



City Council Chambers
9101 Bonita Beach Road
Bonita Springs, Florida 34135

**CITY COUNCIL
MEETING MINUTES**
September 6, 2023

1. Call to Order

Mayor Steinmeyer called the meeting to order at 9:00 a.m.

2. Invocation

Rabbi Mendy Greenberg of the Chabad of Bonita Springs provided the invocation.

3. Pledge of Allegiance

Mayor Steinmeyer led the Pledge of Allegiance.

4. Roll Call

The City Clerk called the roll:

*Present: 7 Mayor Steinmeyer, Council Member Bogacz, Council Member Purdon, Council Member Carr,
Council Member Corrie, Council Member Fullick, Deputy Mayor Forbes*

Absent: 0

5. Approval of Agenda

No changes.

6. Mayor's Welcome

Mayor Steinmeyer welcomed and thanked everyone in attendance.

7. Public Comment on Agenda Items

None.

8. Zoning and Land Use Items:

- A. (First Reading and Public Hearing) A ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS TO AMEND THE ESTERO BAY COMMERCIAL PLANNED DEVELOPMENT/ RESIDENTIAL PLANNED DEVELOPMENT (CPD/RPD) TO INCREASE THE RPD BOUNDARY BY 5.3 ± ACRES; REMOVE THE NORTHEASTERN PRESERVE CONSISTING OF 0.62± ACRES AND INCREASE THE MANGROVE PRESERVE AREA FROM 3.51 ACRES TO 3.64 ACRES; REMOVE THE ALF/ILF/CCRC DEVELOPMENT OPTION (OPTION 1); ADD TOWNHOMES AND TWO-FAMILY ATTACHED HOMES TO THE SCHEDULE OF USES WITHIN THE RPD; ADD RPD DEVELOPMENT REGULATIONS FOR TOWNHOMES AND TWO-FAMILY ATTACHED HOMES; ADD A TRIP CONVERSION MATRIX TO ALLOW THE MULTI-FAMILY UNITS TO BE CONVERTED TO OTHER

RESIDENTIAL TYPES WITH NO INCREASE TO PM PEAK HOUR TRIP GENERATION; MODIFY DEVIATION 8 AND DEVIATION 13 TO ADDRESS CHANGES IN BUILDING LAYOUT AND REMOVAL OF PRESERVE ACREAGE; ADD SIX NEW DEVIATIONS; AND MODIFY THE MASTER CONCEPT PLAN TO PROVIDE FOR THESE CHANGES; AND PROVIDE FOR AN EFFECTIVE DATE. (Green Sheet No. 23-09-190)

The Clerk read the Ordinance title into the record.

Council Member Carr motioned to move to second reading; seconded by Council Member Fullick. Mayor Steinmeyer asked the Clerk to record the vote by roll call. The motion carried unanimously.

9. Consent Agenda:

Council Member Carr motioned to approve the Consent Agenda; Council Member Corrie seconded. The motion carried unanimously.

- A. Approval of the August 16, 2023, Draft City Council Meeting Minutes
- B. Confirm and ratify Resolutions Extending Local State of Emergency due to Hurricane Ian. (Green Sheet No. 23-09-183)
- C. Confirm and ratify Resolution No. 23-70 declaring a Local State of Emergency due to Tropical Storm Idalia. (Green Sheet No. 23-09-197)
- D. Approve Master Agreement with Portland State University and Task Order #1 which provides for the scoping, drafting, and adoption of the State-mandated Comprehensive Plan Amendments, as determined by the City's Evaluation and Appraisal Review (E.A.R.), as well as the scoping of any optional Comprehensive Plan amendments. (Green Sheet No. 23-09-185)
- E. Approve amendment #2 extending the contract expiration date between the City and Lee County Human and Veteran Services for the Community Development Block Grant CARES Act (CDBG-CV) funds for the Food Insecurity Program. (Green Sheet No. 23-09-188)
- F. Approve Resolution accepting the Selection Committee's recommendation to engage Trimmers Holiday Décor, Inc. in the amount of \$84,000 for the City's Holiday Lighting 2023 and 2024 Downtown Bonita Springs Riverside Park and Surrounding Area (RFP 23-18) upon approval of all documentation. (Green Sheet No. 23-09-181)
- G. Approve Resolution to accept the Selection Committee's recommendation to engage thirteen firms for the City's Miscellaneous Roadway and Bridge Services (CN 23-13). (Green Sheet No. 23-09-186)

