

HOUSE OF REPRESENTATIVES LOCAL BILL STAFF ANALYSIS

BILL #: CS/HB 1093 Village of Estero, Lee County
SPONSOR(S): Local Government Affairs Subcommittee and Rodrigues
TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Local Government Affairs Subcommittee	12 Y, 0 N, As CS	Zaborske	Miller
2) Local & Federal Affairs Committee	13 Y, 0 N	Zaborske	Kiner

SUMMARY ANALYSIS

HB 1093 is a local bill amending the charter for the recently incorporated Village of Estero. The bill amends the charter of the Village of Estero to correct some information inadvertently included or excluded in the Village of Estero charter. Specifically, the bill:

- Corrects the corporate boundaries for the Village of Estero by removing two parcels located within the City of Bonita Springs and several lots located within the Pelican Landing development; and
- Corrects one of the districts within the Village of Estero by removing the same properties excluded in the previously mentioned boundary changes, and adjusts the acreage to reflect this change.

The Economic Impact Statement for HB 1093 projects no expenditures associated with this bill, but a decrease in revenues to the Village of Estero of approximately \$62,000, and an increase in revenues to the city of Bonita Springs of approximately \$58,000.

The act shall take effect upon becoming law.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

In 2014 the residential community of Estero, located in Lee County between the cities of Fort Myers to the north and Bonita Springs to the south, incorporated as the Village of Estero.¹ Following a referendum on November 4, 2014, approving the incorporation of the Village of Estero,² the Village of Estero officially was created on December 31, 2014.³ This local bill amends the charter for the Village of Estero to correct some information inadvertently included or excluded in the charter last year.

Corporate Boundaries

The charter for the Village of Estero sets forth its corporate boundaries. Included within the boundaries as set forth in the charter are parcels located within the boundaries of the City of Bonita Springs, as well as certain lots located in Pelican Landing development. The bill amends the charter to correctly set forth the boundaries of the Village of Estero by removing two parcels located within the City of Bonita Springs and several lots located within the Pelican Landing development.

Council District Boundaries

The charter for the Village of Estero also provides for 7 village council districts and sets forth a legal description of each district. The bill changes the description of District 1 to remove from District 1 the same properties excluded in the bill from the boundary description of the Village of Estero. The bill also adjusts the number of acres in the district to reflect the change, reducing the acreage from 4,128.3 to 4,080.3.

B. SECTION DIRECTORY:

- Section 1: Amends the charter of the Village of Estero to correct its corporate boundaries by removing two parcels located within the City of Bonita Springs and several lots located within the Pelican Landing development
- Section 2: Amends the charter of the Village of Estero to correct the legal description of District 1, removing from District 1 the same properties excluded from the bill in the boundary description of the Village of Estero, and adjusts the acreage to reflect the change to the District 1 boundary.
- Section 3: The act shall take effect upon becoming law.

II. NOTICE/REFERENDUM AND OTHER REQUIREMENTS

A. NOTICE PUBLISHED? Yes No

IF YES, WHEN? January 26, 2015

WHERE? News Press

B. REFERENDUM(S) REQUIRED? Yes No

IF YES, WHEN?

¹ Ch. 2014-249, Laws of Fla.

² Official General Ballot election results for Lee County, November 4, 2014, available at <http://www.leeelections.com/download/elhis14/141104/result2.html> (last visited 03/14/2015).

³ Ch. 2014-249, s. 1 at Charter s. 3(b), Laws of Fla.

C. LOCAL BILL CERTIFICATION FILED? Yes, attached [X] No []

D. ECONOMIC IMPACT STATEMENT FILED? Yes, attached [X] No []

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

None.

B. RULE-MAKING AUTHORITY:

N/A

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

On March 18, 2015, the Local Government Affairs Subcommittee adopted an amendment and reported the bill favorably as a committee substitute. The amendment deletes Section 3 of HB 1093, removing a provision waiving the requirement in s. 380.06(15)(h), F.S., that an annexing jurisdiction adopt a new development order incorporating all previous rights and obligations specified in the prior development order. This analysis is drafted to the committee substitute as passed by the Local Government Affairs Subcommittee.