


# VILLAGE OF ESTERO
# VILLAGE COUNCIL MEETING
# PACKET
# JANUARY 19, 2022, 09:30 AM

www.Estero-fl.gov

**COVID-19 NOTICE:**

The Village Council Meeting will be conducted physically in Council Chambers at Village Hall, 9401 Corkscrew Palms Circle, with an opportunity to participate virtually. The meeting will be broadcasted live via the Village of Estero website https://estero-fl.gov/council/watch-meetings-online/. Access in Council Chambers will be limited in order to comply with the safety instructions relating to COVID-19. 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**

**January 19, 2022, 09:30 am**

## 1. CALL TO ORDER

**INVOCATION** -- Pastor Frank Brand First Baptist Church

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

## 2. APPROVAL OF AGENDA, ADDITIONS, AND DELETIONS

## 3. PRESENTATION

### a. Florida League of Cities

Scott Dudley

**Attachment:** Florida League of Cities Presentation.pdf

## 4. PUBLIC COMMENT ON NON-AGENDA ITEMS

## 5. RECOGNITION

Lindsey Graham

## 6. CONSENT AGENDA

### a. January 5, 2022 Council Meeting Minutes

**Attachment:** January 5_2022 Minutes.pdf

### b. Financial Report for Month ended November 2021

**Attachment:** Financial Report.pdf

## 7. CONSIDERATION OF ITEMS DEFERRED FROM CONSENT AGENDA

## 8. ACTION ITEMS

### a. Lien Mitigation Request - 9170 Estero River Ct

**Recommended Action**
Per Village of Estero legal counsel, approve the lien mitigation request from DK Realty Group-Sub, LLC releasing any outstanding liens against the Property in exchange for payment of a reduced fine of $2,000. 00 and $296.85 for administrative costs.

**Financial Impact**

The Village will recover its out-of-pocket costs for the Code Enforcement Case against the Property.

**Attachment:** Code Enforcement Lien Mitigation.pdf

### b. Sandy Lane and Via Coconut Point Bridge Rehabilitation - RFB 2021-04

**Recommended Action**

Approve award of Request for Bids No. RFB 2021-04, Sandy Lane and Via Coconut Point Bridge Rehabilitation to Thomas Marine Construction, Inc. to perform the rehabilitation work at a cost of $349, 851.

Also approve a contingency fund amount of $35,000 (an amount equal to 10% of the total project cost) to cover unforeseen circumstances which may occur.

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

**Financial Impact**
The financial impact of the proposed project is $384,851. This includes the contract amount plus a 10% contingency.

The Fiscal Year 2021-2022 Capital Improvement Budget includes $400,000 for this bridge maintenance project.

**Attachment:** Sandy Lane and Via Coconut Point.pdf

## 9. SECOND READING AND PUBLIC HEARING

### a. Ordinance No. 2022-01

Ordinance No. 2022-01 An Ordinance of the Village Council of the Village of Estero, Florida, Approving Updates to the Capital Improvements Element to Update the Capital Improvements Schedule for Fiscal Year 2021/2022 and Adopt the most Recent Lee County School District Capital Improvement Plan; Providing for Conflict; Providing for Severability; and Providing an Effective Date.

**Recommended Action**
Adopt Ordinance 2022-01.

**Financial Impact**
No additional financial impact not already included in the budget. Minor cost of newspaper advertisement for second reading.

**Attachment:** Ordinance 2022-01.pdf

## 10.PUBLIC COMMENT ON NON-AGENDA ITEMS

## 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 ITEMS

### a. Planning, Zoning and Design Board Annual Report

**Attachment:** Planning Zoning Design Board Annual Report.pdf

### b. Update on Development Projects in Estero

**Attachment:** Development Projects.pdf

### c. US Bike Route 15

**Attachment:** US Bike Route 15.pdf

## 15.ADJOURNMENT

# General Attachments

- Transcript.pdf

VILLAGE OF ESTERO COUNCIL MEETING
WEDNESDAY, JANUARY 19, 2022, 9:30 A.M.

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

09:30:42 [ SOUNDING GAVEL ]
09:30:46 >>Mayor Errington: GOOD MORNING.
09:30:46 GOOD MORNING.
09:30:49 >> GOOD MORNING!
09:30:50 >>Mayor Errington: WELCOME.
09:30:51 WELCOME TO OUR MEETING TODAY.
09:30:55 THIS IS WEDNESDAY, JANUARY THE 19th, 2022.
09:30:59 IT'S 9:30 A.M.
09:31:01 AND I AM CALLING THE MEETING TO ORDER.
09:31:03 A REMINDER TO TURN OFF YOUR CELL PHONE OR ANY DEVICE THAT
09:31:11 WOULD RING, DING, OR DO WHATEVER, UNLESS IT'S REALLY NEEDED
09:31:14 FOR YOUR HEALTH PURPOSES.
09:31:16 THANK YOU VERY MUCH.
09:31:19 THANK YOU FOR ADHERING TO OUR REQUEST TO WEAR A MASK.
09:31:27 IT'S IMPORTANT THAT WE TRY TO KEEP THE FIGHT AGAINST COVID.
09:31:33 AND JUST THANK YOU FOR RESPECTING EVERYBODY WHO IS DOING SO.
09:31:35 THANK YOU, REVEREND BRAND, FOR GIVING A GUEST A MASK.
09:31:41 THANK YOU.

09:31:41 AT THIS TIME, I'D LIKE TO CALL PASTOR FRANK BRAND UP TO THE
09:31:47 PODIUM FOR OUR INVOCATION.
09:31:49 HE IS THE PASTOR OF THE FIRST BAPTIST CHURCH IN ESTERO.
09:31:53 GOOD MORNING.
09:31:54 >> GOOD MORNING.
09:31:55 LET ME JUST START BY SAYING THANK YOU FOR HAVING ME.
09:31:59 IT'S ALWAYS A PRIVILEGE AND HONOR TO COME AND SPEND TIME
09:32:02 WITH YOU.
09:32:02 UNFORTUNATELY, I HAVE TO LEAVE EARLY TODAY.
09:32:04 I DON'T LIKE TO DO THAT, BUT I HAVE SOME CONFLICTS, BUT I
09:32:10 APPRECIATE EACH ONE OF YOU AND WHAT YOU DO FOR OUR
09:32:13 COMMUNITY.
09:32:14 SHALL WE PRAY?
09:32:15 OUR FATHER IN HEAVEN, WE THANK YOU THIS MORNING AS WE WOKE
09:32:24 UP AND GOT OUT OF BED.
09:32:25 LORD, YOUR MERCY GREETED US.
09:32:27 EVERY DAY YOUR MERCY IS NEW.
09:32:29 YOU PROVIDE FOR US AND GIVE US WHAT WE NEED DAILY.

09:32:35 IN FACT, YOU DON'T GIVE US RIGHT NOW WHAT WE DESERVE.
09:32:37 YOU GIVE US WHAT WE NEED.
09:32:39 AND WE ARE GRATEFUL THIS MORNING.
09:32:41 THIS IS YOUR DAY.
09:32:42 YOU MADE IT.
09:32:44 I PRAY THAT EACH OF US WILL CHOOSE TO REJOICE AND BE GLAD IN
09:32:48 IT.

09:32:49 EVEN AS WE GATHER TO MEET HERE, I PRAY, FATHER GOD, THAT YOU
09:32:53 WOULD STIR IN OUR HEARTS.
09:32:55 LORD, HELP US TO RECOGNIZE THAT WE ARE BETTER TOGETHER IN
09:32:59 THIS WONDERFUL COMMUNITY THAT WE CALL ESTERO.
09:33:02 PRAY FATHER GOD THAT YOU WOULD SMILE DOWN ON US AND GRANT US
09:33:06 WISDOM.
09:33:07 ALLOW US TODAY TO REJOICE EVER MORE, KNOWING THAT FROM THE
09:33:12 ENDS OF THE EARTH WE CAN CRY OUT TO YOU AND THAT YOU HEAR
09:33:15 US.
09:33:16 HALLELUJAH.
09:33:17 WHAT A BLESSING THAT IS.
09:33:19 AND SO I PRAY, FATHER, THAT YOU WOULD SMILE DOWN UPON OUR
09:33:23 COUNCIL, OUR MEMBERS AND ALL OF OUR COMMUNITY.
09:33:25 THANK YOU, LORD.
09:33:27 WE PRAY ALL THIS IN YOUR NAME, JESUS, AMEN.
09:33:32 >>Mayor Errington: THANK YOU.
09:33:34 LET'S PLEASE STAND.
09:33:37 COUNCIL MEMBER WARD, WOULD YOU LEAD US IN THE PLEDGE OF
09:33:40 ALLEGIANCE TO THE FLAG?
09:33:41 [PLEDGE OF ALLEGIANCE]
09:33:53 BEFORE WE CALL THE ROLL, I UNDERSTAND THAT COUNCIL MEMBER
09:34:00 WILSON IS MEETING, BUT HE'S MEETING FROM HOME, SO WE NEED TO
09:34:04 HAVE A ROLL CALL.
09:34:05 WE NEED TO HAVE A MOTION TO ACCEPT THAT.
09:34:08 MOTION MADE BY VICE-MAYOR McLAIN, SECONDED BY COUNCIL

09:34:12 MEMBER FIESEL.
09:34:13 WOULD YOU CALL THE ROLL, PLEASE?
09:34:16 >>Carol Sacco: COUNCIL MEMBER RIBBLE?
09:34:18 >>Joanne Ribble: AYE.
09:34:19 >>Larry Fiesel: AYE.
09:34:20 >>Jim Boesch: AYE.
09:34:22 >>Jim Ward: AYE.
09:34:23 >>Jim Wilson: AYE.
09:34:26 >>Vice-Mayor McLain: AYE.
09:34:27 >>Mayor Errington: AYE.
09:34:30 >>Carol Sacco: NOW I WILL CALL ROLL.
09:34:31 >>Mayor Errington: NOW CALL THE ROLL, PLEASE.
09:34:33 >>Joanne Ribble: HERE.
09:34:35 >>Larry Fiesel: HERE.

09:34:37 >>Jim Boesch: HERE.
09:34:39 >>Jim Ward: HERE.
09:34:40 >>Jim Wilson: HERE.
09:34:42 >>Vice-Mayor McLain: HERE.
09:34:43 >>Mayor Errington: HERE.
09:34:44 NOW IT'S A GREAT PRIVILEGE TO RECOGNIZE SOMEONE IN OUR
09:34:53 COMMUNITY WHO HAS BEEN DOING A LOT FOR US, ESPECIALLY DURING
09:34:59 VETERANS DAY ACTIVITIES, AND THAT IS LINDSEY GRAHAM.
09:35:03 I'M GOING TO ASK LINDSEY TO COME UP FRONT HERE.
09:35:06 THE PLAN IS THAT I WILL READ THE PROCLAMATION TO LINDSEY,
09:35:13 AND THEN THE VICE-MAYOR AND I WILL COME DOWN.

09:35:16 THEN THE REST OF YOU WILL COME AROUND, COUNCIL MEMBERS UP
09:35:19 HERE, SO WE CAN KEEP OUR DISTANCE AND GET A PICTURE.
09:35:22 LIKE I SAID, IF YOU WANT TO SING THANK YOU --
09:35:27 [ LAUGHTER ]
09:35:27 KIDDING.
09:35:27 WE'RE NOT GOING TO PUT YOU ON THE SPOT.
09:35:30 THE PROCLAMATION IS: IN APPRECIATION TO LINDSEY GRAHAM IS
09:35:37 HEREBY OFFICIALLY HONORED FOR MAKING A POSITIVE DIFFERENCE
09:35:40 IN THE COMMUNITY AND IS HEREBY RECOGNIZED FOR THOSE
09:35:43 CONTRIBUTIONS BY THE VILLAGE COUNCIL OF THE VILLAGE OF
09:35:47 ESTERO, FLORIDA, PRESENTED THIS 19th DAY OF JANUARY, 2022.
09:35:51 SO THE VICE-MAYOR AND I WILL COME DOWN, AND THE OTHERS IF
09:35:56 YOU WOULD COME AROUND.
09:35:58 [ APPLAUSE ]
09:36:49 >> THANK YOU SO MUCH.
09:37:29 LET'S PRAY ABOUT IT.
09:37:30 OKAY.
09:37:35 ARE YOU READY?
09:37:38 TRYING IT NOW.
09:37:38 THERE IT IS.
09:37:41 YOU'RE RIGHT.
09:37:42 VERY GOOD.
09:37:43 THANK YOU SO MUCH, MS. MAYOR AND COUNCIL.
09:37:46 I APPRECIATE THIS RECOGNITION VERY MUCH.
09:37:48 I HAVE LIVED IN ESTERO NOW FOR JUST AS LONG AS I LIVED IN MY

09:37:51 LITTLE HOMETOWN IN KENTUCKY.
09:37:53 I LOVE ESTERO, AND I THANK YOU SO VERY MUCH FOR ALL THAT YOU
09:37:57 ARE DOING.
09:37:57 JUST WANT TO SAY THANK YOU AND OUR DEEPEST APPRECIATION AND
09:38:01 THANK YOU FOR THIS.
09:38:01 I'M HAPPY TO SING FOR US IF YOU WANT ME, TOO.
09:38:05 [ LAUGHTER ]
09:38:06 OKAY.
09:38:07 LET'S LEAD US IN OUR GOD BLESS AMERICA BECAUSE WE ALL KNOW
09:38:12 THAT.

09:38:13 ¶ GOD BLESS AMERICA ¶
09:38:18 ¶ LAND THAT I LOVE ¶
09:38:23 YES, WE DO.
09:38:24 ¶ STAND BESIDE HER AND GUIDE HER ¶
09:38:28 ¶ THROUGH THE NIGHT WITH THE LIGHT FROM ABOVE ¶
09:38:34 ¶ FROM THE MOUNTAINS TO THE PRAIRIES TO THE OCEANS WHITE
09:38:45 WITH FOAM ¶
09:38:46 ¶ GOD BLESS AMERICA, MY HOME SWEET HOME ¶
09:38:58 THANK YOU SO MUCH.
09:39:01 [ APPLAUSE ]
09:39:06 >>Mayor Errington: THANK YOU.
09:39:28 YOU ARE NOT OBLIGATED HERE TO STAY.
09:39:30 ITEM NUMBER 2, APPROVAL OF THE AGENDA, ADDITIONS AND
09:39:42 DELETIONS.
09:39:43 ENTERTAIN A MOTION TO APPROVE THE AGENDA.

09:39:49 MOTION MADE BY COUNCIL MEMBER RIBBLE AND SECONDED BY COUNCIL
09:39:53 MEMBER WARD.
09:39:54 PLEASE CALL THE ROLL.
09:39:57 >>Jim Wilson: AYE.
09:39:58 >>Jim Ward: AYE.
09:40:01 >>Jim Boesch: AYE.
09:40:02 >>Larry Fiesel: AYE.
09:40:04 >>Joanne Ribble: AYE.
09:40:06 >>Vice-Mayor McLain: AYE.
09:40:07 >>Mayor Errington: AYE.
09:40:08 NEXT ON THE AGENDA IS A PRESENTATION FROM SCOTT DUDLEY FROM
09:40:15 THE FLORIDA LEAGUE OF CITIES.
09:40:17 WELCOME, SCOTT.
09:40:18 GLAD TO HAVE YOU HERE TODAY.
09:40:19 >>Scott Dudley: THANK YOU FOR HAVING ME.
09:40:21 I APPRECIATE IT A LOT.
09:40:22 MADAM MAYOR, MEMBERS OF THE COUNCIL, I'M SCOTT DUDLEY.
09:40:26 I'M WITH THE FLORIDA LEAGUE OF CITIES.
09:40:28 I KNOW SEVERAL OF YOU FROM INTERACTIONS WITH YOU AT VARIOUS
09:40:32 LEAGUE ACTIVITIES AND MAYOR ERRINGTON SITS ALSO ON THE
09:40:35 LEAGUE OF MAYOR'S BOARD.
09:40:37 WE THANK YOU ALL FOR YOUR SERVICE.
09:40:39 WE KNOW THAT IT'S A LABOR OF LOVE AND PUBLIC SERVICE, AND WE
09:40:44 VERY MUCH APPRECIATE THAT.
09:40:45 I'M HERE TODAY TO TALK A LITTLE BIT ABOUT -- WELL, FIRST OF

09:40:50 ALL, LET ME JUST GIVE YOU A LITTLE BIT.
09:40:52 I'VE BEEN AT THE LEAGUE FOR 19 YEARS.
09:40:54 I WAS LEGISLATIVE DIRECTOR UP UNTIL A YEAR AND A HALF AGO
09:40:58 WHEN I WENT TO MY BOSS AND SAID, YOU KNOW, THE LEGISLATURE
09:41:05 -- AND, SENATOR SAUNDERS, I'M TALKING ABOUT THIS
09:41:07 LEGISLATURE.

09:41:07 NOT THE LEGISLATURE THAT YOU USED TO SIT IN BECAUSE YOU WERE
09:41:10 ONE OF THE GOOD GUYS.
09:41:11 SO WE APPRECIATE YOU AND IT'S GOOD SEEING YOU AGAIN, SIR.
09:41:13 HE IS A GREAT PUBLIC SERVANT.
09:41:15 THE LEGISLATURE, WE'RE HAVING THIS CLASH OF IDEALS IN TERMS
09:41:20 OF HOME RULE, CITIZEN INPUT, AND WHAT THEY WANT TO DO UP IN
09:41:26 TALLAHASSEE.
09:41:26 SO I WENT TO MY BOSS AND SAID, YOU KNOW, WE NEED TO SOMEHOW
09:41:30 GET MORE PEOPLE ENGAGED.
09:41:32 WE NEED TO GET CITIZENS INVOLVED.
09:41:34 BOSS SAID, YOU KNOW, THAT'S A GREAT IDEA.
09:41:37 WHY DON'T YOU RUN THAT PROGRAM.
09:41:38 BE CAREFUL WHAT YOU ASK FOR, A.
09:41:40 AND, B, I DO HAVE SOME EXPERIENCE, I DID EIGHT YEARS WORKING
09:41:45 WITH KODAK AND FUJI TRAVELING THE COUNTRY DOING GRASSROOTS,
09:41:49 TRYING TO GET UNIFORM REGULATIONS IN TERMS OF WASTEWATER
09:41:52 DISCHARGE AND SILVER MINING AND ALL THAT KIND OF STUFF FOR
09:41:55 THE PHOTO PROCESSING INDUSTRY.
09:41:57 SO THEY SAID, SCOTT, YOU ARE IDEALLY SUITED FOR THIS.

09:42:00 GET ON IT.
09:42:00 GET ON THE ROAD AND GO GET BUSY.
09:42:02 GET MORE CITY OFFICIALS, CURRENT, FORMER, AND CITIZENS
09:42:08 ENGAGED IN TRYING TO UNDERSTAND WHAT THE LEGISLATURE IS
09:42:10 DOING AND HOW THEY ARE TRAMPLING ON THE RIGHTS OF CITIZENS
09:42:15 ACROSS THE STATE.
09:42:15 WITH THAT, I'M GOING TO SHOW YOU A LITTLE VIDEO.
09:42:22 THIS VIDEO WILL INTRODUCE WHAT I'M GOING TO BE TALKING
09:42:31 ABOUT.
09:42:32 IT'S ABOUT 60 OR 70 SECONDS LONG, I GUESS.
09:42:36 IT KIND OF INTRODUCES THE CONCEPT AND I'LL FOLLOW UP.
09:42:41 >>Mayor Errington: THANK YOU.
09:42:41 DO YOU DANCE?
09:43:12 WE COULD BE ENTERTAINED.
09:43:15 >> [INAUDIBLE]
09:44:20 >> LOCAL VOICES UNITED.
09:44:23 WHEN IT'S RUN BY THE PEOPLE WHO LIVE IN IT.
09:44:26 THIS IDEA IS UNCONTROVERSIAL, UNCOMPLICATED AND
09:44:32 UNFORTUNATELY UNDER THREAT.
09:44:33 POWERFUL SPECIAL INTERESTS, MANY OF THEM BASED FAR FROM
09:44:36 FLORIDA HAVE STARTED AN AVALANCHE OF NEW LAWS THAT STRIP
09:44:40 FREEDOM FROM FLORIDA'S LOCAL TOWNS AND TAXPAYERS.
09:44:44 SOME OF THESE LAWS ARE SILLY LIKE PUTTING TALLAHASSEE
09:44:47 BUREAUCRATS IN CHARGE OF LOCAL TREE TRIMMING ORDINANCES.
09:44:50 OTHERS ARE SERIOUS LIKE TELLING LOCAL COMMUNITIES HOW TO

09:44:53 SPEND THEIR TAX DOLLARS.
09:44:54 BUT SERIOUS OR SILLY, SPECIAL INTERESTS ARE PLANNING MORE.

09:44:59 THIS ISN'T A REPUBLICAN PROBLEM OR A DEMOCRAT PROBLEM.
09:45:02 IT'S A PROBLEM FOR EVERY FLORIDIAN AND TO FIX IT, WE MUST
09:45:07 WORK TOGETHER.
09:45:08 THE CORRIDORS OF POWER ARE STOCKED BY LOBBYIST, LAWYERS AND
09:45:12 SPECIAL INTERESTS.
09:45:13 BUT THERE'S ONE IMPORTANT VOICE THAT'S MISSING -- YOURS.
09:45:17 THAT'S WHY WE STARTED LOCAL VOICES UNITED.
09:45:19 A NONPARTISAN NETWORK OF REPUBLICANS, DEMOCRATS, AND
09:45:23 INDEPENDENTS WORKING TOGETHER TO PROTECT LOCAL DECISION
09:45:26 MAKING FOR EVERY COMMUNITY IN THE SUNSHINE STATE.
09:45:30 JOIN US, AND WE'LL GIVE YOU CLEAR, SIMPLE, AND
09:45:32 STRAIGHTFORWARD INFORMATION ABOUT THREATS TO LOCAL DECISION
09:45:35 MAKING AND HOW TO FIGHT THEM.
09:45:37 LEARN MORE AT LOCAL VOICES UNITED.COM.
09:45:42 >>Scott Dudley: IT USUALLY DOESN'T REVERBERATE LIKE THAT,
09:45:50 BUT I LIKE THAT YOU GOT TO HEAR IT TWICE ALL AT ONCE.
09:45:53 THAT'S GOOD.
09:45:53 [NOT SPEAKING INTO A MICROPHONE]
09:46:04 JUST TO KIND OF SHOW WHAT WE'RE DOING.
09:46:08 I'M GOING TO SHOW -- [NOT SPEAKING INTO A MICROPHONE] AS I
09:46:23 MENTIONED, LOCAL VOICES UNITED -- [MICROPHONE NOT ON] -- IT
09:46:31 STARTS WITH EACH OF YOU TRYING TO ENGAGE THE FOLKS THAT
09:46:34 WALKED FOR YOU, THAT DONATED TO YOUR CAMPAIGNS, THAT VOTED

09:46:37 FOR YOU, LETTING THEM KNOW THAT WHAT'S HAPPENING IN
09:46:42 TALLAHASSEE IS NOT -- I MENTIONED BEFORE ABOUT THE
09:46:48 LEGISLATURE IS VIEWING WHAT'S GOING ON AS A POWER STRUGGLE
09:46:51 BETWEEN CITIES AND THE LEGISLATURE, AND WE'RE TRYING TO
09:46:55 DISABUSE THEM OF THAT NOTION BECAUSE REALLY WHAT IT IS, IT'S
09:46:58 A STRUGGLE BETWEEN THE CITIZENS HAVING A SAY IN WHAT'S GOING
09:47:02 ON IN THEIR OWN COMMUNITIES AND THE FLORIDA LEGISLATURE
09:47:06 DICTATING WHAT'S GOING ON IN THEIR COMMUNITIES.
09:47:08 YOU SAW THE LITTLE PIECE ABOUT THE TREE TRIMMING ORDINANCE.
09:47:12 THAT'S A REAL THING.
09:47:13 THEY PASSED A LAW A COUPLE OF YEARS AGO THAT BASICALLY SAID
09:47:17 ALL TREE TRIMMING ORDINANCES BASICALLY THAT YOU CAN GO IN
09:47:19 AND CUT DOWN TREES AS LONG AS YOU HAVE A NOTE FROM AN
09:47:22 ARBORIST SAYING THAT THE TREE IS POTENTIALLY DANGEROUS.
09:47:25 WELL, LET ME REMIND YOU THAT WE LIVE IN FLORIDA, AND EVERY
09:47:29 TREE IS POTENTIALLY DANGEROUS.
09:47:30 SO WHAT THAT MEANS IS PRETTY MUCH CARTE BLANCHE AUTHORITY TO
09:47:33 GO IN AND CUT DOWN TREES.
09:47:34 THAT'S JUST THE TIP OF THE ICEBERG.
09:47:38 I'LL TALK ABOUT SOME OF THE OTHER THINGS.
09:47:40 LOCAL VOICES UNITED IS A VERY SIMPLE IDEA.
09:47:44 HOME RULE.
09:47:45 LOCALISM, LOCAL DECISION MAKING.
09:47:47 THERE'S A WHOLE BUNCH OF DIFFERENT TERMS THAT ARE USED FOR

09:47:50 IT.

09:47:51 BUT THE BOTTOM LINE IS YOU BEING ABLE TO HAVE A SAY IN
09:47:55 WHAT'S GOING ON IN YOUR OWN COMMUNITY, YOU AS THE ELECTED
09:47:58 OFFICIALS IN YOUR COMMUNITY BEING THE VOICE OF THE CITIZENS
09:48:02 OF YOUR COMMUNITY AND THE CITIZENS, THEIR VOICE, THE
09:48:07 NEIGHBORHOOD'S VOICE, THE BUSINESS, THE LOCAL BUSINESSES
09:48:11 VOICE BEING REFLECTED THROUGH WHAT YOU DECIDE IS THE BEST
09:48:14 FOR YOUR COMMUNITY.
09:48:15 THAT'S THE WAY IT SHOULD BE.
09:48:16 THAT'S WHAT OUR CONSTITUTION SAYS.
09:48:18 THAT'S WHAT OUR FOUNDING FATHERS ENVISIONED, WHAT THE
09:48:20 FEDERAL GOVERNMENT SHOULD DO, IT SHOULD DO, WHAT THE STATE
09:48:23 SHOULD DO, IT SHOULD DO AND THE LOCAL GOVERNMENT SHOULD DO,
09:48:27 IT SHOULD DO AND NEVER THE THREE SHALL MEET OR TRAMPLE OVER
09:48:32 EACH OTHER.
09:48:32 AND A COMMUNITY IS GOVERNED BEST BY THOSE WHO LIVE IN IT.
09:48:36 REALLY SIMPLE CONCEPT.
09:48:38 YOUR CITIZENS, LOOK AT THEM, THEY ARE HERE TO TELL YOU
09:48:41 WHAT'S ON THEIR MIND.
09:48:42 I DON'T KNOW WHO'S BEEN TO TALLAHASSEE.
09:48:44 I KNOW SEVERAL OF YOU HAVE.
09:48:46 I'VE SEEN YOU UP IN THE HALLS OF TALLAHASSEE.
09:48:49 I DON'T KNOW WHO IN THE AUDIENCE HAS BEEN THERE.
09:48:51 THIS TYPE OF ACCESS DOESN'T HAPPEN IN TALLAHASSEE.
09:48:54 AT LEAST NOT ANYMORE, SENATOR.
09:48:57 YOU GO THERE.

09:48:59 THEY'LL HAVE A FOUR-HOUR AGENDA WITH 50 BILLS ON IT.
09:49:03 THEY PUT THE MOST IMPORTANT BILLS IN THE LAST 20 MINUTES.
09:49:06 AS YOU'RE UP THERE SPEAKING -- AND THIS IS GOSPEL TRUTH --
09:49:09 THEY ARE DOING THIS TO YOU.
09:49:11 OR THEY SAY YOU HAVE 30 SECONDS OR YOU HAVE A MINUTE.
09:49:15 AND YOU DROVE FROM NAPLES OR ESTERO TO GO TELL YOUR WORLD
09:49:21 VIEW ON WHAT'S IMPORTANT TO YOU AND THEY ARE DOING THIS TO
09:49:25 YOU.
09:49:26 THAT DOESN'T HAPPEN AT A CITY COUNCIL MEETING.
09:49:27 TRUST ME, IT DOES NOT HAPPEN AT A CITY COUNCIL MEETING.
09:49:30 YOU HAVE TIME LIMITS, BUT YOU ALSO MEET MORE OFTEN SO PEOPLE
09:49:35 CAN COME IN AND READDRESS YOU.
09:49:37 THERE'S 60 DAYS IN TALLAHASSEE.
09:49:38 THERE'S THOUSANDS OF PEOPLE, THOUSANDS OF PAID LOBBYISTS
09:49:42 PLUS CITIZENS GROUPS COMING UP TRYING TO HAVE SOME INPUT,
09:49:46 IT'S LARGELY DYSFUNCTIONAL IN TERMS OF HAVING INPUT FROM THE
09:49:50 CITIZENS, AND WE'RE TRYING TO STOP THAT, SO WE REALLY
09:49:53 BELIEVE THAT A CITY IS A REFLECTION OF THE BUSINESS
09:49:58 COMMUNITY, OF THE CITIZENS, AND OF THE NEIGHBORHOOD AND
09:50:00 NEIGHBORHOOD GROUPS AND HOME ASSOCIATIONS THAT MAKE UP THAT

09:50:03 CITY.
09:50:04 AND THAT OUGHT TO BE WHERE THE DECISION MAKING COMES FROM,
09:50:07 NOT FROM TALLAHASSEE.
09:50:08 THERE ARE DECISIONS THAT ARE BEING MADE IN TALLAHASSEE BY
09:50:12 PEOPLE THAT HAVE NEVER STEPPED FOOT IN YOUR CITY AT ALL.

09:50:17 THEY MAY NOT EVEN BE ABLE TO PLACE IT ON A MAP.
09:50:20 SO WE THINK THAT'S WRONG.
09:50:23 IN THE CONSTITUTION, FLORIDA VOTERS IN 1968 PUT WHAT'S
09:50:26 CALLED HOME RULE.
09:50:27 PRIOR TO THAT, EVERY DECISION IF YOU WANTED TO CHANGE AN
09:50:30 ORDINANCE AT THE LOCAL LEVEL, IT HAD TO GO THROUGH THE
09:50:32 LEGISLATIVE PROCESS, AND THAT BECAME EXTREMELY UNWIELDY.
09:50:36 IN 1968, THE VOTERS PUT IN HOME RULE, WHICH MEANS YOU ALL
09:50:40 ARE ALLOWED TO HAVE AUTHORITY TO SAY WHAT'S BEST FOR YOUR
09:50:44 CITIES, FOR YOUR CITIZENS.
09:50:47 IT PASSED OVERWHELMINGLY.
09:50:50 I WANT TO SHOW YOU THAT -- THE 72%.
09:50:53 SO THE TEXT BEHIND THAT SAYS WE DO POLLING EVERY YEAR, AND
09:50:56 THIS YEAR, THE MOST RECENT POLL IS 2020.
09:51:00 MY LOCAL GOVERNMENT IS MORE CONNECTED TO MY NEEDS AND BETTER
09:51:03 REFLECTS LOCAL VALUES THAN STATE GOVERNMENT.
09:51:06 72% OF CITIZENS WHEN THEY WERE ASKED THAT QUESTION AGREED
09:51:10 WITH THAT STATEMENT.
09:51:11 72%.
09:51:12 YOU FIND ME SOMETHING ELSE THAT 72% OF ANYBODY AGREES ON
09:51:17 NOWADAYS AND I'LL GIVE YOU $5.
09:51:20 I PROBABLY WILL STILL HAVE THAT $5 IN MY POCKET WHEN I LEAVE
09:51:23 HERE.
09:51:23 BUT THERE ARE VERY, VERY FEW THINGS THAT YOU CAN GET 72% OF
09:51:29 PEOPLE TO AGREE ON.

09:51:31 BENEFITS OF LOCAL DECISION MAKING.
09:51:35 YOU ALL ARE COMPETING.
09:51:37 AS CITIES, YOU'RE COMPETING WITH OTHER CITIES TO BRING THE
09:51:40 BEST LEVEL OF SERVICES TO MAKE SURE THAT YOU'RE BRINGING IN
09:51:43 THE JOBS THAT BEST FIT THE NEEDS AND WANTS AND DESIRES OF
09:51:46 YOUR COMMUNITIES.
09:51:47 YOU'RE MAKING DECISIONS ABOUT WHETHER YOU'RE GOING TO ALLOW
09:51:49 STRIP CLUBS OR VACATION RENTALS OR MASSAGE PARLORS OR FILL
09:51:54 IN THE BLANK, SCOOTERS RUNNING AROUND BEING RENTED BY
09:51:56 EVERYBODY.
09:51:57 WHATEVER IT IS, YOU ALL ARE MAKING THOSE DECISIONS.
09:52:00 SO YOU'RE COMPETING AGAINST OTHER CITIES.
09:52:02 IF YOU FIND A CITY IS DOING SOMETHING BETTER, HOPEFULLY YOU
09:52:06 LOOK AT IT AND SAY, HEY THAT CITY HAS A PRETTY DARN GOOD
09:52:09 IDEA.
09:52:10 LET'S TAKE THAT IDEA ON AND LET'S MAKE IT BETTER EVEN.

09:52:13 THERE'S COMPETITION AT THE LOCAL LEVEL.
09:52:16 RESPONSIVENESS.
09:52:17 LOCAL GOVERNMENTS HAVE BETTER INFORMATION ON THEIR CITIZENS'
09:52:19 PREFERENCES, TO WIT, THEY ARE SITTING RIGHT HERE TELLING YOU
09:52:23 THIS RIGHT NOW AND WILL HAVE AN OPPORTUNITY TO SPEAK TO YOU
09:52:26 DIRECTLY.
09:52:26 KIDS, GRANDKIDS, BASEBALL GAMES, SOCCER GAMES, THE STORE,
09:52:30 THE GAS STATION, WHATEVER IT IS, I'M SURE YOU'VE ALL BEEN
09:52:35 POLITELY ACCOSTED AT YOUR LOCAL WHATEVER, FILL IT IN,

09:52:40 GROCERY STORES, CVS, WHATEVER IT IS.
09:52:42 "HEY, I NEED TO TALK TO YOU ABOUT AN ISSUE."
09:52:45 DAY OR NIGHT, IT'S HAPPENING.
09:52:46 LOWER MISTAKES, FEWER MISTAKES.
09:52:51 QUICK EXAMPLE OF THAT AND I'M NOT ANTIGUN.
09:52:54 THIS IS JUST AN EXAMPLE THAT I CAN TELL YOU THAT MAKES SENSE
09:52:57 TO YOU.
09:52:57 IN FACT, I'M A CONCEALED WEAPONS PERMIT HOLDER, BUT I JUST
09:53:01 WANT TO MAKE SURE BECAUSE I'M GOING TO USE AN EXAMPLE ABOUT
09:53:03 GUNS.
09:53:04 I'M NOT ANTIGUNS.
09:53:05 I DON'T WANT ANYBODY WALKING AWAY WITH THE IMPRESSION THAT I
09:53:08 AM.
09:53:08 BUT THE LEGISLATURE ABOUT TEN YEARS AGO PASSED A PIECE OF
09:53:11 LEGISLATION THAT SAID ALL LOCAL ORDINANCES THAT PREEMPTED
09:53:14 THE NRA CAME IN AND SAID WE'RE TIRED OF ALL THE LOCAL
09:53:19 REGULATIONS DEALING WITH GUNS.
09:53:20 LEGISLATURE, YOU NEED TO COME IN AND STEP IN AND FIX THE
09:53:23 PROBLEM.
09:53:24 THE PROBLEM, AIR QUOTES.
09:53:25 WELL, THE PROBLEM IS THAT SOME CITIES WERE MAKING ORDINANCES
09:53:29 ABOUT USES OF GUN RANGES AND THINGS LIKE THAT WITHIN THEIR
09:53:32 CITY LIMITS.
09:53:33 AND LO AND BEHOLD, THE LEGISLATURE CAME IN AND SAID NO MORE.
09:53:37 THE LEGISLATURE HAS FULL AUTHORITY ON ANYTHING DEALING WITH

09:53:40 GUNS.
09:53:41 WHAT HAPPENED IS THAT PEOPLE STARTED SETTING UP GUN RANGES
09:53:45 IN THEIR BACKYARDS IN URBAN AREAS.
09:53:48 I LIKE TO PRACTICE SHOOT.
09:53:50 BUT I DON'T WANT TO DO IT IN MY NEIGHBORHOOD.
09:53:52 IT'S NOT VERY COOL TO HAVE PEOPLE, MY NEIGHBORS WORRYING
09:53:56 ABOUT ONE OF THE SHOTS GOING ASTRAY.
09:53:57 ALL THE ORDINANCES DEALING WITH SHOOTING GUNS IN THE AIR,
09:54:01 ALL THOSE THINGS, THEY ALL WENT OUT THE WINDOW.
09:54:04 SO A FEW YEARS LATER IT TOOK A FEW YEARS, AND THAT'S THE
09:54:07 KEY.
09:54:07 IT TOOK A FEW YEARS BECAUSE OF THOUSANDS OF BILLS BEING

09:54:11 FILED EACH YEAR.
09:54:12 THEY HAVE TO GO THROUGH THIS FUNNEL AND ONLY AT THE END, OUT
09:54:15 OF THOUSANDS THAT ARE FILED THERE MAY BE THREE OR FOUR
09:54:18 HUNDRED THAT ULTIMATELY PASS.
09:54:19 IF YOU DON'T MAKE IT THROUGH THAT FUNNEL, YOU'VE GOT TO WAIT
09:54:23 FOR 60 DAYS FOR THE NEXT YEAR FOR THE LEGISLATURE TO COME
09:54:26 BACK AND TRY TO GET IT RIGHT THE FOLLOWING TIME.
09:54:29 SO FEWER MISTAKES, LOWER MISTAKES.
09:54:32 AT THE LOCAL LEVEL, IF YOU DO SOMETHING WRONG, YOU CAN
09:54:34 CORRECT IT PRETTY DARN QUICKLY.
09:54:36 FIRST OF ALL, YOU'LL HEAR ABOUT IT PRETTY QUICKLY AND YOU'LL
09:54:38 HAVE THE OPPORTUNITY BECAUSE YOU MEET FAR MORE OFTEN AND
09:54:41 YOU'RE GOING TO BE ABLE TO CORRECT THE MISTAKES AND THE

09:54:44 STAKES AREN'T AS HIGH.
09:54:45 PARTICIPATION IN DEMOCRACY.
09:54:47 LOOK AROUND, YOU'VE GOT -- THIS IS AS DEMOCRATIC AS IT GETS,
09:54:51 SMALL D, DEMOCRATIC AS IT GETS IN TERMS OF JUST PEOPLE BEING
09:54:55 ABLE TO FULLY PARTICIPATE, HAVE A SAY IN WHAT'S GOING ON IN
09:54:58 THE WORLD AROUND THEM THAT AFFECTS THEM.
09:55:00 IT'S LESS IDEOLOGICAL.
09:55:04 YOU DON'T RUN WITH PARTY LABELS NEXT TO YOUR NAME WHEN YOU
09:55:07 RUN FOR CITY COUNCIL.
09:55:07 NOT REALLY A DEMOCRATIC WAY TO FILL A POTHOLE AND REPUBLICAN
09:55:10 WAY TO FILL A POTHOLE.
09:55:12 NOT A DEMOCRATIC WAY TO MAKE SURE THAT THE STORMWATER RUNS
09:55:14 INTO THE PROPER PLACE AND IS CLEANED PROPERLY.
09:55:17 NOT A REPUBLICAN WAY TO DO THAT.
09:55:18 THERE'S JUST GETTING IT DONE.
09:55:21 THAT'S WHAT YOU ALL DO.
09:55:22 YOU GET IT DONE.
09:55:23 AND YOUR CITIZENS DEMAND THAT, AND THEY WANT THAT.
09:55:25 IF YOU DON'T, YOU GOT TO FACE THEM AT THE BALLOT A LOT
09:55:30 SOONER AND IT IS A LOT MORE PERSONAL TO EVERYONE HERE
09:55:32 BECAUSE YOU'RE THE FIRST -- YOU AFFECT THEIR LIVES MORE THAN
09:55:36 THEY DO UP IN TALLAHASSEE IN TERMS OF HAVING THE DAY TO DAY,
09:55:39 WHEN THEY TURN ON THE LIGHT SWITCH, DOES THE POWER COME ON,
09:55:45 DOES THE RAIN GO DOWN THE STORM DRAINS?
09:55:48 PARKS AND RECREATION?

09:55:49 POTHOLES IN THE STREET?
09:55:50 YOU ALL ARE THE FRONT LINE.
09:55:51 MORE DECENTRALIZED POWER.
09:55:54 OUR FOUNDING FATHERS DEFINITELY ENVISIONED DECENTRALIZED
09:55:58 POWER.
09:55:59 THIS ISN'T SOME POLITBURO AND IT'S TURNING INTO THAT IN
09:56:03 TALLAHASSEE IN TERMS OF ALL THESE REALLY BIG DECISIONS BEING
09:56:06 MADE UP IN TALLAHASSEE WITH VERY LITTLE INPUT FROM THE

09:56:10 AVERAGE CITIZEN.
09:56:11 SO IT'S JUST NOT -- IT'S REALLY NOT WORKING.
09:56:14 U.S. SENATOR LIKE LEE FROM UTAH SAID IT BEST.
09:56:17 THE TRUE BEAUTY OF LOCALISM, HUNDREDS OF YEARS AFTER THE
09:56:19 FOUNDING, IT STILL OFFERS OUR COUNTRY THE BEST WAY FORWARD.
09:56:23 KEEP THAT IN MIND.
09:56:23 YOU ALL ARE WHERE THE RUBBER MEETS THE ROAD ON THAT -- ON
09:56:27 THIS.
09:56:27 SENATOR JASON PIZZO HAS A REALLY GREAT THEORY ABOUT
09:56:31 BULL'S-EYE THEORY OF LOCAL DECISION MAKING.
09:56:34 THE FARAWAY, DISTANT DECISIONS IN D.C., WHO IS PAYING
09:56:38 ATTENTION?
09:56:39 YOU KNOW, ALL THE MINUTIA OF RUNNING THE GOVERNMENT AND ALL
09:56:42 THAT STUFF, YOU ALL ARE DEALING WITH REAL DAY-TO-DAY LIFE
09:56:47 ISSUES.
09:56:47 SO YOU'RE THE BULL'S-EYE.
09:56:50 HOME IS WHERE THE HEART IS.

09:56:51 HOME IS WHERE THE MINDSET IS.
09:56:53 SENATOR PIZZO IS RIGHT.
09:56:56 DID YOUR GARBAGE GET PICKED UP?
09:56:58 DID THE STREET LIGHTS COME ON?
09:57:00 FAUCETS RUNNING WATER?
09:57:01 PLACES CLOSEST TO YOUR HOME AND HEART IS THE MOST IMPORTANT.
09:57:04 I MENTIONED -- SO TROUBLING TRENDS.
09:57:07 92 PREEMPTIONS OVER THE LAST 11 YEARS.
09:57:12 SO PREEMPTIONS ARE WHERE THE STATE STEPS IN AND TAKES THE
09:57:15 AUTHORITY AWAY, NOT FROM YOU ALL -- YES, FROM YOU ALL, BUT
09:57:19 NOT REALLY THAT.
09:57:21 WHAT IT'S REALLY ABOUT IS TAKING THE POWER AWAY FROM THE
09:57:23 CITIZENS IN THIS ROOM TO HAVE A SAY IN WHAT'S GOING ON IN
09:57:26 THEIR OWN COMMUNITIES.
09:57:27 THAT'S REALLY WHAT A PREEMPTION DOES, IS IT TAKES AWAY THAT
09:57:30 AUTHORITY FROM THE CITIZENS HAVING A SAY IN WHAT'S GOING ON
09:57:33 IN THEIR CITY.
09:57:34 LAST YEAR, THE LEGISLATURE PASSED A BILL DEALING WITH
09:57:37 HOME-BASED BUSINESSES.
09:57:39 WHAT THAT MEANS IS IT'S NOT A LAWYER LIKE THE GOOD SENATOR
09:57:42 SAUNDERS FROM -- YOU KNOW, HAVING A CLIENT COME OVER AND
09:57:46 VISIT HIM OR SOMEBODY WITH A SINGLE BARBER CHAIR, SETTING UP
09:57:50 A BARBER CHAIR AND CUTTING HAIR OCCASIONALLY.
09:57:52 NO, IT IS FULL-FLEDGED BUSINESS.
09:57:54 IT MEANS SOMEBODY CAN OPEN A WELDING SHOP.

09:57:58 SOMEONE CAN OPEN A MACHINE SHOP.
09:58:01 SOMEONE CAN START TO RENT MOTOR SCOOTERS OR JET SKIS OR OPEN
09:58:02 A MASSAGE PARLOR OR WHATEVER.
09:58:05 THE LEGISLATURE DID AWAY WITH THE ZONING OF RESIDENTIAL

09:58:07 VERSUS COMMERCIAL VERSUS INDUSTRIAL, AND THEY SAID IF A
09:58:10 BUSINESS IS ALLOWED IN YOUR CITY LIMITS, SOMEBODY CAN
09:58:13 OPERATE THAT BUSINESS FROM THEIR HOME.
09:58:15 WAIT UNTIL IT STARTS POPPING UP AND YOU'LL SEE WHAT THAT
09:58:19 MEANS TO YOU IN THE REAL WORLD.
09:58:21 YOU'LL GET AN AWFUL LOT OF CALLS AND YOUR ANSWER SHOULD BE,
09:58:24 TALK TO YOUR STATE LEGISLATURE BECAUSE THAT WAS THEIR
09:58:26 BRILLIANT IDEA.
09:58:27 ANOTHER IMPORTANT PIECE, THERE ARE A COUPLE OF OTHER, THE
09:58:30 TREE TRIMMING REGULATION THAT I TALKED ABOUT.
09:58:33 BILLBOARDS AND COMMERCIAL SIGNAGE, PLASTIC BAGS, SUNSCREEN,
09:58:37 CELL PHONE TOWERS.
09:58:39 WHEN THE 5G STARTS BEING FULLY IMPLEMENTED AND YOU WAKE UP
09:58:42 IN THE MORNING, ONE MORNING AND THERE IS A BIG TELECOM POLE
09:58:50 IN YOUR FRONT YARD ON THE RIGHT-OF-WAY AND YOU SAY, WHAT IS
09:58:52 THE HECK, WHERE DID THIS COME FROM?
09:58:54 AGAIN, THE FLORIDA LEGISLATURE HAS DECIDED THAT THEY WANT TO
09:58:58 CONTROL LOCAL GOVERNMENT RIGHT-OF-WAYS.
09:59:00 THIS IS ASTOUNDING TO ME, IS THE TELECOMM COMPANIES DON'T
09:59:05 HAVE TO PAY FULL MARKET VALUE.
09:59:06 THEY DECIDED THAT THE RIGHT-OF-WAY VALUE IN MIDWAY FLORIDA,

09:59:10 SMALL TOWN WHERE I LIVE IN TALLAHASSEE, THE RIGHT-OF-WAY
09:59:13 VALUE IS THE SAME IN MIDWAY FLORIDA AS IT IS IN ESTERO OR
09:59:17 NAPLES OR MIAMI OR WHATEVER.
09:59:18 THEY PUT A CAP ON WHAT YOU CAN CHARGE, THE TELECOMM
09:59:24 COMPANIES ACROSS THE STATE.
09:59:25 TALK ABOUT CENTRALIZED PLANNING.
09:59:26 THIS IS SUPPOSED TO BE SMALL GOVERNMENT CONSERVATIVES.
09:59:29 THAT'S NOT WHAT IS HAPPENING IN TALLAHASSEE.
09:59:31 THEY ARE TAKING OVER IN AREAS THAT THEY DO NOT BELONG.
09:59:34 THERE IS A LOT GOING ON.
09:59:36 I TALKED TO SOME ABOUT ZONING.
09:59:39 ONE GOOD THING I WANT TO POINT OUT TO YOU REAL QUICK.
09:59:42 A FEW YEARS AGO, ABOUT 10 OR 12 YEARS AGO, THE LEGISLATURE
09:59:46 STRIPPED LOCAL GOVERNMENTS OF THE AUTHORITY TO HAVE ANY SAY
09:59:49 IN SMOKING IN PUBLIC PARKS.
09:59:51 YOU COULD BE SITTING THERE WATCHING, PLAYING AT THE TENNIS
09:59:54 COURT AND SOMEBODY CAN LIGHT UP A CIGARETTE, CIGAR, WHATEVER
09:59:57 IT IS, AND SMOKE IT RIGHT THERE AND YOU MAY HAVE ASTHMA.
10:00:00 YOU MAY JUST NOT LIKE THE SMELL OF IT.
10:00:02 YOU'RE OUT THERE TRYING TO BE HEALTHY, PLAYING TENNIS,
10:00:04 WHATEVER, THE LOCAL GOVERNMENTS HAVE NO SAY IN WHAT GOES ON
10:00:08 IN TERMS OF SMOKING.
10:00:09 THERE IS A BILL FILED THIS YEAR THAT WE'RE PUSHING, TRY TO
10:00:12 REALLY WORK HARD ON IT TO GET THAT BILL.
10:00:16 IT WILL BE A SMALL VICTORY, BUT WE THINK A MEANINGFUL DOCTOR

10:00:19 IN TERMS OF TURNING BACK THE TIDE OF THEM STRIPPING CITIZENS
10:00:23 AND THE LOCAL GOVERNMENTS OF DECISION MAKING AUTHORITY.
10:00:26 REMEMBER THIS, AND THIS IS IMPORTANT FOR YOU ALL AND IT'S
10:00:30 IMPORTANT FOR EVERYBODY IN THIS AUDIENCE, IS THAT THE
10:00:34 LEGISLATORS HAVE A LOT OF PEOPLE.
10:00:36 THERE'S A BUNCH OF HIRED LOBBYISTS IN TALLAHASSEE.
10:00:41 I'M ONE.
10:00:42 THEY ARE NOT BAD.
10:00:43 THEY ARE REPRESENTING THEIR CLIENTS DOING WHAT THEY ARE
10:00:45 SUPPOSED TO BE DOING.
10:00:46 THEY ARE UP THERE IN THE LEGISLATOR'S EAR.
10:00:49 I GET TO TALK TO LEGISLATORS EVERY DAY, AND YOU ALL DON'T
10:00:53 NECESSARILY HAVE THAT OPPORTUNITY BECAUSE YOU'RE NOT IN
10:00:55 TALLAHASSEE DURING THE 60-DAY SESSION.
10:00:57 SO SOMEBODY IS TELLING THEM HOW TO VOTE AND IN TALLAHASSEE
10:01:02 IT'S VERY DIFFICULT TO TELL THEM DURING THE COURSE OF
10:01:04 SESSION, UNLESS YOU HAVE THEIR PERSONAL CELL NUMBER AND CAN
10:01:08 PICK UP THE PHONE BECAUSE THEY ARE SLAMMED.
10:01:10 YOU HAVE TO GIVE A 30-SECOND SPIEL ON THE ELEVATOR ABOUT
10:01:13 HERE'S WHY YOU WANT THEM TO VOTE YOUR WAY.
10:01:15 IF YOU DON'T TELL YOUR ELECTED OFFICIALS WHAT'S ON YOUR MIND
10:01:20 AND WHAT TO DO, HOW TO VOTE AND YOU DON'T HOLD THEM
10:01:23 ACCOUNTABLE, YOU LEAVE THEM FREE TO DO WHATEVER IT IS.
10:01:26 I DIDN'T HEAR FROM MY FOLKS BACK HOME, SO I'LL VOTE THE WAY
10:01:29 THE LOBBYIST FOR THIS PARTICULAR INDUSTRY OR THIS GROUP

10:01:33 WANTS ME TO VOTE BECAUSE THAT'S WHO I HEARD FROM.
10:01:35 SO YOU ARE LEAVING IT TO THE OTHER SIDE TO TELL THEIR STORY
10:01:38 AND YOU DON'T GET A CHANCE TO TELL YOUR STORY.
10:01:41 SO WE ARE TRYING TO ENCOURAGE PEOPLE TO SCAN ON Facebook.
10:01:47 YOU CAN GO TO THIS QR CODE.
10:01:49 YOU CAN TEXT THE WORDS "LOCAL VOICES" TO 50457.
10:01:53 WHAT THAT WILL DO IS SEND YOU BACK A LINK AND IT WILL ASK
10:01:57 YOU, WHAT ISSUES DO YOU WANT TO RECEIVE INFORMATION ON?
10:02:02 WE FOLLOW PROBABLY 6 OR 8 HUNDRED BILLS A YEAR, THE LEAGUE
10:02:06 OF CITIES DOES.
10:02:07 WE'RE NOT GOING TO SEND YOU 6 TO 8 HUNDRED BILLS A YEAR
10:02:10 DURING THE COURSE OF THE SESSION.
10:02:11 WE'LL NARROW IT DOWN TO THOSE REALLY KEY ISSUES.
10:02:14 THE SMOKING IN PARKS.
10:02:15 THE HOME-BASED BUSINESS.
10:02:16 THE STUFF THAT'S REALLY GOING TO AFFECT YOUR DAILY LIVES SO
10:02:19 THAT -- AND IF YOU WANT TO STOP, YOU CAN SEND A STOP TEXT
10:02:23 AND WE'LL STOP.
10:02:24 TEXT OR E-MAIL.
10:02:25 WE REALLY ENCOURAGE YOU ALL TO GET INVOLVED.
10:02:27 WE'RE TRYING TO BUILD A BIGGER ARMY, TRYING TO MAKE SURE
10:02:30 THAT LEGISLATORS KNOW THAT PEOPLE ARE WATCHING, THAT WE'RE

10:02:33 HOLDING THEM ACCOUNTABLE.
10:02:34 LOCAL VOICES UNITED.
10:02:36 IT'S A NEW PROGRAM WITH THE LEAGUE OF CITIES.

10:02:38 AGAIN, I'M SCOTT DUDLEY.
10:02:40 I'M GOING TO GIVE YOU ALL -- I DO THIS EVERYWHERE.
10:02:42 I'M OKAY WITH IT.
10:02:43 SO MY CELL NUMBER IS 850-570-7296.
10:02:49 IF YOU HAVE A QUESTION ABOUT WHAT'S GOING ON IN THE
10:02:56 LEGISLATIVE PROCESS OR HOW WE CAN WORK TOGETHER TO HELP YOU
10:02:59 STOP SOMETHING OR TO PUSH SOMETHING, PLEASE CALL ME.
10:03:01 I'M THERE TO ASSIST YOU.
10:03:04 I ENCOURAGE YOU ALL TO PLEASE TAKE THIS MESSAGE OR INVITE ME
10:03:07 TO COME BACK IF YOU HAVE A GROUP, WHETHER IT'S ELKS CLUB,
10:03:11 MOOSE CLUB, WHATEVER IT IS, ROTARIANS, THE JAYCEES, IF YOU
10:03:19 HAVE A GROUP THAT NEEDS TO HEAR THE MESSAGE SO THEY ARE
10:03:21 GETTING INVOLVED.
10:03:22 I'M HAPPY TO COME BACK.
10:03:24 PLUS I LOVE THIS PART OF THE STATE.
10:03:26 PLEASE INVITE ME BACK.
10:03:27 I WOULD LOVE TO COME TALK TO WHATEVER GROUP IT IS THAT YOU
10:03:30 HAVE FOR ME.
10:03:31 AND WE NEED TO GET -- WE NEED TO ALL BE WORKING TOGETHER.
10:03:34 THE LEGISLATURE IS TRAMPLING ON YOUR RIGHTS AND WE NEED TO
10:03:37 STOP THEM.
10:03:38 I'M HAPPY TO ANSWER ANY QUESTIONS.
10:03:40 >>Mayor Errington: THANK YOU.
10:03:41 BEFORE YOU STEP DOWN, I WANT TO MAKE SURE I THANK JOANNE
10:03:45 RIBBLE, OUR COUNCIL MEMBER FOR COORDINATING YOUR VISIT HERE

10:03:48 TODAY.
10:03:49 THANK YOU.
10:03:49 APPRECIATE THAT.
10:03:59 >>Jim Boesch: THE LEGISLATORS, AT THIS PARTICULAR POINT,
10:04:03 THEY ARE TRAMPLING ON HOME RULE BECAUSE THEY THINK THEY CAN
10:04:07 GET AWAY WITH IT.
10:04:09 I KNOW YOU GUYS ARE WORKING HARD FROM THE LEAGUE OF CITIES
10:04:15 BUT IT MUST BE UNDERSTANDABLE TO ALL OF US.
10:04:19 FOUR, FIVE YEARS WE WENT THROUGH THE SAME THING.
10:04:21 WE HAD LEGISLATORS IN HERE.
10:04:24 BUT THE BOTTOM LINE IS THEY SHOULDN'T CARE BECAUSE THEY
10:04:26 DIDN'T THINK IT WOULD HURT THEM GETTING ELECTED AGAIN.
10:04:31 THAT'S THE BOTTOM LINE.
10:04:33 THEY THINK THEY ARE MORE POWER IN THEIR STATE LEGISLATIVE
10:04:40 FUNCTION THAN WE ARE IN OUR LOCAL LEGISLATIVE FUNCTION.
10:04:43 THE ONLY THING I BELIEVE AT THIS PARTICULAR POINT THEY COULD
10:04:49 POSSIBLY CHANGE THEIR MIND IS A DELUGE OF LETTERS, IF YOU
10:04:56 GET BACK TO THE --

10:05:01 [INDISCERNIBLE]
10:05:01 -- THAT'S THE THING THAT I THINK IS GOING TO CHANGE THEIR
10:05:04 MIND THAT THEY SAY, WAIT A MINUTE, NEVER UNDERSTOOD, BUT
10:05:09 THAT WON'T EVEN AFFECT THEM.
10:05:10 WILL IT HURT ME GET ELECTED?
10:05:14 THAT WILL HURT THEM.
10:05:14 AND THAT'S THE MESSAGE WE HAVE TO GET TOGETHER.

10:05:18 UNTIL SOME ENTITY, WHETHER IT'S YOUR ENTITY OR NOT,
10:05:23 STATEWIDE CAN COME UP WITH A PROGRAM WHERE WE CAN GET TO THE
10:05:26 RESIDENTS AND COORDINATE EITHER A LETTER OR WHATEVER, YOU
10:05:32 KNOW, AND PUT THAT ON EVERY REP'S AND SENATOR'S DESK, THAT
10:05:40 WE HAVE COMMUNICATION FACILITIES OF E-MAILS, POUR THE
10:05:46 E-MAILS IN ALL THESE PEOPLE AND TELL THEM THAT WE'RE NOT
10:05:49 GOING TO BE VOTING FOR YOU IF YOU KEEP ON GOING FORWARD WITH
10:05:55 OVERALL ELIMINATIONS.
10:05:58 IT'S THE ONLY WAY IT'S GOING TO GET DONE IN MY OPINION.
10:06:01 I'VE BEEN INVOLVED A LONG TIME IN POLITICS.
10:06:04 IT'S THE ONLY WAY IT'S GOING TO GET DONE BECAUSE THREE OR
10:06:09 FOUR YEARS, WE HAD A HEAVY MESSAGE AGAINST THEM.
10:06:12 DIDN'T BOTHER THEM AT ALL.
10:06:13 THEY WENT AHEAD WITH IT BECAUSE THEY FEEL THEY ARE GOING TO
10:06:17 GET REELECTED AND ALSO GO AHEAD AND DO IT.
10:06:20 IT'S GOT TO BE A CAMPAIGN WHERE THEY UNDERSTAND IT'S GOING
10:06:24 TO AFFECT THEIR ELECTION NEXT REGISTRATION.
10:06:29 I THINK YOUR MESSAGE THAT YOU HAVE HERE IS VERY NICE, BUT
10:06:35 IT'S PRETTY.
10:06:38 NOT INTERESTED IN PRETTY.
10:06:39 >>Mayor Errington: IN THE ESSENCE OF TIME, THIS DISCUSSION
10:06:42 COULD GO ON AND ON AND ON, WE DO HAVE A FULL AGENDA HERE.
10:06:45 I WOULD LIKE TO TRY TO LIMIT THE DISCUSSION SOMEWHAT.
10:06:50 I THINK THE MESSAGE HAS BEEN RECEIVED.
10:06:52 THANK YOU, COUNCIL MEMBER BOESCH.

10:06:53 >>Scott Dudley: IF I CAN SAY REAL FAST.
10:06:56 I AGREE WITH YOU 100%.
10:06:58 WE'RE ROLLING THIS PROGRAM OUT.
10:07:00 WE'RE TRYING TO DO EXACTLY WHAT YOU SUGGEST.
10:07:02 COULDN'T AGREE MORE.
10:07:03 THAT'S EXACTLY WHAT WE'RE TRYING TO DO.
10:07:04 THIS IS THE BELLS AND WHISTLE PRESENTATION.
10:07:09 WE'RE IN THE GRASSROOTS.
10:07:10 WE'RE GOING TO ROLL UP OUR SHIRTSLEEVES AND WE'RE GOING TO
10:07:12 MAKE IT HAPPEN.
10:07:14 WE'RE GOING TO PUT ON OUR WADERS AND WE'RE GOING TO GET
10:07:18 WHEREVER WE NEED TO GET.
10:07:19 THAT'S WHY I ASK YOU TO, PLEASE, IF YOU HAVE A GROUP THAT
10:07:20 YOU THINK NEEDS TO HEAR THE MESSAGE, I'M HAPPY TO DELIVER

10:07:23 THAT MESSAGE AND WORK TOGETHER WITH YOU ALL.
10:07:25 >>Mayor Errington: VICE-MAYOR.
10:07:26 >>Vice-Mayor McLain: THANK YOU FOR YOUR PRESENTATION.
10:07:28 THANK YOU FOR COMING DOWN HERE.
10:07:29 IT WAS INTERESTING THIS MORNING, I WAS WALKING THE DOG, AND
10:07:32 WE HAVE A LOCAL WEEKLY PAPER THAT COMES OUT CALLED THE
10:07:34 BANNER.
10:07:35 IT'S DISTRIBUTED IN ESTERO AND BONITA AND PROBABLY PARTS OF
10:07:40 FORT MYERS.
10:07:40 AND THEY WERE TALKING ABOUT AS SENATOR TRAVIS HUTSON IN
10:07:46 ST. AUGUSTINE AND HE IS DOING WHATEVER THE BILL IS, SENATE

10:07:49 SOMETHING, SB 280.
10:07:53 IT'S LIKE AN ALL-ENCOMPASSING ATTACK ON THIS.
10:07:58 I THINK THE LOCAL INVOLVEMENT, THESE KIND OF THINGS ARE
10:08:03 IMPORTANT.
10:08:03 THE NEXT IS THAT WE NEED TO EDUCATE PEOPLE ON HOW THEY CAN
10:08:06 COMMUNICATE THEIR DESIRE TO MAINTAIN THAT HOME RULE.
10:08:10 SO WE APPRECIATE YOUR HELP AND THE LEAGUE OF CITIES TO KEEP
10:08:14 THIS MOVING FORWARD.
10:08:16 >>Scott Dudley: IF PEOPLE GET ON OUR Facebook PAGE AND
10:08:18 TEXT, ON THAT, WE'RE TRYING TO MAKE IT SUPER SIMPLE, IS THAT
10:08:22 WHEN THERE IS AN ISSUE, WE'LL HAVE WRITTEN SEVERAL LETTERS.
10:08:27 ALL THEY HAVE TO DO IS PUSH A BUTTON, BECAUSE WHEN THEY PULL
10:08:30 UP THAT, IT WILL KNOW WHICH ZIP CODE THEY ARE FROM, WHO
10:08:34 THEIR LEGISLATOR IS.
10:08:35 YOU'LL BE ABLE TO PUSH A BUTTON AND SEND A LETTER TO A
10:08:38 LEGISLATOR TO MAKE IT REALLY, REALLY EASY BECAUSE PEOPLE ARE
10:08:41 BUSY.
10:08:41 WE'RE TRYING TO MAKE IT AS STREAMLINED AND AS SIMPLE AS
10:08:44 POSSIBLE FOR EXACTLY THAT SO THAT WE CAN GET PEOPLE TO WEIGH
10:08:47 IN AND JUST SAY, THIS IS WRONG.
10:08:50 >>Mayor Errington: THANK YOU.
10:08:51 ANYONE ELSE HAVE ANY COMMENTS?
10:08:53 QUESTIONS?
10:08:54 THANK YOU SO MUCH.
10:08:55 WE REALLY APPRECIATE YOUR BEING HERE TODAY, AND WE WILL BE

10:08:58 IN TOUCH.
10:08:59 >>Scott Dudley: THANK YOU VERY MUCH.
10:09:00 I APPRECIATE YOU HAVING ME HERE TODAY, AND THANK YOU AGAIN
10:09:04 FOR EVERYTHING YOU DO.
10:09:05 >>Mayor Errington: I WILL SEE THAT YOU BECOME A SPEAKER AT
10:09:08 THE VILLAGE OF ESTERO ROTARY CLUB.
10:09:10 YOU WILL BE ON THE AGENDA.
10:09:12 [ LAUGHTER ]
10:09:13 >>Scott Dudley: GREAT.
10:09:14 >> GET YOUR HELICOPTER GOING.

10:09:16 >>Scott Dudley: THANK YOU VERY MUCH FOR ALL YOU DO.
10:09:18 HOPE YOU COME TO LEGISLATIVE ACTION DAYS UP IN TALLAHASSEE.
10:09:21 >>Mayor Errington: WORKING ON IT.
10:09:21 YES, THANK YOU.
10:09:22 THANK YOU VERY MUCH.
10:09:23 HAVE A SAFE TRIP BACK.
10:09:26 ITEM NUMBER 4, PUBLIC COMMENT ON NON-AGENDA ITEMS.
10:09:34 >>Carol Sacco: MAYOR, WE HAVE ONE, MR. JOE MICELI.
10:09:41 ON 3A HE HAS COMMENT ON THAT.
10:09:43 HE'S FROM ROOKERY DRIVE.
10:09:45 >>Mayor Errington: JOE MICELI.
10:09:47 WELCOME.
10:09:52 AS A REMINDER, YOU HAVE THREE MINUTES.
10:09:54 STATE YOUR NAME AND YOUR ADDRESS, PLEASE.
10:09:58 >> THANK YOU, MADAM MAYOR, FOR THE REMINDER.

10:10:01 GOOD MORNING, MADAM MAYOR, COUNCIL MEMBERS.
10:10:04 I'M JOE MICELI.
10:10:06 20271 ROOKERY DRIVE IN ROOKERY POINT IN THE BEAUTIFUL
10:10:10 VILLAGE OF ESTERO.
10:10:10 I SUPPORT WHAT SCOTT SAYS, BUT ONLY I HAVE TO JUST GO A
10:10:16 LITTLE BEYOND THAT.
10:10:18 HE USED THE WORD THAT I PENNED TO MYSELF DURING HIS
10:10:23 PRESENTATION, "ACCOUNTABILITY."
10:10:26 WE CURRENTLY HAVE A STATE LEGISLATOR WHO, IN MY OPINION --
10:10:32 AND REMEMBER, MY OPINION IS WHAT YOU PAY FOR IT.
10:10:36 OKAY.
10:10:37 THAT'S WHAT IT'S WORTH.
10:10:39 HE HAS DONE LITTLE IF ANYTHING TO SUPPORT HOME RULE HERE.
10:10:43 SO WHY DO I BRING UP THIS INDIVIDUAL?
10:10:46 BECAUSE THIS COUNCIL IN THE PAST, BECAUSE I KNOW WE HAVE TWO
10:10:53 NEW FACES HERE.
10:10:54 I DIDN'T GET A CHANCE TO TALK WITH YOU TODAY, JIM, BUT I
10:10:57 WILL THE NEXT TIME I'M BACK, HAS SUPPORTED THIS PERSON
10:11:03 REPEATEDLY.
10:11:05 SO WHAT'S THE SOLUTION?
10:11:07 IT'S TIME TO STOP THE FRIENDSHIPS.
10:11:10 MAYBE HE IS A GOOD FRIEND TO YOU GUYS AND GALS, OKAY?
10:11:16 I COULD CARE LESS AS WAS POINTED OUT BY SCOTT.
10:11:19 THIS GOES BEYOND POLITICS.
10:11:23 WHETHER YOU ARE A DEMOCRAT, REPUBLICAN, INDEPENDENT, WE NEED

10:11:26 TO IDENTIFY PEOPLE WHO WOULD BE WILLING TO RUN, EVEN IF IT'S
10:11:32 AGAINST THE INDIVIDUAL I'M TALKING ABOUT.
10:11:34 I KNOW YOU ALL KNOW WHO I MEAN.
10:11:36 AND GET THAT INDIVIDUAL ELECTED TO REPRESENT THE PEOPLE
10:11:42 RIGHT HERE IN ESTERO.
10:11:45 SO I LOOK FORWARD TO WORKING WITH SCOTT AND HIS

10:11:48 ORGANIZATION, BUT I'M JUST TELLING YOU, IT'S TIME THAT THAT
10:11:53 ONE BE GONE.
10:11:57 PUT HIM OUT TO PASTURE, LIKE THEY DID TO ME AS I GOT OLDER
10:12:01 AND OLDER, FROM MY ACADEMIC POSITIONS.
10:12:05 SO I APPRECIATE YOU LISTENING TO ME TO RAMBLE.
10:12:08 I'M SORRY THAT I'M COMING ON A LITTLE STRONG HERE, BUT
10:12:13 THAT'S MY FEELING.
10:12:14 THAT IS MY PASSION.
10:12:16 WE REALLY NEED TO GET HOME RULE NOW.
10:12:22 THANK YOU VERY MUCH AGAIN.
10:12:22 >>Mayor Errington: THANK YOU, JOE.
10:12:24 THANK YOU FOR YOUR COMMENTS.
10:12:25 ANYONE ELSE?
10:12:28 >>Carol Sacco: MR. RICHARD SHERMAN FROM WILDCAT RUN.
10:12:36 >>Mayor Errington: YOU HAVE THREE MINUTES.
10:12:38 PLEASE STATE YOUR NAME AND ADDRESS.
10:12:39 >> RICHARD SHERMAN, 20574 CYPRESS KNEE COURT IN WILDCAT RUN.
10:12:45 THANK YOU TO MR. WILSON REMOTELY FOR INVITING ME TO SPEAK
10:12:48 TODAY.

10:12:48 I'M HERE TO TALK ABOUT LIGHTS AND DARK SKIES.
10:12:52 AND THERE ARE IN THE SHORT PERIOD OF TIME THERE ARE THREE
10:12:56 THINGS I'M ASKING TO HAVE HAPPEN HERE.
10:12:58 A REVIEW OF THE PUBLIC LIGHTING THAT'S BEING INSTALLED OR
10:13:02 HAS BEEN INSTALLED.
10:13:04 REMEDIATION OF LIGHTING THAT'S INCONSISTENT WITH
10:13:06 PROFESSIONAL STANDARDS, INCLUDING THE LEED STANDARDS, THE
10:13:09 LEED ARCHITECTURAL STANDARDS.
10:13:10 AND THEN DARK SKY OR DARK LIGHTING CORRIDORS BE ESTABLISHED
10:13:15 IN RESIDENTIAL AREAS WHERE WE DON'T HAVE COMMERCIAL
10:13:19 PROPERTY.
10:13:20 I'M PARTICULARLY INTERESTED, OF COURSE, IN CORKSCREW ROAD,
10:13:24 BUT THAT WE STOP BUILDING UNNECESSARY AND INAPPROPRIATE
10:13:27 LIGHTING IN RESIDENTIAL AREAS.
10:13:28 SO IN SHORT TIME, WHY DARK SKIES?
10:13:32 HUMAN HEALTH.
10:13:33 BETTER SLEEP, LOWER INCIDENCES OF HEART DISEASE, CANCER, AND
10:13:39 DIABETES FROM THE INTERNATIONAL DARK SKY ASSOCIATION.
10:13:42 RESEARCH SUPPORT IT.
10:13:44 COSTS.
10:13:44 LOWER COST OF INSTALLATIONS, LOWER COST OF ENERGY, LOWER
10:13:48 COST OF REMEDIATION.
10:13:49 35% OF ALL RESIDENTIAL LIGHTING IS WASTED.
10:13:52 ABOUT $7 BILLION A YEAR.
10:13:53 AND, LASTLY, ENVIRONMENTAL HEALTH.

10:13:55 WE HAVE BEAUTIFUL PLACES HERE TO LIVE IN.
10:13:58 ANIMALS, WILDLIFE, BIRDS.

10:14:00 THEY SUFFER HUNDRED MILLION BIRDS A YEAR DIE IN NORTH
10:14:04 AMERICA ALONE DUE TO EXCESSIVE LIGHTING.
10:14:06 THERE'S FIVE CONSIDERATIONS FOR LIGHT OFFING.
10:14:09 I'LL SHARE WITH CAROL SOME INFORMATION THAT'S VERY
10:14:12 IMPORTANT, BUT THREE I WOULD LIKE TO TALK ON.
10:14:14 INTENSITY, MINIMUM INTENSITY.
10:14:17 THAT'S TRULY VERY IMPORTANT.
10:14:19 DIRECTION.
10:14:20 LIGHT JUST BLASTING UP INTO THE SKY DOESN'T HELP ANYONE.
10:14:23 THERE'S PHOTOS IN MY PRESENTATION THAT YOU'LL SEE OF BIRDS
10:14:27 BEING CONFUSED.
10:14:28 TURTLES WALKING ON ROADS AWAY FROM THE SHORE.
10:14:32 THERE'S AN ISSUE THERE WITH DIRECTION OF LIGHTING AND COLOR.
10:14:35 THE AMERICAN MEDICAL ASSOCIATION, AS WELL AS THE
10:14:39 INTERNATIONAL DARK SKY ASSOCIATION AGREE THAT 3,000 KELVIN,
10:14:43 I'M A PHOTOGRAPHER, WARMER LIGHT IS THE RIGHT NUMBER.
10:14:47 WE'RE LOOKING, FOR EXAMPLE, AT I-75.
10:14:49 IT'S ALMOST 5,000 KELVIN.
10:14:52 IT'S TOO BLUE.
10:14:53 AND THAT'S VERY DANGEROUS TO HUMAN CONDITIONS AND TO ANIMAL
10:14:56 CONDITIONS.
10:14:56 FALLACIES THAT BRIGHT LIGHTS ARE SAFER.
10:14:59 IN FACT, WITH OLDER POPULATION, PEOPLE CAN BE CONFUSED BY

10:15:02 BRIGHTER LIGHTS.
10:15:03 ALSO MORE DANGEROUS.
10:15:04 CRIMINALS CAN HIDE IN THE DARKER SHADOWS AS EYES STRUGGLE TO
10:15:07 ADAPT.
10:15:08 LEDs ARE BETTER, CHEAPER, BUT POOR DESIGN DOESN'T MAKE
10:15:11 THEM BETTER.
10:15:12 WRONG COLOR DOESN'T MAKE THEM BETTER.
10:15:14 IT JUST MAKES THEM CHEAPER.
10:15:15 WE ALWAYS THINK WE NEED MORE OF THIS.
10:15:17 MAYBE WE NEED LESS.
10:15:18 MAYBE WE NEED SOME DARK SKY CORRIDORS.
10:15:20 MAYBE WE NEED TO PROTECT THE DARK SKIES.
10:15:22 THE HANDOUTS I GIVE YOU WILL INCLUDE A NEIGHBORING TOWN FROM
10:15:25 WHERE I ORIGINALLY CAME FROM IN NEW JERSEY.
10:15:28 HOPEWELL, NEW JERSEY, THAT HAS A COMPLETE ORDINANCE ON
10:15:31 LIGHTING FROM COMMERCIAL FACILITIES TO HIGHWAYS, ET CETERA.
10:15:36 LASTLY, LASTLY, MORE LIGHT IS JUST MORE LIGHT.
10:15:41 IT'S NOT NECESSARILY BETTER LIGHT.
10:15:42 THANK YOU FOR YOUR TIME, MADAM.
10:15:43 >>Mayor Errington: THANK YOU.
10:15:44 THANK YOU VERY MUCH FOR YOUR COMMENTS.
10:15:48 >>Carol Sacco: NEXT IS SUSAN CICERO FROM VILLAGIO.
10:15:53 >>Mayor Errington: WELCOME.
10:15:54 PLEASE STATE YOUR NAME AND YOU HAVE THREE MINUTES IN YOUR

10:15:57 ADDRESS.

10:15:59 >> THANK YOU.
10:16:01 >>Mayor Errington: SPEAK INTO THE MICROPHONE, PLEASE.
10:16:04 >> HOW IS THAT?
10:16:05 >>Mayor Errington: THAT'S BETTER.
10:16:06 THANK YOU.
10:16:07 >> OKAY.
10:16:07 GOOD MORNING AND THANK YOU FOR YOUR WARM WELCOME.
10:16:11 MY NAME IS SUSAN CICERO.
10:16:14 I LIVE AT 20320 ESTERO GARDEN CIRCLE IN THE VILLAGIO
10:16:21 COMPLEX.
10:16:22 I'M HERE BECAUSE IN THE LAST MEETING THAT I WATCHED ON ZOOM,
10:16:28 AT THE END, SEVERAL COUNCIL MEMBERS INDICATED THEY WANTED TO
10:16:31 KNOW, AND THIS IS LIKE I'M PARAPHRASING, WHAT HAPPENED TO
10:16:35 THE SCHOOL DEAL WITH ATHLETIC FIELDS?
10:16:38 I'M HERE TO EXPLAIN IT TO YOU, ALTHOUGH BY NOW, YOU'VE
10:16:43 PROBABLY DONE YOUR HOMEWORK.
10:16:45 BUT FOR THE RECORD.
10:16:50 THE SCHOOL SYSTEM SPENT $5.8 MILLION FOR THE THREE OAKS
10:16:54 PROPERTY AND THEN SOLD THE CURRENT PO SITE FOR $5.8 MILLION.
10:16:59 THEY ENDED UP SPENDING $4 MILLION IN TAXPAYER MONEY FOR THE
10:17:08 BLOCK ISLAND PROPERTIES.
10:17:10 WHAT HAPPENED IS A HUGE MISTAKE ON THE PART OF THE SCHOOL
10:17:17 DISTRICT AND WHY AM I TALKING TO YOU ABOUT IT?
10:17:20 BECAUSE I WOULD LIKE YOU TO BE MORE CIRCUMSPECT WHEN WORKING
10:17:26 WITH THEM.

10:17:27 I UNDERSTAND THE FLORIDA LAWS THAT YOU ARE SUPPOSED TO
10:17:30 ASSIST THEM, BUT LIKE ANY LEGAL ISSUE, IT DOESN'T TELL YOU
10:17:33 EXACTLY HOW.
10:17:36 THE PROPERTY WAS UNSAFE FOR STUDENTS.
10:17:40 ONE EGRESS.
10:17:41 WHERE ARE YOU GOING TO EVACUATE FOR A FIRE?
10:17:44 THREE OAKS PARKWAY?
10:17:47 AT ANY RATE, WE FOUND OUT NOW THAT THE SCHOOL BOARD AND THE
10:17:51 DISTRICT THREE BOARD OF ED MEMBER MISLED PEOPLE REGARDING
10:17:56 THE STUDENT POPULATION.
10:17:58 AND WHEN THE TWO FINALLY -- AND WHEN THE TRUTH FINALLY CAME
10:18:01 OUT AFTER THEY WERE BOMBARDED WITH QUESTIONS THAT THEY
10:18:04 IGNORED, AND I HAVE TO TELL YOU THEY ARE FORTHCOMING --
10:18:10 THEIR FORTHCOMING IS QUESTIONABLE, WE FOUND OUT WE DIDN'T
10:18:12 HAVE ENOUGH KIDS IN THOSE SCHOOLS AND FLORIDA STATE BOARD OF
10:18:16 EDUCATION WASN'T GOING TO GIVE A THIN DIME TO BUILD THAT
10:18:20 SCHOOL.
10:18:20 IT IS SHOCKING TO HEAR BOARD OF EDUCATION MEMBERS SAY, "OH,
10:18:25 MY, HOW DID WE EVER GET THIS PLAN THIS FAR DOWN THE ROAD?"
10:18:33 SPENDING TWO OR THREE YEARS ON PLANNING AND I BELIEVE ESTERO

10:18:37 SPENT CLOSE TO $100,000 FOR THE JOHNSON, I GUESS,
10:18:43 ENGINEERING THAT THE SCHOOL DISTRICT WAS USING TO LOOK OVER
10:18:45 THE PROPERTY, ET CETERA, ET CETERA.
10:18:47 I DON'T KNOW ALL THE INTRICACIES OF THAT.
10:18:51 SO, WHAT HAVE WE LEARNED?

10:18:54 WE'VE LEARNED THAT WE NEED TO BE A LITTLE MORE CIRCUMSPECT
10:18:58 REGARDING SCHOOL DISTRICT.
10:19:00 MY PARTING COMMENT WOULD BE THIS: QUESTION.
10:19:07 DON'T CHANGE THE VILLAGE OF ESTERO INTO THE CITY OF ESTERO.
10:19:13 THANK YOU VERY MUCH.
10:19:14 >>Mayor Errington: THANK YOU FOR YOUR COMMENTS.
10:19:18 >>Carol Sacco: WE HAVE ONE MORE.
10:19:19 ADELE AMICO FROM OSPREY COVE.
10:19:26 >>Mayor Errington: GOOD MORNING.
10:19:26 AND WELCOME.
10:19:28 YOU HAVE THREE MINUTES.
10:19:29 WOULD YOU STATE YOUR NAME.
10:19:30 >> ADELE AMICO, 8570 KING BIRD LOOP, OSPREY COVE.
10:19:35 I'M HERE TO INVITE ALL OF YOU TO OUR ANNUAL PICNIC.
10:19:40 I'M REPRESENTING THE ESTERO REPUBLIC CLUB.
10:19:42 WE ARE NOT A PARTY-AFFILIATED ORGANIZATION.
10:19:45 WE ARE INDEPENDENT, AND WE ARE A SOCIAL ORGANIZATION.
10:19:48 WE ARE A GROUP OF LIKE-MINDED CONSERVATIVE
10:19:53 CONSTITUTIONALISTS.
10:19:54 SO, MA'AM, I'M VERY WELL AWARE OF WHAT'S GOING ON IN THE
10:19:57 SCHOOL SYSTEM.
10:19:58 I GO TO MANY MEETINGS.
10:19:59 THIS IS OUR ANNUAL PICNIC IN THE PARK.
10:20:01 IT IS A WONDERFUL, WONDERFUL DAY.
10:20:03 THIS IS OUR SECOND YEAR DOING IT.

