

NOTICE OF PUBLIC MEETING
CITY COUNCIL
CITY OF BONITA SPRINGS
OFFICIAL AGENDA
WEDNESDAY, MAY 20, 2020
9:00 A.M.

**CITY COUNCIL WILL ADJOURN AFTER THE REGULAR MEETING PORTION OF THE
AGENDA AND RECONVENE FOR THE COMPREHENSIVE PLAN AMENDMENTS**

FIRST PRESBYTERIAN CHURCH
9751 BONITA BEACH ROAD SE
BONITA SPRINGS, FLORIDA 34135

**PUBLIC COMMENT AVAILABLE VIA EMAIL, PHONE AND IN
PERSON IN ACCORDANCE WITH SOCIAL DISTANCING GUIDELINES**

DUE TO SOCIAL DISTANCING GUIDELINES, PLEASE EMAIL THE CITY AT
CITYMEETINGS@CITYOFBONITASPRINGS.ORG IN ORDER TO:

1. SUBMIT YOUR COMMENT IN WRITING PRIOR TO THE MEETING; OR
2. PROVIDE YOUR NAME AND TELEPHONE NUMBER TO PARTICIPATE BY PHONE DURING THE MEETING. A MEMBER OF STAFF WILL CONTACT YOU PRIOR TO THE MEETING WITH CALL-IN INSTRUCTIONS.

PLEASE INCLUDE THE MEETING DATE IN THE SUBJECT LINE OF YOUR EMAIL. ALL EMAILS FOR PUBLIC COMMENT MUST BE RECEIVED BY 4:00 P.M. ON MAY 19, 2020.

[CLICK HERE](#) TO WATCH THE MEETING ONLINE, OR VISIT THE CITY'S WEBSITE AT WWW.CITYOFBONITASPRINGS.ORG AND CLICK "HOW DO I?" AND THEN CLICK "WATCH A MEETING LIVE" TO ACCESS THE LIVE STREAM.

INTERESTED PARTIES MAY ALSO ATTEND THE PUBLIC HEARING IN PERSON TO PROVIDE COMMENTS IN ACCORDANCE WITH THE CITY'S CODE OR AS THOSE PROVISIONS MAY BE MODIFIED BY THE CITY COUNCIL. SOCIAL DISTANCING AND OTHER CENTERS FOR DISEASE CONTROL (CDC) AND FLORIDA DEPARTMENT OF HEALTH (FDOH) GUIDELINES PERTAINING TO COVID-19 WILL BE FOLLOWED AND OBSERVED.

- I. CALL TO ORDER
- II. INVOCATION
- III. PLEDGE OF ALLEGIANCE
- IV. ROLL CALL
- V. APPEARANCE BY CITY OF SANIBEL MAYOR KEVIN RUANE ON LAKE OKEECHOBEE RELEASE SCHEDULE (PLACED ON AGENDA AS ITEM V. DUE TO TIME CONSTRAINTS). (GREENSHEET NO. 20-05-127)
- VI. PUBLIC COMMENT ON AGENDA ITEMS

VII. 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. REVIEW OF APRIL 2020 MONTHLY CAPITAL IMPROVEMENT PROJECTS REPORT. (GREENSHEET NO. 20-05-114)
- B. APPROVAL OF A BUDGET TRANSFER AMONG CAPITAL PROJECT FUND ACCOUNTS FOR SIDEWALK PROJECTS. (GREENSHEET NO. 20-05-111)
- C. REVIEW OF APRIL 2020 MONTHLY FINANCIAL REPORTS. (GREENSHEET NO. 20-05-117)
- D. AUTHORIZE STAFF TO SUBMIT A GRANT APPLICATION TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY (DEO) FOR THE US HUD COMMUNITY DEVELOPMENT BLOCK GRANT – DISASTER RECOVERY (CDBG-DR) FOR THE INFRASTRUCTURE REPAIR PROGRAM. (GREENSHEET NO. 20-05-120)
- E. APPROVE A LETTER TO SUPPORT THE DISTRIBUTION FOR THE FEDERAL FISCAL YEAR 2019 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FUNDS. (GREENSHEET NO. 20-05-126)

- OPPORTUNITY FOR CITY COUNCIL COMMENTS ON CONSENT AGENDA ITEMS

VIII. PROCLAMATIONS AND PRESENTATIONS:

- A. RECEIVE PRESENTATION FROM CITY STAFF REGARDING MITIGATION EFFORTS AND PREPAREDNESS ACTIVITIES RELATED TO HURRICANE SEASON. (GREENSHEET NO. 20-05-123)
- B. APPROVE TRANSPORTATION RELATED PROJECTS FOR CIP. (GREENSHEET NO. 20-05-122)

IX. MAYOR AND COUNCIL MEMBER ITEMS:

- A. DISCUSSION ON RESIGNATION LETTER RECEIVED FROM ZONING BOARD MEMBER DAWN KONCIKOWSKI (GREENSHEET NO. 20-05-128)

X. PUBLIC COMMENT:

XI. CITY ATTORNEY'S ITEMS:

- A. CONSISTENT WITH RESOLUTION NO. 10-57 CREATING THE ADMINISTRATIVE CODE WHICH ESTABLISHES THE CODE OF CONDUCT FOR ITS ELECTED OFFICIALS, CONFIRMATION OF RECEIPT OF CODE OF CONDUCT. (GREENSHEET NO. 20-05-115)
- B. APPROVE EMERGENCY ORDER. (GREENSHEET NO. 20-05-124)

XII. CITY MANAGER'S ITEMS:

- A. REVIEW AND APPROVAL OF PROPOSED 2020-2021 BUDGET CALENDAR. (GREENSHEET NO. 20-05-112)

- B. DISCUSSION OF AUDIT COMMITTEE APPOINTMENTS TO PERFORM THE SOLICITATION AND SELECTION PROCEDURES FOR THE EXTERNAL AUDITING FIRM. (GREENSHEET NO. 20-05-113)
- C. APPOINT MAYOR AND MEMBERS OF CITY COUNCIL TO VARIOUS BOARDS AND COMMITTEES. (GREENSHEET NO. 20-05-118)
- D. CITY'S UPDATE ON COVID-19.

XIII. MAYOR AND COUNCIL REPORTS:

XIV. APPROVAL OF MINUTES:

XV. PUBLIC COMMENT:

XVI. CITY COUNCIL ADJOURN AND RECONVENE AS CITY COUNCIL TO CONSIDER ADOPTION OF THE FOLLOWING COMPREHENSIVE PLAN AMENDMENTS:

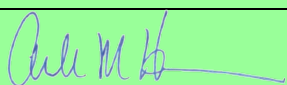
- A. AN ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA, PROVIDING FOR ADOPTION OF A COMPREHENSIVE PLAN AMENDMENT TO THE FUTURE LAND USE ELEMENT, ESTABLISHING THE CONSERVATION FRINGE LAND USE CATEGORY AND TO AMEND THE FUTURE LAND USE MAP FROM LEE COUNTY DENSITY REDUCTION GROUNDWATER RESOURCE (DRGR) AND WETLANDS AND CITY OF BONITA SPRINGS DENSITY REDUCTION GROUNDWATER RESOURCE (DRGR) TO CONSERVATION FRINGE; PROVIDING FOR INTENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (GREENSHEET NO. 20-05-125)
- B. AN ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA, PROVIDING FOR ADOPTION OF A COMPREHENSIVE PLAN AMENDMENT RELATING TO THE WATER SUPPLY PLAN OF THE INFRASTRUCTURE AND CAPITAL IMPROVEMENT ELEMENTS, PROVIDING FOR INTENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (GREENSHEET NO. 20-05-121)

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.

PRINTED COPIES OF THE AGENDA WILL BE PROVIDED AT THE MEETING. TO VIEW THE ENTIRE CITY COUNCIL MEETING PACKET PLEASE VISIT WWW.CITYOFBONITASPRINGS.ORG

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: 06/03/20

BONITA SPRINGS CITY COUNCIL		GREEN SHEET:	20-05-127
AGENDA ITEM SUMMARY			
REQUESTED MOTION: Appearance by Sanibel Mayor Kevin Ruane on Lake Okeechobee Release Schedule			
MEETING DATE: 5/20/2020			
AGENDA:		REQUIREMENT/PURPOSE: (Specify)	REQUESTOR OF INFORMATION:
☒	SPECIAL APPEARANCE	☐ STATUTE	Peter Simmons Mayor
☐	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: Mayor Ruane has requested to appear before City Council to address Lake Okeechobee release schedule.			
IS THIS RELATED TO A STRATEGIC PLAN OBJECTIVE? ☒ YES ☐ NO IF YES, WHICH STRATEGIC OBJECTIVE? 4 – Environmental Protection			
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:	20-05-114
AGENDA ITEM SUMMARY			
REQUESTED MOTION: Review of April 2020 Monthly Capital Improvement Projects Report			
MEETING DATE: 5/20/2020			
AGENDA:		REQUIREMENT/PURPOSE: (Specify)	REQUESTOR OF INFORMATION:
☐ PRESENTATIONS	☐ STATUTE	Anne K. 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 ITEMS			
☐ CITY MANAGER ITEMS			
BACKGROUND: Attached is the Capital Improvement Projects Monthly Report as of April 30, 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 as of April 30, 2020 for the Bonita Beach Road Visioning and Quadrant initiative totaling \$10,778,469 and the Sidewalks and Multi-Use Pathways initiative totaling \$11,767,281. As of April 30, 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 April 30, 2020 for the year ending September 30, 2020 total \$3,886,530. This report is provided for informational purposes.			
IS THIS RELATED TO A STRATEGIC PLAN OBJECTIVE? ☒ YES ☐ NO IF YES, WHICH STRATEGIC OBJECTIVE? Government Transparency			
STAFF RECOMMENDATIONS: Review the April 2020 Monthly Capital Improvement Projects Status Report			
REVIEWED BY: City Manager: City Attorney: City Clerk: Department Director: 			
COUNCIL ACTION: ☐ APPROVED ☐ DENIED ☐ DEFERRED ☐ OTHER			

CAPITAL IMPROVEMENT PROJECTS MONTHLY REPORT

as of April 30, 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 April 30, 2020	Budget Variance as of April 30, 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	106,279	3,825
30.250.538.6810	Storm Water Drainage Improvement Concepts	General Fund	-	-	-	4,035	(4,035)
30.250.538.6809	Spring Creek/Bonita Springs Golf Course Flood Improvement	General Fund	-	2,475,000	2,475,000	24,526	2,450,474
		Local Mitigation Strategy Grant	-	7,425,000	7,425,000	-	7,425,000
		TOTAL	-	9,900,000	9,900,000	24,526	9,875,474
30.250.538.6807	Logan Blvd Regional Floodway/Drainage	General Fund	564,855	-	564,855	26	564,829
		Local Mitigation Strategy Grant	1,762,500	-	1,762,500	-	1,762,500
		TOTAL	2,327,355	-	2,327,355	26	2,327,329
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	1,800	2,670,136
TOTAL IMPROVE STORM WATER MANAGEMENT			3,387,459	12,626,936	16,014,395	147,607	15,866,788
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	1,178,438	8,574,748
		TOTAL	7,086,087	3,750,000	10,836,087	1,178,438	9,657,649
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	1,178,438	10,778,469
Sidewalks and Multi-Use Pathways:							
30.250.541.6320	Multi-Use Pathways & Sidewalks	General Fund	481,794	50,000	531,794	47,249	484,545
		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	7,577	601,172
		TOTAL	2,062,149	350,000	2,412,149	54,826	2,357,323

CAPITAL IMPROVEMENT PROJECTS MONTHLY REPORT

as of April 30, 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 April 30, 2020	Budget Variance as of April 30, 2020
Account	Project Description						
30.250.541.6332	Cochran St./ Pauling Lane Multi-use Pathway	Grant - CDBG	6,065	-	6,065	4,165	1,900
30.250.541.6333	Bonita Drive Pathway-Old 41 to Streetsboro Lane	Grant - CDBG	116,083	-	116,083	71,920	44,163
30.250.541.6334	Maddox Lane Sidewalk	Road Impact Fee	17,995	-	17,995	9,966	8,029
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	19,436	11,387
30.250.541.6323	W. Terry St. Multi-Use Pathway	Park Impact Fee	1,575,193	400,000	1,975,193	501,380	1,473,813
		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	417,729	125,612
		TOTAL	2,941,631	2,234,541	5,176,172	919,109	4,257,063
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	9,850	13,545
TOTAL Sidewalks and Multi-Use Pathways			5,272,012	7,584,541	12,856,553	1,089,272	11,767,281
30.250.541.6908	Logan Boulevard	Gas Tax	500,000	-	500,000	6,985	493,015
30.250.541.6300	Minor Road, Sidewalk & Drainage Improvements	Gas Tax	-	250,000	250,000	133,288	116,712
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	2,506,638	24,020,240
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 April 30, 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 April 30, 2020	Budget Variance as of April 30, 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	20,368	498,304
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	24,575	288,294
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	23,347	14,653
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	28,269	286,671
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	4,875	89,368
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
30.250.541.6325	Logan Boulevard Landscape & Lighting	Gas Tax	316,750	200,000	516,750	516,750	-
		General Fund	656,393	-	656,393	291,136	365,257

CAPITAL IMPROVEMENT PROJECTS MONTHLY REPORT

as of April 30, 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 April 30, 2020	Budget Variance as of April 30, 2020
Account	Project Description						
		TOTAL	973,143	200,000	1,173,143	807,886	365,257
30.270.519.4911	Urban Design	General Fund	91,746	50,000	141,746	61,821	79,925
30.270.575.6014	Everglades Wonder Gardens Café	General Fund	3,400	100,000	103,400	3,716	99,684
TOTAL COMMUNITY AESTHETICS STRATEGIC PRIORITY			\$ 2,526,914	\$ 1,408,500	\$ 4,085,014	\$ 1,144,114	\$ 2,940,900
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	8,185	1,815
30.270.519.6400	Vehicle Major Repairs and Replacement Reserve	General Fund	-	200,000	100,000	-	100,000
30.270.519.4909	Contingency	General Fund	13,991	-	13,991	-	13,991
		Park Impact Fee	36,610	-	36,610	-	36,610
		TOTAL	50,601	-	50,601	-	50,601
30.270.519.4924	City Facilities Major Repairs	General Fund	376,312	500,000	876,312	79,986	796,326
Total Other			426,913	710,000	1,036,913	88,171	948,742
TOTAL			\$ 20,824,971	\$ 28,691,977	\$ 49,566,548	\$ 3,886,530	\$ 45,680,018
FUNDING SOURCES							
		General Fund	5,248,069	7,957,436	13,105,505	734,182	12,371,323
		Road Impact Fee	7,168,580	10,109,541	17,278,121	1,207,840	16,070,281
		Gas Tax	2,295,109	1,350,000	3,645,109	760,978	2,884,131
		Park Impact Fee	2,495,380	438,000	3,082,980	558,103	2,524,877
		Building Fees	57,700	1,112,000	1,169,700	-	1,169,700
		Grant	3,560,133	7,725,000	11,285,133	625,427	10,659,706
		TOTAL	\$ 20,824,971	\$ 28,691,977	\$ 49,566,548	\$ 3,886,530	\$ 45,680,018
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 under Zoning							

BONITA SPRINGS CITY COUNCIL		GREEN SHEET:	20-05-111
AGENDA ITEM SUMMARY			
REQUESTED MOTION: Approval of a budget transfer among Capital Project Fund accounts for sidewalk projects.			
MEETING DATE: May 20, 2020			
AGENDA:		REQUIREMENT/PURPOSE: (Specify)	REQUESTOR OF INFORMATION:
☐ PRESENTATIONS	☐ STATUTE	Matt Feeney, Assistant City Manager Anne K. 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 ITEMS			
☐ CITY MANAGER ITEMS			
BACKGROUND: The approved Capital Projects budget included funding in one account for Multi-use Pathways and Sidewalks. As individual projects are begun, the budget is transferred to a new project account so that the individual project costs can be tracked. The attached Budget Resolution transfers funding to establish budgets for the following projects: Bonita Drive improvements: Construction of a multi-use path on the south side of Bonita Drive from Old US 41 to Streetsboro Lane is needed as there are no pedestrian facilities along Bonita Drive, which has a high volume of bicyclists and pedestrians that traverse the corridor. This project includes construction of Pedestrian Crossing Refuge and Rapidly Reflecting Beacons on Old 41 as well as landscaping. Project design and the permit process are complete. This project requires a budget of \$980,000, which is available in the Multi-use Path and Sidewalk budget. Cockleshell Road improvements: Extend existing Cockleshell Sidewalk 1,300 LF from Glen Heron Drive to Shangri-La Road. This connection will provide, in conjunction with the Maddox Lane Sidewalk CIP, a contiguous sidewalk network between Cockleshell Road, Maddox Lane, Paradise Road, and Shangri-La Road. This project requires a budget of \$134,153, which is available in the Multi-use Path and Sidewalk budget. Imperial Shores Drive improvements: Construction of an 8 FT wide sidewalk with curb & gutter and associative drainage along Imperial Shores Drive from Bonita Beach Road North to Tarpon Ave. Project design and permitting is complete. There are no pedestrian facilities along Imperial Shores Drive. The corridor has a high volume of pedestrians that walk alongside the roadway. This project requires a budget of \$896,338, which is available in the Multi-use Path and Sidewalk budget. ATTACHMENT- Budget Transfer Resolution			
IS THIS RELATED TO A STRATEGIC PLAN OBJECTIVE? ☒ YES ☐ NO IF YES, WHICH STRATEGIC OBJECTIVE? Transportation			
STAFF RECOMMENDATIONS: Approve the attached Budget Transfer Resolution.			
REVIEWED BY: City Manager: City Attorney: City Clerk: Department Director: 			
COUNCIL ACTION: ☐ APPROVED ☐ DENIED ☐ DEFERRED ☐ OTHER			

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

**A RESOLUTION OF THE CITY OF BONITA SPRINGS, FLORIDA;
APPROVING A BUDGET TRANSFER TO TRANSFER BUDGET BETWEEN
CAPITAL PROJECT FUND ACCOUNTS FOR SIDEWALK PROJECTS; AND
PROVIDING FOR AN EFFECTIVE DATE.**

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

WHEREAS, the Capital Projects Fund includes a budget for multi-use pathways and sidewalks; and

WHEREAS, Council previously prioritized sidewalks along Bonita Drive, Cockleshell and Imperial Shores; and

WHEREAS, Community Development Block Grant funded expenditures were budgeted in the Multi-use Pathways & Sidewalks and is now being transferred to the W. Terry Street Multi-use Pathway.

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

- 1.The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon its adoption.
- 2.The Bonita Springs' City Council authorizes the following budget transfer relating to the Capital Projects Fund:

	Budget Increase (Decrease)
Bonita Drive multi-use path	\$ 980,000
Cockleshell sidewalk	134,153
Imperial Shores sidewalk	896,338
Multi-use Pathways & Sidewalks	(2,010,491)

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

DULY PASSED AND ENACTED by the City Council of the City of Bonita Springs, Lee County, Florida, this 20th day of May, 2020.

AUTHENTICATION:

_____ Mayor	_____ City Clerk
----------------	---------------------

APPROVED AS TO FORM: _____
City Attorney

Vote:

Carr	Purdon
Corrie	Quaremba
Forbes	Simmons
Gibson	

Date filed with City Clerk: _____

AGENDA ITEM SUMMARY

REQUESTED MOTION: Review of April 2020 Monthly Financial Reports

MEETING DATE: 5/6/2020

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 ITEMS			
☐	CITY MANAGER ITEMS			

BACKGROUND: Financial Highlights of the General Fund for the Seven Months ended April 30, 2020

- Total FY 2020 Revenues as of April 30, 2020 are **greater than** the FY 2019 Revenues as of April 30, 2019 by \$1,155,110, representing an 8.89% increase over FY 2019. This favorable variance is from increases over the prior year General Fund revenue in Ad Valorem Taxes of \$528,373, Half Cent Sales Tax of \$95,521, Code Enforcement Fines of \$65,282, Interest of \$27,028, 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 \$327,024, and Electricity Franchise Fees increase to the General Fund of \$330,767, offset by decreases in Administrative Services Fees of (\$157,773) and Planning and Zoning Fees of (\$88,468).
- Total FY 2020 Revenues collected for the seven months ended April 30, 2020 are 71.27% 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 is historically about 45% of the budgeted amount.
- Total FY 2020 Expenditures as of April 30, 2020 are **greater than** FY 2019 Expenditures as of April 30, 2019 by \$396,703.
- FY 2020 Transfers In as of April 30, 2020 are \$2,376,994 **greater than** the FY 2019 Transfers In for the seven months ended April 30, 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 seven months ended April 30, 2020 are 50.12% of the Total Expenditures budgeted for FY 2020. Although this is the seventh month of the City's fiscal year, these statements reflect payments for only six months of costs associated with certain operating expenditures which are paid in the month following the month of service.
- FY 2020 Transfers Out to Other Funds as of April 30, 2020 are \$441,190 **less than** the FY 2019 Transfers Out for the seven months ended April 30, 2019.
- FY 2020 Revenues and Transfers In are **greater than** FY 2020 Expenditures and Transfers Out for the seven months ended April 30, 2020 by \$8,430,606. FY 2019 Revenues and Transfers In were \$4,854,015 **greater than** FY 2019 Expenditures and Transfers Out for the seven months ended April 30, 2019.

A General Fund Summary showing a comparison to the prior year is attached. Also attached is a Summary of Cash Balances as of April 30, 2020, 2019 and 2018, and a Fund Balance Summary as of September 30, 2019.

