

1 A bill to be entitled

2 An act relating to Lee County; creating the Village of  
3 Estero; providing a charter; providing legislative  
4 intent; providing for a council-manager form of  
5 government; providing boundaries; providing municipal  
6 powers; providing for a village council and  
7 composition thereof; providing for eligibility, terms,  
8 duties, compensation, and reimbursement of expenses of  
9 council members; providing for a mayor and vice mayor;  
10 providing scheduling requirements of council meetings;  
11 prohibiting interference with village employees;  
12 providing for filling of vacancies and forfeiture of  
13 office; providing that the council is the sole judge  
14 of qualifications of its members; authorizing the  
15 council to investigate affairs relating to the village  
16 and the conduct of any village department, office, or  
17 agency; providing criminal penalties; providing for  
18 the appointment of a village manager, village  
19 attorney, and village clerk and the qualifications,  
20 removal, powers, and duties thereof; providing for the  
21 establishment of village departments, agencies,  
22 personnel, and boards; defining terms; providing for  
23 the adoption of ordinances and resolutions; providing  
24 for the adoption of an annual budget and  
25 appropriations; providing for supplemental and  
26 emergency appropriations and the reduction and

27 transfer of appropriations; providing for the  
28 establishment of a 5-year capital program; providing  
29 for an annual independent audit; providing that the  
30 state is not liable for financial shortfalls of the  
31 village; providing for nonpartisan elections and  
32 matters relating thereto; providing for seven village  
33 council districts; providing for the recall of council  
34 members; providing for initiative and referenda;  
35 providing for a code of ethics; providing for future  
36 amendments to the charter; providing for severability;  
37 providing a village transition schedule and procedures  
38 for the first election; providing for first-year  
39 expenses; providing for adoption of transitional  
40 ordinances and resolutions, comprehensive plans, and  
41 land development regulations; providing for  
42 accelerated entitlement to state-shared revenues;  
43 providing for entitlement to all local revenue sources  
44 allowed by general law; providing for the sharing of  
45 communications services tax revenues; providing for  
46 receipt and distribution of local option gas tax  
47 revenues; providing for waiver of specified  
48 eligibility provisions; requiring a referendum;  
49 providing effective dates.

50

51 Be It Enacted by the Legislature of the State of Florida:

52

53           Section 1. Corporate name; purpose of the charter;  
 54 creation and establishment of the Village of Estero.-

55           (1) CORPORATE NAME.-The municipality hereby established  
 56 shall be known as the Village of Estero ("village").

57           (2) PURPOSE OF THE CHARTER.-This act, together with any  
 58 future amendments thereto, may be known as the Charter of the  
 59 Village of Estero ("charter").

60           (a) It is in the best interests of the public health,  
 61 safety, and welfare of the residents of the Estero area to form  
 62 a separate municipality for the Estero area with all the powers  
 63 and authority necessary to provide adequate and efficient  
 64 municipal services to its residents.

65           (b) It is intended that this charter and the incorporation  
 66 of the Estero area will serve to preserve and protect the  
 67 character, natural resources, and quality of life of the  
 68 community and to maintain the vision established by the Estero  
 69 Community Plan, as amended and as adopted by the Board of County  
 70 Commissioners of Lee County in January 2002.

71           (c) It is the intent of this charter and the incorporation  
 72 of the village to secure the benefits of self-determination and  
 73 affirm the values of representative democracy, citizen  
 74 participation, strong community leadership, professional  
 75 management, and regional cooperation.

76           (d) It is the intent of this charter and the incorporation  
 77 of the village to maintain a financially secure and sustainable  
 78 municipal government and to responsibly manage the village's

79 debt obligations without causing the state to incur any  
 80 liability.

81 (3) CREATION AND ESTABLISHMENT OF THE VILLAGE OF ESTERO.-

82 (a) This act shall take effect upon approval by a majority  
 83 vote of those qualified electors residing within the corporate  
 84 limits of the proposed village as described in section 3 voting  
 85 in a referendum election to be called by the Supervisor of  
 86 Elections of Lee County to be held November 4, 2014, in  
 87 accordance with the provisions of law relating to elections  
 88 currently in force.

89 (b) For the purpose of compliance with s. 200.066, Florida  
 90 Statutes, relating to assessment and collection of ad valorem  
 91 taxes, the Village of Estero is created and established  
 92 effective December 31, 2014.

93 Section 2. Powers of the village; form of government.-

94 (1) POWERS OF THE VILLAGE.-The village shall have all  
 95 available governmental, corporate, and proprietary powers  
 96 possible for a municipal government to have under the State  
 97 Constitution and laws of this state as fully and completely as  
 98 though they were specifically enumerated in this charter, and  
 99 may exercise them, except where prohibited by law. Through the  
 100 adoption of this charter, it is the intent of the electors of  
 101 the village that the municipal government established in this  
 102 section shall have the broadest exercise of home rule powers  
 103 permitted under the State Constitution and laws of the state.

104 This charter and the powers of the village shall be construed  
 105 liberally in favor of the village.

106 (2) CONSTRUCTION.—The powers of the village under this  
 107 charter shall be construed liberally in favor of the village,  
 108 and the specific mention of particular powers in the charter  
 109 shall not be construed as limiting the general powers granted in  
 110 this charter in any way.

111 (3) FORM OF GOVERNMENT.—The form of government established  
 112 by this charter shall be a council-manager form, with the  
 113 council to consist of seven village council ("council") members  
 114 elected by the village at large from seven districts. The  
 115 council shall constitute the governing body of the village, with  
 116 the duties and responsibilities hereinafter provided. The  
 117 council shall appoint a village manager to be the chief  
 118 administrative officer of the village who shall serve at the  
 119 pleasure of the council.

120 (4) INTERGOVERNMENTAL RELATIONS.—The village may  
 121 participate by contract or otherwise with any governmental  
 122 entity of this state or any other state or states or the United  
 123 States in the performance of any activity that one or more of  
 124 such entities has the authority to undertake.

125 Section 3. Corporate boundaries.—The territorial  
 126 boundaries of the Village of Estero upon the date of  
 127 incorporation shall include the following areas situated in Lee  
 128 County:

129

- 130 A. In Township 46 South, Range 24 East, those  
131 portions of Sections 25 and 36 lying east of the  
132 waters of Estero Bay.
- 133 B. In Township 46 South, Range 25 East, those  
134 portions of Section 31 lying east of the waters of  
135 Estero Bay.
- 136 C. In Township 46 South, Range 25 East, the Southwest  
137 Quarter (SW-1/4) of Section 22 and All of Sections 21,  
138 25, 26, 27, 28, 29, 30, 32, 33, 34, 35 and 36.
- 139 D. In Township 46 South, Range 26 East, those  
140 portions of Sections 19 and 20 lying south of the  
141 south right-of-way line of Corkscrew Road and all of  
142 Sections 29, 30, 31 and 32.
- 143 E. In Township 47 South, Range 25 East, those  
144 portions of Sections 2 and 11 lying west of the west  
145 right-of-way line of Interstate 75 (State Road No. 93)  
146 and all of Sections 3, 4, 9 and 10.
- 147 F. In Township 47 South, Range 25 East, the Northwest  
148 Quarter of (NW-1/4) of Section 5, the Northeast  
149 Quarter of (NE-1/4) of Section 5 and a parcel of land  
150 lying in the Southeast Quarter (SE-1/4) of Section 5  
151 as described in Deed Book 244, page 138, public  
152 records of Lee County, Florida.
- 153 G. That portion of Section 6, Township 47 South,  
154 Range 25 East lying within a parcel of land as  
155 described in Official Records Book 1924, page 2148,

156 public records of Lee County, Florida and the plat of  
 157 West Bay Club as recorded in Plat Book 62, page 79,  
 158 public records of Lee County, Florida.

159 H. That portion of Section 7, Township 47 South,  
 160 Range 25 East lying within a parcel of land as  
 161 described in Instrument Number 2013000044684, public  
 162 records of Lee County, Florida.

163 I. In Township 47 South, Range 25 East, All of  
 164 Section 8.

165  
 166 LESS AND EXCEPT:

167 The East Half (E-1/2) of the Northwest Quarter (NW-  
 168 1/4) and the West Half (W-1/2) of the West Half (W-  
 169 1/2) of the Northeast Quarter (NE-1/4) of Section 8,  
 170 Township 47 South, Range 25 East, less the south 40  
 171 feet for the Coconut Road Right-of-way.

172 ALSO LESS AND EXCEPT:

173 The West Half (W-1/2) of the Northwest Quarter (NW-  
 174 1/4) of Section 8, Township 47 South, Range 25 East.

175  
 176 ALSO LESS AND EXCEPT:

177 That portion of Coconut Road lying in the West Half  
 178 (W-1/2) of the Southwest Quarter (SW-1/4) of Section  
 179 8, Township 47 South, Range 25 East.

180  
 181 ALSO LESS AND EXCEPT:

182 Being a portion of land located in Section 8, Township  
 183 47 South, Range 25 East, Lee County, Florida, more  
 184 particularly described as follows:  
 185 Commence at the southwest corner of the Coconut Road  
 186 Right-of-way as shown on the specific purpose survey  
 187 prepared by Johnson Engineering, inc. dated December  
 188 15, 1999 with a project number of 19991898; thence run  
 189 along the south line of said right-of-way South  
 190 89°43'06" East, for a distance of 45.84 feet, to the  
 191 Point of Beginning of the parcel of land herein  
 192 described; thence continue along said south line South  
 193 89°43'06" East, for a distance of 904.21 feet to the  
 194 intersection of the extension of the west line of Via  
 195 Veneto right-of-way as recorded in Official Records  
 196 Book 4408, page 470 of the public records of Lee  
 197 County, Florida and said south line of Coconut Road;  
 198 thence run along the westerly line of said right-of-  
 199 way and extension thereof for the following four (4)  
 200 courses and distances:  
 201 1. South 00°17'49" West, for a distance of 47.01  
 202 feet;  
 203 2. thence run South 74°36'33" East, for a distance of  
 204 58.19 feet;  
 205 3. thence run South 50°54'15" East, for a distance of  
 206 143.04 feet;



207        4. thence run South 00°11'43" West, for a distance of  
 208        82.19 feet to a point on the Westerly line of parcel 5  
 209        of those lands recorded in Instrument Number  
 210        2009000192836 of said public records; thence run along  
 211        said westerly line for the following eight (8) courses  
 212        and distances:  
 213        1. North 89°47'57" West, for a distance of 34.12  
 214        feet;  
 215        2. thence run South 63°30'43" West, for a distance of  
 216        230.57 feet;  
 217        3. thence run South 47°26'14" West, for a distance of  
 218        466.86 feet;  
 219        4. thence run South 41°35'17" West, for a distance of  
 220        46.90 feet to a point on a circular curve concave  
 221        northwest, whose radius point bears North 48°24'38"  
 222        West, a distance of 100.00 feet therefrom;  
 223        5. thence run southwesterly along the arc of said  
 224        curve to the right, having a radius of 100.00 feet,  
 225        through a central angle of 28°01'16", subtended by a  
 226        chord of 48.42 feet at a bearing of South 55°36'00"  
 227        West, for an arc length of 48.91 feet to a point on a  
 228        circular curve concave southeast, whose radius point  
 229        bears South 20°23'12" East, a distance of 105.00 feet  
 230        therefrom;  
 231        6. thence run southwesterly along the arc of said  
 232        curve to the left, having a radius of 105.00 feet,

233 through a central angle of 54°28'46", subtended by a  
 234 chord of 96.12 feet at a bearing of South 42°22'25"  
 235 West, for an arc length of 99.84 feet to a point on a  
 236 circular curve concave northwest, whose radius point  
 237 bears North 74°51'54" West, a distance of 100.00 feet  
 238 therefrom;

239 7. thence run southwesterly along the arc of said  
 240 curve to the right, having a radius of 100.00 feet,  
 241 through a central angle of 14°44'34", subtended by a  
 242 chord of 25.66 feet at a bearing of South 22°30'23"  
 243 West, for an arc length of 25.73 feet to the end of  
 244 said curve;

245 8. thence run South 29°52'39" West, for a distance of  
 246 22.93 feet; thence run North 34°45'41" West, for a  
 247 distance of 134.67 feet; thence run North 53°03'31"  
 248 West, for a distance of 119.51 feet; thence run North  
 249 19°08'07" West, for a distance of 117.09 feet; thence  
 250 run North 41°42'16" West, for a distance of 86.54  
 251 feet; thence run North 00°49'46" West, for a distance  
 252 of 150.18 feet; thence run North 50°28'56" West, for a  
 253 distance of 47.03 feet; thence run North 20°07'09"  
 254 West, for a distance of 19.34 feet; thence run North  
 255 34°54'03" West, for a distance of 30.82 feet; thence  
 256 run North 23°07'05" East, for a distance of 44.14  
 257 feet; thence run North 28°21'44" West, for a distance  
 258 of 88.04 feet; thence run North 39°18'43" East, for a

259 distance of 25.46 feet; thence run North 07°41'43"  
 260 East, for a distance of 98.70 feet; thence run North  
 261 10°04'01" West, for a distance of 18.32 feet to the  
 262 Point of Beginning.

