



Village of
ESTERO

**VILLAGE OF ESTERO
VILLAGE COUNCIL REGULAR MEETING
PACKET
JULY 7, 2021, 09:30 AM**



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 REGULAR MEETING

9401 Corkscrew Palms Circle, Estero, Florida
July 7, 2021, 09:30 am

1. CALL TO ORDER

INVOCATION -- Pastor Chris Mueller Legacy Church

PLEDGE OF ALLEGIANCE

ROLL CALL

2. APPROVAL OF AGENDA, ADDITIONS, AND DELETIONS

3. PUBLIC COMMENT ON NON-AGENDA ITEMS

4. CONSENT AGENDA:

a. June 16, Council Meeting Minutes

Attachment: [06162021 minutes.pdf](#)

b. Financial Report May 2021

Attachment: [07.07.2021 Agenda Item Summary Sheet Financial Report.pdf](#)

Attachment: [Village Council Financial Report 2021 - May.pdf](#)

5. CONSIDERATION OF ITEMS DEFERRED FROM CONSENT AGENDA

6. ACTION ITEMS:

a. Comprehensive Annual Financial Report (CAFR) for the Fiscal Year Ended September 30, 2020

Recommended Action:

Approve Comprehensive Annual Financial Report.

Financial Impact:

There is no financial impact of this report.

Attachment: [Agenda Item Summary Sheet.pdf](#)

Attachment: [2020 Village of Estero - FINAL CAFR.pdf](#)

Attachment: [Comparative Summary of Non Capital Asset.pdf](#)

b. Cloud Server Transition

Recommended Action:

Authority for the Village Manager to execute the attached three letters of engagement, or similarly priced alternatives, and other invoices related to these services.

Financial Impact:

Upfront costs are expected to be \$32,210.00, funded via the "Miscellaneous Contractual Services" account (fund # 001-800-513-5133450). A contingency is requested at \$3,221.00.

Annual costs are expected to be \$34,519.62, as compared to the estimated current annual cost of \$37,232.27 (incurred costs plus estimated annual capital depreciation costs). These new annual expenditures will replace the existing annual expenditures.

Attachment: [Cloud Server Transition Summary Sheet.pdf](#)

Attachment: [Cloud Server Transition PowerPoint 6221.pdf](#)

Attachment: [AvePoint Letter of Engagement 61621.pdf](#)

Attachment: [Liftoff Letter of Engagement 61621.pdf](#)

Attachment: [MCCI Letter of Engagement 61621.pdf](#)

c. Public Hearing Date and Time for school Site Comprehensive Plan Amendment

Recommended Action:

Set public hearing date and time for July 14, 2021 at 9:30am.

Financial Impact:

No financial Impact.

Attachment: [Summary Sheet July 7 2021 CPA 2020-E0001.pdf](#)

Attachment: [Florida Statute 166.041 July 7 2021 CPA 2020-E0001.pdf](#)

d. Lien Mitigation - 20318 Sherrill Lane (Consider a lien mitigation request from Sebastiana

Hernandez relating to the property at 20318 Sherrill Ln, located in Broadway Mobile Home Village)

Recommended Action:

Approve the lien mitigation request from Ms. Hernandez releasing any outstanding liens against the Property in exchange for payment of a reduced fine of \$2,000.00 and \$327.20 for administrative cost.

Financial Impact:

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

Attachment: [1_20318 Sherrill Lane Agenda Item Summary Sheet.pdf](#)

Attachment: [2_20318 sherrill Ln 44402369v1.PDF](#)

Attachment: [3_20318 Sherrill Ln Lien Mitigation Request.pdf](#)

Attachment: [4_order finding violation repeat offense.pdf](#)

Attachment: [5_20318 Sherrill Ln Recorded imposition of Lien 44393943v1.PDF](#)

7. FIRST READING

a. Ordinance 2021-09

Ordinance 2021-09 An Ordinance Granting to Peoples Gas System, a Division of Tampa Electric Company, its Successors and Assigns, a Non-Exclusive Natural Gas Franchise Agreement to use the Public Rights of Way of the Village of Estero, Florida, and Prescribing the Terms and Conditions Under Which Said Franchise May Be Exercised; Making Findings; Providing for Conflicts; And Providing an Effective Date.

Recommended Action:

Pass first reading of Ordinance 2021-09 and set second reading for July 21, 2021.

Financial Impact:

Minor cost associated with advertising the Ordinance for second reading.

Attachment: [Ordinance 2021-09 TECO - Agenda Item Summary Sheet.pdf](#)

Attachment: [2021- 09 Ordinance.pdf](#)

Attachment: [Standard Form Franchise Village of Estero 00000003 .pdf](#)

8. PUBLIC COMMENT ON NON-AGENDA ITEMS

9. COUNCIL COMMUNICATIONS / FUTURE AGENDA ITEMS

10.VILLAGE ATTORNEY'S REPORT

11.VILLAGE MANAGER'S REPORT

Adjourn Regular Session and Convene Workshop Items

12.WORKSHOP ITEM

a. Lee County Proposed FY 21/22 Municipal Solid Waste Disposal and Solid Waste System Assessment

Attachment: [Proposed FY 2122 Municipal Solid Waste Disposal and Summary Sheet - Workshop - Template.pdf](#)

Attachment: [V Estero FY22 Rate Letter.pdf](#)

13.ADJOURNMENT

General Attachments

[- Transcript.pdf](#)

VILLAGE OF ESTERO COUNCIL MEETING
WEDNESDAY, JULY 7, 2021, 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.

09:30:21 >>Mayor Errington: GOOD MORNING, ALL, AND WELCOME.
09:30:23 TODAY IS WEDNESDAY, JULY THE 7th, 2021, AND THE VILLAGE
09:30:30 COUNCIL OF ESTERO MEETING IS NOW BEING CALLED TO ORDER.
09:30:34 I WOULD ASK EVERYONE TO PLEASE TURN OFF YOUR PHONES SO THEY
09:30:39 DON'T MAKE A NOISE WHILE WE'RE HAVING OUR MEETING OR
09:30:42 ANYTHING ELSE THAT MAKES A NOISE ON YOUR PERSON.
09:30:46 I AM GOING TO ASK PASTOR CHRIS MUELLER, LEGACY CHURCH, TO
09:30:52 COME FORWARD FOR THE INVOCATION.
09:30:57 WHILE HE IS COMING FORWARD, WHAT I WOULD LIKE TO DO IS LET'S
09:31:03 HAVE A MOMENT OF SILENCE FOR THE VICTIMS OF SURFSIDE, FOR
09:31:09 THEIR FAMILIES AND FRIENDS IN THE TRAGEDY THAT OCCURRED
09:31:13 RECENTLY. SO IF YOU WOULD, LET'S JUST BOW OUR HEADS AND
09:31:16 HAVE A MOMENT OF SILENCE.
09:31:18 (MOMENT OF SILENCE)
09:31:30 THANK YOU.
09:31:31 PASTOR MUELLER.
09:31:34 >> YES, GOOD MORNING, EVERYBODY.
09:31:36 THANK YOU FOR THE HONOR OF PRAYING WITH YOU THIS MORNING.

09:31:39 WE HAVE A LOT TO BE THANKFUL FOR.
09:31:41 WE HAD A STORM THAT HAS PASSED US.
09:31:43 IT REMINDS ME OF SEVERAL YEARS AGO WHEN THE LAST STORM CAME
09:31:46 THROUGH AND YOU ALLOWED US TO DO CHURCH HERE IN YOUR
09:31:50 FACILITY.
09:31:50 THAT WAS A REAL BLESSING.
09:31:52 LET'S THANK THE LORD FOR THAT AND MANY OTHER THINGS.
09:31:55 FATHER, IT IS A PRIVILEGE TO STAND BEFORE YOU TODAY, TO
09:32:00 HONOR YOU AS OUR GOD, TO HONOR YOU AS OUR LORD AND SAVIOR.
09:32:07 FATHER, WE DO THANK YOU FOR THOSE THINGS.
09:32:09 WE ALSO THANK YOU THAT WE WERE SPARED WITH THIS STORM THAT
09:32:12 HAS PASSED, BUT YET THERE ARE SOME THAT HAVE NOT DONE SO
09:32:17 WELL, THE SURFSIDE COMMUNITY, WE LIFT UP THE NAMES, THE
09:32:23 FAMILIES, THAT YOU WOULD JUST HELP THEM THROUGH THIS
09:32:26 TRANSITION, A TRAGEDY IN THEIR LIVES.
09:32:29 FATHER, WE LOOK TO YOU THIS MORNING FOR WISDOM, FOR
09:32:33 PROTECTION, FOR INSIGHT, FOR CARE, AND FOR THE PROCEEDINGS
09:32:37 THAT ARE HERE, THE CONTENT, THE SUBJECTS THAT WILL BE

09:32:43 DISCUSSED.
 09:32:44 WE PRAY ALL THESE THINGS TALKED ABOUT WILL BE HONORING TO
 09:32:47 YOU.
 09:32:49 WE PRAY THAT YOU WILL BLESS ALL THE LEADERS HERE IN THIS
 09:32:52 ROOM THAT REPRESENT THIS COMMUNITY IN A MIGHTY WAY, AS THEY
 09:32:55 HAVE BEEN A BLESSING.
 09:32:58 FATHER, BE WITH US THIS DAY AS WE RECOGNIZE THAT YOU ARE OUR

 09:33:02 GOD AND PRAY IN THE NAME OF JESUS, AMEN.
 09:33:07 >>Mayor Errington: THANK YOU.
 09:33:09 WOULD YOU PLEASE STAND AND JOIN ME IN THE PLEDGE OF
 09:33:11 ALLEGIANCE.
 09:33:13 (PLEDGE OF ALLEGIANCE)
 09:33:32 >>Mayor Errington: MADAM CLERK, PLEASE CALL THE ROLL.
 09:33:35 >>Joanne Ribble: HERE.
 09:33:37 >>Larry Fiesel: HERE.
 09:33:38 >>Jim Boesch: HERE.
 09:33:40 >>Jim Ward: HERE.
 09:33:42 >>Jim Wilson: HERE.
 09:33:44 >>Vice-Mayor McLain: HERE.
 09:33:46 >>Mayor Errington: HERE.
 09:33:48 >>Burt Saunders: YOU'LL NEED TO HAVE A MOTION TO AUTHORIZE
 09:33:51 THE TWO COUNCIL MEMBERS TO PARTICIPATE REMOTELY BASED ON THE
 09:33:56 CIRCUMSTANCES OF THE STORM THAT WE'VE EXPERIENCED.
 09:33:59 >>Mayor Errington: DO I HAVE A MOTION?
 09:34:01 MOTION MADE BY VICE-MAYOR McLAIN AND SECONDED BY COUNCIL
 09:34:06 MEMBER RIBBLE.
 09:34:07 WILL YOU CALL THE ROLL?
 09:34:11 >>Joanne Ribble: AYE.
 09:34:13 >>Larry Fiesel: AYE.
 09:34:15 >>Jim Boesch: AYE.
 09:34:17 >>Jim Ward: AYE.
 09:34:19 >>Jim Wilson: AYE.

 09:34:22 >>Vice-Mayor McLain: AYE.
 09:34:23 >>Mayor Errington: AYE.
 09:34:24 BEFORE WE GO TO ITEM NUMBER 2, I JUST WANT TO EXTEND OUR
 09:34:32 APPRECIATION TO ALL THE FIRST RESPONDERS FROM THE ESTERO
 09:34:38 RESCUE DEPARTMENT AND THE SAN CARLOS FIRE RESCUE DEPARTMENT
 09:34:42 FOR THE WORK THAT THEY DID GOING ACROSS THE STATE TO HELP
 09:34:45 OUT WITH THE TRAGEDY THAT OCCURRED THERE ON SURFSIDE.
 09:34:49 WE ARE PROUD OF THEM AND ANYONE ELSE WHO WENT OVER.
 09:34:56 AND THANK YOU FOR WHAT YOU DID.
 09:34:58 ITEM NUMBER 2, APPROVAL OF AGENDA, ADDITIONS, AND DELETIONS.
 09:35:06 DO WE HAVE ANY CHANGES?
 09:35:09 ANYBODY RECOMMEND ANYTHING?
 09:35:10 NO.
 09:35:11 I WILL NOW ENTERTAIN A MOTION.

09:35:14 >>Jim Boesch: MAKE A MOTION FOR APPROVAL.
 09:35:16 >>Mayor Errington: MOTION MADE BY COUNCIL MEMBER BOESCH AND
 09:35:18 SECONDED BY COUNCIL MEMBER FIESEL.
 09:35:21 PLEASE CALL THE ROLL.
 09:35:25 >>Jim Wilson: AYE.
 09:35:26 >>Jim Ward: AYE.
 09:35:29 >>Jim Boesch: AYE.
 09:35:30 >>Larry Fiesel: AYE.
 09:35:32 >>Joanne Ribble: AYE.
 09:35:33 >>Vice-Mayor McLain: AYE.
 09:35:34 >>Mayor Errington: AYE.

09:35:36 NUMBER THREE, PUBLIC COMMENT ON NON-AGENDA ITEMS.
 09:35:42 DO WE HAVE ANYONE?
 09:35:43 >>Carol Sacco: YES, MAYOR.
 09:35:45 I HAVE MR. GARY ISRAEL OF STONEYBROOK, REPRESENTING ESTERO
 09:35:50 LIFE MAGAZINE.
 09:35:51 >>Mayor Errington: HATE TO HAVE TO REMIND YOU IT'S THREE
 09:35:54 MINUTES.
 09:35:55 >> NO PROBLEM.
 09:35:56 GOT CARRIED AWAY AT ROTARY THE OTHER NIGHT.
 09:35:59 [LAUGHTER]
 09:36:00 GOOD MORNING.
 09:36:02 THANK YOU FOR A FEW MINUTES.
 09:36:04 I WOULD LIKE TO INVITE ALL OF YOU HERE PLUS THOSE TUNING IN
 09:36:09 WHO ARE WATCHING THIS AT A LATER DATE TO BECOME ESTERO
 09:36:12 INSIDER.
 09:36:13 WE'RE TRYING TO ACCOMMODATE THE GROWTH IN OUR COMMUNITY AS
 09:36:17 WELL AS TO BE MORE INCLUSIVE TO THOSE COMMUNITIES WHO TO
 09:36:22 THIS POINT HAVE NOT BEEN RECEIVING OUR PUBLICATION.
 09:36:26 I KNOW WE SEND OUT MANY MAGAZINES, 13 TO 15 THOUSAND A
 09:36:31 MONTH, DEPENDING ON THE TIME OF YEAR, BUT NOT EVERYBODY IS
 09:36:36 GETTING IT THAT WANTS IT, AND PEOPLE ARE GETTING IT THAT
 09:36:40 MAYBE DON'T WANT IT.
 09:36:42 WE'RE RECTIFYING THAT EFFECTIVELY WITH OUR FIFTH ANNIVERSARY
 09:36:49 ISSUE IN SEPTEMBER.
 09:36:50 SEPTEMBER 2021.

09:36:51 SO IF YOU DO GET THE MAGAZINE, IF YOU LOOK ON PAGE 2,
 09:36:56 THERE'S AN EXPLANATION OF THAT.
 09:36:59 IF YOU ARE NOT CURRENTLY RECEIVING THE PUBLICATION, THIS
 09:37:02 WEEK YOU WILL RECEIVE A NINE BY SIX AND A HALF INCH POSTCARD
 09:37:06 THAT EXPLAINS WHAT CHANGES WE ARE MAKING, AND WE INVITE YOU
 09:37:09 ALL TO BECOME AN ESTERO INSIDER.
 09:37:12 WE ARE OFFERING THE FIRST 500 PERSONS WHO SUBSCRIBE TO THAT
 09:37:17 ESTERO INSIDER PROGRAM FREE THE FIRST YEAR FREE, SO WE HOPE
 09:37:22 YOU'LL TAKE ADVANTAGE OF THAT AND JOIN US AS WE GROW WITH
 09:37:26 THE COMMUNITY.

09:37:27 THANK YOU.
 09:37:28 >>Mayor Errington: THANK YOU.
 09:37:29 VERY GOOD.
 09:37:30 THANK YOU.
 09:37:30 ITEM NUMBER 4, CONSENT AGENDA.
 09:37:35 ANY COUNCIL MEMBERS HAVE ANY QUESTIONS?
 09:37:41 >>Larry Fiesel: I'D LIKE TO MAKE A CORRECTION TO THE ROLL
 09:37:43 CALL ON THE MINUTES.
 09:37:44 IT INDICATES THERE THAT I WAS PRESENT VIA ZOOM.
 09:37:47 THAT MEETING I WAS HERE IN PERSON.
 09:37:52 >>Mayor Errington: DO WE NEED A MOTION ON THAT OR JUST A
 09:37:54 CORRECTION?
 09:37:55 >>Burt Saunders: JUST A NOTICE TO CORRECT.
 09:37:57 WHEN YOU APPROVE, THAT WILL TAKE CARE OF IT.
 09:38:00 >>Mayor Errington: THANK YOU FOR CATCHING THAT.

 09:38:02 NO ONE ELSE.
 09:38:08 WE STILL HAVE TO HAVE A MOTION TO APPROVE THE CONSENT AGENDA
 09:38:13 WITH THAT CORRECTION.
 09:38:14 MOTION MADE BY COUNCIL MEMBER RIBBLE AND SECONDED BY COUNCIL
 09:38:19 MEMBER FIESEL.
 09:38:21 WOULD YOU CALL THE ROLL.
 09:38:23 >>Joanne Ribble: AYE.
 09:38:23 >>Larry Fiesel: AYE.
 09:38:24 >>Jim Boesch: AYE.
 09:38:26 >>Jim Ward: AYE.
 09:38:28 >>Jim Wilson: AYE.
 09:38:30 >>Vice-Mayor McLain: AYE.
 09:38:32 >>Mayor Errington: AYE.
 09:38:34 WE HAD NOTHING PULLED FROM THE CONSENT AGENDA, SO NOW WE
 09:38:39 WILL GO DIRECTLY TO ITEM 6A.
 09:38:45 IT IS THE COMPREHENSIVE ANNUAL FINANCIAL REPORT.
 09:38:50 STEVE, WOULD YOU INTRODUCE THIS FOR US?
 09:38:52 >>Steven Sarkozy: THANK YOU, MAYOR.
 09:38:54 AND GOOD MORNING, COUNCIL MEMBERS.
 09:38:55 ITEM 6A IS THE PRESENTATION OF THE COMPREHENSIVE ANNUAL
 09:39:00 FINANCIAL REPORT FOR THE FISCAL YEAR ENDING SEPTEMBER 30,
 09:39:06 2020.
 09:39:07 THIS REPORT IS SOMETHING THAT WE'RE DOING EVERY YEAR AND IN
 09:39:14 COMPLIANCE WITH THE HIGHEST STANDARDS ESTABLISHED BY THE
 09:39:16 GOVERNMENT FINANCE OFFICERS ASSOCIATION.

 09:39:18 THIS CERTIFICATE OF ACHIEVEMENT IS VALID FOR ONE YEAR ONLY
 09:39:26 AND IS, AS I MENTIONED, SOMETHING THAT WE'LL BE CONTINUING
 09:39:30 TO DO ON AN ONGOING BASIS.
 09:39:32 THIS REPRESENTS A COLLABORATION BY OUR FINANCE FOLKS AND OUR
 09:39:38 CITY AUDITOR.
 09:39:40 AND WITH THAT, THEY ARE BOTH HERE TO PROVIDE A QUICK

09:39:44 PRESENTATION.
 09:39:46 FIRST IS CHRIS KESSLER WHO HAS BEEN OUR ACTING FINANCE
 09:39:52 DIRECTOR.
 09:39:53 CHRIS IS THE HEAD OF THE MUNICIPAL FINANCE OPERATION FOR
 09:39:55 CLIFTON, LARSON, ALLEN, THE ACCOUNTING FIRM.
 09:39:59 AFTER CHRIS PROVIDES A BRIEF INTRODUCTION AND SUMMARY, WE'LL
 09:40:04 TURN IT OVER TO JEFF TUSCAN WHO IS THE PRINCIPAL OF TUSCAN
 09:40:10 AND ASSOCIATES, OUR AUDITOR.
 09:40:11 WITH THAT, I'LL TURN IT OVER TO CHRIS.
 09:40:18 >>Mayor Errington: WELCOME.
 09:40:21 >>Chris Kessler: GOOD MORNING, COUNCIL.
 09:40:23 I WILL BE BRIEF.
 09:40:25 STEVE COVERED A LOT OF WHAT I WOULD SUMMARIZE THERE.
 09:40:28 I DO WANT TO EXPRESS APPRECIATION HERE TO THE FINANCE STAFF
 09:40:31 AT THE VILLAGE THAT ASSISTED WITH NOT ONLY THE PREPARATION
 09:40:34 OF THAT DOCUMENT THAT YOU ALL HAVE IN FRONT OF YOU, BUT THE
 09:40:38 DILIGENCE AND THE PROFESSIONALISM ALL YEAR LONG IN KEEPING
 09:40:41 THE VILLAGE'S FINANCES IN TIP-TOP SHAPE TO ALLOW THE AUDIT
 09:40:45 THAT JEFF AND HIS TEAM PERFORMED TO GO SO SMOOTHLY.

 09:40:48 AGAIN, THANK YOU TO JEFF AND HIS TEAM AT TUSCAN AND COMPANY
 09:40:51 FOR THEIR HARD WORK DURING THE AUDIT AS WELL.
 09:40:54 WITH THAT SAID, I'LL TURN IT OVER TO JEFF TUSCAN FOR HIS
 09:40:57 PRESENTATION.
 09:40:58 >>Jim Boesch: JUST SAY, THIS IS THE FIRST TIME WE'VE HAD
 09:41:01 ANYTHING LIKE THIS, SO I'M PLEASED TO SEE THAT YOU'VE
 09:41:05 PREPARED A DOCUMENT FOR US.
 09:41:07 >> YOU'RE VERY WELCOME.
 09:41:14 >>Jeff Tuscan: GOOD MORNING.
 09:41:16 I'M JEFF TUSCAN, PARTNER IN CHARGE OF YOUR AUDIT.
 09:41:20 I'LL ECHO WHAT CHRIS SAID.
 09:41:22 IT WAS A GREAT HELP HAVING YOUR STAFF.
 09:41:25 THEY HAVE A LOT OF EXPERIENCE, AND THEY DID A GREAT JOB WITH
 09:41:29 COVID AND EVERYTHING CERTAINLY MADE THE AUDIT PROCESS
 09:41:32 DIFFERENT.
 09:41:33 EVERYTHING WAS SCANNED.
 09:41:35 MOST OF IT WE DID OFF-SITE, SO WE APPRECIATE THAT.
 09:41:38 YOU DO HAVE THE REPORT AHEAD OF YOU IN YOUR PACKET THERE,
 09:41:43 AND THEN THIS MORNING, WE ALSO HANDED OUT THIS SET OF
 09:41:45 GRAPHS.
 09:41:47 IF YOU DON'T MIND, WE'LL LOOK AT THOSE GRAPHS IN JUST A
 09:41:50 SECOND.
 09:41:50 I JUST WANT TO GIVE YOU A LITTLE SYNOPSIS OF THE REPORT.
 09:41:54 OBVIOUSLY, IF YOU'VE LOOKED THROUGH THE AUDIT, YOU SEE JUST
 09:41:58 A COUPLE OF PAGES PAST THE TABLE OF CONTENTS IS OUR OPINION.

 09:42:05 I'LL TELL YOU THE PAGE NUMBER HERE.
 09:42:07 IT'S PAGE 3.

09:42:13 AND THAT'S A LITTLE CONFUSING, BACK END OF THE AUDIT BECAUSE
 09:42:17 THERE ARE INTRO PAGES AS WELL.
 09:42:18 IF YOU LOOK AT THE RIGHT-HAND BOTTOM CORNER, YOU'LL SEE PAGE
 09:42:22 3.
 09:42:22 AND UP AT THE TOP IS OUR OPINION.
 09:42:26 AND IT'S WHAT'S CALLED AN UNMODIFIED OPINION, WHICH IS
 09:42:29 SOMETIMES CALLED A CLEAN OPINION OR THE HIGHEST OPINION AN
 09:42:32 AUDITOR CAN ISSUE.
 09:42:33 SO POSITIVE REPORT THERE.
 09:42:38 IN THE BACK OF THE REPORT YOU'LL NOTICE THAT THERE ARE THREE
 09:42:41 OR FOUR LETTERS BACK THERE.
 09:42:43 AND ONE OF THOSE WE HAVE TO TEST INTERNAL CONTROL AND
 09:42:47 COMPLIANCE.
 09:42:48 WE DID THAT.
 09:42:49 NOTED NO ISSUES.
 09:42:50 WE ALSO HAVE TO TEST TO ENSURE THAT YOU HOLD YOUR CASH AND
 09:42:55 INVESTMENTS IN COMPLIANCE WITH STATUTE IN YOUR OWN POLICY.
 09:42:59 WE DID THAT, AND YOU COMPLIED.
 09:43:03 AND THE LAST LETTER IN THERE IS OUR MANAGEMENT LETTER, AND
 09:43:06 YOU SEE THIS YEAR WE HAD NO COMMENT.
 09:43:08 SO EXTREMELY POSITIVE REPORT.
 09:43:11 THERE IS A NEW REQUIREMENT THIS YEAR.
 09:43:15 YOU'LL NOTICE IN THIS REPORT IT WASN'T IN THERE LAST YEAR,

 09:43:20 THE STATE PASSED STATUTE THIS YEAR THAT REQUIRED GOVERNMENTS
 09:43:25 TO PUT AN AFFIDAVIT IN THE AUDIT REPORT THAT SAID THEY
 09:43:30 COLLECTED AND EXPENDED IMPACT FEES IN ACCORDANCE WITH THE
 09:43:35 STATUTES AND YOUR OWN POLICY.
 09:43:39 AND THAT SIGNED AFFIDAVIT IS IN THERE WHICH WASN'T IN THERE
 09:43:44 IN THE PAST.
 09:43:46 SO OVERALL, VERY POSITIVE REPORT.
 09:43:48 IF YOU WANT, WE'LL LOOK AT THESE GRAPHS.
 09:43:50 I'M JUST GOING TO TOUCH ON SOME OF THE HIGHLIGHTS.
 09:43:53 AND WE'RE GOING TO FOCUS ON THE RIGHT-HAND COLUMN THERE,
 09:43:56 THAT INCREASE/DECREASE.
 09:43:58 THE NICE THING ABOUT THESE GRAPHS, IT'S SOMETHING OUR FIRM
 09:44:02 DOES.
 09:44:02 IT'S NOT A REQUIREMENT, BUT IT ALLOWS THE BOARD QUICKLY TO
 09:44:07 BE ABLE TO LOOK AT THE FINANCIAL NUMBERS WITHOUT FLIPPING
 09:44:10 THROUGH A HUNDRED PAGES OF AUDIT AND GET A QUICK SYNOPSIS.
 09:44:16 IF YOU LOOK AT THOSE FIRST TWO LINE ITEMS, CASH AND
 09:44:19 INVESTMENTS, YOU CAN SEE THAT NETS TO ABOUT A LITTLE UNDER
 09:44:23 \$2 MILLION.
 09:44:25 SO CASH WAS UP ABOUT \$2 MILLION THIS YEAR OVER THE PRIOR
 09:44:30 YEAR, WHICH WAS POSITIVE.
 09:44:33 DOWN THERE IN THE MIDDLE YOU'LL SEE A SUBSTANTIAL CHANGE
 09:44:37 THERE DUE FROM OTHER GOVERNMENTS.
 09:44:42 THAT WAS BASICALLY DUE TO TIMING.

09:44:46 ALL RIGHT.

09:44:47 PAGE 2.

09:44:47 WE'RE GOING TO FLIP OVER TO PAGE TWO.

09:44:49 NOW, THIS LOOKS AT YOUR FIXED ASSETS OR YOUR LONG-TERM

09:44:52 ASSETS.

09:44:54 JUST TO GIVE YOU A BIT OF EXPLANATION THERE, YOU MIGHT

09:44:58 RECALL THAT DURING FISCAL YEAR '20 THAT THE CITY OR THE

09:45:04 VILLAGE BOUGHT TWO PIECES OF LAND, AND THAT'S THAT INCREASE

09:45:09 THERE IN LAND.

09:45:10 AND DOWN IN CONSTRUCTION AND PROGRESS, YOU COMPLETED SEVERAL

09:45:19 PIECES OF IMPROVEMENTS LAST YEAR, ROADWAY IMPROVEMENTS AND

09:45:23 LANDSCAPING.

09:45:24 THE ONE THAT GRABS YOUR ATTENTION IS THE NEXT ONE DOWN,

09:45:28 WHICH IS A NEGATIVE IN APPRECIABLE ASSETS.

09:45:32 YOU MIGHT RECALL THAT LAST YEAR YOU SOLD OFF A PIECE OF LAND

09:45:36 FOR ABOUT A MILLION DOLLARS, AND THAT'S WHERE PART OF THAT

09:45:39 CAME OUT OF.

09:45:42 I'LL SHOW YOU WHAT YOU USED THOSE PROCEEDS ON IN JUST ONE

09:45:46 MORE -- LET'S SEE IF I'M GETTING THIS RIGHT.

09:45:51 PLAN B.

09:46:03 COMPARATIVE LIABILITIES, PAGE 3.

09:46:05 YOU'LL SEE A BIG JUMP THERE IN ACCOUNTS PAYABLE AND

09:46:12 RETAINAGE.

09:46:14 TOGETHER, THOSE ADD UP TO ABOUT A MILLION SEVEN.

09:46:18 AS I MENTIONED EARLIER, YOUR CASH WAS UP FOR THE YEAR.

09:46:22 WELL, PART OF THAT WAS YOU HAD THESE PAYABLES THAT WERE PAID

09:46:25 RIGHT AFTER YEAR-END.

09:46:27 SO OVERALL, THE CITY HAD A BASICALLY NET INCOME OR REVENUE

09:46:31 OVER EXPENSE OF ABOUT 200,000.

09:46:34 THE DIFFERENCE BETWEEN THAT 200,000 AND THE REASON CASH

09:46:39 DIDN'T ONLY GO UP BY 200 WAS YOU HAD THESE PAYABLES,

09:46:45 CONSTRUCTION-RELATED PAYABLES AT YEAR-END THAT GOT PAID

09:46:48 RIGHT AFTER YEAR-END.

09:46:50 BASICALLY, THOSE ARE THE KIND OF TWO DETAILS THAT MAKE CASH

09:46:54 AND NET INCOME FOR THE YEAR WORK TOGETHER.

09:46:57 YOUR NEXT PAGE IS ON LONG-TERM LIABILITIES.

09:47:06 THIS IS PAGE 4.

09:47:08 YOU CAN SEE YOUR LONG-TERM DEBT WENT DOWN BY A MILLION

09:47:10 SEVEN.

09:47:11 NOW, ABOUT 700,000 WAS YOUR NORMAL PRINCIPAL PAYMENT.

09:47:16 I TOLD YOU YOU SOLD THAT PIECE OF LAND FOR A MILLION

09:47:18 DOLLARS.

09:47:18 YOU TOOK THOSE PROCEEDS AND ADDED IT TO THE PRINCIPAL

09:47:21 PAYMENTS LAST YEAR.

09:47:23 SO YOU PAID DOWN AN EXTRA MILLION DOLLARS IN DEBT LAST YEAR.

09:47:26 SO, AGAIN, A POSITIVE THING THERE.

09:47:28 THERE ARE TWO OTHER GRAPHS THERE, FIVE AND SIX.
 09:47:34 WE'RE NOT REALLY GOING TO SPEND ANY TIME ON.
 09:47:37 BUT IF YOU FLIP OVER TO PAGE 7, THIS STARTS BREAKING DOWN
 09:47:42 YOUR REVENUE.
 09:47:45 AND INTERESTING, IF YOU LOOK AT THE NET CHANGE THERE ON PAGE

 09:47:49 7, THESE ARE YOUR TAX REVENUES.
 09:47:52 YOU SEE IT OVERALL FOR THE WHOLE YEAR, ALL THOSE REVENUES
 09:47:56 TOGETHER CHANGED BY ABOUT \$7,000, ALTHOUGH THERE WERE SOME
 09:48:00 SIGNIFICANT CHANGES BETWEEN LINE ITEMS.
 09:48:03 MOST OF THE NEGATIVES THERE, IF YOU LOOK AT THE TITLES FOR
 09:48:06 EACH OF THOSE ROWS, GAS TAX, FRANCHISE TAX, BASICALLY ALL
 09:48:11 THAT RELATES TO COVID BEING DOWN, LESS USAGE LAST YEAR.
 09:48:17 SO NO SIGNIFICANT CHANGE OVERALL, BUT SOME CHANGE BY LINE
 09:48:21 ITEM.
 09:48:23 IF YOU FLIP TO PAGE 8, YOU SEE SOME SIGNIFICANT CHANGES
 09:48:29 HERE.
 09:48:31 INTERESTING, THOUGH, IF YOU LOOK AT THAT TOP LINE, LICENSES
 09:48:34 AND PERMITS, THAT WAS UP FOR THE YEAR, AND THAT REALLY
 09:48:38 RESULTS FROM THE PRIOR YEAR.
 09:48:39 YOU HAD A LOT OF IMPACT FEE COLLECTIONS, AND THEN IT TURNED
 09:48:43 INTO PERMITS THE NEXT YEAR, BUT IMPACT FEES THEMSELVES WERE
 09:48:48 DOWN A BIT LAST YEAR.
 09:48:50 AGAIN, DUE TO COVID AND TIMING.
 09:48:53 BUT YOUR INTERGOVERNMENTAL REVENUE, WHICH BASICALLY MEANS
 09:48:56 REVENUE FROM OTHER GOVERNMENTS WAS UP, AND THAT WAS MONEY
 09:49:00 THAT YOU HAD -- THE CITY OR THE VILLAGE ATTRACTED FROM
 09:49:03 D.O.T. FOR SOME OF THOSE ROADWAY IMPROVEMENTS.
 09:49:07 WORKING YOUR WAY DOWN YOU SEE INVESTMENT EARNINGS.
 09:49:11 IT'S ANOTHER CHANGE DUE TO COVID.
 09:49:14 YOU REMEMBER THE RATES WERE STARTING TO GO UP LEADING INTO

 09:49:18 THE WHOLE COVID EPISODE.
 09:49:22 BUT AS SOON AS THAT OCCURRED, INTEREST RATES DROPPED AND SO
 09:49:26 DID YOUR EARNINGS THERE.
 09:49:28 AND THEN DOWN TOWARDS THE BOTTOM, YOU'LL SEE PROCEEDS FROM
 09:49:31 SALE.
 09:49:32 THAT'S THE MILLION DOLLARS THAT I MENTIONED WHEN YOU SOLD
 09:49:34 THE LAND.
 09:49:38 LASTLY, IF YOU FLIP TO PAGE 9, YOUR MOST SIGNIFICANT CHANGES
 09:49:44 ARE DOWN THERE TOWARDS THE BOTTOM.
 09:49:48 DEBT SERVICE THAT REFLECTS PRINCIPAL AND INTEREST.
 09:49:52 SO ROUGHLY ABOUT A MILLION SEVEN OF THAT IN THE 2020 WAS
 09:49:58 PRINCIPAL, THE REST BEING INTEREST.
 09:49:59 AND THEN I MENTIONED WHEN WE LOOKED AT THE FIXED ASSETS, YOU
 09:50:02 SPENT ABOUT 9 MILLION ON LAND AND IMPROVEMENTS, AND THAT'S
 09:50:06 WHERE IT SHOWS UP THERE.
 09:50:08 SO THAT'S KIND OF AUDIT IN TWO MINUTES OR LESS.

09:50:16 BELIEVE ME, THE AUDIT LOOK LONGER THAN THAT.
 09:50:18 BUT ARE THERE ANY QUESTIONS I CAN ANSWER?
 09:50:23 >>Mayor Errington: ANY QUESTIONS FROM COUNCIL?
 09:50:24 ANY QUESTIONS ONLINE?
 09:50:26 I CAN'T SEE YOU, BUT --
 09:50:30 >>Jim Boesch: ANY RECOMMENDATIONS?
 09:50:33 >>Jeff Tuscan: THE ONLY RECOMMENDATION WE HAD -- WE HAD LAST
 09:50:39 YEAR WORKED ON SOME ISSUES WITH THE SOFTWARE FOR THE
 09:50:44 BUILDING, AND THAT WORKED ITS WAY OUT THIS YEAR.

 09:50:47 WE TESTED IT AGAIN AND FOLLOWED UP ON IT, AND THOSE THINGS
 09:50:51 GOT CORRECTED.
 09:50:52 SO WE ARE VERY HAPPY ABOUT THAT.
 09:50:54 EVERYTHING ELSE WAS FINE.
 09:50:56 IT'S JUST AN UNUSUAL YEAR FOR AUDIT BECAUSE NORMALLY WHEN WE
 09:51:01 DO AUDITS, AS CHRIS WILL TELL YOU, YOU GO OUT TO A CLIENT.
 09:51:06 YOU BRING EVERYTHING YOU'RE GOING TO NEED.
 09:51:08 YOU'RE THERE FOR A WEEK OR TWO OR LONGER AND YOU GET IT ALL
 09:51:11 DONE.
 09:51:11 AND WHEN YOU'RE DOING IT REMOTE LIKE THIS, IT'S TOUGH.
 09:51:15 PEOPLE ARE WORKING AT HOME.
 09:51:16 SOMEBODY HAS TO GO IN TO SCAN TO GET YOU THE DETAILS.
 09:51:21 SO IT JUST TAKES A LONG TIME.
 09:51:22 HOPEFULLY WE'RE PAST THAT, AND WE'RE GETTING BACK TO MORE
 09:51:27 NORMAL ACTIVITY.
 09:51:28 BUT NO OTHER.
 09:51:30 AGAIN, I DO THANK YOUR STAFF FOR ALL THE EXTRA WORK.
 09:51:35 >>Mayor Errington: ANY OTHER QUESTIONS, COMMENTS?
 09:51:37 ONLINE?
 09:51:39 >>Jim Ward: MAYOR, IT'S JIM WARD.
 09:51:41 I HAVE A STATEMENT, NOT NECESSARILY A QUESTION, IF IT'S
 09:51:44 APPROPRIATE AT THIS TIME.
 09:51:47 >>Mayor Errington: GO AHEAD.
 09:51:48 >>Jim Ward: IN MY PAST FINANCIAL BUSINESS EXPERIENCE AND
 09:51:52 RECENT CLUB EXPERIENCE, I'VE HAD THE OPPORTUNITY TO READ AND

 09:51:56 RESPOND TO NUMEROUS AUDIT REPORTS.
 09:51:58 THIS REPORT IS ONE OF THE MOST COMPREHENSIVE AND
 09:52:02 PROFESSIONAL REPORTS I HAVE SEEN.
 09:52:04 IT IS AN EXCELLENT REPORT.
 09:52:05 IT PROVIDES THE READER A COMPREHENSIVE OVERVIEW OF THE
 09:52:09 VILLAGE'S FINANCIAL POSITION WITH SUPPORTING DETAILS OF THE
 09:52:13 VILLAGE FINANCIAL REVENUE RESOURCES, OPERATING EXPENSES, AND
 09:52:20 CASH AND CAPITAL RESERVES.
 09:52:23 BEYOND THAT, THE REPORT GOES INTO SOME DEMOGRAPHIC DATA AND
 09:52:27 METRICS THAT ALLOWS THE READER TO UNDERSTAND THE VILLAGE'S
 09:52:30 PERFORMANCE VERSUS ITS PEER ORGANIZATIONS.
 09:52:34 AND FINALLY, IT REVIEWS THE VILLAGE'S INTERNAL CONTROLS AND

09:52:38 COMMENTS ON UNIDENTIFIED DEFICIENCIES.
 09:52:43 IMPORTANTLY, THERE WERE NO IDENTIFIED DEFICIENCIES THIS YEAR
 09:52:50 AND MINOR DEFICIENCIES IDENTIFIED LAST YEAR WERE NOTED TO
 09:52:53 HAVE BEEN CORRECTED.
 09:52:54 I JUST WANT TO COMMEND THE TUSCAN ORGANIZATION AND THE
 09:52:57 VILLAGE STAFF FOR THE EXCELLENT REPORT AND TO ALSO COMMEND
 09:53:02 THE VILLAGE FOR A CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE
 09:53:05 IN FINANCIAL REPORTING THAT IT RECEIVED IN 2019.
 09:53:14 >>Mayor Errington: THANK YOU.
 09:53:15 ANY OTHER COMMENTS, COUNCIL?
 09:53:16 THANK YOU.
 09:53:19 >>Jeff Tuscan: SURE.
 09:53:20 HAVE A GREAT DAY.

 09:53:21 >>Mayor Errington: THANK YOU.
 09:53:22 DO WE HAVE ANY COMMENTS FROM THE PUBLIC?
 09:53:23 >>Carol Sacco: NO, MAYOR.
 09:53:24 >>Mayor Errington: DO YOU HAVE ANY E-COMMENTS?
 09:53:26 >>Carol Sacco: NO MAYOR.
 09:53:27 >>Mayor Errington: OKAY.
 09:53:28 I WILL NOW ENTERTAIN A MOTION REGARDING THE AGENDA ITEM.
 09:53:32 MOVED BY COUNCIL MEMBER FIESEL AND SECONDED BY COUNCIL
 09:53:38 MEMBER RIBBLE.
 09:53:38 WILL YOU CALL THE ROLL?
 09:53:41 >>Jim Wilson: AYE.
 09:53:55 >>Jim Ward: AYE.
 09:53:57 >>Jim Boesch: AYE.
 09:53:59 >>Larry Fiesel: AYE.
 09:54:01 >>Joanne Ribble: AYE.
 09:54:02 >>Vice-Mayor McLain: AYE.
 09:54:04 >>Mayor Errington: AYE.
 09:54:05 THANK YOU.
 09:54:07 THANK YOU VERY MUCH.
 09:54:08 WE GREATLY APPRECIATE YOUR REPORT.
 09:54:10 THANK YOU.
 09:54:10 ITEM NUMBER 6 IS THE CLOUD SERVER TRANSITION.
 09:54:20 STEVE, WILL YOU INTRODUCE THIS, PLEASE?
 09:54:22 >>Steven Sarkozy: THANK YOU, MAYOR AND MEMBERS OF COUNCIL.
 09:54:24 ITEM 6B IS THE DISCUSSION AND FORMAL ACTION TO AUTHORIZE US

 09:54:31 TO TRANSITION OUR STORAGE OF DATA FOR THE VILLAGE INTO THE
 09:54:36 CLOUD.
 09:54:37 TITLED THIS "THE CLOUD SERVER TRANSITION."
 09:54:40 YOU WILL RECALL THAT A COUPLE OF YEARS AGO, WHEN WE
 09:54:45 EXPERIENCED HURRICANE IRMA, WE MADE A TRANSITION WHEREBY ALL
 09:54:52 STAFF TRANSITIONED TO LAPTOPS WITH SIGNIFICANT CAPACITY FOR
 09:54:59 STORAGE AND ALSO THEN PUT US ON A PATH TO TAKE ALL OF OUR
 09:55:07 DATA OFF-SITE.

09:55:09 AND WE DID THAT SO THAT WE COULD PROVIDE OPERATIONAL
 09:55:12 CONTINUITY DURING ANY KIND OF DISASTER.
 09:55:15 THIS IS ANOTHER PIECE TO THAT PROCESS, AND I'D LIKE TO CALL
 09:55:20 ON KYLE COLEMAN TO BRIEFLY DESCRIBE THE STRATEGY INVOLVED,
 09:55:26 HOW THE CLOUD WILL SERVE OUR NEEDS, AND THEN THE ACTION
 09:55:29 REQUESTED BY VILLAGE COUNCIL.
 09:55:40 >>Kyle Coleman: GOOD MORNING.
 09:55:40 THIS IS THE SAME PRESENTATION WE GAVE A FEW WEEKS AGO DURING
 09:55:58 THE WORKSHOP SESSION.
 09:55:59 BUT ESSENTIALLY, JUST AS A REVIEW, WE'RE WORKING TWO TRACKS
 09:56:03 HERE.
 09:56:04 SO THE ONE IS THE COMMUNITY DEVELOPMENT SIDE, WHICH IS
 09:56:08 PLANNING, ZONING, BUILDING, AND CODE, AND THAT FOLLOWS SOME
 09:56:13 OF THE ISSUES OUTLINED IN PREVIOUS AUDITS.
 09:56:17 THAT'S ONE TRACK THAT WILL EVENTUALLY GET US ONTO THE CLOUD
 09:56:22 FOR THOSE FUNCTIONS.
 09:56:23 THIS IS THE OTHER SIDE OF IT, WHICH IS FINANCE, PUBLIC

 09:56:26 WORKS.
 09:56:27 IT'S A TEMPORARY FINANCE.
 09:56:28 PUBLIC WORKS, DAY-TO-DAY.
 09:56:32 SO, YOU KNOW, AGENDA ITEMS AND THINGS LIKE THAT, DOCUMENT
 09:56:37 SHARING BETWEEN STAFF AND THEN PUBLIC RECORDS.
 09:56:39 SO THIS HANDLES THAT OTHER PIECE OF IT.
 09:56:43 WHAT WE'VE PROPOSED HERE IS GETTING ALL OF THIS DATA AND ALL
 09:56:50 OF THE SOFTWARE THAT WE USE, AGAIN, THOSE FUNCTIONS BASED IN
 09:56:56 EITHER MICROSOFT AZURE, WHICH IS THEIR CLOUD PLATFORM, OR
 09:57:02 AMAZON WEB SERVICES, AWS, WHICH IS THEIR VERSION OF IT.
 09:57:06 THOSE ARE THE TWO REALLY PACK LEADERS IN THE CLOUD SPACE.
 09:57:12 THEY ARE PRETTY WELL ESTABLISHED AS THE TWO TOP PRODUCTS.
 09:57:18 THE REASON TO USE TWO OF THEM AND TO SPLIT SOME OF THESE
 09:57:22 THINGS IS THAT IN ORDER TO MAKE USE OF THE DATA OR TO USE
 09:57:26 SOFTWARE THAT MAKES STAFF MORE EFFICIENT, THE SOFTWARE IS
 09:57:30 RUN ON TOP OF THE CLOUD.
 09:57:33 SOME PROVIDERS USE A PARTICULAR CLOUD VERSUS ANOTHER.
 09:57:36 SO, FOR EXAMPLE, MICROSOFT OFFICE, WORD, EXCEL, OUTLOOK,
 09:57:42 THEY USE MICROSOFT CLOUD.
 09:57:44 BUT ON THE OTHER HAND, LASERFICHE, WHICH IS WHERE WE STORE
 09:57:49 OUR PUBLIC RECORDS AND THEY HAVE A REALLY GOOD PUBLIC
 09:57:52 PLATFORM.
 09:57:52 SO SOMEONE CAN GO IN AND SEARCH, SAY THEY WANT TO KNOW
 09:57:58 EVERYTHING RELATED TO THE HAPPEHATCHEE LAND THAT WE TOOK
 09:58:03 CONTROL OF A COUPLE OF YEARS AGO.

 09:58:05 THEY COULD SEARCH H-A-P-P-E, AND IT WOULD SHOW ALL THE
 09:58:10 AGENDAS AND ALL THE MINUTES CONNECTED TO THAT.
 09:58:12 SO THAT REDUCES STAFF TIME ON IT, AND IT'S MORE CUSTOMER
 09:58:16 SERVICE FRIENDLY, BUT THAT COMPANY USES AMAZON FOR THEIR

09:58:21 CLOUD BASE.
 09:58:22 THAT'S THE QUESTION.
 09:58:27 DO YOU GO TO HAVE ONE SINGLE CLOUD OR DO YOU ACCEPT THAT
 09:58:31 IT'S ONE, AMAZON, AND THE REST IN MICROSOFT BECAUSE THE
 09:58:36 SERVICE AND THE SOFTWARE THAT YOU USE IS IDEAL?
 09:58:41 AND THAT'S WHAT WE'RE PROPOSING BECAUSE WE'RE COMFORTABLE
 09:58:43 WITH AMAZON AND MICROSOFT CLOUD OPTIONS.
 09:58:51 >>Jim Boesch: SEEMS TO BE A LITTLE CONFUSING.
 09:58:54 THE AVERAGE PERSON PROBABLY, I HOPE THEY HAVE THE AMAZON
 09:58:58 CAPABILITY TO MOVE IN IT.
 09:59:02 DO OTHER MUNICIPALITIES WORK THE SAME TYPE OF A THING WHERE
 09:59:10 SOME ARE ON AMAZON, ONE PHASE OF IT AND OTHERS ARE ON THE
 09:59:16 ACTUAL CLOUD?
 09:59:18 DO THEY DO IT THE SAME WAY?
 09:59:20 >>Kyle Coleman: I DON'T KNOW EXACT EXAMPLES, BUT THAT'S VERY
 09:59:24 NORMAL.
 09:59:24 SO A LOT OF PLACES ACTUALLY HAVE A HYBRID BETWEEN A, A CLOUD
 09:59:29 COMPANY, AND, B, ON-SITE FOR SOME THINGS.
 09:59:32 IT'S VERY LIKELY BECAUSE IF YOU'RE USING OFFICE PRODUCTS AND
 09:59:37 THEN YOU HAVE A COMMUNITY DEVELOPMENT SOFTWARE, ACCELA OR
 09:59:42 TYLER TECHNOLOGIES, OR ONE OF THESE, THEY ALL USE THEIR OWN

 09:59:46 CLOUD SYSTEMS.
 09:59:47 IT'S VERY NORMAL.
 09:59:51 BASICALLY, WE'RE CHOOSING TO INSTEAD OF HAVING A SERVER IN A
 09:59:56 ROOM IN VILLAGE HALL, WE'RE CHOOSING TO LEASE SPACE IN
 09:59:59 AMAZON'S OR MICROSOFT'S.
 10:00:03 >>Jim Boesch: SO TO ME, HONESTLY, KYLE, THIS IS ALL IN THE
 10:00:08 CLOUD THE PROGRAM.
 10:00:17 I ASK THIS BECAUSE AN INDIVIDUAL MAY WANT TO GET INTO THAT
 10:00:19 AREA, AMAZON.
 10:00:24 AND CANNOT GET INTO IT OR CAN'T FIND THE WAY.
 10:00:27 I DON'T KNOW I'M JUST SAYING.
 10:00:31 ARE WE THE ONLY COMMUNITY DOING IT, WE'RE SUBJECT TO BE SUED
 10:00:38 AND THEN WE HAVE NO PRECEDENT.
 10:00:40 BUT IF EVERYBODY ELSE IS DOING A SIMILAR TYPE PROGRAM, THEN
 10:00:46 WE'RE IN THE CLEAR.
 10:00:48 >>Kyle Coleman: THIS IS A VERY NORMAL WAY TO DO IT.
 10:00:50 SO AN EXAMPLE IS, IF YOU GO ONTO THE VILLAGE WEBSITE, THAT
 10:00:54 MIGHT BE HOSTED ON A VILLAGE SERVER IN-HOUSE.
 10:00:58 BUT NOBODY WAS GOING TO OUR WEBSITE -- BUT NOBODY GOING TO
 10:01:02 OUR WEBSITE KNOWS THAT.
 10:01:03 IT DOESN'T AFFECT THE USER.
 10:01:04 WHAT THEY FEEL IS THE SOFTWARE.
 10:01:06 IF YOU'RE INTERACTING WITH THE VILLAGE, YOU'RE FEELING OUR
 10:01:08 WEBSITE OR WE'RE USING E-MAIL OR WE'RE USING -- IF YOU LOG
 10:01:13 ON TO Facebook, YOU'RE INTERACTING WITH Facebook.

10:01:16 WHEREVER THEY CHOOSE TO STORE THE DATA AFTER DOESN'T GET
 10:01:19 FELT BY THE USER.
 10:01:22 AS LONG AS WE'RE COMFORTABLE THAT THE BACK END IS A
 10:01:25 REPUTABLE COMPANY, THEN OUR FOCUS IS ON THE USER EXPERIENCE,
 10:01:29 THE FRONT SIDE OF IT.
 10:01:35 >>Vice-Mayor McLain: A TIMELY DISCUSSION.
 10:01:36 IF I'M NOT MISTAKEN, YESTERDAY, THE GOVERNMENT PULLED AWAY
 10:01:39 FROM A CONTRACT THEY HAD DONE ON THE CLOUD WITH MICROSOFT,
 10:01:43 AND NOW THEY ARE GOING TO OPEN IT UP TO BOTH AMAZON AND
 10:01:47 MICROSOFT AND POSSIBLY SOME OTHERS, I GUESS, THAT MAY BE
 10:01:50 SMALLER.
 10:01:51 SO I THINK IT'S GOING TO BE PRETTY COMMON TO SEE THIS KIND
 10:01:54 OF SPLIT.
 10:01:55 I AGREE WITH YOU, YOUR EXPERTISE THERE, THAT THE USER WILL
 10:01:59 NEVER KNOW WHERE THIS DATA IS STORED.
 10:02:02 MY ONLY CONCERN IS, DURING THIS TRANSITION, IS SECURITY.
 10:02:10 BECAUSE THERE'S A LOT OF ACTIVITY GOING ON ABOUT MOVING AND
 10:02:12 THE LIKE.
 10:02:13 I HOPE THAT WE ENHANCE OUR SECURITY, BECAUSE, AS WE ALL
 10:02:17 KNOW, THERE'S A LOT OF HACKING GOING ON THESE DAYS AND WE
 10:02:20 SURE WANT TO AVOID THAT.
 10:02:21 WHAT SECURITY MEASURES ARE WE GOING TO CHANGE OR ENHANCE
 10:02:25 DURING THIS?
 10:02:26 HOW IS THAT GOING TO WORK?
 10:02:27 >>Kyle Coleman: SO, WE HAVE TALKED WITH AT LEAST ONE

 10:02:31 MUNICIPAL PARTNER ABOUT SOME OF THEIR BEST PRACTICES.
 10:02:35 BECAUSE OF THE ORGANIZATION'S SIZE, THEY'VE GOT SOME
 10:02:39 EXPERTISE THERE.
 10:02:39 WE'VE DONE SOME THINGS INTERNALLY FOR THAT.
 10:02:42 I DON'T REALLY WANT TO GET INTO IT.
 10:02:45 WHAT WE HAVE DONE THAT WE CAN SAY IS WE DO REGULAR BACKUPS
 10:02:48 TO PHYSICAL DRIVES.
 10:02:49 SO WE DID ONE -- I DON'T KNOW -- MUST HAVE BEEN MONDAY
 10:02:54 AFTERNOON IN ANTICIPATION OF TOMORROW.
 10:02:57 SO OUR APPROACH IS, A, WE'RE GOING TO DO EVERYTHING WE CAN
 10:03:00 TO DEFEND IT UP FRONT.
 10:03:02 BUT, B, IF SOMETHING DOES HAPPEN, WE'RE GOING TO DO THE
 10:03:05 REGULAR BACKUPS THAT I PHYSICALLY HAVE IN MY HAND.
 10:03:10 AND IF A HACKER TAKES CONTROL, WE RESTART.
 10:03:14 >>Vice-Mayor McLain: OKAY.
 10:03:15 GOOD.
 10:03:15 >>Mayor Errington: ANY OTHER QUESTIONS?
 10:03:20 >>Larry Fiesel: WHAT JON MENTIONED WAS IN THE PAPER THIS
 10:03:24 MORNING TALKING ABOUT, I THINK IT WAS THE PENTAGON,
 10:03:24 MOVING -- THEY HAD AMAZON AND MICROSOFT AND WERE LOOKING TO
 10:03:28 GO TO GOOGLE AND ONE OTHER SOURCE TO PERHAPS BACK THEM UP.
 10:03:31 >>Mayor Errington: I WOULD LIKE TO COMMENT THAT I BELIEVE BY

10:03:35 DOING THIS, WE ARE GOING REALLY FORWARD, AND WE'RE GOING
 10:03:39 WHERE WE SHOULD BE, AND WE SHOULD BE LEADERS AROUND HERE
 10:03:43 WITH WHAT'S GOING ON.

10:03:45 I FEEL MORE AND MORE COMFORTABLE WITH EVERYTHING THAT'S
 10:03:50 HAPPENING WITH THE COMMUNITY DEVELOPMENT SOFTWARE AND MOVING
 10:03:55 INTO THE iCloud SERVERS AND MICROSOFT, AZURE, AND AMAZON.
 10:04:08 THOSE ARE THE TWO LEADING ONES IN THE WHOLE UNITED STATES,
 10:04:12 PROBABLY THE WORLD.
 10:04:14 SO THE PENTAGON HAS BEEN DOING A LOT OF WORK WITH AMAZON
 10:04:20 BECAUSE OF THE DEFENSE CONTRACTS AND SO FORTH.
 10:04:22 SO PROBABLY THEY NEED TO SPLIT UP.
 10:04:25 IF YOU LOOK AT IT THAT WAY.
 10:04:28 BUT THIS HAS BEEN A CONCERN, AND I THINK THE VILLAGE NOW,
 10:04:33 WE'RE GOING IN THE RIGHT DIRECTION.
 10:04:35 I'M VERY PROUD OF WHAT'S HAPPENING HERE BECAUSE WE ARE
 10:04:39 REALLY GETTING OUR ACT TOGETHER.
 10:04:41 AND THANK YOU, KYLE, STEVE, AND CAROL.
 10:04:46 WE'VE GOT A TEAM OF PEOPLE HERE WHO REALLY WORK HARD TO SEE
 10:04:52 THAT SO MANY THINGS ARE HAPPENING.
 10:04:53 APPRECIATE THAT.
 10:04:54 THIS IS GOOD.
 10:04:56 I SLEEP BETTER TONIGHT AFTER THE VOTE, IF IT GOES THE WAY I
 10:05:00 HOPE.

