1	VILLAGE OF ESTERO, FLORIDA			
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3	ORDINANCE NO. 2019 - 28			
4				
5	AN ORDINANCE OF THE VILLAGE COUNCIL OF			
6	THE VILLAGE OF ESTERO, FLORIDA, ADOPTING			
7	AMENDMENTS TO THE CAPITAL IMPROVEMENTS			
8	ELEMENT TO UPDATE THE CAPITAL			
9	IMPROVEMENTS SCHEDULE FOR FISCAL YEAR			
10	2019/2020 AND ADOPT THE MOST RECENT LEE			
11	COUNTY SCHOOL DISTRICT CAPITAL			
12	IMPROVEMENT PLAN; PROVIDING FOR			
13	CONFLICT; PROVIDING FOR SEVERABILITY; AND			
14	PROVIDING AN EFFECTIVE DATE.			
15	WITTEDEAG EL '1 G. (4 1/2 2177/2)() ' C 1 ' DI 4 4'			
16	WHEREAS, Florida Statute 163.3177(3)(a) requires Comprehensive Plans to contain			
17	a Capital Improvements Element, and a schedule of capital improvements for a 5-year period;			
18	and			
19	WHEREAS Floride Statutes Section 162 2177(2)(b) states that the Conital			
20	WHEREAS, Florida Statutes Section 163.3177(3)(b) states that the Capital			
21	Improvements Element must be reviewed on an annual basis, and further that modifications to			
22	update the 5-year Capital Improvements Element schedule may be accomplished by ordinance			
23	and may not be deemed an amendment to the Comprehensive Plan; and			
2425	WHEREAS the Village of Estere adopted its first Conital Improvements Flament			
26	WHEREAS, the Village of Estero adopted its first Capital Improvements Element			
27	including its 5-year Capital Improvements Element Schedule on June 13, 2018; and			
28	WHEREAS, the Village of Estero, Lee County, Florida, held public hearings on its			
29	Capital Improvement Program as required by the Village Charter Section 8(7)(b); and			
30	Capital improvement i rogiam as required by the vinage charter section $\delta(7)(0)$, and			
31	WHEREAS, the Village reviewed and adopted amendments to the Capital			
32	Improvement Program on July 24, 2019 pursuant to Village Charter Section 8(7)(b) and now			
33	desires to adopt it to update the Capital Improvements Element Schedule pursuant to Florida			
34	Statutes Section 163.3177(3)(b).			
35	Statutes Section 103.3177(3)(0).			
36	NOW, THEREFORE, be it ordained by the Village Council of the Village of Estero.			
37	Florida:			
38	1 Torrau.			
39	Section 1. Purpose.			
40	E CONTRACTOR DE LA CONT			
41	The purpose of this Ordinance is to update the Capital Improvements Program schedule			
42	in the Comprehensive Plan. This amending ordinance may be referred to as the "Capital			
43	Improvement Element Schedule Update 2019".			

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45 46 47	2019.				
48 49 50 51 52	The Village Council hereby amends its Capital Improvement Element Schedule reflect the latest adopted Capital Improvement Program for the Village and incorporates latest adopted Lee County School District Work Plan, attached hereto as Exhibits A and respectively.				
53 54	Section 3. Conflict.				
55 56 57 58	All ordinances, resolutions, official determinations or parts thereof previously adopte or entered by the Village or any of its officials and in conflict with this Ordinance are hereb repealed to the extent inconsistent herewith.				
59 60	Section 4. Severability.				
61 62 63 64 65	If any provision of this Ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable.				
66 67	Section 5. Effective Date.				
68 69	This Ordinance shall take effect immediately upon adoption.				
70 71	PASSED on first reading this 4^{th} day of <u>September</u> , 2019.				
72 73	PASSED AND ADOPTED BY THE VILLAGE COUNCIL of the Village of Estero				
74 75	Florida this day of, 2019.				
76 77 78 79	By: By: Bill Ribble, Mayor				
80 81 82	Reviewed for legal sufficiency:				
83 84 85 86	By:Nancy Stroud, Esq., Village Land Use Attorney				
87 88 89	Exhibit A: Village of Estero Fiscal Year 2019-2020 Capital Improvement Program Exhibit B: Lee County School District 2018-2019 Work Plan Excerpts				

90	Vote:	AYE	NAY
91	Mayor Ribble		
92	Vice Mayor Errington		
93	Councilmember Batos		
94	Councilmember Boesch		
95	Councilmember Levitan		
96	Councilmember McLain		
97	Councilmember Wilson		
98			