10:20:05 OUR SPEAKER LINEUP, WE HAVE INDIVIDUALS THAT WILL BE RUNNING
10:20:08 FOR SENATE, CONGRESS, SCHOOL BOARD, ALL NONINCUMBENTS.
10:20:14 THE REASON WE'RE DOING THAT IS BECAUSE THIS IS CALLED THE
10:20:17 AMERICAN DREAM.
10:20:18 IF YOU WANT IT BAD ENOUGH, THEN YOU CAN FIGHT FOR IT.
10:20:21 ALSO, YOU WILL BE HEARING FROM TWO OF THE SCHOOL BOARD
10:20:26 INDIVIDUALS THAT ARE FIGHTING VERY HARD FOR THE CHILDREN OF
10:20:30 LEE COUNTY.
10:20:33 ALSO, ONE OF THE GREATEST THINGS WE HAVE DONE IS AT OUR
10:20:35 GALA, WE HAD STEVEN MOORE FROM D.C., RAISED OVER $4,000 FOR
10:20:40 GOVERNOR DESANTIS.
10:20:41 WE WILL BE GIVING HIM HIS CHECK THIS SUNDAY.
10:20:44 IT'S FROM 12 TO 3.
10:20:46 REACH US ON ESTERO REPUBLIC.COM.
10:20:48 IS THE GOVERNOR COMING?
10:20:49 I JUST GOT A MESSAGE FROM SOMEBODY AND THEY ARE NOT TELLING

10:20:51 ME YES OR NO.
10:20:52 BUT THE GOOD NEWS IS, WE ARE HAVING A REPRESENTATIVE THERE
10:20:55 TO ACCEPT THE CHECK.
10:20:56 SO I WANT YOU TO COME ON OUT.
10:20:58 THE OTHER THING I WANTED TO MENTION, TOO, AS FAR AS WHAT OUR
10:21:02 ORGANIZATION DOES DO, WE DO DO LETTER-WRITING CAMPAIGN.
10:21:07 OUR MEMBERS ARE NOT INFLUENCED FROM OUR BOARD.
10:21:10 WE HAVE A BOARD OF EIGHT, AND THEY ALL MAKE DECISIONS
10:21:13 COLLABORATIVELY.

10:21:14 I DO NOT INFLUENCE OUR MEMBERS.
10:21:17 WE DO NOT DO THAT.
10:21:19 IT'S IMPORTANT THAT PEOPLE UNDERSTAND THAT.
10:21:20 THAT'S WHY I THINK WE'RE GROWING EXPONENTIALLY.
10:21:23 ONE OF THE LETTER-WRITING CAMPAIGNS WE'RE DOING RIGHT NOW IS
10:21:28 HR 1 AND HR 4 THAT'S IN THE SENATE.
10:21:30 IT DID PASS THE HOUSE.
10:21:32 WE'RE VERY ENGAGED IN THAT AND WE MAKE SURE OUR MEMBERS ARE
10:21:35 AWARE OF WHAT'S GOING ON.
10:21:36 LAST NIGHT I HAD A WONDERFUL OPPORTUNITY TO BE WITH NEWT
10:21:39 GINGRICH LAST NIGHT AT A PRIVATE EVENT.
10:21:42 OUR FREEDOMS ARE VERY COMPROMISED RIGHT NOW.
10:21:44 THE WEAKER AMERICA BECOMES, THE STRONGER OUR ADVERSARIES
10:21:48 WILL BE.
10:21:49 WE HAVE TO KEEP EDUCATED, INSPIRED AND INFORMED.
10:21:53 AND WE WANT YOU TO COME OUT AND WANT TO MAKE SURE THAT I
10:21:55 COVERED EVERYTHING.
10:21:57 I THINK THAT'S PROBABLY IT.
10:21:59 YOU CAN REACH ME ON ESTERO REPUBLIC.COM.
10:22:02 THANK YOU FOR ALL THAT YOU ARE DOING IN THIS GREAT
10:22:04 COMMUNITY.
10:22:04 I'M WHY, IT'S AWESOME TO HEAR YOUR VOICE.
10:22:07 HAVE A BLESSED DAY.
10:22:10 >>Mayor Errington: THANK YOU.
10:22:11 THANK YOU FOR YOUR COMMENTS.

10:22:12 >>Carol Sacco: THERE ARE NO MORE, MAYOR.
10:22:13 >>Mayor Errington: WE CAN MOVE TO ITEM NUMBER 5, CONSENT
10:22:18 AGENDA.
10:22:19 ANY COMMENTS OR QUESTIONS?
10:22:22 COUNCIL MEMBER FIESEL, YOU HAVE --
10:22:26 >>Larry Fiesel: I HAVE ONE ADDITION I WOULD LIKE TO PUT ON
10:22:30 HERE ON ITEM 13, UNDER COUNCIL QUESTIONS OR COMMENTS, I
10:22:36 WOULD LIKE TO ADD MY NAME TO THOSE COUNCILMEN THAT DID
10:22:44 COMMENT.
10:22:44 RAPTOR BAY IS VERY IMPORTANT TO MY DISTRICT, AND I JUST WANT
10:22:48 TO MAKE SURE PEOPLE REALIZE I DIDN'T STAY QUIET WHEN IT WAS
10:22:53 PRESENTED IN THE WORKSHOP.

10:22:54 >>Mayor Errington: WHICH ONE IS IT AGAIN SO THEY CAN MAKE
10:22:55 THE CORRECTION?
10:22:57 >>Larry Fiesel: IT'S ITEM 13A, UNDER THE RAPTOR BAY, IT WAS
10:23:00 UNDER WORKSHOP.
10:23:01 PRESENTED BY DAVID.
10:23:04 THERE WERE SEVERAL COMMENTS, AND I HAD SEVERAL THAT I ADDED
10:23:07 TO THAT ALSO.
10:23:07 FOR THE RECORD, THAT MY NAME IS ON THAT LIST.
10:23:12 >>Mayor Errington: SO WITH THAT --
10:23:16 >>Larry Fiesel: THEN I'LL MAKE A MOTION TO ACCEPT.
10:23:18 >>Mayor Errington: THE MOTION HAS --
10:23:20 >>Larry Fiesel: WITH THAT REVISION.
10:23:22 >>Mayor Errington: WITH THAT REVISION.

10:23:24 I NEED A SECOND.
10:23:25 SECONDED BY VICE-MAYOR McLAIN.
10:23:28 PLEASE CALL THE ROLL.
10:23:30 >>Jim Wilson: AYE.
10:23:32 >>Jim Ward: AYE.
10:23:34 >>Jim Boesch: AYE.
10:23:36 >>Larry Fiesel: AYE.
10:23:37 >>Joanne Ribble: AYE.
10:23:39 >>Vice-Mayor McLain: AYE.
10:23:40 >>Mayor Errington: AYE.
10:23:41 ITEM NUMBER 6, CONSIDERATION OF ITEMS DEFERRED FROM CONSENT
10:23:49 AGENDA.
10:23:50 WOULD WE CONSIDER MAKING A MOTION THERE TO MAKE THE CHANGE?
10:23:59 >>Burt Saunders: TALKING ABOUT THE CHANGE IN THE MINUTES?
10:24:02 I'M SORRY.
10:24:02 >>Mayor Errington: YES.
10:24:03 IT'S IN THE WORKSHOP.
10:24:05 >>Burt Saunders: YES, GO AHEAD AND TAKE CARE OF IT AT THIS
10:24:09 POINT THEN.
10:24:10 >>Mayor Errington: WE NEED A MOTION TO MAKE SURE THAT THIS
10:24:12 IS INCLUDED IN THE WORKSHOP ITEMS.
10:24:16 NEED A MOTION FOR THAT.
10:24:18 MOTION MADE BY COUNCIL MEMBER RIBBLE AND SECONDED BY COUNCIL
10:24:24 MEMBER BOESCH.
10:24:25 PLEASE CALL THE ROLL.

10:24:30 >>Joanne Ribble: AYE.
10:24:31 >>Larry Fiesel: AYE.
10:24:33 >>Jim Boesch: AYE.
10:24:33 >>Jim Ward: AYE.
10:24:36 >>Jim Wilson: AYE.
10:24:38 >>Vice-Mayor McLain: AYE.
10:24:39 >>Mayor Errington: AYE.
10:24:40 ITEM NUMBER 7, ACTION ITEM ON THE AGENDA FOR LIEN MITIGATION

10:24:50 REQUEST, 9170 ESTERO RIVER COURT.
10:24:53 I WOULD LIKE TO ASK STEVE SARKOZY.
10:24:57 >>Steven Sarkozy: THANK YOU, MAYOR AND MEMBERS OF COUNCIL.
10:24:59 A LIEN MITIGATION REQUEST COME TO THE VILLAGE COUNCIL AFTER
10:25:05 A LONG PROCESS OF CODE ENFORCEMENT ACTIVITY BY OUR STAFF AND
10:25:12 OUR MAGISTRATE WHO HANDLES THE HEARINGS REGARDING THESE
10:25:18 ISSUES.
10:25:18 WE ARE REPRESENTED IN THAT PROCESS BY THE CITY ATTORNEY'S
10:25:23 OFFICE.
10:25:23 I WOULD LIKE TO TURN IT OVER TO BURT SAUNDERS, OUR CITY
10:25:26 ATTORNEY, FOR A DESCRIPTION OF THE BACKGROUND ON THIS ISSUE
10:25:31 AND THE PROPOSED SETTLEMENT.
10:25:33 >>Burt Saunders: THANK YOU.
10:25:34 CAN YOU HEAR ME ALL RIGHT?
10:25:36 I'M NOT SURE IF THIS IS --
10:25:38 >>Mayor Errington: I CAN.
10:25:38 >>Burt Saunders: ALL RIGHT.

10:25:39 THIS ACTUALLY IS A VERY SIMPLE CODE ENFORCEMENT ISSUE.
10:25:44 BACK IN FEBRUARY OF 2019, THE THEN PROPERTY OWNER WAS CITED
10:25:49 FOR CODE VIOLATION.
10:25:51 THE POOL WAS NOT BEING MAINTAINED PROPERLY.
10:25:55 THAT RESULTED IN A $250 A DAY FINE THAT HAS NOW ACCUMULATED
10:25:59 FOR 960 DAYS.
10:26:01 THE FORMER OWNER, THE HOUSE WAS ULTIMATELY FORECLOSED ON.
10:26:05 THERE'S NOW A NEW OWNER OF THE PROPERTY.
10:26:07 THE NEW OWNER IS MARKETING THE PROPERTY, BUT THERE IS A LIEN
10:26:11 IN THE AMOUNT OF $240,000 ON THAT PROPERTY.
10:26:15 THE NEW PROPERTY OWNER IMMEDIATELY CORRECTED THE CODE
10:26:20 VIOLATION ONCE THEY HAD ACCESS TO THE PROPERTY.
10:26:23 THE PROCESS FOR LIEN MITIGATION RESULTED IN A HEARING BEFORE
10:26:28 THE HEARING EXAMINER.
10:26:29 I DON'T BELIEVE THE NEW OWNERS WERE AT THAT HEARING.
10:26:32 HOWEVER, THE HEARING OFFICER DID NOT MAKE A RECOMMENDATION
10:26:34 ONE WAY OR THE OTHER ON A LIEN MITIGATION.
10:26:38 IT'S BEEN THE POLICY OF THE COUNCIL IF THERE IS A LIEN IN
10:26:42 EXCESS OF $100,000 AND THERE IS A LIEN MITIGATION REQUEST IT
10:26:47 HAS TO BE HEARD BY THIS COUNCIL.
10:26:48 YOU HAVE ABSOLUTE DISCRETION AS TO WHETHER OR NOT YOU
10:26:51 MITIGATE A LIEN.
10:26:53 IN THE PAST, YOU HAVE MITIGATED THE LIENS THAT HAVE BEEN
10:26:56 OVER $100,000.
10:26:57 YOU'VE MITIGATED THOSE DOWN TO 2,000.

10:27:00 I THINK MOST RECENTLY THERE IS A LIEN MITIGATION THAT
10:27:02 RESULTED -- [INTERFERING AUDIO] -- [INAUDIBLE] --
10:27:11 IN DEALING WITH THE LIEN MITIGATION.
10:27:13 ONE IS THE GRAVITY OF THE VIOLATION.

10:27:14 AS I SAID, THIS WAS A POOL NOT BEING MAINTAINED PROPERLY.
10:27:18 NO INDICATION OF ANY HAZARD TO THE PUBLIC THERE.
10:27:21 ACTIONS TAKEN BY THE VIOLATOR, THE VIOLATOR IGNORED THE
10:27:26 HEARING EXAMINER HEARINGS, BUT ULTIMATELY LOST THE PROPERTY
10:27:31 IN A FORECLOSURE.
10:27:33 THE NEW OWNERS TOOK IMMEDIATE ACTION TO CORRECT THE
10:27:36 VIOLATION.
10:27:36 AND THEN, OF COURSE, PREVIOUS VIOLATIONS.
10:27:38 AND THERE'S NO INDICATION THAT THERE WERE ANY PREVIOUS
10:27:40 VIOLATIONS.
10:27:41 MY UNDERSTANDING ALSO IS THAT THERE IS MONEY THAT'S BEING
10:27:45 HELD BY THE COURT AND THE PETITIONER CAN PERHAPS ELABORATE
10:27:49 ON THAT, TO PAY CLAIMS, WE DID FILE A CLAIM TO PROTECT THE
10:27:54 POSITION OF THE VILLAGE IN THAT PROCESS TO MAKE SURE THAT
10:27:58 WHATEVER YOU DO ASSESS CAN BE COLLECTED.
10:28:01 AGAIN, IT'S YOUR DISCRETION TO DETERMINE WHETHER OR NOT YOU
10:28:05 WILL MITIGATE THE LIEN.
10:28:07 AND IF SO, TO WHAT EXTENT.
10:28:10 >>Mayor Errington: THANK YOU.
10:28:11 RIGHT NOW WE WILL TAKE COUNCIL QUESTIONS AND DISCUSSION ON
10:28:17 THIS.

10:28:18 >>Burt Saunders: MADAM MAYOR, JUST FOR THE RECORD, YOU DO
10:28:20 HAVE THE PETITIONER HERE WHO MAY WANT TO MAKE SOME COMMENTS.
10:28:24 >>Mayor Errington: I HAVE THAT AFTER DISCUSSION.
10:28:27 SHOULD HE GO FIRST?
10:28:28 >>Burt Saunders: I THINK IT WOULD BE BETTER TO HEAR THAT
10:28:31 FIRST.
10:28:32 THAT MAY IMPACT YOUR DISCUSSION.
10:28:33 >>Mayor Errington: OKAY.
10:28:34 SO THAT'S OUT OF ORDER.
10:28:35 OKAY.
10:28:36 WELCOME.
10:28:37 PLEASE STATE YOUR NAME AND ADDRESS, PLEASE.
10:28:40 >> HI.
10:28:40 MY NAME IS LISANDRO LACAYO.
10:28:45 I AM THE NEW OWNER OF THE PROPERTY.
10:28:48 MY NAME IS LISANDRO LACAYO.
10:28:51 THE PROPERTY ADDRESS IS 9170 ESTERO RIVER CIRCLE DRIVE.
10:28:55 WE PURCHASED THE PROPERTY IN A FORECLOSURE WITH A LIEN.
10:29:00 IMMEDIATELY, WE CORRECTED ANYTHING.
10:29:04 THE POOL -- THE HOUSE WAS ABANDONED.
10:29:07 THE NEIGHBORS ARE VERY HAPPY.
10:29:09 I COULD TELL YOU THAT WE FIX IT UP EVERY DAY.
10:29:11 SOMEBODY PASSES BY AND TELL US HOW HAPPY THEY ARE.
10:29:14 THE PROPERTY IS LOOKING VERY DIFFERENT.
10:29:16 ALL KINDS OF BUGS, ANIMALS IN THE COMMUNITY.

10:29:23 EVERYTHING HAS BEEN CLEANED UP AND LOOKING VERY, VERY NICE.
10:29:27 I HAVE PICTURES OF THE PROPERTY.
10:29:28 HOPEFULLY YOU CAN HELP MITIGATE A REDUCTION ON THIS LIEN.
10:29:41 >>Mayor Errington: DO WE HAVE TO FOLLOW NOW WITH OTHER
10:29:43 COMMENT, BURT?
10:29:46 >>Burt Saunders: IN TERMS OF -- IT'S YOUR DISCRETION.
10:29:50 YOU CAN GO TO DISCUSSION BY COUNCIL MEMBERS AT THIS POINT OR
10:29:52 QUESTIONS FOR THE PETITIONER.
10:29:53 >>Mayor Errington: QUESTIONS FOR -- OKAY.
10:29:55 IF YOU WOULD REMAIN AT THE PODIUM.
10:30:00 WE WILL HAVE ANYONE AT COUNCIL STAY THERE AND THEY MAY HAVE
10:30:03 QUESTIONS FOR YOU.
10:30:08 >>Joanne Ribble: HOW LONG HAVE YOU OWNED THE PROPERTY?
10:30:10 >> WE HAVE OWNED IT ABOUT THREE MONTHS.
10:30:13 >>Mayor Errington: THREE MONTHS.
10:30:14 COUNCIL MEMBER BOESCH?
10:30:20 >>Jim Boesch: FORTUNATELY OR UNFORTUNATELY SAT ON COUNCIL
10:30:25 SINCE THE BEGINNING, AND THIS TREND SEEMS TO BE A NEW TREND.
10:30:31 PEOPLE OWE $250,000.
10:30:34 SOMEONE COMES IN AND HE'S LUCKY ENOUGH TO SAY,.
10:30:42 [INDISCERNIBLE]
10:30:44 BUT IF I GET THE PROPERTY FOR 2500 BUCKS, IT'S GOING TO BE
10:30:49 LIKE I WON THE FORTUNE -- THE FORTUNE GAME.
10:30:54 I WOULD LIKE TO KNOW WHY YOU THINK YOU SHOULD GET A PROPERTY
10:31:00 THAT HAS A 250, WHATEVER, FEE AND GET IT FOR $2500.

10:31:08 I KNOW WE HAVE A MAGISTRATE, AND HE DEEMED IT WAS ONLY
10:31:13 BECAUSE THIS IS THE WAY IT'S GOING, BUT WHY DO YOU THINK
10:31:16 IT'S FAIR TO THE RESIDENTS OF ESTERO, SOMEBODY BUILDS UP A
10:31:21 $250,000 FINE AND SOMEBODY CAN COME IN AND BUY THE PROPERTY
10:31:29 AND COME TO US AND SAY, I DON'T WANT ANY RESPONSIBILITY FOR
10:31:33 THAT.
10:31:34 I JUST WANT TO ONLY PAY $2500, GET THE PROPERTY AND GET ALL
10:31:40 THE FINANCIAL BENEFITS IN GETTING THAT PIECE OF PROPERTY.
10:31:45 THAT'S WHAT COMES TO MY MIND.
10:31:47 BURT, YOUR FIRM HAS NOTHING TO DO WITH THIS, RIGHT?
10:31:53 >>Burt Saunders: I DON'T KNOW WHAT YOU MEAN.
10:31:54 I'M NOT SURE I UNDERSTAND WHAT YOU MEAN BY MY FIRM HAS
10:31:57 NOTHING TO DO WITH THIS.
10:31:58 >>Jim Boesch: DO YOU REPRESENT THIS PERSON AT ALL?
10:32:01 >>Burt Saunders: OF COURSE, NOT.
10:32:02 THAT WOULD BE A CONFLICT OF INTEREST.
10:32:04 >>Jim Boesch: I ASSUMED YOU DID.
10:32:06 BUT THERE ARE RESIDENTS WHO DON'T UNDERSTAND THIS WHOLE
10:32:09 PROCESS.
10:32:10 AND I DON'T WANT THEM THINKING THAT YOU HAVE SOMETHING TO DO
10:32:14 WITH --
10:32:15 >>Burt Saunders: I APPRECIATE YOU ARE CLEARING THAT UP.

10:32:18 WE HAVE NO INTEREST IN THIS WHATSOEVER, OTHER THAN TO
10:32:21 REPRESENT THE INTEREST OF THE VILLAGE OF ESTERO.
10:32:23 >>Jim Boesch: I UNDERSTAND.

10:32:24 I JUST WANT TO MAKE THE SITUATION CLEAR.
10:32:26 SO, SIR, WHAT I WANT TO ASK YOU IS HOW CAN YOU CONVINCE THE
10:32:32 RESIDENTS HERE THAT YOU SHOULD BE ABLE TO GET A PIECE OF
10:32:36 PROPERTY THAT HAS A $250,000 -- 40,000 WHATEVER, 50,000 OR
10:32:43 WHATEVER -- AND GET IT FOR -- FORGET ALL THE THINGS AND GIVE
10:32:49 YOU $2500, ADMINISTRATIVE FEES, WHY YOU SHOULD BE ABLE TO
10:32:56 GET THAT.
10:32:57 >> I UNDERSTAND WHAT YOU'RE SAYING.
10:32:58 WE HAD TO PUT A LOT OF MONEY INTO THE PROPERTY TO BRING IT
10:33:04 TO THE WAY IT IS RIGHT NOW.
10:33:06 FROM WHAT THE NEIGHBORS TELLING ME, THIS PROPERTY WAS REALLY
10:33:10 DEGRADING THE APPRECIATION IN THE WHOLE COMMUNITY.
10:33:14 THE ROOF WAS FALLING DOWN IN THE BACK.
10:33:19 WE HAD TO IMMEDIATELY REPLACE, FIX.
10:33:22 I UNDERSTAND WHAT YOU'RE SAYING, BUT I REALLY THINK -- WE
10:33:27 NEED A PERSON TO COME UP AND FIX UP NEIGHBORHOODS, BEAUTIFUL
10:33:30 NEIGHBORHOOD THAT WE HAVE HERE.
10:33:32 NOW, THIS IS A DREAM FOR ME TO LIVE ON THIS PROPERTY.
10:33:36 ME AND MY WIFE, WE'RE REALLY CONSIDERING JUST TO KEEP IT TO
10:33:39 OURSELVES AND STAY.
10:33:41 BUT I UNDERSTAND WHAT YOU'RE SAYING.
10:33:42 BUT A LOT OF MONEY AND EFFORT WAS PUT INTO THE PROPERTY.
10:33:46 WE'VE BEEN WORKING AROUND THE CLOCK JUST TO BRING IT INTO
10:33:49 THE CONDITION THAT IT'S AT RIGHT NOW.
10:33:54 >>Jim Boesch: HOW MUCH IS IT GOING TO COST YOU TO

10:33:56 REHABILITATE THE PROPERTY?
10:33:57 >> HOW MUCH WE PUT IN?
10:33:59 >>Jim Boesch: YEAH.
10:34:00 MAKE IT WHOLE SO YOU CAN LIVE IN IT.
10:34:06 >> WE HAVE TO MAKE THE NUMBERS EXACTLY.
10:34:07 WE HAVE PUT A LOT OF MONEY REALLY.
10:34:10 >>Jim Boesch: HOW MUCH?
10:34:11 HOW MUCH WILL IT COST TO YOU BRING THE PROPERTY UP?
10:34:14 >> I WOULD SAY WE'VE GOT TO BE AROUND 60,000 ALREADY.
10:34:17 AROUND 50 TO 60 THOUSAND.
10:34:19 >>Jim Boesch: READY TO GO?
10:34:21 WHAT'S THE VALUE OF THE PROPERTY NOW?
10:34:23 >> WELL, THE PROPERTY VALUE, THEY HAVE DIFFERENT SALES.
10:34:27 >>Jim Boesch: BRAND-NEW, ALL DONE, READY TO GO AND YOU
10:34:30 EITHER CAN LIVE IN IT OR SELL IT, WHAT WOULD BE THE VALUE OF
10:34:34 THE PROPERTY?
10:34:35 >> HOPEFULLY IN THE 600s.
10:34:39 >>Jim Boesch: 600.

10:34:40 SO YOU PAID 2500.
10:34:44 $240,000 BILL.
10:34:45 YOU PUT $50,000 IN IT AND YOU HAVE A PROPERTY WORTH
10:34:50 $600,000.
10:34:52 >> WE PATE AT THE FORECLOSURE ALMOST 500,000.
10:34:57 >>Jim Boesch: IT'S WORTH 600,000.
10:34:59 >>Burt Saunders: COUNCILMAN BOESCH, LET ME INTERRUPT A QUICK

10:35:02 SECOND.
10:35:03 I BELIEVE THE HOUSE IS ON THE MARKET TO BE SOLD.
10:35:05 SO I THINK THE QUESTION IS, WHAT IS THE SALES PRICE?
10:35:08 WHAT IS THE HOUSE BEING MARKETED FOR?
10:35:12 >> WE'RE HOPING TO GET THE MOST OUT OF IT.
10:35:14 IF WE DON'T KEEP IT TO OURSELVES LIKE WE'VE BEEN THINKING,
10:35:19 CLEAR THIS LIEN, BUT LIKE I TELL YOU, YES, SELL 600 PLUS TO
10:35:26 700.
10:35:27 BUT WE PAID CLOSE TO THE 500,000 IN THE FORECLOSURE SALE
10:35:32 PLUS ALL THE EXPENSES THAT WE HAD.
10:35:36 >>Jim Boesch: MY STANDPOINT, THE FEE SHOULD BE AT LEAST 10
10:35:41 TO 15 THOUSAND DOLLARS TO SETTLE THIS FEE ON THIS PROPERTY.
10:35:45 BURT, I APPRECIATE WHAT YOU SAY.
10:35:49 YOU HAVE YOUR RIGHT TO THINK YOUR WAY AND I HAVE THE RIGHT
10:35:52 TO THINK MY WAY.
10:35:54 THAT'S WHAT WE'RE HERE FOR.
10:35:57 >>Mayor Errington: COUNCIL MEMBER WARD.
10:35:59 >>Jim Ward: A QUESTION DIRECTED TO BURT.
10:36:03 BURT, THE LIEN MITIGATION REQUEST IS DK REALTY GROUP.
10:36:07 ARE YOU DK REALTY?
10:36:09 >> YES.
10:36:12 >>Jim Ward: ARE YOU THE OWNER?
10:36:14 >> YES.
10:36:15 >>Jim Ward: SO YOU'RE A REALTY ORGANIZATION THAT OWNS IT.
10:36:16 YOU BOUGHT IT TO FLIP IT?

10:36:18 >> YES.
10:36:19 >>Jim Ward: I'M NOT SURE OF WHAT COUNCILMAN BOESCH WAS
10:36:22 ALLUDING TO.
10:36:23 BUT THE PROPERTY YOU PURCHASED, YOU PAID WHAT FOR IT AT THE
10:36:26 TIME YOU PURCHASED IT?
10:36:28 >> SORRY.
10:36:29 REPEAT IT.
10:36:29 >>Jim Ward: WHAT DID YOU PURCHASE THE PROPERTY FOR?
10:36:32 >> THE PROPERTY WAS PURCHASED I BELIEVE IT WAS 475,000.
10:36:37 >>Jim Ward: AT THE TIME YOU PURCHASED IT, WERE YOU AWARE
10:36:39 THAT THERE WAS A LIEN OF $240,000 ON THE PROPERTY?
10:36:43 >> I KNEW THERE WAS A LIEN, BUT I DIDN'T REALLY KNOW IT WAS
10:36:46 THAT BIG.
10:36:47 >>Jim Ward: HOW COULD YOU NOT KNOW?

10:36:50 >> I GUESS WE DIDN'T REALIZE --
10:36:54 >>Jim Ward: YOU ARE A REALTY ORGANIZATION.
10:36:55 THAT INFORMATION IS AVAILABLE TO YOU.
10:36:58 >> YES, I KNEW IT WAS A BIG LIEN, BUT A LITTLE BIT SHORT ON
10:37:03 MY NUMBERS.
10:37:05 >>Jim Ward: YOU KNEW IT WAS APPROXIMATELY THAT AMOUNT.
10:37:07 >> YES.
10:37:09 >>Mayor Errington: ANY OTHER QUESTIONS?
10:37:12 COUNCIL MEMBER FIESEL?
10:37:13 >>Larry Fiesel: I DON'T HAVE A CONCERN WITH WHAT YOU PAID
10:37:15 FOR THE HOUSE OR WHAT YOU'VE GOT IT ON THE MARKET FOR OR

10:37:19 WHAT YOU PUT INTO IT TO GET IT UP TO MARKET VALUE.
10:37:23 I DID SEE A NUMBER ON THE INTERNET THAT SAID IT WAS LISTED
10:37:27 AT 819,000, BUT, AGAIN, IT'S IRRELEVANT.
10:37:31 WHAT I'M HAVING A PROBLEM WITH, SINCE I'VE BEEN A MEMBER OF
10:37:36 THIS COUNCIL, THIS IS THE SECOND TIME WE'VE BEEN ASKED TO
10:37:39 MITIGATE A LIEN.
10:37:40 BACK IN JULY WE MITIGATED $128,000 LIEN AND WE DROPPED IT
10:37:45 DOWN TO -- WELL, WE DIDN'T DROP IT DOWN.
10:37:48 IT WAS RECOMMENDED 2,000, AND WE SETTLED ON 5,000, AND WE
10:37:52 HAD A SPLIT VOTE ON THAT DECISION.
10:37:56 I MIGHT ADD THAT'S THE ONLY SPLIT VOTE THAT WE'VE HAD SINCE
10:37:59 I'VE BEEN ON THIS COUNCIL.
10:38:02 BUT I SEE A PATTERN HERE THAT BOTHERS ME SOMEWHAT BECAUSE WE
10:38:08 HAVE A CODE COMPLIANCE, LAND DEVELOPMENT CODE THAT WE TRY TO
10:38:13 ENFORCE.
10:38:13 AND IF WE DON'T ENFORCE IT, THEN BASICALLY WE MIGHT AS WELL
10:38:17 JUST DO AWAY WITH THE WHOLE LAND DEVELOPMENT CODE.
10:38:21 I THINK THAT TAKING A $240,000 LIEN AND DROPPING IT DOWN TO
10:38:25 A RECOMMENDED LEVEL OF $2,000 IS JUST -- IT'S SETTING A
10:38:30 PRECEDENT THAT OUR LIENS DON'T HAVE ANY TEETH IN THEM.
10:38:34 SO THEY BASICALLY ARE NOT GOING TO HAVE ANY VALUE GOING
10:38:36 FORWARD.
10:38:37 I SEE AN INDICATION WHERE YOU BOUGHT A HOME TO FLIP AND MAKE
10:38:41 A PROFIT ON IT AND YOU SAY YOU DIDN'T KNOW IT HAD A LIEN ON
10:38:45 IT.

10:38:46 I'M NOT SURE HOW YOU BUY A HOME OUT OF FORECLOSURE NOT
10:38:49 KNOWING THE AMOUNT OF THAT LIEN.
10:38:51 WHATEVER THAT AMOUNT IS FROM 240,000 DOWN TO WHATEVER WE
10:38:55 SETTLED FOR IS JUST AN ADDITIONAL AMOUNT YOU'RE GOING TO
10:38:58 CLEAR WHEN YOU FLIP THIS HOME AND SELL IT.
10:39:00 I'M CONCERNED NOT SO MUCH WITH HOW MUCH PROFIT YOU MAKE.
10:39:03 I DON'T HAVE ANY ISSUE WITH PEOPLE MAKING A PROFIT.
10:39:05 I'M CONCERNED ABOUT THE PRECEDENT WE'RE GOING TO SET BY
10:39:08 BASICALLY DOING AWAY WITH ALL THESE LIENS.
10:39:11 ALL SOMEBODY HAS TO DO IS COME BEFORE THE COUNCIL AND SAY I

10:39:13 DON'T WANT TO PAY THAT AND WE AGREE WITH THEM.
10:39:16 WE NO LONGER HAVE ANY CODE COMPLIANCE THAT WE'RE GOING TO
10:39:20 DEAL WITH.
10:39:21 THAT CONCERNS ME MORE THAN JUST HOW MUCH MONEY HE'S MADE OR
10:39:26 PAID, WHATEVER THE DETAILS ARE OF THAT TRANSACTION.
10:39:34 >>Mayor Errington: VICE-MAYOR.
10:39:34 >>Vice-Mayor McLain: I AGREE WITH A LOT OF WHAT YOU'RE
10:39:38 SAYING THERE.
10:39:38 I THINK IT'S VERY IMPORTANT THAT WE HANDLE THESE THINGS
10:39:41 APPROPRIATELY, AND I THINK JUST REDUCING THEM DOWN TO A
10:39:44 MINIMAL AMOUNT DOESN'T MAKE SENSE.
10:39:46 I'M LOOKING AT MAYBE A BIGGER PICTURE HERE IS THAT THIS
10:39:52 HADN'T BEEN BOUGHT OUT OF FORECLOSURE, THE NEIGHBORS IN THAT
10:39:56 NEIGHBORHOOD WOULD CONTINUE TO HAVE A BLIGHTED PROPERTY
10:39:58 THAT'S GOING TO AFFECT THE WHOLE NEIGHBORHOOD.

10:40:00 SO BY HAVING THE FORECLOSURE, THOSE ARE NEVER GOOD, BUT AT
10:40:06 LEAST IT'S RELIEVING THAT SITUATION FOR THE NEIGHBORHOOD.
10:40:09 I'M STRUGGLING A LITTLE BIT WITH WHO'S TO BLAME: THE GUY
10:40:17 THAT BOUGHT IT OUT OF FORECLOSURE AND BRINGING IT INTO A
10:40:22 DECENT PIECE OF PROPERTY THAT CAN BE MARKETED FOR A
10:40:25 REASONABLY GOOD PRICE FOR ESTERO.
10:40:29 I'M SURE THE NEIGHBORS IN THAT AREA ARE VERY HAPPY TO SEE
10:40:32 THAT CHANGEOVER.
10:40:33 I'M PERPLEXED ABOUT WHO SHOULD GET PUNISHED.
10:40:39 I THINK GOING FORWARD, WE NEED TO BE -- WE NEED TO FIGURE
10:40:44 OUT HOW AS A COUNCIL NOT TO LET THESE THINGS GO ON FROM
10:40:49 MARCH 2020, 2019, UNTIL TODAY.
10:40:54 BECAUSE THE PEOPLE IN THE NEIGHBORHOOD DURING THAT WHOLE
10:40:56 TIME ARE BEING IMPACTED VERY NEGATIVELY.
10:40:58 IT'S REALLY A MATTER OF THE PEOPLE THAT WENT THROUGH
10:41:05 FORECLOSURE.
10:41:07 THEY LOST A HOUSE, BUT THEY SURE DIDN'T PAY FOR ALL THE
10:41:12 VIOLATIONS.
10:41:13 I HAVE A MORAL ISSUE ABOUT WHO SHOULD PAY UP AND HOW DO WE
10:41:16 AVOID THESE KIND OF THINGS.
10:41:18 $250 A DAY IS A LOT OF MONEY THAT YOU THINK PEOPLE WOULD
10:41:21 NORMALLY SAY, I'LL TAKE SOME ACTION.
10:41:24 OBVIOUSLY, THE PEOPLE, THE PRIOR OWNERS DIDN'T CARE TOO MUCH
10:41:29 ABOUT THAT.
10:41:29 SO, BURT, HAVE YOU GOT ANY SUGGESTIONS ON HOW TO BETTER

10:41:34 HANDLE THESE KIND OF SITUATIONS?
10:41:36 >>Burt Saunders: YEAH, I'M NOT SURE THAT YOU HAVE A WHOLE
10:41:38 LOT OF ALTERNATIVES.
10:41:40 IF SOMEONE FAILS TO COMPLY WITH THE CODE ENFORCEMENT ORDER
10:41:44 AND THERE'S A PENALTY ATTACHED TO IT AND THEY ABANDON THE
10:41:48 HOUSE, THE ONLY REAL SOLUTION IS FOR SOMEONE TO COME IN,

10:41:52 PURCHASE THE HOME AND FIX IT, AS THIS PETITIONER HAS DONE.
10:41:55 THAT'S REALLY THE ONLY SOLUTION.
10:41:57 THE COUNCIL, YOU'RE NOT IN A POSITION TO TAKE --
10:42:01 THEORETICALLY, YOU COULD ACQUIRE THE PROPERTY YOURSELVES,
10:42:03 BUT THAT'S NOT THE BUSINESS YOU'RE IN.
10:42:05 SO I THINK YOU'RE RIGHT IN THAT YOU DO HAVE TO RELY ON FOLKS
10:42:09 LIKE THIS GENTLEMAN TO COME IN AND CLEAN UP THOSE TYPES OF
10:42:12 MESSES.
10:42:13 IT'S NOT HIS FAULT THAT THERE WAS A VIOLATION.
10:42:16 THE QUESTION BECOMES JUST WHAT IS A REASONABLE AMOUNT BASED
10:42:21 ON ALL OF THE COLLECTION EFFORTS THAT WENT BEFORE THIS.
10:42:24 MR. BOESCH, THE REASON I POINTED OUT THE ISSUE OF WHAT THE
10:42:28 HOUSE IS ON THE MARKET FOR, IS YOU HAD ASKED WHAT THE VALUE
10:42:30 OF THE HOUSE WAS, AND THERE WAS AN ANSWER, BUT THERE WAS --
10:42:34 I BELIEVE THE HOUSE IS LISTED, AS MR. FIESEL HAS INDICATED,
10:42:38 FOR SOMETHING IN EXCESS OF $800,000.
10:42:40 I THINK THAT GIVES YOU MORE OF A PICTURE OF WHAT THE VALUE
10:42:43 IS.
10:42:44 THAT'S WHY I RAISED THAT QUESTION.

10:42:46 IT'S REALLY TOTALLY WITHIN YOUR DISCRETION.
10:42:49 YOU KNOW WHAT THE FACTS ARE HERE, WHO IS RESPONSIBLE AND
10:42:52 WHAT THESE FOLKS HAVE DONE TO CORRECT THAT.
10:42:58 >>Vice-Mayor McLain: DO WE AS A VILLAGE, DO WE HAVE THE
10:43:01 AUTHORITY -- NOW WE HAVE CLOSE TO $240,000, BUT SOMEWHERE
10:43:04 ALONG THAT PATH WHEN IT GETS TO 150,000 OR SOMETHING, DO WE
10:43:08 HAVE THE RIGHT TO ISSUE A FORECLOSURE AGAINST THE OWNER OF
10:43:13 THAT PROPERTY.
10:43:13 >>Burt Saunders: YOU CAN TAKE LEGAL ACTION TO COLLECT THE
10:43:16 LIEN.
10:43:17 YES, SIR, YOU CAN.
10:43:17 >>Vice-Mayor McLain: MAYBE WE NEED TO LOOK AT THAT AS A
10:43:20 POTENTIAL FUTURE SOLUTION AS WE DON'T LET THESE THINGS GO
10:43:25 FOR TWO OR THREE YEARS, THAT WE FORCE THAT AND MAYBE THAT
10:43:30 ACTION WOULD CREATE ACTIVITIES TO CORRECT THE PROBLEM OR
10:43:34 NOT.
10:43:35 WE'LL PUT IT UP FOR CLOSURE AND RESOLVE THAT IN A MORE
10:43:38 TIMELY FASHION FOR THE NEIGHBORHOODS.
10:43:41 >>Burt Saunders: LET ME MAKE ONE OTHER POINT, BECAUSE I
10:43:43 THINK IT'S IMPORTANT IN TERMS OF YOUR DELIBERATIONS.
10:43:47 MOST COMMUNITIES, INCLUDING ESTERO, THE GOAL OF CODE
10:43:51 ENFORCEMENT HAS BEEN TO GET COMPLIANCE.
10:43:53 IT'S NEVER BEEN SEEN AS A REVENUE-GENERATING PROCESS.
10:43:57 YOU'VE GOTTEN A CORRECTION OF THE PROBLEMS THROUGH THIS
10:44:02 PROCESS THAT WAS OUTLINED.

10:44:05 SO THE QUESTION IS, ARE YOU LOOKING FOR A REVENUE SOURCE?
10:44:10 ARE YOU LOOKING FOR COMPLIANCE?

10:44:12 SO I THINK THAT'S PART OF YOUR CONSIDERATION IS WHAT'S
10:44:15 REALLY FAIR IN THIS.
10:44:18 AGAIN, IT'S TOTALLY WITHIN THE DISCRETION OF THE COUNCIL TO
10:44:21 EITHER MITIGATE THIS OR NOT.
10:44:25 >>Jim Boesch: MAY I ALSO COMMENT --
10:44:26 >>Mayor Errington: WAIT A MINUTE.
10:44:27 JOANNE RIBBLE.
10:44:29 >>Joanne Ribble: I THINK WE HAVE TO WEIGH THE BENEFITED
10:44:33 VALUE THAT MR. LACAYO HAS PROVIDED TO THE ENTIRE
10:44:39 NEIGHBORHOOD AGAINST THIS LIEN THAT HE IS STUCK WITH AND THE
10:44:41 VIOLATOR IS GETTING AWAY SCOT-FREE.
10:44:44 IN THE LAST SITUATION THAT LARRY REFERS TO, IT WAS THE
10:44:47 VIOLATOR WHO ULTIMATELY PAID THE LIEN THAT WE ASKED THEM TO
10:44:54 PAY.
10:44:54 I LOST MY TRAIN OF THOUGHT HERE.
10:44:57 I THINK WE HAVE TO WEIGH WHAT HE HAS BEEN ABLE TO DO AGAINST
10:45:02 A VIOLATION THAT HE DID NOT INCUR AND MAYBE THERE'S
10:45:07 EXCEPTIONS IN THIS SITUATION.
10:45:10 I UNDERSTAND WHERE COUNCILMAN FIESEL IS COMING FROM WITH
10:45:14 SETTING A PRECEDENT, BUT LIKE I SAID, THE LAST TIME WE DEALT
10:45:19 WITH THE VIOLATOR.
10:45:21 HERE WE'RE DEALING WITH SOMEONE WHO HAS TRIED TO IMPROVE
10:45:25 THINGS FOR THE ENTIRE NEIGHBORHOOD, REGARDLESS OF WHAT THE

10:45:27 SALE PRICE OF THE HOUSE IS.
10:45:30 SHOULD WE INCUR SOME KIND OF EXPENSE?
10:45:35 YES, THE VILLAGE HAS EXPENSES THAT WE INCURRED THROUGH THIS
10:45:39 WHOLE PROCESS.
10:45:40 WE SHOULD RECOUP THOSE EXPENSES AT LEAST.
10:45:44 I LEAVE IT UP TO US TO DECIDE WHAT THAT AMOUNT IS GOING TO
10:45:48 BE.
10:45:51 >>Mayor Errington: COUNCIL MEMBER BOESCH.
10:45:53 >>Jim Boesch: THE QUESTION WAS ASKED, JON, YES, WE HAVE THE
10:45:57 AUTHORITY BECAUSE WE'VE DONE IT BEFORE.
10:46:07 >>Mayor Errington: I HAVE -- GO AHEAD.
10:46:09 >>Jim Ward: I'M NOT LOOKING AT THIS AS A REVENUE SOURCE.
10:46:13 I'M LOOKING AT IT AS A CODE ENFORCEMENT ISSUE.
10:46:18 AND $2,000 FINE IS LESS THAN TEN DAYS OF FINES OF $250 A DAY
10:46:24 FOR SOMETHING THAT'S BEEN GOING ON FOR TWO YEARS AND
10:46:27 SOMETHING THAT THE VILLAGE -- THE RESIDENTS OF THAT
10:46:31 COMMUNITY HAVE HAD TO DEAL WITH.
10:46:32 SO I RECOGNIZE THAT THE PERSON THAT'S STANDING BEFORE US WAS
10:46:39 NOT THE OWNER THAT CREATED THE ISSUE.
10:46:41 BUT THE OWNER THAT'S SITTING BEFORE US TODAY WAS AWARE OF
10:46:44 THE $240,000 FINE, OR CERTAINLY SHOULD HAVE BEEN AWARE OF
10:46:49 THE 240,000.
10:46:52 SO TO MITIGATE IT AT 2,000 IN MY MIND IS UNACCEPTABLE.
10:46:56 I THINK WE NEED TO FIND SOMETHING MORE REASONABLE THAT, AS

10:47:01 LARRY SAID, PUTS TEETH IN OUR CODE ENFORCEMENT PROCEDURE.

10:47:04 I WOULD RECOMMEND SOMETHING -- SOMEWHERE BETWEEN WHAT
10:47:11 COUNCILMAN BOESCH SAID OF 10,000 AND AS LARRY INDICATED THE
10:47:15 LAST TIME WE SETTLED, IT WAS 5,000.
10:47:17 SO SOMETHING IN THAT RANGE I THINK IS REASONABLE.
10:47:22 AGAIN, I HATE TO THINK OF IT IN THIS TERMS, BUT IT'S NOT A
10:47:27 HOME BEING BOUGHT BY AN INDIVIDUAL FOR HIS OWN INDIVIDUAL
10:47:31 USE.
10:47:32 IT'S PURCHASED TO BE FLIPPED AND MADE A PROFIT ON.
10:47:35 GIVEN THE FACT THAT THEY SHOULD HAVE KNOWN THE $240,000 LIEN
10:47:41 WAS IN EFFECT, THAT'S A PART OF THE EQUATION I THINK WE NEED
10:47:45 TO LOOK AT.
10:47:47 >>Mayor Errington: I HAVE A QUESTION.
10:47:48 YOU'RE LOCATED ON THE EAST COAST, AREN'T YOU?
10:47:52 >> YES.
10:47:53 >>Mayor Errington: HOW DID YOU FIND OUT ABOUT THIS PROPERTY?
10:47:55 >> WELL, IT INTERESTED US THE PROPERTY REALLY.
10:48:00 WE'RE REALLY STILL CONSIDERING KEEPING IT FOR OURSELVES.
10:48:03 WE DID BUY IT UNDER OUR COMPANY BECAUSE THAT'S WHAT WE
10:48:06 LEGALLY THEY RECOMMEND US TO BUY IT UNDER A COMPANY.
10:48:10 THAT'S HOW WE FIND OUT ABOUT THE PROPERTY.
10:48:14 >>Mayor Errington: FIND IT ONLINE?
10:48:16 >> YES.
10:48:16 >>Mayor Errington: SO YOU FOUND IT ONLINE.
10:48:18 >> YES.
10:48:18 >>Mayor Errington: YOU PUT A BID IN FOR IT.

10:48:21 YOU PUT A BID IN FOR IT, A BID.
10:48:23 >> YES, YES.
10:48:24 >>Mayor Errington: AND GOT IT.
10:48:25 >> UM-HUM.
10:48:26 >>Mayor Errington: WHAT DID YOU PAY FOR IT?
10:48:27 >> WE PAID I THINK 475,000.
10:48:30 >>Mayor Errington: AND YOU DID THAT WHEN?
10:48:33 >> THAT WAS BACK IN OCTOBER OR SEPTEMBER.
10:48:37 >>Mayor Errington: AND SO WHEN THIS LIEN SHOWED UP, IT
10:48:41 WAS --
10:48:43 >> WE KNEW THE LIEN.
10:48:45 I MISSED IT BY A COUPLE OF NUMBERS.
10:48:47 BUT WE KNEW THERE WAS A LIEN.
10:48:50 >>Mayor Errington: WHAT WERE YOUR THOUGHTS AT THAT TIME
10:48:51 ABOUT THE LIEN?
10:48:53 JUST PAY IT AND GO ON OR JUST TRY TO FIGHT IT?
10:48:57 >> WE'RE HOPING THAT, YOU KNOW, THAT AS A NEW BUYER AND
10:49:01 BRINGING EVERYTHING -- LIKE, THE MINUTE WE GOT THE PROPERTY,
10:49:04 WE STARTED WORKING ON THE CONDITIONS THAT IT HAD RIGHT AWAY.
10:49:07 SO I WAS HOPING THAT THE INTENT WE HAVE TOWARD THE

10:49:14 NEIGHBORHOOD, BECAUSE WE REALLY -- I WOULD SAY EVERYBODY
10:49:18 LOVES US RIGHT NOW.
10:49:20 THEY SEEN ME AND MY WIFE AND MY GUYS WORKING AT IT NONSTOP,
10:49:25 PLUS ALL THE HELPERS, THE STUFF THAT I DON'T KNOW HOW TO DO.
10:49:29 >>Mayor Errington: WE APPRECIATE ALL THAT.

10:49:30 WE APPRECIATE WHAT YOU HAVE DONE, AND WE WANT TO BE FAIR,
10:49:33 BUT EVEN IF YOU HAD TO PAY THE FULL AMOUNT, YOU WOULD STILL
10:49:36 MAKE A PROFIT.
10:49:38 YOU WOULD STILL MAKE A PROFIT.
10:49:39 AND YOU'RE LOCATED -- DID YOU DRIVE OVER HERE THIS MORNING?
10:49:44 >> YES.
10:49:45 >>Mayor Errington: FROM WHERE?
10:49:46 >> FROM MIAMI.
10:49:48 >>Mayor Errington: MIAMI.
10:49:48 SO THERE HAS TO BE AN INCENTIVE FOR BUYING THIS ONLINE
10:49:51 KNOWING, LOOKING AT ESTERO AND KNOWING PRICES OF HOUSING AND
10:49:56 WHAT THE COSTS ARE GOING UP.
10:49:58 SO IT WAS AN INCENTIVE TO BUY THIS PROPERTY.
10:50:01 >> YES, YES.
10:50:03 >>Mayor Errington: SO DO YOU HAVE OTHER HOMES HERE IN
10:50:06 ESTERO?
10:50:06 >> NO.
10:50:07 >>Mayor Errington: JUST THIS ONE.
10:50:09 >> YES.
10:50:09 >>Mayor Errington: THAT IS A NICE NEIGHBORHOOD.
10:50:11 >> YES, IT'S VERY BEAUTIFUL.
10:50:12 >>Mayor Errington: IT IS VERY, VERY NICE.
10:50:14 BUT NO MATTER WHAT HAPPENS TODAY, YOU WILL STILL MAKE A
10:50:19 PROFIT NO MATTER.
10:50:20 YOU HAVE TO SAY THAT YOU WILL.

10:50:23 THE AMOUNT YOU PUT IN, WHAT YOU SAID, YOU SAID YOU PUT ABOUT
10:50:26 50 TO 60 THOUSAND IN.
10:50:28 YOU PAID 240,000.
10:50:32 YOU STILL MAKE A PROFIT.
10:50:33 >> REMEMBER, THIS IS A NUMBER COMING BACK TO MY HEAD --
10:50:37 >>Mayor Errington: IT'S CLOSE.
10:50:37 A THOUSAND OR TWO HERE OR THERE WHEN YOU'RE DEALING WITH
10:50:41 FINGERS LIKE THAT.
10:50:42 >> PAID ASSOCIATION.
10:50:43 THEY WERE LATE ON THE ASSOCIATION AS WELL.
10:50:45 TAXES.
10:50:47 COMMISSIONS THAT WILL HAVE TO BE PAID.
10:50:49 ATTORNEYS' FEES.
10:50:50 >>Mayor Errington: WHAT MADE YOU THINK THAT WE WOULD JUST
10:50:53 SAY PAY 2,000.
10:50:54 IS THAT SOMETHING YOU SAW ONLINE THAT SOMEBODY ELSE GOT BY

10:50:57 WITH PAYING $2,000 ONE TIME?
10:51:00 >> THAT'S WHY I'M HERE TODAY.
10:51:01 I'M HOPING THAT YOU GUYS COULD HELP ME OUT AND MAKE THIS
10:51:05 POSSIBLE FOR US.
10:51:08 >>Mayor Errington: ANY OTHER COMMENTS?
10:51:09 VICE-MAYOR.
10:51:11 >>Vice-Mayor McLain: I'LL MAKE A MOTION IF WE'RE READY FOR
10:51:13 THAT.
10:51:13 >>Mayor Errington: I THINK WE NEED TO MAKE SURE -- LET'S

10:51:16 SEE, ANY E-COMMENTS?
10:51:18 >>Carol Sacco: NO MAYOR.
10:51:19 >>Mayor Errington: NO E-COMMENTS.
10:51:20 >>Carol Sacco: AND NO COMMENTS.
10:51:21 >>Mayor Errington: NO ONE SIGNED UP TO SPEAK.
10:51:23 >>Carol Sacco: NO.
10:51:24 >>Mayor Errington: OKAY.
10:51:30 >>Joanne Ribble: ONE MORE THING.
10:51:31 HE BOUGHT THE PROPERTY KNOWING THAT THE LIEN WAS THERE,
10:51:37 KNOWING THAT THERE WOULD HAVE TO BE SOME KIND OF PAYBACK TO
10:51:41 THE VILLAGE.
10:51:42 IT HAD TO BE FIGURED IN IN THE TOTAL COST OF EVERYTHING THAT
10:51:45 HE DID.
10:51:46 THIS IS WHAT THEY DO FOR A LIVING, THIS REAL ESTATE COMPANY.
10:51:51 THEY BUY PROPERTIES AND THEY GET THEM VERY CHEAPLY BECAUSE
10:51:54 SOMETIMES THE LIEN.
10:51:57 THIS IS A BUSINESS OPPORTUNITY FOR HIM.
10:52:01 >>Mayor Errington: OKAY.
10:52:02 ANY OTHER COMMENTS?
10:52:05 DO I HAVE A MOTION?
10:52:12 YOU WANTED TO MAKE A MOTION, VICE-MAYOR.
10:52:14 >>Vice-Mayor McLain: I MAKE A MOTION THAT WE SETTLE THIS FOR
10:52:19 20% OF THE VALUE OF THE -- ABOUT 48 OR 49 THOUSAND DOLLARS.
10:52:25 WHAT WE WOULD SETTLE FOR.
10:52:30 >>Jim Boesch: I DIDN'T HEAR YOUR NUMBER.

10:52:32 >>Vice-Mayor McLain: 49,000.
10:52:33 ABOUT 20% OF THE DUE.
10:52:34 49,000.
10:52:37 THERE'S $240,000, AND 296.
10:52:42 SO WE COULD JUST SAY 20% OF THE AMOUNT DUE WOULD BE
10:52:46 ACCEPTABLE TO ME.
10:52:49 >>Burt Saunders: JUST FOR CLARIFICATION FOR THE RECORD, JUST
10:52:51 SO WE KNOW WHAT THE AMOUNT IS, YOU'RE ASSESSING AMOUNT OF
10:52:58 49,000 IS THAT PLUS THE COST?
10:53:01 THERE'S $296.85 IN ADMINISTRATIVE COSTS.
10:53:05 SO THE REASON I POINT THAT OUT, TO BE PERFECTLY CLEAR WHAT
10:53:09 YOU'RE SAYING IN YOUR MOTION.

10:53:10 AMOUNT OF THE FINE AND THEN ADMINISTRATIVE COST.
10:53:12 IF YOU'RE LUMPING THEM TOGETHER, THAT'S FINE.
10:53:16 SAME MOTION, BUT I WANT FOR THE RECORD TO KNOW EXACTLY WHAT
10:53:19 THE AMOUNT IS.
10:53:19 YOU'RE SAYING 20%, BUT THEN YOU'RE ALSO SAYING 49,000.
10:53:23 THOSE TWO NUMBERS DON'T MATCH.
10:53:25 GIVE US AN EXACT NUMBER.
10:53:29 >>Vice-Mayor McLain: LET'S SAY $29,000 PLUS ADMINISTRATIVE
10:53:33 COSTS OF $296.85.
10:53:38 >>Mayor Errington: THAT'S NOT WHAT YOU SAID.
10:53:41 >>Burt Saunders: YOU MENTIONED 49,000.
10:53:43 >>Vice-Mayor McLain: 49,000, CORRECT.
10:53:45 49,000 PLUS ADMINISTRATIVE COST OF 296.85.

10:53:51 >> CAN I SAY SOMETHING?
10:53:52 THAT'S REALLY -- I APPRECIATE YOUR HELP, BUT LIKE THE
10:53:57 GENTLEMAN WAS SAYING, IF IT COULD BE LIKE 10,000.
10:54:03 MAKE SOME ROOM TO DO THIS.
10:54:06 WE DO THIS -- WE DO IT TO MAKE SOME MONEY AS WELL.
10:54:11 MENTIONED $10,000, THAT WOULD REALLY BE A BIG HELP.
10:54:19 >>Mayor Errington: SO THE MOTION IS -- BURT, WILL YOU REPEAT
10:54:24 THE MOTION?
10:54:24 >>Burt Saunders: IT'S TO MITIGATE THE LIEN FROM THE $240,000
10:54:28 DOWN TO $49,000 PLUS ADMINISTRATIVE COST OF $296.85.
10:54:34 >>Mayor Errington: TOTAL OF WHAT?
10:54:35 >>Burt Saunders: 49,296.85.
10:54:40 >>Mayor Errington: DOES THAT SOUND LIKE YOUR MOTION?
10:54:41 >>Vice-Mayor McLain: YES.
10:54:42 >>Mayor Errington: DO I HAVE A SECOND?
10:54:43 MOTION MADE BY VICE-MAYOR McLAIN.
10:54:49 SECONDED BY COUNCIL MEMBER FIESEL.
10:54:51 READY FOR THE ROLL.
10:55:04 >>Carol Sacco: COUNCIL MEMBER WILSON?
10:55:06 >>Mayor Errington: COUNCIL MEMBER WILSON, YOU NEED TO
10:55:08 UNMUTE.
10:55:08 >>Jim Wilson: I'M SORRY, I WAS MUTED.
10:55:11 AYE.
10:55:19 >>Carol Sacco: ARE YOU ACCEPTING THAT NOD?
10:55:27 >>Mayor Errington: WE HAVE TO GET HIM ONLINE.

10:55:29 >>Jim Wilson: I'M ONLINE.
10:55:32 >>Mayor Errington: WE NEED YOU TO UNMUTE.
10:55:35 >> HE'S UNMUTED.
10:55:36 >>Mayor Errington: WE CAN'T HEAR HIM.
10:55:39 >>Jim Wilson: CAN YOU HEAR ME NOW?
10:55:41 I'M UNMUTED.
10:55:44 >>Mayor Errington: YES.
10:55:45 WE'RE CALLING THE ROLL.

10:55:46 >>Jim Wilson: I KNEW THAT.
10:55:48 I APOLOGIZE FOR BEING MUTED.
10:55:51 >> COUNCIL MEMBER WILSON?
10:55:52 >>Jim Wilson: AYE.
10:55:53 >>Jim Ward: CLARIFICATION, IS THERE OPPORTUNITY FOR COMMENT
10:55:58 OR JUST AYE OR NAY?
10:56:01 >>Mayor Errington: WE'RE VOTING NOW.
10:56:02 IT'S A VOTE.
10:56:08 >>Jim Ward: I THINK IT'S EXCESSIVE, NAY.
10:56:14 I WOULD VOTE NO.
10:56:18 >>Mayor Errington: OKAY.
10:56:21 >>Jim Boesch: NO.
10:56:24 >>Larry Fiesel: AYE.
10:56:27 >>Joanne Ribble: AYE.
10:56:29 >>Vice-Mayor McLain: AYE.
10:56:32 >>Mayor Errington: AYE.
10:56:32 OKAY.

10:56:39 THANK YOU.
10:56:40 NEXT ON THE AGENDA IS ITEM NUMBER 7B, SANDY LANE AND VIA
10:57:03 COCONUT POINT BRIDGE REHABILITATION.
10:57:08 RFB 2021-04.
10:57:13 STEVE, WOULD YOU LIKE TO INTRODUCE THIS?
10:57:15 >>Steven Sarkozy: THANK YOU, MAYOR AND MEMBERS OF COUNCIL.
10:57:18 AS YOU'RE WELL AWARE, WE HAVE POLICIES IN OUR CODES THAT
10:57:24 REALLY REQUIRE THAT WE MAINTAIN OUR PROPERTIES AND
10:57:28 FACILITIES THAT WE OWN IN A HIGH LEVEL OF REPAIR, MAKING
10:57:34 SURE THAT WE'RE NOT PASSING ON LIABILITIES TO FUTURE
10:57:38 GENERATIONS.
10:57:38 ONE OF THE BIG BRIDGES WE HAVE IS THE SANDY LANE BRIDGE OVER
10:57:45 THE ESTERO RIVER, AND THAT'S BEEN INSPECTED AND WE NEED TO
10:57:51 DO SOME MINOR REHABILITATION OF THAT FACILITY AS WELL AS
10:57:56 ANOTHER CULVERT.
10:57:57 I'D LIKE TO CALL ON OUR DIRECTOR OF PUBLIC WORKS, DAVID
10:58:00 WILLEMS, TO DESCRIBE THE WORK TO BE DONE ON BOTH SANDY LANE
10:58:07 AND THE VIA COCONUT POINT CULVERT REPAIR.
10:58:10 DAVID?
10:58:12 >>David Willems: GOOD MORNING, COUNCIL.
10:58:13 >>Mayor Errington: GOOD MORNING.
10:58:13 >>David Willems: JUST REAL BRIEFLY, SO WE -- F.D.O.T. DOES
10:58:18 INSPECTIONS OF ALL OUR BRIDGE STRUCTURES, WHICH INCLUDES OUR
10:58:20 BRIDGES AND THEN OUR LARGER BOX CULVERTS.
10:58:23 AND IN THE LAST INSPECTIONS, WHICH WERE A COUPLE OF YEARS

10:58:26 AGO, THEY IDENTIFIED A COUPLE OF AREAS THAT NEEDED TO BE
10:58:29 ADDRESSED TO MAKE SURE THAT THE STRUCTURES STAYED IN GOOD
10:58:34 CONDITION.
10:58:34 ON SANDY LANE, THERE IS EROSION PROTECTION THAT WAS UP

10:58:37 AGAINST THE SIDES OF THE STRUCTURE AND THE BANKS THAT HAD
10:58:41 DETERIORATED.
10:58:41 IT JUST STARTED TO WASH AWAY.
10:58:44 AND WHAT WE'RE DOING IS JUST TRIMMING THAT BACK.
10:58:48 WE'RE PUTTING EROSION CONTROL MEASURES ALONG BOTH SIDES OF
10:58:51 THE BRIDGE.
10:58:52 THERE ARE NO STRUCTURAL ISSUES RIGHT NOW.
10:58:54 THIS IS JUST PREVENTIVE TO MAKE SURE THAT THE BRIDGES STAY
10:58:57 IN GOOD CONDITION.
10:58:58 THE OTHER IS JUST SOUTH OF RAPALLO ON VIA COCONUT, THERE IS
10:59:03 A BOX CULVERT UNDERNEATH VIA COCONUT POINT, AND SOME OF THE
10:59:07 CONCRETE HAS DETERIORATED A LITTLE BIT, AND THERE'S SOME
10:59:10 EXPOSED REBAR.
10:59:12 AND WHAT THE CONTRACTOR IS GOING TO DO IS GO IN THERE AND
10:59:15 PUT AN EPOXY ON IT TO SEAL THAT UP SO THAT THE WATER IS NOT
10:59:19 DETERIORATING THE METAL RUSTING IT.
10:59:22 SO WE GOT A BID TO DO THAT.
10:59:25 THOMAS MARINE, AND THEY CAME IN BELOW WHAT OUR ESTIMATE WAS
10:59:29 FROM OUR ENGINEER.
10:59:30 THESE COSTS ARE IN THE C.I.P., SO WE CAME IN BELOW WHAT OUR
10:59:36 ORIGINAL ESTIMATE IS AND WHAT WAS IN THE C.I.P.

10:59:41 SO WE'RE JUST LOOKING FOR APPROVAL OF THAT CONTRACT SO WE
10:59:43 CAN GET THEM STARTED ON THAT PROJECT.
10:59:47 >>Mayor Errington: COUNCIL QUESTIONS?
10:59:49 COUNCIL MEMBER BOESCH.
10:59:51 >>Jim Boesch: DAVID, I COULDN'T FIGURE OUT FROM THE MAP THAT
10:59:55 YOU GAVE, WHERE IS IT ON SANDY LANE?
10:59:57 WHERE IS THE BRIDGE ON SANDY LANE?
11:00:03 OR WHERE IS THE BRIDGE --
11:00:06 >>David Willems: I'M PULLING IT UP.
11:00:08 IT'S A REHABILITATION -- OR WE'RE FIXING THE EXISTING BRIDGE
11:00:14 THAT'S ON SANDY LANE JUST NORTH OF CORKSCREW ROAD.
11:00:19 SO THE COMMUNITY THAT WAS THE SUBJECT OF THE LIEN, THAT'S
11:00:24 ACTUALLY THE COMMUNITY JUST SOUTH OF THIS LOCATION.
11:00:32 >>Jim Boesch: JUST A LITTLE BIT SOUTH OF WHERE OUR PROPERTY
11:00:35 IS --
11:00:37 >>David Willems: IT'S JUST TO THE EAST OF THERE.
11:00:39 EAST OF THE PROPERTY.
11:00:42 IT'S AN EXISTING BRIDGE.
11:00:43 IT IS THE BRIDGE -- WHEN YOU DRIVE DOWN THERE, IT'S NARROW.
11:00:48 IT'S AN OLDER BRIDGE.
11:00:49 I THINK IT'S 40 SOMETHING YEARS OLD.
11:00:51 IT'S IN GOOD CONDITION.
11:00:53 THERE ARE NO ISSUES WITH IT.
11:00:54 BUT WE JUST WANT TO DO THIS MAINTENANCE TO MAKE SURE WE
11:00:57 DON'T HAVE ANY ISSUES WITH IT DOWN THE ROAD.

11:01:00 >>Mayor Errington: ANY OTHER QUESTIONS?
11:01:03 >>Vice-Mayor McLain: ARE THEY GOING TO PUT LIKE THE ROCKS OR
11:01:05 WHATEVER YOU CALL THOSE THINGS --
11:01:09 >>David Willems: YEP.
11:01:10 >>Vice-Mayor McLain: CEMENT AND TRYING TO PROTECT FROM
11:01:12 EROSION.
11:01:13 >>David Willems: THE PIERS AND PYLONS THAT GO INTO THE
11:01:16 GROUND, THIS WILL PROTECT IT FROM EROSION.
11:01:18 IN ADDITION, THE SWALES ALONG SANDY LANE GO INTO THE RIVER
11:01:22 THERE, AND THERE'S REALLY INADEQUATE EROSION PROTECTION
11:01:25 THERE AND THIS WILL ADDRESS THAT AS WELL.
11:01:29 >>Vice-Mayor McLain: THE BOX CULVERT IS THAT JUST A CEMENT
11:01:33 STRUCTURE, LIKE A TUNNEL?
11:01:35 >>David Willems: YES.
11:01:36 IT IS A RECTANGLE.
11:01:37 >>Vice-Mayor McLain: -- THE WATER IS COMING THROUGH AND
11:01:39 WEARING AWAY.
11:01:40 >>David Willems: WHEN FLOWS GET LARGE ENOUGH, WE DON'T USE
11:01:43 ROUND PIPES.
11:01:44 WE GET INTO BOX CULVERTS WHICH ARE RECTANGLES THAT THE WATER
11:01:49 FLOWS THROUGH.
11:01:53 >>Jim Ward: PARTICULARLY ON THE VIA COCONUT BOX CULVERT, ARE
11:01:57 YOU TALKING ABOUT THE ROAD IMPROVEMENT OR YOU'RE GOING TO
11:01:59 MAKE IMPROVEMENTS TO THE BOX CULVERT ITSELF?
11:02:02 >>David Willems: IT IS ENTIRELY THE BOX CULVERT.

11:02:05 NEITHER OF THESE REALLY IMPROVE THE ROAD AT ALL.
11:02:07 WHAT THEY'LL HAVE TO DO IS GO UNDERNEATH THE ROAD AND GET
11:02:10 INTO THE BOX CULVERT AND PUT THE MATERIAL ON THE UNDERSIDE
11:02:14 OF THE BOX CULVERT.
11:02:17 >>Jim Ward: DOES THE SOUTHWEST FLORIDA WATER MANAGEMENT
11:02:19 DISTRICT HAVE ANY RESPONSIBILITY HERE OR DOES THE CDD HAVE
11:02:24 ANY RESPONSIBILITY?
11:02:25 >>David Willems: NOT IN THIS SITUATION BECAUSE SANDY LANE
11:02:28 AND VIA COCONUT ARE OUR ROADWAYS.
11:02:30 SO WE'RE CHARGED WITH -- WE OWN AND OPERATE AND MAINTAIN
11:02:34 EVERYTHING WITHIN THOSE RIGHT-OF-WAYS.
11:02:36 >>Jim Ward: THAT'S WHAT MY QUESTION WAS.
11:02:39 THE ROADWAY OR THE BOX CULVERT ITSELF, WHICH IS OFF THE
11:02:44 ROADWAY ITSELF.
11:02:46 >>David Willems: NO.
11:02:47 IT'S UNDER THE ROADWAY.
11:02:48 IT'S ACTUALLY DIRECTLY UNDER THE ROADWAY.
11:02:50 WHEN YOU DRIVE ON VIA COCONUT, YOU DRIVE OVER THE TOP OF
11:02:52 THIS BOX CULVERT.
11:02:53 YOU DON'T SEE IT UNLESS YOU GOT OUT OF YOUR CAR.
11:02:59 THERE'S A HEAD WALL, MAYBE 30 FEET OFF OF THE ROAD.
11:03:02 >>Jim Ward: WHEN I WAS DRIVING DOWN VIA COCONUT TODAY AND I

11:03:06 WAS COMING TO THE MEDIAN, TO THE RIGHT OF VIA COCONUT, I SAW
11:03:11 THE BOX CULVERT OR AT LEAST WHAT I THOUGHT WAS THE BOX
11:03:14 CULVERT.

11:03:15 >>David Willems: THERE IS A BOX CULVERT UNDERNEATH THE
11:03:18 RAILROAD AS WELL.
11:03:19 THAT IS NOT THIS ONE.
11:03:20 THIS ONE IS DIRECTLY UNDER VIA COCONUT.
11:03:22 >>Jim Ward: OKAY.
11:03:23 IRRESPECTIVE OF THE FACT THAT IT'S NOT -- SO THAT'S
11:03:27 CONSIDERED PART OF THE ROADWAY?
11:03:29 >>David Willems: YES.
11:03:30 >>Mayor Errington: ANY OTHER QUESTIONS, COMMENTS?
11:03:33 ANYONE SIGNED UP TO SPEAK?
11:03:36 >>Carol Sacco: NO, MAYOR.
11:03:37 AND NO E-COMMENTS.
11:03:38 >>Mayor Errington: NO E-COMMENTS.
11:03:39 WE NEED A MOTION.
11:03:40 MOTION MADE BY COUNCIL MEMBER RIBBLE AND NEED A SECOND.
11:03:46 SECONDED BY COUNCIL MEMBER FIESEL.
11:03:48 WILL YOU PLEASE CALL THE ROLL.
11:03:49 THANK YOU, DAVID.
11:03:51 >>Joanne Ribble: AYE.
11:03:53 >>Larry Fiesel: AYE.
11:03:55 >>Jim Boesch: AYE.
11:03:56 >>Jim Ward: AYE.
11:03:58 >>Jim Wilson: AYE.
11:04:00 >>Vice-Mayor McLain: AYE.
11:04:01 >>Mayor Errington: AYE.

11:04:02 ITEM NUMBER 8, SECOND READING AND PUBLIC HEARING, SECOND
11:04:10 READING FOR ORDINANCE NUMBER 2022-01.
11:04:16 MADAM CLERK, HAS THE ORDINANCE BEEN PROPERLY ADVERTISED?
11:04:19 >>Carol Sacco: YES, MAYOR.
11:04:20 >>Mayor Errington: WILL YOU PLEASE READ THE TITLE OF THE
11:04:22 ORDINANCE.
11:04:24 >>Carol Sacco: ORDINANCE NUMBER 2022-01, AN ORDINANCE OF THE
11:04:27 VILLAGE COUNCIL OF THE VILLAGE OF ESTERO, FLORIDA, APPROVING
11:04:29 UPDATES TO THE CAPITAL IMPROVEMENTS ELEMENT TO UPDATE THE
11:04:33 CAPITAL IMPROVEMENTS SCHEDULE FOR FISCAL YEAR 2021/2022 AND
11:04:39 ADOPT THE MOST RECENT LEE COUNTY SCHOOL DISTRICT CAPITAL
11:04:42 IMPROVEMENT PLAN; PROVIDING FOR CONFLICT; PROVIDING FOR
11:04:44 SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.
11:04:48 >>Mayor Errington: THANK YOU.
11:04:48 STEVE, WOULD YOU INTRODUCE THIS, PLEASE?
11:04:50 >>Steven Sarkozy: THANK YOU, MAYOR, AND MEMBERS OF COUNCIL.
11:04:52 AS PART OF OUR BUDGET LAST YEAR, YOU ADOPTED IN SEPTEMBER
11:04:58 THE TOTAL BUDGET, INCLUDING THE CAPITAL IMPROVEMENT PROGRAM.

11:05:03 YOU HEARD AT OUR LAST WORKSHOP BACK ON JANUARY 5th THAT AS
11:05:09 PART OF OUR CAPITAL -- I'M SORRY, AS OUR COMPREHENSIVE PLAN,
11:05:15 WE NEED TO FORMALLY ADOPT THE C.I.P. AND INCLUDE THAT IN THE
11:05:21 COMPREHENSIVE PLAN.
11:05:21 MARY PROVIDED YOU A BACKGROUND ON THE PROCEDURES.
11:05:25 THIS IS THE SECOND READING THAT WOULD MAKE EFFECTIVE THIS
11:05:29 FINAL ACTION.

11:05:30 WE'RE HERE TO ANSWER ANY QUESTIONS THAT YOU MIGHT HAVE.
11:05:33 BUT THE CAPITAL IMPROVEMENT PROGRAM THAT YOU'RE ADOPTING
11:05:37 HERE IS THE SAME ONE THAT YOU ADOPTED AS PART OF THE BUDGET.
11:05:42 >>Mayor Errington: THANK YOU.
11:05:43 ANY QUESTIONS FROM COUNCIL?
11:05:45 COMMENTS?
11:05:46 ANYBODY SIGNED UP TO SPEAK?
11:05:52 >>Carol Sacco: NO, MAYOR.
11:05:54 NO E-COMMENTS.
11:05:55 >>Mayor Errington: WE WILL NOW CLOSE THE PUBLIC COMMENT
11:05:58 PORTION OF THE HEARING.
11:06:01 NO FURTHER COMMENTS FROM COUNCIL.
11:06:04 I NEED A MOTION.
11:06:05 MOTION MADE BY COUNCIL MEMBER BOESCH.
11:06:10 I NEED A SECOND.
11:06:11 SECONDED BY COUNCIL MEMBER FIESEL.
11:06:16 WILL YOU CALL THE ROLL?
11:06:19 >>Joanne Ribble: AYE.
11:06:21 >>Larry Fiesel: AYE.
11:06:23 >>Jim Boesch: AYE.
11:06:24 >>Jim Ward: AYE.
11:06:26 >>Jim Wilson: AYE.
11:06:28 >>Vice-Mayor McLain: AYE.
11:06:30 >>Mayor Errington: AYE.
11:06:30 ITEM NUMBER 9, PUBLIC COMMENT ON NON-AGENDA ITEMS, DO WE

11:06:36 HAVE ANY COMMENTS?
11:06:38 >>Carol Sacco: NO, MAYOR, WE DO NOT.
11:06:39 >>Mayor Errington: THANK YOU.
11:06:40 NOW WE ARE READY FOR COUNCIL COMMUNICATIONS AND FUTURE
11:06:45 AGENDA ITEMS.
11:06:46 SO WE WILL BEGIN TODAY.
11:06:50 HOW ABOUT COUNCIL MEMBER RIBBLE, WOULD YOU START?
11:06:54 >>Joanne Ribble: YES, MAYOR.
11:06:54 I WAS ABLE TO LISTEN IN ON THE LEE HEALTH BOARD MEETING
11:07:00 WORKSHOP ON THE ESTERO PROPERTY AT COCONUT AND 41.
11:07:05 THAT WAS THE SOLE ITEM ON THEIR AGENDA.
11:07:08 AND THEY DISCUSSED THREE POSSIBLE OPTIONS, WHAT TO DO WITH
11:07:12 THAT PROPERTY.
11:07:12 I KNOW THAT PROPERTY CONCERNS ALL OF US.

11:07:15 WE'RE EXPECTING GREAT THINGS FROM THAT PROPERTY.
11:07:18 SO THE THREE OPTIONS THAT THEY CONSIDERED AT THAT WORKSHOP
11:07:22 ARE TO GO FORWARD WITH RFPs TO FIND A DEVELOPER TO WORK ON
11:07:28 THAT PROPERTY AS A LEASE FROM THE HOSPITAL.
11:07:34 THE SECOND OPTION WAS TO HOLD IT AS AN INVESTMENT MODEL.
11:07:37 THE THIRD OPTION WAS TO SELL THE PROPERTY.
11:07:40 APPARENTLY THE APPRAISAL OF THE PROPERTY HAS GONE UP
11:07:44 SUBSTANTIALLY SINCE THEY PURCHASED IT.
11:07:48 AGAIN, IT WAS A WORKSHOP, SO NO DECISION WAS MADE THAT DAY,
11:07:51 BUT I WILL KEEP LISTENING AND KEEP YOU APPRISED OF WHAT
11:07:57 HAPPENS.

11:07:58 >>Mayor Errington: THANK YOU.
11:07:59 VERY IMPORTANT.
11:08:00 COUNCIL MEMBER FIESEL?
11:08:01 ANY COMMENTS?
11:08:04 >>Larry Fiesel: I HAVE A FEW THINGS.
11:08:05 I'M GOING TO MOVE THIS MASK DOWN, IF YOU DON'T MIND, BECAUSE
11:08:08 THESE MASKS ARE REALLY NICE, BUT THERE ARE TWO THINGS I
11:08:13 CAN'T DO WITH IT.
11:08:14 ONE IS BREATHE AND THE OTHER IS TALK.
11:08:16 I CERTAINLY CAN'T DO BOTH AT THE SAME TIME.
11:08:18 I'M GOING TO BRING IT DOWN SO I CAN BREATHE AND TALK.
11:08:24 I HAD AN OPPORTUNITY LAST WEEK TO BE AT A GATHERING WITH DR.
11:08:30 KEN SAVIDGE, THE INTERIM SUPERINTENDENT OF LEE COUNTY
11:08:35 SCHOOLS.
11:08:35 ONE OF THE QUESTIONS HE ASKED, HOW IS EVERYTHING GOING IN
11:08:38 ESTERO?
11:08:39 I SAID EVERYTHING IS GOING REASONABLY WELL, I THINK.
11:08:41 AS A COUNCIL, WE WERE QUITE DISAPPOINTED IN THE DECISION TO
11:08:44 MOVE THE SCHOOL AWAY FROM THE THREE OAKS PROPERTY THAT WE
11:08:47 HAD SPENT SO MUCH TIME DISCUSSING AND DEALING WITH,
11:08:51 ESPECIALLY IN LIGHT OF THE PHYSICAL EDUCATION ACTIVITY
11:08:57 FIELDS THAT WE WERE PLANNING ON PUTTING IN THERE.
11:09:00 HE SAID, WELL, IT'S NOT A DONE DEAL.
11:09:03 HE SAID BUT I'D LIKE TO HEAR FROM YOU.
11:09:05 SO I WONDER IF IT WOULD BE APPROPRIATE FOR US AS A COUNCIL

11:09:09 TO SUBMIT A LETTER FROM THE COUNCIL TO HIM INDICATING THAT
11:09:15 WE ARE DISAPPOINTED IN THAT DECISION, AND AS FAR AS I KNOW,
11:09:18 I THINK WE'RE STILL INTERESTED IN SEEING IF THAT SCHOOL
11:09:21 COULD BE BUILT ON THAT SITE.
11:09:23 I ASK IF THAT IS SOMETHING -- WE HAVE NOT DONE THAT, AS I'M
11:09:26 AWARE.
11:09:27 IF THE COUNCIL WOULD WANT TO CONSIDER THAT AS BEING AN
11:09:30 APPROPRIATE LEADER TO FORWARD OUT.
11:09:33 ANOTHER THING IS, CODE COMPLIANCE.
11:09:37 WE TALKED ABOUT THAT A LITTLE EARLIER.

11:09:40 ONE OF THE STATEMENTS WE HAVE IN HERE IS THE VILLAGE ADOPTED
11:09:42 A LOW TOLERANCE ON SEEKING CODE COMPLIANCE AND SPECIFICALLY
11:09:47 OUR LAND DEVELOPMENT CODE HAS COLORS THAT ARE APPROPRIATE
11:09:53 AND COLORS THAT ARE NOT APPROPRIATE, WHITE AND GRAY.
11:09:57 I SEEM TO BE ZEROED IN ON THIS FOR SOME PARTICULAR REASON,
11:10:01 BECAUSE I'VE GOT MANY PEOPLE IN MY OWN COMMUNITY THAT THEY
11:10:03 ARE NOT HAPPY THAT GRAYS ARE NOT ALLOWED TO BE USED IN
11:10:07 COMMERCIAL BUILDINGS, WHICH MULTIFAMILY HOMES ARE CONSIDERED
11:10:10 A COMMERCIAL BUILDING, AND THEY ARE WANTING TO KNOW WHY IT'S
11:10:15 IN THERE AND I SAID, WELL, IT'S IN THERE AND THAT'S WHAT WE
11:10:19 HAVE TO LIVE WITH AT THIS POINT.
11:10:21 SEEMS TO BE A LACK OF ENFORCEMENT OF THE COLORS BEING USED
11:10:23 IN THE COMMUNITY, IN MY OWN COMMUNITY, FOR EXAMPLE, THEY
11:10:26 RECENTLY GOT A PERMIT TO PAINT A MULTIUNIT, MULTIFAMILY
11:10:31 HOME, A BUILDING.

