paving material, water line or other public utility or part or appurtenance thereof, sign, notice or placard, whether temporary or permanent, monument, stake, post, or other boundary marker, or other park structure,

equipment, facility, fixture, property or appurtenance whatsoever, either real or personal, without the director's consent.

- (b) Removal of natural resources. No person shall dig, damage, remove, displace or destroy any soil, rock, stone, tree, shrub or plant, or down-timber or other wood or material, or excavate by tool, equipment, blasting, or other means without first obtaining a permit from the director. The removal of any live, non-game fish from park property is prohibited.
- (c) Erection of structures. Other than construction authorized by the village, no person shall construct or erect any building or structure of whatever kind, whether permanent or temporary, including tents, which requires disruption to the ground by digging, driving of stakes into the ground, or otherwise, nor shall such person run or string any utility into, upon, or across such lands, except on special written permit issued hereunder by the director.
- (2) Trees, shrubbery and other vegetation. The following provisions apply to all vegetation in village parks, including parking, office and related support areas:
 - (a) Injury and removal. No person shall damage, cut, carve, plant, transplant or remove any tree or plant. Other than in locations clearly designed for such uses, including defined paths and open fields, no person shall dig in or otherwise disturb grass, flower or plant areas, or in any other way injure or impact the natural beauty or usefulness of any landscaped area.
 - (b) Climbing trees or fixtures. No person shall climb any tree, or walk, stand or sit upon monuments, vases, fountains, railing, fences, groins, lifeguard towers, or upon any other structure or improvement in a park property not designated or designed for such purposes.
 - (c) Hitching of animals. No person shall tie or hitch a horse or other animal to any tree, plant or park fixture not designed or designated for such purpose.
- (3) Wild animals, birds, etc. Unless specifically authorized by the village or to prevent imminent harm to a person's life or safety, no person shall hunt, molest, harm, capture, frighten, feed, kill, trap, chase, tease, shoot, or throw objects at any animal, reptile or bird; nor shall any person remove or have in his or her possession the young or eggs or nest of any such animal, reptile, or bird.

Sec. 22-4. Sanitation.

- (1) Pollution of waters. No person shall throw, discharge, or otherwise place or cause to be placed in the waters of any fountain, pond, lake, river, stream, bay or other body of water in or adjacent to any park or any tributary, stream, storm sewer, or drain flowing into such waters, any substance, matter or thing, liquid or solid, which will or may result in the pollution of said waters or which does not naturally occur or appear there.
- (2) Refuse and trash. No person shall dispose of any paper, waste, garbage, trash, cigarette butts, debris, or other litter of any kind on any village owned or operated park or recreation area except in proper receptacles. Only such paper, waste, garbage, trash, debris or other litter as may have been created or accumulated in the use of a park or recreation area shall be disposed of in such receptacles. Where receptacles are not so provided, all such material shall be carried

away from the park by the person responsible for its presence, and properly disposed of elsewhere.

Sec. 22-5. Traffic.

- (1) State motor vehicle laws apply. In addition to the provisions of this chapter or any other village code provision, no person shall fail to comply with all applicable provisions of the state motor vehicle traffic laws, including laws on equipment and operation of vehicles and obeying traffic signs, in any village park.
- (2) Enforcement of traffic and parking regulations. No person in a park shall fail to obey the direction of any law enforcement officer or village employee, such persons being hereby authorized and instructed to enforce traffic and parking regulations whenever and wherever needed in the parks and on the roads, parking lots or trails therein or immediately adjacent thereto.
- (3) Speed of vehicles. Unless otherwise posted, no person shall operate a vehicle in a park at a rate of speed exceeding fifteen (15) miles per hour. The director is authorized to designate, by posted signs, a higher or lower rate for such roads or portions thereof as the director may determine necessary and safe.
- (4) Operation confined to roads. No person shall drive any vehicle on any park land except paved or graded roads or parking areas, or such other areas as may on occasion be specifically designated by the director as temporary parking areas. Nothing herein is intended to prohibit necessary operation of law enforcement or maintenance vehicles or park maintenance vehicles in parks.
- (5) Repair or wash vehicles. No person in a park shall repair, change oil, wash, or wax vehicles, or campers, except to make minor repairs in the event of a breakdown.
- (6) Parking and parking lots.
 - (a) Designated areas. No person shall park a vehicle other than in a designated parking area or undesignated/temporary overflow area in accordance with posted directions or under instruction of any law enforcement or park attendant who may be present to direct parking.
 - (b) Night parking. No person shall leave or allow to be left a vehicle standing or parked after park closing hours except in parking areas designated and posted for overnight parking. Trailered vessels, whether or not attached to a vehicle, and unattached trailers of any kind shall not be parked overnight in any village park. In addition to citation of the owner, the director is authorized to tow any vehicle, trailered vessel, or trailer in violation of this subsection.
 - (c) Double-parking. No person in the park shall double-park any vehicle on any road or parkway, or block any emergency entrances, unless so directed by a park official.
 - (d) Use of parking lots. Other than in designated RV lots, no person other than staff, emergency or law enforcement personnel may remain indefinitely in any designated parking lot, either within or outside of a vehicle, after the vehicle has been parked upon arrival or loaded for departure. No person shall use a parking lot to store or stage vehicles,