10:05:02 >>Jim Boesch: ONE OTHER THING.
 10:05:03 I WOULD LIKE TO COMPLIMENT THIS ACTION, KYLE, BECAUSE
 10:05:09 PROBABLY THERE ARE COMMON QUESTIONS THAT ARE ASKED BY THE
 10:05:13 RESIDENTS, AND YOU CAN BE SURE THE PERSON -- THEY HEAR ALL
 10:05:19 THESE RANSOMWARE THINGS.

10:05:21 WHAT ABOUT OURS?
 10:05:23 ARE WE DOING THE RIGHT THING?
 10:05:25 THE FACT THAT WE CAN SAY WE ARE CONCERNED AND WE ARE
 10:05:28 ADDRESSING, WE'RE CHANGING WITH THE REQUIREMENTS AND THE
 10:05:36 TIMES AVOIDING THAT STUFF, IT'S A PLEASANT ANSWER TO BE
 10:05:40 GIVING TO THE RESIDENTS, AS YOU GO ON.
 10:05:47 I JUST THINK IT'S A PROFESSIONAL -- HIGHLY PROFESSIONAL FOR
 10:05:56 US TO BE MOVING AND CERTAINLY IS AN ANSWER FOR ALL OF OUR
 10:05:59 RESIDENTS WHO WOULD BE CONCERNED WITH THAT.

10:06:07 >>Mayor Errington: ANY OTHER COMMENTS?
 10:06:09 ANYBODY ON ZOOM?
 10:06:15 >>Kyle Coleman: THANK YOU.
 10:06:17 >>Carol Sacco: NO, MAYOR.
 10:06:17 >>Mayor Errington: NO E-COMMENTS?
 10:06:19 >>Carol Sacco: NO, MAYOR.
 10:06:20 >>Mayor Errington: I'LL ENTERTAIN A MOTION.
 10:06:22 BEFORE THE MOTION, YES, COUNCIL MEMBER WILSON.
 10:06:28 >>Jim Wilson: I WAS REQUESTING TO MAKE THE MOTION.

10:06:30 >>Mayor Errington: COUNCIL MEMBER BOESCH MADE THE MOTION AND
 10:06:34 YOU CAN SECOND IT IF YOU WOULD LIKE.
 10:06:36 >>Jim Wilson: THAT'S FINE.
 10:06:38 THANK YOU.
 10:06:40 >>Mayor Errington: WILL YOU CALL THE ROLL, PLEASE?
 10:06:42 >>Joanne Ribble: AYE.
 10:06:43 >>Larry Fiesel: AYE.

 10:06:45 >>Jim Boesch: AYE.
 10:06:45 >>Jim Ward: AYE.
 10:06:48 >>Jim Wilson: AYE.
 10:06:50 >>Vice-Mayor McLain: AYE.
 10:06:52 >>Mayor Errington: AYE.
 10:06:53 THANK YOU.
 10:06:57 ITEM NUMBER 6, PUBLIC HEARING DATE AND TIME FOR SCHOOL SITE
 10:07:03 COMPREHENSIVE PLAN AMENDMENT.
 10:07:05 STEVE, WE'RE BACK TO YOU.
 10:07:06 >>Steven Sarkozy: THANK YOU, MAYOR, MEMBERS OF COUNCIL.
 10:07:09 AS YOU ARE AWARE, THE DESIGN REVIEW PROCESS IS ONGOING WITH
 10:07:16 THE VILLAGE OF ESTERO COMMUNITY DEVELOPMENT STAFF EVALUATING
 10:07:21 THE QUALITY AND DETAILS OF THE SCHOOL PROPOSED SITE AT THREE
 10:07:27 OAKS PARKWAY.
 10:07:28 WE HAVE ON THE AGENDA THEN A FINAL REVIEW OF THE
 10:07:35 COMPREHENSIVE PLAN AMENDMENT PROCESS THAT REQUIRES COUNCIL
 10:07:41 APPROVAL.
 10:07:42 WE SENT THE APPLICATION OFF TO THE STATE.
 10:07:45 WE'VE HEARD BACK FROM THEM, AND WE'RE PROPOSING TO HAVE OUR
 10:07:49 PUBLIC HEARING ON WEDNESDAY, JULY 14 AT 9:30 A.M.
 10:07:54 THAT'S NEXT WEEK.
 10:07:54 MARY IS HERE IF YOU HAVE ANY OTHER QUESTIONS.
 10:08:02 MARY WILL BE PREPARED TO PROVIDE THE FULL REPORT NEXT WEEK.
 10:08:06 >>Mary Gibbs: I JUST WANTED TO SAY ONE THING.
 10:08:09 WE'RE RECOMMENDING THAT WE HAVE THE HEARING NEXT WEDNESDAY

 10:08:12 AT 9:30 A.M.
 10:08:13 BECAUSE OF THE FLORIDA STATUTES SAY FOR COMPREHENSIVE PLAN
 10:08:16 AMENDMENTS, ONE HEARING HAS TO BE HELD AFTER 5:00, UNLESS
 10:08:21 THERE'S AN AFFIRMATIVE MAJORITY PLUS ONE VOTE, YOU CAN HOLD
 10:08:25 IT AT A DIFFERENT TIME.
 10:08:27 WE ARE RECOMMENDING THAT WE HOLD IT IN THE MORNING NEXT
 10:08:29 WEEK.
 10:08:29 BUT THAT'S WHY WE NEED TO BRING IT BACK TODAY TO GET THAT
 10:08:33 VOTE.
 10:08:33 OTHERWISE, YOU'D HAVE TO HAVE IT AT NIGHT.
 10:08:35 >>Mayor Errington: IF WE'RE VOTING ON HAVING IT AT 9:30,
 10:08:38 THAT'S --
 10:08:39 >>Mary Gibbs: YES, THAT'S WHAT THE VOTE IS, JUST TO SET THE
 10:08:42 TIME.

10:08:43 >>Mayor Errington: DO YOU HAVE ANY OTHER COMMENTS?
 10:08:45 >>Mary Gibbs: NO.
 10:08:46 >>Mayor Errington: HOW LONG DO YOU THINK THE HEARING WILL
 10:08:47 LAST?
 10:08:48 >>Mary Gibbs: IT DEPENDS.
 10:08:49 THE LAST TIME WE HAD MAYBE A HANDFUL OF PEOPLE.
 10:08:52 I'M THINKING TWO HOURS AT THE MAX.
 10:08:54 WE'LL HAVE OUR PACKET.
 10:08:57 WE'RE WORKING ON THE PACKET RIGHT NOW.
 10:08:58 WE SHOULD HAVE THAT TO YOU LATER TODAY.
 10:09:01 >>Mayor Errington: THANK YOU.

 10:09:02 ANY COMMENTS?
 10:09:04 >>Carol Sacco: NO, MAYOR.
 10:09:05 >>Mayor Errington: I NEED A MOTION THEN.
 10:09:07 >>Joanne Ribble: SO MOVED.
 10:09:08 >>Mayor Errington: MOTION MADE BY COUNCIL MEMBER RIBBLE AND
 10:09:10 SECONDED BY COUNCIL MEMBER FIESEL.
 10:09:12 YOU CAN CALL THE ROLL.
 10:09:18 >> ARE WE GOING TO HAVE ANY DISCUSSION ON IT AT ALL?
 10:09:21 >>Mayor Errington: YES.
 10:09:23 >>Vice-Mayor McLain: I'M A LITTLE CONCERNED BECAUSE THIS IS
 10:09:26 A SCHOOL WITH, OBVIOUSLY, YOUNGER FOLKS GOING TO BE IN
 10:09:30 THERE.
 10:09:30 OUR LOGIC OF CHANGING IT FROM 5:00, WHICH IS BY STATUTE TO
 10:09:35 9:30 IN THE MORNING, I'D LIKE TO INVOLVE AS MANY PEOPLE AS
 10:09:43 POSSIBLE.
 10:09:43 IF PEOPLE ARE WORKING, THEY ARE NOT GOING TO BE ABLE TO BE
 10:09:47 THERE AT 9:30 IN THE MORNING OR EVEN AT 5.
 10:09:50 IT'S A LITTLE EARLY FOR PEOPLE THAT ARE WORKING.
 10:09:52 IS THERE A REASON WHY WE SHOULD DO IT AT 9:30? I LIKE 9:30,
 10:10:00 BUT I'M WILLING TO CHANGE THE TIME TO GET AS MANY COMMENTS
 10:10:03 AS WE CAN FROM THE PUBLIC.
 10:10:05 >>Mary Gibbs: THE LAST MEETINGS WE HAD WITH THE PLANNING AND
 10:10:08 ZONING BOARD, AND I THINK WE HAD THE MEETING AT 4:30 IN THE
 10:10:13 AFTERNOON.
 10:10:13 AND WE HAD A HANDFUL OF PEOPLE.

 10:10:15 THE PEOPLE THAT WERE THERE WERE NOT -- LOOKED TO ME TO BE
 10:10:20 MOSTLY RETIRED, THE ONES THAT HAVE COMMENTED, NOT LIKE
 10:10:26 PROBABLY THE AGE OF SCHOOL-AGE CHILDREN.
 10:10:29 WE DID HAVE A MEETING -- THE SCHOOL DISTRICT HAD A MEETING
 10:10:34 AT THE HIGH SCHOOL GYM I THINK A FEW MONTHS AGO TO INVITE
 10:10:38 EVERYBODY, AND WE HAD THE SAME -- WE HAD ESSENTIALLY THE
 10:10:48 SAME ATTENDANCE, BUT, AGAIN, IT'S UP TO YOU.
 10:10:52 WE'VE HAD THESE A COUPLE OF TIMES WHERE WE CHANGED THE
 10:10:55 HEARING TO THE MORNING.
 10:10:56 IT'S UP TO YOU ALL.

10:10:58 >>Joanne Ribble: I WOULD ONLY MAKE ONE COMMENT.
 10:11:00 JON, SCHOOL IS OUT OF SESSION NOW.
 10:11:02 SO IF THERE'S ANYONE WHO WOULD COME, WORKS IN SCHOOL OR
 10:11:08 STUDENTS, THEY WOULD BE AVAILABLE IN THE MORNING NOW.
 10:11:16 >>Mayor Errington: THANK YOU.
 10:11:17 IS THAT IT?
 10:11:17 SO THE MOTION ON THE FLOOR IS TO HAVE IT AT 9:30.
 10:11:22 ANY MORE DISCUSSION?
 10:11:27 >>Jim Boesch: I WOULD MAKE ONE COMMENT.
 10:11:28 IN RECOGNITION -- IN OUR PERIOD OF TIME, WE'VE TRIED MAYBE
 10:11:44 THREE OR FOUR TIMES AT A 5:00, 5:30, AND IT'S ALWAYS TURNED
 10:11:49 OUT TO BE EVEN LESS THAN THE 9:30 COUNCIL MEETING.
 10:11:54 >>Mayor Errington: IT HAS BEEN.
 10:11:57 >>Jim Boesch: IT'S HARD TO BELIEVE.
 10:11:59 THEY COMPLAIN.

 10:11:59 NORMALLY -- BONITA HAS A MORNING AND AN EVENING, AND THEY
 10:12:05 HAVE THE SAME SITUATION.
 10:12:09 THE AMOUNT OF PEOPLE WOULD BE THE SAME ROUGHLY WHETHER THEY
 10:12:13 DO IT MORNING OR EVENING.
 10:12:15 PROBABLY MORE BECAUSE THEY ARE USED TO A MORNING MEETING
 10:12:17 HERE IN ESTERO.
 10:12:20 >>Mayor Errington: I AGREE.
 10:12:20 SO THE MOTION STANDS FOR 9:30.
 10:12:25 THE MOTION HAS BEEN MADE AND SECONDED.
 10:12:28 ROLL CALL.
 10:12:32 >>Jim Wilson: AYE.
 10:12:33 >>Jim Ward: AYE.
 10:12:35 >>Jim Boesch: AYE.
 10:12:37 >>Larry Fiesel: AYE.
 10:12:38 >>Joanne Ribble: AYE.
 10:12:40 >>Vice-Mayor McLain: AYE.
 10:12:42 >>Mayor Errington: AYE.
 10:12:43 THANK YOU.
 10:12:46 ITEM 6D IS THE LIEN MITIGATION.
 10:12:55 20318 SHERRILL LANE.
 10:12:58 STEVE, WOULD YOU INTRODUCE THIS, PLEASE?
 10:13:00 >>Steven Sarkozy: THANK YOU, MAYOR AND MEMBERS OF COUNCIL.
 10:13:03 THIS IS THANKFULLY ONE OF THE FEW TIMES THAT WE WOULD HAVE A
 10:13:08 LIEN MITIGATION REQUEST THAT WOULD COME TO THE VILLAGE
 10:13:11 COUNCIL.

 10:13:12 BUT THIS HAS BEEN THE SUBJECT OF THE WORK OF OUR CODE STAFF
 10:13:16 AND OUR SPECIAL MAGISTRATE OVER THE LAST THREE YEARS.
 10:13:20 OUR EFFORTS IN THE VILLAGE ARE TO KEEP OUR PROPERTIES AT THE
 10:13:23 HIGHEST LEVEL OF MAINTENANCE, AND WE HAVE A SIGNIFICANT
 10:13:31 EFFORT OUT THERE BY STAFF TO MONITOR PROPERTIES AND INSPECT
 10:13:37 PARTICULARLY WHEN WE GET COMPLAINTS FROM NEIGHBORS ABOUT

10:13:43 ADJOINING PROPERTIES.
 10:13:44 AND THIS ADDRESS HAS BEEN AN ISSUE AND HAS BEEN THE SUBJECT
 10:13:47 OF SOME CONSIDERABLE WORK.
 10:13:51 WITH THAT, I'LL TURN IT OVER TO MARY GIBBS WHOSE STAFF HAS
 10:13:56 BEEN INVOLVED IN THIS LIEN MITIGATION PROCESS.
 10:14:03 >>Mary Gibbs: SO THE APPLICANT TODAY IS MS. HERNANDEZ.
 10:14:07 AND THEY ARE ASKING TO REDUCE THE LIEN THAT HAS ACCUMULATED
 10:14:11 ON THE PROPERTY.
 10:14:12 STANLEY KNIGHT CITED THEM FOR PARKING COMMERCIAL VEHICLES IN
 10:14:17 A RESIDENTIALLY ZONED AREA.
 10:14:18 SO YOU'RE NOT ALLOWED TO DO THAT.
 10:14:21 IT WENT TO THE MAGISTRATE AND THEY IMPOSED THE FINE
 10:14:24 BEGINNING IN 2018, AND THE FINE HAS KEPT ACCUMULATING.
 10:14:29 THERE WAS A HEARING, AND MS. HERNANDEZ DID NOT ATTEND THE
 10:14:33 HEARING, SO THE FINE, AGAIN, KEPT ACCUMULATING.
 10:14:36 NOW, THE COUNCIL POLICY IN THE PAST, AND AT LEAST WITH THE
 10:14:40 OLD COUNCIL, WAS THAT ANYTHING THAT HAD A FINE THAT
 10:14:45 ACCUMULATED OVER A HUNDRED THOUSAND DOLLARS WOULD HAVE TO
 10:14:47 COME TO COUNCIL AND THE COUNCIL WOULD REVIEW IT AND

 10:14:50 DETERMINE WHAT THEY WANTED TO DO.
 10:14:52 DEREK ROONEY FOR THE PRIOR COUNCIL SET SOME STANDARDS FOR
 10:14:58 HOW YOU WOULD REVIEW THESE THINGS AND DETERMINE WHETHER YOU
 10:15:02 WANTED TO REDUCE THE FINES.
 10:15:04 AND THE GUIDANCE IS DEPENDS ON THE GRAVITY OF THE VIOLATION.
 10:15:09 IS LIKE A PUBLIC HEALTH AND SAFETY ISSUE, SOME IMMINENT
 10:15:13 BUILDING ROOF IS GOING TO FALL IN OR SOMETHING LIKE THAT.
 10:15:18 HAS THE VIOLATOR TAKEN ANY ACTION TO CORRECT THE VIOLATION
 10:15:21 OR NOT?
 10:15:22 AND THEN IF THEY'VE HAD PREVIOUS VIOLATIONS THAT THEY HAVE
 10:15:26 COMMITTED OR IF THEY HAVE BEEN HERE BEFORE.
 10:15:28 SO BASED ON THAT, MATT ROEPSTORFF AND DEREK ROONEY REVIEWED
 10:15:36 THIS CASE FOR OUR LEGAL.
 10:15:37 THEY ARE RECOMMENDING THAT THE MITIGATION REQUEST BE
 10:15:39 APPROVED TO RELEASE THE LIEN AND THEN THEY WOULD PAY A
 10:15:44 REDUCED FINE OF \$2,000 AND THE ADMINISTRATIVE COST, WHICH IS
 10:15:47 \$327.20.
 10:15:49 SO THAT'S THE THEORY BEHIND.
 10:15:54 AGAIN, THE BASIS IS WE'RE TRYING TO ACHIEVE COMPLIANCE ON
 10:15:57 THE PROPERTY.
 10:15:59 WE HAVE TO MAKE SURE THAT THEY HAVE ABATED THE VIOLATION
 10:16:02 BEFORE WE SCHEDULE IT TO COME HERE, AND THAT THEY UNDERSTAND
 10:16:06 THAT THEY CANNOT DO THIS AGAIN OR THEY ARE GOING TO END UP
 10:16:09 BACK AT THE MAGISTRATE WITH ANOTHER VIOLATION.
 10:16:18 >>Jim Boesch: THESE ARE MY COMMENTS.

 10:16:24 IT DOES NOT HAVE TO DO WITH YOUR PREPARATION.
 10:16:26 ABOUT TWO OR THREE YEARS AGO, WE HAD THE SAME CIRCUMSTANCE.

10:16:33 IT WAS SOMEBODY WHO PARKED, AND ON THE SAME STREET, SAME
 10:16:39 STREET.
 10:16:39 I WENT OUT WITH STANLEY, WHO IS THE CODE ENFORCEMENT GUY,
 10:16:45 BECAUSE WE WERE TALKING ABOUT LARGE NUMBER AND REDUCING IT
 10:16:51 UNBELIEVABLY SUBSTANTIALLY, AND JUST TO SEE WHAT IS GOING ON
 10:16:58 ON THE STREET.
 10:16:59 ALSO, HONESTLY, I WANTED TO SEE HOW STANLEY APPROACHES THE
 10:17:03 CUSTOMERS, WHETHER HE'S ABRASIVE TO THEM.
 10:17:07 SO THE TWO THINGS I FOUND OUT IS THAT THIS IS A STREET THAT
 10:17:15 THE PEOPLE ON IT, FOR THE MOST PART, ARE IN MOBILE HOME-TYPE
 10:17:22 OF PRECONSTRUCTED UNITS.
 10:17:27 IT'S A STREET WHERE THERE ARE SOME WORKERS THERE.
 10:17:35 WHEN WE WENT -- HE WENT TO AGAIN ANOTHER PERSON LIKE THAT,
 10:17:45 AND IT WAS THEIR ATTITUDE THAT, HEY, WE'RE OUT OF THE WAY.
 10:17:49 WE'RE NOT BOTHERING ANYBODY.
 10:17:50 WE SHOULD BE ALLOWED TO DO THINGS LIKE THIS HERE.
 10:17:55 OBVIOUSLY, STANLEY SAYS THE CRITERION IS SET UP THAT YOU
 10:18:01 CANNOT DO THIS AND SO FORTH, AND HE WOULD NOT FIGHT WITH
 10:18:04 THEM.
 10:18:05 HE WOULD TELL THEM AND INFORM THEM WHAT'S GOING ON.
 10:18:08 I'M SURE, FIRST OF ALL, HIS APPROACH WITH THIS PARTICULAR
 10:18:12 CLIENT WAS THE SAME THING.
 10:18:13 I CAN ASSURE YOU THAT THERE WAS NO ABUSIVE APPROACH OF

 10:18:23 DISCUSSIONS.
 10:18:23 IT WAS VERY PROFESSIONAL AND KIND.
 10:18:27 THE THING THAT BOTHERS ME IS THE LAST TIME WE DID THE SAME
 10:18:32 THING, WITH A CLIENT ON THE SAME STREET.
 10:18:36 REDUCED THE LARGE FINE, 50 -- BIG NUMBERS, 2500, SOMETHING
 10:18:43 LIKE THAT.
 10:18:44 IT APPEARS TO ME THAT PROBABLY SINCE THERE ARE PROBABLY A
 10:18:50 HUNDRED PEOPLE ON THE STREET THAT PASSES AROUND AND SO
 10:18:53 THAT'S THE BEGINNING NUMBER THAT THESE PEOPLE ARE THINKING
 10:18:57 OF, IF I GET THE FINE, THAT'S THE --
 10:19:01 I LOOK AT TWO THINGS.
 10:19:02 FIRST OF ALL, I HAVE DONE BUSINESS PRESENTATIONS IN THE
 10:19:11 PAST, AND IF SOMEBODY IS GOING TO PURCHASE A BOBCAT, THEY
 10:19:17 DON'T JUST PURCHASE IT TO PUT IT ON THEIR LAND.
 10:19:20 THEY PURCHASE IT TO MAKE MONEY.
 10:19:23 THAT'S WHY THEY BUY THE BOBCAT FOR.
 10:19:28 AND WHEN I LOOK AT THAT BOBCAT, I WOULD THINK THAT SOMEBODY
 10:19:32 BUYS SOMETHING LIKE THAT WOULD BE LOOKING TO MAKE \$500 A
 10:19:35 DAY, TRANSPORTING IT, GOING TO THE SITE, DOING WHAT THEY ARE
 10:19:42 DOING AND SO FORTH.
 10:19:44 THE PROFIT WOULD BE \$500, IN MY OPINION, A DAY.
 10:19:49 MARY, THIS IS YOUR BUSINESS.
 10:19:50 IF I'M NOT PRESENTING THE NUMBERS, YOU'RE WELCOME TO CORRECT
 10:19:57 ME.

10:19:58 IF YOU LOOK AT SOMEONE WHO LEAVES THAT UNIT ON THEIR

10:20:04 PROPERTY FOR ONE YEAR, LET'S SAY IT WORKED HALF THE TIME,
10:20:08 STILL THAT UNIT WOULD HAVE MADE IN EXCESS OF \$100,000.
10:20:13 AND WHATEVER.
10:20:17 50,000.
10:20:17 IF I HAD ONE OF THOSE UNITS AND I HAD A PROBLEM PARKING IT
10:20:20 AND I HAD TO GO AND GET IT, AND I ONLY HAD TO PAY A THOUSAND
10:20:26 DOLLARS TO MAKE 50,000 OR WHATEVER ELSE, THAT WOULD BE A
10:20:30 NO-BRAINER FOR ME.
10:20:32 I'D DO IT BECAUSE I KNOW IN THE END YOU'RE GOING TO FINE ME
10:20:36 A HUNDRED THOUSAND, BUT IT'S IRRELEVANT BECAUSE I KNOW I'LL
10:20:41 ONLY HAVE TO PAY \$2,000 OR \$2500 TO DO THAT.
10:20:44 THAT'S THE FIRST THING.
10:20:46 THE SECOND THING I WANT TO MENTION IS IN OUR COMMUNITY, WE
10:20:50 HAVE A REGULATION THAT YOU CANNOT PARK A BUSINESS CAR
10:20:59 OUTSIDE OF THE GARAGE WITH ANY TYPE OF BUSINESS NOMENCLATURE
10:21:07 ON THE CAR.
10:21:08 SO WITH THAT, IF MOST -- I MEAN ALL OF THE PEOPLE RECOGNIZE
10:21:13 THAT AND IF THEY ARE GOING TO HAVE A BUSINESS CAR AND THEY
10:21:17 GET ONE OF THESE METAL THINGS AND PUT IT ON THE DOOR AND
10:21:21 TAKE IT OFF AT NIGHT.
10:21:23 BECAUSE IF NOT, THEY PAY A HUNDRED DOLLARS A DAY FINE FOR
10:21:26 DOING THAT ONCE THEY ARE NOTIFIED.
10:21:28 ABOUT TWO YEARS AGO, WE HAD A PERSON WHO WAS IN THE FIELD OF
10:21:35 CONSTRUCTION WHO BROUGHT THEIR TRUCK, AND WOULD PARK IT
10:21:41 OUTSIDE AND GOT INTO A BIG SQUABBLE.

10:21:44 AND AT ANY RATE, THE PEOPLE WHO WERE IN CHARGE OF THE FEES
10:21:52 WARNED HIM TWO OR THREE TIMES, AND HE SAID I DON'T CARE.
10:21:56 THIS IS THE CASE AND SO FORTH.
10:21:58 AND CONTINUED TO PARK HIS CAR OUT FOR A PERIOD OF AT LEAST A
10:22:04 YEAR.
10:22:05 AT THE END -- AT THE BEGINNING OF THAT, THEY SAID, WELL, IF
10:22:09 YOU WANT TO DO IT, WE'RE GOING TO FINE YOU \$100 A DAY TO
10:22:14 PARK YOUR CAR.
10:22:16 HE HAD THE SAME PHILOSOPHY.
10:22:18 WELL, IN THE END, I'LL MAKE A DEAL AND PARK MY CAR.
10:22:23 RECOMMEND THAT WE PAY 500 OR THOUSAND DOLLARS.
10:22:27 BUT THE BOARD SAID NO.
10:22:29 YOUR FEE IS GOING TO BE A LIEN, AND WHATEVER THE FEE COMES
10:22:34 UP AT THE END, THAT WILL BE A LIEN ON YOUR HOUSE.
10:22:39 SUBSEQUENTLY HE SOLD HIS HOUSE AND THE FEES ADDED UP TO BE
10:22:47 10,000 PLUS.
10:22:49 AND AT THE END, THEY NOT ONLY, THE DEAL THEY FINALLY MADE
10:22:54 WITH HIM IS, OKAY, WE WON'T CHARGE YOU THE INTEREST, BUT YOU
10:22:58 DO HAVE TO PAY THE 10,000 PLUS FINE, WHICH IS THE WAY
10:23:04 PROFESSIONAL PEOPLE WOULD DO THIS HERE.

10:23:08 NOW, MY COMMUNITY CAN CHARGE SOMEBODY \$10,000 FOR LEAVING
 10:23:12 THEIR CAR OUTSIDE AT \$100 A DAY.
 10:23:16 WE OUGHT TO HAVE A DIFFERENT APPROACH FROM SOMEONE WHO IS
 10:23:21 GOING TO PUT A BUSINESS PIECE OF EQUIPMENT OUTSIDE.
 10:23:23 SO I WOULD RECOMMEND THAT WE CHARGE THE FEE OF \$10,000 PLUS

 10:23:31 300 AND WHATEVER ADMINISTRATIVE COST TO THIS PERSON.
 10:23:35 AND I UNDERSTAND SHE OWNS THE HOUSE AND SOMEBODY ELSE PARKED
 10:23:38 THE TRUCK.
 10:23:39 BUT STANLEY WENT AND TOLD HER, NOT THE PERSON, TOLD HER THAT
 10:23:46 THERE IS A FINE FOR DOING THIS HERE.
 10:23:49 I DON'T KNOW IF IT WAS HER SON OR WHOEVER IT WAS, SHE'S
 10:23:54 RESPONSIBLE.
 10:23:54 SHE LET THE CAR BE OUT THERE FOR ONE YEAR, AND NOW ALL OF A
 10:23:58 SUDDEN MAYBE SHE'S THINKING OF SELLING HER HOUSE, SO SHE
 10:24:02 WANTS TO MAKE SURE SHE CAN CLEAR THIS BEFORE SHE CAN SELL
 10:24:05 HER HOUSE.
 10:24:06 I RECOMMEND TODAY THAT THE FINE BE \$10,337 THAT WE CHARGE
 10:24:13 HER FOR IT.
 10:24:14 AND IF SHE CAN'T PAY IT, THEN WE FILE A LIEN ON HER HOUSE.
 10:24:19 WHEN SHE SELLS HER HOUSE, WE GET PAID.
 10:24:24 THE MESSAGE SHOULD GO TO NOT ONLY THE PEOPLE ON THE STREET,
 10:24:27 BUT ALL PEOPLE WHO THINK THAT IT'S OKAY FOR THEM TO DO THIS
 10:24:31 KIND OF STUFF.
 10:24:32 BECAUSE IN THE END, WHAT DIFFERENCE DOES IT MAKE?
 10:24:36 ONLY PAY A THOUSAND DOLLAR FEE.
 10:24:38 WE'RE NOT MAKING A MESSAGE FOR THAT TYPE OF THING.
 10:24:43 102, 112 THOUSAND DOLLARS AND THE FEE IS NEGOTIATED DOWN TO
 10:24:49 \$2,000, THAT IS, IN MY OPINION, A DISGRACE.
 10:24:52 MY RECOMMENDATION IS THAT THE FEE BE 10,337 -- WHAT'S THE
 10:25:02 ADMINISTRATIVE?

 10:25:04 >>Mary Gibbs: MIGHT I SUGGEST BEFORE YOU DECIDE, THOUGH, YOU
 10:25:06 MIGHT WANT TO HEAR FROM THE APPLICANT JUST TO HAVE THEM
 10:25:10 EXPLAIN THE SITUATION.
 10:25:12 >>Mayor Errington: WE DON'T HAVE THEIR ATTORNEY.
 10:25:16 >>Mary Gibbs: IT'S NOT AN ATTORNEY.
 10:25:20 >>Mayor Errington: I WANT TO KNOW IF WE HAVE ANY OTHER
 10:25:22 COMMENTS FROM COUNCIL BEFORE WE HEAR FROM THE APPLICANT.
 10:25:28 >>Vice-Mayor McLain: MY ONLY COMMENT IS WHEN YOU DO HAVE
 10:25:30 100,000 -- \$128,000 THING, I THINK WE HAVE TO BE VERY
 10:25:36 CAUTIOUS AS A VILLAGE, IF WE HAVE RESTRICTIONS, THAT WE NEED
 10:25:39 TO ENFORCE THOSE.
 10:25:41 I DON'T WANT TO DO IT WITH AN AX, AND I WANT TO BE FAIR.
 10:25:45 BUT I'M THINKING A \$2,000 FINE DOES NOT REPRESENT ANYTHING
 10:25:49 MORE THAN REALLY A SLAP ON THE WRIST.
 10:25:51 WE'VE GOT OTHER VIOLATIONS IN THE VILLAGE THAT IF THEY LOOK
 10:25:56 AT THIS KIND OF A SITUATION, A SLAP ON THE WRIST, THEY ARE

10:26:02 NOT GOING TO PAY MUCH ATTENTION TO STANLEY, OUR CODE
 10:26:04 ENFORCEMENT THAT WE'RE TRYING TO DO OUT THERE.
 10:26:06 SO I THINK WE NEED TO BE A LITTLE BIT MORE STRINGENT ON HOW
 10:26:12 WE LOOK AT THESE AT THIS POINT.
 10:26:15 >>Mayor Errington: ANYONE ELSE?
 10:26:17 LARRY.
 10:26:19 >>Larry Fiesel: THIS ALL TOOK PLACE BEFORE I BECAME A MEMBER
 10:26:21 OF THE COUNCIL, SO I'M GOING BACK ON THE HISTORY LEADING UP
 10:26:24 TO THIS.

 10:26:24 IN THE NOTES THAT WE HAVE IN OUR PACKET, IT SAYS A HEARING
 10:26:29 FOR A REPEAT OFFENSE.
 10:26:31 SO THIS WASN'T A ONE-TIME PROBLEM.
 10:26:34 THE OWNER WAS NOT PRESENT.
 10:26:36 AND I WOULD, SPEAKING FOR MYSELF, I'VE GOT A \$500 A DAY LIEN
 10:26:43 COMING AGAINST ME, I'D LIKE TO AT LEAST SHOW UP AT THE
 10:26:46 HEARING.
 10:26:46 I DON'T KNOW WHY THE OWNER WAS NOT PRESENT.
 10:26:49 WE ALSO HAVE IN HERE THE VILLAGE CURRENTLY ADOPTED A VERY
 10:26:53 LOW TOLERANCE STANCE FOR THE VIOLATIONS.
 10:26:59 I DON'T SEE HOW THAT STATEMENT IS COMPATIBLE WITH DROPPING
 10:27:02 THE LIEN FROM 129,000 TO 2,000.
 10:27:05 IT SEEMS LIKE A HUGE DROP.
 10:27:07 NOW, I'M NOT PROPOSING 129,000.
 10:27:09 I THINK THAT MIGHT BE A LITTLE EXORBITANT.
 10:27:12 A SIGNIFICANT DIFFERENCE IN WHAT THE PROPOSAL IS VERSUS WHAT
 10:27:16 THE REAL LIEN COST WAS.
 10:27:18 I'M ALSO -- I'M NOT SURE WHAT ADMINISTRATIVE COSTS.
 10:27:22 THAT SEEMED LIKE A REALLY LOW NUMBER FOR ADMINISTRATIVE
 10:27:25 COSTS.
 10:27:26 >>Mary Gibbs: THAT WILL TYPICALLY COVER THE COST FOR STANLEY
 10:27:31 TO GO OUT AND DO AN INSPECTION, REINSPECTION, AND PROCESS
 10:27:35 PAPERWORK.
 10:27:36 THEY DO IT BASED ON THE COST --
 10:27:38 >>Larry Fiesel: LEGAL COST INVOLVED WITH THIS, MAGISTRATE OR

 10:27:41 WHAT HAVE YOU?
 10:27:42 >>Mary Gibbs: YEAH, WE DON'T INCLUDE THAT.
 10:27:43 IN THE ADMINISTRATIVE COST, WE INCLUDE STANLEY'S TIME AND
 10:27:46 PROCESSING COST.
 10:27:47 WE HAVE A SEPARATE CONTRACT WITH THE CODE ENFORCEMENT
 10:27:50 ATTORNEY.
 10:27:51 WE DON'T CHARGE THAT OFF.
 10:27:53 DEREK HAS LOOKED AT WHAT YOU DO IN AN ADMINISTRATIVE COST TO
 10:27:57 MAKE SURE WE WERE CHARGING THAT CORRECTLY.
 10:28:00 >>Mayor Errington: I HAVE A QUESTION ON THAT.
 10:28:04 >>Jim Boesch: MAGISTRATE COST AS WELL.
 10:28:05 >>Mary Gibbs: YES, BUT THAT'S NOT INCLUDED IN THE

10:28:08 ADMINISTRATIVE COST.
 10:28:09 >>Mayor Errington: SHOULDN'T THE TWO ATTORNEYS INVOLVED?
 10:28:12 THEY HAVE TO BE PAID, TOO.
 10:28:13 >>Mary Gibbs: WELL, YEAH, IF YOU START DOING THAT, THAT'S
 10:28:16 GOING TO ADD UP.
 10:28:17 >>Mayor Errington: THAT'S WHAT WE'RE TALKING ABOUT.
 10:28:21 >>Mary Gibbs: DID YOU WANT TO HEAR -- I'M GOING TO SEE WHO
 10:28:24 IS GOING TO TALK.
 10:28:27 >>Mayor Errington: YES, THANK YOU.
 10:28:28 GOOD MORNING.
 10:28:43 STATE YOUR NAME.
 10:28:45 >> JAVIER, I AM THE -- FOR [INAUDIBLE] -- SHE BOUGHT THE
 10:28:54 PROPERTY IN 2017 LIKE AN INVESTMENT.

 10:28:56 THE PROPERTY WAS RENTED FOR SEVERAL YEARS.
 10:29:01 AND THEY SAY, WELL, THEY REQUEST TO STAY ON THE PROPERTY.
 10:29:06 THEY STAYED THERE.
 10:29:08 THE FIRST NOTICE THAT SEBASTIANA HAD ABOUT THE VIOLATION IS
 10:29:17 WHEN -- WE'VE BEEN TRYING TO SELL THE HOUSE, AND WHEN THE
 10:29:20 TITLE COMPANY SEND THE SEARCH TITLE AND EVERYTHING, THEY SAW
 10:29:26 THAT IT WAS A BIG -- IS NOT LIEN, BUT CLAIM FROM THE
 10:29:34 ASSOCIATION BECAUSE THE TENANTS DIDN'T DO AS SAID, NOTHING
 10:29:40 TO FIX THE PROBLEM.
 10:29:41 WHEN SHE HEARD ABOUT THAT, SHE ASKED THE PEOPLE TO LEAVE.
 10:29:53 THE PROPERTY IS VACANT SINCE MORE THAN A YEAR AGO.
 10:30:01 FIRST NOTICE FOR HER TO HEAR ABOUT THAT WAS ABOUT A YEAR
 10:30:11 AGO, AND SHE WAS TRYING TO DO SOMETHING.
 10:30:16 SHE COULDN'T HAVE AN APPOINTMENT.
 10:30:18 AT THE END, WE GOT THE HEARING BUT TOO MANY TIMES -- SHE
 10:30:28 INTENDED TO TRY TO DO THE BEST THING.
 10:30:32 CONSIDERING THAT SHE DIDN'T LIVE THERE, PLEASE -- SHE DIDN'T
 10:30:42 KNOW ABOUT THAT, PLEASE CONSIDER THE FEE.
 10:30:51 THE 10,000.
 10:30:53 WE BELIEVE 2,000 IS MORE THAN ENOUGH BECAUSE SHE DIDN'T KNOW
 10:30:56 ABOUT THAT.
 10:30:57 >>Mayor Errington: EXCUSE ME, JUST A MOMENT, COUNCIL MEMBER
 10:31:01 BOESCH.
 10:31:01 TELL ME WHO YOU ARE AGAIN.
 10:31:03 WHO ARE YOU?

 10:31:05 >> THE REALTOR.
 10:31:07 >>Mayor Errington: YOU'RE THE REALTOR FOR.
 10:31:10 >> SEBASTIANA.
 10:31:11 SEBASTIANA HERNANDEZ.
 10:31:16 >>Mayor Errington: BUT YOU ARE THE REALTOR FOR HER.
 10:31:18 >> YES, MA'AM.
 10:31:20 >>Mayor Errington: NOW, THIS HOUSE HAS BEEN VACANT FOR OVER
 10:31:24 A YEAR?

10:31:26 IS THAT WHAT YOU'RE SAYING?
 10:31:28 >> YES, MA'AM.
 10:31:29 >>Mayor Errington: NOBODY IS LIVING IN IT.
 10:31:31 >> NO, MA'AM.
 10:31:31 >>Mayor Errington: BUT THE VEHICLE IS STILL PARKED THERE?
 10:31:34 >> NO.
 10:31:34 THERE'S NOTHING THERE.
 10:31:37 >>Mayor Errington: HOW LONG HAVE YOU BEEN THE REALTOR?
 10:31:39 >> THERE WAS TRASH.
 10:31:40 SHE COLLECTED TRASH.
 10:31:44 >>Mayor Errington: COUNCIL MEMBER BOESCH HAD A QUESTION.
 10:31:47 >>Jim Boesch: THERE WERE NINE NOTICES SENT.
 10:31:53 NINE NOTICES -- SOME OF THEM WERE SIGNED FOR.
 10:31:57 THEY WERE SENT FROM 2018 UNTIL ONE AND A HALF YEARS LATER.
 10:32:06 NINE NOTICES.
 10:32:08 AND I GUARANTEE YOU STANLEY SAYS HE'S BEEN THERE FOUR TIMES
 10:32:12 AND TOLD SOMEBODY WHO'S IN THE HOUSE, WHOEVER IT IS, THAT

 10:32:18 YOU CANNOT PARK EQUIPMENT ON THIS PROPERTY.
 10:32:22 SO THEN HE FOLLOWS UP WITH NOTICES AFTER HE GOES OUT AGAIN,
 10:32:27 YOU CAN IMAGINE THERE'S AT LEAST 12, 13 TIMES THAT SOMEBODY
 10:32:33 IS IN THAT PROPERTY AND WAS TOLD TO MOVE THAT TRUCK.
 10:32:41 COINCIDENTALLY, ANOTHER ONE, SAME THING TWO YEARS AGO, IT'S
 10:32:47 THE SAME STORY THAT WE GET.
 10:32:51 NOBODY IS HERE.
 10:32:52 NEVER KNEW IT.
 10:32:53 DIDN'T GET ANY NOTICE, SO FORTH AND SO ON.
 10:32:55 HOW MANY NOTICES ARE SIGNED FOR?
 10:33:00 MARY CAN PROBABLY TELL ME.
 10:33:03 ACTUALLY SIGNED FOR.
 10:33:05 NOW YOU WANT TO SELL THE HOUSE.
 10:33:09 IF YOU DIDN'T WANT TO SELL THE HOUSE, YOU PROBABLY WOULDN'T
 10:33:13 BE COMING HERE NOW.
 10:33:14 YOU WOULD BE WAITING UNTIL ANOTHER TIME SO YOU CAN GET THE
 10:33:17 THING DOWN, SO FORTH AND SO ON.
 10:33:19 THE THING IS, THE CAR, THE BOBCAT WAS AGAINST OUR RULES OF
 10:33:26 PARKING.
 10:33:27 IT WAS LEFT THERE.
 10:33:29 IF SOMEBODY DID THAT TO YOU AND LEFT THE THING ON YOUR
 10:33:32 PROPERTY FOR ONE YEAR, THERE WASN'T MOVEMENT, WHAT WOULD YOU
 10:33:37 DO?
 10:33:38 >> ABSOLUTELY, SIR.
 10:33:39 YOU HAVE REASON IN THAT.

 10:33:41 SHE DIDN'T KNOW ABOUT IT.
 10:33:42 >>Jim Boesch: YOU'D CALL THE POLICE OR SOMETHING AND TELL
 10:33:46 THE POLICE, HEY, I WANT TO GET THIS THING OFF MY PROPERTY.
 10:33:51 >> SHE DIDN'T KNOW ABOUT THAT, SIR.

10:33:52 >>Mayor Errington: LET'S HEAR FROM -- ARE YOU THE
 10:33:55 INTERPRETER?
 10:33:56 DO YOU SPEAK ENGLISH?
 10:33:58 >> A LITTLE BIT.
 10:33:59 I WANT TO TRY.
 10:34:00 I'M NOT VERY GOOD.
 10:34:05 >>Mayor Errington: WAIT A MINUTE.
 10:34:07 CAN YOU HEAR?
 10:34:09 >> SEBASTIANA HERNANDEZ.
 10:34:14 >>Mayor Errington: THANK YOU.
 10:34:14 >> SINCE THE DAY WE PURCHASED THE PROPERTY IT WAS TENANTS IN
 10:34:20 THAT MOBILE HOME.
 10:34:21 SO THEY DECIDE TO TRY TO MAYBE MOVE IN THERE BECAUSE MY
 10:34:26 DAUGHTER LIVES ON THE OTHER STREET.
 10:34:28 BUT THEN THE TENANTS TOLD ME THAT THEY WANT TO LIVE THERE
 10:34:32 FOR ANOTHER COUPLE MONTHS BEFORE THEY CAN MOVE OUT.
 10:34:37 I DECIDE TO SAY, OKAY, YOU KNOW.
 10:34:39 THEY WERE PAYING RENT FOR JUST \$700.
 10:34:43 AND I WAS OKAY.
 10:34:47 I DIDN'T KNOW THEY WERE HAVING VEHICLE PARKED UP THERE.
 10:34:50 WHEN I RECEIVED THE LETTER, THE FIRST ONE I CAME TO SEE MR.

 10:34:54 TYLER.
 10:34:55 HE SHOWED ME THE PICTURE.
 10:34:57 I DECIDE TO TALK TO THE PEOPLE AND SAID, NO, NO, WE DON'T
 10:35:01 PARK ANYTHING HERE.
 10:35:02 I SAID THE PICTURE, IT WAS TAKEN LIKE 4:00 OR 5:00 IN THE
 10:35:07 MORNING.
 10:35:08 I DON'T KNOW, MAYBE THEY WAS PARKING AT NIGHTTIME AND NOT IN
 10:35:11 THE DAYTIME.
 10:35:13 I DON'T KNOW.
 10:35:13 THE PICTURE, IT WAS EARLY IN THE MORNING.
 10:35:16 AFTER WE KEEP FIGHTING WITH THEM, THEY DECIDE TO MOVE OUT.
 10:35:23 SO THE PLACE IT WAS BARE.
 10:35:30 I HAD TO INVEST A LOT OF MONEY THERE TO FIX IT BECAUSE, LIKE
 10:35:34 I SAID, TRIED TO MOVE THERE TO LIVE.
 10:35:38 WHEN I FOUND OUT THEY HAVE THE LIEN SO HUGE, I SAY, YOU
 10:35:41 KNOW, THOSE PEOPLE, THEY NEED TO MOVE.
 10:35:44 THEY MOVE A YEAR AGO.
 10:35:46 IT WAS STILL VACANT TO NOW.
 10:35:50 >>Mayor Errington: DO YOU LIVE ON THAT STREET?
 10:35:52 >> NO, I DON'T LIVE BECAUSE I TRIED TO FIX IT.
 10:35:55 I DECIDE TO SELL IT BECAUSE MY DAUGHTER, SHE NO LONGER LIVES
 10:36:01 ON THAT STREET EITHER.
 10:36:02 SO FAR I CAN'T UNDERSTAND THAT HE SAY HE LIVE IN THE SAME
 10:36:07 COMMUNITY, MAYBE HE'S FOCUSING ONLY ON THAT MOBILE HOME.
 10:36:11 BECAUSE IF YOU SEE TO THAT AREA IT'S JUST LIKE NOBODY

10:36:15 RESPECT ANYTHING BECAUSE EVERYTHING IS BROKE.
 10:36:18 EVERYBODY HAVE TRAILERS.
 10:36:20 EVERYBODY HAVE BOAT.
 10:36:22 IT'S NOT A NICE COMMUNITY LIKE, YOU SAY, OH, THIS IS REALLY
 10:36:26 NEAT, LIKE THEY HAVE SOME RULES.
 10:36:30 I NEVER SEE ANY PAPERWORK THAT SAYS CERTAIN RULES THEY HAVE
 10:36:33 TO DO IN THAT AREA, TOO.
 10:36:35 SO, YOU KNOW, THAT'S ALL I CAN SAY.
 10:36:39 I AGREE TO PAY THE FINE BECAUSE I KNOW THE PEOPLE SPEND
 10:36:45 THEIR TIME TO TAKE A PICTURE OR GO AROUND OR LOOK AT WHAT
 10:36:48 HAPPENED, BUT I THINK THAT \$2,000 IS FAIR.
 10:36:52 THAT'S ALL I CAN SAY.
 10:36:58 >>Vice-Mayor McLain: DID YOU RECEIVE ANY NOTIFICATIONS OF
 10:37:00 THIS VIOLATION OVER THIS PERIOD OF TIME THAT THE FINE WENT
 10:37:04 UP?
 10:37:05 >> NO.
 10:37:05 I RECEIVE ONLY TWO LETTERS, AND I CAME OVER TO SEE MR. --
 10:37:10 AND HE GAVE ME PICTURES.
 10:37:13 THAT'S THE ONLY THING I HAVE AND NOTHING ELSE.
 10:37:17 >>Vice-Mayor McLain: WHAT DID YOU DO WHEN YOU RECEIVED THE
 10:37:18 NOTICES WITH THE TENANT?
 10:37:20 >> WELL, I CAME TO TALK TO HIM AND TELL HIM I'LL E-MAIL YOU
 10:37:24 AND SCHEDULE AND I SEE ALL THE FINES THAT YOU HAVE, BUT HE
 10:37:27 TOLD ME, HE SENT ME A COUPLE OF E-MAILS, BUT I DON'T KNOW
 10:37:31 ABOUT ANYTHING ABOUT E-MAIL.

 10:37:32 >>Vice-Mayor McLain: WHEN YOU GOT NOTIFICATION, WHAT ACTION
 10:37:34 DID YOU TAKE WITH THE TENANT THAT WAS IN THERE?
 10:37:37 >> NO, I WENT AND RIGHT AWAY TALKED TO THEM.
 10:37:40 HEY, THIS IS WHAT YOU HAVE.
 10:37:41 EVEN SHOWED THEM THE PICTURES.
 10:37:43 THEY DECIDED TO MOVE OUT.
 10:37:46 >>Vice-Mayor McLain: HOW LONG AFTER YOU HAD THAT DISCUSSION
 10:37:48 DID THEY MOVE OUT?
 10:37:50 >> LIKE, I SAID, THEY MOVED MAYBE A YEAR AGO.
 10:37:55 >>Vice-Mayor McLain: YOU GOT A NOTIFICATION.
 10:37:57 THEY MOVED OUT A YEAR AGO.
 10:37:59 AFTER YOU GOT THE NOTIFICATION, HOW LONG WAS IT BEFORE THEY
 10:38:02 MOVED OUT?
 10:38:03 >> JUST LIKE SIX MONTHS AFTER THAT.
 10:38:06 >>Vice-Mayor McLain: SIX MONTHS.
 10:38:09 >>Mayor Errington: DID THEY MOVE OFF THE STREET?
 10:38:12 >> I DON'T KNOW WHERE THEY MOVE.
 10:38:13 BUT THEY MOVED OUT OF THAT AREA.
 10:38:16 LIKE I SAID, THE PROPERTY IS VACANT FOR A YEAR ALREADY.
 10:38:21 WE TRIED TO FIX IT, BUT RIGHT NOW, THAT AREA, NOBODY WANT TO
 10:38:27 BUY IN BECAUSE IT IS A FLOODING AREA OR BECAUSE THE ROAD IS
 10:38:31 SO BAD.

10:38:32 THE MOBILE HOME IS 1966, I HAVE NO CLEAR WHAT YEAR IT IS,
 10:38:39 TOO.
 10:38:40 IT'S SUPER OLD.

 10:38:41 TRY TO GET MY MONEY BACK WHAT I PAID FOR IT.
 10:38:49 THAT'S ALL.
 10:38:50 >>Vice-Mayor McLain: IS THE HOME ON THE MARKET AT THIS
 10:38:51 POINT?
 10:38:52 IS IT LISTED?
 10:38:53 >> I TRIED TO SELL.
 10:38:54 I THINK IT'S OUT OF THE MARKET RIGHT NOW BECAUSE I NEED TO
 10:38:57 FIX THIS PROBLEM FIRST AND SEE WHAT WILL HAPPEN BECAUSE
 10:39:00 WE'RE NOT GOING TO GET HUGE MONEY FROM THE PROPERTY.
 10:39:03 >>Mayor Errington: HOW MUCH LAND DOES IT SIT ON?
 10:39:06 LIKE A LITTLE LOT OR --
 10:39:10 >> IT HAS A LOT.
 10:39:12 GRASS IN THE FRONT AND THE BACK.
 10:39:16 >>Vice-Mayor McLain: ARE YOU WILLING TO SHARE THE FAIR
 10:39:18 MARKET VALUE OF THE HOME, APPROXIMATE?
 10:39:21 >> YEAH, BUT I HAVE NO IDEA HOW MUCH IT COSTS RIGHT NOW,
 10:39:25 TOO.
 10:39:27 >>Vice-Mayor McLain: WHAT ABOUT THE REALTOR'S OPINION?
 10:39:30 WHAT DO YOU THINK?
 10:39:32 >> MAYBE THE MARKET VALUE IS AROUND A HUNDRED THOUSAND.
 10:39:38 >> PEOPLE OFFERING 80, 50.
 10:39:42 >>Mayor Errington: HOW OLD IS IT?
 10:39:45 >> 1967.
 10:39:46 >>Mayor Errington: 1967.
 10:39:56 >> [INAUDIBLE]

 10:39:57 >>Mayor Errington: YOU WERE IN HERE A COUPLE OF YEARS AGO,
 10:40:00 IS THAT CORRECT?
 10:40:01 >> A COUPLE OF TIMES WE WAS IN HERE TO HEAR THE MEETING BUT
 10:40:07 IT WAS ALWAYS CANCELED OR MY NAME NOT IN THE LIST.
 10:40:12 >>Mayor Errington: I MEAN, TO A COUNCIL MEETING.
 10:40:15 WHEN SOMEONE, THE OWNER DIDN'T SHOW UP.
 10:40:19 >> NO.
 10:40:20 >>Mayor Errington: IS THIS YOUR FIRST TIME HERE?
 10:40:23 >> YES.
 10:40:25 >>Mayor Errington: AND YOURS, TOO.
 10:40:26 YOUR FIRST TIME?
 10:40:28 >> YEAH, MY FIRST TIME IN HERE.
 10:40:33 >> APPOINTMENT THREE WEEKS AGO --
 10:40:35 >>Mayor Errington: BUT NOT HERE BEFORE THE COUNCIL.
 10:40:39 >> [INAUDIBLE]
 10:40:42 >>Jim Boesch: YOU'RE THE REAL ESTATE GUY?
 10:40:44 >> YES.
 10:40:46 >>Jim Boesch: YOU'RE THE ONE TRYING TO HELP HER SELL THE

10:40:50 PROPERTY WHICH IS SIMILAR TO WHAT HAPPENED BEFORE.
 10:40:52 SHE PROBABLY WILL GET CLOSE -- I DON'T THINK -- HUNDRED
 10:40:57 THOUSAND, BUT SHE'LL GET 70 OR 80,000 BECAUSE OF THE LOT AND
 10:41:01 PEOPLE CAN PUT SOMEBODY IN THERE.
 10:41:02 THAT'S WHY SHE'S HERE.
 10:41:07 SHE WANTS TO SELL THE PROPERTY AND THERE'S AN OBLIGATION
 10:41:11 THAT'S OWED TO IT.

 10:41:12 IT'S STANDARD.
 10:41:15 WENT FOR A ONE-YEAR PERIOD OF TIME.
 10:41:21 SHE WAS KNOWLEDGEABLE THAT IT WAS ON THERE.
 10:41:23 YOU CALL SOMEBODY AND SAY, TAKE IT AWAY.
 10:41:27 SOMEBODY WILL BUY IT AND TAKE IT AWAY.
 10:41:30 DON'T KEEP ON GETTING NOTICES AND DON'T DO ANYTHING.
 10:41:36 NOW YOU WANT TO SELL YOUR HOUSE, SO YOU COME DOWN HERE.
 10:41:40 GOT A PROBLEM.
 10:41:42 112,000 LIEN -- OBLIGATION ON THE HOUSE AND COME DOWN HERE
 10:41:48 AND TRY TO SELL TO GET IT KNOCKED DOWN TO 2,000 SO YOU CAN
 10:41:53 SELL THE HOUSE.
 10:41:58 >>Mayor Errington: IF YOU WERE TO SELL THE HOUSE TODAY, WHAT
 10:42:03 KIND OF ADVICE WOULD YOU GIVE TO THE PEOPLE PURCHASING IT?
 10:42:10 WHAT YOU'VE LEARNED FROM ALL OF THIS.
 10:42:14 >> ME?
 10:42:15 >>Mayor Errington: YOU KNOW THE PITFALLS THAT YOU CAN'T PARK
 10:42:20 A BACKHOE OR A TRAILER.
 10:42:23 THAT'S NOT ACCEPTABLE.
 10:42:26 THE VILLAGE, WE'RE NOT IN THE BUSINESS OF MAKING MONEY LIKE
 10:42:30 THIS.
 10:42:30 THAT'S NOT OUR GOAL.
 10:42:31 WE WANT OUR RESIDENTS TO BE HAPPY, BUT WE ALSO HAVE TO HAVE
 10:42:36 LAWS THAT ARE ENFORCED.
 10:42:39 AND CODE ENFORCEMENT IS WHAT HELPS KEEP THE ESTERO VILLAGE
 10:42:43 BEAUTIFUL.

 10:42:44 BUT WE WANT THE QUALITY OF LIFE, YOU'RE LIVING ON SHERRILL
 10:42:50 LANE, YOU HAVE SOME DIFFICULTIES THERE.
 10:42:54 >> WELL, YOU SHOULD SEE THE VILLAGE.
 10:42:56 >>Mayor Errington: WE UNDERSTAND THAT.
 10:42:57 IT PUTS US IN A PRECARIOUS POSITION WHAT IT IS WHEN IT'S
 10:43:06 BEEN VIOLATED WITH LOOKING.
 10:43:11 AND YOU SAID YOU DON'T LIVE ON THAT STREET.
 10:43:13 YOU LIVE -- DO YOU LIVE IN ESTERO?
 10:43:15 >> NO.
 10:43:16 >>Mayor Errington: YOU DON'T.
 10:43:17 YOU DIDN'T -- WE NEED YOUR ADDRESS FOR THE VILLAGE CLERK.
 10:43:22 WHERE DO YOU LIVE?
 10:43:24 THAT'S PART OF THE RECORD.
 10:43:25 >> I LIVE IN GOLDEN GATE ESTATE, NAPLES.

10:43:31 >>Mayor Errington: YOU LIVE IN NAPLES.
 10:43:34 GOLDEN GATE ESTATES IN NAPLES.
 10:43:36 >> YES.
 10:43:36 >>Mayor Errington: THAT NEEDS TO BE RECORDED.
 10:43:44 >> JUST LIKE I SAID, I'M HERE JUST TO FIX THE PROBLEM.
 10:43:48 NOT BECAUSE I WANT TO SELL.
 10:43:49 I WANT TO FIX THIS AND THEN DECIDE WHAT WE DO.
 10:43:55 MOVE IN THERE, SELL, OR -- LIKE I SAY.
 10:44:00 >>Jim Boesch: WHAT PRICE ARE YOU GOING TO PUT IF IT GOES UP
 10:44:04 FOR SALE?
 10:44:05 >> WELL, THE PRICE RIGHT NOW -- THE PRICE WAS 139.