11:10:33 AND THE COLOR THAT THEY CHOSE WAS -- I WON'T GIVE YOU THE
11:10:37 SHERWIN WILLIAMS NAME FOR IT, BUT IF YOU LOOK ON THEIR WEB
11:10:41 PAGE, IT IS CALLED A GRAY SHADE OF MAUVE.
11:10:44 WELL, THEY PAINTED THEIR BUILDING WITH THIS GRAY SHADE OF
11:10:48 MAUVE, AND THEN I HAVE PEOPLE SAYING, WELL, I GO BY THE
11:10:52 COMMUNITY AND I GO DOWN HERE, THE TIDES AT PELICAN LANDING,
11:10:55 FOR EXAMPLE, GOT CAUGHT WITHOUT A PERMIT PAINTING ILLEGAL
11:10:59 COLORS, AND THEY WERE TAKEN QUITE TO TASK BY THE PLANNING
11:11:02 AND ZONING BOARD.
11:11:03 THEY NOW HAVE REPAINTED THEIR BUILDINGS WITH APPROVED
11:11:06 COLORS.
11:11:07 YOU GO TO COCONUT POINT MALL AND YOU SEE A BUILDING OVER
11:11:10 THERE THAT JUST RECENTLY WAS REPAINTED A VERY DARK SHADE OF
11:11:14 GRAY, AS A MATTER OF FACT.
11:11:15 SO THE QUESTION, I GUESS, THAT I HAVE IS, ARE WE SELECTIVELY
11:11:20 ENFORCING THE CODE OR WHY ARE SOME ENTITIES BEING ALLOWED TO
11:11:24 PAINT IN VIOLATION OF WHAT OUR LAND DEVELOPMENT CODE SAYS?
11:11:30 PERHAPS, I JUST BRING THAT BEFORE US HERE, PERHAPS IT MIGHT
11:11:33 BE SOMETHING THAT WE WANT TO EITHER HAVE IN OUR BRIEFINGS
11:11:36 WITH STEVE OR MAYBE A WORKSHOP ITEM TO MAKE SURE THAT WE --
11:11:41 AGAIN, I HAVE CONCERNS.
11:11:42 I MENTIONED EARLIER IN THIS LIEN MITIGATION THAT WE'VE GOT A
11:11:46 VERY NICE 500 AND SOME PAGE LAND DEVELOPMENT CODE, SPENT A
11:11:50 LOT OF MONEY AND A LOT OF TIME DEVELOPING.
11:11:53 AND I JUST FEAR THAT IT MAY NOT HAVE THE TEETH IN IT IF WE

11:11:56 DON'T SUPPORT WHAT'S WRITTEN IN THAT.
11:11:58 THE THIRD ITEM I WAS CONTACTED BY A RESIDENT OF MY COMMUNITY
11:12:04 REGARDING THE INTERSECTION AT 41 AND ESTERO PARKWAY,
11:12:09 BASICALLY THE RIGHT TURN ON RED GOING EASTBOUND ON ESTERO
11:12:18 PARKWAY.
11:12:19 YOU KNOW, PEOPLE EXITING WALMART ESPECIALLY COME OUT OF

11:12:23 THERE, MAKE A U-TURN AT THAT INTERSECTION AND GO BACK EAST.
11:12:27 AND IT GETS TO BE VERY DANGEROUS.
11:12:30 GENTLEMAN BROUGHT IT TO MY ATTENTION, HE SAID I'VE SEEN SO
11:12:35 MANY NEAR ACCIDENTS.
11:12:36 I TALKED WITH DAVID.
11:12:37 HE'S LEFT HERE.
11:12:38 DAVID, I THINK WE HAVE AN ISSUE THAT WE PROBABLY NEED TO
11:12:41 SPEND TIME LOOKING AT AND HE INDICATED THAT THE VILLAGE HAS
11:12:44 CONTACTED THE D.O.T. ABOUT THAT INTERSECTION.
11:12:48 WELL, I DON'T KNOW IF YOU'VE NOTICED IT OR NOT, BUT A FEW
11:12:51 WEEKS AGO, IF YOU'RE IN THAT LANE TO TURN EASTBOUND OFF OF
11:12:54 NORTHBOUND 41, THERE IS THIS GIGANTIC RED ARROW THAT
11:13:00 FLASHES.
11:13:00 YOU HAVE TO BE BLIND TO NOT SEE IT.
11:13:02 WE MUST HAVE A LOT OF BLIND DRIVERS IN THE COMMUNITY BECAUSE
11:13:05 THEY ARE NOT PAYING ANY ATTENTION TO IT.
11:13:07 ANYWAY, I WAS ABLE TO GO BACK TO MY CONSTITUENT AND SAY WE
11:13:10 HAVE THAT ARROW UP THERE.
11:13:11 NOW WE SOLVED YOUR PROBLEM.

11:13:13 HE THINKS I'M A HERO.
11:13:15 [ LAUGHTER ]
11:13:15 I GOT SOMETHING DONE IN TWO DAYS.
11:13:19 I'M NOT GOING TO TAKE THE CREDIT FOR IT, BUT JUST
11:13:22 INTERESTING THAT A PROBLEM THAT EXISTED GOT TAKEN CARE OF BY
11:13:27 D.O.T. AS QUICKLY AS IT DID.
11:13:29 SO JUST BE AWARE THAT WHEN YOU'RE GOING TO TURN RIGHT ONTO
11:13:35 ESTERO PARKWAY, THERE IS AN ARROW THAT TELLS YOU WHEN YOU
11:13:37 CAN AND CAN'T DO THAT TURN.
11:13:38 NOW I'LL GO BACK TO NOT BREATHING.
11:13:42 >>Mayor Errington: STEVE, DO WE NEED A CONSENSUS THEN ABOUT
11:13:45 THE LETTER TO, RIGHT NOW TO GO TO LEE COUNTY BOARD OF
11:13:50 EDUCATION, AS SUGGESTED BY COUNCIL MEMBER FIESEL?
11:13:54 >>Steven Sarkozy: MADAM MAYOR, MAY I SUGGEST, LET ME CHECK
11:13:57 ON THAT AND TO SEE WHAT THEIR PLANS ARE.
11:14:02 I'M NOT SURE WHERE THAT'S AT, BUT WE HAVE AN INTEREST BOTH
11:14:06 IN THE EXCESS PROPERTY OVER AT THE HIGH SCHOOL AND THE
11:14:12 EVENTS THAT ARE GOING ON AT THREE OAKS PARKWAY.
11:14:15 LET ME BRING A REPORT BACK TO YOU AND MAYBE THEN WE CAN
11:14:18 FOLLOW IT UP WITH A MORE TARGETED APPROACH, IF THAT'S
11:14:22 ACCEPTABLE.
11:14:22 >>Mayor Errington: I THINK IT WAS JUST ON THE REASON TO SAY
11:14:26 WE WERE DISAPPOINTED, WASN'T IT?
11:14:28 THAT WAS THE MAIN THING, JUST THAT WE WERE DISAPPOINTED IN
11:14:32 YOUR DECISION, BUT YOU'LL BRING IT BACK?

11:14:35 OKAY.
11:14:35 GOOD.

11:14:35 VICE-MAYOR McLAIN.
11:14:39 >>Vice-Mayor McLain: I'D SAY TO LARRY, IF YOU GET CREDIT YOU
11:14:44 SHOULD ALWAYS TAKE IT BECAUSE SOMETIMES YOU DON'T GET VERY
11:14:46 MUCH CREDIT EVEN THOUGH YOU DIDN'T HAVE -- BUT THAT IS A
11:14:49 NICE SIGN THAT THEY PUT UP THERE.
11:14:51 I THINK YOU DO HAVE TO BE BLIND.
11:14:54 THAT SHOULD RESOLVE THE U-TURNS THAT ARE GOING TO HAPPEN
11:14:57 THERE BECAUSE PEOPLE DON'T GO OUT THAT OTHER EXIT.
11:15:00 I'VE NEVER SEEN THAT KIND OF A SIGN ANYWHERE ELSE IN MY
11:15:04 DRIVING EXPERIENCE.
11:15:06 I ONLY HAVE ONE ITEM.
11:15:08 WE HAVE OUR 7th ANNIVERSARY CELEBRATION COMING UP.
11:15:12 CAROL, I THINK THAT'S MARCH 5th OR SOMETHING.
11:15:15 IT'S A SATURDAY.
11:15:15 >>Carol Sacco: YES, VICE-MAYOR.
11:15:17 >>Vice-Mayor McLain: LIKE 11:30 EVENT GOING TO 2:30 OR SO.
11:15:23 WE'LL HAVE MUSIC THERE, AND WE'RE GOING TO HAVE -- I THINK
11:15:26 WE'RE GOING TO END UP HAVING TEN SPEAKERS, AND MY ROLE WILL
11:15:30 BE I HAVE TO BRING A CANE BECAUSE WE'RE GOING TO TRY AND
11:15:35 LIMIT THE SPEAKERS TO TWO AND A HALF MINUTES EACH.
11:15:38 SO WE DON'T KEEP THE AUDIENCE GOING TO SLEEP OUT THERE.
11:15:44 AT ONE POINT, THERE ARE GOING TO BE SOME EXPENSES IN THERE.
11:15:49 CAROL AND I TALKED JUST BRIEFLY ABOUT IT.

11:15:51 IT'S PROBABLY GOING TO BE AROUND FIVE TO SEVEN THOUSAND,
11:15:54 PROBABLY MAX.
11:15:55 THAT'S FOR THE BAND THAT WE'RE GOING TO HAVE THERE AND
11:15:59 CHAIRS AND PORT-A-POTTY AND THOSE KIND OF THINGS.
11:16:03 STEVE, I DON'T KNOW IF WE NEED A COUNCIL RECOMMENDATION THAT
11:16:06 WE GO FORWARD WITH THAT FOR CLAPPING OURSELVES ON THE BACK,
11:16:12 COST US ABOUT $7,000.
11:16:14 >>Mayor Errington: WHAT IS THE EVENT AGAIN?
11:16:17 >>Vice-Mayor McLain: 7th ANNIVERSARY OF ESTERO.
11:16:18 I THINK GOING FORWARD, AND THIS IS SOMETHING WE CAN TALK
11:16:24 ABOUT IN THE FUTURE, RATHER THAN DOING A 7th, 8th,
11:16:27 9th, I THINK IT MIGHT BE APPROPRIATE FOR US GOING FORWARD
11:16:31 TO DO THE NEXT ONE WOULD BE 10 AND MAYBE 15.
11:16:36 THAT'S ONLY MY OPINION.
11:16:37 I THINK WE CAN DISCUSS THAT ANYTIME IN THE FUTURE.
11:16:40 BUT I DO THINK WE NEED TO RAISE THE THING AND SAY, HEY, ARE
11:16:44 WE OKAY WITH MOVING FORWARD WITH THAT AND SPEND BEING
11:16:46 $7,000?
11:16:47 ALL WE WANT IS CONSENSUS.
11:16:51 A SHAKE OF THE HEAD OR SHAKE OF A NO MAYBE.
11:16:55 >>Mayor Errington: STEVE, ARE YOU COMFORTABLE WITH THAT?
11:16:57 >>Steven Sarkozy: A MOTION TO APPROVE EXPENDITURES UP TO
11:16:59 $7,000 WOULD BE APPROPRIATE.
11:17:01 IT'S NOT IN THE BUDGET SPECIFICALLY, BUT YOU'VE GOT FUNDS TO

11:17:04 COVER IT IF IT'S YOUR CHOICE.

11:17:07 >>Vice-Mayor McLain: I'LL MAKE THAT MOTION.
11:17:09 >>Mayor Errington: NEED A SECOND.
11:17:10 SECONDED BY COUNCIL MEMBER WARD.
11:17:11 WILL YOU CALL THE ROLL?
11:17:14 >>Jim Wilson: AYE.
11:17:18 >>Jim Ward: AYE.
11:17:20 >>Jim Boesch: AYE.
11:17:21 >>Larry Fiesel: AYE.
11:17:23 >>Joanne Ribble: AYE.
11:17:24 >>Vice-Mayor McLain: AYE.
11:17:25 >>Mayor Errington: AYE.
11:17:28 >>Vice-Mayor McLain: THAT'S ALL I HAVE.
11:17:29 THANK YOU.
11:17:29 >>Mayor Errington: JIM WILSON, ARE YOU UNMUTED?
11:17:33 >>Jim Wilson: YEAH, I'M UNMUTED.
11:17:35 >>Mayor Errington: YOU'RE NEXT.
11:17:38 >>Jim Wilson: OKAY.
11:17:40 I'M PLEASED TO REPORT THAT THE COUNTY BOARD ON YESTERDAY'S
11:17:44 SCHEDULED MEETING WAS CONSIDERING PHASE TWO OF THE CORKSCREW
11:17:50 ROAD WIDENING AND IMPROVEMENT, THAT BEING THE STRETCH FROM
11:17:54 BELLA TERRA UP TO ALICO.
11:17:57 NOW, I WAS NOT ABLE TO FIND ON THE INTERNET THIS MORNING
11:18:01 WHETHER THEY ACTUALLY APPROVED IT, BUT AT LEAST THEY KNOW
11:18:06 AND ARE WORKING TOGETHER WITH THE VILLAGE TO IMPROVE THAT
11:18:09 ROADWAY, AND I THINK THAT'S WONDERFUL.

11:18:10 SO I'D LIKE TO THANK THEM.
11:18:14 >>Mayor Errington: THANK YOU.
11:18:15 IS THAT IT?
11:18:16 >>Jim Wilson: THAT'S IT.
11:18:17 >>Mayor Errington: OKAY.
11:18:17 THANK YOU.
11:18:18 COUNCIL MEMBER WARD.
11:18:21 >>Jim Ward: I, TOO, HAVE A PROBLEM WITH THE MASK AND
11:18:23 SPEAKING AND BREATHING. THERE ARE TWO ISSUES I WANTED TO
11:18:28 BRING UP TO THE COUNCIL.
11:18:29 ONE WAS WHAT COUNCILMAN FIESEL HAD NOTED EARLIER, OUR
11:18:35 DISCUSSION AT A PRIOR BOARD MEETING RELATIVE TO THE DECISION
11:18:38 MADE BY THE SCHOOL BOARD NOT TO BUILD THE THREE OAKS SCHOOL.
11:18:42 I ACTUALLY HAD INTRODUCED THAT DISCUSSION AT THAT MEETING
11:18:46 AND IT WAS NOT NECESSARILY CRITICAL OF THE SCHOOL BOARD.
11:18:49 IT WAS JUST REQUESTING THAT WE HAVE MORE INFORMATION
11:18:51 RELATIVE TO THAT DECISION BECAUSE WE HAD SPENT A LOT OF TIME
11:18:56 AT THIS COUNCIL AND AT THE PRIOR COUNCIL AND GETTING A LOT
11:19:00 OF INFORMATION FROM SCHOOL BOARD OFFICIALS AS TO WHY THAT
11:19:04 WAS CRITICAL TO THE CHILDREN OF THIS COMMUNITY AS WELL AS TO

11:19:07 THE ESTERO VILLAGE ITSELF.
11:19:10 SO WE WOULD JUST -- SO WE WERE JUST REALLY LOOKING FOR
11:19:15 INFORMATION.
11:19:15 WE HAD RECEIVED AN E-MAIL FROM SOMEONE THAT WAS CRITICAL OF
11:19:18 THE COUNCIL FOR BRINGING THAT UP.

11:19:21 AND I ALSO WAS -- THIS YOUNG LADY TO MY LEFT HAD BROUGHT IT
11:19:25 UP AS WELL.
11:19:26 I JUST WANT TO CLARIFY OUR POSITION WAS WE NEEDED TO GET
11:19:29 MORE INFORMATION AS TO WHY THERE WAS A 180° CHANGE IN THE
11:19:34 BOARD'S POSITION ON THAT PARTICULAR SUBJECT.
11:19:38 I SECOND COUNCILMAN FIESEL'S REQUEST THAT WE GET MORE
11:19:43 INFORMATION ON THAT.
11:19:44 THE SECOND WAS, I RECENTLY HAD AN OPPORTUNITY TO ATTEND THE
11:19:48 BROOKS COUNCIL OF PRESIDENTS MEETING.
11:19:53 AND DURING THAT MEETING, I MADE A PRESENTATION ON SOME OF
11:19:56 THE THINGS THAT WERE GOING ON WITHIN THE VILLAGE OF ESTERO,
11:19:59 PARTICULARLY THE LARGER DEVELOPMENTS THAT WE'VE SEEN DEVELOP
11:20:04 OVER THE LAST YEAR AND WHAT'S GOING TO HAPPEN IN THE NEXT
11:20:08 TWO YEARS.
11:20:08 THERE WAS A VISIBLE CONCERN WITHIN THE BROOKS COUNCIL OF
11:20:12 PRESIDENTS AS TO THE TRAFFIC AND THE CONGESTION THAT WOULD
11:20:16 RESULT FROM THAT.
11:20:17 THEY ASKED ME TO BRING THAT TO THE BOARD'S ATTENTION.
11:20:20 I TOOK THEM THROUGH THE PROCESS THAT THE BOARD GOES THROUGH
11:20:23 IN TERMS OF THE PLANNING AND ZONING BOARD AND HOW THEY DO
11:20:27 TRAFFIC STUDIES, ET CETERA.
11:20:29 THEY WERE CONCERNED ABOUT THAT.
11:20:30 THEY ALSO WERE CONCERNED ABOUT IMPACT FEES AND WHAT LEE
11:20:34 COUNTY HAD DONE TO LEE COUNTY IMPACT FEES IN TERMS OF
11:20:39 REDUCING THEM SIGNIFICANTLY, BACK AROUND I THINK 2008 OR

11:20:42 2010.
11:20:43 PUBLIC LIGHTING ON VIA COCONUT WAS ALSO A CONCERN THAT THEY
11:20:49 HAD.
11:20:53 THE LAST THING THEY BROUGHT UP WAS SOMETHING RELATIVE TO THE
11:21:00 STREETLIGHT -- NOT THE STREET LIGHTING, THE TRAFFIC LIGHT AT
11:21:02 THE CORNER OF THREE OAKS AND COCONUT.
11:21:05 I BELIEVE THAT'S AN F.D.O.T. ISSUE.
11:21:07 AND I DON'T THINK IT'S REALLY WITHIN THE JURISDICTION OF THE
11:21:11 VILLAGE, IS THAT CORRECT?
11:21:12 COCONUT AND THREE OAKS, PARTICULARLY AS YOU'RE HEADING WEST
11:21:19 ON THREE OAKS.
11:21:23 IT'S A COUNTY ROAD.
11:21:26 EVEN IF IT'S NOT A COUNTY ROAD, IT'S STILL AN F.D.O.T.
11:21:30 SITUATION, IS IT NOT?
11:21:32 >>Steven Sarkozy: WE CAN CHECK ON IT.
11:21:36 >>Jim Ward: IN ANY EVENT, THEY WERE VERY POSITIVE ABOUT THE

11:21:39 THINGS THAT THE VILLAGE OF ESTERO WAS DOING.
11:21:42 AGAIN, I ENCOURAGE THEM THAT THEY SHOULD REALLY GET OUTSIDE
11:21:45 THE GATED COMMUNITIES AND APPRECIATE WHAT ESTERO HAS TO
11:21:49 OFFER TO THEM.
11:21:50 THANK YOU.
11:21:51 >>Mayor Errington: THANK YOU.
11:21:51 JIM BOESCH.
11:21:54 >>Jim Boesch: YES.
11:21:55 I WOULD LIKE TO COMMENT ON THE REPORT THAT WE GOT RIGHT AWAY

11:21:59 FROM OUR NEW LOBBYISTS.
11:22:04 GOOD INFORMATION.
11:22:06 SHOWS THAT THEY ARE ON TOP OF OUR ISSUES THAT WE'RE LOOKING
11:22:09 FOR AND HOPEFULLY WE'RE GOING TO GET THE MONEY THAT WE'RE
11:22:16 REQUESTING FOR REFINING THE ESTERO RIVER.
11:22:21 THEY CAN PROBABLY GIVE US -- KEEP US UP TO DATE WITH WHAT'S
11:22:27 GOING ON THERE.
11:22:28 >>Mayor Errington: ARE YOU FINISHED?
11:22:32 >>Jim Boesch: YES.
11:22:33 >>Mayor Errington: OKAY.
11:22:33 GOOD.
11:22:33 I'M LAST.
11:22:35 I, TOO, WILL TAKE OFF MY MASK TEMPORARILY HERE.
11:22:38 BEFORE SCOTT DUDLEY GETS AWAY, I HAD MENTIONED TO YOU
11:22:44 BRIEFLY SOMETHING THAT I'LL BRING UP NOW.
11:22:49 WHEN I WAS ATTENDING THE MPO EXECUTIVE COMMITTEE MEETING
11:22:53 LAST WEEK, ON THE AGENDA, I GOT THE AGENDA ON A FRIDAY AND
11:22:58 THE MEETING WAS TUESDAY.
11:22:59 SO THERE WAS NO TIME TO COME HERE TO COUNCIL TO BRING THIS
11:23:03 UP.
11:23:04 BUT ON THE AGENDA, ONE OF THE ITEMS WAS THE MPO IS WORKING
11:23:10 WITH F.D.O.T. AND A LOT OF OTHER ORGANIZATIONS WITHIN LEE
11:23:15 COUNTY TO DO AN AWARENESS CAMPAIGN FOR BAD DRIVING, AUTO
11:23:21 CRASHES, AND HELPING PEOPLE TO BECOME AWARE OF THINGS THAT
11:23:26 ARE HAPPENING WITHIN THE COMMUNITY.

11:23:28 AND SO THERE'S MONEY AVAILABLE.
11:23:31 MPO HAS GIVEN MONEY.
11:23:32 F.D.O.T. HAS GIVEN MONEY.
11:23:34 AND I HAD THE IDEA AND I WANTED TO PRESENT IT QUICKLY BEFORE
11:23:39 SO THAT ESTERO WOULD GET CREDIT FOR IT.
11:23:41 AND THIS IS WHAT I PRESENTED.
11:23:42 THAT WE DO -- WORK WITH THE ESTERO HIGH SCHOOL, DO A MOCK
11:23:49 COUNCIL MEETING AND HAVE THE STUDENTS TO GENERATE IDEAS ON
11:23:55 HOW TO KEEP CAR CRASHES FROM OCCURRING, VEHICLE CRASHES
11:24:00 OCCURRING IN ESTERO.
11:24:02 THIS WAS AFTER I HAD GOTTEN A REPORT FROM LEE COUNTY
11:24:08 SHERIFF'S OFFICE THAT IN THE YEAR 2021, LAST YEAR, ESTERO

11:24:12 HAD RECORDED 1,067 CRASHES JUST IN OUR VILLAGE.
11:24:16 SO I MENTIONED THAT AND LEE HEALTH IS WORKING WITH THIS
11:24:24 PROGRAM, AND I WAS VENTURING OUT TOWARDS LEE HEALTH, AND I
11:24:28 TALKED WITH THE PRINCIPAL FROM ESTERO HIGH SCHOOL, AND HE
11:24:31 WAS ON BOARD.
11:24:32 HE'S TALKED WITH SOME TEACHERS.
11:24:35 THEY ARE ON BOARD TO HAVE -- IT DOESN'T COST THE VILLAGE
11:24:38 ANYTHING.
11:24:39 WE JUST LET THE STUDENTS USE THE DAIS AND THE ROOM HERE.
11:24:43 AND THEN THEY WOULD TAKE OVER AND DO A MOCK COUNCIL MEETING.
11:24:47 THEY WOULD CREATE WHAT THIS IS, THEY ARE TRYING TO DO AN
11:24:54 EMPHASIS ON PEOPLE DRIVING, INVOLVED IN CAR CRASHES, AND
11:24:59 THEY TRY -- ARE YOU DISTRACTED?

11:25:02 ARE YOU DRUNK?
11:25:03 ARE YOU DRIVING DROWSY?
11:25:05 JUST ALL KINDS OF ISSUES.
11:25:07 AND LET THE STUDENTS CREATE -- THIS WILL BE PUBLIC SERVICE
11:25:13 ANNOUNCEMENTS.
11:25:13 THEY WILL USE THEIR CELL PHONES AND CREATE DIFFERENT KINDS
11:25:18 OF ROLES THAT PEOPLE PLAY AND THE PRINCIPALS ESPECIALLY
11:25:23 EXCITED ABOUT IF THEY GET TO DO A PROM THIS YEAR THAT THIS
11:25:27 WOULD WORK TO HELP STUDENTS THINK ABOUT DRIVING AND ALSO
11:25:31 OLDER ADULTS IN THE COMMUNITY, ALL ADULTS IN THE COMMUNITY.
11:25:34 SO WHERE WE ARE RIGHT NOW IS WE MEET FRIDAY, MPO MEETS
11:25:41 FRIDAY.
11:25:42 AND WE WILL GET -- WE'RE DEFINITELY ON.
11:25:44 SO MY REQUEST TO SCOTT THIS MORNING IS THE FLORIDA LEAGUE OF
11:25:49 CITIES HAS A WHOLE PACKAGE ON HOW TO PRESENT, STUDENTS TO DO
11:25:54 MOCK COUNCIL MEETINGS.
11:25:55 AND I THINK THAT WOULD BE TREMENDOUS FOR THE STUDENTS TO
11:25:58 HAVE THE OPPORTUNITY AND THE TEACHER IS WORKING WITH THEM TO
11:26:01 SIT UP HERE AND HAVE AN OPPORTUNITY TO DO THAT.
11:26:05 AND THEY COULD DISCUSS, HOW SHOULD WE -- WHAT THE ORIGINAL
11:26:09 PLAN WAS TO HAND OUT FLYERS AND POSTCARDS AND THINGS LIKE
11:26:13 THAT.
11:26:13 I SAID I DID THAT MANY YEARS AGO AS A CLASSROOM TEACHER, WE
11:26:17 ENTERED A DRUG AWARENESS PROGRAM, AND I SAID WE CAME 7th
11:26:21 IN THE NATION.

11:26:23 DID IT DO ANY GOOD?
11:26:24 YOU LOOK BACK, STILL AROUND.
11:26:29 YOU CAN'T DO JUST HANDING OUT PAMPHLETS AND FLYERS AND
11:26:32 POSTERS.
11:26:33 I'M LOOKING FORWARD TO WORKING WITH FLC ON THIS, AND IT'S
11:26:38 JUST LIKE IT WOULD BE NICE FOR THE STUDENTS.
11:26:42 SO I HOPE YOU AGREE.
11:26:47 THEY DO A LOT OF MOCK.

11:26:50 I UNDERSTAND, A LOT OF MOCK TRIALS THROUGHOUT THE STATE.
11:26:52 WE HAVEN'T DONE THAT.
11:26:53 SO IT WOULD BE NICE.
11:26:54 THE SECOND IS, AS THE MAYOR RECEIVED NUMEROUS COMPLAINTS
11:27:02 OVER THE PAST SEVERAL MONTHS FROM RESIDENTS DRIVING OR
11:27:06 LIVING ON CORKSCREW ROAD, PERTAINING TO THE DANGEROUS
11:27:09 CONDITIONS OF THE HUGE TRUCKS AND CONSTRUCTION.
11:27:12 I'VE DONE -- I'VE WORKED WITH COMMISSIONER RAY SANDELLI.
11:27:19 WE'VE SENT OUT LETTERS.
11:27:22 CAPTAIN BLAKE LEE.
11:27:25 AND SO WE'VE SENT OUT LETTERS AND WE'VE RESPONDED.
11:27:29 I AM REQUESTING TODAY THAT LEE COUNTY HAS A PERSON -- I
11:27:37 THINK HER NAME IS JENNIFER DORNING.
11:27:40 AND SHE IS A LIAISON FOR LEE COUNTY TO HANDLE COMPLAINTS FOR
11:27:46 CORKSCREW ROAD.
11:27:49 AND I AM REQUESTING MARILYN TO TRY TO SET UP SOMETHING.
11:27:54 LET THESE CONCERNS GO TO HER.

11:27:55 WE'RE ALL CONCERNED ABOUT THE SAFETY OF THE PEOPLE WHO ARE
11:27:59 DRIVING CORKSCREW ROAD.
11:28:02 YOU CAN'T SAY WE ARE NOT CONCERNED.
11:28:04 BUT SOME OF THESE E-MAILS THAT I AM GETTING OUGHT TO BE
11:28:10 GOING TO DISTRICT 5 AND DISTRICT 7.
11:28:12 AND THEY NEED TO BE MADE AWARE, TOO, OF WHAT'S GOING ON IN
11:28:16 YOUR NEIGHBORHOODS IF YOU'RE NOT ALREADY.
11:28:18 IF YOU'RE NOT RECEIVING ALL THE E-MAILS THAT I AM RECEIVING,
11:28:24 THEN IT IS OF CONCERN FOR YOU IN YOUR OWN DISTRICT TO KNOW
11:28:28 WHAT'S GOING ON.
11:28:29 MARILYN, IF YOU COULD HELP US FIGURE OUT SOME WAY.
11:28:33 IT TAKES A LOT OF TIME TO ANSWER ALL THOSE.
11:28:35 AND THIS WOMAN IS VERY GOOD, AND SHE'S HIRED TO DO THAT, TO
11:28:40 TALK WITH DIFFERENT -- ANSWER CONCERNS.
11:28:43 THE NEXT ONE ON THE AGENDA IS TO DISPEL SOME RUMORS
11:28:49 CIRCULATING AROUND REGARDING COUNTY ROAD 951.
11:28:52 I'VE HEARD THE RUMOR THAT 951 IS COMING THROUGH ESTERO.
11:28:57 I TALKED WITH THE EXECUTIVE DIRECTOR OF THE MPO WHO TALKED
11:29:00 WITH LK NANDAM WITH F.D.O.T.
11:29:06 IT IS A RUMOR.
11:29:07 IT HAS NOT BEEN BROUGHT UP.
11:29:09 IT'S NOT ON THE TABLE.
11:29:11 IT'S IN THERE DOWN THE ROAD, MANY YEARS FROM NOW, BUT IT IS
11:29:15 NOT RIGHT NOW.
11:29:17 AND SO WE WANT TO GET RID OF THAT RUMOR THAT'S CIRCULATING

11:29:21 AROUND.
11:29:21 THE OTHER IS I'VE TALKED WITH DAVID ABOUT LANDSCAPING ON
11:29:27 U.S. 41, AND THERE ARE CERTAIN AREAS THAT NEED ATTENTION,
11:29:32 AND I UNDERSTAND THEY WILL BE GETTING THAT ATTENTION.

11:29:35 WE ALSO LOST DRIVERS.
11:29:40 SOME, I UNDERSTAND, DIDN'T REPORT AN ACCIDENT, BUT THEY TOOK
11:29:43 OUT -- WE'VE LOST FIVE TREES WITH ACCIDENTS.
11:29:46 AND THEN ANOTHER TREE IS APPARENTLY DEAD, AND IT'S NOT
11:29:50 BLOOMING, AND SO THE STATE SAYS WE CAN'T PLANT TREES.
11:29:54 WELL, I'M NOW WORKING WITH F.D.O.T. AND THE STATE TRYING TO
11:29:58 SEE WHY CAN'T ESTERO HAVE TREES IN THE MEDIANS.
11:30:03 I MEAN, WHY NOT?
11:30:05 LEE COUNTY HAS TREES.
11:30:06 BONITA SPRINGS HAS TREES.
11:30:08 WHY CAN'T WE PLANT TREES?
11:30:09 I THINK WE HAVE A GOOD CHANCE OF MAYBE -- I WAS PROMISED
11:30:14 THEY WOULD GET BACK WITH ME.
11:30:15 I HAVE ANOTHER PERSON WITH F.D.O.T. FOLLOWING UP TO MAKE
11:30:19 SURE WE HAVE THE OPPORTUNITY TO GET SOME TREES.
11:30:22 THE OTHER, I'VE HAD MANY COMMENTS ABOUT MEHMET'S MARKET
11:30:31 THERE ON 41.
11:30:32 THE COMMENTS TO ME HAVE BEEN WHEN PEOPLE START COMING BACK,
11:30:34 AND I'M WALKING, THEY ASK ME ALL KINDS OF QUESTIONS, AND
11:30:39 THEY SAY, WHY CAN'T IT BE RESTORED OR TEAR IT DOWN?
11:30:43 LET'S DO ONE OR THE OTHER.

11:30:47 THE WHOLE ROOF IS SINKING AND FALLING IN, AND IT IS AN
11:30:51 EYESORE.
11:30:53 WE EITHER MAKE UP OUR MINDS, FIX IT UP AND KEEP IT AS A
11:30:57 HISTORIC MARKET OR DO WE TEAR IT DOWN?
11:30:59 THAT NEEDS TO HAPPEN SOON.
11:31:03 OKAY.
11:31:06 THE LAST ONE IS MANY OF YOU HAVE BEEN I'M SURE, OR
11:31:14 WONDERING -- I WOULD BE WONDERING -- IS ABOUT THE CHARLES
11:31:18 DAURAY HOUSE.
11:31:19 AS YOU PROBABLY KNOW, I'VE KEPT VOLUMINOUS RECORDS ON THAT
11:31:24 PROPERTY FOR A LONG TIME.
11:31:25 THE HOUSE RIGHT NOW IS, OF COURSE, EMPTY SINCE CHARLES
11:31:32 DAURAY PASSED ON DECEMBER 8, 2021.
11:31:36 OUR CONCERN, WE'VE BEEN APPROACHED BY THREE DIFFERENT
11:31:40 ORGANIZATIONS TRYING TO FIND OUT WHAT'S GOING ON AND
11:31:44 NONPROFITS TO SEE IF THERE IS A POSSIBILITY TO DO SOMETHING
11:31:47 THERE.
11:31:48 THE WAY IT STANDS NOW, AND I WILL ASK BURT IN HIS REPORT TO
11:31:57 FINISH UP WHAT I'M GOING TO SAY, IS THAT IN THE DOCUMENTS
11:32:08 THAT WERE GIVEN TO THE COUNCIL -- AND IT'S ONLINE.
11:32:11 ALL THIS IS ONLINE -- IT SAYS THAT THE COLLEGE OF LIFE HAS
11:32:18 120 DAYS TO GET EVERYTHING OUT OF THAT HOUSE.
11:32:23 AND NOW THE EXECUTOR OF THAT STATE IS SUPPOSED TO BE WORKING
11:32:29 TO GET HIS PERSONAL BELONGINGS AND THE COLLEGE OF LIFE
11:32:34 BELONGINGS OUT.

11:32:35 MY QUESTION IS, YOU CAN'T TAKE THE COLLEGE OF LIFE PROPERTY
11:32:38 AND INCLUDE IT INTO THE LIFE ESTATE BECAUSE THAT'S NOT QUITE
11:32:43 RIGHT.
11:32:43 SO IT SAYS 120 DAYS, BUT THEN THAT SECOND DOCUMENT I FOUND
11:32:51 WAS WRITTEN WHEN WE SIGNED AN AGREEMENT TO PURCHASE THE
11:32:56 ACREAGE FOR $24 MILLION, IT SAYS THAT EVERYTHING HAS TO BE
11:33:02 OUT OF THERE IN 90 DAYS.
11:33:03 AND SO THAT'S 48 DAYS FROM NOW.
11:33:07 I DID NOT REALIZE THAT THAT HOUSE, YOU CAN GO ONLINE AND
11:33:13 SEE, THAT HOUSE IS A LOT BIGGER THAN I EVER THOUGHT IT WAS.
11:33:17 THAT HOUSE IS 4,150 SQUARE FEET.
11:33:22 IT'S BUILT OUT OF CINDER BLOCKS.
11:33:25 IT HAS FOUR BEDROOMS, THREE AND A HALF BATHS.
11:33:28 I'VE NEVER BEEN IN IT, BUT THAT'S A BIG HOUSE.
11:33:31 AND IT SITS ON THE RIVER.
11:33:34 AND IT HAS HIGH VALUE, ACCORDING TO THE LEE COUNTY
11:33:38 APPRAISER'S OFFICE.
11:33:41 SO THAT IS UP FOR -- PERSONALLY, I WANT THEM OUT OF THERE IN
11:33:45 48 DAYS BECAUSE THAT PROPERTY HAS A LOT OF VALUE FOR US, AND
11:33:50 WE CAN'T FOOL AROUND WITH PEOPLE WHO WON'T GET ON THE BUS
11:33:54 AND DO SOMETHING WITH THAT.
11:33:57 THAT'S THEIR RESPONSIBILITY.
11:33:58 THEY NEED TO BE ACTING.
11:33:59 AND SO MY CONCERN IS THAT 48 DAYS, EVERYTHING IS OUT OF
11:34:05 THERE, AND WE CAN GO IN AND LOOK AT THAT.

11:34:08 I'D LOVE FOR EVERYBODY, ALL OF US TO HAVE THE CHANCE TO GO
11:34:10 IN AND SEE AND VISIT THAT PROPERTY AND SEE WHAT YOU THINK.
11:34:18 THE 76 ACRES ACROSS THE ROAD, THAT'S NOT FOR US, BUT WE DO
11:34:25 HAVE A CALL HOPEFULLY A MEETING WITH THE NATURE CONSERVANCY
11:34:32 NEXT WEEK.
11:34:35 BECAUSE THE NATURE CONSERVANCY HAS A BLIGHTED NAME AS FAR AS
11:34:39 I'M CONCERNED RIGHT NOW, IN ESTERO.
11:34:41 AND SO HOPEFULLY THEY WILL TRY TO CLEAR THAT UP.
11:34:44 I THINK I'VE TALKED ENOUGH.
11:34:46 BURT?
11:34:48 >>Burt Saunders: YOU MENTIONED THE DOCUMENT THAT HAS A
11:34:50 90-DAY TIME PERIOD IN THAT.
11:34:52 COULD YOU PROVIDE THAT TO ME?
11:34:53 >>Mayor Errington: I WILL.
11:34:54 >>Burt Saunders: I HAVE THE TWO DOCUMENTS THAT HAVE THE 120
11:34:57 DAYS.
11:34:57 I'M NOT FAMILIAR WITH THE ONE THAT YOU'RE REFERRING TO.
11:35:00 IF YOU COULD PROVIDE THAT.
11:35:01 ASSUMING THAT THAT'S CORRECT, THAT IT'S 90 DAYS, I WILL
11:35:06 NOTIFY THE APPROPRIATE FOLKS THAT IT'S NOT 120 DAYS.
11:35:11 IT'S A 90-DAY PERIOD, BUT I NEED TO SEE THAT DOCUMENT,
11:35:14 BECAUSE EVERYTHING I HAVE SAYS 120 DAYS.

11:35:16 >>Mayor Errington: IT WAS A LETTER WRITTEN OCTOBER THE
11:35:19 16th 2018.
11:35:22 >>Burt Saunders: IS THAT THE LETTER FROM JOHN POLLOCK?

11:35:25 >>Mayor Errington: JOHN POLLOCK TO STEVE.
11:35:29 >>Burt Saunders: I DON'T KNOW WHAT THE GENESIS WAS OF THAT
11:35:31 PARTICULAR LETTER, BUT THAT LETTER WILL NOT CONTROL THE
11:35:36 DOCUMENTS.
11:35:36 SO THAT MAY HAVE BEEN SIMPLY AN ERROR ON JOHN POLLOCK'S
11:35:40 POINT IN PUTTING THAT IN THERE BECAUSE IN THE DOCUMENTS,
11:35:43 THERE ARE TWO DIFFERENT TIME PERIODS.
11:35:44 THERE WAS A 90-DAY TIME PERIOD DEALING WITH RIGHT TO CURE
11:35:48 ANY DEFECTS, AND THEN THERE IS 120-DAY TIME PERIOD FOLLOWING
11:35:53 THE DEATH OF CHARLES DAURAY TO REMOVE MATERIALS FROM THE
11:35:56 HOUSE.
11:35:56 THAT MAY HAVE SIMPLY BEEN A MISTAKE IN A LETTER.
11:35:59 BUT REGARDLESS OF THAT, THAT LETTER DOES NOT CONTROL WHAT
11:36:03 THE DOCUMENTS SAY.
11:36:04 I'LL TAKE A LOOK AT IT.
11:36:06 I KNOW YOU SENT ME THAT LETTER.
11:36:07 I THOUGHT MAYBE YOU WERE TALKING ABOUT SOME OTHER DOCUMENT,
11:36:10 BUT OTHER THAN THE 120 DAYS, I THINK THAT'S PROBABLY GOING
11:36:14 TO BE WHAT IT IS.
11:36:15 BUT THEY ARE RESPONSIBLE FOR REMOVING EVERYTHING WITHIN THAT
11:36:18 TIME PERIOD.
11:36:19 WE'LL MAKE SURE THAT THEY DO.
11:36:23 IF THEY DON'T, THEN THE VILLAGE HAS THE AUTHORITY TO GO IN
11:36:25 AND REMOVE EVERYTHING AND PUT IT IN STORAGE AND ALL THE
11:36:28 COSTS ASSOCIATED WITH DOING THAT WOULD BE BORNE BY THE

11:36:31 COLLEGE OF LIFE.
11:36:32 SO I THINK THAT'S YOUR ANSWER MOST LIKELY.
11:36:36 IT'S MOST LIKELY THE 120 DAYS.
11:36:38 >>Mayor Errington: HOW CAN WE PROVE THAT?
11:36:42 >>Burt Saunders: AGAIN, THE LETTER ISN'T GOING TO CONTROL
11:36:44 THE DOCUMENTS.
11:36:45 THAT'S JUST A FACT.
11:36:49 >>Mayor Errington: IT GOES TO APRIL THE 7th THEY HAVE TO
11:36:51 BE OUT.
11:36:52 >>Burt Saunders: WHATEVER THE 120-DAY PERIOD IS, YES.
11:36:54 JUST SO YOU KNOW, I WILL NOT BE ABLE TO BE ON THAT TELEPHONE
11:37:01 CALL ON NEXT TUESDAY, THE 25th.
11:37:04 CERTAINLY WOULD BE INTERESTED IN HEARING WHAT THE NATURE
11:37:08 CONSERVANCY HAS TO SAY.
11:37:10 JUST FOR THE REST OF THE VILLAGE COUNCIL MEMBERS, THE
11:37:14 VILLAGE OF ESTERO HAS BEEN WORKING WITH THE NATURE
11:37:17 CONSERVANCY.
11:37:18 I WAS LOOKING AT SOME OF THE OLD LETTERS.

11:37:20 WE HAD SORT OF AN AGREEMENT, AT LEAST AN AGREEMENT, AGREED
11:37:25 PROCESS THAT WE WERE LOOKING AT WITH THE NATURE CONSERVANCY.
11:37:28 I SUBMITTED THAT IN A LETTER TO THE NATURE CONSERVANCY IN
11:37:32 OCTOBER OF 2016.
11:37:34 SO THIS HAS BEEN SOMETHING THAT'S BEEN KICKED AROUND A LONG
11:37:37 TIME.
11:37:37 OBVIOUSLY, WITH THE DEATH OF CHARLES DAURAY, EVERYTHING HAS

11:37:41 CHANGED AT THIS POINT.
11:37:42 WE UNDERSTAND THERE WAS A CONTRACT WITH MARK WOODARD THAT
11:37:49 EXPIRED IN OCTOBER OF 2021.
11:37:52 SO AS FAR AS WE KNOW AT THIS POINT, THERE ARE NO CONTRACTS
11:37:54 ON THIS PROPERTY.
11:37:57 IT IS SIMPLY PROPERTY OWNED BY THE COLLEGE OF LIFE WITH THE
11:38:00 NATURE CONSERVANCY EASEMENT ON IT.
11:38:05 >>Mayor Errington: IS THAT IT?
11:38:07 >>Burt Saunders: YES.
11:38:09 I'M SORRY.
11:38:09 >>Mayor Errington: THANK YOU.
11:38:16 >>Jim Ward: I GUESS WE RECENTLY SAW ON TELEVISION THAT
11:38:19 GOVERNOR DESANTIS WAS DOWN IN BONITA SPRINGS AND AWARDED
11:38:22 BONITA SPRINGS A $17 MILLION GRANT.
11:38:24 MY UNDERSTANDING FROM READING ABOUT IT IS THAT IT RELATES TO
11:38:28 STORMWATER MANAGEMENT, BIKE TRAILS, LANDSCAPING, PRIMARILY
11:38:33 RELATED, I THINK, TO SOME DAMAGE THAT HAPPENED DURING IRMA.
11:38:38 I WAS WONDERING IF STEVE HAD FURTHER INFORMATION RELATIVE TO
11:38:41 THAT AND HOW THAT GRANT CAME ABOUT AND WHETHER OR NOT ESTERO
11:38:44 HAS AN OPPORTUNITY TO RECEIVE SOME TYPE OF GRANT OF THAT
11:38:48 NATURE.
11:38:49 >>Steven Sarkozy: THE GRANT, TO MY KNOWLEDGE, AND I HAVE NOT
11:38:52 RESEARCHED IT IN GREAT DETAIL, BUT I'M FAMILIAR WITH THE
11:38:57 GRANT SUBMISSIONS THAT WENT IN FROM VARIOUS CITIES AFTER
11:39:00 IRMA.

11:39:01 THE GRANT IN BONITA ADDRESSES A LOT OF THE FLOODING THEY HAD
11:39:09 IN IMPERIAL, THREE OAKS PARKWAY AND BONITA BEACH ROAD AREA,
11:39:17 WHERE THEY HAD STANDING WATER THAT FLOODED A NUMBER OF
11:39:20 DIFFERENT HOMES.
11:39:21 THEY ARE TRYING TO PROVIDE SOME ADDITIONAL MITIGATION IN
11:39:27 THAT AREA, BUT MY UNDERSTANDING IS ONCE THEY GO THROUGH WITH
11:39:31 ALL OF THE MITIGATION MEASURES THAT ARE PAID FOR BY THE
11:39:34 GRANT AND WE GET A SIMILAR STORM LIKE IRMA, THEY WILL FLOOD
11:39:39 TO THE SAME DEGREE BECAUSE ALL OF THOSE HOMES WERE BUILT IN
11:39:43 THE FLOODPLAIN.
11:39:44 IN ESTERO, AS YOU MAY RECALL, WHEN IRMA HIT, WE DID HAVE
11:39:51 SOME ISSUES, OF COURSE, WITH ALL THE INUNDATION THAT WE HAD
11:39:55 RAIN-WISE.
11:39:56 BUT WE HAD REALLY NO IMPACT ANYWHERE NEAR THAT SIGNIFICANT.

11:40:02 SO WE'VE BEEN DEALING WITH SOME OF THE STORMWATER ISSUES AS
11:40:08 PART OF OUR STORMWATER MASTER PLAN.
11:40:10 WE'LL CONTINUE TO DO THAT.
11:40:11 MOST OF THAT INCLUDES A MUCH HIGHER LEVEL OF MAINTENANCE TO
11:40:17 MAKE SURE THAT OUR FLOW WAYS CAN CARRY THE WATER, BUT OUR
11:40:24 DAMAGE, BOTH PUBLIC AND PRIVATE, NOWHERE CAME CLOSE TO WHAT
11:40:28 THEY HAD AT BONITA.
11:40:29 WE CURRENTLY HAVE 1 -- JUST OVER $1.7 MILLION IN
11:40:36 APPROPRIATION REQUESTS THROUGH THE LEGISLATURE.
11:40:39 SOME OF THAT WILL BE THE SEPTIC TO SEWER ISSUES, AND SOME OF
11:40:44 IT WILL BE ESTERO ON THE RIVER AND THEN ALSO THE SANDY LANE

11:40:48 BIKE WAY.
11:40:50 BUT -- IN THE CATEGORIES WHERE BONITA RECEIVED FUNDING, WE
11:40:56 REALLY DON'T HAVE THE SAME DEGREE OF PROBLEM.
11:41:00 >>Mayor Errington: THANK YOU.
11:41:00 STEVE, IT'S YOUR TURN.
11:41:03 DO YOU HAVE A REPORT?
11:41:05 >>Steven Sarkozy: NO ADDITIONAL ITEMS TO REPORT.
11:41:07 >>Mayor Errington: NO ADDITIONAL.
11:41:09 OKAY.
11:41:09 HOW ABOUT LET'S TAKE A TEN-MINUTE BREAK?
11:41:14 COME BACK HERE AT 11:50.
11:41:21 NINE MINUTES.
11:41:23 THANK YOU.
11:41:24 [BREAK]
11:57:01 >>Mayor Errington: THE FIRST WORKSHOP -- WE HAVE ADJOURNED
11:57:04 THE REGULAR SESSION AND NOW WE'RE RECONVENING THE WORKSHOP
11:57:07 ITEMS.
11:57:08 THE FIRST WORKSHOP ITEM RELATES TO PLANNING, ZONING AND
11:57:11 DESIGN BOARD ANNUAL REPORT.
11:57:13 STEVE OR MARY, WOULD YOU LIKE TO INTRODUCE THIS?
11:57:18 >>Steven Sarkozy: WITH US TODAY IS OUR CO-CHAIR OF THE
11:57:23 PLANNING, ZONING, AND DESIGN REVIEW BOARD, SCOTTY WOOD, TO
11:57:29 PROVIDE A QUICK UPDATE TO THE VILLAGE COUNCIL ON RECENT
11:57:33 ACTIVITIES.
11:57:33 WE'LL FOLLOW THAT UP WITH KIND OF A DEEPER DIVE INTO SOME OF

11:57:38 THE DEVELOPMENT PROJECTS THAT HAVE BEEN COMPLETED OR ARE
11:57:42 UNDER CONSTRUCTION.
11:57:43 BUT I THINK IT'S APPROPRIATE FOR US TO WELCOME SCOTTY WOOD
11:57:48 AND THANK HIM FOR HIS SERVICE, TO KEEP THE PLANNING AND
11:57:53 ZONING BOARD GOING FLAWLESSLY.
11:57:54 >>Mayor Errington: WELCOME, SCOTTY.
11:57:56 >>Scotty Wood: THANK YOU, MADAM MAYOR.
11:57:58 >>Mayor Errington: AND THANK YOU FOR YOUR SERVICE.
11:58:00 AS STEVE SAID, WE APPRECIATE IT.
11:58:01 >>Scotty Wood: APPRECIATE IT.

11:58:02 BY THE WAY, MY ESTEEMED FELLOW CO-CHAIR IS HOOKED UP VIA
11:58:06 ZOOM.
11:58:07 I CAN SEE HIM -- HE'S WAVING TO US.
11:58:10 >>Mayor Errington: HOWARD.
11:58:12 >>Scotty Wood: YOUR PLANNING, ZONING AND DESIGN BOARD
11:58:14 COMPLETED ITS FIRST YEAR FOLLOWING THE COMBINATION OF THE
11:58:17 PLANNING AND ZONING BOARD WITH THE DESIGN REVIEW BOARD INTO
11:58:21 A SINGLE BOARD, AND IT WAS A MEANS OF STREAMLINING THE
11:58:24 PLANNING, ZONING, AND REVIEW PROCESSES FOR THE VILLAGE STAFF
11:58:28 AND FOR LANDOWNERS WHO WISH TO DEVELOP OR REDEVELOP THEIR
11:58:34 PROPERTIES.
11:58:34 IN THE PACKAGE YOU HAVE A COPY OF THE FIRST ANNUAL REPORT AS
11:58:38 A COMBINED BOARD.
11:58:39 SO I WON'T GO THROUGH THE REPORT IN DETAIL.
11:58:41 RATHER, A FEW HIGHLIGHTS ABOUT HOW WE DO OUR WORK AND WHAT

11:58:45 PROCESSES WE HAVE IN PLACE TO ACHIEVE OUR GOAL OF HELPING
11:58:51 ESTERO GROW RESPONSIBLY.
11:58:53 IT IS IMPORTANT TO NOTE THAT IN 2021, WE FINALLY HAD BOTH
11:58:59 ESTERO'S OWN COMPREHENSIVE PLAN AND LAND DEVELOPMENT CODE AS
11:59:04 OUR FORMAL GUIDING PRINCIPLES AND DETAILED DEVELOPMENT
11:59:09 PARAMETERS.
11:59:09 IN PARTICULAR, THE LAND DEVELOPMENT CODE REPLACED THE
11:59:13 TRANSITIONAL CODE THAT WE HAD UTILIZED SINCE OUR
11:59:15 INCORPORATION.
11:59:17 THE NEW CODE MODERNIZES THE DEVELOPMENT REGULATIONS AND IS
11:59:21 ALIGNED WITH CONTEMPORARY BEST PRACTICES.
11:59:25 IT IS PARTICULARLY WELL ORGANIZED AND EASY TO READ AND
11:59:30 UNDERSTAND AND IS HALF THE SIZE OF ITS PREDECESSOR CODE.
11:59:35 YOUR PLANNING, ZONING, AND DESIGN BOARD AS ONE OF ITS FIRST
11:59:39 ACTIONS ADOPTED RULES OF PROCEDURE TO PROVIDE FOR THE
11:59:43 ORDERLY CONDUCT OF OUR BUSINESS.
11:59:45 THE RULES ARE INTENDED TO ENSURE A REASONABLE AND CONSISTENT
11:59:49 PROCESS THAT PROVIDES FAIR AND IMPARTIAL TREATMENT TO ANY
11:59:53 PERSON APPEARING BEFORE THE BOARD.
11:59:55 FURTHER, WE ARE SCRUPULOUS IN OUR ADHERENCE TO THE FLORIDA
12:00:01 SUNSHINE LAWS.
12:00:02 AS FOR PROJECTS HERE IN ESTERO, THE ANNUAL REPORT GIVES YOU
12:00:06 AN INVENTORY OF ALL THE PROJECTS THAT ARE IN VARIOUS STAGES
12:00:09 OF DEVELOPMENT, WHICH COVERS A MULTIYEAR PERIOD.
12:00:13 MARY GIBBS WILL GIVE YOU A PRESENTATION HIGHLIGHTING THE

12:00:16 MOST CURRENT PROJECTS.
12:00:19 BUT BEFORE TURNING IT OVER TO MARY AND ON BEHALF OF OUR
12:00:24 ENTIRE NINE-MEMBER BOARD, WE THANK THE COUNCIL FOR THE
12:00:28 PRIVILEGE OF SERVING THE VILLAGE RESIDENTS AND DOING OUR
12:00:31 BEST TO ACHIEVE THE GOAL OF RESPONSIBLE GROWTH.
12:00:34 SO COCHAIRMAN LEVITAN AND I WILL STAND FOR ANY QUESTIONS.

12:00:38 THANK YOU.
12:00:41 >>Mayor Errington: ANY QUESTIONS?
12:00:43 FIRST OF ALL, I WANT TO WELCOME HOWARD LEVITAN JOINING US BY
12:00:47 ZOOM.
12:00:47 WELCOME.
12:00:49 >>Howard Levitan: THANK YOU.
12:00:52 >>Vice-Mayor McLain: NO QUESTIONS.
12:00:52 A COMMENT.
12:00:53 I THINK YOUR ANNUAL REPORT IS EXCELLENT, AND I THINK THE
12:00:57 ACTIVITY AND THE COMBINATION OF THOSE TWO BOARDS WAS A GREAT
12:01:01 WAY TO HELP OUR BUSINESSES HERE TO BE ABLE TO GET THROUGH
12:01:05 THE PROCESS, MAYBE A LITTLE BIT QUICKER.
12:01:09 I'VE NOT ATTENDED THE MEETING, BUT I WATCH THEM ON VIDEO,
12:01:12 AND I THINK THEY HAVE BEEN CONDUCTED REALLY WELL.
12:01:16 I THINK IT'S A REAL GOOD ADDITION TO THE VILLAGE OF ESTERO.
12:01:22 YOU HAVE A LOT OF PROFESSIONAL PEOPLE THERE THAT ALL THE
12:01:24 RESIDENTS OF ESTERO SHOULD BE THANKFUL FOR, FOR THE
12:01:27 DEDICATION AND THE VOLUNTEERING OF YOUR TIME AND QUALITY
12:01:30 THAT YOU GIVE TO THE VILLAGE OF ESTERO.

12:01:34 SO THANK YOU.
12:01:37 >>Scotty Wood: THANK YOU.
12:01:38 >>Mayor Errington: ANY OTHER COMMENTS?
12:01:40 >>Larry Fiesel: I HAVE ONE.
12:01:40 I LISTENED TO THE LAST MEETING THAT YOU HAD.
12:01:44 AT THE END I BELIEVE THERE WAS A DISCUSSION THAT TALKED
12:01:46 ABOUT HOW UNIQUE WE ARE WITH OUR OWN DESIGNING REVIEW BOARD
12:01:52 HERE IN THE VILLAGE.
12:01:54 I THINK IT WAS DETERMINED THAT THE CITY OF NAPLES ALSO HAS A
12:01:57 BOARD.
12:01:57 HOW MANY OTHER COMMUNITIES WITHIN THE SOUTHWEST FLORIDA AREA
12:02:00 HAVE A BOARD SIMILAR TO WHAT YOU ARE?
12:02:04 >>Scotty Wood: AS TO HAVING PLANNING, ZONING AND DESIGN AND
12:02:06 REVIEW IN A SINGLE BOARD, I'M NOT FAMILIAR WITH ANY OTHERS.
12:02:11 >>Larry Fiesel: SO WE'RE UNIQUE IN THAT WAY PERHAPS.
12:02:13 >>Scotty Wood: YEAH.
12:02:16 >>Mayor Errington: ANY OTHER?
12:02:18 >>Jim Boesch: SCOTTY, I THINK A COUPLE OF THINGS THAT SHOULD
12:02:21 BE COMMENTED ON BECAUSE MOST PEOPLE DON'T REALIZE WHAT IT IS
12:02:29 TO MAKE A COMPREHENSIVE PLAN AND ESPECIALLY THE -- THAT YOU
12:02:37 PUT TOGETHER FOR THE ORDINANCES AND SO FORTH.
12:02:39 I KNOW YOU EXPLAIN IT ABOUT BEING PART OF THAT PROGRAM THAT
12:02:52 YOU WENT THROUGH.
12:02:52 I KNOW HOW HARD HOWARD WORKED ON BOTH OF THOSE THINGS.
12:02:53 THE SECOND THING I THINK YOU SHOULD TELL THE PEOPLE WHY YOU

12:02:58 CONSOLIDATED THE BOARDS BECAUSE OF THE ABSENCES SO THEY CAN
12:03:03 UNDERSTAND WHAT THE BOARD IS TODAY WHICH I THINK HAS WORKED

12:03:08 OUT EXACTLY THE WAYS YOU GUYS PLANNED IT TO BE.
12:03:13 >>Scotty Wood: THUS FAR IT'S WORKING OUT WELL.
12:03:16 IT DOES STREAMLINE THE PROCESS.
12:03:18 IT'S REALLY HELPFUL, I THINK, FOR STAFF.
12:03:21 BECAUSE AS AN EXAMPLE.
12:03:24 WHEN I WAS PART OF THE PLANNING AND ZONING BOARD, WE WOULD
12:03:28 OFTEN TALK ARCHITECTURE AS WE LOOKED AT A PARTICULAR
12:03:31 PROJECT.
12:03:31 WELL, THAT'S REALLY THE PURVIEW OF THEN THE DESIGN AND
12:03:36 REVIEW BOARD.
12:03:37 SO NOW, WITH A COMBINED BOARD, WE'LL TALK ARCHITECTURE ONCE,
12:03:42 NOT TWICE.
12:03:43 AND I THINK THAT'S AN EXAMPLE OF STREAMLINING THE PROCESS,
12:03:48 AND IT'S NOT ONLY HELPFUL TO STAFF, BUT IT ALSO HELPS THE
12:03:51 LANDOWNERS WHO WISH TO DEVELOP THEIR PROPERTIES.
12:04:00 >>Jim Ward: I WANT TO THANK YOU FOR YOUR DEDICATION AND
12:04:02 PROFESSIONALISM TO THE VILLAGE AND THE GROUNDWORK THAT YOU
12:04:04 DO ON PROJECTS BEFORE IT GETS TO STAFF OR GETS TO THE
12:04:08 VILLAGE COUNCIL.
12:04:09 SO THANK YOU FOR ALL THE HARD WORK THAT YOU DO.
12:04:12 >>Scotty Wood: THANK YOU, JIM.
12:04:14 I'LL PASS THAT ALONG TO MY COLLEAGUES.
12:04:15 THANK YOU.

12:04:15 >>Mayor Errington: ANY OTHER COMMENTS?
12:04:17 THANK YOU.
12:04:19 THANK YOU FOR YOUR VOLUNTEER WORK, YOUR EFFORTS AND WHAT
12:04:22 YOU'RE DOING FOR ESTERO.
12:04:23 YOU'RE GREATLY APPRECIATED.
12:04:25 THANK YOU.
12:04:25 >>Scotty Wood: IT'S A PLEASURE.
12:04:27 >>Jim Boesch: WE THANK HOWARD AS WELL.
12:04:28 >>Howard Levitan: THANK YOU.
12:04:30 I'M HERE.
12:04:31 [ LAUGHTER ]
12:04:34 >>Mayor Errington: MARY IS UP NEXT.
12:04:59 >>Mary Gibbs: GOOD AFTERNOON, I THINK, NOW.
12:05:01 I JUST WANT TO GIVE YOU AN UPDATE ON DEVELOPMENT PROJECTS.
12:05:05 WE WERE PUTTING TOGETHER THE ANNUAL REPORT WE THOUGHT THE
12:05:08 INVENTORY IS GREAT AND THE LIST IS FINE, BUT IT REALLY
12:05:11 DOESN'T GIVE YOU KIND OF THAT COMPREHENSIVE LOOK OF WHAT WE
12:05:15 HAVE BEEN DOING IN THE PAST COUPLE OF YEARS.
12:05:17 SO I THOUGHT IT WOULD BE HELPFUL TO HAVE PICTURES THAT WE
12:05:19 COULD SHOW YOU SOME OF THE PROJECTS THAT PLANNING, ZONING,
12:05:22 AND DESIGN BOARD HAS REVIEWED AND THE COUNCIL HAS REVIEWED.
12:05:25 SOME THINGS THAT THE STAFF IS DOING THAT YOU HAVEN'T SEEN,
12:05:28 AND JUST TO GIVE YOU AN IDEA OF ALL THE ACTIVITY THAT'S
12:05:31 GOING ON IN ESTERO.

12:05:32 SO THAT'S WHAT WE'RE TRYING TO DO.

12:05:34 I'LL TRY TO BE QUICK, BUT FEEL FREE TO STOP ME AT ANY TIME
12:05:38 IF YOU'VE GOT QUESTIONS.
12:05:40 SO WE WANT TO TALK ABOUT PROJECTS THAT HAVE BEEN RECENTLY
12:05:44 COMPLETED.
12:05:44 WE'RE GOING TO TALK ABOUT A FEW THAT ARE UNDER CONSTRUCTION
12:05:47 NOW.
12:05:48 WE'RE GOING TO TALK ABOUT SOME REMODELINGS THAT YOU DON'T
12:05:51 TYPICALLY SEE AS THE COUNCIL AND THEN SOME NEW PROJECTS THAT
12:05:53 ARE PLANNED AND THEN FUTURE PROJECTS.
12:05:55 SO, OF COURSE, HERE'S A MAP OF THE DEVELOPMENT IN ESTERO
12:06:00 WHICH I AM UPDATING FOR COUNCIL MEMBER WILSON BECAUSE HE'S
12:06:04 BEEN ASKING FOR ABOUT SIX YEARS, I THINK.
12:06:06 THAT'S ON THE AGENDA IN CASE YOU WERE WONDERING, COUNCIL
12:06:09 MEMBER.
12:06:11 >>Jim Wilson: THANK YOU.
12:06:12 >>Mary Gibbs: OKAY.
12:06:12 SO RECENTLY COMPLETED PROJECTS, I THINK YOU'RE ALL FAMILIAR
12:06:17 WITH THESE, BUT THESE ARE LOCATED EAST OF THREE OAKS AND
12:06:21 NORTH OF CORKSCREW ROAD, ACROSS FROM THE LOWE'S SHOPPING
12:06:26 PLAZA.
12:06:26 THERE'S HOUCK MEDICAL AND THE AUTO ZONE, WHICH ARE SIDE BY
12:06:30 SIDE.
12:06:31 AUTO ZONE IS NEXT TO CULVER'S.
12:06:33 IF YOU SEE THE INTERSECTION WITH CORKSCREW ROAD, THAT'S
12:06:35 WHERE THAT TRAFFIC LIGHT WILL BE GOING IN THAT DAVID WILLEMS

12:06:38 IS WORKING ON WITH THE COUNTY.
12:06:40 THAT WILL HELP THE TRAFFIC SITUATION OUT THERE.
12:06:44 AUTO ZONE IS 7400 SQUARE FOOT COMMERCIAL BUILDING.
12:06:50 I THINK THE DESIGN REVIEW BOARD REVIEWED THAT, AND IT REALLY
12:06:54 IS PROBABLY ONE OF THE MOST BEAUTIFUL AUTO ZONE BUILDINGS
12:06:58 YOU'LL SEE.
12:06:59 IF YOU DRIVE ELSEWHERE NEARBY THAT ISN'T IN THE VILLAGE,
12:07:03 YOU'LL SEE SOME AND THEY ARE NOT NEARLY THAT ATTRACTIVE.
12:07:06 THEY DID A REALLY SPLENDID JOB WITH THIS.
12:07:08 HOUCK MEDICAL IS RIGHT NEXT DOOR.
12:07:12 THAT IS A TWO-STORY MEDICAL OFFICE WITH DR. HOUCK AND SOME
12:07:15 OTHER TENANTS TO BE NAMED LATER.
12:07:17 I THINK THEY DID ANOTHER BEAUTIFUL JOB WITH THE
12:07:21 ARCHITECTURE.
12:07:21 THAT WENT TO DESIGN REVIEW BOARD, WENT THROUGH A FEW
12:07:26 ITERATIONS AND SUGGESTIONS, AND HE WAS GREAT TO WORK WITH.
12:07:29 THEY HAD A GREAT ARCHITECT.
12:07:34 THEY DID A LOT OF REVISIONS AND IT IS A BEAUTIFUL BUILDING
12:07:38 WHICH IS OPEN NOW.
12:07:39 I'M SURE EVERYBODY KNOWS ABOUT TIDEWATER.

12:07:43 THAT PROJECT, THAT RESIDENTIAL SUBDIVISION, I THINK IT'S GOT
12:07:47 ABOUT 700 UNITS ON BEN HILL GRIFFIN.
12:07:51 AND THAT PROJECT STARTED AT LEE COUNTY QUITE A FEW YEARS AGO
12:07:56 BECAUSE OF THE NUMBER OF UNITS, IT'S TAKEN QUITE A FEW YEARS
12:07:59 TO BUILD OUT.

12:08:00 MAY HAVE STARTED AROUND 2014, I THINK.
12:08:03 I WAS A LITTLE BIT INVOLVED IN IT WHEN I WAS AT THE COUNTY
12:08:06 AND THEN IT CARRIED OVER HERE.
12:08:08 SO WE RECENTLY FINISHED IT UP.
12:08:10 I THOUGHT YOU MIGHT BE INTERESTED TO NOTE THAT THE LAST TWO
12:08:13 BUILDING PERMITS FOR THE PROJECT HAVE BEEN ISSUED.
12:08:15 SO WHEN THOSE GET CONSTRUCTED, THAT BUILDING, THAT WHOLE
12:08:18 PROJECT IS COMPLETED.
12:08:21 WE HAVE THE RESERVE AT COCONUT POINT, WHICH IS RIGHT WHERE
12:08:28 THE ROUNDABOUT IS AT VIA COCONUT AND WILLIAMS ROAD.
12:08:33 IT'S PART OF COCONUT POINT.
12:08:34 IT WAS FORMERLY KNOWN AS EDERA WHEN YOU SAW IT, WHEN WE
12:08:39 BROUGHT THE ZONING FORWARD, IT WAS CALLED EDERA.
12:08:42 THEY ALWAYS CHANGE THE NAMES SO YOU CAN NEVER FIGURE OUT
12:08:46 WHAT THEY ARE.
12:08:47 THIS ONE IS THE RESERVE.
12:08:48 AND THAT WAS APPROVED FOR 180 APARTMENT UNITS.
12:08:51 FOUR STORIES.
12:08:54 WE HAVE NOT A VERY GOOD VIEW OF THIS, BUT A LOT OF THE
12:08:56 PARKING IS UNDER THE BUILDING.
12:08:58 THE PARKING THAT YOU SEE IN THIS PICTURE IS ACTUALLY BEHIND
12:09:02 THE BUILDING, SO YOU DON'T SEE IT WHEN YOU'RE DRIVING ON VIA
12:09:06 COCONUT.
12:09:06 THEY HAVE JUST ABOUT FINISHED, I WOULDN'T SAY THEY ARE 100%,
12:09:10 BECAUSE YOU'LL SEE IN THE CORNER OF THE PICTURE ON THE

12:09:13 RIGHT, THE DUMPSTER IS STILL THERE.
12:09:15 I THINK THEY ARE STILL DOING CLEANUP AND TIDYING UP THE
12:09:19 EMERGENCY ACCESS AND DOING SOME LAST-MINUTE REVISIONS TO THE
12:09:21 LITTLE ENTRY FEATURE.
12:09:23 BUT FOR THE MOST PART, THEY STARTED, THE PEOPLE HAVE MOVED
12:09:26 IN AND I THINK IT'S LOOKING VERY NICE.
12:09:30 PROJECTS THAT ARE UNDER CONSTRUCTION NOW, COCONUT LANDING,
12:09:36 IF YOU REMEMBER THIS PROPERTY, OVER BY THE COLONY ON COCONUT
12:09:39 ROAD, AND IT'S RIGHT NEXT TO EL DORADO ACRES, WHICH IS IN
12:09:44 THE COUNTY, THIS IS TEN ACRES THAT THE PROPERTY OWNER
12:09:47 ANNEXED INTO THE VILLAGE BECAUSE HE WANTED TO DO A
12:09:51 SUBDIVISION AND THEY ARE LIKE, WELL, YOU'RE RIGHT NEXT TO
12:09:54 ESTERO.
12:09:55 WHY DON'T YOU BE IN ESTERO.
12:09:56 AND THAT HAS WORKED OUT VERY NICELY.
12:09:59 THEY ARE APPROVED FOR 25 SINGLE-FAMILY RESIDENCES, AND I

12:10:02 THINK THERE'S ABOUT FIVE UNDER CONSTRUCTION RIGHT NOW.
12:10:05 IT'S KIND OF AN OLD-FLORIDA LOOK.
12:10:08 NICE HOMES, AND HE HAS DONE WORK IN NAPLES.
12:10:11 I THINK IT WAS A VERY GOOD ADDITION TO THE COMMUNITY.
12:10:14 WE HAVE ESTERO CROSSING, WHICH I THINK EVERYBODY IS FAMILIAR
12:10:18 WITH, STOCK DEVELOPMENT, EAST OF LOWE'S PLAZA.
12:10:22 IT'S 43 ACRES OF MIXED USE WITH COMMERCIAL.
12:10:26 THE COMMERCIAL IN THE FRONT, 60,000 SQUARE FEET AND THE 300
12:10:30 APARTMENTS TO THE SOUTH OF THAT.

12:10:32 IT'S NEXT TO CORKSCREW WOODLANDS AND ISLAND -- YEAH, THE
12:10:39 ISLAND PROJECT.
12:10:39 THAT IS UNDER DEVELOPMENT NOW.
12:10:43 IF YOU DRIVE BY, THIS IS WHAT YOU SEE.
12:10:45 THEY ARE WORKING ON THE COMMERCIAL BUILDINGS.
12:10:49 YOU'LL SEE THIS OAK & STONE IS GOING TO BE THE FIRST
12:10:52 COMMERCIAL BUILDING THAT GOES UP.
12:10:54 IT'S A STAND-ALONE BUILDING.
12:10:57 IT'S A RESTAURANT.
12:10:59 THERE ARE A FEW.
12:10:59 A COUPLE IN NAPLES.
12:11:01 I THINK ONE IN SARASOTA.
12:11:02 THEY DID A NICE JOB DESIGNING THIS TO FIT IN WITH THE
12:11:06 CHARACTER OF ESTERO CROSSING.
12:11:07 IF YOU SEE THE ONE IN SARASOTA, IT IS VERY MODERN LOOKING.
12:11:09 IF YOU'RE INTERESTED, I LOOKED ON THE WEBSITE, THEY HAVE
12:11:12 PIZZA AND 40 KINDS OF DRAFT BEERS.
12:11:14 THAT WAS A GOOD SELLING POINT.
12:11:18 THEY ARE ALSO LEASING OUT SOME OTHER RESTAURANTS BECAUSE IF
12:11:24 YOU REMEMBER WHEN THE ZONING CAME THROUGH, THE NEIGHBORS
12:11:26 WERE LIKE, WE DON'T WANT A GAS STATION THERE, BUT WE WOULD
12:11:29 LIKE SOME NICE RESTAURANTS.
12:11:31 STOCK SAID, WELL, WE'LL SEE WHAT WE CAN DO.
12:11:34 WE HAVE OAK & STONE AND I KNOW THEY ARE LOOKING AT A COUPLE
12:11:37 OF POTENTIAL RESTAURANTS.

12:11:38 WE CAN'T SAY THE NAME YET.
12:11:40 BUT ONE OR AT LEAST TWO MORE RESTAURANTS OUT THERE, WHICH I
12:11:43 THINK WILL BE A NICE ADDITION FOR THE NEIGHBORS AND THEIR
12:11:47 FUTURE RESIDENTS.
12:11:48 YOU PROBABLY ALL REMEMBER CLEAN MACHINE CAR WASH, WHICH IS
12:11:54 NEXT TO THE VINES.
12:11:55 THAT WENT TO DESIGN REVIEW BOARD.
12:11:57 THAT TOOK SOME TIME TO GET THROUGH THE PROCESS BECAUSE THE
12:12:02 FIRST ITERATION THAT THEY CAME THROUGH DID NOT REALLY MATCH
12:12:05 THE ARCHITECTURE STANDARDS.
12:12:07 SO THEY WENT THROUGH QUITE A FEW ITERATIONS.
12:12:10 THEY GOT THROUGH THE PROCESS.

12:12:12 IT'S REALLY A NICE LOOKING BUILDING.
12:12:14 THEY ARE JUST CLEARING THE PROPERTY NOW.
12:12:16 SO THEY ARE STARTING CONSTRUCTION.
12:12:20 THIS IS AN ELEVATION OF WHAT THE BUILDING IS GOING TO LOOK
12:12:23 LIKE.
12:12:23 SO JUST TALK FOR A MINUTE ABOUT NEW BUSINESSES AND
12:12:28 REMODELING BECAUSE SOME OF THESE YOU DON'T SEE AND I KNOW
12:12:31 SOMETIMES YOU ASK ME, WHAT'S GOING UP ON THIS -- YOU KNOW,
12:12:35 WHAT'S HAPPENING WITH THE RUBY TUESDAY'S?
12:12:37 WHAT'S GOING ON WITH APPLEBEE'S?
12:12:39 AND SOMETIMES YOU DON'T SEE THEM BECAUSE THEY DON'T COME TO
12:12:42 COUNCIL FOR PERMITS.
12:12:42 THEY MAY JUST GO TO STAFF.

12:12:44 ONE THAT WAS INTERESTING WAS THE R.A.D. WINERY AT MIROMAR
12:12:48 OUTLETS.
12:12:48 I DON'T KNOW IF YOU'VE BEEN THERE YET.
12:12:50 THEY CAME IN TO SEE THE STAFF BECAUSE THEY JUST NEEDED AN
12:12:53 INTERIOR REMODELING PERMITS FOR THIS TYPE OF THING.
12:12:56 WHAT WE DO IS WE CHECK THE USE AND MAKE SURE THE ZONING
12:12:58 ALLOWS IT.
12:12:59 IF IT DOES, WE LOOK AT THEIR REMODELING PLANS.
12:13:02 WE MAKE SURE EVERYTHING IS COPACETIC, AND THEN WE ISSUE THE
12:13:05 PERMITS.
12:13:06 I THINK THEY OPENED, AND MARYANN DEVANAS OF OUR STAFF WHO
12:13:12 DEALS WITH THE USE PERMITS FOR THE BUSINESSES, I CALL HER
12:13:16 OUR CONCIERGE PERSON BECAUSE SHE REALLY PROVIDES PERSONAL
12:13:19 SERVICE TO THE PEOPLE.
12:13:20 I KNOW SHE DEALT WITH THE R.A.D. WINERY MAN QUITE A BIT.
12:13:23 THEY WERE TRYING TO GET OPEN BEFORE CHRISTMAS SO THEY COULD
12:13:26 HAVE SOME SALES BEFORE CHRISTMAS.
12:13:28 AND SHE REALLY WENT THE EXTRA MILE TO GET THEM OPEN.
12:13:36 IF YOU ARE IN MIROMAR AND YOU FEEL LIKE YOU NEED TO SAMPLE
12:13:39 SOME WINE, YOU MIGHT STOP IN.
12:13:40 OR IF YOU WANT TEQUILA, WE HAVE MR. TEQUILA.
12:13:43 THAT WAS THE APPLEBEE'S RESTAURANT.
12:13:47 THAT WAS AN INTERIOR REMODEL AGAIN.
12:13:50 INTERESTINGLY, THIS ONE THE STAFF REVIEWED, AND THE PICTURE
12:13:52 IS A LITTLE BRIGHT.

12:13:54 BUT WHEN THEY CAME IN INITIALLY, IF THE COLORS WERE THE KIND
12:13:58 OF ORANGEY SALMON THAT YOU SEE, THEY WANTED TO REPAINT IT TO
12:14:01 MAKE IT ALL THAT YELLOW THAT YOU SEE IN THE ROOF THERE.
12:14:07 WE SAID, NO, YOU CAN'T WORK.
12:14:09 YOU CAN'T HAVE A PRIMARY COLOR FOR YOUR WHOLE BUILDING.
12:14:11 SO WE WORKED WITH THEM.
12:14:13 THE PICTURE LOOKS A LITTLE BRIGHT BECAUSE I THINK IT WAS
12:14:16 SUNNY WHEN STANLEY TOOK THE PICTURES.

12:14:18 IF YOU LOOK, IT'S THE SAME COLORS WE HAVE ON THESE BUILDINGS
12:14:21 RIGHT HERE IN OUR OFFICE PARK.
12:14:23 THERE ARE A FEW, I THINK MR. TEQUILA HAS AN OPERATION IN
12:14:26 NAPLES.
12:14:27 AND DAVID SAID THE FOOD IS VERY GOOD.
12:14:29 RIGHT, DAVID?
12:14:33 >> HOW IS THE TEQUILA?
12:14:35 [ LAUGHTER ]
12:14:36 >>Mary Gibbs: ARBY'S OVER BY THE 7-ELEVEN AT THREE OAKS AND
12:14:41 CORKSCREW CAME IN BECAUSE THEY WANTED TO REFRESH THEIR
12:14:44 PROJECT.
12:14:44 THAT WAS AN EXTERIOR REMODEL.
12:14:47 THEY ARE NOT CHANGING ANYTHING ON THE SITE, BUT THEY ARE
12:14:49 CHANGING THE LOOK OF THE BUILDING.
12:14:51 SO WE TOOK THAT TO THE PLANNING, ZONING AND DESIGN BOARD FOR
12:14:54 REVIEW.
12:14:55 I'LL TELL YOU, THE APPLICANT DIDN'T WANT TO HAVE TO GO TO

12:14:58 THE BOARD BECAUSE THEY JUST WANTED US TO GIVE THE RUBBER
12:15:04 STAMP, BUT THERE WERE QUITE A FEW CHANGES MADE BEFORE THEY
12:15:06 CAME UP WITH THIS CONCEPT.
12:15:08 THEY WENT TO THE BOARD TWICE.
12:15:10 THEY HAD A LOT OF REALLY BRIGHT REDS, A LOT OF RED, A LOT OF
12:15:14 DARK WOOD, A LOT OF WHITE AND SOME GRAY MIXED IN.
12:15:18 SO THIS, WHAT YOU'RE SEEING HERE IS A MUCH BETTER LOOK.
12:15:21 IT'S A LITTLE MORE MODERN, AND THAT WAS APPROVED BY THE
12:15:25 PLANNING, ZONING, AND DESIGN BOARD.
12:15:27 BUT THEY HAVEN'T STARTED ANYTHING WITH THAT YET.
12:15:29 SO FUTURE PROJECTS, THINGS THAT YOU MAY BE SEEING OR SOME
12:15:34 THINGS THAT YOU HAVE SEEN.
12:15:38 OVER ON BEN HILL GRIFFIN, IT'S CALLED UNIVERSITY HIGHLANDS,
12:15:42 IT'S JUST NORTH OF THE MIROMAR OUTLETS, IF YOU KNOW WHERE
12:15:45 THE CHASE BANK IS, AND THERE IS A STARBUCKS THERE, THERE IS
12:15:48 A LITTLE RETAIL SHOPPING CENTER, A LITTLE STRIP CENTER, AND
12:15:53 THEY HAVE BUILT OUT THEIR LAST BUILDING FIVE JUST GOT
12:15:56 APPROVED BY PLANNING, ZONING, AND DESIGN BOARD.
12:15:59 AND LEE HEALTH HAS A BUILDING THAT I THINK THEY ARE GOING TO
12:16:03 LEASE.
12:16:03 SO BUILDING 5.
12:16:05 THIS IS A LOOK, ALTHOUGH THERE'S NOT THAT MANY TREES IN THE
12:16:09 BACKGROUND NOW.
12:16:10 AND THEN LEE HEALTH BUILDING WAS JUST RECENTLY APPROVED BY
12:16:14 PLANNING, ZONING, AND DESIGN BOARD.