263 Containing 12.26 acres, more or less.

264  
 265 ALSO LESS AND EXCEPT:

266 A parcel of land located in Section 7 and 8, Township  
 267 47 South, Range 25 East, Lee County, Florida being  
 268 more particularly described as follows:

269 Commence at the East Quarter corner of Section 7,  
 270 Township 47 South, Range 25 East, Lee county, Florida;  
 271 thence along the east line of said Section 7, South  
 272 00°50'02" East, a distance of 25.00 feet to a point on  
 273 the south right-of-way line of Coconut Road, the same  
 274 being the Point of Beginning of the parcel of land  
 275 herein described; thence run along said south line,  
 276 South 89°43'21" East, a distance of 45.84 feet; thence  
 277 South 10°04'01" East, a distance of 18.32 feet; thence  
 278 South 07°41'43" West, a distance of 98.70 feet; thence  
 279 South 39°18'43" West, a distance of 25.46 feet; thence  
 280 South 28°21'44" East, a distance of 88.04 feet; thence  
 281 South 23°07'05" West, a distance of 44.14 feet; thence  
 282 South 34°54'03" East, a distance of 30.82 feet; thence  
 283 South 20°07'09" East, a distance of 19.34 feet; thence  
 284 South 50°28'56" East, a distance of 47.03 feet; thence

285 South 00°49'46" East, a distance of 150.18 feet;  
 286 thence South 41°42'16" East, a distance of 86.54 feet  
 287 to a point on the boundary line of Conservation  
 288 Easement Number 14, recorded in Official Records Book  
 289 3094, page 3234, public records of Lee County,  
 290 Florida; thence along said boundary, South 75°38'07"  
 291 West, a distance of 112.79 feet to a point on the  
 292 boundary of a Conservation Easement recorded in  
 293 Official Records Book 4283, page 3774, public records  
 294 of Lee County, Florida; thence follow along the  
 295 boundary of said Conservation Easement to the  
 296 intersection of the south line of Section 8, Township  
 297 47 South, Range 25 East, Lee County, Florida, for the  
 298 following courses and distances, South 13°27'24" West,  
 299 a distance of 68.12 feet; thence South 38°25'26" West,  
 300 a distance of 13.31 feet; thence South 22°41'02" East,  
 301 a distance of 9.38 feet; thence South 14°12'53" West,  
 302 a distance of 28.04 feet; thence North 83°09'35" East,  
 303 a distance of 75.71 feet; thence South 17°31'04" West,  
 304 a distance of 24.03 feet; thence South 01°58'43" West,  
 305 a distance of 35.44 feet; thence South 80°03'12" East,  
 306 a distance of 25.81 feet; thence South 76°58'32" East,  
 307 a distance of 32.43 feet; thence South 58°26'34" East,  
 308 a distance of 32.79 feet; thence South 50°42'32" East,  
 309 a distance of 25.83 feet; thence South 06°30'32" West,  
 310 a distance of 20.53 feet; thence South 34°00'38" West,

311 a distance of 22.57 feet; thence South 86°51'04" West,  
 312 a distance of 39.79 feet; thence North 71°44'14" West,  
 313 a distance of 18.15 feet; thence North 79°21'50" West,  
 314 a distance of 24.88 feet; thence North 54°46'17" West,  
 315 a distance of 19.72 feet; thence North 70°05'51" West,  
 316 a distance of 36.50 feet; thence South 14°42'48" West,  
 317 a distance of 28.87 feet; thence South 31°00'38" West,  
 318 a distance of 25.53 feet; thence South 46°04'37" West,  
 319 a distance of 27.43 feet; thence South 79°48'07" East,  
 320 a distance of 48.50 feet; thence South 41°58'46" East,  
 321 a distance of 40.98 feet; thence South 42°24'51" East,  
 322 a distance of 36.16 feet; thence South 83°34'30" East,  
 323 a distance of 24.52 feet; thence South 15°52'35" West,  
 324 a distance of 34.51 feet; thence South 59°45'12" East,  
 325 a distance of 25.96 feet; thence South 60°07'55" East,  
 326 a distance of 30.22 feet; thence South 28°14'30" East,  
 327 a distance of 18.56 feet; thence South 12°04'44" West,  
 328 a distance of 31.95 feet; thence North 82°28'58" West,  
 329 a distance of 22.54 feet; thence North 78°36'49" West,  
 330 a distance of 29.64 feet; thence North 60°50'08" West,  
 331 a distance of 22.14 feet; thence South 14°57'51" West,  
 332 a distance of 38.06 feet; thence South 11°26'36" West,  
 333 a distance of 19.74 feet; thence South 58°07'12" East,  
 334 a distance of 25.45 feet; thence South 12°12'57" East,  
 335 a distance of 22.75 feet; thence South 86°12'55" East,  
 336 a distance of 20.51 feet; thence South 56°23'00" East,

337 a distance of 28.55 feet; thence South 41°44'09" West,  
 338 a distance of 15.79 feet; thence North 71°14'30" West,  
 339 a distance of 22.95 feet; thence North 67°33'53" West,  
 340 a distance of 23.50 feet; thence South 54°36'26" West,  
 341 a distance of 44.61 feet; thence North 53°20'16" West,  
 342 a distance of 28.47 feet; thence North 35°50'04" West,  
 343 a distance of 42.22 feet; thence North 41°43'16" East,  
 344 a distance of 24.56 feet; thence North 82°15'02" West,  
 345 a distance of 13.75 feet; thence South 58°55'16" West,  
 346 a distance of 31.96 feet; thence South 22°08'04" West,  
 347 a distance of 21.15 feet; thence South 40°59'54" East,  
 348 a distance of 20.68 feet; thence South 47°19'30" East,  
 349 a distance of 50.06 feet; thence South 03°17'09" East,  
 350 a distance of 19.29 feet; thence South 39°41'04" East,  
 351 a distance of 35.54 feet; thence South 00°32'00" West,  
 352 a distance of 23.73 feet; thence South 36°13'51" West,  
 353 a distance of 33.30 feet; thence South 26°54'16" West,  
 354 a distance of 22.25 feet; thence South 21°50'28" West,  
 355 a distance of 36.79 feet; thence South 63°28'06" West,  
 356 a distance of 28.23 feet; thence South 25°24'38" West,  
 357 a distance of 13.47 feet; thence South 42°37'08" West,  
 358 a distance of 36.84 feet; thence South 19°49'02" West,  
 359 a distance of 36.20 feet; thence South 48°17'57" West,  
 360 a distance of 25.07 feet; thence South 48°46'20" East,  
 361 a distance of 23.96 feet; thence South 07°18'24" East,  
 362 a distance of 39.41 feet; thence South 61°42'17" East,

363 a distance of 63.96 feet; thence South 19°30'39" East,  
 364 a distance of 37.00 feet; thence South 07°11'44" East,  
 365 a distance of 30.87 feet; thence South 57°48'34" West,  
 366 a distance of 26.54 feet; thence South 39°49'37" West,  
 367 a distance of 51.91 feet; thence South 33°12'43" West,  
 368 a distance of 21.35 feet; thence South 09°34'48" West,  
 369 a distance of 44.74 feet; thence South 20°48'56" East,  
 370 a distance of 48.32 feet; thence South 24°55'57" West,  
 371 a distance of 41.90 feet; thence South 02°45'31" East,  
 372 a distance of 35.63 feet; thence South 33°18'17" East,  
 373 a distance of 34.45 feet; thence South 08°14'15" West,  
 374 a distance of 43.31 feet; thence South 19°59'58" East,  
 375 a distance of 78.22 feet; thence South 27°23'35" East,  
 376 a distance of 37.53 feet; thence South 37°39'35" West,  
 377 a distance of 40.08 feet; thence South 01°14'30" East,  
 378 a distance of 20.37 feet; thence South 71°18'06" West,  
 379 a distance of 15.08 feet; thence South 57°59'14" West,  
 380 a distance of 26.21 feet; thence South 27°10'02" West,  
 381 a distance of 44.00 feet; thence South 34°26'29" East,  
 382 a distance of 51.64 feet; thence South 12°11'33" East,  
 383 a distance of 38.89 feet; thence South 31°00'48" East,  
 384 a distance of 40.10 feet; thence South 05°32'22" East,  
 385 a distance of 52.47 feet; thence South 14°06'44" West,  
 386 a distance of 27.92 feet; thence South 18°32'06" West,  
 387 a distance of 38.27 feet; thence North 86°57'32" East,  
 388 a distance of 15.90 feet; thence North 67°34'27" East,

389 a distance of 25.47 feet; thence South 12°39'01" East,  
 390 a distance of 39.36 feet; thence South 84°33'25" West,  
 391 a distance of 27.45 feet; thence South 47°36'58" West,  
 392 a distance of 27.94 feet; thence South 34°56'23" East,  
 393 a distance of 26.07 feet; thence North 89°13'57" East,  
 394 a distance of 45.10 feet; thence South 16°15'58" East,  
 395 a distance of 49.58 feet; thence South 12°23'09" West,  
 396 a distance of 35.75 feet; thence South 05°37'35" East,  
 397 a distance of 67.77 feet; thence South 17°34'05" West,  
 398 a distance of 40.65 feet; thence South 45°08'32" East,  
 399 a distance of 43.24 feet; thence South 07°58'04" East,  
 400 a distance of 16.70 feet to a point on the south line  
 401 of aforementioned Section 8; thence along said south  
 402 line, North 89°52'21" West, a distance of 34.61 feet  
 403 to a the southeast corner of said Section 7; thence  
 404 along the south line of said Section 7, North  
 405 89°52'21" West, a distance of 2,276 feet more of less  
 406 to the water of the Estero Bay; thence northerly along  
 407 said waters, a distance of 4,498 feet, more or less;  
 408 thence North 89°13'27" East, a distance of 742 feet  
 409 more or less to a point on the boundary of the lands  
 410 described in Official Records Book 3052, page 1859,  
 411 public records of Lee County, Florida; thence along  
 412 the boundary of said lands for the following three (3)  
 413 calls: 1) South 00°46'33" East, a distance of 650.00  
 414 feet; 2) thence North 89°13'27" East, a distance of



415 1,107.21 feet; 3) thence North 00°50'02" West, a  
416 distance of 625.00 feet to the Point of Beginning.  
417 Containing 110.89 acres, more or less.  
418 A. In Township 46 South, Range 25 East, that portion  
419 of the Southwest Quarter (SW-1/4) of Section 23 lying  
420 west of the west right-of-way line of Interstate 75  
421 (State Road No. 93).  
422 B. In Township 46 South, Range 25 East, that portion  
423 of the Southeast Quarter (SE-1/4) of Section 20 lying  
424 south of the north line of a parcel of land described  
425 in Instrument Number 2012000146389, public records of  
426 Lee County, Florida and northeast of the northeast  
427 right-of-way line of US 41 - Tamiami Trail (State Road  
428 No. 45).  
429 C. That portion of a Tract or Parcel of land lying in  
430 Sections 20, Township 46, South, Range 25 East, which  
431 Tract or Parcel is more particularly described as  
432 follows:  
433 Beginning at the Southeast corner of said Section 20  
434 and run Westerly along the south line of said Section  
435 20 for 660 feet to the Easterly boundary of lands  
436 described in deed recorded in Deed Book 217, at Page  
437 367, of the Public Records of Lee County; thence run  
438 Northerly along said Easterly boundary, parallel with  
439 the East line of said Section 21 for 995.91 feet to  
440 the Southwesterly corner of lands described in deed

441 recorded in Deed Book 295, at Page 505 of said Public  
442 Records, thence run Easterly along the Southerly  
443 boundary of said lands and an Easterly prolongation  
444 thereof, parallel with the south line of said Section  
445 21 for 498.56 feet; thence deflect 35°25'00" left and  
446 run Northeasterly, perpendicular to the centerline of  
447 the Tamiami Trail (State Road 45) for 126.84 feet to a  
448 Point on the Southwesterly line (68 feet from said  
449 centerline) of said Tamiami Trail thence run  
450 Southeasterly along said Southwesterly line for 100.00  
451 feet to a concrete monument on the line common to said  
452 sections 20 and 21, thence continue Southeasterly  
453 along said Southwesterly line of said Tamiami Trail  
454 for 315.24 feet to a concrete monument; thence deflect  
455 126°13' to the right and run Westerly, perpendicular  
456 to said line common to said Sections 20 and 21 for  
457 186.26 feet to a point on said section line; thence  
458 run Southerly along said section line for 733.59 feet  
459 to the Point of Beginning.

460  
461 AND

462  
463 A tract or parcel of land lying in the Southeast  
464 quarter of the Southeast quarter of Section 20,  
465 Township 46, Range 25 East, Lee County, Florida, which  
466 Tract or Parcel is described as follows:

467 From the concrete monument marking the Southeast  
 468 corner of said Section 20, run S 88°30'00" W, along  
 469 the South line of said Section for 660.0 feet to a  
 470 concrete monument; thence run N 0°42'00" W, parallel  
 471 with the East line of said Section 995.91 feet to a  
 472 concrete monument; thence run N 88°30'00" E, parallel  
 473 with said South line for 498.56 feet to a concrete  
 474 monument, thence run N 53°05'00" E, for 23.96 feet to  
 475 concrete monument and the point of beginning. From  
 476 said point of beginning run N 38°56'00" W for 286.25  
 477 feet to a steel pin, thence run N 17°25'50" E, for  
 478 62.04 feet to a concrete monument marking the  
 479 intersection with the southerly line of Pine Road,  
 480 thence run N 88°39'20" E, along southerly line,  
 481 parallel with and 25 feet (as measured on a  
 482 perpendicular) Southerly from the North line of said  
 483 fraction of a Section for 76.95 feet to an  
 484 intersection with the southwesterly line (68 feet from  
 485 the center line) of the Tamiami Trail (State Road No.  
 486 45); thence run S 36°55'00" E., along said  
 487 Southwesterly line for 277.49 feet to a concrete  
 488 monument, thence run S 53°05'00" W, perpendicular to  
 489 said southwesterly line for 102.88 feet to the Point  
 490 of Beginning.

491  
 492 Section 4. Village council.—

493        (1) GENERAL POWERS AND DUTIES.—All powers of the village  
 494 shall be vested in the council, except as otherwise provided by  
 495 law or this charter, and the council shall provide for the  
 496 exercise thereof and for the performance of all duties and  
 497 obligations permitted by or imposed on the village by law.

498        (2) COMPOSITION; ELIGIBILITY; TERMS.—

499        (a) Composition.—There shall be a village council composed  
 500 of seven council members. One council member shall be elected by  
 501 the voters of the village at large in each of seven districts,  
 502 district one through district seven.

