

VILLAGE COUNCIL WORKSHOP OF JULY 22, 2015

The Village of Estero Council Workshop was held on this date at the Estero Fire Rescue District Meeting Room, 21500 Three Oaks Parkway, Estero, Florida.

Present: Mayor Nick Batos - District 6, Vice-Mayor Howard Levitan - District 2, Councilmember Bill Ribble, District 1, Councilmember Donald Brown - District 3, Councilmember Katy Errington - District 4, Councilmember Jim Boesch - District 5, and Councilmember Jim Wilson - District 7.

Also present: Village Manager Peter Lombardi, Attorney Tony Pires (attending on behalf of Village Attorney Burt Saunders), Finance Director Lisa Pace, and Village Clerk Kathy Hall.

1. CALL TO ORDER

Mayor Batos called the meeting to order at 10:00 a.m.

2. PLEDGE OF ALLEGIANCE

Mayor Batos led the Pledge of Allegiance.

3. ROLL CALL

Village Clerk Kathy Hall called the roll; all members were present.

4. APPROVAL OF AGENDA

Councilmember Errington moved approval of the agenda, seconded by Councilmember Ribble, called and carried unanimously.

Mayor Batos acknowledged State Representative Ray Rodriguez in the audience and expressed appreciation for Representative Rodriguez's assistance with the incorporation of the Village as well as all that he does for the State of Florida.

5. COUNCIL BUSINESS

(A) Presentation – Metropolitan Planning Organization (MPO) (Mayor Batos)

Don Scott, Executive Director, explained that the MPO was a transportation policy making board which included representatives from the cities of Bonita Springs, Cape Coral, Fort Myers, Sanibel, Town of Fort Myers Beach, Village of Estero, and Lee County Commissioners. He stated that, based on State and Federal laws, the MPO was responsible for establishing a continuing, cooperative, and comprehensive transportation planning process for Lee County, and that Federal and State transportation funding flowed through the MPO. Mr. Scott noted that the MPO had four staff members and was funded 95% from Federal funds.

Mr. Scott provided background information regarding the MPO: the 1962 Federal Aid Highway Act required each urbanized area with a population of 50,000 or more to establish an MPO as a condition of receiving federal funds; the Lee County MPO was formed in 1977; there were 27 MPOs in Florida. He noted that there were five committees: Citizens Advisory Committee (CAC), Technical Advisory Committee (TAC), Bicycle Pedestrian Coordinating Committee (BPCC), Traffic Management Operations Committee (TMOC), and Transportation Disadvantaged Local Coordinating Board (LCB); Key Tasks included Long Range Transportation Plan, Five Year Transportation Improvement Program, Unified Planning Work

Program, Public Involvement Plan, Congestion Management Process, Federal and State Funded Project Priorities, and Transportation Disadvantaged Service Plan. Mr. Scott provided explanation of the seven ongoing/upcoming projects: Update of the Long Range Plan to 2040; TIGER Design Build Project; Round-a-bout Feasibility Study; Cape Coral Bicycle Pedestrian Master Plan; Collection of Bicycle Pedestrian Count Data; and Fort Myers Beach Bicycle Pedestrian Master Plan/Crosswalk Lighting Study.

Mr. Scott spoke to the Long Range Transportation Plan explaining that it was a countywide multi-modal transportation plan that included road, bicycle, pedestrian, and transit projects; updated every five years for the 25-year planning horizon through 2040 and identified strategies to ensure future mobility. He then addressed the population projections for Lee, Collier, and Charlotte Counties, the long range plan elements, completed tasks, funding sources, and projected revenues. He addressed the FDOT District One Regional Transportation Model and noted the three entries regarding Corkscrew Road noted in the Lee MPO Long Range Transportation Plan Update. He also spoke to the Lee/Collier 2040 Cost Feasible Alternative II and II B and the STP and State Funded Priorities for FY 2021.

Mr. Scott noted that a Lee 2040 Transportation Plan Public Workshop would be held on August 25, 2015 from 5:00 p.m. to 7:00 p.m. at the Estero Recreation Center.

