



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

REVISED CITY COUNCIL MEETING AGENDA

June 1, 2022
5:30 p.m.

If you plan to address the City Council, please complete a “Public Comment Card” located on the table outside of Chambers. Completed comment cards should be submitted to the City Clerk who sits to the left of the podium prior to the start of the meeting.

To submit your public comment in writing, please email your name, address, and comments to CITYMEETINGS@CITYOFBONITASPRINGS.ORG. **Any written public comment must be received by 2:00 p.m. on June 1, 2022.**

The City of Bonita Springs will not discriminate against individuals on the basis of race, color, national origin, sex, age, disability, religion, income, or marital status. To request an ADA-qualified reasonable modification at no charge to the requestor, please contact Lisa Roberson by calling (239) 949-6262 at least 48 hours prior to the meeting.

If a person decides to appeal a decision made by the Council on any matter at this meeting, such person must have a verbatim record of the proceeding to include the testimony and evidence upon which such appeal is to be based.

1. Call to Order
2. Invocation
3. Pledge of Allegiance
4. Roll Call
5. Approval of Agenda
6. Mayor’s Welcome
7. Public Comment on Agenda Items
8. Zoning and Land Use Items:
9. Proclamations and Presentations:

- A. Presentation of Certificate of Appreciation to Boy Scout Troop 109 for their effort in the Leitner Creek Cleanup. (Purdon)
- B. Presentation of Certificate of Appreciation to Dr. Michael V. Martin for his service as President of Florida Gulf Coast University. (Quaremba)
- C. Presentation by RK&K Engineering Consultants on behalf of Florida Department of Transportation (FDOT) for Old 41 Road/Bonita Beach Road PD&E Study. (Green Sheet No. 22-06-085)

10. Consent Agenda:

- A. Adopt resolution with Budget Transfer accepting the bid for Big Bend Road Stormwater Improvement Project RFB 22-05 from lowest responsible, responsive bidder, Douglas N. Higgins, Inc. in the total amount of \$1,013,617.00 upon approval of all documentation. (Green Sheet No. 22-06-083)
- B. Adopt Resolution approving Change Order No. 1 in the amount of \$62,540.21, which will be reimbursed by BSU, for work for the Imperial Shores Boulevard Sidewalk Improvement Project. (Green Sheet 22-06-084)
- C. Approval of a resolution appointing two members to the Veterans Advisory Committee; and providing for an effective date. (Green Sheet 22-06-089)
 - Opportunity for City Council Comments on Consent Agenda

11. Mayor and Council Member Items:

12. Public Hearing:

- A. AN ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; AMENDING THE BONITA SPRINGS LAND DEVELOPMENT CODE, CHAPTER 4 ZONING, SEC. 4-194. - GENERAL SUBMITTAL REQUIREMENTS FOR APPLICATIONS REQUIRING PUBLIC HEARING, SEC. 4-229. - NOTICES., SEC. 4-1728. - DIMENSIONAL REQUIREMENTS; DELINEATION OF PARKING SPACES, AND SEC. 4-2224. CLEARING, GRADING OR FILLING OF LAND; PROVIDING 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. 22-06-087)

13. City Attorney's Items:

14. City Manager's Items:

- A. Authorize staff to execute a multi-year contract with Weston and Sampson for a Facility Assessment Study for a total cost of \$360,431.00. (Green Sheet No. 22-06-088)
 - B. Provide direction to staff on establishing pickleball court site regulations for the City of Bonita Springs. (Green Sheet No. 22-06-086)
- 15. Mayor and Council Member Reports
- 16. Approval of the Minutes: May 18, 2022 City Council Meeting Minutes
- 17. Public Comment
- 18. Adjournment

**CITY OF BONITA SPRINGS
AGENDA ITEM SUMMARY**

Green Sheet No. 22-06-085
June 1, 2022

REQUESTED MOTION: Presentation by RK&K Engineering Consultants on behalf of Florida Department of Transportation (FDOT) for Old 41 Road/Bonita Beach Road PD&E Study.

REQUESTOR: Matt Feeney, Assistant City Manager

AGENDA: Presentations

STRATEGIC PRIORITY: #2 Transportation

BACKGROUND: RK&K, engineering consultants representing FDOT will give a presentation on the PD&E Study they conducted for Old 41 Road south of Bonita Beach Road.

STAFF RECOMMENDATION: Receive presentation

ATTACHMENTS: None.

REVIEWERS:

City Manager: Arleen Hunter
City Attorney: Derek Rooney
City Clerk: Debra Filipek
Department Director: Matt Feeney

Council Action: Approved ___ Denied ___ Deferred ___ Other _____

REQUESTED MOTION: Adopt resolution with Budget Transfer accepting the bid for Big Bend Road Stormwater Improvement Project RFB 22-05 from lowest responsible, responsive bidder, Douglas N. Higgins, Inc. in the total amount of \$1,013,617.00 upon approval of all documentation.

REQUESTOR: Matt Feeney, Assistant City Manager

AGENDA: Consent

STRATEGIC PRIORITY: #5 Community Aesthetics

BACKGROUND: On April 3, 2022, staff advertised for sealed bids for the Big Bend Road Stormwater Improvement Project RFB 22-05.

On May 17, 2022, the City received two (2) sealed bids for Big Bend Road Stormwater Improvement Project RFB 22-05 as follows:

1. Douglas N. Higgins, Inc. – \$1,013,617.00
2. Andrew Sitework LLC - \$1,052,883.00

The City will enter into a Joint Project Agreement (JPA) with Bonita Springs Utilities (BSU) under which BSU will reimburse the City for its portion of the work as the project progresses. The JPA is scheduled for consideration by BSU at their June 7, 2022, Board meeting.

Funding in the amount of \$379,380 is provided for in the Big Bend Road Drainage CIP budget. The attached resolution provides for a budget transfer in the amount of \$546,333 from the general unassigned fund balance. BSU is responsible for a contribution of \$103,200 for its portion of the project.

STAFF RECOMMENDATION: Adopt Resolution and approve budget transfer.

ATTACHMENTS:

1. Resolution
2. Bonita Springs Utilities Joint Project Agreement
3. Bid Tabulations

REVIEWERS:

City Manager: Arleen Hunter
City Attorney: Derek Rooney
City Clerk: Debra Filipek
Department Director: Matt Feeney

Council Action: Approved ___ Denied ___ Deferred ___ Other _____

CITY OF BONITA SPRINGS, FLORIDA

RESOLUTION NO. 22 –

ADOPT RESOLUTION WITH BUDGET TRANSFER ACCEPTING THE BID FOR BIG BEND ROAD STORMWATER IMPROVEMENT PROJECT RFB 22-05 FROM DOUGLAS N. HIGGINS, INC. IN THE BID AMOUNT OF \$1,013,617 UPON APPROVAL OF ALL DOCUMENTATION.

WHEREAS, City staff advertised for the Big Bend Road Stormwater Improvement Project and received two (2) sealed bids,

Douglas N. Higgins, Inc.	\$1,013,617
Andrew Sitework, LLC	\$1,052,883

WHEREAS, the lowest responsive and responsible submittal was from Douglas N. Higgins, Inc. in the total bid amount of \$1,013,617, of which \$103,200 is Bonita Springs Utilities portion of the project :

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bonita Springs, Lee County, Florida:

Section 1. To enter into an agreement with the lowest responsive and responsible bidder, Douglas N. Higgins, Inc.;

Section 2. Authorize budget amendment as follows:

(a) budget amendment for additional Bonita Springs Utilities (BSU) project cost into 30.250.538.6812 Big Bend Road Stormwater Improvement Project of \$103,200 with funding from Contributions received from BSU; and

(b) budget transfer into 30.250.538.6812 Big Bend Road Stormwater Improvement Project of \$546,333 from General Fund unassigned fund balance.

Section 3. Effective date.

This resolution shall take effect immediately upon adoption.

DULY PASSED AND ENACTED by the City Council of the City of Bonita Springs, Lee County, Florida, this 1st day of June 2022

AUTHENTICATION:

Mayor

City Clerk

APPROVED AS TO FORM: _____
City Attorney

Vote:

Carr _____
Purdon _____
Forbes _____
Gibson _____

Corrie _____
Quaremba _____
Steinmeyer _____

Date filed with City Clerk: _____

CITY OF BONITA SPRINGS

and

BONITA SPRINGS UTILITIES, INC.

**JOINT PROJECT AGREEMENT FOR
UTILITY INSTALLATION**

THIS AGREEMENT, made and entered into this _____ day of _____, 2022, by and between CITY OF BONITA SPRINGS, a political subdivision of the State of Florida, hereinafter referred to as “City”, and **BONITA SPRINGS UTILITIES, INC.**, a Florida not for profit corporation, hereinafter referred to as “BSU”, each individually a “PARTY” and collectively the “PARTIES”.

WITNESSETH:

WHEREAS, City is improving a portion of the regional stormwater collection system designated as “Big Bend Road Stormwater Improvements” and referenced herein as the “Big Bend Project”, and

WHEREAS, BSU maintains potable water transmission and wastewater collection infrastructure within the limits of the Big Bend Project and, these mains referred to collectively herein as “BSU Mains”, and

WHEREAS, construction of the Big Bend Project requires relocation of a portion of the BSU Mains in conflict with the project, such utility relocation work designated hereinafter as “Utility Work”, and

WHEREAS, BSU is responsible for all costs attributable to Design, Permitting, Construction Engineering and Inspection, and Construction of the Utility Work, referred to hereafter as “Cost of Utility Work”,

WHEREAS, the City is responsible for all costs associated with Design, Permitting, Construction Engineering and Inspection, and Construction of the Big Bend Project, hereinafter referred to as “Cost of the Big Bend Project”,

WHEREAS, BSU has requested the City to include in the construction contract for the Big Bend Project certain plans and specifications furnished by BSU for the Utility Work; and

WHEREAS, the City has included plans for the Utility Work in its Request for Bid Documents as Bid Section 2 and has requested bids associated with such Utility Work;

WHEREAS, the City has reserved the right to award a contract associated with Bid Section 2 and has further reserved the right to reject all bids associated with Bid Section 2;

WHEREAS, the City and BSU have determined that it serves a public purpose and is in the public interest to enter into this JOINT PROJECT AGREEMENT FOR UTILITY INSTALLATION (hereafter "JPA") providing for such work.

NOW, THEREFORE, in consideration of the above premises and other good and valuable consideration, the receipt whereof is hereby acknowledged, and in further consideration of the mutual covenants hereinafter contained, it is agreed by the parties as follows:

1. In the event the City awards a contract with respect to the Utility Work (subject to the reasonable approval of BSU as set forth below), BSU's obligations under this JPA shall not arise unless and until the Addendum to City of Bonita Springs Request for Bid, or other similar agreement relating to the Utility Work, has been fully executed on behalf of the Contractor, the City and BSU.
2. BSU shall be responsible for reimbursing the City for all expenses incurred by the City attributable to the construction of the Utility Work as set forth in Bid Section 2, along with any additional engineering or design work attributable to the Utility Work.
3. The City shall coordinate with BSU on the award of the bid alternate to the lowest responsive and responsible bidder, so determined on the sum of the base bid plus additive alternate for Utility Work. BSU shall have the right to reject the additive alternate Utility Work bid for reasons, which may include but not be limited to an "unbalanced bid" to the detriment of BSU. For the purpose of this Agreement, an "unbalanced bid" shall include: excessive unit pricing, other unfair pricing for materials or labor, or a disproportionate allocation of cost to BSU for the actual construction performed. In the event BSU rejects the lowest responsive and responsible bidder's Utility Work additive alternate, BSU shall make other arrangements to have the Utility Work completed in coordination with the City's work.
4. The coordination of BSU's Utility Work with that of the City's work, their contractors, subcontractors, and other utility relocation contractors associated with this project will be the responsibility of the City, and BSU shall cooperate fully in this matter. All information required for Change Orders, Supplemental Agreements or Requests for Information pertaining to BSU's Utility Work or otherwise related to subject matter of this Agreement shall be promptly furnished to the City by BSU. BSU shall have the right to approve or reject any and all proposed Change Orders or Supplemental

Agreements pertaining to BSU's Utility Work in its absolute discretion.

5. BSU, at its sole expense, will furnish all inspection services and supervision for the installation of pipe, valves and appurtenances, placement of pipe bedding, backfill and all pipe testing of the BSU Utility Work, and will also furnish City with progress reports and daily records, approved quantities and amounts for periodic and final pay estimates. The provisions of this section shall not be interpreted to mean or suggest that BSU is assuming responsibility for the means and methods of construction, or for implementing safety procedures, with respect to the Utility Work. This provision is solely intended to confirm that, to the extent the City is obligated or permitted to perform inspection or supervision services pursuant to its contract with Contractor, BSU shall be assuming responsibility for such services with respect to the Utility Work.
6. All adjustments, relocations, repairs and incidentals required to be performed to the existing BSU utilities within the project limits and not included in this Contract shall be the sole responsibility of BSU. All such work shall be coordinated with the construction of this project in a manner that will not cause delay to the work. BSU shall have the right to retain its own forces, including outside contractors, in connection with the performance of such adjustments, relocations, repairs and incidental work.
7. BSU agrees that it will, upon the execution of this Agreement and notification of the final bid cost for BSU's Utility Work, set aside in an appropriate an Account, the Cost of the Utility Work plus a 10% BSU controlled contingency. Every thirty (30) days the City will submit an invoice to BSU detailing the Utility Work performed. BSU shall have the right to inspect all work associated with any invoice and shall have the right to advise City and Contractor of any appropriate corrective work required with respect to the Utility Work. BSU shall not be obligated to make payment associated with any work to which it has provided the City with a timely objection and the City shall be responsible for communicating all such objections to Contractor and otherwise ensuring that Contractor undertakes corrective work in a timely fashion. Upon review and approval of the invoice by BSU, BSU will pay the City within 15 days. BSU's obligation to make payment shall be conditioned upon the City providing BSU with any and all appropriate documentation reasonably required by BSU to confirm the amounts owing, as well as appropriate lien or bond waiver forms and a Final Contractor's Affidavit in connection with the final invoice. BSU's obligation to make payment to the City shall be limited specifically to the amount of the Contractor's invoice specifically associated with the Utility Work. In the absence of change orders, BSU's total payment obligation shall be limited to the pricing attributable to the Utility Work as set forth in the approved Bid Section 2.
8. The City will notify BSU promptly upon being advised by Contractor that the Utility Work is Substantially Complete. BSU will be afforded a sufficient opportunity to inspect and test all aspects of the Utility Work and advise of any defects or punchlist items to be addressed. Upon completion and acceptance of the work, BSU shall own, control, maintain, and be responsible for all BSU utility facilities (potable water and wastewater infrastructure) associated with the work described herein, in accordance with the Franchise Agreement between the City and BSU created by Ordinance No. 02-14, and as amended. The City shall own, control maintain, and be responsible for all conflict structures in the storm water drainage network where BSU

infrastructure intersects the storm water drainage network at a conflicting elevation.

9. Upon completion of the work, the City shall, at the earliest date practicable, furnish BSU copies of its final and complete billing of all costs incurred in connection with the work performed hereunder, such statement to follow as closely as possible the order of the items contained in BSU'S portion of the Construction Contract. The final billing shall show the description and site of the project; the date on which the first work was performed; the date on which the earliest item of billed expenses was incurred; the date on which the last work was performed or the last item of billed expenses was incurred; and the location where the records and accounts bill can be audited. Adequate reference shall be made in the billing to City records, accounts or other relevant documents. All cost records and accounts shall be subject to audit by a representative of either the City or BSU.
10. This Agreement, together with the Addendum to City of Bonita Springs Request for Bid agreement (or such other similar agreement as may be executed by the City, Contractor and BSU with respect to the Utility Work) as well as the terms of the Contract between The City and Contractor (along with all design plans, specification, schedules and similar agreements incorporated into any of the foregoing) constitutes the entire understanding between the PARTIES, and any previous Agreements whether written or oral, shall be superseded by the Agreement with the exception of the agreement between BSU and the City known as the Franchise Agreement By, Between and Among Bonita Springs Utilities, Inc., the City of Bonita Springs, Florida, and Lee County, the terms of which shall not be affected by this Agreement.
11. This Agreement may be amended upon the concurrence of both PARTIES and executed with the same formalities as this original Agreement.
12. The PARTIES agree that by execution of this Joint Project Agreement, the City will not be deemed to have waived its statutory defense of sovereign immunity, or increased its limits of liability as provided for by Section 768.28, Florida Statutes.
13. This Joint Project Agreement shall be governed by and construed in accordance with the laws of the State of Florida.
14. The term of this Agreement shall be from the date first written above, and shall continue until terminated by either PARTY. Either PARTY may terminate this Agreement by giving the other PARTY ninety (90) days written notice of termination.
15. Nothing in the Joint Project Agreement or any of the other Contract Documents shall be interpreted or construed as creating an agency or joint venture relationship between the City and BSU. Rather, this Joint Project Agreement is merely intended to memorialize the rights and obligations of the parties hereto with respect to the Utility Work.