503        (b) Eligibility.—

504        1. Each candidate for the office of village council member  
 505 shall be a qualified elector of the village.

506        2. Each candidate for council shall have been a resident  
 507 of the village for a minimum period of 1 year before qualifying  
 508 for office.

509        3. Each council member must reside in the district the  
 510 member represents for the duration of his or her term.

511        (c) Terms.—The term of office for council members shall be  
 512 4 years. No council member shall serve more than two consecutive  
 513 terms. After 1 year out of office, a former council member may  
 514 requalify for a seat on the council. For purposes of calculating  
 515 term limits, partial terms shall not be counted toward term  
 516 limits.

517        (3) MAYOR; VICE MAYOR.—

518        (a) Mayor.—At the first regularly scheduled meeting after  
519 the village's regular election, the council, by a majority vote,  
520 shall elect from its membership a mayor. The mayor shall serve  
521 as chairperson during the meetings of the council and shall  
522 serve as the head of municipal government for the purpose of  
523 execution of legal documents as required by ordinance. The mayor  
524 shall also serve as the ceremonial head of the village.

525        (b) Vice mayor.—At the first regularly scheduled meeting  
526 after the village's regular election, the council, by a majority  
527 vote, shall elect from its membership a vice mayor who shall  
528 serve as mayor during the absence or disability of the mayor  
529 and, if a vacancy of the mayor occurs, shall become interim  
530 mayor until the next regularly scheduled election.

531        (4) COMPENSATION.—The salary of each council member,  
532 except for the mayor, shall be \$6,000 per year, payable in equal  
533 monthly installments. The salary of the mayor shall be \$9,000  
534 per year, payable in equal monthly installments. An ordinance  
535 increasing or decreasing compensation of the council may be  
536 adopted at any time; however, if the council takes action to  
537 change the level of compensation, the salary of council members  
538 shall not be adjusted until after the first day after the next  
539 regular municipal election. The council may provide for  
540 reimbursement of actual expenses incurred by its members,  
541 including the mayor, while performing their official duties.

542        (5) COUNCIL MEETINGS.—

543        (a) The council shall schedule a minimum of 12 regular  
544 meetings each year. Special meetings may be held at the call of  
545 the mayor or a majority of the council members. At least a 24-  
546 hour notice shall be provided to each council member for special  
547 meetings. Except as authorized by law, all meetings shall be  
548 open to the public.

549        (b) Four members of the village council shall normally  
550 constitute a quorum for the conduct of business. Unless a quorum  
551 is present, no action may be taken except to adjourn.

552        (c) All council members present shall vote on all matters  
553 before the village council except on those matters for which a  
554 council member announces a conflict of interest or the village  
555 attorney determines that there is a conflict of interest.

556        (6) PROHIBITIONS.—

557        (a) Neither the council, nor any individual member of the  
558 council, shall in any manner attempt to dictate the employment  
559 or removal of any employee other than the village manager,  
560 village attorney, and village clerk. The council is free to make  
561 inquiries of village employees, but no individual member of the  
562 council shall give orders to any officer or employee of the  
563 village. Recommendations for improvements in village government  
564 operations shall come through the village manager, but each  
565 member of the council shall be free to discuss or recommend  
566 improvements to the village manager, and the council is free to  
567 direct the village manager to implement specific recommendations  
568 for improvement in village government operations.

569 (b) No present or former elected village official shall  
 570 hold any compensated appointive office or employment with the  
 571 village until 1 year after leaving office.

572 (c) The council may not adopt any compensation plan for  
 573 municipal employees or officers that incurs unfunded liabilities  
 574 or adopt a defined benefit plan but may only adopt a defined  
 575 contribution plan. Officers and employees of the village may not  
 576 participate in the Florida Retirement System.

577 (7) VACANCIES; FORFEITURE OF OFFICE; FILLING OF  
 578 VACANCIES.—

579 (a) Vacancies.—A vacancy in the office of council, mayor,  
 580 or vice mayor shall occur upon the incumbent's death, inability  
 581 to fulfill the duties of the office, movement of residence  
 582 outside the district, resignation, appointment to another public  
 583 office, judicially determined incompetence, or removal or  
 584 forfeiture of office as described in this subsection.

585 (b) Forfeiture of office.—A member of the council may  
 586 forfeit the office if the member:

587 1. Lacks at any time during the term of office any  
 588 qualification for the office prescribed by this charter or by  
 589 law;

590 2. Violates any express prohibition of this charter;

591 3. Is convicted of a felony or criminal misdemeanor, which  
 592 felony or misdemeanor involves the office of village council;

593 4. Is found to have violated any standard of conduct or  
 594 code of ethics established by law for public officials or has

595 been suspended from office by the Governor, unless subsequently  
596 reinstated as provided by law; or

597 5. Misses three consecutive regularly scheduled council  
598 meetings, unless excused by the council.

599  
600 If any of these events should occur, a hearing shall  
601 automatically be conducted at the next regularly scheduled  
602 council meeting, and the member may be declared to have  
603 forfeited office by majority vote of the council.

604 (c) Filling of vacancies.—A vacancy on the council, except  
605 for the position of mayor, shall be filled as follows:

606 1. If a vacancy occurs and the remainder of the unexpired  
607 term is 28 months or less, the remaining council members shall,  
608 within 60 days after the occurrence of such vacancy, by majority  
609 vote of the remaining council members, appoint a person from the  
610 same district to fill the vacancy for the remainder of the  
611 unexpired term.

612 2. If a vacancy occurs and the remainder of the unexpired  
613 term is more than 28 months, the remaining council members  
614 shall, within 60 days after the occurrence of such vacancy, by a  
615 majority vote of the remaining council members, appoint a person  
616 from the same district to fill the vacancy until the next  
617 regularly scheduled election, at which time the balance of the  
618 term for the seat shall be filled pursuant to section 9.

619 3. If four or more council vacancies occur at one time,  
620 the remaining council members shall, within 60 days after the



621 occurrence of such vacancies, by a majority vote of the  
622 remaining council members, appoint a person from the same  
623 district to fill such vacancies until the next regularly  
624 scheduled village election, at which time the balance of the  
625 term for the seats shall be filled pursuant to section 9.

626 (8) JUDGE OF QUALIFICATIONS.—

627 (a) The council shall be the sole judge of the  
628 qualifications of its members and shall hear all questions  
629 relating to forfeiture of a council member's office, including  
630 whether good cause for absence has been or may be established.  
631 The council shall have the power to set additional written  
632 standards of conduct for its members beyond those specified in  
633 this charter and may provide for such penalties as it deems  
634 appropriate, including forfeiture of office. In order to  
635 exercise these powers, the council shall have power to subpoena  
636 witnesses, administer oaths, and require the production of  
637 evidence. A member charged with conduct constituting grounds for  
638 forfeiture of office shall be entitled to a public hearing on  
639 demand, and notice of such hearing shall be published in one or  
640 more newspapers of general circulation in the village at least 7  
641 days before the hearing.

642 (b) The burden of establishing good cause for absences  
643 shall be on the council member in question; however, any council  
644 member may, at any time during a duly held meeting, move to  
645 establish good cause for his or her absence. A council member  
646 whose qualifications are in question or who is otherwise subject

647 to forfeiture of his or her office shall not vote on such  
 648 matters.

649 (9) INVESTIGATIONS.—

650 (a) The council may undertake investigations into the  
 651 affairs of the village and the conduct of any village  
 652 department, office, or agency and for this purpose may subpoena  
 653 witnesses, administer oaths, take testimony, and require the  
 654 production of evidence. Failure or refusal to obey a lawful  
 655 order issued in the exercise of these powers by the council  
 656 shall be a misdemeanor punishable by fines or imprisonment as  
 657 provided in chapter 838, Florida Statutes.

658 (b) The council shall act on any such findings as it may  
 659 determine to be in the best interest of the village.

660 Section 5. Administration.—

661 (1) VILLAGE MANAGER.—

662 (a) Appointment and qualifications.—The council shall  
 663 appoint a village manager for a fixed compensation who shall  
 664 serve at the pleasure of the council. The village manager shall  
 665 be appointed primarily on the basis of executive and  
 666 administrative qualifications.

667 (b) Removal.—The village manager may be suspended by a  
 668 resolution approved by a majority vote of the council, which  
 669 shall set forth the reasons for suspension and proposed removal.  
 670 A copy of such resolution shall immediately be served upon the  
 671 village manager. The village manager shall have 5 days to reply  
 672 to the resolution in writing, and upon request shall be afforded

673 a public hearing, which shall occur at least 5 days but not more  
 674 than 30 days after such hearing is requested. After the public  
 675 hearing, if one is requested, and after full consideration, the  
 676 council, by a majority vote of its membership, may adopt a final  
 677 resolution of removal. The village manager shall continue to  
 678 receive full salary until the effective date of a final  
 679 resolution of removal.

680 (c) Residency.—The village manager need not be a resident  
 681 of the village at the time of the manager's appointment and may  
 682 reside outside the village while in office.

683 (d) Powers and duties of the village manager.—The village  
 684 manager shall:

685 1. Appoint, suspend, demote, or dismiss any village  
 686 employee under the village manager's jurisdiction in accordance  
 687 with law, and may authorize any department head to exercise  
 688 these powers with respect to subordinates in that department.

689 2. Direct and supervise the administration of all  
 690 departments of the village except the office of the village  
 691 attorney.

692 3. Attend all village council meetings unless excused by  
 693 council, and shall have the right to take part in discussions,  
 694 but not to vote.

695 4. Ensure that all laws, charter provisions, ordinances,  
 696 resolutions, and other acts of the council subject to  
 697 enforcement are faithfully executed, and perform such other  
 698 duties as are specified in this charter and city code.

699       5. Submit the annual budget, budget message, and capital  
700 program to the council; keep the council fully advised as to the  
701 financial condition and future needs of the village; and make  
702 such recommendations to the council concerning the affairs of  
703 the village as the village manager deems appropriate. The  
704 village manager shall promptly communicate with the council his  
705 or her reasonable expectation of any significant deviations from  
706 an expenditure identified within the annual budget. The  
707 definition of the term "significant deviations" shall be  
708 determined by the council.

709       6. Designate a qualified village employee to exercise the  
710 powers and perform the duties of village manager during any  
711 temporary absence or incapacity of the village manager. The  
712 council may revoke such designation at any time and appoint  
713 another qualified person, other than a currently seated council  
714 member, to serve as acting village manager until the village  
715 manager returns or his or her incapacity shall cease.

716       7. With the consent of the council, appoint an employee to  
717 serve as village clerk.

718       (2) VILLAGE ATTORNEY.—There shall be a village attorney  
719 who shall be a member of The Florida Bar in good standing, be  
720 appointed by the council, and serve as the chief legal advisor  
721 to the council and village administrators, departments, and  
722 agencies. The village attorney shall attend all council meetings  
723 unless excused by council and shall perform such professional  
724 duties as may be required by law or by the council in the

725 furtherance of law. The council may remove the village attorney  
 726 for any reason by a majority vote of its members.

727 (3) VILLAGE CLERK.—There shall be a village clerk who  
 728 shall be appointed by the village manager with the consent of  
 729 the council. The village clerk shall serve at the pleasure of  
 730 the village manager and shall:

731 (a) Give notice of council meetings to its members and the  
 732 public.

733 (b) Keep the journal and minutes of the proceedings of the  
 734 council and its committees, which shall be public records.

735 (c) Authenticate by signature and record all ordinances  
 736 and resolutions passed by council.

737 (d) Be the custodian of the village seal.

738 (e) Have the power to administer oaths.

739 (f) Perform such other duties as may be assigned by the  
 740 village manager.

741 Section 6. Departments; personnel; planning.—

742 (1) DEPARTMENTS; BOARDS; AGENCIES.—The council may  
 743 establish or terminate such departments, boards, or agencies as  
 744 it determines necessary for the efficient administrative  
 745 operation of the village. Such departments, boards, or agencies  
 746 shall be determined by ordinance.

747 (2) PERSONNEL.—Consistent with all applicable state and  
 748 federal laws, the council shall provide by ordinance for the  
 749 establishment, regulation, and maintenance of a system governing

750 personnel policies necessary for the effective administration of  
 751 employees of the village's departments, boards, and agencies.

752 (3) PLANNING.—Consistent with all applicable state and  
 753 federal laws with respect to land use, development, and  
 754 environmental protection, the village shall:

755 (a) Designate an agency or agencies to execute the  
 756 planning functions with such decisionmaking responsibilities as  
 757 may be specified by ordinance or general law.

758 (b) Adopt a comprehensive plan and ensure that zoning and  
 759 other land use control ordinances are consistent with the plan,  
 760 all in accordance with general law. The Lee County Comprehensive  
 761 Plan, as it exists on the day that the village commences  
 762 corporate existence, shall serve as the initial comprehensive  
 763 plan of the village until the village adopts its own  
 764 comprehensive plan pursuant to chapter 163, Florida Statutes.

765 (c) Adopt zoning and development regulations, to be  
 766 specified by ordinance, to implement the plan.

767 Section 7. Ordinances and resolutions.—

768 (1) DEFINITIONS.—As used in this charter, the term:

769 (a) "Ordinance" means an official legislative action of  
 770 the council, which action is a regulation of general and  
 771 permanent nature and enforceable as a local law.

772 (b) "Resolution" means an expression of the council  
 773 concerning matters of administration, an expression of a  
 774 temporary character, or a provision for the disposition of a  
 775 particular item of the administrative business of the village.

776           (2) ADOPTION OF ORDINANCES.—The procedure for adoption of  
 777 ordinances and resolutions shall be as provided in s. 166.041,  
 778 Florida Statutes.

