

**City of Bonita Springs
City Council
Citizens Water Strategy Task Force
Recommendations Workshop
Thursday, January 22, 2015
9:00 A.M.
Bonita Springs City Hall
9101 Bonita Beach Road
Bonita Springs, FL 34135
MINUTES**

I. CALL TO ORDER:

Mayor Ben L. Nelson, Jr., called the meeting to order at 9:00 A.M. There were approximately 30 members of the public in attendance.

II. PLEDGE OF ALLEGIANCE:

At the request of Mayor Nelson, Council Member Steve Slachta led in the Pledge of Allegiance.

III. ROLL CALL:

Mayor Nelson and all Council Members were in attendance.

IV. PUBLIC COMMENT:

9:02:14 AM Ed Fitzgerald read his letter into the record (copy in Clerk's file) expressing his opposition to rezoning and development in the DRGR. He stated that planning development was not the mission of the Citizens Water Strategy Task Force (CWSTF).

9:04:58 AM Deborah Maclean stated that as they lift the moratorium that Council is under no obligation to increase density in the DRGR.

9:05:29 AM Tori Polinitza stated that she was here representing a group of people who are not in favor of increasing development. People are looking for changes in the DRGR to improve water quality. The area has been blighted for 20 years. A do nothing position will not help.

9:06:46 AM Peter O'Flynn, a resident of Ibis Cove Court, addressed previous reports done. Every study that was rejected has consistently stated that there should be increased development standards. He asked that Council continue to reject increased development standards and not to spend dollars on a comprehensive plan change.

9:10:44 AM Marianne Ziegler stated that the top priority needs to be clean water, and to address flooding problems. She also addressed the need for land preservation - land that acts as a filter for a river of grass.

9:11:35 AM Martha Simons addressed the Comprehensive Plan Vision Statement 2 – Environmental leader, cleanup the water, and the goal to get it right.

9:16:00 AM Andy Tilton, with Johnson Engineering, stated that he was in attendance to address a couple issues that are related to the City, including the DRGR. He feels that monitoring and providing new data is always good, as it helps figure out trends and what inputs and alternations are being made to the land. He

always supports monitoring and would encourage Council to keep moving forward with monitoring. He addressed his letter to City Council (copy in Clerk's file). He encouraged Council to look at all recommendations. The water supply is adequate now.

9:19:29 AM Rick Brylanski, Vice President of Hole Montes, submitted a letter of objection into the record (copy in Clerk's file) on a couple of the recommendations made by the CWSTF, noting that the Quantity model is very accurate. He doesn't see any reason to delay in the DRGR. He referred to a presentation made by the City's Public Works Director Matt Feeney, which he felt was excellent regarding Phases I and II.

9:21:26 AM Bill Morris, representing the Bonita Mine property, stated that his observations are based on 12 years of work with the mine property. The notion that has arisen that a couple more years of monitoring will change the information that has been developed over decades is not something he agrees with. He also agrees that the modeling that the City has been working to develop is accurate. He also submitted a letter into the record that summarizes his comments (copy in Clerk's file).

9:23:32 AM Nicole Johnson, present on behalf of the Conservancy of Southwest Florida, stated that she supports all 34 recommendations made by the Task Force. The Conservancy did submit a letter on timing with respect to how to move forward with the recommendations, which she briefly addressed. Lastly, the Conservancy does not support a Comprehensive Plan Overlay for the DRGR.

9:27:42 AM Fred Forbes stated that he supports modifying the Land Development Code. He also feels that City Council needs to be proactive in who will be doing the modeling and water quality monitoring. Those who want the density increased are those who acquired property previously and knew what the density was.

9:31:18 AM Dan Wagner stated he would like to know who supports additional density in the DRGR, which he expanded on.

9:34:26 AM Dave Gallagher stated he especially likes recommendations 15 and 19, which he read into the record. He also addressed funding reflected in the recommendations.

9:37:19 AM Ron Pure referred to recommendation number 5 addressing taxes, which he opposes.

9:40:08 AM Scott Duval responded to comments made by Mr. Pure, stating that the tax issue is something the Task Force came up with to get the water right. Also, he didn't feel they were here today to talk about increasing development or density, other than to put forth some design standards for development in the DRGR so they can get the water right. Lastly, he suggested everyone read the CLUP, which includes a provision that states that the City will investigate and study the DRGR and change the land use accordingly. He feels that they have studied this long enough and now it's time to make a decision.

9:42:55 AM Carolyn Gallagher asked that Council consider doing data and modeling first.

9:45:26 AM Dennis Gilkey a resident since 1984, stated that in the late 1980's he was involved in the "Bonita Study Group" and submitted a CLUP Amendment to Lee County, which was put on hold for five years. It became a sacred ground by a mis-mark that occurred over 25 years ago. The recommendations are water related. He feels that Council needs to let Staff know if they plan to move forward with a Comprehensive Plan Amendment. There are two recommendations he opposes – one on the monitoring that addresses 50 monitoring stations. He supports monitoring, but not 50 stations, which he feels is excessive. He also opposes an additional tax. He does support opportunities for public and private partnerships with land owners.

[9:49:41 AM](#) George Yeonas, present on behalf of Bonita Grande Mine, requested that their Comprehensive Plan Amendment be allowed to be processed.

[9:55:04 AM](#) Cullum Hasty, stated that the recommendations will go a long way towards protecting and improving the Imperial River. The river is sensitive to pollution.

