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COVID-19 NOTICE:

The June 17, 2020 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 link: <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 page 5 of this agenda for further information and instructions for public participation.

AGENDA

VILLAGE COUNCIL MEETING

9401 Corkscrew Palms Circle, Estero, Florida

June 17, 2020 9:30 a.m.

Village Council: District 1 – Bill Ribble, Mayor; District 2 – Howard Levitan; District 3 – Jon McLain; District 4 – Katy Errington, Vice Mayor; District 5 – James Boesch; District 6 – Nick Batos; District 7 – Jim Wilson

1. CALL TO ORDER

INVOCATION: Pastor Tim Carson – Estero United Methodist Church

PLEDGE OF ALLEGIANCE

ROLL CALL

2. APPROVAL OF AGENDA, ADDITIONS, AND DELETIONS

3. PRESENTATION

Florida Gulf Coast University Update on Water Institute presented by Dr. Michael Martin and Greg Tolley and presentation of the preliminary water quality findings for the Estero River, presented by Don Duke, Ph.D., P.E.

4. PUBLIC COMMENT ON NON-AGENDA ITEMS

5. CONSENT AGENDA:

- (a)** May 27, 2020 Village Council Meeting Minutes

Attachments: [Minutes](#)

- (b) Financial Report for Month Ended April 30, 2020

Attachments: [Agenda Summary](#)
[April 30, 2020 Budget Report](#)

6. ACTION ITEMS:

- (a) Estero on the River declare 11 vacant structures as surplus property and approve Demolition RFB 2020-06

Recommended Action: Declare 11 vacant structures at Estero on the River as surplus property and approve award of Request for Bids No. RFB 2020-06 Estero on the River Structure Demolition to Southwest Builders, Inc. at a Grand Total Cost of \$54,385.00. Also approve Option A – Removal of Additional Septic Systems at a cost of 695.00 per system; and a contingency fund amount of \$5,438.50 (an amount equal to 10% of the total project cost) to cover unforeseen circumstances which may occur such as, but not limited to, asbestos abatement and additional structure demolition on Village-Owned land.

Authorize the Village Manager to execute the contract and any other related ancillary documents on behalf of the Village of Estero Council.

Financial Impact: Fiscal Year 2019-2020 budget includes \$1,283,750 for Estero on the River Capital Improvement Project which will provide funding for the total cost of \$59,823.50.

Attachments: [Agenda Summary](#)
[Southwest Builders Cover Letter](#)
[Bid from Southwest Builders, Inc](#)
[Contract](#)
[Ownership Disclosure](#)
[Demolition Site List & Map](#)

- (b) Resolution No. 2020-08 A Resolution of the Village Council of the Village of Estero, Florida Authorizing the Purchase of 9.2± acres on Williams Road and the Sale of 2.7 acres of surplus property on County Road; Determining that it is in the best interest and welfare of the Village and its residents; providing for appropriate budget transfers and providing an effective date.

Recommended Action: Approve Resolution No.2020-08, which authorizes the Mayor to sign the purchase agreement and sale agreement and authorizes the Village Manager and Village Attorney to complete any necessary due diligence or other actions to consummate and close the purchase and sale of the properties in accordance with terms of the Purchase and Sale Agreements.

Financial Impact:

The 2019-2020 budget will be amended to create a new Williams Road Land Acquisition Capital Improvement account with funding of \$3,000,000 plus

closing cost. CIP Account will be funded from Park Impact Fees \$1,720,000 and Bonus Density of \$280,000 with remainder from the Debt Reduction set-side which is estimated at \$1,000,000 plus closing costs.

The 2019-2020 budget will add proceeds from sale of surplus property revenue of \$1,000,000 less closing costs and increase loan expenditures to provide for the loan prepayment of the sale proceeds amount.

Attachments: [Agenda Summary](#)
[Land Purchase and Sale Staff Memorandum](#)
[Resolution 2020-08](#)
[Exhibit A: Purchase Agreement for Williams Road Property](#)
[Exhibit B: Sale Agreement for County Road Property](#)
[Exhibit C: Survey for Williams Road Property](#)
[Exhibit D: Survey for County Road Property](#)
[Exhibit E: Environmental Assessment, Phase 1 for Williams Road Property](#)
[Exhibit F: Appraisal for Williams Road Property](#)
[Exhibit G: Appraisal for County Road Property](#)

- (c) Resolution No. 2020-09 A Resolution of the Village Council of the Village of Estero, Florida, Naming Steve Sarkozy As Acting Village Clerk, In Addition To His Role As Village Manager; And Providing An Effective Date.

Recommended Action: Approve Resolution No.2020-09 Naming Steve Sarkozy Acting Village Clerk

Financial Impact: None

Attachments: [Agenda Summary](#)
[Resolution 2020-09](#)

- (d) Design Review Board (DRB)

Recommended Action: Determine whether to appoint one or both applicants to an interim term expiring March 31, 2021, or upon the effective date of the Land Development Code.

Financial Impact: None

Attachments: [Agenda Summary](#)
[Design Review Board Member List](#)
[Minutes from the May 15, 2019 Council Meeting](#)
[Application from Barry Freedman](#)
[Application from Jim Wallace](#)

(e) Happehatchee Operating Agreement

Recommended Action: Approval for the Village Manager to sign the provided agreement with the YMCA.

Financial Impact: The proposal calls for a \$6,000 monthly cost to the Village for the first six months of the agreement, falling to \$5,000 monthly thereafter. Additionally, the agreement calls for annual CPI growth of 3%. Assuming Council approval on June 17, 2020, the cost for FY 19-20 would be \$20,800, to be funded from the Village's general operating contingency.