779           (3) EMERGENCY ORDINANCES.—To meet a public emergency  
 780 affecting life, health, property, or the public peace, the  
 781 council may, except where prohibited by general law, adopt one  
 782 or more emergency ordinances. Such emergency ordinances may not  
 783 levy taxes; grant, renew, or extend a franchise; regulate the  
 784 rate charged by any utility for its services; or authorize the  
 785 borrowing of money except as provided in this charter. An  
 786 emergency ordinance or resolution may not establish or amend the  
 787 actual zoning map designation of a parcel or parcels of land or  
 788 that changes the list of permitted, conditional, or prohibited  
 789 uses within a zoning category. An emergency ordinance shall be  
 790 plainly designated as an emergency ordinance and shall contain,  
 791 after the enacting of the clause, a declaration stating that an  
 792 emergency exists and describing the emergency in clear and  
 793 specific terms. An emergency ordinance shall become effective  
 794 upon adoption and automatically stand repealed as of the 61st  
 795 day after the date on which it was adopted. This shall not  
 796 prevent reenactment of an emergency ordinance under regular  
 797 procedures, or if the emergency continues to exist, in the  
 798 manner specified in this subsection.

799           Section 8. Financial management.—

800       (1) FISCAL YEAR.—The fiscal year of the village shall  
801 begin on the first day of October and end on the last day of  
802 September of each year.

803       (2) SUBMISSION OF THE BUDGET AND THE BUDGET MESSAGE.—On or  
804 before the 15th day of July of each year, the village manager  
805 shall submit to the council a budget in accordance with state  
806 law. The budget shall outline the financial policies of the  
807 village for the ensuing fiscal year; describe the important  
808 features of the budget; indicate any major changes from the  
809 current year in financial policy, including any changes in  
810 budgetary accounting methods from the current year's  
811 expenditures and revenues together with the reasons for such  
812 changes; summarize the village's debt position; and include such  
813 other material as the village manager deems necessary.

814       (3) BUDGET.—The budget shall provide a complete financial  
815 plan of all village funds and activities for the ensuing fiscal  
816 year and, except as required by law or this charter, shall be in  
817 such form as the village manager deems desirable or the council  
818 may require for effective management and an understanding of the  
819 relationship between the budget and the village's strategic  
820 goals. The budget shall begin with a clear general summary of  
821 its contents; shall show in detail all estimated revenue,  
822 indicating the proposed property tax levy, and all proposed  
823 expenditures, including debt service, for the ensuing fiscal  
824 year; and shall be so arranged as to show comparative figures  
825 for actual and estimated revenue and expenditures of the current



826 fiscal year and actual revenue and expenditures of the preceding  
827 fiscal year. The budget shall indicate in separate sections:

828 (a) The proposed goals and expenditures for the current  
829 operations during the ensuing fiscal year, detailed for each  
830 fund by department or by other organizational unit, and by  
831 program, purpose, or activity; methods of financing such  
832 expenditures; and methods to measure outcomes and performance  
833 related to the goals.

834 (b) Proposed longer-term goals and capital expenditures  
835 during the ensuing fiscal year, detailed for each fund by  
836 department or by other organization unit when practical, the  
837 proposed method of financing each such capital expenditure, and  
838 the methods used to measure outcomes and performance related to  
839 the goals.

840 (c) The proposed goals, anticipated revenue and expenses,  
841 and profit and loss for the ensuing year for each utility or  
842 other enterprise fund or internal service fund operated by the  
843 village, and methods to measure outcomes and performance related  
844 to goals. For any fund, the total of proposed expenditures shall  
845 not exceed the total of estimated revenue plus carried forward  
846 fund balances exclusive of required reserves.

847 (4) VILLAGE COUNCIL ACTION ON BUDGET.—The council shall  
848 adopt the budget by resolution on or before the 30th day of  
849 September of each year. If the council fails to adopt a budget  
850 by this date, the budget proposed by the village manager shall  
851 go into effect.

852       (5) ADMINISTRATION OF BUDGET.—The council shall provide,  
853 by ordinance, the procedures for administering the budget.

854       (6) BUDGET AMENDMENTS AFTER ADOPTION.—

855       (a) Supplemental appropriations.—If, during or before the  
856 fiscal year, the village manager certifies that there are  
857 available for appropriation revenues in excess of those  
858 estimated in the budget, the council by ordinance may make  
859 supplemental appropriations for the year up to the amount of  
860 such excess.

861       (b) Emergency appropriations.—To address a public  
862 emergency affecting life, health, property, or the public peace,  
863 the council may make emergency appropriations. Such  
864 appropriations may be made by emergency ordinance in accordance  
865 with subsection (3) of section 7. To the extent that there are  
866 no available unappropriated revenues or a sufficient fund  
867 balance to meet such appropriations, the council may by such  
868 emergency ordinance authorize the issuance of emergency notes,  
869 which may be renewed.

870       (c) Reductions of appropriations.—If, at any time during  
871 the fiscal year, it appears probable to the village manager that  
872 the revenues or fund balances available will be insufficient to  
873 finance the expenditures for which appropriations have been  
874 authorized, the village manager shall report to the council  
875 without delay, indicating the estimated amount of the deficit,  
876 any remedial action taken by the village manager, and  
877 recommendations as to any other steps to be taken. The council

878 shall then take such further action as it deems necessary to  
879 prevent or reduce any deficit, and for that purpose it may, by  
880 ordinance, reduce or eliminate one or more appropriations.

881 (d) Transfer of appropriations.—At any time during the  
882 fiscal year, the council may by resolution transfer part or all  
883 of the unencumbered appropriation balance from one department,  
884 fund, service, strategy, or organizational unit to the  
885 appropriation for other departments or organizational units or a  
886 new appropriation. The village manager may transfer funds among  
887 programs within a department, fund, service, strategy, or  
888 organizational unit and shall report such transfers to the  
889 council, in writing, in a timely manner.

890 (e) Limitation; effective date.—No appropriation for debt  
891 service may be reduced or transferred, and no appropriations may  
892 be reduced below any amount required by law to be appropriated,  
893 or by more than the unencumbered balance thereof. The  
894 supplemental and emergency appropriations and reduction of  
895 transfer of appropriations authorized by this section may be  
896 made effective immediately upon adoption.

897 (7) CAPITAL PROGRAM; COUNCIL ACTION ON CAPITAL PROGRAM;  
898 PUBLIC RECORDS.—

899 (a) Capital program.—In conjunction with the submission of  
900 the budget, the village manager shall prepare and submit to the  
901 council a 5-year capital program to include cost estimates, time  
902 schedules, methods of financing, and estimated annual costs of  
903 operation and maintenance for such capital improvements. This

904 capital program shall be revised and extended each year  
905 depending on which capital improvements are still pending or in  
906 process of construction or acquisition.

907 (b) Council action on capital program.—The council shall  
908 publish in one or more newspapers of general circulation within  
909 the village a summary of the capital program and a notice of at  
910 least two public hearings on the capital program. The council,  
911 by resolution, shall adopt the capital program with or without  
912 amendments after the public hearings and on or before the 15th  
913 day of August of the then-current fiscal year.

914 (c) Public records.—Copies of the budget, capital program,  
915 and appropriation and revenue ordinances shall be public records  
916 and shall be made available to the public at suitable and  
917 published access places in the village, and shall be available  
918 for purchase at a reasonable price.

919 (8) ANNUAL INDEPENDENT AUDIT.—The council shall provide  
920 for an annual independent audit of all village accounts and  
921 pursuant to general law may provide for more frequent audits as  
922 it deems necessary. Such audits shall be made by a certified  
923 public accountant or a firm of such accountants who have no  
924 personal interest, direct or indirect, in the fiscal affairs of  
925 the village government or in any of its officers. Residency in  
926 the village shall not be construed as a prohibited interest.

927 (9) SHORTFALLS.—The state is not liable for financial  
928 shortfalls of the village.

929 Section 9. Nominations and elections.—

930           (1) NONPARTISAN ELECTIONS; ELECTORS; QUALIFYING.—  
 931           (a) Nonpartisan elections.—All elections shall be  
 932 conducted on a nonpartisan basis without designation of  
 933 political party affiliation.  
 934           (b) Electors.—Any person who is a resident of the village,  
 935 who has qualified as an elector of this state, and who registers  
 936 as prescribed by law shall be an elector of the village.  
 937           (c) Qualifying.—  
 938           1. Each candidate for village council shall be a qualified  
 939 elector of the village and must reside in the village for at  
 940 least 1 year before the beginning of the qualifying period for  
 941 the office sought.  
 942           2. Any elector of the village who wishes to become a  
 943 candidate for village council shall qualify with the Supervisor  
 944 of Elections of Lee County for the initial election; thereafter,  
 945 candidates shall qualify with the village clerk by providing  
 946 proof of voter registration, current address, or 1 year's  
 947 residency.  
 948           3. The qualifying period for candidates for village  
 949 council shall begin at noon on the second Monday in January of  
 950 odd-numbered years and end at noon on the Friday immediately  
 951 after.  
 952           (2) ELECTIONS.—  
 953           (a) Adoption of Florida Election Code.—All elections  
 954 required under any article or section of this charter shall be  
 955 conducted in accordance with the Florida Election Code, chapters

956 97-106, Florida Statutes, in its entirety and as it is  
957 subsequently amended, except as otherwise provided in this  
958 charter. The council, by ordinance, may adopt such election  
959 procedures as are necessary and as provided by the Florida  
960 Election Code, chapters 97-106, Florida Statutes.

961 (b) At-large elections.—

962 1. The regular election of council members beginning in  
963 2017 will be the first Tuesday in March on each odd-numbered  
964 year.

965 2. Electors may vote for one candidate from each of the  
966 seven council districts. The candidate in each district  
967 receiving the highest number of votes in the village at-large  
968 election shall be elected to such council district.

969 3. The term of office for an elected council member shall  
970 begin on the second Tuesday after the council election, and end  
971 on the Monday immediately before commencement of the following  
972 term.

973 (c) Village canvassing board.—The canvassing board shall  
974 consist of the mayor or council member designated by the mayor,  
975 the village clerk, and the Supervisor of Elections of Lee County  
976 who shall canvass the results. The election results shall be  
977 publicly announced after the election.

978 (3) COUNCIL DISTRICTS; REDISTRICTING.—

979 (a) There shall be seven village council districts. The  
980 districts shall be as roughly equal in permanent population as  
981 practicable according to the population figures available from

982 the most recent Lee County population estimate determined by the  
 983 decennial United States Census. Legal descriptions for the  
 984 village council districts located within the boundary of the  
 985 Village of Estero are as follows:

986  
 987 DISTRICT 1

988  
 989 Commencing at the Northwest section corner of Section  
 990 29, Township 46 South, Range 25 East, also being the  
 991 Point of Beginning (State Plane Coordinate X=709367.49  
 992 Y=768888.62);

993 thence run North 88°50'15" East, for a distance of  
 994 2641.85 feet;

995 thence run North 88°24'49" East, for a distance of  
 996 1988.08 feet;

997 thence run North 89°51'10" East, for a distance of  
 998 30.25 feet to the approximate center line of

999 Breckenridge Drive;

1000 thence run southwesterly along the arc a curve to the  
 1001 right having a radius of 247 feet, through a central  
 1002 angle of 44°53'57" with a chord bearing of South  
 1003 22°4'49" West;

1004 thence run southwesterly along the arc a curve to the  
 1005 left having a radius of 2583.18 feet, through a  
 1006 central angle of 4°3'41" with a chord bearing of South  
 1007 45°15'53" West;

1008 thence run southeasterly along the arc a curve to the  
 1009 left having a radius of 253.24 feet, through a central  
 1010 angle of 92°49'6" with a chord bearing of South  
 1011 5°54'52" East;  
 1012 thence run southeasterly along the arc a curve to the  
 1013 right having a radius of 285.56 feet, through a  
 1014 central angle of 90°12'56" with a chord bearing of  
 1015 South 17°41'1" East;  
 1016 thence run South 34°18'15" West, for a distance of  
 1017 119.36  
 1018 thence run southwesterly along the arc a curve to the  
 1019 left having a radius of 398.15 feet, through a central  
 1020 angle of 53°44'15" with a chord bearing of South  
 1021 3°40'29" West;  
 1022 thence run southeasterly along the arc a curve to the  
 1023 right having a radius of 268.84 feet, through a  
 1024 central angle of 59°51'35" with a chord bearing of  
 1025 South 0°50'50" East;  
 1026 thence run southwesterly along the arc a curve to the  
 1027 left having a radius of 1447.11 feet, through a  
 1028 central angle of 7°18'53" with a chord bearing of  
 1029 South 23°38'42" West;  
 1030 thence run southeasterly along the arc a curve to the  
 1031 left having a radius of 377.67 feet, through a central  
 1032 angle of 79°49'18" with a chord bearing of South  
 1033 23°55'38" East;



1034 thence run southeasterly along the arc a curve to the  
 1035 right having a radius of 119.37 feet, through a  
 1036 central angle of 67°28'31" with a chord bearing of  
 1037 South 27°35'15" East;  
 1038 thence run South 0°59'11" East, for a distance of  
 1039 115.22 feet to the approximate centerline of Boadway  
 1040 Way also being the north line of the south half of  
 1041 Section 29, Township 46 South, Range 25 East;  
 1042 thence run South 89°1'50" West, for a distance of  
 1043 3551.72 feet to the approximate centerline of the FPL  
 1044 ROW;  
 1045 thence run South 21°36'8" East, for a distance of  
 1046 2384.1 feet to the approximate centerline of the  
 1047 Estero River;  
 1048 thence following the approximate center line of the  
 1049 Estero River for 1599.59 feet to a point lying 1328.56  
 1050 feet South 76°37'13" West of the point of intersection  
 1051 of the FPL ROW and the Estero River to the  
 1052 approximate center line of Halfway Creek;  
 1053 thence following the approximate center line of the  
 1054 Halfway Creek for 9365.33 feet to a point lying  
 1055 5640.75 feet South 15°19'02" East of the point of  
 1056 intersection of the center lines of the Estero River  
 1057 and Halfway Creek to the approximate centerline of  
 1058 Williams Road also being the north line of Section 05,  
 1059 Township 45 South, Range 25 East;