IS THIS RELATED TO A STRATEGIC PLAN OBJECTIVE? ☒ 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 April 30, 2020	Variance – Over (Under) Budget	Actual as a % of Budget	YTD Actual April 30, 2019	FY 2020 Actual Over (Under) FY 2019 Actual
Revenues:						
Taxes	\$ 9,914,804	\$ 9,061,268	\$ (853,536)	91.39%	\$ 8,208,798	\$ 852,470
Franchise Fees	3,115,583	1,456,166	(1,659,417)	46.74%	1,124,049	332,117
State Shared Revenue	5,564,040	2,861,613	(2,702,427)	51.43%	2,746,023	115,590
Other Revenues	1,263,090	773,285	(489,805)	61.22%	918,352	(145,067)
Total Revenues	\$ 19,857,517	\$ 14,152,332	\$ (5,705,185)	71.27%	\$ 12,997,222	\$ 1,155,110
Expenditures:						
General Government	\$ 6,565,421	\$ 2,837,572	\$ (3,727,849)	43.22%	\$ 2,916,146	\$ (78,574)
Public Safety	2,541,622	1,749,767	(791,855)	68.84%	1,184,124	565,643
Physical Environment	277,022	98,436	(178,586)	35.53%	89,102	9,334
Transportation	2,564,232	1,431,321	(1,132,911)	55.82%	1,289,893	141,428
Economic Environment	27,550	27,500	(50)	99.82%	27,500	-
Human Services	173,491	71,232	(102,259)	41.06%	73,480	(2,248)
Culture & Recreation	2,478,714	1,194,029	(1,284,685)	48.17%	1,170,131	23,898
Hurricane Irma	156,000	-	(156,000)	0.00%	262,778	(262,778)
Total Expenditures	\$ 14,784,052	\$ 7,409,857	\$ (7,374,195)	50.12%	\$ 7,013,154	\$ 396,703
Excess (deficiency) of revenues over (under) expenditures	\$ 5,073,465	\$ 6,742,475	\$ 1,669,010		\$ 5,984,068	\$ 758,407
Other Financing Sources (Uses):						
Transfers In	\$ 2,447,189	\$ 2,432,188	\$ (15,001)	99.39%	\$ 55,194	\$ 2,376,994
Transfers Out	(13,145,505)	(744,057)	(12,401,448)	5.66%	(1,185,247)	(441,190)
Total Other Financing Sources (Uses) - net	\$ (10,698,306)	\$ 1,688,131	(12,386,447)		\$ (1,130,053)	\$ 2,818,184
Total Surplus (Deficit)		\$ 8,430,606			\$ 4,854,015	\$ 3,576,591

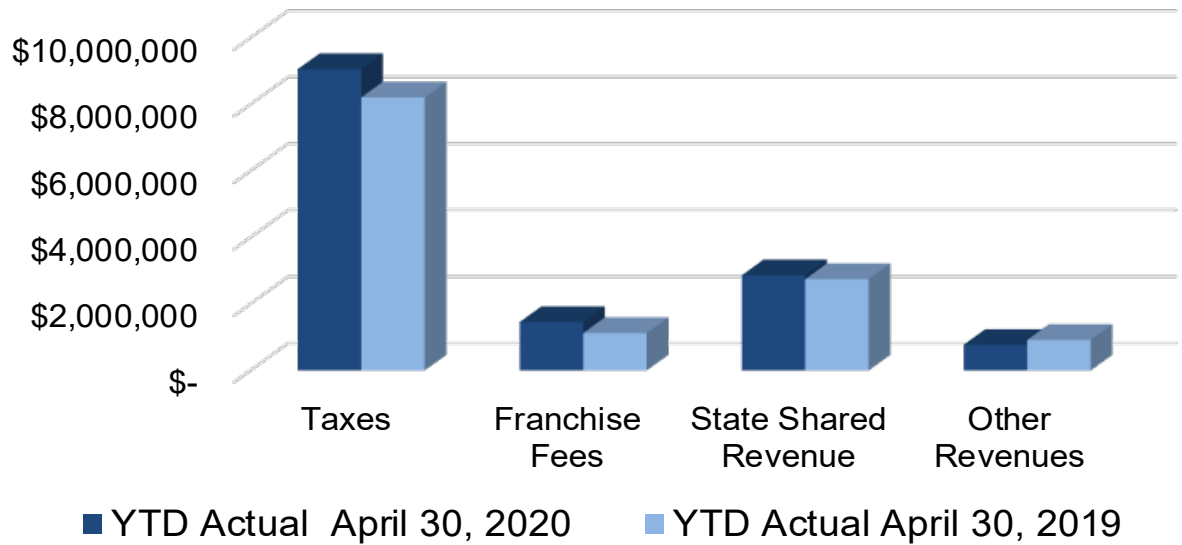
Below is the City's Cash Position as of April 30, 2020, 2019 and 2018.

	Cash Balances as of		
	4/30/2020	4/30/2019	4/30/2018
Fund:			
General Fund	\$ 24,280,294	\$ 15,795,284	\$ 13,006,273
Gas Tax	4,122,728	4,125,451	4,059,954
Road Impact Fee	20,473,365	18,825,569	11,181,230
Reg Park Impact Fee	-	-	757,940
Comm Park Impact Fee	3,229,003	3,464,031	1,801,117
Stormwater Management	1,457,533	-	-
Building Fees Fund	8,903,332	8,292,661	6,713,708
2011 Debt Fund	450,074	2,295,950	1,331,299
2014 Debt Fund	1	208,305	217,459
Downtown Revenue Sharing	300,340	-	-
Total Cash by Fund	\$ 63,216,670	\$ 53,007,251	\$ 39,068,980

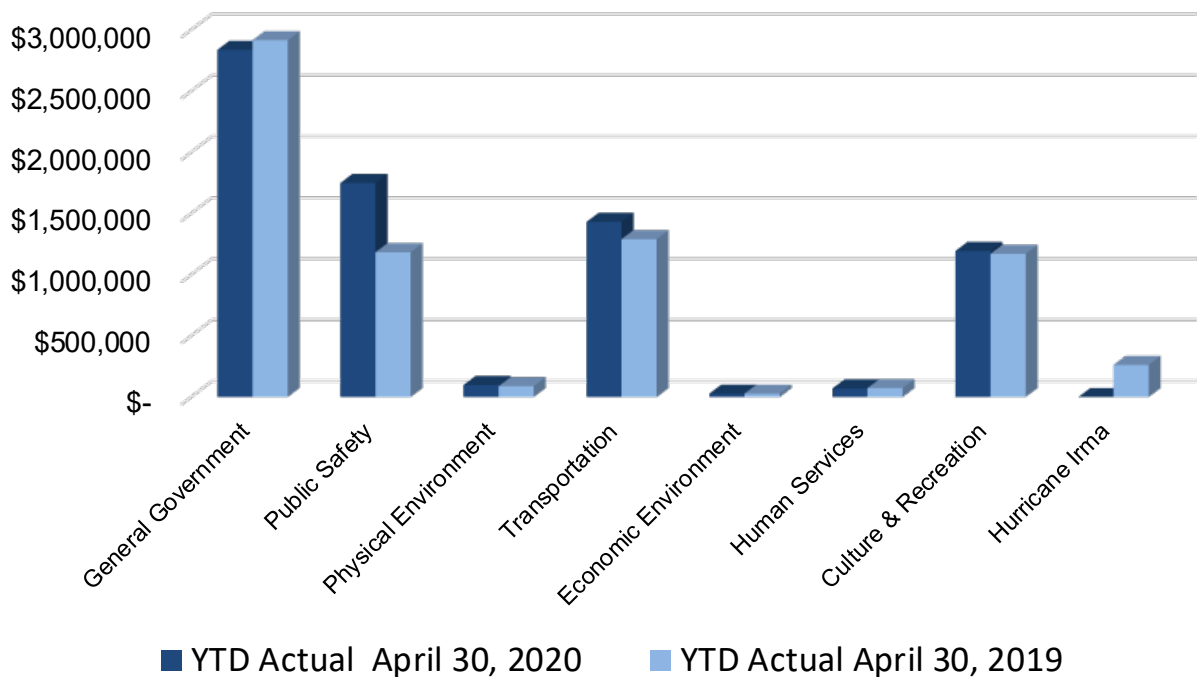
OBSERVATION:

A cash flow concern could arise if the Local Mitigation Strategy (LMS) grants and other grants for the projects in our CIP, as well as the recently approved CDBG-DR property buy-out grant, 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 temporary inter-fund borrowings until reimbursements are received.

General Fund Revenues as of April 30, 2020 and 2019



General Fund Expenditures as of April 30, 2020 and 2019



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 of which 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 April 30, 2020

	General Fund	Special Revenue Funds							Debt Service Fund Downtown Redevelopment	Debt Service Fund 2011 Debt	Total Governmental Funds	
		Impact Fee Funds		Gas Tax	Grants	Building Fees	Downtown Area Revenue Sharing	Stormwater Management				
		Road	Park									
ASSETS												
Cash and cash equivalents	\$ 24,280,294	\$ 20,473,365	\$ 3,229,003	\$ 4,122,728	\$ -	\$ 8,903,332	\$ 300,340	\$ 1,457,533	\$ 1	\$ 450,074	\$ 63,216,670	
Restricted Cash	-	-	-	-	-	-	-	-	-	-	-	
Receivables (net)	415,654	-	-	-	-	-	-	-	-	-	415,654	
Due from other funds	107,943	-	-	-	-	-	-	-	-	-	107,943	
Due from other governments	-	-	-	-	-	-	-	-	-	-	-	
Advances to other funds	-	-	-	-	-	-	-	-	-	-	-	
Total assets	\$ 24,803,891	\$ 20,473,365	\$ 3,229,003	\$ 4,122,728	\$ -	\$ 8,903,332	\$ 300,340	\$ 1,457,533	\$ 1	\$ 450,074	\$ 63,740,267	
LIABILITIES AND FUND BALANCES												
Liabilities:												
Accounts and contracts payable	\$ 162,490	\$ -	\$ -	\$ 84,167	\$ 5,056	\$ 88	\$ -	\$ -	\$ -	\$ -	\$ 251,801	
Accrued liabilities	167,001	-	-	-	-	-	-	-	-	-	167,001	
Due to other funds	-	-	-	-	107,943	-	-	-	-	-	107,943	
Due to other governments	80	-	-	-	-	-	-	-	-	-	80	
Unearned revenue	-	-	-	-	-	-	-	-	-	-	-	
Total liabilities	329,570	-	-	84,167	112,999	88	-	-	-	-	526,825	
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 April 30, 2020	8,430,606	(119,879)	(256,494)	(345,369)	(112,999)	373,424	300,340	1,457,534	(70,738)	(2,550,585)	7,105,839	
Fund balances as of April 30, 2020	24,474,321	20,473,365	3,229,003	4,038,561	(112,999)	8,903,244	300,340	1,457,534	1	450,074	63,213,444	
Total liabilities and fund balances	\$ 24,803,891	\$ 20,473,365	\$ 3,229,003	\$ 4,122,728	\$ -	\$ 8,903,332	\$ 300,340	\$ 1,457,534	\$ 1	\$ 450,074	\$ 63,740,267	



City of Bonita Springs, FL

General Fund Budget Report

Group Summary

For Fiscal: 2019-2020 Period Ending: 04/30/2020

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	209,065.36	8,386,569.00	256,031.00
315 - Communications Services Taxes	1,231,504.00	1,231,504.00	114,656.20	662,874.48	568,629.52
316 - Local Business Taxes	35,700.00	35,700.00	495.62	8,424.92	27,275.08
319 - Other General Taxes	5,000.00	5,000.00	0.00	3,400.00	1,600.00
323 - Franchise Fees	3,115,583.00	3,115,583.00	226,098.45	1,456,166.46	1,659,416.54
329 - Other Permits, Fees & Special Assessment	79,125.00	79,125.00	440.00	41,710.00	37,415.00
335 - State Shared Revenue	5,564,040.00	5,564,040.00	499,161.10	2,861,612.80	2,702,427.20
341 - General Government	525,680.00	525,680.00	1,250.00	207,554.49	318,125.51
343 - Physical Environment	96,300.00	96,300.00	0.00	66,500.00	29,800.00
347 - Culture/Recreation	136,000.00	136,000.00	144.20	74,620.90	61,379.10
349 - Other Charges for Services	61,500.00	61,500.00	77.23	52,590.88	8,909.12
351 - Judgements, Fines-Traffic	27,500.00	27,500.00	2,415.94	18,014.49	9,485.51
354 - Fines Local Ordinance	65,000.00	65,000.00	7,000.00	81,951.90	-16,951.90
361 - Interest & Other Earnings	205,000.00	205,000.00	5,699.71	163,424.82	41,575.18
362 - Rents & Royalties	30,000.00	30,000.00	557.56	17,642.22	12,357.78
366 - Contributions	0.00	4,180.00	0.00	4,640.00	-460.00
369 - Other Misc Revenues	32,805.00	32,805.00	1,881.32	44,634.57	-11,829.57
381 - Transfers In	2,186,936.00	2,447,189.00	46,962.24	2,432,188.26	15,000.74
Revenue Total:	22,040,273.00	22,304,706.00	1,115,904.93	16,584,520.19	5,720,185.81
Expense					
51 - General Government	6,688,421.00	6,721,421.00	395,533.01	2,835,170.07	3,886,250.93
52 - Public Safety	2,517,421.00	2,541,622.00	503,103.80	1,749,766.97	791,855.03
53 - Physical Environment	277,022.00	277,022.00	3,528.51	98,436.03	178,585.97
54 - Transportation	2,352,113.00	2,564,232.00	138,758.06	1,431,320.86	1,132,911.14
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	63,457.00	71,232.00	102,259.00
57 - Culture & Recreation	2,610,471.00	2,478,714.00	133,880.01	1,194,029.78	1,284,684.22
58 - Other Uses/Transfers Out	7,997,436.00	13,145,505.00	84,211.25	744,057.18	12,401,447.82
59 - Other Nonoperating	0.00	0.00	2,256.64	2,401.64	-2,401.64
Expense Total:	22,643,925.00	27,929,557.00	1,324,728.28	8,153,914.53	19,775,642.47
Fund: 00 - General Fund Surplus (Deficit):	-603,652.00	-5,624,851.00	-208,823.35	8,430,605.66	-14,055,456.66
Total Surplus (Deficit):	-603,652.00	-5,624,851.00	-208,823.35	8,430,605.66	



General Fund Department Expenditures Excluding Transfers

City of Bonita Springs, FL

Group Summary

For Fiscal: 2019-2020 Period Ending: 04/30/2020

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	30,482.29	232,105.35	235,968.65
102 - Boards & Committees	150,000.00	159,182.00	500.00	19,302.74	139,879.26
201 - City Manager	451,941.00	451,941.00	31,583.48	232,918.16	219,022.84
211 - Planning & Zoning	1,881,691.00	1,881,691.00	145,690.82	1,038,727.60	842,963.40
220 - Law Enforcement/Security	1,815,729.00	1,815,729.00	459,155.30	1,363,119.81	452,609.19
230 - Neighborhood Services	677,262.00	701,463.00	41,388.77	376,206.28	325,256.72
240 - Information Technologies	187,576.00	187,576.00	6,975.76	71,133.86	116,442.14
250 - Public Works	2,563,645.00	2,766,582.00	142,286.57	1,526,304.49	1,240,277.51
260 - Emergency Preparedness	24,430.00	24,430.00	2,559.73	10,440.88	13,989.12
270 - Non-Departmental Expenditures	1,417,952.00	1,383,295.00	67,533.54	135,036.91	1,248,258.09
301 - City Attorney	770,305.00	770,305.00	60,377.25	337,035.55	433,269.45
401 - Administrative Services	461,808.00	489,865.00	33,577.85	221,243.70	268,621.30
402 - City Hall	162,855.00	169,455.00	14,067.43	93,786.04	75,668.96
410 - Human Resources	86,147.00	86,147.00	4,332.05	32,113.52	54,033.48
430 - Communications	647,273.00	680,273.00	28,998.28	313,662.15	366,610.85
501 - Finance	591,986.00	591,986.00	38,101.21	313,268.21	278,717.79
601 - Parks & Recreation Administration	658,843.00	601,406.00	39,907.46	321,993.06	279,412.94
602 - Recreation Center	389,854.00	389,854.00	24,095.40	220,608.47	169,245.53
603 - Community Park & Ball Fields	191,665.00	191,665.00	11,796.36	128,642.90	63,022.10
604 - Community Pool	353,218.00	353,218.00	21,151.92	190,784.91	162,433.09
605 - Riverside Park	208,733.00	130,233.00	9,081.60	46,495.97	83,737.03
609 - Formerly Community Hall/Sherriff Substation	14,905.00	14,905.00	267.64	4,678.15	10,226.85
610 - Dog Park	113,066.00	113,066.00	5,611.71	35,646.89	77,419.11
611 - Beach Parks	11,180.00	11,180.00	2,100.00	5,930.25	5,249.75
613 - BS Soccer Complex	92,118.00	92,118.00	7,788.21	51,167.70	40,950.30
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	3,008.32	25,319.58	28,851.42
617 - Bonita Nature Place	22,700.00	22,700.00	3,395.36	12,914.06	9,785.94
618 - Windsor Road Preserve	8,500.00	8,500.00	-21.50	126.16	8,373.84
620 - Marni Fields	115,150.00	115,150.00	4,724.22	21,426.34	93,723.66
621 - BS River Park	15,011.00	15,011.00	0.00	11,091.27	3,919.73
622 - Cullum's Bonita Trail	9,800.00	9,800.00	0.00	2,892.00	6,908.00
623 - Carpenter Lane Canoe & Kayak	1,124.00	1,124.00	0.00	69.14	1,054.86
624 - Leitner Creek Neighborhood Park	4,277.00	4,277.00	0.00	1,982.88	2,294.12
626 - Oak Creek Preserve	13,350.00	13,350.00	0.00	5,775.00	7,575.00
883 - Veterans	5,000.00	5,180.00	0.00	1,907.37	3,272.63
890 - Film Festival	0.00	4,000.00	0.00	4,000.00	0.00
Fund: 00 - General Fund Total:	14,646,489.00	14,784,052.00	1,240,517.03	7,409,857.35	7,374,194.65
Total Surplus (Deficit):	-14,646,489.00	-14,784,052.00	-1,240,517.03	-7,409,857.35	



City of Bonita Springs, FL

Special Revenue Funds Budget Report

Group Summary

For Fiscal: 2019-2020 Period Ending: 04/30/2020

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	141,303.82	805,567.81	851,992.19
335 - State Shared Revenue	290,546.00	290,546.00	23,362.99	140,177.94	150,368.06
361 - Interest & Other Earnings	40,000.00	40,000.00	1,011.00	32,569.00	7,431.00
Revenue Total:	1,988,106.00	1,988,106.00	165,677.81	978,314.75	1,009,791.25
Expense					
54 - Transportation	1,090,495.00	1,090,495.00	75,751.32	562,243.21	528,251.79
58 - Other Uses/Transfers Out	1,350,000.00	3,645,109.00	60,688.00	761,440.18	2,883,668.82
Expense Total:	2,440,495.00	4,735,604.00	136,439.32	1,323,683.39	3,411,920.61
Fund: 10 - Gas Tax Fund Surplus (Deficit):	-452,389.00	-2,747,498.00	29,238.49	-345,368.64	-2,402,129.36
Fund: 13 - Grant Fund					
Revenue					
331 - Federal Grants	300,000.00	1,985,492.00	124,508.21	664,933.45	1,320,558.55
334 - State Grants	7,425,000.00	9,387,516.00	0.00	15.50	9,387,500.50
337 - Local Gvmt Grants	40,000.00	212,378.00	56,737.50	127,474.50	84,903.50
381 - Transfers In	40,000.00	40,000.00	0.00	10,336.00	29,664.00
Revenue Total:	7,805,000.00	11,625,386.00	181,245.71	802,759.45	10,822,626.55
Expense					
52 - Public Safety	80,000.00	80,000.00	9,408.00	30,080.00	49,920.00
58 - Other Uses/Transfers Out	7,725,000.00	11,545,386.00	61,252.28	885,678.92	10,659,707.08
Expense Total:	7,805,000.00	11,625,386.00	70,660.28	915,758.92	10,709,627.08
Fund: 13 - Grant Fund Surplus (Deficit):	0.00	0.00	110,585.43	-112,999.47	112,999.47
Fund: 14 - Road Impact Fee Fund					
Revenue					
324 - Impact Fees	2,557,595.00	2,557,595.00	0.00	3,116,022.57	-558,427.57
361 - Interest & Other Earnings	130,000.00	130,000.00	5,219.00	143,873.46	-13,873.46
Revenue Total:	2,687,595.00	2,687,595.00	5,219.00	3,259,896.03	-572,301.03
Expense					
58 - Other Uses/Transfers Out	12,281,477.00	19,450,057.00	52,516.24	3,379,774.90	16,070,282.10
Expense Total:	12,281,477.00	19,450,057.00	52,516.24	3,379,774.90	16,070,282.10
Fund: 14 - Road Impact Fee Fund Surplus (Deficit):	-9,593,882.00	-16,762,462.00	-47,297.24	-119,878.87	-16,642,583.13
Fund: 16 - Park Impact Fee Fund					
Revenue					
324 - Impact Fees	298,410.00	298,410.00	0.00	272,430.00	25,980.00
361 - Interest & Other Earnings	28,000.00	28,000.00	906.00	29,179.00	-1,179.00
Revenue Total:	326,410.00	326,410.00	906.00	301,609.00	24,801.00
Expense					
58 - Other Uses/Transfers Out	438,000.00	3,082,980.00	-5,581.63	558,103.22	2,524,876.78
Expense Total:	438,000.00	3,082,980.00	-5,581.63	558,103.22	2,524,876.78
Fund: 16 - Park Impact Fee Fund Surplus (Deficit):	-111,590.00	-2,756,570.00	6,487.63	-256,494.22	-2,500,075.78
Fund: 19 - Building Fees Fund					
Revenue					
322 - Building Permits	2,400,000.00	2,400,000.00	2,454.00	1,836,455.06	563,544.94
329 - Other Permits, Fees & Special Assessment	0.00	0.00	0.00	44,028.50	-44,028.50
361 - Interest & Other Earnings	110,000.00	110,000.00	2,239.00	72,109.00	37,891.00
Revenue Total:	2,510,000.00	2,510,000.00	4,693.00	1,952,592.56	557,407.44
Expense					
52 - Public Safety	2,733,911.00	2,733,911.00	223,565.62	1,579,168.77	1,154,742.23

Special Revenue Funds Budget Report

For Fiscal: 2019-2020 Period Ending: 04/30/2020

ExpFinStmntLineItem;RevAccountType	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
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	223,565.62	1,579,168.77	2,348,825.23
Fund: 19 - Building Fees Fund Surplus (Deficit):	-1,350,911.00	-1,417,994.00	-218,872.62	373,423.79	-1,791,417.79
Total Surplus (Deficit):	-11,508,772.00	-23,684,524.00	-119,858.31	-461,317.41	



City of Bonita Springs, FL

Debt Service Funds Budget Report

Group Summary

For Fiscal: 2019-2020 Period Ending: 04/30/2020

ExpFinStmntLineItem;RevAccountType	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
Fund: 20 - 2011 Debt Fund					
Revenue					
361 - Interest & Other Earnings	5,000.00	5,000.00	0.00	4,634.00	366.00
381 - Transfers In	2,171,936.00	2,171,936.00	46,962.24	2,171,936.00	0.00
Revenue Total:	2,176,936.00	2,176,936.00	46,962.24	2,176,570.00	366.00
Expense					
51 - General Government	2,555,225.00	2,555,225.00	55,250.00	2,555,218.90	6.10
58 - Other Uses/Transfers Out	2,171,936.00	2,171,936.00	46,962.24	2,171,936.00	0.00
Expense Total:	4,727,161.00	4,727,161.00	102,212.24	4,727,154.90	6.10
Fund: 20 - 2011 Debt Fund Surplus (Deficit):	-2,550,225.00	-2,550,225.00	-55,250.00	-2,550,584.90	359.90
Fund: 21 - 2014 Debt Fund					
Revenue					
381 - Transfers In	1,007,361.00	1,007,361.00	0.00	881,828.00	125,533.00
Revenue Total:	1,007,361.00	1,007,361.00	0.00	881,828.00	125,533.00
Expense					
51 - General Government	1,078,100.00	1,078,100.00	0.00	952,566.00	125,534.00
Expense Total:	1,078,100.00	1,078,100.00	0.00	952,566.00	125,534.00
Fund: 21 - 2014 Debt Fund Surplus (Deficit):	-70,739.00	-70,739.00	0.00	-70,738.00	-1.00
Total Surplus (Deficit):	-2,620,964.00	-2,620,964.00	-55,250.00	-2,621,322.90	



