

The
sun is
rising
on a
beautiful
new
vision



**VILLAGE COUNCIL
REGULAR MEETING
Agenda**

Village Council: District 1 – Bill Ribble; District 2 – Howard Levitan;
District 3 – Donald Brown; District 4 – Katy Errington; District 5 – Jim Boesch;
District 6 – Nick Batos; District 7 – Jim Wilson

Friday, March 27, 2015

10:00 a.m.

**Estero Fire Rescue District
Meeting Room**

21500 Three Oaks Parkway, Estero, FL 33928

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**

4. **COUNCIL BUSINESS**

Items on the agenda are generally treated in sequential order, and due to the length of the agenda any or all of the items listed for discussion may be rescheduled to a later date for consideration. The public will have an opportunity to speak during each agenda item. Each individual has one opportunity to speak for three minutes per agenda item.

- (A) Approval of Council Minutes of March 17, 2015

Attachments: (1) Minutes – March 17, 2015

- (B) DISCUSSION/RESOLUTION – A discussion and proposed resolution regarding the reimbursement of funds to the Estero Council of Community Leaders for funds expended for the Inaugural Village Council Meeting held on March 17, 2015.

Attachments: (1) Resolution

- (C) DISCUSSION/RESOLUTION – A discussion and proposed resolution relating to County Services; requesting Lee County to continue to provide all county services to the incorporated Village of Estero for a period of 90 days; requesting that Lee County continue to process permit applications under the Lee County Land Development Code and Building Code; requesting that pending applications requiring hearings before the Lee County Hearing Examiner of the Lee County Board of County Commissioner be referred to the Village of Estero.

Attachments: (1) Resolution

- (D) DISCUSSION/RESOLUTION – A discussion and proposed Resolution approving the Fire Control and Prevention Interlocal Agreement between the Estero Fire Rescue District and Village of Estero.

Attachments: (1) Interlocal Agreement

(2) Resolution

- (E) RESOLUTION – Amending Resolution 15-11 Establishing Temporary Meeting Dates, revising dates of Council Meetings and Workshops through May 8th, 2015.

Attachments: (1) Resolution

- (F) RESOLUTION – Amending Resolution 15-08, Designating a Depository for Receipt of Funds and Payments of Debts to Include Vice-Mayor as Signatory on Village Accounts.

Attachments: (1) Resolution

5. **PUBLIC INPUT of Non-Agenda Items** – Each individual will be given three minutes to speak.

6. **COUNCIL / VILLAGE MANAGER COMMUNICATIONS AND FUTURE AGENDA ITEMS**

(A) Interim Village Manager's Comments.

(B) Interim Village Attorney's Comments.

7. **ADJOURN**

If you desire to address the Council, please complete a Public Comment Card located on the table in the lobby and return it to the Clerk. Citizens desiring to speak must step up to the podium, state their full name and address and/or whom he or she represents.

ADA Assistance – Anyone needing special assistance at the Council meeting due to a disability or physical impairment, should contact Daphnie Bercher at 239-598-3601, 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.

March 17, 2015

The Inaugural Village of Estero Council meeting was held on this date in the Estero High School Auditorium, 21900 River Ranch Road, Estero, Florida, with the following Council members present:

Bill Ribble - District 1
 Howard Levitan - District 2
 Donald Brown - District 3
 Katy Errington - District 4
 Jim Boesch - District 5
 Nick Batos - District 6
 Jim Wilson - District 7

Acting Village Attorney Burt Saunders called the meeting to order at 6:30 pm.; and announced that proper notice of the meeting had been provided. He added that the meeting would be recorded by personnel of the Lee County Minutes Office, and thanked Lee County Clerk of Courts Linda Doggett for the assistance. After thanking Estero High School for hosting the meeting, Mr. Saunders introduced each of the Council Members.

The Invocation was given by Pastor Tim Carson, Estero United Methodist Church. The Estero High School ROTC formally presented the colors, followed by the Pledge of Allegiance to the flag.

PRESENTATIONS

Estero Chamber of Commerce (ECOC) President Jeff Maas commented on the Chamber's long-term relationship with the Estero Council of Community Leaders (ECCL); and announced that the Chamber wished to present the United States and Florida flags to the Council for use at future meetings. ECOC Board Chairman Gene Montenieri read and presented a plaque describing the purpose of the donation.

ECCL Chairman Emeritus Don Eslick offered comments about the transition of the community into a municipality and the previous accomplishments of the Estero Community Planning Panel (ECPP) and the Estero Design Review Committee (EDRC). After briefly reviewing the history of the ECCL and its role in the incorporation effort, Mr. Eslick recognized the contributions of ECCL leaders: Nick and Linda Batos, Howard and Rebecca Levitan, John Goodrich, Ray Rodrigues, Jim Boesch, Marilyn Edwards, Bill Callahan, Phil & Maralee Douglas, Bob Lienesch, and Roger Strelow.

Mr. Saunders acknowledged the presence in the audience of numerous elected state, county and local officials and other citizens, representing the Lee County Commission, Administration, Clerk, Supervisor of Elections, Tax Collector, and Sheriff; the City of Bonita Springs; several Bonita Springs and Estero civic organizations; the Town of Fort Myers Beach; and Lee Memorial Health System.

Lee County Commissioner Brian Hamman noted that Commissioners Larry Kiker and Cecil Pendergrass were also present, offered congratulations to the Council on behalf of all the Commissioners, and commented that they had made history simply by convening. He added the best wishes of the Commissioners for a successful and prosperous future, and stated that the County was willing to work with the Council as needed.

City of Bonita Springs Mayor Ben Nelson presented a resolution from the Bonita Springs City Council congratulating the citizens of Estero upon the creation of the new municipality.

FOLLOWING THE SELECTION OF THE VICE-MAYOR:

College of Life Foundation Chairman Charles Daurey presented a brief summary of the history of the Estero area, beginning with the arrival of Ponce de Leon at Mound Key over 500 years ago. He read selections from a collection of the Ordinance and Rules of the Town of Estero founded 110 years ago; and presented to the Council the only remaining copy of the Rules of the Town Council and Ordinances of the Town of Estero, dated September 1905. Mayor Batos thanked Mr. Daurey and all who have helped to build the community.

SWEARING IN CEREMONY

Honorable Elisabeth Adams, Twentieth Circuit Judge, conducted the swearing in of the new Council members.

ROLL CALL

Attorney Saunders called the roll of the first Village Council and confirmed that a quorum was present to conduct the evening's business.

CITY COUNCIL COMMUNICATION AND DISCUSSION

(A) Selection of Mayor

Mr. Ribble nominated Mr. Batos to serve as Mayor, seconded by Mr. Brown, called and carried unanimously by a roll call vote. Mayor Batos thanked the Council members for their support, and commented that all the work that had already been done was just the beginning.

(B) Selection of Vice-Mayor.

