

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 for  
30 nonpartisan elections and matters relating thereto;  
31 providing for seven village council districts;  
32 providing for the recall of council members; providing  
33 for initiative and referenda; providing for a code of  
34 ethics; providing for future amendments to the  
35 charter; providing for severability; providing a  
36 village transition schedule and procedures for the  
37 first election; providing for first-year expenses;  
38 providing for adoption of transitional ordinances and  
39 resolutions, comprehensive plans, and land development  
40 regulations; providing for accelerated entitlement to  
41 state-shared revenues; providing for entitlement to  
42 all local revenue sources allowed by general law;  
43 providing for receipt and distribution of local option  
44 gas tax revenues; providing for waiver of specified  
45 eligibility provisions; requiring a referendum;  
46 providing effective dates.

47  
48 Be It Enacted by the Legislature of the State of Florida:

49  
50 Section 1. Corporate name; purpose of the charter;  
51 creation and establishment of the Village of Estero.-

52        (1) CORPORATE NAME.—The municipality hereby established  
53 shall be known as the Village of Estero ("village").

54        (2) PURPOSE OF THE CHARTER.—This act, together with any  
55 future amendments thereto, may be known as the Charter of the  
56 Village of Estero ("charter").

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

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

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

73        (3) CREATION AND ESTABLISHMENT OF THE VILLAGE OF ESTERO.—

74        (a) This act shall take effect upon approval by a majority  
75 vote of those qualified electors residing within the corporate  
76 limits of the proposed village as described in section 3 voting  
77 in a referendum election to be called by the Supervisor of

78 Elections of Lee County to be held November 4, 2014, in  
 79 accordance with the provisions of law relating to elections  
 80 currently in force.

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

85 Section 2. Powers of the village; form of government.—

86 (1) POWERS OF THE VILLAGE.—The village shall have all  
 87 available governmental, corporate, and proprietary powers  
 88 possible for a municipal government to have under the State  
 89 Constitution and laws of this state as fully and completely as  
 90 though they were specifically enumerated in this charter, and  
 91 may exercise them, except where prohibited by law. Through the  
 92 adoption of this charter, it is the intent of the electors of  
 93 the village that the municipal government established in this  
 94 section shall have the broadest exercise of home rule powers  
 95 permitted under the State Constitution and laws of the state.  
 96 This charter and the powers of the village shall be construed  
 97 liberally in favor of the village.

98 (2) CONSTRUCTION.—The powers of the village under this  
 99 charter shall be construed liberally in favor of the village,  
 100 and the specific mention of particular powers in the charter  
 101 shall not be construed as limiting the general powers granted in  
 102 this charter in any way.

103       (3) FORM OF GOVERNMENT.—The form of government established  
 104 by this charter shall be a council-manager form, with the  
 105 council to consist of seven village council ("council") members  
 106 elected by the village at large from seven districts. The  
 107 council shall constitute the governing body of the village, with  
 108 the duties and responsibilities hereinafter provided. The  
 109 council shall appoint a village manager to be the chief  
 110 administrative officer of the village who shall serve at the  
 111 pleasure of the council.

112       (4) INTERGOVERNMENTAL RELATIONS.—The village may  
 113 participate by contract or otherwise with any governmental  
 114 entity of this state or any other state or states or the United  
 115 States in the performance of any activity that one or more of  
 116 such entities has the authority to undertake.

117       Section 3. Corporate boundaries.—The territorial  
 118 boundaries of the Village of Estero upon the date of  
 119 incorporation shall include the following areas situated in Lee  
 120 County:

122       A. In Township 46 South, Range 24 East, those  
 123 portions of Sections 25 and 36 lying east of the  
 124 waters of Estero Bay.

125       B. In Township 46 South, Range 25 East, those  
 126 portions of Section 31 lying east of the waters of  
 127 Estero Bay.

128 C. In Township 46 South, Range 25 East, the Southwest  
 129 Quarter (SW-1/4) of Section 22 and All of Sections 21,  
 130 25, 26, 27, 28, 29, 30, 32, 33, 34, 35 and 36.

131 D. In Township 46 South, Range 26 East, those  
 132 portions of Sections 19 and 20 lying south of the  
 133 south right of-way line of Corkscrew Road and all of  
 134 Sections 29, 30, 31 and 32.

135 E. In Township 47 South, Range 25 East, those  
 136 portions of Sections 2 and 11 Lying west of the west  
 137 right of-way line of Interstate 75 (State Road No. 93)  
 138 and all of Sections 3, 4, 5, 9 and 10.

139 F. In Township 47 South, Range 25 East, those  
 140 portions of Sections 6 and 7 lying east of the waters  
 141 of Estero Bay and all of Section 8, LESS AND EXCEPT  
 142 the following three parcels of land:

143  
 144 LESS AND EXCEPT:  
 145 Parcel of land lying Government Lots 2 and 3, Section  
 146 7, Township 47 South, Range 25 East, Lee County,  
 147 Florida, being more particularly described as follows:  
 148 Commencing at the northeast corner of Government Lot  
 149 3, Section 7, Township 47 South, Range 25 East, Lee  
 150 County, Florida, thence South 89°13'23" West on the  
 151 north line of said Government Lot 3 for 1,106.55 feet  
 152 to an intersection with the west line of a parcel of  
 153 land as described in Official Records Book 3052, page

154 1859, public Records of Lee County, Florida and the  
 155 Point of Beginning.  
 156 From said Point of Beginning thence South 00°46'55"  
 157 East on the west line of said parcel for 35.58 feet to  
 158 a point 20 feet south of the south line of a boardwalk  
 159 easement as recorded in Instrument Number  
 160 2012000278420 and rerecorded under instrument number  
 161 2012000283103, said public records; thence South  
 162 89°14'37" West for 728 feet, more or less, to an  
 163 intersection with the mean high water line of Estero  
 164 Bay, passing through a point at 426.54 feet being 20  
 165 feet south of (as measured on a perpendicular) a jog  
 166 in said boardwalk easement; thence meander northerly  
 167 along said mean high water line for 1678 feet, more or  
 168 less, to an intersection with the north line of the  
 169 south half of Government Lot 2, Section 47 South,  
 170 Range 25 East; thence North 89°05'16" East on said  
 171 north line for 549 feet, more or less to the northwest  
 172 corner of a parcel of land as described in Instrument  
 173 Number 2009000243859, said public records; thence  
 174 South 09°17'44" East on the west line of said parcel  
 175 for 199.50 feet to an intersection with the north line  
 176 of the Coconut Road Right-of-Way as recorded in  
 177 Official Records Book 3421, page 1095, said public  
 178 records; thence the following bearings and distances  
 179 on the north, west and south line of said right-of-

180 way: South 78°19'31" West for 121.80 feet; South  
 181 00°54'45" East for 42.12 feet; North 81°53'04" East  
 182 for 115.98 feet; North 89°13'05" East for 75.49 feet  
 183 to the northwest corner of a parcel of land as  
 184 recorded in Official Records Book 4154, page 1842,  
 185 said public records, thence South 03°47'55" East on  
 186 the west line of said parcel and a parcel of land as  
 187 recorded in Official Records Book 4154, page 1846,  
 188 said public records for 202.00 feet to the northwest  
 189 corner of a parcel of land as recorded in Official  
 190 Records Book 3052, page 1859, said public records;  
 191 thence South 00°19'02" West on the west line of said  
 192 parcel for 209.93 feet to the Point of Beginning.  
 193 Parcel contains 12.6 acres, more or less.

194  
 195 ALSO LESS AND EXCEPT:

196  
 197 Being a portion of land located in Section 8, Township  
 198 47 South, Range 25 East, Lee County, Florida, more  
 199 particularly described as follows:  
 200 Commence at the southwest corner of the Coconut Road  
 201 Right-of-way as shown on the specific purpose survey  
 202 prepared by Johnson Engineering, Inc. dated December  
 203 15, 1999, with a project number of 19991898; thence  
 204 run along the south line of said right-of-way South  
 205 89°43'06" East, for a distance of 45.84 feet, to the



206 Point of Beginning of the parcel of land herein  
 207 described; thence continue along said south line South  
 208 89°43'06" East, for a distance of 904.21 feet to the  
 209 intersection of the extension of the west line of Via  
 210 Veneto right-of-way as recorded in Official Records  
 211 Book 4408, page 470 of the public records of Lee  
 212 County, Florida and said south line of Coconut Road;  
 213 thence run along the westerly line of said right-of-  
 214 way and extension thereof for the following four (4)  
 215 courses and distances:  
 216 1. South 00°17'49" West, for a distance of 47.01 feet;  
 217 2. thence run South 74°36'33" East, for a distance of  
 218 58.19 feet;  
 219 3. thence run South 50°54'15" East, for a distance of  
 220 143.04 feet;  
 221 4. thence run South 00°11'43" West, for a distance of  
 222 82.19 feet to a point on the Westerly line of parcel 5  
 223 of those lands recorded in Instrument Number  
 224 2009000192836 of said public records; thence run along  
 225 said westerly line for the following eight (8) courses  
 226 and distances:  
 227 1. North 89°47'57" West, for a distance of 34.12 feet;  
 228 2. thence run South 63°30'43" West, for a distance of  
 229 230.57 feet;  
 230 3. thence run South 47°26'14" West, for a distance of  
 231 466.86 feet;

232        4. Thence run South 41°35'17" West, for a distance of  
 233        46.90 feet to a point on a circular curve concave  
 234        northwest, whose radius point bears North 48°24'38"  
 235        West, a distance of 100.00 feet therefrom;  
 236        5. thence run southwesterly along the arc of said  
 237        curve to the right, having a radius of 100.00 feet,  
 238        through a central angle of 28°01'16", subtended by a  
 239        chord of 48.42 feet at a bearing of South 55°36'00"  
 240        West, for an arc length of 48.91 feet to a point on a  
 241        circular curve concave southeast, whose radius point  
 242        bears South 20°23'12" East, a distance of 105.00 feet  
 243        therefrom;  
 244        6. Thence run southwesterly along the arc of said  
 245        curve to the left, having a radius of 105.00 feet,  
 246        through a central angle of 54°28'46", subtended by a  
 247        chord of 96.12 feet at a bearing of South 42°22'25"  
 248        West, for an arc length of 99.84 feet to a point on a  
 249        circular curve concave northwest, whose radius point  
 250        bears North 74°51'54" West, a distance of 100.00 feet  
 251        therefrom;  
 252        7. Thence run southwesterly along the arc of said  
 253        curve to the right, having a radius of 100.00 feet,  
 254        through a central angle of 14°44'34", subtended by a  
 255        chord of 25.66 feet at a bearing of South 22°30'23"  
 256        West, for an arc length of 25.73 feet to the end of  
 257        said curve;

258 8. Thence run South 29°52'39" West, for a distance of  
 259 22.93 feet; thence run North 34°45'41" West, for a  
 260 distance of 134.67 feet; thence run North 53°03'31"  
 261 West, for a distance of 119.51 feet; thence run North  
 262 19°08'07" West, for a distance of 117.09 feet; thence  
 263 run North 41°42'16" West, for a distance of 86.54  
 264 feet; thence run North 00°49'46" West, for a distance  
 265 of 150.18 feet; thence run North 50°28'56" West, for a  
 266 distance of 47.03 feet; thence run North 20°07'09"  
 267 West, for a distance of 19.34 feet; thence run North  
 268 34°54'03" West, for a distance of 30.82 feet; thence  
 269 run North 23°07'05" East, for a distance of 44.14  
 270 feet; thence run North 28°21'44" West, for a distance  
 271 of 88.04 feet; thence run North 39°18'43" East, for a  
 272 distance of 25.46 feet; thence run North 07°41'43"  
 273 East, for a distance of 98.70 feet; thence run North  
 274 10°04'01" West, for a distance of 18.32 feet to the  
 275 Point of Beginning.

