

NOTICE OF PUBLIC MEETING
CITY COUNCIL
CITY OF BONITA SPRINGS
OFFICIAL AGENDA
WEDNESDAY, FEBRUARY 5, 2020
5:30 P.M.
CITY HALL
9101 BONITA BEACH ROAD
BONITA SPRINGS, FLORIDA 34135

- I. CALL TO ORDER
- II. INVOCATION
- III. PLEDGE OF ALLEGIANCE
- IV. ROLL CALL
- V. PUBLIC COMMENT ON AGENDA ITEMS
- VI. CONSENT AGENDA: (NOTE: ITEMS ON THE CONSENT AGENDA WILL BE CONSIDERED AS ONE UNLESS A SPECIFIC ITEM IS REMOVED BY A COUNCIL MEMBER FOR SEPARATE DISCUSSION.)
 - A. ADOPT A RESOLUTION APPOINTING TWO MEMBERS TO THE CITY OF BONITA SPRINGS LOCAL PLANNING AGENCY. (MAYOR SIMMONS; GREENSHEET NO. 20-02-017)
 - B. ADOPT A RESOLUTION OF THE CITY OF BONITA SPRINGS, FLORIDA TO AUTHORIZE THE SUBMITTAL OF THE WEST COAST INLAND NAVIGATION DISTRICT (WCIND) GRANT APPLICATION FOR FUNDS TO PROMOTE SAFE NAVIGATION AND WATER BASED ACTIVITIES. (GREENSHEET NO. 20-02-019)
 - C. APPROVE BUDGET RESOLUTION TO ESTABLISH BUDGETS FOR HURRICANE IRMA FUNDING. (GREENSHEET NO. 20-02-018)
 - D. REVIEW OF DECEMBER 2019 MONTHLY FINANCIAL REPORTS. (GREENSHEET NO. 20-01-020)
 - E. REVIEW OF DECEMBER 2019 CAPITAL IMPROVEMENT PROJECTS MONTHLY REPORT. (GREENSHEET NO. 20-02-22)
 - F. REQUEST APPROVAL TO REDIRECT THE 2019 FILM FESTIVAL SURPLUS FUNDS TO THE NEWLY CREATED 501-C3 NON-PROFIT ORGANIZATION FOR THE FILM FESTIVAL. (GREENSHEET NO. 20-02-27)
 - G. APPROVE THE RENEWAL OF THE PARTICIPATION AGREEMENT BETWEEN THE CITY OF BONITA SPRINGS AND BONITA SPRINGS COMMUNITY LIONS CLUB FOR SERVICE PROJECTS AT BONITA NATURE PLACE. (GREENSHEET NO. 20-02-028)
- OPPORTUNITY FOR CITY COUNCIL COMMENTS ON CONSENT AGENDA ITEMS

VII. PROCLAMATIONS AND PRESENTATIONS:

- A. PRESENTATION OF CERTIFICATES TO THE WINNERS OF THE LEE COUNTY SHERIFF'S OFFICE 2019 ESSAY CONTEST.

VIII. MAYOR AND COUNCIL MEMBER ITEMS:

- A. DISCUSS THE POSSIBILITY OF ALLOWING ADVERTISING ON THE FENCING AT THE MARNI FIELDS AND SOCCER COMPLEX AND ALLOWING A PORTION OF THE PROCEEDS TO BENEFIT THE SOCCER LEAGUE. (GREENSHEET NO. 20-02-025)

IX. COMMENCE THE TRANSMITTAL PROCESS FOR THE FOLLOWING COMPREHENSIVE PLAN AMENDMENTS:

- A. AN ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA, PROVIDING FOR ADOPTION OF A COMPREHENSIVE PLAN AMENDMENT RELATING TO THE WATER SUPPLY PLAN OF THE INFRASTRUCTURE AND CAPITAL IMPROVEMENT ELEMENTS; PROVIDING FOR INTENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (GREENSHEET NO. 20-02-024)
- B. AN ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA, PROVIDING FOR ADOPTION OF A COMPREHENSIVE PLAN AMENDMENT TO THE FUTURE LAND USE ELEMENT, ESTABLISHING THE CONSERVATION FRINGE LAND USE CATEGORY AND TO AMEND THE FUTURE LAND USE MAP FROM LEE COUNTY DENSITY REDUCTION GROUNDWATER RESOURCE (DRGR) AND WETLANDS AND CITY OF BONITA SPRINGS DENSITY REDUCTION GROUNDWATER RESOURCE (DRGR) TO CONSERVATION FRINGE; PROVIDING FOR INTENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (GREENSHEET NO. 20-02-026)

X. PUBLIC COMMENT:

XI. CITY ATTORNEY'S ITEMS:

- A. APPROVE THE DONATION OF LAND AND AUTHORIZE MAYOR TO EXECUTE NECESSARY DOCUMENTS. (GREENSHEET NO. 20-02-029)

XII. CITY MANAGER'S ITEMS:

- A. APPROVE PROPOSED USE OF FEMA EXCESS DIRECT ADMINISTRATIVE COST FUNDING TO PURCHASE MOBILE HYDRAULIC PUMPS, OR ALTERNATIVELY, TO REPAIR CITY HALL'S GENERATOR. (GREENSHEET NO. 20-02-030)
- B. UPDATE ON THE CITY'S REGULATIONS OF MOBILE FOOD VENDORS. (GREENSHEET NO. 20-02-031)

XIII. MAYOR AND COUNCIL MEMBER REPORTS:

XIV. APPROVAL OF MINUTES: 01/15/20

XV. PUBLIC COMMENT:

XVI. ADJOURNMENT.

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

NOTE: THIS MEETING IS TELEVISED ON COMCAST, CHANNEL 98. AGENDAS ARE AVAILABLE FOR VIEW, AND THE MEETING CAN BE VIEWED AT WWW.CITYOFBONITASPRINGS.ORG

NEXT MEETING: 02/19/20

AGENDA ITEM SUMMARY

REQUESTED MOTION: Adopt a Resolution appointing two members to the City of Bonita Springs Local Planning Agency.

MEETING DATE: February 5, 2020

AGENDA:		REQUIREMENT/PURPOSE: (Specify)	REQUESTOR OF INFORMATION:
	PRESENTATIONS	STATUTE	Mayor Peter Simmons
X	CONSENT	ORDINANCE	
	PUBLIC HEARING	ADMIN. CODE	
	MAYOR AND COUNCIL MEMBER ITEMS	OTHER	
	MAYOR AND COUNCIL MEMBER'S REPORTS		
	CITY ATTORNEY ITEMS		
	CITY MANAGER ITEMS		

BACKGROUND: Land Development Code §4-85 states: "The planning commission (Local Planning Agency) shall be comprised of seven members, who shall be legal residents of the city, appointed by the Mayor, with the advice and consent of the City Council. Each Council Member is entitled to make a recommendation to the Council of at least one planning commissioner."

Meg Jacobson and Carolyn Gallagher have both resigned from the Board, with terms that were set to expire December 31, 2019, leaving two vacancies. Attached are applications from Robert Bornstein (District 6) and from Anthony Rascio (District 4), both of whom are interested in serving. Appointment of both would result in a full Board of seven members.

The current Board consists of the following members:

Don Colapietro (District 1)

Rex Sims (District 3)

Sam Vincent (District 2)

Jeff Maturo (District 6)

Linda Schwartz (District 4)

Attachments: Draft Resolution
Application from Robert Bornstein (District 6)
Application from Anthony Rascio (District 4)

IS THIS RELATED TO A STRATEGIC PLAN OBJECTIVE? ☐ YES ☒ NO
IF YES, WHICH STRATEGIC OBJECTIVE?

STAFF RECOMMENDATIONS: Adopt Resolution appointing Members to the Local Planning Agency.

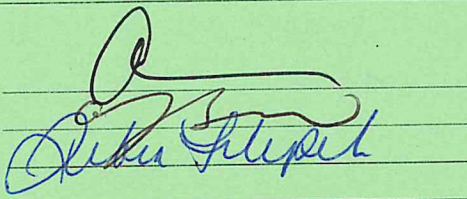
REVIEWED BY:

City Manager:

City Attorney:

City Clerk:

Department Director:

**COUNCIL ACTION:**

☐ **APPROVED**
☐ **DENIED**
☐ **DEFERRED**
☐ **OTHER**

CITY OF BONITA SPRINGS, FLORIDA

RESOLUTION NO. 20 -

A RESOLUTION APPOINTING TWO MEMBERS TO THE CITY OF BONITA SPRINGS LOCAL PLANNING AGENCY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Land Development Code §4-85 states that the Planning Commission (LPA) shall be comprised of seven members, who shall be legal residents of the City, appointed by the Mayor, with the advice and consent of the City Council. Each Council Member is entitled to make a recommendation to the Council of at least one planning commissioner; and

WHEREAS, the Board Members Carolyn Gallagher and Meg Jacobson have both submitted their resignation, with terms that expired December 31, 2019.

WHEREAS, Robert Bornstein (District 6) and Anthony Rascio have both expressed a desire to be appointed to the Board.

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

Section 1. The following persons are hereby appointed to the City of Bonita Springs Local Planning Agency: _____, and _____. Said terms shall commence February 2020 and will expire on December 31, 2022.

Section 2. 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 5th day of February, 2020.

AUTHENTICATION:

Mayor

City Clerk

APPROVED AS TO FORM: _____
City Attorney

Vote:

Quaremba
Forbes
Gibson

Simmons
Carr

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 # 6

DATE: January 15, 2020

PLEASE COMPLETE ALL SECTIONS		
NAME: <u>Bornstein</u>	Robert	J.
Last	First	Middle Initial
RESIDENCE ADDRESS:		
<u>116323 Vivara Place</u>	<u>Bonita Springs, FL</u>	<u>34135</u>
Street	City	Zip Code
BUSINESS ADDRESS: <u>N/A</u>		
Street	City	Zip Code
MAILING ADDRESS: <u>SAME AS RESIDENCE ADDRESS</u>		
Street	City	Zip Code
PHONE NO. <u>(239) 390-8004</u>	CELL PHONE # <u>(407) 688-4631</u>	
Home	Business	
E-MAIL ADDRESS: <u>bornsteinrobert25@gmail.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:

Outreach Advisory Committee / Local Planning Agency
NAME OF ADVISORY COMMITTEES
Reappointment to Street Light Advisory Committee
OCCUPATION: Retired Hospital P.E.O.

CIVIC/PROFESSIONAL ACCOMPLISHMENTS/OFFICES HELD:

See Previously Submitted Resume'

Do you reside in Bonita Springs?

☒ Yes
☐ No

Address: SAME AS ABOVE

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

My qualifications to be eligible are as follows:

See previously submitted resume - presently a
member of Street Light Advisory Committee - In the
past I have been a member & board chair of
multiple governmental and not-for-profit committees

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:

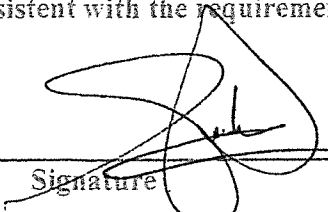
NONE

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

See previously submitted resume - presently
member of Street Light Advisory Committee.

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

1/15/20
Date

PLEASE RETURN THIS COMPLETED FORM TO: CITY OF BONITA SPRINGS
ADVISORY COMMITTEES
9101 BONITA BEACH ROAD
BONITA SPRINGS, FL 34135

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 # 4

DATE: JAN 7, 2020

PLEASE COMPLETE ALL SECTIONS		
NAME:	<u>RASCIO</u>	<u>ANTHONY</u>
	Last	First
		Middle Initial
RESIDENCE ADDRESS:		
<u>4851 BONITA BAY BLVD</u>	<u>UNIT 802</u>	<u>BONITA SPRINGS</u>
	City	Zip Code
BUSINESS ADDRESS:		
<u>N/A</u>		
Street	City	Zip Code
MAILING ADDRESS:		
<u>SAME AS RESIDENCE ADDRESS</u>		
Street	City	Zip Code
PHONE NO.	<u>239 221 8105</u>	CELL PHONE # <u>732 859 5473</u>
	Home	Business
E-MAIL ADDRESS: <u>RASCIO802@gmail.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:

LOCAL PLANNING AGENCY OR ZONING BOARD OF APPEALS

NAME OF ADVISORY COMMITTEES

OCCUPATION: RETIRED ATTORNEY

CIVIC/PROFESSIONAL ACCOMPLISHMENTS/OFFICES HELD:

ADMINISTRATIVE LAW JUDGE; PUBLIC AND PRIVATE
COMPANY DIRECTOR

Do you reside in Bonita Springs?

☒ Yes
☐ No

Address: 4851 BONITA BAY BLVD; UNIT
802

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

My qualifications to be eligible are as follows:

PLEASE SEE ATTACHED BIOGRAPHICAL SKETCH
DESIRE TO CONTRIBUTE TO THE GROWTH AND
PROSPERITY OF BONITA SPRINGS

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

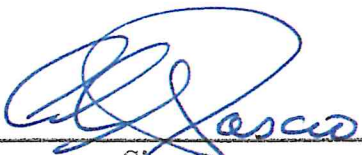
If you have previously served on a City of Bonita Springs Advisory Committee or are currently serving and seeking reappointment, please indicate the number and general nature of any voting conflict disclosure memorandum filed (Form 8B) while serving on the committee:

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.


Signature

JAN 7, 2020
Date

PLEASE RETURN THIS COMPLETED FORM TO: CITY OF BONITA SPRINGS
ADVISORY COMMITTEES
9101 BONITA BEACH ROAD
BONITA SPRINGS, FL 34135

Anthony A. (Tony) Rascio, is a retired Attorney with over forty years in the practice of law, mainly in the pharmaceutical industry. Tony resides in Bonita Bay and has been a year long resident of Bonita Springs since 2017.

Tony served as International Legal counsel for Schering Plough Corporation and as general legal counsel for a series of start-up companies in the pharma industry which he helped to build and sell to major pharma companies. He has handled all legal aspects of the planning and construction of pharmaceutical manufacturing plants in international markets, including environmental matters, local and national regulations as well as sensitive cultural issues in foreign jurisdictions concerning the location and size of such plants.

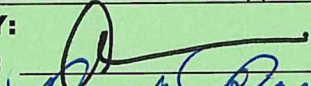
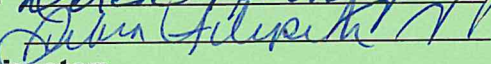
On several occasions, Tony has represented his corporate employers before local zoning boards, both as an advocate for the proposal before the board and as an opponent of the proposal.

Tony has served as an executive and as a non executive director of both private and public companies.

Tony also served as an administrative law judge for the New York City Department of Finance. He has gained valuable experience in applying appropriate laws and regulations while acting in his capacity as a judge.

Among Tony's strengths are analytical and problem solving skills.

Tony has earned B.A. and a JD degrees from Fordham University in New York City.

BONITA SPRINGS CITY COUNCIL		GREEN SHEET:	20-02-019
AGENDA ITEM SUMMARY			
REQUESTED MOTION: Adopt a Resolution of the City of Bonita Springs, Florida to authorize the submittal of the West Coast Inland Navigation District (WCIND) grant application for funds to promote safe navigation and water based activities; and providing an effective date.			
MEETING DATE: February 5, 2020			
AGENDA:	REQUIREMENT/PURPOSE: (Specify)	REQUESTOR OF INFORMATION:	
☐ PRESENTATIONS	☐ STATUTE	Arleen M. Hunter City Manager	
☒ CONSENT	☐ ORDINANCE		
☐ PUBLIC HEARING	☐ ADMIN. CODE		
☐ APPEALS	☐ OTHER RESOLUTION		
☐ MAYOR AND COUNCIL MEMBER'S REPORTS			
☐ CITY ATTORNEY			
☐ CITY MANAGER			
BACKGROUND:			
The West Coast Inland Navigation District (WCIND) is a multi-county special taxing district pursuant to Rule 66A-2.007, F.A.C., Funding Conditions. Lee County Natural Resources Division administers the WCIND grant fund for waterway projects that promote safe navigation and water-based activities. The WCIND (West Coast Inland Navigation District) Waterway Development Program Proposal Form for Sub-grantees is a Lee County waterway grant program provided through the Lee County Natural Resources Division, with applications solicited almost one year in advance of funding. Eligible projects must relate directly to navigation in Lee County and must address one of the following categories: Navigation Improvements, Boating Safety, Environmental Education, Nautical Recreation, or Law Enforcement. The WCIND grant program has encouraged that the City provide a match amount equal to the amount requested. The City was awarded and is currently administrating a grant of \$40,000.00 in Fiscal Year 2018-2019 from WCIND. Additionally, the City budget provides a match in the amount of \$40,000.00 in Fiscal Year 2018-2019. (Fund Grants 13.708.3372000) Staff requests approval of the application to WCIND with a total project cost of approximately \$80,000.00 for continued Marine Law Enforcement on Lee County waterways of the Imperial River and beach areas. The City will provide a match amount of \$40,000 with the caveat that the match funds will be available in the Fiscal Year 2020-2021 budget; if not included in the budget, the WCIND application will be withdrawn. Attachments: Resolution and Application			
IS THIS RELATED TO A STRATEGIC PLAN OBJECTIVE? ☒ YES ☐ NO IF YES, WHICH STRATEGIC OBJECTIVE? #3 Strengthen City Finances			
STAFF RECOMMENDATION: Approve Resolution authorizing the submittal of a grant application to the Lee County Natural Resources Division for WCIND funds for Marine Law Enforcement on Lee County waterways of the Imperial River and beach areas and approve the submittal of the grant application.			
REVIEWED BY: City Manager:  City Attorney:  City Clerk:  Department Director: _____			
COUNCIL ACTION: ☐ APPROVED ☐ DENIED ☐ DEFERRED ☐ OTHER			

CITY OF BONITA SPRINGS, FLORIDA

RESOLUTION NO. 20 -

A RESOLUTION OF THE CITY OF BONITA SPRINGS, FLORIDA; SUPPORTING THE SUBMITTAL OF A LEE COUNTY NATURAL RESOURCES DIVISION/WCIND (WEST COAST INLAND NAVIGATION DISTRICT) WATERWAY DEVELOPMENT PROGRAM PROPOSAL FORM FOR SUB-GRANTEES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the West Coast Inland Navigation District (WCIND) is a multi-county special taxing district. Lee County Natural Resources Division administers the WCIND grant fund for waterway projects that promote safe navigation and water-based activities; and

WHEREAS, the WCIND (West Coast Inland Navigation District) Waterway Development Program Proposal Form for Sub-grantees is a Lee County waterway grant program provided through the Lee County Natural Resources Division, with applications solicited almost one year in advance of funding; and

WHEREAS, the deadline for submission of grant applications is April 10, 2020; and

WHEREAS, eligible projects must relate directly to navigation in Lee County and must address one of the following categories: Navigation Improvements, Boating Safety, Environmental Education, Nautical Recreation, or Law Enforcement; and

WHEREAS, the WCIND grant program encouraged that the City provide a match amount equal to the amount requested; and

WHEREAS, staff requests approval of the application to WCIND with a total project cost of approximately \$80,000.00 for continued Marine Law Enforcement on Lee County waterways of the Imperial River and beach areas; and

WHEREAS, the City will provide a match amount of \$40,000.00 with the caveat that the match funds will be available in the FY 2020-2021 budget; if not included in the budget, the WCIND application will be withdrawn;

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

Section 1. The City Manager is hereby authorized to submit a grant application to the Lee County Natural Resources Division/WCIND (West Coast Inland Navigation District) Waterway Development Program for Sub-grantees in the amount of \$40,000.00 for continued Marine Law Enforcement on Lee County waterways.

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 5th day of February, 2020.

AUTHENTICATION:

Mayor City Clerk

APPROVED AS TO FORM: _____
City Attorney

Vote:

Carr	Quaremba
Forbes	Simmons
Gibson	

Date filed with City Clerk: _____

Lee County Natural Resources Division / WCIND Waterway Development Program
Proposal Form for Sub-grantees

1. Applicant: _____ Date: _____
Project Manager: _____ E-mail: _____
Phone: _____ Fax: _____
FEID#: _____
Address: _____

2. Project Title: _____

3. Category: Navigation Improvement _____ Environmental Education _____
(check one) Boating Safety _____ Recreation _____ Law Enforcement _____

4. Description & Public Benefits (attach sheets if necessary): _____

5. Permits Required and Status: _____

6. Estimated Start Date: _____ Estimated Completion Date: _____
(May not be prior to October 1)

7. Estimated Total Project Cost: _____ Grant Funds Requested: _____
Identify Matching Funds, if Applicable: _____

Complete Estimated Budget Summary on Reverse Side or Separate Attachment.

8. I hereby certify that the information provided herein is true and accurate.

Signature: _____ Date: _____
Printed: _____ Title: _____

BUDGET ESTIMATE DETAIL	Grant Funds	Matching Funds ¹	Total
Construction Expenses			
(specify)			
Contractual Services			
(specify)			
Materials			
(specify)			
Equipment			
(specify)			
Salaries ²			
Other			
(specify)			
GRAND TOTAL	\$	\$	\$

¹ Matching funds are **required** only for Boating Safety and Recreation projects, but are encouraged for all projects.

² Salaries are **only** eligible as a grant expense for Law Enforcement projects.

BONITA SPRINGS CITY COUNCIL		GREEN SHEET:	20-02-018
AGENDA ITEM SUMMARY			
REQUESTED MOTION: Approve Budget Resolution to establish budgets for Hurricane Irma funding.			
MEETING DATE: February 5, 2020			
AGENDA:		REQUIREMENT/PURPOSE: (Specify)	REQUESTOR OF INFORMATION:
	PRESENTATIONS	X STATUTE §166.241	Anne K. Wright, CPA, CGFO <i>Finance Director</i>
X	CONSENT	X ORDINANCE CITY CHARTER SECTION 46	
	PUBLIC HEARING	ADMIN. CODE	
	APPEALS	OTHER	
	MAYOR AND COUNCIL MEMBER'S REPORTS		
	CITY ATTORNEY		
	CITY MANAGER		
	BUDGET AGENDA		
BACKGROUND: In August 2019, Governor DeSantis sent the attached correspondence to President Trump requesting that the FEMA participation for Hurricane Irma be increased to 90%. This request was approved and the State of Florida Emergency Management Division has now provided adjusted amounts for this increased funding. Attached is a Budget Resolution to establish an FY 2020 budget for this additional revenue of \$69,143 received from FEMA and the State on December 23 and 26, 2019 and on January 22, 2020. These are the final amounts due to the City of Bonita Springs for the reimbursement of the hurricane costs, other than the reimbursement for Direct Administrative Costs (DAC). The City has received a total of \$7,762,419.59 from FEMA and the State of Florida under the Public Assistance Grant. Attachments: Budget Amendment Resolution Correspondence from Governor DeSantis requesting FEMA funding for Hurricane Irma to be increased to 90% Is this a Strategic Decision? ☒ YES ☐ No If YES, related to which Strategic Objective? #7 Government Transparency			
STAFF RECOMMENDATIONS: Approve Budget Resolution			
REVIEWED BY:			
City Manager: _____ City Attorney: _____ City Clerk: _____ Department Director: <i>Anne K. Wright</i>			
COUNCIL ACTION:			
☐ APPROVED ☐ DENIED ☐ DEFERRED ☐ OTHER			

**CITY OF BONITA SPRINGS, FLORIDA
RESOLUTION NO. 20 – ____**

**A RESOLUTION OF THE CITY OF BONITA SPRINGS, FLORIDA; APPROVING
FISCAL YEAR 2020 BUDGET AMENDMENT TO ADJUST THE BUDGET FOR
HURRICANE IRMA FUNDING RECEIVED FROM FEMA; AND PROVIDING FOR AN
EFFECTIVE DATE.**

WHEREAS, on September 19, 2019, the City of Bonita Springs adopted the budget for the fiscal year ending September 30, 2020; and

WHEREAS, Section 46(a) of the City Charter provides that revenues in excess of those budgeted are available for appropriation and City Council may make supplemental appropriations for the year in an amount not to exceed such excess revenues or carry over excess revenues into the next fiscal year; and

WHEREAS, the City has been notified of a reallocation of the funding sources for prior payments and notified of additional payments expected to be received for reimbursement of Hurricane Irma expenditures.

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

1.The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon its adoption.

2.The Bonita Springs' City Council authorizes the following budget amendment to increase budgeted amounts for the indicated funds and accounts:

	Budget Increase
GRANTS FUND:	
FEMA Grant Revenue	\$ 69,127
State Grant Revenue	16
Transfer out to General Fund (Federal)	69,127
Transfer out to General Fund (State)	16
GENERAL FUND:	
Transfer in from Grants Fund	69,143

3. This Resolution shall become effective upon adoption by the Bonita Springs City Council.

DULY PASSED AND ENACTED by the City Council of the City of Bonita Springs, Lee County, Florida, this 5th day of February, 2020.

AUTHENTICATION:

Mayor City Clerk

APPROVED AS TO FORM: _____
City Attorney

Vote:

Carr _____	Quaremba _____
Forbes _____	Simmons _____
Gibson _____	

Date filed with City Clerk: _____



RON DESANTIS
GOVERNOR

August 19, 2019

The Honorable Donald J. Trump
President of the United States
The White House
1600 Pennsylvania Avenue NW
Washington, D.C. 20500

Through: Gracia B. Szczech, Regional Administrator
FEMA Region IV
3003 Chamblee-Tucker Road
Atlanta, GA 30341

Re: Request for Increased Federal Cost Share for
Hurricane Irma

Dear Mr. President:

This letter serves as my administration's formal request for you to increase the federal cost share for Hurricane Irma eligible costs for emergency and permanent work under the Public Assistance Program from 75% to 90%.

On September 10, 2017, Hurricane Irma made landfall in Cudjoe Key as a Category 4 hurricane. Irma then made a second landfall on Marco Island with sustained winds near 120 miles per hour. At the time, it was the strongest tropical system observed in the Atlantic since Hurricane Wilma, the state's first billion-dollar storm. The massive destruction caused by Hurricane Irma up and down the entire Florida peninsula resulted in over \$50 billion in damages.

Per 44 C.F.R. §206.47(b), an increase in the federal cost share is recommended when a disaster is so extraordinary that actual federal obligations meet or exceed the disaster threshold (\$2,632,183,400.00). As of August 14, 2019, the Federal Emergency Management Agency (FEMA) obligated over \$2.6 billion for Public Assistance, Mitigation, and Human Services for Hurricane Irma recovery, meeting the threshold for a cost share adjustment.

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

The Honorable Donald J. Trump
August 19, 2019
Page Two

As we approach the two-year anniversary of Hurricane Irma, the Florida Division of Emergency Management (FDEM) and FEMA continue to make great strides in providing disaster recovery assistance to survivors and local governments. But even after two years, affected communities require increased support.

With your approval of this request, you will provide much needed security and financial relief at both the state and local levels of government. This adjustment in cost share will save the state and affected local governments over \$160 million. This support will also assist Florida in our ongoing response to more recent declared disasters, like Hurricane Michael, which continues to take a substantial financial toll.

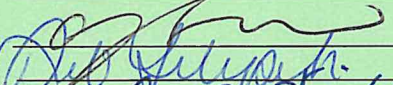
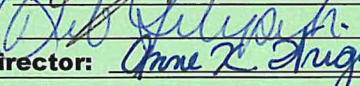
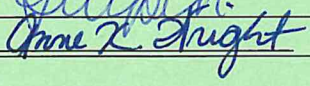
I hereby designate Jared Moskowitz, Director of FDEM, as the State Coordinating Officer for our continuing response and recovery from Hurricane Irma. Director Moskowitz has the authority to provide any further information, assurances or justifications for this request as necessary.

On behalf of the state of Florida, thank you for your unwavering dedication and support.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Ron DeSantis', with a stylized flourish at the end.

Ron DeSantis
Governor

BONITA SPRINGS CITY COUNCIL		GREEN SHEET:	20-02-020
AGENDA ITEM SUMMARY Review of December 2019 Monthly Financial Reports			
REQUESTED MOTION:			
MEETING DATE: February 5, 2020			
AGENDA:	REQUIREMENT/PURPOSE: (Specify)	REQUESTOR OF INFORMATION:	
☐ PRESENTATIONS	☐ STATUTE	Anne Wright, CPA, CGFO Finance Director	
☒ CONSENT	☐ ORDINANCE		
☐ PUBLIC HEARING	☐ ADMIN. CODE		
☐ MAYOR AND COUNCIL MEMBER ITEMS	☒ OTHER		
☐ MAYOR AND COUNCIL MEMBER'S REPORTS			
☐ CITY ATTORNEY			
☐ CITY MANAGER			
Financial Highlights of the General Fund for the Three Months ended Dec. 31, 2019 • Total FY 2020 Revenues as of December 31, 2019 are greater than the FY 2019 Revenues as of December 31, 2018 by \$684,873, representing a 7.93% increase over FY 2019. This favorable variance is from increases over the prior year General Fund revenue in Ad Valorem Taxes of \$472,486, and increases to the General Fund from the two revenue sources which in previous years were partially allocated to the Debt Service Fund: Local Communications Services Tax increase to the General Fund of \$110,184, and Electricity Franchise Fees increase to the General Fund of \$143,659, offset by a decrease in Administrative Services Fees of (\$107,235). • Total FY 2020 Revenues collected for the three months ended December 31, 2019 are 46.98% of the total Revenues budgeted for FY 2020. The majority of the property tax revenue is collected during the month of December, at which time the collected revenues percentage are historically about 45% of the budgeted amount. • Total FY 2020 Expenditures as of December 31, 2019 are greater than FY 2019 Expenditures as of December 31, 2018 by \$253,472. This is primarily due to an increase in Public Safety of \$96,720 due to the increase in the Sheriff's Department contract amount and an increase in Transportation of \$118,552 due to increases in landscape maintenance and exotic vegetation removal costs. • FY 2020 Transfers In as of December 31, 2019 are \$2,377,918 greater than the FY 2019 Transfers In for the three months ended December 31, 2018, primarily resulting from the budgeted transfer in to the General Fund of the accumulated Local Communications Services Tax and Electricity Franchise Fees from the Debt Service Fund. These funds are being used towards funding the General Fund transfer to the Capital Projects Fund. • Total FY 2020 Expenditures for the three months ended December 31, 2019 are 20.31% of the Total Expenditures budgeted for FY 2020. • FY 2020 Transfers Out to Other Funds as of December 31, 2019 are \$444,783 less than the FY 2019 Transfers Out for the three months ended December 31, 2018. • FY 2020 Revenues and Transfers In are greater than FY 2020 Expenditures and Transfers Out for the three months ended December 2019 by \$8,635,587. FY 2019 Revenues were \$5,381,485 greater than FY 2019 Expenditures and Transfers Out for the three months ended December 31, 2018. • A General Fund Summary showing a comparison to the prior year is attached. Also attached is a Summary of Cash Balances and a Preliminary Fund Balance Summary as of September 30, 2019 (subject to audit).			
IS THIS RELATED TO A STRATEGIC PLAN OBJECTIVE? X YES NO IF YES, WHICH STRATEGIC OBJECTIVE? #7 Government Transparency			
STAFF RECOMMENDATIONS: Review the Financial Reports			
REVIEWED BY:			
City Manager: 			
City Attorney: 			
City Clerk: 			
Department Director: 			
COUNCIL ACTION:			
☐ APPROVED ☐ DENIED ☐ DEFERRED ☐ OTHER			

General Fund	FY 2020				FY 2019	FY 2020 Actual Over (Under) FY 2019 Actual
	Amended Budget	YTD Actual Dec. 31, 2019	Variance - Over (Under) Budget	Actual as a % of Budget	YTD Actual Dec. 31, 2018	
Revenues:						
Taxes	\$ 9,914,804	\$ 7,561,152	\$ (2,353,652)	76.26%	\$ 6,979,683	\$ 581,469
Franchise Fees	3,115,583	509,693	(2,605,890)	16.36%	369,931	139,762
State Shared Revenue	5,564,040	870,689	(4,693,351)	15.65%	834,933	35,756
Other Revenues	1,258,910	384,616	(874,294)	30.55%	456,730	(72,114)
Total Revenues	\$ 19,853,337	\$ 9,326,150	\$ (10,527,187)	46.98%	\$ 8,641,277	\$ 684,873
Expenditures:						
General Government	\$ 6,532,421	\$ 1,091,435	\$ (5,440,986)	16.71%	\$ 1,112,702	\$ (21,267)
Public Safety	2,541,622	642,119	(1,899,503)	25.26%	545,399	96,720
Physical Environment	277,022	25,147	(251,875)	9.08%	15,517	9,630
Transportation	2,361,295	655,701	(1,705,594)	27.77%	537,149	118,552
Economic Environment	27,550	27,500	(50)	99.82%	27,500	-
Human Services	173,491	1,780	(171,711)	1.03%	3,755	(1,975)
Culture & Recreation	2,610,471	538,371	(2,072,100)	20.62%	478,728	59,643
Hurricane Irma	156,000	-	(156,000)	0.00%	7,831	(7,831)
Total Expenditures	\$ 14,679,872	\$ 2,982,053	\$ (11,697,819)	20.31%	\$ 2,728,581	\$ 253,472
Excess (deficiency) of revenues over (under) expenditures	\$ 5,173,465	\$ 6,344,097	\$ 1,170,632		\$ 5,912,696	\$ 431,401
Other Financing Sources (Uses)						
Transfers In	\$ 2,378,046	\$ 2,377,918	\$ (128)	99.99%	\$ -	\$ 2,377,918
Transfers Out	(13,245,505)	(86,428)	(13,159,077)	0.65%	(531,211)	(444,783)
Total Other Financing Sources (Uses) - net	\$ (10,867,459)	\$ 2,291,490			\$ (531,211)	\$ (2,822,701)
Total Surplus (Deficit)		\$ 8,635,587			\$ 5,381,485	\$ 3,254,102

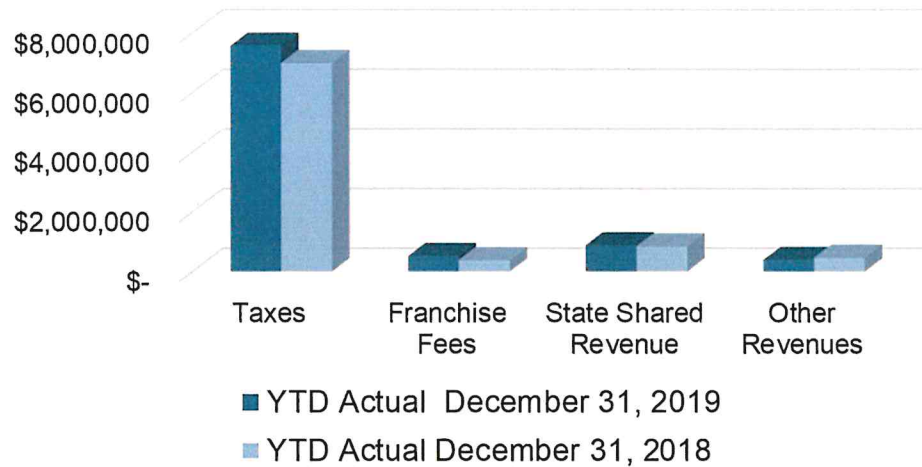
Below is the City's Cash Position as of December 31, 2019, 2018 and 2017. The December cash balance is typically the highest cash balance in the General Fund for the fiscal year as the largest portion of Ad Valorem Taxes are received during December.

Fund:	Cash Balances as of		
	12/31/2019	12/31/2018	12/31/2017
General Fund	\$ 24,244,377.98	\$ 16,301,438.32	\$ 17,167,410.20
Gas Tax	4,345,251.41	4,374,839.44	4,105,341.62
Road Impact Fee	19,531,456.73	17,779,988.12	9,656,332.27
Reg Park Impact Fee	-	-	705,252.86
Comm Park Impact Fee	3,455,992.71	3,383,746.25	1,764,303.42
Stormwater Management	1,262,460.28	-	-
Building Fees Fund	9,251,093.95	8,223,915.81	6,143,031.49
2011 Debt Fund	503,063.40	1,863,410.32	889,101.64
2014 Debt Fund	70,738.68	1,060,738.68	759,946.47
Downtown Revenue Sharing	1,182,168.00	-	-
Total Cash by Fund	\$ 63,846,603.14	\$ 52,988,076.94	\$ 41,190,719.97

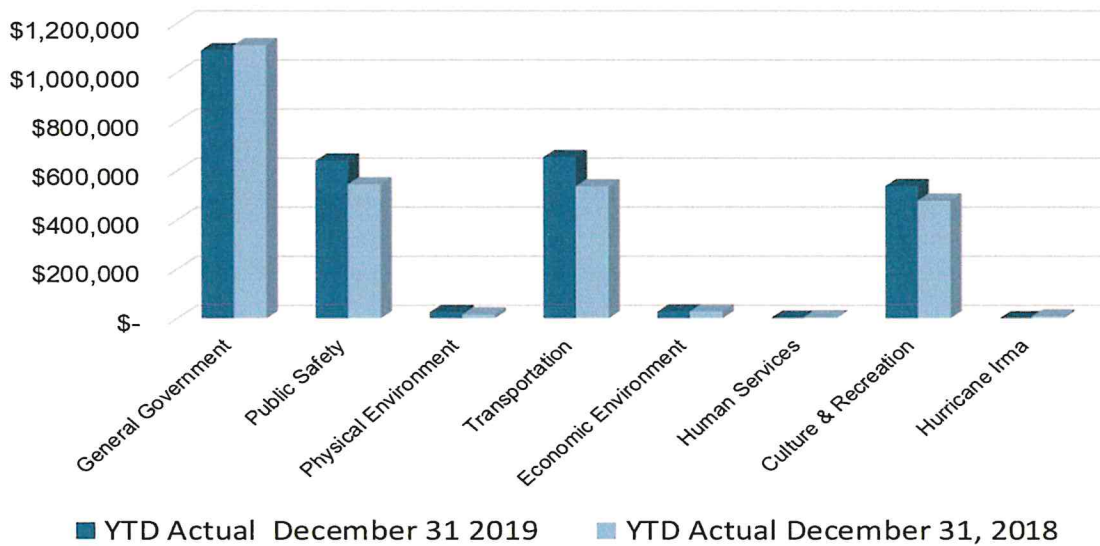
OBSERVATION:

A cash flow concern could arise if the Local Mitigation Strategy (LMS) grants and other grants for the projects in our CIP are not reimbursed on a timely basis. A reimbursement basis requires the City to make the payments for the costs upfront, as is the case with the FEMA Public Assistance Grant for funding the debris removal. We understand that with the LMS grants, we can submit invoices as they are paid and the reimbursements will be processed. With timely reimbursements, our cash flow should be able to be managed through inter-fund borrowings until reimbursements are received.

General Fund Revenues as of Dec. 31, 2019 and Dec. 31, 2018



General Fund Expenditures as of Dec. 31, 2019 and Dec. 31, 2018



During December, the City received the County's FY 2020 funding under the Downtown Revenue Participation Agreement. This revenue is reported in the Downtown Area Revenue Sharing Fund on page 5 of the attached financial report. Below is a history of the funding relating to this agreement.

Downtown Revenue Participation Agreement Funding received by fiscal year		
Fiscal Yr	County	City
2014	\$30,194	\$6,995
2015	164,463	38,099
2016	346,752	80,329
2017	560,777	133,117
2018	709,146	168,337
2019	802,127	190,408
2020	955,380	226,788
	\$3,568,838	\$844,073

Preliminary Fund Balance - September 30, 2019

General Fund	Special Revenue Funds				Debt Service Funds		Total Governmental Funds
	Gas Tax Fund	Road Impact Fee Fund	Park Impact Fee Fund	Building Fee Fund	2011 Debt Service	2014 Debt Service	
\$ 11,073,524	\$ 4,355,866	\$ 16,120,384	\$ 2,940,459	\$ 7,665,707	\$ 2,005,600	\$ 68,204	\$ 44,229,744
26,202,918	2,030,484	7,134,238	808,306	3,610,400	3,552,154	1,079,359	44,417,859
(19,323,563)	(933,927)	-	-	(2,726,287)	(2,557,093)	(1,076,824)	(26,617,694)
-	-	-	-	(20,000)	-	-	(20,000)
(49,490)	(37,334)	(2,173,529)	-	-	-	-	(2,260,353)
(15,838)	-	-	-	-	-	-	(15,838)
(1,843,836)	(1,031,159)	(487,849)	(263,268)	-	-	-	(3,626,112)
\$ 16,043,715	\$ 4,383,930	\$ 20,593,244	\$ 3,485,497	\$ 8,529,820	\$ 3,000,661	\$ 70,739	\$ 56,107,606

Allocation of Fund Balance by Category:

Nonspendable	\$ 425,017	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 425,017
Restricted	-	1,636,432	3,830,782	878,527	7,111,826	-	-	13,457,567
Restricted- Capital projects carry-over	-	2,295,109	7,168,580	2,495,380	57,700	-	-	12,016,769
Restricted - Capital outlay carry-over	-	-	-	-	9,383	-	-	9,383
Restricted - Subsequent Year's Budget *	-	452,389	9,593,882	111,590	1,350,911	-	-	11,508,772
Committed to:								
Capital projects carry-over	5,248,069	-	-	-	-	-	-	5,248,069
Capital outlay carry-over	33,383	-	-	-	-	-	-	33,383
Assigned:								
Disaster & Operating Reserves	5,100,000	-	-	-	-	-	-	5,100,000
Subsequent Year's Budget*	603,652	-	-	-	-	2,550,225	70,739	3,224,616
Debt Service	-	-	-	-	-	450,436	-	450,436
Other purposes	112,700	-	-	-	-	-	-	112,700
Unassigned	4,520,894	-	-	-	-	-	-	4,520,894
Total Fund Balance as of Sept 30, 2019	\$ 16,043,715	\$ 4,383,930	\$ 20,593,244	\$ 3,485,497	\$ 8,529,820	\$ 3,000,661	\$ 70,739	\$ 56,107,606

* These amounts appear in the FY 2020 Budget Book on page 4 and reflect the amounts that the FY2020 Budget anticipates the use of September 30, 2019 fund balance.

Nonspendable fund balance - amounts that are not in a spendable form (i.e.: prepaid expense, inventories) or are long-term receivables legally or contractually required to be maintained intact.

Restricted fund balance - amounts that can be spent only for the specific purposes stipulated by external resource providers (ie: grants), constitutionally, or through enabling legislation (i.e.: impact fees, building fees). These restrictions may be changed or lifted only with the consent of resource providers.

Committed fund balance- amounts that can be used only for the specific purpose determined by a formal action of City Council. Such commitments may be changed or lifted only by the City Council taking the same formal action that imposed the constraint originally (ie: carry-forward of unspent capital outlay budgets). Amounts classified as "committed" will be so designated by Council Resolution or Ordinance, and can only be changed by the same action that initially authorized them, unless that authorizing document states otherwise (ie: City Charter, Section 47 states "An appropriation for a capital expenditure shall continue in force until expended, revised, or repealed; the purpose of any such appropriation shall be deemed abandoned if 3 years pass without any disbursement from or encumbrance of the appropriation.)

Assigned fund balance - amounts intended to be used by the City for specific purposes. City Council delegates the authority to classify fund balance as "assigned" to the City Manager.

Unassigned fund balance - amounts of General Fund fund balance not contained in the other classifications. Unassigned amounts are available for any purpose. If a governmental fund, other than the General Fund, has a fund balance deficit, it will be reported as a negative amount in the unassigned classification as these funds can never have a positive amount classified as unassigned.

City of Bonita Springs, Florida

Balance Sheet as of December 31, 2019

	General Fund	Special Revenue Funds						Debt Service Fund Downtown Redevelopment	Debt Service Fund 2011 Debt	Total Governmental Funds
		Impact Fee Funds		Gas Tax	Grants	Building Fees	Downtown Area Revenue Sharing	Stormwater Management		
		Road	Park							
ASSETS										
Cash and cash equivalents	\$ 24,244,378	\$ 19,531,457	\$ 3,455,993	\$ 4,345,251	\$ -	\$ 9,251,094	\$ 1,182,168	\$ 1,262,460	\$ 70,739	\$ 63,846,603
Restricted Cash	-	-	-	-	-	-	-	-	-	-
Receivables (net)	398,416	-	-	-	-	-	-	-	-	398,416
Due from other funds	304,357	-	-	-	-	-	-	-	-	304,357
Due from other governments	-	-	-	-	-	-	-	-	-	-
Advances to other funds	-	-	-	-	-	-	-	-	-	-
Total assets	\$ 24,947,151	\$ 19,531,457	\$ 3,455,993	\$ 4,345,251	\$ -	\$ 9,251,094	\$ 1,182,168	\$ 1,262,460	\$ 70,739	\$ 64,549,376
LIABILITIES AND FUND BALANCES										
LIABILITIES										
Accounts and contracts payable	\$ 15,138	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 15,138
Accrued liabilities	189,536	-	-	-	-	-	-	-	-	189,536
Due to other funds	-	-	-	-	304,357	-	-	-	-	304,357
Due to other governments	63,174	152,938	-	-	-	-	-	-	-	216,113
Unearned revenue	-	-	-	-	-	-	-	-	-	-
Total liabilities	267,848	152,938	-	-	304,357	-	-	-	-	725,144
Total fund balances, beginning of the year	16,043,716	20,593,244	3,485,497	4,383,930	-	8,529,820	-	-	70,739	56,107,605
Revenues and Other Financing Sources over (under) Expenditures and Other Financing Uses for the period ended December 31, 2019	8,635,587	(1,214,726)	(29,504)	(38,678)	(304,357)	721,274	1,182,168	1,262,460	-	7,716,627
Fund balances as of December 31, 2019	24,679,302	19,378,518	3,455,993	4,345,251	(304,357)	9,251,094	1,182,168	1,262,460	70,739	63,824,232
Total liabilities and fund balances	\$ 24,947,151	\$ 19,531,457	\$ 3,455,993	\$ 4,345,251	\$ -	\$ 9,251,094	\$ 1,182,168	\$ 1,262,460	\$ 70,739	\$ 64,549,376



City of Bonita Springs, FL

General Fund Budget Report

Group Summary

For Fiscal: 2019-2020 Period Ending: 12/31/2019

ExpFinStmntLineItem;RevAccountType	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
Fund: 00 - General Fund					
Revenue					
311 - Ad Valorem Taxes	8,642,600.00	8,642,600.00	4,899,146.25	7,337,030.98	1,305,569.02
315 - Communications Services Taxes	1,231,504.00	1,231,504.00	114,347.56	220,082.92	1,011,421.08
316 - Local Business Taxes	35,700.00	35,700.00	1,073.62	4,038.49	31,661.51
319 - Other General Taxes	5,000.00	5,000.00	0.00	0.00	5,000.00
323 - Franchise Fees	3,115,583.00	3,115,583.00	247,598.55	509,693.03	2,605,889.97
329 - Other Permits, Fees & Special Assessment	79,125.00	79,125.00	8,145.00	23,055.00	56,070.00
335 - State Shared Revenue	5,564,040.00	5,564,040.00	443,764.84	870,688.68	4,693,351.32
341 - General Government	525,680.00	525,680.00	16,835.51	121,886.64	403,793.36
343 - Physical Environment	96,300.00	96,300.00	8,400.00	29,400.00	66,900.00
347 - Culture/Recreation	136,000.00	136,000.00	9,460.49	31,256.37	104,743.63
349 - Other Charges for Services	61,500.00	61,500.00	3,428.88	33,027.22	28,472.78
351 - Judgements, Fines-Traffic	27,500.00	27,500.00	3,375.94	6,012.01	21,487.99
354 - Fines Local Ordinance	65,000.00	65,000.00	27,055.00	39,535.70	25,464.30
361 - Interest & Other Earnings	205,000.00	205,000.00	22,374.31	84,475.18	120,524.82
362 - Rents & Royalties	30,000.00	30,000.00	3,237.46	8,720.56	21,279.44
366 - Contributions	0.00	0.00	80.00	4,320.00	-4,320.00
369 - Other Misc Revenues	32,805.00	32,805.00	690.46	2,927.38	29,877.62
381 - Transfers In	2,186,936.00	2,378,046.00	252,944.52	2,377,918.28	127.72
Revenue Total:	22,040,273.00	22,231,383.00	6,061,958.39	11,704,068.44	10,527,314.56
Expense					
51 - General Government	6,688,421.00	6,688,421.00	544,551.52	1,091,435.23	5,596,985.77
52 - Public Safety	2,517,421.00	2,541,622.00	93,205.00	642,119.53	1,899,502.47
53 - Physical Environment	277,022.00	277,022.00	6,845.50	25,146.91	251,875.09
54 - Transportation	2,352,113.00	2,361,295.00	281,381.38	655,701.25	1,705,593.75
55 - Economic Environment	27,550.00	27,550.00	2,500.00	27,500.00	50.00
56 - Human Services	173,491.00	173,491.00	890.00	1,780.00	171,711.00
57 - Culture & Recreation	2,610,471.00	2,610,471.00	205,058.77	538,371.05	2,072,099.95
58 - Other Uses/Transfers Out	7,997,436.00	13,245,505.00	20,696.44	86,427.59	13,159,077.41
Expense Total:	22,643,925.00	27,925,377.00	1,155,128.61	3,068,481.56	24,856,895.44
Fund: 00 - General Fund Surplus (Deficit):	-603,652.00	-5,693,994.00	4,906,829.78	8,635,586.88	-14,329,580.88



General Fund Department Expenditures Excluding Transfers

City of Bonita Springs, FL

Group Summary

For Fiscal: 2019-2020 Period Ending: 12/31/2019

Department	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
Fund: 00 - General Fund					
101 - City Council	468,074.00	468,074.00	31,430.50	116,926.69	351,147.31
102 - Boards & Committees	150,000.00	159,182.00	10,900.00	11,083.80	148,098.20
201 - City Manager	451,941.00	451,941.00	42,506.30	98,210.87	353,730.13
211 - Planning & Zoning	1,881,691.00	1,881,691.00	152,481.06	314,297.14	1,567,393.86
220 - Law Enforcement/Security	1,815,729.00	1,815,729.00	3,500.80	449,212.03	1,366,516.97
230 - Neighborhood Services	677,262.00	701,463.00	88,380.47	188,997.54	512,465.46
240 - Information Technologies	187,576.00	187,576.00	15,127.46	37,252.75	150,323.25
250 - Public Works	2,563,645.00	2,563,645.00	288,226.88	677,395.76	1,886,249.24
260 - Emergency Preparedness	24,430.00	24,430.00	1,323.73	3,909.96	20,520.04
270 - Non-Departmental Expenditures	1,417,952.00	1,389,895.00	25,224.49	37,509.19	1,352,385.81
301 - City Attorney	770,305.00	770,305.00	125,830.54	139,911.45	630,393.55
401 - Administrative Services	461,808.00	489,865.00	39,187.30	90,093.64	399,771.36
402 - City Hall	162,855.00	162,855.00	17,443.91	38,918.28	123,936.72
410 - Human Resources	86,147.00	86,147.00	5,914.92	17,662.55	68,484.45
430 - Communications	647,273.00	647,273.00	47,802.95	173,054.55	474,218.45
501 - Finance	591,986.00	591,986.00	49,817.23	140,168.40	451,817.60
601 - Parks & Recreation Administration	658,843.00	658,843.00	60,162.01	134,823.89	524,019.11
602 - Recreation Center	389,854.00	389,854.00	41,079.09	94,989.13	294,864.87
603 - Community Park & Ball Fields	191,665.00	191,665.00	12,165.67	44,353.01	147,311.99
604 - Community Pool	353,218.00	353,218.00	38,906.88	83,445.14	269,772.86
605 - Riverside Park	208,733.00	208,733.00	8,396.89	18,745.48	189,987.52
609 - Formerly Community Hall/Sheriff Substation	14,905.00	14,905.00	604.93	1,521.36	13,383.64
610 - Dog Park	113,066.00	113,066.00	2,536.04	6,199.50	106,866.50
611 - Beach Parks	11,180.00	11,180.00	0.00	1,839.25	9,340.75
613 - BS Soccer Complex	92,118.00	92,118.00	11,842.67	29,990.94	62,127.06
614 - Kentucky Street Park	5,150.00	5,150.00	0.00	0.00	5,150.00
615 - Liles Hotel	54,171.00	54,171.00	5,677.28	11,378.81	42,792.19
617 - Bonita Nature Place	22,700.00	22,700.00	1,197.58	4,620.18	18,079.82
618 - Windsor Road Preserve	8,500.00	8,500.00	24.34	74.64	8,425.36
620 - Marni Fields	115,150.00	115,150.00	2,858.37	7,623.98	107,526.02
621 - BS River Park	15,011.00	15,011.00	411.50	1,023.11	13,987.89
622 - Cullum's Bonita Trail	9,800.00	9,800.00	0.00	0.00	9,800.00
623 - Carpenter Lane Canoe & Kayak	1,124.00	1,124.00	30.61	39.25	1,084.75
624 - Leitner Creek Neighborhood Park	4,277.00	4,277.00	1,177.74	1,242.30	3,034.70
626 - Oak Creek Preserve	13,350.00	13,350.00	0.00	0.00	13,350.00
883 - Veterans	5,000.00	5,000.00	0.00	1,727.37	3,272.63
890 - Film Festival	0.00	0.00	2,262.03	3,812.03	-3,812.03
Fund: 00 - General Fund Total:	14,646,489.00	14,679,872.00	1,134,432.17	2,982,053.97	11,697,818.03



City of Bonita Springs, FL

Special Revenue Funds Budget Report

Group Summary

For Fiscal: 2019-2020 Period Ending: 12/31/2019

ExpFinStmntLineItem;RevAccountType	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
Fund: 10 - Gas Tax Fund					
Revenue					
312 - Local Option Taxes	1,657,560.00	1,657,560.00	129,918.71	249,797.05	1,407,762.95
335 - State Shared Revenue	290,546.00	290,546.00	23,362.99	46,725.98	243,820.02
361 - Interest & Other Earnings	40,000.00	40,000.00	5,342.00	15,830.00	24,170.00
Revenue Total:	1,988,106.00	1,988,106.00	158,623.70	312,353.03	1,675,752.97
Expense					
54 - Transportation	1,090,495.00	1,090,495.00	68,472.11	226,277.86	864,217.14
58 - Other Uses/Transfers Out	1,350,000.00	3,645,109.00	75,757.19	124,753.39	3,520,355.61
Expense Total:	2,440,495.00	4,735,604.00	144,229.30	351,031.25	4,384,572.75
Fund: 10 - Gas Tax Fund Surplus (Deficit):	-452,389.00	-2,747,498.00	14,394.40	-38,678.22	-2,708,819.78
Fund: 13 - Grant Fund					
Revenue					
331 - Federal Grants	7,725,000.00	11,103,865.00	270,601.03	270,601.03	10,833,263.97
334 - State Grants	0.00	200,000.00	15.50	15.50	199,984.50
337 - Local Gvmt Grants	40,000.00	212,378.00	0.00	0.00	212,378.00
381 - Transfers In	40,000.00	40,000.00	5,712.00	5,712.00	34,288.00
Revenue Total:	7,805,000.00	11,556,243.00	276,328.53	276,328.53	11,279,914.47
Expense					
52 - Public Safety	80,000.00	80,000.00	4,896.00	11,424.00	68,576.00
58 - Other Uses/Transfers Out	7,725,000.00	11,476,243.00	546,614.74	569,261.75	10,906,981.25
Expense Total:	7,805,000.00	11,556,243.00	551,510.74	580,685.75	10,975,557.25
Fund: 13 - Grant Fund Surplus (Deficit):	0.00	0.00	-275,182.21	-304,357.22	304,357.22
Fund: 14 - Road Impact Fee Fund					
Revenue					
324 - Impact Fees	2,557,595.00	2,557,595.00	743,736.00	2,021,107.53	536,487.47
361 - Interest & Other Earnings	130,000.00	130,000.00	22,817.48	69,599.46	60,400.54
Revenue Total:	2,687,595.00	2,687,595.00	766,553.48	2,090,706.99	596,888.01
Expense					
58 - Other Uses/Transfers Out	12,281,477.00	19,450,057.00	1,067.50	3,305,432.76	16,144,624.24
Expense Total:	12,281,477.00	19,450,057.00	1,067.50	3,305,432.76	16,144,624.24
Fund: 14 - Road Impact Fee Fund Surplus (Deficit):	-9,593,882.00	-16,762,462.00	765,485.98	-1,214,725.77	-15,547,736.23
Fund: 16 - Park Impact Fee Fund					
Revenue					
324 - Impact Fees	298,410.00	298,410.00	67,452.00	173,424.00	124,986.00
361 - Interest & Other Earnings	28,000.00	28,000.00	4,786.00	14,182.00	13,818.00
Revenue Total:	326,410.00	326,410.00	72,238.00	187,606.00	138,804.00
Expense					
58 - Other Uses/Transfers Out	438,000.00	2,933,380.00	213,214.35	217,110.44	2,716,269.56
Expense Total:	438,000.00	2,933,380.00	213,214.35	217,110.44	2,716,269.56
Fund: 16 - Park Impact Fee Fund Surplus (Deficit):	-111,590.00	-2,606,970.00	-140,976.35	-29,504.44	-2,577,465.56
Fund: 18 - Stormwater Management					
Revenue					
325 - Special Assessments - Charges for Public Services	1,716,555.00	1,716,555.00	943,067.07	1,345,490.78	371,064.22
Revenue Total:	1,716,555.00	1,716,555.00	943,067.07	1,345,490.78	371,064.22
Expense					
53 - Physical Environment	1,716,555.00	1,716,555.00	58,460.25	83,030.50	1,633,524.50

Special Revenue Funds Budget Report

For Fiscal: 2019-2020 Period Ending: 12/31/2019

ExpFinStmntLineItem;RevAccountType	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
Expense Total:	1,716,555.00	1,716,555.00	58,460.25	83,030.50	1,633,524.50
Fund: 18 - Stormwater Management Surplus (Deficit):	0.00	0.00	884,606.82	1,262,460.28	-1,262,460.28
Fund: 19 - Building Fees Fund					
Revenue					
322 - Building Permits	2,400,000.00	2,400,000.00	555,504.66	1,140,313.53	1,259,686.47
361 - Interest & Other Earnings	110,000.00	110,000.00	11,827.00	35,047.00	74,953.00
Revenue Total:	2,510,000.00	2,510,000.00	567,331.66	1,175,360.53	1,334,639.47
Expense					
52 - Public Safety	2,733,911.00	2,733,911.00	226,562.90	454,086.76	2,279,824.24
54 - Transportation	0.00	9,383.00	0.00	0.00	9,383.00
58 - Other Uses/Transfers Out	1,127,000.00	1,184,700.00	0.00	0.00	1,184,700.00
Expense Total:	3,860,911.00	3,927,994.00	226,562.90	454,086.76	3,473,907.24
Fund: 19 - Building Fees Fund Surplus (Deficit):	-1,350,911.00	-1,417,994.00	340,768.76	721,273.77	-2,139,267.77
Fund: 23 - Downtown Area Revenue Sharing					
Revenue					
311 - Ad Valorem Taxes	218,300.00	218,300.00	226,788.00	226,788.00	-8,488.00
337 - Local Gvmt Grants	919,600.00	919,600.00	955,380.00	955,380.00	-35,780.00
Revenue Total:	1,137,900.00	1,137,900.00	1,182,168.00	1,182,168.00	-44,268.00
Expense					
58 - Other Uses/Transfers Out	1,007,361.00	1,007,361.00	0.00	0.00	1,007,361.00
Expense Total:	1,007,361.00	1,007,361.00	0.00	0.00	1,007,361.00
Fund: 23 - Downtown Area Revenue Sharing Surplus (Deficit):	130,539.00	130,539.00	1,182,168.00	1,182,168.00	-1,051,629.00



City of Bonita Springs, FL

Debt Service Funds Budget Report

Group Summary

For Fiscal: 2019-2020 Period Ending: 12/31/2019

ExpFinStmntLineItem;RevAccountType	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
Fund: 20 - 2011 Debt Fund					
Revenue					
315 - Communications Services Taxes	0.00	0.00	0.00	0.00	0.00
323 - Franchise Fees	0.00	0.00	0.00	0.00	0.00
361 - Interest & Other Earnings	5,000.00	5,000.00	768.00	2,373.00	2,627.00
381 - Transfers In	2,171,936.00	2,171,936.00	0.00	2,124,973.76	46,962.24
385 - Proceeds from Refunding Debt	0.00	0.00	0.00	0.00	0.00
Revenue Total:	2,176,936.00	2,176,936.00	768.00	2,127,346.76	49,589.24
Expense					
51 - General Government	2,555,225.00	2,555,225.00	0.00	2,499,968.90	55,256.10
58 - Other Uses/Transfers Out	2,171,936.00	2,171,936.00	0.00	2,124,973.76	46,962.24
Expense Total:	4,727,161.00	4,727,161.00	0.00	4,624,942.66	102,218.34
Fund: 20 - 2011 Debt Fund Surplus (Deficit):	-2,550,225.00	-2,550,225.00	768.00	-2,497,595.90	-52,629.10
Fund: 21 - 2014 Debt Fund					
Revenue					
311 - Ad Valorem Taxes	0.00	0.00	0.00	0.00	0.00
337 - Local Gvmt Grants	0.00	0.00	0.00	0.00	0.00
361 - Interest & Other Earnings	0.00	0.00	0.00	0.00	0.00
381 - Transfers In	1,007,361.00	1,007,361.00	0.00	0.00	1,007,361.00
384 - Debt Proceeds	0.00	0.00	0.00	0.00	0.00
Revenue Total:	1,007,361.00	1,007,361.00	0.00	0.00	1,007,361.00
Expense					
51 - General Government	1,078,100.00	1,078,100.00	0.00	0.00	1,078,100.00
55 - Economic Environment	0.00	0.00	0.00	0.00	0.00
58 - Other Uses/Transfers Out	0.00	0.00	0.00	0.00	0.00
Expense Total:	1,078,100.00	1,078,100.00	0.00	0.00	1,078,100.00
Fund: 21 - 2014 Debt Fund Surplus (Deficit):	-70,739.00	-70,739.00	0.00	0.00	-70,739.00



City of Bonita Springs, FL

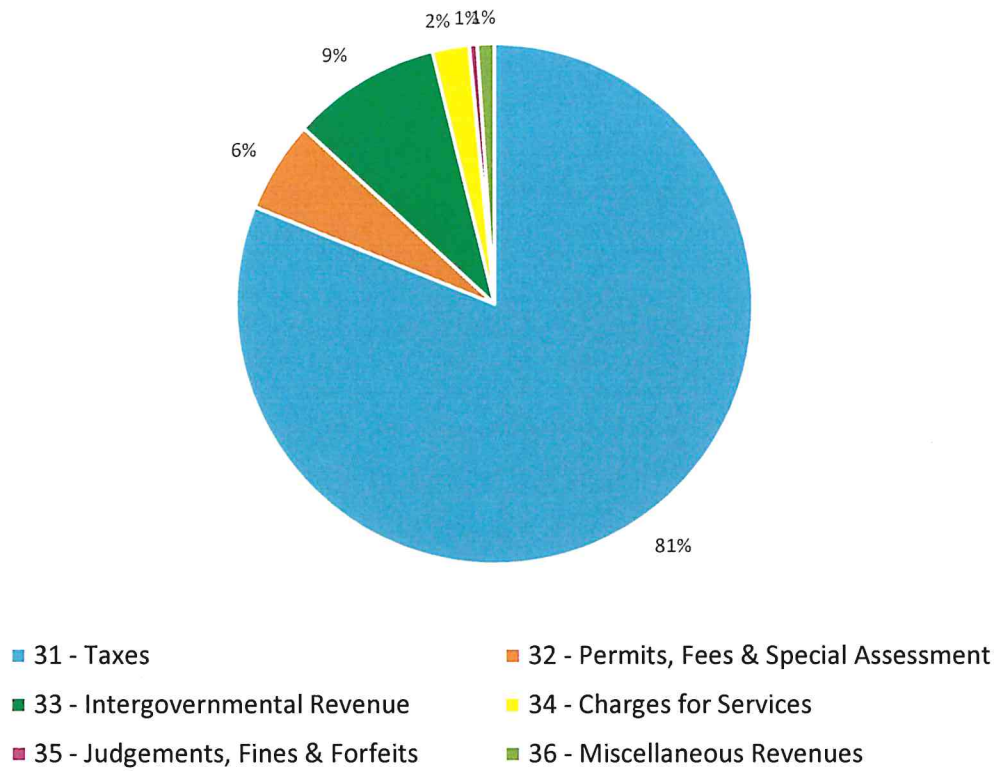
Capital Project Funds Budget Report

Group Summary

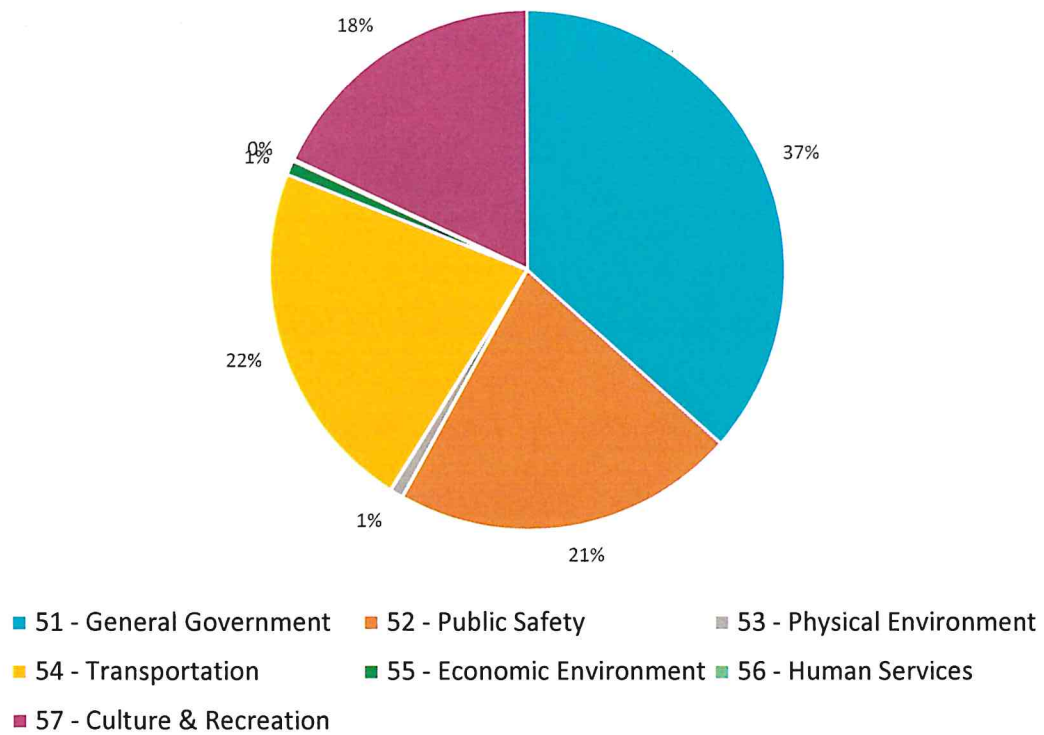
For Fiscal: 2019-2020 Period Ending: 12/31/2019

ExpFinStmntLineItem;RevAccountType	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
Fund: 30 - Cap Projects Fund					
Revenue					
366 - Contributions	0.00	0.00	0.00	0.00	0.00
369 - Other Misc Revenues	0.00	0.00	0.00	0.00	0.00
381 - Transfers In	28,481,977.00	48,617,219.00	499,913.70	1,812,136.47	46,805,082.53
Revenue Total:	28,481,977.00	48,617,219.00	499,913.70	1,812,136.47	46,805,082.53
Expense					
51 - General Government	1,982,500.00	2,883,402.00	16,958.45	23,293.46	2,860,108.54
53 - Physical Environment	12,936,936.00	16,805,743.00	-52,831.91	-599.95	16,806,342.95
54 - Transportation	12,734,541.00	28,023,993.00	533,352.66	1,783,308.46	26,240,684.54
57 - Culture & Recreation	828,000.00	904,081.00	2,434.50	6,134.50	897,946.50
Expense Total:	28,481,977.00	48,617,219.00	499,913.70	1,812,136.47	46,805,082.53
Fund: 30 - Cap Projects Fund Surplus (Deficit):	0.00	0.00	0.00	0.00	0.00
Fund: 31 - Other Capital Projects Fund					
Revenue					
366 - Contributions	0.00	0.00	0.00	0.00	0.00
381 - Transfers In	210,000.00	899,729.00	98,780.00	107,219.18	792,509.82
Revenue Total:	210,000.00	899,729.00	98,780.00	107,219.18	792,509.82
Expense					
53 - Physical Environment	0.00	0.00	0.00	0.00	0.00
55 - Economic Environment	150,000.00	312,869.00	0.00	0.00	312,869.00
57 - Culture & Recreation	60,000.00	586,860.00	98,780.00	107,219.18	479,640.82
Expense Total:	210,000.00	899,729.00	98,780.00	107,219.18	792,509.82
Fund: 31 - Other Capital Projects Fund Surplus (Deficit):	0.00	0.00	0.00	0.00	0.00

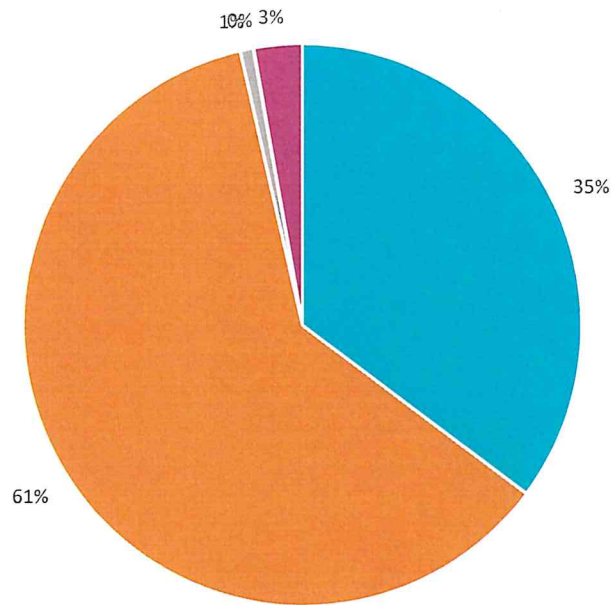
General Fund Revenue



General Fund Expenditures by Function

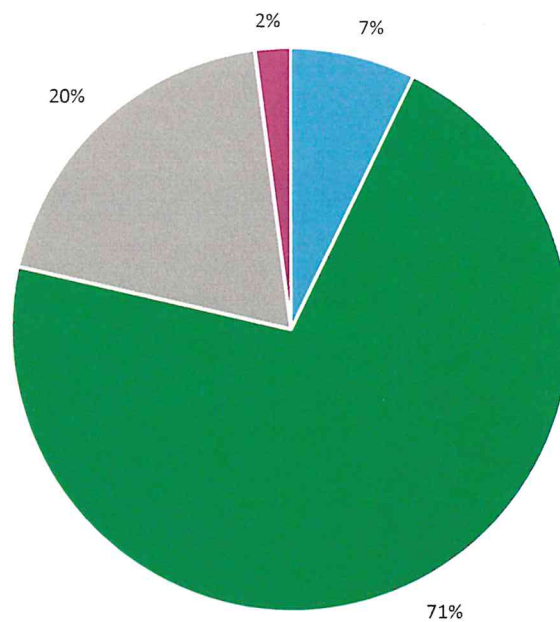


General Fund Expenditures



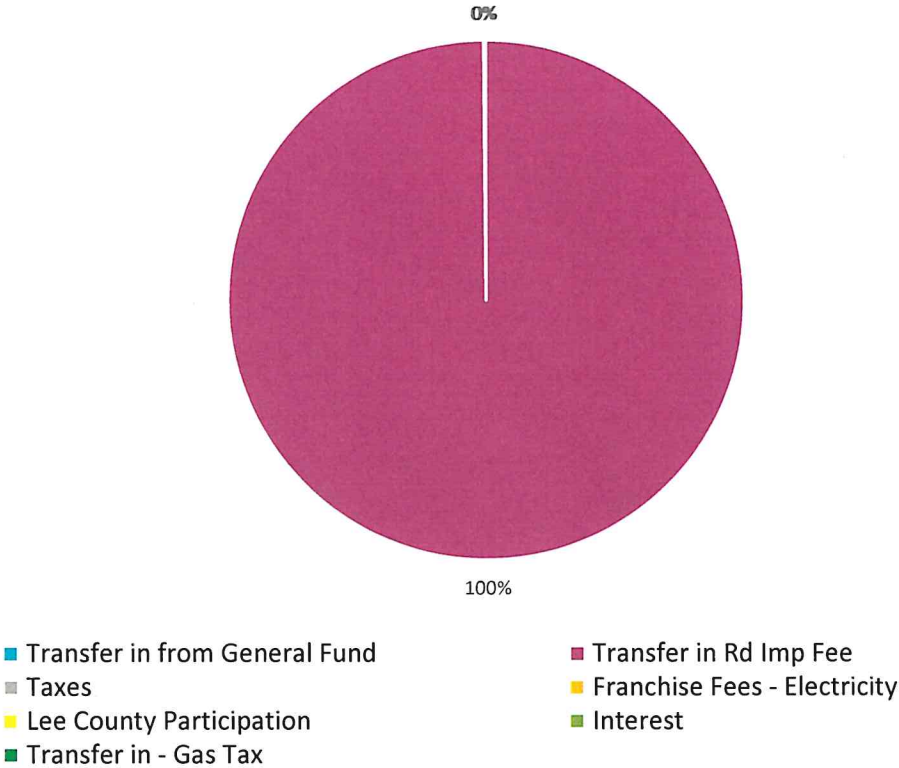
10 - Personal Services 30 - Operating Expenditures 60 - Capital Outlay
80 - Grants and Aids 90 - Other Uses

Special Revenue - Restricted

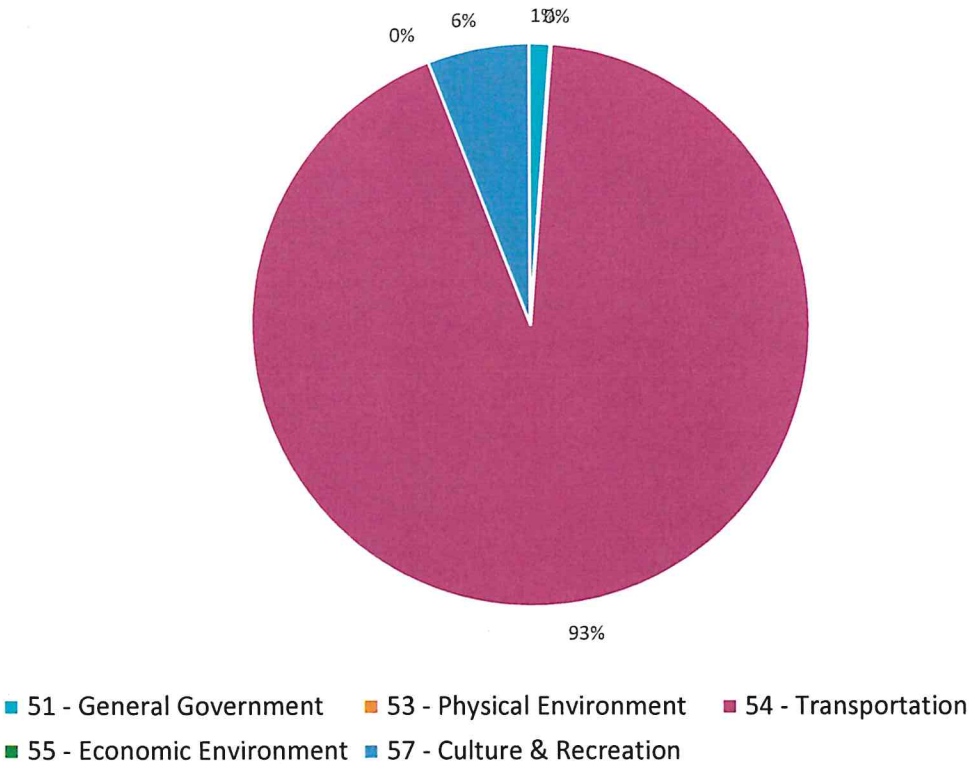


31 - Taxes 32 - Permits, Fees & Special Assessment
33 - Intergovernmental Revenue 36 - Miscellaneous Revenues

Debt Service by Funding Source



Capital Projects Expenditures



AGENDA ITEM SUMMARY**REQUESTED MOTION:** Review of December 2019 Capital Improvement Projects Monthly Report**MEETING DATE:** February 5, 2020

AGENDA:		REQUIREMENT/PURPOSE: (Specify)	REQUESTOR OF INFORMATION:
	PRESENTATIONS	STATUTE	Anne Wright, CPA, CGFO Finance Director
X	CONSENT	ORDINANCE	
	PUBLIC HEARING	ADMIN. CODE	
	APPEALS	X OTHER	
	MAYOR AND COUNCIL MEMBER'S REPORTS		
	CITY ATTORNEY		
	CITY MANAGER		

In support of strategic priority and #7 Government Transparency, the attached Capital Improvement Projects Report is provided with information as of December 31, 2019.

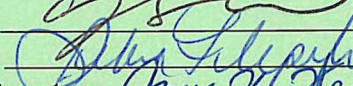
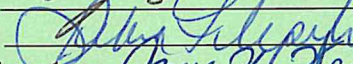
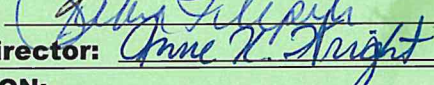
This report categorizes the capital projects by the City Council's adopted Strategic Priorities. Also, subtotals are presented for the multiple projects that make up the total FY 2020 **remaining** available funding for the Bonita Beach Road and Quadrant initiative totaling \$9,662,597 and the Sidewalks and Multi-Use Pathways initiative totaling \$12,371,488.

As of December 31, 2019, the total Capital Improvement Project budget, including carry-over from the prior year, is \$49,516,948. Project expenditures as of December 31, 2019 for the year ending September 30, 2020 total \$1,919,355.

This report is provided for informational purposes.

ATTACHMENT: December 2019 Capital Improvement Projects Monthly Report

IS THIS RELATED TO A STRATEGIC PLAN OBJECTIVE? X YES NO
IF YES, WHICH STRATEGIC OBJECTIVE? #7 Government Transparency

STAFF RECOMMENDATIONS: Review the December 2019 Capital Improvement Projects Monthly Report**REVIEWED BY:**City Manager: City Attorney: City Clerk: Department Director: **COUNCIL ACTION:**

___ **APPROVED**
 ___ **DENIED**
 ___ **DEFERRED**
 ___ **OTHER**

CAPITAL IMPROVEMENT PROJECTS MONTHLY REPORT

as of December 31, 2019

Capital Projects		Funding/Revenue Source	Budget Carry-over from FY 2019 approved by Council on 12/18/19	FY 2020 Adopted Budget	FY 2020 Adopted Budget with Budget Carry-over and FY 2020 budget transfers	FY 2020 Expenditures as of December 31, 2019	Budget Variance as of December 31, 2019
Account	Project Description						
IMPROVE STORM WATER MANAGEMENT (1st STRATEGIC PRIORITY)							
30.250.538.6802	Spring Creek Restoration Plan	General Fund	110,104	-	110,104	(11,147)	121,251
30.250.538.6810	Storm Water Drainage Improvement Concepts	General Fund	-	-	-	4,000	(4,000)
30.250.538.6809	Spring Creek/Bonita Springs Golf Course Flood Improvement	General Fund	-	2,475,000	2,475,000	-	2,475,000
		Local Mitigation Strategy Grant	-	7,425,000	7,425,000	-	7,425,000
		TOTAL	-	9,900,000	9,900,000	-	9,900,000
30.250.538.6807	Logan Blvd Regional Floodway/Drainage	General Fund	564,855	-	564,855	-	564,855
		Local Mitigation Strategy Grant	1,762,500	-	1,762,500	-	1,762,500
		TOTAL	2,327,355	-	2,327,355	-	2,327,355
30.250.538.6806	Pine Lake Preserve	Local Mitigation Strategy Grant	712,500	-	712,500	-	712,500
		General Fund	237,500	-	237,500	-	237,500
		TOTAL	950,000	-	950,000	-	950,000
30.250.538.6808	Storm Water Utility	General Fund	-	55,000	55,000	6,547	48,453
30.250.538.6100	Land acquired for storm water purposes	General Fund	-	2,671,936	2,671,936	-	2,671,936
TOTAL IMPROVE STORM WATER MANAGEMENT			3,387,459	12,626,936	16,014,395	(600)	16,014,995
TRANSPORTATION (2nd STRATEGIC PRIORITY)							
Bonita Beach Road Visioning and Quadrant:							
30.250.541.6317	Bonita Bch Rd/US 41 Quadrant	General Fund	182,913	-	182,913	-	182,913
		Gas Tax	899,988	-	899,988	-	899,988
		Road Impact Fee	6,003,186	3,750,000	9,753,186	1,173,490	8,579,696
		TOTAL	7,086,087	3,750,000	10,836,087	1,173,490	9,662,597
30.250.541.6318	Bonita Bch Rd Vision Implementation	General Fund	1,070,820	50,000	1,120,820	-	1,120,820
TOTAL Bonita Beach Road Visioning and Quadrant			8,156,907	3,800,000	11,956,907	1,173,490	10,783,417
Sidewalks and Multi-Use Pathways:							
30.250.541.6320	Multi-Use Pathways & Sidewalks	General Fund	481,794	50,000	531,794	7,223	524,571
		Gas Tax	478,127	-	478,127	-	478,127
		Road Impact Fee	493,479	-	493,479	-	493,479
		Grant - CDBG	-	300,000	300,000	-	300,000
		Park Impact Fee	608,749	-	608,749	-	608,749
		TOTAL	2,062,149	350,000	2,412,149	7,223	2,404,926
30.250.541.6332	Cochran St./ Pauling Lane Multi-use Pathway	Grant - CDBG	6,065	-	6,065	-	6,065

CAPITAL IMPROVEMENT PROJECTS MONTHLY REPORT

as of December 31, 2019

Capital Projects		Funding/Revenue Source	Budget Carry-over from FY 2019 approved by Council on 12/18/19	FY 2020 Adopted Budget	FY 2020 Adopted Budget with Budget Carry-over and FY 2020 budget transfers	FY 2020 Expenditures as of December 31, 2019	Budget Variance as of December 31, 2019
Account	Project Description						
30.250.541.6333	Bonita Drive Pathway-Old 41 to Streetsboro Lane	Grant - CDBG	116,083	-	116,083	5,851	110,232
30.250.541.6334	Maddox Lane Sidewalk	Road Impact Fee	17,995	-	17,995	638	17,357
30.250.541.6335	W. Terry St Pathway Extension East of Pine Ave.	Grant - CDBG	23,871	-	23,871	-	23,871
30.250.541.6336	Imperial Shores Blvd Sidewalk	Road Impact Fee	30,823	-	30,823	6,332	24,491
30.250.541.6323	W. Terry St. Multi-Use Pathway	Park Impact Fee	1,575,193	400,000	1,975,193	219,580	1,755,613
		Road Impact Fee	623,097	1,359,541	1,982,638	-	1,982,638
		Grants- Other	200,000	-	200,000	-	200,000
		General Fund	-	475,000	475,000	-	475,000
		Grant - CDBG	543,341	-	543,341	237,841	305,500
		TOTAL	2,941,631	2,234,541	5,176,172	457,421	4,718,751
30.250.541.6324	Sun Trail	Park Impact Fee	50,000	-	50,000	-	50,000
		Road Impact Fee		5,000,000	5,000,000	-	5,000,000
		TOTAL	50,000	5,000,000	5,050,000	-	5,050,000
30.250.541.6331	Pine Ave. Multi-use Pathway	Grant - CDBG	23,395	-	23,395	7,600	15,795
TOTAL Sidewalks and Multi-Use Pathways			5,272,012	7,584,541	12,856,553	485,065	12,371,488
30.250.541.6908	Logan Boulevard	Gas Tax	500,000	-	500,000	-	500,000
30.250.541.6300	Minor Road, Sidewalk & Drainage Improvements	Gas Tax	-	250,000	250,000	18,848	231,152
30.250.541.6308	Asphalt Overlays	Gas Tax	60,163	300,000	360,163	98,655	261,508
30.250.541.6319	Roadway Restriping	Gas Tax	-	250,000	250,000	-	250,000
30.250.541.6321	Rail Road Crossing Improvements	Gas Tax	13,255	340,000	353,255	-	353,255
TOTAL TRANSPORTATION			14,002,337	12,524,541	26,526,878	1,776,058	24,750,820
ENVIRONMENTAL PROTECTION (4th STRATEGIC PRIORITY)							
30.000.537.6100	Water Issues/Land Acquisition from willing sellers	Building Fees (A)	57,700	-	57,700	-	57,700
		General Fund	5,060	200,000	205,060	-	205,060
		TOTAL	62,760	200,000	262,760	-	262,760
30.611.537.6000	Beach Renourishment 2024	General Fund	418,588	110,000	528,588	-	528,588
TOTAL ENVIRONMENTAL PROTECTION			\$ 481,348	\$ 310,000	\$ 791,348	\$ -	\$ 791,348
COMMUNITY AESTHETICS: DEVELOP AND IMPLEMENT URBAN DESIGN (5th STRATEGIC PRIORITY)							
30.250.541.6314	Street Light Uniformity	Gas Tax	26,826	10,000	36,826	5,300	31,526
30.000.519.6000	Exotic Removal of FPL ROW Path	General Fund	-	10,500	10,500	-	10,500

CAPITAL IMPROVEMENT PROJECTS MONTHLY REPORT

as of December 31, 2019

Capital Projects		Funding/Revenue Source	Budget Carry-over from FY 2019 approved by Council on 12/18/19	FY 2020 Adopted Budget	FY 2020 Adopted Budget with Budget Carry-over and FY 2020 budget transfers	FY 2020 Expenditures as of December 31, 2019	Budget Variance as of December 31, 2019
Account	Project Description						
31.603.572.6001	Community Park Improvements	General Fund	6,365	-	6,365	-	6,365
30.603.572.6015	Baseball Complex Master Plan	General Fund	18,672	500,000	518,672	2,775	515,897
30.603.572.6008	Comm Park Sealcoating Parking Lot	General Fund		15,000	15,000	-	15,000
30.617.572.6001	Nature Place Shade Structure	Park Impact Fee	18,000	-	18,000	-	18,000
30.604.572.6000	Pool Geothermal Heater/Chiller	General Fund	-	100,000	100,000	-	100,000
31.000.552.6311	Downtown Redevelopment	General Fund	162,869	150,000	312,869	-	312,869
31.602.572.6000	Recreation Center Improvements	General Fund	46,856	-	46,856	44,664	2,192
30.605.572.6009	Riverside Park Sealcoating Parking Lot	General Fund	-	15,000	15,000	-	15,000
30.610.572.6016	Dog Park Shade Structures	Park Impact Fee	-	38,000	38,000	-	38,000
31.605.572.6004	Bandshell Resod/Re-grade	General Fund	-	60,000	60,000	-	60,000
31.605.572.6008	Skate Park	Park Impact Fee	165,340	-	165,340	-	165,340
30.605.572.6013	Bandshell Area Improvements, Sidewalk/brick paver and flag pole holder replacement	General Fund	36,009	-	36,009	-	36,009
31.610.572.6004	E Terry St Park-Dog Park	Park Impact Fee	5,824	-	5,824	-	5,824
31.610.572.6005	Additional Trails/Entrance	Park Impact Fee	7,329	-	7,329	-	7,329
30.628.572.6001	Mayhood Park Exotics Removal	General Fund	-	60,000	60,000	-	60,000
31.615.572.6001	Resod Liles Hotel Plaza Lawn	General Fund	19,563	-	19,563	-	19,563
31.621.572.6007	River Prk-US 41	Park Impact Fee	13,430	-	13,430	(2,470)	15,900
		Grant-TDC	172,378	-	172,378	65,025	107,353
31.628.572.6000	Mayhood Playground	Park Impact Fee	14,905	-	14,905	-	14,905
30.250.541.6315	East Terry Vegetative Buffer/Wall	General Fund	67,642	-	67,642	-	67,642
30.250.541.6906	Median Landscape Enhancement	General Fund	11,261	-	11,261	-	11,261
31.604.572.6000	Pool Landscaping	General Fund	74,870	-	74,870	-	74,870
30.270.519.4910	Highway Monuments/Welcome Signs	General Fund	300,000	-	300,000	-	300,000
30.270.519.4920	Flagpole along I-75	General Fund	40,000	-	40,000	-	40,000
30.250.541.6310	FDOT Pond on Arroyal Rd	General Fund	94,243	-	94,243	-	94,243
30.270.541.6322	Imperial River US 41 Bridge Beautification Project	General Fund	114,000	-	114,000	-	114,000
30.270.519.4912	Goodbread Grocery (AKA Dixie Moon)	General Fund	42,243	100,000	142,243	-	142,243
		Gas Tax	316,750	200,000	516,750	1,950	514,800
30.250.541.6325	Logan Boulevard Landscape & Lighting	General Fund	656,393	-	656,393	-	656,393

CAPITAL IMPROVEMENT PROJECTS MONTHLY REPORT

as of December 31, 2019

Capital Projects		Funding/Revenue Source	Budget Carry-over from FY 2019 approved by Council on 12/18/19	FY 2020 Adopted Budget	FY 2020 Adopted Budget with Budget Carry-over and FY 2020 budget transfers	FY 2020 Expenditures as of December 31, 2019	Budget Variance as of December 31, 2019
Account	Project Description						
		TOTAL	973,143	200,000	1,173,143	1,950	1,171,193
30.270.519.4911	Urban Design	General Fund	91,746	50,000	141,746	15,000	126,746
30.270.575.6014	Everglades Wonder Gardens Café	General Fund	3,400	100,000	103,400	3,360	100,040
TOTAL COMMUNITY AESTHETICS STRATEGIC PRIORITY			\$ 2,526,914	\$ 1,408,500	\$ 3,935,414	\$ 135,604	\$ 3,799,810
GOVERNMENT TRANSPARENCY: INCREASE OUTREACH/ACCESSIBILITY TO CITIZENS (7th STRATEGIC PRIORITY)							
30.240.513.6400	Technology Enhancements- Community Development Building Permits	Building Fee Fund	-	1,112,000	1,112,000	-	1,112,000
TOTAL GOVERNMENT TRANSPARENCY STRATEGIC PRIORITY			\$ -	\$ 1,112,000	\$ 1,112,000	\$ -	\$ 1,112,000
OTHER							
30.240.513.6401	Technology Equipment Replacement Reserve	General Fund	-	10,000	10,000	-	10,000
30.270.519.6400	Vehicle Major Repairs and Replacement Reserve	General Fund	-	200,000	200,000	-	200,000
30.270.519.4909	Contingency	General Fund	13,991	-	13,991	-	13,991
		Park Impact Fee	36,610	-	36,610	-	36,610
		TOTAL	50,601	-	50,601	-	50,601
30.270.519.4924	City Facilities Major Repairs	General Fund	376,312	500,000	876,312	8,293	868,019
Total Other			426,913	710,000	1,136,913	8,293	1,128,620
TOTAL			\$ 20,824,971	\$ 28,691,977	\$ 49,516,948	\$ 1,919,355	\$ 47,597,593
FUNDING SOURCES							
		General Fund	5,248,069	7,957,436	13,205,505	80,715	13,124,790
		Road Impact Fee	7,168,580	10,109,541	17,278,121	1,180,460	16,097,661
		Gas Tax	2,295,109	1,350,000	3,645,109	124,753	3,520,356
		Park Impact Fee	2,495,380	438,000	2,933,380	217,110	2,716,270
		Building Fees	57,700	1,112,000	1,169,700	-	1,169,700
		Grant	3,560,133	7,725,000	11,285,133	316,317	10,968,816
		TOTAL	\$ 20,824,971	\$ 28,691,977	\$ 49,516,948	\$ 1,919,355	\$ 47,597,593
A. This funding source has environmental restrictions, i.e., Option 2 which was exercised by the developer requires that if a fee in lieu is paid to the City of Bonita Springs, the City must purchase, restore, and maintain 0.825 acres of Pine Flatwoods (or higher, oak scrub) to mitigate for this indigenous area. This fee in lieu payment was received							

AGENDA ITEM SUMMARY

REQUESTED MOTION: REQUEST APPROVAL TO REDIRECT THE 2019 FILM FESTIVAL SURPLUS FUNDS TO THE NEWLY CREATED 501-c3 NON-PROFIT ORGANIZATION FOR THE FILM FESTIVAL.

MEETING DATE: FEBRUARY 5, 2020

AGENDA:		REQUIREMENT/PURPOSE: (Specify)	REQUESTOR OF INFORMATION:
	PRESENTATIONS	STATUTE	LORA TAYLOR COMMUNICATIONS DIRECTOR
X	CONSENT	ORDINANCE	
	PUBLIC HEARING	ADMIN. CODE	
	MAYOR AND COUNCIL MEMBER ITEMS	X OTHER	
	MAYOR AND COUNCIL MEMBER'S REPORTS		
	CITY ATTORNEY ITEMS		
	CITY MANAGER ITEMS		

BACKGROUND: Bonita Springs City Council previously approved a resolution approving the designated use of funds from the 2019 Bonita Springs Film Festival, which authorized the finance staff to account for the contributions provided to the City related to the event and to designate the use of any remaining funds after the festival expenses were paid to be transferred to the Bonita Springs Waterways Conservation Fund.

Attached is a letter from the Film Festival Committee requesting that in place of collecting the 2019 festival's surplus money and allocating it towards the City's Waterways Conservation fund, the surplus funds be redirected to the Film Festival Committee for their new expenses to incorporate as a 501-c3.

Since the committee is no more than a community group, they have previously asked for city support which included promotion and accounting support. Due to the growth of the Film Festival, they've been encouraged to incorporate the festival as a 501-c3. In order to incorporate they will face unexpected expenses, from incorporation liability to dedicated accounting. Once the 501-c3 is created, the city will no longer assist with collecting funds and paying expenses related to the festival. The 501-c3 will handle all funds associated with the festival.

The mission statement of the festival will not change. Festival organizers plan to continue to feature the City as a stage, partner, and a friend of the festival, promoting film making, and showcasing the best the City has to offer.

IS THIS RELATED TO A STRATEGIC PLAN OBJECTIVE? ☐ YES ☒ NO

IF YES, WHICH STRATEGIC OBJECTIVE?

STAFF RECOMMENDATIONS: Approve the redirection of the 2019 Film Festival surplus funds to the Film Festival organizers to be used for 501-c3 incorporation expenses.

REVIEWED BY:

City Manager:

City Attorney:

City Clerk:

Department Director:

[Handwritten signatures: Lora Taylor, City Manager; David Hoanaka, City Attorney; and others]

COUNCIL ACTION:

- ☐ **APPROVED**
☐ **DENIED**
☐ **DEFERRED**
☐ **OTHER**

From Antonio Correia
On behalf of the Bonita Springs Short Film Festival organization

To City Council of Bonita Springs
9101 Bonita Beach Road. Bonita Springs, FL 34135

6 years ago, a group of volunteers decided to lend a hand to the City, in promoting the new Bonita Nature Center Park. The group organized a film festival, expecting to increase the foot traffic at the park. The results were overwhelming. Hundreds of people showed up, and made films highlighting the park's natural beauty. We realized then we were on to something unique, and special.

In fact, the festival was such a hit with the community that the group of volunteers decided to do it again, successfully now for the 6th year in a row. Since we were no more than a community group, we welcomed the City's support, from simple encouragement, to promotion, to accounting support.

Due to our success and growth, the City's encouraged us to incorporate the festival as a 501-C3. In order to do so, though, we need to face some unexpected expenses, from incorporation to liability, to dedicate accounting, and everything in between, and we want to face those expenses without any dollars from the taxpayers.

To face these new expenses we are asking the City that, instead of collecting the 2019 festival's surplus money and allocate it towards the City's waterways fund, to allow us to use that surplus to face our brand new expenses.

The mission statement of the festival will not change. We will continue to feature the City as a stage, and as partner, and a friend of the festival, promoting film making, and showcasing the best our City has to show to the world.

By the way, the theme for the 2020's 7th edition of the Bonita Springs short film festival, is 'Eat, Love, and Play, in Bonita Springs.

We look forward to see you all at the November 5th, 2020, red carpet gala.

Thank you for everything
Antonio Correia
Executive Director

AGENDA ITEM SUMMARY

REQUESTED MOTION: Approve the renewal of the Participation Agreement between the City of Bonita Springs and Bonita Springs Community Lions Club for Service Projects at Bonita Nature Place.

MEETING DATE: February 5, 2020

AGENDA:	REQUIREMENT/PURPOSE: (Specify)	REQUESTOR OF INFORMATION:
---------	--------------------------------	---------------------------

	PRESENTATIONS		STATUTE	Nicole Perino Parks and Recreation Director
X	CONSENT		ORDINANCE	
	PUBLIC HEARING		ADMIN. CODE	
	MAYOR AND COUNCIL MEMBER ITEMS	X	OTHER	
	MAYOR AND COUNCIL MEMBER'S REPORTS			
	CITY ATTORNEY			
	CITY MANAGER			

BACKGROUND:

The Bonita Springs Parks and Recreation Department and the Bonita Springs Community Lion's Club created a process where the Lions Club performs service projects at Bonita Nature Place, predominantly with an ecological theme. When the Lions Club identifies a particular project, they complete the one-page form for the Parks & Recreation Director to approve, adding any special conditions if necessary. The Lions Club plans to perform special programs for children volunteers, whom they will supervise while at the park. The agreement allows for the Bonita Springs Community Lion's Club to use the Bonita Nature Place meeting room for their weekly club meetings as well as use of a portion of the storage shed located on the property. The participation agreement may be renewed annually.

The Bonita Springs Community Lion's Club is working on a proposed program and will be bringing it to staff for additional review. The Lion's Club would like to exercise their ability to renew the participation agreement for another one-year term. At their January 21, 2020 meeting, the Outreach Board made a recommendation for the City to renew the existing agreement between the Lion's Club, the City of Bonita Springs and the Bonita Nature Place.

Attachment: Original Participation Agreement and Participation Agreement renewal

IS THIS RELATED TO A STRATEGIC PLAN OBJECTIVE? YES X NO
IF YES, WHICH STRATEGIC OBJECTIVE?

STAFF RECOMMENDATIONS: Approve the renewal of the Participation Agreement with Bonita Springs Community Lions Club for Service Projects at Bonita Nature Place.

REVIEWED BY:

City Manager:

City Attorney:

City Clerk:

Department Director:

COUNCIL ACTION:

☐ **APPROVED**
☐ **DENIED**
☐ **DEFERRED**
☐ **OTHER**

**PARK PARTICIPATION AGREEMENT BETWEEN
CITY OF BONITA SPRINGS
AND BONITA SPRINGS COMMUNITY LION'S CLUB
BONITA NATURE PLACE**

This Renewal of a participation agreement dated January 18, 2017, is made and entered into this 5th day of February 2020 between the City of Bonita Springs, ("City") a municipality within the state of Florida, and Bonita Springs Community Lion's Club, Inc., ("Club"), a Florida Not for Profit Corporation, licensed to do business in the State of Florida:

WHEREAS, the City and the Club enter into a participation agreement for use of the Bonita Nature Place.

WHEREAS, it is in the public interest to amend the Agreement dated January 18, 2017, attached hereto as Exhibit "A" to continue the services for another one-year period under the same terms and conditions.

NOW, THEREFORE, inconsideration of the above premises and other good and valuable consideration, the sufficiency of which is hereby acknowledged by the parties, the City and Club hereby agree to extend the Agreement as follows:

1. The recitals as set forth above are incorporated into the terms of this agreement as set out herein at length.
2. Section V (B) Renewing Terms, is hereby extended in an increment of one year, to February 5, 2021.
3. All of the remaining terms in Exhibit "A", the Agreement, attached hereto, remain the same.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed Said Agreement is to become effective and operative upon filing with the City Clerk.

Bonita Springs Community Lion's Club, Inc.

Witness By: _____

AUTHENTICATION:

Mayor

City Clerk

APPROVED AS TO FORM: _____

City Attorney

Date Filed with City Clerk: _____

**PARK PARTICIPATION AGREEMENT BETWEEN
CITY OF BONITA SPRINGS
AND BONITA SPRINGS WEST COMMUNITY LION'S CLUB
BONITA NATURE PLACE**

This Participation Agreement is entered into this ____ day of _____, 2017, by and between the City of Bonita Springs, ("City") municipality within the State of Florida, and Bonita Springs West Community Lion's Club, Inc., ("Club"), a Florida Not for Profit Corporation, licensed to do business in the State of Florida, who agree as follows:

1. The purpose of this participation agreement is for the Club to be able to perform service projects at Bonita Nature Place Park, a facility located at 27601 Kent Road, Bonita Springs, Florida.
2. The Club will coordinate with Parks and Recreation Director, or designee, as to the extent and nature of each service project prior to the commencement of each project. A sample of a form to fill out for each service project is attached. The Club will assign a facilitator to work between the City and the Club, and any volunteers that it may bring to Bonita Nature Place Park.
3. The objective is to have service projects which can be performed during reasonable hours and not interfere with the use of the park by other visitors. The goal of each service project is to create civic engagement.
4. All service projects become the property of the City of Bonita Springs once completed, excluding supplies, tools, eye glasses and exhibits, unless materials purchased with City funds.
5. Depending on the project, the Club may place a small placard identifying its work on a specific service project, and any specific volunteer group for a particular project, as long as the placement does not detract from the service project or the Bonita Nature Place Park itself. Prior to any sign placement, the Club will show plans of the sign to the Parks and Recreation Director, or designee, who will approve the sign if she or he determines it is of professional quality. The City reserves the right to remove a placard where the individual service project was temporary in manner (e.g., weeding should not have a placard where there are now more weeds) or no longer existing.
6. General turnaround time on review and approval of a specific service project will be about thirty (30) days. Failure of the Club to coordinate may require removal of a service project, especially if the project would have required state, federal or local permits, and could be grounds for the City to terminate this participation agreement, depending on any costs incurred by the City to take corrective action. An example of this would be to clear a path in an area of the park where trees are protected, or to build a structure that violates the terms of the City's permit with the South Florida Water Management District, and requires permit modification, restoration and/or fines.

BSC-17-01-24

7. At no time should the Club construe this participation agreement to extend to property not owned by the City that adjoins the Bonita Nature Place Park, whether the property is under private ownership or owned by another governmental agency.
8. Each Saturday, from 10:00 a.m. – 12:00 p.m., the Club will have exclusive use of the meeting room located at Bonita Nature Place, unless another time is arranged through Parks and Recreation Director. During this time, Bonita Nature Place will be open to the public but not supervised by any City employee. Due to the sensitive nature of the facility, no domestic animals are permitted on the property, with exception to service animals under the control of their handler.
9. The Club will take all due care and caution to protect its members and volunteers at the site, and throughout Bonita Nature Place, both during their meeting time and during a service project. The Club may not trespass visitors. If there is a visitor disturbing the Club activities, proceed first with the caretaker and if not available, Parks and Recreation Director. Any altercation between a visitor and the Club should be reported to Parks and Recreation Director, and in the event of an emergency, to LCSO during the occurrence or immediately thereafter. In the event a Club member has created the disturbance to the visitor, in the City's determination, that the Club member may be suspended or expelled from the facility per BSC §28-46.
10. The Club may commence performing service projects and using the meeting space as of February 1, 2017 through January 31, 2018. This participation agreement may be renewed for three (3) additional one-year period under the same terms and conditions provided that the Club gives the City written notice at least thirty (30) days prior to the expiration of the original term that it desires to renew for an additional year.
11. The Club shall be solely responsible for the maintenance of any materials or tools used for service projects. The Club will keep its worksite area for its approved specific service projects in good repair at all times during the term of this Agreement. Storage in the stable area for eye glass containers and packaging, as well as storage for any long term project will be supplied (NTE 10' x 10' for both storage needs). The Club will replace any damaged area of the park as required, caused by their use, as deemed necessary by the City.
12. If the Club commences with a service project and fails to complete it, the City should be advised immediately that it is not the intent of the Club to continue that specific service project. In such event, the Club should remove the unfinished project within a reasonable time frame for that project. If they are unable to do so, they must advise the City immediately so that the City may take action to remove any unfinished project. If the City incurs expenses in removing the project, the Club will be required to repay the City prior to undertaking a new service project.
13. The Club shall provide, hold, and have in place at the time of the execution of this Agreement all required insurances and licenses for conducting its service projects.

The Club shall procure and maintain Commercial General Liability insurance with minimum limits of \$1,000,000.00 per occurrence for bodily injury and property damage. Said coverage shall include contractual liability relative to this Agreement and list the City Council of Bonita Springs as an additional insured. In addition, the Club shall be responsible for All Risk Property damage coverage, where applicable, for their use of the property on City owned premises. Evidence of the above mentioned coverage shall be submitted to the City via a Certificate of Insurance.

14. The City will not be responsible to the Club for damage or loss to any vehicles or any equipment that has been placed on City premises.
15. No alcohol is permitted at this facility, unless a special event permit is obtained with the requisite insurance and meeting other conditions of that permit.
16. The parties agree that the specific service projects and use of the Bonita Nature Place Park facility is sufficient consideration for this participation agreement. No other fees and / or charges will be required to be paid for by the Club, except for building permit fees (if applicable), which are statutorily required to be assessed.
17. Any modifications or changes to the agreement; or any other information pertinent to this participation agreement shall be delivered via US Mail, facsimile, email or hand delivery during the term of the agreement with a minimum of 30 days before the expiration of the participation agreement.
18. The City or the Club may terminate this agreement at any time with no less than 60 days' notice to the non-terminating party if there has been a specific breach of one or more of the articles contained herein, or by mutual agreement.
19. The Club shall protect, defend, indemnify, save and hold the City, the City Council of Bonita Springs, its agents, officials, employees and servants, including any volunteers, any firm, company, organization or individual, or their contractors or subcontractors with whom the Club may be contracted, harmless from and against any and all claims, demands, fines, loss or destruction of property, liabilities, damages, including incidental, special, actual, punitive, consequential, indirect, environmental pollution, judgments, losses, costs, expenses, suits, actions and causes of action of every kind and character, for claims based on the negligence, misconduct, or omissions of the Club resulting from the Club's performance of any of its obligations or operations under this Agreement, which may arise in favor of any person or persons on account of illness, disease, loss of property, services, wages, death or personal injuries resulting from the Club's performance or non-performance of its obligations or operations under this Agreement, except any damages arising out of personal injury or property claims from third parties caused solely by the negligence, omission(s) or willful misconduct of the City, its officials, employees or agents which are subject to the limitations as set forth in §768.28, Florida Statutes, as amended. Further, the Club hereby agrees to indemnify the City for all reasonable expenses and attorney's fees incurred by or imposed upon the City in connection therewith for any loss, damage, injury or other

casualty. The Club additionally agrees that the City may employ an attorney of the City's own selection to appear and defend any such action, on behalf of the City, at the expense of the Club. The Club further agrees to pay all reasonable expenses and attorney's fees incurred by the City in establishing the right to indemnity.

IN WITNESSETH WHEREOF, the CITY and the CLUB have caused this license to be executed under seal the day and year first above written.

BONITA SPRINGS WEST COMMUNITY
LION'S CLUB, INC.

Nadine Chiaramonte
Witness 1
[Signature]
Witness 2

By: [Signature]
CITY CLERK

By: [Signature]
CATHERINE LAU, PRESIDENT

BONITA SPRINGS, FLORIDA
BY ITS CITY COUNCIL

By: [Signature]
MAYOR PETER SIMMONS

APPROVED AS TO LEGAL
FORM AND SUFFICIENCY

[Signature]
CITY ATTORNEY'S OFFICE

Service Project Request

To: Nicole Perino, Director, Parks and Recreation Date: _____

From: _____, Project Facilitator
Bonita Springs West Community Lion's Club, Inc.

Contact Information: _____

Project Title: _____

Location of Project: _____

Description of Project: _____

Beginning date of project: _____ End date for project: _____

___ Attach list of specific volunteers or names of other volunteering entities.

___ Attach list of any permits needed to complete project, or any specific needs from the city, including solid waste pick-up, construction and debris, etc.

___ Insurance on file with the City, or if not, please attach.

I have read a copy of the participation agreement for use of Bonita Nature Place for service projects and agree that the Club will abide by the terms. I acknowledge that I have the authority to sign this project request for the Club. Any changes to the information herein will be reported to the City.

President, Bonita Springs West Community Lion's Club, Inc.

Date

Project Approval: On behalf of the City of Bonita Springs, I approve that this service project may commence, subject to this service project description, the agreement and attachments, and any special conditions that I have added herein.

Nicole Perino, Director, Parks and Recreation

Date

AGENDA ITEM SUMMARY

REQUESTED MOTION: DISCUSS THE POSSIBILITY OF ALLOWING ADVERTISING ON THE FENCING AT THE MARNI FIELDS AND SOCCER COMPLEX AND ALLOWING A PORTION OF THE PROCEEDS TO BENEFIT THE SOCCER LEAGUE.

MEETING DATE: February 5, 2020

AGENDA:		REQUIREMENT/PURPOSE: (Specify)	REQUESTOR OF INFORMATION:
	PRESENTATIONS	STATUTE	Mayor Peter Simmons
	CONSENT	ORDINANCE	
	PUBLIC HEARING	ADMIN. CODE	
X	MAYOR AND COUNCIL MEMBER ITEMS	OTHER	
	MAYOR AND COUNCIL MEMBER'S REPORTS		
	CITY ATTORNEY ITEMS		
	CITY MANAGER ITEMS		

BACKGROUND: The Outreach Committee recommended that council discuss the possibility of allowing a private company to sell advertising on the fencing located at Marni Fields and the Soccer Complex with a portion of the proceeds going to the Soccer League. I would like to discuss with Council the possibility of putting advertising at these city facilities.

IS THIS RELATED TO A STRATEGIC PLAN OBJECTIVE? YES ☒ NO
IF YES, WHICH STRATEGIC OBJECTIVE?

STAFF RECOMMENDATIONS: Council's pleasure.

