

NOTICE OF PUBLIC MEETING
CITY COUNCIL
CITY OF BONITA SPRINGS
OFFICIAL AGENDA
WEDNESDAY, JULY 18, 2018
9:00 A.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

VI. 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. REQUEST APPROVAL OF SPECIAL EVENT PERMIT FOR THE TACO FEST FAMILY AND FOOD FESTIVAL EVENT AT RIVERSIDE PARK ON SUNDAY, OCTOBER 14, 2018 FROM 11:00 A.M. TO 6:00 P.M. (GREENSHEET NO. 18-07-0202)

B. APPROVE A RESOLUTION APPOINTING A NEW BOARD MEMBER TO THE ART IN PUBLIC PLACES BOARD. (GREENSHEET NO. 18-07-212)

C. APPROVE RESOLUTION AWARDDING THE LEITNER CREEK MAINTENANCE & CLEANING PROJECT RFB 18-03 TO THE LOWEST RESPONSIVE AND RESPONSIBLE CONTRACTOR, EARTHBALANCE CORPORATION IN THE LUMP SUM AMOUNT OF \$145,994.00, AND AUTHORIZE THE MAYOR TO SIGN AGREEMENT, PENDING APPROVAL OF ALL DOCUMENTATION. (GREENSHEET NO. 18-07-0208)

D. APPROVE BUDGET RESOLUTION FOR WATERWAY DEBRIS REMOVAL GRANT MATCHING SHARE. (GREENSHEET NO. 18-07-0218)

E. REQUEST APPROVAL FROM OUTREACH ADVISORY COMMITTEE TO PARTNER WITH THE HISPANIC VOTE ORGANIZATION AND THE LEE COUNTY SUPERVISOR OF ELECTIONS OFFICE TO OFFER A HISPANIC VOTER EDUCATION SEMINAR ON TUESDAY, JULY 24, 2018 FROM 5:30 P.M. TO 7:30 P.M. AT CITY HALL. (GREENSHEET NO. 18-07-0220)

- OPPORTUNITY FOR CITY COUNCIL COMMENTS ON CONSENT AGENDA ITEMS

VII. PROCLAMATIONS AND PRESENTATIONS:

A. CERTIFICATE OF CONGRATULATIONS TO JOSHUA JANNEY, CHIEF WARRANT OFFICER 2 COMMANDING OFFICER COAST GUARD STATION, FORT MYERS BEACH, FLORIDA.

- B. PRESENTATION ON RED TIDE BY DR. MICHAEL PARSONS WITH THE MARINE BIOLOGY DEPARTMENT OF FLORIDA GULF COAST UNIVERSITY. (GREENSHEET NO. 18-07-0221)

VIII. MAYOR AND COUNCIL MEMBER ITEMS:

- A. DISCUSSION OF LEGISLATIVE PRIORITIES AND FUNDING PROJECTS AND DIRECTION TO STAFF. (MAYOR SIMMONS; GREENSHEET NO. 18-07-0204)
- B. DISCUSSION REGARDING SCHEDULING OF ALL CITY COUNCIL MEETINGS TO EVENING START TIME. (MAYOR SIMMONS; GREENSHEET NO. 18-07-0205)
- C. UPDATE FOR AN INCLUSIVE, COOPERATIVE AND COORDINATED PARTNERSHIP ON REGIONAL STORMWATER INITIATIVES RESULTING IN EQUABLE SOLUTIONS. (MAYOR SIMMONS)
- D. APPROVE LETTER OF SUPPORT TO SEND TO THE SOUTH FLORIDA WATER MANAGEMENT FOR THEIR PROPOSAL ON HYDROLOGICAL MODELING FUNDING. (FORBES; GREENSHEET NO. 18-07-222)
- E. ASSUMING COUNCIL ADOPTS OF AN UPWARDS ADJUSTMENT OF IMPACT FEES FOR SINGLE FAMILY HOME CONSTRUCTION, CONSIDER DEFERRAL OF IMPACT FEES FOR CONSTRUCTION OF HOUSES BY ORGANIZATIONS LIKE HABITAT FOR HUMANITY IN BONITA SPRINGS. (O'FLINN; GREENSHEET NO. 18-07-0213)