276 Containing 12.26 acres, more or less.

277  
 278 ALSO LESS AND EXCEPT:

279  
 280 A parcel of land located in Section 7 and 8, Township  
 281 47 South, Range 25 East, Lee County, Florida being  
 282 more particularly described as follows:

283 Commence at the East Quarter corner of Section 7,  
 284 Township 47 South, Range 25 East, Lee county, Florida;  
 285 thence along the east line of said Section 7, South  
 286 00°50'02" East, a distance of 25.00 feet to a point on  
 287 the south right-of-way line of Coconut Road, the same  
 288 being the Point of Beginning of the parcel of land  
 289 herein described; thence run along said south line,  
 290 South 89°43'21" East, a distance of 45.84 feet; thence  
 291 South 10°04'01" East, a distance of 18.32 feet; thence  
 292 South 07°41'43" West, a distance of 98.70 feet; thence  
 293 South 39°18'43" West, a distance of 25.46 feet; thence  
 294 South 28°21'44" East, a distance of 88.04 feet; thence  
 295 South 23°07'05" West, a distance of 44.14 feet; thence  
 296 South 34°54'03" East, a distance of 30.82 feet; thence  
 297 South 20°07'09" East, a distance of 19.34 feet; thence  
 298 South 50°28'56" East, a distance of 47.03 feet; thence  
 299 South 00°49'46" East, a distance of 150.18 feet;  
 300 thence South 41°42'16" East, a distance of 86.54 feet  
 301 to a point on the boundary line of Conservation  
 302 Easement Number 14, recorded in Official Records Book  
 303 3094, page 3234, public records of Lee County,  
 304 Florida; thence along said boundary, South 75°38'07"  
 305 West, a distance of 112.79 feet to a point on the  
 306 boundary of a Conservation Easement recorded in  
 307 Official Records Book 4283, page 3774, public records  
 308 of Lee County, Florida; thence follow along the

309 boundary of said Conservation Easement to the  
 310 intersection of the south line of Section 8, Township  
 311 47 South, Range 25 East, Lee County, Florida, for the  
 312 following courses and distances, South 13°27'24" West,  
 313 a distance of 68.12 feet; thence South 38°25'26" West,  
 314 a distance of 13.31 feet; thence South 22°41'02" East,  
 315 a distance of 9.38 feet; thence South 14°12'53" West,  
 316 a distance of 28.04 feet; thence North 83°09'35" East,  
 317 a distance of 75.71 feet; thence South 17°31'04" West,  
 318 a distance of 24.03 feet; thence South 01°58'43" West,  
 319 a distance of 35.44 feet; thence South 80°03'12" East,  
 320 a distance of 25.81 feet; thence South 76°58'32" East,  
 321 a distance of 32.43 feet; thence South 58°26'34" East,  
 322 a distance of 32.79 feet; thence South 50°42'32" East,  
 323 a distance of 25.83 feet; thence South 06°30'32" West,  
 324 a distance of 20.53 feet; thence South 34°00'38" West,  
 325 a distance of 22.57 feet; thence South 86°51'04" West,  
 326 a distance of 39.79 feet; thence North 71°44'14" West,  
 327 a distance of 18.15 feet; thence North 79°21'50" West,  
 328 a distance of 24.88 feet; thence North 54°46'17" West,  
 329 a distance of 19.72 feet; thence North 70°05'51" West,  
 330 a distance of 36.50 feet; thence South 14°42'48" West,  
 331 a distance of 28.87 feet; thence South 31°00'38" West,  
 332 a distance of 25.53 feet; thence South 46°04'37" West,  
 333 a distance of 27.43 feet; thence South 79°48'07" East,  
 334 a distance of 48.50 feet; thence South 41°58'46" East,

335 a distance of 40.98 feet; thence South 42°24'51" East,  
 336 a distance of 36.16 feet; thence South 83°34'30" East,  
 337 a distance of 24.52 feet; thence South 15°52'35" West,  
 338 a distance of 34.51 feet; thence South 59°45'12" East,  
 339 a distance of 25.96 feet; thence South 60°07'55" East,  
 340 a distance of 30.22 feet; thence South 28°14'30" East,  
 341 a distance of 18.56 feet; thence South 12°04'44" West,  
 342 a distance of 31.95 feet; thence North 82°28'58" West,  
 343 a distance of 22.54 feet; thence North 78°36'49" West,  
 344 a distance of 29.64 feet; thence North 60°50'08" West,  
 345 a distance of 22.14 feet; thence South 14°57'51" West,  
 346 a distance of 38.06 feet; thence South 11°26'36" West,  
 347 a distance of 19.74 feet; thence South 58°07'12" East,  
 348 a distance of 25.45 feet; thence South 12°12'57" East,  
 349 a distance of 22.75 feet; thence South 86°12'55" East,  
 350 a distance of 20.51 feet; thence South 56°23'00" East,  
 351 a distance of 28.55 feet; thence South 41°44'09" West,  
 352 a distance of 15.79 feet; thence North 71°14'30" West,  
 353 a distance of 22.95 feet; thence North 67°33'53" West,  
 354 a distance of 23.50 feet; thence South 54°36'26" West,  
 355 a distance of 44.61 feet; thence North 53°20'16" West,  
 356 a distance of 28.47 feet; thence North 35°50'04" West,  
 357 a distance of 42.22 feet; thence North 41°43'16" East,  
 358 a distance of 24.56 feet; thence North 82°15'02" West,  
 359 a distance of 13.75 feet; thence South 58°55'16" West,  
 360 a distance of 31.96 feet; thence South 22°08'04" West,

361 a distance of 21.15 feet; thence South 40°59'54" East,  
 362 a distance of 20.68 feet; thence South 47°19'30" East,  
 363 a distance of 50.06 feet; thence South 03°17'09" East,  
 364 a distance of 19.29 feet; thence South 39°41'04" East,  
 365 a distance of 35.54 feet; thence South 00°32'00" West,  
 366 a distance of 23.73 feet; thence South 36°13'51" West,  
 367 a distance of 33.30 feet; thence South 26°54'16" West,  
 368 a distance of 22.25 feet; thence South 21°50'28" West,  
 369 a distance of 36.79 feet; thence South 63°28'06" West,  
 370 a distance of 28.23 feet; thence South 25°24'38" West,  
 371 a distance of 13.47 feet; thence South 42°37'08" West,  
 372 a distance of 36.84 feet; thence South 19°49'02" West,  
 373 a distance of 36.20 feet; thence South 48°17'57" West,  
 374 a distance of 25.07 feet; thence South 48°46'20" East,  
 375 a distance of 23.96 feet; thence South 07°18'24" East,  
 376 a distance of 39.41 feet; thence South 61°42'17" East,  
 377 a distance of 63.96 feet; thence South 19°30'39" East,  
 378 a distance of 37.00 feet; thence South 07°11'44" East,  
 379 a distance of 30.87 feet; thence South 57°48'34" West,  
 380 a distance of 26.54 feet; thence South 39°49'37" West,  
 381 a distance of 51.91 feet; thence South 33°12'43" West,  
 382 a distance of 21.35 feet; thence South 09°34'48" West,  
 383 a distance of 44.74 feet; thence South 20°48'56" East,  
 384 a distance of 48.32 feet; thence South 24°55'57" West,  
 385 a distance of 41.90 feet; thence South 02°45'31" East,  
 386 a distance of 35.63 feet; thence South 33°18'17" East,

387 a distance of 34.45 feet; thence South 08°14'15" West,  
 388 a distance of 43.31 feet; thence South 19°59'58" East,  
 389 a distance of 78.22 feet; thence South 27°23'35" East,  
 390 a distance of 37.53 feet; thence South 37°39'35" West,  
 391 a distance of 40.08 feet; thence South 01°14'30" East,  
 392 a distance of 20.37 feet; thence South 71°18'06" West,  
 393 a distance of 15.08 feet; thence South 57°59'14" West,  
 394 a distance of 26.21 feet; thence South 27°10'02" West,  
 395 a distance of 44.00 feet; thence South 34°26'29" East,  
 396 a distance of 51.64 feet; thence South 12°11'33" East,  
 397 a distance of 38.89 feet; thence South 31°00'48" East,  
 398 a distance of 40.10 feet; thence South 05°32'22" East,  
 399 a distance of 52.47 feet; thence South 14°06'44" West,  
 400 a distance of 27.92 feet; thence South 18°32'06" West,  
 401 a distance of 38.27 feet; thence North 86°57'32" East,  
 402 a distance of 15.90 feet; thence North 67°34'27" East,  
 403 a distance of 25.47 feet; thence South 12°39'01" East,  
 404 a distance of 39.36 feet; thence South 84°33'25" West,  
 405 a distance of 27.45 feet; thence South 47°36'58" West,  
 406 a distance of 27.94 feet; thence South 34°56'23" East,  
 407 a distance of 26.07 feet; thence North 89°13'57" East,  
 408 a distance of 45.10 feet; thence South 16°15'58" East,  
 409 a distance of 49.58 feet; thence South 12°23'09" West,  
 410 a distance of 35.75 feet; thence South 05°37'35" East,  
 411 a distance of 67.77 feet; thence South 17°34'05" West,  
 412 a distance of 40.65 feet; thence South 45°08'32" East,



413 a distance of 43.24 feet; thence South 07°58'04" East,  
414 a distance of 16.70 feet to a point on the south line  
415 of aforementioned Section 8; thence along said south  
416 line, North 89°52'21" West, a distance of 34.61 feet  
417 to a the southeast corner of said Section 7; thence  
418 along the south line of said Section 7, North  
419 89°52'21" West, a distance of 2,276 feet more of less  
420 to the water of the Estero Bay; thence northerly along  
421 said waters, a distance of 4,498 feet, more or less;  
422 thence North 89°13'27" East, a distance of 742 feet  
423 more or less to a point on the boundary of the lands  
424 described in Official Records Book 3052, page 1859,  
425 public records of Lee County, Florida; thence along  
426 the boundary of said lands for the following three (3)  
427 calls: 1) South 00°46'33" East, a distance of 650.00  
428 feet; 2) thence North 89°13'27" East, a distance of  
429 1,107.21 feet; 3) thence North 00°50'02" West, a  
430 distance of 625.00 feet to the Point of Beginning.  
431 Containing 110.89 acres, more or less.

432  
433 ALSO LESS AND EXCEPT:

434  
435 The East Half (E-1/2) of the Northwest Quarter (NW-  
436 1/4) and the West Half (W 1/2) of the West Half (W-  
437 1/2) of the Northeast Quarter (NE-1/4) of Section 8,

438 Township 47 South, Range 25 East, less the south 40  
 439 feet for the Coconut Road Right-of-way.  
 440 G. In Township 46 South, Range 25 East, that portion  
 441 of the Southwest Quarter (SW-1/4) of Section 23 lying  
 442 west of the west right-of-way line of Interstate 75  
 443 (State Road No. 93).  
 444 H. In Township 46 South, Range 25 East, that portion  
 445 of the Southeast Quarter (SE-1/4) of Section 20 lying  
 446 south of the north line of a parcel of land described  
 447 in Instrument Number 2012000146389, public records of  
 448 Lee County, Florida and northeast of the northeast  
 449 right of way line of US 41 - Tamiami Trail (State Road  
 450 No. 45).  
 451 I. A Tract or Parcel of land lying in Sections 20 and  
 452 21, Township 46, South, Range 25 East, which Tract or  
 453 Parcel is described as follows:  
 454  
 455 Beginning at the Southeast corner of said Section 20  
 456 and run Westerly along the south line of said Section  
 457 20 for 660 feet to the Easterly boundary of lands  
 458 described in deed recorded in Deed Book 217, at Page  
 459 367, of the Public Records of Lee County; thence run  
 460 Northerly along said Easterly boundary, parallel with  
 461 the East line of said Section 21 for 995.91 feet to  
 462 the Southwesterly corner of lands described in deed  
 463 recorded in Deed Book 295, at Page 505 of said Public

464 Records, thence run Easterly along the Southerly  
465 boundary of said lands and an Easterly prolongation  
466 thereof, parallel with the south line of said Section  
467 21 for 498.56 feet; thence deflect 35°25'00" left and  
468 run Northeasterly, perpendicular to the centerline of  
469 the Tamiami Trail (State Road 45) for 126.84 feet to a  
470 Point on the Southwesterly line (68 feet from said  
471 centerline) of said Tamiami Trail thence run  
472 Southeasterly along said Southwesterly line for 100.00  
473 feet to a concrete monument on the line common to said  
474 sections 20 and 21, thence continue Southeasterly  
475 along said Southwesterly line of said Tamiami Trail  
476 for 315.24 feet to a concrete monument; thence deflect  
477 126°13' to the right and run Westerly, perpendicular  
478 to said line common to said Sections 20 and 21 for  
479 186.26 feet to a point on said section line; thence  
480 run Southerly along said section line for 733.59 feet  
481 to the Point of Beginning.

482  
483 AND

484  
485 A tract or parcel of land lying in the Southeast  
486 quarter of the Southeast quarter of Section 20,  
487 Township 46, Range 25 East, Lee County, Florida, which  
488 Tract or Parcel is described as follows:

489 From the concrete monument marking the Southeast  
 490 corner of said Section 20, run S 88°30'00" W, along  
 491 the South line of said Section for 660.0 feet to a  
 492 concrete monument; thence run N 0°42'00" W, parallel  
 493 with the East line of said Section 995.91 feet to a  
 494 concrete monument; thence run N 88°30'00" E, parallel  
 495 with said South line for 498.56 feet to a concrete  
 496 monument, thence run N 53°05'00" E, for 23.96 feet to  
 497 concrete monument and the point of beginning. From  
 498 said point of beginning run N 38°56'00" W for 286.25  
 499 feet to a steel pin, thence run N 17°25'50" E, for  
 500 62.04 feet to a concrete monument marking the  
 501 intersection with the southerly line of Pine Road,  
 502 thence run N 88°39'20" E, along southerly line,  
 503 parallel with and 25 feet (as measured on a  
 504 perpendicular) Southerly from the North line of said  
 505 fraction of a Section for 76.95 feet to an  
 506 intersection with the southwesterly line (68 feet from  
 507 the center line) of the Tamiami Trail (State Road No.  
 508 45); thence run S 36°55'00" E., along said  
 509 Southwesterly line for 277.49 feet to a concrete  
 510 monument, thence run S 53°05'00" W, perpendicular to  
 511 said southwesterly line for 102.88 feet to the Point  
 512 of Beginning.