IN WITNESS WHEREOF, the PARTIES hereto have caused these presents to be executed by their duly authorized officers and their official seals hereto affixed, the day and

year first above written.

IN WITNESS WHEREOF, the parties hereto, by their duly authorized representatives, have executed this Agreement on the dates shown below to be effective the day and year first shown above.

Bonita Springs Utilities, Inc., a
Florida not for profit corporation

By: _____

Date: _____

ATTEST:

City of Bonita Springs
Bonita Springs, Florida

BY: _____

BY: _____

Big Bend Road Bid Schedule (Revised for Addendum #1)									
Section 1: City of Bonita Springs Stormwater Improvements						DN HIGGINS			
						ANDREW SITEWORK			
Item No.	Description	Unit	Unit Price	Qty.	Cost	Unit	Unit Price	Qty.	Cost
1.1	Mobilization/Demobilization (Max 10% of base bid)	LS	\$100,000.00	1	\$ 100,000.00	LS	\$ 59,254.00	1	\$ 59,254.00
1.2	Maintenance of Traffic	LS	\$ 68,000.00	1	\$ 68,000.00	LS	\$ 62,890.00	1	\$ 62,890.00
1.3	Survey Layout & Record Drawings	LS	\$ 20,000.00	1	\$ 20,000.00	LS	\$ 40,425.00	1	\$ 40,425.00
1.4	Clearing & Grubbing	LS	\$ 50,000.00	1	\$ 50,000.00	LS	\$193,067.00	1	\$ 193,067.00
1.5	Mill & Resurface Existing Asphalt Pavement, 1" Avg. Depth (S-III Asphalt)	SY	\$ 25.00	0	\$ -	SY	\$ 450.00	0	\$ -
1.6	Road Restoration for Storm Pipe Crossing	SY	\$ 400.00	52	\$ 20,800.00	SY	\$ 351.00	52	\$ 18,252.00
1.7	Catch Basin	EA	\$ 4,800.00	24	\$ 115,200.00	EA	\$ 3,400.00	24	\$ 81,600.00
1.8	Junction Box	EA	\$ 12,000.00	1	\$ 12,000.00	EA	\$ 3,050.00	1	\$ 3,050.00
1.9	Yard Drain	EA	\$ 3,200.00	3	\$ 9,600.00	EA	\$ 2,811.00	3	\$ 8,433.00
1.10	18" RCP	LF	\$ 215.00	1,471	\$ 316,265.00	LF	\$ 105.00	1,471	\$ 154,455.00
1.11	14"x23" ERCP	LF	\$ 240.00	27	\$ 6,480.00	LF	\$ 651.00	27	\$ 17,577.00
1.12	Mitered End Section	EA	\$ 3,500.00	0	\$ -	EA	\$ 1,500.00	0	\$ -
1.13	Wapro Valve (Or Approved Equal)	EA	\$ 14,000.00	2	\$ 28,000.00	EA	\$ 14,765.00	2	\$ 29,530.00
1.14	Sod Restoration	SY	\$ 19.00	2,000	\$ 38,000.00	SY	\$ 18.20	2,000	\$ 36,400.00
1.15	Install Driveway								
a.	Concrete	SY	\$ 104.00	510	\$ 53,040.00	SY	\$ 83.40	510	\$ 42,534.00
b.	Asphalt	SY	\$ 104.00	28	\$ 2,912.00	SY	\$ 215.00	28	\$ 6,020.00
c.	Brick Paver	SY	\$ 130.00	124	\$ 16,120.00	SY	\$ 138.00	124	\$ 17,112.00
1.16	City Controlled Allowance	LS	\$ 54,000.00	1	\$ 54,000.00	LS	\$ 54,000.00	1	\$ 54,000.00
					SUB-TOTAL	\$ 910,417.00			
							SUB-TOTAL		
							\$ 824,599.00		
Section 2: BSU Utility Adjustments									
Item No.	Description	Unit	Unit Price	Qty.	Cost	Unit	Unit Price	Qty.	Cost
2.1	Water Service Adjustment/Replacement								
a.	1" Water Service	EA	\$ 800.00	21	\$ 16,800.00	EA	\$ 2,707.00	21	\$ 56,847.00
b.	2" Water Service	EA	\$ 900.00	1	\$ 900.00	EA	\$ 5,960.00	1	\$ 5,960.00
2.2	Fire Hydrant Adjustment	EA	\$ 4,000.00	1	\$ 4,000.00	EA	\$ 2,642.00	1	\$ 2,642.00
2.3	Stabilized Access Road Restoration	LS	\$ 9,000.00	1	\$ 9,000.00	LS	\$ 5,591.00	1	\$ 5,591.00
2.4	Sanitary Sewer Service Adjustment w/ Cleanout Re-establishment (unpaved area)	EA	\$ 300.00	25	\$ 7,500.00	EA	\$ 1,732.00	25	\$ 43,300.00
2.5	Sanitary Sewer Service Adjustment w/ Cleanout Re-establishment (paved area)	EA	\$ 1,200.00	25	\$ 30,000.00	EA	\$ 2,600.00	25	\$ 65,000.00
2.6	Force Main Relocation	LS	\$ 9,000.00	1	\$ 9,000.00	LS	\$ 18,802.00	1	\$ 18,802.00
2.7	Water Main Deflection	LS	\$ 9,500.00	2	\$ 19,000.00	LS	\$ 8,000.00	2	\$ 16,000.00
2.8	Pump Station Electrical Service Relocation	LS	\$ 7,000.00	1	\$ 7,000.00	LS	\$ 14,142.00	1	\$ 14,142.00
					SUB-TOTAL	\$ 103,200.00			
							SUB-TOTAL		
							\$ 228,284.00		
					GRAND TOTAL	\$ 1,013,617.00	GRAND TOTAL		
							\$ 1,052,883.00		

Big Bend Road (Design Alternate) Bid Schedule (Revised for Addendum #1)									
Section 1: City of Bonita Springs Stormwater Improvements						DN HIGGINS			
						ANDREW SITEWORK			
Item No.	Description	Unit	Unit Price	Qty.	Cost	Unit	Unit Price	Qty.	Cost
1.1	Mobilization/Demobilization (Max 10% of base bid)	LS	\$ 80,000.00	1	\$ 80,000.00	LS	\$47,703.00	1	\$ 47,703.00
1.2	Maintenance of Traffic	LS	\$ 65,000.00	1	\$ 65,000.00	LS	\$66,395.00	1	\$ 66,395.00
1.3	Survey Layout & Record Drawings	LS	\$ 19,000.00	1	\$ 19,000.00	LS	\$40,425.00	1	\$ 40,425.00
1.4	Clearing & Grubbing	LS	\$ 50,000.00	1	\$ 50,000.00	LS	\$95,000.00	1	\$ 95,000.00
1.5	Mill & Resurface Existing Asphalt Pavement, 1" Avg. Depth (S-III Asphalt)	SY	\$ 25.00	2,775	\$ 69,375.00	SY	\$ 15.00	2,775	\$ 41,625.00
1.6	Road Restoration for Storm Pipe Crossing	SY	\$ 400.00	18	\$ 7,200.00	SY	\$ 450.00	18	\$ 8,100.00
1.7	Catch Basin	EA	\$ 4,800.00	17	\$ 81,600.00	EA	\$ 3,506.00	17	\$ 59,602.00
1.8	Junction Box	EA	\$ 12,000.00	1	\$ 12,000.00	EA	\$ 3,049.00	1	\$ 3,049.00
1.9	Yard Drain	EA	\$ 3,200.00	1	\$ 3,200.00	EA	\$ 3,330.00	1	\$ 3,330.00
1.10	18" RCP	LF	\$ 220.00	920	\$ 202,400.00	LF	\$ 106.00	920	\$ 97,520.00
1.11	14"x23" ERCP	LF	\$ 240.00	27	\$ 6,480.00	LF	\$ 651.00	27	\$ 17,577.00
1.12	Mitered End Section	EA	\$ 3,500.00	1	\$ 3,500.00	EA	\$ 2,898.00	1	\$ 2,898.00
1.13	Wapro Valve (Or Approved Equal)	EA	\$ 14,000.00	2	\$ 28,000.00	EA	\$15,758.00	2	\$ 31,516.00
1.14	Sod Restoration	SY	\$ 19.00	1,500	\$ 28,500.00	SY	\$ 22.00	1,500	\$ 33,000.00
1.15	Install Driveway								
a.	Concrete	SY	\$ 104.00	226	\$ 23,504.00	SY	\$ 90.00	226	\$ 20,340.00
b.	Asphalt	SY	\$ 104.00	28	\$ 2,912.00	SY	\$ 215.00	28	\$ 6,020.00
c.	Brick Paver	SY	\$ 130.00	92	\$ 11,960.00	SY	\$ 151.00	92	\$ 13,892.00
1.16	City Controlled Allowance	LS	\$ 43,000.00	1	\$ 43,000.00	LS	\$43,000.00	1	\$ 43,000.00
					SUB-TOTAL	\$	737,631.00		\$ 630,992.00
Section 2: BSU Utility Adjustments									
Item No.	Description	Unit	Unit Price	Qty.	Cost	Unit	Unit Price	Qty.	Cost
2.1	Water Service Adjustment/Replacement								
a.	1" Water Service	EA	\$ 800.00	12	\$ 9,600.00	EA	\$ 2,933.00	12	\$ 35,196.00
b.	2" Water Service	EA	\$ 900.00	1	\$ 900.00	EA	\$ 5,960.00	1	\$ 5,960.00
2.2	Fire Hydrant Adjustment	EA	\$ 4,000.00	1	\$ 4,000.00	EA	\$ 2,382.00	1	\$ 2,382.00
2.3	Stabilized Access Road Restoration	LS	\$ 9,000.00	1	\$ 9,000.00	LS	\$ 5,600.00	1	\$ 5,600.00
2.4	Sanitary Sewer Service Adjustment w/ Cleanout Re-establishment (unpaved area)	EA	\$ 300.00	16	\$ 4,800.00	EA	\$ 1,763.00	16	\$ 28,208.00
2.5	Sanitary Sewer Service Adjustment w/ Cleanout Re-establishment (paved area)	EA	\$ 1,200.00	16	\$ 19,200.00	EA	\$ 5,200.00	16	\$ 83,200.00
2.6	Force Main Relocation	LS	\$ 9,000.00	1	\$ 9,000.00	LS	\$18,802.00	1	\$ 18,802.00
2.7	Water Main Deflection	LS	\$ 9,500.00	2	\$ 19,000.00	LS	\$11,000.00	2	\$ 22,000.00
2.8	Pump Station Electrical Service Relocation	LS	\$ 7,000.00	1	\$ 7,000.00	LS	\$14,142.00	1	\$ 14,142.00
					SUB-TOTAL	\$	82,500.00		\$215,490.00
					GRAND TOTAL	\$	820,131.00		\$ 846,482.00

REQUESTED MOTION: Adopt Resolution approving Change Order No. 1 in the amount of \$62,540.21, which will be reimbursed by BSU, for work for the Imperial Shores Boulevard Sidewalk Improvement Project.

REQUESTOR: Matt Feeney, Assistant City Manager

AGENDA: Consent

STRATEGIC PRIORITY: #5 Community Aesthetics

BACKGROUND: On January 19, 2022, Council approved and accepted Andrew Sitework, LLC as the lowest responsible and responsive bid for Imperial Shores Boulevard Sidewalk Improvement Project. This is a joint project between the City and Bonita Springs Utilities (BSU) wherein the contractor is performing work for both entities.

Due to an increase in materials and lead times, the contract amount will increase \$62,540.21 and contract completion time will extend by 168 days.

BSU has agreed to the Change Order amount and will reimburse the City \$62,540.21 in accordance with our Joint Project Agreement.

STAFF RECOMMENDATION: Approve

ATTACHMENTS:

1. Change Order No. 1
2. Resolution

REVIEWERS:

City Manager: Arleen Hunter
City Attorney: Derek Rooney
City Clerk: Debra Filipek
Department Director: Matt Feeney

Council Action: Approved ___ Denied ___ Deferred ___ Other_____

CITY OF BONITA SPRINGS CONSTRUCTION CONTRACT
CHANGE ORDER - TYPE I **No. 1**

Change Order Requires Approval by the City Council for Expenditures Over \$50,000

CONTRACT/PROJECT NAME: **IMPERIAL SHORES BOULEVARD SIDEWALK IMPROVEMENT PROJECT**

CONTRACTOR: Andrew Sitework, LLC
CONTRACT No.: N/A
CHANGE REQUESTED BY: Andrew Sitework, LLC

PROJECT NO.: N/A
BID NO.: RFB #21-23
DATE OF REQUEST: 05/16/2022

Upon the completion and execution of this Change Order by both parties to the Contract, and upon the CITY issuing the CONTRACTOR a written Notice to Proceed, the CONTRACTOR will be authorized to and shall proceed to make the following changes in the Contract Documents:

Description: Change order to account for price increase due to some items in BSU's part of the work needing to be stainless steel. Consequently, lead times for materials will increase necessitating a time extension of the total contract time. All extra money will be reimbursed to COBS by BSU as part previous contract agreement.

Purpose of Change Order: To increase contract amount by **\$62,540.21** and total days by **168 days**.

Attachments: 05-11-2022-Change Order #1 Rev1-ASW.pdf | RE_ Imperial Shores Sidewalk Improvements - Status of Water Main Hardware Material.pdf

CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIME:
Original Contract Price	Original Contract Time
\$2,949,284.80	270
	Calendar Days
Previous Change Orders No. <u>N/A</u> to No. <u>N/A</u>	Net change from previous Change Orders
\$0.00	0
	Calendar Days
Contract Price prior to this Change Order	Contract Time prior to this Change Order
\$2,949,284.80	270
	Calendar Days
Net Increase (Decrease) of this Change Order	Net Increase (Decrease) of this Change Order
\$62,540.21	168
	Calendar Days
Contract Price with all approved Change Orders	Contract Time with all approved Change Orders
\$3,011,825.01	438
	Calendar Days

It is understood and agreed that the acceptance of this modification by the CONTRACTOR constitutes an accord and satisfaction, and represents an agreement for payment in full (both time and money) for all costs arising out of, or incidental to, the above mentioned change.

RECOMMENDED:

ACCEPTED:

APPROVAL:

By: _____
Consultant (if applicable) Date

By: *Ralph C. Hambrick*
Contractor

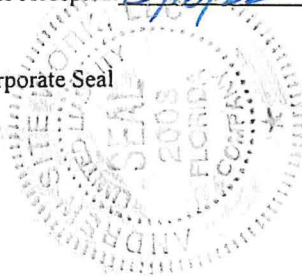
By: _____
Mayor - City of Bonita Springs

By: _____
Public Works Date

Date Accepted: 5/18/22

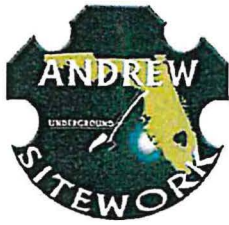
Date Approved: _____

Corporate Seal



By: _____
City Attorney's Office

Date Approved: _____



ANDREW SITWORK LLC.