Mr. Ribble nominated Mr. Levitan to serve as Vice-Mayor, seconded by Mr. Brown, called and carried unanimously by a roll call vote. Vice-Mayor Levitan thanked the Council members and stated that he would work as hard as possible.

AT THIS TIME, MR. CHARLES DAURAY MADE A PRESENTATION TO THE COUNCIL. SEE THAT PORTION OF THE MINUTES.

FOLLOWING A BRIEF RECESS, THE MAYOR RE-CONVENED THE MEETING AT 7:22 PM WITH ALL COUNCIL MEMBERS PRESENT.

APPROVAL OF AGENDA

Mr. Wilson moved approval of the agenda as stated, seconded by Mr. Brown, called and carried unanimously.

CONSENT AGENDA

NO CONSENT AGENDA ITEMS WERE PULLED FOR DISCUSSION BY THE COUNCIL MEMBERS.

8(A) Approve Resolution Regarding the Purchase of Liability, Errors and Omissions Insurance from the Florida League of Cities/Florida Municipal Insurance Trust.

Mr. Ribble moved approval of Consent Agenda Items 8(A), 8(B), and 8(C), seconded by Mr. Levitan, called and carried unanimously.

RESOLUTION NO. 15-03-01

8(B) Approve Resolution to Begin Operation of Website.

Mr. Ribble moved approval of Consent Agenda Items 8(A), 8(B), and 8(C), seconded by Mr. Levitan, called and carried unanimously.

RESOLUTION NO. 15-03-02

8(C) Approve Resolution Requesting that the Governor Create a Seat on the Lee County Metropolitan Planning Organization.

Mr. Ribble moved approval of Consent Agenda Items 8(A), 8(B), and 8(C), seconded by Mr. Levitan, called and carried unanimously.

RESOLUTION NO. 15-03-03

COUNCIL BUSINESS

Mayor Batos explained that, because Council had no staff at this point, members of the ECCL Transition Team and others had been asked to act as staff to research the Council Business items.

9(A) DISCUSSION/RESOLUTION – A discussion and proposed resolution regarding the appointment of an Interim Village Manager and Interim Custodian of Public Records

Transition Team member Phil Douglas reviewed the information provided in the agenda attachments, described the qualifications of the recommended candidate Peter Lombardi, and requested that the Council employ Mr. Lombardi as Interim Village Manager. Following brief Council discussion, the Mayor called for public input; however, no one came forward. Mayor Batos requested a motion to approve a resolution confirming Peter Lombardi as Interim Village Manager and Custodian of Public Records. Mr. Brown so moved, seconded by Mr. Ribble, called and carried unanimously by a roll call vote. Mr. Lombardi thanked the Council, and remarked that the next twelve months would be a very exciting time.

RESOLUTION NO. 15-03-04

9(B) DISCUSSION/RESOLUTION – A discussion and proposed resolution confirming the appointment of an Interim Village Attorney.

On behalf of the ECCL, Transition Team member Roger Strelow recommended the selection of Burt Saunders and the GrayRobinson Law Firm as Interim Village Attorney; described qualifications of Mr. Saunders and the firm; and reviewed the information provided in the agenda attachments. Mr. Wilson moved approval, seconded by Mr. Boesch, called and carried unanimously by a roll call vote. After Mr. Saunders remarked that he was looking forward to an exciting year, Mayor Batos requested that he serve as parliamentarian for the meeting.

RESOLUTION NO. 15-03-05

9(C) DISCUSSION/RESOLUTION – A discussion and proposed resolution regarding the appointment of an Interim Village Finance Director.

Transition Team member Robert Lienesch reviewed the information provided in the agenda attachments, and described the qualifications of candidate Lisa Pace and the firm of Adgate, Pace and Associates (APA). Mayor Batos requested a motion to approve a resolution confirming the appointment of Lisa Pace as Interim Village Finance Director. Mr. Boesch moved approval, seconded by Ms. Errington. The Mayor called for public input; and former Bonita Springs City Council member Martha Simons came forward to endorse Ms. Pace. The motion was called and carried unanimously.

RESOLUTION NO. 15-03-06

9(D) DISCUSSION/RESOLUTION – A discussion and proposed resolution regarding accounting and bookkeeping services.

Transition Team member Robert Lienesch reviewed the information provided in the agenda attachments, and described the benefits of using the same firm as both the Finance Director and the accounting/bookkeeping service. He recommended that the Council appoint Lisa Pace and APA. Mayor Batos called for public input; however, no one came forward. He then requested a motion to approve a resolution confirming the appointment of APA to perform accounting and bookkeeping services. Mr. Brown so moved, seconded by Mr. Ribble, called and carried unanimously.

RESOLUTION NO. 15-03-07

9(E) DISCUSSION/RESOLUTION – A discussion and proposed resolution regarding banking services.

Mayor Batos stated that Items 9(E) and 9(F) would be discussed simultaneously but voted on separately. Transition Team member Robert Lienesch reviewed the information provided in the agenda attachments; and described the differences between the terms proposed by Fifth Third Bank and Sun Trust Bank as outlined on a document entitled “Term Sheet Comparison – Revolving Credit Agreement” (copy on file) which was distributed to Council members. He recommended that the Council select Sun Trust Bank; and authorize Village representatives to (1) immediately open banking accounts with Sun Trust, and (2) proceed with negotiation of terms for a line of credit of up to \$1.5 million. He mentioned that Sun Trust Bank Vice-President Joshua McCoy and Fifth Third Bank Vice-President Jim Mitchell were present to answer any questions. In response to a question from Mr. Boesch, Mr. McCoy stated that approved line of credit funds would be available for capital needs as determined by the Council. Discussion ensued, during which Mr. McCoy clarified that his reference was not to additional funds. Attorney Saunders explained that a personal banking relationship with one of the banks would not prevent a Council member from voting on the issue; and that repayment of the entire amount must occur within 12 months. Mayor Batos called for public comment. An individual identifying himself as a local accountant came forward to express his support for Fifth Third Bank and to ask whether all responding banks had been given equal opportunity to participate. Mr. Lienesch confirmed that all banks had the same opportunities to submit a response and to meet with Village representatives. Mayor Batos requested a motion to approve a resolution designating Sun Trust Bank as the depository for receipt of funds and payment of debts for the Village of Estero. Mr. Ribble so moved, seconded by Mr. Brown, called and carried unanimously.

RESOLUTION NO. 15-03-08

9(F) DISCUSSION/RESOLUTION – A discussion and proposed resolution regarding the approval of a Line of Credit for the Village of Estero.

Following the discussion and motion shown above for Item 9(E):

Mayor Batos requested a motion to approve a resolution to obtain the line of credit offered by Sun Trust Bank. Mr. Wilson so moved, seconded by Ms. Errington. Mr. Lienesch commented that the motion should include the line of credit amount of \$1.5 million, and Mr. Wilson confirmed that the motion included that amount. The motion was called and carried unanimously.