513  
 514 Section 4. Village council.—

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

520       (2) COMPOSITION; ELIGIBILITY; TERMS.—

521       (a) Composition.—There shall be a village council composed  
 522 of seven council members. One council member shall be elected by  
 523 the voters of the village at large in each of seven districts,  
 524 district one through district seven.

525       (b) Eligibility.—

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

528       2. Each candidate for council shall have been a resident  
 529 of the village for a minimum period of 1 year before qualifying  
 530 for office.

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

533       (c) Terms.—The term of office for council members shall be  
 534 4 years. No council member shall serve more than two consecutive  
 535 terms. After 1 year out of office, a former council member may  
 536 requalify for a seat on the council. For purposes of calculating  
 537 term limits, partial terms shall not be counted toward term  
 538 limits.

539       (3) MAYOR; VICE MAYOR.—

540        (a) Mayor.—At the first regularly scheduled meeting after  
 541 the village's regular election, the council, by a majority vote,  
 542 shall elect from its membership a mayor. The mayor shall serve  
 543 as chairperson during the meetings of the council and shall  
 544 serve as the head of municipal government for the purpose of  
 545 execution of legal documents as required by ordinance. The mayor  
 546 shall also serve as the ceremonial head of the village.

547        (b) Vice mayor.—At the first regularly scheduled meeting  
 548 after the village's regular election, the council, by a majority  
 549 vote, shall elect from its membership a vice mayor who shall  
 550 serve as mayor during the absence or disability of the mayor  
 551 and, if a vacancy of the mayor occurs, shall become interim  
 552 mayor until the next regularly scheduled election.

553        (4) COMPENSATION.—The salary of each council member,  
 554 except for the mayor, shall be \$6,000 per year, payable in equal  
 555 monthly installments. The salary of the mayor shall be \$9,000  
 556 per year, payable in equal monthly installments. An ordinance  
 557 increasing or decreasing compensation of the council may be  
 558 adopted at any time; however, if the council takes action to  
 559 change the level of compensation, the salary of council members  
 560 shall not be adjusted until after the first day after the next  
 561 regular municipal election. The council may provide for  
 562 reimbursement of actual expenses incurred by its members,  
 563 including the mayor, while performing their official duties.

564        (5) COUNCIL MEETINGS.—

565 (a) The council shall schedule a minimum of 12 regular  
566 meetings each year. Special meetings may be held at the call of  
567 the mayor or a majority of the council members. At least a 24-  
568 hour notice shall be provided to each council member for special  
569 meetings. Except as authorized by law, all meetings shall be  
570 open to the public.

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

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

578 (6) PROHIBITIONS.—

579 (a) Neither the council, nor any individual member of the  
580 council, shall in any manner attempt to dictate the employment  
581 or removal of any employee other than the village manager,  
582 village attorney, and village clerk. The council is free to make  
583 inquiries of village employees, but no individual member of the  
584 council shall give orders to any officer or employee of the  
585 village. Recommendations for improvements in village government  
586 operations shall come through the village manager, but each  
587 member of the council shall be free to discuss or recommend  
588 improvements to the village manager, and the council is free to  
589 direct the village manager to implement specific recommendations  
590 for improvement in village government operations.

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

594 (7) VACANCIES; FORFEITURE OF OFFICE; FILLING OF  
 595 VACANCIES.—

596 (a) Vacancies.—A vacancy in the office of council, mayor,  
 597 or vice mayor shall occur upon the incumbent's death, inability  
 598 to fulfill the duties of the office, movement of residence  
 599 outside the district, resignation, appointment to another public  
 600 office, judicially determined incompetence, or removal or  
 601 forfeiture of office as described in this subsection.

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

604 1. Lacks at any time during the term of office any  
 605 qualification for the office prescribed by this charter or by  
 606 law;

607 2. Violates any express prohibition of this charter;

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

610 4. Is found to have violated any standard of conduct or  
 611 code of ethics established by law for public officials or has  
 612 been suspended from office by the Governor, unless subsequently  
 613 reinstated as provided by law; or

614 5. Misses three consecutive regularly scheduled council  
 615 meetings, unless excused by the council.

616



617 If any of these events should occur, a hearing shall  
618 automatically be conducted at the next regularly scheduled  
619 council meeting, and the member may be declared to have  
620 forfeited office by majority vote of the council.

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

623 1. If a vacancy occurs and the remainder of the unexpired  
624 term is 28 months or less, the remaining council members shall,  
625 within 60 days after the occurrence of such vacancy, by majority  
626 vote of the remaining council members, appoint a person from the  
627 same district to fill the vacancy for the remainder of the  
628 unexpired term.

629 2. If a vacancy occurs and the remainder of the unexpired  
630 term is more than 28 months, the remaining council members  
631 shall, within 60 days after the occurrence of such vacancy, by a  
632 majority vote of the remaining council members, appoint a person  
633 from the same district to fill the vacancy until the next  
634 regularly scheduled election, at which time the balance of the  
635 term for the seat shall be filled pursuant to section 9.

636 3. If four or more council vacancies occur at one time,  
637 the remaining council members shall, within 60 days after the  
638 occurrence of such vacancies, by a majority vote of the  
639 remaining council members, appoint a person from the same  
640 district to fill such vacancies until the next regularly  
641 scheduled village election, at which time the balance of the  
642 term for the seats shall be filled pursuant to section 9.

643 (8) JUDGE OF QUALIFICATIONS.—

644 (a) The council shall be the sole judge of the  
645 qualifications of its members and shall hear all questions  
646 relating to forfeiture of a council member's office, including  
647 whether good cause for absence has been or may be established.  
648 The council shall have the power to set additional written  
649 standards of conduct for its members beyond those specified in  
650 this charter and may provide for such penalties as it deems  
651 appropriate, including forfeiture of office. In order to  
652 exercise these powers, the council shall have power to subpoena  
653 witnesses, administer oaths, and require the production of  
654 evidence. A member charged with conduct constituting grounds for  
655 forfeiture of office shall be entitled to a public hearing on  
656 demand, and notice of such hearing shall be published in one or  
657 more newspapers of general circulation in the village at least 7  
658 days before the hearing.

659 (b) The burden of establishing good cause for absences  
660 shall be on the council member in question; however, any council  
661 member may, at any time during a duly held meeting, move to  
662 establish good cause for his or her absence. A council member  
663 whose qualifications are in question or who is otherwise subject  
664 to forfeiture of his or her office shall not vote on such  
665 matters.

666 (9) INVESTIGATIONS.—

667 (a) The council may undertake investigations into the  
668 affairs of the village and the conduct of any village

669 department, office, or agency and for this purpose may subpoena  
670 witnesses, administer oaths, take testimony, and require the  
671 production of evidence. Failure or refusal to obey a lawful  
672 order issued in the exercise of these powers by the council  
673 shall be a misdemeanor punishable by fines or imprisonment as  
674 provided in chapter 838, Florida Statutes.

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

677 Section 5. Administration.-

678 (1) VILLAGE MANAGER.-

679 (a) Appointment and qualifications.-The council shall  
680 appoint a village manager for a fixed compensation who shall  
681 serve at the pleasure of the council. The village manager shall  
682 be appointed primarily on the basis of executive and  
683 administrative qualifications.

684 (b) Removal.-The village manager may be suspended by a  
685 resolution approved by a majority vote of the council, which  
686 shall set forth the reasons for suspension and proposed removal.  
687 A copy of such resolution shall immediately be served upon the  
688 village manager. The village manager shall have 5 days to reply  
689 to the resolution in writing, and upon request shall be afforded  
690 a public hearing, which shall occur at least 5 days but not more  
691 than 30 days after such hearing is requested. After the public  
692 hearing, if one is requested, and after full consideration, the  
693 council, by a majority vote of its membership, may adopt a final  
694 resolution of removal. The village manager shall continue to

695 receive full salary until the effective date of a final  
696 resolution of removal.

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

700 (d) Powers and duties of the village manager.—The village  
701 manager shall:

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

706 2. Direct and supervise the administration of all  
707 departments of the village except the office of the village  
708 attorney.

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

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

716 5. Submit the annual budget, budget message, and capital  
717 program to the council; keep the council fully advised as to the  
718 financial condition and future needs of the village; and make  
719 such recommendations to the council concerning the affairs of  
720 the village as the village manager deems appropriate. The

721 village manager shall promptly communicate with the council his  
722 or her reasonable expectation of any significant deviations from  
723 an expenditure identified within the annual budget. The  
724 definition of the term "significant deviations" shall be  
725 determined by the council.

726 6. Designate a qualified village employee to exercise the  
727 powers and perform the duties of village manager during any  
728 temporary absence or incapacity of the village manager. The  
729 council may revoke such designation at any time and appoint  
730 another qualified person, other than a currently seated council  
731 member, to serve as acting village manager until the village  
732 manager returns or his or her incapacity shall cease.

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

735 (2) VILLAGE ATTORNEY.—There shall be a village attorney  
736 who shall be a member of The Florida Bar in good standing, be  
737 appointed by the council, and serve as the chief legal advisor  
738 to the council and village administrators, departments, and  
739 agencies. The village attorney shall attend all council meetings  
740 unless excused by council and shall perform such professional  
741 duties as may be required by law or by the council in the  
742 furtherance of law. The council may remove the village attorney  
743 for any reason by a majority vote of its members.

744 (3) VILLAGE CLERK.—There shall be a village clerk who  
745 shall be appointed by the village manager with the consent of

746 the council. The village clerk shall serve at the pleasure of  
 747 the village manager and shall:

748 (a) Give notice of council meetings to its members and the  
 749 public.

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

752 (c) Authenticate by signature and record all ordinances  
 753 and resolutions passed by council.

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

755 (e) Have the power to administer oaths.

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

758 Section 6. Departments; personnel; planning.—

759 (1) DEPARTMENTS; BOARDS; AGENCIES.—The council may  
 760 establish or terminate such departments, boards, or agencies as  
 761 it determines necessary for the efficient administrative  
 762 operation of the village. Such departments, boards, or agencies  
 763 shall be determined by ordinance.

764 (2) PERSONNEL.—Consistent with all applicable state and  
 765 federal laws, the council shall provide by ordinance for the  
 766 establishment, regulation, and maintenance of a system governing  
 767 personnel policies necessary for the effective administration of  
 768 employees of the village's departments, boards, and agencies.

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

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

775 (b) Adopt a comprehensive plan and ensure that zoning and  
 776 other land use control ordinances are consistent with the plan,  
 777 all in accordance with general law. The Estero Community Plan,  
 778 as amended, approved by the Board of County Commissioners of Lee  
 779 County shall serve as the initial comprehensive plan of the  
 780 village.

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

783 Section 7. Ordinances and resolutions.-

784 (1) DEFINITIONS.-As used in this charter, the term:

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

788 (b) "Resolution" means an expression of the council  
 789 concerning matters of administration, an expression of a  
 790 temporary character, or a provision for the disposition of a  
 791 particular item of the administrative business of the village.

792 (2) ADOPTION OF ORDINANCES.-The procedure for adoption of  
 793 ordinances and resolutions shall be as provided in s. 166.041,  
 794 Florida Statutes.

795 (3) EMERGENCY ORDINANCES.-To meet a public emergency  
 796 affecting life, health, property, or the public peace, the  
 797 council may, except where prohibited by general law, adopt one

798 or more emergency ordinances. Such emergency ordinances may not  
 799 levy taxes; grant, renew, or extend a franchise; regulate the  
 800 rate charged by any utility for its services; or authorize the  
 801 borrowing of money except as provided in this charter. An  
 802 emergency ordinance or resolution may not establish or amend the  
 803 actual zoning map designation of a parcel or parcels of land or  
 804 that changes the list of permitted, conditional, or prohibited  
 805 uses within a zoning category. An emergency ordinance shall be  
 806 plainly designated as an emergency ordinance and shall contain,  
 807 after the enacting of the clause, a declaration stating that an  
 808 emergency exists and describing the emergency in clear and  
 809 specific terms. An emergency ordinance shall become effective  
 810 upon adoption and automatically stand repealed as of the 61st  
 811 day after the date on which it was adopted. This shall not  
 812 prevent reenactment of an emergency ordinance under regular  
 813 procedures, or if the emergency continues to exist, in the  
 814 manner specified in this subsection.

815 Section 8. Financial management.—

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

819 (2) SUBMISSION OF THE BUDGET AND THE BUDGET MESSAGE.—On or  
 820 before the 15th day of July of each year, the village manager  
 821 shall submit to the council a budget in accordance with state  
 822 law. The budget shall outline the financial policies of the  
 823 village for the ensuing fiscal year; describe the important



824 features of the budget; indicate any major changes from the  
825 current year in financial policy, including any changes in  
826 budgetary accounting methods from the current year's  
827 expenditures and revenues together with the reasons for such  
828 changes; summarize the village's debt position; and include such  
829 other material as the village manager deems necessary.