vessels or trailers of any kind while not actively engaged in the use of or an activity involving the village park for which the parking lot serves.

- (e) Unattended pets. No person may leave any pet unattended in, on or under a parked vehicle in any parking lot. Nothing herein shall preclude a person from using a service animal as provided for in Florida Statutes § 413.08.

(7) Bicycles.

- (a) Confined to roads. No person in the park shall ride a bicycle on other than a paved vehicular road or a path designated for that purpose. Cyclists shall at all times operate their bicycles with reasonable regard to the safety of others and follow bicycle safety standards.

- (b) Designated racks. No person in the park shall leave a bicycle in a place other than a bicycle rack when a bicycle rack is provided and there is a space available in the rack.

- (8) Signage. The director shall ensure applicable regulations concerning traffic, parking and towing are posted prominently. The director is authorized to post the maximum fine for violation(s) on any such sign.

Sec. 22-6. Recreational activities.

(1) Bathing and swimming.

- (a) Designated areas: abide by rules. No person shall swim, or wade in any pool or water body within any park except at places designated for such activities. Any person engaging in such activities shall comply with the rules established for these areas, including, but not limited to, hours of use and safety limitations for such uses. Persons who do not know how to swim should not swim in village pools or other designated village water bodies.

- (b) Facilities for changing of clothes. No person in the park shall undress or change clothes in any park except in enclosed structures such as restrooms or designated changing areas.

- (c) Obedying instructions. Each person in the park shall abide by the instructions of any village official concerning:

1. The playing of games, including flying of kites;
2. Fishing from waterfront areas;
3. Activities in swimming areas regarding personal safety, and the safety of other swimmers;
4. The closing of the parks, water bodies or pools due to dangerous conditions; and
5. Any other swimming or bathing activity.

(2) Boating activities.

- (a) Designated areas only. No person shall bring into or operate in a park any boat, raft, jet ski, or other watercraft, whether motor-powered or not, upon any waters, except at places designated for boating, docking and launching.

(b) Public dock and boat ramp usage. To the extent the village constructs, maintains or operates docks, boat launches or ramps within a village park, such docks, launches or ramps shall only be used for their intended and designed purpose, which is the active launching and retrieving of boats or similar watercraft. No person shall use such village docks, launches or ramps for storage of any kind, except for such reasonable time as may be necessary to launch or retrieve boats or similar watercraft, which shall not exceed fifteen (15) minutes. Boats, watercraft or floating objects used to travel between land and offshore vessels may not be moored to any part of a village dock, launch or ramp unless actively engaged in launching or landing.

1. Village docks, launches and ramps shall be kept clear of all equipment and gear, except for such reasonable time as may be necessary for loading and unloading.

2. Prohibitions.

a. No person shall dive or jump from any village dock, launch or ramp.

b. No person shall moor, anchor or otherwise place a boat, watercraft, vessel or floating object in a manner that impedes, restricts or otherwise interferes with the use of village docks, launches or ramps unless actively loading or unloading or as otherwise authorized by the director.

c. Fueling of any vessel from a village ramp, launch or dock involving the transfer of marine engine fuels from one fuel container to another fuel container while the receiving vessel is moored at the ramp, dock or launch unless the fueling is being performed by a village-authorized concessionaire.

(c) Operation of boats. No person shall navigate, direct, or handle any watercraft in an unreasonable manner so as to be a danger to other persons, wildlife or property, or otherwise interfere with the use or enjoyment of the park by others. All watercraft must be operated in a safe manner and comply with all applicable safety regulations.