 10:44:11 [INAUDIBLE]
 10:44:20 >>Mayor Errington: ANY OTHER COUNCIL COMMENTS?
 10:44:29 >>Vice-Mayor McLain: THERE ARE A COUPLE OF THINGS I THOUGHT
 10:44:33 OF IN YOUR CONVERSATION FROM A REALTOR'S STANDPOINT.
 10:44:36 THE COVENANTS THAT ARE IN THE NEIGHBORHOOD, I GUESS YOU SAID
 10:44:40 YOU DIDN'T REALIZE THAT THERE WAS A NEIGHBORHOOD
 10:44:41 ASSOCIATION, I BELIEVE, THERE.
 10:44:43 THAT SHOULD BE PART OF A TRANSACTION WHEN YOU SELL.
 10:44:46 THOSE DOCUMENTS SHOULD, IN FACT, BE GIVEN TO THE NEW BUYERS
 10:44:50 SO THEY ARE AWARE OF WHAT'S HAPPENING THERE.
 10:44:52 SO THAT SOUNDS LIKE THAT DIDN'T WORK VERY WELL.
 10:44:55 WE'RE NOT HERE TO MAKE MONEY, BUT WE ARE HERE TO ENFORCE OUR
 10:45:02 CODES TO MAKE THESE NEIGHBORHOODS BETTER.
 10:45:04 IF WE JUST LET EVERYBODY GET BY WITH PARKING TRUCKS AND NOT
 10:45:08 DOING WHAT THE CODE SAYS SHOULD BE DONE, WE'RE GOING TO LET
 10:45:12 NEIGHBORHOODS DETERIORATE TO THE POINT WHERE THEY ARE NOT
 10:45:15 GOING TO BE WORTH THE KIND OF MONEY THAT PEOPLE INVESTED IN
 10:45:18 THEM.
 10:45:19 SO WE HAVE THAT OBLIGATION ALSO.
 10:45:21 I'M INCLINED TO SAY MAYBE 10,000 MIGHT BE A LITTLE HIGH ON A
 10:45:29 HUNDRED THOUSAND DOLLAR PROPERTY, BUT THERE MAY BE ANOTHER
 10:45:31 NUMBER WE SHOULD LOOK AT OF \$5,000 OR SOMETHING WOULD BE
 10:45:36 ACCEPTABLE.
 10:45:37 IT IS A MILLION DOLLAR PIECE OF PROPERTY, THIS WOULD
 10:45:40 PROBABLY NOT BE THE SAME DISCUSSION.

 10:45:43 I THINK WE HAVE TO BALANCE ALL THOSE FACTORS, AT LEAST IN MY
 10:45:49 MIND.
 10:45:50 >>Mayor Errington: ANY OTHER DISCUSSION?
 10:45:53 >>Jim Ward: YES, JIM WARD.
 10:45:56 I'M A LITTLE CONCERNED ABOUT THIS BECAUSE I DON'T WANT TO
 10:45:59 HAVE CODES WITHIN THE VILLAGE THAT DON'T HAVE ANY TEETH TO
 10:46:03 ENFORCE THEM.
 10:46:04 I'M ALSO CONCERNED ABOUT THE FAIRNESS TO HER NEIGHBORS THAT
 10:46:09 HAD TO PUT UP WITH THIS FOR WHATEVER PERIOD OF TIME IT WAS.
 10:46:15 IT'S REALLY SOMEWHAT TROUBLING TO ME THAT WE HAVE A HUNDRED

10:46:19 THOUSAND DOLLAR FINE THAT'S GOING TO BE REDUCED TO THE
 10:46:22 VICINITY OF 2,000.
 10:46:25 THE COST OF PUTTING THAT PIECE OF EQUIPMENT IN AN
 10:46:28 APPROPRIATE PLACE WOULD PROBABLY BE SIGNIFICANT, AND THAT'S
 10:46:31 WHY HE WAS KEEPING THE BACKHOE OR WHATEVER IT WAS ON THE
 10:46:36 PROPERTY SO HE WOULDN'T HAVE TO PAY THE OUTSIDE COST OF
 10:46:39 STORAGE.
 10:46:39 THE OTHER THING I'D LIKE TO KNOW FROM MARY IS AN APPROXIMATE
 10:46:46 COST OF WHAT THE TRUE ADMINISTRATIVE COST WAS, NOT JUST FOR
 10:46:50 SOME PAPERWORK, BUT INCLUDING THE COST OF THE MAGISTRATE OR
 10:46:55 ANY ATTORNEY FEES THAT WE HAVE INCURRED.
 10:46:59 I CERTAINLY DON'T WANT THE VILLAGE TO BE OUT OF POCKET.
 10:47:04 I AGREE WITH THE OTHER COUNCIL PEOPLE THAT \$100,000 IS
 10:47:08 PROBABLY INAPPROPRIATE, BUT I ALSO BELIEVE 2,000 IS
 10:47:12 SIMILARLY UNAPPROPRIATE GIVEN THE FACT THAT NO ONE EVER

 10:47:17 SHOWED UP TO CONTEST THIS.
 10:47:20 AS JIM INDICATED, THERE WERE NINE NOTICES THAT WERE SENT OUT
 10:47:24 THAT WERE EFFECTIVELY IGNORED.
 10:47:29 I JUST REALLY HAVE A CONCERN THAT WE NEED TO FIND A WAY TO
 10:47:33 HAVE ALTERNATIVES TO FINES THAT ARE NOT GOING TO BE PAID
 10:47:38 BECAUSE WE HAVE A FAIRNESS TO THE PEOPLE IN THE VILLAGE AND
 10:47:40 TO THOSE NEIGHBORS TO ENSURE THAT THEY HAVE THE PROPER RIGHT
 10:47:47 TO LIVE WHERE THEY HAVE WITHOUT BEING ENCUMBERED BY VEHICLES
 10:47:53 THAT DON'T BELONG THERE.
 10:47:59 >>Mayor Errington: THANK YOU.
 10:48:00 ANYONE ELSE?
 10:48:04 >>Larry Fiesel: I AGREE WITH WHAT JIM JUST SAID.
 10:48:07 I THINK THE 2,000 IS A LITTLE LOW.
 10:48:09 I THINK THE ORIGINAL AMOUNT WAS TOO HIGH.
 10:48:12 QUITE FRANKLY, IT WAS EQUAL TO ABOUT WHAT THE VALUE OF THE
 10:48:14 PROPERTY IS.
 10:48:15 THIS HAS GONE ON AT LEAST THE FIRST NOTIFICATION I SEE HERE
 10:48:18 IS NOVEMBER OF '17.
 10:48:20 WENT ON FOR A COUPLE OF YEARS.
 10:48:24 IT WAS APPARENTLY IGNORED MOSTLY BY THE OWNER.
 10:48:30 THEN THERE WAS A PERIOD OF 17 MONTHS FROM THE AFFIDAVIT OF
 10:48:34 COMPLIANCE, WHICH I ASSUME WAS THE AFFIDAVIT THAT SAID THAT
 10:48:37 THEY HAVE COMPLIED AND REMOVED THE BOBCAT, BUT THERE WERE 17
 10:48:42 MONTHS THAT WENT AWAY BEFORE THE LETTER ASKING US TO RESCIND
 10:48:48 THIS LIEN.

 10:48:54 I THOUGHT A LONG PERIOD OF TIME IN BETWEEN THOSE DATES FOR
 10:49:00 NOTHING TO TAKE PLACE.
 10:49:01 I WANT TO BE SENSITIVE TO THE OWNER AND HER REQUEST.
 10:49:06 WE ARE NOT A PROFIT CENTER ON THE BACK OF OUR NEIGHBORS.
 10:49:10 BUT I THINK WE CAN'T WALK AWAY WITH THIS WITHOUT SOME
 10:49:15 RAMIFICATIONS AND CONSEQUENCES BECAUSE WE HAVE PEOPLE

10:49:18 WATCHING THIS, AND IF WE DON'T HAVE ANY TEETH IN THE LAWS
 10:49:23 THAT WE HAVE WRITTEN, THEN WE'LL HAVE CONTINUAL VIOLATIONS
 10:49:28 AND THIS WILL BE THE LAST TIME -- BEFORE US.
 10:49:38 >>Mayor Errington: ANY OTHER COMMENTS?
 10:49:42 >>Joanne Ribble: THIS IS A QUESTION FOR BURT.
 10:49:44 IT'S PROBABLY UNFORTUNATE AND CAN'T HAPPEN, BUT I WOULD
 10:49:47 THINK MS. HERNANDEZ MIGHT HAVE RECOURSE AGAINST THE TENANTS,
 10:49:53 WHATEVER FINE IS IMPOSED UPON HER.
 10:49:55 >>Burt Saunders: I WOULD ASSUME THAT EVEN IF SHE DID HAVE
 10:49:58 SOME RECOURSE IN TERMS OF FILING SOME LITIGATION, THAT THAT
 10:50:02 WOULD NOT BE ANYTHING THAT WOULD BE COLLECTIBLE.
 10:50:05 IT'S NOT REAL ESTATE TO THINK THERE'S ANY REAL REMEDY THERE
 10:50:09 FOR HER.
 10:50:12 >>Mayor Errington: ANYONE ELSE?
 10:50:13 MARY, DO YOU HAVE ANYTHING TO FOLLOW UP AT ALL?
 10:50:16 >>Mary Gibbs: COUNCIL MEMBER WARD'S QUESTION ABOUT THE
 10:50:20 ADMINISTRATIVE COST, I WOULD SUGGEST THAT WE LEAVE THE
 10:50:24 ADMINISTRATIVE COST THE WAY THEY ARE, THE WAY DEREK HAS TOLD
 10:50:27 US TO CALCULATE.

 10:50:28 BUT IF YOU WERE GOING TO REDUCE THE LIEN, MAYBE YOU MAKE
 10:50:32 THAT 5,000 INSTEAD OF 2,000 SO THAT YOU ARE RECOUPING THE
 10:50:35 COST FOR OUR ATTORNEYS.
 10:50:41 >>Mayor Errington: I THINK THAT HAS EXHAUSTED ALL COMMENTS.
 10:50:45 DO WE HAVE ANY PUBLIC COMMENT AT ALL?
 10:50:53 >>Carol Sacco: NO, MAYOR.
 10:50:53 >>Mayor Errington: ANY E-COMMENTS?
 10:50:55 >>Carol Sacco: NO, MAYOR.
 10:50:59 >>Mayor Errington: NOW WE WILL ENTERTAIN A MOTION TO EITHER
 10:51:03 ACCEPT IT AT THAT 2,000 OR TO RAISE IT.
 10:51:10 WHATEVER WE DO, MAKE SURE THAT SOMEBODY HAS THE
 10:51:17 RESPONSIBILITY OF TELLING THE NEW OWNER OF THE PROPERTY, AND
 10:51:19 THAT KIND OF FALLS ON THE REALTOR AND THE OWNER THAT THERE
 10:51:23 ARE CODE ENFORCEMENT LAWS THAT WE NEED -- WHOEVER PURCHASES
 10:51:28 THAT PROPERTY NEED TO ABIDE BY THE LAW, AND MAKE SURE THEY
 10:51:33 GET A COPY OF WHAT THEY CAN AND CAN'T DO ON THAT STREET.
 10:51:38 IS THAT OKAY?
 10:51:40 I MEAN, DO YOU UNDERSTAND THAT?
 10:51:43 >> YES, BECAUSE I NEVER RECEIVE ANYTHING BEFORE.
 10:51:47 I DON'T EVEN KNOW WHY THERE WAS A RULE IN THE AREA.
 10:51:52 >>Mayor Errington: IT'S GONE BACK A NUMBER OF YEARS SO THAT
 10:51:54 WOULD TAKE A LONG TIME TO GO DISCUSS IT AGAIN AND AGAIN.
 10:52:00 NOW ON THE FLOOR WOULD BE SOMEONE TO MAKE A MOTION WITH A
 10:52:05 DOLLAR FIGURE ON WHAT YOU THINK THIS SHOULD BE.
 10:52:11 >>Jim Ward: I WOULD MAKE A MOTION --

 10:52:13 >>Mayor Errington: JUST A MOMENT, COUNCIL MEMBER WARD.
 10:52:14 THE VICE-MAYOR IS MAKING A MOTION.

10:52:16 >>Vice-Mayor McLain: I MAKE A MOTION THAT WE REDUCE IT FROM
 10:52:21 128,000 TO \$5,000 PLUS THE \$327.20 AS A COMPROMISE TO
 10:52:32 BALANCE EVERYTHING OUT THAT WE TALKED ABOUT SO FAR.
 10:52:36 >>Mayor Errington: OKAY.
 10:52:37 DO I HAVE A SECOND ON THAT?
 10:52:42 >>Jim Ward: I'LL SECOND THAT.
 10:52:43 >>Mayor Errington: THERE IS A SECOND.
 10:52:44 MADAM CLERK, WOULD YOU CALL THE ROLL?
 10:52:49 >>Joanne Ribble: AYE.
 10:52:51 >>Larry Fiesel: AYE.
 10:52:53 >>Jim Boesch: NAY.
 10:52:58 >>Jim Ward: AYE.
 10:53:01 >>Jim Wilson: AYE.
 10:53:05 >>Vice-Mayor McLain: AYE.
 10:53:07 >>Mayor Errington: AYE.
 10:53:08 IT PASSED.
 10:53:11 THANK YOU.
 10:53:17 >> THANK YOU.
 10:53:23 >>Mayor Errington: ITEM NUMBER 7 ON THE AGENDA IS THE FIRST
 10:53:34 READING OF ORDINANCE NUMBER 2021-7.
 10:53:40 WILL THE VILLAGE CLERK PLEASE READ THE TITLE?
 10:53:44 >>Carol Sacco: ORDINANCE 2021-09, AN ORDINANCE GRANTING TO
 10:53:48 PEOPLES GAS SYSTEM, A DIVISION OF TAMPA ELECTRIC COMPANY,

 10:53:51 ITS SUCCESSORS AND ASSIGNS, A NONEXCLUSIVE NATURAL GAS
 10:53:55 FRANCHISE AGREEMENT TO USE THE PUBLIC RIGHTS-OF-WAY OF THE
 10:53:58 VILLAGE OF ESTERO, FLORIDA, AND PRESCRIBING THE TERMS AND
 10:54:01 CONDITIONS UNDER WHICH SAID FRANCHISE MAY BE EXERCISED;
 10:54:04 MAKING FINDINGS; PROVIDING FOR CONFLICTS; AND PROVIDING AN
 10:54:08 EFFECTIVE DATE.
 10:54:14 >>Mayor Errington: STEVE OR MARY.
 10:54:16 >>Steven Sarkozy: THANK YOU, MAYOR AND MEMBERS OF COUNCIL.
 10:54:18 THIS IS THE FIRST READING OF THE PROPOSED TECO GAS FRANCHISE
 10:54:23 AGREEMENT.
 10:54:23 THIS ITEM WAS DISCUSSED AT THE LAST MEETING IN YOUR
 10:54:27 WORKSHOP.
 10:54:27 THE FIRST READING IS JUST A VERY BASIC FRANCHISE FEE
 10:54:37 AGREEMENT, AND WE ANTICIPATE THERE WILL BE SOME CHANGES TO
 10:54:40 THIS WHEN IT COMES BACK, PRINCIPALLY WITH THE TERM WE
 10:54:45 DISCUSSED WITH TECO AFTER THE MEETING, AND THERE WOULD BE A
 10:54:48 TEN-YEAR TERM PLUS TWO FIVE-YEAR RENEWALS.
 10:54:52 BUT THERE MAY BE OTHER ISSUES THAT THE COUNCIL MAY WANT TO
 10:54:57 GET INTO AS WELL.
 10:54:59 OUR CITY ATTORNEY HAS BEEN IN DISCUSSIONS WITH TECO, AND
 10:55:03 THERE'S A POSSIBILITY OF SOME OTHER BACK PAYMENTS.
 10:55:08 BUT IT COMES TO YOU PRIMARILY TODAY TO SATISFY THE
 10:55:12 REQUIREMENTS OF AN ORDINANCE ADOPTION, WHICH ARE TWO
 10:55:16 READINGS, THIS BEING THE FIRST READING.

10:55:18 THE SUBSTANTIVE DISCUSSION WILL COME AT THE NEXT MEETING.

10:55:22 >>Mayor Errington: THANK YOU.

10:55:23 ANY COUNCIL COMMENTS?

10:55:24 ANY PUBLIC COMMENTS?

10:55:29 >>Carol Sacco: NO MAYOR.

10:55:30 >>Mayor Errington: E COMMENTS?

10:55:31 >>Carol Sacco: NO, MAYOR.

10:55:33 >>Mayor Errington: WE'LL ENTERTAIN A MOTION, IS THEN, TO

10:55:36 MOVE FORWARD WITH THIS.

10:55:39 MOTION MADE BY COUNCIL MEMBER RIBBLE AND SECONDED BY COUNCIL

10:55:47 MEMBER FIESEL.

10:55:48 MADAM CLERK, PLEASE CALL THE ROLL.

10:55:52 >>Jim Wilson: AYE.

10:55:54 >>Jim Ward: AYE.

10:55:57 >>Jim Boesch: AYE.

10:55:58 >>Larry Fiesel: AYE.

10:56:00 >>Joanne Ribble: AYE.

10:56:02 >>Vice-Mayor McLain: AYE.

10:56:03 >>Mayor Errington: AYE.

10:56:04 ITEM NUMBER 8, DO WE HAVE ANY PUBLIC COMMENT ON NON-AGENDA

10:56:10 ITEMS?

10:56:11 >>Carol Sacco: NO, MAYOR, WE DO NOT.

10:56:15 >>Mayor Errington: WE ARE DOWN TO COUNCIL COMMUNICATIONS.

10:56:19 COUNCIL MEMBER WILSON, WILL YOU LEAD US OFF, PLEASE?

10:56:24 >>Jim Wilson: YES, MADAM MAYOR.

10:56:25 I'D LIKE TO BEGIN BY COMPLIMENTING ESTERO LIFE MAGAZINE.

10:56:30 I RECEIVED AND READ THIS ISSUE, AND THEY PROVIDED SOME VERY

10:56:36 INTERESTING INFORMATION ABOUT THE POTENTIAL GROWTH OF OUR

10:56:40 COMMUNITY, WHERE THEY STATED THAT THERE WERE 13,000 HOMES

10:56:45 BEING BUILT IN THE EASTERN CORKSCREW CORRIDOR AND

10:56:55 HIGHLIGHTED SOME OF THE AMENITIES THAT WERE GOING TO BE

10:56:57 INCLUDED IN THOSE DEVELOPMENTS.

10:57:00 I MEAN, INDOOR PICKLEBALL COURTS AND THINGS ALONG WITH

10:57:05 SHOPPING CENTERS OUT THERE THAT I THINK ARE GOING TO GO A

10:57:07 LONG WAY TOWARDS CUTTING THE NUMBER OF TRIPS THAT WILL BE

10:57:11 NECESSARY FOR THOSE NEW RESIDENTS TO COME ALL THE WAY IN ON

10:57:15 CORKSCREW ROAD, THE STORES THAT EXIST IN OUR CORRIDOR NOW.

10:57:21 SO THAT WAS VERY POSITIVE AND VERY INFORMATIVE.

10:57:26 IF THOSE 13,000 HOMES YIELDED 1.5 RESIDENTS EACH, THAT WOULD

10:57:34 HAVE THE EFFECT OF ADDING 20,000 PEOPLE TO OUR VILLAGE OF

10:57:39 30,000 PEOPLE SO THAT ALTHOUGH THEY AREN'T CURRENTLY INSIDE

10:57:45 OUR BOUNDARIES, IT GIVES YOU AN IDEA OF THE SCOPE OF THE

10:57:48 GROWTH WE CAN HAVE.

10:57:49 THE OTHER COMMENT THAT I WOULD LIKE TO MAKE IS I NOTICED IN

10:57:53 READING THE FINANCIAL REPORT, WHICH WAS RECEIVED BACK UNDER

10:58:01 ITEM I THINK 2 OR 3, THAT THE COUNTY DID PROVIDE THE VILLAGE

10:58:06 WITH \$2.2 MILLION IN REIMBURSEMENT FOR THEIR SHARE OF THE
 10:58:10 COST OF ESTERO PARKWAY.
 10:58:13 SO MY COMPLIMENTS AND THANKS TO THE COUNTY FOR LIVING UP TO
 10:58:17 THEIR COMMITMENT TO PAYING US THAT MONEY.
 10:58:21 THANK YOU.

10:58:22 THAT COMPLETES MY REPORT.
 10:58:23 >>Mayor Errington: THANK YOU.
 10:58:24 COUNCIL MEMBER WARD.
 10:58:26 >>Jim Ward: YEAH, I ONCE AGAIN WANT TO COMMEND THE VILLAGE
 10:58:29 FOR THE EXCELLENT AUDIT REPORT THAT WE RECEIVED.
 10:58:34 AS I INDICATED EARLIER, I'VE HAD AN OPPORTUNITY TO READ AND
 10:58:39 RESPOND TO MANY OF THOSE REPORTS AND JUST CONGRATULATIONS ON
 10:58:46 AN EXCELLENT REPORT AND CONTINUED SUCCESS GOING FORWARD.
 10:58:49 WITH RESPECT TO THE ISSUE WE JUST DEALT WITH, I THINK THAT
 10:58:52 THE VILLAGE PROBABLY NEEDS TO LOOK AT OTHER ALTERNATIVES TO
 10:58:57 ISSUES LIKE WE JUST HAD WHERE PEOPLE ARE IGNORING WHAT WE'RE
 10:59:03 REQUESTING THEM TO DO.
 10:59:04 AND IT HAS AN IMPACT ON OTHER NEIGHBORS THAT ARE WITHIN THE
 10:59:09 VICINITY.
 10:59:10 SO IF WE'RE GOING TO CONTINUE WITH THE SITUATION WHERE WE
 10:59:14 DON'T HAVE ANY REAL TEETH ON THE FINANCIAL SIDE THAT IS
 10:59:18 SIGNIFICANT, I THINK WE NEED TO SEE IF WE CAN FIND SOME
 10:59:22 OTHER ALTERNATIVES TO DEAL WITH THESE TYPES OF ISSUES.
 10:59:26 SO I WOULD ASK STEVE AND HIS STAFF TO LOOK AT OTHER POSSIBLE
 10:59:31 ALTERNATIVES THAT WE HAVE TO ENFORCING ISSUES LIKE THIS.
 10:59:36 THANK YOU.
 10:59:38 >>Mayor Errington: THANK YOU.
 10:59:45 >>Jim Boesch: YES, I WOULD LIKE TO TAKE THE TIME TO
 10:59:47 COMPLIMENT MARY.
 10:59:51 WE HAVE A DEVELOPMENT OF CERTAINLY GRAVE CONCERN TO THE

11:00:00 RESIDENTS IN MY COMMUNITY AND JIM'S COMMUNITY AND ANOTHER
 11:00:02 COMMUNITY, AND SHE HAS BENT OVER BACKWARDS TO MAKE SURE THAT
 11:00:06 THOSE RESIDENTS ARE ALL INFORMED THAT THIS IS IN PROCESS.
 11:00:11 SO I THINK FROM MY STANDPOINT, IT HELPS ME A LOT IN THAT I
 11:00:18 DON'T HAVE THE RESIDENTS FROM THAT WHOLE AREA SAYING I WAS
 11:00:23 NEVER INFORMED.
 11:00:24 I THANK HER FOR TAKING THE TIME TO MAKE SURE THAT THAT'S IN
 11:00:30 PROCESS.
 11:00:31 >>Mayor Errington: THANK YOU.
 11:00:32 COUNCIL MEMBER RIBBLE.
 11:00:34 >>Joanne Ribble: YEAH, I'D LIKE TO COMMENT -- COMPLIMENT
 11:00:38 DAVID WILLEMS ON THE REPORT ON ESTERO BOULEVARD THAT WE
 11:00:43 RECENTLY ALL GOT.
 11:00:44 WITH ALL THE DEFICIENCIES THAT ARE STILL ONGOING ON THAT
 11:00:50 PARKWAY, IT'S KIND OF SAD TO SEE THE CONDITION THAT IT'S IN
 11:00:56 NOW AFTER WE STRIVE TO MAKE THAT ONE OF THE MOST BEAUTIFUL

11:00:59 AREAS OF OUR COMMUNITY.
 11:01:01 MY QUESTION IS, MAYBE TO YOU, JON, IS THERE ANY ONGOING
 11:01:07 REMEDIATION GOING ON THAT YOU MIGHT ENLIGHTEN US ABOUT,
 11:01:12 ABOUT WHAT'S HAPPENING THERE?
 11:01:14 >>Vice-Mayor McLain: I'M NOT SURE IF I HEARD EVERYTHING YOU
 11:01:16 SAID.
 11:01:16 ON ESTERO PARKWAY.
 11:01:17 >>Joanne Ribble: YES.
 11:01:19 >>Vice-Mayor McLain: WHAT WERE YOU ASKING?

 11:01:21 >>Joanne Ribble: IS THERE ANY REMEDIATION GOING ON ON OUR
 11:01:25 END THAT THE VILLAGE IS DOING TO IMPROVE THE APPEARANCE OF
 11:01:28 THE PARKWAY?
 11:01:29 ARE WE JUST GOING TO WAIT UNTIL A LAWSUIT HAPPENS AND SEE
 11:01:34 WHAT COMES OUT OF IT.
 11:01:36 >>Vice-Mayor McLain: THERE'S NO ONGOING EFFORT OTHER THAN
 11:01:39 JUST AN ONGOING -- ON ESTERO PARKWAY, JUST THE ONGOING
 11:01:44 MAINTENANCE OF IT.
 11:01:44 WE'VE REPLACED SOME TREES.
 11:01:46 WE ARE GOING TO -- THE LAST PROJECT WE HAVE WORKING THERE IS
 11:01:51 THE REMOVAL OF THE RUST THAT WE HAVE.
 11:01:54 >>Joanne Ribble: THAT'S MAINLY WHAT I'M --
 11:01:56 >>Vice-Mayor McLain: OTHER THAN THAT, I THINK IT LOOKS
 11:01:58 BEAUTIFUL.
 11:01:59 I DROVE OUT TO COME HERE TODAY.
 11:02:00 I'M NOT SURE HOW MUCH RAIN WE GOT, BUT ABOUT SIX INCHES OF
 11:02:06 RAIN.
 11:02:06 WHEN I LOOKED IN THE SWALES TODAY, I DIDN'T DRIVE THE WHOLE
 11:02:09 PARKWAY, THEY LOOKED GREAT.
 11:02:11 THERE WAS SOME WATER STANDING, BUT NOT VERY MUCH.
 11:02:15 SO I THINK THEY WERE PERFORMING VERY WELL.
 11:02:18 THAT WAS AN ONGOING QUESTION BECAUSE WE HAVEN'T HAD AN
 11:02:21 EXTENSIVE RAINFALL SINCE WE'VE DONE THAT IMPLEMENTATION.
 11:02:25 WE DID SOME RE-GRADING OF IT, BUT I WOULD SAY THAT WE'VE GOT
 11:02:30 A SEAL OF APPROVAL AND STAMP ON ESTERO PARKWAY, NO FURTHER

 11:02:35 CHANGES.
 11:02:35 >>Joanne Ribble: I'M NOT SAYING THAT IT DOESN'T LOOK GOOD AS
 11:02:39 FAR AS THE PLANTING AND THE OPERATION OF THE SWALES AND
 11:02:42 EVERYTHING LIKE THAT.
 11:02:43 I'M JUST SAYING THAT THE AMOUNT OF RUST ALL OVER IS
 11:02:48 SUBSTANTIAL.
 11:02:49 AND I DON'T KNOW WHAT IT'S GOING TO TAKE TO FIX THAT OR HOW
 11:02:53 LONG IT WILL TAKE TO FIX IT.
 11:02:54 HOW DO WE MAKE THAT LOOK A LOT BETTER THAN IT DOES?
 11:03:01 I JUST DROVE IT TWO DAYS AGO AND I WAS SURPRISED.
 11:03:04 >>Vice-Mayor McLain: HOW BEAUTIFUL IT IS.
 11:03:06 >>Joanne Ribble: YEAH, BUT HOW WORSE THE RUST HAS GOTTEN.

11:03:10 >>Vice-Mayor McLain: THE PROCESS ON THAT WITH THE WELLS --
 11:03:15 DAVID I THINK EXPLAINED AT THE LAST MEETING WE HAD THAT WE
 11:03:18 CHANGED OUR CONTRACT IN THE FUTURE SO WE MAKE SURE THAT THE
 11:03:22 CONTRACTOR CERTIFIES THAT THE WATER COMING OUT IS GOING TO
 11:03:24 BE SUITABLE FOR IRRIGATION.
 11:03:27 WE DIDN'T DO THAT ON ESTERO PARKWAY.
 11:03:29 SO, I GUESS, THERE'S A LITTLE BIT OF A LEARNING CURVE ON
 11:03:34 THAT.
 11:03:34 THE SLOWDOWN IN GETTING THIS CORRECTED HAS BEEN WE WANT TO
 11:03:37 MAKE SURE THE CHEMICALS AND THE FILTERS THAT WE USE TO
 11:03:39 FILTER THE WATER ARE ACTUALLY DOING THE JOBS.
 11:03:43 SO THEY PUT PVC, WHITE PVC PIPE AROUND AND IT GETS SPRINKLED
 11:03:50 THE WATER AND LOOK TO SEE IF IT IS GETTING DISCOLORED.

 11:03:55 THE LAST I TALKED WITH DAVID ABOUT A WEEK AGO, IT LOOKS LIKE
 11:03:58 WE'RE NOT CONTINUING TO CAUSE MORE RUST.
 11:04:00 SO NOW, IF THAT'S THE CASE, AND DAVID I THINK IS ON VACATION
 11:04:04 UNTIL NEXT WEEK OR SOMETHING, WE WILL THEN START DOING THE
 11:04:09 CLEANING PROCESS TO GET THAT OFF.
 11:04:11 AND THEN AT THAT POINT WE SHOULD BE GOOD.
 11:04:14 THERE ARE GOING TO BE TREES OUT THERE, I THINK THERE'S ONE
 11:04:17 DEAD TREE SOMEBODY TOLD ME ABOUT, THAT'S THE NORMAL PROCESS
 11:04:21 OF ONE YEAR --
 11:04:25 THINGS ARE GROWING LIKE WEEDS OUT THERE.
 11:04:27 SO THE LANDSCAPE GUYS WILL HAVE TO DO A GOOD JOB OF KEEPING
 11:04:30 IT UNDER CONTROL.
 11:04:31 I THINK THE RUST SHOULD BE TAKEN CARE OF HERE WITHIN THE
 11:04:35 NEXT PERIOD OF TIME.
 11:04:37 I WOULD THINK 30 DAYS.
 11:04:39 >>Joanne Ribble: MY OTHER COMMENT WAS, I WAS GONE ALL LAST
 11:04:42 WEEK ON VACATION.
 11:04:44 DID THE SAMPLE MONUMENTS EVER GET -- WERE WE ABLE TO SEE
 11:04:50 WHAT THEY LOOKED LIKE?
 11:04:51 >>Steven Sarkozy: NO, WE HAD SOME ISSUES WITH THAT.
 11:04:53 AND THEY WILL BE RESCHEDULED HERE IN THE NEXT COUPLE OF
 11:04:55 WEEKS.
 11:04:56 >>Joanne Ribble: OKAY, GOOD.
 11:04:57 I THOUGHT I MAYBE MISSED IT.
 11:04:59 >>Steven Sarkozy: NO, YOU DIDN'T MISS IT.

 11:05:01 WE HAD A PROBLEM, AS I RECALL, WE THOUGHT IT WOULD BE SIMPLE
 11:05:04 TO PUT SOMETHING UP THERE.
 11:05:06 TURNS OUT IT'S A LITTLE MORE COMPLICATED THAN WE THOUGHT.
 11:05:14 >>Mayor Errington: IS THAT IT?
 11:05:15 OKAY.
 11:05:17 THANK YOU.
 11:05:18 LARRY?
 11:05:21 >>Larry Fiesel: I'VE GOT THREE THINGS.

11:05:24 ONE, I DO WANT TO COMPLIMENT STEVE AND STAFF ON THIS
 11:05:28 FINANCIAL REPORT THAT WE'VE RECEIVED.
 11:05:31 AGAIN, BEING A NEW MEMBER OF COUNCIL, IT'S GOOD TO COME INTO
 11:05:35 A VILLAGE THAT HAS A STRONG FINANCIAL POSITION AS THIS, AND
 11:05:38 WE'RE NOT TRYING TO DIG OUR WAY OUT OF SOME DEBT HOLE THAT I
 11:05:42 KNOW A LOT OF COMMUNITIES ARE DOING.
 11:05:43 SO I APPRECIATE THAT GOOD FINANCIAL REPORT.
 11:05:47 THE ESTERO PARKWAY THAT JOANNE MENTIONED AND JON ADDRESSED,
 11:05:52 I THINK HAS TURNED OUT TO BE QUITE A VERY ATTRACTIVE
 11:05:56 ADDITION TO OUR COMMUNITY, WITHOUT TALKING ABOUT THE RUST ON
 11:06:02 THE CURBS, WHICH IS BEING ADDRESSED.
 11:06:07 I'VE HAD A LOT OF POSITIVE COMMENTS.
 11:06:09 WE GOT E-MAILS FROM PEOPLE THAT HAVE TAKEN PHOTOS AND SENT
 11:06:12 THEM TO US.
 11:06:13 THE ONLY NEGATIVE COMMENTS THAT I'VE HAD, AND I'VE HAD THEM
 11:06:15 FROM A COUPLE OF PEOPLE, THEY SAID THEY FELT IT WAS
 11:06:20 OVER-LANDSCAPED.

11:06:21 I TOLD THEM, I SAID, JUST LOOK AT IT IN THE ENTIRETY OF THE
 11:06:24 ROAD.
 11:06:24 DON'T JUST LOOK AT ONE LITTLE SECTION.
 11:06:26 BECAUSE AS YOU LOOK AT IT, IT ALL FLOWS AND IT'S NOT OVERLY
 11:06:30 LANDSCAPED.
 11:06:32 WHAT THEY MOSTLY TRY TO DO I THINK IS COMPARE TO MOST OF THE
 11:06:35 ROADS THAT WE HAVE IN THE STATE OF FLORIDA THAT HAVE NO
 11:06:37 LANDSCAPING.
 11:06:38 SO, OBVIOUSLY, IT LOOKS SIGNIFICANTLY DIFFERENT.
 11:06:42 I THINK THAT THE OVERALL APPROACH LOOKS VERY NICE.
 11:06:45 JON, APPRECIATE WHAT YOU HAVE DONE.
 11:06:48 LITTLE CONCERNED A MINUTE AGO, YOU SAID THE LANDSCAPING IS
 11:06:50 GROWING LIKE WEEDS.
 11:06:52 IN LIGHT OF THE INFORMATION THAT WE GOT FROM DAVID LAST WEEK
 11:06:57 ABOUT THE 41 LANDSCAPING PROJECT, WHICH IS BEING RUN OVER BY
 11:07:01 WEEDS, I SENT AN E-MAIL TO HIM AND TOLD HIM THAT I THOUGHT
 11:07:07 THAT THE LANDSCAPING LOOKED PRETTY DETERIORATED.
 11:07:10 AND THEN HE TOLD US WHAT THE REASONS WERE, WHICH I THINK I
 11:07:14 PRETTY WELL ALREADY UNDERSTOOD THROUGH A BRIEFING THAT WE
 11:07:16 HAD SOME TIME BACK.
 11:07:19 NOW I WOULD JUST LIKE TO SAY WE JUST WENT THROUGH THE 4th
 11:07:22 OF JULY CELEBRATION HERE IN OUR COMMUNITY AND THROUGHOUT OUR
 11:07:26 COUNTRY, A VERY GOOD 4th OF JULY CELEBRATION, I THINK,
 11:07:30 UNTIL THE STORM CAME IN YESTERDAY TO KIND OF INTERRUPT THE
 11:07:33 CELEBRATION.

11:07:34 BUT IT WAS REALLY GOOD, IN MY OPINION, THAT WE FINALLY -- I
 11:07:37 FINALLY FEEL LIKE WE'RE KIND OF BACK TO LIVING A NORMAL LIFE
 11:07:41 AGAIN, AND WE'VE TAKEN THE SHACKLES OFF OF OUR HANDS OF THE
 11:07:44 WAY WE HAD BEEN LIVING FOR 16, 18 MONTHS.

11:07:48 IT JUST FELT GOOD TO BE FREE AGAIN, I GUESS IS THE WORD I
 11:07:52 CAN USE, WHICH IS THE BASIS FOR THE WHOLE 4th OF JULY
 11:07:55 CELEBRATION, OUR INDEPENDENCE.
 11:07:56 I FELT INDEPENDENT THROUGH THAT CELEBRATION.
 11:07:59 >>Mayor Errington: THANK YOU.
 11:08:01 VERY GOOD.
 11:08:02 JON?
 11:08:03 >>Vice-Mayor McLain: WELL, LET ME TALK ABOUT ESTERO PARKWAY.
 11:08:05 [LAUGHTER]
 11:08:06 >>Mayor Errington: JON, YOU TALK ABOUT ESTERO PARKWAY.
 11:08:09 >>Vice-Mayor McLain: WE KNEW THAT WAS A BIG PROJECT, THE
 11:08:11 BIGGEST ONE WE'VE DONE.
 11:08:13 IT'S GOOD TO GET THE COMMENTS.
 11:08:15 AS A SIDE NOTE, THE COMMUNITY I LIVE IN, BELLE LAGO, IS
 11:08:19 HAVING A GRANT OPENING OF THEIR POOL.
 11:08:22 THEY RE-DID THAT, AND THEY ARE MAKING A BIG DEAL.
 11:08:26 IT WAS A HUNDRED THOUSAND DOLLARS TO REDO THE SWIMMING POOL
 11:08:29 AND GET IT GOING.
 11:08:30 SO WE'VE GOT SOME GREAT GUESTS THERE.
 11:08:36 OUR MAYOR WILL BE THERE AND SAY A FEW WORDS.
 11:08:38 THE SHERIFF WILL BE THERE.

 11:08:39 AND I'LL BE CIRCULATING AROUND.
 11:08:41 I'M SURE I'LL GET THE COMMENTS ABOUT ESTERO PARKWAY.
 11:08:45 AND, OH, WHAT ABOUT THE RUST?
 11:08:47 I'M PREPARING MYSELF FOR THAT.
 11:08:48 BUT ON THE OVERGROWTH OF THE VEGETATION THAT'S OUT THERE, A
 11:08:53 COUPLE OF THINGS.
 11:08:54 YOU KNOW, WE WERE LOOKING AT PUTTING ROUNDABOUTS IN THERE.
 11:08:57 AND IT DOES HAVE A LOT OF LANDSCAPE AND IT HAS A LOT OF
 11:09:00 TREES THERE.
 11:09:01 AND THE INTENT FOR THAT IN THE DESIGN WORK WAS TO HELP
 11:09:07 DEVELOP A SENSE OF SPACE BY DEVELOPING A ROADWAY THAT MAY
 11:09:11 HAVE AN UMBRELLA EFFECT SO PEOPLE WHEN THEY ARE DRIVING ON
 11:09:14 THE ROAD WILL HAVE AN IDEA THAT I'M NOT JUST ON A FREEWAY,
 11:09:18 WHICH IS THE WAY LOOK BEFORE.
 11:09:20 STRAIGHT ROAD.
 11:09:21 NO BENDS IN IT.
 11:09:22 NO ELEVATION CHANGE.
 11:09:23 SO THE VEGETATION IS THERE IS TO NOT ENCROACH BUT DEFINITELY
 11:09:28 GIVE YOU A SENSE OF SPACE IN THERE.
 11:09:30 SO THAT'S THE RATIONALE.
 11:09:31 I'M SURE WE'LL PROBABLY PULL SOME OUT.
 11:09:34 BUT I THINK IT LOOKS REALLY BEAUTIFUL RIGHT NOW WITH ALL THE
 11:09:36 RAIN AND WE'LL SEE HOW IT GROWS.
 11:09:39 I THINK OUR LANDSCAPER, THE ONES ON 41 ARE DOING A GREAT JOB
 11:09:44 MAINTAINING.

11:09:45 THEY ARE OUT THERE SEVERAL DAYS A WEEK KEEPING IT UP.
 11:09:49 I THINK THAT'S REALLY GOOD.
 11:09:50 IN ADDITION TO THE ESTERO PARKWAY, I WANT TO THANK THE STAFF
 11:09:57 AND THEIR MEETINGS WITH RAY SANDELLI, OUR DISTRICT 3 COUNCIL
 11:10:02 -- OR COMMISSIONER FROM LEE COUNTY.
 11:10:04 I THINK HELPING MOVE FORWARD OUR PAYMENT OF THE \$2.2 MILLION
 11:10:09 THAT WE GOT BECAUSE THAT COMMITMENT WAS MADE MANY YEARS AGO.
 11:10:13 IT TOOK US A WHILE TO GET ESTERO PARKWAY GOING, AND WE
 11:10:17 WANTED TO MAKE SURE PEOPLE DIDN'T FORGET THAT.
 11:10:19 AND I MADE PHONE CALLS A YEAR OR TWO AGO, HEY, WE'RE DOING
 11:10:23 THIS ROADWAY.
 11:10:24 DON'T FORGET ABOUT THAT OBLIGATION BECAUSE 2.2 MILLION
 11:10:28 AGAINST \$10 MILLION IS A SIGNIFICANT CONTRIBUTION.
 11:10:32 I'M THANKFUL FOR THE STAFF AND FOR RAY SANDELLI'S EFFORTS IN
 11:10:35 THAT.
 11:10:35 IN ADDITION, WE TALKED ABOUT 4th OF JULY.
 11:10:40 I'D SURE LIKE TO DO SOMETHING FOR 4th OF JULY OR WHATEVER
 11:10:43 GOING INTO THE FUTURE OR OTHER HOLIDAY BECAUSE THE ONLY
 11:10:47 THING WE'RE DOING NOW -- AND I'M WORKING ON THIS -- IS
 11:10:49 VETERANS DAY.
 11:10:50 AND THAT PLANNING IS COMING TOGETHER.
 11:10:53 I'VE A QUASI-COMMITMENT FOR A SPEAKER, WHICH I'M NOT GOING
 11:10:56 TO MENTION.
 11:10:57 WE'VE GOT THE MUSIC, AND WE'VE GOT THE LOCATIONS SOLIDIFIED.
 11:11:00 SO I THINK IT WILL GO THROUGH PRETTY SMOOTHLY.

 11:11:03 THE SPEAKER I THINK IS A BIG DEAL FOR US.
 11:11:08 VETERANS DAY IS COMING ALONG.
 11:11:10 IT WILL BE ACTUALLY NOVEMBER 13th, WHICH IS A SATURDAY.
 11:11:14 SO NOVEMBER 11 IS ACTUALLY VETERANS DAY.
 11:11:16 IT IS THE 13th.
 11:11:18 WE ARE ALWAYS GOING TO DO IT ON A SATURDAY BECAUSE WE THINK
 11:11:20 WE'LL HAVE A BETTER CHANCE OF GETTING PEOPLE THERE.
 11:11:23 SPEAK IT UP.
 11:11:26 WE WANT TO GET PEOPLE THERE.
 11:11:28 THAT'S ALL I'VE GOT.
 11:11:30 >>Mayor Errington: THANK YOU.
 11:11:31 COMMISSIONER SANDELLI CALLED ME THIS MORNING AND HE REACHED
 11:11:36 OUT.
 11:11:36 HE WANTED TO MAKE SURE THAT THE VILLAGE IS NOT HAVING ANY
 11:11:39 ISSUES PERTAINING TO THIS RAINY SEASON.
 11:11:43 THE COUPLE OF DAYS THAT WE'VE HAD.
 11:11:45 SO IF WE HAVE ANY ISSUES AT ALL, STEVE, HE WANTS US TO LET
 11:11:50 HIM KNOW.
 11:11:50 SO HE DID REACH OUT.
 11:11:53 THE U.S. 41, I NOTICED WE DO HAVE NEW LANDSCAPERS.
 11:11:59 I SAW THEM, SIX OF THEM OUT THERE THE OTHER DAY PULLING
 11:12:03 WEEDS.

11:12:04 I DON'T KNOW HOW FAR THEY GOT.
 11:12:07 I DON'T THINK TOO FAR.
 11:12:08 THEY WERE WORKING.

11:12:09 IT'S A NEW CREW.
 11:12:11 THEY ARE CERTAINLY WELCOME ON U.S. 41 BECAUSE IT IS STARTING
 11:12:13 TO LOOK PRETTY SHABBY.
 11:12:15 THE COMPLIMENTS TO ALL OF YOU WHO WORKED ON THE FINANCIAL
 11:12:24 REPORT, THAT IT'S TREMENDOUS.
 11:12:26 I KNOW EVERYBODY, THE COMMENTS THAT HAVE BEEN MADE HERE THIS
 11:12:31 MORNING, IT'S REALLY NICE TO BE IN A VILLAGE THAT HAS THE
 11:12:37 KIND OF REPORTING WE HAD THIS MORNING.
 11:12:44 I HAVE TO COMPLIMENT THE STAFF, TOO, ON WHEN 2017, THAT
 11:12:49 PERIOD OF TIME WITH IRMA CAME THROUGH AND THAT PERIOD OF
 11:12:53 TIME WHEN WE HAD A LOT OF FLOODING AND THAT HEAVY RAIN AT
 11:12:56 ONCE, IT APPEARS THAT THE STORMWATER MANAGEMENT STUDY AND
 11:13:00 THE PROGRAM, IT APPEARS THAT IT'S WORKING.
 11:13:03 AM I CORRECT, STEVE?
 11:13:05 ARE WE HAVING ANY ISSUES ANYWHERE WITH ALL OF THIS RAIN?
 11:13:09 >>Steven Sarkozy: AT THIS TIME, WE DON'T HAVE ANY ISSUES.
 11:13:11 WHEN WE EXPERIENCED THE IRMA HURRICANE A COUPLE OF YEARS
 11:13:19 BACK, YOU'LL RECALL THAT IT WAS PRECEDED BY SOME OF THE
 11:13:22 HEAVIEST RAIN THAT PEOPLE HAD HAD IN THE 20-YEAR TERM.
 11:13:27 AND THAT ONE-TWO PUNCH WITH THE HEAVY RAINS AND THEN IRMA
 11:13:31 REALLY DID STRESS ALL OF OUR SYSTEMS.
 11:13:33 WE WERE DOING GOOD MAINTENANCE AT THAT TIME.
 11:13:38 WE'RE STILL DOING GOOD MAINTENANCE.
 11:13:40 AND TO MY KNOWLEDGE ALL OF OUR SYSTEMS ARE WORKING PROPERLY
 11:13:45 AND DRAINING THE AREAS OF THE COMMUNITY.

11:13:48 WHERE WE HAVE AN ONGOING CONCERN IS THE DITCH ALONG THE
 11:13:52 SEMINOLE RAIL LINE FROM ESTERO PARKWAY SOUTH DOWN TO THE
 11:13:58 ESTERO RIVER.
 11:13:59 WE'LL BE BRINGING BACK TO YOU A MAINTENANCE -- A COUPLE OF
 11:14:04 MAINTENANCE AGREEMENTS ON THAT, AND THAT WILL RESOLVE ONE OF
 11:14:12 THE BIG BOTTLENECKS THAT WE HAVE.
 11:14:13 NOW, THAT'S ONLY A PROBLEM WHEN WE HAVE VERY, VERY SEVERE
 11:14:19 WEATHER, AND THAT DITCH HAS NOT BEEN MAINTAINED FROM
 11:14:22 BROADWAY SOUTH TO THE RIVER EVER UNTIL WE GOT INTO IT DURING
 11:14:28 THE IRMA EVENTS.
 11:14:29 BUT PUTTING THAT ON A MORE REGULAR SCHEDULE FOR MAINTENANCE
 11:14:33 IS ONE OF OUR TOP PRIORITIES.
 11:14:36 EVERYTHING ELSE HAS BEEN INSPECTED AS PART OF OUR REGULAR
 11:14:41 ANNUAL MAINTENANCE PROGRAM, AND THE REPORTS THAT I'VE GOTTEN
 11:14:46 BACK IS THAT EVERYTHING IS IN GREAT SHAPE, MAINTAINED WELL,
 11:14:52 AND PERFORMING REALLY WELL.
 11:14:55 I WOULD ADD WE'RE ALSO LOOKING AT THE NORTH BRANCH OF THE
 11:15:01 ESTERO RIVER FROM ESTERO -- EXCUSE ME, THREE OAKS PARKWAY

11:15:09 COMING SOUTH THROUGH COUNTRY CREEK.
 11:15:12 AND THERE'S A BYPASS PROJECT THERE THAT WE TALKED ABOUT, AND
 11:15:19 THAT MAY COME BACK TO THE COUNCIL IN SHORT ORDER.
 11:15:22 BUT THOSE ARE THE THINGS THAT WE'RE WORKING ON, REMAINING
 11:15:29 CONSTANTLY VIGILANT ABOUT THINGS.
 11:15:31 RIGHT NOW, I THINK WE'RE IN PRETTY GOOD SHAPE.
 11:15:33 WE DO, OF COURSE, HAVE ISOLATED PONDING ALL OVER THE PLACE

 11:15:38 AS A RESULT OF THE RECENT RAINS, BUT WE'RE IN GOOD SHAPE.
 11:15:43 >>Vice-Mayor McLain: JUST SOME COMMENTS ON THAT, BASED ON --
 11:15:46 WE'VE GOT SOME FOLKS IN MY NEIGHBORHOOD THAT REALLY MONITOR
 11:15:48 THIS.
 11:15:49 I'M NOT SURE THIS APPLIES TO EVERY NEIGHBORHOOD, BUT WITH
 11:15:51 THE AMOUNT OF RAIN WE'VE HAD, WE FELT WE COULD GET EIGHT,
 11:15:56 MAYBE NINE INCHES OF RAIN BEFORE OUR DEVELOPMENT EVEN STARTS
 11:16:00 TO DISCHARGE.
 11:16:01 I ACTUALLY DROVE DOWN THE RAILROAD TODAY ON BROADWAY AND
 11:16:05 THERE REALLY WAS NO WATER IN THERE TO BE MOVED.
 11:16:08 SO IF THAT'S THE CASE WITH EVERY HOA, WE'RE PROBABLY NOT
 11:16:13 DRAINING INTO THE SYSTEM YET.
 11:16:15 BUT I THINK IT DOES GIVE US A LITTLE YELLOW FLAG TO SAY WE
 11:16:22 GOT THROUGH THIS ONE FINE.
 11:16:23 JUST MAKE SURE YOU'VE GOT YOUR DISCHARGE ROUTES CLEANED OUT
 11:16:27 AND DO YOUR DUE DILIGENCE.
 11:16:28 BECAUSE THERE PROBABLY WILL BE ANOTHER STORM COMING DOWN
 11:16:31 HERE.
 11:16:34 PROBABLY WITHIN SIX INCHES OF STARTING TO FLOW IN OUR
 11:16:38 NEIGHBORHOOD, WHICH I THINK WOULD PROBABLY BE UNIVERSAL.
 11:16:45 >>Mayor Errington: THANK YOU.
 11:16:46 ALSO, I WANT TO COMPLIMENT STAFF ON MOVING FORWARD WITH THE
 11:16:53 TECHNOLOGY.
 11:16:54 I'M FEELING VERY GOOD AND VERY COMFORTABLE WITH THAT.
 11:16:57 I'M JUST AT EASE MORE AND MORE WITH WHAT WE ARE DOING TO

 11:17:05 PROTECT OURSELVES.
 11:17:07 AND I COMPLIMENT ALL OF YOU WHO HAVE WORKED ON THIS.
 11:17:10 IT'S BEEN INTERESTING.
 11:17:13 THANK YOU VERY MUCH.
 11:17:14 I HAD AN APPOINTMENT YESTERDAY MORNING WITH SENATOR
 11:17:19 PASSIDOMO, AND I HAD IT FOR LIKE OVER A MONTH.
 11:17:25 I KEPT WAITING AND WAITING TO SEE WHETHER IT WOULD OCCUR.
 11:17:29 I WAITED IT OUT.
 11:17:30 HER ASSISTANT CALLED ME AT ABOUT 8:30 YESTERDAY MORNING AND
 11:17:34 IT WAS SUPPOSED TO HAVE BEEN AT 10:30.
 11:17:38 THEY CANCELED THE APPOINTMENTS FOR THE DAY THE SENATOR HAD.
 11:17:41 IT WILL BE RESCHEDULED.
 11:17:44 IT WAS INTERESTING BECAUSE THEY HAD PEOPLE COMING FROM
 11:17:47 TALLAHASSEE, ALL OVER THE STATE TO COME SEE HER YESTERDAY.

11:17:52 SO A LOT OF RESCHEDULING WILL HAVE TO BE DONE.
 11:18:00 THE OTHER AREA THAT I WANT TO TALK ABOUT JUST REAL BRIEFLY.
 11:18:04 LAST WEEK WHEN THE WEATHER WAS BETTER, I WENT TO ESTERO PARK
 11:18:08 WHERE THE OLD ESTERO GRANDE, THAT'S HOW IT STARTED WAS
 11:18:12 ESTERO GRANDE AND BECAME ESTERO PARK, SPROUTS, STARBUCKS,
 11:18:17 TEXAS ROADHOUSE, I WAS AT SPROUTS, AND I HAD NOT TALKED WITH
 11:18:22 THE MANAGER THERE SINCE WE HAD TAKEN OFF FACE MASKS.
 11:18:27 I MET HIM WITH MY FACE MASK ON MONTHS AGO, AND AFTER I
 11:18:32 CHECKED OUT, I KNOCKED ON HIS DOOR IN HIS OFFICE AND I SAID,
 11:18:37 I DON'T KNOW IF YOU REMEMBER ME, BUT I MET YOU ON JUNE
 11:18:41 3rd, 2020, AND THAT WAS YOUR GRAND OPENING.

11:18:45 YOU JUST UNLOCKED THE DOORS, AND WE CAME IN.
 11:18:48 AND I SAID, I'VE BEEN THINKING IT WOULD BE NICE IF WE DID
 11:18:52 SOMETHING TO CELEBRATE A GRAND OPENING, NOT JUST FOR YOUR
 11:18:59 STORE, BUT FOR EVERY MERCHANT IN THAT COMPLEX IN THE PLAZA.
 11:19:04 AND THERE ARE EIGHT DIFFERENT BUSINESSES LOCATED THERE.
 11:19:09 THE MAN GOT SO EXCITED, HE SAID, ABSOLUTELY, ABSOLUTELY.
 11:19:13 I SAID, OKAY.
 11:19:14 I WILL TALK TO ALL THE MANAGERS AND LET'S SEE WHAT WE CAN
 11:19:17 COME UP WITH.
 11:19:18 I SAID IT'S NOT -- I DON'T THINK WE COULD CALL IT POST-COVID
 11:19:25 BECAUSE THE VARIANT IS OUT NOW.
 11:19:28 SO WE HAVE TO BE CAREFUL.
 11:19:30 THAT'S HOW IT ORIGINATED WAS COVID.
 11:19:32 SO I WENT ACROSS TO THE APARTMENT COMPLEX, AND THAT
 11:19:39 APARTMENT COMPLEX, THOSE OF YOU WHO ARE NEW, THAT STARTED
 11:19:43 OUT TO BE OVER 300 AND SOME APARTMENTS, AND WE FINALLY GOT
 11:19:47 IT DOWN TO 198.
 11:19:49 IT WAS GOING TO BE MASSIVE IN THERE.
 11:19:51 SO WE GOT IT DOWN 198 APARTMENTS.
 11:19:55 AND THE MANAGER TOLD ME THAT EVERY APARTMENT THERE IS RENTED
 11:20:01 EXCEPT SEVEN.
 11:20:02 HE SAID IF YOU WANTED TO RENT TODAY, I ONLY HAVE TWO LEFT
 11:20:06 THAT YOU COULD CHOOSE FROM.
 11:20:07 HE SAID THEY WILL BE GONE HERE SHORTLY WITHIN A COUPLE OF
 11:20:10 WEEKS, EVERYTHING.

11:20:11 I SAID WHO'S RENTING HERE?
 11:20:15 I SAID, ARE PEOPLE COMING FROM THE NORTH AND RENTING FOR
 11:20:17 THREE OR FOUR MONTHS AND THEN GOING BACK?
 11:20:19 HE SAID, NO, THEY WANT TO COME TO ESTERO AND TO FLORIDA.
 11:20:23 THEY FOUND THIS PLACE, AND THEY ARE HERE.
 11:20:26 IT'S ALL DIFFERENT AGE GROUPS.
 11:20:28 198 APARTMENTS, VERY NICE.
 11:20:32 THE CLUBHOUSE IS BEAUTIFUL.
 11:20:34 HE GOT EXCITED.
 11:20:37 SO I GOT EXCITED.

11:20:38 AND THEN I WENT ON OVER TO TEXAS ROADHOUSE AND TALKED WITH
 11:20:41 THE MANAGER THERE AND HE'S EXCITED.
 11:20:44 AND STARBUCKS AND WOLFGANG DOG SHOP AND VERIZON AND ZOOM.
 11:20:52 I TALKED WITH ALL OF THEM.
 11:20:55 THE ENTHUSIASM THAT CAME ABOUT THAT WAS THEY WANT TO DO
 11:20:59 SOMETHING.
 11:20:59 SO I WOULD THINK IT MIGHT BE INTERESTING IF -- I SAID DON'T
 11:21:04 PLAN IT DURING HURRICANE SEASON BECAUSE IT COULD FAIL.
 11:21:08 BUT WHEN PEOPLE START COMING BACK.
 11:21:10 SO WHAT I WILL DO IS CONNECT THEM AND LET THEM FIGURE OUT
 11:21:15 WHAT THEY WANT TO DO.
 11:21:16 THE COUNCIL, IF I CAN COUNT ON ALL OF YOU, WE CAN SHOW UP
 11:21:19 AND CUT THE RIBBON.
 11:21:20 WE CAN DO THAT.
 11:21:21 BUT THEY WOULD DO THE WORK AND COORDINATING EVERYTHING.