- H. Approve a Resolution to accept the Selection Committee's recommendation to engage two firms for the City's Water Quality Sampling and Flow Measurement Services (CN 23-17). (Green Sheet No. 23-09-187)
- I. Approve purchase agreement to acquire vacant land for the Spring Creek Bonita Springs Golf Course Stormwater Project. (Green Sheet No. 23-09-194)
- J. Approve Resolution and Change Order No. 2 for FEMA Public Assistance Grant Program Services related to Hurricane Ian reimbursement (Green Sheet No. 23-09-195)
 - Opportunity for City Council Comments on Consent Agenda

10. Mayor and Council Member Items:

- A. Consider an application for appointment to the Special Events Committee. (Green Sheet No. 23-09-182)

Mayor Steinmeyer motioned to approve the appointment of Rachael Kline to the Special Events Committee; Council Member Carr seconded. The motion carried unanimously.

- B. Consider two applications for appointment to the Art in Public Places Board. (Green Sheet No. 23-09-189)

Council Member Corrie motioned to approve the appointment of Betsy Haskins and Tara Fedorko to the Art in Public Places Board; Council Member Purdon seconded. The motion carried unanimously.

11. Public Hearing:

- A. SECOND READING AND PUBLIC HEARING OF AN ORDINANCE OF THE CITY OF BONITA SPRINGS FLORIDA, AMENDING THE BONITA SPRINGS LAND DEVELOPMENT CODE CHAPTER 7- ENVIRONMENT, NATURAL RESOURCES AND MARINE FACILITIES, STRUCTURES AND EQUIPMENT, ARTICLE XII. - DOCK AND SHORELINE STRUCTURES; AND CHAPTER 9- DEFINITIONS; PROVIDING FOR CONFLICTS OF LAW, SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, AND MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING AND AN EFFECTIVE DATE. (Green Sheet No. 23-09-193)

The Clerk read the Ordinance title into the record. Mayor Steinmeyer called for public comment:

Ben Nelson - Expressed support for the revised ordinance.

John Dulmer read a comment into the record submitted by Joe Mazurkiewicz, President of BJM Consulting, who was unable to attend the meeting. His comment stated that SWFMIA supports the revised draft.

*Mayor Steinmeyer motioned for approval; Council Member Carr seconded. Mayor Steinmeyer called for public comment and, seeing none, asked the Clerk to record the vote by roll call. The motion carried unanimously. **Ordinance 2023-11 adopted.***

- B. SECOND READING OF AN ORDINANCE AUTHORIZING THE ISSUANCE OF INTERIM BORROWING NOT TO EXCEED \$2,000,000 IN PRINCIPAL AMOUNT OF A DEBT OBLIGATION TO FINANCE CONTINUING GOVERNMENTAL OPERATIONS; PROVIDING FOR A COVENANT TO BUDGET AND APPROPRIATE LEGALLY AVAILABLE NON-AD VALOREM REVENUES TO PAY THE PRINCIPAL OF AND INTEREST ON THE DEBT OBLIGATION; PROVIDING FOR THE RIGHTS OF THE HOLDER OF SUCH NOTE; PROVIDING SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (Green Sheet No. 23-09-192)

The Clerk read the Ordinance title into the record.

*Council Member Bogacz motioned to approve; Seconded by Deputy Mayor Forbes. Mayor Steinmeyer asked the Clerk to record the vote by roll call. The motion carried by a vote of 6-1, with Mayor Steinmeyer opposed. **Ordinance 2023-12 adopted.***

Mayor Steinmeyer motioned to add a condition requiring Council approval before any loan funds are withdrawn. The motion failed due to lack of a second. City Manager Hunter stated that she will notify Council if there is a need to use any of the funds.