V. DISCUSSION AND DIRECTION TO STAFF

[9:55:59 AM](#) City Manager Carl Schwing thanked the Citizens Water Strategy Task Force and presenters. He also thanked the Board's liaison, Assistant City Manager John Gucciardo, for all his work with the Task Force.

[9:57:20 AM](#) Assistant City Manager John Gucciardo furnished an overview. There are 34 recommendations from the CWSTF. Today, they are looking for Council recommendations and direction, which Staff will bring back to Council in February for final approval.

[10:02:42 AM](#) Council Member Steve McIntosh expressed a concern in that he didn't see a strategy in the recommendations. He is concerned that if handled piece by piece, they will end up with a piecemeal approach. He suggested they hear from Phil Flood, with the South Florida Water Management District.

[10:04:09 AM](#) Mr. Flood stated that he did talk with City Staff and participate in many of the meetings of the Task Force. He feels they did a great job and have put forth great recommendations. He likes the following recommendations – putting together a working group; modeling; fast tracks and storage for additional projects (use Kehl Canal for additional water storage which he is not sure is a reality). He stated that the SFWMD is ready to assist the City on those recommendations the City Council moves forward with.

[10:10:22 AM](#) In response to Council Member Slachta, Scott Duval, former Chairman of the CWSTF, stated that he doesn't feel any one recommendation is more important than another. Implementing a Working Group is something he feels needs to go in place right away.

[10:13:53 AM](#) Mayor Nelson suggested that Council address the recommendations one at a time. He feels the strategy is clear that the goal was how do we get the water right, and what do we do right now.

Council addressed the recommendations one at a time, with Assistant City Manager and liaison to the CWSTF providing a brief explanation of each recommendation.

WATER QUANTITY:

[10:15:46 AM](#) **WATER QUANTITY #1: Implement and codify the improvement of the water retention/detention requirements in the DRGR by at least 10% over the current requirement of 1.5 inches. This POLICY effort should be adopted into the Bonita Springs Land Development Code, coordinated with SFWMD, and targeted for completion in approximately 4 months. City cost will be limited to modifying the code, which can likely be accomplished by staff.**

Council Member Peter Simmons stated he is opposed because it's a development standard. Council Member Bill Lonkart stated he is also opposed. He doesn't know if 1.5 inches is reasonable or unreasonable. A brief discussion was held. Mayor Nelson, and Council Members Janet Martin and McIntosh supports item #1. Council consensus no on item #1.

[10:19:22 AM](#) **WATER QUANTITY #2: Immediately support and fast track projects which create additional water storage in the CREW lands, the Pine Lake Preserve and the Hidden Cypress Preserve through projects consistent with restoring the ecological integrity of these wetland systems. This**

POLICY effort should be coordinated by the SFWMD, through a Regional Watershed Working Group, and targeted for implementation in approximately 3 months.

Council Member Martin stated this was something that needed to be worked on, and Pine Lake Preserve is the perfect opportunity since it has the potential to hold a lot of water. She supports #2.

Council Member Simmons suggested it be revised as follows:

~~Immediately Consider supporting and fast-track~~ projects which create additional water storage in the CREW lands, the Pine Lake Preserve and the Hidden Cypress Preserve through projects consistent with ~~restoring~~ the ecological integrity of these wetland systems. This POLICY effort should be coordinated by the SFWMD, through a Regional Watershed Working Group, ~~and targeted for implementation in approximately 3 months.~~

Mayor Nelson stated he agrees with Council Member Simmons revisions, and supports item #2 as revised.

Council Member Simmons motioned approval of Item #2 as revised; Council Member Lonkart seconded; and the motion carried unanimously.

10:24:54 AM WATER QUANTITY #3: Any large, publicly owned, parcels within or adjacent to the city should be included in discussions with applicable agencies for inclusion in a water enhancement plan to allow for historic surface water flow reconnection, consistent with analysis to demonstrate that such connectivity would not have detrimental impacts on the hydroperiod of such parcel. This PROJECT should be coordinated by the City, Lee County, SFWMD (or other agency as appropriate) and should be commenced immediately and should be on-going at no cost to the City.

Council Member Lonkart stated he didn't feel the timeframe was long enough, as the SFWMD has a responsibility for the Kehl Canal, noting that the I-75 culverts have been of contention for years. He thinks it's too short of a timeframe. Assistant City Manager Gucciardo explained this regarded including the SFWMD in discussions.

Council Member Steve Slachta motioned approval; Council Member McIntosh seconded. Council Member Simmons suggested revising as follows:

Any large, publicly owned, parcels within or adjacent to the city should be included in discussions with applicable agencies for inclusion in a water enhancement plan to allow for historic surface water flow reconnection, consistent with analysis to demonstrate that such connectivity would not have detrimental impacts on the hydroperiod of such parcel. This PROJECT should be coordinated by the City, Lee County, SFWMD (or other agency as appropriate) and should be ~~commenced immediately~~ and should be on-going at no cost to the City.

Council Members Slachta and McIntosh amended their motions to include Council Member Simmons' revision; and the motion carried unanimously.

10:28:07 AM WATER QUANTITY #4: Ensure that additional areas of storage and flow ways and water treatment areas in the Bonita Springs DRGR area are integrated to the best extent possible for effectiveness for flood protection, water quality improvements and improvement of groundwater resources. This POLICY should be coordinated by City Staff at a cost of Staff time only.

Council Member Lonkart motioned approval; Council Member Mike Gibson seconded; and the motion carried unanimously.