12:16:16 SLIGHTLY DIFFERENT FROM THE OTHER FOUR BUILDINGS, BUT IT
12:16:20 TIES IN WITH THE LEE HEALTH BUILDING ON COCONUT ROAD THAT
12:16:23 HAD SOME OF THE SAME KIND OF STONE LOOK.
12:16:26 WEST BAY CLUB, IF YOU REMEMBER, WE DID THE ZONING AMENDMENT

12:16:33 BECAUSE THEY NEEDED SOME ADDITIONAL HEIGHT TO DO THE MORE
12:16:37 SLENDER HIGH-RISE BUILDING.
12:16:39 SO THAT WAS APPROVED FOR THE 23-STORY HIGH-RISE BUILDING BY
12:16:44 THE COUNCIL A FEW MONTHS AGO.
12:16:46 I EXPECT THEY WILL BE COMING IN, THEY SEEM TO BE IN A BIG
12:16:50 HURRY TO GET GOING BECAUSE OF THE MARKET IS PRETTY HOT RIGHT
12:16:53 NOW FOR HIGH-RISES.
12:16:54 SO I EXPECT THEY'LL BE COMING IN SOON WITH A DEVELOPMENT
12:16:58 ORDER.
12:16:59 CORKSCREW CROSSING, IF YOU REMEMBER, AND YOU MAY KNOW THIS
12:17:04 AS ARGO, THE ARGO PROJECT, A LITTLE LAWSUIT, A SETTLEMENT,
12:17:11 KIND OF THE HISTORY OF THAT.
12:17:12 IT WAS APPROVED BY THE COUNTY FOR 724 UNITS MANY YEARS AGO
12:17:17 BUT IT WAS NEVER BUILT AND THERE IS A SIGNIFICANT AMOUNT OF
12:17:20 WETLANDS ON THE PROPERTY, PARTICULARLY THE SOUTHERN PART OF
12:17:23 THE PROPERTY.
12:17:24 THEY CAME IN TO DO LESS THAN WHAT THE COUNTY APPROVED AND
12:17:30 CHANGED IT TO SINGLE-FAMILY INSTEAD OF SINGLE AND
12:17:33 MULTIFAMILY.
12:17:34 BUT WE STILL HAD THAT ISSUE WITH WETLAND PROTECTION.
12:17:38 WE TRIED TO NEGOTIATE SOME ADDITIONAL WETLANDS TO BE

12:17:41 PROTECTED.
12:17:42 AND THEY REDUCED THE NUMBER OF UNITS.
12:17:43 SO THEY HAVE COME IN NOW.
12:17:45 THEY ARE PHASING THE PROJECT BECAUSE IT'S OVER 500 UNITS, SO
12:17:50 IT WILL TAKE SEVERAL YEARS TO GET DONE PROBABLY.
12:17:53 SO THEY ARE GOING TO START WITH THE NORTHERLY PHASE, WHICH
12:17:55 IS THE PINK PROPERTY ON THE RIGHT AND THEN WORK THEIR WAY
12:17:59 SOUTH.
12:17:59 THE PART THAT'S ALL GREEN IS THE CONSERVATION EASEMENT THEY
12:18:03 HAVE TO THE VILLAGE AND THE WATER MANAGEMENT DISTRICT.
12:18:05 THIS IS THE PROJECT THAT IF YOU REMEMBER THROUGH THE
12:18:11 SETTLEMENT WE NEGOTIATED THAT THEY WOULD PAY I THINK
12:18:16 $750,000 BECAUSE OF THE ENVIRONMENTAL, BECAUSE OF THE
12:18:21 MITIGATION.
12:18:22 AND THEY HAVE PAID THAT BECAUSE THE WAY WE HAD WORDED IT,
12:18:25 THEY HAD TO PAY IT BEFORE THEY COULD GET THEIR FIRST
12:18:28 DEVELOPMENT ORDER.
12:18:28 SO THEY ARE IN THE DEVELOPMENT ORDER FOR PHASE ONE WAS
12:18:32 APPROVED, WHICH IS 141 LOTS.
12:18:34 AND THEY PUT UP THE SILK FENCE AND THEY ARE REALLY GETTING
12:18:38 READY TO GET GOING ON THAT.
12:18:40 YOU'LL PROBABLY BE SEEING ACTIVITY OR POSSIBLY GETTING PHONE
12:18:43 CALLS.
12:18:43 CORKSCREW PINES, THIS IS ACTUALLY RIGHT NEXT TO STONEYBROOK.
12:18:50 AND THIS CAME TO PLANNING, ZONING, AND DESIGN BOARD FOR A

12:18:55 CONVENIENCE STORE GAS STATION ON THE WESTERN CORNER, AND
12:18:58 THEN IT WAS APPROVED BY THE COUNTY YEARS AGO FOR SOME
12:19:01 MINI-WAREHOUSES AND SOME OFFICE AND RETAIL USES.
12:19:05 THEY CAME BACK BECAUSE THERE WAS A RESTRICTION ON THE HOURS
12:19:08 OF OPERATION THAT SAID YOU COULDN'T OPERATE 24/7.
12:19:11 BUT THEY WANTED TO OPERATE 24/7.
12:19:13 THEY WENT TO PLANNING, ZONING, AND DESIGN BOARD.
12:19:17 THE HEARING WAS JAM-PACKED WITH PEOPLE, AND THEN THEY GOT UP
12:19:21 AND SAID WE HAVE TO HAVE THE 24/7.
12:19:26 THE NEXT DAY THEY WITHDREW THE CASE.
12:19:28 WE THOUGHT IT WENT AWAY, BUT IN THE MEANTIME THEY FILED A
12:19:30 DEVELOPMENT ORDER FOR THE GAS STATION ALONE, NOT THE REST OF
12:19:34 THE PROJECT.
12:19:34 SO WE JUST GOT THAT IN RIGHT BEFORE CHRISTMAS.
12:19:39 WE'RE JUST STARTING THE REVIEW OF THAT.
12:19:41 SO THAT WILL GO BACK TO PLANNING, ZONING, AND DESIGN BOARD
12:19:44 FOR REVIEW ONCE WE GET THROUGH THE STAFF REVIEW.
12:19:47 THEN THERE'S ANOTHER PROJECT THAT HAS NOT SUBMITTED
12:19:53 ANYTHING, BUT HAS HAD A PUBLIC INFORMATION MEETING.
12:19:56 THIS IS IN FRONT OF RAPALLO.
12:19:59 IT'S CALLED MARKETPLACE.
12:20:01 IT'S TEN ACRES.
12:20:02 THEY ARE PROPOSING SOME TYPE OF RESTAURANT, SOME RETAIL, AND
12:20:07 A FAST FOOD THAT HAS SOME GOLDEN ARCHES, IN CASE YOU WERE
12:20:11 WONDERING.

12:20:13 AND THEN WE HAD AN INFORMATION MEETING.
12:20:16 THE RAPALLO NEIGHBORS HAVE BEEN ACTIVELY TRYING TO BE
12:20:20 INVOLVED, BUT WE DON'T HAVE AN APPLICATION IN YET.
12:20:22 THIS IS NOT IN THE IMMEDIATE FUTURE.
12:20:26 WAWA, EVERYBODY WANTED TO KNOW YEARS AGO IF WE WOULD GET A
12:20:32 WAWA IN ESTERO.
12:20:33 AND WAWA CAME IN AND WANTED TO LOCATE OVER IN THE LOWE'S
12:20:39 PLAZA, BUT THE LOT CLOSEST TO THREE OAKS.
12:20:42 AND WE WENT BACK AND FORTH WITH THEM, BUT THEY HAD AN ISSUE
12:20:45 WITH COUNTY D.O.T. BECAUSE THE ACCESS THAT THEY WANTED WAS
12:20:48 TOO CLOSE TO THE INTERSECTION.
12:20:49 IT CREATED A SAFETY PROBLEM.
12:20:51 SO THEY NEVER -- THEY WITHDREW THAT.
12:20:53 THEY NEVER PROCEEDED WITH THAT.
12:20:55 NOW, THEY HAVE RECENTLY COME BACK AND ARE LOOKING AT THE
12:20:57 RUBY TUESDAY BUILDING, WHICH IS FURTHER AWAY FROM THE
12:21:00 INTERSECTION AND WOULD BE BY THE TRAFFIC LIGHT.
12:21:02 SO I THINK THAT WOULD BE A BETTER LOCATION IN THAT RESPECT.
12:21:07 SO THEY HAVE SUBMITTED AN AMENDMENT TO THE ZONING, AND
12:21:10 THAT'S UNDER REVIEW NOW BY STAFF.
12:21:12 THE NEXT STEP WITH THAT, IT WILL BE GOING TO THE PLANNING,
12:21:15 ZONING AND DESIGN BOARD FOR A RECOMMENDATION, AND THEN IT

12:21:18 COMES TO THE COUNCIL FOR A DECISION LATER.
12:21:20 ANYBODY ASKS, BECAUSE WE'RE ALREADY GETTING E-MAILS FROM
12:21:24 PEOPLE WANTING TO KNOW WHEN IS WAWA OPENING?

12:21:28 WELL, NOT TOMORROW, BUT THEY ARE IN THE PROCESS.
12:21:30 AND THEN I THINK YOU ALL ARE FAMILIAR WITH JOE PAVICH OFFICE
12:21:37 BUILDING AT VIA COCONUT OR OVER BY HAPPY HOLLOW LANE, WHERE
12:21:40 IF YOU SEE IN THE CORNER, THAT VERY ATTRACTIVE BLUE BUILDING
12:21:43 WITH THE YELLOW DOOR, THE HOUSE, I THINK WHAT THEY PROPOSE
12:21:47 ON THE LEFT IS A PRETTY SUBSTANTIAL UPGRADE FROM THE BLUE
12:21:53 BUILDING.
12:21:54 THEY HAD AN INFORMATION MEETING AT THE PLANNING, ZONING, AND
12:21:58 DESIGN BOARD, SO THEY WANT TO PROCEED WITH THE DEVELOPMENT
12:22:01 ORDER.
12:22:01 SO WE MAY BE SEEING SOMETHING ON THAT SOON, WHICH WOULD BE
12:22:04 GOOD.
12:22:04 I WANTED TO TALK ABOUT AN OLD PROJECT -- TWO OLDER PROJECTS
12:22:11 THAT ARE SOMEWHAT RESUSCITATING.
12:22:14 COLONNADE AND GENOVA.
12:22:16 COLONNADE IS JUST ON THE OTHER SIDE OF CORKSCREW ROAD AT
12:22:22 SANDY LANE.
12:22:23 THIS MIGHT BE A LITTLE -- COLONNADE WAS APPROVED BY THE
12:22:26 COUNCIL IN 2016 FOR CONTINUING CARE.
12:22:31 SOME OF YOU MIGHT REMEMBER THAT.
12:22:32 THEY WERE IN A HURRY.
12:22:33 THEY WANTED TO BUILD -- THEY HAD TO HAVE THEIR ZONING DONE
12:22:36 BY NOVEMBER, BUT THEY FORGOT TO SAY WHICH YEAR.
12:22:39 THERE WERE A FEW ISSUES I THINK BECAUSE THEY HAD PUBLIC
12:22:43 FINANCING THROUGH TEFRA AND INDUSTRIAL REVENUE BONDS.

12:22:47 THEY HAD KIND OF SLOWED DOWN.
12:22:49 AND THEN COVID HAS KIND OF CHANGED SOME OF THE WAYS THEY
12:22:52 HAVE TO CONSTRUCT THINGS.
12:22:54 BECAUSE WITH THE ALFs, YOU'VE GOT TO HAVE MORE OPEN
12:22:59 SPACES.
12:22:59 SO THEY HAVE ACTUALLY COME BACK TO US FOR DEVELOPMENT ORDER.
12:23:03 THEY'VE GOT TO CHANGE IT BECAUSE THEY HAVE TO MAKE THE
12:23:06 CHANGES BECAUSE OF COVID WHICH NECESSITATED SOME REDESIGN.
12:23:09 I EXPECT -- AND WE JUST GOT A SUBMITTAL YESTERDAY.
12:23:14 I SUSPECT THIS WILL BE GOING TO PLANNING, ZONING AND DESIGN
12:23:17 BOARD SOON, WHICH WILL GET THIS MOVING ALONG BECAUSE IT'S
12:23:20 BEEN FESTERING A LITTLE BIT FOR SOME TIME.
12:23:22 AND GENOVA WAS APPROVED, AND THERE WAS A LITTLE TYPO IN THE
12:23:27 SLIDE THAT I SENT YOU.
12:23:29 I THINK IT SAID 21 CONDOMINIUM BUILDINGS.
12:23:33 IT'S ACTUALLY 205 CONDOMINIUM UNITS, NOT CONDOMINIUMS.
12:23:36 THERE ARE SIX BUILDINGS.
12:23:38 FOUR WERE COMPLETED.

12:23:39 THE LAST TWO WERE NEVER COMPLETED.
12:23:42 SO THEY ARE PROPOSING A NEW PLAN TO DO TOWNHOMES AND
12:23:44 SINGLE-FAMILY IN LIEU OF THOSE LAST TWO CONDOMINIUM
12:23:48 BUILDINGS.
12:23:48 THEY'VE BEEN WORKING WITH THE NEIGHBORS.
12:23:50 THEY CAME IN FOR AN INFORMATION MEETING TO PLANNING, ZONING,
12:23:53 AND DESIGN BOARD.

12:23:55 AND THEY WILL BE SUBMITTING SOMETHING SOON, BUT I KNOW THEY
12:23:58 HAVE BEEN TRYING TO WORK WITH THE NEIGHBORS BECAUSE THE
12:24:02 NEIGHBORS HAVE BEEN WONDERING WHEN SOMETHING IS GOING TO
12:24:03 HAPPEN THERE.
12:24:05 I JUST WANTED TO SHOW YOU A SLIDE.
12:24:07 TALK ABOUT VIA COCONUT IN A MINUTE, BUT SOME CONNECTIVITY
12:24:11 BECAUSE GENOVA, IF YOU CAN SEE KIND OF THE FARTHEST TO THE
12:24:15 RIGHT, THOSE LAST TWO CONDOMINIUM BUILDINGS, THAT'S NOT WHAT
12:24:18 IS GOING TO BE THERE NOW.
12:24:19 BUT GENOVA HAD A COMMITMENT TO DO A LINEAR PARK, WHICH IS
12:24:24 BASICALLY A WIDE KIND OF SIDEWALK WITH PLANTINGS ON
12:24:26 CORKSCREW ROAD AND ON VIA COCONUT.
12:24:28 THAT WILL LINE UP WITH ACROSS THE STREET AT VIA COCONUT, IF
12:24:33 YOU REMEMBER, THEY OFFERED THE ONE-ACRE NORTHERN PARCEL TO
12:24:37 BE A PARK FOR THE VILLAGE, WHICH WE ACCEPTED.
12:24:42 HAVEN'T ACCEPTED OFFICIALLY BUT THAT WAS ACCEPTED IN THE
12:24:45 ZONING.
12:24:45 THIS JUST SHOWS HOW THESE TWO PROJECTS WILL LINE UP.
12:24:49 THAT'S THE LINEAR PARK ON CORKSCREW.
12:24:52 OF COURSE, IT'S NARROW.
12:24:53 IT'S NOT LIKE A ONE-ACRE PIECE LIKE VIA COCONUT, IS BUT IT
12:24:58 WILL BE ATTRACTIVE ONCE THEY GET IT GOING.
12:25:02 >>Vice-Mayor McLain: IS THAT IN FRONT OF GENOVA ON ESTERO?
12:25:08 >>Mary Gibbs: IT'S ON CORKSCREW ROAD AND IT'S ON THE NORTH
12:25:11 SIDE AND THEN IT COMES DOWN VIA COCONUT.

12:25:12 IT'S REALLY BASICALLY LIKE --
12:25:16 >>Vice-Mayor McLain: ACROSS THE STREET WILL BE THE NEW OTHER
12:25:19 PARK --
12:25:20 >>Mary Gibbs: THE ONE ACRE FOR VIA COCONUT.
12:25:22 IT'S A LITTLE DIFFERENT BECAUSE GENOVA IS LIKE LONG AND
12:25:26 NARROW, AND VIA COCONUT IS JUST A ONE-ACRE PARCEL.
12:25:29 SO SEE ON VIA COCONUT, IT SHOWS YOU THE DESIGN FOR THE
12:25:35 ONE-ACRE PIECE OF PROPERTY.
12:25:36 AND VIA COCONUT, I THINK YOU MIGHT REMEMBER, THAT WAS --
12:25:41 THEY ACTUALLY HAD A PUBLIC INFORMATION MEETING JANUARY 11.
12:25:47 THEY WANT TO FILE A DEVELOPMENT ORDER.
12:25:49 SO THEY HAD A LONG DISCUSSION ABOUT COLORS AT THAT MEETING.
12:25:55 THIS IS WHAT VIA COCONUT WILL LOOK LIKE.
12:25:57 IF YOU SEE TO THE RIGHT, THAT'S WHAT IS THERE NOW.

12:25:59 A VERY INQUISITIVE COW.
12:26:02 NORTH POINT, I JUST PUT ON THERE BECAUSE IT IS A FUTURE
12:26:06 PROJECT.
12:26:07 BECAUSE IT'S SUCH A LARGE PROPERTY IN THE VILLAGE, A HUNDRED
12:26:09 ACRES, OWNED BY HCA.
12:26:12 I THINK THEY HAD BEEN LOOKING AT SELLING IT, BUT WE ALSO
12:26:16 HEAR THEY ARE TRYING TO RETAIN PART OF IT, SO MAYBE THERE
12:26:20 WILL BE A MIXED-USE PROJECT WHERE THEY RETAIN A PORTION AND
12:26:23 MAYBE DO SOME KIND OF JOINT VENTURE WITH THE DEVELOPER TO DO
12:26:29 SOMETHING WITH MIXED USE ON THE OTHER PART.
12:26:32 BUT THAT'S BEEN -- STEVE HAS BEEN MEETING WITH THEM JUST

12:26:36 GOING THROUGH DIFFERENT ITERATIONS.
12:26:37 I JUST WANTED TO POINT THAT OUT.
12:26:39 THERE'S NOTHING -- THERE'S BEEN NOTHING REALLY CAST IN
12:26:43 STONE, BUT WE ARE INVOLVED IN SOME OF THOSE MEETINGS.
12:26:47 AND THEN LEE HEALTH I THINK COUNCILWOMAN RIBBLE GAVE US THE
12:26:54 UPDATE THIS MORNING.
12:26:55 THAT'S 40 ACRES AT THE CORNER OF COCONUT ROAD.
12:26:57 IT WAS PLANNED TO BE MIXED USE.
12:26:59 BUT I THINK THEY ARE, AGAIN, TRYING TO EVALUATE WHAT THEY'RE
12:27:05 DOING.
12:27:05 THEN WE HAVE THE VILLAGE PROPERTY, WHICH IS 62 ACRES, AND
12:27:09 WE'RE WORKING ON THAT.
12:27:11 DAVID BARTH I THINK -- HELPING DAVID WILLEMS AND STEVE HAVE
12:27:16 HAD A LOT OF MEETINGS AND, OF COURSE, THEY BROUGHT FORWARD
12:27:18 THE WALKING PATH THAT THEY ARE TRYING TO DO FOR PHASE ONE.
12:27:22 SO THAT'S GOT A LOT OF POTENTIAL FOR SOME REALLY GREAT USES.
12:27:27 AND I THINK THAT WAS IT.
12:27:32 >>Mayor Errington: ANY QUESTIONS FOR MARY?
12:27:34 JOANNE.
12:27:37 >>Joanne Ribble: NOT A QUESTION, BUT I LOVE THIS.
12:27:38 I LOVE IF WE COULD DO THIS PERIODICALLY.
12:27:42 IT'S A GOOD REFERENCE FOR US TO ANSWER QUESTIONS WHEN PEOPLE
12:27:46 CALL OR E-MAIL.
12:27:47 ONE THING I DO WANT TO ASK YOU ABOUT, THINGS THAT GO
12:27:54 DIRECTLY TO STAFF, BEFORE THEY COME TO PLANNING, ZONING AND

12:27:57 DESIGN, THINGS THAT AFFECT RESIDENCES IN CLOSE PROXIMITY TO
12:28:03 WHATEVER IS GOING TO BE HAPPENING, A LOT OF TIMES YOU'LL
12:28:07 NOTIFY THEM OF THE POTENTIAL OF THIS HAPPENING.
12:28:10 WE IMMEDIATELY START GETTING PHONE CALLS AND E-MAILS, AND WE
12:28:13 HAVE NO IDEA WHAT THEY ARE TALKING ABOUT.
12:28:15 IS THERE SOME WAY TO GIVE US A HEADS UP?
12:28:19 >>Mary Gibbs: I THINK I CAN.
12:28:20 I'VE BEEN TOYING WITH WHAT'S THE BEST WAY TO DO THAT.
12:28:24 IF I COULD SEND AN E-MAIL OR STEVE COULD SEND AN E-MAIL OR
12:28:27 COMPILE A LIST OF WHAT IS GOING ON THAT WE THINK YOU MIGHT

12:28:31 BE INTERESTED IN.
12:28:32 YOU HAVE TO BE CAREFUL NOT TO TALK TO EACH OTHER.
12:28:35 BUT WE COULD SEND THAT OUT AND SAY HERE'S WHAT IS HAPPENING
12:28:41 FOR YOU.
12:28:41 I KNOW THAT HAPPENS TO YOU AND THEN I DON'T WANT TO SEND YOU
12:28:44 INFORMATION THAT YOU DON'T CARE ABOUT.
12:28:45 BUT I THINK WE COULD DO THAT.
12:28:47 I'LL JUST GIVE IT A LITTLE MORE THOUGHT.
12:28:49 >>Joanne Ribble: THANK YOU.
12:28:51 >>Mary Gibbs: SURE.
12:28:52 >>Mayor Errington: ANY OTHER COMMENTS?
12:28:53 I THINK IT'S A GREAT IDEA.
12:28:57 EXCELLENT.
12:28:57 EXCELLENT.
12:28:58 I DO HAVE --

12:28:59 >>Jim Wilson: MARY, I HAVE AN ADDITIONAL QUESTION.
12:29:01 >>Mayor Errington: GO AHEAD, JIM WILSON.
12:29:05 WE DON'T SEE YOU, BUT WE HEAR YOUR VOICE.
12:29:09 >>Jim Wilson: THANK YOU.
12:29:09 OTHER THAN THE HCA PARCEL AND THE LEE HEALTH PARCEL, ARE
12:29:14 THERE ANY OTHER MAJOR, LARGE PARCELS THAT ARE IN THE VILLAGE
12:29:20 BOUNDARIES THAT ARE STILL DEVELOPABLE?
12:29:23 >>Mary Gibbs: THOSE ARE THE TWO BIGGEST ONES.
12:29:26 THE ONE I BROUGHT UP CORKSCREW CROSSING THAT WAS ARGO, THAT
12:29:31 GL HOMES BOUGHT, THAT WAS 400 ACRES.
12:29:34 SO THAT WAS REALLY THE BIGGEST PARCEL I THINK THAT'S
12:29:38 UNDEVELOPED.
12:29:39 AND I REALLY CAN'T THINK OF ANY.
12:29:43 THERE IS A PARCEL AT THREE OAKS AND ESTERO PARKWAY ON THE
12:29:49 SOUTHWEST CORNER THAT MAY BE 20 OR 30 ACRES.
12:29:53 AND I KNOW THAT PEOPLE CONTACT US EVERY DAY FOR POTENTIAL
12:29:58 USES FOR THAT PROPERTY.
12:29:59 SO I'M HEARING THAT IT MIGHT BE COMING ON THE MARKET.
12:30:03 BUT THOSE ARE THE LARGEST ONES THAT I CAN THINK OF.
12:30:10 >>Steven Sarkozy: OUR 26 ACRES ON THE NORTH SIDE OF ESTERO
12:30:13 ON THE RIVER.
12:30:14 >>Mary Gibbs: OH.
12:30:15 STEVE MENTIONED THE PROPERTY THAT THE VILLAGE OWNS ON THE
12:30:17 NORTH SIDE OF THE RIVER IN THAT VILLAGE CENTER PROPERTY.
12:30:21 >>Jim Wilson: IT WOULD BE ACCURATE TO THEN TO SAY THAT USING

12:30:26 OUR EXISTING BOUNDARIES, THAT WE'RE OVER 90% BUILT OUT.
12:30:33 DO YOU THINK THAT'S CORRECT?
12:30:35 >>Mary Gibbs: YEAH.
12:30:35 I THINK THERE'S ABOUT -- I USE RULE OF THUMB THAT THERE'S
12:30:38 10% VACANT LAND LEFT IN THE VILLAGE.
12:30:43 >>Jim Wilson: THANK YOU.

12:30:44 >>Mayor Errington: OTHER QUESTIONS?
12:30:46 I HAVE ONE.
12:30:47 THE COLONNADE.
12:30:48 ORIGINALLY, WHEN THAT WAS THE VOLUNTEERS OF AMERICA AND THEY
12:30:51 WENT -- THAT WAS OUR VERY FIRST APPROVAL THAT WE EVER DID
12:30:56 FOR SOMETHING LIKE THAT AS A COUNCIL.
12:30:57 >>Mary Gibbs: YES.
12:30:58 >>Mayor Errington: THERE WAS A BIG DISCUSSION OVER HAVING
12:31:00 WALKING PATHS AND I KNOW THAT WE WERE TOLD THAT RUNNERS FROM
12:31:06 THE HIGH SCHOOL COULD COME THROUGH THERE AND RUN THROUGH,
12:31:10 DID THEY TAKE ALL OF THAT OUT OF THIS?
12:31:13 IT APPEARS THAT THEY HAVE.
12:31:15 >>Mary Gibbs: THEY ARE -- WELL, WHAT WE'RE DOING NOW, WE'RE
12:31:17 GOING BACK AND FORTH WITH THEM BECAUSE OF SOME SECURITY FOR
12:31:22 THESE CONTINUING CARE IN THE BACK BY THE RESIDENCES ON THE
12:31:28 NORTH SIDE THAT WE THOUGHT WAS GOING TO BE OPEN AND THEY
12:31:31 WANT TO DO SOME GATES FOR SECURITY PURPOSES.
12:31:35 SO THESE ARE THINGS THAT WE GO BACK TO PLANNING, ZONING, AND
12:31:38 DESIGN BOARD, I THINK WE'RE GOING TO HAVE A DISCUSSION.

12:31:41 THERE WILL BE -- IT IS OPEN ON THE FRONT OF THE PROPERTY,
12:31:45 BUT THEY DID WANT TO TRY TO PUT A FEW GATES IN.
12:31:48 WE'RE LIKE, THAT'S GOING TO BE A LITTLE PROBLEM.
12:31:50 >>Mayor Errington: WELL, THE OTHER THING THAT I REMEMBER,
12:31:52 AND YOU CAN CORRECT ME IF I'M WRONG, IS THAT THEY PROMISED,
12:31:57 THE DEVELOPER, ORIGINALLY, THE VOLUNTEERS OF AMERICA, THAT
12:32:00 THAT FENCE THAT'S THERE NOW IS NOT THE FENCE THAT'S SUPPOSED
12:32:04 TO BE THERE.
12:32:05 THEY WERE SUPPOSED TO BUILD A NICE FENCE AND THEY CAME IN
12:32:09 AND BUILT A WOODEN FENCE.
12:32:11 IT'S SUPPOSED TO BE A SOLID WALL.
12:32:13 >>Mary Gibbs: THEY ARE ACTUALLY GOING TO DO A WALL.
12:32:15 AND THAT FENCE WAS SUPPOSED TO BE TEMPORARY BECAUSE,
12:32:18 REMEMBER, THEY WERE GOING TO BUILD IT IN A HURRY AND THAT
12:32:20 FENCE HAS BEEN UP THERE FOR YEARS.
12:32:22 SO, YES, THERE WILL BE A WALL.
12:32:23 >>Mayor Errington: IS IT GOING TO BE RIGHT AWAY OR TEN YEARS
12:32:26 FROM NOW?
12:32:27 >>Mary Gibbs: NO, WHEN THE DEVELOPMENT ORDER COMES IN, THE
12:32:30 WALL WILL BE --
12:32:31 >>Mayor Errington: THAT'S PROMISED TO THE RESIDENTS THAT
12:32:34 THAT WOULD BE A WALL.
12:32:35 >>Mary Gibbs: YES.
12:32:36 >>Mayor Errington: OKAY.
12:32:37 WELL, THANK YOU VERY, VERY MUCH.

12:32:39 I WANT TO COMPLIMENT MARY AND HER STAFF.
12:32:44 THEY JUST DO SO MUCH.

12:32:45 THIS IS TREMENDOUS.
12:32:45 THANK YOU.
12:32:46 WHO IS APPLAUDING?
12:32:50 [ APPLAUSE ]
12:32:50 I'LL GIVE YOU A REAL QUICK EXAMPLE.
12:32:58 THIS PAST WEEK, I HAD A PERSON TO CALL ME ABOUT SOME WORK
12:33:02 THAT SHE WAS HAVING DONE, SHE AND HER HUSBAND HAVING DONE ON
12:33:04 THEIR HOME.
12:33:06 AND THE CONTRACTOR WAS SAYING THAT THEY HAD -- THEY COULDN'T
12:33:09 WORK TODAY BECAUSE THEY HAD TO GET -- THEIR PERMITTING WAS
12:33:13 COMING FROM FT. LAUDERDALE.
12:33:17 FT. LAUDERDALE, SO I CONTACTED MARY.
12:33:20 OF COURSE, THEY GOT ON IT.
12:33:21 AND THE OWNER OF THE HOUSE, THEY ARE BOTH RETIRED.
12:33:26 THEY ARE UP IN THEIR 90s.
12:33:28 AND THEY SAID, HE'S A RETIRED ARCHITECT, HE THOUGHT, THIS IS
12:33:32 NOT RIGHT.
12:33:32 BUT THAT WAS A WAY, A SCHEME OF HOW TO MAKE THEM NOT HAVE TO
12:33:38 WORK.
12:33:38 SO THEY CHECKED IT OUT.
12:33:39 THEY WERE GETTING THEIR PERMITS FROM HERE, BUT THEY WERE
12:33:42 TELLING THEM THE NONTRUTH THAT THEY WERE GETTING THEIR
12:33:44 PERMITTING FROM FT. LAUDERDALE, AND THAT HADN'T BEEN

12:33:47 APPROVED JUST YET.
12:33:48 AND SO I THOUGHT I NEVER THOUGHT OF THAT ONE.
12:33:51 AND MARY GOT ON IT, AND SHE GOT THE PROPER PEOPLE ON IT, BUT
12:33:56 THAT WAS REALLY, REALLY NICE.
12:33:57 JUST THINGS LIKE THAT COMING UP AND SEEING ALL THIS, IT'S
12:34:00 JUST -- IT MAKES YOU PROUD TO LIVE IN ESTERO.
12:34:02 THANK YOU.
12:34:03 OKAY.
12:34:06 THE LAST ITEM ON THE WORKSHOP IS U.S. 41 BIKE AND ROUTE 15.
12:34:13 STEVE OR DAVID?
12:34:16 >>Steven Sarkozy: THANK YOU, MAYOR AND MEMBERS OF COUNCIL.
12:34:18 DAVID WILLEMS HAS AN UPDATE REGARDING THIS PROPOSED NATIONAL
12:34:22 NETWORK FOR BICYCLE ROUTES COULD THAT BE IMPACTFUL TO THE
12:34:26 VILLAGE OF ESTERO.
12:34:26 DAVID.
12:34:28 >>David Willems: HELLO.
12:34:29 SO WHAT I WANTED TO DO IS PROVIDE A LITTLE BACKGROUND ON IT.
12:34:34 SO THE LEE COUNTY MPO CAME TO US AND ASKED, THEY REQUESTED
12:34:38 THAT WE GIVE THEM APPROVAL OR A RESOLUTION TO SHOW SUPPORT
12:34:44 FOR THIS ROUTE.
12:34:45 SO WHAT WE WANTED TO DO IS THIS FIRST PRESENTATION IS
12:34:47 PROVIDE A LITTLE BIT OF BACKGROUND SO THAT WE CAN UNDERSTAND
12:34:50 WHAT THEY ARE ASKING FOR AND WHAT THE OVERALL SYSTEM IS.
12:34:53 AND THEN WE'LL COME BACK AT A SUBSEQUENT MEETING AND

12:34:58 CONSIDER A RESOLUTION THAT WOULD PROVIDE SUPPORT FOR THAT

12:35:03 BIKE ROUTE.
12:35:04 WHAT THE MPO IS TRYING TO DO IS GET SUPPORT FOR ALL THE
12:35:07 MUNICIPALITIES WITHIN LEE COUNTY, AND WHAT THAT DOES IS HELP
12:35:12 THEM PROCEED WITH THE BIKE ROUTE IN THE FUTURE.
12:35:14 SO WITH THAT, I'M GOING TO GO OVER KIND OF WHAT IT IS AND
12:35:18 WHAT THEY ARE LOOKING AT DOING.
12:35:20 SO THE U.S. BIKE ROUTE SYSTEM, BASICALLY WHAT THEY ARE
12:35:24 TRYING TO DO IS CREATE A NETWORK OF BIKE ROUTES THROUGHOUT
12:35:27 THE ENTIRE COUNTRY.
12:35:30 RIGHT NOW, THEY HAVE ABOUT 14,000 MILES OF BIKE ROUTE IN 31
12:35:35 STATES.
12:35:35 THEY ARE TRYING TO GET THAT TO BE OVER 50,000 AT SOME POINT
12:35:38 IN THE FUTURE.
12:35:39 IT'S GOING TO TAKE A LONG TIME.
12:35:40 IF YOU LOOK AT THIS MAP, THE SOLID LINES ARE THE ONES THAT
12:35:44 ARE THERE AND THEN YOU CAN SEE A WHOLE LOT OF DASHED LINES.
12:35:47 THOSE ARE THE ONES THEY ARE TRYING TO PLAN OR DO IN THE
12:35:50 FUTURE AT SOME POINT.
12:35:51 YOU CAN SEE WITHIN THE STATE OF FLORIDA, THERE IS NO BIKE
12:35:55 ROUTE ON THE WEST SIDE OF THE STATE.
12:35:58 IT IS A PROPOSED ONE, AND THAT'S U.S. BIKE ROUTE 15, AND
12:36:01 THAT'S THE SUBJECT OF WHAT WE'RE TALKING ABOUT HERE.
12:36:03 FOR THAT ROUTE -- I'LL GO BACK TO THE PREVIOUS -- THAT ROUTE
12:36:07 WILL EVENTUALLY ON THE PLAN GO ALL THE WAY FROM ROCHESTER
12:36:11 NEW YORK DOWN TO MIAMI.

12:36:13 BUT AS OF RIGHT NOW, THERE'S ONLY A VERY SMALL SEGMENT OF IT
12:36:17 THAT HAS ACTUALLY BEEN BUILT AND THAT'S IN SOUTHERN GEORGIA.
12:36:20 IT GOES TO BASICALLY THE STATE LINE, AND NONE OF THAT HAS
12:36:24 BEEN BUILT IN THE STATE OF FLORIDA.
12:36:26 SO WHAT THEY ARE LOOKING FOR IS SUPPORT FOR THAT BIKE ROUTE.
12:36:30 IN THE STATE RIGHT NOW, THERE'S TWO BIKE ROUTES.
12:36:33 ONE GOES ALONG THE NORTH -- TO THE STATE AND ONE GOES ALONG
12:36:37 THE EAST.
12:36:38 THIS HERE SHOWS A LITTLE BIT CLOSER UP OF THE DASHED LINE OF
12:36:42 WHAT U.S. BIKE ROUTE 15 WOULD DO.
12:36:45 THAT WOULD TAKE YOU FROM THE PART IN THE STATE, TAKE YOU
12:36:48 FROM THE STATE LINE ALL THE WAY DOWN TO MIAMI AND GO THROUGH
12:36:51 LEE COUNTY AND THE VILLAGE OF ESTERO.
12:36:53 THESE ARE ALL THE COUNTIES THAT THEY ARE LOOKING AT GETTING
12:36:57 APPROVAL OR SUPPORT FROM TO DO THE BIKE ROUTE.
12:37:00 AND THIS BIKE ROUTE IS ACTUALLY -- THERE IS AN ORGANIZATION
12:37:04 THAT'S KIND OF PUSHING IT, WHICH IS ADVENTURE CYCLING.
12:37:09 THEY ARE THE ONES KIND OF GETTING THE PUBLIC SUPPORT AND
12:37:12 PUSHING FORWARD WITH IT.
12:37:13 WHAT WE'LL DO, AT THE NEXT MEETING, WE'LL HAVE THEM HERE TO

12:37:17 PROVIDE A LITTLE BIT MORE DETAIL ABOUT THE ROUTE BEFORE YOU
12:37:20 PROVIDE SUPPORT FOR IT.
12:37:22 SO IN LEE COUNTY, THIS IS THE ALIGNMENT, AND REALLY THE PART
12:37:28 THAT'S RELEVANT TO THE VILLAGE OF ESTERO IS IT WOULD GO
12:37:32 ALONG DANIELS PARKWAY AND THEN SOUTH ALONG TREE LINE, SLASH,

12:37:37 BEN HILL GRIFFIN, ALL THE WAY TO ESTERO PARKWAY.
12:37:41 IT WOULD GO OVER THE OVERPASS, AND THEN FROM THERE IT WILL
12:37:45 GO SOUTH ALONG THREE OAKS.
12:37:46 AND IT WILL CONTINUE ALONG THREE OAKS, GO ALONG IMPERIAL AND
12:37:51 THEN ACTUALLY GO ALL THE WAY DOWN LIVINGSTON AND THEN
12:37:55 MEANDER OVER AND GO ALONG U.S. 41 ALL THE WAY TO MIAMI.
12:37:59 SO THIS IS THE ROUTE IN THIS AREA.
12:38:02 THE PATH WOULD NOT GO ALONG ANY VILLAGE OF ESTERO MAINTAINED
12:38:06 ROADS.
12:38:07 ALL OF THESE ROADS ARE MAINTAINED BY THE COUNTY FOR THE PART
12:38:12 IN THE VILLAGE.
12:38:12 THE SECTION OF ESTERO PARKWAY THAT IT WOULD GO OVER IS OWNED
12:38:16 BY THE COUNTY, AND THEN THREE OAKS PARKWAY IS OWNED BY THE
12:38:19 COUNTY.
12:38:20 AND SO THIS IS JUST A BRIEF SUMMARY OF WHAT IT IS.
12:38:24 AT THE NEXT MEETING, ADVENTURE CYCLING WILL BE HERE TO
12:38:27 PROVIDE A LOT MORE DETAIL OF IT, WHAT THE INTENT IS AND HOW
12:38:31 THEY SEE IT MOVING FORWARD.
12:38:33 BUT WHAT THE VILLAGE HAS BEEN ASKED IS TO PROVIDE A
12:38:36 RESOLUTION OF SUPPORT THAT JUST SUPPORTS THE CONCEPT OF THAT
12:38:42 PATH.
12:38:43 THERE ARE NO MONIES THAT WOULD BE EXPENDED BY THE VILLAGE.
12:38:47 THIS IS AN EFFORT OUTSIDE THE VILLAGE THAT WOULD COME
12:38:50 THROUGH THE VILLAGE AND CREATE A NETWORK OF BIKE ROUTES
12:38:55 THROUGHOUT THE COUNTRY.

12:38:57 RON IS HERE IF YOU HAVE ANY SPECIFIC QUESTIONS ABOUT IT, BUT
12:39:01 THIS IS JUST THE FIRST PART.
12:39:03 THE NEXT ONE WE'LL BRING IT BACK WITH A LITTLE MORE DETAIL.
12:39:05 >>Mayor Errington: ANY QUESTIONS OR DO YOU WANT TO WAIT
12:39:07 UNTIL NEXT TIME?
12:39:10 >>Vice-Mayor McLain: THE U.S. 15, ARE THEY MAKING ANY
12:39:14 MATERIAL CHANGES TO THE ROADWAYS LIKE THREE OAKS OR TREE
12:39:17 LINE TO MAKE THE BIKE LANES A LITTLE LARGER OR MAINTAIN THE
12:39:21 CURRENT --
12:39:22 >>David Willems: I THINK IT WILL VARY FROM LOCATION TO
12:39:24 LOCATION.
12:39:25 RIGHT NOW, I THINK IT'S JUST THE PLANNING PART OF IT,
12:39:28 ESTABLISHING THE BIKE ROUTE, GETTING ALL THE COMMUNITIES IN
12:39:32 LINE OR THEIR SUPPORT FOR IT.
12:39:34 IT'S YEARS, I WOULD EXPECT, BEFORE ANYTHING IN DETAIL.
12:39:37 SOME PLACES, THE FACILITIES ARE PROBABLY OKAY AND SOME

12:39:40 PLACES IT MIGHT NEED TO BE IMPROVED.
12:39:43 RON MIGHT BE ABLE TO SPEAK A LITTLE MORE DETAIL ON THAT.
12:39:49 >> GOOD MORNING.
12:39:50 SO RIGHT NOW WHAT ADVENTURE CYCLING IS TRYING TO DO IS PUT
12:39:56 THE ROUTE IN EXISTING ROADWAYS WHERE THEY HAVE AT LEAST
12:40:04 BICYCLE LANES.
12:40:05 THESE ARE FOR CYCLISTS WHO ARE RIDING ON ROADWAYS.
12:40:10 THERE MAY BE SECTIONS WHERE THERE MAY NOT BE ANY DECENT BIKE
12:40:14 LANES.

12:40:15 THEY MIGHT HAVE A SHARED USE PATH AND MIGHT USE A SHARED USE
12:40:17 PATH ALSO.
12:40:18 SO THERE ARE NO STANDARDS AS FAR AS LIKE I THINK THAT'S WHAT
12:40:22 YOU WERE ALLUDING TO, THE SIZE --
12:40:24 >>Vice-Mayor McLain: SEVEN FOOT BIKE LANES.
12:40:27 >> RON: THEY ARE BASICALLY GOING -- THEY CAME UP WITH AN
12:40:30 ORIGINAL ALIGNMENT, AND THE MPO BICYCLE PEDESTRIAN
12:40:36 COORDINATING COMMITTEE THAT ALSO INCLUDES REPRESENTATIVES
12:40:38 FROM THE VILLAGE OF ESTERO, WE TOOK A LOOK AT IT, INCLUDING
12:40:41 THE MPO STAFF, AND WE KIND OF VETTED IT AND WE ALSO SAID,
12:40:46 NO, THESE ARE NOT REALLY GOOD FOR CYCLING BECAUSE THEY DON'T
12:40:49 HAVE BICYCLE LANES.
12:40:52 SO WE MADE SOME CHANGES.
12:40:54 BASICALLY, THE ALIGNMENT THAT SHOWS UP IS THE ONE THAT THE
12:40:58 BBPC AND THE MPO STAFF CAME UP WITH.
12:41:04 WE TRY TO AT LEAST MAKE SURE THAT THERE ARE BIKE LANES IN
12:41:07 THOSE ROADWAYS.
12:41:08 WHILE THESE ARE FOR TOURING CYCLISTS.
12:41:14 THEY WILL BE GOING FROM ONE STATE TO ANOTHER.
12:41:18 POTENTIALLY LIKE I MENTIONED BEFORE, THEY LIKE TO RIDE ON
12:41:21 THE ROADWAYS, NOT ON SHARED USE PATH OR SOMETHING LIKE THAT.
12:41:26 >>Vice-Mayor McLain: THANK YOU.
12:41:28 >>Mayor Errington: ANY OTHER QUESTIONS?
12:41:30 >> RON: JUST ONE MORE CLARIFICATION.
12:41:33 SO THE REQUIREMENT, PART OF THE PROCESS IS LIKE DAVID

12:41:41 MENTIONED ABOUT ADVENTURE CYCLING.
12:41:43 SO THEY ARE YOU CAN SAY THE TECHNICAL ARM AS WELL AS THE
12:41:48 PUBLIC INVOLVEMENT ARM OF THE AMERICAN ASSOCIATION OF STATE
12:41:53 HIGHWAY OFFICIALS, THAT IS THE ORGANIZATION.
12:41:57 THE WAY IT WORKS, THEY PROPOSE THE ROADS.
12:42:01 THEY COME UP WITH THE ALIGNMENTS, AND IN THE STATE OF
12:42:05 FLORIDA, D.O.T. ACTUALLY HAS TO SUBMIT AN APPLICATION AND
12:42:12 THERE ARE TWO CYCLES.
12:42:14 LIKE THAT'S ACTUALLY PUT FORWARD BY A.A.S.H.T.O.
12:42:19 AT THAT POINT IN TIME, LIKE THE FLORIDA DEPARTMENT OF
12:42:22 TRANSPORTATION WOULD SUBMIT A REQUEST THAT WE NEED AN
12:42:26 EXTENSION, IN THIS CASE USBR 15, FROM THE CITY IN THE

12:42:37 PANHANDLE.
12:42:37 IT WILL GO ALL THE WAY THROUGH MIAMI-DADE COUNTY.
12:42:40 SINCE IT INVOLVES SO MANY DIFFERENT COUNTIES, IT OBVIOUSLY
12:42:45 IS GOING TO TAKE A LONG TIME AND REQUIRES A LOT OF
12:42:48 COORDINATION.
12:42:52 MPO STAFF, TRYING TO PUSH THIS IN LEE COUNTY.
12:42:56 SO THE REQUIREMENT IS THAT IN ALL THOSE INDIVIDUAL, WHERE
12:43:02 THERE IS A MUNICIPALITY OR COUNTY, UNINCORPORATED COUNTY,
12:43:05 THEY ARE REQUIRED TO ADOPT A RESOLUTION OF SUPPORT.
12:43:09 SO THIS ROUTE DOES NOT GO DOWN TO FORT MYERS MUNICIPAL SO
12:43:16 THEY ARE NOT REQUIRED TO PASS ANY RESOLUTION.
12:43:18 THE CITY OF BONITA SPRINGS, THEY HAVE ALREADY LIKE ADOPTED A
12:43:24 RESOLUTION.

12:43:25 CITY OF FORT MYERS DID.
12:43:27 THE COUNTY, BOARD OF COUNTY COMMISSIONERS, THEY WOULD BE
12:43:30 ACTUALLY LOOKING AT THAT, AT THEIR FEBRUARY 15 MEETING.
12:43:35 AND SO ONES ALL FOR -- LIKE, MUNICIPALITIES AND THE COUNTY
12:43:43 HAS ADOPTED THE RESOLUTION, THEN WE'LL TAKE IT BEFORE THE
12:43:47 MPO BOARD TO GET FURTHER --
12:43:55 >>Mayor Errington: ARE YOU INVOLVED WITH THE CALOOSAHATCHEE
12:44:01 PATH, SO YOU'RE LOOKING AT THAT ALSO?
12:44:04 IS THAT PART OF THE PATH?
12:44:05 THE ONE THAT'S GOING TO BE VOTED ON.
12:44:07 >> NO.
12:44:08 THIS SPECIFIC ALIGNMENT DOESN'T GO THROUGH THE
12:44:11 CALOOSAHATCHEE BRIDGE.
12:44:12 IT ACTUALLY GOES THROUGH THE OTHER BRIDGE.
12:44:14 YOU HAVE THE CALOOSAHATCHEE BRIDGE, CITY OF FORT MYERS, AND
12:44:19 THEN YOU HAVE THE EDISON BRIDGE.
12:44:22 SO THIS ALIGNMENT IS GOING TO GO OVER EDISON BRIDGE.
12:44:27 >>Mayor Errington: WOULD YOU STATE YOUR NAME AGAIN AND WHO
12:44:29 YOU ARE FOR THE RECORD?
12:44:30 >> SURE.
12:44:31 I'M RON GOGOI, TRANSPORTATION PLANNING ADMINISTRATOR WITH
12:44:36 THE LEE MPO.
12:44:38 >>Mayor Errington: THANK YOU.
12:44:40 IS THAT IT?
12:44:40 ARE WE FINISHED?

12:44:43 YES, STEVE SAYS YES.
12:44:46 I NEED A MOTION.
12:44:48 MOTION AND A SECOND.
12:44:50 WE ARE ADJOURNED.
12:44:51 [ SOUNDING GAVEL ]
12:44:52

DISCLAIMER:
THIS FILE REPRESENTS AN UNEDITED VERSION OF REALTIME

CAPTIONING WHICH SHOULD NEITHER BE RELIED UPON FOR COMPLETE ACCURACY NOR USED AS A VERBATIM TRANSCRIPT.
ANY PERSON WHO NEEDS A VERBATIM TRANSCRIPT OF THE PROCEEDINGS MAY NEED TO HIRE A COURT REPORTER.


LOCAL
VOICES
UNITED
Elevating Florida's Voices
From Sidewalks to the State Capitol


A simple idea...
Government
Self-Government
Control
Self-Government
Control
Control
Grassroots
Localism
Grassroots
Home
Rule
Home
Making
Decision
Local
Making
Making
Localism
Control
Localism
Grassroots
Government
Grassroots
Decision
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Grassroots
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Localism
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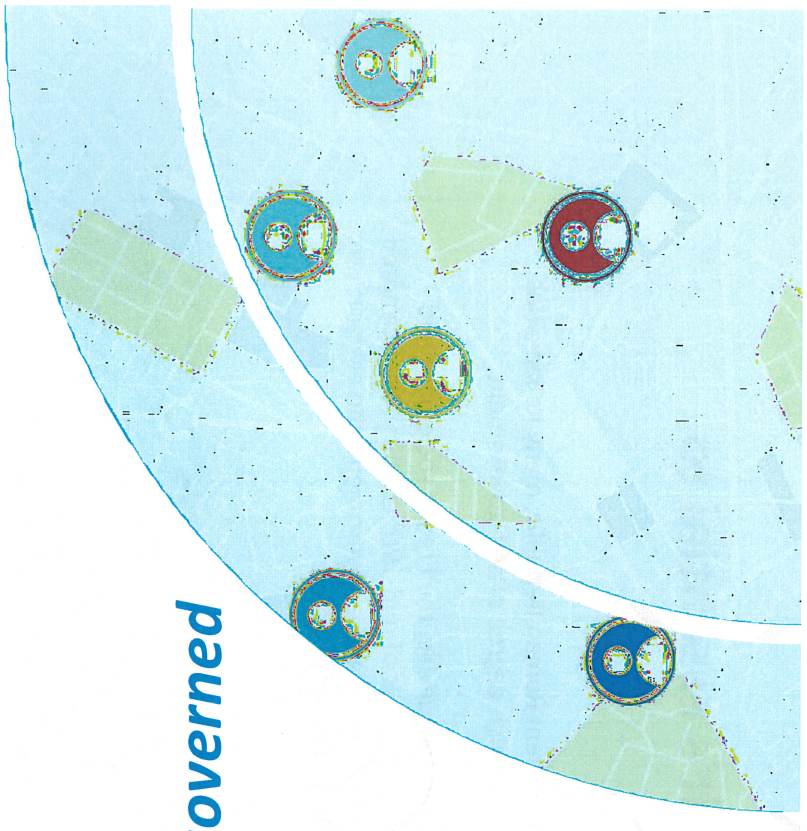
Home
Grassroots
Localism
Control
Making



*A community is governed best by those who live in it.*

## This isn't a new idea. In fact, it's essential to American self-government.



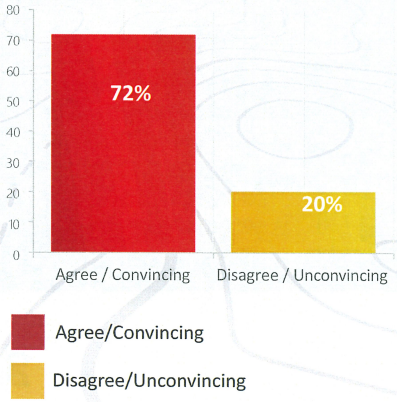
- In the ancient Roman Republic, many Italian cities enjoyed a high degree of self-government.
- Alexis de Tocqueville, the French sociologist and political observer of mid-19th century America noted that the more local the government, the easier it was for citizens to get involved.

*The government closest to the people **is most accountable to the people.***

# That's why it's in our state constitution.

- **Voters** passed a constitutional amendment more than 50 years ago to safeguard local decision making.
- Recent surveys show that they *still* support it. 72% of voters agree...

"My local city government is more connected to my needs and better reflects local values than the state government."



# Benefits of Local Decision-Making

**Competition**

Local decision making promotes competition between localities for businesses and residents.

**Responsiveness**

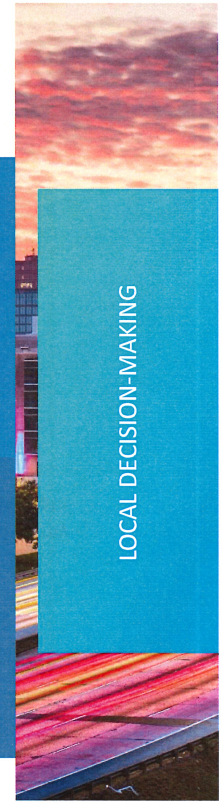
Local governments have better information on their citizens' preferences.

**Lower Stakes, Fewer Mistakes**

In local government, mistakes are more contained and easier to remedy.

**Participation in Democracy**

It is usually much easier to talk to your local government, and much easier to change it.



# Benefits of Local Decision-Making



**Less Ideological, More Capable:**

Local government is focused on the practical "business of government."

**Greater Public Support:**

As distant governments have gained more power, they have not gained more trust.

**Diversity, Decentralization:**

As America has grown more diverse, the need for flexible local decision making is greater than ever.

LOCAL DECISION-MAKING






# Local Decision-Making is Bipartisan

"A renewed focus on local governance would lower the stakes of political conflict [and] encourage innovation on public policy."

- "Decisions made at lower (local) levels of government are more likely to be consensus decisions."
- "Top-down solutions are an all-or-nothing bet, with catastrophic consequences in the case of failure."

**"That is the true beauty of localism. Hundreds of years after the Founding, it still offers our country the best way forward."**

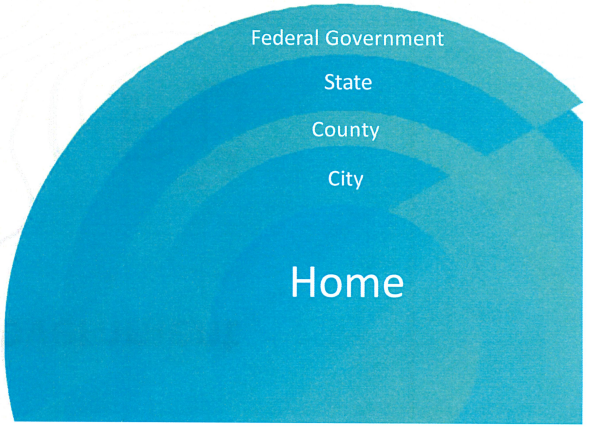



# Local Decision-Making is Bipartisan

Sen. Pizzo's "Bullseye" Theory of Local Decision-Making:

- Government at the local level has a far more direct impact on your life than government in a far away state capitol.

**"The most important government entity is the one at the closest to the center of the bullseye."**



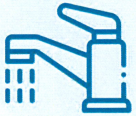
# The most impactful government is local



Did the garbage get picked up at your curb?



Did your street lights come on?



Did your faucet have running water?

***"The place closest to your home and your heart is the most important."***

- Sen. Pizzo

LOCAL VOICES UNITED

## Our Guiding Principle



The federal government should only do that which state governments cannot do, and state governments should only do that which local governments cannot do.



## Troubling Trends

- In recent years, **state overreach** into traditional areas of local decision-making has been **increasing**.




**Number of Preemptions passed from 2010-2021:** **92**

- It is important that we maintain "**checks and balances**" between state and local government.

# Attacks on Home Rule

In recent years, preemptions have been passed on a host of issues from banning tree trimming ordinances to overturning local elections.

- Cell phone towers and telecom infrastructure
- Short-term rentals
- Local tree trimming regulations
- Billboards and other commercial signage
- Home-based business regulations
- Plastic bags
- Sunscreen
- Overturn local elections

## Issue Spotlight: Local Zoning Authority

- Zoning laws and ordinances help protect the character of local communities.
- Zoning ordinances promote efficient development and help regulate use.
  - For example, a community may wish to zone some areas for residential homes and others for manufacturing to prevent a factory from being built in a neighborhood.
- Zoning ensures that local communities are protected and that the right infrastructure is in place to serve the different needs of business and residents.



Investing in Infrastructure



Safe neighborhoods



Protecting EVERYONE'S property rights

## Issue Spotlight: SB 224: Regulation of Smoking in Public Places

- The statewide preemption prohibiting local governments from regulating smoking in parks and beaches is a perfect example of how a one-size-fits-all approach doesn't work.
- Local bans on smoking in public places have been overturned by courts due to state preemption laws.
- SB 224 *empowers* communities to decide for themselves whether or not smoking is appropriate for public places like parks and beaches.

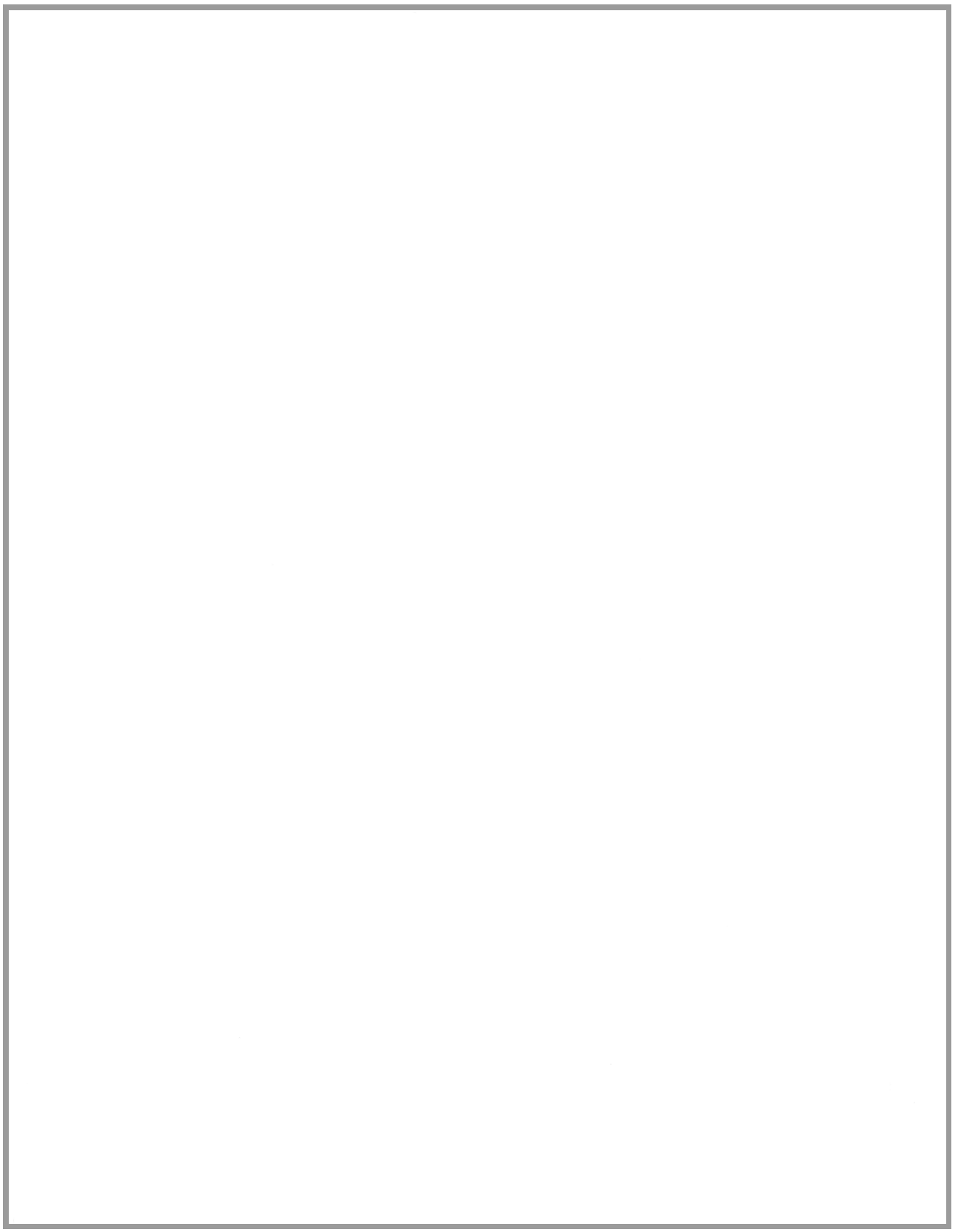

"If you don't tell them (your elected official) what to do, you leave them free to do whatever they choose … if they don't hear from you, **you give them permission to go the other way."**
**Joel Blackwell**, author of Personal Political Power, How Ordinary People Can Get What They Want From Government

# LOCAL VOICES UNITED

## TAKE ACTION:

**SCAN to "like"**
on Facebook

**TEXT "local voices"**
to 50457



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

# DRAFT MINUTES

## VILLAGE COUNCIL MEETING

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

**January 5, 2022, 9:30 a.m.**

## 1. CALL TO ORDER

### INVOCATION

Pastor Todd Weston River of Life Church.

### PLEDGE OF ALLEGIANCE

### ROLL CALL

Present: Mayor Katy Errington - District 4, Vice Mayor Jon McLain - District 3, Councilmember Joanne Ribble - District 1, Councilmember Larry Fiesel - District 2, Councilmember Jim Boesch - District 5, Councilmember Jim Ward, - District 6, and Councilmember Jim Wilson - District 7.

**Also present**
Village Manager Steve Sarkozy, Village Attorney Burt Saunders, Community Development Director Mary Gibbs, Public Works Director David Willems, 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 Ward
**Seconded by:** Vice Mayor McLain

**Action:** Approved agenda.

**Vote:** (Roll Call)
Aye: Councilmembers Boesch, Fiesel, Ward, Wilson, Ribble, Vice Mayor McLain, and Mayor Errington.

Nay:

Abstentions:

**3. PUBLIC COMMENT ON NON-AGENDA ITEMS**
**In-Person**
George Molnar, Villages at Country Creek

**4. RECOGNITION**-of Happehatchee Board Members

**Council Questions or Comments**
Mayor Errington.

**5. CONSENT AGENDA**

**(a)** December 1, 2021, Council Meeting Minutes
**(b)** Financial Report for Month ended October 2021

**Motion:** Motion to approve the Consent Agenda.

**Motion by:** Councilmember Ribble
**Seconded by:** Councilmember Fiesel

**Action:** Approved the Consent Agenda.

**Vote:** (Roll Call)
Aye: Councilmembers Boesch, Fiesel, Wilson, Ward, Ribble, Vice Mayor McLain, and Mayor Errington.

Nay:

Abstentions:

**6. CONSIDERATION OF ITEMS DEFERRED FROM CONSENT AGENDA**
None.

**7. ACTION ITEMS**

(a) Resolution No. 2022-01 of the Village Council of the Village of Estero, Florida, Amending Resolution No. 2021-16 Adopting Personnel Policies; and Providing an Effective Date.

**Staff Presentation/Comments**
Steve Sarkozy, Village Manager

**Council Questions or Comments**
None.

**Public Comment**
None.

**Motion:** Motion to adopt Resolution No. 2022-01.

**Motion by:** Vice Mayor McLain
**Seconded by:** Councilmember Wilson

**Action:** Adopted Resolution No. 2022-01.

**Vote: (Roll Call)**
Aye: Councilmembers Boesch, Fiesel, Wilson, Ward, Ribble, Vice Mayor McLain, and Mayor Errington.
Nay:
Abstentions:

(b) Estero Parkway Landscape Maintenance Contract.

**Staff Presentation/Comments**
Steve Sarkozy, Village Manager
David Willems, Public Works Director

**Council Questions or Comments**
Councilmembers Ward, Boesch, Vice Mayor McLain, and Mayor Errington.

**Public Comment**
None.

**Motion:** Motion to approve award of Request for Bid No. RFB 2021-01, Mowing, Landscape, and Irrigation Maintenance for the Village of Estero to P & T Lawn and Tractor Service, Inc. to provide mowing, landscape, and irrigation maintenance services Estero Parkway Landscaping as provided in the contract for a one-year period, at a rate of $358,276.00 per year. Authorize the Village Manager to renegotiate and execute the renewal of this contract for three additional one-year terms under the same terms and conditions, if doing so is in the best interest of the Village of Estero, approve a contingency fund amount of $ 71,700 (20% contingency) to cover unforeseen circumstances which may occur. This will include repairs of the irrigation system and replacement of plant material, as needed, and authorize the Village Manager to execute the contract documents on behalf of the Village of Estero Council.

**Motion by:** Councilmember Ward
**Seconded by:** Councilmember Boesch

**Action:** Approved award of Request for Bid No. RFB 2021-01, Mowing, Landscape, and Irrigation Maintenance for the Village of Estero to P & T Lawn and Tractor Service, Inc. to provide mowing, landscape, and irrigation maintenance services Estero Parkway Landscaping as provided in the contract for a one-year period, at a rate of $358,276.00 per year. Authorized the Village Manager to

renegotiate and execute the renewal of this contract for three additional one-year terms under the same terms and conditions, if doing so is in the best interest of the Village of Estero, approve a contingency fund amount of $ 71,700 (20% contingency) to cover unforeseen circumstances which may occur. This will include repairs of the irrigation system and replacement of plant material, as needed, and authorized the Village Manager to execute the contract documents on behalf of the Village of Estero Council.

**Vote: (Roll Call)**
Aye: Councilmembers Boesch, Fiesel, Wilson, Ward, Ribble, Vice Mayor McLain, and Mayor Errington.
Nay:
Abstentions:

(c) National Opioid Settlement

**Staff Presentation/Comments**
Steve Sarkozy, Village Manager
Burt Saunders, Village Attorney

**Council Questions or Comments**
Mayor Errington.

**Public Comment**
None.

**Motion:** Motion to authorize the Village Manager and Village Attorney to execute any documents necessary to maintain participation in the State of Florida settlement.

**Motion by:** Councilmember Wilson
**Seconded by:** Councilmember Ribble

**Action:** Authorized the Village Manager and Village Attorney to execute any documents necessary to maintain participation in the State of Florida settlement.

**Vote:** (Roll Call)
Aye: Councilmembers Boesch, Fiesel, Wilson, Ward, Ribble, Vice Mayor McLain, and Mayor Errington.
Nay:
Abstentions:

**8. FIRST READING**

(a) Ordinance No. 2022-01 An Ordinance of the Village Council of the Village of Estero, Florida, Approving Updates to the Capital Improvements Element to Update the Capital Improvements Schedule for Fiscal Year 2021/2022 and Adopt the most

Recent Lee County School District Capital Improvement Plan; Providing for Conflict; Providing for Severability; and Providing an Effective Date.

**Staff Presentation/Comments**
Steve Sarkozy, Village Manager

**Council Questions or Comments**
Mayor Errington.

**Public Comment**
None.

**Motion:** Motion to pass first reading and schedule second reading and public hearing for January 19, 2022.

**Motion by:** Councilmember Boesch
**Seconded by:** Vice Mayor McLain

**Action:** Passed first reading and schedule second reading and public hearing for January 19, 2022.

**Vote:** (Roll Call)
Aye: Councilmembers Boesch, Fiesel, Wilson, Ward, Ribble, Vice Mayor McLain, and Mayor Errington.
Nay:
Abstentions:

**9. PUBLIC COMMENT ON NON-AGENDA ITEMS**
None.

**10. COUNCIL COMMUNICATIONS / FUTURE AGENDA ITEMS**

Councilmembers Boesch, Fiesel, Wilson, Ward, Ribble, Vice Mayor McLain, and Mayor Errington.

**11. VILLAGE ATTORNEY'S REPORT**

Burt Saunders, Village Attorney

**12. VILLAGE MANAGER'S REPORT**

Steve Sarkozy, Village Manager

**Adjourn Regular Session at 10:19 a.m. and Convene Workshop Items at 10:27 a.m.**

**13. WORKSHOP ITEMS**

**(a)** Raptor Bay Golf Course Renovation

**Staff Presentation/Comments**
Steve Sarkozy, Village Manager
David Willems, Public Works

**Public Comments**
None.

**Council Questions or Comments**
Councilmembers Boesch, Ribble, Vice Mayor McLain, and Mayor Errington.

**(b)** Corkscrew Rd and Puente Lane Traffic Signal Update

**Staff Presentation/Comments**
Steve Sarkozy, Village Manager
David Willems, Public Works

**Public Comments**
**In-Person**
Gary Israel, Stoneybrook

**Council Questions or Comments**
Councilmembers Boesch, Fiesel, Vice Mayor McLain, and Mayor Errington

**14. ADJOURNMENT at 11:00 am.**

ATTEST:

By: _____
Carol Sacco, Village Clerk

VILLAGE OF ESTERO, FLORIDA

By: _____
Katy Errington, Mayor

(td/CS)

# AGENDA ITEM SUMMARY SHEET
# VILLAGE COUNCIL MEETING
# January 19, 2022

**Agenda Item:**

Financial Report for the month ended November 30, 2021.

**Description:**

This financial report provides details of operations for the month ending November 30, 2021, which is the second month of the 2021-2022 fiscal year. Activity year to date is trending as projected during the first quarter of the fiscal year.

- *Ad valorem (real estate) taxes*: November is traditionally the beginning of ad valorem taxes being remitted to the Village from the Lee County Tax Collector. In November, the Village received 32%, or $1.7 million, of the annual budgeted ad valorem taxes.

- *General Fund*: State Revenue Sharing Sales Tax remains strong this fiscal year at 18% of budget collected, Half-Cent Sales Tax is at 8% and local 6 cent Fuel Tax is 8% collected.

- *Reserved Funds:* $5,596,700 in operating reserve funds; $670,000 in litigation deference reserve funds and $148,000 in major road maintenance reserve funds.

- *Debt Reduction Funding*: $7,480,646 has been allocated for Debt Reduction funding.

- *Available funds:* total funds categorized as available are $37,972,703.

**Action Requested:**

Approve financial report.

**Financial Impact:**

There is no financial impact of this report.

**Attachments:**

1. November 30, 2021 Budget report

# *Village of Estero*

Budget Report-All Funds

For the Month Ending November 2021

| | Current Month Actual | 2021-2022 Year to Date Actual | 2021-2022 Original Budget | 2021-2022 Budget Variance | 2021-2022 Year to Date Percentage | 2020-2021 Year to Date Actual |
|---|---|---|---|---|---|---|
| Ad Valorem Taxes | 1,686,527 | 1,686,527 | 5,281,886 | (3,595,359) | 32% | 1,348,011 |
| Local Communications Srvs Tax | 76,012 | 76,012 | 878,542 | (802,530) | 9% | 68,603 |
| Local Business Tax | 1,644 | 1,644 | 21,900 | (20,256) | 8% | 1,415 |
| Franchise Fees-Electric | 198,003 | 198,003 | 2,130,400 | (1,932,397) | 9% | 191,744 |
| Franchise Fees-Solid Waste | - | - | 161,100 | (161,100) | 0% | - |
| Rev Sharing Sales tax | 53,839 | 107,677 | 601,500 | (493,823) | 18% | 97,412 |
| Mobile Home License | 1,114 | 1,114 | 3,600 | (2,487) | 31% | 971 |
| Alcohol Beverage Tax | - | - | 32,300 | (32,300) | 0% | - |
| Half Cent Sales Tax | 252,248 | 252,248 | 3,021,473 | (2,769,225) | 8% | 216,048 |
| Fines & Forfeitures | 50 | 50 | 500 | (450) | 10% | - |
| Interest Income | 509 | 510 | 32,400 | (31,890) | 2% | 321 |
| Rental income | - | 6,000 | 36,000 | (30,000) | 17% | 6,000 |
| Miscellaneous Revenue | - | - | 25,000 | (25,000) | 0% | - |
| Administrative Fee | 1,087 | 1,544 | 18,000 | (16,456) | 9% | 2,259 |
| Cost Recovery-Admin Charge | 800 | 3,200 | 9,000 | (5,800) | 36% | - |
| Dev & Zoning-Fixed Fees | 2,860 | 4,260 | 40,400 | (36,140) | 11% | 6,795 |
| Dev & Zoning-Cost Recovery Fee | 13,130 | 19,255 | 43,800 | (24,545) | 44% | 3,409 |
| Planning-Miscellaneous Revenue | 3,386 | 757,161 | - | 757,161 | 100% | 7,468 |
| Code Comp & Contractor License | - | - | 6,300 | (6,300) | 0% | 172 |
| Local Option Gas Tax-1-6 Cent | 42,111 | 42,111 | 531,529 | (489,418) | 8% | 40,528 |
| ROW Permits | - | - | 1,500 | (1,500) | 0% | - |
| Rev Sharing-Fuel Tax | 14,485 | 28,969 | - | 28,969 | 100% | 28,460 |
| FDOT US 41 Light Maintenance | - | - | 122,100 | (122,100) | 0% | - |
| ARPA Funding | - | 8,482,206 | - | 8,482,206 | 100% | - |
| Covid Cares-Covid | - | - | - | - | 0% | - |
| WCIND Marine Patrol Revenue | - | - | 11,900 | (11,900) | 0% | - |
| FEMA-Federal Share | - | - | 121,300 | (121,300) | 0% | - |
| FEMA-State Share | - | - | - | - | 0% | - |
| **Total Revenues-General Fund** | **2,347,803** | **11,668,491** | **13,132,430** | **(1,463,939)** | 89% | **2,019,617** |
| Building Fees | 64,332 | 147,774 | 1,042,200 | (894,426) | 14% | 123,001 |
| Surcharge Fee Retained | - | - | 3,300 | (3,300) | 0% | - |
| Convenience Fee | 2,888 | 5,997 | 15,000 | (9,003) | 40% | 5,143 |
| Interest income | 12 | 12 | 1,000 | (988) | 1% | 15 |
| | - | - | - | - | | - |
| **Total Revenues-Building Fee Fund** | **67,233** | **153,784** | **1,061,500** | **(907,716)** | 14% | **128,159** |
| Interest Income | 120 | 120 | 10,000 | (9,880) | 1% | 107 |
| Proceeds from Sale of Asset | - | - | - | - | 0% | - |
| **Total Revenues-Debt Serv** | **120** | **120** | **10,000** | **(9,880)** | 1% | **107** |
| Local Option Gas Tax 1-5 Cent | 31,215 | 31,215 | 387,933 | (356,718) | 8% | 29,324 |
| Interest Income-Gas Tax | 29 | 29 | - | 29 | 100% | 26 |
| Lee Cty Funding-Estero Prkway | - | - | - | - | 0% | - |
| Developer Contributions-Inters | - | 53,695 | 132,000 | (78,305) | 41% | - |
| FDOT Funding-US 41 Landscaping | - | - | 1,100,000 | (1,100,000) | 0% | - |
| Road Imp Fee-Residential | - | 9,996 | 145,800 | (135,804) | 7% | 39,984 |
| Road Imp Fees-Commercial | 23,569 | 23,569 | 145,800 | (122,231) | 16% | 21,518 |
| Park Imp Fees-Residential | - | 1,535 | 43,800 | (42,265) | 4% | 6,140 |
| Park Imp Fee-Commercial | - | - | 80,200 | (80,200) | 0% | - |
| Interest Income-Rd Impact | 1 | 1 | 42,000 | (41,999) | 0% | 151 |
| Interest Income-Com Prk Impact | 144 | 144 | - | 144 | 100% | 2 |
| Interest Inc-Com Prk Contri | 2 | 2 | - | 2 | 100% | 2 |
| Interest Inc-Public Land | 2 | 2 | - | 2 | 100% | 2 |

1

# *Village of Estero*

Budget Report-All Funds

For the Month Ending November 2021

| | Current Month Actual | 2021-2022 Year to Date Actual | 2021-2022 Original Budget | 2021-2022 Budget Variance | 2021-2022 Year to Date Percentage | 2020-2021 Year to Date Actual |
|---|---|---|---|---|---|---|
| Interest Income-Park Imp | 8 | 8 | - | 8 | 100% | 7 |
| | - | - | - | - | | - |
| **Total Revenues-Capital Projects Fund** | **54,969** | **120,196** | **2,077,533** | **(1,957,337)** | **6%** | **97,155** |
| **Total Revenues-All Funds** | **2,470,126** | **11,942,591** | **16,281,463** | **(4,338,872)** | **73%** | **2,245,038** |
| Debt Serv Fd Trans from Gen Fd | - | 2,515,197 | 2,515,800 | (603) | 100% | 1,945,197 |
| Proceeds from Debt Issue | - | - | - | - | 0% | - |
| Cap Projects Trans from Gen Fd | 371,624 | 371,624 | 4,447,800 | (4,076,176) | 8% | 10,330 |
| Cap Project Trans fromDebtServ | - | - | - | - | 0% | 570,000 |
| ***Total Revenues and Other Financing Sources-All Funds*** | ***2,841,750*** | ***14,829,413*** | ***23,245,063*** | ***(8,415,650)*** | *64%* | ***4,770,565*** |
| Executive Salaries | - | 10,356 | 124,300 | 113,944 | 8% | 20,713 |
| FICA Taxes | - | 792 | 9,600 | 8,808 | 8% | 1,585 |
| Workers Comp | - | - | 300 | 300 | 0% | - |
| Unemployment Comp | 259 | 310 | 2,000 | 1,690 | 16% | 224 |
| Travel and Per Diem | - | - | 22,000 | 22,000 | 0% | - |
| Books Pub & Memberships | 4,762 | 6,704 | 5,000 | (1,704) | 134% | 5,934 |
| Training | 150 | - | 2,000 | 2,000 | 0% | 166 |
| *Total Village Council* | *5,171* | *18,163* | *165,200* | *147,037* | 11% | *28,622* |
| Executive Salary | 15,383 | 24,722 | 205,000 | 180,278 | 12% | 25,217 |
| Car Allowance | 554 | 890 | 7,200 | 6,310 | 12% | 910 |
| Regular Salaries & Wages | 8,387 | 13,495 | 137,100 | 123,606 | 10% | 20,163 |
| FICA Taxes | 846 | 1,361 | 26,200 | 24,839 | 5% | 1,881 |
| Retirement Contributions | 2,269 | 3,647 | 36,000 | 32,353 | 10% | 4,765 |
| Group Insurance | 6,092 | 12,184 | 69,900 | 57,716 | 17% | 20,205 |
| Worker's Compensation | - | - | 800 | 800 | 0% | - |
| Unemployment Comp | 117 | 140 | 1,200 | 1,060 | 12% | 266 |
| Miscellaneous Professional Srv | - | - | 75,000 | 75,000 | 0% | - |
| Contractual Srvs-Adm Assist | - | - | - | - | 0% | - |
| Communication Services | 2,625 | 5,250 | 32,760 | 27,510 | 16% | 5,250 |
| Miscellaneous Contractual Srvs | - | - | 35,000 | 35,000 | 0% | - |
| Travel & Per Diem | 96 | 96 | 12,000 | 11,905 | 1% | - |
| Public Relations | 2,367 | 3,117 | 15,000 | 11,883 | 21% | 1,500 |
| Books Pub & Memberships | - | 600 | 3,000 | 2,400 | 20% | 889 |
| Training | - | - | 4,000 | 4,000 | 0% | - |
| *Total Village Manager* | *38,735* | *65,501* | *660,160* | *594,659* | 10% | *81,047* |
| Village Attorney | 28,253 | 28,253 | 200,000 | 171,747 | 14% | 13,462 |
| Land Use Legal | 5,257 | 5,257 | 85,000 | 79,744 | 6% | 6,527 |
| Comprehensive Plan Legal | - | - | 15,000 | 15,000 | 0% | - |
| Code Enforcement Legal | - | - | 12,000 | 12,000 | 0% | - |
| Land Dev Code Legal | - | - | 15,000 | 15,000 | 0% | 1,669 |
| Other Special Legal | - | - | - | - | 0% | - |
| *Total Village Attorney* | *33,510* | *33,510* | *327,000* | *293,490* | 10% | *21,657* |

# *Village of Estero*

Budget Report-All Funds

For the Month Ending November 2021

| | Current Month Actual | 2021-2022 Year to Date Actual | 2021-2022 Original Budget | 2021-2022 Budget Variance | 2021-2022 Year to Date Percentage | 2020-2021 Year to Date Actual |
|---|---|---|---|---|---|---|
| Regular Salaries & Wages | 2,874 | 4,560 | 121,000 | 116,440 | 4% | 4,845 |
| FICA Taxes | 220 | 349 | 9,300 | 8,951 | 4% | 371 |
| Retirement Contributions | - | - | 12,800 | 12,800 | 0% | - |
| Group Insurance | - | - | 8,300 | 8,300 | 0% | - |
| Worker's Compensation | - | - | 300 | 300 | 0% | - |
| Unemployment Compensation | 78 | 93 | 600 | 507 | 16% | 83 |
| Codification | - | - | - | - | 0% | - |
| Election Services | - | - | - | - | 0% | - |
| Travel & Per Diem | - | - | 1,000 | 1,000 | 0% | - |
| Legal Notices | - | - | 5,000 | 5,000 | 0% | - |
| Book, Pub & Membership | - | - | 500 | 500 | 0% | 100 |
| Training | - | - | 100 | 100 | 0% | - |
| *Total Village Clerk* | *3,172* | *5,001* | *158,900* | *153,899* | 3% | *5,399* |
| | | | | | | |
| Regular Salaries & Wages | 19,218 | 31,092 | 275,800 | 244,708 | 11% | 32,760 |
| FICA Taxes | 1,470 | 2,378 | 21,100 | 18,722 | 11% | 2,475 |
| Retirement Contributions | 953 | 1,532 | 29,000 | 27,468 | 5% | 1,605 |
| Group Insurance | 1,308 | 2,616 | 26,100 | 23,484 | 10% | 5,649 |
| Worker's Compensation | - | - | 600 | 600 | 0% | - |
| Unemployment Compensation | 143 | 171 | 1,100 | 929 | 16% | 168 |
| Accounting Services | - | - | 5,000 | 5,000 | 0% | - |
| Auditing & Actuarial Services | 1,000 | 1,000 | 49,000 | 48,000 | 2% | 3,250 |
| Books, Publications & Members | - | - | 586 | 586 | 0% | 293 |
| | - | - | - | - | 37% | - |
| | - | - | - | - | 0% | - |
| *Total Finance* | *24,092* | *38,789* | *408,286* | *369,497* | 10% | *46,200* |
| | | | | | | |
| Regular Salaries & Wages | 16,086 | 27,315 | 154,200 | 126,885 | 18% | 27,861 |
| FICA Taxes | 1,206 | 2,050 | 11,800 | 9,750 | 17% | 1,642 |
| Retirement Contributions | 2,502 | 4,021 | 16,200 | 12,179 | 25% | 2,444 |
| Group Insurance | 5,448 | 10,497 | 26,700 | 16,203 | 39% | 7,157 |
| Worker's Compensation | - | - | 1,900 | 1,900 | 0% | - |
| Unemployment Compensation | 117 | 140 | 500 | 360 | 28% | 172 |
| Land Development Code | - | 7,301 | 40,000 | 32,699 | 18% | - |
| Comp Plan/Land Dev Regulations | - | - | 30,000 | 30,000 | 0% | - |
| Growth Model Srvs | - | - | 10,000 | 10,000 | 0% | - |
| Development Srvcs Manager | - | - | 40,000 | 40,000 | 0% | - |
| Misc Professional Services | - | - | 65,000 | 65,000 | 0% | - |
| Economic Development | - | - | 60,000 | 60,000 | 0% | 2,500 |
| Travel & Per Diem | - | - | 2,000 | 2,000 | 0% | - |
| Legal Notices-Plan & Zoning | 183 | 183 | 6,000 | 5,817 | 3% | - |
| Books, Pub & Memberships | 70 | 617 | 10,000 | 9,383 | 6% | 547 |
| Training | 125 | 125 | 600 | 475 | 21% | - |
| *Total Development Services* | *25,737* | *52,248* | *587,400* | *535,152* | 9% | *42,325* |
| | | | | | | |
| Cost Recovery-Wages | 11,382 | 17,085 | 228,300 | 211,215 | 7% | 3,662 |
| Cost Recovery FICA Taxes | 848 | 1,270 | 17,500 | 16,230 | 7% | 197 |
| Retirement Contributions | - | - | 24,000 | 24,000 | 0% | - |
| Insurance | - | - | 6,200 | 6,200 | 0% | - |
| Cost Recovery Worker's Comp | - | - | 6,200 | 6,200 | 0% | - |
| Cost Recovery Unemploy Comp | - | - | 1,600 | 1,600 | 0% | - |
| Cost Recovery Prof Services | 900 | 900 | 17,518 | 16,618 | 5% | (450) |
| Planning & Zoning-Fixed Fee | 27,471 | 27,471 | 364,000 | 336,529 | 8% | 28,780 |
| Filling Fees and Charges | - | - | - | - | 0% | - |
| *Planning, Zoning and Development Review Services* | *40,601* | *46,726* | *665,318* | *618,592* | 7% | *32,188* |