12. City Attorney's Items:

- A. Approve Settlement Implementation Agreement and thirteen (13) resolutions of necessity for the acquisition and condemnation of parcels required for the Bonita Grande drive extension to the City's planned park facilities adjacent to the Larry Kiker Preserve. (Green Sheet No. 23-09-191)

Derek Rooney, City Attorney, introduced the request stemming from the settlement agreement with BG Mine.

Deputy Mayor Forbes motioned to approve; Seconded by Council Member Car. The motion carried unanimously.

13. City Manager's Items:

- A. Consider a request from the Café of Life to construct a pavilion/gazebo structure at Leitner Neighborhood Park. (Green Sheet No. 23-09-184)

City Manager Hunter introduced the request. Should Council approve, the City Attorney would determine whether a formal amendment to the agreement would be necessary.

Council Member Purdon motioned to approve; Council Member Carr seconded. The motion carried unanimously.

- B. Presentation and review of the July Financial Report (Green Sheet No. 23-09-196)

Finance Director Lisa Griggs-Roberson presented the July Financial Report (on file in the Clerk's office).

- C. Update regarding fiscal year 2023-2024 draft budget

Finance Director Lisa Griggs-Roberson furnished an update on the 2023-2024 budget update (on file in the Clerk's office). She also reminded Council that the preliminary budget hearing is Tuesday, September 12th, at 5:30 pm. The final budget hearing will be September 20th at 5:30 pm.

- D. Update regarding Hurricane Idalia and Hurricane Ian recovery

City Manager Hunter advised that the Initial Damage Assessments conducted by staff indicated that 23 properties were "affected" and six properties sustained "minor" damage from Hurricane Idalia. She reported that, while City Hall was closed for normal operations for two days, staff was reporting and working to facilitate emergency response activities during that time.

City Manager Hunter, along with Community Development Director John Dulmer, reported that staff has received notification that the City will maintain its Class 5 Community Rating System (CRS) rating under FEMA's National Flood Insurance Program.

14. Mayor and Council Member Reports

Deputy Mayor Forbes addressed the County's request for intergovernmental discussions regarding the County's Charter Committee's review of the annexation policy. Council Member Purdon stated that he sees it as a loss of home rule for the City and suggested sending a letter of objection and not participate in the meeting.

Mayor Steinmeyer motioned to send a letter of objection based on home-rule deterioration concerns. Council Member Purdon seconded. The motion carried unanimously.

Council Member Fullick reported that he will be attending the Governor's TDC Conference in Orlando.

Council Member Corrie reported that he has discussed employee transient housing with Community Development Director John Dulmer and requested research into potential LDC language which will allow certain businesses to provide dormitory style housing for seasonal employees.

Council Member Purdon reported on the renderings that DPZ had previously provided for the City-owned parcel with the Banyan tree and the substation. He would like the property to be completed for the City's 25th anniversary. He also commended Turtle Time for their efforts with turtle hatchlings this season.

Council Member Carr stated that she has concerns regarding the Zoning Board meeting held on August 15, and urged Council Members to watch the meeting video before the next City Council meeting. She intends to place a discussion item on a future Council meeting agenda.

City Attorney Rooney stated that the mediation for the lawsuit with the 3 Hardworking Americans is scheduled for September 22nd and that Council Member Corrie will be representing the Council.

15. Public Comment

None

16. Adjournment

There being no further business, the meeting adjourned at 6:47 p.m.

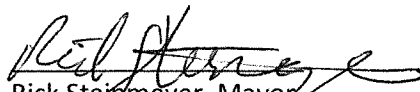
Prepared by:


Mike Sheffield, City Clerk

APPROVED BY CITY COUNCIL

Date: 9/20/23

AUTHENTICATED:


Rick Steinmeyer, Mayor