10:29:21 AM WATER QUANTITY #5: Seek agreements with applicable entity to allow for city maintenance of key flow ways if not performed by the appropriate lead agency, including but not limited to, the Kehl Canal, Rosemary Canal, Leitner Creek and the I-75 culverts, in order to keep the flow ways open as designed. This PROJECT should be coordinated by City Staff and should be targeted for completion in approximately 4 months at no additional cost to the City.

Council Member Simmons suggested #5 be revised as follows:

~~Seek agreements~~ **Advocate** with applicable entity ~~for to allow for city~~ maintenance of key flow ways ~~if not performed~~ by the appropriate lead agency, including but not limited to, the Kehl Canal, Rosemary Canal, Leitner Creek and the I-75 culverts, in order to keep the flow ways open as designed. This PROJECT should be coordinated by City Staff, ~~and should be targeted for completion in approximately 4 months at no additional cost to the City.~~

Assistant City Manager Gucciardo stated that by removing “if not performed” makes it sound like you want the City to take over the maintenance of everything no matter if they are doing a good job or not. The point of the Task Force was that we should only be involved with trying to get into that relationship if something is not being maintained to a standard. Mayor Nelson stated he feels that “if not performed” should remain. Discussion followed on the suggested revisions.

~~Seek agreements~~ **Advocate** with applicable entity ~~for to allow for city~~ maintenance of key flow ways if not performed by the appropriate lead agency, including but not limited to, the Kehl Canal, Rosemary Canal, Leitner Creek and the I-75 culverts, in order to keep the flow ways open as designed. This PROJECT should be coordinated by City Staff, ~~and should be targeted for completion in approximately 4 months at no additional cost to the City.~~

Council Member Simmons motioned approval as revised; Council Member Lonkart seconded; and the motion carried unanimously.

10:36:07 AM WATER QUANTITY #6: Restore, to the best extent possible, the natural historic Jefferson Flow Way as a component of the rehydration of the Pine Lake Preserve. This PROJECT should be coordinated by the City, in partnership with Lee County, SFWMD and FDOT, and should be targeted for completion in 2 years at a cost TBD by staff.

Council Member Martin motioned approval; Council Member McIntosh seconded. Council Member Simmons suggested it be revised as follows:

Consider the restoration of ~~Restore, to the best extent possible, the natural historic Jefferson Flow Way as a component of the rehydration of the Pine Lake Preserve. This PROJECT should be coordinated by the City, in partnership with Lee County, SFWMD and FDOT, and should be targeted for completion in 2 years at a cost TBD by staff.~~

Council Members Martin and McIntosh stated they support the original motion (item #6 as presented). Council Member Gibson questioned the driving force behind this and costs. Discussion followed with input from Tori Polinitza and Scott Duval. Mr. Duval asked that Council leave as written.

Council Member Simmons suggested amending #6 to read:

Consider the restoration of the natural historic Jefferson Flow Way as a component of the rehydration of the Pine Lake Preserve. This PROJECT should be coordinated by the City, in

partnership with Lee County, SFWMD and FDOT. ~~and should be targeted for completion in 2 years at a cost TBD by staff.~~

Mayor Nelson clarified that there has been a motion to approve as written. Council Member McIntosh stated he attended the meetings and knows the Task Force diligently looked at the science, and feels that it's inappropriate for Council to question the science behind the recommendations. He asked Council Member Simmons what he was trying to change by his suggested revision. Council Member Simmons stated that the intent was to address the time frame of completion reflected of two years.

The motion to approve Item #6 as written with the original language passed 5-2 (Council Members Simmons and Lonkart opposed)

10:45:02 AM WATER QUANTITY #7: Restore, to the best extent possible, the natural historic southern flow way (the "old river bed") adjacent to the Kehl Canal. This PROJECT should be coordinated by the City and SFWMD and targeted for completion in approximately 2 years at a cost TBD by staff.

Council Member Martin motioned approval as written; Council Member McIntosh seconded; and the motion carried 6-1 (Council Member Simmons opposed)

10:49:34 AM WATER QUANTITY #8: In conjunction with the Regional Planning Council study currently underway, encourage the appropriate entities to construct Spring Creek culverts under I-75 to reduce backup of water east of I-75 on the northern portion of the City. The facilitation of this PROJECT should be coordinated by the City of Bonita Springs and should be targeted for initiation immediately and for completion in approximately 5 years at no additional cost to the City.

Council Member Simmons motioned to approve #8 as revised, as follows:

In conjunction with the Regional Planning Council study currently underway, ~~encourage~~ investigate the appropriate entities to construct Spring Creek culverts under I-75 to reduce backup of water east of I-75 on the northern portion of the City. The facilitation of this PROJECT should be coordinated by the City of Bonita Springs ~~and should be targeted for initiation immediately and for completion in approximately 5 years~~ at no additional cost to the City.

After a brief discussion on the inclusion of the word "investigate," Council Member Simmons stated he would revise #8 to leave in the word "encourage" and remove "investigate" and strike "and should be targeted for initiation immediately and for completion in approximately 5 years." His intent is to not have a time limitation in it.

Council Member Lonkart seconded. Council Member Martin stated this is another one of those projects that has been in the pipeline for a very long. Spring Creek is something that should be implemented as soon as it can. She will vote for this to move it forward, but she is disappointed in that she feels that some of these projects are so needed and so needed now. Council Member McIntosh stated he also would not vote for this in this state, as it reduces the impact of it. Mayor Nelson stated he feels that some of these things need to remain in here for the completion dates as he sees them as laudable goals. He will not support this as amended. Council Member Gibson suggested revising it to still encourage them to look at doing this and initiating it as soon as possible.