(3) Fishing.

(a) Commerce prohibited. No person shall engage in commercial fishing in navigable waters inside any village park or preserve, or the buying or selling of fish caught therein.

(b) General prohibition. No person shall fish in any village park waters, whether fresh or salt, and whether by the use of hook and line, net, or other device, except in waters designated by the director for that use and under such regulations and restrictions as have been or may be prescribed by the director and applicable state agencies.

(4) Picnic areas and use.

(a) Regulated. Unless otherwise designated, all parks are open for picnicking use. However, use of electric, gas or fire grills or cookers shall be limited to areas immediately adjacent to any park pavilion or to other areas designated as fire/cook safe areas. Designated public officials shall have authority to regulate activities in such areas when necessary to prevent congestion and to secure the maximum use for the comfort and convenience of all.

(b) Availability. Other than where such facilities have been reserved pursuant to established village procedures, the use of the individual fireplaces or fire pits together with tables,

and pavilions is on a “first come, first served” basis. Park patrons are required to comply with this standard and shall not intimidate, coerce or otherwise cause or seek the abandonment of such facilities by rightful “first come” users.

(c) *Glass containers.* No glass containers shall be allowed in any park.

(5) *Camping.* No overnight camping of any type shall be allowed at any park, preserve, boat ramp, dock or launch, or any recreation area except in those areas which may be developed and designated for such use.

(6) *Games and remote operated aircraft or drones.* No person in a park shall take part in or abet the playing of any games involving thrown or otherwise propelled objects such as stones, arrows, javelins, lawn darts, horse shoes, model aircraft, or drones (unmanned aircraft systems) except in areas set apart for such forms of recreation. Nothing herein prohibits throwing of frisbees, footballs, baseballs, or foam balls or objects between persons.

(7) *Remote operated model boats.*

(a) Remotely operated model boats powered by internal combustion engines are not permitted in any village park body of water.

(b) Remotely operated low noise electric model boats may be operated within any village park body of water the shoreline of which is open and accessible to park patrons. Such use shall be permitted between 9 a.m. and 5 p.m.

(c) Remotely operated model boats of any type, including low noise electric model boats, may not be operated on any navigable body of water within the estero river park.

(8) *Horseback riding.* No person, other than authorized law enforcement or village staff, may ride a horse in a park, except on designated bridle trails.

Sec. 22-7. Behavior.

(1) *Intoxicating beverages.*

(a) *Prohibition.* No person in the park shall sell, possess or consume alcoholic beverages, except where it is sold at specifically designated recreation areas where meals or lunches are also sold under village-granted concessions, or at approved special events where the permit authorizes such sale or consumption. The sale of alcoholic beverages by such concessionaire or special event permit holder, agent or sponsor, may be permitted under the strict regulation and control of the director. Sales of alcoholic beverages shall be made only in individual servings and shall be consumed only on the immediate premises of the concession. Persons who fail to comply with this provision will be required to leave the park premises immediately and may be cited for violation of this chapter.

(b) *Intoxication.* No person shall enter or remain in a park while under the influence or affected to the extent that the person’s normal faculties are impaired due to intoxicating liquor, controlled substances, or illegal substances.

(2) *Fireworks and explosives.* No person shall possess or set off any fireworks or explosives in any park.

- (3) *Pets prohibited.* Other than authorized staff or law enforcement personnel, no person shall bring or introduce into a park any off-leash dog, cat, snake or other animal other than in those areas specifically designated for activities involving such animals. Notwithstanding the foregoing, a person may bring a dog into any park, so long as the dog remains on a leash and under the owner's control at all times, except for village athletic fields or any other area posted "no dogs allowed." Such owners are responsible for removal and disposal of any waste. Nothing herein shall preclude a person from using or training a service animal in a park as provided for in Florida Statutes § 413.08. Any person in possession of such animal is responsible for controlling the animal and cleaning up and properly disposing of any waste. At no time shall such animals be left unattended.
- (4) *Use of facilities.* Unless accompanied by a parent, no person over the age of six (6) years shall use a restroom, shower or similar area designated for the opposite sex. Use of such facilities designed and signed as accessible to persons with disabilities shall be avoided wherever possible by persons not requiring their use so they may be readily available to persons with disabilities.
- (5) *Fires.* Fires are prohibited in any village park, except in such grills, fireplaces, barbecue pits or other similarly designed fire-safe facilities or areas.
- (6) *Signs to be obeyed.* No person shall engage in any activity expressly prohibited by a posted sign, nor damage, remove or obstruct any such sign.
- (7) *Permits to be exhibited.* Persons issued any park-related permit must have such permit on hand during the permitted use, and shall produce same upon request by law enforcement or designated park officials.
- (8) *Skating.* Human-propelled (non-motorized) skating of any type, including in line, boards or other, shall be permitted on any park trail unless the trail is specifically designated as prohibiting such activities. Use of any motorized transportation devices, including e-bikes, e-scooters, hoverboards, Segways, electric unicycles, onewheels, or electric skates, are expressly prohibited on any park trail unless the trail is specifically designated as allowing such devices, except that use of an electric wheelchair or other device required to allow safe and reasonable access to park trails for persons with disabilities is allowed.