REVIEWED BY:

City Manager:

City Attorney:

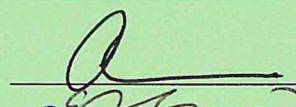
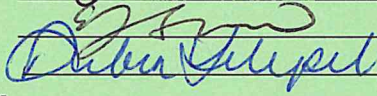
City Clerk:

Department Director:

Debra Rosales Signed by *Jane Chavira*
Debra Rosales

COUNCIL ACTION:

- ☐ APPROVED
☐ DENIED
☐ DEFERRED
☐ OTHER

BONITA SPRINGS CITY COUNCIL	GREEN SHEET:	20-02-024
AGENDA ITEM SUMMARY		
REQUESTED MOTION: Commence with the transmittal process for comprehensive plan amendments related to the Water Supply Plan, and if approved, transmit to the Florida Department of Economic Opportunity (DEO) through Expedited State Review Amendment Process.		
AN ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA, PROVIDING FOR ADOPTION OF A COMPREHENSIVE PLAN UPDATE RELATING TO THE WATER SUPPLY PLAN OF THE INFRASTRUCTURE AND CAPITAL IMPROVEMENT ELEMENTS; PROVIDING FOR INTENT; PROVIDING FOR SERVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.		
MEETING DATE: February 5, 2020		
AGENDA:	REQUIREMENT/PURPOSE: (Specify)	REQUESTOR OF INFORMATION:
☐ PRESENTATIONS	☒ STATUTE	Sean Gibbons Planner II And Jacqueline Genson AICP Planning and Zoning Manager
☐ CONSENT	☒ ORDINANCE	
☒ PUBLIC HEARING	☐ ADMIN. CODE	
☐ MAYOR AND COUNCIL MEMBER ITEMS	☐ OTHER	
☐ MAYOR AND COUNCIL MEMBER'S REPORTS		
☐ CITY ATTORNEY ITEMS		
☐ CITY MANAGER ITEMS		
BACKGROUND: The South Florida Water Management District's (SFWMD) updated to its Lower West Coast Regional Water Supply Plan on December 14, 2017 and as required by statute, following that update, the City is required to prepare a 10-year Water Supply Facilities Work Plan and adopt revisions to the City's Comprehensive Plan addressing the water supply requirements within 18 months of the regional plan's approval. The City of Bonita Springs adopted its Remaining EAR State Mandated Amendments on December 4, 2019 (DEO Case 19-01ER). The EAR State Mandated Amendments included an amendment that updated Table: 1-10, Water Supply Capital Improvements Projects (2020-2030), which is a part of the City's Water Supply Facilities Work Plan (Capital Improvements Element). Community Development and the Bonita Springs Utilities have updated the 10 year Water Supply Facilities Work Plan and find that no additional amendments to the goals, objectives, or policies are required. A copy of the work plan is included as an attachment to the ordinance.		
IS THIS RELATED TO A STRATEGIC PLAN OBJECTIVE? ☐ YES ☒ NO (Required by State Statute)		
IF YES, WHICH STRATEGIC OBJECTIVE?		
STAFF RECOMMENDATIONS: Motion to approve and transmit to the Florida Department of Economic Opportunity (DEO).		
REVIEWED BY:		
City Manager:		
City Attorney:		
City Clerk:		
Department Director:		
COUNCIL ACTION:		
☐ APPROVED ☐ DENIED ☐ DEFERRED ☐ OTHER		

CITY OF BONITA SPRINGS, FLORIDA

ORDINANCE NO. 2020 –

AN ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA, PROVIDING FOR ADOPTION OF A COMPREHENSIVE PLAN AMENDMENT RELATING TO THE WATER SUPPLY PLAN OF THE INFRASTRUCTURE AND CAPITAL IMPROVEMENT ELEMENTS; PROVIDING FOR INTENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Whereas, the City Council of the City of Bonita Springs, Florida recognizes the need to plan for orderly growth and development; and

Whereas, Chapter 163, Florida Statutes provides for amendment to adopted Comprehensive Plan; and

Whereas, City Council for the City of Bonita Springs adopted the City of Bonita Springs Comprehensive Plan, as amended, in accordance with the Local Government Comprehensive Planning Act; and

Whereas, the Bonita Springs Comprehensive Plan provides for adoption of Plan Amendments with such frequency as may be permitted by applicable state statutes, in accordance with such administrative procedures as the City of Bonita Springs Council may adopt; and

Whereas, the South Florida Water Management District approved its Lower West Coast Regional Water Supply Plan on December 20, 2017; and

WHEREAS, the City is required to prepare a 10-year Water Supply Facilities Work Plan and adopt revisions to the City's Comprehensive Plan addressing the water supply requirements within 18 months of the regional plan's approval; and

Whereas, the proposed Water Supply Facilities Work Plan, attached hereto as Exhibit "A", will promote and protect public health safety and welfare and will help accomplish the goals, objectives and policies of the City Comprehensive Plan; and

Whereas, Florida Statutes §163.3181 further provides an opportunity for individuals to participate in the plan amendment public hearing process; and

Whereas, the City has received and reviewed the proposed Amendment to the City's Comprehensive Plan, and said proposed amendment being reviewed by the City's Local Planning Agency at a duly advertised meeting on January 23, 2020, and

Whereas, the City Council has agreed with the recommendations of the Local Planning Agency that the proposed amendment complies with the requirements of

Chapter 163, Florida Statutes, Part II, and that the proposed amendments is consistent with the Comprehensive Plan and appropriate to the future land uses within the City; and

Whereas, the City Council of Bonita Springs adopted, pursuant to Chapter 163, Part II, Florida Statutes, after holding statutorily prescribed public hearings for the adoption of the amendment being proposed and at the February 5, 2020 hearing approved a motion to transmit said proposed amendments as more particularly set forth herein.

THE CITY OF BONITA SPRINGS HEREBY ORDAINS:

Section 1. Recitals. The forgoing recitals are hereby ratified and confirmed as being true and correct and hereby made a part of this Ordinance and adopted as legislative findings.

Section 2. Adoption. The City of Bonita Springs Comprehensive Plan is hereby amended, which amendment consists of revising the Potable Water Sub-Element of the Infrastructure Element and Capital Improvements Elements which is further described as Exhibit A, attached hereto and incorporated herein by reference.

Section 3. Severability. In the event that any portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

Section 4. Effective Date. This Ordinance shall become effective in accordance with Section 163.3184, F.S.

DULY PASSED AND ENACTED by the City Council of the City of Bonita Springs, Lee County, Florida, this XX day of MONTH, 2020.

AUTHENTICATION:

Mayor

City Clerk

APPROVED AS TO FORM: _____
City Attorney

Vote:

Carr
Forbes
Gibson

Quaremba
Simmons

Date filed with City Clerk: _____

**Memorandum
from the
Bonita Springs City
Community Development Department
Planning and Zoning Division**

Date: January 15, 2020

To: Arleen M. Hunter
City Manager

From: Sean Gibbons
Community Development Dept.

Re: Draft Ordinance: Comprehensive Plan Amendment: Water Supply

Community Development and Bonita Springs Utilities have worked together to update the comprehensive plan following the South Florida Water Management District's (SFWMD) update to its Lower West Coast Regional Water Supply Plan. The SFWMD completed their Plan on December 14, 2017 and, following that update, the City is required to prepare a 10-year Water Supply Facilities Work Plan and adopt revisions to the City's Comprehensive Plan addressing the water supply requirements within 18 months of the regional plan's approval.

The City of Bonita Springs adopted its Remaining EAR State Mandated Amendments on December 4, 2019 (DEO Case 19-01ER). The EAR State Mandated Amendments included an amendment that updated Table: 1-10, Water Supply Capital Improvements Projects (2020-2030), which is a part of the City's Water Supply Facilities Work Plan (Capital Improvements Element). Community Development and Bonita Springs Utilities have updated the 10-year Water Supply Facilities Work Plan and find that no additional amendments to the goals, objectives, or policies are required. A copy of the work plan is included as an attachment to the ordinance.

DCD/

Attachments

cc: Matt Feeney, Assistant City Manager
Derek Rooney, City Attorney
Carly Sanseverino, Staff Attorney
Debbie Filipek, City Clerk
John Dulmer, Director, Community Development
Jacqueline Genson, AICP, Planning and Zoning Manager
Leah Fontanez, Community Development Administrative Assistant
Kim Hoskins, P.E., Director, Engineering, BSU

POTABLE WATER SUB-ELEMENT

Introduction

The City of Bonita Springs is not the water supplier for its residents. Of the potable water supplied by public or private facilities, Bonita Springs Utilities, Inc. (BSU) supplies approximately 96% of water needs, with Citrus Park RV Resort (Citrus Park) providing the remaining 4%. These systems provide the potable water for both residential and non-residential uses, including fire-fighting demands. Other sources of water within Bonita Springs include individual wells. At this time, data is not available regarding the number of private wells.

This is the City of Bonita Spring's update to its Water Supply Plan, which supports the intent of legislation adopted in 2005 to improve the coordination of water supply planning and local land use planning.

Data and analysis indicates that current water sources are sufficient to meet demands of future growth in Bonita Springs through 2025 and additional potable water sources during this time will not be necessary. However, water treatment facilities will require expansion in order to meet demands through 2025.

Public Potable Water Facilities Inventory

a. Operational Responsibility

BSU is responsible for approximately 96% of the City's water system service area. The remaining four percent is provided by a private facility located in Citrus Park. ~~Citrus Park is in the process of renewing their Water Use Permit (WUP) Application #130509-17 with SFWMD. Their current permit expired in 2013 and to date, the renewal permit has not been issued. As provided in SFWMD Water Use Permit (WUP) # 36-00108-W Citrus Park is permitted the use of groundwater from the Water Table Aquifer and Lower Tamiami Aquifer for a public water supply for the Citrus Park service area serving 3,450 persons in the year 2039 with an average per capita use rate of 66 gallons per day, an annual allocation of 83.11 (MG) (227,699 GPD), a total maximum monthly allocation is 10.18 million gallons (MG) and maximum monthly to average monthly pumping ratio 1.47-to-1. Withdrawals are taken from the Water Table Aquifer (WTA) and Lower Tamiami Aquifer (LTA) via three existing withdrawal facilities (wells).~~

Allocation limits for the specific sources (aquifers) are as follows: Maximum annual allocation from Lower Tamiami Aquifer shall not exceed 66.50 million gallons (MG); Maximum annual allocation from Water Table Aquifer shall not exceed 16.61 million gallons (MG); Maximum monthly allocation from Lower Tamiami Aquifer shall not exceed 8.30 million gallons (MG); Maximum monthly allocation from Water Table Aquifer shall not exceed 1.88 million gallons (MG).

~~According to the WUP application, the Citrus Park facility provides service as follows:~~

Dwelling Type	Existing		Additional Future	
	Number Units	Population	Number Units	Population
Recreational Vehicle Sites	968	1,936	0	0
Mobile Homes	562	1,124	0	0
Single Family	96	288	31	93
Total	1,626	3,348	31	92

Source: Citrus Park WUP Renewal Permit Application #130509-17

The Recreational Vehicle Sites and Mobile Homes are primarily seasonal averaging 2 persons per household, while the single family sites have a more permanent population with an average of 3 persons per household. Note that the existing and future population figures in the pending WUP renewal are higher than data reflected in the 2012 Lower West Coast Water Supply Plan Update.

b. Service Area

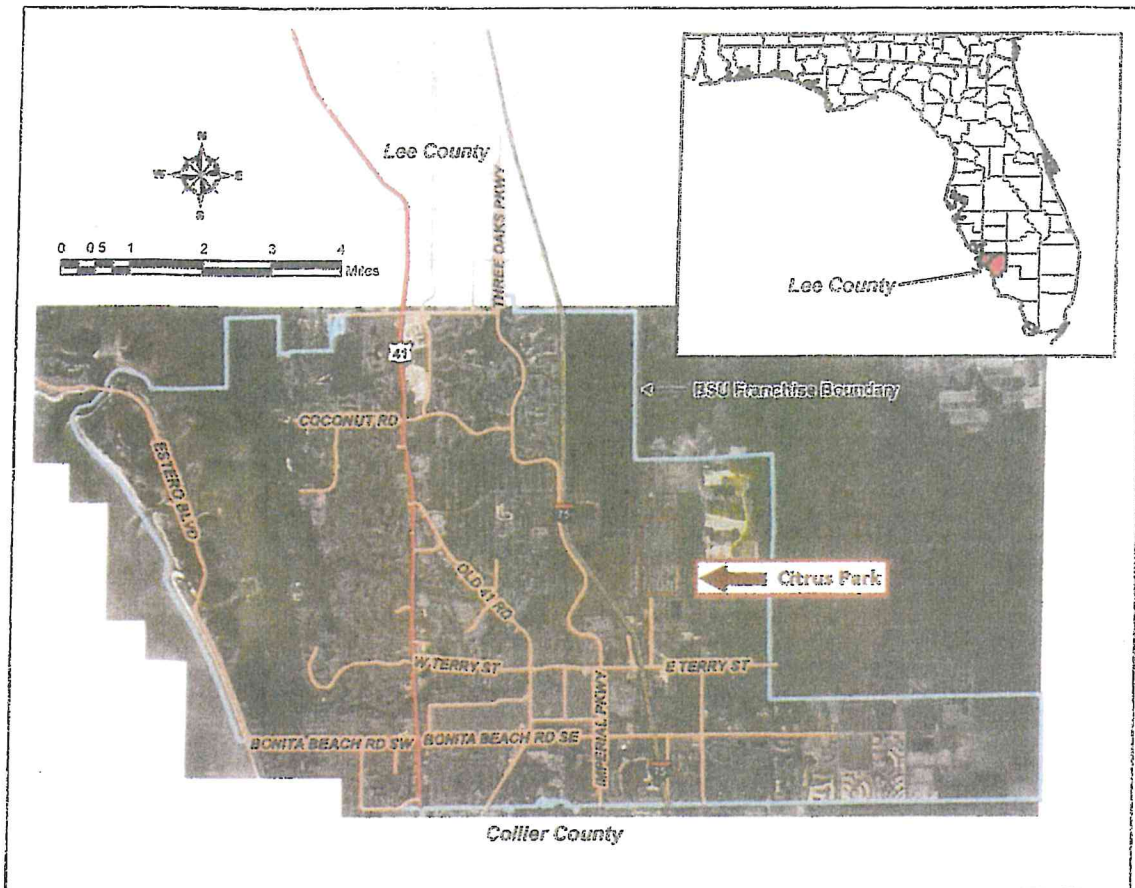
The BSU system serves primarily urbanized areas with the northern boundary generally being Williams Road and the southern boundary at the City limits along the Collier County line, the Gulf of Mexico to the west and the city limit to the east. The predominant land uses are residential, commercial, industrial, recreational, and public and semi-public uses. As of December 2013 2018, the BSU service area includes approximately ~~41,901~~ 47,674 equivalent residential connections (ERC) with an average daily demand of ~~8.97~~ 10.09 MGD in 20138.

Citrus Park provides water service to approximately 1,626 units with an average daily demand of .5 MGD. The Citrus Park service area has a northern boundary at Holly Lane with a southern boundary at Limerock Road, 1st Street to the west and 14th Street to the east.

Additionally, individual wells (for potable water) self-serve an undetermined number of single-family homes within the City limits.

~~Map 1-1: Service Area by Provider identifies the service area of each provider.~~

Map 1-1: Service Area by Provider



Water Treatment Plants

Table 1-1: Water Treatment Facility Locations lists the water treatment facilities and the location of the site.

BSU currently operates a lime softening plant permitted for 9 MGD and a reverse osmosis (RO) plant permitted for ~~6.52~~ 8.56 MGD on a single site located at ~~11860~~ 11900 East Terry Street. The facility allows expansion to meet additional needs consistent with permit specifications.

The Citrus Park water treatment facility is located at 25501 Trost Boulevard and ~~has a permitted capacity of 0.520 MGD. Citrus Park is in the process of designing a 0.100 MGD reverse osmosis water treatment plant. They anticipate that the net water plant design capacity will be reduced from the current 0.520 MGD to 0.495 MGD~~ operates at a plant treatment capacity of 0.49 million gallons (MG) per day. Approximately 80% of the groundwater is from the LTA source and 20% from the WTA source. Half of the groundwater from the LTA is treated through a reverse osmosis (RO) treatment facility (0.1 MG per day capacity) to reduce the chloride concentration. The RO

treated groundwater from the LTA (approximately 75% efficiency) is mixed with groundwater from the LTA (untreated) and WTA prior to treatment with a degassifier (to remove iron and hydrogen sulfide) to produce potable drinking water. The average distribution losses is estimated to be at approximately 8%. The Citrus Park Waste Water Treatment Facility is permitted under Florida Department of Environmental Protection Permit (FDEP) FLA-014477 and treats the wastewater with chlorination prior to discharging into the rapid infiltration basins, located 500 feet west of the wellfield, with a capacity of 0.2 MG per day, for aquifer recharge.

Table 1-1: Water Treatment Facilities		
Provider	Location	Number of Plants
BSU	11360-11900 East Terry Street	2
Citrus Park	25501 Trost Boulevard	1
Source: BSU, CUP permits. Special Note: BSU is permitted as one plant with two processes.		
Source: Citrus Park WUP Renewal Permit Application #130509-17 <u>#190515-9</u>		

d. Water Quality

BSU treated water meets federal and state requirements for safe drinking water.

Citrus Park has also obtained proper DEP and DOH for the operation of their potable water facilities. ~~According to their 2013 Annual Water Quality Report, there were some secondary contaminants (odor and total dissolved oxygen), but no primary contaminants. They are also required to meet federal and state requirements for safe drinking water.~~

e. Distribution System

BSU has approximately ~~445-477~~ miles of water mains varying in size from 2 inches to 48 inches as of December 2013~~8~~. All new installations are minimum 4-inches in size with a minimum 6-inch main to fire hydrants. Service lines, which connect the water main lines to individual homes, are typically a 1-inch line with a ¾-inch meter.

f. Public Wells

BSU operates 19 freshwater wells ranging in diameters of 8 – 12 inches and depths of 80 to 115 feet and ~~8-15~~ brackish water wells ranging in diameters of 12 – 14 inches and depths of 700 to 1,120 feet.

According the 2019 Citrus Park WUP ~~Renewal Permit Application #130509-17~~ #190515-9, Citrus Park operates three wells on site which withdraw from the Lower Tamiami Aquifer and Water Table Aquifer; specifically a 1 - 8" X 112' X 197 GPM Well Cased to 75 Feet (LTA), a 1- 8" X 117' X 200 GPM Well Cased to 75 Feet (LTA) and a 1 - 8" X 32' X 50 GPM Well Cased to 17 Feet (WTA). ~~Their 2013 public water supply request is for .275 MGD for twenty years.~~

g. Potable Water Storage Facilities

BSU has ~~eight~~seven existing potable water storage facilities, of which three ground storage tanks are located at the treatment facility with a combined capacity of 6.0 million gallons and the remaining four are off-site with a combined capacity of 7.5 million gallons. Total potable water storage capacity provided by BSU is 13.5 million gallons.

Table 1-2: Existing Potable Water Storage Facilities – BSU, identifies the location and capacity of existing potable water storage facilities within the Bonita Springs service area.

Table 1-2: Existing Potable Water Storage Facilities	
Provider/Location	Capacity (MG)
BSU (WTP)	6.00
BSU (Estero Boulevard)	0.50
BSU (San Carlos Estates)	1.00
BSU (Windsor Road)	2.00
BSU (Snell Lane)	2.00
BSU (Coconut Road)	2.00
Source: BSU	

n. High Service Pumps

BSU has ~~eight~~nine on site high service pumps that provide a capacity of 393.9 MGD; however, based on “out of service” criteria (resulting in the largest unit in the system not included in the projections), the capacity is reduced to ~~27.4~~33.9 MGD. Additional peak hour capacity is available at each of the off-site storage tanks.

i. Consumptive Use Permit

The SFWMD regulates withdrawal of water from the aquifer through the issuance of a Consumptive Use Permit (CUP). Table 1-3: Existing Water Treatment Plant Permitted Well Capacities identifies specific CUP criteria for each water treatment plant providing service to Bonita Springs.

Table 1-3 1-4: Existing Water Treatment Plant Permitted Well Capacities						
Location	CUP Number	Permitted Well Capacity Average Daily Demand		Permitted Well Capacity Maximum Daily Demand		Ground Storage (MG)
		GPM	MGD	GPM	MGD	
BSU-RO (8-15 wells)	36-04062-W	9,076.39	13.07	11,111.11	16.00	13.5
BSU Lime Softening (19 wells)	36-00008-W	3,986.11	5.74	5,145.83	7.41*	
Citrus Park	36-00208-W			354.17	0.51	
Source: CUP Permits - 36-04062-W, 36-00008-W and 36-00208.						

*BSU's CUP NUMBER 36-00008-W does not set a maximum daily demand. The maximum daily demand has been replaced with a maximum monthly demand of 222.343 million gallons, allowing the plant to run at a maximum day demand equal to its rated capacity of 9.0 MGD.

Alternative Water Sources

Currently, four wastewater treatment plants serve the City of Bonita Springs. Two are BSU operated and the others are small private package plants and include Citrus Park and Hunter's Ridge. The BSU and Hunter's Ridge facilities are water reclamation facilities providing reuse water. The treatment capacity of BSU is currently 11 MGD.

BSU's two wastewater treatment plants have produced reclaim water since their construction and they are therefore called water reclamation facilities. A long term contract (30 year rolling contract) between BSU and Resource Conservation System (RCS) has been in place since the completion of BSU's first plant. Bulk reclaimed water is delivered to their partner at the plant site. Storage, distribution, and billing of reclaimed water are handled by RCS. BSU's current water reclamation capacity is 11mgd and their bulk sales contract with RCS is also up to 11 million gallons, depending on flows received. Below, please find BSU's capacity and flow and reclaimed water sold for the years 2000-2009 through 20132018. Nearly all water received is reclaimed and sold. Therefore, all reclaimed water sold is a direct offset to potable water demand. This accounts for lower per capita potable water usage.

TABLE 1-4, BONITA SPRINGS UTILITIES WEST WATER RECLAMATION FACILITY EFFLUENT FLOW HISTORY, 2000-2013											
DATE	FLOW	CAP	SOLD	DATE	FLOW	CAP	SOLD	DATE	FLOW	CAP	SOLD
Jan-2000	2	4.25	1.32	Jan-2003	3	7	2.77	Jan-2006	5	7	4.44
Feb-2000	2	4.25	1.65	Feb-2003	3	7	3.47	Feb-2006	5	7	4.87
Mar-2000	3	4.25	1.65	Mar-2003	4	7	3.59	Mar-2006	5	7	4.69
Apr-2000	3	4.25	1.92	Apr-2003	4	7	4.29	Apr-2006	5	7	5.12
May-2000	2	4.25	1.62	May-2003	4	7	3.67	May-2006	4	7	4.26
Jun-2000	2	4.25	1.26	Jun-2003	3	7	3.36	Jun-2006	4	7	3.75
Jul-2000	2	4.25	1.11	Jul-2003	3	7	2.89	Jul-2006	4	7	3.63
Aug-2000	2	4.25	1.22	Aug-2003	3	7	3.94	Aug-2006	4	7	4.04
Sep-2000	2	4.25	1.18	Sep-2003	3	7	3.23	Sep-2006	4	7	3.90
Oct-2000	2	4.25	1.46	Oct-2003	3	7	3.27	Oct-2006	4	7	3.64
Nov-2000	2	4.25		Nov-2003	3	7	3.16	Nov-2006	4	7	3.05

Dec-2000	2	4.25	2.24	Dec-2003	3	7	3.25	Dec-2006	4	7	4.06
Jan-2004	3	4.25	2.20	Jan-2004	4	7	2.44	Jan-2007	4.70	7	3.63
Feb-2004	3	4.25	2.02	Feb-2004	4	7	2.05	Feb-2007	5.10	7	5.24
Mar-2004	3	4.25	1.90	Mar-2004	4	7	4.36	Mar-2007	4.90	7	4.40
Apr-2004	3	4.25	2.35	Apr-2004	5	7	4.73	Apr-2007	3.54	9	3.20
May-2004	3	4.25	2.51	May-2004	4	7	3.76	May-2007	2.32	9	2.20
Jun-2004	3	4.25	2.46	Jun-2004	3	7	3.35	Jun-2007	3.53	9	3.46
Jul-2004	3	4.25	1.47	Jul-2004	3	7	2.75	Jul-2007	2.50	9	3.36
Aug-2004	3	4.25	1.70	Aug-2004	3	7	3.04	Aug-2007	2.23	9	2.67
Sep-2004	3	4.25	2.13	Sep-2004	3	7	3.65	Sep-2007	3.36	9	3.19
Oct-2004	3	4.25	2.23	Oct-2004	4	7	3.40	Oct-2007	3.73	9	3.49
Nov-2004	3	4.25	1.86	Nov-2004	4	7	3.53	Nov-2007	2.86	9	3.62
Dec-2004	3	4.25	2.88	Dec-2004	4	7	3.84	Dec-2007	4.04	9	3.94
Jan-2002	3	7	2.55	Jan-2005	4	7	3.83	Jan-2008	4.66	9	4.55
Feb-2002	3	7	2.73	Feb-2005	4	7	4.52	Feb-2008	5.17	9	4.95
Mar-2002	3	7	3.27	Mar-2005	5	7	4.10	Mar-2008	4.93	9	4.96
Apr-2002	4	7	3.62	Apr-2005	5	7	5.11	Apr-2008	4.20	9	3.98
May-2002	3	7	3.28	May-2005	4	7	4.13	May-2008	3.34	9	3.35
Jun-2002	3	7	2.74	Jun-2005	4	7	3.38	Jun-2008	3.08	9	3.10
Jul-2002	3	7	2.76	Jul-2005	4	7	4.43	Jul-2008	3.68	9	3.06
Aug-2002	3	7	2.83	Aug-2005	4	7	1.84	Aug-2008	4.22	9	2.86
Sep-2002	3	7	2.84	Sep-2005	4	7	3.49	Sep-2008	3.98	9	3.89
Oct-2002	3	7	3.03	Oct-2005	4	7	3.35	Oct-2008	3.92	9	3.74
Nov-2002	3	7	3.04	Nov-2005	4	7	3.19	Nov-2008	4.45	11	4.04
Dec-2002	3	7	2.97	Dec-2005	4	7	4.82	Dec-2008	4.02	11	3.48

TABLE 1-4, BONITA SPRINGS UTILITIES WEST WATER RECLAMATION FACILITY EFFLUENT FLOW HISTORY (MGD), 2000-2009 - 2013-2018 (Continued)											
DATE	FLOW	CAP	SOLD	DATE	FLOW	CAP	SOLD	DATE	FLOW	CAP	SOLD
Jan 2009	4.64	11	4.55	Jan 2011	4.45	11	4.36	Jan 2013	4.79	11	4.64
Feb 2009	4.69	11	4.71	Feb 2011	4.81	11	4.77	Feb 2013	5.15	11	4.89
Mar 2009	4.62	11	4.60	Mar 2011	4.74	11	4.85	Mar 2013	4.98	11	3.99
Apr 2009	4.10	11	4.12	Apr 2011	5.45	11	4.16	Apr 2013	4.46	11	4.27
May 2009	3.36	11	3.36	May 2011	3.18	11	3.33	May 2013	3.34	11	3.49
Jun 2009	3.04	11	3.04	Jun 2011	2.80	11	2.57	June 2013	3.53	11	3.55
Jul 2009	3.14	11	3.14	Jul 2011	3.06	11	2.78	July 2013	3.79	11	3.78
Aug 2009	3.23	11	3.23	Aug 2011	3.14	11	3.16	Aug 2013	3.56	11	3.74
Sep 2009	3.43	11	3.14	Sep 2011	3.37	11	3.27	Sept 2013	3.79	11	3.79
Oct 2009	3.66	11	3.60	Oct 2011	4.11	11	4.09	Oct 2013	3.65	11	3.56
Nov 2009	3.83	11	3.72	Nov 2011	4.42	11	4.31	Nov 2013	4.03	11	4.11
Dec 2009	4.03	11	4.04	Dec 2011	4.13	11	3.95	Dec 2013	4.04	11	4.04
Jan 2010	4.31	11	4.28	Jan 2012	4.69	11	4.52	<u>Jan 2014</u>	<u>4.82</u>	<u>11</u>	<u>4.68</u>
Feb 2010	4.40	11	4.75	Feb 2012	4.84	11	4.78	<u>Feb 2014</u>	<u>5.52</u>	<u>11</u>	<u>5.03</u>
Mar 2010	4.72	11	5.10	Mar 2012	5.02	11	4.92	<u>Mar 2014</u>	<u>5.45</u>	<u>11</u>	<u>5.21</u>
Apr 2010	4.59	11	4.90	Apr 2012	4.24	11	4.22	<u>Apr 2014</u>	<u>4.89</u>	<u>11</u>	<u>4.57</u>
May 2010	3.59	11	3.59	May 2012	3.34	11	3.34	<u>May 2014</u>	<u>3.77</u>	<u>11</u>	<u>3.57</u>
Jun 2010	3.19	11	3.19	Jun 2012	3.25	11	3.19	<u>June 2014</u>	<u>3.27</u>	<u>11</u>	<u>3.29</u>
Jul 2010	3.26	11	3.26	Jul 2012	3.30	11	3.22	<u>July 2014</u>	<u>3.57</u>	<u>11</u>	<u>3.57</u>
Aug 2010	3.51	11	2.91	Aug 2012	3.51	11	3.51	<u>Aug 2014</u>	<u>3.54</u>	<u>11</u>	<u>3.54</u>
Sep 2010	3.10	11	3.32	Sep 2012	3.20	11	3.09	<u>Sept 2014</u>	<u>3.89</u>	<u>11</u>	<u>3.69</u>
Oct 2010	3.51	11	3.57	Oct 2012	4.40	11	3.30	<u>Oct 2014</u>	<u>4.24</u>	<u>11</u>	<u>4.30</u>
Nov 2010	4.03	11	3.76	Nov 2012	4.39	11	4.26	<u>Nov 2014</u>	<u>4.47</u>	<u>11</u>	<u>4.56</u>

Dec 2010	3.91	11	3.86	Dec 2012	4.03	11	3.64	<u>Dec 2014</u>	<u>4.37</u>	<u>11</u>	<u>4.54</u>
Source: Bonita Springs Utilities											

TABLE 1-4. BONITA SPRINGS UTILITIES WEST WATER RECLAMATION FACILITY EFFLUENT FLOW HISTORY (MGD), 2009 – 2018 (continued)											
DATE	FLOW	CAP	SOLD	DATE	FLOW	CAP	SOLD				
Jan 2015	5.01	11	5.03	Jan 2017	5.10	11	5.08				
Feb 2015	5.29	11	5.25	Feb 2017	5.28	11	5.27				
Mar 2015	5.43	11	5.52	Mar 2017	5.28	11	5.31				
Apr 2015	4.69	11	4.60	Apr 2017	4.59	11	4.59				
May 2015	3.80	11	3.86	May 2017	3.67	11	3.62				
Jun 2015	3.62	11	3.70	Jun 2017	4.05	11	3.94				
Jul 2015	4.02	11	3.46	Jul 2017	4.15	11	3.14				
Aug 2015	4.26	11	3.39	Aug 2017	5.76	11	5.10				
Sep 2015	4.81	11	4.66	Sep 2017	5.92	11	5.67				
Oct 2015	4.92	11	4.67	Oct 2017	5.04	11	5.07				
Nov 2015	4.74	11	4.62	Nov 2017	4.77	11	4.69				
Dec 2015	4.37	11	4.28	Dec 2017	4.28	11	4.34				
Jan 2016	5.63	11	5.58	Jan 2018	4.98	11	4.94				
Feb 2016	6.02	11	4.74	Feb 2018	5.19	11	5.23				
Mar 2016	5.62	11	5.39	Mar 2018	5.45	11	5.35				
Apr 2016	4.65	11	4.56	Apr 2018	4.74	11	4.64				
May 2016	4.07	11	4.07	May 2018	4.20	11	3.93				
Jun 2016	3.95	11	3.71	Jun 2018	3.88	11	3.69				
Jul 2016	4.14	11	3.73	Jul 2018	4.12	11	3.99				
Aug 2016	4.26	11	4.01	Aug 2018	3.78	11	3.58				

<u>Sep 2016</u>	<u>4.61</u>	<u>11</u>	<u>4.32</u>	<u>Sep 2018</u>	<u>4.22</u>	<u>11</u>	<u>4.18</u>				
<u>Oct 2016</u>	<u>4.40</u>	<u>11</u>	<u>4.29</u>	<u>Oct 2018</u>	<u>4.29</u>	<u>11</u>	<u>4.27</u>				
<u>Nov 2016</u>	<u>4.67</u>	<u>11</u>	<u>4.41</u>	<u>Nov 2018</u>	<u>4.57</u>	<u>11</u>	<u>4.56</u>				
<u>Dec 2016</u>	<u>4.40</u>	<u>11</u>	<u>4.38</u>	<u>Dec 2018</u>	<u>4.55</u>	<u>11</u>	<u>4.54</u>				
<u>Source: Bonita Springs Utilities</u>											

Conservation Programs

The South Florida Water Management District adopted a Comprehensive Water Conservation Program in 2008. It was designed to bring about a permanent reduction in individual water use and is organized into 1) regulatory, 2) voluntary and incentive-based, and 3) education and marketing initiatives.

A Mandatory Year-Round Landscape Irrigation Conservation Measures Rule became effective in March 2010 (Chapter 40E-24, F.A.C.), which limits landscape irrigation to two days per week, with a provision for irrigation up to three days per week.

The SFWMD also offers two cost-share funding programs to assist local water users with development of alternative water supplies and water conservation: the Alternative Water Supply Funding Program and the Water Savings Incentive Program (WaterSIP).

According to the LWCWS Update, since 1991 the SFWMD consumptive use permitting rules have required Public Water Supply (PWS) users to provide the following:

1. Adoption of an irrigation days/hours ordinance
2. Adoption of a Florida-Friendly Landscape™ ordinance
3. Adoption of an ultralow volume fixtures ordinance
4. Adoption of a rain sensor device ordinance
5. Adoption of a water conservation-based rate structure
6. Implementation of a utility leak detection and repair program
7. Implementation of a water conservation public education program
8. An analysis of reclaimed water feasibility

Water Supply Concurrency

The water use per ERC for the BSU service area is based on maximum month average daily demand (MMADD), as that is the most representative time of year when units are occupied. As presented in Table 1-5, using the annual average daily demand (AADD) does not capture a level of service (LOS) necessary to plan properly for all committed ERCs. By using the MMADD, the LOS average from 1995-2000-2013 is 229-233. However, considering the recent upward trend, a LOS of 235 GPD per ERC is a reasonable standard for the future planning period. The proposed

Maximum Daily Demand (MDD) peaking factor of 1.50 is based on the average peaking factor over the past 17-19 years.

Table 1-5 6					
Historical Water Demand					
BSU Service Area					
1995 – 2013					
Year	ERCs	AADD (MGD)	AADD LOS(1)	MMADD (MGD)	MMADD LOS(1)
1995	16,874	2.8	166	3.71	220
1996	17,399	3.3	190	3.87	222
1997	19,316	3.4	176	4.12	213
1998	20,822	3.9	187	4.50	216
1999	22,093	4.3	195	5.41	245
2000	24,945	5.07	203	5.71	229
2001	27,738	5.46	197	6.07	219
2002	29,478	5.993	203	6.75	229
2003	31,302	6.647	212	7.03	225
2004	33,002	7.367	223	9.89	300
2005	33,762	7.62	226	9.49	261
2006	38,159	9.467	248	11.74	308
2007	39,504	8.626	218	10.15	257
2008	40,137	7.479	186	8.10	202
2009	40,441	7.262	180	8.39	207
2010	40,614	6.652	164	7.25	179
2011	40,856	7.193	176	7.45	182
2012	41,105	7.67	187	8.14	198
2013	41,901	8.07	193	9.67	231
2014	42,476	8.66	204	9.89	233
2015	43,670	8.94	205	10.10	231
2016	44,329	9.31	210	10.84	244
2017	46,177	9.62	208	11.27	244
2018	47,674	10.09	212	11.48	241
		AVERAGE	195202		229233
(1) LOS = gallons per ERC per day					
Source: BSU					

Projected Water Needs and Sources

a. Population

The South Florida Water Management District requests that population projections consider the most current data found in the applicable Regional Water Supply Plan, Medium-BEBR (Bureau

of Economic and Business Research), or other approved method. BEBR does not prepare medium projections for municipalities. Therefore, the City estimated its population projection by identifying the City's proportion of its population (7.12%) in relation to Lee County's total population based on BEBR 2012-2018 Estimate. For Lee County, the population increase for the water supply planning period shows an increase from ~~638,029~~747,388 to ~~958,500~~892,108 (approximately ~~34.6~~19.4% increase). ~~Based on the 2010 Census,~~ ~~The City of Bonita Springs is~~ approximately 7.12% of the total population for Lee County; therefore, the City anticipates a population of approximately 60,954~~64,232~~ in 2025~~2030~~.

BSU must also anticipate projections, considering the area's seasonal population. This figure is difficult to predict, but can be estimated based on the maximum month average daily demand (MADD) with the assumption that each person typically utilizes 100 gallons per person per day. Using historical data, it appears this percentage is roughly 45%. This estimate has been carried into Table 1-6 and applied for the future planning period.

Table 1-6 Population Projections City of Bonita Springs						
POPULATION COMPONENT	<u>2015</u> 2020		2020 <u>2025</u>		<u>2025</u> 2030	
	Number	Percent	Number	Percent	Number	Percent
Year-round	<u>48,479</u> 53,812	55	<u>54,918</u> 59,359	55	<u>60,954</u> 64,232	55
Seasonal	<u>29,665</u> 44,028	45	<u>44,933</u> 48,567	45	<u>49,871</u> 52,553	45
Peak	<u>88,144</u> 97,840	100	<u>99,851</u> 107,926	100	<u>110,825</u> 116,785	100
Source: BSU						

Bonita Springs Utilities Service Area serves properties within the City of Bonita Springs, except for Citrus Park, and includes areas outside of the City of Bonita Springs. The peak population figures for Bonita Springs for the years ~~2015~~2020, ~~2020~~2025, and ~~2025~~2030 contained in the table above are used to arrive at the peak seasonal population of the BSU Service Area.

BSU estimates that the City of Bonita Spring comprises approximately ~~84~~85% of the demand for potable water throughout the entire service area. Therefore, ~~the peak seasonal population of the BSU Service Area in 2015 is estimated in the following manner:~~

$$\{(\text{Population of Bonita Springs}) \text{ less } (\text{population of Citrus Park}) \div 0.84$$

$$(\underline{88,144} \text{ } \underline{3,366}) / 0.84 = \underline{100,926}$$

Using the same calculations for the years 2020, 2025 and ~~2025~~2030, after rounding, results in the following population projections for the BSU Service Area in Table 1-7. Since BSU uses Equivalent Residential Units for determining demand upon the system and for establishing its LOS, ERCs for the planning periods are also shown.

Table 1-7 Population and ERC Projections BSU Service Area			
Population & ERCs	20152020	20202025	20252030
Peak Population	100,926114.929	114,809127.087	127,821137.764
ERCs ⁽¹⁾	45,46248.906	51,71654.079	57,57758.623
⁽¹⁾ An Equivalent Residential Connection (ERC) = 2.22-35 persons			
Source: BSU			

b. Potable Water Capacity Surpluses and Deficiencies

Providers of potable water for Bonita Springs currently have a surplus of water. BSU estimates its surplus capacity is 7.457.47 MGD, based on the annual-average day demand in 20132018. With the 3.274 MGD addition planned for 20202023, the surplus will increase to 8.7410.64 MGD average day demand. This will provide a surplus of water for the expected population increases through the water supply planning period (refer to Table 1-9).

c. Future Demand Capacity

The Consumptive Use Permits (CUP) limit the amount of raw water withdrawn from groundwater. Based on the CUPs for local water providers, the City of Bonita Springs will have their potable water demands met through 20252030. Table 1- 8: Projected Water Demands, BSU identifies the anticipated needs of the entire Service Area including the City of Bonita Springs, from BSU.

Table 1-8: Projected Water Demands in MGD for BSU			
Year	20152020	20202025	20252030
ERCs	45,46248.906	51,71654.079	57,57758.623
Annual Average Daily Demand (MGD) LOS of <u>195210</u>	8.8710.27	10.0811.36	11.2312.31
Maximum Daily Demand (MGD) Peaking factor 1.50	13.3015.41	15.1317.03	16.8418.47
Source: BSU and City of Bonita Springs			

d. Fire Protection

The American Water Works Association provides guidelines for level of service for fire protection. BSU meets this level of service.

e. Performance and Condition of Existing Facilities

Each of BSU's water treatment plants has consistently operated in compliance with all criteria established by appropriate regulatory agencies. Furthermore, the facilities are state of the art and have been recognized by various organizations. The RO plant has potential for continued

expansion to meet the needs of the City of Bonita Springs through the planning period. Table 1-9: Projected ERCs, Demand, Capacity, and Surplus Capacity for BSU, indicates the positive performance and condition of existing facilities and the capability of expansion to meet the needs of future demand.

Table 1-9							
Projected ERCs, Demand, Capacity, and Surplus Capacity							
BSU Service Area							
				AADD SURPLUS (MGD)	MMADD (MGD)	MMADD SURPLUS (MGD)	MAXIMUM DAILY DEMAND (MGD)
YEAR	ERCs	AADD (MGD)	PLANT CAPACITY (MGD)				
20152 020	45,46248 906	8.8710.27	15.5217.56	6.657.29	10.6811.49	4.846.07	13.3015.41
20162 021	49,94146 713	10.499.11	15.5217.56	7.076.41	11.7410.98	5.824.54	15.7313.66
20172 022	50,97547 964	10.709.35	15.5217.56	6.866.17	11.9811.27	5.584.25	16.0614.03
20182 023	52,01049 214	10.929.60	15.5221.56	10.645.92	12.2211.57	9.343.95	16.3814.40
20192 024	53,04450 465	11.149.84	15.5221.56	10.425.68	12.4711.86	9.093.66	16.7114.76
20202 025	51,71654 079	10.0811.36	18.7921.56	8.7110.20	12.1512.71	6.648.85	15.1317.03
20212 026	55,11452 888	11.5710.31	18.7921.56	9.998.48	12.9512.43	8.616.36	17.3615.47
20222 027	56,14854 060	11.7910.54	18.7921.56	9.778.25	13.1912.70	8.376.09	17.6915.81
20232 028	57,18355 233	12.0110.77	18.7921.56	9.558.02	13.4412.98	8.125.81	18.0116.16
20242 029	58,21756 405	12.2311.00	18.7921.56	9.337.79	13.6813.26	7.885.53	18.3416.50
20252 030	57,57758 623	11.2312.31	18.7921.56	7.569.25	13.5313.78	5.267.78	16.8418.47
Source: BSU and City of Bonita Springs							

Future Water Sources

Permitted facility capacity of the RO Water Treatment Plant (WTP) is currently 6.528.56 MGD but the service area is expected to require a greater maximum daily water demand within the

planning period. A ~~3.274~~ MGD expansion of this plant to ~~9.78~~12.56 MGD is planned for ~~2020~~2023 and will increase total water treatment capacity to ~~13.79~~21.56 MGD.

Future Conservation Programs

According to the Lower West Coast Water Supply Plan (LWC WSP) update prepared by the South Florida Water Management District, a major source of increased demand for water has come from irrigation. Other increased water demands result from agricultural lands and increase in Public Water Supply and Domestic Self-Supply demands. BSU continues to encourage reuse of treated wastewater and has enough treatment capacity and contracted commitment for 11 MGD. Citrus Park has ~~received permits from the Florida Department of Environmental Protection (DEP) and Lee County Department of Health (DOH) for a Reverse Osmosis Water Treatment Plant, which will increase efficiency~~ developed a water conservation plan which includes resident, owner, renter and staff education, the creation of a home owners guide to water conservation, the inclusion of water conservation statements all billings, the and institution of "Florida Friendly" landscape standards.

Water Supply Projects

Table:1-10, Water Supply Capital Improvements Projects (2015 <u>2020-2025</u> 2030)							
Project Name	Water Source	Responsible Agencies	Funding Sources	Estimated Project Cost (\$M)	Estimated O&M (\$M)	Project Capacity (MGD)	Year Water Produced
Diversification of Lower Tamiami Wellfield <u>Brackish Wellfield Phase II—3 wells</u>	Fresh <u>Brackish</u>	BSU <u>BSU</u>		15	0.25	2.3-27	2020 <u>2020</u>
RO WTP and Upper Floridan Wellfield Expansion Phase III	Brackish	BSU		2545	1.00	3.274	2020 <u>2023</u>
Source: SFWMD LWC WSP Update and BSU							

INFRASTRUCTURE ELEMENT

GOALS, OBJECTIVES AND POLICIES

1. POTABLE WATER SUB-ELEMENT

Goal 1: To provide quality potable water service throughout the City that is compatible with conservation of natural resources.

Objective 1.1: The City shall continue to ensure the provision of acceptable levels of potable water service throughout the City, indirectly through franchised utility companies.

Policy 1.1.1: Within certified, franchised or designated service areas an available supply, treatment and delivery of 235 gallons per day per equivalent residential connection (ERC) and delivery of potable water at a minimum pressure of 20 pounds per square inch (psi) at the meter anywhere in the system. (Cross Reference: Capital Improvements Element Policy 1.1.3.a)

(Ord. No. 08-19, § 2, 9-17-08; Ord. No. 14-06, § 2, 5-7-14; Ord. No. 14-24, § 2, 10-15-14)

Policy 1.1.2: The City shall enforce these levels of service under the concurrency requirements of Florida law by requiring one of the following before issuance of development permits:

- a. Development orders or building permits will be issued subject to the condition that, at the time of issuance of a certificate of occupancy, the necessary facilities and services must be in place and available to serve the development being authorized; or
- b. At the time development orders or building permits are issued, the necessary facilities and services are guaranteed to be in place and available to serve the development at the time of issuance of a certificate of occupancy through an enforceable development agreement pursuant to Section 163.3220, Florida Statutes, or through an agreement or development order pursuant to Chapter 380, Florida Statutes.

Policy 1.1.3: The City will cooperate with, and provide relevant data to the utility that provides service within the jurisdiction.

(Ord. No. 17-08, § 1, 6-7-17)

Objective 1.2: To ensure an adequate supply of potable water, the City shall increase its role in influencing private utility providers about service alternatives, facility locations, and conservation of resources.

Policy 1.2.1: The City shall encourage residential uses, and require nonresidential uses, to connect to central potable water utility when potable water lines have been installed immediately adjoining the property and service is available.

Policy 1.2.2: The City shall seek to be involved with the utility company providing potable water when the utility is evaluating alternatives concerning the City's potable water service.

Policy 1.2.3: The City shall collect data from private suppliers of potable water, including reporting of water flows, storage capacity, pressures, number of customers, committed future connections and proposed expansion plans on a yearly basis.

Goal 2: To ensure that future populations have access to potable water by using and strongly encouraging the conservation and resource management measures to reduce the consumption of potable water.

Objective 2.1: To protect its potable water resources.

Policy 2.1.1: The City Council shall encourage privately operated potable water utilities to adopt a "conservation" rate structure for users in their respective service areas.

(Ord. No. 14-06, § 2, 5-7-14; Ord. No. 14-24, 10-15-14)

Policy 2.1.2: The City shall consult with South Florida Water Management District to obtain suggestions on regulations to conserve water before adopting such regulations.

Policy 2.1.3: The City shall develop and implement a water conservation program which shall include:

- a. Public education through distribution of information to residents regarding conservation, and involvement with programs encouraging water conservation.
- b. Use of drought-tolerant vegetation, xeriscape techniques, recycled water, or other available methods for landscaping publicly owned lands, and encouragement of private landowners to do the same to reduce usage of potable water for irrigation purposes.
- c. Providing incentives to encourage developers and property owners to employ techniques such as water recycling, reclamation, and reuse of greywater to reduce demand upon the water and sanitary sewer systems serving the City.

Objective 2.2: In order to reduce demand for potable water, and consistent with the State's water policy to encourage and promote water conservation and the reuse of reclaimed water, the City shall require the use of reclaimed or other alternative irrigation water for irrigation purposes and other authorized uses in areas where franchised utility companies have constructed or operate a reclaimed or other alternative irrigation water distribution system.

Policy 2.2.1: For all new residential projects, the City shall evaluate the incorporation of use of reclaimed or other alternative irrigation water for irrigation purposes. When deemed practical and feasible, the City shall require the project to connect to the franchised utility company's irrigation water system in accordance with the terms and conditions of the existing service availability policy.

Policy 2.2.2: Where reclaimed or other alternative irrigation water distribution facilities are available, the City shall enforce a requirement that no person use potable water, provided by a franchised utility system, for irrigation purposes.

AGENDA ITEM SUMMARY

REQUESTED MOTION: Public Hearing to commence the transmittal process to amend the Bonita Springs Comprehensive Plan. If approved, transmit to the Florida Department of Economic Opportunity (DEO) through the Expedited Review Process:

AN ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA, PROVIDING FOR ADOPTION OF A COMPREHENSIVE PLAN AMENDMENT TO THE FUTURE LAND USE ELEMENT, ESTABLISHING THE CONSERVATION FRINGE LAND USE CATEGORY AND TO AMEND THE FUTURE LAND USE MAP FROM LEE COUNTY DENSITY REDUCTION GROUNDWATER RESOURCE (DRGR) AND WETLANDS AND CITY OF BONITA SPRINGS DENSITY REDUCTION GROUNDWATER RESOURCE (DRGR) TO CONSERVATION FRINGE; PROVIDING FOR INTENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

MEETING DATE: February 5, 2020

AGENDA:		REQUIREMENT/PURPOSE: (Specify)	REQUESTOR OF INFORMATION:
☒	PRESENTATIONS	STATUTE	John Dulmer, AICP Community Development Director
☐	CONSENT	ORDINANCE	
☐	PUBLIC HEARING	ADMIN. CODE	
☐	MAYOR AND COUNCIL MEMBER ITEMS	OTHER	
☐	MAYOR AND COUNCIL MEMBER'S REPORTS		Jacqueline Genson, AICP Planning and Zoning Manager
☐	CITY ATTORNEY ITEMS		
☐	CITY MANAGER ITEMS		

BACKGROUND:

This is a privately initiated amendment to the City of Bonita Springs Comprehensive Plan as generally set forth in the Settlement Agreement between the City of Bonita Springs and BG Mine, LLC.

IS THIS RELATED TO A STRATEGIC PLAN OBJECTIVE? YES ☐ NO ☒
IF YES, WHICH STRATEGIC OBJECTIVE?

STAFF RECOMMENDATIONS: Commence with the transmittal process for comprehensive plan amendments and if approved, transmit to FDEO through the Expedited Review Process in accordance with Florida State Statute.

REVIEWED BY:

City Manager:

City Attorney:

City Clerk:

Department Director:

COUNCIL ACTION:

☐ APPROVED
☐ DENIED
☐ DEFERRED
☐ OTHER

CITY OF BONITA SPRINGS, FLORIDA

ORDINANCE NO. 2020 –

AN ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA, PROVIDING FOR ADOPTION OF A COMPREHENSIVE PLAN AMENDMENT TO THE FUTURE LAND USE ELEMENT, ESTABLISHING THE CONSERVATION FRINGE LAND USE CATEGORY AND TO AMEND THE FUTURE LAND USE MAP FROM LEE COUNTY DENSITY REDUCTION GROUNDWATER RESOURCE (DRGR) AND WETLANDS AND CITY OF BONITA SPRINGS DENSITY REDUCTION GROUNDWATER RESOURCE (DRGR) TO CONSERVATION FRINGE; PROVIDING FOR INTENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Whereas, the City Council of the City of Bonita Springs, Florida recognizes the need to plan for orderly growth and development; and

Whereas, Chapter 163, Florida Statutes provides for amendment to adopted Comprehensive Plan; and

Whereas, City Council for the City of Bonita Springs adopted the City of Bonita Springs Comprehensive Plan, as amended, in accordance with the Local Government Comprehensive Planning Act; and

Whereas, the City entered into a Settlement Agreement with BG Mine, LLC which provides for incorporation of certain annexed properties into the Bonita Springs Comprehensive Plan and the creation of a new future land use category which addresses the terms of the Settlement Agreement and the City's planning efforts to limit development in the area covered by the proposed amendment; and

Whereas, the proposed Conservation Fringe Land Use Category, attached hereto as Exhibit "A", will promote and protect public health safety and welfare and will help accomplish the goals, objectives and policies of the City Comprehensive Plan; and

Whereas, Florida Statutes §163.3181 further provides an opportunity for individuals to participate in the plan amendment public hearing process; and

Whereas, the City has received and reviewed the proposed Amendment to the City's Comprehensive Plan, and said proposed amendment being reviewed by the City's Local Planning Agency at a duly advertised meeting on January 23, 2020, and

Whereas, the City Council has agreed with the recommendations of the Local Planning Agency that the proposed amendment complies with the requirements of Chapter 163, Florida Statutes, Part II, and that the proposed amendments is consistent with the Comprehensive Plan and appropriate to the future land uses within the City; and

Whereas, the City Council of Bonita Springs adopted, pursuant to Chapter 163, Part II, Florida Statutes, after holding statutorily prescribed public hearings for the adoption of the amendment being proposed and at the February 5, 2020 hearing approved a motion to transmit said proposed amendments as more particularly set forth herein.

THE CITY OF BONITA SPRINGS HEREBY ORDAINS:

Section 1. Recitals. The forgoing recitals are hereby ratified and confirmed as being true and correct and hereby made a part of this Ordinance and adopted as legislative findings.

Section 2. Adoption. The City of Bonita Springs Comprehensive Plan is hereby amended, which amendment consists of revising the Future Land Use Element and Future Land Use Map which is further described as Exhibit A, attached hereto and incorporated herein by reference.

Section 3. Severability. In the event that any portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

Section 4. Effective Date. This Ordinance shall become effective in accordance with Section 163.3184, F.S.

DULY PASSED AND ENACTED by the City Council of the City of Bonita Springs, Lee County, Florida, this XX day of MONTH, 2020.

AUTHENTICATION:

Mayor City Clerk

APPROVED AS TO FORM: _____
City Attorney

Vote:

Carr	Quaremba
Forbes	Simmons
Gibson	

Date filed with City Clerk: _____

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CPA19-66379-BOS (Text)
CPA19-66165-BOS (Map)

Comprehensive Plan Text and Map Amendments

Expedited Review Process



**Privately Initiated Application
and Staff Analysis**

***City of Bonita Springs
Planning Division
9200 Bonita Beach Road, Suite 109
Bonita Springs, Florida
(239) 444-6150***

LPA Public Hearing Date:	January 23, 2020
City Council Transmittal Date:	February 5, 2020
City Council Adoption Date:	To Be Scheduled
Project Name:	Conservation Fringe Comprehensive Plan Text and Map Amendments

City of Bonita Springs
Planning and Zoning Division
STAFF REPORT FOR
COMPREHENSIVE PLAN AMENDMENT
COORDINATED STATE REVIEW

CPA19-66379-BOS (Text) and CPA19-66165-BOS (Map)

X Text Amendment

X Map Amendment

This Document Contains the Following Reviews:	
X	Staff Review
	Local Planning Agency Review and Recommendation
	City Council Hearing for Transmittal
	City Council Hearing for Adoption

STAFF REPORT PREPARATION DATE: January 17, 2020

PART I- BACKGROUND AND STAFF RECOMMENDATION

A. SUMMARY OF APPLICATION

1. Applicant: BG Mine LLC
2. Request: To amend the Bonita Springs Comprehensive Plan as follows:
 - a. Establish a new Conservation Fringe Future Land Use Category in the City's Comprehensive Plan; and
 - b. Revise the City's Future Land Use Map by assigning the new Conservation Fringe Future Land Use Category to the following properties:
 - i. The "Mine Property" located at 25501 Bonita Grande Drive and identified by STRAP # 20-47-26-B1-00001.0000.
 - ii. The "Agricultural Properties" located at and identified by STRAP# as:

Address	STRAP#
Access Undetermined	29-47-26-B1-00101.0000
Access Undetermined	29-47-26-B1-00105.0000
Access Undetermined	29-47-26-B1-00113.0000
Access Undetermined	29-47-26-B1-00112.0000
Access Undetermined	29-47-26-B1-00111.0000
Access Undetermined	29-47-26-B1-00110.0000
Access Undetermined	29-47-26-B1-00109.0000

B. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. Recommendation: Transmit the proposed text amendment to establish the Conservation Fringe Future Land Use Category and the proposed map amendment to Conservation Fringe
2. Basis and recommended findings of fact: See Attachment A

C. SUMMARY/BACKGROUND DISCUSSION:

1. EXISTING CONDITIONS

See Attachment A

2. AFFECTED ELEMENTS OF THE BONITA PLAN.

The amendments propose changes to the Future Land Use Element, which include a text amendment and future land use map change.

PART II- STAFF ANALYSIS

A. ANALYSIS

Please see the attached the Staff Report Supplements in **Attachment A**.

NOTICE OF PROPOSED ACTION:

This application and its appearance before the Local Planning Agency was noticed for the public. The transmittal hearing is scheduled before the City Council for transmittal to FDEO on February 5, 2020.

CONCLUSIONS:

The Bonita Springs Comprehensive Plan should be transmitted to FDEO through the Expedited Review Process in accordance with Florida State Statute based on the Staff Analysis (Attachment A), Applicant's Analysis (Attachment B) and consistent with the Settlement Agreement.

STAFF RECOMMENDATION

Commence with the transmittal process for comprehensive plan amendments and if approved, transmit to FDEO through the Expedited Review Process in accordance with Florida State Statute.

ATTACHMENTS:

A. *Staff Analysis*

1. *Final Report Revised Jan. 20, 2020*
2. *Environmental Sciences Analysis*
3. *Settlement Agreement*

B. *Applicant's Analysis*

1. *Comprehensive Plan Amendment Application*
2. *Proposed Text Amendment*
3. *Maps*
 - i. *Cover Sheet*
 - ii. *Proposed Future Land Use Map*
 - iii. *Aerial Exhibit*
 - iv. *Surrounding Use Map*
 - v. *Surrounding Zoning Map*
 - vi. *Archaeological Sensitivity Map*
 - vii. *Topographic Elevation Data*
4. *Sketch and Description on the Property*
5. *Sketch and Descriptions of the Resource Protection Areas*
6. *Transportation Memorandum and Analysis*
7. *Public Facilities Analysis*
8. *Level of Service Letters*
9. *Environmental Impact Analysis*
10. *Wellfield Protection Information and Mapping*
11. *Comprehensive Plan Consistency Analysis*
12. *Neighborhood Meeting Information*

Submitted by:

Jacqueline Genson, AICP
Planning and Zoning Manager

PART III - LOCAL PLANNING AGENCY REVIEW AND RECOMMENDATION

DATE OF PUBLIC HEARING: January 23, 2020

A. LOCAL PLANNING AGENCY REVIEW

The Applicant provided a presentation to the LPA. Staff provided a brief summary of the Staff Report. The LPA discussion items are outlined in B2 below. Minutes will be available at the next LPA meeting and video from the meeting can be viewed on the City's website. A motion was made to recommend transmittal of the text and map amendments as proposed.

The proposed text was modified slightly in order to proceed with the applicant's Comprehensive Plan Map request.

Initial request language:

Contiguous property under common ownership of the existing vested mining operation may be included in the Conservation Fringe District up to a maximum of 10% of the existing vested mining operation area for residential purposes only.

Revised request language:

Contiguous property ~~under common ownership of~~ the existing vested mining operation may be included in the Conservation Fringe District up to a maximum of ~~10%~~ 7% of the existing vested mining operation area for residential purposes only.

Staff has no objections to this request as the 7% more accurately reflects the approximately 80 acres of AG-2 zoned property south of the existing mining area, as contemplated in the Settlement Agreement approved by City Council.

B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. **RECOMMENDATION:** City Council to find the request consistent with the City of Bonita Springs Comprehensive Plan and transmit the amendment to FDEO. The motion passed 5-0.
2. **BASIS AND RECOMMENDED FINDINGS OF FACT:** The LPA accepted the findings of fact as provided by the Staff and the presentation provided by the Applicant. Items of discussion pertained to the following:
 - History of the Density Reduction Groundwater Resource (DRGR)
 - Applicability of the proposed Future Land Use Category to other properties
 - Wellfield Protection and impact to wells
 - Traffic impacts (Logan Road and Improvements)
 - Inquiry as to whether golf courses are a permitted use

- Infrastructure Costs
- Timing of Improvements
- Maintenance of Lakes
- Proposed North Lake Park and potential opportunity to interconnect into the Larry Kiker Preserve (Edison Farms trail head)

PUBLIC PARTICIPATION: No interested parties or members of the public were present.

C. VOTE:

Chairman Jeff Maturo	<u>Aye</u>
Don Colapietro	<u>Aye</u>
Rex Sims	<u>Aye</u>
Sam Vincent	<u>Aye</u>
Linda Schwartz	<u>Aye</u>
Vacancy	
Vacancy	

**PART IV – CITY COUNCIL
HEARING FOR TRANSMITTAL OF PROPOSED AMENDMENT**

DATE OF PUBLIC HEARING: February 5, 2020

A. CITY COUNCIL REVIEW

**B. CITY COUNCIL RECOMMENDATION AND FINDINGS OF
FACT SUMMARY**

1. COUNCIL ACTION:

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

PUBLIC PARTICIPATION:

C. VOTE:

Mayor Peter Simmons

Amy Quaremba

District 2, Vacant

Laura Carr

District 4, Vacant

Mike Gibson

Fred Forbes

**PART V – CITY COUNCIL
HEARING FOR ADOPTION OF PROPOSED AMENDMENT**

DATE OF PUBLIC HEARING:

REQUEST:

TRANSMITTAL:

AGENCY COMMENTS: Florida State Statute 163.3184(4) sets forth the manner in which reviewing agencies, local government, or governmental agencies may comment on comprehensive plan amendments.

The FDEO is responsible for plan review, coordination of reviewing agencies, and preparing comments. The FDEO may provide objections, recommendations, or comments (ORC). Only objections raised in the ORC may be used as a basis for determining whether the plan amendments will be deemed by FDEO to be in compliance.

PUBLIC PARTICIPATION:

STAFF RECOMMENDATION:

**B. CITY COUNCIL RECOMMENDATION AND FINDINGS OF
FACT SUMMARY**

C. VOTE:

Mayor Peter Simmons

Amy Quaremba

District 2, Vacant

Laura Carr

District 4, Vacant

Mike Gibson

Fred Forbes

CPA19-66379-BOS, Conservation Fringe (Text)

CPA19-66165-BOS, Conservation Fringe (Map)

Attachment A

Staff Analysis

City of Bonita Springs Comprehensive Plan Amendment

CONSERVATION FRINGE TEXT AND FUTURE LAND USE MAP AMENDMENTS

Staff Report Supplement

Revised 1/30/2020

PART I - BACKGROUND AND STAFF RECOMMENDATION

A. SUMMARY OF APPLICATION

1. Applicant

BG Mine, LLC, a Florida Limited Liability Company

2. Request

To amend the Bonita Springs Comprehensive Plan as follows:

- a. Establish a new Conservation Fringe Future Land Use Category in the City's Comprehensive Plan; and
- b. Revise the City's Future Land Use Map by assigning the new Conservation Fringe Future Land Use Category to the following properties:
 - i. The "Mine Property" located at 25501 Bonita Grande Drive and identified by STRAP # 20-47-26-B1-00001.0000.
 - ii. The properties listed below will be commonly identified as the "Agricultural Properties" and identified by STAP# as:

Address	STRAP#
Access Undetermined	29-47-26-B1-00101.0000
Access Undetermined	29-47-26-B1-00105.0000
Access Undetermined	29-47-26-B1-00113.0000
Access Undetermined	29-47-26-B1-00112.0000
Access Undetermined	29-47-26-B1-00111.0000
Access Undetermined	29-47-26-B1-00110.0000
Access Undetermined	29-47-26-B1-00109.0000

B. STAFF RECOMMENDATION

1. Approve transmittal of a proposed text amendment to establish the Conservation Fringe Future Land Use Category as follows:

Policy 1.1.27: Conservation Fringe. This category is intended to recognize geographic areas that a) include an existing vested mining operation; and b) are adjacent or proximate to lands with significant environmental resource and habitat values. As of the date of the adoption of the Conservation Fringe District, zero (0) acres have been designated as Conservation Fringe District; although the City anticipates that approximately 1,343 acres may ultimately be designated as Conservation Fringe District. The City recognizes that existing mines provide a regional supply for lime rock needs and help to minimize the impacts of new mines on the environment, surrounding land uses and roadways. Once mining is completed, the reclamation / redevelopment of the land must occur such that it is compatible with the adjacent or proximate environmental lands. Allowable land uses are limited to conservation uses; agriculture; excavation (existing vested mining operation only); residential uses at a maximum density of 0.522 dwelling units per gross acre along with accessory amenity building and private recreational areas; public uses; non-profit public recreational uses; and essential services needed for the health, safety, and general welfare of the community such as lift stations, utility lines, potable/non-potable wells and equipment and appurtenances necessary for such systems to furnish adequate levels of service. Notwithstanding Future Land Use Element Policy 1.1.2.c and Conservation/Coastal Management Element Policy 15.1.5, wetland and resource protection acres are eligible to be counted as part of the gross acreage for density purposes, but all density must be clustered on the permitted upland portion and/or disturbed land of an approved master concept plan for the reclamation/redevelopment plan. Contiguous property to the existing vested mining operation may be included in the Conservation Fringe District, up to a maximum of 7% of the existing vested mining operation area for residential purposes only. The cumulative total number of units for all properties designated as Conservation Fringe District shall not exceed a maximum of 700 units. Development within this Conservation Fringe District must adhere to the following innovative design and planning conditions:

- 1. The property (including contiguous property if applicable) shall be rezoned to a Planned Development. If the property is already zoned Planned Development, the Planned Development shall be amended to comply with the requirements of this Policy no later than completion of the existing mining operation (if applicable) but no later than 12/31/2041.*
- 2. The Planned Development rezoning shall include a minimum of 60% open space calculated over the net project area, not including existing mining lakes and public road right-of-way, and shall implement the following, to the maximum extent feasible:*

- a) *Restoration and accommodation of existing and historical regional flow ways;*
 - b) *Restoration and accommodation of existing and historic groundwater levels;*
 - c) *Restoration and preservation of wetlands;*
 - d) *Restoration and preservation of indigenous upland habitats; and*
 - e) *Where applicable, provision of critical wildlife connections to adjacent conservation areas.*
3. *A proposed enhanced lake management plan for lakes created by mining activities shall be provided at the time of the Planned Development rezoning. The enhanced lake management plan shall be in addition to any previously approved lake management or reclamation plan for the property, and shall include, at a minimum, the following:*
- a) *Application of best management practices for fertilizers and pesticides;*
 - b) *Provision for erosion control and lake bank stabilization;*
 - c) *Establishment of lake maintenance requirements; and*
 - d) *Establishment of an education program for any homeowners' association for the property regarding such issues as restricted lake uses, fertilizer use, lake bank planting requirements, and best management practices.*
4. *Through the Development Order process, a site specific ecological and hydrological restoration plan shall be developed, which shall include, at a minimum, the following:*
- a) *Excavation and grading plans;*
 - b) *Analysis of hydrological improvements and water budget for both land surface and subsurface; and*
 - c) *For areas previously farmed or impacted by mining activities and proposed for preservation or conservation, replanting plans, habitat restoration plans, success criteria, and long-term monitoring and maintenance plans.*
5. *A Conservation Easement for each preservation area shall be platted as part of a master plat for the property and dedicated to the appropriate maintenance entity which has been approved by the City.*
6. *Indigenous management plans shall address human-wildlife coexistence and buffers between development areas and preservation/conservation areas.*
7. *Landscaping shall use Florida Friendly Planting with low irrigation requirements in Common Elements.*
8. *A minimum of 1.5 inches of water quality treatment shall be provided for the developed areas of the project.*

9. *Stormwater runoff shall be directed into treatment areas prior to discharge to mining lakes that provide additional storage for 0.5 inches of runoff for the developed area.*
10. *Existing vested mining uses shall be eliminated within an appropriate phasing schedule as part of the Planned Development rezoning approval but no later than 12/31/2041.*
11. *Existing or proposed public potable water wells shall be protected.*
12. *On-site and off-site improvements to transportation infrastructure needed to mitigate the traffic impacts of the Planned Development rezoning shall be provided, subject to any prior agreements. These improvements shall use, insofar as is practical, low impact roadway design, linear filter marsh retention elements, and other "green" roadway design features as applicable.*
13. *The Planned Development project shall connect to public water and sewer service provided by Bonita Springs Utilities and shall connect to reclaimed water if available.*
14. *Written verification as to adequate public services for the Planned Development rezoning shall be obtained from the Bonita Springs Fire Control & Rescue District, the Lee County Sheriff's Office, the Lee County Emergency Medical Services, and the Lee County School District.*
15. *The proposed Planned Development rezoning shall not result in material, detrimental impacts to existing or future potable water supply resources.*
16. *Golf course use is prohibited.*

Final densities and non-residential uses shall be determined as part of the Planned Development rezoning process and shall be based upon a demonstration of compatibility of the proposed development with adjacent and proximate development.

2. Approve transmittal of a proposed future land use map amendment to designate the Mine Property and Agricultural Properties as Conservation Fringe.

C. SUMMARY DATA AND ANALYSIS

1. The proposed amendments would create a Conservation Fringe Future Land Use Category and assign the new Conservation Fringe Land Use Category to the Mine Property and Agricultural Properties.
2. The proposed amendments do not alter potential future land types except for mining which would be a grandfathered use.
3. The City's 2016 Evaluation and Appraisal Review ("EAR") identified the need to incorporate annexed properties into the City's Comprehensive Plan. This amendment

package is a step to implement the EAR recommendation to classify annexed properties with City Future Land Use Categories.

4. The amendment fulfills Condition 4C of the Settlement Agreement by scheduling this amendment request.

5. Property Subject to Amendment

- a. Ownership

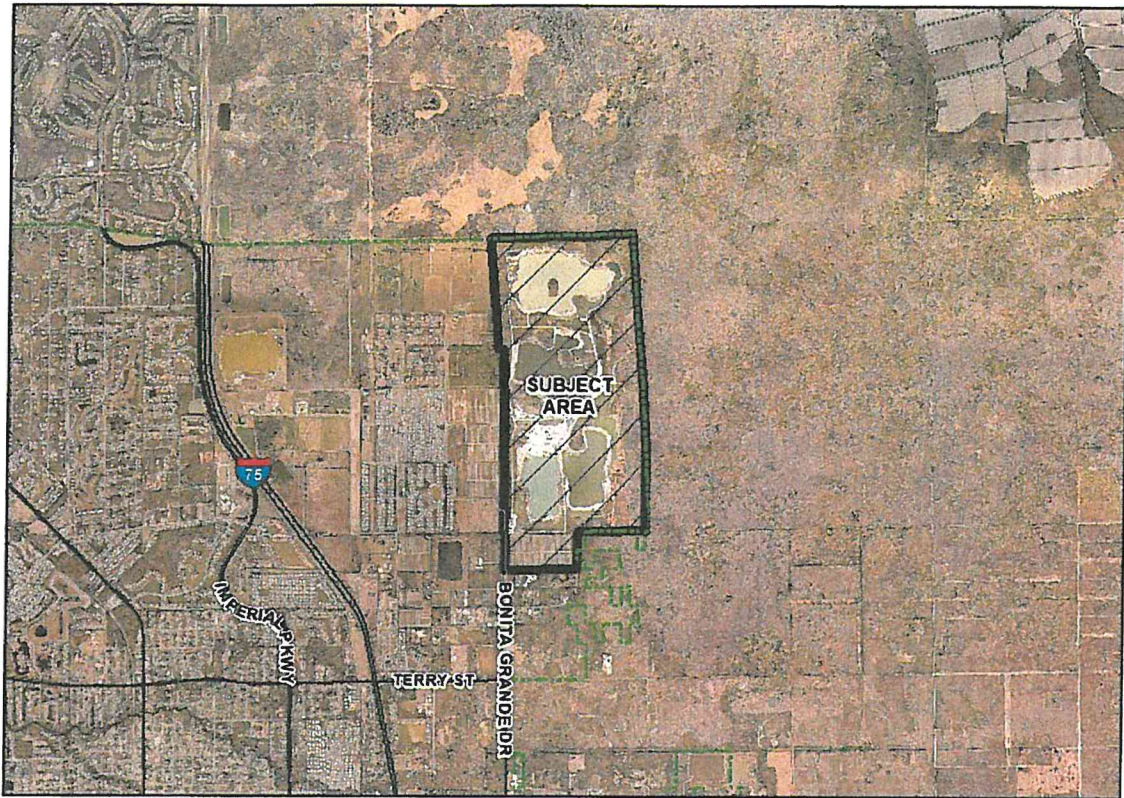
The Mine Property is owned by BG Mine, LLC, a Florida Limited Liability Company. According to Lee County Property Appraiser's records, BG Mine, LLC, acquired the Mine Property in July 2016.

Historically, Samuel and Connie Hubschman were owners until May 2004; Bonita Grande Aggregates, LLC, then took ownership until April 2010; followed by SNSPF Interim Finance BV, a Netherlands Private Company until July 2016; and now recently BG Mine, LLC.

The Agricultural Properties are owned by three separate entities. These three entities have provided the "Applicant's Signature and Certification" necessary for BG Mine LLC to pursue this request on the Agricultural Properties.

- b. Location, Size, Land Use

The entire Property is located at the far northeast corner of the incorporated boundary of Bonita Springs, east of I-75 and north of East Terry Street. According to the Lee County Property Appraiser, the Mine Property consists of 1,260.82 acres within Sections 17 and 20, Township 47 South, Range 26E, and is broken out into approximately 376 acres of mining, 389 acres of acreage, buffer – conservation, water retention, 425 acres of lake, and 71 acres of right-of-way. The Agricultural Properties consist of vegetable processing. The application request indicates approximately +/- 899 acres as Lee County DRGR, +/- 368 acres of Lee County Wetlands, and +/- 74.4 acres of City of Bonita Springs DRGR. The Mine Property is currently used for limerock mining, rock processing and ancillary uses, and preservation and open space (subject to conservation easement and conditions of a planned development zoning ordinance). The Agricultural Properties are currently used for agricultural operations (croplands).



BG Mine

Source: City of Bonita Springs and Lee County Property Appraiser

6. Planning Background

a. Annexation

The Mine Property was annexed into the City in May 2003. While the Mine Property is located within the municipal area, it has remained subject to the requirements of the Lee County Comprehensive Plan and the Lee County Land Development Code that were in effect as of May 2003.

The Agricultural Properties were annexed into the City of Bonita Springs in 2003 and according to the 2006 Evaluation and Appraisal Report, the Future Land Use Categories for the Agricultural Properties are City of Bonita Springs Density Reduction/Groundwater Resource ("DRGR").

b. Zoning

Pursuant to Property Appraiser's sales transactions, the Mine Property was acquired by the Applicant in 2016. The existing mining operation has been

operating since the late 1980's and was originally approved as an Industrial Planned Development (IPD) by the Lee County Board of County Commissioners pursuant to Lee County Zoning Resolution No. Z-98-071. The original Zoning Resolution was amended by Lee County in 2002, pursuant to Lee County Zoning Resolution Z-02-047, and the property was then voluntarily annexed into the City of Bonita Springs by City of Bonita Springs Resolution No. 03-12 with a Vested Rights Determination through City of Bonita Springs via Case 2003-0001.

In 2009, a prior property owner was cited with code violations for over-excavation amongst other things, which resulted in a Compliance Agreement to bring the mine back into compliance. In 2009 and 2013, the Master Concept Plan (MCP) was amended administratively to reflect the Compliance Agreement and other changes, all internal to the site and within the existing zoning entitlements.

In 2014, a request to amend the planned development to extend the termination date of mining by ten (10) years was reviewed in accordance with the City of Bonita Springs Comprehensive Plan and the City's Land Development Code. It was discovered in 2016 that the property was never assigned a City of Bonita Springs Future Land Use Classification. Therefore, pursuant to Section 171.062(2), *Florida Statutes*, the property is subject to Lee County's Comprehensive Plan (Lee Plan) and the County's Land Development Code (LDC), in effect as of June 2003, until the City adopts a comprehensive plan amendment that includes the annexed area. The 2014 case was remanded in order to review the request in accordance with the Lee Plan and the County's LDC which were in effect in June 2003. The 2014 remanded case was found sufficient in July 2018 (change in ownership in 2016), but was never scheduled for public hearings.

The previous and current owners of the mine have applied for and received statutory extensions that extend the termination of mining date in accordance with Section 252.363, *Florida Statutes*, for state of emergencies. The declaration of a state of emergency suspends and tolls all such time requirements, notice requirements, and deadlines for final action on applications for permits and other approvals under any statutes or rules which have not yet expired to exercise the rights under a permit or other authorization for the duration of the emergency declaration for six (6) months plus the length of the tolling period. The most recent Executive Order extended the termination of mining date to May 14, 2035.

On December 18, 2019, the City of Bonita Springs approved an amendment to the IPD Zoning to expand the mining excavation limits and extend the termination of mining date to February 13, 2041, consistent with the Florida

Department of Environmental Protection's (FDEP) Environmental Resource Permit (ERP) for the property and Settlement Agreement.

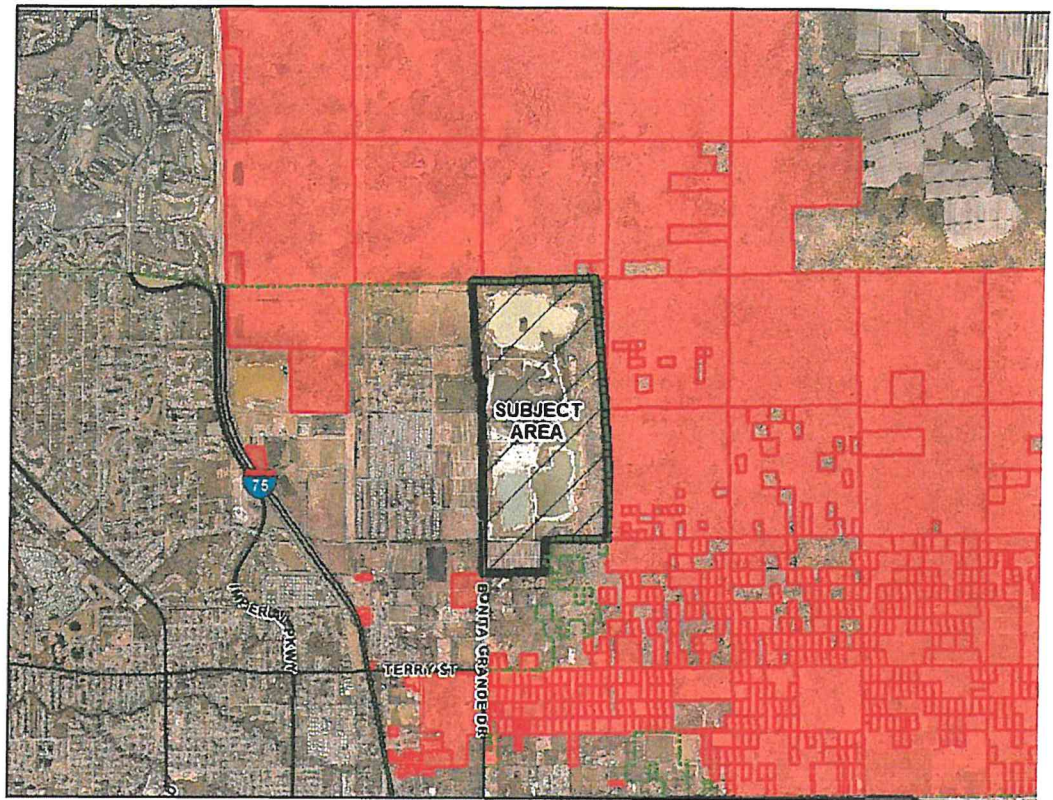
The Agricultural Properties are zoned AG-2 Agriculture, which allow the establishment or continuation of agricultural operations, with residential uses being permitted only as ancillary to agricultural uses, and to accommodate those individuals who understand and desire to live in an agricultural environment.

7. Geographic Framework and Land Use Analysis

a. Regionally Significant Natural Resources

Adjacent to the east of the Mine Property are extensive environmentally sensitive lands owned by Lee County, the South Florida Water Management District, the State of Florida, and conservation entities. These entities acquired such lands in order to protect regionally significant water resources, wetlands, and wildlife habitat. The Mine Property shares a two (2) mile eastern border with the public conservation properties associated with the Corkscrew Regional Ecosystem Watershed ("CREW").

To the west of the Mine Property is Citrus Park RV Resort, a 1,626-unit development established prior to the 1990 Lee County Comprehensive Plan. Also to the west of the Mine Property, close to I-75, are additional conservation lands and property owned by Bonita Springs Utilities, Inc., for a drinking water wellfield, treatment plant, and related purposes.



*Lands Owned by the Public and Bonita Springs Utilities, Inc.
Source: City of Bonita Springs and Lee County Property Appraiser*

Adjacent to the north of the Mine Property is Edison Farms which is a 3,922-acre property that was acquired by Lee County in 2018 in recognition of its water resource values. This purchase serves as a “capstone” such that the Property is bracketed by public conservation and water supply utility lands to the east, north, and west. The shared boundary with Edison Farms is approximately one (1) mile.

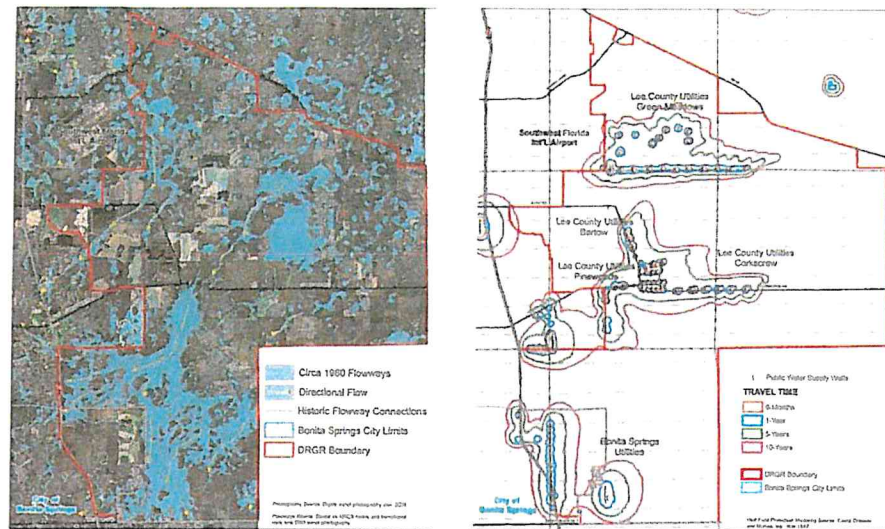


*Lee County Conservation 20/20 Nominations
Source: Lee County, County Lands Department*

The public conservation lands are a result of long-term collaborative efforts to acquire and manage lands necessary to protect the Corkscrew Regional Ecosystem Watershed (CREW) and its water resource and environmental features. Over 50,000 acres have been acquired in Lee and Collier Counties connecting Flint Pen Strand, Bird Rookery Swamp, Corkscrew Swamp, Corkscrew March, and Camp Keais Strand to the Big Cypress and Everglades.

The continued acquisition of conservation lands – reflective of high water resource and environmental values -- proximate to the Mine Property is a significant change in the geographic planning context these annexations into the City.

As it seeks outlet to the Imperial River, surface water flow in the southerly portion of CREW lands directs itself toward Bonita Springs. In its location at the “end of a funnel,” major flooding in the City occurred both east and west of I-75 in 1995 following Tropical Storm Jerry and Hurricane Opal, resulting in extensive evacuations and property damage including destruction of the Manna Christian RV Park. Additional flooding events have occurred in 2008 after Tropical Storm Fay and in the summer of 2017 following heavy rains and Hurricane Irma.



Source: *Prospects for Southeast Lee County.*
Planning for the Density Reduction / Groundwater Resource Area (2008)

b. Agricultural Lands

Agricultural uses are adjacent to the Mine Property for approximately one and half miles along its western boundary. The Agricultural Properties subject to this request are entirely croplands in active cultivation.



Mine Property and Agricultural Properties View Perspective to the East
Source: Google Earth

c. Access

Access to the Mine Property and Agricultural Properties are limited given its location east of I-75. It is essentially a “cul-de-sac” location nestled between public conservation, utility, agricultural, and vested land uses,

reachable by crossing I-75 on Bonita Beach Road or East Terry Street and taking Bonita Grande Drive to the north.

d. Future Land Use

County's Future Land Use Categories – DRGR and Wetlands

The Future Land Use Categories for the Mine Property are Lee County's Density Reduction/Groundwater Resource ("DRGR") Future Land Use Category and Lee County's Wetlands Future Land Use Category. These designations were put in place in 1990 prior to the City's incorporation.

Discouragement of the proliferation of urban sprawl was an important impetus for the original establishment of Lee County's DRGR Future Land Use Category, which was formed in conjunction with pulling in urban development boundaries, lowering rural area densities, and creating an overlay to limit growth.

The lands located to the east and north of the Mine Property are designated as Lee County's Conservation Future Land Use Category and Lee County's Wetlands Future Land Use Category.

The Mine Property includes significant environmentally sensitive lands. Wetland areas constitute approximately one-third of the Mine Property, permeating the northern half and forming a continuous band along the eastern boundary of the southern half.

Pursuant to the Lee County Comprehensive Plan, the following uses are allowed in areas designated as DRGR:

FLUE Policy 1.4.5 from June 2003 Codification:

The Density Reduction/Groundwater Resource (DR/GR) areas include upland areas that provide substantial recharge to aquifers most suitable for future wellfield development. These areas also are the most favorable locations for physical withdrawal of water from those aquifers. Only minimal public facilities exist or are programmed. Land uses in these areas must be compatible with maintaining surface and groundwater levels at their historic levels. Permitted land uses include agriculture, natural resource extraction and related facilities, conservation uses, publicly-owned gun range facilities, private recreation facilities, and residential uses at a maximum density of one dwelling unit per ten acres (1 du/10 acres). Individual residential parcels may contain up to two acres of

Wetlands without losing the right to have a dwelling unit, provided that no alterations are made to those wetland areas.

The Lee County Comprehensive Plan allowed the following uses in its Wetlands Future Land Use Category:

FLUE Policy 1.5.1 from June 2003 Codification:

Permitted land uses in Wetlands consist of very low density residential uses and recreational uses that will not adversely affect the ecological functions of wetlands. All development in Wetlands must be consistent with Goal 84 of this plan. The maximum density is one dwelling unit per twenty acres (1 du/20 acre) except as otherwise provided in Table 1(a) and Chapter XIII of this plan.

Density was defined by the Lee County Comprehensive Plan as follows:

DENSITY - The number of residential dwelling or housing units per gross acre (du/acre). Densities specified in this plan are gross residential densities. For the purpose of calculating gross residential density, the total acreage of a development includes those lands to be used for residential uses, and includes land within the development proposed to be used for streets and street rights of way, utility rights-of-way, public and private parks, recreation and open space, schools, community centers, and facilities such as police, fire and emergency services, sewage and water, drainage, and existing man-made waterbodies contained within the residential development. Lands for commercial, office, industrial uses, natural water bodies, and other non-residential uses must not be included.

Pursuant to the Lee County Comprehensive Plan, the maximum residential development potential on areas classified as DRGR is one (1) unit per ten (10) acres; areas classified as Wetlands are allowed a maximum density of one (1) unit per twenty (20) acres.

Note too that, pursuant to the Lee County Comprehensive Plan, the Future Land Use Map identifies maximum densities with no guarantee the theoretical maximum will be authorized at time of zoning or development permit, as such approvals are based on public facilities (FLUE Objective 2.2), general development standards (FLUE Goal 4), physical constraints or hazards (FLUE Goal 5), and other provisions.

City's Future Land Use Category – DRGR

The Agricultural Properties were annexed into the City of Bonita Springs in 2003 and according to the 2006 Evaluation and Appraisal Report, the Future Land Use Categories for the Agricultural Properties are City of Bonita Springs Density Reduction/Groundwater Resource ("DRGR").

The Agricultural Properties include active agricultural operations for the cultivation of crops.

Pursuant to the Bonita Springs Comprehensive Plan, the following uses are allowed in areas designated as DRGR:

Policy 1.1.21: Density Reduction Groundwater Resource (DRGR) - Intended to recognize geographic areas that provide significant recharge to aquifer systems associated with existing potable water wellfields or future wellfield development. Land uses in these areas must be compatible with maintaining surface and groundwater levels at their historic levels. Allowable land uses are limited to conservation uses; agriculture; residential uses at a maximum density of one dwelling unit per 10 gross acres within the approximately 4,230 acres of gross land area in the land use category (approximate acreage includes annexed Lee County DRGR lands); public uses; non-profit recreational uses and essential services needed for the health safety and general welfare of the community such as lift stations, utility lines, equipment and appurtenances necessary for such systems to furnish adequate levels of service.

Density is defined by the Bonita Springs Comprehensive Plan as follows:

Density: The average number of families, persons or dwelling units per unit of land, usually expressed "per acre." "Density Control" is a limitation on the occupancy of land, and is generally implemented through zoning. Specific methods include use restrictions, such as single or multiple family dwellings, minimum lot-size requirements, floor area ratio, setback or yard requirements, minimum house size requirements, lot area requirements, or other means. The average density over an area or parcel remains constant, but internal variations are allowed.

Pursuant to the Bonita Springs Comprehensive Plan, the maximum residential development potential on areas classified as DRGR is one (1) unit per ten (10) acres. Pursuant to FLUE Policy 1.b Specific locations of wetlands or rare and unique upland habitats not so designated on the Future Land Use Map are still be subject to development limitations associated with

provisions contained in other Goals, Objectives and Policies contained in the Comprehensive Plan, such as a maximum density of one (1) unit per twenty (20) acres with potential to transfer densities to contiguous uplands under common ownership.

Note too that, pursuant to the Bonita Springs Comprehensive Plan, the Future Land Use Map identifies maximum densities with no guarantee the theoretical maximum will be authorized at time of zoning or development permit based FLUE Policy 1.1.2.

City's Future Land Use Category – Conservation Fringe

Comparatively, the City's Comprehensive Plan would allow the following land uses in its Conservation Fringe Future Land Use Category:

Allowable land uses are limited to conservation uses; agriculture; excavation (existing vested mining operation only); residential uses at a maximum density of 0.522 dwelling units per gross acre along with accessory amenity building and private recreational areas; public uses; non-profit public recreational uses; and essential services needed for the health, safety, and general welfare of the community such as lift stations, utility lines, potable/non-potable wells and equipment and appurtenances necessary for such systems to furnish adequate levels of service.

Lee County's Comprehensive Plan allows clustering of density. Pursuant to the Lee County Comprehensive Plan, man-made water bodies included in a development area may be counted for the purposes of calculating density yield. Consequently, mining interests are able to first economically benefit through excavation and sale of fill dirt and limerock and then, after consuming land area, benefit again through the residential density yield of what became open water, thereby effectively achieving multiple viable economic uses.

Similar to Lee County's Comprehensive Plan, the City's new Conservation Fringe Future Land Use Category does not guarantee maximum theoretical land plan densities. Rather, densities will be approved at time of zoning or development permit based on compatibility, access, public facilities and services, and environmental considerations. Moreover, the City's new Conservation Fringe Future Land Use Category mandates that "all density must be clustered on the permitted upland portion and/or disturbed land of an approved master concept plan for the reclamation/redevelopment plan."

e. Transportation

SR 951

Potential routes to extend SR 951 to connect Collier and Lee Counties east of I-75 in an alignment proximate to the Property have been considered and rejected. In 2002, Collier County, Lee County, and the Florida Department of Transportation initiated a study that led to a Preferred Alternative and draft Environmental Impact Statement in 2005. However, in 2010, the Lee County Board of Commissioners voted against the extension and, in 2015, the extension was removed from the Lee County MPO Long-Range Transportation Plan. Presently, the route is not reflected in the Lee County MPO 2040 Plan, and neither the Lee County Comprehensive Plan nor the City's Comprehensive Plan recognizes or authorizes the roadway extension.

The deletion of the SR 951 extension is a significant change since 2003.

Long-Range Transportation Deficiencies

In January 2018, BG Mine, LLC, responded to the City's sufficiency questions on BG Mine, LLC's 2012 plan amendment request with a revised application and transportation analysis.

BG Mine, LLC's analysis of roadways within three (3) miles of the Property forecasts transportation level of service deficiencies by the year 2040 – with or without the “project” – on portions of Bonita Beach Road, East Terry Street, I-75, Imperial Parkway, and Old 41. The sufficiency response proposes that, pursuant to state law, development associated with BG Mine, LLC's request is not responsible for mitigation of transportation impacts on backlogged roadways and is responsible only for payment of impact fees and widening of Bonita Grande Drive from East Terry Street to the Property's entrance.

As a matter of procedure, final transportation impact mitigation requirements will be determined at time of zoning and development permit.

8. Comprehensive Planning Consistency

The proposed amendments are consistent with and further the City's Comprehensive Plan by establishing land uses that are appropriate, compatible, suitable, and supported by data and analysis.

The proposed amendments are consistent with the City's planning vision and the Goals, Objectives, and Policies of the City's Comprehensive Plan, including:

- FLUE Objective 1.1 to designate future land uses consistent with the natural and built-up environment;
- Conservation/Coastal Management (CCME) Element Goal 7 to manage wetland and upland ecosystems to maintain and enhance native habitats, floral and faunal species diversity, water quality, and natural surface water characteristics;
- CCME Policy 7.2.2 to prevent incompatible development in and around environmental sensitive lands;
- CCME Policy 7.2.7 to promote long-term maintenance to natural systems through instruments such as conservation easements and restrictive zoning;
- CCME Policy 7.3.1 to continue to maintain and enhance fish and wildlife diversity and distribution;
- CCME Objective 7.4 to continue to protect habitats of endangered and threatened species and species of special concern; and
- Stormwater Management/Aquifer Recharge Sub-Element Goal 1 to protect and improve the quality of receiving waters and natural areas and the functions of natural groundwater aquifer recharge areas while also providing flood protection for existing and future development.

9. Summary Planning Analysis

- a. The proposed amendments will benefit the City, the owner of the Property, and the public by:
 - Ensuring Future Land Uses are consistent with the City's Comprehensive Plan; and
 - Implementing the City's Evaluation and Appraisal Review.
- b. The proposed amendments transfer the Mine Property into the City's Comprehensive Plan. The proposed amendment allows for the Agricultural Properties, as contiguous property, to be included up to a maximum of 7% of the existing vested mining operation area.
- c. The location, character, surroundings, and access demonstrate that the Conservation Fringe Category is appropriate for the Property. The proposed amendments are supported by, and react appropriately to, relevant data and analysis.
 - The Mine Property and Agricultural Properties are located in the extreme northeast corner of the City and includes significant on-site wetlands;

- Adjacent to the east and north of the Mine Property are lands acquired for conservation purposes in recognition of regionally significant water resources, wetlands, and wildlife habitat;
 - Adjacent to the west and south of the Property are agricultural lands;
 - Access to the Mine Property and Agricultural Properties are limited by its location east of I-75; and
 - The City's Conservation Fringe Category provides substantially the same land uses as determined appropriate pursuant to the Lee County Comprehensive Plan.
- d. Significant changes to community conditions and the geographic planning context have occurred since the Mine Property and Agricultural Properties were annexed into the City, including continued acquisition of public conservation lands, major flooding, rejection of a SR 951 extension, and deepening roadway deficiencies. These changes support a continuation of the historically allowed future land uses.
- e. The proposed amendments support the City's efforts to continue its phased comprehensive plan update based on the City's EAR, and supplemental updated data and analysis, such that all annexed properties are assigned appropriate City Future Land Use Categories.
- f. The proposed amendments discourage the proliferation of urban sprawl because:
- (i.) They direct or locate economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems. (Section 163.3177(6)(a)9.b.(I), *Florida Statutes*).
 - (ii.) They promote walkable and connected communities and provide for compact development and a mix of uses at densities and intensities that support a range of housing choices. A multimodal transportation system is not available. (Section 163.3177(6)(a)9.b.(III), *Florida Statutes*).
 - (iii.) They promote conservation of water and energy. (Section 163.3177(6)(a)9.b.(IV), *Florida Statutes*).
 - (iv.) They preserve open space and natural lands and provide for public open space and recreation needs. (Section 163.3177(6)(a)9.b.(VI), *Florida Statutes*).

Environmental Staff Analysis

This supplement consolidates the most appropriate Goals and Objectives of the City of Bonita Springs Comprehensive Plan and provides responses to the ones cited below. Staff has evaluated and accepted the Applicant's environmental data and analysis.

CCME Goal 3: Hazardous Materials. To protect the public and the environment from accidental contact with hazardous materials.

Staff has verified the storage and dispensing of Hazardous Materials at the site are in compliance with the City's codes and laws.

CCME Goal 7: Resource Protection. To manage the City's wetland and upland ecosystem so as to maintain and enhance native habitats, floral and faunal species diversity, water quality, and natural surface water characteristics.

The mine has obtained many permits throughout the life of the mine with numerous environmental conditions attached to the permits. City Staff has performed site inspections throughout the mine site from 2008 to present and found that the resources were being preserved and protected in accordance with the permits issued. The proposed future land use category requires conservation easements for each preservation area and requires all density to be clustered on the permitted upland portion and/or disturbed land of an approved master concept plan for the reclamation/redevelopment plan.

CCME Objective 7.2: Plant communities - The City shall continue to maintain and routinely update an inventory of natural plant communities and will protect them at various suitable locations and remnant tracts of all important and representative natural plant communities occurring within the City.

The priority wetland plant communities are protected with conservation easements through the original mine permits and have been maintained and improved throughout the lifespan of the mine, with exotic plant removal and replanting unvegetated areas and even soil amendments in some locations to provide for a better substrate for the plants to grow. The plant communities are stable, diverse and in good condition. This proposed future land use category requires conservation easements for each preservation area and requires all density to be clustered on the permitted upland portion and/or disturbed land of an approved master concept plan for the reclamation/redevelopment plan.

CCME Objective 7.3: Wildlife - The City shall continue to maintain and enhance the fish and wildlife diversity and distribution within the City for the benefit of a balanced ecological system.

A wide variety of wildlife utilize the site, both in the preserved areas and in the mining areas. Protected species such as bald eagles and wood storks and American alligators do utilize the site. The large open water and shallow littoral zone do provide habitat and food for these species. The maintenance and upkeep of the natural areas help the wildlife using the site. This proposed future land use category requires conservation easements for each preservation area and requires all density to be clustered on the permitted upland portion and/or disturbed land of an approved master concept plan for the reclamation/redevelopment plan. Post mining, it is anticipated that the same wildlife will occupy the preserves and lakes.

CCME Goal 8: Historic Resources. Protect, provide access to and educate residents regarding the historic resources of the City of Bonita Springs.

There are no historic resources at the mine site.

CCME Goal 16: Water Quality. To ensure that water quality is maintained or improved for the protection of the environment and people of the City of Bonita Springs.

The site has an approved SFWMD Environmental Resource Permit that ensures that water quality and quantity are protected and held onsite for the typical 25 year storm event. There are four overflow culverts leading into the wetlands to the east for overflow events. These culverts were inspected by staff and found to be in good order. Turbid water in the large lakes is a normal occurrence for an active mine. But, as stated before the water does not leave the site with the exception of a major storm event. Surface and Groundwater is monitored and tested quarterly. There is one surface water quality monitoring site and four monitoring wells along the western side of the mine property. To date there have been no water quality issues. This proposed future land use category establishes polices to incorporate best management practices for fertilization and pesticide application. It also requires ecological and hydrological restoration and additional water quality treatment standards.

CCME Objective 16.3: Incorporation of Green Infrastructure into the Surface Water Management System. The long-term benefits of incorporating green infrastructure as part of the surface water management system include improved water quality, improved air quality, improved water recharge/infiltration, water storage, wildlife habitat, recreational opportunities, and visual relief within the urban environment.

The mine reclamation plan incorporates Green Infrastructure into the finalization of the mining activities. Lake slopes, littoral zone plantings, a deep lake management plan and 25' wetland plant buffers will be constructed at the conclusion of mining. This proposed future land use category also establishes polices to incorporate low impact roadway design, linear filter marsh retention elements, and other "green" roadway design features for on-site and off-site improvements to transportation infrastructure.

CCME Objective 16.5: Groundwater Resources.

A small portion of the mine is located in protection zone 3 of the potable water Wellfield to the west of the mine. The mine has a Wellfield Protection Permit issued through Lee County. The wells are sampled quarterly and the water quality results are reviewed by Lee County. To date there have been no water quality issues.

CCME Goal 17: Air Quality. The City will improve air quality, meeting or exceeding State and Federal Air Quality Standards.

Air quality conditions were incorporated into the mine permits. A watering truck waters the internal limerock and asphalt roadways to keep the dust levels down. There is a truck wheel wash that the haul trucks use before leaving the site. Both of these dust reduction methods were working and being used during site inspections by staff.

CCME Goal 20: Water Access. Ensure public access to water.

As part of the settlement agreement between the property owner and the City of Bonita Springs, adopted on November 20, 2019, the northern portion of the subject property will become a new city park with passive and active recreational uses.

SETTLEMENT AGREEMENT

This Settlement Agreement (“Agreement”) is made between the City of Bonita Springs, Florida (“City”), and BG Mine, LLC (“BGM”), and executed by both Parties thereto on the 4th day of December 2019. BE 278, LLC (“BE 278”), joins in this Agreement as to Sections 3.B., 4.D., and 5.-24. herein.

WHEREAS, BGM and the City have been engaged in multiple litigation actions related to the Property commonly known as the Bonita Grande Mine. The Property, along with an adjacent 80 acre parcel, is described in the legal description attached hereto as **Exhibit “A”**; and

WHEREAS, **Exhibit “A”** and other exhibits hereto are intended preliminarily for illustrative purposes and will be supplanted with updated specific legal descriptions pursuant to the Parties’ obligations and additional submittals contemplated in Sections 3 and 4 below; and

WHEREAS, the Parties hereto intend to bring to a final resolution all pending or currently anticipated litigation between the Parties, either directly or indirectly related to the Property, the proposed future land use designation in the City’s Comprehensive Plan applicable to the Property, any land use designation previously and currently placed upon the Property by Lee County, pending attempts by BGM to de-annex from the City or to enforce the conditions provided in the Annexation Agreement between the Parties, and any procedural or substantive due process issues related to the City’s administrative actions and/or inactions to date related to the Property. The litigation intended to be resolved by this Agreement is as follows:

BG Mine, LLC v. City of Bonita Springs, Florida, DOAH Case No.: 17-3871GM;

BG Mine, LLC vs. City of Bonita Springs, Case No.: 1D19-140;

BG Mine, LLC vs. City of Bonita Springs, Case No.: 17-CA-000381;

BG Mine, LLC v. City of Bonita Springs, Florida, Case No.: 17-CA-004036;

BG Mine, LLC v. City of Bonita Springs, Florida, Case No.: 18-CA-003465; and

BG Mine, LLC v. City of Bonita Springs, Florida, Case No.: 18-CA-006017.

(collectively, the “Litigation”).

WHEREAS, the Parties intend to effectuate the terms generally set forth in their Mediated Settlement Agreement, dated August 27, 2019, and attached hereto as **Exhibit “B”**; and

WHEREAS, the City has determined that it is beneficial and in the best interests of the Bonita Springs City residents to enter into this Agreement; and

NOW THEREFORE, in consideration of \$10.00 and BGM’s forbearance from the above-listed litigation, and in consideration of the mutual covenants, promises, terms, and conditions set

forth herein, the receipt and sufficiency of which are hereby acknowledged, the City and BGM do hereby agree as follows:

Section 1. **Recitals and Authority.** The foregoing recitals are true and correct and by this reference are incorporated as material parts of this Agreement.

Section 2. **Exhibits.** All Exhibits referenced in either the foregoing recitals or in the body of this Agreement are hereby incorporated by reference herein as material parts of this Agreement.

Section 3. **Obligations of BGM and BE 278.**

A. Contingent upon the City's grant of the Entitlements (as defined below), BGM agrees to (i) transfer title and grant an easement to the City for the northern portion of the Property; and (ii) grant easement rights to a sixty (60) foot roadway easement, both legally described and generally depicted on a sketch attached hereto as **Exhibit "C"** for the purposes of public recreation and pursuant to a draft joint use agreement attached hereto as **Exhibit "D"**. Exhibit "C" will be updated with a revised sketch and legal description upon submittal of RPD pursuant to Section 4.E. below. The City will cooperate with BGM in the dedication of the aforementioned roadway easement, but it is understood between the parties that nothing contained herein shall limit the City's ability to otherwise obtain necessary drainage, utility, pedestrian or vehicular access to the northern portion of the Property through use of its eminent domain powers. Transfer of title shall occur within thirty (30) days after the expiration of all potential appellate procedures for the Entitlement approvals described in Section 4. BGM will retain a license after transfer to the City to complete the excavation and reclamation of the City's portion of the Property as required under the approval described in Section 4.A., in the form attached hereto as **Exhibit "G-1"**. During the South Florida Water Management District (SFWMD) permitting for the residential development on the Property, the Parties will coordinate on any additional storm water improvements requested by the City above and beyond BGM's proposed master surface water management system that meets the requirements of the SFWMD for the Property. Any agreed upon additional improvements will be at the City's sole cost and shall have no impacts on BGM's residential development. Notwithstanding the above, the northern portion of the Property and the sixty (60) foot right-of-way will be part of the future RPD as defined and referenced below in Section 4.E. and will adhere to all RPD requirements such as but not limited to permitted uses and open space / density calculations.

B. BE 278 agrees to sell, and the City agrees to purchase, $\pm$ 248 acres as described and depicted on the sketch attached hereto as **Exhibit "E"** for \$4,989,000.00, per an executed Purchase and Sale Agreement attached hereto as **Exhibit "F"**. The closing shall be held within thirty (30) days after the expiration of all potential appellate procedures for the approvals described in Section 4. below. BE 278 will retain a license agreement after purchase by the City to reshape and remove topsoil from the site consistent with a to-be negotiated mutual development plan, in the form attached hereto as **Exhibit "G-2."**

Section 4. **Obligations of the City.**

A. The City agrees to expeditiously schedule the City Zoning Board and City Council meetings to consider whether to approve the proposed amendment of BGM's Industrial Planned

Development amendment based upon the 2003 Lee Plan regulations and the application/plans submitted by BGM to the City on May 15, 2019, which proposed amendment includes a recognition that no offsite road improvements are required and no payment of road impact fees are required based on the 2003 Lee Plan ("IPD Amendment"). The final City Council public hearing shall be properly advertised and held prior to December 31, 2019. BGM agrees to include a condition in the IPD Amendment that it shall not seek any extensions to the termination date of December 31, 2041, including any potential extensions pursuant to any Executive Orders.

B. If the City Council approves the IPD Amendment, the City agrees to expeditiously consider an application for a modification of BGM's existing Development Order for expanded mining excavation based upon the IPD Amendment plans/approval and the existing FDEP Environmental Resource Protection ("ERP") approval, which proposed Development Order includes a recognition that no offsite road improvements are required and no payment of road impact fees are required. Final action on the Development Order modification shall be made within sixty (60) days of the IPD Amendment approval.

C. The City agrees to expeditiously schedule the LPA and City Council meetings to consider whether to approve a Comprehensive Plan Text Amendment and a Future Land Use Map Amendment(s) that will change the Property from DRGR (Lee Plan) to a future land use category (City Plan) that supports both the above IPD in Section 4.A. and a future residential planned development ("RPD") as outlined below in Section 4.E. and generally consistent with the revised text and map exhibits attached hereto as **Exhibit "H"** ("CPA"). The City Council's target for the adoption hearing for the CPA shall be prior to March 31, 2020. Attached hereto as **Exhibit "J"** is the estimated schedule for obtaining the approval of the Comprehensive Plan Text Amendment and the Future Land Use Map Amendment. Both City staff and BGM will respond within thirty (30) days of receipt of any submittals/sufficiency reviews.

D. The City agrees to expeditiously consider an application for an Administrative Amendment and accompanying Limited Review Development Order (collectively, the "BE 278 Approvals") for reshaping and removal of top soil from the property identified on **Exhibit "E"** referenced above, including a proposed License Agreement attached hereto as **Exhibit "G-2"**. Both City staff and BGM will respond within thirty (30) days of receipt of any submittals/sufficiency reviews. Final City staff consideration shall be made prior to March 31, 2020.

E. The City agrees to expeditiously schedule the City Zoning Board and City Council meetings to consider whether to approve a RPD subsequent to the above CPA (if approved) in Section 4.C., which supports the residential rezoning of the Property and is consistent with the draft RPD Parameters and Master Concept Plan, Property Development Uses / Regulations and Schedule of Deviations attached hereto as **Exhibit "I"** (collectively, the "RPD Plans"). The target final City Council hearing for the RPD Plans shall be prior to March 31, 2020. Attached hereto as **Exhibit "J"** is the estimated schedule for approving the RPD Plans. Both City staff and BGM will respond within thirty (30) days of receipt of any submittals/sufficiency reviews.

F. The IPD Amendment without offsite road improvements and payment of road impact fees, the modification of BG Mine's existing Development Order for expanded mining

excavation without offsite road improvements or payment of road impact fees, the CPA, the BE 278 Approvals, and the RPD Plans, as set forth in Sections 4.A., 4.B., 4.C., 4.D., and 4.E. above are collectively referred to herein as the "Entitlements."

G. In the event that the City approves: (A) this Agreement; (B) the IPD Amendment without offsite road improvements and payment of road impact fees; (C) the modification of BG Mine's existing Development Order for expanded mining excavation without offsite road improvements and payment of road impact fees; (D) the CPA; (E) the BE 278 Approvals; and (F) the RPD Plans, all as set forth in Sections 4.A., 4.B., 4.C., 4.D., and 4.E. above, BGM shall file Notices of Voluntary Dismissal with Prejudice in the Litigation within ten (10) days of the date on which such Entitlements become effective.

H. The Parties agree to file Joint Motions to Abate the Litigation within five (5) days of the Effective Date of this Agreement.

I. The City acknowledges that pursuant to the BGM RPD, additional land or easements may be required along segments of Bonita Grande Drive located north of Bonita Beach Road, as well as at certain road intersections on Bonita Grande Drive and East Terry Street. The additional lands or easements may be needed for a planned required / improved two lane road cross-section for Bonita Grande Drive including utilities, landscaping, sidewalks and intersection improvements that will serve the BGM RPD and the City's planned Lake Park on the north end of the BGM RPD. The City will cooperate with BGM to the extent the law permits in the dedication to the City of the public access easement for the aforementioned roadway. BGM agrees to indemnify the City for any and all costs incurred by the City in assisting BGM in obtaining any necessary land or easements.

J. Prior to taking possession, City will have the right, at its sole cost and risk, to conduct inspections and environmental assessment of the proposed Lake Park. Any data obtained shall be immediately provided to BGM, including any reports and conclusions. If environmental contamination is found to have occurred City and BGM must agree upon a mitigation plan within 30 days of notice. If a mitigation plan is not agreed to the City may terminate any remaining obligations under this Agreement.