11:21:26 SO IN YOUR AREAS, YOUR DISTRICTS, THINK ABOUT WHAT YOU COULD
 11:21:31 DO, MAYBE HELP GIVE A SHOT IN THE ARM.
 11:21:33 IF YOU FELT THE ENTHUSIASM THAT THESE MANAGERS HAD TO TRY TO
 11:21:38 HELP PROMOTE THEIR BUSINESSES, IT'S GREAT.
 11:21:42 I'LL JUST TOSS THAT OUT TO YOU AND SAY I WILL CONTINUE TO
 11:21:47 WORK WITH THEM AND SEE WHAT THEY COME UP WITH AND HAVE A
 11:21:51 CELEBRATION HERE SOMETIME IN THE FUTURE.
 11:21:54 THAT'S ALL I HAVE.
 11:21:59 I THINK NOW I GO TO OUR VILLAGE ATTORNEY.
 11:22:06 >>Burt Saunders: I DON'T HAVE ANYTHING TO ADD THIS MORNING.
 11:22:09 >>Steven Sarkozy: NOTHING FOR ME TODAY.
 11:22:11 >>Mayor Errington: NOTHING TODAY.
 11:22:12 MAY I ASK, IS THE WORKSHOP ITEM RATHER SHORT SO WE DON'T
 11:22:17 HAVE TO TAKE A BREAK BECAUSE IT'S RAINING?
 11:22:20 >>Steven Sarkozy: SURE.
 11:22:23 >>Mayor Errington: THIS MEETING IS ADJOURNED.
 11:22:25 AND WE WILL NOW RECONVENE AS THE WORKSHOP.
 11:22:29 NO VOTING WILL TAKE PLACE HERE.
 11:22:30 AND ON THE ITEM IS LEE COUNTY PROPOSED FISCAL YEAR 21/22
 11:22:41 MUNICIPAL SOLID WASTE DISPOSAL AND SOLID WASTE SYSTEM
 11:22:43 ASSESSMENT.
 11:22:43 STEVE, THAT'S YOURS.
 11:22:45 >>Steven Sarkozy: THANK YOU, MAYOR AND MEMBERS OF COUNCIL.
 11:22:46 THIS IS VERY SHORT.
 11:22:48 IT'S ON THE AGENDA SIMPLY AS AN INFORMATIONAL ITEM AS

11:22:52 THERE'S NO REAL FORMAL ACTION REQUIRED.
 11:22:58 THERE IS A PUBLIC HEARING BEFORE THE BOARD OF COUNTY
 11:23:02 COMMISSIONERS CONSIDERING THIS -- THE SOLID WASTE DISPOSAL
 11:23:09 AND SOLID WASTE SYSTEM ASSESSMENT.
 11:23:14 THIS PUBLIC HEARING IS SCHEDULED FOR AUGUST 3rd OF 2021 AT
 11:23:18 9:30 A.M.

11:23:19 WHAT IT DOES IS EVALUATES THE COST AND THE SERVICES FOR
 11:23:26 SOLID WASTE.
 11:23:28 THE SERVICES ARE PROVIDED BY THE COUNTY TO ALL CITIES WITHIN
 11:23:37 THE COUNTY, AND THE SERVICES INCLUDE THE PICKUP AND THEN
 11:23:43 DISPOSAL OF ALL OF OUR WASTE SYSTEMS.
 11:23:47 SO WE DO NOT HAVE AN ACTIVE PART IN THIS PROCESS, BUT
 11:23:51 BECAUSE OF OUR INTERLOCAL, WE WANT TO MAKE YOU AWARE OF
 11:23:57 THIS.
 11:23:58 THIS TOUCHES US ONLY PERIODICALLY.
 11:24:02 BUT IF ANY MEMBER OF COUNCIL WANTS TO BRING THIS UP AND
 11:24:06 DELVE INTO IT A LITTLE FURTHER, THIS WOULD BE AN APPROPRIATE
 11:24:09 TIME TO BE INVOLVED.
 11:24:10 WE WOULD PROBABLY, IF YOU'RE INTERESTED, WE WOULD CONVENE A
 11:24:16 MEETING OVER THE MONTH OF AUGUST WITH SOLID WASTE STAFF.
 11:24:20 WE DON'T THINK IT RISES TO THAT LEVEL, BUT IT CERTAINLY
 11:24:24 WOULD BE IN YOUR PURVIEW TO DO THAT IF YOU THINK IT'S
 11:24:27 APPROPRIATE.
 11:24:27 THE COST INCREASES HERE ARE FAIRLY SMALL.
 11:24:33 UNDER 4%.

11:24:34 AND INVOLVES ALL THE CATEGORIES OF PICKUP AND DISPOSAL OF
 11:24:42 WASTE.
 11:24:44 >>Jim Boesch: STEVE, I THINK IT'S PRETTY FAIR THIS YEAR, AND
 11:24:52 I THINK THE INCREASES THEY ARE ASKING ARE MINIMAL, BUT I
 11:24:56 THINK THEY ARE ENTITLED TO GET.
 11:25:00 ONE THING, I'M WONDERING, HOW LONG -- THEY ONLY HAVE A
 11:25:04 ONE-YEAR CONTRACT WITH WASTE PRO?
 11:25:07 >>Steven Sarkozy: AS I RECALL, IT'S A LONGER TERM CONTRACT,
 11:25:13 BUT IT REQUIRES ANNUAL ADJUSTMENTS OF THE FEES.
 11:25:16 SO THIS IS THE ANNUAL ADJUSTMENT PROCESS.
 11:25:21 >>Jim Boesch: SEEMS TO ME, WE DIDN'T DO EVERY YEAR.
 11:25:27 FIVE YEARS, SOMETHING LIKE THAT.
 11:25:28 >>Steven Sarkozy: I THINK IT'S LONGER.
 11:25:30 15 YEARS OR SOMETHING.
 11:25:32 >>Mayor Errington: IS THAT IT?
 11:25:33 OKAY.
 11:25:35 ANY OTHER COMMENTS?
 11:25:36 DO I HAVE A MOTION TO ADJOURN?
 11:25:40 >> SO MOVED.
 11:25:41 >>Mayor Errington: DO I HAVE A SECOND?
 11:25:42 SECOND.
 11:25:44 OKAY.
 11:25:45 MEETING ADJOURNED.
 11:25:47 [SOUNDING GAVEL]
 11:25:48 THANK YOU VERY MUCH.

DISCLAIMER:
 THIS FILE REPRESENTS AN UNEDITED VERSION OF REALTIME

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

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

DRAFT

FINAL ACTION AGENDA/MINUTES

VILLAGE COUNCIL MEETING

**Village of Estero Council Chambers
9401 Corkscrew Palms Circle
Estero, FL 33928
June 16, 2021 9:30 a.m.**

1. CALL TO ORDER

INVOCATION: Pastor Carol Gates Lamb of God Church

PLEDGE OF ALLEGIANCE: Mayor Errington.

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, Deputy Village Manager Kyle Coleman, Community Development Director Mary Gibbs, Public Works Director David Willems, Procurement Manager Bob Franceschini, Deputy Village Clerk Tammy Duran, and Village Clerk Carol Sacco.

2. APPROVAL OF AGENDA, ADDITIONS, AND DELETIONS

Motion: Motion to approve agenda with the deletion of 6(b).

Motion by: Councilmember Boesch

Seconded by: Councilmember Wilson

Action: Approved agenda with the deletion of 6(b).

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: None.

4. CONSENT AGENDA

- (a) May 19, May 26, 2021 Council Meeting Minutes
- (b) June 2, Council Meeting Minutes

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:

5. CONSIDERATION OF ITEMS DEFERRED FROM CONSENT AGENDA

6. ACTION ITEMS:

(a) Utilities Expansion Program Management Contract

Staff Presentation/Comments:

Steve Sarkozy, Village Manager

Council Questions or Comments:

Councilmembers Boesch, Ribble, and Vice Mayor McLain.

Public Comment: None.

Motion: Motion to approve award of Contract to Woodard & Curran in the amount of \$159,000. Also approve a contingency fund amount of \$15,900 (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 and any other related ancillary documents on behalf of the Village of Estero Council.

Motion by: Councilmember Fiesel

Seconded by: Councilmember Ward

Action: Approved award of Contract to Woodard & Curran in the amount of \$159,000. Also approve a contingency fund amount of \$15,900 (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 and any other related ancillary 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:

(b) Cloud Server Transition- DELETED FROM AGENDA

7. SECOND READINGS:

(a) Ordinance 2021-04

An Ordinance of the Village Council of the Village of Estero, Florida, Amending the Village Land Development Code to Establish Authority to Appoint Co-Chairpersons to the Planning Zoning and Design Board; Providing A Severability Clause, a General Repealer Clause, and an Effective Date.

Staff Presentation/Comments:

Steve Sarkozy, Village Manager

Council Questions or Comments: None.

Public Comment: None.

Motion: Motion to pass Ordinance 2021-04.

Motion by: Vice Mayor McLain

Seconded by: Councilmember Wilson

Action: Passed Ordinance 2021-04.

Vote: (Roll Call)

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

Nay:

Abstentions:

(b) Ordinance 2021-08

An Ordinance of the Village Council of the Village of Estero, Florida, Amending the Village Code, Chapter 28 – Roads and Bridges, Article VI – Commercial Use of Rights-Of-Way, Relating to Dangerous Use of Rights-Of-Way; Providing for the Prohibition of Stopping or Standing in a Median that is not a sufficient Pedestrian Refuge; Providing for the Prohibition of Physical Interaction Between a Pedestrian and an Occupant of a Motor Vehicle that is not Legally Parked; Providing for Conflict; Providing for Severability; Providing for Codification; Providing an Effective Date.

Staff Presentation/Comments:

Steve Sarkozy, Village Manager

Council Questions or Comments:

Councilmember Boesch.

Public Comment: None.

Motion: Motion to pass Ordinance 2021-08.

Motion by: Councilmember Boesch

Seconded by: Councilmember Ward

Action: Passed Ordinance 2021-08.

Vote: (Roll Call)

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

Nay:

Abstentions:

8. PUBLIC COMMENT ON NON-AGENDA ITEMS: None.

9. COUNCIL COMMUNICATIONS / FUTURE AGENDA ITEMS

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

10. VILLAGE ATTORNEY'S REPORT: None.

11. VILLAGE MANAGER'S REPORT:

Staff Presentation/Comments:

Steve Sarkozy, Village Manager

David Willems, Public Works Director

Council Questions or Comments:

Councilmember Ribble, Vice Mayor McLain, and Mayor Errington.

Adjourn Regular Session at 10:00 am and Convene Workshop Items at 10:02 am

12. WORKSHOP ITEMS:

(a) TECO Peoples Gas Franchise Agreement

Staff Presentation/Comments:

Steve Sarkozy, Village Manager

Burt Saunders, Village Attorney

Presentation/Information by:

Chris Lopez, TECO Peoples Gas

Council Questions or Comments:

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

Public Comment: None.

13. ADJOURNMENT at 10:38 am

ATTEST:

VILLAGE OF ESTERO, FLORIDA

By: _____

Carol Sacco, Village Clerk

By: _____

Katy Errington, Mayor

(td/CS)

AGENDA ITEM SUMMARY SHEET
VILLAGE COUNCIL MEETING
July 7, 2021

Agenda Item:

Financial Report for the month ended May 31, 2021.

Description:

This financial report provides details of operations for the month ending May 31, 2021 which is the seven months of the 2020-2021 fiscal year. Activity year to date is trending in line with the budget through the third quarter of the fiscal year.

- *Ad valorem (real estate) taxes:* approximately \$47,200 was received this month. Collection of ad valorem taxes through May represents 99.88% of budget.
- *General Fund:* The Village received approximately \$2,196,000 in revenue in May from Lee County reimbursing the Village for expenditures incurred related to the Estero Parkway project. The majority of these costs were incurred during the first half of the year.
- *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:* \$5,304,032 has been allocated for Debt Reduction funding.
- *Available funds:* total funds categorized as available are \$28,268,994.

Action Requested:

Approve financial report.

Financial Impact:

There is no financial impact of this report.

Attachments:

1. Budget report



Village of Estero
Budget Report-All Funds
For the Month Ending May 2021

	Current Month Actual	2020-2021 Year to Date Actual	2020-2021 #2 Bud Amend- Dec Budget	2020-2021 Budget Variance	2020-2021 Year to Date Percentage	2019-2020 Year to Date Actual	Year to Date Prior Year Variance	2019-2020 12 Months Actual
Ad Valorem Taxes	47,208	5,068,854	5,075,000	(6,146)	100%	4,964,616	104,238	5,054,886
Local Communications Svcs Tax	74,149	502,038	891,700	(389,662)	56%	541,322	(39,284)	909,318
Local Business Tax	299	5,298	21,900	(16,602)	24%	5,286	12	19,624
Franchise Fees-Electric	170,554	1,176,764	2,130,400	(953,636)	55%	1,041,045	135,718	2,121,895
Franchise Fees-Solid Waste	41,313	82,571	161,100	(78,529)	51%	79,656	2,916	158,137
Rev Sharing Sales tax	48,706	389,648	412,300	(22,652)	95%	377,649	11,999	583,901
Mobile Home License	108	2,405	2,800	(395)	86%	1,885	521	2,809
Alcohol Beverage Tax	-	33,161	32,300	861	103%	26,235	6,926	33,987
Half Cent Sales Tax	330,328	1,818,860	1,919,800	(100,940)	95%	1,677,439	141,421	2,675,131
Fines & Forfeitures	50	241	500	(259)	48%	618	(377)	920
Interest Income	354	2,383	32,400	(30,017)	7%	176,024	(173,642)	183,392
Rental income	6,000	27,000	36,000	(9,000)	75%	40,000	(13,000)	51,000
Miscellaneous Revenue	7,497	16,352	25,000	(8,648)	65%	253	16,099	11,710
Administrative Fee	1,246	14,006	20,000	(5,994)	70%	40,688	(26,682)	54,171
Cost Recovery-Admin Charge	150	6,700	10,000	(3,300)	67%	8,950	(2,250)	14,000
Lee Cty Clerk Recording Fees	-	-	-	-	0%	-	-	5,208
Dev & Zoning-Fixed Fees	5,312	47,639	45,000	2,639	106%	32,506	15,133	52,869
Dev & Zoning-Cost Recovery Fee	6,310	70,461	48,800	21,661	144%	16,010	54,451	47,619
Planning-Miscellaneous Revenue	4,929	40,570	-	40,570	100%	24,186	16,384	39,860
Code Comp & Contractor License	7,500	8,934	7,000	1,934	128%	32,040	(23,107)	32,242
Local Option Gas Tax-1-6 Cent	52,937	304,569	432,500	(127,931)	70%	307,245	(2,676)	496,117
ROW Permits	200	1,100	1,500	(400)	73%	1,600	(500)	2,750
Rev Sharing-Fuel Tax	14,230	113,838	123,400	(9,562)	92%	110,585	3,253	170,815
FDOT US 41 Light Maintenance	-	-	122,080	(122,080)	0%	-	-	118,525
Covid Cares-Covid	-	539,919	411,600	128,319	131%	-	539,919	42,034
WCIND Marine Patrol Revenue	-	-	11,860	(11,860)	0%	544	(544)	544
FEMA-Federal Share	-	-	-	-	0%	6,547	(6,547)	6,547
FEMA-State Share	-	-	-	-	0%	(3,273)	3,273	(3,273)
Total Revenues-General Fund	819,379	10,273,311	11,974,940	(1,701,629)	86%	9,509,656	763,655	12,886,737
Building Fees	63,623	588,919	979,000	(390,081)	60%	774,573	(185,655)	1,147,131
Surcharge Fee Retained	-	1,348	3,300	(1,952)	41%	1,669	(320)	3,329
Convenience Fee	1,991	20,293	15,000	5,293	135%	17,557	2,736	28,982
Interest income	14	96	1,000	(904)	10%	2,893	(2,796)	3,051
Total Revenues-Building Fee Fund	65,628	610,657	998,300	(387,643)	61%	796,692	(186,035)	1,182,493
Interest Income	102	708	10,000	(9,292)	7%	37,717	(37,009)	38,645
Proceeds from Sale of Asset	-	-	-	-	0%	-	-	996,685
Total Revenues-Debt Serv	102	708	10,000	(9,292)	7%	37,717	(37,009)	1,035,330



Village of Estero

Budget Report-All Funds
For the Month Ending May 2021

	Current Month Actual	2020-2021 Year to Date Actual	2020-2021 #2 Bud Amend- Dec Budget	2020-2021 Budget Variance	2020-2021 Year to Date Percentage	2019-2020 Year to Date Actual	2019-2020 Year to Date Prior Year Variance	2019-2020 12 Months Actual
Local Option Gas Tax 1-5 Cent	37,019	221,580	316,000	(94,420)	70%	225,234	(3,654)	361,467
Interest Income-Gas Tax	25	167	5,910	(5,743)	3%	5,610	(5,443)	5,933
Lee Cty Funding-Estero Prkway	2,196,213	2,196,213	2,196,000	213	100%	-	2,196,213	-
Developer Contributions-Inters	89,534	290,954	974,600	(683,646)	30%	-	290,954	89,307
FDOT Funding-US 41 Landscaping	-	-	134,490	(134,490)	0%	-	-	652,566
Road Imp Fee-Residential	15,244	268,424	200,000	68,424	134%	432,864	(164,440)	549,336
Road Imp Fees-Commercial	-	80,394	200,000	(119,606)	40%	304,061	(223,668)	590,570
Park Imp Fees-Residential	2,341	31,643	60,000	(28,357)	53%	52,190	(20,547)	62,935
Park Imp Fee-Commercial	-	9,296	110,000	(100,704)	8%	223,104	(213,808)	230,076
Interest Income-Rd Impact	145	1,009	30,930	(29,921)	3%	66,628	(65,619)	68,164
Interest Income-Com Prk Impact	2	12	470	(458)	3%	8,860	(8,848)	8,988
Interest Income-Reg Prk Impact	-	-	-	-	0%	7,808	(7,808)	7,915
Interest Inc-Com Prk Contr	2	11	100	(89)	11%	345	(334)	363
Interest Inc-Public Land	2	16	970	(954)	2%	1,449	(1,433)	1,510
Interest Income-Park Imp	7	50	3,620	(3,570)	1%	1,565	(1,515)	1,639
	-	-	-	-	-	-	-	-
Total Revenues-Capital Projects Fund	2,340,534	3,099,769	4,233,090	(1,133,321)	73%	1,329,717	1,770,052	2,630,770
	-	-	-	-	-	-	-	-
Total Revenues-All Funds	3,225,644	13,984,445	17,216,330	(3,231,885)	81%	11,673,782	2,310,663	17,735,329
	-	-	-	-	-	-	-	-
Debt Serv Fd Trans from Gen Fd	-	2,515,197	2,515,800	(603)	100%	2,515,197	-	2,515,197
Proceeds from Debt Issue	-	-	-	-	0%	-	-	-
Cap Projects Trans from Gen Fd	1,171,885	2,289,680	3,837,010	(1,547,330)	60%	2,470,176	(180,496)	5,162,053
Cap Project Trans from Debt Serv	-	-	-	-	0%	-	-	1,000,000
	-	-	-	-	0%	-	-	-
	-	-	-	-	-	-	-	-
Total Revenues and Other Financing Sources-All Funds	4,397,529	18,789,323	23,569,140	(4,779,817)	80%	16,659,155	2,130,168	26,412,580
	-	-	-	-	-	-	-	-
Executive Salaries	10,356	82,700	124,300	41,600	67%	82,851	152	124,277
FICA Taxes	792	6,327	9,600	3,273	66%	6,338	12	9,507
Workers Comp	-	104	300	196	35%	55	(49)	183
Unemployment Comp	72	1,134	2,000	866	57%	1,001	(133)	1,574
Travel and Per Diem	-	77	22,000	21,923	0%	1,989	1,911	2,011
Books Pub & Memberships	-	5,684	5,000	(684)	114%	5,332	(352)	5,385
Training	-	16	2,000	1,984	1%	1,929	1,913	1,629
	-	-	-	-	-	-	-	-
Total Village Council	11,220	96,041	165,200	69,159	58%	99,494	3,453	144,566



Village of Estero

Budget Report-All Funds
For the Month Ending May 2021

	Current Month Actual	2020-2021 Year to Date Actual	2020-2021 #2 Bud Amend- Dec Budget	2020-2021 Budget Variance	2020-2021 Year to Date Percentage	2019-2020 Year to Date Actual	Year to Date Prior Year Variance	2019-2020 12 Months Actual
Executive Salary	15,383	125,205	204,700	79,495	61%	121,898	(3,307)	201,497
Car Allowance	554	4,510	7,200	2,690	63%	4,549	40	7,239
Regular Salaries & Wages	15,554	119,837	162,400	42,563	74%	86,670	(33,167)	152,524
FICA Taxes	2,385	16,203	24,400	8,197	66%	13,539	(2,664)	22,950
Retirement Contributions	3,023	25,231	38,600	13,369	65%	19,814	(5,417)	32,459
Group Insurance	6,735	61,962	84,000	22,038	74%	50,138	(11,824)	70,324
Worker's Compensation	-	277	800	523	35%	128	(150)	426
Unemployment Comp	45	706	900	194	78%	600	(106)	1,032
Miscellaneous Professional Srv	11,333	19,083	75,000	55,917	25%	6,950	(12,133)	6,950
Contractual Srvs-Adm Assist	-	675	-	(675)	100%	-	(675)	-
Communication Services	-	18,375	32,760	14,385	56%	21,000	2,625	31,500
Miscellaneous Contractual Srvs	-	-	35,000	35,000	0%	1,900	1,900	1,900
Travel & Per Diem	-	474	12,000	11,526	4%	3,462	2,988	3,462
Public Relations	750	6,000	15,000	9,000	40%	13,299	7,299	16,708
Books Pub & Memberships	1,400	2,714	3,000	286	90%	960	(1,754)	2,600
Training	-	1,865	4,000	2,135	47%	185	(1,680)	185
<i>Total Village Manager</i>	<i>57,161</i>	<i>403,118</i>	<i>699,760</i>	<i>296,642</i>	<i>58%</i>	<i>345,093</i>	<i>(58,025)</i>	<i>551,757</i>
Village Attorney	38,042	138,026	150,000	11,974	92%	93,106	(44,920)	173,217
Land Use Legal	3,368	41,609	85,000	43,391	49%	42,921	1,312	81,163
Comprehensive Plan Legal	-	-	15,000	15,000	0%	2,115	2,115	2,115
Code Enforcement Legal	129	280	12,000	11,721	2%	7,095	6,816	7,676
Land Dev Code Legal	-	12,890	15,000	2,110	86%	13,374	484	20,706
Other Special Legal	-	-	-	-	0%	4,449	4,449	4,449
-	-	-	-	-	0%	-	-	-
<i>Total Village Attorney</i>	<i>41,539</i>	<i>192,805</i>	<i>277,000</i>	<i>84,195</i>	<i>70%</i>	<i>163,060</i>	<i>(29,745)</i>	<i>289,325</i>
Regular Salaries & Wages	3,122	23,579	131,600	108,021	18%	81,819	58,240	103,836
FICA Taxes	239	1,804	10,100	8,296	18%	6,238	4,434	7,919
Retirement Contributions	-	-	10,500	10,500	0%	5,604	5,604	6,459
Group Insurance	-	-	15,000	15,000	0%	8,826	8,826	9,033
Worker's Compensation	-	104	300	196	35%	55	(49)	183
Unemployment Compensation	31	349	600	251	58%	339	(10)	520
Codification	-	3,025	25,000	21,975	12%	4,840	1,815	4,840
Election Services	-	15,724	70,000	54,276	22%	-	(15,724)	-
Travel & Per Diem	-	-	1,000	1,000	0%	-	-	-
Legal Notices	432	3,202	5,000	1,798	64%	533	(2,668)	2,435
Book, Pub & Membership	-	150	500	350	30%	170	20	170
Training	-	304	100	(204)	304%	-	(304)	-
-	-	-	-	-	-	-	-	-
<i>Total Village Clerk</i>	<i>3,825</i>	<i>48,240</i>	<i>269,700</i>	<i>221,460</i>	<i>18%</i>	<i>108,425</i>	<i>60,185</i>	<i>135,395</i>



Village of Estero

Budget Report-All Funds
For the Month Ending May 2021

	Current Month Actual	2020-2021 Year to Date Actual	2020-2021 #2 Bud Amend- Dec Budget	2020-2021 Budget Variance	2020-2021 Year to Date Percentage	2019-2020 Year to Date Actual	2019-2020 Year to Date Prior Year Variance	2019-2020 12 Months Actual
Regular Salaries & Wages	10,134	109,594	283,100	173,506	39%	159,489	49,896	260,266
FICA Taxes	775	8,334	21,700	13,366	38%	12,063	3,729	19,690
Retirement Contributions	-	2,308	13,100	10,792	18%	7,018	4,710	11,206
Group Insurance	-	6,057	23,700	17,643	26%	14,079	8,021	19,767
Worker's Compensation	-	208	600	392	35%	91	(117)	304
Unemployment Compensation	58	680	1,100	420	62%	619	(62)	951
Accounting Services	4,427	50,054	5,000	(45,054)	1001%	-	(50,054)	-
Auditing & Actuarial Services	5,000	29,500	38,000	8,500	78%	31,000	1,500	31,000
Travel & Per Diem	-	-	1,200	1,200	0%	-	-	-
Books, Publications & Members	-	293	800	507	37%	-	(293)	779
Training	-	-	1,200	1,200	0%	1,100	1,100	1,504
	-	-	-	-	0%	-	-	-
Total Finance	20,394	207,028	389,500	182,472	53%	225,458	18,430	345,467
Regular Salaries & Wages	22,305	149,604	187,500	37,896	80%	124,049	(25,556)	192,688
FICA Taxes	1,671	11,268	14,400	3,132	78%	9,363	(1,906)	14,477
Retirement Contributions	2,502	18,765	19,700	935	95%	10,691	(8,074)	17,071
Group Insurance	5,073	40,170	37,300	(2,870)	108%	21,178	(18,992)	31,074
Worker's Compensation	-	1,075	2,300	1,225	47%	492	(583)	1,644
Unemployment Compensation	43	643	600	(43)	107%	534	(108)	811
Land Development Code	-	44,329	40,000	(4,329)	111%	68,985	24,656	130,680
Comp Plan/Land Dev Regulations	-	-	30,000	30,000	0%	16,830	16,830	16,830
Growth Model Svcs	-	-	10,000	10,000	0%	-	-	-
Development Svcs Manager	1,800	15,700	85,000	69,300	18%	22,517	6,817	50,817
Misc Professional Services	-	-	65,000	65,000	0%	210	210	210
Economic Development	-	27,500	60,000	32,500	46%	27,500	-	27,500
Travel & Per Diem	99	237	2,000	1,763	12%	-	(237)	-
Legal Notices-Plan & Zoning	-	3,861	6,000	2,139	64%	2,704	(1,157)	2,953
Books, Pub & Memberships	595	4,626	5,000	374	93%	4,269	(357)	4,329
Training	-	-	600	600	0%	50	50	218
	-	-	-	-	0%	-	-	-
	-	-	-	-	-	-	-	-
Total Development Services	34,088	317,778	565,400	247,622	56%	309,372	(8,406)	491,303
Cost Recovery-Wages	5,618	57,148	43,900	(13,248)	130%	10,986	(46,162)	25,904
Cost Recovery FICA Taxes	422	4,283	3,400	(883)	126%	829	(3,454)	1,950
Cost Recovery Worker's Comp	-	-	1,200	1,200	0%	-	-	-
Cost Recovery Unemploy Comp	-	-	300	300	0%	-	-	-
Cost Recovery Prof Services	270	9,029	-	(9,029)	100%	4,194	(4,835)	19,765
Planning & Zoning-Fixed Fee	28,780	198,840	350,000	151,160	57%	148,198	(50,643)	290,787
Filing Fees and Charges	-	-	-	-	0%	-	-	5,289
	-	-	-	-	0%	-	-	-
Planning, Zoning and Development Review Services	35,089	269,301	398,800	129,499	68%	164,208	(105,093)	343,695



Village of Estero

Budget Report-All Funds
For the Month Ending May 2021

	Current Month <u>Actual</u>	2020-2021 Year to Date <u>Actual</u>	2020-2021 #2 Bud Amend- Dec Budget	2020-2021 Budget <u>Variance</u>	2020-2021 Year to Date Percentage	2019-2020 Year to Date <u>Actual</u>	Year to Date Prior Year <u>Variance</u>	2019-2020 12 Months <u>Actual</u>
Special Magistrate Srvs	1,451	5,401	16,000	10,600	34%	7,263	1,862	8,913
Code Compliance Contract Srvs	12,082	83,478	154,000	70,522	54%	80,582	(2,896)	139,621
Other Chrges-Filing Fees	21	70	1,200	1,130	6%	299	229	311
	-	-	-	-	0%	-	-	-
<i>Total Code Compliance Services</i>	<u>13,553</u>	<u>88,949</u>	<u>171,200</u>	<u>82,251</u>	52%	<u>88,144</u>	<u>(805)</u>	<u>148,845</u>
Lee Cty Animal Control Srvs	24,762	24,762	38,000	13,239	65%	18,966	(5,796)	37,932
	-	-	-	-	-	-	-	-
<i>Total Animal Control</i>	<u>24,762</u>	<u>24,762</u>	<u>38,000</u>	<u>13,239</u>	65%	<u>18,966</u>	<u>(5,796)</u>	<u>37,932</u>
Flood Plain-Com Rating System	-	16,824	150,000	133,176	11%	19,798	2,974	27,031
NPDES Compliance	-	-	5,000	5,000	0%	930	930	983
Water Level & Quality Monitor	-	39,951	130,000	90,049	31%	12,687	(27,264)	57,467
Water & Sewer Expansion	-	-	257,400	257,400	0%	48,047	48,047	-
Miscellaneous Stormwater Maint	6,700	6,700	-	(6,700)	100%	-	(6,700)	-
Estero River Maintenance	-	250	30,000	29,750	1%	30,828	30,578	50,060
Miscellaneous Stormwater Maint	-	12,373	123,500	111,128	10%	-	(12,373)	51,150
Water Quality Joint Advocacy	-	5,000	5,000	-	100%	5,000	-	5,000
	-	-	-	-	0%	-	-	-
	-	-	-	-	0%	-	-	-
	-	-	-	-	-	-	-	-
<i>Total Public Works/ Physical Environment</i>	<u>6,700</u>	<u>81,097</u>	<u>700,900</u>	<u>619,803</u>	12%	<u>117,289</u>	<u>36,193</u>	<u>191,691</u>



Village of Estero

Budget Report-All Funds
For the Month Ending May 2021

	Current Month <u>Actual</u>	2020-2021 Year to Date <u>Actual</u>	2020-2021 #2 Bud Amend- Dec <u>Budget</u>	2020-2021 Budget <u>Variance</u>	2020-2021 Year to Date <u>Percentage</u>	2019-2020 Year to Date <u>Actual</u>	Year to Date Prior Year <u>Variance</u>	2019-2020 12 Months <u>Actual</u>
Public Works Wages	12,956	105,212	186,600	81,388	56%	101,532	(3,680)	167,086
FICA Taxes	947	7,692	14,300	6,608	54%	7,448	(245)	12,272
Retirement Contribution	1,006	8,188	13,400	5,212	61%	7,213	(976)	11,517
Group Insurance	2,803	25,874	35,200	9,326	74%	20,953	(4,922)	29,476
Worker's Compensation	-	1,699	5,100	3,401	33%	1,002	(696)	3,349
Unemployment Compensation	31	434	600	166	72%	536	102	808
Traffic Counts	5,310	11,560	16,500	4,940	70%	-	(11,560)	11,760
Coconut Traffic Study	-	-	-	-	0%	1,476	1,476	-
Village Traffic Study	-	-	-	-	0%	10,100	10,100	-
Misc Professional Services	5,948	65,786	50,000	(15,786)	132%	36,324	(29,462)	163,910
Misc Engineering Srvc	5,203	5,886	-	(5,886)	100%	6,813	927	-
Misc Construction Services	-	14,915	60,000	45,085	25%	-	(14,915)	78,531
Bridge Maintenance	-	-	10,000	10,000	0%	-	-	-
Handrail Maintenance	-	-	-	-	0%	2,600	2,600	-
Irrigation Maintenance	1,170	4,060	-	(4,060)	100%	12,359	8,299	13,619
Landscape Maintenance	-	2,020	138,600	136,580	1%	7,040	5,020	19,125
Minor Paving Services	-	-	-	-	0%	28,191	28,191	-
Mowing Maintenance	11,050	69,750	-	(69,750)	100%	53,230	(16,520)	101,230
Ditch Maintenance	-	-	-	-	0%	28,850	28,850	-
Street Light Maintenance	-	3,988	65,100	61,112	6%	19,855	15,867	25,862
Street Sweeping Services	1,400	10,120	22,000	11,880	46%	12,510	2,390	19,510
Traffic Sign Maintenance	-	1,849	-	(1,849)	100%	2,620	771	4,180
Traffic Signal Maintenance	-	16,868	5,000	(11,868)	337%	2,418	(14,450)	4,836
Right-of-Way Permit Review	400	9,185	15,000	5,815	61%	2,555	(6,630)	6,114
Railroad Maintenance	-	18,000	18,000	-	100%	18,000	-	18,000
Misc Landscape Projects	-	1,599	-	(1,599)	100%	7,640	6,041	-
Sandy Lane Bridge Maint/Access	-	18,890	-	(18,890)	100%	-	(18,890)	-
Resurf/Drainage-Poinciana Trail	-	51,857	103,870	52,013	50%	-	(51,857)	386,370
Road Maintenance	200	600	120,000	119,400	1%	-	(600)	-
US41 Traffic Signal Maint	-	-	30,000	30,000	0%	-	-	-
US41 Landscape Maint	-	-	22,900	22,900	0%	-	-	-
Travel	178	1,317	5,000	3,683	26%	2,271	954	4,066
Communications	44	296	500	204	59%	285	(10)	512
Utilities	3,922	31,889	35,270	3,381	90%	24,349	(7,540)	40,890
Equipment & Leases	212	1,666	2,500	834	67%	1,423	(243)	2,151
Street Light Insurance	-	6,429	16,500	10,072	39%	-	(6,429)	3,214
Operating Supplies	39	1,346	3,000	1,654	45%	1,536	191	1,603
Books, Publications & Members	-	210	1,500	1,290	14%	-	(210)	1,187
Training	-	427	2,000	1,573	21%	349	(78)	349
	-	-	-	-	-	-	-	-
<i>Total Public Works/ Transportation</i>	<u>52,820</u>	<u>499,613</u>	<u>998,440</u>	<u>498,827</u>	50%	<u>421,479</u>	<u>(78,134)</u>	<u>1,131,528</u>



Village of Estero

Budget Report-All Funds
For the Month Ending May 2021

	Current Month <u>Actual</u>	2020-2021 Year to Date <u>Actual</u>	2020-2021 #2 Bud Amend- Dec Budget	2020-2021 Budget <u>Variance</u>	2020-2021 Year to Date Percentage	2019-2020 Year to Date <u>Actual</u>	Year to Date Prior Year <u>Variance</u>	2019-2020 12 Months <u>Actual</u>
Webmaster Svcs & Maintenance	560	3,707	9,000	5,294	41%	4,810	1,104	8,030
Software Licensing	7,346	25,928	30,000	4,072	86%	19,587	(6,341)	32,575
Information Technology Svcs	11,280	73,273	125,000	51,727	59%	72,305	(969)	130,296
Tech Development Services	-	-	-	-	0%	8,525	8,525	8,525
Small tools & equipment	-	-	13,800	13,800	0%	-	-	-
Capital Outlay	-	-	10,000	10,000	0%	-	-	4,416
	-	-	-	-	0%	-	-	-
<i>Total Information Technology</i>	<i>19,186</i>	<i>102,908</i>	<i>187,800</i>	<i>84,892</i>	<i>55%</i>	<i>105,227</i>	<i>2,319</i>	<i>183,842</i>
Lee Cty Law Enforcement	384	3,264	10,000	6,736	33%	2,768	(496)	4,124
	-	-	-	-	-	-	-	-
<i>Total Law Enforcement/ Security</i>	<i>384</i>	<i>3,264</i>	<i>10,000</i>	<i>6,736</i>	<i>33%</i>	<i>2,768</i>	<i>(496)</i>	<i>4,124</i>
Parks Master Plan	-	-	-	-	0%	40,445	40,445	40,445
YMCA Operating Agreement	-	36,930	63,000	26,070	59%	-	(36,930)	26,750
Utilities	456	3,980	6,000	2,020	66%	2,211	(1,770)	5,668
Equipment Rent & Leases	-	559	1,100	541	51%	-	(559)	667
Repairs & Maint	-	2,350	20,000	17,651	12%	11,798	9,448	21,314
	-	-	-	-	0%	-	-	-
	-	-	-	-	0%	-	-	-
	-	-	-	-	-	-	-	-
<i>Total Parks & Recreation</i>	<i>456</i>	<i>43,819</i>	<i>90,100</i>	<i>46,281</i>	<i>49%</i>	<i>54,454</i>	<i>10,635</i>	<i>94,844</i>
Lobbying Services	2,500	17,500	30,000	12,500	58%	17,500	-	30,000
State Administrative Fees	526	6,372	9,500	3,128	67%	6,011	(361)	9,360
Tax Collector Fees	-	1,850	3,750	1,900	49%	1,818	(32)	1,818
Audio Visual Services	1,994	20,300	46,000	25,700	44%	15,289	(5,011)	26,136
Misc Contractual Svcs	-	-	250,000	250,000	0%	-	-	-
Communications	1,008	3,441	5,000	1,559	69%	2,428	(1,013)	4,251
Freight & Postage	268	1,559	3,500	1,941	45%	1,166	(393)	2,171
Utilities	1,337	16,278	17,500	1,222	93%	9,960	(6,318)	15,671
Equipment Rental & Leases	786	7,921	10,000	2,079	79%	6,159	(1,763)	9,433
Office Lease-Corkscrew Palms	19,104	152,758	257,400	104,642	59%	153,249	491	230,016
Insurance	-	33,083	78,700	45,617	42%	38,940	5,857	74,952
Repairs & Maintenance	1,080	9,574	20,000	10,426	48%	9,631	56	16,970
Printing	-	-	1,500	1,500	0%	146	146	146
Contingency	-	-	154,200	154,200	0%	-	-	-
Office Supplies	415	3,002	6,500	3,498	46%	2,879	(123)	4,214
Operating Supplies	1,364	28,069	11,000	(17,069)	255%	5,653	(22,416)	12,143
Books Pub & Membership	-	-	2,000	2,000	0%	-	-	141
Capital Outlay	-	350	-	(350)	100%	-	(350)	-
	-	-	-	-	100%	-	-	-
	-	-	-	-	-	-	-	-
<i>Total General Government</i>	<i>30,381</i>	<i>302,057</i>	<i>906,550</i>	<i>604,493</i>	<i>33%</i>	<i>270,828</i>	<i>(31,229)</i>	<i>437,421</i>



Village of Estero

Budget Report-All Funds
For the Month Ending May 2021

	Current Month Actual	2020-2021 Year to Date Actual	2020-2021 #2 Bud Amend- Dec Budget	2020-2021 Budget Variance	2020-2021 Year to Date Percentage	2019-2020 Year to Date Actual	Year to Date Prior Year Variance	2019-2020 12 Months Actual
Covid Contractual Expenditures	-	192,496	185,400	(7,096)	104%	-	(192,496)	-
Repair and Maintenance	660	4,350	-	(4,350)	100%	-	(4,350)	3,690
Covid Supplies	-	304,409	226,200	(78,209)	135%	-	(304,409)	499
Capital Outlay	-	-	-	-	0%	-	-	37,990
Total COVID	660	501,255	411,600	(89,655)	122%	-	(501,255)	42,179
Lee Cty Marine Patrol	1,088	2,176	43,860	41,684	5%	544	(1,632)	544
Total Lee County Marine Patrol	1,088	2,176	43,860	41,684	5%	544	(1,632)	544
IRMA-Professional Service	-	-	10,000	10,000	0%	-	-	-
IRMA Debris Removal	-	-	-	-	0%	69,504	69,504	69,504
	-	-	-	-	0%	-	-	-
	-	-	-	-	0%	-	-	-
	-	-	-	-	0%	-	-	-
Total Hurricane Irma	-	-	10,000	10,000	0%	69,504	69,504	69,504
Total Expenditures-General Fund	353,306	3,184,210	6,333,810	3,149,600	50%	2,564,311	(619,899)	4,643,959
Building Service Contract	78,920	565,993	954,100	388,107	59%	554,088	(11,905)	953,569
Laserfiche Software	(2,111)	6,104	8,100	1,996	75%	8,088	1,985	8,088
Building IT Contract Services	480	3,117	5,300	2,183	59%	3,076	(41)	5,542
Inkforce Software	1,275	8,925	15,300	6,375	58%	8,925	-	15,300
Communications	118	972	1,400	428	69%	790	(182)	1,405
Freight & Postage	72	446	600	154	74%	352	(94)	636
Utilities	229	1,621	3,000	1,379	54%	1,891	270	2,970
Equipment Lease	652	6,536	9,800	3,264	67%	5,985	(551)	9,270
Office Lease-Corkscrew Palms	3,913	31,288	52,800	21,512	59%	31,388	101	47,112
Repairs & Maintenance	189	1,322	3,800	2,478	35%	1,579	257	2,479
Credit Card Fees	2,382	20,498	27,800	7,302	74%	18,967	(1,531)	30,161
Office Supplies	77	1,518	3,000	1,482	51%	2,069	550	2,829
Operating Supplies	-	70	4,800	4,730	1%	3,488	3,418	3,618
	-	-	-	-	0%	-	-	-
Total Expenditures-Building Fee Fund	86,196	648,410	1,089,800	441,390	59%	640,685	(7,725)	1,082,979
Principal Payments	-	670,459	670,460	1	100%	644,610	(25,849)	1,641,295
Interest Expense	-	720,613	745,340	24,727	97%	770,587	49,974	770,587
	-	-	-	-	0%	-	-	-
Total Expenditures-Debt Service	-	1,391,072	1,415,800	24,728	98%	1,415,197	24,125	2,411,882



Village of Estero

Budget Report-All Funds
For the Month Ending May 2021

	Current Month <u>Actual</u>	2020-2021 Year to Date <u>Actual</u>	2020-2021 #2 Bud Amend- Dec <u>Budget</u>	2020-2021 Budget <u>Variance</u>	2020-2021 Year to Date <u>Percentage</u>	2019-2020 Year to Date <u>Actual</u>	2019-2020 Year to Date <u>Variance</u>	2019-2020 12 Months <u>Actual</u>
Estero Parkway Improvements	69,860	3,559,951	3,186,560	(373,391)	112%	1,456,965	(2,102,986)	4,688,942
River Ranch Rd Improvements	-	47,553	310,000	262,448	15%	45,521	(2,031)	145,702
Corkscrew Rd Widening	4,490	23,105	300,000	276,895	8%	-	(23,105)	32,507
Via Coconut Pt Street Lights	-	-	205,200	205,200	0%	-	-	-
Williams Rd Street Lights	-	-	57,000	57,000	0%	-	-	-
River Ranch Rd Street Lights	-	-	30,500	30,500	0%	-	-	-
Broadway Ave East Street Light	-	-	12,900	12,900	0%	-	-	-
Sandy Lane Street Lights	-	-	28,600	28,600	0%	-	-	-
	-	-	-	-	0%	-	-	-
<i>Total Roadway Projects</i>	<u>74,350</u>	<u>3,630,609</u>	<u>4,130,760</u>	<u>500,151</u>	<u>88%</u>	<u>1,502,486</u>	<u>(2,128,123)</u>	<u>4,867,151</u>
US41-Pelican Sound Inte Improv	-	-	132,000	132,000	0%	-	-	-
Corkscrew Rd Signal-Puente Ln	1,155,138	1,155,418	1,634,950	479,532	71%	46,428	(1,108,989)	76,847
Williams Rd Intersection Impro	-	-	300,000	300,000	0%	33,353	33,353	33,353
Williams Rd High School Turn	-	83,791	-	(83,791)	100%	3,744	(80,047)	423,462
Coconut Rd Improvements	-	-	117,000	117,000	0%	-	-	29,441
	-	-	-	-	-	-	-	-
<i>Total Intersection Improve Proj</i>	<u>1,155,138</u>	<u>1,239,208</u>	<u>2,183,950</u>	<u>944,742</u>	<u>57%</u>	<u>83,526</u>	<u>(1,155,683)</u>	<u>563,103</u>
Coconut Rd Crosswalks	4,019	66,316	150,000	83,684	44%	40,695	(25,621)	41,978
Williams Rd Bike/Sidewalks	-	4,050	150,000	145,950	3%	-	(4,050)	-
Intersect Safety Improv Study	-	-	110,000	110,000	0%	-	-	-
Sandy Ln Bike-Ped Improv	-	-	438,780	438,780	0%	-	-	-
Broadway E Shared Use Path	-	-	245,700	245,700	0%	-	-	-
Broadway W Bus Stop Improv	2,088	10,571	-	(10,571)	100%	-	(10,571)	2,650
<i>Total Bicycle & Ped Improv Proj</i>	<u>6,106</u>	<u>80,937</u>	<u>1,094,480</u>	<u>1,013,543</u>	<u>7%</u>	<u>40,695</u>	<u>(40,242)</u>	<u>44,628</u>
US 41 FDOT Landscape	-	-	199,600	199,600	0%	-	-	-
US 41 Landscaping Enhancement	3,656	31,632	114,790	83,158	28%	779,991	748,359	800,988
Corkscrew Rd Landscape	-	5,400	-	(5,400)	100%	-	(5,400)	-
Monument Sign/Branding	-	-	-	-	0%	9,279	9,279	9,279
US 41 Monument Signs	-	-	156,000	156,000	0%	-	-	-
Three Oaks Prkwy Monument Signs	-	-	156,000	156,000	0%	-	-	-
Via Coconut Pt Landscap Improv	-	3,500	276,000	272,500	1%	54,200	50,700	62,390
Ben Hill Grifl Pkwy Landsc Imp	-	8,967	130,000	121,033	7%	-	(8,967)	-
I-75 Interchange Landscaping	-	-	60,000	60,000	0%	-	-	-
Williams Rd Landscape Improv	-	-	143,000	143,000	0%	-	-	-
<i>Total Landscaping & Beauti Proj</i>	<u>3,656</u>	<u>49,499</u>	<u>1,235,390</u>	<u>1,185,891</u>	<u>4%</u>	<u>843,470</u>	<u>793,971</u>	<u>872,657</u>
Estero on River Master Plan	6,985	24,310	252,000	227,690	10%	-	(24,310)	24,750
Estero Com Prk Master Plan	-	-	150,000	150,000	0%	-	-	-
Estero Com Prk Expansion	-	-	738,000	738,000	0%	-	-	-
<i>Total Parks & Recreation Proj</i>	<u>6,985</u>	<u>24,310</u>	<u>1,140,000</u>	<u>1,115,690</u>	<u>2%</u>	<u>-</u>	<u>(24,310)</u>	<u>24,750</u>
Villages of Country Crk Bypass	-	-	192,000	192,000	0%	-	-	-
Dry Crk Bed Sediment Removal	-	-	150,000	150,000	0%	-	-	-
Estero Rvr Sediment Removal	-	-	30,000	30,000	0%	-	-	-
<i>Total Stormwater Projects</i>	<u>-</u>	<u>-</u>	<u>372,000</u>	<u>372,000</u>	<u>0%</u>	<u>-</u>	<u>-</u>	<u>-</u>



Village of Estero

Budget Report-All Funds
For the Month Ending May 2021

	Current Month <u>Actual</u>	2020-2021 Year to Date <u>Actual</u>	2020-2021 #2 Bud Amend- Dec Budget	2020-2021 Budget <u>Variance</u>	2020-2021 Year to Date Percentage	2019-2020 Year to Date <u>Actual</u>	Year to Date Prior Year <u>Variance</u>	2019-2020 12 Months <u>Actual</u>
Land Purchase-Estero on River	-	-	-	-	0%	-	-	8,500
Williams Road Property-Church	-	-	-	-	0%	-	-	3,012,288
<i>Total Land Acquisitions</i>	-	-	-	-	0%	-	-	3,020,788
<i>Total Expenditures-Capital Project Fund</i>	1,246,235	5,024,563	10,156,580	5,132,017	49%	2,470,176	(2,554,387)	9,393,076
<i>Total Expenditures-All Funds</i>	1,685,737	10,248,255	18,995,990	8,747,735	54%	7,090,369	(3,157,886)	17,531,896
Gen Fd Trans to Debt Service	-	2,515,197	2,515,800	603	100%	2,515,197	-	2,515,197
Gen Fd Trans to Cap Projects	1,171,885	2,289,680	3,837,010	1,547,330	60%	2,470,176	180,496	5,162,053
Debt Serv Trans toCap Projects	-	-	-	-	0%	-	-	1,000,000
CIP Tran from Gas Tax-300-000	-	(83,791)	(570,000)	(486,209)	15%	-	83,791	(456,815)
CIP Tran from RdImp 300-990	(4,490)	(74,708)	(1,744,480)	(1,669,773)	4%	-	74,708	(32,507)
CIP Tran from ComPrkIF 300-991	-	-	(118,700)	(118,700)	0%	-	-	(868,700)
CIP Tran from RegPrkIF 300-992	-	-	-	-	0%	-	-	(862,556)
CIP Tran from PubLand- 300-994	-	-	-	-	0%	-	-	(281,032)
CIP Tran from Park IF 300-995	-	-	(581,300)	(581,300)	0%	-	-	-
Gas Tax Trans to CIP-300-266	-	83,791	570,000	486,209	15%	-	(83,791)	456,815
Rd Imp Fee Trans toCIP-300-990	4,490	74,708	1,744,480	1,669,773	4%	-	(74,708)	32,507
ComPrk Imp Fee Tran to CIP-991	-	-	118,700	118,700	0%	-	-	868,700
RegPrk Imp Fee Tran to CIP-992	-	-	-	-	0%	-	-	862,556
PubLand BonusDen TrantoCIP-994	-	-	-	-	0%	-	-	281,032
Park Imp Fee Tran to CIP-995	-	-	581,300	581,300	0%	-	-	-
<i>Total Expenditures and Other Financing Uses-All Funds</i>	<u>2,857,622</u>	<u>15,053,132</u>	<u>25,348,800</u>	<u>10,295,668</u>	59%	<u>12,075,742</u>	<u>(2,977,390)</u>	<u>26,209,146</u>
<i>Excess Revenue over Expenditures</i>	<u>1,539,907</u>	<u>3,736,190</u>	<u>(1,779,660)</u>	<u>5,515,850</u>		<u>4,583,413</u>	<u>(847,223)</u>	<u>203,433</u>
Estimated Prior Year Surplus		36,251,537	32,634,850	3,616,687		36,048,104	203,433	36,048,104
<i>Fund Balance</i>		<u>39,987,727</u>	<u>30,855,190</u>	<u>9,132,537</u>		<u>40,631,517</u>	<u>(643,790)</u>	<u>36,251,537</u>



Village of Estero
Budget Report-All Funds
For the Month Ending May 2021

	Current Month <u>Actual</u>	2020-2021 Year to Date <u>Actual</u>	2020-2021 #2 Bud Amend- Dec Budget	2020-2021 Budget <u>Variance</u>	2020-2021 Year to Date Percentage	2019-2020 Year to Date <u>Actual</u>	Year to Date Prior Year <u>Variance</u>	2019-2020 12 Months <u>Actual</u>
General Fund								
Revenues	819,379	10,273,311	11,974,940	(1,701,629)	86%	9,509,656	763,655	12,886,737
Expenditures	353,306	3,184,210	6,333,810	3,149,600	50%	2,564,311	(619,899)	4,643,959
Operating Excess (deficit)	466,073	7,089,102	5,641,130	1,447,972		6,945,346	143,756	8,242,778
Transfers out to Debt Service	-	(2,515,197)	(2,515,800)	603	100%	(2,515,197)	-	(2,515,197)
Transfers out to Capital Projects	(1,171,885)	(2,289,680)	(3,837,010)	1,547,330	60%	(2,470,176)	180,496	(5,162,053)
	<u>(705,812)</u>	<u>2,284,224</u>	<u>(711,680)</u>	<u>2,995,904</u>		<u>1,959,972</u>	<u>324,252</u>	<u>565,528</u>
Building Fee Fund								
Revenues	65,628	610,657	998,300	(387,643)	61%	796,692	(186,035)	1,182,493
Expenditures	86,196	648,410	1,089,800	441,390	59%	640,685	(7,725)	1,082,979
Operating Excess (deficit)	<u>(20,568)</u>	<u>(37,753)</u>	<u>(91,500)</u>	<u>53,747</u>		<u>156,007</u>	<u>(193,760)</u>	<u>99,514</u>
Debt Service Fund								
Revenues	102	708	10,000	(9,292)	7%	37,717	(37,009)	1,035,330
Expenditures	-	1,391,072	1,415,800	24,728	98%	1,415,197	24,125	2,411,882
Operating Excess (deficit)	102	(1,390,365)	(1,405,800)	15,435		(1,377,481)	(12,884)	(1,376,553)
Debt Service Proceeds	-	-	-	-	0%	-	-	-
Transfers in from General Fund	-	2,515,197	2,515,800	(603)	100%	2,515,197	-	2,515,197
Transfers out to Capital Projects	-	-	-	-	0%	-	-	(1,000,000)
	<u>102</u>	<u>1,124,833</u>	<u>1,110,000</u>	<u>14,833</u>		<u>1,137,717</u>	<u>(12,884)</u>	<u>138,645</u>
Capital Projects Fund								
Revenues	2,340,534	3,099,769	4,233,090	(1,133,321)	73%	1,329,717	1,770,052	2,630,770
Expenditures	1,246,235	5,024,563	10,156,580	5,132,017	49%	2,470,176	(2,554,387)	9,393,076
Operating Excess (deficit)	1,094,299	(1,924,794)	(5,923,490)	3,998,696		(1,140,459)	(784,335)	(6,762,306)
Transfers in from Other Funds	1,171,885	2,289,680	3,837,010	(1,547,330)	60%	2,470,176	(180,496)	6,162,053
	<u>2,266,183</u>	<u>364,886</u>	<u>(2,086,480)</u>	<u>2,451,366</u>		<u>1,329,717</u>	<u>(964,831)</u>	<u>(600,253)</u>



Village of Estero

Budget Report-All Funds
For the Month Ending May 2021

Reserved and Available Funds Report

General Fund Reserves	\$ 5,596,700
Litigation Defense Reserve	670,000
Major Road Maintenance Reserve	148,000
Debt Reduction	<u>5,304,032</u>
Total Reserved Funds	<u>\$ 11,718,732</u>

General Fund Capital Projects	\$ 15,789,985
Building Fee Fund	765,485
Gas Tax Capital Projects	1,610,504
Developer Contribution	332,763
Road Impact Fees	8,957,810
Community Park Impact Fees	107,702
Regional Park Impact Fees	-
Estero Park Entry Contribution	101,001
Park Imp Fees	460,622
Public Land Purchase	<u>143,123</u>
Total Available Funds	<u>\$ 28,268,995</u>

AGENDA ITEM SUMMARY SHEET
VILLAGE COUNCIL MEETING
July 7, 2021

Agenda Item:

Presentation of the Comprehensive Annual Financial Report for the Fiscal Year Ended September 30, 2020 by Jeff Tuscan, CPA, Tuscan & Company, PA.

Description:

In compliance with Florida Statutes 218.39, the Village's financial statements have been independently audited by Tuscan & Company, PA, a firm of licensed certified public accountants. The independent auditor has issued an unmodified ("clean") opinion on the Village's financial statements for the fiscal year ended September 30, 2020.

The report provides details of operations for the twelve (12) months ending September 30, 2020.

The audit report also includes the Government Financial Officers Association of the United States and Canada (GFOA) awarded a Certificate of Achievement for Excellence in Financial Reporting to the Village of Estero for fiscal year ended September 30, 2019. The Village has achieved this prestigious award each fiscal year since inception.

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

Action Requested:

Approve Comprehensive Annual Financial Report.

Financial Impact:

There is no financial impact of this report.