# *Village of Estero*

Budget Report-All Funds

For the Month Ending November 2021

| | Current Month Actual | 2021-2022 Year to Date Actual | 2021-2022 Original Budget | 2021-2022 Budget Variance | 2021-2022 Year to Date Percentage | 2020-2021 Year to Date Actual |
|---|---|---|---|---|---|---|
| Regular Salaries & Wages | - | - | 36,300 | 36,300 | 0% | - |
| FICA Taxes | - | - | 2,800 | 2,800 | 0% | - |
| Retirement Contributions | - | - | 3,800 | 3,800 | 0% | - |
| Insurance | - | - | 6,200 | 6,200 | 0% | - |
| Workers Compensation | - | - | 500 | 500 | 0% | - |
| Unemployment Compensation | - | - | 300 | 300 | 0% | - |
| Special Magistrate Srvs | 813 | 813 | 16,000 | 15,188 | 5% | 563 |
| Code Compliance Contract Srvs | 12,006 | 12,006 | 160,160 | 148,154 | 7% | 12,082 |
| Other Chrges-Filing Fees | 29 | 29 | 1,200 | 1,171 | 2% | - |
| *Total Code Compliance Services* | *12,848* | *12,848* | *227,260* | *214,412* | 6% | *12,645* |
| Lee Cty Animal Control Srvs | - | - | 38,000 | 38,000 | 0% | - |
| *Total Animal Control* | - | - | *38,000* | *38,000* | 0% | - |
| Regular Salaries & Wages | - | - | 87,800 | 87,800 | 0% | - |
| FICA Taxes | - | - | 6,700 | 6,700 | 0% | - |
| Retirement Contributions | - | - | 9,200 | 9,200 | 0% | - |
| Insurance | - | - | 19,400 | 19,400 | 0% | - |
| Workers Compensation | - | - | 2,600 | 2,600 | 0% | - |
| Unemployment Compensation | - | - | 300 | 300 | 0% | - |
| Flood Plain-Com Rating System | - | - | 150,000 | 150,000 | 0% | 1,986 |
| NPDES Compliance | - | - | 10,000 | 10,000 | 0% | - |
| Water Level & Quality Monitor | 970 | 970 | 130,000 | 129,030 | 1% | - |
| Estero River Sediment Analysis | - | - | 30,000 | 30,000 | 0% | - |
| Community Monitoring | - | - | 20,000 | 20,000 | 0% | - |
| Miscellaneous Stormwate Maint | 124 | 124 | 300,000 | 299,876 | 0% | - |
| Estero River Maintenance | - | - | - | - | 0% | - |
| Miscellaneous Stormwate Maint | 9,900 | 9,900 | - | (9,900) | 100% | 12,300 |
| Water Quality Joint Advocacy | 5,000 | 5,000 | 5,000 | - | 100% | 5,000 |
| *Total Public Works/ Physical Environment* | *15,994* | *15,994* | *771,000* | *755,006* | 2% | *19,286* |
| Regular Salaries & Wages | - | - | 79,800 | 79,800 | 0% | - |
| Public Works Wages | 12,693 | 20,535 | - | (20,535) | 100% | 21,212 |
| FICA Taxes | 923 | 1,494 | 6,100 | 4,606 | 24% | 1,551 |
| Retirement Contribution | 1,006 | 1,617 | 8,400 | 6,783 | 19% | 1,649 |
| Group Insurance | 3,071 | 6,142 | 19,400 | 13,258 | 32% | 8,408 |
| Worker's Compensation | - | - | 2,600 | 2,600 | 0% | - |
| Unemployment Compensation | 78 | 93 | 300 | 207 | 31% | 146 |
| Traffic Counts | - | - | 16,500 | 16,500 | 0% | - |
| Misc Professional Services | 490 | 490 | 60,000 | 59,510 | 1% | 3,669 |
| Misc Engineering Srvc | - | - | - | - | 0% | - |
| Misc Construction Services | - | - | 60,000 | 60,000 | 0% | - |
| Bridge Maintenance | - | - | 10,000 | 10,000 | 0% | - |
| Irrigation Maintenance | 1,671 | 1,671 | - | (1,671) | 100% | 550 |
| Landscape Maintenance | 17,470 | 17,470 | 152,500 | 135,030 | 11% | - |
| Mowing Maintenance | 11,410 | 11,410 | - | (11,410) | 100% | 10,110 |
| Ditch Maintenance | 1,150 | 1,150 | - | (1,150) | 100% | - |
| Street Light Maintenance | - | - | 80,400 | 80,400 | 0% | 1,452 |
| Street Sweeping Services | 2,800 | 2,800 | 22,000 | 19,200 | 13% | 1,400 |

# *Village of Estero*

Budget Report-All Funds

For the Month Ending November 2021

| | Current Month Actual | 2021-2022 Year to Date Actual | 2021-2022 Original Budget | 2021-2022 Budget Variance | 2021-2022 Year to Date Percentage | 2020-2021 Year to Date Actual |
|---|---|---|---|---|---|---|
| Traffic Sign Maintenance | - | - | 5,000 | 5,000 | 0% | - |
| Traffic Signal Maintenance | - | 1,285 | - | (1,285) | 100% | 1,251 |
| Right-of-Way Permit Review | - | - | 20,000 | 20,000 | 0% | - |
| Railroad Maintenance | - | - | 18,000 | 18,000 | 0% | - |
| Misc Traffic Safety Projects | - | - | - | - | 0% | - |
| Misc Landscape Projects | - | - | - | - | 0% | - |
| Sandy Lane Bridge Maint/Access | 139 | 139 | - | (139) | 100% | - |
| Resurf/Drainage-Poinciana Trai | - | - | - | - | 0% | 8,909 |
| Road Maintenance | 525 | 885 | 250,000 | 249,115 | 0% | - |
| US41 Traffic Signal Maint | - | - | 30,000 | 30,000 | 0% | - |
| US41 Landscape Maint | - | - | 333,026 | 333,026 | 0% | - |
| Estero Parkway Landscape Maint | - | - | 364,856 | 364,856 | 0% | - |
| Travel | 237 | 237 | 5,000 | 4,763 | 5% | 214 |
| Communications | 44 | 44 | 500 | 456 | 9% | 45 |
| Utilities | 3,552 | 3,795 | 35,270 | 31,475 | 11% | 5,035 |
| Equipment & leases | 242 | 484 | 2,500 | 2,016 | 19% | 394 |
| Street Light Insurance | - | - | 16,500 | 16,500 | 0% | - |
| Operating Supplies | 862 | 922 | 3,000 | 2,078 | 31% | 299 |
| Books, Publications & Members | - | 800 | 1,500 | 700 | 53% | - |
| Training | 324 | 324 | 2,000 | 1,676 | 16% | 427 |
| | - | - | - | - | | - |
| *Total Public Works/ Transportation* | *58,687* | *73,787* | *1,605,152* | *1,531,365* | 5% | *66,720* |
| | | | | | | |
| Webmaster Srvs & Maintenance | 1,050 | 1,050 | 9,000 | 7,950 | 12% | 584 |
| Software Licensing | 17,301 | 17,442 | 30,000 | 12,558 | 58% | 959 |
| Information Technology Srvs | 10,913 | 10,913 | 130,000 | 119,087 | 8% | 10,422 |
| Audio Visual Services | 3,255 | 3,255 | 46,000 | 42,745 | 7% | - |
| Small tools & equipment | - | - | 13,800 | 13,800 | 0% | - |
| Capital Outlay | - | - | 10,000 | 10,000 | 0% | - |
| *Total Information Technology* | *32,519* | *32,660* | *238,800* | *206,140* | 14% | *11,965* |
| | | | | | | |
| Lee Cty Law Enforcement | 576 | 576 | 10,000 | 9,424 | 6% | 576 |
| *Total Law Enforcement/ Security* | *576* | *576* | *10,000* | *9,424* | 6% | *576* |
| | | | | | | |
| Parks Master Plan | - | - | - | - | 0% | - |
| YMCA Operating Agreement | 5,140 | 10,280 | 63,000 | 52,720 | 16% | 11,980 |
| Utilities | 225 | 557 | 6,000 | 5,443 | 9% | 1,601 |
| Equipment Rent & Leases | - | - | 1,100 | 1,100 | 0% | - |
| Repairs & Maint | 87 | 87 | 20,000 | 19,914 | 0% | 95 |
| *Total Parks & Recreation* | *5,452* | *10,923* | *90,100* | *79,177* | 12% | *13,676* |
| | | | | | | |
| Lobbying Services | - | - | 100,000 | 100,000 | 0% | 2,500 |
| State Administrative Fees | 568 | 585 | 9,500 | 8,915 | 6% | 521 |
| Tax Collector Fees | - | 0 | 3,750 | 3,750 | 0% | 1,850 |
| Audio Visual Services | 1,495 | 1,495 | - | (1,495) | 100% | 3,360 |
| Misc Contractual Srvcs | - | - | 250,000 | 250,000 | 0% | - |
| Communications | 452 | 452 | 5,000 | 4,548 | 9% | 367 |
| Freight & Postage | 155 | 155 | 3,500 | 3,345 | 4% | 235 |
| Utilities | 681 | 2,163 | 17,500 | 15,337 | 12% | 9,328 |
| Equipment Rental & Leases | 897 | 1,294 | 10,000 | 8,706 | 13% | 999 |
| Office Lease-Corkscrew Palms | 19,104 | 38,209 | 257,400 | 219,191 | 15% | 38,384 |
| Insurance | - | - | 78,700 | 78,700 | 0% | - |
| Repairs & Maintenance | 1,151 | 1,151 | 20,000 | 18,849 | 6% | 4,524 |

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# *Village of Estero*

Budget Report-All Funds

For the Month Ending November 2021

| | Current Month Actual | 2021-2022 Year to Date Actual | 2021-2022 Original Budget | 2021-2022 Budget Variance | 2021-2022 Year to Date Percentage | 2020-2021 Year to Date Actual |
|---|---|---|---|---|---|---|
| Printing | - | - | 1,500 | 1,500 | 0% | - |
| Contingency | - | - | 104,200 | 104,200 | 0% | - |
| Office Supplies | 422 | 626 | 6,500 | 5,874 | 10% | 734 |
| Operating Supplies | 1,207 | 1,730 | 11,000 | 9,270 | 16% | 2,792 |
| Books Pub & Membership | - | - | 2,000 | 2,000 | 0% | - |
| Capital Outlay | - | - | - | - | 0% | - |
| *Total General Government* | *26,131* | *47,859* | *880,550* | *832,691* | 5% | *65,594* |
| | | | | | | |
| Covid Contractual Expenditures | - | - | - | - | 0% | - |
| Repair and Maintenance | - | - | - | - | 0% | - |
| Covid Supplies | - | - | - | - | 0% | 146,143 |
| Capital Outlay | - | - | - | - | 0% | - |
| *Total COVID* | - | - | - | - | 0% | *146,143* |
| Lee Cty Marine Patrol | - | - | 43,860 | 43,860 | 0% | - |
| *Total Lee County Marine Patrol* | - | - | *43,860* | *43,860* | 0% | - |
| | - | - | - | - | 0% | - |
| Disaster Preparedness Services | - | - | 10,000 | 10,000 | 0% | - |
| *Total Hurricane Irma* | - | - | *10,000* | *10,000* | 0% | - |
| ***Total Expenditures-General Fund*** | ***323,224*** | ***454,584*** | ***6,886,986*** | ***6,432,402*** | 7% | ***594,042*** |
| Regular Salaries & Wages | - | - | 12,100 | 12,100 | 0% | - |
| FICA Taxes | - | - | 1,000 | 1,000 | 0% | - |
| Retirement Contributions | - | - | 1,300 | 1,300 | 0% | - |
| Insurance | - | - | 6,200 | 6,200 | 0% | - |
| Workers Compensation | - | - | 500 | 500 | 0% | - |
| Unemployment Compensation | - | - | 200 | 200 | 0% | - |
| Building Service Contract | 84,030 | 84,030 | 954,100 | 870,070 | 9% | 83,014 |
| Laserfische Software | - | - | 8,100 | 8,100 | 0% | - |
| Building IT Contract Services | 422 | 422 | 5,300 | 4,878 | 8% | 443 |
| Records Imaging Services | - | - | - | - | 0% | - |
| Inkforce Software | 1,275 | 1,275 | 15,300 | 14,025 | 8% | 1,275 |
| Communications | 120 | 120 | 1,400 | 1,280 | 9% | 120 |
| Freight & Postage | 48 | 48 | 600 | 552 | 8% | 72 |
| Utilities | 140 | 378 | 3,000 | 2,622 | 13% | 539 |
| Equipment Lease | 769 | 1,031 | 9,800 | 8,769 | 11% | 1,184 |
| Office Lease-Corkscrew Palms | 3,913 | 7,826 | 52,800 | 44,974 | 15% | 7,862 |
| Repairs & Maintenance | 218 | 218 | 3,800 | 3,582 | 6% | 12 |
| Credit Card Fees | 3,314 | 6,840 | 27,800 | 20,960 | 25% | 5,297 |
| Office Supplies | 30 | 59 | 3,000 | 2,941 | 2% | 276 |
| Operating Supplies | 52 | 1,510 | 4,800 | 3,290 | 31% | 10 |
| Capital outlay | - | - | 211,530 | 211,530 | 0% | - |
| ***Total Expenditures-Building Fee Fund*** | *94,332* | *103,758* | *1,322,630* | *1,218,872* | 8% | *100,103* |
| Principal Payments | - | - | 697,344 | 697,344 | 0% | - |
| Interest Expense | - | 339,019 | 678,485 | 339,466 | 50% | 367,928 |
| ***Total Expenditures-Debt Service*** | - | *339,019* | *1,375,829* | *1,036,810* | 25% | *367,928* |
| | | | | | | |
| Estero Parkway Improvements | 348,461 | 348,461 | 360,000 | 11,539 | 97% | 1,000,442 |
| River Ranch Rd Improvements | 134 | 134 | 4,977,800 | 4,977,666 | 0% | 5,754 |
| Corkscrew Rd Widening | - | - | 4,426,000 | 4,426,000 | 0% | - |

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# *Village of Estero*

Budget Report-All Funds

For the Month Ending November 2021

| | Current Month Actual | 2021-2022 Year to Date Actual | 2021-2022 Original Budget | 2021-2022 Budget Variance | 2021-2022 Year to Date Percentage | 2020-2021 Year to Date Actual |
|---|---|---|---|---|---|---|
| Bridge Maintenance | - | - | 400,000 | 400,000 | 0% | - |
| Williams Rd Widening | - | - | 867,500 | 867,500 | 0% | - |
| | - | - | - | - | 0% | - |
| | - | - | - | - | 0% | - |
| | - | - | - | - | 0% | - |
| *Total Roadway Projects* | 348,595 | 348,595 | 11,031,300 | 10,682,705 | 3% | 1,006,195 |
| Corkscrew Rd Signal-Puente Ln | - | - | - | - | 0% | - |
| Williams Rd Intersection Impro | 3,306 | 3,306 | - | (3,306) | 100% | - |
| Williams Rd High School Turn | - | - | - | | | - |
| US41 Pelican Colony Signal | - | - | 132,000 | 132,000 | 0% | - |
| | - | - | - | - | 0% | - |
| *Total Intersection Improve Proj* | 3,306 | 3,306 | 132,000 | 128,694 | 3% | - |
| Coconut Rd Crosswalks | - | - | 177,800 | 177,800 | 0% | - |
| Williams Rd Bike/Sidewalks | - | - | 2,213,700 | 2,213,700 | 0% | - |
| Intersect Safety Improv Study | - | - | 110,000 | 110,000 | 0% | - |
| Sandy Ln Bike-Ped Improv | - | - | 207,000 | 207,000 | 0% | - |
| Broadway E Shared Use Path | - | - | 134,400 | 134,400 | 0% | - |
| Broadway W Bus Stop Improv | 165 | 165 | - | (165) | 100% | 4,600 |
| *Total Bicycle & Ped Improv Proj* | 165 | 165 | 2,842,900 | 2,842,735 | 0% | 4,600 |
| US 41 FDOT Landscape | (114,037) | (114,037) | - | 114,037 | 100% | - |
| US 41 Landscaping Enhancement | 7,749 | 7,749 | - | (7,749) | 100% | 780 |
| Via Coconut Pt Landscap Improv | - | - | - | - | 0% | - |
| Ben Hill Griff Pkwy Landsc Imp | - | - | - | - | 0% | - |
| I-75 Interchange Landscaping | - | - | - | - | 0% | - |
| Landscaping Misc | - | - | 3,706,000 | 3,706,000 | 0% | - |
| | - | - | - | - | 0% | - |
| | - | - | - | - | 0% | - |
| | - | - | - | - | 0% | - |
| *Total Landscaping & Beauti Proj* | (106,288) | (106,288) | 3,706,000 | 3,812,288 | -3% | 780 |
| Park Capital Projects | 3,000 | 3,000 | - | (3,000) | 100% | - |
| Estero on River Master Plan | 12,249 | 12,249 | 252,000 | 239,751 | 5% | 4,950 |
| Estero Com Prk Master Plan | - | - | 150,000 | 150,000 | 0% | - |
| Estero Com Prk Expansion | - | - | 738,000 | 738,000 | 0% | - |
| *Total Parks & Recreation Proj* | 15,249 | 15,249 | 1,140,000 | 1,124,751 | 1% | 4,950 |
| Estero River N Brnch Drainage | - | - | - | - | 0% | - |
| Estero Rvr Sediment Removal | - | - | - | - | 0% | - |
| Stormwater Misc | - | - | 354,000 | 354,000 | 0% | - |
| | - | - | - | - | 0% | - |
| | - | - | - | - | 0% | - |
| *Total Stormwater Projects* | - | - | 354,000 | 354,000 | 0% | - |

# *Village of Estero*

Budget Report-All Funds

For the Month Ending November 2021

| | Current Month Actual | 2021-2022 Year to Date Actual | 2021-2022 Original Budget | 2021-2022 Budget Variance | 2021-2022 Year to Date Percentage | 2020-2021 Year to Date Actual |
|---|---|---|---|---|---|---|
| Land Purchase-Estero on River | - | - | - | - | 0% | - |
| Williams Road Property-Church | - | - | - | - | 0% | - |
| | - | - | - | - | | - |
| *Total Land Acquistions* | - | - | - | - | 0% | - |
| ***Total Expenditures-Capital Project Fund*** | 261,027 | 261,027 | 19,206,200 | 18,945,173 | 1% | 1,016,525 |
| ***Total Expenditures-All Funds*** | ***678,582*** | ***1,158,387*** | ***28,791,645*** | ***27,633,258*** | ***4%*** | ***2,078,598*** |
| Gen Fd Trans to Debt Service | - | 2,515,197 | 2,515,800 | 603 | 100% | 2,515,197 |
| Gen Fd Trans to Cap Projects | 371,624 | 371,624 | 4,447,800 | 4,076,176 | 8% | 10,330 |
| Debt Serv Trans toCap Projects | - | - | - | - | 0% | - |
| CIP Tran from Gas Tax-300-000 | - | - | - | - | 0% | - |
| CIP Tran from RdImp 300-990 | (3,440) | (3,440) | - | 3,440 | 100% | (5,754) |
| CIP Tran from ComPrkIF 300-991 | - | - | - | - | 0% | - |
| CIP Tran from RegPrkIF 300-992 | - | - | - | - | 0% | - |
| CIP Tran from PubLand- 300-994 | - | - | - | - | 0% | - |
| CIP Tran from Park IF 300-995 | - | - | - | - | 0% | - |
| Gas Tax Trans to CIP-300-266 | - | - | - | - | 0% | - |
| Rd Imp Fee Trans toCIP-300-990 | 3,440 | 3,440 | - | (3,440) | 100% | 5,754 |
| ComPrk Imp Fee Tran to CIP-991 | - | - | - | - | 0% | - |
| RegPrk Imp Fee Tran to CIP-992 | - | - | - | - | 0% | - |
| PubLand BonusDen TrantoCIP-994 | - | - | - | - | 0% | - |
| Park Imp Fee Tran to CIP-995 | - | - | - | - | 0% | - |
| ***Total Expenditures and Other Financing Uses-All Funds*** | ***1,050,206*** | ***4,045,209*** | ***35,755,245*** | ***31,710,036*** | *11%* | ***4,604,126*** |
| ***Excess Revenue over Expenditures*** | ***1,791,543*** | ***10,784,204*** | ***(12,510,182)*** | ***23,294,386*** | | ***166,439*** |
| Estimated Prior Year Surplus | | 40,941,809 | 32,634,850 | 8,306,959 | | 36,048,104 |
| **Fund Balance** | | **51,726,013** | **20,124,668** | **31,601,345** | | **36,214,543** |

***Village of Estero***

| | Actual | Year to Date | Bud Amend- | Budget | Year to | Year to Date |
|---|---|---|---|---|---|---|
| | | | ***General Fund*** | | | |
| Revenues | 2,347,803 | 11,668,491 | 13,132,430 | (1,463,939) | 89% | 2,019,617 |
| Expenditures | 323,224 | 454,584 | 6,886,986 | 6,432,402 | 7% | 594,042 |
| Operating Excess (deficit) | 2,024,580 | 11,213,907 | 6,245,444 | 4,968,463 | | 1,425,575 |
| Transfers out to Debt Service | - | (2,515,197) | (2,515,800) | 603 | 100% | (2,515,197) |
| Transfers out to Capital Projects | (371,624) | (371,624) | (4,447,800) | 4,076,176 | 8% | (10,330) |
| Operating Excess (deficit) | 1,652,956 | 8,327,086 | (718,156) | 9,045,242 | | (1,099,953) |

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# *Village of Estero*

Budget Report-All Funds

For the Month Ending November 2021

| | Current Month Actual | 2021-2022 Year to Date Actual | 2021-2022 Original Budget | 2021-2022 Budget Variance | 2021-2022 Year to Date Percentage | 2020-2021 Year to Date Actual |
|---|---|---|---|---|---|---|
| ***Building Fee Fund*** | | | | | | |
| Revenues | 67,233 | 153,784 | 1,061,500 | (907,716) | 14% | 128,159 |
| Expenditures | 94,332 | 103,758 | 1,322,630 | 1,218,872 | 8% | 100,103 |
| Operating Excess (deficit) | (27,099) | 50,027 | (261,130) | 311,157 | | 28,056 |
| ***Debt Service Fund*** | | | | | | |
| Revenues | 120 | 120 | 10,000 | (9,880) | 1% | 107 |
| Expenditures | - | 339,019 | 1,375,829 | 1,036,810 | 25% | 367,928 |
| Operating Excess (deficit) | 120 | (338,899) | (1,365,829) | 1,026,930 | | (367,821) |
| Debt Service Proceeds | - | - | - | - | 0% | - |
| Transfers in from General Fund | - | 2,515,197 | 2,515,800 | (603) | 100% | 1,945,197 |
| Transfers out to Capital Projects | - | - | - | - | 0% | - |
| Operating Excess (deficit) | 120 | 2,176,299 | 1,149,971 | 1,026,328 | | 1,577,376 |
| ***Capital Projects Fund*** | | | | | | |
| Revenues | 54,969 | 120,196 | 2,077,533 | (1,957,337) | 6% | 97,155 |
| Expenditures | 261,027 | 261,027 | 19,206,200 | 18,945,173 | 1% | 1,016,525 |
| Operating Excess (deficit) | (206,058) | (140,831) | (17,128,667) | 16,987,836 | | (919,370) |
| Transfers in from Other Funds | 371,624 | 371,624 | 4,447,800 | (4,076,176) | 8% | 580,330 |
| Operating Excess (deficit) | 165,566 | 230,793 | (12,680,867) | 12,911,660 | | (339,040) |

## Reserved and Available Funds Report

| | |
|---|---|
| General Fund Reserves | $ 5,596,700 |
| Litigation Defense Reserve | 670,000 |
| Major Road Maintenance Reserve | 148,000 |
| Debt Reduction | 7,480,766 |
| Total Reserved Funds | $ 13,895,466 |
| | |
| General Fund Capital Projects | $ 25,346,277 |
| Building Fee Fund | 740,666 |
| Gas Tax Capital Projects | 1,795,055 |
| Developer Contribution | 386,458 |
| Road Impact Fees | 8,883,096 |
| Community Park Impact Fees | 107,854 |
| Regional Park Impact Fees | - |
| Estero Park Entry Contribution | 101,011 |
| Park Imp Fees | 469,149 |
| Public Land Purchase | 143,137 |
| Total Available Funds | $ 37,972,703 |

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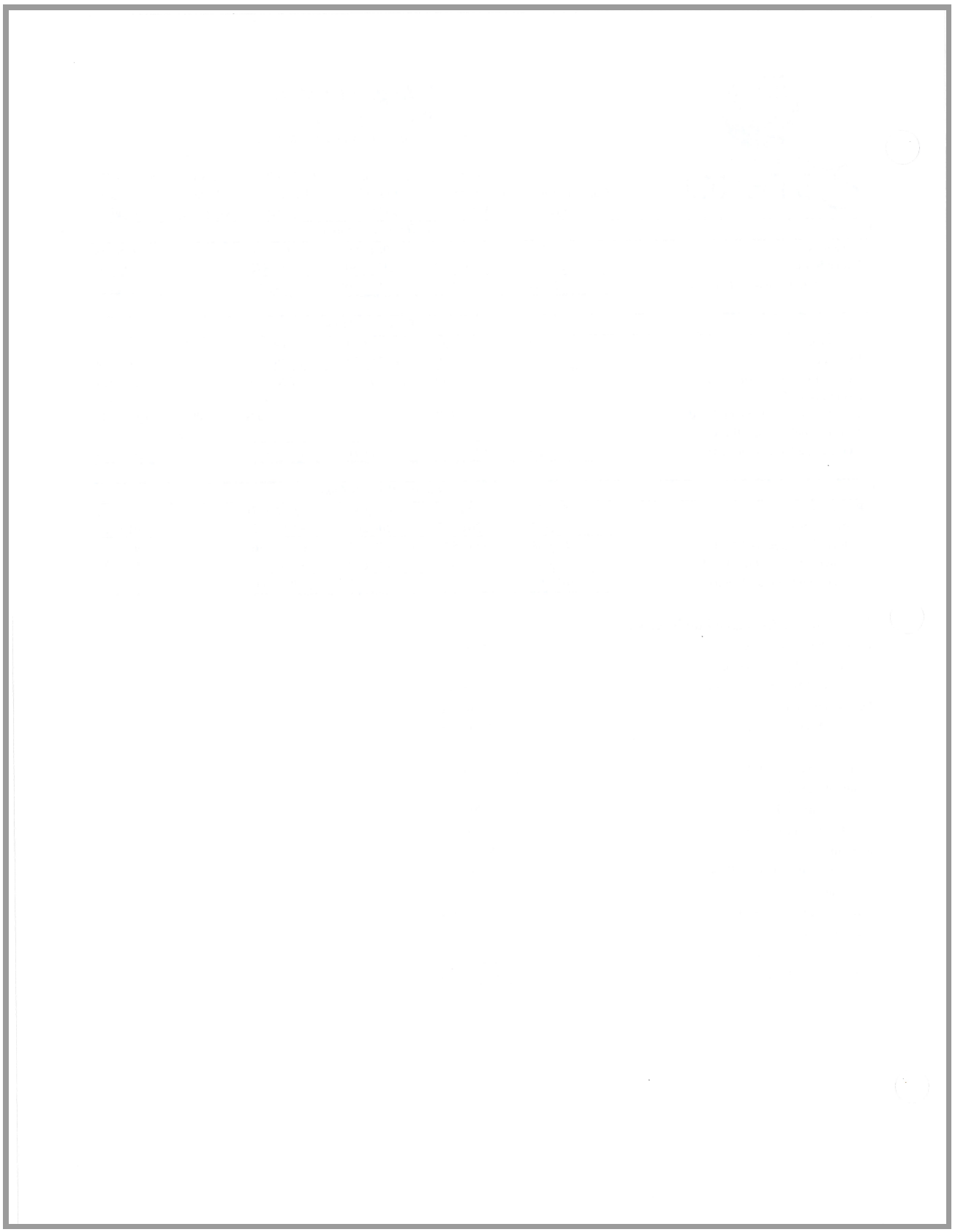


# AGENDA ITEM SUMMARY SHEET
# VILLAGE COUNCIL MEETING
# 01/19/2022

**Agenda Item:**

Consider a code enforcement lien mitigation request from DK Realty Group – SUB, LLC relating to the property at 9170 Estero River Circle, located in The Estates at Estero River.

**Description:**

The current owner acquired the residential property at 9170 Estero River Circle in October of 2021 through a Foreclosure/Sheriff sale. The previous owner was cited in February of 2019 for Pool Maintenance. The case was heard before the Special Magistrate on February 21, 2019. The owner was not present. The Special Magistrate imposed a fine beginning on March 20, 2019. A code enforcement lien in the amount of $240,000.00 plus $296.85 in administrative costs for a total of $240,296.85 has accrued based on 960 days of lien accumulation at $250.00 a day.

The new owners have brought the Swimming pool into compliance shortly after taking possession of the property.

Pursuant to prior direction of Council, liens exceeding $100,000 must be approved by the Village Council. The case for fine review with the new owner was heard by the Special Magistrate on December 16, 2021. The new property owners did not attend the Special Magistrate hearing; however, contact was made by the respondents through legal representation to inquire about the Special Magistrate hearing formalities. Correspondence between the respondent's attorney and the Village of Estero indicates that the new property owners are in the process of selling the property and have requested the mitigation for that purpose.

The Special Magistrate recommended that the mitigation be heard by The Village Council for determination. The Special Magistrate did not make a lien recommendation for this case.

Statutorily, local governments must consider the following factors in determining the amount of a fine: (1) The gravity of the violation; (2) Any actions taken by the violator to correct the violation; and (3) Any previous violations committed by the violator. The Village has currently adopted a very low tolerance stance in seeking compliance with our codes.

**Action Requested:**

Per Village of Estero legal counsel, approve the lien mitigation request from DK Realty Group-Sub, LLC releasing any outstanding liens against the Property in exchange for payment of a reduced fine of $2,000.00 and $296.85 for administrative costs.

**Financial Impact:**

The Village will recover its out-of-pocket costs for the Code Enforcement Case against the Property.

**Attachments:**

1. Code Enforcement Case Overview
2. Request for Fine Review
3. Special Magistrate Order Finding Violation
4. Special Magistrate Order of Imposition of Fine

# Case Overview

## Property/Incident Information

| Owner | Address | Site Address |
|---|---|---|
| DORCHAK DARYL R | 9170 ESTERO RIVER CIR<br>ESTERO, FL 33928 | 9170 ESTERO RIVER CIR , ESTERO, FL 33928 |

**Legal Description**

ESTATES AT ESTERO RIVER PB 76 PGS 82-85 LOT 86

**Description**

Swimming pool is not being maintained - Black, dirty water

**Case Status** Closed **Case #** 19010002

**Notes** Swimming pool is not being maintained - Black, dirty water

Pool must be maintained, pump must be in working order
please correct the issues and notify me when corrected

Thank you,

Stanley Knight
knight@estero-fl.

## Documents Issued

| Date Issue | Document Type |
|---|---|
| 12/11/2018 | Complaint |
| 12/11/2018 | Courtesy Notice |
| 12/26/2018 | Affidavit of Non-Compliance |
| 1/4/2019 | Notice of Violation |
| 1/4/2019 | Notice of Hearing |
| 2/6/2019 | Affidavit of Non-Compliance |
| 2/19/2019 | Affidavit of Non-Compliance |
| 2/21/2019 | Notice of Hearing |
| 2/21/2019 | Final Order |
| 3/21/2019 | Order of Imposition/Liens |
| 11/4/2021 | Affidavit of Compliance |
| 11/18/2021 | Notice of Hearing |

## Violations

| Ordinance/Regulation | Section | Description | Date Complied |
|---|---|---|---|
| CHAPTER 6 - BUILDINGS AND BUILDING REGULATIONS | Section 6-115(c)(1). - Maintenance. | Maintenance required. Buildings, structures, pools, electrical, gas, mechanical and plumbing systems, both existing and new, and all parts thereof, must be maintained in a safe and sanitary condition. Devices and safeguards that are required by the technical codes when constructed, altered or repaired, must be maintained in good working order. The owner, or his designated agent, will be responsible for the maintenance of buildings, structures, pools, electrical, gas, mechanical and plumbing systems. | 11/4/2021 |

## Case Overview

### Fines

| Fine Type | Section | Fine Type | Date Complied | Total Fine |
|---|---|---|---|---|
| Individual Violation | Section 6-115(c)(1). - Maintenance. | Individual Violation | 11/4/2021 | $240,000.00 |
| Admin Fixed | | Admin Fixed | | $296.85 |
| | | | **Total Fines** | **$240,296.85** |

### Payments

| Date | Payment Type Name | Amount |
|---|---|---|
| | **Total Payments** | **$0.00** |
| | **Fees Outstanding** | **$240,296.85** |

# REQUEST FOR VILLAGE OF ESTERO SPECIAL MAGISTRATE CODE ENFORCEMENT LIEN REDUCTION

This form is for applicants seeking to reduce the fine or assessed costs resulting from a Code Enforcement Order by the Village of Estero Special Magistrate. This form may only be used if the violation has been corrected. The process cannot be used to reduce liens imposed for other Code Enforcement processes (such as lot mowing, securing pools, or lot clean-up).

**Submit this form by email to knight@estero-fl.gov**

| | |
|---|---|
| **Name of Applicant:** | DK REALTY GROUP – SUB 3, LLC |
| **Mailing Address:** | 9841 NW 26TH ST |
| **City, State, Zip:** | DORAL, FL 33172 |
| **Phone Number:** | 305-281-5506 |
| **Email Address:** | Upstate1234@att.net |

| | |
|---|---|
| **Code Enforcement Case Number** (shown on recorded Order): | **19010002** |
| Provide a copy of the recorded document OR provide an instrument number or the Official Records Book and Page numbers below. | |
| **INSTR # or Official Records Book/Page** (shown on recorded Order): | **2019000082729** |
| **Property Address:** | **9170 ESTERO RIVER CIRCLE, ESTERO, FL 33928** |
| **STRAP Number:** | **344625E1120000860** |

**Relationship of Applicant to the property:**

- ☒ Owner of the property or Owner's Representative
- ☐ Contract Purchaser
- ☐ Other (specify): _____

**Relationship of Applicant to the violation resulting in the Order:**

- ☐ Applicant was the owner of the property at the time of violation
- ☒ Applicant acquired the property after the imposition of the fine/costs
  - ☒ Purchased property from: Lee County foreclosure auction
- ☐ Seeking to purchase the property
- ☐ Other (specify): _____

**Has the Division of Code Enforcement verified the violation has been corrected?** Yes ☒ No ☐

**Who corrected the violation?** ☐ Respondent ☐ County ☒ New Owner ☐ Unknown

1

**The burden is on the Applicant to show why the fine/costs should be reduced.**

**SUMMARIZE YOUR REQUEST FOR FINE REVIEW, INCLUDING THE FACTORS TO BE CONSIDERED BY THE SPECIAL MAGISTRATE** (Attach additional pages, if necessary):

Subject property was purchased through the foreclosure auction. When we bought it, the property was abandoned, deteriorated and filthy. Our crew, me and my wife have been working around the clock to bring this property into compliance and make it safe, healthy and livable and better the neighborhood as well. We are requesting a fine reduction because the code enforcement lien is high, and we cannot afford to pay it. Please consider we had to pay a delinquent water bill, large association fee, attorney's fees, high costs supplies and labor for repairs. Thank you in advance.

Applicant's Signature: _____ Date: 11/11/21

LienMitigationRequest (Revised 02/27/2019)

**OFFICE OF THE SPECIAL MAGISTRATE**
**ORDER FINDING VIOLATION**

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

**Case #: 19010002**

**Certified #: 7014 3490 0000 4831 4468**

Petitioner,

Vs

**DORCHAK DARYL R**
**9170 ESTERO RIVER CIR**
**ESTERO, FL 33928**

Respondent(s)

---

**IN RE: Case 19010002**

**STREET ADDRESS: 9170 ESTERO RIVER CIR ESTERO, FL 33928**
**FOLIO: 344625E1120000860**
**LEGALDESCRIPTION: ESTATES AT ESTERO RIVER PB 76 PGS 82-85 LOT 86**

The Village of Estero Special Magistrate, having heard testimony under oath and argument at a Public Hearing, in reference to the above-described property, held Thursday **February 21, 2019**, after due notice to the Respondent(s):

AS AND FOR MY FINDINGS OF FACT:

1. The Respondent(s) is/are the owner(s) of record, and is/are responsible for the subject property.
2. The respondent(s) has/have received proper notice of this hearing by Posting to the property of the alleged existence of certain conditions on the property described as violations, and that those conditions constituted a violation(s) of a Village of Estero Ordinance.
3. The Respondent(s), despite proper notice of this hearing, have failed to appear or otherwise participate in today's hearing, and are in default of having appeared.
4. The notice(s) previously given to the Respondent(s) specified that certain violations existed at the subject premises and what actions to abate the alleged violations were to be taken by a time certain, but the Respondent(s) has/have failed to complete such actions in a timely manner.
   The following condition(s) is/are found to exist on the subject property located at **9170 ESTERO RIVER CIR ESTERO, FL 33928**, as reported by the Village's Code Compliance Manager in the Notice of Violation:

Revised 5/22/2017

| | Ordinance / Regulation | Violation Description / Correction | Order Date to Comply by |
|---|---|---|---|
| 1 | Chapter 6 - BUILDINGS AND BUILDING REGULATIONS Section 6-115(c)(1). - Maintenance. | Maintenance required. Buildings, structures, pools, electrical, gas, mechanical and plumbing systems, both existing and new, and all parts thereof, must be maintained in a safe and sanitary condition. Devices and safeguards that are required by the technical codes when constructed, altered or repaired, must be maintained in good working order. The owner, or his designated agent, will be responsible for the maintenance of buildings, structures, pools, electrical, gas, mechanical and plumbing systems. | March 20, 2019 |

The conditions testified to by the Village's Code Compliance Manager are found to have existed as the date and time of this hearing upon the subject property located at **9170 ESTERO RIVER CIR , ESTERO, FL 33928,**
That same constitute(s) a violation(s) under **CHAPTER 6 – BUILDINGS AND BUILDING REGULATIONS Section 6-115(C)(1) – Maintenance**

Due to the refusal or failure on the part of the Respondent(s) to remedy the conditions(s) which exist on the subject property, it may be necessary for the Petitioner/Village of Estero to take any and all steps necessary to remedy the conditions.

AS AND FOR MY CONCLUSIONS OF LAW:

Respondent(s), by reason of the foregoing, is/are in violation of the Village of Estero's Ordinances, as specified above.

THEREFORE, I HEREBY ORDER:

1. That Respondent(s) shall correct or abate the aforesaid violations in the manner set forth in the official Notice of Violation **PRIOR to 5:00 P.M., on March 20, 2019**
2. That Respondent(s) shall pay to the Village of Estero, Florida, the sums determined to be due for the Village's actual costs of prosecution of this case in the amount of **$296.85**, and shall deliver payment of same to the Village Clerk's office no later than 10 days from the date of this Order; and if not paid, may also constitute a lien against the above-referenced property which may also be actionable by law.

   In the event that the violation(s) is/are not corrected or abated as indicated above prior to 5:00 pm on **March 20, 2019**, additional fines of $250.00 per day shall be imposed against Respondent(s), beginning on that date and continuing for each day that the aforesaid violations continue to exist.

   In the event the sums awarded herein are not paid, such sums will become a lien, which may attach to all real and personal property owned by the Respondent(s) upon being recorded in the Public Records of Lee County, even if the violations have been subsequently abated in accordance with this Order.

   If the owner(s) fail(s) to comply, an Order Imposing Fine in the amounts shown above for every day that the violation continues to exist commencing on the dates shown above will be entered and a certified copy shall be recorded in the Public Records of Lee County, Florida and shall constitute a lien against the above-described real property or personal property owned by the violator. (Section 162.09, Florida Statutes). This Order may be enforced like a court judgment. Repeat violations can be fined up to $500.00 per day. (Section 162.09, Florida Statues). Property owner(s) has/have 30 days from date this Final Order is executed to file an appeal in circuit court. (Section 162.11, Florida

Statutes). The property owner must contact the Code Compliance Department to advise when compliance has been reached.

3. In determining the amount of such fine(s), I have considered the gravity of the violation(s); any actions, or lack thereof, to correct the violation(s); and, any previous violation(s) committed by the Respondent(s).
4. When the violation(s) has/have been abated, the Respondent(s) **MUST CALL THE VILLAGE OF ESTERO CODE ENFORCEMENT MANAGER – STANLEY KNIGHT, AT (239) 319-2815, AND REQUEST A RE-INSPECTION**. UPON SUCH RE-INSPECTION, IF SUCH VIOLATION(S) ARE FOUND TO HAVE BEEN ABATED, SUCH FINES SHALL CEASE RUNNING.
5. The Village of Estero is hereby authorized, in its discretion, to enter onto the subject premises and to itself abate, clear and remove all violation(s) (or specific items listed in Finding of Fact), found to still exist at the subject premises on or after February 20, 2019, or as soon thereafter as practicable in the event the Respondent(s) has/have not abated the violations. In addition to the amount of fines, and the Village's costs of prosecution, as imposed herein, all costs of such abatement, clearing and removal shall be recovered by the Village of Estero and shall accrue and increase the cost lien provided for herein.
6. Compliance by the Respondent(s) shall be considered at a subsequent Hearing before the undersigned Hearing Examiner/Special Magistrate to be held on **March 21, 2019**, at 1:00 p.m., at the Village Hall Council Chambers, 9401 Corkscrew Palms Circle, Estero, FL 33928.
7. You may also have other rights which are set forth in Article VI - Code Enforcement Board of the Village of Estero Code of Ordinances.
8. Respondents may appeal any decision with respect to any matter considered by the Village of Estero Special Magistrate. An appeal must be filed within (30) days of the execution of the Order to be appealed. If a person decides to appeal any decision, such person will need a record of the proceedings and that, for this purpose, such person may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based. Section 286.0105, Florida Statutes.

DONE AND ORDERED in the Village of Estero, Lee County, Florida this 21st Day of February, 2019.

OFFICE OF THE SPECIAL MAGISTRATE
VILLAGE OF ESTERO, FLORIDA

Joseph Faerber
VILLAGE OF ESTERO, SPECIAL MAGISTRATE

**SPECIAL MAGISTRATE CLERK AFFIDAVIT**

Dated on February 21, 2019

Village of Estero Special Magistrate Clerk

By: _____
Terry-Ann Boyd-Reynolds

I certify that, under the penalty of perjury that the above written statements are true and accurate to the best of my knowledge.

STATE OF FLORIDA )
)ss:
COUNTY OF LEE )

Terry-Ann Boyd Reynolds stated personally before me that they have personal knowledge of the facts stated herein:

Sworn or affirmed before me on this 21st Day of February, 2019

_____
Notary Public

LISA REITBAUER
Print Name

LISA REITBAUER
Commission # GG 130346
Expires October 6, 2021
Bonded Thru Troy Fain Insurance 800-385-7019

SEAL:

**Linda Doggett, Lee County Clerk of Circuit Court**
**INSTR. # 2019000082729, Doc Type LI, Pages 3, Recorded 4/12/2019 at 11:12 AM, Deputy Clerk LFAHRNER ERECORD**
**Rec Fees: $27.00**

The Village of ESTERO

**OFFICE OF THE SPECIAL MAGISTRATE**
**ORDER OF IMPOSITION OF FINE & CLAIM OF LIEN**

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

**Case #: 19010002**

**Certified #:**

Petitioner,

Vs

**DORCHAK DARYL R**
**9170 ESTERO RIVER CIR**
**ESTERO, FL 33928**

Respondent(s)

The Village of Estero Special Magistrate, having reviewed evidence and sworn testimony by Affidavit, enters the following Findings of Fact:

1. That the Village of Estero Special Magistrate did issue on the 21st day of February, 2019 an Order finding Violation in the above captioned case commanding the Respondent to bring the violations specified in said Final Order into compliance or be subject to a fine in the amounts shown below commencing on the dates shown below plus an additional fine to cover costs incurred by the Village in the amount of **$296.85.**

| Ordinance/ Regulation | Violation Description/Correction | Order Date to Comply by | Date Complied | Daily Fine |
|---|---|---|---|---|
| Chapter 6 - BUILDINGS AND BUILDING REGULATIONS Section 6-115(c)(1). - Maintenance. | Maintenance required. Buildings, structures, pools, electrical, gas, mechanical and plumbing systems, both existing and new, and all parts thereof, must be maintained in a safe and sanitary condition. Devices and safeguards that are required by the technical codes when constructed, altered or repaired, must be maintained in good working order. The owner, or his designated agent, will be responsible for the maintenance of buildings, structures, pools, electrical, gas, mechanical and plumbing systems. | 03/20/2019 | | $250.00 |

2. That said violations occurred on the following described real property situate, lying and being in the Village of Estero, Florida, to-wit:

**FOLIO#: 344625E1120000860**
**LEGAL DESCRIPTION ESTATES AT ESTERO RIVER PB 76 PGS 82-85 LOT 86STREET ADDRESS: 9170 ESTERO RIVER CIR ESTERO, FL 33928**

3. That the Respondent did not comply with the Final Order on or before the date specified therein.

Revised 5/22/2017

Upon complying with this Final Order, the Respondent **SHALL NOTIFY STANLEY KNIGHT,** The Code Enforcement Compliance Manager, who shall have the property inspected and notify the Special Magistrate Clerk if compliance has occurred.

4. A fine in the amounts shown above commencing on dates shown above is hereby confirmed and imposed. This fine shall continue to accrue until such time as the property is brought into compliance at which time the Respondent shall notify the Code Compliance Manager. **Additionally, a fine of $296.85 to cover costs incurred in the prosecution of this matter is confirmed and imposed.**

5. The fine and costs shall constitute a lien against the above-described real property pursuant to Chapter 162, Florida Statutes and Article VI – Code Enforcement of the Village of Estero Code of Ordinances, as currently enacted or as may be amended from time to time. The Special Magistrate Clerk is directed to record a true copy of this order in the Public Records of Lee County, Florida. Any such lien which accrues more than (90) days after the date it is recorded and which remains unpaid, may be referred to a collection agency which shall result in the imposition of additional collection fees.

**You may request, in writing, a hearing before the Special Magistrate to contest the finding of non-compliance and imposition of fines. Said hearing shall be limited to consideration of whether the violations were timely complied. A written request for a hearing MUST BE MADE TO THE OFFICE OF THE SPECIAL MAGISTRATE AND RECEIVED WITHIN TWENTY (20) DAYS OF THE DATE OF THIS NOTICE. You will be notified of a hearing date and time. If no timely request is received, this Order Imposing Fine and Claim of Lien entered by the Special Magistrate will be recorded in the Public Records of Lee County, constituting a lien on the subject real property.**

Respondents may appeal a final administrative order of the Special Magistrate for the Village of Estero to the Circuit Court. An appeal must be filed within thirty (30) days of the execution of the Order to be appealed.

DONE AND ORDERED in the Village of Estero, Lee County, Florida this 21st Day of March, 2019

OFFICE OF THE SPECIAL MAGISTRATE
VILLAGE OF ESTERO, FLORIDA

Joseph Faerber
VILLAGE OF ESTERO, SPECIAL MAGISTRATE

**SPECIAL MAGISTRATE CLERK AFFIDAVIT**

Dated on March 21, 2019

Village of Estero Special Magistrate Clerk

By: _____
Terry-Ann Boyd-Reynolds

I certify that, under the penalty of perjury that the above written statements are true and accurate to the best of my knowledge.

STATE OF FLORIDA )

)ss:

COUNTY OF LEE )

Terry-Ann Boyd-Reynolds stated personally before me that they have personal knowledge of the facts stated herein:

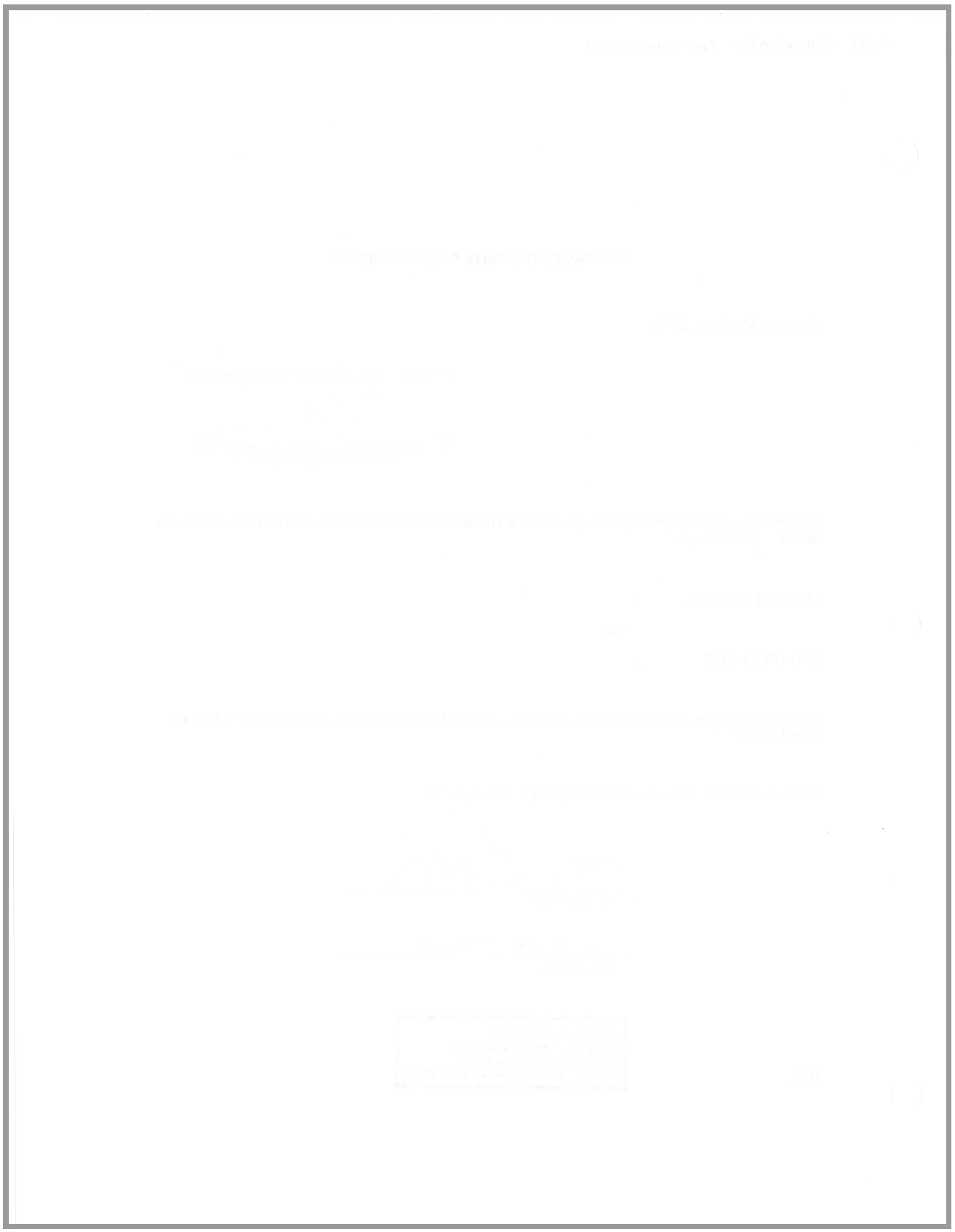
Sworn or affirmed before me on this 21st Day of March, 2019

_____
Notary Public

LISA REITBAUER
Print Name

SEAL:

LISA REITBAUER
Commission # GG 130346
Expires October 6, 2021
Bonded Thru Troy Fain Insurance 800-385-7019



# AGENDA ITEM SUMMARY SHEET
# VILLAGE COUNCIL MEETING
# January 19, 2022

**Agenda Item:**

Sandy Lane and Via Coconut Point Bridge Rehabilitation - RFB 2021-04

**Description:**

Recent inspections of the Sandy Lane bridge over the Estero River and the Via Coconut Point box culverts over tributaries of Halfway Creek identified areas in need of maintenance. All structures were determined to be in good condition, but maintenance is required to keep them in good condition.

The Village of Estero hired Kisinger Campo and Associates to design improvements to address the issues identified in the bridge inspection reports. The design and permitting was completed in 2021.

The Village of Estero requested bids to perform the necessary rehabilitation work on both bridges and a bid was received on November 30, 2021.

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

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

**Action Requested:**

Approve award of Request for Bids No. RFB 2021-04, Sandy Lane and Via Coconut Point Bridge Rehabilitation to Thomas Marine Construction, Inc. to perform the rehabilitation work at a cost of $349,851.

Also approve a contingency fund amount of $35,000 (an amount equal to 10% of the total project cost) to cover unforeseen circumstances which may occur.

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

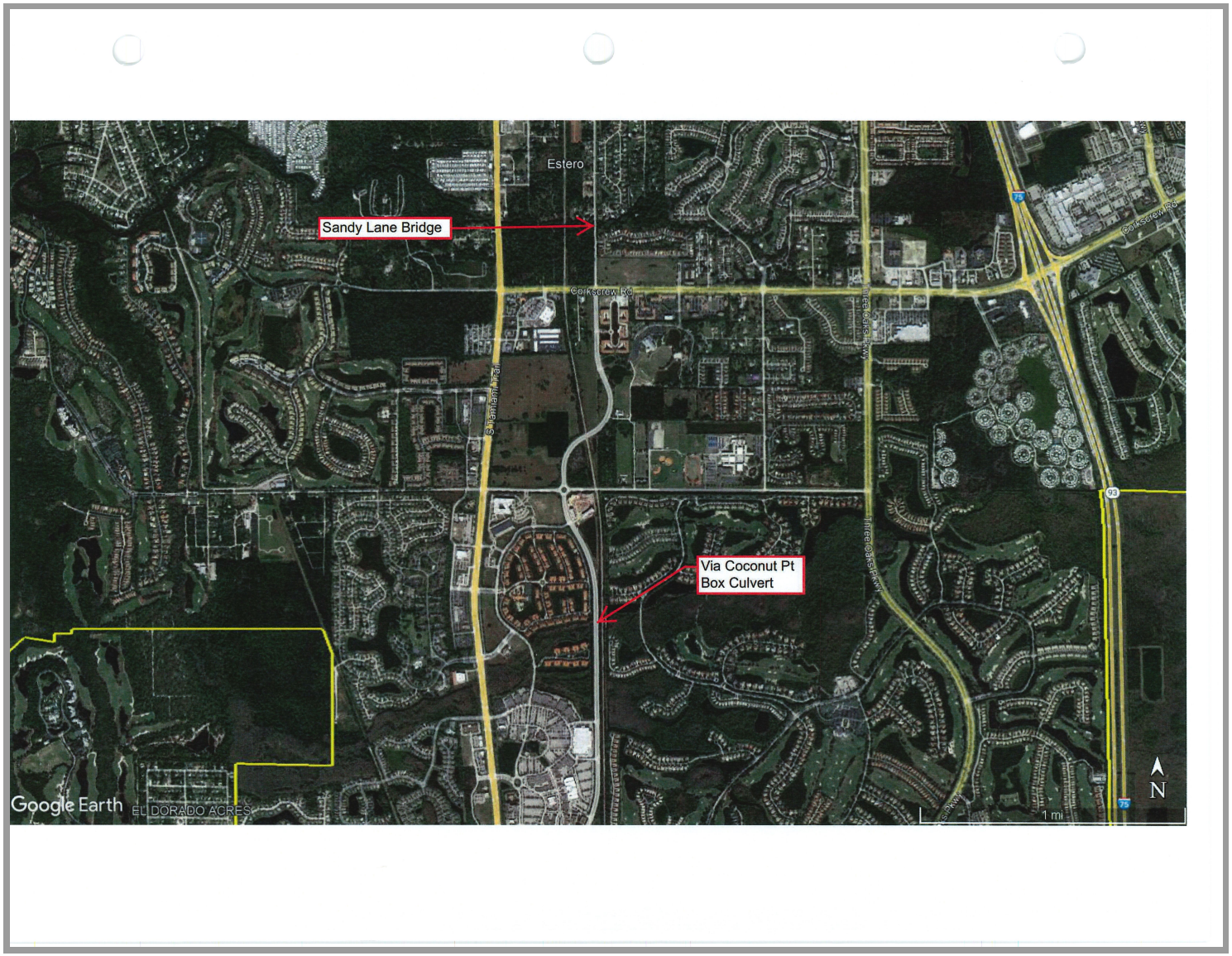
**Financial Impact:**

The financial impact of the proposed project is $384,851. This includes the contract amount plus a 10% contingency.

The Fiscal Year 2021-2022 Capital Improvement Budget includes $400,000 for this bridge maintenance project.

**Attachments:**

1. Location Map
2. Thomas Marine Construction, Inc. Bid
3. Contract
4. Vendor Disclosure Form
5. Construction Plans


Estero
Sandy Lane Bridge
Corkscrew Rd
Via Coconut Pt
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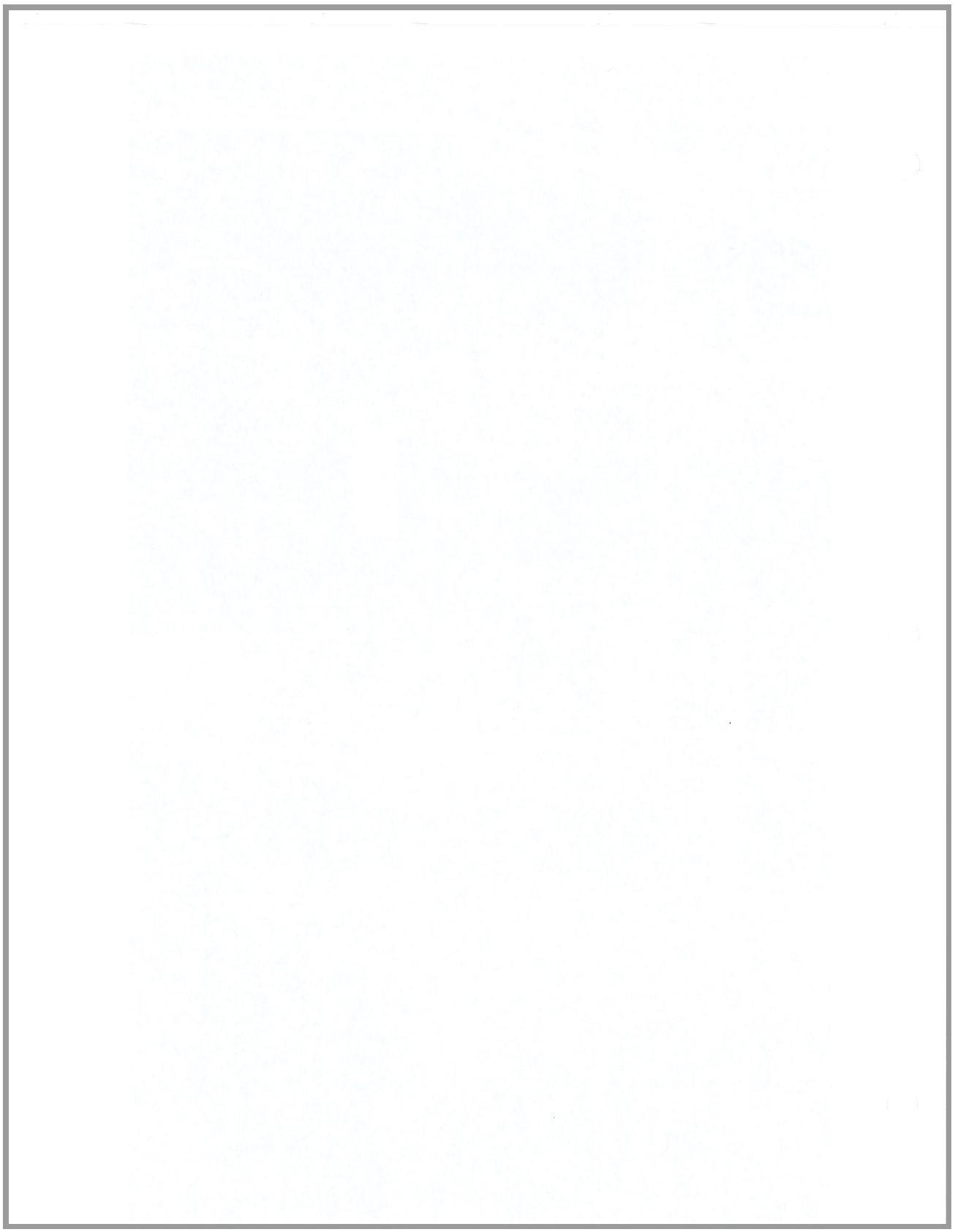

Bid No.: RFB 2021-04

VILLAGE OF ESTERO, FLORIDA
PROPOSAL QUOTE FORM
FOR
SANDY LANE AND VIA COCONUT POINT
BRIDGE REHABILITATION

DATE SUBMITTED: 11/30/2021

VENDOR NAME: Thomas Marine Construction, Inc.

TO: The Village of Estero
Estero, Florida

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

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

The undersigned acknowledges receipt of Addenda numbers: N/A

SANDY LANE AND VIA COCONUT POINT
BRIDGE REHABILITATION

SANDY LANE OVER ESTERO RIVER (BRIDGE NO. 124008) - TOTAL COST: $ 276,486.00

VIA COCONUT POINT OVER NORTH FLOW WAY (BRIDGE NO. 124130) - TOTAL COST: $ 73,365.00

GRAND TOTAL PROJECT COST: $ 349,851.00

ACQUISITION OF ALL REQUIRED MATERIALS SHALL BE ACHIEVED WITHIN 60 CALENDAR DAYS AFTER RECEIPT OF NOTICE TO PROCEED/COMMENCEMENT.

SUBSTANTIAL COMPLETION SHALL BE ACHIEVED WITHIN 240 CALENDAR DAYS AFTER RECEIPT OF NOTICE TO PROCEED/COMMENCEMENT.

FINAL COMPLETION SHALL BE ACHIEVED NOT LATER THAN 30 CALENDAR DAYS FOLLOWING SUBSTANTIAL COMPLETION.

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

Bid No.: RFB 2021-04

Are there any modifications to the bid or specifications:

YES_____ NO X

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

MODIFICATIONS:

ANTI-COLLUSION STATEMENT

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

FIRM NAME Thomas Marine Construction, Inc.

BY (Printed): Kevin C. Shimp

BY (Signature): _____

TITLE: President

FEDERAL ID # OR S.S.# 59-2163377

ADDRESS: 8999 High Cotton Lane

Fort Myers, FL 33905

PHONE NO.: 239-337-0008

FAX NO.: 239-337-0099

CELLULAR PHONE NO.: 239-707-0096

E-MAIL ADDRESS: kcshimp@aol.com

Project No.: RFB 2021-04
Project Name: Sandy Lane and Via Coconut Point Bridge Rehabilitation

Village of Estero
Bid Tabulation Form

**Sandy Lane over Estero River (Bridge No. 124008)**

| Pay Item No. | Pay Item Description | Unit | Quantity | Unit Price ($/Unit) | Total Cost ($) |
|---|---|---|---|---|---|
| 101-1 | MOBILIZATION | LS | 1 | $37,500.00 | $37,500.00 |
| 102-1 | MAINTENANCE OF TRAFFIC | LS | 1 | $34,100.00 | $34,100.00 |
| 104-11 | FLOATING TURBIDITY BARRIER | LF | 195 | $33.00 | $6,435.00 |
| 120-5 | CHANNEL EXCAVATION | CY | 82.7 | $590.00 | $48,793.00 |
| 121-70-2 | FLOWABLE FILL | CY | 10.5 | $720.00 | $7,560.00 |
| 110-1-1 | CLEARING & GRUBBING | AC | 0.05 | $110,000.00 | $5,500.00 |
| 110-4-10 | REMOVAL OF EXISTING CONCRETE | SY | 10 | $500.00 | $5,000.00 |
| 327-70-6 | MILLING EXISTING ASPHALT PAVEMENT, 1 1/2" AVG. DEPTH | SY | 304 | $95.00 | $28,880.00 |
| 337-7-81 | ASPHALT CONCRETE FRICTION COURSE, TRAFFIC B, FC-12.5, PG 76-22 | TN | 25 | $445.00 | $11,125.00 |
| 524-4-2 | CLEANING AND SEALING JOINTS IN EXISTING CONCRETE SURFACES | LF | 68 | $140.00 | $9,520.00 |
| 530-1 | RIPRAP, SAND-CEMENT | CY | 0.4 | $15,000.00 | $6,000.00 |
| 530-3-3 | RIPRAP- RUBBLE, BANK AND SHORE | TN | 185.3 | $270.00 | $50,031.00 |
| 530-74 | BEDDING STONE | TN | 82.5 | $300.00 | $24,750.00 |
| 711-11-101 | PAINTED PAVEMENT MARKINGS, STANDARD, WHITE, SOLID, 6" | GM | 0.038 | $17,000.00 | $646.00 |
| 711-11-201 | PAINTED PAVEMENT MARKINGS, STANDARD, YELLOW, SOLID, 6" | GM | 0.038 | $17,000.00 | $646.00 |
| | | | | **Total Bridge Cost:** | **$276,486.00** |

Page 1 of 2

Project No.: RFB 2021-04
Project Name: Sandy Lane and Via Coconut Point Bridge Rehabilitation

Village of Estero
Bid Tabulation Form

**Via Coconut Point over North Flow Way (Bridge No. 124130)**

| Pay Item No. | Pay Item Description | Unit | Quantity | Unit Price ($/Unit) | Total Cost ($) |
|---|---|---|---|---|---|
| 101-1 | MOBILIZATION | LS | 1 | $9,850.00 | $9,850.00 |
| 102-1 | MAINTENANCE OF TRAFFIC | LS | 1 | $6,500.00 | $6,500.00 |
| 401-70-3 | RESTORE SPALLED AREAS, LATEX MODIFIED MORTAR- ACRYLIC | CF | 101.5 | $280.00 | $28,420.00 |
| 411-1 | EPOXY MATERIAL FOR CRACK INJECTION- STRUCTURES REHAB | GA | 12 | $794.00 | $9,528.00 |
| 411-2 | CRACKS INJECT & SEAL- STRUCTURES REHAB | LF | 167 | $85.00 | $14,195.00 |
| 415-1-4 | REINFORCING STEEL - BRIDGE SUPERSTRUCTURE | LB | 609 | $8.00 | $4,872.00 |
| | | | | **Total Bridge Cost:** | **$73,365.00** |

| | |
|---|---|
| Bridge No. 124008 Subtotal: | $276,486.00 |
| Bridge No. 124130 Subtotal: | $73,365.00 |
| | |
| **Project Bid Grand Total:** | **$349,851.00** |

Notes:

1. The Contractor shall familiarize themselves with the Contract Documents, including project General Notes and pay item notes within the Plans.

2. Payment for incidental items not specifically covered in the individual bid items shall be included in the contract unit price for the associated bid items.

Page [illegible] of 2

Bid No.: RFB 2021-04

# VILLAGE OF ESTERO, FLORIDA
# VENDOR DISCLOSURE FORM

Project No.: RFB 2021-04

Project Name: Sandy Lane and Via Coconut Point Bridge Rehabilitation

Please check as appropriate:

_____ I am the sole proprietor/owner. The company is not publicly held.

__X__ The company is not publicly held.
The names and addresses of the owners having a greater than 5% interest is attached.

_____ The company is publicly held.
The names and addresses of the owners having a greater than 5% interest is attached.

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

Signed: _____
Vendor

Printed Name Kevin C. Shimp

Company Name: Thomas Marine Construction, Inc,

Date: 11/30/2021

Bid No.: RFB 2021-04

## NAMES & ADDRESSES OF OWNERS

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

Thomas Marine Construction is an employee owned corporation.

Bid No.: RFB 2021-04

AFFIDAVIT CERTIFICATION
IMMIGRATION LAWS

SOLICITATION NO.: 2021-04 PROJECT NAME: Sandy Lane and Via Coconut Point Bridge Rehabilitation

VILLAGE OF ESTERO WILL NOT INTENTIONALLY AWARD VILLAGE CONTRACTS TO ANY CONTRACTOR WHO KNOWINGLY EMPLOYS UNAUTHORIZED ALIEN WORKERS, CONSTITUTING A VIOLATION OF THE EMPLOYMENT PROVISIONS CONTAINED IN 8 U.S.C. SECTION 1324 a(e) {SECTION 274A(e) OF THE IMMIGRATION AND NATIONALITY ACT ("INA").

VILLAGE OF ESTERO MAY CONSIDER THE EMPLOYMENT BY ANY CONTRACTOR OF UNAUTHORIZED ALIENS A VIOLATION OF SECTION 274A(e) OF THE INA. SUCH VIOLATION BY THE RECIPIENT OF THE EMPLOYMENT PROVISIONS CONTAINED IN SECTION 274A(e) OF THE INA SHALL BE GROUNDS FOR UNILATERAL CANCELLATION OF THE CONTRACT BY VILLAGE OF ESTERO.

BIDDER ATTESTS THAT THEY ARE FULLY COMPLIANT WITH ALL APPLICABLE IMMIGRATION LAWS (SPECIFICALLY TO THE 1986 IMMIGRATION ACT AND SUBSEQUENT AMENDMENTS).

Company Name: Thomas Marine Construction, Inc.

Kevin C. Shimp, President 11/30/2021
Signature Title Date

STATE OF Florida
COUNTY OF Lee

The foregoing instrument was signed and acknowledged before me this 30th day of November 2021, by Kevin C. Shimp who has produced
(Print or Type Name)
FL DL S510-503-71-401-0 as identification.
(Type of Identification and Number)

Linda Solich
Notary Public Signature

Linda Solich
Printed Name of Notary Public

GG 272882/February 5, 2023
Notary Commission Number/Expiration

LINDA SOLICH
Commission # GG 272882
Expires February 5, 2023
Bonded Thru Troy Fain Insurance 800-385-7019

The signee of this Affidavit guarantee, as evidenced by the sworn affidavit required herein, the truth and accuracy of this affidavit to interrogatories hereinafter made.

VILLAGE OF ESTERO, FLORIDA

MAJOR INSURANCE REQUIREMENTS

Minimum Insurance Requirements: *The Village of Estero in no way represents that the insurance required is sufficient or adequate to protect the vendors' interest or liabilities. The following are the required minimums the vendor must maintain throughout the duration of this contract. The Village reserves the right to request additional documentation regarding insurance provided*

a. Commercial General Liability - Coverage shall apply to premises and/or operations, products and completed operations, independent contractors, contractual liability exposures with minimum limits of:

   $1,000,000 per occurrence
   $2,000,000 general aggregate
   $1,000,000 products and completed operations
   $1,000,000 personal and advertising injury

b. Business Auto Liability - The following Automobile Liability will be required and coverage shall apply to all owned, hired and non-owned vehicles use with minimum limits of:

   $1,000,000 combined single limit (CSL)
   $500,000 bodily injury per person
   $1,000,000 bodily injury per accident
   $500,000 property damage per accident

c. Workers' Compensation - Statutory benefits as defined by FS 440 encompassing all operations contemplated by this contract or agreement to apply to all owners, officers, and employees regardless of the number of employees. Workers Compensation exemptions may be accepted with written proof of the State of Florida's approval of such exemption. Employers' liability will have minimum limits of:

   $500,000 per accident
   $500,000 disease limit
   $500,000 disease – policy limit

d. Maritime Remedies – coverage shall provide minimum limits of liability of $1,000,000 per occurrence for General Maritime Laws, including but not limited to:

   Maintenance & Cure
   Unseaworthiness;
   Wrongful Death;
   Jones Act;
   Death on the High Seas Act;
   Longshore and Harbor Workers' Act;

Protection and Indemnity;

And or any other state workers' compensation law, or other federal occupational disease law that your employees might be exposed to.

*The required minimum limit of liability shown in a. and b. may be provided in the form of "Excess Insurance" or "Commercial Umbrella Policies." In which case, a "Following Form Endorsement" will be required on the "Excess Insurance Policy" or "Commercial Umbrella Policy."

Verification of Coverage:

1. Coverage shall be in place prior to the commencement of any work and throughout the duration of the contract. A certificate of insurance will be provided to the Village Manager for review and approval. The certificate shall provide for the following:

   a. The certificate holder shall read as follows:
      The Village of Estero, Florida
      9401 Corkscrew Palms Circle
      Estero, Florida 33928

   b. *"The Village of Estero, Florida, its agents, employees, and public officials"* will be named as an "Additional Insured" on the General Liability policy, including Products and Completed Operations coverage.

Special Requirements:

1. An appropriate "Indemnification" clause shall be made a provision of the contract.
2. It is the responsibility of the general contractor to insure that all subcontractors comply with all insurance requirements.

Client#: 164731 OWENAME1

# ACORD™ CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 11/23/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer any rights to the certificate holder in lieu of such endorsement(s).

| PRODUCER | CONTACT NAME: Patti Zuk |
|---|---|
| EPIC Insurance Midwest<br>250 Monroe Ave NW, Suite 415<br>Grand Rapids, MI 49503 | PHONE (A/C, No, Ext): 616-600-9677 FAX (A/C, No):<br>E-MAIL ADDRESS: patti.zuk@epicbrokers.com |

| INSURED | INSURER(S) AFFORDING COVERAGE | NAIC # |
|---|---|---|
| Thomas Marine Construction, Inc.<br>8999 High Cotton Lane<br>Fort Myers, FL 33905 | INSURER A : National Union Fire Ins Co of Pittsburg | 19445 |
| | INSURER B : Allied World National Assurance Company | 10690 |
| | INSURER C : New Hampshire Insurance Company | 23841 |
| | INSURER D : The Charter Oak Fire Insurance Company | 25615 |
| | INSURER E : Arch Specialty Insurance Company | 21199 |
| | INSURER F : | |

**COVERAGES** **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | TYPE OF INSURANCE | ADDL INSR | SUBR WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS | |
|---|---|---|---|---|---|---|---|---|
| A | X COMMERCIAL GENERAL LIABILITY<br>CLAIMS-MADE X OCCUR<br>GEN'L AGGREGATE LIMIT APPLIES PER:<br>POLICY X PRO-JECT LOC<br>OTHER: | | | GL3118752 | 09/01/2021 | 09/01/2022 | EACH OCCURRENCE<br>DAMAGE TO RENTED PREMISES (Ea occurrence)<br>MED EXP (Any one person)<br>PERSONAL & ADV INJURY<br>GENERAL AGGREGATE<br>PRODUCTS - COMP/OP AGG | $1,000,000<br>$500,000<br>$10,000<br>$1,000,000<br>$2,000,000<br>$2,000,000 |
| A | AUTOMOBILE LIABILITY<br>X ANY AUTO<br>OWNED AUTOS ONLY / SCHEDULED AUTOS<br>X HIRED AUTOS ONLY / X NON-OWNED AUTOS ONLY | | | CA2446812 | 09/01/2021 | 09/01/2022 | COMBINED SINGLE LIMIT (Ea accident)<br>BODILY INJURY (Per person)<br>BODILY INJURY (Per accident)<br>PROPERTY DAMAGE (Per accident) | $1,000,000<br>$<br>$<br>$ |
| B | X UMBRELLA LIAB X OCCUR<br>EXCESS LIAB CLAIMS-MADE<br>DED X RETENTION $10,000 | | | 03119130 | 09/01/2021 | 09/01/2022 | EACH OCCURRENCE<br>AGGREGATE | $10,000,000<br>$10,000,000 |
| C | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY<br>ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y/N N<br>(Mandatory in NH)<br>If yes, describe under DESCRIPTION OF OPERATIONS below | N / A | | W013326633 | 09/01/2021 | 09/01/2022 | X PER STATUTE / OTH-ER<br>E.L. EACH ACCIDENT<br>E.L. DISEASE - EA EMPLOYEE<br>E.L. DISEASE - POLICY LIMIT | $1,000,000<br>$1,000,000<br>$1,000,000 |
| D<br>E | Leased/Rented Equ<br>Professional &<br>Pollution Liab. | | | QT6607N171820COF<br>CPP003441010 | 09/01/2021<br>09/01/2021 | 09/01/2022<br>09/01/2022 | $375,000/$1,000 Ded.<br>$3,000,000 per Occ/Agg<br>$50,000 Retention | |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

The Village of Estero, Florida, its agents, employees and public officials are named as additional insured for the general liability as required by written contract.

**CERTIFICATE HOLDER**

The Village of Estero, Florida
9401 Corkscrew Palms Circle
Estero, FL 33928

**CANCELLATION**

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

David J. Hop

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Bid No.: RFB 2021-04

PUBLIC ENTITY CRIME FORM

This form must be signed and sworn to in the presence of a notary public or other officer authorized to administer oaths.

1. This sworn statement is submitted to Village of Estero
(*Print name of the public entity*)

by Kevin C. Shimp, President
(*Print individual's name and title*)

for Thomas Marine Construction, Inc.
(*Print name of entity submitting sworn statement*)

whose business address is 8999 High Cotton Lane, Fort Myers, FL 33905

(If applicable) its Federal Employer Identification Number (FEIN) is 59-2163377

(If the entity has no FEIN, include the Social Security Number of the individual signing this sworn statement: On the attached sheet.) Required as per IRS Form W-9.

2. I understand that a "public entity crime" as defined in Paragraph 287.133(1) (g), Florida Statutes, means a violation of any state or federal law by a person with respect to and directly related to the transaction of business with any public entity or with an agency or political subdivision of any other state or with the United States, including but not limited to, and bid or contract for goods or services to be provided to any public entity or agency or political subdivision or any other state or of the Unites States, and involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentation.

3. I understate that "convicted" or "conviction" as defined in Paragraph 287.133(1) (b), Florida Statutes, means a finding of guilt or a conviction of a public entity crime, with or without an adjudication of guilt, in any federal or state trial court of record relating to charges brought by indictment or information after July 1, 1989, as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere.

4. I understand that "affiliate" as defined in Paragraph 287.133(1)(a), Florida Statutes, means:
    1. A predecessor or successor of a person convicted of a public entity crime: or:
    2. An entity under the control of any natural person who is active in the management of the entity and who has been convicted of a public entity crime. The term "affiliate" includes those offices, directors, executives, partners, shareholders, employees, members and agents who are active in the management of the affiliate. The ownership by one person of shares constituting a controlling interest in another person, or a pooling of equipment or income among persons when not fair market value under an arm's length agreement, shall be a facie case that one person controls another person. A person who knowingly enters into a joint venture with a person who has been convicted of a public entity crime in Florida during the preceding 36 months shall be considered an affiliate.

5. I understand that a "person" as defined in Paragraph 287.133(1) (c), Florida Statutes, means any natural person or entity organized under the laws of any state or of the United States with the legal power to enter a binding contract and which bids or applies to bid on contracts for the provision of goods or services let by a public entity, or which otherwise transacts or applies to transact business with a public entity. The term "person" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in management of the entity.

6. Based on information and belief, the statement which I have marked below is true in relation to the entity submitting those sworn statement. (*Please indicate which statement applies.*)

__X__ Neither the entity submitted this sworn statement, nor any officers, directors, executives, partners, shareholders, employees, members, and agents who are active in management of an entity nor affiliate of the entity have been charged with and convicted of a public entity crime subsequent to July 1, 1989.

_____ The entity submitting this sworn statement, or one or more of the officers, directors, executives, partners, shareholders, employees, member, or agents who are active in management of the entity, or an affiliate of the entity have been charged with and convicted of a public entity crime subsequent to July 1, 1989.

_____ The entity submitting this sworn statement, or one or more of its officers, directors, executives, partners, shareholders, employees, member, or agents who are active in management of the entity, or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989. However, there has been subsequent proceeding before a Hearing Officer of the State of Florida, Division of Administrative Hearing and the Final Order entered by the Hearing Officer determined that it was not in the public interest to place the entity submitting this sworn statement on the convicted vendor list. (Attach a copy of the final order)

I UNDERSTAND THAT THE SUBMISSION OF THIS FORM TO THE CONTRACTING OFFICER FOR THE PUBLIC ENTITY IDENTIFIED IN PARAGRAPH 1 (ONE) ABOVE IS FOR THAT PUBLIC ENTITY ONLY AND, THAT THIS FORM IS VALID THROUGH DECEMBER 31 OF THE CALENDAR YEAR IN WHICH IS FILED. I ALSO UNDERSTAND THAT I AM REQUIRED TO INFORM THE PUBLIC ENTITY PRIOR TO ENTERING INTO A CONTRACT IN EXCESS OF THE THRESHOLD AMOUNT PROVIDED IN SECTION 287.017, FLORIDA STATUTES, FOR CATEGORY TWO OR ANY CHANGE IN THE INFORMATION CONTAINED IN THIS FORM.

_____
*(Signature)*

11/30/2021
*(Date)*

STATE OF Florida
COUNTY OF Lee

PERSONALLY APPEARED BEFORE ME, the undersigned authority, Kevin C. Shimp
*(Name of individual signing)*
who, after first being sworn by me, affixed his/her signature in the space provided above on this 30th day of November, 2021.

Linda Solich
**(NOTARY PUBLIC)**

My Commission Expires: February 5, 2023

LINDA SOLICH
Commission # GG 272882
Expires February 5, 2023
Bonded Thru Troy Fain Insurance 800-385-7019

Bid No.: RFB 2021-04

## TRENCH SAFETY

Contractor/Vendor acknowledges that included in the appropriate solicitation items of the solicitation and in the Total solicitation price are costs for complying with the Florida Trench Safety Act (90-96, Laws of Florida) effective October 1, 1990. The contractor/vendor further identifies the costs of such compliance to be summarized below:

| | Trench Safety Measure (Description) | Units of Measure (LF, SF) | Unit (Quantity) | Unit Cost | Extended Cost |
|---|---|---|---|---|---|
| A. | N/A | | | | |
| B. | | | | | |
| C. | | | | | |
| D. | | | | | |

TOTAL $ 0.00

If applicable, the contractor/vendor certifies that all trench excavation done within his control in excess of five (5') feet in depth shall be in accordance with the Florida Department of Transportation's Special Provisions Article 125-1 and Sub-article 125-4.1 (TRENCH EXCAVATION SAFETY SYSTEM AND SHORING, SPECIAL-TRENCH EXCAVATION).