City of Bonita Springs, FL

Capital Project Funds Budget Report

Group Summary

For Fiscal: 2019-2020 Period Ending: 04/30/2020

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	181,548.90	3,669,729.47	44,847,489.53
Revenue Total:	28,481,977.00	48,517,219.00	181,548.90	3,669,729.47	44,847,489.53
Expense					
51 - General Government	1,982,500.00	2,783,402.00	37,781.25	149,992.40	2,633,409.60
53 - Physical Environment	12,936,936.00	16,805,743.00	13,180.00	147,606.82	16,658,136.18
54 - Transportation	12,734,541.00	28,023,993.00	130,587.65	3,324,698.25	24,699,294.75
57 - Culture & Recreation	828,000.00	904,081.00	0.00	47,432.00	856,649.00
Expense Total:	28,481,977.00	48,517,219.00	181,548.90	3,669,729.47	44,847,489.53
Fund: 30 - Cap Projects Fund Surplus (Deficit):	0.00	0.00	0.00	0.00	0.00
Fund: 31 - Other Capital Projects Fund					
Revenue					
366 - Contributions	0.00	0.00	0.00	0.00	0.00
381 - Transfers In	210,000.00	1,049,329.00	24,575.00	216,800.67	832,528.33
Revenue Total:	210,000.00	1,049,329.00	24,575.00	216,800.67	832,528.33
Expense					
53 - Physical Environment	0.00	0.00	0.00	0.00	0.00
55 - Economic Environment	150,000.00	312,869.00	24,575.00	24,575.00	288,294.00
57 - Culture & Recreation	60,000.00	736,460.00	0.00	192,225.67	544,234.33
Expense Total:	210,000.00	1,049,329.00	24,575.00	216,800.67	832,528.33
Fund: 31 - Other Capital Projects Fund Surplus (Deficit):	0.00	0.00	0.00	0.00	0.00
Total Surplus (Deficit):	0.00	0.00	0.00	0.00	0.00

BONITA SPRINGS CITY COUNCIL		GREEN SHEET:	20-05-120
AGENDA ITEM SUMMARY			
REQUESTED MOTION: Authorize staff to submit grant applications to the Florida Department of Economic Opportunity (DEO) for the US HUD Community Development Block Grant – Disaster Recovery (CDBG-DR) for the Infrastructure Repair Program.			
MEETING DATE: 5/20/2020			
AGENDA:		REQUIREMENT/PURPOSE: (Specify)	REQUESTOR OF INFORMATION:
☐ PRESENTATIONS	☐ STATUTE	Matt Feeney Assistant City Manager Elly Soto McKuen Senior Project 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 March 30, 2020, the DEO announced an additional funding cycle to the Rebuild Florida's CDBG-DR Infrastructure Repair Program. As a continuation of the first cycle, this program allows local governments to apply for grant funding for projects to restore and improve infrastructure in areas damaged by Hurricane Irma. The program is only available to those city and county governments that are within the Most Impacted and Distressed (MID) areas, as defined by HUD and DEO in the 2018 State of Florida Action Plan for Disaster Recovery. DEO has allocated \$100,229,945 million in additional funding for Phase 2 for this program. Lee County and all cities located within the County are MID areas. The application cycle opened on March 30, 2020 and the deadline to submit the CDBG-DR application to DEO is June 30, 2020. There is no match requirement for this application. Staff suggests submitting two applications for stormwater improvements, Spring Creek Bonita Golf Course Improvement Project and BG Mines Stormwater Improvement Project. Attachments: FDEO Grant Announcement			
IS THIS RELATED TO A STRATEGIC PLAN OBJECTIVE? ☒ YES ☐ NO IF YES, WHICH STRATEGIC OBJECTIVE? 1) Stormwater Management, 3) Strengthen City Finances, 4) Environmental Protection, 5) Community Aesthetics, 7) Government Transparency and 8) Economic Development			
STAFF RECOMMENDATIONS: Authorize staff to submit grant applications to the DEO for the US HUD CDBG-DR for Infrastructure Repair Program			
REVIEWED BY: City Manager: City Attorney: City Clerk: Department Director: 			
COUNCIL ACTION: ☐ APPROVED ☐ DENIED ☐ DEFERRED ☐ OTHER			

From: Florida Department of Economic Opportunity <deo.info@deo.myflorida.com>
Sent: Saturday, March 28, 2020 4:37 PM
To: Elly McKuen
Subject: Florida Department of Economic Opportunity Announces \$100 Million of Additional Funds Available Through Rebuild Florida Infrastructure Repair Program



FLORIDA DEPARTMENT OF
ECONOMIC OPPORTUNITY

PRESS RELEASE

www.FloridaJobs.org | Media@deo.myflorida.com

Florida Department of Economic Opportunity Announces \$100 Million of Additional Funds Available Through Rebuild Florida Infrastructure Repair Program

TALLAHASSEE, Fla. – Today, the Florida Department of Economic Opportunity (DEO) announced \$100 million of additional funds is now available to local governments in [communities impacted by Hurricane Irma](#) through the [Rebuild Florida Infrastructure Repair Program](#). The program, administered by DEO, helps communities fund infrastructure restoration and improvement projects in communities impacted by disasters.

“Governor DeSantis has made it a priority to focus on the resiliency of our state,” said Ken Lawson, Executive Director of the Florida Department of Economic Opportunity. “Through the Rebuild Florida Infrastructure Repair Program, this additional allocation will not only help municipalities bolster their infrastructure needs, but it will also lead to job creation in Hurricane Irma-impacted communities and strengthen their local economies.”

Local governments may apply individually or as a regional group for funding to propose projects that meet program requirements, including demonstrating Hurricane Irma impact and primarily benefiting low-to-moderate income (LMI) populations. Funding can also be used as leverage to match funding for other federal programs to carry out eligible, federal CDBG-DR infrastructure activity.

The application window will be open for 90 days and DEO staff will be available to provide technical assistance to communities during the application process. **The deadline to complete an application is June 30, 2020.** For more information about the program, including how to complete an application, visit the Rebuild Florida Infrastructure Repair Program’s [webpage](#).

In the coming weeks, DEO will announce additional opportunities for local governments to learn more about the Rebuild Florida Infrastructure Repair Program through community webinars.

Earlier this year, Governor DeSantis [awarded \\$84 million to 21 Hurricane Irma-impacted communities](#) through the Rebuild Florida Infrastructure Repair Program.

Rebuild Florida is a partnership of DEO and the U.S. Department of Housing and Urban Development. Launched in September 2018, Rebuild Florida uses federal funding for Florida's long-term disaster recovery efforts. For more information, visit RebuildFlorida.gov.

###

About DEO

The Florida Department of Economic Opportunity combines the state's economic, workforce and community development efforts, expediting economic development projects to fuel job creation in competitive communities and promote economic resiliency. For more information, including valuable resources for employers and job seekers, please visit www.floridajobs.org.

###

Florida Department of Economic Opportunity 107 E. Madison Street Tallahassee, FL 32399 | 850.245.7110 media@deo.myflorida.com | www.floridajobs.org

Connect with us

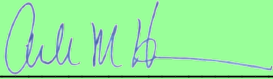


DEO | 107 E. Madison Street, Tallahassee, FL 32399

[Unsubscribe elly.mckuen@cityofbonitasprings.org](mailto:Unsubscribe_elly.mckuen@cityofbonitasprings.org)

[Update Profile](#) | [About Constant Contact](#)

Sent by deo.info@deo.myflorida.com

BONITA SPRINGS CITY COUNCIL		GREEN SHEET:	20-05-126
AGENDA ITEM SUMMARY			
REQUESTED MOTION: Approve a letter to support the distribution for the Federal Fiscal Year 2019 Edward Byrne Memorial Justice Assistance Grant (JAG) Program funds.			
MEETING DATE: 5/20/2020			
AGENDA:		REQUIREMENT/PURPOSE: (Specify)	REQUESTOR OF INFORMATION:
☐ PRESENTATIONS	☐ STATUTE	Debra Filipek City Clerk	
☒ 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 City Council's May 6, 2020, this item was pulled by Staff. A subsequent meeting was held with Council Member Purdon, Sheriff Marceno, and our respective staff which addressed Council Member Purdon's concerns. The State of Florida, Department of Law Enforcement (FDLE) has received an award from the United State Department of Justice (USDOJ) in the amount of \$10,551,399 for the Edward Byrne Memorial Justice Assistance Grant (JAG). FDLE will distribute JAG-Countywide (JAGC) local share funds in accordance with the JAGC distribution provisions of Chapter 11D-9, Florida Administrative Code. This notice of funding opportunity seeks sub-recipient applications for activities as they relate to criminal justice. For JAG-Countywide each county is allocated a portion of the state's federal award for use by local units of governments within the jurisdiction. FDLE determines each county's allocation through a funding procedure based on population and crime statistics. The county is then required to complete a local planning process to determine how that allocation will be distributed and used. Chapter 11D-9, Florida Administrative Code, requires the unit of government in each county to reach consensus concerning the expenditure of JAG funds allocated to the jurisdiction. Consensus includes agreeing upon the projects to be implemented and the agency or agencies responsible for implementation through the 51% process. Each county must document the consensus by submitting letters from at least 51% of the units of government in the county, representing a minimum of 51% of the county's population. Lee County in coordination with the City of Cape Coral has requested that the City of Bonita Springs send the attached letter to document that the City of Bonita Springs approves the distribution of \$184, 284 (total allocation available) of the federal fiscal year 2019 Edward Byrne Memorial JAG Program funds for Law Enforcement for the City of Cape Coral, the City of Fort Myers, the Lee County Port Authority and the Lee County Human and Veteran Services. Attachments: Letter of Support from the City of Bonita Springs reflecting the distribution of funds FDLE JAG Grant Information			
IS THIS RELATED TO A STRATEGIC PLAN OBJECTIVE? ☐ YES ☒ NO IF YES, WHICH STRATEGIC OBJECTIVE?			
STAFF RECOMMENDATIONS: Approve letter authorizing the distribution of funds as reflected.			
REVIEWED BY: City Manager: _____ City Attorney: _____ City Clerk: _____ Department Director: _____ 			
COUNCIL ACTION: ☐ APPROVED ☐ DENIED ☐ DEFERRED ☐ OTHER			

May 6, 2020

Ms. Rona Kay Cradit
Bureau Chief
Office of Criminal Justice Grants
Florida Department of Law Enforcement
P.O Box 1489
Tallahassee, Florida 32302-1489

Dear Ms. Cradit:

In compliance with State of Florida *Rule 11D-9*, F.A.C., the City of Bonita Springs approves the distribution of \$184,284 (total allocation available) of the Federal Fiscal Year 2019 Edward Byrne Memorial Justice Assistance Grant (JAG) Program funds for the following projects within Lee County:

<u>SUBGRANT</u> <u>(City or County)</u>	<u>Title of Project</u>	<u>Federal funds</u>
City of Cape Coral (Law Enforcement)	Purchase of license plate readers	\$105,000
City of Fort Myers (Law Enforcement)	Purchase of license plate readers	\$40,000
Lee County Port Authority (Law Enforcement)	Purchase of police segways	\$14,758
Lee County (Human and Veteran Services)	Lee County Triage Center/Low Demand Shelter Operation	\$24,526
	Total:	\$184,284

Sincerely,

Peter Simmons
Mayor, City of Bonita Springs

The Florida Department of Law Enforcement has allocated Lee County \$184,284 in FFY 19 Edward Byrne Memorial Justice Assistance Grant Program funding. Eligible applicants met April 1, 2020, to reach a consensus on the allocation of those funds. Below are the recommended proposals and allocation amounts:

Cape Coral Police Department

Amount: \$105,000

Funding will be used to purchase license plate readers for agency operations. Cape Coral Police Department, Fort Myers Police Department, Lee County Sheriff's Office and the Port Authority Police, all access the same software application, providing for a countywide collaboration.

Fort Myers Police Department

Amount: \$40,000

Funding will be used to purchase license plate readers for agency operations. Cape Coral Police Department, Fort Myers Police Department, Lee County Sheriff's Office and the Port Authority Police, all access the same software application, providing for a countywide collaboration.

Lee County Port Authority Police

Amount: \$14,758

Police and Security use the Segway within the airport terminal building and curb to respond to calls for service efficiently and safely.

Lee County Human and Veteran Services

Amount \$24,526

Funding will be used to pay a portion of operating expenses at the Bob Janes Triage Center/Low Demand Shelter, a unique collaborative endeavor of law enforcement, the health system, the behavioral/substance abuse providers, programs serving homeless individuals and local government. The Triage Center is a single point of entry that allows individuals at risk of being charged with minor ordinance violation or non-violent offenses or incarcerated to be diverted from current or future involvement in the criminal justice system. Many individuals brought to the Triage Center are homeless with substance use disorder or mental illness, often the underlying reason for the nuisance type crimes that brought them to the attention of law enforcement.



Florida Department of Law Enforcement Office of Criminal Justice Grants

Post Office Box 1489 Tallahassee, Florida 32302-1489 (850) 617-1250 criminaljustice@fdle.state.fl.us

Federal Fiscal Year 2019 Edward Byrne Memorial Justice Assistance Grant (JAG) Program JAG-Countywide (JAGC) Solicitation

The Florida Department of Law Enforcement (FDLE), Office of Criminal Justice Grants (OCJG) is seeking applications for the state's Edward Byrne Memorial Justice Assistance Grant Countywide (JAGC) Program. This program focuses on helping state and local agencies improve the criminal justice system.

Eligibility

Eligible applicants are limited to units of local government. A unit of local government is defined as a city, county, town, township, borough, parish, village, or other general-purpose political subdivision of the state, including Native American Tribes who perform law enforcement functions as determined by the Secretary of the Interior.

The allocations by county for Florida's FY 2019 JAGC program can be found in Appendix C.

Contact Information

The Office of Criminal Justice Grants (OCJG) main line is (850) 617-1250. For questions regarding this solicitation, ask to speak with the JAG Unit Supervisor, Cody Menacof or the [grant manager for your jurisdiction](#). For technical assistance with the Subgrant Information Management Online (SIMON) system or for issues creating and submitting an application in SIMON, ask for the SIMON Help Desk.

Table of Contents

Program Description	3
Local Planning and Approval Process	3
Program Strategy and Purposes.....	3
Priority Areas for Funding	4
Eligibility Requirements	6
Match.....	7
Administrative Costs	7
Prohibited Uses & Expenditures	7
Costs Requiring Pre-Approval.....	8
JAG Program and Additional Requirements	9
State and Federal Transparency	12
Length of Award and Distribution of Funds.....	12
Application Deadline	12
How to Apply	13
Application Requirements	13
Standard Conditions	14
Appendix A	15
Appendix B	16
Appendix C	17

Program Description

The State of Florida, Department of Law Enforcement (FDLE) has received an award from the United States Department of Justice (USDOJ) in the amount of \$10,551,399 for the Edward Byrne Memorial Justice Assistance Grant (JAG). FDLE will distribute JAG-Countywide (JAGC) local share funds in accordance with the JAGC distribution provisions of [Chapter 11D-9, Florida Administrative Code](#).

This Notice of Funding Opportunity seeks subrecipient applications for activities as they relate to criminal justice. Please note this program solicitation contains information provided by the USDOJ regarding specific areas of national focus and the priorities to help maximize the effectiveness of Byrne/JAG funding. Applicants are strongly encouraged to consider these federal priorities when developing their applications.

Local Planning and Approval Process

For JAG-Countywide each county is allocated a portion of the state's federal award for use by local units of governments within the jurisdiction. FDLE determines each county's allocation through a funding algorithm based on population and crime statistics. The county is then required to complete a local planning process to determine how the allocation will be distributed and used.

Chapter 11D-9, Florida Administrative Code, requires the unit of government in each county to reach consensus concerning the expenditure of JAG funds allocated to the jurisdiction. Consensus includes agreeing upon the projects to be implemented and the agency or agencies responsible for implementation through the [51% process](#). Each county must document the consensus by submitting letters from at least 51% of the units of government in the county, representing a minimum of 51% of the county's population.

Coordination is vital to meeting this program requirement, and FDLE requests that the county board of commissioners serve as the coordinating unit for all local governments within the county. The Chairman of the Board of County Commissioners is requested to return a Certificate of Participation indicating the county's willingness to serve, and designating a primary point of contact (e.g. [County Coordinator](#)) for coordination efforts. In the event the county declines to serve in this capacity, FDLE will request the governing body of each municipality within the county, in descending order of population, serve as the coordinating unit of government.

The JAG program requires applications and amendments to applications, be submitted for governing body review, or to an organization designated by the governing body. The program also stipulates they are made available to citizens and neighborhood or community-based organizations for public comment. The local planning process used by each county (e.g. 51% process) should assure and document compliance with these requirements.

Program Strategy and Purposes

JAG funds may be used for state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, and information systems for criminal justice in any one or more of the following purpose areas:

1. Law enforcement programs;
2. Prosecution and court programs;
3. Prevention and education programs;
4. Corrections and community corrections programs;
5. Drug treatment and enforcement programs;
6. Planning, evaluation, and technology improvement programs;
7. Crime victim and witness programs; and
8. Mental health programs and related law enforcement and corrections programs, including

behavioral programs and crisis intervention teams.

Any law enforcement or justice initiative previously eligible for funding under Byrne or LLEBG is eligible for JAG funding.

Priority Areas for Funding

Federal Priorities

BJA issues funding priorities in conjunction with JAG program guidance to ensure recipients and subrecipients are aware of areas of national focus and priority, and maximize the effective use of JAG funds. As a result, Florida passes-through these priority areas to subgrantees in the JAG-Countywide solicitation. The JAG funding priorities for FY19 awards and subawards are as follows:

Evidence-Based Programs or Practices

The Office of Justice Programs (OJP) places a strong emphasis on the use of data and evidence in policy making and program development in criminal justice. Programs and practices are considered to be evidenced-based when their effectiveness has been demonstrated by causal evidence, generally obtained through one or more outcome evaluations. Causal evidence documents a relationship between an activity or intervention (including technology) and its intended outcome. Causal evidence depends on the use of scientific methods to rule out, to the extent possible, alternative explanations for the documented change. The strength of causal evidence will influence the degree to which OJP considers a program or practice to be evidence-based.

The following are resources available to JAG applicants on evidence based programs:

- OJP's [CrimeSolutions.gov](https://www.crimesolutions.gov) website offers applicants information about evidence-based programs in criminal justice, juvenile justice, and crime victim services.
- The [Center for Evidence-Based Crime Policy](https://www.georgiamason.edu/center-for-evidence-based-crime-policy) at George Mason University provides information about evidence-based policing programs.
- The National Reentry Resource Center's [What Works in Reentry Clearinghouse](https://www.reentryclearinghouse.org) provides a summary of research-based reentry strategies.
- The Bureau of Justice Assistance's (BJA) [Innovation Suite](https://www.bja.gov/innovation-suite) identifies a number of program models to implement evidence-based strategies in policing, supervision, pre-trial, defense, prosecution, reentry and other fields.

Reducing Violent Crime

Recognizing that crime problems, including felonious possession and use of a firearm and/or gang violence, illegal drug sales and distribution, human trafficking, and other related violent crime, vary from community to community, BJA encourages units of government to tailor their programs to the local crime issues, and to be data-informed in their work. Subrecipients should consider investing JAG funds in programs to combat firearms violence, and to improve the process for ensuring that persons prohibited from purchasing firearms (see, e.g., 18 U.S.C. § 922(g)) are prevented from doing so, by utilizing technology such as eTrace and NIBIN to analyze evidence, as well as by enhancing complete, accurate, and timely reporting to the FBI's NICS. Units of government are also encouraged to coordinate with the United States Attorneys and Project Safe Neighborhood (PSN) grantees in order to leverage funding for violence reduction projects, and to coordinate their law enforcement activities with those of federal law enforcement agencies such as the FBI, the Bureau of Alcohol, Tobacco, Firearms, and Explosives, the Drug Enforcement Administration, and the Department of Homeland Security.

Officer Safety and Wellness

BJA recognizes the need to focus on officer performance and safety. This focus includes both tactical safety concerns and health and wellness initiatives, as both affect officer performance and safety. JAG funds may be used to address these needs by paying tuition and travel expenses to attend training sessions, such as the [VALOR Initiative](https://www.valorinitiative.org), and by funding health and wellness programs for law enforcement officers.

Border Security

JAG funds may be used to reduce and prevent transnational drug-trafficking networks and combat human trafficking networks within the United States. State and local agencies are encouraged to use JAG funds to support law enforcement hiring, training, and technology enhancement in the area of border security.

Responding to the Opioid Crisis

BJA strongly encourages state and local law enforcement to use JAG funds to support law enforcement actions to fight the opioid epidemic such as addressing the supply of both diverted prescription drugs and illegal drugs, and supporting first responders when encountering overdoses. JAG funds can also be used for training and safety measures to prepare for potential encounters with synthetic opioids such as fentanyl. This may include covering the cost of providing naloxone to all officers and the cost of fentanyl detection testing.

State-wide Funding Priorities

In order to comply with the new statewide strategic planning requirements outlined in Section 502 of the Omnibus Crime Control and Safe Streets Act, FDLE reviewed existing strategic plans from Florida's state criminal justice agencies, and conducted a survey to gauge statewide priorities. Responses for this survey were solicited from all sectors of the criminal justice system and identified key priorities within each program area for fiscal year 2019 funding.

Law Enforcement

- Equipment
- Training
- Traffic Enforcement
- Community Policing & Engagement

Prevention and Education

- Anti-drug Programs
- School Violence Prevention
- Domestic Violence Prevention
- Pharmaceutical & Substance Abuse

Drug Treatment and Enforcement

- Surveillance Equipment
- Drug Enforcement – Single Jurisdiction
- Multi-Jurisdictional Task Forces & Pharmaceutical Partnerships
- First responders, Crisis Response, Stabilization, Antagonists/Detox

Crime Victim & Witness

- Behavioral Health Services
- Advocacy Services
- Counseling & Clinical Services
- Children Exposed to Violence, Abuse, & Neglect

Prosecution & Courts

- Pre-trial Diversion
- Recidivism
- Training
- Property & White Collar Crime

Corrections and Community Corrections

- Behavioral Health Services
- Workforce
- Recidivism
- Diversion

Planning, Evaluation & Technology

- Technology Upgrades
- Crime Statistics Reporting
- Investigative & Surveillance Technology
- Grant Management

Mental Health

- Crisis Intervention Team Training & Support
- Evaluation/Assessments
- Suicide Risk Assessment, Response & Protocols
- Outpatient/Community Based Behavioral Health Programs

Subrecipients are strongly encouraged to fund projects addressing at least one of the priorities outlined above. If the subrecipient wishes to fund a project that does not address one of the identified funding priorities, a written justification will need to be submitted to OCJG along with the application.

