



Village of
ESTERO

VILLAGE OF ESTERO
VILLAGE COUNCIL MEETING
PACKET
APRIL 15, 2026, 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
April 15, 2026, 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. LETTER OF RECOGNITIONS

a. Kevin Wilson/Estero High School

Attachment: [1 Estero High School Kevin Wilson .pdf](#)

b. Mason Burks/Bonita Springs High School

Attachment: [2 Bonita Springs HS Mason Burks 041520262026 .pdf](#)

3. APPROVAL OF AGENDA, ADDITIONS, AND DELETIONS

4. PROCLAMATION

a. National Boat Safety Week May 16-22

Attachment: [Boat Safety week.pdf](#)

5. PUBLIC COMMENT ON NON-AGENDA ITEMS

6. CONSENT AGENDA

a. April 1, 2026 Village Council Meeting Minutes

Attachment: [04012026.pdf](#)

7. CONSIDERATION OF ITEMS DEFERRED FROM CONSENT AGENDA

8. ACTION ITEMS

a. Vulnerability Assessment Change Order 01

Recommended Action

Motion to approve Change Order 01 to Contract 25028 with APTIM Environmental & Infrastructure, LLC to increase the number of elevation certificates from 100 to 216 for an additional cost of not to exceed \$70,000.

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

Financial Impact

The proposed change order will increase the contract from \$425,500 to \$495,500. An increase of \$70,000. This will be funded using unallocated general funds.

Attachment: [SS Vulnerability Assessment Change Order 01 revised.pdf](#)
Attachment: [1 Contract 25028 CO01 APTIM Vulnerability Assessment.pdf](#)

b. Sport Park Phase 1 Field Testing Services -- Task Order #3 Approval

Recommended Action

Motion for Approval of a Task Order under continuing services Contract No. 2022-41 with HIGH SPANS ENGINEERING, Inc. to perform field testing services for Phase 1 construction of the Village Hub Sports Park, in an amount not to exceed \$199,821.26.

Authorize the Village Manager to execute the Task Order and any associated documents necessary to complete the scope of services.

Financial Impact

The total cost for field testing services will be in an amount not to exceed \$199,821.26 and is funded as follows:

RIF (Road Impact Fee)	- \$167,050.58
GF (General Fund)	- \$32,770.68
TOTAL	- \$199,821.26

Attachment: [SS- Sport Park Phase 1 Field Testing Services Task Order 3 Approval.pdf](#)
Attachment: [1 STA1 pdf.pdf](#)

9. FIRST READING AND PUBLIC HEARING

a. Ordinance No. 2026-03

An Ordinance of the Village of Estero, Florida, Amending § 9-503 of the Village Land Development Code Related to Non-Conforming Lots; Making Related Findings; Providing for Severability; and Providing for an Effective Date.

Recommended Action

Motion to adopt Ordinance No. 2026-03 on first reading and authorizing the Clerk to advertise the ordinance for public hearing on May 6, 2026.

Financial Impact

There is no impact on Village funds by adoption of this ordinance.

Attachment: [SS Ord No. 2026-03 Non Conforming Lot Code Revision.pdf](#)

Attachment: [2026-03 Non Conforming Code.pdf](#)

10. SECOND READING AND PUBLIC HEARING

a. Ordinance No. 2026-02 related to condominium and cooperative milestone inspections.

An Ordinance of the Village of Estero, Florida, Creating a New Article II of Chapter 7 of the Village Code Related to Mandatory Condominium and Cooperative Inspections; Making Related Findings; Providing for Severability; and Providing for an Effective Date.

Recommended Action

Motion to adopt Ordinance No. 2026-02

Financial Impact

The work required by the Building Official to administer this state mandate will fluctuate and cannot be precisely determined but it is expected to annually consume significant time within the building division. Unfortunately, this is an unfunded mandate as the Legislature's amendment to the statute requiring adoption of an ordinance did not also allow for the collection of any fees to offset costs.

Attachment: [SS Ord No 2026-02 Condo Inspect Milestone.pdf](#)

Attachment: [1 Ord No 2026-02 .pdf](#)

11. COUNCIL COMMUNICATIONS / FUTURE AGENDA ITEMS

12. VILLAGE ATTORNEY'S REPORT

13. VILLAGE MANAGER'S REPORT

Adjourn Regular Session and Convene Workshop Items

14. WORKSHOP

a. Legislative Updates

Attachment: [SS Legislative Update.pdf](#)

Attachment: [Council Presentation 4-15-26.pdf](#)

b. Resolution No. 2026-06 final non-ad valorem assessment roll for Sunny Grove Park, Inc. Package Plant to Central Sewer Conversion Project

Attachment: [SS Sunny Grove Assessment Resolution No 2026-06 .pdf](#)

Attachment: [1 Res No. 2026-06 Sunny Grove Utility Assessment Final.pdf](#)

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

Attachment: [3 Exhibit B - Assessment Memo.pdf](#)

c. Resolution No. 2026-07 final non-ad valorem assessment roll for Cypress Bend RV Resort package plant to central sewer system project

Attachment: [SS Cypress Bend Final Assessment Resolution docx.pdf](#)

Attachment: [1 Res No. 2026-07 Cypress Bend Utility Final Assessment.pdf](#)

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

Attachment: [3 Exhibit B - Assessment Memo.pdf](#)

15.ADJOURNMENT

In Recognition

To

Kevin Wilson Estero High School

Kevin is a conscientious and hardworking student who, even in middle school, distinguished himself as one of the most driven students in his grade. He consistently sought opportunities to be involved and engaged, and that same level of dedication has continued throughout his high school career.

As a senior, Kevin is a full-time dual enrollment student who has already achieved remarkable academic success. He earned recognition on the FJCM Dean's List during his first semester of college coursework, after previously obtaining his ACE Diploma. His current GPA of 4.95 is a testament to his commitment, discipline, and strong work ethic.

Beyond his academic accomplishments, Kevin consistently demonstrates responsibility, integrity, and a genuine passion for learning. In his interactions with both peers and adults, he exhibits exceptional manners and a level of maturity well beyond his years, making him a positive role model within the school community.

Presented on this 15th day of April 2026.



Joanne Ribble, Mayor



George Zalucki, Vice Mayor



Jeff Hunt, Councilmember



Jon McLain, Councilmember



Lori Fayhee, Councilmember



Rafael Lopez, Councilmember



Jim Ward, Councilmember

In Recognition

To

Mason Burks / Bonita Springs High School

The Village Council of the Village of Estero, Florida proudly recognizes Mason Burks as the Bonita Springs High School Student of the Month for April for being an exceptional student who exemplifies academic excellence, dedication, and well-rounded achievement. He currently holds an outstanding weighted GPA of 5.66 and is ranked second in his graduating class, earning the distinguished honor of Salutatorian.

As an active member of the Collegiate Academy, Mason has consistently demonstrated a commitment to rigorous coursework and college readiness. His impressive academic accomplishments have earned him acceptance to several prestigious universities, including the University of Florida, Florida State University, Kansas State University, and the University of North Florida.

Beyond the classroom, Mason is a dedicated athlete who has contributed to the boys' tennis team for three years and has also competed in cross country. His involvement in athletics reflects his strong work ethic, perseverance, and ability to successfully balance multiple responsibilities.

In his senior year, Mason has elevated his academic pursuits by becoming a full-time student at Florida Gulf Coast University, where he is maintaining a perfect GPA. His drive, discipline, and pursuit of excellence make him an outstanding representative of our school community, and we are proud to call him a Bull Shark.

Presented on this 15th day of April 2026.



Joanne Ribble, Mayor



George Zalucki, Vice Mayor



Jeff Hunt, Councilmember



Jon McLain, Councilmember



Lori Fayhee, Councilmember



Rafael Lopez, Councilmember



Jim Ward, Councilmember

THE VILLAGE OF ESTERO *PROCLAMATION*

WHEREAS, On average 564 people die each year in boating related accidents in the United States; 75% of deaths were caused by drowning; and in 87% of those fatalities, the victim was not wearing a life jacket; and;

WHEREAS, the vast majority of these accidents are caused by human error or poor judgement and not by the boat or equipment; and;

WHEREAS, a significant number of boaters who lose their lives by drowning each year would be alive today had they worn their life jackets; and;

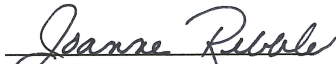
WHEREAS, Flotilla 96 of the United States Coast Guard Auxiliary is tasked with supporting the active-duty United States Coast Guard by promoting Recreational Boating Safety in Bonita Springs, and;

WHEREAS, Flotilla 96 plans to offer boating safety classes, vessel safety checks and other ambitious boating safety awareness programs during the week of May 16-22, 2026; and;

WHEREAS, the residents and the Village of Estero Council wish to recognize Flotilla 96 of the United States Coast Guard Auxiliary for their honorable service.

NOW, THEREFORE, I, Mayor Joanne Ribble, of the Village of Estero, Lee County, Florida, do hereby support the goals of the Safe Boating Campaign and proclaim May 16-22 as "National Safe Boating Week" to urge all those who boat to practice safe boating habits and wear a life jacket at all times while navigating the waterways of southwest Florida.

IN WITNESS THEREFORE, I have hereunto set my hand and caused the seal of the Village of Estero to be affixed, this 15th day of April 2026.


Joanne Ribble, Mayor



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**

April 1, 2026 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, Public Works Director David Willems, Community Development Director Mary Gibbs, Deputy Village Clerk Tammy Duran, and Village Clerk Carol Sacco.

2. APPROVAL OF AGENDA, ADDITIONS, AND DELETIONS

Motion: Motion to approve agenda.

Motion by: Councilmember Hunt

Seconded by: Councilmember McLain

Action: Approved agenda.

Vote: (Roll Call)

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

Nay:

Abstentions:

3. PROCLAMATIONS

(a) Arbor Day

(b) Estero High School Scholar and Merit Awards

a. Merit Award

- Brooke Avery Lentz (not in attendance)
- Madelyn Alaine Millette
- Trista Nicole Timm

b. Scholar Award

- Anny Gisell Sanchez
- Avery Teagan Sanchez
- Blake Stephen Bowers
- Delaney Ann Felton
- Dillon Matthew Timm
- Faaris Irfan Rapati
- Gianna Rose Del Negro
- Kein Philip Apker
- Kevin David Wilson
- Lucy Grace Riehm (not in attendance)
- Ryder Able Seluk

4. PUBLIC COMMENT ON NON-AGENDA ITEMS

None

5. CONSENT AGENDA

(a) March 18, 2026 Village Council Meeting Minutes

(b) Financial Report for Month ended February 2026

Motion: Motion to approve consent agenda.

Motion by: Councilmember Lopez

Seconded by: Councilmember Fayhee

Action: Approved consent agenda.