1060 thence run North 88°32'36" East, for a distance of  
 1061 3052.76 feet to the approximate centerline of  
 1062 Tropicana Avenue;  
 1063 thence run South 0°15'48" East, for a distance of  
 1064 2675.32 feet to the approximate centerline of an FPL  
 1065 easement;  
 1066 thence run South 21°9'37" East, for a distance of  
 1067 5754.36 feet to the approximately centerline of  
 1068 Coconut Road also being the north line of the south  
 1069 half of Section 09, Township 47 South, Range 25 East;  
 1070 thence run North 89°54'43" East, for a distance of  
 1071 1415.44 feet to the approximate center line of US 41;  
 1072 thence run South 0°37'40" East, for a distance of  
 1073 642.06 feet;  
 1074 Thence run southeasterly along the arc a curve to the  
 1075 left having a radius of 4625.18 feet, through a  
 1076 central angle of 12°3'37" with a chord bearing of  
 1077 South 5°7'30 " East;  
 1078 thence run South 9°39'59" East, for a distance of  
 1079 1007.52 feet to the south line of Section 09, Township  
 1080 47 South, Range 25 East also being the north boundary  
 1081 of the City of Bonita Springs;  
 1082 thence following said municipal boundary, run South  
 1083 88°56'15" West, for a distance of 802.51 feet;  
 1084 thence run South 89°0'41" West, for a distance of  
 1085 2677.09 feet;

1086 thence run North 89°52'21" West, for a distance of  
 1087 2558.77 feet;  
 1088 thence run North 89°52'22" West, for a distance of  
 1089 2524.15 feet to a point on the east line of a  
 1090 conservation easement recorded in Official Records  
 1091 Book 4283 Page 3774, Public Records of Lee County  
 1092 Florida;  
 1093 thence following said boundary for the following 102  
 1094 courses and distances:  
 1095 1. run North 7°58'04" West, for a distance of 16.70  
 1096 feet;  
 1097 2. thence run North 45°8'32" West, for a distance of  
 1098 43.24 feet;  
 1099 3. thence run North 17°34'5" East, for a distance of  
 1100 40.65 feet;  
 1101 4. thence run North 5°37'35" West, for a distance of  
 1102 67.77 feet;  
 1103 5. thence run North 12°23'9" East, for a distance of  
 1104 35.75 feet;  
 1105 6. thence run North 16°15'58" West, for a distance of  
 1106 49.58 feet;  
 1107 7. thence run South 89°13'57" West, for a distance of  
 1108 45.10 feet;  
 1109 8. thence run North 34°56'23" West, for a distance of  
 1110 26.07 feet;

- 1111 |       9. thence run North 47°36'58" East, for a distance of
- 1112 |       27.94 feet;
- 1113 |       10. thence run North 84°33'25" East, for a distance
- 1114 |       of 27.45 feet;
- 1115 |       11. thence run North 12°39'1" West, for a distance of
- 1116 |       39.36 feet;
- 1117 |       12. thence run South 67°34'27" West, for a distance
- 1118 |       of 25.47 feet;
- 1119 |       13. thence run South 86°57'32" West, for a distance
- 1120 |       of 15.9 feet;
- 1121 |       14. thence run North 18°32'6" East, for a distance of
- 1122 |       38.27 feet;
- 1123 |       15. thence run North 14°6'44" East, for a distance of
- 1124 |       27.92 feet;
- 1125 |       16. thence run North 5°32'22" West, for a distance of
- 1126 |       52.47 feet;
- 1127 |       17. thence run North 31°0'48" West, for a distance of
- 1128 |       40.1 feet;
- 1129 |       18. thence run North 12°11'33" West, for a distance
- 1130 |       of 38.89 feet;
- 1131 |       19. thence run North 34°26'29" West, for a distance
- 1132 |       of 51.64 feet;
- 1133 |       20. thence run North 27°10'2" East, for a distance of
- 1134 |       44 feet;
- 1135 |       21. thence run North 57°59'14" East, for a distance
- 1136 |       of 26.21 feet;

- 1137 | 22. thence run North 71°18'6" East, for a distance of
- 1138 | 15.08 feet;
- 1139 | 23. thence run North 1°14'30" West, for a distance of
- 1140 | 20.37 feet;
- 1141 | 24. thence run North 37°39'36" East, for a distance
- 1142 | of 40.08 feet;
- 1143 | 25. thence run North 27°23'35" West, for a distance
- 1144 | of 37.53 feet;
- 1145 | 26. thence run North 19°59'58" West, for a distance
- 1146 | of 78.22 feet;
- 1147 | 27. thence run North 8°14'15" East, for a distance of
- 1148 | 43.31 feet;
- 1149 | 28. thence run North 33°18'17" West, for a distance
- 1150 | of 34.45 feet;
- 1151 | 29. thence run North 2°45'31" West, for a distance of
- 1152 | 35.63 feet;
- 1153 | 30. thence run North 24°55'57" East, for a distance
- 1154 | of 41.9 feet;
- 1155 | 31. thence run North 20°48'56" West, for a distance
- 1156 | of 48.32 feet;
- 1157 | 32. thence run North 9°34'48" East, for a distance of
- 1158 | 44.74 feet;
- 1159 | 33. thence run North 33°12'43" East, for a distance
- 1160 | of 21.35 feet;
- 1161 | 34. thence run North 39°49'37" East, for a distance
- 1162 | of 51.91 feet;

- 1163        35. thence run North 57°48'34" East, for a distance  
 1164        of 26.54 feet;
- 1165        36. thence run North 7°11'44" West, for a distance of  
 1166        30.87 feet;
- 1167        37. thence run North 19°30'39" West, for a distance  
 1168        of 37 feet;
- 1169        38. thence run North 61°42'17" West, for a distance  
 1170        of 63.96 feet;
- 1171        39. thence run North 7°18'24" West, for a distance of  
 1172        39.41 feet;
- 1173        40. thence run North 48°46'20" West, for a distance  
 1174        of 23.96 feet;
- 1175        41. thence run North 48°17'57" East, for a distance  
 1176        of 25.07 feet;
- 1177        42. thence run North 19°49'2" East, for a distance of  
 1178        36.2 feet;
- 1179        43. thence run North 42°37'8" East, for a distance of  
 1180        36.84 feet;
- 1181        44. thence run North 25°24'38" East, for a distance  
 1182        of 13.47 feet;
- 1183        45. thence run North 63°28'6" East, for a distance of  
 1184        28.23 feet;
- 1185        46. thence run North 21°50'28" East, for a distance  
 1186        of 36.79 feet;
- 1187        47. thence run North 26°54'16" East, for a distance  
 1188        of 22.25 feet;

- 1189     48. thence run North 36°13'51" East, for a distance
- 1190     of 33.3 feet;
- 1191     49. thence run North 0°32'0" East, for a distance of
- 1192     23.73 feet;
- 1193     50. thence run North 39°41'4" West, for a distance of
- 1194     35.54 feet;
- 1195     51. thence run North 3°17'09" West, for a distance of
- 1196     19.29 feet;
- 1197     52. thence run North 47°19'30" West, for a distance
- 1198     of 50.06 feet;
- 1199     53. thence run North 40°59'54" West, for a distance
- 1200     of 20.68 feet;
- 1201     54. thence run North 22°8'4" East, for a distance of
- 1202     21.15 feet;
- 1203     55. thence run North 58°55'16" East, for a distance
- 1204     of 31.96 feet;
- 1205     56. thence run South 82°15'2" East, for a distance of
- 1206     13.75 feet;
- 1207     57. thence run South 41°43'16" West, for a distance
- 1208     of 24.56 feet;
- 1209     58. thence run South 35°50'4" East, for a distance of
- 1210     42.22 feet;
- 1211     59. thence run South 53°20'16" East, for a distance
- 1212     of 28.47 feet;
- 1213     60. thence run North 54°36'26" East, for a distance
- 1214     of 44.61 feet;

- 1215        61. thence run South 67°33'53" East, for a distance
- 1216        of 23.5 feet;
- 1217        62. thence run South 71°14'30" East, for a distance
- 1218        of 22.95 feet;
- 1219        63. thence run North 41°44'9" East, for a distance of
- 1220        15.79 feet;
- 1221        64. thence run North 56°23'0" West, for a distance of
- 1222        28.55 feet;
- 1223        65. thence run North 86°12'55" West, for a distance
- 1224        of 20.51 feet;
- 1225        66. thence run North 12°12'57" West, for a distance
- 1226        of 22.75 feet;
- 1227        67. thence run North 58°7'12" West, for a distance of
- 1228        25.45 feet;
- 1229        68. thence run North 11°26'36" East, for a distance
- 1230        of 19.74 feet;
- 1231        69. thence run North 14°57'51" East, for a distance
- 1232        of 38.06 feet;
- 1233        70. thence run South 60°50'8" East, for a distance of
- 1234        22.14 feet;
- 1235        71. thence run South 78°36'49" East, for a distance
- 1236        of 29.64 feet;
- 1237        72. thence run South 82°28'58" East, for a distance
- 1238        of 22.54 feet;
- 1239        73. thence run North 12°4'44" East, for a distance of
- 1240        31.95 feet;



- 1241        74. thence run North 28°14'30" West, for a distance
- 1242        of 18.56 feet;
- 1243        75. thence run North 60°7'55" West, for a distance of
- 1244        30.22 feet;
- 1245        76. thence run North 59°45'12" West, for a distance
- 1246        of 25.96 feet;
- 1247        77. thence run North 15°52'35" East, for a distance
- 1248        of 34.51 feet;
- 1249        78. thence run North 83°34'30" West, for a distance
- 1250        of 24.52 feet;
- 1251        79. thence run North 42°24'51" West, for a distance
- 1252        of 36.16 feet;
- 1253        80. thence run North 41°58'46" West, for a distance
- 1254        of 40.98 feet;
- 1255        81. thence run North 79°48'7" West, for a distance of
- 1256        48.5 feet;
- 1257        82. thence run North 46°4'37" East, for a distance of
- 1258        27.43 feet;
- 1259        83. thence run North 31°0'38" East, for a distance of
- 1260        25.53 feet;
- 1261        84. thence run North 14°42'48" East, for a distance
- 1262        of 28.87 feet;
- 1263        85. thence run South 70°5'51" East, for a distance of
- 1264        36.5 feet;
- 1265        86. thence run South 54°46'17" East, for a distance
- 1266        of 19.72 feet;

- 1267 87. thence run South 79°21'50" East, for a distance  
 1268 of 24.88 feet;
- 1269 88. thence run South 71°44'14" East, for a distance  
 1270 of 18.15 feet;
- 1271 89. thence run North 86°51'4" East, for a distance of  
 1272 39.79 feet;
- 1273 90. thence run North 34°0'38" East, for a distance of  
 1274 22.57 feet;
- 1275 91. thence run North 6°30'32" East, for a distance of  
 1276 20.53 feet;
- 1277 92. thence run North 50°42'32" West, for a distance  
 1278 of 25.83 feet;
- 1279 93. thence run North 58°26'34" West, for a distance  
 1280 of 32.79 feet;
- 1281 94. thence run South 76°58'32" West, for a distance  
 1282 of 32.43 feet;
- 1283 95. thence run North 80°3'12" West, for a distance of  
 1284 25.81 feet;
- 1285 96. thence run North 1°58'43" East, for a distance of  
 1286 35.44 feet;
- 1287 97. thence run North 17°31'4" East, for a distance of  
 1288 24.03 feet;
- 1289 98. thence run South 83°9'35" West, for a distance of  
 1290 75.71 feet;
- 1291 99. thence run North 14°12'53" East, for a distance  
 1292 of 28.04 feet;

1293 100. thence run North 22°41'2" West, for a distance  
 1294 of 9.38 feet;  
 1295 101. thence run North 38°25'26" East, for a distance  
 1296 of 13.31 feet;  
 1297 102. thence run North 13°27'24" East, for a distance  
 1298 of 68.12 feet to the northwest corner of Conservation  
 1299 Easement number 14, recorded in Official Records Book  
 1300 3094, Page 3234, Public Records of Lee County Florida;  
 1301 thence along said boundary for the following four (4)  
 1302 courses and distances:  
 1303 1. run North 75°38'7" East, for a distance of 112.79  
 1304 feet;  
 1305 2. thence run South 19°8'7" East, for a distance of  
 1306 117.08 feet;  
 1307 3. thence run South 53°3'31" East, for a distance of  
 1308 119.51 feet;  
 1309 4. thence run South 34°45'41" East, for a distance of  
 1310 134.67 feet;  
 1311 thence run North 29°52'39" East, for a distance of  
 1312 22.93 feet;  
 1313 Thence run northeasterly along the arc a curve to the  
 1314 left having a radius of 99.98 feet, through a central  
 1315 angle of 14°44'42" with a chord bearing of North  
 1316 22°30'22 " East;  
 1317 Thence run northeasterly along the arc a curve to the  
 1318 right having a radius of 104.66 feet, through a

1319 central angle of 54°40'21" with a chord bearing of  
1320 North 42°22'25" East;  
1321 Thence run northeasterly along the arc a curve to the  
1322 left having a radius of 99.92 feet, through a central  
1323 angle of 28°2'33" with a chord bearing of North  
1324 55°36'0" East;  
1325 thence run North 41°35'17" East, for a distance of  
1326 46.9 feet;  
1327 thence run North 47°26'14" East, for a distance of  
1328 466.86 feet;  
1329 thence run North 63°30'43" East, for a distance of  
1330 230.57 feet;  
1331 thence run South 89°48'2" East, for a distance of  
1332 34.12 feet;  
1333 thence run North 0°11'43" East, for a distance of  
1334 82.19 feet;  
1335 thence run North 50°54'15" West, for a distance of  
1336 143.04 feet;  
1337 thence run North 74°36'32" West, for a distance of  
1338 58.19 feet;  
1339 thence run North 0°17'51" East, for a distance of  
1340 47.01 feet;  
1341 thence run North 89°43'6" West, for a distance of  
1342 904.21 feet;  
1343 thence run North 89°43'19" West, for a distance of  
1344 45.84 feet;