Section 5. Scope of Agreement. The Parties' obligations and rights under this Agreement are expressly made contingent upon the City's approval by no later than July 1, 2020, (the "Entitlements Deadline") of (A) this Agreement; (B) the IPD Amendment without offsite road improvements or payment of road impact fees; (C) the modification of BG Mine's existing Development Order for expanded mining excavation without offsite road improvements or payment of road impact fees; (D) the CPA; (E) the BE 278 Approvals; and (F) the RPD Plans, all as set forth in Sections 4.A., 4.B., 4.C., 4.D., and 4.E. above. In the event that the City does not approve the following by the Entitlements Deadline: (A) this Agreement; (B) the IPD Amendment without offsite road improvements or payment of road impact fees; (C) the modification of BG Mine's existing Development Order for expanded mining excavation without offsite road improvements or payment of road impact fees; (D) the CPA; (E) the BE 278 Approvals; and (F) the RPD Plans, as set forth in Sections 4.A., 4.B., 4.C., 4.D., and 4.E. above, this Agreement shall be null and void except for those sections expressly surviving a termination under this Section 5,

and the Parties shall retain all of their rights, including, but not limited to, continuing with the Litigation. No term or condition of this Agreement shall be construed as to proscribe, limit, or affect the ability of the City presently to enforce its Comprehensive Plan, its Land Development Code, or any other authority granted by law concerning the development of the Property.

Section 6. No Contract Zoning. The Parties understand and agree that the City, by entering into this Agreement, has not bound itself contractually to exercise its discretionary regulatory and/or land use approval authority in any particular manner, except as in conformance with procedural and substantive due process strictures, as well as in full compliance with all Federal, State, and City laws applicable hereto. By the same understanding and agreement, BGM will be fully released by the City from any and all obligations set out herein, if the City does not fully execute and deliver upon all contingent considerations set out in the terms of this Agreement including, without limitation, final approval of the Entitlements beyond possibility of appeal.

Section 7. Mutual Releases. In the event that the City votes to approve all Entitlements by the Entitlements Deadline as set out hereinabove:

- A. BGM hereby waives and releases, acquits, satisfies, and forever discharges the City, including its elected officials and employees, and any and all affiliates, legal representatives, insurance carriers, successors, and assigns thereof (collectively, the "City-Related Parties"), from any and all claims, counterclaims, defenses, actions, causes of action, suits, controversies, agreements, promises, and demands whatsoever which BGM ever had or now has, in law or in equity, for, upon, or by reason of any claim raised or which could have been raised by any Party in the Litigation as of the Effective Date of this Agreement. In addition, and without waiving the generality of the foregoing, BGM covenants with and warrants to the City, including the City-Related Parties, that there exist no claims, counterclaims, defenses, objections, offsets, or claims of offsets against the City, including the City-Related Parties, with regard to any claim raised by any Party in the Litigation that are not included in and covered by this Agreement. The release set forth in this provision does not apply to any rights granted by or arising from this Agreement, through the last date of compliance with all terms of this Agreement.
- B. The City hereby waives and releases, acquits, satisfies, and forever discharges BGM, including its officers, members, directors, shareholders, and employees, and any and all subsidiaries, affiliates, legal representatives, insurance carriers, successors, heirs, and assigns thereof (collectively, the "BGM-Related Parties"), from any and all claims, counterclaims, defenses, actions, causes of action, suits, controversies, agreements, promises, and demands whatsoever which the City ever had or now has, in law or in equity, for, upon, or by reason of any claim raised or which could have been raised by any Party in the Litigation as of the Effective Date of this Agreement. In addition, and without waiving the generality of the foregoing, the City covenants with and warrants to BGM, including the

BGM-Related Parties, that there exist no claims, counterclaims, defenses, objections, offsets, or claims of offsets against BGM, including the BGM-Related Parties, with regard to any claim raised by any Party in the Litigation that are not included in and covered by this Agreement. The release set forth in this provision does not apply to any rights granted by or arising from this Agreement, through the last date of compliance with all terms of this Agreement.

Section 8. Enforcement. This Agreement shall be jointly submitted to the Court in the 17-CA-4036 case for approval and order of abatement. The terms of the Agreement may be enforced by any and all remedies provided in law or equity, including, without limitation, a motion for declaratory and/or injunctive relief brought in the 17-CA-4036 action. Time being of the essence in this Agreement, the Parties agree that any such motion shall be promptly set for a dispositive hearing. This section shall survive a termination under Section 5.

Section 9. Governing Law; Venue. This Agreement, and any issues relating to it or its subject matter, shall be construed, interpreted, enforced, and governed in accordance with, and governed by, the substantive laws of the State of Florida. Venue for any action arising out of or relating to this Agreement shall be solely in the Circuit Court in and for Lee County, Florida. This section shall survive a termination under Section 5.

Section 10. Default by City. In the event the City refuses to consider whether to approve any of the Entitlements set forth in Sections 4.A., 4.B., 4.C., 4.D., and 4.E., the Parties agree that such refusal shall constitute a breach of this Agreement. Under such circumstances, all abated litigation shall resume *status quo ante* and BGM shall be entitled to pursue in Circuit Court an award of attorneys' fees and costs incurred in the preparation of and execution of BGM's efforts taken with regard to this Agreement and its pursuit of the Entitlements. Such an award of attorneys' fees shall not include the attorneys' fees incurred in determining the amount of such attorneys' fees ("Fees for Fees"). This section shall survive a termination under Section 5.

Section 11. Further Understandings and Agreements.

A. This Agreement constitutes the entire understanding between the Parties with respect to the settlement of the Litigation. All prior negotiations and understandings, whether verbal or written between said parties, collectively, jointly, and/or severally, and their agents, employees, and representatives are merged herein and fully set forth at length. Each party hereto acknowledges, represents, and warrants that, except as expressly set out in this Agreement, no representation of fact or law has been made by those released hereby, or their counsel, or any other person, and that this Agreement is not based upon any such unstated representations, the undersigned, or their counsel, having investigated to the fullest extent possible the factual and legal issues involved in this matter. To the extent that the provisions of this Agreement are inconsistent with the provisions of the Mediated Settlement Agreement referenced above as **Exhibit "B"**, the terms of this Agreement shall control for purposes of contractual construction and interpretation. Furthermore, to the extent the provisions of this Agreement are inconsistent with any of the Exhibits attached hereto, this Agreement shall control for the purposes of contractual construction, interpretation, dispute resolution or remedies.

B. It is understood and agreed that this settlement is a final compromise of a dispute, and the Parties acknowledge that this Agreement is in no way an admission or concession of liability or wrongdoing by any party, but is simply an attempt to resolve, without litigation, the matters in dispute among the Parties. The existence of this Agreement, or the settlement terms set forth herein, shall not be admissible in any action based on takings, condemnation, inverse condemnation, or the Bert J. Harris, Jr., Private Property Rights Protection Act, Section 70.011, *et seq.*, *Florida Statutes*.

C. The signature by any person to this Agreement shall be deemed a personal warranty by that person that he/she has the full power and authority to bind any corporation, partnership, or any other business or governmental entity for which the person purports to act hereunder.

D. The City is duly organized and validly existing under the Constitution and laws of the State of Florida, with full legal right, power, and authority to enter into and perform its obligations hereunder; and City is further duly authorized to execute and deliver this Agreement without further approval or authorizations, except as provided for herein.

E. BG Mine, LLC, is duly organized and validly existing under the laws of the State of Florida, with full legal right, power, and authority to enter into and perform its obligations hereunder; and BGM's Manager is further duly authorized to execute and deliver this Agreement without further approval or authorizations.

F. BE 278, LLC, is duly organized and validly existing under the laws of the State of Florida, with full legal right, power, and authority to enter into and perform its obligations hereunder; and BE 278's Manager is further duly authorized to execute and deliver this Agreement without further approval or authorizations.

G. This Agreement shall not preclude BGM in the future from modifying the Entitlements subject to City review and approval.

Section 12. Binding Effect. This Agreement shall be binding upon and shall inure to the benefit of the respective successors, heirs, assigns, bankruptcy trustees, representatives, affiliates, officers, directors, partners, members, and joint venturers of the Parties.

Section 13. Non-Waiver. Failure by the City or BGM to insist upon the strict performance of any of the terms, conditions, or provisions of this Agreement shall not be deemed to be a waiver of such terms, conditions, and provisions, and the City and BGM, notwithstanding such failure, shall have the right hereafter to insist upon the strict performance of any or all such terms and conditions of this Agreement as set forth herein.

Section 14. Construction; Headings. Should any provision of this Agreement require interpretation in any judicial, administrative, or other proceeding or circumstance, it is agreed that the court, administrative body, or other entity interpreting or construing the same shall not apply a presumption that the construction of a document is to be construed more strictly against the party who prepared the same, it being agreed that the Parties hereto have fully participated in the

preparation of this Agreement. The Parties have entered into this Agreement without duress, coercion, or under undue influence of any kind, and are motivated by a desire to avoid the costs and time associated with litigation and to arrive at a fair and reasonable agreement with regard to the Litigation. The Parties acknowledge that they have been represented by counsel in connection with the negotiation of the terms of this Agreement and that they enter into this Agreement freely and voluntarily, and only after consultation with their respective counsel. All sections and descriptive headings in this Agreement are inserted for convenience only, and shall neither affect the construction or interpretation hereof, nor add or subtract from the meaning of the contents of each section.

Section 15. Interpretation. This Agreement shall be read and interpreted in such a manner as to give all provisions their ordinary and customary meaning, and all words, terms, and phrases not otherwise specifically defined by a capitalized term, or otherwise, shall have the same meaning and interpretation as customarily used among lay persons. The terms “hereby,” “hereof,” “herein,” “hereto,” “hereunder,” and any similar terms refer to this Agreement in its entirety and not solely to the particular section or paragraph in which the term is used. All words, terms, and phrases specifically defined by a capitalized term shall apply throughout this Agreement in its entirety and not solely to the particular section or paragraph in which the term is used. In construing this Agreement, the singular shall be held to include the plural, the plural shall include the singular, and the use of any gender shall include every other and all genders.

Section 16. Amendments. This Agreement or any part hereof may not be changed, amended, waived, discharged, or terminated, except by an instrument in writing, executed by all Parties affected by such amendment.

Section 17. Severability. If any clause or provision of this Agreement is determined to be illegal, invalid, or unenforceable under any present or future law by a final judgment of a court of competent jurisdiction, the remainder of this Agreement will not be affected thereby so long as the remainder Agreement does not result in a material forfeiture of either party’s agreed exchange of consideration. It is the intention of the Parties that if any such clause or provision is held to be illegal, invalid, or unenforceable, there will be added in lieu thereof a provision as similar in terms to such provision as is possible to be legal, valid, and enforceable.

Section 18. Disclaimer of Third-Party Beneficiaries. This Agreement is solely for the benefit of the Parties and no right or cause of action shall accrue by reason hereof to or for the benefit of any third party that is not a formal party hereto. Nothing in this Agreement, expressed or implied, is intended or shall be construed to confer upon or give any other third person or entity any right, remedy, or claim under or by reason of this Agreement, or any provisions or conditions hereof, other than as expressly stated herein.

Section 19. Purpose of this Agreement; Not Establishing Precedent. By entering into this Agreement, the Parties do not admit any liability whatsoever to the other, or to any other person, arising out of any claims asserted, or that could have been asserted, in the Litigation, and expressly deny any and all such liability. The Parties acknowledge and agree that this Agreement is not intended by any Party to be construed, and shall not be construed, as an admission by any Party of any liability or violation of any law, statute, ordinance, regulation, or other legal duty of

any nature whatsoever. Rather, this Agreement is for the compromise of potential and disputed claims, involving both fact and law, and the Parties enter into this Agreement in a spirit of cooperation for the purpose of avoiding further litigation and in recognition of the desire for the speedy and reasonable resolution of the Litigation. The acceptance of proposals for purposes of this Agreement is part of a mediated settlement affecting many factual and legal issues and is not an endorsement of, and does not establish precedent for, the use of these proposals in any other circumstances.

Section 20. Attorneys' Fees; Costs. The Parties expressly agree to bear the fees and costs of their respective counsel, experts, and consultants in the Litigation and in the preparation of this Agreement.

Section 21. Notices. All notices and other communications required hereunder shall be in writing and shall be delivered personally, or by registered or certified mail, return receipt requested, postage prepaid, or by Federal Express, or other nationally recognized overnight commercial delivery service, fees prepaid for next day delivery. Such notices shall be deemed to have been received: (i) upon delivery, if personally delivered; (ii) upon the earlier of actual receipt or the third day after mailing, if mailed by registered or certified United States mail, return receipt requested, postage prepaid; and (iii) upon the earlier of actual receipt or the next business day if sent by Federal Express or other nationally recognized overnight commercial delivery service, if fees are prepaid for next day delivery. The addresses for delivery of such notices shall be as follows:

(a) To BGM:

Rodney Welty
142 West Station Street
Barrington, Illinois 60010

With a copy to:

S. William Moore, Esquire
Moore Bowman & Reese, P.A.
551 N. Cattlemen Road, Suite 100
Sarasota, Florida 34232

(b) To BE 278:

Rodney Welty
142 West Station Street
Barrington, Illinois 60010

With a copy to:

S. William Moore, Esquire
Moore Bowman & Reese, P.A.
551 N. Cattlemen Road, Suite 100
Sarasota, Florida 34232

(c) To the City:

City of Bonita Springs
c/o City Manager
City Hall
9101 Bonita Beach Road
Bonita Springs, Florida 34135

With a copy to:

Derek Rooney, Esquire
Gray Robinson
1404 Dean Street, Suite 300
Fort Myers, Florida 33901

David A. Theriaque, Esquire
S. Brent Spain, Esquire
Theriaque & Spain
433 N. Magnolia Drive
Tallahassee, Florida 32308

or to such other address as any Party hereto shall from time to time designate to the other Party by notice in writing as herein provided.

Section 22. Counterparts. This Agreement may be executed in multiple counterparts, each of which shall be deemed to be an original and need not be signed by more than one of the Parties and all of which shall constitute one and the same agreement. The Parties further agree that each Party shall execute and deliver all other appropriate supplemental agreements and other instruments, and take any other action necessary, to make this Agreement fully and legally effective, binding, and enforceable as between them and as against third parties.

Section 23. Effective Date. This Agreement shall become effective upon the date of execution by the last of the Parties.

Section 24. Survivability. All provisions that logically ought to survive termination and of this Agreement shall survive.

IN WITNESS WHEREOF, the Parties hereto, intending to be legally bound, have executed this Agreement to be effective upon the execution by all parties and as provided in this Agreement.

CITY OF BONITA SPRINGS, FLORIDA

Approved in form by: _____
City Attorney for the City of Bonita
Springs, Florida

By: _____

Title: _____

Dated: _____

Certified: _____

WITNESSES

Print Name: _____

Print Name: _____

BG Mine, LLC, a Florida limited liability company,

By: OBPFL-BG MINE, LLC, a Florida limited liability company, its Manager

By: Oakbrook Properties, Inc., a Delaware corporation, its Manager

Date: _____

STATE OF FLORIDA

COUNTY OF _____

The foregoing instrument was acknowledged before me this ____ day of _____ 2019, by _____, as Manager of BG Mine, LLC, on behalf of said entity. Said person (check one) ____ is personally known to me or ____ produced _____ as identification.

(Notary Seal)

Printed Name: _____
Notary Public, State of _____
Commission No. _____
My commission expires: _____

WITNESSES

Print Name: _____

Print Name: _____

BE 278, LLC, a Florida limited liability company,

By: _____

Its: Manager

Date: _____

STATE OF FLORIDA

COUNTY OF _____

The foregoing instrument was acknowledged before me this ____ day of _____
2019, by _____, as Manager of BE 278, LLC, on behalf of said entity.
Said person (check one) ___ is personally known to me or ___ produced _____ as
identification.

(Notary Seal)

Printed Name: _____

Notary Public, State of _____

Commission No. _____

My commission expires: _____

CPA19-66379-BOS, Conservation Fringe (Text)

CPA19-66165-BOS, Conservation Fringe (Map)

Attachment B

Applicant's Analysis



RECEIVED
CITY OF BONITA SPRINGS
JAN 16 2020
COMMUNITY DEVELOPMENT
DEPARTMENT

NEIGHBORHOOD MEETING REQUIREMENT

Community Development Dept. | 9220 Bonita Beach Road, Ste. 111 | Bonita Springs, FL 34135 | (239) 444-6150 | permitting@cityofbonitaspringscd.org

RE: Neighborhood Meeting Mandatory Requirement for Comprehensive Plan Amendment, Rezoning (conventional or planned development), and Special Exception applications.

On September 5, 2018 the Bonita Springs City Council adopted regulations for Neighborhood Meetings. The purpose of a neighborhood meeting is to educate occupants and owners of nearby lands about the proposed development and application, receive comments, address concerns about the development proposal, and resolve conflicts and outstanding issues, where possible.

Neighborhood meetings are mandatory for applications for a future land use map amendment, rezoning, and special exception. Neighborhood meetings are optional for all other applications. Applicants are required to conduct a neighborhood meeting prior to filing its application with the city and a second neighborhood meeting within 30 days after the city has deemed the application to be sufficient.

Please see City of Bonita Springs LDC Section 4-28 or our website for more information.

For additional questions, contact the Planner on Call at (239)-444-6166.



APPLICATION FOR A COMPREHENSIVE PLAN AMENDMENT

Community Development Department | 9220 Bonita Beach Rd, Suite 111 | Bonita Springs, FL 34135 | Phone: 239 444 6150 | Fax: 239 444 6140

DATE RECEIVED: _____

APPLICATION FEE: _____ APPLICATION NO: _____

THE FOLLOWING VERIFIED:

Zoning: _____

Council District: _____

Designation on FLUM _____

RECEIVED
CITY OF BONITA SPRINGS
DEC 11 2019
COMMUNITY DEVEL. PLANNING
DEPARTMENT

(To be completed by Planning Staff)

Plan Amendment Type: Map _____

Text _____

Small-scale Development _____

Expedited Review _____

State Coordinated Review _____

Case No: _____

APPLICANT PLEASE NOTE:

Answer all questions completely and accurately. Please print or type responses. If additional space is needed, number and attach additional sheets. The total number of sheets in your application is: _____

Submit 6 hard copies and 1 PDF copy of the complete application and amendment support documentation, including maps, to the City of Bonita Springs Planning and Zoning Department. Additional copies may be required for Local Planning Agency, City Council hearings and the Department of Community Affairs' packages.

Small Scale Comprehensive Plan Map Amendments require additional public notification requirements pursuant to City Administrative code No. 09-54.

I, the undersigned owner or authorized representative, hereby submit this application and the attached amendment support documentation. The information and documents provided are complete and accurate to the best of my knowledge.

Signature of Owner or Authorized Representative

Date

8/6/18

Ned Dewhirst, PE

Printed Name of Owner or Authorized Representative



APPLICATION FOR A COMPREHENSIVE PLAN AMENDMENT

Community Development Department | 9220 Bonita Beach Rd, Suite 111 | Bonita Springs, FL 34135 | Phone: 239 444 6150 | Fax: 239 444 6140

DATE RECEIVED: _____

APPLICATION FEE: _____ APPLICATION NO: _____

THE FOLLOWING VERIFIED:

Zoning: _____

Council District: _____

Designation on FLUM _____

RECEIVED
CITY OF BONITA SPRINGS
DEC 11 2019
COMMUNITY DEVELOPMENT
DEPARTMENT

(To be completed by Planning Staff)

Plan Amendment Type: Map _____

Text _____

Small-scale Development _____

Expedited Review _____

State Coordinated Review _____

Case No: _____

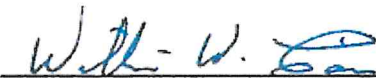
APPLICANT PLEASE NOTE:

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Small Scale Comprehensive Plan Map Amendments require additional public notification requirements pursuant to City Administrative code No. 09-54.

I, the undersigned owner or authorized representative, hereby submit this application and the attached amendment support documentation. The information and documents provided are complete and accurate to the best of my knowledge.



Signature of Owner or Authorized Representative

Bonita East 22, LLC

William W. Cain, Manager

Printed Name of Owner or Authorized Representative

11/25/2019

Date



APPLICATION FOR A COMPREHENSIVE PLAN AMENDMENT

Community Development Department | 9220 Bonita Beach Rd, Suite 111 | Bonita Springs, FL 34135 | Phone: 239 444 6150 | Fax: 239 444 6140

DATE RECEIVED: 12/11/19

APPLICATION FEE: See file

APPLICATION NO: CPA19-66105-BDS
CPA19-66379-BDS

THE FOLLOWING VERIFIED:

Zoning: IPD+AG-2

Council District: 1+6

Designation on FLUM LC DR/GR + Wetlands

CITY ORG 12

(To be completed by Planning Staff)

Plan Amendment Type: Map ☒

Text ☒

Small-scale Development ☐

Expedited Review ☒

State Coordinated Review ☐

Case No: CPA19-66105-BDS CPA19-66379-BDS

APPLICANT PLEASE NOTE:

Answer all questions completely and accurately. Please print or type responses. If additional space is needed, number and attach additional sheets. The total number of sheets in your application is: _____

Submit 6 hard copies and 1 PDF copy of the complete application and amendment support documentation, including maps, to the City of Bonita Springs Planning and Zoning Department. Additional copies may be required for Local Planning Agency, City Council hearings and the Department of Community Affairs' packages.

Small Scale Comprehensive Plan Map Amendments require additional public notification requirements pursuant to City Administrative code No. 09-54.

I, the undersigned owner or authorized representative, hereby submit this application and the attached amendment support documentation. The information and documents provided are complete and accurate to the best of my knowledge.

Signature of Owner or Authorized Representative
Bonita East 22, LLC
Ned E Dewhirst, Member

Printed Name of Owner or Authorized Representative

12/19/19
Date



APPLICATION FOR A COMPREHENSIVE PLAN AMENDMENT

Community Development Department | 9220 Bonita Beach Rd, Suite 111 | Bonita Springs, FL 34135 | Phone: 239 444 6150 | Fax: 239 444 6140

DATE RECEIVED: _____

APPLICATION FEE: _____ APPLICATION NO: _____

THE FOLLOWING VERIFIED:

Zoning: _____

Council District: _____

Designation on FLUM _____

RECEIVED
CITY OF BONITA SPRINGS
DEC 30 2019
COMMUNITY DEVELOPMENT
DEPARTMENT

(To be completed by Planning Staff)

Plan Amendment Type: Map _____

Text _____

Small-scale Development _____

Expedited Review _____

State Coordinated Review _____

Case No: _____

APPLICANT PLEASE NOTE:

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Small Scale Comprehensive Plan Map Amendments require additional public notification requirements pursuant to City Administrative code No. 09-54.

I, the undersigned owner or authorized representative, hereby submit this application and the attached amendment support documentation. The information and documents provided are complete and accurate to the best of my knowledge.

Joanne Gatterer

Signature of Owner or Authorized Representative

11/26/19
Date

JOANNE GATTERER

Printed Name of Owner or Authorized Representative



APPLICATION FOR A COMPREHENSIVE PLAN AMENDMENT

Community Development Department | 9220 Bonita Beach Rd, Suite 111 | Bonita Springs, FL 34135 | Phone: 239 444 6150 | Fax: 239 444 6140

DATE RECEIVED: _____

APPLICATION FEE: _____ APPLICATION NO: _____

THE FOLLOWING VERIFIED.

Zoning: _____

Council District: _____

Designation on FLUM _____

RECEIVED
CITY OF BONITA SPRINGS
DEC 30 2019
COMMUNITY DEVELOPMENT
DEPT.

(To be completed by Planning Staff)

Plan Amendment Type: Map _____

Text _____

Small-scale Development _____

Expedited Review _____

State Coordinated Review _____

Case No: _____

APPLICANT PLEASE NOTE:

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Small Scale Comprehensive Plan Map Amendments require additional public notification requirements pursuant to City Administrative code No. 09-54.

I, the undersigned owner or authorized representative, hereby submit this application and the attached amendment support documentation. The information and documents provided are complete and accurate to the best of my knowledge.

Diane M. Thurston
Signature of Owner or Authorized Representative

11/27/19
Date

DIANE M. THURSTON
Printed Name of Owner or Authorized Representative



APPLICATION FOR A COMPREHENSIVE PLAN AMENDMENT

Community Development Department | 8220 Bonita Beach Rd, Suite 111 | Bonita Springs, FL 34135 | Phone: 239 444 6150 | Fax: 239 444 6140

DATE RECEIVED: _____

APPLICATION FEE: _____ APPLICATION NO: _____

THE FOLLOWING VERIFIED:

Zoning: _____ Council District: _____

Designation on FLUM _____

(To be completed by Planning Staff)

Plan Amendment Type: Map _____ Text _____

Small-scale Development _____ Expedited Review _____

State Coordinated Review _____

Case No: _____

RECEIVED
CITY OF BONITA SPRINGS
DEC 30 2019
COMMUNITY DEVELOPMENT
DEPARTMENT

APPLICANT PLEASE NOTE:

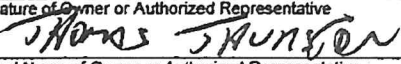
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Small Scale Comprehensive Plan Map Amendments require additional public notification requirements pursuant to City Administrative code No. 09-54.

I, the undersigned owner or authorized representative, hereby submit this application and the attached amendment support documentation. The information and documents provided are complete and accurate to the best of my knowledge.



Signature of Owner or Authorized Representative


Printed Name of Owner or Authorized Representative

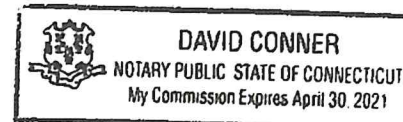
11-27-19

Date

Subscribed and sworn to before me
this 27 day of November, 2019



Signature of Notary Public





APPLICATION FOR A COMPREHENSIVE PLAN AMENDMENT

Community Development Department | 9220 Bonita Beach Rd, Suite 111 | Bonita Springs, FL 34135 | Phone: 239 444 6150 | Fax: 239 444 6140

DATE RECEIVED: _____

APPLICATION FEE: _____ APPLICATION NO: _____

THE FOLLOWING VERIFIED:

Zoning: _____ Council District: _____

Designation on FLUM _____

(To be completed by Planning Staff)

Plan Amendment Type: Map _____ Text _____
Small-scale Development _____ Expedited Review _____
State Coordinated Review _____

Case No: _____

RECEIVED
CITY OF BONITA SPRINGS
DEC 30 2019
COMMUNITY DEVELOPMENT
DEPARTMENT

APPLICANT PLEASE NOTE:

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Small Scale Comprehensive Plan Map Amendments require additional public notification requirements pursuant to City Administrative code No. 09-54.

I, the undersigned owner or authorized representative, hereby submit this application and the attached amendment support documentation. The information and documents provided are complete and accurate to the best of my knowledge.

Signature of Owner or Authorized Representative

Date

Printed Name of Owner or Authorized Representative

Community Development Dept. | 9220 Bonita Beach Road, Suite 111 | Bonita Springs, FL 34135 | Phone: 239 444 6150 | Fax: 239 444 6140
Comprehensive_Plan 2015-02-23 12:28 PM Page 1 of 8

Subscribed and sworn to before me
this 27 day of November, 2019

Signature of Notary Public





APPLICATION FOR A COMPREHENSIVE PLAN AMENDMENT

Community Development Department | 9220 Bonita Beach Rd, Suite 111 | Bonita Springs, FL 34135 | Phone: 239 444 6150 | Fax: 239 444 6140

DATE RECEIVED: _____

APPLICATION FEE: _____ APPLICATION NO: _____

THE FOLLOWING VERIFIED:

Zoning: _____

Council District: _____

Designation on FLUM _____

RECEIVED
CITY OF BONITA SPRINGS
DEC 30 2019
COMMUNITY DEVELOPMENT
DEPARTMENT

(To be completed by Planning Staff)

Plan Amendment Type: Map _____

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Small-scale Development _____

Expedited Review _____

State Coordinated Review _____

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Small Scale Comprehensive Plan Map Amendments require additional public notification requirements pursuant to City Administrative code No. 09-54.

I, the undersigned owner or authorized representative, hereby submit this application and the attached amendment support documentation. The information and documents provided are complete and accurate to the best of my knowledge.

Valerie J. Thurston
Signature of Owner or Authorized Representative

12/10/19
Date

Valerie J. Thurston
Printed Name of Owner or Authorized Representative



APPLICATION FOR A COMPREHENSIVE PLAN AMENDMENT

Community Development Department | 9220 Bonita Beach Rd, Suite 111 | Bonita Springs, FL 34135 | Phone: 239 444 6150 | Fax: 239 444 6140

DATE RECEIVED: _____

APPLICATION FEE: _____ APPLICATION NO: _____

THE FOLLOWING VERIFIED:

Zoning: _____

Council District: _____

Designation on FLUM _____

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CITY OF BONITA SPRINGS
DEC 30 2019
COMMUNITY DEVELOPMENT
DEPARTMENT

(To be completed by Planning Staff)

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Small-scale Development _____

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State Coordinated Review _____

Case No: _____

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Small Scale Comprehensive Plan Map Amendments require additional public notification requirements pursuant to City Administrative code No. 09-54.

I, the undersigned owner or authorized representative, hereby submit this application and the attached amendment support documentation. The information and documents provided are complete and accurate to the best of my knowledge.

Colleen Klaunder

Signature of Owner or Authorized Representative

11/27/19

Date

Colleen Klaunder

Printed Name of Owner or Authorized Representative



LISTEN. SOLVE. EMPOWER.

P: 239.992.6578 F: 239.992.9328 W: bmdpl.com
27200 Riverview Center Boulevard, Suite 310
Bonita Springs, Florida 34134

Scott W. Duval
Partner
D: 239.992.8631
F: 239.992.9328
E: swduval@bmdpl.com

January 22, 2020

Via Electronic Mail to: jgenson@cityofbonitaspringscd.org and
jdulmer@cityofbonitaspringscd.org

Jacqueline Genson
City of Bonita Springs

John Dulmer
City of Bonita Springs

Re: TST Bonita, LLC, et al sale to BG Mine, LLC
Approximately 45 acres of land situated East of Bonita Grande Drive and south of Bonita Grande Mine

Dear Ms. Genson and Mr. Dulmer:

Per your request regarding the above-referenced matter, this letter confirms that the signatures of the individuals on the Comprehensive Planning Amendment and Residential Planned Development submittal documents received at your office were intended to serve as authorization in their corporate capacities as follows:

TST Bonita, LLC
WDTJR Bonita, LLC
MJT Bonita, LLC
DMT Bonita, LLC
CFK Bonita, LLC

Thomas S. Thurston, Manager
Valerie Thurston, Manager
Michael J. Thurston, Manager
Diane M. Thurston, Manager
Colleen F. Klaudinyi, Manager

If you have any questions, please do not hesitate to contact me.

Sincerely,

Scott W. Duval

Cc: Steve Bracci, Esq. (via e-mail)
Derek Rooney, Esq. (via e-mail)

4834-9653-9826, v. 1

25.00
2.00
11.20
Record and Return to:

THIS INSTRUMENT PREPARED
WITHOUT OPINION OF TITLE BY:
Scott W. Duval, Esq.
Brennan, Manna & Diamond, P.L.
3301 Bonita Beach Road, Suite 202
Bonita Springs, FL 34134

Property I.D. Numbers:
29-47-26-B2-00002.0030; 29-47-26-B1-00105.0000;
29-47-26-B1-00109.0000; 29-47-26-B1-00110.0000;
29-47-26-B1-00111.0000; 29-47-26-B1-00112.0000

WARRANTY DEED

THIS INDENTURE is made as of the 8th day of August, 2006,
between **FIVE OF SEVEN, LLC**, a dissolved Florida limited liability company, whose mailing
address is 460 N. Main Street, Wallingford, CT 06492 (the "Grantor"), and **TST BONITA LLC**, a
Florida limited liability company, as to an undivided 1/5th interest, whose mailing address is 460
North Main Street, Wallingford, CT 06492; **WDTJR BONITA LLC**, a Florida limited liability
company, as to an undivided 1/5th interest, whose mailing address is 28 Alison Avenue,
Wallingford, CT 06492; **MJT BONITA LLC**, a Florida limited liability company, as to an
undivided 1/5th interest, whose mailing address is 21 Kazersky Drive, Wallingford, CT 06492;
DMT BONITA LLC, a Florida limited liability company, as to an undivided 1/5th interest, whose
mailing address is 8600 S.W. 92nd Street, #203, Miami, FL 33156; and **CFK BONITA LLC**, a
Florida limited liability company, as to an undivided 1/5th interest, whose mailing address is 6717
Duffield Court, Dallas, TX 75248; as tenants in common (collectively, the "Grantee").

WITNESSETH:

That the Grantor, for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00),
and other good and valuable consideration to Grantor in hand paid by Grantee, the receipt whereof
is hereby acknowledged, has granted, bargained and sold to the said Grantee and Grantee's heirs,
successors and assigns forever, the following described land, situate, lying and being in the County
of Lee, State of Florida, to wit:

The West half of the Northwest quarter of the Northwest quarter of the Northeast
quarter, excepting the West 25 feet and the North 25 feet thereof reserved for
county roadway right-of-way, being in Section 29, Township 47 South, Range 26
East, Lee County, Florida (Parcel I.D. Number: 29-47-26-B2-00002-0030).

and

The North half of the Northeast quarter of the Northwest quarter of Section 29,
Township 47 South, Range 26 East, excepting the North 25 feet and the East 25
feet thereof reserved for a county road right-of-way (known as Lots 5 through 8,
SUN COAST ACRES) (Property I.D. Number: 29-47-26-B1-00105.0000).

and

The South half of the Northeast quarter of the Northwest of Section 29, Township 47 South, Range 26 East, excepting the East 25 feet and the South 25 feet thereof reserved for county road right-of-way (known as Lots 9 through 12 of SUN COAST ACRES) (Property I.D. Numbers: 29-47-26-B1-00109.0000; 29-47-26-B1-00110.0000; 29-47-26-B1-00111.0000; and 29-47-26-B1-00112.0000).

Subject to (i) real property taxes for the current year and subsequent years; (ii) zoning, building code and other use restrictions imposed by governmental authority; (iii) outstanding oil, gas and mineral interest of record, if any; and (iv) restrictions, reservations and easements common to the subdivision; provided, however that none of them shall prevent the use of the Property for residential purposes.

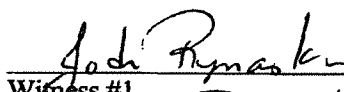
NOTE: This is a distribution of the unencumbered real property assets of a dissolved Florida limited liability company to its members pro-rata pursuant to Section 608.444, Florida Statutes, for no consideration and not pursuant to a sale.

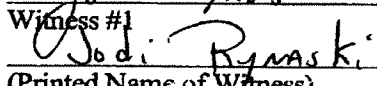
The Grantor does fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

FIVE OF SEVEN, LLC, a dissolved Florida limited liability company

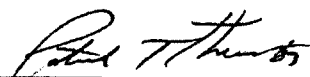


Witness #1


(Printed Name of Witness)

By: 

Thomas S. Thurston, as the Surviving
Managing Member and Authorized
Agent



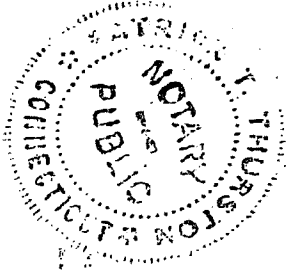
Witness #2


(Printed Name of Witness)

STATE OF CONNECTICUT
COUNTY OF New Haven

The foregoing instrument was acknowledged before me this 8 day of Aug., 2006, by Thomas S. Thurston, as the Surviving Managing Member and Authorized Agent of **FIVE OF SEVEN, LLC**, a dissolved Florida limited liability company, who is personally known to me or who has produced Driver License
(type of identification) as identification.

(SEAL)



Thomas S. Thurston
Notary Public
THOMAS T. THURSTON
Printed Name of Notary Public
7/31/07
Commission Expiration Date

[Florida Department of State](#)

DIVISION OF CORPORATIONS

[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Detail By Document Number](#) /**Detail by Entity Name**

Florida Limited Liability Company

TST BONITA LLC

Filing Information

Document Number	L06000036672
FEI/EIN Number	N/A
Date Filed	04/07/2006
Effective Date	04/07/2006
State	FL
Status	ACTIVE

Principal Address460 NORTH MAIN STREET
WALLINGFORD, CT 06492**Mailing Address**460 NORTH MAIN STREET
WALLINGFORD, CT 06492**Registered Agent Name & Address**BRENNAN, MANNA & DIAMOND, P.L.
3301 BONITA BEACH ROAD
SUITE 202
BONITA SPRINGS, FL 34134**Authorized Person(s) Detail****Name & Address**

Title MGR

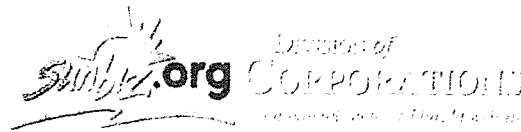
THURSTON, THOMAS S
460 NORTH MAIN STREET
WALLINGFORD, CT 06492**Annual Reports**

Report Year	Filed Date
2017	02/13/2017
2018	02/08/2018
2019	03/01/2019

Document Images[03/01/2019 -- ANNUAL REPORT](#)[View image in PDF format](#)

Florida Department of State

DIVISION OF CORPORATIONS

[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Detail By Document Number](#) /**Detail by Entity Name**Florida Limited Liability Company
WDTJR BONITA LLC**Filing Information**

Document Number	L06000036680
FEI/EIN Number	N/A
Date Filed	04/07/2006
Effective Date	04/07/2006
State	FL
Status	ACTIVE

Principal Address28 ALISON AVENUE
WALLINGFORD, CT 06492**Mailing Address**28 ALISON AVENUE
WALLINGFORD, CT 06492**Registered Agent Name & Address**BRENNAN, MANNA & DIAMOND, P.L.
3301 BONITA BEACH ROAD
SUITE 202
BONITA SPRINGS, FL 34134**Authorized Person(s) Detail****Name & Address**

Title MGR

THURSTON, VALERIE
28 ALISON AVENUE
WALLINGFORD, CT 06492**Annual Reports**

Report Year	Filed Date
2017	02/22/2017
2018	02/20/2018
2019	04/30/2019

Document Images[04/30/2019 -- ANNUAL REPORT](#)[View image in PDF format](#)

[Florida Department of State](#)

DIVISION OF CORPORATIONS

[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Detail By Document Number](#) /**Detail by Entity Name**

Florida Limited Liability Company
MJT BONITA LLC

Filing Information

Document Number L06000036673
FEI/EIN Number N/A
Date Filed 04/07/2006
Effective Date 04/07/2006
State FL
Status ACTIVE

Principal Address

21 KAZERSKY DRIVE
WALLINGFORD, CT 06492

Changed: 05/07/2007

Mailing Address

21 KAZERSKY DRIVE
WALLINGFORD, CT 06492

Registered Agent Name & Address

BRENNAN, MANNA & DIAMOND, P.L.
3301 BONITA BEACH ROAD
SUITE 202
BONITA SPRINGS, FL 34134

Authorized Person(s) Detail**Name & Address**

Title MGR

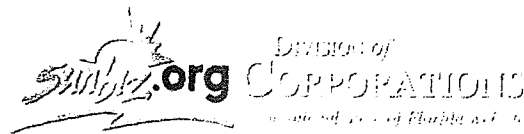
THURSTON, MICHAEL J
21 KAZERSKY DRIVE
WALLINGFORD, CT 06492

Annual Reports

Report Year	Filed Date
2017	03/13/2017
2018	03/02/2018
2019	03/01/2019

[Florida Department of State](#)

DIVISION OF CORPORATIONS

[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Detail By Document Number](#) /**Detail by Entity Name**Florida Limited Liability Company
DMT BONITA LLC**Filing Information**

Document Number	L06000036677
FEI/EIN Number	N/A
Date Filed	04/07/2006
Effective Date	04/07/2006
State	FL
Status	ACTIVE

Principal Address727 Tibidabo Avenue
Coral Gables, FL 33143

Changed: 01/22/2014

Mailing Address727 Tibidabo Avenue
Coral Gables, FL 33143

Changed: 01/22/2014

Registered Agent Name & AddressTHURSTON, DIANE M
727 Tibidabo Avenue
Coral Gables, FL 33143

Name Changed: 03/16/2007

Address Changed: 01/22/2014

Authorized Person(s) Detail**Name & Address**

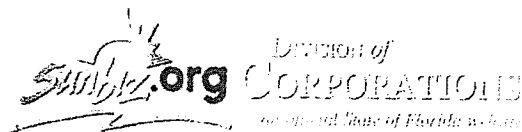
Title MGR

THURSTON, DIANE M
727 Tibidabo Avenue
Coral Gables, FL 33143**Annual Reports**

Report Year	Filed Date
-------------	------------

[Florida Department of State](#)

Division of Corporations

[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Detail By Document Number](#) /**Detail by Entity Name**

Florida Limited Liability Company

CFK BONITA LLC

Filing Information

Document Number L06000036683
FEI/EIN Number N/A
Date Filed 04/07/2006
Effective Date 04/07/2006
State FL
Status ACTIVE

Principal Address

9957 Ortega Ln
Bonita Springs, FL 34135

Changed: 01/31/2013

Mailing Address

9957 Ortega LN
Bonita Springs, FL 34135

Changed: 01/31/2013

Registered Agent Name & Address

KLAUDINYI, COLLEEN F
9957 Ortega Ln
Bonita Springs, FL 34135

Name Changed: 03/20/2007

Address Changed: 01/31/2013

Authorized Person(s) Detail**Name & Address**

Title MGR

KLAUDINYI, COLLEEN F
9957 Ortega Ln
Bonita Springs, FL 34135

Annual Reports

Report Year	Filed Date
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APPLICATION FOR A COMPREHENSIVE PLAN AMENDMENT

Community Development Department | 9220 Bonita Beach Rd, Suite 111 | Bonita Springs, FL 34135 | Phone: 239 444 6150 | Fax: 239 444 6140

I. APPLICANT/AGENT/OWNER INFORMATION

BG Mine LLC

APPLICANT

25501 Bonita Grande Drive

ADDRESS

Bonita Springs

FL

34135

CITY

STATE

ZIP

239-344-1280

TELEPHONE NUMBER

FAX NUMBER

jfulton@bonitagrande.com

E-MAIL

Morris-Depew Associates, INC c/o Tina Ekblad MPA, AICP, LEED AP

AGENT*

2914 Cleveland Avenue

ADDRESS

Fort Myers

FL

33901

CITY

STATE

ZIP

239-337-3993

TELEPHONE NUMBER

239-337-7341

FAX NUMBER

tekblad@m-da.com

E-MAIL

BG Mine LLC

OWNER(s) OF RECORD

25501 Bonita Grande Drive

ADDRESS

Bonita Springs

FL

31135

CITY

STATE

ZIP

239-344-1280

TELEPHONE NUMBER

FAX NUMBER

jfulton@bonitagrande.com

E-MAIL

* This will be the person contacted for all business relative to the application. If multiple agents have been retained, please provide on a separate sheet a listing of the name, address and qualification of additional planners, architects, engineers, environmental consultants, and other professionals providing information contained in this application.

II. REQUESTED CHANGE (Please see Item 1 for Fee Schedule)

A. TYPE: (Check appropriate type)

☒ Text Amendment ☒ Future Land Use Map Series Amendment
(Figures 1 thru 10)

List Number(s) of Map(s) to be amended Future Land Use Map

B. SUMMARY OF REQUEST (Brief explanation):

Amend the Future Land Use Map for the described property from Lee
County Comprehensive Plan DR/GR, Wetlands & City of Bonita Springs DRGR Future
Land Use Category to City of Bonita Springs Conservation Fringe Future Land Use Category.

A companion text amendment establishing the Conservation Fringe Future Land Use category was previous submitted

**III. PROPERTY SIZE AND LOCATION OF AFFECTED PROPERTY
(for amendments affecting development potential of property)**

A. Property Location

1. Site Address: 25501 Bonita Grande Drive, Bonita Springs, FL 34135

2. STRAP(s): 20-47-25-51-00001 0000 29-47-26-51-00101 0000 29-47-26-51-00105 0000 29-47-26-51-09113 0000 29-47-26-51-00117 0000 29-47-26-51-00111 0000 29-47-25-51-00110 0000 29-47-26-51-0

B. Property Information

Total Acreage of Property: 1343

Total Acreage included in Request: 1343

Total Uplands: 974.9

Total Wetlands: 368.1

Current Zoning: IPD/AG-2

Current Future Land Use Designation: County-DR/GR; Wetlands & City-DR/GR

Area of each Existing Future Land Use Category: +/- 899 DR/GR(county); +/- 368 Wetlands, +/- DRGR(City) 74.4

Existing Land Use: Mining, Preservation & Agriculture

- C. State if the subject property is located in one of the following areas and if so how does the proposed change effect the area:

Density Reduction Groundwater Recharge area: Yes, Please see attached narratives

Joint Planning Agreement Area (adjoining other jurisdictional lands): N/A

Old 41 Redevelopment Overlay Area: N/A

- D. *Proposed change for the Subject Property: 1343 Conservation Fringe

* If more than one district is proposed please provide the acreage amounts for each district.

- E. Potential development of the subject property: Residential

1. Calculation of maximum allowable development under existing FLUM: LC: DR/GR & Wetlands, City DRGR

Residential Units/Density: LC: 89 DR/GR ; 18 Wetlands; City: 7 DR/GR

Commercial intensity: N/A

Industrial intensity: N/A

2. Calculation of maximum allowable development under proposed FLUM: Conservation Fringe

Residential Units/Density: 700 du per proposed policy 1.1.27

Commercial intensity: N/A

Industrial intensity: N/A

IV. AMENDMENT SUPPORT DOCUMENTATION

At a minimum, the application shall include the following support data and analysis. These items are based on comprehensive plan amendment submittal requirements of the State of Florida, Department of Economic Opportunity, and policies contained in the City of Bonita Springs Comprehensive Plan. Support documentation provided by the applicant will be used by staff as a basis for evaluating this request. To assist in the preparation of amendment packets, the applicant is encouraged to provide all data and analysis electronically. (Please contact the Planning and Zoning Division for currently accepted formats)

A. General Information and Maps

NOTE: For each map submitted, the applicant will be required to provide a reduced map (8.5" x 11") for inclusion in public hearing packets.

The following pertains to all proposed amendments that will affect the development potential of properties (unless otherwise specified).

1. Provide any proposed text changes.
2. Provide a Future Land Use Map at an appropriate scale showing the boundaries of the subject property, surrounding street network, surrounding designated future land uses, and natural resources.
3. Provide a proposed Future Land Use Map at an appropriate scale showing the boundaries of the subject property, surrounding street network, surrounding designated future land uses, and natural resources.
4. Map and describe existing land uses (not designations) of the subject property and surrounding properties. Description should discuss consistency of current uses with the proposed changes.
5. Map and describe existing zoning of the subject property and surrounding properties.
6. The certified legal description(s) and certified sketch of the description for the property subject to the requested change. A metes and bounds legal description must be submitted specifically describing the entire perimeter boundary of the property with accurate bearings and distances for every line. The sketch must be tied to the state plane coordinate system for the Florida West Zone (North America Datum of 1983/1990 Adjustment) with two coordinates, one coordinate being the point of beginning and the other an opposing corner. If the subject property contains wetlands or the proposed amendment includes more than one land use category a metes and bounds legal description, as described above, must be submitted in addition to the perimeter boundary of the property for each wetland or future land use category.
7. A copy of the deed(s) for the property subject to the requested change.
8. An aerial map showing the subject property and surrounding properties.
9. If applicant is not the owner, a notarized letter from the owner of the property authorizing the applicant to represent the owner.

B. Public Facilities Impacts

NOTE: The applicant must calculate public facilities impacts based on a maximum development scenario (see Part II.H.).

1. Traffic Circulation Analysis

The analysis is intended to determine the effect of the land use change on the Financially Feasible Transportation Plan/Map 3A (20-year horizon) and on the Capital Improvements Element (5-year horizon). Toward that end, an applicant must submit the following information:

Long Range – 20-year Horizon:

- a. Working with Planning Division staff, identify the traffic analysis zone (TAZ) or zones that the subject property is in and the socio-economic data forecasts for that zone or zones;
- b. Determine whether the requested change requires a modification to the socio-economic data forecasts for the host zone or zones. The land uses for the proposed change should be expressed in the same format as the socio-economic forecasts (number of units by type/number of employees by type/etc.);
- c. If no modification of the forecasts is required, then no further analysis for the long range horizon is necessary. If modification is required, make the change and provide to Planning Division staff, for forwarding to Transportation staff. Transportation staff will rerun the FSUTMS model on the current

- adopted Financially Feasible Plan network and determine whether network modifications are necessary, based on a review of projected roadway conditions within a 3-mile radius of the site;
- d. If no modifications to the network are required, then no further analysis for the long range horizon is necessary. If modifications are necessary, Transportation staff will determine the scope and cost of those modifications and the effect on the financial feasibility of the plan;
 - e. An inability to accommodate the necessary modifications within the financially feasible limits of the plan will be a basis for denial of the requested land use change;
 - f. If the proposal is based on a specific development plan, then the site plan should indicate how facilities from the current adopted Financially Feasible Plan and/or the Official Trafficways Map will be accommodated.

Short Range – 5-year CIP horizon:

- a. Besides the 20-year analysis, for those plan amendment proposals that include a specific and immediated development plan, identify the existing roadways serving the site and within a 3-mile radius (indicate laneage, functional classification, current LOS, and LOS standard);
 - b. Identify the major road improvements within the 3-mile study area funded through the construction phase in adopted CIP's (County or Cities) and the State's adopted Five-Year Work Program;
 - c. Projected LOS under proposed designation (calculate anticipated number of trips and distribution on roadway network, and identify resulting changes to the projected LOS);
 - d. For the five-year horizon, identify the projected roadway conditions (volumes and levels of service) on the roads within the 3-mile study area with the programmed improvements in place, with and without the proposed development project. A methodology meeting with Transportation staff prior to submittal is required to reach agreement on the projection methodology;
 - e. Identify the additional improvements needed on the network beyond those programmed in the five-year horizon due to the development proposal.
2. Provide an existing and future conditions analysis for:
- a. Sanitary Sewer
 - b. Potable Water
 - c. Surface Water/Drainage Basins
 - d. Parks, Recreation, and Open Space
 - e. Public Schools
- Analysis should include (but is not limited to) the following:
- Franchise Area, Basin, or District in which the property is located;
 - Current LOS, and LOS standard of facilities serving the site;
 - Projected LOS under existing designation;
 - Projected LOS under proposed designation;
 - Improvements/expansions currently programmed in 5 year CIP, 6-10 year CIP, and long range improvements; and
 - Anticipated revisions to the Community Facilities and Services Element and/or Capital Improvements Element (state if these revisions are included in this amendment).
 - Provide a letter of service availability from the appropriate utility for sanitary sewer and potable water.
3. Provide a letter from the appropriate agency determining the adequacy/provision of existing/proposed support facilities, including:
- a. Fire protection with adequate response times;
 - b. Emergency medical service (EMS) provisions;
 - c. Law enforcement;
 - d. Solid Waste;
 - d. Mass Transit; and
 - e. Schools.

In reference to above, the applicant should supply the responding agency with the information from Section's II and III for their evaluation. This application should include the applicant's correspondence to the responding agency.

C. Environmental Impacts

Provide an overall analysis of the character of the subject property and surrounding properties, and assess the site's suitability for the proposed use upon the following:

1. A map of the Plant Communities as defined by the Florida Land Use Cover and Classification system (FLUCCS).
2. A map and description of the soils found on the property (identify the source of the information).
3. A topographic map with property boundaries and 100-year flood prone areas indicated (as identified by FEMA).
4. A map delineating the property boundaries on the Flood Insurance Rate Map effective August 2008.
5. A map delineating wetlands, aquifer recharge areas, and rare & unique uplands.
6. A table of plant communities by FLUCCS with the potential to contain species (plant and animal) listed by federal, state or local agencies as endangered, threatened or species of special concern. The table must include the listed species by FLUCCS and the species status (same as FLUCCS map).

D. Impacts on Historic Resources

List all historic resources (including structure, districts, and/or archeologically sensitive areas) and provide an analysis of the proposed change's impact on these resources. The following should be included with the analysis:

1. A map of any historic districts and/or sites, listed on the Florida Master Site File, which are located on the subject property or adjacent properties.
2. A map showing the subject property location on the archeological sensitivity map for Lee County.

E. Internal Consistency with the Bonita Plan

1. Discuss how the proposal affects most recent population projections pursuant to the University of Florida's Bureau of Economic and Business Research, and the total population capacity of the City of Bonita Springs Future Land Use Map.
2. List all goals and objectives of the City of Bonita Springs Comprehensive Plan that are affected by the proposed amendment. This analysis should include an evaluation of all relevant policies under each goal and objective.
3. Describe how the proposal affects adjacent local governments and their comprehensive plans.
4. List State Policy Plan and Regional Policy Plan goals and policies which are relevant to this plan amendment.

F. Additional Requirements for Specific Future Land Use Amendments

1. Requests moving lands without adequate infrastructure
 - a. Demonstrate why the proposed change does not constitute Urban Sprawl. Indicators of sprawl may include, but are not limited to: low-intensity, low-density, or single-use development; 'leap-frog' type development; radial, strip, isolated or ribbon pattern type development; a failure to protect or conserve natural resources or agricultural land; limited accessibility; the loss of large amounts of functional open

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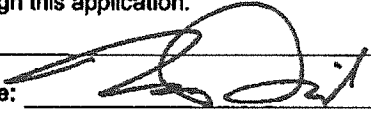
space; and the installation of costly and duplicative infrastructure when opportunities for infill and redevelopment exist.

2. Requests moving lands from Density Reduction/Groundwater Resource must fully address Policy 1.1.7 and Policy 1.1.21 of the City of Bonita Springs Future Land Use Element.

G. Justify the proposed amendment based upon sound planning principles. Be sure to support all conclusions made in this justification with adequate data and analysis.

APPLICANT'S SIGNATURE AND CERTIFICATION

I, Ned Dewhirst, certify that I am the owner or owner's authorized representative of the property described herein, and that all answers to the questions in this application and any sketches, data or other supplementary matter attached to and made a part of this application, are honest and true to the best of my knowledge and belief. I also authorize the staff of the City of Bonita Springs Community Development Department to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made through this application.

Signature: 

Date: 8/6/18

Printed Name: Ned Dewhirst, PE

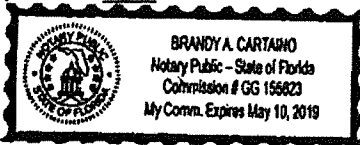
STATE OF FLORIDA, COUNTY OF LEE

Sworn to (or affirmed) and subscribed before me this 6th day of August, 2018, by
Ned Dewhirst (printed name of person making statement).

Personally Known: ☒

OR Produced Identification: ☐

Type Produced: ☐



(Notary Seal)

Brandy A. Cartano

(Signature of Notary Public - State of Florida)

Brandy A. Cartano

(Name of Notary Printed, Typed, or Stamped)

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G. Justify the proposed amendment based upon sound planning principles. Be sure to support all conclusions made in this justification with adequate data and analysis.

APPLICANT'S SIGNATURE AND CERTIFICATION

I, Ned E Dewhirst, certify that I am the owner or owner's authorized representative of the property described herein, and that all answers to the questions in this application and any sketches, data or other supplementary matter attached to and made a part of this application, are honest and true to the best of my knowledge and belief. I also authorize the staff of the City of Bonita Springs Community Development Department to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made through this application.

Signature: [Signature] Date: 12/19/19
Bonita East 22, LLC
Printed Name: Ned E Dewhirst, Member

STATE OF FLORIDA, COUNTY OF LEE

Sworn to (or affirmed) and subscribed before me this 19th day of December, 2019, by
Ned E. Dewhirst (printed name of person making statement).

Personally Known: X OR Produced Identification: Type Produced:



ROSEMARIE B YOUNG
Commission # GG 141605
Expires January 6, 2022
(Notary Seal)

Rosemarie B. Young
(Signature of Notary Public - State of Florida)
Rosemarie B. Young
(Name of Notary Printed, Typed, or Stamped)

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APPLICANT'S SIGNATURE AND CERTIFICATION

I, William W. Cain, certify that I am the owner or owner's authorized representative of the property described herein, and that all answers to the questions in this application and any sketches, data or other supplementary matter attached to and made a part of this application, are honest and true to the best of my knowledge and belief. I also authorize the staff of the City of Bonita Springs Community Development Department to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made through this application.

Signature: <u>William W. Cain</u>	Date: <u>2019-11-25</u>
Bonita East 22, LLC	
Printed Name: <u>William W. Cain, Manager</u>	
STATE OF FLORIDA <u>ILLINOIS</u> , COUNTY OF LEE <u>COOK</u>	
Sworn to (or affirmed) and subscribed before me this <u>25th</u> day of <u>NOVEMBER</u> , <u>2019</u> , by	
<u>William W. Cain</u> (printed name of person making statement).	
Personally Known: ☒	OR Produced Identification: _____ Type Produced: _____
OFFICIAL SEAL JEAN M RYAN NOTARY PUBLIC - STATE OF ILLINOIS MY COMMISSION EXPIRES 12/27/22 (Notary Seal)	<u>Jean M. Ryan</u> (Signature of Notary Public - State of Florida <u>Illinois</u>) Jean M. Ryan (Name of Notary Printed, Typed, or Stamped)

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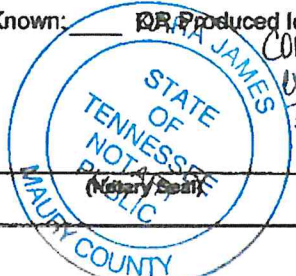
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G. Justify the proposed amendment based upon sound planning principles. Be sure to support all conclusions made in this justification with adequate data and analysis.

APPLICANT'S SIGNATURE AND CERTIFICATION

I, JOANNE GATTERER, certify that I am the owner or owner's authorized representative of the property described herein, and that all answers to the questions in this application and any sketches, data or other supplementary matter attached to and made a part of this application, are honest and true to the best of my knowledge and belief. I also authorize the staff of the City of Bonita Springs Community Development Department to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made through this application.

Signature: <u>Joanne Gatterer</u>	Date: <u>11/26/19</u>
Printed Name: <u>JOANNE GATTERER</u>	
STATE OF FLORIDA, COUNTY OF LEE	
Sworn to (or affirmed) and subscribed before me this <u>20th</u> day of <u>November</u> , 20 <u>19</u> , by	
<u>Joanne Gatterer</u> (printed name of person making statement).	
Personally Known: <u>YES</u>	Produced Identification: <u>✓</u> Type Produced: <u>DRIVER'S LICENSE</u>
ends: <u>3/25/2023</u>	
	<u>Kara James</u> (Signature of Notary Public - State of Florida)
	<u>Kara James</u> (Name of Notary Printed, Typed, or Stamped)

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- G. Justify the proposed amendment based upon sound planning principles. Be sure to support all conclusions made in this justification with adequate data and analysis.

APPLICANT'S SIGNATURE AND CERTIFICATION

I, DIANE M. THURSTON, certify that I am the owner or owner's authorized representative of the property described herein, and that all answers to the questions in this application and any sketches, data or other supplementary matter attached to and made a part of this application, are honest and true to the best of my knowledge and belief. I also authorize the staff of the City of Bonita Springs Community Development Department to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made through this application.

Signature: <u>Diane M. Thurston</u>	Date: <u>11/27/19</u>
Printed Name: <u>DIANE M. THURSTON</u>	
STATE OF FLORIDA, COUNTY OF <u>LEE</u>	
Sworn to (or affirmed) and subscribed before me this <u>27th</u> day of <u>November</u> , 20 <u>19</u> , by <u>Diane M. Thurston</u> (printed name of person making statement).	
Personally Known: <u> </u> OR Produced Identification: <u>✓</u> Type/Produced: <u>Driver License</u>	
SETH BAUMHOVER NOTARY PUBLIC STATE OF COLORADO NOTARY ID 20134051881 MY COMMISSION EXPIRES AUGUST 15, 2021 (Notary Seal)	<u></u> (Signature of Notary Public - State of Florida) <u>Seth Baumhover</u> (Name of Notary Printed, Typed, or Stamped)

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- G. Justify the proposed amendment based upon sound planning principles. Be sure to support all conclusions made in this justification with adequate data and analysis.

APPLICANT'S SIGNATURE AND CERTIFICATION

I, Thomas Thwister, certify that I am the owner or owner's authorized representative of the property described herein, and that all answers to the questions in this application and any sketches, data or other supplementary matter attached to and made a part of this application, are honest and true to the best of my knowledge and belief. I also authorize the staff of the City of Bonita Springs Community Development Department to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made through this application.

Signature: <u>Thomas Thwister</u>	Date: <u>11-27-19</u>
Printed Name: <u>Thomas Thwister</u>	
STATE OF FLORIDA, COUNTY OF <u>LEE</u> <u>Connecticut</u> <u>New Haven</u>	
Sworn to (or affirmed) and subscribed before me this <u>27</u> day of <u>November</u> , 20 <u>19</u> , by <u>Thomas Thwister</u> (printed name of person making statement).	
Personally Known: <u> </u> OR Produced Identification: <u>2</u> Type Produced: <u>CTDC exp 12/19</u>	
(Notary Seal)	<u>David Conner</u> (Signature of Notary Public - State of Florida) <u>David Conner</u> (Name of Notary Printed, Typed, or Stamped)



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G. Justify the proposed amendment based upon sound planning principles. Be sure to support all conclusions made in this justification with adequate data and analysis.

APPLICANT'S SIGNATURE AND CERTIFICATION

I, Michael Thurston, certify that I am the owner or owner's authorized representative of the property described herein, and that all answers to the questions in this application and any sketches, data or other supplementary matter attached to and made a part of this application, are honest and true to the best of my knowledge and belief. I also authorize the staff of the City of Bonita Springs Community Development Department to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made through this application.

Signature: Michael Thurston

Date: 11/27/19

Printed Name: Michael Thurston

STATE OF FLORIDA, COUNTY OF LEE

Connecticut

New Haven

Sworn to (or affirmed) and subscribed before me this 27 day of November, 2019, by

Michael Thurston (printed name of person making statement).

Personally Known: OR Produced Identification: Type Produced: CIDL exp 10/23

David Comer
(Signature of Notary Public - State of Florida)

Connecticut

(Notary Seal)

(Name of Notary Printed, Typed, or Stamped)

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APPLICANT'S SIGNATURE AND CERTIFICATION

I, Valerie J. Thurston, certify that I am the owner or owner's authorized representative of the property described herein, and that all answers to the questions in this application and any sketches, data or other supplementary matter attached to and made a part of this application, are honest and true to the best of my knowledge and belief. I also authorize the staff of the City of Bonita Springs Community Development Department to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made through this application.

Signature: Valerie J. Thurston

Date: 12/10/19

Printed Name: Valerie J. Thurston

CT
STATE OF FLORIDA, COUNTY OF LEE New Haven

Sworn to (or affirmed) and subscribed before me this 10 day of December, 2019, by

Valerie J. Thurston (printed name of person making statement).

Personally Known: ☒ OR Produced Identification: ☐ Type Produced: ☐

William F. Earley Jr.

(Signature of Notary Public - State of Florida) CT

William F. Earley Jr.

(Name of Notary Printed, Typed, or Stamped)

(Notary Seal)

MY COMMISSION EXPIRES FEBRUARY 28, 2024

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APPLICANT'S SIGNATURE AND CERTIFICATION

I, Colleen Klaudinyi, certify that I am the owner or owner's authorized representative of the property described herein, and that all answers to the questions in this application and any sketches, data or other supplementary matter attached to and made a part of this application, are honest and true to the best of my knowledge and belief. I also authorize the staff of the City of Bonita Springs Community Development Department to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made through this application.

Signature: <u>Colleen Klaudinyi</u>	Date: <u>11/27/19</u>
Printed Name: <u>Colleen Klaudinyi</u>	
STATE OF FLORIDA, COUNTY OF LEE	
Sworn to (or affirmed) and subscribed before me this <u>27th</u> day of <u>November</u> , <u>2019</u> , by <u>Colleen Klaudinyi</u> (printed name of person making statement).	
Personally Known: ☐	OR Produced Identification: ☒ Type Produced: <u>Driver License</u>
	<u>Patricia A. Destefano</u> (Signature of Notary Public - State of Florida) <u>Patricia A. Destefano</u> (Name of Notary Printed, Typed, or Stamped)

MORRIS**DEPEW**ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS

2914 Cleveland Avenue | Fort Myers, Florida 33901

Phone (239) 337-3993 | Toll Free (866) 337-7341
www.morris-depew.com**Bonita Grande**
Comprehensive Plan Amendment
Property OwnershipRECEIVED
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DEC 30 2019
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DEPARTMENT

STRAP #	Ownership	Address	Jurisdiction	Current FLU	Current Zoning
20-47-26-B1-00001.0000	BG Mine LLC	25501 Bonita Grande Drive	Lee County	DR/GR & Wetlands	Industrial Planned Development
29-47-26-B1-00101.0000	Joan Gatterer	Access Undetermined	City of Bonita Springs	DR/GR	AG-2
29-47-26-B1-00105.0000	TST BONITA LLC + WDTJR BONITA LLC ET AL	Access Undetermined	City of Bonita Springs	DR/GR	AG-2
29-47-26-B1-00113.0000	Bonita East 22	Access Undetermined	City of Bonita Springs	DR/GR	AG-2
29-47-26-B1-00112.0000	TST BONITA LLC + WDTJR BONITA LLC ET AL	Access Undetermined	City of Bonita Springs	DR/GR	AG-2
29-47-26-B1-00111.0000	TST BONITA LLC + WDTJR BONITA LLC ET AL	Access Undetermined	City of Bonita Springs	DR/GR	AG-2
29-47-26-B1-00110.0000	TST BONITA LLC + WDTJR BONITA LLC ET AL	Access Undetermined	City of Bonita Springs	DR/GR	AG-2
29-47-26-B1-00109.0000	TST BONITA LLC + WDTJR BONITA LLC ET AL	Access Undetermined	City of Bonita Springs	DR/GR	AG 2

Jacqueline Genson

From: Ned Dewhirst <ndewhirst@oakbrookco.com>
Sent: Thursday, January 30, 2020 12:05 PM
To: Jacqueline Genson
Cc: Neale Montgomery; Tina Ekblad; Derek P. Rooney; John Dulmer; Leah Fontanez; David A. Theriaque (dat@theriaquelaw.com); Brent Spain (sbs@theriaquelaw.com)
Subject: RE: Response to our phone conversation 1-17-2020

Jackie: After further review and discussion, we would suggest the following revised CPA text language:

"Contiguous property to the existing vested mining operation may be included in the Conservation Fringe District, up to a maximum of 7% of the existing vested mining operation area for residential purposes only."

Let me know if acceptable to staff.

Thanks.

From: Jacqueline Genson <jgenson@cityofbonitaspringscd.org>
Sent: Thursday, January 23, 2020 6:46 PM
To: Ned Dewhirst <ndewhirst@oakbrookco.com>
Cc: Neale Montgomery <NealeMontgomery@Paveselaw.com>; Tina Ekblad <tekblad@m-da.com>; Derek P. Rooney <Derek.Rooney@gray-robinson.com>; John Dulmer <jdulmer@cityofbonitaspringscd.org>; Leah Fontanez <LFontanez@cityofbonitaspringscd.org>; David A. Theriaque (dat@theriaquelaw.com) <dat@theriaquelaw.com>; Brent Spain (sbs@theriaquelaw.com) <sbs@theriaquelaw.com>
Subject: RE: Response to our phone conversation 1-17-2020

Good evening Ned,

In furtherance of our conversation on Tuesday, January 21, the seven properties zoned AG-2 below do not meet the applicant's proposed text language requirement highlighted and underlined below. Since the seven properties are not owned by BG Mine LLC, the applicants should consider a revision to the proposed text in order to proceed with their Map request. Please advise the City as soon as possible as City Council agenda packets for the transmittal hearing are due next Wednesday.

"Contiguous property under common ownership of the existing vested mining operation may be included in the Conservation Fringe District up to a maximum of 10% of the existing vested mining operation area for residential purposes only."

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LANDSCAPE ARCHITECTS

2914 Cleveland Avenue | Fort Myers, Florida 339

Phone (239) 337-3993 | Toll Free (866) 337-3993
www.morris-depew.com**Bonita Grande**
Comprehensive Plan Amendment
Property Ownership

STRAP #	Ownership	Address	Jurisdiction	Current FLU	Cu
20-47-26-B1-00001.0000	BG Mine LLC	25501 Bonita Grande Drive	Lee County	DR/GR & Wetlands	Ind De
29-47-26-B1-00101.0000	Joan Gatterer	Access Undetermined	City of Bonita Springs	DR/GR	AG
29-47-26-B1-00105.0000	TST BONITA LLC + WDTJR BONITA LLC ET AL	Access Undetermined	City of Bonita Springs	DR/GR	AG
29-47-26-B1-00113.0000	Bonita East 22	Access Undetermined	City of Bonita Springs	DR/GR	AG
29-47-26-B1-00112.0000	TST BONITA LLC + WDTJR BONITA LLC ET AL	Access Undetermined	City of Bonita Springs	DR/GR	AG
29-47-26-B1-00111.0000	TST BONITA LLC + WDTJR BONITA LLC ET AL	Access Undetermined	City of Bonita Springs	DR/GR	AG
29-47-26-B1-00110.0000	TST BONITA LLC + WDTJR BONITA LLC ET AL	Access Undetermined	City of Bonita Springs	DR/GR	AG
29-47-26-B1-00109.0000	TST BONITA LLC + WDTJR BONITA LLC ET AL	Access Undetermined	City of Bonita Springs	DR/GR	AG

From: Jacqueline Genson**Sent:** Friday, January 17, 2020 3:17 PM**To:** 'Heather Urwiller' <HUrwiller@M-DA.com>**Cc:** Ned Dewhirst <ndewhirst@oakbrookco.com>; Neale Montgomery <NealeMontgomery@Paveselaw.com>; Tina Ekblad <tekblad@m-da.com>; Derek P. Rooney <Derek.Rooney@gray-robinson.com>; John Dulmer <jdulmer@cityofbonitaspringscd.org>; Leah Fontanez <LFontanez@cityofbonitaspringscd.org>; David A. Theriaque

(dat@theriaquelaw.com) <dat@theriaquelaw.com>; Brent Spain (sbs@theriaquelaw.com) <sbs@theriaquelaw.com>
Subject: RE: Response to our phone conversation 1-17-2020

Good afternoon Heather,

I am in receipt of the applicant's response. Unfortunately, I am unable to confer with the City Attorney or Outside Legal Counsel on this matter prior to the publication of the Staff Report packet for the January 23, 2020 LPA. In order to avoid any delays, we are still providing the Staff Report to the Clerk's Office with the understanding that the Staff recommendation on the map amendment may be modified if there's disagreement on this matter. Thank you for your time and have a nice weekend.

Jacqueline Toemmes Genson, AICP
Planning and Zoning Manager
City of Bonita Springs Community Development
9220 Bonita Beach Road, Suite 109
Bonita Springs, FL 34135
jgenson@cityofbonitaspringscd.org
(239) 444-6163
(239) 444-6140 fax

Please note: Florida has a very broad public records law. Most written communications to or from City Employees and officials regarding City business are public records available to the public and media upon request. Your email communication may be subject to public disclosure. Under Florida law, email addresses are public records. If you do not want your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

The zoning information contained within does not constitute an official Zoning Verification Letter. The application for an official Zoning Verification Letter can be found here: [http://cityofbonitaspringscd.org/forms/Zoning Verification Letter 20170502.pdf](http://cityofbonitaspringscd.org/forms/Zoning%20Verification%20Letter%2020170502.pdf)

From: Heather Urwiller [<mailto:HUrwiller@M-DA.com>]
Sent: Friday, January 17, 2020 12:03 PM
To: Jacqueline Genson <jgenson@cityofbonitaspringscd.org>
Cc: Ned Dewhirst <ndewhirst@oakbrookco.com>; Neale Montgomery <NealeMontgomery@Paveselaw.com>; Tina Ekblad <tekblad@m-da.com>; Derek P. Rooney <Derek.Rooney@gray-robinson.com>
Subject: Response to our phone conversation 1-17-2020

Dear Ms. Genson,

I have coordinated internally with our client and the project team. We submit the following response to the concerns you voiced in our morning phone call. All property owners have provided authorizations to submit the applications. I am providing copies of the authorization forms for each of the property owners included in the application. We believe the attached authorization forms are adequate to meet the intent of the language in the Conservation Fringe Future Land Use Category. We respectfully request that you accept this as our formal response to your concern. Thank You.

With Respect,
Heather

Attachments:

**BONITA GRANDE MINE
COMPREHENSIVE PLAN AMENDMENT
DRAFT PROPOSED TEXT AMENDMENT**

Policy 1.1.27: Conservation Fringe. This category is intended to recognize geographic areas that a) include an existing vested mining operation; and b) are adjacent or proximate to lands with significant environmental resource and habitat values. As of the date of the adoption of the Conservation Fringe District, zero (0) acres have been designated as Conservation Fringe District; although the City anticipates that approximately ~~4,348~~ 1343 acres may ultimately be designated as Conservation Fringe District. The City recognizes that existing mines provide a regional supply for lime rock needs and help to minimize the impacts of new mines on the environment, surrounding land uses and roadways. Once mining is completed, the reclamation / redevelopment of the land must occur such that it is compatible with the adjacent or proximate environmental lands. Allowable land uses are limited to conservation uses; agriculture; excavation (existing vested mining operation only); residential uses at a maximum density of ~~0.52~~ 0.522 dwelling units per gross acre along with accessory amenity building and private recreational areas; public uses; non-profit public recreational uses; and essential services needed for the health, safety, and general welfare of the community such as lift stations, utility lines, potable/non-potable wells and equipment and appurtenances necessary for such systems to furnish adequate levels of service. Notwithstanding Future Land Use Element Policy 1.1.2.c and Conservation/Coastal Management Element Policy 15.1.5, wetland and resource protection acres are eligible to be counted as part of the gross acreage for density purposes, but all density must be clustered on the permitted upland portion and/or disturbed land of an approved master concept plan for the reclamation/redevelopment plan. Contiguous property under common ownership of the existing vested mining operation may be included in the Conservation Fringe District up to a maximum of 10% of the existing vested mining operation area for residential purposes only. The cumulative total number of units for all properties designated as Conservation Fringe District shall not exceed a maximum of 700 units. Development within this Conservation Fringe District must adhere to the following innovative design and planning conditions:

1. The property (including contiguous property if applicable) shall be rezoned to a Planned Development. If the property is already zoned Planned Development, the Planned Development shall be amended to comply with the requirements of this Policy no later than completion of the existing mining operation (if applicable) but no later than 12/31/2041.
2. The Planned Development rezoning shall include a minimum of 60% open space calculated over the net project area, not including existing mining lakes and public road right-of-way, and shall implement the following, to the maximum extent feasible:
 - a) Restoration and accommodation of existing and historical regional flow ways;
 - b) Restoration and accommodation of existing and historic groundwater levels;
 - c) Restoration and preservation of wetlands;
 - d) Restoration and preservation of indigenous upland habitats; and
 - e) Where applicable, provision of critical wildlife connections to adjacent conservation areas.

3. A proposed enhanced lake management plan for lakes created by mining activities shall be provided at the time of the Planned Development rezoning. The enhanced lake management plan shall be in addition to any previously approved lake management or reclamation plan for the property, and shall include, at a minimum, the following:
 - a) Application of best management practices for fertilizers and pesticides;
 - b) Provision for erosion control and lake bank stabilization;
 - c) Establishment of lake maintenance requirements; and
 - d) Establishment of an education program for any homeowners' association for the property regarding such issues as restricted lake uses, fertilizer use, lake bank planting requirements, and best management practices.
4. Through the Development Order process, a site specific ecological and hydrological restoration plan shall be developed, which shall include, at a minimum, the following:
 - a) Excavation and grading plans;
 - b) Analysis of hydrological improvements and water budget for both land surface and subsurface; and
 - c) For areas previously farmed or impacted by mining activities and proposed for preservation or conservation, replanting plans, habitat restoration plans, success criteria, and long-term monitoring and maintenance plans.
5. A Conservation Easement for each preservation area shall be platted as part of a master plat for the property and dedicated to the appropriate maintenance entity which has been approved by the City.
6. Indigenous management plans shall address human-wildlife coexistence and buffers between development areas and preservation/conservation areas.
7. Landscaping shall use Florida Friendly Planting with low irrigation requirements in Common Elements.
8. A minimum of 1.5 inches of water quality treatment shall be provided for the developed areas of the project.
9. Stormwater runoff shall be directed into treatment areas prior to discharge to mining lakes that provide additional storage for 0.5 inches of runoff for the developed area.
10. Existing vested mining uses shall be eliminated within an appropriate phasing schedule as part of the Planned Development rezoning approval but no later than 12/31/2041.
11. Existing or proposed public potable water wells shall be protected.
12. On-site and off-site improvements to transportation infrastructure needed to mitigate the traffic impacts of the Planned Development rezoning shall be provided, subject to any prior agreements. These improvements shall use, insofar as is practical, low impact roadway design, linear filter marsh retention elements, and other "green" roadway design features as applicable.
13. The Planned Development project shall connect to public water and sewer service provided by Bonita Springs Utilities and shall connect to reclaimed water if available.
14. Written verification as to adequate public services for the Planned Development rezoning shall be obtained from the Bonita Springs Fire Control & Rescue District, the Lee County Sheriff's Office, the Lee County Emergency Medical Services, and the Lee County School District.

15. The proposed Planned Development rezoning shall not result in material, detrimental impacts to existing or future potable water supply resources.

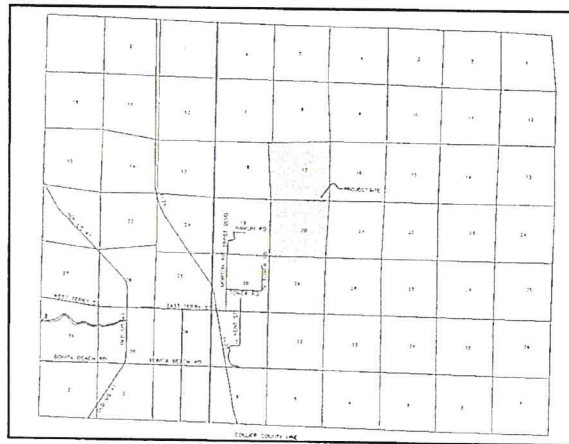
16. Golf course use is prohibited.

Final densities and non-residential uses shall be determined as part of the Planned Development rezoning process and shall be based upon a demonstration of compatibility of the proposed development with adjacent and proximate development.

BONITA GRANDE COMPREHENSIVE PLAN AMENDMENT

BONITA SPRINGS, FLORIDA

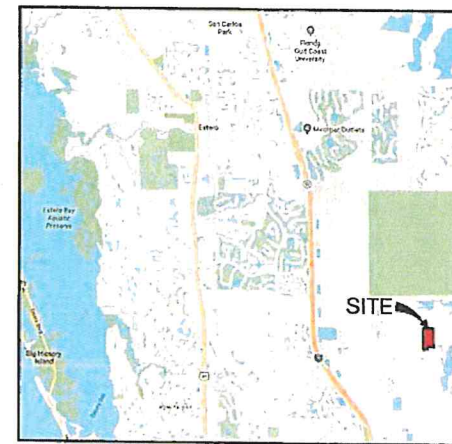
SECTION 17, 20, & 29, TOWNSHIP 47 S, RANGE 26 E
BONITA SPRINGS, FLORIDA



SITE VICINITY MAP

N.T.S.

SHEET INDEX		
NO.	DESCRIPTION	SHEET
1	COVER SHEET	C-101
2	PROPOSED PLU MAP	C-102
3	AERIAL EXHIBIT	C-103
4	ENVIRONMENTAL USES MAP	C-104
5	SURROUNDING ZONING MAP	C-105
6	ARCHAEOLOGICAL SENSITIVITY MAP	C-106
7	CURRENT TOPOGRAPHIC ELEVATION DATA	C-107



SITE LOCATION MAP

N.T.S.

PROJECT
BONITA GRANDE
COMPREHENSIVE
PLAN AMENDMENT

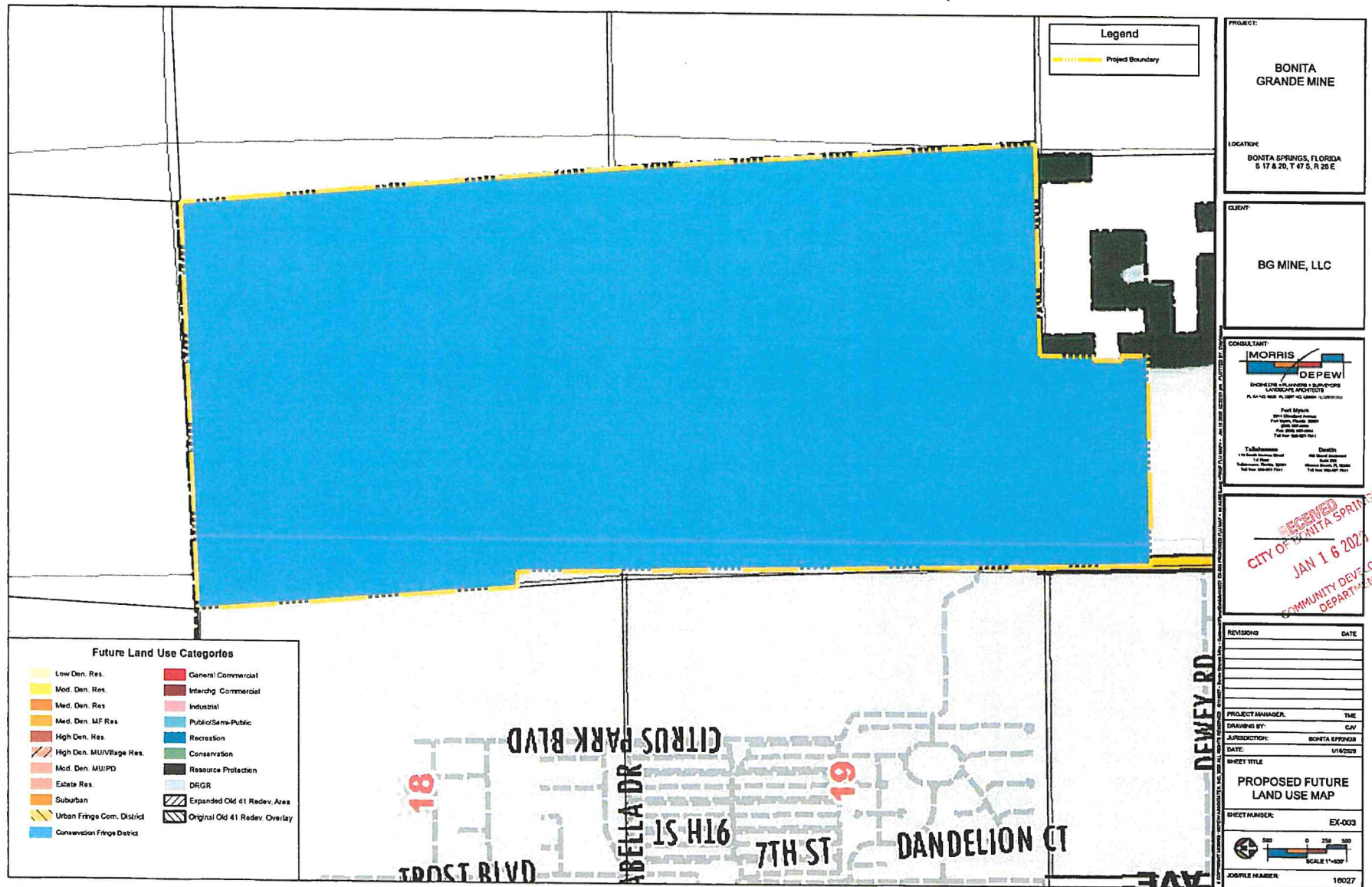
LOCATION
BONITA SPRINGS, FLORIDA
S 17 20, & 29, T 47 S, R 26 E

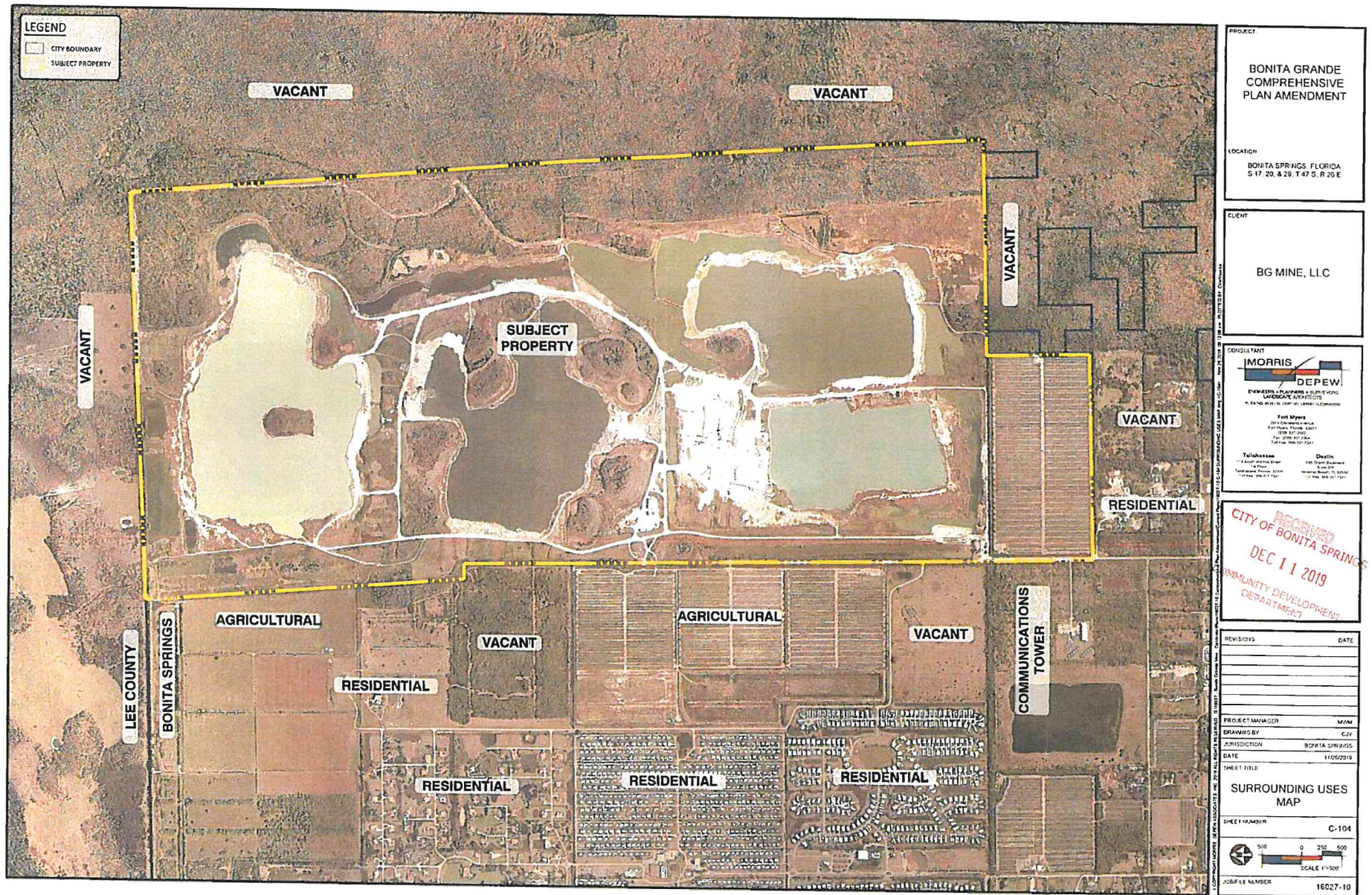
CLIENT
BG MINE, LLC

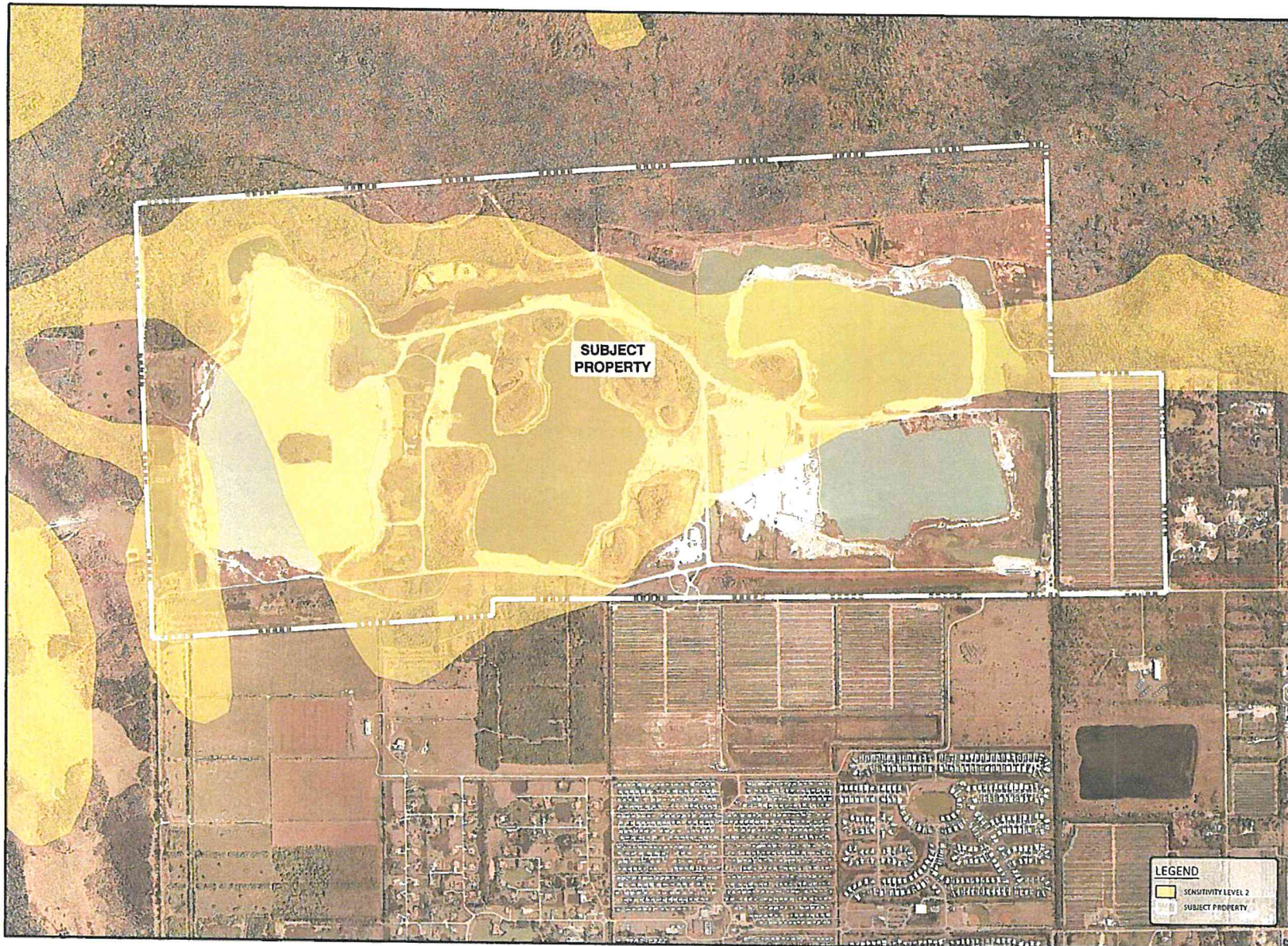
CONSULTANT
MORRIS DEPEW
ENGINEERS, PLANNERS & SURVEYORS
LANDSCAPE ARCHITECTS
10000 W. 10th Ave., Suite 100, Bonita Springs, FL 34135
Tel: 941.655.1111
Fax: 941.655.1112
www.morrisdepew.com

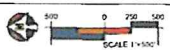
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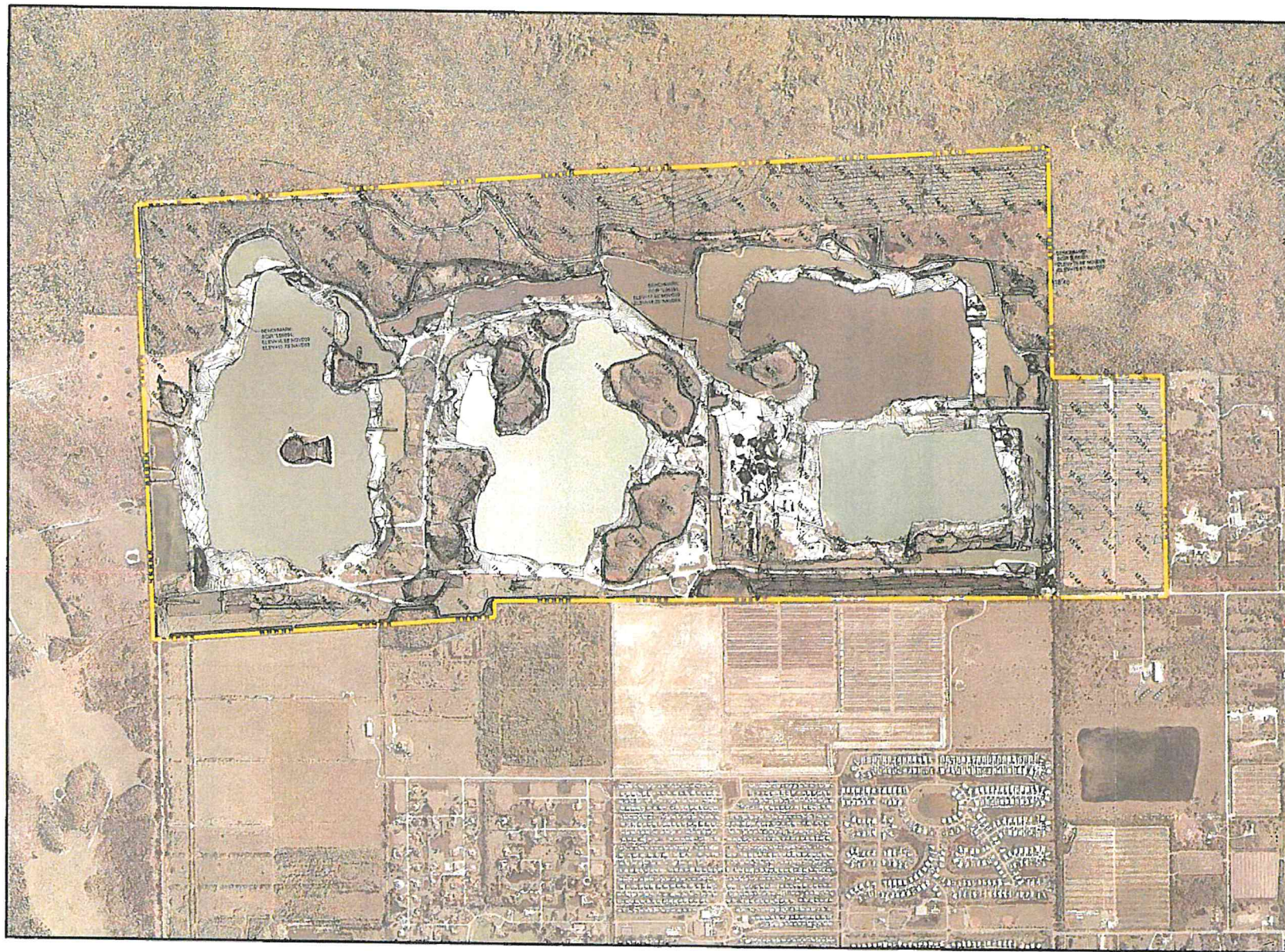
REVISIONS
DATE
PROJECT MANAGER
DRAWING BY
JURISDICTION
DATE
SHEET TITLE
COVER SHEET
SHEET NUMBER
C-101
JOB FILE NUMBER
16027-10





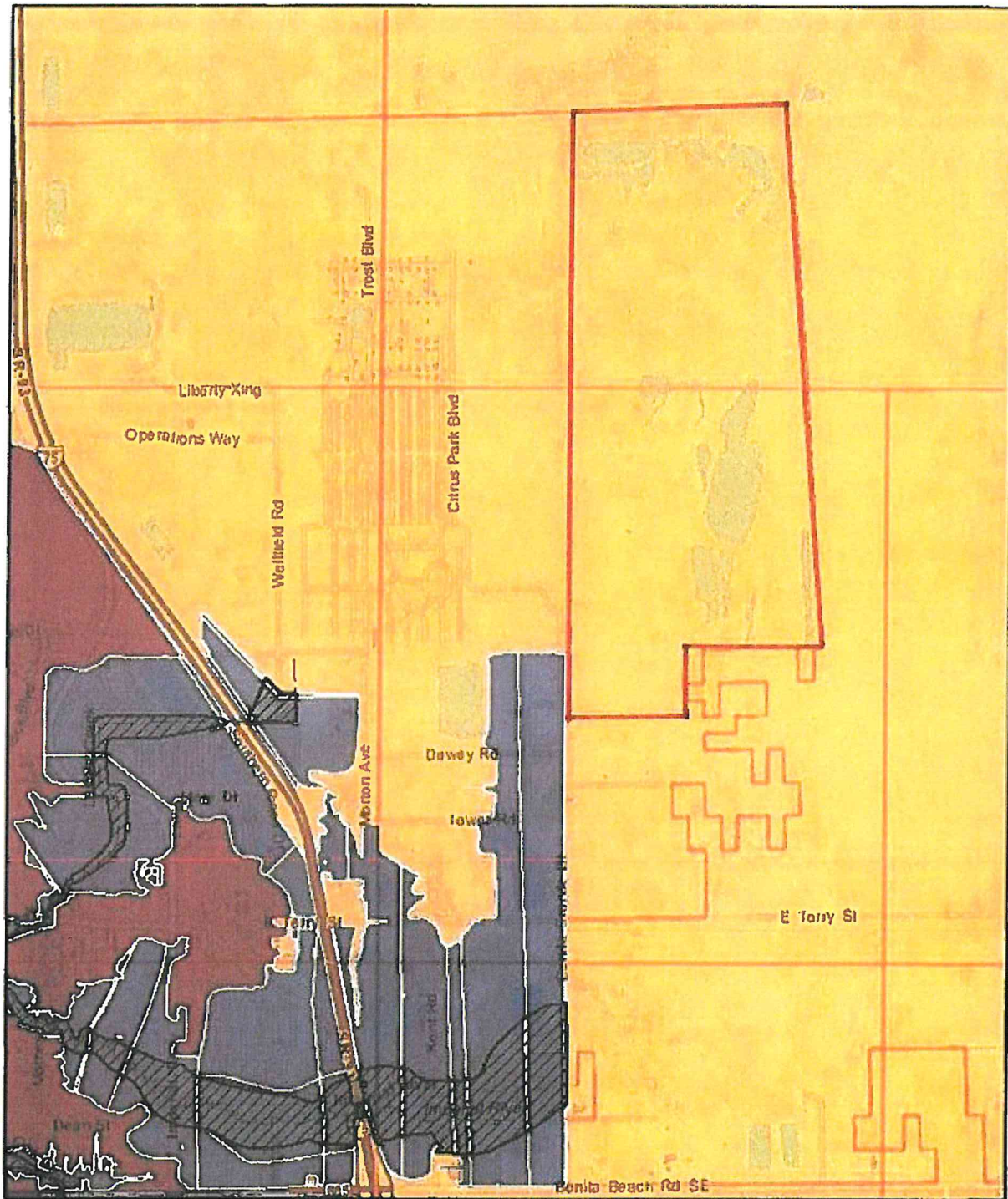


PROJECT BONITA GRANDE COMPREHENSIVE PLAN AMENDMENT	
LOCATION BONITA SPRINGS, FLORIDA S 17 20. & 29. T 47 S. R 26 E	
CLIENT BG MINE, LLC	
CONSULTANT  MORRIS DEPEW ENGINEERS & PLANNERS • ENVIRONMENTAL LANDSCAPE ARCHITECTS PLANNING • DESIGN • CONSTRUCTION Fort Myers 2014 Cape Coral Avenue Fort Myers, Florida 33901 Tel: 239. 467. 2347 Fax: 239. 467. 2348 2014 Cape Coral Avenue Fort Myers, Florida 33901 Tel: 239. 467. 2347 Fax: 239. 467. 2348	
 RECEIVED DEC 11 2019 CITY OF BONITA SPRINGS COMMUNITY DEVELOPMENT DEPARTMENT	
REVISIONS	DATE
PROJECT MANAGER	MWM
DRAWING BY	EJV
JURISDICTION	BONITA SPRINGS
DATE	11/05/2019
SHEET TITLE ARCHAEOLOGICAL SENSITIVITY MAP	
SHEET NUMBER	C-106
 SCALE 1"=100'	
JOB FILE NUMBER	16027-10



PROJECT BONITA GRANDE COMPREHENSIVE PLAN AMENDMENT	
LOCATION BONITA SPRINGS, FLORIDA S 17. 20. & 29. T 47 S, R 26 E	
CLIENT BG MINE, LLC	
CONSULTANT MORRIS DEPEW ENGINEERS & PLANNERS - SURVEYORS LANDSCAPE ARCHITECTS FL. Lic. No. 808 / FS. Lic. No. 18899 / L12095808 Paul Meyer 2018 Certified in Surveying 2018 Registered Professional 2018 Registered Professional 2018 Registered Professional Tallahassee 1100 W. Highway 90 Tallahassee, FL 32301 Tel: 904.433.1100 Fax: 904.433.1101 Orlando 4000 Central Expressway Orlando, FL 32811 Tel: 407.433.1100 Fax: 407.433.1101	
RECEIVED CITY OF BONITA SPRINGS DEC 11 2019 COUNTY DEPT. OF PLANNING	
REVISIONS	DATE
PROJECT MANAGER	MM
DRAWING BY	KJV
JURISDICTION	BONITA SPRINGS
DATE	11/02/2019
SHEET TITLE CURRENT TOPOGRAPHIC ELEVATION DATA	
SHEET NUMBER	C-107
 SCALE: 1"=500' JOB FILE NUMBER 16027-10	

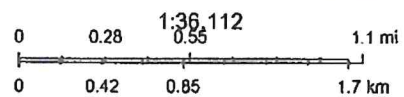
Flood Zone Web Map



May 23, 2018

- FIRM Panel
- 0.2 PCT ANNUAL CHANCE FLOOD HAZARD (X)
- FIRM Flood Zone
- VE
- AE
- A
- FIRM Floodway
- Flooding Source

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Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, © OpenStreetMap contributors, and the GIS User Community

DESCRIPTION:

A PORTION OF SECTIONS 17 AND 20, TOWNSHIP 47 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE POINT OF BEGINNING, WHICH IS THE SOUTHWEST CORNER OF SECTION 20, TOWNSHIP 47 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA; THENCE NORTH 01°08'52" WEST FOR 5285.70 FEET ALONG AN AGREED UPON LINE PER OFFICIAL RECORD BOOK 2061, PAGE 3137 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE CONTINUE ALONG SAID AGREED UPON LINE NORTH 01°06'50" WEST 1339.84 FEET; THENCE SOUTH 88°58'01" WEST 191.18 FEET ALONG AN AGREED UPON LINE PER OFFICIAL RECORDS BOOK 2061, PAGE 3137, AND PAGE 3139 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA TO THE WEST LINE OF SECTION 17, TOWNSHIP 47 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA; THENCE CONTINUE ALONG SAID AGREED UPON LINE WHICH IS THE WEST LINE OF SAID SECTION 17 NORTH 04°41'04" WEST FOR 4013.11 FEET TO THE NORTHWEST CORNER OF SAID SECTION 17; THENCE NORTH 87°28'17" EAST FOR 2575.75 FEET ALONG THE NORTH LINE OF SAID SECTION 17 TO THE NORTH 1/4 CORNER OF SAID SECTION 17; THENCE CONTINUE ALONG SAID NORTH LINE NORTH 87°28'22" EAST FOR 2575.93 FEET TO THE NORTHEAST CORNER OF SAID SECTION 17; THENCE ALONG THE EAST LINE OF SAID SECTION 17, SOUTH 05°01'45" EAST 2689.09 FEET THE EAST 1/4 CORNER OF SAID SECTION 17; THENCE CONTINUE ALONG THE SAID EAST LINE SOUTH 05°01'37" EAST 2688.71 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 17 AND THE NORTHEAST CORNER OF SAID SECTION 20; THENCE ALONG THE EAST LINE OF SAID SECTION 20 SOUTH 03°50'45" EAST FOR 2684.71 FEET TO THE EAST 1/4 CORNER OF SAID SECTION 20; THENCE CONTINUE ALONG SAID EAST LINE SOUTH 03°50'58" EAST FOR 2684.65 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 20; THENCE ALONG THE SOUTH LINE OF SAID SECTION 20, SOUTH 88°34'10" WEST 2665.01 FEET TO THE SOUTH 1/4 CORNER OF SAID SECTION 20; THENCE CONTINUE ALONG SAID SOUTH LINE OF SECTION 20 SOUTH 88°34'05" WEST FOR 108.64 FEET; THENCE S.01° 22'41" E. LEAVING SAID SECTION LINE, FOR A DISTANCE OF 1298.02 FEET; THENCE S.88°38'23" W. FOR A DISTANCE OF 2501.11 FEET; THENCE N. 01°08'42" W. FOR A DISTANCE OF 1295.52 FEET TO AN INTERSECTION OF THE SAID SOUTH LINE OF SECTION 20.; THENCE S.88° 34'05" W. FOR A DISTANCE OF 59.83' TO THE POINT OF BEGINNING.

SURVEYOR'S NOTES:

THE DESCRIPTION SHOWN HEREON IS NEW.

ORIENTATION IS BASED ON THE EAST LINE OF THE SOUTHEAST-QUARTER SECTION 20 AS BEARING S.03°50'58"E, BASED ON FLORIDA GRID, WEST ZONE, NAD 83/90.

UNLESS IT BEARS THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED PROFESSIONAL SURVEYOR AND MAPPER, THIS MAP IS NOT VALID.

THIS IS NOT A SURVEY!