Attachments:

1. Comprehensive Annual Financial Report

Village of Estero, Florida

Comprehensive Annual Financial Report

For the Fiscal Year Ended September 30, 2020



Prepared by the Finance Staff



Village of Estero, Florida

Page intentionally left blank

**Village of Estero, Florida
Comprehensive Annual Financial Report
For the Fiscal Year Ended September 30, 2020**

Table of Contents

Introductory Section

Letter of Transmittal	iii
Governmental Financial Officer's Associate Certificate of Achievement	vii
Village Officials	viii
Organization Chart	ix

Financial Section

Independent Auditors' Report	2
Management's Discussion and Analysis	5

Basic Financial Statements

Government-Wide Financial Statements	
Statement of Net Position	16
Statement of Activities	17
Fund Financial Statements	
Balance Sheet – Governmental Funds	18
Reconciliation of the Balance sheet of Governmental Funds to the Statement of Net Position	19
Statement of Revenues, Expenditures and Changes in Fund Balances – Governmental Funds	20
Reconciliation of the Statement of Revenues, Expenditures, and Changes in Fund Balances of Governmental Funds to the Statement of Activities	21
Notes to the Financial Statements	23

Required Supplementary Information

Schedule of Revenues, Expenditures, and Changes in Fund Balance – Budget and Actual	
General Fund	46
Schedule of Revenues, Expenditures, and Changes in Fund Balance – Budget to Actual	
Building Fund	47
Notes to Required Supplementary Information	48
Schedule of Changes in the Net OPEB Liability and Related Ratios and Notes to Schedule	49

Individual Fund Financial Schedules

Schedule of Revenues, Expenditures, and Changes in Fund Balances – Budget and Actual	
Capital Projects Fund	52
Debt Service Fund	53

Village of Estero, Florida

Table of Contents (Continued)

Statistical Section

Schedule 1 - Net Position by Component57

Schedule 2 – Changes in Net Position58

Schedule 3 – Fund Balances of Governmental Funds59

Schedule 4 – Changes in Fund Balances of Governmental Funds.....60

Schedule 5 – Assessed Value and Estimated Actual Value of Taxable Property61

Schedule 6 – Property Tax Rates – Direct and Overlapping Governments.....62

Schedule 7 – Principal Property Taxpayers63

Schedule 8 – Property Tax Levies and Collections64

Schedule 9 – Ratios of Outstanding Debt by Type.....65

Schedule 10 – Ratios of General Bonded Debt Outstanding66

Schedule 11 – Direct and Overlapping Governmental Activities Debt.....67

Schedule 12 – Legal Debt Margin Information68

Schedule 13 – Demographic and Economic Statistics.....69

Schedule 14 – Principal Employers70

Schedule 15 – Full-Time Equivalent Village Government Employees by Function.....71

Schedule 16 – Operating Indicators by Function.....72

Schedule 17 – Capital Asset Statistics by Function73

Compliance Section

Independent Auditors' Report on Internal Control Over Financial Reporting and on
Compliance and Other Matters Based on an Audit of Financial Statements Performed in
Accordance with *Government Auditing Standards*76

Independent Accountants' Report on Compliance with Section 218.45, Florida Statutes.....78

Independent Auditors' Report to Management79

Management’s Response to Independent Auditor’s Report to Management.....82

Impact Fee Affidavit83

Introductory Section



Page intentionally left blank



Joanne Ribble
District One

May 25, 2021

Larry Fiesel
District Two

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

Jon McLain
Vice Mayor
District Three

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

Katy Errington
Mayor
District Four

We are pleased to present to you the Comprehensive Annual Financial Report (CAFR) of the Village of Estero, Florida (Village) for the fiscal year ended September 30, 2020. Chapter 218.39 Florida Statutes requires that a complete set of financial statements be published within nine months of the fiscal year end. This report is published to fulfill that requirement.

Jim Boesch
District Five

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

Jim Ward
District Six

Jim Wilson
District Seven

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

Steve Sarkozy
Village Manager

Burt Saunders
Village Attorney

In compliance with the laws of the State of Florida, the Village's financial statements have been independently audited by Tuscan & Company, PA, a firm of licensed certified public accountants. The independent auditor has issued an unmodified ("clean") opinion on the Village's financial statements for the fiscal year ended September 30, 2020. The independent auditor's report is presented as the first component of the financial section of this report.

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

Profile of the Government

The Village, incorporated on December 31, 2014, is located in the southwest part of the State in Lee County. The Village currently occupies a land area of 30 square miles and serves a population of 32,412. The Village is empowered to levy a property tax on both real and personal properties located

within its boundaries. It also is empowered by State Statute to extend its corporate limits by annexation, which may occur periodically when deemed appropriate by the governing council.

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

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

Relevant Financial Policies

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

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

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

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

Economic condition and outlook

The continued construction of residential, multi-family and commercial property resulted in a 2.4% increase in taxable property values over the prior year. The median home value is projected to increase 10% over the next five years (Lee County Economic Development-Community Profile). The Village has benefitted by the construction of a new 150,000 square foot medical clinic developed by the Lee Health Medical System. In addition, Estero is the epicenter of new residential development with over 15,000 single family homes recently permitted and in various stages of construction on our outskirts. The entirety of this new construction views Estero as their home community. These new facilities are anticipated to provide significant employment opportunities as well as economic support for existing residential, commercial and retail properties. As a result, the Village’s taxable property values are predicted to increase for the next few fiscal years; however, growth may slow as the Village nears build-out of vacant land.

The COVID-19 pandemic impacted the local economy. The unemployment rate in 2020 for Lee County was 6.1% compared to 7.2% in Florida and 7.9% nationally (Labor Market Statistics, Local Area Unemployment Statistics Program).

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

Long-term financial planning

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

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

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

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

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

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

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

Awards and Acknowledgements

The Government Financial Officers Association of the United States and Canada (GFOA) awarded a Certificate of Achievement for Excellence in Financial Reporting to the Village of Estero for fiscal year ended September 30, 2019. The Village has achieved this prestigious award each fiscal year since inception. In order to be awarded a Certificate of Achievement, the Village must publish an easily readable and efficiently organized comprehensive annual financial report. This report must satisfy both generally accepted accounting principles and applicable legal requirements.

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

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

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

Respectfully submitted,



Steven R. Sarkozy
Village Manager



Government Finance Officers Association

Certificate of
Achievement
for Excellence
in Financial
Reporting

Presented to

**Village of Estero
Florida**

For its Comprehensive Annual
Financial Report
For the Fiscal Year Ended

September 30, 2019

Christopher P. Morill

Executive Director/CEO

Village of Estero, Florida

VILLAGE OFFICIALS

As of September 30, 2020



Mayor Bill Ribble, District 1

Vice-Mayor Katy Errington, District 4

Village Council

Howard Levitan, District 2

Jon McLain, District 3

Jim Boesch, District 5

Nick Batos, District 6

Jim Wilson, District 7

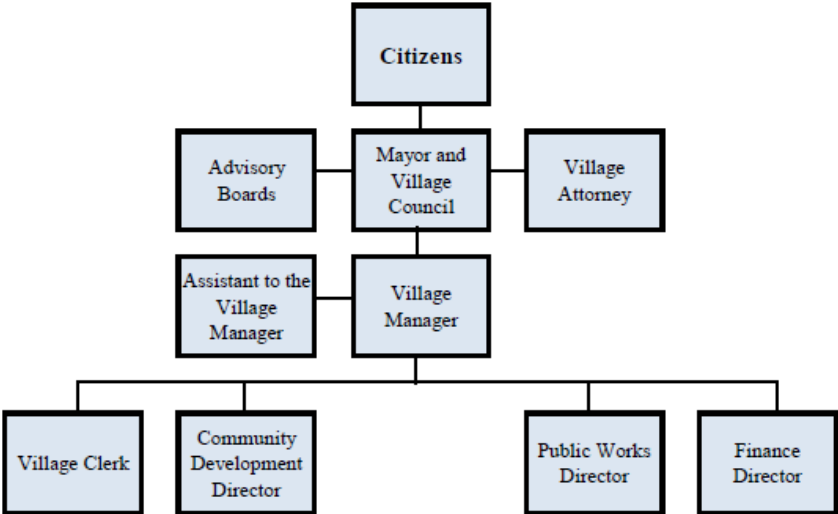
Village Administration

Steven R. Sarkozy, Village Manager

Burt L. Saunders, Village Attorney

Carol Sacco, Village Clerk

Village of Estero, Florida
Organizational Chart



Financial Section

Affiliations

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

INDEPENDENT AUDITOR'S REPORT

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

Report on the Financial Statements

We have audited the accompanying financial statements of the governmental activities and each major fund of the Village of Estero (the "Village") as of and for the year ended September 30, 2020, and the related notes to the financial statements, which collectively comprise the Village's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

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

Auditor's Responsibility

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States of America. Those Standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the Village's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Village's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Village Council
Village of Estero

Opinions

In our opinion, based on our audit, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities and each major fund of the Village of Estero as of September 30, 2020, and the respective changes in financial position, for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis (MD&A) on pages 5-14, budgetary comparison for the general fund and building fee fund on pages 46-48, and schedule of changes in the net OPEB liability and related ratios GASB 75 and notes to the schedule on page 49, as listed in the table of contents, be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board which considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information - management's discussion and analysis (MD&A) on pages 5-14, budgetary comparison for the general fund and building fee fund on pages 46-48, and schedule of changes in the net OPEB liability and related ratios GASB 75 and related notes to the schedule on page 49, as listed in the table of contents, in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the required supplementary information - management's discussion and analysis (MD&A) on pages 5-14, budgetary comparison for the general fund and building fee fund on pages 46-48, and schedule of changes in the net OPEB liability and related ratios GASB 75 and related notes to the schedule on page 49, as listed in the table of contents, because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Information

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

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

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

Village Council
Village of Estero

Our audit was conducted for the purpose of forming an opinion on the financial statements that collectively comprise the Village's basic financial statements. The Management's Response to Independent Auditor's Report to Management on page 82 and the Impact Fee Affidavit on page 83 are not a required part of the basic financial statements but are required by Government Auditing Standards and Rules of the Auditor General Section 10.557(3)(m), respectively. Such information has not been subjected to the auditing procedures applied in the audit of the basic financial statements and, accordingly, we do not express an opinion or provide any assurance on it.

Other Reporting Required by Section 218.415, Florida Statutes

In accordance with Section 218.415, Florida Statutes, we have also issued a report dated May 25, 2021, on our consideration of the Village of Estero's compliance with provisions of Section 218.415, Florida Statutes. The purpose of that report is to describe the scope of our testing of compliance and the results of that testing, and to provide an opinion on compliance with the aforementioned Statute. That report is an integral part of an audit performed in accordance with Sections 218.39 and 218.415, Florida Statutes in considering the Village of Estero's compliance with Section 218.415, Florida Statutes.

Other Reporting Required by Government Auditing Standards

In accordance with Government Auditing Standards, we have also issued our report dated May 25, 2021, on our consideration of the Village of Estero's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contract and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with Government Auditing Standards in considering the Village of Estero's internal control over financial reporting and compliance.



TUSCAN & COMPANY, P.A.
Fort Myers, Florida
May 25, 2021

Management's Discussion and Analysis

As management of the Village of Estero, Florida (the Village), we offer readers of the financial statements this narrative overview and analysis of the Village's financial activities for the fiscal year ended September 30, 2020. We encourage readers to consider the information presented here in conjunction with additional information that we have furnished in our letter of transmittal, which precedes the Management's Discussion and Analysis.

Financial Highlights

- At the close of fiscal year ended September 30, 2020 the Village's assets exceeded its liabilities, resulting in net position of \$75,035,485, all of which is related to governmental activities. Of this amount, \$24,724,400 represents unrestricted net position, which may be used to meet the government's ongoing obligations to citizens and creditors.
- Total net position of the Village's governmental activities increased \$10,152,918, or 15.6%.
- Total general and program revenues were \$18,664,000 and increased \$1,821,122.
- Total expenses were \$8,511,082 and increased \$724,943.
- The fund balance of the governmental funds increased by \$161,400.
- The governmental funds reported total ending fund balance of \$36,209,504 as of September 30, 2020 of which \$11,742,357 was restricted, \$15,201 was non-spendable, \$6,044,700 was committed, \$4,179,199 was assigned and \$14,228,047 was unassigned.
- At the end of the current fiscal year, unrestricted fund balance (the total of the committed, assigned, and unassigned components of fund balance) for the general fund was \$20,272,747, or 436.5% of total General Fund expenditures and 157.8% of total General Fund revenue.
- The Village's total long term debt had a net decrease of \$1,641,295.

Overview of the Financial Statements

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

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

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

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

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

The government-wide financial statements can be found on pages 16-17 of this report.

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

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

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

The Village has four (4) governmental funds, the General Fund, Building Fee Fund, Capital Projects Fund and the Debt Service Fund which are classified as major funds.

The basic governmental fund financial statements can be found on pages 18-21 of this report.

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

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

Government-wide Overall Financial Analysis

As noted earlier, over time net position may serve as a useful indicator of a government's financial position. In the case of the Village, assets exceeded liabilities by \$75,035,485 at the close as of September 30, 2020.

Village of Estero, Florida
Summary of Net Position

	Governmental Activities	
	2020	2019
<i>Assets:</i>		
Current and other assets	\$ 38,874,941	\$ 36,863,968
Capital assets	<u>56,635,996</u>	<u>48,320,592</u>
Total assets	95,510,937	85,184,560
<i>Liabilities:</i>		
Other liabilities	2,856,423	1,057,781
Long-term liabilities	<u>17,619,029</u>	<u>19,244,212</u>
Total liabilities	20,475,452	20,301,993
<i>Net position:</i>		
Investment in capital assets	38,568,728	29,089,008
Restricted	11,742,357	12,243,096
Unrestricted	<u>24,724,400</u>	<u>23,550,463</u>
Total net position	<u>\$ 75,035,485</u>	<u>\$ 64,882,567</u>

The largest portion of net position \$38,568,728 (51.4%) reflects investment in capital assets (e.g., land, buildings, improvements, machinery and equipment, furniture, and infrastructure), less any related debt to acquire those assets that are still outstanding. The Village uses these capital assets to provide services to citizens; consequently, these assets are not available for future spending. The increase in the investment in capital assets is primarily the result of construction in progress changes mostly on the Estero Parkway Improvement project and purchase of the Williams Road property and reduction in related debt.

The restricted net position amount of \$11,742,357 (15.6% of total net position) represents assets that are subject to external restrictions on how they are used. The remaining balance of unrestricted net position (\$24,724,400; 33.0% of total net position), may be used to meet the government's ongoing obligations to citizens and creditors.

At fiscal year ended September 2020, the Village is able to report positive balances in all three categories of net position. The same situation held true for the prior fiscal year.

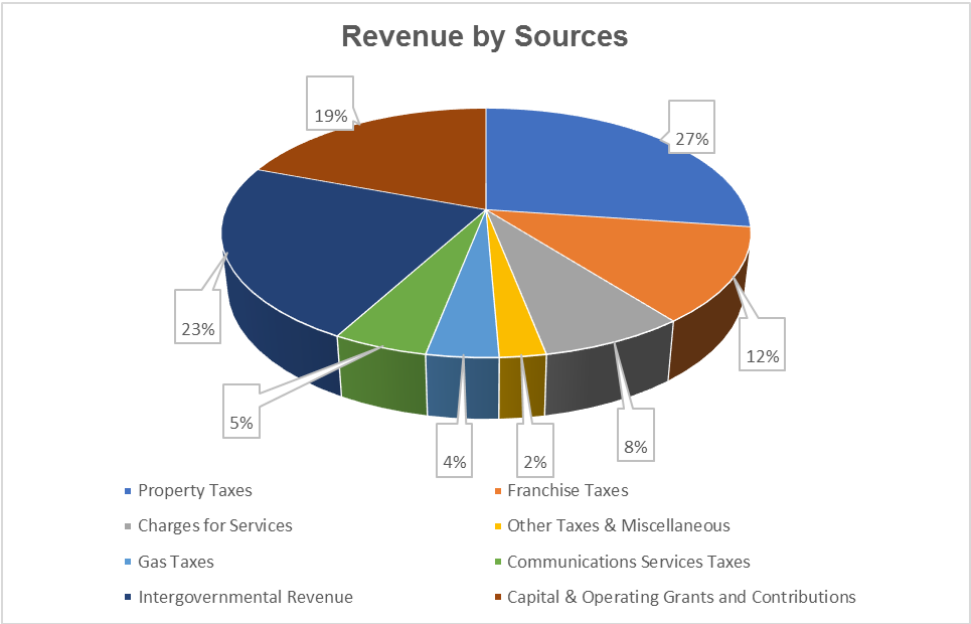
Governmental Activities. The governmental activities increased the Village's total assets by \$10,326,377, increased the Village's total liabilities by \$173,459, and increased the total net position by \$10,152,918. The increase in net position resulting from governmental activities is 15.6% in comparison to prior fiscal year. The increase in the governmental activities' net investment in capital assets is \$9,479,720, or 32.6%, in comparison prior fiscal year. The increases in assets is primarily the result of construction in progress changes mostly on the Estero Parkway Improvement project and purchase of the Williams Road property. The increase net position is primarily the result of revenues exceeding operating expenses.

The following schedule compares the key elements of the changes in net position for the primary government for the fiscal years ended September 30, 2020 and 2019:

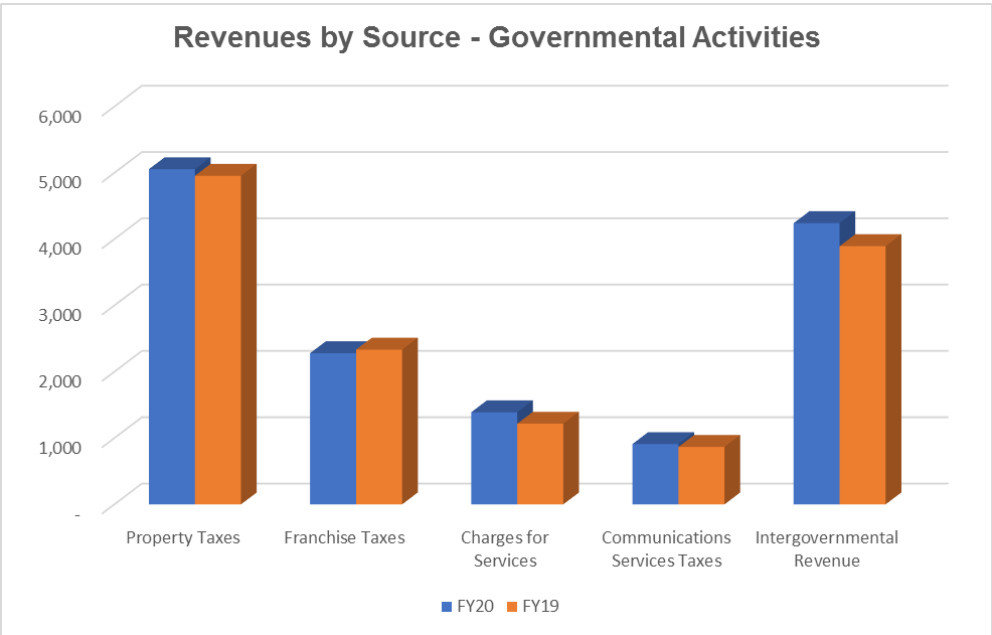
Village of Estero, Florida
Changes in Net Position

	Governmental Activities	
	2020	2019
<i>Revenues:</i>		
Program Revenues:		
Charges for services	\$ 1,389,221	\$ 1,216,668
Operating grants and contributions	212,849	176,336
Impact fees & other assessments	3,360,893	1,830,982
General Revenues:		
Property taxes, levied for general purposes	5,054,886	4,955,863
Gas taxes	686,769	759,317
Franchise taxes	2,280,032	2,333,614
Communications services taxes	909,318	866,260
Other taxes	19,624	23,047
Intergovernmental revenue	4,241,552	3,894,401
Investment earnings	319,602	680,027
Gain on sale of capital assets	86,685	-
Miscellaneous	102,569	106,363
Total revenues	18,664,000	16,842,878
<i>Expenses:</i>		
General government	3,203,219	3,401,752
Public safety	1,322,971	1,085,537
Physical environment	191,691	115,558
Transportation	2,904,122	2,412,108
Human services	37,932	33,879
Culture and recreation	88,794	129,032
Interest on long-term debt	762,353	608,273
Total expenses	8,511,082	7,786,139
Increase in net position	10,152,918	9,056,739
Net position - beginning	64,882,567	55,825,828
Net position - ending	<u>\$ 75,035,485</u>	<u>\$ 64,882,567</u>

The following is a chart of revenues by source for governmental activities with percent of total revenues for fiscal year ended September 30, 2020:



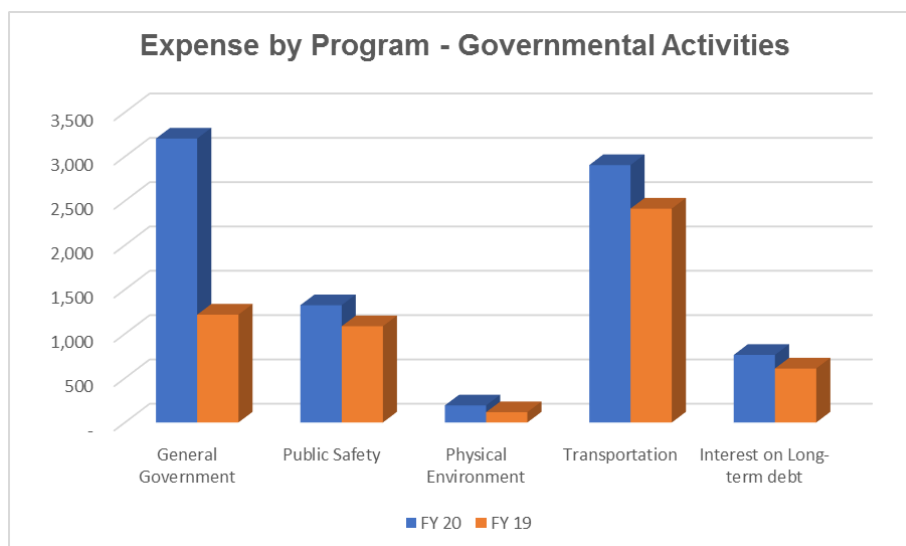
The following chart shows the significant revenues by source for governmental activities for fiscal year ended September 30, 2020 and 2019.



Revenues:

- *Charges for services* were higher in the current year as a result of an increase in code compliance and contractor license activity when compared to the prior year.
- *Impact fees and other assessments* increased in the current fiscal year as a result of an increase in new construction.
- *Intergovernmental revenues* were up in the current year as the Village received additional cost share revenue for US 41 landscape enhancement.

The following is a chart of expenses by program for governmental activities for fiscal year ended September 30, 2020 and 2019.

**Expenses:**

- *General government* expenses decreased \$198,533, 5.8%, primarily related to the decrease in legal fees related to a comprehensive plan legal challenge.
- *Public safety* increased \$237,434, 21.9%, as a result of additional personnel costs related to increased construction and permitting during the year.
- *Physical environment* increased \$76,133, 65.9%, as the result of the implementations of the storm water master plan additional storm water projects on the Estero River and additional water quality monitoring has been completed.

Financial Analysis of the Village's Governmental Funds

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

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

Governmental funds reported an ending fund balance of \$36,209,504. \$14,228,047 is unassigned fund balance which is available for spending at the Village's discretion, \$11,742,357 is legally restricted as to use, \$15,201 in non-spendable deposits, \$6,044,700 was committed and \$4,179,199 was assigned for reserves.

The total ending fund balance of governmental funds reflects the increase of \$161,400.

Major Governmental Funds

General Fund-The fund balance of the general fund had a net increase of \$523,495. Revenues of \$12,844,704 exceeded expenditures of \$4,643,959 which resulted in an excess of revenues over expenditures of \$8,200,745. However, transfers to capital projects were \$7,663,663 and \$13,587 to the debt service fund which resulted in a reduction in fund balance.

Transfers to capital projects included funding of \$4,688,942 for Estero Parkway improvements and \$3,012,288 for the purchase of the Williams Road Property.

Building Fee Fund-The fund balance of the building fee activity had a net increase of \$99,514 as revenues of \$1,182,493 exceeded the expenditures of \$1,082,979. In the current fiscal year, permit activity and related revenue for new construction was higher when compared to the prior year. The fund balance will be carried forward to provide funding for future inspections and investment in new software. The building fee funds are restricted for use on building code compliance.

Capital Projects Fund-The fund balance of the capital projects had a net decrease of \$600,253 as revenues of \$2,630,771 were exceeded by the expenditures of \$9,393,077 and the transfers in from the general fund and debt service fund of \$8,663,663 and transfers to the debt service fund of \$2,501,610. The capital projects fund balance is decreasing as planned in order to provide funding for current year capital projects. Also, the Estero Parkway and US 41 Landscape Improvements capital project timelines were underway in FY2020 for a total of \$4,688,942 and \$800,988 respectively. The capital project funds are restricted for use on road and park capital improvements and land acquisitions.

Debt Service Fund-The fund balance had a net increase of \$138,644 as transfers in for debt service, revenues, and proceeds from the sale of a capital asset of \$3,550,527 exceeded the expenditures and transfers out of \$3,411,883. The Debt is being reduced faster as part of the Villages debt reduction strategy. The current debt service level is approximately \$1.4 million annually and currently are contributing an additional \$1 million for principal reduction.

General Fund Budgetary Highlights

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

<u>Revenue source</u>	<u>Final budget</u>	<u>Actual revenues</u>	<u>Difference</u>
Communication services taxes	\$ 807,000	\$ 909,318	\$ 102,318
Franchise taxes	2,226,000	2,280,032	54,032

- *Communication services taxes* are driven directly by direct consumer choices and the Office of Economic & Demographic research estimates for communications service taxes (\$828,495) were also well below the actual revenues.
- *Franchise taxes* increase the result of conservative budgeting with estimating the franchise taxes collected at 97.5% of the full year's actual. Franchise taxes are based on actual usage of electrical and solid waste charges for the village.

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

<u>Expenditures</u>	<u>Final budget</u>	<u>Actual expenditures</u>	<u>Difference</u>
General government, non-departmental	\$ 2,616,513	\$ 2,129,952	\$ 486,561
General government, community development	1,104,900	834,998	269,902
Physical environment, non-departmental	305,000	191,691	113,309
Transportation, non-departmental	1,411,397	1,131,525	279,872

- *General government, non-departmental* services were less than budgeted amounts in various line items. Significant savings were noted in contractual services as projects were delayed as well as operating contingencies which were not needed for this fiscal year.
- *General government, community development* expenditures were lower than budgeted as professional services were lower than expected. This included reduced costs from the related to the completion of the comprehensive plan review and other miscellaneous fees.
- *Physical environment, non-departmental* services in the current fiscal year were less than budget primarily as the result of reduced expenses related to the river maintenance and drainage improvements.
- *Transportation, non-departmental* actual costs were less than budgeted with the largest savings being in lower landscape maintenance costs and stems from landscape projects being delayed in implementation.

Original Budget Compared to Final Budget-General Fund.

No significant differences were noted from the original budget as compared to the final general fund budget.

Capital Assets and Debt Administration

Capital Assets. Non-depreciable capital assets can include land, artwork, and construction in progress. Depreciable assets can include buildings, improvements other than buildings, machinery and equipment, and infrastructure. The following is a schedule of the Village's capital assets as of September 30, 2020 and 2019:

*Village of Estero, Florida***Capital Assets**

	Governmental Activities	
	2020	2019
Land	\$ 28,092,646	\$ 23,641,689
Buildings and building improvements	1,067,086	1,587,059
Machinery and equipment	158,285	158,285
Infrastructure	26,848,401	26,778,558
Construction in progress	<u>7,197,119</u>	<u>1,111,454</u>
Total capital assets	63,363,537	53,277,045
Accumulated depreciation	<u>(6,727,541)</u>	<u>(4,956,453)</u>
Total capital assets, net	<u>\$ 56,635,996</u>	<u>\$ 48,320,592</u>

Noteworthy capital asset transactions that took place in the current reporting period were as follows:

- *Land* includes purchase of \$3.2 million Williams Road property and a sale of a parcel of real estate on the Estero River.
- *Construction in Progress* includes \$3.5 million of project costs related to the improvements to Estero Parkway.

Additional information on the Village's capital assets can be found in Note 5 on page 35.

Debt Administration

As of September 30, 2020 and 2019, \$17,590,289 and \$19,231,584 were outstanding, respectively. Additional information on the Village's long-term debt can be found in Note 6 on page 36.

	Governmental Activities	
	2020	2019
Loan payable - direct borrowing	<u>\$ 17,590,289</u>	<u>\$ 19,231,584</u>

Economic Factors and Next Year's Budget Rates

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

- The Village has commenced the master planning process for Estero on the River. The Village is determining the use of this land through the Parks and Recreation Master Plan and public input.
- The Village has developed specific street lights improvements including the following areas: Sandy Lane St, Broadway Ave East, River Ranch Rd, Williams Rd, and Via Coconut Pt., Three Oaks Parkway, Corkscrew Road, and Coconut Road.
- Estero Parkway Improvements were underway which will include bike lanes, sidewalks and enhanced landscaping and will be completed in the next fiscal year.
- Bicycle and Pedestrian improvements are scheduled to begin for the Sandy Lane and Broadway in FY2020-21.
- The Village continues the improvements in stormwater and drainage issues which exist around the Village. Current projects include the Villages of Country Creek Bypass Swale and Dry Creek Bed Sediment Removal.
- The Village is committed to the "government-light" concept and has budgeted to continue using consultants or interlocal agreements for legal representation, permit issuance, planning and development review, law enforcement, physical environment and transportation expenditures.
- The Village had to monitor the effects of the unusual nature of the pandemic related issues and the measures undertaken to contain its spread continue to have significant effects on economic activity in the United States and in Florida related to Covid-19. This has caused close monitoring of anticipated revenues and property values for potential future adjustments. The Village will receive funding from the American Rescue Plan Act of 2021 to assist with the recovery and fund future infrastructure projects.

Request for information

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

Basic Financial Statements

Village of Estero, Florida
Statement of Net Position
September 30, 2020

	Governmental Activities
ASSETS	
Cash and cash equivalents	\$ 38,125,325
Investments	24,676
Receivables (net)	202,927
Due from other governments	429,666
Prepays	77,146
Deposits	15,201
Capital assets:	
Non-depreciable	35,289,765
Depreciable (net)	21,346,231
Total assets	<u>95,510,937</u>
LIABILITIES	
Accounts payable	2,157,006
Accrued liabilities	132,377
Accrued interest payable	310,166
Due to other governments	74,703
Customer deposits	182,171
Long-term liabilities:	
Due within one year	670,459
Due in more than one year	16,919,830
Total OPEB Liability	28,740
Total liabilities	<u>20,475,452</u>
NET POSITION	
Net investment in capital assets	38,568,728
Restricted for:	
Culture and recreation capital improvements	628,312
Highways and streets capital improvements	10,167,699
Parks and public land acquisition	143,107
Building code compliance	803,239
Unrestricted	24,724,400
Total net position	<u>\$ 75,035,485</u>

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

Village of Estero, Florida
Statement of Activities
For the Year Ended September 30, 2020

Functions/Programs	Expenses	Program Revenues		Net (Expense) Revenue and Changes in Net Position	
		Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions	Total Governmental Activities
Primary government:					
Governmental activities:					
General government	\$ 3,203,219	\$ 200,901	\$ -	\$ -	\$ (3,002,318)
Public safety	1,322,971	1,188,320	42,034	-	(92,617)
Physical environment	191,691	-	-	-	(191,691)
Transportation	2,904,122	-	170,815	1,229,213	(1,504,094)
Human services	37,932	-	-	-	(37,932)
Culture and recreation	88,794	-	-	2,131,680	2,042,886
Interest and closing cost	762,353	-	-	-	(762,353)
Total governmental activities	<u>\$ 8,511,082</u>	<u>\$ 1,389,221</u>	<u>\$ 212,849</u>	<u>\$ 3,360,893</u>	<u>\$ (3,548,119)</u>
General revenues:					
Taxes:					
Property, levied for general purposes				\$ 5,054,886	
Gas				686,769	
Franchise				2,280,032	
Communications services				909,318	
Local business				19,624	
Intergovernmental revenues, not restricted to specific programs				4,241,552	
Investment earnings				319,602	
Gain on sale of capital assets				86,685	
Miscellaneous				102,569	
Total general revenues				<u>13,701,037</u>	
Change in net position				10,152,918	
Net position - beginning				<u>64,882,567</u>	
Net position - ending				<u>\$ 75,035,485</u>	

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

Village of Estero, Florida

17

Village of Estero, Florida
Balance Sheet
Governmental Funds
September 30, 2020

	General	Special Revenue Building Fee	Capital Projects	Debt Service	Total Governmental Funds
ASSETS					
Cash and cash equivalents	\$ 21,901,196	\$ 894,958	\$ 11,153,387	\$ 4,175,784	\$ 38,125,325
Investments	14,077	-	7,252	3,347	24,676
Receivables (net)	202,661	15	183	68	202,927
Due from other governments	400,835	-	28,831	-	429,666
Deposits	<u>15,201</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>15,201</u>
Total assets	<u>\$ 22,533,970</u>	<u>\$ 894,973</u>	<u>\$ 11,189,653</u>	<u>\$ 4,179,199</u>	<u>\$ 38,797,795</u>
LIABILITIES AND DEFERRED INFLOWS OF RESOURCES					
Liabilities:					
Accounts payable	\$ 1,822,134	\$ 84,337	\$ 250,535	\$ -	\$ 2,157,006
Accrued liabilities	132,377	-	-	-	132,377
Due to other governments	67,306	7,397	-	-	74,703
Customer deposits	<u>182,171</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>182,171</u>
Total liabilities	<u>2,203,988</u>	<u>91,734</u>	<u>250,535</u>	<u>-</u>	<u>2,546,257</u>
Deferred Inflows of Resources					
Unavailable Revenue	<u>42,034</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>42,034</u>
Fund balances:					
Nonspendable:					
Deposits	15,201	-	-	-	15,201
Restricted for:					
Culture and recreation capital improvements	-	-	628,312	-	628,312
Highways and streets capital improvements	-	-	10,167,699	-	10,167,699
Parks and public land acquisition	-	-	143,107	-	143,107
Building code compliance	-	803,239	-	-	803,239
Committed to reserves	6,044,700	-	-	-	6,044,700
Assigned to:					
Debt reduction	-	-	-	4,179,199	4,179,199
Unassigned	<u>14,228,047</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>14,228,047</u>
Total fund balances	<u>20,287,948</u>	<u>803,239</u>	<u>10,939,118</u>	<u>4,179,199</u>	<u>36,209,504</u>
Total liabilities, deferred inflows of resources, and fund balances	<u>\$ 22,533,970</u>	<u>\$ 894,973</u>	<u>\$ 11,189,653</u>	<u>\$ 4,179,199</u>	<u>\$ 38,797,795</u>

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

*Village of Estero, Florida***Reconciliation of the Balance Sheet of Governmental Funds
to the Statement of Net Position**

September 30, 2020

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

Fund balances - total governmental funds		\$ 36,209,504
Prepaid expenditures for insurance and similar services extending over more than one accounting period are not allocated between or among accounting periods, but are accounted for as expenditures of the period of acquisition in the governmental funds		77,146
Amounts receivable from other governments are not available to pay for current period expenditures and are reported as unavailable revenues in the funds		42,034
Capital assets used in governmental activities are not financial		
Non-depreciable capital assets	\$ 35,289,765	
Depreciable capital assets	28,073,772	
Less accumulated depreciation	<u>(6,727,541)</u>	56,635,996
Accrued interest payable that will not be liquidated with current financial resources and, therefore, is not reported in the governmental funds		(310,166)
Long-term liabilities are not due and payable in the current period and, therefore, are not reported in the governmental funds		
Loan payable	(17,590,289)	
Total other postemployment benefit (OPEB) liability	<u>(28,740)</u>	<u>(17,619,029)</u>
Net position of governmental activities		<u>\$ 75,035,485</u>

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

Village of Estero, Florida

19

*Village of Estero, Florida***Statement of Revenues, Expenditures and Changes in Fund Balances****Governmental Funds**

For the Year Ended September 30, 2020

	General	Special Revenue Building Fee	Capital Projects	Debt Service	Total Governmental Funds
REVENUES					
Taxes					
Property	\$ 5,054,886	\$ -	\$ -	\$ -	\$ 5,054,886
Gas	496,117	-	361,467	-	857,584
Franchise	2,280,032	-	-	-	2,280,032
Communications services	909,318	-	-	-	909,318
Local business	19,624	-	-	-	19,624
Licenses, permits and assessments	7,958	1,179,442	-	-	1,187,400
Impact fees	-	-	1,432,917	-	1,432,917
Intergovernmental revenues	3,588,986	-	652,566	-	4,241,552
Charges for services	200,901	-	-	-	200,901
Fines and forfeitures	920	-	-	-	920
Investment earnings	183,392	3,051	94,514	38,645	319,602
Contributions from private sources	-	-	89,307	-	89,307
Miscellaneous					
Other income	102,570	-	-	-	102,570
Total revenues	<u>12,844,704</u>	<u>1,182,493</u>	<u>2,630,771</u>	<u>38,645</u>	<u>16,696,613</u>
EXPENDITURES					
Current					
General government	2,964,950	-	-	-	2,964,950
Public safety	223,017	1,082,979	-	-	1,305,996
Physical environment	191,691	-	-	-	191,691
Transportation	1,131,525	-	112,004	-	1,243,529
Human services	37,932	-	-	-	37,932
Culture and recreation	94,844	-	33,250	-	128,094
Capital outlay	-	-	9,247,823	-	9,247,823
Debt service					
Principal retirement	-	-	-	1,641,295	1,641,295
Interest	-	-	-	770,588	770,588
Issuance cost	-	-	-	-	-
Total expenditures	<u>4,643,959</u>	<u>1,082,979</u>	<u>9,393,077</u>	<u>2,411,883</u>	<u>17,531,898</u>
Excess (deficiency) of revenues over	<u>8,200,745</u>	<u>99,514</u>	<u>(6,762,306)</u>	<u>(2,373,238)</u>	<u>(835,285)</u>
OTHER FINANCING SOURCES (USES)					
Transfers in	-	-	8,663,663	2,515,197	11,178,860
Transfers out	(7,677,250)	-	(2,501,610)	(1,000,000)	(11,178,860)
Net proceeds from sale of capital asset	-	-	-	996,685	996,685
Total other financing sources (uses)	<u>(7,677,250)</u>	<u>-</u>	<u>6,162,053</u>	<u>2,511,882</u>	<u>996,685</u>
Net change in fund balances	523,495	99,514	(600,253)	138,644	161,400
Fund balances - beginning	<u>19,764,453</u>	<u>703,725</u>	<u>11,539,371</u>	<u>4,040,555</u>	<u>36,048,104</u>
Fund balances - ending	<u>\$ 20,287,948</u>	<u>\$ 803,239</u>	<u>\$ 10,939,118</u>	<u>\$ 4,179,199</u>	<u>\$ 36,209,504</u>

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

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

For the Year Ended September 30, 2020

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

Net change in fund balances - total governmental funds	\$ 161,400
--	------------

Governmental funds report capital outlays as expenditures. However, in the statement of activities the cost of these assets is allocated over their estimated useful lives and reported as depreciation expense. This is the amount by which expenditures for capital assets exceeded depreciation in the current period.

Expenditures for capital assets	\$ 9,247,823	
Contributed capital assets	1,838,669	
Net proceeds for disposal of capital assets	(996,685)	
Gain on disposition of capital assets	86,685	
Depreciation	<u>(1,861,088)</u>	8,315,404

The repayment of the principal of long-term debt consumes the current financial resources of the governmental funds but issuing debt increases long-term liabilities in the statement of net position. Repayments on bond principal is an expenditure in the governmental funds, but the repayment reduces long-term liabilities in the statement of net position.

Principal retirement	1,641,295
----------------------	-----------

Other postemployment benefit (OPEB) expenses reported in the statement of activities do not require the use of current financial resources and, therefore, are not reported as expenditures in governmental funds.	(16,112)
--	----------

Expenditures for insurance and similar services extending over more than one accounting period are not allocated between or among accounting periods in the governmental funds, but are accounted for as expenditures of the period of acquisition. This amount represents the increase in prepaids at September 30, 2020 from September 30, 2019.

662

Revenues in the statement of activities that do not provide current financial resources are not reported as revenues in the funds	42,034
---	--------

Interest on long-term debt in the statement of activities differs from the amount reported in the governmental funds because interest is recognized as an expenditure in the funds when it is due, and thus requires the use of current financial resources. In the statement of activities, however, interest expense is recognized as the interest accrues, regardless of when it is due. This amount represents the increase in accrued interest at September 30, 2020 from September 30, 2019.

<u>8,235</u>

Change in net position of governmental activities	<u>\$ 10,152,918</u>
---	----------------------

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

Village of Estero, Florida

21

Page intentionally left blank

Village of Estero, Florida
Notes to the Financial Statements
September 30, 2020

Note 1 Summary of Significant Accounting Policies24

Note 2 Cash31

Note 3 Investments31

Note 4 Receivables, Prepaids, and Accrued Liabilities34

Note 5 Capital Assets35

Note 6 Long-term Debt36

Note 7 Other Postemployment Benefits (OPEB)37

Note 8 Retirement Plans40

Note 9 Interfund Transfers41

Note 10 Risk Management41

Note 11 Operating Leases42

Note 12 Stewardship, Compliance and Accountability43

Note 13 Commitments and Contingencies43

*Village of Estero, Florida***Notes to the Financial Statements**

September 30, 2020

Note 1 - Summary of Significant Accounting Policies**Introduction**

The accounting and reporting framework and the more significant accounting principles and practices of the Village of Estero, Florida (“Village”) are discussed in subsequent sections of this note. The remainder of the notes are organized to provide explanations, including required disclosures, of the Village’s financial activities for the fiscal year ended September 30, 2020.

Reporting Entity

The Village was incorporated on December 31, 2014, pursuant to House Bill 1373 and amended on June 30, 2015 by House Bill 983. The Village operates under a Village Council-Manager form of government and consists of seven districts, each represented by an elected council member with each member elected-at-large. The Village Manager is hired by a majority vote of the Council. As of September 30, 2020, the Village of Estero has provided the following services to the Village residents: public works, streets and roads, building permit services, planning and zoning, code enforcement and general and administrative services.

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

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

(a) Government-wide and Fund Financial Statements

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

*Village of Estero, Florida***Notes to the Financial Statements**

September 30, 2020

Note 1 - Summary of Significant Accounting Policies (Continued)**(a) Government-wide and Fund Financial Statements (continued)**

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

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

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

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

Village of Estero, Florida
Notes to the Financial Statements
 September 30, 2020

Note 1 - Summary of Significant Accounting Policies (Continued)

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

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

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

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

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

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

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

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

Village of Estero, Florida
Notes to the Financial Statements
 September 30, 2020

Note 1 - Summary of Significant Accounting Policies (Continued)

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

Cash and Investments

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

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

1. The Local Government Surplus Trust Fund (LGSTF), or any intergovernmental investment pool authorized pursuant to the Florida Interlocal Cooperation Act of 1969, as provided in Florida Statute, Chapter 163.01,
2. Securities and Exchange Commission registered money market funds with the highest credit quality rating from a nationally recognized rating agency,
3. Interest-bearing time deposits or savings accounts in qualified public depositories, as defined in Florida Statutes, Chapter 280.02, and
4. Direct obligations of the United States Treasury.

Investments for the Village are reported at fair value.

Receivables

Receivables as of year end for the government's general fund are reported net of allowance for uncollectibles. As of September 30, 2020, the allowance for uncollectible receivables was \$0 as management believes all receivables to be fully collectible.

Prepays

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

Village of Estero, Florida
Notes to the Financial Statements
September 30, 2020

Note 1 - Summary of Significant Accounting Policies (Continued)

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

Capital Assets

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

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

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

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

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

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

Village of Estero, Florida
Notes to the Financial Statements
 September 30, 2020

Note 1 - Summary of Significant Accounting Policies (Continued)

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

Deferred Outflows/Inflows of Resources

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

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

Net Position Flow Assumption

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

Fund Balance Flow Assumption

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

Net Position/Fund Balances

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

The Village has adopted a fund balance policy which includes a minimum level of fund balance of four months of general fund operating expenditures. If the unassigned fund balance falls below the minimum level, the Village Manager will prepare and submit a plan for committed and/or assigned fund balance reduction, expenditure reductions and/or revenue increases to the Council. The Council shall take action necessary to restore the unassigned fund balance to acceptable levels within no more than two years. The Village was in compliance with the fund balance policy at September 30, 2020.

Village of Estero, Florida
Notes to the Financial Statements
September 30, 2020

Note 1 - Summary of Significant Accounting Policies (Continued)

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

Net Position/Fund Balances (Continued)

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

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

*Village of Estero, Florida***Notes to the Financial Statements**

September 30, 2020

Note 1 - Summary of Significant Accounting Policies (Continued)

(d) Revenues and expenditures/expense

Program Revenues

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

Estimates

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

Note 2 - Cash

As of September 30, 2020, the carrying amount of the Village's deposits was \$38,125,325, and the bank balance was \$38,267,053. The Village's deposits consist of demand deposit accounts. These demand deposits are held by a bank that qualifies as a public depository under the Public Depository Security Act of the State of Florida as required by Chapter 280. When public deposits are made in accordance with Chapter 280, no public depositor shall be liable for any loss thereof and, therefore, the Village is not exposed to custodial credit risk.

Note 3 - Investments

The Village has funds invested in the Florida Prime Surplus Funds Trust Fund, which is administered by the State Board of Administration (SBA). The SBA pool's investments are recorded at amortized cost and total \$24,676 and are available for immediate withdrawal.

(a) General Description

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

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

Village of Estero, Florida
Notes to the Financial Statements
 September 30, 2020

Note 3 - Investments (continued)

(b) Investment Policies

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

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

(c) Credit Quality Disclosure

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

(d) Interest Rate Risk Disclosure

The dollar weighted average days to maturity (WAM) of Florida Prime at September 30, 2020, is 48 days. Next interest rate reset dates for floating rate securities are used in the calculation of the WAM. The weighted average life (WAL) of Florida PRIME at September 30, 2020, is 63 days.

(e) Foreign Currency Risk Disclosure

Florida Prime was not exposed to any foreign currency risk during the period from October 1, 2019 through September 30, 2020.

(f) Securities Lending Disclosure

Florida Prime did not participate in a securities lending program in the period from October 1, 2019 through September 30, 2020.

*Village of Estero, Florida***Notes to the Financial Statements**

September 30, 2020

Note 3 - Investments (Continued)**(g) Limitations or Restrictions on Withdrawals Disclosure**

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

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

As of September 30, 2020, there were no redemption fees or maximum transaction amounts, or any other requirements that serve to limit a participant’s daily access to 100 percent of their account value.

(h) Financial Statements

The SBA will provide separate financial statements for Florida Prime for the fiscal year ended June 30, 2020, once the audit is complete. The SBA will not provide financial statements for Florida Prime for the period ending September 30, 2020.

Village of Estero, Florida
Notes to the Financial Statements
September 30, 2020

Note 4 - Receivables, Prepaids, and Accrued Liabilities

(a) Receivables

Receivables as of September 30, 2020 for the governmental funds in the aggregate, including the applicable allowances for uncollectible accounts are as follows:

	General	Building Fee	Capital Projects	Debt Service	Total Governmental Funds
<i>Receivables:</i>					
Accounts (gross)	\$ 202,661	\$ 15	\$ 183	\$ 68	\$ 202,927
Allowance for uncollectible receivable	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Net total receivables	<u>\$ 202,661</u>	<u>\$ 15</u>	<u>\$ 183</u>	<u>\$ 68</u>	<u>\$ 202,927</u>

(b) Prepaids

Prepaid assets for the Village total \$77,146 at September 30, 2020.

(c) Accrued Liabilities

Accrued liabilities as of September 30, 2020 are as follows:

	General
<i>Accrued liabilities:</i>	
Wages, benefits and taxes	\$ 33,526
Construction bond deposit	<u>98,851</u>
Total accrued liabilities	<u>\$ 132,377</u>

(d) Customer Deposits

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

Customer deposits as of September 30, 2020 total \$182,171.

Village of Estero, Florida
Notes to the Financial Statements
September 30, 2020

Note 5 - Capital Assets

Capital asset activity for the year ended September 30, 2020 is as follows:

	<u>Beginning Balance</u>	<u>Increases</u>	<u>Decreases</u>	<u>Transfers/ Reclassifications</u>	<u>Ending Balance</u>
<i>Governmental Activities:</i>					
Capital assets not being depreciated:					
Land	\$ 23,641,689	\$ 4,850,957	\$ (400,000)	\$ -	\$ 28,092,646
Construction in progress	<u>1,111,454</u>	<u>6,235,535</u>	<u>-</u>	<u>(149,870)</u>	<u>7,197,119</u>
Total capital assets not being depreciated	24,753,143	11,086,492	(400,000)	(149,870)	35,289,765
Capital assets being depreciated:					
Buildings and building improvements	1,587,059	-	(600,000)	80,027	1,067,086
Machinery and equipment	158,285	-	-	-	158,285
Infrastructure	<u>26,778,558</u>	<u>-</u>	<u>-</u>	<u>69,843</u>	<u>26,848,401</u>
Total capital assets being depreciated	<u>28,523,902</u>	<u>-</u>	<u>(600,000)</u>	<u>149,870</u>	<u>28,073,772</u>
Less accumulated depreciation for:					
Buildings and building improvements	406,035	209,081	(90,000)	-	525,116
Machinery and equipment	86,384	25,801	-	-	112,185
Infrastructure	<u>4,464,034</u>	<u>1,626,206</u>	<u>-</u>	<u>-</u>	<u>6,090,240</u>
Total accumulated depreciation	<u>4,956,453</u>	<u>1,861,088</u>	<u>(90,000)</u>	<u>-</u>	<u>6,727,541</u>
Total capital assets being depreciated, net	<u>23,567,449</u>	<u>(1,861,088)</u>	<u>(510,000)</u>	<u>149,870</u>	<u>21,346,231</u>
Total governmental activities capital assets, net	<u>\$ 48,320,592</u>	<u>\$ 9,225,404</u>	<u>\$ (910,000)</u>	<u>\$ -</u>	<u>\$ 56,635,996</u>

Depreciation expense was charged to functions/programs of the primary government as follows:

	<u>General</u>
General government	\$ 211,786
Public safety	20,308
Transportation	<u>1,628,994</u>
Total depreciation expense-governmental activities	<u>\$ 1,861,088</u>

During the year end September 30, 2020, the Village sold excess land and buildings for net proceeds in the amount of \$996,685. The proceeds from the sale were used to make an additional principal payment on the related debt in accordance with the debt agreement.

*Village of Estero, Florida***Notes to the Financial Statements**

September 30, 2020

Note 6 - Long-term Debt

The Village entered into a loan agreement providing a taxable revenue note of \$20,000,000 on January 14, 2019 with Capital Bank which later converted to First Horizon Bank. The loan is collateralized by any legally available non-ad valorem revenues. The debt service has historically been funded by the General Fund and paid from the Debt Service Fund. Interest payments are due on November 1 and May 1. Principal payments are due annually on May 1. Interest rate is 4.01%. The final payment is due May 1, 2029.

The Village's debt proceeds were used to finance the acquisition of 62 acres of real estate along the Estero River.

The Village's loan agreement establishes certain covenants and representations including the security for the loan repayment, financial recordkeeping, payment of taxes and assessments, compliance with laws and financial reporting and contain a provision that in an event of default, outstanding amounts become immediately due if the Village is unable to make payment. Management believes the Village is in compliance with all significant covenants at September 30, 2020.

The annual debt service requirements to maturity for the direct borrowing as of September 30, 2020 are as follows:

Year Ending September 30	Governmental Activities		
	Notes from Direct Borrowing		
	Principal	Interest	Total
2021	\$ 670,459	\$ 721,690	\$ 1,392,149
2022	697,344	678,485	1,375,829
2023	725,308	650,522	1,375,830
2024	754,392	621,437	1,375,829
2025	784,644	591,186	1,375,830
2026-2029	<u>13,958,142</u>	<u>2,037,229</u>	<u>15,995,371</u>
	<u>\$ 17,590,289</u>	<u>\$ 5,300,549</u>	<u>\$ 22,890,838</u>

The changes in long-term debt during fiscal year ended September 30, 2020 are as follows:

	Beginning Balance	Additions	Deletions	Ending Balance	Due Within One Year
Governmental Activities					
Notes payable - direct borrowing	<u>\$ 19,231,584</u>	<u>\$ -</u>	<u>\$ (1,641,295)</u>	<u>\$ 17,590,289</u>	<u>\$ 670,459</u>
Total Governmental Activities	<u>\$ 19,231,584</u>	<u>\$ -</u>	<u>\$ (1,641,295)</u>	<u>\$ 17,590,289</u>	<u>\$ 670,459</u>

Interest expenditures for the year ended September 30, 2020 were \$770,588.

Village of Estero, Florida
Notes to the Financial Statements
 September 30, 2020

Note 7 - Other Postemployment Benefits (OPEB)

General Information about the OPEB Plan

Plan Description. The Village administers a single-employer defined benefit plan (the “Plan”) that provides the opportunity to obtain health insurance to its retired full-time employees and their dependents upon reaching the normal retirement age of 70.5. Pursuant to the provisions of section 112.0801, Florida Statutes, former employees and eligible dependents who retire from the Village may continue to participate in the Village’s fully insured health and hospitalization plan for medical and prescription drug coverage. No assets are accumulated in a trust or otherwise that meets the criteria in paragraph 4 of GASB Statement No. 75.

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

Employees covered by benefits terms. The Village has 8 full-time active employees with 6 currently covered by the benefit terms, no inactive employees currently receive benefits and no inactive employees are entitled to receive benefits.

The Village has elected to use the alternative measurement method and engaged an actuary to determine the liability using the alternative measurement method for postemployment healthcare benefits other than pensions as of September 30, 2020 which was the fifth year healthcare benefits were provided to employees.

Funding Policy. The Village OPEB benefits are unfunded and recorded on the “pay as you go” basis. As of September 30, 2020, there are no retirees receiving this benefit, and with the availability of more cost effective health insurance plans, it is not anticipated that there will be future participation that would be a material cost to the Village. This liability, which is no longer considered a likely cost, is not being funded by the Village. Therefore, the Plan does not issue a publicly available financial report and all required disclosures are presented herein.

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

The Village’s total OPEB liability of \$28,740 was measured as of September 30, 2020 and was determined by an actuarial valuation as of that date. The change in the OPEB liability was an increase of \$16,112 which was recognized during the fiscal year ended September 30, 2020.

Village of Estero, Florida
Notes to the Financial Statements
September 30, 2020

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

Total OPEB Liability

Actuarial Methods and Assumptions. The total OPEB liability in the September 30, 2020 actuarial valuation was determined using the following actuarial assumptions and other inputs were applied to all periods included in the measurement:

Measurement Date	September 30, 2020
Inflation	2.6%
Salary increases (payroll growth)	3.25%
Discount rate	2.41% (2020) 3.58% (2019)
Health care trend rates	8.0% for 2020; decreasing 0.5% per year to an ultimate rate of 4.5% for 2028 and later years
Retirees' share of benefit-related cost	100%

The discount rate was based upon a yield for 20-year tax-exempt general obligation municipal bonds with average rating of AA/Aa or higher.

The actuarial assumptions used in the September 30, 2020 valuation represent a reasonable long-term expectation of future OPEB outcomes. As national economic and Village experience change over time, the assumptions will be tested for ongoing reasonableness and, if necessary, updated.

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

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

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

Village of Estero, Florida
Notes to the Financial Statements
September 30, 2020

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

Changes in the total OPEB liability.

	<u>Amounts</u>
Total OPEB liability at beginning of year	\$ 12,628
Changes for the year:	
Service cost	1,653
Interest	511
Changes in assumptions and other inputs	6,566
Difference between expected and actual experience	<u>7,382</u>
Net change in total OPEB liability	<u>16,112</u>
Total OPEB liability at end of year	<u>\$ 28,740</u>

Changes of assumptions and other inputs reflect a change in the discount rate from 3.58% as of October 1, 2019 and 2.41% as of September 30, 2020. The discount rate was updated from the prior valuation rate and will be updated annually to reflect market conditions as of the Measurement Date.

Sensitivity of the total OPEB liability to change in the discount rate. The following presents the total OPEB liability of the Village, as well as what the Village's total OPEB liability would be in it were calculated using a discount rate that is 1-percentage-point lower (1.41%) or 1-percentage-point higher (3.41%) than the current discount rate:

	<u>1% Decrease (1.41%)</u>	<u>Discount Rate (2.41%)</u>	<u>1% Increase (3.41%)</u>
Total OPEB Liability	\$ 30,625	\$ 28,740	\$ 26,964

Sensitivity of the total OPEB liability to change in the healthcare cost trend rates. The following presents the total OPEB liability of the Village, as well as what the Village's total OPEB liability would be in it were calculated using healthcare cost trend rates that are 1-percentage-point lower (7.00% decreasing to 3.50%) or 1-percentage-point higher (9.00% decreasing to 5.50%) than the current healthcare cost trend rates:

	<u>1% Decrease (7.00% decreasing to 3.50%)</u>	<u>Healthcare Cost Trend Rates (8.00% decreasing to 4.50%)</u>	<u>1% Increase 9.00% decreasing to 5.50%)</u>
Total OPEB Liability	\$ 26,274	\$ 28,740	\$ 31,587

*Village of Estero, Florida***Notes to the Financial Statements**

September 30, 2020

Note 8 - Retirement Plans

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

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

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

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

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

For fiscal year ended September 30, 2020, the Village's retirement contribution reported as expenditures were \$78,712 or 9.5% of covered payroll. The employee requirement was 2.5% of applicable compensation.

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

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

Village of Estero, Florida
Notes to the Financial Statements
September 30, 2020

Note 9 - Interfund Transfers

Interfund transfers for the year ended September 30, 2020, consisted of the following:

	<i>Transfer In Funds:</i>			<u>Total Governmental Funds</u>
	<u>General</u>	<u>Capital Projects Fund</u>	<u>Debt Service</u>	
<i>Transfer Out Funds:</i>				
General	\$ -	\$ 7,663,663	\$ 13,587	\$ 7,677,250
Capital Projects	-	-	2,501,610	2,501,610
Debt Service	-	<u>1,000,000</u>	-	<u>1,000,000</u>
	<u>\$ -</u>	<u>\$ 8,663,663</u>	<u>\$ 2,515,197</u>	<u>\$ 11,178,860</u>

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

Note 10 - Risk Management

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

The Village participates in the public entity risk pool administered by the Florida League of Cities, Inc. for general/professional liability, property, health insurance and workers compensation. The Village pays an annual premium for these insurance programs. Participation in this risk pool is non-assessable. There were no significant reductions in insurance coverage since the inception of the Village nor were there any settlements that exceed insurance coverage amounts for the fiscal year ended September 30, 2020 or the prior three years.

