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VILLAGE OF ESTERO, FLORIDA

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.

WHEREAS, The Florida Greenways and Trails Council formally recognized the economic value of trails and greenways to Florida. Parks and greenways have been found to increase property values, increase municipal revenues, and increase tourism dollars.

WHEREAS, The Center for Disease Control and Prevention report that parks and trails can improve health through increased physical activity, improve mental health, and provide safe places for exercise away from busy streets; and

WHEREAS, the acquisition of the *Estero on the River* property by Council in 2018 secured a substantial amount of passive recreation space, though it did not address the community’s need for greater active recreation offerings; and

WHEREAS, the development and expansion of parks and recreation offerings in Estero has been prioritized by residents in numerous community surveys, including the *Estero Feasibility Study*, *Estero Community Needs and Assets Study*, *Estero Parks/Recreation/Education Coalition Report*, *Estero Parks and Recreation Master Plan Survey*, and *Estero Branding Survey*; and

WHEREAS, the Estero Parks and Recreation Master Plan study has identified the block bordered by Corkscrew Road, River Ranch Road, Williams Road, and Via Coconut Point as the current and future hub for active recreation in Estero, given its existing infrastructure and central location; and

WHEREAS, the Village has identified a potential site for acquisition owned by Christ Communities Ministries at the northeast corner of Williams Road and the Seminole Gulf Railway line, adjacent to the Golf Coast Driving Range, which contains significant acreage for parks development and is adjacent to the Estero Community Park and close to Estero High School (hereafter the “Williams Road Property” further described in Exhibit “A”); and

44 **WHEREAS**, the Village may, at Council’s direction, develop active recreation fields
45 on the Williams Road Property, to connect with fields in the Estero Community Park and
46 Estero High School grounds to form a regionally-significant active recreation campus; and
47

48 **WHEREAS**, the Village has identified our Village-owned parcel on County Road
49 (hereafter “County Road Property” further described in Exhibit “B”) as a significant and
50 valuable asset, capable of mitigating our land acquisition cost, that nevertheless does not
51 contribute to our long-term preservation, recreation, or development objectives of the Village
52 and is hereby declared surplus; and
53

54 **WHEREAS**, Christ Community Ministries has committed to renovate the church, as
55 evidenced by design expenditures they have already incurred, to bring the church into
56 alignment with Estero’s exceptional design standards and is desirous of acquiring the adjacent
57 Village’s County Road Property; and
58

59 **WHEREAS**, the Williams Road Property has been offered to the Village of Estero by
60 Christ Community Ministries at a mutually acceptable purchase price of \$3,000,000 for 9.2
61 acres; and
62

63 **WHEREAS**, the County Road Property has been offered to Christ Community
64 Ministries by the Village of Estero at a mutually acceptable purchase price of \$1,000,000 for
65 2.7 acres; and
66

67 **WHEREAS**, the Village has available the following funding sources and amounts to
68 fund Williams Road Property acquisition of \$3,000,000 plus closing costs from Park Impact
69 Fees \$1,720,000 and Bonus Density \$280,000 account, with remaining \$1,000,000 plus
70 closing costs being funded from the Debt Reduction set-side; and
71

72 **WHEREAS**, the Village has an obligation in its Loan Agreement, EC 2019-13, to
73 forward real property sale proceeds from *Estero on the River* to the lender as a prepayment of
74 the loan balance. The estimated amount of proceeds is the purchase price of \$1,000,000 less
75 closing cost. These proceeds will reduce the amount required to pay off the loan and therefore,
76 reduce the amount of the Debt Reduction requirement; and
77

78 **WHEREAS**, as provided in the Village Charter Section 8(6)(d), the transfers of
79 unencumbered appropriations will therefore be added to the 2019-2020 Budget with amounts
80 to be finalize at date of real estate closings; and
81

82 **WHEREAS**, it is necessary, desirable, and in the best interest of the Village of Estero
83 and its residents, to proceed with the purchase and sale of the aforementioned properties, and
84 such purchase and sale will serve a paramount public purpose for the reasons described above.
85

86 **NOW, THEREFORE**, be it resolved by the Village Council of the Village of Estero,
87 Florida:
88

89 **Section 1.** The foregoing recitals are hereby ratified and confirmed as being true
90 and correct and are hereby made a part of this Resolution and adopted as policy findings.

91
92 **Section 2.** The Village Council hereby authorizes the Mayor to execute the
93 Purchase and Sale Agreements with Christ Community Ministries attached as Exhibit “A” and
94 Exhibit “B”, attached hereto and incorporated herein, or an agreement in substantially similar
95 form, finding the purchase and sales to be in the best interest of the residents of the Village.
96

97 **Section 3.** The Village Manager and Village Attorney are hereby further
98 authorized to complete any necessary due diligence or other actions to consummate and close
99 the purchase and sale of the properties in accordance with terms of the Purchase and Sale
100 Agreements.
101

102 **Section 4.** In the 2019-2020 budget, create a new Williams Road Land Acquisition
103 Capital Improvement account is hereby created with funding of \$3,000,000 plus closing costs
104 funded from Park Impact Fees \$1,720,000 and Bonus Density of \$280,000 with remainder
105 from the Debt Reduction set-side estimated at \$1,000,000 plus closing costs. Final budget
106 amendment transfers to be determined at real estate closing. Also, in the 2019-2020 budget,
107 add Proceeds from Sale of Surplus Property revenue of \$1,000,000 less closing costs and
108 increase loan expenditures to provide for the loan prepayment of the sale proceeds amount.
109 Final budget amendment transfers to be determined at real estate closing.
110

111 **Section 5.** This Resolution shall take effect immediately upon adoption.
112

113 **ADOPTED BY THE VILLAGE COUNCIL** of the Village of Estero, Florida this
114 17th day of June, 2020.
115

116 Attest: **VILLAGE OF ESTERO, FLORIDA**

117
118
119 By: _____ By: _____
120 Steve Sarkozy, Acting Village Clerk Bill Ribble, Mayor
121

122
123 Reviewed for legal sufficiency:
124
125

126 By: _____
127 Burt Saunders, Esq., Village Attorney
128

- 129 Exhibit A: Purchase Agreement for Williams Road Property
- 130 Exhibit B: Sale Agreement for County Road Property
- 131 Exhibit C: Survey for Williams Road Property
- 132 Exhibit D: Survey for County Road Property
- 133 Exhibit E: Environmental Assessment, Phase 1 for Williams Road Property
- 134 Exhibit F: Appraisal for Williams Road Property

