

NOTICE OF PUBLIC MEETING
CITY COUNCIL
CITY OF BONITA SPRINGS
OFFICIAL AGENDA
WEDNESDAY, MARCH 4, 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. ACCEPT PROPOSAL FROM WRIGHT CONSTRUCTION GROUP FOR STA NO. 2 TO THE CONSTRUCTION MANAGER AT RISK CONTINUING SERVICES AGREEMENT IN THE AMOUNT NOT TO EXCEED \$39,869.00 FOR PRECONSTRUCTION SERVICES FOR CITY HALL RENOVATIONS AND REMODEL. (GREENSHEET NO. 20-03-055)

B. APPROVE TERMS OF THE PROPOSAL TO BE INCORPORATED INTO SUPPLEMENTAL TASK AUTHORIZATION NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH MATERN PROFESSIONAL ENGINEERING INC., IN THE AMOUNT OF \$83,659.60 FOR ARCHITECTURAL SERVICES OF CITY HALL RENOVATIONS TO INCLUDE HVAC AND LIGHTING RENOVATIONS, ADA-UPGRADES, AND SECURITY UPGRADES. (GREENSHEET NO. 20-03-054)

C. REVIEW OF JANUARY 2020 CAPITAL IMPROVEMENT PROJECTS MONTHLY REPORT. (GREENSHEET NO. 20-03-048)

D. REVIEW OF JANUARY 2020 MONTHLY FINANCIAL REPORTS. (GREENSHEET NO. 20-03-049)

E. AUTHORIZE STAFF TO ADVERTISE RFP FOR LETTERS OF INTEREST FROM ARTISTS AND OTHER SIMILAR TYPE VENDORS FOR USE OF ARTIST COTTAGE #4 AT RIVERSIDE PARK. (GREENSHEET NO. 20-03-050)

F. APPROVE THE CARETAKER'S AGREEMENT FOR THE BONITA NATURE PLACE. (GREENSHEET NO. 20-03-051)

- OPPORTUNITY FOR CITY COUNCIL COMMENTS ON CONSENT AGENDA ITEMS

VII. PROCLAMATIONS AND PRESENTATIONS:

VIII. MAYOR AND COUNCIL MEMBER ITEMS:

- A. DISCUSSION OF DRAFT LETTER TO FDEP REGARDING AIR QUALITY MONITORING STATIONS AT THE BONITA GRANDE MINE SITE LOCATED AT 25501 BONITA GRANDE DRIVE. (GREENSHEET NO 20-03-060)

IX. FIRST READING AND PUBLIC HEARING OF THE FOLLOWING ORDINANCE:

- A. AN ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA, REVISING SECTION 7.02 COMPENSATION PLAN OF THE ADMINISTRATIVE REGULATIONS GUIDE, PROVIDING FOR SEVERABILITY, CONFLICTS OF LAW, SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE. (GREENSHEET NO. 20-03-047)

X. SECOND READING OF THE FOLLOWING ORDINANCES: (PUBLIC COMMENT ALLOWED):

- A. AN ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA, AMENDING SECTION 4-87 OF THE LAND DEVELOPMENT CODE TO ADJUST TERM LIMITS ON THE PLANNING COMMISSION CHAIR; PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION, SCRIVENER'S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE. (GREENSHEET NO. 20-03-056)
- B. AN ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA, AMENDING DIVISION 37. SUBDIVISION II, TEMPORARY USES AND SUBDIVISION III. MOBILE FOOD VENDORS OF THE LAND DEVELOPMENT CODE RELATING TO MOBILE FOOD VENDORS; PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION, SCRIVENER'S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE. (GREENSHEET NO. 20-03-058)

XI. PUBLIC COMMENT:

XII. CITY ATTORNEY'S ITEMS:

XIII. CITY MANAGER'S ITEMS:

- A. UPDATE ON LOI #19-16 FOR WONDER GARDENS CAFÉ PROPERTY AND REQUEST COUNCIL MEMBER TO ASSIST STAFF IN LEASE NEGOTIATIONS. (GREENSHEET NO. 20-03-053)
- B. DISCUSSION ON REGULATIONS RELATING TO ELEVATORS. (GREENSHEET NO. 20-03-052)
- C. APPROVE RESOLUTION ADOPTING THE CITY'S EMERGENCY OPERATIONS PLAN. (GREENSHEET NO. 20-03-057)
- D. DISCUSSION OF THE VACANT CITY-OWNED LOT LOCATED AT 2773 HORNE AND DIRECTION TO STAFF. (GREENSHEET NO. 20-03-059)

XIV. MAYOR AND COUNCIL MEMBER REPORTS:

XV. APPROVAL OF MINUTES: 02/19/20

XVI. PUBLIC COMMENT:

XVII. 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: 03/18/20

AGENDA ITEM SUMMARY

REQUESTED MOTION: Accept proposal from Wright Construction Group for STA No. 2 to the Construction Manager at Risk Continuing Services agreement in an amount not to exceed \$39,869.00 for Preconstruction Services for City Hall Renovations and Remodel.

MEETING DATE March 4, 2020

AGENDA:		REQUIREMENT/PURPOSE: (Specify)	REQUESTOR OF INFORMATION:
	PRESENTATIONS	STATUTE	Meg Weiss Director of Administrative Services
X	CONSENT	ORDINANCE	
	PUBLIC HEARING	ADMIN. CODE	
	MAYOR AND COUNCIL MEMBER ITEMS	OTHER	
	MAYOR AND COUNCIL MEMBER'S REPORTS		
	CITY ATTORNEY		
	CITY MANAGER		

BACKGROUND:

On November 22, 2019, the City approved a contract (BSC 19-12-246) with Wright Construction Group for Construction Manager at Risk Continuing Services Contractor.

Attached is a proposal from Wright Construction Group for City Hall Renovations in an amount not to exceed \$39,869.00. The work is outlined in the attached proposal. Funding for this project is provided in the current CIP for City Hall Building Repairs (Account No. 31.402.513.6000).

Upon Council's approval, the City Manager will execute the Supplemental Task Authorization.

Attachments: Proposal

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

STAFF RECOMMENDATIONS Accept proposal from Wright Construction Group for City Hall Renovations to be incorporated into STA No. 2.

REVIEWED BY:

City Manager:

City Attorney:

City Clerk:

Department Director:

COUNCIL ACTION:

___ **APPROVED**

___ **DENIED**

___ **DEFERRED**

___ **OTHER**



February 14, 2020

Meg Weiss
Director of Administrative Services
City of Bonita Springs, Florida
9101 Bonita Beach Road
Bonita Springs FL 34135

Re: CN-19-12 City of Bonita Springs Continuing Services Contract
Bonita Springs City Hall Renovations and Remodel
Proposal for Preconstruction Services

Dear Mrs Weiss,

As requested, pursuant to the requirements of the above referenced Continuing Services Contract, Wright Construction Group has prepared a proposal to provide preconstruction services outlined below to facilitate the development of a guaranteed maximum price for the consideration by the City.

Services provided for in this proposal include:

1. Attend project planning and coordination meetings.
2. Perform a constructability review on 90% documents from the design team.
3. Prepare a GMP based on 100% construction documents from the design team.
4. Coordinate permitting based on permit documents from the design team. Permit fees by Owner.
5. Prepare a Construction Schedule
6. Evaluation of Alternative value-added design items
7. Evaluation of alternatives
8. Provide for Local Business Preference
9. Development of project specific vendor/sub-contractor scopes
10. Coordinate early release of long lead equipment with the Owner if requested. Equipment costs to be added by addendum and direct material purchase orders to be prepared with the Owner for Tax Savings.
11. Conduct Pre-bid Informational Meeting
12. Preparation and advertisement of solicitations
13. Receive and Evaluate Vendor/Contractor Proposals
14. Provide Recommendation to City (GMP) for Approval

Wright Construction proposes to provide the above services for the Not to Exceed Sum of thirty-nine thousand eight hundred sixty-nine dollars (\$39,869.00) per the attached schedule of values.

We would like to thank the City of Bonita Springs for the opportunity to provide these services.

Respectfully

A handwritten signature in black ink, appearing to read "Scott Loiacano", with a long, sweeping horizontal line extending to the right.

Scott Loiacano
Senior Project Manager

WRIGHT CONSTRUCTION GROUP, INC.

Wednesday, February 12, 2020

**City of Bonita Springs
Bonita Springs City Hall Renovations and Remodel
Bonita Springs, Florida**

Value Engineering/Project Evaluation/GMP Services - Fee Calculation

Project Tasks	Responsible Party / Parties	Project Executive	Senior Project Manager	Senior Estimator	Assistant Project Manager	Project Superintendent	Project Assistant	Labor Subtotal	Consultants, Sub/Supply Reimbursable Costs	Total Fee
Specification Coordination	WCG	\$ 220.00	\$ 180.00	\$ 180.00	\$ 102.00	\$ 120.00	\$ 78.00	\$ 1,440.00		\$ 1,440.00
Plan Review	WCG	2	8	16		8		\$ 5,720.00		\$ 5,720.00
VE Preparation	WCG		8	8				\$ 2,880.00		\$ 2,880.00
Progress Meetings	WCG	2	8	8				\$ 3,320.00		\$ 3,320.00
Bid Packages	WCG		8	40				\$ 8,640.00		\$ 8,640.00
Bidding	WCG		8	20			8	\$ 5,664.00	\$ 2,500.00	\$ 8,164.00
Bid Review	WCG	2	8	8			2	\$ 3,476.00		\$ 3,476.00
GMP Preparation/Submission	WCG	2	8	20			8	\$ 6,104.00		\$ 6,104.00
Subtotals		8	56	128	0	8	18	\$ 37,244.00	\$ 2,500.00	\$ 39,744.00
5% Fee on Consultants, Subcontractors, & Reimbursable Cost									\$ 125.00	\$ 125.00
									Total Proposed Fee	\$ 39,869.00

AGENDA ITEM SUMMARY

REQUESTED MOTION: Approve terms of the proposal to be incorporated into Supplemental Task Authorization No. 2 to the Professional Services Agreement with Matern Professional Engineering Inc. in the amount of \$83,659.60 for Architectural Services of City Hall renovations to include HVAC and lighting renovations, ADA-upgrades, and security upgrades.

MEETING DATE: March 4, 2020

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

PRESENTATIONS

STATUTE

X CONSENT

ORDINANCE

PUBLIC HEARING

ADMIN. CODE

MAYOR AND COUNCIL
MEMBER ITEMS

OTHER

MAYOR AND COUNCIL
MEMBER'S REPORTS

CITY ATTORNEY

CITY MANAGER

Meg Weiss
Director of Administrative Services

BACKGROUND:

On June 19, 2019, the City approved a contract (BSC 19-08-1600) with Matern Professional Engineering for Miscellaneous Planning Services. On October 16, 2019, City Council approved an STA No. 1 with Matern for City Hall's HVAC redesign.

Attached is a proposal from Matern Professional Engineering, Inc. for HVAC/Lighting Renovation and Architectural Services in the amount of \$83,659.60. The work is outlined in the Fee Proposal/Contract attached. Funding for this project is provided in the current CIP for City Hall Building Repairs (Account No. 31.402.513.6000). Upon approval by City Council, staff will prepare STA No. 2 for the Mayor's signature.

Attachment: Proposal

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

IF YES, WHICH STRATEGIC OBJECTIVE?

STAFF RECOMMENDATIONS Approve terms of the proposal for STA No. 2 with Matern Professional Engineering, Inc. and authorize Mayor to execute STA No. 2.

REVIEWED BY:**City Manager:****City Attorney:****City Clerk:****Department Director:****COUNCIL ACTION:**____ **APPROVED**____ **DENIED**____ **DEFERRED**____ **OTHER**

PROPOSAL

DATE: February 27, 2020

CLIENT: Meg Weiss
Director of Administrative Services
City of Bonita Springs
9101 Bonita Beach Rd
Bonita Springs, FL 34135

RE: City of Bonita Springs – City Hall HVAC/Lighting Renovation
MPE Project No.: 2019-158

Dear Meg,

We submit herewith our fee proposal for additional services on the above project. We appreciate the opportunity to provide you with this proposal.

1. Project Scope (Additional Services):

- 1.1. Front office reconfiguration
- 1.2. Redesign dais
- 1.3. ADA Assessment
- 1.4. Security Upgrades
- 1.5. Toilet room renovation
- 1.6. Lightning protection
- 1.7. One on one scope meeting with city council members

2. **SUBCONSULTANTS**

- 2.1. Architectural design services will be provided by RG Architects.
- 2.2. It is solely for the expressed convenience of the Owner that MPE will hire the above firm(s) as Subconsultants under this contract. MPE will coordinate its work with that of any Subconsultants but cannot provide any warranty/certifications for the accuracy of their work product.
- 2.3. Fees provided on behalf of Subconsultants will be marked up by 10% for project coordination and administration.
- 2.4. Any reimbursable expenses invoiced to Matern from RG architects during production of the project will be passed along to the owner with a 10% markup for administration costs and processing.

3. Revised Fee (lump sum)

Original Fee Proposal-Matern	Total
Construction Documents (CD's)	\$50,625.00
Bidding and Permitting	\$3,375.00
Observation of work	\$13,500.00
Subtotal of Original Contract	\$67,500.00
Additional MEP Engineering for above described Scope of Services	
Construction Documents (CD's)	\$4,140.00
Bidding and Permitting	\$360.00
Observation of Work	\$1,000.00
Subtotal	\$5,500.00
RG Architects Fee Proposal (see attached)	\$71,054.60
Subconsultants x 10% markup	\$7,105.00
Subtotal	\$78,159.60
Sub Total of Additional Services (\$5,500.00 and \$78,159.60)	\$83,659.60
Grand Total (includes original contract sum)	\$151,159.60

All assumptions, clarifications, etc. remain the same as in our prime contract on this project. If you approve of this additional service please advise us. If you so desire, your acceptance of this proposal for contract will be witnessed by your signature below. Please call if you have any questions in regards to this proposal.

Sincerely,

MATERN PROFESSIONAL ENGINEERING, INC.

K. Todd Griffith, PE
Sr. Vice President/Director of SWFL Division

KTG;avw

Authorization to provide the above
Engineering Services:

Signed: _____

Name: _____

Title: _____

Date: _____

February 3, 2020

**FEE PROPOSAL FOR
ARCHITECTURAL
SERVICES**

**City Hall Renovation and Remodel at
Bonita Springs City Hall
Bonita Springs, Florida.**

Submitted by:

RG Architects, P.A.
2070 McGregor Blvd. No. 3
Fort Myers, Florida 33901



RG Architects, P.A. Architecture Planning 2070 McGregor Blvd Ste 3 FL 33901 p 239.332.2040 f 239 332 2049

Matern Professional Engineering
Bonita Springs City Hall Renovation & Remodel
Fee Proposal –February 03, 2020

February 03, 2020

Mr. K. Todd Griffith, PE LEED AP
Director SW Florida Division/Vice President
Matern Professional Engineering
7680 Cambridge Manor Pl # 101,
Fort Myers, FL 33907

RE: Architectural Services for
Bonita Springs City Hall Renovations and Remodel
City of Bonita Springs
Bonita Springs, Florida

Mr. Griffith:

Per your request, we propose to provide Architectural g services for the above indicated project as follow:

I. GENERAL INFORMATION

The Project Team proposed for this project is:

- RG Architects, PA. – Architecture

II. PROJECT CRITERIA & STANDARDS

Applicable codes/standards include the following:

- Florida Building Code Sixth Edition (2017)
- Florida Fire Prevention Code Sixth Edition (2017)
- Lee County Building Permitting and Inspections Division.
- Bonita Springs Fire Control & Rescue District.

III. PROJECT SCOPE AND FEE PROPOSAL

Architectural Services to complete Construction Documents and Construction Administration for the project mentioned above per the scope provided by owner.

SCOPE OUTLINE:

- Complete demolition/renovation of existing HVAC system
 - New system to be DX-vav
- New LED lighting throughout building
- New roof (owner requests separate line item for this work)
- New carpet throughout building
- New ceilings throughout building
- New indoor paint throughout building
- Redesign dias
 - Reposition automatic screens/projectors
- Give toilet rooms a facelift and bring up to current ADA requirements
- New FF&E selection and coordination
- Logistics of building remaining occupied during construction to minimize costs
- Screen landscaping to hide generator
- ADA assessment w/recommendations if needed
- Security renovations included in addendum

IV. FEES:

See page #3

Schematic Design	15.00%	\$10,658.19
Design Development	20.00%	\$14,210.92
Construction Documents	35.00%	\$24,869.11
Bidding and Negotiations	5.00%	\$3,552.73
Construction Administration	25.00%	\$17,763.65
TOTAL	100.00%	\$71,054.60

RG Architects P.A's fee based of the Design Fee Calculator Complexity Group "C". See attached file.

V. REIMBURSABLE EXPENSES

- a. Reimbursable expenses are billed at actual amounts expended, plus a 10% mark-up. These are generally the printing cost of final Presentation and required Permit Sets. No reimbursable expenses will be incurred without owner prior consent.
- b. Expense of digital aided plots and reproduction of documents for established milestones (excluding those exclusively for the office use of the Architect and Architect's Consultants).
- c. Postage, express mail services and delivery services.
- d. Expense of professional models and mockups requested by the Owner.

VI. PROJECT SCHEDULE (Partial)

This work shall begin with Owner's approval of design concept.

VII. POTENTIAL ADDITIONAL SERVICES (NOT INCLUDED IN FEE PROPOSAL)

The following list of Additional Services, as defined by attached *State of Florida, Department of Management Services Fee Schedule for Basic Architectural Services*, if required will be agreed to in written Authorization form at the appropriate time during the progression of the work. All additional services will be billed according to the rate schedule below.

- a) Civil Engineering
- b) Feasibility Studies/ Analysis
- c) Facility Programming
- d) Master Planning
- e) Soils Investigations/Reports
- f) Surveys -Topographic/Boundary/Trees/Utilities
- g) ~~Existing Facilities Analysis~~
- i) Record Documents
- j) Threshold Inspections
- k) Special Code Reviews
- l) Prolonged Construction Contract Administration Services
- r) Post Occupancy Inspections/ Evaluations
- s) Presentation Framed Renderings/ Models
- t) Changes to Scope, Size or Complexity
- u) Detailed Cost Estimates
- v) Revisions to Previously Approved Documents
- w) Specialty Consultants: Data/Telephone Communications; Cost/Scheduling; Electronic/Audio Visual; Elevator; Food Service; Hazardous Material; Hospital/Laboratory; Interior Design; Indoor Air Quality; Quality Control; Theater/Acoustical; Security

VIII. BILLING RATE SCHEDULE

Personnel Classification	Billing Rate Per Hour
Principal	\$270
Project Manager	\$240

Matern Professional Engineering
Bonita Springs City Hall Renovation & Remodel
Fee Proposal –February 03, 2020

Senior Architect	\$180
Project Architect	\$150
Intern Architect	\$102
Senior Construction Manager	\$180
Construction Administrator	\$150
Administrative Support	\$96

RG Architects, PA is happy to offer this proposal to you and **Matern Professional Engineering**, thank you for the opportunity to provide these services.

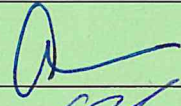
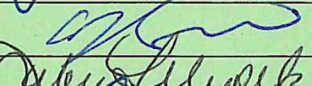
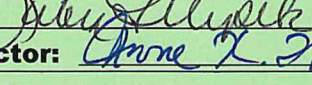
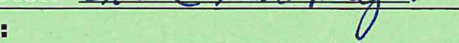
Sincerely,
RG Architects, P.A.



Charles R. Gutekunst, AIA, NCARB
President

K Todd Griffith PE
Senior Vice President – Director of Southwest
Florida Division/Mechanical Engineer

cc: Javier Salazar AIA Assoc, RGA
file: C.1

BONITA SPRINGS CITY COUNCIL		GREEN SHEET:	20-03-048
AGENDA ITEM SUMMARY			
REQUESTED MOTION: Review of January 2020 Capital Improvement Projects Monthly Report			
MEETING DATE: March 4, 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 January 31, 2020. 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 \$10,783,417 and the Sidewalks and Multi-Use Pathways initiative totaling \$12,292,182. As of January 31, 2020, the total Capital Improvement Project budget, including carry-over from the prior year and current year amendments, is \$49,566,548. Project expenditures as of January 31, 2020 for the year ending September 30, 2020 total \$2,353,920. This report is provided for informational purposes. ATTACHMENT: January 2020 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 January 2020 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 January 31, 2020

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 January 31, 2020	Budget Variance as of January 31, 2020
Account	Project Description						
IMPROVE STORM WATER MANAGEMENT (1st STRATEGIC PRIORITY)							
30.250.538.6802	Spring Creek Restoration Plan	General Fund	110,104	-	110,104	102,670	7,434
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	4,000	2,471,000
		Local Mitigation Strategy Grant	-	7,425,000	7,425,000	-	7,425,000
		TOTAL	-	9,900,000	9,900,000	4,000	9,896,000
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	10,941	44,059
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	121,611	15,892,784
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	47,223	484,571
		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	47,223	2,364,926
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 January 31, 2020

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 January 31, 2020	Budget Variance as of January 31, 2020
Account	Project Description						
30.250.541.6333	Bonita Drive Pathway-Old 41 to Streetsboro Lane	Grant - CDBG	116,083	-	116,083	34,748	81,335
30.250.541.6334	Maddox Lane Sidewalk	Road Impact Fee	17,995	-	17,995	2,667	15,328
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	14,712	16,111
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	564,371	12,292,182
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	34,064	215,936
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	1,870,580	24,656,298
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

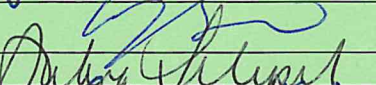
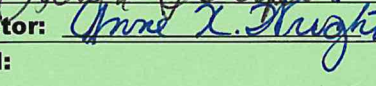
as of January 31, 2020

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 January 31, 2020	Budget Variance as of January 31, 2020
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	-	314,940	-	314,940
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	121,763	50,615
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	122,419	394,331
30.250.541.6325	Logan Boulevard Landscape & Lighting	General Fund	656,393	-	656,393	-	656,393

CAPITAL IMPROVEMENT PROJECTS MONTHLY REPORT

as of January 31, 2020

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 January 31, 2020	Budget Variance as of January 31, 2020
Account	Project Description						
		TOTAL	973,143	200,000	1,173,143	122,419	1,050,724
30.270.519.4911	Urban Design	General Fund	91,746	50,000	141,746	31,821	109,925
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	\$ 4,085,014	\$ 329,632	\$ 3,755,382
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	100,000	-	100,000
		General Fund	13,991	-	13,991	-	13,991
30.270.519.4909	Contingency	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	36,097	840,215
Total Other			426,913	710,000	1,036,913	36,097	1,000,816
TOTAL			\$ 20,824,971	\$ 28,691,977	\$ 49,566,548	\$ 2,357,920	\$ 47,208,628
FUNDING SOURCES							
		General Fund	5,248,069	7,957,436	13,105,505	283,551	12,817,954
		Road Impact Fee	7,168,580	10,109,541	17,278,121	1,190,869	16,087,252
		Gas Tax	2,295,109	1,350,000	3,645,109	260,438	3,384,671
		Park Impact Fee	2,495,380	438,000	3,082,980	217,110	2,865,870
		Building Fees	57,700	1,112,000	1,169,700	-	1,169,700
		Grant	3,560,133	7,725,000	11,285,133	401,952	10,883,181
TOTAL			\$ 20,824,971	\$ 28,691,977	\$ 49,566,548	\$ 2,353,920	\$ 47,208,628
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							