Sec. 22-8. Vending and posting of signs.

- (1) *Vending and peddling.* No person shall sell any article or thing; nor place any stand, table, cart, or vehicle for the transportation, sale or display of any such article or thing, in any park unless authorized to do so by a village-issued license, permit, or concession under the authority and regulation of the director.
- (2) *Signs and handbills.* No person shall distribute handbills or circulars, or post any sign, placard, advertisement, or similar item; nor erect or cause to be erected any sign whatever in any village park. Special event directional or other similar temporary signs may be permitted by the director pursuant to a special event permit and must be promptly removed after the special event.

Sec. 22-9. Large scale event and speech activity.

- (1) Permit required. Large scale event(s) within a park are prohibited prior to obtaining a permit from the director.
- (a) Additional regulations not covered. The issuance of a permit under this chapter shall not excuse an applicant from the need to comply with any additional federal, state or municipal permitting or other regulatory requirements associated with the permitted activity.
- (b) The purpose of this permit system is to coordinate multiple uses of the limited space and to assure preservation of the parks to prevent uses that are dangerous or unlawful or inconsistent with the village's rules and regulations, to enforce proper security, and to assure financial accountability for damages caused by an event. The director shall have the authority to establish guidelines and procedures (including regulating reasonable time, place and manner restrictions) for the permitting of large-scale events at village parks in accordance with this section in a content neutral manner.
- (c) Applicable standard of review. Permits shall not be unreasonably withheld. In deciding whether to grant such a permit the director shall consider:
1. Whether the large-scale event will interfere with previously scheduled activities or the use of previously reserved space or facilities, including sports league or tournament events;
 2. Whether the large-scale event will present an unreasonable danger to the health or safety of the applicant, village employees, general public, or participants of the large scale event;
 3. Whether the applicant or the person whose behalf the application for permit was made has on prior occasions damaged park property and has not paid in full for such damage, or has other outstanding and unpaid debts to the parks department;
 4. Whether the large-scale event will disrupt the performance of the regular duties of village employees or previously planned programs organized and conducted by the parks department and previously scheduled for the same time and place;
 5. Whether the large-scale event can be held in a specific park or area of a park without unreasonably interfering with the use of park facilities by others;
 6. Whether the application contains material falsehoods or misrepresentations;
 7. Whether the applicant is a person or legal entity competent to contract, be insured, and to sue and be sued;
 8. Whether the use or activity proposed by the applicant is prohibited by law, court order, by this article or any other village code provision;
 9. Whether the application for a permit (including any required attachments and submissions) is not fully completed and executed;
 10. Whether the applicant has not tendered the required application fee with the application or has not tendered the required user fee, indemnification agreement,

insurance certificate, or security deposit within the time prescribed by the permit application; and

11. Whether the applicant has not complied or cannot comply with applicable licensure requirements, ordinances, or regulations of the parks department concerning the sale or offering for sale of any goods or services;

(d) Appeal. Any person denied a permit may file an appeal to the village manager within ten (10) days of the denial of the permit. The village manager shall promptly hear the appeal and issue a decision in writing within ten (10) days of the village's receipt of the appeal.

(2) Enforcement. Any large-scale event that is held at a village park without a permit from the director or in violation of this section may be considered a trespass. Designated village officials shall have authority to control any permitted large-scale events in any park under the terms of the permit issued.

Sec. 22-10. Operating policies.