Vote: (Roll Call)

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

Nay:

Abstentions:

6. CONSIDERATION OF ITEMS DEFERRED FROM CONSENT AGENDA

None

7. ACTIONS

(a) Consideration of a request for a code enforcement lien mitigation (case #

24080004) from Kent and Rhonda Sichitano relating to the property at 20150 Sherrill Ln, Estero, FL 33928 in the Broadway Mobile Home Village.

Staff Presentation/Comments

Steve Sarkozy, Village Manager
Robert Eschenfelder, Village Attorney
Mary Gibbs, Community Development Director

Presentation/Information by

Kent and Rhonda Sichitano, Owners

Council Questions or Comments

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

Public Comments

None

Motion: Motion to accept the owner's request to release the Village's code enforcement lien against the property. However, staff recommends the owner be required to pay the Village's costs of initial enforcement (\$300.19) in consideration of the waiver.

Motion by: Vice Mayor Zalucki

Seconded by: Councilmember Hunt

Action: Accepted the owner's request to release the Village's code enforcement lien against the property. However, staff recommends the owner be required to pay the Village's costs of initial enforcement (\$300.19) in consideration of the waiver.

Vote: (Roll Call)

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

Nay: Councilmembers McLain and Ward

Abstentions:

- (b) Consideration of a request for a code enforcement lien mitigation (case # 23050015) from Kent and Rhonda Sichitano relating to the property at 20150 Sherrill Ln, Estero, FL 33928 in the Broadway Mobile Home Village.

Staff Presentation/Comments

Steve Sarkozy, Village Manager
Robert Eschenfelder, Village Attorney
Mary Gibbs, Community Development Director

Presentation/Information by

Kent and Rhonda Sichitano, Owners

Council Questions or Comments

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

Public Comments

None

Motion: Motion to accept the owner's request to release the Village's code enforcement lien against the property. However, staff recommends the owner be required to pay the Village's costs of initial enforcement (\$234.60) in consideration of the waiver.

Motion by: Vice Mayor Zalucki
Seconded by: Councilmember Hunt

Action: Accepted the owner's request to release the Village's code enforcement lien against the property. However, staff recommends the owner be required to pay the Village's costs of initial enforcement (\$234.60) in consideration of the waiver.

Vote: (Roll Call)

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

Nay: Councilmembers McLain and Ward
Abstentions:

8. FIRST READING AND PUBLIC HEARING

- (a) Ordinance No. 2026-02 related to condominium and cooperative milestone inspections.

An Ordinance of the Village of Estero, Florida, Creating a New Article II of Chapter 7 of the Village Code Related to Mandatory Condominium and Cooperative Inspections; Making Related Findings; Providing for Severability; and Providing for an Effective Date.

Staff Presentation/Comments

Steve Sarkozy, Village Manager
 Robert Eschenfelder, Village Attorney
 Mary Gibbs, Community Development Director

Council Questions or Comments

Councilmembers Hunt, McLain, and Mayor Ribble

Public Comments

None

Motion: Motion to adopt Ordinance No. 2026-02 on first reading and to schedule a public hearing for April 15, 2026.

Motion by: Councilmember McLain

Seconded by: Councilmember Fayhee

Action: Adopted Ordinance No. 2026-02 on first reading and to schedule a public hearing for April 15, 2026.

Vote: (Roll Call)

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

Nay:

Abstentions:

9. SECOND READING AND PUBLIC HEARING

(a) Ordinance No. 2026-01 regarding building code and construction standards

An Ordinance of the Village of Estero, Florida, Creating a New Chapter 7 of the Village Code Regarding Building and Construction; Relocating Certain Provisions of Village Land Development Code § 1-9; and Creating § 7-6 of the Village Code Requiring Concrete Exterior Construction for Certain Structures; Making Related Findings; Providing for Severability, Codification, and an Effective Date.

Staff Presentation/Comments

Steve Sarkozy, Village Manager

Council Questions or Comments

None

Public Comments

None

Motion: Motion to adopt Ordinance No. 2026-01.

Motion by: Councilmember Lopez

Seconded by: Councilmember Fayhee

Action: Adopted Ordinance No. 2026-01.

Vote: (Roll Call)

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

Nay:

Abstentions:

10. COUNCIL COMMUNICATIONS / FUTURE AGENDA ITEMS

Councilmembers Fayhee, McLain, and Mayor Ribble

11. VILLAGE ATTORNEY'S REPORT

None

12. VILLAGE MANAGER'S REPORT

Steve Sarkozy, Village Manager

Council Questions or Comments

Mayor Ribble

Adjourn Regular Session at 10:35 am and Convene Workshop Items at 10:35 am

13. WORKSHOPS

(a) Vulnerability Assessment Elevations Certificates

Staff Presentation/Comments

Steve Sarkozy, Village Manager

David Willems, Public Works Director

Council Questions or Comments

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

Public Comments

None

Requesting Council's consensus on the contract amendment in the amount of \$70,000 to complete all required elevation certificates within the Special Flood Hazard Area.

14. ADJOURNMENT at 10:51 am

Motion by Councilmember Fayhee

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
April 15, 2026

Agenda Item:

Vulnerability Assessment Change Order 01

Motion to approve Change Order 01 to Contract 25028 with APTIM Environmental & Infrastructure, LLC to increase the number of elevation certificates from 100 to 216 for an additional cost of not to exceed \$70,000.

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

Background:

As part of the Village Vulnerability Assessment, the Village is offering free elevation certificates for Village of Estero residents. The number of requests received has exceeded the current budget.

At the April 1, 2026 Village Council meeting, Council directed Village staff to negotiate a change order with the Village's consultant APTIM to increase the number of elevation certificates included in the contract to cover those residents that are located within a special flood hazard area. The Village has received approximately 216 elevation certificate requests for structures located in a special flood hazard area.

Description:

The attached contract will increase the number of elevation certificates completed as part of the Vulnerability Assessment project from 100 to 216 at a not to exceed cost of \$70,000.

Action Requested:

Motion to approve Change Order 01 to Contract 25028 with APTIM Environmental & Infrastructure, LLC to increase the number of elevation certificates from 100 to 216 for an additional cost of not to exceed \$70,000.

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

Process and Timeline:

Elevation certificates are scheduled to be completed by June 2026.

While there is no financial impact to the CDBG-DR grant, Lee County has been made aware of the change, and a contract amendment will be conducted to reflect the scope of work change pending their approval.

Financial Impact:

The proposed change order will increase the contract from \$425,500 to \$495,500. An increase of \$70,000. This will be funded using unallocated general funds.

Prepared by: David Willems, P.E.

Attachments:

1. Contract 22028 Change Order 01



Contract/Change Order/Task Order
Request

Project Name: Vulnerability Assessment Study Services

Contractor/Vendor: APTIM Environmental & Infrastructure, LLC

Contract No.: 25028

Task Order No:

Change Order No: 01

Total Fees: Not to Exceed \$70,000

Brief Description:

The Contractor will provide consulting services in accordance with Exhibit A Scope of Services and fees identified therein, under the terms and conditions outlined in the above referenced Village of Estero Contract number. Contractor will prepare elevation certificates for up to an additional 116 properties located within a special flood hazard area. Task 12 of this contract increases to not exceed \$200,600.

APTIM Environmental &
Infrastructure, LLC

Village of Estero

By: _____

By: _____

Name: _____

Name: Steve Sarkozy

Title: _____

Title: Village Manager

Date: _____

Date: _____

Attachment: Exhibit A

Exhibit A

Scope of Services & Fees

Task 12: Flood Certificates

APTIM will increase the estimated number of structure elevation certificates from 100 to 216 elevations certificates.

Fee Schedule

Task	Task Title	Original Contract Amount	Proposed Change	Total	Compensation LS or NTE
1	Kick off meeting	\$3,100		\$3,100	NTE
2	Public Outreach Meeting #1	\$12,000		\$12,000	NTE
3	Acquire Background Data	\$54,400		\$54,400	NTE
4	Stormwater Model Update	\$87,300		\$87,300	NTE
5	Exposure Analysis	\$25,500		\$25,500	NTE
6	Sensitivity Analysis	\$24,600		\$24,600	NTE
7	Public Outreach Meeting #2	\$12,000		\$12,000	NTE
8	Final Vulnerability Assessment Report	\$26,000		\$26,000	NTE
9	Public Presentation	\$4,000		\$4,000	NTE
10	Local Mitigation Strategy	\$3,000		\$3,000	NTE
11	Adaptation Plan	\$40,000		\$40,000	NTE
12	Flood Certificates	\$130,600	\$70,000	\$200,600	NTE
Total		\$425,500	\$70,000	\$495,500	

AGENDA ITEM SUMMARY SHEET
VILLAGE COUNCIL MEETING
April 15, 2026

Agenda Item:

Sport Park Phase 1 Field Testing Services – Task Order #3 Approval

Motion for Approval of a Task Order under continuing services Contract No. 2022-41 with HIGH SPANS ENGINEERING, Inc. to perform field testing services for Phase 1 construction of the Village Hub Sports Park, in an amount not to exceed **\$199,821.26**.

Authorize the Village Manager to execute the Task Order and any associated documents necessary to complete the scope of services.

Background:

Sport Park Phase 1 construction is actively underway, with site grading and lake excavation progressing on schedule. As the project transitions into utility installation and roadway improvements, expanded field-testing services are required to support ongoing construction activities, maintain schedule, and ensure compliance with project standards.

This request directly supports Phase 1 construction progress by providing critical verification of materials, compaction, and installation practices associated with underground utilities and roadway systems. These efforts are essential to maintain quality control, minimizing rework, and ensuring all work meets applicable design criteria, regulatory requirements, and long-term performance expectations.

Description:

Village Staff are seeking approval for HIGH SPANS ENGINEERING, Inc. to perform field testing services under an existing continuing services contract (No. 2022-41) for Phase 1 construction.

The scope of services will include, but is not limited to:

- Field density and compaction testing
- Material sampling and laboratory testing
- Concrete testing
- Inspection and reporting services
- Ensure compliance with project specifications

These services are critical to ensuring construction quality, compliance with design standards, and timely project delivery.

The Village utilizes Miscellaneous Professional Services contracts with preapproved firms to provide flexibility in engaging qualified consultants quickly, without delays from repetitive procurement. These firms have already been competitively vetted, ensuring they meet the Village's standards and can be deployed as project needs evolve.

Given the current construction phase and need for timely field-testing services, staff recommend High Spans based on their history with the project, responsiveness, and ability to coordinate effectively with the project team.

Action Requested:

Motion for Approval of a Task Order under continuing services Contract No. 2022-41 with HIGH SPANS ENGINEERING, Inc. to perform field testing services for Phase 1 construction of the Village Hub Sports Park, in an amount not to exceed \$199,821.26.