1345 thence run South 0°50'2" East, for a distance of 625  
 1346 feet;  
 1347 thence run South 89°13'27" West, for a distance of  
 1348 1107.21 feet;  
 1349 thence run North 0°46'33" West, for a distance of 650  
 1350 feet;  
 1351 thence run South 89°13'28" West, for a distance of  
 1352 9.44 feet;  
 1353 thence run North 0°16'13" East, for a distance of  
 1354 219.3 feet;  
 1355 thence run North 3°47'55" West, for a distance of 202  
 1356 feet;  
 1357 thence run South 89°13'6" West, for a distance of  
 1358 75.49 feet;  
 1359 thence run South 81°53'4" West, for a distance of  
 1360 115.98 feet;  
 1361 thence run North 0°54'46" West, for a distance of  
 1362 42.12 feet;  
 1363 thence run North 78°19'31" East, for a distance of  
 1364 121.8 feet;  
 1365 thence run North 9°17'44" West, for a distance of  
 1366 199.5 feet;  
 1367 thence run South 89°5'16" West, for a distance of 549  
 1368 feet to the intersection with the water of the Estero  
 1369 Bay;

1370 thence following the waters of the Estero Bay for  
 1371 50,680.08 feet to a point lying 20,165.26 feet North  
 1372 19°37'46" West of the point of intersection of the  
 1373 waters of the Estero Bay and the north section line of  
 1374 Section 25, Township 46 South, Range 24 East to the  
 1375 north line of Section 25, Township 46 South, Range 24  
 1376 East;  
 1377 thence run along the north section lines of Section  
 1378 25, Township 46 South, Range 24 East and Section 30,  
 1379 Township 46 South, Range 25 East the following  
 1380 courses; North 89°32'47" East, for a distance of  
 1381 2719.61 feet;  
 1382 thence run South 68°7'41" East, for a distance of  
 1383 182.45 feet;  
 1384 thence run South 66°45'23" East, for a distance of  
 1385 2831.06 feet;  
 1386 thence run North 88°54'14" East, for a distance of  
 1387 2629.27 feet to the point of beginning.

1388

1389 LESS AND EXCEPT:

1390

1391

1392 The East Half (E-1/2) of the Northwest Quarter (NW-  
 1393 1/4) and the West Half (W 1/2) of the West Half (W-  
 1394 1/2) of the Northeast Quarter (NE-1/4) of Section 8,

1395 Township 47 South, Range 25 East, less the south 40  
 1396 feet for the Coconut Road Right-of-way.  
 1397  
 1398 District Contains 4,128.3 Acres More Or Less  
 1399  
 1400 DISTRICT 2  
 1401  
 1402 Commencing at the west quarter corner of Section 28,  
 1403 Township 46 South, Range 25 East, also being the Point  
 1404 of Beginning (state plane coordinates X= 714693.75  
 1405 Y=766374.94)  
 1406 thence run North 89°49'35" East, for a distance of  
 1407 3330.54 feet to the approximate center line of US 41;  
 1408 thence run South 1°50'8" East, for a distance of  
 1409 3921.45  
 1410 thence run southwesterly along the arc a curve to the  
 1411 right having a radius of 14466.75 feet, through a  
 1412 central angle of 3°33'47" with a chord bearing of  
 1413 South 3°44'45" West;  
 1414 thence run South 5°9'37" West, for a distance of  
 1415 3075.17 feet;  
 1416 thence run South 4°39'27" West, for a distance of  
 1417 1352.53  
 1418 thence run southeasterly along the arc a curve to the  
 1419 left having a radius of 7063.4 feet, through a central

1420 angle of 15°6'59" with a chord bearing of South  
 1421 1°20'18" East;  
 1422 thence run South 6°55'41" East, for a distance of  
 1423 2662.67  
 1424 thence run southeasterly along the arc a curve to the  
 1425 right having a radius of 8613.59 feet, through a  
 1426 central angle of 8°51'44" with a chord bearing of  
 1427 South 3°44'22" East;  
 1428 thence run South 0°37'40" East, for a distance of  
 1429 942.23 feet to the approximately centerline of Coconut  
 1430 Road also being the north line of the south half of  
 1431 Section 09, Township 47 South, Range 25 East;  
 1432 thence run South 89°54'43" West, for a distance of  
 1433 1415.44 feet to the approximate centerline of an FPL  
 1434 easement;  
 1435 thence run North 21°9'37" West, for a distance of  
 1436 5754.36 feet to the approximate centerline of  
 1437 Tropicana Avenue;  
 1438 thence run North 0°15'48" West, for a distance of  
 1439 2675.32 feet to the approximate centerline of Williams  
 1440 Road also being the north line of Section 05, Township  
 1441 45 South, Range 25 East;  
 1442 thence run South 88°32'36" West, for a distance of  
 1443 3052.76 feet to the approximate center line of Halfway  
 1444 Creek;



1445 thence following the approximate center line of the  
 1446 Halfway Creek for 9365.33 feet to a point lying  
 1447 5640.75 feet North 15°19'02" West of the point of  
 1448 intersection of the center lines of the Williams Road  
 1449 and Halfway Creek to the approximate centerline of the  
 1450 Estero River;  
 1451 thence following the approximate center line of the  
 1452 Estero River for 1599.59 feet to a point lying 1328.56  
 1453 feet North 76°37'13" East of the point of intersection  
 1454 of Halfway Creek and the Estero River to the FPL ROW;  
 1455 thence run North 21°36'8" West, for a distance of  
 1456 2384.1 feet to the approximate centerline of Boadway  
 1457 Way also being the north line of the south half of  
 1458 Section 29, Township 46 South, Range 25 East;  
 1459 thence run North 88°55'55" East, for a distance of  
 1460 3183.58 feet;  
 1461 thence run North 89°48'50" East, for a distance of  
 1462 368.19 feet;  
 1463 thence run North 89°48'50" East, for a distance of  
 1464 608.14 feet to the point of beginning.

1465  
 1466 District Contains 1,769.65 Acres More Or Less

1467  
 1468 DISTRICT 3  
 1469

1470 Commencing at the northeast corner of Section 21,  
 1471 Township 46 South, Range 25 East, also being the Point  
 1472 of Beginning (state plane coordinates X= 714583.39  
 1473 Y=774315.45);  
 1474 thence run along the north section line of Section 21,  
 1475 Township 46 South, Range 25 East, South 88°49'16"  
 1476 East, for a distance of 2649.92 feet;  
 1477 thence run South 89°29'33" East, for a distance of  
 1478 2628.25 feet;  
 1479 thence run South 0°53'55" East, for a distance of  
 1480 2646.15 feet to the north line of the southwest  
 1481 quarter of Section 21, Township 46 South, Range 25  
 1482 East;  
 1483 thence run North 89°15'56" East, for a distance of  
 1484 2658.71 feet;  
 1485 thence run South 0°38'38" East, for a distance of  
 1486 2574.91 feet;  
 1487 thence run North 88°38'34" East, for a distance of  
 1488 2590.9 feet;  
 1489 thence run North 0°52'40" East, for a distance of  
 1490 2547.76 feet to the north line of the southwest  
 1491 quarter of Section 22, Township 46 South, Range 25  
 1492 East;  
 1493 thence run North 89°16'11" East, for a distance of  
 1494 664.59 feet to the west ROW line of INTERSTATE 75;

1495 thence run South 16°27'23" East, for a distance of  
 1496 2671.61 feet to the north line of Section 26, Township  
 1497 46 South, Range 25 East;  
 1498 thence run South 89°44'7" East, for a distance of  
 1499 230.64 feet to the approximate centerline of  
 1500 INTERSTATE 75;  
 1501 thence run South 18°17'40" East, for a distance of  
 1502 1432.27 feet;  
 1503 thence run South 89°51'10" West, for a distance of  
 1504 2038.08 feet to the approximate centerline of Three  
 1505 Oaks Parkway;  
 1506 thence run South 1°18'28" East, for a distance of  
 1507 1272.84 feet to the north line of the south half of  
 1508 Section 26, Township 46 South, Range 25 East;  
 1509 thence run South 89°11'8" West, for a distance of  
 1510 71.58 feet;  
 1511 thence run South 89°11'9" West, for a distance of  
 1512 5263.51 feet;  
 1513 thence run South 89°49'3" West, for a distance of  
 1514 599.42 feet to the approximately centerline of the  
 1515 Seaboard Coast Line Railroad ROW;  
 1516 thence run northwesterly along the arc a curve to the  
 1517 left having a radius of 2968.18 feet, through a  
 1518 central angle of 34°4'42" with a chord bearing of  
 1519 North 17°54'8" West;

1520 thence run North 32°1'23" West, for a distance of  
 1521 1191.76 feet to the approximate centerline of Estero  
 1522 Parkway;  
 1523 thence run North 85°53'31" West, for a distance of  
 1524 1260.18 feet;  
 1525 thence run southwesterly along the arc a curve to the  
 1526 left having a radius of 1124.38 feet, through a  
 1527 central angle of 42°53'44" with a chord bearing of  
 1528 South 74°19'14" West;  
 1529 thence run South 52°16'30" West, for a distance of  
 1530 465.33 feet to the approximate centerline of US 41;  
 1531 thence run North 36°48'36" West, for a distance of  
 1532 1926.3 feet to the west line of Section 21, Township  
 1533 46 South, 25 East;  
 1534 thence run North 0°46'18" West, for a distance of  
 1535 162.01 feet to the east ROW line of US41;  
 1536 thence run North 36°55'0" West, for a distance of  
 1537 806.81 feet;  
 1538 thence run North 89°15'26" East, for a distance of  
 1539 475.88 feet to the east line of Section 21, Township  
 1540 46 South, 25 East;  
 1541 thence run North 0°46'16" West, for a distance of  
 1542 659.7 feet;  
 1543 thence run North 0°47'43" West, for a distance of  
 1544 2661.71 feet to the point of beginning.

1546 District Contains 1286.59 Acres More Or Less  
 1547  
 1548 DISTRICT 4  
 1549  
 1550 Commencing at the west quarter corner of Section 28,  
 1551 Township 46 South, Range 25 East, also being the Point  
 1552 of Beginning (state plane coordinates X=714693.75  
 1553 Y=766374.94 feet);  
 1554 thence run North 89°49'35" East, for a distance of  
 1555 3330.54 feet to the approximate center line of US 41;  
 1556 thence run South 1°50'8" East, for a distance of  
 1557 3921.45 feet to the approximate centerline of  
 1558 Corkscrew Road;  
 1559 thence run North 89°46'44" East, for a distance of  
 1560 9317.45  
 1561 thence run northeasterly along the arc a curve to the  
 1562 left having a radius of 3230.33 feet, through a  
 1563 central angle of 26°59'33" with a chord bearing of  
 1564 North 73°48'1" East to the approximate centerline of  
 1565 the INTERSTATE 75 ROW;  
 1566 thence run North 18°17'40" West, for a distance of  
 1567 5079.82 feet;  
 1568 thence run South 89°51'16" West, for a distance of  
 1569 2038.1 feet to the approximate centerline of the Three  
 1570 Oaks Parkway ROW;

1571 thence run South 1°18'28" East, for a distance of  
 1572 1272.84 feet to the north line of the south half of  
 1573 Section 26, Township 46 South, Range 25 East;  
 1574 thence run South 89°11'8" West, for a distance of  
 1575 71.58 feet;  
 1576 thence run South 89°11'9" West, for a distance of  
 1577 5263.51 feet;  
 1578 thence run South 89°49'3" West, for a distance of  
 1579 599.42 feet to the approximately centerline of the  
 1580 Seaboard Coast Line Railroad ROW;  
 1581 thence run northwesterly along the arc a curve to the  
 1582 left having a radius of 2968.18 feet, through a  
 1583 central angle of 34°4'42" with a chord bearing of  
 1584 North 17°54'8" West;  
 1585 thence run North 32°1'23" West, for a distance of  
 1586 1191.76 feet to the approximate centerline of Estero  
 1587 Parkway;  
 1588 thence run North 85°53'31" West, for a distance of  
 1589 1260.18 feet;  
 1590 thence run southwesterly along the arc a curve to the  
 1591 left having a radius of 1124.38 feet, through a  
 1592 central angle of 42°53'44" with a chord bearing of  
 1593 South 74°19'14" West;  
 1594 thence run South 52°16'30" West, for a distance of  
 1595 465.33 feet to the approximate centerline of US 41;

1596 thence run North 36°48'36" West, for a distance of  
 1597 1926.3 feet to the west line of Section 21, Township  
 1598 46 South, 25 East;  
 1599 thence run South 0°46'28" East, for a distance of  
 1600 177.04 feet to the intersection of said section line  
 1601 the northeast boundary of the Breckenridge  
 1602 Professional Center;  
 1603 thence run North 36°54'58" West, for a distance of  
 1604 97.87 feet;  
 1605 thence run North 36°55'10" West, for a distance of  
 1606 277.55 feet;  
 1607 thence run South 88°39'22" West, for a distance of  
 1608 76.95 feet;  
 1609 thence run South 17°23'50" West, for a distance of  
 1610 62.04 feet;  
 1611 thence run South 38°56'0" East, for a distance of  
 1612 286.25 feet;  
 1613 thence run South 52°56'45" West, for a distance of  
 1614 23.92 feet;  
 1615 thence run South 88°30'1" West, for a distance of  
 1616 498.56 feet;  
 1617 thence run South 0°41'56" East, for a distance of  
 1618 995.94 feet;  
 1619 thence run North 89°50'17" East, for a distance of  
 1620 30.24 feet to the approximately centerline of  
 1621 Breckenridge Drive;

