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**APPROVED BY THE COUNCIL
SEPTEMBER 4, 2019**

FINAL ACTION AGENDA/MINUTES

VILLAGE COUNCIL MEETING

**Village of Estero Council Chambers
9401 Corkscrew Palms Circle
Estero, FL 33928
July 24, 2019 9:30 a.m.**

1. CALL TO ORDER: 9:30 a.m.

PLEDGE OF ALLEGIANCE: Led by Mayor Ribble.

INVOCATION: Pastor Tim Carson from Estero United Methodist Church.

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

Also present: Village Manager Steve Sarkozy, Village Attorney Burt Saunders, Village Land Use Counsel Nancy Stroud, Assistant to Village Manager Kyle Coleman, Public Works Director David Willems, Finance Director Lisa Roberson, Community Development Director Mary Gibbs, and Village Clerk Kathy Hall.

2. APPROVAL OF AGENDA, ADDITIONS, AND DELETIONS:

Motion: Move to approve the agenda.

Motion by: Councilmember Levitan

Seconded by: Councilmember Batos

Action: Approved the agenda.

Vote: (Roll call)

Aye: Councilmembers Levitan, McLain, Boesch, Batos, Wilson, Vice Mayor Errington, and Mayor Ribble

Nay:

Abstentions:

3. PUBLIC COMMENT ON NON-AGENDA ITEMS:

Susan Prock, Bella Terra, River Oaks support
Barbara Saxton, The Reserve, Friends of River Oaks, support for River Oaks
Beverly MacNellis, Marsh Landing, ECCL farewell to Don Eslick event and requested support in the amount of \$5,000 by becoming a platinum sponsor
Adele Amico, Osprey Cove, River Oaks support
Ananta Nath, Pelican Landing, River Oaks support
Jamie Lienhardt-Engle, Rookery Pointe, River Oaks support

4. CONSENT AGENDA:

(a) July 10, 2019 Council Meeting Minutes

Motion: Move to approve the Consent Agenda.

Motion by: Councilmember Levin

Seconded by: Councilmember Batos

Action: Approved the Consent Agenda.

Vote: (Roll call)

Aye: Councilmembers Levitan, McLain, Boesch, Batos, Wilson, Vice Mayor Errington, and Mayor Ribble

Nay:

Abstentions:

5. CONSIDERATION OF ITEMS DEFERRED FROM CONSENT AGENDA: None.

6. ACTION ITEMS:

(a) Resolution No. 2019-10 A Resolution of the Village Council of the Village of Estero, Florida, Determining the Proposed Millage Rate for Fiscal Year 2019-2020, Setting the Date, Time and Place for the Public Hearings Required by State Law; Directing Staff to Transmit Necessary Documentation Pursuant to the Requirements of Florida Statutes and the Rules and Regulations of the Department of Revenue of the State of Florida; and Providing an Effective Date

Staff Presentation/Comments: Village Manager Sarkozy; Village Clerk Hall; Finance Director Roberson.

Council Questions or Comments: Councilmember Wilson.

Public Comment: None.

Motion: Move to adopt Resolution No. 2019-10.

Motion by: Councilmember Wilson

Seconded by: Councilmember Boesch

Action: Adopted Resolution No. 2019-10.

Vote: (Roll call)

Aye: Councilmembers Levitan, McLain, Boesch, Batos, Wilson, Vice Mayor Errington, and Mayor Ribble

Nay:

Abstentions:

- (b) Resolution No. 2019-11 A Resolution of the Village Council of the Village of Estero, Florida, Approving the Sovereignty Submerged Lands Lease Modification to Reflect Change in Ownership for a Parcel of Sovereignty Submerged Land in Section 28 Township 46 South, Range 25 East, in the Estero River between the Village of Estero and Board of Trustees of the Internal Improvement Trust Fund of the State of Florida; Authorizing the Village Mayor to Execute the Agreement; and Providing an Effective Date

Staff Presentation/Comments: Village Clerk Hall; Village Manager Sarkozy.

Council Questions or Comments: Councilmember Levitan.

Public Comment: None.

Motion: Move to adopt Resolution No. 2019-11 and authorize the Village Mayor to execute the agreement on behalf of the Village of Estero Council.

Motion by: Vice Mayor Errington

Seconded by: Councilmember Boesch

Action: Adopted Resolution No. 2019-11 and authorized the Village Mayor to execute the agreement on behalf of the Village of Estero Council.

Vote: (Roll call)

Aye: Councilmembers Levitan, McLain, Boesch, Batos, Wilson, Vice Mayor Errington, and Mayor Ribble

Nay:

Abstentions:

- (c) Estero River Sedimentation Analysis RFQ 2019-01

Staff Presentation/Comments: Public Works Director Willems.

Council Questions or Comments: Vice Mayor Errington and Councilmembers McLain, Levitan, Batos, and Boesch.

Public Comment: None.

Motion: Move to: 1) Approve the contract with Coastal Engineering Consultants, Inc. for the performance of a sedimentation analysis of the Estero River.
2) Authorize the Village Manager to execute an agreement on behalf of the Village of Estero Council.

Motion by: Councilmember Boesch
Seconded by: Vice Mayor Errington

Action: 1) Approved the contract with Coastal Engineering Consultants, Inc. for the performance of a sedimentation analysis of the Estero River. 2) Authorized the Village Manager to execute an agreement on behalf of the Village of Estero Council.