For more information on FDLE's Byrne/JAG strategic planning process and funding priorities, please visit <http://www.fdle.state.fl.us/Grants/Documents/Funding-Opportunities/JAGC/FY2019-JAGC.aspx>.

Eligibility Requirements

Applicants for JAG subawards must comply with all terms and conditions of the federal award and subaward, including those incorporated by reference. This section identifies specific program requirements that must be met as a condition of eligibility to receive federal funds under this program.

Each applicant must be able to document compliance with the following requirements:

[8 U.S.C §1373](#) *Communication Between Governments and the Immigration and Naturalization Service*

[8 U.S.C §1644](#) *Communication Between State and Local Government Agencies and Immigration and Naturalization Service*

[2 C.F.R. §200.318-326](#) *Federal Procurement Standards*

[2 C.F.R Part 200.300-309](#) *Standards for Financial and Program Management*

[2 C.F.R. Part 25](#) *Universal Identifier and System for Award Management (SAM) Requirements*

[28 C.F.R. Part 42](#) *Nondiscrimination; Equal Employment Opportunity; Policies and Procedures*

SAM Registration

To apply for JAG funds in SIMON, an organization and its users must be registered in SIMON and have a Data Universal Numbering System (DUNS) number. The organization must also be registered with the U.S. Federal Government's System for Award Management (SAM) (2 C.F.R. Part 25).

A DUNS number may be obtained by calling (866) 705-5711 or by visiting the Dun & Bradstreet website at: <https://iupdate.dnb.com/iUpdate/viewiUpdateHome.htm>. A DUNS number is usually received within one to two business days.

To create or update your annual SAM registration, go to SAM.gov. The process can take up to 10 business days.

Compliance with Applicable Federal Laws

At the time of application, potential subrecipients are required to certify compliance with all applicable federal laws. All applicants should understand that if the DOJ Office of Justice Programs receives information indicating an applicant may be in violation of any applicable federal law, the applicant may be referred to the DOJ Office of Inspector General (OIG) for investigation. If the applicant is found to be in violation of an applicable federal law by the OIG, the applicant may be subject to criminal and civil penalties, in addition to relevant OJP programmatic penalties, including suspension or termination of funds, inclusion on the high risk list, repayment of expended funds, and/or suspension and debarment.

Civil Rights Requirements

Federal laws prohibit subrecipients of financial assistance from discriminating on the basis of race, color, national origin, religion, sex, disability, or age in funded programs or activities. All subrecipients, implementing agencies, and contractors must comply with any applicable statutorily-imposed nondiscrimination requirements, which are summarized below:

- **Title VI of the Civil Rights Act of 1964:** Applicants must comply with all applicable requirements of 28 C.F.R. Part 42, specifically including any applicable requirements in Subpart E that relate to an equal employment opportunity program. Applicants are advised to use the Office for Civil Rights EEO Reporting Tool at (<https://ojp.gov/about/ocr/eeop.htm>).
- **Equal Employment Opportunity Certification (EEOC):** Applicants must submit an EEO Certification annually within 120 days of the subaward. Failure to submit the required EEO Certification will result in the withholding of grant funds.
- **Limited English Proficiency (LEP):** In accordance with Department of Justice Guidance pertaining to Title VI of the Civil Rights Act of 1964, 42 U.S.C. Part 2000d, applicants in receipt of federal financial assistance must take reasonable steps to provide meaningful access to their programs and

activities for persons with LEP. FDLE strongly advises applicants to have a written LEP Language Access Plan. For more information visit <https://www.lep.gov/>.

- **Equal Treatment for Faith Based Organizations:** Applicants, must comply with all applicable requirements of [28 C.F.R. Part 38](#), "Equal Treatment for Faith Based Organizations", specifically including the provision for written notice to current or prospective program beneficiaries.
- **Americans with Disabilities Act:** Applicants must comply with the requirements of the Americans with Disabilities Act (ADA), Public Law 101-336, which prohibits discrimination on the basis of disability including provision to provide reasonable accommodations.

Filing a Complaint - If the applicant or any of its employees, contractors, vendors, or program beneficiaries has a discrimination complaint, they may file a complaint with the applicant, with FDLE, or with the Office for Civil Rights.

Discrimination complaints may be submitted to FDLE at Office of the Inspector General, Post Office Box 1489, Tallahassee, Florida 32302-1489, or online at info@fdle.state.fl.us. Any discrimination complaints filed with FDLE will be reviewed by FDLE's Inspector General and referred to the Office for Civil Rights, the Florida Commission on Human Relations, or the Equal Employment Opportunity Commission, based on the nature of the complaint.

Discrimination complaints may also be submitted to the Office for Civil Rights, Office of Justice Programs, U.S. Department of Justice, 810 7th Street, Northwest, Washington, D.C. 20531, or by phone at (202) 307-0690.

Intergovernmental Review: The FY19 JAG program is subject to Executive Order 12372. As a result, FDLE may provide information regarding subrecipient applications to the state single point of contact to satisfy this requirement.

Match

Match is not required for the JAG program. However, if a subrecipient identifies match on an application that is approved for award, the match portion will be required.

Administrative Costs

Administrative costs/fees are not eligible on JAG subawards.

Prohibited Uses & Expenditures

JAG funds may not be used to supplant state or local funds. Funds must only be used to increase the amount of funds that would, in the absence of federal funds, be made available for the given activities. (See the [JAG FAQs](#) for examples of supplanting).

Trinkets such as hats, mugs, portfolios, t-shirts, coins, gift bags, etc., may not be purchased as giveaways with grant funds.

Additionally, there are other prohibited expenditures defined in JAG Program statute as set out in 34 U.S.C. § 10152, regulations or executive order.

If an agency wishes to use JAG funds for a prohibited item, the agency must request a waiver to obtain BJA certification prior to purchasing the item. For examples of allowable vehicles that do not require BJA certification, refer to the [JAG FAQs](#).

Costs Requiring Pre-Approval

The following cost elements require prior approval from FDLE and/or BJA:

Methamphetamine Mitigation Plans

Any program that funds any portion of methamphetamine laboratory operations or clean-up must complete a Meth Mitigation Plan that includes the nine protective measures or components required by BJA. If an agency's application requests funding related to meth lab mitigation, review the BJA website related to [NEPA compliance](#) (including information regarding meth labs) and contact FDLE's Office of Criminal Justice Grants for further assistance.

Publications and Other Media

All media created, published, and/or altered using federal grant funds must be reviewed and approved by FDLE and/or BJA prior to release or distribution. This includes any curricula, training materials, brochures, or other written materials that will be published, including web-based materials and web site content, as well as all audio or video materials, including Public Service Announcements. Grantees must submit a draft of each proposed item to OCJG **no later than thirty (30) days prior** to the targeted dissemination date. For items containing videos, a transcript may be provided with screenshots or a description of the visual portion.

All materials publicizing or resulting from award activities shall contain the following statements:

"This project was supported by Award No. 2019-MU-BX-0036 awarded by the Bureau of Justice Assistance, Office of Justice programs. The opinions, findings, and conclusions or recommendations expressed in this publication/program/exhibition are those of the authors and do not necessarily reflect the views of the Department of Justice or grant-making component."

This requirement does not apply to the purchase or reproduction of existing materials or items created by other agencies or vendors, for example, crime prevention brochures, unless the subrecipient alters the item in any way. Neither does this requirement apply to items serving only to advertise an event or the availability of services. Please contact FDLE's grant's office with questions or to clarify the applicability of pre-approval requirements.

NEPA

Any improvement, building or construction project will require pre-approval to ensure compliance with the National Environmental Policy Act (NEPA). This may include relatively minor activities such as installing fence posts, security or surveillance cameras, or anchoring any item to the ground. If the grant will fund any activities that may fall under this requirement, review the subaward standard condition related to NEPA and the section of the BJA web site related to [NEPA compliance](#) and contact FDLE's grant's office for assistance.

Sole Source

If a subrecipient requests to procure goods or services by sole source to a single vendor, a sole source justification must be submitted to FDLE for approval prior to the obligation of grant funds. For a sole source procurement over the federal Standard Acquisition Threshold (SAT) of \$250,000, written pre-approval must be obtained from both FDLE and DOJ. Subrecipients should submit the completed "Sole Source Justification" form with the application or as soon as the procurement method is known.

Sole source approval applies to the amount of the total procurement, regardless of the amount of federal investment in the purchase.

Before submitting a request for a sole source procurement, applicants should carefully review the conditions governing this type of procurement (see [2 C.F.R. § 200.320\(f\)](#)).

Conference/Meeting/Training Costs

OJP policy and guidance encourages minimization of conference, meeting, and training costs; sets cost limits, which include a general prohibition of all food and beverage costs; and requires prior written approval of most conference, meeting, and training expenditures. Subawards requesting to use grant

funds for meetings, trainings, or conferences may be required to complete and submit an OJP event submission form upon request from FDLE and/or OJP.

JAG Program and Additional Requirements

For FY19, subrecipients will be required to complete the following documents at the time of application; failure to do so may result in the withholding of funds until items are received.

Subaward Management Capabilities and Compliance Questionnaire

All applicants are required to complete the Subaward Management Questionnaire, and submit to OCJG with their application. FDLE will use this form to validate a subrecipient's eligibility to apply, receive, and maintain a federal JAG subaward. Additionally, this validation will allow FDLE to expedite the monitoring process and ensure all subrecipients are in compliance with program requirements.

Lobbying, Debarment and Drug Free Workplace Certification

Subrecipients are not permitted to use federal funds, directly or indirectly, in support of any lobbying activity. A subrecipient receiving or requesting an award exceeding \$100,000 must certify compliance with this requirement.

Additionally, a person/agency that is debarred, suspended, declared ineligible or is voluntarily excluded is prohibited from receiving federal funds under this grant program. All subrecipients must certify the subgrantee organization, and any vendor or lower tiered subrecipient, is eligible to receive these funds.

In compliance with the Drug-Free Workplace Act of 1988, state agencies applying for federal grant funding under this program must certify compliance with establishing and maintaining a drug-free work environment.

Failure to submit the "Lobbying, Debarment and Drug Free Workplace Certification" to FDLE with the application may result in a withholding of funds condition on the subaward until the requirement is satisfied.

Contractual Services Subrecipient vs. Contractor Determination

Subrecipients utilizing funds in the Contractual Services budget category must adhere to the subcontracting requirements below. All subrecipients should review the "[OJP Subaward vs. Procurement Toolkit](#)" for information regarding the two types of subcontracting.

1. Any applicant using grant funds in the Contractual Services budget category must complete and submit a subrecipient or contractor determination checklist for each contracted services item to FDLE with the application.
2. The application must contain detailed information regarding the type of subcontracting (subrecipient or contractor) and the method of procurement for the subcontract.
3. An applicant proposing to enter into a subrecipient contracting relationship must request approval to subaward in the grant application and be able to adhere to and document compliance with requirements and provisions for pass-through entities in [2 C.F.R. §200.331](#).
4. Applicants entering into a contractor relationship must adhere to the local unit of government's written procurement policies and procedures to the extent they are consistent with or more stringent than the procurement standards outlined in [2 C.F.R. § 200.318-326](#).

Body Armor

Body armor purchased with JAG funds may be purchased at any threat level, make or model from any distributor or manufacturer, as long as the body armor has been tested and found to comply with applicable National Institute of Justice (NIJ) ballistic or stab standards and the body armor purchased must be made in the United States. The latest NIJ standards information can be found at: <https://www.nij.gov/topics/technology/body-armor/Pages/standards.aspx>.

Body armor or armor vests purchased with FY 2019 JAG funds must also be "uniquely fitted vests" (see 34 U.S.C. § 10202(c)(1)(A)) requiring that grantees using JAG funds to purchase armor vests or body armor comply with requirements established for Bulletproof Vest Program (BVP) grants. For these purposes, "uniquely fitted vests" means protective (ballistic or stab-resistant) armor vests that conform to the individual wearer to provide the best possible fit and coverage, through a combination of: (1) correctly sized panels and carrier, determined through appropriate measurement, and (2) properly adjusted straps, harnesses, fasteners, flaps, or other adjustable features. The requirement that body armor be "uniquely fitted" does not require body armor that is individually manufactured based on the measurements of an individual wearer. In support of OJP's efforts to improve officer safety, the American Society for Testing and Materials (ASTM) International has made available the Standard Practice for Body Armor Wearer Measurement and Fitting of Armor ([Active Standard ASTM E3003](#)) available at no cost.

Prior to the use of JAG funds for the purchase of body armor, the agency must certify a written mandatory wear policy is in effect, and applicable to all uniformed officers. Guidance and FAQs for the mandatory wear policy and certification can be found at: <https://www.bja.gov/Funding/JAGFAQ.pdf>.

Body Worn Camera (BWC) Purchases

JAG funds may be used to purchase equipment or to implement and/or enhance BWC programs. Subrecipients using JAG funds for BWC programs must certify the law enforcement agency receiving funds has policies and procedures in place relating to equipment use, data storage, privacy, victims, access, disclosure and training.

Any subrecipient intending to use grant funds for BWC-related expenses that does not have policies and procedures in place will have funds withheld until a certification is submitted by OCJG and DOJ Bureau of Justice Assistance. Information regarding BWC policies, resources and best practices can be found at: <https://www.bja.gov/bwc>.

Law Enforcement Agency Training Information

Any law enforcement agency receiving funds under a JAG subaward must submit performance accountability metrics data for the **2019 calendar year** related to training on: use of force, racial and ethnic bias, de-escalation of conflict, and constructive engagement with the public. These metrics will be collected via questionnaire from FDLE's grants office and reported to BJA's Performance Management Tool (PMT).

DNA Testing of Evidentiary Materials and Upload of DNA Profiles to a Database

If JAG funds will be used for DNA testing of evidentiary materials, any resulting eligible profiles must be uploaded to the Combined DNA Index System (CODIS) by a government DNA lab with access to CODIS. No profiles generated with JAG funding may be entered into any other non-governmental DNA database without prior written approval from FDLE's grants office and BJA.

Interoperable Communications

Subrecipients utilizing FY19 JAG funds to support emergency communications activities should review the most recent [SAFEKOM Guidance](#). This includes the purchase of interoperable communications equipment and technology such as voice-over-internet-protocol bridging or gateway devices, or equipment to support the build out of wireless broadband networks in the 700 MHz public safety band under the Federal Communications Commission (FCC) waiver order.

Additionally, to promote information sharing and enable interoperability among disparate systems across the justice and public safety community, subrecipients are required to comply with DOJ's [Global Justice Information Sharing Initiative](#) guidelines and recommendations. All subrecipients shall document planned approaches to information sharing and describe their compliance, or provide detailed justification for why an alternative approach is recommended.

Information regarding Communication with the Department of Homeland Security (DHS) and/or Immigration and Customs Enforcement (ICE)

Each applicant must respond to the following questions within their application:

- 1) Does your jurisdiction have any laws, policies, or practices related to whether, when, or how employees may communicate with DHS or ICE?
- 2) Is your jurisdiction subject to any laws from a superior political entity (e.g. a state law that binds a city) that meet the description in question 1?
- 3) If yes to either:
 - Please provide a copy of each law or policy.
 - Please describe each practice.
 - Please explain how the law, policy, or practice complies with section 1373.

Note: Responses to these questions must be provided by the applicant as part of the JAG application. Further, the requirement to provide this information applies to all tiers of JAG funding and for all subawards made to state or local government entities, including public institutions of higher education. All subrecipient responses must be submitted to FDLE. Responses to these questions are not required from subrecipients that are a tribal government/organization, a nonprofit organization, or a private institution of higher education.

NEW Requirements for Fiscal Year 2019

The following new requirements may require specific action on the subrecipient's part:

Death in Custody Reporting

Beginning in FY 2019, OCJG will begin collecting data regarding in-custody deaths, in accordance with the Death in Custody Reporting Act (DCRA), which requires states and federal law enforcement agencies to report certain information to the Attorney General regarding the death of any person during interactions with law enforcement officers or while in custody. For the purposes of this requirement, a reportable death is **any** death -including deaths attributed to suicide, accident, or natural causes- that occurred during interactions with law enforcement personnel or while the decedent was in custody, under supervision or under the jurisdiction of a state or local law enforcement or correctional agency, such as a jail or prison.

OCJG will collect this information as a requirement of the state's Edward Byrne Memorial Justice Assistance Grant (JAG) award, and will report this data quarterly to the Bureau of Justice Assistance (BJA) via the BJA Performance Management Tool (PMT). Each quarter, state and local law enforcement or correctional agencies will need to identify all reportable deaths that occurred in their jurisdictions during the reporting period and provide the following information about the circumstances of the death:

- The decedent's first, middle, and last name, gender, race, ethnicity, and year of birth
- The date, time, and location of the death
- Type of facility in which the death occurred
- Date of facility admission/arrest
- The law enforcement or correctional agency involved
- Manner of death
- Brief description of circumstances of death

We recognize that all of the requested information may not be available at the time of reporting. Please provide as much information as possible for each reported death.

The form to report this information can be found on the department's [website](#) and must be submitted no later than 15 days after the end of the reporting period to criminaljustice@fdle.state.fl.us.

Employment Eligibility Verification

Subrecipients must ensure that as part of the hiring process for any position that is or will be funded (in whole or in part) with award funds, the employment eligibility of the individual being hired is properly verified in accordance with the provisions of 8 U.S.C. 1324a(a)(1) and (2). The subrecipient may choose to participate in, and use E-Verify (www.e-verify.gov), provided an appropriate person authorized to act

on behalf of the subrecipient entity uses E-Verify to confirm employment eligibility for each position funded through this award.

Determination of Suitability to Interact with Minors

Any subrecipient indicating that a purpose of some or all of the activities to be carried out under the subaward is to benefit a set of individuals under 18 years of age, must make determinations of suitability before certain individuals may interact with participating minors. The requirement applies regardless of an individual's employment status.

The details of this requirement are posted on the OJP website at <https://ojp.gov/funding/Explore/Interact-Minors.htm>.

State and Federal Transparency

Subaward agreements and information supplied to FDLE for grant management and payment purposes will be used to report to the following mandatory state and federal transparency systems.

Florida Accountability and Contract Tracking System (FACTS)

This grant agreement, all corresponding information and a copy of the grant document, is provided to FACTS to meet requirements under Chapter 2013-54 and 2013-154 Laws of Florida.

Exemption from FACTS

The SIMON grant management system allows for partial or complete contract exemption from FACTS for those agreements containing information exempt from public records. Please be aware, in the event that your agency's submission contains confidential and/or exempt information prohibited from public dissemination under Florida's Public Records Law, Chapter 119, Florida Statutes, the subrecipient agency bears the responsibility for applying proper redactions. Otherwise, any and all records submitted may be released without redactions.

Federal Funding Accountability and Transparency Act (FFATA)

The Federal Funding Accountability and Transparency Act (FFATA) was signed on September 26, 2006, with the intent to empower every American with the ability to hold the government accountable for each spending decision. The end result is to reduce wasteful spending in the government. The FFATA legislation requires information on federal awards (federal financial assistance and expenditures) be made available to the public via a single, searchable website, which is USASpending.gov. FDLE is required to report subaward data to FFATA as well.

Length of Award and Distribution of Funds

Length of the Award

JAG-Countywide awards will be approved for a six (6) to eighteen (18) month project period between October 1, 2019 and September 30, 2021.

Distribution of Funds

Grant funds are distributed on a cost reimbursement basis, with the ability to advance, for satisfactory performance of eligible activities. Payment requests can be submitted on a monthly or quarterly basis and should include total expenditures for the reporting period. Reimbursements will be processed in conjunction with the receipt and review of programmatic performance reports to determine successful completion of minimum performance deliverables as specified in the agreement.

Application Deadline

Applications should be submitted via the FDLE Subgrant Information Management Online ([SIMON](#)) grant management system by **May 15, 2020**.

Please see **Appendix A: Application Timeline** for other important dates.

NOTE: Our application process has changed. Signature pages and mailed copies are NOT required at the time of application submission. The OCJG grant manager will request signature pages after a complete review of the application and prior to approval.

How to Apply

Failure to follow application instructions may result in the incursion of a special condition at the time of award.

Applications must be submitted via FDLE's online grants management system, SIMON, which can be accessed at <http://simon.fdle.state.fl.us>.

Access codes are required to begin an application in SIMON. The SIMON announcement code for FY19 JAG subawards are provided to each County Coordinator designated and approved by the County to facilitate the application process for each jurisdiction. OCJG updates the contact information for designated county coordinators on the website. Applicants are encouraged to contact their County Coordinators to obtain the necessary information required to apply.

For a step-by-step guide on how to complete an application in SIMON, please review the [SIMON User Manual](#).

In order to apply in the system, the organization and user(s) must be registered in SIMON. For questions or issues related to organization or user accounts, please contact the SIMON Help Desk at (850) 617-1250 or criminaljustice@fdle.state.fl.us.

Application Requirements

Applications submitted under this solicitation must adhere to federal, state and program specific requirements. For more information related to properly developing and writing an application to meet many of the state and federal contract requirements, please review the [OCJG Grant Writing Guide](#).

Problem Identification

This section contains a general summary of the criminal justice activity, problem or issue that will be addressed with grant funds. In addition, the Problem Identification should include data to support the problem description; and what has been done to date to address the specific problem.

Project Summary / Scope of Work

The scope of work (SOW) should describe how the problem above will be addressed and how proposed activities relate to the grant program priorities. This section should identify each activity, objective, task, and/or responsibility that will be completed or provided. Additionally, it should identify who will provide/receive services, standards or levels of service to be delivered, anticipated project outcomes or impacts resulting from these activities, and any performance or documentation that will be produced or maintained in support of the project.

In addition, the SOW should provide a clear understanding of the project design and implementation plan, a general timeline for completion of project tasks/activities, the capabilities and competencies of the applicant, and the plan for collecting data for performance reporting.

Project Director Assignment

A Project Director must be assigned by selecting the "Assign Role" button on the Subgrantee Contacts menu.

The assigned Project Director should be a person who is aware of all facets of the program –

programmatic and financial – or have the ability to easily communicate with individuals responsible for various project activities. The Office of Criminal Justice Grants will use the assigned Project Director as the primary Point-of-Contact for grant related correspondence.

Performance

FDLE requires subrecipients to report performance either monthly or quarterly through the SIMON system. The objectives and measures will be based on federal JAG program requirements as identified by DOJ. Please note that performance reporting is a federal program requirement; failure to provide performance data by the deadline will result in withholding of funds.

Financial / Budget

The financial/budget section should provide a detailed computation for each cost element for which funding is requested. The budget should list each item with the total cost and show how it was calculated, be mathematically sound, and correspond with the information and figures provided. The budget narrative should thoroughly and clearly describe every category of expense. Proposed budgets should be complete, cost effective, and allowable. Applicants should demonstrate how costs will be maximized for effectiveness in relation to potential alternatives and the goals of the project.