1622 thence run southwesterly along the arc a curve to the  
 1623 right having a radius of 247 feet, through a central  
 1624 angle of 44°53'57" with a chord bearing of South  
 1625 22°4'49" West;  
 1626 thence run southwesterly along the arc a curve to the  
 1627 left having a radius of 2583.18 feet, through a  
 1628 central angle of 4°3'41" with a chord bearing of South  
 1629 45°15'53" West;  
 1630 thence run southeasterly along the arc a curve to the  
 1631 left having a radius of 253.24 feet, through a central  
 1632 angle of 92°49'6" with a chord bearing of South  
 1633 5°54'52" East;  
 1634 thence run southeasterly along the arc a curve to the  
 1635 right having a radius of 285.56 feet, through a  
 1636 central angle of 90°12'56" with a chord bearing of  
 1637 South 17°41'1" East;  
 1638 thence run South 34°18'15" West, for a distance of  
 1639 119.36  
 1640 thence run southwesterly along the arc a curve to the  
 1641 left having a radius of 398.15 feet, through a central  
 1642 angle of 53°44'15" with a chord bearing of South  
 1643 3°40'29" West;  
 1644 thence run southeasterly along the arc a curve to the  
 1645 right having a radius of 268.84 feet, through a  
 1646 central angle of 59°51'35" with a chord bearing of  
 1647 South 0°50'50" East;



1648 thence run southwesterly along the arc a curve to the  
 1649 left having a radius of 1447.11 feet, through a  
 1650 central angle of 7°18'53" with a chord bearing of  
 1651 South 23°38'42" West;  
 1652 thence run southeasterly along the arc a curve to the  
 1653 left having a radius of 377.67 feet, through a central  
 1654 angle of 79°49'18" with a chord bearing of South  
 1655 23°55'38" East;  
 1656 thence run southeasterly along the arc a curve to the  
 1657 right having a radius of 119.37 feet, through a  
 1658 central angle of 67°28'31" with a chord bearing of  
 1659 South 27°35'15" East;  
 1660 thence run South 0°59'11" East, for a distance of  
 1661 114.77 feet to the approximate centerline of Boadway  
 1662 Way also being the north line of the south half of  
 1663 Section 29, Township 46 South, Range 25 East;  
 1664 thence run North 89°48'50" East, for a distance of  
 1665 608.13 feet to the point of beginning.

1666  
 1667 District Contains 1327.54 Acres More Or Less

1669 DISTRICT 5

1670  
 1671 Commencing at the southwest corner of Section 36,  
 1672 Township 46 South, Range 25 East, also being the Point

1673 of Beginning (state plane coordinates X=735937.6  
 1674 Y=758567.2);  
 1675 thence following the south section lines of Sections  
 1676 36, 35, 34, and 33, Township 46 South Range 25 East  
 1677 for 7 courses: run South 89°21'40" West, for a  
 1678 distance of 2638.23 feet;  
 1679 thence run North 88°39'21" West, for a distance of  
 1680 2631.26 feet;  
 1681 thence run South 89°50'15" West, for a distance of  
 1682 2639.64 feet;  
 1683 thence run South 89°50'34" West, for a distance of  
 1684 2641.62 feet;  
 1685 thence run South 89°52'7" West, for a distance of  
 1686 2639.37 feet;  
 1687 thence run South 89°51'22" West, for a distance of  
 1688 2647.56 feet;  
 1689 thence run South 88°19'39" West, for a distance of  
 1690 2287.28 feet to the approximate centerline of US 41;  
 1691 thence run North 5°9'37" East, for a distance of  
 1692 3075.17  
 1693 thence run northeasterly along the arc a curve to the  
 1694 left having a radius of 14466.75 feet, through a  
 1695 central angle of 3°33'47" with a chord bearing of  
 1696 North 3°44'45" East to the approximate centerline of  
 1697 Corkscrew Road;

1698 thence run North 89°46'44" East, for a distance of  
 1699 9317.45  
 1700 thence run northeasterly along the arc a curve to the  
 1701 left having a radius of 3230.33 feet, through a  
 1702 central angle of 26°59'33" with a chord bearing of  
 1703 North 73°48'1" East to the approximated centerline of  
 1704 the INTERSTATE 75 ROW;  
 1705 thence run North 18°17'40" West, for a distance of  
 1706 5079.82 feet;  
 1707 thence run North 18°17'40" West, for a distance of  
 1708 1432.34 feet to the north line of Section 26, Township  
 1709 46 South, Range 25 East;  
 1710 thence run South 89°45'8" East, for a distance of  
 1711 997.08 feet;  
 1712 thence run South 89°44'35" East, for a distance of  
 1713 2107.98 feet to the approximate centerline of Ben Hill  
 1714 Griffin Parkway;  
 1715 thence run South 0°0'19" West, for a distance of  
 1716 1064.21  
 1717 thence run southeasterly along the arc a curve to the  
 1718 left having a radius of 2214.94 feet, through a  
 1719 central angle of 23°23'51" with a chord bearing of  
 1720 South 16°20'0" East;  
 1721 thence run South 31°40'32" East, for a distance of  
 1722 719.1

1723 thence run southeasterly along the arc a curve to the  
 1724 right having a radius of 2223.22 feet, through a  
 1725 central angle of 26°27'22" with a chord bearing of  
 1726 South 22°6'3" East;  
 1727 thence run South 6°27'32" East, for a distance of  
 1728 416.71 feet;  
 1729 thence run South 7°40'1" East, for a distance of  
 1730 136.64  
 1731 thence run southeasterly along the arc a curve to the  
 1732 left having a radius of 1451.88 feet, through a  
 1733 central angle of 21°34'34" with a chord bearing of  
 1734 South 18°26'6" East;  
 1735 thence run South 29°39'33" East, for a distance of  
 1736 302.71 feet to the approximate centerline of Corkscrew  
 1737 Road;  
 1738 thence run North 62°15'53" East, for a distance of  
 1739 5042.42 feet to the west line of Section 25, Township  
 1740 46 South, Range 25 East;  
 1741 thence run South 1°2'2" East, for a distance of 135.83  
 1742 feet;  
 1743 thence run South 1°4'45" East, for a distance of  
 1744 2642.78 feet;  
 1745 thence run South 0°33'4" East, for a distance of  
 1746 2640.43 feet;  
 1747 thence run South 0°27'27" East, for a distance of  
 1748 2643.53 feet to the point of beginning.

1749  
 1750 District Contains 2348.31 Acres More Or Less  
 1751  
 1752 DISTRICT 6  
 1753  
 1754 Commencing at the southwest corner of Section 09,  
 1755 Township 47 South, Range 25 East, also being the Point  
 1756 of Beginning (state plane coordinates X=718429.44  
 1757 Y=747782.96);  
 1758 Thence run South 88°56'16" West, for a distance of  
 1759 1847.35 feet to the approximate centerline of US 41;  
 1760 thence run North 9°39'59" West, for a distance of  
 1761 1007.52 feet;  
 1762 thence run northwesterly along the arc a curve to the  
 1763 right having a radius of 4625.18 feet, through a  
 1764 central angle of 12°3'37" with a chord bearing of  
 1765 North 5°7'30" West;  
 1766 thence run North 0°37'53" West, for a distance of  
 1767 642.06 feet;  
 1768 thence run North 0°37'40" West, for a distance of  
 1769 923.23 feet;  
 1770 thence run northwesterly along the arc a curve to the  
 1771 left having a radius of 8613.59 feet, through a  
 1772 central angle of 8°51'44" with a chord bearing of  
 1773 North 3°44'22" West;

1774 thence run North 6°55'41" West, for a distance of  
 1775 2662.67 feet;  
 1776 thence run northwesterly along the arc a curve to the  
 1777 right having a radius of 7063.40 feet, through a  
 1778 central angle of 15°6'59" with a chord bearing of  
 1779 North 1°20'18" West to the north line of Section 04,  
 1780 Township 47 South, Range 25 East;  
 1781 thence run North 4°39'27" East, for a distance of  
 1782 1352.53 feet;  
 1783 thence run North 88°19'39" East, for a distance of  
 1784 2287.28 feet;  
 1785 thence run North 89°51'22" East, for a distance of  
 1786 2647.56 feet;  
 1787 thence run North 89°52'7" East, for a distance of  
 1788 2639.37 feet;  
 1789 thence run North 89°50'34" East, for a distance of  
 1790 2641.62 feet;  
 1791 thence run North 89°50'15" East, for a distance of  
 1792 2639.65 feet to the northeast corner of Section 02,  
 1793 Township 47 South, Range 25 East;  
 1794 thence run South 1°13'18" East, for a distance of  
 1795 2678.29 feet;  
 1796 thence run South 1°13'32" East, for a distance of  
 1797 2655.29 feet;  
 1798 thence run South 0°55'29" East, for a distance of  
 1799 3018.01 feet;

1800 thence run South 0°55'30" East, for a distance of  
 1801 3018.02 feet to the southeast corner of Section 11,  
 1802 Township 47 South, Range 25 East;  
 1803 thence run North 82°32'47" West, for a distance of  
 1804 2623.46 feet;  
 1805 thence run North 82°29'22" West, for a distance of  
 1806 2698.35 feet;  
 1807 thence run South 88°50'21" West, for a distance of  
 1808 2665.25 feet;  
 1809 thence run South 88°50'38" West, for a distance of  
 1810 2663.15 feet to the point of beginning.

1811  
 1812 District Contains 4388 Acres More Or Less

1813  
 1814 DISTRICT 7

1815  
 1816 Commencing at the southwest corner of Section 31,  
 1817 Township 46 South, Range 26 East, also being the Point  
 1818 of Beginning (state plane coordinates X=735937.47  
 1819 Y=758567.08 feet;  
 1820 thence run North 89°40'8" East, for a distance of  
 1821 2638.47 feet;  
 1822 thence run North 89°15'55" East, for a distance of  
 1823 2632.21 feet;  
 1824 thence run North 89°7'38" East, for a distance of  
 1825 2643.33 feet;

1826 thence run North 89°6'9" East, for a distance of  
 1827 2641.82 feet to the southeast corner of Section 32,  
 1828 Township 46 South, Range 26 East;  
 1829 thence run North 0°20'14" East, for a distance of  
 1830 2637.31 feet;  
 1831 thence run North 0°21'15" East, for a distance of  
 1832 2630.02 feet;  
 1833 thence run North 2°7'56" West, for a distance of  
 1834 2645.68 feet;  
 1835 thence run North 2°7'47" West, for a distance of  
 1836 2646.39 feet;  
 1837 thence run North 1°9'40" West, for a distance of  
 1838 825.71 feet to the approximate centerline of Corkscrew  
 1839 Road;  
 1840 thence run South 86°34'11" West, for a distance of  
 1841 4481.93 feet;  
 1842 thence run southwesterly along the arc a curve to the  
 1843 left having a radius of 893.4 feet, through a central  
 1844 angle of 21°54'30" with a chord bearing of South  
 1845 75°0'11" West;  
 1846 thence run South 61°50'19" West, for a distance of  
 1847 1130.65 feet to the north line of Section 30, Township  
 1848 46 South, Range 26 East;  
 1849 thence run South 89°21'59" West, for a distance of  
 1850 2100.77 feet;



1851 thence run South 89°21'54" West, for a distance of  
 1852 2607.66 feet;  
 1853 thence run South 89°28'25" West, for a distance of  
 1854 2624.95 feet;  
 1855 thence run South 89°28'10" West, for a distance of  
 1856 2624.89 feet;  
 1857 thence run North 89°44'35" West, for a distance of  
 1858 578.31 feet to the approximate centerline of Ben Hill  
 1859 Griffin Parkway;  
 1860 thence run South 0°0'19" West, for a distance of  
 1861 1064.21  
 1862 thence run northwesterly along the arc a curve to the  
 1863 left having a radius of 2214.94 feet, through a  
 1864 central angle of 23°23'51" with a chord bearing of  
 1865 South 16°20'0" East;  
 1866 thence run South 31°40'32" East, for a distance of  
 1867 719.1  
 1868 thence run northwesterly along the arc a curve to the  
 1869 right having a radius of 2223.22 feet, through a  
 1870 central angle of 26°27'22" with a chord bearing of  
 1871 South 22°6'3" East;  
 1872 thence run South 6°27'32" East, for a distance of  
 1873 416.71 feet;  
 1874 thence run South 7°40'1" East, for a distance of  
 1875 136.64

1876 thence run northwesterly along the arc a curve to the  
 1877 left having a radius of 1451.88 feet, through a  
 1878 central angle of 21°34'34" with a chord bearing of  
 1879 South 18°26'6" East;  
 1880 thence run South 29°39'33" East, for a distance of  
 1881 302.71 feet to the approximate centerline of Corkscrew  
 1882 Road;  
 1883 thence run North 62°15'53" East, for a distance of  
 1884 5042.42 feet to the east line of Section 30, Township  
 1885 46 South, Range 26 East;  
 1886 thence run South 1°2'2" East, for a distance of 135.83  
 1887 feet;  
 1888 thence run South 1°4'45" East, for a distance of  
 1889 2642.78 feet;  
 1890 thence run South 0°33'4" East, for a distance of  
 1891 2640.43 feet;  
 1892 thence run South 0°27'27" East, for a distance of  
 1893 2643.53 feet to the point of beginning.

1894  
 1895 District Contains 2683 Acres More Or Less

1896  
 1897 Population figures are from 2010 United States Census using  
 1898 census block level data. The bearings and distances are based on  
 1899 the State Plane Coordinates System Florida Zone West NAD 83  
 1900 (CORS).

1901           (b) In the year 2015, and in odd-numbered years after each  
 1902 decennial United States Census thereafter, and at any time  
 1903 required by law, the council may redivide the village into seven  
 1904 districts as roughly equal in permanent population as practical.