Councilmember questions and discussion followed.

Mayor Batos called for public comment and no one came forward.

(B) Horizon Council Foundation (Councilmember Wilson)

Councilmember Wilson reviewed that Estero accepted an invitation from the Horizon organization in order to be a member of the executive committee. He stated that he attended his first meeting, and referred to materials distributed to Council which indicated that the Horizon Foundation and the Lee County Economic Development Office engage in sophisticated marketing efforts to strategically attract and retain companies that do business in and with Lee County; funds raised for the Foundation pay for direct marketing costs only and were not used for salaries, travel or other operational expenses so that donations were an investment County-wide. Councilmember Wilson noted that they asked if Estero would consider becoming an investor similar to other cities at the "Investor" level at \$2500. He recommended that Council reach consensus to become an investor and give it a full budget year to understand the benefits to Estero. Councilmember Ribble agreed and supported becoming an investor. Vice Mayor Levitan inquired what the foundation was as opposed to Horizon Council, what role the Horizon Council played in Lee County matters and why it was not an advisory committee. He suggested that Community Development Director Gibbs may be able to provide the answers. He said that he was in favor of supporting economic development; however, the materials seemed to say that Horizon Foundation supported and participated in the activities of the Horizon Council. Councilmember Wilson responded that after a couple more meetings he would be able to answer questions. Councilmember Errington asked that Councilmember Wilson find out how the salaries were paid. Councilmember Wilson stated that he believed Pat O'Rourke was a County employee.

Mayor Batos called for public comment and no one came forward.

Mayor Batos inquired whether this topic would be brought up at the next Council meeting. Councilmember Wilson hoped that the Investor contribution could be included in the upcoming budget in order to make a commitment for the first year. Vice Mayor Levitan stated that he did not have a problem putting it in the budget; however, he would like answers to questions before agreeing to spending the funds. Councilmember Wilson believed that a commitment had already been made when the Village accepted the membership. Mayor Batos inquired whether there was any objection to instructing the Village Manager to work it into the budget. Village Manager Peter Lombardi explained that at the present time there were no funds in the proposed budget for economic development of any kind. Mayor Batos stated that there have been other economic development inquiries. Discussion ensued regarding budgeting more than \$2500 for economic development. Mayor Batos stated that discussion on this item could continue under the budget agenda item.

Mayor Batos called for further public comment and no one came forward.

(C) Village Contributions/Donations Policy (Tabled by Vice Mayor Levitan at July 10, 2015 Workshop)

Village Manager Peter Lombardi stated that, since the agenda item had been previously tabled, a motion by the Councilmember that tabled the item would be required to take it off the table prior to discussion. Brief discussion ensued and Vice Mayor Levitan chose not to make a motion to take it off the table.

(D) Village Office Space (Councilmember Ribble)

Councilmember Ribble stated that he was looking for a recommendation to talk to one of the corporations that represented one of the three buildings Council reviewed for a potential leased facility for the next five years (9401 Corkscrew Palms Circle, Brooks Town Center, and Picaya Bay). He provided detailed information regarding square footage, allotted parking spaces, current market rental rates, estimated common area maintenance expense, and build out expense. Discussion ensued. Consensus was for Councilmember Ribble to continue with the process, contact the representatives of 9401 Corkscrew Palms Circle property, and bring back information to the Council. Village Manager Lombardi stated that there were some other issues he wanted to make Councilmember Ribble aware of. He also stated that a draft lease could be developed for Council consideration. Brief discussion followed regarding the plan layout of the Council Chambers and the size of the dais, which would use approximately 25% of the room.

Mayor Batos called for public comment and no one came forward.

The workshop went into recess at 11:14 a.m. and reconvened at 11:20 a.m.