BONITA SPRINGS CITY COUNCIL		GREEN SHEET:	20-03-049
AGENDA ITEM SUMMARY Review of January 2020 Monthly Financial Reports			
REQUESTED MOTION:			
MEETING DATE: March 4, 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 Four Months ended January 31, 2020 • Total FY 2020 Revenues as of January 31, 2020 are greater than the FY 2019 Revenues as of January 31, 2019 by \$921,317, representing a 9.49% increase over FY 2019. This favorable variance is from increases over the prior year General Fund revenue in Ad Valorem Taxes of \$598,062, Code Enforcement Fines of \$42,986, Interest of \$40,938, Half Cent Sales Tax of \$30,663 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 \$159,796, and Electricity Franchise Fees increase to the General Fund of \$190,459, offset by decreases in Administrative Services Fees of (\$119,963) and Planning and Zoning Fees of (\$40,972). • Total FY 2020 Revenues collected for the four months ended January 31, 2020 are 53.55% 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 January 31, 2020 are less than FY 2019 Expenditures as of January 31, 2019 by \$326,561. This is primarily due to an decrease in Public Safety of (\$339,691) due to the timing of the quarterly payment of the Sheriff's Department contract amount, a decrease in General Government of (\$83,853) due to the timing of the payment of the payment of the Planning and Zoning services, and an increase in Transportation of \$61,720 due to the purchase of two trucks for Public Works. • FY 2020 Transfers In as of January 31, 2020 are \$2,359,954 greater than the FY 2019 Transfers In for the four months ended January 31, 2019, 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 four months ended January 31, 2020 are 26.02% of the Total Expenditures budgeted for FY 2020. • FY 2020 Transfers Out to Other Funds as of January 31, 2020 are \$410,252 less than the FY 2019 Transfers Out for the four months ended January 31, 2019. • FY 2020 Revenues and Transfers In are greater than FY 2020 Expenditures and Transfers Out for the four months ended January 31, 2020 by \$8,877,451. FY 2019 Revenues and Transfers In were \$4,859,367 greater than FY 2019 Expenditures and Transfers Out for the four months ended January 31, 2019. 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	
	Amended Budget	YTD Actual Jan. 31, 2020	Variance - Over (Under) Budget	Actual as a % of Budget	YTD Actual Jan. 31, 2019	FY 2020 Actual Over (Under) FY 2019 Actual
Revenues:						
Taxes	\$ 9,914,804	\$ 8,070,267	\$ (1,844,537)	81.40%	\$ 7,313,164	\$ 757,103
Franchise Fees	3,115,583	715,406	(2,400,177)	22.96%	528,252	187,154
State Shared Revenue	5,564,040	1,341,508	(4,222,532)	24.11%	1,295,964	45,544
Other Revenues	1,258,910	503,449	(755,461)	39.99%	571,933	(68,484)
Total Revenues	\$ 19,853,337	\$ 10,630,630	\$ (9,222,707)	53.55%	\$ 9,709,313	\$ 921,317
Expenditures:						
General Government	\$ 6,565,421	\$ 1,516,885	\$ (5,048,536)	23.10%	\$ 1,600,738	\$ (83,853)
Public Safety	2,541,622	702,557	(1,839,065)	27.64%	1,042,248	(339,691)
Physical Environment	277,022	31,151	(245,871)	11.24%	20,063	11,088
Transportation	2,428,295	859,099	(1,569,196)	35.38%	797,379	61,720
Economic Environment	27,550	27,500	(50)	99.82%	27,500	-
Human Services	173,491	3,885	(169,606)	2.24%	4,645	(760)
Culture & Recreation	2,610,471	704,065	(1,906,406)	26.97%	663,544	40,521
Hurricane Irma	156,000	-	(156,000)	0.00%	15,586	(15,586)
Total Expenditures	\$ 14,779,872	\$ 3,845,142	\$ (10,934,730)	26.02%	\$ 4,171,703	\$ (326,561)
Excess (deficiency) of revenues over (under) expenditures	\$ 5,073,465	\$ 6,785,488	\$ 1,712,023		\$ 5,537,610	\$ 1,247,878
Other Financing Sources (Uses)						
Transfers In	\$ 2,378,046	\$ 2,385,226	\$ 7,180	100.30%	\$ 25,272	\$ 2,359,954
Transfers Out	(13,145,505)	(293,263)	(12,852,242)	2.23%	(703,515)	(410,252)
Total Other Financing Sources (Uses) - net	\$ (10,767,459)	\$ 2,091,963			\$ (678,243)	\$ (2,770,206)
Total Surplus (Deficit)		\$ 8,877,451			\$ 4,859,367	\$ 4,018,084

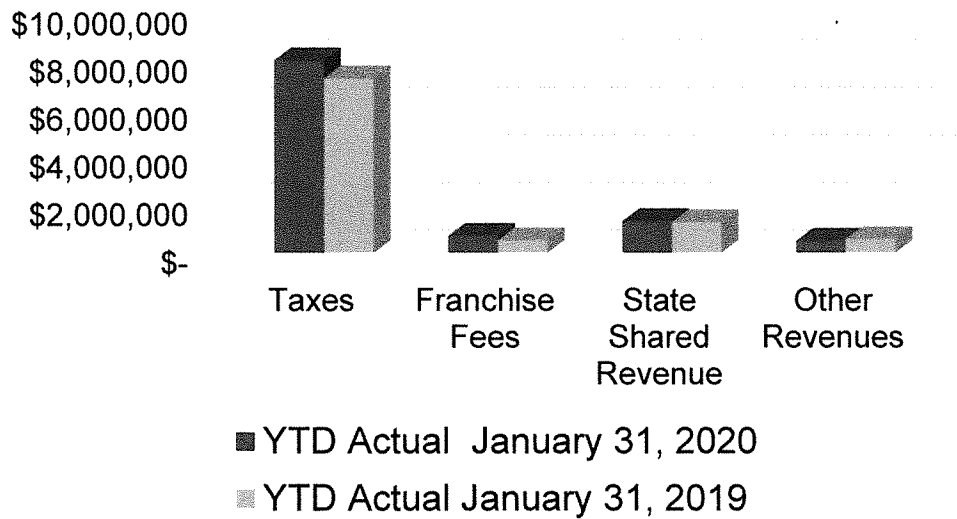
Below is the City's Cash Position as of January 31, 2020, 2019 and 2018.

	Cash Balances as of		
	1/31/2020	1/31/2019	1/31/2018
Fund:			
General Fund	\$ 24,389,364.70	\$ 15,745,192.06	\$ 15,871,617.05
Gas Tax	\$ 4,165,278.99	\$ 4,350,564.78	\$ 3,993,073.21
Road Impact Fee	\$ 20,007,573.84	\$ 17,970,386.33	\$ 10,040,102.95
Reg Park Impact Fee	\$ -	\$ -	\$ 722,535.51
Comm Park Impact Fee	\$ 3,491,139.71	\$ 3,419,585.25	\$ 1,795,284.12
Stormwater Management	\$ 1,330,485.83	\$ -	\$ -
Building Fees Fund	\$ 9,310,535.02	\$ 8,235,530.01	\$ 6,298,040.13
2011 Debt Fund	\$ 503,832.40	\$ 1,972,382.93	\$ 1,001,390.70
2014 Debt Fund	\$ 0.68	\$ 208,304.68	\$ 217,479.70
Downtown Revenue Sharing	\$ 300,340.00	\$ -	\$ -
Total Cash by Fund	\$ 63,498,551.17	\$ 51,901,946.04	\$ 39,939,523.37

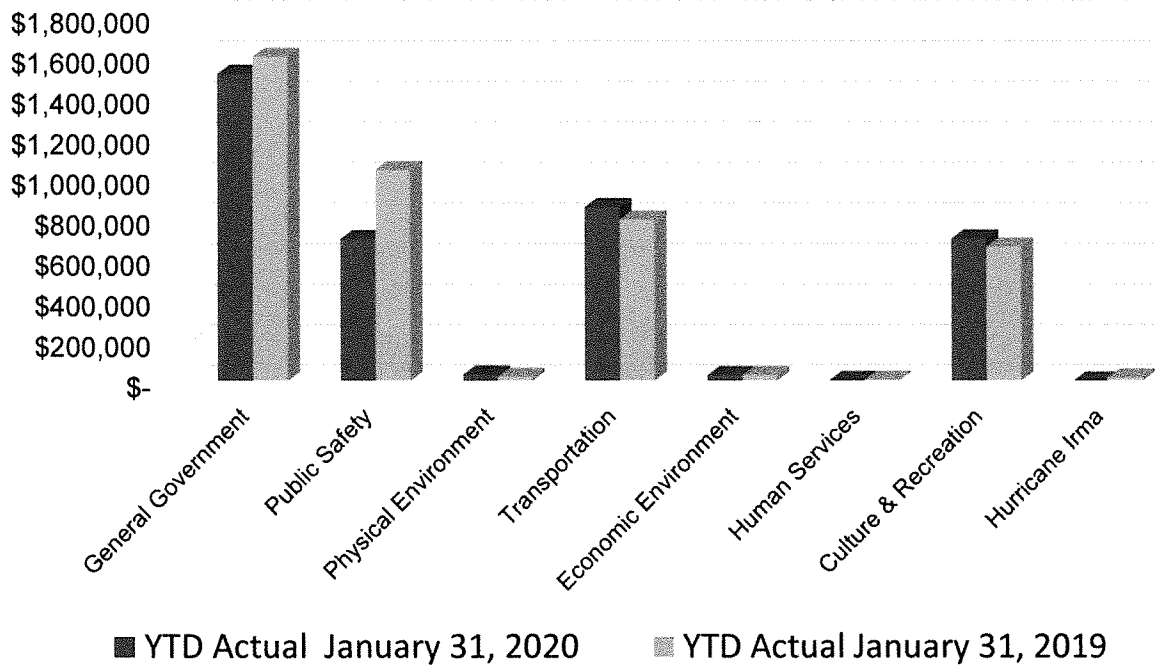
OBSERVATION:

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 was 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 Jan. 31, 2020 and Jan. 31, 2019



General Fund Expenditures as of Jan. 31, 2020 and Jan. 31, 2019



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	3,552,153	1,079,359	44,417,858
(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	\$ 3,000,660	\$ 70,739	\$ 56,107,605

Allocation of Fund Balance by Category:

Nonspendable	\$ 425,117	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 425,117
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	-	-	-	-	-	450,435	-	450,435
Other purposes	112,700	-	-	-	-	-	-	112,700
Unassigned	4,520,794	-	-	-	-	-	-	4,520,794
Total Fund Balance as of Sept 30, 2019	\$ 16,043,715	\$ 4,383,930	\$ 20,593,244	\$ 3,485,497	\$ 8,529,820	\$ 3,000,660	\$ 70,739	\$ 56,107,605

* 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 January 31, 2020**

		Special Revenue Funds							Debt Service		
	General Fund	Impact Fee Funds					Downtown Area Revenue Sharing	Stormwater Management	Fund Downtown Redevelopment	Debt Service Fund 2011 Debt	Total Governmental Funds
		Road	Park	Gas Tax	Grants	Building Fees					
ASSETS											
Cash and cash equivalents	\$ 24,389,365	\$ 20,007,574	\$ 3,491,140	\$ 4,165,279	\$ -	\$ 9,310,535	\$ 300,340	\$ 1,330,486	\$ 1	\$ 503,832	\$ 63,498,551
Restricted Cash	-	-	-	-	-	-	-	-	-	-	-
Receivables (net)	443,711	-	-	-	-	-	-	-	-	-	443,711
Due from other funds	302,008	-	-	-	-	-	-	-	-	-	302,008
Due from other governments	-	-	-	-	-	-	-	-	-	-	-
Advances to other funds	-	-	-	-	-	-	-	-	-	-	-
Total assets	\$ 25,135,084	\$ 20,007,574	\$ 3,491,140	\$ 4,165,279	\$ -	\$ 9,310,535	\$ 300,340	\$ 1,330,486	\$ 1	\$ 503,832	\$ 64,244,270
LIABILITIES AND FUND BALANCES											
Liabilities:											
Accounts and contracts payable	\$ 1,026	\$ -	\$ -	\$ 84	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,110
Accrued liabilities	181,613	-	-	-	-	-	-	-	-	-	181,613
Due to other funds	-	-	-	-	302,008	-	-	-	-	-	302,008
Due to other governments	31,277	71,185	-	-	-	-	-	-	-	-	102,463
Unearned revenue	-	-	-	-	-	-	-	-	-	-	-
Total liabilities	213,917	71,185	-	84	302,008	-	-	-	-	-	587,194
Total fund balances, beginning of the year	16,043,716	20,593,244	3,485,497	4,383,930	-	8,529,820	-	-	70,739	3,000,659	56,107,605
Revenues and Other Financing Sources over (under) Expenditures and Other Financing Uses for the period ended January 31, 2020	8,877,451	(656,856)	5,643	(216,734)	(302,008)	780,715	300,340	1,330,486	(70,738)	(2,496,827)	7,549,471
Fund balances as of January 31, 2020	24,921,167	19,936,388	3,491,140	4,165,195	(302,008)	9,310,535	300,340	1,330,486	1	503,832	63,657,076
Total liabilities and fund balances	\$ 25,135,084	\$ 20,007,574	\$ 3,491,140	\$ 4,165,279	\$ -	\$ 9,310,535	\$ 300,340	\$ 1,330,486	\$ 1	\$ 503,832	\$ 64,244,270



City of Bonita Springs, FL

General Fund Budget Report

Group Summary

For Fiscal: 2019-2020 Period Ending: 01/31/2020

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	400,255.77	7,737,286.75	905,313.25
315 - Communications Services Taxes	1,231,504.00	1,231,504.00	107,435.80	327,518.72	903,985.28
316 - Local Business Taxes	35,700.00	35,700.00	872.77	4,911.26	30,788.74
319 - Other General Taxes	5,000.00	5,000.00	550.00	550.00	4,450.00
323 - Franchise Fees	3,115,583.00	3,115,583.00	205,712.97	715,406.00	2,400,177.00
329 - Other Permits, Fees & Special Assessment	79,125.00	79,125.00	7,045.00	30,100.00	49,025.00
335 - State Shared Revenue	5,564,040.00	5,564,040.00	470,819.32	1,341,508.00	4,222,532.00
341 - General Government	525,680.00	525,680.00	29,413.39	151,300.03	374,379.97
343 - Physical Environment	96,300.00	96,300.00	8,700.00	38,100.00	58,200.00
347 - Culture/Recreation	136,000.00	136,000.00	21,645.97	52,902.34	83,097.66
349 - Other Charges for Services	61,500.00	61,500.00	3,171.95	36,199.17	25,300.83
351 - Judgements, Fines-Traffic	27,500.00	27,500.00	2,936.69	8,948.70	18,551.30
354 - Fines Local Ordinance	65,000.00	65,000.00	8,165.00	47,700.70	17,299.30
361 - Interest & Other Earnings	205,000.00	205,000.00	25,404.58	109,879.76	95,120.24
362 - Rents & Royalties	30,000.00	30,000.00	3,123.82	11,844.38	18,155.62
366 - Contributions	0.00	0.00	160.00	4,480.00	-4,480.00
369 - Other Misc Revenues	32,805.00	32,805.00	9,066.90	11,994.28	20,810.72
381 - Transfers In	2,186,936.00	2,378,046.00	7,307.74	2,385,226.02	-7,180.02
Revenue Total:	22,040,273.00	22,231,383.00	1,311,787.67	13,015,856.11	9,215,526.89
Expense					
51 - General Government	6,688,421.00	6,721,421.00	425,450.04	1,516,885.27	5,204,535.73
52 - Public Safety	2,517,421.00	2,541,622.00	60,437.19	702,556.72	1,839,065.28
53 - Physical Environment	277,022.00	277,022.00	6,003.49	31,150.40	245,871.60
54 - Transportation	2,352,113.00	2,428,295.00	203,397.37	859,098.62	1,569,196.38
55 - Economic Environment	27,550.00	27,550.00	0.00	27,500.00	50.00
56 - Human Services	173,491.00	173,491.00	2,105.00	3,885.00	169,606.00
57 - Culture & Recreation	2,610,471.00	2,610,471.00	165,694.28	704,065.33	1,906,405.67
58 - Other Uses/Transfers Out	7,997,436.00	13,145,505.00	206,835.83	293,263.42	12,852,241.58
Expense Total:	22,643,925.00	27,925,377.00	1,069,923.20	4,138,404.76	23,786,972.24
Fund: 00 - General Fund Surplus (Deficit):	-603,652.00	-5,693,994.00	241,864.47	8,877,451.35	-14,571,445.35



General Fund Department Expenditures Excluding Transfers

City of Bonita Springs, FL

Group Summary

For Fiscal: 2019-2020 Period Ending: 01/31/2020

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	39,109.39	156,036.08	312,037.92
102 - Boards & Committees	150,000.00	159,182.00	0.00	11,083.80	148,098.20
201 - City Manager	451,941.00	451,941.00	39,669.07	137,879.94	314,061.06
211 - Planning & Zoning	1,881,691.00	1,881,691.00	161,220.18	475,517.32	1,406,173.68
220 - Law Enforcement/Security	1,815,729.00	1,815,729.00	1,186.00	450,398.03	1,365,330.97
230 - Neighborhood Services	677,262.00	701,463.00	57,927.46	246,925.00	454,538.00
240 - Information Technologies	187,576.00	187,576.00	8,844.77	46,097.52	141,478.48
250 - Public Works	2,563,645.00	2,630,645.00	209,400.86	886,796.62	1,743,848.38
260 - Emergency Preparedness	24,430.00	24,430.00	1,323.73	5,233.69	19,196.31
270 - Non-Departmental Expenditures	1,417,952.00	1,383,295.00	3,873.70	41,382.89	1,341,912.11
301 - City Attorney	770,305.00	770,305.00	30,292.72	170,204.17	600,100.83
401 - Administrative Services	461,808.00	489,865.00	42,510.17	132,603.81	357,261.19
402 - City Hall	162,855.00	169,455.00	10,107.24	49,025.52	120,429.48
410 - Human Resources	86,147.00	86,147.00	-15.09	17,647.46	68,499.54
430 - Communications	647,273.00	680,273.00	43,034.77	216,089.32	464,183.68
501 - Finance	591,986.00	591,986.00	49,977.28	190,145.68	401,840.32
601 - Parks & Recreation Administration	658,843.00	658,843.00	60,700.38	195,524.27	463,318.73
602 - Recreation Center	389,854.00	389,854.00	32,102.93	127,092.06	262,761.94
603 - Community Park & Ball Fields	191,665.00	191,665.00	10,882.53	55,235.54	136,429.46
604 - Community Pool	353,218.00	353,218.00	28,156.37	111,601.51	241,616.49
605 - Riverside Park	208,733.00	208,733.00	3,153.27	21,898.75	186,834.25
609 - Formerly Community Hall/Sheriff Substation	14,905.00	14,905.00	796.20	2,317.56	12,587.44
610 - Dog Park	113,066.00	113,066.00	7,296.56	13,496.06	99,569.94
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	4,841.55	34,832.49	57,285.51
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	2,677.34	14,056.15	40,114.85
617 - Bonita Nature Place	22,700.00	22,700.00	725.74	5,345.92	17,354.08
618 - Windsor Road Preserve	8,500.00	8,500.00	24.34	98.98	8,401.02
620 - Marni Fields	115,150.00	115,150.00	3,017.45	10,641.43	104,508.57
621 - BS River Park	15,011.00	15,011.00	9,570.49	10,593.60	4,417.40
622 - Cullum's Bonita Trail	9,800.00	9,800.00	42.00	42.00	9,758.00
623 - Carpenter Lane Canoe & Kayak	1,124.00	1,124.00	0.00	39.25	1,084.75
624 - Leitner Creek Neighborhood Park	4,277.00	4,277.00	0.00	1,242.30	3,034.70
626 - Oak Creek Preserve	13,350.00	13,350.00	450.00	450.00	12,900.00
883 - Veterans	5,000.00	5,000.00	0.00	1,727.37	3,272.63
890 - Film Festival	0.00	0.00	187.97	4,000.00	-4,000.00
Fund: 00 - General Fund Total:	14,646,489.00	14,779,872.00	863,087.37	3,845,141.34	10,934,730.66



City of Bonita Springs, FL

Special Revenue Funds Budget Report

Group Summary

For Fiscal: 2019-2020 Period Ending: 01/31/2020

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	0.00	249,797.05	1,407,762.95
335 - State Shared Revenue	290,546.00	290,546.00	23,362.99	70,088.97	220,457.03
361 - Interest & Other Earnings	40,000.00	40,000.00	5,350.00	21,180.00	18,820.00
Revenue Total:	1,988,106.00	1,988,106.00	28,712.99	341,066.02	1,647,039.98
Expense					
54 - Transportation	1,090,495.00	1,090,495.00	73,084.16	299,362.02	791,132.98
58 - Other Uses/Transfers Out	1,350,000.00	3,645,109.00	135,684.88	260,438.27	3,384,670.73
Expense Total:	2,440,495.00	4,735,604.00	208,769.04	559,800.29	4,175,803.71
Fund: 10 - Gas Tax Fund Surplus (Deficit):	-452,389.00	-2,747,498.00	-180,056.05	-218,734.27	-2,528,763.73
Fund: 13 - Grant Fund					
Revenue					
331 - Federal Grants	7,725,000.00	11,103,865.00	98,554.54	369,155.57	10,734,709.43
334 - State Grants	0.00	200,000.00	0.00	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	0.00	5,712.00	34,288.00
Revenue Total:	7,805,000.00	11,556,243.00	98,554.54	374,883.07	11,181,359.93
Expense					
52 - Public Safety	80,000.00	80,000.00	3,264.00	14,688.00	65,312.00
58 - Other Uses/Transfers Out	7,725,000.00	11,476,243.00	92,941.49	662,203.24	10,814,039.76
Expense Total:	7,805,000.00	11,556,243.00	96,205.49	676,891.24	10,879,351.76
Fund: 13 - Grant Fund Surplus (Deficit):	0.00	0.00	2,349.05	-302,008.17	302,008.17
Fund: 14 - Road Impact Fee Fund					
Revenue					
324 - Impact Fees	2,557,595.00	2,557,595.00	540,652.87	2,561,760.40	-4,165.40
361 - Interest & Other Earnings	130,000.00	130,000.00	27,627.00	97,226.46	32,773.54
Revenue Total:	2,687,595.00	2,687,595.00	568,279.87	2,658,986.86	28,608.14
Expense					
58 - Other Uses/Transfers Out	12,281,477.00	19,450,057.00	10,409.90	3,315,842.66	16,134,214.34
Expense Total:	12,281,477.00	19,450,057.00	10,409.90	3,315,842.66	16,134,214.34
Fund: 14 - Road Impact Fee Fund Surplus (Deficit):	-9,593,882.00	-16,762,462.00	557,869.97	-656,855.80	-16,105,606.20
Fund: 16 - Park Impact Fee Fund					
Revenue					
324 - Impact Fees	298,410.00	298,410.00	30,354.00	203,778.00	94,632.00
361 - Interest & Other Earnings	28,000.00	28,000.00	4,793.00	18,975.00	9,025.00
Revenue Total:	326,410.00	326,410.00	35,147.00	222,753.00	103,657.00
Expense					
58 - Other Uses/Transfers Out	438,000.00	3,082,980.00	0.00	217,110.44	2,865,869.56
Expense Total:	438,000.00	3,082,980.00	0.00	217,110.44	2,865,869.56
Fund: 16 - Park Impact Fee Fund Surplus (Deficit):	-111,590.00	-2,756,570.00	35,147.00	5,642.56	-2,762,212.56
Fund: 18 - Stormwater Management					
Revenue					
325 - Special Assessments - Charges for Public Services	1,716,555.00	1,716,555.00	68,025.55	1,413,516.33	303,038.67
Revenue Total:	1,716,555.00	1,716,555.00	68,025.55	1,413,516.33	303,038.67
Expense					
53 - Physical Environment	1,716,555.00	1,716,555.00	0.00	83,030.50	1,633,524.50

Special Revenue Funds Budget Report

For Fiscal: 2019-2020 Period Ending: 01/31/2020

ExpFinStmntLineItem;RevAccountType	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
Expense Total:	1,716,555.00	1,716,555.00	0.00	83,030.50	1,633,524.50
Fund: 18 - Stormwater Management Surplus (Deficit):	0.00	0.00	68,025.55	1,330,485.83	-1,330,485.83
Fund: 19 - Building Fees Fund					
Revenue					
322 - Building Permits	2,400,000.00	2,400,000.00	273,718.93	1,414,032.46	985,967.54
361 - Interest & Other Earnings	110,000.00	110,000.00	11,845.00	46,892.00	63,108.00
Revenue Total:	2,510,000.00	2,510,000.00	285,563.93	1,460,924.46	1,049,075.54
Expense					
52 - Public Safety	2,733,911.00	2,733,911.00	226,122.86	680,209.62	2,053,701.38
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	226,122.86	680,209.62	3,247,784.38
Fund: 19 - Building Fees Fund Surplus (Deficit):	-1,350,911.00	-1,417,994.00	59,441.07	780,714.84	-2,198,708.84
Fund: 23 - Downtown Area Revenue Sharing					
Revenue					
311 - Ad Valorem Taxes	218,300.00	218,300.00	0.00	226,788.00	-8,488.00
337 - Local Gvmt Grants	919,600.00	919,600.00	0.00	955,380.00	-35,780.00
Revenue Total:	1,137,900.00	1,137,900.00	0.00	1,182,168.00	-44,268.00
Expense					
58 - Other Uses/Transfers Out	1,007,361.00	1,007,361.00	881,828.00	881,828.00	125,533.00
Expense Total:	1,007,361.00	1,007,361.00	881,828.00	881,828.00	125,533.00
Fund: 23 - Downtown Area Revenue Sharing Surplus (Deficit):	130,539.00	130,539.00	-881,828.00	300,340.00	-169,801.00



City of Bonita Springs, FL

Debt Service Funds Budget Report

Group Summary

For Fiscal: 2019-2020 Period Ending: 01/31/2020

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	769.00	3,142.00	1,858.00
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	769.00	2,128,115.76	48,820.24
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	769.00	-2,496,826.90	-53,398.10
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	881,828.00	881,828.00	125,533.00
384 - Debt Proceeds	0.00	0.00	0.00	0.00	0.00
Revenue Total:	1,007,361.00	1,007,361.00	881,828.00	881,828.00	125,533.00
Expense					
51 - General Government	1,078,100.00	1,078,100.00	952,566.00	952,566.00	125,534.00
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	952,566.00	952,566.00	125,534.00
Fund: 21 - 2014 Debt Fund Surplus (Deficit):	-70,739.00	-70,739.00	-70,738.00	-70,738.00	-1.00



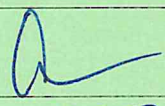
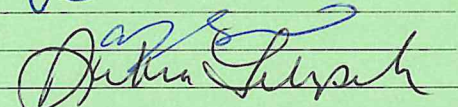
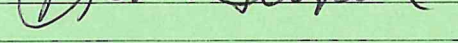
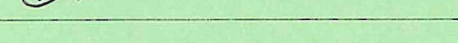
City of Bonita Springs, FL

Capital Project Funds Budget Report

Group Summary

For Fiscal: 2019-2020 Period Ending: 01/31/2020

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	48,517,219.00	381,826.86	2,193,963.33	46,323,255.67
Revenue Total:	28,481,977.00	48,517,219.00	381,826.86	2,193,963.33	46,323,255.67
Expense					
51 - General Government	1,982,500.00	2,783,402.00	44,625.28	67,918.74	2,715,483.26
53 - Physical Environment	12,936,936.00	16,805,743.00	122,210.55	121,610.60	16,684,132.40
54 - Transportation	12,734,541.00	28,023,993.00	214,991.03	1,998,299.49	26,025,693.51
57 - Culture & Recreation	828,000.00	904,081.00	0.00	6,134.50	897,946.50
Expense Total:	28,481,977.00	48,517,219.00	381,826.86	2,193,963.33	46,323,255.67
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	1,049,329.00	56,737.50	163,956.68	885,372.32
Revenue Total:	210,000.00	1,049,329.00	56,737.50	163,956.68	885,372.32
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	736,460.00	56,737.50	163,956.68	572,503.32
Expense Total:	210,000.00	1,049,329.00	56,737.50	163,956.68	885,372.32
Fund: 31 - Other Capital Projects Fund Surplus (Deficit):	0.00	0.00	0.00	0.00	0.00

BONITA SPRINGS CITY COUNCIL		GREEN SHEET:	20-03-050
AGENDA ITEM SUMMARY			
REQUESTED MOTION: Authorize staff to advertise RFP for Letters of Interest from Artists and other similar type vendors for use of Artist Cottage #4 at Riverside Park.			
MEETING DATE: March 4, 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:			
On May 21, 2020, the use current agreement for Artist Cottage #4 is set to expire. The current tenant has exhausted all renewals based on their current agreement, which provided for an initial term of one year and five options for renewal. The tenant was also given an additional one year extension for construction downtown and a two year extension due to Hurricane Irma, both of which interfered with access to the cottages. On December 18, 2019, in accordance with the recommendation from the Art in Public Places Board, Council granted an extension to Creative Expressions Studio and Gallery, LLC, the current Cottage #4 tenant, in order to allow them to remain in the cottage until the end of season after which would require an RFP for Letters of Interest. The current tenant will have the ability to submit a Letter of Interest for the new RFP. Once advertised and Letters of Interest are submitted, the Art in Public Places Board will review the submissions and provide a ranking of the top three submissions and provide a recommendation to City Council. Attachment: RFP			
IS THIS RELATED TO A STRATEGIC PLAN OBJECTIVE? X YES NO IF YES, WHICH STRATEGIC OBJECTIVE? #8 Economic Development			
STAFF RECOMMENDATIONS: Authorize staff to advertise RFP for Letters of Interest from Artists and other similar type vendors for use of Artist Cottage #4 at Riverside Park.			
REVIEWED BY: City Manager: City Attorney: City Clerk: Department Director:    			
COUNCIL ACTION: ☐ APPROVED ☐ DENIED ☐ DEFERRED ☐ OTHER			

**CITY OF BONITA SPRINGS
REQUEST FOR LETTERS OF INTEREST FOR
RIVERSIDE PARK COTTAGE USE AGREEMENT
RFP 20-**

The City of Bonita Springs is continuously seeking proposals for artists and other similar type vendors who seek to use City space in one (1) of the historic and recently refurbished fishing cottages located at Riverside Park, 27300 Old U.S. 41, Bonita Springs, FL 34135. The fishing cottages are 12' x 26' (312 sq. ft.) and are equipped with air conditioning, electric and water (to be included in the monthly fee for use). Bathroom access will be the same as public. The cottage will be filled on an ongoing basis when there is a vacancy from proposers who have submitted to this proposal.