Authorize the Village Manager to execute the Task Order and any associated documents necessary to complete the scope of services.

Process and Timeline:

Field testing services will be initiated immediately upon approval to support ongoing Phase 1 construction activities and will continue throughout the duration of construction (8 Month Duration).

Financial Impact:

The total cost for field testing services will be in an amount not to exceed \$199,821.26 and is funded as follows:

RIF (Road Impact Fee)	- \$167,050.58
GF (General Fund)	- \$32,770.68
TOTAL	- \$199,821.26

Prepared by: Trenton Gaskins

Attachments:

1. Contract Task Order



Contract/Change Order/Task Order
Request

Project Name: SportsPark Field Testing Services

Contractor/Vendor: HighSpans Engineering, Inc.

Contract No.: 2022-41

Task Order No: 03

Change Order No:

Total Fees: Not to Exceed \$199,821.26

Brief Description:

The Contractor will provide consulting services in accordance with Exhibit A Scope of Services and fees identified therein, under the terms and conditions outlined in the above referenced Village of Estero Contract number.

HighSpans Engineering Inc.

Village of Estero

By: _____

By: _____

Name: _____

Name: Steve Sarkozy

Title: _____

Title: Village Manager

Date: _____

Date: _____

Attachment: Exhibit A



2121 MCGREGOR BLVD. – SUITE 200
 FT. MYERS, FL 33901
 OFFICE: 239.433.3000
 FAX: 888.449.2462

March 26, 2026

Steve Gillette
 Procurement Manager
 9401 Corkscrew Palms Circle
 Estero, FL 33928

VIA EMAIL TRANSMITTAL TO: gillette@estero-fl.gov

RE: Proposal for: Field and Materials Testing for Sports Park Phase 1
Under Village of Estero Continuing Services Contract EC 2022-41 | CN 2022-06

Dear Mr. Gillette,

The Village of Estero (VOE) desires to hire a consultant to provide Field and Materials Testing services for the Sports Park Phase 1 project. This scope is to cover the current phase of the project which includes roadway construction, pipe installation, and site development. The scope below is developed to provide the appropriate services.

Scope of Work: The Consultant, **HighSpans Engineering, Inc. (HEI)**, will assist the Village of Estero by providing Field and Materials Testing for the Estero Sports Park Phase 1 as listed below.

Task 1: Field and Materials Testing for Sports Park Phase 1

- Field Technician to provide field testing services, such as density testing (nuclear gauge) and concrete cylinder testing (as necessary), for roadway elements (embankment, subgrade, and base), sidewalk (embankment), utility pipe backfill within the 1:2 of the roadway, and drainage pipe and structures backfill within the 1:2 of the roadway to ensure compliance with Contract Specifications.
- Field Technician will also perform material sampling for all required roadway elements (minus Asphalt – this will be performed by the Paving Contractor Plant Quality Control – and minus sports field testing) for embankment, subgrade, and base and concrete cylinders, as necessary.
- Samples will be delivered to HighSpans Engineering, Inc. soils and concrete testing lab and tested in accordance with the Contract Specifications.
- Available tests are identified on HighSpans Engineering, Inc. Materials Testing Fees sheet (attached).

Letter to Steve Gillette
 Scope of Work: Field and Materials Testing for Sports Park Phase 1
 Page 2

Excluded Services:

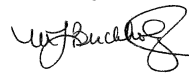
- Sports Field materials sampling and testing.
- Asphalt field and plant sampling and testing.
- Any design, plans, calculations, and modeling, unless otherwise included herein.
- Proposed easement layout, sketch and legal descriptions, title work, legal services, easement recording etc.
- Lee County Utilities' coordination, connections, permitting, testing, inspection, and turnover services will be provided by others.
- Subsurface Utility Engineering (SUE) investigation not included in this scope. Additional fees may apply if this is added and HighSpans is requested to take part in the development, coordination, and execution and/or any other management of this task.
- Any, Local, state, and federal permitting to include but not limited to the following:
 - FDEP, SFWMD, ACOE, LDOH, LDOT, & VOE.
- Railroad work and coordination to be handled by others.
- CEI services, inspection services, testing services, and lab services will be provided by others.

Contract Duration: The Consultant's contact duration will be 240 days (8 months), beginning on the date of the issued Notice to Proceed from the Village of Estero. If services are required beyond this duration, additional fees may apply.

Compensation: Consultant will provide services on an hourly basis as needed. Contract Amount is Not to Exceed (NTE) **\$199,821.26**. See Attached Fee Estimate.

We appreciate the opportunity to present this proposal to the Village of Estero. Please contact Eli Enders (EEnders@HighSpans.com) or me (SBuchholz@HighSpans.com) if you have any questions or need any further information.

Sincerely,

 Michelle L. Buchholz
 I am approving this document
 2026.03.26 16:57:26-04'00'

Michelle L. Buchholz, SVP & CFO
 HighSpans Engineering, Inc.

Cc: Eli Enders, PE
 Vince Zaliauskas, PE
 Trenton Gaskins

HighSpans Engineering, Inc. - Materials Testing Fees Project Name: Estero Sports Park Phase 1 Project Location: 9100 Williams Road, Estero, FL 33928 Under Village of Estero Continuing Services Contract EC 2022-41 CN 2022-06				
Item	Unit	Rate	Quantity	Total
101-Aggregate Carbonates & Organic Matter FM 5-514	Test	\$227.70	20	\$4,554.00
104-Aggregate Sieve Analysis of Fine & Coarse AASHTO T27	Test	\$135.91	20	\$2,718.24
106-Aggregate Specific Gravity/Absorption Coarse AASHTO T85	Test	\$166.85		\$0.00
107-Aggregate Total Moisture Content by Drying AASHTO T255	Test	\$77.29		\$0.00
108-Aggregate Unit Mass & Voids AASHTO T19	Test	\$98.14		\$0.00
109-Aggregate Specific Gravity/Absorption Fine AASHTO T84	Test	\$193.37		\$0.00
206-Asphalt Los Angeles (LA) Abrasion Coarse Agg FM 3-C535	Test	\$610.19		\$0.00
207-Asphalt Los Angeles (LA) Abrasion Small Agg FM 1-T096	Test	\$614.72		\$0.00
211-Asphalt Pavement Coring – 6in dia with Base Depth Check	Each	\$351.37		\$0.00
212-Asphalt Pvmnt Coring – 6in dia without Base Depth Check	Each	\$285.41		\$0.00
300-Concrete Beam Flexural Testing ASTM C78	Test	\$98.80		\$0.00
301-Concrete Compressive Strength of Grout/Mortar ASTM C109	Test	\$61.48		\$0.00
302-Concrete Cylinder Curing, Capping & Breaking ASTM C39	Test	\$63.84	24	\$1,532.16
303-Concrete Drilled Cores & Sawed Beams ASTM C42	Test	\$104.28		\$0.00
304-Concrete Masonry Unit Sampling & Testing ASTM C140	Test	\$237.22		\$0.00
305-Concrete Pavement Coring - 4in Dia	Each	\$373.22		\$0.00
306-Concrete Pavement Coring - 6in Dia	Each	\$439.08		\$0.00
401-Geo Auger Borings - Hand Auger	LF	\$20.33		\$0.00
421-Geo Dynamic Pile Testing/Pile Driving Analyzer*	Day	\$720.00		\$0.00
434-Geo Ground Penetrating Radar (GPR)	Hour	\$573.54		\$0.00
446-Geo Hand Auger with DCP (0-50 ft)	LF	\$47.20		\$0.00
447-Geo Hand Auger with SCP (0-50 ft)	LF	\$40.01		\$0.00
451-Geo Pile Integrity Testing*	Day	\$231.60		\$0.00
523-Geo Vibration & Noise Monitoring*	Day	\$373.73		\$0.00
524-Geo Vibration Monitoring*	Day	\$373.73		\$0.00
602-Mobilization - Vibration Monitoring Equipment	Each	\$439.08		\$0.00
603-Mobilization Asphalt Coring Equipment	Each	\$658.63		\$0.00
606-Mobilization Concrete Coring	Each	\$658.63		\$0.00
805 - Corrosion Series	Each	\$384.00		\$0.00
810-Soils Limerock Bearing Ratio (LBR) FM 5-515	Test	\$750.84	20	\$15,016.80
811-Soils Liquid Limit AASHTO T89	Test	\$123.36	25	\$3,084.00
812-Soils Materials Finer than 200 Sieve FM 1-T011	Test	\$92.00	25	\$2,300.10
817-Soils Moisture Content Laboratory AASHTO T265	Test	\$32.93		\$0.00
818-Soils Moisture Content Microwave AASHTO D4643	Test	\$37.32	5	\$186.60
819-Soils Organic Content Ignition FM 1 T-267	Test	\$85.62	15	\$1,284.30
820-Soils Organic Content Wet Combustion AASHTO T194	Test	\$153.16		\$0.00
821-Soils Particle Size Anlys AASHTO T88 (Incl. Hydrometer)	Test	\$329.32	15	\$4,939.74
822-Soils Particle Size Anlys AASHTO T88 (No Hydrometer)	Test	\$136.12		\$0.00
825-Soils pH Soil or Water FM 5-550	Test	\$87.82	5	\$439.08
826-Soils Plastic Limit & Plasticity Index AASHTO T90	Test	\$127.55	25	\$3,188.70
827-Soils Proctor Modified FM 1-T180	Test	\$263.45	20	\$5,268.96
828-Soils Proctor Standard AASHTO T99	Test	\$252.47	5	\$1,262.34
912 - Nuclear Density Testing	Each	\$22.80		\$0.00
Geotechnical Engineer	Hour	\$289.08		\$0.00
Geotechnical Technician	Hour	\$150.48		\$0.00
MAT Asphalt Plant Inspector	Hour	\$120.91		\$0.00
MAT CADD/Computer Technician	Hour	\$172.80		\$0.00
MAT Chief Engineer	Hour	\$388.66		\$0.00
MAT Engineer	Hour	\$249.48		\$0.00
MAT Engineer Intern	Hour	\$158.40		\$0.00
MAT Engineering Technician	Hour	\$120.91		\$0.00
MAT Engineering Technician Aide	Hour	\$112.28		\$0.00
MAT Inspector	Hour	\$120.91	1232	\$148,963.58
MAT Inspector Aide	Hour	\$112.28		\$0.00
MAT Pre-stress Inspector	Hour	\$166.26		\$0.00
MAT Project Manager	Hour	\$267.73		\$0.00
MAT Secretary/Clerical	Hour	\$95.00		\$0.00
MAT Senior Asphalt Plant Inspector	Hour	\$151.14		\$0.00
MAT Senior Engineer	Hour	\$298.98	17	\$5,082.66
MAT Senior Engineering Technician	Hour	\$164.10		\$0.00
MAT Senior Inspector	Hour	\$144.67		\$0.00
MAT Technical Secretary	Hour	\$187.85		\$0.00
Senior Geotechnical Technician	Hour	\$198.00		\$0.00
Project Estimate:				\$199,821.26
Comments: - Each lab sample will require technician and P.E. time for sample results reporting, signing, and sealing. This will be billed based on position and actual time. - Hourly fees to be rounded up to the nearest 30-minute increment. - The project estimate provided above represents an approximation only based on a limited review and does not constitute a fixed cost. Actual fees will be calculated based on the unit rates above and actual quantities of services rendered. - Travel time will be billed at the position rate and actual drive time to and from our lab for on-site services.				