The Florida League of Cities, Inc. published financial report for the year ended September 30, 2020 can be obtained from the Florida League of Cities, Inc., Public Risk Service, 135 East Colonial Drive, Orlando, Florida 32801.

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

Village of Estero, Florida
Notes to the Financial Statements
September 30, 2020

Note 11 - Operating Leases

The Village is currently committed to various operating leases for office space and equipment with terms in excess of one year. The future minimum rental payments as of September 30, 2020 were as follows:

<u>Years ending September 30</u>	<u>Governmental Activities</u>
2021	\$ 208,129
2022	209,432
2023	210,189
2024	88,478
Total	<u>\$ 716,228</u>

Rent expense for the fiscal year ended September 30, 2020 totaled \$203,630.

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

As of September 30, 2020, the monthly rent for office space is \$16,432 plus common area maintenance estimated with annual increases of the greater of 2.5% or consumer price index.

Note 12 - Stewardship, Compliance and Accountability

Property Taxes

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

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

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

*Village of Estero, Florida***Notes to the Financial Statements**

September 30, 2020

Note 12 - Stewardship, Compliance and Accountability (Continued)

For the year September 30, 2020, the total tax rate was .7726 mills per \$1,000 of assessed taxable property value. For the fiscal year ended September 30, 2020, the levy is based on taxable property values totaling \$6,808,708,418. Property tax revenue is recognized in the fiscal year for which the taxes are levied.

No accruals for the property tax levy becoming due in November 2020 are included in the accompanying financial statements since taxes are levied for the subsequent fiscal year and are not considered available at September 30, 2020.

At September 30, 2020, delinquent property taxes are not material to the basic financial statements of the Village and, therefore, have not been accrued as taxes receivable.

Note 13 - Commitments and Contingencies

Litigation. The Village is party to a legal challenge of the comprehensive plan. Village officials believe it is too speculative to determine whether some of the legal proceedings will have a material adverse effect in the Village's financial position. Therefore, no related liability has been recorded at September 30, 2020.

Contracts. The Village has outstanding commitments for professional service contracts for planning, engineering and legal services and are reported in the General Fund and Capital Projects Fund at September 30, 2020. The outstanding commitment at September 30, 2020 is as follows:

<u>Contract Amount</u>	<u>Incurred to Date</u>	<u>Retainable</u>	<u>Balance to Complete</u>
\$ 8,731,182	\$ 4,391,922	\$ 439,192	\$ 4,339,260
400,695	377,862	37,786	22,833
448,800	405,565	40,557	43,235
<u>\$ 9,580,677</u>	<u>\$ 5,175,349</u>	<u>\$ 517,535</u>	<u>\$ 4,405,328</u>

COVID-19. During the fiscal year, the World Health Organization declared the spread of Coronavirus Disease (COVID-19) a worldwide pandemic. The COVID-19 pandemic is having significant effects on global markets, supply chains, businesses, and communities. Specific to the Village, COVID-19 may impact various parts of its 2021 operations and financial results. Management believes the Village is taking appropriate actions to mitigate the negative impact. However, the full impact of COVID-19 is unknown and cannot be reasonably estimated as events associated with the pandemic continue to develop.

Page intentionally left blank

**Required Supplementary
Information**

*Village of Estero, Florida***Schedule of Revenues, Expenditures and Changes in Fund Balances****Budget and Actual****General Fund**

For the Year Ended September 30, 2020

	Budgeted Amounts		Actual	Variance with
	Original	Final	Amounts	Final Budget
REVENUES				
Taxes				
Property	\$ 5,006,000	\$ 5,006,000	\$ 5,054,886	\$ 48,886
Gas Tax	535,000	535,000	496,117	(38,883)
Franchise	2,226,000	2,226,000	2,280,032	54,032
Communications services	807,000	807,000	909,318	102,318
Local business	22,500	22,500	19,624	(2,876)
Licenses and permits	2,400	2,400	7,958	5,558
Intergovernmental revenues	3,645,880	3,645,880	3,588,986	(56,894)
Charges for services	158,500	158,500	200,901	42,401
Fines and forfeitures	300	300	920	620
Investment earnings	300,000	300,000	183,392	(116,608)
Miscellaneous				
Other	90,000	90,000	102,570	12,570
Total revenues	12,793,580	12,793,580	12,844,704	51,124
EXPENDITURES				
Current:				
General government				
Non-departmental	2,731,960	2,616,513	2,129,952	486,561
Community development	1,104,900	1,104,900	834,998	269,902
Public safety				
Non-departmental	31,860	31,860	74,172	(42,312)
Community development	171,200	171,200	148,845	22,355
Physical environment				
Non-departmental	305,000	305,000	191,691	113,309
Transportation				
Non-departmental	1,147,950	1,411,397	1,131,525	279,872
Human services				
Non-departmental	38,000	38,000	37,932	68
Culture and recreation				
Non-departmental	65,800	65,800	94,844	(29,044)
Total expenditures	5,596,670	5,744,670	4,643,959	1,100,711
Excess of revenues over expenditures	7,196,910	7,048,910	8,200,745	1,151,835
OTHER FINANCING USES				
Transfers out	(9,864,160)	(10,419,200)	(7,677,250)	2,741,950
Total other financing uses	(9,864,160)	(10,419,200)	(7,677,250)	2,741,950
Net change in fund balances	\$ (2,667,250)	\$ (3,370,290)	523,495	\$ 3,893,785
Fund balances - beginning			19,764,453	
Fund balances - ending			\$ 20,287,948	

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

*Village of Estero, Florida***Schedule of Revenues, Expenditures and Changes in Fund Balances****Budget and Actual****Building Fee Fund**

For the Year Ended September 30, 2020

	Budgeted Amounts		Actual	Variance with
	Original	Final	Amounts	Final Budget
REVENUES				
Licenses and permits	\$ 1,017,700	\$ 1,017,700	\$ 1,179,442	\$ 161,742
Investment earnings	<u>2,400</u>	<u>2,400</u>	<u>3,051</u>	<u>651</u>
Total revenues	<u>1,020,100</u>	<u>1,020,100</u>	<u>1,182,493</u>	<u>162,393</u>
EXPENDITURES				
Current:				
Public safety				
Community development	<u>1,138,830</u>	<u>1,138,830</u>	<u>1,082,979</u>	<u>55,851</u>
Total expenditures	<u>1,138,830</u>	<u>1,138,830</u>	<u>1,082,979</u>	<u>55,851</u>
Excess (deficiency) of revenues over expenditures	<u>(118,730)</u>	<u>(118,730)</u>	<u>99,514</u>	<u>218,244</u>
Net change in fund balances	<u>\$ (118,730)</u>	<u>\$ (118,730)</u>	<u>99,514</u>	<u>\$ 218,244</u>
Fund balances - beginning			<u>703,725</u>	
Fund balances - ending			<u>\$ 803,239</u>	

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

Village of Estero, Florida

47

*Village of Estero, Florida***Notes to Required Supplemental Information**

For the Year Ended September 30, 2020

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

The level of control whereby expenditures cannot legally exceed the total amount budgeted is at the department level and the annual budgets serve as the legal authorization for expenditures. The Village Council may establish or terminate departments by ordinance. As of September 30, 2020, the Council has established one department for community development.

For the year ended September 30, 2020, the Village of Estero adopted a budget for the General Fund, Building Fee Fund, Capital Projects Fund and the Debt Service Fund.

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

*Village of Estero, Florida***Schedule of Changes in the Net OPEB Liability and Related Ratios and Notes to the Schedule**

Last Ten Fiscal Years

	2018	2019	2020
Total OPEB Liability			
Service cost	\$ 2,650	\$ 1,484	\$ 1,653
Interest	580	483	511
Changes of benefit terms	-	-	-
Differences between expected and actual experience	(3,719)	-	7,382
Changes in assumptions and other inputs	(2,677)	501	6,566
Benefit payments	-	-	-
Net change in total OPEB liability	(3,166)	2,468	16,112
Total OPEB liability - beginning	13,326	10,160	12,628
Total OPEB liability - ending	<u>\$ 10,160</u>	<u>\$ 12,628</u>	<u>\$ 28,740</u>
Covered-employee payroll	\$ 688,093	\$ 830,408	\$ 682,386
Total OPEB liability as a percentage of covered-employee payroll	1.48%	1.52%	4.21%

Notes to the schedule:

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

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

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

Page intentionally left blank

Individual Fund Financial Schedules

*Village of Estero, Florida***Schedule of Revenues, Expenditures and Changes in Fund Balances****Budget and Actual****Capital Projects Fund**

For the Year Ended September 30, 2020

	Budgeted Amounts		Actual	Variance with
	Original	Final	Amounts	Final Budget
REVENUES				
Taxes				
Gas taxes	\$ 393,000	\$ 393,000	\$ 361,467	\$ (31,533)
Impact fee	3,030,700	3,030,700	1,432,917	(1,597,783)
Intergovernmental revenues	2,962,000	2,962,000	652,566	(2,309,434)
Investment earnings	70,000	70,000	94,514	24,514
Contributions from private sources	-	-	89,307	89,307
Total revenues	<u>6,455,700</u>	<u>6,455,700</u>	<u>2,630,771</u>	<u>(3,824,929)</u>
EXPENDITURES				
Transportation				
Non-departmental	-	-	112,004	(112,004)
Culture and recreation				
Non-departmental	-	-	33,250	(33,250)
Capital outlay				
Non-departmental	<u>12,258,160</u>	<u>16,395,020</u>	<u>9,247,823</u>	<u>7,147,197</u>
Total expenditures	<u>12,258,160</u>	<u>16,395,020</u>	<u>9,393,077</u>	<u>7,001,943</u>
Deficiency of revenues under expenditures	<u>(5,802,460)</u>	<u>(9,939,320)</u>	<u>(6,762,306)</u>	<u>3,177,014</u>
OTHER FINANCING SOURCES				
Transfers in	7,348,360	8,903,400	8,663,663	(239,737)
Transfers out	-	-	(2,501,610)	(2,501,610)
Total other financing sources	<u>7,348,360</u>	<u>8,903,400</u>	<u>6,162,053</u>	<u>(2,741,347)</u>
Net change in fund balances	<u>\$ 1,545,900</u>	<u>\$ (1,035,920)</u>	<u>(600,253)</u>	<u>\$ 435,667</u>
Fund balances - beginning			<u>11,539,371</u>	
Fund balances - ending			<u>\$ 10,939,118</u>	

*Village of Estero, Florida***Schedule of Revenues, Expenditures and Changes in Fund Balances****Budget and Actual****Debt Service Fund**

For the Year Ended September 30, 2020

	Budgeted Amounts		Actual	Variance with
	Original	Final	Amounts	Final Budget- Positive (Negative)
REVENUES				
Investment earnings	\$ -	\$ -	\$ 38,645	\$ 38,645
Total revenues	-	-	38,645	38,645
EXPENDITURES				
Debt service				
Principal retirement	644,610	1,641,300	1,641,295	5
Interest and fiscal charges	771,190	771,190	770,588	602
Total expenditures	1,415,800	2,412,490	2,411,883	607
Deficiency of revenues under expenditures	(1,415,800)	(2,412,490)	(2,373,238)	39,252
OTHER FINANCING SOURCES (USES)				
Transfers in	2,515,197	2,515,197	2,515,197	-
Transfers out	-	(1,000,000)	(1,000,000)	-
Net proceeds from sale of capital asset	-	996,690	996,685	(5)
Total other financing sources (uses)	2,515,197	2,511,887	2,511,882	(5)
Net change in fund balances	\$ 1,099,397	\$ 99,397	\$ 138,644	\$ 39,247
Fund balances - beginning			4,040,555	
Fund balances - ending			\$ 4,179,199	

Page intentionally left blank

Statistical Section

Village of Estero, Florida
Statistical Section
(unaudited)

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

Contents	Page
<i>Financial Trends</i>	57
These schedules contain trend information to help the reader understand how the Village's financial performance and well-being have changed over time.	
<i>Revenue Capacity</i>	60
These schedules contain information to help the reader assess the Village's most significant local revenue source, the property tax.	
<i>Debt Capacity</i>	65
These schedules present information to help the reader assess the affordability of the Village's current levels of outstanding debt and the Village's ability to issue additional debt in the future.	
<i>Demographic and Economic Information</i>	69
These schedules offer demographic and economic indicators to help the reader understand the environment within which the Village's financial activities take place.	
<i>Operating Information</i>	71
These schedules contain service and infrastructure data to help the reader understand how the information in the Village's financial report relates to the services the Village provides and the activities it performs.	

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

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

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

Schedule 1

	Fiscal Year									
	2011 ¹	2012 ¹	2013 ¹	2014 ¹	2015	2016	2017	2018	2019	2020
Governmental/Primary Government Activities										
Investment in capital assets	\$ -	\$ -	\$ -	\$ -	\$ 30,322	\$ 471,087	\$ 25,896,783	\$ 24,798,963	\$ 29,089,008	\$ 38,568,728
Restricted	-	-	-	-	559,136	2,312,410	5,514,939	9,714,291	12,243,096	11,742,357
Unrestricted	-	-	-	-	582,076	5,503,844	13,155,253	21,312,574	23,550,463	24,724,400
Total governmental activities/ primary government net position	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 1,171,534</u>	<u>\$ 8,287,341</u>	<u>\$ 44,566,975</u>	<u>\$ 55,825,828</u>	<u>\$ 64,882,567</u>	<u>\$ 75,035,485</u>

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

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

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

Schedule 2

	2011 ¹	2012 ¹	2013 ¹	2014 ¹	2015	2016	2017	2018	2019	2020
Expenses										
Governmental activities:										
General government	\$ -	\$ -	\$ -	\$ -	\$ 536,623	\$ 2,289,683	\$ 2,617,224	\$ 2,788,737	\$ 3,401,752	\$ 3,203,219
Public safety	-	-	-	-	1,080	887,642	1,317,701	1,196,671	1,085,537	1,322,971
Physical environment	-	-	-	-	6,596	306,643	436,856	345,096	115,558	191,691
Transportation	-	-	-	-	-	2,548,077	2,237,548	2,196,698	2,412,108	2,904,122
Human services	-	-	-	-	-	48,428	48,428	22,756	33,879	37,932
Culture and recreation	-	-	-	-	-	-	-	-	129,032	88,794
Interest and issuance cost	-	-	-	-	5,150	-	-	-	608,273	762,353
Total governmental activities/primary government expenses	-	-	-	-	549,449	6,080,473	6,657,757	6,549,958	7,786,139	8,511,082
Program Revenues										
Governmental activities:										
Charges for services:										
General government	-	-	-	-	138	168,073	313,409	279,144	195,212	200,901
Public safety	-	-	-	-	-	685,873	1,306,426	1,334,561	1,021,456	1,188,320
Operating grants and contributions	-	-	-	-	62,027	-	176,414	177,777	176,336	212,849
Capital grants and contributions	-	-	-	-	497,081	1,431,918	29,267,345	3,322,274	1,830,982	3,360,893
Total governmental activities/primary government program revenues	-	-	-	-	559,246	2,285,864	31,063,594	5,113,756	3,223,986	4,962,963
General Revenues										
Governmental activities:										
Taxes										
Property, levied for general purposes	-	-	-	-	-	4,589,279	4,699,042	4,819,043	4,955,863	5,054,886
Gas	-	-	-	-	-	892,944	734,682	749,468	759,317	686,769
Franchise	-	-	-	-	-	1,713,134	2,224,309	2,288,523	2,333,614	2,280,032
Communication services	-	-	-	-	-	340,416	719,940	794,969	866,260	909,318
Local business taxes	-	-	-	-	6,242	22,640	22,028	22,561	23,047	19,624
Intergovernmental revenues	-	-	-	-	1,155,305	3,329,066	3,326,662	3,522,911	3,894,401	4,241,552
Investment earnings	-	-	-	-	190	18,481	119,081	407,796	680,027	319,602
Gain on sale of capital assets	-	-	-	-	-	-	-	-	-	86,685
Miscellaneous	-	-	-	-	-	4,456	28,053	89,784	106,363	102,569
Total governmental activities/primary government	-	-	-	-	1,161,737	10,910,416	11,873,797	12,695,055	13,618,892	13,701,037
Change in Net Position										
Total governmental activities/primary government	\$ -	\$ -	\$ -	\$ -	\$ 1,171,534	\$ 7,115,807	\$ 36,279,634	\$ 11,258,853	\$ 9,056,739	\$ 10,152,918

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

Village of Estero, Florida
Fund Balances of Governmental Funds
 Last Ten Fiscal Years
 (modified accrual basis of accounting)

Schedule 3

	Fiscal Year									
	2011 ¹	2012 ¹	2013 ¹	2014 ¹	2015	2016	2017	2018	2019	2020
General Fund										
Non-spendable	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 14,533	\$ 14,633	\$ 14,633	\$ 14,633	\$ 15,201
Restricted	-	-	-	-	62,027	-	-	-	-	-
Committed	-	-	-	-	-	-	-	-	5,124,700	6,044,700
Unassigned	-	-	-	-	580,773	5,568,981	13,118,237	21,257,077	14,625,120	14,228,047
Total General Fund	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 642,800</u>	<u>\$ 5,583,514</u>	<u>\$ 13,132,870</u>	<u>\$ 21,271,710</u>	<u>\$ 19,764,453</u>	<u>\$ 20,287,948</u>
All Other Governmental Funds										
Restricted	\$ -	\$ -	\$ -	\$ -	\$ 497,109	\$ 2,312,410	\$ 5,514,939	\$ 9,714,291	\$ 12,243,096	\$ 11,742,357
Assigned, reported in:										
Debt service fund	-	-	-	-	-	-	-	-	4,040,555	4,179,199
Unassigned	-	-	-	-	-	(101,439)	-	-	-	-
Total all other governmental funds	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 497,109</u>	<u>\$ 2,210,971</u>	<u>\$ 5,514,939</u>	<u>\$ 9,714,291</u>	<u>\$ 16,283,651</u>	<u>\$ 15,921,556</u>

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

Village of Estero, Florida
Changes In Fund Balances of Governmental Funds
 Last Ten Fiscal Years
 (modified accrual basis of accounting)

Schedule 4

	Fiscal Year									
	2011 ¹	2012 ¹	2013 ¹	2014 ¹	2015	2016	2017	2018	2019	2020
Revenues										
Taxes	\$ -	\$ -	\$ -	\$ -	\$ 6,242	\$ 7,558,413	\$ 8,576,415	\$ 8,852,341	\$ 9,114,437	\$ 9,121,444
Licenses and permits	-	-	-	-	-	685,873	1,306,158	1,854,018	1,020,666	1,187,400
Impact fees	-	-	-	-	497,081	1,431,918	2,596,943	2,802,274	1,830,982	1,432,917
Intergovernmental	-	-	-	-	1,217,332	3,329,066	3,326,662	3,522,911	3,894,401	4,241,552
Charges for services	-	-	-	-	-	167,589	313,409	279,144	195,212	200,901
Fines and forfeitures	-	-	-	-	138	484	268	543	790	920
Investment earnings	-	-	-	-	190	18,481	119,081	407,796	680,027	319,602
Contributions from private sources	-	-	-	-	-	-	-	-	-	89,307
Miscellaneous	-	-	-	-	-	-	-	-	-	-
Other	-	-	-	-	-	4,456	28,053	89,784	106,363	102,570
Total revenues	-	-	-	-	1,720,983	13,196,280	16,266,989	17,808,811	16,842,878	16,696,613
Expenditures										
General government	-	-	-	-	537,675	2,264,950	2,534,379	2,737,183	3,225,843	2,964,950
Public safety	-	-	-	-	1,080	875,992	1,300,626	1,177,337	1,064,991	1,305,996
Physical environment	-	-	-	-	6,596	306,643	436,856	433,352	112,001	191,691
Transportation	-	-	-	-	-	2,548,077	1,021,378	457,090	784,925	1,243,529
Human services	-	-	-	-	-	48,428	48,428	22,756	33,879	37,932
Culture/recreation	-	-	-	-	-	-	-	-	129,032	128,094
Capital outlay	-	-	-	-	30,573	497,614	71,998	642,901	25,371,816	9,247,823
Debt service										
Principal	-	-	-	-	-	-	-	-	768,416	1,641,295
Interest and issuance cost	-	-	-	-	5,150	-	-	-	289,872	770,588
Total expenditures	-	-	-	-	581,074	6,541,704	5,413,665	5,470,619	31,780,775	17,531,898
Excess (deficiency) of revenues over expenditures	-	-	-	-	1,139,909	6,654,576	10,853,324	12,338,192	(14,937,897)	(835,285)
Other Financing Sources (Uses)										
Transfers in	-	-	-	-	-	-	90,849	494,611	30,546,595	11,178,860
Transfers out	-	-	-	-	-	-	(90,849)	(494,611)	(30,546,595)	(11,178,860)
Proceeds from debt	-	-	-	-	-	-	-	-	20,000,000	996,685
Total other financing sources	-	-	-	-	-	-	-	-	20,000,000	996,685
Net change in fund balances	\$ -	\$ -	\$ -	\$ -	\$ 1,139,909	\$ 6,654,576	\$ 10,853,324	\$ 12,338,192	\$ 5,062,103	\$ 161,400
Debt service as a percentage of noncapital expenditures	-	-	-	-	0.9%	0.0%	0.0%	0.0%	16.5%	29.1%

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

Village of Estero, Florida
Assessed Value and Estimated Actual Value Of Taxable Property
 Last Ten Fiscal Years

Schedule 5

Fiscal Year Ended September 30	Real Property			Personal Property	Less: Allowable Exemptions ²	Total Taxable Assessed Value	Total Direct Tax Rate	Estimated Actual Market (Just) Value	Taxable Assessed Value as a Percentage of Actual Value
	Residential Property	Commercial Property	Other Property						
2011 ¹	-	-	-	-	-	-	-	-	-
2012 ¹	-	-	-	-	-	-	-	-	-
2013 ¹	-	-	-	-	-	-	-	-	-
2014 ¹	-	-	-	-	-	-	-	-	-
2015 ¹	-	-	-	-	-	-	-	-	-
2016	5,962,856,036	690,966,701	158,665,392	150,308,030	1,284,789,616	5,675,825,842	0.8398	6,960,615,458	81.54%
2017	6,443,023,813	782,939,531	192,602,734	166,973,374	1,459,920,847	6,097,421,427	0.7998	7,557,342,274	80.68%
2018	6,889,049,163	741,778,217	213,442,459	180,814,659	1,539,523,465	6,484,202,557	0.7798	8,023,726,022	80.81%
2019	6,869,267,079	741,713,355	206,437,254	189,025,467	1,386,361,871	6,649,259,073	0.7750	8,035,620,944	82.75%
2020	6,916,404,302	762,528,773	352,626,099	203,210,714	1,474,537,084	6,808,708,418	0.7726	8,283,245,502	82.20%

Source: Lee County Property Appraiser.

Note: Real property is reassessed every year.

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

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

*Village of Estero, Florida***Property Tax Rates – Direct And Overlapping Governments**

(Per \$1,000 of Assessed Value)

Last Ten Fiscal Years

Schedule 6

Fiscal Year	Village of Estero, Florida			Lee County			Overlapping Rates ²			Estero Fire District ³	Other ⁴	Total Direct & Overlapping Rates
	Operating Millage	Debt Service Millage	Total Village Millage	General Revenue	Library Fund	Total Lee Cty	Local Board	State Law	Total School			
2011 ¹	-	-	-	-	-	-	-	-	-	-	-	-
2012 ¹	-	-	-	-	-	-	-	-	-	-	-	-
2013 ¹	-	-	-	-	-	-	-	-	-	-	-	-
2014 ¹	-	-	-	-	-	-	-	-	-	-	-	-
2015 ¹	-	-	-	-	-	-	-	-	-	-	-	-
2016	0.8398	-	0.8398	4.1506	0.5956	4.7462	2.2480	5.0370	7.2850	2.1881	0.6605	15.7196
2017	0.7998	-	0.7998	4.0506	0.5956	4.6462	2.2480	4.7410	6.9890	2.1500	0.6361	15.2211
2018	0.7798	-	0.7798	4.0506	0.5956	4.6462	2.2480	4.4310	6.6790	2.1300	0.6542	14.8892
2019	0.7750	-	0.7750	4.0506	0.4956	4.5462	2.2480	4.1530	6.4010	2.1300	0.6205	14.4727
2020	0.7726	-	0.7726	4.0506	0.4956	4.5462	2.2480	3.8990	6.1470	2.1300	0.5958	14.1916

Source: Lee County Property Appraiser.

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

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

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

³ The Village of Estero has three Fire Districts within its boundaries. Estero Fire Rescue District, 2.1300 millage rate, San Carlos Park Fire District, 2.9000 millage rate, and Bonita Springs Fire District 2.3100 millage rate.

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

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

Schedule 7

Taxpayer	2020			2011 ¹		
	Taxable Assessed Value	Rank	Percentage of Total Taxable Assessed Value	Taxable Assessed Value	Rank	Percentage of Total Taxable Assessed Value
Coconut Point Developers LLC	\$ 115,736,419	1	1.70%	-	-	-
Miromar Outlet West LLC	104,417,998	2	1.53%	-	-	-
Hertz Corporation	61,666,519	3	0.91%	-	-	-
Fort Myers Reef Acquisitions	50,241,490	4	0.74%	-	-	-
Passco Longitude	44,164,412	5	0.65%	-	-	-
CV Fort Myers Borrower LLC	41,936,115	6	0.62%	-	-	-
Miromar Outlet East LLC	29,334,327	7	0.43%	-	-	-
Continental 376 Fund LLC	22,821,678	8	0.34%	-	-	-
Coconut Point DE LLC	21,178,928	9	0.31%	-	-	-
Focus Estero Partners LLC	18,693,893	10	0.27%	-	-	-
Total	<u>\$ 510,191,779</u>		<u>7.50%</u>	<u>\$ -</u>		<u>0.00%</u>

Source: Lee County Property Appraiser.

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

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

Schedule 8

Fiscal Year Ended Sep 30	Total Tax Levy For Fiscal Year	Collected within the Fiscal Year of the Levy		Collections in Subsequent Years	Total Collections to Date	
		Amount ²	Percentage of Levy		Amount	Percentage of Levy
2011 ¹	-	-	0.00%	-	-	0.00%
2012 ¹	-	-	0.00%	-	-	0.00%
2013 ¹	-	-	0.00%	-	-	0.00%
2014 ¹	-	-	0.00%	-	-	0.00%
2015 ¹	-	-	0.00%	-	-	0.00%
2016	4,766,559	4,588,424	96.26%	(14,372)	4,574,052	95.96%
2017	4,876,718	4,699,042	96.36%	(29,960)	4,669,082	95.74%
2018	5,056,381	4,819,043	95.31%	44,332	4,863,375	96.18%
2019	5,153,176	4,954,539	96.17%	1,324	4,955,863	96.17%
2020	5,260,408	4,955,863	94.21%	-	4,955,863	94.21%

Source: Lee County Tax Collector.

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

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

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

Schedule 9

Fiscal Year	Governmental Activities			Total Primary Government	Percentage of Personal Income ²	Per Capita ²
	General Obligation Bonds	Revenue Bonds	Notes, Loans and Agreements Payable			
2011 ¹	-	-	-	-	-	-
2012 ¹	-	-	-	-	-	-
2013 ¹	-	-	-	-	-	-
2014 ¹	-	-	-	-	-	-
2015 ¹	-	-	-	-	-	-
2016	-	-	-	-	-	-
2017	-	-	-	-	-	-
2018	-	-	-	-	-	-
2019	-	-	19,231,584	19,231,584	0.0%	593
2020	-	-	17,590,289	17,590,289	0.0%	531

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

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

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

Village of Estero, Florida
Ratios of General Bonded Debt Outstanding
 Last Ten Fiscal Years

Schedule 10

Fiscal Year	General Bonded Debt Outstanding			Percentage of Estimated Actual Taxable Value of Property	Per Capita
	General Obligation Bonds	Less: Amounts Available in Debt Service Fund	Total		
2011 ¹	-	-	-	0.00%	-
2012 ¹	-	-	-	0.00%	-
2013 ¹	-	-	-	0.00%	-
2014 ¹	-	-	-	0.00%	-
2015 ¹	-	-	-	0.00%	-
2016	-	-	-	0.00%	-
2017	-	-	-	0.00%	-
2018	-	-	-	0.00%	-
2019	-	-	-	0.00%	-
2020	-	-	-	0.00%	-

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

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

*Village of Estero, Florida***Direct And Overlapping Governmental Activities Debt**

As of September 30, 2020

Schedule 11

<u>Governmental Unit</u>	<u>Debt Outstanding</u>	<u>Estimated Percentage Applicable</u>	<u>Estimated Share of Overlapping Debt</u>
Debt repaid with property taxes			
Lee County	\$ 227,778,000 ¹	8.2% ²	\$ 18,566,583
Village direct debt			<u>17,590,289 ³</u>
Total direct and overlapping debt			<u><u>\$ 36,156,872</u></u>

¹ Lee County Clerk of Court, Finance Division² Determined by dividing:

"Total Taxable Assessed Valuation" from Schedule 5

\$ 6,808,708,418

by the "Total Taxable Assessed Value" of Lee County

\$ 83,530,395,050 ⁴³ See Schedule 9 herein.⁴ Lee County Property Appraiser

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

Schedule 12

	2011 ¹	2012 ¹	2013 ¹	2014 ¹	2015	2016	2017	2018	2019	2020
Legal debt limit ²	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total net debt applicable to limit	-	-	-	-	153,500	-	-	-	19,231,584	17,590,289
Legal debt margin	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
Total net debt applicable to the limit as a percentage of debt limit	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%

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

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

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

Schedule 13

Fiscal Year	Population		Lee County ²	Village of Estero		Lee County ²	
	Village of Estero ³	Lee County ³	Total Personal Income (in thousands) ⁴	Per Capita Personal Income ⁵	Median Age ⁵	School Enrollment (2)	Unemployment Rate ⁶
2011 ¹	-	-	-	-	-	79,446	-
2012 ¹	-	-	-	-	-	79,446	-
2013 ¹	-	-	-	-	-	79,446	-
2014 ¹	-	-	-	-	-	79,446	-
2015 ¹	30,118	665,562	29,096,374	43,717	60.2	79,446	5.1%
2016	30,565	680,255	29,738,708	43,717	60.2	79,446	4.5%
2017	30,945	698,185	35,534,824	50,896	60.2	79,446	4.6%
2018	31,806	713,618	37,787,500	52,952	61.0	79,446	4.0%
2019	32,412	734,890	39,146,855	53,269	61.7	79,446	3.4%
2020	33,120	750,493	40,284,963	53,678	64.2	95,578	6.4%

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

Data Sources:

² Village of Estero statistics unattainable.

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

⁴ Determined by multiplying population by per capita income.

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

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

*Village of Estero, Florida***Principal Employers ²**

Current Fiscal Year and Nine Fiscal Years Ago

Schedule 14

Employer	2020			2011 ¹		
	Employees	Rank	Percentage of Total County Employment	Employees	Rank	Percentage of Total County Employment
Lee Memorial Health Systems	13,595	1	4.25%	-	-	0.00%
Lee County School District	12,936	2	4.04%	-	-	0.00%
Lee County Government	9,038	3	2.82%	-	-	0.00%
Publix Super Markets	4,624	4	1.44%	-	-	0.00%
Florida Gulf Coast University	3,430	5	1.07%	-	-	0.00%
Wal-Mart Corporation	3,067	6	0.96%	-	-	0.00%
City of Cape Coral	2,253	7	0.70%	-	-	0.00%
Hope Hospice	1,630	8	0.51%	-	-	0.00%
McDonald's	1,482	9	0.46%	-	-	0.00%
Florida Southwestern State College	1,441	10	0.45%	-	-	0.00%
Total	53,496		16.70%	-		0.00%

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

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

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

*Village of Estero, Florida***Full-Time Equivalent Village Government Employees by Function**

Last Ten Fiscal Years

Schedule 15

Function	Full-time Equivalent Employees as of September 30									
	2011 ¹	2012 ¹	2013 ¹	2014 ¹	2015	2016	2017	2018	2019	2020
General Government	-	-	-	-	5.0	7.0	8.5	10.5	11.0	12.0
Total	-	-	-	-	5.0	7.0	8.5	10.5	11.0	12.0

Source: *Village of Estero Annual Budget as amended.*

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

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

Schedule 16

Function	Fiscal Year									
	2011 ¹	2012 ¹	2013 ¹	2014 ¹	2015 ²	2016 ²	2017 ²	2018 ²	2019 ²	2020 ²
General Government	-	-	-	-	-	-	-	-	-	-
Total	-	-	-	-	-	-	-	-	-	-

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

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

Village of Estero, Florida
Capital Asset Statistics By Function ²
 Last Ten Fiscal Years

Schedule 17

Function	Fiscal Year									
	2011 ¹	2012 ¹	2013 ¹	2014 ¹	2015 ²	2016 ²	2017 ²	2018 ²	2019 ²	2020 ²
General Government	-	-	-	-	-	-	-	-	-	-
Total	-	-	-	-	-	-	-	-	-	-

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

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

Page intentionally left blank

Compliance Section



Affiliations

Florida Institute of Certified Public Accountants

American Institute of Certified Public Accountants

Private Companies Practice Section

Tax Division

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

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

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States of America, the basic financial statements of the governmental activities and each major fund of the Village of Estero (the "Village") as of and for the year ended September 30, 2020, and the related notes to the financial statements which collectively comprise the Village's basic financial statements as listed in the table of contents and have issued our report thereon dated May 25, 2021.

Internal Control Over Financial Reporting

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

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

76

INTEGRITY SERVICE EXPERIENCE

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

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

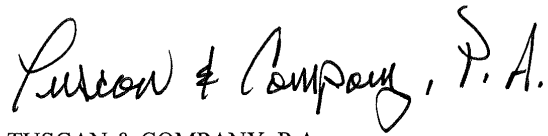
Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not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

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Village of Estero's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, noncompliance with which could have a direct and material effect on the financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance that are required to be reported under Government Auditing Standards.

Purpose of This Report

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



TUSCAN & COMPANY, P.A.
Fort Myers, Florida
May 25, 2021

Affiliations

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

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

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

We have examined the Village of Estero's compliance with Section 218.415, Florida Statutes, regarding the investment of public funds during the year ended September 30, 2020. Management is responsible for the Village of Estero's compliance with those requirements. Our responsibility is to express an opinion on the Village of Estero's compliance based on our examination.

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

In our opinion, the Village of Estero complied, in all material respects, with the aforementioned requirements for the year ended September 30, 2020.

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

Tuscan & Company, P.A.

TUSCAN & COMPANY, P.A.
 Fort Myers, Florida
 May 25, 2021

78

INTEGRITY SERVICE EXPERIENCE

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

Affiliations

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

INDEPENDENT AUDITOR'S REPORT TO MANAGEMENT

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

We have audited the accompanying basic financial statements of the Village of Estero (the "Village") as of and for the year ended September 30, 2020 and have issued our report thereon dated May 25, 2021.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States of America and Chapter 10.550, Rules of the Florida Auditor General. We have issued our Independent Auditor's Report on Internal Control over Financial Reporting and Compliance and Other Matters based on an audit of the financial statements performed in accordance with Government Auditing Standards and Chapter 10.550, Rules of the Florida Auditor General. Disclosures in those reports, which were dated May 25, 2021, should be considered in conjunction with this report to management.

Additionally, our audit was conducted in accordance with Chapter 10.550, Rules of the Auditor General, which governs the conduct of local governmental entity audits performed in the State of Florida. This letter included the following information, which is not included in the aforementioned auditor's report:

- Section 10.554(1)(i)1., Rules of the Auditor General, requires that we determine whether or not corrective actions have been taken to address findings and recommendations made in the preceding annual financial audit report. The prior year report contained one financially significant comment. That comment appears to have been resolved in the current fiscal year.
- Section 10.554(1)(i)2., Rules of the Auditor General, requires that we address in the management letter any recommendations to improve financial management. No such recommendations were noted to improve financial management.

79

INTEGRITY SERVICE EXPERIENCE

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

- Section 10.554(1)(i)3., Rules of the Auditor General, requires that we address violations or noncompliance with provisions of contracts or grant agreements, or abuse, that have an effect on the financial statements that is less than material but more than inconsequential. In connection with our audit, we did not have any such findings.
- Section 10.554(1)(i)4., Rules of the Auditor General, requires that the name or official title and legal authority for the primary government and each component unit of the reporting entity be disclosed in the management letter, unless disclosed in the notes to the financial statements. The Village discloses this information in the notes to the financial statements.
- Section 10.554(1)(i)5.a., Rules of the Auditor General, requires a statement be included as to whether or not the local government entity has met one or more of the conditions described in Section 218.503(1), Florida Statutes, and identification of the specific condition(s) met. In connection with our audit, we determined that the Village did not meet any of the conditions described in Section 218.503(1), Florida Statutes.
- Pursuant to Sections 10.554(1)(i)5.b and 10.556(7), Rules of the Auditor General, we have applied financial condition assessment procedures pursuant to Rule 10.556(8). It is management's responsibility to monitor the Village's financial condition, and our financial condition assessment was based in part on representations made by management and the review of financial information provided by same. In connection with our audit, we determined that the Village did not meet any of the criteria of a deteriorating financial condition described in Auditor General Rule Section 10.554(1)(i)(6).c.
- Pursuant to Section 10.554(1)(i)5.b.2, Rules of the Auditor General, if a deteriorating financial condition(s) is noted then a statement is so required along with the conditions causing the auditor to make such a conclusion. No such conditions were noted.
- Pursuant to Section 10.554(1)(i)5.c., Rules of the Auditor General, requires a statement indicating a failure, if any, of a component unit to provide financial information necessary to a proper reporting of the component unit within the audited financial statements of this entity (F.S. Section 218.39(3)(b)). There are no known component units required to report or included within these financial statements.
- Section 10.556(10)(a), Rules of the Auditor General, requires that the scope of our audit to determine the entity's compliance with the provisions of Section 218.415, Florida Statutes, regarding the investment of public funds. In connection with our audit, we determined that the Village complied with Section 218.415, Florida Statutes as reported in our Independent Accountant's Report on Compliance with Section 218.415, Florida Statutes dated January 31, 2020, included herein.

- Section 10.557(3)(m), Rules of the Auditor General, requires a notarized affidavit, related to impact fees, signed and sworn to by the Chief Financial officer be included in the audit report. Such affidavit is included as page 83 of the Comprehensive Annual Financial Report.

PRIOR YEAR COMMENTS:

2019-01 Contracted Service Provider Reporting Must be Improved

During the year ended September 30, 2019, we noted several programming and administrative issues with the proprietary software developed and maintained by the community development department's contract service provider.

Specifically, the following issues were noted with the service provider's proprietary software:

- 1) Community development staff members were permitted to remove fees and issue permits prior to payment of fees in the software without documentations of approval.
- 2) Certain administrative fees were set up to calculate incorrectly in the software.
- 3) A software update allowed multiple credit card payments for the same permit on the public portal; however, fee payments were not recorded in the proprietary community development software.
- 4) No printable log of historical system errors and/or overrides was stored or available.

Current year addendum:

The prior year comment appears to have been resolved in the current year.

CURRENT YEAR COMMENTS:

No financially significant comments noted.

Pursuant to Chapter 119, Florida Statutes, this management letter is a public record and its distribution is not limited. Auditing standards generally accepted in the United States of America require us to indicate that this letter is intended solely for the information and use of the Village of Estero, management, the Auditor General of the State of Florida and other federal and state agencies. This report is not intended to be and should not be used by anyone other than these specified parties.



TUSCAN & COMPANY, P.A.
Fort Myers, Florida
May 25, 2021



May 27, 2021

Joanne Ribble
District One

Larry Fiesel
District Two

Jon McLain
Vice Mayor
District Three

Katy Errington
Mayor
District Four

Jim Boesch
District Five

Jim Ward
District Six

Jim Wilson
District Seven

Steve Sarkozy
Village Manager

Burt Saunders
Village Attorney

Mr. Jeffery M. Tuscan, CPA
Tuscan & Company, PA
12621 World Plaza Lane
Building 55
Fort Myers, Florida 33907

Re: Management Letter for Fiscal Year Ended September 30, 2020

Dear Mr. Tuscan:

This letter will confirm receipt of your management letter reviewed by us. In accordance with the Management Letter, the Village of Estero did not note any current year comments for which a response was required.


Steven R. Sarkozy
Village Manager



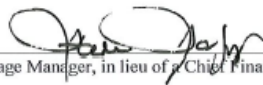
May 27, 2021

Joanne Ribble
District OneLarry Fiesel
District TwoJon McLain
Vice Mayor
District ThreeKaty Errington
Mayor
District FourJim Boesch
District FiveJim Ward
District SixJim Wilson
District SevenSteve Sarkozy
Village ManagerBurt Saunders
Village Attorney

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

1. I am the Village Manager of the Village of Estero which is a local government entity of the State of Florida;
2. The governing body of the Village of Estero adopted Ordinance No. 2018-09 and No. 2018-10 implementing an impact fee; and
3. The Village of Estero has complied and, as of the date of this Affidavit, remains in compliance with Section 163.31801, Florida Statutes.

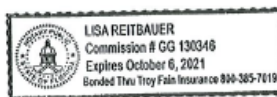
FURTHER AFFIANT SAYETH NAUGHT.


Village Manager, in lieu of a Chief Financial Officer

STATE OF FLORIDA
COUNTY OF LEE

SWORN TO AND SUBSCRIBED before me this 22nd day of June, 2021.

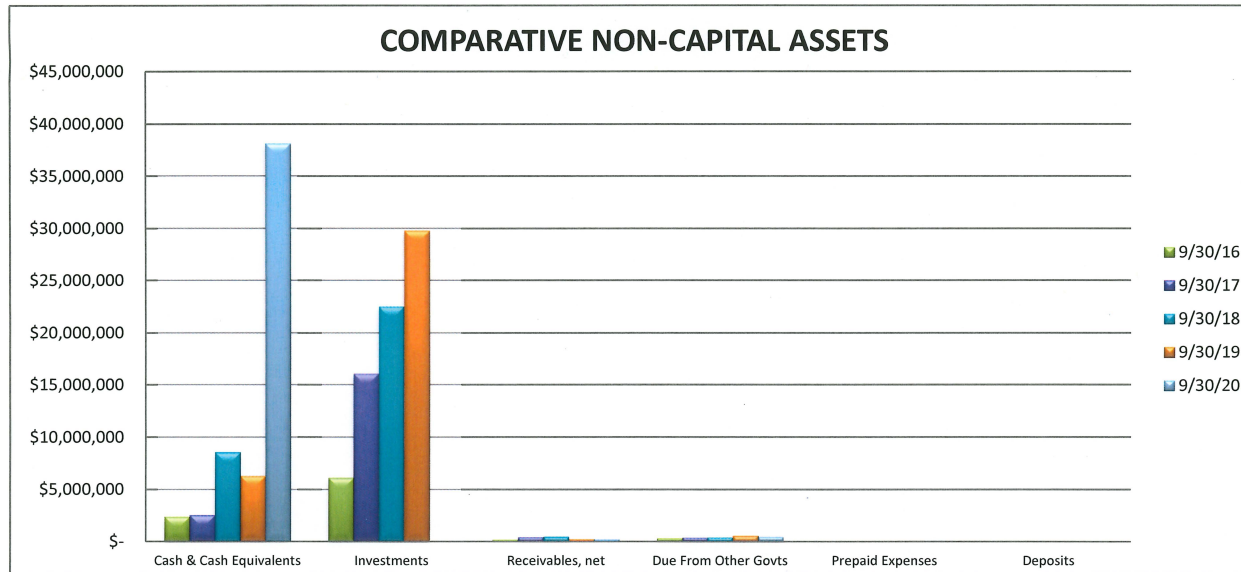

Print Name LISA REITBAUER NOTARY PUBLIC

Personally known X or produced identification _____Type of identification produced:
_____My Commission Expires:
_____

Village of Estero | 9401 Corkscrew Palms Circle | Estero, FL 33928 | Phone: 239.221.5035 | Fax: 239.494.5343 | www.Estero-fl.gov

VILLAGE OF ESTERO
COMPARATIVE SUMMARY OF NON-CAPITAL ASSETS
September 30, 2016, 2017, 2018, 2019 & 2020

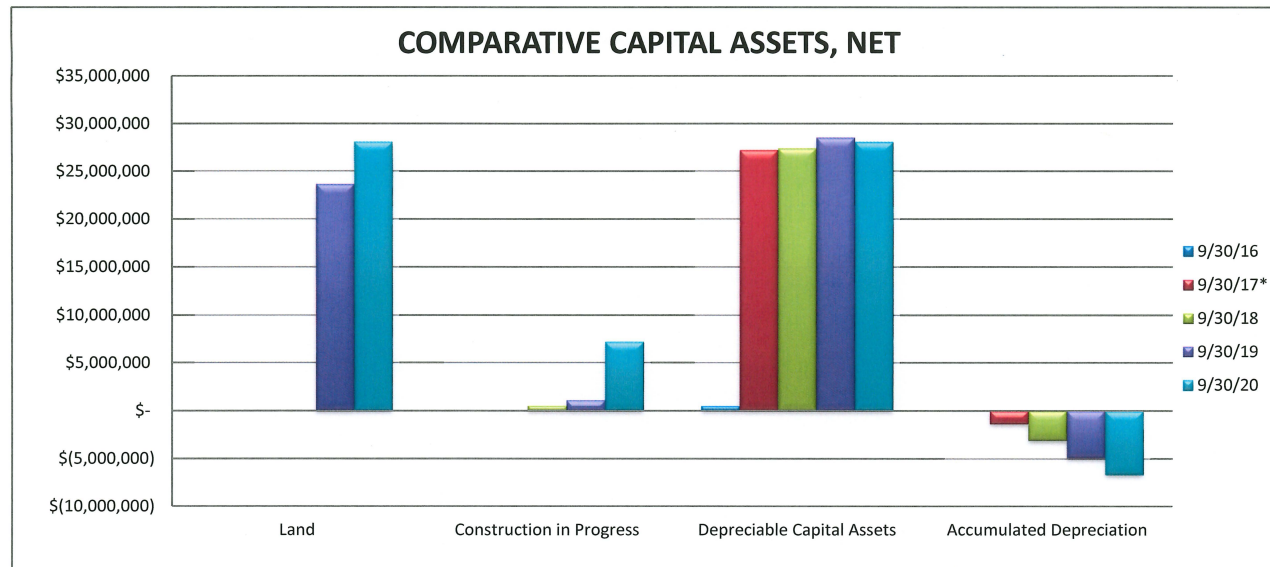
Page 1



	9/30/16	9/30/17	9/30/18	9/30/19	9/30/20	Increase (Decrease)	% Inc (Dec)
Cash & Cash Equivalents	\$ 2,389,519	\$ 2,548,088	\$ 8,547,937	\$ 6,272,913	\$ 38,125,325	31,852,412	508%
Investments	6,107,013	16,069,996	22,466,495	29,768,612	24,676	(29,743,936)	(100%)
Receivables, net	193,264	410,109	438,668	199,410	202,927	3,517	2%
Due From Other Govts	300,629	367,135	377,852	531,916	429,666	(102,250)	(19%)
Prepaid Expenses	24,390	35,709	51,024	76,484	77,146	662	1%
Deposits	14,633	14,633	14,633	14,633	15,201	568	4%
Total Non-Capital Assets	\$ 9,029,448	\$ 19,445,670	\$ 31,896,609	\$ 36,863,968	\$ 38,874,941	\$ 2,010,973	5%

VILLAGE OF ESTERO
COMPARATIVE SUMMARY OF CAPITAL ASSETS, NET
September 30, 2016, 2017, 2018, 2019 & 2020

Page 2

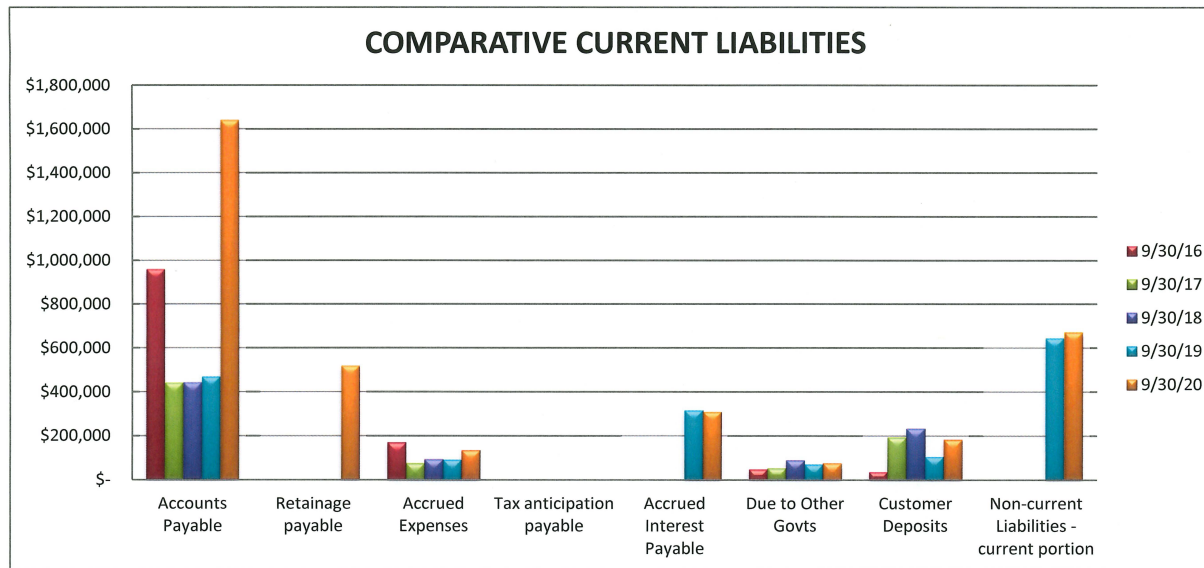


	9/30/16	9/30/17*	9/30/18	9/30/19	9/30/20	Increase (Decrease)	% Inc (Dec)
Land	\$ -	\$ -	\$ -	\$ 23,641,689	\$ 28,092,646	\$ 4,450,957	19%
Construction in Progress	-	71,998	527,742	1,111,454	7,197,119	6,085,665	548%
Depreciable Capital Assets	528,187	27,198,589	27,385,746	28,523,902	28,073,772	(450,130)	(2%)
Accumulated Depreciation	(57,100)	(1,373,804)	(3,114,525)	(4,956,453)	(6,727,541)	(1,771,088)	36%
Total Capital Assets, Net	\$ 471,087	\$ 25,896,783	\$ 24,798,963	\$ 48,320,592	\$ 56,635,996	\$ 8,315,404	17%

*Increase in depreciable assets during 9/30/17 resulted from \$26,670,402 in roads and related infrastructure conveyed from Lee County

VILLAGE OF ESTERO
COMPARATIVE SUMMARY OF CURRENT LIABILITIES
September 30, 2016, 2017, 2018, 2019 & 2020

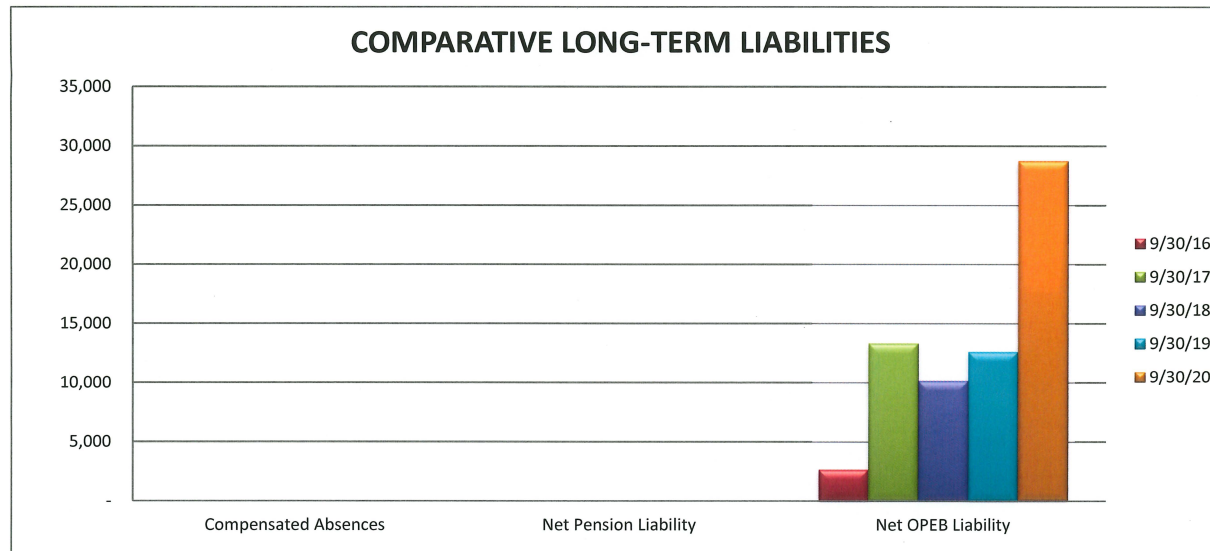
Page 3



CURRENT LIABILITIES	9/30/16	9/30/17	9/30/18	9/30/19	9/30/20	Increase (Decrease)	% Inc (Dec)
Accounts Payable	\$ 958,265	\$ 441,291	\$ 443,126	\$ 469,635	\$ 1,639,470	\$ 1,169,835	249%
Retainage payable	-	-	-	-	517,536	517,536	N/A
Accrued Expenses	167,763	74,812	93,205	92,362	132,377	40,015	43%
Tax anticipation payable	-	-	-	-	-	-	N/A
Accrued Interest Payable	-	-	-	318,401	310,166	(8,235)	(3%)
Due to Other Govts	47,440	52,894	89,065	70,644	74,703	4,059	6%
Customer Deposits	37,105	193,155	234,188	106,739	182,171	75,432	71%
Non-current Liabilities - current portion	-	-	-	644,610	670,459	25,849	4%
Subtotal	\$ 1,210,573	\$ 762,152	\$ 859,584	\$ 1,702,391	\$ 3,526,882	\$ 1,824,491	107%

VILLAGE OF ESTERO
COMPARATIVE SUMMARY OF LONG-TERM LIABILITIES
September 30, 2016, 2017, 2018, 2019 & 2020

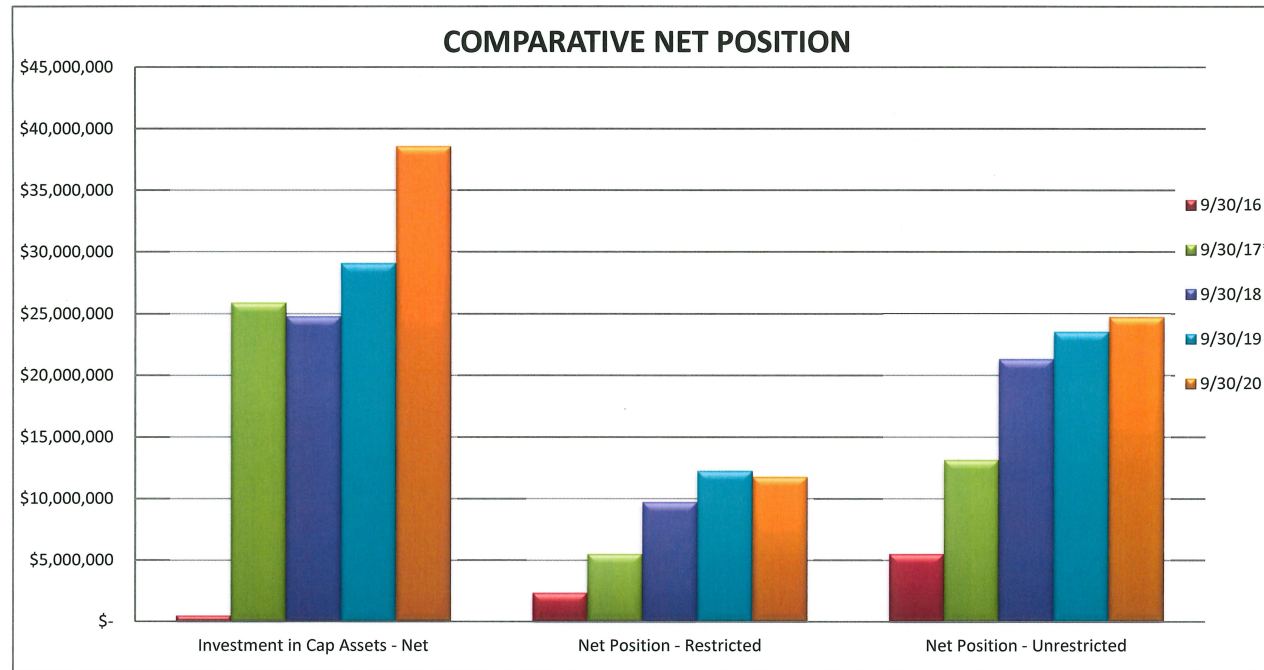
Page 4



LONG-TERM LIABILITIES	9/30/16	9/30/17	9/30/18	9/30/19	9/30/20	Increase (Decrease)	% Inc (Dec)
Debt Long Term	\$ -	\$ -	\$ -	\$ 18,586,974	\$ 16,919,830	\$ (1,667,144)	(9%)
Compensated Absences	-	-	-	-	-	-	N/A
Net Pension Liability	-	-	-	-	-	-	N/A
Net OPEB Liability	2,621	13,326	10,160	12,628	28,740	16,112	128%
Subtotal	\$ 2,621	\$ 13,326	\$ 10,160	\$ 18,599,602	\$ 16,948,570	\$ (1,651,032)	(9%)
Current Portion of LT Debt	-	-	-	644,610	670,459		
Total Long-term Liabilities	\$ 2,621	\$ 13,326	\$ 10,160	\$ 19,244,212	\$ 17,619,029		

