

NOTICE OF PUBLIC MEETING
CITY COUNCIL
CITY OF BONITA SPRINGS
OFFICIAL AGENDA
WEDNESDAY, MARCH 3, 2010
5:30 P.M.
CITY HALL
9101 BONITA BEACH ROAD
BONITA SPRINGS, FLORIDA 34135

- I. CALL TO ORDER
- II. INVOCATION
- III. PLEDGE OF ALLEGIANCE
- IV. ROLL CALL
- V. PUBLIC COMMENT ON AGENDA ITEMS (EXCEPT FOR FIRST READING OF ZONING ORDINANCES).
- VI. PROCLAMATIONS AND PRESENTATIONS:
 - A. APPEARANCE BY RESIDENT GRANT LUNDBERG TO REQUEST CITY ASSISTANCE IN THE PURCHASE OF BONITA SPRINGS GOLF AND COUNTRY CLUB. (GREENSHEET NO. 10-03-0074)
 - B. PRESENTATION BY BOARD MEMBERS OF AN UPDATE REGARDING BONITA NATURE PLACE. REVIEW AND CONSIDER A REQUEST FROM THE FRIENDS OF THE BONITA NATURE PLACE, INC., TO RECONSIDER THE COUNCIL'S PREVIOUS DECISION TO TURN THE PROPERTY OVER TO THE FRIENDS UNTIL INSURANCE FUNDS CAN BE ACQUIRED. (GREENSHEET NO. 10-03-0084)
- VII. CONSENT AGENDA: (NOTE: ITEMS ON THE CONSENT AGENDA WILL BE CONSIDERED AS ONE UNLESS A SPECIFIC ITEM IS REMOVED BY A COUNCIL MEMBER FOR SEPARATE DISCUSSION.)
 - A. APPROVE RESOLUTION EXTENDING FOR TWELVE (12) MONTHS THE RENEWAL OF AGREEMENT WITH SUPERIOR LANDSCAPING & LAWN SERVICE, INCORPORATED FOR THE US 41 LANDSCAPE AND IRRIGATION MAINTENANCE-COLLIER COUNTY LINE TO NORTH CORPORATE LIMITS IN THE AMOUNT OF \$107,752. (GREENSHEET NO. 10-03-0064)
 - B. ADOPT A RESOLUTION OF THE CITY OF BONITA SPRINGS, FLORIDA AUTHORIZING THE CITY MANAGER TO SUBMIT TO THE WEST COAST INLAND NAVIGATION DISTRICT (WCIND) A GRANT APPLICATION FOR FUNDS TO PROMOTE SAFE NAVIGATION AND WATER BASED ACTIVITIES; AND PROVIDING AN EFFECTIVE DATE. (GREENSHEET NO. 10-03-0069)