It is the intent of the City to enter into Use Agreements with artists and other similar type vendors for use of the cottages. The City is interested in the public being able to observe a "village" of artists and/or craftsmen in a historic area which is undergoing redevelopment activities. Vendors will be required to be open for business during City organized special events. Other hours of operation to be determined by vendor.

The City sets the monthly fee for annual terms, to be determined by City Council based on fair market value of the space. A copy of the current rate is available from the Parks and Recreation Director, serving as the City's representative. City Council is not interested in selling any of the cottages.

If you are an artist or other vendors interested in leasing one of the cottages, please send the City of Bonita Springs a Letter of Interest in the following format:

- Letter of Interest shall be sealed, submitted and plainly marked on the outside of the envelope RFP 20- LETTER OF INTEREST: RIVERSIDE PARK COTTAGE USE AGREEMENT.
- Vendors should submit the proposal on or before **Monday March 30, 2020 at 2 pm** to Debbie Filipek, City Clerk, City of Bonita Springs, 9101 Bonita Beach Road, Bonita Springs, Florida 34135.
- Any Letters of Interest received after the specified time will not be considered
- Faxed documents will not be accepted. Letters of Interest should be on 8½" x 11" page paper, not to exceed ten (10) pages. Paper should be white, so that photographs and text are easily reproducible.
- Vendors are expected to fully inform themselves as to the requirements in the Standard Instructions in this Letter of Interest.
- All questions pertaining to this Request for Proposals must be submitted in writing by email at Nicole.perino@cityofbonitasprings.org or by mail to the attention of Nicole Perino, Parks and Recreation Director, City of Bonita Springs, 9101 Bonita Beach Road, Bonita Springs, FL 34135, telephone (239) 992-2556, fax (239) 992-1205.

Standard Instructions

1. LOI will be evaluated to determine which Vendors are most appropriate based on the City of Bonita Springs having an area for the public to be able to observe a "village" of artists and/or craftsmen in the park. If all of the requested information is not provided in the Proposal, the Proposal may be deemed non-responsive and may be eliminated from further consideration. Therefore, the information outlined below must be provided on 8½" x 11" page paper, not to exceed ten (10) pages (single sided) in length:
 - a. Description of type of vendor and/or concession;
 - b. Type of Business – Sole Proprietor, Partnership, Corporation, etc.;
 - c. Discussion of past vendor/work related experience;
 - d. A description of the type of art, craft, etc. that the vendor is proposing to demonstrate and potentially sell in the cottage.
 - e. If you will be using a kiln, please give a description of the kiln including its components and type.
 - f. A commitment and financial capability to pay the monthly fee of \$300 per month September – May and \$200 per month June - August to use the cottage with a possible increase based on market rate or inflation index each year.
 - g. A timetable of when the Vendor can commence operations at the Cottage.
 - h. Any chemicals or mechanical components which may be hazardous, flammable or otherwise dangerous to the public.
 - i. Qualifications and experience of outside Vendors or sub-Vendors regularly engaged by the Vendors under consideration;
 - j. Proof of payment of Lee County Business Tax Receipt (formerly occupational license tax) if available or statement of intent to obtain;
 - k. Proposal for duration of lease including but not limited to requested duration – full time, part time, weekend, seasonal, and commitment to work the special events
 - l. Any additional information provided by the Vendor which demonstrates nature of the proposal.
 - m. Current tenant of the artist cottage will be given additional consideration based on their prior performance as a tenant.
2. All questions pertaining to this Request for Proposals must be submitted in writing by email at Nicole.perino@cityofbonitasprings.org or by mail to the attention of Nicole Perino, Parks and Recreation Director, City of Bonita Springs, 9101 Bonita Beach Road, Bonita Springs, FL 34135, telephone (239) 992-2556, fax (239) 992-1205.
3. Vendors are expected to fully inform themselves as to the requirements of the Letter of Interest (LOI). Failure to do so will be at their own risk. A vendor shall not expect to secure relief on the plea of error or lateness. Any LOI not containing all material information requested herein may be rejected at the City's sole discretion. However, the City reserves the right to request any omitted information from any Vendors or to clarify any information submitted. The

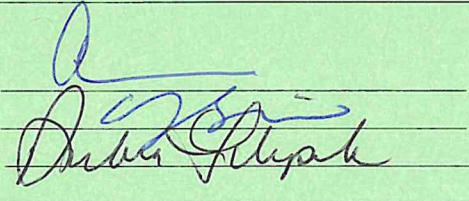
Vendor agrees that the submission of the LOI represents the Vendor's acceptance of the terms and conditions as set forth in this request for LOI.

4. The City is not responsible for any expenses incurred in preparing and submitting a LOI or taking any action in the selection process or for the cost of any services performed by any firm prior to the execution of a contract with the City.
5. The City reserves the right to reject any and all Letters of Interest, in whole or in part, with or without cause, to waive any informalities and technicalities, and to award the contract on such terms it deems to be in the best interests of the City.
6. UNDER NO CIRCUMSTANCES SHOULD ANY PROSPECTIVE VENDORS, OR ANYONE ACTING FOR OR ON BEHALF OF A PROSPECTIVE VENDOR, SEEK TO INFLUENCE OR GAIN THE SUPPORT OF ANY MEMBER OF THE CITY COUNCIL OR THE CITY STAFF FAVORABLE TO THE INTEREST OF ANY PROSPECTIVE VENDORS. LIKEWISE, CONTACT WITH THE CITY COUNCIL OR CITY STAFF AGAINST THE INTERESTS OF OTHER PROSPECTIVE VENDORS IS PROHIBITED. ANY SUCH ACTIVITIES MAY RESULT IN EXCLUSION OF THE PROSPECTIVE VENDOR FROM CONSIDERATION BY THE CITY.
7. Use Agreements will be awarded to a Vendor(s) for the use of one (1) cottage. The vendor will be required to maintain appropriate insurance (including professional liability insurance). The City of Bonita Springs shall be named as additional insured and be provided thirty (30) day prior written notice of any material change or cancellation of policies. Evidence of such coverage must be provided to the City of Bonita Springs prior to award of the agreement. All contracts and agreements will contain a hold harmless clause for the protection of the City of Bonita Springs.
8. Responses should be prepared simply and economically, and should provide straightforward and concise responses, which satisfy the requirements of this Request for Letters of Interest. Emphasis should be placed on the completeness and clarity of the content. The City of Bonita Springs shall not be liable for any expenses incurred in the preparation or presentation of the responses.
9. Federal, state, county, and local laws, ordinances, rules and regulations that in any manner affect the items covered herein shall apply. Lack of knowledge by the Vendors is no cause for relief from responsibility. Vendors are to be in full compliance with the following laws, specifically including, but not limited to: 1) Conflict of Interest; 2) City of Bonita Springs; 3) Government-in-the-Sunshine Laws; 4) Florida Public Records Law; 5) State of Florida Rules and Regulations; and, 7) ADA Rules and Regulations.
- 10. PUBLIC RECORDS - RESPONSES TO THIS RFP ARE PUBLIC RECORDS AVAILABLE FOR INSPECTION BY THE PUBLIC PURSUANT TO FLORIDA STATUTES §119.07.**
11. The City of Bonita Springs shall not be responsible for delays caused by the United States Postal Service, overnight express mail services, or for delays caused by any other occurrence.

12. The issuance of this RFP constitutes only an invitation to present Letters of Interests. The City of Bonita Springs reserves the right to determine, in its sole discretion, whether any aspect of the response satisfactorily meets the criteria established in the RFP, the right to seek additional information and/or clarification from any firm submitting a response, the right to negotiate with any firms or individuals submitting a response, and the right to reject any or all responses with or without cause.
13. In the event that the RFP is withdrawn by the City of Bonita Springs for any reason including, but not limited to, the failure of any of those things or events set forth herein to occur, the City of Bonita Springs shall have no liability for any costs or expenses incurred in connection with this RFP or otherwise.

Vendors Evaluation

1. All submitted LOIs will be reviewed by the Bonita Springs Art in Public Places Board (APPB) based on the information received. Based on this review, the APPB will identify the names of the most qualified vendors, by ranking, for City Council concurrence and acceptance.
2. Prior to ranking, the APPB may request the vendors to give an oral presentation. The vendor will be notified of the time and place of oral presentations. ORAL PRESENTATIONS MAY BE WAIVED BY THE APPB. If no oral presentations are requested, the APPB selection shall be based on the LOI submitted. If oral presentations are conducted, the vendors may be questioned by the APPB and City staff during the oral presentations.
3. The City reserves the right to reject any and all Letters of Interest.
4. Only those Vendors submitting Letters of Interest including all pertinent information as requested and which meet the requirements herein will be considered for Use Agreements, with the City filling vacancies on a space available basis.

BONITA SPRINGS CITY COUNCIL		GREEN SHEET:	20-03-051
AGENDA ITEM SUMMARY			
REQUESTED MOTION: Approve the Caretaker's Agreement for the Bonita Nature Place.			
MEETING DATE: March 4, 2020			
AGENDA:		REQUIREMENT/PURPOSE: (Specify)	REQUESTOR OF INFORMATION:
	PRESENTATIONS	STATUTE	Nicole Perino Parks and Recreation Director
X	CONSENT	ORDINANCE	
	PUBLIC HEARING	ADMIN. CODE	
	APPEALS	X OTHER	
	MAYOR AND COUNCIL MEMBER'S REPORTS		
	CITY ATTORNEY		
	CITY MANAGER		
BACKGROUND:			
Jason Jaccarino, who is the Maintenance Manager of the Parks and Recreation Department, has been the Caretaker for the Bonita Nature Place residing in the caretaker residence located on the property for the past six years. The caretaker's primary objective is to protect the property from vandalism and otherwise keep it secure as Council has previously determined to be necessary and in the best interest of the City. Attached is the Caretaker Agreement for caretaker services for Bonita Nature Place. Since 2014, City staff has decided it is appropriate for an employee to serve as caretaker. The terms of the Caretaker Agreement provide for a one year lease with both parties able to extend, a monthly rental fee of \$450, and special requirements regarding parking, maintenance obligations, and preserving the natural state of the environment. Attachment: Caretaker's Agreement			
IS THIS RELATED TO A STRATEGIC PLAN OBJECTIVE? ☐ YES ☒ NO IF YES, WHICH STRATEGIC OBJECTIVE?			
STAFF RECOMMENDATION: Approve the Caretaker Agreement for the Bonita Nature Place for a one year term.			
REVIEWED BY: City Manager: City Attorney: City Clerk: Department Director: 			
COUNCIL ACTION:			
☐ APPROVED ☐ DENIED ☐ DEFERRED ☐ OTHER			

CITY OF BONITA SPRINGS
CARETAKER'S AGREEMENT

THIS AGREEMENT is made on this ____ day of March, 2020, by and between and the City of Bonita Springs, a Florida municipal corporation (hereinafter, the "City"), whose address is 9101 Bonita Beach Road, Bonita Springs, Florida, 34135, and Jason Jaccarino (hereinafter, the "Caretaker"), whose address is 27601 Kent Road, Bonita Springs, Florida 34135.

WITNESSETH:

WHEREAS, the City owns certain property referred to as the Bonita Nature Place (the "Premises"). The Premises and all appurtenant property located in and about the Premises, together with all City-owned land and improvements surrounding or adjacent to the Premises are collectively referred to herein as the "Property"; and

WHEREAS, the City has determined that it is necessary and in the best interest of the City that a person resides in the Premises in order to protect the Property from vandalism and otherwise keep the Property secure and properly maintained; and

WHEREAS, Caretaker is willing to reside in the Premises to provide certain services, subject to the terms and conditions of this Agreement, as set forth herein.

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. The term of this Agreement shall commence April 4, 2020 and shall expire April 4, 2021 (the "Term"), unless otherwise extended by mutual agreement of the Parties as provided for herein.
2. Caretaker shall deposit with the City a sum equal to one month's rent and will be refunded upon leaving the premises, less any actual costs deducted pursuant to the terms of this Agreement.
3. Caretaker shall pay to the City a sum of \$450.00 per month as Rent for the Premises. The Parties agree that a sum of \$225.00 shall be deducted from Caretaker's payroll on a bi-weekly basis.
4. During the entire Term of this Agreement, Caretaker shall reside full-time in the Premises and shall use all reasonable efforts to protect the Property from vandalism and other abuse, damage, or destruction.
5. Caretaker shall keep the Premises and all fixtures, furnishings and other property belonging to the City located in and about the Premises, in good repair and in clean and healthy condition, and shall not damage, nor permit any other person to damage, any part of the Premises.
6. Caretaker shall promptly notify the Parks and Recreation Director of the cause, nature, and extent of any damage inflicted upon the Premises. In the event that any damage to the Premises is caused by Caretaker, or by any person or animal permitted by

Caretaker to be on or about the Premises, Caretaker shall be responsible for any and all repairs necessary to return the Premises to the same condition in which it existed when Caretaker took possession, reasonable wear and tear excepted.

7. Caretaker shall not make any alteration or addition to the Premises without prior written consent of the Parks and Recreation Director. Any alternation or addition to the Premises shall become and remain the property of the City upon the expiration of this Agreement.
8. Caretaker shall not erect, or otherwise display any signs, placards or posters on or about and visible from the exterior of the Premises without first obtaining the written consent of the Parks and Recreation Director.
9. Caretaker shall not keep dogs, cats, or any other animal that may disturb the wildlife. Caretaker may keep an indoor pet in the Premises after obtaining the written consent of the Parks and Recreation Director.
10. The Caretaker shall dispose of any garbage or recyclable items in the appropriate bins and shall ensure that the garbage and recycle bins are taken to the designated curb area in time for pick-up. Any excessive necessary removal of non-household waste shall be coordinated through contacting the Parks and Recreation Director.
11. Caretaker shall not use the Property, nor permit the Property to be used, for any unlawful purpose or for any purpose that could injure the reputation of the City. Caretaker shall not use the Property, nor permit the Property to be used, in any way that may increase the rate of fire or liability insurance on the Property. Caretaker agrees to indemnify and hold the City harmless from any damages sustained as a result of Caretaker's negligence or wrongful acts or omissions that constitute a breach of this Agreement.
12. The City reserves the right to access the property, including the personal premises of the Caretaker, with twenty-four (24) hours' notice provided to Caretaker.
13. Caretaker shall not allow the Premises to be occupied or used by any other persons than those specified in this Agreement and occasional guests, without first obtaining the written consent of the Parks and Recreation Director. Caretaker shall be responsible for the actions of any family members and all other persons occupying or using the Premises with his permission.
14. Caretaker shall not use the premises for any business purpose.
15. Caretaker shall not drive a City-owned vehicle to the Premises after business hours.
16. If Caretaker will be absent from the Premises for a period longer than two days, Caretaker shall notify the Parks and Recreation Director of the anticipated dates of absence so that alternative plans can be made for the security of the Property.

17. Caretaker agrees to park his personal vehicle and any vehicle belonging to his guests in the parking lot. Caretaker shall not park at the Nature Center Building during operating hours.
18. No outdoor storage is permitted of any kind, including but not limited to equipment, lawnmowers, and bikes. Such items shall be stored in the shed.
19. Caretaker acknowledges and understands that the Property is comprised of fragile and sensitive environment. Caretaker shall not light bonfires, create excess noise, or otherwise disturb the natural state of the Property in any way, unless prior written consent of the Parks and Recreation Director is obtained. Caretaker shall make all reasonable efforts to ensure that any domestic animal on or about the Property does not create a disturbance to the natural state of the Property or to any facility on the Property.
20. The City shall pay and be responsible for electricity, household garbage removal, and water to the Premises. Caretaker shall pay and be responsible for cable, internet and telephone services.
21. The City shall not be liable for any damage occasioned by failure to keep the Premises in repair, and shall not be liable for any damage from plumbing gas, water, steam or other pipes, sewerage, or the bursting, leaking or running from any cistern, tank, sink, toilet or wastepipe in or about the Premises, nor for damage by water, or ice, being on or coming through any roof, door or window, or otherwise. The City shall not be liable for any injury sustained in or about the premises by Caretaker, Caretaker's family or any invitee of Caretaker, or by any property of that person. Caretaker agrees to hold the City harmless from any costs incurred, including reasonable attorney's fees, or damages sustained as a result of any such injury. Caretaker shall be responsible for any renter's insurance to protect his personal property.
22. The license granted to Caretaker by City under this agreement shall commence on the date of this agreement and shall run for one year terms, including any extensions, unless terminated on the first to occur of the following:
 - a) Thirty days from the date either party gives written notice of intent to terminate.
 - b) If Caretaker leaves the employ of the City, the Caretaker will vacate the premises within thirty (30) days of termination.
 - c) Breach or default by either party of any of the terms of this Agreement.
 - d) Material damage to or destruction of the Premises that renders it untenable.
23. The license granted to Caretaker by this Agreement is exclusive to Caretaker and is nonassignable by Caretaker.
24. Upon the termination for any reason of the license granted to Caretaker, Caretaker and all other persons occupying or using the Premises through Caretaker shall immediately vacate the Premises, shall remove from the Premises all personal property, and shall leave the Premises in a clean and "move-in ready" condition. The

City's use of the Premises after any termination of license shall be without prejudice to any remedies which might otherwise be due to City for arrears in payment of the monthly rental fee or for damages to property, or otherwise.

25. The City and Caretaker acknowledge and agree that this Agreement is not intended to and does not constitute a lease, and neither City nor Caretaker shall have any rights or remedies generally available to, nor obligation generally imposed upon, landlords and tenants under Florida statutory or common law, other than those set out in this agreement. Noting contained within this Agreement shall be construed as creating an employer/employee relationship between the City and Caretaker.
26. Any notice required or permitted to be given and any payment to be made under this Agreement shall be deemed given and made if delivered personally or sent, postage prepaid, by registered mail, return receipt requested, to the Parties at the respective address listed in the first paragraph of this Agreement.
27. This writing represents the entire agreement of the Parties with respect to this subject matter. It may not be altered or amended except by subsequent written agreement executed by the Parties.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed on the date first written above.

Witness 1: Nicole Perino
(Signature)

Print Name: Nicole Perino

CARETAKER

By: Jason Jaccarino

Jason Jaccarino

Witness 2: Diane Fiorella
(Signature)

Print Name: Diane Fiorella

ATTEST:

CITY COUNCIL OF BONITA SPRINGS

By: _____
City Clerk

By: _____
Mayor Peter Simmons

Date filed: _____

APPROVED AS TO FORM:

By: _____
City Attorney's Office

AGENDA ITEM SUMMARY

REQUESTED MOTION:

Discussion of draft letter to FDEP regarding air quality monitoring stations at the Bonita Grande mine site located at 25501 Bonita Grande Drive.

MEETING DATE: March 4, 2020

AGENDA:

REQUIREMENT/PURPOSE: (Specify)

REQUESTOR OF INFORMATION:

Mayor Peter Simmons

BACKGROUND:

I wish to discuss with City Council concerns expressed by the Zoning Board regarding air quality monitoring for silica dust at the Bonita Grande Mine. Attached please find a draft letter to the Florida Department of Environmental Protection (FDEP) addressed to Secretary Noah Valenstein requesting an air quality monitoring station be placed at the site of the current operation of the Bonita Grande Mine.

Attachments: Draft letter

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

STAFF RECOMMENDATIONS: Council's pleasure.

REVIEWED BY:

City Manager:

City Attorney:

City Clerk:

Department Director:

COUNCIL ACTION:

___ APPROVED

___ DENIED

___ DEFERRED

___ OTHER

March 4, 2020

Mr. Noah Valenstein, Secretary
Florida Department of Environmental Protection (FDEP)
3900 Commonwealth Boulevard M.S. 49
Tallahassee, FL 32399

RE: Air Quality Monitoring

Dear Mr. Valenstein,

On behalf of the City of Bonita Springs, I am writing you regarding a matter of great concern to myself and our residents. We would like to request that an air quality monitoring station be placed at the site of the current operation of the Bonita Grande Mine, 25501 Bonita Grande Drive, Bonita Springs, Florida 34135. It is our understanding that DEP should be monitoring air quality, with our primary concern being the amount of silica dust in the air, especially as the mine nears its completion and is gearing up to go through the reclamation process so that it may be developed with residential units in the future.

If I can be of service in addressing any of your questions or concerns on this matter, please do not hesitate to contact me.

Sincerely,

Peter Simmons
Mayor

cc: City Council Members
Arleen Hunter, City Manager
Derek Rooney, City Attorney
Matt Feeney, Assistant City Manager

AGENDA ITEM SUMMARY

REQUESTED MOTION: First Reading and Public Hearing of the following Ordinance:

AN ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA, REVISING SECTION 7.02, COMPENSATION PLAN OF THE ADMINISTRATIVE REGULATIONS GUIDE, PROVIDING FOR SEVERABILITY, CONFLICTS OF LAW, SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

MEETING DATE: March 4, 2020

AGENDA:	REQUIREMENT/PURPOSE: (Specify)	REQUESTOR OF INFORMATION:
☐ PRESENTATIONS	STATUTE	Carly Sanseverino Staff Attorney Arleen Hunter City Manager
☐ CONSENT	ORDINANCE	
☒ PUBLIC HEARING	ADMIN. CODE	
☐ MAYOR AND COUNCIL MEMBER ITEMS	OTHER	
☐ MAYOR AND COUNCIL MEMBER'S REPORTS		
☐ CITY ATTORNEY		
☐ CITY MANAGER		

BACKGROUND

The purpose of this ordinance is to revise Section 7.02 of the Administrative Regulations Guide to address how employees shall be compensated during emergency management efforts and outside of normal City operations. This change is directly related to lessons learned from Hurricane Irma and recommended by FEMA to strengthen eligibility for reimbursement of administrative costs. No other changes were made.

The draft language was first provided on February 19, 2020, and this is the first public hearing. The second public hearing is scheduled for March 18, 2020.

Attachment: Draft ordinance

IS THIS RELATED TO A STRATEGIC PLAN OBJECTIVE? ☒ YES ☐ NO**IF YES, WHICH STRATEGIC OBJECTIVE?** #3 Strengthen City Finances**STAFF RECOMMENDATIONS:** Hold the Second Reading and Public Hearing on March 18, 2020.