TO City of Bonita Springs
9101 Bonita Beach Rd SE
Bonita Springs FL 34135

JOB Imperial Shores CO# 1
316 Stainless Steel Material

CONTACT: Joel Langaney DATE: May 11, 2022 Proposal
PHONE: 239-949-6242 PROPOSAL TO BE VALID FOR 30 Days
Email: joel.langaney@cityofbonitasprings.org
TERMS: Per contract

PROJECT SUMMARY:

1.) 316 SS Material Increase	1 LS:	\$60,023.31
2.) Holiday Free VS. Fusion Bond	1 LS:	(\$6,340.73)
3.) Reduced OHP (10%)	1 LS:	\$5,368.26
4.) Tax on Revised Material	1 LS:	\$3,489.37

Change order #1 Total 1 LS: \$62,540.21

ADDITIONAL CONTRACT TIME REQUIRED:

168 calendar days for material acquisition

EXCLUSIONS:

TERMS:

Payment terms will be per executed contract provisions.

 Joel Langaney
Project Manager
City of Bonita Springs
9101 Bonita Beach Road
Bonita Springs Florida 34135
Cell: (239) 478-4614
Off: (239) 949-6242
Fax: (239) 949-6245
www.cityofbonitasprings.org

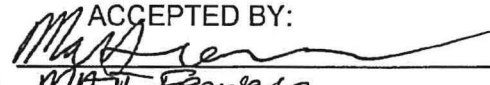
PROPOSED BY:

Andrew Sitework



Ralph C Andrew III
Project Manager

ACCEPTED BY:

SIGN: 
NAME: MATT FEENEY
TITLE: Asst. City Manager
DATE: 5/16/22

IMPERIAL SHORES BLVD SIDEWALK IMPROVEMENTS - 316 SS UPGRADE COST & FITTING DEDUCT

[illegible][illegible]

SUBTOTAL 316 SS & Holiday Free Fittings		\$57,171.95
---	--	-------------

From: [Kim Hoskins](#)
To: [Allyson Holland](#); [Joel Langaney](#)
Cc: [Justin Frederiksen](#); [Daniel Flynn](#); [Dominic Strollo](#); [Matt Feeney](#); [Dawn Peterson](#)
Subject: RE: Imperial Shores Sidewalk Improvements - Status of Water Main Hardware Material
Date: Monday, May 16, 2022 12:20:13 PM

Thank you Allyson. It does appear that the difference is that the spreadsheet includes tax, and the cover takes it out to demonstrate the markup and tax calculations separately.

Per the JPA language, approved by BSU on January 18th, 10% of the utilities portion of the contract was added for contingency, and that was \$82,381.70.

BSU approves the use of \$62,540.21 to account for stainless steel hardware and alternate fitting coating approval.

Thank you,
Kim

From: Allyson Holland <aholland@gradyminor.com>
Sent: Monday, May 16, 2022 12:06 PM
To: Kim Hoskins <KHoskins@bsu.us>; 'Joel Langaney' <joel.langaney@cityofbonitasprings.org>
Cc: Justin Frederiksen <JFrederiksen@gradyminor.com>; Daniel Flynn <dflynn@gradyminor.com>; Dominic Strollo <DStrollo@bsu.us>; Matt Feeney <matt.feeney@cityofbonitasprings.org>; Dawn Peterson <DPeterson@bsu.us>
Subject: RE: Imperial Shores Sidewalk Improvements - Status of Water Main Hardware Material

Kim,

I recreated the spreadsheet and can confirm ASW's numbers are correct. The spreadsheet is a confusing because Neil included the tax in his totals, but separated them out in the coversheet of the CO. Please let me know if you need anything else.

Thanks,

Allyson M. Holland, P.E.
Project Manager



GradyMinor

3800 Via Del Rey

Bonita Springs, FL 34134

Phone - 239.947.1144

Fax - 239.947.0375

Web - https://link.edgепilot.com/s/1c865695/i_Tx6B7uHUaF-Nly7xpmL.g?u=http://www.gradyminor.com/

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From: Kim Hoskins <KHoskins@bsu.us>
Sent: Monday, May 16, 2022 10:34 AM
To: Allyson Holland <aholland@gradyminor.com>; 'Joel Langaney' <joel.langaney@cityofbonitasprings.org>
Cc: Justin Frederiksen <JFrederiksen@gradyminor.com>; Daniel Flynn <dflynn@gradyminor.com>; Dominic Strollo <DStrollo@bsu.us>; Matt Feeney <matt.feeney@cityofbonitasprings.org>; Dawn Peterson <DPeterson@bsu.us>
Subject: RE: Imperial Shores Sidewalk Improvements - Status of Water Main Hardware Material

Allyson,
I want to hold a minute, and would ask how we get from the backup spreadsheet for material increase to the cover amounts. Is the difference in the tax? It should probably be made clear.

Thank you,
Kim

From: Allyson Holland <aholland@gradyminor.com>
Sent: Monday, May 16, 2022 10:11 AM
To: Kim Hoskins <KHoskins@bsu.us>; 'Joel Langaney' <joel.langaney@cityofbonitasprings.org>
Cc: Justin Frederiksen <JFrederiksen@gradyminor.com>; Daniel Flynn <dflynn@gradyminor.com>; Dominic Strollo <DStrollo@bsu.us>; Matt Feeney <matt.feeney@cityofbonitasprings.org>
Subject: RE: Imperial Shores Sidewalk Improvements - Status of Water Main Hardware Material

Thanks Kim – Can you please confirm BSU agrees to the final price from ASW (\$62,540.21)?

Joel – Upon agreement by BSU, can you please execute the CO and send a signed copy to ASW? I'm not sure they will order the materials without a signed CO.

Thanks,

Allyson M. Holland, P.E.
Project Manager



GradyMinor

3800 Via Del Rey
Bonita Springs, FL 34134
Phone - 239.947.1144
Fax - 239.947.0375
Web - <https://link.edgепilot.com/s/663b7787/eze0dlD71EKmJAESeXtueg?u=http://www.gradyminor.com/>

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From: Kim Hoskins <KHoskins@bsu.us>
Sent: Monday, May 16, 2022 9:51 AM
To: Allyson Holland <aholland@gradyminor.com>; 'Joel Langaney' <joel.langaney@cityofbonitasprings.org>
Cc: Justin Frederiksen <JFrederiksen@gradyminor.com>; Daniel Flynn <dflynn@gradyminor.com>; Dominic Strollo <DStrollo@bsu.us>; Matt Feeney <matt.feeney@cityofbonitasprings.org>
Subject: RE: Imperial Shores Sidewalk Improvements - Status of Water Main Hardware Material

Hi Allyson,
BSU has no objection to the time request.

Thank you,
Kim

From: Allyson Holland <aholland@gradyminor.com>
Sent: Monday, May 16, 2022 9:24 AM
To: 'Joel Langaney' <joel.langaney@cityofbonitasprings.org>; Kim Hoskins <KHoskins@bsu.us>
Cc: Justin Frederiksen <JFrederiksen@gradyminor.com>; Daniel Flynn <dflynn@gradyminor.com>; Dominic Strollo <DStrollo@bsu.us>; Matt Feeney <matt.feeney@cityofbonitasprings.org>
Subject: RE: Imperial Shores Sidewalk Improvements - Status of Water Main Hardware Material

Good morning Kim,

I just spoke with Joel and confirmed that the City would prefer to add time to the contract rather than issue a temporary stop work. Can you please confirm whether or not BSU agrees to the proposed change order? Joel will need to take this before Council for approval.

Thanks,

Allyson M. Holland, P.E.
Project Manager



GradyMinor

3800 Via Del Rey
Bonita Springs, FL 34134
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Fax - 239.947.0375
Web - https://link.edgепilot.com/s/768f1cb6/bdvxoqfraE__IBlhnOUI.Ww?u=http://www.gradyminor.com/

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From: Joel Langaney <joel.langaney@cityofbonitasprings.org>
Sent: Thursday, May 12, 2022 8:28 AM
To: Brian <Brian@andrewsitework.com>; Allyson Holland <aholland@gradyminor.com>; Neil Monkman <neil@andrewsitework.com>; Kim Hoskins <KHoskins@bsu.us>
Cc: Justin Frederiksen <JFrederiksen@gradyminor.com>; Daniel Flynn <dflynn@gradyminor.com>; Dominic Strollo <DStrollo@bsu.us>; Matt Feeney <matt.feeney@cityofbonitasprings.org>; Ralph Andrew <Ralph@andrewsitework.com>; Brian <Brian@andrewsitework.com>
Subject: Re: Imperial Shores Sidewalk Improvements - Status of Water Main Hardware Material

Good morning all,
I'll verify if a "stop work" order interferes with our ability to pay for stored material. I'm almost certain that it does, but just want to make sure with our finance folks. Will get back to all ASAP...

Joel Langaney
Project Manager
City of Bonita Springs
9101 Bonita Beach Road
Bonita Springs Florida 34135
Cell: (239) 478-4614
Off: (239) 949-6242
Fax: (239) 949-6245
[https://link.edgепilot.com/s/fd17f998/4r9d3W9hdUOaZWxkfsGRmA?
u=http://www.cityofbonitasprings.org/](https://link.edgепilot.com/s/fd17f998/4r9d3W9hdUOaZWxkfsGRmA?u=http://www.cityofbonitasprings.org/)
Sent from Office 365 on Iphone

From: Brian <Brian@andrewsitework.com>
Sent: Thursday, May 12, 2022 8:01:09 AM
To: Allyson Holland <aholland@gradyminor.com>; Neil Monkman <neil@andrewsitework.com>; Kim Hoskins <KHoskins@bsu.us>
Cc: Justin Frederiksen <JFrederiksen@gradyminor.com>; Daniel Flynn <dflynn@gradyminor.com>; Dominic Strollo <DStrollo@bsu.us>; Joel Langaney <joel.langaney@cityofbonitasprings.org>; Matt Feeney <matt.feeney@cityofbonitasprings.org>; Ralph Andrew <Ralph@andrewsitework.com>; Brian <Brian@andrewsitework.com>
Subject: RE: Imperial Shores Sidewalk Improvements - Status of Water Main Hardware Material

Good morning Allyson,

A couple things come to mind that a stop work order may cause disruption to. Just some things to consider.

- * Potholing to verify location, depth, and OD of existing utilities that may be beneficial for preplanning.
- * Verifying the Lumen/Century Link utilities we know will likely be in conflict with the proposed water main so any additional material orders can be placed.
- * Submittal reviews, not sure if all submittals including concrete, asphalt, structures, dewatering plan etc. have been fully reviewed yet.
- * Pay Apps, we're required to take delivery of the materials as they become available or as the

suppliers for (Pipe/Fittings/Structures etc.) are forced to ship them in order for them to hold their pricing. We need to be sure if a stop work order is in place that the city will still be able to process pay applications for stored materials?

These are just a few concerns off the top of my head. If a time extension is acceptable to the team, we'd rather proceed with that over a stop work order.

Give us your thoughts and let us know if there are any City or Engineer concerns you'd like to discussion.

Thank you,

Regards,

BRIAN P. BRANDFASS
General Manager

ANDREW SITEWORK LLC.

2511 Palm Ave.,
Fort Myers, FL 33916
brian@andrewsitework.com
Office: 239-226-1606
Fax: 239-226-1605
Cell: 239-826-3884

From: Allyson Holland <aholland@gradyminor.com>

Sent: Wednesday, May 11, 2022 6:59 PM

To: Neil Monkman <neil@andrewsitework.com>; Kim Hoskins <KHoskins@bsu.us>

Cc: Justin Frederiksen <JFrederiksen@gradyminor.com>; Daniel Flynn <dflynn@gradyminor.com>;
Dominic Strollo <DStrollo@bsu.us>; Joel Langaney (City of Bonita Springs)
<joel.langaney@cityofbonitasprings.org>; Matt Feeney <matt.feeney@cityofbonitasprings.org>;
Brian <Brian@andrewsitework.com>; Ralph Andrew <Ralph@andrewsitework.com>

Subject: RE: Imperial Shores Sidewalk Improvements - Status of Water Main Hardware Material

Team,

Instead of adding days to contract, I think it would be best to issue a temporary stop work order until the materials are available. ASW asked for the NTP in order to order the pipe. There is no need to keep the clock running now. If everyone agrees, I would recommend the City formalize the temporary stop work this week. If we need to call it something different, please provide a recommendation.

Neil – If everyone agrees, please revise the CO so you are not adding time. Also, I need the revised shop drawings for utilities when they are available.

Thanks,

Allyson M. Holland, P.E.
Project Manager



GradyMinor

3800 Via Del Rey

Bonita Springs, FL 34134

Phone - 239.947.1144

Fax - 239.947.0375

Web - https://link.edgepilot.com/s/768f1cb6/bdvxoqfraE__IBlhnOULWw?u=http://www.gradymenor.com/

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From: Neil Monkman <neil@andrewsitework.com>

Sent: Wednesday, May 11, 2022 5:30 PM

To: Kim Hoskins <KHoskins@bsu.us>; Allyson Holland <aholland@gradymenor.com>

Cc: Justin Frederiksen <JFrederiksen@gradymenor.com>; Daniel Flynn <dflynn@gradymenor.com>;

Dominic Strollo <DStrollo@bsu.us>; Joel Langaney (City of Bonita Springs)

<joel.langaney@cityofbonitasprings.org>; Matt Feeney <matt.feeney@cityofbonitasprings.org>;

Brian <Brian@andrewsitework.com>; Ralph Andrew <Ralph@andrewsitework.com>

Subject: RE: Imperial Shores Sidewalk Improvements - Status of Water Main Hardware Material

Kim/Allyson:

First, allow me to thank everyone involved getting this resolved. Please see attached and below in response to our markup and other modifications made to this CO request.

- We were not able to find anything in our contract itself or BSU Specifications that define what can be marked up or limitations of percentages. The plans reference FDOT Specifications so we simply used what they typically allow. However, after internal discussion and in an effort of partnering, we have removed a portion of that percentage and limited this to overhead costs associated with the change in contract value for this change order only, which is now 10% instead of 17.5%. While we understand that this is specifically for an unforeseen price increase, there is overhead associated with this.
- I changed it at the top so it is addressed to the City
- I removed some of the verbiage that was in the previous one because it conflicted with our contract requirements or was not relevant to this CO.
- I added the anticipated material acquisition time of 168 days.*

*Our supplier has indicated that the lead time for this material is currently anticipated at 18-24 weeks. It may turn out that we don't need that and/or we could get the materials sooner. However, the water main work needs to begin before the drainage work because we need to get that installed, tied in, services installed and activated in order to abandon the existing water main and be able to

then install all the drainage pipe and structures. 24 weeks is 168 calendar days so we will need that time extension for material acquisition time. This pushes out the start date of construction. We are more than happy to meet and discuss options on this, but that is the best information we have at this time.

Please let me know if anyone has any questions or comments.

Respectfully,

[Neil A. Monkman](#)

Project Manager

Andrew Sitework LLC

2511 Palm Ave.

Fort Myers FL 33916

239-226-1601 Ext 12

239-462-7371 cell

"Quality is doing it right when nobody is looking" Henry Ford

From: Kim Hoskins <KHoskins@bsu.us>

Sent: Wednesday, May 11, 2022 3:51 PM

To: Allyson Holland <aholland@gradyminor.com>; Brian <Brian@andrewsitework.com>; Neil Monkman <neil@andrewsitework.com>; Ralph Andrew <Ralph@andrewsitework.com>

Cc: Justin Frederiksen <JFrederiksen@gradyminor.com>; Daniel Flynn <dflynn@gradyminor.com>; Dominic Strollo <DStrollo@bsu.us>; Joel Langaney (City of Bonita Springs) <joel.langaney@cityofbonitasprings.org>; Matt Feeney <matt.feeney@cityofbonitasprings.org>

Subject: RE: Imperial Shores Sidewalk Improvements - Status of Water Main Hardware Material

Allyson,

Thank you for helping us get to this point.

All,

The requested change order is within the contingency amount approved in the JPA between the City and BSU, and BSU did and does expect stainless steel hardware to be used at this location. It has been demonstrated that the material bid was not stainless, and supplier documentation has been provided to demonstrate the change in material cost. Since the contract is with the City, the change order will need to be signed by the City. My last request for the City and the contractor is that some amount of consideration be provided where markup is concerned. No scope of work was added, and a fair portion of the increase in material cost is inflation.