- C. APPROVE RESOLUTION AWARDING THE OAK CREEK BANK RESTORATION PROJECT CONTRACT TO TSI DISASTER RECOVERY, LLC IN THE AMOUNT OF \$69,000.00, AND AUTHORIZING MAYOR TO SIGN AGREEMENT UPON APPROVAL OF CONTRACT DOCUMENTS AND INSURANCE CERTIFICATE BY THE CITY ATTORNEY. (GREENSHEET NO. 10-03-0065)
- D. APPROVE THE JOINDER AND CONSENT TO THE ASSIGNMENT OF IMPACT FEE CREDITS BY RC PROPERTIES VII, A DELAWARE LIMITED PARTNERSHIP TO BB ROAD, A FLORIDA LIMITED LIABILITY CORPORATION, CONSISTENT WITH THE EAST BONITA ACTIVE ADULT DEVELOPMENT AGREEMENT RECORDED IN OR BOOK 04741, PAGES 1727 THROUGH 1743 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA. (GREENSHEET NO. 10-03-0075)
- E. A RESOLUTION CONFIRMING THE APPOINTMENT OF A VICE-CHAIRMAN TO THE CITY OF BONITA SPRINGS LOCAL PLANNING AGENCY. (GREENSHEET NO. 10-03-0078)
- F. APPROVE SPECIAL EVENT PERMIT AND CO-SPONSORSHIP FOR BONITA VILLAGE BAND FOR THREE CONCERTS AT RIVERSIDE PARK ON SUNDAY, JANUARY 30, 2011, SUNDAY, FEBRUARY 27, 2011 AND SUNDAY, MARCH 20, 2011, AND WAIVE THE RENTAL FEES AND SECURITY DEPOSIT FOR USE OF COMMUNITY HALL FOR WEEKLY BAND REHEARSALS. (GREENSHEET NO. 10-03-0077)
- G. APPROVE SPECIAL EVENT PERMIT APPLICATION FOR BONITA BAY COMMUNITY ASSOCIATION OLD FASHIONED SOCIAL ON SUNDAY, MARCH 28, 2010 AT BONITA BAY RIVERWALK PARK. (GREENSHEET NO. 10-03-0066)
- H. APPROVE RESOLUTION WAIVING THE COMPETITIVE QUOTE PROCESS FOR PROCURING SOUND PRODUCTION FOR CELEBRATE BONITA AND AUTHORIZE THE MAYOR TO SIGN A QUOTE FROM TECH-TRONICS PRODUCTIONS, INC. (GREENSHEET NO. 10-03-0079)
- I. REQUEST BY THE ART LEAGUE OF BONITA SPRINGS TO POST THE DATES OF THE BONITA SPRINGS NATIONAL ART FESTIVAL ON THE CITY OF BONITA SPRINGS WEBSITE. (GREENSHEET NO. 10-03-0081)
- J. REQUEST APPROVAL OF SPECIAL EVENT PERMIT AND CO-SPONSORSHIP FOR THE AMERICAN CANCER SOCIETY RELAY FOR LIFE FUNDRAISER 2010 AT THE BONITA SPRINGS SOCCER FIELDS AND BONITA SPRINGS YMCA ON APRIL 23, 2010 THROUGH APRIL 24, 2010. (GREENSHEET NO. 10-03-0080)
- K. REQUEST APPROVAL OF A SPECIAL EVENT PERMIT APPLICATION FOR THE BONITA SPRINGS YMCA CAR SHOW ON MARCH 28, 2010 AT THE BONITA SPRINGS YMCA LOCATED AT 27200 KENT ROAD, BONITA SPRINGS, FLORIDA 34135. (GREENSHEET NO. 10-03-0082)
- L. AUTHORIZE STAFF TO ADVERTISE RFP 10-003 FOR LETTERS OF INTEREST FROM ARTISTS AND OTHER SIMILAR TYPE VENDORS FOR USE OF ONE (1) COTTAGE AT RIVERSIDE PARK. (GREENSHEET NO. 10-03-0083)

- M. REQUEST APPROVAL OF SPECIAL EVENT PERMIT FOR LANDSDOWNE STREET SAINT PATRICK'S DAY PARTY ON MARCH 17, 2010 AT 24851 SOUTH TAMiami TRAIL, #7, BONITA SPRINGS, FLORIDA 34135 (GREENSHEET NO. 10-03-0086)
- N. REQUEST APPROVAL OF A RESOLUTION OF THE CITY OF BONITA SPRINGS APPOINTING THREE MEMBERS TO THE CITY OF BONITA SPRINGS SPECIAL EVENTS COMMITTEE; AND PROVIDING AND EFFECTIVE DATE. (GREENSHEET NO. 10-03-0088)
- O. APPROVE RESOLUTION AWARDING THE BONITA DRIVE PAVED SHOULDERS CONTRACT TO APAC-SOUTHEAST, INC. IN THE AMOUNT OF \$86,610.50, AND AUTHORIZING THE MAYOR TO SIGN AGREEMENT, UPON APPROVAL OF CONTRACT DOCUMENTS AND INSURANCE CERTIFICATE BY THE CITY ATTORNEY. (GREENSHEET NO. 10-03-0076)