830 (3) BUDGET.—The budget shall provide a complete financial  
831 plan of all village funds and activities for the ensuing fiscal  
832 year and, except as required by law or this charter, shall be in  
833 such form as the village manager deems desirable or the council  
834 may require for effective management and an understanding of the  
835 relationship between the budget and the village's strategic  
836 goals. The budget shall begin with a clear general summary of  
837 its contents; shall show in detail all estimated revenue,  
838 indicating the proposed property tax levy, and all proposed  
839 expenditures, including debt service, for the ensuing fiscal  
840 year; and shall be so arranged as to show comparative figures  
841 for actual and estimated revenue and expenditures of the current  
842 fiscal year and actual revenue and expenditures of the preceding  
843 fiscal year. The budget shall indicate in separate sections:

844 (a) The proposed goals and expenditures for the current  
845 operations during the ensuing fiscal year, detailed for each  
846 fund by department or by other organizational unit, and by  
847 program, purpose, or activity; methods of financing such  
848 expenditures; and methods to measure outcomes and performance  
849 related to the goals.

850 (b) Proposed longer-term goals and capital expenditures  
851 during the ensuing fiscal year, detailed for each fund by  
852 department or by other organization unit when practical, the  
853 proposed method of financing each such capital expenditure, and  
854 the methods used to measure outcomes and performance related to  
855 the goals.

856 (c) The proposed goals, anticipated revenue and expenses,  
857 and profit and loss for the ensuing year for each utility or  
858 other enterprise fund or internal service fund operated by the  
859 village, and methods to measure outcomes and performance related  
860 to goals. For any fund, the total of proposed expenditures shall  
861 not exceed the total of estimated revenue plus carried forward  
862 fund balances exclusive of required reserves.

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

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

870 (6) BUDGET AMENDMENTS AFTER ADOPTION.—

871 (a) Supplemental appropriations.—If, during or before the  
872 fiscal year, the village manager certifies that there are  
873 available for appropriation revenues in excess of those  
874 estimated in the budget, the council by ordinance may make

875 supplemental appropriations for the year up to the amount of  
876 such excess.

877 (b) Emergency appropriations.—To address a public  
878 emergency affecting life, health, property, or the public peace,  
879 the council may make emergency appropriations. Such  
880 appropriations may be made by emergency ordinance in accordance  
881 with subsection (3) of section 7. To the extent that there are  
882 no available unappropriated revenues or a sufficient fund  
883 balance to meet such appropriations, the council may by such  
884 emergency ordinance authorize the issuance of emergency notes,  
885 which may be renewed.

886 (c) Reductions of appropriations.—If, at any time during  
887 the fiscal year, it appears probable to the village manager that  
888 the revenues or fund balances available will be insufficient to  
889 finance the expenditures for which appropriations have been  
890 authorized, the village manager shall report to the council  
891 without delay, indicating the estimated amount of the deficit,  
892 any remedial action taken by the village manager, and  
893 recommendations as to any other steps to be taken. The council  
894 shall then take such further action as it deems necessary to  
895 prevent or reduce any deficit, and for that purpose it may, by  
896 ordinance, reduce or eliminate one or more appropriations.

897 (d) Transfer of appropriations.—At any time during the  
898 fiscal year, the council may by resolution transfer part or all  
899 of the unencumbered appropriation balance from one department,  
900 fund, service, strategy, or organizational unit to the

901 appropriation for other departments or organizational units or a  
 902 new appropriation. The village manager may transfer funds among  
 903 programs within a department, fund, service, strategy, or  
 904 organizational unit and shall report such transfers to the  
 905 council, in writing, in a timely manner.

906 (e) Limitation; effective date.—No appropriation for debt  
 907 service may be reduced or transferred, and no appropriations may  
 908 be reduced below any amount required by law to be appropriated,  
 909 or by more than the unencumbered balance thereof. The  
 910 supplemental and emergency appropriations and reduction of  
 911 transfer of appropriations authorized by this section may be  
 912 made effective immediately upon adoption.

913 (7) CAPITAL PROGRAM; COUNCIL ACTION ON CAPITAL PROGRAM;  
 914 PUBLIC RECORDS.—

915 (a) Capital program.—In conjunction with the submission of  
 916 the budget, the village manager shall prepare and submit to the  
 917 council a 5-year capital program to include cost estimates, time  
 918 schedules, methods of financing, and estimated annual costs of  
 919 operation and maintenance for such capital improvements. This  
 920 capital program shall be revised and extended each year  
 921 depending on which capital improvements are still pending or in  
 922 process of construction or acquisition.

923 (b) Council action on capital program.—The council shall  
 924 publish in one or more newspapers of general circulation within  
 925 the village a summary of the capital program and a notice of at  
 926 least two public hearings on the capital program. The council,

927 by resolution, shall adopt the capital program with or without  
 928 amendments after the public hearings and on or before the 15th  
 929 day of August of the then-current fiscal year.

930 (c) Public records.—Copies of the budget, capital program,  
 931 and appropriation and revenue ordinances shall be public records  
 932 and shall be made available to the public at suitable and  
 933 published access places in the village, and shall be available  
 934 for purchase at a reasonable price.

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

943 Section 9. Nominations and elections.—

944 (1) NONPARTISAN ELECTIONS; ELECTORS; QUALIFYING.—

945 (a) Nonpartisan elections.—All elections shall be  
 946 conducted on a nonpartisan basis without designation of  
 947 political party affiliation.

948 (b) Electors.—Any person who is a resident of the village,  
 949 who has qualified as an elector of this state, and who registers  
 950 as prescribed by law shall be an elector of the village.

951 (c) Qualifying.—

952 1. Each candidate for village council shall be a qualified  
953 elector of the village and must reside in the village for at  
954 least 1 year before the beginning of the qualifying period for  
955 the office sought.

956 2. Any elector of the village who wishes to become a  
957 candidate for village council shall qualify with the Supervisor  
958 of Elections of Lee County for the initial election; thereafter,  
959 candidates shall qualify with the village clerk by providing  
960 proof of voter registration, current address, or 1 year's  
961 residency.

962 3. The qualifying period for candidates for village  
963 council shall begin at noon on the second Monday in January of  
964 odd-numbered years and end at noon on the Friday immediately  
965 after.

966 (2) ELECTIONS.—

967 (a) Adoption of Florida Election Code.—All elections  
968 required under any article or section of this charter shall be  
969 conducted in accordance with the Florida Election Code, chapters  
970 97-106, Florida Statutes, in its entirety and as it is  
971 subsequently amended, except as otherwise provided in this  
972 charter. The council, by ordinance, may adopt such election  
973 procedures as are necessary and as provided by the Florida  
974 Election Code, chapters 97-106, Florida Statutes.

975 (b) At-large elections.—

976 1. The regular election of council members beginning in  
 977 2017 will be the first Tuesday in March on each odd-numbered  
 978 year.

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

983 3. The term of office for an elected council member shall  
 984 begin on the second Tuesday after the council election, and end  
 985 on the Monday immediately before commencement of the following  
 986 term.

987 (c) Village canvassing board.—The canvassing board shall  
 988 consist of the mayor or council member designated by the mayor,  
 989 the village clerk, and the Supervisor of Elections of Lee County  
 990 who shall canvass the results. The election results shall be  
 991 publicly announced after the election.

992 (3) COUNCIL DISTRICTS; REDISTRICTING.—

993 (a) There shall be seven village council districts. The  
 994 districts shall be as roughly equal in permanent population as  
 995 practicable according to the population figures available from  
 996 the most recent Lee County population estimate determined by the  
 997 decennial United States Census. Legal descriptions for the  
 998 village council districts located within the boundary of the  
 999 Village of Estero are as follows:

1000  
 1001 DISTRICT 1

1002  
 1003 Commencing at the Northwest section corner of Section  
 1004 29, Township 46 South, Range 25 East, also being the  
 1005 Point of Beginning (State Plane Coordinate X=709367.49  
 1006 Y=768888.62);  
 1007 thence run North 88°50'15" East, for a distance of  
 1008 2641.85 feet;  
 1009 thence run North 88°24'49" East, for a distance of  
 1010 1988.08 feet;  
 1011 thence run North 89°51'10" East, for a distance of  
 1012 30.25 feet to the approximate center line of  
 1013 Breckenridge Drive;  
 1014 thence run southwesterly along the arc a curve to the  
 1015 right having a radius of 247 feet, through a central  
 1016 angle of 44°53'57" with a chord bearing of South  
 1017 22°4'49" West;  
 1018 thence run southwesterly along the arc a curve to the  
 1019 left having a radius of 2583.18 feet, through a  
 1020 central angle of 4°3'41" with a chord bearing of South  
 1021 45°15'53" West;  
 1022 thence run southeasterly along the arc a curve to the  
 1023 left having a radius of 253.24 feet, through a central  
 1024 angle of 92°49'6" with a chord bearing of South  
 1025 5°54'52" East;  
 1026 thence run southeasterly along the arc a curve to the  
 1027 right having a radius of 285.56 feet, through a



1028 central angle of 90°12'56" with a chord bearing of  
 1029 South 17°41'1" East;  
 1030 thence run South 34°18'15" West, for a distance of  
 1031 119.36  
 1032 thence run southwesterly along the arc a curve to the  
 1033 left having a radius of 398.15 feet, through a central  
 1034 angle of 53°44'15" with a chord bearing of South  
 1035 3°40'29" West;  
 1036 thence run southeasterly along the arc a curve to the  
 1037 right having a radius of 268.84 feet, through a  
 1038 central angle of 59°51'35" with a chord bearing of  
 1039 South 0°50'50" East;  
 1040 thence run southwesterly along the arc a curve to the  
 1041 left having a radius of 1447.11 feet, through a  
 1042 central angle of 7°18'53" with a chord bearing of  
 1043 South 23°38'42" West;  
 1044 thence run southeasterly along the arc a curve to the  
 1045 left having a radius of 377.67 feet, through a central  
 1046 angle of 79°49'18" with a chord bearing of South  
 1047 23°55'38" East;  
 1048 thence run southeasterly along the arc a curve to the  
 1049 right having a radius of 119.37 feet, through a  
 1050 central angle of 67°28'31" with a chord bearing of  
 1051 South 27°35'15" East;  
 1052 thence run South 0°59'11" East, for a distance of  
 1053 115.22 feet to the approximate centerline of Boadway

1054 Way also being the north line of the south half of  
 1055 Section 29, Township 46 South, Range 25 East;  
 1056 thence run South 89°1'50" West, for a distance of  
 1057 3551.72 feet to the approximate centerline of the FPL  
 1058 ROW;  
 1059 thence run South 21°36'8" East, for a distance of  
 1060 2384.1 feet to the approximate centerline of the  
 1061 Estero River;  
 1062 thence following the approximate center line of the  
 1063 Estero River for 1599.59 feet to a point lying 1328.56  
 1064 feet South 76°37'13" West of the point of intersection  
 1065 of the FPL ROW and the Estero River to the  
 1066 approximate center line of Halfway Creek;  
 1067 thence following the approximate center line of the  
 1068 Halfway Creek for 9365.33 feet to a point lying  
 1069 5640.75 feet South 15°19'02" East of the point of  
 1070 intersection of the center lines of the Estero River  
 1071 and Halfway Creek to the approximate centerline of  
 1072 Williams Road also being the north line of Section 05,  
 1073 Township 45 South, Range 25 East;  
 1074 thence run North 88°32'36" East, for a distance of  
 1075 3052.76 feet to the approximate centerline of  
 1076 Tropicana Avenue;  
 1077 thence run South 0°15'48" East, for a distance of  
 1078 2675.32 feet to the approximate centerline of an FPL  
 1079 easement;

1080 thence run South 21°9'37" East, for a distance of  
 1081 5754.36 feet to the approximately centerline of  
 1082 Coconut Road also being the north line of the south  
 1083 half of Section 09, Township 47 South, Range 25 East;  
 1084 thence run North 89°54'43" East, for a distance of  
 1085 1415.44 feet to the approximate center line of US 41;  
 1086 thence run South 0°37'40" East, for a distance of  
 1087 642.06 feet;  
 1088 Thence run southeasterly along the arc a curve to the  
 1089 left having a radius of 4625.18 feet, through a  
 1090 central angle of 12°3'37" with a chord bearing of  
 1091 South 5°7'30 " East;  
 1092 thence run South 9°39'59" East, for a distance of  
 1093 1007.52 feet to the south line of Section 09, Township  
 1094 47 South, Range 25 East also being the north boundary  
 1095 of the City of Bonita Springs;  
 1096 thence following said municipal boundary, run South  
 1097 88°56'15" West, for a distance of 802.51 feet;  
 1098 thence run South 89°0'41" West, for a distance of  
 1099 2677.09 feet;  
 1100 thence run North 89°52'21" West, for a distance of  
 1101 2558.77 feet;  
 1102 thence run North 89°52'22" West, for a distance of  
 1103 2524.15 feet to a point on the east line of a  
 1104 conservation easement recorded in Official Records