The motion failed 3-4 (Council Members McIntosh, Martin, Slachta, and Mayor Nelson opposed)

Council Member Martin motioned to approve as written; Council Member McIntosh seconded; and the motion carried 5-2 (Council Members Simmons and Lonkart opposed).

10:56:33 AM WATER QUANTITY #9: Monitor and encourage the improvement of flow ways outside of the Bonita Springs City limits, according to the 2009 Watershed Update Plan- South Branch of the Estero River, Halfway Creek, southerly connection to Cocohatchee Canal or more southerly outfall systems. This PROJECT should be coordinated by the City of Bonita Springs, in coordination with the SFWMD and considered a continuing project at a cost to the City limited to staff time only.

Mr. Flood, with the South Florida Water Management District, explained that what's referenced in here is the Watershed Plan Update. He explained that what was adopted was specific to looking at Halfway Creek and Spring Creek, and not moving water south. There was a study done, which was not adopted. Looking beyond Halfway Creek and Spring Creek, he feels it's laudable to look at moving some water south, as recommended in the original South Lee County Watershed Plan. His biggest concern is that to do that, it would require some additional modelings and work, and was not something that could be done right away.

Mayor Nelson suggested it be revised as follows:

“Monitor and encourage the improvement of flow ways that affect the City of Bonita Springs Watershed.” He suggested to also leave out the reference to the 2009 Watershed Update. Assistant City Manager Gucciardo stated that making this a bit more generic and not limiting it to the 2009 Watershed Study Plan Update would still be appropriate.

Council Member McIntosh motioned approval, as revised to remove the reference to the 2009 Watershed Update Plan, and referencing “the affect the Bonita Springs Flow Ways;” Council Member Simmons seconded; and the motion carried unanimously.

10:59:40 AM WATER QUANTITY #10: When any significant roadway improvement project is undertaken, consider the inclusion of a linear filter marsh within the ROW to provide for the slow conveyance of stormwater to the south, with additional benefit of pollution removal along the length of the system. This PROJECT should be coordinated by the City staff and should be considered ongoing, at a cost TBD by the particular project.

Assistant City Manager Gucciardo explained that the conversation here dealt with, if and when there are significant road improvements, what can be done to encourage the use of the right-of-way to act as a “quasi filter marsh.” There are a couple things that did concern them about this – 1) whether or not the intent of this was to be limited to the DRGR area, and 2) when people think of filter marshes it's typically a much broader type of structure/conveyance than what they were thinking about for here. It's called a linear filter marsh, and is really a very limited type of structure in terms of containing some water on the sides of roads. He feels that with that clarification, it's something Public Works would not have a big concern about, but the limitation here would be for within the DRGR and entail a very limited structure.

Council Member Simmons questioned whether they should limit it to just the south. Assistant City Manager Gucciardo stated that the two changes he was hearing is to eliminate the words “to the south” and preface it “within the DRGR.” Council Member Gibson questioned why not just to make it City-wide, since they were still only “considering it,” and it would be on every project. Assistant City Manager Gucciardo explained that some of the concerns of Public Works about if this was supposed to be City-wide as opposed to within the DRGR, from a practical matter, it's not going to be something that's going to be viable in most parts of the City.

Council Member Simmons motioned to revise as follows:

When any significant roadway improvement project is undertaken, consider the inclusion of a linear filter marsh within the ROW to provide for the slow conveyance of stormwater ~~to the south~~, with

additional benefit of pollution removal along the length of the system. This PROJECT should be coordinated by the City staff and should be considered ongoing, at a cost TBD by the particular project.

Council Member Gibson seconded.

Scott Duval stated he felt the revision was good (striking “to the south”). Nicole Johnson, former member of the CWSTF, agreed she also felt it was a good revision, explaining that they had in mind particularly Bonita Grande, as it runs straight down Bonita Grande south into the Imperial River. The revision was fine with her.

The motion carried unanimously.

11:04:49 AM WATER QUANTITY #11: Encourage SFWMD and Lee County to purchase the remaining out lots within the unincorporated County, and within the CREW acquisition boundary, to improve storage on the CREW lands as well as to improve recharge. This POLICY effort should be coordinated by Lee County 2020 program staff and SFWMD and should be implemented in 3 months at no cost to the City.

Council Member Simmons motioned to approve as revised below:

Encourage SFWMD and Lee County to purchase the remaining out lots within the unincorporated County, and within the CREW acquisition boundary, to improve storage on the CREW lands as well as to improve recharge. This POLICY effort should be coordinated by Lee County 2020 program staff and SFWMD ~~and should be implemented in 3 months~~ at no cost to the City.

Council Member Gibson seconded; and the motion carried unanimously.

11:07:09 AM WATER QUANTITY #12: Encourage SFWMD to investigate the possibility of utilizing the Kehl Canal for additional water storage. This PROJECT should be coordinated by SFWMD and Lee County at no cost to the City.

Council Member Slachta motioned to approve #12 as written; Council Member Lonkart seconded; and the motion carried unanimously.

11:08:38 AM WATER QUANTITY #13: The Lower Tamiami Aquifer in the Bonita DRGR area receives significant recharge from both lateral water movement beneath the confining layer and vertical movement of water from the surficial aquifer above the confining layer. Therefore, groundwater recharge in the DRGR is an important issue and measures should be required to increase the recharge potential, through improved water management practices that maintain or raise the current groundwater levels, and increase storm water storage and detention.

Assistant City Manager Gucciardo began by stating he had some problems with the final wording twofold – 1) he’s not sure he sees a recommendation contained within it, as it’s more of a statement. Secondly, he’s concerned that it may conflict with some of the data that’s being pulled together by BSU on where and how recharge happens. He suggested input from the former members of the CWSTF. It does present some problems from a Staff perspective.