REVIEWED BY:

City Manager:

City Attorney:

City Clerk:

Department Director:

COUNCIL ACTION:

☐ APPROVED
☐ DENIED
☐ DEFERRED
☐ OTHER

CITY OF BONITA SPRINGS, FLORIDA
ORDINANCE NO. 20-

AN ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA, REVISING SECTION 7.02, COMPENSATION PLAN OF THE ADMINISTRATIVE REGULATIONS GUIDE, PROVIDING FOR SEVERABILITY, CONFLICTS OF LAW, SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

WHEREAS, Section 36 of the Bonita Springs Charter authorizes the City Manager to "direct and supervise the administration of all departments, officers, and agencies of the City, except as otherwise provided by this Charter or by law;" and

WHEREAS, Section 39 of the Bonita Springs Charter provides that "the City Council shall provide by ordinance for the establishment, regulation, and maintenance of a merit system governing personnel policies necessary for effective administration of the employees of the City's departments, offices, and agencies, including, but not limited to, classification and pay plans, examinations, force reduction, removals, working conditions, provisional and exempt appointments, in-service training, grievances, and relationships with employee organizations;" and

WHEREAS, it has become necessary to amend Section 7.02j of the Administrative Regulations Guide to address pay for work performed during emergencies or disasters in accordance with those standards and guidelines promulgated by the Federal Emergency Management Agency (FEMA).

THE CITY OF BONITA SPRINGS HEREBY ORDAINS:

SECTION ONE: ADOPTION OF PORTIONS OF THE ADMINISTRATIVE REGULATIONS GUIDE

Section 7.02 of the Administrative Regulations Guide, attached as Exhibit "A" is hereby revised.

SECTION TWO: SEVERABILITY

The provisions of this Ordinance are severable, and it is the intention to confer the whole or any part of the powers herein provided for. If any Court of competent jurisdiction shall hold any of the provisions of this Ordinance unconstitutional, the decision of such Court shall not affect or impair any remaining provisions of this Ordinance. It is hereby declared to be the legislative intent that this Ordinance would be adopted had such unconstitutional provision not been included therein.

SECTION THREE: CONFLICTS OF LAW

Whenever the requirements or provisions of this Ordinance are in conflict with the requirements or provisions of any other lawfully adopted City of Bonita Springs Ordinance or Florida Statutes, the more restrictive shall apply.

SECTION FOUR: SCRIVENER'S ERRORS

Sections of this ordinance may be renumbered or re-lettered and that the word "ordinance" may be changed to "section", "article", or such other appropriate word or phrase in order to accomplish such intention; and regardless of whether such inclusion in the code is accomplished, sections of this ordinance may be renumbered or re-lettered and typographical errors which do not affect the intent may be authorized by the City Manager, or the City Manager's designee, without need of public hearing, by filing a corrected or re-codified copy of same with the City Clerk.

SECTION FIVE: EFFECTIVE DATE

The effective date of this ordinance is thirty days from the date of its adoption.

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

AUTHENTICATION:

Mayor

City Clerk

APPROVED AS TO FORM: _____
City Attorney

Vote:

Carr
Forbes
Gibson

Simmons
Quaremba

Date filed with City Clerk: _____

EXHIBIT A
ADMINISTRATIVE REGULATIONS GUIDE

Section: Classification and Compensation Plan

Policy: Compensation Plan

No. 7.02

Issued: September 1, 2014

Revised: *Ord. No. 15-09 (May 15, 2015)*

The compensation plan is intended to reflect the following:

- fair compensation for all classes in the classification plan with regard to range of pay for other classes
- general rates of pay for similar employment in private establishments and other municipalities or civil jurisdictions in the area or in other comparable areas
- availability of applicants to fill positions

To accomplish this, the City Manager may periodically seek approval from the City Council to conduct a comparative study of all the factors affecting the level of salary ranges and will recommend to the City Council such changes in salary ranges as are pertinent. Such adjustments will be made by increasing or decreasing the salary ranges as provided in the basic salary schedule. The rate of pay for each employee may be adjusted as approved by the City Council.

7.02a: Use of Salary Ranges

Salary ranges are intended to furnish administrative flexibility in recognizing differences among positions allocated to the same class, in providing employee incentive, and in rewarding employees for meritorious service.

7.02b: Appointment and Starting Rates

The minimum salary established for a position is considered the normal appointment rate for new employees.

Appointments above the minimum salary, but within the salary range, may be authorized by the City Manager if the applicant's training, experience, market conditions or other qualifications are substantially above those minimally required for the position.

7.02c: Pay Adjustments

Minimum and maximum pay rates are determined for each position based upon periodic salary studies. City Council may, at any time, adopt, amend or alter pay ranges. A pay adjustment may not increase the rate of employee base pay above the maximum pay range of the employee's classification. When an employee's base rate of pay is at the maximum of the pay range of the employee's classification, the employee will only be eligible for a lump sum payment, if qualified.

7.02d: Merit Pay Adjustments

For the purposes of merit pay adjustments, the City Council may adopt an increase percentage annually as a portion of the personnel services budget. The type, amount, and distribution of employee merit pay adjustments will be approved annually by the City Manager based on the Performance Management System.

Pay adjustments may be given as a salary increase or a lump sum payment, to be administered by the City Manager based on the performance standards and evaluation process considering all employees.

In the event that there is a change in position during the year, the merit pay out will be pro-rated based on the salary, performance score, and time in each position.

If City Council provides the appropriate funding during the budget process, pay adjustments for merit will be effective at the beginning of the first full pay period after April 1st of each year.

7.02e: Cost of Living Adjustments

City Council has the option of considering a cost of living adjustment (COLA) when necessary to adjust salaries across the board for all employees. City Council provides the appropriate funding, if any, during the budget process.

7.02f: Promotion Pay Adjustments

When an employee is promoted to a position with a higher minimum salary, the employee's new pay shall be increased to the minimum for the new position or the employee shall receive a pay increase within the new range that reflects at least a five (5) percent increase, whichever is greater.

The Department Head may recommend a larger increase depending upon the circumstances of the promotion. Approval must be received from the City Manager.

Promoted employees shall serve a promotional introductory period in accordance with these policies and procedures (see section 6.03: Introductory Period). Promotions will not change the employee's anniversary date.

7.02g: Demotions

Involuntary Demotion

When an employee is involuntarily demoted to a position in a classification with a lower minimum level salary, the employee's pay is likely to be reduced with the City Manager establishing a rate of pay within the range of the lower classification with consideration given to the Department Head's recommendations and factors such as the employee's length of service, work experience/history, knowledge, skills, abilities and previous performance evaluations.

Involuntary demotions may occur when an employee is not able to properly fulfill the normal duties and responsibilities assigned to a specific position.

Voluntary Demotion

When an employee requests a voluntary demotion, the pay may be reduced by the City Manager following the guidelines stated above. Voluntary demotions will only be granted if the position exists and it is in the best interests of the City to fill the position.

7.02h: Lateral Transfers

An employee on regular or introductory period status may, with the approval of the Department Heads concerned and City Manager, be transferred. Prior to accepting the transfer, employees should carefully consider the rules by which a transfer is accomplished.

An employee may be transferred within a department, to another department with the same classification or to another classification with a comparable salary range, and such transfer shall not change the employee's pay grade, pay rate or anniversary date:

1. If the employee has been employed less than six (6) months, he or she must serve an additional six (6) month introductory period.
2. If the employee has been employed six (6) months or more, but less than one year, he or she must serve a three (3) month introductory period.
3. If the employee has been employed for one (1) year or more, he or she must serve a one (1) month introductory period.
4. If during the introductory period the employee is found to be unqualified for the position or incompetent in performing the duties of the new position, he or she may be returned to the position from which he or she was transferred with the approval of the Department Heads and City Manager only if a vacancy exists.
5. If the former position is filled, an effort will be made to place the employee in a comparable position. If a vacancy does not exist and if it is impractical to create a new position, the employee may be transferred or demoted to another position for which he or she is qualified, or terminated and eligible for re-hire.

7.02i: Acting Appointments Pay

If an employee is temporarily appointed by a Department Head or the City Manager to an acting position for reasons other than vacation, for more than two (2) consecutive work weeks, the employee's pay may be increased to an appropriate amount as determined by the City Manager, for the duration of the appointment.

7.02j: Pay for Work during Emergencies or Disaster

The continued operation of critical functions in the event of an emergency or natural disaster situation is vital to the overall operation of the City and its many entities. ~~Pay for employees who are required to work during an emergency or disaster will be as follows:~~ Compensation for all work performed outside of normal City operations and due to an emergency or natural disaster shall be determined by the period of time in which the work was performed, as defined below, and by the personnel status of the employee who performed the work.

Emergency Prep period shall be defined as the period immediately prior to an anticipated emergency, such as the period of time in which the City is preparing for an on-coming hurricane or other forecasted potential natural disaster, beginning when non-essential personnel have been relieved of their duties while essential personnel continue working to prepare for the anticipated emergency or natural disaster prior to complete lockdown. This category shall also include the period of time commencing when the complete lockdown is lifting until the commencement of normal City operations for purposes of emergency pay.

Lockdown period shall be defined as the period of time during which the City is on complete lockdown and reporting personnel are working from designated emergency response centers. This period ends when the lockdown is lifted.

Reporting Personnel

- ~~1. City employees, exempt or non-exempt, who are designated as essential personnel by the City Manager and are assigned to work during emergencies, will be compensated for time worked. Paid time begins when the employee receives the call to report to work.~~
- ~~2. Emergency pay is calculated based on the employee's straight hourly rate; if more than 40 hours are worked during a normal work week, time and one-half the regular straight time rate will be paid.~~

Non-Reporting Personnel

- ~~1. When City operations are closed down before the start of a scheduled workday, all employees (non-essential and essential) will receive full pay for the scheduled workday.~~
- ~~2. When City operations are closed down during a scheduled workday, employees who report to work and are subsequently released by the City Manager will receive full pay for the workday.~~
- ~~3. Employees already on official leave will not receive any additional paid time off and will be paid according to their original leave request.~~

Non-exempt personnel shall receive one and one half times their regular wages for work performed during the Emergency Prep period and shall receive two and one half times their regular wages for work performed during the Lockdown period.

Exempt employees who are not Department Directors shall receive an hourly rate equivalent to their salary rate for all hours worked during Emergency Prep and Lockdown periods, in addition to their bi-weekly salary.

Exempt Department Directors required to report to a designated emergency response center shall receive the hourly rate equivalent to their salary rate for all hours worked during Lockdown period, in addition to their bi-weekly salary. This policy does not include the City Manager.

Required Timecards

All exempt personnel are required to complete and sign individual timecards for all hours associated with emergency response in order to receive emergency pay rates. The timecard must document the dates and hours worked, along with a detailed description of the work performed on each date.

When the City has established a separate general ledger account for the purpose of tracking costs associated with an emergency or natural disaster, emergency pay paid to an exempt employee shall be charged to said general ledger account established to track these costs, regardless of the availability of grant funding.

AGENDA ITEM SUMMARY**REQUESTED MOTION:** Second Reading and Public Hearing of the following ordinance:

AN ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA, AMENDING SECTION 4-87 OF THE LAND DEVELOPMENT CODE TO ADJUST TERM LIMITS ON THE PLANNING COMMISSION CHAIR; PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION, SCRIVENER'S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE.

MEETING DATE: March 4, 2020

AGENDA:		REQUIREMENT/PURPOSE: (Specify)	REQUESTOR OF INFORMATION:
	PRESENTATIONS		Derek Rooney City Attorney
	CONSENT	X	
X	PUBLIC HEARING		
	MAYOR AND COUNCIL MEMBER ITEMS		
	MAYOR AND COUNCIL MEMBER'S REPORTS		
	CITY ATTORNEY ITEMS		
	CITY MANAGER ITEMS		
		STATUTE	
		ORDINANCE – SECOND READING	
		ADMIN. CODE	
		OTHER	

BACKGROUND:

At the December 18th Council meeting at which the City Council discussed and adopted an ordinance removing all term limits for the current and future chairs of the Zoning Board, Council also directed staff to research and prepare ordinances and resolutions as necessary to remove similar term limits on all of the City's voluntary member boards.

Upon an initial review the City's Planning Commission which acts as the Local Planning Agency under Florida law, like the Zoning Board, also contains a two-year limitation on the appointment of any member to serve as chair. The proposed ordinance will remove such restriction. The first reading of the Ordinance was held on February 19, 2020. This would be the second public hearing and adoption hearing.

Attachment: Draft Ordinance

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

STAFF RECOMMENDATIONS: Adopt the Ordinance.**REVIEWED BY:**

City Manager:

City Attorney:

City Clerk:

Department Director:

COUNCIL ACTION:

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

1 CITY OF BONITA SPRINGS, FLORIDA
2 ORDINANCE NO. 20-
3
4

5 AN ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA,
6 AMENDING SECTION 4-87 OF THE LAND DEVELOPMENT CODE TO
7 ADJUST TERM LIMITS ON THE PLANNING COMMISSION CHAIR;
8 PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION,
9 SCRIVENER'S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE.
10

11 **WHEREAS**, the Charter provides that the City Council shall have the broadest
12 exercise of home rule powers permitted under the state Constitution and the laws of the
13 state; and
14

15 **WHEREAS**, pursuant to the Article VIII of the Florida Constitution, the City of
16 Bonita Charter and Section 166.021, Florida Statutes, the City Council is authorized to
17 adopt ordinances necessary for the exercise of its powers in for health, safety, and
18 general welfare; and
19

20 **WHEREAS**, the City Council has determined that it is in the best interests and
21 welfare of the City of Bonita Springs and its residents to enact this Ordinance.
22
23

24 **THE CITY OF BONITA SPRINGS HEREBY ORDAINS:**
25

26 **Section 1. Recitals Adopted.**
27

28 That each of the above stated recitals is hereby adopted and confirmed as being
29 true, and the same are hereby incorporated as a part of this Ordinance.
30

31 **Section 2. Amending Land Development Code**
32

33 The Bonita Springs City Code is hereby amending Chapter 4 - Zoning, Article II –
34 Administration, Division 3 – Planning Commission, Local Planning Agency, Section 4-89
35 of the City's Land Development Code amending subsection (a)(2) as follows:

36 Sec. 4-87. – Organization and Operation.

37 (a) Officers and staff.

38 (1) The mayor shall appoint the chair and the planning commission (local
39 planning agency) shall elect a vice-chair from among its membership. The vice-
40 chair is authorized to perform all duties of the chair in the absence of the chair.

41 ~~(2) No person shall act as chair for more than two consecutive years.~~

1 (3) The chair shall preside over the proceedings of the commission and shall
2 be entitled to participate fully in all discussions, to make and second motions,
3 and to vote.

4 (4) The chair shall cause the commission to prepare rules of procedure for the
5 commission, and amendments to rules, for approval by the city council.

6 (b) Meetings.

7 (1) The department director shall set the time and place of the meetings of the
8 local planning agency. However, if a meeting, once started, exceeds the time
9 which has been scheduled for the meeting, it may be continued to a date, time
10 and place certain, as the local planning agency shall determine. The local
11 planning agency shall meet at least once a month, unless no business is pending
12 before it. Additional meetings shall be held at the call of the chair or secretary
13 and at all such other times as the members may determine.

14 (2) Any action by the local planning agency shall require the presence of a
15 quorum. Four members shall constitute a quorum of the local planning agency. If
16 any member shall have more than three consecutive unexcused absences, the
17 chair shall report the matter to the city council and unless good cause is shown,
18 the council shall remove the member.

19 (3) All meetings shall be open to the public.

20 (4) The local planning agency shall adopt procedures for public participation.
21 Such procedures shall comply with the criteria set forth in F.S. § 163.3181.

22 (c) Voting, generally.

23 (1) Unless otherwise required by law or ordinance, action shall be taken by
24 majority of the quorum present.

25 (2) If a majority decision cannot be obtained, or if a tie vote results from a
26 motion to recommend to the city council that a proposed matter be approved, or
27 to recommend that it be denied, then the matter being considered shall be
28 deemed to have been denied, unless a majority of the members present and
29 voting agree by motion, before the next agenda item is called, to take some other
30 action in lieu of a denial. Such other action may be moved or seconded by any
31 member, regardless of his vote on any earlier motion. If such other action is not
32 agreed to be taken, the minutes of the local planning agency shall show that the
33 motion was called and that the matter voted upon was denied.

34 (d) Records.

(1) The secretary shall record and transcribe minutes of all proceedings. At a minimum, such minutes shall summarize testimonies, and shall reflect the motion and the votes.

(2) The department staff shall keep indexed records of all meetings, agendas, findings, determinations and resolutions. Such records shall be public records.

Section 3. **SEVERABILITY**

The provisions of this Ordinance are severable, and it is the intention to confer the whole or any part of the powers herein provided for. If any court of competent jurisdiction shall hold any of the provisions of this Ordinance unconstitutional, the decision of such court shall not affect or impair any remaining provisions of this Ordinance. It is hereby declared to be the legislative intent that this Ordinance would be adopted had such unconstitutional provision not been included therein.

Section 4. **CONFLICTS OF LAW**

Whenever the requirements or provisions of this Ordinance are in conflict with the requirements or provisions of any other lawfully adopted City of Bonita Springs ordinance or Florida Statutes, the more restrictive shall apply.

Section 5. **CODIFICATION AND SCRIVENER'S ERRORS**

It is the intention of the City Council that the provisions of this Ordinance shall become and be made part of the Bonita Springs Code; that sections of this Ordinance may be renumbered or re-lettered and that the word "ordinance" may be changed to "section", "article", or such other appropriate word or phrase in order to accomplish such intention; and that any typographical errors which do not affect the intent may be authorized by the City Manager without need of public hearing, by filing a corrected copy with the City Clerk. It is further the intent of the City Council that the provisions of this Ordinance may be modified as a result of consideration that may arise during public hearing(s) and that such modifications shall be incorporated into the final version.

Section 6. **EFFECTIVE DATE**

The effective date of this ordinance shall be thirty (30) days from its adoption date.

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

3
4 AUTHENTICATION:

5
6 _____
7 Mayor

_____ City Clerk

8
9 APPROVED AS TO FORM: _____

10 City Attorney

11 Vote:

12 Carr

Quaremba

13 Forbes

Simmons

14 Gibson

15
16
17 Date filed with City Clerk: _____

AGENDA ITEM SUMMARY**REQUESTED MOTION:** Second reading and public hearing of the following Ordinance:

AN ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA, AMENDING DIVISION 37. SUBDIVISION II, TEMPORARY USES AND SUBDIVISION III. MOBILE FOOD VENDORS OF THE LAND DEVELOPMENT CODE RELATING TO MOBILE FOOD VENDORS; PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION, SCRIVENER'S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE.

MEETING DATE: March 4, 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 December, 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.

The draft was presented to the LPA will be 2, 20, 2020 and was unanimously considered consistent with the Bonita Springs Comprehensive Plan. Staff will provide LPA comments/revisions at the City Council meeting. The item has now returned to City Council for a second reading and possible adoption.

IS THIS RELATED TO A STRATEGIC PLAN OBJECTIVE? YES ☒ NO**IF YES, WHICH STRATEGIC OBJECTIVE?****STAFF RECOMMENDATIONS:** Adopt Ordinance.**REVIEWED BY:****City Manager:****City Attorney:****City Clerk:****Department Director:****COUNCIL ACTION:**

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

CITY OF BONITA SPRINGS, FLORIDA

ORDINANCE NO. 20-__

AN ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA, AMENDING DIVISION 37. SUBDIVISION II, TEMPORARY USES AND SUBDIVISION III. MOBILE FOOD VENDORS OF THE LAND DEVELOPMENT CODE RELATING TO MOBILE FOOD VENDORS; PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION, SCRIVENER'S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Bonita Springs, Florida is the governing body of Bonita Springs; and

WHEREAS, Florida Statutes §166.021 authorizes the City of Bonita Springs to establish, coordinate and enforce laws that are necessary for the protection of the public; and

WHEREAS, on December 5, 2012 City Council passed Resolution 12-090 to declare a zoning in progress, directing that until these regulations are adopted and become effective or are determined not to be adopted by the City Council, or until 90 days from the effective date of Resolution 12-090, whichever first occurs, applications for mobile food vendors within the municipal boundaries the City of Bonita Springs were not processed or approved; and

WHEREAS, while drafting the regulations for mobile food vendors there were provisions in the Temporary Uses provisions of Land Development Code Chapter 4 that needed some minor revisions; and

WHEREAS, the City of Bonita Springs desires to have minimum regulations for mobile food vendors and food stands in place because their use can be disruptive to existing and future businesses, especially in the areas sensitive to redevelopment; and

WHEREAS, City Council recognizes the need for regulations intended to provide economic development and entrepreneurial opportunities for applicable businesses, while protecting public health, safety, and welfare, minimizing visual impacts to the public realm, and mitigating fiscal impacts to standard restaurants and related businesses; and

WHEREAS, City Council has provided guidance that food trucks should be permitted in portions of the City; and

WHEREAS, City Council has provided additional guidance that locational and development standards should be created to allow for food truck parks within the City; and

WHEREAS, this ordinance will still prevent food trucks and food truck parks from being located on Little Hickory Island and residentially zoned property.

Subdivision III. - Mobile Food Vendors

Sec. 4-2153. - Applicability, purpose and intent.

~~(a) This subdivision provides minimum regulations for mobile food vendors and food stands. The purpose and intent of this subdivision is to provide regulations for mobile food vendors and food stands, as their use is listed in [section 4-408\(c\)\(29\)](#) Group III and [section 4-408\(c\)\(43\)](#) Group I, food stands. The provisions below are intended to provide economic development and entrepreneurial opportunities for applicable businesses, while protecting public health, safety, and welfare, minimizing visual impacts to the public realm, and mitigating fiscal impacts to standard restaurants and related businesses. It is not the intent of these provisions to regulate mobile food vendors from operating that are in transit, i.e., making stops at locations within the city less than a half hour per location.~~

(a) Applicability – The City of Bonita Springs recognizes that this use is temporary and mobile in nature. These regulations are intended to define the locations and development standards for a site to be permitted for mobile food vendors. The standards established in these regulations are intended to allow mobile food vendors to operate while mitigating impacts to the site in which they operate and adjacent properties and right of ways. These regulations do not address mobile food carts, or mobile vendors that visit sites to temporarily vend for a period of minutes and not days or hours (i.e. ice cream trucks, construction or work site vendors). These vehicles are permitted by other agencies and cannot operate in the same manner as a mobile food vendor.

Permit Required – No mobile food vendor location is permitted without an approved permit. Such a permit only address the location. Food vendors are required to provide evidence of all applicable inspections and permits with the City and not permitted or registered through this ordinance.

(b) Property owners that have a fixed (stationery) mobile food vendor permitted before January 1, 2013, and have made substantial improvements to the property (obtained development orders and expended at least \$10,000.00 in site improvements) may continue to have a mobile food vendor on that site for eight years from adoption of the ordinance from which this subdivision is derived, subject to loss of nonconforming status per [section 4-2320](#) et seq. The community development director may grant a two year extension to the property owner. Property owner may replace the mobile food vendor, who may remain as originally permitted. Any new mobile food vendor located at the site must comply with [section 4-2156](#) except for the duration and physical movement of the vendor.

(Ord. No. 13-02, § 1(4-3061), 2-20-2013)

- **Sec. 4-2154. - Definitions.**

The following words, terms and phrases, when used in this subdivision, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Commissary means an approved facility that provides support services for specific required functions of a mobile food vendor, including, but not limited to, mobile food vehicles and mobile food carts. Any food establishment permitted or licensed by a regulatory agency, such as a catering operation, restaurant, grocery store or similar establishment or any otherwise approved facility by FDACS in which food, containers, or supplies are kept, handled, prepared, packaged or stored can be considered for approval as a commissary. When not required at the mobile food establishment, commissaries may provide a three compartment sink for washing, rinsing and sanitization of equipment/utensils in addition to hand wash and rest room facilities. Services required of the commissary will be based on the food sold and the mobile food establishment type and capabilities. A private residence may not be used as a commissary (see F.S. ch. 500).

Food stand means a temporary, non-motorized food unit with limited infrastructure, which serves food and/or beverage intended for immediate consumption and does not provide indoor seating.

Mobile food cart means any non-motorized mobile food unit with limited infrastructure, which serves food and/or beverages intended for immediate consumption. Mobile food carts may not exceed six feet in length, three feet in width (exclusive of wheels), or four feet in height (exclusive of wheels and umbrellas).

Mobile food vehicle means a motorized mobile food unit, which may be self-sufficient in terms of potable water, sanitary sewer and electric utilities, and generally consists of an enclosed truck, trailer or similar vehicle, where food may be stored, prepared, cooked, and/or served. An open bed truck, van or converted automobile is not considered a mobile food vehicle and is not eligible for a mobile food vending permit pursuant to this division.

~~*Mobile food vending permit* means a permit granted by the city to a mobile food vendor to conduct food vending from a mobile food cart, vehicle, or food stand.~~

Mobile food vendor means any person or business selling foods other than fresh fruits or vegetables from a mobile food vehicle, mobile food cart or food stand.

~~*Mobile food vendor group site* means the temporary siting of two or more mobile food vendors on a single property during a special event, subject to an approved temporary use permit.~~

Mobile Food Vendor Park means a site approved through a Special Exception to allow for permanent location for three or more mobile food vehicles. Such sites must include required infrastructure and generally include public seating for all vehicles serving in the park.

(Ord. No. 13-02, § 1(4-3062), 2-20-2013)

Sec. 4-2155. - Permit required.