VILLAGE OF ESTERO
COMPARATIVE SUMMARY OF NET POSITION
September 30, 2016, 2017, 2018, 2019 & 2020

Page 5

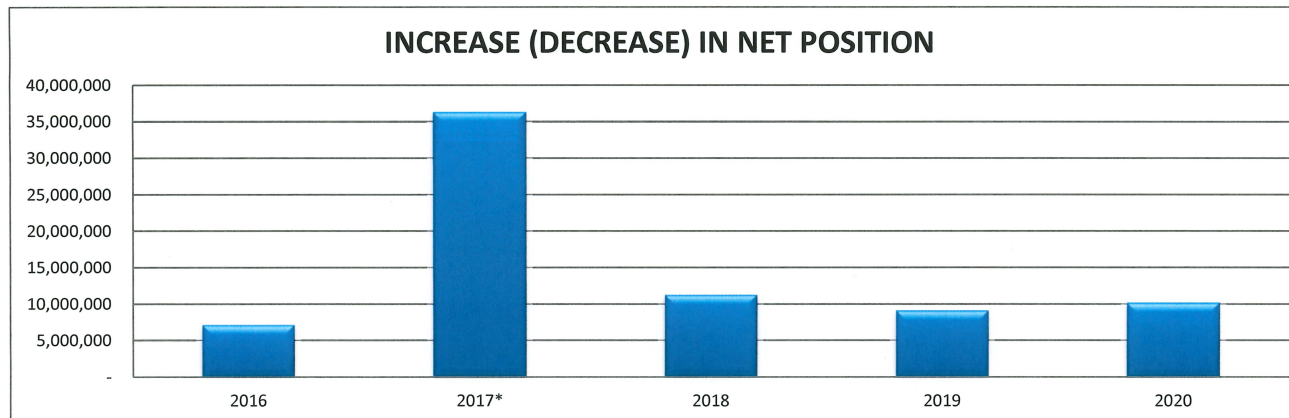


NET POSITION	9/30/16	9/30/17*	9/30/18	9/30/19	9/30/20	Increase (Decrease)	% Inc (Dec)
Investment in Cap Assets - Net	\$ 471,087	\$ 25,896,783	\$ 24,798,963	\$ 29,089,008	\$ 38,568,728	\$ 9,479,720	33%
Net Position - Restricted	2,312,410	5,514,939	9,714,291	12,243,096	11,742,357	(500,739)	(4%)
Net Position - Unrestricted	5,503,844	13,155,253	21,312,574	23,550,463	24,724,400	1,173,937	5%
Total Net Position	\$ 8,287,341	\$ 44,566,975	\$ 55,825,828	\$ 64,882,567	\$ 75,035,485	\$ 10,152,918	16%

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

VILLAGE OF ESTERO
INCREASE (DECREASE) IN NET POSITION
Years Ended September 30, 2016 - September 30, 2020

Page 6

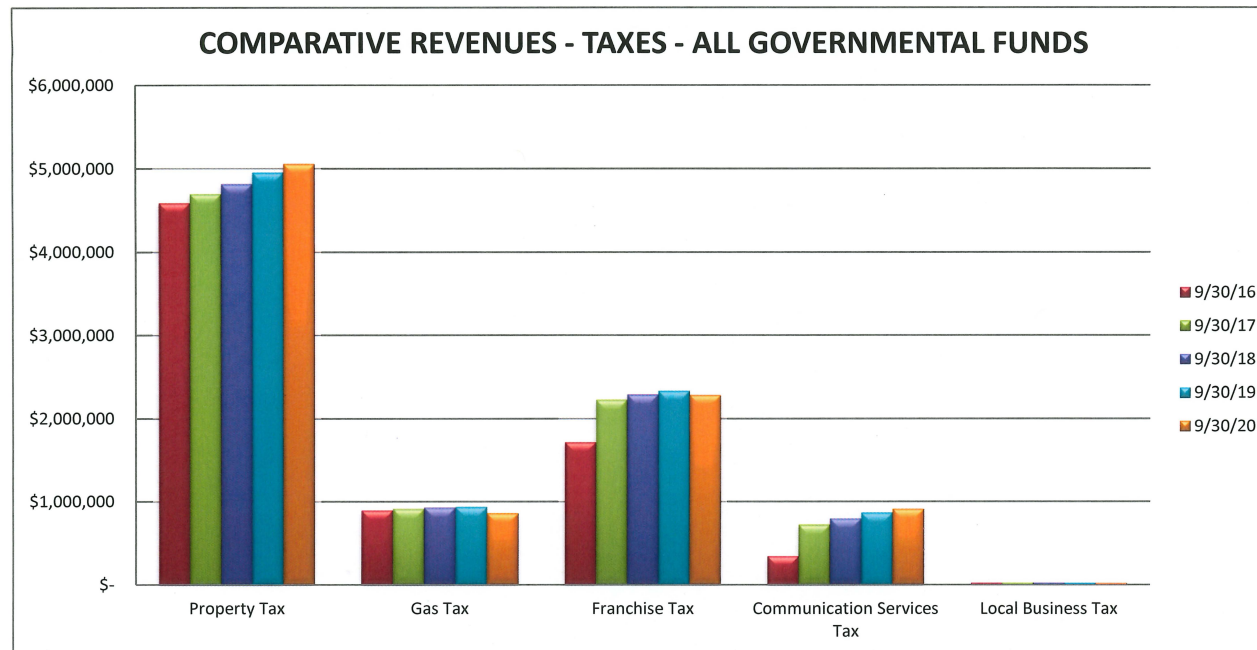


Fiscal Year	Increase (decrease) in Net Position
2016	7,115,807
2017*	36,279,634
2018	11,258,853
2019	9,056,739
2020	10,152,918

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

VILLAGE OF ESTERO
COMPARATIVE SUMMARY OF REVENUES - TAXES
(FUND-BASIS STATEMENTS)
Fiscal Years Ended September 30, 2016, 2017, 2018, 2019 & 2020

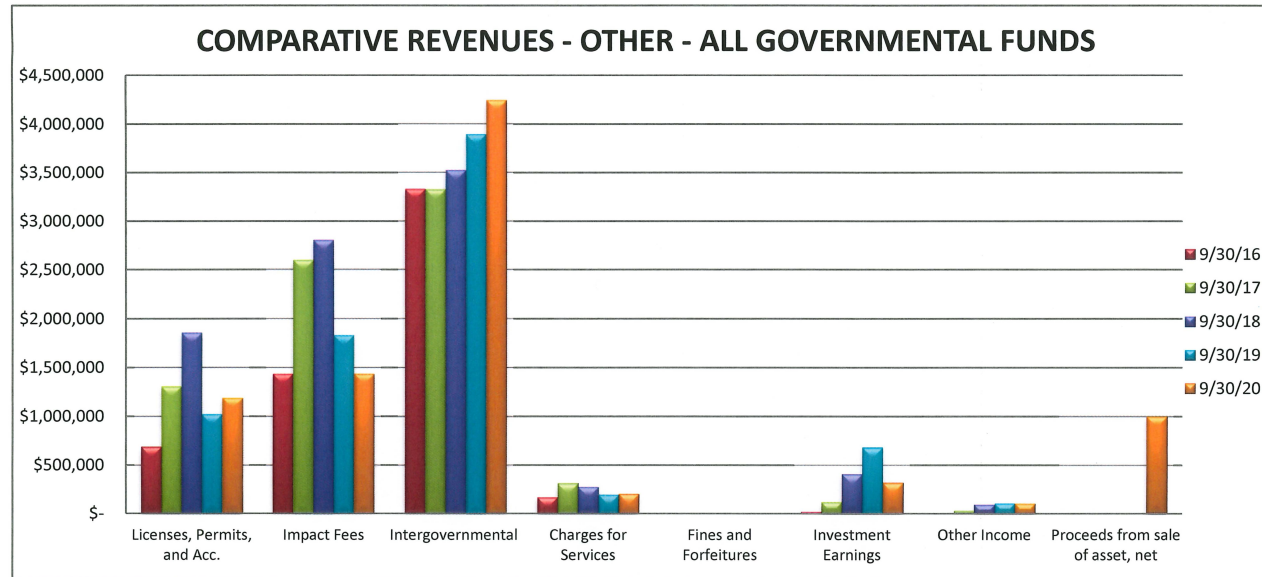
Page 7



Revenues - Taxes	9/30/16	9/30/17	9/30/18	9/30/19	9/30/20	Increase (Decrease)	% Inc (Dec)
Property Tax	\$ 4,589,279	\$ 4,699,042	\$ 4,819,043	\$ 4,955,863	\$ 5,054,886	\$ 99,023	2%
Gas Tax	892,944	911,096	927,245	935,653	857,584	(78,069)	(8%)
Franchise Tax	1,713,134	2,224,309	2,288,523	2,333,614	2,280,032	(53,582)	(2%)
Communication Services Tax	340,416	719,940	794,969	866,260	909,318	43,058	5%
Local Business Tax	22,640	22,028	22,561	23,047	19,624	(3,423)	(15%)
Total	\$ 7,558,413	\$ 8,576,415	\$ 8,852,341	\$ 9,114,437	\$ 9,121,444	\$ 7,007	0%

VILLAGE OF ESTERO
COMPARATIVE SUMMARY OF REVENUES - OTHER
(FUND-BASIS STATEMENTS)
Fiscal Years Ended September 30, 2016, 2017, 2018, 2019 & 2020

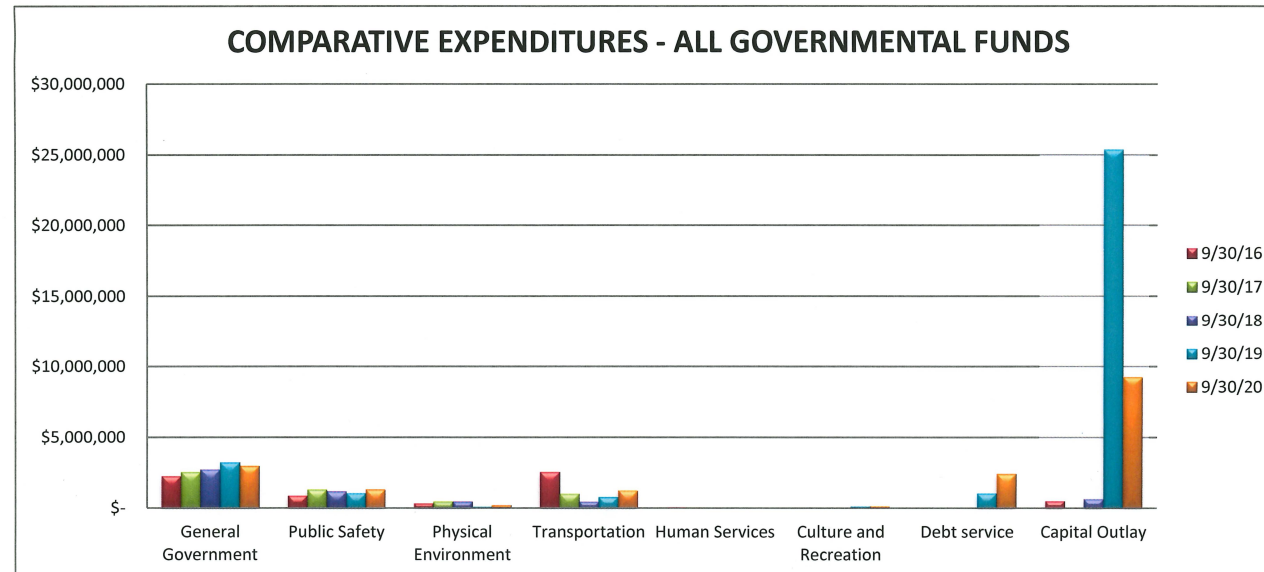
Page 8



Revenues - Other	9/30/16	9/30/17	9/30/18	9/30/19	9/30/20	Increase (Decrease)	% Inc (Dec)
Licenses, Permits, and Acc.	\$ 685,873	\$ 1,306,158	\$ 1,854,018	\$ 1,020,666	\$ 1,187,400	\$ 166,734	16%
Impact Fees	1,431,918	2,596,943	2,802,274	1,830,982	1,432,917	(398,065)	(22%)
Intergovernmental	3,329,066	3,326,662	3,522,911	3,894,401	4,241,552	347,151	9%
Charges for Services	167,589	313,409	279,144	195,212	200,901	5,689	3%
Fines and Forfeitures	484	268	543	790	920	130	16%
Investment Earnings	18,481	119,081	407,796	680,027	319,602	(360,425)	(53%)
Other Income	4,456	28,053	89,784	106,363	102,570	(3,793)	(4%)
Proceeds from sale of asset, net	-	-	-	-	996,685	996,685	N/A
Capital contributions	-	-	-	-	89,307	89,307	N/A
Total Revenues	\$ 5,637,867	\$ 7,690,574	\$ 8,956,470	\$ 7,728,441	\$ 8,571,854	\$ 843,413	11%

VILLAGE OF ESTERO
COMPARATIVE SUMMARY OF EXPENDITURES
(FUND-BASIS STATEMENTS)
Fiscal Years Ended September 30, 2016, 2017, 2018, 2019 & 2020

Page 9



Expenditures	9/30/16	9/30/17	9/30/18	9/30/19	9/30/20	Increase (Decrease)	% Inc (Dec)
General Government	\$ 2,264,950	\$ 2,534,379	\$ 2,737,183	\$ 3,225,843	\$ 2,964,950	\$ (260,893)	(8%)
Public Safety	875,992	1,300,626	1,177,337	1,064,991	1,305,996	241,005	23%
Physical Environment	306,643	436,856	433,352	112,001	191,691	79,690	71%
Transportation	2,548,077	1,021,378	457,090	784,925	1,243,529	458,604	58%
Human Services	48,428	48,428	22,756	33,879	37,932	4,053	12%
Culture and Recreation	-	-	-	129,032	128,094	(938)	(1%)
Debt service	-	-	-	1,058,288	2,411,883	1,353,595	128%
Capital Outlay	497,614	71,998	642,901	25,371,816	9,247,823	(16,123,993)	(64%)
Total Expenditures	\$ 6,541,704	\$ 5,413,665	\$ 5,470,619	\$ 31,780,775	\$ 17,531,898	\$ (14,248,877)	(45%)

AGENDA ITEM SUMMARY SHEET
VILLAGE COUNCIL MEETING
July 7, 2021

Agenda Item:

Cloud Server Transition

Description:

Summary: This will move all software and data storage related to Public Works, Finance, Clerk and general administration to the cloud over the next 6-9 months. The remainder of Village software and data storage, related to community development (building, planning, zoning, and code compliance), will be transitioned to the cloud over the next 12-18 months, as part of the community development software transition project.

All files will be stored in a combination of Microsoft and Amazon cloud servers, via several “front-end” software solutions. These include Laserfiche (for public records), ESRI (for mapping software), and Microsoft Office (used by everyone). These different software programs allow Village employees to do their jobs more efficiently, improve customer service, and provide the security of cloud backups to Microsoft and Amazon.

Presently, the Village hosts our data and operations on a local server. We have explored a transition to “the cloud”, in order to address the following goals:

- Improve our Village government’s cybersecurity, to protect our data and operations
- Maximize our workforce’s efficiency and mobility
- Minimize our daily upkeep and infrastructure-based liability and risk

The provided letters of engagement provide a means of executing the transition outlined in the June 2nd, 2021 Village Council workshop session, as well as the annual upkeep. The purpose for each letter of engagement is outlined below.

- Liftoff: Office 365 implementation and annual recurring licensing costs
- AvePoint: Office 365/SharePoint backup annual recurring licensing costs
- MCCI: Laserfiche implementation and annual recurring licensing costs

Additionally, the Village will require the services of Calvin, Giordano and Associates (our current IT provider), on an hourly basis, to assist with this implementation. The Village will also use an existing vendor (CDW/SHI/Softchoice) to purchase Microsoft remote desktop client access licenses (CALs) (a one-time cost). We do not expect these upfront, one-time costs to exceed \$15,000 and \$600, respectively.

Cumulative upfront and recurring cost estimates are provided in the “financial impact” section.

Action Requested:

Authority for the Village Manager to execute the attached three letters of engagement, or similarly priced alternatives, and other invoices related to these services.

Financial Impact:

Upfront costs are expected to be \$32,210.00, funded via the “Miscellaneous Contractual Services” account (fund # 001-800-513-5133450). A contingency is requested at \$3,221.00.

Annual costs are expected to be \$34,519.62, as compared to the estimated current annual cost of \$37,232.27 (incurred costs plus estimated annual capital depreciation costs). These new annual expenditures will replace the existing annual expenditures.

Attachments:

1. Cloud Server Transition Presentation (from the June 2nd, 2021 Village Council workshop session)
2. Liftoff Letter of Engagement
3. AvePoint Letter of Engagement
4. MCCI Letter of Engagement



Cloud Server Transition

Kyle Coleman

Slide 1



Agenda

1. What is "the cloud"?
2. Is it mainstream?
3. How would this benefit Estero?
4. Scope
5. Timeline
6. Cost

Slide 2



What is “the cloud”?

In short, distributed data storage.

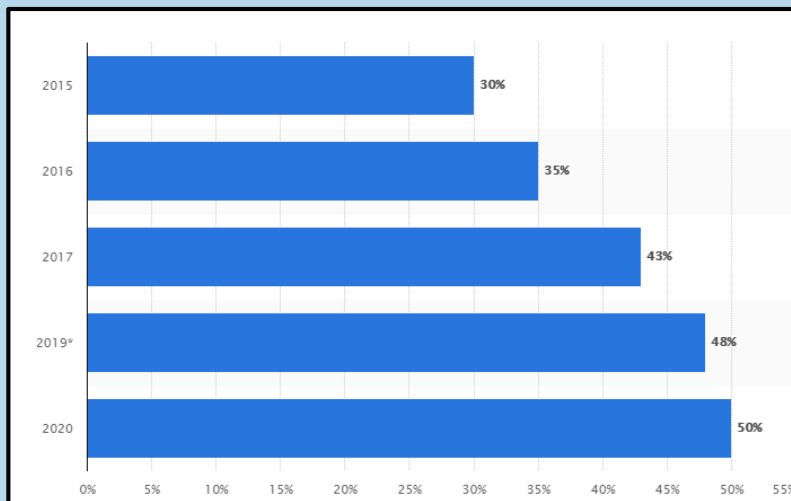


Slide 3



Is it mainstream?

Yes, and becoming the dominant business model.



Source: statista.com



Slide 4



How would this benefit Estero?

Four reasons. The first: security.



A strong defense



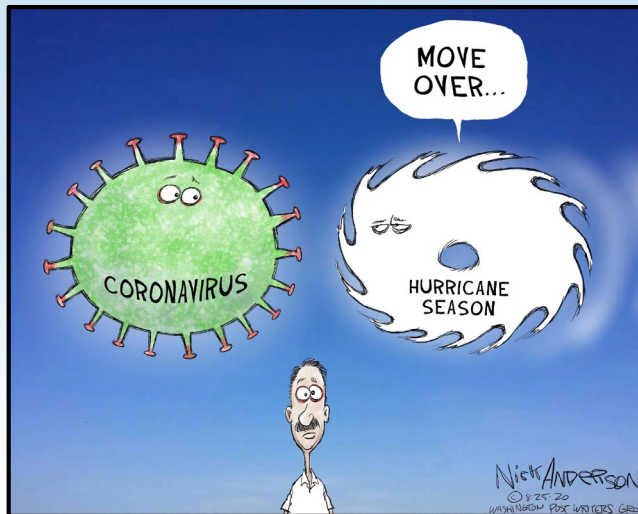
... and a backup plan.

Slide 5



How would this benefit Estero?

Three reasons. The second: accessibility.



When we have to work remotely ... and when we want to.

Slide 6



How would this benefit Estero?

Three reasons. The third: reliability.



Slide 7



How would this benefit Estero?

Four reasons. The fourth: government lite.



we manage via contract here



... so why not here, too?



Slide 8



Scope

Ultimately, everything. For now, public works, daily files & records.

Community
Dev. (?)

Public Works
(ESRI)

Public Records
(Laserfiche)

Finance
(?)

Daily Files
(Microsoft)

Slide 9



Timeline

Full in 18 months, partial in 6 months.

- Community Development: 18 months
- Finance: 18 months (hybrid cloud in 6 months)
- Public Works: 0 months (already mostly cloud based)
- Daily Files: 6 months
- Public Records: 6 months

■ *daily files, records, hybrid finance (Jan. 2022)*

■ *public works (today)*

■ *comm. dev., full finance (Jan. 2023)*

Slide 10

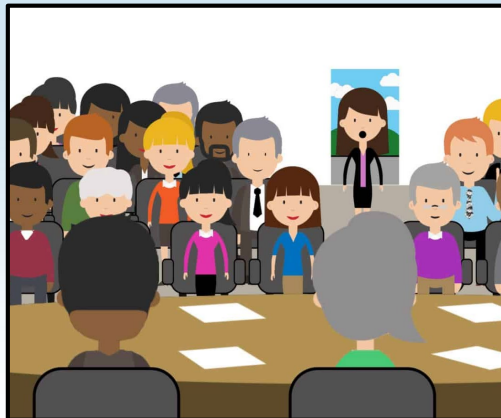


Cost

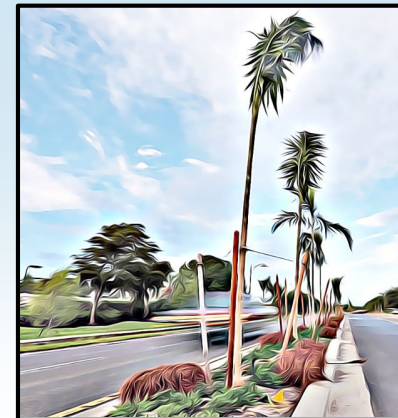
\$30k upfront, \$3k savings annually, 10 year payoff



daily files



public records



public works

Slide 11



QUESTIONS?

Slide 12



AvePoint Public Sector, Inc. Phone # 800.661.6588
2111 Wilson Boulevard, Suite 920 Fax # 201. 884.1258
Arlington VA 22201 Tax ID: 45-3745573

Sales Quote

QUOTE PREPARED FOR: (the "Customer")	
Company	Village of Estero
Address	9401 Corkscrew Palms Circle Estero, FL 33928
Name	Eric Wells
Phone	954-266-6481
Email	ewells@estero-fl.gov
Period of Performance	3-year subscription for 65 users of Cloud Backup

Quote #:	QUO-121198-H2V1Z5
Date:	6/4/2021
Valid Until:	7/30/2021

SALES REPRESENTATIVE:

Name	William Pritchett
Phone	804-380-4193
Email	William.Pritchett@avepoint.com

Subscription						
Existing Product	Product Code	Description	Term (Months)	Unit	Price Per Unit	Total Amount
Cloud Backup Standard for M365	AOS_O365_CBU_SD_01	AvePoint Cloud Backup for Office 365 protects an unlimited amount of content in Office 365 Groups, Teams and more with the most complete, automatic service protection with flexible, granular restore. Subscription per user per year which includes Premier Level Support & unlimited retention for the length of your contract.	12	65	\$4.00	\$3,120.00
Yearly Subtotal Subscription						\$3,120.00
3 YEAR SUBSCRIPTION GRAND TOTAL (Excludes all applicable taxes)						\$9,360.00
GRAND TOTAL DUE IN YEAR 1 (Excludes all applicable taxes)						\$3,120.00
GRAND TOTAL DUE IN YEAR 2 (Excludes all applicable taxes)						\$3,120.00
GRAND TOTAL DUE IN YEAR 3 (Excludes all applicable taxes)						\$3,120.00

Information provided in this quote is confidential and cannot be distributed without written authorization from AvePoint. AvePoint, Inc., an independent solutions provider, is the sole owner and provider of all products listed on this quote.

© 2009 - 2021 AvePoint, Inc. All rights reserved.



**All prices stated are net prices excluding VAT, VAT (if required) will be charged in addition to the invoice value.*

TO PLACE AN ORDER:

Please e-mail or fax this signed Sales Quote directly to your sales representative as per his/her contact information above and reference the appropriate quote number.

Please check one of the following options:

☐ Please invoice me (No Purchase Order). Send invoice to:

Contact Name: _____

Email: _____ Phone #: _____

☐ Please invoice me. Purchase Order No. _____.

(Attach Purchase Order with the signed Sales Quote. Please note that a missing PO may delay delivery of the AvePoint products, support or services contained in this Sales Quote.)

In the event Customer and the AvePoint entity issuing this Sales Quote ("AvePoint") have executed in writing a Master Agreement, Partner Agreement, Statement of Work or similar framework or individual agreement governing the purchase and use of the products, support or services listed in this Sales Quote ("Governing Agreement"), such Governing Agreement shall exclusively apply to the agreed extent.

To the extent that no Governing Agreement applies, all software products and support purchased hereunder are offered only under the terms of the AvePoint Master Software License and Support Agreement; and all professional services purchased hereunder are offered only under the terms of the AvePoint Service Addendum as published at <http://www.avepoint.com/license/license.html> and <http://www.avepoint.com/license/servicesaddendum.html> as amended by AvePoint from time to time.

Under no circumstances will Customer's terms (e.g. as contained or referenced in a purchase order) modify the existing terms or provide additional terms or conditions.

All software shall be made available to Customer electronically. Wire transfer and payment by check are acceptable forms of payment. Further, Visa or MasterCard are accepted for amounts of up to USD \$25,000. The price quoted above applies only to direct purchases from AvePoint and is only valid through the date specified herein.

The undersigned, on behalf of the Customer, hereby agrees that the Customer will be bound by all terms and conditions herein and will pay the quoted amount for the purchase of the listed items in accordance with the terms of this Sales Quote.

FOR AND ON BEHALF OF: Village of Estero

Signature: _____

Name: _____

Title: _____

Date: _____

Information provided in this quote is confidential and cannot be distributed without written authorization from AvePoint. AvePoint, Inc., an independent solutions provider, is the sole owner and provider of all products listed on this quote.

© 2009 - 2021 AvePoint, Inc. All rights reserved.

AvePoint[®] Public Sector

Information provided in this quote is confidential and cannot be distributed without written authorization from AvePoint. AvePoint, Inc., an independent solutions provider, is the sole owner and provider of all products listed on this quote.

© 2009 - 2021 AvePoint, Inc. All rights reserved.

**QUOTE**

as of 4/1/2021

Bill to:

Village of Estero, FL
9401 Corkscrew Palms Circle
Second Floor
Estero, FL 33928

Ship to:

Village of Estero, FL
9401 Corkscrew Palms Circle
Second Floor
Estero, FL 33928

Reseller (Remit To):

LiftOff LLC
Attn: Ron Braatz
1667 Patrice Circle
Crofton, MD 21114

Terms:

Due on Receipt

Payment Options:

ACH Payment (preferred) or check

Quote Description

G SKU Item Name	Part Number	Term in Months	Price/User/ Month	Licenses	Cost/Year
Office 365 Plan G3	AAA-11894	12	20.00	45	\$10,800.00
Exchange Online Plan 1	3MS-00001	12	4.00	18	\$864.00
Exchange Online Archive	4ES-00001	12	3.00	18	\$648.00
Azure AD Prem P2	MQN-00001	12	8.50	2	\$204.00
LiftOff Licensing Benefits	-	-	-	-	INCLUDED

Total: \$12,516.00

*LIFT OFF LICENSING BENEFITS: As a valued licensing customer, LiftOff offers you a range of free, ongoing services to your organization. This includes: Access to our library of Office 365 Admin best practice documents, our library of end-user training videos, AD Connect support including re-installations and troubleshooting, invitations to our Office 365 Security webinars and access to the recordings, limited free consultations on implementation processes like the "Office Deployment Tool", annual Office 365 health check-ups and security check-ups, and support for compliance/retention features including ongoing training to staff that need to conduct compliance retention searches.

Pricing Information:

- All prices are displayed in United States Dollars.
- Product and pricing data are updated frequently and may change without notice.
- Pricing valid for 14 days
- License orders are paid up front, are non-refundable, and are one-year licenses that renew each year.
- License reductions, upgrades, or cancellations may only occur at the annual renewal date.

In order to proceed, send a Purchase Order to rbraatz@liftoffonline.com. Once we have the Purchase Order, we will order the licenses from Microsoft. We will immediately invoice the full amount when we place the order.

Customer Terms for Cloud Services Agreement US Public Sector

This agreement is between **LiftOff LLC** (“we”, “us”, and “our”) and **Village of Estero, FL** (“you” and “your”). It is effective when we accept it. Key terms are defined in § 8.

1. General.

Right to use. You may access and use Office 365, and install and use a Client (if any) included with your Subscription, only as described in this agreement. All other rights are reserved.

Acceptable use. You will use Office 365 only per the AUP. You will not use Office 365 in any way that infringes a third party’s patent, copyright, or trademark or misappropriates its trade secret. You may not reverse engineer, decompile, work around technical limits in, or disassemble Office 365, except if applicable law permits despite this limit. You may not rent, lease, lend, resell, transfer, or host Office 365 to or for third parties.

Compliance. You will comply with all laws and regulations applicable to your use of Office 365. In providing Office 365, we and our Providers will comply with all laws and regulations (including applicable security breach notification law) that generally apply to IT service providers. You will obtain any consents required: (1) to allow you to access, monitor, use, and disclose user data; and (2) for us to provide Office 365. If you are an educational institution, you will obtain any parental consent for end users’ use of Office 365 as required by applicable law.

Customer Data. Customer Data is used only to provide you Office 365. This use may include troubleshooting to prevent, find and fix problems with Office 365’s operation. It may also include improving features for finding and protecting against threats to users. Neither we nor our Providers will derive information from Customer Data for any advertising or other commercial purposes. We will enable you to keep Customer Data separate from consumer services. Customer Data will not be disclosed unless required by law or allowed by this agreement. Your contact information may be provided so that a requestor can contact you. If law requires disclosure, we will use commercially reasonable efforts to notify you, if permitted. Customer Data may be transferred to, and stored and processed in, any country we or our Providers maintain facilities, unless you provision your tenant in the United States. If you do, Microsoft will provide Office 365 from data centers in the United States, and storage of the following customer data at rest will be located in data centers only in the United States: (i) Exchange Online mailbox content (e-mail body, calendar entries, and the content of e-mail attachments), and (ii) SharePoint Online site content and the files stored within that site.

Changes. Office 365 may be changed periodically, after which you may need to agree to new terms. You may be required to run a client software upgrade on devices using Office 365 after a change to maintain full functionality.

Use rights. Use rights specific to Office 365 are posted online at the link to the AUP.

2. Confidentiality and Security.

We and our Providers will (a) maintain appropriate technical and organizational measures, internal controls, and data security routines intended to protect Customer Data against accidental loss or change, unauthorized disclosure or access, or unlawful destruction and (b) not disclose Customer Data, except as required by law or expressly allowed. Neither party will make any public statement about this agreement's terms without the other's prior written consent.

3. Term, Termination, and Suspension.

Term and termination. This agreement will remain in effect for three years subject to your right under applicable law to terminate for convenience.

Customer Data. You may extract Customer Data at any time. If your Subscription expires or terminates, we will keep your Customer Data in a limited account for at least 90 days so you may extract it. We may delete your Customer Data after that.

Regulatory. If a government rule or regulation applies to us or our Providers, but not generally to other businesses, and makes it difficult to operate Office 365 without change, or we or our Providers believe this agreement or Office 365 may conflict with the rule or regulation, we may change Office 365 or terminate the agreement. If we change Office 365 to come into compliance, and you do not like the change, you may terminate.

Suspension. We may suspend use of Office 365: (1) if reasonably needed to prevent unauthorized Customer Data access; (2) if you do not promptly respond under §5 to intellectual property claims; or (3) for non-payment; or (4) if you violate the AUP. A suspension will be in effect only while the condition or need exists and, if under clause (1) or (2), will apply to the minimum extent necessary. We will notify you before we suspend, unless doing so may increase damages. We will notify you at least 30 days before suspending for non-payment. If you do not fully address the reasons for suspension within 60 days after we suspend, we may terminate your Subscription.

4. Limited warranty; disclaimer.

We warrant that Office 365 will meet the SLA terms during the Subscription; your only remedy for breach of warranty is stated in the SLA. *We provide no (and disclaim to the extent permitted by law any) other warranties, express, implied, or statutory, including warranties of merchantability or fitness for a particular purpose.*

5. Duty to protect.

Defense. We or our Providers will defend you against any claims made by an unaffiliated third party that Office 365 infringes its patent, copyright, or trademark or misappropriates its trade secret.

Remedies. If we or our Providers reasonably believe that a claim under §5 may bar your use of Office 365, we or our Providers will seek to: (1) obtain the right for you to keep using it; or (2) modify or replace it with a functional equivalent and notify you to stop use of the prior version. If these options are not commercially

reasonable, we or our Providers may terminate your rights to Office 365 and refund any payments for unused Subscription rights.

Other obligations. To the extent permitted by law, you will (1) notify us promptly of a claim under this §5 and (2) allow us or our Providers to assist in your defense or settlement. You will provide reasonable help to defend. We or our Providers will reimburse you for reasonable out-of-pocket expenses incurred in giving that help and pay the amount of any resulting adverse final judgment (or settlement the protecting party consents to). Neither we nor our Providers will be bound by any settlement to which we do not agree in writing, this § 5 provides the exclusive remedy for these claims.

Limits. The obligations of us and our Providers in this §5 won't apply to a claim or award based on: (1) Customer Data; (2) software not provided by us or our Providers; (3) modifications you make to Office 365, or materials you provide or make available as part of using Office 365; (4) your combination of Office 365 with, or damages based on the value of, a product, data, or business process not provided by us or our Providers; or (5) your use of a Microsoft trademark without their express, written consent, or your use of Office 365 after being notified to stop due to a third-party claim.

6. Limited liability.

Each party's (and our Providers') maximum aggregate liability for any claim related to this agreement is limited to direct damages up to the fees that you paid for Office 365 during the 12 months before the claim arose (or \$5,000.00 if you paid no fees). *Neither party nor our Providers will be liable for lost revenues or indirect, special, incidental, consequential, punitive, or exemplary damages, even if the party knew they were possible.* The limits and exclusions in this §6 apply to the extent permitted by law, but do not apply to (1) obligations under §5; or (2) intellectual property infringement or misappropriation.

7. Agreement mechanics.

You must send notice by regular mail, return receipt requested, to the address on the Portal (effective when delivered). We may email notice to your account administrators (effective when sent). You may not assign this agreement, or any right or duty under it. If part of this agreement is held unenforceable, the rest remains in force. Failure to enforce this agreement is not a waiver. The parties are independent contractors. This agreement does not create an agency, partnership, or joint venture. This agreement is governed by the laws applicable to Customer, without regard to conflict of laws. This agreement (including the SLA and AUP) and our price sheet are the parties' entire agreement on this subject and supersedes any concurrent or prior communications. Agreement terms that require performance, or apply to events that may occur, after termination or expiration will survive, including §5. Office 365 and the Client are subject to U.S. export jurisdiction. You must comply with the U.S. Export Administration Regulations, the International Traffic in Arms Regulations, and end-user, end-use, and destination restrictions. For more information, see <http://www.microsoft.com/exporting/>. Our Providers may deliver Office 365, and the rights granted to us also apply to them.

8. Definitions.

"AUP" means the acceptable use policy at <http://www.microsoftvolumelicensing.com/Downloader.aspx?DocumentId=5502>.

"Client" means device software that we or our Providers provide you with Office 365.

"Customer Data" means all data, including all text, sound, or image files that are provided to us or our Providers by, or on behalf of, you through your use of Office 365.

“Office 365” means (1) Exchange Online, Exchange Online Archiving, SharePoint Online, Lync Online, and Office Web Apps included in Office 365 Enterprise Plans E1, E2, E3, E4, K1, and K2; and Office 365 Government Plans G1, G2, G3, G4, K1, and K2; and (2) Exchange Online Archiving; Exchange Online Protection; Exchange Online Plans 1, 2, Basic, and Kiosk; SharePoint Online Plans 1, 2, and Kiosk; Office Web Apps Plans 1 and 2; and Lync Online Plans 1, 2, and 3.

“Portal” means the Online Services Portal for Office 365 (see <http://www.microsoft.com/online>).

“Providers” means our affiliates, licensors, and suppliers, including Microsoft and its applicable affiliates.

“SLA” means the service level commitments we or our Providers make regarding delivery and performance of Office 365 (see <http://www.microsoft.com/licensing/contracts>).

“Subscription” means an order for a quantity of Office 365.

Estimate

Village of Estero, FL

Issued: February 22, 2021



TABLE OF CONTENTS

Recommended Solution Overview: Laserfiche..... 3
 Laserfiche Cloud 4
Laserfiche Cloud Licensing Guide 5
Laserfiche Cloud Definitions 6
Estimate 9

RECOMMENDED SOLUTION OVERVIEW: LASERFICHE

MCCi is recommending the Laserfiche solution and MCCi Professional Services for your organization. With capabilities ranging from electronic records management to document routing, electronic forms, and integrations, Laserfiche is a powerful solution that enables the entire enterprise. Please keep in mind some of the features of Laserfiche:

USER-FRIENDLY

Laserfiche is very easy to learn, navigate, and use. With a folder structure similar to Windows Explorer, Laserfiche will seem familiar to your staff, giving them the confidence to begin scanning and retrieving documents almost immediately after installation.

COMPREHENSIVE SECURITY

Laserfiche Comprehensive Security allows you to control and administer the security of your documents. You determine which functions, such as scanning and printing, each staff member may use.

INTELLIGENT SEARCH

The Laserfiche Search Engine is a powerful tool to help users find the documents they need during their day-to-day processes, including full-text search, index search, and document and folder name. The Laserfiche full-text search unlocks the contents of your documents; if you need to find a word or phrase within a document, Laserfiche retrieves it immediately. An easy Google-style toolbar is available for searching as well.



INTEGRATION

Laserfiche is the central repository for records in your organization and allows you to integrate other main line-of-business solutions easily. Whether you are looking for a way to integrate with a departmental solution, ERP solution, Microsoft Office application or SharePoint, etc., Laserfiche has options available to reduce duplicate data entry and provides seamless access to your records.

E-FORMS & BUSINESS PROCESS AUTOMATION

Laserfiche allows users to capture information while automating and transforming business processes. Users are finding efficiencies by reducing the time processes take and giving users access to information instantaneously through the implementation of Laserfiche Forms and Laserfiche Workflow, resulting in cost savings for the organization.

MOBILITY & WEB TOOLS

Mobile devices are used in organizations for day-to-day operations. Laserfiche has options available to ensure you can access Laserfiche from these devices and perform related actions quickly on the go. There are also options to give your outside citizens/customers access to records through the web to promote transparency and decrease records requests.



LASERFICHE CLOUD

MCCi is recommending the Cloud platform for your organization. Laserfiche Cloud seamlessly combines traditional content services platform (CSP) functionality with powerful business process management, auditing tools, and security.

Unlike purchased perpetual licensing, Laserfiche Cloud lowers your initial licensing costs based on *subscribing* to the rights to use Laserfiche products and services instead of *owning* them. With included functional ranging from records management (DoD 5015.2 certified) to document routing, electronic forms, and batch processing tools, Laserfiche Subscription provides an easy-to-use, cost-effective platform for automating day-to-day business processes.

The Laserfiche Cloud license introduces a straightforward annual fee including software licenses, hosted storage, technical support, and software updates.

LASERFICHE CLOUD LICENSING GUIDE

To determine which platform/licenses are applicable, please refer to the [Pricing](#) section.

LASERFICHE PLATFORM ARCHITECTURE			
	Starter	Professional	Business
App. Servers/Repositories	1	1	1
FULL USE ACCESS LICENSES			
	Starter	Professional	Business
Full Named Users	Minimum of 1	Minimum of 5	Minimum of 25
100 GB Storage Per User	Included Additional Storage Available	Included Additional Storage Available	Included Additional Storage Available
Audit Trail	Included (Starter)	Included (Starter) Advanced is Add-on Option	Included (Advanced)
Direct Share	Included	Included	Included
Automated/Encrypted Backups	Included	Included	Included
Intrusion Detection	Included	Included	Included
Automated Feature and Security Updates	Included	Included	Included
Import Agent w/Email Archiving	Included	Included	Included
Process Automation	Not Available	Included	Included
Connector	Not Available	Included	Included
Surveys	Not Available	Included	Included
Records Management	Not Available	Add-on Option	Included
LIMITED USE ACCESS LICENSES			
	Starter	Professional	Business
Participant Users	Not Available	Add-on Option, Minimum of 10	Add-on Option, Minimum of 10
Community Users	Not Available	Add-on Option	Add-on Option
Education Users	Not Available	Add-on Option	Add-on Option
MODULE BASED LICENSES			
	Starter	Professional	Business
Quick Fields Complete with Agent ††	Add-on Option	10 Installations Included	10 Installations Included
Invoice Smart Capture	Not Available	Add-on Option	Add-on Option
Workflow Bots	Not Available	1 Included with Option to Add-on	1 Included with Option to Add-on
Vault	Add-on Option	Add-on Option	Add-on Option
ScanConnect	Add-on Option	Add-on Option	Add-on Option
SDK	Not Available	Add-on Option	Included
Public Portal (WebLink) †	Not Available	Options: 1,000 Views, Blocks of 10,000 Views	Unlimited Views
Forms Portal †	Not Available	Options: 1,000 Submissions, Blocks of 10,000 Submissions	Unlimited Submissions
INTEGRATIONS			
	Starter	Professional	Business
Microsoft 365 Integration with Simultaneous Editing	Included	Included	Included
Integration with SharePoint	Included	Included	Included
Integration with Salesforce, Microsoft Dynamics 365, and Redtail CRMs	Not Available	Included	Included
Integration with DocuSign	Add-on Option	Add-on Option	Included
Integration with Ellucian Ethos	Not Available	Add-on Option	Add-on Option
Integration with LaserApp	Add-on Option	Add-on Option	Add-on Option
Laserfiche for Ricoh MFD	Add-on Option	Add-on Option	Add-on Option
Certified Integration with SAP ArchiveLink	Add-on Option	Add-on Option	Add-on Option

† Public Portal and Forms Portal are licensed per Laserfiche Application Server.

†† Quick Fields is licensed per machine.

* A sandbox environment includes 10 users, Laserfiche Directory Server and any additional add-ons purchased, such as portals.

LASERFICHE CLOUD DEFINITIONS

To determine which licenses are applicable, please refer to the [Pricing](#) section. Your specific implementation may not include all features below.

LASERFICHE CLOUD

Laserfiche Cloud is a Software as a Service (SaaS) solution, which provides a central digital repository accessible from anywhere. With Laserfiche cloud you can upload, view, and modify content within a streamlined fully responsive web interface. In addition to the central repository, below are some of the great features that come with Laserfiche Cloud. The Laserfiche Cloud license introduces a straightforward annual fee including software licenses, hosted storage, technical support, and software updates. The licensing option provides a Software as a Service (SaaS) solution hosted on Amazon Web Services. Laserfiche offers three different tiers: Starter, Professional and Business. All Laserfiche Cloud tiers include:

- **100 GB Per User**
- **Web Client:** Enables subscription users to access content through a web browser.
- **Laserfiche Mobile:** An app (Android and Apple) that enables you to capture, upload, and securely access and work with documents inside Laserfiche while on the go.
- **Laserfiche Snapshot:** "Print" electronic documents into your repository as TIFF images with this virtual printer. Laserfiche Snapshot works as though you had printed the document and then scanned it back into Laserfiche but allows you to skip the step of making a physical printed copy.
- **Direct Share:** Allows you to share content from the Laserfiche repository with external users through the Web Client or Mobile App. When you send documents through direct share, the recipient will receive a unique and anonymized URL that they can use to access the files for a limited time. You can add a password and specify the number of days until the URL expires. The sender will receive notifications when the content was viewed, and a repository administrator can see the status of who shared it, with whom, and if/when it was accessed.
- **Audit Trail:** Track activities performed in a Laserfiche repository and generate reports. Auditing helps to show compliance with legal regulations and contributes to the security of the Laserfiche repository.
- **Automated text extraction:** Automatically extract specific text.
- **Import Agent with Email Archive:** A tool for automatically importing files into the Laserfiche repository from a Windows folder, and the Email Archive allows you to automatically archive emails to Laserfiche. Email Archive can extract and assign metadata to the emails saved in Laserfiche, as well as extract and save attachments and the email's distribution list file.
- **Industry-Leading Data Encryption:** For data in transit over public networks, Laserfiche Cloud uses TLS encryption, and AES-256 encryption is utilized for data-at-rest, including backups. Documents are backed up 6x a day with the most recent 3 backups available for a minimum of 14 days.
- **Multi-factor authentication:** Multi-factor authentication can be enabled for a Laserfiche Cloud user account.
- **Single sign-on:** Laserfiche Cloud supports single sign-on with Active Director Federation Services (AD FS) and Security Assertion Markup Language (SAML).
- **Intrusion Detection:** Laserfiche Cloud utilized host-based intrusion detection systems to reduce the risk of data theft by individuals or organizations attempting to gain unauthorized access.
- **Microsoft Office Integration:** Integration with Microsoft Office® Suite. Allows for direct content import as well as indexing capabilities. As a part of this integration, emails and attachments stored in Outlook can be imported to the repository with a single click and auto indexed with information such as sender, subject, time received, etc.
- **Integration with SharePoint:** The SharePoint Integration (SPI) is built on the power of Laserfiche Web Client, a Section 508-compliant thin client that reduces installation, support, and maintenance requirements. The integration requires an on-premises installation of SharePoint.

LASERFICHE CLOUD PROFESSIONAL

Please refer to the [Pricing](#) section to determine which package was quoted. This functionality provides many tools to automate business processes and reduce manual work:

- **Process Automation:** A unified feature set to digitize and automate business processes. These tasks include moving documents, both extracting and inputting data, setting deadlines, and more.
 - **Business Process Designer:** Diagram business processes through the process modeler, which is based on business process model and notation (BPMN) standards.
 - **Workflows:** Build processes to extract data, route documents, automate activities, assign team and individual tasks, extract data, route documents, and more without requiring code.
 - **Business Processes & Forms:** Forms allow process managers to create and publish web forms with an intuitive forms management system without requiring coding or scripting.
 - Attractive forms can easily be created with preconfigured templates or can be customized with editable fonts, colors, uploaded images, and layouts.
 - Drag-and-drop form elements include fields, check boxes, and radio buttons to collect the exact information needed in the precise format required.
 - Payment collection allows payment to be collected with Braintree and Authorize.Net payment gateways.
 - Automatically apply bulk annotations such as highlights, redactions, strikethroughs, and underlines across documents processed through workflows.
 - Read barcodes on documents as part of automated workflows to better streamline document capture
 - **Starting Events:** Define how and when processes start.
 - **Business Rules:** Easily define and manage business policy logic such as decision tables and formulas, in a centralized place separately from process logic
 - **Data Management:** Define data structures and store data independently of processes to provide a single source of truth for data
 - **Capture Profiles:** Capture document information automatically using profiles.
- **Reporting and Analytics:** Use out-of-the-box reports or create custom reports on process data for insights to make informed decisions
- **Connector:** Provides a no-code means for integrating Laserfiche with line-of-business applications
- **Surveys:** Design custom surveys, polls, or registration forms to automatically collect information and view results without creating processes or designing reports.
- **Quick Fields Complete with Agent:** An advanced automated data capture solution. The complete suite of modules for Quick Fields are included along with Agent that allows scheduled automated processing sessions around the clock, without operator intervention.
- **Workflow Bots:** Use robotic process automation technology to let you easily configure software bots to automate repetitive, routine work between multiple systems.
- **Integrations with CRMs:** Laserfiche Cloud includes integrations with Microsoft Dynamics 365, Salesforce and Redtail CRMs.

LASERFICHE CLOUD PROFESSIONAL ADD-ONS

These items are optional and are only part of the proposed solution if pricing has been included.

- **Additional Storage**
- **Public Portal:** Share documents with people outside the organization, providing read-only access to specific documents without signing in.
 - **Note:** Only one security profile is included.
- **Forms Portal:** Allow non-authenticated users to view and submit public starting forms.
- **Records Management Edition:** Process records and record folders according to a life cycle, through creation, retrieval, storage, and disposition.

- **Participant Users:** For employees in need of read-only repository access and the ability to participate in forms processes. Education Participants are available for educational institutions.
- **Community Users:** For non-employees and non-contractors. Provides read-only repository access and ability to participate in forms processes (i.e. Vendor Management, Residents).
- **Smart Invoice Capture:** Smart capture uses machine learning technology to automatically capture information from any invoice, specifically the invoice date, invoice number, purchase order number and total amount due.
- **Laserfiche Vault:** A solution package that supports financial services firms' compliance with SEC Rule §17a-4 using services and cloud-based features that provide a secure and accurate system of records.
- **SDK:** Access to the same Web Services, API's and libraries for integration with other applications.
- **ScanConnect:** Enables the use of ISIS scanning drivers with Laserfiche scanning.
- **Laserfiche Integration with DocuSign:** Initiate a signing process from within Laserfiche Cloud. Users may select the type of signing process they are initiating and attach documents that need to be a part of that process. Once the signing process completes, documents are imported back into the Laserfiche Repository from DocuSign as new versions of the un-signed document. Information captured during the signing process may be mapped to Laserfiche metadata fields.
- **Certified Integration with SAP ArchiveLink:** Allows you to configure a Laserfiche repository as a content repository in SAP. Archive content from SAP in Laserfiche as well as search, retrieve, update, and delete archived content.
- **Integration with LaserApp:** This is a third-party application that helps Financial Services clients fill out and file forms. Using the Laserfiche integration with Laser App, you can then store those forms in Laserfiche, and extract information from your forms to populate Laserfiche metadata.
- **Laserfiche for Ricoh MFD:** A single integrated solution in which scanning, searching, browsing, and printing from the Laserfiche Server can be performed.
- **Ellucian Banner Integration through Ethos:** The integration support pre-populating registrar forms created in Business Process and updating records in Banner with course or student personal information through Workflow.

ESTIMATE

Client Name: Village of Estero, FL
Estimate Number: 18962
Estimate Type: Platform Change

Quote Date: February 22, 2021

Product Description:	Qty.	Unit Cost	Annual Total
----------------------	------	-----------	--------------

EXISTING LASERFICHE SOFTWARE SUPPORT CREDIT

☒ Current System Support Credit	TBD	TBD	TBD
<i>**The credit amount honored will be determined based on the date of order.</i>			
Existing Laserfiche Software Support Credit Total			TBD

LASERFICHE CLOUD ANNUAL SUBSCRIPTION - BASIC

☒ Laserfiche Cloud Professional User Subscription (5-49 Users)	8	\$871.50	\$6,972.00
☒ Laserfiche Cloud Quick Fields Complete with Agent Subscription (10-Pack)	1	Included	Included
☒ Laserfiche Cloud Workflow Bots Subscription	1	Included	Included
☒ Laserfiche Cloud Public Portal Subscription (Up to 1,000 Views Per Month)	1	\$630.00	\$630.00
☒ Laserfiche Cloud ScanConnect Subscription	5	\$105.00	\$525.00
Laserfiche Annual Recurring Subscription Subtotal			\$8,127.00

MCCI ANNUAL SUBSCRIPTION

☒ Training Center for Laserfiche (5-9 Users)	1	\$925.00	\$925.00
MCCI Annual Recurring Subscription Subtotal			\$925.00

MCCI SUPPLEMENTAL SUPPORT SERVICES SUBSCRIPTION

☒ Process Administration Support Services for Laserfiche	1	\$4,275.00	\$4,275.00
<i>Client needs are estimated based on the current components provided herein: up to 25 hours that will expire at the end of your renewal term.</i>			
MCCI Supplemental Support Services Annual Recurring Subscription Subtotal			\$4,275.00

GRAND TOTAL - RECURRING ANNUAL SUPPORT/SUBSCRIPTION	\$13,327.00
--	--------------------

Service Description:	Qty.	Unit Cost	Total
----------------------	------	-----------	-------

MCCI SERVICE PACKAGES

☒ On-Premises Data Migration to Laserfiche Cloud	1	\$2,050.00	\$2,050.00
<i>Client must upgrade to newest version of Laserfiche to utilize the Laserfiche Data Migration Tool.</i>			

☒	Implementation Services Package <i>Cost is based on the current components provided herein. MCCI's certified personnel will administer these services to assist Client with implementing the software/subscription components purchased.</i> • Business Requirments Gathering • Project Management • System Review	1	\$2,460.00	\$2,460.00
☒	Laserfiche Filing Workflow Configuration <i>Up to 15 Document Types.</i>	1	\$4,100.00	\$4,100.00
Service Packages Subtotal				\$8,610.00

GRAND TOTAL - ONE-TIME SERVICES	\$8,610.00
--	-------------------

TOTAL LASERFICHE PROJECT COST	\$21,937.00
--------------------------------------	--------------------

NOTE: The information presented in this document is based on the results of MCCI and Client's collaborative preliminary discovery thus far. As planning and discovery continue, the project scope and costs may change to meet the specific needs of the Client. MCCI will present a formal detailed pricing proposal and project scope for approval prior to the start of any project. This is not a formal quote. Additional services will likely need to be included based on required discovery session.

AGENDA ITEM SUMMARY SHEET
VILLAGE COUNCIL MEETING
July 7, 2021

Agenda Item:

Public Hearing Date and Time for School Site Comprehensive Plan Amendment.

Description:

The Village Council held a public hearing on May 26, 2021, to consider the Comprehensive Plan Amendment (CPA 2020-E001) for the School District Property on Three Oaks Parkway. The Council voted to transmit the amendment to the state for their review as required by law. Comments were recently received.

The next step in the process is to set a second Council public hearing for adoption of the amendment. Florida Statutes specifically states that one of the public hearings must be held after 5:00 p.m., unless the Council, "by a majority plus one vote" elect to conduct the hearing at another time of day.

Staff recommends the hearing be set for 9:30 a.m. on Wednesday, July 14th.

Action Requested:

Set public hearing date and time for July 14, 2021 at 9:30 a.m.

Financial Impact:

No financial impact.

Attachment:

1. Florida Statute Section 166.041.

5/10/2021

Chapter 166 Section 041 - 2011 Florida Statutes - The Florida Senate

The Florida Senate

2011 Florida Statutes

166.041(3)(c)2

<u>Title XII</u> MUNICIPALITIES	<u>Chapter 166</u> MUNICIPALITIES <u>Entire Chapter</u>	<u>SECTION 041</u> Procedures for adoption of ordinances and resolutions.
------------------------------------	---	---

166.041 Procedures for adoption of ordinances and resolutions.—

(1) As used in this section, the following words and terms shall have the following meanings unless some other meaning is plainly indicated:

(a) "Ordinance" means an official legislative action of a governing body, which action is a regulation of a general and permanent nature and enforceable as a local law.

(b) "Resolution" means an expression of a governing body concerning matters of administration, an expression of a temporary character, or a provision for the disposition of a particular item of the administrative business of the governing body.

(2) Each ordinance or resolution shall be introduced in writing and shall embrace but one subject and matters properly connected therewith. The subject shall be clearly stated in the title. No ordinance shall be revised or amended by reference to its title only. Ordinances to revise or amend shall set out in full the revised or amended act or section or subsection or paragraph of a section or subsection.

(3)(a) Except as provided in paragraph (c), a proposed ordinance may be read by title, or in full, on at least 2 separate days and shall, at least 10 days prior to adoption, be noticed once in a newspaper of general circulation in the municipality. The notice of proposed enactment shall state the date, time, and place of the meeting; the title or titles of proposed ordinances; and the place or places within the municipality where such proposed ordinances may be inspected by the public. The notice shall also advise that interested parties may appear at the meeting and be heard with respect to the proposed ordinance.

(b) The governing body of a municipality may, by a two-thirds vote, enact an emergency ordinance without complying with the requirements of paragraph (a) of this subsection. However, no emergency ordinance or resolution shall be enacted which establishes or amends the actual zoning map designation of a parcel or parcels of land or that changes the actual list of permitted, conditional, or prohibited uses within a zoning category. Emergency enactment procedures for land use plans adopted pursuant to part II of chapter 163 shall be pursuant to that part.

¹(c) Ordinances initiated by other than the municipality that change the actual zoning map designation of a parcel or parcels of land shall be enacted pursuant to paragraph (a). Ordinances that change the actual list of permitted, conditional, or prohibited uses within a zoning category, or ordinances initiated by the municipality that change the actual zoning map designation of a parcel or parcels of land shall be enacted pursuant to the following procedure:

1. In cases in which the proposed ordinance changes the actual zoning map designation for a parcel or parcels of land involving less than 10 contiguous acres, the governing body shall direct the clerk of the governing body to notify by mail each real property owner whose land the municipality will redesignate by enactment of the ordinance and whose address is known by reference to the latest ad valorem tax records. The notice shall state the substance of the proposed ordinance as it affects that property owner and shall set a time and place for one or more public hearings on such ordinance. Such notice shall be given at least 30 days prior to the date set for the public hearing, and a copy of the notice shall be kept available for public inspection during the regular business hours of the office of the clerk of the governing body. The governing body shall hold a public hearing on the proposed ordinance and may, upon the conclusion of the hearing, immediately adopt the ordinance.