Thank you,

Kim

From: Allyson Holland <aholland@gradyminor.com>

Sent: Wednesday, May 11, 2022 2:47 PM

To: 'Brian' <Brian@andrewsitework.com>; Neil Monkman <neil@andrewsitework.com>; Ralph

Andrew <Ralph@andrewsitework.com>

Cc: Justin Frederiksen <JFrederiksen@gradyminor.com>; Daniel Flynn <dflynn@gradyminor.com>; Dominic Strollo <DStrollo@bsu.us>; Kim Hoskins <KHoskins@bsu.us>; Joel Langaney (City of Bonita Springs) <joel.langaney@cityofbonitasprings.org>

Subject: RE: Imperial Shores Sidewalk Improvements - Status of Water Main Hardware Material

Brian,

Thanks for discussing this with me just a few minutes ago. Thank you for also sending the quote Ferguson gave you on 4/26/22 (email with quote attached). I also spoke with my contact at Ferguson and he confirmed that Ferguson will not honor the prices he provided to me yesterday to ASW. He confirmed that Ferguson can only guarantee the prices on the quote to ASW (again, see quote attached). Please know that we were not aware that Ferguson gave you another quote; we asked you for this information during our meeting last week. You told me today that you thought I had that, but I can confirm that I did not.

Here is the price comparison:

	Fortiline (non SS)	Fortiline (SS)	Ferguson (SS)
	Bid Prices	4/26/2022	4/26/2022
6" bell restraint	\$52.00	\$178.00	
8" bell restraint	\$85.90	\$333.65	\$324.00
10" bell restraint	\$149.24	\$580.00	\$564.40
12" bell restraint	\$178.56	\$635.00	\$617.55
6" MJ restraint	\$55.00	\$125.00	\$114.00
8" MJ restraint	\$72.00	\$165.78	\$149.78
10" MJ restraint	\$123.00	\$265.04	\$241.04
12" MJ restraint	\$130.00	\$274.82	\$249.82

The revised quote from Fortiline is much more in line with the Ferguson quote than I thought. I wish you would have sent that sooner.

Kim/Dominic: Please advise how you'd like to proceed.

Thanks,

Allyson M. Holland, P.E.
Project Manager



GradyMinor

3800 Via Del Rey
Bonita Springs, FL 34134
Phone - 239.947.1144
Fax - 239.947.0375

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From: Brian <Brian@andrewsitework.com>

Sent: Wednesday, May 11, 2022 12:18 PM

To: Allyson Holland <aholland@gradyminor.com>; Neil Monkman <neil@andrewsitework.com>;
Ralph Andrew <Ralph@andrewsitework.com>

Cc: Justin Frederiksen <JFrederiksen@gradyminor.com>; Daniel Flynn <dflynn@gradyminor.com>;
Dominic Strollo <DStrollo@bsu.us> <DStrollo@bsu.us>; 'Kim Hoskins' <KHoskins@bsu.us>; Joel
Langaney (City of Bonita Springs) <joel.langaney@cityofbonitasprings.org>; Brian
<Brian@andrewsitework.com>

Subject: RE: Imperial Shores Sidewalk Improvements - Status of Water Main Hardware Material

Importance: High

Allyson,

ASW provided a Change Order breakdown along with all supporting documentation. We have already selected a supplier for this project based on a number of factors. We've been extremely transparent from the beginning and have provided you with every materials quote we've received from before the bid date through today regarding this project. We have not found there to be a difference between suppliers of anywhere even close to the amount you are indicating. Can you please provide the quotes you're referring too that show Fortiline's SS hardware pricing to be 30% higher than the other local suppliers? Perhaps the pricing your receiving is substantially less than what we are being provided?

Please keep in mind, we have already issued a Purchase Order to Fortiline Water Works, and we will honor our commitment to utilizing them for this project. However, we will certainly entertain purchasing the SS hardware from another supplier so as long as it doesn't cause alternate problems.

As everyone is aware, these materials have substantial lead times that will negatively effect our schedule so time is of the essence.

This is a complex project that will certainly entail other hurdles along the way. It's important moving forward that these hurdles are overcome expeditiously as to minimize disruption to the project as well as cost burden to all involved, including ASW.

Please forward the quotes on SS hardware that you received indicating a 30% savings over Fortiline and we'll discuss this with our supplier right away.

I'm available to discuss this email anytime today or tomorrow and will be happy to answer any questions.

Regards,

BRIAN P. BRANDFASS
General Manager

ANDREW SITEWORK LLC.

2511 Palm Ave.,
Fort Myers, FL 33916
brian@andrewsitework.com
Office: 239-226-1606
Fax: 239-226-1605
Cell: 239-826-3884

From: Allyson Holland <aholland@gradyminor.com>

Sent: Wednesday, May 11, 2022 10:02 AM

To: Neil Monkman <neil@andrewsitework.com>; Brian <Brian@andrewsitework.com>; Ralph Andrew <Ralph@andrewsitework.com>

Cc: Justin Frederiksen <jf Frederiksen@gradyminor.com>; Daniel Flynn <dflynn@gradyminor.com>; Dominic Strollo (<DStrollo@bsu.us> <DStrollo@bsu.us>; 'Kim Hoskins' <KHoskins@bsu.us>; Joel Langaney (City of Bonita Springs) <joel.langaney@cityofbonitasprings.org>

Subject: RE: Imperial Shores Sidewalk Improvements - Status of Water Main Hardware Material

Neil,

Thank you for the meetings and phone calls to discuss this change order. We hear your explanation for not pricing the job with 316SS beyond the valves. To exhaust due diligence on market conditions, we reached out to other local suppliers and found that Fortiline's prices are about 30% higher. Please reach out to other suppliers for the 316SS materials and reconsider what your CO entails. We look forward to closing this matter.

Thanks,

Allyson M. Holland, P.E.
Project Manager



GradyMinor

3800 Via Del Rey
Bonita Springs, FL 34134
Phone - 239.947.1144
Fax - 239.947.0375
Web - <https://link.edgепilot.com/s/6fd5dae4/V4W35h2M4UyGSZF1wl58GA?u=http://www.gradyminor.com/>

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DISCLAIMER: This communication from Q. Grady Minor & Associates, P.A., along with any attachments or electronic data is intended only for the addressee(s) named above and may contain information that is confidential, legally privileged or otherwise exempt from disclosure. The recipient agrees and accepts the following conditions: The electronic file/data is for informational purposes only and is the responsibility of the recipient to reconcile this

electronic file/data with the approved and certified "plan of record" along with actual project site conditions. Q. Grady Minor & Associates, P.A. reserves the right to revise, update and improve its electronically stored data without notice and assumes no responsibility due to a virus or damages caused by receiving this email.

From: Neil Monkman <neil@andrewsitework.com>
Sent: Wednesday, May 11, 2022 8:26 AM
To: Joel Langaney (City of Bonita Springs) <joel.langaney@cityofbonitasprings.org>
Cc: Allyson Holland <aholland@gradyminor.com>; Justin Frederiksen <JFrederiksen@gradyminor.com>; Daniel Flynn <dflynn@gradyminor.com>; Brian <Brian@andrewsitework.com>; Danny <Danny@andrewsitework.com>; Dominic Strollo <DStrollo@bsu.us> <DStrollo@bsu.us>
Subject: Imperial Shores Sidewalk Improvements - Status of Water Main Hardware Material

Good Morning, Joel:

Following up on this issue subsequent to our meeting of 5/4/22. As discussed in meeting, our material supplier noted in their proposal for 316 SS that the manufacturer(s) would hold pricing until 5/10 with an estimated 18-24 week lead time on the material. I have reached out to them to see if this pricing can be extended at all and I am waiting on that information.

Can you provide a status update on this issue so we can plan accordingly?

Thanks,

[Neil A. Monkman](#)

Project Manager
Andrew Sitework LLC
2511 Palm Ave.
Fort Myers FL 33916
239-226-1601 Ext 12
239-462-7371 cell

"Quality is doing it right when nobody is looking" Henry Ford

Links contained in this email have been replaced. If you click on a link in the email above, the link will be analyzed for known threats. If a known threat is found, you will not be able to proceed to the destination. If suspicious content is detected, you will see a warning. Please send an email to HelpDesk@bsu.us if you would like to report this or need assistance. Thank you.

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CITY OF BONITA SPRINGS, FLORIDA

RESOLUTION NO. 22 –

RESOLUTION APPROVING CHANGE ORDER NO. 1 IN THE AMOUNT OF \$62,540.21 FOR ANDREW SITEWORK, LLC DUE TO PRICE INCREASE FOR BONITA SPRINGS UTILITIES (BSU) PART OF THE WORK FOR IMPERIAL SHORES BOULEVARD SIDEWALK IMPROVEMENT PROJECT. PER OUR CONTRACT AGREEMENT, BSU WILL REIMBURSE THE CITY FOR THE ADDITIONAL MONEY.

WHEREAS, on January 19, 2022, City Council approved and accepted Andrew Sitework, LLC as the lowest responsible and responsive bid for Imperial Shores Boulevard Sidewalk Improvement Project in a joint agreement with Bonita Springs Utilities:

WHEREAS, due to an increase in materials and lead times contract amount will increase \$62,540.21 and contract completion time will extend by 168 days: BSU will reimburse the City \$62,540.21 as part of our Joint Project Agreement:

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bonita Springs, Lee County, Florida:

Section 1. Accept Change Order No. 1 from Andrew Sitework, LLC

Section 2. Effective date.

This resolution shall take effect immediately upon adoption.

DULY PASSED AND ENACTED by the City Council of the City of Bonita Springs, Lee County, Florida, this 1st day of June 2022.

AUTHENTICATION:

Mayor City Clerk

APPROVED AS TO FORM: _____
City Attorney

Vote:

Carr _____	Purdon _____
Corrie _____	Quaremba _____
Forbes _____	Steinmeyer _____
Gibson _____	

Date filed with City Clerk: _____

**CITY OF BONITA SPRINGS
AGENDA ITEM SUMMARY**

Green Sheet No. 22-06-089
June 01, 2022

REQUESTED MOTION: Approval of a resolution appointing two members to the Veterans Advisory Committee; and providing for an effective date.

REQUESTOR: Council Member Amy Quaremba, District 1; Lora Taylor, Communications Director

AGENDA: Consent

STRATEGIC PRIORITY: N/A

BACKGROUND:

Veterans Advisory Committee is comprised of nine appointed members of the City, each holding the following seats, unless a member from the named agency is not able to serve, allowing for a Veteran Member at Large to serve in their place:

1. Member of the American Legion
2. Member of the Veterans of Foreign Wars
3. Member of the Sons of the American Legion
4. Member of the American Legion Ladies Auxiliary
5. Member of the Veterans of Foreign Wars Ladies Auxiliary
6. Veteran Member at Large
7. Veteran Member at Large
8. Veteran Member at Large
9. Veteran Member at Large

The committee currently has two vacancies. The following applicants are qualified and interested in serving on the Veterans Advisory Committee:

Michael Nigbor (Bonita Springs)

Jerry Sanford (Naples)

STAFF RECOMMENDATION: Approve Resolutions appointing applicants to the Veterans Advisory Committee and providing an effective date.

ATTACHMENTS:

1. Resolution to appoint new members
2. Application for Michael Nigbor
3. Application for Jerry Sanford

REVIEWERS:

City Manager:	Arleen Hunter
City Attorney:	Derek Rooney
City Clerk:	Debra Filipek
Department Director:	Lora Taylor

Council Action: Approved __ Denied __ Deferred __ Other _____

CITY OF BONITA SPRINGS, FLORIDA

RESOLUTION NO. 22-

A RESOLUTION OF THE CITY OF BONITA SPRINGS, FLORIDA TO APPOINT TWO MEMBERS OF THE VETERANS ADVISORY COMMITTEE; AND PROVIDE FOR AN EFFECTIVE DATE.

WHEREAS, on November 7th, 2007 Council approved Resolution 07-123 creating the City of Bonita Springs Veterans Advisory Committee consisting of seven members;

WHEREAS, on February 6th, 2008 Council approved Resolution 08-13 appointing five of the seven members;

WHEREAS, on February 20th, 2008 Council appointed a sixth member to the Committee;

WHEREAS, on March 5th, 2008 Council appointed a seventh member as well as authorized two alternate members' positions to the committee; and

WHEREAS, on March 19th, 2008 Council appointed the two alternate members to the Committee;

WHEREAS, on August 19, 2009, per Resolution 09-74, Council revised the City of Bonita Springs Veterans Advisory Committee to a nine-member board;

WHEREAS, on May 18th, 2022, per Resolution 22-41 Council amended the composition City of Bonita Springs Veterans Advisory Committee;

WHEREAS, Councilmember Amy Quaremba has recommended Mr. Michael Nigbor and Mr. Gerald Sanford be designated as members.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bonita Springs, Lee County, Florida, that Mr. Michael Nigbor and Mr. Gerald Sanford be designated as Members of the Committee.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bonita Springs, Florida: Effective date. This Resolution shall become effective immediately upon its adoption by City Council.

DULY PASSED AND ENACTED by the City Council of the City of Bonita Springs, Lee County, Florida, this June 1st, 2022.

AUTHENTICATION:

Mayor City Clerk

APPROVED AS TO FORM: _____
City Attorney

Vote:

Carr	_____	Steinmeyer	_____
Purdon	_____	Quaremba	_____
Forbes	_____	Corrie	_____
Gibson	_____		

Date filed with City Clerk: _____

**APPLICATION TO
SERVE ON
ADVISORY COMMITTEE**

(PLEASE TYPE OR PRINT)

PLEASE BE ADVISED THAT ALL INFORMATION CONTAINED IN THIS APPLICATION BECOMES PUBLIC RECORD ONCE SUBMITTED TO
CITY OF BONITA SPRINGS

Note: Applications will be kept on file and active for a period of two years from date received.

City Council District # _____

DATE: 4/18/22

PLEASE COMPLETE ALL SECTIONS		
NAME:	<u>NIGBOR</u>	<u>MICHAEL</u>
	Last	First
		Middle Initial
RESIDENCE ADDRESS:		
<u>9848 Connecticut St.</u>	<u>Bonita Springs</u>	<u>34135</u>
Street	City	Zip Code
BUSINESS ADDRESS: <u>Same</u>		
Street	City	Zip Code
MAILING ADDRESS: <u>Same</u>		
Street	City	Zip Code
PHONE NO. <u>239-949-5450</u>		
Home	CELL PHONE # <u>262-370-8733</u>	
E-MAIL ADDRESS: <u>michaelnigbor@yahoo.com</u>		
FAX: <u>—</u>		

I hereby submit my name for consideration to serve in an advisory capacity to the City of Bonita Springs on the following Advisory Committee:

Veteran's Advisory Committee

NAME OF ADVISORY COMMITTEES

OCCUPATION: retired Law enforcement

CIVIC/PROFESSIONAL ACCOMPLISHMENTS/OFFICES HELD:

Do you reside in Bonita Springs?

☒ Yes
☐ No

Address: see above

APPLICATION TO SERVE ON A
CITY OF BONITA SPRINGS ADVISORY COMMITTEE - CONTINUED

My qualifications to be eligible are as follows:

Past Lion's Club President in Wisconsin, Presently 13th District Sons of the American Legion Squadron Commander, 4 years - Commander of SAL at St. James City, Honor Guard, Presently Adjutant & Judge Advocate for Post 303 SAL; former Riders District 13 Commander, Police officer for 30 years.

If applicable, please indicate any employment, contractual relationship or status that you may have, or have had within the past 12 months, with any private business entity that rents, leases or sells any realty, or provides any goods or services to the City or that is conducting any business with the City.

none

If you have previously served on a City of Bonita Springs Advisory Committee or are currently serving and seeking reappointment, please indicate the number and general nature of any voting conflict disclosure memorandum filed (Form 8B) while serving on the committee:

n/a

If applicable, attach a résumé of additional personal and professional qualifications and experience that pertains to the above.

I understand that:

- 1.) Some of the Boards and Committees appointed by the City Council are required to comply with Chapter 112, Florida Statutes, the Financial Disclosure Law and you may be required to file a Form 1 Financial Disclosure.
- 2.) City of Bonita Springs, an equal opportunity/affirmative action employer, considers the selection and appointment of persons to advisory committees in a non-discriminatory manner consistent with the requirements of Federal, State and Local non-discrimination laws.