(E) 2016 Budget Workshop #2

Village Manager Peter Lombardi highlighted the revisions made since the last workshop, indicated in summary on page 1 of the budget document. He noted that revenues increased from \$10,693,120 to \$10,960,020, expenditures increased from \$6,216,960 to \$6,418,650; net change in General Fund was \$65,210. Mr. Lombardi stated that there were no funds in the budget for economic development; if Council was going to add funds in the budget for economic development, he suggested placing the funds in the Community Development budget. Vice Mayor Levitan suggested \$15,000 to \$20,000 as a place holder. Discussion ensued regarding

economic development groups. Vice Mayor Levitan suggested scheduling the discussion for a workshop. Mayor Batos stated that he and the Village Manager were working on upcoming workshop agendas. Consensus was to place \$20,000 in the Community Development budget for economic development.

Regarding the General Government Operations Expenditures, page 16, Village Manager Lombardi stated that he had originally placed funds in the cost center in anticipation of expanded facilities; currently there were \$28,560 appropriated for the lease of the current facility; if relocation occurred, the funds would be used in the new location. He continued that \$450,000 was included in the Capital Outlay line item, which included \$100,000 for furniture and fixtures for the new office facility and the increase lease cost and/or build-out. He indicated that, based on build-out costs, he believed an additional \$100,000 to \$150,000 should be budgeted. Vice Mayor Levitan suggested keeping the \$450,000 for the build-out and equipment and change the office lease line item to a realistic number. Mayor Batos stated that funds could be moved from one line item to another at a later time; in a negotiating point of view, indicating the lease line item or build out line item separately would put negotiators in a strong position. Consensus was to increase Capital Outlay by \$100,000.

Councilmember Ribble inquired whether the IT expense on page 15 was adequate, particularly as it related to planning and zoning. Vice Mayor Levitan explained that the IT expense for planning and zoning was not included in this cost center. He explained further that, in the building permit function, the fees acted as a trust fund and the trust fund paid for the cost of inspections and all activities with respect to building permits; part of that was to make the process public through a computer system with online access, which would occur as part of a vendor contract and would come from the Community Development budget. Mayor Batos added that the portion of the funds received by the County for Estero was in excess of \$1M per year; a significant amount went into IT availability. Village Manager Lombardi stated that the IT budget was strictly for the Village email system, servers, financial software; anything dealing with software for building permits would come out of the Community Development budget.

Mayor Batos called for public comment and no one came forward.

Councilmember Wilson stated that he had been serving and meeting with the presidents of the Corkscrew Corridor homeowners associations as well as with ECCL in an effort to understand traffic estimates and potentially conduct a traffic study for the Corkscrew Corridor. He noted that Don Eslick was in the audience and said that he would like for him to present a brief report, which he would also like to be scheduled for a workshop. Mayor Batos inquired whether this was something that would be part of the current budget discussion. Councilmember Wilson responded it would be up to the Council. He added that ECCL had bid estimates from two transportation consulting firms; however, he believed that the estimates only included up to Three Oaks. Mayor Batos stated he believed that Council had expressed their concern along with adoption of a resolution; if the Council decided to have a study done, it would be added as a placeholder in the budget, which would be approximately \$25,000.

Don Eslick stated that the ECCL began talking about understanding potential development and what it meant in terms of traffic on Corkscrew and the interchange several months ago; they realized that they needed expertise and interviewed two firms. He stated that both firms recommended a Transportation Corridor Study with boundaries at the eastern end of the overlay area proposed by Lee County; the western end would be US 41; Williams Road would be the southern boundary; Estero Parkway would be the northern boundary. He stated that the more