IX. PUBLIC HEARING OF THE ADMINISTRATIVE CODE RELATED TO THE LANDSCAPE REMOVAL DELEGATION PROGRAM:

- A. A RESOLUTION OF THE CITY OF BONITA SPRINGS, FLORIDA; AMENDING RESOLUTION 13-14, THE ADMINISTRATIVE CODE CREATING THE LANDSCAPE REMOVAL DELEGATION PROGRAM; REMOVING THE SUNSET PROVISION; PROVIDING FOR AN EFFECTIVE DATE. (GREENSHEET NO. 18-07-0197)

X. FIRST READING OF THE FOLLOWING ORDINANCES (NO PUBLIC COMMENT ALLOWED):

- A. AN ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA, PROVIDING FOR THE RECOVERY OF PROFESSIONAL FEES AND COSTS FOR THE REVIEW OF CERTAIN ENUMERATED DEVELOPMENT APPLICATIONS AND PROCEDURES THEREFORE; PROVIDING FOR FIXED FEES FOR THE REVIEW OF CERTAIN ENUMERATED DEVELOPMENT APPLICATIONS; PROVIDING FOR PAYMENT OF COST RECOVERY AND FIXED FEES; PROVIDING CONFLICTS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE. (GREENSHEET NO. 18-07-0198)
- B. AN ORDINANCE REPEALING AND REPLACING BONITA SPRINGS CODE SECTIONS 24-1 THROUGH 24-114, THE FLOOD ORDINANCE, TO ADOPT A FLOOD HAZARD REDUCTION ORDINANCE; SECTIONS 24-1 THROUGH 24-114; DESIGNATING A FLOODPLAIN ADMINISTRATOR, ADOPT PROCEDURES AND CRITERIA FOR DEVELOPMENT IN FLOOD HAZARD AREAS, AND FOR OTHER PURPOSES; PROVIDE FOR CONFLICTS OF LAW, SEVERABILITY, CODIFICATION AND SCRIVENER'S ERRORS, MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING AND AN EFFECTIVE DATE. (GREENSHEET NO. 18-07-0207)

C. AN ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; RELATING TO BUILDING AND CONSTRUCTION CODES; ADOPTING LOCAL TECHNICAL AMENDMENTS TO THE FLORIDA BUILDING CODE; ADDING DEFINITIONS FOR DETERMINING REPETITIVE LOSS, SUBSTANTIAL DAMAGE AND SUBSTANTIAL IMPROVEMENT; INCLUDING A FISCAL IMPACT STATEMENT; PROVIDING FOR CONFLICT, SEVERABILITY, CODIFICATION, INCLUSION IN CODE, SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE. (GREENSHEET NO. 18-07-0206)

XI. SECOND READING AND PUBLIC HEARING OF THE FOLLOWING ORDINANCES:

A. AN ORDINANCE AUTHORIZING A LEASE AGREEMENT FOR THE USE OF A PORTION OF LAND OWNED BY THE CITY OF BONITA SPRINGS REFERRED TO AS THE WONDER GARDENS CAFÉ BY CEREMONY, LLC D/B/A CEREMONY BREWING FOR A MICROBREWERY AND OTHER USES; AUTHORIZING THE MAYOR AND CITY OFFICIALS TO EXECUTE SAID AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE. (GREENSHEET NO. 18-07-0200)

B. AN AMENDMENT TO BONITA SPRINGS LAND DEVELOPMENT CODE, CHAPTER 2, ARTICLE VI, DIVISION 2, ROADS IMPACT FEE; AMENDING §2-191, RULES OF CONSTRUCTION AND DEFINITIONS; §2-193, COMPUTATION OF AMOUNT; §2-198, REFUND OF FEES PAID; §2-201, EXEMPTIONS; AND, §2-202, CREDITS; PROVIDING FOR CONFLICTS OF LAW, SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, INCLUSION IN CODE AND AN EFFECTIVE DATE. (GREENSHEET NO. 18-07-0199)

XII. PUBLIC COMMENT:

XIII. CITY ATTORNEY'S REPORT:

A. PERMISSION TO ADVERTISE AN ORDINANCE CREATING 4-28, NEIGHBORHOOD MEETINGS. IF COUNCIL DECIDES TO GO FORWARD WITH THE DRAFT ORDINANCE, THE ORDINANCE WILL BE SCHEDULED ON AUGUST 1, 2018 FOR A FIRST READING AND PUBLIC HEARING, AUGUST 9, 2018 FOR REVIEW BY THE LOCAL PLANNING AGENCY AND ON AUGUST 15, 2018 FOR A SECOND READING AND PUBLIC HEARING. (GREENSHEET NO. 18-07-0214)