If funds are requested for the contracted services budget category, applicants must indicate whether requested costs are for procurement contracts or subawards. Each cost element in the contracted services budget category will be required to have a completed subrecipient/contractor determination checklist submitted in conjunction with the application.

Standard Conditions

The standard conditions provide detailed compliance requirements for subrecipients upon signed acceptance of the subaward. It is imperative all persons involved with this subaward read the standard conditions. Failure to comply with the provisions outlined in the standard conditions may result in project costs being disallowed.

Appendix A Application Timeline

April 24, 2019	Florida received notice of final state JAG appropriation from U.S. Department of Justice.
August 22, 2018	FDLE Office of Criminal Justice Grants (OCJG) submitted the State of Florida application for FY19 Byrne JAG funding.
October 25, 2019	Florida accepted the state's FY19 federal JAG award.
March 6, 2020	OCJG released JAGC subgrant solicitation on the department's website; Notification emails sent to chief officials.
April 6, 2020	Deadline for BOCCs to respond to OCJG with Certification of Participation and designation of County Coordinator.
Ongoing	Upon receipt of BOCC COP and County Coordinator designation; OCJG provides County Coordinator with application information and SIMON announcement code to distribute to all application managers in their respective counties.
May 15, 2020	Deadline for County Coordinators to submit required 51% letters to OCJG advising of applications that will be submitted from agencies within their respective counties.
May 15, 2020	Deadline to submit applications in FDLE's electronic grants management system (SIMON).

Appendix B Application Checklist

What Each County Should Do - Pre-Application

- ☐ Submit a signed *Certificate of Participation* designating a County Coordinator
- ☐ Assure all 51% letters for the county have been completed and submitted to OCJG

What Each Applicant Should Do – Pre-Application

- ☐ Acquire a DUNS Number
- ☐ Acquire or renew registration with SAM.gov
- ☐ For new users, request SIMON account
- ☐ For existing users, verify SIMON username/password and contact information
- ☐ Obtain an *EEO Certification* via EEO Reporting Tool
- ☐ Read the FDLE subaward Special Conditions and DOJ Grants Financial Guide

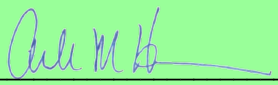
Additional Requirements

- ☐ Complete the Subaward Management Capabilities and Compliance Questionnaire
- ☐ Complete a Lobbying, Debarment and Drug Free Workplace Certification (for state agencies and local units of government, if applicable)
- ☐ Complete a Subrecipient or Contractor checklist for each cost element requested in the Contracted Services budget category
- ☐ Complete a Body Armor Mandatory Wear Policy Certification (if applicable)
- ☐ Complete a Confidential Funds Certification (if applicable)
- ☐ Complete a Sole Source Justification form (if applicable)

Appendix C **FY19 JAGC County Allocation**

County	County Allocation	County	County Allocation
Alachua	\$84,369	Lake	\$87,350
Baker	\$32,157	Lee	\$184,284
Bay	\$91,029	Leon	\$101,800
Bradford	\$43,429	Levy	\$35,415
Brevard	\$145,587	Liberty	\$19,441
Broward	\$395,109	Madison	\$51,390
Calhoun	\$21,802	Manatee	\$117,694
Charlotte	\$66,748	Marion	\$94,003
Citrus	\$44,201	Martin	\$61,645
Clay	\$54,076	Monroe	\$64,248
Collier	\$93,181	Nassau	\$44,988
Columbia	\$45,234	Okaloosa	\$73,373
Dade	\$624,197	Okeechobee	\$61,098
Desoto	\$35,743	Orange	\$320,718
Dixie	\$26,294	Osceola	\$93,965
Duval	\$256,788	Palm Beach	\$312,028
Escambia	\$115,566	Pasco	\$120,025
Flagler	\$38,526	Pinellas	\$268,112
Franklin	\$41,760	Polk	\$185,837
Gadsden	\$28,497	Putnam	\$61,756
Gilchrist	\$25,561	Santa Rosa	\$48,626
Glades	\$15,342	Sarasota	\$104,418
Gulf	\$43,128	Seminole	\$125,400
Hamilton	\$54,128	St. Johns	\$60,144
Hardee	\$40,638	St. Lucie	\$92,153
Hendry	\$74,153	Sumter	\$46,717
Hernando	\$54,382	Suwannee	\$36,701
Highlands	\$59,341	Taylor	\$37,072
Hillsborough	\$325,653	Union	\$17,147
Holmes	\$24,959	Volusia	\$144,648
Indian River	\$57,294	Wakulla	\$23,284
Jackson	\$27,876	Walton	\$32,662
Jefferson	\$33,281	Washington	\$31,545
Lafayette	\$20,249		
		Total	\$6,299,965

BONITA SPRINGS CITY COUNCIL		GREEN SHEET:	20-05-123
AGENDA ITEM SUMMARY			
REQUESTED MOTION: Receive presentation from City staff regarding mitigation efforts and preparedness activities related to hurricane season.			
MEETING DATE: 5/20/2020			
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		
Tony Backhurst Neighborhood Services Manager Lora Taylor Communications Director			
BACKGROUND: Staff will be providing an update on the mitigation efforts, such as stormwater management projects, since last year's hurricane season, as well as the preparedness activities for the upcoming hurricane season.			
IS THIS RELATED TO A STRATEGIC PLAN OBJECTIVE? ☐ YES ☐ NO IF YES, WHICH STRATEGIC OBJECTIVE?			
STAFF RECOMMENDATIONS: Receive presentation.			
REVIEWED BY: City Manager: _____ City Attorney: _____ City Clerk: _____ Department Director: _____ 			
COUNCIL ACTION: ☐ APPROVED ☐ DENIED ☐ DEFERRED ☐ OTHER			

BONITA SPRINGS CITY COUNCIL		GREEN SHEET:	20-05-122
AGENDA ITEM SUMMARY			
REQUESTED MOTION: Review transportation related projects for CIP			
MEETING DATE: 5/20/2020			
AGENDA:		REQUIREMENT/PURPOSE: (Specify)	REQUESTOR OF INFORMATION:
☒	PRESENTATIONS	☐	Matt Feeney, Assistant City Manager
☐	CONSENT	☐	
☐	PUBLIC HEARING	☐	
☐	MAYOR AND COUNCIL MEMBER ITEMS	☐	
☐	MAYOR AND COUNCIL MEMBER'S REPORTS		
☐	CITY ATTORNEY ITEMS		
☐	CITY MANAGER ITEMS		
BACKGROUND: As part of the Capital Improvement Plan (CIP) development process for FY 2021 staff has reviewed current and potential items for City Council's consideration and guidance, the City's #1 Strategic Priority: Storm Water Improvement was reviewed at the City Council's December 18th meeting; this item is a continuation of that process with a review of current and potential items for the City's #2 Strategic Priority: Transportation.			
IS THIS RELATED TO A STRATEGIC PLAN OBJECTIVE? ☒ YES ☐ NO IF YES, WHICH STRATEGIC OBJECTIVE? #2 – Transportation			
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:	20-05-128
AGENDA ITEM SUMMARY			
REQUESTED MOTION: DISCUSSION ON RESIGNATION LETTER RECEIVED FROM ZONING BOARD MEMBER DAWN KONCIKOWSKI.			
MEETING DATE: 5/20/2020			
AGENDA:		REQUIREMENT/PURPOSE: (Specify)	REQUESTOR OF INFORMATION:
☐	PRESENTATIONS	☐	Peter Simmons Mayor
☐	CONSENT	☐	
☐	PUBLIC HEARING	☐	
☒	MAYOR AND COUNCIL MEMBER ITEMS	☐	
☐	MAYOR AND COUNCIL MEMBER'S REPORTS		
☐	CITY ATTORNEY ITEMS		
☐	CITY MANAGER ITEMS		
BACKGROUND: On April 26, 2020, Zoning Board Member Dawn Konkowski submitted a letter of resignation to me. I have previously expressed to both Zoning Board Chairman Larry Kurlander and Zoning Board Member Dawn Konkowski that if either one of these esteemed members were to resign, I would ask for a discussion and vote of the full City Council.			
Attachments: Resignation Letter from Dawn Konkowski Mayor's letter to Zoning Board Chairman Larry Kurlander and Zoning Board Member Dawn Konkowski Email correspondence			
IS THIS RELATED TO A STRATEGIC PLAN OBJECTIVE? ☐ YES ☒ NO IF YES, WHICH STRATEGIC OBJECTIVE?			
STAFF RECOMMENDATIONS: City Council's pleasure.			
REVIEWED BY:  City Manager: _____ City Attorney: _____ City Clerk: _____ Department Director: _____			
COUNCIL ACTION: ☐ APPROVED ☐ DENIED ☐ DEFERRED ☐ OTHER			

4/5/2020

Mayor Peter Simmons

City of Bonita Springs

9101 Bonita Beach Road

Bonita Springs FL 34135

Re: Dawn Koncikowski, Zoning Board of Appeals Board Member

Dear Mayor Simmons,

I am offering my resignation from the City of Bonita Springs Zoning Board of Appeals as of the last day that I served and voted as a board member, effective February 18, 2020.

Serving first as a Councilman and then as my Mayor, you have always been an inspiration to me and to many in the city. I sincerely thank you for your continuing support. I appreciate all that you have accomplished as Mayor, for the benefit of all residents of our fine city. Your strong leadership skills have earned you, my much deserved, respect and admiration. I appreciate all you have done for me and I look forward to working with you in the future.

I greatly appreciate the opportunity I was given to serve you and the City Council. I am also grateful to have been able to volunteer my time to the residents, to serve on an important board of this beautiful city.

Thank you for the opportunity.

Sincerely,



Dawn Koncikowski,

26436 Hickory Blvd

04/05/2020



9101 Bonita Beach Road
Bonita Springs, FL 34135
Tel: (239) 949-6262
Fax: (239) 949-6239
www.cityofbonitasprings.org

Peter Simmons
Mayor

Amy Quaremba
Council Member
District One

Jesse Purdon
Council Member
District Two

Laura Carr
Council Member
District Three

Chris Corrie
Council Member
District Four

Michael Gibson
Council Member
District Five

Fred Forbes, AIA
Council Member
District Six

Arleen M. Hunter
City Manager
(239) 949-6267

Derek P. Rooney
City Attorney
(239) 949-6254

City Clerk
(239) 949-6248

Public Works
(239) 949-6246

Neighborhood Services
(239) 949-6257

Parks & Recreation
(239) 992-2556

Community Development
(239) 444-6150

April 24, 2020

Zoning Chairman Larry Kurlander
Zoning Member Dawn Koncikowski
City of Bonita Springs
9101 Bonita Beach Rd.
Bonita Springs, FL 34135

Dear Larry and Dawn,

I commend each of you for your leadership in Bonita Springs, and certainly know that we are all dealing with COVID-19 and the new realities of video conference calls, extended home stays, and added stresses the best that we possibly can. I was disheartened to hear that your recent call was unable to resolve your differences. I was similarly disheartened to learn of Dawn's desire to resign from the Zoning Board. I have no intention of accepting that resignation. Larry, the work you have done to raise the level of not only real-world knowledge and expertise of subject matter, but also professionalism on the Zoning Board cannot be understated. It is the reason I supported the change to our term limits of committee chairmanships to extend your term. You may feel that my decision to not accept Dawn's resignation requires you to submit yours – quite frankly, just the opposite it does not. More directly, Larry your work on the Zoning Board is not done and should you submit your resignation, I similarly will not accept it. I hold you both in very high esteem and with the current health crisis gripping our country it is important, now more than ever, to put things into perspective. Dawn, you have worked on behalf of Bonita Beach and our citizens very diligently over the years. I would suggest to each of you that an errant email should warrant extended and professional discussions, as it has, yet not end relationships. Even in hyper-partisan times we must learn to forgive lest we only compound that which divides us. Public service is a great responsibility and the commitments we make should not easily be set aside. This should be viewed as a learning moment for each of us and not a final act. I take great pride in, and make great efforts to examine all sides of any and all issues, and in resolving differences. I would ask that you each examine your feelings on this matter. If you cannot for any reason, or will not for any reason find a resolution, kindly let our City Attorney Derek Rooney and City Manager Arleen Hunter know in writing. I will present your requests to the Bonita Springs City Council for discussion and final resolution. My best and warmest regards to each of you.

Sincerely yours,

Peter Simmons
Mayor
City of Bonita Springs, FL

Arleen Hunter

From: Peter Simmons <peterericsimmons@gmail.com>
Sent: Saturday, April 11, 2020 1:41 PM
To: Larry Kurlander
Cc: Arleen Hunter; Matt Feeney; Derek Rooney
Subject: Re: Excellent Article

Team,

Please see below...

CC - Larry Kurlander

Peter Simmons
Mayor
City of Bonita Springs, FL

On Apr 11, 2020, at 1:31 PM, Larry Kurlander <lawrencekurlander@gmail.com> wrote:

Mr Mayor. The attached email from the newest member of the Zoning Board is beyond outrageous. While ms. Konkikowski has the right to speak her mind she , as a member of the Zoning Board, should be a responsible citizen. Promoting outrageous conspiracy theories and putting them into a partisan rant is the height of irresponsibility. She needs to resign from the Zoning Board immediately.

Sent from my iPhone

Begin forwarded message:

From: D Konkikowski <dkoncikowski@yahoo.com>
Date: April 11, 2020 at 9:47:07 AM EDT
To: D Konkikowski <dkoncikowski@yahoo.com>
Subject: Excellent Article

Just found out that the prior email sent was written by Tim Besmer, Sr, owner of Besmer Machinery Repair in Humboldt, TN.

What tipped me off and started me investigating?
The line, "My wife Angie will tell you that I study history and world events fluently..." Bill O'Reilly has been divorced from his wife Maureen since 2011.

----- Forwarded Message -----

From: D Konkikowski <dkoncikowski@yahoo.com>
To: D Konkikowski <dkoncikowski@yahoo.com>
Sent: Saturday, April 11, 2020, 08:48:07 AM EDT
Subject: Excellent Article

Long but worth the read to get very educated!

Written by Bill O'Reilly

HERE IT IS FOLKS. GET
PREPARED ! Just leave this out
here for you to make your own
decision.

China's Bio weapon, and Pelosi
My wife Angie will tell you that I
study history and world events
fluently every day. I have studied
China for many years. To get
answers I need to questions, I
call many I know in Washington
on Capitol Hill (from my tenure on
two Presidential campaigns and
Presidential talks) and I ask them
for straight up answers to better
understand what affects us as a
nation.

Well, in 2016 America elected a
new Sheriff: Donald J Trump. For
decades the Chinese walked all
over America but the new
President said "not anymore".
Trump literally strangled China's
economy to the point their
economy was in its worst free fall
ever. Trump negotiated a new 50
billion trade agreement. He had
Xi by the proverbial balls.

America's economy was on fire
and unstoppable. President Xi
Jingping knew he could not beat
the USA militarily and he knew
any domesticated economic
attack would fail as our economy
was too strong. He had to act.
But how?

Enter the USA democrats led by
Pelosi and Schiff. Impeachment.
A hoax. A distraction for our
people and President. Xi Jingping
and his thugs see this. They
aren't stupid. They have very
intelligent intellectual thinkers in

their government. Now you must understand , the Chinese regime are truly Barbarians. Notice I did not say ALL CHINESE. The Chinese people are a good people. I enjoy my interactions with them. The communist regime has millions of its own citizens slaving in gulags simply for speaking against the government or openly practicing Christianity. Knowing they could not attack us openly they needed to be coy, like a deceptive fox. In my opinion, I believe the regime released a biological weapon upon the world that doesn't kill everyone, but kills "enough," especially the elderly and infirmed. Back in WW 2 Hitler thought the same way. He got rid of what he considered the useless and rejects of society. Trumps task force uses models to figure things. Xi used and uses "models" too. He figured that if he killed a few of his own (a few hundred thousand to them would be a few out of 1.4 billion people) and spread the virus to other nations (especially to the USA) they would "level the economic playing field" and not have fired a shot. Losses of his own people were acceptable costs of a new war. When China's own doctors attempted to sound the warning, they were immediately silenced. In fact one died and another has simply disappeared. Trump and the other allied leaders indeed KNOW this is what happened. They have under reported their own deaths. Trump knows he cannot outrightly seek retribution. His news conference today showed me this when he balked publicly about no outright retribution over Xi's handling of this and he immediately brought up the "trade deal". However,

Trump wasn't being weak, he too was now being coy. We know this was a biological weapon. The food market story is bullshit. Xi knows we know it. Trump also today announced he sent two battle groups of destroyers and other ships to sea several days ago to fight drugs and rogue actors like Iran should they try anything. I say he did this to show Xi he knows what has transpired (we have the greatest intelligence assets) and that they (the Chinese) should rethink further action. Politics is premier. We cannot overtly attack China for what they have done as we would also suffer greatly. We all know this. But China has temporarily achieved its goal. America was literally consumed by Trumps phony impeachment brought by the ultra left democrats (supported by democrat rank and file and one Republican Mitt Romney) and Xi Jinping saw an opening. He took it. Xi did what Trump usually does...he walked onto the world stage and threw a grenade into the "room" and left. It exploded in the form of this worldwide pandemic. It brought the USA and the rest of the world to its knees and leveled the economic playing field. Our economy is now near depression. Xi didn't fire one bullet. Trump needed to up his game of chess and putting our Naval ships to sea was his next move. He said he is a "war" President. He is. But now on not one but two fronts. One front is the virus and the other front is the Chinese. While the Saudi's and Russians are screwing with oil prices they aren't overtly doing what this pandemic is doing. The drug smuggling story for dispatching the Naval Force is

bullshit and the world knows it. I am of the opinion Trump can indeed bring us back from this catastrophe albeit with a changed playing field. But Trump is a genius in chess and financial matters. He's become a champ at international politics too. I am sure Trump can once again lead the economy to even stronger strength and greatness than it was. He can do it quickly I'm sure of it. He has proved it. Xi Jinping needs to be sent a message loud and clear. NEVER AGAIN. We need to bring all of our critical manufacturing back from China beginning with our medicines they were recently threatening to withhold. We can do it immediately. Again, another reason for Trump putting to sea such a sizable Naval Force. Sending a clear message. We all must ride out the next few weeks. Then we and the world pick up the pieces and move on. The democrats who have given Xi this opening wrapped in a bow must pay a heavy price in November as they (the democrats) truly have cost and continue to cost America precious lives by the phony scandals. Nancy Pelosi continues to help the Chinese by her daily shameless attacks upon the President and meddling in stimulus packages as she did this last weekend. Yesterday's statements she made were truly appalling and the lowest of low. I didn't think she could go any lower. What a disgrace she is to our nation. But, Pelosi aside, make no mistake, China must and will be taught a lesson the likes they have never seen before and Trump is the man to pull the trigger. We the people must teach the democrats the same lesson at the polls. They (the

radical wing of the party) are the enemy of a free America. I am certain of it. The entire democrat party of our forefathers is dead. Remember people, Trump indeed tried to warn us all of the Conavirus in his State of the Union Speech. He spoke of it. He said he was on top of it. After he spoke , Nancy Pelosi ripped up the speech calling Trumps words "a manifesto of lies". She disgraced the country and all of our fellow honored citizens present in the House Chamber. Well she now has American blood on her hands. She is very majorly responsible for these needless deaths as well as the Chinese. Her and Adam Schiff. The left and democrats laughed as she tore up his speech. Well, as they laughed the disease he just spoke of in that speech came to our shores. Republicans and Democrats alike are now dying. Your family members and mine. Our grandparents and middle aged citizens alike. Bodies are being loaded in trucks with forklifts in Brooklyn outside of hospitals. No one is safe. Our liberty is for the most part suspended. As we bury our dead (without proper funerals) from this calamity let's drive the nails into the coffin of the Democrat party as well in November. It's time people. Stand up for your rights and your country! Our Liberty and survival is at stake! I am praying for God's blessing on our nation. But, God also gave us the ability to think for ourselves and it's time we placed blame for all this death where it belongs: on the doorsteps of Nancy Pelosi, Adam Schiff and Xi Jinping directly. Wake Up America. WAKE UP!

(C) 2020 Tim Besmer, Sr.
Permission given for public
sharing.

Written by: Bill O'Reilly

AGENDA ITEM SUMMARY

REQUESTED MOTION: Consistent with Resolution No. 10-057 creating the Administrative Code which establishes the Code of Conduct for its elected officials, confirmation of receipt of Code of Conduct.

MEETING DATE: 5/20/2020

AGENDA:		REQUIREMENT/PURPOSE: (Specify)		REQUESTOR OF INFORMATION:
☐	PRESENTATIONS	☐	STATUTE	Derek Rooney City Attorney And Debra Filipek City Clerk
☐	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:

While the City Charter provides information on the roles and responsibilities of Councilmembers, the Deputy Mayor and the Mayor, section 22 of the Charter specifies that City Council may set additional written standards of conduct for its members beyond those specified in this charter and may provide for such penalties as it deems appropriate, including forfeiture of office. This Administrative Code established the Code of Conduct, and is in addition to the following other rules that City Council must adhere to:

- ✓ The Florida Code of Ethics for Public Officers and Employees provides guidance on ethical issues to ensure that City Council conducts themselves independently and impartially, not using their office for private gain.
- ✓ Resolution 13-051, the most recent of the amended Administrative Code which serves as the rules of procedure for City Council meetings.
- ✓ Florida Sunshine Law and Public Records Law

The Code of Conduct is designed to describe the manner in which Councilmembers should treat one another, city staff, constituents, and others with whom they come into contact with while representing the City of Bonita Springs. It reflects the work of the City Council with defining more clearly the behavior, manners, and courtesies that are suitable for various occasions. The City Council also considered a wide variety of policy changes and clarifications designed to make public meetings and the process of governance run more smoothly.

The Code of Conduct also requires City Council members to confirm that they have received a copy for their review and use. A copy was given at adoption, and a new binder with a Charter, Code of Conduct and rules of procedure for City Council meetings was recently provided to each City Council member.

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

STAFF RECOMMENDATIONS: As a housekeeping item, individual City Council members should sign the next page and deliver to the City Clerk as the custodian of records.

REVIEWED BY:

City Manager: 
City Attorney: _____
City Clerk: _____
Department Director: _____

COUNCIL ACTION:

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

**CITY OF BONITA SPRINGS, FLORIDA
RESOLUTION NO. 10-057**

**A RESOLUTION OF THE CITY OF BONITA SPRINGS,
FLORIDA; CREATING THE ADMINISTRATIVE CODE FOR
RULES OF CONDUCT FOR THE BONITA SPRINGS CITY
COUNCIL; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the Bonita Springs City Council, as the duly elected governing body for the City of Bonita Springs; and

WHEREAS, the City Charter establishes that the Bonita Springs City Council shall determine its own rules and order of business, with section 22 specifying that City Council may set additional written standards of conduct for its members beyond those specified in this charter and may provide for such penalties as it deems appropriate, including forfeiture of office.