ABBREVIATIONS:

D.E.P. = DEPARTMENT OF ENVIRONMENTAL PROTECTION
F.P.&L. = FLORIDA POWER AND LIGHT
O.R. = OFFICIAL RECORDS
PG. = PAGE
P.O.B. = POINT OF BEGINNING

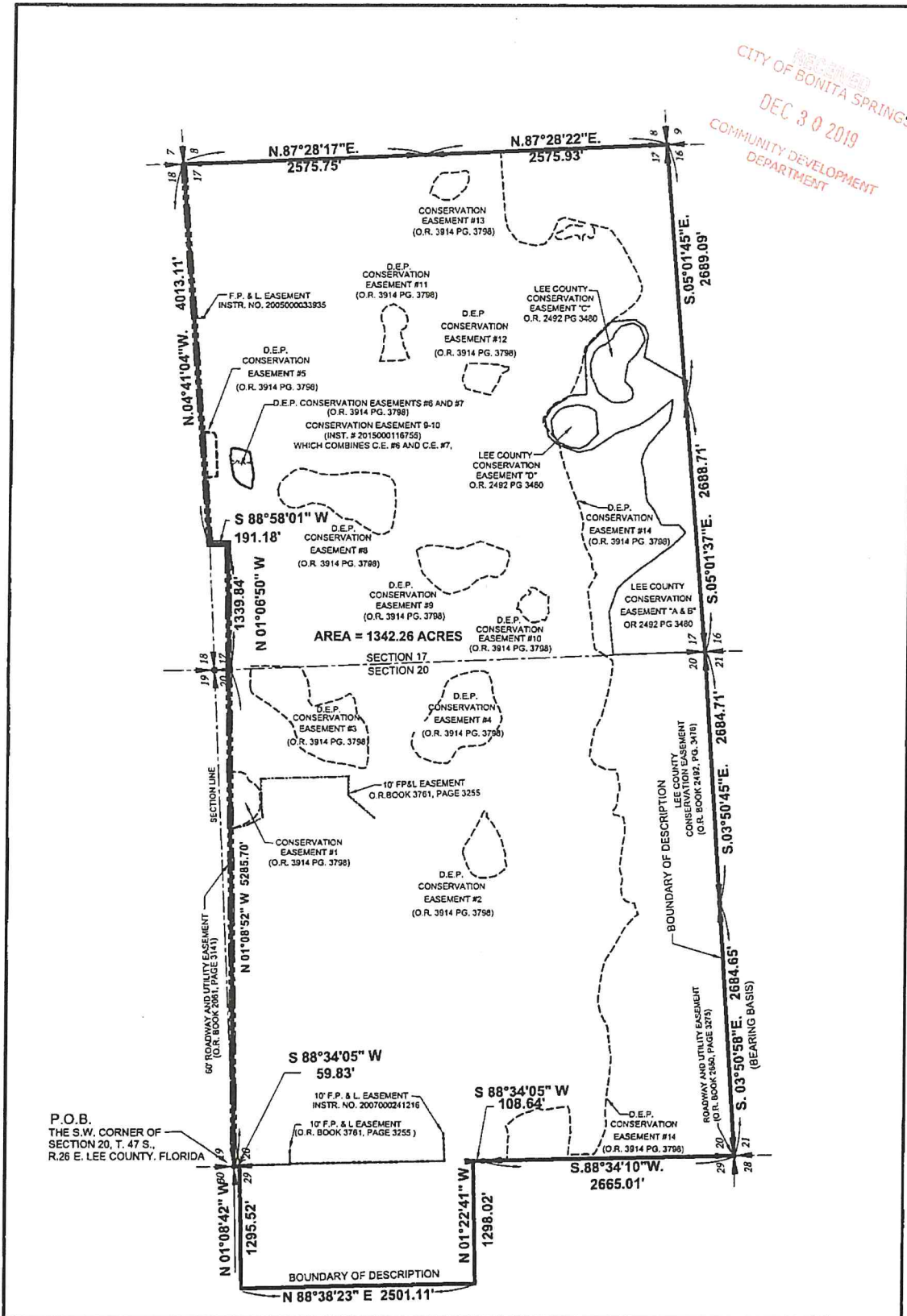
PREPARED BY:

MARK A. HATFIELD, P.S.M. DATE
FLORIDA CERTIFICATE NO. 4155

Digitally signed by
Mark A. Hatfield,
PSM 4155
Date: 2019.12.04
15:52:37 -05'00'

PROJECT: SKETCH AND DESCRIPTION LOCATION: A PARCEL OF LAND IN SEC.17 & 20, T. 47 S., R. 26 E., LEE COUNTY, FLORIDA	CONSULTANT: MORRIS DEPEW ENGINEERS • PLANNERS • SURVEYORS LANDSCAPE ARCHITECTS FL. CA NO. 6528 / FL. CERT. NO. 138888 / LICENSED 000000 Fort Myers 2314 Cleveland Avenue Fort Myers, Florida 33901 (239) 397-0600 Fax: (239) 397-0894 Toll free: 888-227-7341 Tallahassee 113 South Monroe Street 1st Floor Tallahassee, Florida 32301 Toll free: 888-227-7341 Destin 405 Grand Boulevard Suite 100 Miramar Beach, FL 32550 Toll free: 888-227-7341	CLIENT: BONITA GRANDE MINE LLC. SCALE 1"=500'	PROJECT MANAGER: MAH DRAWING BY: BMH JURISDICTION: CITY OF BONITA SPRINGS DATE: 12/04/2019 SHEET TITLE: SKETCH AND DESCRIPTION SHEET NUMBER: 1 OF 2 JOB/FILE NUMBER: 16027
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DEC 30 2019
COMMUNITY DEVELOPMENT
DEPARTMENT



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PROJECT:
SKETCH AND DESCRIPTION

LOCATION:
**A PARCEL OF LAND IN
SEC. 17 & 20, T. 47 S., R. 26 E.,
LEE COUNTY, FLORIDA**

CONSULTANT:
MORRIS • DEPEW
ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS
FL CA#10 6522 / FL CERT NO. 12888 / L200000000

Fort Myers
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Fort Myers, Florida 33901
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Fax: (239) 337-0004
Toll Free: 800-327-7541

Tallahassee
113 South Monroe Street
1st Floor
Tallahassee, Florida 32301
Toll Free: 800-327-7541

Dorset
405 Grand Boulevard
Suite 300
Memphis, TN 38103
Toll Free: 800-327-7541

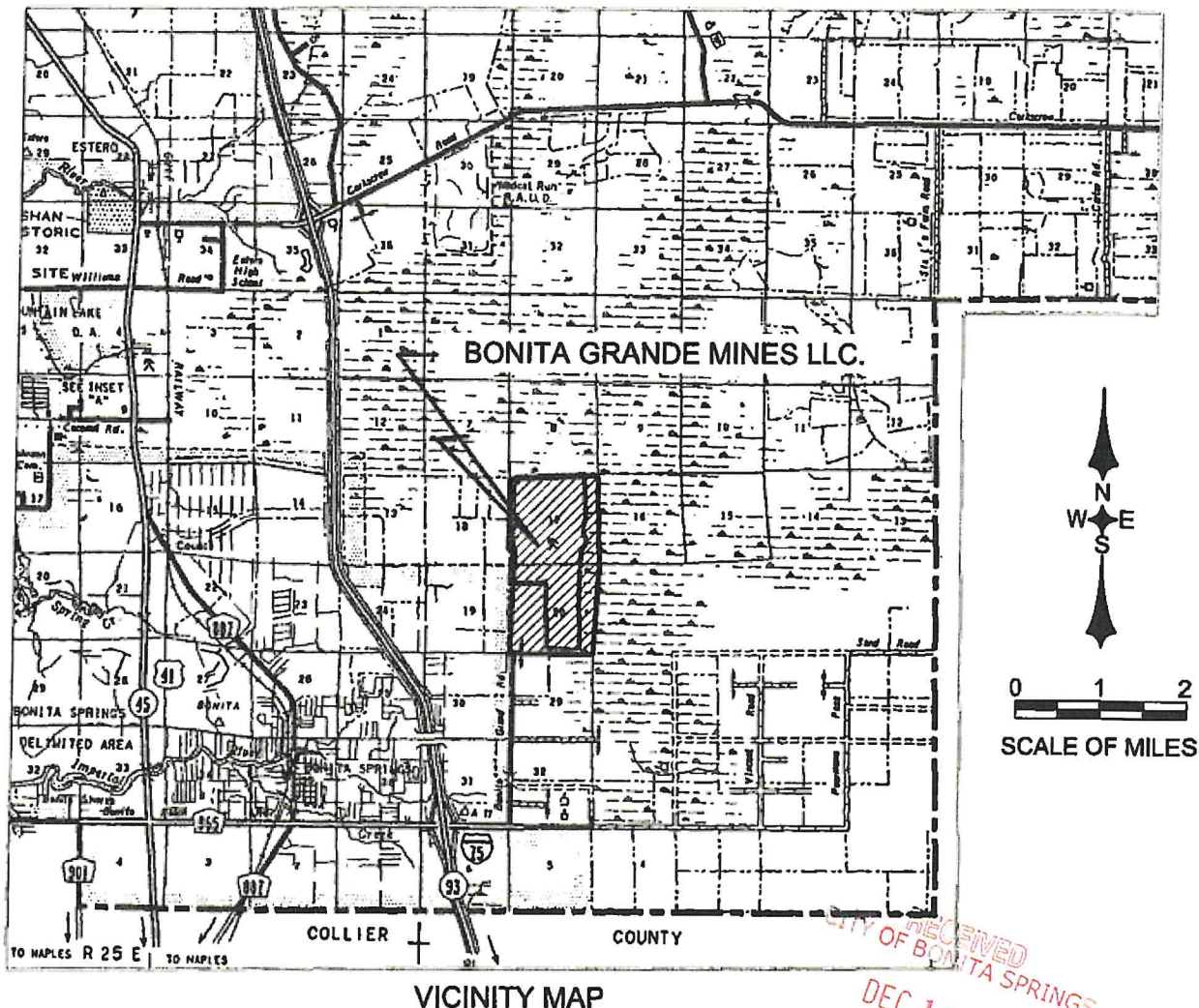
CLIENT:
**BONITA GRANDE
MINE LLC**

1200 0 600 1200
SCALE 1"=1200'

PROJECT MANAGER: **MAH**
DRAWING BY: **BMH**
JURISDICTION: **CITY OF BONITA SPRINGS**
DATE: **12/4/2019**

SHEET TITLE:
**SKETCH AND
DESCRIPTION**

SHEET NUMBER: **2 OF 2**
JOB/FILE NUMBER: **16027**



SURVEYOR'S NOTES:

THE DESCRIPTIONS SHOWN HEREON ARE NEW.

WITH THE EXCEPTION OF AREAS "9-10" AND AREA "S", THE DESCRIPTIONS SHOWN HEREON DESCRIBE THE SAME LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 3914, PAGE 3798, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

ORIENTATION BASED ON THE WEST LINE OF THE SOUTHWEST-QUARTER OF SECTION 20, TOWNSHIP 47 S., RANGE 26 E. AS BEARING N.02°16'13"W.

COORDINATES SHOWN HEREON ARE BASED ON FLORIDA GRID, WEST ZONE, NAD 83/90.

UNLESS IT BEARS THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, AND ALL SHEETS ARE INCLUDED, THIS MAP IS NOT VALID.

THIS IS NOT A SURVEY!

ABBREVIATIONS

C/L = CENTERLINE
L1 = LINE DESIGNATION
O.R. = OFFICIAL RECORDS
PG. = PAGE
POB = POINT-OF-BEGINNING
POC = POINT-OF-COMMENCEMENT
R/W = RIGHT-OF-WAY

PREPARED BY:

Mark A. Hatfield 11-25-19

MARK A. HATFIELD, PSM
FLA. CERT. NO. 4155

DATE

MORRIS DEPEW
ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS
FL CA NO. 6532 / FL CERT NO. LB8861 / LC26000330

Fort Myers
2914 Cleveland Avenue
Fort Myers, Florida 33901
(239) 337-0883
Fax: (239) 337-0884
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Toll free: 888-337-7341

Destin
488 Grand Boulevard
Suite 208
Miramar Beach, FL 32550
Toll free: 888-337-7341

RESOURCE PROTECTION AREAS
SKETCH AND DESCRIPTION
PARCELS OF LAND IN SECTIONS 17 AND 20,
TOWNSHIP 47 SOUTH, RANGE 26 EAST, LEE COUNTY,
FLORIDA

BONITA GRANDE MINES LLC.

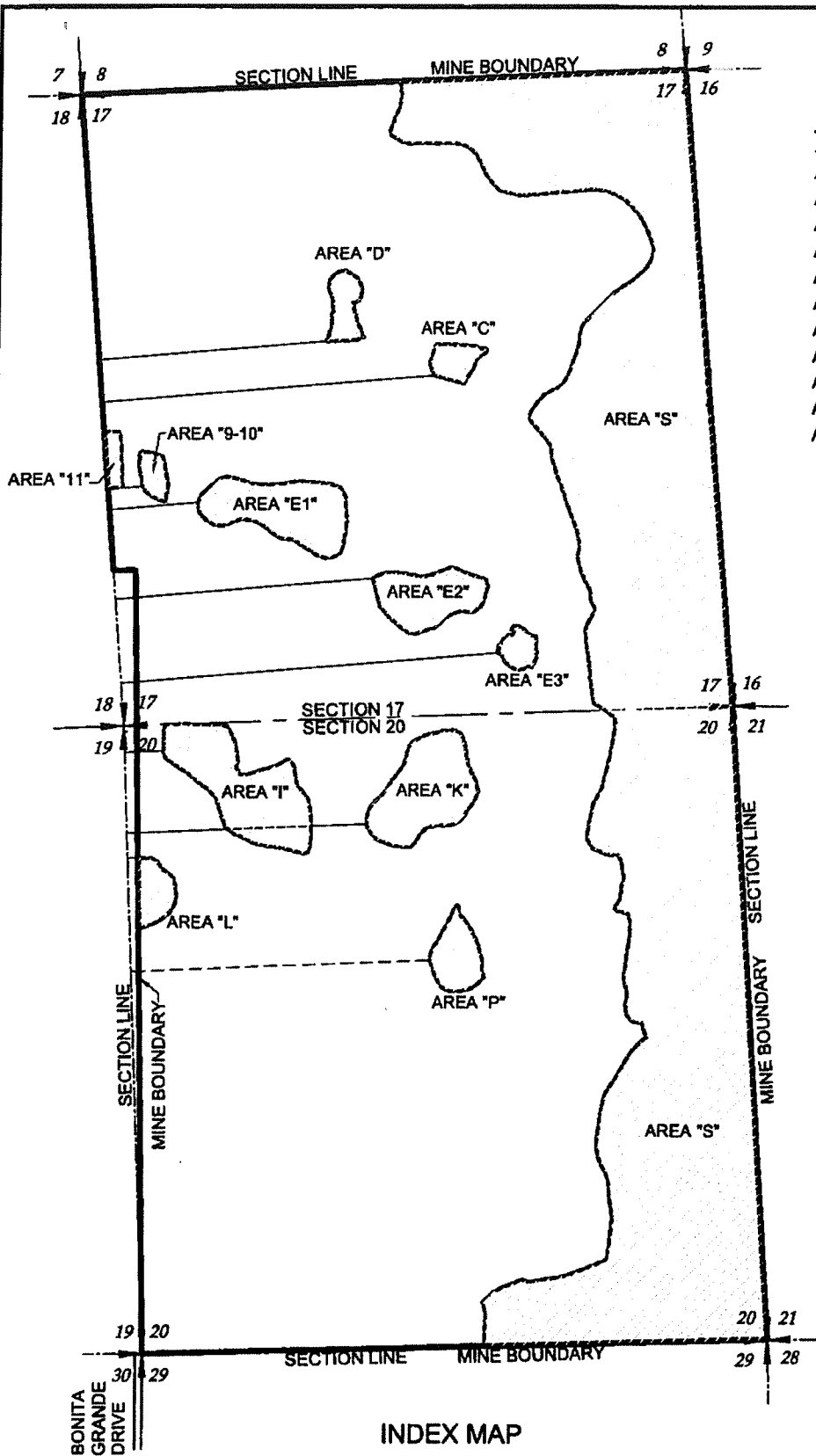
MDA PROJECT:
16027

CHECKED
MAH

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BMH

DATE:
11/25/19

SHEET
1 OF 30



INDEX OF SHEETS	
AREA "L"	- SHEETS 3 & 4
AREA "P"	- SHEETS 5 & 6
AREA "I"	- SHEETS 7 & 8
AREA "K"	- SHEETS 9 & 10
AREA "11"	- SHEETS 11 & 12
AREA "9-10"	- SHEETS 13 & 14
AREA "E1"	- SHEETS 15 & 16
AREA "E2"	- SHEETS 17 & 18
AREA "E3"	- SHEETS 19 & 20
AREA "D"	- SHEETS 21 & 22
AREA "C"	- SHEETS 23 & 24
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SCALE OF FEET
1" = 1/4 MILE

INDEX MAP



ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS
FL. CA. NO. 8532 / FL. CERT. NO. LB6801 / LC28000330

Fort Myers 2514 Cleveland Avenue Fort Myers, Florida 33901 (239) 337-3880 Fax: (239) 337-3884 Toll free: 888-337-7341	Tallahassee 113 South Monroe Street 1st Floor Tallahassee, Florida 32301 Toll free: 888-337-7341	Destin 485 Grand Boulevard Suite 308 Miramar Beach, FL 32550 Toll free: 888-337-7341
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**RESOURCE PROTECTION AREAS
SKETCH AND DESCRIPTION**
PARCELS OF LAND IN SECTIONS 17 AND 20,
TOWNSHIP 47 SOUTH, RANGE 26 EAST, LEE COUNTY,
FLORIDA

BONITA GRANDE MINE LLC.

MDA PROJECT:
16027

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DATE:
11/25/19

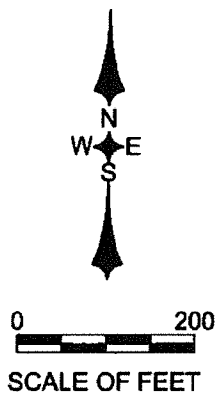
SHEET
2 OF 30

RESOURCE PROTECTION AREA "L"
(CONSERVATION EASEMENT #1 O.R 3914, PG. 3798)

A TRACT OR PARCEL OF LAND LYING IN SECTION 20, TOWNSHIP 47 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, SAID TRACT OR PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 20, TOWNSHIP 47 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA; THENCE N. 02°16'13" W. ALONG THE WEST LINE OF SAID SECTION 20, A DISTANCE OF 4196.16' FEET; THENCE N. 87°43'47" E. A DISTANCE OF 86.82' FEET TO THE POINT-OF-BEGINNING OF HEREON DESCRIBED LAND; THENCE S. 80°55'08" E. A DISTANCE OF 13.41' FEET; THENCE S. 86°11'48" E. A DISTANCE OF 61.86' FEET; THENCE S. 88°15'36" E. A DISTANCE OF 45.68' FEET; THENCE S. 67°40'17" E. A DISTANCE OF 49.48' FEET; THENCE S. 28°02'00" E. A DISTANCE OF 75.49' FEET; THENCE S. 58°18'46" E. A DISTANCE OF 64.51' FEET; THENCE S. 56°25'08" E. A DISTANCE OF 29.33' FEET; THENCE S. 36°58'53" E. A DISTANCE OF 55.77' FEET; THENCE S. 06°58'18" E. A DISTANCE OF 68.65' FEET; THENCE S. 06°38'24" E. A DISTANCE OF 61.46' FEET; THENCE S. 02°53'49" W. A DISTANCE OF 62.08' FEET; THENCE S. 28°39'53" W. A DISTANCE OF 77.30' FEET; THENCE S. 38°32'40" W. A DISTANCE OF 45.33' FEET; THENCE S. 51°46'53" W. A DISTANCE OF 33.00' FEET; THENCE S. 56°53'59" W. A DISTANCE OF 71.95' FEET; THENCE S. 65°33'36" W. A DISTANCE OF 50.96' FEET; THENCE S. 71°06'36" W. A DISTANCE OF 82.14' FEET; THENCE S. 55°22'56" W. A DISTANCE OF 48.28' FEET; THENCE N. 01°05'06" W. A DISTANCE OF 617.09' FEET; TO THE SAID POINT-OF-BEGINNING CONTAINING 3.44 ACRES MORE OR LESS.

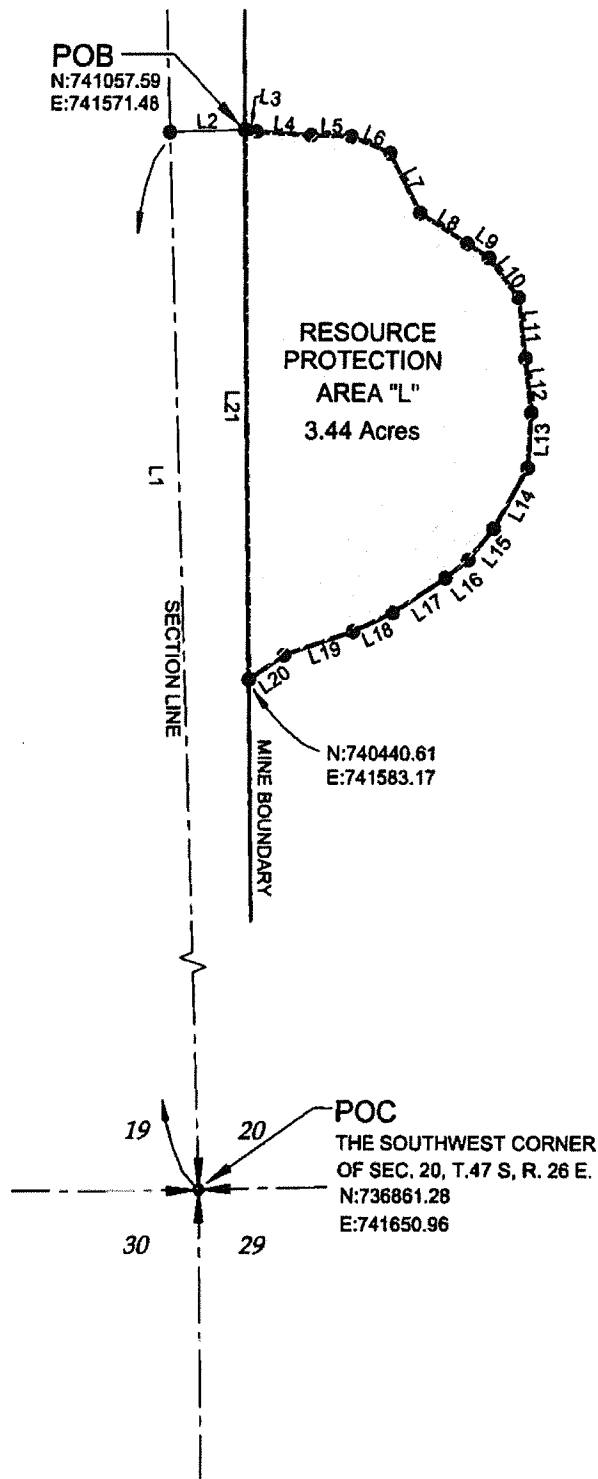
 MORRIS DEPEW ENGINEERS • PLANNERS • SURVEYORS LANDSCAPE ARCHITECTS FL. CA NO. 6532 / FL. CERT. NO. LB6881 / LC28000330 Fort Myers 2814 Cleveland Avenue Fort Myers, Florida 33901 (239) 337-3923 Fax: (239) 337-3904 Toll free: 888-327-7341 Tallahassee 112 South Monroe Street 1st Floor Tallahassee, Florida 32301 Toll free: 888-327-7341 Destin 485 Grand Boulevard Suite 208 Miramar Beach, FL 32550 Toll free: 888-327-7341	RESOURCE PROTECTION AREAS L SKETCH AND DESCRIPTION PARCELS OF LAND IN SECTION 20, TOWNSHIP 47 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA	MDA PROJECT: 16027 <table border="1"> <tr> <td>CHECKED MAH</td> <td>DRAWN BMH</td> </tr> </table> DATE: 11/25/19 SHEET 3 OF 30	CHECKED MAH	DRAWN BMH
			CHECKED MAH	DRAWN BMH
	BONITA GRANDE MINE LLC.			



ABBREVIATIONS

L1 = LINE DESIGNATION
O.R. = OFFICIAL RECORDS
PG. = PAGE
POB = POINT-OF-BEGINNING
POC = POINT-OF-COMMENCEMENT
R/W = RIGHT-OF-WAY

LINE	BEARING	DISTANCE
L1	N 02°16'13" W	4196.16'
L2	N 87°43'47" E	86.82'
L3	S 80°55'08" E	13.41'
L4	S 86°11'48" E	61.86'
L5	S 88°15'36" E	45.68'
L6	S 67°40'17" E	49.48'
L7	S 28°02'00" E	75.49'
L8	S 58°18'46" E	64.51'
L9	S 56°25'08" E	29.33'
L10	S 38°58'53" E	55.77'
L11	S 06°58'18" E	68.65'
L12	S 06°38'24" E	61.46'
L13	S 02°53'49" W	62.08'
L14	S 28°39'53" W	77.30'
L15	S 38°32'40" W	45.33'
L16	S 51°46'53" W	33.00'
L17	S 58°53'59" W	71.95'
L18	S 65°33'36" W	50.96'
L19	S 71°06'36" W	82.14'
L20	S 55°22'56" W	48.28'
L21	N 01°05'06" W	617.09'



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Toll free: 888-337-7341

RESOURCE PROTECTION AREAS L SKETCH AND DESCRIPTION PARCEL OF LAND IN SECTION 20, TOWNSHIP 47 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA

BONITA GRANDE MINE LLC.

MDA PROJECT:
16027

CHECKED
MAH

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DATE:
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SHEET
4 OF 30

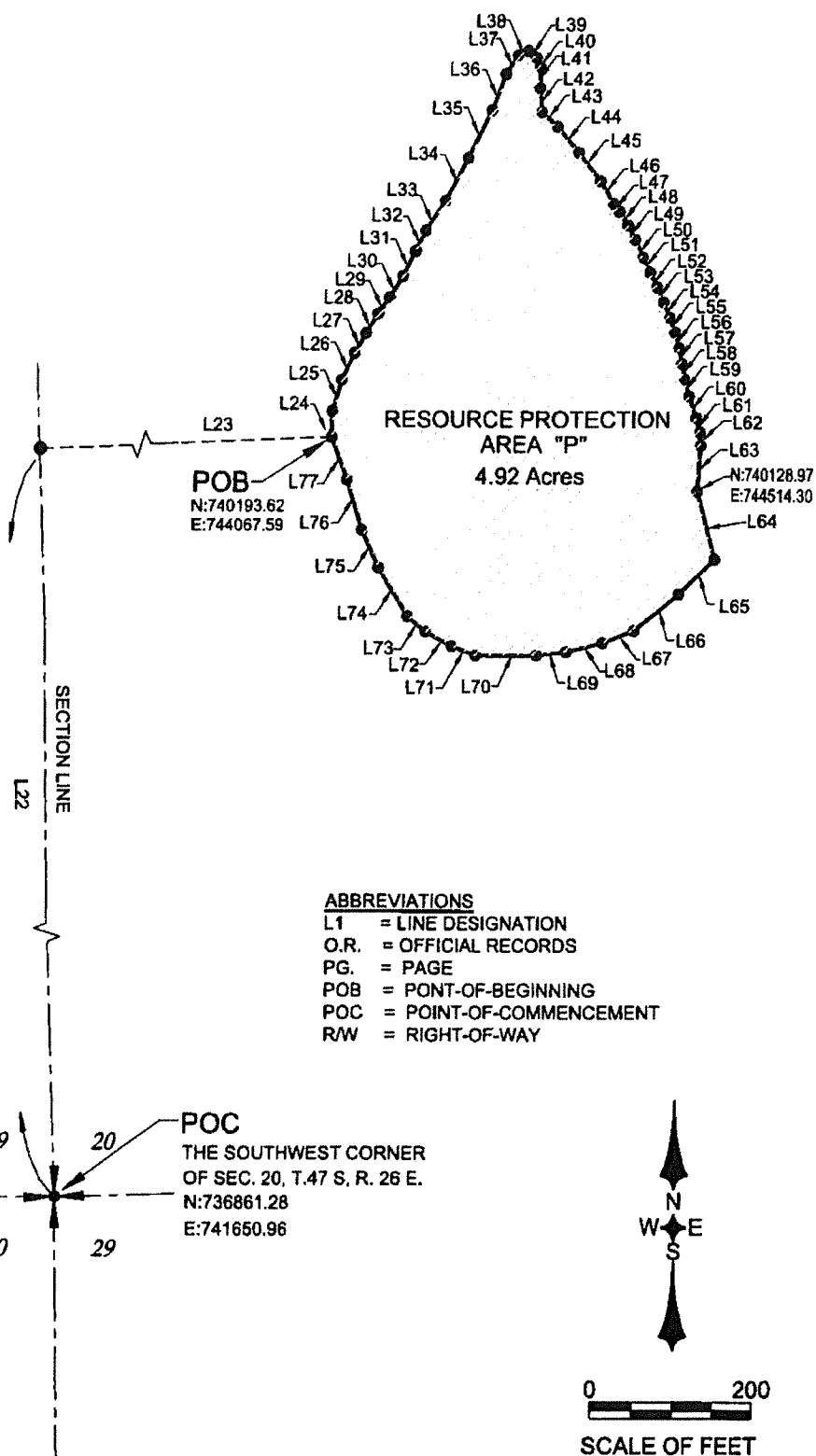
RESOURCE PROTECTION AREA "P"
(CONSERVATION EASEMENT #2 O.R 3914, PG. 3798)

A TRACT OR PARCEL OF LAND LYING IN SECTION 20, TOWNSHIP 47 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, SAID TRACT OR PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 20, TOWNSHIP 47 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA; THENCE N. 02°16'13" W. ALONG THE WEST LINE OF SAID SECTION 20, A DISTANCE OF 3233.98' FEET; THENCE N. 87°43'47" E. A DISTANCE OF 2546.73' FEET TO THE POINT-OF-BEGINNING OF HEREON DESCRIBED LAND; THENCE N. 01°13'05" E. A DISTANCE OF 31.29' FEET; THENCE N. 16°21'31" E. A DISTANCE OF 39.24' FEET; THENCE N. 25°42'03" E. A DISTANCE OF 35.58' FEET; THENCE N. 29°20'58" E. A DISTANCE OF 27.58' FEET; THENCE N. 31°22'02" E. A DISTANCE OF 27.54' FEET; THENCE N. 34°08'51" E. A DISTANCE OF 23.49' FEET; THENCE N. 31°39'14" E. A DISTANCE OF 29.88' FEET; THENCE N. 25°57'38" E. A DISTANCE OF 33.57' FEET; THENCE N. 26°36'02" E. A DISTANCE OF 27.33' FEET; THENCE N. 33°35'29" E. A DISTANCE OF 42.63' FEET; THENCE N. 27°42'15" E. A DISTANCE OF 58.64' FEET; THENCE N. 27°13'51" E. A DISTANCE OF 64.18' FEET; THENCE N. 20°39'53" E. A DISTANCE OF 46.30' FEET; THENCE N. 33°00'06" E. A DISTANCE OF 26.79' FEET; THENCE N. 66°52'43" E. A DISTANCE OF 14.17' FEET; THENCE S. 50°52'36" E. A DISTANCE OF 12.86' FEET; THENCE S. 24°11'36" E. A DISTANCE OF 12.10' FEET; THENCE S. 00°03'21" W. A DISTANCE OF 25.48' FEET; THENCE S. 05°23'22" E. A DISTANCE OF 28.74' FEET; THENCE S. 47°50'03" E. A DISTANCE OF 25.99' FEET; THENCE S. 39°36'02" E. A DISTANCE OF 40.11' FEET; THENCE S. 37°04'59" E. A DISTANCE OF 43.36' FEET; THENCE S. 30°46'05" E. A DISTANCE OF 31.33' FEET; THENCE S. 36°25'45" E. A DISTANCE OF 12.23' FEET; THENCE S. 32°08'55" E. A DISTANCE OF 19.26' FEET; THENCE S. 26°51'04" E. A DISTANCE OF 19.16' FEET; THENCE S. 25°14'18" E. A DISTANCE OF 23.69' FEET; THENCE S. 26°19'11" E. A DISTANCE OF 20.26' FEET; THENCE S. 26°20'29" E. A DISTANCE OF 19.76' FEET; THENCE S. 24°22'22" E. A DISTANCE OF 19.79' FEET; THENCE S. 22°58'40" E. A DISTANCE OF 19.88' FEET; THENCE S. 21°02'28" E. A DISTANCE OF 19.15' FEET; THENCE S. 16°14'12" E. A DISTANCE OF 18.93' FEET; THENCE S. 10°55'10" E. A DISTANCE OF 19.70' FEET; THENCE S. 12°26'49" E. A DISTANCE OF 18.85' FEET; THENCE S. 15°03'07" E. A DISTANCE OF 21.35' FEET; THENCE S. 19°20'53" E. A DISTANCE OF 27.51' FEET; THENCE S. 16°03'06" E. A DISTANCE OF 18.15' FEET; THENCE S. 04°06'04" E. A DISTANCE OF 15.85' FEET; THENCE S. 03°44'32" W. A DISTANCE OF 55.06' FEET; THENCE S. 15°04'55" E. A DISTANCE OF 84.67' FEET; THENCE S. 46°21'18" W. A DISTANCE OF 61.28' FEET; THENCE S. 51°14'18" W. A DISTANCE OF 70.16' FEET; THENCE S. 68°23'46" W. A DISTANCE OF 40.60' FEET; THENCE S. 75°58'18" W. A DISTANCE OF 44.69' FEET; THENCE S. 83°17'58" W. A DISTANCE OF 35.96' FEET; THENCE S. 89°44'02" W. A DISTANCE OF 75.41' FEET; THENCE N. 69°25'03" W. A DISTANCE OF 31.67' FEET; THENCE N. 61°21'26" W. A DISTANCE OF 36.59' FEET; THENCE N. 50°32'37" W. A DISTANCE OF 28.85' FEET; THENCE N. 30°40'39" W. A DISTANCE OF 68.73' FEET; THENCE N. 23°53'46" W. A DISTANCE OF 49.59' FEET; THENCE N. 17°34'24" W. A DISTANCE OF 63.37' FEET; THENCE N. 20°32'31" W. A DISTANCE OF 54.55' FEET; TO THE SAID POINT-OF-BEGINNING.
CONTAINING 4.92 ACRES MORE OR LESS.

 MORRIS DEPEU ENGINEERS • PLANNERS • SURVEYORS LANDSCAPE ARCHITECTS FL. CA NO. 6532 / FL. CERT NO. L08891 / LC28000330 Fort Myers 2814 Cleveland Avenue Fort Myers, Florida 33901 (239) 337-5882 Fax: (239) 337-5884 Toll free: 888-337-7341 Tallahassee 113 South Monroe Street 1st Floor Tallahassee, Florida 32301 Toll free: 888-337-7341 Destin 485 Grand Boulevard Suite 300 Miramar Beach, FL 32550 Toll free: 888-337-7341	RESOURCE PROTECTION AREA P SKETCH AND DESCRIPTION PARCELS OF LAND IN SECTION 20, TOWNSHIP 47 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA	MDA PROJECT: 16027 <table border="1"> <tr> <td>CHECKED MAH</td> <td>DRAWN BMH</td> </tr> </table> DATE: 11/25/19	CHECKED MAH	DRAWN BMH
		CHECKED MAH	DRAWN BMH	
	SHEET 5 OF 30			
BONITA GRANDE MINE LLC.				

LINE	BEARING	DISTANCE
L22	N 02°16'13" W	3233.98'
L23	N 87°43'47" E	2546.73'
L24	N 01°13'05" E	31.29'
L25	N 16°21'31" E	39.24'
L26	N 25°42'03" E	35.58'
L27	N 29°20'58" E	27.58'
L28	N 31°22'02" E	27.54'
L29	N 34°08'51" E	23.49'
L30	N 31°39'14" E	29.88'
L31	N 25°57'38" E	33.57'
L32	N 26°36'02" E	27.33'
L33	N 33°35'29" E	42.63'
L34	N 27°42'15" E	58.64'
L35	N 27°13'51" E	64.18'
L36	N 20°39'53" E	46.30'
L37	N 33°00'06" E	26.79'
L38	N 66°52'43" E	14.17'
L39	S 50°52'36" E	12.86'
L40	S 24°11'36" E	12.10'
L41	S 00°03'21" W	25.48'
L42	S 05°23'22" E	28.74'
L43	S 47°50'03" E	25.99'
L44	S 39°36'02" E	40.11'
L45	S 37°04'59" E	43.36'
L46	S 30°46'05" E	31.33'
L47	S 36°25'45" E	12.23'
L48	S 32°08'55" E	19.26'
L49	S 26°51'04" E	19.16'
L50	S 25°14'18" E	23.69'
L51	S 26°19'11" E	20.26'
L52	S 26°20'29" E	19.76'
L53	S 24°22'22" E	19.79'
L54	S 22°58'40" E	19.88'
L55	S 21°02'28" E	19.15'
L56	S 16°14'12" E	18.93'
L57	S 10°55'10" E	19.70'
L58	S 12°26'49" E	18.85'
L59	S 15°03'07" E	21.35'
L60	S 19°20'53" E	27.51'
L61	S 16°03'06" E	18.15'
L62	S 04°06'04" E	15.85'
L63	S 03°44'32" W	55.06'
L64	S 15°04'55" E	84.67'
L65	S 48°21'18" W	61.28'
L66	S 51°14'18" W	70.16'
L67	S 68°23'46" W	40.60'
L68	S 75°58'18" W	44.69'
L69	S 83°17'58" W	35.96'
L70	S 89°44'02" W	75.41'
L71	N 69°25'03" W	31.67'
L72	N 61°21'26" W	36.59'
L73	N 50°32'37" W	28.85'
L74	N 30°40'39" W	68.73'
L75	N 23°53'46" W	49.59'
L76	N 17°34'24" W	63.37'
L77	N 20°32'31" W	54.55'



ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS

FL CA NO. 6532 / FL CERT NO. LB8881 / LC260000330

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Toll free: 888-337-7341

RESOURCE PROTECTION AREAS P
SKETCH AND DESCRIPTION
PARCEL OF LAND IN SECTION 20, TOWNSHIP 47
SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA

BONITA GRANDE MINE LLC.

MDA PROJECT:
16027

CHECKED
MAH

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DATE:
11/25/19

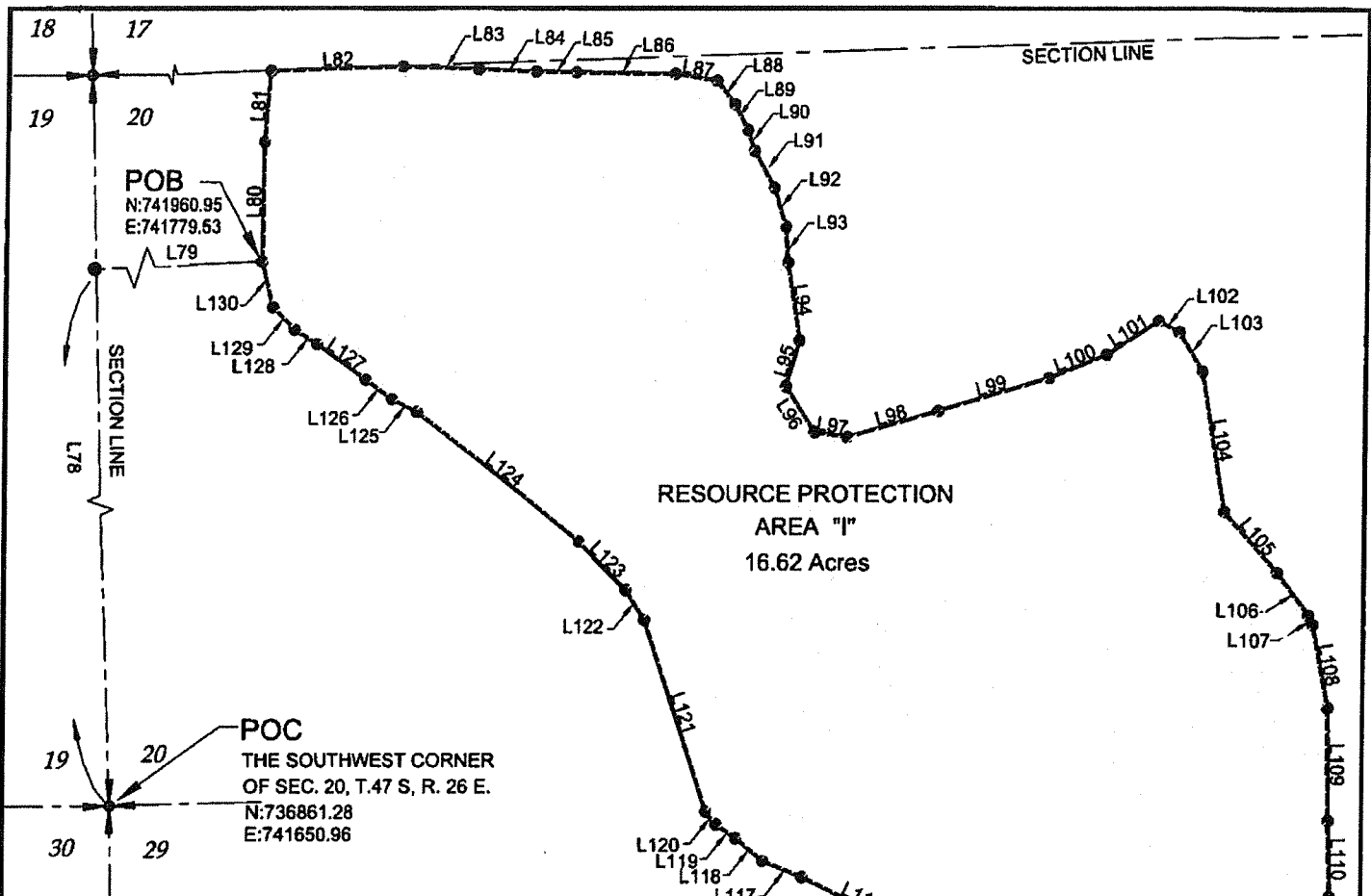
SHEET
6 OF 30

RESOURCE PROTECTION AREA "I"
(CONSERVATION EASEMENT #3 O.R 3914, PG. 3798)

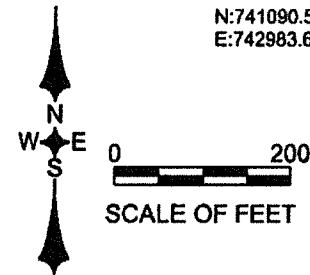
A TRACT OR PARCEL OF LAND LYING IN SECTION 20, TOWNSHIP 47 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, SAID TRACT OR PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 20, TOWNSHIP 47 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA; THENCE N. 02°16'13" W. W. ALONG THE WEST LINE OF SAID SECTION 20, A DISTANCE OF 5090.57' FEET; THENCE N. 87°43'47" E. A DISTANCE OF 330.49' FEET TO THE POINT-OF-BEGINNING OF HEREON DESCRIBED LAND; THENCE N. 00°36'02" E. A DISTANCE OF 139.23' FEET; THENCE N. 04°38'22" E. A DISTANCE OF 82.92' FEET; THENCE N. 88°04'03" E. ALONG A LINE LYING 0.40 FEET SOUTH OF, AS MEASURED AT RIGHT ANGLES, AND PARALLEL TO THE NORTH LINE OF SAID SECTION 20, A DISTANCE OF 157.12' FEET; THENCE S. 87°50'06" E. A DISTANCE OF 87.62' FEET; THENCE S. 87°28'58" E. A DISTANCE OF 67.89' FEET; THENCE S. 89°15'09" E. A DISTANCE OF 48.37' FEET; THENCE S. 89°02'41" E. A DISTANCE OF 116.95' FEET; THENCE S. 80°32'28" E. A DISTANCE OF 49.30' FEET; THENCE S. 38°14'36" E. A DISTANCE OF 34.92' FEET; THENCE S. 27°46'56" E. A DISTANCE OF 33.82' FEET; THENCE S. 19°21'55" E. A DISTANCE OF 25.64' FEET; THENCE S. 29°54'08" E. A DISTANCE OF 49.50' FEET; THENCE S. 17°42'35" E. A DISTANCE OF 47.25' FEET; THENCE S. 04°11'08" E. A DISTANCE OF 42.14' FEET; THENCE S. 09°15'08" E. A DISTANCE OF 91.49' FEET; THENCE S. 16°18'24" W. A DISTANCE OF 55.83' FEET; THENCE S. 33°20'49" E. A DISTANCE OF 63.40' FEET; THENCE S. 81°17'42" E. A DISTANCE OF 38.92' FEET; THENCE N. 73°53'37" E. A DISTANCE OF 109.75' FEET; THENCE N. 73°48'01" E. A DISTANCE OF 138.12' FEET; THENCE N. 67°57'28" E. A DISTANCE OF 71.89' FEET; THENCE N. 57°15'57" E. A DISTANCE OF 72.57' FEET; THENCE S. 62°49'15" E. A DISTANCE OF 28.21' FEET; THENCE S. 31°48'01" E. A DISTANCE OF 54.25' FEET; THENCE S. 09°43'04" E. A DISTANCE OF 165.45' FEET; THENCE S. 40°57'55" E. A DISTANCE OF 93.07' FEET; THENCE S. 35°21'11" E. A DISTANCE OF 60.97' FEET; THENCE S. 24°57'58" E. A DISTANCE OF 12.08' FEET; THENCE S. 10°34'57" E. A DISTANCE OF 98.56' FEET; THENCE S. 00°44'04" E. A DISTANCE OF 132.31' FEET; THENCE S. 01°33'53" E. A DISTANCE OF 89.17' FEET; THENCE S. 08°27'00" W. A DISTANCE OF 115.57' FEET; THENCE S. 70°24'40" W. A DISTANCE OF 47.56' FEET; THENCE N. 74°47'05" W. A DISTANCE OF 155.07' FEET; THENCE N. 81°46'23" W. A DISTANCE OF 175.92' FEET; THENCE N. 78°18'59" W. A DISTANCE OF 103.82' FEET; THENCE N. 63°36'40" W. A DISTANCE OF 147.80' FEET; THENCE N. 68°08'53" W. A DISTANCE OF 50.77' FEET; THENCE N. 51°21'21" W. A DISTANCE OF 42.38' FEET; THENCE N. 55°09'33" W. A DISTANCE OF 28.55' FEET; THENCE N. 39°16'45" W. A DISTANCE OF 19.17' FEET; THENCE N. 18°10'54" W. A DISTANCE OF 235.59' FEET; THENCE N. 31°59'11" W. A DISTANCE OF 41.38' FEET; THENCE N. 45°08'29" W. A DISTANCE OF 80.13' FEET; THENCE N. 51°52'35" W. A DISTANCE OF 244.65' FEET; THENCE N. 62°47'02" W. A DISTANCE OF 32.93' FEET; THENCE N. 54°54'15" W. A DISTANCE OF 39.01' FEET; THENCE N. 55°04'14" W. A DISTANCE OF 71.87' FEET; THENCE N. 57°56'58" W. A DISTANCE OF 31.70' FEET; THENCE N. 44°02'05" W. A DISTANCE OF 36.73' FEET; THENCE N. 14°02'51" W. A DISTANCE OF 54.61' FEET TO THE SAID POINT-OF-BEGINNING OF THIS DESCRIPTION.
CONTAINING 16.62 ACRES MORE OR LESS.

 MORRIS DEPEU ENGINEERS • PLANNERS • SURVEYORS LANDSCAPE ARCHITECTS FL CA NO. 6532 / FL CERT NO. LB6661 / LC260000330 Fort Myers 2814 Cleveland Avenue Fort Myers, Florida 33901 (941) 337-3883 Fax: (941) 337-3884 Toll free: 888-337-7941 Tallahassee 119 South Monroe Street 1st Floor Tallahassee, Florida 32301 Toll free: 888-337-7941 Destin 482 Grand Boulevard Suite 202 Miramar Beach, FL 32550 Toll free: 888-337-7941	RESOURCE PROTECTION AREA I SKETCH AND DESCRIPTION PARCELS OF LAND IN SECTION 20, TOWNSHIP 47 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA BONITA GRANDE MINE LLC.	MDA PROJECT: 16027 <table border="1"> <tr> <td>CHECKED MAH</td> <td>DRAWN BMH</td> </tr> <tr> <td colspan="2">DATE: 11/25/19</td> </tr> <tr> <td colspan="2">SHEET 7 OF 30</td> </tr> </table>	CHECKED MAH	DRAWN BMH	DATE: 11/25/19		SHEET 7 OF 30	
			CHECKED MAH	DRAWN BMH				
			DATE: 11/25/19					
SHEET 7 OF 30								



LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L78	N 02°16'13" W	5090.57'	L105	S 40°57'55" E	93.07'
L79	N 87°43'47" E	330.49'	L106	S 35°21'11" E	60.97'
L80	N 00°36'02" E	139.23'	L107	S 24°57'58" E	12.08'
L81	N 04°38'22" E	82.92'	L108	S 10°34'57" E	98.56'
L82	N 88°04'03" E	157.12'	L109	S 00°44'04" E	132.31'
L83	S 87°50'06" E	87.62'	L110	S 01°33'53" E	89.17'
L84	S 87°28'58" E	67.89'	L111	S 08°27'00" W	115.57'
L85	S 89°15'09" E	48.37'	L112	S 70°24'40" W	47.56'
L86	S 89°02'41" E	116.95'	L113	N 74°47'05" W	155.07'
L87	S 80°32'28" E	49.30'	L114	N 81°46'23" W	175.92'
L88	S 38°14'36" E	34.92'	L115	N 78°18'59" W	103.82'
L89	S 27°46'56" E	33.82'	L116	N 63°36'40" W	147.80'
L90	S 19°21'55" E	25.64'	L117	N 68°08'53" W	50.77'
L91	S 28°54'08" E	49.50'	L118	N 51°21'21" W	42.38'
L92	S 17°42'35" E	47.25'	L119	N 55°09'33" W	28.55'
L93	S 04°11'08" E	42.14'	L120	N 39°16'45" W	19.17'
L94	S 09°15'08" E	91.49'	L121	N 18°10'54" W	235.59'
L95	S 16°18'24" W	55.83'	L122	N 31°59'11" W	41.38'
L96	S 33°20'49" E	63.40'	L123	N 45°08'29" W	80.13'
L97	S 81°17'42" E	38.92'	L124	N 51°52'35" W	244.65'
L98	N 73°53'37" E	109.75'	L125	N 62°47'02" W	32.93'
L99	N 73°48'01" E	138.12'	L126	N 54°54'15" W	39.01'
L100	N 67°57'28" E	71.89'	L127	N 55°04'14" W	71.87'
L101	N 57°15'57" E	72.57'	L128	N 57°56'58" W	31.70'
L102	S 62°49'15" E	28.21'	L129	N 44°02'05" W	36.73'
L103	S 31°48'01" E	54.25'	L130	N 14°02'51" W	54.61'
L104	S 08°43'04" E	165.45'			



ABBREVIATIONS
 L1 = LINE DESIGNATION
 O.R. = OFFICIAL RECORDS
 PG. = PAGE
 POB = POINT-OF-BEGINNING
 POC = POINT-OF-COMMENCEMENT
 R/W = RIGHT-OF-WAY



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RESOURCE PROTECTION AREA I
SKETCH AND DESCRIPTION
 PARCEL OF LAND IN SECTION 20, TOWNSHIP 47
 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA

BONITA GRANDE MINE LLC.

MDA PROJECT:
16027

CHECKED
MAH
DRAWN
BMH

DATE:
11/25/19

SHEET
8 OF 30

RESOURCE PROTECTION ARE "K"
(CONSERVATION EASEMENT #4 O.R 3914, PG. 3798)

A TRACT OR PARCEL OF LAND LYING IN SECTION 20, TOWNSHIP 47 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, SAID TRACT OR PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 20, TOWNSHIP 47 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA; THENCE N. 02°16'13" W. ALONG THE WEST LINE OF SAID SECTION 20, A DISTANCE OF 4404.79' FEET; THENCE N. 87°43'47" E. A DISTANCE OF 2033.44' FEET TO THE POINT-OF-BEGINNING OF HEREON DESCRIBED LAND; THENCE N. 04°22'02" E. A DISTANCE OF 42.69' FEET; THENCE N. 08°36'26" E. A DISTANCE OF 66.57' FEET; THENCE N. 27°30'35" E. A DISTANCE OF 60.41' FEET; THENCE N. 44°33'42" E. A DISTANCE OF 75.43' FEET; THENCE N. 48°29'07" E. A DISTANCE OF 57.31' FEET; THENCE N. 37°47'09" E. A DISTANCE OF 62.43' FEET; THENCE N. 30°26'21" E. A DISTANCE OF 79.73' FEET; THENCE N. 40°11'01" E. A DISTANCE OF 73.49' FEET; THENCE N. 36°20'11" E. A DISTANCE OF 68.08' FEET; THENCE N. 25°09'34" E. A DISTANCE OF 49.79' FEET; THENCE N. 12°58'50" E. A DISTANCE OF 76.61' FEET; THENCE N. 19°55'42" E. A DISTANCE OF 61.64' FEET; THENCE N. 37°48'09" E. A DISTANCE OF 57.53' FEET; THENCE N. 65°33'06" E. A DISTANCE OF 115.70' FEET; THENCE N. 74°55'12" E. A DISTANCE OF 54.99' FEET; THENCE N. 79°13'24" E. A DISTANCE OF 44.22' FEET; THENCE N. 71°04'09" E. A DISTANCE OF 42.41' FEET; THENCE N. 85°02'29" E. A DISTANCE OF 41.34' FEET; THENCE N. 89°06'49" E. A DISTANCE OF 76.94' FEET; THENCE S. 64°28'36" E. A DISTANCE OF 49.26' FEET; THENCE S. 31°55'46" E. A DISTANCE OF 40.15' FEET; THENCE S. 17°09'07" E. A DISTANCE OF 55.33' FEET; THENCE S. 13°08'58" E. A DISTANCE OF 45.81' FEET; THENCE S. 04°19'39" E. A DISTANCE OF 54.50' FEET; THENCE S. 13°57'29" E. A DISTANCE OF 36.52' FEET; THENCE S. 11°57'47" E. A DISTANCE OF 46.55' FEET; THENCE S. 21°37'39" E. A DISTANCE OF 38.98' FEET; THENCE S. 26°07'29" E. A DISTANCE OF 34.73' FEET; THENCE S. 27°39'54" E. A DISTANCE OF 51.72' FEET; THENCE S. 24°20'54" E. A DISTANCE OF 39.32' FEET; THENCE S. 11°36'05" E. A DISTANCE OF 46.01' FEET; THENCE S. 13°13'00" E. A DISTANCE OF 35.67' FEET; THENCE S. 22°01'09" W. A DISTANCE OF 86.09' FEET; THENCE S. 32°36'38" W. A DISTANCE OF 56.86' FEET; THENCE S. 41°58'10" W. A DISTANCE OF 37.38' FEET; THENCE S. 29°18'10" W. A DISTANCE OF 53.11' FEET; THENCE S. 33°53'18" W. A DISTANCE OF 50.66' FEET; THENCE S. 59°44'54" W. A DISTANCE OF 68.68' FEET; THENCE S. 79°53'28" W. A DISTANCE OF 57.32' FEET; THENCE N. 89°56'55" W. A DISTANCE OF 73.17' FEET; THENCE S. 82°07'32" W. A DISTANCE OF 62.62' FEET; THENCE N. 85°21'35" W. A DISTANCE OF 16.68' FEET; THENCE S. 65°17'27" W. A DISTANCE OF 43.06' FEET; THENCE S. 45°42'00" W. A DISTANCE OF 54.88' FEET; THENCE S. 31°57'01" W. A DISTANCE OF 58.00' FEET; THENCE S. 32°51'08" W. A DISTANCE OF 57.01' FEET; THENCE S. 51°36'04" W. A DISTANCE OF 38.66' FEET; THENCE N. 86°24'17" W. A DISTANCE OF 133.38' FEET; THENCE N. 71°01'37" W. A DISTANCE OF 103.43' FEET; THENCE N. 66°29'04" W. A DISTANCE OF 71.76' FEET; THENCE N. 41°18'22" W. A DISTANCE OF 70.37' FEET; THENCE N. 32°39'40" W. A DISTANCE OF 44.85' FEET; THENCE N. 20°52'15" W. A DISTANCE OF 36.36' FEET; TO THE SAID POINT-OF-BEGINNING. CONTAINING 13.59 ACRES MORE OR LESS.

 MORRIS DEPEU ENGINEERS • PLANNERS • SURVEYORS LANDSCAPE ARCHITECTS FL CA NO. 0532 / FL CERT NO. LB6691 / LC26000330 Fort Myers 2814 Cleveland Avenue Fort Myers, Florida 33901 PHONE 337-3823 Fax: (239) 337-3824 Toll free: 888-337-7341 Tallahassee 113 South Monroe Street 1st Floor Tallahassee, Florida 32301 Toll free: 888-337-7341 Destin 485 Grand Boulevard Suite 202 Miramar Beach, FL 32550 Toll free: 888-337-7341	RESOURCE PROTECTION AREA K SKETCH AND DESCRIPTION PARCELS OF LAND IN SECTION 20, TOWNSHIP 47 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA		MDA PROJECT: 16027	
			CHECKED MAH	DRAWN BMH
			DATE: 11/25/19	
			SHEET 9 OF 30	

BONITA GRANDE MINE LLC.
Page No. 170/331

ABBREVIATIONS

L1 = LINE DESIGNATION
O.R. = OFFICIAL RECORDS
PG. = PAGE
POB = POINT-OF-BEGINNING
POC = POINT-OF-COMMENCEMENT
R/W = RIGHT-OF-WAY



0 200
SCALE OF FEET

RESOURCE PROTECTION
AREA "K"
13.59 Acres

POB
N:741343.17
E:743508.31

LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L131	N 02°16'13" W	4404.79'	L152	S 64°28'36" E	49.26'	L173	S 82°07'32" W	62.62'
L132	N 87°43'47" E	2033.44'	L153	S 31°55'48" E	40.15'	L174	N 85°21'35" W	16.68'
L133	N 04°22'02" E	42.89'	L154	S 17°09'07" E	55.33'	L175	S 65°17'27" W	43.06'
L134	N 08°36'26" E	66.57'	L155	S 13°08'58" E	45.81'	L176	S 45°42'00" W	54.88'
L135	N 27°30'35" E	60.41'	L156	S 04°19'39" E	54.50'	L177	S 31°57'01" W	58.00'
L136	N 44°33'42" E	75.43'	L157	S 13°57'29" E	36.52'	L178	S 32°51'08" W	57.01'
L137	N 48°29'07" E	57.31'	L158	S 11°57'47" E	46.55'	L179	S 51°38'04" W	38.66'
L138	N 37°47'09" E	62.43'	L159	S 21°37'39" E	38.88'	L180	N 86°24'17" W	133.38'
L139	N 30°26'21" E	79.73'	L160	S 28°07'29" E	34.73'	L181	N 71°01'37" W	103.43'
L140	N 40°11'01" E	73.49'	L161	S 27°39'54" E	51.72'	L182	N 66°29'04" W	71.76'
L141	N 36°20'11" E	88.08'	L162	S 24°20'54" E	39.32'	L183	N 41°18'22" W	70.37'
L142	N 25°09'34" E	49.79'	L163	S 11°36'05" E	46.01'	L184	N 32°39'40" W	44.85'
L143	N 12°58'50" E	76.61'	L164	S 13°13'00" E	35.67'	L185	N 20°52'15" W	36.38'
L144	N 19°55'42" E	61.64'	L165	S 22°01'09" W	86.09'			
L145	N 37°48'08" E	57.53'	L166	S 32°36'38" W	56.86'			
L146	N 65°33'08" E	115.70'	L167	S 41°58'10" W	37.38'			
L147	N 74°55'12" E	54.99'	L168	S 29°18'10" W	53.11'			
L148	N 79°13'24" E	44.22'	L169	S 33°53'18" W	50.66'			
L149	N 71°04'09" E	42.41'	L170	S 59°44'54" W	68.68'			
L150	N 85°02'29" E	41.34'	L171	S 79°53'28" W	57.32'			
L151	N 89°06'49" E	76.94'	L172	N 89°56'55" W	73.17'			



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Toll free: 888-337-7341
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Toll free: 888-337-7341

RESOURCE PROTECTION AREAS K
SKETCH AND DESCRIPTION
PARCEL OF LAND IN SECTION 20, TOWNSHIP 47
SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA

BONITA GRANDE MINE LLC.

MDA PROJECT:
16027

CHECKED
MAH

DRAWN
BMH

DATE:
11/25/19

SHEET
10 OF 30

RESOURCE PROTECTION AREA "11"
(CONSERVATION EASEMENT #5 O.R 3914, PG. 3798)

A TRACT OR PARCEL OF LAND LYING IN SECTION 17, TOWNSHIP 47 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, SAID TRACT OR PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING AT THE SOUTHWEST CORNER OF SECTION 20, TOWNSHIP 47 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA; THENCE N. 02°16'13" W. ALONG THE WEST LINE OF SAID SECTION 20, A DISTANCE OF 5314.40' FEET TO THE SOUTHWEST CORNER OF SECTION 17, TOWNSHIP 47 SOUTH, RANGE 26 EAST; THENCE N. 04°37'43" W. A DISTANCE OF 2007.98' FEET ALONG THE WEST LINE OF SAID SECTION 17 TO POINT-OF-BEGINNING OF HEREON DESCRIBED LAND; THENCE N. 04°37'43" W. A DISTANCE OF 482.18' FEET; THENCE N. 85°22'17" E. A DISTANCE OF 10.90' FEET; THENCE S. 88°54'12" E. A DISTANCE OF 117.28' FEET; THENCE S. 21°45'55" E. A DISTANCE OF 51.64' FEET; THENCE S. 02°22'12" E. A DISTANCE OF 415.88' FEET; THENCE S. 82°50'45" W. A DISTANCE OF 126.54' FEET; TO THE SAID POINT-OF-BEGINNING.
 CONTAINING 1.46 ACRES MORE OR LESS.**



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 FL. CA. NO. 6532 / FL. CERT. NO. L366931 / LC28000330

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RESOURCE PROTECTION AREA 11
SKETCH AND DESCRIPTION
PARCELS OF LAND IN SECTIONS 17, TOWNSHIP 47
SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA

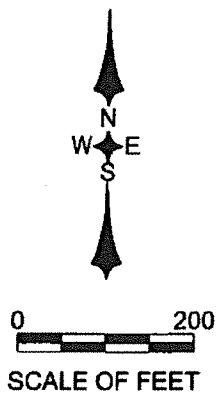
BONITA GRANDE MINE LLC.

MDA PROJECT:
16027

CHECKED MAH	DRAWN BMH
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DATE:
11/25/19

SHEET
11 OF 30



ABBREVIATIONS

L1 = LINE DESIGNATION
 O.R. = OFFICIAL RECORDS
 PG. = PAGE
 POB = POINT-OF-BEGINNING
 POC = POINT-OF-COMMENCEMENT
 R/W = RIGHT-OF-WAY

LINE	BEARING	DISTANCE
L186	N 02°16'13" W	5314.40'
L187	N 04°37'43" W	2007.98'
L188	N 04°37'43" W	482.18'
L189	N 85°22'17" E	10.90'
L190	S 88°54'12" E	117.28'
L191	S 21°45'55" E	51.64'
L192	S 02°22'12" E	415.88'
L193	S 82°50'45" W	126.54'

RESOURCE PROTECTION

AREA "11"
 1.46 Acres

POB
 N:744172.95
 E:741278.40

SECTION LINE AND
 MINE BOUNDARY

POC
 THE SOUTHWEST CORNER
 OF SEC. 20, T.47 S, R. 26 E.

MORRIS
DEPEW
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 FL CA NO. 6532 / FL CERT NO. LB6681 / LC20000330

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 Toll Free: 800-337-7341

RESOURCE PROTECTION AREA 11
SKETCH AND DESCRIPTION
PARCEL OF LAND IN SECTION 17, TOWNSHIP 47
SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA

BONITA GRANDE MINE LLC.

MDA PROJECT: 16027	
CHECKED MAH	DRAWN BMH
DATE: 11/25/19	
SHEET 12 OF 30	

RESOURCE PROTECTION AREA "9-10"

A TRACT OR PARCEL OF LAND LYING IN SECTION 17, TOWNSHIP 47 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, SAID TRACT OR PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

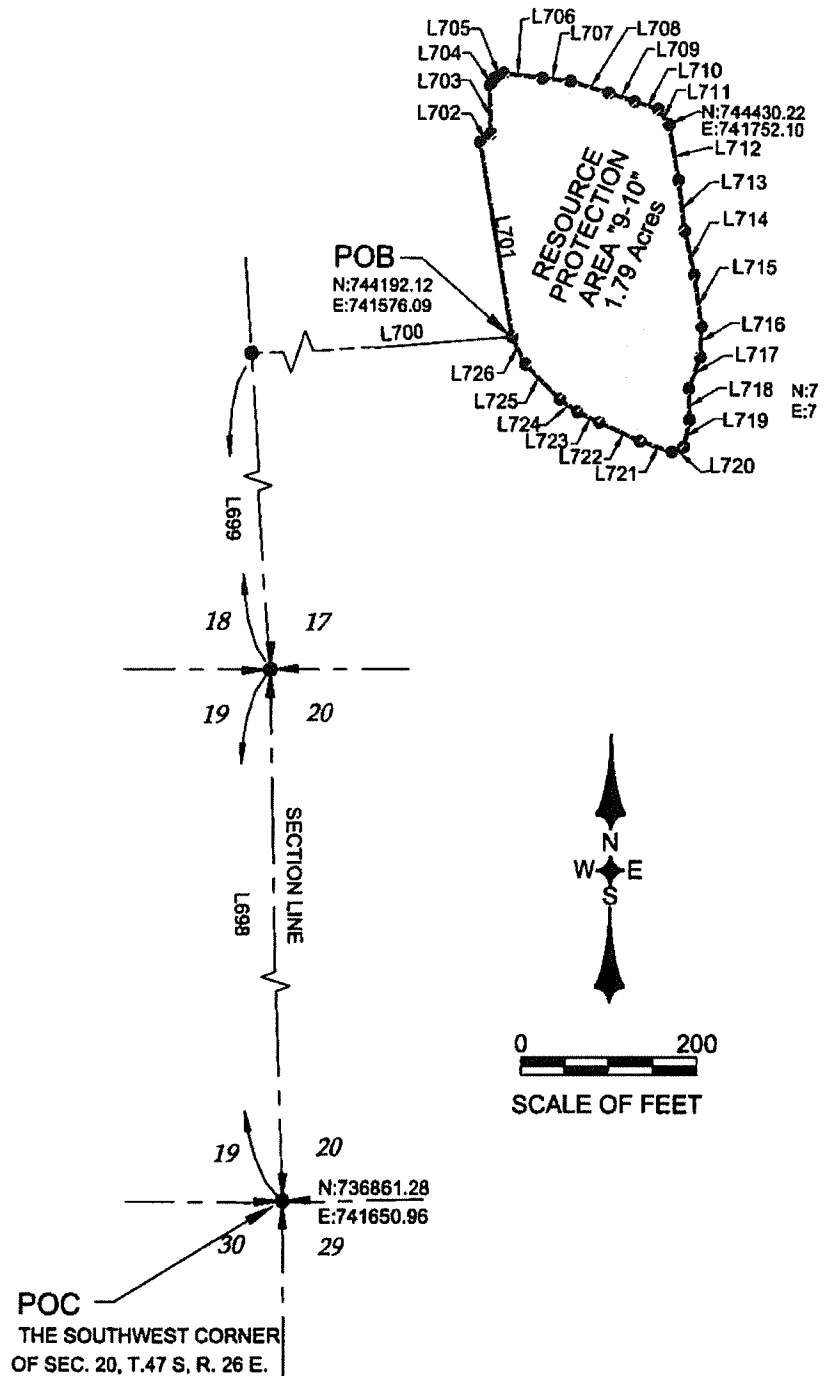
COMMENCING AT THE SOUTHWEST CORNER OF SECTION 20, TOWNSHIP 47 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA; THENCE N. 02°16'13" W. ALONG THE WEST LINE OF SAID SECTION 20, A DISTANCE OF 5314.40' FEET TO THE SOUTHWEST CORNER OF SECTION 17, TOWNSHIP 47 SOUTH, RANGE 26 EAST; THENCE N. 04°37'43" W. ALONG THE WEST LINE OF SAID SECTION 17 A DISTANCE OF 2003.06' FEET; THENCE N. 85°22'17" E. A DISTANCE OF 298.27' FEET TO THE POINT-OF-BEGINNING OF HEREON DESCRIBED LAND; THENCE N. 09°58'33" W. A DISTANCE OF 221.54' FEET; THENCE N. 50°08'44" E. A DISTANCE OF 14.97' FEET; THENCE N. 01°11'21" W. A DISTANCE OF 54.04' FEET; THENCE N. 31°11'30" E. A DISTANCE OF 9.73' FEET; THENCE N. 61°52'11" E. A DISTANCE OF 11.41' FEET; THENCE S. 82°53'21" E. A DISTANCE OF 43.90' FEET; THENCE S. 83°42'02" E. A DISTANCE OF 32.42' FEET; THENCE S. 73°34'37" E. A DISTANCE OF 46.44' FEET; THENCE S. 72°06'22" E. A DISTANCE OF 31.21' FEET; THENCE S. 72°26'32" E. A DISTANCE OF 27.95' FEET; THENCE S. 35°19'17" E. A DISTANCE OF 21.16' FEET; THENCE S. 10°16'45" E. A DISTANCE OF 63.45' FEET; THENCE S. 07°33'43" E. A DISTANCE OF 57.21' FEET; THENCE S. 13°09'41" E. A DISTANCE OF 50.92' FEET; THENCE S. 08°40'50" E. A DISTANCE OF 58.32' FEET; THENCE S. 01°38'40" W. A DISTANCE OF 34.44' FEET; THENCE S. 19°54'03" W. A DISTANCE OF 37.46' FEET; THENCE S. 01°47'51" E. A DISTANCE OF 35.45' FEET; THENCE S. 11°59'00" W. A DISTANCE OF 31.01' FEET; THENCE S. 66°30'57" W. A DISTANCE OF 14.44' FEET; THENCE N. 71°14'16" W. A DISTANCE OF 37.57' FEET; THENCE N. 65°53'04" W. A DISTANCE OF 51.47' FEET; THENCE N. 64°33'35" W. A DISTANCE OF 27.79' FEET; THENCE N. 55°21'39" W. A DISTANCE OF 24.95' FEET; THENCE N. 44°53'50" W. A DISTANCE OF 55.70' FEET; THENCE N. 26°40'11" W. A DISTANCE OF 34.39' FEET; TO THE SAID POINT-OF-BEGINNING.
CONTAINING 1.79 ACRES MORE OR LESS.

 MORRIS DEPEEW ENGINEERS • PLANNERS • SURVEYORS LANDSCAPE ARCHITECTS FL. CA. NO. 0532 / FL. CERT. NO. L58091 / LC28000330 Fort Myers 2814 Cleveland Avenue Fort Myers, Florida 33901 (941) 337-9882 Fax: (941) 337-3884 Toll free: 888-327-7341 Tallahassee 118 South Monroe Street 1st Floor Tallahassee, Florida 32301 Toll free: 888-327-7341 Destin 480 Grand Boulevard Suite 202 Destin Beach, FL 32540 Toll free: 888-327-7341	RESOURCE PROTECTION AREA 6 SKETCH AND DESCRIPTION PARCELS OF LAND IN SECTIONS 17, TOWNSHIP 47 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA	MDA PROJECT: 16027	
		CHECKED MAH	DRAWN BMH
		DATE: 11/25/19	
		SHEET 13 OF 30	
BONITA GRANDE MINE LLC.			

ABBREVIATIONS

L1 = LINE DESIGNATION
O.R. = OFFICIAL RECORDS
PG. = PAGE
POB = PONT-OF-BEGINNING
POC = POINT-OF-COMMENCEMENT
RW = RIGHT-OF-WAY

LINE	BEARING	DISTANCE
L698	N 02°16'13" W	5314.40'
L699	N 04°37'43" W	2003.06'
L700	N 85°22'17" E	298.27'
L701	N 09°58'33" W	221.54'
L702	N 50°08'44" E	14.97'
L703	N 01°11'21" W	54.04'
L704	N 31°11'30" E	9.73'
L705	N 61°52'11" E	11.41'
L706	S 82°53'21" E	43.90'
L707	S 83°42'02" E	32.42'
L708	S 73°34'37" E	46.44'
L709	S 72°06'22" E	31.21'
L710	S 72°26'32" E	27.95'
L711	S 35°19'17" E	21.16'
L712	S 10°16'45" E	63.45'
L713	S 07°33'43" E	57.21'
L714	S 13°09'41" E	50.92'
L715	S 08°40'50" E	58.32'
L716	S 01°38'40" W	34.44'
L717	S 19°54'03" W	37.46'
L718	S 01°47'51" E	35.45'
L719	S 11°59'00" W	31.01'
L720	S 66°30'57" W	14.44'
L721	N 71°14'16" W	37.57'
L722	N 65°53'04" W	51.47'
L723	N 64°33'35" W	27.79'
L724	N 55°21'39" W	24.95'
L725	N 44°53'50" W	55.70'
L726	N 26°40'11" W	34.39'



MORRIS DEPEW
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Miramar Beach, FL 32550
Toll free: 888-337-7341

RESOURCE PROTECTION AREAS "9-10"
SKETCH AND DESCRIPTION
PARCEL OF LAND IN SECTION 17, TOWNSHIP 47
SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA

BONITA GRANDE MINE LLC.

MDA PROJECT:
16027

CHECKED
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DATE:
11/25/19

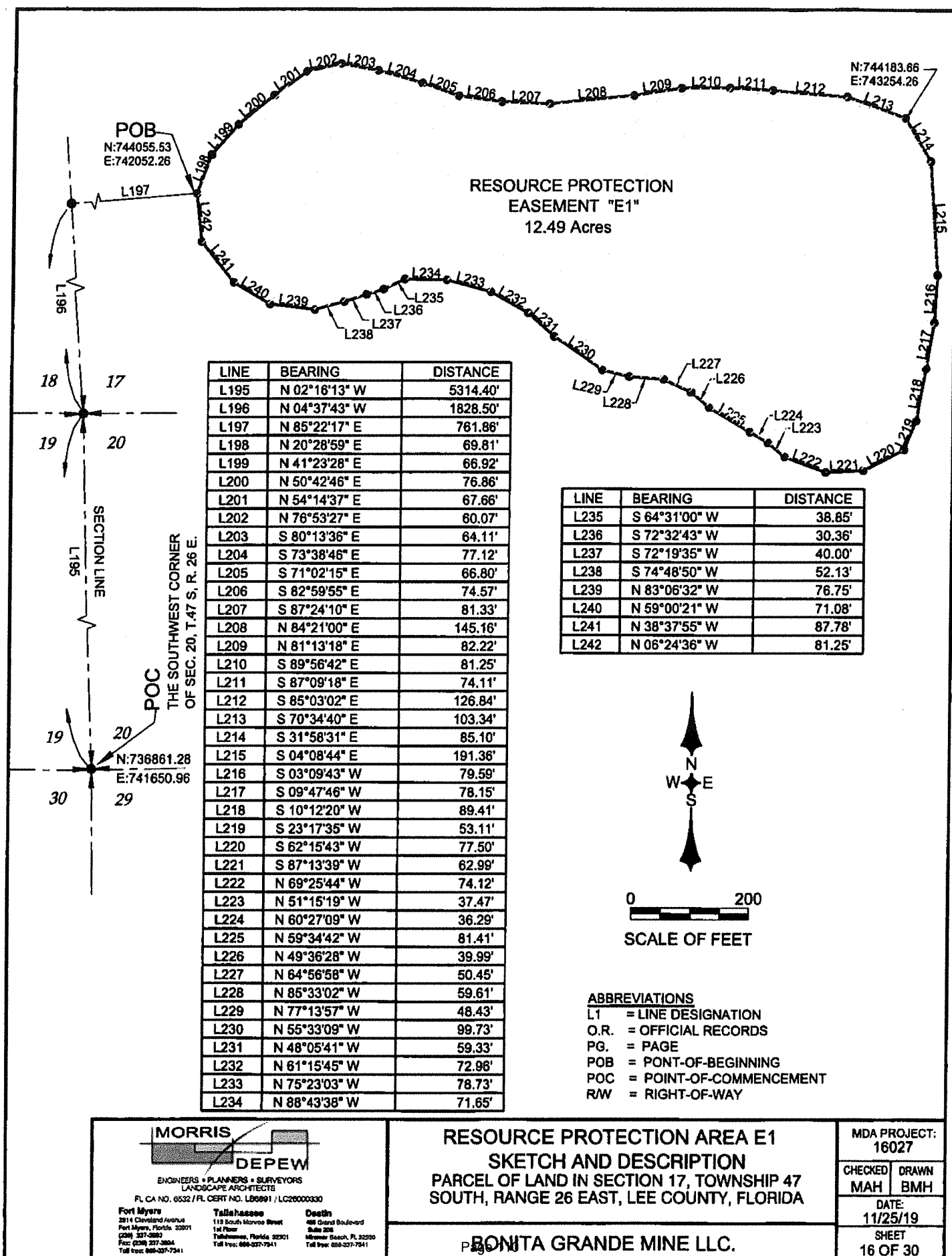
SHEET
14 OF 30

RESOURCE PROTECTION AREA "E1"
(CONSERVATION EASEMENT #8 O.R 3914, PG. 3798)

A TRACT OR PARCEL OF LAND LYING IN SECTION 17, TOWNSHIP 47 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA,
SAID TRACT OR PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 20, TOWNSHIP 47 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA; THENCE N. 02°16'13" W. ALONG THE WEST LINE OF SAID SECTION 20, A DISTANCE OF 5314.40' FEET TO THE SOUTHWEST CORNER OF SECTION 17, TOWNSHIP 47 SOUTH, RANGE 26 EAST; THENCE N. 04°37'43" W. ALONG THE WEST LINE OF SAID SECTION 17 A DISTANCE OF 1828.50' FEET; THENCE N. 85°22'17" E. A DISTANCE OF 761.86' FEET TO THE POINT-OF-BEGINNING OF HEREON DESCRIBED LAND; THENCE N. 20°28'59" E. A DISTANCE OF 69.81' FEET; THENCE N. 41°23'28" E. A DISTANCE OF 66.92' FEET; THENCE N. 50°42'46" E. A DISTANCE OF 76.86' FEET; THENCE N. 54°14'37" E. A DISTANCE OF 67.66' FEET; THENCE N. 76°53'27" E. A DISTANCE OF 60.07' FEET; THENCE S. 80°13'36" E. A DISTANCE OF 64.11' FEET; THENCE S. 73°38'46" E. A DISTANCE OF 77.12' FEET; THENCE S. 71°02'15" E. A DISTANCE OF 66.80' FEET; THENCE S. 82°59'55" E. A DISTANCE OF 74.57' FEET; THENCE S. 87°24'10" E. A DISTANCE OF 81.33' FEET; THENCE N. 84°21'00" E. A DISTANCE OF 145.16' FEET; THENCE N. 81°13'18" E. A DISTANCE OF 82.22' FEET; THENCE S. 89°56'42" E. A DISTANCE OF 81.25' FEET; THENCE S. 87°09'18" E. A DISTANCE OF 74.11' FEET; THENCE S. 85°03'02" E. A DISTANCE OF 126.84' FEET; THENCE S. 70°34'40" E. A DISTANCE OF 103.34' FEET; THENCE S. 31°58'31" E. A DISTANCE OF 85.10' FEET; THENCE S. 04°08'44" E. A DISTANCE OF 191.36' FEET; THENCE S. 03°09'43" W. A DISTANCE OF 79.59' FEET; THENCE S. 09°47'46" W. A DISTANCE OF 78.15' FEET; THENCE S. 10°12'20" W. A DISTANCE OF 89.41' FEET; THENCE S. 23°17'35" W. A DISTANCE OF 53.11' FEET; THENCE S. 62°15'43" W. A DISTANCE OF 77.50' FEET; THENCE S. 87°13'39" W. A DISTANCE OF 62.99' FEET; THENCE N. 69°25'44" W. A DISTANCE OF 74.12' FEET; THENCE N. 51°15'19" W. A DISTANCE OF 37.47' FEET; THENCE N. 60°27'09" W. A DISTANCE OF 36.29' FEET; THENCE N. 59°34'42" W. A DISTANCE OF 81.41' FEET; THENCE N. 49°36'28" W. A DISTANCE OF 39.99' FEET; THENCE N. 64°56'58" W. A DISTANCE OF 50.45' FEET; THENCE N. 85°33'02" W. A DISTANCE OF 59.61' FEET; THENCE N. 77°13'57" W. A DISTANCE OF 48.43' FEET; THENCE N. 55°33'09" W. A DISTANCE OF 99.73' FEET; THENCE N. 48°05'41" W. A DISTANCE OF 59.33' FEET; THENCE N. 61°15'45" W. A DISTANCE OF 72.96' FEET; THENCE N. 75°23'03" W. A DISTANCE OF 78.73' FEET; THENCE N. 88°43'38" W. A DISTANCE OF 71.65' FEET; THENCE S. 64°31'00" W. A DISTANCE OF 38.85' FEET; THENCE S. 72°32'43" W. A DISTANCE OF 30.36' FEET; THENCE S. 72°19'35" W. A DISTANCE OF 40.00' FEET; THENCE S. 74°48'50" W. A DISTANCE OF 52.13' FEET; THENCE N. 83°06'32" W. A DISTANCE OF 76.75' FEET; THENCE N. 59°00'21" W. A DISTANCE OF 71.08' FEET; THENCE N. 38°37'55" W. A DISTANCE OF 87.78' FEET; THENCE N. 06°24'36" W. A DISTANCE OF 81.25' FEET; TO THE SAID POINT-OF-BEGINNING.
CONTAINING 12.49 ACRES MORE OR LESS.

 MORRIS DEPEW ENGINEERS • PLANNERS • SURVEYORS LANDSCAPE ARCHITECTS FL CA NO. 6532 / FL CERT NO. LB8891 / LC28000330 Fort Myers 2814 Cleveland Avenue Fort Myers, Florida 33901 CEN 937-3865 Fax: (939) 937-3914 Toll Free: 888-937-7341 Tallahassee 113 South Monroe Street 1st Floor Tallahassee, Florida 32301 Toll Free: 888-937-7341 Destin 405 Grand Boulevard Suite 208 Miramar Beach, FL 32260 Toll Free: 888-937-7341	RESOURCE PROTECTION AREA E1 SKETCH AND DESCRIPTION PARCELS OF LAND IN SECTION 17, TOWNSHIP 47 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA	MDA PROJECT: 16027	
		CHECKED MAH	DRAWN BMH
	BONITA GRANDE MINE LLC.		DATE: 11/25/19 SHEET 15 OF 30



MORRIS DEPEW
ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS
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Suite 205
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Toll free: 888-337-7341

RESOURCE PROTECTION AREA E1
SKETCH AND DESCRIPTION
PARCEL OF LAND IN SECTION 17, TOWNSHIP 47
SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA

BONITA GRANDE MINE LLC.

MDA PROJECT:
16027

CHECKED **DRAWN**
MAH **BMH**

DATE:
11/25/19

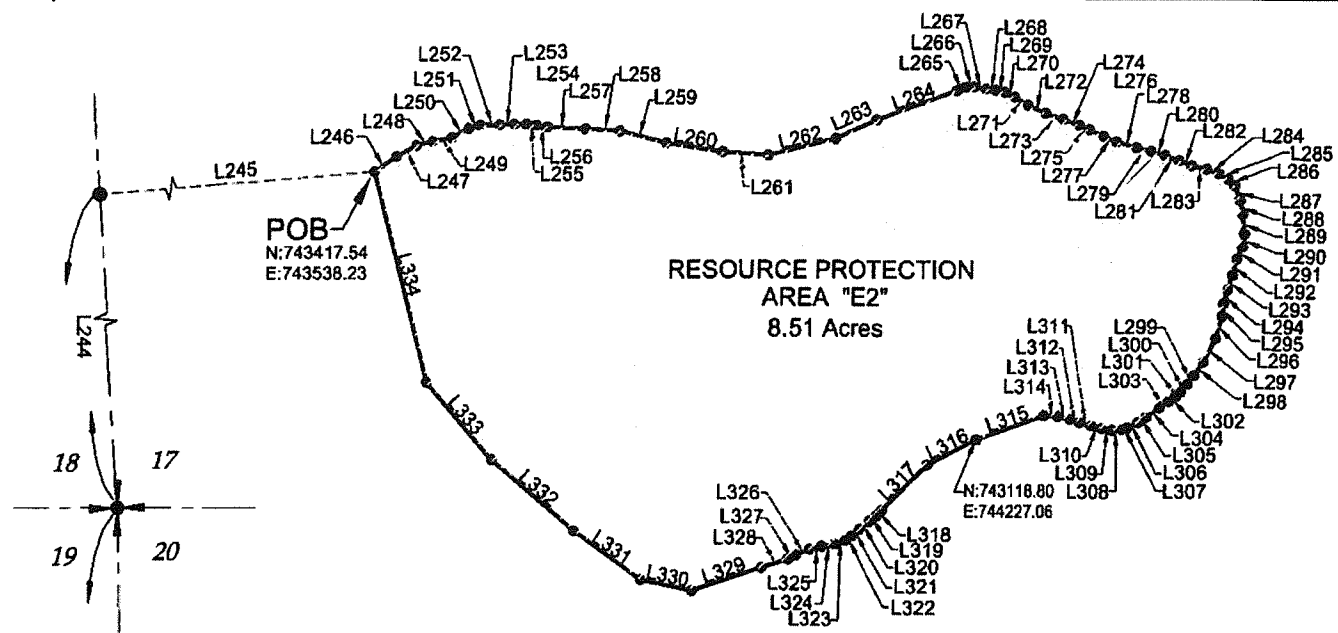
SHEET
16 OF 30

RESOURCE PROTECTION AREA E2
(CONSERVATION EASEMENT #9 O.R. 3914, PG. 3798)

A TRACT OR PARCEL OF LAND LYING IN SECTION 17, TOWNSHIP 47 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, SAID TRACT OR PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 20, TOWNSHIP 47 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA; THENCE N. 02°16'13" W. ALONG THE WEST LINE OF SAID SECTION 20, A DISTANCE OF 5314.40' FEET TO THE SOUTHWEST CORNER OF SECTION 17, TOWNSHIP 47 SOUTH, RANGE 26 EAST; THENCE N. 04°37'43" W. ALONG THE WEST LINE OF SAID SECTION 17, A DISTANCE OF 1072.67' FEET; THENCE N. 85°22'17" E. A DISTANCE OF 2191.50' FEET TO THE POINT-OF-BEGINNING OF HEREON DESCRIBED LAND; THENCE N. 55°43'21" E. A DISTANCE OF 30.66' FEET; THENCE N. 61°53'36" E. A DISTANCE OF 26.07' FEET; THENCE N. 75°08'46" E. A DISTANCE OF 19.34' FEET; THENCE N. 79°23'36" E. A DISTANCE OF 22.32' FEET; THENCE N. 60°56'59" E. A DISTANCE OF 21.29' FEET; THENCE N. 74°18'25" E. A DISTANCE OF 13.25' FEET; THENCE N. 88°48'49" E. A DISTANCE OF 21.58' FEET; THENCE N. 87°10'25" E. A DISTANCE OF 16.15' FEET; THENCE S. 89°43'05" E. A DISTANCE OF 14.16' FEET; THENCE S. 84°43'09" E. A DISTANCE OF 10.89' FEET; THENCE S. 79°59'56" E. A DISTANCE OF 12.32' FEET; THENCE S. 86°58'11" E. A DISTANCE OF 43.25' FEET; THENCE S. 87°08'17" E. A DISTANCE OF 40.25' FEET; THENCE S. 76°20'10" E. A DISTANCE OF 55.40' FEET; THENCE S. 81°16'01" E. A DISTANCE OF 64.59' FEET; THENCE S. 86°00'14" E. A DISTANCE OF 51.56' FEET; THENCE N. 76°29'50" E. A DISTANCE OF 79.36' FEET; THENCE N. 66°15'34" E. A DISTANCE OF 52.47' FEET; THENCE N. 69°50'28" E. A DISTANCE OF 95.61' FEET; THENCE N. 69°08'52" E. A DISTANCE OF 10.30' FEET; THENCE N. 86°14'09" E. A DISTANCE OF 8.95' FEET; THENCE S. 80°33'08" E. A DISTANCE OF 14.27' FEET; THENCE S. 82°33'31" E. A DISTANCE OF 10.96' FEET; THENCE S. 78°19'39" E. A DISTANCE OF 10.47' FEET; THENCE S. 64°45'33" E. A DISTANCE OF 12.53' FEET; THENCE S. 59°04'12" E. A DISTANCE OF 17.92' FEET; THENCE S. 66°38'02" E. A DISTANCE OF 22.22' FEET; THENCE S. 71°28'36" E. A DISTANCE OF 21.42' FEET; THENCE S. 71°39'01" E. A DISTANCE OF 20.48' FEET; THENCE S. 66°55'43" E. A DISTANCE OF 12.48' FEET; THENCE S. 65°33'14" E. A DISTANCE OF 18.29' FEET; THENCE S. 68°29'17" E. A DISTANCE OF 16.10' FEET; THENCE S. 74°34'35" E. A DISTANCE OF 23.77' FEET; THENCE S. 74°55'02" E. A DISTANCE OF 17.15' FEET; THENCE S. 73°27'53" E. A DISTANCE OF 16.09' FEET; THENCE S. 69°52'05" E. A DISTANCE OF 16.61' FEET; THENCE S. 68°50'08" E. A DISTANCE OF 15.37' FEET; THENCE S. 76°56'11" E. A DISTANCE OF 17.60' FEET; THENCE S. 69°11'18" E. A DISTANCE OF 14.54' FEET; THENCE S. 61°01'10" E. A DISTANCE OF 12.64' FEET; THENCE S. 44°18'17" E. A DISTANCE OF 10.04' FEET; THENCE S. 20°13'36" E. A DISTANCE OF 17.33' FEET; THENCE S. 11°24'40" E. A DISTANCE OF 16.18' FEET; THENCE S. 05°33'13" E. A DISTANCE OF 21.68' FEET; THENCE S. 08°50'08" W. A DISTANCE OF 14.74' FEET; THENCE S. 22°08'29" W. A DISTANCE OF 14.88' FEET; THENCE S. 14°06'59" W. A DISTANCE OF 18.95' FEET; THENCE S. 17°54'35" W. A DISTANCE OF 17.11' FEET; THENCE S. 16°32'29" W. A DISTANCE OF 15.97' FEET; THENCE S. 06°09'11" W. A DISTANCE OF 14.90' FEET; THENCE S. 15°09'41" W. A DISTANCE OF 25.41' FEET; THENCE S. 28°01'35" W. A DISTANCE OF 30.15' FEET; THENCE S. 33°42'25" W. A DISTANCE OF 17.39' FEET; THENCE S. 36°48'57" W. A DISTANCE OF 12.65' FEET; THENCE S. 39°41'04" W. A DISTANCE OF 10.87' FEET; THENCE S. 47°36'00" W. A DISTANCE OF 8.10' FEET; THENCE S. 53°28'07" W. A DISTANCE OF 9.54' FEET; THENCE S. 55°33'11" W. A DISTANCE OF 12.38' FEET; THENCE S. 54°18'09" W. A DISTANCE OF 18.20' FEET; THENCE S. 56°23'27" W. A DISTANCE OF 11.07' FEET; THENCE S. 63°29'27" W. A DISTANCE OF 12.98' FEET; THENCE S. 73°33'18" W. A DISTANCE OF 6.83' FEET; THENCE S. 87°26'42" W. A DISTANCE OF 11.31' FEET; THENCE N. 81°17'45" W. A DISTANCE OF 12.12' FEET; THENCE N. 77°14'14" W. A DISTANCE OF 12.35' FEET; THENCE N. 74°32'08" W. A DISTANCE OF 14.35' FEET; THENCE N. 72°49'58" W. A DISTANCE OF 11.50' FEET; THENCE N. 76°56'33" W. A DISTANCE OF 14.52' FEET; THENCE N. 87°12'49" W. A DISTANCE OF 16.18' FEET; THENCE S. 70°32'23" W. A DISTANCE OF 81.75' FEET; THENCE S. 62°23'49" W. A DISTANCE OF 61.07' FEET; THENCE S. 44°43'05" W. A DISTANCE OF 71.91' FEET; THENCE S. 44°53'13" W. A DISTANCE OF 8.58' FEET; THENCE S. 51°19'10" W. A DISTANCE OF 10.32' FEET; THENCE S. 52°06'25" W. A DISTANCE OF 14.59' FEET; THENCE S. 50°11'16" W. A DISTANCE OF 11.48' FEET; THENCE S. 55°54'48" W. A DISTANCE OF 9.09' FEET; THENCE S. 71°23'24" W. A DISTANCE OF 13.46' FEET; THENCE S. 80°48'15" W. A DISTANCE OF 14.75' FEET; THENCE S. 76°32'35" W. A DISTANCE OF 14.18' FEET; THENCE S. 68°23'08" W. A DISTANCE OF 17.45' FEET; THENCE S. 61°26'15" W. A DISTANCE OF 9.90' FEET; THENCE S. 72°33'43" W. A DISTANCE OF 31.06' FEET; THENCE S. 71°19'10" W. A DISTANCE OF 82.09' FEET; THENCE N. 78°20'15" W. A DISTANCE OF 60.76' FEET; THENCE N. 55°06'38" W. A DISTANCE OF 95.65' FEET; THENCE N. 49°23'01" W. A DISTANCE OF 122.47' FEET; THENCE N. 40°39'28" W. A DISTANCE OF 114.06' FEET; THENCE N. 15°04'58" W. A DISTANCE OF 243.93' FEET; TO THE SAID POINT-OF-BEGINNING. CONTAINING 8.51 ACRES MORE OR LESS.

 MORRIS DEPEU ENGINEERS • PLANNERS • SURVEYORS LANDSCAPE ARCHITECTS FL. CA NO. 6532 / FL. CERT NO. LB6691 / LC26000330 Fort Myers 2814 Cleveland Avenue Fort Myers, Florida 33901 (941) 337-3888 Fax: (941) 337-3884 Toll free: (888) 337-7941 Tallahassee 113 South Monroe Street 1st Floor Tallahassee, Florida 32301 Toll free: (888) 337-7941 Deerfield 485 Grand Boulevard Suite 208 Deerfield Beach, FL 33440 Toll free: (888) 337-7941	RESOURCE PROTECTION AREA E2 SKETCH AND DESCRIPTION PARCELS OF LAND IN SECTION 17, TOWNSHIP 47 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA		MDA PROJECT: 16027	
	BONITA GRANDE MINE LLC. 100/331		CHECKED MAH	DRAWN BMH
			DATE: 11/25/19	
			SHEET 17 OF 30	



LINE	BEARING	DISTANCE
L243	N 02°16'13" W	5314.40'
L244	N 04°37'43" W	1072.87'
L245	N 85°22'17" E	2191.50'
L246	N 55°43'21" E	30.86'
L247	N 61°53'36" E	28.07'
L248	N 75°08'46" E	19.34'
L249	N 79°23'36" E	22.32'
L250	N 60°56'59" E	21.29'
L251	N 74°18'25" E	13.25'
L252	N 88°48'49" E	21.58'
L253	N 87°10'25" E	16.15'
L254	S 89°43'05" E	14.16'
L255	S 84°43'09" E	10.89'
L256	S 79°59'58" E	12.32'
L257	S 88°58'11" E	43.25'
L258	S 87°08'17" E	40.25'
L259	S 76°20'10" E	55.40'
L260	S 81°16'01" E	64.58'
L261	S 86°00'14" E	51.56'
L262	N 76°29'50" E	79.36'
L263	N 66°15'34" E	52.47'
L264	N 69°50'28" E	85.61'
L265	N 69°08'52" E	10.30'
L266	N 86°14'09" E	8.86'
L267	S 80°33'08" E	14.27'
L268	S 82°33'31" E	10.96'
L269	S 78°19'39" E	10.47'
L270	S 84°45'33" E	12.53'
L271	S 59°04'12" E	17.92'
L272	S 66°38'02" E	22.22'
L273	S 71°28'36" E	21.42'
L274	S 71°39'01" E	20.48'
L275	S 66°55'43" E	12.48'
L276	S 65°33'14" E	18.29'
L277	S 86°29'17" E	16.10'
L278	S 74°34'35" E	23.77'
L279	S 74°55'02" E	17.16'
L280	S 73°27'53" E	16.09'
L281	S 69°52'05" E	16.81'
L282	S 68°50'08" E	15.37'
L283	S 76°56'11" E	17.60'
L284	S 69°11'18" E	14.54'
L285	S 61°01'10" E	12.84'
L286	S 44°16'17" E	10.04'
L287	S 20°13'38" E	17.33'
L288	S 11°24'40" E	16.18'

LINE	BEARING	DISTANCE
L289	S 05°33'13" E	21.68'
L290	S 08°50'08" W	14.74'
L291	S 22°08'29" W	14.88'
L292	S 14°08'59" W	18.95'
L293	S 17°54'35" W	17.11'
L294	S 16°32'28" W	15.97'
L295	S 06°09'11" W	14.90'
L296	S 15°09'41" W	25.41'
L297	S 28°01'35" W	30.15'
L298	S 33°42'25" W	17.39'
L299	S 36°48'57" W	12.65'
L300	S 39°41'04" W	10.87'
L301	S 47°36'00" W	8.10'
L302	S 53°28'07" W	9.54'
L303	S 55°33'11" W	12.38'
L304	S 54°18'09" W	18.20'
L305	S 56°23'27" W	11.07'
L306	S 63°29'27" W	12.68'
L307	S 73°33'18" W	8.83'
L308	S 87°26'42" W	11.31'
L309	N 81°17'45" W	12.12'
L310	N 77°14'14" W	12.35'
L311	N 74°32'08" W	14.35'
L312	N 72°48'58" W	11.50'
L313	N 76°56'33" W	14.52'
L314	N 87°12'49" W	16.18'
L315	S 70°32'23" W	81.75'
L316	S 62°23'49" W	61.07'
L317	S 44°43'05" W	71.91'
L318	S 44°53'13" W	8.58'
L319	S 51°18'10" W	10.32'
L320	S 52°06'25" W	14.59'
L321	S 50°11'18" W	11.48'
L322	S 55°54'48" W	9.09'
L323	S 71°23'24" W	13.46'
L324	S 80°48'15" W	14.75'
L325	S 76°32'35" W	14.18'
L326	S 68°23'08" W	17.45'
L327	S 61°26'15" W	9.90'
L328	S 72°33'43" W	31.06'
L329	S 71°18'10" W	82.09'
L330	N 78°20'15" W	60.76'
L331	N 55°06'38" W	95.65'
L332	N 48°23'01" W	122.47'
L333	N 40°39'28" W	114.06'
L334	N 15°04'58" W	243.93'

ABBREVIATIONS

L1 = LINE DESIGNATION
 O.R. = OFFICIAL RECORDS
 P.G. = PAGE
 POB = POINT-OF-BEGINNING
 POC = POINT-OF-COMMENCEMENT
 R/W = RIGHT-OF-WAY



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 Toll free: 800-337-7341

Destin 488 Grand Boulevard
 Suite 208
 Miramar Beach, FL 32550
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RESOURCE PROTECTION AREA E2 SKETCH AND DESCRIPTION PARCEL OF LAND IN SECTION 17, TOWNSHIP 47 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA

BONITA GRANDE MINE LLC.

MDA PROJECT:
16027

CHECKED
MAH

DRAWN
BMH

DATE:
11/25/19

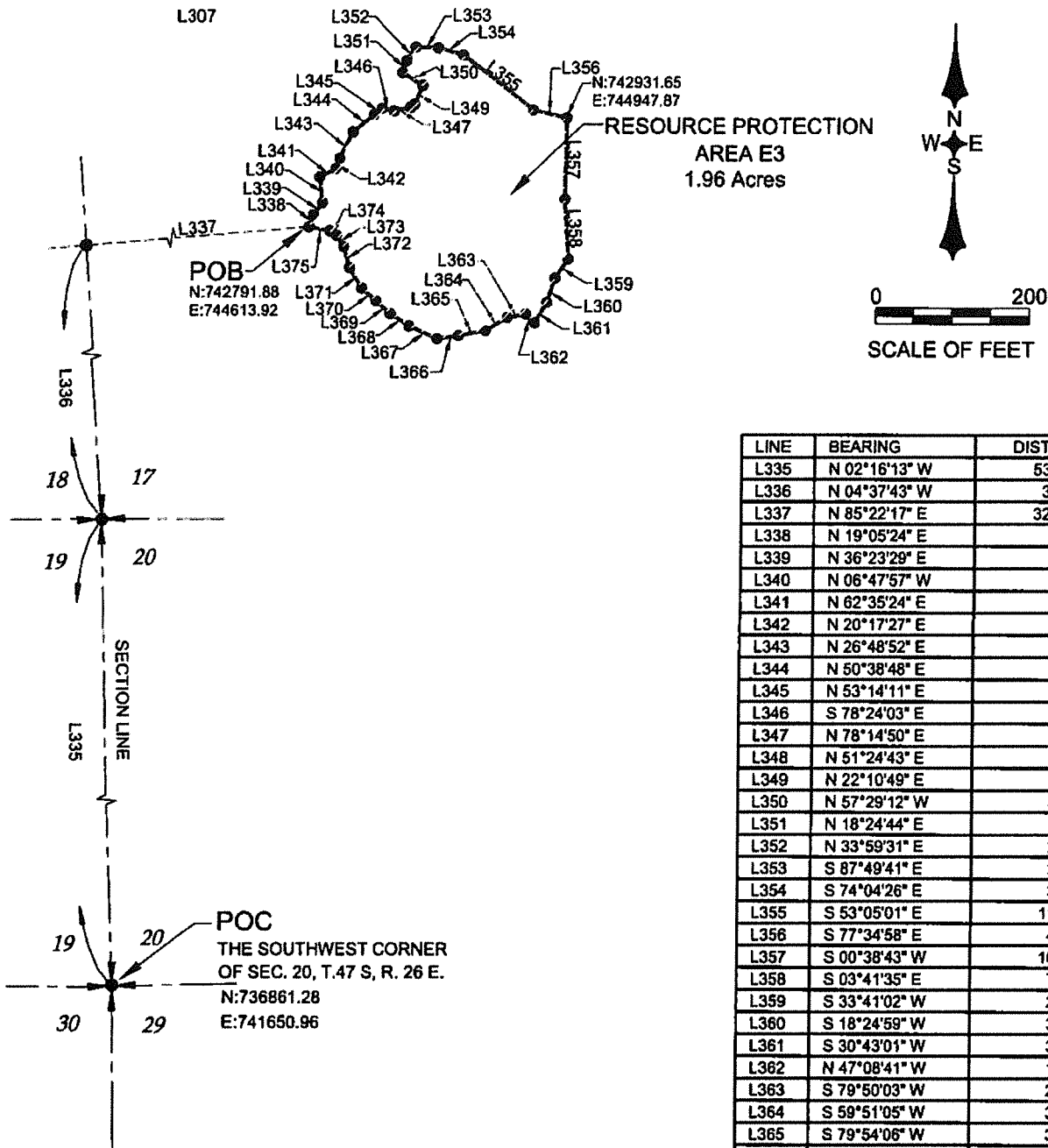
SHEET
18 OF 30

RESOURCE PROTECTION AREA "E3"
(CONSERVATION EASEMENT #10 O.R 3914, PG. 3798)

A TRACT OR PARCEL OF LAND LYING IN SECTION 17, TOWNSHIP 47 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, SAID TRACT OR PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 20, TOWNSHIP 47 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA; THENCE N. 02°16'13" W. ALONG THE WEST LINE OF SAID SECTION 20, A DISTANCE OF 5314.40' FEET TO THE SOUTHWEST CORNER OF SECTION 17, TOWNSHIP 47 SOUTH, RANGE 26 EAST; THENCE N. 04°37'43" W. ALONG THE WEST LINE OF SAID SECTION 17, A DISTANCE OF 362.25' FEET; THENCE N. 85°22'17" E. A DISTANCE OF 3213.20' FEET TO THE POINT-OF-BEGINNING OF HEREON DESCRIBED LAND; THENCE N. 19°05'24" E. A DISTANCE OF 16.07' FEET; THENCE N. 36°23'29" E. A DISTANCE OF 19.33' FEET; THENCE N. 06°47'57" W. A DISTANCE OF 33.00' FEET; THENCE N. 62°35'24" E. A DISTANCE OF 23.79' FEET; THENCE N. 20°17'27" E. A DISTANCE OF 13.95' FEET; THENCE N. 26°48'52" E. A DISTANCE OF 37.93' FEET; THENCE N. 50°38'48" E. A DISTANCE OF 35.17' FEET; THENCE N. 53°14'11" E. A DISTANCE OF 13.24' FEET; THENCE S. 78°24'03" E. A DISTANCE OF 15.89' FEET; THENCE N. 78°14'50" E. A DISTANCE OF 21.37' FEET; THENCE N. 51°24'43" E. A DISTANCE OF 7.00' FEET; THENCE N. 22°10'49" E. A DISTANCE OF 25.51' FEET; THENCE N. 57°29'12" W. A DISTANCE OF 30.70' FEET; THENCE N. 18°24'44" E. A DISTANCE OF 15.89' FEET; THENCE N. 33°59'31" E. A DISTANCE OF 21.08' FEET; THENCE S. 87°49'41" E. A DISTANCE OF 28.30' FEET; THENCE S. 74°04'26" E. A DISTANCE OF 33.30' FEET; THENCE S. 53°05'01" E. A DISTANCE OF 116.76' FEET; THENCE S. 77°34'58" E. A DISTANCE OF 45.16' FEET; THENCE S. 00°38'43" W. A DISTANCE OF 103.97' FEET; THENCE S. 03°41'35" E. A DISTANCE OF 76.45' FEET; THENCE S. 33°41'02" W. A DISTANCE OF 29.85' FEET; THENCE S. 18°24'59" W. A DISTANCE OF 32.68' FEET; THENCE S. 30°43'01" W. A DISTANCE OF 30.63' FEET; THENCE N. 47°08'41" W. A DISTANCE OF 16.60' FEET; THENCE S. 79°50'03" W. A DISTANCE OF 25.25' FEET; THENCE S. 59°51'05" W. A DISTANCE OF 33.48' FEET; THENCE S. 79°54'06" W. A DISTANCE OF 35.35' FEET; THENCE S. 81°55'17" W. A DISTANCE OF 27.48' FEET; THENCE N. 65°37'00" W. A DISTANCE OF 39.19' FEET; THENCE N. 56°30'44" W. A DISTANCE OF 28.90' FEET; THENCE N. 48°49'20" W. A DISTANCE OF 24.91' FEET; THENCE N. 49°57'02" W. A DISTANCE OF 24.77' FEET; THENCE N. 31°34'02" W. A DISTANCE OF 30.68' FEET; THENCE N. 16°51'59" W. A DISTANCE OF 27.97' FEET; THENCE N. 33°33'23" W. A DISTANCE OF 17.24' FEET; THENCE N. 57°13'39" W. A DISTANCE OF 10.89' FEET; THENCE N. 79°18'51" W. A DISTANCE OF 27.29' FEET; TO THE SAID POINT-OF-BEGINNING.
CONTAINING 1.96 ACRES MORE OR LESS.

 MORRIS DEPEU ENGINEERS • PLANNERS • SURVEYORS LANDSCAPE ARCHITECTS FL CA NO. 6532 / FL CERT NO. LB6881 / LC26000330 Fort Myers 2814 Cleveland Avenue Fort Myers, Florida 33901 (239) 357-3899 Fax: (239) 357-3896 Toll free: 888-357-7341 Tallahassee 113 South Monroe Street 1st Floor Tallahassee, Florida 32301 Toll free: 888-357-7341 Destin 425 Grand Boulevard Suite 205 Miramar Beach, FL 32550 Toll free: 888-357-7341	RESOURCE PROTECTION AREA E3 SKETCH AND DESCRIPTION PARCELS OF LAND IN SECTION 17, TOWNSHIP 47 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA	MDA PROJECT: 16027	
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	CHECKED MAH	DRAWN BMH	
BONITA GRANDE MINE LLC.	DATE: 11/25/19 SHEET 19 OF 30		



LINE	BEARING	DISTANCE
L335	N 02°16'13" W	5314.40'
L336	N 04°37'43" W	362.25'
L337	N 85°22'17" E	3213.20'
L338	N 19°05'24" E	16.07'
L339	N 36°23'29" E	19.33'
L340	N 06°47'57" W	33.00'
L341	N 62°35'24" E	23.79'
L342	N 20°17'27" E	13.95'
L343	N 26°48'52" E	37.93'
L344	N 50°38'48" E	35.17'
L345	N 53°14'11" E	13.24'
L346	S 78°24'03" E	15.89'
L347	N 78°14'50" E	21.37'
L348	N 51°24'43" E	7.00'
L349	N 22°10'49" E	25.51'
L350	N 57°29'12" W	30.70'
L351	N 18°24'44" E	15.89'
L352	N 33°59'31" E	21.08'
L353	S 87°49'41" E	28.30'
L354	S 74°04'26" E	33.30'
L355	S 53°05'01" E	116.76'
L356	S 77°34'58" E	45.16'
L357	S 00°38'43" W	103.97'
L358	S 03°41'35" E	76.45'
L359	S 33°41'02" W	29.85'
L360	S 18°24'59" W	32.68'
L361	S 30°43'01" W	30.63'
L362	N 47°08'41" W	16.60'
L363	S 79°50'03" W	25.25'
L364	S 59°51'05" W	33.48'
L365	S 79°54'06" W	35.35'
L366	S 81°55'17" W	27.48'
L367	N 65°37'00" W	39.19'
L368	N 56°30'44" W	28.90'
L369	N 48°49'20" W	24.91'
L370	N 49°57'02" W	24.77'
L371	N 31°34'02" W	30.68'
L372	N 16°51'59" W	27.97'
L373	N 33°33'23" W	17.24'
L374	N 57°13'39" W	10.89'
L375	N 79°18'51" W	27.29'

ABBREVIATIONS
 L1 = LINE DESIGNATION
 O.R. = OFFICIAL RECORDS
 PG. = PAGE
 POB = POINT-OF-BEGINNING
 POC = POINT-OF-COMMENCEMENT
 R/W = RIGHT-OF-WAY

MORRIS DEPEW
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RESOURCE PROTECTION AREA E3
SKETCH AND DESCRIPTION
 PARCEL OF LAND IN SECTION 17, TOWNSHIP 47
 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA

BONITA GRANDE MINE LLC.
 100/031

MDA PROJECT:
16027

CHECKED MAH	DRAWN BMH
DATE: 11/25/19	
SHEET 20 OF 30	

RESOURCE PROTECTION AREA "D"
(CONSERVATION EASEMENT #11 O.R 3914, PG. 3798)

A TRACT OR PARCEL OF LAND LYING IN SECTION 17, TOWNSHIP 47 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, SAID TRACT OR PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 20, TOWNSHIP 47 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA; THENCE N. 02°16'13" W. ALONG THE WEST LINE OF SAID SECTION 20, A DISTANCE OF 5314.40' FEET TO THE SOUTHWEST CORNER OF SECTION 17, TOWNSHIP 47 SOUTH, RANGE 26 EAST; THENCE N. 04°37'43" W. ALONG THE WEST LINE OF SAID SECTION 17, A DISTANCE OF 3095.19' FEET; THENCE N. 85°22'17" E. A DISTANCE OF 1935.36' FEET TO THE POINT-OF-BEGINNING OF HEREON DESCRIBED LAND; THENCE N. 22°46'07" E. A DISTANCE OF 45.15' FEET; THENCE N. 09°45'11" E. A DISTANCE OF 41.14' FEET; THENCE N. 24°13'17" E. A DISTANCE OF 31.44' FEET; THENCE N. 10°30'09" E. A DISTANCE OF 38.22' FEET; THENCE N. 03°07'39" W. A DISTANCE OF 35.66' FEET; THENCE N. 03°38'04" E. A DISTANCE OF 47.57' FEET; THENCE N. 22°14'29" E. A DISTANCE OF 28.84' FEET; THENCE N. 12°13'18" W. A DISTANCE OF 23.28' FEET; THENCE N. 02°43'05" W. A DISTANCE OF 75.14' FEET; THENCE N. 22°51'56" W. A DISTANCE OF 46.31' FEET; THENCE N. 24°08'54" W. A DISTANCE OF 34.80' FEET; THENCE N. 01°06'23" E. A DISTANCE OF 39.66' FEET; THENCE N. 00°48'30" E. A DISTANCE OF 41.59' FEET; THENCE N. 39°08'34" E. A DISTANCE OF 79.38' FEET; THENCE N. 70°29'22" E. A DISTANCE OF 86.05' FEET; THENCE S. 57°25'22" E. A DISTANCE OF 79.82' FEET; THENCE S. 57°00'08" E. A DISTANCE OF 45.75' FEET; THENCE S. 29°26'39" E. A DISTANCE OF 51.74' FEET; THENCE S. 17°24'52" E. A DISTANCE OF 62.14' FEET; THENCE S. 16°33'00" W. A DISTANCE OF 29.60' FEET; THENCE S. 12°39'44" W. A DISTANCE OF 51.63' FEET; THENCE S. 58°35'52" W. A DISTANCE OF 42.96' FEET; THENCE S. 84°28'49" W. A DISTANCE OF 22.58' FEET; THENCE S. 10°24'57" E. A DISTANCE OF 80.62' FEET; THENCE S. 27°19'06" E. A DISTANCE OF 32.30' FEET; THENCE S. 06°17'27" E. A DISTANCE OF 26.87' FEET; THENCE S. 10°57'32" E. A DISTANCE OF 36.27' FEET; THENCE S. 29°26'42" E. A DISTANCE OF 26.14' FEET; THENCE S. 28°02'25" E. A DISTANCE OF 33.63' FEET; THENCE S. 15°36'06" E. A DISTANCE OF 25.68' FEET; THENCE S. 14°26'18" E. A DISTANCE OF 26.72' FEET; THENCE S. 45°55'54" E. A DISTANCE OF 26.08' FEET; THENCE S. 71°05'50" W. A DISTANCE OF 72.41' FEET; THENCE S. 87°22'39" W. A DISTANCE OF 250.86' FEET; TO THE SAID POINT-OF-BEGINNING. CONTAINING 3.04 ACRES MORE OR LESS.