RESOLUTION NO. 15-03-09

9(G) DISCUSSION/RESOLUTION – A discussion and proposed resolution approving a contract with the Estero Fire Rescue District for the rental of office space.

Transition Team member Phil Douglas reviewed the information provided in the agenda attachments, described the process by which the Estero Fire Rescue District (EFRD) Administration Building had been selected, and noted that the monthly rental of \$1,380 was truly a bargain. EFRD Fire Chief Scott Vanderbrook described the

facilities that would be provided, noted that all IT services were already in place, and emphasized that the agreement between two governmental agencies would save taxpayer money. Mr. Boesch thanked EFRD personnel and commissioners for providing the facilities. Mayor Batos called for public input; however, no one came forward. He then requested a motion to approve a resolution to approve an interlocal agreement with the EFRD for the rental of office space. Ms. Errington so moved, seconded by Mr. Boesch. After Mr. Wilson remarked that the proposal was a tribute to government "lite", the motion was called and carried unanimously. RESOLUTION NO. 15-03-10

9(H) DISCUSSION/RESOLUTION – A discussion and proposed resolution establishing temporary dates, times and location of future Council Meetings, Workshops, and the official Village of Estero mailing address.

Attorney Saunders announced the proposed dates as listed in the agenda materials:

- 03/20/15 – 10 am – Organizational Workshop
- 03/27/15 – 10 am – Council Meeting -- 1:30 pm – Workshop
- 04/03/15 – 10 am – Council Meeting -- 1:30 pm – Workshop
- 04/10/15 – 10 am – Council Meeting -- 1:30 pm – Workshop

He added that all of the meetings would take place at the Estero Fire Station (21500 Three Oaks Parkway, Estero); that meeting and workshop agendas would be developed by the Village Manager; and that the schedule and agendas would be posted on the Village website and at the fire station. Mr. Boesch noted that April 3 is Good Friday, when most federal, state and county offices would be closed; and made a motion to strike that date from the proposed calendar. After Ms. Errington seconded the motion, Mr. Levitan suggested that the meetings of April 3 be re-scheduled to April 2 subject to availability of meeting facilities. Mayor Batos called for public input; and Richard Abrams asked whether any Council member would attend the Lee/Collier Metropolitan Planning Organization (MPO) meeting on Friday, March 20. Attorney Saunders explained that, because the Council did not yet hold a seat on the MPO, it was unlikely that any Council member would attend. Mayor Batos requested a motion to approve a resolution establishing temporary times, dates, and locations of meetings, as amended. Mr. Boesch so moved, seconded by Mr. Brown, called and carried unanimously.

RESOLUTION NO. 15-03-11

9(I) DISCUSSION/RESOLUTION – A discussion and proposed resolution authorizing the Interim Village Manager to make individual purchases of up to \$5,000 with a cumulative total not to exceed \$25,000 before receiving further authorization of the Village Council.

Mayor Batos noted that this would normally be covered under a budget; and that, because no budget had yet been approved, the resolution would allow the Interim Village Manager to make purchases necessary to conduct Village business. He called for public input; however, no one came forward. The Mayor requested a motion to approve a resolution authorizing the Interim Village Manager to make individual purchases of up to \$5,000 with a cumulative total not to exceed \$25,000 before receiving further authorization from the Village Council. Mr. Brown so moved, seconded by Mr. Ribble, called and carried unanimously.

RESOLUTION NO. 15-03-12

9(J) DISCUSSION/RESOLUTION – A discussion and proposed resolution authorizing the Interim Village Manager to purchase information technology equipment and services not to exceed \$65,000, and authorizing the Village Mayor to execute contracts.

Mayor Batos introduced EFRD Assistant Fire Chief Mark Wahlig, who described the equipment and services that had been purchased by the EFRD and were available for the Council, including a computer system with temporary server licenses. Mr. Levitan thanked Mr. Wahlig and other EFRD staff who had developed a system to keep Village records in a secure private location, available to the public as required by state law. In response to a question from Ms. Errington, Mr. Wahlig confirmed that there were no compatibility issues from a technical

standpoint with the use of Apple products. Mayor Batos called for public input; however, no one came forward. He then requested a motion to approve a resolution authorizing the Interim Village Manager to purchase information technology equipment and services not to exceed \$65,000, and authorizing the Village Mayor to execute contracts. Mr. Ribble so moved, seconded by Mr. Levitan. Mr. Levitan explained that, because EFRD purchased most of the equipment from vendors who have contracts with the State of Florida, the Village can was not required to go through the competitive bid process. The motion was called and carried unanimously. Mayor Batos thanked Assistant Chief Wahlig and Chief Vanderbrook.

RESOLUTION NO. 15-03-13

9(K) DISCUSSION – Direct Interim Village Manager to advertise an Ordinance establishing the Land Use Board and the Design Review Board

Attorney Saunders noted that planning and zoning were important issues, and explained that this item directs the Manager and Attorney to begin putting together the ordinances needed to create a planning agency and architectural/design review boards. In response to a question from Mr. Brown, he confirmed that any policy issues would be discussed with the Council. Mr. Levitan commented that the March 27 Workshop would consist of discussion of this item and the ordinance covered by Item 9(L). Mayor Batos called for public input; ECPP Emeritus Chairman Neal Noethlich emphasized the importance of the planning and review functions. The Mayor requested a motion to direct the Interim Manager to advertise an Ordinance establishing the Planning and Zoning Boards and Design Review Board at the earliest possible date. Mr. Wilson so moved, seconded by Mr. Boesch, called and carried unanimously.

9(L) DISCUSSION – Direct Interim Village Manager to advertise an Ordinance rescinding the Lee County restriction on communication with Land Use Board.

Attorney Saunders explained that the Village had adopted the Lee County Ordinances as part of the Charter, subject to modification by the Council. He pointed out violations and penalties outlined in Section 2-191 of the County Ordinances, dealing with unauthorized communications; and noted that this section would prevent the Council from discussing important issues with citizens and developers. Mayor Batos called for public input; ECCL Vice-Chair John Goodrich asked whether Council members would be allowed to have individual conversations outside of a hearing. Attorney Saunders confirmed that Council members could communicate individually on matters to be considered by the Council. Mr. Levitan provided details of the enabling statute, including the requirement for disclosure of communications prior to the applicable hearing; and noted that other municipalities in Lee County had adopted similar Ordinances. Mayor Batos requested a motion to direct the Interim Village Manager to advertise an Ordinance regarding Section 286.0115 of the Florida Statutes to remove the presumption of prejudice from ex-parte communication with local public officials by establishing a process to disclose such communications. Mr. Levitan so moved, seconded by Mr. Ribble, called and carried unanimously.

9(M) DISCUSSION – Direct Interim Village Manager to advertise an Ordinance amending Lee County Ordinance 03-14, Relating to Lobbying Activities and Lobbyist Reporting in Lee County.