1105 Book 4283 Page 3774, Public Records of Lee County  
 1106 Florida;  
 1107 thence following said boundary for the following 102  
 1108 courses and distances:  
 1109 1. run North 7°58'04" West, for a distance of 16.70  
 1110 feet;  
 1111 2. thence run North 45°8'32" West, for a distance of  
 1112 43.24 feet;  
 1113 3. thence run North 17°34'5" East, for a distance of  
 1114 40.65 feet;  
 1115 4. thence run North 5°37'35" West, for a distance of  
 1116 67.77 feet;  
 1117 5. thence run North 12°23'9" East, for a distance of  
 1118 35.75 feet;  
 1119 6. thence run North 16°15'58" West, for a distance of  
 1120 49.58 feet;  
 1121 7. thence run South 89°13'57" West, for a distance of  
 1122 45.10 feet;  
 1123 8. thence run North 34°56'23" West, for a distance of  
 1124 26.07 feet;  
 1125 9. thence run North 47°36'58" East, for a distance of  
 1126 27.94 feet;  
 1127 10. thence run North 84°33'25" East, for a distance  
 1128 of 27.45 feet;  
 1129 11. thence run North 12°39'1" West, for a distance of  
 1130 39.36 feet;

- 1131 |       12. thence run South 67°34'27" West, for a distance
- 1132 |       of 25.47 feet;
- 1133 |       13. thence run South 86°57'32" West, for a distance
- 1134 |       of 15.9 feet;
- 1135 |       14. thence run North 18°32'6" East, for a distance of
- 1136 |       38.27 feet;
- 1137 |       15. thence run North 14°6'44" East, for a distance of
- 1138 |       27.92 feet;
- 1139 |       16. thence run North 5°32'22" West, for a distance of
- 1140 |       52.47 feet;
- 1141 |       17. thence run North 31°0'48" West, for a distance of
- 1142 |       40.1 feet;
- 1143 |       18. thence run North 12°11'33" West, for a distance
- 1144 |       of 38.89 feet;
- 1145 |       19. thence run North 34°26'29" West, for a distance
- 1146 |       of 51.64 feet;
- 1147 |       20. thence run North 27°10'2" East, for a distance of
- 1148 |       44 feet;
- 1149 |       21. thence run North 57°59'14" East, for a distance
- 1150 |       of 26.21 feet;
- 1151 |       22. thence run North 71°18'6" East, for a distance of
- 1152 |       15.08 feet;
- 1153 |       23. thence run North 1°14'30" West, for a distance of
- 1154 |       20.37 feet;
- 1155 |       24. thence run North 37°39'36" East, for a distance
- 1156 |       of 40.08 feet;

- 1157 | 25. thence run North 27°23'35" West, for a distance  
 1158 | of 37.53 feet;
- 1159 | 26. thence run North 19°59'58" West, for a distance  
 1160 | of 78.22 feet;
- 1161 | 27. thence run North 8°14'15" East, for a distance of  
 1162 | 43.31 feet;
- 1163 | 28. thence run North 33°18'17" West, for a distance  
 1164 | of 34.45 feet;
- 1165 | 29. thence run North 2°45'31" West, for a distance of  
 1166 | 35.63 feet;
- 1167 | 30. thence run North 24°55'57" East, for a distance  
 1168 | of 41.9 feet;
- 1169 | 31. thence run North 20°48'56" West, for a distance  
 1170 | of 48.32 feet;
- 1171 | 32. thence run North 9°34'48" East, for a distance of  
 1172 | 44.74 feet;
- 1173 | 33. thence run North 33°12'43" East, for a distance  
 1174 | of 21.35 feet;
- 1175 | 34. thence run North 39°49'37" East, for a distance  
 1176 | of 51.91 feet;
- 1177 | 35. thence run North 57°48'34" East, for a distance  
 1178 | of 26.54 feet;
- 1179 | 36. thence run North 7°11'44" West, for a distance of  
 1180 | 30.87 feet;
- 1181 | 37. thence run North 19°30'39" West, for a distance  
 1182 | of 37 feet;

- 1183     38. thence run North 61°42'17" West, for a distance
- 1184     of 63.96 feet;
- 1185     39. thence run North 7°18'24" West, for a distance of
- 1186     39.41 feet;
- 1187     40. thence run North 48°46'20" West, for a distance
- 1188     of 23.96 feet;
- 1189     41. thence run North 48°17'57" East, for a distance
- 1190     of 25.07 feet;
- 1191     42. thence run North 19°49'2" East, for a distance of
- 1192     36.2 feet;
- 1193     43. thence run North 42°37'8" East, for a distance of
- 1194     36.84 feet;
- 1195     44. thence run North 25°24'38" East, for a distance
- 1196     of 13.47 feet;
- 1197     45. thence run North 63°28'6" East, for a distance of
- 1198     28.23 feet;
- 1199     46. thence run North 21°50'28" East, for a distance
- 1200     of 36.79 feet;
- 1201     47. thence run North 26°54'16" East, for a distance
- 1202     of 22.25 feet;
- 1203     48. thence run North 36°13'51" East, for a distance
- 1204     of 33.3 feet;
- 1205     49. thence run North 0°32'0" East, for a distance of
- 1206     23.73 feet;
- 1207     50. thence run North 39°41'4" West, for a distance of
- 1208     35.54 feet;

1209        51. thence run North 3°17'09" West, for a distance of  
 1210        19.29 feet;  
 1211        52. thence run North 47°19'30" West, for a distance  
 1212        of 50.06 feet;  
 1213        53. thence run North 40°59'54" West, for a distance  
 1214        of 20.68 feet;  
 1215        54. thence run North 22°8'4" East, for a distance of  
 1216        21.15 feet;  
 1217        55. thence run North 58°55'16" East, for a distance  
 1218        of 31.96 feet;  
 1219        56. thence run South 82°15'2" East, for a distance of  
 1220        13.75 feet;  
 1221        57. thence run South 41°43'16" West, for a distance  
 1222        of 24.56 feet;  
 1223        58. thence run South 35°50'4" East, for a distance of  
 1224        42.22 feet;  
 1225        59. thence run South 53°20'16" East, for a distance  
 1226        of 28.47 feet;  
 1227        60. thence run North 54°36'26" East, for a distance  
 1228        of 44.61 feet;  
 1229        61. thence run South 67°33'53" East, for a distance  
 1230        of 23.5 feet;  
 1231        62. thence run South 71°14'30" East, for a distance  
 1232        of 22.95 feet;  
 1233        63. thence run North 41°44'9" East, for a distance of  
 1234        15.79 feet;



- 1235        64. thence run North 56°23'0" West, for a distance of
- 1236        28.55 feet;
- 1237        65. thence run North 86°12'55" West, for a distance
- 1238        of 20.51 feet;
- 1239        66. thence run North 12°12'57" West, for a distance
- 1240        of 22.75 feet;
- 1241        67. thence run North 58°7'12" West, for a distance of
- 1242        25.45 feet;
- 1243        68. thence run North 11°26'36" East, for a distance
- 1244        of 19.74 feet;
- 1245        69. thence run North 14°57'51" East, for a distance
- 1246        of 38.06 feet;
- 1247        70. thence run South 60°50'8" East, for a distance of
- 1248        22.14 feet;
- 1249        71. thence run South 78°36'49" East, for a distance
- 1250        of 29.64 feet;
- 1251        72. thence run South 82°28'58" East, for a distance
- 1252        of 22.54 feet;
- 1253        73. thence run North 12°4'44" East, for a distance of
- 1254        31.95 feet;
- 1255        74. thence run North 28°14'30" West, for a distance
- 1256        of 18.56 feet;
- 1257        75. thence run North 60°7'55" West, for a distance of
- 1258        30.22 feet;
- 1259        76. thence run North 59°45'12" West, for a distance
- 1260        of 25.96 feet;

1261 77. thence run North 15°52'35" East, for a distance  
 1262 of 34.51 feet;  
 1263 78. thence run North 83°34'30" West, for a distance  
 1264 of 24.52 feet;  
 1265 79. thence run North 42°24'51" West, for a distance  
 1266 of 36.16 feet;  
 1267 80. thence run North 41°58'46" West, for a distance  
 1268 of 40.98 feet;  
 1269 81. thence run North 79°48'7" West, for a distance of  
 1270 48.5 feet;  
 1271 82. thence run North 46°4'37" East, for a distance of  
 1272 27.43 feet;  
 1273 83. thence run North 31°0'38" East, for a distance of  
 1274 25.53 feet;  
 1275 84. thence run North 14°42'48" East, for a distance  
 1276 of 28.87 feet;  
 1277 85. thence run South 70°5'51" East, for a distance of  
 1278 36.5 feet;  
 1279 86. thence run South 54°46'17" East, for a distance  
 1280 of 19.72 feet;  
 1281 87. thence run South 79°21'50" East, for a distance  
 1282 of 24.88 feet;  
 1283 88. thence run South 71°44'14" East, for a distance  
 1284 of 18.15 feet;  
 1285 89. thence run North 86°51'4" East, for a distance of  
 1286 39.79 feet;

- 1287 90. thence run North 34°0'38" East, for a distance of  
 1288 22.57 feet;
- 1289 91. thence run North 6°30'32" East, for a distance of  
 1290 20.53 feet;
- 1291 92. thence run North 50°42'32" West, for a distance  
 1292 of 25.83 feet;
- 1293 93. thence run North 58°26'34" West, for a distance  
 1294 of 32.79 feet;
- 1295 94. thence run South 76°58'32" West, for a distance  
 1296 of 32.43 feet;
- 1297 95. thence run North 80°3'12" West, for a distance of  
 1298 25.81 feet;
- 1299 96. thence run North 1°58'43" East, for a distance of  
 1300 35.44 feet;
- 1301 97. thence run North 17°31'4" East, for a distance of  
 1302 24.03 feet;
- 1303 98. thence run South 83°9'35" West, for a distance of  
 1304 75.71 feet;
- 1305 99. thence run North 14°12'53" East, for a distance  
 1306 of 28.04 feet;
- 1307 100. thence run North 22°41'2" West, for a distance  
 1308 of 9.38 feet;
- 1309 101. thence run North 38°25'26" East, for a distance  
 1310 of 13.31 feet;
- 1311 102. thence run North 13°27'24" East, for a distance  
 1312 of 68.12 feet to the northwest corner of Conservation

1313 Easement number 14, recorded in Official Records Book  
 1314 3094, Page 3234, Public Records of Lee County Florida;  
 1315 thence along said boundary for the following four (4)  
 1316 courses and distances:  
 1317 1. run North 75°38'7" East, for a distance of 112.79  
 1318 feet;  
 1319 2. thence run South 19°8'7" East, for a distance of  
 1320 117.08 feet;  
 1321 3. thence run South 53°3'31" East, for a distance of  
 1322 119.51 feet;  
 1323 4. thence run South 34°45'41" East, for a distance of  
 1324 134.67 feet;  
 1325 thence run North 29°52'39" East, for a distance of  
 1326 22.93 feet;  
 1327 Thence run northeasterly along the arc a curve to the  
 1328 left having a radius of 99.98 feet, through a central  
 1329 angle of 14°44'42" with a chord bearing of North  
 1330 22°30'22 " East;  
 1331 Thence run northeasterly along the arc a curve to the  
 1332 right having a radius of 104.66 feet, through a  
 1333 central angle of 54°40'21" with a chord bearing of  
 1334 North 42°22'25" East;  
 1335 Thence run northeasterly along the arc a curve to the  
 1336 left having a radius of 99.92 feet, through a central  
 1337 angle of 28°2'33" with a chord bearing of North  
 1338 55°36'0" East;

1339 thence run North 41°35'17" East, for a distance of  
 1340 46.9 feet;  
 1341 thence run North 47°26'14" East, for a distance of  
 1342 466.86 feet;  
 1343 thence run North 63°30'43" East, for a distance of  
 1344 230.57 feet;  
 1345 thence run South 89°48'2" East, for a distance of  
 1346 34.12 feet;  
 1347 thence run North 0°11'43" East, for a distance of  
 1348 82.19 feet;  
 1349 thence run North 50°54'15" West, for a distance of  
 1350 143.04 feet;  
 1351 thence run North 74°36'32" West, for a distance of  
 1352 58.19 feet;  
 1353 thence run North 0°17'51" East, for a distance of  
 1354 47.01 feet;  
 1355 thence run North 89°43'6" West, for a distance of  
 1356 904.21 feet;  
 1357 thence run North 89°43'19" West, for a distance of  
 1358 45.84 feet;  
 1359 thence run South 0°50'2" East, for a distance of 625  
 1360 feet;  
 1361 thence run South 89°13'27" West, for a distance of  
 1362 1107.21 feet;  
 1363 thence run North 0°46'33" West, for a distance of 650  
 1364 feet;

1365 thence run South 89°13'28" West, for a distance of  
 1366 9.44 feet;  
 1367 thence run North 0°16'13" East, for a distance of  
 1368 219.3 feet;  
 1369 thence run North 3°47'55" West, for a distance of 202  
 1370 feet;  
 1371 thence run South 89°13'6" West, for a distance of  
 1372 75.49 feet;  
 1373 thence run South 81°53'4" West, for a distance of  
 1374 115.98 feet;  
 1375 thence run North 0°54'46" West, for a distance of  
 1376 42.12 feet;  
 1377 thence run North 78°19'31" East, for a distance of  
 1378 121.8 feet;  
 1379 thence run North 9°17'44" West, for a distance of  
 1380 199.5 feet;  
 1381 thence run South 89°5'16" West, for a distance of 549  
 1382 feet to the intersection with the water of the Estero  
 1383 Bay;  
 1384 thence following the waters of the Estero Bay for  
 1385 50,680.08 feet to a point lying 20,165.26 feet North  
 1386 19°37'46" West of the point of intersection of the  
 1387 waters of the Estero Bay and the north section line of  
 1388 Section 25, Township 46 South, Range 24 East to the  
 1389 north line of Section 25, Township 46 South, Range 24  
 1390 East;

1391 thence run along the north section lines of Section  
 1392 25, Township 46 South, Range 24 East and Section 30,  
 1393 Township 46 South, Range 25 East the following  
 1394 courses; North 89°32'47" East, for a distance of  
 1395 2719.61 feet;  
 1396 thence run South 68°7'41" East, for a distance of  
 1397 182.45 feet;  
 1398 thence run South 66°45'23" East, for a distance of  
 1399 2831.06 feet;  
 1400 thence run North 88°54'14" East, for a distance of  
 1401 2629.27 feet to the point of beginning.