appealing of the two recommendations would cost \$20,000 to \$25,000 and, within the boundaries, the study would look at all of the development that was likely to occur over the next 10 years which would include the types of road improvements needed; comprising intersection improvements and what types of egress issues would need to be cured over the next 5 to 10 years. He presumed that all of the information would form the basis of the transportation component of the Village CIP. Mr. Eslick stated that such a study would take approximately two to three months to complete. He said that, in light of the fact that about half of the total budget goes for transportation matters and given the amount of funds the Village was expecting to receive in road improvement funds, he believed that \$25,000 to \$30,000 was not much in comparison to the type of baseline information the Village would receive. He continued that the ECCL pondered whether they should fund it; however, they believed it would be of benefit to the Village to fund it, and urged Council to include it in the budget. Councilmember Errington stated that her major concern was that the ECCL brought this up and wanted to do it and the ECCL should pay for it. She said it was easy to sit out in the community and decide how Council should spend funds. She added that the study had nothing to do with the north end of Estero. Councilmember Wilson responded that the primary focus was not ECCL but rather the presidents of the Corkscrew Corridor homeowners associations; however, in order to have somebody else to work with, they went to the ECCL. He added that this affected District 7 along with going all the way to the west boundary; if there were needs, he believed everyone could work together to solve problems across the Village. Councilmember Ribble believed that it was not about one specific district, this was a team, and he encouraged the study be done and was supportive. Councilmember Brown agreed with Councilmembers Wilson and Ribble and inquired about expanding the boundaries. Mr. Eslick responded that they went through two iterations with consultants; the original western boundary was Three Oaks Parkway, they asked them to extend it to US 41, which added \$2,000 to the cost of the study. Brief discussion ensued.

Beverly MacNellis, Director, Estero Community Improvement Foundation, stated that they had contacted and employed FGCU to do a needs assessment of Estero for \$15,000; a transportation study was included in the assessment. She suggested that Councilmember Wilson speak with Wayne Smith, President of the Estero Community Improvement Foundation.

Village Manager Lombardi noted that the ECCL was talking about a traffic study with an estimate of \$25,000 – the budget included funds for the comprehensive plan; one part of the comprehensive plan was a transportation element; the consultant that writes the comprehensive plan and the land development regulations were required to meet State law. He added that if a transportation plan was done as part of the comprehensive plan, the transportation element dealt with the entire community. Vice Mayor Levitan added the Council would need to know which roads would be Estero's and an RFQ would be needed to do a transportation study. Discussion followed.

Mayor Batos inquired whether available funds were in the budget if Council wanted to do the traffic study. Village Manager Lombardi responded that additional funds should be budgeted. Discussion ensued regarding the transportation element of the comprehensive plan. Consensus was to include an additional \$30,000 as a Corkscrew Transportation Planning line item.

Village Manager Lombardi stated that the budget would be finalized, the TRIM hearing was scheduled for September 3, 2015, 6:30 p.m., and the second hearing would be held September 16, 2015, 6:30 p.m.

Mayor Batos called for further public comment and no one came forward.

6. PUBLIC INPUT ON NON-AGENDA ITEMS

Mayor Batos called for public input on any issue.

Don Eslick stated that ECCL was committed to seeking support of the Village and that Estero was stronger when everyone spoke in one voice. He provided an update of ECCL's plans and spoke to a recent transportation committee meeting as well as action with respect to sidewalk and bike path issues associated with Estero Parkway.

7. COUNCIL COMMUNICATIONS/FUTURE AGENDA ITEMS

(A) Council Comments

Councilmember Ribble conveyed thanks to the Village Manager and Finance Director for their work on the budget.

Vice Mayor Levitan noted that he would be out of town from July 23 through August 8.

Councilmember Brown echoed Councilmember Ribble's comments and conveyed appreciation to Marilyn Edwards and Kim Dailey on the website.

Councilmember Errington reported that she attended a webinar presented by the Conservancy of Southwest Florida. She stated that Estero residents need to be assured that an open invitation stands for anyone in the community who has an idea that would improve the community; citizens should contact a Councilmember and after discussion, if everyone is in agreement that the idea seems worth pursuing, ask that it be presented at a Council workshop. She continued that a good example of this was when a group of concerned residents contacted and met with her regarding the need to start an Estero Historic Preservation Committee; after an initial meeting with them and others in the community, she asked that the idea be placed on a Council workshop agenda, which was held a few weeks later. As a result of the workshop a proclamation was presented to the Estero Historic Preservation Citizens Committee at the July 15, 2015 Council meeting, expressing and proclaiming support for the creation of the committee. She noted that she attended the first committee meeting; one of the major topics was concern for the Estero River, which is no longer listed as one of Florida's outstanding waters. She stated the committee recognized that the Estero River needed to be healthy and be recognized for the contribution it has made to Estero over many years. She conveyed thanks to the committee for the historic preservation challenges that they have accepted and for the work that they will do to make the quality of life in Estero even better and the environment more beautiful.