~~(a) No mobile food vendor shall be permitted to operate within the city unless a permit has been obtained from the department of community development.~~

~~(b) A mobile food vendor permit granted under this subdivision authorizes a vendor to sell food and/or beverages subject to all other applicable requirements in this chapter.~~

~~(c) Mobile food vendor permits shall be regulated as follows:~~

~~(1) No more than five mobile food vendor permits, as defined in this subdivision, shall be in effect at any time within the city, excluding temporary use permits issued pursuant to this subdivision.~~

~~(2) Permits shall be issued on a first come, first serve basis, and are non transferable.~~

~~(3) A mobile food vendor may request approval to vend at a maximum of two locations per application, subject to the submittal requirements of this subdivision.~~

~~(4) Permits, unless sooner suspended or revoked, shall be valid for an initial period of six months from the date of issuance.~~

~~(5) Permit holders may apply to renew the permit for a period of 12 months no sooner than 30 days prior to permit expiration.~~

~~(6) Approved permits must be attached to the mobile food vendor unit where they are readily visible and shall include the name, mailing address, and valid phone number of the mobile food vendor unit owner and shall list the addresses and parcel identification numbers where the permit is valid.~~

~~(7) Routine inspections may be conducted by building or fire inspectors on each mobile food vendor at any time and at any frequency deemed appropriate by the city.~~

~~(8) Any mobile food vendor unit that has been issued a notice of health violation by the state, and on a subsequent inspection, a state inspector determines that the mobile food vendor has not corrected the violation, shall have its city issued mobile food vendor permit revoked and food service shall cease in the city.~~

~~(d) Submittal requirements. Applications for mobile food vendor permits must include the following information:~~

~~(1) The name, address, telephone number, and email address of the applicant.~~

~~(2) A description of the type of food and/or beverages to be sold.~~

~~(3) Color photograph of the mobile food vehicle, cart or food stand depicting the current condition of the unit.~~

~~(4) Address of proposed vending site, including the property address, property owner's name and telephone number, and the name of the principal business located on the property (where applicable).~~

~~(5) A site plan for each proposed vending site, drawn to scale, depicting the following information:~~

~~(a) Total square footage of the property;~~

~~(b) Location and square footage of the existing principal and accessory uses, where applicable;~~

~~(c) Location and number of existing parking spaces, including a calculation that demonstrates the number of parking spaces required for the principal uses, and the number of parking spaces available to service the mobile food vehicle, cart or food stand pursuant to section 4-1732;~~

~~(d) Proposed location for the mobile food vehicle, cart or food stand;~~

~~(e) Location of ingress/egress to the site; and~~

~~(f) Table demonstrating the minimum setbacks in compliance with the underlying zoning district and this subdivision.~~

~~(6) Address of proposed location to store the mobile food vehicle, cart or food stand when not in use.~~

~~(7) A copy of all permits and business licenses required by the state, the county and the city.~~

~~(8) A notarized commissary agreement confirming the mobile food vendor is operating in conjunction with a licensed commissary in accordance with state statutes, where applicable. All commissaries must be pre-approved by the city prior to issuance of a mobile food vendor permit.~~

~~(9) A notarized affidavit signed by each property owner indicating that the vendor has permission to vend on the site. The affidavit must also indicate that the property owner acknowledges the following requirements:~~

~~(a) The property owner shall comply with all ordinances regarding solid waste disposal and must provide the vendor access to solid waste collection on the subject property;~~

~~(b) The property owner shall require that the vendors meet all applicable federal, state and local statutes, regulations, laws, ordinances, rules and codes, including, but not limited to, permitting requirements regarding his or her specific business;~~

~~(c) The property owner shall acknowledge that he understands the regulations governing mobile food vendors and will be held responsible, along with the vendor, for any code violations; and~~

~~(d) The property owner shall ensure that the property will be continuously maintained in a neat, clean, and orderly manner.~~

~~(10) Proof of business insurance, issued by an insurance company that is licenses to do business in the state, protecting the applicant from all claims for damages to property and bodily injury, including death, which may arise from operations under or in connection with mobile food vending. Such insurance shall name the city as an addition insured party and shall be in at least the amount of \$500,000.00 for occurrence for injury and \$200,000.00 per person.~~

~~(11) Letters of no objections from any school, church, restaurant Group II through IV or residence within 500 feet, or where applicable pursuant to section 4-2157.~~

~~(12) Application fee as outlined in the city's adopted fee schedule.~~

~~(Ord. No. 13-02, § 1(4-3063), 2-20-2013)~~

~~Sec. 4-2156. General standards.~~

~~The following standards shall apply to all mobile food vendor permits:~~

~~(1) Mobile food vehicles, carts or food stands may be permitted on nonresidentially zoned properties as specified in the zoning district regulations, in compliance with this subdivision.~~

~~(2) Establishments and/or vendors governed by this subdivision shall be limited in operation on-site from 7:00 a.m. to 9:00 p.m., Monday through Sunday, unless additional hours are permitted pursuant to this subdivision.~~

~~(3) The mobile food vehicle or cart must physically be moved at least daily and cannot remain in a permitted vending location outside the approved hours of operation.~~

~~(4) Maximum duration. Mobile food vehicles, carts and food stands may not vend at the same location for more than a three days per week (beginning and ending at 7:00 a.m. on Mondays). The mobile food vehicles, carts and food stands must be moved to a different location (permitted) when not in use at the permitted vending locations.~~

~~(5) Exterior colors. Neon and fluorescent colors are prohibited. The use of black paint is limited to trim.~~

~~(6) No products shall be sold from any mobile food vendor vehicle or cart which is stopped, standing, or parked in any public street/right of way, crosswalk, and/or driveway. The mobile food vehicle or cart shall not impede the flow of traffic or pedestrians on the sidewalk, or obstruct access to fire hydrants.~~

~~(7) The mobile food vendor shall not block/interfere with required parking spaces, building access, loading areas, stormwater drainage systems, or landscape buffers associated with the principal use.~~

~~(8) Mobile food vehicles, carts, food stands and associated displays must be located in accordance with the principal structure setbacks of the underlying property's zoning district. Mobile food carts must be located in accordance with the accessory structure setbacks of the underlying property's zoning district.~~

~~(9) Parking spaces shall be provided in accordance with [section 4-1732](#). Existing parking spaces for the principal use may count towards the required parking for the mobile food vendor use. However, at no time may the required number of parking spaces for the principal use be rendered nonconforming due to mobile food vendor use.~~

~~(10) The sale of alcohol beverages from a mobile food vehicle or cart is prohibited.~~

~~(11) Amplified music or other sounds from any mobile food vehicle or cart for the purposes of vending products is prohibited.~~

~~(12) Mobile food vendors are prohibited from discharging fat, oil, grease, and waste water into the sanitary sewer system. Waste shall be properly stored and disposed of at the commissary or other permitted recycling/disposal facility.~~

~~(13) Ice must be drained into a retention tank to be properly disposed of at the commissary or designated servicing area. No wastewater leakage will be allowed.~~

~~(Ord. No. 13-02, § 1(4-3064), 2-20-2013)~~

~~Sec. 4-2157. Prohibited locations.~~

~~(a) Mobile food vending is prohibited on all parcels zoned for residential uses.~~

~~(b) Mobile food vending is prohibited within the Old U.S. 41 Redevelopment Overlay District (see [section 4-866](#)), unless approved pursuant to a temporary use permit for a permitted special event.~~

~~(c) A maximum of one mobile food vendor may be permitted to vend per lot at the same time, unless the location has been permitted as a mobile food vendor group site pursuant to a temporary event/use permit.~~

~~(d) Setbacks.~~

~~(1) Unless there is a letter of no objection, mobile food vehicles, carts and food stands shall not be located closer than 500 feet from:~~

~~(a) Any school (noncommercial) or day care center (child).~~

~~(b) Church of place of worship.~~

~~(c) Restaurants, Groups II through IV.~~

~~(d) Any residentially used properties.~~

~~(2) A letter of no objection is not required when the applicant subject mobile food vehicle, cart or food stand is the school, day care center, church, or Groups II through IV restaurant.~~

~~(3) Mobile food vehicles, carts and food stands shall not be located closer than 200 feet from any other mobile food vehicle or cart, unless operating at an approved~~

~~special event. For the purposes of this subsection, the distance shall be measured in a straight line from the subject mobile food vehicle, cart or food stand to the nearest mobile food vehicle, cart or food stand, and/or from the subject mobile food vehicle, cart or food stand to the property line of the school, day care center, church, or Groups II through IV restaurant.~~

~~(Ord. No. 13-02, § 1(4-3065), 2-20-2013)~~

General Standards -

1. Locations must not interfere with vehicular, multi-modal, pedestrian access and access ways.
2. Cannot be located in a required parking space or driveway, unless it is specifically demonstrated the parking or driveway is not used during the time and/or days the mobile food vendor location is permitted.
3. A mobile food vendor cannot install or create features, signs, or other identification not utilized while driving, that extend more than 3' from the vending vehicle in any direction.
4. Must be located on property or within a development with completed infrastructure improvements.
5. The property cannot be zoned residential, unless the event is for a community and the controlling association requests a location at a clubhouse or other portion of the community separate from residences.
6. All mobile food vendors shall be located in areas and in a manner that they do not create an adverse view or vista. More specifically, the mobile food vendor cannot interfere or negatively impact the visibility or aesthetics of a commercial development.
7. No more than two mobile food vendors can be requested on a single site. For purposes of this specific requirement, a site includes an entire commercial development even if that development consists of more than one parcel.
8. A mobile food vehicle cannot be permitted within 150 feet of another permitted location, or mobile food vendor park.
9. Permitted sites will have the mobile food vendor removed at the end of permitted operating hours.
10. Alcohol shall not be sold or consumed from a mobile food vendor.
11. Advertising signs may be permitted upon the mobile food vendor, but there will not be additional signage installed in any other location.
12. Notification will only be provided by courtesy mailing for property owners within 1,000' and be the responsibility of the applicant. The mailing list and copy of notification will be provided to the City. The request for approval will also be listed on the advertised City Council agenda.
13. Property Owner Responsibilities will include; and
 - a) Provision of sanitary facilities consistent with the standards of the Florida Building Code while considering aesthetics of the site; and
 - b) The responsibility to ensure vendors meet all applicable federal, state, and local statutes, regulations, laws, ordinances, rules and codes; and
 - c) Acknowledgement that the regulations governing mobile food vendors hold the vendor and property owner responsible for violations of code.

- d) Ensure that the property (both the subject site, and other properties that may be directly impacted by mobile food vending) be kept in a continuously neat, clean, and orderly manner

Permit Submittal Requirements –

1. Completed application.
2. Signed authorization from the property owner or authorized representative.
3. Proof of business insurance, issued by an insurance company that is licensed to do business in the state, protecting the applicant from all claims for damages to property and bodily injury, including death, which may arise from operations under, or in connection with mobile food vending. Such insurance shall name the city as an addition insured party and shall be in at least the amount of \$500,000.00 for occurrence for injury and \$200,000.00 per person.
4. Site Plan based on a valid survey, approved development order, or Master Concept Plan with dimensions and infrastructure identified, including the proposed location of the mobile food vendors. For large or phased projects, the plan submitted must provide enough detail to determine pedestrian and vehicular access to a public right of way.
5. All sidewalks, driveways, rights of way, parking areas, outdoor seating areas, buildings with entry locations.
6. A statement declaring if biodegradable packaging will be utilized, and if not, why.
7. If required parking spaces are to be utilized, the times businesses use those spaces and the proposed time they would be used for mobile food vending.

Mobile Food Vendor Park

Applicability – This applies to any location that intends to provide permanent locations for mobile food vendors either through dedicated parking within an existing facility, or the creation of parking for such purpose. It is the permanent nature and not the number of mobile food vendors that distinguishes a mobile food vendor Park from temporary mobile food vendor locations.

General Standards

1. Must provide stabilized surface for the parking of the intended number of mobile food vendors
2. Central water and sewer must be provided for all mobile food vendors and the general public.
3. A mobile food vendor park can only co-locate on a site with existing uses if the tenants of those legal uses sign a no objection form
4. Any accessory structures, seating areas, pedestrian access must be specifically approved as part of the submitted plan.
5. There shall be no more than one mobile food vending park within 150 feet of another permitted park or mobile food vending location.
6. Parking will be provided at three spaces per mobile food vendor, plus 1 additional parking space per 15 seats.
7. Restroom facilities will be required based on the standards of the Florida Building Code.
8. Cannot be located on the site of an active, or abandoned gas station.

9. Neighborhood meetings are required consistent with Bonita Springs LDC 4-28.
10. Public notice will include courtesy mailed notices for property owners within 2,000' for both Zoning Board and City Council hearings.
11. Mobile food vendors may have advertising on their vehicles, however, signage for a mobile food vending park must be consistent with the standards of Bonita Springs Land Development Code Chapter 6.

Permit Submittal Requirements

1. Mobile Food Vendor Parks may only be approved through a Special Exception permit
2. All required submittal requirements for a Special Exception, and
3. For open air central seating areas, an analysis for off-site impacts.
4. Analysis for off-site impacts of glare, dust, vibration, and odor on the adjacent and surrounding community.
5. For applications with outdoor entertainment, analysis for off-site impacts for noise.

Mobile Food Vendors

1. For Mobile Food vendors to locate at an approved location (both an approved site or approved mobile food vendor park), they must provide evidence that all required permits, inspections, licensure, or other approvals as needed by either county, state, or federal agencies prior to operating within the City.
2. Documentation will be submitted to the City through copies or accepted electronic forms.
3. Submittal of these documents will not produce a permit and other than maintain evidence of documents for public records, it will not produce a registry or registration.

Sec. 4-2158. - Temporary event/use permit.

(a) Intent; applicability. It is the intent of this section to require mobile food vendors to obtain a temporary use permit for vending at the specific location where an event is held. This section pertains to, but is not limited to the following events:

- (1) Grand openings or open houses at residential, commercial or industrial developments;
- (2) Special outdoor holiday or celebration events;
- (3) Political rallies or events;
- (4) Block parties; and
- (5) Carnivals.

(b) Limitations. If the event for which the temporary permit is sought continues for longer than three days, the applicant may petition the director for an extended permit. A temporary use permit may not be issued for more than ten days.

(c) Procedure for approval. The following is the procedure for requesting approval of mobile food vendor temporary use permit.

(1) Any mobile food vendor seeking approval of a temporary use permit must submit a written request to the department of community development. The written request must include:

- (a) The name and address of the applicant;
- (b) A general description of the event and exact site where food and/or beverages are to be sold and consumed;
- (c) The type of food and beverages to be sold and consumed;
- (d) Proposed hours of operation; and
- (e) A fee in accordance with the adopted fee schedule.

(2) The director will render a final decision within ten working days. The decision will be in the form of approval, approval with conditions or denial. The director may forward the request to other appropriate agencies for comment.

(Ord. No. 13-02, § 1(4-3066), 2-20-2013)

AGENDA ITEM SUMMARY

REQUESTED MOTION: Update on LOI #19-16 for Wonder Gardens Café Property and request Council member to assist staff in lease negotiations

MEETING DATE: March 4, 2020

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

☐	PRESENTATIONS	☐	STATUTE
☐	CONSENT	☐	ORDINANCE
☐	PUBLIC HEARING	☐	ADMIN. CODE
☐	MAYOR AND COUNCIL MEMBER ITEMS	☐	OTHER
☐	MAYOR AND COUNCIL MEMBER'S REPORTS	☐	
☐	CITY ATTORNEY ITEMS	☐	
☒	CITY MANAGER ITEMS	☐	

Matt Feeney
Assistant City Manager

Elly Soto McKuen
Senior Project Manager

BACKGROUND: At the September 18, 2019 meeting, City Council provided direction to advertise a Letter of Interest (LOI) for potential tenants for the Wonder Gardens Café building located at 27120 Old 41 Road. During the meeting, Council agreed to allow Everglades Wonder Gardens to apply by providing for an exception to the stated restaurant use for the proposals.

At the December 18, 2019 meeting, City Council awarded the LOI to Everglades Wonder Gardens for the Wonder Gardens Café building. During the February 5, 2020 Council meeting, City Council requested Staff notify the Wonder Gardens regarding their intent to open discussions concerning the existing Operating Agreement. At the meeting Staff recommended it may be helpful to address this as a holistic issue. Staff would like to request an individual member of Council assist them in the negotiations so that we can review rental rates, financial documents, and use of the facility.

Staff contacted CBRE to determine appropriate market rental rates for Bonita Springs. CBRE has suggested a per square foot rental rate that could be supported in the Bonita Springs Area.

In addition to the proposed rental rates, staff would suggest the following:

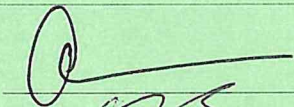
1. Include an annual escalator clause
2. Apply tenant improvements for Wonder Gardens Café building improvements toward partial rent reduction
3. Name a Council representative liaison to assist with lease agreement

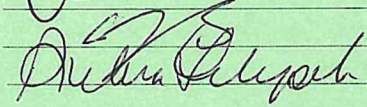
IS THIS RELATED TO A STRATEGIC PLAN OBJECTIVE? ☒ YES ☐ NO

IF YES, WHICH STRATEGIC OBJECTIVE? 3) Strengthen City Finances, 5) Community Aesthetics, 7) Government Transparency and 8) Economic Development

STAFF RECOMMENDATIONS: Appoint Council Member to assist staff in the negotiations.

REVIEWED BY:

City Manager: 

City Attorney: 

City Clerk:

Department Director:

COUNCIL ACTION:

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

AGENDA ITEM SUMMARY

REQUESTED MOTION: Discussion on regulations relating to elevators.**MEETING DATE:** March 4, 2020

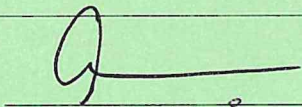
AGENDA:		REQUIREMENT/PURPOSE: (Specify)	REQUESTOR OF INFORMATION:
☐	PRESENTATIONS	☐ STATUTE	John Dulmer Community Development
☐	CONSENT	☐ ORDINANCE	
☐	PUBLIC HEARING	☐ ADMIN. CODE	
☐	MAYOR AND COUNCIL MEMBER ITEMS	☐ OTHER	
☐	MAYOR AND COUNCIL MEMBER'S REPORTS	☐	
☐	CITY ATTORNEY ITEMS	☐	
☒	CITY MANAGER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

BACKGROUND: At Council's meeting of February 19, 2020, Staff provided a presentation on density in downtown Bonita Springs. At that time, Council discussion was held, with Council addressing a possible requirement for elevators in the downtown area. Staff will be providing information on existing regulations and standards for City Council's review.

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

STAFF RECOMMENDATIONS: Council's pleasure.

REVIEWED BY:

City Manager: 

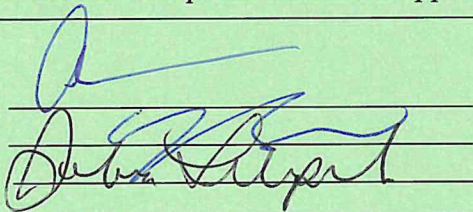
City Attorney: 

City Clerk:

Department Director:

COUNCIL ACTION:

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

BONITA SPRINGS CITY COUNCIL		GREEN SHEET:	20-03-057
AGENDA ITEM SUMMARY			
REQUESTED MOTION: Approve resolution adopting the City's Emergency Operations Plan.			
MEETING DATE: March 4, 2020			
AGENDA:	REQUIREMENT/PURPOSE: (Specify)	REQUESTOR OF INFORMATION:	
☐ PRESENTATIONS	☐ STATUTE	Arleen Hunter City Manager Carly Sanseverino Staff Attorney	
☐ 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: On February 19, 2020, Council received a draft of the City's Emergency Operations Plan (EOP). Pursuant to state statute, the policies and procedures contained in the EOP are in alignment with the County's emergency management operations and have been reviewed by the Director of Lee County Public Safety – Emergency Management, for consistency with the Lee County Comprehensive Emergency Management Plan. The EOP provides the framework for response and emergency management; defines roles and responsibilities of the City's emergency response system; and provides triggers for implementation of the EOP during disasters; all of which, along with training and exercises, prepares the City to respond effectively when impacted by an emergency or natural disaster. The EOP also addresses the integration and coordination with other governmental agencies and nongovernmental organizations involved in emergency preparedness, response, and recovery operations. The EOP and its adoption by resolution is required to maintain compliance with the Federal government's National Incident Management System (NIMS) program elements, enabling eligibility for state and federal disaster assistance and preparedness funding. Attached is a resolution adopting the EOP in accordance with FEMA guidelines. Tony Backhurst, manager of Neighborhood Services, will provide a brief overview of emergency operations at the meeting. Attachments: Resolution Emergency Operations Plan			
IS THIS RELATED TO A STRATEGIC PLAN OBJECTIVE? ☒ YES ☐ NO IF YES, WHICH STRATEGIC OBJECTIVE? #6 Strengthen City Finances			
STAFF RECOMMENDATIONS: Adopt the resolution approving the City's Emergency Operations Plan.			
VIEWED BY: City Manager: City Attorney: City Clerk: Department Director: 			
COUNCIL ACTION: ☐ APPROVED ☐ DENIED ☐ DEFERRED ☐ OTHER Page 69 of 109			

CITY OF BONITA SPRINGS

RESOLUTION NO. 20-

A RESOLUTION OF THE CITY OF BONITA SPRINGS, FLORIDA, ADOPTING THE CITY'S EMERGENCY OPERATIONS PLAN AND DECLARING NIMS AS THE SYSTEM OF CHOICE FOR EMERGENCY MANAGEMENT; PROVIDING FOR CONFLICTS OF LAW, SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to F.S. §252.38, safeguarding the life and property of its citizens is an innate responsibility of the governing body of each political subdivision of the State, and municipalities are authorized and encouraged to create municipal emergency management programs; and

WHEREAS, the City of Bonita Springs City Council has determined that it is necessary to establish an Emergency Operations Plan (EOP) in order to reduce the effects of a major emergency or natural disaster and to protect the health, safety, and welfare of the residents of the City; and

WHEREAS, the EOP provides a flexible framework for the prompt and effective provision of emergency response procedures and unifies City departments and community partners in a common effort to prevent, protect against, mitigate, respond to, and recover from the threats and hazards that pose a risk to the City; and

WHEREAS, this EOP is consistent with and subject to the Lee County Comprehensive Emergency Management Plan in accordance with F.S. §252.38.

WHEREAS, established by FEMA, the National Incident Management System (NIMS) is a comprehensive standardized approach to incident management, and applies to all incidents, regardless of cause, size, location, or complexity; and

WHEREAS, adoption of the EOP by resolution is a requirement under NIMS

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

1. This resolution shall promulgate the City of Bonita Springs Emergency Operations Plan and constitutes adoption of the plan and the adoption of NIMS.
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 4th day of March, 2020.

AUTHENTICATION:

Mayor

City Clerk

APPROVED AS TO FORM: _____
City Attorney's Office

Vote: Carr Quaremba
 Forbes Simmons
 Gibson

Date filed with City Clerk: _____



CITY OF BONITA SPRINGS EMERGENCY OPERATIONS PLAN

Adoption date:

Executive Summary

The City of Bonita Springs Emergency Operations Plan (EOP) has been compiled as a guide for the City's preparation for and response to an emergency or disaster. This EOP utilizes a methodology that parallels the National Response Framework, as well as the State and County Emergency Plans, and is designed to provide a framework for the City of Bonita Springs to effectively prepare for and respond to the effects of an emergency or disaster in the most efficient and safe manner possible. Upon a declaration of State of Emergency by the County or State, the procedures and protocols set forth here are intended to complement the lead agency coordinating incident management.

While severe weather such as a tropical storm or a hurricane can cause the most wide-spread damage and potential for loss of life and damage to property, smaller events with less warning, such as hazardous material spills, tornadoes, or fires, need to be considered as well so that the City and its staff can be as well-prepared as possible.

The first part of this EOP is the basic plan, and provides an explanation of the purpose, scope, and methodology used for the planning, direction and control, organizational structure, standard operating procedures, etc.

Departmental plans are developed separately from the adopted EOP and are designed to be updated and enhanced by the respective Department Directors and their subject matter experts. Checklists of equipment, responsibilities, and other summaries are included therein and intended to be a resource available to City employees. Details and procedures contained in these departmental plans are often of critical importance to the safety of City employees and the efficiency of the overall plan because of the local knowledge and information that they contain. As such, special attention must be paid to their maintenance, accuracy, completeness, and security.

This plan is designed to provide a basis for City leaders and staff to manage a program that allows for a coordinated and logical approach to community preparedness. In order for this plan to be effective, it must be read and understood by those who will be tasked with implementing it when needed. All City employees shall receive a copy of this plan upon initial hire, and updated copies shall be distributed upon completion of each annual review cycle.

This is this official Emergency Operations Plan of the City of Bonita Springs and shall supersede all previous plans upon its adoption.

Arleen M. Hunter
City Manager

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Appendix A: City of Bonita Springs Boundary Map

Appendix B: Lee County Evacuation Zone Map

Appendix C: City of Bonita Springs Organizational Chart

Appendix D: The Incident Action Planning Process

Appendix E: Disaster Accounting Forms

I. INTRODUCTION

Purpose

The purpose of the Emergency Operations Plan (EOP) is to provide the City of Bonita Springs with structured guidance regarding the necessary measures in all phases of emergency management in accordance with the guidelines set forth by the Federal Emergency Management Agency (FEMA). The plan is a flexible framework that is designed to provide:

- A systemic and thorough protocol to follow while preparing for, responding to, and mitigating the effects of emergencies such as tropical storms, hurricanes, tornadoes, hazardous materials incidents, terrorism, and other major and minor events impacting the City of Bonita Springs;
- Established protocols for each operational phase of emergency operations in order for staff to transition between phases in an orderly manner and with the ability to manage the potential impact of a tropical storm or hurricane;
- The integration of necessary actions into an Incident Command System (ICS);
- Organized coordination with Lee County and the State of Florida's government responses before, during, and after the emergency incident;
- Recovery and mitigation programs that contribute to disaster resiliency and accelerated recovery so that our community can return to normalcy as soon as possible;
- Prearranged contractual services that augment existing resources with assistance and equipment for pre- and post-recovery activities in accordance with State and Federal regulations.