(1) Hours. Except in unique or emergencies situations or as otherwise posted, parks shall be open to the public from sunrise to sundown. Park hours shall be posted at park entrances. Notwithstanding the foregoing, to the extent the village has entered a contract or issued a special event permit related to an event or series of events which will occur in whole or in part after sundown, including but not limited to agreements to allow for sports tournaments, league play, festivals, or concerts, park hours shall coincide with the terms of the contract or permit.

(2) Closed areas. Any park or part thereof may be declared closed to the public by the director or other designated public official at any time and for any interval of time, either temporarily or at regular and stated intervals (daily or otherwise) as the director shall find reasonably necessary. Unauthorized persons who remain in a closed park, or part or section thereof, after closing may be prosecuted for trespassing.

(3) Additional rules. Pursuant to § 2-2 of the code, the village manager may adopt, amend or rescind rules, procedures and forms regulating the use, operations or staffing of parks or recreation facilities not inconsistent with this chapter.

(4) Exceptions. The director may waive enforcement or application of any of the regulations or restrictions contained herein, with respect to particular park areas or in connection with the issuance of permits for particular activities, upon determining that such action will not interfere with the public's health and safety or its full enjoyment of park areas and facilities. However, the authority granted by this subsection shall not be subject to the viewpoint or content of speech of any individual or group but shall be based only on content-neutral factors.

(5) Permit. A permit shall be obtained from the director before conducting any activity within a park for which a permit is required herein or in any other village policy. A permit must be obtained for all special events held on park property. The issuance of a permit under this chapter shall not excuse an applicant from the need to comply with any additional federal, state or municipal permitting or other regulatory requirements associated with the permitted activity. The following apply to the permitting process:

(a) Application. A person seeking issuance of a permit hereunder shall file an application with the director on a form promulgated by the director for such purpose. Such form

shall require such information as is deemed necessary by the director. An appropriate permit application fee may be established pursuant to § 22-13 of this chapter.

- (b) *Standards for issuance.* The director shall issue a permit hereunder within his/her discretion which shall not be based upon any considerations of the class of persons the applicant belongs to or his/her/its political views, nor otherwise be unreasonably withheld. Although a legal entity or organization may apply for a permit, the application shall be executed by a responsible natural person representing such entity or organization.
- (c) *Capacity management.* The director shall establish standards of use for each park property eligible for an event permit. Such standards shall at a minimum set maximum capacities for attendance and parking, and shall take into account the impacts of such events upon abutting neighborhoods and input from law enforcement agencies.
- (d) *Security standards and requirements.* The director shall assess each application for a special event permit and, based upon the time, duration, location, nature, and estimated size of the event, along with expected weather conditions, review by public safety personnel, and other relevant factors, may impose and require permit applicant to pay for a security plan which may include regulated access points, traffic management plans, and the on-site presence of private security, off-duty law enforcement, emergency medical personnel, or other persons necessary to ensure a safe event and the prevention of damage to park property or facilities.
- (e) *Effect of permit.* A permittee shall be bound by all park rules and regulations and all applicable codes and laws and same shall be deemed to be conditions of said permits.
- (f) *Liability of permittee.* The person to whom a permit is issued shall be liable for any loss, damage or injury sustained by any other person or entity whatever by reason of the negligence of the person or persons to whom such permit is issued. The director may, in his or her discretion, condition the granting of a special events permit upon demonstration of adequate insurance naming the village as additional insured where the nature and risk of the event in question warrant such requirement.
- (g) *Revocation or declining to issue permit.* A designee of the director so empowered shall have the authority to revoke a permit or to decline to issue future permits upon a finding of a violation of any law, ordinance or rule, a false application, failure to comply with capacity, security or use restrictions, or upon other good cause shown. The director shall have the authority to review an appeal of any revocation or subsequent denial action by the designee, and shall within thirty (30) days of the appeal, issue a decision. The director is authorized to develop procedures and forms to facilitate an appeal process.

Sec. 22-11. Licensing and permitting of concessions.

- (1) *License or permit required.* Private concessionaires providing concession services or activities in village parks may only do so by obtaining a concessionaire permit for such activity or a license agreement and paying a fee in accordance with the requirements of this section and the sports and leisure services fee schedule or the natural resources fee schedule.
- (2) *Determination of council.* Upon a determination by the council that the provision of any goods or services, including but not limited to instructional services, food, beverages or souvenirs,

will be of use to park patrons or enhance and promote the village as a unique community, or provide for the comfort in and enjoyment of the use of a particular park in question, the council may, at its discretion, provide for such services through its own employees or by entering into a license agreement or permit with a concessionaire selected in accordance with any applicable requirements of the village procurement code and state law.