Attorney Saunders explained that the request was for an amendment to a portion of the Lee County Ordinance, dealing with the recordkeeping requirements for public officials which would be burdensome for Council members; and noted that the penalties for intentional violations were severe. Mayor Batos called for public input; however, no one came forward. He then requested a motion to direct the Interim Village Manager to advertise an Ordinance repealing Lee County Ordinance 03-14, Section 3, relating to lobbying activities and lobbyist reports. Ms. Errington so moved, seconded by Mr. Brown, called and carried unanimously.

PUBLIC INPUT ON NON-AGENDA ITEMS

Mayor Batos called the names of the three persons who had submitted speaker cards:

Island Club resident William Savage expressed the concerns of local residents about a project proposed by Stock Development , and submitted a petition with 800 residents' signatures (copy on file).

Island Club resident Nancy Buchhop urged the Council to maintain the high standards set by the ECCL.

Marsh Landing resident Steve Ferruggia asked how the Council would appoint members to committees.

Mayor Batos indicated that the Council would determine at future meetings which committees to create and how appointments will be made.

Mayor Batos called for any additional public comment:

Beverly MacNellis asked for information about the website address and Council member email addresses.

Mayor Batos, Mr. Levitan, and Assistant Chief Wahlig provided the requested information:

Website: www.villageofesterofl.org

Email addresses: lastname@villageofesterofl.org

Alternate email address: districtnumber@villageofesterofl.org

COUNCIL / MANAGER/ATTORNEY COMMUNICATIONS AND FUTURE AGENDA ITEMS

Council Members' Comments:

Mr. Brown, Ms. Errington, Mr. Boesch, and Mr. Wilson thanked everyone who had attended the meeting, and expressed appreciation for those who had already volunteered to help.

Interim Village Manager's Comments:

Mr. Lombardi thanked the Council for their vote of confidence, and stated that he looked forward to working with the members, and assured the citizens of Estero that he and his staff would be available whenever needed, beginning on Thursday, March 19.

Interim Village Attorney's Comments:

Mr. Saunders thanked the Council for their vote of confidence in the GrayRobinson Law Firm, encouraged members to call whenever a legal question arises, and noted that the Council's liability is limited when they operate under advice of counsel.

ADJOURN

The Mayor adjourned the meeting at 8:51 pm.

ATTEST:

VILLAGE OF ESTERO, FLORIDA

By: _____

By: _____

Interim Village Clerk

Mayor

VILLAGE OF ESTERO, FLORIDA

VILLAGE COUNCIL MEETING MARCH 27, 2015

REQUEST FOR VILLAGE COUNCIL CONSIDERATION

Agenda Item: 4. (B)	Prepared By: Burt Saunders
Agenda Section: Council Business	
Subject: Resolution Approving Reimbursement of Funds to Estero Council of Community Leaders for Funds Expended for the Inaugural Village Council Meeting held on March 17, 2015.	

BACKGROUND:

The Estero Council of Community Leaders (“the ECCL”) used its funds to provide services to the Inaugural Village Council Meeting held on March 17th, 2015. The Council determined at the March 20th Workshop that it is appropriate to reimburse the ECCL for the funds used at the Village Council Meeting on March 17th, 2015.

FUNDING SOURCE / FISCAL IMPACT:

N/A

RECOMMENDATION:

Approve the Resolution reimbursing the Estero Council of Community Leaders for funds expended for the Inaugural Village Council Meeting held on March 17th, 2015.

POTENTIAL MOTION:

I make a motion to approve the approve the Resolution reimbursing the Estero Council of Community Leaders for funds expended for the Inaugural Village Council Meeting held on March 17th, 2015.

VILLAGE OF ESTERO, FLORIDA

RESOLUTION NO. 15 - ____

A RESOLUTION APPROVING THE REIMBURSEMENT OF FUNDS TO THE ESTERO COUNCIL OF COMMUNITY LEADERS FOR FUNDS EXPENDED FOR THE INAUGURAL VILLAGE COUNCIL MEETING ON MARCH 17, 2015; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Village of Estero is a newly incorporated municipality;

WHEREAS, the Estero Council of Community Leaders (the "ECCL") used its funds to provide services to the Inaugural Village Council Meeting held on March 17, 2015 as outlined below:

<u>Vendor</u>	<u>Amount</u>
1. _____	_____
2. _____	_____
3. _____	_____
4. _____	_____
5. _____	_____
TOTAL:	_____

WHEREAS, the Village Council has decided it is appropriate to reimburse the ECCL for funds expended for the Inaugural Village Council meeting;

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

SECTION ONE. The Village Council hereby approves the reimbursement of funds to the ECCL in the above amount for funds expended for the Inaugural Village Council Meeting held on March 17, 2015; and

SECTION TWO. This Resolution shall take effect immediately upon adoption.

47 **ADOPTED BY THE VILLAGE COUNCIL** of the Village of Estero, Florida this
48 _____ day of March, 2015.

49
50 Attest: **VILLAGE OF ESTERO, FLORIDA**

51
52 By: _____ By: _____

53
54 _____
55 Interim Village Clerk Mayor

56
57 Reviewed for legal sufficiency:

58
59 By: _____

60
61 _____
62 Interim Village Attorney

VILLAGE OF ESTERO, FLORIDA

VILLAGE COUNCIL MEETING
MARCH 27, 2015

REQUEST FOR VILLAGE COUNCIL CONSIDERATION

Agenda Item: 4. (C)	Prepared By: Burt Saunders
Agenda Section: Council Business	
Subject:	Resolution Regarding County Services

BACKGROUND:

This is a transitional resolution relating to Lee County Services; requesting Lee County to continue to provide all county services to the incorporated area of the Village of Estero for a period of 90 days; requesting that Lee County continue to process permit applications under the Lee County Land Development Code and Building Code; to enforce codes; requesting that pending applications requiring hearing before the Lee County Hearing Examiner or the Lee County Board of County Commissioner be referred to the Village of Estero.

FUNDING SOURCE / FISCAL IMPACT:

N/A

RECOMMENDATION:

Approve Resolution Regarding County Services.

POTENTIAL MOTION:

I make a motion to approve the transitional Resolution relating to Lee County Services.