Scott Duval stated that he believed Fred Forbes wanted it on the record or as part of their recommendations an acknowledgement that there’s some recharge of our water resources and aquifers both vertically and laterally, to which the extent of which is up for debate. Overall, they just wanted it placed on the record to let everyone know that the aquifers are important and recharge should be considered in making

decisions. Mr. Forbes stated that the City paid for a study that Greg Rawl, an expert in this, who said in writing that the DRGR did make a significant contribution to recharging the aquifer. He's more interested in the vertical part as opposed to the lateral movement, because if something is done up stream that goofs it up, they would still want to have it recharging in the DRGR in the Bonita Springs area. Dennis Gilkey stated that the water management practices should raise the current groundwater levels to encourage, whether significant or not, they are recommending that the groundwater levels should be raised to encourage additional infiltration and recharge. The bigger issue is practices that would increase stormwater storage that in turn provides additional recharge and infiltration of the groundwater.

Mayor Nelson stated he had a concern with the finding of fact part of #13, but would say that it is true everywhere in Florida that groundwater recharge is important. He does agree with the conclusion on how to deal with the importance of groundwater recharge, which is through improved water management practices and maintain or raise the current groundwater levels. He supports this as written. Ms. Polonitza stated that was also the point in #1 regarding the increasing from 1 ½ - the retention and detention was to increase the surface water.

Council Member Simmons motioned to approve, as revised as follows:

The Lower Tamiami Aquifer in the Bonita DRGR area receives significant recharge from both lateral water movement beneath the confining layer and vertical movement of water from the surficial aquifer ~~above~~ through the confining layer. Therefore, groundwater recharge in the DRGR is an important issue and measures not involving development should be required to increase the recharge potential, through improved water management practices that maintain or raise the current groundwater levels, and increase storm water storage and detention and acquisition of lands to protect the aquifer.

Mayor Nelson stated he would not support the inclusion of the wording "not involving development." He is also not sure what the significance is of including the word "through" in place of "above." Mr. Duval stated that the difference between "above" and "through" is significant, as the whole point of the confining layer is it confines the aquifer from the surface water – it separates them. The whole point of the confining layer is water does not go through the confining layer. Mayor Nelson stated he would prefer to approve it as written.

Council Member Gibson seconded; and the motion failed 3-4 (Mayor Nelson and Council Members McIntosh, Martin and Slachta opposed)

Council Member McIntosh motioned to approve as written; Council Member Martin seconded; and the motion passed 5-2 (Council Members Simmons and Lonkart opposed)

11:18:03 AM WATER QUANTITY #14: The City of Bonita Springs should actively pursue all funding options in order to implement current and future water projects including land acquisition from willing sellers. The attached list shows some of the available funding sources.

Assistant City Manager Gucciardo suggested including the word "attempt" after the word "should" – should attempt to actively pursue. He further explained. Mayor Nelson suggested revising to state:

The City of Bonita Springs should actively pursue a variety of all funding options in order to implement current and future water projects including land acquisition from willing sellers. The attached list shows some of the available funding sources.

Assistant City Manager Gucciardo stated that would be consistent with Staff's concerns. Mayor Nelson motioned approval as he revised #14 above; Council Member McIntosh seconded; and the motion carried unanimously.

11:21:01 AM WATER QUANTITY #15: The City Council should solicit a Request for Proposals from qualified professionals to perform the following scope relative to additional water monitoring, which shall be administered through the City Public Works Department:

Identify existing sources of water monitoring data that affect the Imperial River Watershed and recommend what additional monitoring is need for water quantity and water quality improvements, and restoration/rehydration of existing natural areas.

- **Prepare a monitoring plan which includes proposed locations, type of monitoring, frequency, duration, costs and responsibilities for performing and monitoring work, in concert with future updates to existing models or new modeling efforts.**
- **Define the specific monitoring to be performed by consultant, based on the above.**
- **Define monitoring that should be required of any new developments in the Bonita DRGR**
- **Define who is responsible for synthesizing the data in a useful manner on a long-term basis to meet the City's objectives of reducing flood potential, improving water quality and enhancing groundwater resources."**

A preliminary cost estimate for setting up roughly 50 monitoring stations and then using volunteers to collect monthly data from these stations for a year is in the vicinity of \$50,000. If volunteers are not available to collect data, costs are likely to increase by \$30,000. The costs of developing new models or updating existing models using this newly collected data are not included in these numbers nor is the cost of using these models for analysis. (the CIP for FY 2014-2019 contains \$3.0 M for water projects and another \$1.4M as a placeholder for out year water quantity project implementation)

Assistant City Manager Gucciardo explained that it was not the consensus of the CWSTF the idea that additional water monitoring be done before Council could consider doing anything else in the DRGR. If that were the case it would be reflected in the recommendations, which it is not. He further explained.

Mayor Nelson stated he cannot support #15 because he doesn't see a question attached. Mr. Duval responded to Mayor Nelson's comment regarding a question. Ms. Polinitza agreed that 50 monitoring stations is a lot. Discussion followed, with comments made by Ms. Johnson and Mr. Forbes.

11:29:51 AM Council Member McIntosh stated if there are gaps in the monitoring, if it takes additional monitoring to make the CWSTF feel like they've done their job and done it right, then he would support it. He likes the concept.