- (3) Terms and conditions to be included in any concessionaire license agreement or concessionaire permit. The terms and conditions of license agreements and concessionaire permit may be negotiated between the applicant and the village, but shall at a minimum include the following:
- (a) The days and hours of operation as determined by the village to meet the needs of the park patrons.
 - (b) A clear and specific description of the products that may be sold or service being offered and controls and regulations with respect to the prices that may be charged as deemed necessary by the village.
 - (c) Requirements with respect to the image, ambience, the condition of facilities and equipment made available by the village or furnished by the concessionaire, or quality of service required to reflect a favorable image of the village and provide for the health, safety and welfare of park patrons.
 - (d) The fee required by the village to help defray the costs of operating and maintaining the village's parks.
 - (e) Restrictions that prohibit the transfer or assignment of any license agreement or concessionaire permit except as may be approved within the sole discretion of the village council.
 - (f) The rights of the parties to terminate the agreement or permit with adequate notice so the village can provide for the continuation of services.
 - (g) The right of the village to terminate the agreement or permit as may be required for public convenience and necessity.
 - (h) Requirements for submission of proof of insurance in suitable amounts and naming the village as additional insured to cover any claims related to the concession.
 - (i) Such other terms and conditions as the board determines to be necessary, prudent and in the best interest of the village.
- (4) Licenses and permits not a disposition of surplus property. It is the policy and intent of the village council that any such license agreement shall not be considered the sale, conveyance, leasing or other disposition of property not needed for village purposes.
- (5) Revenues. All revenues derived from any license or permit fees or other charges are assessed against the concessionaire as a part of any agreement may be used for the maintenance and operation of the village's parks or for any other valid public purpose.
- (6) Special event vending. In addition to regularly licensed concessionaires, the temporary vending of food, beverages or any other article shall be limited to special events and activities in accordance with established procedures and according to the terms and limitations of the special event permit. Special events or activities as used herein refers to fairs, festivals, league

play or tournaments, and other activities or events of a unique, short-term or nonregular nature.

- (7) Access to concession facilities. No concessionaire may install or operate any concession-related facility without the director's express prior approval, and installation or operation of such facility shall be conditioned on the concessionaire providing the village with full access to such facility at any time.
- (8) Existing agreements and permits. The purpose of this section is to clarify and codify existing policies and practices. Any otherwise valid agreement, concession or permit existing on the date of adoption of this section shall not be impaired or altered and is hereby ratified and confirmed through its expiration.

Sec. 22-12. Restricting operation of aircraft on village parks.

Permit required. The landing and takeoff of any size or type of aircraft, including; but not limited to: helicopters, ultra-lights, balloons, paragliders, parachutes, parasailers, and hang-gliders is prohibited in village parks prior to obtaining a permit from the director; notwithstanding emergency situations which legitimately threaten the safety of an aircraft, its occupants or others.

Sec. 22-13. Fees for uses.

Upon recommendation by the director or on its own initiative, the village manager may from time to time establish, modify, revoke or suspend a schedule of fees related to the uses of village park or recreation facilities, programs or services. Such fees may be expressed as a flat fee, a percentage of income, or a fee range. To the extent a fee range is established, the manager shall have the authority to set and adjust the specific fee within the set range as actual costs and market conditions dictate.

Sec. 22-14. Sports league use of parks and fields.

- (1) No private or public sports league may make use of any village park or sports field or facility without first entering a league use agreement with the village. The terms and conditions of any such agreement shall be determined by the village manager but must, at a minimum, require:
 - (a) Obtaining insurance at levels determined by the manager which provide liability coverage for the village for all injuries or losses occurring during league use;
 - (b) Requiring each league to obtain a waiver of liability from each league participant (players and coaches) releasing and holding the village harmless for any death, injury or other loss associated with the participant's league play;
 - (c) Limiting any vending or concessions by the league or third-parties on village park property unless expressly provided for in the agreement;
 - (d) Providing for the right of the village to cancel any game where the village's operational ability to host the game, or where any village-approved sports tournament will require use of the field or facility at the time the league would otherwise desire such use;

(e) Requiring league officials to ensure participants (players, coaches, parents, vendors) know and adhere to all village park rules including rules related to parking and conduct; and

(f) Providing for compensation to the village in an amount commensurate with the village's proprietary operation of its sports fields and facilities.

