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CS/CS/HB 1373

2014 Legislature

1
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

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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

50
51 Be It Enacted by the Legislature of the State of Florida:
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53 Section 1. Corporate name; purpose of the charter;
54 creation and establishment of the Village of Estero.-

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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130 A. In Township 46 South, Range 24 East, those
 131 portions of Sections 25 and 36 lying east of the
 132 waters of Estero Bay.

133 B. In Township 46 South, Range 25 East, those
 134 portions of Section 31 lying east of the waters of
 135 Estero Bay.

136 C. In Township 46 South, Range 25 East, the Southwest
 137 Quarter (SW-1/4) of Section 22 and All of Sections 21,
 138 25, 26, 27, 28, 29, 30, 32, 33, 34, 35 and 36.

139 D. In Township 46 South, Range 26 East, those
 140 portions of Sections 19 and 20 lying south of the
 141 south right-of-way line of Corkscrew Road and all of
 142 Sections 29, 30, 31 and 32.

143 E. In Township 47 South, Range 25 East, those
 144 portions of Sections 2 and 11 lying west of the west
 145 right-of-way line of Interstate 75 (State Road No. 93)
 146 and all of Sections 3, 4, 9 and 10.

147 F. In Township 47 South, Range 25 East, the Northwest
 148 Quarter of (NW-1/4) of Section 5, the Northeast
 149 Quarter of (NE-1/4) of Section 5 and a parcel of land
 150 lying in the Southeast Quarter (SE-1/4) of Section 5
 151 as described in Deed Book 244, page 138, public
 152 records of Lee County, Florida.

153 G. That portion of Section 6, Township 47 South,
 154 Range 25 East lying within a parcel of land as
 155 described in Official Records Book 1924, page 2148,

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

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

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

165
 166 LESS AND EXCEPT:

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

172 ALSO LESS AND EXCEPT:

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

175
 176 ALSO LESS AND EXCEPT:

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

180
 181 ALSO LESS AND EXCEPT:

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

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

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

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

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

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259 distance of 25.46 feet; thence run North 07°41'43"
 260 East, for a distance of 98.70 feet; thence run North
 261 10°04'01" West, for a distance of 18.32 feet to the
 262 Point of Beginning.
 263 Containing 12.26 acres, more or less.
 264
 265 ALSO LESS AND EXCEPT:
 266 A parcel of land located in Section 7 and 8, Township
 267 47 South, Range 25 East, Lee County, Florida being
 268 more particularly described as follows:
 269 Commence at the East Quarter corner of Section 7,
 270 Township 47 South, Range 25 East, Lee county, Florida;
 271 thence along the east line of said Section 7, South
 272 00°50'02" East, a distance of 25.00 feet to a point on
 273 the south right-of-way line of Coconut Road, the same
 274 being the Point of Beginning of the parcel of land
 275 herein described; thence run along said south line,
 276 South 89°43'21" East, a distance of 45.84 feet; thence
 277 South 10°04'01" East, a distance of 18.32 feet; thence
 278 South 07°41'43" West, a distance of 98.70 feet; thence
 279 South 39°18'43" West, a distance of 25.46 feet; thence
 280 South 28°21'44" East, a distance of 88.04 feet; thence
 281 South 23°07'05" West, a distance of 44.14 feet; thence
 282 South 34°54'03" East, a distance of 30.82 feet; thence
 283 South 20°07'09" East, a distance of 19.34 feet; thence
 284 South 50°28'56" East, a distance of 47.03 feet; thence

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

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

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

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

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

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

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

460
 461 AND

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

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

491
492 Section 4. Village council.—

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

498 (2) COMPOSITION; ELIGIBILITY; TERMS.—

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

503 (b) Eligibility.—

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

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

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

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

517 (3) MAYOR; VICE MAYOR.—

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

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

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

542 (5) COUNCIL MEETINGS.—

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

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

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

556 (6) PROHIBITIONS.—

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

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

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

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

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

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

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

590 2. Violates any express prohibition of this charter;

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

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

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

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

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

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

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

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

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

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

626 (8) JUDGE OF QUALIFICATIONS.—

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

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

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

649 (9) INVESTIGATIONS.—

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

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

660 Section 5. Administration.—

661 (1) VILLAGE MANAGER.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

738 (e) Have the power to administer oaths.

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

741 Section 6. Departments; personnel; planning.—

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

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

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

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

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

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

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

767 Section 7. Ordinances and resolutions.—

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

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

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

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

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

799 Section 8. Financial management.—

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

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

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

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

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

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

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

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

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

854 (6) BUDGET AMENDMENTS AFTER ADOPTION.—

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

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

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

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

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

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

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

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

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

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

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

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

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

929 Section 9. Nominations and elections.—

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

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

961 (b) At-large elections.—

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

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

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

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

978 (3) COUNCIL DISTRICTS; REDISTRICTING.—

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

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

986
 987 DISTRICT 1

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

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

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

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

999 Breckenridge Drive;

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

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

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

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2014 Legislature

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

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

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

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

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

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

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

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2014 Legislature

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

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2014 Legislature

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

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

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

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

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

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2014 Legislature

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

1388
 1389 LESS AND EXCEPT:
 1390
 1391

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

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

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

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

1465
 1466 District Contains 1,769.65 Acres More Or Less

1467
 1468 DISTRICT 3
 1469

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2014 Legislature

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

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

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

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2014 Legislature

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

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2014 Legislature

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

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

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2014 Legislature

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

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

1666
 1667 District Contains 1327.54 Acres More Or Less

1668
 1669 DISTRICT 5

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

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

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

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

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

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

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

1811
 1812 District Contains 4388 Acres More Or Less

1813
 1814 DISTRICT 7

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

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

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

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

1894
 1895 District Contains 2683 Acres More Or Less

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

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

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

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

1925 Section 11. General provisions.—

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

1936 (2) AMENDMENTS TO CHARTER.—

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

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

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

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

1963 Section 12. Referendum election; transition.—

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

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

1970 YES

1972 NO

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

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

1980 (2) INITIAL ELECTION OF COUNCIL.—

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

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

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

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

2003 (3) SCHEDULE.—

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

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

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

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

2026 (5) TRANSITIONAL ORDINANCES AND RESOLUTIONS.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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