Michael J. Migler

Signature

04/16/2022

Date

PLEASE SUBMIT THIS FORM VIA EMAIL TO:

OR

RETURN THIS COMPLETED FORM TO:

CLERK@CITYOFBONITASPRINGS.ORG

CITY OF BONITA SPRINGS
ADVISORY COMMITTEES
9101 BONITA BEACH ROAD
BONITA SPRINGS, FL 34135

CITY OF BONITA SPRINGS

Committee ID# _____
(Office Use Only)

The City of Bonita Springs complies with Local State and Federal laws, regulations and guidelines that prohibit discrimination based on race, sex, color, national origin, handicap, age or marital status

STATUTORILY CREATED REQUIRED COMMITTEE REPORTING DATA

The City of Bonita Springs is required by the State of Florida to collect and maintain the information requested below for statistical reporting purposes only. This information will be maintained separately from your application and will not be considered in the application evaluation process.

The information provided is required by State Statute, however, you have the right not to disclose any or all of this information. This form must be returned to the City of Bonita Springs.

Gender:	☒ Male	☐ Female	☐ Choose Not to Disclose
Handicapped/Disabled	☐ Yes	☒ No	☐ Choose Not to Disclose

If you require special assistance or accommodations, please contact the City of Bonita Springs at 239 949-6262

If special accommodations are required, please specify:

+++++

RACIAL/ETHNIC DATA (CHECK ONE)

- ☒ **WHITE:** (Not of Hispanic Origin): All persons having origins in any of the original people of Europe, North Africa or the Middle East.
- ☐ **BLACK:** (Not of Hispanic Origin): All persons having origins in any of the Black racial groups of Africa.
- ☐ **ASIAN OR PACIFIC ISLANDER:** All persons having origins in any of the original Peoples of the Far East, Southeast Asia, the Indian Subcontinent or the Pacific Islands. This area includes, for example: China, Japan, Korea, the Philippine Islands and Samoa.
- ☐ **AMERICAN INDIAN OR ALASKAN NATIVE:** All persons having origins in any of the original Peoples of North America and who maintain cultural identification through tribal affiliation or community recognition.
- ☐ **HISPANIC:** All persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin regardless of race.
- ☐ **CHOOSE NOT TO DISCLOSE**

**APPLICATION TO
SERVE ON
ADVISORY COMMITTEE**
(PLEASE TYPE OR PRINT)

PLEASE BE ADVISED THAT ALL INFORMATION CONTAINED IN THIS APPLICATION BECOMES PUBLIC RECORD ONCE SUBMITTED TO
CITY OF BONITA SPRINGS

Note: Applications will be kept on file and active for a period of two years from date received.

City Council District # _____

DATE: May 24, 2022

PLEASE COMPLETE ALL SECTIONS		
NAME: <u>SANFORD</u>	<u>GERALD (JERRY)</u>	<u>E</u>
Last	First	Middle Initial
RESIDENCE ADDRESS:		
<u>1347 OLD OAK LANE</u>	<u>NAPLES FL</u>	<u>34110</u>
Street	City	Zip Code
BUSINESS ADDRESS:		
Street	City	Zip Code
MAILING ADDRESS:		
<u>1347 OLD OAK LANE</u>	<u>NAPLES FL</u>	<u>34110</u>
Street	City	Zip Code
PHONE NO. <u>239-596-7959</u> CELL PHONE # <u>239-289-6952</u>		
Home		Business
E-MAIL ADDRESS: <u>CHICKNEUTRA@aol.com</u>		
FAX:		

I hereby submit my name for consideration to serve in an advisory capacity to the City of Bonita Springs on the following Advisory Committee:

VETERANS COUNCIL

NAME OF ADVISORY COMMITTEES

OCCUPATION: Retired

CIVIC/PROFESSIONAL ACCOMPLISHMENTS/OFFICES HELD:

30 YEAR VETERAN OF THE NYC FIRE DEPT - 18 YEARS AS PTO
to the North Collins Fire District - US Navy Veteran served 1956-1962

Do you reside in Bonita Springs?

☐ Yes
☒ No

Address: _____

**APPLICATION TO SERVE ON A
CITY OF BONITA SPRINGS ADVISORY COMMITTEE – CONTINUED**

My qualifications to be eligible are as follows: I was a board member of the Collier County Flight Short Forces Veterans in Wash D.C. Presently the President of the Gulf Coast Veterans & Friends Assn that hosts 40 to 50 Veterans every Saturday for Breakfast at Hushman's Place in Naples.

If applicable, please indicate any employment, contractual relationship or status that you may have, or have had within the past 12 months, with any private business entity that rents, leases or sells any realty, or provides any goods or services to the City or that is conducting any business with the City.

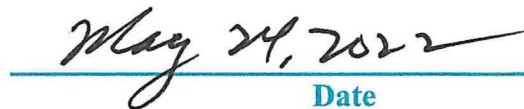
If you have previously served on a City of Bonita Springs Advisory Committee or are currently serving and seeking reappointment, please indicate the number and general nature of any voting conflict disclosure memorandum filed (Form 8B) while serving on the committee:

If applicable, attach a résumé of additional personal and professional qualifications and experience that pertains to the above.

I understand that:

- 1.) Some of the Boards and Committees appointed by the City Council are required to comply with Chapter 112, Florida Statutes, the Financial Disclosure Law and you may be required to file a Form 1 Financial Disclosure.
- 2.) City of Bonita Springs, an equal opportunity/affirmative action employer, considers the selection and appointment of persons to advisory committees in a non-discriminatory manner consistent with the requirements of Federal, State and Local non-discrimination laws.


Signature


Date

**PLEASE SUBMIT THIS FORM VIA EMAIL TO:
OR
RETURN THIS COMPLETED FORM TO:**

CLERK@CITYOFBONITASPRINGS.ORG

**CITY OF BONITA SPRINGS
ADVISORY COMMITTEES
9101 BONITA BEACH ROAD
BONITA SPRINGS, FL 34135**

CITY OF BONITA SPRINGS

Committee ID# _____
(Office Use Only)

The City of Bonita Springs complies with Local State and Federal laws, regulations and guidelines that prohibit discrimination based on race, sex, color, national origin, handicap, age or marital status

STATUTORILY CREATED REQUIRED COMMITTEE REPORTING DATA

The City of Bonita Springs is required by the State of Florida to collect and maintain the information requested below for statistical reporting purposes only. This information will be maintained separately from your application and will not be considered in the application evaluation process.

The information provided is required by State Statute, however, you have the right not to disclose any or all of this information. This form must be returned to the City of Bonita Springs.

Gender:	☒ Male	☐ Female	☐ Choose Not to Disclose
Handicapped/Disabled	☐ Yes	☒ No	☐ Choose Not to Disclose

If you require special assistance or accommodations, please contact the City of Bonita Springs at 239 949-6262

If special accommodations are required, please specify:

+++++
RACIAL/ETHNIC DATA (CHECK ONE)

- ☒ **WHITE: (Not of Hispanic Origin):** All persons having origins in any of the original people of Europe, North Africa or the Middle East.
- ☐ **BLACK: (Not of Hispanic Origin):** All persons having origins in any of the Black racial groups of Africa.
- ☐ **ASIAN OR PACIFIC ISLANDER:** All persons having origins in any of the original Peoples of the Far East, Southeast Asia, the Indian Subcontinent or the Pacific Islands. This area includes, for example: China, Japan, Korea, the Philippine Islands and Samoa.
- ☐ **AMERICAN INDIAN OR ALASKAN NATIVE:** All persons having origins in any of the original Peoples of North America and who maintain cultural identification through tribal affiliation or community recognition.
- ☐ **HISPANIC:** All persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin regardless of race.
- ☐ **CHOOSE NOT TO DISCLOSE**

REQUESTED MOTION: (First Reading) AN ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; AMENDING THE BONITA SPRINGS LAND DEVELOPMENT CODE, CHAPTER 4 ZONING, SEC. 4-194. - GENERAL SUBMITTAL REQUIREMENTS FOR APPLICATIONS REQUIRING PUBLIC HEARING, SEC. 4-229. - NOTICES., SEC. 4-1728. - DIMENSIONAL REQUIREMENTS; DELINEATION OF PARKING SPACES, AND SEC. 4-2224. CLEARING, GRADING OR FILLING OF LAND; PROVIDING CONFLICTS OF LAW, SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, AND MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING, AND AN EFFECTIVE DATE.

REQUESTOR: John Dulmer, AICP and Jacqueline Genson, AICP, Community Development

AGENDA: First reading of an ordinance

STRATEGIC PRIORITY: #5 Community Aesthetics

BACKGROUND: These amendments include changes to Land Development Code (LDC) Chapter 4 Zoning. The Local Planning Agency (LPA) heard the amendments at their May 19th meeting and recommended an addition to the mailed public notice section regarding special exceptions for the sale or service for on-premise consumption of alcoholic beverages. The second reading of these LDC amendments is tentatively scheduled for June 15, 2022.

Summary of Changes

1. Mailed Public Notice. The proposed changes affect the mailed notice section of the LDC. Currently, mailed notices are provided by the City as a courtesy. These changes require applicants to provide the notice contingent on the application type. This request includes amendments to Sec. 4-194. - General submittal requirements for applications requiring public hearing and Sec. 4-229. - Notices.
2. Parking Space Delineation. This change seeks to provide a parking lot design alternative that would not require the use of wheel stops to mark all parking spaces. The City's Accessibility Consultant also reviewed this section and recommended changes mostly regarding accessibility terminology. This request includes an amendment to Sec. 4-1728. - Dimensional requirements; delineation of parking spaces.
3. Drainage Plans. This section was adopted by City Council in 2019 and amended in 2021. Staff is requesting modifications to provide clarity for drainage plans not associated with a building permit and a waiver requirement for permits where a drainage plan would not be required. This request includes an amendment to Sec. 4-2224. Clearing, grading or filling of land.

STAFF RECOMMENDATION: Move to the Second Reading and Public Hearing

ATTACHMENTS: LDC Amendments in strike-thru and underline

REVIEWERS:

City Manager: Arleen Hunter
City Attorney: Derek Rooney
City Clerk: Debra Filipek
Department Director: John Dulmer

Council Action: Approved ___ Denied ___ Deferred ___ Other _____

Sec. 4-194. General submittal requirements for applications requiring public hearing.

- (a) *All applications.* Every request for actions requiring a public hearing under this chapter must include the following. However, upon written request, on a form prepared by the city, the director may modify the submittal requirements contained in this section where it can be clearly demonstrated that the submission will have no bearing on the review and processing of the application. The request and the director's written response must accompany the application submitted and will become a part of the permanent file.
- (1) *Legal description.* A legal description of the property must include a copy of the plat, if any, and the county STRAP number. The director has the right to reject any legal description which is not sufficiently detailed so as to locate the property on county maps or section aerial maps.
 - (2) *Certified sketch of description.* A certified sketch of description is required, unless the subject property consists of one or more undivided platted lots. If the application includes multiple abutting parcels, the legal description must describe the perimeter boundary of the total area, but need not describe each individual parcel. However, the STRAP number for each parcel must be included. The director may require a boundary survey prepared by a surveyor meeting the minimum technical standards for land surveying in the state where there is a question regarding the accuracy of the legal description of the property. Boundaries must be clearly marked with a heavy line. The boundary line must include the entire area to be developed. If the request is owner-initiated, flood zone and required finished floor elevation must be shown as well as the location of existing structures on the property.
 - (3) *Confirmation of ownership.* If at any time during the review process the director concludes there is a question regarding ownership of the property, the director may require submittal of a title insurance policy, attorney's opinion of title, or ownership and encumbrance report.
 - (4) *Area location map.* A map, at suitable scale, indicating the property described in the legal description. The map must be sufficiently referenced to known major streets or other physical boundaries so as to be clearly identifiable to the general public.
 - (5) *Property owners list.* A complete list of all property owners, and their mailing addresses, for all property within the area described. For the purpose of this subsection, names and addresses of property owners will be deemed to be those appearing on the latest tax rolls of the county. The applicant is responsible for the accuracy of such list.
 - (6) *Surrounding property owners list.* A complete list of all property owners, and their mailing addresses, for all property within 375 feet of the perimeter of the subject parcel or the portion thereof that is the subject of the request, except that special exception requests for the sale or service for on-premises consumption shall include all property within 500 feet. For the purpose of this subsection, names and addresses of property owners will be deemed to be those appearing on the latest tax rolls of the county at the time of sufficiency. The applicant is responsible for the accuracy of such list. This list is for the purpose of ~~mailing notice~~ confirming mailed notices by the applicant to property owners within 375 feet or 500 feet of the property described as set forth in section 4-229. The notice is a courtesy only and is not jurisdictional. Accordingly, the city's failure to mail or to timely mail such notice or failure of any affected property owner to receive mailed notice will not constitute a defect in notice or bar the public hearing as scheduled.
 - (7) *Property owners map.* A map displaying all parcels of property within 375 feet of the perimeter of the subject parcel or the portion thereof that is the subject of the request. This map must reference by number or other symbol the names on the property owners list. The applicant is responsible for the accuracy of the map.
 - (8) *Additional material.* Additional material, depending on the specific type of action requested, may be required as set forth in sections 4-194(b) and 4-195.

-
- (9) *Filing fee.* All fees, in accordance with the duly adopted fee schedule (see section 4-31), must be paid at the time the application is submitted.
- (b) *Additional submittal requirements for owner-initiated applications.* In addition to the submittal requirements set forth in subsection (a) of this section, every application initiated by a property owner involving a change in the zoning district boundaries, or a request for special exception, deviation or variance, applicable to the property owners land must include the following:
- (1) *Evidence of authority.*
- a. *Ownership interests.* A list of all persons or entities having an ownership interest in the property, including the names of all stockholders and trust beneficiaries. Disclosure with respect to a beneficial ownership interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to F.S. ch. 517, whose interest is for sale to the general public, is exempt from the provision of this subsection.
 - b. *Unified control document.* A notarized statement evidencing a property owner's or entity's right and authority to impose covenants and restrictions on the parcel or otherwise bind the property with respect to conditions necessary to secure the approval requested. A notarized statement submitted to the city establishing a property owner or entity's right and authority to impose covenants and restrictions on a parcel as a result of the issuance of development approval in accordance with this Code. The unified control document also constitutes an agreement that the property owner will not transfer, convey, sell or subdivide the subject parcel unencumbered by the covenants and restrictions imposed as part of the development order permitting process.
 - c. *Agent authorization.* If the owner authorizes an agent to submit the application and represent the owner in all matters pertaining to the application, the owner must provide the agent with a notarized statement evidencing the agents authority to act on the owners behalf and encumber the property with conditions applicable to the approval requested in the application. An agent may authorize additional agents to assist in the preparation and presentation of the application. However, an agent cannot transfer authority to bind the property with respect to conditions. This later authority will only be recognized by the city when it is provided directly to the agent by the owner.
 - d. *Contract purchaser/vendee authorization.* If a contract purchaser or vendee is the applicant, a notarized statement from the property owner authorizing the contract purchaser/vendee to act as an agent of the property owner for purposes of application submittal and agreement to conditions applicable to approval of the request is necessary.
- (2) *Property restrictions.* The application must include a copy of the deed restrictions or other types of covenants and restrictions on the parcel, along with a statement as to how the restrictions may affect the requested action. If there are no restrictions on the property, the applicant must indicate so on the application form.
- (3) *Affidavit regarding proposed use.* If buildings or structures exist on the property, the applicant must submit an affidavit stating that the buildings and structures will be removed or that the proposed use of the buildings, structures and land is, or will be, in compliance with all applicable requirements of chapter 3 and this Code.
- (4) When applicable, the number of bonus density units requested, the source of the bonus density units (TDRs, housing density bonus, etc.), and the resulting gross residential density of the proposal.

(Ord. No. 11-02, § 3(4-202), 1-19-2011)

Sec. 4-229. Notices.