VILLAGE OF ESTERO, FLORIDA

RESOLUTION NO. 15- _____

A TRANSITIONAL RESOLUTION RELATING TO COUNTY SERVICES; REQUESTING LEE COUNTY TO CONTINUE TO PROVIDE ALL COUNTY SERVICES TO THE INCORPORATED AREA OF THE VILLAGE OF ESTERO FOR A PERIOD OF 90 DAYS; REQUESTING THAT LEE COUNTY CONTINUE TO PROCESS PERMIT APPLICATIONS UNDER THE LEE COUNTY LAND DEVELOPMENT CODE AND BUILDING CODE; TO ENFORCE CODES; REQUESTING THAT PENDING APPLICATONS REQUIRING HEARINGS BEFORE THE LEE COUNTY HEARING EXAMINER OR THE LEE COUNTY BOARD OF COUNTY COMMISSIONERS BE REFERRED TO THE VILLAGE OF ESTERO; AND PROVIDING FOR 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 Charter further provides at Section 11, “General Provisions”, paragraph (5) “Transitional Ordinances and Resolutions”, that all applicable county ordinances currently in place at the time of passage of the referendum, unless specifically referenced in the Charter, shall remain in place unless rescinded by the Village Council or unless they are in conflict with an ordinance, rule or regulation of the Village; and

WHEREAS, the Charter further provides at Section 11, paragraph 5(b) that the Village Council shall adopt ordinances and resolutions required to effect the transition, and that such transition ordinances adopted within 90 days after the first council meeting may be passed as emergency ordinances; and

WHEREAS, the Village Council needs to assess the permitting processes in effect in Lee County, especially with respect to planning and zoning; and

46 **WHEREAS**, the Village Council has determined that there is no
47 need to delay unduly most building permits, and most permits under the
48 Lee County Land Development Code; and
49

50 **WHEREAS**, the Village Council has determined that code
51 enforcement services should continue in effect without interruption;
52

53 **NOW THEREFORE**, be it resolved by the Village Council of the
54 Village of Estero, Florida:
55

56 **Section 1. Recitals Adopted.** That each of the above stated
57 recitals is hereby adopted and confirmed as being true, and the same are
58 hereby incorporated as a part of this Resolution.
59

60 **Section 2. Request to Lee County.** The Village Council of the
61 Village of Estero hereby requests that Lee County continue to provide all
62 county services to the Village of Estero for a period of 90 days.
63

64 **Section 3. Permit Applications, etc.** The Village Council of the
65 Village of Estero hereby requests that Lee County continue to process
66 permit applications under the Lee County Land Development Code and
67 Building Codes, except as otherwise provided in this resolution. All
68 requests for administrative interpretation or decision, including all
69 requests for projects that received vesting under the Lee Plan or have a
70 local development order or site plan approved pursuant to Lee County
71 Administrative Code, shall be referred to the Village of Estero.
72

73 **Section 4. Code Enforcement.** The Village Council of the Village
74 of Estero hereby requests that Lee County continue to enforce county
75 and Village of Estero ordinances and codes through the Lee County code
76 enforcement process.
77

78 **Section 5. Pending Applications.** The Village Council of the
79 Village of Estero hereby requests that pending applications requiring
80 hearings before the Lee County Hearing Examiner or the Lee County
81 Board of County Commissioners, or for which hearings have been held,
82 but decisions are pending, be referred to the Village of Estero for future
83 action; and that all requests for administrative interpretation or decision
84 including all requests for projects that receive vesting under the Lee Plan
85 or have a local development order or site plan approved pursuant to the
86 Lee County Administrative Code be referred to the Village of Estero. It is
87 further requested that a report of pending applications and active
88 development orders be transmitted to the Village of Estero as soon as
89 possible.
90

91 **Section 6. Effective Date.** This resolution shall take effect
92 immediately upon adoption.

93
94 **ADOPTED BY THE VILLAGE COUNCIL** of the Village of Estero, Florida
95 this ____ day of March, 2015.

96
97 Attest: **VILLAGE OF ESTERO, FLORIDA**

98
99
100 By: _____ By: _____

101
102
103 _____

104 Interim City Clerk

105
106 _____

107 Mayor

108 Reviewed for legal sufficiency:

109 By: _____

110
111
112 _____

113 Interim City Attorney

VILLAGE OF ESTERO, FLORIDA

VILLAGE COUNCIL MEETING MARCH 27, 2015

REQUEST FOR VILLAGE COUNCIL CONSIDERATION

Agenda Item: 4. (D)	Prepared By: Chief Scott Vanderbrook
Agenda Section: Council Business	
Subject: Resolution Regarding Fire Control and Prevention Interlocal Agreement Between Estero Fire and Rescue District and the Village of Estero	

BACKGROUND:

In order to continue fire control and prevention services for the Village of Estero, the Village should enter into an Interlocal Agreement with the Estero Fire and Rescue District.

FUNDING SOURCE / FISCAL IMPACT:

N/A

RECOMMENDATION:

Approve Resolution Approving the Fire Control and Prevention Interlocal Agreement.

POTENTIAL MOTION:

I make a motion to approve the Resolution Approving the Fire Control and Prevention Interlocal Agreement.

**FIRE CONTROL AND PREVENTION
INTERLOCAL AGREEMENT**

DRAFT

THIS INTERLOCAL AGREEMENT is made and entered into effective this ____ day of _____, 2015, by and between the ESTERO FIRE RESCUE DISTRICT, an independent special fire control district created by the Florida Legislature, with its principal office located at 21500 Three Oaks Parkway, Estero, Florida 33928 (referred to herein as the "DISTRICT"); and the VILLAGE OF ESTERO, with its principal place of business to be determined (referred to herein as the "VILLAGE").

WITNESSETH:

WHEREAS, the Florida Interlocal Cooperation Act of 1969, codified as Section 163.01, Florida Statutes, authorizes the joint exercise of any power, privilege or authority which local governmental units might exercise separately; and,

WHEREAS, the VILLAGE and the DISTRICT are public agencies and local governmental units within the meaning of the Florida Interlocal Cooperation Act and desire the joint exercise of power which each might exercise separately to the extent described herein, for the purpose of enforcing the Florida Fire Prevention Code, Chapter 633, Florida Statutes and local ordinances relating to firesafety and fire control (collectively referred to herein as the "FIRE CODE"); and,

WHEREAS, the VILLAGE does not employ a Fire Chief, Fire Marshal or Firesafety Inspector, and contracts out to Lee County for land use and building official services;

NOW, THEREFORE, in consideration of the mutual promises, covenants and duties hereinafter set forth, the VILLAGE and the DISTRICT formally covenant, agree and bind themselves as follows:

1. The VILLAGE and the DISTRICT acknowledge and agree that the fire prevention, firesafety and fire control duties within the territory of the DISTRICT and located within the boundaries of the VILLAGE are the responsibility of the DISTRICT.
2. The VILLAGE and the DISTRICT agree that the Fire Chief of the DISTRICT shall act as the Fire Official for the VILLAGE, and shall meet or exceed the following qualifications:
 - a. Shall have a high school diploma or equivalency certificate, shall be certified by the State of Florida as a firefighter and shall be certified by the State of Florida as a fire inspector. In lieu of such certifications, any combination of experience or training which has resulted in equivalent knowledge, skills and abilities may be accepted.