AGENDA ITEM SUMMARY SHEET
VILLAGE COUNCIL MEETING
April 15, 2026

Agenda Item:

Ordinance No. 2026-03 regarding non-conforming lots

Motion to adopt Ordinance No. 2026-03 on first reading and authorizing the Clerk to advertise the ordinance for public hearing on May 6, 2026.

Background:

Section 9-5 of the Village's Land Development Code (LDC) addresses the topic of non-conforming lots. When the Village incorporated and created its initial LDC, the Village adopted language from the Lee County Code.

Village staff has identified a provision of § 9-503 (addressing construction on non-conforming lots) which creates confusion as to how it is interpreted. Specifically, this section contains a provision referencing the need to comply with "due process" but no real process is set forth, and the Village Attorney has confirmed that the Village is always subject to the Constitutional Due Process Clause and so the provision at issue is unnecessary and could create confusion in any future litigation involving the provision.

In light of the foregoing, the Village staff and Village Attorney have recommended that this provision be removed from the code. Prior to final adoption of this Ordinance, the Village Planning, Zoning and Design Board will provide its review and comments to the Council.

Action Requested:

Motion to adopt Ordinance No. 2026-03 on first reading and authorizing the Clerk to advertise the ordinance for public hearing on May 6, 2026.

Process and Timeline:

If Council approves, the Village Clerk will advertise the ordinance for second reading on May 6, 2026.

Financial Impact:

There is no impact on Village funds by adoption of this ordinance.

Prepared by: Robert Eschenfelder, Village Attorney

Attachments:

1. Ordinance No. 2026-03.

ORDINANCE NO. 2026-03

**AN ORDINANCE OF THE VILLAGE OF ESTERO, FLORIDA,
AMENDING § 9-503 OF THE VILLAGE LAND DEVELOPMENT
CODE RELATED TO NON-CONFORMING LOTS; MAKING
RELATED FINDINGS; PROVIDING FOR SEVERABILITY; AND
PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, section 9-5 of the Village’s Land Development Code (LDC) addresses the topic of non-conforming lots; and

WHEREAS, when the Village incorporated and created its initial LDC, the Village adopted language from the Lee County Code; and

WHEREAS, Village staff has identified a provision of § 9-503 (addressing construction on non-conforming lots) which creates confusion as to how it is interpreted; and

WHEREAS, specifically, this section contains a provision referencing the need to comply with “due process” but no real process is set forth, and the Village Attorney has confirmed that the Village is always subject to the Constitutional Due Process Clause and so the provision at issue is unnecessary and could create confusion in any future litigation involving the provision; and

WHEREAS, in light of the foregoing, the Village staff and Village Attorney have recommended that this provision be removed from the code; and

WHEREAS, prior to final adoption of this Ordinance on second reading, the Village Council has considered the input of the Village’s Planning, Zoning and Design Board; and

WHEREAS, the Village Council of the Village of Estero finds that it is in the Village’s best interests to adopt this Ordinance.

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

Section 1. Section 9-503 of the Village of Estero Land Development Code is hereby amended as follows:

9-503. Construction of Single-Family Dwelling.

- A. A single-family residence may be constructed on a nonconforming lot of record that does comply with the density requirements of the comprehensive plan, as long as the lot:
 - 1. Was lawfully created prior to June 1962 and the following conditions are met:
 - A. Lots existing in the AG zoning district require a minimum width of 75 feet, a minimum depth of 100 feet, and a lot area not less than 7,500 square feet.

- B. Lots existing in any other zoning district which permits the construction of single-family residence require a minimum of 40 feet in width and 75 feet in depth, and a lot area not less than 4,000 square feet.
 - 2. Is part of a plat approved by the Village Council, or the Lee County Board of County Commissioners before Village incorporation and lawfully recorded in the public records of the Village or County after June 1962.
- B. Notwithstanding any other provision of this LDC, any entity owning property or entering or participating in a contract for purchase agreement of property, which property is not in compliance with the standard density requirements of the comprehensive plan, will be allowed to construct one single-family residence on said property, provided that:
 - 1. *Date Created.*
 - A. The lot or parcel must have been created and recorded in the official Plat Books of Lee County prior to December 21, 1984, and the configuration of said lot has not been altered;
 - B. A legal description of the lot or parcel was lawfully recorded in the Official Record books of the Clerk of Circuit County prior to December 21, 1984; or
 - C. The lot was lawfully created after December 21, 1984, and the lot area was created in compliance with the Lee Plan as it existed at that time.
 - 2. *Minimum Lot Requirements.* In addition to meeting the requirements set forth above, the lot or parcel must:
 - A. Have a minimum of 4,000 square feet of area if it was created prior to June 27, 1962;
 - B. Have a width of not less than 50 feet and an area of not less than 5,000 square feet if part of a subdivision recorded in the official Plat Books of Lee County after June 27, 1962, and prior to December 21, 1984;
 - C. Have a minimum of 7,500 square feet in area if it was created on or after June 27, 1962, and prior to December 21, 1984, if not part of a subdivision recorded in the official Plat Books of Lee County;
 - D. Have been in conformance with the zoning regulations in effect at the time the lot or parcel was recorded if it was created after December 21, 1984; or
 - E. Have been approved as part of a Planned Unit Development or Planned Development.
 - 3. *Access and Drainage.*
 - A. In addition to meeting the requirements set forth above:
 - 1. The road that the lot or parcel fronts on must have been constructed and the lot must be served by drainage swales or equivalent drainage measures. The road must have, at a minimum, a graded surface of shell, mark, gravel base rock, or other compacted fill material, suitable for year-round use; or

2. The lot or parcel must be located within a subdivision which was approved under F.S. ch. 177, as long as the subdivision improvements have been made or security for their completion has been posted by the subdivider.

~~B. If the lot or parcel cannot meet the requirement of access and drainage, this requirement will not apply to the extent that it may result in an unconstitutional taking of land without due process.~~

Section 2. 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 3. 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 4. The Codifier shall codify the substantive amendments to the Estero Village Land Development Code contained in Section 1 of this Ordinance as provided for therein, and shall not codify the exordial clauses nor any other sections not designated for codification.

Section 5. 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 6. Pursuant to Florida Statutes § 166.041(4), this Ordinance shall take effect immediately upon adoption.

ADOPTED ON FIRST READING on the **15th day of April, 2026**, by the Village Council of the Village of Estero, Florida.

ADOPTED ON SECOND AND FINAL READING on the **6th day of May, 2026**, 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
April 15, 2026

Agenda Item:

Second Reading Ordinance No. 2026-02 related to condominium and cooperative milestone inspections.

Motion to adopt Ordinance No. 2026-02.

Background: In 2022, the Florida Legislature created Florida Statutes § 553.899, entitled “Mandatory structural inspections for condominium and cooperative buildings.” This statutory scheme was created in response to a tragic collapse of a condominium building in the state where many residents lost their lives.

The Legislature has amended this statute each year since it was adopted, the most recent by its adoption of HB 913 (2025), which the Governor signed into law, thus creating Chapter Law 2025-175. This Chapter Law amended subsection (11) of the statute which regulates the timing of milestone inspections. Specifically, the new provision reads:

A board of county commissioners or municipal governing body shall adopt an ordinance requiring that a condominium or cooperative association and any other owner that is subject to this section schedule or commence repairs for substantial structural deterioration within a specified timeframe after the local enforcement agency receives a phase two inspection report; however, such repairs must be commenced within 365 days after receiving such report. If an owner of the building fails to submit proof to the local enforcement agency that repairs have been scheduled or have commenced for substantial structural deterioration identified in a phase two inspection report within the required timeframe, the local enforcement agency must review and determine if the building is unsafe for human occupancy.

In part, this amendment requires the Village to adopt an ordinance setting forth certain requirements regarding condo and cooperative milestone inspections and repairs associated therewith, and to undertake an enforcement role in the process. Unfortunately, the Legislature did not provide a source of funding for the added administrative costs to the Village, and so no new fee can be assessed.

Since the statute places this mandate upon the Village, the Village Attorney has drafted the attached Ordinance to ensure the Village complies with the new statutory mandate. The Ordinance must be adopted by July 1st 2026.

Page 1 of 2

Action Requested: Motion to adopt Ordinance No. 2026-02.

Process and Timeline: If the Ordinance is finally adopted, the Building Official will implement and administer its provisions.

Financial Impact: The work required by the Building Official to administer this state mandate will fluctuate and cannot be precisely determined but it is expected to annually consume significant time within the building division. Unfortunately, this is an unfunded mandate as the Legislature's amendment to the statute requiring adoption of an ordinance did not also allow for the collection of any fees to offset costs.

Prepared by: Robert Eschenfelder, Village Attorney

Attachments:

1. Ordinance No. 2026-02.

ORDINANCE NO. 2026-02

**AN ORDINANCE OF THE VILLAGE OF ESTERO, FLORIDA,
CREATING A NEW ARTICLE II OF CHAPTER 7 OF THE
VILLAGE CODE RELATED TO MANDATORY CONDOMINIUM
AND COOPERATIVE INSPECTIONS; MAKING RELATED
FINDINGS; PROVIDING FOR SEVERABILITY; AND
PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, in 2022, the Florida Legislature created Florida Statutes § 553.899, entitled “Mandatory structural inspections for condominium and cooperative buildings”; and

WHEREAS, the Florida Legislature has amended this statute three times, the most recent by its adoption of HB 913 (2025), which the Governor signed into law, thus becoming Chapter Law 2025-175; and

WHEREAS, this Chapter Law amended subsection (11) of the statute which regulates the timing of milestone inspections; and

WHEREAS, in part, this amendment requires local governments to adopt an ordinance setting forth certain requirements regarding condo and cooperative milestone inspections and repairs associated therewith; and

WHEREAS, the provisions of this Ordinance have been recommended by the Village Attorney to comply with the new statutory mandate; and

WHEREAS, the Village Council of the Village of Estero finds that, given the statutory mandate, it is obligated to adopt this Ordinance.

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

Section 1. A new Article I of Chapter 7 (BUILDING CODE AND CONSTRUCTION) is hereby created and shall be titled GENERAL PROVISIONS. The Codifier shall codify current Code § 7-1 through and including § 7-6 in this new Article I.