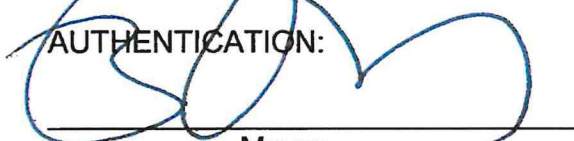
WHEREAS, City Council desires to create an Administrative Code to establish a Code of Conduct for its elected officials.

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

1. The City Council declares that the procedures set forth, attached hereto, and incorporated by reference herein by "Exhibit A", as amended, is applicable to Bonita Springs City Council.
2. This Resolution shall take effect immediately upon adoption.

DULY PASSED AND ENACTED by the City Council of the City of Bonita Springs, Florida this 15th day of September, 2010.

AUTHENTICATION:



Mayor



City Clerk

APPROVED AS TO FORM:



City Attorney

Vote:

Nelson	Aye	Spear	Aye
McIntosh	Aye	Simons	Aye
Martin	Aye	Lonkart	Aye
Slachta	Aye		

Date Filed With City Clerk: 9-16-10

CITY OF BONITA SPRINGS CODE OF CONDUCT FOR ELECTED OFFICIALS

The Three Rs of Bonita Springs Government Leadership: Roles, Responsibilities and Respect

The City Charter provides information on the roles and responsibilities of Councilmembers, the Deputy Mayor and the Mayor. The Florida Code of Ethics for Public Officers and Employees provides guidance on ethical issues to ensure that City Council conducts themselves independently and impartially, not using their office for private gain. There is also an Administrative Code for conducting meetings, but until now, what has not been clearly written down is a Code of Conduct for Bonita Springs City Councilmembers.

The Code of Conduct is designed to describe the manner in which Councilmembers should treat one another, city staff, constituents, and others with whom they come into contact with while representing the City of Bonita Springs. It reflects the work of the City Council with defining more clearly the behavior, manners, and courtesies that are suitable for various occasions. The City Council also considered a wide variety of policy changes and clarifications designed to make public meetings and the process of governance run more smoothly.

The contents of this Code of Conduct includes:	Page
A. Overview of Roles and Responsibilities	2
B. Policies and Protocol Related to Conduct	4
C. Council Conduct with One Another	5
D. Council Conduct with City Staff	6
E. Council Conduct with the Public	8
F. Council Conduct with Other Public Agencies	9
G. Council Conduct with Advisory Boards	10
H. Council Conduct with the Media	11
I. Sanctions	12

The constant and consistent themes through all of the conduct guidelines are dignity and respect. Councilmembers experience stress in making decisions that impact the lives of the citizens. At times, the impacts of the entire community must be weighed against the impact of only a few. Despite these pressures, elected officials are called upon to exhibit appropriate behavior at all times. Demonstrating respect for each individual through words and actions is the touchstone that can help guide Councilmembers to do the right thing in even the most difficult situations.

A. Overview of Roles and Responsibilities

Other resources that are helpful in defining the roles and responsibilities of elected officials can be found in the Bonita Springs City Charter, Ordinances and Administrative Code and in the Handbook for Municipal Elected Officials, published by the Florida League of Cities.

MAYOR (City Charter §18)

- Elected “at-large” for a four-year term
- Recognized as head of the City Government for all ceremonial purposes
- Preside over meetings of the City Council
- Has same speaking and voting rights as any other member
- Shall in no case have the power to veto
- Executes and authenticates legal instruments requiring signature
- Leads the Council into an effective, cohesive working team

DEPUTY MAYOR (City Charter §18 And 21)

- Elected by the City Council at the first meeting following a new election.
- Performs the duties of the Mayor if the Mayor is absent, unable to fulfill duties, ceases to be qualified or is removed from office.
- Relinquishes City Council seat when serving as Mayor, assuming the duties of Mayor, unless more than 180 days from next election (then a Special Election).

ALL COUNCILMEMBERS (City Charter §12)

All members of the City Council, including the Mayor and Deputy Mayor, have equal votes. No Councilmember has more power than any other Councilmember, and all should be treated with equal respect.

All Councilmembers should:

- Fully participate in City Council meetings and other duly advertised public meetings while demonstrating dignity, respect, kindness, consideration, and courtesy to all.
- Prepare in advance of meetings and be familiar with issues on the agenda. Address clarifications prior to meeting with applicable staff.
- Be respectful of other people’s time. Stay focused and act efficiently during Council meetings or other City related meetings.
- Serve as a model of leadership and civility to the community.
- Inspire public confidence in Bonita Spring’s government.
- Provide contact information with the City Clerk in case of an emergency or an urgent situation arises while the Councilmember is otherwise not available.
- Demonstrate honesty and integrity in every action and statement.

- Follow Federal, State and Municipal Laws guiding public officials, including, but not limited to, Honest Services Act, State Ethics, Sunshine and Public Records Law, Administrative Code for City Council meetings, Communications Policy, etc.

B. Policies and Protocol Related to Conduct

1. Ceremonial Events – City Charter §18 designates the Mayor to serve as the designated City representative. If the Mayor is unavailable, then City staff will determine if the event organizers would like another representative from the Council.

2. Correspondence Signatures - Councilmembers do not need to acknowledge the receipt of correspondence, or copies of correspondence, during Council meetings (exception: zoning ex parte contact). City staff will prepare official letters in response to public inquiries and concerns. These letters will carry the signature of the Mayor or the appropriate City staff.

3. Endorsements of Candidates - Councilmembers have the right to endorse candidates for all Council seats or other elected offices. It is inappropriate to mention endorsements during Council meetings or other official City meetings or functions.

4. Intergovernmental Relations – Generally, City Charter §18 designates the Mayor to represent the City in intergovernmental relationships (the exception are designated liaisons). The Council values intergovernmental relations with neighboring communities and other entities. As a result, Councilmembers should make a concerted effort to attend scheduled meetings with other entities to further promote intergovernmental relations.

5. Legislative Process - The City generally follows Roberts Rule of Order for meeting management. See the Administrative Code for City Council meetings.

6. Public Meeting Hearing Protocol - The Mayor will open the public meetings, following the Rules of Procedure for City Council meetings. The Mayor has the responsibility to run an efficient public meeting and has the discretion to modify the public hearing process in order to make the meeting run smoothly. Councilmembers should withhold comment during the public hearing portion of the meeting until the conclusion of the public's portion of the hearing. Councilmembers should refrain from arguing or debating with the public during a public hearing and shall always show respect for different points of view.

7. Travel Expenses (City Charter §19, Bonita Springs Ordinance No. 00-12) - May receive reimbursement of actual expenses while performing their official duties. Councilmembers who travel on official City Business either in-state or out-of-state. Such travel shall include attendance at conferences, seminars, and training sessions on behalf of the City. The City shall pay reasonable expenses for registration fees, lodging, meals, transportation, and allowable miscellaneous expenses for the Councilmember only. (City Council are responsible for spouse or others travelling with the Council member). All travel expenses will be handled in the same manner and consistent with the provisions of state law and ordinances.

C. Council Conduct with One Another

Councils are composed of individuals with a wide variety of backgrounds, personalities, values, opinions, and goals. Despite this diversity, all have chosen to serve in public office in order to preserve, protect and enhance the present and the future of the community. In all cases, this common goal should be acknowledged even as Council may "agree to disagree" on contentious issues.

IN PUBLIC MEETINGS –

1. Practice civility, professionalism and decorum in discussions and debate - Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of a free democracy in action. This does not allow, however, Councilmembers to make belligerent, personal, impertinent, slanderous, threatening, abusive, or disparaging comments. No shouting or physical actions that could be construed as threatening will be tolerated. Councilmembers should conduct themselves in a professional manner at all times, including physical appearance.

2. Honor the role of the Mayor in maintaining order - It is the responsibility of the Mayor to keep the comments of all persons, including but not limited to, the Councilmembers on track during public meetings. Councilmembers should honor efforts by the Mayor to focus discussions on current agenda items. If there is disagreement about the agenda or the Mayor's actions in refraining staff, public or Councilmembers from speaking, those objections should be voiced politely and with reason.

3. Avoid personal comments that could offend other Councilmembers - If a Councilmember is personally offended by the remarks of another Councilmember, the offended Councilmember should make notes of the actual words used and call for a "point of personal privilege" that challenges the other Councilmember to justify or apologize for the language used. The Mayor will maintain order of this discussion.

4. Demonstrate effective problem-solving approaches -

Councilmembers have a public stage to show how individuals with disparate points of view can find common ground and seek a compromise that benefits the community as a whole.

5. Be punctual and keep comments relative to topics discussed -

Councilmembers have made a commitment to attend meetings and partake in discussions. Therefore, it is important that Councilmembers be punctual and that meetings start on time. It is equally important that discussions on issues be relative to the topic at hand to allow adequate time to fully discussed scheduled issues. If a Councilmember has an item requested to be on the agenda, it is important they set the example by providing timely written materials.

IN PRIVATE ENCOUNTERS

1. Continue respectful behavior in private - The same level of respect and consideration of differing points of view that is deemed appropriate for public discussions should be maintained in private conversations.

2. Be aware of the insecurity of written notes, voice and text messages, and e-mail - Technology allows words written or said without much forethought to be distributed wide and far. The Public Records Law mandates that any material made or received by an agency in connection with official business be used to perpetuate, communicate or formalize knowledge is a public record, and unless exempt, must be turned over to someone requesting to see that material. Before you create a document, ask yourself: Would you feel comfortable to have this note faxed or PDF'd to others? How would you feel if this voicemail message was played on a speaker phone in a full office? What would happen if this email message was forwarded to others? Written notes, voicemail messages and email related to City business are public communication subject to disclosure.

3. Even private conversations can have a public presence - Elected officials are always on display – their actions, mannerisms, and language are monitored by people around them that they may not know. Lunch table conversations will be eavesdropped upon, parking lot debates will be watched, and casual comments between individuals before and after public meetings noted.

D. Council Conduct with City Staff

Governance of a City relies on the cooperative efforts of elected officials, who set policy, and City staff members, who implement and administer the Council

policies. Therefore, every effort should be made to be cooperative and show mutual respect for the contributions made by each individual for the good of the community.

1. Treat all staff as professionals - Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. Poor behavior towards staff is not acceptable.

2. Limit contact to specific City staff - Questions of City staff and/or requests for additional background information should be directed to the City Manager, City Attorney, or Department Heads. The City Manager should be copied on or informed of any request.

Requests for follow-up or directions to staff should be made only through the City Manager or the City Attorney when appropriate. When in doubt about what staff contact is appropriate, Councilmembers should ask the City Manager for direction. Materials supplied to a Councilmember in response to a request will be made available to all members of the Council so that all have equal access to information.

3. Do not disrupt City staff from their jobs – Staff wants to be accessible for City Council, but Councilmembers should avoid disrupting City staff while they are in meetings, on the phone, or engrossed in performing their job functions.

4. Never publicly criticize an individual employee - Council should never express concerns about the performance of a City employee in public, to the employee directly, or to the employee's manager. Comments about staff performance should only be made to the City Manager.

5. Do not get involved in administrative functions - Councilmembers must not attempt to influence City Staff on the making of appointments, awarding of contracts, selecting of consultants, processing of development applications, or granting of City licenses and permits. The City Charter, Section 20 also contains information about the prohibition of Council interference in administrative functions.

6. Check with City staff on correspondence before taking action - Before sending correspondence, Councilmembers should check with City staff to see if an official City response has already been sent or is in progress.

7. Do not attend staff meetings (with or without public) unless requested by staff or City Council - Even if the Councilmember does not say anything, the Councilmembers presence implies support, shows partiality, intimidates staff, and hampers staff's ability to do their job objectively.

8. Limit requests for staff support - Even in high priority or emergency situations, requests for additional staff support should be made to the City

Manager who is responsible for allocating City resources in order to maintain a professional, well-run City government and following City Council direction.

9. Do not solicit political support from staff - Councilmembers should not solicit any type of political support (financial contributions, display of poster or lawn signs, name on support list, etc.) from City staff. City staff may, as private citizens with constitutional rights, support political candidates but all such activities must be done away from the workplace.

E. Council Conduct with the Public

1. IN PUBLIC MEETINGS

Making the public feel welcome is an important part of the democratic process. No signs of partiality prejudice or disrespect should be evident on the part of individual Councilmembers toward an individual participating in a public forum. Every effort should be made to be fair and impartial in listening to public testimony.

a. Be welcoming to speakers and treat them with care and gentleness - Speaking in front of Council can be a difficult experience for some people. Some issues the Council undertakes may affect people's daily lives and homes. Some decisions are emotional. The way that Council treats people during public hearings can do a lot to make them relax or to push their emotions to a higher level of intensity.

b. Be fair and equitable in allocating public hearing time to individual speakers - The Mayor, in accordance with the Administrative Code for City Council meetings, will determine and announce limits on speakers at the start of the public hearing process. Generally, each speaker will be allocated four minutes with applicants and appellants or their designated representatives allowed more time. If many speakers are anticipated, the Mayor may shorten the time limit and/or ask speakers to limit themselves to new information and points of view not already covered by previous speakers. No speaker will be turned away unless he or she exhibits inappropriate behavior. Each speaker may only speak once during the public comment unless the Council requests additional clarification. After the close of any public comment portion, no more public testimony will be accepted unless the Mayor reopens the public hearing for a limited and specific purpose.

c. Give the appearance of active listening - It is disconcerting to speakers to have Councilmembers not look at them when they are speaking. It is fine to look down at documents or to make notes, but reading for a long period of time, gazing around the room or getting up from your seat gives the appearance of disinterest. Be aware of facial expressions and body language (e.g., head and

arm movements), especially those that could be interpreted as “smirking”, disbelief, anger or boredom.

d. Ask for clarification, but avoid debate and argument with the public - Only the Mayor – not individual Councilmembers – can interrupt a speaker during a presentation. However, a Councilmember can ask the Mayor for a point of order if the speaker is off the topic or exhibiting behavior or language the Councilmember finds disturbing. If speakers become flustered or defensive, it is the responsibility of the Mayor to calm and focus the speaker and to maintain the order and decorum of the meeting. Questions by Councilmembers to members of the public testifying should seek to clarify or expand information. It is never appropriate to belligerently challenge or belittle the speaker.

e. No personal attacks of any kind, under any circumstance!

f. Follow parliamentary procedure in conducting public meetings - The City Attorney serves as advisory parliamentarian for the City and is available to answer questions or interpret situations according to parliamentary procedures. Final rulings on parliamentary procedure are made by the Mayor, subject to the appeal of the full Council.

2. IN UNOFFICIAL SETTINGS

a. Make no promise on behalf of the Council - Councilmembers will frequently be asked to explain a Council action or to give their opinion about an issue as they meet and talk with constituents in the community. It is appropriate to give a brief overview of City policy and to refer to City staff for further information. It is inappropriate to overtly or implicitly promise Council action, or to promise City staff will do something specific (fix a pothole, remove a library book, plant new flowers in the median, etc.).

b. Make no personal comments about other Councilmembers - It is acceptable to disagree publicly about an issue, but it is unacceptable to make derogatory comments about other Councilmembers, their opinions and actions.

c. Remember that despite its impressive size, Bonita Springs is a small community at heart – Councilmembers are constantly being observed by the community every day that they serve in office. Their behaviors and comments serve as models for proper deportment in the City of Bonita Springs. Honesty and respect for the dignity of each individual should be reflected in every word and action taken by Councilmembers, 24 hours a day, seven days a week. It is a serious and continuous responsibility.

F. Council Conduct with Other Public Agencies

a. Be clear about representing the City or personal interests - If a Councilmember appears before another governmental agency or organization to give a statement on an issue, the Councilmember must clearly state:

- (i) if his or her statement reflects personal opinion or is the official stance of the City;
- (ii) whether this is the majority or minority opinion of the Council. Even if the Council member is representing his or her own personal opinions, remember that this still may reflect upon the City as an organization.
- (iii) If the Council member is representing the City, the Council member must support and advocate the official City position on an issue, not a personal viewpoint.
- (iv) If the Council member is representing another organization whose position is different from the City, the Council member should withdraw from voting on the issue if it significantly impacts or is detrimental to the City's interest. Councilmembers should be clear about which organizations they represent and inform the Mayor and Council of their involvement.

b. Correspondence also should be equally clear about representation - City letterhead may be used when the Council member is representing the City and the City's official position. A copy of official correspondence should be given to the City Clerk to be filed as part of the permanent public record. To avoid confusion regarding City Council's position, it is best that City letterhead not be used for correspondence of Councilmembers representing a personal point of view, or a dissenting point of view from an official Council position.

G. Council Conduct with Advisory Boards

The City has established several advisory boards as a means of gathering more community input. Citizens who serve on advisory boards become more involved in government and serve as advisors to the City Council. They are a valuable resource to the City's leadership and should be treated with appreciation and respect.

a. If attending an advisory boards meeting, and you are not the liaison, be careful to only express personal opinions - Councilmembers may attend any advisory board meeting, which are always open to any member of the public. However, if the advisory board is conducting a public hearing, the Council member shall refrain from attending. Councilmembers should be sensitive to the way their participation could be viewed as unfairly affecting the process. Any

public comments by a Council member at an advisory board meeting should be clearly made as individual opinion and not a representation of the feelings of the entire City Council. Also be cognizant of the Sunshine Law, precluding discussion (outside of meeting advertised for City Council) by two or more members of City Council on any item that may take action upon. A council member's presence may affect the conduct of the advisory boards and limit their role and function.

b. Limit contact with advisory boards members - It is inappropriate, and at times illegal, for a Council member to contact an advisory board member to lobby on behalf of an individual, business, or developer. Councilmembers should contact staff in order to clarify a position taken by the advisory boards.

c. Remember that advisory boards serve City Council, not individual Councilmembers - City Council appoints individuals to serve on Advisory boards, and it is the responsibility of advisory boards to follow policy established by the Council. But advisory board members do not report to individual Councilmembers, nor should Councilmembers feel they have the power or right to threaten advisory board members with removal if they disagree about an issue. Appointment and re-appointment to an advisory boards should be based on such criteria as expertise, ability to work with staff and the public, and commitment to fulfilling official duties. An advisory board's appointment should not be used as a political "reward".

d. Be respectful of diverse opinions - A primary role of advisory boards is to represent many points of view in the community and to provide the Council with advice based on a full spectrum of concerns and perspectives. Councilmembers must be fair and respectful of any citizens serving on advisory boards.

e. Keep election issues away from public forums and advisory board meetings – Section 14 of the City Charter calls for nonpartisan elections. While Councilmembers are free to participate in politics when not conducting official business, they should refrain from campaigning for office or providing political support or non-support for those who are running for any elected office (national, state or local) while conducting official duties or when attending advisory meetings.

f. Inappropriate behavior can lead to removal - Inappropriate behavior by an advisory board member should be brought to the attention of City Council, and with the assistance of the City Attorney in preparing the greensheet, the individual may be subject to removal from the advisory board or if the advisory board is not operating in accordance with City Council's direction, dissolution of the advisory board.

H. Council Conduct with the Media

Councilmembers may be contacted by the media for background and quotes.

a. **The best advice for dealing with the media is to avoid going "off the record"** - Most members of the media represent the highest levels of journalistic integrity and ethics, and can be trusted to keep their word. But one bad experience can be catastrophic. Words that are not said cannot be quoted.

b. **Choose words carefully and cautiously** - Comments taken out of context can cause problems. Be especially cautious about humor, sardonic asides, sarcasm, or word play. It is never appropriate to use personal slurs or swear words when talking with the media.

I. Sanctions

Councilmembers Behavior and Conduct (City Charter §22) - City Councilmembers who intentionally and repeatedly do not follow proper conduct may be reprimanded or formally censured by the Council. Serious infractions of this Code of Conduct could lead to other sanctions as deemed appropriate by Council, including forfeiture of office. It is the responsibility of City Council to initiate action if a Council member's behavior may warrant sanction due to a breach of these written standards of conduct. Any action taken on the alleged violation(s) must be brought up with the City Council in a public meeting.

If the violation of the Code of Ethics or Code of Conduct is outside of the observed behaviors by the Mayor or Councilmembers, the complaining party should bring to the attention to City Council, with City Council voting whether the City Manager, the City Attorney and/or outside investigator should investigate the allegation and report the findings to City Council. If necessary, City Council can under §23 of the City Charter subpoena witnesses, administer oaths and require the production of evidence, in order to make their decisions in accordance with §22 of the City Charter.

Upon adoption of this Code of Conduct, following election to office and once a year thereafter, each elected officer will confirm that they have received a copy of this Code of Conduct for their review and use.

Signature

Date

**CITY OF BONITA SPRINGS, FLORIDA
RESOLUTION NO. 10-057**

Confirmation May 6, 2020

**CITY OF BONITA SPRINGS CODE OF CONDUCT
FOR ELECTED OFFICIALS**

Upon adoption of this Code of Conduct, following election to office and once a year thereafter, each elected officer will confirm that they have received a copy of this Code of Conduct for their review and use.