11:30:31 AM Council Member Martin stated that obviously Council does not want to pay for any duplication of monitoring and information that the City already has, but following along with the CWSTF as they went through here, it was evident that there were gaps in monitoring, as well as some other places that we still needed that information to be able to move forward with future projects. She will support this, noting that she feels 50 monitoring stations is excessive, but believes we will figure out where those gaps are. We also need to maintain the system that we have because it's working. Discussion followed.

11:32:19 AM Mayor Nelson stated he doesn't have a problem with the first paragraph, as long as it is that City Council would be requesting that Staff develop a Request for Proposals and scope relative to additional water quality monitoring. He is not in favor of all the specifics that follow under that. Overall, he doesn't have a problem with instructing Staff to develop a scope of services and going out for that Request for Proposals for additional water monitoring.

11:33:24 AM Council Member Simmons motioned to replace the word “natural” in the second paragraph to “undeveloped” and adopt the remainder as written; Council Member Lonkart seconded; and the motion passed 4-3 (Mayor Nelson and Council Members McIntosh, Martin opposed)

11:36:22 AM **WATER QUANTITY #16: Implement a requirement that new developments post-development stormwater peak discharge rates not exceed pre-development peak discharge rates as submitted to the SFWMD. This POLICY should be coordinated by City Staff and targeted for completion in approximately 4 months at a cost not to exceed Staff time to draft the language and process the policy; AND**

WATER QUANTITY #17: Implement standards for new development within the DRGR that require post-development stormwater volume discharged from the site to not exceed pre-development stormwater volume. This POLICY should be coordinated by City Staff and targeted for completion in approximately 4 months at a cost not to exceed Staff time to draft the language and process the policy.

No action taken on #16 and #17, as they entail items that are already in place.

11:36:57 AM **WATER QUANTITY #18: Implement a policy that failure to clear a flow way or flood control structure is a violation subject to enforcement by fines or costs of clearing such flow way or flood control structure.**

Assistant City Manager Gucciardo explained this was something that was already in the works, as it was part of the stormwater Ordinance that the City Attorney has been working on with Public Works Staff.

Council Member Simmons motioned to approve #18; Council Member Slachta seconded and the motion carried unanimously.

11:38:41 AM **WATER QUANTITY #19: The City Council should consider pursuing a Water Quality and Quantity modeling effort to create a decision making tool to better understand how individual proposed projects, including development, restoration and Public Works projects, may impact the Bonita Springs area.**

Council Member Simmons motioned to approve, as revised to strike “including development.” Mayor Nelson opposed the revision. Council Member Lonkart seconded; and the motion failed 3-4 (Mayor Nelson and Council Members Martin, Slachta, and McIntosh opposed)

Council Member McIntosh motioned to approve as written; Council Member Martin seconded; and the motion passed 4-3 (Council Members Simmons, Gibson, and Lonkart opposed)

WATER QUALITY:

11:41:50 AM **WATER QUALITY #1: Immediately support and fast track projects which enhance water quality and create additional water storage in the CREW lands, the Pine Lake Preserve and the Hidden Cypress Preserve through projects consistent with restoring the ecological integrity of these wetland systems. This POLICY effort should be coordinated by the SFWMD, through a Regional Watershed Working Group, and targeted for implementation in approximately 3 months.**

Council Member McIntosh motioned approval of #1; Council Member Martin seconded.

Council Member Simmons suggested revising as follows:

~~Immediately~~ Consider support of ~~and fast-track~~ projects which enhance water quality and create additional water storage in the CREW lands, the Pine Lake Preserve and the Hidden Cypress Preserve through projects consistent with restoring the ecological integrity of these wetland systems. This POLICY effort should be coordinated by the SFWMD, through a Regional Watershed Working Group, and targeted for implementation in approximately 3 months.

Council Member McIntosh opposed to revision (motion to remain as made); and the motion passed 5-2 (Council Members Simmons and Lonkart opposed)

11:42:51 AM WATER QUALITY #2: In addition to the water quantity and quality projects currently funded by the City, implement the 3 Water Quality projects identified within the Bonita Springs DRGR in the 2011 Bonita Springs Storm Water Master Plan, Phase II. This PROJECT should be coordinated by city staff and should be targeted for completion within 5 years at a cost as estimated in the above referenced study.

Public Works Director Matt Feeney explained that Staff didn't want to be tied to three specific conceptual projects in the Phase II Master Plan, as they want the flexibility to expand those projects as the engineering is done on them.

Council Member Simmons motioned to strike #2 in its entirety; Council Member Gibson seconded; and the motion carried unanimously.

11:48:45 AM WATER QUALITY #3: Establish applicable Best Management Practices and Low Impact Design standards by local city ordinance. This POLICY effort should be coordinated by city staff with the assistance of outside consultants and should be targeted for completion in 12 months at a cost of approximately \$25,000.

Council Member Simmons motioned to strike #3 in its entirety, as he sees it as a development standard; Council Member Lonkart seconded.

Mayor Nelson stated he would not support the motion as it's something he believes Council should consider doing.

The motion failed 3-4 (Mayor Nelson and Council Members Slachta, McIntosh and Martin)

Council Member McIntosh motioned to approve #3 as written; Council Member Martin seconded; and the motion passed 4-3 (Council Members Simmons, Gibson, Lonkart opposed)

11:53:50 AM WATER QUALITY #4: Implement and codify language in the LDC that requires new development (that requires a development order) in the impaired Imperial River Basin BMAP to demonstrate that post-development stormwater annual pollutant loading for total nitrogen is at least 26.5% less than pre-development (existing conditions) as referred to in the December 2012 BMAP requirements. This POLICY effort should be coordinated by City Staff and targeted for completion in approximately 4 months at a cost limited to Staff time to process the policy.