Section 2. A new Article II of Chapter 7 (BUILDING CODE AND CONSTRUCTION) is hereby created as follows:

ARTICLE II – CONDOMINIUM AND COOPERATIVE MILESTONE INSPECTIONS

Sec. 7-20. – Definitions.

As used in this article, the following terms shall have the meanings:

Association means a condominium association as defined under F.S. Ch. 718, or a cooperative association as defined under F.S. Ch. 719, or as further defined herein. Unless expressly indicated otherwise, the term “owner” used in this article shall mean an association and not an individual unit owner.

Inspector means a Florida actively licensed architect or engineer, with experience in multi-story structural design, who is specifically insured for performing milestone inspection work at a rate of no less than \$1,000,000 per occurrence/\$2,000,000 aggregate coverage.

Milestone Inspection means a structural inspection of a building, including an inspection of load-bearing elements, primary structural members, and primary structural systems as those terms are defined by the Florida Building Code or the Florida Statutes, whichever definition is broader, by an Inspector for the purposes of attesting to the life safety and adequacy of the structural components of the building and, to the extent reasonably possible, determining the general structural condition of the building as it affects the safety of such building, including a determination of any necessary maintenance, repair, or replacement of any structural component of the building. The purpose of such inspection is not to determine if the condition of an existing building is in compliance with the Florida Building Code or the fire safety code.

Phase One Inspection or Phase One Milestone Inspection means performance of (a) a visual examination of habitable and non-habitable areas of a building, including the major structural components of a building, including but not limited to roofing, balconies, post tension slabs and anchorage, caulking, curtain walls, window installation, flashing, building cladding, foundations (settlement or subsidence), garages, pool decks, roof parapets, common areas, unconditioned spaces, accessible exterior areas, and flood and storm protective measures; (b) a historical analysis of existing construction documents, permits, inspections, and maintenance records; and (c) provide a qualitative assessment of the structural conditions of the building based on the examination and analysis of the above by an Inspector. For structures with balconies or other similar features, inspections shall include, at a minimum, 33 percent of the balconies, handrails or other similar components.

Phase Two Inspection or Phase Two Milestone Inspection means an inspection necessary to fully assess areas of structural distress in order to confirm that the building is structurally sound and safe for its intended use and to recommend a program for fully assessing and repairing distressed and damaged portions of the building, said inspection may involve destructive or nondestructive testing at the Inspector's direction. The Inspector may determine the extensiveness of the inspection or the limitation of the areas of inspection based on their experience, education, and training. When determining testing locations, the Inspector must give preference to locations that are the least disruptive and most easily repairable while still being representative of the structure.

Story means that portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above. A story is measured as the vertical distance from top to top of two successive tiers of beams or finished floor surfaces and, for the topmost story, from the top of the floor finish to the top of the ceiling joists or, where there is not a ceiling, to the top of the roof rafters.

Substantial structural deterioration means substantial structural distress that negatively affects a building's general structural condition and integrity. The term does not include surface imperfections such as cracks, distortion, sagging, deflections, misalignment, signs of leakage, or

peeling of finishes unless the Inspector performing the phase one or phase two inspection determines that such surface imperfections are a sign of substantial structural deterioration.

Sec. 7-21. – Statutory mandate.

Pursuant to Florida Statutes § 553.899, a condominium association, as defined by Chapter 718, Florida Statutes, and a cooperative association, as defined by Chapter 719, Florida Statutes, must have a milestone inspection performed for each building that is three habitable stories or more in height by December 31 of the year in which the building reaches 25 years of age, based on the date the certificate of occupancy for the building was issued, and every ten (10) years thereafter.

Sec. 7-22. - Administration.

The community development department shall serve as the local enforcement agency for the purposes of this article.

Sec. 7-23. Registration.

A. In order to determine the inventory of structures in the village, the owners of all existing commercial and residential buildings being operated as an association, and which are subject to the milestone inspection provisions of Florida Statutes § 553.899 and § 7-21, shall register with the community development department by July 1st 2026.

B. Registration will require each owner to identify at a minimum:

(1) *Property type.*

- i. *Condominium:* A form of ownership of real property which is comprised entirely of units that may be owned by one or more persons, and in which there is, appurtenant to each unit, an undivided share in common elements, or as defined under Florida Statutes § 718.103(11).
- ii. *Cooperative:* That form of ownership of real property wherein legal title is vested in a corporation or other entity and the beneficial use is evidenced by an ownership interest in the association and a lease or other muniment of title or possession granted by the association as the owner of all the cooperative property, or as defined under Florida Statutes § 719.103(12).
- iii. *Other Ownership:* The building and unit ownership does not qualify as either a Condominium under Chapter 718, Florida Statutes, or a Cooperative under Chapter 719, Florida Statutes.

(2) *Number of Stories.*

- i. Identify if the building is three habitable stories tall or higher.
- ii. Identify if the building is less than three habitable stories tall.

(3) *Association Information.* Where applicable, each owner shall disclose the contact information for the association including the registered agent or party responsible for receiving legal notices.

(4) Board Information. Where applicable, each building shall disclose the contact information for the president of the association's governing board.

(5) Year of Construction.

- i. Where the property consists of multiple buildings, identify the year(s) construction was completed on each building.
- ii. Where the property consists of only one building, identify the year construction was completed on the building.

(6) Type of Construction. Identify the type of construction for the buildings.

(7) Date of Occupancy.

- i. Identify if the building (or each building on a multi-building property) received its initial certificate of occupancy prior to July 1st 1992.
- ii. Identify what year the building (or each building on a multi-building property) received its initial certificate of occupancy.

(8) Number of residential units.

- i. Identify total number of units in the building.
- ii. If the property consists of more than one building, identify the number of units per building.

(9) Additional features of the complex.

- C. In the event any structure which is not operated as an association is subsequently converted to an association, the owner is required to register within 72 hours of providing the notice of conversion to the tenants pursuant to Florida Statutes § 718.608 or Florida Statutes § 719.608.
- D. Any new building which is to be operated as an association shall be registered by the owner within 30 days of the issuance of the certificate of occupancy.
- E. Upon submission of the registration, the village building official will review the submission and use the information provided in application of the law.

Sec. 7-24. - Notice of Milestone Inspection.

- A. Upon determining that a building must have a milestone inspection, the building official shall provide written notice to the association by certified mail, return receipt requested and e-mail (where e-mail contact information has been provided) that such an inspection is required.
- B. The notice shall provide the association with the date by which the building's milestone inspection must be completed.

Sec. 7-25. - Inspections.

- A. Phase One Inspections. Within 180 days after receiving the written notice, the association must complete phase one of the milestone inspection. Completion of a phase one milestone

inspection occurs when the inspector who performed the phase one inspection submits the inspection report to the community development department through the department's permitting system or other means authorized in writing by the building official, or his or her designee. With respect to the phase I inspection, the inspector must:

- (1) Indicate whether a Phase Two Inspection, as provided in Section 7-20, or Florida Statutes § 553.899(7)(b), whichever is more stringent, is required.
- (2) Prepare and submit an inspection report to the Village through the community development department's permitting system.

B. *Phase Two Inspections.* A phase two milestone inspection must be performed if any substantial structural deterioration is identified during the phase one milestone inspection. An inspector who completes a phase two milestone inspection shall prepare and submit an inspection report pursuant to this article.

Sec. 7-26. - Inspection Report.

A. *Submission.* Upon completion of a phase one or phase two milestone inspection, the inspector who performed the inspection must submit a sealed copy of the inspection report with a separate summary of, at minimum, the material findings, and recommendations in the inspection report to the association and the village building official.

B. *Terminology.* Any terminology providing a rating, grade, or status of a component, system, or structure shall be explained in sufficient detail to justify the rating or status.

C. *Contents.*

- (1) The phase one inspection report must contain or address, at a minimum, all of the following:
 - a. Contain the seal and signature, or the electronic signature, of the inspector who performed the inspection, the date(s) on which the inspection occurred, and the date of the final report.
 - b. The property and management information, including but not limited to the name and contact information for the association and any separate management company. The report shall also identify the current members of the association's board and each member's contact information.
 - c. Indicate the manner and type of inspection forming the basis for the inspection report.
 - d. Provide a general condition rating and any specific detail observations, along with any recommendations for each inspection category listed in the inspection criteria, including but not limited to: foundations, roof/roofing systems, bearing walls, floor systems, framing systems, windows, wall openings, railings, stairs, and balconies.
 - e. Identify any substantial structural deterioration, within a reasonable professional probability based on the scope of the inspection, describe the extent of such deterioration, and identify any recommended repairs for such deterioration.

- f. Include color photographs with sufficient resolution to convey the conditions at the time of the inspection and identify any recommended repairs.
 - g. State whether unsafe or dangerous conditions, as those terms are defined in the Florida Building Code, were observed.
 - h. Recommend any remedial or preventive repair for any items that are damaged but are not substantial structural deterioration.
 - i. Provide an overall qualitative structural assessment of the building.
 - j. Identify and describe any items requiring further inspection.
 - k. Indicate if a phase two inspection, or other subsequent inspections are required, necessary, or recommended.
 - l. Include a copy of the certificate of insurance specifically providing coverage for the inspector, and their company if applicable.
 - m. Include a copy of the inspector's license and three references from prior multi-story projects and a self-qualification letter from the inspector stating her or his professional experience with the design and inspection of similar structures.
- (2) A phase two inspection report shall contain at a minimum the following:
- a. All of the content required for a phase one report listed above.
 - b. Provide references to the phase one inspection report for each item requiring additional examination.
 - c. Identify the type and manner of inspections performed.
 - d. Identify any testing performed and the results of any testing.
 - e. Identify any additional inspections or testing that should be performed because of the inspection and provide a recommended timeline for completion.

Sec. 7-27. - Association Distribution, Posting, and Publishing Obligations.

The association must comply with the distribution, posting, and publication requirements set forth in Chapter 553, Florida Statutes.

Sec. 7-28. - Repairs; Corrective Action Report.

- A. Based on the recommendations in the phase one report, any repairs determined to be required by the inspector must be permitted within six (6) months and the repairs must be completed within 18 months. The permit application shall include a direct reference to the phase one inspection report and the page and item or paragraph number of the repair being permitted. A copy of the inspection report page marking the noted repair item shall be submitted with the permit application.
- B. Based on the recommendations in the phase two report, all required repairs must be permitted in 90 days and completed within one year. The permit application shall include a direct reference to the phase two inspection report including the page and item or

paragraph number of the repair being permitted. A copy of the inspection report page marking the noted repair item shall be submitted with the permit application.

- C. Following the completion of any repairs from either the phase one or phase two inspection report, the inspector and association shall sign a completion of corrective action report to the community development department through the village's permitting system.