- (a) *Minimum required information.* A notice of public hearing under this chapter must contain the following minimum required information:
- (1) *Action proposed.*
 - a. *Land use ordinance amendments or adoption.* The notice must describe the chapter or section of the land use ordinance to be amended, or the subject of a new ordinance, with sufficient clarity so as to advise the public of the subject to be amended or adopted, but need not describe the exact wording or change.
 - b. *Rezoning and developments of regional impact.* All required notices must indicate the existing zoning of the property, the proposed zoning and where applicable, the number of TDR and affordable housing bonus density units requested, and the general location of the property, by reference to common street names and addresses, with sufficient certainty so as to advise the public, but need not describe the proposed plans or details thereof, or the specific legal description of the property.
 - c. *Special exceptions and variances.* All required notices must indicate the existing zoning of the property; the proposed use by special exception, or the requirement from which the variance is requested and the actual degree of variance requested; and the location of the property, by reference to common street names and addresses, with sufficient certainty so as to advise the public, but need not describe the proposed plans or details thereof or the specific legal description of the property.
 - d. *Appeals.* The notice shall summarize the decision or action upon which the appeal is based with sufficient clarity so as to advise the public of the subject matter.
 - (2) *Time and place of hearing.* The notice must specify the date, time and place that the public hearing will be held by the zoning board, the local planning agency or the city council, as applicable.
 - (3) *Public availability of information.* The notice must indicate where copies of the proposed amendment may be obtained or reviewed, or where the application for public hearing may be reviewed.
 - (4) *Location of record of notice.*
 - a. The copy of notices for the adoption or amendment of land use ordinances will be kept available for public inspection during regular business hours at the city clerk.
 - b. Copies of all other notices will be kept available for public inspection during regular business hours at the office of community development or the city clerk, as appropriate.
- (b) *Method of providing notice.* Notices of hearings before the city council, the zoning board and the local planning agency will be provided in accordance with applicable statutes and the Florida Administrative Code. The surrounding property owners list and map required by section 4-194(a) is for the purpose of mailing notice to property owners within 375 feet or 500 feet of the property described. The notice is a courtesy only and is not jurisdictional. Accordingly, the city's failure to mail or to timely mail such notice or failure of any affected property owner to receive mailed notice will not constitute a defect in notice or bar the public hearing as scheduled. – Mailed notice shall be provided as required below:

<u>Application Type</u>	<u>Timing</u>	<u>Mailed Notice Type (1)</u>
<u>Planned Development and PD Amendment</u>	<u>30 days prior to the Zoning Board public hearing</u>	<u>Certified mail, with return receipt requested (1)</u>
<u>Rezoning: Not City-initiated</u>	<u>30 days prior to the Zoning Board public hearing</u>	<u>Certified mail, with return receipt requested (1)</u>
<u>Special Exception (Non-residential)</u>	<u>30 days prior to the Zoning Board public hearing</u>	<u>Certified mail, with return receipt requested (1)</u>
<u>Special Exception (Residential)</u>	<u>30 days prior to the Zoning Board public hearing</u>	<u>Regular mail (2)</u>
<u>Variance (Non-residential)</u>	<u>30 days prior to the Zoning Board public hearing</u>	<u>Certified mail, with return receipt requested (1)</u>
<u>Variance (Residential)</u>	<u>30 days prior to the Zoning Board public hearing</u>	<u>Regular mail (2)</u>

(1) Certified mail. The applicant shall mail all required notices. The application number shall be indicated on the receipt.

(2) Regular mail. The applicant shall mail all required notices, and provide an affidavit that notice was sent to all property owners included in the property owner's list.

(Ord. No. 11-02, § 3(4-236), 1-19-2011)

Sec. 4-1728. Dimensional requirements; delineation of parking spaces.

In addition to satisfying all other provisions of this division, the arrangement and spacing of off-street parking lots and on-street must conform to the following requirements:

(1) *Parking space dimensions.* Individual parking space dimensions are as follows:

- a. ~~Disabled Accessible parking~~Parking Spaces (all): Shall be a minimum of 12 feet in width by 18 feet in depth. Accessible Parking parking space access aisles must be no less than five feet wide and must be part of an accessible route to the building or facility entrance. In multi-tenant shopping centers, the disabled parking spaces shall be distributed throughout the site. The individual parking space dimensions do not preclude compliance with the Americans with Disabilities Act (ADA) of 1990. Further compliance shall be in accordance with the Florida Accessibility Code for Building Construction [FACBC].
- b. High and low turnover parking lots:
 1. 90-degree parking: Nine feet by 18 feet.
 2. 30-, 45- or 60-degree parking: 8½ feet by 18 feet.
 3. Parallel parking: Eight feet by 22 feet.
 4. Compact parking: Sixteen feet by eight feet.
 5. Motorcycle/Scooter spaces: Nine feet by six feet.

(2) *Delineation of spaces.*

a. *Paved parking lots.*

1. Parking spaces must be delineated by all-weather painted lines, or thermoplastic striping, not less than four inches in width, centered on the dividing line between spaces. ~~Parking Accessible parking spaces for persons with disabilities must be prominently outlined with blue paint, and must be repainted when necessary to be clearly distinguishable as an accessible parking space designated for persons who have disabilities. Signs Accessible parking space signage~~ erected after October 1, 1996, must indicate the penalty for illegal use of the space.
2. Parking spaces which do not abut a curb, fence, wall or other structure must be provided with a parking block set two feet from the end of the parking space. Parking spaces which abut landscaped areas, sidewalks, structures, property lines, or are designed as disabled parking shall be designed with wheel stops or contiguous curbing.

b. *Unpaved parking lots.*

1. Parking spaces in unpaved parking lots must be delineated by placing a parking block two feet from the end of the parking space and centered between the sides of the space.
2. If the space abuts a structure, the space may be indicated on the structure, in which case parking blocks are not required.

c. *Temporary parking lots.* (See section 4-1734) Individual spaces in temporary parking lots do not need to be delineated provided the end of each space and all aisles are clearly delineated with temporary posts and ropes.

(3) *Minimum drive aisle widths.* Minimum drive aisle widths are as follows:

	<u>Drive</u> Aisle Width
--	--------------------------

Angle of Parking	One-Way (feet)	Two-Way (feet)
Parallel	12	20
30	12	22
45	12	22
60	18	24
90	22	24

(4) *Parking angle.* Parking must be developed throughout the site utilizing the same degree of angle. The mixture of one-way and two-way parking aisles, or different degrees of angled parking within any parking area is prohibited except:

- a. A single bay of parking provided along the perimeter of the site may vary in design in order to maximize the number of spaces provided on-site.
- b. Parking design may vary between individual parking areas provided that the parking areas are physically separated from one another by buildings or a continuous landscape buffer a minimum of five feet in width. The director may approve a minimum number of vehicle access points to pass through the landscaped buffer.

(5) *Electric vehicle parking and charging stations.* If specifically designed and identified with appropriate markings and/or signage as outlined in this section, the following design standards, in addition to all other design standards set forth in this section shall apply.

- a. Electric vehicle parking spaces shall be painted green, or shall be marked by green painted lines and curbs and/or wheel stops.
- b. Each electric vehicle parking space shall be marked by a sign designating the parking space as an electric vehicle parking space, in accordance with the Manual on Uniform Traffic Control Devices (MUTCD) of the Federal Highway Administration.
- c. Each electric vehicle charging station shall be subject to the architectural provisions of chapter 3.
- d. Each electric vehicle charging station shall be equipped with a sign that includes the following information:
 - 1. Voltage and amperage levels;
 - 2. Any applicable usage fees;
 - 3. Safety information; and
 - 4. Contact information for the owner of the charging station to allow a consumer to report issues relating to the charging station.
- e. Electric vehicle charging stations shall contain a retraction device, coiled cord, or a fixture to hang cords and connectors above the ground surface.
- f. Electric vehicle charging stations shall be screened from view from any abutting rights-of-way, with the exception of alleys.
- g. Electric vehicle charging stations shall be maintained in good condition, appearance and repair.

(Ord. No. 11-02, § 3(4-2016), 1-19-2011; Ord. No. 21-10 , § 2(Exh. A), 6-16-2021)

street parking space shall be bounded by a continuous curb unless the City Engineer determines otherwise due to unique engineering circumstances. C

Sec. 4-2224. Clearing, grading or filling of land.

- (a) The purpose of this subsection is to manage stormwater runoff and establish site grading and water management standards for single-family, two-family attached, and duplex residential lots in order to prevent detrimental impacts on site or to adjacent properties and/or waterbodies.
- (b) No land may be cleared, graded, excavated or filled, or otherwise altered, except in conformity with the regulations contained in this chapter and all other applicable ordinances.
- (c) Applicability. A stormwater drainage plan shall be required at time of building permit for all new residential structures, additions, pools, accessory structures, and decks on single-family, two-family attached, and duplex residential lots, with the following exceptions:

i. Any other clearing, grading, or site alteration activity that alters drainage flow is required to submit a stormwater drainage plan in accordance with this section. If these activities are not associated with a building permit, a limited review development order is required in accordance with LDC Sec. 3-159.

ii. Below are the following exceptions:

- (1) Open wooden decks, nonroofed, 500 square feet or less.
- (2) Structural additions 500 square feet or less, and more than ten feet from property line.
- (3) New or additions to Accessory structures 200 square feet or less, and more than ten feet from property line.
- (4) Any other impervious area 200 square feet or less. For the purposes of this section, the term impervious area shall include roofed buildings, concrete and asphalt pads, pool deck (e.g., spraycrete), pavers with limerock base and swimming pools. those surfaces which do not absorb water such as structures, driveways, sidewalks, other areas of concrete, and asphalt.
- (5) Replacement mobile homes.

iii. Waiver of requirement. The city manager or designee may find that cost to prepare the drainage plan is excessively disproportionate to the need based on the size and scope of the improvement. In these cases, the city manager or designee must also find that the improvement is not contrary to the public health, safety, and welfare.

- (d) Stormwater drainage plan criteria.

- (1) *Drainage plan required for all new residential structures, additions, pools, accessory structures, and decks, and site grading activities.*
 - i. A drainage plan prepared by a professional engineer, architect or land surveyor shall be submitted as part of an application for building permit for a single family, two family attached and duplex dwelling. Said drainage plan shall include the following:
 - 1. Method of erosion control, such as, but not limited to, silt fences, turbidity barriers, and filter fabric as outlined in the Florida Stormwater Sedimentation Control Inspector's Manual or a similar quality guidance manual.
 - 2. Gutters and downspouts shall be required when roof overhang is less than 10' from the property line. Said gutters and downspouts, shall be properly sized and direct stormwater away from adjacent properties and into swales or retention/detention areas. When the set

back to the roof overhang is greater than 10', gutters and downspouts will be required when needed to prevent or mitigate increased drainage impacts onto adjacent properties.

3. Dimensions and details of all existing and proposed drainage solutions including but not limited to:
 - a. Swales and berms. Show location and elevation.
 - b. Gutters and downspouts.
 - c. Yard drain/bubblers.
 - d. Stem walls.
 - e. Rain gardens.
 - f. Inlets. If inlets are proposed, provide details showing grate and pipe elevations.
 - g. Retaining walls. Retaining walls shall not be placed closer than one foot from the property line and per LDC Section 7-385 for waterbody setbacks. For height restrictions reference LDC Section 4-1467(b).
 - h. French drains. The stone in french drains shall provide a minimum void ratio of 40 percent.
4. Cross-sections of the development from the area of construction to the property line in all directions (north, south, east and west), matching the existing elevations.
 - a. Show the location and elevation of all existing and proposed drainage solutions mentioned in 4-2224(d)(1)i.3.
 - b. Graded slopes shall not be any steeper than 5:1, unless otherwise approved by the city during the drainage review process.
5. Existing and proposed elevations
 - a. A minimum of a 50 foot by 50 foot grid.
 - b. A minimum of five feet on to the adjacent property.
 - c. Existing elevation of crown of roadway.
 - d. Elevations to establish the transition to existing grades at adjacent property lines and/or any waterbody.
6. Sidewalks. Label and provide the dimensions, elevations, and cross-sections of all sidewalks, if applicable pursuant to LDC Section 4-870(2).
7. Pools. Show the location of overflow; a french drain may be required at this location.
8. Closed drainage may be required along the property frontage adjacent to all city owned rights-of-way pursuant to LDC Sections 3-302 and 3-303.
9. Drainage arrows clearly delineating the direction of flow.
10. All materials used for ground cover, such as, but not limited to, sod, mulch, rock, artificial turf grass, and shell.
11. Drainage plan requirements may be modified if an acceptable alternate plan is provided. Drainage plan requirements for permits within developments that have received local development order approval may be modified based on the lot grading drainage plan and overall stormwater management design.

-
- ii. During the review of the drainage plan, the city reserves the right to require water quantity calculations by a professional engineer for lots that exceed 30 inches above the grade of existing adjacent lots. Calculations must demonstrate the ability to accommodate the runoff from a 5-year 1-day storm.
- (2) *Site grading during construction activities.* The building site must be graded and maintained during construction to:
- i. Prevent erosion of soil onto adjacent and abutting properties, street rights-of-way/easements, waterbodies or improved drainage conveyances:
 - ii. Ensure erosion control devices are being maintained as outlined in the Florida Stormwater Sedimentation Control Inspector's Manual or a similar quality guidance manual.
 - iii. Control surface water runoff to ensure that no surface water in excess of the preconstruction discharge flows onto developed adjacent or abutting properties and waterbodies; and
 - iv. Maintain the flow capacity and function of existing drainage conveyances on or abutting the site including adjacent street rights-of-way/easements or improved drainage conveyances.
- (3) *Final site grading.*
- i. An "as-built" of the constructed drainage plan prepared and certified by a professional engineer, architect or land surveyor may be required as part of the permit approval. If required, it shall be submitted prior to final inspection, certificate of completion or certificate of occupancy of the structure. This "as-built" shall be reviewed to determine if the work completed is in substantial compliance with approved plan.
 - ii. Items not in compliance with the approved drainage plan will be noted by the city and brought to the attention of the property owner or his representative for correction. Any revisions to an approved drainage plan must be submitted for review and approved prior to certificate of occupancy or certificate of completion.
 - iii. The city reserves the right to inspect the site during construction and/or prior to issuance of a certificate of occupancy or certificate of completion to ensure consistency with the approved drainage plan pursuant to LDC Section 4-2224(d)1.
 - iv. Final grading of a lot must:
 - 1. Control and direct surface water runoff to ensure that surface water discharge is directed into an existing surface water management system or other offsite drainage conveyance; and
 - 2. Preserve or relocate existing drainage conveyances necessary to maintain preconstruction flow capacity and function.
 - 3. Final site grading plan features must be maintained in perpetuity by the property owner. A property owner may not alter or modify the lot grading in a manner that will prevent continued drainage of the site in accordance with the storm water drainage plan in effect at the time the certificate of occupancy or certificate of completion was issued.
- (e) Modifications that alter the drainage flow and which may cause flooding of other properties, public or private, are a violation and are hereby declared a public nuisance and are prohibited. Violations will be referred to the neighborhood services department. Corrective action requires submission of a drainage plan in accordance with this section that demonstrate no detrimental impacts on site or to adjacent properties and/or waterbodies.

(Ord. No. 07-20, 12-5-2007; Ord. No. 11-02, § 3(4-3104), 1-19-2011; Ord. No. 19-12 , § 1(Exh. A), 12-4-2019; Ord. No. 21-05 , § 2(Exh. A), 9-1-2021)

REQUESTED MOTION: Authorize staff to execute a multi-year contract with Weston and Sampson for a Facility Assessment Study for a total cost of \$360,431.00.

REQUESTOR: Lora Taylor, Director of Communicaitons

AGENDA: City Manager's Items

STRATEGIC PRIORITY: None

BACKGROUND: City staff has been asked to perform facility assessments for City properties to include six sites comprised of eighteen buildings. Staff has collaborated with Weston and Sampson Engineers to develop a scope of services for the study. Initial site visits are complete, and Sampson and Weston have estimated costs to do the assessments at \$360,431.00.

This analysis will be utilized for prioritizing capital improvements and to allocate operating budgets and maintenance requirements. The intent is that this project will not only address current baseline conditions, but also provide estimated investment planning projections over a five-year period.

Funding is available in City Facility Major Repairs, 30.270.519.4924.

STAFF RECOMMENDATION: Authorize staff to execute a multi-year contract with Weston and Sampson to conduct facility assessments.