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RESOURCE PROTECTION AREA D
SKETCH AND DESCRIPTION
PARCELS OF LAND IN SECTION 17, TOWNSHIP 47
SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA

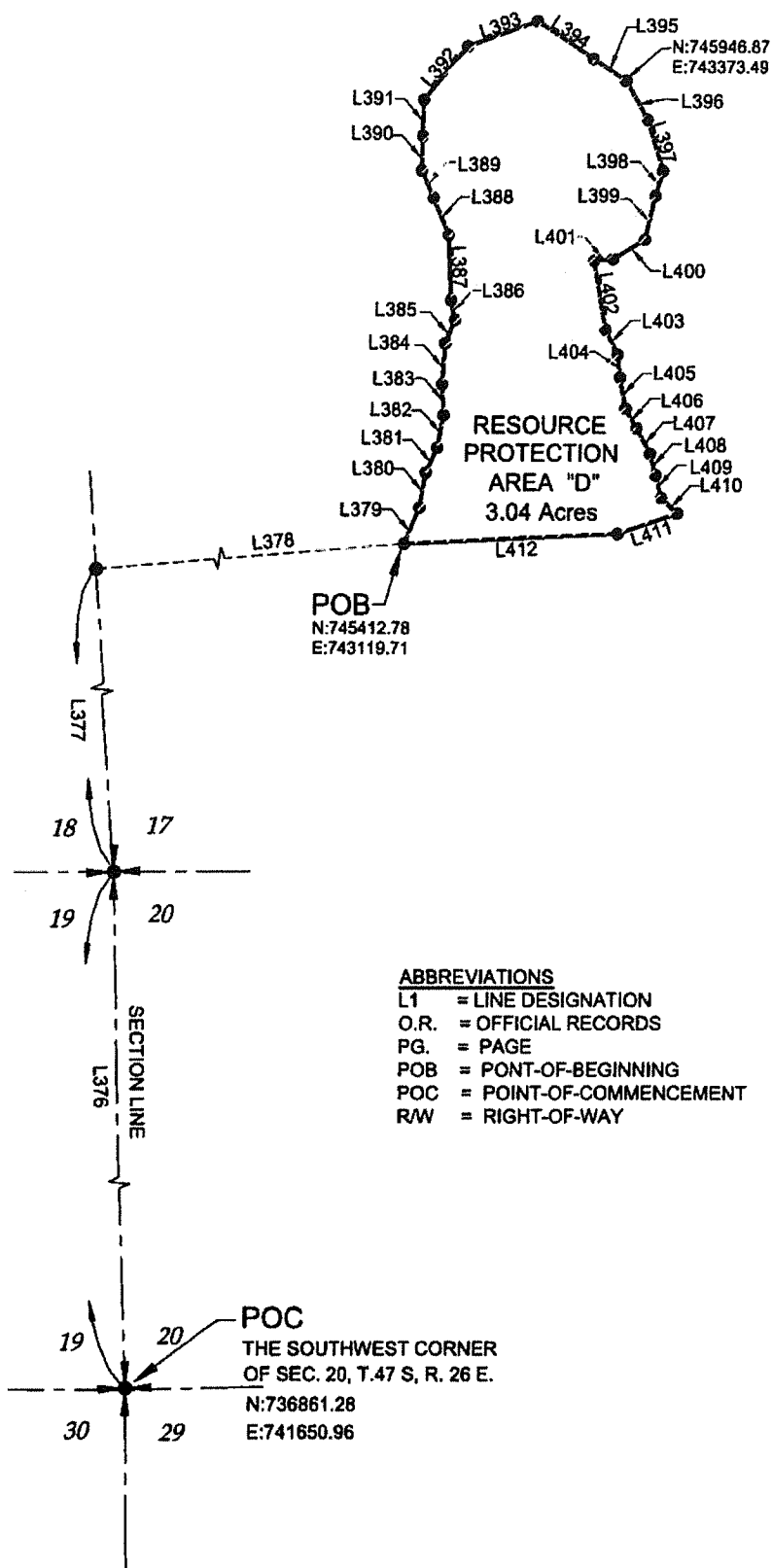
BONITA GRANDE MINE LLC.

MDA PROJECT:
16027

CHECKED MAH	DRAWN BMH
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DATE:
11/25/19

SHEET
21 OF 30



LINE	BEARING	DISTANCE
L376	N 02°16'13" W	5314.40'
L377	N 04°37'43" W	3095.19'
L378	N 85°22'17" E	1935.36'
L379	N 22°46'07" E	45.15'
L380	N 09°45'11" E	41.14'
L381	N 24°13'17" E	31.44'
L382	N 10°30'09" E	38.22'
L383	N 03°07'39" W	35.66'
L384	N 03°38'04" E	47.57'
L385	N 22°14'29" E	28.84'
L386	N 12°13'18" W	23.28'
L387	N 02°43'05" W	75.14'
L388	N 22°51'56" W	46.31'
L389	N 24°08'54" W	34.80'
L390	N 01°06'23" E	39.66'
L391	N 00°48'30" E	41.59'
L392	N 39°08'34" E	79.38'
L393	N 70°29'22" E	86.05'
L394	S 57°25'22" E	79.82'
L395	S 57°00'08" E	45.75'
L396	S 29°26'39" E	51.74'
L397	S 17°24'52" E	62.14'
L398	S 16°33'00" W	29.60'
L399	S 12°39'44" W	51.63'
L400	S 58°35'52" W	42.98'
L401	S 84°28'49" W	22.58'
L402	S 10°24'57" E	80.82'
L403	S 27°19'08" E	32.30'
L404	S 06°17'27" E	26.87'
L405	S 10°57'32" E	36.27'
L406	S 29°26'42" E	26.14'
L407	S 28°02'25" E	33.83'
L408	S 15°36'06" E	25.68'
L409	S 14°26'18" E	26.72'
L410	S 45°55'54" E	26.08'
L411	S 71°05'50" W	72.41'
L412	S 87°22'39" W	250.86'

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RESOURCE PROTECTION AREA D
SKETCH AND DESCRIPTION
PARCEL OF LAND IN SECTION 17, TOWNSHIP 47
SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA

BONITA GRANDE MINE LLC.

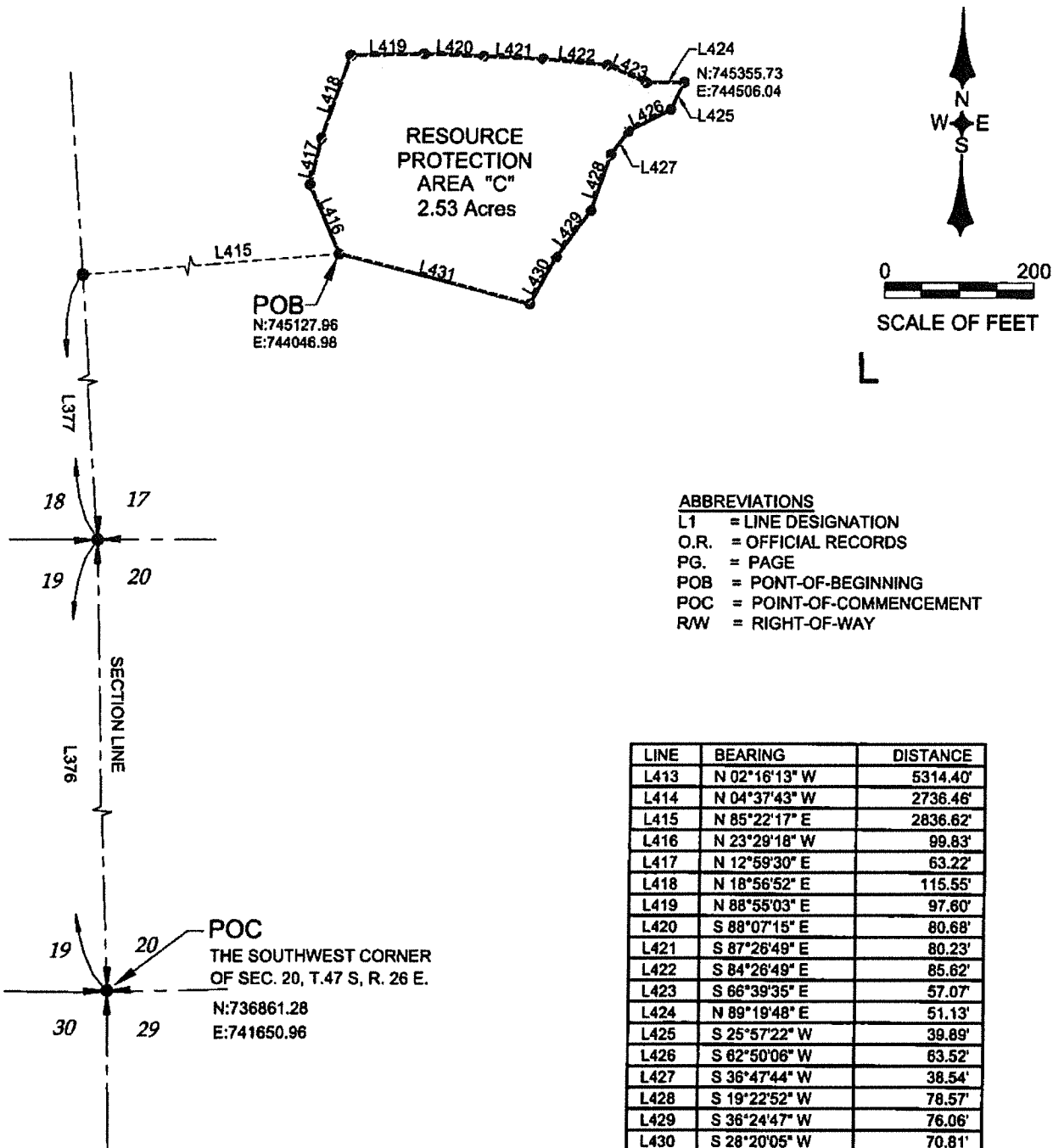
MDA PROJECT: 16027	
CHECKED MAH	DRAWN BMH
DATE: 11/25/19	
SHEET 22 OF 30	

RESOURCE PROTECTION AREA "C"
(CONSERVATION EASEMENT #12 O.R 3914, PG. 3798)

A TRACT OR PARCEL OF LAND LYING IN SECTION 17, TOWNSHIP 47 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, SAID TRACT OR PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 20, TOWNSHIP 47 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA; THENCE N. 02°16'13" W. ALONG THE WEST LINE OF SAID SECTION 20, A DISTANCE OF 5314.40' FEET TO THE SOUTHWEST CORNER OF SECTION 17, TOWNSHIP 47 SOUTH, RANGE 26 EAST; THENCE N. 04°37'43" W. ALONG THE WEST LINE OF SAID SECTION 17, A DISTANCE OF 2736.46' FEET; THENCE N. 85°22'17" E. A DISTANCE OF 2836.62' FEET TO THE POINT-OF-BEGINNING OF HEREON DESCRIBED LAND; THENCE N. 23°29'18" W. A DISTANCE OF 99.83' FEET; THENCE N. 12°59'30" E. A DISTANCE OF 63.22' FEET; THENCE N.18°56'52" E. A DISTANCE OF 115.55' FEET; THENCE N. 88°55'03" E. A DISTANCE OF 97.60' FEET; THENCE S. 88°07'15" E. A DISTANCE OF 80.68' FEET; THENCE S. 87°26'49" E. A DISTANCE OF 80.23' FEET; THENCE S. 84°26'49" E. A DISTANCE OF 85.62' FEET; THENCE S. 66°39'35" E. A DISTANCE OF 57.07' FEET; THENCE N. 89°19'48" E. A DISTANCE OF 51.13' FEET; THENCE S. 25°57'22" W. A DISTANCE OF 39.89' FEET; THENCE S. 62°50'06" W. A DISTANCE OF 63.52' FEET; THENCE S. 36°47'44" W. A DISTANCE OF 38.54' FEET; THENCE S. 19°22'52" W. A DISTANCE OF 78.57' FEET; THENCE S. 36°24'47" W. A DISTANCE OF 76.06' FEET; THENCE S. 28°20'05" W. A DISTANCE OF 70.81' FEET; THENCE N. 75°41'17" W. A DISTANCE OF 265.39' FEET; TO THE SAID POINT-OF-BEGINNING. CONTAINING 2.53 ACRES MORE OR LESS.

 MORRIS DEPEU ENGINEERS • PLANNERS • SURVEYORS LANDSCAPE ARCHITECTS FL CA NO. 6532 / FL CERT NO. LB6691 / LC26000330 <table border="0"> <tr> <td>Fort Myers 2814 Cleveland Avenue Fort Myers, Florida 33901 (239) 337-3593 Fax: (239) 337-3894 Toll free: 888-327-7341</td> <td>Tallahassee 113 South Monroe Street 1st Floor Tallahassee, Florida 32301 Toll free: 888-327-7341</td> <td>Destin 185 Grand Boulevard Suite 208 Destin Beach, FL 32550 Toll free: 888-327-7341</td> </tr> </table>	Fort Myers 2814 Cleveland Avenue Fort Myers, Florida 33901 (239) 337-3593 Fax: (239) 337-3894 Toll free: 888-327-7341	Tallahassee 113 South Monroe Street 1st Floor Tallahassee, Florida 32301 Toll free: 888-327-7341	Destin 185 Grand Boulevard Suite 208 Destin Beach, FL 32550 Toll free: 888-327-7341	RESOURCE PROTECTION AREA C SKETCH AND DESCRIPTION PARCELS OF LAND IN SECTION 17, TOWNSHIP 47 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA BONITA GRANDE MINE LLC.	MDA PROJECT: 16027 <table border="1"> <tr> <td>CHECKED MAH</td> <td>DRAWN BMH</td> </tr> </table> DATE: 11/25/19 SHEET 23 OF 30	CHECKED MAH	DRAWN BMH
Fort Myers 2814 Cleveland Avenue Fort Myers, Florida 33901 (239) 337-3593 Fax: (239) 337-3894 Toll free: 888-327-7341	Tallahassee 113 South Monroe Street 1st Floor Tallahassee, Florida 32301 Toll free: 888-327-7341	Destin 185 Grand Boulevard Suite 208 Destin Beach, FL 32550 Toll free: 888-327-7341					
CHECKED MAH	DRAWN BMH						



ABBREVIATIONS

L1 = LINE DESIGNATION
 O.R. = OFFICIAL RECORDS
 PG. = PAGE
 POB = POINT-OF-BEGINNING
 POC = POINT-OF-COMMENCEMENT
 RW = RIGHT-OF-WAY

LINE	BEARING	DISTANCE
L413	N 02°16'13" W	5314.40'
L414	N 04°37'43" W	2736.46'
L415	N 85°22'17" E	2836.62'
L416	N 23°29'18" W	99.83'
L417	N 12°59'30" E	63.22'
L418	N 18°56'52" E	115.55'
L419	N 88°55'03" E	97.60'
L420	S 88°07'15" E	80.68'
L421	S 87°26'49" E	80.23'
L422	S 84°26'49" E	85.62'
L423	S 66°39'35" E	57.07'
L424	N 89°19'48" E	51.13'
L425	S 25°57'22" W	39.89'
L426	S 62°50'06" W	63.52'
L427	S 36°47'44" W	38.54'
L428	S 19°22'52" W	78.57'
L429	S 36°24'47" W	76.06'
L430	S 28°20'05" W	70.81'
L431	N 75°41'17" W	265.39'



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RESOURCE PROTECTION AREA C SKETCH AND DESCRIPTION PARCEL OF LAND IN SECTION 17, TOWNSHIP 47 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA

BONITA GRANDE MINE LLC.

MDA PROJECT:
16027

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MAH

DRAWN
BMH

DATE:
11/25/19

SHEET
24 OF 30

RESOURCE PROTECTION AREA "S"

A TRACT OR PARCEL OF LAND LYING IN SECTIONS 17 AND 20, TOWNSHIP 47 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, SAID TRACT OR PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 20, TOWNSHIP 47 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA; THENCE N. 88°34'56" E. ALONG THE SOUTH LINE OF SAID SECTION 20, A DISTANCE OF 2664.32' FEET TO THE SOUTH QUARTER CORNER OF SAID SECTION 20; THENCE N. 88°40'20" E. ALONG THE WEST LINE OF SAID SECTION 20, A DISTANCE OF 253.70' FEET TO THE POINT-OF-BEGINNING OF HEREON DESCRIBED LAND; THENCE N. 02°23'02" E. A DISTANCE OF 115.16' FEET; THENCE N. 00°48'35" E. A DISTANCE OF 88.17' FEET; THENCE N. 05°41'40" E. A DISTANCE OF 69.44' FEET; THENCE N. 16°20'26" W. A DISTANCE OF 52.24' FEET; THENCE N. 02°13'17" W. A DISTANCE OF 6.75' FEET; THENCE N. 21°29'30" W. A DISTANCE OF 41.26' FEET; THENCE N. 46°07'04" E. A DISTANCE OF 125.99' FEET; THENCE N. 61°18'24" E. A DISTANCE OF 95.28' FEET; THENCE N. 70°07'24" E. A DISTANCE OF 94.12' FEET; THENCE N. 65°15'22" E. A DISTANCE OF 63.11' FEET; THENCE N. 44°53'40" E. A DISTANCE OF 6.17' FEET; THENCE N. 70°08'11" E. A DISTANCE OF 5.59' FEET; THENCE S. 80°18'54" E. A DISTANCE OF 11.78' FEET; THENCE S. 66°54'21" E. A DISTANCE OF 44.41' FEET; THENCE N. 85°00'05" E. A DISTANCE OF 63.82' FEET; THENCE N. 79°55'59" E. A DISTANCE OF 107.76' FEET; THENCE N. 81°55'31" E. A DISTANCE OF 85.70' FEET; THENCE N. 87°59'19" E. A DISTANCE OF 14.05' FEET; THENCE WITH A CURVE TO THE LEFT; THENCE ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 3144.61, A CENTRAL ANGLE OF 08°01'27", AND WHOSE CHORD BEARS N. 69°39'27" E., FOR A DISTANCE OF 440.04' FEET HAVING AN ARC LENGTH OF 440.40' FEET; THENCE N. 06°06'20" E. A DISTANCE OF 29.34' FEET; THENCE N. 08°50'19" E. A DISTANCE OF 74.83' FEET; THENCE N. 07°01'11" E. A DISTANCE OF 104.51' FEET; THENCE N. 04°30'30" E. A DISTANCE OF 54.08' FEET; THENCE N. 04°36'35" E. A DISTANCE OF 94.91' FEET; THENCE N. 03°48'39" W. A DISTANCE OF 46.79' FEET; THENCE N. 10°52'08" W. A DISTANCE OF 70.99' FEET; THENCE N. 06°52'48" W. A DISTANCE OF 104.09' FEET; THENCE N. 00°46'22" E. A DISTANCE OF 40.78' FEET; THENCE N. 07°36'17" W. A DISTANCE OF 62.16' FEET; THENCE N. 23°24'59" W. A DISTANCE OF 53.67' FEET; THENCE N. 29°07'14" W. A DISTANCE OF 74.89' FEET; THENCE N. 34°59'59" W. A DISTANCE OF 18.61' FEET; THENCE N. 18°44'31" W. A DISTANCE OF 35.47' FEET; THENCE N. 14°59'47" W. A DISTANCE OF 63.75' FEET; THENCE N. 10°31'04" W. A DISTANCE OF 55.55' FEET; THENCE N. 01°50'16" E. A DISTANCE OF 44.20' FEET; THENCE N. 08°19'01" E. A DISTANCE OF 81.16' FEET; THENCE N. 07°06'13" E. A DISTANCE OF 113.95' FEET; THENCE N. 10°25'23" E. A DISTANCE OF 90.54' FEET; THENCE N. 10°51'01" E. A DISTANCE OF 48.95' FEET; THENCE N. 15°34'03" E. A DISTANCE OF 36.05' FEET; THENCE N. 22°40'35" E. A DISTANCE OF 50.39' FEET; THENCE N. 34°54'07" E. A DISTANCE OF 33.28' FEET; THENCE N. 32°42'56" E. A DISTANCE OF 56.62' FEET; THENCE N. 33°10'51" E. A DISTANCE OF 65.41' FEET; THENCE N. 29°38'53" E. A DISTANCE OF 70.28' FEET; THENCE N. 29°58'14" E. A DISTANCE OF 68.04' FEET; THENCE N. 30°48'51" E. A DISTANCE OF 86.66' FEET; THENCE N. 39°18'59" E. A DISTANCE OF 22.82' FEET; THENCE N. 41°35'08" E. A DISTANCE OF 106.96' FEET; THENCE N. 48°38'51" E. A DISTANCE OF 40.31' FEET; THENCE N. 57°45'01" E. A DISTANCE OF 30.93' FEET; THENCE N. 22°59'50" W. A DISTANCE OF 31.93' FEET; THENCE N. 37°06'41" W. A DISTANCE OF 15.45' FEET; THENCE N. 13°21'13" W. A DISTANCE OF 78.12' FEET; THENCE N. 85°17'46" W. A DISTANCE OF 47.54' FEET; THENCE N. 69°19'47" W. A DISTANCE OF 42.90' FEET; THENCE N. 46°59'08" W. A DISTANCE OF 40.19' FEET; THENCE N. 25°18'40" W. A DISTANCE OF 37.55' FEET; THENCE N. 07°19'53" W. A DISTANCE OF 33.66' FEET; THENCE N. 06°28'47" W. A DISTANCE OF 40.01' FEET; THENCE N. 03°48'02" W. A DISTANCE OF 12.58' FEET; THENCE N. 04°46'53" E. A DISTANCE OF 21.70' FEET; THENCE N. 12°02'16" E. A DISTANCE OF 47.28' FEET; THENCE N. 03°06'30" W. A DISTANCE OF 40.01' FEET; THENCE N. 16°04'58" W. A DISTANCE OF 35.91' FEET; THENCE N. 20°39'09" W. A DISTANCE OF 25.55' FEET; THENCE N. 13°10'45" W. A DISTANCE OF 29.96' FEET; THENCE N. 03°35'31" W. A DISTANCE OF 20.89' FEET; THENCE N. 01°22'39" E. A DISTANCE OF 22.46' FEET; THENCE N. 08°31'00" E. A DISTANCE OF 70.00' FEET; THENCE N. 08°53'54" E. A DISTANCE OF 37.22' FEET; THENCE N. 06°55'14" E. A DISTANCE OF 65.47' FEET; THENCE N. 07°34'56" E. A DISTANCE OF 35.82' FEET; THENCE N. 07°19'54" E. A DISTANCE OF 42.19' FEET; THENCE N. 11°09'23" E. A DISTANCE OF 46.65' FEET; THENCE N. 07°30'02" E. A DISTANCE OF 30.10' FEET; THENCE N. 04°35'19" E. A DISTANCE OF 35.91' FEET; THENCE N. 00°16'35" W. A DISTANCE OF 28.53' FEET; THENCE N. 01°19'48" E. A DISTANCE OF 41.93' FEET; THENCE N. 08°45'05" W. A DISTANCE OF 88.28' FEET; THENCE N. 71°24'01" W. A DISTANCE OF 75.58' FEET; THENCE N. 84°36'02" W. A DISTANCE OF 30.73' FEET;



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Toll free: 888-327-7341

RESOURCE PROTECTION AREA S SKETCH AND DESCRIPTION PARCELS OF LAND IN SECTIONS 20 AND 17, TOWNSHIP 47 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA

BONITA GRANDE MINE LLC.

MDA PROJECT:
16027

CHECKED MAH	DRAWN BMH
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DATE:
11/25/19

SHEET
25 OF 30

RESOURCE PROTECTION AREA "S" (CONTINUED)

THENCE N. 38°38'39" W. A DISTANCE OF 32.70' FEET; THENCE N. 07°20'34" E. A DISTANCE OF 14.81' FEET; THENCE N. 41°14'01" E. A DISTANCE OF 8.91' FEET; THENCE N. 43°39'19" E. A DISTANCE OF 24.56' FEET; THENCE N. 33°31'49" E. A DISTANCE OF 22.53' FEET; THENCE N. 21°58'18" E. A DISTANCE OF 25.76' FEET; THENCE N. 15°06'51" E. A DISTANCE OF 21.09' FEET; THENCE N. 04°35'11" E. A DISTANCE OF 45.50' FEET; THENCE N. 01°45'08" E. A DISTANCE OF 34.41' FEET; THENCE N. 19°11'45" E. A DISTANCE OF 19.29' FEET; THENCE N. 22°16'13" E. A DISTANCE OF 29.02' FEET; THENCE N. 04°38'22" E. A DISTANCE OF 42.86' FEET; THENCE N. 15°46'53" W. A DISTANCE OF 33.73' FEET; THENCE N. 17°38'55" W. A DISTANCE OF 11.35' FEET; THENCE N. 15°42'14" W. A DISTANCE OF 13.65' FEET; THENCE N. 01°20'07" W. A DISTANCE OF 18.70' FEET; THENCE N. 00°11'26" E. A DISTANCE OF 24.80' FEET; THENCE N. 22°14'36" W. A DISTANCE OF 83.25' FEET; THENCE N. 88°30'15" W. A DISTANCE OF 98.59' FEET; THENCE N. 88°01'16" W. A DISTANCE OF 8.65' FEET; THENCE N. 64°48'16" W. A DISTANCE OF 10.35' FEET; THENCE N. 62°59'09" W. A DISTANCE OF 46.22' FEET; THENCE N. 68°56'27" W. A DISTANCE OF 38.71' FEET; THENCE N. 73°31'38" W. A DISTANCE OF 28.50' FEET; THENCE N. 35°13'06" W. A DISTANCE OF 30.67' FEET; THENCE N. 29°00'04" W. A DISTANCE OF 75.13' FEET; THENCE N. 03°37'28" E. A DISTANCE OF 51.20' FEET; THENCE N. 10°32'09" E. A DISTANCE OF 31.01' FEET; THENCE N. 09°13'05" E. A DISTANCE OF 45.57' FEET; THENCE N. 10°38'07" E. A DISTANCE OF 44.68' FEET; THENCE N. 13°39'43" E. A DISTANCE OF 44.67' FEET; THENCE N. 07°59'46" E. A DISTANCE OF 35.66' FEET; THENCE N. 14°01'20" E. A DISTANCE OF 43.64' FEET; THENCE N. 28°45'40" E. A DISTANCE OF 31.93' FEET; THENCE N. 30°00'41" E. A DISTANCE OF 31.35' FEET; THENCE N. 28°43'01" E. A DISTANCE OF 41.92' FEET; THENCE N. 28°57'13" E. A DISTANCE OF 40.02' FEET; THENCE N. 14°33'53" E. A DISTANCE OF 158.82' FEET; THENCE N. 13°15'52" E. A DISTANCE OF 119.87' FEET; THENCE N. 10°49'06" E. A DISTANCE OF 186.28' FEET; THENCE N. 05°25'15" E. A DISTANCE OF 118.62' FEET; THENCE N. 13°34'32" W. A DISTANCE OF 40.75' FEET; THENCE N. 62°05'14" W. A DISTANCE OF 41.51' FEET; THENCE N. 51°35'36" W. A DISTANCE OF 54.62' FEET; THENCE N. 59°01'51" W. A DISTANCE OF 41.91' FEET; THENCE N. 59°56'54" W. A DISTANCE OF 39.60' FEET; THENCE N. 57°37'07" W. A DISTANCE OF 40.42' FEET; THENCE N. 08°01'39" W. A DISTANCE OF 39.39' FEET; THENCE N. 09°11'02" W. A DISTANCE OF 64.39' FEET; THENCE N. 07°07'29" W. A DISTANCE OF 65.87' FEET; THENCE N. 08°47'20" W. A DISTANCE OF 37.39' FEET; THENCE N. 02°49'10" W. A DISTANCE OF 69.55' FEET; THENCE N. 08°08'23" W. A DISTANCE OF 326.65' FEET; THENCE N. 07°20'51" E. A DISTANCE OF 24.54' FEET; THENCE N. 15°43'57" E. A DISTANCE OF 31.58' FEET; THENCE N. 29°31'03" E. A DISTANCE OF 155.37' FEET; THENCE N. 31°00'38" W. A DISTANCE OF 84.41' FEET; THENCE N. 06°34'28" W. A DISTANCE OF 28.13' FEET; THENCE N. 00°06'28" E. A DISTANCE OF 39.22' FEET; THENCE N. 16°10'37" W. A DISTANCE OF 42.90' FEET; THENCE N. 30°06'55" W. A DISTANCE OF 32.87' FEET; THENCE N. 33°04'26" W. A DISTANCE OF 22.15' FEET; THENCE N. 27°04'06" W. A DISTANCE OF 16.43' FEET; THENCE N. 23°05'49" W. A DISTANCE OF 21.67' FEET; THENCE N. 24°55'42" W. A DISTANCE OF 41.80' FEET; THENCE N. 21°50'19" W. A DISTANCE OF 28.65' FEET; THENCE N. 17°51'19" W. A DISTANCE OF 33.13' FEET; THENCE N. 14°16'31" W. A DISTANCE OF 22.95' FEET; THENCE N. 13°13'26" W. A DISTANCE OF 65.06' FEET; THENCE N. 04°08'29" E. A DISTANCE OF 12.01' FEET; THENCE N. 15°04'43" E. A DISTANCE OF 49.35' FEET; THENCE N. 02°05'42" E. A DISTANCE OF 43.88' FEET; THENCE N. 07°59'38" W. A DISTANCE OF 44.05' FEET; THENCE N. 14°26'05" W. A DISTANCE OF 42.83' FEET; THENCE N. 16°43'10" W. A DISTANCE OF 75.79' FEET; THENCE N. 21°59'28" W. A DISTANCE OF 228.97' FEET; THENCE N. 16°17'19" W. A DISTANCE OF 51.30' FEET; THENCE N. 21°42'19" W. A DISTANCE OF 45.09' FEET; THENCE N. 20°20'57" W. A DISTANCE OF 22.39' FEET; THENCE N. 15°08'55" W. A DISTANCE OF 17.84' FEET; THENCE N. 20°57'05" W. A DISTANCE OF 27.42' FEET; THENCE N. 26°36'49" W. A DISTANCE OF 20.65' FEET; THENCE N. 27°22'24" W. A DISTANCE OF 24.38' FEET; THENCE N. 20°58'03" W. A DISTANCE OF 19.07' FEET; THENCE N. 12°25'00" W. A DISTANCE OF 52.63' FEET; THENCE N. 18°37'33" W. A DISTANCE OF 51.06' FEET; THENCE N. 18°04'04" W. A DISTANCE OF 38.53' FEET; THENCE N. 06°52'08" W. A DISTANCE OF 27.52' FEET; THENCE N. 04°33'16" W. A DISTANCE OF 46.16' FEET; THENCE N. 16°11'08" W. A DISTANCE OF 44.26' FEET; THENCE N. 34°24'27" W. A DISTANCE OF 42.67' FEET; THENCE N. 40°09'45" W. A DISTANCE OF 35.22' FEET; THENCE N. 40°01'42" W. A DISTANCE OF 31.79' FEET; THENCE N. 39°47'31" W. A DISTANCE OF 23.05' FEET; THENCE N. 40°58'10" W. A DISTANCE OF 136.66' FEET; THENCE N. 07°11'03" W. A DISTANCE OF 31.42' FEET; THENCE N. 04°54'54" E. A DISTANCE OF 31.26' FEET; THENCE N. 31°11'45" E. A DISTANCE OF 50.33' FEET; THENCE N. 34°14'53" E. A DISTANCE OF 61.74' FEET; THENCE N. 42°44'11" E. A DISTANCE OF 83.05' FEET; THENCE N. 61°34'40" E. A DISTANCE OF 61.30' FEET; THENCE N. 62°48'42" E. A DISTANCE OF 86.02' FEET;

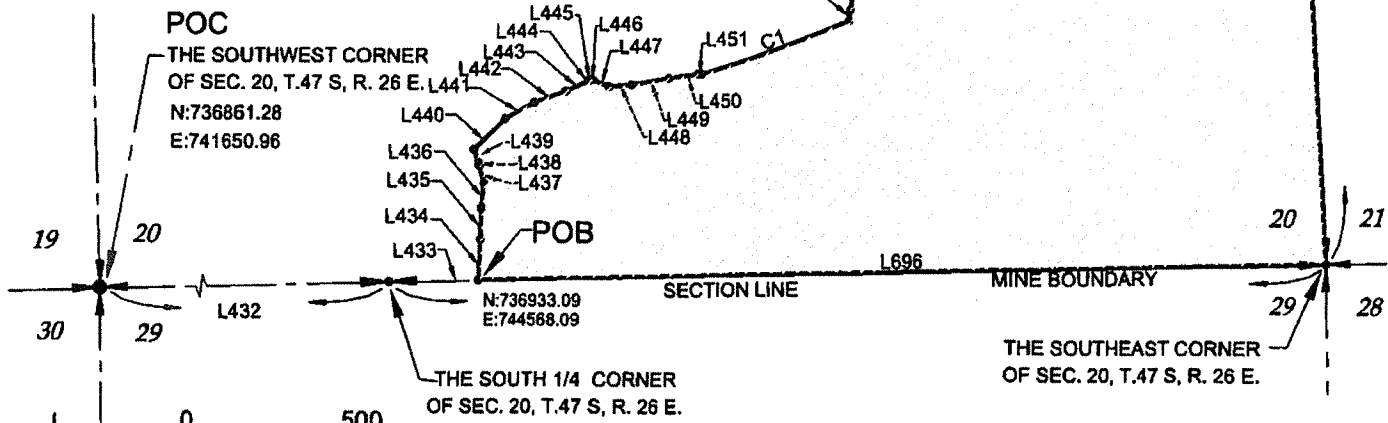
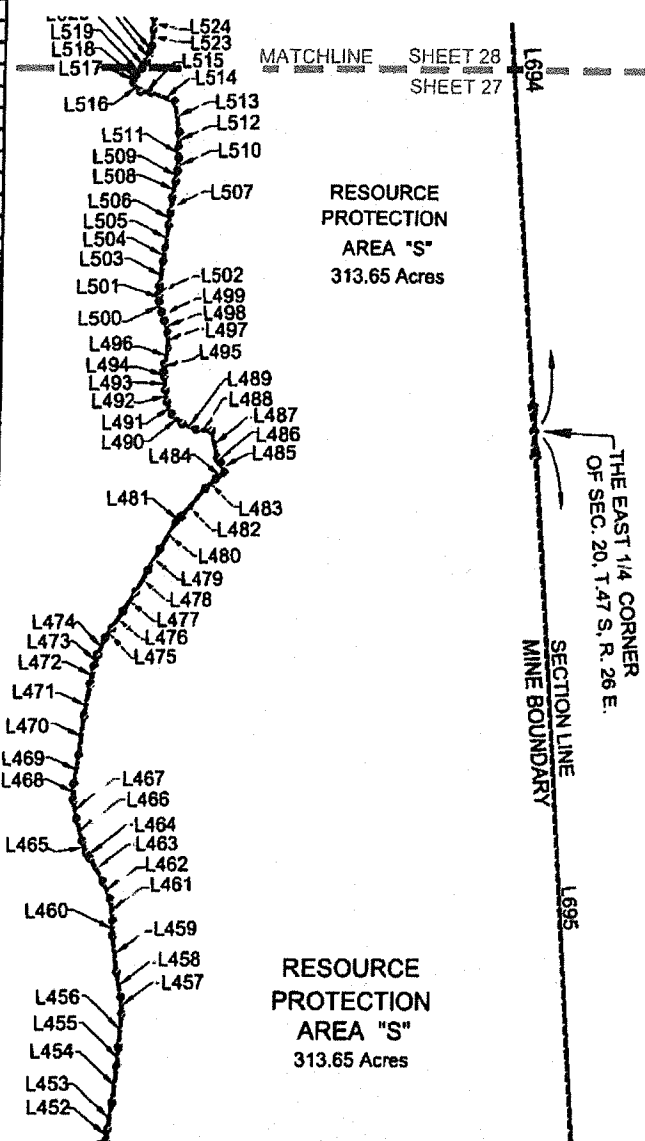
 MORRIS DEPEU ENGINEERS • PLANNERS • SURVEYORS LANDSCAPE ARCHITECTS FL CA NO. 6532 / FL CERT NO. LB6061 / LC26000330 Fort Myers 3814 Cleveland Avenue Fort Myers, Florida 33901 (239) 337-3800 Fax: (239) 337-0884 Toll free: 888-337-7341 Tallahassee 113 South Monroe Street 1st Floor Tallahassee, Florida 32301 Toll free: 888-337-7341 Destin 485 Grand Boulevard Suite 208 Miramar Beach, FL 32550 Toll free: 888-337-7341	RESOURCE PROTECTION AREA S SKETCH AND DESCRIPTION PARCELS OF LAND IN SECTIONS 20 AND 17, TOWNSHIP 47 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA BONITA GRANDE MINE LLC.	MDA PROJECT: 16027	
		CHECKED MAH	DRAWN BMH
		DATE: 11/25/19	
		SHEET 26 OF 30	

RESOURCE PROTECTION AREA "S" (CONTINUED)

THENCE N. 45°54'32" E. A DISTANCE OF 45.76' FEET; THENCE N. 29°49'43" E. A DISTANCE OF 48.51' FEET; THENCE N. 25°30'04" E. A DISTANCE OF 72.06' FEET; THENCE N. 19°29'13" E. A DISTANCE OF 93.40' FEET; THENCE N. 20°39'16" E. A DISTANCE OF 59.71' FEET; THENCE N. 15°48'00" E. A DISTANCE OF 68.61' FEET; THENCE N. 07°05'40" E. A DISTANCE OF 94.79' FEET; THENCE N. 14°27'48" E. A DISTANCE OF 76.73' FEET; THENCE N. 41°13'24" E. A DISTANCE OF 130.21' FEET; THENCE N. 45°22'02" E. A DISTANCE OF 145.44' FEET; THENCE N. 45°02'07" E. A DISTANCE OF 77.05' FEET; THENCE N. 52°58'16" E. A DISTANCE OF 111.78' FEET; THENCE N. 58°29'42" E. A DISTANCE OF 105.05' FEET; THENCE N. 48°17'04" E. A DISTANCE OF 150.91' FEET; THENCE N. 31°51'47" E. A DISTANCE OF 62.30' FEET; THENCE N. 23°09'22" E. A DISTANCE OF 64.87' FEET; THENCE N. 07°36'36" E. A DISTANCE OF 49.57' FEET; THENCE N. 13°40'15" W. A DISTANCE OF 54.92' FEET; THENCE N. 20°47'17" W. A DISTANCE OF 53.81' FEET; THENCE N. 23°01'56" W. A DISTANCE OF 95.21' FEET; THENCE N. 28°41'25" W. A DISTANCE OF 114.55' FEET; THENCE N. 43°36'00" W. A DISTANCE OF 60.71' FEET; THENCE N. 43°36'00" W. A DISTANCE OF 60.70' FEET; THENCE N. 49°16'23" W. A DISTANCE OF 55.59' FEET; THENCE N. 58°33'02" W. A DISTANCE OF 54.33' FEET; THENCE N. 65°06'11" W. A DISTANCE OF 26.87' FEET; THENCE N. 65°06'11" W. A DISTANCE OF 26.87' FEET; THENCE N. 69°41'10" W. A DISTANCE OF 24.45' FEET; THENCE N. 69°41'10" W. A DISTANCE OF 24.45' FEET; THENCE N. 78°14'14" W. A DISTANCE OF 21.02' FEET; THENCE N. 81°19'41" W. A DISTANCE OF 48.77' FEET; THENCE N. 87°16'40" W. A DISTANCE OF 69.86' FEET; THENCE S. 85°57'29" W. A DISTANCE OF 82.80' FEET; THENCE S. 85°25'10" W. A DISTANCE OF 532.17' FEET; THENCE N. 78°42'35" W. A DISTANCE OF 119.59' FEET; THENCE N. 73°40'49" W. A DISTANCE OF 56.77' FEET; THENCE N. 51°58'40" W. A DISTANCE OF 43.89' FEET; THENCE N. 39°00'04" W. A DISTANCE OF 142.04' FEET; THENCE N. 28°29'43" W. A DISTANCE OF 39.73' FEET; THENCE N. 24°04'30" W. A DISTANCE OF 56.64' FEET; THENCE N. 24°04'30" W. A DISTANCE OF 32.54' FEET; THENCE N. 29°18'20" W. A DISTANCE OF 44.85' FEET; THENCE N. 38°34'27" W. A DISTANCE OF 34.65' FEET; THENCE N. 45°18'23" W. A DISTANCE OF 23.13' FEET; THENCE N. 50°36'54" W. A DISTANCE OF 22.44' FEET; THENCE N. 55°20'24" W. A DISTANCE OF 18.12' FEET; THENCE N. 60°42'13" W. A DISTANCE OF 27.91' FEET; THENCE N. 65°50'38" W. A DISTANCE OF 16.21' FEET; THENCE N. 71°16'25" W. A DISTANCE OF 30.40' FEET; THENCE N. 77°50'45" W. A DISTANCE OF 26.01' FEET; THENCE N. 83°13'00" W. A DISTANCE OF 20.09' FEET; THENCE N. 88°11'32" W. A DISTANCE OF 22.62' FEET; THENCE S. 89°11'45" W. A DISTANCE OF 89.42' FEET; THENCE S. 89°10'23" W. A DISTANCE OF 65.20' FEET; THENCE S. 89°10'08" W. A DISTANCE OF 114.80' FEET; THENCE S. 89°11'02" W. A DISTANCE OF 109.70' FEET; THENCE N. 84°22'18" W. A DISTANCE OF 28.97' FEET; THENCE N. 74°51'52" W. A DISTANCE OF 34.59' FEET; THENCE N. 60°35'14" W. A DISTANCE OF 111.64' FEET; THENCE N. 11°11'16" W. A DISTANCE OF 30.54' FEET; THENCE N. 17°23'00" W. A DISTANCE OF 13.18' FEET; THENCE N. 21°33'11" E. A DISTANCE OF 27.22' FEET; THENCE N. 20°08'20" E. A DISTANCE OF 29.18' FEET; THENCE N. 22°43'08" E. A DISTANCE OF 29.56' FEET; THENCE N. 11°38'25" E. A DISTANCE OF 25.37' FEET; THENCE N. 24°03'58" E. A DISTANCE OF 22.71' FEET; THENCE N. 28°41'06" E. A DISTANCE OF 25.33' FEET; THENCE N. 25°55'21" E. A DISTANCE OF 26.12' FEET; THENCE N. 20°23'11" E. A DISTANCE OF 21.77' FEET; THENCE N. 16°56'36" E. A DISTANCE OF 29.44' FEET; THENCE N. 09°07'38" E. A DISTANCE OF 45.23' FEET; THENCE N. 03°07'47" E. A DISTANCE OF 39.14' FEET; THENCE N. 04°51'36" W. A DISTANCE OF 66.75' FEET; THENCE N. 14°54'35" W. A DISTANCE OF 43.88' FEET TO A POINT ON THE NORTH LINE OF SAID SECTION 17; THENCE N. 87°31'51" E. A DISTANCE OF 2445.07' FEET TO THE NORTHEAST CORNER OF SAID SECTION 17; THENCE S. 04°58'21" E. ALONG THE EAST LINE OF SAID SECTION 17, A DISTANCE OF 2688.85' FEET TO THE EAST QUARTER CORNER OF SECTION 17; THENCE S. 04°58'20" E. A DISTANCE OF 2689.01' FEET TO THE NORTHEAST CORNER OF SAID SECTION 20; THENCE S. 03°50'45" E. ALONG THE EAST LINE OF SAID SECTION 20, A DISTANCE OF 2684.41' FEET TO THE EAST QUARTER CORNER OF SECTION 20; THENCE S. 03°44'48" E. A DISTANCE OF 2684.65' FEET TO THE SOUTHEAST CORNER OF SECTION 20; THENCE S. 88°40'20" W. A DISTANCE OF 2411.29' FEET TO THE SAID POINT-OF-BEGINNING.
CONTAINING 313.65 ACRES MORE OR LESS.

 MORRIS DEPEU ENGINEERS • PLANNERS • SURVEYORS LANDSCAPE ARCHITECTS FL. CA. NO. 9532 / F. CERT. NO. 166991 / LC26000330 Fort Myers 3914 Cleveland Avenue Fort Myers, Florida 33901 (239) 337-9083 Fax: (239) 337-9084 Toll free: 888-337-7341 Tallahassee 119 South Monroe Street 14th Floor Tallahassee, Florida 32301 Toll free: 888-337-7341 Destin 488 Grand Boulevard Suite 202 Miramar Beach, FL 32550 Toll free: 888-337-7341	RESOURCE PROTECTION AREA S SKETCH AND DESCRIPTION PARCELS OF LAND IN SECTIONS 20 AND 17, TOWNSHIP 47 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA BONITA GRANDE MINE LLC.	MDA PROJECT: 16027 <table border="1"> <tr> <td>CHECKED</td> <td>DRAWN</td> </tr> <tr> <td>MAH</td> <td>BMH</td> </tr> </table> DATE: 11/25/19 SHEET 27 OF 30	CHECKED	DRAWN	MAH	BMH
		CHECKED	DRAWN			
		MAH	BMH			

LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L432	N 88°34'56" E	2684.32'	L483	N 48°38'51" E	49.31'
L433	N 88°40'20" E	253.70'	L484	N 57°45'01" E	30.93'
L434	N 02°23'02" E	115.18'	L485	N 22°59'50" W	31.83'
L435	N 00°48'35" E	88.17'	L486	N 37°06'41" W	15.45'
L436	N 05°41'40" E	89.44'	L487	N 13°21'13" W	78.12'
L437	N 16°20'26" W	52.24'	L488	N 85°17'46" W	47.54'
L438	N 02°13'17" W	8.75'	L489	N 89°18'47" W	42.90'
L439	N 21°28'30" W	41.26'	L490	N 46°59'08" W	40.19'
L440	N 46°07'04" E	125.99'	L491	N 25°18'40" W	37.55'
L441	N 61°18'24" E	95.28'	L492	N 07°19'53" W	33.66'
L442	N 70°07'24" E	94.12'	L493	N 06°28'47" W	40.01'
L443	N 65°15'22" E	63.11'	L494	N 03°48'02" W	12.58'
L444	N 44°53'40" E	6.17'	L495	N 04°46'53" E	21.70'
L445	N 70°08'11" E	5.59'	L496	N 12°02'16" E	47.28'
L446	S 80°18'54" E	11.78'	L497	N 03°06'30" W	40.01'
L447	S 66°54'21" E	44.41'	L498	N 16°04'58" W	35.91'
L448	N 85°00'05" E	63.82'	L499	N 20°39'09" W	25.55'
L449	N 79°55'59" E	107.76'	L500	N 13°10'45" W	29.96'
L450	N 81°55'31" E	85.70'	L501	N 03°35'31" W	20.89'
L451	N 87°58'19" E	14.05'	L502	N 01°22'39" E	22.46'
L452	N 06°08'20" E	29.34'	L503	N 08°31'00" E	70.00'
L453	N 08°50'19" E	74.83'	L504	N 08°53'54" E	37.22'
L454	N 07°01'11" E	104.51'	L505	N 06°55'14" E	85.47'
L455	N 04°30'30" E	54.08'	L506	N 07°34'56" E	35.82'
L456	N 04°38'35" E	94.91'	L507	N 07°19'54" E	42.19'
L457	N 03°48'39" W	46.79'	L508	N 11°09'23" E	46.65'
L458	N 10°52'08" W	70.99'	L509	N 07°30'02" E	30.10'
L459	N 06°52'48" W	104.09'	L510	N 04°35'19" E	35.91'
L460	N 00°46'22" E	40.78'	L511	N 00°16'35" W	28.53'
L461	N 07°36'17" W	82.16'	L512	N 01°19'48" E	41.83'
L462	N 23°24'59" W	53.67'	L513	N 08°45'05" W	88.28'
L463	N 29°07'14" W	74.89'	L514	N 71°24'01" W	75.58'
L464	N 34°58'59" W	18.61'	L515	N 84°38'02" W	30.73'
L465	N 18°44'31" W	35.47'	L516	N 38°38'39" W	32.70'
L466	N 14°59'47" W	63.75'	L517	N 07°20'34" E	14.81'
L467	N 10°31'04" W	55.55'	L518	N 41°14'01" E	8.91'
L468	N 01°50'16" E	44.20'	L519	N 43°39'19" E	24.56'
L469	N 08°19'01" E	81.16'	L520	N 33°31'48" E	22.53'
L470	N 07°08'13" E	113.95'	L521	N 21°58'18" E	25.76'
L471	N 10°25'23" E	90.54'	L522	N 15°06'51" E	21.09'
L472	N 10°51'01" E	48.85'	L523	N 04°35'11" E	45.50'
L473	N 15°34'03" E	36.05'	L524	N 01°45'08" E	34.41'
L474	N 22°40'35" E	50.39'	L525	N 19°11'45" E	19.28'
L475	N 34°54'07" E	33.28'	L526	N 22°16'13" E	29.02'
L476	N 32°42'58" E	56.82'	L527	N 04°38'22" E	42.86'
L477	N 33°10'51" E	65.41'	L528	N 15°46'53" W	33.73'
L478	N 29°38'53" E	70.28'	L529	N 17°38'55" W	11.35'
L479	N 29°58'14" E	68.04'	L530	N 16°42'14" W	13.65'
L480	N 30°48'51" E	86.66'	L694	S 03°50'45" E	2684.41'
L481	N 39°18'59" E	22.82'	L695	S 03°44'48" E	2684.65'
L482	N 41°35'08" E	108.96'	L696	S 88°40'20" W	2411.29'



CURVE	RADIUS	CENTRAL ANGLE	CHORD BEARING	CHORD LENGTH	ARC LENGTH
C1	3144.81'	8°01'27"	N 88°39'27" E	440.04'	440.40'

MORRIS DEPEW
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LANDSCAPE ARCHITECTS
FL CA NO. 6532 / FL CSRT NO. LB8861 / LC260000330

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488 Grand Boulevard
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Miramar Beach, FL 32550
Toll free: 888-337-7341

RESOURCE PROTECTION AREA S
SKETCH AND DESCRIPTION
PARCEL OF LAND IN SECTIONS 17 AND 20, TOWNSHIP
47 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA

BONITA GRANDE MINE LLC.
107/331

MDA PROJECT:
16027

CHECKED MAH	DRAWN BMH
DATE: 11/25/19	
SHEET 28 OF 30	

ABBREVIATIONS

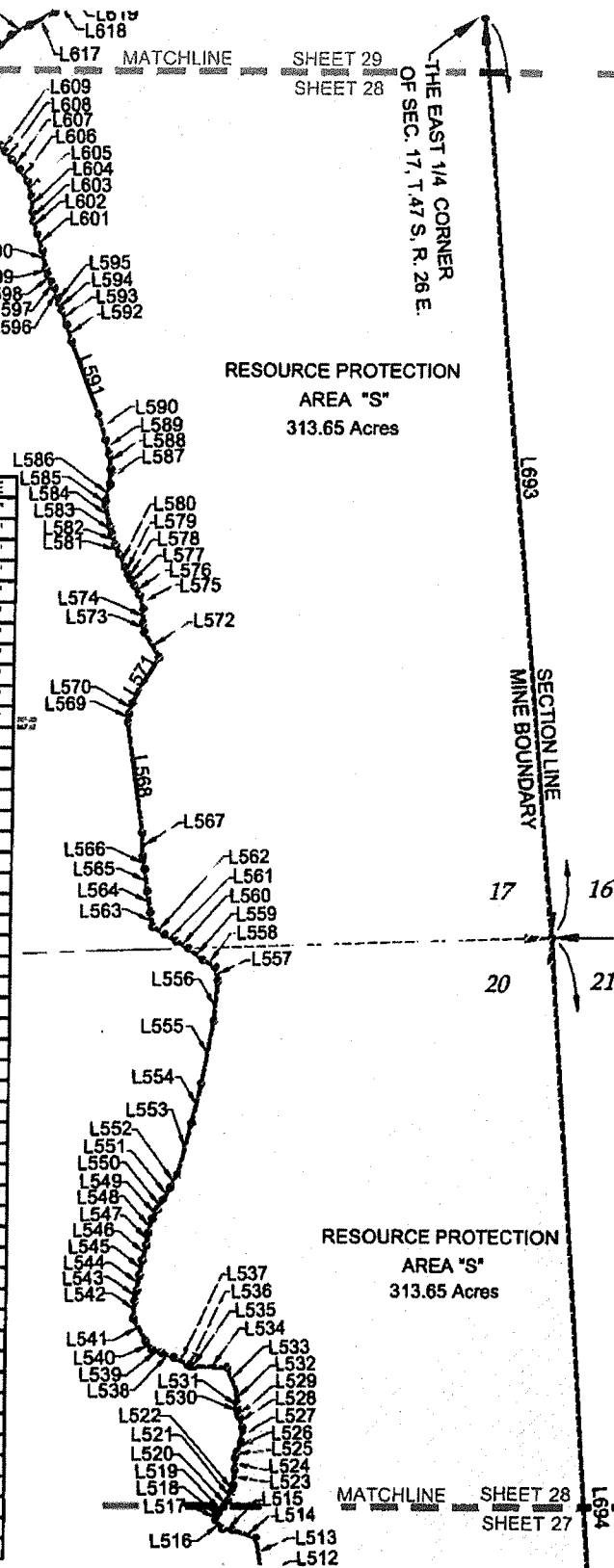
L1 = LINE TABLE DESIGNATION
O.R. = OFFICIAL RECORDS
PG. = PAGE
POB = POINT-OF-BEGINNING
POC = POINT-OF-COMMENCEMENT
R/W = RIGHT-OF-WAY



0 500
SCALE OF FEET

LINE	BEARING	DISTANCE
L513	N 08°45'05" W	88.28'
L514	N 71°24'01" W	75.58'
L515	N 84°38'02" W	30.73'
L516	N 38°38'39" W	32.70'
L517	N 07°20'34" E	14.81'
L518	N 41°14'01" E	8.91'
L519	N 43°39'18" E	24.56'
L520	N 33°31'49" E	22.53'
L521	N 21°58'18" E	25.76'
L522	N 15°06'51" E	21.09'
L523	N 04°35'11" E	45.50'
L524	N 01°45'08" E	34.41'
L525	N 19°11'45" E	19.29'
L526	N 22°18'13" E	29.02'
L527	N 04°38'22" E	42.86'
L528	N 15°46'53" W	33.73'
L529	N 17°38'55" W	11.35'
L530	N 15°42'14" W	13.65'
L531	N 01°20'07" W	18.70'
L532	N 00°11'28" E	24.80'
L533	N 22°14'38" W	83.25'
L534	N 88°30'15" W	98.58'
L535	N 88°01'18" W	8.85'
L536	N 84°48'18" W	10.35'
L537	N 62°59'08" W	46.22'
L538	N 68°56'27" W	38.71'
L539	N 73°31'38" W	28.50'
L540	N 35°13'06" W	30.67'
L541	N 29°00'04" W	75.13'
L542	N 03°37'28" E	51.20'
L543	N 10°32'09" E	31.01'
L544	N 08°13'05" E	45.57'
L545	N 10°38'07" E	44.68'
L546	N 13°39'43" E	44.67'
L547	N 07°59'46" E	35.66'
L548	N 14°01'20" E	43.84'
L549	N 28°45'40" E	31.93'
L550	N 30°00'41" E	31.35'
L551	N 28°43'01" E	41.82'
L552	N 28°57'13" E	40.02'
L553	N 14°33'53" E	158.82'
L554	N 13°15'52" E	119.87'
L555	N 10°49'06" E	186.28'
L556	N 05°25'15" E	118.82'
L557	N 13°34'32" W	40.75'
L558	N 62°05'14" W	41.51'
L559	N 51°35'36" W	54.82'
L560	N 59°01'51" W	41.91'
L561	N 59°56'54" W	39.80'
L562	N 57°37'07" W	40.42'
L563	N 08°01'38" W	39.39'
L564	N 09°11'02" W	64.39'
L565	N 07°07'29" W	85.87'
L566	N 08°47'20" W	37.39'
L567	N 02°49'10" W	69.55'
L568	N 08°08'23" W	326.85'
L569	N 07°20'51" E	24.54'
L570	N 15°43'57" E	31.58'

LINE	BEARING	DISTANCE
L571	N 29°31'03" E	155.37'
L572	N 31°00'38" W	84.41'
L573	N 08°34'28" W	28.13'
L574	N 00°06'28" E	39.22'
L575	N 16°10'37" W	42.90'
L576	N 30°08'55" W	32.87'
L577	N 33°04'28" W	22.15'
L578	N 27°04'08" W	16.43'
L579	N 23°05'49" W	21.67'
L580	N 24°55'42" W	41.80'
L581	N 21°50'18" W	28.65'
L582	N 17°51'18" W	33.13'
L583	N 14°16'31" W	22.85'
L584	N 13°13'28" W	65.06'
L585	N 04°08'29" E	12.01'
L586	N 15°04'43" E	49.35'
L587	N 02°05'42" E	43.88'
L588	N 07°59'38" W	44.05'
L589	N 14°26'05" W	42.83'
L590	N 18°43'10" W	75.79'
L591	N 21°59'28" W	228.87'
L592	N 18°17'18" W	51.30'
L593	N 21°42'19" W	45.09'
L594	N 20°20'57" W	22.39'
L595	N 15°08'55" W	17.84'
L596	N 20°57'05" W	27.42'
L597	N 26°36'49" W	20.85'
L598	N 27°22'24" W	24.38'
L599	N 20°58'03" W	19.07'
L600	N 12°25'00" W	52.63'
L601	N 18°37'33" W	51.08'
L602	N 18°04'04" W	38.53'
L603	N 08°52'08" W	27.52'
L604	N 04°33'16" W	46.16'
L605	N 16°11'08" W	44.28'
L606	N 34°24'27" W	42.67'
L607	N 40°08'45" W	35.22'
L608	N 40°01'42" W	31.79'
L609	N 39°47'31" W	23.05'
L610	N 40°58'10" W	136.86'
L611	N 07°11'03" W	31.42'
L612	N 04°54'54" E	31.28'
L613	N 31°11'45" E	50.33'
L614	N 34°14'53" E	61.74'
L615	N 42°44'11" E	83.05'
L616	N 81°34'40" E	61.30'
L617	N 62°48'42" E	86.02'
L618	N 45°54'32" E	45.76'
L619	N 29°48'43" E	48.51'
L620	S 04°58'20" E	2889.01'
L621	S 03°50'45" E	2684.41'



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RESOURCE PROTECTION AREA S SKETCH AND DESCRIPTION PARCEL OF LAND IN SECTIONS 17 AND 20, TOWNSHIP 47 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA

BONITA GRANDE MINE LLC.

MDA PROJECT:
16027

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SHEET
29 OF 30



0 500
SCALE OF FEET

LINE	BEARING	DISTANCE
L591	N 21°59'28" W	228.97'
L592	N 16°17'19" W	51.30'
L593	N 21°42'18" W	45.08'
L594	N 20°20'57" W	22.39'
L595	N 15°08'55" W	17.84'
L596	N 20°57'05" W	27.42'
L597	N 28°36'49" W	20.65'
L598	N 27°22'24" W	24.38'
L599	N 20°58'03" W	19.07'
L600	N 12°25'00" W	52.63'
L601	N 18°37'33" W	51.08'
L602	N 18°04'04" W	38.53'
L603	N 06°52'08" W	27.52'
L604	N 04°33'16" W	46.16'
L605	N 16°11'08" W	44.26'
L606	N 34°24'27" W	42.67'
L607	N 40°08'45" W	35.22'
L608	N 40°01'42" W	31.78'
L609	N 39°47'31" W	23.05'
L610	N 40°58'10" W	136.68'
L611	N 07°11'03" W	31.42'
L612	N 04°54'54" E	31.26'
L613	N 31°11'45" E	50.33'
L614	N 34°14'53" E	61.74'
L615	N 42°44'11" E	83.05'
L616	N 61°34'40" E	61.30'
L617	N 62°48'42" E	86.02'
L618	N 45°54'32" E	45.78'
L619	N 29°49'43" E	48.51'
L620	N 25°30'04" E	72.06'
L621	N 18°29'13" E	93.40'
L622	N 20°39'16" E	59.71'
L623	N 15°48'00" E	68.61'
L624	N 07°05'40" E	84.79'
L625	N 14°27'48" E	76.73'
L626	N 41°13'24" E	130.21'
L627	N 45°22'02" E	145.44'
L628	N 45°02'07" E	77.05'
L629	N 52°58'16" E	111.78'
L630	N 58°29'42" E	105.05'
L631	N 48°17'04" E	150.81'
L632	N 31°51'47" E	62.30'
L633	N 23°09'22" E	64.87'
L634	N 07°36'36" E	49.57'
L635	N 13°40'15" W	54.92'
L636	N 20°47'17" W	53.81'
L637	N 23°01'56" W	95.21'
L638	N 28°41'25" W	114.55'
L639	N 43°36'00" W	60.71'
L640	N 43°36'00" W	60.70'
L641	N 49°16'23" W	55.59'
L642	N 58°33'02" W	54.33'
L643	N 65°06'11" W	26.87'
L644	N 65°08'11" W	26.87'
L645	N 69°41'10" W	24.45'
L646	N 69°41'10" W	24.45'

LINE	BEARING	DISTANCE
L647	N 78°14'14" W	21.02'
L648	N 81°18'41" W	48.77'
L649	N 87°16'40" W	69.86'
L650	S 85°57'29" W	82.80'
L651	S 85°25'10" W	532.17'
L652	N 78°42'35" W	119.59'
L653	N 73°40'49" W	58.77'
L654	N 51°58'40" W	43.89'
L655	N 39°00'04" W	142.04'
L656	N 28°29'43" W	39.73'
L657	N 24°04'30" W	56.64'
L658	N 24°04'30" W	32.54'
L659	N 28°18'20" W	44.85'
L660	N 38°34'27" W	34.65'
L661	N 45°18'23" W	23.13'
L662	N 50°36'54" W	22.44'
L663	N 55°20'24" W	18.12'
L664	N 60°42'13" W	27.91'
L665	N 65°50'38" W	16.21'
L666	N 71°16'25" W	30.40'
L667	N 77°50'45" W	28.01'
L668	N 83°13'00" W	20.09'
L669	S 89°11'45" W	89.42'
L670	S 89°10'23" W	65.20'
L671	S 89°10'08" W	114.80'
L672	S 89°11'02" W	109.70'
L673	N 84°22'16" W	28.97'
L674	N 74°51'52" W	34.58'
L675	N 60°35'14" W	111.84'
L676	N 11°11'16" W	30.54'
L677	N 17°23'00" W	13.18'
L678	N 21°33'11" E	27.22'
L679	N 20°08'20" E	29.18'
L680	N 22°43'08" E	28.56'
L681	N 11°38'25" E	25.37'
L682	N 24°03'58" E	22.71'
L683	N 28°41'06" E	25.33'
L684	N 25°55'21" E	26.12'
L685	N 20°23'11" E	21.77'
L686	N 16°56'38" E	29.44'
L687	N 09°07'38" E	45.23'
L688	N 03°07'47" E	39.14'
L689	N 04°51'36" W	66.75'
L690	N 14°54'35" W	43.88'
L691	N 87°31'51" E	2445.07'
L692	S 04°58'21" E	2688.85'

ABBREVIATIONS

L1 = LINE TABLE DESIGNATION
O.R. = OFFICIAL RECORDS
PG. = PAGE
POB = POINT-OF-BEGINNING
POC = POINT-OF-COMMENCEMENT
RW = RIGHT-OF-WAY



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RESOURCE PROTECTION AREA S
SKETCH AND DESCRIPTION
PARCEL OF LAND IN SECTIONS 17 AND 20, TOWNSHIP
47 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA

BONITA GRANDE MINE LLC.

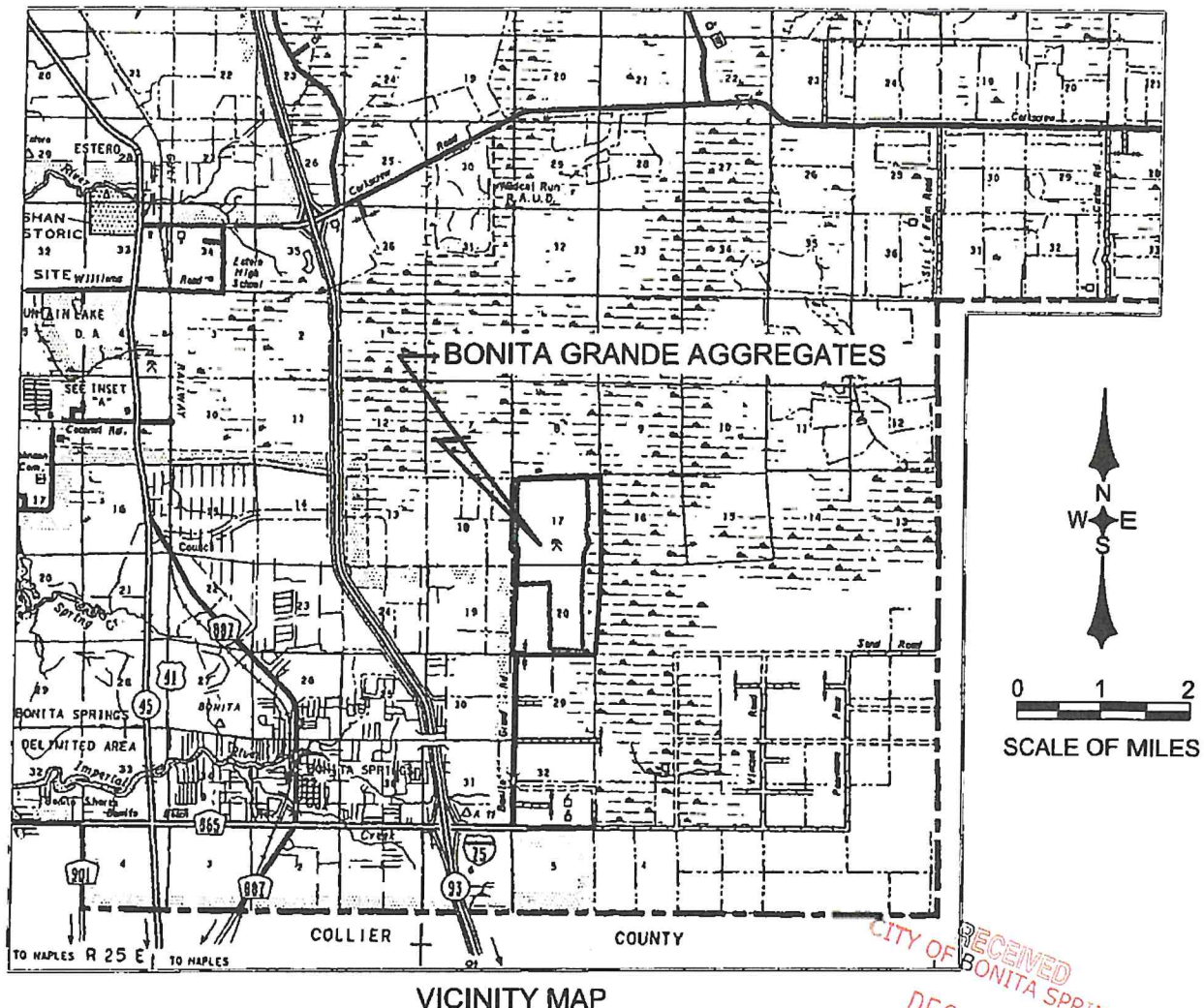
MDA PROJECT:
16027

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DRAWN
BMH

DATE:
11/25/19

SHEET
30 OF 30



VICINITY MAP

SURVEYOR'S NOTES:

THE DESCRIPTIONS SHOWN HEREON ARE NEW.
 ORIENTATION BASED ON THE WEST LINE OF THE SOUTHWEST-QUARTER OF SECTION 20, TOWNSHIP 47 S., RANGE 26 E. AS BEARING N.02°16'13"W.
 UNLESS IT BEARS THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, AND ALL SHEETS ARE INCLUDED, THIS MAP IS NOT VALID.
 THIS IS NOT A SURVEY!

ABBREVIATIONS

C/L = CENTERLINE
 L1 = LINE DESIGNATION
 O.R. = OFFICIAL RECORDS
 PG. = PAGE
 POB = POINT-OF-BEGINNING
 POC = POINT-OF-COMMENCEMENT
 RW = RIGHT-OF-WAY

PREPARED BY:

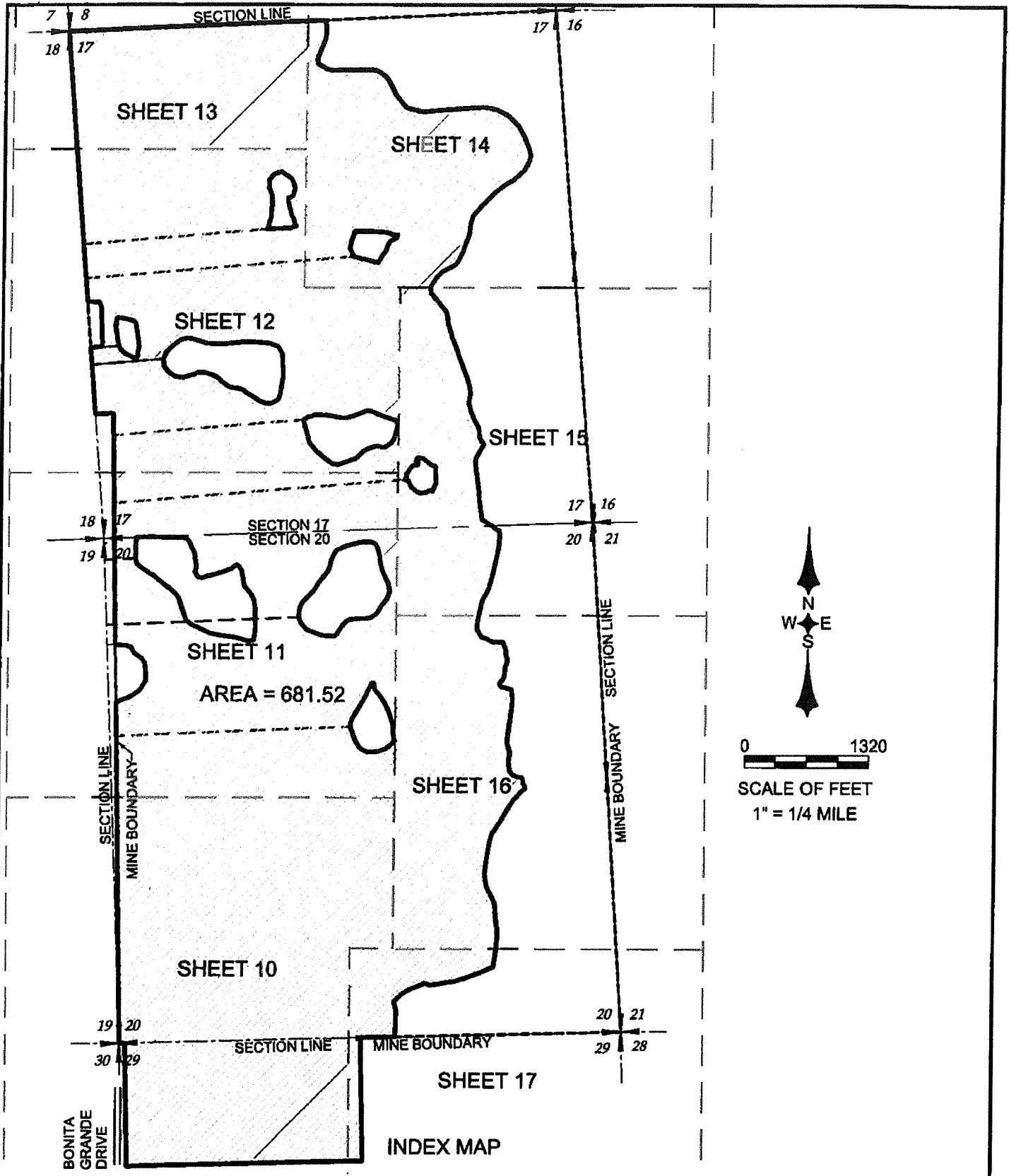
Mark A. Hatfield 11-27-19
 MARK A. HATFIELD PSM DATE
 FLA. CERT. NO. 4155

MORRIS DEPEW
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BONITA GRANDE MINE LLC.
SKETCH AND DESCRIPTION
 PARCELS OF LAND IN SECTIONS 17 AND 20,
 TOWNSHIP 47 SOUTH, RANGE 26 EAST, LEE COUNTY,
 FLORIDA

MDA PROJECT: 16027	
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SHEET 1 OF 22	



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**RESOURCE PROTECTION AREAS
 SKETCH AND DESCRIPTION
 PARCELS OF LAND IN SECTIONS 17 AND 20,
 TOWNSHIP 47 SOUTH, RANGE 26 EAST, LEE COUNTY,
 FLORIDA**

BONITA GRANDE AGGREGATES

MDA PROJECT: 16027	
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DATE: 11-27-2019	
SHEET 2 OF 22	

DESCRIPTION:

A PORTION OF SECTIONS 17 AND 20, TOWNSHIP 47 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE POINT OF BEGINNING, WHICH IS THE SOUTHWEST CORNER OF SECTION 20, TOWNSHIP 47 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA; THENCE NORTH 01°08'52" WEST FOR 3234.68; THENCE N. 87°43'47" E. A DISTANCE OF 2479.83 FEET; THENCE N. 01°13'05" E. A DISTANCE OF 31.29' FEET; THENCE N. 16°21'31" E. A DISTANCE OF 39.24' FEET; THENCE N. 25°42'03" E. A DISTANCE OF 35.58' FEET; THENCE N. 29°20'58" E. A DISTANCE OF 27.58' FEET; THENCE N. 31°22'02" E. A DISTANCE OF 27.54' FEET; THENCE N. 34°08'51" E. A DISTANCE OF 23.49' FEET; THENCE N. 31°39'14" E. A DISTANCE OF 29.88' FEET; THENCE N. 25°57'38" E. A DISTANCE OF 33.57' FEET; THENCE N. 26°36'02" E. A DISTANCE OF 27.33' FEET; THENCE N. 33°35'29" E. A DISTANCE OF 42.63' FEET; THENCE N. 27°42'15" E. A DISTANCE OF 58.64' FEET; THENCE N. 27°13'51" E. A DISTANCE OF 64.18' FEET; THENCE N. 20°39'53" E. A DISTANCE OF 46.30' FEET; THENCE N. 33°00'06" E. A DISTANCE OF 26.79' FEET; THENCE N. 66°52'43" E. A DISTANCE OF 14.17' FEET; THENCE S. 50°52'36" E. A DISTANCE OF 12.86' FEET; THENCE S. 24°11'36" E. A DISTANCE OF 12.10' FEET; THENCE S. 00°03'21" W. A DISTANCE OF 25.48' FEET; THENCE S. 05°23'22" E. A DISTANCE OF 28.74' FEET; THENCE S. 47°50'03" E. A DISTANCE OF 25.99' FEET; THENCE S. 39°36'02" E. A DISTANCE OF 40.11' FEET; THENCE S. 37°04'59" E. A DISTANCE OF 43.36' FEET; THENCE S. 30°46'05" E. A DISTANCE OF 31.33' FEET; THENCE S. 36°25'45" E. A DISTANCE OF 12.23' FEET; THENCE S. 32°08'55" E. A DISTANCE OF 19.26' FEET; THENCE S. 26°51'04" E. A DISTANCE OF 19.16' FEET; THENCE S. 25°14'18" E. A DISTANCE OF 23.69' FEET; THENCE S. 26°19'11" E. A DISTANCE OF 20.26' FEET; THENCE S. 26°20'29" E. A DISTANCE OF 19.76' FEET; THENCE S. 24°22'22" E. A DISTANCE OF 19.79' FEET; THENCE S. 22°58'40" E. A DISTANCE OF 19.88' FEET; THENCE S. 21°02'28" E. A DISTANCE OF 19.15' FEET; THENCE S. 16°14'12" E. A DISTANCE OF 18.93' FEET; THENCE S. 10°55'10" E. A DISTANCE OF 19.70' FEET; THENCE S. 12°26'49" E. A DISTANCE OF 18.85' FEET; THENCE S. 15°03'07" E. A DISTANCE OF 21.35' FEET; THENCE S. 19°20'53" E. A DISTANCE OF 27.51' FEET; THENCE S. 16°03'06" E. A DISTANCE OF 18.15' FEET; THENCE S. 04°06'04" E. A DISTANCE OF 15.85' FEET; THENCE S. 03°44'32" W. A DISTANCE OF 55.06' FEET; THENCE S. 15°04'55" E. A DISTANCE OF 84.67' FEET; THENCE S. 46°21'18" W. A DISTANCE OF 61.28' FEET; THENCE S. 51°14'18" W. A DISTANCE OF 70.16' FEET; THENCE S. 68°23'46" W. A DISTANCE OF 40.60' FEET; THENCE S. 75°58'18" W. A DISTANCE OF 44.69' FEET; THENCE S. 83°17'58" W. A DISTANCE OF 35.96' FEET; THENCE S. 89°44'02" W. A DISTANCE OF 75.41' FEET; THENCE N. 69°25'03" W. A DISTANCE OF 31.67' FEET; THENCE N. 61°21'26" W. A DISTANCE OF 36.59' FEET; THENCE N. 50°32'37" W. A DISTANCE OF 28.85' FEET; THENCE N. 30°40'39" W. A DISTANCE OF 68.73' FEET; THENCE N. 23°53'46" W. A DISTANCE OF 49.59' FEET; THENCE N. 17°34'24" W. A DISTANCE OF 63.37' FEET; THENCE N. 20°32'31" W. A DISTANCE OF 54.55' FEET; THENCE S. 87°43'47" W. A DISTANCE OF 2479.83 FEET; THENCE NORTH 01°08'52" WEST FOR 345.29 FEET; THENCE N 55°22'56" E A DISTANCE OF 48.28 FEET; THENCE N 71°06'36" E A DISTANCE OF 82.14 FEET; THENCE N 65°33'36" E A DISTANCE OF 50.96 FEET; THENCE N 56°53'59" E A DISTANCE OF 71.95 FEET; THENCE N 51°46'53" E A DISTANCE OF 33.00 FEET; THENCE N 38°32'40" E A DISTANCE OF 45.33 FEET; THENCE N 28°39'53" E A DISTANCE OF 77.30 FEET; THENCE N 02°53'49" E A DISTANCE OF 62.08 FEET; THENCE N 06°38'24" W A DISTANCE OF 61.46 FEET; THENCE N 06°58'18" W A DISTANCE OF 68.65 FEET; THENCE N 36°58'53" W A DISTANCE OF 55.77 FEET; THENCE N 56°25'08" W A DISTANCE OF 29.33 FEET; THENCE N 58°18'46" W A DISTANCE OF 64.51 FEET; THENCE N 28°02'00" W A DISTANCE OF 75.49 FEET; THENCE N 67°40'17" W A DISTANCE OF 49.48 FEET; THENCE N 88°15'36" W A DISTANCE OF 45.68 FEET; THENCE N 86°11'48" W A DISTANCE OF 61.86 FEET; THENCE N 80°55'08" W A DISTANCE OF 13.41 FEET; THENCE NORTH 01°08'52" WEST FOR 208.68 FEET; THENCE N. 87°43'47" E. A DISTANCE OF 1942.31'; THENCE N. 04°22'02" E. A DISTANCE OF 42.69' FEET; THENCE N. 08°36'26" E. A DISTANCE OF 66.57' FEET; THENCE N. 27°30'35" E. A DISTANCE OF 60.41' FEET; THENCE N. 44°33'42" E. A DISTANCE OF 75.43' FEET; THENCE N. 48°29'07" E. A DISTANCE OF 57.31' FEET; THENCE N. 37°47'09" E. A DISTANCE OF 62.43' FEET; THENCE N. 30°26'21" E. A DISTANCE OF 79.73' FEET; THENCE N. 40°11'01" E. A DISTANCE OF 73.49' FEET; THENCE N. 36°20'11" E. A DISTANCE OF 68.08' FEET; THENCE N. 25°09'34" E. A DISTANCE OF 49.79' FEET; THENCE N. 12°58'50" E. A DISTANCE OF 76.61' FEET; THENCE N. 19°55'42" E. A DISTANCE OF 61.64' FEET; THENCE N. 37°48'09" E. A DISTANCE OF 57.53' FEET; THENCE N. 65°33'06" E. A DISTANCE OF 115.70' FEET; THENCE N. 74°55'12" E. A DISTANCE OF 54.99' FEET; THENCE N. 79°13'24" E. A DISTANCE OF 44.22' FEET; THENCE N. 71°04'09" E. A DISTANCE OF 42.41' FEET; THENCE N. 85°02'29" E. A DISTANCE OF 41.34' FEET; THENCE N. 89°06'49" E. A DISTANCE OF 76.94' FEET; THENCE S. 64°28'36" E. A DISTANCE OF 49.26' FEET; THENCE S. 31°55'46" E. A DISTANCE OF 40.15' FEET; THENCE S. 17°09'07" E. A DISTANCE OF 55.33' FEET; THENCE S. 13°08'58" E. A DISTANCE OF 45.81' FEET; THENCE S. 04°19'39" E. A DISTANCE OF 54.50' FEET; THENCE S. 13°57'29" E. A DISTANCE OF 36.52' FEET; THENCE S. 11°57'47" E. A DISTANCE OF 46.55' FEET; THENCE S. 21°37'39" E. A DISTANCE OF 38.98' FEET; THENCE S. 26°07'29" E. A DISTANCE OF 34.73' FEET; THENCE S. 27°39'54" E. A DISTANCE OF 51.72' FEET; THENCE S. 24°20'54" E. A DISTANCE OF 39.32' FEET; THENCE S. 11°36'05" E. A DISTANCE OF 46.01' FEET; THENCE S. 13°13'00" E. A DISTANCE OF 35.67' FEET; THENCE S. 22°01'09" W. A DISTANCE OF 86.09' FEET; THENCE S. 32°36'38" W. A DISTANCE OF 56.86' FEET; THENCE S. 41°58'10" W. A DISTANCE OF 37.38' FEET; THENCE S. 29°18'10" W. A DISTANCE OF 53.11' FEET; THENCE S. 33°53'18" W. A DISTANCE OF 50.66' FEET;

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RESOURCE PROTECTION AREAS L
SKETCH AND DESCRIPTION
PARCELS OF LAND IN SECTION 20, TOWNSHIP 47
SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA

BONITA GRANDE AGGREGATES

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SHEET
3 OF 22

DESCRIPTION:

(CONTINUED)

THENCE S. 59°44'54" W. A DISTANCE OF 68.68' FEET; THENCE S. 79°53'28" W. A DISTANCE OF 57.32' FEET; THENCE N. 89°56'55" W. A DISTANCE OF 73.17' FEET; THENCE S. 82°07'32" W. A DISTANCE OF 62.62' FEET; THENCE N. 85°21'35" W. A DISTANCE OF 16.68' FEET; THENCE S. 65°17'27" W. A DISTANCE OF 43.06' FEET; THENCE S. 45°42'00" W. A DISTANCE OF 54.88' FEET; THENCE S. 31°57'01" W. A DISTANCE OF 58.00' FEET; THENCE S. 32°51'08" W. A DISTANCE OF 57.01' FEET; THENCE S. 51°36'04" W. A DISTANCE OF 38.66' FEET; THENCE N. 86°24'17" W. A DISTANCE OF 133.38' FEET; THENCE N. 71°01'37" W. A DISTANCE OF 103.43' FEET; THENCE N. 66°29'04" W. A DISTANCE OF 71.76' FEET; THENCE N. 41°18'22" W. A DISTANCE OF 70.37' FEET; THENCE N. 32°39'40" W. A DISTANCE OF 44.85' FEET; THENCE N. 20°52'15" W. A DISTANCE OF 36.36' FEET; THENCE S. 87°43'47" W. A DISTANCE OF 1942.31 FEET; THENCE NORTH 01°08'52" WEST FOR 685.91 FEET; THENCE N. 87°43'47" E. A DISTANCE OF 225.17 FEET; THENCE N. 00°36'02" E. A DISTANCE OF 139.23' FEET; THENCE N. 04°38'22" E. A DISTANCE OF 82.92' FEET; THENCE N. 88°04'03" E. ALONG A LINE LYING 0.40 FEET SOUTH OF, AS MEASURED AT RIGHT ANGLES, AND PARALLEL TO THE NORTH LINE OF SAID SECTION 20, A DISTANCE OF 157.12' FEET; THENCE S. 87°50'06" E. A DISTANCE OF 87.62' FEET; THENCE S. 87°28'58" E. A DISTANCE OF 67.89' FEET; THENCE S. 89°15'09" E. A DISTANCE OF 48.37' FEET; THENCE S. 89°02'41" E. A DISTANCE OF 116.95' FEET; THENCE S. 80°32'28" E. A DISTANCE OF 49.30' FEET; THENCE S. 38°14'36" E. A DISTANCE OF 34.92' FEET; THENCE S. 27°46'56" E. A DISTANCE OF 33.82' FEET; THENCE S. 19°21'55" E. A DISTANCE OF 25.64' FEET; THENCE S. 29°54'08" E. A DISTANCE OF 49.50' FEET; THENCE S. 17°42'35" E. A DISTANCE OF 47.25' FEET; THENCE S. 04°11'08" E. A DISTANCE OF 42.14' FEET; THENCE S. 09°15'08" E. A DISTANCE OF 91.49' FEET; THENCE S. 16°18'24" W. A DISTANCE OF 55.83' FEET; THENCE S. 33°20'49" E. A DISTANCE OF 63.40' FEET; THENCE S. 81°17'42" E. 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SKETCH AND DESCRIPTION
PARCELS OF LAND IN SECTION 20, TOWNSHIP 47
SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA

BONITA GRANDE AGGREGATES

MDA PROJECT:
16027

CHECKED	DRAWN
MAH	BMH

DATE:
11-27-2019

SHEET
4 OF 22

DESCRIPTION:

(CONTINUED)

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SKETCH AND DESCRIPTION
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SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA

BONITA GRANDE AGGREGATES
Page 129

MDA PROJECT:
16027

CHECKED MAH	DRAWN BMH
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DATE:
11-27-2019

SHEET
5 OF 22

DESCRIPTION:

(CONTINUED)

DISTANCE OF 2014.19' FEET; THENCE N. 55°43'21" E. A DISTANCE OF 30.66' FEET; THENCE N. 61°53'36" E. A DISTANCE OF 26.07' FEET; THENCE N. 75°08'46" E. A DISTANCE OF 19.34' FEET; THENCE N. 79°23'36" E. A DISTANCE OF 22.32' FEET; THENCE N. 60°56'59" E. A DISTANCE OF 21.29' FEET; THENCE N. 74°18'25" E. A DISTANCE OF 13.25' FEET; THENCE N. 88°48'49" E. A DISTANCE OF 21.58' FEET; THENCE N. 87°10'25" E. A DISTANCE OF 16.15' FEET; THENCE S. 89°43'05" E. A DISTANCE OF 14.16' FEET; THENCE S. 84°43'09" E. A DISTANCE OF 10.89' FEET; THENCE S. 79°59'56" E. A DISTANCE OF 12.32' FEET; THENCE S. 86°58'11" E. A DISTANCE OF 43.25' FEET; THENCE S. 87°08'17" E. A DISTANCE OF 40.25' FEET; THENCE S. 76°20'10" E. A DISTANCE OF 55.40' FEET; THENCE S. 81°16'01" E. A DISTANCE OF 64.59' FEET; THENCE S. 86°00'14" E. A DISTANCE OF 51.56' FEET; THENCE N. 76°29'50" E. A DISTANCE OF 79.36' FEET; THENCE N. 66°15'34" E. A DISTANCE OF 52.47' FEET; THENCE N. 69°50'28" E. A DISTANCE OF 95.61' FEET; THENCE N. 69°08'52" E. 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A DISTANCE OF 11.07' FEET; THENCE S. 63°29'27" W. A DISTANCE OF 12.98' FEET; THENCE S. 73°33'18" W. A DISTANCE OF 6.83' FEET; THENCE S. 87°26'42" W. A DISTANCE OF 11.31' FEET; THENCE N. 81°17'45" W. A DISTANCE OF 12.12' FEET; THENCE N. 77°14'14" W. A DISTANCE OF 12.35' FEET; THENCE N. 74°32'08" W. A DISTANCE OF 14.35' FEET; THENCE N. 72°49'58" W. A DISTANCE OF 11.50' FEET; THENCE N. 76°56'33" W. A DISTANCE OF 14.52' FEET; THENCE N. 87°12'49" W. A DISTANCE OF 16.18' FEET; THENCE S. 70°32'23" W. A DISTANCE OF 81.75' FEET; THENCE S. 62°23'49" W. A DISTANCE OF 61.07' FEET; THENCE S. 44°43'05" W. A DISTANCE OF 71.91' FEET; THENCE S. 44°53'13" W. A DISTANCE OF 8.58' FEET; THENCE S. 51°19'10" W. A DISTANCE OF 10.32' FEET; THENCE S. 52°06'25" W. A DISTANCE OF 14.59' FEET; THENCE S. 50°11'16" W. A DISTANCE OF 11.48' FEET; THENCE S. 55°54'48" W. A DISTANCE OF 9.09' FEET; THENCE S. 71°23'24" W. A DISTANCE OF 13.46' FEET; THENCE S. 80°48'15" W. A DISTANCE OF 14.75' FEET; THENCE S. 76°32'35" W. 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A DISTANCE OF 2014.19' FEET; THENCE CONTINUE ALONG SAID AGREED UPON LINE NORTH 01°06'50" WEST 230.54' FEET; THENCE SOUTH 88°58'01" WEST 191.18' FEET ALONG AN AGREED UPON LINE PER OFFICIAL RECORDS BOOK 2061, PAGE 3137, AND PAGE 3139 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA TO THE WEST LINE OF SECTION 17, TOWNSHIP 47, SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA; THENCE CONTINUE ALONG SAID AGREED UPON LINE WHICH IS THE WEST LINE OF SAID SECTION 17 N. 04°41'04" WEST FOR 513.82' FEET; THENCE N. 85°22'17" E. A DISTANCE OF 761.86' FEET; THENCE N. 20°28'59" E. A DISTANCE OF 69.81' FEET; THENCE N. 41°23'28" E. A DISTANCE OF 66.92' FEET; THENCE N. 50°42'46" E. A DISTANCE OF 76.86' FEET; THENCE N. 54°14'37" E. A DISTANCE OF 67.66' FEET; THENCE N. 76°53'27" E. A DISTANCE OF 60.07' FEET; THENCE S. 80°13'36" E. A DISTANCE OF 64.11' FEET; THENCE S. 73°38'46" E. A DISTANCE OF 77.12' FEET; THENCE S. 71°02'15" E. A DISTANCE OF 66.80' FEET; THENCE S. 82°59'55" E. A DISTANCE OF 74.57' FEET; THENCE S. 87°24'10" E. A DISTANCE OF 81.33' FEET; THENCE N. 84°21'00" E. A DISTANCE OF 145.16' FEET; THENCE N. 81°13'18" E. A DISTANCE OF 82.22' FEET; THENCE S. 89°56'42" E. A DISTANCE OF 81.25' FEET; THENCE S. 87°09'18" E. A DISTANCE OF 74.11' FEET; THENCE S. 85°03'02" E. A DISTANCE OF 126.84' FEET; THENCE S. 70°34'40" E. A DISTANCE OF 103.34' FEET; THENCE S. 31°58'31" E. A DISTANCE OF 85.10' FEET; THENCE S.

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LANDSCAPE ARCHITECTS
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RESOURCE PROTECTION AREAS L
SKETCH AND DESCRIPTION
PARCELS OF LAND IN SECTION 20, TOWNSHIP 47
SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA

BONITA GRANDE AGGREGATES

MDA PROJECT:
16027

CHECKED
MAH

DRAWN

DATE:
11-27-2019

SHEET
6 OF 22

DESCRIPTION:

(CONTINUED)

04°08'44" E. A DISTANCE OF 191.36' FEET; THENCE S. 03°09'43" W. A DISTANCE OF 79.59' FEET; THENCE S. 09°47'46" W. A DISTANCE OF 78.15' FEET; THENCE S. 10°12'20" W. A DISTANCE OF 89.41' FEET; THENCE S. 23°17'35" W. A DISTANCE OF 53.11' FEET; THENCE S. 62°15'43" W. A DISTANCE OF 77.50' FEET; THENCE S. 87°13'39" W. A DISTANCE OF 62.99' FEET; THENCE N. 69°25'44" W. A DISTANCE OF 74.12' FEET; THENCE N. 51°15'19" W. A DISTANCE OF 37.47' FEET; THENCE N. 60°27'09" W. A DISTANCE OF 36.29' FEET; THENCE N. 59°34'42" W. A DISTANCE OF 81.41' FEET; THENCE N. 49°36'28" W. A DISTANCE OF 39.99' FEET; THENCE N. 64°56'58" W. A DISTANCE OF 50.45' FEET; THENCE N. 85°33'02" W. A DISTANCE OF 59.61' FEET; THENCE N. 77°13'57" W. A DISTANCE OF 48.43' FEET; THENCE N. 55°33'09" W. A DISTANCE OF 99.73' FEET; THENCE N. 48°05'41" W. A DISTANCE OF 59.33' FEET; THENCE N. 61°15'45" W. A DISTANCE OF 72.96' FEET; THENCE N. 75°23'03" W. A DISTANCE OF 78.73' FEET; THENCE N. 88°43'38" W. A DISTANCE OF 71.65' FEET; THENCE S. 64°31'00" W. A DISTANCE OF 38.85' FEET; THENCE S. 72°32'43" W. A DISTANCE OF 30.36' FEET; THENCE S. 72°19'35" W. A DISTANCE OF 40.00' FEET; THENCE S. 74°48'50" W. A DISTANCE OF 52.13' FEET; THENCE N. 83°06'32" W. A DISTANCE OF 76.75' FEET; THENCE N. 59°00'21" W. A DISTANCE OF 71.08' FEET; THENCE N. 38°37'55" W. A DISTANCE OF 87.78' FEET; THENCE N. 06°24'36" W. A DISTANCE OF 81.25' FEET; THENCE S. 85°22'17" W. A DISTANCE OF 761.86 FEET; THENCE N. 04°41'04" WEST FOR 174.61 FEET; THENCE N. 85°22'17" E. A DISTANCE OF 298.27' FEET; THENCE N. 09°58'33" W. A DISTANCE OF 221.54' FEET; THENCE N. 50°08'44" E. A DISTANCE OF 14.97' FEET; THENCE N. 01°11'21" W. A DISTANCE OF 54.04' FEET; THENCE N. 31°11'30" E. A DISTANCE OF 9.73' FEET; THENCE N. 61°52'11" E. A DISTANCE OF 11.41' FEET; THENCE S. 82°53'21" E. A DISTANCE OF 43.90' FEET; THENCE S. 83°42'02" E. A DISTANCE OF 32.42' FEET; THENCE S. 73°34'37" E. A DISTANCE OF 46.44' FEET; THENCE S. 72°06'22" E. A DISTANCE OF 31.21' FEET; THENCE S. 72°26'32" E. A DISTANCE OF 27.95' FEET; THENCE S. 35°19'17" E. A DISTANCE OF 21.16' FEET; THENCE S. 10°16'45" E. A DISTANCE OF 63.45' FEET; THENCE S. 07°33'43" E. A DISTANCE OF 57.21' FEET; THENCE S. 13°09'41" E. A DISTANCE OF 50.92' FEET; THENCE S. 08°40'50" E. A DISTANCE OF 58.32' FEET; THENCE S. 01°38'40" W. A DISTANCE OF 34.44' FEET; THENCE S. 19°54'03" W. A DISTANCE OF 37.46' FEET; THENCE S. 01°47'51" E. A DISTANCE OF 35.45' FEET; THENCE S. 11°59'00" W. A DISTANCE OF 31.01' FEET; THENCE S. 66°30'57" W. A DISTANCE OF 14.44' FEET; THENCE N. 71°14'16" W. A DISTANCE OF 37.57' FEET; THENCE N. 65°53'04" W. A DISTANCE OF 51.47' FEET; THENCE N. 64°33'35" W. A DISTANCE OF 27.79' FEET; THENCE N. 55°21'39" W. A DISTANCE OF 24.95' FEET; THENCE N. 44°53'50" W. A DISTANCE OF 55.70' FEET; THENCE N. 26°40'11" W. A DISTANCE OF 34.39' FEET; THENCE S. 85°22'17" W. A DISTANCE OF 298.27' FEET; THENCE N. 04°41'04" WEST FOR 4.92 FEET; THENCE N. 82°50'45" E. A DISTANCE OF 126.54 FEET; THENCE N. 02°22'12" W. A DISTANCE OF 415.88 FEET; THENCE N. 21°45'55" W. A DISTANCE OF 51.64 FEET; THENCE N. 88°54'12" W. A DISTANCE OF 117.28 FEET; THENCE S. 85°22'17" W. A DISTANCE OF 10.90 FEET; THENCE; N. 04°41'04" WEST FOR 246.31 FEET; THENCE N. 85°22'17" E. A DISTANCE OF 2836.62' FEET; THENCE N. 23°29'18" W. A DISTANCE OF 99.83' FEET; THENCE N. 12°59'30" E. A DISTANCE OF 63.22' FEET; THENCE N. 18°56'52" E. A DISTANCE OF 115.55' FEET; THENCE N. 88°55'03" E. A DISTANCE OF 97.60' FEET; THENCE S. 88°07'15" E. A DISTANCE OF 80.68' FEET; THENCE S. 87°26'49" E. A DISTANCE OF 80.23' FEET; THENCE S. 84°26'49" E. A DISTANCE OF 85.62' FEET; THENCE S. 66°39'35" E. A DISTANCE OF 57.07' FEET; THENCE N. 89°19'48" E. A DISTANCE OF 51.13' FEET; THENCE S. 25°57'22" W. A DISTANCE OF 39.89' FEET; THENCE S. 62°50'06" W. A DISTANCE OF 63.52' FEET; THENCE S. 36°47'44" W. A DISTANCE OF 38.54' FEET; THENCE S. 19°22'52" W. A DISTANCE OF 78.57' FEET; THENCE S. 36°24'47" W. A DISTANCE OF 76.06' FEET; THENCE S. 28°20'05" W. A DISTANCE OF 70.81' FEET; THENCE N. 75°41'17" W. A DISTANCE OF 265.39' FEET; THENCE S. 85°22'17" W. A DISTANCE OF 2836.62' FEET; THENCE N. 04°41'04" WEST FOR 358.72 FEET; THENCE N. 85°22'17" E. A DISTANCE OF 1935.36' FEET; THENCE N. 22°46'07" E. A DISTANCE OF 45.15' FEET; THENCE N. 09°45'11" E. A DISTANCE OF 41.14' FEET; THENCE N. 24°13'17" E. A DISTANCE OF 31.44' FEET; THENCE N. 10°30'09" E. A DISTANCE OF 38.22' FEET; THENCE N. 03°07'39" W. A DISTANCE OF 35.66' FEET; THENCE N. 03°38'04" E. A DISTANCE OF 47.57' FEET; THENCE N. 22°14'29" E. A DISTANCE OF 28.84' FEET; THENCE N. 12°13'18" W. A DISTANCE OF 23.28' FEET; THENCE N. 02°43'05" W. A DISTANCE OF 75.14' FEET; THENCE N. 22°51'56" W. A DISTANCE OF 46.31' FEET; THENCE N. 24°08'54" W. A DISTANCE OF 34.80' FEET; THENCE N. 01°06'23" E. A DISTANCE OF 39.66' FEET; THENCE N. 00°48'30" E. A DISTANCE OF 41.59' FEET; THENCE N. 39°08'34" E. A DISTANCE OF 79.38' FEET; THENCE N. 70°29'22" E. A DISTANCE OF 86.05' FEET; THENCE S. 57°25'22" E. A DISTANCE OF 79.82' FEET; THENCE S. 57°00'08" E. A DISTANCE OF 45.75' FEET; THENCE S. 29°26'39" E. A DISTANCE OF 51.74' FEET; THENCE S. 17°24'52" E. A DISTANCE OF 62.14' FEET; THENCE S. 16°33'00" W. A DISTANCE OF 29.60' FEET; THENCE S. 12°39'44" W. A DISTANCE OF 51.63' FEET; THENCE S. 58°35'52" W. A DISTANCE OF 42.96' FEET; THENCE S. 84°28'49" W. A DISTANCE OF 22.58' FEET; THENCE S. 10°24'57" E. A DISTANCE OF 80.62' FEET; THENCE S. 27°19'06" E. A DISTANCE OF 32.30' FEET; THENCE S. 06°17'27" E. A DISTANCE OF 26.87' FEET; THENCE S. 10°57'32" E. A DISTANCE OF 36.27' FEET; THENCE S. 29°26'42" E. A DISTANCE OF 26.14' FEET; THENCE S. 28°02'25" E. A DISTANCE OF 33.63' FEET; THENCE S. 15°36'06" E. A DISTANCE OF 25.68' FEET; THENCE S. 14°26'18" E. A DISTANCE OF 26.72' FEET; THENCE S. 45°55'54" E. A DISTANCE OF 26.08' FEET; THENCE S. 71°05'50" W. A DISTANCE OF 72.41' FEET; THENCE S. 87°22'39" W. A DISTANCE OF 250.86' FEET; THENCE S. 85°22'17" W. A DISTANCE OF 1935.36' FEET;

 MORRIS DEPEU ENGINEERS • PLANNERS • SURVEYORS LANDSCAPE ARCHITECTS FL CA NO. 6532 / FL CERT NO. LB6861 / LCR00000330		
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RESOURCE PROTECTION AREAS L
SKETCH AND DESCRIPTION
PARCELS OF LAND IN SECTION 20, TOWNSHIP 47
SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA

BONITA GRANDE AGGREGATES

Page 131
206/331

MDA PROJECT:
16027

CHECKED	DRAWN
MAH	

DATE:
11-27-2019

SHEET
7 OF 22

DESCRIPTION:

(CONTINUED)

N. 16°10'37" E A DISTANCE OF 42.90 FEET; THENCE S 00°06'28" W A DISTANCE OF 39.22 FEET; THENCE S 06°34'28" E A DISTANCE OF 28.13 FEET; THENCE S 31°00'38" E A DISTANCE OF 84.41 FEET; THENCE S 29°31'03" W A DISTANCE OF 155.37 FEET; THENCE S 15°43'57" W A DISTANCE OF 31.58 FEET; THENCE S 07°20'51" W A DISTANCE OF 24.54 FEET; THENCE S 08°08'23" E A DISTANCE OF 326.65 FEET; THENCE S 02°49'10" E A DISTANCE OF 69.55 FEET; THENCE S 08°47'20" E A DISTANCE OF 37.39 FEET; THENCE S 07°07'29" E A DISTANCE OF 65.87 FEET; THENCE S 09°11'02" E A DISTANCE OF 64.39 FEET; THENCE S 08°01'39" E A DISTANCE OF 39.39 FEET; THENCE S 57°37'07" E A DISTANCE OF 40.42 FEET; THENCE S 59°56'54" E A DISTANCE OF 39.60 FEET; THENCE S 59°01'51" E A DISTANCE OF 41.91 FEET; THENCE S 51°35'36" E A DISTANCE OF 54.62 FEET; THENCE S 62°05'14" E A DISTANCE OF 41.51 FEET; THENCE S 13°34'32" E A DISTANCE OF 40.75 FEET; THENCE S 05°25'15" W A DISTANCE OF 118.62 FEET; THENCE S 10°49'06" W A DISTANCE OF 186.28 FEET; THENCE S 13°15'52" W A DISTANCE OF 119.87 FEET; THENCE S 14°33'53" W A DISTANCE OF 158.82 FEET; THENCE S 28°57'13" W A DISTANCE OF 40.02 FEET; THENCE S 28°43'01" W A DISTANCE OF 41.92 FEET; THENCE S 30°00'41" W A DISTANCE OF 31.35 FEET; THENCE S 28°45'40" W A DISTANCE OF 31.93 FEET; THENCE S 14°01'20" W A DISTANCE OF 43.64 FEET; THENCE S 07°59'46" W A DISTANCE OF 35.66 FEET; THENCE S 13°39'43" W A DISTANCE OF 44.67 FEET; THENCE S 10°38'07" W A DISTANCE OF 44.68 FEET; THENCE S 09°13'05" W A DISTANCE OF 45.57 FEET; THENCE S 10°32'09" W A DISTANCE OF 31.01 FEET; THENCE S 03°37'28" W A DISTANCE OF 51.20 FEET; THENCE S 29°00'04" E A DISTANCE OF 75.13 FEET; THENCE S 35°13'06" E A DISTANCE OF 30.67 FEET; THENCE S 73°31'38" E A DISTANCE OF 28.50 FEET; THENCE S 68°56'27" E A DISTANCE OF 38.71 FEET; THENCE S 62°59'09" E A DISTANCE OF 46.22 FEET; THENCE S 64°48'16" E A DISTANCE OF 10.35 FEET; THENCE S 88°01'16" E A DISTANCE OF 8.65 FEET; THENCE S 88°30'15" E A DISTANCE OF 98.59 FEET; THENCE S 22°14'36" E A DISTANCE OF 83.25 FEET; THENCE S 00°11'26" W A DISTANCE OF 24.80 FEET; THENCE S 01°20'07" E A DISTANCE OF 18.70 FEET; THENCE S 15°42'14" E A DISTANCE OF 13.65 FEET; THENCE S 17°38'55" E A DISTANCE OF 11.35 FEET; THENCE S 15°46'53" E A DISTANCE OF 33.73 FEET; THENCE S 04°38'22" W A DISTANCE OF 42.86 FEET; THENCE S 22°16'13" W A DISTANCE OF 29.02 FEET; THENCE S 19°11'45" W A DISTANCE OF 19.29 FEET; THENCE S 01°45'08" W A DISTANCE OF 34.41 FEET; THENCE S 04°35'11" W A DISTANCE OF 45.50 FEET; THENCE S 15°06'51" W A DISTANCE OF 21.09 FEET; THENCE S 21°58'18" W A DISTANCE OF 25.76 FEET; THENCE S 33°31'49" W A DISTANCE OF 22.53 FEET; THENCE S 43°39'19" W A DISTANCE OF 24.56 FEET; THENCE S 41°14'01" W A DISTANCE OF 8.91 FEET; THENCE S 07°20'34" W A DISTANCE OF 14.81 FEET; THENCE S 38°38'39" E A DISTANCE OF 32.70 FEET; THENCE S 84°36'02" E A DISTANCE OF 30.73 FEET; THENCE S 71°24'01" E A DISTANCE OF 75.58 FEET; THENCE S 08°45'05" E A DISTANCE OF 88.28 FEET; THENCE S 01°19'48" W A DISTANCE OF 41.93 FEET; THENCE S 00°16'35" E A DISTANCE OF 28.53 FEET; THENCE S 04°35'19" W A DISTANCE OF 35.91 FEET; THENCE S 07°30'02" E A DISTANCE OF 30.10 FEET; THENCE S 11°09'23" W A DISTANCE OF 46.65 FEET; THENCE S 07°19'54" W A DISTANCE OF 42.19 FEET; THENCE S 07°34'56" W A DISTANCE OF 35.82 FEET; THENCE S 06°55'14" W A DISTANCE OF 65.47 FEET; THENCE S 08°53'54" W A DISTANCE OF 37.22 FEET; THENCE S 08°31'00" W A DISTANCE OF 70.00 FEET; THENCE S 01°22'39" W A DISTANCE OF 22.46 FEET; THENCE S 03°35'31" E A DISTANCE OF 20.89 FEET; THENCE S 13°10'45" E A DISTANCE OF 29.96 FEET; THENCE S 20°39'09" E A DISTANCE OF 25.55 FEET; THENCE S 16°04'58" E A DISTANCE OF 35.91 FEET; THENCE S 03°06'30" E A DISTANCE OF 40.01 FEET; THENCE S 12°02'16" W A DISTANCE OF 47.28 FEET; THENCE S 04°46'53" W A DISTANCE OF 21.70 FEET; THENCE S 03°48'02" E A DISTANCE OF 12.58 FEET; THENCE S 06°28'47" E A DISTANCE OF 40.01 FEET; THENCE S 07°19'53" E A DISTANCE OF 33.66 FEET; THENCE S 25°18'40" E A DISTANCE OF 37.55 FEET; THENCE S 46°59'08" E A DISTANCE OF 40.19 FEET; THENCE S 69°19'47" E A DISTANCE OF 42.90 FEET; THENCE S 85°17'46" E A DISTANCE OF 47.54 FEET; THENCE S 13°21'13" E A DISTANCE OF 78.12 FEET; THENCE S 37°08'41" E A DISTANCE OF 15.45 FEET; THENCE S 22°59'50" E A DISTANCE OF 31.93 FEET; THENCE S 57°45'01" W A DISTANCE OF 30.93 FEET; THENCE S 48°38'51" W A DISTANCE OF 40.31 FEET; THENCE S 41°35'08" W A DISTANCE OF 106.96 FEET; THENCE S 39°18'59" W A DISTANCE OF 22.82 FEET; THENCE S 30°48'51" W A DISTANCE OF 86.66 FEET; THENCE S 29°58'14" W A DISTANCE OF 68.04 FEET; THENCE S 29°38'53" W A DISTANCE OF 70.28 FEET; THENCE S 33°10'51" W A DISTANCE OF 65.41 FEET; THENCE S 32°42'56" W A DISTANCE OF 56.62 FEET; THENCE S 34°54'07" W A DISTANCE OF 33.28 FEET; THENCE S 22°40'35" W A DISTANCE OF 50.39 FEET; THENCE S 15°34'03" W A DISTANCE OF 36.05 FEET; THENCE S 10°51'01" W A DISTANCE OF 48.95 FEET; THENCE S 10°25'23" W A DISTANCE OF 90.54 FEET; THENCE S 07°06'13" W A DISTANCE OF 113.95 FEET; THENCE S 08°19'01" W A DISTANCE OF 81.16 FEET; THENCE S 01°50'16" W A DISTANCE OF 44.20 FEET; THENCE S 10°31'04" E A DISTANCE OF 55.55 FEET; THENCE S 14°59'47" E A DISTANCE OF 63.75 FEET; THENCE S 18°44'31" E A DISTANCE OF 35.47 FEET; THENCE S 34°59'59" E A DISTANCE OF 18.61 FEET; THENCE S 29°07'14" E A DISTANCE OF 74.89 FEET; THENCE S 23°24'59" E A DISTANCE OF 53.67 FEET; THENCE S 07°36'17" E A DISTANCE OF 62.16 FEET; THENCE S 00°46'22" W A DISTANCE OF 40.78 FEET; THENCE S 06°52'48" E A DISTANCE OF 104.09 FEET; THENCE S 10°52'08" E A DISTANCE OF 70.99 FEET; THENCE S 03°48'39" E A DISTANCE OF 46.79 FEET; THENCE S 04°36'35" W A DISTANCE OF 94.91 FEET; THENCE S 04°30'30" W A DISTANCE OF 54.08 FEET; THENCE S 07°01'11" W A

 MORRIS DEPEU ENGINEERS • PLANNERS • SURVEYORS LANDSCAPE ARCHITECTS FL CA NO. 6532 / FL CERT NO. LB6891 / LC280000330 Fort Myers 2814 Cleveland Avenue Fort Myers, Florida 33901 (239) 337-3893 Fax: (239) 337-0884 Toll free: 888-337-7341 Tallahassee 113 South Monroe Street 1st Floor Tallahassee, Florida 32301 Toll free: 888-337-7341 Dothan 485 Grand Boulevard Suite 202 Morrow Beach, FL 32050 Toll free: 888-337-7341	RESOURCE PROTECTION AREAS L SKETCH AND DESCRIPTION PARCELS OF LAND IN SECTION 20, TOWNSHIP 47 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA		MDA PROJECT: 16027	
			CHECKED MAH	DRAWN BMH
			DATE: 12-13-13	
	BONITA GRANDE AGGREGATES		SHEET 8 OF 22	

DESCRIPTION:

(CONTINUED)

THENCE ALONG A NON-TANGENT ARC OF A CURVE TO THE TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 3144.61 FEET, A CENTRAL ANGLE OF 08°01'27", AND WHOSE CHORD BEARS S 69°39'27" W, FOR A DISTANCE OF 440.04 FEET, HAVING AN ARC LENGTH OF 440.40 FEET; THENCE S 87°59'19" W A DISTANCE OF 14.05 FEET; THENCE S 81°55'31" W A DISTANCE OF 85.70 FEET; THENCE S 79°55'59" W A DISTANCE OF 107.76 FEET; THENCE S 85°00'05" W A DISTANCE OF 63.82 FEET; THENCE N 66°54'21" W A DISTANCE OF 44.41 FEET; THENCE N 80°18'54" W A DISTANCE OF 11.78 FEET; THENCE S 70°08'11" W A DISTANCE OF 5.59 FEET; THENCE S 44°53'40" W A DISTANCE OF 6.17 FEET; THENCE S 65°15'22" W A DISTANCE OF 63.11 FEET; THENCE S 70°07'24" W A DISTANCE OF 94.12 FEET; THENCE S 61°18'24" W A DISTANCE OF 95.28 FEET; THENCE S 46°07'04" W A DISTANCE OF 125.99 FEET; THENCE S 21°29'30" E A DISTANCE OF 41.26 FEET; THENCE S 02°13'17" E A DISTANCE OF 6.75 FEET; THENCE S 16°20'26" E A DISTANCE OF 52.24 FEET; THENCE S 05°41'40" W A DISTANCE OF 69.44 FEET; THENCE S 00°48'35" W A DISTANCE OF 88.17 FEET; THENCE S 02°23'02" W A DISTANCE OF 115.16 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF SECTION 20; THENCE S. 88°34'10" W. ALONG THE SAID SOUTH LINE A DISTANCE OF 253.70 FEET TO THE SOUTH 1/4 CORNER OF SAID SECTION 20; THENCE CONTINUE ALONG SAID SOUTH LINE OF SECTION 20 SOUTH 88°34'05" W. FOR A DISTANCE OF 108.64 FEET; THENCE S.01° 22'41" E. LEAVING SAID SECTION LINE, FOR A DISTANCE OF 1298.02 FEET; THENCE S.88°38'23" W. FOR A DISTANCE OF 2501.11 FEET; THENCE N. 01°08'42" W. FOR A DISTANCE OF 1295.52 FEET TO AN INTERSECTION OF THE SAID SOUTH LINE OF SECTION 20.; THENCE S.88° 34'05" W. FOR A DISTANCE OF 59.83' TO THE POINT OF BEGINNING.