- b. Shall be appointed by and certified as qualified by the DISTRICT's governing body, and notice of the certification shall be filed with the City Clerk, with a copy to the City Manager.
3. The VILLAGE and the DISTRICT agree that the Fire Marshal of the DISTRICT shall act as the Firesafety Inspector for the VILLAGE, as described in Section 633.081, Florida Statutes, and shall meet or exceed the statutory requirements of that Section, as set out in Exhibit A, attached hereto and incorporated herein.
4. The Fire Marshal shall be either the Fire Chief of the DISTRICT, or the Fire Marshal of the DISTRICT or another qualified person appointed by and certified as qualified by the DISTRICT's Fire Chief. Notice of the certification shall be filed with the City Clerk, with a copy to the City Manager.
5. The VILLAGE and the DISTRICT agree that all of the duties of the Fire Official or of a Fire Marshal or Firesafety Inspector may be exercised by any deputy, assistant, or designee who meets the qualifications for the respective function and has been so designated by the Fire Chief.
6. The Fire Chief, as Fire Official, the Fire Marshal as Firesafety Inspector and their deputies, assistants or designees set forth in the list attached as Exhibit B and incorporated herein, are hereby appointed as Code Inspectors/Code Enforcement Officers for the VILLAGE within the meaning of Chapter 162, 166, 553 and 633, Florida Statutes, and the VILLAGE charter and ordinances. To the extent of their area of applicability and expertise, they may enforce state and local Fire Codes. This list may be revised upon notification by the Fire Chief to the City Clerk with a copy to the City Manager.
7. The DISTRICT agrees to provide assistance to the VILLAGE to properly interpret and enforce the Florida Fire Prevention Code, the Florida Building Code to the extent it relates to firesafety inspection and fire prevention, and any ordinances and duly enacted policies and regulations of the VILLAGE relating to firesafety, fire inspection and fire control.
8. The VILLAGE and the DISTRICT will coordinate their efforts to provide for a smooth, efficient and timely process for receiving and review of applications and plans for review, for inspections, and for permit issuance. A sample of the current permitting process is set out in Exhibit C, attached hereto and incorporated herein. The City Manager and the Fire Chief, or their designees, will be responsible for further coordinating the permitting process and may make changes by mutual written agreement or memorandum as necessary.
9. The VILLAGE will provide civil enforcement services to the DISTRICT under any of the following:

- a. The VILLAGE's code enforcement ordinances and corresponding state law,
 - b. The VILLAGE's nuisance abatement procedures,
 - c. Any other civil enforcement method permitted by law.
10. If a fine is paid to the VILLAGE, the VILLAGE may retain its costs plus ½ of the collected fine amount, with the remainder going to the DISTRICT. If an enforcement procedure involves extraordinary costs or complicated issues or processes, the VILLAGE and the DISTRICT will negotiate in good faith a fair process for handling the matter, which may provide for services by the VILLAGE or by the DISTRICT.
 11. The VILLAGE and the DISTRICT agree that all disputes between the DISTRICT Fire Official or Firesafety Inspector and the VILLAGE's Building Official, or between an aggrieved party and/or the Firesafety Official or Firesafety Inspector and the VILLAGE Building Official shall be resolved, if at all possible, by the respective officials; failing that, it shall be submitted to the Lee County Board of Adjustments and Appeals, if it consents to assume jurisdiction.
 12. It is anticipated that if any legislation is required to implement any provision of this agreement, the VILLAGE and the DISTRICT will cooperate to provide accurate data and recommendations for the assistance of the other. Nothing in the Agreement shall be interpreted to require or encourage either party to bargain away its own sovereignty.
 13. This Agreement shall terminate 5 years from the effective date. It may be renewed for an additional 5 year period by mutual consent of the parties.
 14. This Agreement shall become effective upon the Effective Date of Adoption and last execution by the authorized representatives of both the VILLAGE and the DISTRICT.

THIS SPACE INTENTIONALLY LEFT BLANK

ATTEST:

VILLAGE OF ESTERO

By: _____

By: _____

Date signed: _____

APPROVED AS TO FORM:

Village Attorney

ATTEST:

ESTERO FIRE RESCUE DISTRICT

By: _____
James Mendolera, Secretary/Treasurer

By: _____
Richard G. Schweers, Chair

Date signed: _____

APPROVED AS TO FORM:

District Attorney

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“EXHIBIT A”

QUALIFICATIONS

633.081, Florida Statutes (2013)

....

...

(2) Except as provided in s. 633.082(2), every firesafety inspection conducted pursuant to state or local firesafety requirements shall be by a person certified as having met the inspection training requirements set by the State Fire Marshal. Such person shall:

- (a) Be a high school graduate or the equivalent as determined by the department;
- (b) Not have been found guilty of, or having pleaded guilty or nolo contendere to, a felony or a crime punishable by imprisonment of 1 year or more under the law of the United States, or of any state thereof, which involves moral turpitude, without regard to whether a judgment of conviction has been entered by the court having jurisdiction of such cases;
- (c) Have her or his fingerprints on file with the department or with an agency designated by the department;

(d) Have good moral character as determined by the department;

(e) Be at least 18 years of age;

(f) Have satisfactorily completed the firesafety inspector certification examination as prescribed by the department; and

(g)1. Have satisfactorily completed, as determined by the department, a firesafety inspector training program of not less than 200 hours established by the department and administered by agencies and institutions approved by the department for the purpose of providing basic certification training for firesafety inspectors; or

2. Have received in another state training which is determined by the department to be at least equivalent to that required by the department for approved firesafety inspector education and training programs in this state.

(3)(a)1. Effective July 1, 2013, the classification of special state firesafety inspector is abolished, and all special state firesafety inspector certifications shall expire at midnight June 30, 2013.

2. Any person who is a special state firesafety inspector on June 30, 2013, and who has failed to comply with paragraph (b) or paragraph (c) may not perform any firesafety inspection required by law.

3. A special state firesafety inspector certificate may not be issued after June 30, 2011.

(b)1. Any person who is a special state firesafety inspector on July 1, 2011, and who has at least 5 years of experience as a special state firesafety inspector as of July 1, 2011, may take the firesafety inspection examination as provided in paragraph (2)(f) for firesafety inspectors before July 1, 2013 to be certified as a firesafety inspector under this section.

2. Upon passing the examination, the person shall be certified as a firesafety inspector as provided in this section.

3. A person who fails to become certified must comply with paragraph (c) to be certified as a firesafety inspector under this section.

(c)1. To be certified as a firesafety inspector under this section, any person who:

- a. Is a special state firesafety inspector on July 1, 2011, and who does not have 5 years of experience as a special state firesafety inspector as of July 1, 2011; or

b. Has 5 years of experience as a special state firesafety inspector but has failed the examination taken as provided in paragraph (2)(f), must take an additional 80 hours of the courses described in paragraph (2)(g).

2. After successfully completing the courses described in this paragraph, such person may take the firesafety inspection examination as provided in paragraph (2)(f), if such examination is taken before July 1, 2013.

3. Upon passing the examination, the person shall be certified as a firesafety inspector as provided in this section.

4. A person who fails the course of study or the examination described in this paragraph may not perform any firesafety inspection required by law on or after July 1, 2013.

(4) A firefighter certified pursuant to s. 633.35 may conduct firesafety inspections, under the supervision of a certified firesafety inspector, while on duty as a member of a fire department company conducting inservice firesafety inspections without being certified as a firesafety inspector, if such firefighter has satisfactorily completed an inservice fire department company inspector training program of at least 24 hours' duration as provided by rule of the department.