1905           (4) RECALL.—The qualified voters of the village shall have  
 1906 the power to remove from office an elected official for  
 1907 unethical or illegal conduct or actions resulting in the  
 1908 endangerment of the public health and safety, malfeasance of  
 1909 office, or dereliction of duties. In order to recall a council  
 1910 member, at least 25 percent of the total number of electors  
 1911 registered to vote in the last regular village election within  
 1912 the district shall be needed to sign a petition to recall the  
 1913 council member from his or her district seat. If said number of  
 1914 signatures is collected and certified by the Supervisor of  
 1915 Elections of Lee County, a special recall election shall be held  
 1916 no later than 90 days after such certification. A recall  
 1917 election shall be held as provided for by the Florida Election  
 1918 Code.

1919           Section 10. Initiative and referendum.—The powers of  
 1920 initiative and referendum are reserved to the qualified  
 1921 registered voters of the village. The election laws of the  
 1922 state, as they currently exist or may hereafter be amended or  
 1923 superseded, shall govern the exercise of the powers of  
 1924 initiative and referendum under this charter.

1925           Section 11. General provisions.—

1926       (1) CODE OF ETHICS.—It is essential to the proper conduct  
1927 and operation of the village that the officers and employees of  
1928 the village be independent and impartial and for their offices  
1929 not to be used for private gain other than the remuneration  
1930 provided by law or by ordinances. It is declared to be the  
1931 policy of the village that its officers and employees are agents  
1932 of the people and hold their positions for the benefit of the  
1933 public. Therefore, all village officers and employees shall  
1934 adhere to the standards of conduct as set forth in part III of  
1935 chapter 112, Florida Statutes.

1936       (2) AMENDMENTS TO CHARTER.—

1937       (a) Amendments.—The charter may be amended in accordance  
1938 with the provisions for charter amendments as specified in the  
1939 Municipal Home Rules Powers Act, chapter 166, Florida Statutes,  
1940 or as otherwise may be provided by general law. The council may,  
1941 by ordinance, or the qualified registered voters of the village  
1942 may, by petition signed by 10 percent or 5,000 electors,  
1943 whichever is less, registered to vote in the last regular  
1944 village election, submit to the electors of the village a  
1945 proposed amendment to any part or all of the charter. The form,  
1946 content, and certification of any petition to amend the charter  
1947 shall be established by ordinance.

1948       (b) Election.—The council shall place the proposed  
1949 amendment contained in the ordinance or petition to a vote of  
1950 the electors of the village at the next village election or at a  
1951 special election called for such purpose.

1952        (c) Adoption of amendment.—If a majority of the registered  
 1953 voters of the village vote in favor of a proposed charter  
 1954 amendment, the amendment shall become effective at the time  
 1955 fixed in the amendment or, if no time is fixed in the amendment,  
 1956 30 days after the amendment is adopted by the voters.

1957        (3) SEVERABILITY.—If any provision of this charter or the  
 1958 application thereof to any person or circumstance is held  
 1959 invalid, the invalidity shall not affect other provisions or  
 1960 applications of this charter which can be given effect without  
 1961 the invalid provisions or application, and to this end the  
 1962 provisions of this charter are declared severable.

1963        Section 12. Referendum election; transition.—

1964        (1) REFERENDUM ELECTION.—The referendum election called  
 1965 for by this act shall be held on November 4, 2014, at which time  
 1966 the following question shall be placed upon the ballot:

1968        Shall the Village of Estero and its charter be created?

1970        YES . . . .

1972        NO . . . .

1974        In the event the question is answered affirmatively by a  
 1975 majority of voters voting in the referendum, the charter will  
 1976 take effect as provided for in this charter. The referendum  
 1977 election shall be conducted by the Supervisor of Elections of

1978 Lee County in accordance with the Florida Election Code, and the  
 1979 cost of such election shall be funded by Lee County.

1980 (2) INITIAL ELECTION OF COUNCIL.—

1981 (a) After the adoption of this charter, the Supervisor of  
 1982 Elections of Lee County shall call an election to be held on  
 1983 March 3, 2015, for the election of seven village council  
 1984 members. The election shall be conducted by the Supervisor of  
 1985 Lee County Elections in accordance with the Florida Election  
 1986 Code, and the cost of such election shall be funded by Lee  
 1987 County.

1988 (b) Any individual who wishes to run for one of seven  
 1989 initial seats on the council shall qualify with the Supervisor  
 1990 of Elections of Lee County in accordance with this charter and  
 1991 general law. The qualifying period for the initial election of  
 1992 the village council shall begin at noon on the second Monday in  
 1993 January and end at noon on the Friday immediately following.

1994 (c) For the initial elections, the county canvassing board  
 1995 shall certify the results of the elections in accordance with  
 1996 general law.

1997 (d) The four council members receiving the highest number  
 1998 of votes shall be elected to 4-year terms and the other three  
 1999 council members shall be elected to initial 2-year terms. The  
 2000 council members elected to the 2-year terms may serve, if  
 2001 reelected, an additional 4-year term, which will constitute two  
 2002 terms for term limit purposes.

2003 (3) SCHEDULE.—

2004        (a) First election of council members.—At the time of its  
 2005 adoption, this charter shall be in effect to the extent  
 2006 necessary so that the first election of members of the village  
 2007 council may be conducted in accordance with this charter.

2008        (b) Time of taking full effect.—This charter shall be in  
 2009 full effect for all purposes on and after the date of the first  
 2010 meeting of the newly elected village council provided in  
 2011 paragraph (c).

2012        (c) First council meeting.—On March 17, 2015, after the  
 2013 first election of the village council under this charter, the  
 2014 newly elected members of the village council shall meet at a  
 2015 location to be determined. The initial council shall have the  
 2016 authority and power to enter into contracts, arrange for the  
 2017 hiring of legal counsel, begin recruiting applicants for village  
 2018 manager, provide for necessary village offices and facilities,  
 2019 and do such other things as it deems necessary and appropriate  
 2020 for the village.

2021        (4) FIRST-YEAR EXPENSES.—The council, in order to provide  
 2022 moneys for the expenses and support of the city, shall have the  
 2023 power to borrow money necessary for the operation of municipal  
 2024 government until such time as a budget is adopted and revenues  
 2025 are raised in accordance with this charter.

2026        (5) TRANSITIONAL ORDINANCES AND RESOLUTIONS.—

2027        (a) All applicable county ordinances currently in place at  
 2028 the time of passage of the referendum, unless specifically  
 2029 referenced in this charter, shall remain in place until and

2030 unless rescinded by action of the council, except that a county  
 2031 ordinance, rule, or regulation which is in conflict with an  
 2032 ordinance, rule, or regulation of the village shall not be  
 2033 effective to the extent of such conflict. Any existing Lee  
 2034 County ordinances, rules, and regulations, as of November 4,  
 2035 2014, shall not be altered, changed, rescinded, or added to, nor  
 2036 shall any variance be granted, if such action would affect the  
 2037 village without the approval of the council.

2038 (b) The council shall adopt ordinances and resolutions  
 2039 required to effect the transition. Ordinances adopted within 90  
 2040 days after the first council meeting may be passed as emergency  
 2041 ordinances as provided in this charter, except the transitional  
 2042 ordinances shall be effective for no longer than 90 days after  
 2043 adoption and, thereafter, may be readopted, renewed, or  
 2044 otherwise continued only in the manner normally prescribed for  
 2045 ordinances.

2046 (6) TRANSITIONAL COMPREHENSIVE PLAN.—Until such time as  
 2047 the village adopts a comprehensive plan, the Lee County  
 2048 Comprehensive Plan, as it exists on the day that the village  
 2049 commences corporate existence, shall remain in effect as the  
 2050 village's transitional comprehensive plan. However, all planning  
 2051 functions, duties, and authority shall thereafter be vested in  
 2052 the council, which shall be deemed the local planning agency  
 2053 until the council establishes a separate local planning agency.

2054 (7) TRANSITIONAL LAND DEVELOPMENT REGULATIONS.—To  
 2055 implement the transitional comprehensive land use plan when



2056 adopted, the village shall, in accordance with the procedures  
 2057 required by the laws of the state, adopt ordinances providing  
 2058 for land use development regulations within the corporate  
 2059 limits. Until the village adopts the ordinances:

2060 (a) The comprehensive land use plan and land use  
 2061 development regulations of Lee County, as they exist on the date  
 2062 that the village commences corporate existence, shall remain in  
 2063 effect as the village's transitional land use development  
 2064 regulations and comprehensive land use plan.

2065 (b) All powers and duties of the Lee County Department of  
 2066 Community Development, the Lee County Hearing Examiner, and  
 2067 Board of County Commissioners of Lee County, as set forth in  
 2068 these transitional land use development regulations, shall be  
 2069 vested in the council until such time as the council delegates  
 2070 all powers and duties, or a portion thereof, to another agency,  
 2071 department, or entity.

2072 (c) Subsequent to the adoption of a local comprehensive  
 2073 land use plan and subject to general law, the council is fully  
 2074 empowered to amend, supersede, enforce, or repeal the  
 2075 transitional land use development regulations, or any portion  
 2076 thereof, by ordinance.

2077 (d) Subsequent to the commencement of the village's  
 2078 corporate existence, an amendment of the comprehensive land use  
 2079 plan or land use development regulations enacted by the Board of  
 2080 County Commissioners of Lee County shall not be deemed an  
 2081 amendment of the village's transitional comprehensive land use

2082 plan or land use development regulations or otherwise take  
 2083 effect within the village's municipal boundaries.

2084 (8) STATE-SHARED REVENUES.—The village shall be entitled  
 2085 to participate in all revenue sharing programs of the state  
 2086 effective April 1, 2015. The provisions of s. 218.23(1), Florida  
 2087 Statutes, shall be waived for the purpose of conducting audits  
 2088 and financial reporting through the end of fiscal year 2014-  
 2089 2015. For purposes of complying with s. 218.23(1), Florida  
 2090 Statutes, relating to ad valorem taxation, the millage levied by  
 2091 special districts may be used for an indefinite period of time.  
 2092 Initial revised population estimates for calculating eligibility  
 2093 for shared revenues shall be determined by the University of  
 2094 Florida Bureau of Economic and Business Research. Should the  
 2095 bureau be unable to provide an appropriate population estimate,  
 2096 the Lee County Department of Community Development shall provide  
 2097 the estimate.

2098 (9) LOCAL REVENUE SOURCES.—The village shall be entitled  
 2099 to receive all local revenue sources available pursuant to  
 2100 general law, including, but not limited to, the local  
 2101 communications services tax imposed under s. 202.19, Florida  
 2102 Statutes. The local communications services tax rate imposed by  
 2103 Lee County will continue within the village boundaries during  
 2104 the period commencing with the date of incorporation through  
 2105 December 31, 2015. Revenues from the tax shall be shared by Lee  
 2106 County with the village in proportion to the projected village  
 2107 population estimate of the Lee County Planning Division compared

2108 with the unincorporated population of Lee County before the  
2109 incorporation of the village.

2110 (10) LOCAL OPTION GAS TAX REVENUES.—The village shall be  
2111 entitled to receive local option gas tax revenues beginning  
2112 October 1, 2015, in accordance with an interlocal agreement if  
2113 executed before June 1, 2015. If such interlocal agreement is  
2114 not executed before June 1, 2015, the distributions shall be in  
2115 accordance with the lane mile formula contained in s.  
2116 336.025(4)(b)1., Florida Statutes.

2117 (11) CONTRACTUAL SERVICES AND FACILITIES.—Contractual  
2118 services for police, emergency management, public works, parks  
2119 and recreation, planning and zoning, building inspection,  
2120 development review, animal control, library services, and solid  
2121 waste collection may be supplied by a contract between the  
2122 village and Lee County, special districts, municipalities, or  
2123 private enterprise until such time as the council establishes  
2124 such independent services. However, existing solid-waste  
2125 contracts shall be honored as required by s. 165.061(1)(f),  
2126 Florida Statutes, and s. 10, Article I of the State  
2127 Constitution. Facilities for housing the newly formed municipal  
2128 operations may be rented or leased until the village selects  
2129 more permanent facilities.

2130 (12) INDEPENDENT SPECIAL DISTRICTS.—It is recognized that  
2131 certain services within the municipal boundaries are provided by  
2132 independent special districts whose boundaries lie wholly within  
2133 the municipal boundaries of the village and are created by

2134 special acts of the Legislature. The municipality is empowered  
 2135 to merge the functions of such districts with the functions of  
 2136 the municipality only upon dissolution of such district or upon  
 2137 affirmation of a vote of a majority of the council and an  
 2138 affirmative vote of a majority of the council or board governing  
 2139 the district after meeting all requirements for merger or  
 2140 dissolution in the district's enabling legislation and chapter  
 2141 189, Florida Statutes. It is recognized that certain planning  
 2142 and interlocal agreements may be necessary between the village  
 2143 and such districts, and the council shall endeavor to maximize  
 2144 the benefits of the districts to the fullest extent possible. In  
 2145 the event the council desires to supplement or duplicate  
 2146 services determined to be inadequate, the council is fully  
 2147 empowered to do so.

2148 (13) ELIMINATION OF TRANSITIONAL ELEMENTS FROM THIS  
 2149 CHARTER.—Upon completion of the transitional phase provided in  
 2150 this charter, the sections of the charter relating to transition  
 2151 may be eliminated from this charter.

2152 Section 13. This act shall take effect only upon its  
 2153 approval by a majority vote of those qualified electors residing  
 2154 within the corporate limits of the proposed Village of Estero,  
 2155 as described in section 3, in a referendum conducted in  
 2156 accordance with the provisions of law relating to elections  
 2157 currently in force, except that this section and subsection (1)  
 2158 of section 12 shall take effect upon this act upon becoming a  
 2159 law.