City Departments are expected to develop and update detailed plans and procedures for the implementation of the guidance contained in this EOP. All plans and procedures should be formed in consideration of the Lee County Comprehensive Emergency Management Plan, the State of Florida Comprehensive Emergency Management Plan, Chapter 252 of the Florida Statutes, Rule 9G-6 of the Florida Administrative Code, and the Federal Robert T. Stafford Act.

Scope

This EOP has been developed to provide guidance and direction to the City Administration, elected officials, and City staff to prepare for, respond to, recover from, and mitigate the effects of natural and manmade disasters and emergency situations. This plan operates on the premise that, upon declaration of a State of Emergency by either the County or the State, the City shall operate as a support agency to the overall emergency management efforts of the Lee County Emergency Operations Center (EOC). The EOC shall serve as the initial venue from which to coordinate emergency response decisions and directions. Once these activities are focused on a specific function – for example, debris removal – long term recovery will be managed directly by the

pertinent City department. Mitigation measures are addressed through Lee County's Local Mitigation Strategy meetings and through rebuilding initiatives associated with damaged facilities. The City maintains and will continue to maintain an active role in the County's ongoing mitigation strategy efforts.

Methodology

This EOP was developed by updating and elaborating existing City protocols and by collaborating with each City Department to outline and document internal procedures. The procedures and guidelines described herein are intentionally designed to be flexible in order to remain applicable and adaptable in virtually any emergency context. These guidelines can be implemented by the City independently or in conjunction with County, State, and Federal procedures.

II. SITUATION OVERVIEW

Geographic Information

The City of Bonita Springs is comprised of approximately 41 square miles – 35.3 square miles of land with 5.7 square miles of water - located in the southwest portion of Lee County along the southwest coast of Florida. It is bordered by the Village of Estero to the north, unincorporated Lee County to the east, unincorporated Collier County to the south, and the Gulf of Mexico to the west.

Bonita Springs is located at a latitude of 26°20'59"N and a longitude of 81°47'27"W. The elevations range from sea level to approximately 15 feet National Geodetic Vertical Datum (NGVD). The Imperial River flows east to west through the southern third of the City and empties into Estero Bay. The City is traversed by U.S. 41, which runs north and south through the western area of the City, and by I-75, which runs north and south through the eastern portion of the City. The City's main lateral arterial road is Bonita Beach Road, which runs along the southern portion of the City from Barefoot Beach to the City's eastern boundary.

According to the 2010 U.S. Census Bureau, the City of Bonita Springs has an estimated population of 43,914 people.

Hazard and Threat Analysis

Tropical weather is one of the most likely disaster incidents to affect the City of Bonita Springs. In fact, since 1857, there has been either a tropical storm or hurricane pass within 60 nautical miles of the City every two years, on average. Past storms that have impacted Lee County and the City of Bonita Springs include: major hurricanes in 1910 and 1926; Hurricane Donna in 1960; Tropical Storm Bob in 1985; Hurricane Andrew in 1992; Tropical Storm Gabrielle in 2001; Hurricane Wilma in 2005; and Hurricane Irma in 2017. There have also been several unnamed storms that caused severe flooding events that impacted traffic patterns and disrupted local businesses.

The City of Bonita Springs is particularly vulnerable to hurricane storm surge with most home and businesses elevated only 9 to 11 feet above sea level. Due to this vulnerability, Bonita Springs is normally included in a mandatory evacuation zone even for Category 1 hurricanes. A Category 1 hurricane can produce a storm surge that would inundate large portions of the City, causing coastal erosion and major flooding in both residential and commercial areas.

Tropical storms and hurricanes are also often accompanied by significant rainfall in a relatively short period of time. While there may be areas unaffected by storm surge, it is possible that those areas could receive damaging flooding from heavy rains. Additionally, hurricanes often cause other natural hazards like tornadoes and microbursts that can cause significant damage to any part of the community.

The high winds that accompany such storms and tornadoes are also a great concern due to their ability to damage homes, businesses, and infrastructure as well as leaving behind large amounts of debris. Older buildings and manufactured homes are particularly susceptible to high winds. Such structures require particular attention and precautions. High winds can also disrupt commercial electric and utility services, which is of special concern to the elderly and persons who are dependent on electricity for their well-being. During the aftermath of a storm, hazardous amounts of debris create additional problems by isolating areas from emergency services and preventing the restoration of the power system and other public services.

In addition to the aforementioned tropical weather-related incidents, the City of Bonita Springs is also susceptible to the following hazards:

- Agricultural freeze
- Airplane/airport Accident
- Civil Unrest
- Coastal Erosion
- Drought or Water Shortages
- Exotic Pests
- Gas Pipeline Rupture
- Hailstorms
- Hazardous Material incidents
- Highway Accidents
- Mass Casualty Incidents
- Mass Migration
- Oil Spill
- Pandemic Illness
- Power Failure
- Radiological (transport)
- Sinkhole/Subsidence
- Terrorism (bio and non-bio)
- Urban Fire
- Wild Fire
- Wind Storm

City staff and local citizens must also consider the following additional threats caused by any disaster of significance:

- Dislodged fuel tanks
- Disruption or destruction of water and sewer systems
- Limited food supplies
- Loss of electricity and downed live wires
- Lack of sanitary facilities and potable water
- Damaged or blocked bridges and roads
- Waterway debris, including sunken and disabled boats
- Inaccessibility to emergency services (EMS, Fire, Police, Hospitals)

Capabilities Assessment

The City maintains a government-lite philosophy, which means that many essential functions are outsourced. As such, the City maintains Mutual Aid Agreements and Memorandums of Understanding with various entities for assistance during emergencies. The City relies upon Lee County EMS, Lee County Sheriff's Department, and the Bonita Springs Fire Control & Rescue District for emergency response services in accordance with executed interlocal agreements.

Additionally, Lee County maintains a state-of-the-art EOC approximately 20 miles north of the City of Bonita Springs located at 2675 Ortiz Avenue, Fort Myers, Florida 33905, which provides augmentation and support to the City's resources, as well as linkage to State and Federal agencies and their resources. The Bonita Springs Fire Station #4 located at 27701 Bonita Grande Drive, Bonita Springs, Florida 34135 is designated as the primary South Geographic Disaster Response Division of Lee County's EOC operations. The Village of Estero's Fire Station #43 located at 21500 Three Oaks Parkway, Estero, Florida 33928 is designated as the secondary South Geographic Disaster Response Division.

III. CONCEPT OF OPERATIONS

This EOP is based on the National Incident Management System (NIMS) principle that the City bears the initial responsibility for its disaster preparedness, response, recovery, and mitigation. As a corollary to this principle, each level within the City's government will accomplish the functions for which it is responsible, requesting relief from other City departments or other agencies or government entities only after resources at that level are inadequate to respond to the emergency. Requests for County support and assistance can be requested at any time, but will be initiated independently by the County only after a State of Local Emergency has been declared by the City or the County in accordance with its Codes and Laws.

The City of Bonita Springs can declare a State of Emergency in accordance with the provisions set forth in Section 14-42 of the City's Code of Ordinances. Likewise, Lee County can declare a Local State of emergency, which would include the City of Bonita Springs, in accordance with Section 13 ½ - 35 of the Lee County Code of Ordinances.

A comprehensive approach is needed for standardizing and synchronizing the planning and operations for an efficient and effective organizational approach to managing a local emergency or disaster. While some situations are more demanding than others, this plan is designed to be scalable, flexible, and compatible with existing plans and procedures at both of the local levels (City and County) as well as with existing State and Federal protocols.

Activation Levels

- **LEVEL 3 ACTIVATION: MONITORING**

This is the City's normal operational posture; i.e. monitoring local, state, and world events while responding to the community's routine needs. Plans, procedures, training and supplies inventory should be reviewed and updated as needed, and remain ready for activation upon detection of a threat.

- **LEVEL 2 ACTIVATION: POTENTIAL EMERGENCY OR THREAT OF STORM IMPACT**

Partial Activation – Initial preparedness and response actions undertaken; equipment and personnel ready to deploy; Emergency Operations Center partially activated.

- **LEVEL 1 ACTIVATION: LIKELY THREAT OR IMMINENT STORM IMPACT**

Full activation – Emergency situation is occurring, Tropical Storm or Hurricane Watch/Warning has been issued, or State of Emergency (Local, County, or State) has been declared. The City’s ICS is staffed and emergency management plans are being implemented under the direction of the Incident Commander. All Departments are at full readiness, and personnel and equipment are ready to deploy.

- **DEACTIVATION:** The Incident Commander will make the decision regarding deactivation jointly with City leadership and key personnel. It is recommended to deactivate in phases and to release personnel as they are no longer needed. The decision of when to release personnel and other resources should be made only after discussion with on-scene commanders. The deactivation of resources shall be included in the daily Situation Report and communicated to the EOC.

Organization, Direction, and Control

The level of response to any minor, major, or catastrophic disaster will correlate directly to the size and scope of the incident. Minor incidents are typically handled directly by first responders, requiring no activation of the City’s Incident Command Structure (ICS).

Expanding incidents may necessitate partial or full activation of the City’s Incident Command Structure. This plan will be implemented as the situation warrants in accordance with operational priorities indicated by the Incident Commander to include:

1. Life, safety, and health;
2. Property protection;
3. Environmental protection;
4. Restoration of essential utilities;
5. Restoration of essential program functions; and
6. Coordination among appropriate stakeholders.

Upon declaration of an emergency, the City’s organizational structure (see Appendix C) shall take the form of its predetermined Incident Command Structure, which is depicted on page 13. The ICS may be activated as either a “Command” entity or as a “Support” entity. The ICS shall serve as a single Command element for the local emergency operations, subject to resource needs. In the event that the incident requires multiagency coordination, the ICS shall be activated as a “Support” entity.

The ICS will be activated at the direction of the City Manager, or her designee, after consultation with the Mayor, Councilmembers, City Attorney and appropriate staff members. In a sudden emergency event such as a tornado, terrorist attack, or major aircraft incident, the City Manager may direct the ICS to activate immediately and coordinate the notification of senior officials as the situation dictates. The Incident Commander shall be responsible for the organization and staffing of the ICS for the duration of the disaster/emergency and for managing overall incident response efforts.

When the ICS is activated, or when otherwise directed, the following staff members and all necessary partners and liaisons shall be immediately contacted to report to City Hall, or other designated location, for an initial incident briefing:

- City Manager
- Assistant City Manager
- LCSO Liaison
- Fire Chief
- City Attorney
- Staff Attorney
- Communications Director
- Parks & Recreation Director
- Public Works Senior Project Manager
- Finance Director
- Neighborhood Services Manager
- Code Enforcement Supervisor
- Director of Administrative Services
- Director of Community Development
- City Clerk

The City Manager's Office is the lead department for ensuring that the City government is poised to manage an emergency situation within the City limits, and the Neighborhood Services Manager shall be the central point of contact for development and maintenance of the EOP.

IV. PREPAREDNESS ACTIVITIES

Training & Exercise

Certain National Incident Management System (NIMS) training is required under Homeland Security Presidential Directive 5 (HSPD-5) as a condition to receive federal funding, contracts, grants, and reimbursement of disaster recovery costs. FEMA's National Integration Center maintains the *NIMS Training Program* and establishes the minimum training standards for credentialing personnel and equipment. Under the *NIMS Training Program*, the City's essential personnel must complete training based on their ICS roles, as well as in consideration of the Incident Complexity (Type 1, 2, 3, 4, or 5) that the region will likely face.

To become and remain eligible to receive disaster-related Federal funds, each department tasked within this plan shall be trained (and maintain such training) to fulfill the requirements of the National Incident Management System (NIMS) commensurate with the role assigned to each. The training courses required hereunder are intentionally aligned with those required by Lee County.

The City Clerk's Office shall maintain a roster of trained personnel, including the type of training and date received, for all essential personnel. Department directors are responsible for ensuring that employees are properly trained in their emergency job duties, which includes certain baseline National Incident Management System (NIMS) and Incident Command System (ICS) courses promulgated by FEMA's Emergency Management Institute.

Directors shall classify each employee in accordance with the following tiered training schedule and ensure all training requirements have been completed prior to May 1st of each year:

Tier 1. All essential employees:

- IS-100 Introduction to Incident Command System (ICS)
- IS-700 NIMS: An Introduction

Tier 2. Section leaders and field operations:

- IS-100 Introduction to Incident Command System (ICS)
- IS-700 NIMS: An Introduction
- IS-200 ICS for Single Resources and Initial Action Incidents

Tier 3. Senior management and executive decision makers:

- IS-100 Introduction to Incident Command System (ICS)
- IS-700 NIMS: An Introduction
- IS-200 Basic Incident Command System for Single Resources
- IS-706 NIMS Intrastate Mutual Aid
- IS-800 National Response Framework

Those appointed to Command Staff positions shall complete additional courses pertaining to their respective positions.

Prior to June 1 each year, the Command Staff shall hold an exercise that simulates activation, as well as the other different components that are involved in emergency management and response. The City of Bonita Springs shall also participate in the County/State hurricane exercise held in the spring of each year. To the extent possible, the City's independent ICS exercise should be coordinated in conjunction with this multi-jurisdiction exercise. Additional opportunities may be periodically coordinated with the Emergency Management branch of the Lee County Public Safety Department for joint exercise and training as appropriate.

Prior to June 1 each year, City departments shall review the EOP with their staff, along with any internal Standard Operating Procedures pertinent to the department's role in emergency management, and conduct a tabletop exercise or drill. These department exercises should review reporting instructions, update contact information, and confirm the employee's ability to provide requisite response and recovery functions.

Public Awareness & Education

Public education is the process of making the public aware of risks to which they are exposed during an emergency or a natural disaster, as well as educating the public as to how they can prepare for and reduce the effects of exposure to such hazards. Prior to an incident, the City should conduct activities to educate the public about local hazards, prevention, family preparedness, and response-level activities. Examples of public education outreach activities include, but are not limited to, the following activities:

- Conducting or broadcasting hurricane and natural disaster preparedness workshops;
- Providing tools and resources to develop a personal emergency preparedness plan for families or businesses;
- Provide information on how to build a disaster supply kit;
- Dissemination of promotional materials such as the Lee County All-Hazards Guide;
- Transmit informative emergency preparedness information on the City's website and through various social media outlets;
- Spread awareness for at-risk populations such as children, senior citizens, persons with special needs, and those with limited English language skills.

The City encourages residents to register with Lee County Emergency Management's mass notification system, AlertLee, in order to receive rapid emergency notifications via phone, text, email, and social media methods. Residents and visitors may sign up online by visiting www.alertlee.com.

Lee County Public Safety is a FEMA Integrated Public Alert Warning System (IPAWS) Alerting Authority. The County utilizes the IPAWS to alert and warn Lee County residents and visitors about serious emergencies through various means, including the Emergency Alert System (EAS), Wireless Emergency Alerts (WEA), and the National Oceanic and Atmospheric Administration (NOAA) Weather Radio. Please refer to FEMA's IPAWS website for more information.

During emergencies and natural disasters, it is imperative that residents stay informed. The City can best maintain public safety by providing critical information to the public in a timely manner. The Communications Department shall develop and maintain an internal Crisis Communication Plan to be implemented in the event of an emergency. The City shall coordinate and disseminate unified emergency messaging from the City, Lee County Emergency Operations Center, Bonita Springs Fire Control and Rescue District and Lee County Sheriff's Office in a timely manner. Members of the public are instructed to monitor the media and the various government outlets for information and instructions.

V. RESPONSE AND RECOVERY PROCESSES

Overview

The emergency/disaster recovery process consists of three overlapping phases consisting of a wide range of activities:

1. Immediate Emergency Phase

The Immediate Emergency Phase begins when a State of Emergency has been declared, if practical, or otherwise immediately after the danger has passed through the area (i.e. hurricane winds decrease to less than 40 miles per hour). During this phase, emergency management efforts focus on the missing, stranded, injured, and homeless. The primary activities are search and rescue and preventing further injury or damage. During this phase, normal social and economic activities are disrupted or discontinued. Emergency Management officials begin to survey the affected areas to determine needed recovery resources, mitigation of further damage, and restoration of critical services.

2. Short Range Restoration Phase

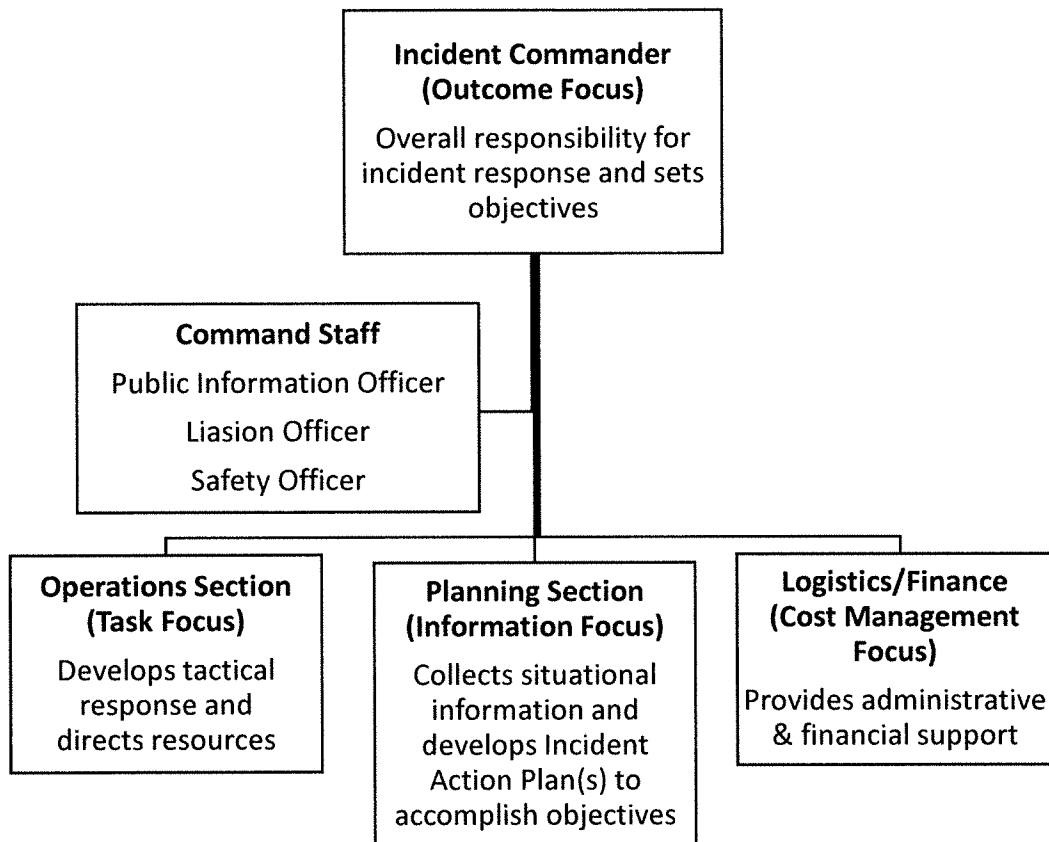
The Short Range Restoration Phase begins as soon as possible after the event and continues several days depending upon the extent of damage. Emergency management efforts focus on restoring the City to relatively normal activities. Restoration of all public utilities and public facilities will be undertaken at a high priority. More detailed surveys and damage assessment will continue, with County, State, and Federal disaster relief resources allocated and provided as necessitated to victims needing assistance emergency food, shelter, temporary housing, and other public assistance.

3. Long Range Reconstruction Phase

The Long Range Reconstruction Phase can extend from several days to several months or even years after a major disaster event until all physical property and social and economic processes return to an acceptable pre-incident level. The visible activities include demolition of partially destroyed structures, continued debris removal, as well as major reconstruction and mitigation projects.

Incident Command Structure

During activation, the City's organizational structure shall shift to its Incident Command Structure in order to maximize efficiency throughout the recovery efforts. The City's Incident Command Structure shall be formed in accordance with the NIMS Incident Command Structure, as may be amended from time to time, in order to facilitate access to the greater resources available at the county and state levels. The Incident Command Structure is adaptable and may be fully or partially implemented dependent upon the scope and size of the emergency and other situational requirements.



When the Incident Command Structure is activated, the department-specific roles of employees during normal City operations are suspended until the Incident Command Structure is deactivated. The designated Incident Commander shall expand the ICS as needed and shall appoint section leaders with each expansion. All other City employees shall report to their predesignated locations for assignment from their supervisor.

Pursuant to the NIMS Chain of Command principle, employees are instructed to report only to their immediate supervisor in order to maintain accurate information and controlled resource requests. Employees are cautioned that communicating needs/requests to any other supervisor could jeopardize the availability of resources or entitlement thereto.

Upon initial activation, each supervisor shall immediately assess their available personnel and provide this information to their respective Section Manager. This information shall be consolidated by the Safety Officer and then provided to the Incident Commander and the Planning Chief as soon as possible.

Planning & Operations

Incident objectives for each operational period shall be outlined in an Incident Action Plan (IAP), which shall serve as a roadmap for all response efforts. The purpose of the IAP is to document the current situation status, incident objectives, strategies to accomplish those objectives, resources required to accomplish those objectives, organizational elements, and other pertinent information. Detailed instructions for preparing an IAP is included in Appendix D.

The Planning Chief shall work closely with the Operations Chief, the Incident Commander, and other Command and General Staff members in the preparation of each IAP. After the IAP is approved by the Incident Commander, the Planning Manager shall then disseminate copies of the IAP to all Section Chiefs for implementation. The Operations Chief shall fully inform supervisors/team leaders of their tasks and provide any necessary instructions. Employees are expected to know the appropriate method of communication and the supervisor to whom they shall communicate their needs throughout the shift. Each team shall be briefed by their team leader at the start of their shift with the goals and objectives of the applicable IAP:

- What tasks do we need to accomplish? (Assessments, clearing access ways, etc.)
- Who is responsible for doing it?
- What resources are required to do the task?
- Are there any unmet needs?
- How will the unmet needs be communicated?

A team debriefing shall occur at the conclusion of each shift. All activities and pertinent resources information shall be documented by the supervisor in accordance with Section VI of this Plan, and provided to the Operations Chief. The Operations Chief shall then collate all of the information received and provide the collated information to the Planning Chief and the Incident Commander for evaluation.

The Incident Command shall ensure that a daily Situational Report (Sit/Rep) utilizing the most current information is provided to the EOC. Each Sit/Rep shall highlight resource requirements, unmet needs, written requests, and other relative information.

This information cycle facilitates the ongoing assessment of the situation and allows for requisite equipment and supplies to be provided. This cycle ensures that the recovery phase progresses as efficiently as possible and should fulfill unmet needs within the City.

Communications & Coordination

During the incident briefing that takes place upon any level of activation, the Incident Commander and the Public Information Officer shall consider all available information regarding the emergency in order to determine who shall be the appropriate representative to speak on behalf of the City. The City's designated spokesperson shall issue official statements and answer media questions throughout the emergency and on-going response efforts. In order to preserve public safety and strengthen rumor control, the appointed spokesperson shall only share the coordinated and unified messages that are pre-approved by the Public Information Officer.

The Public Information Officer shall obtain the identity of other entities' spokespersons (e.g. Lee County Sheriff's Office, Bonita Springs Fire Control & Rescue District, Lee County, etc.) as early as possible so that all statements and contacts with the media can be coordinated between entities as part of a joint information system. Contact information for each representative will be shared with the City's Crisis Communication Team.

Informing the public and additional audiences during an incident is an ongoing cycle that involves four steps:

Step 1: Gather Information. Official information pertaining to the emergency circumstances and response efforts shall be collected from the ICS Command and General Staff, partner agencies, media outlets, elected officials, and other resources such as the National Weather Service.

Step 2: Verify Information. Irrespective of the source, the accuracy of all information shall be verified by consulting with the Lee County EOC, Lee County Sheriff's Office, Bonita Springs Fire Control and Rescue District, qualified technical specialists, and other PIO's in the affected jurisdictions.

Step 3: Internal Coordination of Information. Coordination includes, but is not limited to:

- coordinating between ICS Command and General Staff;
- coordinating between EOC participants; and
- obtaining approval from appropriate authorities before information is disseminated.

Initial information messaging should include actions that the public and local businesses should take, the impact of the incident, and responsive actions currently being undertaken by the City and partner agencies.

Step 4: External Dissemination of Information. Information should be disseminated to disaster victims, the general public, affected jurisdictions, partner agencies, community leaders, private sector entities, the media, nongovernmental organizations (NGOs) (e.g., American Red Cross), volunteer groups (e.g., Community Emergency Response Team – CERT, Voluntary Organizations Active in Disasters – VOAD), and any other affected groups.

Dissemination may be done through multiple media outlets or alternatives, including: mass emails, press releases, radio and television broadcastings, website postings, social media posts (e.g. Facebook, Twitter, Nextdoor, etc.), press conferences, public service announcements, AlertLee notifications, staff briefings, and community meetings.

The Public Information Officer shall continuously monitor the media to verify that the public and elected officials are getting accurate and complete information through the media in a timely manner. Inaccuracies and rumors that affect health and safety shall be addressed immediately with the media and correct information distributed through the media or other means.