ATTACHMENTS:

1. Facility Condition Assessment fee breakdown
2. Scope of services for Facility Condition Assessment Study

REVIEWERS:

City Manager: Arleen Hunter
City Attorney: Derek Rooney
City Clerk: Debra Filipek
Department Director: Lora Taylor

Council Action: Approved ___ Denied ___ Deferred ___ Other _____

City of Bonita Springs - Facility Condition Assessment
Draft Fee Breakdown (5/24/2022)
By Weston & Sampson, Inc.

TASK NO.	TASK DESCRIPTION	FEE	
1	OBTAIN INFORMATION		\$ 166,965
1.01	Initial Review, Gathering of Info, Prep for Site Observations	\$ 23,580	
1.02	Site Observations (1)	\$ 70,659	
1.02	Laser Scanning and Drone Survey (2)	\$ 37,510	
1.02	Information Technology - IT (3)	\$ 8,390	
1.02	Material Sampling and Testing (4)	\$ 26,826	
2	COMPILE, EVALUATE & ASSESS		\$ 137,001
2.01	Compile Data	\$ 30,289	
2.01	Base Plan Drawings	\$ 27,642	
2.01	Categorize Deficiencies	\$ 10,100	
2.02	Evaluate & Assess	\$ 34,570	
2.02	Meetings with Bonita Springs Staff	\$ 17,810	
2.02	Cost Estimates	\$ 16,590	
3	SUMMARY REPORT		\$ 56,465
3.01	Draft Report & Review Mtg with City	\$ 34,402	
3.02	Final Report	\$ 22,063	
	TOTAL FEE	\$ 360,431	
			\$ 360,431

- (1) Field work by Weston & Sampson, RG, Burgess Brant, and IBA
- (2) Laser & Drones by KCI. Includes field work, post processing of data for use as plans and images in Final Report
- (3) IT by Team Logic. Includes field work, assessments & recommendations (incl. cost estimating) compatible with Final Report
- (4) Asbestos, mold, and pavement cores by Ardaman & Associates. Lead paint by Weston & Sampson

Date: May 24, 2022

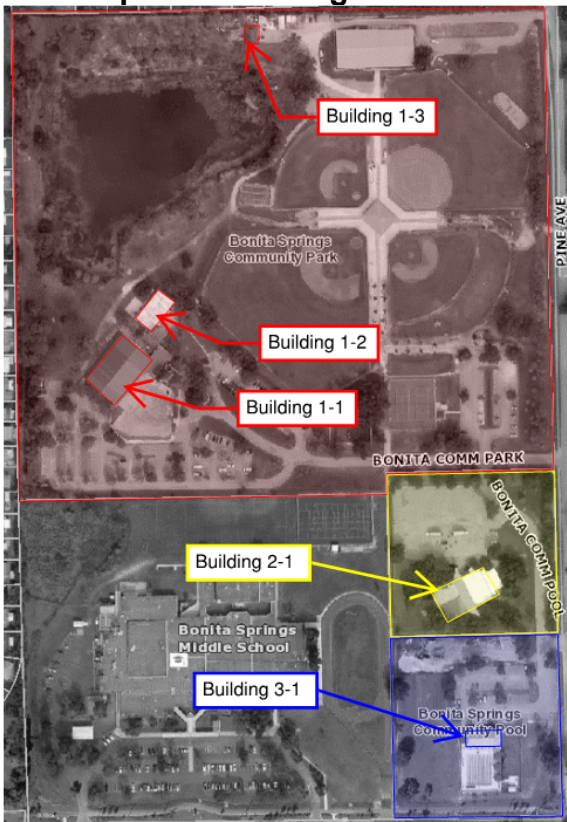
SCOPE OF SERVICES BONITA SPRINGS FACILITY CONDITION ASSESSMENT STUDY

CONSULTANT shall provide and perform the following services

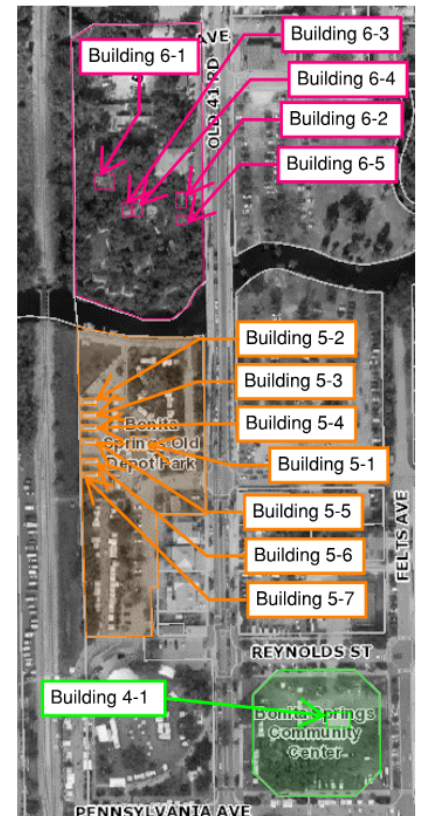
The project involves preparing condition assessments of the buildings and grounds at the following six (6) sites:

1. Recreation Center, 26740 Pine Avenue
2. Former Library, 26876 Pine Avenue
3. Community Pool, 26890 Pine Avenue
4. Sheriff's office substation, 10520 Reynolds Street
5. Liles Hotel, 27300 Old 41 Road
6. Everglades Wonder Gardens, 27180 Old 41 Road

The buildings include approximately 49,542 square feet of floor space **consisting of 18 separate buildings:**



Site #	Building #	Building Name	Square Footage	Year Built
1	1-1	"New" Rec Building	15,985	1995
1	1-2	"Old" Rec Building	4,588	1979
1	1-3	Maintenance Building	1,074	1991
2	2-1	Old Library	11,562	1983
3	3-1	Pool House	1,590	1990
4	4-1	Sheriff's Substation	960	1960
5	5-1	Liles Hotel	5,420	1944
5	5-2	Artist's Cottage	300	1944
5	5-3	Artist's Cottage	300	1944
5	5-4	Artist's Cottage	300	1944
5	5-5	Artist's Cottage	300	1944
5	5-6	Artist's Cottage	300	1944
5	5-7	Artist's Cottage	300	1944
6	6-1	Admin Office	788	1949
6	6-2	Welcome Center	2,300	1947
6	6-3	Barn #1	1,600	1947
6	6-4	Barn #2	1,500	1970
6	6-5	Tea House	375	Unknown
TOTAL			49,542	



TASK 1.00 OBTAIN INFORMATION

- 1.01. Initial Preparation & Review – In advance of the on-site observation, the CONSULTANT shall review existing facility information provided by the CITY, interview knowledgeable staff, and coordinate provisions for site access.

- A. Available CITY-supplied documents, including as-built record drawings, shall be reviewed to obtain knowledge about the facility and used to supplement and support the information that will be visually gathered on-site. The initial feedback from the CITY indicates there are limited drawings available for the buildings. Information received to-date include:
- Lee County Property Appraiser data (pdf files dated 3/10/22) from email dated 3/11/22
 - Summary list with background information in email dated 3/11/22. Includes: Sheriff Substation, Liles Hotel, Small and Large Recreation Center buildings
- B. Other information on the facility to be considered in the assessment will be gathered through limited research of readily available information and interviews with knowledgeable staff (identified by the CITY) either by telephone, email, video conference, or on-site at the time of the site observation (Task 1.02).
- The CITY may identify areas of concern, such as known water leaks, drainage issues, structural or mechanical deterioration, recent repairs, and typical yearly maintenance needs at the facility.
 - **Maintenance and Repairs to these buildings by the CITY underway at this time shall be provided to the CONSULTANT.**
 - CONSULTANT will coordinate through the CITY and Bonita Springs Utilities for site utility information, as applicable.
- C. The CONSULTANT will work with the CITY to coordinate and plan the site observation, including the dates and times of visits, CITY person(s) available to provide access to rooms and areas throughout the facility and provisions for ladders and/or lifts, or other arrangements that may be beneficial to the observation.
- The site observation planning is also intended to help avoid disruption of activities at the facilities, if possible, during the site visit(s).
- The CONSULTANT will be responsible for furnishing any ladders and/or lifts, if identified as being needed to access certain areas for viewing.

1.02. Site Observation – Perform visually based on-site observation of the buildings and grounds for the six sites identified above.

The observation will be performed by a team of local architects and engineers licensed in Florida and specialized to assess the grounds (parking lot layout, paving, drainage, landscaping, etc.), architectural, structural, building envelope, mechanical, electrical, plumbing components, and information technology of the facility.

A. The primary objective of the observation is to obtain, through visual means, additional information that will be used to provide a comprehensive general assessment of existing conditions throughout the facility according to the expertise and judgement of the team. The team will focus on identifying significant deficiencies in need of maintenance, repair, replacement, upgrade, or capital renewal action, and make note of observed locations with damage, significant deterioration, and previous repairs.

- The observation will cover all general areas of the facility readily accessible by foot and cover limited locations accessible by ladder and boom lift.
- Assess the structural integrity of the building as can be deduced from visual observation, (settlement cracking, steel deterioration, walls out of plumb, or visual deflection of beams, lintels, columns, etc.)
- Conduct a visual inspection for envelope weather-tightness by identifying / reviewing any evidence of water or moisture infiltration, as observed from the interior of the building, and/ or as seen from deficiencies in the integrity of the exterior envelope assemblies/ materials.

B. Perform a high-level building field assessment to review the following:

- Building envelope (cladding, glazing, and roofing/waterproofing) (All Buildings tabulated above, as applicable)
- Perimeter review and integrity assessment of components, (foundation walls exposed to view, exterior masonry, windows, doors, fixtures, gutters/ downspouts, etc.) (All Buildings tabulated above, as applicable)
- Building Code issues, (identify any life-safety concerns: egress, stairs, railing, sprinklers, exit hardware, etc.) (All Buildings tabulated above, as applicable)
- Americans with Disabilities Act (ADA) compliance, (review of items related to access requirements, (floor elevation(s), entrances/ exits, elevator, ramps, toilet facility clearances, doorway, and travel widths, etc.) (All Buildings tabulated above, as applicable)
- Electrical system(s), (lighting, electrical panels, switches, outlets, etc.) (All Buildings tabulated above, as applicable)
- Information Technology (IT) (assessment and evaluation of network topology, network functionality, and network environment) (All Buildings tabulated above, as applicable)
- Plumbing system(s), (fixtures, drinking fountains, piping as exposed to view) (All Buildings tabulated above, as applicable)

- Heating, Ventilation and Cooling (HVAC) system(s) (All Buildings tabulated above, as applicable)
- Fire protection system(s) (All Buildings tabulated above, as applicable)
- Interior spaces (walls, doors, flooring, ceilings, room sizes, materials, finishes, conditions) (All Buildings tabulated above, as applicable)
- Measuring during the observation will be minimized, as the intent is to rely on the existing drawings received under Task 1.01A. Besides providing a detailed layout of the facilities and square-foot areas of the spaces, these documents will be helpful in referencing and documenting photographs and field notes during the visit.

C. Perform a high-level assessment of the grounds to review the following:

- Parking lot paving and striping
- Parking lot layout
- Parking lot landscaping
- Drainage
- Utilities
- Parking lot lighting
- Animal Enclosure Structures (Site 6 only)

D. Laser scanning

- Laser scanning equipment will be utilized as deemed necessary to gather geometric points and images from inside of the Old Library (Building 2-1) and from the exterior of the “New” Recreation Building, Old Library, and Liles Hotel (Buildings 1-1, 2-1 and 5-1 only). This will be gathered to supplement other field measurements and record drawings - when available.

E. Drones

- Drones will be utilized to obtain photos/videos within the larger open area of the Old Library (Building 2-1) for potential presentation purposes.
- Drones will be utilized to obtain photos/videos of exterior features of all eighteen (18) buildings, primarily from above the roof, and from above the six (6) sites. The Drone imagery will provide additional visual information to assess the existing condition of the exterior building envelopes.

- Selective images will be included as figures in the report

F. Material sampling and testing

- Due to the age of the Buildings, it is suspected that there may be Asbestos Containing Materials, Mold, and Lead-Based Paint present.
- The condition assessment will include collection and testing for asbestos of up to 150 samples of various materials identified during the site observation (All Buildings tabulated above, as applicable)
- The condition assessment will include collection and testing for mold of up to 75 samples at various locations identified during the site observation (All Buildings tabulated above, as applicable)
- The condition assessment will include utilizing test swabs for preliminary testing for lead paint of up to 60 locations of paints identified during the site observation. (All Buildings tabulated above, as applicable)
- The condition assessment will include up to twelve (12) pavement cores of asphalt pavement to ascertain the pavement thickness and conditions.

G. Cursory sufficiency testing of mechanical, electrical, and plumbing systems is included, with the intent being to provide an estimate of the remaining useful life of major components and kitchen appliances as well as determination of whether the equipment is obsolete. (All Buildings tabulated above, as applicable)

TASK 2.00 COMPILE, EVALUATE & ASSESS

- 2.01. Compile Data - The team of Florida licensed engineers and architects will identify, compile, and sort the relevant information gathered from Tasks 1.01 and 1.02. This information will include deficiencies, construction/install dates for the main facility and its individual components, and an approximate sum of the gross areas and quantities to be used in estimating base values (replacement cost) of the facility and its components.

Develop base plan drawings which would be shared among the team of Florida licensed engineers and architects and incorporated into the final report. Drawings to indicate and note existing conditions and recommendations for improvements. Drawing platform will consist of primitive BIM models (limited detail – 3D) to support approximate quantity take-offs.

Having been identified during the site observation or through research and review of the documents, interviews of knowledgeable staff, code compliance checks, material testing, and evaluation involving limited engineering or scientific analysis, a final list of significant deficiencies will be compiled.

- A. Each significant deficiency will be assigned to one or more of the following categories which represents the cause or reason for the deficiency.

- Life-safety code compliance
- Building code compliance
- ADA Compliance
- Building integrity
- Functionality
- Appearance
- Energy
- Resiliency

- 2.02. Evaluate & Assess – After having compiled and sorted the data, the team of professionals will collaborate to evaluate and assess the overall facility. The evaluation will not include design services or environmental studies.

- A. Priorities and Schedule – For each deficiency, the priority level with an associated time frame (schedule by year) recommended to complete the work (repair, replacement, etc.) will be established, according to the urgency of need. Up to three priority levels will be established for the facility according to the observed findings. The list given below is a representative example only.

Priority 1 – Currently Critical (Immediate)

- Correct a cited safety hazard
- Stop accelerated deterioration
- Return a facility to operation

Priority 2 - Potentially Critical and/or Necessary (Years 1 - 5)

- Intermittent operations
- Active deterioration
- Potential life safety hazards
- Predictable deterioration
- Potential downtime
- Associated damage or higher costs if deferred further

Priority 3 – Recommended (Beyond Year 5)

- Sensible improvement to existing conditions (not required for the most basic function of the facility) either to improve overall usability and/or reduce long term maintenance and utility costs.
- Stop accelerated deterioration
- Return a facility to operation

- B. Meetings with City

- Attend up to eight (8) meetings via in-person, TEAMS, GoToMeeting, or another platform:
 - One Kick-off meeting
 - Pre-observation meetings (up to three (3) virtual or on-site)

- Milestone review meetings: These meetings will serve to review the initial findings of the assessment and receive feedback and direction from the City prior to proceeding with developing final recommendations for improvements and the associated construction cost estimates. A draft document, in Word and PDF format, listing the deficiencies and priorities identified in Tasks 2.01A and 2.02A will be provided to the County in advance of the meeting. Other discussion topics may include:
 - Review the priorities and schedules and adjust as applicable before proceeding with final recommendations and Alternative Cost Comparison
 - Determine anticipate construction start dates for highest priority improvements and other dates to consider for future lower priority improvements
 - Future considerations that may impact and influence final recommendations

C. Alternative Cost Comparison – Develop preliminary order of magnitude cost opinions for the following Alternatives:

- Alternative 1 – Construction costs associated with the recommended improvements at each existing facility and site feature
- Alternative 2 – Construction cost associated with removal and replacement of existing facilities where applicable based on dollars per square foot for each applicable building type

TASK 3.00 SUMMARY REPORT

3.01. Draft Report

A. Prepare a draft facility condition assessment report. It is anticipated the report will be approximately 200 to 250 pages in length, including some representative record plans (provided by the CITY), drawings prepared to indicate significant findings and improvement recommendations, representative photographs, and lists/tables summarizing the data and findings. The following sections will be included in the report:

- Executive Summary
- Criteria and Assumptions
- Description of Existing Conditions
- Evaluation and Assessment (summary of findings and cost opinions, and alternative cost comparison)
- Conclusions & Recommendations

- B. Submit a Word and PDF electronic copy to CITY for review
- C. Schedule and attend one (1) meeting with representatives of CITY to review the draft report and receive comments

3.02. Final Report

- A. Incorporate review comments and finalize the report
- B. Submit one signed & sealed paper copy and one electronic PDF copy of the final report to CITY

3.03 Additional Clarifications, Assumptions and Exclusions

- A. The current use of each of the buildings will remain the same in the future, except for the Old Library Building (the use of which by the City has not yet been determined).
- B. Drawing Images for inclusion in the report to show basic existing information and findings are estimated to include the following type and quantity:

Description	Quantity
Civil/Site Plans	7
Building Plan Views*	9
Building Section and Partial Section Views	10
Simple Building Key Plans**	10
Wonder Garden Key Plan – Animal Enclosures	1
TOTAL	37

* The hotel will require a plan for each of the two floors.