1402  
 1403 LESS AND EXCEPT:

1404  
 1405  
 1406 The East Half (E-1/2) of the Northwest Quarter (NW-  
 1407 1/4) and the West Half (W 1/2) of the West Half (W-  
 1408 1/2) of the Northeast Quarter (NE-1/4) of Section 8,  
 1409 Township 47 South, Range 25 East, less the south 40  
 1410 feet for the Coconut Road Right-of-way.

1411  
 1412 District Contains 4,128.3 Acres More Or Less

1413  
 1414 DISTRICT 2  
 1415

1416 Commencing at the west quarter corner of Section 28,  
 1417 Township 46 South, Range 25 East, also being the Point  
 1418 of Beginning (state plane coordinates X= 714693.75  
 1419 Y=766374.94)  
 1420 thence run North 89°49'35" East, for a distance of  
 1421 3330.54 feet to the approximate center line of US 41;  
 1422 thence run South 1°50'8" East, for a distance of  
 1423 3921.45  
 1424 thence run southwesterly along the arc a curve to the  
 1425 right having a radius of 14466.75 feet, through a  
 1426 central angle of 3°33'47" with a chord bearing of  
 1427 South 3°44'45" West;  
 1428 thence run South 5°9'37" West, for a distance of  
 1429 3075.17 feet;  
 1430 thence run South 4°39'27" West, for a distance of  
 1431 1352.53  
 1432 thence run southeasterly along the arc a curve to the  
 1433 left having a radius of 7063.4 feet, through a central  
 1434 angle of 15°6'59" with a chord bearing of South  
 1435 1°20'18" East;  
 1436 thence run South 6°55'41" East, for a distance of  
 1437 2662.67  
 1438 thence run southeasterly along the arc a curve to the  
 1439 right having a radius of 8613.59 feet, through a  
 1440 central angle of 8°51'44" with a chord bearing of  
 1441 South 3°44'22" East;



1442 thence run South 0°37'40" East, for a distance of  
 1443 942.23 feet to the approximately centerline of Coconut  
 1444 Road also being the north line of the south half of  
 1445 Section 09, Township 47 South, Range 25 East;  
 1446 thence run South 89°54'43" West, for a distance of  
 1447 1415.44 feet to the approximate centerline of an FPL  
 1448 easement;  
 1449 thence run North 21°9'37" West, for a distance of  
 1450 5754.36 feet to the approximate centerline of  
 1451 Tropicana Avenue;  
 1452 thence run North 0°15'48" West, for a distance of  
 1453 2675.32 feet to the approximate centerline of Williams  
 1454 Road also being the north line of Section 05, Township  
 1455 45 South, Range 25 East;  
 1456 thence run South 88°32'36" West, for a distance of  
 1457 3052.76 feet to the approximate center line of Halfway  
 1458 Creek;  
 1459 thence following the approximate center line of the  
 1460 Halfway Creek for 9365.33 feet to a point lying  
 1461 5640.75 feet North 15°19'02" West of the point of  
 1462 intersection of the center lines of the Williams Road  
 1463 and Halfway Creek to the approximate centerline of the  
 1464 Estero River;  
 1465 thence following the approximate center line of the  
 1466 Estero River for 1599.59 feet to a point lying 1328.56

1467 feet North 76°37'13" East of the point of intersection  
 1468 of Halfway Creek and the Estero River to the FPL ROW;  
 1469 thence run North 21°36'8" West, for a distance of  
 1470 2384.1 feet to the approximate centerline of Boadway  
 1471 Way also being the north line of the south half of  
 1472 Section 29, Township 46 South, Range 25 East;  
 1473 thence run North 88°55'55" East, for a distance of  
 1474 3183.58 feet;  
 1475 thence run North 89°48'50" East, for a distance of  
 1476 368.19 feet;  
 1477 thence run North 89°48'50" East, for a distance of  
 1478 608.14 feet to the point of beginning.

1479  
 1480 District Contains 1,769.65 Acres More Or Less

1481  
 1482 DISTRICT 3

1483  
 1484 Commencing at the northeast corner of Section 21,  
 1485 Township 46 South, Range 25 East, also being the Point  
 1486 of Beginning (state plane coordinates X= 714583.39  
 1487 Y=774315.45);  
 1488 thence run along the north section line of Section 21,  
 1489 Township 46 South, Range 25 East, South 88°49'16"  
 1490 East, for a distance of 2649.92 feet;  
 1491 thence run South 89°29'33" East, for a distance of  
 1492 2628.25 feet;

1493 thence run South 0°53'55" East, for a distance of  
 1494 2646.15 feet to the north line of the southwest  
 1495 quarter of Section 21, Township 46 South, Range 25  
 1496 East;  
 1497 thence run North 89°15'56" East, for a distance of  
 1498 2658.71 feet;  
 1499 thence run South 0°38'38" East, for a distance of  
 1500 2574.91 feet;  
 1501 thence run North 88°38'34" East, for a distance of  
 1502 2590.9 feet;  
 1503 thence run North 0°52'40" East, for a distance of  
 1504 2547.76 feet to the north line of the southwest  
 1505 quarter of Section 22, Township 46 South, Range 25  
 1506 East;  
 1507 thence run North 89°16'11" East, for a distance of  
 1508 664.59 feet to the west ROW line of INTERSTATE 75;  
 1509 thence run South 16°27'23" East, for a distance of  
 1510 2671.61 feet to the north line of Section 26, Township  
 1511 46 South, Range 25 East;  
 1512 thence run South 89°44'7" East, for a distance of  
 1513 230.64 feet to the approximate centerline of  
 1514 INTERSTATE 75;  
 1515 thence run South 18°17'40" East, for a distance of  
 1516 1432.27 feet;

1517 thence run South 89°51'10" West, for a distance of  
 1518 2038.08 feet to the approximate centerline of Three  
 1519 Oaks Parkway;  
 1520 thence run South 1°18'28" East, for a distance of  
 1521 1272.84 feet to the north line of the south half of  
 1522 Section 26, Township 46 South, Range 25 East;  
 1523 thence run South 89°11'8" West, for a distance of  
 1524 71.58 feet;  
 1525 thence run South 89°11'9" West, for a distance of  
 1526 5263.51 feet;  
 1527 thence run South 89°49'3" West, for a distance of  
 1528 599.42 feet to the approximately centerline of the  
 1529 Seaboard Coast Line Railroad ROW;  
 1530 thence run northwesterly along the arc a curve to the  
 1531 left having a radius of 2968.18 feet, through a  
 1532 central angle of 34°4'42" with a chord bearing of  
 1533 North 17°54'8" West;  
 1534 thence run North 32°1'23" West, for a distance of  
 1535 1191.76 feet to the approximate centerline of Estero  
 1536 Parkway;  
 1537 thence run North 85°53'31" West, for a distance of  
 1538 1260.18 feet;  
 1539 thence run southwesterly along the arc a curve to the  
 1540 left having a radius of 1124.38 feet, through a  
 1541 central angle of 42°53'44" with a chord bearing of  
 1542 South 74°19'14" West;

1543 thence run South 52°16'30" West, for a distance of  
 1544 465.33 feet to the approximate centerline of US 41;  
 1545 thence run North 36°48'36" West, for a distance of  
 1546 1926.3 feet to the west line of Section 21, Township  
 1547 46 South, 25 East;  
 1548 thence run North 0°46'18" West, for a distance of  
 1549 162.01 feet to the east ROW line of US41;  
 1550 thence run North 36°55'0" West, for a distance of  
 1551 806.81 feet;  
 1552 thence run North 89°15'26" East, for a distance of  
 1553 475.88 feet to the east line of Section 21, Township  
 1554 46 South, 25 East;  
 1555 thence run North 0°46'16" West, for a distance of  
 1556 659.7 feet;  
 1557 thence run North 0°47'43" West, for a distance of  
 1558 2661.71 feet to the point of beginning.

1559  
 1560 District Contains 1286.59 Acres More Or Less

1561  
 1562 DISTRICT 4

1563  
 1564 Commencing at the west quarter corner of Section 28,  
 1565 Township 46 South, Range 25 East, also being the Point  
 1566 of Beginning (state plane coordinates X=714693.75  
 1567 Y=766374.94 feet);

1568 thence run North 89°49'35" East, for a distance of  
 1569 3330.54 feet to the approximate center line of US 41;  
 1570 thence run South 1°50'8" East, for a distance of  
 1571 3921.45 feet to the approximate centerline of  
 1572 Corkscrew Road;  
 1573 thence run North 89°46'44" East, for a distance of  
 1574 9317.45  
 1575 thence run northeasterly along the arc a curve to the  
 1576 left having a radius of 3230.33 feet, through a  
 1577 central angle of 26°59'33" with a chord bearing of  
 1578 North 73°48'1" East to the approximate centerline of  
 1579 the INTERSTATE 75 ROW;  
 1580 thence run North 18°17'40" West, for a distance of  
 1581 5079.82 feet;  
 1582 thence run South 89°51'16" West, for a distance of  
 1583 2038.1 feet to the approximate centerline of the Three  
 1584 Oaks Parkway ROW;  
 1585 thence run South 1°18'28" East, for a distance of  
 1586 1272.84 feet to the north line of the south half of  
 1587 Section 26, Township 46 South, Range 25 East;  
 1588 thence run South 89°11'8" West, for a distance of  
 1589 71.58 feet;  
 1590 thence run South 89°11'9" West, for a distance of  
 1591 5263.51 feet;

1592 thence run South 89°49'3" West, for a distance of  
 1593 599.42 feet to the approximately centerline of the  
 1594 Seaboard Coast Line Railroad ROW;  
 1595 thence run northwesterly along the arc a curve to the  
 1596 left having a radius of 2968.18 feet, through a  
 1597 central angle of 34°4'42" with a chord bearing of  
 1598 North 17°54'8" West;  
 1599 thence run North 32°1'23" West, for a distance of  
 1600 1191.76 feet to the approximate centerline of Estero  
 1601 Parkway;  
 1602 thence run North 85°53'31" West, for a distance of  
 1603 1260.18 feet;  
 1604 thence run southwesterly along the arc a curve to the  
 1605 left having a radius of 1124.38 feet, through a  
 1606 central angle of 42°53'44" with a chord bearing of  
 1607 South 74°19'14" West;  
 1608 thence run South 52°16'30" West, for a distance of  
 1609 465.33 feet to the approximate centerline of US 41;  
 1610 thence run North 36°48'36" West, for a distance of  
 1611 1926.3 feet to the west line of Section 21, Township  
 1612 46 South, 25 East;  
 1613 thence run South 0°46'28" East, for a distance of  
 1614 177.04 feet to the intersection of said section line  
 1615 the northeast boundary of the Breckenridge  
 1616 Professional Center;

1617 thence run North 36°54'58" West, for a distance of  
 1618 97.87 feet;  
 1619 thence run North 36°55'10" West, for a distance of  
 1620 277.55 feet;  
 1621 thence run South 88°39'22" West, for a distance of  
 1622 76.95 feet;  
 1623 thence run South 17°23'50" West, for a distance of  
 1624 62.04 feet;  
 1625 thence run South 38°56'0" East, for a distance of  
 1626 286.25 feet;  
 1627 thence run South 52°56'45" West, for a distance of  
 1628 23.92 feet;  
 1629 thence run South 88°30'1" West, for a distance of  
 1630 498.56 feet;  
 1631 thence run South 0°41'56" East, for a distance of  
 1632 995.94 feet;  
 1633 thence run North 89°50'17" East, for a distance of  
 1634 30.24 feet to the approximately centerline of  
 1635 Breckenridge Drive;  
 1636 thence run southwesterly along the arc a curve to the  
 1637 right having a radius of 247 feet, through a central  
 1638 angle of 44°53'57" with a chord bearing of South  
 1639 22°4'49" West;  
 1640 thence run southwesterly along the arc a curve to the  
 1641 left having a radius of 2583.18 feet, through a



1642 central angle of 4°3'41" with a chord bearing of South  
 1643 45°15'53" West;  
 1644 thence run southeasterly along the arc a curve to the  
 1645 left having a radius of 253.24 feet, through a central  
 1646 angle of 92°49'6" with a chord bearing of South  
 1647 5°54'52" East;  
 1648 thence run southeasterly along the arc a curve to the  
 1649 right having a radius of 285.56 feet, through a  
 1650 central angle of 90°12'56" with a chord bearing of  
 1651 South 17°41'1" East;  
 1652 thence run South 34°18'15" West, for a distance of  
 1653 119.36  
 1654 thence run southwesterly along the arc a curve to the  
 1655 left having a radius of 398.15 feet, through a central  
 1656 angle of 53°44'15" with a chord bearing of South  
 1657 3°40'29" West;  
 1658 thence run southeasterly along the arc a curve to the  
 1659 right having a radius of 268.84 feet, through a  
 1660 central angle of 59°51'35" with a chord bearing of  
 1661 South 0°50'50" East;  
 1662 thence run southwesterly along the arc a curve to the  
 1663 left having a radius of 1447.11 feet, through a  
 1664 central angle of 7°18'53" with a chord bearing of  
 1665 South 23°38'42" West;  
 1666 thence run southeasterly along the arc a curve to the  
 1667 left having a radius of 377.67 feet, through a central

1668 angle of 79°49'18" with a chord bearing of South  
 1669 23°55'38" East;  
 1670 thence run southeasterly along the arc a curve to the  
 1671 right having a radius of 119.37 feet, through a  
 1672 central angle of 67°28'31" with a chord bearing of  
 1673 South 27°35'15" East;  
 1674 thence run South 0°59'11" East, for a distance of  
 1675 114.77 feet to the approximate centerline of Boadway  
 1676 Way also being the north line of the south half of  
 1677 Section 29, Township 46 South, Range 25 East;  
 1678 thence run North 89°48'50" East, for a distance of  
 1679 608.13 feet to the point of beginning.