Signature

Date

BONITA SPRINGS CITY COUNCIL		GREEN SHEET:	20-05-124
AGENDA ITEM SUMMARY Executive Order on Quasi-Judicial Virtual Meetings			
REQUESTED MOTION: Approve Emergency Order.			
MEETING DATE: 5/20/2020			
AGENDA:		REQUIREMENT/PURPOSE: (Specify)	REQUESTOR OF INFORMATION:
☐ PRESENTATIONS	☐ STATUTE	Derek Rooney City Attorney	
☐ CONSENT	☐ ORDINANCE		
☐ PUBLIC HEARING	☐ ADMIN. CODE		
☐ MAYOR AND COUNCIL MEMBER ITEMS	☒ OTHER AGREEMENT		
☐ MAYOR AND COUNCIL MEMBER'S REPORTS			
☒ CITY ATTORNEY ITEMS			
☐ CITY MANAGER ITEMS			
BACKGROUND: Due to the continuing state of emergency relating to COVID-19 and the life threatening conditions for the residents of the City, the City has refrained from holding of any advisory or quasi-judicial boards and committee meetings, as such, meetings often draw large public participation. Notwithstanding, property owners have the right to proceed with development applications in a timely manner and the public has the right to participate. Consistent with Governor DeSantis Executive Order 20-69 suspending and Florida Statute requiring the presence of an in person quorum for local government bodies, a draft emergency order has been prepared establishing procedures to allow the City's Local Planning Agency and Zoning Board of Appeals to meet utilizing communications media technology. Procedures will allow for public comment, proper presentation of evidence, and appropriate due process. Final hearings on all matters will still be in an in-person public format before the City Council. Attached: Draft Executive Order			
IS THIS RELATED TO A STRATEGIC PLAN OBJECTIVE? ☐ YES ☒ NO IF YES, WHICH STRATEGIC OBJECTIVE?			
STAFF RECOMMENDATIONS: Adopt			
REVIEWED BY:			
City Manager: _____ City Attorney: _____ City Clerk: _____ Department Director: _____			
COUNCIL ACTION: ☐ APPROVED ☐ DENIED ☐ DEFERRED ☐ OTHER			

CITY OF BONITA SPRINGS, FLORIDA

RESOLUTION NO. 20- _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
BONITA SPRINGS, FLORIDA, PROVIDING FOR THE
UTILIZATION OF COMMUNICATIONS MEDIA
TECHNOLOGY IN LAND USE PROCEEDINGS AND
PROVIDING FOR PUBLIC PARTICIPATION IN RESPONSE
TO COVID-19; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, both the World Health Organization and federal Centers for Disease Control and Prevention (CDC) recognized the novel and virulent danger posed by COVID-19, declaring it a worldwide pandemic; and

WHEREAS, Ron DeSantis, Governor of Florida issued Executive Order 20-52 declaring a public health emergency due the public threat of COVID-19; and

WHEREAS, on March 13, 2020, the City Council began taking active steps to contain the spread of COVID-19 in accordance with state and federal guidance, including the declaration of a local state of emergency on March 17, 2020 with Resolution 20-14, which has been renewed every seven days as necessary thereafter; and

WHEREAS, the Governor has issued a series of Executive Orders limiting both businesses and the public interactions consistent with his authority under Chapter 252, Florida Statutes, in order to slow the spread of COVID-19; and

WHEREAS, the United States Centers for Disease Control and Prevention and the Florida State Department of Health recommend implementation of community mitigation strategies to increase containment of the virus, including cancellation of large gatherings and implementation of social distancing measures; and

WHEREAS, Article I, Section 24 of the Florida Constitution guarantees a right of public access to all meetings of any collegial public body, and Section 286.011, Fla. Stat., commonly referred to as Florida's "Sunshine Law," requires such meetings to be publicly noticed in advance, open to the public, and documented by minutes that are promptly recorded; and

WHEREAS, land use proceedings are considered quasi-judicial in nature and require additional evidentiary and due process considerations; and

WHEREAS, land use proceedings are considered quasi-judicial in nature and require additional evidentiary and due process considerations including a reasonable opportunity to participate and submit evidence into the record beyond general public comment opportunities; and

WHEREAS, recognizing the compelling need to protect life while at the same time maintaining the functioning and continuity of government, the Governor issued Executive Order 20-69, as extended, suspending requirements that local governing bodies have a quorum physically present in a specific public place to conduct public meetings and specifically authorizing the use of communications media technology (“CMT”), as provided in Section 120.54(5)(b)2., Florida Statutes, to conduct meetings of local governing bodies; and

WHEREAS, the City Council desires to utilize and hereby authorizes the use of CMT during the declared state of local emergency due to COVID-19 to conduct meetings of its boards and committees allowing operations to continue while protecting the health and safety of elected officials, staff, and the general public; and

WHEREAS, the Sections 252.38 and 252.45, Florida Statutes, the City Council is empowered to both waive formalities otherwise required by law and to adopt rules necessary for emergency management purposes; and

WHEREAS, these rules provide an adequate alternative avenue for the public to participate in public meetings and public hearings, including as parties to quasi-judicial matters;

NOW, THEREFORE, be it resolved by the City Council of the City of Bonita Springs, Florida:

SECTION ONE. The above recitals are true and correct and are incorporated herein by this reference.

SECTION TWO. The City Council of the City of Bonita Springs hereby adopts the following interim regulations to provide standards in furtherance of Executive Order 20-69, as amended, concerning the use of CMT for the various boards and committees of the City which operate under the Sunshine Law:

1. General Rules Relating to Use of CMT.

- a. CMT includes one or more of the following: the electronic transmission of printed matter, audio, full-motion video, freeze-frame video, compressed video, or digital video by any method available which permits the attendance and participation at public meetings.
- b. If during the course of a meeting conducted by CMT, technical problems develop with City’s communications network that prevent the use of CMT for the conduct of the meeting, then the meeting must be recessed or adjourned the meeting must be recessed or adjourned until the problems have been corrected.

2. Notice.

- a. Posting. The notice of any public meeting to be held by CMT must be provided in the same manner as required for a non-CMT meeting.

- b. Content. The notice must (1) plainly state that the meeting is to be conducted utilizing CMT and identify the specific form of CMT to be used; (2) describe how interested persons may attend and participate in the meeting; and (3) include the contact information for a designated individual to whom interested persons may contact for additional information or assistance in participating in CMT meetings.
- c. Determination of Quorum and Voting. The board or committee clerk must verify at the beginning of the meeting that a quorum is present throughout the CMT. If a board or committee member leaves the meeting, the board or committee clerk should announce the departure. To ensure accuracy all voting must be conducted verbally by roll call.
- d. Minutes and Recording. Minutes of all meetings conducted by CMT must be kept in the same manner as required for a non-CMT meeting. Where practicable, all meetings conducted by CMT should be recorded or otherwise captured for the record.
- e. Public Comment. All meetings conducted by CMT must include at least one designated public comment period in which interested members of the public will be permitted to address the board or committee. Live public comment will be limited to the same time limits as non-CMT meetings (if not specified, three minutes).
 - i. Persons interested in making public comments may also submit written or alternative comments beforehand within the timelines and procedures indicated in the CMT meeting notice.
 - ii. All boards and committees will afford all relevant comments the same consideration as if they were offered in person.

3. Additional Rules Relating to Quasi-Judicial Matters.

- a. Testimony. Where sworn testimony is required, the City Clerk or designee will administer the oath to all individuals being recognized to testify.
- b. Submission of Materials. Interested person or parties wishing to submit documentary evidence or other materials for consideration in a quasi-judicial proceeding must do so five (5) days prior to the date of the hearing. Additional documentary evidence or materials may be considered by the board or committee after such date only upon an affirmative finding that the evidence is relevant to rebut evidence submitted earlier and that there was inadequate time to otherwise provide such rebuttal evidence.

- c. Weight of Evidence. The board or committee will afford all evidence, testimony, and argument full consideration and determine its evidentiary significance as if the evidence and testimony were offered in person.
- d. Hearing. Only the City, applicant, and aggrieved or adversely affected parties will be afforded the opportunity to make presentations, cross-examine witnesses, and rebut testimony or evidence live during a CMT hearing. Such parties will be limited to a total of 30 minutes of time to make their respective cases unless extended by the chair of the board or committee.
- e. Procedures for Aggrieved or Adversely Affected Parties. Aggrieved or adversely affected persons desiring to become a party in a quasi-judicial proceeding must provide written notice to the City Clerk seven (7) days prior to the public hearing. The request must include a factual basis for why the requestor believes that he or she should be allowed to participate as a party. At the outset of each quasi-judicial public hearing, the quasi-judicial board or committee operating under its authority, shall consider the written requests for party status and make a determination of whether a requesting individual or entity will be considered a party to the proceeding and allowed to participate as such.
- f. Conflict. To the extent this order conflicts with any provision of the Code of the Bonita Springs Code, this order controls.

SECTION THREE. Neighborhood Informational Meetings. Due to the limitations placed on public gatherings and facilities, any neighborhood meeting required under Section 4-28 of the land development code may utilize CMT consistent with the provisions of this order provided the applicant (1) provides satisfactory evidence to the City Attorney of the unavailability of appropriate public facilities, and (2) that the applicant has made accommodations to any individual who wishes to participate in the meeting but is unable to attend the hearing through CMT without assistance.

SECTION FOUR. This Resolution shall take effect immediately upon adoption. This temporary order shall expire within forty-five (45) days if not extended by the City Council or upon termination of the local state of emergency, whichever occurs sooner.

DULY PASSED AND ENACTED by the City Council of the City of Bonita Springs, Lee County, Florida this 20th day of May, 2020.

[SIGNATURE PAGE FOLLOWS]

AUTHENTICATION:

Mayor

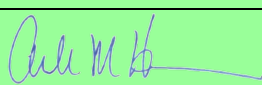
City Clerk

APPROVED AS TO FORM: _____
City Attorney

VOTE:

Carr
Forbes
Gibson
Quaremba

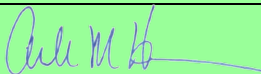
Simmons
Corrie
Purdon

BONITA SPRINGS CITY COUNCIL		GREEN SHEET:	20-05-112
AGENDA ITEM SUMMARY			
REQUESTED MOTION: Review and Approval of 2020-2021 Budget Calendar			
MEETING DATE: May 20, 2020			
AGENDA:		REQUIREMENT/PURPOSE: (Specify)	REQUESTOR OF INFORMATION:
☐	PRESENTATIONS	☐	Arleen Hunter, City Manager Anne K. Wright, CPA, CGFO Finance Director
☐	CONSENT	☐	
☐	PUBLIC HEARING	☐	
☐	MAYOR AND COUNCIL MEMBER ITEMS	☐	
☐	MAYOR AND COUNCIL MEMBER'S REPORTS		
☐	CITY ATTORNEY ITEMS		
☒	CITY MANAGER ITEMS		
BACKGROUND: Attached is a proposed calendar for the FY2020-2021 budget process. This calendar includes several meetings for Council discussion and direction relating to the budget, prior to presentation of the City Manager's requested budget in July. This calendar also proposes the dates for the two budget hearings required by Florida Statutes; the Tentative Budget Hearing and the Final Budget Hearing. These required hearings must be held after 5:00p.m., Monday-Friday, or anytime on Saturday. The Tentative Hearing must be held from September 3-18, and cannot be the same date as the School Board's hearing (July 28) or the same date as the County Commissioners' hearing (Sept. 3). Governments must advertise the Final Hearing within 15 days of the Tentative Hearing. The Final Hearing must be held 2-5 days after the advertisement is published and cannot be the same date as the School Board's hearing (Sept. 8) or the same date as the County Commissioners' hearing (Sept.15). The attached schedule proposes the following budget meeting dates and times: (1) City Council Budget Planning Meeting (Revenue and CIP Discussion) – Wednesday June 17, 2020 – 9:00am (2) City Council Budget Planning Meeting(Operating Budget and Follow-up CIP Discussions) – Wednesday July 1, 2020 – 5:30pm (3) City Council Budget Meeting to review City Manager's Requested Budget – Monday, July 27, 2020 9:00am (4) Tentative Budget and Proposed Millage Hearing - Wednesday Sept. 9, 2020 at 5:05pm (5) Final Millage and Budget Hearing – Wednesday, September 16, 2020 at 5:05pm ATTACHMENT: Proposed FY 2020-2021 Budget Calendar			
IS THIS RELATED TO A STRATEGIC PLAN OBJECTIVE? ☒ YES ☐ NO IF YES, WHICH STRATEGIC OBJECTIVE? Priority #7, Government Transparency			
STAFF RECOMMENDATIONS: Council's review and approval of the FY 2020-2021 Budget calendar and direction to Staff.			
REVIEWED BY:  City Manager: _____ City Attorney: _____ City Clerk: _____ Department Director: _____			
COUNCIL ACTION: ☐ APPROVED ☐ DENIED ☐ DEFERRED ☐ OTHER			

PROPOSED
FY 2020-2021 BUDGET CALENDAR

City Council Meetings are highlighted in YELLOW

Date	Day of the Week	Description
Mar. 27, 2020	Fri.	Budget Packets provided to Department Directors
May 20, 2020	Wed.	City Council discussion of and guidance on Budget Calendar
May 25 - May 29, 2020	Wed.-Fri.	Finance available to meet with Department Directors to discuss preliminary department drafts and respond to questions/infor. requests
June 1, 2020	Mon.	Estimated Taxable Property Values provided by the Property Tax Appraiser
June 5, 2020	Fri.	CIP request forms due to Finance
June 10, 2020	Wed.	Departments must have Budget Requests entered into the Tyler System, following the Budget Instructions which includes entering budget details
June 15-18, 2020	Mon.- Thurs	Director meetings with City Manager, Assistant City Manager and Finance
June 17, 2020 9:00am	Wed. Regular Council Mtg	City Council Budget Planning Discussion - Presentation of Revenue Projections and CIP Discussions
July 1, 2019	Wed.	Preliminary Taxable Property Values provided by the Property Tax Appraiser
July 1, 2020 5:30pm	Wed. Regular Council Mtg	City Council Budget Planning Meeting (Operating Budget and Follow-up CIP Discussions)
July 8, 2020	Wed.	Draft Budget provided to the City Manager for review and recommendations
July 15, 2020	Wed.	City Manager provides Finance with changes to the draft Budget
July 22, 2020	Wed.	Budget Meeting materials provided to City Council
July 27, 2020 9:00am	Mon.	City Council Budget Meeting to review the City Manager's Requested Budget (requires a vote on tentative millage)
Aug. 4, 2020	Tues.	Must advise Property Appraiser of proposed millage
Aug. 24, 2020	Mon.	TRIM notices are mailed to property owners by the Property Tax Appraiser
Sept. 4, 2020	Fri.	Tentative Budget Hearing materials provided to City Council
Sept. 9, 2020 5:05pm	Wed.	First Budget Hearing
Sept. 11, 2020	Fri.	Final Budget Hearing materials to City Council
Sept. 14, 2020	Mon.	Advertise Final Budget Hearing
Sept. 16, 2020 5:05pm	Wed.	Final Budget Hearing
Oct. 7, 2020 5:30 pm	Wed.	Council Meeting - first reading of Capital Improvement Plan Ordinance
Oct. 21, 2020 9:00am	Wed.	Council Meeting - second reading of Capital Improvement Plan Ordinance
TRIM Hearing Requirements		
Hearings must be held after 5:00p.m., Monday-Friday, or anytime on Saturday		
Tentative Hearing must be held from September 3-18 , and cannot be the same date as the School Board's hearing (July 28, 2020) or the same date as the County Commissioners' hearing (Sept. 3, 2020).		
Must advertise Final Hearing within 15 days of the Tentative Hearing. The Final Hearing must be held 2-5 days after the advertisement appears in the the newspaper.		
Final Hearing must be held 2-5 days after the advertisement is published and cannot be the same date as the School Board's hearing (Sept 8, 2020) or the same date as the County Commissioners' hearing(Sept.15, 2020).		

BONITA SPRINGS CITY COUNCIL		GREEN SHEET:	20-05-113
AGENDA ITEM SUMMARY			
REQUESTED MOTION: Discussion of Audit Committee appointments to perform the solicitation and selection procedures for the external auditing firm.			
MEETING DATE: May 20, 2020			
AGENDA:		REQUIREMENT/PURPOSE: (Specify)	REQUESTOR OF INFORMATION:
☐	PRESENTATIONS	☐	Anne K. Wright, CPA, CGFO Finance Director
☐	CONSENT	☐	
☐	PUBLIC HEARING	☐	
☐	MAYOR AND COUNCIL MEMBER ITEMS	☐	
☐	MAYOR AND COUNCIL MEMBER'S REPORTS		
☐	CITY ATTORNEY ITEMS		
☒	CITY MANAGER ITEMS		
BACKGROUND: The final year of service on the City's current contract with our external auditing firm was FY 2019. It is now time to begin the solicitation process for external audit services for FY 2020.			
Florida Statutes §218.391, Auditor Selection Guidelines, addresses auditor selection procedures, and requires the governing body to establish an audit committee to assist with this process. Florida Statute §218.391 states that the audit committee must be three members, and the Chairman of the Committee must be a member of City Council. Considering this guidance, the Council should approve the appointment of an Audit Committee, which must be chaired by a member of City Council. The previous Audit Committee appointed in 2015 was made of three members of the City Council. Once Council identifies the Committee Members, a resolution approving the Committee Members will be brought forward, which will also authorize the committee to obtain an outside consultant, if deemed necessary by the committee, to assist with the development of the request for proposals. The Request for Proposals will include the establishment of factors to be used for the evaluation of the proposals, including the skill level of the audit firm's personnel, experience, ability to furnish the required services, and other factors. Staff will provide the 2015 request for proposal, updated with current dates, that can be used by the Committee as a starting point.			
Attachments: Florida Statutes §218.391			
IS THIS RELATED TO A STRATEGIC PLAN OBJECTIVE? ☒ YES ☐ NO IF YES, WHICH STRATEGIC OBJECTIVE? Financial Transparency			
STAFF RECOMMENDATIONS: Informational item for Audit Committee appointments, to be addressed at a subsequent meeting.			
REVIEWED BY: 			
City Manager: _____ City Attorney: _____ City Clerk: _____ Department Director: _____			
COUNCIL ACTION: ☐ APPROVED ☐ DENIED ☐ DEFERRED ☐ OTHER			

The 2019 Florida Statutes

Title XIV

TAXATION AND FINANCE

Chapter 218

FINANCIAL MATTERS PERTAINING TO POLITICAL SUBDIVISIONS

[View Entire Chapter](#)

218.391 Auditor selection procedures.—

(1) Each local governmental entity, district school board, charter school, or charter technical career center, prior to entering into a written contract pursuant to subsection (7), except as provided in subsection (8), shall use auditor selection procedures when selecting an auditor to conduct the annual financial audit required in s. 218.39.

(2) The governing body of a county, municipality, special district, district school board, charter school, or charter technical career center shall establish an auditor selection committee.

(a) The auditor selection committee for a county must, at a minimum, consist of each of the county officers elected pursuant to the county charter or s. 1(d), Art. VIII of the State Constitution or their respective designees and one member of the board of county commissioners or its designee.

(b) The auditor selection committee for a municipality, special district, district school board, charter school, or charter technical career center must consist of at least three members. One member of the auditor selection committee must be a member of the governing body of an entity specified in this paragraph, who shall serve as the chair of the committee.

(c) An employee, a chief executive officer, or a chief financial officer of the county, municipality, special district, district school board, charter school, or charter technical career center may not serve as a member of an auditor selection committee established under this subsection; however, an employee, a chief executive officer, or a chief financial officer of the county, municipality, special district, district school board, charter school, or charter technical career center may serve in an advisory capacity.

(d) The primary purpose of the auditor selection committee is to assist the governing body in selecting an auditor to conduct the annual financial audit required in s. 218.39; however, the committee may serve other audit oversight purposes as determined by the entity's governing body. The public may not be excluded from the proceedings under this section.

(3) The auditor selection committee shall:

(a) Establish factors to use for the evaluation of audit services to be provided by a certified public accounting firm duly licensed under chapter 473 and qualified to conduct audits in accordance with government auditing standards as adopted by the Florida Board of Accountancy. Such factors shall include, but are not limited to, ability of personnel, experience, ability to furnish the required services,

and such other factors as may be determined by the committee to be applicable to its particular requirements.

(b) Publicly announce requests for proposals. Public announcements must include, at a minimum, a brief description of the audit and indicate how interested firms can apply for consideration.

(c) Provide interested firms with a request for proposal. The request for proposal shall include information on how proposals are to be evaluated and such other information the committee determines is necessary for the firm to prepare a proposal.

(d) Evaluate proposals provided by qualified firms. If compensation is one of the factors established pursuant to paragraph (a), it shall not be the sole or predominant factor used to evaluate proposals.

(e) Rank and recommend in order of preference no fewer than three firms deemed to be the most highly qualified to perform the required services after considering the factors established pursuant to paragraph (a). If fewer than three firms respond to the request for proposal, the committee shall recommend such firms as it deems to be the most highly qualified.

(4) The governing body shall inquire of qualified firms as to the basis of compensation, select one of the firms recommended by the auditor selection committee, and negotiate a contract, using one of the following methods:

(a) If compensation is not one of the factors established pursuant to paragraph (3)(a) and not used to evaluate firms pursuant to paragraph (3)(e), the governing body shall negotiate a contract with the firm ranked first. If the governing body is unable to negotiate a satisfactory contract with that firm, negotiations with that firm shall be formally terminated, and the governing body shall then undertake negotiations with the second-ranked firm. Failing accord with the second-ranked firm, negotiations shall then be terminated with that firm and undertaken with the third-ranked firm. Negotiations with the other ranked firms shall be undertaken in the same manner. The governing body, in negotiating with firms, may reopen formal negotiations with any one of the three top-ranked firms, but it may not negotiate with more than one firm at a time.

(b) If compensation is one of the factors established pursuant to paragraph (3)(a) and used in the evaluation of proposals pursuant to paragraph (3)(d), the governing body shall select the highest-ranked qualified firm or must document in its public records the reason for not selecting the highest-ranked qualified firm.

(c) The governing body may select a firm recommended by the audit committee and negotiate a contract with one of the recommended firms using an appropriate alternative negotiation method for which compensation is not the sole or predominant factor used to select the firm.

(d) In negotiations with firms under this section, the governing body may allow a designee to conduct negotiations on its behalf.

(5) The method used by the governing body to select a firm recommended by the audit committee and negotiate a contract with such firm must ensure that the agreed-upon compensation is reasonable to satisfy the requirements of s. 218.39 and the needs of the governing body.

(6) If the governing body is unable to negotiate a satisfactory contract with any of the recommended firms, the committee shall recommend additional firms, and negotiations shall continue in accordance with this section until an agreement is reached.

(7) Every procurement of audit services shall be evidenced by a written contract embodying all provisions and conditions of the procurement of such services. For purposes of this section, an engagement letter signed and executed by both parties shall constitute a written contract. The written contract shall, at a minimum, include the following:

(a) A provision specifying the services to be provided and fees or other compensation for such services.

(b) A provision requiring that invoices for fees or other compensation be submitted in sufficient detail to demonstrate compliance with the terms of the contract.

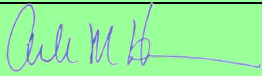
(c) A provision specifying the contract period, including renewals, and conditions under which the contract may be terminated or renewed.

(8) Written contracts entered into pursuant to subsection (7) may be renewed. Such renewals may be done without the use of the auditor selection procedures provided in this section. Renewal of a contract shall be in writing.

(9) If the entity fails to select the auditor in accordance with the requirements of subsections (3)-(6), the entity must again perform the auditor selection process in accordance with this section to select an auditor to conduct audits for subsequent fiscal years.

History.—s. 65, ch. 2001-266; s. 1, ch. 2005-32; s. 15, ch. 2019-15.

Copyright © 1995-2020 The Florida Legislature • Privacy Statement • Contact Us

BONITA SPRINGS CITY COUNCIL		GREEN SHEET:	20-05-118
AGENDA ITEM SUMMARY			
REQUESTED MOTION: Appoint Mayor and Members of City Council to various Boards and Committees.			
MEETING DATE: 5/20/2020			
AGENDA:		REQUIREMENT/PURPOSE: (Specify)	REQUESTOR OF INFORMATION:
☐	PRESENTATIONS	☐	Arleen M. Hunter City Manager
☐	CONSENT	☐	
☐	PUBLIC HEARING	☐	
☐	MAYOR AND COUNCIL MEMBER ITEMS	☐	
☐	MAYOR AND COUNCIL MEMBER'S REPORTS		
☐	CITY ATTORNEY ITEMS		
☒	CITY MANAGER ITEMS		
BACKGROUND: After each City election, the Mayor and Council make appointments from its elected body as City liaisons and members of various boards and committees, both internal and external.			
Attachments: Council Member Requests for appointment Listing of City of Bonita Springs Committee/ Liaison Appointments Booklet of Committee List Descriptions, meetings			
IS THIS RELATED TO A STRATEGIC PLAN OBJECTIVE? ☐ YES ☒ NO IF YES, WHICH STRATEGIC OBJECTIVE?			
STAFF RECOMMENDATIONS: City Council's pleasure.			
REVIEWED BY:  City Manager: _____ City Attorney: _____ City Clerk: _____ Department Director: _____			
COUNCIL ACTION: ☐ APPROVED ☐ DENIED ☐ DEFERRED ☐ OTHER			

The following requests regarding City Council appointments to various Boards and Committees were received from Council Member Amy Quaremba, Council Member Jesse Purdon, Council Member Laura Carr, and Council Member Chris Corrie.