(2) Nothing in this section shall be construed as impairing any contractual terms or conditions with leagues entered prior to the adoption of this chapter. Any such agreements shall continue to control until the end of their terms, at which point, new league use agreements shall be required.

ARTICLE II. ADDITIONAL REGULATIONS CONCERNING ESTERO RIVER PARK

Sec. 22-20. Jumping or diving prohibited.

No person shall jump or dive from any village land or infrastructure, including any bridge, observation deck or walkover, into any body of water within Estero River Park including the Estero River.

Secs. 22-21—22-29. Reserved.

ARTICLE III. ENFORCEMENT

Sec. 22-30. Enforcement of code.

The village manager is authorized to ensure all provisions of this chapter are enforced. The manager may designate such other person(s) as he or she may deem necessary and appropriate to exercise any portion of this authority.

Sec. 22-31. Designated enforcement officials.

(1) The village's code compliance officers are authorized to enforce all provisions of this chapter in accordance with article II of chapter 1 of this code. The village manager may also designate such other person(s) who provide onsite staffing of a village park to enforce this chapter. Any such person(s) shall first have received training on code enforcement procedures prior to engaging in enforcement actions.

(2) Pursuant to Florida Statutes § 162.21(2), the sheriff and his or her deputies, and all state law enforcement officers, are hereby designated as code compliance officers for purposes of enforcing the provisions of this chapter within their respective jurisdictions and are thereby authorized to issue citations for violations pursuant to part II of Florida Statutes chapter 162.

(3) In addition to the issuance of code enforcement violations, the village manager or designee may issue a trespass warning notice to persons within village parks following the standards and procedures set forth in division 3 of article II of chapter 2 of the code. Persons who are trespassed and who subsequently refuse to leave any village park property shall be referred to the sheriff for criminal violation under Florida Statutes § 810.09.

(4) Nothing in this section shall be interpreted as prohibiting the sheriff from exercising the authority granted in Florida Statutes § 30.07.

Section 3. For purposes of codification of any existing section of the Estero Village Code herein amended, words **underlined** represent additions to original text, words **~~stricken~~** are deletions from the original text, and words neither underlined nor stricken remain unchanged.

Section 4. If any section, subsection, sentence, clause, provision or word of this Ordinance is held unconstitutional or otherwise legally invalid, same shall be severable and the remainder of this Ordinance shall not be affected by such invalidity, such that any remainder of the Ordinance shall withstand any severed provision, as the Village Council would have adopted the Ordinance and its regulatory scheme even absent the invalid part.

Section 5. The Codifier shall codify the substantive amendments to the Estero Village Code contained in Sections 1 and 2 of this Ordinance as provided for therein, and shall not codify the exordial clauses nor any other sections not designated for codification.

Section 6. Pursuant to Florida Statutes § 166.041(4)(a), prior to the date the public notice of the public hearing for this Ordinance was published, the Village prepared and posted on its website a business impact estimate which included: a) a summary of the Ordinance, a statement of the public purpose to be served by the Ordinance, b) an estimate of the direct economic impact of the Ordinance on private, for-profit businesses in the Village, c) an estimate of direct compliance costs that businesses may reasonably incur due to the Ordinance, d) identification of any new charge or fee on businesses created by the Ordinance or for which businesses will be financially

responsible, e) an estimate of the Village's regulatory costs and of revenues from any new charges or fees imposed on businesses to cover such costs, and f) a good faith estimate of the number of businesses likely to be impacted by the Ordinance.

Section 7. Pursuant to Florida Statutes § 166.041(4), this Ordinance shall take effect immediately upon adoption.

ADOPTED ON FIRST READING on the **19th day of November, 2025**, by the Village Council of the Village of Estero, Florida.

ADOPTED ON SECOND AND FINAL READING on the **3rd day of December, 2025**, by the Village Council of the Village of Estero, Florida.

VILLAGE OF ESTERO, FLORIDA

Attest:

By: _____
Joanne Ribble, Mayor

By: _____
Carol Sacco, CMC, Village Clerk