

**AGENDA ITEM SUMMARY SHEET**  
**VILLAGE COUNCIL MEETING**  
**OCTOBER 2, 2019**

---

**Agenda Item:**

Amend Fee Schedule to establish a fee for electronic filing of documents with the Lee County Clerk.

**Action Requested:**

Adopt Resolution No. 2019 - 21 establishing a fee under the Community Development Fee Schedule, to allow for electronic recording of documents as a convenience for customers.

**Description:**

Some Community Development-related documents must be recorded in the official records of Lee County, at the Clerk's office which is located in downtown Fort Myers. As a convenience for customers, the Clerk has a system called "Simplifile" which is the largest e-recording network in the nation that allows documents to be recorded electronically for a fee. Documents such as our "Notice of Commencement" for building permits could be quickly recorded electronically, saving a customer the additional drive to downtown Fort Myers. This service would be at the customer's option. The fee varies by size of document, but is typically \$12 plus \$8.50 per additional page.

The current Fee Schedule adopted by the Council does not contain any provision for this type of fee. Staff proposes adding a note to the Fee Schedule to provide this option for enhanced customer service. Other jurisdictions (Lee County, Bonita Springs, Fort Myers Beach and Cape Coral) currently provide the service.

The notation on the Fee Schedule would state:

*Electronic Recording Fees*

Any document that Community Development will record for applicants will be assessed the actual costs for recording/filing by the County Clerk of Courts based on their current schedule of the Clerk's service charges and

fees, along with the submission fee charged by Simplifile to permit the Village to use the Simplifile Electronic Recording System and the fee for using a credit card. No refunds of fees are permitted once a document is recorded.

Community Development will determine which documents it will permit to use the Electronic Recording System so that employee time in processing this convenience is not abused.

**Financial Impact:**

The financial impact would be minor. The cost of recording would be charged to the applicant as a convenience fee. The Clerk's office will invoice the Village on a monthly basis.

**Attachments:**

1. Resolution No. 2019 - 21

**ATTACHMENT 1**

**VILLAGE OF ESTERO, FLORIDA**

**RESOLUTION NO. 2019 – 21**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF ESTERO, FLORIDA, AMENDING THE FEE SCHEDULE TO ESTABLISH A FEE FOR ELECTRONIC FILING OF DOCUMENTS WITH THE LEE COUNTY CLERK; AMENDING RESOLUTION NO. 2015-68; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Village of Estero was incorporated by referendum held on November 4, 2014 and the Village Council was elected on March 3, 2015, pursuant to the Charter of the Village of Estero (“Charter”) created by Ch. 2014-249, Laws of Florida; and

**WHEREAS**, the Charter provides that the Village Council shall have the broadest exercise of home rule powers permitted under the state Constitution and the laws of the state; and

**WHEREAS**, the fee schedule was adopted by Resolution on October 7, 2015, establishing fees for Community Development; and

**WHEREAS**, the Village finds that electronic filing of certain documents is a desirable service for its customers; and

**WHEREAS**, changes to the fee schedule must be accomplished by Resolution of the Village Council; and

**WHEREAS**, Resolution No. 2015-68, adopted October 7, 2015, is hereby amended.

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

**Section 1.**     Recitals Adopted.

That each of the above stated recitals is hereby adopted and confirmed as being true, and the same are hereby incorporated as a part of this Resolution.

**Section 2.**     Amendment to Fee Schedule.

The Community Development Fee Schedule is amended to add the following note:

46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72  
73

*Electronic Recording Fees*

Any document that Community Development will record for applicants will be assessed the actual costs for recording/filing by the County Clerk of Courts based on their current schedule of the Clerk’s service charges and fees, along with the submission fee charged by Simplifile to permit the Village to use the Simplifile Electronic Recording System and the fee for using a credit card. No refunds of fees are permitted once a document is recorded.

**Section 3.**     Effective Date.

This Resolution shall take effect immediately upon adoption.

**ADOPTED BY THE VILLAGE COUNCIL** of the Village of Estero, Florida this 2<sup>nd</sup> day of October, 2019.

Attest:

**VILLAGE OF ESTERO, FLORIDA**

By: \_\_\_\_\_  
Kathy Hall, MMC, Village Clerk

By: \_\_\_\_\_  
Bill Ribble, Mayor

Reviewed for legal sufficiency:

By: \_\_\_\_\_  
Burt Saunders, Esq., Village Attorney