2. In cases in which the proposed ordinance changes the actual list of permitted, conditional, or prohibited uses within a zoning category, or changes the actual zoning map designation of a parcel or parcels of land involving 10 contiguous acres or more, the governing body shall provide for public notice and hearings as follows:

a. The local governing body shall hold two advertised public hearings on the proposed ordinance. At least one hearing shall be held after 5 p.m. on a weekday, unless the local governing body, by a majority plus one vote, elects to

<https://www.flsenate.gov/Laws/Statutes/2011/166.041>

1/3

5/10/2021

Chapter 166 Section 041 - 2011 Florida Statutes - The Florida Senate

conduct that hearing at another time of day. The first public hearing shall be held at least 7 days after the day that the first advertisement is published. The second hearing shall be held at least 10 days after the first hearing and shall be advertised at least 5 days prior to the public hearing.

b. The required advertisements shall be no less than 2 columns wide by 10 inches long in a standard size or a tabloid size newspaper, and the headline in the advertisement shall be in a type no smaller than 18 point. The advertisement shall not be placed in that portion of the newspaper where legal notices and classified advertisements appear. The advertisement shall be placed in a newspaper of general paid circulation in the municipality and of general interest and readership in the municipality, not one of limited subject matter, pursuant to chapter 50. It is the legislative intent that, whenever possible, the advertisement appear in a newspaper that is published at least 5 days a week unless the only newspaper in the municipality is published less than 5 days a week. The advertisement shall be in substantially the following form:

NOTICE OF (TYPE OF) CHANGE

The (name of local governmental unit) proposes to adopt the following ordinance: (title of the ordinance).

A public hearing on the ordinance will be held on (date and time) at (meeting place).

Except for amendments which change the actual list of permitted, conditional, or prohibited uses within a zoning category, the advertisement shall contain a geographic location map which clearly indicates the area covered by the proposed ordinance. The map shall include major street names as a means of identification of the general area.

c. In lieu of publishing the advertisement set out in this paragraph, the municipality may mail a notice to each person owning real property within the area covered by the ordinance. Such notice shall clearly explain the proposed ordinance and shall notify the person of the time, place, and location of any public hearing on the proposed ordinance.

(4) A majority of the members of the governing body shall constitute a quorum. An affirmative vote of a majority of a quorum present is necessary to enact any ordinance or adopt any resolution; except that two-thirds of the membership of the board is required to enact an emergency ordinance. On final passage, the vote of each member of the governing body voting shall be entered on the official record of the meeting. All ordinances or resolutions passed by the governing body shall become effective 10 days after passage or as otherwise provided therein.

(5) Every ordinance or resolution shall, upon its final passage, be recorded in a book kept for that purpose and shall be signed by the presiding officer and the clerk of the governing body.

(6) The procedure as set forth herein shall constitute a uniform method for the adoption and enactment of municipal ordinances and resolutions and shall be taken as cumulative to other methods now provided by law for adoption and enactment of municipal ordinances and resolutions. By future ordinance or charter amendment, a municipality may specify additional requirements for the adoption or enactment of ordinances or resolutions or prescribe procedures in greater detail than contained herein. However, a municipality shall not have the power or authority to lessen or reduce the requirements of this section or other requirements as provided by general law.

(7) Five years after the adoption of any ordinance or resolution adopted after the effective date of this act, no cause of action shall be commenced as to the validity of an ordinance or resolution based on the failure to strictly adhere to the provisions contained in this section. After 5 years, substantial compliance with the provisions contained in this section shall be a defense to an action to invalidate an ordinance or resolution for failure to comply with the provisions contained in this section. Without limitation, the common law doctrines of laches and waiver are valid defenses to any action challenging the validity of an ordinance or resolution based on failure to strictly adhere to the provisions contained in this section. Standing to initiate a challenge to the adoption of an ordinance or resolution based on a failure to strictly adhere to the provisions contained in this section shall be limited to a person who was entitled to actual or constructive notice at the time the ordinance or resolution was adopted. Nothing herein shall be construed to affect the standing requirements under part II of chapter 163.

(8) The notice procedures required by this section are established as minimum notice procedures.

History.—s. 1, ch. 73-129; s. 2, ch. 76-155; s. 2, ch. 77-331; s. 1, ch. 83-240; s. 1, ch. 83-301; s. 2, ch. 95-198; s. 5, ch. 95-310.

<https://www.flsenate.gov/Laws/Statutes/2011/166.041>

2/3

5/10/2021

Chapter 166 Section 041 - 2011 Florida Statutes - The Florida Senate

¹Note.— As amended by s. 5, ch. 95-310. This version is published as the last expression of legislative will (*see* Journal of the Senate 1995, p. 1061, and Journal of the House of Representatives 1995, p. 1129). Paragraph (3)(c) was also amended by s. 2, ch. 95-198, and that version reads:

(c) Ordinances initiated by the governing body or its designee which rezone specific parcels of private real property or which substantially change permitted use categories in zoning districts shall be enacted pursuant to the following procedure:

1. In cases in which the proposed rezoning or change in permitted use involves less than 5 percent of the total land area of the municipality, the governing body shall direct the clerk of the governing body to notify by mail each real property owner whose land the municipality will rezone or whose land will be affected by the change in permitted use by enactment of the ordinance and whose address is known by reference to the latest ad valorem tax records. The notice shall state the substance of the proposed ordinance as it affects that property owner and shall set a time and place for one or more public hearings on such ordinance. Such notice shall be given at least 30 days prior to the date set for the public hearing, and a copy of the notice shall be kept available for public inspection during the regular business hours of the office of the clerk of the governing body. The governing body shall hold a public hearing on the proposed ordinance and may, upon the conclusion of the hearing, immediately adopt the ordinance.

2. In cases in which the proposed ordinance deals with more than 5 percent of the total land area of the municipality, the governing body shall provide for public notice and hearings as follows:

a. The local governing body shall hold two advertised public hearings on the proposed ordinance. Both hearings shall be held after 5 p.m. on a weekday, unless the local governing body, by a majority plus one vote, elects to conduct one or both of these hearings at another time of day. The first public hearing shall be held approximately 7 days after the day that the first advertisement is published. The second hearing shall be held approximately 2 weeks after the first hearing and shall be advertised approximately 5 days prior to the public hearing. The day, time, and place at which the second public hearing will be held shall be announced at the first public hearing.

b. The required advertisements shall be no less than one-quarter page in a standard size or a tabloid size newspaper, and the headline in the advertisement shall be in a type no smaller than 18 point. The advertisement shall not be placed in that portion of the newspaper where legal notices and classified advertisements appear. The advertisement shall be published in a newspaper of general paid circulation in the municipality and of general interest and readership in the community, not one of limited subject matter, pursuant to chapter 50. It is the legislative intent that, whenever possible, the advertisement appear in a newspaper that is published at least 5 days a week unless the only newspaper in the community is published less than 5 days a week. The advertisement shall be in the following form:

NOTICE OF ZONING (PERMITTED USE) CHANGE

The (name of local governmental unit) proposes to rezone (change the permitted use of) the land within the area shown in the map in this advertisement.

A public hearing on the rezoning will be held on (date and time) at (meeting place).

The advertisement shall also contain a geographic location map which clearly indicates the area covered by the proposed ordinance. The map shall include major street names as a means of identification of the area.

c. In lieu of publishing the advertisement set out in this paragraph, the municipality may mail a notice to each person owning real property within the area covered by the ordinance. Such notice shall clearly explain the proposed ordinance and shall notify the person of the time, place, and location of both public hearings on the proposed ordinance.

Disclaimer: The information on this system is unverified. The journals or printed bills of the respective chambers should be consulted for official purposes.

Copyright © 2000- 2021 State of Florida.

AGENDA ITEM SUMMARY SHEET
VILLAGE COUNCIL MEETING
JULY 7, 2021

Agenda Item:

Consider a code enforcement lien mitigation request from Sebastiana Hernandez relating to the property at 20318 Sherrill Lane, located in Broadway Mobile Home Village.

Description:

The owner acquired the residential property at 20318 Sherrill Lane in 2017. The owner was cited in September 2018 for parking of commercial vehicles in residentially and agriculturally zoned districts. This was a repeat offense, previously cited and heard before the Special Magistrate on June 21, 2018. A hearing for the repeat offense was held on November 15, 2018. The owner was not present. The Special Magistrate imposed a fine beginning in November 15, 2018. A code enforcement lien in the amount of \$128, 827.20 has accrued based on 257 days of lien accumulation at \$500 a day (the maximum available under state law for repeat offenses).

The respondent was aware of the code violations per an email she sent on October 3, 2018; however, she did not appear at the hearing and the violation continued at the property until July 2019.

Pursuant to prior direction of Council, liens in excess of \$100,000 must be approved by the Village Council. The case for fine review was heard by the Special Magistrate on February 18, 2021. 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:

Approve the lien mitigation request from Ms. Hernandez releasing any outstanding liens against the Property in exchange for payment of a reduced fine of \$2,000.00 and \$327.20 for administrative cost.

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
HERNANDEZ SEBASTIAN	PO BOX 11346 NAPLES, FL 34101	20318 SHERRILL LN , ESTERO, FL 33928

Legal Description

BROADWAY M/H VLG UNREC OR 506 PG 697 LOT 44

Description

Commercial vehicles being parked in an MH Zoned Area

Case Status Closed **Case #** 18100007

Notes Commercial vehicles being parked in an MH Zoned Area

This is the 4th instance of this truck/trailer/bobocat combination being parked at the property this case will be scheduled for a special magistrate hearing regardless of compliancy

Previous cases

11-15-2017 Case number 17120015

02-17-2018 Case number 18030005

05-18-2018 Case number 18050015 was heard at a special magistrate hearing on June 21, 2018

Thank you,

Stanley Knight
knight@estero-fl.gov

Documents Issued

<u>Date Issue</u>	<u>Document Type</u>
9/25/2018	Complaint
9/25/2018	Courtesy Notice
10/4/2018	Affidavit of Non-Compliance
10/9/2018	Notice of Violation
10/9/2018	Notice of Hearing
11/15/2018	Notice of Hearing
11/15/2018	Final Order
12/20/2018	Order of Imposition/Liens
7/30/2019	Affidavit of Compliance

Violations

Case Overview

Ordinance/Regulation	Section	Description	Date Complied
CHAPTER 6 - BUILDINGS AND BUILDING REGULATIONS	Section 34-1181.(1-4) - Trucks and commercial vehicles in residentially and agriculturally zoned districts.	Except as provided below, the following types of trucks or commercial vehicles may not be parked or stored on any property zoned AG, RS, RSA, RSC, TFC, TF, RM, MH, RV, PUD, RPD, RVPD, MHPD, or the residential portion of a MPD: (1) A tractor-trailer or semi-trailer truck; or (2) A truck with two or more rear axles; or (3) A truck with a manufacturer's Gross Vehicle Weight Rating (GVWR) in excess of 15,000 pounds; or (4) Any truck and trailer combination, excluding a trailer used solely for non-commercial or recreational purposes, resulting in a combined manufacturer's Gross Vehicle Weight Rating (GVWR) in excess of 15,000 pounds.	7/30/2019

Fines

Fine Type	Section	Fine Type	Date Complied	Total Fine
Individual Violation	Section 34-1181.(1-4) - Trucks and commercial vehicles in residentially and agriculturally zoned districts.	Individual Violation	7/30/2019	\$128,500.00
Admin Fixed		Admin Fixed		\$327.20
			Total Fines	\$128,827.20

Payments

Date	Payment Type Name	Amount
	Total Payments	\$0.00
	Fees Outstanding	\$128,827.20



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:	SEBASTIANA HERNANDEZ
Mailing Address:	P.O. BOX 11346
City, State, Zip:	NAPLES, FL. 34101
Phone Number:	(239) 450-2713
Email Address:	SHER0808@YAHOO.COM

Code Enforcement Case Number (shown on recorded Order):	18100007
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):	
Property Address:	20318 SHERRILL LANE, ESTERO FL. 33928
STRAP Number:	29-46-25-E2-04000.0440

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: _____
☐ 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

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):

I am requesting the special magistrate to review my case in efforts to reduce a lien against my property located at 20318 Sherrill Ln. The code violation in question was the result of a tenant who leased the property at the time. When I purchased the property in 2017 the existing tenants transferred their lease over under my new ownership. I was unaware the property belonged to an association, until a written violation was received from the Village of Estero. I attempted to resolve the issue with then tenants but as it was brought to my attention by Mr. Knight by show of photos, the violation persisted. Unfortunately, my attempts were going ignored and come to find out the violation was still running. The tenants were asked to move out and did so in July 2019. I was now recently in touch with Mr. Knight in attempts to ensure the matter was resolved and come to find out the matter has gone unresolved. I would greatly appreciate review of my case so we may reach a reasonable charge as I did everything to the best of my ability to resolve and correct this matter. My property is in no further code violations at this time and I will maintain it as such. I greatly appreciate your time and attention to this case. Thank You.

Applicant's Signature: _____

Date: 01/20/21

LienMitigationRequest (Revised 02/27/2019)

2

Case Overview

Property/Incident Information

Owner	Address	Site Address
HERNANDEZ SEBASTIAN	PO BOX 11346 NAPLES, FL 34101	20318 SHERRILL LN , ESTERO, FL 33928

Legal Description

BROADWAY M/H VLG UNREC OR 506 PG 697 LOT 44

Description

Commercial vehicles being parked in an MH Zoned Area

Case Status Closed **Case #** 18100007

Notes Commercial vehicles being parked in an MH Zoned Area

This is the 4th instance of this truck/trailer/bobcat combination being parked at the property this case will be scheduled for a special magistrate hearing regardless of compliancy
Previous cases
11-15-2017 Case number 17120015
02-17-2018 Case number 18030005
05-18-2018 Case number 18050015 was heard at a special magistrate hearing on June 21, 2018

Thank you,

Stanley Knight
knight@estero-fl.gov

Documents Issued

<u>Date Issue</u>	<u>Document Type</u>
9/25/2018	Complaint
9/25/2018	Courtesy Notice
10/4/2018	Affidavit of Non-Compliance
10/9/2018	Notice of Violation
10/9/2018	Notice of Hearing
11/15/2018	Notice of Hearing
11/15/2018	Final Order
12/20/2018	Order of Imposition/Liens
7/30/2019	Affidavit of Compliance

Violations

Case Overview

Ordinance/Regulation	Section	Description	Date Complied
CHAPTER 6 - BUILDINGS AND BUILDING REGULATIONS	Section 34-1181.(1-4) - Trucks and commercial vehicles in residentially and agriculturally zoned districts.	Except as provided below, the following types of trucks or commercial vehicles may not be parked or stored on any property zoned AG, RS, RSA, RSC, TFC, TF, RM, MH, RV, PUD, RPD, RVPD, MHPD, or the residential portion of a MPD: (1) A tractor-trailer or semi-trailer truck; or (2) A truck with two or more rear axles; or (3) A truck with a manufacturer's Gross Vehicle Weight Rating (GVWR) in excess of 15,000 pounds; or (4) Any truck and trailer combination, excluding a trailer used solely for non-commercial or recreational purposes, resulting in a combined manufacturer's Gross Vehicle Weight Rating (GVWR) in excess of 15,000 pounds.	7/30/2019

Fines

Fine Type	Section	Fine Type	Date Complied	Total Fine
Individual Violation	Section 34-1181.(1-4) - Trucks and commercial vehicles in residentially and agriculturally zoned districts.	Individual Violation	7/30/2019	\$128,500.00
Admin Fixed		Admin Fixed		\$327.20
		Total Fines		\$128,827.20

Payments

Date	Payment Type Name	Amount
	Total Payments	\$0.00
	Fees Outstanding	\$128,827.20



OFFICE OF THE SPECIAL MAGISTRATE
ORDER FINDING VIOLATION

Village of Estero
94401 Corkscrew Palms Cir
Estero, FL 33928

Case# 18100007

Certified Number# 7014 3490 0000 4831 2624

Vs

Sebastian Hernandez
PO Box 11346
Naples, FL 34101

Respondent(s)

IN RE: Case 18100007
STREET ADDRESS: 20318 SHERRILL LANE, ESTERO, FL 33928
FOLIO: 294625E2040000440
LEGAL DESCRIPTION: BROADWAY M/H VLG UNREC OR 506 PG 697 LOT 44

CODE ENFORCEMENT ADJUDICATION OF
REPEAT/RECURRING VIOLATION

Having considered the sworn testimony, evidence and arguments presented, I, (the

Hearing Examiner/Special Magistrate) find and decide as follows:

A. AS AND FOR MY FINDINGS OF FACT:

1. The Respondent(s) HERNANDEZ SEBASTIAN, is/are the owner(s) of record, and is/are responsible for the subject property.
2. The Respondent(s) have received proper notice of this hearing by Certified Mail (Return Receipt Requested)/ Personal Delivery/Posting 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 at 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) have failed to complete such actions in a timely manner.
5. The following condition(s) is/are found to exist on the subject property located at 20318 Sherrill Lane, Estero, Florida, 33928 as reported by the Village's Code Compliance Manager in the Notice of Violation:

CHAPTER 34 LAND DEVELOPMENT CODE Section 34-1181.(1-4) - Trucks and commercial vehicles in residentially and agriculturally zoned districts.	Except as provided below, the following types of trucks or commercial vehicles may not be parked or stored on any property zoned AG, RS, RSA, RSC, TFC, TF, RM, MH, RV, PUD, RPD, RVPD, MHPD, or the residential portion of a MPD: (1) A tractor-trailer or semi-trailer truck; or (2) A truck with two or more rear axles; or (3) A truck with a manufacturer's Gross Vehicle Weight Rating (GVWR) in excess of 15,000 pounds; or (4) Any truck and trailer combination, excluding a trailer used solely for non-commercial or recreational purposes, resulting in a combined manufacturer's Gross Vehicle Weight Rating (GVWR) in excess of 15,000 pounds
--	---

That these conditions constitute a repeat violation(s) under the definition set forth in F.S. Chapter 162, Section 162.04(5).

6. That the same constitute(s) a violation(s) under
CHAPTER 34 LAND DEVELOPMENT CODE
SECTION 34-1181. (1-4)

7. Due to the refusal or failure on the part of the Respondent(s) to remedy the condition(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.

8. **AS AND FOR MY CONCLUSIONS OF LAW:**

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

C. **THEREFORE, I HEREBY ORDER:**

1. That Respondent(s) shall immediately correct or abate the aforesaid violations in the manner set forth in the official Notice of Violation.
2. That Respondent(s) shall pay to the Village of Estero, Florida, the sum of \$327.50 determined to be due for the Village's actual costs of prosecution of this case, and shall deliver payment of same to the Village Clerk's office no later than 10 days from the date of this Order.

In the event that the violation(s) is/are not corrected or abated as indicated above prior to **5:00** p.m. today, OR NOVEMBER 15, 2018, additional fines

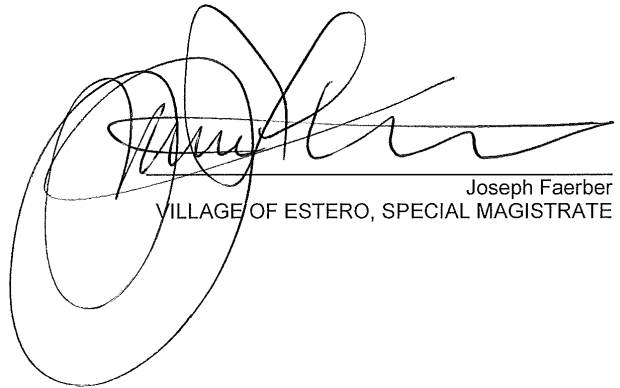
of \$ 500.00 per day shall be imposed against Respondent(s), beginning on that date and continuing for each day that the aforesaid violations continue to exist.

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.

3. In determining the amount of such fine, I have considered the gravity of the violation(s); any actions, or lack thereof, to correct the violation(s); and, that identical previous violation(s) at the subject property were committed by the Respondent(s) and adjudicated by me.
4. When the violations have been abated, the Respondent(s) MUST CALL VILLAGE OF ESTERO CODE ENFORCEMENT, 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 NOVEMBER 15, 2018 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 DECEMBER 20, 2018, at 1:00 p.m., at Village Hall Council Chambers, 9401 Corkscrew Palms Circle, Estero, Florida.

DONE AND ORDERED in the Village of Estero, Lee County, Florida this 15th Day of November, 2018.

OFFICE OF THE SPECIAL MAGISTRATE
VILLAGE OF ESTERO, FLORIDA

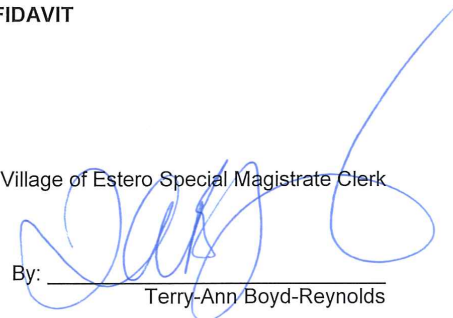
A large, stylized handwritten signature in black ink, featuring a large loop on the left and a long horizontal stroke extending to the right. The signature is written over a horizontal line.

Joseph Faerber
VILLAGE OF ESTERO, SPECIAL MAGISTRATE

SPECIAL MAGISTRATE CLERK AFFIDAVIT

Dated on November 15th of 2018

Village of Estero Special Magistrate Clerk

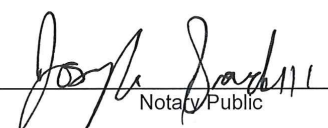
By: 
Terry-Ann Boyd-Reynolds

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 15th day of November, 2018


Notary Public

Joseph Sanders III
Print Name



SEAL:

Linda Doggett, Lee County Clerk of Circuit Court

INSTR. # 201900000686, Doc Type LI, Pages 3, Recorded 1/2/2019 at 11:52 AM, Deputy Clerk AKLESH ERECORD

Rec Fees: \$27.00



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

Village of Estero
9401 Corkscrew Palms Circle
Estero, FL 33928

Case #: 18100007

Certified #:

Petitioner,

Vs

HERNANDEZ SEBASTIAN
PO BOX 11346
NAPLES, FL 34101
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 15th Day of November, 2018 a Final Order 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 **\$327.20**.

Ordinance/ Regulation	Violation Description/Correction	Order Date to Comply by	Date Complied	Daily Fine
Section 34-1181.(1-4) - Trucks and commercial vehicles in residentially and agriculturally zoned districts.	(Except as provided below, the following types of trucks or commercial vehicles may not be parked or stored on any property zoned AG, RS, RSA, RSC, TFC, TF, RM, MH, RV, PUD, RPD, RVPD, MHPD, or the residential portion of a MPD: (1) A tractor-trailer or semi-trailer truck; or (2) A truck with two or more rear axles; or (3) A truck with a manufacturer's Gross Vehicle Weight Rating (GVWR) in excess of 15,000 pounds; or (4) Any truck and trailer combination, excluding a trailer used solely for non-commercial or recreational purposes, resulting in a combined manufacturer's Gross Vehicle Weight Rating (GVWR) in excess of 15,000 pounds.	11/15/2018		\$500.00

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

Revised 5/22/2017

INSTR. # 2019000000686 Page Number: 2 of 3

FOLIO#: 294625E2040000440

LEGAL DESCRIPTION: BROADWAY M/H VLG UNREC OR 506 PG 697 LOT 44

STREET ADDRESS: 20318 SHERRILL LN , ESTERO, FL 33928

3. That the Respondent did not comply with the Final Order on or before the date specified therein. 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 \$327.20 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 20th Day of December, 2018.

OFFICE OF THE SPECIAL MAGISTRATE
VILLAGE OF ESTERO, FLORIDA



Joseph E. Reber
VILLAGE OF ESTERO, SPECIAL MAGISTRATE

INSTR. # 201900000686 Page Number: 3 of 3

SPECIAL MAGISTRATE CLERK AFFIDAVIT

Dated on December 20, of 2018

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.

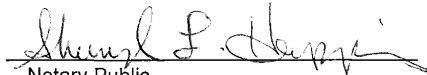
STATE OF FLORIDA)

)ss:

COUNTY OF LEE)

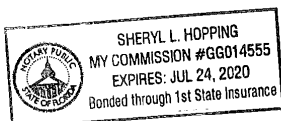
Terry-Ann Boyd-Reynolds stated personally before me that they have personal knowledge of the facts stated herein:

Sworn or affirmed before me on this 20th Day of December, 2018


Notary Public

Sheryl L. Hopping
Print Name

SEAL:



AGENDA ITEM SUMMARY SHEET
VILLAGE COUNCIL MEETING
July 7, 2021

Agenda Item:

First Reading of Ordinance 2021-09 TECO Peoples Gas Franchise Agreement

Description:

A workshop on this item was held on June 16, 2021 to discuss the process for establishing a natural gas franchise agreement with Peoples Gas System, a Division of Tampa Electric Company.

TECO will pay to the Village a franchise fee equal to 6 percent of gross revenues for all TECO customers within the Village limits.

The agreement is valid for a term of 15 years.

Public rights-of-way would be utilized for the distribution system.

Action Requested:

Pass first reading of Ordinance 2021-09 and set second reading for July 21, 2021.

Financial Impact:

No cost to the Village other than a minor cost associated with advertising the Ordinance for second reading.

Attachment:

1. Ordinance 2021-09

VILLAGE OF ESTERO, FLORIDA

ORDINANCE NO. 2021 - 09

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF ESTERO, FLORIDA, GRANTING TO PEOPLES GAS SYSTEM, A DIVISION OF TAMPA ELECTRIC COMPANY, ITS SUCCESSORS AND ASSIGNS, A NON-EXCLUSIVE NATURAL GAS FRANCHISE AGREEMENT TO USE THE PUBLIC RIGHTS OF WAY OF THE VILLAGE OF ESTERO, FLORIDA, AND PRESCRIBING THE TERMS AND CONDITIONS UNDER WHICH SAID FRANCHISE MAY BE EXERCISED; MAKING FINDINGS; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Peoples Gas System and the Village of Estero desire to enter into a franchise agreement for a period of fifteen (15) years commencing from the date provided herein; and

WHEREAS, the Village Council finds that it is in the public interest of its citizens to enter into a new franchise agreement with Peoples Gas System.

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

Section 1. DEFINITIONS

For the purposes of this Ordinance, the following terms shall have the meaning given herein.

- A. "Customer" shall mean any person served by the Company within the corporate limits of the municipality.
- B. "Village" shall mean the Village of Estero, Lee County, Florida, its successor and assigns.
- C. "Company" shall mean Peoples Gas System, a division of Tampa Electric Company, a Florida corporation, its successors and assigns.
- D. "Distribution System" shall mean any and all transmission pipe lines, main pipe lines and service lines, together with all tubes, traps, vents, vaults, manholes, meters, gauges, regulators, valves, conduits, attachments, structures and other appurtenances, as are used or useful in the sale, distribution, transportation or delivery of Natural Gas and as are situated within the corporate limits of the Village.

- 44 E. "Effective Date" shall mean the date this Franchise becomes effective as
45 described in Section 19 below.
- 46 F. "Franchise" or "Franchise Agreement" shall mean this agreement as passed
47 and adopted by the Village and accepted by the Company as provided in
48 Section 19 below.
- 49 G. "FPSC" shall mean the Florida Public Service Commission or any successor
50 agency.
- 51 H. "Gross Revenues" shall mean all revenues (as defined by the Florida Public
52 Service Commission) received by the Company from any customer from the
53 sale of Gas.
- 54 I. "Person" shall mean any individual, firm, partnership, estate, corporation,
55 company or other entity, including, but not limited to, any government entity.
- 56 J. "Natural Gas" or "Gas" shall mean natural gas and/or manufactured gas
57 and/or a mixture of gases which is distributed in pipes and measured by meter
58 on the Customer's premises. It shall not mean propane gas or liquefied
59 petroleum gas (commonly referred to as "bottled gas").
- 60 K. "Right-of-way" means any street, road, lane, highway, avenue, boulevard,
61 alley, waterway, bridge, easement, public place, or other right-of-way that is
62 owned by the Village.

63
64 **Section 2. GRANT**
65

66 The Village hereby grants to the Company the non-exclusive right, privilege, and
67 franchise to lay, erect, construct, operate and maintain in, on or under any and all Rights-of-
68 way, as they now exist or may be hereafter constructed, opened, laid out or extended within
69 the present incorporated limits of the Village, or in such territory as may be hereafter added or
70 annexed to, or consolidated with the Village, a Distribution System subject to the terms and
71 conditions herein contained.

72
73 **Section 3. TERM**
74

75 Except as provided in Section 15, the Franchise hereby granted shall be for a period of
76 fifteen (15 years) from the effective date of this ordinance.

77
78 **Section 4. ASSIGNMENT**
79

80 A. The Franchise hereby granted shall not be leased, assigned or otherwise
81 alienated or disposed of except with the prior express written consent of the Village, which
82 shall not be unreasonably withheld or unduly delayed. No assignment shall be allowed without
83 the assignee assuming the terms of the Franchise Agreement with the Village.

84 B. Notwithstanding the foregoing, the Company may, without the consent of the
85 Village, lease, assign or otherwise alienate and transfer this Franchise in connection with the
86 lease or sale of the Distribution System or upon its merger or consolidation with, or transfer to,
87 a corporation engaged in similar business (including an affiliate or subsidiary of the

88 Company), or pledge or mortgage of such Franchise in connection with the physical property
 89 owned and used by it in the operation of the Distribution System for the purpose of securing
 90 payment of monies borrowed by the Company.

91 **Section 5.** **VILLAGE COVENANT**

92

93 As a further consideration for this Franchise Agreement, the Village covenants and
 94 agrees that it will not, during the term of this Franchise Agreement or any extension thereof,
 95 engage in the business of distributing or selling Natural Gas within the corporate limits of the
 96 Village, as modified, during the term of this Franchise Agreement.

97

98 **Section 6.** **USE OF STREETS**

99

100 The Distribution System shall be erected, placed, or laid in such manner as will,
 101 consistent with necessity, least interfere with other public uses of the Rights-of-way, and said
 102 Right-of-way shall not be unnecessarily obstructed, and before, except in an emergency
 103 situation, the Company makes any excavation or disturbs the surface of any of the Rights-of-
 104 way, it shall make application for a permit to the appropriate Village authority. The Village
 105 shall issue or, if applicable, deny permits within ten (10) business days of application by the
 106 Company. In consideration of the franchise fees contemplated in this agreement, the Village
 107 shall not charge the Company any fees for the issuance of such permits. The Company shall,
 108 with due diligence and dispatch, place such Right-of-way in as good a condition as before such
 109 excavation or disturbance was made; provided, however, that should the Company fail, within
 110 ten (10) days of its receipt of written notice from the Village, to restore such Right-of-way,
 111 then the Village may undertake such restoration (other than any restoration work on the
 112 Distribution System) and charge the reasonable cost thereof to the Company.

113 To the extent consistent with Florida law, the Company hereby agrees to abide by all
 114 the rules and regulations and ordinances which the Village has passed or might pass in the
 115 future, in the exercise of its police power, provided, however, that the Village shall not pass
 116 any ordinance or regulation that results in a material change to the rights or obligations of the
 117 Company under the Franchise Agreement.

118

119 **Section 7.** **MAINTENANCE**

120

121 All such components of the Distribution System of the Company located within the
 122 Village shall be installed and maintained in accordance with accepted good practice and in
 123 accordance with the orders, rules, and regulations of the Florida Public Service Commission.

124

125 **Section 8.** **LAYING OF PIPE**

126

127 All components of the Distribution System shall be laid consistent with all applicable
 128 codes, rules, regulations and laws, including, to the extent consistent with all applicable codes,
 129 rules, regulations and laws, specifications contained in Village permits.

130

131 **Section 9.** **CONSTRUCTION WORK**

The Village reserves the right to permit to be laid electric conduits, water and gas pipes and lines, cables, sewers, and to do and permit to be done any underground work that may be deemed necessary or proper by the Village in, across, along, or under any Right-of-way. Whenever, by reason of establishing a grade or by reason of changes in the grade of any Right-of-way, or by reason of the widening, grading, paving, or otherwise improving present or future Rights-of-way, or in the location or manner of construction of any water pipes, electric conduits, sewers, or other underground structure located within the Rights-of-way, it shall be deemed necessary by the Village to remove, relocate, or disconnect any portion of the Distribution System of the Company hereto for such public purpose, such removal, relocation, or disconnection shall be made by the Company as ordered in writing by the Village without claim for reimbursement. If the Village shall require the Company to remove, relocate, or disconnect any portion of its Distribution System or in any way to alter the placement or location of the Distribution System to enable any other person to use said Rights-of-way of the Village, as part of its permitting or approval process, the Village shall require the person desiring or occasioning such removal, relocation, disconnection, or alteration to reimburse the Company for any loss, cost, or expense caused by or arising out of such removal, relocation, disconnection, or alteration of any portion of the Distribution System. The Company further agrees that it will not intentionally interfere with, change, or injure any water pipes, drains, or sewers of said Village unless it has received specific permission from the Village or its duly authorized representative.

Section 10. FRANCHISE FEE

Subject to Section 11 below, within thirty(30) days after the close of the first full billing month following the effective date of this Franchise Agreement, and each month thereafter during the term of this Franchise Agreement, the Company, its successors, or assigns, shall apply to the Village or its successors, a sum of money equal to six percent (6%) of the Company's Gross Revenue, less any adjustments for uncollectable accounts, from the sale of Natural Gas to Customers within the corporate limits of the Village. The Franchise fee payment shall be deemed paid on time if post-marked within thirty (30) days of the close of the preceding billing month.

Section 11. IDENTIFICATION OF VILLAGE RESIDENTS

No less than thirty (30) days prior to the Effective Date, the Village shall deliver to the Company such information (including Village limit streets and block numbers) as is needed by the Company to determine which of its customer are located within the Village limits. The Village shall also provide such information no less than thirty (30) days prior to the effectiveness of any change in said limits, whether by addition, annexation, or consolidation, or upon the Company's request. The Company shall be relieved of any obligation to pay franchise fees to the extent the Village has failed to provide information in accordance with this Section 11.

Section 12. ACCOUNTS AND RECORDS

The Company shall maintain accounting, maintenance, and construction records as prescribed by the FPSC. The Company shall establish and maintain appropriate accounts and records in such detail that revenues within the corporate limits of the Village are consistently declared separately from all other revenues, and such records shall be maintained within the State of Florida. Upon request by the Village, or its designated representative, and execution of a confidentiality agreement reasonably satisfactory to the Company, the Company shall make available said records within thirty (30) days to the Village for the determination of the accuracy of the Gross Revenues upon which the Company's franchise fee is based. The Company shall maintain its billing records only for the period of time required by the FPSC and any examination conducted after such period shall be confined to the billing records then available.

Section 13. INSURANCE

During the term of this Franchise, the Company shall file with the Village Clerk and shall keep in full force and effect at all times during the effective period hereof, insurance certificates evidencing a general liability insurance policy or policies issued by an insurance carrier licensed to do business in the state of Florida or evidence of self-insurance within the corporate limits of the Village as they currently exist or may exist in the future. Each such policy shall provide for the minimum sum of \$1,000,000.00 for injury or death to any one person, and for the minimum sum of \$5,000,000.00 for injury or death to all persons where there is more than one person involved in any one incident or accident, and for the minimum sum of \$1,000,000.00 for damage to property, resulting from any one accident, and each of the said minimum sums shall remain in full force and shall be undiminished during the effective period of this Agreement. The coverage requirements set forth in this Section 13 may be satisfied, in whole or in part, with self-insurance.

Company shall notify the Clerk of the Village in writing, promptly upon any material alteration, modification, or cancellation of such policy.

Section 14. INDEMNIFICATION:

In consideration of the permissions granted to the Company by this Franchise Agreement, the Company hereby agrees to indemnify and hold harmless the Village, its officers, agents and employees from and against claims, suits, actions, and causes of action, caused by the Company's negligent operation of the Distribution System within the Village during the term of this Franchise and resulting in personal injury, loss of life or damage to property sustained by any person or entity, through or as a result of the doing of any work herein authorized or the failure to do work herein required, and including all reasonable costs, attorney's fees, expenses, and liabilities incurred by the Village in connection with any such claim, suit, or cause of action, including the investigation thereof, and the defense of any action or proceeding brought thereon and any order, judgment or decree which may be entered in any such action or proceeding or as a result thereof; **provided, however,** that neither the Company nor any of its employees, agents, contractor, licensees, or sub lessees shall be liable under this section for any claims, demands, suits, actions, losses, damages, or expenses, including attorney's fees, arising out of the negligence, strict liability, intentional torts, criminal acts, or

error of the Village, its officers, agents, or employees. The provisions of this section shall survive the expiration or earlier termination of this Franchise Agreement. Notwithstanding any provision herein to the contrary, the Company's liability under this Agreement shall be limited to the assets and business of Peoples Gas System, a division of Tampa Electric Company, as if Peoples were incorporated separate and apart from Tampa Electric Company.

Section 15. TERMINATION BY VILLAGE

Violation by the Company of any of the covenants, terms, and conditions hereof, or default by the Company in observing or carrying into effect any of said covenants, terms and conditions, shall authorize and empower the Village to declare a termination of this Franchise Agreement; provided, however, that before such action by the Village shall become operative and effective, the Company shall have been served by the Village with a written notice setting forth all matters pertinent to such violation or default, and describing the action of the Village with respect thereto, and the Company shall have had a period of sixty (60) days after service by certified U.S. mail of such notice, or, in the event such cure reasonably requires a period of more than sixty (60) days, then sixty (60) days to present a plan reasonably satisfactory to the Village to effect such cure; and provided further that any violation or default resulting from a strike, a lockout, an act of God, or any other cause beyond the control of the Company shall not constitute grounds for termination.

Section 16: CHANGES IN PROVISIONS HEREOF

Changes in the terms and conditions hereof may be made by written agreement between the Village and the Company.

Section 17. SEVERABILITY; CHANGE IN LAW

(A) If any section, part of a section, paragraph, sentence, or clause of this Agreement shall be adjudged by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of any other portion hereof, but shall be restricted and limited in its operation and effect to that specific portion hereof involved in the controversy in which such decision shall have been rendered; provided, however, that should elimination of the specific portion of the Franchise Agreement adjudged to be invalid result in significant adverse consequences to a party, then that party may terminate this Franchise Agreement by providing thirty (30) days written notice to the other party.

(B) Upon the issuance by a court of competent jurisdiction of an order, ruling, or decision, or the enactment or adoption by the Florida Legislature, the Village, or any other governmental or regulatory body of a law, rule, regulation, or ordinance, that materially diminishes a municipality's ability to exact franchise fees from a utility, or that effectively does away with the ability of a municipality to grant a franchise altogether, then the Company or Village may terminate this Franchise Agreement by providing ninety (90) days written notice to the other party.

Section 18. GOVERNING LAW

This Franchise shall be governed by the laws of the State of Florida and applicable federal law.

Section 19. Effective Date

This Franchise Agreement shall become effective upon its acceptance by the Company, which acceptance must be evidenced in writing within sixty (60) days of the Village's passage and adoption hereof.

This ordinance shall take effect immediately upon adoption.

PASSED on first reading this _____ day of _____, 2021.

PASSED AND ADOPTED BY THE VILLAGE COUNCIL of the Village of Estero, Florida this _____ day of _____, 2021.

Attest:

VILLAGE OF ESTERO, FLORIDA

By: _____
Carol Sacco, Village Clerk

By: _____
Katy Errington, Mayor

Reviewed for legal sufficiency:

By: _____
Burt Saunders, Esq., Village Attorney

Vote:	AYE	NAY
Mayor Errington	_____	_____
Vice Mayor McLain	_____	_____
Councilmember Ribble	_____	_____
Councilmember Fiesel	_____	_____
Councilmember Boesch	_____	_____
Councilmember Ward	_____	_____
Councilmember Wilson	_____	_____

NATURAL GAS
FRANCHISE AGREEMENT
ORDINANCE NO. _____

AN ORDINANCE GRANTING TO PEOPLES GAS SYSTEM, A DIVISION OF TAMPA ELECTRIC COMPANY, ITS SUCCESSORS AND ASSIGNS, A NON-EXCLUSIVE NATURAL GAS FRANCHISE AGREEMENT TO USE THE PUBLIC RIGHTS OF WAY OF THE VILLAGE OF ESTERO, FLORIDA, AND PRESCRIBING THE TERMS AND CONDITIONS UNDER WHICH SAID FRANCHISE MAY BE EXERCISED; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE; AND REPEALING PRIOR ORDINANCE.

WHEREAS, Peoples Gas System and the Village of Estero desire to enter into a franchise agreement for a period of thirty (30) years commencing from the date provided herein; and

WHEREAS, the City Commission finds that it is in the public interest of its citizens to enter into a new franchise agreement with Peoples Gas System.

NOW THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE VILLAGE OF ESTERO, FLORIDA, THAT:

SECTION 1: DEFINITIONS

For the purposes of this Ordinance, the following terms shall have the meaning given herein.

- A. "Customer" shall mean any person served by the Company within the corporate limits of the city
- B. "City" shall mean the Village of Estero, Lee County, Florida, its successor and assigns.
- C. "Company" shall mean Peoples Gas System, a division of Tampa Electric Company, a Florida corporation, its successors and assigns.
- D. "Distribution System" shall mean any and all transmission pipe lines, main pipe lines and service lines, together with all tubes, traps, vents, vaults, manholes, meters, gauges, regulators, valves, conduits, attachments, structures and other

appurtenances, as are used or useful in the sale, distribution, transportation or delivery of Natural Gas and as are situated within the corporate limits of the City.

- E. "Effective Date" shall mean the date this Franchise becomes effective as described in Section 19 below.
- F. "Franchise" or "Franchise Agreement" shall mean this agreement as passed and adopted by the City and accepted by the Company as provided in Section 19 below.
- G. "FPSC" shall mean the Florida Public Service Commission or any successor agency.
- H. "Gross Revenues" shall mean all revenues (as defined by the Florida Public Service Commission) received by the Company from any customer from the sale of Gas.
- I. "Person" shall mean any individual, firm, partnership, estate, corporation, company or other entity, including, but not limited to, any government entity.
- J. "Natural Gas" or "Gas" shall mean natural gas and/or manufactured gas and/or a mixture of gases which is distributed in pipes and measured by meter on the Customer's premises. It shall not mean propane gas or liquefied petroleum gas (commonly referred to as "bottled gas").
- K. "Right-of-way" means any street, road, lane, highway, avenue, boulevard, alley, waterway, bridge, easement, public place, or other right-of-way that is owned by the City.

SECTION 2: GRANT

The City hereby grants to the Company the non-exclusive right, privilege, and franchise to lay, erect, construct, operate and maintain in, on or under any and all Rights-of-way, as they now exist or may be hereafter constructed, opened, laid out or extended within the present incorporated limits of the City, or in such territory as may be hereafter added or annexed to, or consolidated with the City, a Distribution System subject to the terms and conditions herein contained.

SECTION 3: TERM

Except as provided in Section 15, the Franchise hereby granted shall be for a period of thirty (30 years) from the effective date of this ordinance.

SECTION 4: ASSIGNMENT

A. The Franchise hereby granted shall not be leased, assigned or otherwise alienated or disposed of except with the prior express written consent of the City, which shall not be unreasonably withheld or unduly delayed. No assignment shall be allowed without the assignee assuming the terms of the Franchise Agreement with the City.

B. Notwithstanding the foregoing, the Company may, without the consent of the City, lease, assign or otherwise alienate and transfer this Franchise in connection with the lease or sale of the Distribution System or upon its merger or consolidation with, or transfer to, a corporation engaged in similar business (including an affiliate or subsidiary of the Company), or pledge or mortgage of such Franchise in connection with the physical property owned and used by it in the operation of the Distribution System for the purpose of securing payment of monies borrowed by the Company.

SECTION 5: CITY COVENANT

As a further consideration for this Franchise Agreement, the City covenants and agrees that it will not, during the term of this Franchise Agreement or any extension thereof, engage in the business of distributing or selling Natural Gas within the corporate limits of the City, as modified, during the term of this Franchise Agreement.

SECTION 6: USE OF STREETS

The Distribution System shall be erected, placed, or laid in such manner as will, consistent with necessity, least interfere with other public uses of the Rights-of-way, and said Right-of-way shall not be unnecessarily obstructed, and before, except in an emergency situation, the Company

makes any excavation or disturbs the surface of any of the Rights-of-way, it shall make application for a permit to the appropriate City authority. The City shall issue or, if applicable, deny permits within ten (10) business days of application by the Company. In consideration of the franchise fees contemplated in this agreement, the City shall not charge the Company any fees for the issuance of such permits. The Company shall, with due diligence and dispatch, place such Right-of-way in as good a condition as before such excavation or disturbance was made; provided, however, that should the Company fail, within ten (10) days of its receipt of written notice from the City, to restore such Right-of-way, then the City may undertake such restoration (other than any restoration work on the Distribution System) and charge the reasonable cost thereof to the Company.

To the extent consistent with Florida law, the Company hereby agrees to abide by all the rules and regulations and ordinances which the City has passed or might pass in the future, in the exercise of its police power, provided, however, that the City shall not pass any ordinance or regulation that results in a material change the rights or obligations of the Company under the Franchise Agreement.

SECTION 7: MAINTENANCE

All such components of the Distribution System of the Company located within the City shall be installed and maintained in accordance with accepted good practice and in accordance with the orders, rules, and regulations of the Florida Public Service Commission.

SECTION 8: LAYING OF PIPE

All components of the Distribution System shall be laid consistent with all applicable codes, rules, regulations and laws, including, to the extent consistent with all applicable codes, rules, regulations and laws, specifications contained in City permits.

SECTION 9: CONSTRUCTION WORK

The City reserves the right to permit to be laid electric conduits, water and gas pipes and lines, cables, sewers, and to do and permit to be done any underground work that may be deemed necessary or proper by the City in, across, along, or under any Right-of-way. Whenever, by reason of establishing a grade or by reason of changes in the grade of any Right-of-way, or by reason of the widening, grading, paving, or otherwise improving present or future Rights-of-way, or in the location or manner of construction of any water pipes, electric conduits, sewers, or other underground structure located within the Rights-of-way, it shall be deemed necessary by the City to remove, relocate, or disconnect any portion of the Distribution System of the Company hereto for such public purpose, such removal, relocation, or disconnection shall be made by the Company as ordered in writing by the City without claim for reimbursement. If the City shall require the Company to remove, relocate, or disconnect any portion of its Distribution System or in any way to alter the placement or location of the Distribution System to enable any other person to use said Rights-of-way of the City, as part of its permitting or approval process, the City shall require the person desiring or occasioning such removal, relocation, disconnection, or alteration to reimburse the Company for any loss, cost, or expense caused by or arising out of such removal, relocation, disconnection, or alteration of any portion of the Distribution System. The Company further agrees that it will not intentionally interfere with, change, or injure any water pipes, drains, or sewers of said City unless it has received specific permission from the City or its duly authorized representative.

SECTION 10: FRANCHISE FEE

Subject to Section 11 below, within thirty(30) days after the close of the first full billing month following the effective date of this Franchise Agreement, and each month thereafter during

the term of this Franchise Agreement, the Company, its successors, or assigns, shall apply to the City or its successors, a sum of money equal to six percent (6%) of the Company's Gross Revenue, less any adjustments for uncollectable accounts, from the sale of Natural Gas to Customers within the corporate limits of the City. The Franchise fee payment shall be deemed paid on time if post-marked within thirty (30) days of the close of the preceding billing month.

SECTION 11: IDENTIFICATION OF CITY RESIDENTS

No less than thirty (30) days prior to the Effective Date, the City shall deliver to the Company such information (including City limit streets and block numbers) as is needed by the Company to determine which of its customer are located within the City limits. The City shall also provide such information no less than thirty (30) days prior to the effectiveness of any change in said limits, whether by addition, annexation, or consolidation, or upon the Company's request. The Company shall be relieved of any obligation to pay franchise fees to the extent the City has failed to provide information in accordance with this Section 11.

SECTION 12: ACCOUNTS AND RECORDS

The Company shall maintain accounting, maintenance, and construction records as prescribed by the FPSC. The Company shall establish and maintain appropriate accounts and records in such detail that revenues within the corporate limits of the City are consistently declared separately from all other revenues, and such records shall be maintained within the State of Florida. Upon request by the City, or its designated representative, and execution of a confidentiality agreement reasonably satisfactory to the Company, the Company shall make available said records within thirty (30) days to the City for the determination of the accuracy of the Gross Revenues upon which the Company's franchise fee is based. The Company shall maintain its billing records

only for the period of time required by the FPSC and any examination conducted after such period shall be confined to the billing records then available.

SECTION 13: INSURANCE

During the term of this Franchise, the Company shall file with the City Clerk and shall keep in full force and effect at all times during the effective period hereof, insurance certificates evidencing a general liability insurance policy or policies issued by an insurance carrier licensed to do business in the state of Florida or evidence of self-insurance within the corporate limits of the City as they currently exist or may exist in the future. Each such policy shall provide for the minimum sum of \$1,000,000.00 for injury or death to any one person, and for the minimum sum of \$5,000,000.00 for injury or death to all persons where there is more than one person involved in any one incident or accident, and for the minimum sum of \$1,000,000.00 for damage to property, resulting from any one accident, and each of the said minimum sums shall remain in full force and shall be undiminished during the effective period of this Agreement. The coverage requirements set forth in this Section 13 may be satisfied, in whole or in part, with self-insurance.

Company shall notify the Clerk of the City in writing, promptly upon any material alteration, modification, or cancellation of such policy.

SECTION 14: INDEMNIFICATION:

In consideration of the permissions granted to the Company by this Franchise Agreement, the Company hereby agrees to indemnify and hold harmless the City, its officers, agents and employees from and against claims, suits, actions, and causes of action, caused by the Company's negligent operation of the Distribution System within the City during the term of this Franchise and resulting in personal injury, loss of life or damage to property sustained by any person or entity, through or as a result of the doing of any work herein authorized or the failure to do work

herein required, and including all reasonable costs, attorney's fees, expenses, and liabilities incurred by the City in connection with any such claim, suit, or cause of action, including the investigation thereof, and the defense of any action or proceeding brought thereon and any order, judgment or decree which may be entered in any such action or proceeding or as a result thereof; **provided, however,** that neither the Company nor any of its employees, agents, contractor, licensees, or sub lessees shall be liable under this section for any claims, demands, suits, actions, losses, damages, or expenses, including attorney's fees, arising out of the negligence, strict liability, intentional torts, criminal acts, or error of the City, its officers, agents, or employees. The provisions of this section shall survive the expiration or earlier termination of this Franchise Agreement. Notwithstanding any provision herein to the contrary, the Company's liability under this Agreement shall be limited to the assets and business of Peoples Gas System, a division of Tampa Electric Company, as if Peoples were incorporated separate and apart from Tampa Electric Company.

SECTION 15: TERMINATION BY CITY

Violation by the Company of any of the covenants, terms, and conditions hereof, or default by the Company in observing or carrying into effect any of said covenants, terms and conditions, shall authorize and empower the City to declare a termination of this Franchise Agreement; provided, however, that before such action by the City shall become operative and effective, the Company shall have been served by the City with a written notice setting forth all matters pertinent to such violation or default, and describing the action of the City with respect thereto, and the Company shall have had a period of sixty (60) days after service by certified U.S. mail of such notice, or, in the event such cure reasonably requires a period of more than sixty (60) days, then sixty (60) days to present a plan reasonably satisfactory to the City to effect such cure; and

provided further that any violation or default resulting from a strike, a lockout, an act of God, or any other cause beyond the control of the Company shall not constitute grounds for termination.

SECTION 16: CHANGES IN PROVISIONS HEREOF

Changes in the terms and conditions hereof may be made by written agreement between the City and the Company.

SECTION 17: SEVERABILITY; CHANGE IN LAW

(A) If any section, part of a section, paragraph, sentence, or clause of this Agreement shall be adjudged by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of any other portion hereof, but shall be restricted and limited in its operation and effect to that specific portion hereof involved in the controversy in which such decision shall have been rendered; provided, however, that should elimination of the specific portion of the Franchise Agreement adjudged to be invalid result in significant adverse consequences to a party, then that party may terminate this Franchise Agreement by providing thirty (30) days written notice to the other party.

(B) Upon the issuance by a court of competent jurisdiction of an order, ruling, or decision, or the enactment or adoption by the Florida Legislature, the City, or any other governmental or regulatory body of a law, rule, regulation, or ordinance, that materially diminishes a municipality's ability to exact franchise fees from a utility, or that effectively does away with the ability of a municipality to grant a franchise altogether, then the Company or City may terminate this Franchise Agreement by providing ninety (90) days written notice to the other party.

SECTION 18: GOVERNING LAW

This Franchise shall be governed by the laws of the State of Florida and applicable federal law.

SECTION 19: EFFECTIVE DATE

This Franchise Agreement shall become effective upon its acceptance by the Company, which acceptance must be evidenced in writing within sixty (60) days of the City's passage and adoption hereof.

PASSED AND CERTIFIED AS TO PASSAGE this ____ day of _____, 2021.

By: _____
Name: Katy Errington
Title: Mayor

ATTEST: _____
Name: Carol Sacco
Title: CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS:

Accepted this ____ day of _____, A.D. 202__

PEOPLES GAS SYSTEM, a division of
Tampa Electric Company

By: _____
Name: _____
Title: _____

By: _____
Name: _____
Title: _____

WORKSHOP ITEM SUMMARY SHEET
VILLAGE COUNCIL MEETING
July 7, 2021

Agenda Item:

Proposed FY 21/22 Municipal Solid Waste Disposal and Solid Waste System Assessment

Description:

The Village of Estero has an Interlocal agreement with Lee County for Solid Waste Disposal. Lee County has notified the Village of its recommended rates for next year for the Village. Rates were determined through an independent rate study performed by Raftelis Financial Consultants, Inc.

The attached letter from Lee County shows the proposed average residential assessment of \$234.47. Ratepayers can realize a 4 percent discount by using the Tax Collector's early payment program.

The County has scheduled a public hearing to establish the rates on August 3, 2021 at 9:30 am in the Commission Chambers.

Attachments:

1. Letter from Lee County Solid Waste Department



Board of County Commissioners

June 15, 2021

Kevin Ruane
District OneCecil L. Pendergrass
District TwoRay Sandelli
District ThreeBrian Hamman
District FourFrank Mann
District FiveRoger Desjarlais
County ManagerRichard Wm. Wesch
County AttorneyDonna Marie Collins
County Hearing
Examiner

Via Electronic and US Post Office Mail

Mr. David Willems
Public Works Director
Village of Estero
9401 Corkscrew Palms Circle
Estero, FL 33928
willems@estero-fl.gov

**SUBJECT: Proposed FY21/22 Municipal Solid Waste Disposal and
Solid Waste System Assessment
BOCC Public Hearing on August 3, 2021, 9:30 AM**

Dear Mr. Willems:

The County is pleased to provide to you the proposed Municipal Solid Waste Disposal and Solid Waste System Assessment for FY21/22. A public hearing before the Board of County Commissioners to consider a resolution establishing the annual rates and assessments for the next fiscal year will be scheduled for August 3, 2021 at 9:30 AM in the Lee County Board Chambers.

In accordance with the current Inter-local Agreements (ILA) for Solid Waste Disposal and the Solid Waste System Assessment, I am providing the County's recommended rates for next year as determined through an independent rate study performed by Raftelis Financial Consultants, Inc.

The following tables provide a summary of the proposed disposal rates and assessments for FY21/22. The County is proposing to the Board of County Commissioners a per residential household unit facility assessment utilizing a household waste generation factor of 1.0 or 2,000 pounds per year. The adjusted average for the three (3) service areas within the Village of Estero is \$234.47 per Equivalent Residential Unit, per year, as shown below. Ratepayers can realize a 4 percent discount by using the Tax Collector's early payment program.

RESIDENTIAL AVERAGE	Fiscal Year 20/21	Fiscal Year 21/22
Estero Collection	\$125.04-\$151.56	\$125.04-\$151.56
Disposal (per unit)	\$ 45.18	\$ 50.20
Horticulture (per unit)	\$ 6.62	\$ 6.62
Facilities Assessment (per unit)	\$ 15.53	\$ 17.25
Recycling Assessment (per unit)	\$ 11.05	\$ 11.05
Billing Cost (per unit)	\$ 2.45	\$ 2.45
Early Payment Discount Gross-Up ⁽¹⁾	\$ 8.58 - \$9.68	\$ 8.86 - 9.96
Total AVG Residential Assessment	\$227.45	\$234.47

(1) Early Prepayment Discount Gross-Up (4% gross-up)

(2) Not including billing charge of \$2.55 per account (FY22)

(3) Total assessment will be based on per ton assessment multiplied by the category generation factor

P.O. Box 398, Fort Myers, Florida 33902-0398 | (239) 533-2111 | leegov.com

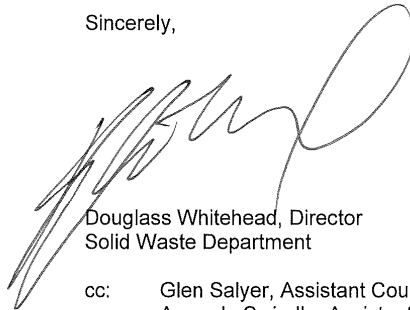
AN EQUAL OPPORTUNITY EMPLOYER

Mr. David Willems
Village of Estero
Proposed FY22 Solid Waste Rates
June 15, 2021
Page 2

The County continually looks for new opportunities to provide efficiencies within the entire solid waste system. We will keep Village staff apprised of our continuing projects.

If you have any questions regarding these proposed disposal and assessment rates, please contact me at 533-8000.

Sincerely,

A handwritten signature in black ink, appearing to read 'Douglass Whitehead', is written over the printed name and title.

Douglass Whitehead, Director
Solid Waste Department

cc: Glen Salyer, Assistant County Manager
Amanda Swindle, Assistant County Attorney
Burt Saunders, Village Attorney