Failure to complete the above may result in the solicitation being declared non-responsive.

(*Signature*)
Thomas Marine Construction, Inc.
(*Company Name*)

STATE OF Florida
COUNTY OF Lee
The foregoing instrument was acknowledged before me this 30th day of November, 2021 by Kevin C. Shimp, President (*name and title of corporate officer*) of Thomas Marine Construction, Inc. (*name of corporation*), a Florida (*state or place of incorporation*) corporation, on behalf of the corporation. He/she is personally known to me or has produced _____ (*type of identification*) as identification.

LINDA SOLICH
Commission # GG 272882
Expires February 5, 2023
Bonded Thru Troy Fain Insurance 800-385-7019

Linda Solich
(*signature line for notary public*)
Linda Solich
(*name of notary typed, printed or stamped*)
Secretary/Office Manager
(*title or rank*)
_____
(*serial number, if any*)

My commission expires:
February 5, 2023

Bid No.: RFB 2021-04

## BID BOND

Complete EITHER Village of Estero Paper Bid Bond OR provide Irrevocable Letter of Credit

KNOW ALL MEN BY THESE PRESENTS, that we

Thomas Marine Construction, Inc. as Principal, and
(BIDDER'S Name)

Travelers Casualty & Surety Company of America a Corporation licensed to do
(Surety's Name)

business under the laws of the State of Florida as a Surety, are held and firmly bound unto THE VILLAGE OF ESTERO, FLORIDA, ESTERO, FLORIDA, a Municipal Corporation of the State of Florida,
in the SUM OF 5% of the attached bid
for the payment whereof, well and truly to be made, we bind ourselves, our heirs, successors, personal representatives and assigns, jointly and severally, firmly, by these presents.

SIGNED AND SEALED this 23rd day of Nov., 2021

WHEREAS, said Principal is herewith submitting a Bid/Proposal for the construction of:

NOW, THEREFORE, the condition of the above obligation is such that if said Principal shall be awarded the Contract upon said Bid/Proposal within the specified time and shall enter into a written Contract, satisfactory in form, provide an acceptable Public Payment & Performance Bond from a Surety acceptable to the VILLAGE and provide other Insurance as may be required to the VILLAGE within seven (7) calendar days after the written Notice of Award date, or within such extended period as the VILLAGE may grant, then this obligation shall be null and void; otherwise said Principal and Surety shall pay to said VILLAGE in money the difference between the amount of the Bid of said Principal and the amount for which said VILLAGE may legally contract with another party to perform said work, if the latter amount be in excess of the former, together with any expenses and reasonable attorney's fees incurred by said VILLAGE if suit be brought here on, but in no event shall said Surety's liability exceed the penal sum hereof plus such expenses and attorney's fees. For purposes of unsuccessful bid protests filed by the Principal herein, this obligation shall bind the Surety to pay costs and damages associated with the bid protest or delays to the project upon a finding from the Village of Estero Council that the bid protest was frivolous and/or lacked merit. The liability of the Surety shall not exceed the penal sum of the bid bond.

Witness as to Principal:

(By)

Thomas Marine Construction, Inc. (SEAL)
(Principal)

Kevin C. Shamp
Printed Name

Witness as to Surety:

Travelers Casualty & Surety Company of America (SEAL)
(Surety's Name)

(By-As Attorney-in-Fact, Surety)

Affix Corporate Seals and attach proper Power of Attorney for Surety.

TRAVELERS

**Travelers Casualty and Surety Company of America**
**Travelers Casualty and Surety Company**
**St. Paul Fire and Marine Insurance Company**

## POWER OF ATTORNEY

**KNOW ALL MEN BY THESE PRESENTS:** That Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company are corporations duly organized under the laws of the State of Connecticut (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint **Patti Zuk** of **GRAND RAPIDS**, **Michigan**, their true and lawful Attorney(s)-in-Fact to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

**IN WITNESS WHEREOF,** the Companies have caused this instrument to be signed, and their corporate seals to be hereto affixed, this **21st** day of **April, 2021.**

State of Connecticut

City of Hartford ss.

By: _____
Robert L. Raney, Senior Vice President

On this the **21st** day of **April, 2021**, before me personally appeared **Robert L. Raney,** who acknowledged himself to be the Senior Vice President of each of the Companies, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of said Companies by himself as a duly authorized officer.

**IN WITNESS WHEREOF,** I hereunto set my hand and official seal.

My Commission expires the **30th** day of **June, 2026**

_____
Anna P. Nowik, Notary Public

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of each of the Companies, which resolutions are now in full force and effect, reading as follows:

**RESOLVED,** that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

**FURTHER RESOLVED,** that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

**FURTHER RESOLVED,** that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

**FURTHER RESOLVED,** that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, **Kevin E. Hughes**, the undersigned, Assistant Secretary of each of the Companies, do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which remains in full force and effect.

Dated this **23rd** day of **Nov.**, **2021**.

_____
Kevin E. Hughes, Assistant Secretary

***To verify the authenticity of this Power of Attorney, please call us at 1-800-421-3880.***
***Please refer to the above-named Attorney(s)-in-Fact and the details of the bond to which this Power of Attorney is attached.***

Bid No.: RFB 2021-04

# Scrutinized Companies Certification

1. This sworn statement is submitted with a bid, proposal, contract, or contract renewal RFB 2021-04 ___, for Sandy Lane and Via Coconut Point Bridge Rehabilitation.
**Project or contract number]** **[Project name]**

2. This sworn statement is submitted by Thomas Marine Construction, Inc. whose
**[Name of entity submitting sworn statement]**

business address is 8999 High Cotton Lane, Fort Myers, FL 33905.

3. Federal Employer Identification Number (FEIN) is 59-2163377 (or if the entity has no FEIN, include the Social Security Number of the individual signing this sworn statement).

4. My name is Kevin C. Shimp, President and my relationship to the above is:
**[Please print name of individual signing]**

_____.

5. Based on information and belief, the certification, which I have marked below, is true in relation to the entity submitting this sworn statement as required by §287.135, Florida Statutes.

**[ ] Scrutinized Companies that Boycott Israel List (bid, proposal or contract renewal for any amount)**

[ X ] The entity submitting this sworn statement is not on the Scrutinized Companies that Boycott Israel List nor is it engaged in a boycott of Israel.

[ ] The entity submitting this sworn statement is on the Scrutinized Companies that Boycott Israel List or is actively engaged in a boycott of Israel..

**[ ] Scrutinized Companies with Activities in Sudan List (bid, proposal or contract renewal for $1 Million or more)**

[ X ] The entity submitting this sworn statement is not on the Scrutinized Companies with Activities in Sudan List.

[ ] The entity submitting this sworn statement is on the Scrutinized Companies with Activities in Sudan List.

**[ ] Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List (bid, proposal or contract renewal for $1 Million or more)**

[ X ] The entity submitting this sworn statement is not on the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List.

[ ] The entity submitting this sworn statement is on the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List.

**[ ] Business Operations in Cuba or Syria (bid, proposal or contract renewal for $1 Million or more)**

[ X ] The entity submitting this sworn statement does not have business operations in Cuba or Syria.

[ ] The entity submitting this sworn statement does have business operations in Cuba or Syria.

Pursuant to §287.135, Florida Statutes, if the Village determines the entity executing this Certification has been placed on the Scrutinized Companies that Boycott Israel List or is engaged in a boycott of Israel after this certification is executed, any associated contract with the Village may be subsequently terminated by the Village. Similarly, if the Village determines the entity is found to have submitted a false certification, is

**ARTICLE 17.**
**TRUTH-IN-NEGOTIATION CERTIFICATE**

17.1. If applicable, in accordance with Section 287.055(4), Florida Statutes, signature of this Agreement by Bidder shall act as the execution of a truth-in-negotiation certificate stating that wage rates and other factual unit costs supporting the compensation of this Agreement are accurate, complete, and current at the time of contracting. The original contract price and any additions thereto shall be adjusted to exclude any significant sums by which Village determines the contract price was increased due to inaccurate, incomplete, or noncurrent wage rates and other factual unit costs. All such contract adjustments shall be made within one (1) year following the end of this Agreement.

IN WITNESS WHEREOF, the parties hereto have caused the execution of these premises as of the date and year first above written.

Thomas Marine Construction, Inc.

WITNESSES:

Signed By:_____

Print Name:_____

Date:_____

Signed By:_____

Print Name:_____

Date:_____

Signed by: _____

Print Name: _____

Title: _____

Date: _____

VILLAGE OF ESTERO

By:_____
Steve Sarkozy, Village Manager

Date: _____

ATTEST:

By:_____
Carol Sacco, Village Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By:_____
Burt Saunders, Village Attorney

Exhibit List:
Exhibit A – Scope of Services
Exhibit B – Pricing Proposal

## EXHIBIT A

**Sandy Lane and Via Coconut Point Bridge Rehabilitation**

## STATEMENT OF WORK

**A. PROJECT OVERVIEW**

To perform bridge rehabilitation work at the following bridges: Sandy Lane Over Estero River (Bridge No. 124008) and Via Coconut Point Over North Flow Way (Bridge No. 124130).

**B. SCOPE OF SERVICES**

Services shall include, but are not limited to those as specified within RFB 2021-04.

**C. SCHEDULE**

As scheduled and requested.

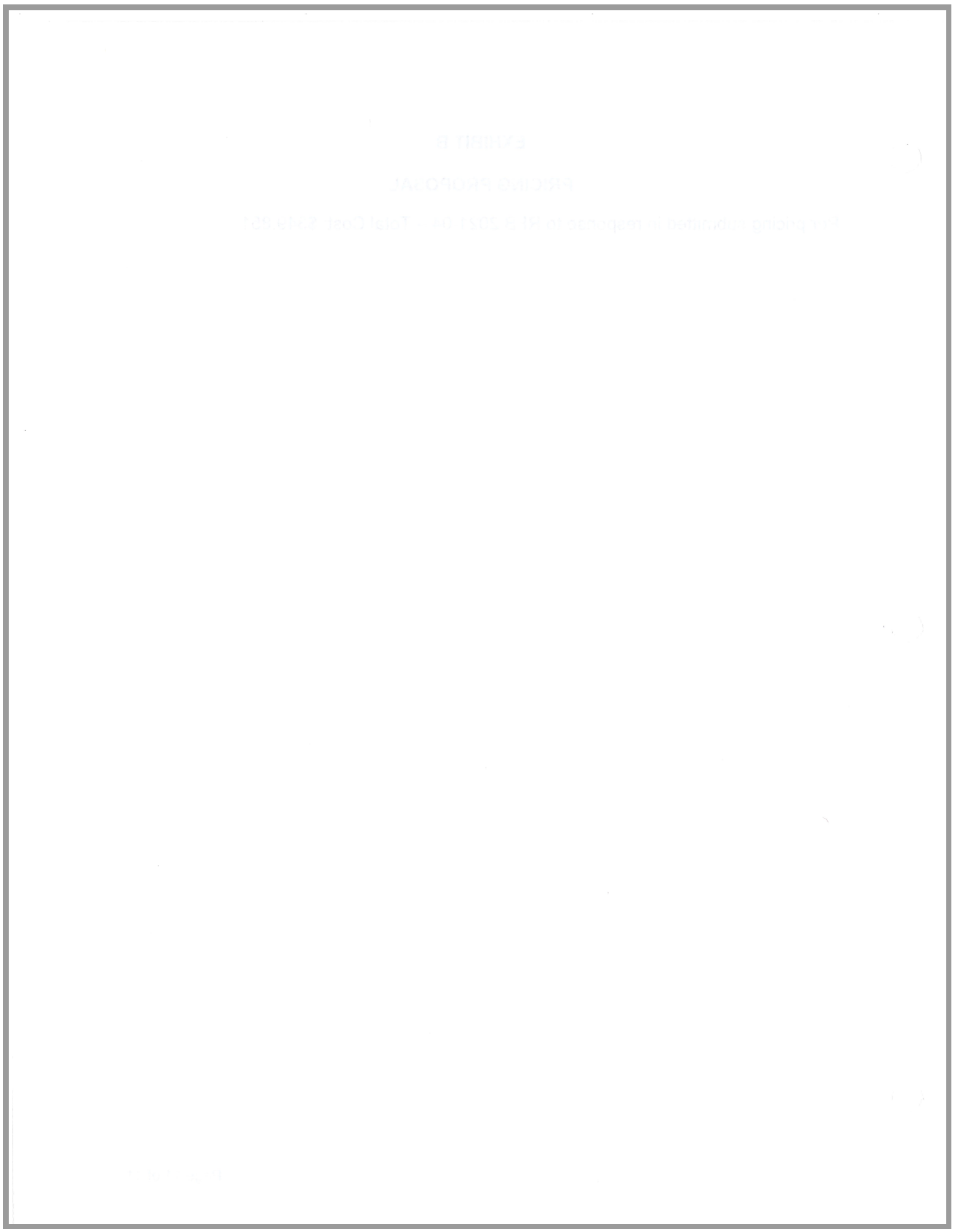
**D. COMPENSATION**

Total Cost (see Exhibit B).

**EXHIBIT B**

**PRICING PROPOSAL**

Per pricing submitted in response to RFB 2021-04 – Total Cost: $349,851.



# VILLAGE OF ESTERO, FLORIDA
# VENDOR DISCLOSURE FORM

Project No.: RFB 2021-04

Project Name: SANDY LANE AND VIA COCONUT POINT BRIDGE REHABILITATION

Please check as appropriate:

_____ I am the sole proprietor/owner. The company is not publicly held.

__X__ The company is not publicly held.
The names and addresses of the owners having a greater than 5% interest is attached.

_____ The company is publicly held.
The names and addresses of the owners having a greater than 5% interest is attached.

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

Signed: _____
Vendor

Printed Name Kevin C Shimp, President

Company Name: Thomas Marine Construction, Inc

Date: 11/30/2021

## NAMES & ADDRESSES OF OWNERS

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

Thomas Marine is an employee-owned corporation. The below is a list of those employees that own a greater share than 5% of the total corporation.

Frank J. Stanek, President/CEO, 4676 Walkers Ridge Rd., Kalamazoo, MI 49009-7024

Kevin C. Shimp, Vice-President, 14841 Caleb Dr., Fort Myers, FL 33908-1644

John C. LaBarge Jr., Secretary/Treasurer, 7264 Tory Dr., Hudsonville, MI 49426

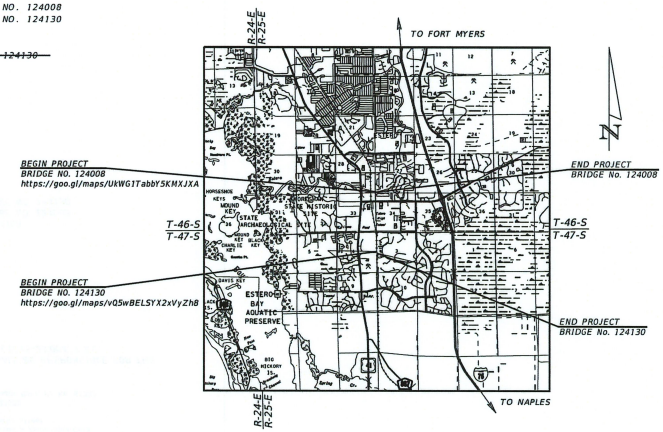
# THE VILLAGE OF ESTERO

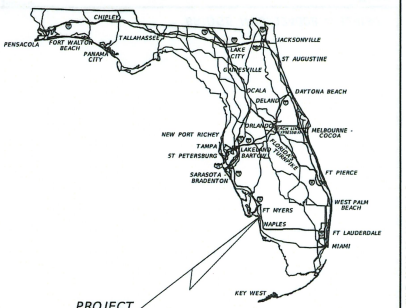
## CONTRACT PLANS

### SANDY LANE AND VIA COCONUT POINT
### BRIDGE REHABILITATION

**INDEX OF STRUCTURE PLANS**

| SHEET NO. | SHEET DESCRIPTION |
|---|---|
| B-1 | KEY SHEET |
| B-2 | SIGNATURE SHEET |
| B-3 | SUMMARY OF PAY ITEMS |
| B-4 | GENERAL NOTES |
| B-5 | MISCELLANEOUS DETAILS |
| B-6 | CONCRETE RESTORATION DETAILS |
| B1-1 | PLAN AND ELEVATION - BRIDGE NO. 124008 |
| B2-1 | PLAN AND ELEVATION - BRIDGE NO. 124130 |
| ~~BX1-1 THRU BX1-29~~ | ~~EXISTING PLANS - BRIDGE NO. 124130~~ |




**PREPARED FOR:**

Village of ESTERO

**PREPARED BY:**

KCA KISINGER CAMPO & ASSOCIATES

**STRUCTURE PLANS ENGINEER OF RECORD:**

SCOTT A. BETZ, P.E. NO.: 81282
KISINGER CAMPO & ASSOCIATES, CORP.
201 N. FRANKLIN STREET, SUITE 400
TAMPA, FL 33602
PHONE: (813) 871-5331
VENDOR NO: 59-1677145

**VILLAGE OF ESTERO PROJECT MANAGER:**

DAVID WILLEMS, P.E.

**GOVERNING DESIGN STANDARDS:**

Florida Department of Transportation, FY 2021-22 Standard Plans for Road and Bridge Construction and applicable Interim Revisions (IRs). Standard Plans for Road and Bridge Construction and associated IRs are available at the following wedsite: http://www.fdot.gov/design/standardplans

**GOVERNING STANDARD SPECIFICATIONS:**

Florida Department of Transportation, July 2021 Standard Specifications for Road and Bridge Construction at the following website: https://www.fdot.gov/programmanagement/Implemented/SpecBooks

SHEET NO. B-1

THE OFFICIAL RECORD OF THIS SHEET IS THE ELECTRONIC FILE DIGITALLY SIGNED AND SEALED UNDER RULE 61G15-23.004, F.A.C.

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SCOTT ALEXANDER BETZ
LICENSE
No 81282
STATE OF
FLORIDA
PROFESSIONAL ENGINEER

THIS ITEM HAS BEEN DIGITALLY SIGNED AND SEALED BY

ON THE DATE ADJACENT TO THE SEAL

PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

Kisinger Campo & Associates Corp.
201 N. Franklin Street
Suite 400
Tampa, FL 33602
Scott Alexander Betz, PE No. 81282

THE ABOVE NAMED PROFESSIONAL ENGINEER SHALL BE RESPONSIBLE FOR THE FOLLOWING SHEETS IN ACCORDANCE WITH RULE 61G15-23.004, F.A.C.

| SHEET NO. | SHEET DESCRIPTION |
|---|---|
| B-1 | KEY SHEET |
| B-2 | SIGNATURE SHEET |
| B-3 | SUMMARY OF PAY ITEMS |
| B-4 | GENERAL NOTES |
| B-5 | MISCELLANEOUS DETAILS |
| B-6 | CONCRETE RESTORATION DETAILS |
| B1-1 | PLAN AND ELEVATION - BRIDGE NO. 124008 |
| B2-1 | PLAN AND ELEVATION - BRIDGE NO. 124130 |

BRIDGE NOS. 124008 & 124130

NOTICE: THE OFFICIAL RECORD OF THIS SHEET IS THE ELECTRONIC FILE DIGITALLY SIGNED AND SEALED UNDER RULE 61G15-23.004, F.A.C.

REVISIONS

| DATE | BY | DESCRIPTION | DATE | BY | DESCRIPTION |
|---|---|---|---|---|---|
| | | | | | |

Kisinger Campo & Associates Corp.
201 N. Franklin Street
Suite 400
Tampa, FL 33602
Scott A. Betz, PE No. 81282

DRAWN BY: ARF 01-21
CHECKED BY: SAB 01-21
DESIGNED BY: ARF 01-21
CHECKED BY: SAB 01-21

VILLAGE OF ESTERO

| ROAD NO. | COUNTY | FINANCIAL PROJECT ID |
|---|---|---|
| | LEE | N/A |

SHEET TITLE: SIGNATURE SHEET

PROJECT NAME: SANDY LANE AND VIA COCONUT POINT BRIDGE REHABILITATION

REF. DWG. NO.

SHEET NO. B-2

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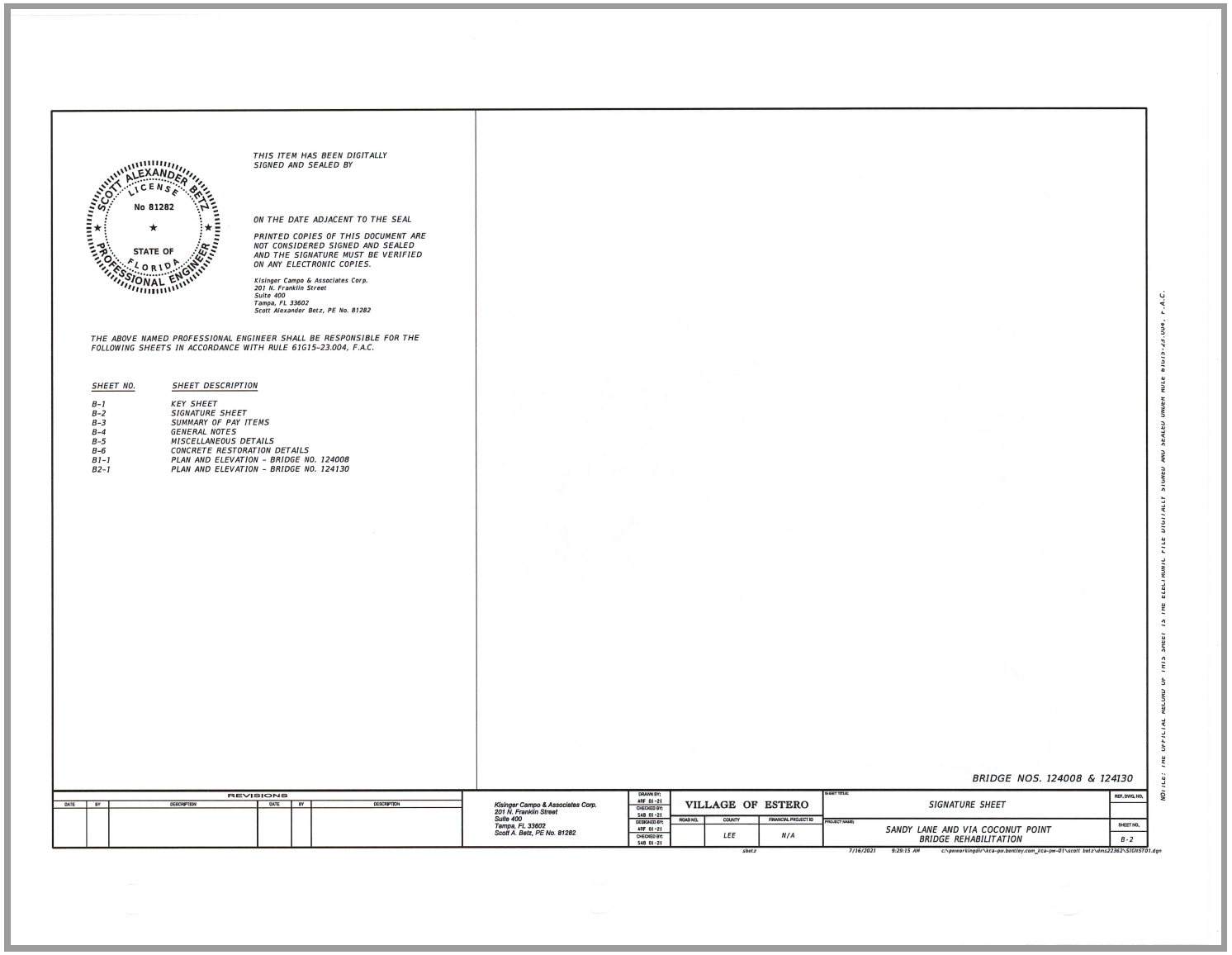

## SUMMARY OF STRUCTURE QUANTITIES - BRIDGE 124008

| SECTION | PAY ITEM NO. | PAY ITEM DESCRIPTION | LOCATION | UNIT | QUANTITY P | QUANTITY F | TOTAL P | TOTAL F | DESIGN NOTES | CONSTRUCTION REMARKS |
|---|---|---|---|---|---|---|---|---|---|---|
| LUMP SUM ITEMS | 101-1 | MOBILIZATION | | LS | 1 | | 1 | | | |
| | 102-1 | MAINTENANCE OF TRAFFIC | | LS | 1 | | 1 | | | |
| EARTHWORK | 120-5 | CHANNEL EXCAVATION | SOUTH CHANNEL | CY | 48.5 | | 82.7 | | | |
| | | | NORTH CHANNEL | | 34.2 | | | | | |
| | 121-70-2 | FLOWABLE FILL | NORTHEAST SLOPE | CY | 10.4 | | 10.5 | | | |
| | | | SOUTHWEST SLOPE | | 0.1 | | | | | |
| SPECIAL FEATURES | 104-11 | FLOATING TURBIDITY BARRIER | SOUTH CHANNEL | LF | 101 | | 195 | | | |
| | | | NORTH CHANNEL | | 94 | | | | | |
| | 110-4-10 | REMOVAL OF EXISTING CONCRETE | SOUTHEAST OUTFALL | SY | 5 | | 10 | | | |
| | | | NORTHEAST OUTFALL | | 5 | | | | | |
| | 110-1-1 | CLEARING & GRUBBING | CHANNEL | AC | 0.05 | | 0.05 | | | |
| | 327-70-6 | MILLING EXISTING ASPHALT PAVEMENT, 1 1/2" AVG. DEPTH | ASPHALT OVERLAY | SY | 304 | | 304 | | | |
| | 337-7-81 | ASPHALT CONCRETE FRICTION COURSE, TRAFFIC B, FC-12.5, PG 76-22 | ASPHALT OVERLAY | TN | 25.0 | | 25.0 | | | |
| | 524-4-2 | CLEANING AND SEALING JOINTS IN EXISTING CONCRETE SLOPE PAVEMENT | ABUTMENT 1 | LF | 34 | | 68 | | | |
| | | | ABUTMENT 2 | | 34 | | | | | |
| | 530-1 | RIPRAP, SAND-CEMENT | NORTHEAST SLOPE | CY | 0.4 | | 0.4 | | | |
| | 530-3-3 | RIPRAP- RUBBLE, BANK AND SHORE | SOUTH CHANNEL | TN | 110.4 | | 185.3 | | | |
| | | | NORTH CHANNEL | | 74.9 | | | | | |
| | 530-74 | BEDDING STONE | SOUTH CHANNEL | TN | 49.2 | | 82.5 | | | |
| | | | NORTH CHANNEL | | 33.3 | | | | | |
| | 711-11-101 | PAINTED PAVEMENT MARKINGS, STARDARD, WHITE, SOLID, 6" | ASPHALT OVERLAY | GM | 0.038 | | 0.038 | | | |
| | 711-11-201 | PAINTED PAVEMENT MARKINGS, STANDARD, YELLOW, SOLID, 6" | ASPHALT OVERLAY | GM | 0.038 | | 0.038 | | | |

## SUMMARY OF STRUCTURE QUANTITIES - BRIDGE 124130

| SECTION | PAY ITEM NO. | PAY ITEM DESCRIPTION | LOCATION | UNIT | QUANTITY P | QUANTITY F | TOTAL P | TOTAL F | DESIGN NOTES | CONSTRUCTION REMARKS |
|---|---|---|---|---|---|---|---|---|---|---|
| LUMP SUM ITEMS | 101-1 | MOBILIZATION | | LS | 1 | | 1 | | | |
| | 102-1 | MAINTENANCE OF TRAFFIC | | LS | 1 | | 1 | | | |
| CULVERT | 401-70-3 | RESTORE SPALLED AREAS, LATEX MODIFIED MORTAR-ACRYLIC | CEILINGS & WALLS | CF | 101.5 | | 101.5 | | | |
| | 411-1 | EPOXY MATERIAL FOR CRACK INJECTION-STRUCTURES REHAB | CEILINGS & WALL JOINTS | GA | 12 | | 12 | | | |
| | 411-2 | CRACKS INJECT & SEAL- STRUCTURES REHAB | CEILINGS & WALL JOINTS | LF | 167 | | 167 | | | |
| | 415-1-4 | REINFORCING STEEL - BRIDGE SUPERSTRUCTURE | CEILINGS & WALLS | LB | 609 | | 609 | | | |

PAY ITEM NOTES:

1. THE COST ASSOCIATED WITH THE REMOVAL OF DEBRIS, SILT, AND OTHER DELETRIOUS MATERIALS AT THE PROJECT SITES NECESSARY FOR THE COMPLETION OF REHABILITATION OPERATIONS SHALL BE INCLUDED IN THE CONTRACT UNIT PRICE FOR PAY ITEM 110-1-1 CLEARING AND GRUBBING.
2. THE COST ASSOCIATED WITH THE EXCAVATION AND REMOVAL OF EMBANKMENT MATERIAL NECESSARY FOR THE INSTALLATION OF BEDDING STONE AND RUBBLE RIPRAP SHALL BE INCLUDED IN THE CONTRACT UNIT PRICE FOR PAY ITEM 530-3-3 RIPRAP - RUBBLE, BANK AND SHORE.
3. THE COST ASSOCIATED WITH THE REMOVAL OF EXISTING DRAINAGE FLUME CONCRETE SHALL BE COVERED IN THE CONTRACT UNIT PRICE FOR PAY ITEM 110-4-10 REMOVAL OF EXISTING CONCRETE.
4. PAYMENT FOR INCIDENTAL ITEMS NOT SPECIFICALLY COVERED IN THE INDIVIDUAL BID ITEMS SHALL BE INCLUDED IN THE CONTRACT UNIT PRICE FOR THE ASSOCIATED BID ITEMS.

BRIDGE NOS. 124008 & 124130

REVISIONS

| DATE | BY | DESCRIPTION | DATE | BY | DESCRIPTION |
|---|---|---|---|---|---|
| | | | | | |

Kisinger Campo & Associates Corp.
201 N. Franklin Street
Suite 400
Tampa, FL 33602
Scott A. Betz, PE No. 81282

DRAWN BY: ARE 01-21
CHECKED BY: SAB 01-21
DESIGNED BY: SAB 01-21
CHECKED BY: SAB 01-21

VILLAGE OF ESTERO

| ROAD NO. | COUNTY | FINANCIAL PROJECT ID |
|---|---|---|
| | LEE | N/A |

SHEET TITLE: SUMMARY OF PAY ITEMS
REF. DWG. NO.:
PROJECT NAME: SANDY LANE AND VIA COCONUT POINT BRIDGE REHABILITATION
SHEET NO.: B-3

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NOTICE: THE OFFICIAL RECORD OF THIS SHEET IS THE ELECTRONIC FILE DIGITALLY SIGNED AND SEALED UNDER RULE 61G15-23.004, F.A.C.

**DESIGN SPECIFICATIONS:**

1. FDOT STRUCTURES MANUAL DATED JANUARY 2021 AND SUBSEQUENT STRUCTURES DESIGN BULLETINS.
2. AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS (AASHTO) LOAD AND RESISTANCE FACTOR (LRFD) BRIDGE DESIGN SPECIFICATIONS, 9TH EDITION AND ALL SUBSEQUENT INTERIMS.
3. FDOT DESIGN MANUAL DATED JANUARY 2021 AND SUBSEQUENT ROADWAY DESIGN BULLETINS.

**PRIMARY SCOPE OF WORK:**

CONCRETE RESTORATION, SCOUR REMEDIATION, VOID REPAIR, MILLING AND RESURFACING

**VERTICAL DATUM:**

ALL ELEVATIONS REFER TO NAVD 1988 UNLESS OTHERWISE NOTED AND ARE APPROXIMATE.

**DRAWINGS AND DIMENSIONS:**

1. ALL DIMENSION SHOWN ARE BASED ON FIELD MEASUREMENTS AND DO NOT INCLUDE FIELD SURVEY. SCALES SHOWN ARE FOR INFORMATIONAL PURPOSES ONLY AND DO NOT NECESSARILY REPRESENT SURVEY ELEVATIONS.
2. ALL DIMENSIONS ARE IN FEET AND INCHES.
3. CONTRACTOR SHALL VERIFY ALL DIMENSION IN THE FIELD PRIOR TO ORDERING MATERIALS OR BEGINNING WORK. NOTIFY THE ENGINEER OF SIGNIFICANT CHANGES.
4. DO NOT SCALE DRAWING FOR DIMENSIONS NOT GIVEN.

**ENVIRONMENT:**

SUPERSTRUCTURE: SLIGHTLY AGGRESSIVE
SUBSTRUCTURE: MODERATELY AGGRESSIVE

**POLLUTION CONTROL:**

1. SUBMIT A POLLUTION CONTROL PLAN TO THE ENGINEER, IN ACCORDANCE WITH THE FDOT SPECIFICATIONS, FOR APPROVAL PRIOR TO COMMENCING ANY CONSTRUCTION ACTIVITIES.
2. DO NOT ALLOW, AT ANY TIME, ANY DISCHARGE OR MATERIALS TO FALL INTO THE WATERWAY.
3. SUBMIT TO THE ENGINEER AN EROSION CONTROL PLAN (ECP) AS REQUIRED IN THE FDOT SPECIFICATIONS. INCLUDE THE AREA REQUIRED FOR STAGING OF EQUIPMENT AND MATERIAL FOR APPROVAL BY THE ENGINEER IN THIS ECP.
4. NO OFFSITE IMPACTS SHALL BE PERMITTED.

**EXISTING PLANS:**

1. EXISTING PLANS ARE FOR INFORMATIONAL PURPOSES ONLY.
2. VISIT THE SITE PRIOR TO BID TO BECOME FULLY AWARE OF EXISTING FIELD CONDITIONS.

**SITE CONDITIONS:**

DO NOT DISTURB HABITAT BEYOND THE LIMITS OF CONSTRUCTION.

**UTILITIES:**

1. THE LOCATIONS OF UTILITIES ARE BASED ON FIELD OBSERVATIONS AND ARE APPROXIMATE. LOCATE ALL UTILITIES PRIOR TO COMMENCING CONSTRUCTION OPERATIONS. IF ANY EXISTING UTILITIES CONFLICT WITH PROPOSED CONSTRUCTION METHODS, MATERIALS, OR EQUIPMENT, NOTIFY THE ENGINEER. AVOID ANY DAMAGE TO EXISTING UTILITIES.
2. UTILITY/AGENCY OWNERS:

| COMPANY: | PHONE NUMBER: | EMAIL: |
|---|---|---|
| BONITA SPRINGS UTILITIES, INC. | 239-872-6228 | ENGINEERING@BSU.US |
| CENTURYLINK | 850-559-1444 | WILLIAM.MCCLOUD@CENTURYLINK.COM |
| COMCAST | 561-227-3417 | |
| FLORIDA POWER & LIGHT - LEE | 239-353-6047 | MICHAEL.MARTINEZ@FPL.COM |
| SUMMIT BROADBAND INC. | 239-821-2670 | MREBER@SUMMIT-BROADBAND.COM |
| LEE COUNTY SIGNAL DEPT. | 239-707-4870 | JFENCIL@LEEGOV.COM |
| LEE COUNTY BOCC - FIBER | 239-533-7373 | ABOISSIERE@LEEGOV.COM |
| LEE COUNTY UTILITIES | 239-533-8150 | WHULL@LEEGOV.COM |
| CROWN CASTLE NG | 888-632-0931 | FIBER.DIG@CROWNCASTLE.COM |
| TECO PEOPLES GAS - FT MYERS | 813-275-3783 | JDOMNING@TECOENERGY.COM |

**SURROUNDING VEGETATION:**

1. USE CARE AND MINIMIZE DISTURBANCE TO SURROUNDING VEGETATION. DO NOT PLACE ANY TEMPORARY OR PERMANENT FILL IN THE CANAL/ SURFACE WATER DURING THE DESILTING AND SHOTCRETE RESTORATION ACTIVITIES. DO NOT IMPACT ANY VEGETATION THAT IS CONSIDERED JURISDICTIONAL FROM A SURFACE WATER STANDPOINT.
2. RE-SOD ANY AREAS DISTURBED BY THE CONSTRUCTION OPERATIONS, AT NO ADDITIONAL COMPENSATION TO THE DEPARTMENT, TO THE ENGINEER'S SATISFACTION PRIOR TO PROJECTS ACCEPTANCE.

**TEMPORARY TRAFFIC CONTROL:**

1. SUBMIT TO THE ENGINEER FOR REVIEW AT TEMPORARY TRAFFIC CONTROL PLAN, SIGNED AND SEALED BY A STATE OF FLORIDA REGISTERED PROFESSIONAL ENGINEER.
2. MULTI-LANE CLOSURES ARE PROHIBITTED.
3. COORDINATE LANE CLOSURES WITH VILLAGE OF ESTERO PUBLIC WORKS.

**EXCAVATIONS:**

SOIL EXCAVATIONS REQUIRED FOR SLOPE PROTECTION INSTALLATION ADJACENT TO EXISTING BRIDGE COMPONENTS SHALL BE CONDUCTED BY HAND. USE OF MECHANICAL EXCAVATION EQUIPMENT WITHIN 1FT. OF EXISTING COMPONENTS IS PROHIBITTED.

**EXISTING STRUCTURES:**

CONTRACTOR IS RESPONSIBLE FOR THE STABILITY OF THE STRUCTURES DURING ALL REHABILITATION OPERATIONS.

**CULVERT REPAIRS:**

CRACK REPAIR TO BE CONDUCTED IN ACCORDANCE WITH TECHNICAL SPECIAL PROVISION T401. CRACKS ABOVE 2IN. OF THE WATERLINE SHALL BE REPAIRED USING EPOXY INJECTION METHODS IN ACCORDANCE WITH SECTION 411 OF THE FDOT STANDARD SPECIFICATIONS. ALL OTHER CRACKS, INCLUDING THOSE BELOW THE WATERLINE, SHALL BE REPAIRED IN ACCORDANCE WITH T401, SUBMERGED CRACK REPAIR.

**NORTH FLOW WAY EXISTING CONDITIONS:**

CONTRACTOR SHALL BE AWARE OF THE PRESENCE OF RUBBLE RIPRAP WITHIN NORTH FLOW WAY. CONTRACTOR SHALL REPLACE ANY DISTURBED RUBBLE RIPRAP RESULTING FROM PROPOSED DEWATERING EFFORTS.

**EQUIPMENT:**

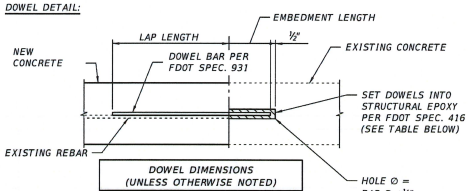
1. THE CONTRACTOR IS TO PROVIDE TURBIDITY CONTROL PRIOR TO BEGINNING ANY WORK, INCLUDING DESILTING IN ACCORDANCE WITH THE EROSION & SEDIMENT CONTROL MANUAL.
2. THE CONTRACTOR'S EQUIPMENT ON VILLAGE RIGHT-OF-WAY SHALL CLEARLY AND LEGIBLY IDENTIFY THE CONTRACTOR.

**ALTERNATE CONSTRUCTION PHASING (CULVERTS):**

CULVERT REPAIRS INCLUDED WITHIN THIS PLAN SET ARE INTENDED TO BE COMPLETED DURING LOW WATER CONDITIONS. IF DEWATERING IS TO BE COMPLETED, SUBMIT TO THE DEPARTMENT A DEWATERING PLAN FOR APPROVAL AT LEAST TWO (2) WEEKS PRIOR TO BEGINNING ANY WORK. AT A MINIMUM, DEWATERING PLANS SHALL:

A. BE SIGNED AND SEALED BY A SPECIALTY ENGINEER CURRENTLY REGISTERED IN THE STATE OF FLORIDA.
B. PROVIDE DETAILS ON THE TYPE AND SIZE OF ANY PIPING, PUMPS, OR ANY EQUIPMENT PROPOSED TO BE USED.
C. STATE CLEARLY THE ANTICIPATED LEVEL OF UPSTREAM STAGING AND ITS AFFECT ON THE DRAINAGE BASIN DUE TO THE ALTERNATE PHASING PLAN.
D. CONTAIN A SKETCH SHOWING PROPOSED SETUP AND A NARRATIVE DESCRIBING THE PLAN.
E. CONTAIN CRITERIA TO REMOVE OR MODIFY THE SETUP IN CASE OF INCREASED WATER FLOW OR EXTREME WEATHER CONDITIONS.

**DOWEL DETAIL:**




DOWEL DIMENSIONS (UNLESS OTHERWISE NOTED)

| DOWEL SIZE | EMBEDMENT LENGTH | MIN LAP LENGTH |
|---|---|---|
| 4 | 8" | 1'-9" |
| 5 | 9" | 2'-2" |
| 6 | 11" | 2'-7" |
| 8 | 1'-4" | 4'-0" |

1. ANY REQUIRED DOWEL HOLES FOR SECURING NEW OR EXISTING REINFORCING STEEL SHALL BE DRILLED INTO EXISTING CONCRETE ACCORDING TO THE DETAIL AND FDOT SPECIFICATIONS SECTION 931.
2. NOTIFY THE ENGINEER OF ANY BROKEN BARS EXTENDING FROM EXISTING CONCRETE WHICH ARE DETERMINED TO HAVE A DIAMETER LOSS OF 25% OR GREATER BY THE ENGINEER. THESE LOCATIONS SHALL RECEIVE DOWELS.
3. THIS DETAIL ONLY APPLIES TO CARBON STEEL.

**ENDANGERED SPECIES:**

1. CONTRACTOR SHALL COMPLY WITH ALL PERMIT CONDITIONS, THE FEDERAL ENDANGERED SPECIES ACT, AND STATE WILDLIFE REGULATIONS.
2. THE PROJECT AREA AT ESTERO RIVER CONTAINS SUITABLE HABITAT FOR THE EASTERN INDIGO SNAKE. CONTRACTOR SHALL ADHERE TO USFWS STANDARD PROTECTION MEASURES FOR THE EASTERN INDIGO SNAKE (2013).
3. THE PROJECT AREA AT ESTERO RIVER MAY CONTAIN SUITABLE HABITAT FOR THE WEST INDIAN MANATEE. CONTRACTOR SHALL ADHERE TO STANDARD MANATEE CONDITIONS FOR IN-WATER WORK (FWC 2011).
4. CONTRACTOR SHALL ADHERE TO FDOT STANDARD SPECIFICATIONS, INCLUDING SECTION 7-1.4, WHICH ADDRESSES WILDLIFE INVOLVEMENT DURING CONSTRUCTION AND DEFINES WHAT ACTIONS THE CONTRACTOR MUST TAKE IN THE EVENT OF UNANTICIPATED INTERACTIONS WITH PROTECTED SPECIES.

BRIDGE NOS. 124008 & 124130

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REVISIONS

| DATE | BY | DESCRIPTION | DATE | BY | DESCRIPTION |
|---|---|---|---|---|---|
| | | | | | |

Kisinger Campo & Associates Corp.
201 N. Franklin Street
Suite 400
Tampa, FL 33602
Scott A. Betz, PE No. 81282

DRAWN BY: ARF 01-21
CHECKED BY: SAB 01-21
DESIGNED BY: SAB 01-21
CHECKED BY: SAB 01-21

VILLAGE OF ESTERO

| ROAD NO. | COUNTY | FINANCIAL PROJECT ID |
|---|---|---|
| | LEE | N/A |

SHEET TITLE: GENERAL NOTES
REF. DWG. NO.:
PROJECT NAME: SANDY LANE AND VIA COCONUT POINT BRIDGE REHABILITATION
SHEET NO.: B-4

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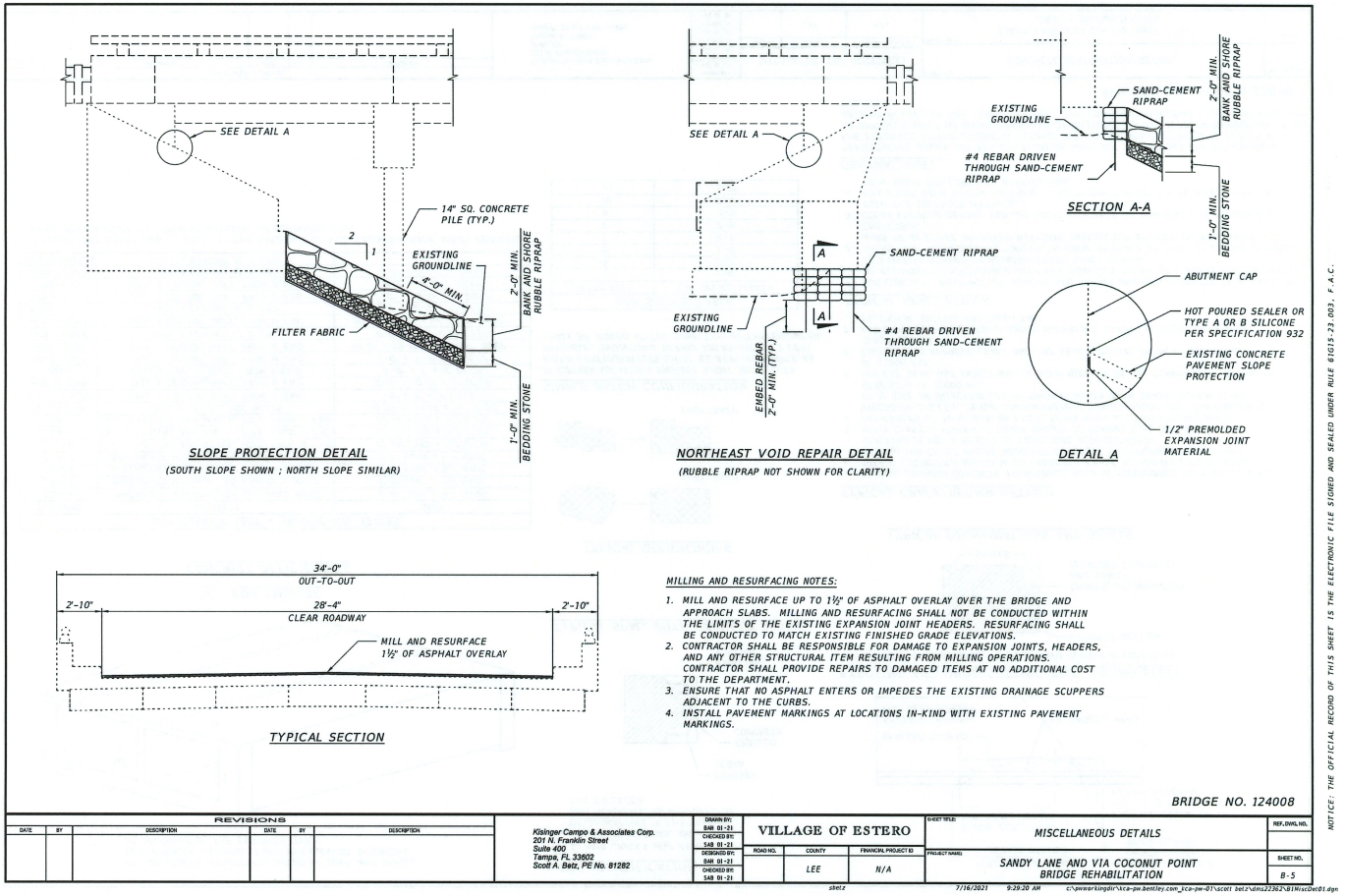


MILLING AND RESURFACING NOTES:

1. MILL AND RESURFACE UP TO 1½" OF ASPHALT OVERLAY OVER THE BRIDGE AND APPROACH SLABS. MILLING AND RESURFACING SHALL NOT BE CONDUCTED WITHIN THE LIMITS OF THE EXISTING EXPANSION JOINT HEADERS. RESURFACING SHALL BE CONDUCTED TO MATCH EXISTING FINISHED GRADE ELEVATIONS.
2. CONTRACTOR SHALL BE RESPONSIBLE FOR DAMAGE TO EXPANSION JOINTS, HEADERS, AND ANY OTHER STRUCTURAL ITEM RESULTING FROM MILLING OPERATIONS. CONTRACTOR SHALL PROVIDE REPAIRS TO DAMAGED ITEMS AT NO ADDITIONAL COST TO THE DEPARTMENT.
3. ENSURE THAT NO ASPHALT ENTERS OR IMPEDES THE EXISTING DRAINAGE SCUPPERS ADJACENT TO THE CURBS.
4. INSTALL PAVEMENT MARKINGS AT LOCATIONS IN-KIND WITH EXISTING PAVEMENT MARKINGS.

BRIDGE NO. 124008

REVISIONS

| DATE | BY | DESCRIPTION | DATE | BY | DESCRIPTION |
|---|---|---|---|---|---|
| | | | | | |

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201 N. Franklin Street
Suite 400
Tampa, FL 33602
Scott A. Betz, PE No. 81282

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DESIGNED BY: BAR 01-21
CHECKED BY: SAB 01-21

VILLAGE OF ESTERO

| ROAD NO. | COUNTY | FINANCIAL PROJECT ID |
|---|---|---|
| | LEE | N/A |

SHEET TITLE: MISCELLANEOUS DETAILS
REF. DWG. NO.:
PROJECT NAME: SANDY LANE AND VIA COCONUT POINT BRIDGE REHABILITATION
SHEET NO.: B-5

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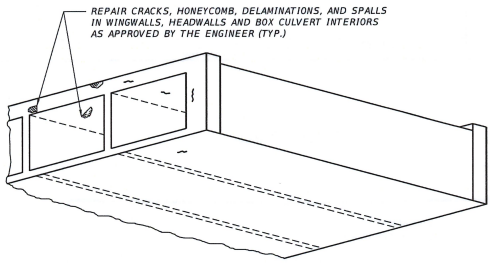



① BOX CULVERT

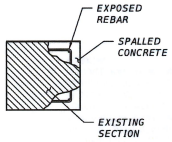
CONCRETE DEFICIENCIES

| DEFICIENCY LIST - BRIDGE NO. 124130 | | |
|---|---|---|
| DEFICIENCY | LOCATION | SIZE |
| CRACK | NORTHWEST WINGWALL TO SIDEWALL JOINT | 8'-0" LONG x 1/32" WIDE |
| CRACK | NORTHEAST WINGWALL TO SIDEWALL JOINT | 8'-0" LONG x 1/32" WIDE |
| CRACK | SOUTHWEST WINGWALL TO SIDEWALL JOINT | 8'-0" LONG x 1/32" WIDE |
| CRACK | SOUTHEAST WINGWALL TO SIDEWALL JOINT | 4'-0" LONG x 1/16" WIDE |
| CRACK | CELL 1 CEILING AND WALLS, 30FT. FROM W END | 22'-0" LONG x 1/32" WIDE |
| CRACK | CELL 2 CEILING AND WALLS, 30FT. FROM W END | 22'-0" LONG x 1/32" WIDE |
| CRACK | CELL 3 CEILING AND WALLS, 30FT. FROM E END | 22'-0" LONG x 1/32" WIDE |
| (4) CRACKS | CELL 4 CEILING AND WALLS | (4) 22'-0" LONG x 1/32" WIDE |
| SPALL / VOID | CELL 1 CEILING, 83FT. FROM E END | 5" x 2" x 3" DEEP |
| HONEYCOMB | CELL 1 CEILING, 68FT. FROM E END | 3'-0" x 10'-0" x 2" DEEP |
| VOID | CELL 1 WALL 2, 65FT. FROM E END | 1'-8" x 4" x 6" DEEP |
| HONEYCOMB | CELL 2 CEILING, 38FT. FROM W END | 1'-0" x 3'-0" x 3" DEEP |
| HONEYCOMB | CELL 2 CEILING, 48FT. FROM W END | 30'-0" x 10'-0" x UP TO 4" DEEP * |
| HONEYCOMB | CELL 3 CEILING AT W END | 4'-0" x 3'-0" x 1/2" DEEP |
| HONEYCOMB | CELL 3 CEILING, 50FT. FROM W END | 30'-0" x 3'-0" x UP TO 4" DEEP * |
| HONEYCOMB | CELL 3 CEILING AT E END | 1'-6" x 2'-0" x 1" DEEP |
| HONEYCOMB | CELL 4 CEILING, 70FT. FROM E END | 2'-0" x 10'-0" x 2" DEEP |
| HONEYCOMB | CELL 4 CEILING, 35FT. FROM E END | 1'-3" x 2" x 5" DEEP |
| HONEYCOMB | CELL 4 CEILING AT E END | 1'-0" x 2" x 1 1/2" DEEP |
| DELAMINATION | CELL 4 CEILING AT E END | 10" x 3" |

* INTERMITTENT HONEYCOMB IN AREA. IN THE PRESENCE OF THE ENGINEER, MARK AREAS REQUIRING SPALL REPAIR PRIOR TO ORDERING MATERIAL OR BEGINNING WORK.

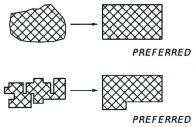
## WORK IDENTIFICATION

① REPAIR CRACKS ≥1/32" WIDE, SPALLS, HONEYCOMB, AND DELAMINATIONS IN THE CULVERT AND HEADWALL, AS APPROVED BY THE ENGINEER.




TYPICAL SPALL WITH EXPOSED REBARS

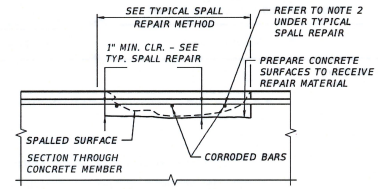
TYPICAL DEFICIENCIES




## SIMPLE PATCH CONFIGURATION

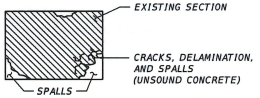
AT CORNER LOCATIONS PROVIDE RIGHT ANGLE CUTS. PATCH CONFIGURATIONS SHALL BE KEPT AS SIMPLE AS POSSIBLE. INDIVIDUAL REPAIR AREAS WITHIN 2 FEET SHALL BE JOINED AT THE DIRECTION OF THE ENGINEER.

| LAP SPLICE TABLE | |
|---|---|
| REBAR SIZE | LAP SPLICE LENGTH |
| 4 | 1'-0" |
| 5 | 1'-3" |
| 6 | 1'-6" |
| 7 | 2'-1" |
| 8 | 2'-9" |
| 9 | 3'-5" |
| 10 | 4'-4" |
| 11 | 5'-4" |




## EXPOSING AND UNDERCUTTING REINFORCING STEEL

APPLICABLE TO HORIZONTAL, VERTICAL, AND OVERHEAD LOCATIONS




TYPICAL DELAMINATIONS AND SPALLS

## TYPICAL CRACK REPAIR METHOD

1. REMOVE UNSOUND CONCRETE FROM CRACK AREA IN ACCORDANCE WITH SECTION 411.
2. OBTAIN ENGINEER'S APPROVAL TO CARRY OUT CRACK REPAIR (IN LIEU OF SPALL REPAIR) FOR CASES WHERE ADJACENT CONCRETE IS OTHERWISE SOUND AND CRACKING IS NOT A RESULT OF CORRODING REINFORCEMENT.
3. APPLY CLASS II FINISH AT CRACK REPAIR TO REMOVE FINS OR KNOBS.
4. FOR CRACKS UP TO 1/8" USE AN EPOXY RESIN WITH MINIMUM PROPERTIES OF: VISCOSITY 325 CPS, 28 DAY COMPRESSIVE STRENGTH 13000 PSI. FOR CRACKS 1/8" TO 1/2", USE AN INJECTION GEL OR NON-SAG PASTE WITH 28-DAY COMPRESSIVE STRENGTH OF 10000 PSI.
5. FOR CAP SEAL, USE INJECTION GEL WITH MINIMUM 28-DAY COMPRESSIVE STRENGTH OF 12000 PSI.
6. ENGINEER TO APPROVE CRACK AND CAP SEAL MATERIAL PRIOR TO BEGINNING CONSTRUCTION.
7. FOR CRACKS AT OR BELOW 2" ABOVE WATERLINE, REPAIR IN ACCORDANCE WITH TECHNICAL SPECIAL PROVISION T401.

## TYPICAL SPALL REPAIR

1. FOR CONCRETE RESTORATION, REMOVE AND REPAIR UNSOUND CONCRETE FROM AREAS TO BE REPAIRED IN ACCORDANCE WITH THE CONTRACT DOCUMENTS. AREAS WELL ADHERED TO EXISTING STRAND OR REINFORCEMENT SHALL REMAIN.
2. SECURE ANY REINFORCEMENT WHICH IS LOOSE IN PLACE BY TYING TO OTHER SECURED BARS OR BY OTHER APPROVED METHODS. INSTALL LAP SPLICES IN ACCORDANCE WITH THE TABLE.
3. CLEAN EXPOSED REBARS AND ANY LOOSE CONCRETE OR ABRASIVES IN ACCORDANCE WITH THE CONTRACT DOCUMENTS.
4. FILL VOIDS WITH REPAIR MATERIAL IN ACCORDANCE WITH THE TECHNICAL SPECIAL PROVISIONS FOR CONCRETE RESTORATION.

## GENERAL NOTE:

DEFICIENCIES SHOWN ARE FOR ILLUSTRATION ONLY, ANY DIMENSIONS ARE APPROXIMATE. IN THE PRESENCE OF THE ENGINEER, CLEARLY OUTLINE ALL AREAS IN NEED OF REPAIR WITH AN APPROVED PAINT OR MARKER PRIOR TO DEMOLITION. DO NOT PERFORM DEMOLITION OF ANY AREA OR MEMBER OF THE STRUCTURE UNTIL THE CONTRACTOR RECEIVES APPROVAL FROM THE ENGINEER.

BRIDGE NOS. 124008 & 124130

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REVISIONS

| DATE | BY | DESCRIPTION | DATE | BY | DESCRIPTION |
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| | | | | | |

Kisinger Campo & Associates Corp.
201 N. Franklin Street
Suite 400
Tampa, FL 33602
Scott A. Belz, PE No. 81282

DRAWN BY: ARF 01-21
CHECKED BY: SAB 01-21
DESIGNED BY: SAB 01-21
CHECKED BY: SAB 01-21

VILLAGE OF ESTERO

| ROAD NO. | COUNTY | FINANCIAL PROJECT ID |
|---|---|---|
| | LEE | N/A |

SHEET TITLE: CONCRETE RESTORATION DETAILS
REF. DWG. NO.
PROJECT NAME: SANDY LANE AND VIA COCONUT POINT BRIDGE REHABILITATION
SHEET NO. 8-6

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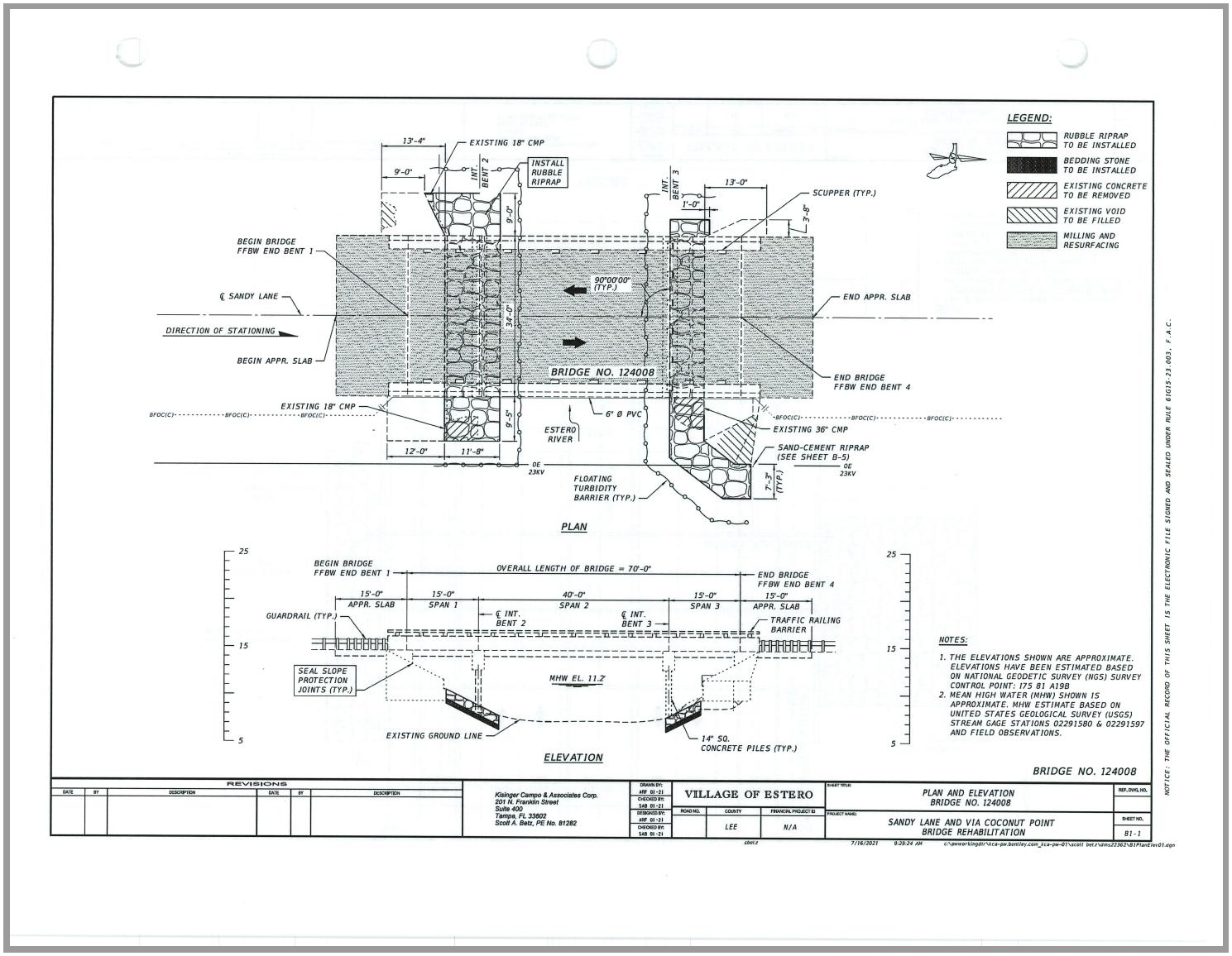
LEGEND:
RUBBLE RIPRAP TO BE INSTALLED
BEDDING STONE TO BE INSTALLED
EXISTING CONCRETE TO BE REMOVED
EXISTING VOID TO BE FILLED
MILLING AND RESURFACING
13'-4"
EXISTING 18" CMP
9'-0"
INT. BENT 2
INSTALL RUBBLE RIPRAP
INT. BENT 3
13'-0"
1'-0"
SCUPPER (TYP.)
3'-8"
9'-0"
BEGIN BRIDGE FFBW END BENT 1
℄ SANDY LANE
DIRECTION OF STATIONING
BEGIN APPR. SLAB
90°00'00" (TYP.)
34'-0"
BRIDGE NO. 124008
END APPR. SLAB
END BRIDGE FFBW END BENT 4
EXISTING 18" CMP
BFOC(C)
9'-5"
6" Ø PVC
ESTERO RIVER
EXISTING 36" CMP
SAND-CEMENT RIPRAP (SEE SHEET B-5)
12'-0"
11'-8"
0E 23KV
FLOATING TURBIDITY BARRIER (TYP.)
7'-3" (TYP.)
PLAN
25
15
5
BEGIN BRIDGE FFBW END BENT 1
OVERALL LENGTH OF BRIDGE = 70'-0"
END BRIDGE FFBW END BENT 4
15'-0" APPR. SLAB
15'-0" SPAN 1
40'-0" SPAN 2
15'-0" SPAN 3
15'-0" APPR. SLAB
GUARDRAIL (TYP.)
℄ INT. BENT 2
℄ INT. BENT 3
TRAFFIC RAILING BARRIER
SEAL SLOPE PROTECTION JOINTS (TYP.)
MHW EL. 11.2'
EXISTING GROUND LINE
14" SQ. CONCRETE PILES (TYP.)
ELEVATION
NOTES:
1. THE ELEVATIONS SHOWN ARE APPROXIMATE. ELEVATIONS HAVE BEEN ESTIMATED BASED ON NATIONAL GEODETIC SURVEY (NGS) SURVEY CONTROL POINT: 175 81 A19B
2. MEAN HIGH WATER (MHW) SHOWN IS APPROXIMATE. MHW ESTIMATE BASED ON UNITED STATES GEOLOGICAL SURVEY (USGS) STREAM GAGE STATIONS 02291580 & 02291597 AND FIELD OBSERVATIONS.
BRIDGE NO. 124008
REVISIONS
DATE
BY
DESCRIPTION
Kisinger Campo & Associates Corp.
201 N. Franklin Street
Suite 400
Tampa, FL 33602
Scott A. Betz, PE No. 81282
DRAWN BY: ARF 01-21
CHECKED BY: SAB 01-21
DESIGNED BY: ARF 01-21
CHECKED BY: SAB 01-21
VILLAGE OF ESTERO
ROAD NO.
COUNTY
LEE
FINANCIAL PROJECT ID
N/A
SHEET TITLE:
PLAN AND ELEVATION
BRIDGE NO. 124008
PROJECT NAME:
SANDY LANE AND VIA COCONUT POINT
BRIDGE REHABILITATION
REF. DWG. NO.
SHEET NO.
B1-1
7/16/2021
9:29:24 AM
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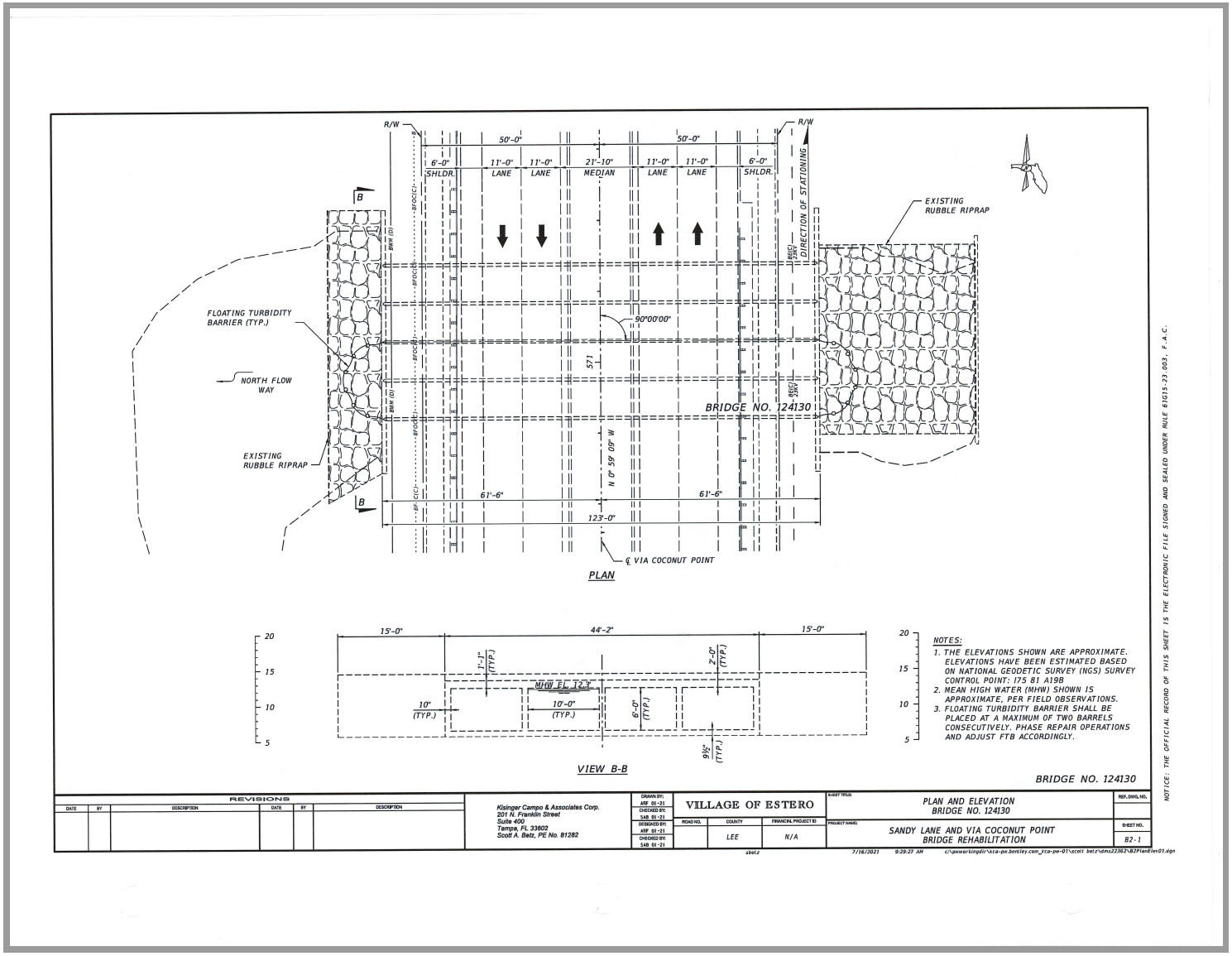
R/W
50'-0"
50'-0"
6'-0" SHLDR.
11'-0" LANE
11'-0" LANE
21'-10" MEDIAN
11'-0" LANE
11'-0" LANE
6'-0" SHLDR.
DIRECTION OF STATIONING
EXISTING RUBBLE RIPRAP
FLOATING TURBIDITY BARRIER (TYP.)
NORTH FLOW WAY
90°00'00"
571
N 0° 59' 09" W
BRIDGE NO. 124130
61'-6"
61'-6"
123'-0"
℄ VIA COCONUT POINT
PLAN
15'-0"
44'-2"
15'-0"
MHW EL. 1.23
10" (TYP.)
10'-0" (TYP.)
6'-0" (TYP.)
1'-1" (TYP.)
2'-0" (TYP.)
9½" (TYP.)
VIEW B-B
NOTES:
1. THE ELEVATIONS SHOWN ARE APPROXIMATE. ELEVATIONS HAVE BEEN ESTIMATED BASED ON NATIONAL GEODETIC SURVEY (NGS) SURVEY CONTROL POINT: I75 81 A19B
2. MEAN HIGH WATER (MHW) SHOWN IS APPROXIMATE, PER FIELD OBSERVATIONS.
3. FLOATING TURBIDITY BARRIER SHALL BE PLACED AT A MAXIMUM OF TWO BARRELS CONSECUTIVELY. PHASE REPAIR OPERATIONS AND ADJUST FTB ACCORDINGLY.
BRIDGE NO. 124130
REVISIONS
Kisinger Campo & Associates Corp.
201 N. Franklin Street
Suite 400
Tampa, FL 33602
Scott A. Betz, PE No. 81282
VILLAGE OF ESTERO
LEE
N/A
PLAN AND ELEVATION
BRIDGE NO. 124130
SANDY LANE AND VIA COCONUT POINT
BRIDGE REHABILITATION
B2-1
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later placed on the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or has been engaged in business operations with Cuba or Syria, the Village may terminate any associated contracts with the entity.

Notwithstanding any other contract language to the contrary, the entity executing this Certification expressly assents to the termination provisions included herein as binding upon any contracts between it and the Village.

By the signature(s) below, I, the undersigned, as authorized signatory to commit the certifying entity, attest that the information as provided in this form is truthful and correct at the time of submission.

AFFIANT

Kevin C. Shimp
Typed Name of AFFIANT

President
Title

STATE OF FLORIDA COUNTY OF LEE

The foregoing instrument was executed before me this 30th day of November, 2021, by Kevin C. Shimp as President of Thomas Marine Construction, Inc., who personally swore or affirmed that he/she is authorized to execute this document and thereby bind the Corporation, and who is personally known to me OR has produced _____ as identification.

LINDA SOLICH
Commission # GG 272882
Expires February 5, 2023
Bonded Thru Troy Fain Insurance 800-385-7019

(stamp)

NOTARY PUBLIC, State of Florida

Bid No.: RFB 2021-04

VILLAGE OF ESTERO - BIDDERS CHECK LIST

**IMPORTANT:** Please read carefully and return with your response package. Please check off each of the following items as the necessary action is completed:

✓ 1. The Solicitation has been signed and with corporate seal (if applicable).

✓ 2. The Solicitation prices offered have been reviewed (if applicable).

✓ 3. The price extensions and totals have been checked (if applicable).

N/A 4. Substantial and final completion days inserted (if applicable).

✓ 5. The original (must be manually signed) and 1 hard copy original and others as specified of the Solicitation has been submitted.

N/A 6. Two (2) identical sets of descriptive literature, brochures and/or data (if required) have been submitted under separate cover.

✓ 7. All modifications have been acknowledged in the space provided.

✓ N/A 8. All addendums issued, if any, have been acknowledged in the space provided.

✓ 9. Licenses (if applicable) have been inserted.

✓ 10. Erasures or other changes made to the Solicitation document have been initialed by the person signing the Solicitation.

✓ 12. The following Forms completed/signed/notarized as required: Vendor Disclosure Form, Affidavit Certification Immigration Laws, Insurance Certificate, Public Entity Crime Form, Trench Safety Form, Bid Bond and/or Certified Check, Scrutinized Companies Certification.

✓ 13. Any Delivery information required is included.

N/A 14. The mailing envelope has been addressed to:
Emailed Village of Estero
9401 Corkscrew Palms Circle #101
Estero, FL 33928

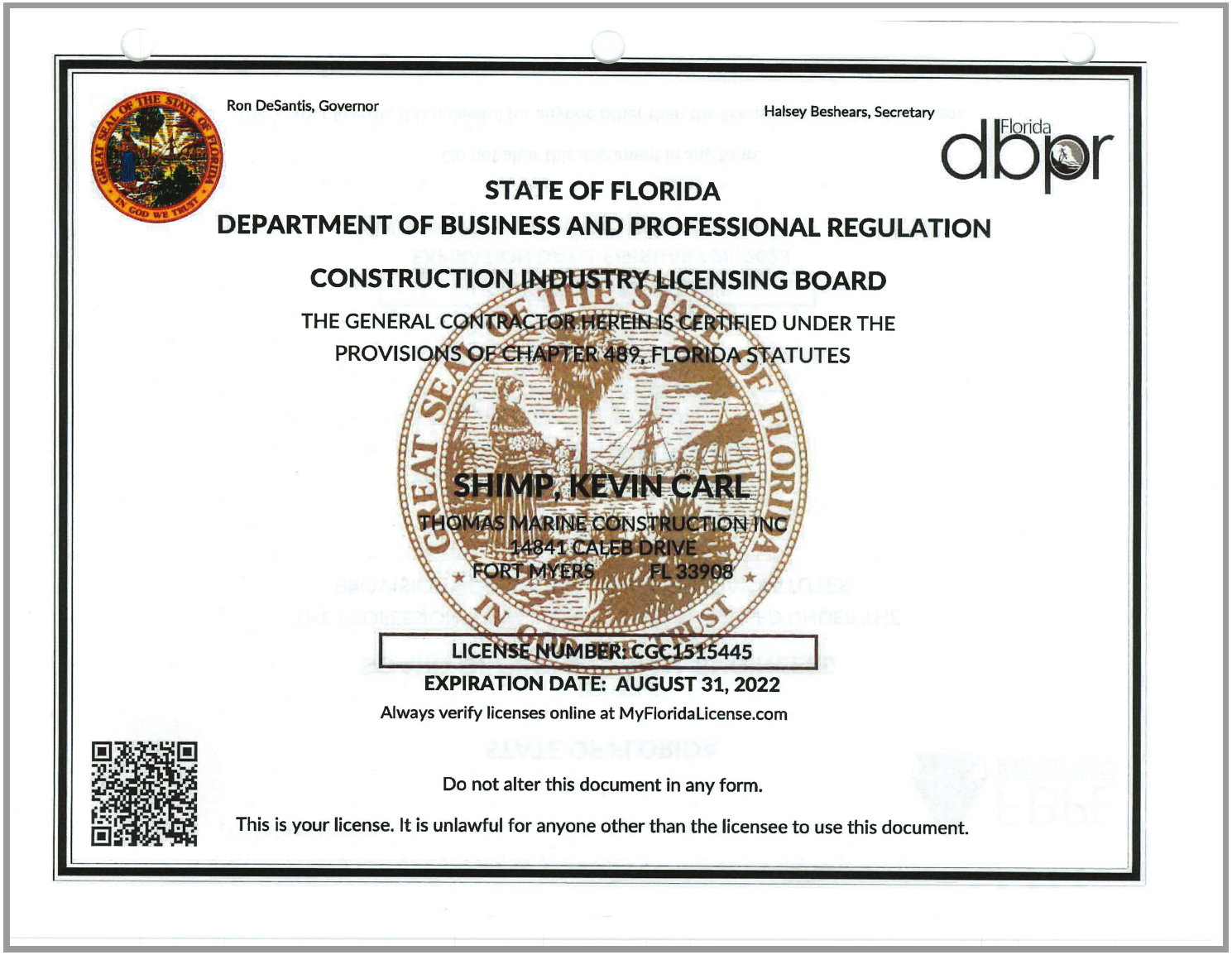
N/A 15. The mailing envelope **MUST** be sealed and marked with:
Emailed Solicitation Number
Opening Date and/or Receiving Date

Emailed 16. The Solicitation will be mailed or delivered in time to be received no later than the specified opening date and time. (Otherwise Solicitation cannot be considered or accepted.)

_____ 17. If submitting a "NO BID" please write Solicitation number here _____
and check one of the following:
_____ Do not offer this product _____ Insufficient time to respond.
_____ Unable to meet specifications (why)
_____ Unable to meet bond or insurance requirement.
Other: _____

Company Name and Address:
_____
_____

Page 41 of 42



Ron DeSantis, Governor

Halsey Beshears, Secretary

Florida dbpr

# STATE OF FLORIDA
# DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

## CONSTRUCTION INDUSTRY LICENSING BOARD

THE GENERAL CONTRACTOR HEREIN IS CERTIFIED UNDER THE
PROVISIONS OF CHAPTER 489, FLORIDA STATUTES

**SHIMP, KEVIN CARL**

THOMAS MARINE CONSTRUCTION INC
14841 CALEB DRIVE
FORT MYERS FL 33908

**LICENSE NUMBER: CGC1515445**

**EXPIRATION DATE: AUGUST 31, 2022**

Always verify licenses online at MyFloridaLicense.com

Do not alter this document in any form.

This is your license. It is unlawful for anyone other than the licensee to use this document.

Ron DeSantis, Governor

FBPE
FLORIDA BOARD OF PROFESSIONAL ENGINEERS

# STATE OF FLORIDA

## BOARD OF PROFESSIONAL ENGINEERS

THE PROFESSIONAL ENGINEER HEREIN IS LICENSED UNDER THE PROVISIONS OF CHAPTER 471, FLORIDA STATUTES

**SHIMP, KEVIN CARL**

14841 CALEB DRIVE
FORT MYERS FL 33908

**LICENSE NUMBER: PE57594**

**EXPIRATION DATE: FEBRUARY 28, 2023**

Always verify licenses online at MyFloridaLicense.com

Do not alter this document in any form.

This is your license. It is unlawful for anyone other than the licensee to use this document.

# State of Florida
## Department of State

I certify from the records of this office that THOMAS MARINE CONSTRUCTION, INC. is a corporation organized under the laws of the State of Florida, filed on February 25, 1982.

The document number of this corporation is F68794.

I further certify that said corporation has paid all fees due this office through December 31, 2021, that its most recent annual report/uniform business report was filed on January 9, 2021, and that its status is active.

I further certify that said corporation has not filed Articles of Dissolution.

*Given under my hand and the Great Seal of the State of Florida at Tallahassee, the Capital, this the Ninth day of January, 2021*

GREAT SEAL OF THE STATE OF FLORIDA · IN GOD WE TRUST ·

Secretary of State

**Tracking Number: 7563571367CC**

**To authenticate this certificate,visit the following site,enter this number, and then follow the instructions displayed.**

**https://services.sunbiz.org/Filings/CertificateOfStatus/CertificateAuthentication**

# FLORIDA DEPARTMENT OF Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, FL 32399

**Ron DeSantis**
Governor

**Jeanette Nuñez**
Lt. Governor

**Noah Valenstein**
Secretary

January 15, 2021

**Kevin C. Shimp**
**Thomas Marine Construction, Inc.**
8999 High Cotton Lane
Ft. Myers, FL 33905
Email: Lsolich@TMCFLA.com
RE: Pre-Qualification Package

Hello:

The pre-qualification as of January 15, 2021 for **Thomas Marine Construction, Inc.** is hereby acknowledged. This pre-qualification approves your firm to bid on the Florida Department of Environmental Protection's Bureau of Design and Construction projects requiring your State licenses until August 31, 2022.

Please feel free to contact me at (850) 245-2781 with any questions or concerns you may have.

Sincerely,

Alyssa Skehan

Digitally signed by Alyssa Skehan
Date: 2021.01.15 16:25:09 -05'00'

Alyssa Skehan, FCCM
Government Operations Consultant II
Bureau of Design and Construction
Florida Department of Environmental Protection
Phone: 850-245-2781 – Office

*www.dep.state.fl.us*

## Licensee Details

### Licensee Information

| | |
|---|---|
| Name: | **SHIMP, KEVIN CARL (Primary Name)** |
| | **THOMAS MARINE CONSTRUCTION INC (DBA Name)** |
| Main Address: | **14841 CALEB DRIVE**<br>**FORT MYERS Florida 33908** |
| County: | **LEE** |
| License Mailing: | |
| LicenseLocation: | |

### License Information

| | |
|---|---|
| License Type: | **Certified General Contractor** |
| Rank: | **Cert General** |
| License Number: | **CGC1515445** |
| Status: | **Current,Active** |
| Licensure Date: | **05/09/2008** |
| Expires: | **08/31/2022** |

| | |
|---|---|
| **Special Qualifications** | **Qualification Effective** |
| **Construction Business** | **05/02/2008** |

**Alternate Names**

**View Related License Information**

**View License Complaint**

**2601 Blair Stone Road, Tallahassee FL 32399** :: Email: **Customer Contact Center** :: Customer Contact Center: 850.487.1395

The State of Florida is an AA/EEO employer. **Copyright 2007-2010 State of Florida.** **Privacy Statement**

Under Florida law, email addresses are public records. If you do not want your email address released in response to a public-records request, do not send electronic mail to this entity. Instead, contact the office by phone or by traditional mail. If you have any questions, please contact 850.487.1395. *Pursuant to Section 455.275(1), Florida Statutes, effective October 1, 2012, licensees licensed under Chapter 455, F.S. must provide the Department with an email address if they have one. The emails provided may be used for official communication with the licensee. However email addresses are public record. If you do not wish to supply a personal address, please provide the Department with an email address which can be made available to the public.

Sunbiz.org Division of Corporations



## Detail by Entity Name

Florida Profit Corporation
THOMAS MARINE CONSTRUCTION, INC.