Sec. 7-29. - Extensions.

- A. Phase Two Inspections. The building official may issue an extension of not more than 60 days to submit the phase two milestone inspection report upon a written extension request from the inspector performing the inspection. Such request must contain a signed and sealed statement from the inspector that the building may continue to be occupied while undergoing inspection and provide the reason the extension is needed.
- B. Permit Applications. The building official may issue an extension of not more than 60 days to obtain any necessary permits related to repairs or work based on a phase one inspection or phase two inspection upon a written extension request from an engineer or architect. Such request must contain a signed and sealed statement from the engineer or architect that the building may continue to be occupied while undergoing the applicable required milestone inspection repairs and shall provide the reason the extension is needed.

Sec. 26-141. Unsafe Structures; Duty to Report; Condemnation; Liens.

- A. In the event a structure is determined to be unsafe for habitation, including but not limited to a danger of collapse, during the phase one or phase two inspection, the inspector shall notify the association within 12 hours of the determination. The association shall notify owners based on the instruction of the inspector. In no event shall the notice to owners exceed 24 hours after the association receipt of the notice of the unsafe condition.
- B. The inspector must report findings that a structure is unsafe for habitation including but not limited to a danger of collapse to the village's building official and the village fire marshall within 24 hours of the determination.

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 and Village Land Development Code contained in Sections 1 through 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 **1st day of April, 2026**, by the Village Council of the Village of Estero, Florida.

ADOPTED ON SECOND AND FINAL READING on the **15th day of April, 2026**, 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

WORKSHOP ITEM SUMMARY SHEET
VILLAGE COUNCIL MEETING
April 15, 2026

Agenda Item:

2026 State of Florida - Legislative Update

Description:

About five (5) years ago, the Village changed our State Lobbyists to improve our success in obtaining State funding of our local projects. The Village engaged JEJ & Associates and Ron Brown & Associates who work as a team to advocate on behalf of the Village.

With us at the Village Council Workshop on "TEAMS" will be:

- From Ron Book & Associates:
 - Ron Book
 - Rana Brown
- From JEJ & Associates:
 - Lena Juarez
 - Robert Miller

The primary purpose of the Workshop will be a review of the Legislative Session and any new legislation that may affect Estero. Of particular concern is the possibility of losing property tax or other revenue necessary to fund local services.

In addition, we would discuss our current appropriation and our previous success and how these funds will be used in the community.

Financial Impact:

There is no financial impact associated with this Workshop item. All State allocations are subject to formal agreements that outline the scope of the work to be funded. If we are successful in receiving any State appropriation each agreement will come to the Village Council at a later date for approval.

Prepared by: Steve Sarkozy

Attachment: none

=====

VILLAGE OF ESTERO

2026 Appropriation Requests

APPROPRIATION REQUEST	AMOUNT	HOUSE ACTION	SENATE ACTION
Estero Williams Road & Atlantic Gulf Drive Improvements	\$800,000	\$400,000	\$800,000
Estero Sunny Grove Waste Water Extension Project Phase 2	\$800,000	\$0	\$0
Estero Parkway Water Reuse Main Extension	\$800,000	\$400,000	\$0
Estero Facility Alternative Irrigation Source	\$800,000	\$0	\$0

WORKSHOP ITEM SUMMARY SHEET
VILLAGE COUNCIL MEETING
April 15, 2026

Agenda Item:

Resolution No. 2026-06 final non-ad valorem assessment roll for Sunny Grove Park, Inc. Package Plant to Central Sewer Conversion Project

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.

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;

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.

Page 2 of 4

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 August 1st 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.

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. Thereafter, on December 3rd 2025, the Village Council held a duly noticed public hearing and adopted Resolution 2025-24 confirming the Village's intent to use the uniform method of assessment.

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 the assessment Resolution.

Pursuant to Florida Statutes § 197.3632(4)(a), a local government must adopt a non-ad valorem assessment roll at a public hearing where the assessment levy is being set for the first time. Pursuant to Florida Statutes § 197.3632(4)(b), the Village Clerk has confirmed the Village provided notice of the public hearing in the newspaper and by first class mail as the statute requires.

At the public hearing conducted to adopt this Resolution, the Village Council must afford the opportunity for the public to submit any written objections to the assessment, or to provide testimony regarding the assessment.

Action Requested:

Motion to adopt Resolution 2026-06.

Process and Timeline:

If approved by Council, Village staff will proceed to work with the SGP's leadership to secure the early cost payment, which it has stated its intent to pay. 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 ensure the non-ad valorem assessment adopted by this Resolution is collected on the tax bills of assessed properties.

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. 2026-06
2. Exhibit A Sunny Grove Utility Assessment Area
3. Exhibit B Assessment Memo

RESOLUTION NO. 2026 – 06

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF ESTERO, FLORIDA, USING THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS LEVIED WITHIN THE MUNICIPAL BOUNDARIES OF THE VILLAGE OF ESTERO TO ADOPT A NON-AD VALOREUM ASSESSMENT ROLL 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 and adopted Resolution 2025-24 confirming the Village's intent to use the uniform method of assessment; 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, Florida Statutes § 197.3632(4)(a), a local government must adopt a non-ad valorem assessment roll at a public hearing where the assessment levy is being set for the first time; and

WHEREAS, pursuant to Florida Statutes § 197.3632(4)(b), the Village Clerk noticed the public hearing in the newspaper and by first class mail as the statute requires; and

WHEREAS, at the public hearing conducted to adopt this Resolution, the Village Council afforded the opportunity for the public to submit any written objections to the assessment, or to provide testimony regarding the assessment; and

WHEREAS, having conducted the public hearing, 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. Restatement of Declaration of Need: The Village Council for the Village of Estero is utilizing 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 owners benefitted from the Project bear their 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. Total Project Cost: The final total cost of the Project is \$ **2,696,072** (if Project is paid through annual assessments) and **\$2,183,818** (if all owners pre-pay by August 15th 2026).

Section 4. Unit of Measurement: The Unit of Measurement is inapplicable to this Project inasmuch as the parcel is owned by a single owner. However, the owner intends to collect individually from unit owners and if an annualized assessment were to be done, each owner would be required to pre-pay **\$14,089** (which owner intends to collect from each unit owner separately).

Section 5. 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 April 8th 2026 assessment memo, incorporated herein as **Exhibit "B"**.

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. Final Levy: In accordance with Florida Statutes § 197.3632(4)(a)-(b), and having received the information from the Property Appraiser by June 1st 2026, the Village Council adopts the non-ad valorem assessment roll provided by the Appraiser and the assessment set forth in this Resolution and **Exhibit "B"**.

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 20th day of May, 2026.

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 (S $\frac{1}{2}$) 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 (NE $\frac{1}{4}$) OF THE SOUTHEAST QUARTER (SE $\frac{1}{4}$) OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) 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 (NW $\frac{1}{4}$) OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF THE SOUTHEAST QUARTER (SE $\frac{1}{4}$) FOR 647.68 FEET TO THE WESTERLY LINE OF THE TAMIA MI 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 TAMIA MI TRAIL FOR 525.23 FEET TO AN INTERSECTION WITH THE NORTH LINE OF THE SOUTH HALF (S $\frac{1}{2}$) OF THE SOUTH HALF (S $\frac{1}{2}$) OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF THE NORTHWEST QUARTER (NW $\frac{1}{4}$) OF THE SOUTHEAST QUARTER (SE $\frac{1}{4}$) 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 TAMIA MI 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 (S $\frac{1}{2}$) 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 (NE $\frac{1}{4}$) OF THE SOUTHEAST QUARTER (SE $\frac{1}{4}$) OF THE SOUTH- WEST QUARTER (SW $\frac{1}{4}$) 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 TAMIA MI TRAIL (U.S. #41); THENCE RUN NORTHERLY PARALLEL WITH AND 150 FEET WESTERLY OF THE WESTERLY LINE OF SAID TAMIA MI TRAIL FOR 439.40 FEET TO THE NORTH LINE OF THE SOUTH HALF (S $\frac{1}{2}$) OF THE SOUTH HALF (S $\frac{1}{2}$) OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF THE NORTH- WEST QUARTER (NW $\frac{1}{4}$) OF THE SOUTHEAST QUARTER (SE $\frac{1}{4}$) OF SAID SECTION 28; THENCE RUN WESTERLY ALONG SAID NORTH LINE FOR 492.58 FEET TO THE WEST LINE OF THE NORTHWEST QUARTER (NW $\frac{1}{4}$) OF THE SOUTHEAST QUARTER (SE $\frac{1}{4}$); THENCE RUN SOUTHERLY ALONG SAID WEST LINE FOR 162.76 FEET TO THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER (NE $\frac{1}{4}$) OF THE SOUTHEAST QUARTER (SE $\frac{1}{4}$) OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF SAID SECTION 28; THENCE RUN WESTERLY ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER (NE $\frac{1}{4}$) OF THE SOUTHEAST QUARTER (SE $\frac{1}{4}$) OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) 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

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

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)