VI. ADMINISTRATION, FINANCE, AND LOGISTICS

Financial Management

During an emergency, the Finance/Admin Section Chief is responsible for complying with all fiscal policies and regulations, coordinating funding, approving all incident expenses, and briefing the Incident Commander on all incident related issues/expenses. In major or catastrophic disaster, a separate project code (budget item) may be established to manage disaster related costs. These costs include labor, materials, equipment, supplies, and contracts. Fund numbers, department numbers, and object codes normally used for related costs remain the same.

Mutual Aid agreements within the jurisdiction shall be maintained in an accessible format at all times.

Resource Procurement and Documentation

Persons directing and supervising emergency work must document personnel, equipment, and supplies expended daily. Every reasonable effort should be made to foster competition for work. Persons responsible for procurement and supply ordering should solicit quotes by phone or other means from more than one vendor, if possible. Written documentation of these efforts shall be provided to the Finance/Administration Section.

Complete and accurate documentation and the proper maintenance thereof is essential in order to qualify for State and Federal Disaster Assistance and to receive reimbursement for eligible expenses. In order to apply for and receive Federal Disaster Recovery Assistance, the City must document all labor and materials/supplies and contractual costs by damage category and by site.

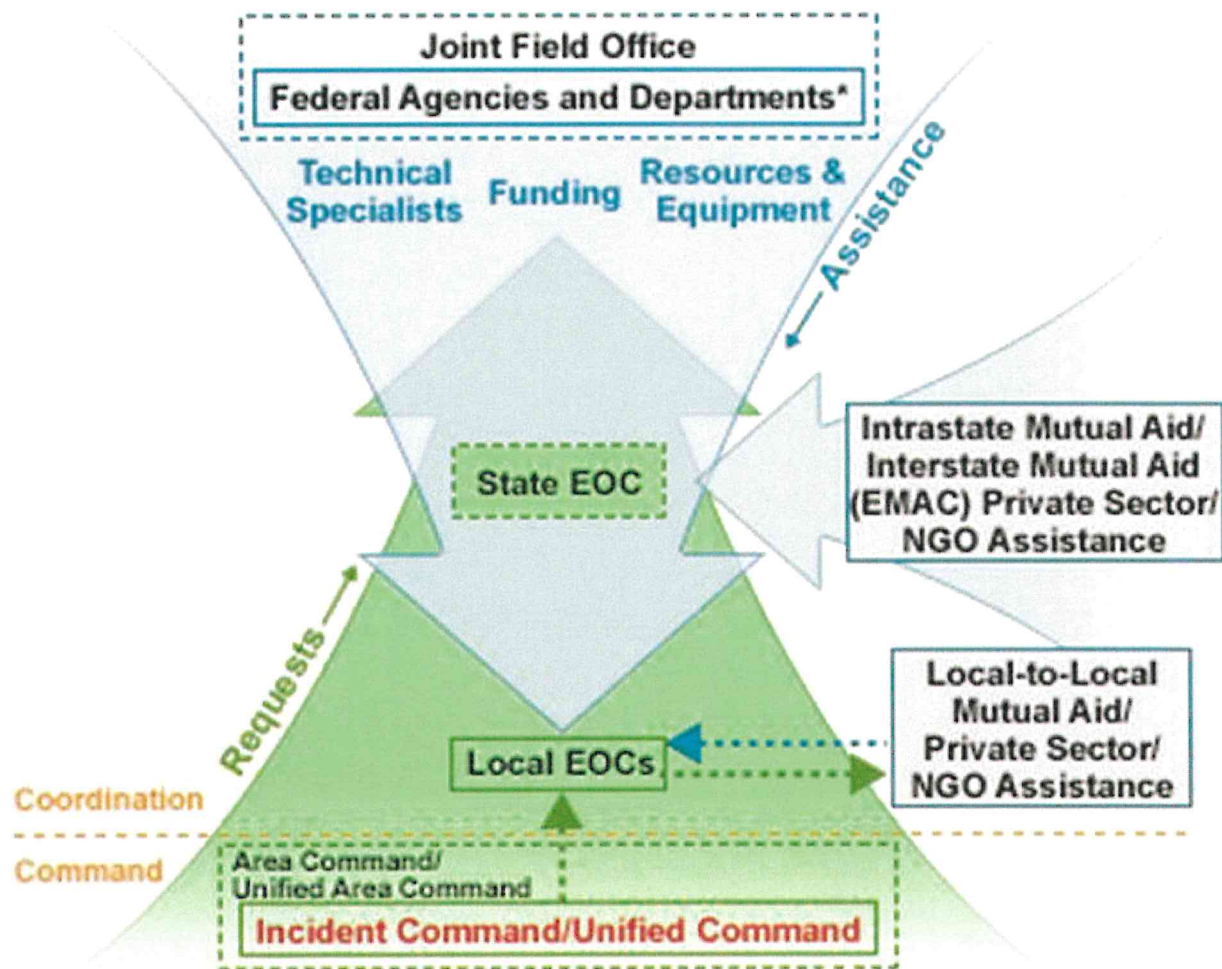
After demobilization, the Finance/Admin Section Chief shall submit a summary of all financial costs of the incident to the City Manager.

Resource Request Process

When planning for an emergency, it is important to have a thorough understanding of available resources for use when needed. It is the responsibility of the City departments to manage resources under their own authority. Additional resources beyond the City's capabilities will come from a variety of partner agencies through interlocal agreements, mutual aid agreements, and coordination through the EOC.

The Logistics Chief shall coordinate with the EOC to fulfill resource gaps and other unmet needs following a disaster. All procedures shall remain consistent with sound purchasing and cost-accounting practices, but with consideration of the need to expedite the purchasing process during emergency response operations. All staff involved with resources ordering should maintain accurate documentation in a manner consistent with local, state, and federal requirements for disaster-related reimbursement.

If notice is given prior to a disaster, the County may be able to mobilize or pre-stage resources as appropriate for the disaster. Resources mobilized prior to an impending disaster would depend on the event and its expected impacts.



Resource requests must include the following details in a written request:

1. Overall priority of the mission for which the resource/aid is being requested.
2. Type of equipment or personnel required.
3. Location(s) and duration of the mission.
4. Transportation coordination details (access ways, means of communication, etc.)
5. Arrival instructions (reporting location, check-in instructions, point of contact)

The requesting party shall route the request, with the above information included, through their Section Chief to the Logistics Section to document that sufficient resources are not available locally and mutual aid is required to complete the mission. The Logistics/Finance staff must determine the costs associated with filling the mutual aid request. The Logistics Section Chief shall ensure that the request is provided to the Planning Chief to be included in the daily Sit/Rep.

Points of Distribution

Points of Distribution (PODs) are locations where members of the public are able to receive life sustaining commodities, such as food and water, following a disaster. These operations are a joint City and County effort. As such, the City shall provide the County with a list of potential sites to be used in the aftermath of a local emergency or natural disaster. Post-disaster adjustments to POD locations can be made as the post-disaster situation dictates.

POD selections are made based on distribution, activation, and resource needs. Site selection for POD locations and types include, but are not limited to, the following considerations:

- Hazardous conditions
- Needs analysis
- Population density
- Current methods of commodity distribution
- Ingress and egress concerns
- Traffic flow
- Delivery options
- Site geography
- Proximity to local businesses and grocery stores

POD activation will be determined by the existing weather conditions, actual public need, types of resources needed, infrastructure capabilities, and availability of resources through other means within the City. The City shall coordinate with the County and other partner agencies to determine where POD activation is most warranted. Pursuant to the County's Emergency Management Plan, the City will be responsible for providing logistical support and staffing for the PODs within our boundaries. The City may also need to provide staff to augment the Florida National Guard, security, and local logistical supplies requested by the State. Resources are allocated to each POD based upon type and quantity of resources to be distributed as well as POD material and equipment required at each site.

Fuel Supply

Fuel shortages can often occur during disasters leading to significant challenges within the community. Fuel shortages could occur due to high evacuation traffic, emergency preparedness and response activities, and the inability of fuel supplies to reach our geographic region.

For daily operations, governmental agencies should maintain fuel levels to endure possible power outages caused by manmade or weather-related incidents. Best practices indicate that, outside of hurricane season, a 24-hour supply of fuel should be available. During hurricane season, at least a 48-hour supply of fuel should be available. During activation due to a pending hurricane, fuel tanks shall be filled if the facility is not in the forecasted surge zone.

During response and recovery operations, it is imperative that accurate information regarding fuel supply is documented in each team's debriefing reports and transmitted to the County in the City's daily Sit/Reps.

VII. PLAN DEVELOPMENT & MAINTENANCE

After Action Reports

After every incident requiring activation, the City Manager shall conduct a meeting, or a series of meetings, to evaluate and critique the effectiveness of this EOP. The findings of these meetings shall be compiled into an After Action Report, which shall thoroughly address, at a minimum, the following items:

1. Functionality and effectiveness of the warning system;
2. Practicality in the application of this EOP;
3. Effectiveness of communications equipment;
4. Coordination with the County;
5. Efficiency of mutual aid agreements.

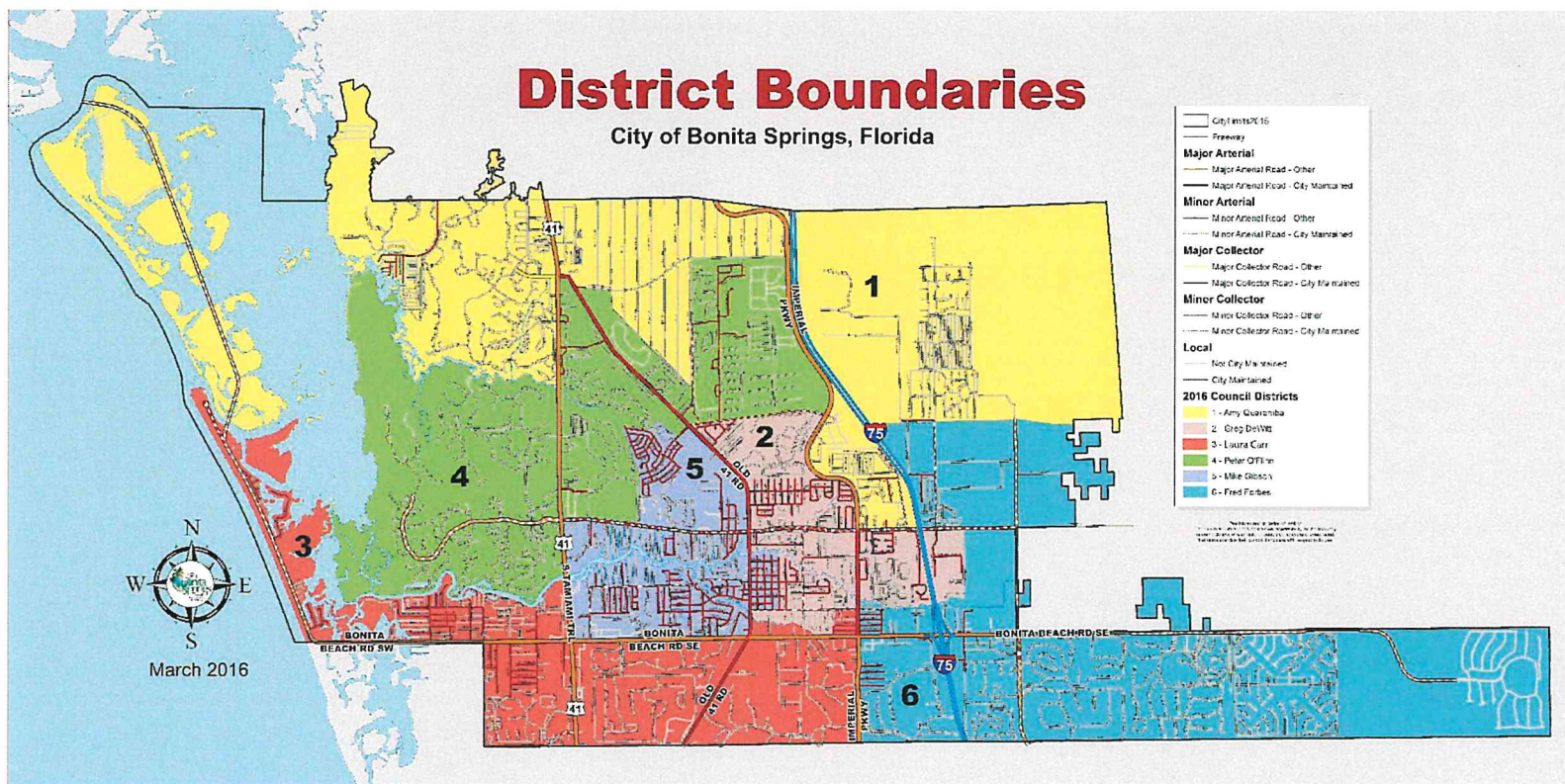
Annual Review Cycle

Annually, prior to March 15, all members of City leadership, including department directors and members of senior management, shall review the EOP, as well as internal Standard Operating Procedures, for currency, accuracy, and feasibility. This review shall include without limitation:

- Basic EOP guidelines
- Departmental Annexes
- EOP Appendices
- Memoranda of Understanding (MOU)
- Memoranda of Agreement (MOA)
- Mutual Aid Agreements (MAA)
- Standard Operating Procedures (SOP)
- Vendor Contracts
- Lee County's CEMP
- Applicable Laws, Statutes, and Ordinances
- Any other applicable documents and agreements

Upon completion of this review, any questions, comments, or revisions shall be provided in writing to the Neighborhood Services Manager for review and action. Once consolidated and correlated, a written summary will be forwarded to the City Manager for final approval and incorporation.

APPENDIX A City of Bonita Springs Boundary Map



APPENDIX B Lee County Evacuation Zone Map

2019 Evacuation Zones and Public Shelters

EMERGENCY PUBLIC SHELTERS

Bonita Springs

1. Bonita Springs YMCA – 27200 Kent Rd

Cape Coral

2. Island Coast High School – 2125 DeNavarra Pkwy

Estero

3. Estero Recreation Center – 9200 Corkscrew Palm Blvd
4. Hertz Arena – 11000 Everblades Pkwy

Fort Myers

5. Dunbar High School – 3800 Edison Ave
6. South Fort Myers High School – 14020 Plantation Blvd
7. Treeline Elementary School – 10900 Treeline Ave

Lehigh Acres

8. East Lee County High School – 715 Thomas-Sherwin Ave
9. Harris Marsh Elementary School – 1600 Unice Ave N
10. Harris Marsh Middle School – 1820 Unice Ave N
11. Mirror Lakes Elementary School – 525 Charwood Ave
12. Tortuga Preserve Elementary School – 1711 Gunnery Rd
13. Varsity Lakes Middle School – 801 Gunnery Rd
14. Veterans Park Recreation Center – 49 Homestead Rd

North Fort Myers

15. North Fort Myers Academy of the Arts – 1856 Arts Way
16. North Fort Myers Recreation Center – 2000 N Recreation Park Way

San Carlos

17. Alico Arena – 12181 FGCU Lake Pkwy

Tice

18. Manatee Elementary School – 5301 Tice St
19. Oak Hammock Middle School – 5321 Tice St

****Be Advised:** NOT all shelters will be open for every event. The opening of shelters is dependent upon the nature of each specific event.

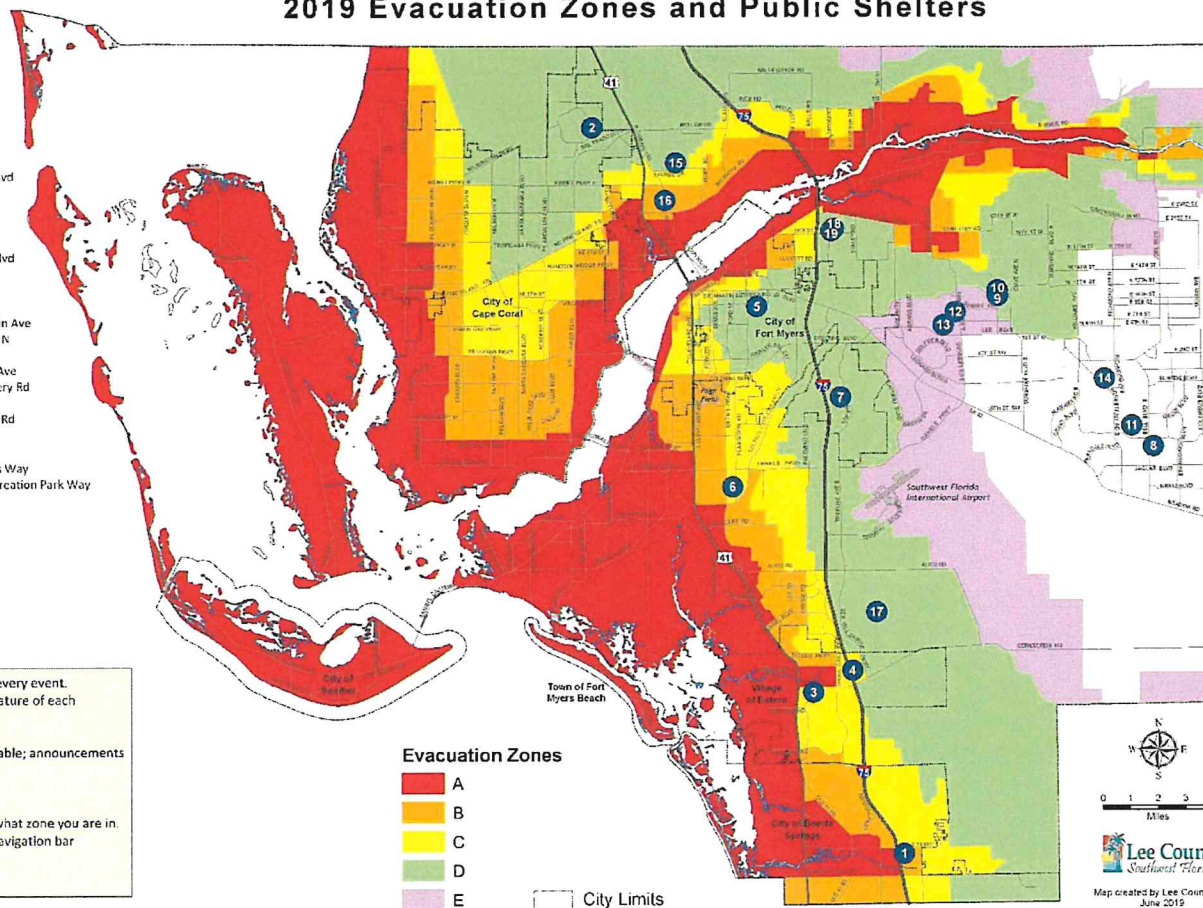
Please Note: Pet-friendly sheltering will be available; announcements will be made at the time.

Know Your Evacuation Zone:

Visit our website www.LeeEOC.com to find out what zone you are in.

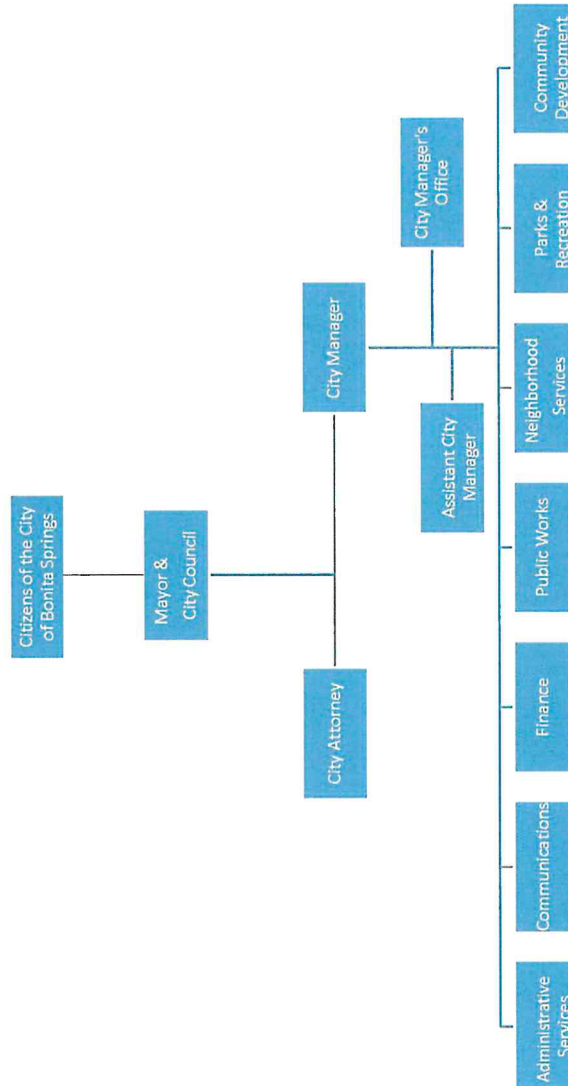
1. Click on "Know My Evacuation Zone" in the navigation bar
2. Click the Find My Evacuation Zone link
3. Enter your address in the search bar

Source: Lee County Emergency Management



APPENDIX C

City of Bonita Springs Organizational Chart



APPENDIX D

The Incident Action Planning Process

The Incident Action Plan (IAP) is the vehicle by which senior leadership of an incident can communicate their expectations and provide clear guidance to those managing an incident. The incident action planning process requires collaboration and participation among all incident management leaders and staff members across the whole community. This guide is intended to serve as a reference for incident personnel, and compliance herewith ensures coordinated incident response among all levels of government, NGOs, and the private sector.

A well-conceived complete IAP facilitates successful incident operations by identifying incident objectives and providing essential information regarding incident organization, resource allocation, work assignments, safety, and weather. The incident action planning process is built on the following phases.

Phase I: Understand the Situation

While many important things are accomplished during this initial period, efforts focus on gaining an understanding of the situation and establishing initial incident priorities. Gaining an understanding of the situation includes gathering, recording, analyzing, and displaying information regarding the scale, scope, complexity, and potential incident impacts. Comprehensive situational awareness is essential to developing and implementing an effective IAP.

An Initial Incident Briefing must be coordinated as soon as possible to prepare for successful incident management. At this meeting, Command and General Staff should be presented with the following situational information:

- Boundaries and scope of the incident
- Number of displaced survivors
- Sheltering information
- Critical infrastructure damage assessment, locations, and types
- Status of communications and other utilities
- Incident facilities, types, and location
- Resources on hand, en route, and on order
- Life-saving operations
- Pertinent deliberate plans
- Maps of incident area
- Preliminary damage assessment
- Geospatial information systems (GIS) products and satellite imagery
- Emergency contact information for partner agencies, EOC, and other incident facilities

This briefing should result in Command & General Staff having the requisite situational information to make informed decisions, including information regarding constraints and limitations.

Phase II: Establish Incident Objectives

Incident objectives drive the incident organization as it conducts response, recovery, and mitigation activities. Incident priorities established by leadership during Phase I are reviewed and modified as required during each operational period, which helps to clarify the order of importance of incident objectives. While incident objectives are based on requirements, priorities guide the allocation of resources to objectives.

Incident objectives, per NIMS, are “statements of guidance and direction necessary for the selection of appropriate strategies and the tactical direction of resources. Incident objectives are based on realistic expectations of what can be accomplished when all allocated resources have been effectively deployed.”

Incident objectives are based on several factors: incident priorities and other direction from a higher authority, the situation, and members’ professional judgment and experience. Incident objectives should be clear, measurable, achievable, and flexible. Incident objectives set guidance and strategic direction, but do not specify tactics. They include sufficient detail to ensure understanding, but are not be so prescriptive as to preclude innovation.

The following guidelines have been established ensure that incident objectives are handled consistently:

- Incident objectives are displayed on the Incident Objectives (ICS Form 202). They are numbered sequentially from the beginning of the incident to its conclusion and are not renumbered for each operational period.
- Once achieved, incident objectives are not included on the Incident Objectives (ICS Form 202) for subsequent IAPs.
- Incident objectives can be modified and maintain the same tracking number as long as the intent of the objective does not change.
- If an objective is modified, it is assigned a new sub-letter under the same objective number, and the old objective is retired. For example, if objective 2 is modified, it becomes 2a, and objective 2 is retired. If this objective is modified again, it becomes 2b, and 2a is retired.
- Incident objectives are prioritized as operational period requirements dictate. Incident objectives are listed on the Incident Objectives (ICS 202) in order of priority, regardless of their tracking number. The first listed objective is therefore the highest priority. The last listed objective is the lowest priority.

Phase III: Develop the Plan

The Operations Section develops strategies to meet incident objectives and tactics to accomplish the strategies. Operations Section staff match the work required to execute the tactics to resources in order to create work assignments which are documented on the Operational Planning Worksheets (ICS Form 215). As work assignments are developed, the Safety Officer, Logistics Section Chief, and others review the work assignments and provide input.

Strategies describe what actions and resources are required to achieve specific objectives. Strategies may be developed during all phases of an operation and by all elements involved in the operation and are not restricted to specific, short or long-term operational periods. Tactics specify who, what, where, and when for implementing strategies to achieve incident objectives. Tactics describe the deployment and direction of resources, based on the strategy to accomplish the incident objectives. A strategy describes how things work; tactics describe what must be done.

Determining Tactics

Once the kind, type, and qualification of available resources are known and any constraints or limitations are identified, the tactical plan can be developed. The following activities are used to develop the tactical plan:

1. Determine what has to be done to implement a strategy and what method(s) are likely to achieve success.
2. Develop a list of required resources (personnel, teams, equipment, supplies, and facilities).
3. Provide a list of resources available.
4. Compare the resources required with resources available and discuss the findings with the Operations Section Chief prior to the Operations Tactics Meeting.
5. Draft the tactical plan based on this analysis.