VIII. FIRST READING OF THE FOLLOWING ZONING ORDINANCES:

- A. ZONING ORDINANCE A ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; CONSIDERING A SPECIAL EXCEPTION REQUEST BY DAVID MOLA, RACETRACK DEVELOPMENT LLC ON BEHALF OF AFFORDABLE TIRE TO PERMIT IN UNIT 1 AUTOMOTIVE REPAIR AND SERVICE, GROUP I IN THE BONITA BEACH ROAD CORRIDOR AREA; ON LAND LOCATED AT 10815 BONITA BEACH ROAD, BONITA SPRINGS, FLORIDA, ON 0.96 +/- ACRES; PROVIDING FOR AN EFFECTIVE DATE.

IX. PUBLIC HEARING:

- A. SECOND READING AND PUBLIC HEARING OF THE FOLLOWING ORDINANCE: AN ORDINANCE OF THE CITY OF BONITA SPRINGS; SETTING FORTH THE REVISED COMMUNITY DEVELOPMENT PLANNING AND ZONING FEES; PROVIDING FOR CONFLICTS OF LAW, SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, INCLUSION IN CODE AND AN EFFECTIVE DATE. (GREENSHEET NO. 10-03-0060)
- B. SECOND READING AND PUBLIC HEARING OF THE FOLLOWING ORDINANCE: AN ORDINANCE OF BONITA SPRINGS, FLORIDA, AMENDING THE BONITA SPRINGS COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 02-16, AS AMENDED, SO AS TO AMEND THE CAPITAL IMPROVEMENTS ELEMENT AND THE FIVE-YEAR CAPITAL IMPROVEMENTS SCHEDULE AS MANDATED BY FLORIDA STATUTES §163.3177(3)(b)(1); PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY; PROVIDING A CONFLICTS CLAUSE AND SEVERABILITY CLAUSE, PROVIDING AN EFFECTIVE DATE. (GREENSHEET NO. 10-03-0061)
- C. PUBLIC HEARING TO TRANSMIT THE FOLLOWING ORDINANCE: AN ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA, AMENDING THE CITY OF BONITA SPRINGS COMPREHENSIVE PLAN, AS ADOPTED BY ORDINANCE NO. 02-16, AS AMENDED, SO AS TO ESTABLISH THE FELTS AVENUE SUB-DISTRICT TO THE OLD U.S. 41 REDEVELOPMENT OVERLAY DISTRICT; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY, PROVIDING A CONFLICTS CLAUSE AND SEVERABILITY CLAUSE,

AND PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
(GREENSHEET NO. 10-03-0062)

X. MAYOR AND COUNCIL MEMBER ITEMS AND REPORT:

- A. CONSIDERATION OF A RESOLUTION OPPOSING OFFSHORE OIL AND NATURAL GAS DRILLING IN THE EASTERN GULF OF MEXICO AND SPECIFICALLY OPPOSING ANY FUTURE LEGISLATION WHICH WOULD ALLOW NEAR-SHORE DRILLING FROM THREE TO NINE MILES OFF THE FLORIDA COAST. (GREENSHEET NO. 10-03-0072) (MAYOR NELSON)
- B. COUNCIL REORGANIZATION AND ELECTION OF A DEPUTY MAYOR. (MAYOR NELSON) (GREENSHEET NO.10-03-0067)
- C. U.S. CENSUS BUREAU “TAKE 10” CHALLENGE. (SPEAR)
- D. REVIEW AND APPROVAL OF COUNCIL LEGISLATIVE ISSUES DISCUSSED INDIVIDUALLY WITH CAROLE GREEN, CAPITOL STRATEGIES, CONSULTING, INC. (GREENSHEET NO. 10-03-0075)