CONTAINING 681.52 ACRES MORE OR LESS.

 ENGINEERS • PLANNERS • SURVEYORS LANDSCAPE ARCHITECTS FL CA NO. 0532 / FL CERT NO. LB6891 / LC26000330 Fort Myers 2814 Cleveland Avenue Fort Myers, Florida 33901 Phone: 337-3260 Fax: (239) 337-3354 Toll free: 888-337-7341 Tallahassee 113 South Monroe Street 1st Floor Tallahassee, Florida 32301 Toll free: 888-337-7341 Destin 455 Grand Boulevard Suite 308 Miramar Beach, FL 32550 Toll free: 888-337-7341	RESOURCE PROTECTION AREAS L SKETCH AND DESCRIPTION PARCELS OF LAND IN SECTION 20, TOWNSHIP 47 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA		MDA PROJECT: 16027	
			CHECKED MAH	DRAWN BMH
			DATE: 11-27-2019	
	BONITA GRANDE AGGREGATES		SHEET 9 OF 22	

N 01°08'52" W 3234.68'

P.O.B.
THE S.W. CORNER OF SECTION 20, T. 47 S.,
R. 26 E. LEE COUNTY, FLORIDA

19
20
N 88°34'56" E
59.83'

30
29

N 01°08'42" W 1295.52'

Polyline Area Tue Nov 28 10:45:59 2018
Polyline Area: 3177597.8 sq ft, 72.95 acres
Polyline Perimeter: 7840.64 ft

N 88°38'23" E 2501.11'

S 88°34'05" W
108.64'

253.70'
S.88°34'10"

N 01°22'41" W 1298.02'

L4-
L441
L440
L438
L435
L434
L433

MORRIS
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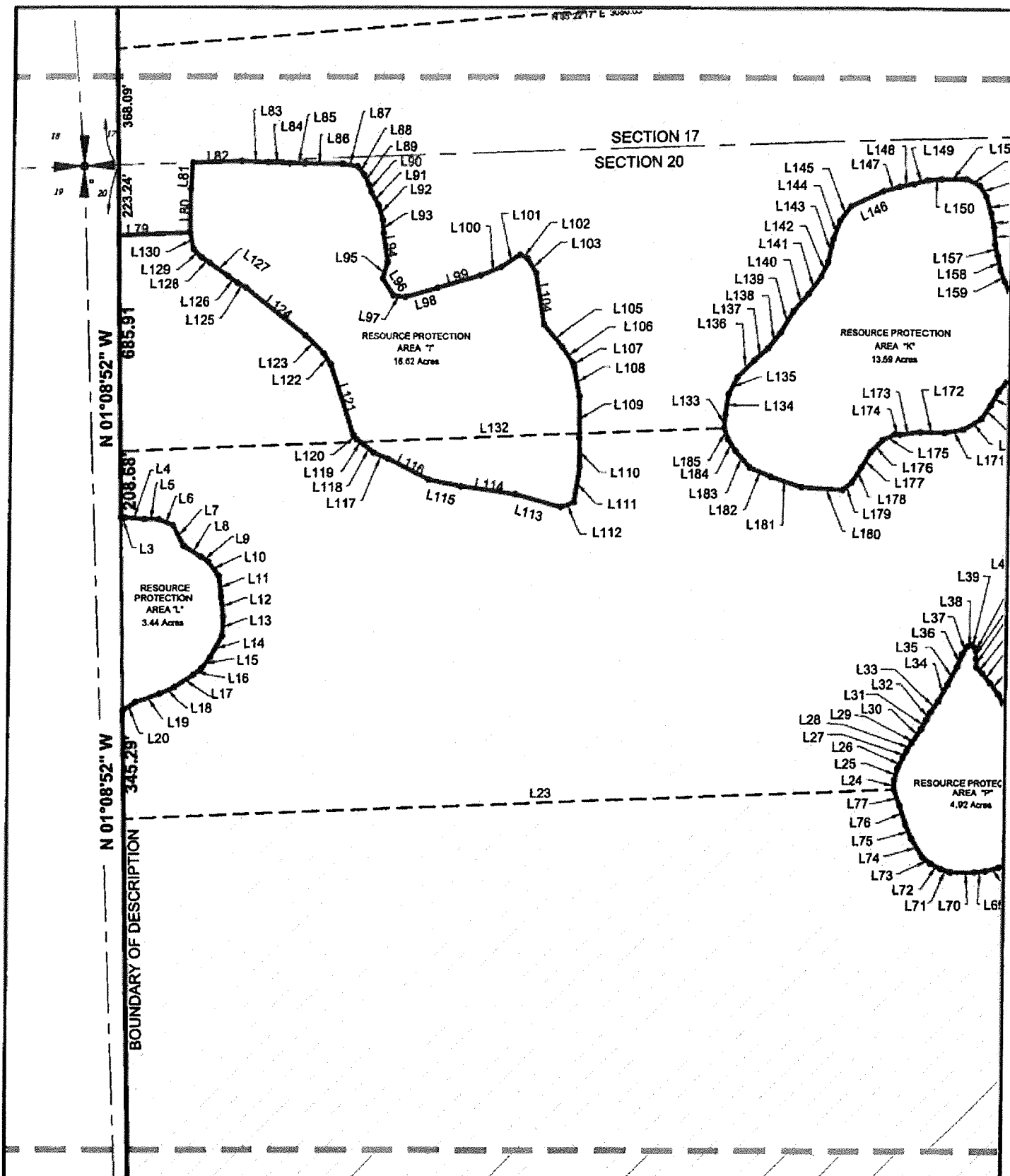
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SKETCH AND DESCRIPTION
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SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA

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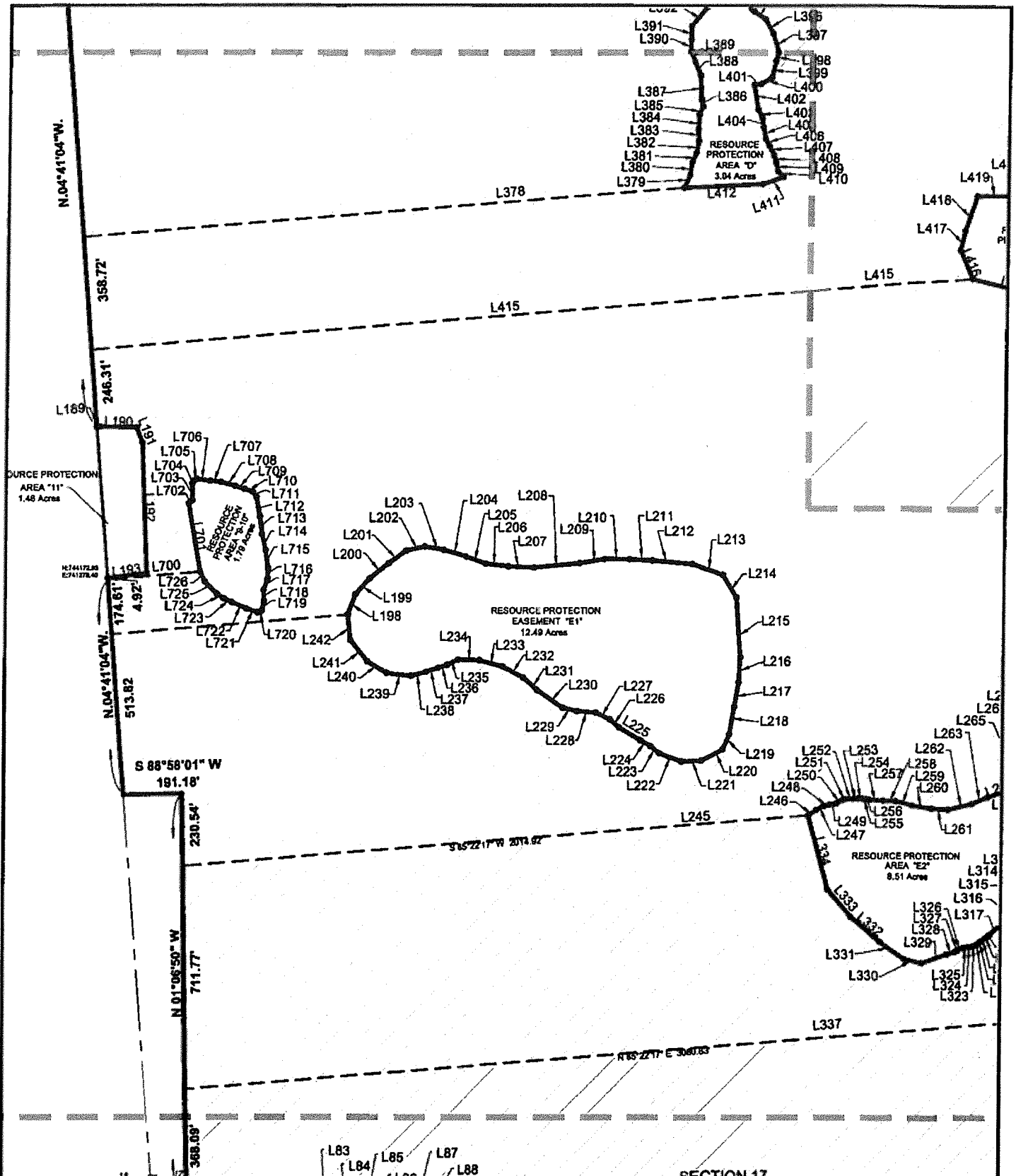
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SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA

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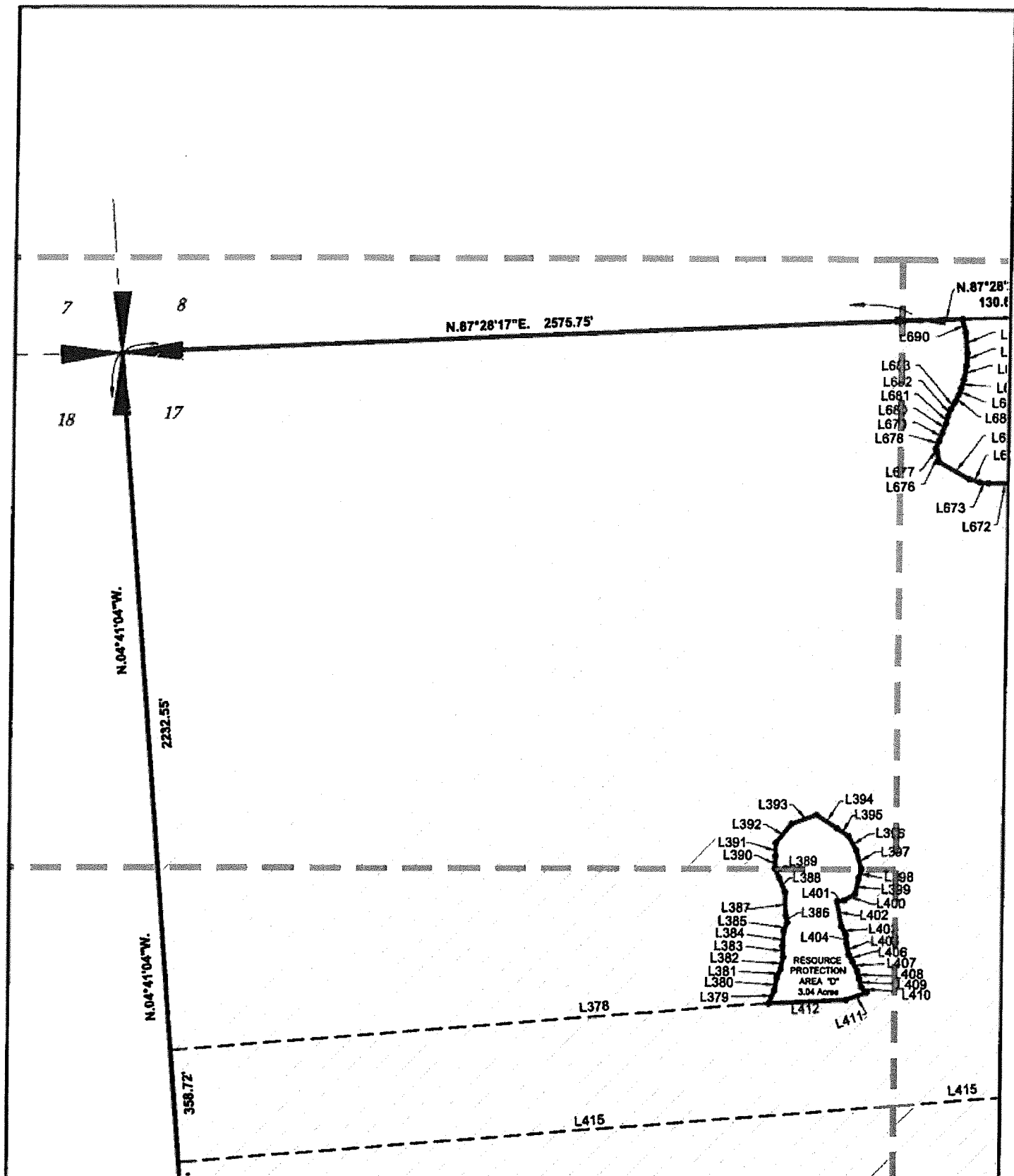
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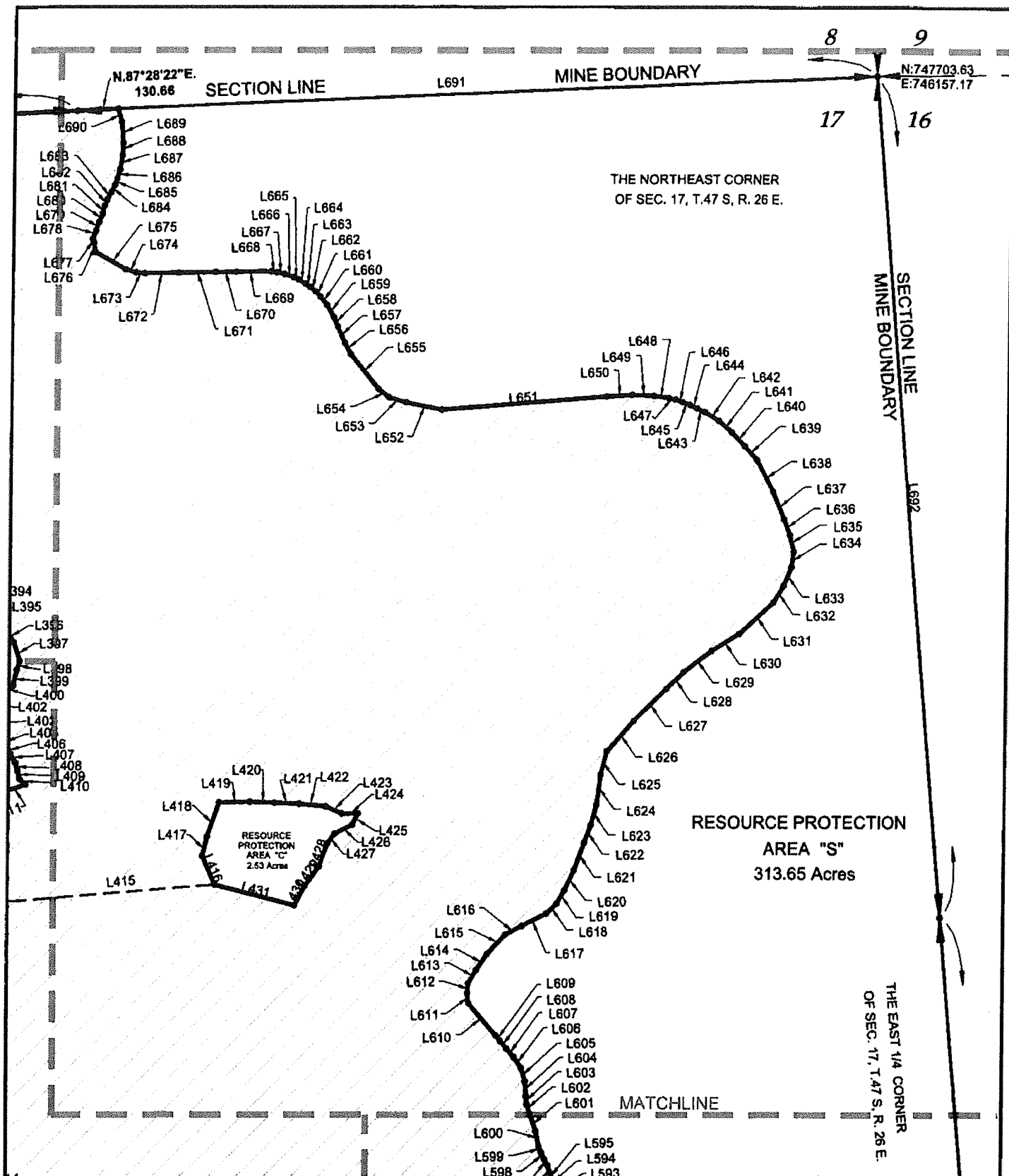
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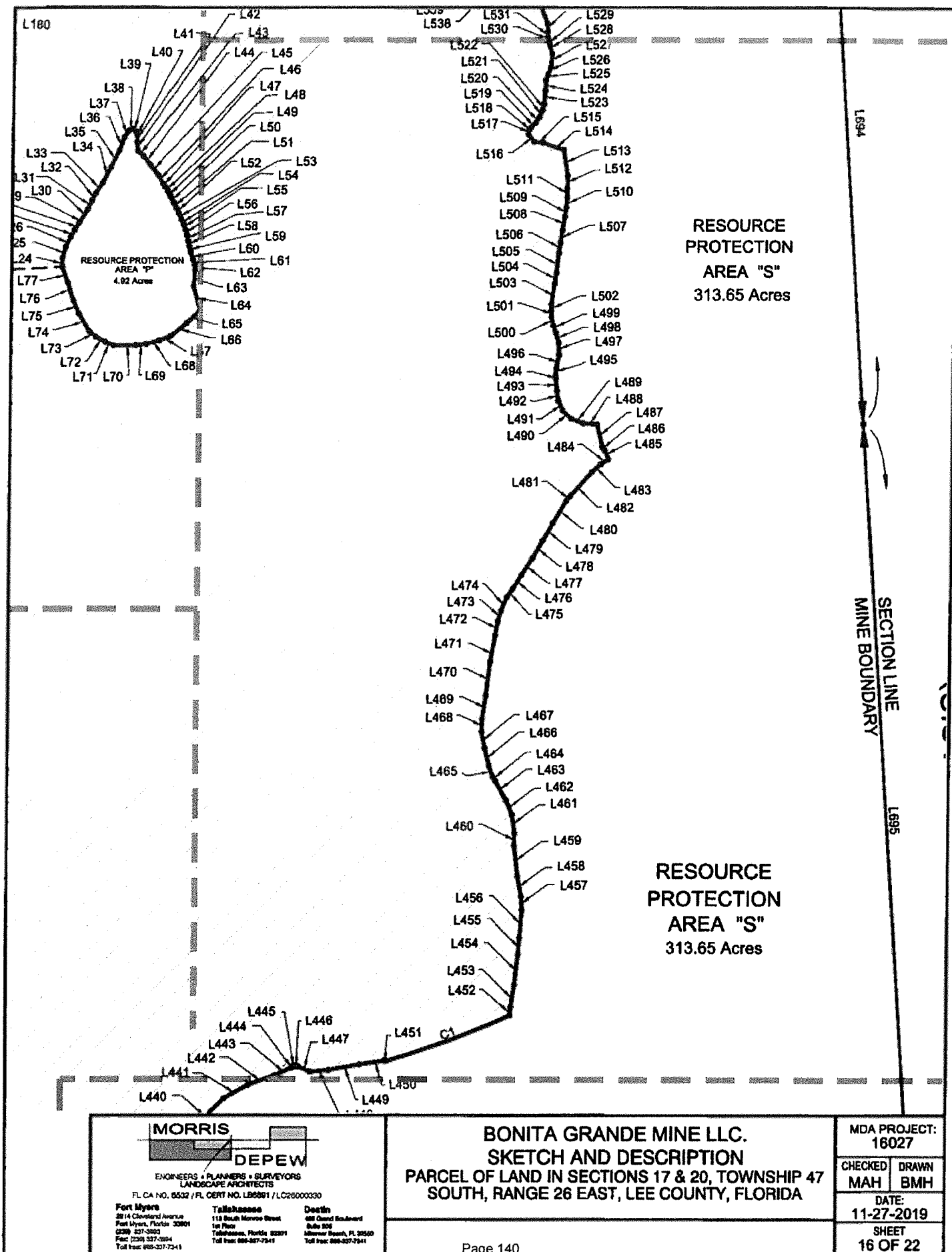
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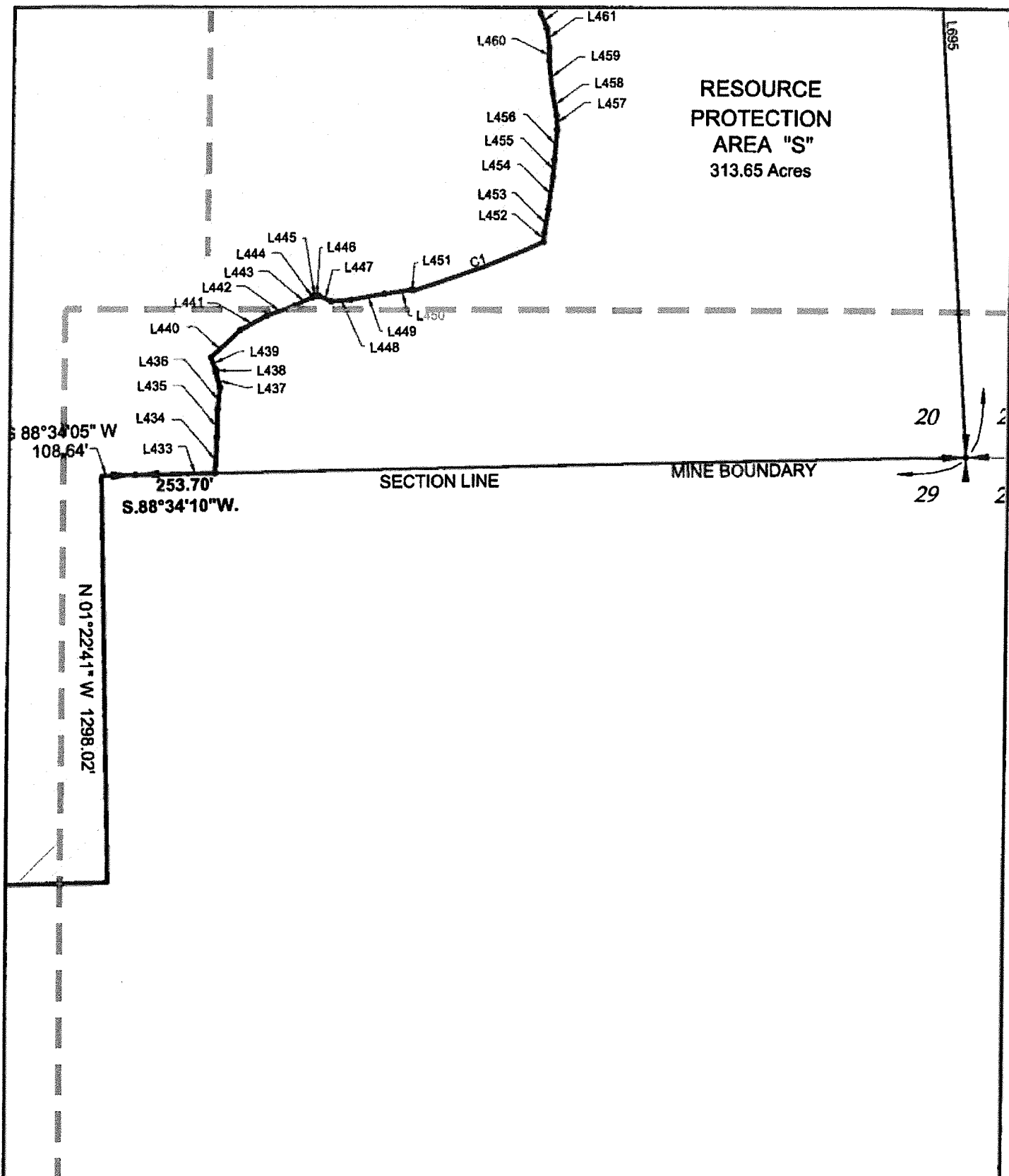
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SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA

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DATE: 11-27-2019	
SHEET 17 OF 22	

LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L22	N 02°16'13" W	3233.98'	L78	N 02°16'13" W	5090.57'	L136	N 44°33'42" E	75.43'
L23	N 87°43'47" E	2479.83'	L79	N 87°43'47" E	330.49'	L137	N 48°29'07" E	57.31'
L24	N 01°13'05" E	31.29'	L80	N 00°36'02" E	139.23'	L138	N 37°47'09" E	62.43'
L25	N 16°21'31" E	39.24'	L81	N 04°38'22" E	82.92'	L139	N 30°26'21" E	79.73'
L26	N 25°42'03" E	35.58'	L82	N 88°04'03" E	157.12'	L140	N 40°11'01" E	73.49'
L27	N 29°20'58" E	27.58'	L83	S 87°50'08" E	87.62'	L141	N 36°20'11" E	68.08'
L28	N 31°22'02" E	27.54'	L84	S 87°28'58" E	67.89'	L142	N 25°09'34" E	49.79'
L29	N 34°08'51" E	23.49'	L85	S 89°15'09" E	48.37'	L143	N 12°58'50" E	76.61'
L30	N 31°39'14" E	29.88'	L86	S 89°02'41" E	116.95'	L144	N 19°55'42" E	61.64'
L31	N 25°57'38" E	33.57'	L87	S 80°32'28" E	49.30'	L145	N 37°48'09" E	57.53'
L32	N 26°36'02" E	27.33'	L88	S 38°14'36" E	34.92'	L146	N 65°33'06" E	115.70'
L33	N 33°35'29" E	42.63'	L89	S 27°46'56" E	33.82'	L147	N 74°55'12" E	54.98'
L34	N 27°42'15" E	58.64'	L90	S 19°21'55" E	25.64'	L148	N 79°13'24" E	44.22'
L35	N 27°13'51" E	64.18'	L91	S 29°54'08" E	49.50'	L149	N 71°04'09" E	42.41'
L36	N 20°39'53" E	46.30'	L92	S 17°42'35" E	47.25'	L150	N 85°02'29" E	41.34'
L37	N 33°00'06" E	26.79'	L93	S 04°11'08" E	42.14'	L151	N 89°06'48" E	76.94'
L38	N 66°52'43" E	14.17'	L94	S 09°15'08" E	91.49'	L152	S 64°28'36" E	49.26'
L39	S 50°52'36" E	12.86'	L95	S 16°18'24" W	55.83'	L153	S 31°55'46" E	40.15'
L40	S 24°11'36" E	12.10'	L96	S 33°20'49" E	63.40'	L154	S 17°09'07" E	55.33'
L41	S 00°03'21" W	25.48'	L97	S 81°17'42" E	38.92'	L155	S 13°08'58" E	45.81'
L42	S 05°23'22" E	28.74'	L98	N 73°53'37" E	109.75'	L156	S 04°19'39" E	54.50'
L43	S 47°50'03" E	25.99'	L99	N 73°48'01" E	138.12'	L157	S 13°57'29" E	36.52'
L44	S 39°36'02" E	40.11'	L100	N 67°57'28" E	71.89'	L158	S 11°57'47" E	46.55'
L45	S 37°04'59" E	43.36'	L101	N 57°15'57" E	72.57'	L159	S 21°37'39" E	38.98'
L46	S 30°46'05" E	31.33'	L102	S 62°49'15" E	28.21'	L160	S 26°07'29" E	34.73'
L47	S 36°25'45" E	12.23'	L103	S 31°48'01" E	54.25'	L161	S 27°39'54" E	51.72'
L48	S 32°08'55" E	19.26'	L104	S 09°43'04" E	165.45'	L162	S 24°20'54" E	39.32'
L49	S 26°51'04" E	19.16'	LINE	BEARING	DISTANCE	L163	S 11°36'05" E	46.01'
L50	S 25°14'18" E	23.69'	L105	S 40°57'55" E	93.07'	L164	S 13°13'00" E	35.67'
L51	S 26°19'11" E	20.26'	L106	S 35°21'11" E	60.97'	L165	S 22°01'09" W	86.09'
L52	S 26°20'29" E	19.76'	L107	S 24°57'58" E	12.08'	L166	S 32°36'38" W	56.86'
L53	S 24°22'22" E	19.79'	L108	S 10°34'57" E	98.56'	L167	S 41°58'10" W	37.38'
L54	S 22°58'40" E	19.88'	L109	S 00°44'04" E	132.31'	L168	S 29°18'10" W	53.11'
L55	S 21°02'28" E	19.15'	L110	S 01°33'53" E	89.17'	L169	S 33°53'18" W	50.66'
L56	S 16°14'12" E	18.93'	L111	S 08°27'00" W	115.57'	L170	S 59°44'54" W	68.68'
L57	S 10°55'10" E	19.70'	L112	S 70°24'40" W	47.56'	L171	S 79°53'28" W	57.32'
L58	S 12°26'49" E	18.85'	L113	N 74°47'05" W	155.07'	L172	N 89°56'55" W	73.17'
L59	S 15°03'07" E	21.35'	L114	N 81°46'23" W	175.92'	L173	S 82°07'32" W	62.62'
L60	S 19°20'53" E	27.51'	L115	N 78°18'59" W	103.82'	L174	N 85°21'35" W	16.68'
L61	S 16°03'06" E	18.15'	L116	N 63°36'40" W	147.80'	L175	S 65°17'27" W	43.06'
L62	S 04°06'04" E	15.85'	L117	N 68°08'53" W	50.77'	L176	S 45°42'00" W	54.88'
L63	S 03°44'32" W	55.06'	L118	N 51°21'21" W	42.38'	L177	S 31°57'01" W	58.00'
L64	S 15°04'55" E	84.67'	L119	N 55°09'33" W	28.55'	L178	S 32°51'08" W	57.01'
L65	S 46°21'18" W	61.28'	L120	N 39°16'45" W	19.17'	L179	S 51°36'04" W	38.66'
L66	S 51°14'18" W	70.16'	L121	N 18°10'54" W	235.59'	L180	N 86°24'17" W	133.38'
L67	S 68°23'46" W	40.60'	L122	N 31°59'11" W	41.38'	L181	N 71°01'37" W	103.43'
L68	S 75°58'18" W	44.69'	L123	N 45°08'29" W	80.13'	L182	N 66°29'04" W	71.76'
L69	S 83°17'58" W	35.96'	L124	N 51°52'35" W	244.65'	L183	N 41°18'22" W	70.37'
L70	S 89°44'02" W	75.41'	L125	N 62°47'02" W	32.93'	L184	N 32°39'40" W	44.85'
L71	N 69°25'03" W	31.67'	L126	N 54°54'15" W	39.01'	L185	N 20°52'15" W	36.36'
L72	N 61°21'26" W	36.59'	L127	N 55°04'14" W	71.87'	L186	N 02°16'13" W	5314.40'
L73	N 50°32'37" W	28.85'	L128	N 57°56'58" W	31.70'	L187	N 04°37'43" W	2007.98'
L74	N 30°40'39" W	68.73'	L129	N 44°02'05" W	36.73'	L188	N 04°37'43" W	482.18'
L75	N 23°53'46" W	49.59'	L130	N 14°02'51" W	54.61'	L189	N 85°22'17" E	10.90'
L76	N 17°34'24" W	63.37'	L131	N 02°16'13" W	4404.79'	L190	S 88°54'12" E	117.28'
L77	N 20°32'31" W	54.55'	L132	N 87°43'47" E	1942.31'	L191	S 21°45'55" E	51.64'
			L133	N 04°22'02" E	42.69'	L192	S 02°22'12" E	415.88'
			L134	N 08°36'26" E	66.57'	L193	S 82°50'45" W	126.54'
			L135	N 27°30'35" E	60.41'			



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LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L195	N 02°16'13" W	5314.40'	L253	N 87°10'25" E	16.15'	L311	N 74°32'08" W	14.35'
L196	N 04°37'43" W	1828.50'	L254	S 89°43'05" E	14.16'	L312	N 72°49'58" W	11.50'
L197	N 85°22'17" E	761.86'	L255	S 84°43'09" E	10.89'	L313	N 76°56'33" W	14.52'
L198	N 20°28'59" E	69.81'	L256	S 79°59'56" E	12.32'	L314	N 87°12'49" W	16.18'
L199	N 41°23'28" E	66.92'	L257	S 86°58'11" E	43.25'	L315	S 70°32'23" W	81.75'
L200	N 50°42'46" E	76.86'	L258	S 87°08'17" E	40.25'	L316	S 62°23'49" W	61.07'
L201	N 54°14'37" E	67.66'	L259	S 76°20'10" E	55.40'	L317	S 44°43'05" W	71.91'
L202	N 76°53'27" E	60.07'	L260	S 81°16'01" E	64.58'	L318	S 44°53'13" W	8.58'
L203	S 80°13'36" E	64.11'	L261	S 86°00'14" E	51.56'	L319	S 51°19'10" W	10.32'
L204	S 73°38'46" E	77.12'	L262	N 76°29'50" E	79.36'	L320	S 52°06'25" W	14.59'
L205	S 71°02'15" E	66.80'	L263	N 66°15'34" E	52.47'	L321	S 50°11'16" W	11.48'
L206	S 82°59'55" E	74.57'	L264	N 69°50'28" E	95.61'	L322	S 55°54'48" W	9.09'
L207	S 87°24'10" E	81.33'	L265	N 69°08'52" E	10.30'	L323	S 71°23'24" W	13.46'
L208	N 84°21'00" E	145.16'	L266	N 86°14'09" E	8.95'	L324	S 80°48'15" W	14.75'
L209	N 81°13'18" E	82.22'	L267	S 80°33'08" E	14.27'	L325	S 76°32'35" W	14.18'
L210	S 89°56'42" E	81.25'	L268	S 82°33'31" E	10.96'	L326	S 68°23'08" W	17.45'
L211	S 87°09'18" E	74.11'	L269	S 78°19'39" E	10.47'	L327	S 61°26'15" W	9.90'
L212	S 85°03'02" E	126.84'	L270	S 64°45'33" E	12.53'	L328	S 72°33'43" W	31.06'
L213	S 70°34'40" E	103.34'	L271	S 59°04'12" E	17.92'	L329	S 71°19'10" W	82.09'
L214	S 31°58'31" E	85.10'	L272	S 66°38'02" E	22.22'	L330	N 78°20'15" W	60.76'
L215	S 04°08'44" E	191.36'	L273	S 71°28'36" E	21.42'	L331	N 55°06'38" W	95.65'
L216	S 03°09'43" W	79.59'	L274	S 71°39'01" E	20.48'	L332	N 49°23'01" W	122.47'
L217	S 09°47'46" W	78.15'	L275	S 66°55'43" E	12.48'	L333	N 40°39'28" W	114.06'
L218	S 10°12'20" W	89.41'	L276	S 65°33'14" E	18.29'	L334	N 15°04'58" W	243.93'
L219	S 23°17'35" W	53.11'	L277	S 68°29'17" E	16.10'	L335	N 02°16'13" W	5314.40'
L220	S 62°15'43" W	77.50'	L278	S 74°34'35" E	23.77'	L336	N 04°37'43" W	362.25'
L221	S 87°13'39" W	62.99'	L279	S 74°55'02" E	17.15'	L337	N 85°22'17" E	3213.20'
L222	N 69°25'44" W	74.12'	L280	S 73°27'53" E	16.09'	L338	N 19°05'24" E	16.07'
L223	N 51°15'19" W	37.47'	L281	S 69°52'05" E	16.61'	L339	N 36°23'29" E	19.33'
L224	N 60°27'09" W	36.29'	L282	S 68°50'08" E	15.37'	L340	N 06°47'57" W	33.00'
L225	N 59°34'42" W	81.41'	L283	S 76°56'11" E	17.60'	L341	N 62°35'24" E	23.79'
L226	N 49°36'28" W	39.99'	L284	S 69°11'18" E	14.54'	L342	N 20°17'27" E	13.95'
L227	N 64°56'58" W	50.45'	L285	S 61°01'10" E	12.64'	L343	N 26°46'52" E	37.93'
L228	N 85°33'02" W	59.61'	L286	S 44°18'17" E	10.04'	L344	N 50°38'48" E	35.17'
L229	N 77°13'57" W	48.43'	L287	S 20°13'36" E	17.33'	L345	N 53°14'11" E	13.24'
L230	N 55°33'09" W	99.73'	L288	S 11°24'40" E	16.18'	L346	S 78°24'03" E	15.89'
L231	N 48°05'41" W	59.33'	L289	S 05°33'13" E	21.68'	L347	N 78°14'50" E	21.37'
L232	N 61°15'45" W	72.96'	L290	S 08°50'08" W	14.74'	L348	N 51°24'43" E	7.00'
L233	N 75°23'03" W	78.73'	L291	S 22°08'29" W	14.88'	L349	N 22°10'49" E	25.51'
L234	N 88°43'38" W	71.65'	L292	S 14°06'59" W	18.95'	L350	N 57°29'12" W	30.70'
L235	S 64°31'00" W	38.85'	L293	S 17°54'35" W	17.11'	L351	N 18°24'44" E	15.89'
L236	S 72°32'43" W	30.36'	L294	S 16°32'29" W	15.97'	L352	N 33°59'31" E	21.08'
L237	S 72°19'35" W	40.00'	L295	S 06°09'11" W	14.90'	L353	S 87°49'41" E	28.30'
L238	S 74°48'50" W	52.13'	L296	S 15°09'41" W	25.41'	L354	S 74°04'26" E	33.30'
L239	N 83°06'32" W	76.75'	L297	S 28°01'35" W	30.15'	L355	S 53°05'01" E	116.76'
L240	N 59°00'21" W	71.08'	L298	S 33°42'25" W	17.39'	L356	S 77°34'58" E	45.16'
L241	N 38°37'55" W	87.78'	L299	S 36°48'57" W	12.65'	L357	S 00°38'43" W	103.97'
L242	N 06°24'36" W	81.25'	L300	S 39°41'04" W	10.87'	L358	S 03°41'35" E	76.45'
L243	N 02°16'13" W	5314.40'	L301	S 47°36'00" W	8.10'	L359	S 33°41'02" W	29.85'
L244	N 04°37'43" W	1072.67'	L302	S 53°28'07" W	9.54'	L360	S 18°24'59" W	32.68'
L245	N 85°22'17" E	2191.50'	L303	S 55°33'11" W	12.38'	L361	S 30°43'01" W	30.63'
L246	N 55°43'21" E	30.66'	L304	S 54°18'09" W	18.20'	L362	N 47°08'41" W	16.60'
L247	N 61°53'36" E	26.07'	L305	S 56°23'27" W	11.07'	L363	S 79°50'03" W	25.25'
L248	N 75°08'46" E	19.34'	L306	S 63°29'27" W	12.98'	L364	S 59°51'05" W	33.48'
L249	N 79°23'36" E	22.32'	L307	S 73°33'18" W	6.83'	L365	S 79°54'06" W	35.35'
L250	N 60°56'59" E	21.29'	L308	S 87°26'42" W	11.31'	L366	S 81°55'17" W	27.48'
L251	N 74°18'25" E	13.25'	L309	N 81°17'45" W	12.12'	L367	N 65°37'00" W	39.19'
L252	N 88°48'49" E	21.58'	L310	N 77°14'14" W	12.35'	L368	N 56°30'44" W	28.90'



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BONITA GRANDE MINE LLC.
SKETCH AND DESCRIPTION
PARCEL OF LAND IN SECTIONS 17 & 20, TOWNSHIP 47
SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA

MDA PROJECT:
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SHEET
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LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L369	N 48°49'20" W	24.91'	L424	N 89°19'48" E	51.13'	L479	N 29°58'14" E	68.04'
L370	N 49°57'02" W	24.77'	L425	S 25°57'22" W	39.89'	L480	N 30°48'51" E	86.66'
L371	N 31°34'02" W	30.68'	L426	S 62°50'06" W	63.52'	L481	N 39°18'59" E	22.82'
L372	N 16°51'59" W	27.97'	L427	S 36°47'44" W	38.54'	L482	N 41°35'08" E	106.96'
L373	N 33°33'23" W	17.24'	L428	S 19°22'52" W	78.57'	L483	N 48°38'51" E	40.31'
L374	N 57°13'39" W	10.89'	L429	S 36°24'47" W	76.06'	L484	N 57°45'01" E	30.93'
L375	N 79°18'51" W	27.29'	L430	S 28°20'05" W	70.81'	L485	N 22°59'50" W	31.93'
L376	N 02°16'13" W	5314.40'	L431	N 75°41'17" W	265.39'	L486	N 37°06'41" W	15.45'
L377	N 04°37'43" W	3080.63'	L432	N 88°34'56" E	2664.32'	L487	N 13°21'13" W	78.12'
L378	N 85°22'17" E	1935.36'	L433	N 88°40'20" E	253.70'	L488	N 85°17'46" W	47.54'
L379	N 22°46'07" E	45.15'	L434	N 02°23'02" E	115.16'	L489	N 69°19'47" W	42.90'
L380	N 09°45'11" E	41.14'	L435	N 00°48'35" E	88.17'	L490	N 46°59'08" W	40.19'
L381	N 24°13'17" E	31.44'	L436	N 05°41'40" E	69.44'	L491	N 25°18'40" W	37.55'
L382	N 10°30'09" E	38.22'	L437	N 16°20'26" W	52.24'	L492	N 07°19'53" W	33.66'
L383	N 03°07'39" W	35.66'	L438	N 02°13'17" W	6.75'	L493	N 06°28'47" W	40.01'
L384	N 03°38'04" E	47.57'	L439	N 21°29'30" W	41.26'	L494	N 03°48'02" W	12.58'
L385	N 22°14'29" E	28.84'	L440	N 46°07'04" E	125.99'	L495	N 04°46'53" E	21.70'
L386	N 12°13'18" W	23.28'	L441	N 61°18'24" E	95.28'	L496	N 12°02'16" E	47.28'
L387	N 02°43'05" W	75.14'	L442	N 70°07'24" E	94.12'	L497	N 03°06'30" W	40.01'
L388	N 22°51'56" W	46.31'	L443	N 65°15'22" E	63.11'	L498	N 16°04'58" W	35.91'
L389	N 24°08'54" W	34.80'	L444	N 44°53'40" E	6.17'	L499	N 20°39'09" W	25.55'
L390	N 01°06'23" E	39.66'	L445	N 70°08'11" E	5.59'	L500	N 13°10'45" W	29.96'
L391	N 00°48'30" E	41.59'	L446	S 80°18'54" E	11.78'	L501	N 03°35'31" W	20.89'
L392	N 39°08'34" E	79.38'	L447	S 66°54'21" E	44.41'	L502	N 01°22'39" E	22.46'
L393	N 70°29'22" E	86.05'	L448	N 85°00'05" E	63.82'	L503	N 08°31'00" E	70.00'
L394	S 57°25'22" E	79.82'	L449	N 79°55'59" E	107.76'	L504	N 08°53'54" E	37.22'
L395	S 57°00'08" E	45.75'	L450	N 81°55'31" E	85.70'	L505	N 06°55'14" E	65.47'
L396	S 29°26'39" E	61.74'	L451	N 87°59'19" E	14.05'	L506	N 07°34'56" E	35.82'
L397	S 17°24'52" E	62.14'	L452	N 06°06'20" E	29.34'	L507	N 07°19'54" E	42.19'
L398	S 16°33'00" W	29.80'	L453	N 08°50'19" E	74.83'	L508	N 11°09'23" E	46.65'
L399	S 12°39'44" W	51.63'	L454	N 07°01'11" E	104.51'	L509	N 07°30'02" E	30.10'
L400	S 58°35'52" W	42.96'	L455	N 04°30'30" E	54.08'	L510	N 04°35'19" E	35.91'
L401	S 84°28'49" W	22.58'	L456	N 04°36'35" E	94.91'	L511	N 00°16'35" W	28.53'
L402	S 10°24'57" E	80.62'	L457	N 03°48'39" W	46.79'	L512	N 01°19'48" E	41.93'
L403	S 27°19'06" E	32.30'	L458	N 10°52'08" W	70.99'	L513	N 08°45'05" W	88.28'
L404	S 06°17'27" E	26.87'	L459	N 06°52'48" W	104.09'	L514	N 71°24'01" W	75.58'
L405	S 10°57'32" E	36.27'	L460	N 00°46'22" E	40.78'	L515	N 84°36'02" W	30.73'
L406	S 29°26'42" E	26.14'	L461	N 07°36'17" W	62.16'	L516	N 38°38'39" W	32.70'
L407	S 28°02'25" E	33.63'	L462	N 23°24'59" W	53.67'	L517	N 07°20'34" E	14.81'
L408	S 15°36'06" E	25.68'	L463	N 29°07'14" W	74.89'	L518	N 41°14'01" E	8.91'
L409	S 14°26'18" E	26.72'	L464	N 34°59'59" W	18.61'	L519	N 43°39'19" E	24.56'
L410	S 45°55'54" E	26.08'	L465	N 18°44'31" W	35.47'	L520	N 33°31'49" E	22.53'
L411	S 71°05'50" W	72.41'	L466	N 14°59'47" W	63.75'	L521	N 21°58'18" E	25.76'
L412	S 87°22'39" W	250.86'	L467	N 10°31'04" W	55.55'	L522	N 15°06'51" E	21.09'
L413	N 02°16'13" W	5314.40'	L468	N 01°50'16" E	44.20'	L523	N 04°35'11" E	45.50'
L414	N 04°37'43" W	2736.46'	L469	N 08°19'01" E	81.16'	L524	N 01°45'08" E	34.41'
L415	N 85°22'17" E	2836.62'	L470	N 07°06'13" E	113.95'	L525	N 19°11'45" E	19.29'
L416	N 23°29'18" W	99.83'	L471	N 10°25'23" E	90.54'	L526	N 22°16'13" E	29.02'
L417	N 12°59'30" E	63.22'	L472	N 10°51'01" E	48.95'	L527	N 04°38'22" E	42.86'
L418	N 18°56'52" E	115.55'	L473	N 15°34'03" E	36.05'	L528	N 15°46'53" W	33.73'
L419	N 88°55'03" E	97.60'	L474	N 22°40'35" E	50.39'	L529	N 17°38'55" W	11.35'
L420	S 88°07'15" E	80.68'	L475	N 34°54'07" E	33.28'	L530	N 15°42'14" W	13.65'
L421	S 87°26'49" E	80.23'	L476	N 32°42'56" E	56.62'			
L422	S 84°26'49" E	85.62'	L477	N 33°10'51" E	65.41'			
L423	S 66°39'35" E	57.07'	L478	N 29°38'53" E	70.28'			



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BONITA GRANDE MINE LLC.
SKETCH AND DESCRIPTION
PARCEL OF LAND IN SECTIONS 17 & 20, TOWNSHIP 47
SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA

MDA PROJECT:
16027

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SHEET
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LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L531	N 01°20'07" W	18.70'	L588	N 07°59'38" W	44.05'	L645	N 69°41'10" W	24.45'
L532	N 00°11'26" E	24.80'	L589	N 14°26'05" W	42.83'	L646	N 69°41'10" W	24.45'
L533	N 22°14'36" W	83.25'	L590	N 16°43'10" W	75.79'	L647	N 78°14'14" W	21.02'
L534	N 88°30'15" W	98.59'	L591	N 21°59'28" W	228.97'	L648	N 81°19'41" W	48.77'
L535	N 88°01'16" W	8.65'	L592	N 16°17'19" W	51.30'	L649	N 87°16'40" W	69.86'
L536	N 64°48'16" W	10.35'	L593	N 21°42'19" W	45.09'	L650	S 85°57'29" W	82.80'
L537	N 62°59'09" W	46.22'	L594	N 20°20'57" W	22.39'	L651	S 85°25'10" W	532.17'
L538	N 68°56'27" W	38.71'	L595	N 15°08'55" W	17.84'	L652	N 78°42'35" W	119.59'
L539	N 73°31'38" W	28.50'	L596	N 20°57'05" W	27.42'	L653	N 73°40'49" W	56.77'
L540	N 35°13'06" W	30.67'	L597	N 26°36'49" W	20.65'	L654	N 51°58'40" W	43.89'
L541	N 28°00'04" W	75.13'	L598	N 27°22'24" W	24.38'	L655	N 39°00'04" W	142.04'
L542	N 03°37'28" E	51.20'	L599	N 20°58'03" W	19.07'	L656	N 28°29'43" W	39.73'
L543	N 10°32'09" E	31.01'	L600	N 12°25'00" W	52.63'	L657	N 24°04'30" W	56.64'
L544	N 09°13'05" E	45.57'	L601	N 18°37'33" W	51.06'	L658	N 24°04'30" W	32.54'
L545	N 10°38'07" E	44.68'	L602	N 18°04'04" W	38.53'	L659	N 29°18'20" W	44.85'
L546	N 13°39'43" E	44.67'	L603	N 06°52'08" W	27.52'	L660	N 38°34'27" W	34.65'
L547	N 07°59'46" E	35.66'	L604	N 04°33'16" W	46.16'	L661	N 45°18'23" W	23.13'
L548	N 14°01'20" E	43.64'	L605	N 16°11'08" W	44.26'	L662	N 50°36'54" W	22.44'
L549	N 28°45'40" E	31.93'	L606	N 34°24'27" W	42.67'	L663	N 55°20'24" W	18.12'
L550	N 30°00'41" E	31.35'	L607	N 40°09'45" W	35.22'	L664	N 60°42'13" W	27.91'
L551	N 28°43'01" E	41.92'	L608	N 40°01'42" W	31.79'	L665	N 65°50'38" W	16.21'
L552	N 28°57'13" E	40.02'	L609	N 39°47'31" W	23.05'	L666	N 71°16'25" W	30.40'
L553	N 14°33'53" E	158.82'	L610	N 40°58'10" W	136.66'	L667	N 77°50'45" W	26.01'
L554	N 13°15'52" E	119.87'	L611	N 07°11'03" W	31.42'	L668	N 83°13'00" W	20.09'
L555	N 10°49'06" E	186.28'	L612	N 04°54'54" E	31.26'	L669	S 89°11'45" W	89.42'
L556	N 05°25'15" E	118.62'	L613	N 31°11'45" E	50.33'	L670	S 89°10'23" W	65.20'
L557	N 13°34'32" W	40.75'	L614	N 34°14'53" E	61.74'	L671	S 89°10'08" W	114.80'
L558	N 62°05'14" W	41.51'	L615	N 42°44'11" E	83.05'	L672	S 89°11'02" W	109.70'
L559	N 51°35'36" W	54.62'	L616	N 61°34'40" E	61.30'	L673	N 84°22'18" W	28.97'
L560	N 59°01'51" W	41.91'	L617	N 62°48'42" E	86.02'	L674	N 74°51'52" W	34.59'
L561	N 59°56'54" W	39.60'	L618	N 45°54'32" E	45.76'	L675	N 60°35'14" W	111.64'
L562	N 57°37'07" W	40.42'	L619	N 29°49'43" E	48.51'	L676	N 11°11'16" W	30.54'
L563	N 08°01'39" W	39.39'	L620	N 25°30'04" E	72.06'	L677	N 17°23'00" W	13.18'
L564	N 09°11'02" W	64.39'	L621	N 19°29'13" E	93.40'	L678	N 21°33'11" E	27.22'
L565	N 07°07'29" W	65.87'	L622	N 20°39'16" E	59.71'	L679	N 20°08'20" E	29.18'
L566	N 08°47'20" W	37.39'	L623	N 15°48'00" E	68.61'	L680	N 22°43'08" E	29.56'
L567	N 02°49'10" W	69.55'	L624	N 07°05'40" E	94.79'	L681	N 11°38'25" E	25.37'
L568	N 08°08'23" W	326.65'	L625	N 14°27'48" E	76.73'	L682	N 24°03'58" E	22.71'
L569	N 07°20'51" E	24.54'	L626	N 41°13'24" E	130.21'	L683	N 28°41'06" E	25.33'
L570	N 15°43'57" E	31.58'	L627	N 45°22'02" E	145.44'	L684	N 25°55'21" E	26.12'
L571	N 29°31'03" E	155.37'	L628	N 45°02'07" E	77.05'	L685	N 20°23'11" E	21.77'
L572	N 31°00'38" W	84.41'	L629	N 52°58'16" E	111.78'	L686	N 16°56'36" E	29.44'
L573	N 06°34'28" W	28.13'	L630	N 58°29'42" E	105.05'	L687	N 09°07'38" E	45.23'
L574	N 00°06'28" E	39.22'	L631	N 48°17'04" E	150.91'	L688	N 03°07'47" E	39.14'
L575	N 16°10'37" W	42.90'	L632	N 31°51'47" E	62.30'	L689	N 04°51'36" W	66.75'
L576	N 30°08'55" W	32.87'	L633	N 23°09'22" E	64.87'	L690	N 14°54'35" W	43.88'
L577	N 33°04'26" W	22.15'	L634	N 07°36'36" E	49.57'	L691	N 87°31'51" E	2445.07'
L578	N 27°04'06" W	16.43'	L635	N 13°40'15" W	54.92'	L692	S 04°58'21" E	2688.85'
L579	N 23°05'49" W	21.67'	L636	N 20°47'17" W	53.81'	L693	S 04°58'20" E	2689.01'
L580	N 24°55'42" W	41.80'	L637	N 23°01'56" W	95.21'	L694	S 03°50'45" E	2684.41'
L581	N 21°50'19" W	28.65'	L638	N 28°41'25" W	114.55'	L698	N 02°16'13" W	5314.40'
L582	N 17°51'19" W	33.13'	L639	N 43°36'00" W	60.71'	L699	N 04°37'43" W	2003.06'
L583	N 14°16'31" W	22.95'	L640	N 43°36'00" W	60.70'	L700	N 85°22'17" E	298.27'
L584	N 13°13'28" W	65.06'	L641	N 49°16'23" W	55.59'	L701	N 09°58'33" W	221.54'
L585	N 04°08'28" E	12.01'	L642	N 58°33'02" W	54.33'	L702	N 50°08'44" E	14.97'
L586	N 15°04'43" E	49.35'	L643	N 65°06'11" W	26.87'	L703	N 01°11'21" W	54.04'
L587	N 02°05'42" E	43.88'	L644	N 65°06'11" W	26.87'	L704	N 31°11'30" E	9.73'



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BONITA GRANDE MINE LLC.
SKETCH AND DESCRIPTION
PARCEL OF LAND IN SECTIONS 17 & 20, TOWNSHIP 47
SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA

MDA PROJECT:
16027

CHECKED
MAH

DRAWN
BMH

DATE:
11-27-2019

SHEET
21 OF 22

LINE	BEARING	DISTANCE
L705	N 61°52'11" E	11.41'
L706	S 82°53'21" E	43.90'
L707	S 83°42'02" E	32.42'
L708	S 73°34'37" E	46.44'
L709	S 72°06'22" E	31.21'
L710	S 72°26'32" E	27.95'
L711	S 35°19'17" E	21.16'
L712	S 10°16'45" E	63.45'
L713	S 07°33'43" E	57.21'
L714	S 13°09'41" E	50.92'
L715	S 08°40'50" E	58.32'
L716	S 01°38'40" W	34.44'
L717	S 19°54'03" W	37.46'
L718	S 01°47'51" E	35.45'
L719	S 11°59'00" W	31.01'
L720	S 66°30'57" W	14.44'
L721	N 71°14'16" W	37.57'
L722	N 65°53'04" W	51.47'
L723	N 64°33'35" W	27.79'
L724	N 55°21'39" W	24.95'
L725	N 44°53'50" W	55.70'
L726	N 26°40'11" W	34.39'



FL CA NO. 6532 / FL CERT NO. LB0001 / LC26000330

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MDA PROJECT:
16027

CHECKED MAH	DRAWN BMH
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DATE:
11-27-2019

SHEET
22 OF 22

MEMORANDUM

TO: Mr. Ned Dewhirst
BGM, LLC

FROM: Ted B. Treesh
President

DATE: December 27, 2019

RE: Bonita Grande Mine Comprehensive Plan Update
CPA13-06941-BOS
City of Bonita Springs, Florida

RECEIVED
CITY OF BONITA SPRINGS
DEC 27 2019
COMMUNITY DEVELOPMENT
DEPARTMENT

TR Transportation Consultants, Inc. has completed this memorandum to supplement the transportation analysis that has previously been provided for this Comprehensive Plan Update for the Bonita Grande Mine site in the City of Bonita Springs, Florida. The last transportation study submitted to the City for this application was prepared by David Plummer & Associates and is dated May 8, 2018. A portion of this study is attached to the memorandum for reference. The entire study is already part of the case file submitted to the City as part of this Comprehensive Plan Amendment application.

This memo was prepared to address the change in development intensity that has occurred since the last submittal to the City as part of this CPA application and address the changes, if any, to the transportation analysis that was previously provided. The CPA application had previously requested a development intensity of a total of 2,536 residential dwelling units on the Bonita Grande mine property, along with commercial uses that would serve as the amenities to the future residents. The application has now been revised to request a total of 700 residential dwelling units along with the commercial amenities for the residents of the development. This is a decrease in residential units of 1,836 units, or approximately a 72% reduction in units.

The most recent traffic analysis submitted as part of this CPA application examined the impacts of the Comprehensive Plan Amendment to the Long Range Transportation Plan (Year 2040) and the Short Term Capital Improvement Plans (Year 2022). For the evaluation of the impact to the Long Range Transportation Plan, the previous traffic analysis was prepared based on the full development of the 2,536 residential dwelling units and the commercial amenity area. The Year 2022 analysis was prepared based on an

interpolated development intensity of 350 dwelling units by the year 2022. Based on the revised application, there will be a total of 700 dwelling units at build-out of the project (Year 2040) and for the short term analysis (Year 2022) it was assumed that there would be a total 110 dwelling units on the site.

Table 1 below compares the development intensity analyzed as part of the most recent traffic analysis submitted as part of this application and the development intensity that is being proposed now as part of the negotiated Settlement Agreement between the Applicant and the City of Bonita Springs. The total number of development units are illustrated as well as the number of trips that are anticipated to be added to the surrounding roadway network based on the Long Range analysis (Year 2040) as well as for the Short Term Analysis (Year 2022). The number of Daily Trips as well as the Peak Hour Trips are illustrated.

**Table 1
Bonita Grande Mine CPA
Comparison Between Previous Submittal & Current Request**

Period	Dwelling Units	Daily Trips Added to Roadway Network	Peak Hour Trips Added To Roadway Network
Year 2040 Analysis			
Previous Analysis	2,536	17,903	980
Current Request	700	6,229	658
Difference	-1,836	-11,674	-322
Year 2022 Analysis			
Previous Analysis	350	2,325	170
Current Request	110	1,135	111
Difference	-240	-1,190	-59

It should be noted that the trips shown for the “*Previous Analysis*” in Table 1 were determined by referencing the Tables and Figures included in the Plummer traffic study dated May 8, 2018. These trips were determined by the District One Regional Planning Model (DIRPM), or FSUTMS model, based on the socioeconomic data that was utilized for the Traffic Analysis Zone utilized in the analysis. The trip generation for residential uses computed by the FSUTMS model is lower than the trip generation that is a result of utilizing the Institute of Transportation Engineer’s (ITE) *Trip Generation Report*, 10th Edition. The trips shown in Table 1 for the “*Current Request*” is based on the ITE *Trip Generation Report*. Therefore, if the trips from the reduced development intensity of 700 units were to be inputted into the DIRPM FSUTMS model and new model runs were to be prepared, the resultant trip generation would be lower than what is reflected in Table 1 above for the 700 units.

Since the development parameters that are utilized for the evaluation of the impacts of the proposed Comprehensive Plan Amendment are being substantially reduced and the

District One Regional Planning Model is the same tool utilized to evaluate the impacts of the amendment on the Long Range Transportation Plan (Year 2040) and the Short Term Capital Improvement Plans (Year 2022), the Conclusions reached in the previous traffic studies prepared by David Plummer & Associates remain valid. The result of the analysis from the previous traffic study are reiterated here for consistency and are also included in the traffic study prepared by David Plummer & Associates that is attached to this memorandum for reference and is part of the CPA application made by the Applicant.

The conclusions of the analysis, which remain valid with the reduction in development intensity from 2,536 residential dwelling units to 700 dwelling units, are:

The Year 2040 (Long Term) traffic analysis identified the following changes are required to the MPO 2040 Needs Plan network reflective of traffic conditions "without" the proposed CPA:

- a) **Bonita Beach Road from Imperial Pkwy to I-75 – Widen from 6 to 8 lanes**
- b) **East Terry Street from Old 41 to Imperial Pkwy – Widen from 4 to 6 lanes**
- c) **Imperial Pkwy from Bonita Beach Rd. to E. Terry St. – Widen from 4 to 6 lanes**

The addition of these improvements to the MPO 2040 Needs Plan network is required to address the deficient road segments identified in the analysis that are present without the proposed CPA.

Year 2040 improvements needed to support the proposed CPA are the same improvements that have been identified above to support the future conditions "without" the CPA, with the exception of Bonita Grande Drive from E. Terry Street to the project entrance. Any improvements to Bonita Grande Drive from E. Terry Street to the project entrance are considered site related improvements and will be the responsibility of the Developer.

The Year 2022 (Short Term) traffic analysis identified no new improvements are needed beyond the Existing plus Committed (E + C) roadway network that is identified in the D1RPM. Therefore, no changes to the City or County Capital Improvement Plan is needed.

If you have any additional questions regarding this matter, please do not hesitate to contact me.

Attachment

**EXCERPTS FROM DAVID PLUMMER
TRAFFIC STUDY DATED MAY 8, 2019**

Bonita Grande Mine Comprehensive Plan Amendment
CPA13-06941-BOS
Response to Transportation CPA Sufficiency Comments from City of Bonita Springs

Traffic Review Comment 1

- 1. Please explain how the Proposed Development Parameters vary in a way that they are less Government/Civic employees in the year 2022 (with CPA) than in the year 2040 (with CPA). The number of employees decreases from 113 (in 2022) to 50 (in 2040).**

DPA Response to Comment 1

The reviewer is referencing the development parameters data sheets in Appendix D of the Bonita Grande Mine CPA Traffic Study, dated (revised) January 10, 2018. Upon checking the modeling data used, the number of employees stated in the 2022 summary in the Appendix was verified to be a typographical error.

To be clear, the value of 113 employees used for both the 2022 analysis and the 2040 analysis.

A copy of the revised Appendix D has been included in the updated traffic study included in this response.

No other changes have been made to the TIS in response to this comment.

Additional Comment 5 from City Staff:

- 5. Part IV-B. CIP horizon. The applicant's transportation analysis does not include the City's recent update to the City's five-year CIP adopted in City Ordinance No. 17-19.**

DPA Response to Additional Comment 5:

The City's adopted five-year CIP that was included in Appendix C of the TIS covered FY 16-17 to FY 20-21. The Lee County CIP covering the same years was also included in Appendix C.

Appendix C has been updated to include the City and Lee County CIP documents covering FY 17-18 to FY 21-22. Upon review of these CIP programs, no changes are found that would alter the findings of the Bonita Grande Mine CPA Traffic Study, dated (revised) January 10, 2018.

No other changes have been made to the TIS in response to this comment.

BONITA GRANDE MINE
COMPREHENSIVE PLAN AMENDMENT
TRAFFIC STUDY

Project #17531

July 19, 2013

May 8, 2018 - Revised

Prepared by:

DAVID PLUMMER & ASSOCIATES, INC.

2149 McGregor Boulevard

Fort Myers, Florida 33901

BONITA GRANDE MINE
COMPREHENSIVE PLAN AMENDMENT
TRAFFIC STUDY

Introduction

The Bonita Grande Mine property, hereafter referred to as the Project, is an existing mine that is proposed to be converted to residential development. The Project is located within the City of Bonita Springs, east of Bonita Grande Drive and north of East Terry Street, Exhibit 1.

The subject property is currently located within the DRGR land use category. There have been mining operations on the property, which will eventually be phased out if the CPA and zoning for additional residential units are approved. The applicant requests a comprehensive plan amendment (CPA) to allow increased residential density on the property. The purpose of this report, therefore, is to provide a traffic analysis in support of the proposed CPA application to increase the allowable residential units for the Project.

Updated Traffic Study

The original traffic study dated July 19, 2013 was submitted to the City of Bonita Springs as part of the CPA application. In the original application, the proposed CPA allowed a total of 2,902 residential units and 30,000 square feet of support ancillary retail. The proposed CPA has since been updated to allow a total of 2,536 residential units and 25,000 square feet of amenities, a reduction compared to the original request. To address changes to the proposed CPA, the traffic analysis has been updated to be consistent with the reduced proposed development and is reflected in this document.

Executive Summary

The results of the Bonita Grande Mine CPA transportation assessment are as follows.

1. The Year 2040 (Long-Term) traffic analysis identified the following changes are required to the MPO 2040 Needs Plan network reflective of traffic conditions “without” the proposed CPA.
 - a. Bonita Beach Road from Imperial Parkway to I-75 – Widen from 6 lanes to 8 lanes.
 - b. East Terry from Old 41 to Imperial Parkway – Widen from 4 lanes to 6 lanes.
 - c. Imperial Parkway from Bonita Beach Road to East Terry Street – Widen from 4 lanes to 6 lanes.

The addition of these improvements to the MPO 2040 Needs Plan network is required to address the deficient road segments identified in this report, without the proposed CPA. Likewise, under 163.3177 Florida Statutes, the Transportation Element of the City of Bonita Springs Comprehensive Plan must be updated to be consistent with, and address, the deficiencies identified by the 2040 Needs Plan.

2. The Year 2040 improvements needed to support the proposed CPA are the same improvements that have been identified to support future conditions “without” the CPA, with the exception of Bonita Grande Drive to the Project Entrance. The widening of this road segment is site related, and will be the responsibility of the development to mitigate, if approved. The proposed CPA does not cause additional deficiencies on the public road network.
3. The Year 2022 (Short-Term) traffic analysis identified no new improvements are need beyond the Existing plus Committed (E+C) roadway network. This finding is identical for traffic conditions for both “without” and “with” the proposed CPA. Therefore, no changes to the City’s Capital Improvement Program (CIP) are needed.
4. The proposed CPA is expected to mitigate its traffic impacts through the payment of road impact fees, or other appropriate mitigation measures, as required by the City at the time they are required.

Original Methodology

A transportation methodology meeting was held on May 16, 2013 with the City of Bonita Springs. The meeting participants included the following.

John Dulmer, City of Bonita Springs
Pramod Choudhary, CH2M Hill (City Consultant) via telephone
Bill Morris, Morris-Depew Associates
Stephen Leung, David Plummer & Associates

At the request of the City, the methodology outline dated May 2, 2013 was provided to the City prior to the meeting. Based on the meeting discussions, the transportation methodology was revised to reflect the resolution of issues. The revised methodology report, dated May 17, 2013, is provided as Appendix A.

It was discussed and agreed during the meeting that the potential traffic impacts of the original CPA would be evaluated based on comparative 2035 travel model assignments for both “without” and “with” the proposed Plan Amendment, using the formerly adopted Lee County MPO 2035 travel model, the MPO’s 2035 zonal data projections, and the road network from the adopted MPO 2035 Cost Feasible Plan. This was standard, accepted practice for traffic studies undertaken in support of comprehensive plan amendments in Lee County and the City of Bonita Springs.

Under the original application, the proposed CPA would not affect the short-term (five-year) traffic conditions as the requested residential development would not occur within the first five years. Therefore, the original traffic study evaluated only the long range (Year 2035) conditions.

Updated Methodology

Subsequent to the issuance of the methodology report and previous iterations of this traffic study, changes have occurred to both the proposed development program and the Lee County MPO Long Range Transportation Plan (LRTP).

In addition, the proposed CPA will affect the short-term (five-year) traffic conditions as a portion of the requested residential development is expected to occur within the first five years, unlike the previous submittal. Therefore, the updated traffic study evaluates the long range (year 2040) conditions and short term 5-year (year 2022) conditions.

Despite these changes, there were no material revisions to the approved methodology, with the exception of referencing the updated development program, referencing the adopted Lee County MPO 2040 LRTP and using the FDOT District 1 Regional Planning Model (DIRPM), and analyzing the short term 5-year conditions.

Study Area

As required by the City of Bonita Springs Comprehensive Plan Amendment Application, IV. Amendment Support Documentation, B. Public Facilities Impacts, the traffic impacts of the proposed CPA are analyzed for major roadways within a three-mile radius of the subject property, as shown in Exhibit 2.

Based on the three-mile criterion, the study area is generally bounded by the following.

Study Area – 3-Mile Radius

To North	South of Coconut Road
To South	Lee / Collier County Line
To East	East of Bonita Grande Drive
To West	East of Old US 41

At the request of the City, the segment of Old 41 between West Terry Street and Bonita Beach Road is included in the study area.

Existing Roadway Network

The existing roadway network in the vicinity of the Project is depicted in Exhibit 1. As shown in Exhibit 1, there are several major roadways in the vicinity of the Project including East Terry Street, I-75, Bonita Beach Road, Imperial Parkway, and Old 41 Road.

East Terry Street is a City-maintained east-west collector roadway with portions that are two and four lanes. It connects Bonita Grande Drive to Old 41 and, via West Terry Street, to US 41. East Terry Street goes over I-75 and there is no interchange with I-75 at East Terry Street.

I-75 is a Florida Strategic Intermodal System (SIS) facility. As a six-lane interstate highway, I-75 extends through Lee County from Collier County to the south and Charlotte County to the north.

Bonita Beach Road is a County-maintained, east-west arterial roadway. It provides east-west continuity from east of Bonita Grande Drive to I-75, US 41 and to Hickory Boulevard. Portions of Bonita Beach Road are two, four and six lanes. An interchange with I-75 is located at Bonita Beach Road.

Imperial Parkway is an important north-south arterial roadway extending south into Collier County as Livingston Road and extending north to Allico Road in Lee County as Three Oaks Parkway. Imperial Parkway is a County maintained roadway. Within the City of Bonita Springs, it is a four-lane divided arterial.

Old 41 is a City-maintained, north-south arterial roadway that intersects US 41 in northern Collier County and extends to US 41 in Lee County at Pelican Landing Parkway. Portions of the roadway are two and four lanes. The section of Old 41 from Bonita Beach Road to Terry Street is designated as a constrained roadway.

Access to the Project is provided by Bonita Grande Drive, a two-lane facility that extends north from East Terry Street. From East Terry Street to Bonita Beach Road, Bonita Grande Drive is a two-lane, County-maintained collector.

Planned Roadway Improvements

The Lee County MPO 2040 LRTP consists of two highway transportation plans: 1) the 2040 Highway Needs Plan; and 2) the 2040 Highway Cost Feasible Plan. The two highway plans are the subject of this CPA traffic analysis.

2040 Highway Needs Plan

The 2040 LRTP Highway Needs Plan (Appendix B) identifies improvements that are considered to be the future roadway "needs" to support the anticipated county-wide demands.

The following 2040 LRTP roadway improvement needs have been adopted by the MPO within the CPA study area.

- East Terry Street from Bonita Grande Drive to Imperial Parkway - Widen to 4 lanes.
- I-75 from Corkscrew Road to Bonita Beach Road – Widen to 8 lanes.
- I-75 from Bonita Beach Road to Collier County line – Widen to 8 lanes.
- Bonita Grande Drive from East Terry Street to Bonita Beach Road – Widen to 4 lanes.
- Bonita Beach Road from Bonita Grande Drive to I-75 – Widen to 6 lanes.
- Sandy Lane Extension from Pelican Colony Boulevard to Old 41 – New 2-lane road.
- Logan Boulevard Extension from Bonita Beach Road to Collier County – New 2-lane road.
- Imperial Parkway from Collier County line to Bonita Beach Road – Widen to 6 lanes.
- Old 41 from Bonita Beach Road to Collier County line – Widen to 4 lanes.

2040 Highway Cost Feasible Plan

The 2040 LRTP Highway Cost Feasible Plan (included as part of Appendix B) identifies the needed improvements listed above that are considered to be financially feasible based on anticipated priorities and future revenues.

The Cost Feasible projects include those improvements that are considered affordable, given revenue projections through year 2040. The Cost Feasible projects in the general vicinity of the Project include the following.

- East Terry Street from Bonita Grande Drive to Imperial Parkway - Widen to 4 lanes.
- Bonita Grande Drive from East Terry Street to Bonita Beach Road – Widen to 4 lanes.
- Bonita Beach Road from Bonita Grande Drive to I-75 – Widen to 6 lanes.
- Sandy Lane Extension from Pelican Colony Boulevard to Old 41 – New 2-lane road.
- Logan Boulevard Extension from Bonita Beach Road to Collier County – New 2-lane road.
- Old 41 from Bonita Beach Road to Collier County line – Widen to 4 lanes.

The typical CPA traffic analysis utilizes the adopted Cost Feasible Plan as the basis of analysis. The analysis of future year 2040 included only those roadway projects identified as Cost Feasible. Projects that were identified as needed but contingent upon additional funding were not included in the network.

Scheduled Roadway Improvements

The scheduled road improvements in the City of Bonita Springs are shown on: 1) Lee County's Summary of Major Road Projects Programmed by Lee County – FY 16/17 to FY 20/21; 2)

Florida DOT Adopted Five Year Work Program – District 01 – Lee County, 2018 – 2022 AD, and 3) City of Bonita Springs, Florida Fiscal Year 16/17 to 20/21 Capital Improvement Projects.

The following scheduled improvements are identified within the CPA study area (Appendix C).

- Old 41 from Collier County Line to Bonita Beach Road – PD&E
- Bonita Beach Road Vision Implementation

Land Use Parameters

The proposed land uses below supersede previous development parameters proposed for this CPA; the requested CPA now increases the allowable residential units to a total of 2,536 units. The revised land use parameters are predominantly residential, with a small amount of supporting amenity uses intended for the use of the residents.

Proposed Development Parameters

<u>Land Use</u>	<u>Five-Years</u>		<u>Build-Out</u>	
	<u>Size</u>	<u>Units</u>	<u>Size</u>	<u>Units</u>
Single Family Residential	270	d.u.	1,902	d.u.
Multi-Family Residential ⁽¹⁾	80	d.u.	634	d.u.
Total Residential	350	d.u.	2,536	d.u.
Amenity ⁽²⁾	25,000	sq. ft.	25,000	sq. ft.

Footnotes:

- (1) May include single family attached, condo units, townhouse units, and villa units.
(2) Amenity use is intended for the exclusive use of residential units in this development

A review of the MPO 2040 TAZ structure in the travel model indicated the Traffic Analysis Zone (TAZ) #3224 represents this development in the FDOT District 1 Regional Planning Model (DIRPM). Year 2040 socioeconomic data shown in TAZ #3224 reflects 354 single family units, and 37 multi-family units without the proposed CPA.

For the analysis with the proposed CPA, the socioeconomic data was adjusted to reflect 1,902 single family units, and 634 multi-family units. No other revisions or adjustments were made to the MPO 2040 socioeconomic data.

Therefore, the socioeconomic data reflective of: 1) the approved 391 residential units without the CPA, and 2) the proposed 2,536 residential units with the CPA. The input parameters used in the travel modeling are provided in Appendix D.

Level of Service Standards

Roadway level of service (LOS) standards generally vary depending upon whether the road is a State, County or City road and whether the road is in an urban or rural area. Furthermore, State roads on the FDOT Strategic Intermodal System (SIS) generally have more stringent LOS standards than other roads.

The Florida DOT LOS standards, rather than local standards, will apply on SIS facilities. For non-SIS State, County and City roads, the LOS standards adopted in the local government comprehensive plan will apply. Those standards, identified in the "Comprehensive Plan of the City of Bonita Springs Florida," are as follows.

Level of Service Standards

<u>Roadway</u>	<u>LOS Standard</u>
I-75 (SIS)	D
Freeways (non-SIS)	D
Arterials	E
Collectors	E
Local Roads	D

Long-Term (Year 2040) Comparative Travel Model Assignments

The 2040 DIRPM (FSUTMS) travel model was used to run comparative travel model assignments both "without" and "with" the proposed CPA under the adopted Lee County MPO 2040 Cost Feasible Plan. For these assignments, the future year 2040 Cost Feasible road network and the MPO's 2040 socioeconomic data projections were used.

Year 2040 Traffic Conditions Without the CPA

The residential units (354 single family units, and 37 multi-family units) included in TAZ #3224 of the Lee County MPO's year 2040 travel model were assumed to represent the future conditions without the proposed CPA.

The residential population estimates were derived based on the seasonal vacancy and auto ownership rates that were established by the Lee County MPO for TAZ #3224, Appendix D. Based on the travel model, the allowable units at the Project would generate 2,000 peak season, weekday, average daily traffic (PSWADT), Appendix E.

The study area included roadway segments within a three-mile radius of the Project. Exhibit 3 provides the results of the year 2040 travel model assignment for "without" the proposed CPA. For each road segment, the most representative link volumes from the travel model assignment

were used in the segment analysis. All analysis data are identified in Exhibit 3 and with documentation provided in Appendix F.

As shown in Exhibit 3, the following segments are projected to be deficient in year 2040 without the proposed CPA.

Deficient Roadway Segments – 2040 Cost Feasible Plan, Without CPA

<u>Roadway</u>	<u>From</u>	<u>To</u>	<u>Needed # of Lanes</u>	<u>Adopted # of Lanes</u>	<u>Consistent With Needs Plan?</u>
Bonita Beach Road	Imperial Parkway	I-75	8	6	No
East Terry Street	Old 41	Imperial Parkway	6	4	No
I-75	Corkscrew Road	Bonita Beach Road	8	8	Yes
	Bonita Beach Road	Immokalee Road	8	8	Yes
Imperial Parkway	Collier County Line	Bonita Beach Road	6	6	Yes
	Bonita Beach Road	East Terry Street	6	4	No
Old 41	East Terry Street	Bonita Beach Road	4	2	No

Without the proposed CPA, four of the deficient roadway segments shown above are not consistent with the adopted Lee County MPO 2040 LRTP Needs Plan. The remaining three deficient roadways are identified in the Needs Plan, where improvements are needed given the countywide future demands by year 2040 (please refer to Appendix B).

Year 2040 Traffic Conditions With the CPA

The proposed CPA build-out parameters (2,536 residential units and 25,000 sq. ft. of amenities) were converted to socioeconomic data for TAZ #3224 that represents the Project in the travel model.

The residential population estimates were derived based on the seasonal vacancy and auto ownership rates that were established by the Lee County MPO for TAZ #3224, Appendix D. Based on the travel model, the proposed CPA generates 18,666 peak season, weekday, average daily trips (PSWADT), Appendix E.

The study area included roadway segments within a three-mile radius of the Project. Exhibit 4 provides the results of the year 2040 travel model assignment for the analysis “with” the proposed CPA. For each road segment, the most representative link volumes from the travel model assignment were used in the segment analysis. All link analysis data are identified in Exhibit 4 and with documentation provided in Appendix F.

As shown in Exhibit 4, the following segments were projected to be deficient in year 2040 with the proposed CPA.

Deficient Roadway Segments – 2040 Cost Feasible Plan, With CPA

<u>Roadway</u>	<u>From</u>	<u>To</u>	<u>Needed # of Lanes</u>	<u>Adopted # of Lanes</u>	<u>Consistent With Needs Plan?</u>
Bonita Beach Road	Imperial Parkway	I-75	8	6	No
East Terry Street	Old 41	Imperial Parkway	6	4	No
Bonita Grande Drive	East Terry Street	Project Entrance	2	4	No
I-75	Corkscrew Road	Bonita Beach Road	8	8	Yes
	Bonita Beach Road	Immokalee Road	8	8	Yes
Imperial Parkway	Collier County Line	Bonita Beach Road	6	6	Yes
	Bonita Beach Road	East Terry Street	6	4	No
Old 41	East Terry Street	Bonita Beach Road	4	2	No

Summary Comparison of Year 2040 Traffic Conditions

A comparison of the roadway segment “needs” without and with the CPA, along with the MPO needs and financially feasible lanes, is provided in Exhibit 5 and summarized below.

Roadway Segment Needs Comparison

<u>Roadway</u>	<u>From</u>	<u>To</u>	<u>Existing</u>	<u>MPO Cost Feasible</u>	<u>MPO Needs</u>	<u>Needs Without CPA</u>	<u>Needs With CPA</u>	<u>Difference With CPA</u>
Bonita Beach Rd	Old 41	Imperial St	6	6	6	6	6	0
	Imperial St	I-75	6	6	6	8	8	0
	I-75	Bonita Grande Dr	4	6	6	4	4	0
Bonita Grande Dr	Bonita Grande Dr	Logan Blvd Ext	4	4	4	4	4	0
	Bonita Beach Rd	East Terry St	2	4	4	2	2	0
	East Terry St	Project Entrance	2	2	2	2	4	2
East Terry St	Old 41	Imperial Pkwy	4	4	4	6	6	0
	Imperial Pkwy	Bonita Grande Dr	2	4	4	2	2	0
I-75	Corkscrew Rd	Bonita Beach Rd	6	6	8	8	8	0
	Bonita Beach Rd	Immokalee Rd	6	6	8	8	8	0
Imperial Pkwy	Collier Co Line	Bonita Beach Rd	4	4	6	6	6	0
	Bonita Beach Rd	East Terry St	4	4	4	6	6	0
	East Terry St	Coconut Rd	4	4	4	4	4	0
Old 41	East Terry St	Bonita Beach Rd	2	2	2	4	4	0

The complete FSUTMS-Cube travel model run for all CPA scenarios are available for download from ftp://ftpdm.dplummer.com/Public/17531_BonitaGrandeMine_CPA.

Based on the long-term (year 2040) comparative travel model analysis, the following conclusions are derived.

1. Deficient roadway segments on Bonita Beach Road, East Terry Street, I-75, Imperial Parkway, and Old 41 have been identified for "without" the proposed CPA (but with the approved uses) in the study area.
2. The deficient roadway segments and the corresponding needed improvements have already been identified in the Lee County MPO 2040 LRTP for I-75 and a portion of Imperial Parkway. The Needs Plan does not address the remaining road segments that are deficient as a result of currently approved developments in District 1.
3. The roadway improvements needed to correct the deficient roadways for "without" and "with" the CPA are identical, with the exception of Bonita Grande Drive north of East Terry Street. Therefore, the proposed CPA does not warrant any additional updates to the Needs Plan.
4. The deficient roadway segment on Bonita Grande Drive, from East Terry Street to the Project Entrance, is site related and will be the responsibility of the Project to improve. This segment of Bonita Grande Drive is currently a two-lane road in sub-standard condition, and is not recognized as a needed improvement without the Project. Reconstruction of the roadway will be needed to serve the Project and area development along this road segment.
5. The segment of Bonita Grande Drive from Bonita Beach Road to East Terry Street is currently a two-lane roadway, and is anticipated to be satisfactory to accommodate the Project "with" the CPA in 2040. However, a four-lane roadway is currently reflected in both the Needs Plan and the Cost Feasible Plan.
6. The segment of East Terry Street from Imperial Parkway to Bonita Grande Drive is currently a two-lane roadway, and is anticipated to be satisfactory to accommodate the Project "with" the CPA in 2040. However, a four-lane roadway is currently reflected in both the Needs Plan and the Cost Feasible Plan.

Year 2040 Recommendations

The following revisions to the MPO Needs Plan are required to address the deficient road segments identified in this report, without the proposed CPA. Likewise, under 163.3177 Florida Statutes, the Bonita Springs Comprehensive Plan must be updated to be consistent with, and address, the deficiencies identified by the 2040 LRTP Needs Plan.

1. Widen Bonita Beach Road to 8 lanes from Imperial Parkway to I-75.
2. Widen East Terry street to 6 lanes from Old 41 to Imperial Parkway.
3. Widen Imperial Parkway to 6 lanes from Bonita Beach Road to East Terry Street.
4. No updates are recommended to address Old 41 from East Terry Street to Bonita Beach due to its designation as a constrained roadway.

Short Range 5-Year CIP (Year 2022) Analysis

The 2022 DIRPM (FSUTMS) travel model was used to run comparative travel model assignments both “without” and “with” the proposed CPA. For these assignments, the E+C road network was used. Year 2022 socioeconomic data was interpolated from the MPO’s 2010 and 2040 socioeconomic data projections.

Year 2022 Traffic Conditions Without the CPA

The interpolated residential units (130 single family units, and 14 multi-family units) included in TAZ #3224 of the year 2022 travel model were assumed to represent the future conditions without the proposed CPA, Appendix D. Based on the travel model, the allowable units at the Project generate approximately 715 external peak season, weekday, average daily trips (PSWADT), Appendix E.

Exhibit 3 provides the results of the year 2022 travel model assignment for “without” the proposed CPA. For each road segment, the most representative link volumes from the travel model assignment were used in the segment analysis. All analysis data are identified in Exhibit 6 and with documentation provided in Appendix F.

As shown in Exhibit 6, the following segment is projected to be deficient in year 2022 without the proposed CPA.

Deficient Roadway Segments – 2022 E+C Road Network, Without CPA

<u>Roadway</u>	<u>From</u>	<u>To</u>	<u>Needed</u> <u># of</u> <u>Lanes</u>	<u>Adopted</u> <u># of</u> <u>Lanes</u>	<u>Consistent</u> <u>With</u> <u>Needs</u> <u>Plan?</u>
Old 41	East Terry Street	Bonita Beach Road	4	2	No

Year 2022 Traffic Conditions With the CPA

The proposed CPA parameters for year 2022 (350 residential units and 25,000 sq. ft. of amenities) were converted to socioeconomic data for TAZ #3224 that represents the Project in the travel model, Appendix D. Based on the travel model, the proposed CPA generated approximately 3,040 external peak season, weekday, average daily trips (PSWADT), Appendix E.

Exhibit 7 provides the results of the year 2022 travel model assignment for the analysis “with” the proposed CPA. For each road segment, the most representative link volumes from the travel model assignment were used in the segment analysis. All link analysis data are identified in Exhibit 7 and with documentation provided in Appendix F.

As shown in Exhibit 7, the following segment is projected to be deficient in year 2022 with the proposed CPA.

Deficient Roadway Segments – 2022 E+C Road Network, With CPA

<u>Roadway</u>	<u>From</u>	<u>To</u>	<u>Needed # of Lanes</u>	<u>Adopted # of Lanes</u>	<u>Consistent With Needs Plan?</u>
Old 41	East Terry Street	Bonita Beach Road	4	2	No

Summary Comparison of Year 2022 Traffic Conditions

A comparison of the roadway segment “needs” without and with the CPA, along with the MPO needs and E+C number of lanes, is provided in Exhibit 8 and summarized below.

Roadway Segment Needs Comparison

<u>Roadway</u>	<u>From</u>	<u>To</u>	<u>Existing</u>	<u>MPO Cost Feasible</u>	<u>E+C Network</u>	<u>Needs Without CPA</u>	<u>Needs With CPA</u>	<u>Difference With CPA</u>
Bonita Beach Rd	Old 41	Imperial St	6	6	6	6	6	0
	Imperial St	I-75	6	6	6	6	6	0
	I-75	Bonita Grande Dr	4	6	4	4	4	0
	Bonita Grande Dr	Logan Blvd Ext	4	4	4	4	4	0
Bonita Grande Dr	Bonita Beach Rd	East Terry St	2	4	2	2	2	0
	W Terry St	Project Entrance	2	2	2	2	2	0
East Terry St	Old 41	Imperial Pkwy	4	4	4	4	4	0
	Imperial Pkwy	Bonita Grande Dr	2	4	2	2	2	0
I-75	Corkscrew Rd	Bonita Beach Rd	6	6	6	6	6	0
	Bonita Beach Rd	Immokalee Rd	6	6	6	6	6	0
Imperial Pkwy	Collier Co Line	Bonita Beach Rd	4	4	4	4	4	0
	Bonita Beach Rd	East Terry St	4	4	4	4	4	0
	East Terry St	Coconut Rd	4	4	4	4	4	0
Old 41	East Terry St	Bonita Beach Rd	2	2	2	4	4	0

The complete FSUTMS-Cube travel model run for all CPA scenarios are available for download from ftp://ftpfin.dplummer.com/Public/17531_BonitaGrandeMine_CPA.

Based on the short-term (year 2022) comparative travel model analysis, the following conclusions are derived.

1. A deficient roadway segment on Old 41 has been identified for “without” the proposed CPA (but with the approved uses) in the study area.
2. The proposed CPA does not warrant any additional updates to the Needs Plan.

Year 2022 Recommendations

With the exception of Old 41, all roadways under study operate at an acceptable level of service. Due to its designation as a constrained roadway, no updates are recommended to address Old 41 from East Terry Street to Bonita Beach. No revisions to the City’s 5-year CIP are warranted.

Traffic Mitigation

The payment of roads impact fees, and the developer-funded widening of Bonita Grande Drive from East Terry Street to the Project Entrance, represent the full mitigation requirements to accommodate the proposed CPA. The CPA will also generate ad valorem taxes, gas taxes, and other revenues that will be used to further assist with the funding of the Long Range Transportation Plan improvements.

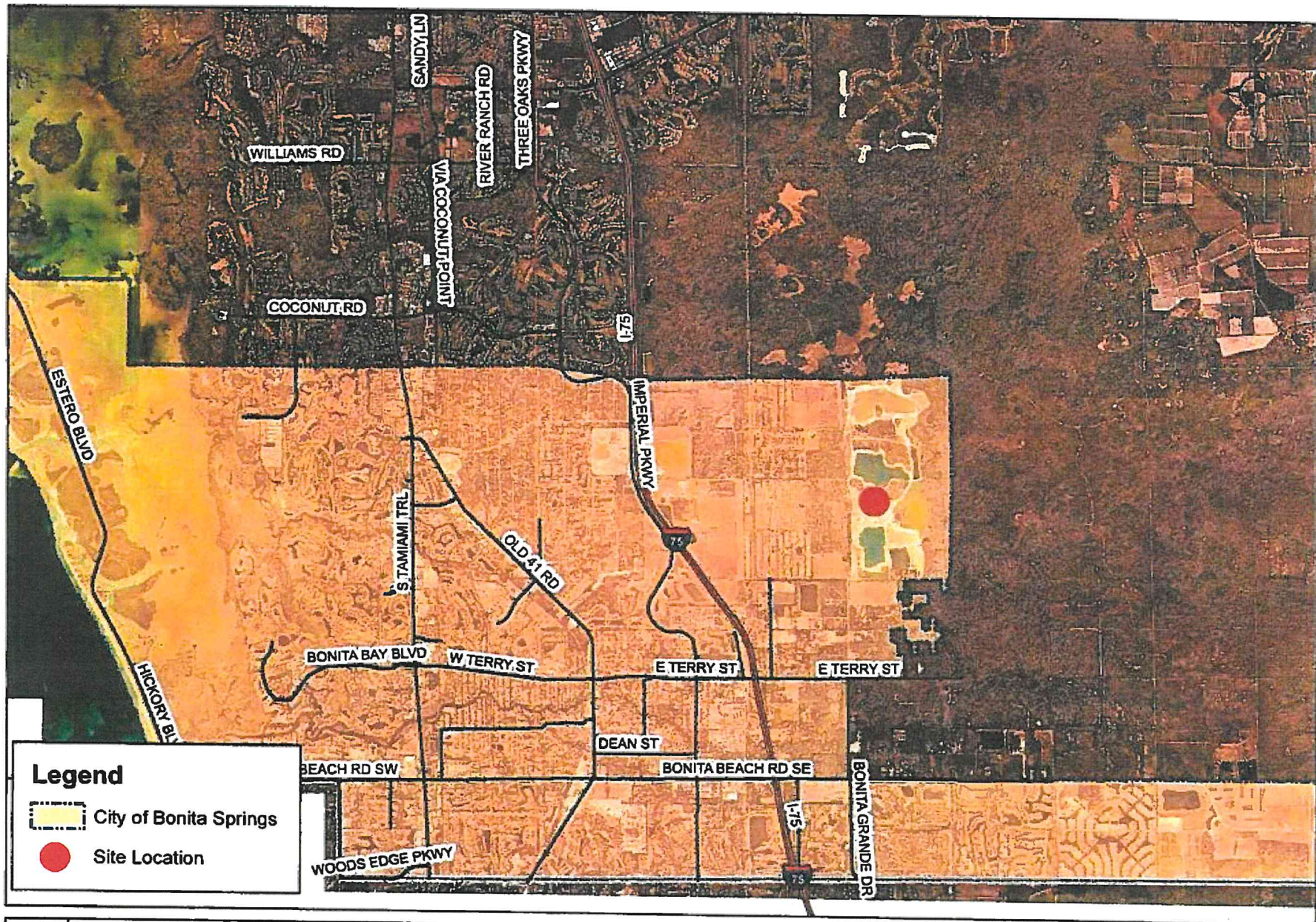
Conclusions

The results of the Bonita Grande Mine CPA transportation assessment are as follows.

5. The Year 2040 (Long-Term) traffic analysis identified the following changes are required to the MPO 2040 Needs Plan network reflective of traffic conditions “without” the proposed CPA.
 - a. Bonita Beach Road from Imperial Parkway to I-75 – Widen from 6 lanes to 8 lanes.
 - b. East Terry from Old 41 to Imperial Parkway – Widen from 4 lanes to 6 lanes.
 - c. Imperial Parkway from Bonita Beach Road to East Terry Street – Widen from 4 lanes to 6 lanes.

The addition of these improvements to the MPO 2040 Needs Plan network is required to address the deficient road segments identified in this report, without the proposed CPA. Likewise, under 163.3177 Florida Statutes, the Transportation Element of the City of Bonita Springs Comprehensive Plan must be updated to be consistent with, and address, the deficiencies identified by the 2040 Needs Plan.

6. The Year 2040 improvements needed to support the proposed CPA are the same improvements that have been identified to support future conditions “without” the CPA, with the exception of Bonita Grande Drive to the Project Entrance. The widening of this road segment is site related, and will be the responsibility of the development to mitigate,



Legend

- City of Bonita Springs
- Site Location

		BONITA GRANDE MINE CPA	PROJECT LOCATION	125/2014-0514 1
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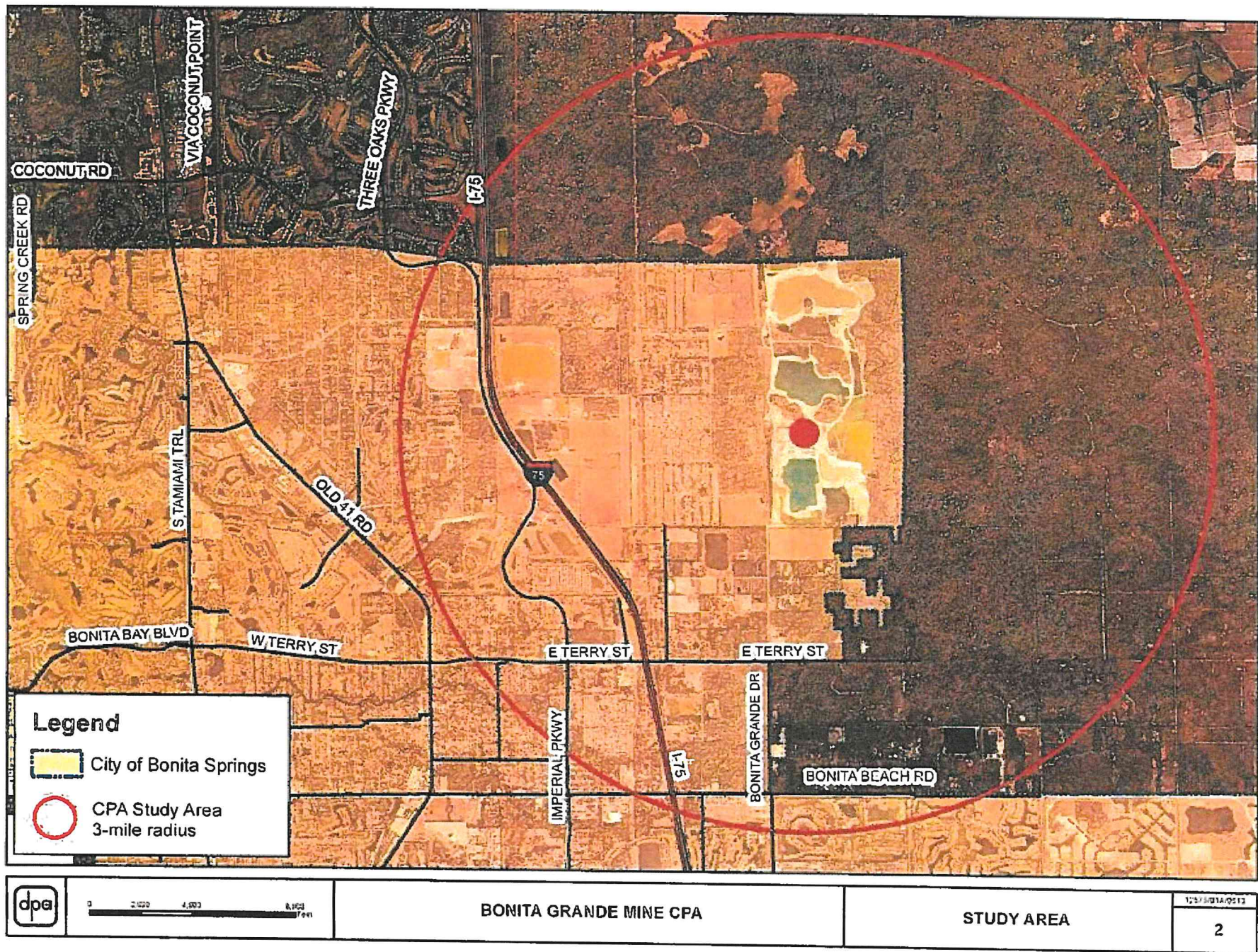


EXHIBIT 3

BONITA GRANDE MINE COMPREHENSIVE PLAN AMENDMENT
FUTURE (2040) TRAFFIC CONDITIONS WITHOUT CPA
DIRECTIONAL PEAK HOUR, PEAK SEASON

ROADWAY	FROM	TO	# of Lanes ¹	LOS Std ²	FDOT Station ³	2040 PSWADT Traffic ⁴		MOCB ⁵	AADT	K Factor ⁶	Two-way Peak Hour Volume	D Factor ⁷		Directional Peak Hr. Vol		Directional Service Volumes ⁸					LOS Std.	LOS V/C ⁹		2040 LOS		Lanes Needed	Additional Lanes Needed	
						Dir1	Dir2					Dir1	Dir2	LOS "A"	LOS "B"	LOS "C"	LOS "D"	LOS "E"	Dir1	Dir2		Dir1	Dir2					
BONITA BEACH ROAD	Old 41	Imperial Parkway	6LD	E	12_4226	61186	0.82	50,200	0.090		4,520	0.588	0.412	2,660	1,860	0	400	2,840	2,940	2,940	2,940	0.90	0.63	C	C	6	Add 0 L	
	Imperial Parkway	I-75	6LD	E	12_6042	70851	0.82	58,100	0.090		5,230	0.588	0.412	3,080	2,150	0	400	2,840	2,940	2,940	2,940	1.05	0.73	F	C	8	Add 2 L	
	I-75	Bonita Grande Drive	6LD	E	12_4903	40436	0.82	33,200	0.090		2,950	0.588	0.412	1,760	1,230	0	400	2,840	2,940	2,940	2,940	0.60	0.42	C	C	4	Add 0 L	
BONITA GRANDE DRIVE	Bonita Grande Drive	Logan Boulevard Ext.	4LD	E	12_4903	37768	0.82	31,000	0.090		2,750	0.588	0.412	1,640	1,150	0	250	1,840	1,960	1,960	1,960	0.84	0.59	C	C	4	Add 0 L	
	Bonita Beach Road	East Terry Street	4LD	E	12_4903	12780	0.82	10,500	0.090		950	0.588	0.412	560	390	0	0	770	1,510	1,600	1,600	0.35	0.24	C	C	2	Add 0 L	
	East Terry Street	Project Entrance	2LU	E	12_4903	5362	0.82	4,400	0.090		400	0.588	0.412	240	160	0	0	310	660	740	740	0.32	0.22	C	C	2	Add 0 L	
EAST TERRY STREET	Old 41	Imperial Parkway	4LD	E	12_0208	40103	0.82	32,900	0.090		2,960	0.588	0.412	1,740	1,220	0	0	770	1,510	1,600	1,600	1.09	0.76	F	D	6	Add 2 L	
	Imperial Parkway	Bonita Grande Drive	4LD	E	12_0208	8247	0.82	6,800	0.090		610	0.588	0.412	360	250	0	0	770	1,510	1,600	1,600	0.73	0.16	C	C	2	Add 0 L	
	Corkscrew Road (NB)	Bonita Beach Road (NB)	3LF	D	12_0054	63661	0.91	57,900	0.090		5,210	0.581	-	6,118	-	0	3,360	4,580	5,550	6,080	5,550	1.10	-	F	-	4	Add 1 L	
I-75	Corkscrew Road (SB)	Bonita Beach Road (SB)	3LF	D	12_0054	64974	0.91	59,100	0.090		5,320	-	0.419	-	4,412	0	3,360	4,580	5,550	6,080	5,550	-	0.79	-	C	-	3	Add 0 L
	Bonita Beach Road (NB)	Immokalee Road (NB)	3LF	D	03_9950	67849	0.91	61,700	0.090		5,550	0.559	-	6,199	-	0	3,360	4,580	5,550	6,080	5,550	1.12	-	F	-	4	Add 1 L	
	Bonita Beach Road (SB)	Immokalee Road (SB)	3LF	D	03_9950	67741	0.91	61,600	0.090		5,540	-	0.441	-	4,891	0	3,360	4,580	5,550	6,080	5,550	-	0.88	-	D	-	3	Add 0 L
Imperial Parkway	Cullier County Line	Bonita Beach Road	4LD	E	12_4492	50307	0.82	41,300	0.090		3,720	0.588	0.412	2,190	1,530	0	250	1,840	1,960	1,960	1,960	1.12	0.78	F	C	6	Add 2 L	
	Bonita Beach Road	East Terry Street	4LD	E	12_4492	49795	0.82	40,800	0.090		3,670	0.588	0.412	2,160	1,510	0	250	1,840	1,960	1,960	1,960	1.10	0.77	F	C	6	Add 2 L	
	East Terry Street	Coconut Road	4LD	E	12_4492	21743	0.82	17,800	0.090		1,600	0.588	0.412	940	660	0	250	1,840	1,960	1,960	1,960	0.48	0.34	C	C	4	Add 0 L	
Old 41	East Terry Street	Bonita Beach Road	2LU	E	12_4641	29832	0.82	24,500	0.090		2,210	0.588	0.412	1,300	910	0	0	330	710	780	780	1.57	1.17	F	F	4	Add 2 L	

FOOTNOTES:

- (1) Lee County MPO 2040 Long Range Transportation Plan Highway Cost Feasible Plan number of lanes.
- (2) Lee County roadway LOS standard used for county roadways (LOS E). FDOT roadway LOS standard used for state roadways (LOS D).
- (3) FDOT count station from FDOT Traffic Online 2016.
- (4) PSWADT from 2040 travel model assignment without CPA (current LU designation) on MPO 2040 Cost Feasible road network.
- (5) Adjustment factors per FDOT Traffic Online 2016.
- (6) Lee County Generalized Peak Hour Service Volumes (April 2016) used for county roads. FDOT Generalized Peak Hour Directional Volumes (December 2012) used for state roads.

EXHIBIT 4

BONITA GRANDE MINE COMPREHENSIVE PLAN AMENDMENT
FUTURE (2040) TRAFFIC CONDITIONS WITH CPA
DIRECTIONAL PEAK HOUR, PEAK SEASON

ROADWAY	FROM	TO	# of Lanes ¹	LOS Std. ²	FDOT Station ³	2040		AADT	K Factor ⁵	Two-way Peak Hour		Directional Peak Hr. Vol.		Directional Service Volumes ⁶					LOS Sid.	LOS V/C		2040		Lanes Needed	Additional Lanes Needed		
						PSWADT Traffic ⁴	MOCF ⁵			Volume	D Factor ⁵	Dir1	Dir2	Dir1	Dir2	LOS "A"	LOS "B"	LOS "C"		LOS "D"	LOS "E"	Dir1	Dir2			Dir1	Dir2
HONITA BEACH ROAD	Old 41	Imperial Parkway	6LD	E	12_4226	61949	0.82	50,800	0.090	4,570	0.588	0.412	2,690	1,880	0	400	2,840	2,940	2,940	2,940	0.91	0.64	C	C	6	Add 0 L	
	Imperial Parkway	I-75	6LD	E	12_6042	69839	0.82	57,300	0.090	5,160	0.588	0.412	3,030	2,130	0	400	2,840	2,940	2,940	2,940	1.03	0.72	F	C	8	Add 2 L	
	I-75	Bonita Grande Drive	6LD	E	12_4903	45824	0.82	37,600	0.090	3,380	0.588	0.412	1,990	1,390	0	400	2,840	2,940	2,940	2,940	0.68	0.47	C	C	6	Add 0 L	
	Bonita Grande Drive	Logan Boulevard Ext.	4LD	E	12_4903	37986	0.82	31,100	0.090	2,800	0.588	0.412	1,650	1,150	0	250	1,840	1,960	1,960	1,960	0.84	0.59	C	C	4	Add 0 L	
HONITA GRANDE DRIVE	Bonita Beach Road	East Terry Street	4LD	E	12_4903	21780	0.82	17,900	0.090	1,610	0.588	0.412	950	660	0	0	770	1,510	1,600	1,600	0.59	0.41	D	C	4	Add 0 L	
	East Terry Street	Imperial Parkway	2LU	E	12_4903	18666	0.82	15,300	0.090	1,380	0.588	0.412	810	570	0	0	310	660	740	740	1.09	0.77	F	D	4	Add 2 L	
EAST TERRY STREET	Old 41	Imperial Parkway	4LD	E	12_0208	41318	0.82	33,900	0.090	3,050	0.588	0.412	1,790	1,260	0	0	770	1,510	1,600	1,600	1.12	0.79	F	D	6	Add 2 L	
	Imperial Parkway	Bonita Grande Drive	4LD	E	12_0208	17484	0.82	14,300	0.090	1,290	0.588	0.412	760	530	0	0	770	1,510	1,600	1,600	0.48	0.33	C	C	2	Add 0 L	
I-75	Corkenew Road (NB)	Bonita Beach Road (NB)	3LF	D	12_0054	63547	0.91	57,800	0.090	5,200	0.581	-	6,077	-	0	3,360	4,580	5,550	6,080	5,550	1.10	-	E	-	4	Add 1 L	
	Corkenew Road (SB)	Bonita Beach Road (SB)	3LF	D	12_0054	64127	0.91	58,400	0.090	5,260	-	0.419	-	4,383	0	3,360	4,580	5,550	6,080	5,550	-	0.79	-	C	3	Add 0 L	
	Bonita Beach Road (NB)	Immolake Road (NB)	3LF	D	03_9950	68098	0.91	62,000	0.090	5,580	0.559	-	6,065	-	0	3,360	4,580	5,550	6,080	5,550	1.09	-	E	-	4	Add 1 L	
	Bonita Beach Road (SB)	Immolake Road (SB)	3LF	D	03_9950	64300	0.91	58,500	0.090	5,270	-	0.441	-	4,785	0	3,360	4,580	5,550	6,080	5,550	-	0.86	-	D	3	Add 0 L	
Imperial Parkway	Culler County Line	Bonita Beach Road	4LD	E	12_4492	54007	0.82	44,300	0.090	3,990	0.588	0.412	2,350	1,640	0	250	1,840	1,960	1,960	1,960	1.20	0.84	F	C	6	Add 2 L	
	Bonita Beach Road	East Terry Street	4LD	E	12_4492	48016	0.82	39,400	0.090	3,550	0.588	0.412	2,090	1,460	0	250	1,840	1,960	1,960	1,960	1.07	0.74	F	C	6	Add 2 L	
	East Terry Street	Corkenew Road	4LD	E	12_4492	22455	0.82	18,400	0.090	1,660	0.588	0.412	980	680	0	250	1,840	1,960	1,960	1,960	0.50	0.35	C	C	4	Add 0 L	
Old 41	East Terry Street	Bonita Beach Road	2LU	E	12_4641	31005	0.82	25,400	0.090	2,290	0.588	0.412	1,350	940	0	0	330	710	780	780	1.73	1.21	F	F	4	Add 2 L	

FOOTNOTES:

- (1) Lee County MPO 2040 Long Range Transportation Plan Highway Cost Feasible Plan number of lanes.
- (2) Lee County roadway LOS standard used for county roadways (LOS E). FDOT roadway LOS standard used for state roadways (LOS D).
- (3) FDOT count station from FDOT Traffic Online 2016.
- (4) PSWADT from 2040 travel model assignment with proposed CPA on MPO 2040 Cost Feasible road network.
- (5) Adjustment factors per FDOT Traffic Online 2016.
- (6) Lee County Generalized Peak Hour Service Volumes (April 2016) used for county roads. FDOT Generalized Peak Hour Directional Volumes (December 2012) used for state roads.