**Filing Information**

| | |
|---|---|
| **Document Number** | F68794 |
| **FEI/EIN Number** | 59-2163377 |
| **Date Filed** | 02/25/1982 |
| **State** | FL |
| **Status** | ACTIVE |

**Principal Address**

8999 HIGH COTTON LANE
FT. MYERS, FL 33905

Changed: 04/16/1986

**Mailing Address**

8999 HIGH COTTON LANE
FT. MYERS, FL 33905

Changed: 04/16/1986

**Registered Agent Name & Address**

SHIMP, KEVIN C
8999 HIGH COTTON LANE
FT MYERS, FL 33905

Name Changed: 01/02/2008

Address Changed: 03/03/1989

**Officer/Director Detail**

**Name & Address**

Title President

SHIMP, KEVIN C
8999 HIGH COTTON LN
FORT MYERS, FL 33905

Title VP

STENEK, FRANK

300 IONIA AVENUE, NW
GRAND RAPIDS, MI 49503

Title S

SOLICH, LINDA
8999 HIGH COTTON LANE
FORT MYERS, FL 33905

Title Treasurer

LABARGE, JOHN
300 IONIA AVENUE, NW
GRAND RAPIDS, MI 49503

Title VP

Mabee, Mark D
8999 HIGH COTTON LANE
FT. MYERS, FL 33905

**Annual Reports**

| Report Year | Filed Date |
|---|---|
| 2019 | 01/04/2019 |
| 2020 | 01/06/2020 |
| 2021 | 01/09/2021 |

**Document Images**

| | |
|---|---|
| 01/09/2021 -- ANNUAL REPORT | View image in PDF format |
| 01/06/2020 -- ANNUAL REPORT | View image in PDF format |
| 01/04/2019 -- ANNUAL REPORT | View image in PDF format |
| 01/05/2018 -- ANNUAL REPORT | View image in PDF format |
| 01/04/2017 -- ANNUAL REPORT | View image in PDF format |
| 01/25/2016 -- ANNUAL REPORT | View image in PDF format |
| 02/23/2015 -- ANNUAL REPORT | View image in PDF format |
| 01/02/2014 -- ANNUAL REPORT | View image in PDF format |
| 01/08/2013 -- ANNUAL REPORT | View image in PDF format |
| 01/03/2012 -- ANNUAL REPORT | View image in PDF format |
| 01/04/2011 -- ANNUAL REPORT | View image in PDF format |
| 01/19/2010 -- ANNUAL REPORT | View image in PDF format |
| 04/14/2009 -- ANNUAL REPORT | View image in PDF format |
| 01/02/2008 -- ANNUAL REPORT | View image in PDF format |
| 04/20/2007 -- ANNUAL REPORT | View image in PDF format |
| 04/24/2006 -- ANNUAL REPORT | View image in PDF format |
| 04/11/2005 -- ANNUAL REPORT | View image in PDF format |
| 03/22/2004 -- ANNUAL REPORT | View image in PDF format |
| 04/21/2003 -- ANNUAL REPORT | View image in PDF format |
| 05/13/2002 -- ANNUAL REPORT | View image in PDF format |
| 04/27/2001 -- ANNUAL REPORT | View image in PDF format |

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|---|---|
| 04/28/2000 -- ANNUAL REPORT | View image in PDF format |
| 05/06/1999 -- ANNUAL REPORT | View image in PDF format |
| 05/01/1998 -- ANNUAL REPORT | View image in PDF format |
| 04/25/1997 -- ANNUAL REPORT | View image in PDF format |
| 05/01/1996 -- ANNUAL REPORT | View image in PDF format |
| 05/01/1995 -- ANNUAL REPORT | View image in PDF format |

Florida Department of State, Division of Corporations

**THIS AGREEMENT,** is made and entered into this ___ day of _____20__ by and between the Village of Estero, a municipal corporation of the State of Florida, whose address is 9401 Corkscrew Palms Circle #101, Estero, Florida 33928, hereinafter referred to as the "Village," and Thomas Marine Construction, Inc. whose address is 8999 High Cotton Lane, Fort Myers, FL 33905, hereinafter referred to as the "Bidder."

**WITNESSETH**

**WHEREAS,** the Village has determined that it is necessary to retain the Bidder for the purpose of performing rehabilitation work on the Sandy Lane Over Estero River Bridge and the Via Coconut Point Over North Flow Way Bridge; and

**WHEREAS,** these services have been competitively bid in accordance with Ordinance 2015-06; and

**WHEREAS,** the Bidder is qualified, willing and able to provide and perform all such services in accordance with the terms and conditions of Village of Estero Bid No. RFB 2021-04; and

**WHEREAS**, the Bidder's proposal was reviewed and selected pursuant to Bid RFB 2021-04 on January 19, 2022 by the Village Council; and

**WHEREAS**, the Village, has determined that it would be in the best interest of the Village to award a contract to Bidder for the rendering of those services described in the Scope of Services.

**NOW, THEREFORE,** the Village and the Bidder, in consideration of the mutual covenants contained herein, do agree as follows:

## ARTICLE 1.
## RECITALS & INCORPORATION OF DOCUMENTS

1.1. The above-stated recitals are incorporated by this reference and made part of this Agreement.

1.2 Village Bid Package RFB 2021-04 Sandy Lane and Via Coconut Point Bridge Rehabilitation, consisting of pages 1 through and including 42 and the Proposal submitted by Bidder dated November 30, 2021 are hereby specifically made part of this Agreement as if same had been set forth at length herein.

1.3 In the event of any conflict between the documents constituting this Agreement, the documents shall be given precedence in the following order:

1) Bid Package RFB 2021-04 Sandy Lane and Via Coconut Point Bridge Rehabilitation and any Exhibits or Addenda thereto;

2) This Agreement and any Exhibits or Amendments thereto;

3) The Proposal submitted by Bidder.

## ARTICLE 2.
## BIDDER'S SCOPE OF SERVICES

2.1. Bidder agrees to perform all the services and provide all the materials requested and described in the Scope of Work which is attached hereto as Exhibit A and incorporated herein by this reference, which are hereinafter collectively referred to as the "Scope of Services."

2.2. Bidder agrees to provide its services and materials in the times allowed for performance contained in the Scope of Services. The Bidder will make no claims for additional compensation or damages owing to suspensions, delays, or hindrances which arise during the performance of this Agreement. Such suspensions, delays or hindrances may only be compensated for by an extension of time as the Village may decide. However, such extension will not operate as a waiver of any other rights of the Village.

2.3. In the event that Village desires Bidder to perform any additional services related to tasks not specifically contained in the Scope of Services, the Village Manager is authorized to approve such services based on the costs contained in Exhibit B provided the total amounts expended to do not exceed the limitation of paragraph 3.1.

## ARTICLE 3.
## COMPENSATION AND PAYMENT OF BIDDER'S SERVICES

3.1. Village will pay Bidder for those tasks listed in the Scope of Services actually performed by Bidder. The total payment to Bidder will not exceed $349,851 (plus any contingency amount which may be approved) for Bidder's services under this Agreement, performed in accordance with the Scope of Services and this Agreement.

3.2. Payment for services rendered by Bidder will be made on a monthly basis for those tasks listed completed in the preceding month. Services completed will be subject to review and approval by the Village Manager or his designee.

3.3 Payment for tasks will be on a Total Cost basis as per Exhibit B attached hereto.

3.4. Bidder must submit all billings for payment of services rendered on a monthly basis to the Village Finance Department (please email all billing invoices to: accountspayable@estero-fl.gov) for processing. Billings will be detailed as to the nature of the services performed and must refer to the specific tasks listed in the Scope of Services that were actually performed by Bidder. When hourly billing is utilized, Bidder must report the number of hours on each task in 6-minute increments (tenths of an hour) in its invoices. Billings must include a summary of any amounts previously billed and any credits for amounts previously paid.

3.5. Bidder acknowledges that each billing must be reviewed and approved by the Village Manager or his designee. Should the Village Manager or his designee, determine that the billing is not commensurate with services performed, work accomplished or hours expended, Bidder must adjust billing accordingly. However, Bidder will be entitled to payment of any portion of a billing not in dispute.

3.6. Village will pay Bidder's monthly billings in accordance with Sections 218.70 through 218.80, Florida Statutes, known as the Local Government Prompt Payment Act.

3.7. It is expressly understood by the Village and the Bidder that funding for any successive fiscal years may be contingent upon appropriate of monies by the Village Council or other entities. In the event that funds are not available or appropriated, the Village reserve the right to terminate the Agreement without penalty or liability. Termination will occur (1) upon notice to the Bidder or automatically (2) on the last day of the then current fiscal year or (3) when the appropriation made for the then-current year or specific appropriation for the services covered by this Agreement is spent, whichever event occurs first.

## ARTICLE 4.
## BIDDER'S RESPONSIBILITIES

4.1. Bidder will perform or furnish consulting and related services to a level of technical skill, ability, and diligence customarily provided by an experienced professional in their field of expertise when rendering the same services, and in accordance with sound principles and practices generally acknowledged by professionals in their field of expertise, as represented to the Bidder, both orally and in writing, to be possessed by Bidder, all in accordance with the standards contained elsewhere in this Agreement and in accordance with generally accepted standards of professional consulting practice and with the laws, statutes, ordinances, codes, rules and regulations governing Bidder's profession. The same standards of care will be required of any subconsultant or subcontractor engaged by Bidder.

4.2. Bidder will be solely responsible for providing their own business equipment, including any vehicles necessary for the performance of their work, and for paying all expenses incurred while performing the services set forth in this Agreement. Expenses to be borne by Bidder include, but are not limited to, license fees, memberships, and dues; automobile and other travel expenses; meals and entertainment; and any applicable insurance premiums. Bidder will be reimbursed for certain allowable expenses upon submission to the Village, used in connection with the services performed pursuant to this Agreement.

4.3. Bidder will, without additional compensation, correct and revise any errors, omissions, or other deficiencies in its work product, services, or materials arising from the negligent act, error or omission of Bidder or any subconsultant or subcontractor engaged by Bidder for one year after the completion of Bidder's services under this Agreement. The foregoing shall be construed as an independent duty to correct rather than a waiver of the Village's rights under any applicable statute of limitations. Village review of, approval of, acceptance of, or payment for any of Bidder's work product, services, or materials shall not be construed to operate as a waiver of any of the Village's rights under this Agreement, or cause of action Village may have arising out of the performance of this Agreement.

4.4. Bidder will, without additional compensation, correct and revise any minor deficiencies in its work product identified that can be addressed in process, even if the

deficiencies would not be deemed to arise from a negligent act, error or omission of the Bidder. Minor deficiencies include but are not limited to changes in Americans with Disability Act requirements.

4.5. Bidder will be responsible for notifying the Village promptly whenever a delay is anticipated or experienced, including a delay in approval by any governmental agency having jurisdiction over any work task. The Village shall allow the Bidder to extend response times for valid, documented delays. The Village shall be the sole determiner of the validity of the delays.

4.6 The Village's NPDES Permit requires Contractors performing work that includes Roadway, Drainage and Stormwater Maintenance to adhere to the following:

- Crew leads are to complete illicit discharge and illegal dumping training and report any illicit discharges or illegal dumping discovered during daily job duties to the Village of Estero Public Works. In addition, crew leads are required to watch this video (link below) annually and provide written confirmation of the viewing. http://wbt.dot.state.fl.us/ois/IllicitDischarge/index.htm
- Any soil disturbing activities must comply with NPDES permit requirements including plans for temporary and permanent erosion control measures.

## ARTICLE 5.
## OWNERSHIP AND USE OF DOCUMENTS

5.1. All documents, data, studies, surveys, analyses, sketches, tracings, specifications, plans, designs, design calculations, details, computations, drawings, maps, models, photographs, reports, and other documents and plans resulting from Bidder's services under this Agreement will become the property of and shall be delivered to the Village without restriction or limitation as to use regardless of the format of the document (paper or electronic). However, any use subsequent to or other than for the specific project for which such items were created, shall be at sole risk of the Village.

5.2. Bidder agrees that any software, computer systems and databases used for providing the documents necessary to this Agreement will be compatible with existing Village software and systems. It is anticipated that any software utilized will be run on windows based PC's and will consist of Microsoft Office 2013 (or newer) and Adobe Acrobat DC (or newer).

## ARTICLE 6.
## VILLAGE'S RESPONSIBILITIES

6.1. The Village will perform the responsibilities contained in this Article 6 in a timely manner so as not to delay the services of Bidder.

6.2. The Village will furnish to Bidder, upon request of Bidder and at Village's expense, all existing studies, reports and other available data pertinent to the services to be performed under this Agreement which are within the Village's possession. However, Bidder will be required to evaluate all materials furnished hereunder using reasonable professional judgment before relying on such materials.

6.3. The Village will provide reasonable access and entry to all public property required by Bidder to perform the services described in this Agreement. All such access and entry shall be provided at the Village's expense. The Village will also use reasonable efforts to obtain permission for reasonable access and entry to any private property required by Bidder to perform the services described in this Agreement.

6.4. The Village will review all documents, plans, or other materials provided by Bidder in a timely manner so as to not delay the process of the Bidder.

## ARTICLE 7.
## TERM / TERMINATION

7.1. The term of this Agreement will begin on the date and year first written above and shall be continued until superseded by a subsequent Village agreement, the monetary limit in 3.1 is reached, or unless otherwise terminated in accordance herewith.

7.2. The Village will have the right at any time upon thirty (30) calendar days written notice to the Bidder to terminate the services of the Bidder and, in that event, the Bidder must cease work and will deliver to the Village all documents, (including reports, designs, specifications, and all other data) prepared or obtained by the Bidder in connection with its services. The Village will, upon receipt of the aforesaid documents, pay to the Bidder, and the Bidder will accept as full payment for its services, fees for all tasks completed in accordance with Scopes of Services.

7.3. In the event that the Bidder has abandoned performance under this Agreement, then the Village may terminate this Agreement upon three (3) calendar day's written notice to the Bidder indicating its intention to terminate. The written notice will state the evidence indicating the Bidder's abandonment. Payment for services performed prior to the Bidder's abandonment will be as stated in Section 3 above.

## ARTICLE 8.
## NOTICES

8.1. Any notice required or permitted to be sent herein shall be sent certified mail, return receipt requested to the parties at the addresses listed above to the designated contacts below:

Bidder: Thomas Marine Construction, Inc. Village: Steve Sarkozy

8.2. Each party shall immediately notify the other of any changes in address or designated contact.

## ARTICLE 9.
## ASSIGNMENT

9.1. This Agreement, or any interest herein, will not be assigned, transferred or otherwise encumbered, under any circumstances by Bidder without the prior written consent of the Village. Further, no portion of this Agreement may be performed by subcontractors or subconsultants without written notice to and approval of such action by

the Village. The Village and Bidder each binds themselves, their agents, successors, assigns and legal representatives to the other party hereto, their agents, successors, assigns, and legal representatives in respect to all covenants, agreements, and obligations contained in this Agreement any obligations incorporated herein.

## ARTICLE 10.
## EXTENT OF AGREEMENT / SEVERABILITY / MODIFICATION

10.1. This Agreement represents the entire and integrated agreement between the Village and Bidder and supersedes all prior negotiations, representations or agreements, either written or oral.

10.2. In the event any provision of this Agreement be held invalid and unenforceable, the remaining provisions will remain valid and binding upon the parties. One or more waivers by either party of any breach of any provision, term, condition or covenant will not be construed by the other party as a waiver of any subsequent breach.

10.3. No modification, amendment or alteration in the terms or conditions contained herein will be effective unless contained in a written document executed by both parties.

10.4. This is a nonexclusive contract. The Village has the right to enter into contracts with other providers providing similar services.

## ARTICLE 11.
## GOVERNING LAW / VENUE

11.1. This Agreement shall be governed and construed in accordance with Florida law. In the event any litigation arises between the parties in connection with this Agreement, venue for such litigation shall lie exclusively in Lee County, Florida.

## ARTICLE 12.
## INDEPENDENT CONTRACTOR STATUS

12.1. Bidder is an independent contractor and is not an employee, servant, agent, partner or joint venturer of the Village.

12.2. Neither the Village nor any of its employees will have any control over the conduct of Bidder or any of Bidder's employees, except as herein set forth, and Bidder expressly warrants not to represent at any time or in any manner that Bidder or any of Bidder's agents, servants or employees are in any manner agents, servants or employees of the Village. It is understood and agreed that Bidder is, and will remain at all times remain, a wholly independent contractor and that Bidder's obligations to the Village are solely as prescribed by this Agreement.

## ARTICLE 13.
## AUDIT AND RECORDS REQUIREMENTS

13.1. Bidder will maintain books, records, documents, and other evidence directly pertaining to or connected with the services under this Agreement which will be available and accessible at Bidder's local offices for the purpose of inspection, audit, and copying during normal business hours by the Village, or any of its authorized representatives. Such records must be retained for a minimum of five (5) years after completion of the services. Prior to destruction of any records, the Bidder will notify the Village and deliver to the Village any records the Village requests. Bidder will require all subconsultants and subcontractors to comply with the provisions of this paragraph by insertion of the requirements hereof in a written contract agreement between Bidder and the subconsultant or subcontractor.

13.2 If the records are unavailable locally, it will be the Bidder's responsibility to insure that all required records are provided at the Bidder's expense including payment of travel and maintenance costs incurred by the Village's authorized representatives or designees in accessing records maintained out of the county. The direct costs of copying records, excluding any overhead cost, will be at the Village's expense.

13.3. Bidder must fully cooperate with all public records requests by providing the necessary records to the Village promptly upon notice unless the records are exempt from Section 24 (a) of Article I of the State Constitution and Chapter 119, Florida Statutes. Failure by Consultant to promptly respond to notices requesting records constitutes grounds for unilateral cancellation by the Village at any time, with no recourse available to Bidder. Records may be provided in the form or format in which they are kept including electronic files. Bidder's right to claim an exemption from disclosure will not be deemed failure to comply with this article.

**IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE ESTERO VILLAGE CLERK (CUSTODIAN OF PUBLIC RECORDS) AT 239-221-5035, records@estero-fl.gov, OR VILLAGE HALL, 9401 CORKSCREW PALMS CIRCLE, ESTERO, FL 33928.**

## ARTICLE 14.
## INDEMNIFICATION

14.1. For ten dollars ($10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, Bidder will pay on behalf of or indemnify and hold harmless the Village, its officials, officers, employees, agents and volunteers from and against any and all claims, actions, damages, fees, fines, penalties, defense costs, including attorneys' fees and court costs (whether such fees and costs are incurred in negotiations, collection of attorneys' fees or at the trial level or on appeal), suits or

liabilities, of whatever kind of nature, caused by any negligent or intentional act, error, omission, or default of Bidder or Bidder's officers, employees, agents, servants, volunteers or subcontractors or consultants, if any, caused by the performance or failure to perform under the terms of this Agreement.

14.2 Bidder must carry a commercial liability insurance policy in coverage amounts as determined by the Village Manager and naming the Village of Estero as additional insured.

**PURSUANT TO FS 558.0035, EMPLOYEES OF CONSULTANT MAY NOT BE HELD INDIVIDUALLY LIABLE FOR DAMAGES RESULTING FROM NEGLIGENCE UNDER THIS AGREEMENT.**

## ARTICLE 15.
## EMPLOYEE RESTRICTIONS

15.1. The Village of Estero will not intentionally award publicly-funded contracts to any contractor who knowingly employs unauthorized alien workers, constituting a violation of the employment provisions contained in 8 U.S.C. Section 1324a(e) [Section 274A(e) of the Immigration and Nationality Act ("INA")]. The Village shall consider employment by any contractor or subconsultant or subcontractor of unauthorized aliens a violation of Section 274A(e) of the INA. Such violation by the Bidder of the employment provisions contained in Section 274A(e) of the INA will be grounds for termination of this Agreement by the Village.

15.2. If an owner (except a stockholder in a publicly traded corporation) or an employee of the Bidder has been convicted of any offenses requiring registration as a sexual offender or sexual predator, regardless of the location of conviction, the Bidder will ensure that the offender's or predator's work on the project is consistent with the terms of their probation and registry requirements.

15.3. The Bidder will incorporate the terms of paragraphs 15.1 and 15.2 into all contracts with any subconsultants or subcontractors.

## ARTICLE 16.
## NO CONTINGENT FEES

16.1. Bidder certifies that it has not employed or retained any company or person, other than a bona fide employee working solely for Bidder to solicit or secure this Agreement and that it has not paid or agreed to pay any person, company, corporation, individual or firm, other than a bona fide employee working solely for Bidder any fee, commission, percentage, gift or other consideration contingent upon or resulting from the award or making of this Agreement. For the breach or violation of this provision, Village has the right to terminate the Agreement without liability at its discretion, to deduct from the contract price, or otherwise recover, the full amount of such fee, commission, percentage, gift or consideration.

# AGENDA ITEM SUMMARY SHEET
## Village Council
## January 19, 2022

**Agenda Item:**

Second reading of Ordinance 2022-01, approving an update to the Capital Improvements Element which includes the Capital Improvement Program approved for Fiscal Year 2021/2022.

**Description:**

Florida law requires all cities and counties to include its five-year Capital Improvement Plan within the Capital Improvement Element of the Comprehensive Plan and update it on an annual basis by ordinance. The law also requires the Capital Improvement Plan approved by the local school district to be included in the Plan.

The Council adopted the Capital Improvement Plan for Fiscal Year 2021/2022 on September 22, 2021. Updates to the Capital Improvement Plan can be incorporated into the Comprehensive Plan annually by ordinance in lieu of a comprehensive plan amendment. The most recent school district Capital Improvement Plan (2022-2026) will also be included. Please note that the Village Council does not approve the Lee County School District Work Plan.

The Council held a first reading on January 5, 2022. The Planning, Zoning and Design Board reviewed this Ordinance on January 11, 2022 and recommended approval.

**Action Requested:**

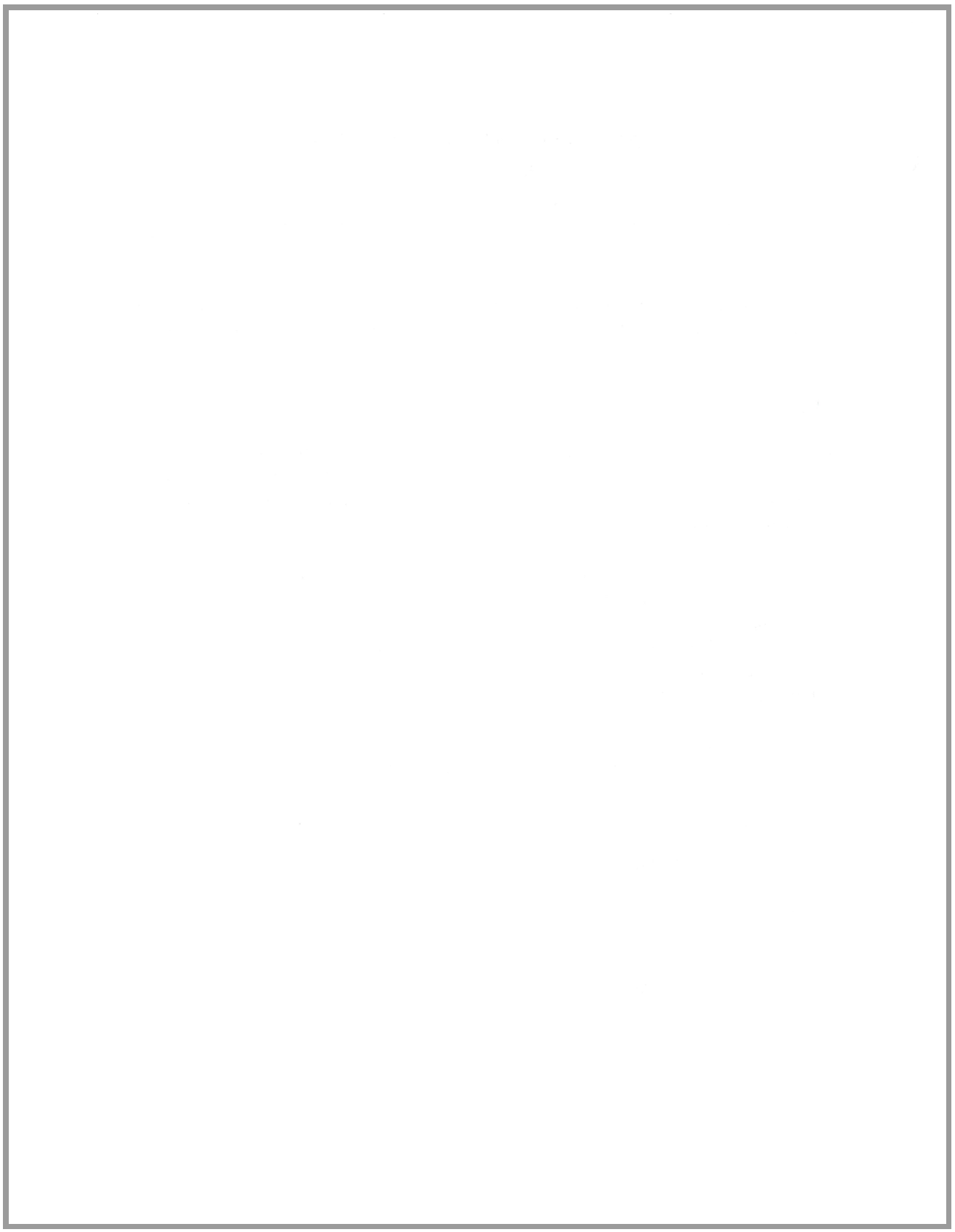
Adopt Ordinance 2022-01.

**Financial Impact:**

No additional financial impact not already included in the budget. Minor cost of newspaper advertisement for second reading.

**Attachments:**

1. Ordinance No. 2022-01



**VILLAGE OF ESTERO, FLORIDA**

**ORDINANCE NO. 2022 – 01**

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF ESTERO, FLORIDA, APPROVING UPDATES TO THE CAPITAL IMPROVEMENTS ELEMENT TO UPDATE THE CAPITAL IMPROVEMENTS SCHEDULE FOR FISCAL YEAR 2021/2022 AND ADOPT THE MOST RECENT LEE COUNTY SCHOOL DISTRICT CAPITAL IMPROVEMENT PLAN; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, Florida Statute 163.3177(3)(a) requires Comprehensive Plans to contain a Capital Improvements Element, and a schedule of capital improvements for a 5-year period; and

**WHEREAS**, Florida Statutes Section 163.3177(3)(b) states that the Capital Improvements Element must be reviewed on an annual basis, and further that modifications to update the 5-year Capital Improvements Element schedule may be accomplished by ordinance and may not be deemed an amendment to the Comprehensive Plan; and

**WHEREAS**, the Village of Estero adopted its first Capital Improvements Element, including its 5-year Capital Improvements Element Schedule on June 13, 2018; and

**WHEREAS**, the Village of Estero, Lee County, Florida, held public hearings on its Capital Improvement Program as required by the Village Charter Section 8(7)(b); and

**WHEREAS**, the Village reviewed and adopted its most recent Capital Improvement Program by Resolution 2021-22 on September 22, 2021 pursuant to Village Charter Section 8(7)(b) and now desires to update the Capital Improvements Element Schedule pursuant to Florida Statutes Section 163.3177(3)(b).

**NOW, THEREFORE**, be it ordained by the Village Council of the Village of Estero, Florida:

**Section 1. Purpose.**

The purpose of this Ordinance is to update the Capital Improvements Program schedule that is now a part of the Comprehensive Plan. This amending ordinance may be referred to as the "Capital Improvement Element Schedule Update 2021".

**Section 2. Adoption of the Capital Improvements Element Schedule Update 2021.**

The Village Council hereby amends its Capital Improvement Element Schedule to reflect the latest adopted Capital Improvement Projects for the Village and incorporates the latest adopted Lee County School District Work Plan, attached hereto as Exhibits A and B, respectively.

**Section 3. Conflict.**

All ordinances, resolutions, official determinations or parts thereof previously adopted or entered by the Village or any of its officials and in conflict with this Ordinance are hereby repealed to the extent inconsistent herewith.

**Section 4. Severability.**

If any provision of this Ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable.

**Section 5. Effective Date.**

This Ordinance shall take effect immediately upon adoption.

**PASSED** on first reading this 5th day of January, 2022.

**PASSED AND ADOPTED BY THE VILLAGE COUNCIL** of the Village of Estero, Florida this 19th day of January, 2022.

By: _____
Carol Sacco, Village Clerk

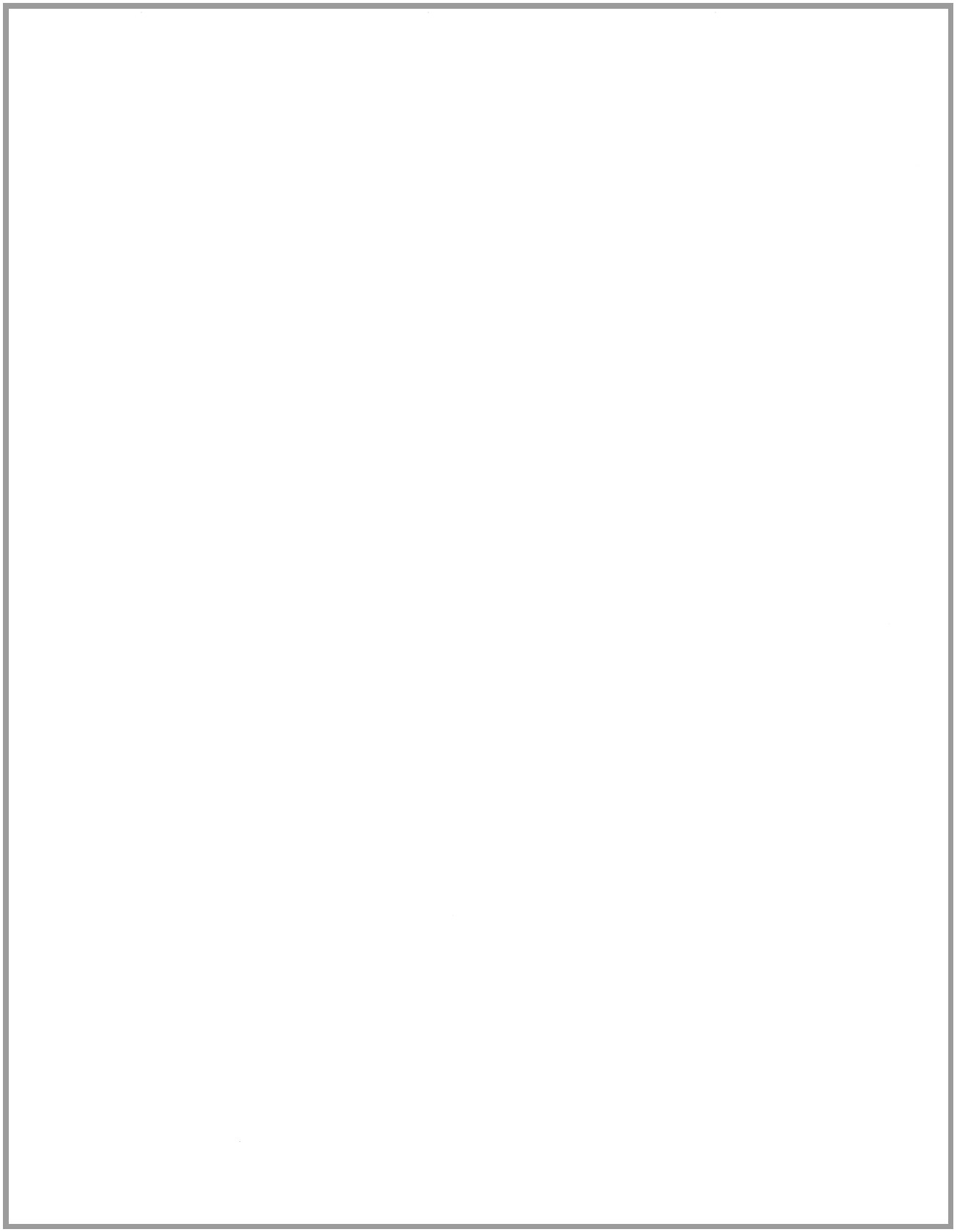
By: _____
Katy Errington, Mayor

Reviewed for legal sufficiency:

By: _____
Nancy Stroud, Esq., Village Land Use Attorney

Exhibit A: Village of Estero Capital Improvement Projects
Exhibit B: Lee County School District 2021-2025 Five Year Capital Improvement Plan

| Vote: | AYE | NAY |
|---|---|---|
| Mayor Errington | ____ | ____ |
| Vice Mayor McLain | ____ | ____ |
| Councilmember Ribble | ____ | ____ |
| Councilmember Fiesel | ____ | ____ |
| Councilmember Boesch | ____ | ____ |
| Councilmember Ward | ____ | ____ |
| Councilmember Wilson | ____ | ____ |



# Capital Projects Fund

Fund 300 Capital Projects

| | | Actual 2019-2020 | Budget 2020-2021 | Estimated 2020-2021 | Budget 2021-2022 | +/(-) over Budget |
|---|---|---|---|---|---|---|
| Revenues [1] | | | | | | |
| 266-3124200 | Local Option Gas Tax-1 to 5 Cent | 361,467 | 316,000 | 316,000 | 338,900 | 22,900 |
| | Gas Tax Total | 361,467 | 316,000 | 316,000 | 338,900 | 22,900 |
| 990-3243100 | Road-Residential | 549,336 | 200,000 | 506,360 | 145,800 | (54,200) |
| 990-3243200 | Road-Commercial | 590,570 | 200,000 | 160,787 | 145,800 | (54,200) |
| | Road Impact Fees Total | 1,139,906 | 400,000 | 667,147 | 291,600 | (108,400) |
| 995-3246101 | Park-Residential | 62,935 | 60,000 | 58,604 | 43,800 | (16,200) |
| 994-3246201 | Park-Commercial | 230,076 | 110,000 | 18,592 | 80,200 | (29,800) |
| | Park Impact Fees Total | 293,011 | 170,000 | 77,196 | 124,000 | (46,000) |
| | Impact Fees Total | 1,432,917 | 570,000 | 744,343 | 415,600 | (154,400) |
| 730-3344000 | FL Dept of Transportation Funding | 652,566 | 134,490 | - | 1,100,000 | 965,510 |
| 700-3374000 | Lee County Estero Pkwy Funding | - | 2,196,000 | - | - | (2,196,000) |
| | Intergovernmental / Grant Income Total | 652,566 | 2,330,490 | - | 1,100,000 | (1,230,490) |
| xxx-3611000 | Interest Income | 94,514 | 42,000 | 1,085 | 42,000 | - |
| xxx-3660000 | Contributions-Private Source | 89,307 | 974,600 | 201,420 | 132,000 | (842,600) |
| *Total Capital Projects Revenues* [1] | | 2,630,771 | 4,233,090 | 1,262,848 | 2,028,500 | (2,204,590) |
| Other Financing Sources | | | | | | |
| 000-3810001 | Transfer from General Fund | 5,162,053 | 3,044,660 | 1,117,795 | 4,447,800 | 1,403,140 |
| 000-3810201 | Transfer from Debt Service Fund | 1,000,000 | - | - | - | - |
| Transfers from Other Funds Total | | 6,162,053 | 3,044,660 | 1,117,795 | 4,447,800 | 1,403,140 |
| *Total Capital Projects Revenues & Other Financing Sources* | | 8,792,824 | 7,277,750 | 2,380,643 | 6,476,300 | (801,450) |
| Expenditures | | | | | | |
| 700-541xxxx | Roadway Improvements | 4,756,399 | 4,130,760 | 3,556,258 | 11,031,300 | 6,900,540 |
| 710-541xxxx | Intersection Improvements | 493,305 | 1,391,600 | 84,071 | 132,000 | (1,259,600) |
| 720-541xxxx | Bicycle and Pedestrian Projects | 41,978 | 1,094,480 | 74,831 | 2,842,900 | 1,748,420 |
| 730-541xxxx | Landscaping & Beautification | 1,089,107 | 1,235,390 | 45,843 | 3,706,000 | 2,470,610 |
| Transportation Expenditures | | 6,380,789 | 7,852,230 | 3,761,003 | 17,712,200 | 9,859,970 |
| 740-572xxxx | Park Projects | - | 1,140,000 | 17,325 | 1,140,000 | - |
| 750-537xxxx | Stormwater Improvements | - | 372,000 | - | 354,000 | (18,000) |
| 770-519xxxx | Land Acquisition | 3,012,288 | - | - | - | - |
| *Total Capital Project Expenditures* | | 9,393,077 | 9,364,230 | 3,778,328 | 19,206,200 | 9,841,970 |
| **Net Change in Fund Balance** | | (600,253) | (2,086,480) | (1,397,685) | (12,729,900) | (10,643,420) |
| Prior Year Surplus/Beginning Fund Balance | | 11,539,371 | 9,700,350 | 10,939,118 | 9,541,433 | (158,917) |
| **Projected End of Year Surplus/Fund Balance** | | $ 10,939,118 | $ 7,613,870 | $ 9,541,433 | $ (3,188,467) | $ (10,802,337) |

[1] Revenue projections remain uncertain as the result of the continued impacts of Covid-19 and, if needed, budgeted revenue amounts will be adjusted as future collections data becomes available.

budget figures

# Capital Improvement Projects

| Priority | Project Name | Estimated Project Cost | Funding Source | Budget FY 21-22 | Budget FY 22-23 | Budget FY 23-24 | Budget FY 24-25 | Budget FY 25-26 | Total Cost |
|---|---|---|---|---|---|---|---|---|---|
| | **Roadway Projects** | | | | | | | | |
| 1 | | | GF | $ 360,000 | $ - | $ - | $ - | $ - | $ 360,000 |
| 1 | Estero Parkway Improvements (US41-Three Oaks) | $ 9,728,240 | GT | $ - | $ - | $ - | $ - | $ - | $ - |
| 1 | | | LDOT | $ - | $ - | $ - | $ - | $ - | $ - |
| 2 | Corkscrew Rd Paths, Landscaping & Street Lighting | $ 11,662,500 | RIF | $ 4,426,000 | $ - | $ 3,384,757 | $ - | $ - | $ 7,810,757 |
| 2 | | | GF | | $ - | $ 719,510 | $ - | $ - | $ 719,510 |
| 3 | | | LDOT | | $ - | $ 3,213,741 | $ - | $ - | $ 3,213,741 |
| 3 | River Ranch Road Improvements | $ 5,275,750 | RIF | $ 4,537,800 | $ - | $ - | $ - | $ - | $ 4,537,800 |
| 3 | (Drainage, Road, Bike/Ped) | | GF | $ - | $ - | $ - | $ - | $ - | $ - |
| 3 | | | GT | $ 440,000 | $ - | $ - | $ - | $ - | $ 440,000 |
| 4 | Bridge Maintenance | $ 450,000 | GF | $ 400,000 | $ - | $ - | $ - | $ - | $ 400,000 |
| 5 | Broadway W. Phase 1 Improvements (US41-Breckenridge) | $ 2,449,800 | GT | $ - | $ - | $ - | $ 265,825 | $ - | $ 265,825 |
| 5 | (Road, Bike/Ped, Drainage) | | RIF | $ - | $ - | $ - | $ 652,085 | $ - | $ 652,085 |
| 5 | | | GF | $ - | $ - | $ - | $ - | $ - | $ - |
| 6 | Broadway W. Phase 2 Improvements | $ 2,405,700 | GT | $ - | $ - | $ - | $ - | $ - | $ - |
| 6 | (Breckenridge-Pine Tree Ln.)(Road, Bike/Ped, Drainage) | | RIF | $ - | $ - | $ - | $ - | $ - | $ - |
| 6 | | | GF | $ - | $ - | $ - | $ - | $ - | $ - |
| 7 | Williams Road Widening (US41 - Via Coconut) | $ 4,429,300 | RIF | $ 600,000 | $ - | $ - | $ - | $ - | $ 600,000 |
| 7 | | | GT | $ 267,500 | $ - | $ - | $ - | $ - | $ 267,500 |
| 8 | Via Coconut Point Extension (South) | $ 2,685,300 | RIF | $ - | $ - | $ - | $ - | $ - | $ - |
| | Village of Estero Sub-total (all funding sources) | | | $ 11,031,300 | $ - | $ 4,104,267 | $ 265,825 | $ - | $ 15,401,392 |

capital improvement figures

| Priority | Project Name | Estimated Project Cost | Funding Source | Budget FY 21-22 | Budget FY 22-23 | Budget FY 23-24 | Budget FY 24-25 | Budget FY 25-26 | Total Cost |
|---|---|---|---|---|---|---|---|---|---|
| **Intersection Improvements** | | | | | | | | | |
| 1 | Corkscrew Rd-Estero Town Commons Traffic Signal Construction | $ 1,375,200 | Developer | $ - | $ - | $ - | $ - | $ - | $ - |
| 2 | Corkscrew Rd-Corkscrew Woodland Blvd. Intersection Improvements | $ 57,200 | LDOT | $ 57,200 | $ - | $ - | $ - | $ - | $ 57,200 |
| 3 | US-41 - Pelican Colony Traffic Signal | $ 960,000 | Developer | $ 132,000 | $ 850,356 | $ - | $ - | $ - | $ 982,356 |
| 4 | Williams Road-Atlantic Gulf Drive Intersection | $ 3,511,320 | RIF | $ - | $ 1,050,005 | $ 1,163,032 | $ - | $ - | $ 2,213,037 |
| 4 | | | GT | $ - | $ 451,880 | $ 379,800 | $ - | $ - | $ 831,680 |
| 4 | | | GF | $ - | $ - | $ - | $ - | $ - | $ - |
| 5 | Corkscrew Rd-Three Oaks Pkwy. Intersection Improvements | $ 428,000 | LDOT | $ - | $ 439,556 | $ - | $ - | $ - | $ 439,556 |
| 6 | Coconut Road Intersection Study | $ 156,000 | GF | $ - | $ - | $ - | $ - | $ - | $ - |
| 7 | US41-Coconut Road Intersection Improvements | $ 746,400 | Other | $ - | $ - | $ - | $ - | $ - | $ - |
| 8 | US41-Williams Rd Intersection Improvements | $ 288,500 | RIF | $ - | $ - | $ - | $ - | $ - | $ - |
| 8 | | | GT | $ - | $ - | $ - | $ - | $ - | $ - |
| 8 | | | GF | $ - | $ - | $ - | $ - | $ - | $ - |
| 9 | Coconut Road - Coconut Shores Roundabout | $ 1,095,200 | Other | $ - | $ - | $ - | $ 1,188,292 | $ - | $ 1,188,292 |
| 9 | | | RIF | $ - | $ - | $ - | $ - | $ - | $ - |
| 9 | | | GT | $ - | $ - | $ - | $ - | $ - | $ - |
| 9 | | | GF | $ - | $ - | $ - | $ - | $ - | $ - |
| 10 | US41-Pelican Sound Intersection Improvements | $ 1,110,800 | Developer | $ - | $ - | $ - | $ - | $ - | $ - |
| 11 | US41-Corkscrew Rd Intersection Improvements | $ 510,300 | Other | $ - | $ - | $ - | $ - | $ - | $ - |
| 12 | Coconut Road - Meadowbrook Roundabout | $ 1,095,200 | Other | $ - | $ - | $ - | $ - | $ - | $ - |
| 12 | | | RIF | $ - | $ - | $ - | $ - | $ - | $ - |
| 12 | | | GT | $ - | $ - | $ - | $ - | $ - | $ - |
| 12 | | | GF | $ - | $ - | $ - | $ - | $ - | $ - |
| 13 | North Point Railroad Crossing | $ 250,000 | RIF | $ - | $ - | $ - | $ - | $ - | $ - |
| 14 | Coconut Road - El Dorado Roundabout | $ 1,095,200 | Other | $ - | $ - | $ - | $ - | $ - | $ - |
| 14 | | | RIF | $ - | $ - | $ - | $ - | $ - | $ - |
| 14 | | | GT | $ - | $ - | $ - | $ - | $ - | $ - |
| 14 | | | GF | $ - | $ - | $ - | $ - | $ - | $ - |
| | Village of Estero Sub-total (all funding sources) | | | $ - | $ 1,501,885 | $ 1,542,832 | $ - | $ - | $ 3,044,717 |

capital improvement figures

| Priority | Project Name | Estimated Project Cost | Funding Source | Budget FY 21-22 | Budget FY 22-23 | Budget FY 23-24 | Budget FY 24-25 | Budget FY 25-26 | Total Cost |
|---|---|---|---|---|---|---|---|---|---|
| **Bike-Pedestrian Projects** | | | | | | | | | |
| 1 | Coconut Road Crosswalks | $ 252,800 | GF | $ 177,800 | $ - | $ - | $ - | $ - | $ 177,800 |
| 2 | Williams Road Bike-Ped Improvements (East of Via Coconut) | $ 2,357,700 | GF | $ - | $ - | $ - | $ - | $ - | $ - |
| 2 | | | RIF | $ 2,213,700 | $ - | $ - | $ - | $ - | $ 2,213,700 |
| 3 | Intersection Safety Improvement Study | $ 110,000 | GF | $ 110,000 | $ - | $ - | $ - | $ - | $ 110,000 |
| 4 | Sandy Lane Bike-Ped Improvements | $ 2,633,600 | GF | | $ - | $ - | $ - | $ - | $ - |
| 4 | | | RIF | $ 207,000 | $ 369,720 | $ 2,180,263 | $ - | $ - | $ 2,756,983 |
| 5 | Broadway E Shared Use Path (US 41-Sandy) | $ 2,931,200 | GF | $ - | $ - | $ - | $ - | $ - | $ - |
| 5 | | | RIF | $ 134,400 | $ 345,072 | $ 2,596,144 | $ - | $ - | $ 3,075,616 |
| 6 | Corkscrew Road Shared Use Path (3Oaks-Sandy) | $ 6,952,000 | GF | $ - | $ - | $ - | $ - | $ - | $ - |
| 6 | | | RIF | $ - | $ - | $ - | $ 185,535 | $ 603,720 | $ 789,255 |
| 7 | Coconut Rd Sidewalk (Oakwild to Via Coconut) | $ 1,082,700 | GF | $ - | $ - | $ - | $ - | $ - | $ - |
| 7 | | | RIF | $ - | $ - | $ - | $ 111,972 | $ 1,095,081 | $ 1,207,053 |
| 8 | Corkscrew Palms Blvd. Sidewalks | $ 109,800 | County | $ - | $ - | $ - | $ - | $ - | $ - |
| 9 | Via Coconut Point Roundabouts Improvements | $ 473,100 | GF | $ - | $ - | $ - | $ - | $ - | $ - |
| 9 | | | RIF | $ - | $ - | $ - | $ 84,630 | $ 441,722 | $ 526,352 |
| 10 | Corkscrew Rd Bike-Ped Improvements (E of US41) | $ 14,393,300 | GF | $ - | $ - | $ - | $ - | $ - | $ - |
| 10 | | | RIF | $ - | $ - | $ - | $ - | $ - | $ - |
| 10 | | | Lee County | $ - | $ - | $ - | $ - | $ - | $ - |
| 11 | Coconut Rd Shared Use Path | $ 2,094,000 | GF | $ - | $ - | $ - | $ - | $ - | $ - |
| 11 | | | RIF | $ - | $ - | $ - | $ 295,554 | $ - | $ 295,554 |
| 12 | Corkscrew Rd West Bike-Ped Improvements | $ 767,000 | GF | $ - | $ - | $ - | $ - | $ - | $ - |
| 12 | | | RIF | $ - | $ - | $ - | $ - | $ - | $ - |
| 13 | Williams Rd West Bike-Ped Improvements (West of US41) | $ 1,825,100 | GF | $ - | $ - | $ - | $ - | $ - | $ - |
| 13 | | | RIF | $ - | $ - | $ - | $ - | $ - | $ - |
| 14 | Broadway E. Shared Use Path (Sandy Ln to Three Oaks & Estero Pkwy) | $ 3,098,900 | GF | $ - | $ - | $ - | $ - | $ - | $ - |
| 14 | | | RIF | $ - | $ - | $ - | $ - | $ - | $ - |
| 15 | SUN Trail Estero Parkway South | $ 6,804,700 | GF | $ - | $ - | $ - | $ - | $ - | $ - |
| 15 | | | RIF | $ - | $ - | $ - | $ - | $ - | $ - |
| 16 | SUN Trail Estero Parkway North | $ 5,570,000 | GF | $ - | $ - | $ - | $ - | $ - | $ - |
| 16 | | | RIF | $ - | $ - | $ - | $ - | $ - | $ - |
| 17 | FPL Shared Use Path (East I-75) | $ 2,241,500 | GF | $ - | $ - | $ - | $ - | $ - | $ - |
| 18 | Utility Shared Use Path (West US 41) | $ 4,973,600 | GF | $ - | $ - | $ - | $ - | $ - | $ - |
| 18 | | | RIF | $ - | $ - | $ - | $ - | $ - | $ - |
| Village of Estero Sub-total (all funding sources) | | | | $ 2,842,900 | $ 714,792 | $ 4,776,407 | $ 677,691 | $ 2,140,523 | $ 11,152,313 |

capital improvement figures

| Priority | Project Name | Estimated Project Cost | Funding Source | Budget FY 21-22 | Budget FY 22-23 | Budget FY 23-24 | Budget FY 24-25 | Budget FY 25-26 | Total Cost |
|---|---|---|---|---|---|---|---|---|---|
| **Parks & Recreation** | | | | | | | | | |
| 1 | Estero on the River Master Plan | $ 252,000 | GF | $ 252,000 | $ - | $ - | $ - | $ - | $ 252,000 |
| 2 | Estero Community Park Expansion Master Plan | $ 150,000 | GF | $ 150,000 | $ - | $ - | $ - | $ - | $ 150,000 |
| 3 | Estero Community Park Expansion | $ 13,885,700 | Partner | $ - | $ - | $ - | $ - | $ - | $ - |
| 3 | | | PIF | $ 700,000 | $ 1,643,200 | $ - | $ - | $ - | $ 2,343,200 |
| 3 | | | RIF | $ - | $ 616,200 | $ - | $ - | $ - | $ 616,200 |
| 3 | | | GF | $ 38,000 | $ 4,518,800 | $ - | $ - | $ - | $ 4,556,800 |
| 4 | Estero on the River Improvements | $ 4,518,000 | GF | | $ 2,054,000 | $ - | $ - | $ - | $ 2,054,000 |
| 4 | | | PIF | $ - | $ - | $ - | $ - | $ - | $ - |
| | Village of Estero Sub-total (all funding sources) | | | $ 1,140,000 | $ 8,832,200 | $ - | $ - | $ - | $ 9,972,200 |

capital improvement figures

| Priority | Project Name | Estimated Project Cost | Funding Source | Budget FY 21-22 | Budget FY 22-23 | Budget FY 23-24 | Budget FY 24-25 | Budget FY 25-26 | Total Cost |
|---|---|---|---|---|---|---|---|---|---|
| **Stormwater Projects** | | | | | | | | | |
| 1 | Villages of Country Creek Bypass Swale Improvements | $ 693,600 | GF | $ 192,000 | $ 515,143 | $ - | $ - | $ - | $ 707,143 |
| 2 | Dry Creek Bed Sediment Removal | $ 432,000 | GF | $ 150,000 | $ 289,614 | $ - | $ - | $ - | $ 439,614 |
| 3 | Septic-Sewer (Admin-Design & Permtting) | $ 3,660,000 | GF | $ 324,000 | $ - | $ 531,720 | $ - | $ 536,640 | $ 1,392,360 |
| 4 | Estero River Sediment Removal (West of US 41) | $ 2,426,100 | GF | $ 30,000 | $ 36,972 | $ - | $ 2,470,545 | $ - | $ 2,537,517 |
| 5 | Trailside Drainage Improvements | $ 1,187,900 | GF | $ - | $ - | $ - | $ - | $ - | $ - |
| 6 | Estero River Sediment Removal (Railroad to Sandy Ln) | $ 766,800 | GF | $ - | $ - | $ - | $ - | $ - | $ - |
| 7 | Villagio-Estero Pkwy Drainage Improvements | $ 1,624,200 | Estero/Lee | $ - | $ - | $ - | $ - | $ - | $ - |
| 8 | US-41 Drainage Improvements Design (Williams-Corkscrew) | $ 72,000 | FDOT | $ - | $ - | $ - | $ - | $ - | $ - |
| Village of Estero Sub-total (all funding sources) | | | | $ 696,000 | $ 841,729 | $ 531,720 | $ 2,470,545 | $ 536,640 | $ 5,076,634 |
| **Building Facilities** | | | | | | | | | |
| 1 | Public Works Storage Facility | $ 354,000 | GF | $ - | $ - | $ - | $ - | $ - | $ - |
| 2 | Village Hall | $ 4,914,000 | GF | $ - | $ - | $ - | $ - | $ - | $ - |
| 3 | Performing Arts Center | $ 20,000,000 | GF | $ - | $ - | $ - | $ - | $ - | $ - |
| Village of Estero Sub-total (all funding sources) | | | | $ - | $ - | $ - | $ - | $ - | $ - |

capital improvement figures

| Priority | Project Name | Estimated Project Cost | Funding Source | Budget FY 21-22 | Budget FY 22-23 | Budget FY 23-24 | Budget FY 24-25 | Budget FY 25-26 | Total Cost |
|---|---|---|---|---|---|---|---|---|---|
| **Land Acquisition** | | | | | | | | | |
| 1 | School District of Lee County Property (Block Lane) | $ 4,000,000 | GF | $ - | $ - | $ - | $ - | $ - | $ - |
| 1 | | | PIF | $ - | $ - | $ - | $ - | $ - | $ - |
| 1 | | | Bonus Den. | $ - | $ - | $ - | $ - | $ - | $ - |
| 1 | | | Partner | $ - | $ - | $ - | $ - | $ - | $ - |
| 2 | Driving Range Property (Williams Road) | $ 3,500,000 | GF | $ - | $ - | $ - | $ - | $ - | $ - |
| 2 | | | PIF | $ - | $ - | $ - | $ - | $ - | $ - |
| 2 | | | Bonus Den. | $ - | $ - | $ - | $ - | $ - | $ - |
| 2 | | | Partner | $ - | $ - | $ - | $ - | $ - | $ - |
| 3 | River Oaks Preserve | $ 900,000 | Bonus Den. | $ - | $ 924,300 | $ - | $ - | $ - | $ 924,300 |
| 3 | | | Partner | $ - | $ - | $ - | $ - | $ - | $ - |
| 4 | SUN Trail | $ 30,000,000 | GF | $ - | | $ - | $ - | $ - | $ - |
| 4 | | | RIF | $ - | | $ - | $ - | $ - | $ - |
| 4 | | | Debt | $ - | | $ - | $ - | $ - | $ - |
| | Village of Estero Sub-total (all funding sources) | | | $ - | $ 924,300 | $ - | $ - | $ - | $ 924,300 |
| | | | | | | | | | |
| | Total | $ 227,343,610 | | $ 19,832,300 | $ 14,486,862 | $ 14,168,967 | $ 5,254,438 | $ 2,677,163 | $ 56,419,729 |
| | Village total | $ - | | $ 18,543,100 | $ 13,196,950 | $ 10,955,226 | $ 3,414,061 | $ 2,677,163 | $ 48,786,499 |

Estero Road Impacts Fees
Estero Gas Tax
Estero General Fund
Park Impact Fee (include public land aqcu
Non-Estero Funding Source

capital improvement figures

| Account | Project | FY 20-21 | Description of Project | Impact on Operating Cost |
|---|---|---|---|---|
| 300-700-5416301 | Estero Parkway Improvements | 3,186,560 | Road resurfacing, drainage lighting and landscaping improvements along Estero Parkway from US-41 to Three Oaks | Annual maintenance costs estimated to be $350,000 |
| 300-700-5416311 | Corkscrew Road Widening | 300,000 | Lee County will be widening Corkscrew Road east of Ben Hill Griffin Parkway. Village to fund design and construct of street lighting, landscaping and pedestrian enhancements along Corkscrew Road from East of Ben Hill Griffin to Village limits. | Increase yet to be determined |
| 300-700-5416310 | River Ranch Road Improvements | 310,000 | Roadway, drainage and bicycle/pedestrian improvements along River Road | Increase yet to be determined |
| 300-700-5416370 | Via Coconut Pt Street Lights | 205,200 | Install street lights along Via Coconut Point from Williams Road to Coconut Road | Increase yet to be determined |
| 300-700-5416371 | Williams Rd Street Lights | 57,000 | Install street lights along Williams Road from Via Coconut Point to Three Oaks Parkway. | Increase yet to be determined |
| 300-700-5416372 | River Ranch Rd Street Lights | 30,500 | Install street lights along River Ranch Road | Increase yet to be determined |
| 300-700-5416373 | Broadway Ave East Street Lights | 12,900 | Install street lights along Broadway from US 41 to Sandy Lane | Increase yet to be determined |
| 300-700-5416374 | Sandy Lane Street Lights | 28,600 | Install street lights along Sandy Lane | Increase yet to be determined |
| Roadway Improvement Projects (700) | | 4,130,760 | excludes Lee County funding for Lee County Projects | |
| 300-710-5416303 | Corkscrew Road-Estero Town Commons Signal | 842,600 | Design, permitting, and installation of a traffic signal on Corkscrew Road at Puente Lane which are expected to be reimbursed by the Developers. | No additional cost |
| 300-710-5416302 | US41-Pelican Sound Intersection Improvements | 132,000 | Design, permit, and construction of a traffic signal at the intersection of US-41 and Pelican Colony Blvd to be funded by adjacent developments. | No additional cost |
| 300-710-5416304 | Williams Road-Atlantic Gulf Drive Intersection (Walgreens) | 300,000 | Design and construct roadway intersection improvements on Williams Road east of US-41 to prevent illegal left turns out of the Walgreens parking lot and improve left turn vehicle stacking at US-41. | Increase yet to be determined |
| 300-710-5416307 | Coconut Road Intersection Study | 117,000 | Study the following Coconut Road intersection and prepare preliminary intersection designs considering additional turn lanes and 3 possible roundabouts at Coconut Shores, Meadowbrook, and El Dorado. | No additional cost |
| Intersection Improvements Projects (710) | | 1,391,600 | excludes Lee County funding for Lee County Projects | |
| 300-720-5416307 | Coconut Rd Crosswalks | 150,000 | Install a crosswalk for pedestrian access to the sidewalk on the south side of the roadway at Old Meadowbrook Blvd and extend the existing sidewalk east of Coconut Shores to their back gate driveway located on FPL property. | No additional cost |
| 300-720-5416308 | Williams Road Bike-Ped Improvements | 150,000 | Design and construction of bicycle and pedestrian improvements along Williams Road which will provide a safe east/west corridor between two major north/south corridors, Via Coconut Point and Three Oaks Parkway. | Increase yet to be determined. |
| 300-720-5416309 | Intersection Safety Improvement Study | 110,000 | Prepare a study of bicycle and pedestrian safety at US-41 intersections and provide recommendations to improve safety. | Increase yet to be determined. |
| 300-720-5416310 | Sandy Lane Bike-Ped Improvements | 438,780 | Construct a shared use path along the east side of Sandy Lane from Corkscrew Road to Broadway East | Increase yet to be determined. |
| 300-720-5416311 | Broadway E Shared Use Path | 245,700 | Construct a shared use path and sidewalk along Broadway East from US-41 to Sandy Lane | Increase yet to be determined. |
| Bicycle and Pedestrian Improvements Projects (720) | | 1,094,480 | | |
| 300-730-5416370 | US 41 Landscaping Enhancement | 114,790 | Install landscaping within the US-41 medians. | Annual maintenance costs estimated to be $297,000 |

| | | | | |
|---|---|---|---|---|
| 300-730-5416369 | US 41 FDOT Landscape Grant | 199,600 | Install landscaping in two areas along US 41 to include trees within the median and trees, shrubs and ground cover along the shoulders. | Increase yet to be determined |
| 300-730-5416373 | US 41 Monument Signs | 156,000 | Install Village of Estero monument signs at both ends of US 41 in Estero. | Incraese yet to be determined |
| 300-730-5416374 | Three Oaks Parkway Monument Signs | 156,000 | Install Village of Estero monument signs at both ends of Three Oaks Parkway in Estero. | Increase yet to be determined |
| 300-730-5416375 | Via Coconut Point Landscape Improvements (Williams-Coconut) | 276,000 | Master plan Via Coconut Point Landscaping and install landscaping from Coconut Road to Williams Road. | Annual maintenance costs estimated to be $330,000 |
| 300-730-5416376 | Ben Hill Griffin Pkwy Landscape Improvements | 130,000 | Design and install additional landscaping along Ben Hill Griffin Parkway which will provide traffic calming, shade for pedestrians and improve aesthetics. | Annual maintenance costs estimated to be $200,000 |
| 300-730-5416377 | I-75 Interchange Landscaping | 60,000 | Florida Department of Transportation (FDOT) is scheduled to design, permit and install landscaping at the Corkscrew Road Interchange with the Village funding enhanced landscaping above what is typically provided by FDOT. | Maintenance of the I-75 landscaping and irrigation is expected to be handled by FDOT. |
| 300-730-5416380 | Williams Road Landscape Improvements | 143,000 | Design and install landscaping along Williams Road from Via Coconut Point to Three Oaks Parkway. | Annual maintenance costs esitmated to be $84,000 |
| | Landscaping & Beautification Projects (730) | 1,235,390 | | |
| 300-740-5726301 | Estero on the River Master Plan | 252,000 | Prepare Master Plan for the Estero on the River property. | No additional maintenance will be required as a result of this master plan. |
| 300-740-5726302 | Estero Community Park Expansion Master Plan | 150,000 | Prepare master plan for potential park improvements on Estero Community Park property, School District property and potential additional land purchases. | No additional maintenance will be required as a result of this master plan. |
| 300-740-5726303 | Estero Community Park Expansion | 738,000 | The exact extent of park improvements are not yet know and will be determined during the Estero/School/Park Master Plan. | Increase yet to be determined. |
| | Parks & Recreation Projects (740) | 1,140,000 | | |
| 300-750-5376302 | Villages of Country Creek Bypass Swale Improvements | 192,000 | Modify the swale around Villages at County Creek to increase the amount of water that flows around the community and bypasses the relatively narrow section of the Estero River that runs through the community. | Increase yet to be determined. |
| 300-750-5376303 | Dry Creek Bed Sediment Removal | 150,000 | Remove sediment from a dry river bed that historically connected the North and South Branches of the Estero River to reduce water levels within the North Branch. | Increase yet to be determined. |
| 300-750-5376310 | Estero River Sediment Removal (West of US 41) | 30,000 | Remove sediment that has built up in the Estero River west of US41. | No recurring operating costs |
| | Stormwater Projects (750) | 372,000 | | |

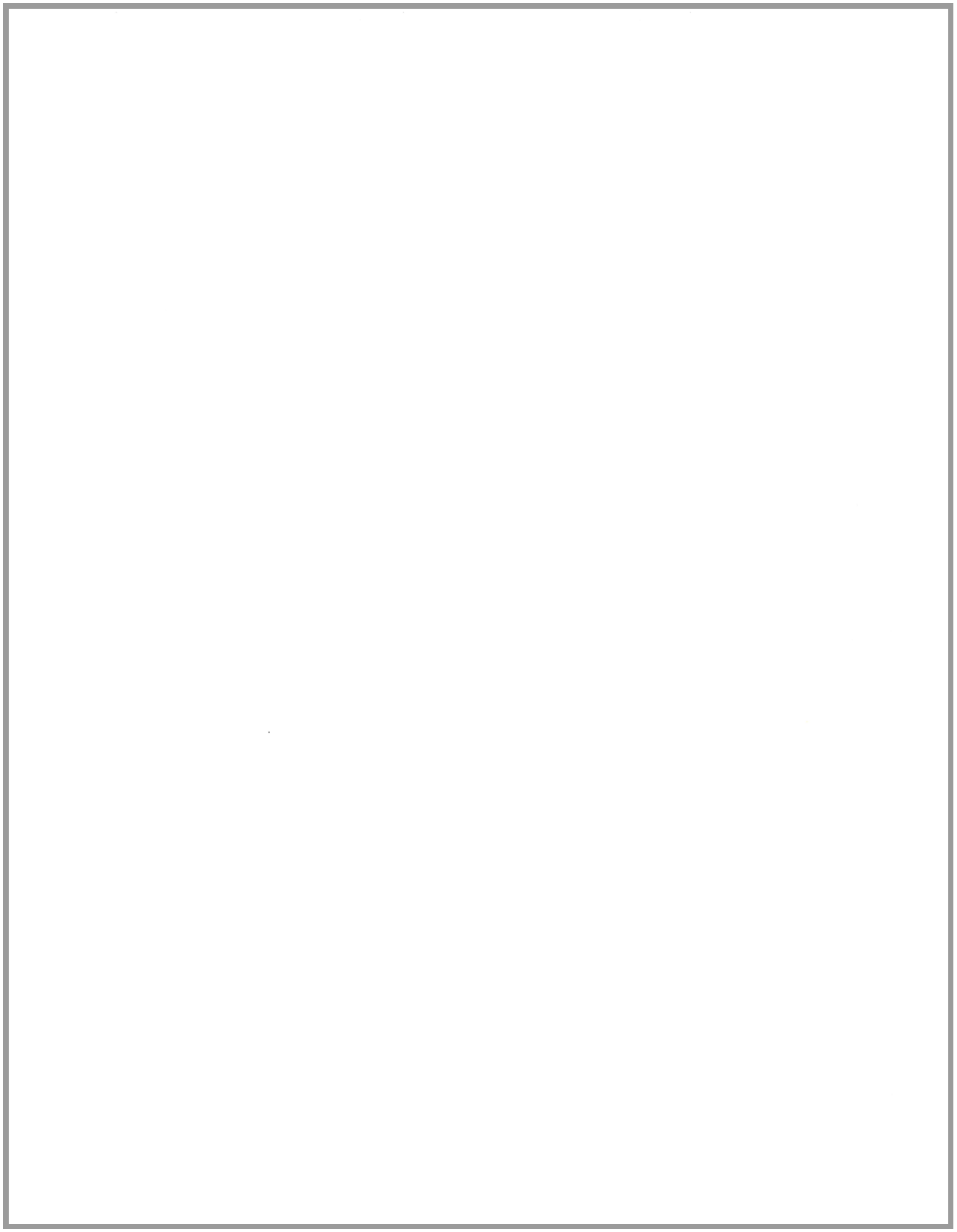


EXHIBIT B

## LEE COUNTY SCHOOL DISTRICT
## Capital Plan
## 2022-2026

| ESTIMATED REVENUE<br>Current Revenue | Actual<br>20/21 | 21/22 | 22/23 | 23/24 | 24/25 | 25/26 | FIVE YEAR TOTAL |
|---|---|---|---|---|---|---|---|
| Taxes | 139,309,916 | 150,887,797 | 155,414,000 | 160,076,000 | 164,878,000 | 171,473,000 | 802,728,797 |
| Sales Tax | 88,730,152 | 87,272,771 | 90,763,682 | 94,394,229 | 97,698,027 | 100,628,968 | 470,757,677 |
| Impact Fees | 18,144,985 | 17,312,000 | 17,831,000 | 18,366,000 | 18,917,000 | 19,485,000 | 91,911,000 |
| CO & DS | 3,267,309 | 1,600,000 | 1,600,000 | 1,600,000 | 1,600,000 | 1,600,000 | 8,000,000 |
| PECO Maintenance | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Charter Schools Revenue | 5,943,691 | 6,500,000 | 6,695,000 | 6,896,000 | 7,103,000 | 7,316,000 | 34,510,000 |
| Safety & Security State Grant | 1,413,850 | 0 | 0 | 0 | | 0 | 0 |
| Misc. | 695,232 | 450,000 | 466,000 | 482,000 | 499,000 | 516,000 | 2,413,000 |
| Interest | 830,567 | 1,314,000 | 1,548,000 | 1,587,000 | 1,255,000 | 1,050,000 | 6,754,000 |
| Current Revenue sub-total | 258,335,702 | 265,336,568 | 274,317,682 | 283,401,229 | 291,950,027 | 302,068,968 | 1,417,074,474 |
| Additional Revenue | | | | | | | |
| Fund Balance - Unallocated | 319,534,207 | 304,574,082 | 327,513,254 | 334,009,763 | 217,204,150 | 142,186,693 | 304,574,082 |
| **DEBT PROCEEDS** | | | | | | | |
| Certificate of Participation (COPs) | | 181,900,000 | 325,500,000 | 167,000,000 | 40,000,000 | 46,000,000 | 760,400,000 |
| **TOTAL ESTIMATED REVENUE** | **577,869,910** | **751,810,650** | **927,330,936** | **784,410,992** | **549,154,177** | **490,255,661** | **2,482,048,557** |
| **APPROPRIATIONS** | | | | | | | |
| EAST ZONE CONSTRUCTION PROJECTS | 78,448,255 | 69,115,500 | 146,300,000 | 178,000,000 | 96,000,000 | 17,500,000 | 506,915,500 |
| SOUTH ZONE CONSTRUCTION PROJECTS | 2,227,155 | 68,198,000 | 109,000,000 | 63,000,000 | 2,000,000 | 10,500,000 | 252,698,000 |
| WEST ZONE CONSTRUCTION PROJECTS | 0 | 3,000,000 | 14,050,000 | 9,250,000 | 2,000,000 | 18,800,000 | 47,100,000 |
| MAJOR MAINTENANCE REPAIRS/RENOVATIONS | 65,407,533 | 98,360,643 | 90,848,933 | 87,092,783 | 69,565,933 | 69,787,783 | 415,656,075 |
| TECHNOLOGY | 29,746,743 | 43,500,327 | 35,550,000 | 16,175,000 | 22,784,517 | 34,595,000 | 152,604,844 |
| EQUIPMENT/BUSES | 4,545,401 | 17,284,841 | 13,510,000 | 13,590,000 | 13,665,000 | 13,740,000 | 71,789,841 |
| CHARTER SCHOOLS | 174,355 | 0 | 7,770,700 | 8,003,800 | 8,243,900 | 8,573,650 | 32,592,050 |
| TRANSFERS | 21,943,691 | 22,500,000 | 22,695,000 | 22,896,000 | 23,103,000 | 23,316,000 | 114,510,000 |
| BANK FEES | 3,993 | 0 | 0 | 0 | 0 | 0 | 0 |
| DEBT SERVICE | 70,798,700 | 102,338,085 | 153,596,540 | 169,199,259 | 169,605,134 | 173,270,096 | 768,009,114 |
| **TOTAL APPROPRIATIONS** | **273,295,827** | **424,297,396** | **593,321,173** | **567,206,842** | **406,967,484** | **370,082,529** | **2,361,875,424** |
| ALLOCATED FUND BAL CARRYFORWARD | | | | | | | |
| **CARRYFORWARD/RESERVE FUTURE PROJ.**** | **304,574,082** | **327,513,254** | **334,009,763** | **217,204,150** | **142,186,693** | **120,173,132** | **120,173,132** |
| ADJUSTMENTS TO FUND BALANCE | | | | | | | **5.52%** |
| TOTAL APPROPRIATIONS AND RESERVES | **577,869,909** | **751,810,650** | **927,330,936** | **784,410,992** | **549,154,177** | **490,255,661** | **2,482,048,556** |

****Is not an indication of available funding due to restrictions applicable to various sources of capital funding.**

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## LEE COUNTY SCHOOL DISTRICT
## Capital Plan
## 2022-2026

**SCHOOL PROJECTS**

| Prj # | PROJECT | STUDENT SEATS | 20/21 | 21/22 | 22/23 | 23/24 | 24/25 | 25/26 | Five Year Total |
|---|---|---|---|---|---|---|---|---|---|
| **A.** | **EAST ZONE CONSTRUCTION PROJECTS** | | | | | | | | |
| 7304 | EAST ZONE LAND - TAYLOR LANE | | 339,097 | 456 | | | | | 456 |
| 7305 | EAST ZONE LAND - RIVERDALE | | 532,417 | | | | | | 0 |
| 7306 | EAST ZONE LAND - MIRROR LAKES | | 1,437 | | | | | | 0 |
| 7307 | EAST ZONE LAND - S.R. 82 | | 44,069 | 2,955,000 | | | | | 2,955,000 |
| | ELEM EAST J | 1,034 | 0 | 25,500,000 | 25,500,000 | | | | 51,000,000 |
| | EAST ZONE PK-8 INNOVATION SCHOOL | | | 5,000,000 | 36,500,000 | 36,500,000 | | | 78,000,000 |
| 7254 | EAST MIDDLE MM | 1,345 | 33,971,658 | 11,015,573 | | | | | 11,015,573 |
| | MM ADDITION (LAMS) | | | 1,400,000 | 4,000,000 | | | | 5,400,000 |
| | EAST MIDDLE | | | 5,000,000 | 27,500,000 | 27,500,000 | | | 60,000,000 |
| | EAST MIDDLE | 1,345 | | | 5,000,000 | 31,000,000 | 31,000,000 | | 67,000,000 |
| * | EAST HIGH | 1,900 | | | 5,000,000 | 47,500,000 | 47,500,000 | | 100,000,000 |
| 7046 | GATEWAY HIGH (MMM) | 2,200 | 42,064,584 | 9,033,084 | | | | | 9,033,084 |
| 7047 | LEHIGH SENIOR ADDITION | 500 | 9,071 | | | | | | 0 |
| 2310 | JAMES STEPHENS PRE-K REMODEL | | 1,484,742 | 12,587 | | | | | 12,587 |
| 7255 | RIVERDALE HIGH REMODEL | | 1,181 | 3,198,800 | 25,300,000 | 13,000,000 | | | 41,498,800 |
| | G WEAVER HIPPS PRE-K CENTER | | | | 5,000,000 | 5,000,000 | | | 10,000,000 |
| | VARSITY LAKES SIDEWALK/BUS ACCESS | | | 1,000,000 | | | | | 1,000,000 |
| | OLD LAMS BUILDING REMODEL | | 0 | 5,000,000 | 12,500,000 | 12,500,000 | | | 30,000,000 |
| | EAST TECHNICAL CENTER** | | | | | 5,000,000 | 17,500,000 | 17,500,000 | 40,000,000 |
| | **SUB-TOTAL EAST ZONE PROJECTS** | | **78,448,255** | **69,115,500** | **146,300,000** | **178,000,000** | **96,000,000** | **17,500,000** | **506,915,500** |
| | ***** East Technical School is estimated at a total cost of $80M, This plan assumes that $40M of the cost will come from outside sources.** | | | | | | | | |

| Prj # | PROJECT | STUDENT SEATS | 20/21 | 21/22 | 22/23 | 23/24 | 24/25 | 25/26 | Five Year Total |
|---|---|---|---|---|---|---|---|---|---|
| **B.** | SOUTH ZONE CONSTRUCTION PROJECTS | | | | | | | | |
| | FRANKLIN PARK ELEMENTARY REMODEL | | | 5,500,000 | 30,000,000 | 30,000,000 | | | 65,500,000 |
| | CYPRESS LAKE MIDDLE REMODEL | | | 6,000,000 | 33,000,000 | 33,000,000 | | | 72,000,000 |
| | BONITA ELEMENTARY REMODEL | | | 6,000,000 | | | | | 6,000,000 |
| 7067 | SOUTH K-8 AAAA | 1,600 | 2,225,963 | 42,000,000 | 42,000,000 | | | | 84,000,000 |
| | SOUTH ZONE HIGH SCHOOL ADDITION | 500 | | | | | 2,000,000 | 10,500,000 | 12,500,000 |
| 7256 | FORT MYERS TECH REMODEL | | 1,192 | 8,698,000 | 4,000,000 | | | | 12,698,000 |
| | **SUB-TOTAL SOUTH ZONE PROJECTS** | | **2,227,155** | **68,198,000** | **109,000,000** | **63,000,000** | **2,000,000** | **10,500,000** | **252,698,000** |

| Prj # | PROJECT | STUDENT SEATS | 20/21 | 21/22 | 22/23 | 23/24 | 24/25 | 25/26 | Five Year Total |
|---|---|---|---|---|---|---|---|---|---|
| **C.** | WEST ZONE CONSTRUCTION PROJECTS | | | | | | | | |
| | WEST ZONE HIGH SCHOOL ADDITION | 500 | | 1,500,000 | 9,250,000 | 9,250,000 | | | 20,000,000 |
| | WEST ZONE HIGH SCHOOL ADDITION | 500 | | | | | 2,000,000 | 10,500,000 | 12,500,000 |
| | CAPE CORAL TECH ADDITION | | | 1,500,000 | 4,800,000 | | | 8,300,000 | 14,600,000 |
| | **SUB-TOTAL - WEST ZONE PROJECTS** | | **0** | **3,000,000** | **14,050,000** | **9,250,000** | **2,000,000** | **18,800,000** | **47,100,000** |
| **TOTAL** | **- SCHOOL CONSTRUCTION PROJECTS** | | **80,675,411** | **140,313,500** | **269,350,000** | **250,250,000** | **100,000,000** | **46,800,000** | **806,713,500** |

## LEE COUNTY SCHOOL DISTRICT
## Capital Plan
## 2022-2026

| Prj # | PROJECT | 20/21 | 21/22 | 22/23 | 23/24 | 24/25 | 25/26 | Five Year Total |
|---|---|---|---|---|---|---|---|---|
| **D.** | **SMALL CAPITAL PROJECTS** | | | | | | | |
| 7182 | PORTABLES | 284,401 | 809,274 | 324,208 | 324,208 | 324,208 | 324,208 | **2,106,106** |
| 7142 | COUNTYWIDE HVAC | 4,820,095 | 6,139,250 | 5,145,000 | 5,145,000 | 5,145,000 | 5,145,000 | **26,719,250** |
| 7189 | SCHOOL IMPROVEMENTS MAINTENANCE PROJECT | 43,599,243 | 63,558,550 | 70,258,500 | 69,568,500 | 55,342,500 | 55,902,500 | **314,630,550** |
| 7064 | SAFETY TO LIFE | 2,091,358 | 2,765,000 | 3,015,000 | 3,015,000 | 3,015,000 | 3,015,000 | **14,825,000** |
| 7188 | SCHOOL IMPROVEMENTS CONSTRUCTION PROJE( | 1,979,744 | 1,781,809 | 125,000 | 125,000 | 125,000 | 125,000 | **2,281,809** |
| 9105 | SAFETY | 42,940 | 772,825 | 337,225 | 81,575 | 87,225 | 41,575 | **1,320,425** |
| 9110 | FACILITY DEV & PROG SVCS | 7,197 | 5,000 | 18,000 | 18,500 | 19,000 | 19,500 | **80,000** |
| 9144 | SECURITY | 12,333,501 | 17,411,130 | 9,136,000 | 5,296,000 | 2,346,000 | 2,296,000 | **36,485,130** |
| 9240 | TRANSPORTATION | 71,133 | 0 | 0 | 0 | 0 | 0 | **0** |
| 9050 / | OPERATIONS/PLANNING | 65,282 | 3,162,285 | 400,000 | 1,345,000 | 900,000 | 600,000 | **6,407,285** |
| 7007 | BAND UNIFORMS | 112,640 | 172,401 | 115,000 | 115,000 | 115,000 | 115,000 | **632,401** |
| | SMALL CIP PROJECTS | | 250,000 | 250,000 | 250,000 | 250,000 | 250,000 | **1,250,000** |
| **E.** | **CAPITALIZED PERSONNEL** | | | | | | | |
| 7995 | INFORMATION TECH SUPPORT | 0 | 96,066 | 101,000 | 104,000 | 107,000 | 110,000 | **518,066** |
| 7999 | FACILITIES PROJECT MGMT/PLANNING/TECH SUPP | 0 | 1,437,054 | 1,624,000 | 1,705,000 | 1,790,000 | 1,844,000 | **8,400,054** |
| | **TOTAL OTHER CAPITAL PROJECTS** | **65,407,533** | **98,360,643** | **90,848,933** | **87,092,783** | **69,565,933** | **69,787,783** | **415,656,075** |
| **F.** | **TECHNOLOGY** | | | | | | | |
| 2282 | ATLAS REFRESH | 9,856,160 | 9,931,942 | 11,445,000 | 200,000 | 200,000 | 9,000,000 | **30,776,942** |
| 9132 | TECH EQUIPMENT/SOFTWARE | 19,890,583 | 33,568,386 | 24,105,000 | 15,975,000 | 22,584,517 | 25,595,000 | **121,827,903** |
| | **TOTAL - TECHNOLOGY** | **29,746,743** | **43,500,327** | **35,550,000** | **16,175,000** | **22,784,517** | **34,595,000** | **152,604,844** |
| **G.** | **EQUIPMENT AND BUSES** | | | | | | | |
| 7145&7&8 | SCHOOL EQUIPMENT | 1,263,252 | 3,978,873 | 2,370,000 | 2,450,000 | 2,525,000 | 2,600,000 | **13,923,873** |
| 7146 | DEPARTMENT EQUIPMENT | 15,207 | 0 | 0 | 0 | 0 | 0 | **0** |
| 7149 | FURNITURE ROTATION | 178,869 | 1,237,964 | 1,000,000 | 1,000,000 | 1,000,000 | 1,000,000 | **5,237,964** |
| 6817 | BUILDING SERVICES | 139,767 | 150,000 | 140,000 | 140,000 | 140,000 | 140,000 | **710,000** |
| 7192 | PURCHASE OF BUSES | 2,948,306 | 11,918,004 | 10,000,000 | 10,000,000 | 10,000,000 | 10,000,000 | **51,918,004** |
| | TOTAL - EQUIPMENT/BUSES | **4,545,401** | **17,284,841** | **13,510,000** | **13,590,000** | **13,665,000** | **13,740,000** | **71,789,841** |
| **H.** | **CHARTER SCHOOLS** | | | | | | | |
| | CHARTER SCHOOLS - TAX REVENUE | 0 | 0 | 7,770,700 | 8,003,800 | 8,243,900 | 8,573,650 | **32,592,050** |
| | CHARTER SCHOOLS - SAFETY GRANT | 174,355 | 0 | 0 | 0 | 0 | 0 | **0** |
| | **TOTAL CHARTER SCHOOLS** | **174,355** | **0** | **7,770,700** | **8,003,800** | **8,243,900** | **8,573,650** | **32,592,050** |

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## LEE COUNTY SCHOOL DISTRICT
## Capital Plan
## 2022-2026

| Prj # | PROJECT | 20/21 | 21/22 | 22/23 | 23/24 | 24/25 | 25/26 | Five Year Total |
|---|---|---|---|---|---|---|---|---|
| **I.** | **TRANSFERS** | | | | | | | |
| 9600 | TRANSFER FOR CHARTER SCHOOLS - PECO | 5,943,691 | 6,500,000 | 6,695,000 | 6,896,000 | 7,103,000 | 7,316,000 | **34,510,000** |
| 9600 | TRANSFER FOR MAINTENANCE | 16,000,000 | 16,000,000 | 16,000,000 | 16,000,000 | 16,000,000 | 16,000,000 | **80,000,000** |
| | TOTAL TRANSFERS | **21,943,691** | **22,500,000** | **22,695,000** | **22,896,000** | **23,103,000** | **23,316,000** | **114,510,000** |
| | **BANK FEES** | 3,993 | | | | | | **0** |
| **J.** | **DEBT SERVICE** | | | | | | | |
| | 29900 FY11 QSCB | 1,902,889 | 2,031,819 | 2,023,819 | 2,023,819 | 2,023,819 | 2,023,819 | **10,127,095** |
| | 29501 FY12B COPs | 23,305,517 | 23,313,088 | 6,747,938 | 0 | 0 | 0 | **30,061,026** |
| | 29801 FY12C COPs | 1,136 | | | | | 0 | **0** |
| | 29301 FY13 COPs | 248,581 | 249,548 | 4,563,530 | 0 | 0 | 0 | **4,813,078** |
| | 29302 FY14A COPs | 4,484,117 | 4,483,913 | 4,488,913 | 4,557,663 | 4,633,913 | 8,305,713 | **26,470,115** |
| | 29201 FY14B COPs | 7,772,548 | 7,795,000 | 7,791,000 | 7,840,750 | 7,937,000 | 7,696,500 | **39,060,250** |
| | 29500 FY16A COPs | 3,365,725 | 3,795,300 | 3,791,000 | 3,794,000 | 3,794,850 | 3,792,600 | **18,967,750** |
| | 29401 FY17A COPs | 1,616,058 | 1,623,762 | 12,139,762 | 18,423,747 | 18,653,080 | 15,188,878 | **66,029,229** |
| | 29502 FY17B COPs | 3,829,322 | 3,829,372 | 3,826,888 | 7,880,780 | 7,878,972 | 7,878,336 | **31,294,348** |
| | 29802 FY19 COPs - Gateway High (MMM) | 12,033,436 | 12,041,539 | 12,035,271 | 12,034,104 | 12,038,539 | 12,037,838 | **60,187,291** |
| | 29802 FY19 COPs - Lehigh High Addtion | 856,311 | 859,211 | 855,979 | 855,896 | 856,211 | 856,162 | **4,283,459** |
| | 29601 FY20 COPs - Middle School MM | 7,022,754 | 7,034,500 | 7,015,250 | 7,013,500 | 7,013,750 | 7,015,250 | **35,092,250** |
| | **FY22 COPS (Sales Tax 7 yr repayment)** | | 30,900,000 | 30,900,000 | 30,900,000 | 30,900,000 | 30,900,000 | **154,500,000** |
| | **FY23 COPS (Sales Tax 6 yr repayment)** | | 0 | 53,400,000 | 53,400,000 | 53,400,000 | 53,400,000 | **213,600,000** |
| | **FY23 COPS (20 yr repayment)** | | 0 | 3,975,000 | 3,975,000 | 3,975,000 | 3,975,000 | **15,900,000** |
| | **FY24 COPs (20 yr repayment)** | | 0 | 0 | 13,300,000 | 13,300,000 | 13,300,000 | **39,900,000** |
| | **FY25 COPs (20 yr repayment)** | | | | 3,200,000 | 3,200,000 | 3,200,000 | **9,600,000** |
| | **FY26 COPs (20 yr repayment)** | | 0 | 0 | 0 | 0 | 3,700,000 | **3,700,000** |
| | **FY27 COPs (20 yr repayment)** | | 0 | 0 | 0 | 0 | 0 | **0** |
| | 29702 FY17 Bus Loan | 4,191,550 | 4,212,274 | 0 | 0 | 0 | 0 | **4,212,274** |
| | Fund 29701 FY12 FP&L Lease Agreement | 168,758 | 168,759 | 42,190 | 0 | 0 | 0 | **210,949** |
| | **TRANSFER TO DEBT SERVICE** | **70,798,700** | **102,338,085** | **153,596,540** | **169,199,259** | **169,605,134** | **173,270,096** | **768,009,114** |

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| | Value of 50% Mill | 69,654,958 | 75,443,899 | 77,707,000 | 80,038,000 | 82,439,000 | 85,736,500 |
| | Debt Service as % of 50% mill | 41.0% | 44.5% | 63.6% | 81.2% | 79.3% | 80.6% |
| | Statutory Debt Limit (75%) | 104,482,437 | 113,165,848 | 116,560,500 | 120,057,000 | 123,658,500 | 128,604,750 |
| | Debt Service as % of 75% mill | 27.3% | 29.6% | 42.4% | 54.1% | 52.9% | 53.7% |

**The debt service limits are based solely on debt to be reimbursed from Capital Outlay Millage funds and does not include debt paid from any other source such as Sales Tax.**

****Difference between FY22 budgeted amounts for Capital on previous pages and the Capital Plan is due to anticipated COPs and related expenditures for the construct of new schools scheduled in the next five years.**

# WORKSHOP ITEM SUMMARY SHEET
# VILLAGE COUNCIL MEETING
# January 19, 2022

**Agenda Item:**

Planning, Zoning and Design Board Annual Report

**Description:**

The Planning, Zoning and Design Board has provided Council an annual report with a status on different projects that have been reviewed over the year. Last year, the Planning and Zoning Board and Design Review Board were combined into one Board and a report was not provided at that time. A report for 2021 is attached for Council's review, and a PowerPoint presentation has also been prepared this year to provide an overview of developments in the Village.