Attachments: [Agenda Summary](#)
[Staff Memorandum](#)
[Exhibit A](#)
[Exhibit B](#)
[Exhibit C](#)
[YMCA Happehatchee Lease and Management Agreement](#)

(f) Letter to Lee County requesting disaster response services.

Recommended Action: Approval of a letter to be sent to Lee County, from Village Manager Sarkozy, requesting Lee County disaster response services, in the case of a Lee County declared emergency.

Financial Impact: No funds will be expended unless there is a Lee County Declared State of Emergency, whereby Lee County takes control of the process and Lee County is not awarded FEMA reimbursement for services rendered within the Village of Estero.

Attachments: [Agenda Summary](#)
[Letter to Lee County](#)
[Municipal Solid Waste Collection Customer Services Billing and Disposal Interlocal Agreement between Village of Estero and Lee County](#)

7. **FIRST READING OF ORDINANCES:**

- (a) Zoning Ordinance No. 2020-03 An Ordinance Of The Village Council Of The Village Of Estero, Florida, Approving With Conditions A Rezoning From Agriculture (AG-2) To Commercial Planned Development With Deviations, To Allow A Commercial Development On Property Located At 8111 Broadway East, East Of U.S. 41 And North Of Estero United Methodist Church Consisting Of Approximately 1 Acre; Providing For Conflicts; Providing For Severability; And Providing An Effective Date.

Recommended Action: Motion to pass first reading of Ordinance No. 2020-03 and schedule second reading/public hearing for July 15, 2020.

Financial Impact: Minor cost associated with advertising the ordinance for the second reading.

Attachments: [Agenda Summary](#)
[Ordinance No. 2020-03](#)
[Exhibit A: Sketch and Legal Description Old Post Office](#)
[Exhibit B: Master Concept Plan Dated June 4, 2020 Old Post Office](#)
[Exhibit C: Pattern Book Dated May 6, 2020 Old Post Office](#)
[Staff Report](#)
[Attachment A: Zoning Map Old Post Office](#)
[Attachment B: FLUM](#)

- (b) Ordinance No. 2020-04 An Ordinance Of The Village Council Of The Village Of Estero, Florida, Approving With Conditions An Amendment To The South Estero Commercial Center Commercial Planned Development To Allow For Medical Office As A Use On The 1.14 Acre Lot (Lot 4) Located On The East Side Of Us 41, 700 Feet South Of The Corkscrew Road Intersection And Corkscrew Village Shopping Center; Providing For Conflicts; Providing For Severability; And Providing An Effective Date.

Recommended Action: Motion to pass first reading of Ordinance No. 2020-04 and schedule second reading/public hearing for July 15, 2020.

Financial Impact: Minor cost associated with advertising the ordinance for the second reading.

Attachments: [Agenda Summary](#)
[Ordinance No. 2020-04](#)
[Exhibit A: Master Concept Plan Stamped Dated March 27, 2020](#)
[Staff Report](#)
[Attachment A: Future Land Map](#)
[Attachment B: Zoning Map](#)
[Attachment C: Recommended Conditions](#)
[Attachment D: Zoning Resolution Z-99-077](#)
[Attachment E: Applicant's Information](#)

8. PUBLIC COMMENT ON NON-AGENDA ITEMS
9. COUNCIL COMMUNICATIONS / FUTURE AGENDA ITEMS
10. VILLAGE ATTORNEY'S REPORT

- (a) Gray Robinson Retainer
- (b) Village Manager Evaluation

11. VILLAGE MANAGER'S REPORT

- (a) COVID-19 Update

Adjourn Regular Session and Convene Workshop

12. WORKSHOP ITEMS:

- (a) Septic to Sewer Report

Attachments: [Workshop Summary](#)
[PowerPoint Presentation – Water Quality](#)
[PowerPoint Presentation – Utility Expansion](#)
[Estero Sewer Feasibility Study](#)

- (b) Capital Improvement Plan (CIP)

Attachments: [Workshop Summary](#)
[FY 20-21 & 21-22 Summary](#)

- (c) Branding

Attachments: [Workshop Summary](#)
[PowerPoint Presentation](#)

- (d) Bike & Pedestrian Master Plan

Attachments: [Workshop Summary](#)
[Draft Bicycle & Pedestrian Master Plan](#)
[PowerPoint Presentation](#)

13. ADJOURNMENT

To view and/or participate in the Council Meeting on June 17, 2020, which begins at 9:30 a.m., the following options are available:

- 1) View the meeting online, but not participate:

You may watch the meeting via the Village of Estero website link:

<https://estero-fl.gov/council/watch-meetings-online/>

- 2) View the meeting online as indicated above and provide public comment during the meeting by utilizing the eComment Card feature on the Village website: <https://estero-fl.gov/ecomment-cards/> Please fill out all required information. Comments received during the agenda item being discussed will be read into the record.

- 3) The Council Chambers will be available for public comment, in accordance with social distancing orders. Participants are recommended to wear their own-supplied mask.

For additional information or for special assistance prior to the meeting, please contact Carol Sacco, Executive Assistant, sacco@estero-fl.gov or 239-221-5035.

If you desire to address the Council, please complete a Public Comment Card and return it to the Village Clerk. Citizens desiring to speak must step up to the podium, state their full name and address, and whom he or she represents.

ADA Assistance – Anyone needing special assistance at the Board meeting due to a disability or physical impairment should contact Executive Assistant, Carol Sacco , 239-221-5035, at least 48 hours prior to the meeting.

Pursuant to Section 286.0105, Florida Statutes:

“If a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a recording of the proceeding, and that, for such purpose, he or she may need to ensure that a verbatim recording of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.”