(5) Every firesafety inspector certificate is valid for a period of 3 years from the date of issuance. Renewal of certification is subject to the affected person's completing proper application for renewal and meeting all of the requirements for renewal as established under this chapter or by rule adopted under this chapter, which shall include completion of at least 40 hours during the preceding 3-year period of continuing education as required by the rule of the department or, in lieu thereof, successful passage of an examination as established by the department.

(6) The State Fire Marshal may deny, refuse to renew, suspend, or revoke the certificate of a firesafety inspector if the State Fire Marshal finds that any of the following grounds exist:

(a) Any cause for which issuance of a certificate could have been refused had it then existed and been known to the State Fire Marshal.

(b) Violation of this chapter or any rule or order of the State Fire Marshal.

(c) Falsification of records relating to the certificate.

(d) Having been found guilty of or having pleaded guilty or nolo contendere to a felony, whether or not a judgment of conviction has been entered.

(e) Failure to meet any of the renewal requirements.

(f) Having been convicted of a crime in any jurisdiction which directly relates to the practice of fire code inspection, plan review, or administration.

(g) Making or filing a report or record that the certificateholder knows to be false, or knowingly inducing another to file a false report or record, or knowingly failing to file a report or record required by state or local law, or knowingly impeding or obstructing such filing, or knowingly inducing another person to impede or obstruct such filing.

(h) Failing to properly enforce applicable fire codes or permit requirements within this state which the certificateholder knows are applicable by committing willful misconduct, gross negligence, gross misconduct, repeated negligence, or negligence resulting in a significant danger to life or property.

(i) Accepting labor, services, or materials at no charge or at a noncompetitive rate from any person who performs work that is under the enforcement authority of the certificateholder and who is not an immediate family member of the certificateholder. For the purpose of this paragraph, the term "immediate family member" means a spouse, child, parent, sibling,

grandparent, aunt, uncle, or first cousin of the person or the person's spouse or any person who resides in the primary residence of the certificateholder.

(7) The Division of State Fire Marshal and the Florida Building Code Administrators and Inspectors Board, established pursuant to s. 468.605, shall enter into reciprocity agreement to facilitate joint recognition of continuing education recertification hours for certificateholders licensed under s. 468.609 and firesafety inspectors certified under subsection (2).

(8) The State Fire Marshal shall develop by rule an advanced training and certification program for firesafety inspectors having fire code management responsibilities. The program must be consistent with the appropriate provisions of NFPA 1037, or similar standards adopted by the division, and establish minimum training, education, and experience levels for firesafety inspectors having fire code management responsibilities.

(9) The department shall provide by rule for the certification of firesafety inspectors.

“EXHIBIT B”

LIST OF FIRE DISTRICT OFFICIALS AND EMPLOYEES DESIGNATED
AS CITY CODE INSPECTORS/CODE ENFORCEMENT OFFICERS

NAME

TITLE

- | | |
|----------------------|------------------------------------|
| 1. Scott Vanderbrook | Fire Chief/Fire Official |
| 2. Mark Wahlig | Assistant Fire Chief/Fire Official |
| 3. Phillip Green | Fire Marshal/Firesafety Inspector |
| 4. Johnny Manning | Fire Inspector |
| 5. Scott Danielson | Fire Inspector |

“EXHIBIT C”

INSPECTION PROCEDURES

(Subject to Amendment by Agreement of the City Manager and the Fire Chief)

The DISTRICT hereby will review with respect to the Florida Fire Prevention Code, Florida Building Code as it relates to firesafety and fire prevention, and the VILLAGE Building the Fire Code as they relate to firesafety and fire prevention, the following: All development site plans, DCI cases and building plans submitted for building permits (excluding one and two-family dwellings) in the manner described below.

A. Development Site plans, DCI Cases, Subdivision Plats

Upon receipt of applications for DCIs and requests for subdivision approval, the VILLAGE staff and DCI review will take place. A copy of the site plan and staff consents shall be sent to the District where the development is located in the VILLAGE. The District may submit written comments in respect to the development to the DCI Coordinator located within the Division of Community Development. The comments of the VILLAGE staff and the District will be submitted to the Zoning Board at the zoning hearing. The District may appear at the Zoning Board hearing and the Zoning Appeals Board hearing.

B. Building Permits and Certificates of Occupancy – Simultaneous Plan Review

Upon receipt of an application and building plan for a building permit, the staff review will take place, including review by the VILLAGE Building Official and DISTRICT Fire Official, and/or their respective designees with regard to the application Building Codes and Florida Fire Prevention Code. A copy of the plan will be picked up by the DISTRICT within one (1) working day of the VILLAGE receiving the application. The DISTRICT shall complete its review within five (5) working days of receipt of application and building plan. Should the review require additional time due to the size of the project, a reasonable extension of time may be granted by the VILLAGE Building Official upon request of the DISTRICT Fire Official. If the DISTRICT disputes that the plan complies with the applicable Fire Code or there is a question as to interpretation of the Fire Code, the procedures set out in Paragraph 11 of the VILLAGE/DISTRICT Interlocal Agreement shall go into effect. A copy of amendments to building plans shall be sent to the DISTRICT. The DISTRICT shall not approve amendments to approved plans unless said plans have been processed through the VILLAGE review in the same manner as the original plans. Permits and certificates will be issued only upon review and approval of the respective parties.

C. Final Inspection—

Prior to issuance of a Certificate of Occupancy, a final inspection shall be conducted by the DISTRICT. The inspection shall be conducted by the DISTRICT within 2 working days of the receipt of the application for Certificate of Occupancy forwarded by the VILLAGE. The Certificate of Occupancy shall not be issued until a final decision is rendered that the project is in

compliance with the applicable fire code or other code as it relates to firesafety or fire control. If, in the determination of the Fire Official, no immediate life safety hazard exists, a Conditional Certificate of Occupancy may be issued.

1 **VILLAGE OF ESTERO, FLORIDA**

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3 **RESOLUTION NO. 15 - ____**

4
5 **A RESOLUTION APPROVING THE FIRE CONTROL AND**
6 **PREVENTION INTERLOCAL AGREEMENT BETWEEN THE**
7 **ESTERO FIRE DISTRICT AND THE VILLAGE OF ESTERO**
8 **REGARDING FIRE CONTROL AND PREVENTION**
9 **SERVICES FOR THE VILLAGE OF ESTERO; AND**
10 **PROVIDING AN EFFECTIVE DATE.**

11
12 **NOW, THEREFORE,** be it resolved by the Village Council of the Village of Estero,
13 Florida:

14
15 **SECTION ONE.** The Fire Control and Prevention Interlocal Agreement between the
16 Estero Fire Rescue District and the Village of Estero regarding Fire Control and Prevention
17 Services, a copy of which is attached hereto and incorporated herein by this reference, is
18 approved; and

19
20 **SECTION TWO.** The Mayor is hereby authorized to execute the Interlocal
21 Agreement between the Estero Fire Rescue District on behalf of the Village.