1680  
 1681 District Contains 1327.54 Acres More Or Less

1682  
 1683 DISTRICT 5

1684  
 1685 Commencing at the southwest corner of Section 36,  
 1686 Township 46 South, Range 25 East, also being the Point  
 1687 of Beginning (state plane coordinates X=735937.6  
 1688 Y=758567.2);  
 1689 thence following the south section lines of Sections  
 1690 36, 35, 34, and 33, Township 46 South Range 25 East  
 1691 for 7 courses: run South 89°21'40" West, for a  
 1692 distance of 2638.23 feet;

1693 thence run North 88°39'21" West, for a distance of  
 1694 2631.26 feet;  
 1695 thence run South 89°50'15" West, for a distance of  
 1696 2639.64 feet;  
 1697 thence run South 89°50'34" West, for a distance of  
 1698 2641.62 feet;  
 1699 thence run South 89°52'7" West, for a distance of  
 1700 2639.37 feet;  
 1701 thence run South 89°51'22" West, for a distance of  
 1702 2647.56 feet;  
 1703 thence run South 88°19'39" West, for a distance of  
 1704 2287.28 feet to the approximate centerline of US 41;  
 1705 thence run North 5°9'37" East, for a distance of  
 1706 3075.17  
 1707 thence run northeasterly along the arc a curve to the  
 1708 left having a radius of 14466.75 feet, through a  
 1709 central angle of 3°33'47" with a chord bearing of  
 1710 North 3°44'45" East to the approximate centerline of  
 1711 Corkscrew Road;  
 1712 thence run North 89°46'44" East, for a distance of  
 1713 9317.45  
 1714 thence run northeasterly along the arc a curve to the  
 1715 left having a radius of 3230.33 feet, through a  
 1716 central angle of 26°59'33" with a chord bearing of  
 1717 North 73°48'1" East to the approximated centerline of  
 1718 the INTERSTATE 75 ROW;

1719 thence run North 18°17'40" West, for a distance of  
 1720 5079.82 feet;  
 1721 thence run North 18°17'40" West, for a distance of  
 1722 1432.34 feet to the north line of Section 26, Township  
 1723 46 South, Range 25 East;  
 1724 thence run South 89°45'8" East, for a distance of  
 1725 997.08 feet;  
 1726 thence run South 89°44'35" East, for a distance of  
 1727 2107.98 feet to the approximate centerline of Ben Hill  
 1728 Griffin Parkway;  
 1729 thence run South 0°0'19" West, for a distance of  
 1730 1064.21  
 1731 thence run southeasterly along the arc a curve to the  
 1732 left having a radius of 2214.94 feet, through a  
 1733 central angle of 23°23'51" with a chord bearing of  
 1734 South 16°20'0" East;  
 1735 thence run South 31°40'32" East, for a distance of  
 1736 719.1  
 1737 thence run southeasterly along the arc a curve to the  
 1738 right having a radius of 2223.22 feet, through a  
 1739 central angle of 26°27'22" with a chord bearing of  
 1740 South 22°6'3" East;  
 1741 thence run South 6°27'32" East, for a distance of  
 1742 416.71 feet;  
 1743 thence run South 7°40'1" East, for a distance of  
 1744 136.64

1745 thence run southeasterly along the arc a curve to the  
 1746 left having a radius of 1451.88 feet, through a  
 1747 central angle of 21°34'34" with a chord bearing of  
 1748 South 18°26'6" East;  
 1749 thence run South 29°39'33" East, for a distance of  
 1750 302.71 feet to the approximate centerline of Corkscrew  
 1751 Road;  
 1752 thence run North 62°15'53" East, for a distance of  
 1753 5042.42 feet to the west line of Section 25, Township  
 1754 46 South, Range 25 East;  
 1755 thence run South 1°2'2" East, for a distance of 135.83  
 1756 feet;  
 1757 thence run South 1°4'45" East, for a distance of  
 1758 2642.78 feet;  
 1759 thence run South 0°33'4" East, for a distance of  
 1760 2640.43 feet;  
 1761 thence run South 0°27'27" East, for a distance of  
 1762 2643.53 feet to the point of beginning.

1763  
 1764 District Contains 2348.31 Acres More Or Less

1765  
 1766 DISTRICT 6

1767  
 1768 Commencing at the southwest corner of Section 09,  
 1769 Township 47 South, Range 25 East, also being the Point

1770 of Beginning (state plane coordinates X=718429.44  
 1771 Y=747782.96);  
 1772 Thence run South 88°56'16" West, for a distance of  
 1773 1847.35 feet to the approximate centerline of US 41;  
 1774 thence run North 9°39'59" West, for a distance of  
 1775 1007.52 feet;  
 1776 thence run northwesterly along the arc a curve to the  
 1777 right having a radius of 4625.18 feet, through a  
 1778 central angle of 12°3'37" with a chord bearing of  
 1779 North 5°7'30" West;  
 1780 thence run North 0°37'53" West, for a distance of  
 1781 642.06 feet;  
 1782 thence run North 0°37'40" West, for a distance of  
 1783 923.23 feet;  
 1784 thence run northwesterly along the arc a curve to the  
 1785 left having a radius of 8613.59 feet, through a  
 1786 central angle of 8°51'44" with a chord bearing of  
 1787 North 3°44'22" West;  
 1788 thence run North 6°55'41" West, for a distance of  
 1789 2662.67 feet;  
 1790 thence run northwesterly along the arc a curve to the  
 1791 right having a radius of 7063.40 feet, through a  
 1792 central angle of 15°6'59" with a chord bearing of  
 1793 North 1°20'18" West to the north line of Section 04,  
 1794 Township 47 South, Range 25 East;

1795 thence run North 4°39'27" East, for a distance of  
 1796 1352.53 feet;  
 1797 thence run North 88°19'39" East, for a distance of  
 1798 2287.28 feet;  
 1799 thence run North 89°51'22" East, for a distance of  
 1800 2647.56 feet;  
 1801 thence run North 89°52'7" East, for a distance of  
 1802 2639.37 feet;  
 1803 thence run North 89°50'34" East, for a distance of  
 1804 2641.62 feet;  
 1805 thence run North 89°50'15" East, for a distance of  
 1806 2639.65 feet to the northeast corner of Section 02,  
 1807 Township 47 South, Range 25 East;  
 1808 thence run South 1°13'18" East, for a distance of  
 1809 2678.29 feet;  
 1810 thence run South 1°13'32" East, for a distance of  
 1811 2655.29 feet;  
 1812 thence run South 0°55'29" East, for a distance of  
 1813 3018.01 feet;  
 1814 thence run South 0°55'30" East, for a distance of  
 1815 3018.02 feet to the southeast corner of Section 11,  
 1816 Township 47 South, Range 25 East;  
 1817 thence run North 82°32'47" West, for a distance of  
 1818 2623.46 feet;  
 1819 thence run North 82°29'22" West, for a distance of  
 1820 2698.35 feet;

1821 thence run South 88°50'21" West, for a distance of  
 1822 2665.25 feet;  
 1823 thence run South 88°50'38" West, for a distance of  
 1824 2663.15 feet to the point of beginning.

1825  
 1826 District Contains 4388 Acres More Or Less

1827  
 1828 DISTRICT 7

1829  
 1830 Commencing at the southwest corner of Section 31,  
 1831 Township 46 South, Range 26 East, also being the Point  
 1832 of Beginning (state plane coordinates X=735937.47  
 1833 Y=758567.08 feet;  
 1834 thence run North 89°40'8" East, for a distance of  
 1835 2638.47 feet;  
 1836 thence run North 89°15'55" East, for a distance of  
 1837 2632.21 feet;  
 1838 thence run North 89°7'38" East, for a distance of  
 1839 2643.33 feet;  
 1840 thence run North 89°6'9" East, for a distance of  
 1841 2641.82 feet to the southeast corner of Section 32,  
 1842 Township 46 South, Range 26 East;  
 1843 thence run North 0°20'14" East, for a distance of  
 1844 2637.31 feet;  
 1845 thence run North 0°21'15" East, for a distance of  
 1846 2630.02 feet;



1847 thence run North 2°7'56" West, for a distance of  
 1848 2645.68 feet;  
 1849 thence run North 2°7'47" West, for a distance of  
 1850 2646.39 feet;  
 1851 thence run North 1°9'40" West, for a distance of  
 1852 825.71 feet to the approximate centerline of Corkscrew  
 1853 Road;  
 1854 thence run South 86°34'11" West, for a distance of  
 1855 4481.93 feet;  
 1856 thence run southwesterly along the arc a curve to the  
 1857 left having a radius of 893.4 feet, through a central  
 1858 angle of 21°54'30" with a chord bearing of South  
 1859 75°0'11" West;  
 1860 thence run South 61°50'19" West, for a distance of  
 1861 1130.65 feet to the north line of Section 30, Township  
 1862 46 South, Range 26 East;  
 1863 thence run South 89°21'59" West, for a distance of  
 1864 2100.77 feet;  
 1865 thence run South 89°21'54" West, for a distance of  
 1866 2607.66 feet;  
 1867 thence run South 89°28'25" West, for a distance of  
 1868 2624.95 feet;  
 1869 thence run South 89°28'10" West, for a distance of  
 1870 2624.89 feet;

1871 thence run North 89°44'35" West, for a distance of  
 1872 578.31 feet to the approximate centerline of Ben Hill  
 1873 Griffin Parkway;  
 1874 thence run South 0°0'19" West, for a distance of  
 1875 1064.21  
 1876 thence run northwesterly along the arc a curve to the  
 1877 left having a radius of 2214.94 feet, through a  
 1878 central angle of 23°23'51" with a chord bearing of  
 1879 South 16°20'0" East;  
 1880 thence run South 31°40'32" East, for a distance of  
 1881 719.1  
 1882 thence run northwesterly along the arc a curve to the  
 1883 right having a radius of 2223.22 feet, through a  
 1884 central angle of 26°27'22" with a chord bearing of  
 1885 South 22°6'3" East;  
 1886 thence run South 6°27'32" East, for a distance of  
 1887 416.71 feet;  
 1888 thence run South 7°40'1" East, for a distance of  
 1889 136.64  
 1890 thence run northwesterly along the arc a curve to the  
 1891 left having a radius of 1451.88 feet, through a  
 1892 central angle of 21°34'34" with a chord bearing of  
 1893 South 18°26'6" East;  
 1894 thence run South 29°39'33" East, for a distance of  
 1895 302.71 feet to the approximate centerline of Corkscrew  
 1896 Road;

1897 thence run North 62°15'53" East, for a distance of  
 1898 5042.42 feet to the east line of Section 30, Township  
 1899 46 South, Range 26 East;  
 1900 thence run South 1°2'2" East, for a distance of 135.83  
 1901 feet;  
 1902 thence run South 1°4'45" East, for a distance of  
 1903 2642.78 feet;  
 1904 thence run South 0°33'4" East, for a distance of  
 1905 2640.43 feet;  
 1906 thence run South 0°27'27" East, for a distance of  
 1907 2643.53 feet to the point of beginning.

1908  
 1909 District Contains 2683 Acres More Or Less

1910  
 1911 Population figures are from 2010 United States Census using  
 1912 census block level data. The bearings and distances are based on  
 1913 the State Plane Coordinates System Florida Zone West NAD 83  
 1914 (CORS).

1915 (b) In the year 2015, and in odd-numbered years after each  
 1916 decennial United States Census thereafter, and at any time  
 1917 required by law, the council may redivide the village into seven  
 1918 districts as roughly equal in permanent population as practical.