B. PERMISSION TO ADVERTISE AN ORDINANCE AMENDING LDC SECTION 4-326, DEVIATIONS FROM GENERAL ZONING REGULATIONS, TO REQUIRE APPLICANTS TO PROVIDE A JUSTIFICATION FOR ANY DEVIATION FROM THE GENERAL ZONING REGULATIONS EXPLAIN WHERE THERE IS A PUBLIC BENEFIT TO THE PROJECT IF THE PROPOSED ZONING DEVIATION IS APPROVED. IF COUNCIL DECIDES TO GO FORWARD WITH THE DRAFT ORDINANCE, THE ORDINANCE WILL BE SCHEDULED ON AUGUST 1, 2018 FOR A FIRST READING AND PUBLIC HEARING, AUGUST 9, 2018 FOR REVIEW BY THE LOCAL PLANNING AGENCY AND ON AUGUST 15, 2018 FOR A SECOND READING AND PUBLIC HEARING. (GREENSHEET NO. 18-07-0215)

C. PERMISSION TO ADVERTISE AN ORDINANCE CREATING LDC SECTION 4-371, ALLOCATION OF DENSITY AND INTENSITY FOR MIXED-USE DEVELOPMENT. IF COUNCIL DECIDES TO GO FORWARD WITH THE DRAFT ORDINANCE, THE ORDINANCE WILL BE SCHEDULED ON AUGUST 1, 2018 FOR A FIRST READING AND PUBLIC HEARING, AUGUST 9, 2018 FOR REVIEW BY THE LOCAL PLANNING AGENCY AND ON AUGUST 15, 2018 FOR A SECOND READING AND PUBLIC HEARING. (GREENSHEET NO. 18-07-0216)

- D. PERMISSION TO ADVERTISE AN ORDINANCE AMENDING 4-30, EX PARTE COMMUNICATIONS; REMOVAL OF PRESUMPTION OF PREJUDICE FROM EX PARTE COMMUNICATIONS WITH LOCAL PUBLIC OFFICIALS. IF COUNCIL DECIDES TO GO FORWARD WITH THE DRAFT ORDINANCE, THE ORDINANCE WILL BE SCHEDULED ON AUGUST 1, 2018 FOR A FIRST READING AND PUBLIC HEARING, AUGUST 9, 2018 FOR REVIEW BY THE LOCAL PLANNING AGENCY AND ON AUGUST 15, 2018 FOR A SECOND READING AND PUBLIC HEARING. (GREENSHEET NO. 18-07-0217)

XIV. CITY MANAGER'S REPORT:

- A. REVIEW OF MONTHLY FINANCIAL REPORTS. (GREENSHEET NO. 18-07-0211)
- B. REVIEW OF JUNE MONTHLY CAPITAL PROJECTS STATUS REPORT. (GREENSHEET NO. 18-07-0210)
- C. UPDATE ON GOLF COURSE REDEVELOPMENT PROPOSED REGULATIONS.
- D. DISCUSSION OF CDGB\DISASTER RECOVERY FUNDS AND PREPARATION OF POTENTIAL STORMWATER IMPROVEMENT PROJECTS ELIGIBLE FOR GRANT FUNDING.

XV. MAYOR AND COUNCIL REPORTS:

XVI. APPROVAL OF MINUTES: 04/30/18 & 06/20/18

XVII. PUBLIC COMMENT:

XVIII. ADJOURNMENT.

ANY PERSON REQUIRING SPECIAL ACCOMMODATIONS AT ANY OF THE MEETINGS BECAUSE OF A DISABILITY OR PHYSICAL IMPAIRMENT SHOULD CONTACT MEG WEISS, DIRECTOR OF ADMINISTRATIVE SERVICES, 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 98. AGENDAS ARE AVAILABLE FOR VIEW, AND THE MEETING CAN BE VIEWED AT WWW.CITYOFBONITASPRINGS.ORG

NEXT MEETING: 08/01/18