22
23 **SECTION THREE.** This Resolution shall take effect immediately upon adoption.

24
25 **ADOPTED BY THE VILLAGE COUNCIL** of the Village of Estero, Florida this ____ day
26 of March, 2015.

27
28 Attest:

VILLAGE OF ESTERO, FLORIDA

29
30 By: _____

By: _____

31
32 _____
33 Interim Village Clerk

Mayor

34
35 Reviewed for legal sufficiency:

36
37 By: _____

38
39 _____
40 Interim Village Attorney

VILLAGE OF ESTERO, FLORIDA

VILLAGE COUNCIL MEETING MARCH 17, 2015

REQUEST FOR VILLAGE COUNCIL CONSIDERATION

Agenda Item: 4. (E)	Prepared By: Burt Saunders
Agenda Section: Council Business	
Subject: Resolution Amending Resolution 15-11 Establishing Temporary Meetings Dates, Revising Meeting Dates Through May 8 th , 2015	

BACKGROUND:

The Village Council approved resolution 15-11 on March 17, 2015 establishing future meeting dates. This resolution amends Resolution 15-11, revising the meeting dates through May 8th, 2015.

FUNDING SOURCE / FISCAL IMPACT:

N/A

RECOMMENDATION:

Approve Resolution amending Resolution 15-11 which revises the Council meetings dates through May 8th, 2015.

POTENTIAL MOTION:

I make a motion to approve the Resolution amending Resolution 15-11 which revises the Council meeting dates through May 8th, 2015.

VILLAGE OF ESTERO, FLORIDA

RESOLUTION NO. 15 – ____

**A RESOLUTION AMENDING RESOLUTION 15-11,
ESTABLISHING TEMPORARY MEETING DATES, TIMES,
AND LOCATION FOR COUNCIL MEETINGS AND
WORKSHOPS OF THE VILLAGE OF ESTERO COUNCIL;
AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the Village of Estero is a newly incorporated municipality; and

WHEREAS, it is necessary to provide for temporary dates, times and location for Village Council Meetings and Workshops until the Council decides on permanent meeting dates;

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

SECTION ONE. The Village of Estero Village Council shall temporarily hold its Council meetings and workshops at the following dates, times, and location until further notice and as outlined in the attached Proposed Initial Schedule incorporated herein:

March 20 th , 2015	10:00 a.m.	Organizational Workshop
March 27 th , 2015	10:00 a.m.	Council Meeting
	1:30 p.m.	Workshop
April 3rd, 2015	10:00 a.m.	Council Meeting
	1:30 p.m.	Workshop
April 6 th , 2015	10:00 a.m.	Council Meeting
	1:30 p.m.	Workshop
April 10th, 2015	10:00 a.m.	Council Meeting
	1:30 p.m.	Workshop
<u>April 17th, 2015</u>	<u>10:00 a.m.</u>	<u>Council Meeting</u>
	<u>1:30 p.m.</u>	<u>Workshop</u>
<u>April 24th, 2015</u>	<u>10:00 a.m.</u>	<u>Council Meeting</u>
	<u>1:30 p.m.</u>	<u>Workshop</u>
<u>May 1st, 2015</u>	<u>No Meeting Due to Florida League of Cities Ethics Workshop</u>	
<u>May 8th, 2015</u>	<u>10:00 a.m.</u>	<u>Council Meeting</u>
	<u>1:30 p.m.</u>	<u>Workshop</u>

47 LOCATION: **21500 Three Oaks Parkway**
48 **Estero, Florida 33928**

49 **SECTION TWO.** This Resolution shall take effect immediately upon adoption.

50 **ADOPTED BY THE VILLAGE COUNCIL** of the Village of Estero, Florida this _____ day
51 of March, 2015.

52 Attest:

VILLAGE OF ESTERO, FLORIDA

53 By: _____

By: _____

54 _____
55 Interim Village Clerk

Mayor

56 Reviewed for legal sufficiency:

57 By: _____

58 _____
59 Interim Village Attorney

VILLAGE OF ESTERO, FLORIDA

VILLAGE COUNCIL MEETING MARCH 27, 2015

REQUEST FOR VILLAGE COUNCIL CONSIDERATION

Agenda Item: 4. (F)	Prepared By: Burt Saunders
Agenda Section: Council Business	
Subject:	Resolution Amending Resolution 15-08, Including the Vice-Mayor As Signatory On Village Bank Accounts.

BACKGROUND:

On March 17, 2015, the Council approved a Resolution authorizing the Mayor and Interim Village Manager to act as signatories on Village bank accounts. This Resolution includes the Vice-Mayor as a signatory on the Village bank accounts.

FUNDING SOURCE / FISCAL IMPACT:

N/A

RECOMMENDATION:

Approve Resolution Amending Resolution 15- 08, Including the Vice-Mayor to act as a Signatory on the Village Bank Accounts.

POTENTIAL MOTION:

I make a motion to approve the Resolution amending Resolution 15-08, including the Vice-Mayor as a signatory on the Village bank accounts.

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VILLAGE OF ESTERO, FLORIDA

RESOLUTION NO. 15 - ____

A RESOLUTION AMENDING RESOLUTION 15-08 DESIGNATING A DEPOSITORY FOR RECEIPT OF FUNDS AND PAYMENT OF DEBTS; DIRECTING THE MAYOR AND INTERIM VILLAGE MANAGER TO EXECUTE CHECKS; AUTHORIZING THE VICE-MAYOR TO ACT AS A SIGNATORY ON VILLAGE ACCOUNTS IN THE ABSENCE OF THE MAYOR; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Village of Estero is a newly incorporated municipality; and

WHEREAS, it is necessary and proper for the Council to designate a depository for the Village's banking services; and

WHEREAS, it is the desire of the Village Council to require two signatures on each check;

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

SECTION ONE. The Village Council hereby designates the following as depository for the Village's accounts:

SunTrust Bank

SECTION TWO. The Village Council hereby authorizes the Mayor and the Interim Village Manager to act on behalf of the Village to execute a Corporate Resolution, which may be required by the bank to open an account for the Village.

SECTION THREE. The Village Council hereby directs that the Mayor's signature and the Interim Village Manager's signature are required on each check.

SECTION FOUR. In the absence of the Village Mayor, the Village Council authorizes the Vice-Mayor to act as a signatory on the Village Bank accounts.

SECTION FOUR. This Resolution shall take effect immediately upon adoption.

46 **ADOPTED BY THE VILLAGE COUNCIL** of the Village of Estero, Florida this _____ day
47 of March, 2015.

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Attest:
By: _____

Interim Village Clerk

VILLAGE OF ESTERO, FLORIDA
By: _____

Mayor

Reviewed for legal sufficiency:
By: _____

Interim Village Attorney