12/26/2017

EXHIBIT 5

**BONITA GRANDE MINE COMPREHENSIVE PLAN AMENDMENT
FUTURE (2040) ROADWAY NEEDS COMPARISON**

			Number of Lanes										
ROADWAY	FROM	TO	Adopted 2040 MPO LRTP			CPA Analysis							
			Existing ¹	Needs Plan ²	Cost Feasible Plan ³	Without CPA (Current)			With CPA (Proposed)				
						Needs ⁴	Consistent w/ MPO Needs ⁵	Update MPO Needs ⁶	Needs ⁷	Consistent w/ MPO Needs ⁸	Consistent w/ Without CPA ⁹	Update MPO Needs ¹⁰	
BONITA BEACH ROAD	Old 41	Imperial Parkway	6LD	6LD	6LD	6LD	Yes	No	6LD	Yes	Yes	No	
	Imperial Parkway	I-75	6LD	6LD	6LD	8LD	No	Yes	8LD	No	Yes	Yes	
	I-75	Bonita Grande Drive	4LD	6LD	6LD	4LD	Yes	No	6LD	Yes	No	No	
BONITA GRANDE DRIVE	Bonita Grande Drive	Logan Boulevard Ext.	4LD	4LD	4LD	4LD	Yes	No	4LD	Yes	Yes	No	
	Bonita Beach Road	East Terry Street	2LU	4LD	4LD	2LU	Yes	No	4LD	Yes	No	No	
	East Terry Street	Project Entrance	2LU	2LU	2LU	2LU	Yes	No	4LD	No	No	Yes	
EAST TERRY STREET	Old 41	Imperial Parkway	4LD	4LD	4LD	6LD	No	Yes	6LD	No	Yes	Yes	
	Imperial Parkway	Bonita Grande Drive	2LU	4LD	4LD	2LD	Yes	No	2LU	Yes	Yes	No	
I-75	Corkscrew Road (NB)	Bonita Beach Road (NB)	3LF	4LF	3LF	4LF	Yes	No	4LF	Yes	Yes	No	
	Corkscrew Road (SB)	Bonita Beach Road (SB)	3LF	4LF	3LF	4LF	Yes	No	3LF	Yes	Yes	No	
	Bonita Beach Road (NB)	Immokalee Road (NB)	3LF	4LF	3LF	4LF	Yes	No	4LF	Yes	Yes	No	
	Bonita Beach Road (SB)	Immokalee Road (SB)	3LF	4LF	3LF	4LF	Yes	No	3LF	Yes	Yes	No	
Imperial Parkway	Culliver County Line	Bonita Beach Road	4LD	6LD	4LD	6LD	Yes	No	6LD	Yes	Yes	No	
	Bonita Beach Road	East Terry Street	4LD	4LD	4LD	6LD	No	Yes	6LD	No	Yes	Yes	
	East Terry Street	Coconut Road	4LD	4LD	4LD	4LD	Yes	No	4LD	Yes	Yes	No	
Old 41	East Terry Street	Bonita Beach Road	2LU ¹¹	2LU ¹¹	2LU ¹¹	4LD ¹¹	No ¹¹	No ¹¹	4LD ¹¹	No ¹¹	Yes ¹¹	No ¹¹	

FOOTNOTES:

- (1) Existing 2017 conditions.
- (2) Adopted MPO 2040 LRTP - Highway Needs Plan.
- (3) Adopted MPO 2040 LRTP - Highway Cost Feasible Plan.
- (4) CPA Traffic Analysis - Without the CPA (Allowed 354 SF + 37 MF = 391 total d.u.).
- (5) Comparison between (4) and (7) - Are the needed improvements without the CPA the same or less than those adopted by the MPO?
- (6) Recommended update to (2) - Are there any improvements needed without the CPA that would require an update to the adopted MPO Needs Plan?
- (7) CPA Traffic Analysis - With the CPA (Proposed 1,934 SF + 634 MF = 2,536 total d.u.).
- (8) Comparison between (7) and (2) - Are the needed improvements with the CPA the same or less than those adopted by the MPO?
- (9) Comparison between (7) and (4) - Are the needed improvements with the CPA the same or less than those needed without the CPA?
- (10) Recommended update to (2) - Are there any improvements needed with the CPA that would require an update to the adopted MPO Needs Plan?
- (11) An update to the adopted MPO 2040 LRTP Highway Needs Plan is not recommended due to designation as a constrained road.

12/26/2017

EXHIBIT 6

**BONITA GRANDE MINE COMPREHENSIVE PLAN AMENDMENT
FUTURE (2022) TRAFFIC CONDITIONS WITHOUT CPA
DIRECTIONAL PEAK HOUR, PEAK SEASON**

ROADWAY	FROM	TO	# of Lanes ¹	LOS Std. ²	FDOT Station ³	2040 PSWADT Traffic ⁴		MOCP ⁵	AADT	K Factor ⁵	Two-way Peak Hour Volume		D Factor ⁶		Directional Peak Hr. Vol.		Directional Service Volumes ⁶						LOS V/C		2040 LOS		Lanes Needed	Additional Lanes Needed
						PSWADT	MOCP ⁵				Volume	Dir1	Dir2	Dir1	Dir2	LOS "A"	LOS "B"	LOS "C"	LOS "D"	LOS "E"	Std.	Dir1	Dir2	Dir1	Dir2			
RONITA BEACH ROAD	Old 41	Imperial Parkway	6LD	E	12_4226	48302	0.82	39,600	0.090	3,560	0.588	0.412	2,090	1,470	0	0	400	2,840	2,940	2,940	2,940	0.71	0.50	C	C	6	Add 0 L	
	Imperial Parkway	I-75	6LD	E	12_6042	58547	0.82	48,000	0.090	4,320	0.588	0.412	2,540	1,780	0	0	400	2,840	2,940	2,940	2,940	0.86	0.61	C	C	6	Add 0 L	
	I-75	Bonita Grande Drive	4LD	E	12_4903	30509	0.82	25,000	0.090	2,250	0.588	0.412	1,320	930	0	250	1,840	1,960	1,960	1,960	0.67	0.47	C	C	4	Add 0 L		
	Bonita Grande Drive	Logan Boulevard Ext.	4LD	E	12_4903	26783	0.82	22,000	0.090	1,980	0.588	0.412	1,160	820	0	250	1,840	1,960	1,960	1,960	0.59	0.42	C	C	4	Add 0 L		
BONITA GRANDE DRIVE	East Terry Street	East Terry Street	2LU	E	12_4903	4548	0.82	3,700	0.090	330	0.588	0.412	190	140	0	0	310	660	740	740	0.26	0.19	C	C	2	Add 0 L		
	East Terry Street	Project Entrance	2LU	E	12_4903	2982	0.82	2,400	0.090	220	0.588	0.412	130	90	0	0	310	660	740	740	0.18	0.12	C	C	2	Add 0 L		
EAST TERRY STREET	Old 41	Imperial Parkway	4LD	E	12_0208	33420	0.82	27,400	0.090	2,470	0.588	0.412	1,450	1,020	0	0	770	1,510	1,600	1,600	0.91	0.64	D	D	4	Add 0 L		
	Imperial Parkway	Bonita Grande Drive	2LU	E	12_0208	1649	0.82	1,400	0.090	130	0.588	0.412	80	50	0	0	310	660	740	740	0.11	0.07	C	C	2	Add 0 L		
I-75	Corkscrew Road (NB)	Bonita Beach Road (NB)	3LF	D	12_0054	50038	0.91	45,500	0.090	4,100	0.581	-	4,822	-	0	3,360	4,580	5,550	6,080	5,550	5,550	0.87	-	D	-	3	Add 0 L	
	Corkscrew Road (SB)	Bonita Beach Road (SB)	3LF	D	12_0054	51279	0.91	46,700	0.090	4,200	-	0.419	-	3,478	0	3,360	4,580	5,550	6,080	5,550	5,550	-	0.63	-	C	-	2	Add 0 L
	Bonita Beach Road (NB)	Immokalee Road (NB)	3LF	D	03_9950	53869	0.91	49,000	0.090	4,410	0.559	-	5,014	-	0	3,360	4,580	5,550	6,080	5,550	5,550	0.90	-	D	-	3	Add 0 L	
	Bonita Beach Road (SB)	Immokalee Road (SB)	3LF	D	03_9950	55724	0.91	50,700	0.090	4,560	-	0.441	-	3,956	0	3,360	4,580	5,550	6,080	5,550	5,550	-	0.71	-	C	-	3	Add 0 L
Imperial Parkway	Collier County Line	Bonita Beach Road	4LD	E	12_4492	37240	0.82	30,500	0.090	2,750	0.588	0.412	1,620	1,130	0	250	1,840	1,960	1,960	1,960	0.83	0.58	C	C	4	Add 0 L		
	Bonita Beach Road	East Terry Street	4LD	E	12_4492	37041	0.82	30,400	0.090	2,740	0.588	0.412	1,610	1,130	0	250	1,840	1,960	1,960	1,960	0.82	0.58	C	C	4	Add 0 L		
	East Terry Street	Cocum Road	4LD	E	12_4492	6814	0.82	5,600	0.090	500	0.588	0.412	290	210	0	250	1,840	1,960	1,960	1,960	0.15	0.11	C	B	2	Add 0 L		
Old 41	East Terry Street	Bonita Beach Road	2LU	E	12_4641	23208	0.82	19,000	0.090	1,710	0.588	0.412	1,010	700	0	0	330	710	780	780	1.29	0.90	F	D	4	Add 2 L		

FOOTNOTES:

- (1) Lee County MPO Ex-C road network number of lanes.
- (2) Lee County roadway LOS standard used for county roadways (LOS E). FDOT roadway LOS standard used for state roadways (LOS D).
- (3) FDOT count station from FDOT Traffic Online 2016.
- (4) PSWADT from 2022 travel model assignment without CPA (current LU designation) on MPO Ex-C road network.
- (5) Adjustment factors per FDOT Traffic Online 2016.
- (6) Lee County Generalized Peak Hour Service Volumes (April 2016) used for county roads. FDOT Generalized Peak Hour Directional Volumes (December 2012) used for state roads.

EXHIBIT 7

BONITA GRANDE MINE COMPREHENSIVE PLAN AMENDMENT
FUTURE (2022) TRAFFIC CONDITIONS WITH CPA
DIRECTIONAL PEAK HOUR, PEAK SEASON

ROADWAY	FROM	TO	# of Lanes ¹	LOS Std. ²	FDOT Station ³	2040 PSWADT Traffic ⁴		AADT	K Factor ⁵	Two-way Peak Hour Volume		D Factor ⁵		Directional Peak Hr. Vol.		Directional Service Volumes ⁶					LOS V/C		2040 LOS		Lanes Needed	Additional Lanes Needed
						PSWADT	MOCT ⁴									LOS "A"	LOS "B"	LOS "C"	LOS "D"	LOS "E"	LOS Std.	Dir1	Dir2	Dir1	Dir2	
						Dir1	Dir2							Dir1	Dir2	LOS "A"	LOS "B"	LOS "C"	LOS "D"	LOS "E"	LOS Std.	Dir1	Dir2	Dir1	Dir2	
BONITA BEACH ROAD	Old 41	Imperial Parkway	6LD	E	12_4226	48216	0.82	39,500	0.090	3,560	0.588	0.412	2,090	1,470	0	400	2,840	2,940	2,940	2,940	0.71	0.50	C	C	6	Add 0 L
	Imperial Parkway	I-75	6LD	E	12_6042	60386	0.82	49,500	0.090	4,460	0.588	0.412	2,620	1,840	0	400	2,840	2,940	2,940	2,940	0.89	0.63	C	C	6	Add 0 L
	I-75	Bonita Grande Drive	4LD	E	12_4903	31769	0.82	26,100	0.090	2,350	0.588	0.412	1,380	970	0	250	1,840	1,960	1,960	1,960	0.70	0.49	C	C	4	Add 0 L
BONITA GRANDE DRIVE	Bonita Grande Drive	Logan Boulevard Ext.	4LD	E	12_4903	26858	0.82	22,000	0.090	1,980	0.588	0.412	1,160	820	0	250	1,840	1,960	1,960	1,960	0.59	0.42	C	C	4	Add 0 L
	Bonita Beach Road	East Terry Street	2LU	E	12_4903	5196	0.82	4,300	0.090	390	0.588	0.412	230	160	0	0	310	660	740	740	0.31	0.22	C	C	2	Add 0 L
	East Terry Street	Project Entrance	2LU	E	12_4903	5196	0.82	4,300	0.090	390	0.588	0.412	230	160	0	0	310	660	740	740	0.31	0.22	C	C	2	Add 0 L
EAST TERRY STREET	Old 41	Imperial Parkway	4LD	E	12_0208	33956	0.82	27,800	0.090	2,500	0.588	0.412	1,470	1,030	0	0	770	1,510	1,600	1,600	0.92	0.64	D	D	4	Add 0 L
	Imperial Parkway	Bonita Grande Drive	2LU	E	12_4903	5196	0.82	4,300	0.090	390	0.588	0.412	230	160	0	0	310	660	740	740	0.31	0.22	C	C	2	Add 0 L
	Bonita Beach Road (NB)	Bonita Beach Road (NB)	3LF	D	12_0054	50058	0.91	45,600	0.090	4,100	0.581	-	4,822	-	0	3,360	4,580	5,550	6,080	5,550	0.87	-	D	-	3	Add 0 L
I-75	Corkscrew Road (SB)	Bonita Beach Road (SB)	3LF	D	12_0054	51271	0.91	46,700	0.090	4,200	-	0.419	-	3,478	0	3,360	4,580	5,550	6,080	5,550	-	0.63	-	C	2	Add 0 L
	Bonita Beach Road (NB)	Immokatee Road (NB)	3LF	D	03_9950	54722	0.91	49,800	0.090	4,480	0.559	-	5,098	-	0	3,360	4,580	5,550	6,080	5,550	0.92	-	D	-	3	Add 0 L
	Bonita Beach Road (SB)	Immokatee Road (SB)	3LF	D	03_9950	56613	0.91	51,500	0.090	4,640	-	0.441	-	4,022	0	3,360	4,580	5,550	6,080	5,550	-	0.72	-	C	3	Add 0 L
Imperial Parkway	Cullier County Line	Bonita Beach Road	4LD	E	12_4492	35396	0.82	29,000	0.090	2,610	0.588	0.412	1,530	1,080	0	250	1,840	1,960	1,960	1,960	0.78	0.55	C	C	4	Add 0 L
	Bonita Beach Road	East Terry Street	4LD	E	12_4492	37130	0.82	30,400	0.090	2,740	0.588	0.412	1,610	1,130	0	250	1,840	1,960	1,960	1,960	0.82	0.58	C	C	4	Add 0 L
	East Terry Street	Cocunut Road	4LD	E	12_4492	6974	0.82	5,700	0.090	510	0.588	0.412	300	210	0	250	1,840	1,960	1,960	1,960	0.15	0.11	C	B	2	Add 0 L
Old 41	East Terry Street	Bonita Beach Road	2LU	E	12_4641	23252	0.82	19,100	0.090	1,720	0.588	0.412	1,010	710	0	0	330	710	780	780	1.29	0.91	F	E	4	Add 2 L

FOOTNOTES:

- (1) Lee County MPO E+C road network number of lanes.
- (2) Lee County roadway LOS standard used for county roadways (LOS E). FDOT roadway LOS standard used for state roadways (LOS D).
- (3) FDOT count station from FDOT Traffic Online 2016.
- (4) PSWADT from 2022 travel model assignment without CPA (current LU designation) on MPO E+C road network.
- (5) Adjustment factors per FDOT Traffic Online 2016.
- (6) Lee County Generalized Peak Hour Service Volumes (April 2016) used for county roads. FDOT Generalized Peak Hour Directional Volumes (December 2012) used for state roads.

EXHIBIT 8

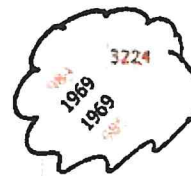
**BONITA GRANDE MINE COMPREHENSIVE PLAN AMENDMENT
FUTURE (2022) ROADWAY NEEDS COMPARISON**

			Number of Lanes									
ROADWAY	FROM	TO	Adopted 2040 MPO LRTP			CPA Analysis						
			Existing ¹	Needs Plan ²	E+C Network ³	Without CPA (Current)			With CPA (Proposed)			
						Needs ⁴	Consistent w/ MPO Needs ⁵	Update MPO Needs ⁶	Needs ⁷	Consistent w/ MPO Needs ⁸	Consistent w/ Without CPA ⁹	Update MPO Needs ¹⁰
BONITA BEACH ROAD	Old 41	Imperial Parkway	6LD	6LD	6LD	6LD	Yes	No	6LD	Yes	Yes	No
	Imperial Parkway	I-75	6LD	6LD	6LD	6LD	Yes	No	6LD	Yes	Yes	No
	I-75	Bonita Grande Drive	4LD	6LD	6LD	6LD	Yes	No	6LD	Yes	Yes	No
BONITA GRANDE DRIVE	Bonita Grande Drive	Logan Boulevard Ext.	4LD	4LD	4LD	4LD	Yes	No	4LD	Yes	Yes	No
	Bonita Beach Road	East Terry Street	2LU	4LD	4LD	4LD	Yes	No	4LD	Yes	Yes	No
	East Terry Street	Project Entrance	2LU	2LU	2LU	2LU	Yes	No	2LU	Yes	Yes	No
EAST TERRY STREET	Old 41	Imperial Parkway	4LD	4LD	4LD	4LD	Yes	No	4LD	Yes	Yes	No
	Imperial Parkway	Bonita Grande Drive	2LU	4LD	4LD	4LD	Yes	No	4LD	Yes	Yes	No
	Corkscrew Road (NB)	Bonita Beach Road (NB)	3LF	4LF	3LF	3LF	Yes	No	3LF	Yes	Yes	No
I-75	Corkscrew Road (SB)	Bonita Beach Road (SB)	3LF	4LF	3LF	3LF	Yes	No	3LF	Yes	Yes	No
	Bonita Beach Road (NB)	Immolalce Road (NB)	3LF	4LF	3LF	3LF	Yes	No	3LF	Yes	Yes	No
	Bonita Beach Road (SB)	Immolalce Road (SB)	3LF	4LF	3LF	3LF	Yes	No	3LF	Yes	Yes	No
Imperial Parkway	Collier County Line	Bonita Beach Road	4LD	6LD	4LD	4LD	Yes	No	4LD	Yes	Yes	No
	Bonita Beach Road	East Terry Street	4LD	4LD	4LD	4LD	Yes	No	4LD	Yes	Yes	No
	East Terry Street	Coconut Road	4LD	4LD	4LD	4LD	Yes	No	4LD	Yes	Yes	No
Old 41	East Terry Street	Bonita Beach Road	2LU ¹¹	2LU ¹¹	2LU ¹¹	4LD ¹¹	No ¹¹	No ¹¹	4LD ¹¹	No ¹¹	Yes ¹¹	No ¹¹

FOOTNOTES:

- (1) Existing 2017 conditions.
- (2) Adopted MPO 2040 LRTP - Highway Needs Plan.
- (3) Adopted MPO 2040 LRTP - E+C Road Network.
- (4) CPA Traffic Analysis - Without the CPA (Allowed 354 SF + 37 MF = 391 total d.u.).
- (5) Comparison between (4) and (2) - Are the needed improvements without the CPA the same or less than those adopted by the MPO?
- (6) Recommended update to (2) - Are there any improvements needed without the CPA that would require an update to the adopted MPO Needs Plan?
- (7) CPA Traffic Analysis - With the CPA (Proposed 1,200 SF + 400 MF = 1,600 total d.u.).
- (8) Comparison between (7) and (2) - Are the needed improvements with the CPA the same or less than those adopted by the MPO?
- (9) Comparison between (7) and (4) - Are the needed improvements with the CPA the same or less than those needed without the CPA?
- (10) Recommended update to (2) - Are there any improvements needed with the CPA that would require an update to the adopted MPO Needs Plan?
- (11) An update to the adopted MPO 2040 LRTP Highway Needs Plan is not recommended due to designation as a constrained road.

APPENDIX E
FSUTMS PSWADT PLOTS



- Lanes=1
- Lanes=2
- Lanes=3
- Lanes=4
- Lanes=5-10
- FTYPE=51-59
- xxx (Black) = Total PSWADT (Two-Way)
- xxx (Orange) = Select Zone PSWADT (Dir.)

1969 PSWADT

29832
29832
21743
21743
40103
40103
56664
56664
63
63
200
200
60
60

8247
8247
346
346

5362
5362
924
924

12780
12780
559
559
573
573

63661
63661
64974
64974
43
43

61186
61186
50307
50307
131
131
127
127
83
83

70851
70851
197
197
210
210

40436
40436
471
471
463
463

37768
37768
96
96
94
94

67849
67849
67741
67741
197
197

DAVID PLUMMER & ASSOCIATES

BONITA GRANDE MINE CPA
2040 COST FEASIBLE ROAD NETWORK
PSWADT PLOT - WITHOUT CPA

cube

(Licensed to Florida Department of Transportation)

cube

19872 - PSWADT

18666
18666
9337

1655
17484
17484
3791

5519
21780
21780
5654

635A7
6A127

718	22455	22455	718
753	22455	22455	753
2131	41318	41318	2131
2158	41318	41318	2158
975	161084	161084	975

43
29705
29705
36

1388
61949
61949
1322
54007
54007
1358

2562
69839
69839
2043

4719
45824
45824
4698

739
37986
37986
853

68098
64300

**BONITA GRANDE MINE CPA
2040 COST FEASIBLE ROAD NETWORK
PSWADT PLOT - WITH CPA**

DAVID PLUMMER & ASSOCIATES

(Licensed to Florida Department of Transportation)



- Lanes=1
- Lanes=2
- Lanes=3
- Lanes=4
- Lanes=5-9
- FTYPE=51-59
- xxx (Black) = Total PSWADT (Two-Way)
- xxx (Orange) = Select Zone PSWADT (Dir.)

714 PSWADT

334
2982
2982
332

111
1649
1649
113

218
4548
4548
221

26
26783
26783
29

190
30509
30509
191

56
58547
58547
61

89
53869
55724
60

9
6814
6814
9
18
33420
33420
83
37041
37041
5

38
48302
48302
38
25
37240
37240
23

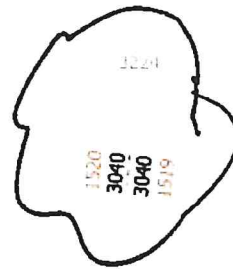
12
23208
23208
13

BONITA GRANDE MINE CPA
2022 E+C ROAD NETWORK
PSWADT PLOT - WITHOUT CPA

DAVID PLUMMER & ASSOCIATES

cube

(Licensed to Florida Department of Transportation)



- Lanes=1
- Lanes=2
- Lanes=3
- Lanes=4
- Lanes=5-9
- FTYPE=51-59
- xxx (Black) = Total PSWADT (Two-Way)
- xxx (Orange) = Select Zone PSWADT (Dir.)

3039 PSWAD



DAVID PLUMMER & ASSOCIATES

BONITA GRANDE MINE CPA
2022 E+C ROAD NETWORK
PSWADT PLOT - WITH CPA

cube

(Licensed to Florida Department of Transportation)

Bonita Grande
Comprehensive Plan Amendment
Public Facilities Impacts

Potable Water

The subject property will be serviced by Bonita Springs Utilities Water Treatment Facility. Bonita Springs Utilities currently has capacity to provide 15.56 million gallons of water per day. According to the 2018 Annual Report, the average daily water production in 2018 was 10.08 million gallons and 9.618 million gallons in 2017. The anticipated needs of the proposed project are well within the remaining capacity of Bonita Springs Utilities.

LOS Standard = 235-250 GPD/ERC

Existing Land Use = Lee County Density Reduction Groundwater Resource
Active Mining, no central service.

Proposed Land Use = Conservation Fringe District
700 Dwelling Units @ 235-250 GPD = 164,500 175,000 GPD

The amendment results in an increased demand of 164,500 175,000 GPD. According to the 2018 Annual Report, there are 5.4 million gallons of water per day available for future development. A capacity problem is not expected from the proposed development.

Sanitary Sewer

The subject property will be serviced by Bonita Springs Utilities Water Reclamation Facility. Bonita Springs Utility Reclamation Facility currently has capacity to provide 11 million gallons per day of sanitary sewer as per the 2018. According the 2018 Annual Report, the average daily wastewater flow for 2018 was 4.53 million gallons and 4.77 million gallons in 2017. The anticipated needs of the proposed project are well within the remaining capacity of the City of Bonita Springs Central Advance Wastewater Treatment Facility.

LOS Standard = 200 GPD/ERC

Existing Land Use = Lee County Density Reduction Groundwater Resource
Active Mining, no central service

Proposed Land Use =
Conservation Fringe District

700 Dwelling units @ 200 GPD = 140,000 GPD

700

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COMMUNITY DEVELOPMENT
DEPARTMENT

The amendment results in an increased demand of 140,000 GPD. According to the 2018 Annual Report there is capacity to treat an additional 6.47 million gallons of wastewater. A capacity problem is not expected from the proposed development.

Solid Waste

The City of Bonita Springs has an interlocal agreement with Lee County to allow the City's Solid Waste to be disposed of at Lee County's Waste to Energy Facility.

LOS Standard = 7 pounds/day/capita

Current Facility Capacity = 1,836 tons/day and 628,667 tons/year

Existing Land Use = Lee County Density Reduction Groundwater Resource

Active Mining, no solid waste service

Proposed Land Use =

Conservation Fringe District

700 Dwelling Units @2.25 person per unit= 1,575 persons

1,575 person @7lbs/day= 11,025 lbs.

The proposed amendment results in an increase of solid waste generation of 11,025 lbs. /day. According to the 2019 Lee County Concurrency Report, all unincorporated areas of Lee County are in compliance with the Level of Service Standard set forth in the Lee Plan for Solid Waste and new development should be accommodated by the existing capacity.

Surface Water/Drainage Basins – South Florida Water Management District

The subject property is within the Estero River Basin. Surface water is managed through an on-site stormwater management system, which meets or exceeds the City's adopted LOS Standard provided for reference below. If modifications to the system are needed to serve the proposed redevelopment of the subject property, applicable permits and modifications will be requested at that time. The system will be designed to maintain the City's established Level of Service.

LOS Standard

During a 3-day storm event (rainfall) accumulation of 13.7 inches or less (3-day, 100 year storm as defined by SFWMD), one lane of evacuation routes should remain passable (defined as less than 6 inches of standing water over the crown). Emergency shelters and essential services should not be flooded.

During a 3 day rainfall accumulation of 11.7 inches or less (3-day, 25- year storm as defined by SFWMD), all lanes of evacuation routes should remain passable, Emergency shelters and essential services should not be flooded. During coastal flooding of up to 4.0 feet above mean sea level, all lanes of evacuation routes should remain passable. Emergency shelters should not be flooded.

Parks, Recreation, Open Space

According to the 2012 City of Bonita Springs Parks and Recreation Master Plan Update, there are approximately 146 acres of parks owned and operated by the City. In addition to the miles of trails associated with the Great Calusa Blueway which links many of the City's parks together. Within the City of Bonita Springs are 362 acres of parks owned by Lee County. The 1,616 acre Lovers Key State Park is also within City Limits.

LOS Standards = Regional Parks 6 acres per 1,000 people

Community Parks 1 acre per 1,000 people

Existing Land Use = Lee County Density Reduction Groundwater Resources

Active Mine no parks, recreation, required. Open Space is provided via existing on-site Conservation Easements.

Proposed Land Use =

Conservation Fringe District

700 Dwelling Units @ 2.25 persons per unit = 1,575 persons

Regional Parks @ 6 Acres/ 1000= 9.45 acres required

Community Park @ 1 acre/1000= 1.58 acres required

The amendment results in an additional demand for 9.45 acres of Regional Parks and an additional demand for 1.58 acres of Community Parks. The proposed development will include open space and native habitat that will provide passive recreation for the residents as well as protection for natural resources. Additionally, the 368 acres of on-site preservation area will ensure the land is maintained as native habitat and open space in perpetuity. An additional 14 acres will remain as Native Open Space Creation Areas, which also provides native habitat and open space in perpetuity. Furthermore, impact fees will be assessed at the time of development providing for additional park resources when necessary.

A review of the 2012 City of Bonita Springs Parks and Recreation Master Plan Update demonstrates the City does not own and operate a regional park. The City does own and operate a number of community parks that meet the level of service requirements with the proposed development. Lee County and the State of Florida operate multiple parks that qualify as Regional Parks and meet the level of service requirements with the proposed development.

As part of the Settlement Agreement between the property owner and the City of Bonita Springs adopted on November 20, 2019, the northern portion of the subject property will become a new City Park with passive and active recreational uses.

Public School

The subject property is located entirely within the Lee County District School Board South Zone 3. The actual enrollment and FISH capacity are reflective of the Lee County 2019 Concurrency Report.

LOS Standard = Elementary, Middle and High Schools: 100% of Permanent FISH Capacity as adjusted by the School Board annually to account for measurable programmatic changes.

Elementary Schools (Bonita Springs, Spring Creek, Pinewoods)

Actual enrollment= 2,429 FISH Capacity= 2,247

Capacity Available= (-182) seats

Middle School (Bonita Springs)

Actual Enrollment= 906 FISH Capacity= 910

Capacity Available= (4) Seats

High School (Estero, Bonita Springs (Opening 2018))

Actual Enrollment = 2,302 FISH Capacity = 1,633

Capacity Available= (-669) Seats

Existing Land Use = Lee County Density Reduction Groundwater Resource

Active Mine, no students per household

Proposed Land Use =

Conservation Fringe District

700 Dwelling Units @ .299 students/household= 209 Students

The amendment results in the addition of 209 Students. There is a currently capacity at all education levels within this school zone to accommodate the proposed development.



BONITA SPRINGS FIRE CONTROL & RESCUE DISTRICT

27701 BONITA GRANDE DRIVE, BONITA SPRINGS, FL 34135

ADMINISTRATION
TEL: (239) 949-6200
FAX: (239) 949-6207

FIRE PREVENTION
TEL: (239) 949-6211
FAX: (239) 949-6216

STEVE LOHAN
CHAIRMAN

LAWRENCE P. KOSILLA, JR.
VICE-CHAIRMAN

JAMES P. MURPHY
SECRETARY/TREASURER

JEFFREY MATURO
COMMISSIONER

STEVEN SLACHTA
COMMISSIONER

GREGORY L. DEWITT
FIRE CHIEF

www.bonitafire.org

January 10, 2020

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CITY OF BONITA SPRINGS
JAN 16 2020
COMMUNITY DEVELOPMENT
DEPARTMENT

Dear Ms. Urwiller,

The Bonita Springs Fire Control and Rescue District is governed by a five member board elected by the voters of Bonita Springs. This board has given direction that they would like to have a four to six minute response time throughout the community of Bonita Springs. The Bonita Springs Fire Control and Rescue District operates seven stations throughout the Bonita Springs community. Every first out apparatus is a state licensed Advanced Life Support (ALS) unit. Your project is located approximately 1.9 miles from our Station 24, which is equipped with an ALS engine that can pump 2,000 gallons per minute. This station also has a brush truck capable fighting of any grass or urban interface type fire. The Bonita Springs Fire Control and Rescue District is fully capable of handling any type of emergency that you may encounter with this proposed development. Should you have any questions or concerns please feel free to contact me directly.

Yours in Service,

Greg DeWitt,
Fire Chief

Bonita Springs Fire Control and Rescue District

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December 23, 2019

Mr. Benjamin Abes
Deputy Chief, Operations
Lee County Emergency Services
14752 Ben C. Pratt Six Mile Cypress Pkwy
Fort Myers, FL 33912

Re: Request for Letter of Availability
±1343 Acre Parcel for Residential Development
Bonita Grande

RECEIVED
CITY OF BONITA SPRINGS
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COMMUNITY DEVELOPMENT
DEPARTMENT

Dear Mr. Abes,

Please accept this letter as a Letter of Availability request to the Lee County EMS for Emergency Medical Services for a new ±1343 acre residential subdivision, known as Bonita Grande located at the northern terminus of Bonita Grande Drive, approximately two miles north of Bonita Beach Road. The subject property is currently approved as an Industrial Planned Development for Limerock mining.

The applicant is applying for a Comprehensive Plan Amendment and Residential Planned Development to permit the redevelopment of the property to a 700 unit residential subdivision. Please see the attached aerial exhibit and list of STRAP Numbers for the subject property for reference as to the property's location and size.

We respectfully request the Lee County Emergency Services provide a letter explaining the service availability of Emergency Services to the property. Please note that the applicant is proposing to provide additional right-of-way to Bonita Grande Drive as part of the applications.

If you have any questions, please feel free to contact me via email or phone. Thank you in advance for your assistance in this matter.

Sincerely,

MORRIS-DEPEW ASSOCIATES, INC.

Heather M. Urwiller
Heather M Urwiller, AICP, CFM
Principal Planner

Enclosure: Property Aerial Exhibit
Property Owners Report

CC: Ned Dewhirst— BG Mine, LLC
Neale Montgomery - Pavese Law Firm

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County Attorney

Donna Marie Collins
Hearing Examiner

May 2, 2018

**Tina Ekblad, Planning Director
Morris Depew Associates, Inc.
2891 Cedar Point Drive, Unit 100
Fort Myers, FL 33916**

Re: Request for Letter of Service Availability

Ms. Ekblad,

I am in receipt of your request for an updated Letter of Service Availability. This is regarding the Bonita Grade Properties project to redevelop the Bonita Grande Mine.

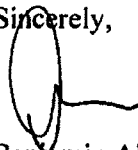
Lee County Emergency Medical Services is the primary EMS transport agency responsible for coverage of the parcels you detailed. There have been no changes to our service level available in the area of this development. Also, as I understand the proposal, there have been no changes to the location or density of the development proposed in your correspondence.

Therefore, our position in Chief Scott Tuttle's June 12, 2003 letter, as well as my response dated March 4, 2016, stands, as we would expect nearly half of the calls in the development would fall outside of our response requirements. We would ask that you provide us with more detailed information should the project move forward so we can properly evaluate the impacts and our ability to meet the needs of your prospective development.

The most important information used to evaluate our ability to respond on the property would be a road network to use for response modeling. When this is available, please contact our office and we can reevaluate our position.

At this time, we respectfully decline your request.

Sincerely,



**Benjamin Abes
Chief
Division of Emergency Medical Services**

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Carmine Marceno
Sheriff



State of Florida
County of Lee

"Proud to Serve"

January 7, 2020

Heather M. Urwiller
Morris-Depew Associates
2914 Cleveland Ave.
Fort Myers, FL 33901

Ms. Urwiller,

The Lee County Sheriff's Office has reviewed your Letter of Availability request for a new +-1,343 acre residential subdivision known as Bonita Grande located at the northern terminus of Bonita Grande Drive approximately two miles north of Bonita Beach Road.

The proposed Comprehensive Plan Amendment and Residential Planned Development that would permit the redevelopment of the property from an Industrial Planned Development for lime rock mining to a 700 unit residential subdivision would not affect the ability of the Lee County Sheriff's Office to provide core levels of service at this time.

Law enforcement services will be provided from our South District offices in Bonita Springs, with supplemental support from City of Bonita Springs contract deputies. As this development builds out, we will factor its impact into our annual manpower review and make adjustments accordingly. At the time of application for a Development Order or building permit, we request that the applicant provide a Crime Prevention Through Environmental Design (CPTED) report done by the applicant and given to the Lee County Sheriff's Office for review and comment.

Please contact Community Response Unit Manager Beth Schell at (239) 477-1676 with any questions regarding the CPTED study.

Respectfully

Rich Snyder
Major, Patrol Bureau

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County Attorney

Donna Marie Collins
Hearing Examiner

January 9, 2020

Ms. Heather Urwiller
Principal Planner
Morris Depew Associates, Inc.
2914 Cleveland Ave.
Fort Myers, FL 33901

SUBJECT: Bonita Grande
Your request from December 23, 2019

Dear Ms. Urwiller:

The Lee County Solid Waste Division is capable of providing solid waste collection service for the planned 700 residential units proposed for the Bonita Grande Development located east of I75 on Bonita Grande Drive, in Bonita Springs, through our franchised hauling contractors. Disposal of the solid waste from this development will be accomplished at the Lee County Resource Recovery Facility and the Lee-Hendry Regional Landfill. Plans have been made, allowing for growth, to maintain long-term disposal capacity at these facilities.

Please review Lee County Land Development Code, Chapter 10, Section 261, with requirements for on-site space for placement and servicing of solid waste containers. Solid Waste Ordinance (11-27) defines those residential dwelling units that are eligible to receive curbside residential collection service and requirements for those as multi-family and/or commercial dwellings. It further establishes that Property Owners will be responsible for all future applicable solid waste assessments and fees.

If you have any questions, please call me at (239) 533-8000.

Sincerely,

Brigitte Kantor

Brigitte Kantor
Manager, Public Utilities
Lee County Solid Waste Division

P.O. Box 398, Fort Myers, Florida 33902-0398 (239) 533-2111
Internet address <http://www.lee-county.com>
AN EQUAL OPPORTUNITY AFFIRMATIVE ACTION EMPLOYER

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3401 Metro Parkway
Fort Myers, FL 33901
Phone: (239) 533-0393

John E. Manning
District One

January 7, 2020

Cecil L. Pendergrass
District Two

Ray Sandelli
District Three

Brian Hamman
District Four

Frank Mann
District Five

Roger Desjarlais
County Manager

Richard Wesch
County Attorney

Donna Marie Collins
County Hearing
Examiner

Heather M. Urwiller
Morris Depew, Inc
2914 Cleveland Ave
Fort Myers, FL 33901

RE: Bonita Grande

Dear Ms. Urwiller,

LeeTran has reviewed the request for service availability regarding Bonita Grande, located at 25501 Bonita Grande Dr. After reviewing the site and comparing the location with our existing and planned route locations according to the 2016 Transit Development Plan (TDP), the following has been determined:

- Currently, the closest route to the identified site is the Route 150 along Bonita Beach Road
- The identified site does not lie within the one-quarter mile of a fixed-route corridor via safe pedestrian access.
- The 2016 TDP does not identify the need for enhanced or additional transit services in the area.

Conclusion: Developer will not be required to connect to or improve transit facilities because pedestrian access from proposed development to closest stop is greater than one-quarter mile. This statement is subject to review by the City of Bonita Springs Community Development Department before approval.

If transit services have been extended within one-quarter mile of the proposed development at time of a DO submittal, necessary improvements will be determined at that time.

If you have any questions or require further information, please do not hesitate to contact me at (239) 533-0340 or JPuente@leegov.com.

Sincerely,

Jorge J. Puente

Jorge J. Puente

Service Planner, LeeTran Mobility Enhancement Team

P O. Box 398, Fort Myers, Florida 33902-0398 Phone: (239) 533-2111
www.leegov.com
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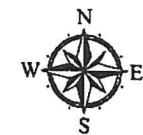
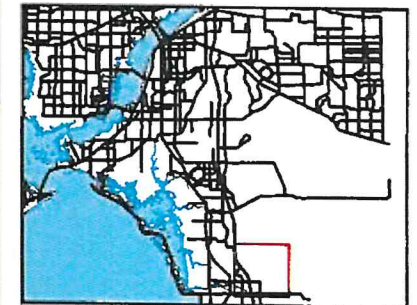
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Development Review

Proposed Residential Development Bonita Grande

- Bus Stops
- Bus Routes
- - - Development Review



0 0.5 1 Miles



Prepared by LeeTran Planning Department

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December 23, 2019

Ms. Dawn Huff
Long Range Planner, Planning Department
Lee County Public School District
33087 Canal Street
Fort Myers, FL 33916

**Re: Request for Letter of Availability
±1343 Acre Parcel for Residential Development
Bonita Grande**

RECEIVED
CITY OF BONITA SPRINGS
DEC 30 2019
COMMUNITY DEVELOPMENT
DEPARTMENT

Dear Ms. Huff,

Please accept this letter as a Letter of Availability request to the Lee County Public Schools for a new ±1343 acre residential subdivision, known as Bonita Grande located at the northern terminus of Bonita Grande Drive, approximately two miles north of Bonita Beach Road. The subject property is currently approved as an Industrial Planned Development for Limerock mining.

The applicant is applying for a Comprehensive Plan Amendment and Residential Planned Development to permit the redevelopment of the property to a 700 unit residential subdivision. Please see the attached aerial exhibit and list of STRAP Numbers for the subject property for reference as to the property's location and size.

We respectfully request the Lee County School District provide a letter explaining the service availability of School District to the property. Please note that the applicant is proposing to provide additional right-of-way to Bonita Grande Drive as part of the applications.

If you have any questions, please feel free to contact me via email or phone. Thank you in advance for your assistance in this matter.

Sincerely,
MORRIS-DEPEW ASSOCIATES, INC.

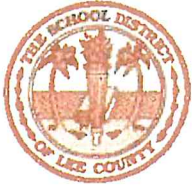

Heather M. Urwiller, AICP, CFM
Principal Planner

**Enclosure: Property Aerial Exhibit
Property Owners Report**

**CC: Ned Dewhirst- BG Mine, LLC
Neale Montgomery - Pavese Law Firm**

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LC28000230



THE SCHOOL DISTRICT OF LEE COUNTY

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DAWN HUFF
LONG RANGE PLANNER
239-337-8142
DAWNMHU@LEESCHOOLS.NET

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PAMELA H. LARIVIERE
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DISTRICT 6

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SUPERINTENDENT

KEITH B. MARTIN, ESQ.
BOARD ATTORNEY

RECEIVED
CITY OF BONITA SPRINGS
DEC 30 2019
COMMUNITY DEVELOPMENT
DEPARTMENT

May 6, 2018

Candace Woodworth
2914 Cleveland Ave
Fort Myers, FL 33901

RE: Bonita Grande Mine -- Request for Letter of Availability
CPA2013-06941-06942

Dear Ms. Woodworth:

This letter is in response to your request for the Bonita Grande Mine request for Letter of availability in reference to educational impact. This proposed development is located in the South Choice Zone, Sub Zone S-3.

The Developers previous request stated a possibility of 2,999 single family dwellings and now has been revised to 2,535. With regard to the inter-local agreement for school concurrency the generation rates are created from the type of dwelling unit and further broken down by grade level.

For single family the generation rate is .299 and further broken down into the following, .147 for elementary, .071 for middle and .077 for high. A total of 748 school-aged children would be generated and utilized for the purpose of determining sufficient capacity to serve the development.

The Concurrency Analysis attached, displays the impact of this development. Capacities for elementary and high seats are not an concern within the Concurrency Service Area (CSA). For middle, the development adds to the projected deficit for the CSA, however, there are sufficient seats available to serve the need within the contiguous CSA.

If I may be of further assistance, please call me at (239) 337-8142.

Sincerely,

Dawn Huff

Dawn Huff, Long Range Planner
Planning Department

VISION: TO BE A WORLD-CLASS SCHOOL SYSTEM

LEE COUNTY SCHOOL DISTRICT'S SCHOOL CONCURRENCY ANALYSIS

REVIEWING AUTHORITY Lee School District
NAME/CASE NUMBER Bonita Grande/CPA13-06941-BOS
OWNER/AGENT Bonita Grande Properties LP
ITEM DESCRIPTION Development which all impact is in South CSA, sub area S3

LOCATION East of I75, North of Bonita Beach Rd
ACRES 1260.83
CURRENT FLU DRGR (Resource Protection)
CURRENT ZONING Industrial Planned Development (IPD)

PROPOSED DWELLING UNITS BY TYPE

Single Family	Multi Family	Mobile Home
2535	0	0

STUDENT GENERATION

Student Generation Rates			
SF	MF	MH	Projected Students
0.147			372.65
0.071			179.99
0.077			195.20
Source: Lee County School District, May 6, 2018 letter			

CSA SCHOOL NAME 2021/22

	CSA Capacity (1)	CSA Projected Enrollment (2)	CSA Available Capacity	Projected Impact of Project	Available Capacity W/Impact	LOS is 100% Perm FISH Capacity	Adjacent CSA Available Capacity w/Impact
South CSA, Elementary	12,571	11,807	764	373	391	97%	
South CSA, Middle	5,700	5,664	36	180	-144	103%	
South CSA, High	8,736	8,160	576	195	381	96%	
(1) Permanent Capacity as defined in the Interlocal Agreement and adopted in the five (5) years of the School District's Five Year Plan							
(2) Projected Enrollment per the five (5) years of the School District's Five Year Plan plus any reserved capacity (development has a valid finding of capacity)							
(3) Available Adjacent CSA capacity is subject to adjacency criteria as outlined in the Interlocal Agreement and the School District's School Concurrency Manual							

Prepared by: Dawn Huff, Long Range Planner



November 27, 2019

William Morris, P.E.
Morris DePew
2914 Cleveland Ave.
Ft. Myers, FL 33901

Sent via e-mail: bmorris@m-da.com

RECEIVED
CITY OF BONITA SPRINGS
JAN 16 2020
COMMUNITY DEVELOPMENT
DEPARTMENT

Re: Bonita Grande RPD

Dear Mr. Morris,

You have requested potable water, sewer and irrigation service for the project referenced above. Plant capacities are adequate; however, the Developer is required to install all off-site and on-site utility line extensions necessary to provide service to the project in accordance with Bonita Springs Utilities, Inc. specifications. No construction submittals have been received, reviewed or approved as of this date. This letter expires in one year.

You have estimated the usage to be 280,000 gallons per day. Bonita Springs Utilities, Inc. has the capacity to provide the above estimated gallonage from its 17.56 million gallon per day Water Treatment Plant. The Water Reclamation Facilities have the capacity to treat the above estimated gallonage from the plants currently rated at 11.0 million gallon per day.

Potable water is available for irrigation use as no reuse water is available in proximity to the subject property at this time.

This letter should not be construed as a commitment or guarantee to serve nor as approval for construction, but only as to the availability of potable water, sewer and reuse at this time. Bonita Springs Utilities, Inc. may commit to reserve plant capacity if available, at such time that ANC (Aid-to-New Construction) fees are paid for each unit of required capacity.

If there are any proposed utility infrastructure installations, then the appropriate meetings and submittals per the Bonita Springs Utilities specifications shall be required.

Respectfully,
Bonita Springs Utilities, Inc.

Kim Hoskins, P.E.
Director of Engineering

C. ENVIRONMENTAL IMPACTS

Introduction

The 1,342.60± acre Bonita Grande Aggregates Mine property is located within a portion of Sections 17, 20 and 29, Township 47 South, Range 26 East, Bonita Springs, Florida. This property is bordered to the north by agricultural lands, to the east by conservation lands owned by the South Florida Water Management District (SFWMD), to the south by undeveloped property that is primarily wetland and homes on larger lots, and to the west by agricultural lands and the future planned alignment of C.R. 951.

The majority of the site has been cleared and is an active limerock mining operation. The state permit for the mine was originally issued by the SFWMD in 1982. The SFWMD permit was modified a number of times and then ultimately modified into a Florida Department of Environmental Protection permit in 2003. These permits required the preservation and creation of wetlands on-site that are located predominately along the property's eastern border. The wetlands and adjacent areas of native uplands have been placed in conservation easements. The southwestern most 74.88± acres is active row crop (vegetable field).

The property was also annexed into the City of Bonita in 2003. The December 2009 Bonita Grande Mine Preservation and Created Native Open Space Areas Management Plan was prepared to describe the restoration and long term management of the areas within the conservation easements. Earthwork activities by the previous mine owner had resulted in minor incursions into the preserved wetlands. The City of Bonita also required 14.0± acres of native open space creation areas outside of the conservation easements. The December 2009 plan was approved in January 2010 by City of Bonita Springs Community Development and was implemented in the spring of 2010. The required restoration (fill removal) and management activities (exotic species treatments) are ongoing pursuant to the schedule contained within the approved December 2009 plan.

Existing Conditions

Plant Communities

The predominant upland and wetland vegetation associations on the mining property were ordinally mapped in the field on 2012 digital color 1" = 700' scale aerial photography. The mapping was updated in 2017 to reflect the current status of the habitat restoration efforts within the preserves. The 74.88± acres in the southwest corner of the property was mapped in 2019 on 2019 aerials. Thirteen vegetation associations were identified using the Florida Land Use, Cover and Forms Classification System (FLUCCS). Figure 1 depicts the approximate location and configuration of these vegetation associations and Table 1 summarizes the acreages by FLUCCS Code. A brief description of each FLUCCS Code is also provided below.

Table 1. Acreage Summary by FLUCCS Code

FLUCCS Code	Description	Acres
163	Rock Quarries	883.71
214	Row Crops	70.36
320	Shrub and Brushland	13.21
411	Pine Flatwoods	34.05
510D	Ditches	1.33
621	Cypress	125.78
624	Cypress - Pine	93.73
625	Hydric Pine Flatwoods	1.88
631	Wetland Shrub	1.01
641	Freshwater Marshes	111.98
643	Wet Prairies	2.37
740	Disturbed Land	2.86
814	Roads and Highways	0.33
TOTAL		1,342.60

FLUCCS Code 163, Rock Quarries

The portions of the site that have been approved for mining operation or have been cleared of native vegetation were assigned to this FLUCCS Code. This represents a majority (66± percent) of the property. These areas are primarily open water or impervious areas associated with the mining activity.

FLUCCS Code 214, Row Crops

This portion of the property was being used for the production of vegetables in December 2019. The seedling vegetables had been planted at that time and the field was being actively managed.

FLUCCS Code 320, Shrub and Brushland

Restored uplands are located along the northern property line. Portions of these areas were planted with slash pine (*Pinus elliottii*), dahoon holly (*Ilex cassine*), cocoplum (*Chrysobalanus icaco*), and wax myrtle (*Myrica cerifera*). Ground cover within these areas consisted of species such as hurricane grass (*Fimbristylis cymosa*), Bermuda grass (*Cynodon dactylon*), Mexican seedbox (*Ludwigia octovalvis*), frog fruit (*Phyla nodiflora*), para grass (*Urochloa mutica*), and bare ground.

FLUCCS Code 411, Pine Flatwoods

The upland pine flatwoods are located in the northeastern portion of the site. These areas are vegetated by slash pine in the canopy, myrsine (*Rapanea punctata*) and other shrubs in the midstory and saw palmetto (*Serenoa repens*) in the ground cover strata.

FLUCCS Code 510D, Ditches

An irrigation ditch, consisting primarily of open water, surrounds the farm field (FLUCCS Code 214). Scattered para grass, coast cockspur (*Echinochloa walteri*), and torpedo grass (*Panicum repens*) are also present.

FLUCCS Code 621, Cypress

Cypress dominated wetlands are located in the southeastern portion of the site as well as within the conservation easement areas that are scattered throughout the property. Pond cypress (*Taxodium ascendens*) dominates the canopy. Scattered pond cypress, dahoon holly, cocoplum, and myrsine and widely scattered slash pine form an open midstory. Ground cover includes a variety of wetland species such as swamp fern (*Blechnum serrulatum*), saw-grass (*Cladium jamaicense*), false nettle (*Boehmeria cylindrica*), marsh pennywort (*Hydrocotyle umbellata*), and climbing hemp weed (*Mikania scandens*).

FLUCCS Code 624, Cypress - Pine

In these wetlands either pond cypress and slash pine are co-dominant in the canopy or the canopy consists of slash pine with pond cypress in the midstory. Ground cover species consist of species such as swamp fern, false nettle, coinwort (*Centella asiatica*), bushy bluestem (*Andropogon glomeratus*), muhly grass (*Muhlenbergia* sp.), and various sedges.

FLUCCS Code 631, Wetland Shrub

This small area of wetland is located in the northern portion of the site. The dominant vegetation is willow (*Salix caroliniana*).

FLUCCS Code 641, Freshwater Marshes

The majority of the non-forested wetlands on-site consist of freshwater marshes. These areas are vegetated by a variety of species including spikerush (*Eleocharis* spp.), beakrushes (*Rhynchospora* spp.), little marsh elder (*Iva microcephala*), corkwood (*Stillingia aquatica*), maidencane (*Panicum hemitomon*), bald rush (*Rhynchospora nitens*), and saw-grass.

FLUCCS Code 643, Wet Prairies

Wet prairies are similar to the freshwater marshes described above with the exception that the hydroperiod is typically shorter. Species such as spikerush, bushy bluestem, love grass (*Eragrostis* sp.), umbrella-grass (*Fuirena* sp.), flatsedges (*Cyperus* spp.), stinkweed (*Pluchea* sp.), coinwort, and beggar tick (*Bidens* sp.) are present.

FLUCCS Code 740, Disturbed Lands

This FLUCCS Code was used to delineate the disturbed areas between the irrigation ditch described above and the property line or adjacent mine lands. The vegetation is primarily Brazilian pepper (*Schinus terebinthifolius*) and melaleuca (*Melaleuca quinquenervia*) with widely scattered slash pine and cabbage palm (*Sabal palmetto*).

FLUCCS Code 814, Roads and Highways

The property contains a portion of Bonita Grande Drive. Few, if any, native species are present in this area.

Soils

The soils mapping obtained from the Florida Geographic Data Library depicts the property as containing 12 soil types circa 1990 (Figure 2). A description of those soil types, as they occur in undisturbed areas, has been reproduced from the Soil

Survey of Lee County, Florida (Appendix A). As can be discerned from an overlay of the soils mapping on the 2018 aerial photograph (Figure 3), the majority of the soils on-site have been significantly disturbed by the mining operation and agricultural activity since the date of the soils mapping. Therefore, with the exception of the preservation areas, the currently available soils mapping does not accurately reflect current site conditions.

Wetlands, Aquifer Recharge Areas, and Rare and Unique Uplands

The approximate locations of the wetlands on-site are depicted on Figure 4. Based on this mapping there are approximately 336.75 acres of wetlands on-site.

There are no rare and unique uplands on the property.

Listed Species

Species listed as endangered, threatened, or species of special concern by the Florida Fish and Wildlife Conservation Commission (FWC) or the United States Fish and Wildlife Service (FWS) that could potentially occur on the subject parcel based on the general FLUCCS mapping are shown in Table 2. This list is general in nature, does not necessarily reflect existing conditions within or adjacent to the 1,342.60± acre property and is provided for general informational purposes only.

Table 2. Species That Could Potentially Occur On-site

COMON NAME	TAXON	STATUS
FLUCCS Code 163		
American Alligator	<i>Alligator mississippiensis</i>	FT(S/A)
FLUCCS Code 214		
None		
FLUCCS Code 320		
Florida Panther	<i>Felis concolor coryi</i>	FE
Eastern Indigo Snake	<i>Drymarchon corais couperi</i>	FT
Gopher Tortoise	<i>Gopherus polyphemus</i>	ST
FLUCCS Code 411		
Big Cypress Fox Squirrel	<i>Sciurus niger avicennia</i>	ST
Florida Bonneted Bat	<i>Eumpos floridanus</i>	FE
Florida Panther	<i>Felis concolor coryi</i>	FE
Red-cockaded Woodpecker	<i>Picoides borealis</i>	FE
Southeastern American Kestrel	<i>Falco sparverius paulus</i>	ST
Eastern Indigo Snake	<i>Drymarchon corais couperi</i>	FT
Gopher Tortoise	<i>Gopherus polyphemus</i>	ST
FLUCCS Code 510D		
Florida Sandhill Crane	<i>Grus canadensis pratensis</i>	ST
Little Blue Heron	<i>Egretta caerulea</i>	ST
Reddish Egret	<i>Egretta rufescens</i>	ST

COMON NAME	TAXON	STATUS
Roseate Spoonbill	<i>Ajaia ajaja</i>	ST
Tricolored Heron	<i>Egretta tricolor</i>	ST
Wood Stork	<i>Mycteria americana</i>	FE
American Alligator	<i>Alligator mississippiensis</i>	FT(S/A)
FLUCCS Code 621		
Big Cypress Fox Squirrel	<i>Sciurus niger avicennia</i>	ST
Florida Bonneted Bat	<i>Eumpos floridanus</i>	FE
Florida Panther	<i>Felis concolor coryi</i>	FE
Everglade Snail Kite	<i>Rostrhamus sociabilis plumbeus</i>	FE
Little Blue Heron	<i>Egretta caerulea</i>	ST
Roseate Spoonbill	<i>Ajaia ajaja</i>	ST
Tricolored Heron	<i>Egretta tricolor</i>	ST
Wood Stork	<i>Mycteria americana</i>	FE
American Alligator	<i>Alligator mississippiensis</i>	FT(S/A)
Butterfly Orchid	<i>Encyclia tampensis</i>	SCE
Cinnamon fern	<i>Osmunda cinnamomea</i>	SCE
Fuzz-wuzzy Air-plant	<i>Tillandsia pruinosa</i>	SE
Giant Wild-pine	<i>Tillandsia utriculata</i>	SE
Reflexed Wild-pine	<i>Tillandsia balbisiana</i>	ST
Royal Fern	<i>Osmunda regalis</i>	SCE
Stiff-leaved Wild-pine	<i>Tillandsia fasciculata</i>	SE
Soft-leaved Wild-pine	<i>Tillandsia valenzuelana</i>	ST
Twisted Air-plant	<i>Tillandsia flexuosa</i>	ST
FLUCCS Code 624		
Big Cypress Fox Squirrel	<i>Sciurus niger avicennia</i>	ST
Florida Bonneted Bat	<i>Eumpos floridanus</i>	FE
Florida Panther	<i>Felis concolor coryi</i>	FE
Little Blue Heron	<i>Egretta caerulea</i>	ST
Red-cockaded Woodpecker	<i>Picoides borealis</i>	FE
Tricolored Heron	<i>Egretta tricolor</i>	ST
Wood Stork	<i>Mycteria americana</i>	FE
American Alligator	<i>Alligator mississippiensis</i>	FT(S/A)
Butterfly Orchid	<i>Encyclia tampensis</i>	SCE
Cinnamon Fern	<i>Osmunda cinnamomea</i>	SCE
Fuzz-wuzzy Air-plant	<i>Tillandsia pruinosa</i>	SE
Giant Wild-pine	<i>Tillandsia utriculata</i>	SE
Reflexed Wild-pine	<i>Tillandsia balbisiana</i>	ST
Royal Fern	<i>Osmunda regalis</i>	SCE
Stiff-leaved Wild-pine	<i>Tillandsia fasciculata</i>	SE
Soft-leaved Wild-pine	<i>Tillandsia valenzuelana</i>	ST
Twisted Air-plant	<i>Tillandsia flexuosa</i>	ST
FLUCCS Code 631		
Everglade Snail Kite	<i>Rostrhamus sociabilis plumbeus</i>	FE
Little Blue Heron	<i>Egretta caerulea</i>	ST

COMON NAME	TAXON	STATUS
Roseate Spoonbill	<i>Ajaia ajaja</i>	ST
Tricolored Heron	<i>Egretta tricolor</i>	ST
American Alligator	<i>Alligator mississippiensis</i>	FT(S/A)
FLUCCS Code 641		
Florida Panther	<i>Felis concolor coryi</i>	FE
Everglade Snail Kite	<i>Rostrhamus sociabilis plumbeus</i>	FE
Florida Sandhill Crane	<i>Grus canadensis pratensis</i>	ST
Little Blue Heron	<i>Egretta caerulea</i>	ST
Reddish Egret	<i>Egretta rufescens</i>	ST
Roseate Spoonbill	<i>Ajaia ajaja</i>	ST
Tricolored Heron	<i>Egretta tricolor</i>	ST
Wood Stork	<i>Mycteria americana</i>	FE
American Alligator	<i>Alligator mississippiensis</i>	FT(S/A)
FLUCCS Code 643		
Florida Panther	<i>Felis concolor coryi</i>	FE
Everglade Snail Kite	<i>Rostrhamus sociabilis plumbeus</i>	FE
Florida Sandhill Crane	<i>Grus canadensis pratensis</i>	ST
Little Blue Heron	<i>Egretta caerulea</i>	ST
Reddish Egret	<i>Egretta rufescens</i>	ST
Roseate Spoonbill	<i>Ajaia ajaja</i>	ST
Tricolored Heron	<i>Egretta tricolor</i>	ST
Wood Stork	<i>Mycteria americana</i>	FE
American Alligator	<i>Alligator mississippiensis</i>	FT(S/A)
FLUCCS Code 740		
Florida Bonneted Bat	<i>Eumpos floridanus</i>	ST
Southeastern American Kestrel	<i>Falco sparverius paulus</i>	ST
Eastern Indigo Snake	<i>Drymarchon corais couperi</i>	FT
Gopher Tortoise	<i>Gopherus polyphemus</i>	ST
FLUCCS Code 814		
None		

FE: federal designated endangered

FT: federal designated threatened

FC: federal candidate for listing

FT(S/A): federal designated endangered due to
similarity of appearance

SE: state designated endangered

ST: state designated threatened

SSC: state species of special concern

SCE: state commercially exploited

DexBender has been monitoring the preserved wetlands on the mining property since 2003. Over the past 16 years the following listed species have been observed on the property: American alligator, tricolored heron, wood stork, little blue heron, Florida sandhill crane, roseate spoonbill, bald eagle, and Big Cypress fox squirrel. With the exception of the American alligator, all of these specie were observed foraging or perching within the preservation areas. The American alligators were also observed within the mining pits. No nesting or denning by listed species has been observed on the property. The following non listed wildlife has been observed within the preserves during the monitoring events: crayfish, mosquitofish, Mayan cichlid, largemouth bass,

gar, southern leopard frog, green treefrog, water moccasin, brown anole, soft shell turtle, mottled duck, great egret, green heron, yellow-crowned night-heron, black-crowned night-heron, white ibis, great blue heron, snowy egret, American bittern, American coot, pied-billed grebe, lesser yellow-legs, ground dove, mocking bird, various warblers, killdeer, gray gnat catcher, turkey, red-bellied woodpecker, downy woodpecker, barn swallow, belted kingfisher, turkey vulture, black vulture, barred owl, red-shouldered hawk, marsh hawk, osprey, eastern cottontail rabbit, raccoon, feral hog, white-tailed deer, and black bear. These species were also observed foraging or perching primarily within the preservation areas.

The 74.88± acres in the southwest corner of the property was surveyed for listed species on December 13, 2019. This portion of the property contained recently planted seedling vegetables and the field was being actively managed at the time of the survey. Little native vegetation was present and the area consisted primarily of bare ground and black plastic used for the vegetable bedding. Therefore, the listed species survey focused on the ditches and woody exotic vegetation along the edges of the field and consisted of pedestrian transects along the field perimeter. The locations of the survey transects and results of the survey are shown on Figure 5. At the time of the survey, the weather was mild and overcast.

One wood stork was observed standing along the northern edge of the field. This bird may have landed on the property with the purpose of foraging in the irrigation ditch. Two dead pine trees in advanced states of decay were observed along the northern edge of the farm field. Both contained potential cavities. While there was no evidence of bat utilization, there is a limited potential that Florida bonneted bats could roost in those cavities.

No other listed species were observed within the 74.88± acres. Given the continuous human disturbances associated with active row crop production, the area currently provides little, if any, listed species habitat.

Site's Suitability for the Proposed Use

As documented above, mining and agricultural activities have occurred on the property for over 37 years. During this time period the vast majority of the site outside of the conservation easement areas has been significantly disturbed by the mining operations. The 370.01± acres of uplands and wetlands within the preservation areas represent the highest quality habitats on the property. These areas, together with the 14.0± acres of native open space creation areas, contain all of the mapped wetlands on-site.

The large mammals listed in Table 2, if actually present on-site, would most likely occur in the large preservation area along the project's east boundary adjacent to the Flint Pen Strand. The remaining listed plant and animal species would also most

likely occur in either the large preserve or within the smaller preserves located elsewhere on-site. The use of the remainder of the property by listed species is limited to American alligators within the mining lakes and foraging by listed wading birds along the fringes of those lake.

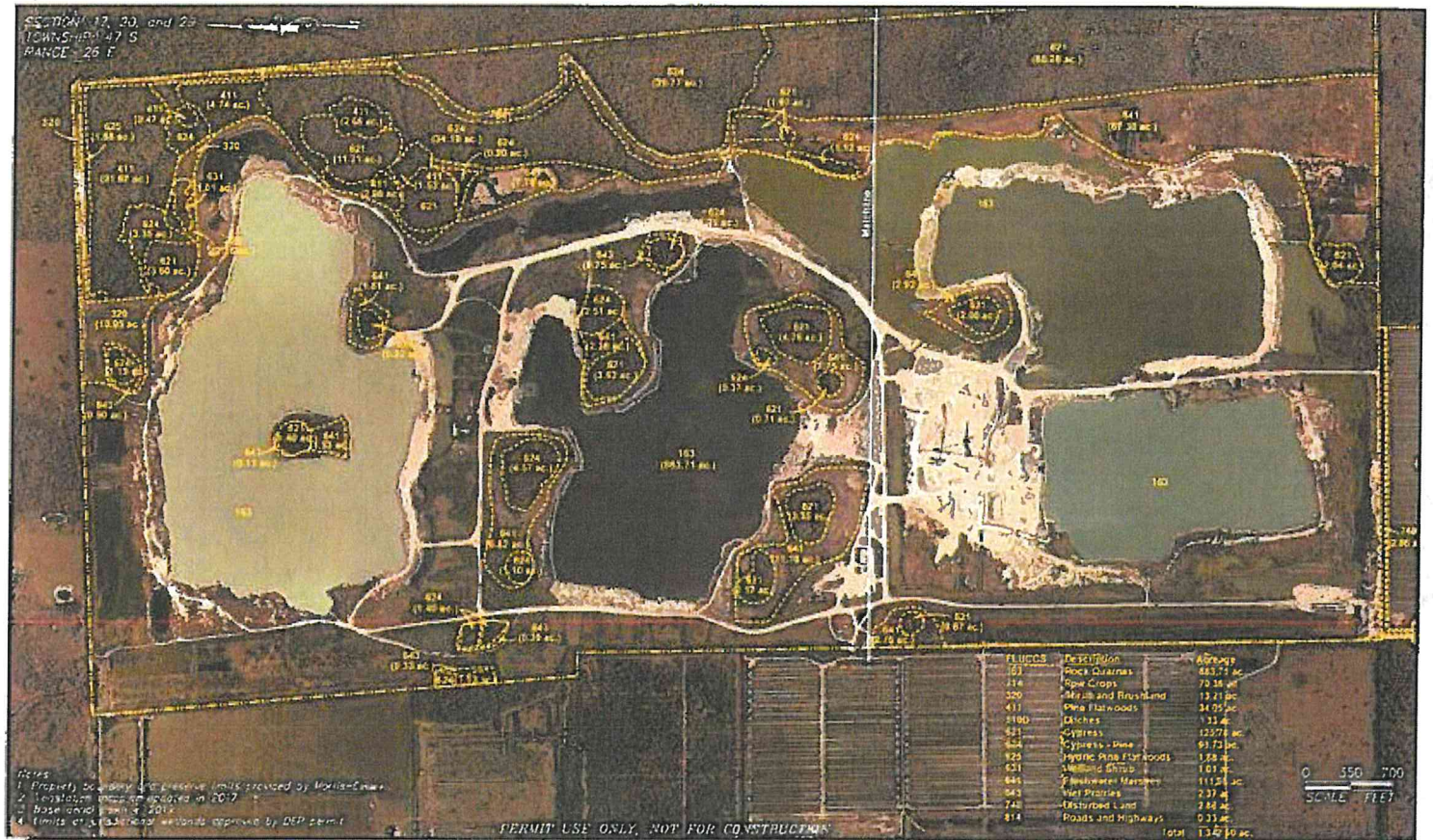
The majority of the 384.01± acres (313.67± acres) is located adjacent to the north, east, and south property lines and is contiguous with the State owned and managed Flint Pen Strand conservation area. This constitutes the enhancement and preservation of regionally significant wetlands and provides critical wildlife connections to adjacent conservation areas. Therefore, the site is consistent with Policy 1.1.27.2.a.3 and Policy 1.1.27.2.a.5.

Wetland and upland habitat enhancement and restoration activities have been occurring on-site since 2010 pursuant to the December 2009 Bonita Grande Mine Preservation and Created Native Open Space Areas Management Plan. This plan specified the enhancement/restoration activities (recontouring of selected disturbed areas, exotic and nuisance species treatments, and supplemental plantings) as well as monitoring protocols and success criteria. These preserves have been monitored annually for the past eight years. Based on these reports and a site inspection by City of Bonita Springs Community Development Department staff in November 2017, approximately 335.41 acres has been deemed to be successful and released from annual monitoring. The remaining 48.60± acres will continue to be monitored annually until the success criteria are met. All of the preserves will be managed in perpetuity as required by the 2009 management plan. Therefore, the site is consistent with Policy 1.1.27.c.

The Bonita Grande Mine Preservation and Created Native Open Space Areas Management Plan as well as Florida Department of Environmental Protection (DEP) Permit Number 166246-006 do not depict or require additional buffers adjacent to the preserved wetlands. The preserve areas are either bordered by a perimeter berm or by the finished excavated lakes.

The proposed land plan will continue to maintain the 384.01± acres of preserved wetlands, uplands, and native open space creation areas. Therefore, the proposed use of the site is suitable and compatible with the current environmental conditions.

SECTION 17, 30, and 28
TOWNSHIP 47 S
RANGE 26 E



Notes:
1. Property boundary and preserve limits provided by Bonita-Enmar.
2. Vegetation map was updated in 2012.
3. Based on data from 2012.
4. Limits of vegetation are subject to change by DEP permit.

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0 350 700
SCALE FEET

FIGURE 1 - VEGETATION MAP
Sheet 1

BONITA GRANDE AGGREGATES

DEXBENDER
ENVIRONMENTAL CONSULTING
FORT MYERS 239-334-3680

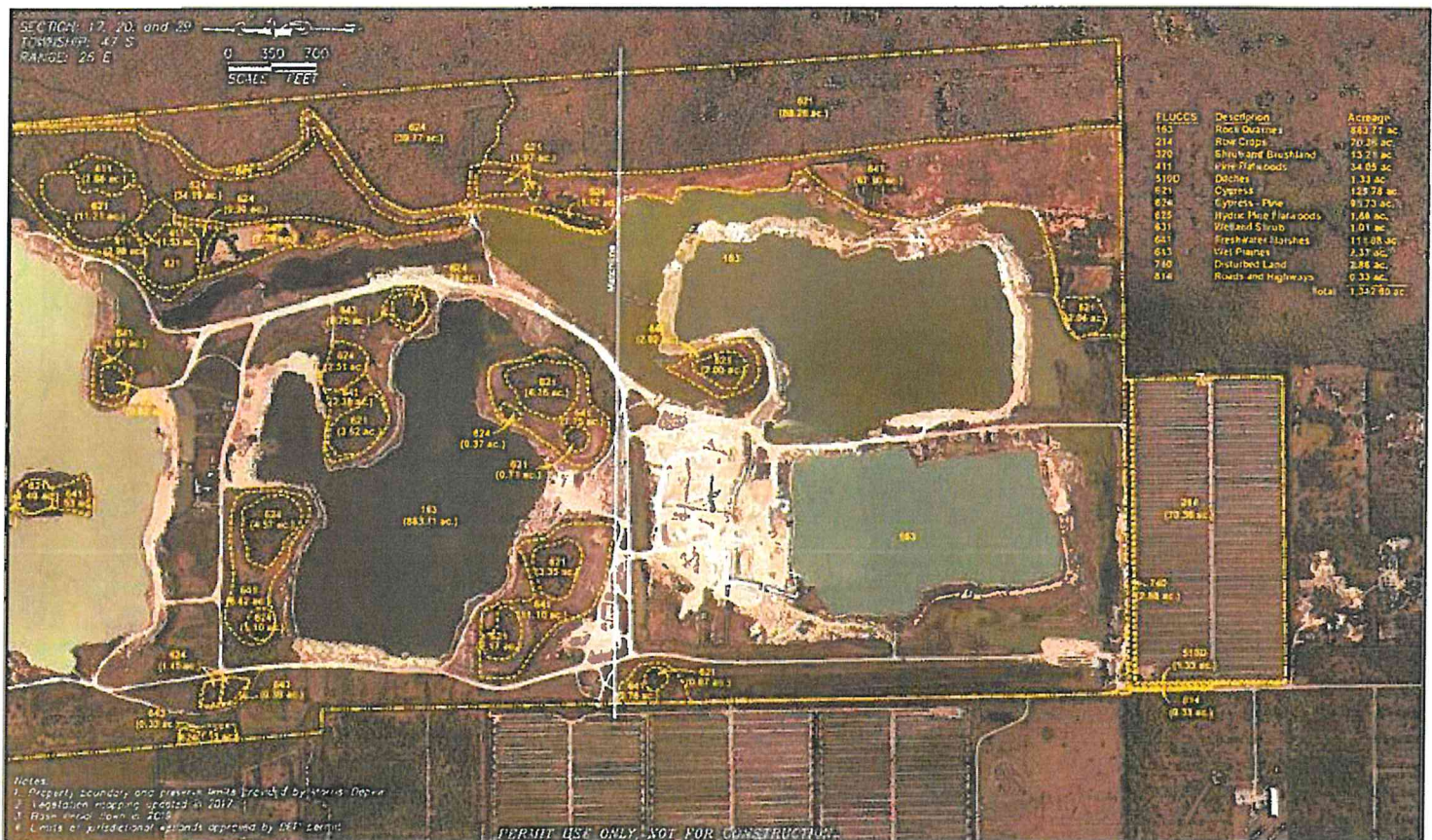
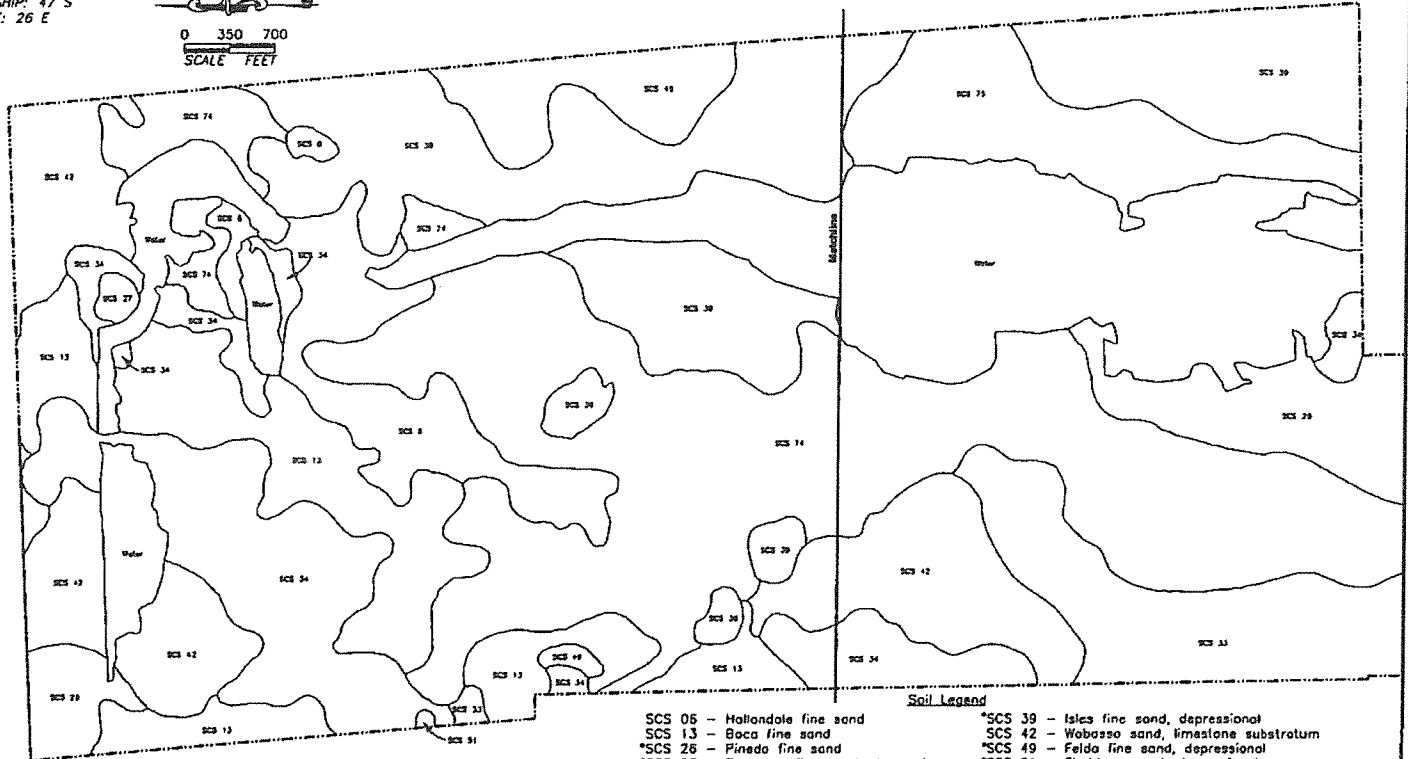
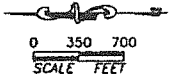


FIGURE 1 - VEGETATION MAP
Sheet 2

BONITA GRANDE AGGREGATES

DEXBENDER
ENVIRONMENTAL CONSULTING
FORT MYERS 239-334-3680

SECTION: 17, 20, and 29
TOWNSHIP: 47 S
RANGE: 26 E



Soil Legend

SCS 05 - Hallandale fine sand	*SCS 39 - Isles fine sand, depressional
SCS 13 - Boca fine sand	SCS 42 - Wabasso sand, limestone substratum
*SCS 26 - Pineda fine sand	*SCS 49 - Felda fine sand, depressional
*SCS 27 - Pompano fine sand, depressional	*SCS 51 - Floridana sand, depressional
SCS 33 - Oldsmar sand	*SCS 74 - Boca fine sand, slough
*SCS 34 - Malabar fine sand	*SCS 75 - Hallandale fine sand, slough
* Indicates Hydric Soil	

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December 15, 2015 4:32:14 p.m.
Drawing: BOWNE2PLA1.DWG

Notes:
1. Property boundary provided by Morris-Dupew
2. Soils information obtained from the Florida Geographic Data Library.
3. Soils mapping does not reflect site changes occurring after 1990.

FIGURE 2 - SOILS MAP
Sheet 1

BONTA GRANDE AGGREGATES

BDEXBENDER
ENVIRONMENTAL CONSULTING
FORT MYERS 239-334-3580

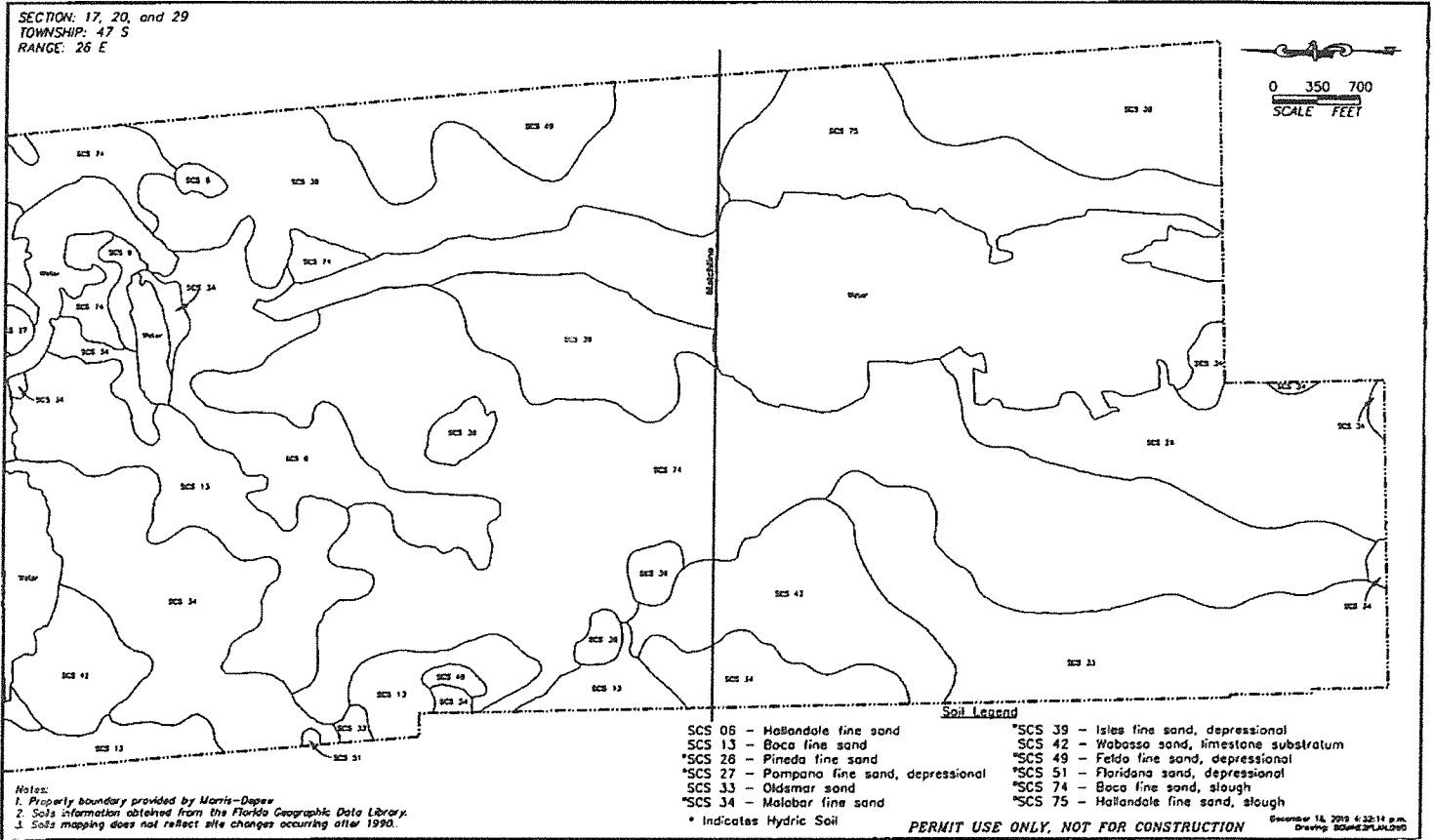
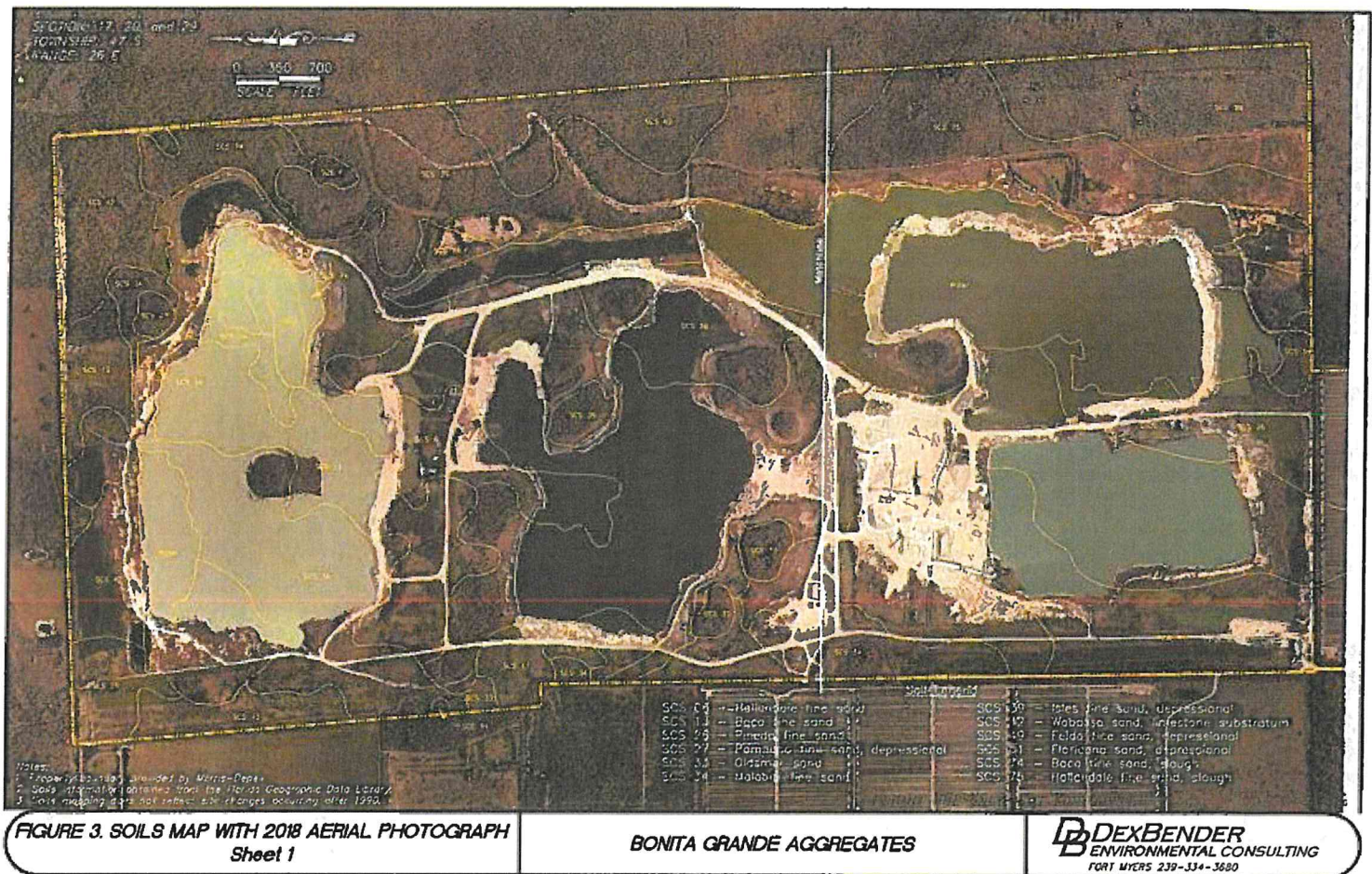
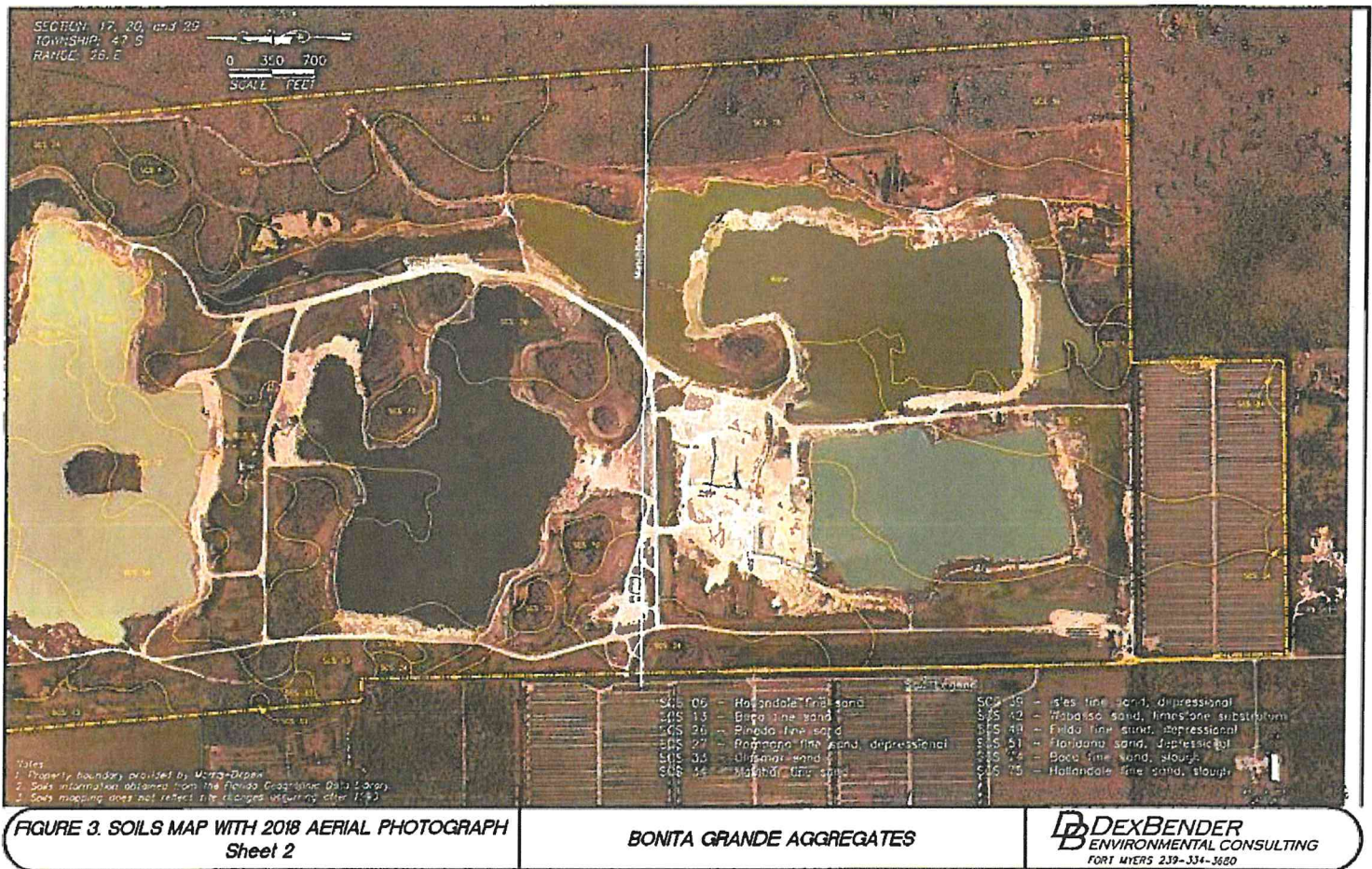


FIGURE 2 - SOILS MAP
Sheet 2

BONITA GRANDE AGGREGATES

BDEXBENDER
 ENVIRONMENTAL CONSULTING
 FORT MYERS 239-334-5680





SECTION: 17, 20, and 29
 TOWNSHIP: 47 S
 RANGE: 26 E

SECTION: 17, 20, and 29
 TOWNSHIP: 47 S
 RANGE: 26 E

Wetlands (336.75 ac.)

0 350 700
 SCALE FEET

PERMIT USE ONLY. NOT FOR CONSTRUCTION

FLUCCS	Description	Acres
183	Rock Quarries	883.71 ac.
214	Row Crops	79.56 ac.
329	Shrub and Brushland	15.21 ac.
411	Pine Flatwoods	34.05 ac.
5190	Ditches	1.32 ac.
621	Cypress	125.78 ac.
624	Cypress - Pine	63.73 ac.
625	Hybrid Pine Flatwoods	1.88 ac.
631	Wetland Shrub	1.01 ac.
641	Freshwater Marshes	111.86 ac.
643	Wet Prairies	2.37 ac.
740	Disturbed Land	2.89 ac.
814	Roads and Highways	8.33 ac.
Total		1,341.68 ac.

December 18, 2018 4:22:14 pm

PERMIT USE ONLY. NOT FOR CONSTRUCTION

BONTA GRANDE AGGREGATES

FLUCC#	Description	Acres
183	Rock Quarries	882.71 ac.
214	Row Crops	79.35 ac.
320	Shrub and Brushland	15.21 ac.
411	Pine Flatwoods	34.05 ac.
5180	Ditches	1.33 ac.
621	Cypress	125.78 ac.
624	Cypress - Pine	63.73 ac.
625	Hydric Pine Flatwoods	1.68 ac.
631	Wetland Shrub	1.01 ac.
641	Freshwater Marshes	11.36 ac.
643	Wet Prairies	2.57 ac.
740	Disturbed Land	2.68 ac.
814	Roads and Highways	8.33 ac.

0 350 700
SCALE FEET

Total 1345.60 ac December 10, 2010 4:32:14 pm

DEXBENDER
ENVIRONMENTAL CONSULTING
FORT MYERS 239-334-3600

SECTION: 17, 20, and 29
TOWNSHIP: 47 S
RANGE: 26 E

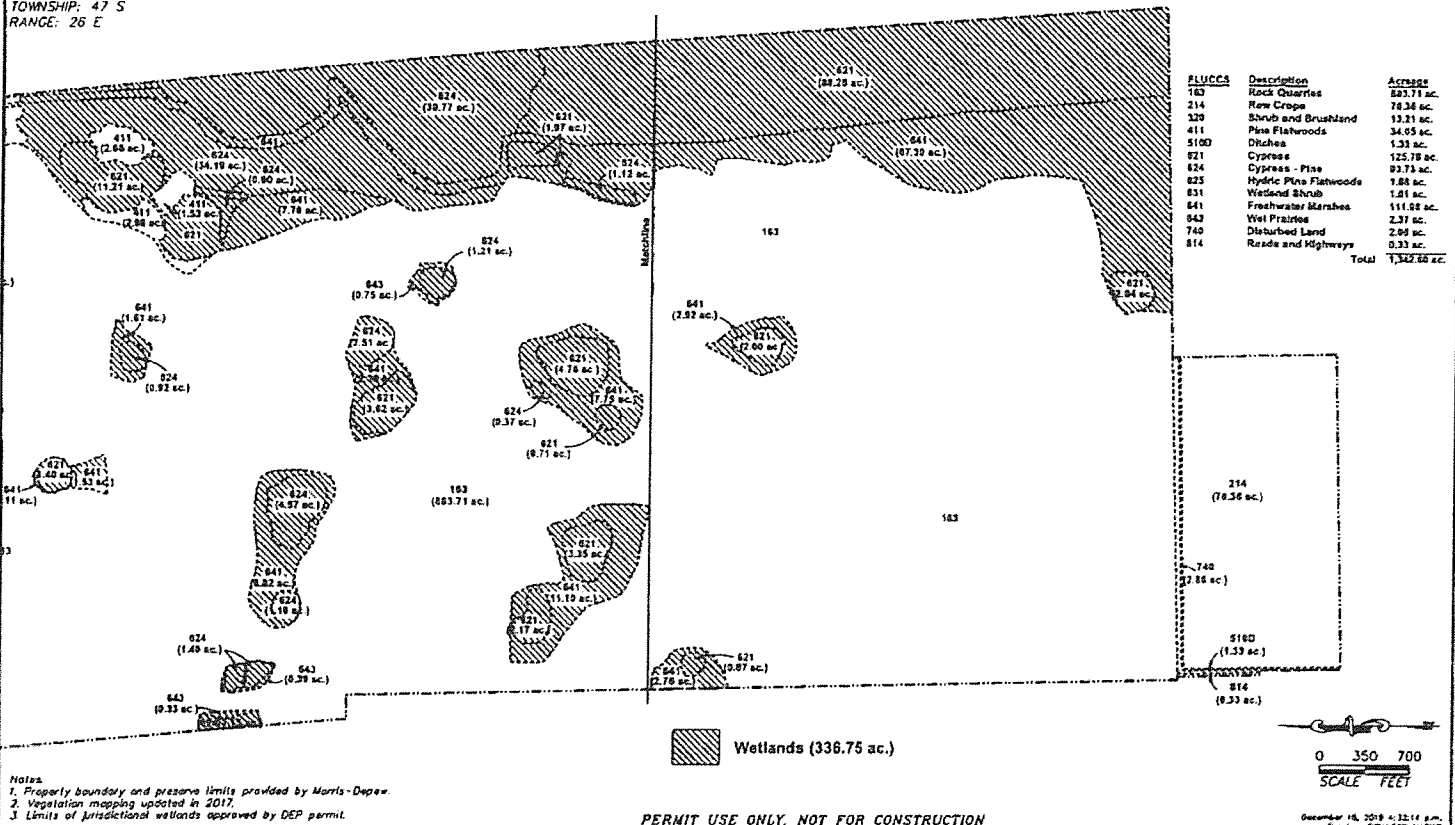


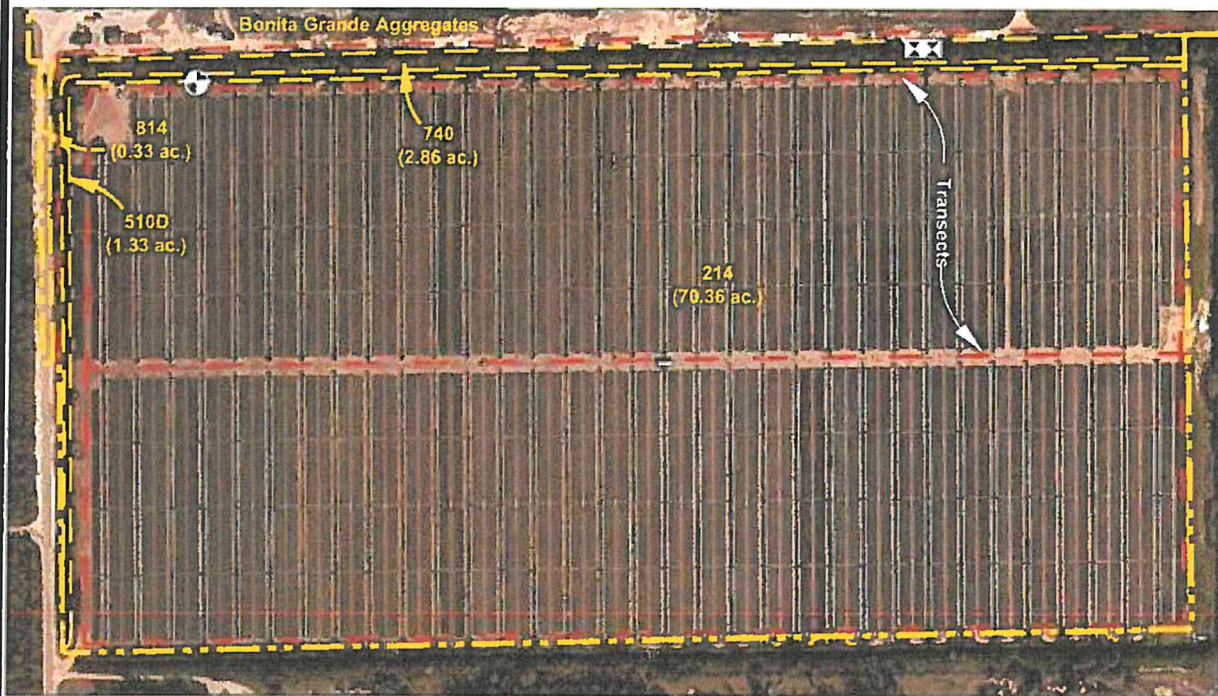
FIGURE 4 - WETLAND MAP
Sheet 2

BONITA GRANDE AGGREGATES

BDEXBENDER
ENVIRONMENTAL CONSULTING
FORT MYERS 239-334-3680

SECTION: 29
TOWNSHIP: 47 S
RANGE: 26 E

Bonita Grande Aggregates - Agricultural Parcel



⊕ Wood Stork (1) ☒ Tree with Cavity (2)

Notes:

1. Property boundary provided by Morris-Depew Associates.
2. Mapping based on photointerpretation of 2019 aerial photography and ground truthing in December 2019.
3. Delineation of jurisdictional wetlands is preliminary and subject to field review/approval by applicable regulatory agencies.

FLUCCS

FLUCCS	Description	Acreage
214	Row Crops	70.36 ac.
510D	Ditches	1.33 ac.
740	Disturbed Land	2.86 ac.
814	Roads and Highways	0.33 ac.
	Total	74.88 ac.

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December 19, 2019 8:02:15 a.m.
Drawing: BGMINE_SOUTHPARCEL.DWG

Figure 5. Protected Species Assessment Map

DEXBENDER
ENVIRONMENTAL CONSULTING
FORT MYERS 239-334-3680



COMMUNITY DEVELOPMENT
DEPARTMENT

286/331

DEXBENDER
ENVIRONMENTAL CONSULTING
FORT MYERS 239-334-3680

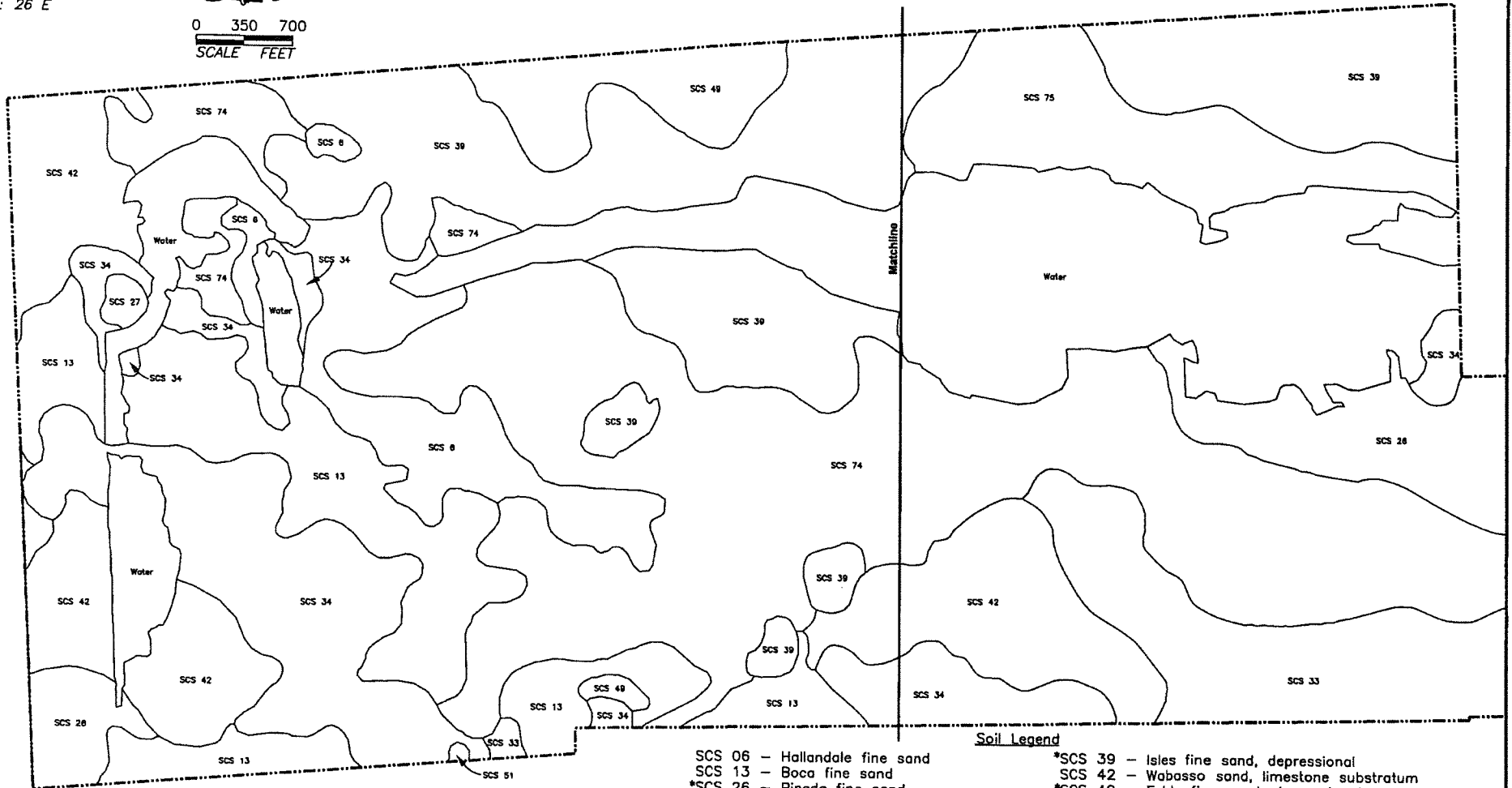
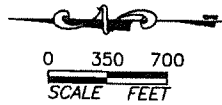


FIGURE 1 - VEGETATION MAP
Sheet 2

BONITA GRANDE AGGREGATES

DB DEXBENDER
ENVIRONMENTAL CONSULTING
FORT MYERS 239-334-3680

SECTION: 17, 20, and 29
TOWNSHIP: 47 S
RANGE: 26 E



- Notes:
1. Property boundary provided by Morris-Depew
 2. Soils information obtained from the Florida Geographic Data Library.
 3. Soils mapping does not reflect site changes occurring after 1990.