**Simple key plans will be utilized for the maintenance building, 6 cottages, 2 barns, and the tea house.

- C. The structural assessment evaluation of the buildings will include consideration of the following: field observed existing conditions of members, connections, and systems; building code compliancy including order-of-magnitude comparison of demand/capacity design forces between original and present codes; and a general resiliency assessment that considers as-assessed structural integrity for vulnerability to continued service. A detailed structural analysis will not be performed.
- D. Resiliency assessment will include Identifying the site's vulnerability to present extreme weather events using previously generated and publicly available data. Critical facilities/systems within the site will be identified as well as their critical flood elevation thresholds. The results will provide an understanding of the scope and scale of physical vulnerabilities to climate change impacts to inform short term solutions and future capital improvement decisions.
- E. The condition assessment evaluation and report will use information provided in CITY-supplied documents (Task 1.01A) received no later than 60 days from Notice to Proceed.
- F. Animal enclosures at the Everglades Wonder Gardens are for housing animals not humans therefore evaluation will not include building code compliancy checks. Condition assessment evaluation, which may be

limited due to restricted accessibility, will be performed with the intent to evaluate the general condition of components to identify maintenance needs and potential public safety concerns.

G. Underground utility evaluation will be based on available record drawings obtained from Bonita Springs Utilities. Field investigations will not be performed for underground utilities as part of the scope but may be provided as an additional service.

H. The following items are specifically excluded from the scope of work:

- Detailed land surveys requiring a professional Surveyor and Mapper
- Design services associated with recommended repairs
- Geotechnical services
- Video inspection of gravity sewer pipes, storm drains, building plumbing pipes, etc.
- Land Development Code Compliance
- Building code compliancy of animal enclosures – see bullet F above
- Detailed 3rd party cost estimating will not be provided

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REQUESTED MOTION: Provide direction to staff on establishing pickleball court site regulations for the City of Bonita Springs.

REQUESTOR: John Dulmer & Mike Fiigon, Community Development

AGENDA: City Manager's Items

STRATEGIC PRIORITY: N/A

BACKGROUND: Over the past four years, the City has dealt with numerous requests for pickleball courts located near or within residential communities. While pickleball is not specifically classified in the Land Development Code (LDC), the LDC provides staff with the ability to classify the use as the nearest comparable use that does exist and then regulate accordingly. Currently, pickleball courts are evaluated by staff as the same classification as tennis courts for zoning purposes, and staff relies on the City of Bonita Springs Noise Control Ordinance to request the installation of soundproofing material on the fence lines of the courts in order to alleviate noise impacts associated with pickleball to surrounding areas.

On April 6, 2022, Council directed staff to prepare recommendations for potential development standards for pickleball courts. Pursuant to Council's direction, staff has researched pickleball regulations from other jurisdictions for Council's consideration. The Village of Estero has regulations that require a public hearing for the establishment of pickleball facilities. The City of Naples, Collier County, Lee County, Cape Coral, and City of Fort Myers do not have specific regulations for pickleball.

The attached draft regulations are based on what staff has done with past pickleball projects in Bonita Springs, which has provided safeguards to surrounding land uses while still allowing pickleball play to occur in any zoning district that allows Recreational Facilities Group III (outdoor) or Recreational Facilities Group IV (indoor) by right.

STAFF RECOMMENDATION: Council's pleasure.

ATTACHMENTS:

1. Draft Regulations
2. Estero Regulations--Pickleball

REVIEWERS:

City Manager: Arleen Hunter
City Attorney: Derek Rooney
City Clerk: Debra Filipek
Department Director: John Dulmer

Council Action: Approved ___ Denied ___ Deferred ___ Other_____

CITY OF BONITA SPRINGS
[DRAFT] PICKLEBALL REGULATIONS

Definitions: *Pickleball Facilities* means a facility designed with courts specifically for the recreational use of pickleball.

Pickleball means an indoor or outdoor recreational activity game that is played on a level court with short-handled paddles and a perforated plastic ball volleyed over a low net by two players or pairs of players.

Applicability: This section is applicable to outdoor pickleball courts and pickleball facilities within the City of Bonita Springs. Pickleball shall be permitted in all zoning districts which allow Recreational Facilities Group III (outdoor) or Group IV (indoor) by right.

Purpose: The purpose of these regulations is to provide standards for pickleball courts and facilities and to protect surrounding properties and land uses from adverse impacts created by the noise associated with pickleball

Permitting: The creation of new pickleball courts or facilities, or the renovation of existing recreational courts or facilities to establish a pickleball use shall obtain local development order approval and building permits [as necessary] from the City of Bonita Springs prior to the commencement of pickleball activities.

Fencing: Outdoor pickleball courts shall be fenced on all sides with a height no less than eight (8) feet.

Sound Absorbing Material: Sound absorbing material is required on all sides of the perimeter pickleball court fence and shall be provided at a height that is the same as the fence. The type of sound absorbing material, the sound absorbing specifications, and the method by which the material will be attached to the fence shall be provided to the City for review as part of the permitting process for the pickleball courts/facilities. Staff reserves the right to ask for additional information related to the sound absorbing material.

Hours of Operation: No pickleball activities shall take place before 7:00am or after dusk.

Parking: *Outdoor Facilities* Parking for outdoor pickleball facilities shall be the same as tennis courts, with a minimum requirement of two spaces per court, plus one space for every three spectator seats.

Indoor Facilities Parking for indoor pickleball facilities shall be the rate provided in Section 4-1732 for Recreational facilities, indoor.

Required Monitoring Period: Pickleball activities shall be monitored for a period of not less than twelve (12) months. The monitoring shall include documentation of any complaints or grievances that are the result of noise associated with pickleball activities. The monitoring reports shall be provided to the City every three (3) months during the 12-month monitoring period.

Estero Regulations for Pickleball Facilities

Pickleball Facilities.

1. Outdoor lighting and noise levels for pickleball facilities shall not create adverse impacts on surrounding land uses. To address these concerns, the conditions of approval may require noise attenuation measures, landscape buffers, and other mitigation measures deemed necessary to limit adverse impacts on nearby residences.
2. Pickleball facilities shall only be allowed in conventional districts by special exception, or in planned development by amendment.
3. No pickleball facility shall be allowed without a public hearing at the PZDB.
4. All requirements for pickleball facilities shall be at least as stringent as the accessory use standards for swimming pools, tennis courts, porches, decks, and similar recreational facilities.



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

CITY COUNCIL MEETING MINUTES

May 18, 2022
9:00 a.m.

1. Call to Order

Mayor Rick Steinmeyer called the meeting to order at 9:00 A.M.

2. Invocation

Pastor Russ Winn, with the Springs Outdoor Church, furnished the invocation.

3. Pledge of Allegiance

Mayor Steinmeyer led in the Pledge of Allegiance.

4. Roll Call

Mayor Steinmeyer and all Council Members were in attendance.

5. Approval of Agenda

6. Mayor's Welcome

7. Public Comment on Agenda Items: None

8. Proclamations and Presentations:

- A. Presentation of Proclamation to Sheriff Carmine Marceno and members of the Lee County Sheriff's Office Community Policing Unit to recognize the week of May 11-17, 2022, as National Police Week in the City of Bonita Springs. (Council Member Purdon)

Council Member Jesse Purdon read aloud the Proclamation recognizing the week of May 11-17, 2022 as National Police Week in the City of Bonita Springs. Captain Blake Lee and several Sheriff Deputies, were in attendance to accept the Proclamation and to thank the Mayor and City Council.

- B. Presentation on Emergency Preparedness, introduction of partner agencies, and annual distribution of the City's adopted Emergency Operations Plan (EOP). (Green Sheet No. 22-05-079)

Tony Backhurst, Director of Neighborhood Services, provided a PowerPoint presentation (copy in Clerk's file) on emergency management and hurricane preparedness. Staff members were present from Lee County EOC, the Sheriff's Office, the Fire District and Bonita Springs Utilities to update Council on their Emergency Preparedness plans.

9. Consent Agenda:

Council Member Laura Carr motioned approval of the Consent Agenda; Council Member Mike Gibson seconded; and the motion carried unanimously.

- A. Adopt resolution approving the recommendation from the Art in Public Places Board for tenancy of Artist Cottage #2 and authorize City Manager to execute a lease for the use of Artist Cottage #2 for a term of one year. (Green Sheet No. 22-05-075) **ADOPTED RESOLUTION NO. 22-38**
- B. Authorize Resolution to approve the Selection Committee's recommendation to engage McMahon Associates, Incorporated for the City's West Terry Street South Sidewalk Design Project RFQ 22-04. (Green Sheet No. 22-05-077) **ADOPTED RESOLUTION NO. 22-39**
- C. Recommendation to continue an Urban County Cooperation Agreement and authorize the Mayor to execute a Joint Resolution with Lee County for U.S. Housing and Urban Development (HUD) Community Development Block Grant (CDBG) entitlement funds for FY 2023, 2024 and 2025 (Green Sheet No. 22-05-078)
- D. Approve resolution accepting Howard Lowe's resignation from the Historic Preservation Board. (Green Sheet No. 22-05-082) **ADOPTED RESOLUTION NO. 22-40**

10. Mayor and Council Member Items:

- A. Discussion of proposed lighting and landscaping enhancements for the Banyan tree across from Riverside Park. (Corrie; Green Sheet No. 22-05-081)

Council Member Chris Corrie introduced the item stating that he was contacted by Derrick Botana, President of the Bonita Springs Historical Society, to request an opportunity to address Council regarding the Banyan tree across from Riverside Park.

Mr. Botana addressed his request via a pdf photo (copy in Clerk's file) and a proposal he has for lighting and landscaping enhancements for the Banyan tree. Discussion ensued.

Mayor Steinmeyer suggested Staff come back with a future agenda item regarding any plans the City may have for the site.

City Manager Hunter advised that CH2M previously adopted the tree as a community service project which involved a lengthy discussion about a vision for the site and landscaping under the tree. Community Development Director John Dulmer further addressed provided background of the provided by CH2M.

Council Member Gibson motioned to allow the Historical Society to go forward with planning for lighting of the tree in a way that does not impact the root system; Council Member Corrie seconded.

The motion passed 4-3 (Mayor Steinmeyer, Council Member Carr and Council Member Quaremba opposed)

Further discussion ensued regarding plans for the entire site. City Manager Hunter advised that the sheriff's substation will be evaluated as part of the City-wide assessment of facilities. After that assessment, Council will have more information to consider with regard to future plans for the site. City Manager Hunter also advised that the City does have a line item in the budget for urban design and a contract with DPZ should Council wish to have them review and update previous plans.

Council Member Quaremba motioned to have the City Manager initiate the DPZ review; Council Member Gibson seconded; and the motion carried unanimously.

In response to Mayor Steinmeyer, City Attorney Rooney clarified that the first motion authorized Mr. Botana and the Historical Society to move forward with plans for lighting and landscaping enhancements, and the second motion authorized staff to engage a consultant to do a parallel CIP analysis. He further explained that an agreement would need to be in place before any installation of lighting.

- B. Adopt a resolution changing the composition of the Veterans Advisory Committee. (Quaremba; Green Sheet No. 22-05-074)

City Manager Hunter explained this amendment would afford the Committee more flexibility for greater recruitment to the Board.

Council Member Quaremba explained this was proposed at the last couple committee meetings. The important thing is that if someone from one of the categories doesn't submit an application, and there is a vacancy on the committee, the applicant can be placed in the at large membership.

Council Member Gibson motioned to approve; Council Member Carr seconded; and the motion carried unanimously. **ADOPTED RESOLUTION NO. 22-41**

11. City Attorney's Items:

City Attorney Rooney next provided an update on the State and National Opioid settlement participation agreements presented to Council in December. Lee County has been deemed a qualified county, and as such, the County is reaching out for any potential local partnering agencies that provide opioid services. Secondly, the Attorney General has indicated there may be more settlements coming, and therefore, staff is asking for authorization from Council to sign off on the City's willingness to participate in those additional settlements.

Council Member Purdon suggested that staff reach out to the Lee County Coalition for a Drug-Free Southwest Florida to inquire about partnering agencies.

12. City Manager's Items:

- A. Appoint a City Council Member as the voting delegate to represent the City of Bonita Springs at the Florida League of Cities Conference scheduled for August 11-13, 2022 at the Diplomat Beach Resort in Hollywood, Florida. (Green Sheet No. 22-05-080)

City Manager Hunter provided a brief overview. Council Member Purdon motion to appoint Council Member Gibson as the City's voting delegate; Council Member Carr seconded; and the motion carried unanimously.

- B. Presentation and review of the March Financial Report and Proposed 2022-2023 Budget Meeting Dates. (Green Sheet No. 22-05-076)

Finance Director Lisa Roberson provided a PowerPoint presentation (Copy in Clerk's file) on the March Financial Report. Budget meeting and hearing dates were also presented.

ADDITIONAL ITEM:

City Manager Hunter next reported that the City received communication from the office of Congressman Byron Donalds office that the Congressman has submitted the City of Bonita Springs for a funding request of \$5 million to purchase properties for stormwater mitigation.

13. Mayor and Council Member Reports

Council Member Forbes addressed COVID-19, reporting that the hospitals are not full.

Council Member Carr reported on the Rooftop at Riverside groundbreaking that she attended.

Council Member Purdon echoed comments of Council Member Carr regarding the Rooftop groundbreaking event. He also thanked Governor DeSantis for making the appropriate changes to law enforcement retirement programs.

Council Member Corrie reported on work that TAB was doing to increase the number of charging stations in the City. He also addressed an article in the Naples Daily News regarding an agreement between President Biden and 30 internet carriers.

Council Member Gibson reported on the TDC meeting he attended whereby they formalized beach and shoreline grants for this cycle. A legislative finding was done stating that it could be used for ADA-compliant kayak launches. He referred to the Oak Creek kayak launch and suggested trying to get in the next cycle.

Mayor Steinmeyer reported on the Squaw Creek issue at the south end of Big Hickory Island where the new property owner is trespassing kayakers. He also informed Council that a representative from Comcast is available to come and make a presentation on the new federal proposal. City Manager Hunter stated that staff and Council Member Corrie have been in contact with a local representative who has been providing information to the Technology Advisory Committee (TAB). Additionally, the FWC is addressing the concern regarding the kayak launch in coordination with the Sheriff's Office to address the dispute.

14. Approval of the Minutes:

A. May 4th City Council Workshop Minutes

Council Member Purdon motioned approval of the Minutes; Council Member Gibson seconded; and the motion carried unanimously.

B. May 4th City Council Meeting Minutes

Council Member Quaremba motioned approval of the Minutes; Council Member Gibson seconded; and the motion carried unanimously.

15. Public Comment

Ron George commented on the Rooftop at Riverside groundbreaking event.

Barbara Ryan was in attendance to request Council to ask Barron Collier to hold one more public meeting on the Imperial Crossing project to inform residents of final plans.

16. Adjournment

There being no further items to discuss, the meeting adjourned at 11:15 A.M.

Respectfully submitted,

Debra Filipek, City Clerk

APPROVED:
CITY COUNCIL

Date: _____

AUTHENTICATED:

Mayor Rick Steinmeyer