Councilmember Boesch reminded Council that a resolution regarding the Estero Parkway sidewalks would be on the September 3, 2015 agenda. Mayor Batos stated that he didn't recall a resolution being prepared; however, Council may have discussed an item for discussion. Councilmember Boesch stated he requested a resolution and had discussed it with the Village Manager when he brought it up at the previous meeting. Discussion ensued and the Village Manager stated that the minutes of the meeting would be reviewed. Councilmember Boesch requested that a project for a median divider installation at The Preserve be scheduled for a workshop, with an invitation for the contractor and LDOT to attend. He also requested that a project for the crossover at Corkscrew Woodlands be scheduled for a workshop due to safety and aesthetic concerns, with an invitation to Commissioner Kiker and LDOT to attend.

Mayor Batos stated that he did not believe that County Commissioners and contractors should be asked to attend workshops until there was an understanding of what the Council wants or does not want. He continued that he believed Council should not be discussing these issues until there was an understanding as to what the Village policies were, part of the long range plan.

Vice Mayor Levitan believed the last time Council discussed the sidewalk issue that it would be part of a future CIP discussion, would probably be deferred until such time Council knew which roads the Village would or would not take, and Council would look at the priorities of the whole Village for sidewalks, bike paths, medians, beautification, etc., which would all need to be discussed in workshops and perhaps with outside consultants.

Councilmember Boesch stated that Council could look at that; however, if he requested a resolution, it should be done at the September 3, 2015 meeting.

Mayor Batos inquired whether it was true that any Councilmember could request a resolution to be prepared before Council discussion and approval. Attorney Pires responded that he was not certain whether the Council had adopted rules or policies that indicated the procedure; however, generally a governing body collective would suggest a resolution. Mayor Batos stated that he would try to put a discussion item on an agenda for a September meeting, however, he noted that Council would be discussing the next step in the CIP in October and he believed that all of the items Councilmember Boesch referred to would be part of the CIP discussion. He also believed that Council should not be taking any of the programs piecemeal prior to having a cohesive plan established as a group, as priorities and not as individual requests. Councilmember Boesch stated that these were immediate demands from citizens. Mayor Batos said that he understood; however, he also understood that each of the requests had other ramifications; sidewalks on Estero Parkway was one portion of numerous amounts of sidewalks and bike paths throughout Estero that had not been done; the individual roadworks were possibly part of a much larger area. He added that he believed it would be fair for the Council to have a chance to vote on the sidewalks issue and would make certain that it was placed on the September agenda.

Councilmember Ribble stated that he applauded Councilmember Boesch's passion on the issues and supported what he was trying to do; however, Council talked about this at several meetings and right now Council was negotiating with Lee County. He believed that, until the negotiation was complete, Council should support the Mayor.

Councilmember Wilson stated that he shared Councilmember Boesch's compassion with the problem at The Preserve and he would support it if there was a way to get somebody else to pay for it on an accelerated basis; however, Council needed to have a process through which all Councilmembers would put thoughts, ideas and dreams into a capital budget.

(B) Village Manager Comments

Reported that an RFP had been prepared for the Financial Audit Services and would be released on Friday, July 24, 2015; an audit selection committee had been formed; RFP results would be on the September 3, 2015 agenda.

(C) Village Attorney Comments

Attorney Tony Pires provided an update on Village Attorney Saunders' recuperation.

8. ADJOURN

Councilmember Brown moved to adjourn, seconded by Councilmember Ribble, called and carried unanimously. Mayor Batos adjourned the meeting at 12:26 p.m.

ATTEST:

By: Kathy Hall

Kathy Hall, MMC
Village Clerk

VILLAGE OF ESTERO, FLORIDA

By: Nicholas Batos

Nicholas Batos
Mayor

Minutes approved as presented: September 3, 2015