1919 (4) RECALL.—The qualified voters of the village shall have  
 1920 the power to remove from office an elected official for  
 1921 unethical or illegal conduct or actions resulting in the  
 1922 endangerment of the public health and safety, malfeasance of

1923 office, or dereliction of duties. In order to recall a council  
 1924 member, at least 25 percent of the total number of electors  
 1925 registered to vote in the last regular village election within  
 1926 the district shall be needed to sign a petition to recall the  
 1927 council member from his or her district seat. If said number of  
 1928 signatures is collected and certified by the Supervisor of  
 1929 Elections of Lee County, a special recall election shall be held  
 1930 no later than 90 days after such certification. A recall  
 1931 election shall be held as provided for by the Florida Election  
 1932 Code.

1933       Section 10. Initiative and referendum.—The powers of  
 1934 initiative and referendum are reserved to the qualified  
 1935 registered voters of the village. The election laws of the  
 1936 state, as they currently exist or may hereafter be amended or  
 1937 superseded, shall govern the exercise of the powers of  
 1938 initiative and referendum under this charter.

1939       Section 11. General provisions.—

1940       (1) CODE OF ETHICS.—It is essential to the proper conduct  
 1941 and operation of the village that the officers and employees of  
 1942 the village be independent and impartial and for their offices  
 1943 not to be used for private gain other than the remuneration  
 1944 provided by law or by ordinances. It is declared to be the  
 1945 policy of the village that its officers and employees are agents  
 1946 of the people and hold their positions for the benefit of the  
 1947 public. Therefore, all village officers and employees shall

1948 adhere to the standards of conduct as set forth in part III of  
 1949 chapter 112, Florida Statutes.

1950 (2) AMENDMENTS TO CHARTER.—

1951 (a) Amendments.—The charter may be amended in accordance  
 1952 with the provisions for charter amendments as specified in the  
 1953 Municipal Home Rules Powers Act, chapter 166, Florida Statutes,  
 1954 or as otherwise may be provided by general law. The council may,  
 1955 by ordinance, or the qualified registered voters of the village  
 1956 may, by petition signed by 10 percent or 5,000 electors,  
 1957 whichever is less, registered to vote in the last regular  
 1958 village election, submit to the electors of the village a  
 1959 proposed amendment to any part or all of the charter. The form,  
 1960 content, and certification of any petition to amend the charter  
 1961 shall be established by ordinance.

1962 (b) Election.—The council shall place the proposed  
 1963 amendment contained in the ordinance or petition to a vote of  
 1964 the electors of the village at the next village election or at a  
 1965 special election called for such purpose.

1966 (c) Adoption of amendment.—If a majority of the registered  
 1967 voters of the village vote in favor of a proposed charter  
 1968 amendment, the amendment shall become effective at the time  
 1969 fixed in the amendment or, if no time is fixed in the amendment,  
 1970 30 days after the amendment is adopted by the voters.

1971 (3) SEVERABILITY.—If any provision of this charter or the  
 1972 application thereof to any person or circumstance is held  
 1973 invalid, the invalidity shall not affect other provisions or

1974 applications of this charter which can be given effect without  
 1975 the invalid provisions or application, and to this end the  
 1976 provisions of this charter are declared severable.

1977 Section 12. Referendum election; transition.—

1978 (1) REFERENDUM ELECTION.—The referendum election called  
 1979 for by this act shall be held on November 4, 2014, at which time  
 1980 the following question shall be placed upon the ballot:

1981  
 1982 Shall the Village of Estero and its charter be created?

1983  
 1984 YES . . . .

1985  
 1986 NO . . . .

1987  
 1988 In the event the question is answered affirmatively by a  
 1989 majority of voters voting in the referendum, the charter will  
 1990 take effect as provided for in this charter. The referendum  
 1991 election shall be conducted by the Supervisor of Elections of  
 1992 Lee County in accordance with the Florida Election Code, and the  
 1993 cost of such election shall be funded by Lee County.

1994 (2) INITIAL ELECTION OF COUNCIL.—

1995 (a) After the adoption of this charter, the Supervisor of  
 1996 Elections of Lee County shall call an election to be held on  
 1997 March 3, 2015, for the election of seven village council  
 1998 members. The election shall be conducted by the Supervisor of  
 1999 Lee County Elections in accordance with the Florida Election

2000 Code, and the cost of such election shall be funded by Lee  
 2001 County.

2002 (b) Any individual who wishes to run for one of seven  
 2003 initial seats on the council shall qualify with the Supervisor  
 2004 of Elections of Lee County in accordance with this charter and  
 2005 general law. The qualifying period for the initial election of  
 2006 the village council shall begin at noon on the second Monday in  
 2007 January and end at noon on the Friday immediately following.

2008 (c) For the initial elections, the county canvassing board  
 2009 shall certify the results of the elections in accordance with  
 2010 general law.

2011 (d) The four council members receiving the highest number  
 2012 of votes shall be elected to 4-year terms and the other three  
 2013 council members shall be elected to initial 2-year terms. The  
 2014 council members elected to the 2-year terms may serve, if  
 2015 reelected, an additional 4-year term, which will constitute two  
 2016 terms for term limit purposes.

2017 (3) SCHEDULE.—

2018 (a) First election of council members.—At the time of its  
 2019 adoption, this charter shall be in effect to the extent  
 2020 necessary so that the first election of members of the village  
 2021 council may be conducted in accordance with this charter.

2022 (b) Time of taking full effect.—This charter shall be in  
 2023 full effect for all purposes on and after the date of the first  
 2024 meeting of the newly elected village council provided in  
 2025 paragraph (c).

2026        (c) First council meeting.—On March 17, 2015, after the  
 2027 first election of the village council under this charter, the  
 2028 newly elected members of the village council shall meet at a  
 2029 location to be determined. The initial council shall have the  
 2030 authority and power to enter into contracts, arrange for the  
 2031 hiring of legal counsel, begin recruiting applicants for village  
 2032 manager, provide for necessary village offices and facilities,  
 2033 and do such other things as it deems necessary and appropriate  
 2034 for the village.

2035        (4) FIRST-YEAR EXPENSES.—The council, in order to provide  
 2036 moneys for the expenses and support of the city, shall have the  
 2037 power to borrow money necessary for the operation of municipal  
 2038 government until such time as a budget is adopted and revenues  
 2039 are raised in accordance with this charter.

2040        (5) TRANSITIONAL ORDINANCES AND RESOLUTIONS.—

2041        (a) All applicable county ordinances currently in place at  
 2042 the time of passage of the referendum, unless specifically  
 2043 referenced in this charter, shall remain in place until and  
 2044 unless rescinded by action of the council, except that a county  
 2045 ordinance, rule, or regulation which is in conflict with an  
 2046 ordinance, rule, or regulation of the village shall not be  
 2047 effective to the extent of such conflict. Any existing Lee  
 2048 County ordinances, rules, and regulations, as of November 4,  
 2049 2014, shall not be altered, changed, rescinded, or added to, nor  
 2050 shall any variance be granted, if such action would affect the  
 2051 village without the approval of the council.



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2052        (b) The council shall adopt ordinances and resolutions  
2053 required to effect the transition. Ordinances adopted within 90  
2054 days after the first council meeting may be passed as emergency  
2055 ordinances as provided in this charter, except the transitional  
2056 ordinances shall be effective for no longer than 90 days after  
2057 adoption and, thereafter, may be readopted, renewed, or  
2058 otherwise continued only in the manner normally prescribed for  
2059 ordinances.

2060        (6) TRANSITIONAL COMPREHENSIVE PLAN.—Until such time as  
2061 the village adopts a comprehensive plan, the Lee County  
2062 Comprehensive Plan and the Estero Community Plan, as the same  
2063 exists on the day the village commences corporate existence,  
2064 shall remain in effect as the village's transitional  
2065 comprehensive plan. However, all planning functions, duties, and  
2066 authority shall thereafter be vested in the council, which shall  
2067 be deemed the local planning agency until the council  
2068 establishes a separate local planning agency.

2069        (7) TRANSITIONAL LAND DEVELOPMENT REGULATIONS.—To  
2070 implement the transitional comprehensive land use plan when  
2071 adopted, the village shall, in accordance with the procedures  
2072 required by the laws of the state, adopt ordinances providing  
2073 for land use development regulations within the corporate  
2074 limits. Until the village adopts the ordinances:

2075        (a) The comprehensive land use plan and land use  
2076 development regulations of Lee County and the Estero Community  
2077 Plan, as the same exists on the date the village commences

2078 corporate existence, shall remain in effect as the village's  
 2079 transitional land use development regulations and comprehensive  
 2080 land use plan.

2081 (b) All powers and duties of the Lee County Department of  
 2082 Community Development, the Lee County Hearing Examiner, and  
 2083 Board of County Commissioners of Lee County, as set forth in  
 2084 these transitional land use development regulations, shall be  
 2085 vested in the council until such time as the council delegates  
 2086 all powers and duties, or a portion thereof, to another agency,  
 2087 department, or entity.

2088 (c) Subsequent to the adoption of a local comprehensive  
 2089 land use plan and subject to general law, the council is fully  
 2090 empowered to amend, supersede, enforce, or repeal the  
 2091 transitional land use development regulations, or any portion  
 2092 thereof, by ordinance.

2093 (d) Subsequent to the commencement of the village's  
 2094 corporate existence, an amendment of the comprehensive land use  
 2095 plan or land use development regulations enacted by the Board of  
 2096 County Commissioners of Lee County shall not be deemed an  
 2097 amendment of the village's transitional comprehensive land use  
 2098 plan or land use development regulations or otherwise take  
 2099 effect within the village's municipal boundaries.

2100 (8) STATE-SHARED REVENUES.—The village shall be entitled  
 2101 to participate in all revenue sharing programs of the state  
 2102 effective on the date of incorporation. The provisions of s.  
 2103 218.23(1), Florida Statutes, shall be waived for the purposes of

2104 eligibility to receive revenue sharing funds from the date of  
 2105 incorporation through fiscal year 2014-2015. For purposes of  
 2106 complying with s. 218.23(1), Florida Statutes, relating to ad  
 2107 valorem taxation, the millage levied by special districts may be  
 2108 used for an indefinite period of time. Initial revised  
 2109 population estimates for calculating eligibility for shared  
 2110 revenues shall be determined by the University of Florida Bureau  
 2111 of Economic and Business Research. Should the bureau be unable  
 2112 to provide an appropriate population estimate, the Lee County  
 2113 Department of Community Development shall provide the estimate.

2114 (9) LOCAL REVENUE SOURCES.—The village shall be entitled  
 2115 to receive all local revenue sources available pursuant to  
 2116 general law, including, but not limited to, the communications  
 2117 services tax imposed under s. 202.19, Florida Statutes.

2118 (10) LOCAL OPTION GAS TAX REVENUES.—The village shall be  
 2119 entitled to receive local option gas tax revenues beginning  
 2120 October 1, 2015, in accordance with an interlocal agreement if  
 2121 executed before June 1, 2015. If such interlocal agreement is  
 2122 not executed before June 1, 2015, the distributions shall be in  
 2123 accordance with the lane mile formula contained in s.  
 2124 336.025(4)(b)1., Florida Statutes.

2125 (11) CONTRACTUAL SERVICES AND FACILITIES.—Contractual  
 2126 services for police, emergency management, public works, parks  
 2127 and recreation, planning and zoning, building inspection,  
 2128 development review, animal control, library services, and solid  
 2129 waste collection may be supplied by a contract between the

2130 village and Lee County, special districts, municipalities, or  
 2131 private enterprise until such time as the council establishes  
 2132 such independent services. Facilities for housing the newly  
 2133 formed municipal operations may be rented or leased until the  
 2134 village selects more permanent facilities.

2135 (12) INDEPENDENT SPECIAL DISTRICTS.—It is recognized that  
 2136 certain services within the municipal boundaries are provided by  
 2137 independent special districts whose boundaries lie wholly within  
 2138 the municipal boundaries of the village and are created by  
 2139 special acts of the Legislature. The municipality is empowered  
 2140 to merge the functions of such districts with the functions of  
 2141 the municipality only upon dissolution of such district or upon  
 2142 affirmation of a vote of a majority of the council and an  
 2143 affirmative vote of a majority of the council or board governing  
 2144 the district after meeting all requirements for merger or  
 2145 dissolution in the district's enabling legislation and chapter  
 2146 189, Florida Statutes. It is recognized that certain planning  
 2147 and interlocal agreements may be necessary between the village  
 2148 and such districts, and the council shall endeavor to maximize  
 2149 the benefits of the districts to the fullest extent possible. In  
 2150 the event the council desires to supplement or duplicate  
 2151 services determined to be inadequate, the council is fully  
 2152 empowered to do so.

2153 (13) ELIMINATION OF TRANSITIONAL ELEMENTS FROM THIS  
 2154 CHARTER.—Upon completion of the transitional phase provided in

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2155 this charter, the sections of the charter relating to transition  
2156 may be eliminated from this charter.

2157 Section 13. This act shall take effect only upon its  
2158 approval by a majority vote of those qualified electors residing  
2159 within the corporate limits of the proposed Village of Estero,  
2160 as described in section 3, in a referendum conducted in  
2161 accordance with the provisions of law relating to elections  
2162 currently in force, except that this section and subsection (1)  
2163 of section 12 shall take effect upon this act upon becoming a  
2164 law.