- Soil Legend**
- | | |
|---|---|
| SCS 06 - Hallandale fine sand | *SCS 39 - Isles fine sand, depressional |
| SCS 13 - Boca fine sand | SCS 42 - Wabasso sand, limestone substratum |
| *SCS 26 - Pineda fine sand | *SCS 49 - Felda fine sand, depressional |
| *SCS 27 - Pompano fine sand, depressional | *SCS 51 - Floridana sand, depressional |
| SCS 33 - Oldsmar sand | *SCS 74 - Boca fine sand, slough |
| *SCS 34 - Malabar fine sand | *SCS 75 - Hallandale fine sand, slough |
- * Indicates Hydric Soil

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December 18, 2010 4:32:14 p.m.
Drawing: BG09INE2PLAN.DWG

FIGURE 2 - SOILS MAP
Sheet 1

BONITA GRANDE AGGREGATES

DEXBENDER
ENVIRONMENTAL CONSULTING
FORT MYERS 239-334-3680

SECTION: 17, 20, and 29
TOWNSHIP: 47 S
RANGE: 26 E

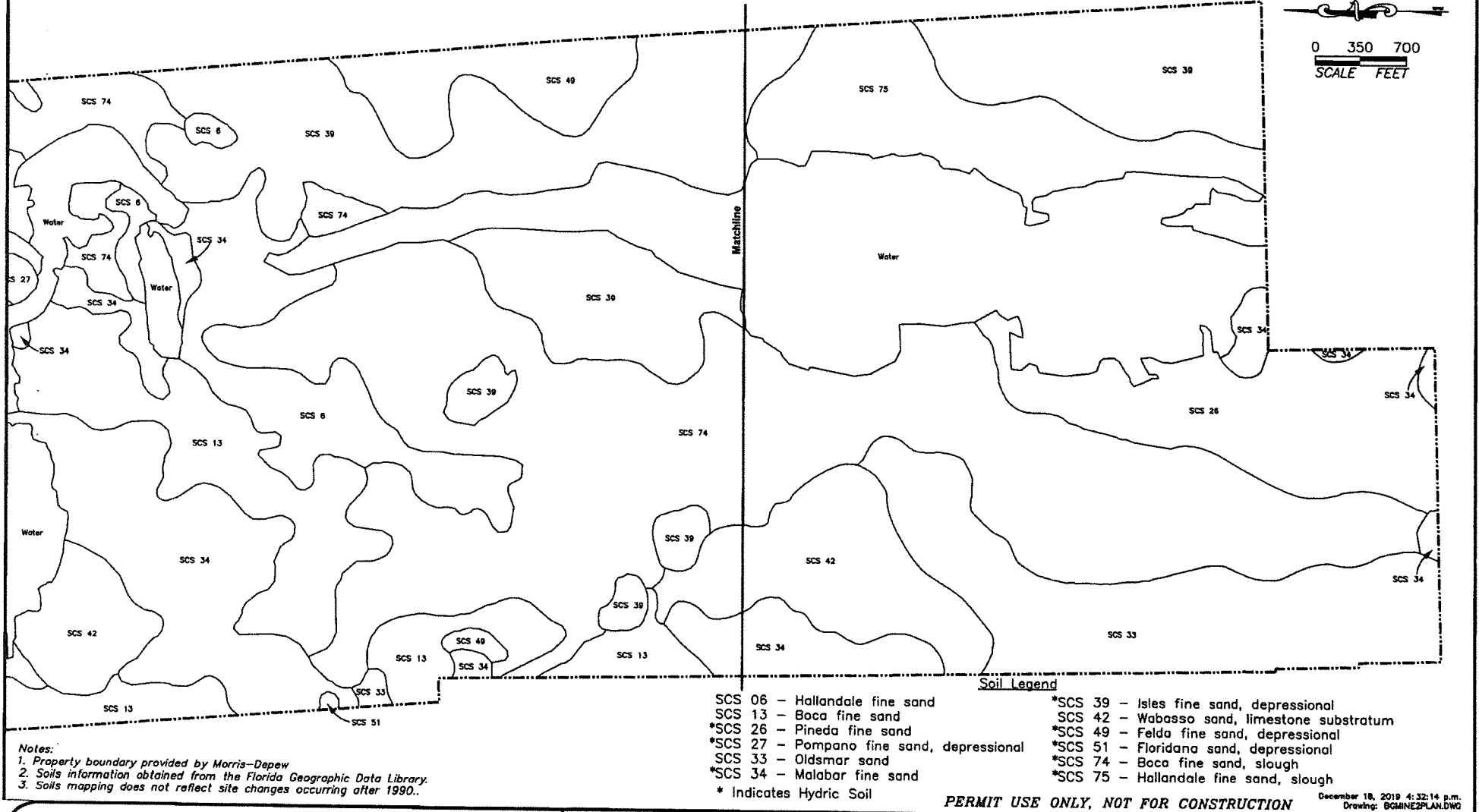
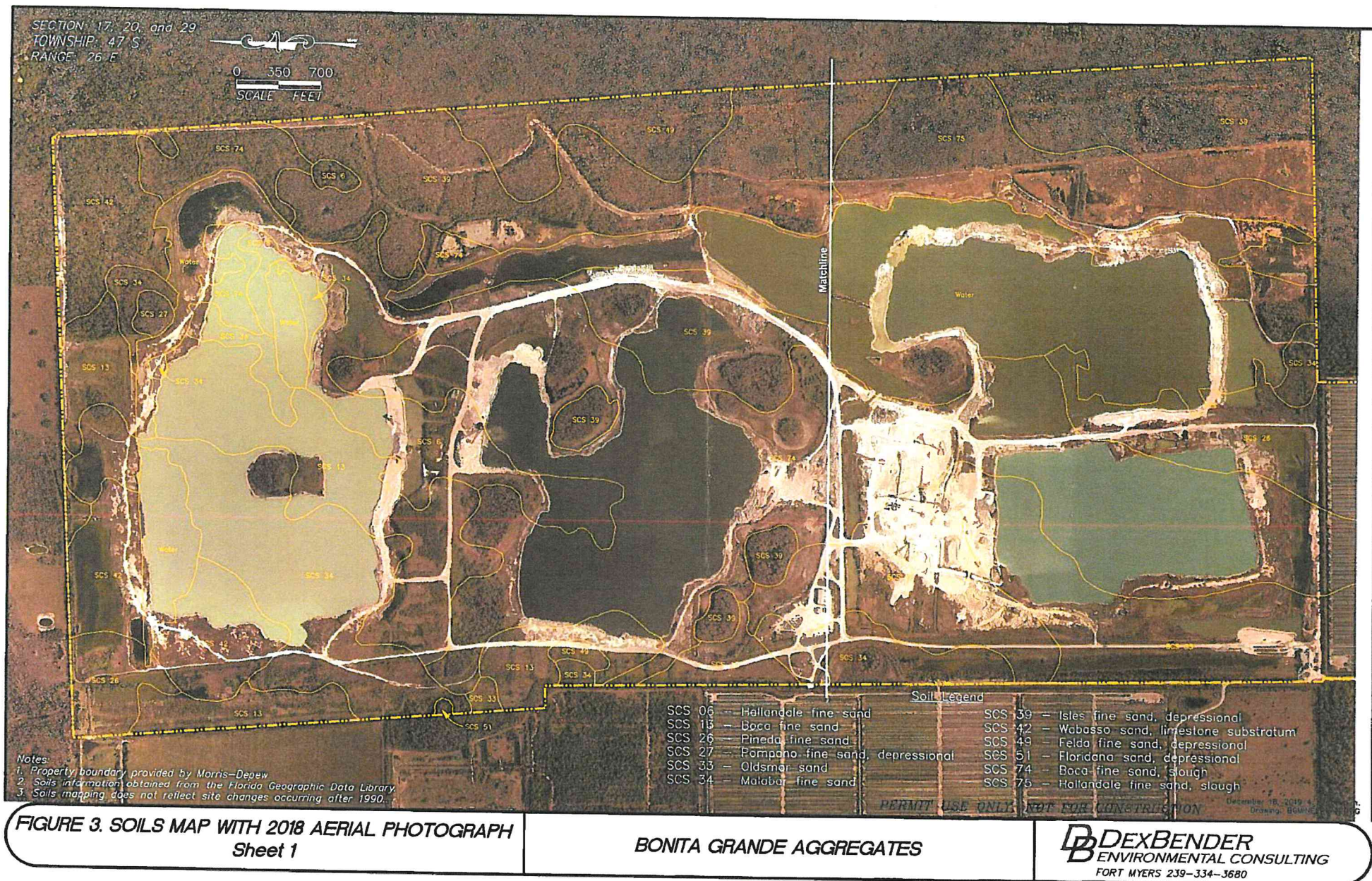


FIGURE 2 - SOILS MAP
Sheet 2

BONITA GRANDE AGGREGATES

DEXBENDER
ENVIRONMENTAL CONSULTING
FORT MYERS 239-334-3680



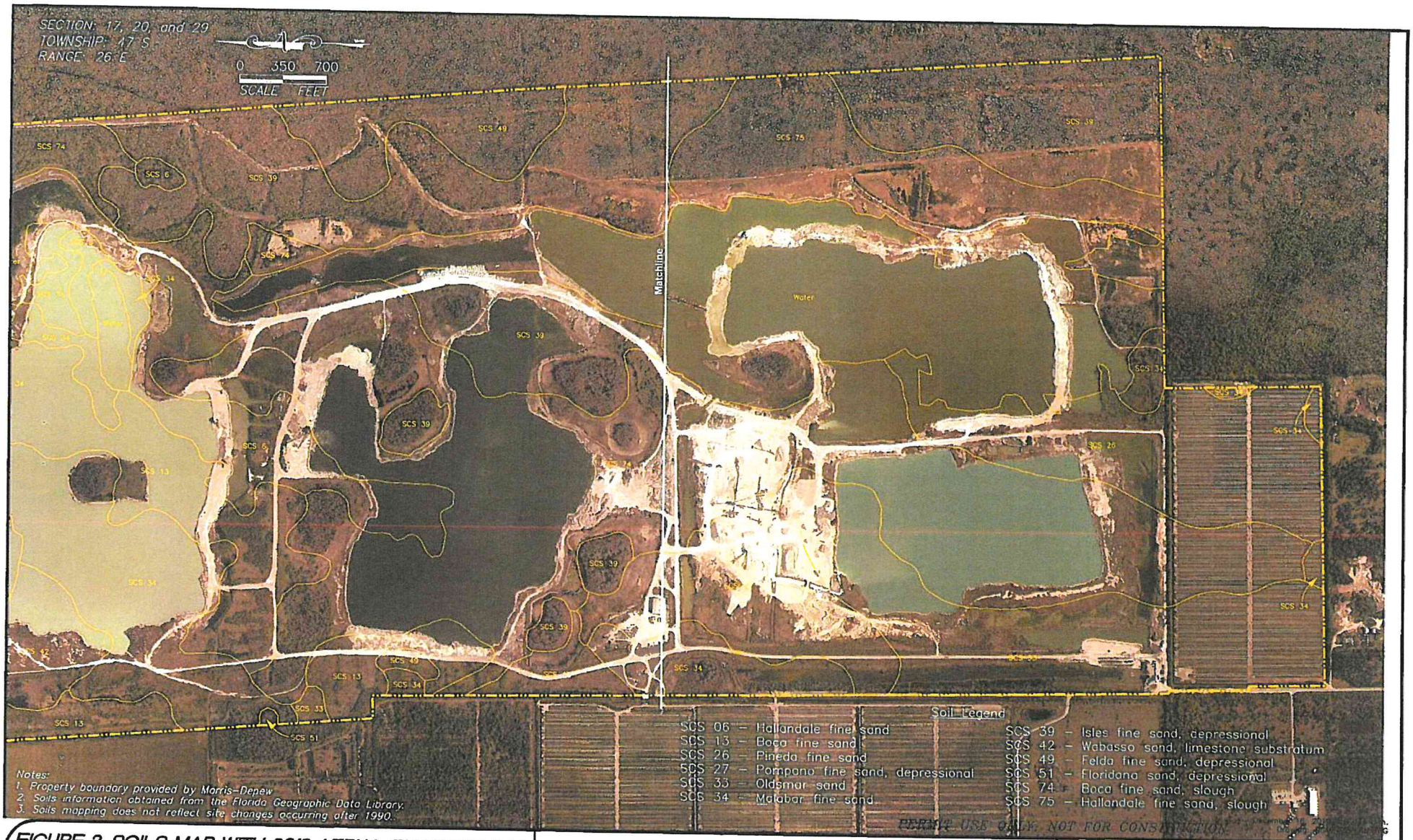
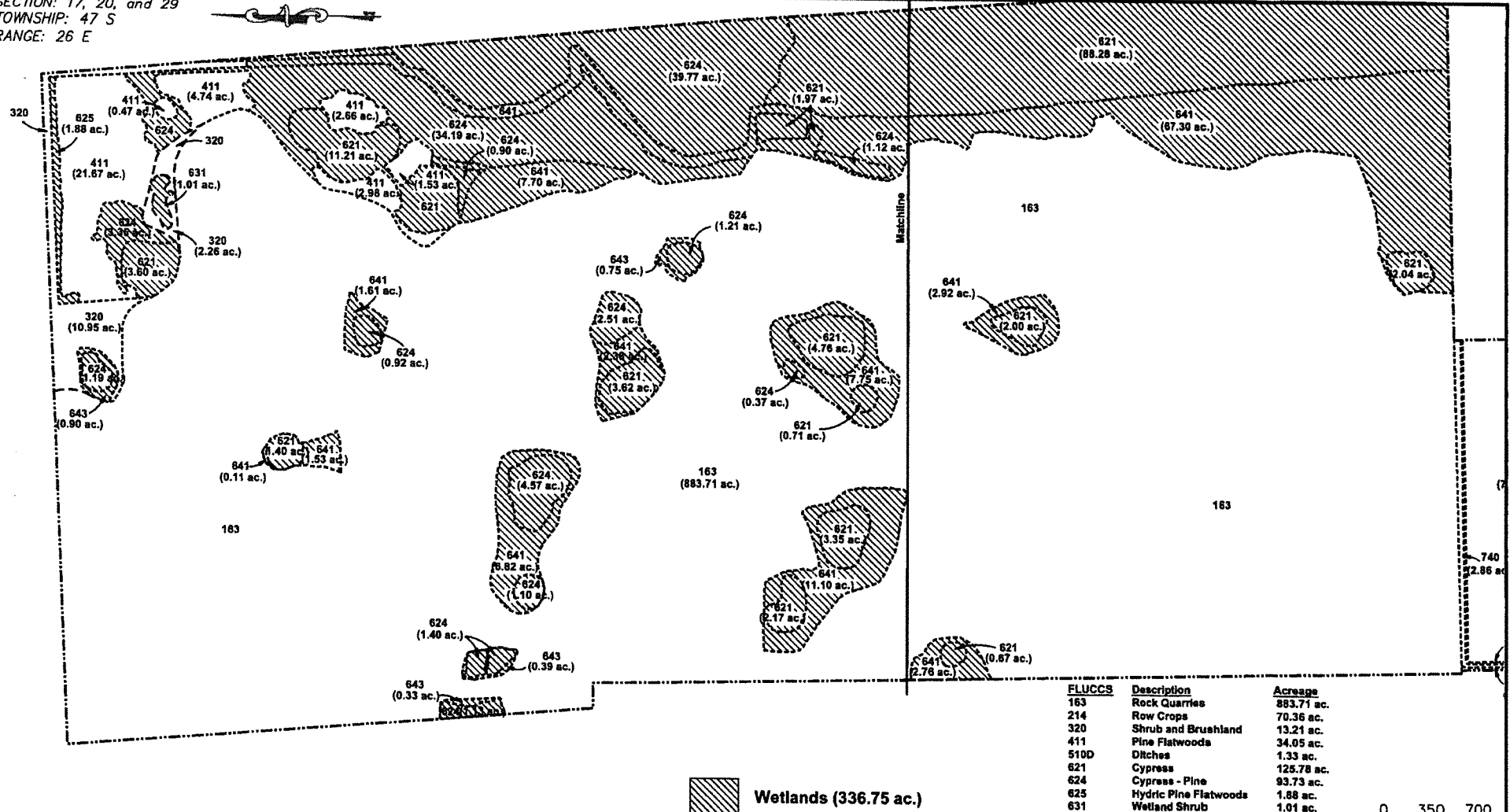


FIGURE 3. SOILS MAP WITH 2018 AERIAL PHOTOGRAPH
Sheet 2

BONITA GRANDE AGGREGATES

BDEXBENDER
ENVIRONMENTAL CONSULTING
FORT MYERS 239-334-3680

SECTION: 17, 20, and 29
TOWNSHIP: 47 S
RANGE: 26 E



- Notes:
1. Property boundary and preserve limits provided by Morris-Depew.
 2. Vegetation mapping updated in 2017.
 3. Limits of jurisdictional wetlands approved by DEP permit.

PERMIT USE ONLY, NOT FOR CONSTRUCTION

FLUCCS	Description	Acreage
163	Rock Quarries	883.71 ac.
214	Row Crops	70.36 ac.
320	Shrub and Brushland	13.21 ac.
411	Pine Flatwoods	34.05 ac.
510D	Ditches	1.33 ac.
621	Cypress	125.78 ac.
624	Cypress - Pine	93.73 ac.
625	Hydric Pine Flatwoods	1.88 ac.
631	Wetland Shrub	1.01 ac.
641	Freshwater Marshes	111.98 ac.
643	Wet Prairies	2.37 ac.
740	Disturbed Land	2.86 ac.
814	Roads and Highways	0.33 ac.
Total		1,342.80 ac.

0 350 700
SCALE FEET

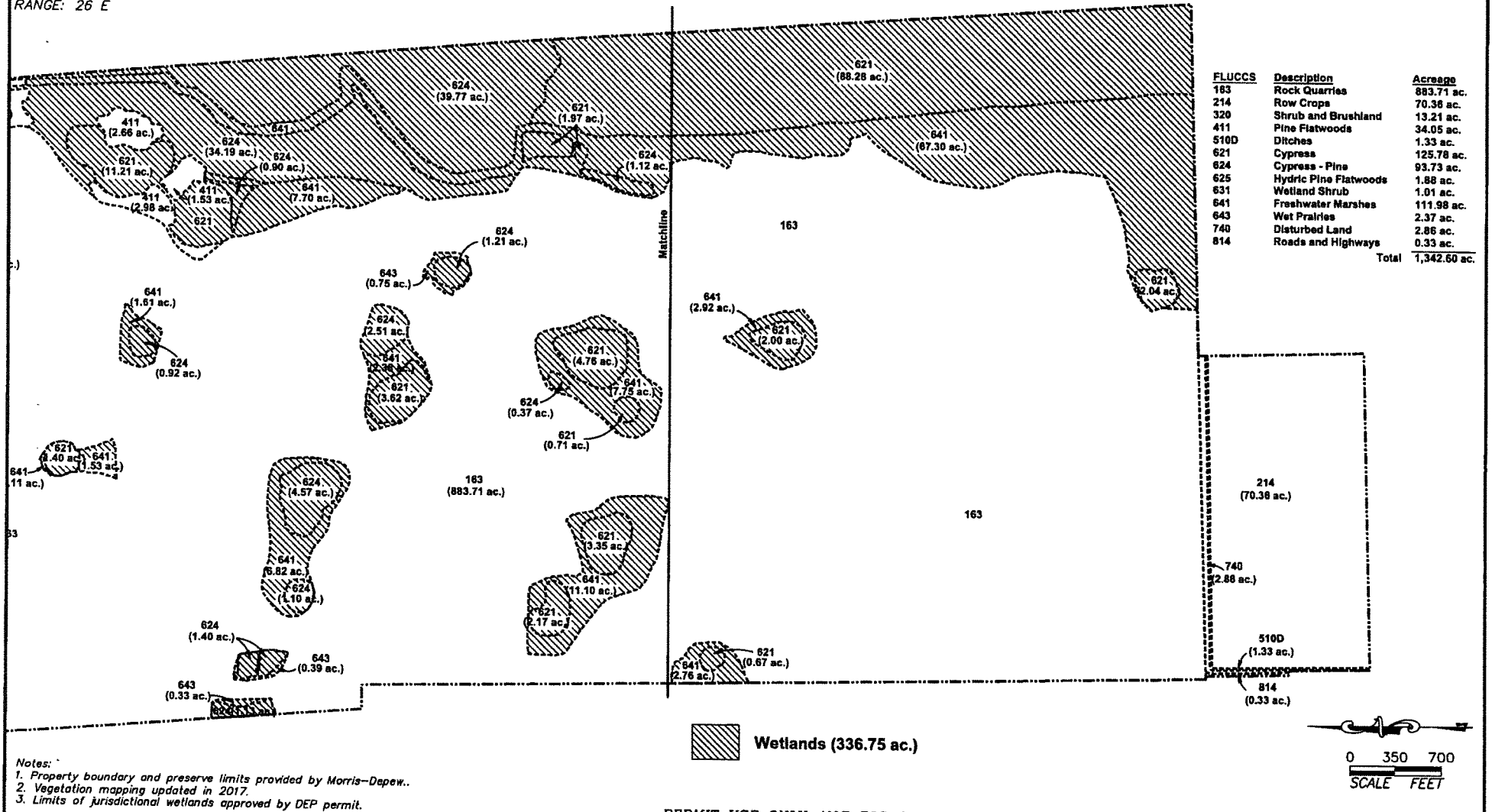
December 18, 2019 4:32:14 p.m.
Drawing: BGMINE2PLAN.DWG

FIGURE 4 - WETLAND MAP
Sheet 1

BONITA GRANDE AGGREGATES

DEXBENDER
ENVIRONMENTAL CONSULTING
FORT MYERS 239-334-3680

SECTION: 17, 20, and 29
TOWNSHIP: 47 S
RANGE: 26 E



FLUCCS	Description	Acres
163	Rock Quarries	883.71 ac.
214	Row Crops	70.36 ac.
320	Shrub and Brushland	13.21 ac.
411	Pine Flatwoods	34.05 ac.
510D	Ditches	1.33 ac.
621	Cypress	125.78 ac.
624	Cypress - Pine	93.73 ac.
625	Hydric Pine Flatwoods	1.88 ac.
631	Wetland Shrub	1.01 ac.
641	Freshwater Marshes	111.98 ac.
643	Wet Prairies	2.37 ac.
740	Disturbed Land	2.86 ac.
814	Roads and Highways	0.33 ac.
		Total 1,342.60 ac.

FIGURE 4 - WETLAND MAP
Sheet 2

BONITA GRANDE AGGREGATES

BDEXBENDER
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FORT MYERS 239-334-3680

POLICY 42.2.5: The minimum acceptable level-of-service standard for availability of solid waste disposal facilities will be 7 pounds per capita per day (see also Policy 70.1.3).

POLICY 42.2.6: The county will immediately construct a new landfill to serve the entire county including all municipalities. (Amended by Ordinance No. 94-30, 00-22)

e. GROUNDWATER RECHARGE

GOAL 43: GROUNDWATER. To protect the county's groundwater supplies from those activities having the potential for depleting or degrading those supplies.

OBJECTIVE 43.1: WELLFIELD PROTECTION. The county will maintain a wellfield protection ordinance to provide regulations protecting the quality of water flowing into potable water wellfields. (Amended by Ordinance No. 94-30, 00-22)

POLICY 43.1.1: The wellfield protection ordinance will be amended whenever better technical data is developed and whenever additional potable wellfields are proposed. (Amended by Ordinance No. 00-22)

POLICY 43.1.2: The staff hydrogeologist will review and comment on all development applications near public utility potable water wellfields, with particular attention to proposed land uses within a 10-year travel time from the wellheads. (Amended by Ordinance No. 00-22)

OBJECTIVE 43.2: POTABLE GROUNDWATER. Base all future development and use of groundwater resources on determinations of the safe yield of the aquifer system(s) in order not to impair the native groundwater quality or create other environmental damage. Criteria for safe-yield determinations will be determined by the SFWMD, the agency charged with permitting these activities. (Amended by Ordinance No. 94-30, 00-22)

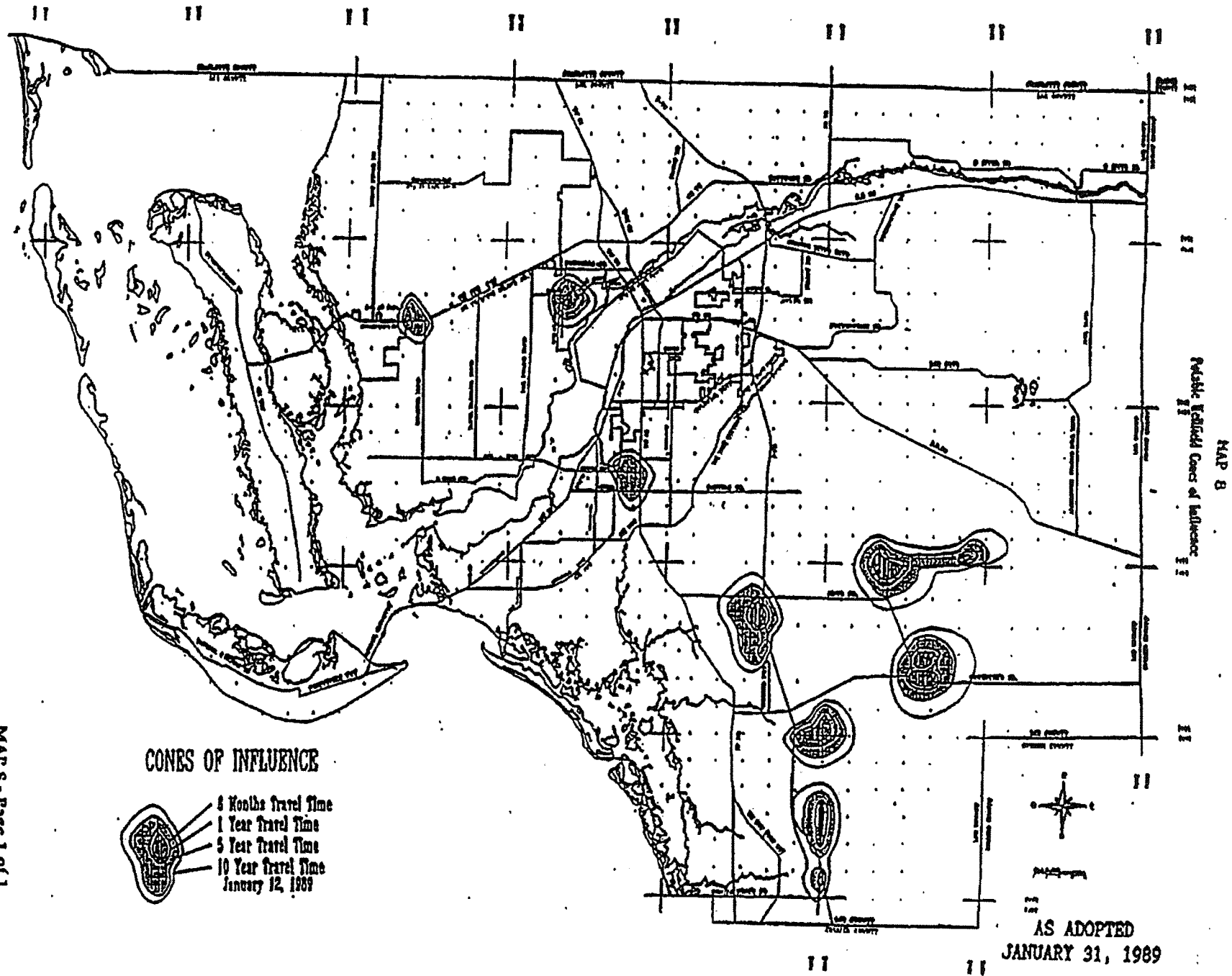
POLICY 43.2.1: For maximum protection of groundwater resources, identify future wellfields and/or relocation site(s) for existing wellfields well in advance of need. Coordinate with SFWMD, other water suppliers, and DEP to avoid duplication and to assist in data collection and interchange. (Amended by Ordinance No. 94-30)

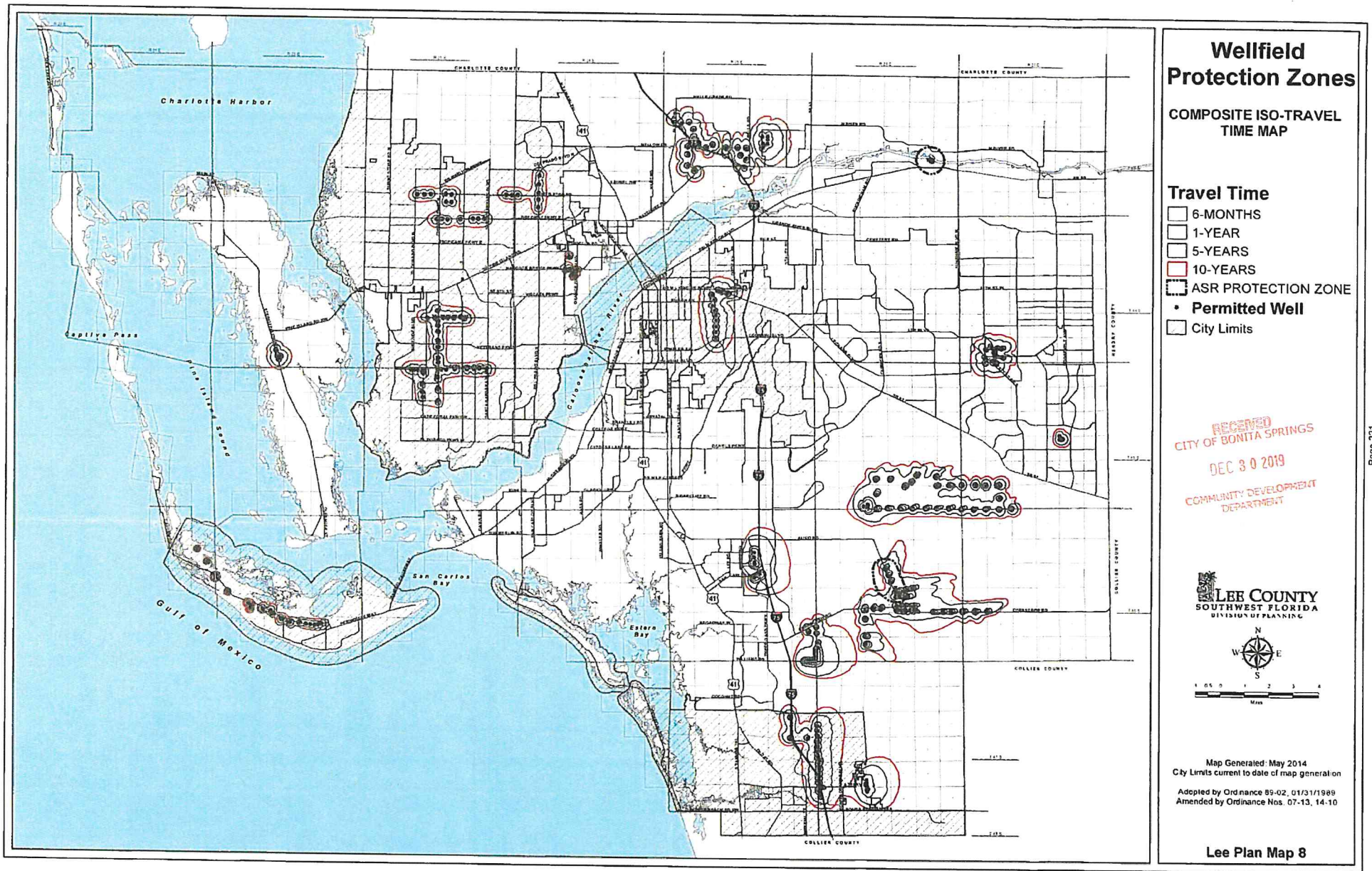
POLICY 43.2.2: Institute a program to identify sources of groundwater pollutants in Lee County and to map these (point and non-point) on a county-wide basis.

POLICY 43.2.3: Identify water needs consistent with projections of human population and the needs of natural systems in order to determine the future demands for groundwater. (Amended by Ordinance No. 94-30)

POLICY 43.2.4: Expand current programs to identify and map the contamination potential of groundwater resources for those areas of Lee County not currently under public ownership.

POLICY 43.2.5: Lee County, in cooperation with other agencies and the municipalities, will budget to maintain its current program of plugging non-valved, abandoned, or improperly-cased artesian wells so that at least seventy-five of these wells are plugged each year until such wells are eliminated. (Amended by Ordinance No. 94-30, 00-22)





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COMMUNITY DEVELOPMENT
DEPARTMENT

Bonita Grande
Comprehensive Plan Amendment
Comprehensive Plan Consistency

The Bonita Grande Mine (f/k/a Bonita Farms) is comprised of approximately two sections of land (Section 17 and 20, T47S, Range 26E), ~~1341.2~~ **1343** acres, located at the northern terminus of Bonita Grande Drive, approximately two miles north of Bonita Beach Road. The mine received zoning approvals for the natural resource extraction from Lee County during the late 1980s. The initial approval covered Section 20, and the second approval covered Section 17. In 1998, the two sections were united under one Industrial Planned Development (IPD) zoning and Master Concept Plan (MCP), approved by Resolution Z-98-071. A modification was approved in 2002 by Z-02-047. This approval included references to the conditions contained in the previous resolution, therefore both Z-98-071 and Z-02-047 are applicable to the property. Conflicts or inconsistencies are to be addressed by Z-02-047.

The property was annexed into the City of Bonita Springs in 2003, as described in City Resolution 03-12 and an Annexation Agreement (which has been provided as part of the CPA Application Materials in previous submittals). Property annexed into a municipality remains subject to the county land use plan, zoning and subdivision regulations until the municipality adopts a plan amendment that includes the annexed area pursuant to Section 171.062, F.S. Thus the Lee Plan and the County zoning resolutions remain in full force and effect. The same year, the City issued an Administrative Interpretation of Vested Rights (Case No. Vested Rights 2003-0001), which acknowledged the owner was vested to continue with mining in accordance with the previous actions and approvals. Administrative Amendment 09BOS-ADD00001 was approved on November 9, 2009 to address the limits of excavation. In 2013, a second administrative amendment was submitted to the City, ADD13-05318-BOS which again revised the limits of the excavation to demonstrate the ultimate lake configuration desired for post mining development. The administrative amendment also extended the termination date of the mine's activities per Executive Order 12-140, 12-192, and 12-199 to May 27, 2020.

The Florida Statutes provides for time extensions based on the issuance of an executive order declaring a State of Emergency. A State of Emergency (SOE) extension resulted in an expiration date extension for the Bonita Grande Mine IPD to August 13, 2040, due to Executive Order No. 17-146 being issued by Governor Scott as a result of the Opioid Epidemic. A Settlement Agreement was reached between the ownership of the property and the City of Bonita Springs and adopted by City Council on November 20, 2019. As part of the Settlement Agreement, February 13, 2041 was established as the final termination date of the mine.

The Comprehensive Plan Amendment is being requested to bring the property into an appropriate City Future Land use category. The proposed plan amendment category will facilitate the redevelopment of the existing mining site to a low-density residential subdivision. The property's current FLU Designation is Lee County Density Reduction Groundwater Resource (DRGR) and Wetlands under the Future Land Use Element of the Lee County Comprehensive Plan ("Lee Plan"). The Lee Plan identifies mining ("natural resource extraction and related facilities") as an allowed use within the DRGR. The annexation agreement makes it clear that the property was annexed by the City to provide for a future land use designation of the property that would be consistent with the studies undertaken by the City that recognized the benefits of redeveloping the subject property. This understanding is outlined in Section III, subsections 3.1 through 3.3, of the Annexation Agreement. The annexation agreement recognized what was ultimately a series of studies that examined the suitability of the properties east of I-75 for urban uses and evaluated whether there was a need for continuing the DRGR classification on lands within the City. The studies found it appropriate to reclassify the subject property and the City was required to process a plan amendment to designate the future land use of the property to a category in alignment with the studies' results and recommendations. Additionally, Policy 1.7.1 of the city's Comprehensive Plan required the City to complete the initial study by the end of 2004. The studies were "...to identify types and intensity of uses that should be allowed within the DRGR area, and to determine the most effective and appropriate techniques to ensure the maintenance of adequate quantity and quality of surface and groundwater resources." Due to the City's failure to file and process a plan amendment in accordance with Policy 1.7.2 and the annexation agreement the property owners determined it would be necessary for the property owner to protect its property rights assist in the process and submit an applicant initiated Comprehensive Plan Amendment application. The proposed Comprehensive Plan Amendment consists of three elements:

- (1) A Text Amendment to add Policy 1.1.27 for Conservation Fringe Future Land Use Category
- (2) A Future Land Use Map Amendment to include the subject property in the Conservation Fringe Future Land Use Categories

As proposed, the text amendment to establish Policy 1.1.27 and the criteria for the Conservation Fringe FLU would create a new future land use category promoting development of the subject property in a manner that preserves, protects and enhances the significant natural resources on the property, provides connectivity with adjoining natural areas, and implements the intent of applicable Smart Growth policies and City of Bonita Springs Goals, Objectives and Policies. The proposal's preservation, protection and enhancement of the property's significant natural resources and application of relevant aspects of Smart Growth would permit a maximum of .52 .522 dwelling units per gross acre along with an accessory building and private recreation areas. To achieve a final density, the proposed development will need to demonstrate consistency with the Future Land Use Category which is appropriately evaluated during the subsequent required Planned Development rezoning. A Residential Planned Development Application is being prepared and will be submitted to the City of Bonita Springs for review in December of 2019.

Proposal Request

The proposed Comprehensive Plan Amendment and required Planned Development zoning will provide a mechanism to allow redevelopment of the subject property that promotes reclamation and reuse of the property in a manner that is consistent with the City's Comprehensive Plan vision and existing and future development within the immediate area of the subject property.

The property and the community would benefit from redevelopment at the conclusion of the excavation. There is no current mechanism to facilitate redevelopment of the property without the proposed text and map amendment to the Conservation Fringe Future Land Use Category.

The Conservation Fringe FLU includes requirements that address the preservation, protection, restoration and enhancement of natural resources on the subject property as well as including safeguards for the public potable water supplies associated with the development of individual wells and septic systems that typically occurs in this portion of the City. The proposed future land use category is specific to the subject property and provides the flexibility to analyze and tailor the redevelopment of the property to address surface and ground water and natural resources. The proposed text amendment is only applicable to properties with existing natural resource extraction uses which are over 100 acres and have approval for Natural Resource Extraction. The City's DR/GR FLU category does not permit natural resource extraction; therefore, the proposed FLU category is only applicable to the subject property. Additionally, one of the requirements of FLU category is to undergo a planned development rezoning to meet specific and unique redevelopment criteria. Parcels over 100 acres are large enough to have a potential beneficial impact upon surface water, groundwater, and natural resources.

Policy 1.1.27: Conservation Fringe. This category is intended to recognize geographic areas that a) include an existing vested mining operation; and b) are adjacent or proximate to lands with significant environmental resource and habitat values. As of the date of the adoption of the Conservation Fringe District, zero (0) acres have been designated as Conservation Fringe District; although the City anticipates that approximately 1,348 1343 acres may ultimately be designated as Conservation Fringe District. The City recognizes that existing mines provide a regional supply for lime rock needs and help to minimize the impacts of new mines on the environment, surrounding land uses and roadways. Once mining is completed, the reclamation / redevelopment of the land must occur such that it is compatible with the adjacent or proximate environmental lands. Allowable land uses are limited to conservation uses; agriculture; excavation (existing vested mining operation only); residential uses at a maximum density of 0.52 0.522 dwelling units per gross acre along with accessory amenity building and private recreational areas; public uses; non-profit public recreational uses; and essential services needed for the health, safety, and general welfare of the community such as lift stations, utility lines, potable/non-potable wells and equipment and appurtenances necessary for such systems to furnish adequate levels of service. Notwithstanding Future Land Use Element Policy 1.1.2.c and Conservation/Coastal Management Element Policy 15.1.5, wetland and resource protection acres are eligible to be counted as part of the gross acreage for density purposes, but all density must be clustered on the permitted upland portion and/or disturbed land of an approved master concept plan for the reclamation/redevelopment plan. Contiguous property under common ownership of the existing vested mining operation may be included in the Conservation Fringe District up to a maximum of 10% of the existing vested mining operation area for residential purposes only. The cumulative total number of units for all properties designated as Conservation Fringe

District shall not exceed a maximum of 700 units. Development within this Conservation Fringe District must adhere to the following innovative design and planning conditions:

1. *The property (including contiguous property if applicable) shall be rezoned to a Planned Development. If the property is already zoned Planned Development, the Planned Development shall be amended to comply with the requirements of this Policy no later than completion of the existing mining operation (if applicable) but no later than 12/31/2041.*
2. *The Planned Development rezoning shall include a minimum of 60% open space calculated over the net project area, not including existing mining lakes and public road right-of-way, and shall implement the following, to the maximum extent feasible:*
 - a) *Restoration and accommodation of existing and historical regional flow ways;*
 - b) *Restoration and accommodation of existing and historic groundwater levels;*
 - c) *Restoration and preservation of wetlands;*
 - d) *Restoration and preservation of indigenous upland habitats; and*
 - e) *Where applicable, provision of critical wildlife connections to adjacent conservation areas.*
3. *A proposed enhanced lake management plan for lakes created by mining activities shall be provided at the time of the Planned Development rezoning. The enhanced lake management plan shall be in addition to any previously approved lake management or reclamation plan for the property, and shall include, at a minimum, the following:*
 - a) *Application of best management practices for fertilizers and pesticides;*
 - b) *Provision for erosion control and lake bank stabilization;*
 - c) *Establishment of lake maintenance requirements; and*
 - d) *Establishment of an education program for any homeowners' association for the property regarding such issues as restricted lake uses, fertilizer use, lake bank planting requirements, and best management practices.*
4. *Through the Development Order process, a site specific ecological and hydrological restoration plan shall be developed, which shall include, at a minimum, the following:*
 - a) *Excavation and grading plans;*
 - b) *Analysis of hydrological improvements and water budget for both land surface and subsurface; and*
 - c) *For areas previously farmed or impacted by mining activities and proposed for preservation or conservation, replanting plans, habitat restoration plans, success criteria, and long-term monitoring and maintenance plans.*
5. *A Conservation Easement for each preservation area shall be platted as part of a master plat for the property and dedicated to the appropriate maintenance entity which has been approved by the City.*
6. *Indigenous management plans shall address human-wildlife coexistence and buffers between development areas and preservation/conservation areas.*

7. *Landscaping shall use Florida Friendly Planting with low irrigation requirements in Common Elements.*
8. *A minimum of 1.5 inches of water quality treatment shall be provided for the developed areas of the project.*
9. *Stormwater runoff shall be directed into treatment areas prior to discharge to mining lakes that provide additional storage for 0.5 inches of runoff for the developed area.*
10. *Existing vested mining uses shall be eliminated within an appropriate phasing schedule as part of the Planned Development rezoning approval but no later than 12/31/2041.*
11. *Existing or proposed public potable water wells shall be protected.*
12. *On-site and off-site improvements to transportation infrastructure needed to mitigate the traffic impacts of the Planned Development rezoning shall be provided, subject to any prior agreements. These improvements shall use, insofar as is practical, low impact roadway design, linear filter marsh retention elements, and other "green" roadway design features as applicable.*
13. *The Planned Development project shall connect to public water and sewer service provided by Bonita Springs Utilities and shall connect to reclaimed water if available.*
14. *Written verification as to adequate public services for the Planned Development rezoning shall be obtained from the Bonita Springs Fire Control & Rescue District, the Lee County Sheriff's Office, the Lee County Emergency Medical Services, and the Lee County School District.*
15. *The proposed Planned Development rezoning shall not result in material, detrimental impacts to existing or future potable water supply resources.*
16. *Golf course use is prohibited.*

Final densities and non-residential uses shall be determined as part of the Planned Development rezoning process and shall be based upon a demonstration of compatibility of the proposed development with adjacent and proximate development.

The Conservation Fringe Future Land Use Category promotes the redevelopment of the subject property in a manner that protects the natural resources on the property and is consistent with the purpose and intent of the City's Comprehensive Plan Goals, Objectives and Policies. Additionally, the Future Land Use Category is written to only be applicable to the subject property ensuring appropriate redevelopment of the property beyond the current reclamation conditions. Mining operations continue to be active on the subject property and completion of mining activities has not occurred "in any area that will not be disturbed by future operation." Therefore, reclamation has not begun consistent with the notes included on the approved Master Concept Plan.

The currently approved reclamation plans will address the lake banks of the mine lakes as well as the habitat protected under conservation easement. However, they do not address the protection of water resources, hydrological and ecological enhancement and restoration and preservation of native habitats. Additionally, the proposed amendment safeguards the public

potable water supplies as compared to the City's DR/GR FLU by requiring connection to public utilities.

Consistency with the Bonita Springs Water Strategy Task Force

The City of Bonita Springs City Council established the Citizens Water Strategy Task Force after failing to implement the four studies performed by hydrologists, engineers, and planners, to evaluate and propose a recommendation on future activity within the DR/GR area. The Citizen Task Force was active from January to October 2014 and provided 34 Recommendations to the City Council, of which 29 were approved. The recommendations cover water quantity, water quality and water supply. The Conservation Fringe FLU category seeks to incorporate several of the recommendations tailored to the subject property.

Water Quantity Recommendation #1 recommends increasing the water retention/detention requirements in the DRGR by 10% over the current requirement of 1.5 inches. The Conservation Fringe FLU will require a Hydrological Restoration Plan to be submitted for the subject property. A general plan will be completed at the time the property undergoes a Planned Development rezoning and must include an analysis of hydrological improvements and the ability to achieve an improved water budget. The Conservation Fringe FLU category includes this recommendation which requires properties to demonstrate a minimum of 1.5 inches of water quality treatment as well as .5 inches of additional storage.

Water Quantity Recommendation #4 promotes additional storage, flowways and water treatment areas in the DRGR to be integrated and promote flood protection, water quality and groundwater resources improvements. One of the main principles of the Conservation Fringe FLU category is the restoration, enhancement and preservation of natural resources on the subject property. The Conservation Fringe FLU category promotes improvements by requiring the restoration, enhancement and preservation of groundwater levels and wetland systems. A Hydrological Restoration Plan is required as part of the zoning application and it must include an analysis of hydrologic improvements and demonstration of an improved water budget. Additionally, as discussed the property must demonstrate a minimum of 1.5 inches of water quality treatment for the developed areas of the property and .5 inches of additional storage for the developed areas of the property consistent with the recommendation of the Water Task Force.

Water Quantity Recommendation #10 promotes the inclusion of a linear filter marsh within a ROW when significant roadway improvements are undertaken. The Conservation Fringe FLU category includes this recommendation by requiring improvements to infrastructure to utilize low impact design, linear filter marshes, complete streets and other "green" roadway design features. The FLU category supports item 8 by requiring all landscaping to use Florida Friendly Plantings with low irrigations requirements.

Water Quantity Recommendation #13 promotes increased groundwater recharge through improved water management. One of the main principles of the FLU is the restoration,

enhancement and preservation of natural resources. The Conservation Fringe FLU category supports improvements to water resources by requiring the restoration and enhancement of groundwater levels. To ensure the proposed development improves groundwater levels, a Hydrological Restoration Plan that includes an analysis of hydrological improvements and demonstrates an improved water budget is required at the time of the required Planned Development Application.

Water Quantity Recommendation #18 promotes the clearing of historic flowways and flood control structures. The restoration, enhancement and preservation of existing or historic regional flowways. Where historic flowways exist, they should be integrated into the site design by enabling the development to include them in the minimum open space criteria.

Water Quality Recommendation #3 promotes Best Management Practices and Low Impact Design Standards. The Conservation Fringe Future Land Use Category ensures that Best Management Practices and Low Impact Design Standards are incorporated into the development of the subject property through a number of conditions. Planning condition 2 sub-items a. through e. require the restoration, enhancement and preservation of regional flowways, groundwater levels, wetland systems, and indigenous habitats and incorporates these natural features into the minimum 60% required open space to ensure the subject property evaluates these features through the development process. Planning condition 3 sub-item a. through d. requires an Enhancement Lake Management Plan that identifies best management practices for fertilizers and pesticides, outlines erosion control and bank stabilization and establishes perpetual lake maintenance requirements. Planning condition 4 sub-item a. and c. requires an Ecological and Hydrological Restoration Plan that includes Excavation and grading plans and replanting and habitat restoration for an area previously impacted by intense land uses. Planning condition 7 requires all landscaping to be Florida Friendly Plantings with low irrigation requirements and buffers to be established around the perimeter of the development. Buffers may include landscaping, walking paths and hydrological connects to adjacent parcels. Planning condition 12 requires a phasing schedule for infrastructure improvements and encourages those improvements to use low impact design, linear filter marsh elements, alternative irrigation supplies, and other available conservation measures. Planning condition 15 requires the enhancement of water resources through stormwater management, non-potable water use where applicable, and other alternatives. Collectively these policies require that best management practices and low impact design be incorporated into development yet provides adequate flexibility to implement practices that support and enhance the final site design at the time of Planned Development Application.

Water Quality Recommendation #4 seeks to require new development within the Imperial River Basin BMAP to demonstrate post-development stormwater pollutant loading for nitrogen is at least 26.5% less than the pre-development conditions as outlined in the December 2012 BMAP requirements. The Conservation Fringe Category promotes reduction of pollutant loading through planning condition 2. sub-item a and e. which requires the restoration, enhancement and preservation of regional flowways and wetland systems. Incorporating these natural systems

into the development provides an opportunity for the natural features to supplement the stormwater management system and enhance water quality. Planning condition 3 sub-item a. through c. requires properties within the FLU to establish an Enhanced Lake Management Plan that applies best management practices for fertilizers and pesticides, provides erosion control and bank stabilization and establishes perpetual lake maintenance requirements. Planning condition 4 sub-item a. and d. requires an Ecological and Hydrological Restoration Plan to include an analysis of hydrological improvements and an improved water budget as well as a Replanting Plan and Habitat Restoration Plan. Planning condition 9 minimum of 1.5 inches of water quality treatment. Planning condition 12 requires a phasing schedule for the development and infrastructure improvements to incorporate low impact design, linear filter marsh elements, complete streets and other design alternatives. Planning condition 15 requires the enhancement of water resources through stormwater management, alternative non-potable water usage, and other alternative/green activities. These planning conditions together will ensure that future development within the Conservation Fringe FLU incorporates design elements that support water quality and quantity goals and specifically reduces nitrogen loading at least 26.5% of the pre-development conditions.

Water Quality Recommendation #6 promotes incentives for HOA educational efforts relative to pond maintenance and fertilizer use. The Conservation Fringe Future Land Use Category has incorporated these practices into the proposed planning condition 3 sub-item a. through d. requires and Enhanced Lake Management Plan that includes best management practices for fertilizers and pesticides, erosion and bank stabilization and perpetual lake maintenance requirements. Planning condition 4 sub-item a. through c. requires Ecological and Hydrological Restoration Plans which include excavation and grading and Replanting and Habitat Restoration with long-term monitoring and requires a master plat with preservation area platted into separate tracts and placed into a conservation easement dedicated to a maintenance entity. These policies ensure that maintenance and fertilizer use are considered during the design and development of properties within the FLU to ensure that a program is in place prior to the establishment of the HOA, CDD, or other appropriate maintenance entity. It is expected that items related to long-term maintenance would be incorporated into relevant HOA documents to be recorded after construction of the development prior to turnover.

Water Supply/Drinking Water Recommendation #1 provides that the Wellfield Protection Ordinance be updated to restrict/prohibit contaminants near the potable supply wellfields. Planning condition 11 codifies this recommendation by requiring the implementation of protections for public potable water wells consistent with the City's Wellfield Protection Ordinance. Planning condition 13 requires developments within the FLU to connect to public water and sanitary sewer services further promoting protection of groundwater. Planning condition 9 requires enhanced water resources through stormwater management, use of non-potable water sources where appropriate, and other available alternatives. Collectively these items ensure that the future development proposed for the subject property will ensure future protection of public water supply.

Water Supply/Drinking Water Recommendation #2 promotes stormwater be redirected into filter marshes or other areas. Planning condition 12 promotes infrastructure improvements proposed to support future development of the subject property incorporate low impact design, and linear filter marshes, and roadway design features. The policy requires any needed infrastructure improvements and design elements that support the goals of the Water Task Force be provided and evaluated by the City at the time of Planned Development Application.

Water Supply/Drinking Water Recommendation #3 seeks to eliminate or reduce private potable water wells and septic tanks. Planning Condition 11 requires the proposed development on the subject property to demonstrate protection of public potable water wells consistent with the City's Wellfield Protection Ordinance prior to planned development approval. Additionally, planning condition 13 requires future development on the subject property to connect to public water and sanitary sewer service and provide reclaimed or reused water if available. These policies codify this recommendation from the water task force and ensure future development on the subject property will eliminate the use or private water wells and septic tanks.

Surrounding Land Uses

In addition to establishing an appropriate and realistic designation for the redevelopment of the subject property, the proposed amendment promotes compatibility with the existing surrounding land uses and envisioned future land uses.

	FLU Designation	Use
North (Lee County)	Lee DRGR & Wetlands	Vacant
South	City DRGR & Resource Protection Lee DR/GR	Agriculture & Vacant
East (Lee County)	City DRGR & Wetlands	Vacant
West	City DRGR	Agriculture

In consideration of the uses surrounding the proposed residential community, the property is appropriately classified as redevelopment, where the residential uses will be directed toward the existing disturbed land and the intensity will transition from the intense Citrus Park to the low density Sun Coast Acres and Conservation lands immediately east. The proposed FLU will ensure that the future development of the subject property is a well-designed residential community that will be required to maintain large open spaces that incorporate the existing natural resources, enhance water resources, and provide appropriate connections to the adjacent conservation lands. After the mining operation is terminated, the lakes on site will be reclaimed, the preservation areas will be maintained, and the existing industrially zoned property will be converted to low density residential development on a disturbed site.

Goals, Objectives and Policies

The City of Bonita Springs Comprehensive Plan Vision is to create a community that actively practices its appreciation of the great natural environment and is considered a green City due to its protection of natural systems and environmental consciousness.

The City's Vision seeks to promote a walkable community with interconnecting sidewalks, pathways, and public transit systems with planted medians, streetscaping and strategic statuary. The Conservation Fringe Future Land Use seeks to promote redevelopment of the property in a way that incorporates the existing or historic natural systems and promotes design flexibility to encourage pedestrian connectivity, complete streets, and greenways. These elements must be incorporated into the design and approved conceptual plans of the required planned development rezoning to ensure consistency with the City's Comprehensive Plan Vision.

The Conservation Fringe Future Land Use Category promotes Objective 1.4 which seeks to eliminate uses inconsistent with the City's Future Land Use Map. The DR/GR Future Land Use on the subject property is a carryover category from Lee County. The proposed amendment would establish the Conservation Fringe FLU to acknowledge the subject property's existing mining use, establish a timeline for the completion of mining activities, and promote the redevelopment of the property to low density residential community. The proposed amendment would eliminate the alleged inconsistency of the subject property's existing use consistent with Object 1.4 and supporting policy 1.4.1. Furthermore, the proposed amendment will codify many of the recommendations of the Water Task Force.

A Planned Development zoning is a required element of the Conservation Fringe FLU. If the proposed FLU Map and Text Amendments are approved, the applicant must also undertake a Planned Development zoning as outlined in proposed Policy 1.1.27. This requirement supports Policy 1.7.6 which requires a Planned Development zoning in locations exhibiting characteristics of environmentally critical areas and 1.7.7 which permits the transfer of density from wetlands to developable contiguous uplands. A Residential Planned Development Application is currently being prepared and will be submitted to the City for review in December of 2019. The subject property has already maintained its on-site natural resources in a conservation easement. However, the opportunities on the property to enhance natural and/or water resources is acknowledged. A critical component of the proposed FLU is requiring the Planned Development zoning to ensure groundwater levels, wetlands systems and indigenous uplands are incorporated into the final development plan and the available density of these areas is transferred to developable uplands and clustered to ensure large open spaces and improvements to natural resources.

The Stormwater Management/Aquifer Recharge Sub-Element states the Level of Service for various types of rainfall events. The proposed development will comply with the appropriate Level of Service. Any necessary permits for the stormwater infrastructure system will be acquired and designed to SFWMD standards. The proposed project will provide irrigation from the existing on-site lakes. An analysis of the proposed project's irrigation impacts to the Water Table Aquifer

has been conducted by Progressive Water Resources and is included in the application materials. Multiple scenarios were reviewed and in each case drawdown from the proposed irrigation was predicted at less than one inch from the nearest legal existing user. Drawdown for the nearest on-site wetland was also reviewed and found to be minor at 1.08 inches or less.

Conservation/Coastal Management Element establishes that the City will encourage the management of wetland and upland systems to maintain and enhance native habitats, species diversity, water quality, and natural surface water characteristics. Additional existing indigenous habitat and wetlands are to be protected from future development. The proposed development provides approximately 368.1 acres for resource protection already placed under conservation easement and an additional 14 acres of Native Open Space Creation Areas. A majority of the acres are located along the Eastern property boundary providing an adequate buffer to the off-site Resource Protection lands to the East.

The Recreation/Open Space Element states the level of service for parks shall be 6 acres per 1,000 resident and seasonal population for regional parks and 1 acre per 1,000 resident and seasonal population for community parks. The proposed project will create demand for an additional 40 acres of Regional Parks and 7 acres of Community Parks. The proposed development includes open space and native habitat providing passive recreation and preserving natural resources. In addition, the City owns and operates a number of Community Parks that would meet the need created by the proposed development. While the City does not own or operate a Regional Park, there are a number of parks owned and operated by Lee County and the State of Florida within the City that meet the level of service requirements of the proposed development. As part of the Settlement Agreement between the property owner and the City of Bonita Springs adopted on November 20, 2019, the northern portion of the subject property will become a new City Park with passive and active recreational uses.

Population

The proposed amendment would allow a maximum of 700 residential units. At 2.47 persons per unit (as estimated by the 2017 American Community Survey) the proposed development will accommodate an approximate population of 1,729 people. According to the US Census in 2010, Lee County had a population of 618,754. The Florida Office of Economic and Demographic Research estimates a countywide population of 698,468 in 2017 and 1,059,893 in the year 2045. The 2010 US Census established the City of Bonita Springs population at 43,857 people. The Office of Economic and Demographic Research projects in 2017 the City Population was 50,137. Both the County's and the City's growth were approximately 8% between 2010-2017. The population increase from the proposed amendment is significantly less than the City and County average increase. The proposed Future Land Use Map Amendment will enable the City to keep pace with projected population increase while promoting a clustered form of development, preservation of native habitat, connection to central water and sanitary sewer systems and enhance the protection of natural resources. Therefore, the slight increase in population capacity is not detrimental to the City from the proposed amendment.

Furthermore, the City's current Future Land Use Map incorrectly identifies the subject property as being within the City's DR/GR and Resource Protection Future Land Use Categories. Since a City Sponsored Comprehensive Plan Amendment was never undertaken, the property has retained its Lee County Future Land Use designation from the time of annexation in 2003. The applicant's proposed Comprehensive Plan Amendment establishes a new FLU category consistent with the existing conditions of the subject property to promote a low density residential development as recommended by the previous City sponsored studies of this area. As a result, the proposed text and map amendments will ensure the City's Comprehensive Plan is consistent with the requirements of Florida Statute 163.3177(f), (6)(a) and 10(a).

Additional Requirements for Specific Land Use Map Amendments

Urban Sprawl

The basis for evaluation of whether a comprehensive plan amendment discourages the proliferation of urban sprawl was significantly revised by the 2011 Florida Legislature. Under the Community Planning Act, Rule 9J-5 of the Florida Administrative Code was repealed and with it the detailed urban sprawl methodology. In its place the Legislature adopted the following key provisions.

163.3177(5)(a) Each local government comprehensive plan must include at least two planning periods, one covering at least the first 5-year period occurring after the plan's adoption and one covering at least a 10 year period. Additional planning periods for specific components, elements, land use amendments, or projects shall be permissible and accepted as part of the planning process.

163-3177(6)(a)4 The element shall accommodate at least the minimum amount of land required to accommodate the medium projections of the University of Florida's Bureau of Economic and Business Research for at least a 10-year planning period unless otherwise limited under s.380.05, including related rules of the Administration Commission.

Note that the emphasis of Comprehensive Planning Practice has shifted from providing maximum land use allocations to an emphasis on ensuring minimum land use allocations.

The urban sprawl test is carried out through the following provisions. The proposed amendment achieves at least four of the factors and therefore it must be concluded it discourages the proliferation of urban sprawl.

163.3177(6)(a)9.b. The Future land use element or plan amendment shall be determined to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves four or more of the following:

- (1) Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.*

- (II) Promotes the efficient and cost-effective provision or extension of public infrastructure and services.*
- (III) Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit if available.*
- (IV) Promotes conservation of water and energy*
- (V) Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.*
- (VI) Preserves open space and natural lands and provides for public open space and recreation needs.*
- (VIII) Provides uses, densities and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164.*

The Conservation Fringe FLU and the Map Amendment discourages the proliferation of urban sprawl. The subject property is located within an area of the City that has been identified by 4 separate land use studies as being appropriate for residential development. Additionally, the existing natural resources on-site are already protected by a conservation easement, which will not be eliminated with any future development ensuring the continued protection of these natural resources. These conservation areas are currently required to be connected to promote wildlife movement, these connections can be expanded during the required Planned Development to promote passive recreation on-site as well. The Conservation Fringe FLU requires the subject property to connect to central water and sewer services. A dedication of right-of-way for future improvement to Bonita Grande Road already exists via the current zoning approvals on the subject property and will be retained in any future development plans consistent with Policy 1.1.27. This same policy also requires the design of the proposed residential subdivision to pedestrian, bicycle connections, greenways, linear filter marshes, etc. to establish a walkable and compact community with multimodal options at the time of the required Planned Development Application. Policy 1.1.27. requires Florida Friendly Planting and low irrigation landscaping be incorporated into the future development plans for the property. The provided analysis from Progressive Water Resources demonstrates that irrigation will be provided from the large on-site mining lakes conserving water and energy and Policy 1.1.27. requires an enhanced lake management plan which will take this condition into account. The proposed amendment discourages urban sprawl by incorporating at least 4 of the listed elements in 163.317(6)(a)9.b. specifically items (I), (II), (III), (IV), and (VI).

Sound Planning Principles

The subject property has historically been impacted and without a redevelopment program will not be reclaimed after mining activities cease. The proposed amendment to establish the Conservation Fringe FLU to redevelop the property in a manner that is consistent with the vision and intent of the DR/GR Future Land Use while codifying the recent Water Task Force

Recommendations. The proposed amendment will provide a redevelopment opportunity for the disturbed property while ensuring that performance based standards are put into place to promote restoration, enhancement and preservation of existing hydrological and ecological resources on site. Utilized the existing disturbed footprint for the proposed development will ensure existing conservation lands on and off site are not impacted. The amendment is therefore consistent with sound planning principles.

Adjacent Local Governments

The proposed amendment is consistent with the goals and policies of the state, regional, and local comprehensive plans and is compatible with the surrounding land uses. It is compatible with the surrounding land uses and natural resources.

Relevant Regional Policy Plan Goals and Policies

When the Florida Legislature enacted the Community Planning Act of 2011 (Chapter 2011-139, Laws of Florida) the consistency requirement between local comprehensive plans and the state comprehensive plan was eliminated.

The following goals and strategies from the Southwest Florida Strategic Regional Policy Plan are relevant to the amendment.

Goal 1: Supply a variety of housing types in various price ranges to ensure that all residents have access to decent and affordable housing.

The increase in residential density will provide additional options for housing types within this area of the city, thereby furthering this goal.

Strategy: Maintain physical infrastructure to meet growth demands.

Central water and wastewater services will be available to the subject property. These systems already provide the necessary capacity for the proposed amendment. The amendment is also supportive of the following strategies and goals.

Strategy: Maintain and improve the natural, historic, cultural and tourist related resources as primary regional economic assets.

Strategy: Ensure sustainable volumes of natural resources for economic productivity

Goal 2: The diversity and extent of the Region's protected natural systems will increase consistency beyond that existing in 2001.

The amendment will strengthen the protection and sustainability of natural resources through the commitment of preserving approximately 368.1 acres as protected preserved area as part of the proposed Map Amendment. Natural resources will be further protected through the connection to central water and wastewater service.

MORRIS

DEPEW

ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS

2914 Cleveland Avenue | Fort Myers, Florida 33901

Phone (239) 337-3993 | Toll Free (866) 337-7341
www.morris-depew.com

Community Meeting Summary for Bonita Grande (Applications: CPA 13-06941 and RPD)

Date & Time: December 19, 2019 at 6:00pm

Location: St Leo Parish Life Center, 28388 Beaumont Road, Bonita Springs,

Attendees:

Project Team:

Ned Dewhirst-Owner's Representative

Neale Montgomery, Esquire, Project Attorney, Pavese Law Firm

Tina Ekblad, MPA, AICP, LEED AP, Partner-Planning Director, Morris Depew Associates

No public were in attendance.

RECEIVED
CITY OF BONITA SPRINGS
DEC 30 2019
COMMUNITY DEVELOPMENT
DEPARTMENT

BONITA GRANDE PUBLIC INFORMATION SESSION SIGN-IN SHEET

Project: Bonita Grande CPA & RPD

Meeting Date: 12/19/2019

Place/Room: St. Leo Parish Life Center 28388 Beaumont Road Bonita Springs, FL

[illegible]

MORRIS

2914 Cleveland Avenue | Fort Myers, Florida 33901

DEPEWPhone (239) 337-3993 | Toll Free (866) 337-7341
www.morris-depew.comENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS**Notice of Informational Public Meeting for Bonita Grande Mine
(Application: CPA13-06941-BOS)**

You are receiving this notice as your property is located within 1000 feet of the Bonita Grande Mine located at 25501 Bonita Grande Drive, Bonita Springs, FL 34135. An information meeting will be held as required by Sec. 4-28 of the Bonita Springs Land Development Code.

The meeting will include a presentation by Morris-Depew Associates regarding the applications to establish the Conservation Fringe Future Land Use Category, amend the Future Land Use Map, and promote a residential subdivision of 700 units on the property. The Comprehensive Plan Amendment is application number CPA13-06941-BOS) and the Residential Planned Development Application is in the process of being prepared. All applications and requests are consistent with the Settlement Agreement adopted by the City of Bonita Springs on November 20, 2019.

The public meeting will be held on

Date & Time: Thursday, December 19, 2019 at 6:00pm

Location: St. Leo Parish Life Center 28388 Beaumont Road, Bonita Springs 34134

Should you have question or comments on the proposal. Tina Ekblad, MPA, AICP, LEED AP, Partner-Planning Director with Morris Depew Associates, Inc. can be reached at 239-337-3993.

The News-Press
media group
 news-press.com A GANNETT COMPANY

Attn:

MORRIS DEPEW ASSOC
2914 CLEVELAND AVE
FORT MYERS, FL 33901

STATE OF FLORIDA COUNTY OF LEE:

Before the undersigned authority personally appeared

Ive Hennen, who on oath
 says that he or she is a Legal Assistant of the
 News-Press, a daily newspaper published at Fort Myers
 in Lee County, Florida; that the attached copy of
 advertisement, being a Legal Ad in the matter of

Notice of Meetings

In the Twentieth Judicial Circuit Court was published in
 said newspaper in the issues of:

11/28/19

Affiant further says that the said News-Press is a paper
 of general circulation daily in Lee County and published
 at Fort Myers, in said Lee County, Florida, and that the
 said newspaper has heretofore been continuously
 published in said Lee County, Florida each day and has
 been entered as periodicals matter at the post office in
 Fort Myers, in said Lee County, Florida, for a period of
 one year next preceding the first publication of the
 attached copy of advertisement; and affiant further says
 that he or she has never paid nor promised any person,
 firm or corporation any discount, rebate, commission or
 refund for the purpose of securing this advertisement for
 publication in the said newspaper.

Sworn to and Subscribed before me this 28th of
 November 2019, by legal clerk who is personally known
 to me.

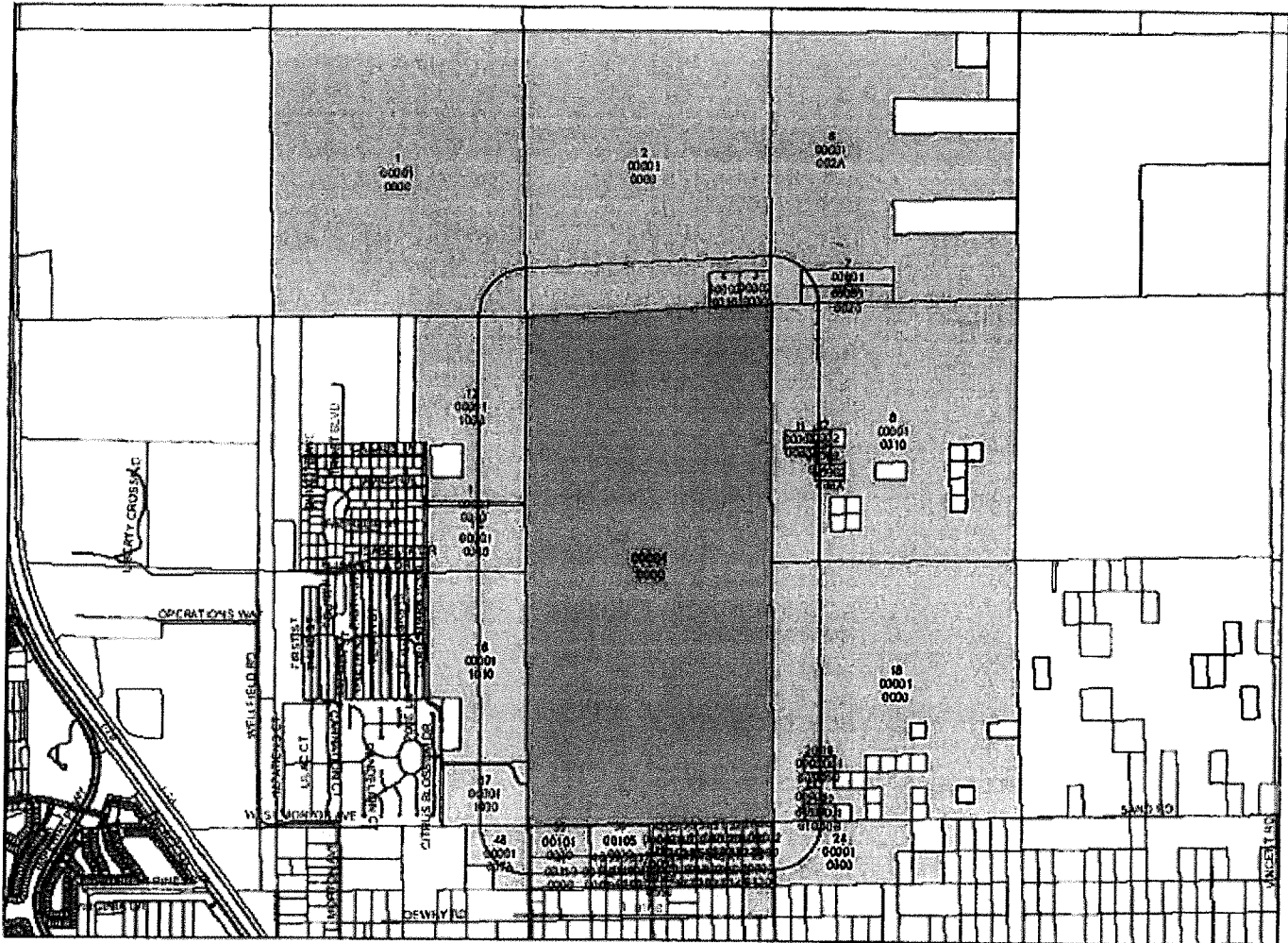


Affiant

Notary State of Wisconsin, County of Brown

This is not an invoice

Notice of public meeting: An informa-
 tional meeting will be conducted as re-
 quired by Sec. 4-28 of the Bonita
 Springs Land Development Code. The
 meeting will include a presentation by
 Morris-Depew Associates regarding a
 Comprehensive Plan Amendment and
 Residential Planned Development. The
 property is located at 25501 Bonita
 Grande Drive, Bonita Springs, FL 34135.
 Per the Settlement Agreement with the
 City approved on November 20, 2019,
 the application requests to establish
 the Conservation Fringe Future Land
 Use Category, amend the FLU, and pro-
 mote a residential subdivision of 700
 units on the subject property. The ap-
 plications are currently or will be under
 review by The City of Bonita Springs.
 The public meeting will be held at St
 Leo Parish Life Center on December 19,
 2019 at 6:00pm at 28388 Boanmont
 Road, Bonita Springs 34134.
 AD#3922369 11/28/2019



Date of Report: November 19, 2019
 Buffer Distance: 1000 feet
 Parcels Affected: 48
 Subject Parcel: 20-47-26-B1-00001.0000

[Click here to download the map image, mailing labels \(Avery 5161\) and CSV formatted information.](#)

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	MAP INDEX
LEE COUNTY CONSERVATION 2020 PO BOX 398 FORT MYERS FL 33902	07-47-26-00-00001.0000 ACCESS UNDETERMINED BONITA SPRINGS FL	ALL OF SEC 07 TWN 47 RGE 26	1
LEE COUNTY CONSERVATION 2020 PO BOX 398 FORT MYERS FL 33902	08-47-26-00-00001.0000 ACCESS UNDETERMINED BONITA SPRINGS FL	ALL SEC 8 LESS S 1/2 OF SE 1/4 OF SE 1/4	2
SOUTH FLA WATER MGMT DIST LAND MANAGEMENT PO BOX 24680 WEST PALM BEACH FL 33416	08-47-26-00-00002.0000 ACCESS UNDETERMINED BONITA SPRINGS FL	SE 1/4 OF SE 1/4 OF SE 1/4	3
KTWIN ONE LLC 11635 BRISTOL CHASE DR TAMPA FL 33626	08-47-26-00-00002.0010 ACCESS UNDETERMINED BONITA SPRINGS FL	SW 1/4 OF SE 1/4 OF SE 1/4	4
COAKLEY MARTHA L 27036 LEITNER LN BONITA SPRINGS FL 34135	09-47-26-00-00001.0020 ACCESS UNDETERMINED BONITA SPRINGS FL	S 1/2 OF S 1/2 OF S 1/2 OF SW 1/4 LESS PAR 1.002A	5
SOUTH FLA WATER MGMT DIST LAND MANAGEMENT	09-47-26-00-00001.002A ACCESS UNDETERMINED	SECT 9 LESS NW 1/4 OF NE 1/4 OF NE 1/4 + E 1/2 OF NE 1/4 OF	6

PO BOX 24680 WEST PALM BEACH FL 33416	BONITA SPRINGS FL	NE 1/4 + N 1/2 OF S 1/2 OF NE 1/4 + S 1/2 OF N 1/2 OF SE 1/4 + N 1/2 OF S 1/2 OF S 1/2 OF SW 1/4 + S 1/2 OF S 1/2 OF S 1/2 OF SW 1/4	
KARAN ROMAIN 2546 GRAND AVE BRONX NY 10468	09-47-26-00-00001.0130 ACCESS UNDETERMINED BONITA SPRINGS FL	N 1/2 OF S 1/2 OF S 1/2 OF SW 1/4 LS OR 1121 PG 1224	7
SOUTH FLA WATER MGMT DIST LAND MANAGEMENT PO BOX 24680 WEST PALM BEACH FL 33416	16-47-26-00-00001.0010 ACCESS UNDETERMINED BONITA SPRINGS FL	SECT 16 TWN 47 RGE 26 LESS SPLITS	8
LEE COUNTY CONSERVATION 2020 PO BOX 398 FORT MYERS FL 33902	16-47-26-00-00002.006A ACCESS UNDETERMINED BONITA SPRINGS FL	N 1/2 OF SE 1/4 OF NW 1/4 OF SW 1/4 LESS E 30 FT + W 30 FT FOR RD ROW	9
LEE COUNTY CONSERVATION 2020 PO BOX 398 FORT MYERS FL 33902	16-47-26-00-00002.006B ACCESS UNDETERMINED BONITA SPRINGS FL	W 1/2 OF S 1/2 OF NE 1/4 OF NW 1/4 OF SW 1/4	10
LEE COUNTY PO BOX 398 FORT MYERS FL 33902	16-47-26-00-00002.006C ACCESS UNDETERMINED BONITA SPRINGS FL	N 1/2 OF NW 1/4 OF NW 1/4 OF SW 1/4	11
LEE COUNTY CONSERVATION 2020 PO BOX 398 FORT MYERS FL 33902	16-47-26-00-00002.006E ACCESS UNDETERMINED BONITA SPRINGS FL	W 1/2 OF N 1/2 OF NE 1/4 OF NW 1/4 OF SW 1/4	12
CITRUS PARK TROST INTL INC 25501 TROST BLVD BONITA SPRINGS FL 34135	18-47-26-B2-00001.1000 ACCESS UNDETERMINED BONITA SPRINGS FL	PARL IN E 1/2 AS DESC IN OR 1689 PG 982 LESS INST#2009000112547	13
CITRUS PARK TROST INTL INC 25501 TROST BLVD BONITA SPRINGS FL 34135	18-47-26-B3-00001.0010 24621 CITRUS PARK BLVD BONITA SPRINGS FL 34135	PARL IN S E 1/4 AS DESC IN OR 1638 PG 1286 LES RD R/W OR 2308/3200	14
CITRUS PARK TROST INTL INC 25501 TROST BLVD BONITA SPRINGS FL 34135	18-47-26-B3-00001.0020 ACCESS UNDETERMINED BONITA SPRINGS FL	SE 1/4 OF SEC LESS OR 1689 PG 982 + OR 1638 PG 1286 + SUBD	15
STONEBURNER KEVIN L + 465 BAYFRONT PL NAPLES FL 34102	19-47-26-B2-00001.1010 25991 CITRUS PARK BLVD BONITA SPRINGS FL 34135	IN SE 1/4 OR 1689/984 E 2152FT OF N 1/2 OF LES RD R /W OR 2308/3200 1.103	16
CITRUS PARK TROST INTL INC 25501 TROST BLVD BONITA SPRINGS FL 34135	19-47-26-B3-00001.1030 ACCESS UNDETERMINED BONITA SPRINGS FL	BNG A SE 1/4 COR RUN N89D. 56 09 SW 1798.51 FT THENN 1311.35 THEN S89D 56 95 E	17
SOUTH FLA WATER MGMT DIST LAND MANAGEMENT PO BOX 24680 WEST PALM BEACH FL 33416	21-47-26-00-00001.0000 ACCESS UNDETERMINED BONITA SPRINGS FL	ALL OF SEC 21 TWN 47 RGE 26 LESS SPLITS	18
LEE COUNTY PO BOX 398 FORT MYERS FL 33902	21-47-26-00-00001.6050 ACCESS UNDETERMINED BONITA SPRINGS FL	E 1/2 OF N 1/2 OF NE 1/4 OF SW 1/4 OF SW 1/4	19
LEE COUNTY PO BOX 398 FORT MYERS FL 33902	21-47-26-00-00001.605B ACCESS UNDETERMINED BONITA SPRINGS FL	W 1/2 OF THE N 1/2 OF THE NE 1/4 OF THE SW 1/4 OF SW 1/4	20
LEE COUNTY PO BOX 398 FORT MYERS FL 33902	21-47-26-00-00001.6100 ACCESS UNDETERMINED BONITA SPRINGS FL	NW 1/4 OF SE 1/4 OF SW 1/4 OF SW 1/4	21
LEE COUNTY PO BOX 398 FORT MYERS FL 33902	21-47-26-00-00001.610B ACCESS UNDETERMINED BONITA SPRINGS FL	SE 1/4 OF SE 1/4 OF SW 1/4 OF SW 1/4	22
LEE COUNTY	21-47-26-00-00001.610C	SW 1/4 OF SE 1/4 OF SW 1/4	23

PO BOX 398 FORT MYERS FL 33902	ACCESS UNDETERMINED BONITA SPRINGS FL	OF SW 1/4	
SOUTH FLA WATER MGMT DIST LAND MANAGEMENT PO BOX 24680 WEST PALM BEACH FL 33416	29-47-26-00-00001.0000 ACCESS UNDETERMINED BONITA SPRINGS FL	PARL LOC IN N 1/2 OF N 1/2 AKA TRS 5 + 8-24 + 26 + 27	24
FLOWER RITA JANE + PO BOX 3205 BONITA SPRINGS FL 34133	29-47-26-00-00002.0000 ACCESS UNDETERMINED BONITA SPRINGS FL	THE N 1/2 OF W 1/2 OF SW 1/4 OF NW 1/4 OF NE 1/4 LESS R/W	25
HAYES PAMELA KAY TR 900 NW 8TH AVE BLDG C FORT LAUDERDALE FL 33311	29-47-26-00-00002.0120 ACCESS UNDETERMINED BONITA SPRINGS FL	THE SE 1/4 OF NE 1/4 OF NE 1/4 + THE NE 1/4 OF SE 1/4 OF NE 1/4 LESS R/W	26
ELMORE ROBERT TR 900 NW 8TH AVE FORT LAUDERDALE FL 33311	29-47-26-00-00002.0140 ACCESS UNDETERMINED BONITA SPRINGS FL	THE E 1/2 OF SW 1/4 OF NE 1/4 OF NE 1/4 LESS R/W	27
PERGJINI FREDERIK 60 HILLSIDE RD GREENWICH CT 06830	29-47-26-00-00002.0170 ACCESS UNDETERMINED BONITA SPRINGS FL	THE W 1/2 OF NE 1/4 OF NE 1/4 OF NE 1/4 LESS R/W	28
PERGJINI FREDERIK + VESNA 60 HILLSIDE RD GREENWICH CT 06830	29-47-26-00-00002.0210 ACCESS UNDETERMINED BONITA SPRINGS FL	THE E 1/2 OF NW 1/4 OF NW 1/4 OF NE 1/4 LESS R/W	29
PERGJINI FREDERIK + VESNA 60 HILLSIDE ROAD GREENWICH CT 06830	29-47-26-00-00002.0220 ACCESS UNDETERMINED BONITA SPRINGS FL	THE W 1/2 OF NE 1/4 OF NW 1/4 OF NE 1/4 LESS R/W	30
BEACH ROAD & 29 LLC PO BOX 366748 BONITA SPRINGS FL 34136	29-47-26-00-00002.0320 ACCESS UNDETERMINED BONITA SPRINGS FL	W 1/2 OF NW 1/4 OF NE 1/4 OF NE 1/4 LESS R/W	31
BEACH ROAD & 29 LLC PO BOX 366748 BONITA SPRINGS FL 34136	29-47-26-00-00002.0330 ACCESS UNDETERMINED BONITA SPRINGS FL	E 1/2 OF NW 1/4 OF NE 1/4 OF NE 1/4 AKA TR 3 SUNCOAST ACRES LESS R/W	32
PERGJINI FREDERIK J + VESNA 60 HILLSIDE RD GREENWICH CT 06830	29-47-26-00-00002.0490 ACCESS UNDETERMINED BONITA SPRINGS FL	E 1/2 OF SW 1/4 OF NW 1/4 OF NE 1/4 LESS S 25 FT R/W	33
GRUNWALD JOHN 304 ELIZABETH RD LAKE WORTH FL 33461	29-47-26-00-00002.0500 ACCESS UNDETERMINED BONITA SPRINGS FL	E 1/2 OF NE 1/4 OF NW 1/4 OF NE 1/4 LESS R/W	34
GATTERER JOANNE 4024 ST ANDREWS LN SPRING HILL TN 37174	29-47-26-B1-00101.0000 ACCESS UNDETERMINED BONITA SPRINGS FL	SUN COAST ACRES UNREC. OR 23 PG 113 LOTS 1 THRU 4 LESS R/W	35
TST BONITA LLC + 460 N MAIN ST WALLINGFORD CT 06492	29-47-26-B1-00105.0000 ACCESS UNDETERMINED BONITA SPRINGS FL	SUN COAST ACRES UNREC. OR 23 PG 113 LOTS 5 THRU 8 LESS R/W	36
TST BONITA LLC + 460 N MAIN ST WALLINGFORD CT 06492	29-47-26-B1-00109.0000 ACCESS UNDETERMINED BONITA SPRINGS FL	SUN COAST ACRES UNREC. OR 23 PG 113 LOT 9 LESS R/W	37
TST BONITA LLC + 460 N MAIN ST WALLINGFORD CT 06492	29-47-26-B1-00110.0000 ACCESS UNDETERMINED BONITA SPRINGS FL	SUN COAST ACRES UNREC. OR 23 PG 113 LOT 10 LESS R/W	38
TST BONITA LLC + 460 N MAIN ST WALLINGFORD CT 06492	29-47-26-B1-00111.0000 ACCESS UNDETERMINED BONITA SPRINGS FL	SUN COAST ACRES UNREC. OR 23 PG 113 LOT 11 LESS R/W	39
TST BONITA LLC + 460 N MAIN ST WALLINGFORD CT 06492	29-47-26-B1-00112.0000 ACCESS UNDETERMINED BONITA SPRINGS FL	SUN COAST ACRES UNREC OR 23 PG 113 LOT 12 LESS R/W	40
BONITA EAST 22 LLC 165 ANNALISA CT BLOOMINGDALE IL 60108	29-47-26-B1-00113.0000 ACCESS UNDETERMINED BONITA SPRINGS FL	SUN COAST ACRES UNREC. OR 23 PT 113 LOTS 13 THRU 16 LESS R/W	41
TST BONITA LLC +	29-47-26-B2-00002.0030	THE W 1/2 OF NW 1/4 OF NW	42

460 N MAIN ST WALLINGFORD CT 06492	ACCESS UNDETERMINED BONITA SPRINGS FL	1/4 OF NE 1/4 LESS R/W	
SMOKER DOUGLAS M + SARA 1/2 + 58269 COUNTY ROAD 29 GOSHEN IN 46528	29-47-26-B2-00002.0090 ACCESS UNDETERMINED BONITA SPRINGS FL	THE E 1/2 OF SE 1/4 OF NW 1/4 OF NE 1/4 LESS R/W	43
RABORG CHARLES L + REBEKAH K 714 CHESTNUT HILL RD FOREST HILL MD 21050	29-47-26-B2-00002.0200 ACCESS UNDETERMINED BONITA SPRINGS FL	THE E 1/2 OF NE 1/4 OF NE 1/4 OF NE 1/4	44
DACHUK DONALD 13060 RIO GRANDE DR BONITA SPRINGS FL 34135	29-47-26-B2-00002.0420 ACCESS UNDETERMINED BONITA SPRINGS FL	W 1/2 OF SE 1/4 OF NW 1/4 OF NE 1/4 LESS R/W	45
BEACH ROAD & 29 LLC PO BOX 366748 BONITA SPRINGS FL 34136	29-47-26-B2-00002.0470 ACCESS UNDETERMINED BONITA SPRINGS FL	W 1/2 OF SW 1/4 OF NE 1/4 OF NE 1/4 LESS R/W	46
POPE LISA L 891 14TH ST UNIT 3610 DENVER CO 80202	29-47-26-B2-00002.0550 ACCESS UNDETERMINED BONITA SPRINGS FL	S 1/2 OF W 1/2 OF SW 1/4 OF NW 1/4 OF NE 1/4 LESS RD R/W	47
PINNACLE TOWERS INC 4017 WASHINGTON RD PMB 353 MCMURRAY PA 15317	30-47-26-B2-00001.007A 26050 BONITA GRANDE DR BONITA SPRINGS FL 34135	NE 1/4 OF NE 1/4 LESS THE W586.38 FT OF S499.63 FT	48

Add One Additional Letter to City (see below)

→ City of Bonita Springs
c/o City Manager - Arleen Hunter
9101 Bonita Beach Rd
Bonita Springs, FL 34135

City of Bonita Springs
c/o Arleen Hunter, City Manager
9101 Bonita Beach Road
Bonita Springs, FL 34135

AGENDA ITEM SUMMARY

REQUESTED MOTION: Approve the donation of land and authorize Mayor to execute necessary documents.**MEETING DATE:** February 5, 2020**AGENDA:****REQUIREMENT/PURPOSE: (Specify)****REQUESTOR OF INFORMATION:**

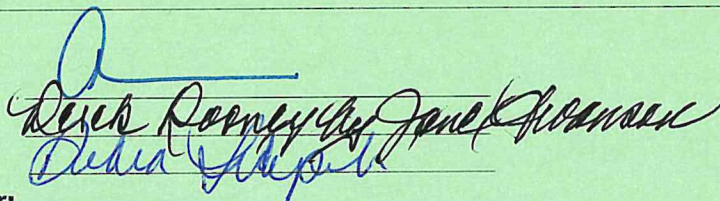
	PRESENTATIONS		STATUTE
	CONSENT		ORDINANCE
	PUBLIC HEARING		ADMIN. CODE
	MAYOR AND COUNCIL MEMBER ITEMS	X	OTHER
	MAYOR AND COUNCIL MEMBER'S REPORTS		
X	CITY ATTORNEY ITEMS		
	CITY MANAGER ITEMS		

Derek Rooney
City Attorney**BACKGROUND:**

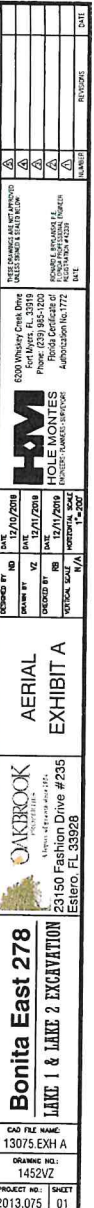
Pursuant to the Settlement Agreement entered into between the City and BG Mine, LLC the City is to take title to 248 acres adjacent to I-75 which will be designed and utilized for surface water treatment and retention. BY Mine and its related corporation BE 278, LLC have on an additional property to the south of the 248 acres the City would be acquiring. At zero cost to the City, BG Mine and BE 278 have offered to donate this additional acreage to the City in exchange for modifying the existing proposed license agreement the City has with BE 278 to allow the removal of up to 700,000 cubic yards of fill.

The additional 30 acres would allow the surface water project to be redesigned and will actually increase the City's available uplands from 30 to 40 (50 contiguous) acres. Moreover, the additional acreage will grant the City access to Leitner and Rosemary Creeks which provides the City additional water quality opportunities.

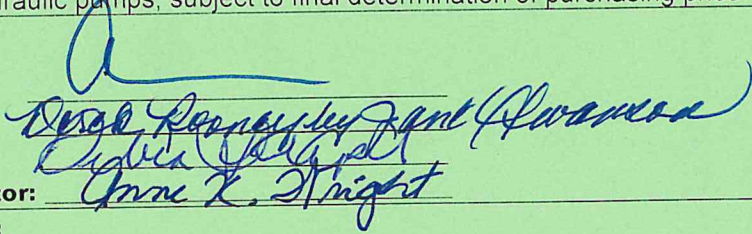
Exhibits A (Existing Plan) and B (Proposed Plan)

IS THIS RELATED TO A STRATEGIC PLAN OBJECTIVE? X YES ☐ NO**IF YES, WHICH STRATEGIC OBJECTIVE?** 1 *Stormwater) and 4 (Environmental Protection).**STAFF RECOMMENDATIONS:** Staff recommends approval.**REVIEWED BY:****City Manager:****City Attorney:****City Clerk:****Department Director:****COUNCIL ACTION:**

☐ **APPROVED**
☐ **DENIED**
☐ **DEFERRED**
☐ **OTHER**





BONITA SPRINGS CITY COUNCIL		GREEN SHEET:	20-02-030
AGENDA ITEM SUMMARY			
REQUESTED MOTION: Approve proposed use of FEMA Excess Direct Administrative Cost Funding to purchase mobile hydraulic pumps, or alternatively, to repair City Hall's generator.			
MEETING DATE: February 5, 2020			
AGENDA:		REQUIREMENT/PURPOSE: (Specify)	REQUESTOR OF INFORMATION:
	PRESENTATIONS	STATUTE §166.241	Anne K. Wright, CPA, CGFO Finance Director And Arleen Hunter City Manager
	CONSENT	ORDINANCE CITY CHARTER SECTION 46	
	PUBLIC HEARING	ADMIN. CODE	
	APPEALS	X OTHER	
	MAYOR AND COUNCIL MEMBER'S REPORTS		
	CITY ATTORNEY		
X	CITY MANAGER		
	BUDGET AGENDA		
BACKGROUND: In conjunction with the FEMA grant for Hurricane Irma costs, FEMA and the State of Florida provide funding for Direct Administrative Costs associated with the hurricane clean-up and repair effort. FEMA has obligated 5% of the total allowed hurricane costs for funding of Direct Administrative Costs, for a total of \$416,111.42. The City has submitted a request for reimbursement for Direct Administrative Costs incurred in the amount of \$165,914.80, leaving \$250,196.62 available for use as "Excess Direct Administrative Costs (DAC)". In order to receive any portion of the excess funds, the City must submit a request through the State to FEMA identifying the amount of excess funds and detailing the proposed use of the funds, along with a project timeline. These funds may be used for cost-effective hazard mitigation activities that will reduce the risk of damage in future disasters. Use of excess funds may also include activities that improve future Public Assistance Program operations, such as training and exercises; or planning for future disaster response and recovery operations, such as developing debris management plans, and participating in State/Tribal and local training for response and recovery; or participating in federal grants management and procurement courses. FEMA will de-obligate any excess funds that are not associated with an agreed-upon proposal by the deadline. Staff recommends proposing the purchase of mobile hydraulic pumps, which would likely qualify as cost-effective hazard mitigation. In the event that the first proposal is not approved, staff has further identified repairing City Hall's generator as an alternative proposal. We are seeking approval of the proposed use of the available excess funds and authorization to submit the proposal to the State after we receive the final purchase price for mobile hydraulic pumps. Should the costs amount to more than the available funds, staff proposes the repair of City Hall's generator.			
Is this a Strategic Decision? ☒ YES ☐ No If YES, related to which Strategic Objective? #7 Government Transparency			
STAFF RECOMMENDATIONS: Approve attached proposal for use of Excess Direct Administrative Costs to purchase mobile hydraulic pumps, subject to final determination of purchasing price.			
REVIEWED BY: City Manager:  City Attorney: City Clerk: Department Director: Anne K. Wright			
COUNCIL ACTION: ☐ APPROVED ☐ DENIED ☐ DEFERRED ☐ OTHER			



January 30, 2020

DRAFT

Ms. Melissa Shirah
Deputy Bureau Chief/SPAO
Bureau of Recovery
Florida Division of Emergency Management
2555 Shumard Oak Blvd
Tallahassee, FL 32399-2100

Dear Ms. Shirah,

The City of Bonita Springs (the "City") respectfully requests approval for the use of excess Direct Administrative Cost (DAC) funding, which was obligated by FEMA under the Federally-Funded Subaward and Grant Agreement contract Number Z0505 and executed by the City on November 8, 2018.

Background

Multiple areas of the City experienced severe flooding due to Hurricane Irma. Therefore, the City is requesting that the excess DAC funding be used to purchase mobile hydraulic pumps, which would assist with mitigating the impact of future flooding situations.

Scope of Work

The scope of work is to procure mobile hydraulic pumps and related equipment necessary to place them in service.

Amount of Project

The pumps and the related equipment are anticipated to cost approximately \$250,000.

Estimated Completion

It is anticipated that the acquisition of the pumps will be completed no later than December 31, 2020, upon completion of a 2CFR compliant procurement process. The anticipated milestones are as follows:

Milestones	Anticipated Completion Dates
1. Develop solicitation documents	February 28, 2020
2. Issue solicitation documents	March 2, 2020
3. Responses due on the solicitation	March 31, 2020
4. Selection of vendor	April 3, 2020
5. Purchase finalized	April 30, 2020

The City expects that this equipment will be very effective in mitigating future flooding in several areas within our City. Please let me know if further information is needed. We look forward to receiving approval to proceed with this procurement solicitation so that the pumps are in place before the peak rainfall period.

Sincerely,

Arleen Hunter
City Manager

cc: Mayor and City Council
Derek Rooney, City Attorney
Debbie Filipek, City Clerk 323/331
Anne Wright, Finance Director

9101 Bonita Beach Road
Bonita Springs, FL 34135
Tel: (239) 949-6262
Fax: (239) 949-6239
www.cityofbonitasprings.org

Peter Simmons
Mayor

Amy Quaremba
Council Member
District One

Vacant
Council Member
District Two

Laura Carr
Council Member
District Three

Vacant
Council Member
District Four

Michael Gibson
Council Member
District Five

Fred Forbes, AIA
Council Member
District Six

Arleen M. Hunter
City Manager
(239) 949-6267

Derek P. Rooney
City Attorney
(239) 949-6254

City Clerk
(239) 949-6248

Public Works
(239) 949-6246

Neighborhood Services
(239) 949-6257

Parks & Recreation
(239) 992-2556

Community Development
(239) 444-6150

BONITA SPRINGS CITY COUNCIL		GREEN SHEET:	20-02-031
AGENDA ITEM SUMMARY			
REQUESTED MOTION: Update on the City's Regulations of mobile food vendors			
MEETING DATE: February, 2020			
AGENDA:	REQUIREMENT/PURPOSE: (Specify)	REQUESTOR OF INFORMATION:	
☐ PRESENTATIONS	☐ STATUTE	John Dulmer, AICP Community Development Director	
☐ CONSENT	☐ ORDINANCE		
☐ PUBLIC HEARING	☐ ADMIN. CODE		
☐ MAYOR AND COUNCIL MEMBER ITEMS	☐ OTHER		
☐ MAYOR AND COUNCIL MEMBER'S REPORTS			
☐ CITY ATTORNEY ITEMS			
☒ CITY MANAGER ITEMS			
BACKGROUND:			
In January, staff presented to City Council the existing food truck ordinance after several members of the public approached Council members about their concerns about those regulations. These members of the public pointed to not only national trends, but also local examples in both Fort Myers and Naples as to reasonable standards that have brought about improved success. Council has requested this item be brought back to discuss several items: • Look to remove the limit of food trucks within the City and require only the location be permitted by City Council • Look for an approval process for food truck parks with appropriate locational and performance standards. • Provide mitigation strategies and provide for protections of existing residents. Staff will provide an update on the progress of the draft language and seek council direction at the meeting.			
IS THIS RELATED TO A STRATEGIC PLAN OBJECTIVE? YES ☒ NO IF YES, WHICH STRATEGIC OBJECTIVE?			
STAFF RECOMMENDATIONS: Discuss draft language and provide direction to staff.			
REVIEWED BY: City Manager: City Attorney: City Clerk: Department Director:			
COUNCIL ACTION:			
☐ APPROVED ☐ DENIED ☐ DEFERRED ☐ OTHER			

CITY COUNCIL
CITY OF BONITA SPRINGS
WEDNESDAY, JANUARY 15, 2020
9:00 A.M.
CITY HALL
9101 BONITA BEACH ROAD
BONITA SPRINGS, FLORIDA 34135
MINUTES

I. CALL TO ORDER

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

II. INVOCATION:

Reverend Larry Fannon, with Springs Church, furnished the invocation.

III. PLEDGE OF ALLEGIANCE

At the request of Mayor Simmons, Council Member Mike Gibson led in the Pledge of Allegiance.

IV. ROLL CALL ALL PRESENT

Mayor Simmons and all Council Members were in attendance.

V. PUBLIC COMMENT ON AGENDA ITEMS

9:02:12 AM John Paeno, representing the Downtown Alliance and CGT Kayaks, thanked Council for all they do for the City. He was in attendance to address Agenda Items VII. D. and E. He heard that local merchants would like to have the ability to open up their lots for catering, and to allowing restaurant owners to have permits to do this. He also spoke in support of the skate park, which would be a fun place for everyone, and have a really active skating community.

9:04:45 am Aaron Thomas, also with CGT Kayaks, asked for Council's support for funding for the skate park.

9:06:44 am Kate Hunt addressed mobile food vendors, and offered her help with allowing this.

9:07:35 am Steven Brown offered to help in improving the regulations.

9:09:19 am Mark Fodor, the owner of the Original Dave's Cosmic Subs, and Vice President of the SW Florida Food Truck Association, was also in attendance to address the regulations, and offer to help with the regulations.

9:10:26 am Chris Magnus encouraged Council to look at what the RFP (for Imperial Crossings) will bring to the City before codifying any changes. He also suggested reducing the wait times on the RFP for the smaller pieces – cut it in half.

9:11:52 am Martha Simons wished the City a happy 20th birthday, addressing incorporation and home rule. She also addressed the food truck Ordinance and asked that if Council was going to modify the Ordinance that they not allow anything on Old 41.

[9:15:53 AM](#) Joe Fiato, a 13-year resident of the City and owner of a restaurant, stated he invested \$100,000 into a food truck. They try to enhance and revitalize areas in other areas of the country that were depleted. The food truck world is here and is across the country. There are also TV shows about them.

[9:19:27 AM](#) Dianne Wilkins, a resident of Hunters Ridges, stated she enjoys Momentum. She lives on the first street and does not hear the noise. She supports food trucks in the city.

[9:20:52 AM](#) Rick Wilkins, also a resident of Hunters Ridge, was also in attendance to learn more on the issue of food trucks. He feels a variety would enhance the community.

[9:21:59 AM](#) Tom Ralston, also a resident of Hunter's Ridge, feels Momentum has been an asset to the community. He does not hear any noise from his residence.

[9:22:40 AM](#) Melonie Fiato, owner of Rolling Pin, addressed concerns with doing business in Bonita Springs. Any restaurant that's in the city should welcome competition, which is good. She feels there is a need for other venues for restaurants.

[9:25:04 AM](#) Joanne Cotaro, a resident of Valencia, was in attendance to support relooking at the Ordinance to help them expand businesses for food trucks.

[9:26:32 AM](#) Samuel Stein, not a resident of Bonita Springs, but staying in Village Walk and a number of the people there are interested in this. His interest is in how Council will handle the balancing of all these very important interests.

[9:28:37 AM](#) Dawn Koncikowski, a resident of Hickory Boulevard, addressed what existed in the regulations right now.

[9:32:34 AM](#) Rachel Frieze, owner of the "Rolling Raw Bar" informed Council of the amount of charities they have participated in and the many other community events.

[9:33:27 AM](#) Jesse Purdon, District 2, also addressed food trucks. He doesn't know why there has to be a cap on the amount of food trucks, which should be allowed in other areas of the city. The market will determine the number of them. The LDC needs to be revamped to create a more citizen friendly atmosphere and freedom of food options. He also spoke in support of the skate park, which he feels the city should move forward with.

[9:36:10 AM](#) Melanie Fiato referred to Hickory Boulevard and stated that serving lunch from 11:00 A.M. to 2:00 P.M. would not disrupt anyone.

[9:38:13 am](#) Dawn Koncikowski stated that the deed restrictions for the areas referred to is for residential only.

[9:38:55 AM](#) Guy Clarke, co-founder of Sizzle Group, stated he has worked with 100 restaurants, and have not once have any of them expressed concerns that food trucks are taking over their business. Restaurants and food trucks work together.

[9:41:03 AM](#) Mark Fodor stated Dave's Cosmic Subs is a restaurant chain, and he has it's first food truck. Their truck supports a lot of charities and have given a lot back to the community. Their goal is to enforce standards and make sure it's good for everybody, and to provide for choice.

9:43:16 AM Sherry Currie, Curries Smokin Hot BBQ, reiterated one fact – that when you own a food vending business there are a lot of regulations and licensing you have to go through. She is here to support this.

9:45:01 AM Joe Fiato supports comments made by Ms. Currie regarding all the regulations they must abide by.

9:45:51 AM Mike Maurer addressed Consent Agenda items C. and H., of the Agenda, and asked that they be kept in the loop. Respect to Item C., as it relates to the Bonita Beach Road visioning and quadrant, in the status comments it appears that the City's in negotiations with the NW quadrant property owner as it relates to FDOT and some study that's been commissioned. He represents a couple different properties in the NE and SE quadrants, and asked that Staff keep them in the loop as it relates to improvements, the interconnectivity, the roadways are not isolated as everything has to flow together. He would request that they be kept in the loop so they can update their plans as they happen. Also, with respect to Item H., the Spring Creek Restoration, and it appears monies are starting to be spent from the \$110,000 that was budgeted. He represents the land owners at Bernwood Business Park and some owners downstream. He would also request his engineers for this item also be kept in the loop as the data comes through on how the water is going to be improved and how that will affect drainage to the west.

VI. CONSENT AGENDA: (NOTE: ITEMS ON THE CONSENT AGENDA WILL BE CONSIDERED AS ONE UNLESS A SPECIFIC ITEM IS REMOVED BY A COUNCIL MEMBER FOR SEPARATE DISCUSSION.)

Items C., H., I. and K. were pulled.

Council Member Laura Carr motioned approval of the remainder of the Consent Agenda; Council Member Amy Quaremba seconded; and the motion carried unanimously.

Council Member Amy Quaremba referred to Mr. Maurer's suggestions which she sees as reasonable, and feels we should follow up on his suggestions (to be kept in the loop). Mayor Simmons asked to make sure whatever information the City has is provided to Mr. Maurer.

- A. APPROVE 2019/2020 STRATEGIC PRIORITIES. (GREENSHEET NO. 20-01-008)
- B. APPROVE RESOLUTION AUTHORIZING THE TRANSFER OF CONTINGENCY ACCOUNT FUNDS TO CITY HALL LANDSCAPE MAINTENANCE ACCOUNT. (GREENSHEET NO. 20-01-001) **ADOPTED RESOLUTION NO. 20-02**
- C. REVIEW OF PRELIMINARY SEPTEMBER 2019 MONTHLY CAPITAL PROJECTS STATUS REPORT. (GREENSHEET NO. 20-01-003)
- D. APPROVE A RESOLUTION OF THE CITY OF BONITA SPRINGS, FLORIDA, APPOINTING A CHAIR TO THE FOLLOWING BOARDS AND COMMITTEES: ART IN PUBLIC PLACES BOARD; BICYCLE PEDESTRIAN SAFETY ADVISORY COMMITTEE; STREET LIGHT ADVISORY COMMITTEE; TECHNOLOGY ADVISORY BOARD; TREE ADVISORY BOARD; VETERANS COMMITTEE; THE LOCAL PLANNING AGENCY; AND THE BOARD FOR LAND USE HEARINGS AND ADJUSTMENTS AND ZONING BOARD OF APPEALS, (MAYOR SIMMONS; GREENSHEET NO. 20-01-005) **ADOPTED RESOLUTION NO. 20-03**
- E. APPROVE A RESOLUTION APPOINTING ONE NEW MEMBER (DAVID DORE-SMITH) AND REAPPOINTING TWO CURRENT MEMBERS (PHIL BUCK AND MIKE PRATT) TO

THE TREE ADVISORY BOARD. (GREENSHEET NO. 20-01-009) **ADOPTED RESOLUTION NO. 20-04**

F. APPROVE A RESOLUTION APPOINTING ONE MEMBER TO THE VETERANS ADVISORY COMMITTEE. (QUAREMBA; GREENSHEET NO. 20-01-006) **ADOPTED RESOLUTION NO. 20-05**

G. REVIEW OF NOVEMBER 2019 MONTHLY FINANCIAL REPORTS. (GREENSHEET NO. 20-01-004)

H. REVIEW OF NOVEMBER 2019 CAPITAL IMPROVEMENT PROJECTS MONTHLY REPORT. (GREENSHEET NO. 20-01-013)

I. ACCEPT LAND DONATION FROM PARTNERSHIP IN HOUSING, INC. FOR APPROXIMATELY 7.7 ACRES OF LAND FOR A FUTURE MULTI-USE PATHWAY. (GREENSHEET NO. 20-01-010)

[9:50:22 am](#) City Manager Arleen Hunter responded to Council Member Quaremba's question relating to Item I., and the \$40,000.

Council Member Quaremba motioned to approve; Council Member Mike Gibson seconded; and the motion carried unanimously.

J. APPROVE THE PURCHASE OF THREE REPLACEMENT TRUCKS, AT A TOTAL COST OF APPROXIMATELY \$100,000.00 AND THE ASSOCIATED BUDGET RESOLUTION TO TRANSFER FY 2020 BUDGET FROM THE VEHICLE REPLACEMENT ACCOUNT TO THE PUBLIC WORKS DEPARTMENT AND THE COMMUNICATIONS DEPARTMENT. (GREENSHEET NO. 20-01-007) **ADOPTED RESOLUTION NO. 20-06**

K. APPROVE A RESOLUTION DESIGNATING QUALIFIED CANDIDATES FOR THE MARCH 17, 2020 SPECIAL ELECTION FOR DISTRICTS 2 AND 4. (GREENSHEET NO. 20-01-011)

[9:52:00 am](#) Council Member Quaremba next thanked all those who are running for districts 2 and 4.

Council Member Quaremba motioned to adopt the Resolution; Council Member Gibson seconded; and the motion carried unanimously. **ADOPTED RESOLUTION NO. 20-01**

- OPPORTUNITY FOR CITY COUNCIL COMMENTS ON CONSENT AGENDA ITEMS

VII. PROCLAMATIONS AND PRESENTATIONS:

A. CERTIFICATE OF RECOGNITION TO DALLAS REVORD FOR HIS SERVICE ON THE CITY OF BONITA SPRINGS HISTORIC PRESERVATION BOARD.

Mayor Simmons next presented a Certificate of Recognition to Dallas Revord for his service on the City's Historic Preservation Board.

B. PRESENTATION OF PROCLAMATION RECOGNIZING THE BRIDGE FUND CHARITY.

[9:57:06 AM](#) Mayor Simmons read aloud a Proclamation in recognition of the Bridge Fund Charity.

C. PRESENTATION BY U.S. CENSUS BUREAU ON 2020 CENSUS. (GREENSHEET NO. 20-01-015)

[9:59:37 AM](#) Michelle Malsbury with the U.S. Department of Commerce /U.S. Census Bureau, provided a PowerPoint presentation (copy in clerk's file) to address the importance of the census in relation to funding. In concluding her presentation, she suggested the creation of a 'Complete Count Committee.' In response to Mayor Simmons, Mr. Donlin stated they need another 800-900 people to work in the City.

[10:21:22 am](#) Mayor Simmons asked Ms. Malsbury to keep the City in the loop, as they definitely want the City's citizens counted. In response to Ms. Malsbury, City Manager Hunter stated that Staff can reach out to provide them with a list of the City's special events. Council Member Quaremba suggested asking BSU if they can include an insert as a public service.

D. DISCUSSION OF THE CITY'S REGULATION OF MOBILE FOOD VENDORS.
(GREENSHEET NO. 20-01-014)

[10:25:01 AM](#) John Dulmer, Community Development, furnished a PowerPoint presentation to provide an overview of the existing ordinance, which limits the number of trucks to 5. Council discussion was held.

[10:37:32 am](#) Council Member Forbes feels there is a need to increase the number of trucks. He also suggested perhaps going site specific. He further addressed.

[10:39:03 am](#) Council Member Quaremba suggested the City Attorney make sure that they do not override deed restrictions. She also suggested including conditional types of things to protect neighbors.

[10:53:28 am](#) Council Member Gibson feels healthy competition is good.

[10:56:53 am](#) Mayor Simmons stated that the 2012 Ordinance is out of date, and he looks forward to what staff comes back with.

Staff to bring back.

E. PRESENTATION BY STANTEC CONSULTING, INC., ON THE BONITA SPRINGS SKATE PARK AND PUMP TRACK PROJECT AND AUTHORIZE STAFF TO SUBMIT A GRANT APPLICATION TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) FOR GRANT FUNDS TO CONSTRUCT THE SKATE PARK AND A TRANSFER OF PARK IMPACT FEE FUNDS TO PROVIDE THE REQUIRED MATCH. (GREENSHEET NO. 20-01-012)

[11:05:33 am](#) City Manager Hunter introduced this item, and requested permission to move forward.

[11:06:15 am](#) Kevin Mangan, with Stantec, furnished a Powerpoint presentation.

[11:20:21 am](#) Elly McKuen, Public Works Department, in response to Mayor Simmons, explained that applications are divided into two areas - new construction vs. renovation. This would be considered a renovation since they are leaving the concrete pad in place, but they can beef up the application to show an enhancement as well, and so it's kind of 50/50. She further explained and discussion was held on new construction vs. renovation.

[11:25:35 am](#) City Manager Hunter stated that as the grant is due January 31, 2020 Staff wouldn't have the opportunity to come back. If Council would allow staff to work through the process of which one is the most cost effective in their approval, and then Staff can advise Council afterwards.

Council Member Gibson motioned to approve; Mayor Simmons seconded; and the motion carried unanimously.

VIII. MAYOR AND COUNCIL MEMBER ITEMS:

IX. PUBLIC COMMENT:

[11:26:51 AM](#) Dwight Esmon addressed CBRE.

X. CITY ATTORNEY'S ITEMS:

[11:27:40 am](#) City Attorney Rooney addressed WCI in relation to attorney fees. He also informed Council that at their next meeting he will be asking for an executive session.

XI. CITY MANAGER'S ITEMS:

- A. APPROVE THE RFP DOCUMENTS PREPARED BY CBRE FOR THE IMPERIAL CROSSING OFFER COMPRISED OF THE BAMBOO PARCEL, THE LEVIN LOT, AND THE LEMON TREE LOT. (GREENSHEET NO. 20-01-016)

[11:28:09 am](#) City Manager Hunter provided an overview of the proposal. Discussion followed.

[11:30:21 am](#) City Manager Hunter responded to Mayor Simmons, stating that Staff can do an E-Blast to get this information out. It would also be on the City's website home page. It also has its own website.

[11:31:47 am](#) Mayor Simmons motioned approval; Council Member Carr seconded; and the motion carried unanimously.

XII. MAYOR AND COUNCIL REPORTS:

[11:39:01 am](#) In response to Mayor Simmons, Assistant City Manager Feeney addressed the bioreactor, which the Mayor spoke of addressing in Tallahassee. City Manager Hunter stated Staff will reach out to our consultant who had some leads on that and see if there's an opportunity to match the Mayor's trip with what they suggest.

[11:40:18 am](#) Council Member Quaremba informed Council of her participation in the Shibbad ribbon cutting center. She further reported on the Horizon Council meeting she attended. She also commended both the City Manager and the Assistant City Manager on the great presentation they made at Pelican Landing which was received very well by everyone.

[11:44:17 am](#) Council Member Carr reported on the ceremony for Chief DeWitt.

[11:44:39 am](#) Council Member Forbes informed Council of two bills in legislation – on addressing vacation rentals and another that would allow accessory buildings on one's property.

[11:45:59 am](#) Mayor Simmons congratulated Chief DeWitt. He also commended Assistant City Manager Feeney on his bioreactor project. He next provided an update on the Big Cypress Water Basin, and addressed the Everglades foundation conference on Sanibel.

XIII. APPROVAL OF MINUTES: 12/18/19

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

XIV. PUBLIC COMMENT:

11:51:38 am Bonnie Wittemore addressed a problem she was having trying to get a CO. Mayor Simmons requested the City Manager work with Bonnie to set up a meeting.

XV. ADJOURNMENT.

There being no further items to discuss, the meeting adjourned at 11:55 A.M.

Respectfully submitted,

Debra Filipek, City Clerk

APPROVED:
CITY COUNCIL

Date: _____
AUTHENTICATED:

Peter Simmons, Mayor