Assigning Resources and Tasks

Once the tactical plan is drafted, assign resources to operations and write specific work assignments for each assigned resource. This information should be clear and concise and include the following:

- Task to be accomplished
- Reporting time and location
- Level of effort required to accomplish the task
- Any special equipment required
- Logistical support needs
- Any contact information
- Any constraints or limitations

Identify the Reporting Location

The reporting location is the physical location where the assigned resource reports at the beginning of the operational period. The reporting location should not be presumed. Sometimes a specific time for arrival may also be necessary as part of the work location. This could be a direction to not arrive before or after a certain time or a time-frame in which the work assignment needs to be initiated. This information should be included with the reporting location when relevant.

Determine Logistical Support Needs to Complete the Assignment

Work assignments often require specific logistical support—requirements that the functional branches and groups are responsible for identifying. The Logistics Section receives these requirements and acts to meet them.

The Operations Tactics Meeting

The purpose of this meeting is to review and finalize the draft Operational Planning Worksheet (ICS Form 215). This worksheet aids Operations personnel in capturing their tactics and in identifying resource assignments prior to the operations tactics meeting. During the operations tactics meeting, the Operations Section Chief leads participants in reviewing the work assignment drafts to determine whether they are complete and whether they support the incident objectives and strategies. Participants also identify gaps and duplication in work assignments, resolve any conflicts or coordination issues, and identify logistical issues shortfalls, excesses, safety issues, and the accuracy of the incident map.

Phase IV: Prepare and Disseminate the Plan

Phase IV begins when the Planning Section receives the approved Operational Planning Worksheets (ICS Form 215) after the operations tactics meeting. The Planning Section is responsible for completing the appropriate IAP forms and assembling the IAP during the time between the operations tactics meeting and the planning meeting. Other sections also contribute key information and supporting documents.

IAP Components and Sequence of Assembly				
Order	ICS Form	Title	Required	Prepared By
1	200	Cover Sheet	Always	Planning
2	202	Incident Objectives	Always	Planning
3	205	Incident Radio Communications Plan	As needed	Logistics
4	205A	Telephone Communications Plan	Always	Logistics
5	207	Incident Organization Chart	Always	Planning
6		Incident Map	Always	Operations
7	204	Assignment List	Always	Planning
8	206	Medical Plan	Always	Safety Officer
10	230	Meeting Schedule	Always	Planning
11	213	General Message	Optional	Message Originator
12		Other Components As Needed	Optional	Planning

Planning Section Responsibilities

- **IAP Cover Sheet (ICS Form 200).** The IAP cover sheet provides specific information about the IAP and must be consistent with and reflect FEMA standards. Logos may be used on cover sheets, but must be produced in black and white. IAP cover sheets must contain the following information:
 - Title
 - Plan number (the first IAP is 01; subsequent IAPs are numbered sequentially)
 - Incident name that identifies the nature of the disaster
 - Declaration numbers for Stafford Act incidents, local emergencies, or any other organization declaration.
 - Operational period (date and time)
 - Signature blocks
- **Incident Objectives (ICS Form 202).** The first page after the cover sheet is the Incident Objectives. In addition to the objectives, this page also provides weather and safety information. Safety messages are prepared by the Safety Officer. Important considerations include the following:
 - Include only incident objective in Block 5.
 - Number objectives sequentially from the beginning of the incident. ***Do not renumber objectives for each operational period.***
 - List the incident objectives in order of priority regardless of their tracking number.
 - Cross out or remove incident objectives that have been achieved.
 - Do not include items of guidance labeled “goals” or “priorities.”
 - Focus the weather message on weather predicted for the operational period that may affect operations.
 - Focus the safety message on information that is relevant and actionable for field personnel.
- **Incident Telephone Communications Plans (ICS Form 205a).** These are radio communications plans and a telephone contact list of key staff and staff agencies prepared and maintained by the Planning Section. The information on this plan must be consistent with the Incident Organization Chart (ICS Form 207).
- **Assignments Lists (ICS Form 204).** The Planning Section prepares the Assignments Lists using data provided in the Operational Planning Worksheets (ICS Form 215). It is the heart of the IAP and must be organized in a way that enables staff to clearly understand their work assignments. Sequence the assignments according to (1) the Operations Section organizational chart, (2) geographically, or (3) functionally. Specify exactly which resource is responsible for each work assignment, and ensure that names, contact numbers, and resource identifiers are correct.

- **Incident Map.** The incident map is an essential IAP component that identifies key incident facilities and operational boundaries. The Planning staff provides information and coordinates with the GIS Coordinator to produce the map. The Operations Section Chief is responsible for ensuring that map content is current and appropriate.
- **Meeting Schedule (ICS Form 230).** This schedule describes the important incident meetings that will take place during the operational period and indicates where and when they will be held. Incident Action Planning meetings and briefings will always be included to ensure that no other meeting conflicts with the planning meetings.
- **Incident Organization Chart (ICS Form 207).** The Incident Organization Chart is important to inform staff not only how staff is organized, but also what positions are filled and who is assigned to key positions. Show deputy positions in the same box as the primary position. Deputies do not have separate organizations under them. Ensure that position titles and names on the organization chart are consistent with the position titles and names on the Incident Telephone Communications Plan.

Safety Officer Responsibilities

- **General Safety Message on ICS Form 202.** The general safety message is included on the Incident Objectives page (ICS Form 202) for each IAP, and should focus on relevant information that is actionable to field personnel for operations during the operational period. The message may be changed for each operational period based on conditions.
- **Medical Plan (ICS Form 206).** The medical plan is key to the welfare of incident personnel and is included in all IAPs. The medical plan provides important information on medical emergency procedures and the locations and phone numbers of medical aid facilities, emergency medical transportation, and hospitals in the incident area. Important considerations when preparing the Medical Plan are as follows:
 - List urgent care and hospital emergency rooms as well as established incident aid stations and incident camps in Block 5, “Incident Medical Aid Stations.”
 - Indicate the emergency phone number in Block 6, “Transportation.” If an ambulance is assigned to the incident, include the location and phone number in Block 6.
 - List in Block 7, “Hospitals,” list all hospitals located throughout the incident area.
 - Include sufficient information in Block 8, “Emergency Medical Procedures,” to enable incident employees to know what to do and whom to notify in the event of a medical emergency.
- **Safety Analysis (ICS Form 215a).** The Safety Officer reviews the Operational Planning Worksheets (ICS Form 215) and develops the Safety Analysis in coordination with Operations Section staff as they develop the worksheets. The Safety Analysis contains the results of a systematic analysis of risks associated with each work assignment. This analysis assists the Operations Section personnel in altering tactics, if necessary, to promote the safety of field personnel.

Logistics Section Responsibilities

- **Incident Radio Communications Plan (ICS Form 205).** The Communications staff within the Logistics Section are responsible for preparing the Incident Radio Communications Plan during incidents where radios are a significant part of operations communications to provide specific incident radio frequency assignments for the operational period. The Plan should identify all assigned radio frequencies, trunked radio systems, and talk group assignments for the operation elements identified on the Incident Organization Chart (ICS Form 207) and the Incident Organization Assignment List (ICS Form 203).
- **Traffic Plan.** The traffic plan is included in the IAP, when required, but does not have an ICS Form number. A traffic plan will be prepared when incident personnel must be informed of special traffic requirements, including required routes of travel, missing directional signage on incident transportation routes, and special driving conditions.

The Planning Meeting

The Planning Meeting is facilitated by the Planning Section Chief for the purpose of finalizing and approving the IAP for the next operational period. The meeting provides the opportunity for the Command & General Staff, as well as other incident management personnel, agency officials, and partner agencies and organizations to discuss and resolve any outstanding issues before assembling the IAP. After the review has been completed and updates have been made, Command and General Staff affirm their commitment to support the plan.

After the planning meeting, the Planning Section Chief is responsible for making changes to the IAP that were agreed upon during the planning meeting and ensuring that the final IAP is signed by the appropriate Chiefs and Officers. Once all signatures are gathered, the IAP is ready to be printed and distributed.

Phase V: Execute, Evaluate, and Revise the Plan

Phase V begins with the operations briefing and continues as the IAP is executed and evaluated in preparation for it to be revised during the next operational period. Once the IAP has been distributed and the operations briefing has been held, the IAP is executed.

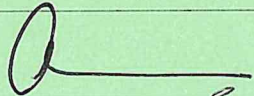
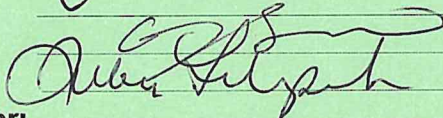
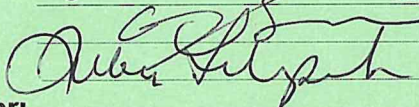
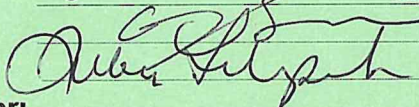
Changes are often required to reassign resources or modify work assignments during the operational period. These changes must be communicated to the Operations Section Chief, who in turn communicates the changes to the Planning Section.

As the work assignments are performed, field personnel and supervisors assess the progress and the effectiveness of the work. Individuals, crews, and task forces inform their supervisors of the status of assignments, and the Operations Section personnel keep the Planning Section apprised of all developments and status reports.

Final Quality Assurance Checklist

The checklist below is intended to serve as a tool that the Planning Section Chief uses before granting final approval to the IAP.

- ☐ Do the tasks listed on the Assignment Lists (ICS Form 204) support the Incident Objectives (ICS Form 202)?
- ☐ Does the incident map reflect the operation elements identified on the Incident Organization Chart (ICS Form 207) or the Assignment Lists (ICS Form 204)?
- ☐ Does the Incident Telephone Communications Plan (ICS Form 205A) provide information on the operation elements identified on the Incident Organization Chart (ICS Form 207) or the Assignment List (ICS Form 204)?
- ☐ Are all assigned radio frequencies, trunked radio systems and talk group assignments identified on the Incident Radio Communications Plan (ICS Form 205) and does the information reflect the operation elements identified on the Incident Organization Chart (ICS Form 207) or the Assignment Lists (ICS Form 204)?
- ☐ Does the information on the Medical Plan (ICS Form 206) identify the closest medical facility to each operation element identified on the incident map, the Incident Organization Chart (ICS Form 207) or the Assignment List (ICS Form 204)? Does it identify what should be done if someone is injured or becomes seriously ill?
- ☐ Does the IAP use common ICS terminology throughout the whole document?
- ☐ Does the Meeting Schedule (ICS Form 230) contain at a minimum, the following:
 - Appropriate incident action planning meetings
 - Strategy meetings
 - Team meetings
 - Public meetings

BONITA SPRINGS CITY COUNCIL		GREEN SHEET:	20-03-059
AGENDA ITEM SUMMARY			
REQUESTED MOTION: Discussion of the vacant City-owned lot located at 2773 Horne and direction to staff.			
MEETING DATE: March 4, 2020			
AGENDA:	REQUIREMENT/PURPOSE: (Specify)	REQUESTOR OF INFORMATION:	
☐ PRESENTATIONS	☐ STATUTE	Arleen Hunter City 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:			
On October 16, 2019, staff presented a map of City-owned properties in the downtown area for Council's discussion. The property located at 27733 Horne Avenue is a vacant lot adjacent to the Bonita Springs Elementary School on Dean Street. An aerial depicting the location of the subject property is attached. The City acquired this property in 2002 via a deed in lieu of foreclosure of code enforcement liens. At the time of Council's discussion, it was speculated that the staff of the Elementary School may be utilizing the lot as overflow parking. Pursuant to Council's direction, staff did contact a Planner with the School District of Lee County who was able to confirm that the teachers do utilize the lot for parking. This was preliminary outreach only, and transfer of the property was not discussed. Since that discussion, staff has received inquiries from the public regarding the potential sale of the property located at 27733 Horne Avenue. At this time, staff is seeking direction as to whether Council would like to certify the property as surplus in order to dispose of the property. Attachment: Aerial of the Property			
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:    			
COUNCIL ACTION:			
☐ APPROVED ☐ DENIED ☐ DEFERRED ☐ OTHER			

Abernathy St

Hampton St

Crockett St

27733 Horne Ave

Bonita Springs
Elementary School

Dean St

Horne Ave

Dortch Ave

Marco Dr

Harold St



27733 Horne Ave



City-Owned Property

Data Sources:
Parcels: Lee County
Aerial Image: Lee County

While every effort has been made to ensure that this data is accurate and reliable, City of Bonita Springs cannot assume liability for any damages caused by errors or omissions in the data. City of Bonita Springs GIS makes no warranty, expressed or implied, nor does the fact of distribution constitute such a warranty.



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CITY COUNCIL
CITY OF BONITA SPRINGS
OFFICIAL AGENDA
WEDNESDAY, FEBRUARY 19, 2020
9:00 A.M.
CITY HALL
9101 BONITA BEACH ROAD
BONITA SPRINGS, FLORIDA 34135
MINUTES

I. CALL TO ORDER

Mayor Peter Simmons called the meeting to order at 9:00 A.M.

II. INVOCATION

Pastor Doug Pratt with First Presbyterian church furnished the invocation.

III. PLEDGE OF ALLEGIANCE

At the request of Mayor Simmons, Council Member Amy Quaremba led in the Pledge of Allegiance.

IV. ROLL CALL

Mayor Simmons and all Council Members were in attendance.

V. PUBLIC COMMENT ON AGENDA ITEMS

[9:02:54 AM](#) Kathy McGrath updated everyone on Celebrate Bonita.

[9:03:11 AM](#) Dawn Koncikowski addressed item VII. A., and supports all the maps being made consistent. She also addressed the Food Truck Ordinance, and doesn't feel it reflects what Council directed in January.

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.)

[9:04:09 AM](#) Council Member Mike Gibson requested item D. be pulled to ask what time the road closure was. Lora Taylor, Communications Direction, informed all that it was at 3:30 P.M.

Council Member Laura Carr motioned approval of the remainder of the Consent Agenda; Mayor Simmons seconded; and the motion carried unanimously.

- A. APPROVE BUDGET RESOLUTION TO TRANSFER GENERAL FUND BUDGET AMONG COST CENTERS FOR LANDSCAPE MAINTENANCE FROM PARKS AND RECREATION TO PUBLIC WORKS. (GREENSHEET NO. 20-02-032)
- B. AUTHORIZE STAFF TO SUBMIT A GRANT APPLICATION TO THE LEE COUNTY TOURIST DEVELOPMENT COUNCIL FOR RIVER PARK PHASE 2. (GREENSHEET NO. 20-02-039)

- C. APPROVE THE AMENDMENT OF THE LEASE AGREEMENT WITH DIANE HEIN AND JENNIFER SANDERS FOR THE USE OF ARTIST COTTAGE #2 FOR ANOTHER ONE YEAR TERM. (GREENSHEET NO. 20-02-035)
- D. APPROVE SPECIAL EVENT PERMIT FOR THE ANNUAL CELEBRATE BONITA FESTIVAL AND THE CLOSURE OF OLD U.S. 41 ROAD FROM WILSON STREET TO RAGSDALE STREET ON SATURDAY, MARCH 28, 2020. (GREENSHEET NO. 20-02-036)
- OPPORTUNITY FOR CITY COUNCIL COMMENTS ON CONSENT AGENDA ITEMS

VII. PROCLAMATIONS AND PRESENTATIONS:

- A. RECEIVE A PRESENTATION FROM FGCU REGARDING DRAFT LANGUAGE FOR PROPOSED COMPREHENSIVE PLAN AMENDMENTS RELATED TO THE DOWNTOWN DISTRICT AND OTHER ELEMENTS OF THE CITY OF BONITA SPRINGS COMPREHENSIVE PLAN. (GREENSHEET NO. 20-02-034)

9:06:09 am Dr. Margaret Banyan, with FGCU, furnished a PowerPoint presentation (copy in Clerk's file), noting that she will also be requesting direction over Council's next three presentations. She explained that the City did make all the state required changes. This is an overview on what council directed be done. She addressed revisions made to the downtown amendments.

9:22:09 am Council Member Quaremba a hard copy to review. Dr. Banyan responded that City Council will be provided with a hard copy a week prior to their meeting.

9:24:07 am Council Member Fred Forbes stated he would like to see any changes the LPA makes.

- B. PRESENTATION BY DPZ CODESIGN ON FORM-BASED CODE. (GREENSHEET NO. 20-02-037)

9:27:38 AM Xavier iglesias with dpz furnished a powerpoint presentation on the form-based code.

- C. PRESENTATION OUTLINE ON DENSITY IN DOWNTOWN BONITA SPRINGS. (GREENSHEET NO. 20-02-043)

9:42:02 AM John Dulmer, Community Development, furnished a PowerPoint, on density, including those of various surrounding municipalities. His PowerPoint also included pictures of what various densities look like. Council discussion was held.

10:09:00 am Council Member Forbes questioned when they were going to get the Form-Based Code before they adopt it, applied to the project that Tony is building at Terry Street and also Mosiac. He still thinks that even though Longitude isn't going to be built, he would like to know what they could have done differently, or couldn't do, or whatever, because they may find out after they adopt this, some things they would like to be able to do, they can't do. That needs to be done and a report given to Council before they adopt this code. He stated that they can be provided with some examples, on Tony's project, things that he could have done or may have wanted to do, or maybe things he's doing he wouldn't be able to. Staff to provide a study on Mosaic, Terry Street Assemblage, and Longitude. Mr. Dulmer stated that they can come back and present the idea of what would it take if you just look at the box – what does that mean to you, what can we do. Mayor Simmons addressed water use, and with the smaller units, more people, more flushes, more sinks, more water, and is the system equipped to handle that.

[10:14:46 am](#) Council Member Gibson referred to the Form-Based Code with the transects, as in T-3 there's one larger property that maybe things in T-4 might apply to, like Cottage Court. He requested including that.

[10:15:41 am](#) Mr. Dulmer clarified direction, to come back with a couple of ideas, talk to some utility providers, and bring back.

HEIGHT:

[10:17:31 am](#) John Dulmer, Community Development, next addressed height. Discussion followed. Council Member Forbes stated he supports a requirement for elevators. Discussion was held on stories, elevators, and ADA.

Mayor Simmons entered a motion to address elevators; Council Member Forbes seconded.

[10:33:35 am](#) Council Member Forbes reiterated the motion, which was for even with a two story building, if it isn't residential on the first floor then it would require an elevator. He would, however, suggest only applying this to downtown and see what happens. Mayor Simmons agreed. City Attorney Rooney suggested a chart to show what ADA requires and what the Florida accessibility requires. Council agreed.

[10:34:02 am](#) Council Member Quaremba suggested first figuring out what we have, and where we can go, and then protect the concern raised. Mayor Simmons agreed. Council Member Forbes stated that the State allowed Mosiac to build 3-story buildings without elevators. Mr. Dulmer stated that direction as he understands it is to bring back standards for Council to review. Mayor Simmons suggested reviewing them, go through it, discuss it, and then make any motion as necessary. Council Member Forbes withdrew his motion.

Council Member Gibson referred to the Form-Based Code, and stated that T-5 is a small area and is what requires the mixed use, as it's only for a block or so. He recalls discussions relating to downtown, they were trying to get away from not having residential only buildings, as they wanted mixed use more of the downtown. However, if they are only requiring it there, everyone else could go solely residential. Discussion was held. Council Member Forbes suggested an incentive for those areas that are optional – to have some type of commercial on the first floor.

[10:42:14 am](#) Mr. Dulmer recapped direction.

VIII. MAYOR AND COUNCIL MEMBER ITEMS:

ADDENDUM: DISCUSSION REGARDING ARTIS-NAPLES AND AN OPPORTUNITY FOR COMPLIMENTARY PROGRAM TO BE OFFERED TO STUDENTS IN BONITA SPRINGS SCHOOLS. (QUAREMBA; GREENSHEET NO. 20-02-046)

[10:45:47 am](#) Council Member Amy Quaremba provided an overview of this item, and a brief discussion was held.

[10:48:07 am](#) Mayor Simmons motioned approval; Council Member Carr seconded; and the motion carried unanimously.

IX. FIRST READING AND PUBLIC HEARING OF THE FOLLOWING ORDINANCES (PUBLIC COMMENT ALLOWED):

- A. AN ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA, AMENDING SECTION 4-87 OF THE LAND DEVELOPMENT CODE TO ADJUST TERM LIMITS ON THE PLANNING COMMISSION CHAIR; PROVIDING FOR SEVERABILITY,

CONFLICTS, CODIFICATION, SCRIVENER'S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE. (GREENSHEET NO. 20-02-041)

10:50:00 AM City Attorney Rooney introduced this item, which is to remove the chair term limits for the Local Planning Agency. This is a first reading and the ordinance will move forward to a second reading.

- B. AN ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA, AMENDING DIVISION 37. SUBDIVISION II, TEMPORARY USES AND SUBDIVISION III. MOBILE FOOD VENDORS OF THE LAND DEVELOPMENT CODE RELATING TO MOBILE FOOD VENDORS; PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION, SCRIVENER'S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE. (GREENSHEET NO. 20-02-031)

10:57:31 AM John Dulmer, Community Development, referred to the draft Ordinance per direction of Council. He also informed Council of proposed legislation relating to food trucks. He explained that we would not be registering food trucks. They are also not licensing or regulating them as a unit. He further explained.

10:57:31 AM Council Member Quaremba referred to an email she received which, she stated, includes some valid points, which she addressed. The writer suggested they just say "residentially used property." We changed it from "residentially used properties" to "residentially zoned properties." She suggested they say both – and/or. She explained that the intent is to protect residential areas. Discussion followed on the 150-foot separation, which was revised to 250. Council Member Quaremba stated there's no provision on how long a permit lasts for, and for recourse. Council discussion was held, with City Attorney Rooney suggesting the inclusion of an "abandonment clause." Council Member Gibson asked that if apartment complex wanted to have this use they could. Council Member Quaremba and Carr also both addressed. Council Member Quaremba suggested information that would be distributed to City Council and the public to inform everyone who might have a vested interest in agreeing or not agreeing with the permit. Mr. Dulmer stated if Council wants the temporary locations to be done administratively, he can publish that list and place on a Council agenda, as well as on Community Development's website. In response to Mayor Simmons, Mr. Dulmer stated that if they are going to make a distinction as to some will be handled administratively and some will come before Council for their approval, he wants to be very clear as to the distinction – why some are being handled one way vs. another. Council Member Carr suggested placing requests on the Consent Agenda

11:31:53 AM Mr. Dulmer stated he has received direction and will bring back.

PUBLIC COMMENTS:

11:33:11 AM Al Greenwood, owner of Buffalo Chips, spoke opposed to the Ordinance, addressing 2012-090 which covers hot dog parks.

11:38:02 AM Kathy McGrath also addressed food trucks.

11:39:58 AM Dawn Koncikowski stated she was glad with the 250 feet. She agrees with placing on Consent Agenda.

X. PUBLIC COMMENT:

[11:41:22 AM](#) Former Mayor Jay Arend stated he is the Chairman of a group of over 40 residents who want to start a senior center. They will be putting a proposal together.

XI. CITY ATTORNEY'S ITEMS:

- A. ADOPT A RESOLUTION CLARIFYING LANGUAGE IN THE CITY OF BONITA SPRINGS CHARTER REFERENDUM LANGUAGE. (GREENSHEET NO. 20-02-044)

[11:46:16 am](#) Council Member Gibson motioned to approve; Mayor Simmons seconded; and the motion carried unanimously.

- B. APPROVE THE FORM OF AN EASEMENT AGREEMENT WITH AMCAP BONITA LLC RELATED TO THE CITY'S SETTLEMENT AGREEMENT WITH ANGLER'S PARADISE. (GREENSHEET NO. 20-02-045)

[11:48:27 AM](#) City Attorney Rooney furnished an overview, in this request in which they are requesting authorization to have the Mayor sign the Agreement,

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

XII. CITY MANAGER'S ITEMS:

- A. DISTRIBUTION OF THE CITY'S DRAFT EMERGENCY OPERATIONS PLAN AND OVERVIEW OF THE CITY'S EMERGENCY MANAGEMENT ACTIVITIES IN PREPARATION OF HURRICANE SEASON. (GREENSHEET 20-02-033)

[11:50:23 AM](#) City Manager Hunter provided an overview. The goal is to be compliant with FEMA regulations. Staff will bring back in the form of an ordinance. She also next addressed the Logan Boulevard Ribbon cutting event, scheduled for Monday, February 24, 2020.

XIII. MAYOR AND COUNCIL REPORTS:

Council Member Quaremba informed Council of the Horizon Council meeting she attended.

[11:53:52 am](#) Council Member Carr reminded everyone of the Clean-Up this Saturday.

[11:54:03 am](#) Council Member Forbes addressed the Wellfield Ordinance and the need for it to be updated.

[11:56:29 am](#) Mayor Simmons reported on a successful trip to Tallahassee. He reported they have full funding right now in the Senate from Senator Passidomo and Ray Rodriguez.

XIV. APPROVAL OF MINUTES: 02/05/20

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

XV. PUBLIC COMMENT:

[11:59:04 AM](#) Dawn Koncikowski whereas should be in heart of ordinance for food trucks.

XVI. ADJOURNMENT:

There being no further items to discuss, the meeting adjourned at 12:00 P.M.

Respectfully submitted,

Debra Filipek, City Clerk

APPROVED:
CITY COUNCIL

Date: _____
AUTHENTICATED:

Peter Simmons, Mayor