Council Member Martin motioned to approve as written; Council Member McIntosh seconded; and the motion failed 3-4 (Council Members Simmons, Gibson, Lonkart, Slachta opposed)

Council Member Simmons motioned to strike #4 in its entirety, as he sees it as a development standard; Council Member Lonkart seconded; and the motion failed 3-4 (Council Members McIntosh, Martin, Slachta and Mayor Nelson opposed)

Council Member Slachta motioned to approve as written; Mayor Nelson seconded; and the motion passed 4-3 (Council Members Lonkart, Simmons and Gibson opposed)

12:00:35 PM WATER QUALITY #5: Add to the inventory of available open space to be used for water quality efforts by buying land from willing sellers. This PROJECT should be coordinated by city staff, and staff should be directed to pursue all funding available sources, and should be considered an ongoing effort.

Council Member Martin motioned to approve #5 as written; Council Member Simmons seconded; and the motion carried unanimously.

12:01:12 PM WATER QUALITY #6: Add incentives to the current HOA educational efforts relative to pond maintenance and fertilizer use. This POLICY effort should be coordinated by City Staff and targeted for completion in 6 months at a cost limited to city staff time.

Council Member Lonkart motioned to approve #6 as written; Council Member McIntosh seconded; and the motion carried unanimously.

WATER SUPPLY:

12:02:54 PM WATER SUPPLY/ DRINKING WATER #1: Encourage BSU and the City to continue to work in collaboration to update the Wellfield Protection Ordinance, to restrict/prohibit contaminants near the potable supply wellfields. This POLICY effort should be coordinated by staff and be targeted for completion by the end of 2015 at no cost to the city.

Council Member Simmons suggested revising #1 as follows:

Encourage BSU and the City to continue to work in collaboration to update the Wellfield Protection Ordinance, ~~to restrict/prohibit contaminants near the potable supply wellfields.~~ This POLICY effort should be coordinated by staff and be targeted for completion by the end of 2015 at no cost to the city.

Discussion followed, to which City Attorney Vance responded, explaining that the purpose of the Ordinance she has in the process is to ensure that abandoned wells and contaminants are removed. The language is in the requirements in Chapter 163 and the environmental chapters of the Florida Statutes.

Council Member Lonkart motioned to approve as written; Council Member McIntosh seconded; and the motion carried unanimously.

12:05:13 PM WATER SUPPLY/ DRINKING WATER #2: Create a plan that would provide opportunities to take stormwater currently artificially conveyed through canal, ditch, and pumping systems and redirect at least a portion of the flow into filter marshes or other areas. This POLICY should be coordinated by SFWMD through a Regional Watershed Working Group and be targeted for implementation in approximately 3 months at no cost to the city.

Council Member Simmons suggested revising as follows:

Create a plan that would provide opportunities to take stormwater currently artificially conveyed through canal, ditch, and pumping systems and redirect at least a portion of the flow into filter marshes or other areas. ~~This POLICY should be coordinated by SFWMD through a Regional Watershed Working Group and be targeted for implementation in approximately 3 months at no cost to the city.~~

Council Member Gibson supports passing #2 as written; Council Member McIntosh seconded; and the motion carried unanimously.

12:07:10 PM WATER SUPPLY/ DRINKING WATER #3: Seek to eliminate/reduce private potable wells and septic tanks by planning future development in such a manner as to allow efficiency when extending the central water and sewer systems. This POLICY should be coordinated by city staff and targeted for completion within 3 to 5 years.

Council Member Martin motioned to approve as written; Council Member McIntosh seconded.

Council Member Gibson stated he didn't know how they would go about eliminating private wells or septic tanks. He asked if that was something BSU would handle. To him this is geared more towards if they increase development out there. Assistant City Manager Gucciardo stated he didn't think it was encouraging an increase in development; it's just saying that if there is development out there that they seek to use that opportunity to eliminate some of the private wells and septic systems. Mayor Nelson stated it would encourage developers wherever they develop to cluster things instead of spreading them out as a matter of efficiency as far as lines and supplies. Council Member Simmons stated he agreed with comments made by Council Member Gibson, adding that he thinks this is outside of the scope of what they (Council) was asked to do, and he would move to strike it entirely.

Ms. Polinitza stated that there are areas, particularly in the Keys, where the City and County has rased funding, and received State and Federal funding to eliminate. Even if BSU cannot afford to do it, there are other ways of approaching the problem of the possibility of another 700 wells and another 700 new septic tanks. Overall, it's just a way for the City to look at other sources of funding and ways to try to encourage and eliminate the wells and the septics out there.

The motion passed 4-3 (Council Members Simmons, Gibson, and Lonkart opposed)

12:11:36 PM WATER SUPPLY/ DRINKING WATER #4: Create a long term (5 year plus) plan to determine how the Citrus Park Wastewater Treatment Plant can be discontinued. This will take a cooperative approach and a fair financial resolution that may involve multiple local, state and federal entities. This POLICY effort should be coordinated by city staff, BSU and Citrus Park, and targeted for completion in approximately 5 years.

Mayor Nelson stated he wouldn't have a problem with this if it didn't say Citrus Park. He motioned to indicate that you plan to determine how water treatment plants, independent water treatment plants can be discontinued; Council Member McIntosh seconded. Mayor Nelson stated the intent is to make it generic and not mean a particular individual or any entity.

Council Member Simmons suggested striking arbitrary times, but the motion has been made.

The motion carried unanimously.

