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**AGENDA**  
**VILLAGE COUNCIL MEETING**  
**9401 Corkscrew Palms Circle, Estero, Florida**  
**October 17, 2018 9:30 a.m.**

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

1. **OPENING EXERCISES:** (Includes call to order, roll call, pledge of allegiance, announcements, proclamations, and ceremonial presentations)

**Call to Order**

**Pledge of Allegiance**

**Invocation:** Rabbi Greenberg – Chabad of Bonita Springs & Estero

**Roll Call**

2. **APPROVAL OF AGENDA, ADDITIONS, AND DELETIONS**
3. **PUBLIC COMMENT ON NON-AGENDA ITEMS**
4. **CONSENT AGENDA:**

- (a) Lien Reduction Request

**Attachment:** [Agenda Item Summary Sheet and attachment](#)

5. **ACTION ITEMS:**

- (a) Resolution No. 2018-18 A Resolution of the Village Council of the Village of Estero, Florida, Authorizing the Purchase of 62.05± Acres Adjacent to the Estero River; Determining that it is in the Best Interest and Welfare of the Village and its Residents; and Providing an Effective Date (Exhibit A: Purchase and Sale Agreement with The Trust for Public Land)

**Recommended Action:** Motion to adopt Resolution No. 2018-18, thereby approving the Purchase and Sale Agreement with The Trust for Public Land.

**Financial Impact:** This real estate acquisition will require the Village to obtain financing and Staff is currently in the process of developing a Request for Proposals which will be issued to be consistent with the timing of the closing within 120 days from execution of the purchase and sale agreement. \$26,000,000

has been budgeted in 2018-2019, to include the \$24,562,500 purchase price and an additional \$1,437,500 in closing, debt issuance and design/development alternatives costs. These budgeted figures are listed as "Land Purchase A" in the approved Capital Improvement Projects. The purchase is funded on a long term basis without impact to our existing reserves or operating programs.

**Attachment:** [Agenda Item Summary Sheet and Resolution No. 2018-18](#)

## 6. FIRST READING OF ORDINANCES:

### (a) Miromar Outlet Hotel

- (1) Zoning Ordinance No. 2018-24 An Ordinance of the Village Council of the Village of Estero, Florida, Approving with Conditions a Zoning Amendment with Deviations to Permit a Proposed 135-Room Hotel for Property Located in the Miromar Outlet Mall Parking Lot, North of Corkscrew Road in the Village of Estero, Florida, and Comprising Approximately 2.3 Acres in the Commercial Planned Development; Providing for Conflicts; Providing for Severability; and Providing an Effective Date

**Recommended Action:** Motion to approve first reading of Ordinance No. 2018-24.

**Financial Impact:** Minimal amount for advertising second reading/public hearing of the ordinance.

**Attachments:** [\(1\) Staff Report](#)

[\(2\) Ordinance No. 2018-24](#)

- (2) Resolution No. 2018-17 A Resolution of the Village Council of the Village of Estero, Adopting a Codified Development Order for the Timberland and Tiburon Development of Regional Impact (DRI) (11th Amendment to DRI DO State #7-8384-46); and Providing an Effective Date

**Recommended Action:** No action required at this time. Adoption of the resolution will be requested at the second reading of Ordinance No. 2018-24.

**Attachment:** [Resolution No. 2018-17](#)

- (b) Ordinance No. 2018-25 An Ordinance of the Village Council of the Village of Estero, Florida, Providing for Retail Gas Pump Security Measures; Establishing

Security Measure Requirements for Owners and Operators of Retail Gas Pumps;  
Providing for Severability, Codification and an Effective Date

**Recommended Action:** Motion to approve first reading of Ordinance No. 2018-25 and to hold second reading/hearing on November 7, 2018.

**Financial Impact:** Minimal amount for advertising second reading/public hearing of the ordinance.

**Attachment:** [Agenda Item Summary Sheet and Ordinance No. 2018-25](#)

**7. SECOND READING OF ORDINANCES:**

**(a) Ordinances Repealing Inapplicable Lee County-only Regulations**

- (1)** Ordinance No. 2018-12 An Ordinance of the Village Council of the Village of Estero, Florida, Repealing Personnel Provisions of the Lee County Code Previously Adopted by Reference; and Providing an Effective Date
- (2)** Ordinance No. 2018-13 An Ordinance of the Village Council of the Village of Estero, Florida, Repealing Purchasing and Finance Provisions of the Lee County Code Previously Adopted by Reference; and Providing an Effective Date
- (3)** Ordinance No. 2018-14 An Ordinance of the Village Council of the Village of Estero, Florida, Repealing Telecommunications Network Ordinance Provisions of the Lee County Code Previously Adopted by Reference; and Providing an Effective Date
- (4)** Ordinance No. 2018-15 An Ordinance of the Village Council of the Village of Estero, Florida, Repealing Airports and Aircraft Provisions of the Lee County Code Previously Adopted by Reference; and Providing an Effective Date
- (5)** Ordinance No. 2018-16 An Ordinance of the Village Council of the Village of Estero, Florida, Repealing Ambulance and Rescue Services Provisions of the Lee County Code Previously Adopted by Reference; and Providing an Effective Date
- (6)** Ordinance No. 2018-17 An Ordinance of the Village Council of the Village of Estero, Florida, Repealing Building and Land Use Regulations Provisions of the Lee County Code Previously Adopted by Reference; and Providing an Effective Date
- (7)** Ordinance No. 2018-18 An Ordinance of the Village Council of the Village of Estero, Florida, Repealing Courts Provisions of the Lee County Code Previously Adopted by Reference; and Providing an Effective Date
- (8)** Ordinance No. 2018-19 An Ordinance of the Village Council of the Village of Estero, Florida, Repealing Discrimination Provisions of the Lee

County Code Previously Adopted by Reference; and Providing an Effective Date

- (9) Ordinance No. 2018-20 An Ordinance of the Village Council of the Village of Estero, Florida, Repealing Development District Provisions of the Lee County Code Previously Adopted by Reference; and Providing an Effective Date
- (10) Ordinance No. 2018-21 An Ordinance of the Village Council of the Village of Estero, Florida, Repealing Drainage and Water Control Provisions of the Lee County Code Previously Adopted by Reference; and Providing an Effective Date

**Recommended Action:** Consideration of adopting Ordinances No. 2018-12 through 2018-21.

**Financial Impact:** Minimal amount for advertising second reading/public hearing of the ordinances.

**Attachment:** [Agenda Item Summary Sheet and Ordinances](#)

- 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 ITEMS:

- (a) Land Development Code

**Attachments:** [\(1\) Workshop Summary Sheet and PowerPoint Presentation](#)

[\(2\) Land Development Code Assessment – Part 1](#)

[\(3\) Land Development Code Assessment – Part 2](#)

- (b) Estero Parkway Access Management Plan

**Attachments:** [Workshop Summary Sheet and Access Management Plan](#)

#### 13. ADJOURNMENT

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 Village Clerk Kathy Hall, 239-221-5033, 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.”