XI. PUBLIC COMMENT:

XII. CITY ATTORNEY’S REPORT:

- A. DISCUSS POSTPONING ENFORCEMENT AND TRACKING ISSUES REGARDING THE FERTILIZER ORDINANCE UNTIL A NEW RELEASE OF THE ENGOV TRACKING SOFTWARE BECOMES AVAILABLE IN ABOUT 6 MONTHS, SO AS TO AVOID EXCESSIVE STAFF TIME IN PREPARING MANUAL SPREADSHEETS WHICH WOULD NEED TO BE DUPLICATED ONCE THE SOFTWARE IS AVAILABLE. (GREENSHEET NO. 10-03-0063)
- B. CONSIDER EXTENDING RESOLUTION 09-25, WHICH SUSPENDS CERTAIN TIME LIMITS ALLOCATED IN THE SIGN, WITH CONDITIONS, FOR BANNERS AND OTHER TEMPORARY SIGNS, AND CONSIDER OTHER FORMS OF TEMPORARY SIGN SUSPENSIONS IN THE OLD 41 REDEVELOPMENT CORRIDOR. (GREENSHEET NO. 10-03-0059)

XIII. CITY MANAGER’S REPORT:

- A. RESOLUTION OF BONITA SPRINGS, FLORIDA, PROVIDING DIRECTION TO STAFF ON PREPARING PROPOSED AMENDMENTS TO THE BONITA SPRINGS COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 02-16, AS AMENDED, PROPOSING TO AMEND THE DENSITY REDUCTION/GROUNDWATER RESOURCES FUTURE LAND USE EAST BONITA SPRINGS FUTURE LAND USE CATEGORY; AND PROVIDING AN EFFECTIVE DATE. (GREENSHEET NO. 10-03-0071)
- B. BUDGET AMENDMENT FOR FUTURE EXPENSES REQUIRED TO FINISH THE DR/GR AND MOBILITY STUDY. (GREENSHEET NO. 10-03-0087)

- C. DISCUSSION OF OPTIONS AND DIRECTION TO STAFF FOR ADVERTISEMENT AND THE BIDDING OF COMPONENTS OF THE BONITA SPRINGS RIVER PARK. (GREENSHEET NO. 10-03-0070)
- D. REQUEST SPECIFIC DESIGNATION OF THE 2009-2010 CDBG FUNDING ALLOCATION FOR USE ON A PEDESTRIAN CROSS WALK PROJECT IN THE OLD 41 AREA, AND FOR REHABILITATION AND REPAIR TO THE COMMUNITY HALL FACILITY AT 27381 OLD 41 RD, AND PERMISSION TO GO OUT TO BID ON SAME. (GREENSHEET NO. 10-03-0073)

XIV. APPROVAL OF MINUTES:

XV. PUBLIC COMMENT:

XVI. ADJOURNMENT.

ANY PERSON REQUIRING SPECIAL ACCOMMODATIONS AT ANY OF THE MEETINGS BECAUSE OF A DISABILITY OR PHYSICAL IMPAIRMENT SHOULD CONTACT GARY A. PRICE, CITY MANAGER AT 239-949-6262, AT LEAST 48 HOURS PRIOR TO THE MEETING. IF A PERSON DECIDES TO APPEAL A DECISION MADE BY THE COUNCIL IN ANY MATTER CONSIDERED AT THIS MEETING/HEARING, SUCH PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS TO BE MADE, TO INCLUDE THE TESTIMONY AND EVIDENCE UPON WHICH ANY SUCH APPEAL IS TO BE BASED.

NOTE: THIS MEETING IS TELEVISED ON COMCAST, CHANNEL 12. AGENDAS ARE AVAILABLE FOR VIEW, AND THE MEETING CAN BE VIEWED AT WWW.CITYOFBONITASPRINGS.ORG

NEXT MEETING: 03/17/10 CITY COUNCIL MEETING