Vote: (Roll call)
Aye: Councilmembers Levitan, McLain, Boesch, Batos, Wilson, Vice Mayor Errington, and Mayor Ribble
Nay:
Abstentions:

7. PUBLIC HEARING:

- (a) Resolution No. 2019-09 A Resolution of the Village Council of the Village of Estero, Florida, Adopting the Capital Improvement Program for Fiscal Year 2019-2020; and Providing an Effective Date

Staff Presentation/Comments: Village Clerk Hall; Village Manager Sarkozy.

Council Questions or Comments: Councilmembers Levitan, Batos, Wilson, Mayor Ribble, and Vice Mayor Errington.

Public Comment: None.

Motion: Move to adopt Resolution No. 2019-09.

Motion by: Councilmember Batos
Seconded by: Vice Mayor Errington

Action: Adopted Resolution No. 2019-09.

Vote: (Roll call)
Aye: Councilmembers Levitan, McLain, Boesch, Batos, Wilson, Vice Mayor Errington, and Mayor Ribble
Nay:
Abstentions:

8. PUBLIC COMMENT ON NON-AGENDA ITEMS: None.

9. COUNCIL COMMUNICATIONS / FUTURE AGENDA ITEMS:

Councilmembers Levitan, Boesch, Wilson, Vice Mayor Errington and Mayor Ribble. Councilmembers addressed: a recent newspaper article regarding a real estate lawsuit; importance and value of wetlands; the Village's strong financial health; Estero Forever; and a report from the Mayor regarding a meeting he recently attended in Orlando.

10. **VILLAGE ATTORNEY'S REPORT:** None.
11. **VILLAGE MANAGER'S REPORT:** None.
12. **COMPREHENSIVE PLAN AMENDMENTS PUBLIC HEARING AND FIRST READING OF ORDINANCES NO. 2019-23 AND 2019-24:**

Comprehensive Plan Village Initiated Amendments

- (a) Comprehensive Plan Amendment (CPA) 2019-01 – Water Supply Facilities Work Plan

Ordinance No. 2019-23 An Ordinance of the Village Council of the Village of Estero, Florida, Adopting an Amendment to the Village of Estero Comprehensive Plan to Change the Text to Reference the Village's 10-Year Water Supply Facilities Work Plan as Provided on Attachment "A" and Made a Part Hereof; Providing for Transmittal of the Amendment to the State of Florida and Other Reviewing Agencies as Required by Statute; Providing for Severability; Providing for Conflicts; and Providing an Effective Date

Staff Presentation/Comments: Village Clerk Hall; Community Development Director Gibbs.

Council Questions or Comments: Vice Mayor Errington.

Public Comment: None.

Motion: Move to pass first reading of Ordinance No. 2019-23 and transmit CPA 2019-01.

Motion by: Councilmember Boesch

Seconded by: Vice Mayor Errington

Action: Passed first reading of Ordinance No. 2019-23 and approved transmittal of CPA 2019-01.

Vote: (Roll call)

Aye: Councilmembers Levitan, McLain, Boesch, Batos, Wilson, Vice Mayor Errington, and Mayor Ribble

Nay:

Abstentions:

- (b) Comprehensive Plan Amendment (CPA) 2019-02 – Wetlands

Ordinance No. 2019-24 An Ordinance of the Village Council of the Village of Estero, Florida, Adopting an Amendment to the Village of Estero Comprehensive Plan to Change the Text of Future Land Use Policy 1.2.3. Relating to Wetlands; Providing for Transmittal of the Amendment to the State of Florida and Other Reviewing Agencies as Required by Statute; Providing for Severability; Providing for Conflicts; and Providing an Effective Date

Staff Presentation/Comments: Village Clerk Hall; Community Development Director Gibbs.

Council Questions or Comments: Councilmember Levitan.

Public Comment:

Patty Whitehead, Old Estero

Motion: Move to pass first reading of Ordinance No. 2019-24 and transmit CPA 2019-02.

Motion by: Councilmember Boesch

Seconded by: Vice Mayor Errington

Action: Passed first reading of Ordinance No. 2019-24 and approved transmittal of CPA 2019-02.

Vote: (Roll call)

Aye: Councilmembers Levitan, McLain, Boesch, Batos, Wilson, Vice Mayor Errington, and Mayor Ribble

Nay:

Abstentions:

13. FIRST READING OF ORDINANCE:

- (a) Ordinance No. 2019-25 An Ordinance of the Village Council of the Village of Estero, Florida, Approving with Conditions a Zoning Amendment with Deviations to Permit a Proposed 590-Unit Residential Project Known as Corkscrew Crossing for Property Located at 12840 and 12970 Corkscrew Road in the Village of Estero, Florida, and Comprising Approximately 395.6 Acres in the Residential Planned Development; Providing for Conflicts; Providing for Severability; and Providing an Effective Date

Staff Presentation/Comments: Village Clerk Hall; Community Development Director Gibbs; Village Land Use Counsel Stroud.

Council Questions or Comments: Councilmembers Batos, Wilson, Levitan, and Vice Mayor Errington.

Public Comment: None.

Motion: Move to pass first reading of Ordinance No. 2019-25.

Motion by: Councilmember Boesch

Seconded by: Councilmember McLain

Action: Passed first reading of Ordinance No. 2019-25.

Vote: (Roll call)

Aye: Councilmembers Levitan, McLain, Boesch, Batos, Wilson, Vice Mayor Errington, and Mayor Ribble

Nay:

Abstentions:

A motion to adjourn was made and duly passed.

14. ADJOURNMENT: 10:48 a.m.

ATTEST:

VILLAGE OF ESTERO, FLORIDA

By: Kathy Hall
Kathy Hall, MMC, Village Clerk

By: Bill Ribble
Bill Ribble, Mayor