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

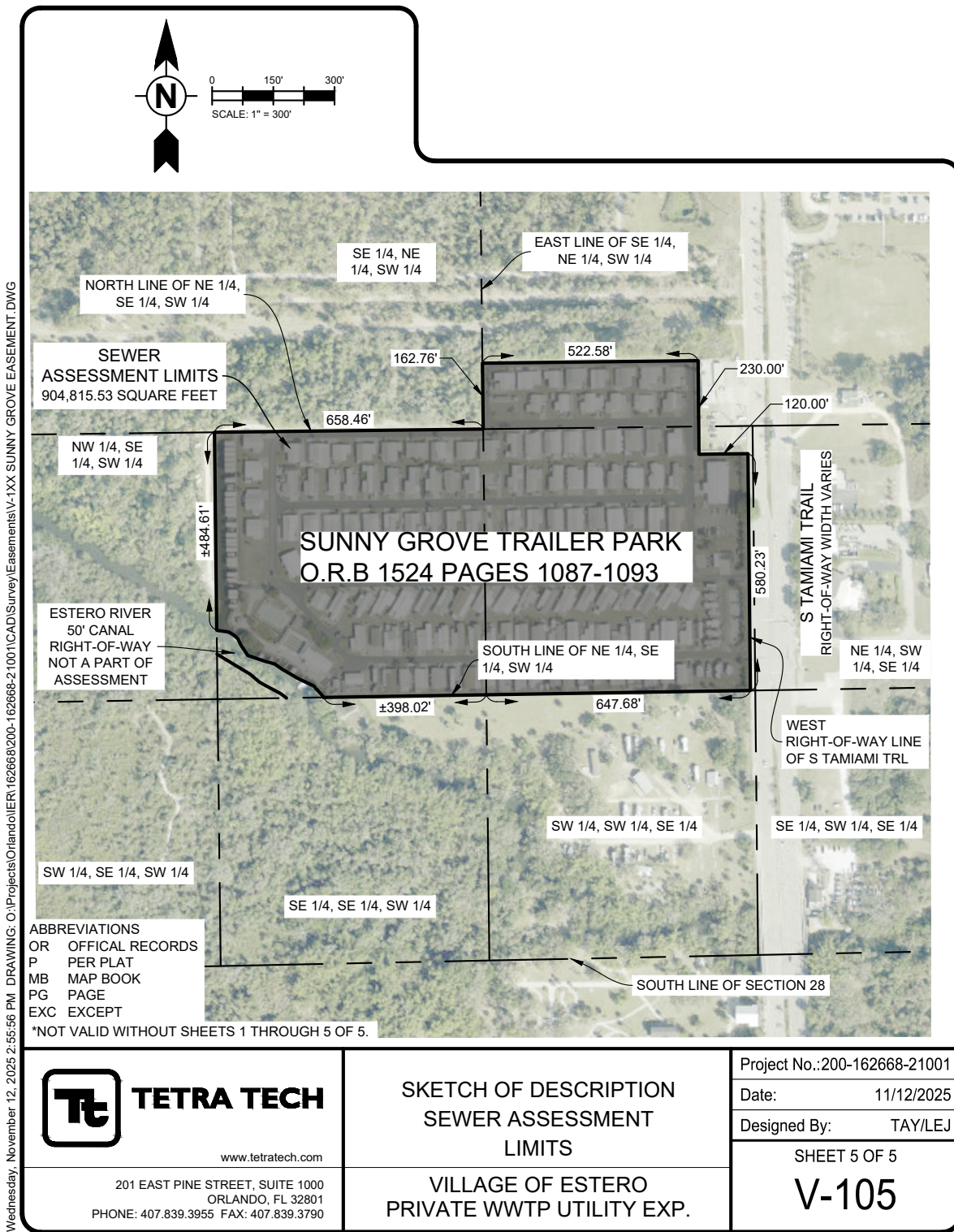
Date: 11/12/2025

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: April 8, 2026

Reference: Village of Estero, Sunny Grove Park Assessment Memo

Background

The Sunny Grove Park area, consisting of 37.2 acres with a member owned 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 Grove Park 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"). If implemented, 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 Grove Park 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

April 8, 2026

Page 2 of 6

Reference: Village of Estero, Sunny Grove Park 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 \$3,176,757.

The Village plans to contribute an approximate 25% match in the amount of \$727,939 as well as applying state grant funds in the amount of \$265,000 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 \$2,183,818 as shown in Table 1.

Table 1 – Net Construction Costs

Construction Cost w/ 5% Contingency	\$ 3,176,757
Less: Village Match	\$ (727,939)
Less: State Grant Funds	\$ (265,000)
Net Construction Costs	\$ 2,183,818

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 **\$2,696,072**, as shown in Table 2 below.

Table 2 – Total Assessed Cost

Net Construction Costs	\$ 2,183,818
Debt Service Reserve Fund	\$ 269,607
Capitalized Interest	\$ 53,921
Cost of Issuance	\$ 53,921
Assessment Development, Survey, Financing, etc.	\$ 134,804
Total Assessed Cost	\$ 2,696,072

Design with community in mind

April 8, 2026

Page 3 of 6

Reference: Village of Estero, Sunny Grove Park Assessment Report

Assessment Methodology

The Sunny Grove Park area is comprised of a Mobile Home/RV Park with 155 members each owning their own mobile home dwelling units (Dwelling Unit) as well as 1/155th interest in the property. 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 based on the number of Dwelling Units contained on the parcel. The Sunny Grove Park area contains a total of 155 Dwelling Units.

Accordingly, the principal amount allocated to each Dwelling Unit is approximately \$17,394 per Dwelling Unit (\$2,696,072 / 155 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% of the Estimated Total Annual Cost for a total annual cost of **\$357,556**, as shown in Table 3 below.

Table 3 – Estimated Total Annual Cost

Total Assessed Cost	\$	2,696,072
Term (years)		10
Interest rate		5.00%
Estimated Annual Principal & Interest Payment	\$	332,527
Annual Collection/Admin. Costs (7%) ¹	\$	25,029
Estimated Total Annual Cost	\$	357,556

¹ Annual collection costs include 4% for early payment discount, 1% for tax collector costs, and 2% for annual assessment administration

The Total Annual Cost divided by the total Assessment Units in the Sunny Grove Park area equals an Annual Assessment of **\$2,307** 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	\$	357,556
Total Dwelling Units		155
Annual Assessment per Dwelling Unit ²	\$	2,307

² Rounded up to nearest whole dollar

Design with community in mind

April 8, 2026

Page 4 of 6

Reference: Village of Estero, Sunny Grove Park Assessment Report

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 owners in Sunny Grove Park 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.

Initial Prepayment

An initial prepayment option allows property owners within the Sunny Grove Park area to satisfy their full share of the Net Construction Cost of the Improvements through a one-time upfront payment rather than through the annual installment assessments. Because a parcel that prepays does not participate in the debt financing, the prepayment amount excludes all financing-related costs such as interest, capitalized interest, debt service reserve, cost of issuance, and annual collection or administration charges.

The prepayment amount for each parcel is calculated by allocating the Net Construction Cost of the Improvements to each parcel on the basis of its assigned Dwelling Units. The Net Construction Cost is determined by subtracting the Village's cost-share contribution and state grant funds from the total construction cost of the project.

The initial prepayment for each parcel is calculated as:

$$\text{Initial Prepayment} = (\text{Net Construction Cost} \div \text{Total Residential Dwelling Units}) \times \text{Parcel Residential Dwelling Units}$$

Design with community in mind

April 8, 2026

Page 5 of 6

Reference: Village of Estero, Sunny Grove Park Assessment Report

Under this method, the prepayment cost per Dwelling Units is derived by dividing the Net Construction Cost of \$2,183,818 by the total of 155 Dwelling Units within the Sunny Grove Park area to arrive at \$14,089 per Dwelling Unit. Each parcel's prepayment amount equals the number of Dwelling Units assigned to that parcel multiplied by the net construction cost per Dwelling Unit.

Property owners who elect to prepay will not be subject to any annual installment assessments, interest charges, administrative costs, or collection fees associated with the ten-year financing period. The Village may require that any prepayment be made prior to certification of the annual assessment roll to the County Tax Collector. Property owners will be notified of applicable deadlines and instructions should they choose to exercise the prepayment option.

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.
- Prepayment Period.

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

April 8, 2026

Page 6 of 6

Reference: Village of Estero, Sunny Grove Park 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

Scenario 1 - Village of Estero - Sunny Grove Park Assessment**Construction Cost**

Construction Cost w/ 5% Contingency	\$	3,176,757
Less: Village Match	\$	(727,939)
Less: State Grant Funds	\$	(265,000)
Net Construction Costs	\$	2,183,818
Initial Pre-Payment	\$	14,089

Additional Assessable Costs

Net Construction Costs	\$	2,183,818	
Debt Service Reserve Fund	\$	269,607	10.00%
Capitalized Interest	\$	53,921	2.00%
Cost of Issuance	\$	53,921	2.00%
Assessment Development, Survey, Financing, etc.	\$	134,804	5.00%
Total Assessed Cost	\$	2,696,072	

Estimated Total Annual Cost

Total Assessed Cost	\$	2,696,072
Term (years)		10
Interest rate		5.00%
Estimated Annual Principal & Interest Payment	\$	332,527
Annual Collection/Admin. Costs (7%) ¹	\$	25,029
Estimated Total Annual Cost	\$	357,556

¹ Annual collection costs include 4% for early payment discount, 1% for tax collector costs, and 2% for annual assessment administration

Annual Assessment

Estimated Total Annual Cost	\$	357,556
Total Dwelling Units		155
Annual Assessment per Dwelling Unit ²	\$	2,307

² Rounded up to nearest whole dollar

WORKSHOP ITEM SUMMARY SHEET
VILLAGE COUNCIL MEETING
April, 15, 2026

Agenda Item:

Resolution No. 2026-07 final non-ad valorem assessment roll for Cypress Bend RV Resort package plant to central sewer system project

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.

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;

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.

Page 2 of 4

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 owners are unable to pay the construction costs for their respective units up front (with a payment date no later than August 1st 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. As set forth in Exhibit "B" to the Resolution, each unit/owner would need to make a **one-time payment of \$4,339** by August 1st 2026 to avoid being assessed.

Should all such owners avail themselves of that option, then staff will simply not proceed with confirming the assessment to the Tax Collector and no special assessment would be required. Nevertheless, since it is possible that not 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. For any owner who does not pre-pay, the owner would be subject to an assessment on the tax bill for the next ten years at an amount of **\$711 per year** (again as outlined in Exhibit "B" to the Resolution).

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. Thereafter, on December 3rd 2025, the Village Council held a duly noticed public hearing and adopted Resolution 2025-24 confirming the Village's intent to use the uniform method of assessment.

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 the assessment Resolution.

Pursuant to Florida Statutes § 197.3632(4)(a), a local government must adopt a non-ad valorem assessment roll at a public hearing where the assessment levy is being set for the first time. Pursuant to Florida Statutes § 197.3632(4)(b), the Village Clerk has confirmed

the Village provided notice of the public hearing in the newspaper and by first class mail as the statute requires.

At the public hearing conducted to adopt this Resolution, the Village Council must afford the opportunity for the public to submit any written objections to the assessment, or to provide testimony regarding the assessment.

Action Requested:

Motion to adopt Resolution No. 2026-07.

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. If that option is not used by all owners, staff will also work with the Tax Collector to ensure the non-ad valorem assessment adopted by this Resolution is collected on the tax bills of assessed properties.

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. 2026-07
2. Exhibit A Cypress Bend Utility Assessment Area
3. Exhibit B Assessment Memo

RESOLUTION NO. 2026 – 07

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF ESTERO, FLORIDA, USING THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS LEVIED WITHIN THE MUNICIPAL BOUNDARIES OF THE VILLAGE OF ESTERO TO ADOPT A NON-AD VALOREM ASSESSMENT ROLL 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 the initial Resolution, one time per week in a newspaper of general circulation within Lee County for four consecutive weeks preceding the hearing to adopt the initial Resolution; and

WHEREAS, on December 3rd 2025, the Village Council for the Village of Estero held a duly noticed public hearing and adopted Resolution 2025-25 (the initial Resolution) confirming the Village's intent to use the uniform method of assessment; 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, Florida Statutes § 197.3632(4)(a), a local government must adopt a non-ad valorem assessment roll at a public hearing where the assessment levy is being set for the first time; and

WHEREAS, pursuant to Florida Statutes § 197.3632(4)(b), the Village Clerk noticed the public hearing in the newspaper and by first class mail as the statute requires; and

WHEREAS, at the public hearing conducted to adopt this Resolution, the Village Council afforded the opportunity for the public to submit any written objections to the assessment, or to provide testimony regarding the assessment; and

WHEREAS, having conducted the public hearing, 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. Restatement of Declaration of Need: The Village Council for the Village of Estero is utilizing 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 owners benefitted from the Project bear their 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. Total Project Cost: The Project's cost is \$ **2,153,528** (if Project is paid through annual assessments) and \$ **1,744,358** (for owners who pre-pay by August 1st 2026).