MISCELLANEOUS:

12:14:35 PM MISC. #1: If the City Council of the City of Bonita Springs determines that an increase in density or intensity is appropriate in the Bonita Springs DRGR area, appropriate legal mechanism(s) must be in place to require the additional standards for water quantity, quality and groundwater resources, such as Low Impact Design Standards, and including such requirements recommended by this Task Force and accepted by City Council.

Council Member Simmons motioned approval of #1; Council Member McIntosh seconded; and the motion carried unanimously.

12:15:36 PM MISC. #2: Any new development with 10 Units or more will be required to be part of a mandatory master homeowner's association, responsible for common maintenance of storm water management systems and subject to penalty for failure to maintain such systems.

Council Member McIntosh motioned approval of #2; Council Member Martin seconded. Discussion ensued, with City Attorney Vance stating that since 1986 the South Florida Water Management District required Lee County and all communities to have mandatory homeowner associations for a certain threshold, so this number is higher than the existing threshold, and they would still go to that lower number.

Council Member McIntosh motioned approval; Council Member Martin seconded.

In response to Council Member Lonkart, Mr. Dulmer explained that this was something that was already in existence, and currently entails four units. The City is applying homeowner association requirements to developments that subdivide property. After further discussion, Mayor Nelson stated he felt this was redundant.

The motion failed unanimously.

Council Member Simmons motioned to strike #2 in its entirety; Council Member Lonkart seconded; and the motion unanimously passed.

12:23:33 PM MISC. #3: Implementation of a collaborative Regional Watershed Working Group, which should include all interested stakeholders but would need, at a minimum, to include the City of Bonita Springs, South Florida Water Management District, FDEP, FDOT, Lee County and BSU, for the purpose of facilitating water projects within and around the Bonita DRGR from concept to implementation. Such a Working Group is necessary due to the variety of governmental entities that must be involved in designing, permitting, approving, funding and implementing projects that will be necessary for an appropriate water solution. This project should be initiated by the City of Bonita Springs within 4 months, and eventually coordinated by the South Florida Water Management District, at a cost limited to City staff time.

Council Member Martin motioned approval of #3; Council Member McIntosh seconded; and the motion unanimously passed.

12:25:51 PM MISC. #4: The City Council of the City of Bonita Springs should authorize staff to investigate possible restrictions to any oil exploration, oil production, fracking and/or fracking-like activities within the City of Bonita Springs.

Council Member Martin motioned to approve as written; Council Member Simmons seconded; and the motion unanimously passed.

12:26:11 PM MISC. #5: Increase the millage rate, city-wide, by 0.10 %, for a minimum of 10 years, which funds shall be placed in a segregated fund to be used specifically for water quantity, water quality, and ground water resource projects.

Council Member Lonkart motioned to strike #5 in its entirety; Council Member Simmons seconded; and the motion carried unanimously.

RECONSIDERATION OF WATER QUANTITY #1:

12:26:44 PM WATER QUANTITY #1: Implement and codify the improvement of the water retention/detention requirements in the DRGR by at least 10% over the current requirement of 1.5 inches. This POLICY effort should be adopted into the Bonita Springs Land Development Code, coordinated with SFWMD, and targeted for completion in approximately 4 months. City cost will be limited to modifying the code, which can likely be accomplished by staff.

Assistant City Manager Gucciardo requested Council refer back to Water Quantity #1, explaining that his concern was that since this was brought up very early in the process that there may have been a misunderstanding as to what the intent of the Task Force was in this regard. It wasn't to encourage development in any way; it was merely to recognize that right now there is a certain standard in terms of retaining and controlling the water in any particular development. The idea was to ratchet that up a bit – make something that's good and working well, better and work even better. He agreed with the Mayor in that approving this would be consistent with other direction Council has given.

Council Member Slachta motioned approval of Water Quantity #1; Council Member McIntosh seconded; and the motion passed 4-3 (Council Members Simmons, Gibson, and Lonkart opposed)

Mayor Nelson informed Council that Staff is going to take this list and compile everything and bring it back to Council with a list of things that will be done. Assistant City Manager Gucciardo stated Staff would bring it back to a February meeting and would include a list of recommendations.

PUBLIC COMMENTS:

12:28:56 PM Ed Fitzgerald clarified that he strongly supports the recommendations of the Citizens Water Strategy Task Force.

12:29:27 PM Ron Pure addressed the issue of public comments.

12:30:39 PM Alex Grantt stated he would recommend two things - solar energy and thoroughbred farm operations.

12:31:03 PM Martha Simons commended Council on their good work today. She informed Council that Imperial Harbor has been trying to get a HOA for a long time, and asked if Council can help them somehow. Also, a few items that didn't come up regarded overlays for Spring Creek, creeks, and the Imperial River.

VI. ADJOURNMENT

There being no further items to discuss the meeting adjourned at 12:32 P.M.

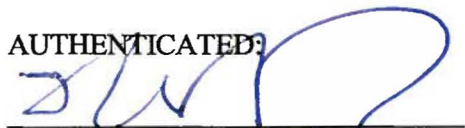
Respectfully submitted,

Debra Filipek, Recording Secretary

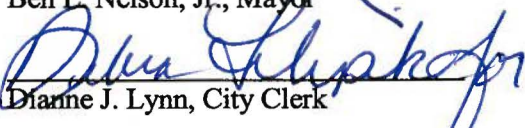
APPROVED:
BONITA SPRINGS CITY COUNCIL:

Date: _____

AUTHENTICATED:



Ben L. Nelson, Jr., Mayor



Dianne J. Lynn, City Clerk