**Financial Impact:**

No impact.

**Attachment:**

1. Annual Report



1-10-2022

# VILLAGE OF ESTERO, FLORIDA

## Planning, Zoning & Design Board

## *2021 Annual Report to the Village Council*

### INTRODUCTION

This is the first Annual Report of the new Planning, Zoning & Design Board (PZDB). The PZDB was formed in the spring of 2021 by combining the previous Planning & Zoning and Design Review Boards in order to streamline the planning, zoning, and review process for the Village staff and landowners wishing to develop or redevelop their properties.

The PZDB serves as the Village of Estero's State required Local Planning Agency. The PZDB is responsible for conducting all public hearings on zoning requests for proposed Estero land developments and then makes recommendations to the Village Council and/or takes actions itself on variances, deviations and special exceptions. Also, in its role as the overseer of the design and review of approved developments and portions thereto, all Development Order applications must be reviewed and acted upon by the PZDB, independently of the Village Council.

The PZDB usually meets monthly to review and decide action items and to conduct workshops and Public Information Meetings (PIM). A PIM is a session where applicants can make presentations, questions can be asked by the public or the Board, but no decisions are made. Public input is invited and encouraged at all PZDB meetings.

The PZDB is directly accountable to the Village Council. The nine Board members serve staggered terms. Currently, the District 3 Village Councilor, who is also the Vice Mayor, serves as the liaison to the PZDB. The Village Director of Community Development and staff provide necessary staff support, field studies, developer/owner dialogue and reports and recommendations to the PZDB. The Village has also retained a prominent land use attorney who advises the PZDB on all legal matters that come before the PZDB. Their efforts are immeasurably helpful to the PZDB, enabling it to conduct its assigned responsibility.

### THE GOAL OF THE PZDB

The PZDB has the goal of overseeing the development, redevelopment and other changes to various properties within the Village in such a way that Estero grows responsibly. This means that proposals need to be consistent with the Village's Comprehensive Plan and Land Development Code (LDC) and are consistent or complementary with the values and design concepts that Estero has created over a continuum predating its incorporation in 2014 and continuing as an incorporated government.

The Comprehensive Plan identifies what is important to Estero's residents, and these items are contained in the Plan's Vision Statement.

PZDB activity also includes monitoring and planning to make sure that the Village infrastructure is able to support new development without overtaxing existing infrastructure. The PZDB, being the Local Planning Agency under the State of Florida Community Planning Act, recommends to the Village Council, after review of land development regulations and development proposals, whether they are consistent with the Village Comprehensive Plan. In concert with the Village Council and staff, the PZDB properly evaluates development proposals' effect on infrastructure and makes necessary recommendations to the Village Council to ensure that Village growth occurs responsibly and in a fashion that maintains the safe and efficient operation of the Village. When landowners and their developer partners seek to develop, they must have approved zoning, apply for a Development Order, and receive approval from the PZDB prior to obtaining a building permit.

The PZDB seeks to effectively serve several constituencies. First the residents, second the Village Council, and third, landowners who wish to develop or redevelop properties within the Village.

## PZDB PROCESS

The PZDB reviews a wide variety of requests from landowners, developers or their representatives. These items range from minor changes to reviewing complex zoning change proposals and Comprehensive Plan Amendments. In 2021, the PZDB completed its first transitional year of activity using both the Village of Estero's Comprehensive Plan adopted two years ago and the Land Development Code, newly adopted in January of 2021.

The new LDC is specific to Estero. It modernizes Estero's development regulations and is aligned with contemporary best practices. It is exceptionally well organized, easy to read and contains numerous graphics to facilitate user understanding of content and effective use of the Code. It is significantly shorter in length, being half the length of the predecessor Transitional Code that it replaced. The new Code streamlines the process. One improvement is the delegation of minor zoning and development decisions to staff so that applicants with minor items (such as a small setback variance) can avoid a more protracted process designed for complex applications.

The PZDB conducts zoning and Development Order public hearings in a quasi-judicial capacity. Quasi-judicial hearings occur regarding site-specific zoning and Development Order applications. The purpose of a quasi-judicial procedure, which is somewhat more formal than normal public hearings, is to assure due process to all concerned parties and to bring evidence to the PZDB (and ultimately the Village Council) that allows the PZDB to apply the existing adopted regulations/policies/requirements to a specific application (i.e., to determine whether the application for the requested action meets the existing requirements). Presenters and witnesses are sworn in and ex-parte communications and any conflicts of interest are disclosed. The hearing is open to the public with public comment encouraged either in person or by correspondence. Witnesses are subject to cross-examination.

## PZDB RULES OF PROCEDURE

With the assistance of the Village Director of Community Development and the Village Land Use Attorney, the PZDB developed formal rules of procedure that it follows as it considers zoning applications, Development Order applications, and other matters. These rules are adopted pursuant to the authority of the Village LDC, Section 2-302.A.10.

The purpose of these rules of procedure is to provide for the orderly conduct of the business of the PZDB. They are intended to ensure a reasonable and consistent process, to promote the orderly and efficient conduct of public proceedings, and to ensure the fair and impartial treatment of each person who appears before the Board. It should also be noted that the Board is scrupulous in its adherence to the Florida "Sunshine Laws", and deviations from those laws are not tolerated in any way.

Once the Board has completed its review of a matter, the Board considers the evidence in the record, the public's input, and any recommendations of the Village staff. On all decisions or recommendations made in any quasi-judicial proceeding, the Board's decision shall be based on competent substantial evidence in the record of the proceeding, and the applicable law. Should any application be denied, the Board shall state findings regarding the criterion or criteria that are not met.

## DEVELOPMENT INVENTORY AS OF 12/31/21

When the Board, or its predecessor Boards or Council, approves an application for development, it can take several years for the approved development to be completed. In addition, Estero, like most of Florida, is a rapidly growing community experiencing high demand for quality residential development thus creating an environment where multiple projects are underway simultaneously. There are numerous developments in various stages ranging from initial land acquisition, planning, application submission, zoning approval, Development Order approval, permitting and construction.

Detailed below are the current developments in the various stages by general location. Several developments were approved prior to Estero's incorporation. Neighboring developments that directly impact Estero are referenced because they may impact the Village. Previously completed developments are not listed, nor are small items such as repaint permits, signage requests, and additions to buildings, items that nonetheless must follow the process.

**Genova** – Located on Corkscrew Road and Via Coconut. Four of six condominium mid rises are built and occupied. A Public Information Meeting was held to present a new proposal for the remainder of the project. The new proposal is for single family homes and town homes instead of the two remaining mid rises. No zoning amendment has been filed at this time.

**Via Coconut** - A mixed use planned development across Via Coconut from Genova, consisting of 330 multifamily dwelling units, 29,600 square feet of commercial/retail use, a 10,000 square foot church or alternate commercial use, and a one-acre public park. Zoning approved.

**Pavich Realty** - A mixed use planned development consisting of a two-story office and a retail cafe situated on a small existing property at Happy Hollow Lane and Corkscrew Road. Zoning approved.

**Downtown Estero** - A mixed use planned development in the Village Center on a 34-acre site east of US 41 and north of Broadway. Development Order is proposed and an information meeting at PZDB was held.

**Estero Crossing** - A mixed use planned development on a 42-acre site located on the south side of Corkscrew Road west of I-75 and east of Estero Town Commons Place (Lowe's). It consists of 306 multifamily residential units in six buildings situated behind 60,000 square feet of retail space located on Corkscrew Road. An Oak & Stone Restaurant is included, and a frontage road behind the retail space is being constructed. The site has been cleared, and construction has begun on the retail space.

**Clean Machine Car Wash** - A free-standing commercial building situated on US 41 immediately north of the Aldi's grocery store. Development Order and building permit are approved, and site clearing has begun.

**Houck Dermatology** - A new medical office building (18,000 square feet) situated on the northeast corner of Corkscrew Road and Three Oaks Parkway has been constructed.

**AutoZone** - A new commercial building situated adjacent to Houck Medical in the Plaza Del Sol Commercial Planned Development on the southwest corner of Puerto Way and Corkscrew Road has been constructed.

**Wawa** - A proposed convenience store and gas station located on the property formerly occupied by Ruby Tuesday on Corkscrew Road in Estero Town Commons. Zoning amendment has been filed and is under review by staff.

**The Colonnade** - A 340-unit Continuing Care Retirement Community (CCRC) situated on the north side of Corkscrew Road, east of Sandy Lane and across from Genova, has submitted a Development Order which is under review by Staff.

**Fifth Third Bank** – A Development Order was approved for a new bank building located at the northwest corner of the Miromar Shopping Center.

**Corkscrew Crossing** - A planned residential community consisting of 554 residential units situated on the south side of Corkscrew Road, east of Wildcat Run and west of The Preserve at Corkscrew. There are three phases to the development, and the Development Order for the first phase has been approved.

**Shoppes at University Highlands** - A one-story 7,300 square foot commercial building on the west side of Ben Hill Griffin Parkway just north of the Miromar Outlets. It is the fifth building for University Highlands, which includes 14 acres of retail, hotel, and office properties. Development Order has been approved.

**Lee Health Medical Building** - A 20,000 square foot medical office building located at the Shoppes at University Highlands on Ben Hill Griffin Parkway just north of Miromar Outlets. Development Order has been approved.

**The Reserve at Via Coconut (formerly Edera)** - A three building, four-story 180 multifamily unit community on the southeast corner of Williams Road and Via Coconut just east of Hertz Global headquarters. It is the most northeastern point of the Coconut Point Development of Regional Impact (DRI). Construction is nearing completion, and several units are occupied.

**"Flag" Hotels** - Zoning has been approved for 3 flag hotels (nationally known hotels), one located at the southwest Corner of Coconut Point Road and US 41, one on US 41 across from the main entrance to Fountain Lakes, and one at Miromar Outlets. No building permits have been submitted for these hotels. COVID has slowed progress on these hotels.

**Coconut Landing** - The Village annexed a vacant 10-acre parcel located off Coconut Road one quarter mile east of the Hyatt Coconut Point resort and west of El Dorado acres. The proposed development is under construction and will include 25 single family homes.

**West Bay Club Pod 5** - The proposed development is the last phase of the West Bay Club community. A 23-story high rise is proposed to be built on a site previously approved by the County for a 20-story high rise. 88 luxury residential units are planned. The necessary zoning amendment has been approved by Village Council.

**Marketplace at Coconut Point** – A Public Information Meeting was held at the PZDB for a proposed commercial development on the southeast corner of US 41 and Via Rapallo Drive.

**PROJECTS IN COUNTY OR BONITA SPRINGS**

There are several projects in Lee County and the City of Bonita Springs that will impact the Village and are worth noting:

**Corkscrew Road Area** –

- The Place at Estero, 1,325 residential units
- Wild Blue, 1,100 residential units
- Verdana Village, 2,400 residential units and commercial uses
- Estero Fire Rescue Station 5, a 19,400-sf facility on Corkscrew Road

**Coconut Road Area** –

- London Bay – "Saltleaf" Project, high rise development with marina and restaurant (former Weeks Fish Camp) north of Hyatt

## THE OUTLOOK FOR ESTERO IN 2022

In 2000, the full-time resident population of Estero was just over 9,000. The 2021 official estimate placed the resident population at 37,213. Most of this growth occurred when Estero's 39 gated communities were built but, as detailed in this report, development continues principally along the Corkscrew Road corridor, Via Coconut Point, US 41 and Coconut Road.

When all current developments pending, approved, or under construction are added together, the population in these developments could total over 17,500, resulting in a population of over 50,000 for the Village and nearby areas. Estero is now approximately 90% developed or under development.

As previously noted, this growth takes several years to mature but it requires advance planning to provide necessary infrastructure including not only roads, storm water management, water supply and utilities, but also public safety (police, fire, and EMS), public education and other essential public services.

It is widely known that the pandemic has created labor shortages and disruption of supply chains. Construction jobs and materials have been affected by that phenomenon, and the shortages and disruptions are predicted to continue but hopefully abate in 2022.

The work of Village staff, the Village Council and the Planning, Zoning and Design Board grows along with new development activity. The goal remains responsible development.

Respectfully submitted to the Village Council:

The Village of Estero Planning, Zoning and Design Board

Scotty Wood, Co-Chairman
Howard Levitan, Co-Chairman
Anthony Gargano
Kristin Jeannin
Barry Jones
Marlene Naratil
Mike Sheeley
James Tatooles
Jim Wallace

# WORKSHOP ITEM SUMMARY SHEET
# VILLAGE COUNCIL MEETING
# January 19, 2022

**Agenda Item:**

Update on Development Projects in Estero

**Description:**

Community Development staff will provide a status update on development projects in the Village, including those that have been recently completed or under construction, as well as pending and future projects.

**Financial Impact:**

No direct financial impact for workshop, but these projects will contribute to the Village's tax base.

**Attachment:**

1. PowerPoint Presentation


Village of
ESTERO
UPDATE ON
DEVELOPMENT PROJECTS
IN ESTERO
Village Council Meeting
January 19, 2022
1

Village of ESTERO

# AGENDA

## Recently Completed Projects

## Under Construction



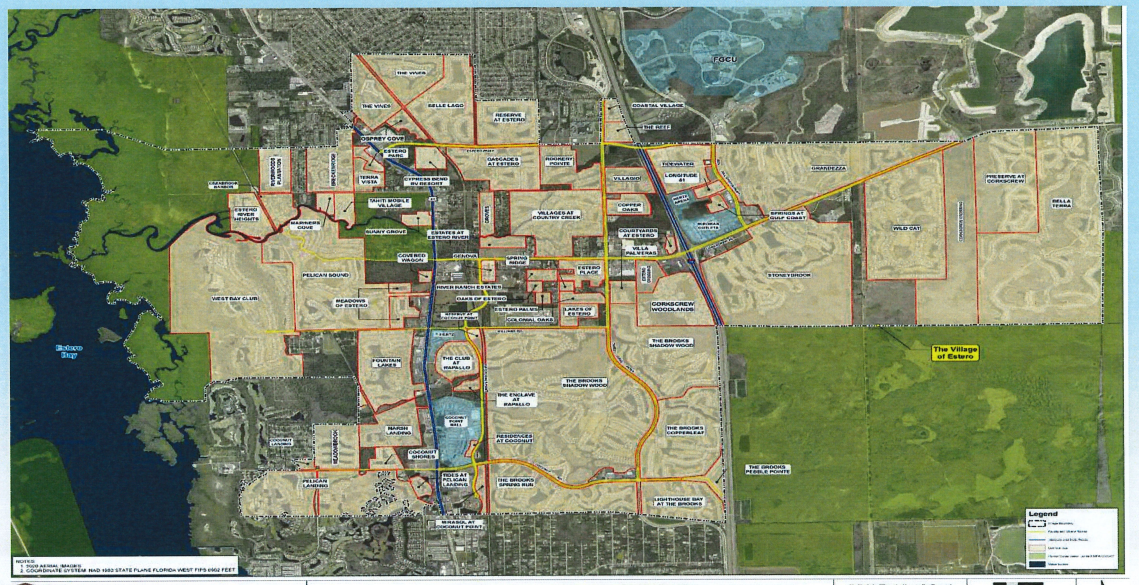
## Remodeled

## New Projects

## Future Projects

2

Village of ESTERO




Village of ESTERO
9401 CORKSCREW PALMS CIRCLE
ESTERO,FL 33928
P: 239.221.5035
http://estero-fl.gov

THE VILLAGE OF ESTERO
FLORIDA

SCALE: 1 " = 0.2 mi
0 0.1 0.2 0.4 mi
DATE: 6/8/2021

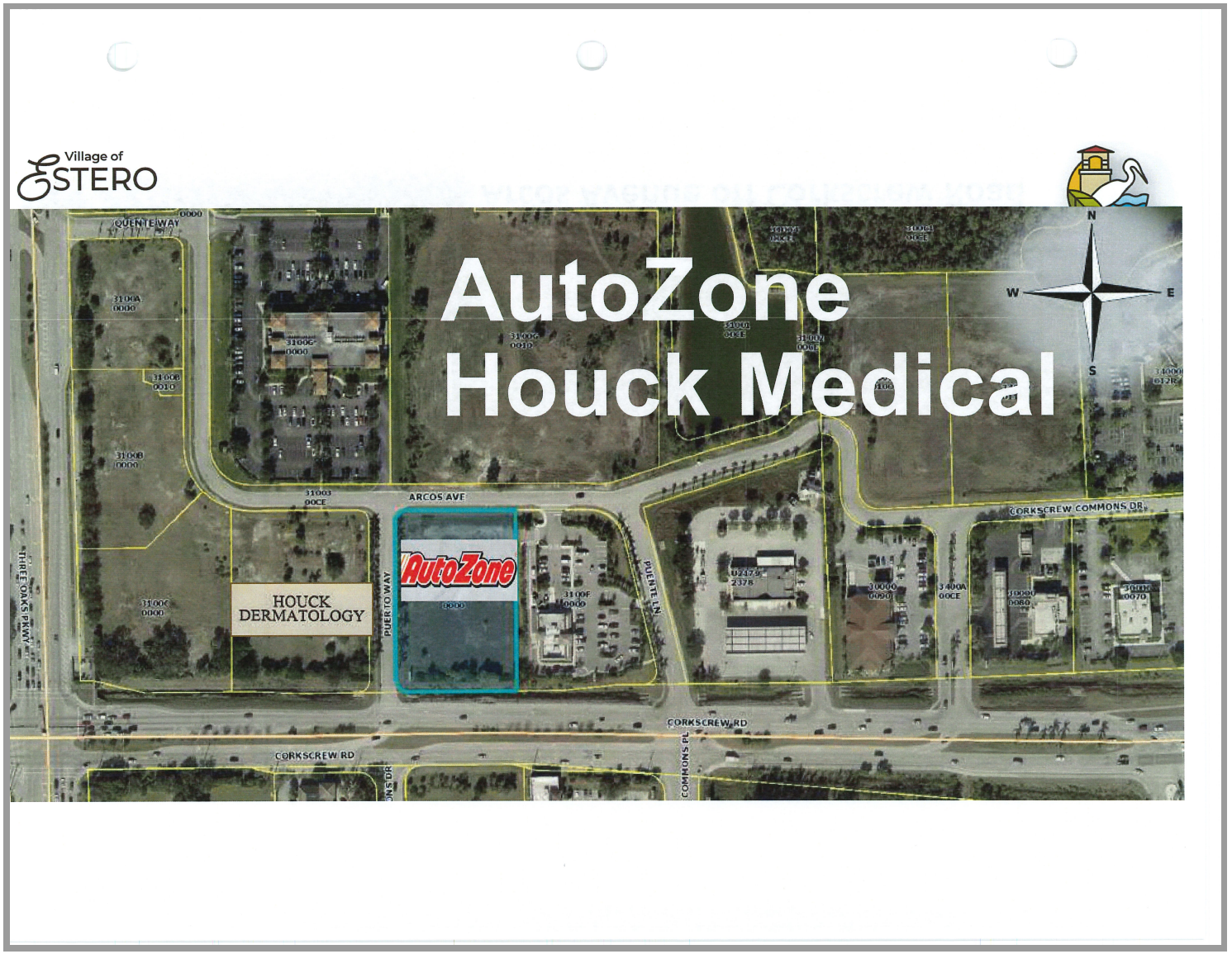
N

3

Village of ESTERO

# Recently Completed Projects

4


Village of
ESTERO
AutoZone
Houck Medical
N
W
E
S
QUENTE WAY
ARCOS AVE
HOUCK
DERMATOLOGY
AutoZone
PUERTO WAY
PUENTE LN
CORKSCREW COMMONS DR
CORKSCREW RD
CORKSCREW RD
THREE OAKS PKWY
COMMONS PL

Village of ESTERO



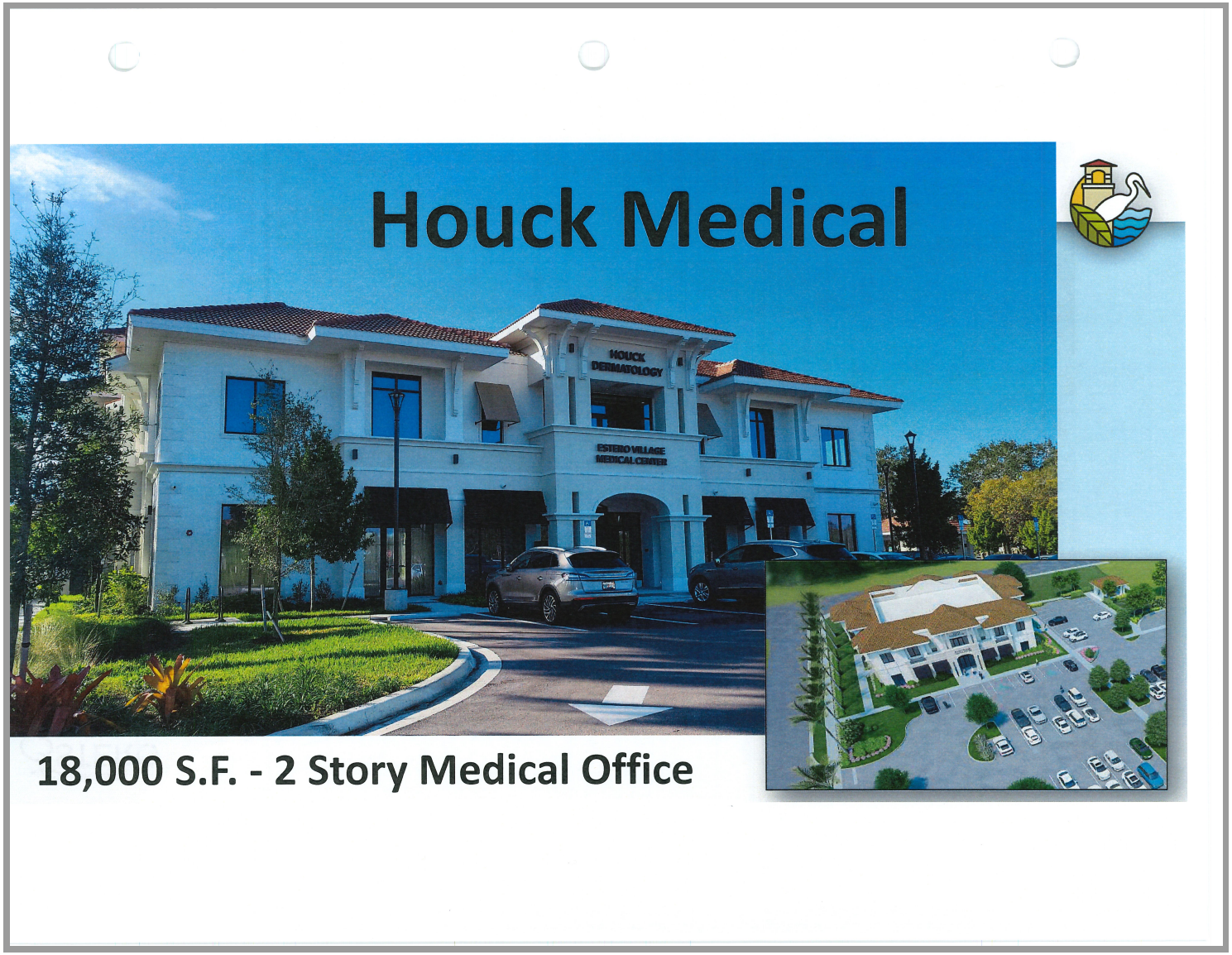




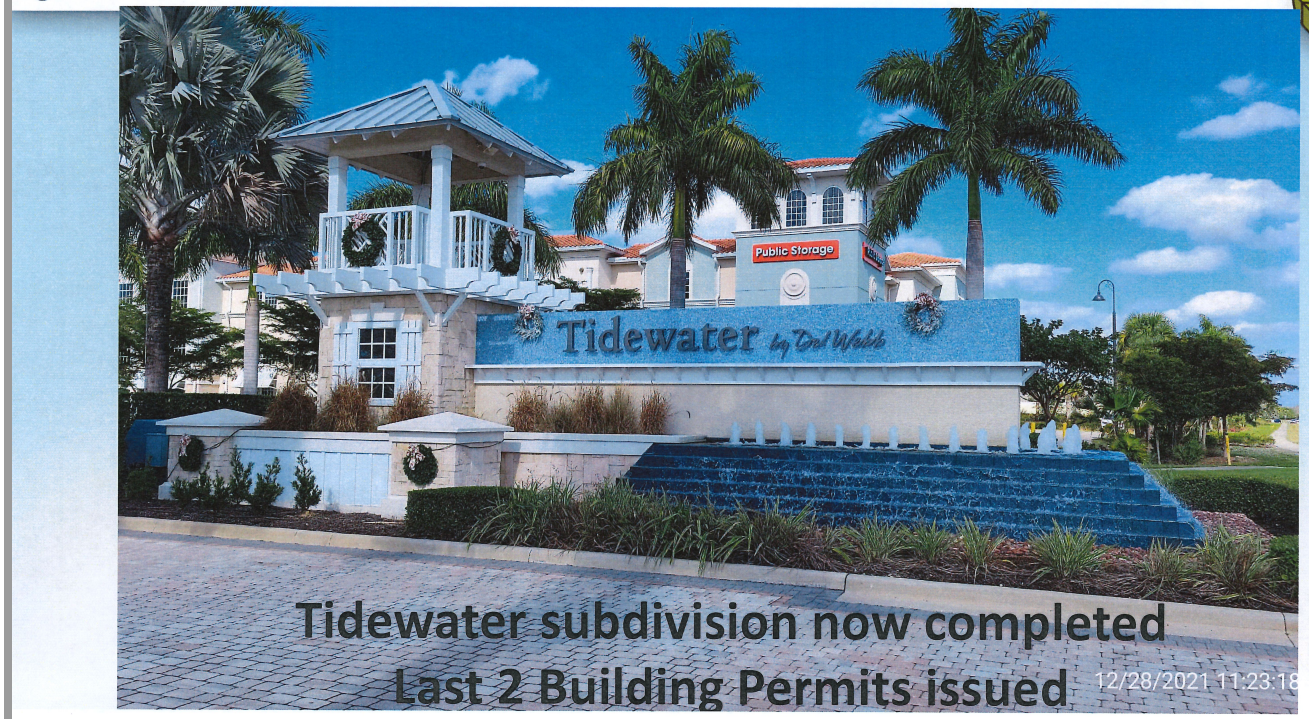
## 7,400 S.F. Commercial Building

### Arcos Avenue off Corkscrew Road

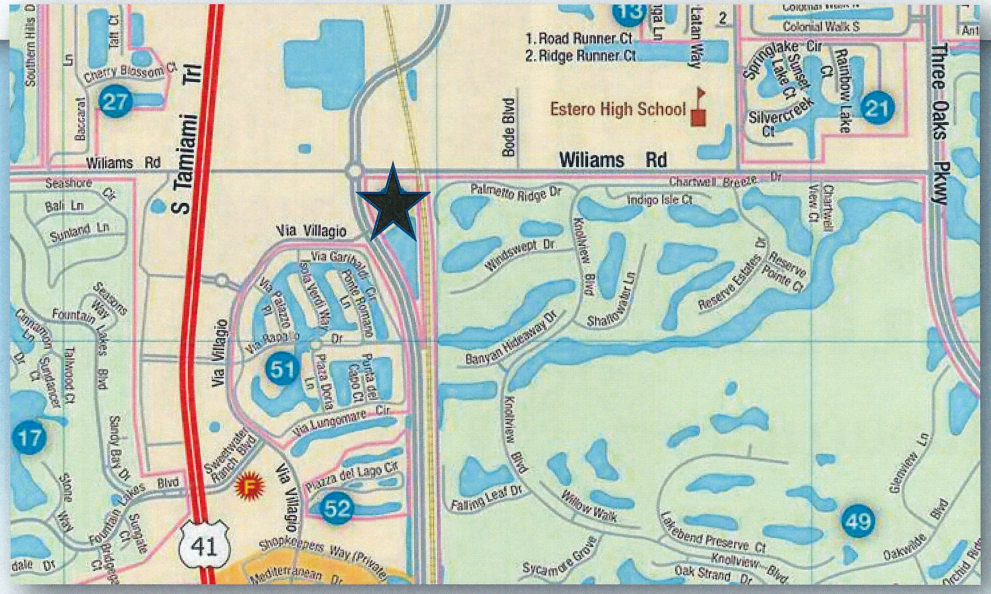
6


Houck Medical
HOUCK DERMATOLOGY
ESTERO VILLAGE MEDICAL CENTER
18,000 S.F. - 2 Story Medical Office

Village of ESTERO



Village of ESTERO




# The Reserve at Coconut Point

## Formerly known as “Edera”

9

Village of ESTERO

# 180 Multi-Family Apartments










10

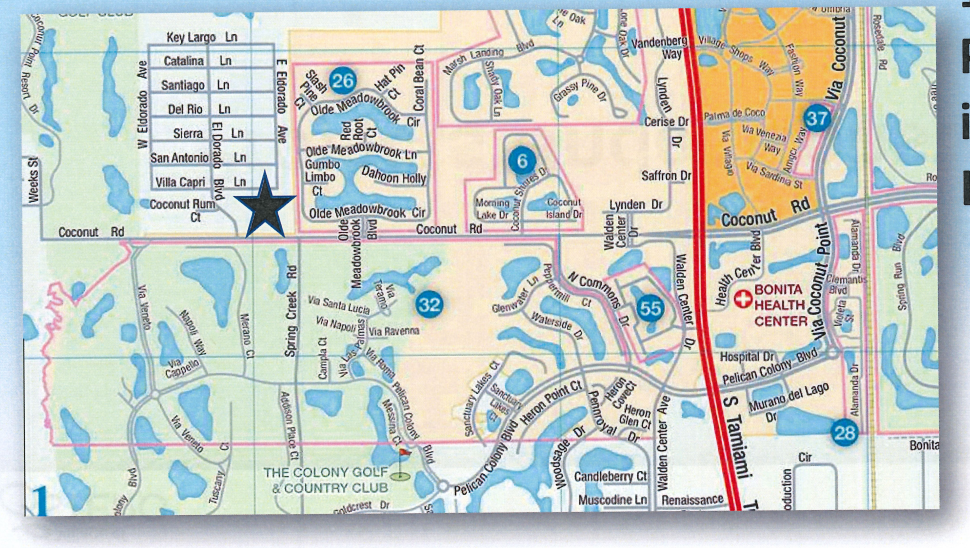
Village of ESTERO

# Projects Under Construction

11

Village of ESTERO

# Coconut Landing




## 10-Acre Site Property Annexed into Estero from Lee County

12

Village of ESTERO





# Coconut Landing

## 25 Single Family Residences

Village of ESTERO

# Estero Crossing

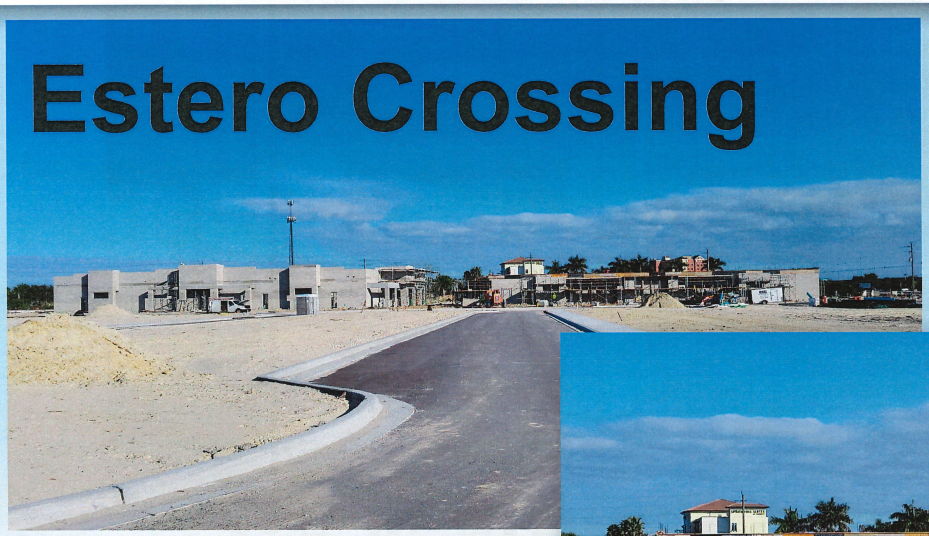
- Stock Development
- 43-Acres Mixed Use
- Commercial & Residential
- 300 Apartment Units




14

Village of ESTERO

# Estero Crossing





**Commercial now under construction**

15

Village of ESTERO

# Oak & Stone Restaurant




16

Village of ESTERO







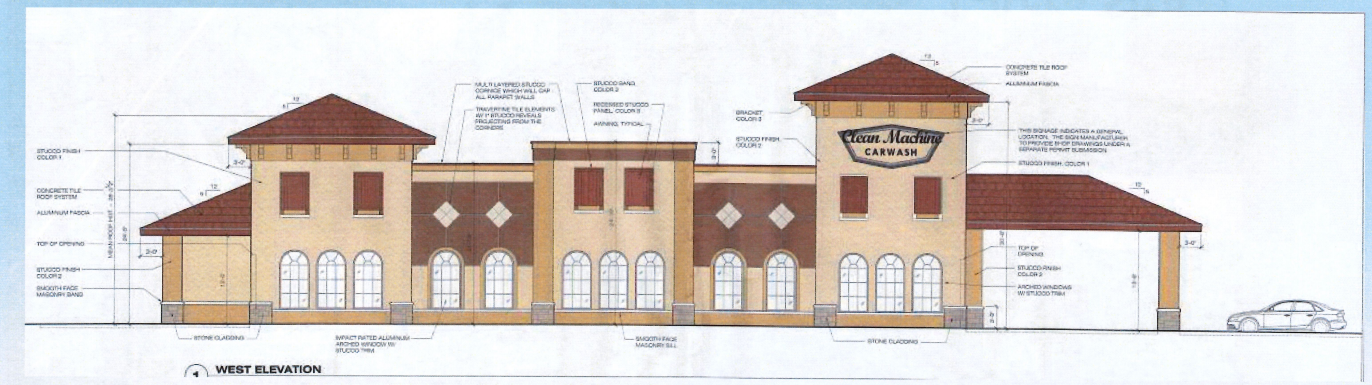
**1-Acre Site**
**US 41 next to Vines Community**

# Clean Machine Carwash

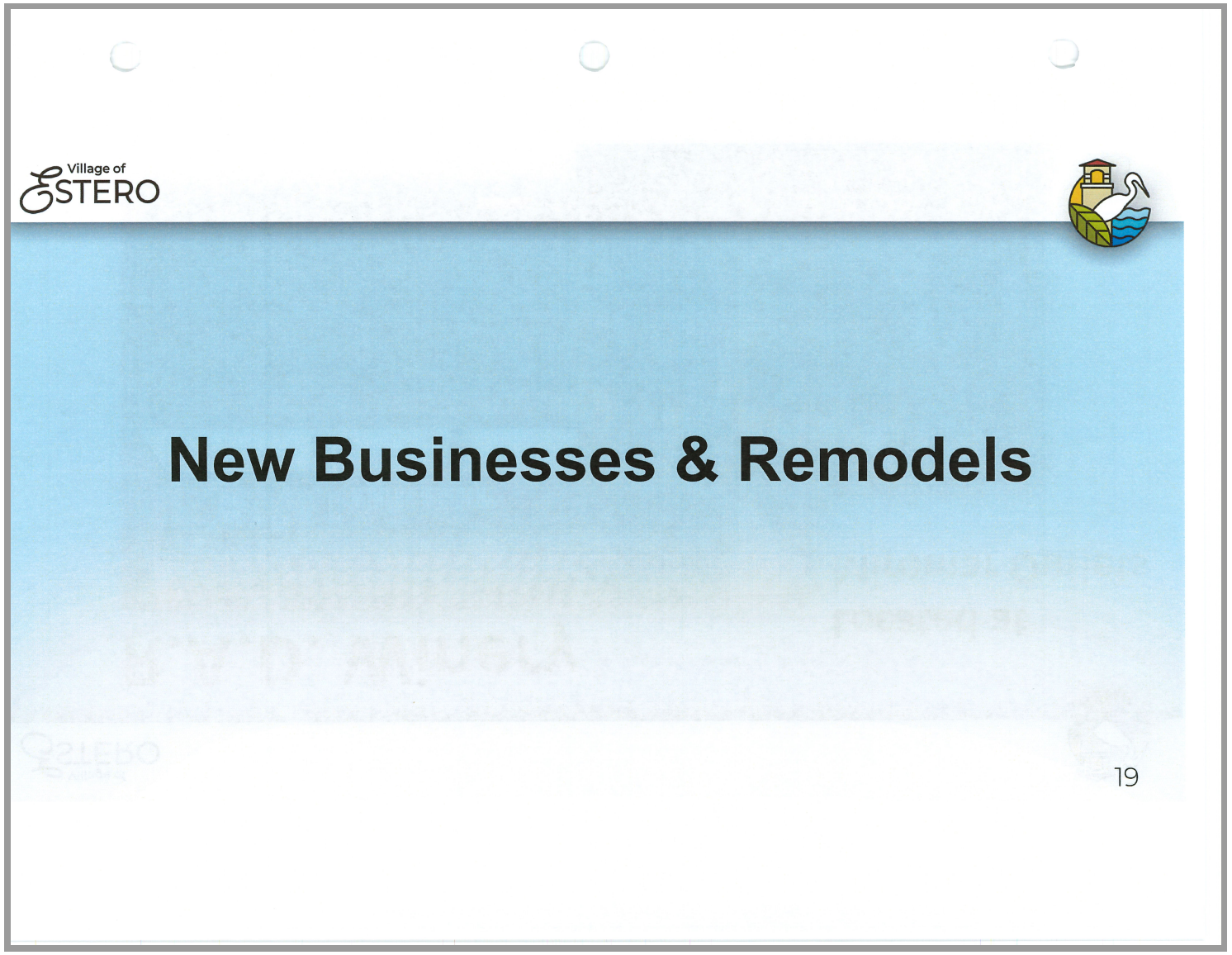
17

Village of ESTERO

# Clean Machine Carwash




18


Village of
ESTERO
New Businesses & Remodels
19

Village of ESTERO

# R.A.D. Winery

## Located at Miromar Outlets







20

Village of ESTERO

# Mr. Tequila




Located on Corkscrew Road

Former Applebee's Restaurant remodeled

21

Village of ESTERO

# Arby's "Refresh" Project

Existing Front Façade







## Exterior Building Modifications

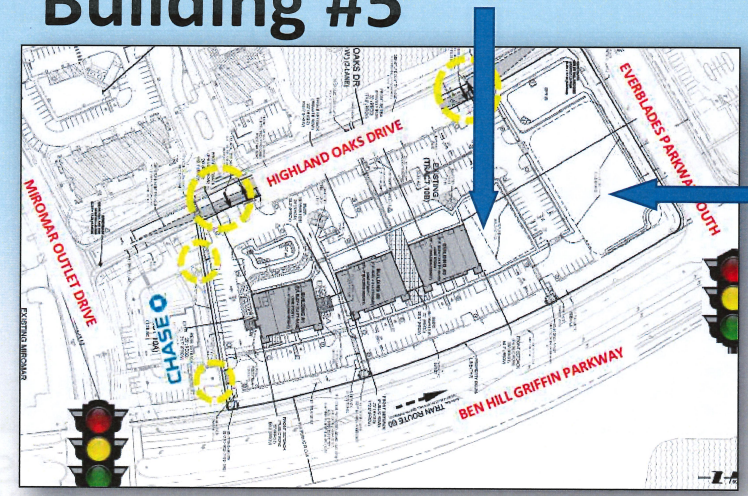
22


Village of
ESTERO
FUTURE PROJECTS
23

Village of ESTERO

# University Highlands

## Building #5





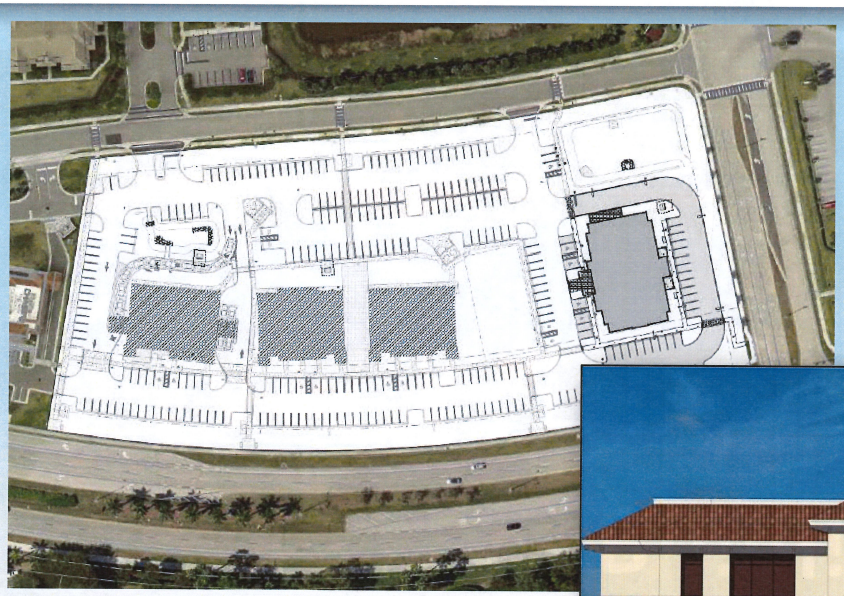


## Lee Health

24


Building #5
25

Village of ESTERO



# Lee Health



Village of ESTERO

# North Point - HCA




## 100 Acres

**NE corner of US 41 & Williams Rd. across from Hertz**

41

Village of ESTERO

# Lee Health

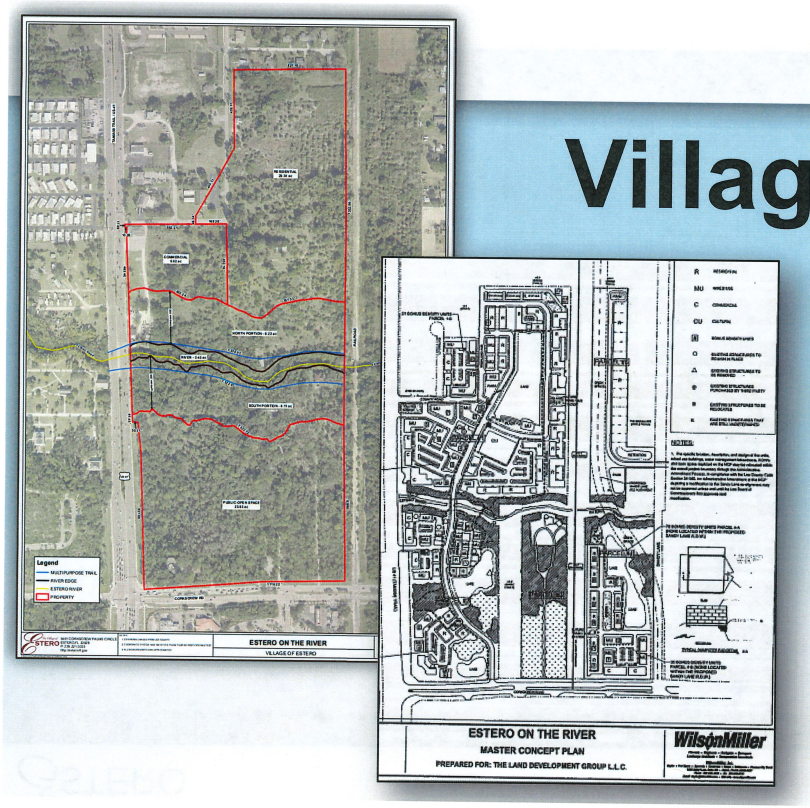
## 40 Acres

## SW corner of US 41 & Coconut Road

## Potential Mixed Use




42




# Village Property

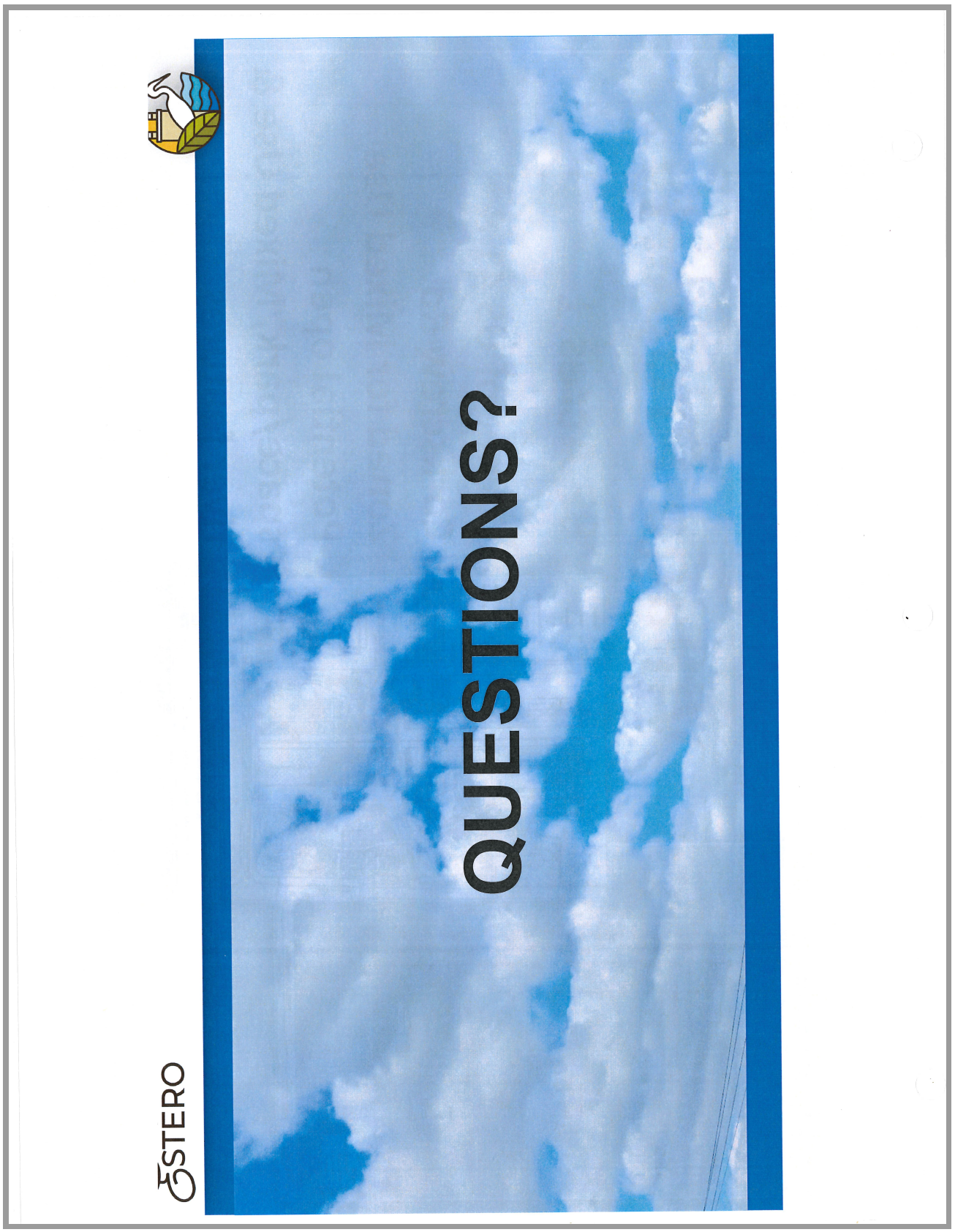
## 62 Acres ±

Corner of US 41 & Corkscrew Rd.

Zoned for Mixed Use

Potential open space/park, Mixed Use & river features

43


QUESTIONS?
ESTERO

# WORKSHOP ITEM SUMMARY SHEET
# VILLAGE COUNCIL MEETING
# January 19, 2022

**Agenda Item:**

U.S. Bike Route 15

**Description:**

The U.S. Bicycle Route System (USBRS) is a developing national network of bicycle routes intended to facilitate travel and provide connectivity between communities. The USBRS includes approximately 14,000 miles of bicycle routes in 31 states. The intent is to encompass over 50,000 miles when complete. The USBRS has been approved by the Florida Department of Transportation (FDOT) and the American Association of State Highway Transportation Officials (AASHTO). Adventure Cycling Association is the technical support organization to AASHTO that is identifying proposed routes for the USBRS.

Adventure Cycling is currently proposing to extend U.S. Bike Route 15 from Madison, Florida to Miami, Florida. This will add 496 miles to the existing route. This alignment runs through Lee County, City of Fort Myers, Village of Estero, and City of Bonita Springs. The proposed alignment includes the following:

- Daniels Parkway from Metro Parkway to Treeline Ave.
- Treeline Ave./Ben Hill Griffin Parkway from Daniels Parkway to Estero Parkway
- Estero Parkway from Ben Hill Griffin Parkway to Three Oaks Parkway
- Three Oaks Parkway/Imperial Parkway/Livingston Rd from Estero Parkway to Golden Gate Parkway.

The sections along Estero Parkway and Three Oaks Parkway are both located within the Village of Estero on roadways owned and operated by Lee County.

The proposed alignment received input from the Lee County MPO Bicycle Pedestrian Coordinating Committee (BPCC). The committee supports the proposed alignment.

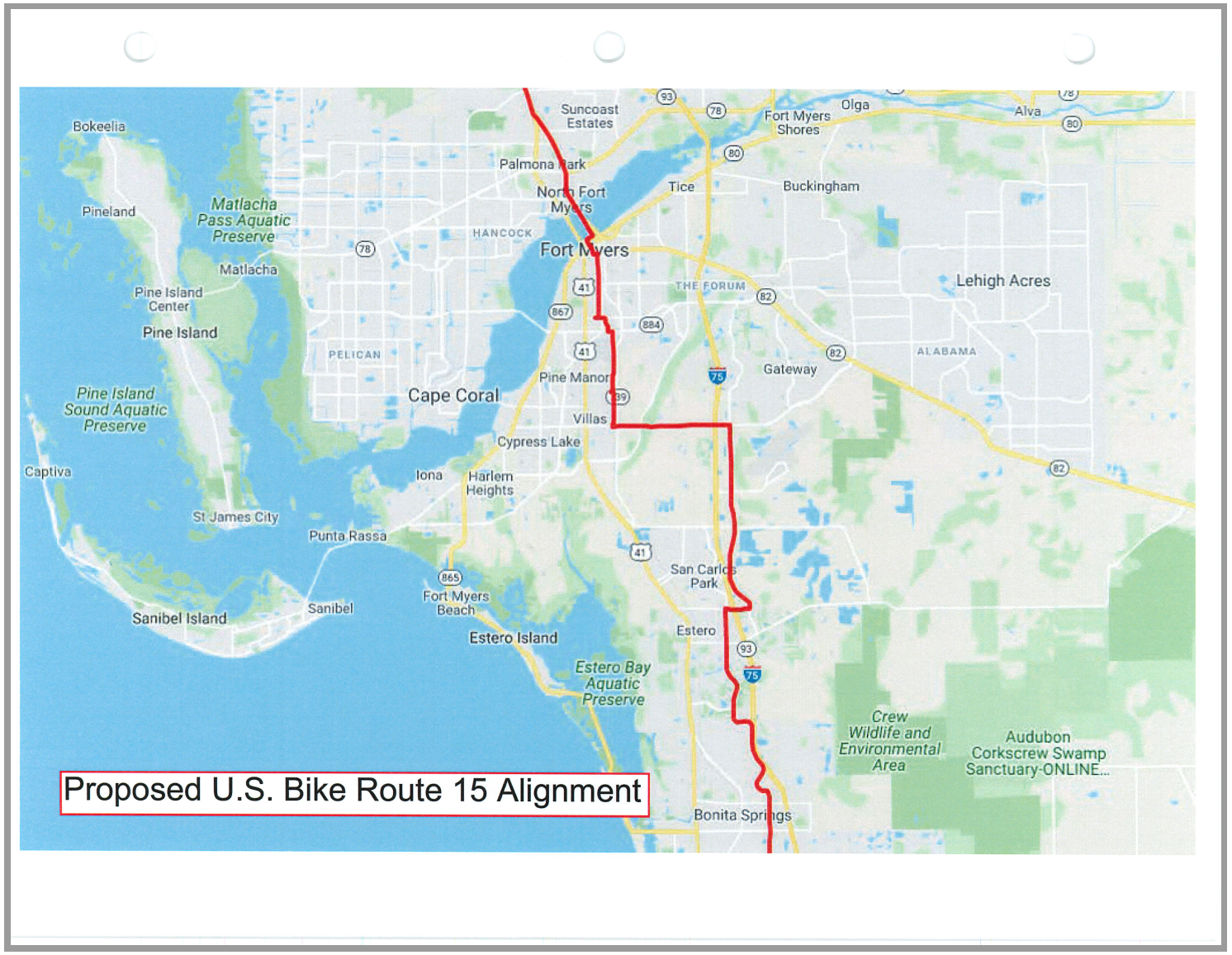
The proposed USBR 15 through Estero will provide a benefit to Village residents and businesses with no costs to the Village.

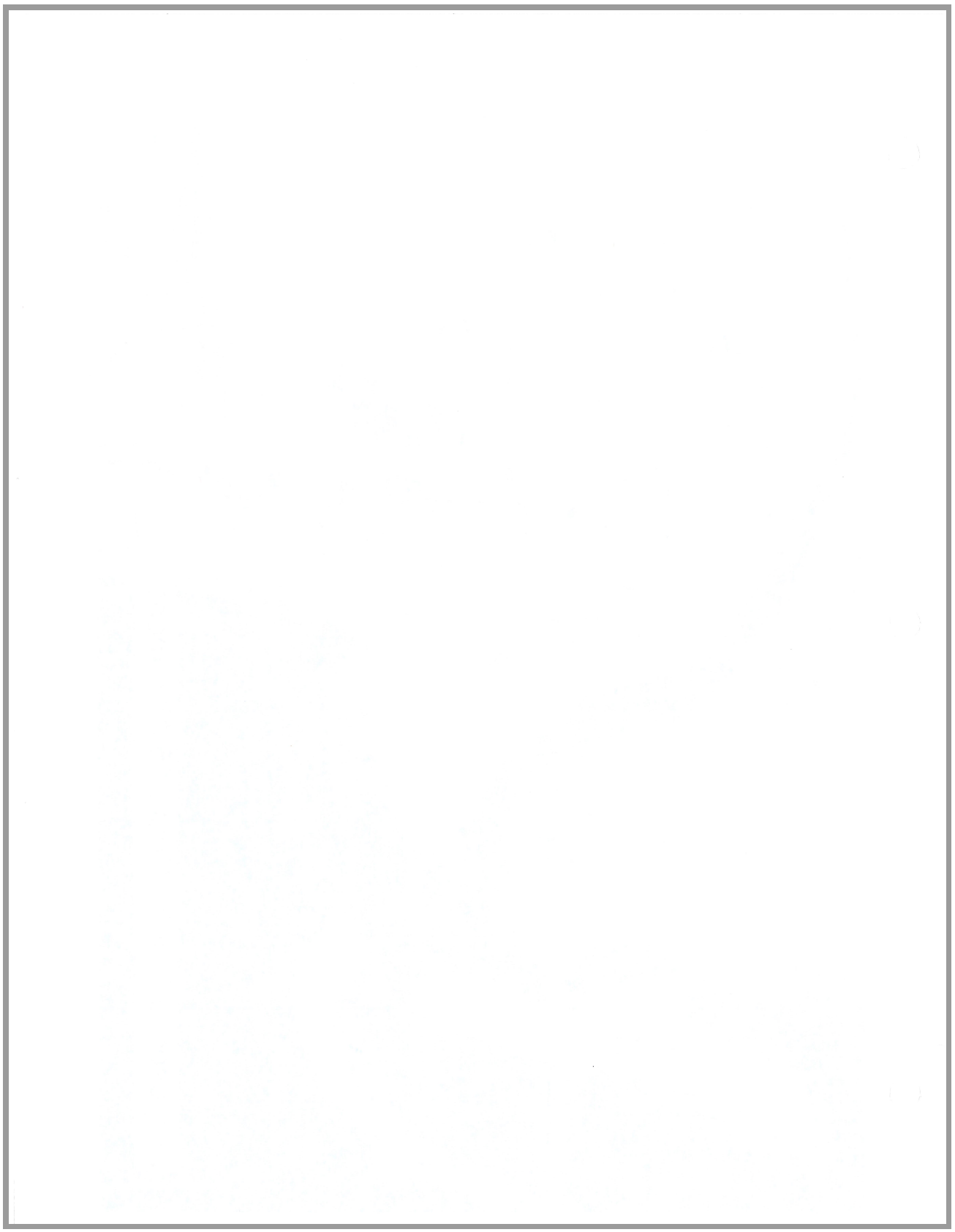
**Financial Impact:**

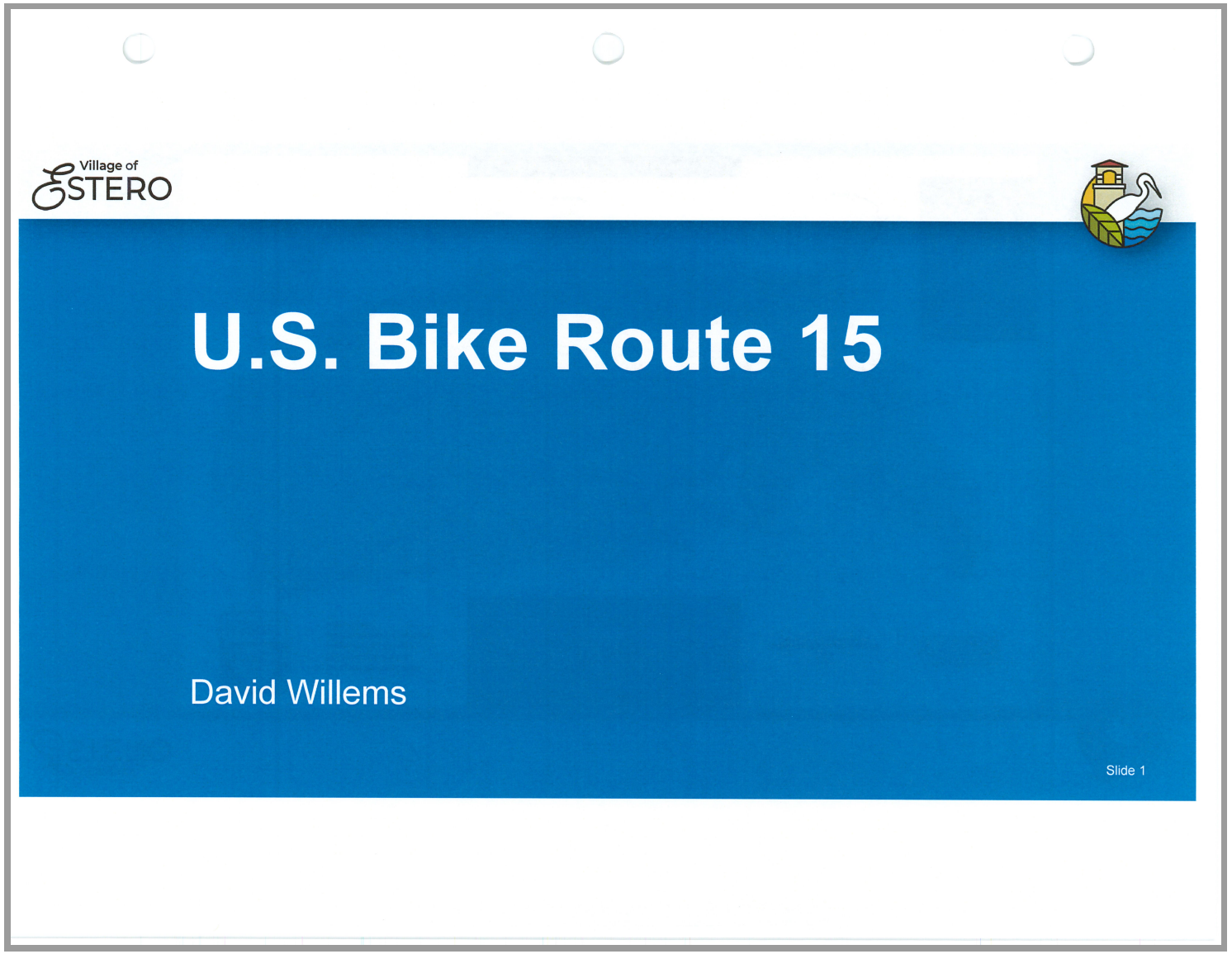
There is no financial impact to the Village of Estero

**Attachments:**

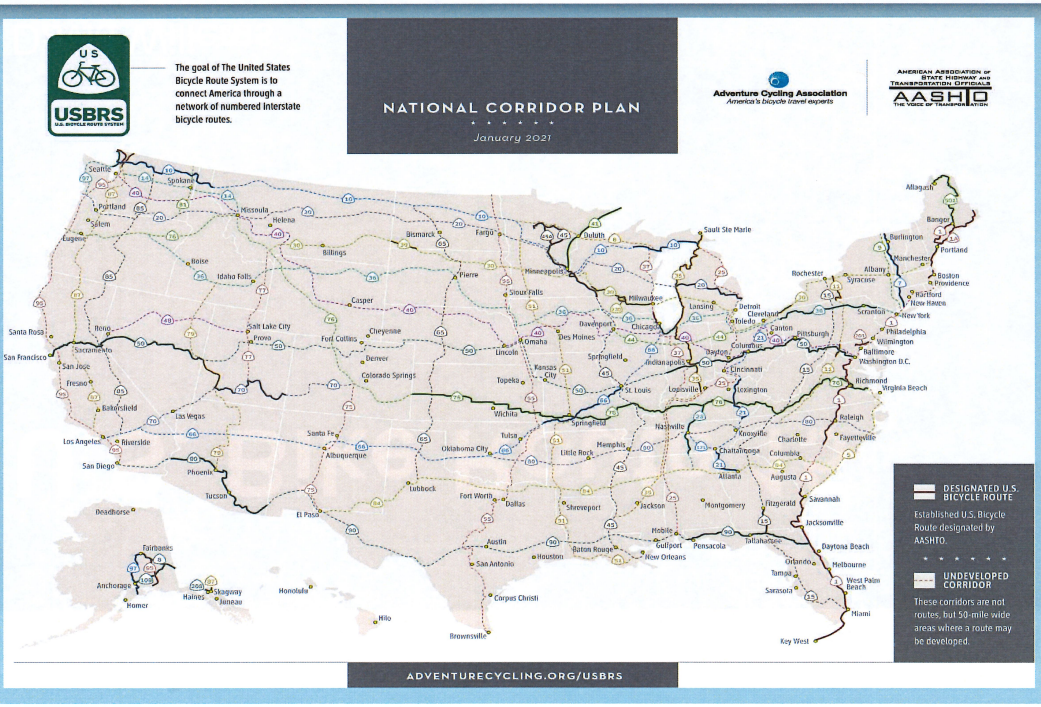
1. Location Map
2. Presentation


Proposed U.S. Bike Route 15 Alignment
Bokeelia
Pineland
Matlacha Pass Aquatic Preserve
Matlacha
Pine Island Center
Pine Island
Pine Island Sound Aquatic Preserve
Captiva
St James City
Punta Rassa
Sanibel Island
Sanibel
Fort Myers Beach
Estero Island
Estero Bay Aquatic Preserve
Suncoast Estates
Palmona Park
North Fort Myers
HANCOCK
Fort Myers
PELICAN
Cape Coral
Pine Manor
Villas
Cypress Lake
Iona
Harlem Heights
Tice
Fort Myers Shores
Olga
Alva
Buckingham
THE FORUM
Lehigh Acres
ALABAMA
Gateway
San Carlos Park
Estero
Crew Wildlife and Environmental Area
Audubon Corkscrew Swamp Sanctuary-ONLINE...
Bonita Springs




Village of
ESTERO
U.S. Bike Route 15
David Willems
Slide 1

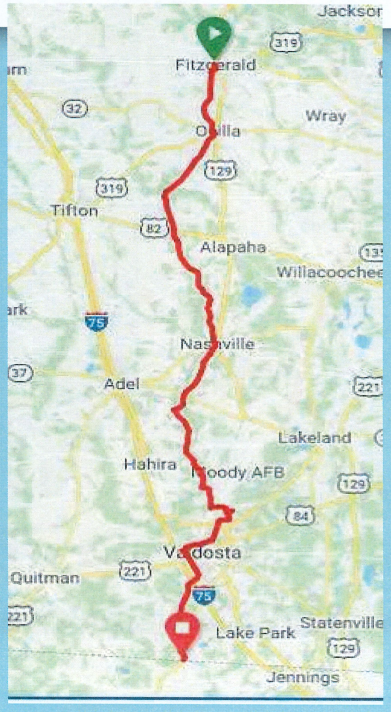
Village of ESTERO




Slide 2

Village of ESTERO

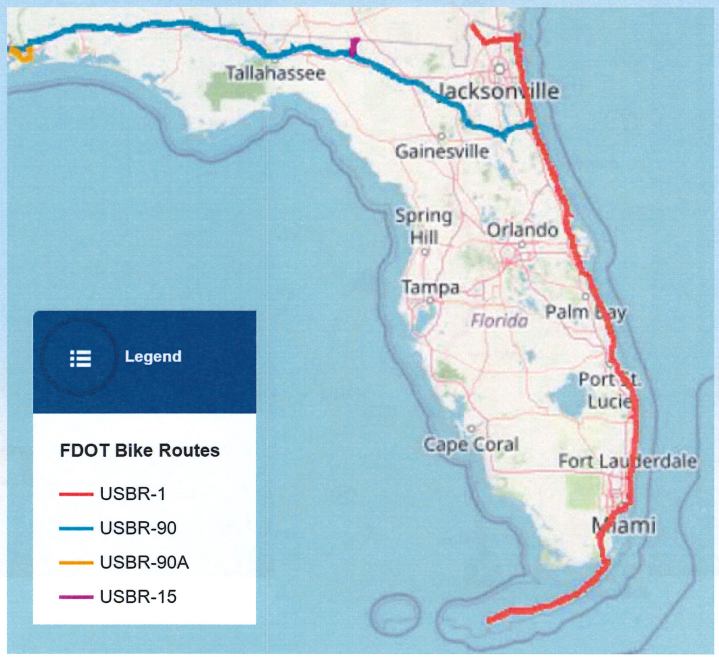
# U.S. Bike Route 15 in Georgia




Slide 3

Village of ESTERO

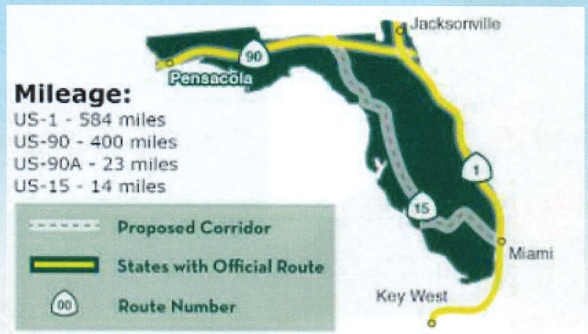
# Florida Bike Routes




Slide 4

Village of ESTERO

# Proposed & Existing U.S. Bike Routes in Florida

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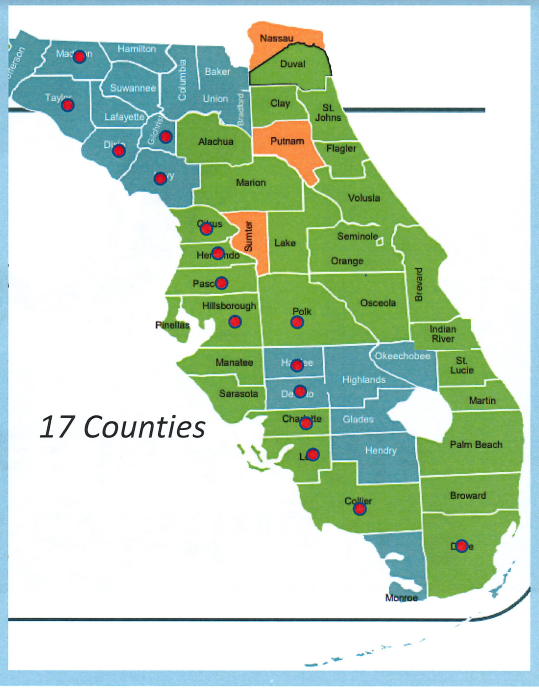
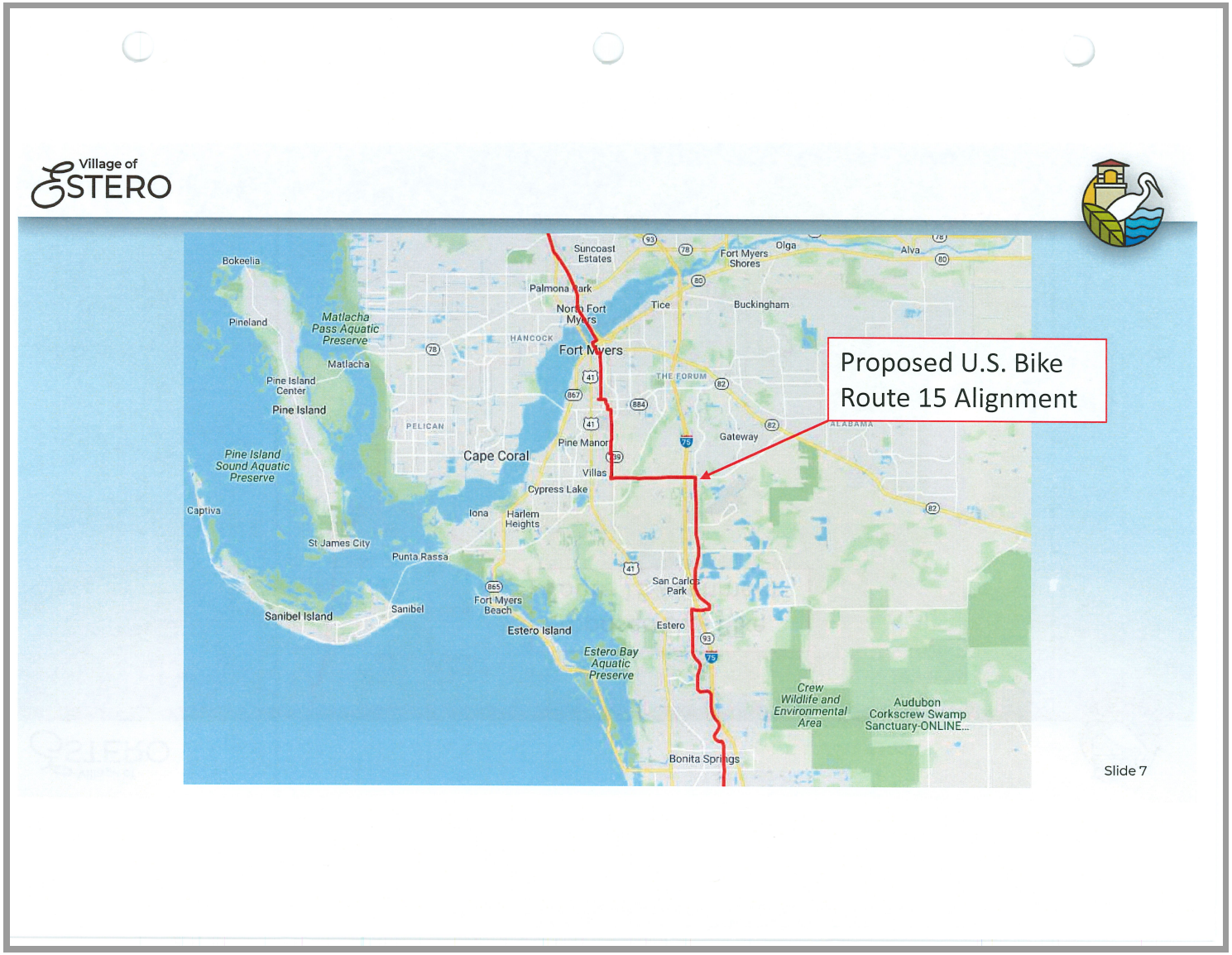
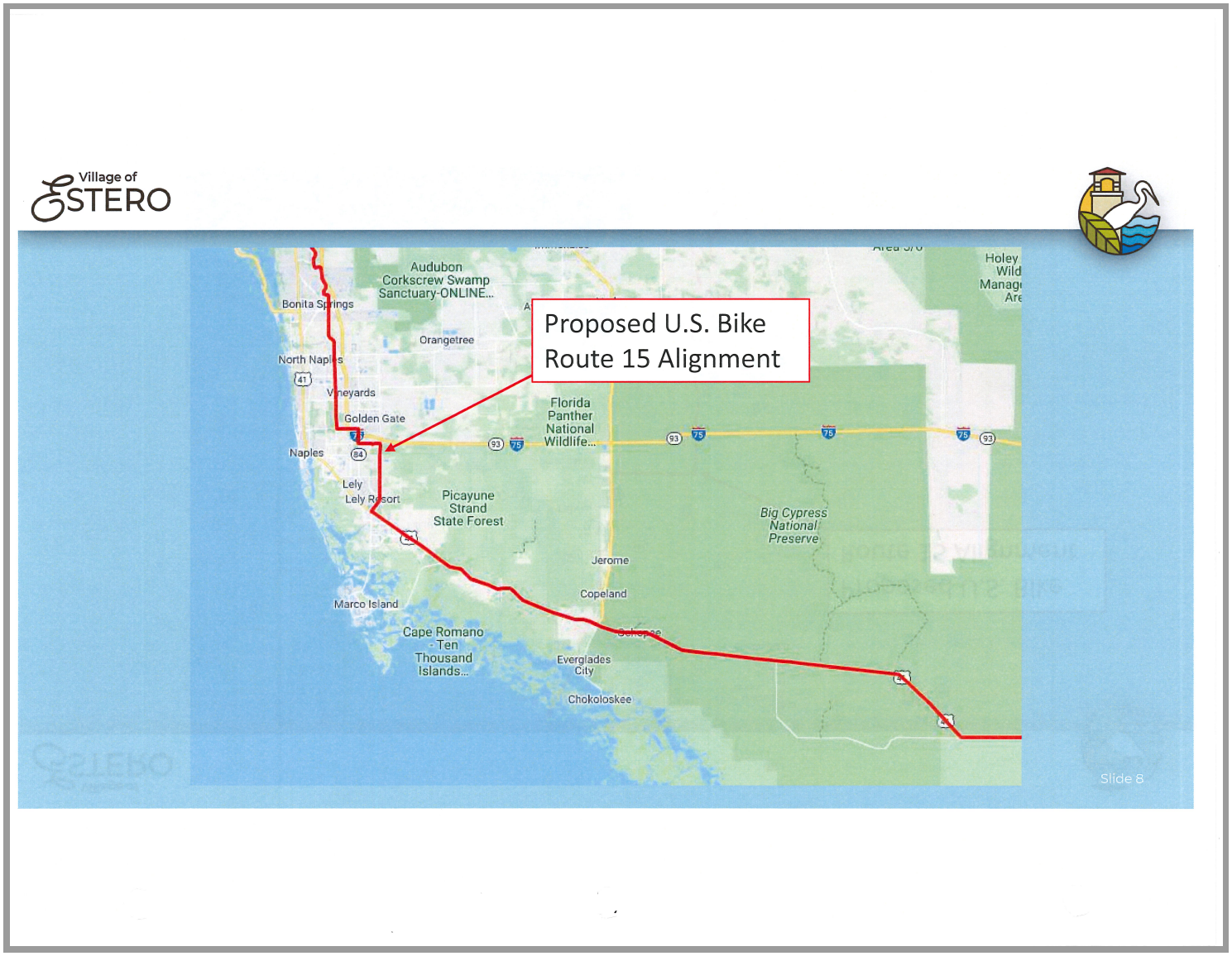
Village of ESTERO

# U.S. Bike Route Counties




Slide 6


Village of ESTERO
Proposed U.S. Bike Route 15 Alignment
Bokeelia
Pineland
Matlacha Pass Aquatic Preserve
Matlacha
Pine Island Center
Pine Island
Pine Island Sound Aquatic Preserve
Captiva
St. James City
Punta Rassa
Sanibel Island
Sanibel
Fort Myers Beach
Estero Island
Estero Bay Aquatic Preserve
Suncoast Estates
Palmona Park
North Fort Myers
Fort Myers
HANCOCK
PELICAN
Cape Coral
Pine Manor
Villas
Cypress Lake
Iona
Harlem Heights
San Carlos Park
Estero
Bonita Springs
Fort Myers Shores
Olga
Alva
Tice
Buckingham
THE FORUM
Gateway
ALABAMA
Crew Wildlife and Environmental Area
Audubon Corkscrew Swamp Sanctuary-ONLINE...
Slide 7


Village of ESTERO
Proposed U.S. Bike Route 15 Alignment
Audubon Corkscrew Swamp Sanctuary-ONLINE...
Bonita Springs
Orangetree
North Naples
Golden Gate
Naples
Lely
Lely Resort
Picayune Strand State Forest
Florida Panther National Wildlife...
Big Cypress National Preserve
Jerome
Copeland
Marco Island
Cape Romano - Ten Thousand Islands...
Everglades City
Chokoloskee
Slide 8

Village of ESTERO

# Next Steps

- U.S. Bike Route changes require a Resolution of Support from Local Governments.

- Staff will prepare a resolution of support for the U.S. 15 Bike Route alignment through the Village and include it on a future Council agenda.

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Village of
ESTERO
QUESTIONS?
Slide 10