Section 4. Unit of Measurement: The Unit of Measurement is by dwelling unit or separate structure with toilet (402 in total) as further elaborated on in the utility consultant's April 8th 2026 assessment memo, incorporated herein as **Exhibit "B"**.

Section 5. 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 April 8th 2026 assessment memo, incorporated herein as **Exhibit "B"**.

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. Final Levy: In accordance with Florida Statutes § 197.3632(4)(a)-(b), after having received the information from the Property Appraiser by June 1st 2026, the Village Council adopts the non-ad valorem assessment roll provided by the Appraiser and the assessment set forth in this Resolution and **Exhibit "B"**.

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 20th day of May, 2026.

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

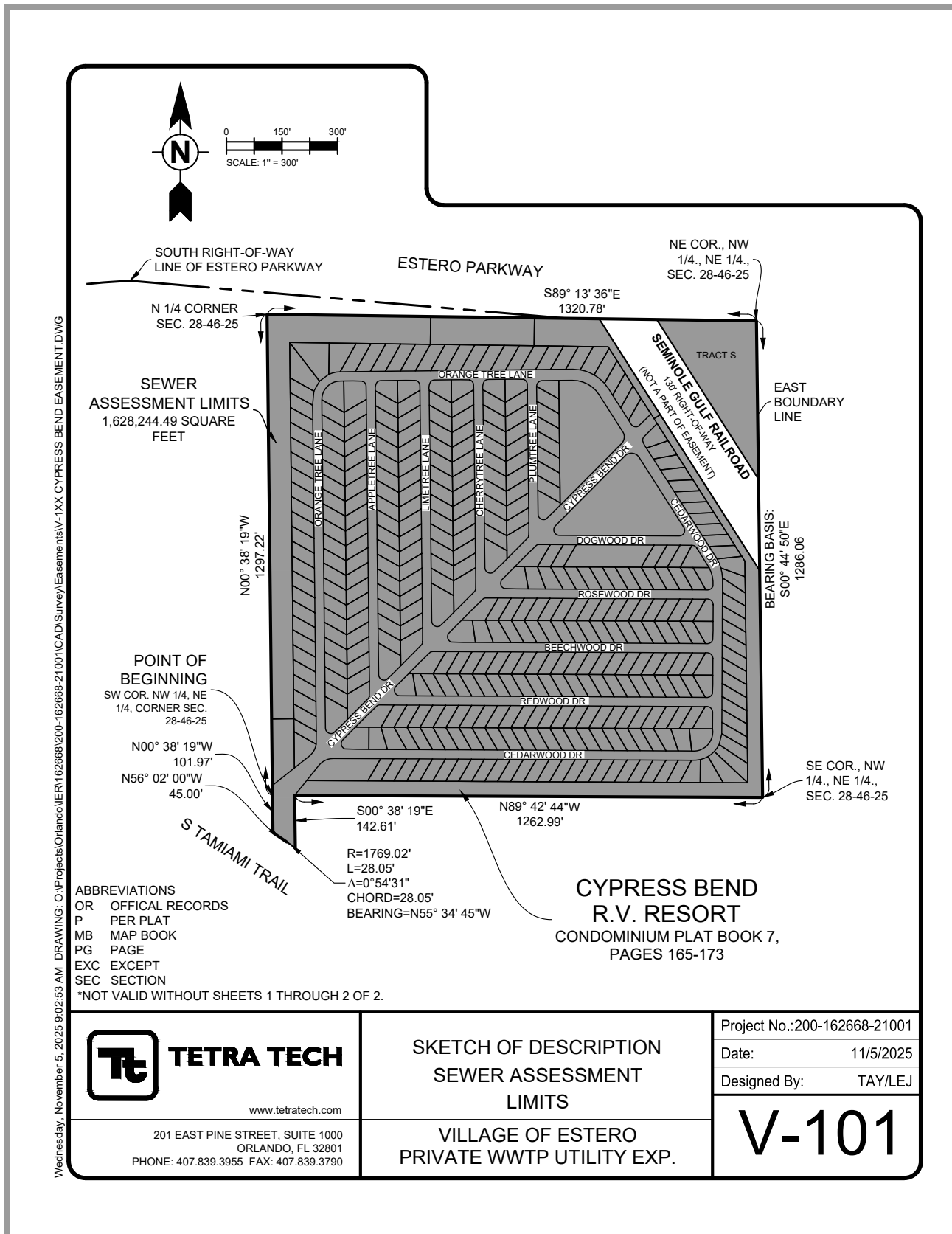
Project No.: 200-162668-21001

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





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:	April 8, 2026

Reference: Village of Estero, Cypress Bend Assessment Memo

Background

The Cypress Bend area, consisting of 39.2 acres with 402 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"). If implemented, 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 Cypress Bend 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

April 8, 2026

Page 2 of 6

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 \$2,852,615.

The cost associated with Lee County Utilities' water main relocation of \$261,805 will be covered by the County. Additionally, the Village plans to contribute an approximate 25% match in the amount of \$581,452, as well as applying state grant funds in the amount of \$265,000 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 \$1,744,358 as shown in Table 1.

Table 1 – Net Construction Costs

Construction Cost	\$	2,852,615
Less: LCU Water Main Relocation	\$	(261,805)
Less: Village Match	\$	(581,452)
Less: State Grant Funds	\$	(265,000)
Net Construction Costs	\$	1,744,358

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 **\$2,153,528**, as shown in Table 2 below.

Table 2 – Total Assessed Cost

Net Construction Costs	\$	1,744,358
Debt Service Reserve Fund	\$	215,353
Capitalized Interest	\$	43,071
Cost of Issuance	\$	43,071
Assessment Development, Survey, Financing, etc.	\$	107,676
Total Assessed Cost	\$	2,153,528

Design with community in mind

April 8, 2026

Page 3 of 6

Reference: Village of Estero, Cypress Bend Assessment Report

Assessment Methodology

The Cypress Bend area is comprised of residential single family mobile home dwelling units (Dwelling Unit) 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 **402** Dwelling Units.

Accordingly, the principal amount allocated to each assessed parcel is approximately \$5,494 per Dwelling Unit (\$2,153,528 / 402 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% of the Estimated Total Annual Cost for a total annual cost of **\$285,603**, as shown in Table 3 below.

Table 3 – Estimated Total Annual Cost

Total Assessed Cost	\$	2,153,528
Term (years)		10
Interest rate		5.00%
Estimated Annual Principal & Interest Payment	\$	265,611
Annual Collection/Admin. Costs (7%) ¹	\$	19,992
Estimated Total Annual Cost	\$	285,603

¹ Annual collection costs include 4% for early payment discount, 1% for tax collector costs, and 2% for annual assessment administration

The Total Annual Cost divided by the total Assessment Units in the Cypress Bend area equals an Annual Assessment of **\$711** 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	\$	285,603
Total Residential Units		402
Annual Assessment per Dwelling Unit ²	\$	711

² Rounded up to nearest whole dollar

Design with community in mind

April 8, 2026

Page 4 of 6

Reference: Village of Estero, Cypress Bend Assessment Report

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 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.

Initial Prepayment

An initial prepayment option allows property owners within the Cypress Bend area to satisfy their full share of the Net Construction Cost of the Improvements through a one-time upfront payment rather than through the annual installment assessments. Because a parcel that prepays does not participate in the debt financing, the prepayment amount excludes all financing-related costs such as interest, capitalized interest, debt service reserve, cost of issuance, and annual collection or administration charges.

The prepayment amount for each parcel is calculated by allocating the Net Construction Cost of the Improvements to each parcel on the basis of its assigned Dwelling Units. The Net Construction Cost is determined by subtracting the Village's cost-share contribution, state grant funds and LCU watermain relocation reimbursement from the total construction cost of the project.

The initial prepayment for each parcel is calculated as:

$$\text{Initial Prepayment} = (\text{Net Construction Cost} \div \text{Total Residential Dwelling Units}) \times \text{Parcel Residential Dwelling Units}$$

Design with community in mind

April 8, 2026

Page 5 of 6

Reference: Village of Estero, Cypress Bend Assessment Report

Under this method, the prepayment cost per Dwelling Unit is derived by dividing the Net Construction Cost of \$1,744,358 by the total of 402 Dwelling Units within the Cypress Bend area to arrive at \$4,339 per Dwelling Unit. Each parcel's prepayment amount equals the number of Dwelling Units assigned to that parcel multiplied by the net construction cost per Dwelling Unit.

Property owners who elect to prepay will not be subject to any annual installment assessments, interest charges, administrative costs, or collection fees associated with the ten-year financing period. The Village may require that any prepayment be made prior to certification of the annual assessment roll to the County Tax Collector. Property owners will be notified of applicable deadlines and instructions should they choose to exercise the prepayment option.

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.
- Prepayment Period

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

April 8, 2026

Page 6 of 6

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

Scenario 1 - Village of Estero - Cypress Bend Assessment**Roadway Improvements**

Construction Cost	\$ 2,852,615
Less: LCU Water Main Relocation	\$ (261,805)
Less: Village Match	\$ (581,452)
Less: State Grant Funds	\$ (265,000)
Net Construction Costs	\$ 1,744,358
Initial Pre-Payment	\$ 4,339

Additional Assessable Costs

Net Construction Costs	\$ 1,744,358	
Debt Service Reserve Fund	\$ 215,353	10.00%
Capitalized Interest	\$ 43,071	2.00%
Cost of Issuance	\$ 43,071	2.00%
Assessment Development, Survey, Financing, etc.	\$ 107,676	5.00%
Total Assessed Cost	\$ 2,153,528	

Annual Debt Service

Total Assessed Cost	\$ 2,153,528
Term (years)	10
Interest rate	5.00%
Estimated Annual Principal & Interest Payment	\$ 265,611
Annual Collection/Admin. Costs (7%) ¹	\$ 19,992
Estimated Total Annual Cost	\$ 285,603

¹ Annual collection costs include 4% for early payment discount, 1% for tax collector costs, and 2% for annual assessment administration

Annual Assessment

Estimated Total Annual Cost	\$ 285,603
Total Residential Units	402
Annual Assessment per Dwelling Unit²	\$ 711

² Rounded up to nearest whole dollar