Council Member Amy Quaremba: Would like to remain on Horizon Council and Art in Public Places Board. Would like to be appointed to Bonita Estero Economic Development Council. Will continue on the Veteran's Advisory Board unless there is interest from another Member. When District 4 Council Member seat became vacant she took on Blue Zones and Suntrail. Would like to continue with Suntrail. Also interested in Everglades Wonder Gardens.

Council Member Jesse Purdon: Would like to be appointed to Outreach Advisory Committee, Florida League of Cities, Lee County Sheriff's Office, Bonita Estero Economic Development Council, and Chamber of Commerce.

Council Member Laura Carr: Clarified not on Veteran's Advisory Board, volunteered to attend if coverage needed. Would like to remain on Historic Preservation Board. Also, an alternate on the MPO.

Council Member Chris Corrie: Would like to be appointed to: Technology Advisory Committee, Bay & River, Chamber of Commerce, ECCL, MPO, Lee County Sheriff's Office Liaison, and Wonder Gardens Board.

City of Bonita Springs Committee / Liaison Appointments
City Council Committees 2018

Committees	Simmons	Quaremba	DeWitt	Carr	O'Flinn	Gibson	Forbes
------------	---------	----------	--------	------	---------	--------	--------

CITY COMMITTEES

Art in Public Places Committee		X					
Bicycle / Pedestrian Facilities Committee						X	
Historic Preservation Board				X			
Outreach Advisory Committee	X						
Special Events Committee			X				
Street Light Committee			X				
Technology Advisory Board						X	
Tree Advisory Board							X
Veterans Advisory Committee		X					

EXTERNAL COMMITTEES

Agency on Bay Management (ABM)							X
Bay & River (Estero Bay Agency on Bay Management)							X
Blue Zone					X		
Board of County Commissioners (BOCC)	X						
Bonita Estero Economic Development Council							X
Bonita Springs Utilities (BSU)							X
Chamber of Commerce							X
Charlotte Harbor National Estuary Program (CHNEP)							X
Coastal Advisory Committee (Beaches & Shores)			X				
Collier County Liaison	X						
CREW Land and Water Trust Executive Board		X					
Estero Liaison (Estero Community Committee Leaders - ECCL)	+				X		
Fire Control District Liaison				X			
Florida League of Cities (FLC) Liaison	X					X	
Fort Myers Beach Liaison			X				
Horizon Council		X					
Human Services Advisory Council				X			
Lee County Sheriff's Office Liaison				X			
Metropolitan Planning Organization (MPO) - 2 voting members	X				X		
Metropolitan Planning Organization (MPO) - Alternate				x			X
Regional Planning Council (RPC)			X				
Southwest Florida League of Cities (SWFLC)	X						
Southwest Florida League of Cities (SWFLC) - Alternate							X
Tourist Development Council (TDC)						X	
West Coast Inland Navigation District (WCIND)				X			
Wonder Gardens Board					X		
YMCA						X	

City of Bonita Springs Committee / Liaison Appointments
City Council Committees 2018

Committees	Simmons	Quaremba	Purdon	Carr	Corrie	Gibson	Forbes
------------	---------	----------	--------	------	--------	--------	--------

CITY COMMITTEES

Art in Public Places Committee							
Bicycle / Pedestrian Facilities Committee							
Historic Preservation Board							
Outreach Advisory Committee							
Special Events Committee							
Street Light Committee							
Technology Advisory Board							
Tree Advisory Board							
Veterans Advisory Committee							

EXETERNAL COMMITTEES

Agency on Bay Management (ABM)							
Bay & River (Estero Bay Agency on Bay Management)							
Blue Zone							
Board of County Commissioners (BOCC)							
Bonita Estero Economic Development Council							
Bonita Springs Utilities (BSU)							
Chamber of Commerce							
Charlotte Harbor National Estuary Program (CHNEP)							
Coastal Advisory Committee (Beaches & Shores)							
Collier County Liaison							
CREW Land and Water Trust Executive Board							
Estero Liaison (Estero Community Committee Leaders - ECCL)							
Fire Control District Liaison							
Florida League of Cities (FLC) Liaison							
Fort Myers Beach Liaison							
Horizon Council							
Human Services Advisory Council							
Lee County Sheriff's Office Liaison							
Metropolitan Plannning Organization (MPO) - 2 voting members							
Metropolitan Plannning Organization (MPO) - Alternate							
Regional Planning Council (RPC)							
Southwest Florida League of Cities (SWFLC)							
Southwest Florida League of Cities (SWFLC) - Alternate							
Tourist Development Council (TDC)							
West Coast Inland Navigation District (WCIND)							
Wonder Gardens Board							
YMCA							



Advisory Boards



Art in Public Places



Historic Preservation Board



Special Events Committee



Zoning Board



Local Planning Agency



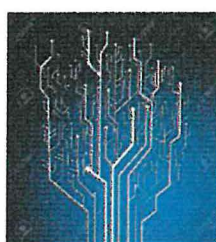
Street Light Advisory Board



Veteran's Advisory Committee



Tree Advisory Board



Technology Advisory Board



Bicycle Pedestrian Safety Advisory Committee



Outreach Advisory Committee

Volunteer Today

It make the whole community stronger

The City of Bonita Springs is thankful for the volunteers that allow the City to practice government light. The city relies heavily on the input and time, volunteerism and expertise of the volunteers that make up these committees.

The City of Bonita Springs Official Citizen Advisory Committees are: Art in Public Places, Historic Preservation Board, Special Events Committee, Zoning Board, Local Planning Agency, Street Light Advisory Committee, Veteran's Advisory Committee, Tree Advisory Board, Technology Advisory Board, Bicycle Pedestrian Safety Advisory Committee and Outreach Advisory Committee. Each of these volunteer committees taps into the talent that is here in Southwest Florida. These individuals step up and volunteer their time in order to make the City better.

The City of Bonita Springs in always seeking volunteers to serve on various advisory boards and committees that have been established to assist the City Council on a number of civic issues when vacancies occur. The terms and conditions of these committees vary. Please visit http://www.cityofbonitasprings.org/services_departments/city_clerk/boards_and_committees to download the Advisory Committee application and to see current openings.

If you are interested in serving on a committee, please submit your application to City Clerk, Debbie Filipek.

Advisory Boards

Art in Public Places Board

The Art in Public Places Board is devoted to developing a public art collection by selecting, locating, placing and maintaining art in public places, exposing the community to the arts, fostering education programs and advancing economic growth. The Board acquires art for the City utilizing private and public sponsorships. By bringing artwork outside traditional contexts, the Art in Public Places Board provides increased access to the art. One of the Art in Public Places projects is Art in the Sun. This project brings art donated by local and national artists along Old 41 so the public may enjoy them. A few of the pieces on display include: Setting the Pace by Jane DeDecker, the Secret Bench of Knowledge by Lea ViVot and Lobster Claw Heliconia by Dave Kellum.

Historic Preservation Board

The purpose of the Historic Preservation Board is to identify, evaluate, preserve and protect historical and archaeological sites and districts within the City of Bonita Springs. The Board reviews historic sites, areas, structures and buildings for possible designation as historic resources and determines the historical significance of a designated historic resource. Prior to changes to an historic structure or property, the Board issues certificates of appropriateness to protect these resources. The board also encourages historic preservation by creating programs of technical assistance and financial incentives for preservation practices. They work to stabilize and improve property values through the revitalization of older residential and commercial neighborhoods. They also promote historic preservation activities and cultural and educational programs aimed at fostering a better understanding of the community's heritage.

Special Events Committee

The Special Events Committee helps promote and support the city events. The three major events they assist with are Celebrate Bonita, 4th of July and Holiday in the Park. They also provide recommendations to City Council on any changes to the special events ordinance. The committee is also called upon from time to time to advise Council for events.

Zoning Board

The purpose of the Zoning Board is to look at cases and make recommendations to Council based on evidence, experts, and sworn testimony. The Board reviews applications of property owners wishing to change the use/zoning of their property. After reviewing the application, the Board makes recommendations to City Council based on evidence, experts, and sworn testimony.

Local Planning Agency

Under Sec. 163.3174, F.S., each local government is required to establish, by ordinance, a Local Planning Agency (LPA). The Local Planning Agency reviews rezoning and comprehensive plan amendments in Bonita Springs. The LPA consists of appointed members selected from the community. It has the responsibility for making recommendations to the City Council regarding development of, or changes to, the City's Comprehensive Plan and the Land Development Code as well as a variety of other items, to ensure that they are consistent with, and serve to implement, the City's Comprehensive Plan.

Street Light Advisory Board

The Street Light Advisory Board reviews citizens' requests for new lighting by individually going out to the area and investigating things like where are the transformers, shrubbery that would interfere, private property or roads that would restrict the service and many other issues. They visit in the daytime as well as night to become aware of the situation. The board also studies the city lighting map to investigate areas that need additional lighting. The volunteers investigate and report back to the board. They also investigate streetlights that are out and obtain the number on the pole. The number on the pole is like a street address for the pole making it easier for FPL to repair at the exact location. The board members are a dedicated group that take action and get the job completed.

Veteran's Advisory Committee

This committee has several duties. The committee assists the City in providing input regarding any and all veterans affairs, assists the American Legion Ladies Auxiliary in the administration of the Gold Star/Blue Star Mothers Program, acts as a resource agency for setting standards for the flying of our National Flag, and also assists the Bonita Springs Assistance Office through an out-reach program for homeless vets. They also network with the VA and the Lee County Veteran's Service Office regarding veteran's affairs. In addition, the committee acts as a liaison to the City for all three veteran's organizations in Bonita Springs; American Legion Posts #303 and #388, and Veterans of Foreign War Post #4254. The last several years, they've also co-sponsored (along with the three aforementioned veterans' organizations and the City) "Star Spangled Bonita" on July 4th, and both the Memorial Day and Veteran's Day ceremonies at River-side Park. The committee, by City Charter, is comprised of nine members comprised of one member from each of the following five veterans organizations: the VFW, the American Legion, the VFW Ladies Auxiliary, the American Legion Ladies Auxiliary, and the Purple Heart Association (combat wounded veterans); along with four veterans at large. Please e-mail Bobby Hunter at bhunter024@yahoo.com for more information on the Veteran's Advisory Committee or for a concern or need for a Veteran in our community.

Tree Advisory Board

The Tree Advisory Board was founded by Mayor Ben Nelson. The Tree Advisory Board realizes the importance of trees to our community, our world and our lives. The Board works to keep the City of Bonita Springs a Tree City USA. The Board also protects heritage trees such as live oak, banyan trees, and slash pines not only for history and longevity, but how they positively impact eco-systems. The Board reviews land development and zoning sites prior to redevelopment to ensure heritage trees are protected and preserved. They also work to inform the public about native plants that are healthy for our community and invasive exotics that should be avoided as well as good pruning practices. Also, the Board deals with non-native invasive plants.

Technology Advisory Board

The purpose of the Technology Advisory Board is to research various topics that relate to new technologies and their impact on the City of Bonita Springs. The committee is made up volunteers with diverse and extensive real-world experience, a willingness to share ideas objectively and a long-term view of the functions of local government. The committee's initial assignments are to understand the integration needs and issues of the City's various existing technologies, to deal with any "green" issues as they relate to emerging technology, to review existing security practices and to explore social networking opportunities for the City. The committee will eventually formulate recommendations for Council to consider along these lines.

Bicycle Pedestrian Safety Advisory Committee

The Bicycle Pedestrian Safety Advisory Committee strives for the enhancement of bicycle and pedestrian paths for the safety of residents and visitors of Bonita Springs. BPSAC objectives include improving the conditions for bicyclists and pedestrians, promoting bicycling and walking as a means of transportation, and enhancing safety for bicyclists and pedestrians. The Committee also reviews relevant ordinances, organizes public events and works with other bicycle and pedestrian organizations at state and national levels. A main component of this five-person committee is to coordinate with other groups so that Bonita Springs will interface and have connectivity with the other bicycle and walking organizations.

Outreach Advisory Committee

The Outreach Advisory Committee provides input to the City Council with a view towards fostering broad and inclusive participation by members of the Bonita Springs community in civic affairs without regard to race, creed or gender. Input may include suggestions regarding city programs, events and advisory committee participation.

Committee List Descriptions, Meetings

Bay & Rivers (Estero Bay Agency on Bay Management)

The ABM is a non-regulatory advisory committee to the Council. Its directive is to make comments and recommendations regarding the management of Estero Bay and its watershed. The ABM collects and maintains data and it reviews and comments to regulatory agencies on issues affecting the watershed. Its members include Lee County legislative delegates and representatives of the Council, local chambers of commerce, citizen and civic associations, the Responsible Growth Management Coalition, Lee County, Collier County, Fort Myers, Fort Myers Beach, the SFWMD, the Florida Department of Environmental Protection, the Florida Fish and Wildlife Conservation Commission, Florida Gulf Coast University, Federal agencies involved in natural resource management, commercial and recreational fishing interests, environmental and conservation organizations, scientists, affected property owners, and the land development community.

Meetings: 2nd Monday of the Month at 9:30 a.m. Most meetings are held in the conference room of the Southwest Florida Regional Planning Council, but some are occasionally held at other sites within the Estero Bay watershed.

Blue Zone

Blue Zones Project encourages changes to the community that lead to healthier options.

The steering committee provides general guidance to the Blue Zones Team and the sector leadership committees. The structure of the steering committee is such that the local mayors or their designee are invited to sit on that committee. There are 17 leaders from various sectors (chambers of commerce, schools, health, worksites, municipalities, etc.) that sit on this committee.

Being on the Policy Committee provides a means in which they can inform other leaders and the community about the initiatives, as well as ask for collaboration from key partners. In addition, Blue Zones Project can fund bringing in national policy (built environment, food and tobacco) to consult with city representatives if desired.

Board of County Commissioners (BOCC)

The five-member Board of County Commissioners is the legislative and governing body of Lee County, Fla. Each County Commissioner is elected at large for a maximum of three, four-year terms of office. Each Commissioner represents and resides in one of the five Commission Districts. Each November, the Board elects a Chairman who serves as its presiding officer.

Meetings: 1st and 3rd Tuesday of the Month at 9:30 a.m in Fort Myers.

Bonita Estero Economic Development Council

The Bonita Springs Estero Economic Development Council (BSEEDC) is committed to building a regionally prosperous, sustainable, and economically diverse community. Our role is to serve as brand ambassadors, facilitators and advocates. We exist to help local companies succeed and grow, to help relocating companies get their business up and running as quickly as possible, and to attract new businesses to our region for sustainable job growth.

This board also makes quarterly presentations to the Bonita Springs City Council.

Meetings: Second Wednesday of each month at 4:00 pm at the Chamber Office

Bonita Springs Utilities (BSU)

Bonita Springs Utilities is a not-for-profit water and wastewater utility founded by local citizens in 1971. The member-owned utility provides service in the City of Bonita Springs, The Village of Estero and unincorporated South Lee County.

Meetings: The Board of Directors meets at 5 p.m. on the first and third Tuesday of each month at the BSU office located at 11900 East Terry Street (temporarily at 11500 Operations Way). There is also an annual conference held at 7:00 p.m. on the 3rd Tuesday in March.

Chamber of Commerce

The Bonita Springs Area Chamber of Commerce is a membership organization whose mission is to serve our members, promote an environment where business can grow and prosper, and to enhance the quality of life of the Bonita Springs area.

Meetings: 2nd Thursday of the month is Board of Directors meeting and 3rd Thursday of every other month is Executive Board meeting (Executive Board meetings subject to change) at the Bonita Springs Chamber of Commerce office.

Charlotte Harbor National Estuary Program (CHNEP)

Partnership that protects the Charlotte Harbor estuaries from Venice to Estero Bay.

Meetings: Quarterly in Punta Gorda, at 9:30 A.M.

Coastal Advisory Committee

The committee assists the Board of County Commissioners with its establishment of unified beach erosion control and inlet management programs within the unincorporated and incorporated areas of Collier County, and advises the Board of County Commissioners and the Tourist Development Council (TDC) of project priorities with respect to funding sources that are available to Collier County for restoration and protection of its shoreline. The committee is composed of three members from the unincorporated area of Collier County, three members from the City of Naples and three members from the City of Marco Island. Appointments of members from the City of Naples and the City of Marco Island shall be appointed from a list containing one or more qualified applicants submitted by the respective governing bodies of those cities. Selection for membership on this committee will be based upon the applicant's familiarity with coastal processes, inlet dynamics, coastal management programs, or demonstrated interest in such programs; relevant education and experience; leadership and involvement in community affairs; and willingness to attend meetings and to undertake and complete assignments.

Meetings: 2nd Thursday of the month at 1 p.m. in the Board of County Commissioners chambers, third floor, Collier County Government Center, 3299 Tamiami Trail East, Naples, Florida 34112

Collier County BOCC Liaison

The Board of County Commissioners consists of five elected officials who, as the chief legislative body of the County, are responsible for providing services to protect the health, safety, welfare and quality of life of the citizens of Collier County. The Board is the chief policy-making body of Collier County, responsible for providing services to protect the health, safety, welfare and quality of life of the citizens of Collier County. Commissioners are responsible for approving County Government's annual operating budget and capital improvements program and for the appointment of a county administrator to carry out the Board's policies and manage the operations of County Government. Collier County contacts the Liaison on an as-needed basis and vice versa.

Meetings: Meetings are held the 2nd and 4th Tuesday of the month at 9:00 a.m. in the Board of County Commission chambers, third floor, Collier County Government Center, 3299 Tamiami Trail E. Naples, Florida

CREW Land and Water Trust Executive Board

The CREW Land & Water Trust was established in 1989 as a nonprofit organization to coordinate the land acquisition, land management, and public use of the 60,000-acre Corkscrew Regional Ecosystem Watershed.

Estero Liaison (Estero Community Committee Leaders – ECCL)

The ECCL is a group of elected residents from each of Estero's residential communities.

All ECCL delegates report back to their respective community boards and residents directly and through their community media systems ranging from email networks to newsletters to websites or television channels.

Given the incorporation of the Village of Estero, the ECCL is still active in the community and also makes recommendations to the Village Council.

Meetings: 2nd Friday of the month 10:00 a.m. – 12:00 p.m. in the Recreation Center at the Estero Community Park.

Fire Control District Liaison

The Bonita Springs Fire and Rescue District contacts the Liaison on an as-needed basis and vice versa.

Meetings: 2nd Monday of the month at 5:00 p.m. in Bonita Springs Fire Station Four located at 27701 Bonita Grande Drive.

Florida League of Cities (FLC) Liaison

The Florida League of Cities is the united voice for Florida's municipal governments. Its goals are to serve the needs of Florida's cities and promote local self-government.

Meetings: An annual conference is also held in even years at the Diplomat Hotel in Hollywood, Florida. In odd years, the annual conference is held at the Orlando World Center Marriott in Orlando, Florida.

Fort Myers Beach Liaison

The Town of Fort Myers Beach contacts the Liaison on an as-needed basis and vice versa.

Meetings: There are no recurring meetings other than their elected board meetings that occur the 1st and 3rd Monday of the month at 9:00 a.m., respectively in the Town Hall Council Chambers located at 2523 Estero Boulevard.

Horizon Council

The Horizon Council is a public-private board established in 1991 to advise the Lee County Board of Commissioners on economic development issues. The Council has up to 80 members representing cities; chambers of commerce; economic development and trade organizations; community, business, and education organizations; along with various officers and at-large members.

As a public-private economic development advisory board to the Lee County Board of Commissioners, the Horizon Council is the voice of business in Lee County. The Council's mission is to improve Lee County's business environment, retain and encourage expansion of existing businesses, and attract new and diversified employers. It is the only public-private partnership of Lee County Government and business leaders.

Meetings: 2nd Friday of every month at 8:00 a.m. at the Lee County Economic Development Office 2201 Second Street, Conference Room 118, 1st Floor Fort Myers, FL 33901

Human Services Advisory Council

The Lee County Department of Human Services serves as a collaborative hub for resources (Federal, State, Local, Private, and Non-Profit) designated to aid economically disadvantaged individuals and families in our community.

There are two advisory committees currently associated with Human Services, the Community Action Agency/Neighborhood District Committee and the Community Human Services Council. These committees provide opportunities for community members to participate in planning and discussions of human service needs within Lee County.

Community Action Agency/Neighborhood District Committee

The Community Action Agency/Neighborhood District Committee serves as an advisory body to the Lee County Board of County Commissioners on the planning, performance evaluation and public comment regarding:

- Community Services Block Grant Action Plan
- HUD Consolidated Plan
- HUD Annual Action Plan
- HUD Annual Performance Plan
- Funding for projects within targeted neighborhood districts

The Committee's recommendations shall be submitted to the Board, which may adopt, modify or amend them.

Community Human Services Council

As a result of the Smart Growth initiative and shrinking State and Federal resources, the Board of County Commissioners created the Community Human Services Council (CHSC). The CHSC, comprised of private and public community stakeholders, is charged with the task of effectively designing a community-based plan for current and future human service needs in Lee County.

As state and federal funding diminishes, services and associated costs shift to the local community. This means we will need to prioritize services; invest in measurable outcomes; and coordinate advances in technology, planning and service delivery to effectively meet service demands. The CHSC will assure there is a countywide strategic plan to assist in providing service coordination and resource planning. The strategic plan will promote strengthening of private and public partnerships, promote collaboration and integration of community services, and strive to eliminate fragmented service delivery systems.

Meetings: Meetings will be held monthly unless otherwise determined by the membership.

Lee County Sheriff's Office Liaison

Lee County Sheriff's Office contacts the Liaison on an as-needed basis and vice versa.

Meetings: There are no recurring meetings.

Metropolitan Planning Organization (MPO)

The MPO is the body of representatives charged with addressing the transportation needs of the region.

The MPO provides complete information, timely public notice, and full public access to decisions and documents. It supports early and continuing public involvement in the development and review of its plans and programs. It especially tries to seek out and consider the interests of people whose needs may not be well served by the existing transportation system, such as low income and minority households and persons with limited personal mobility.

Normally the MPO annually solicits proposals for transportation enhancement projects on local roads from the public. Applications may include installation of sidewalks, bike paths, and street enhancement improvements.

Meetings: Regular meetings occur on the 3rd Friday of the month at 9:00 a.m. in the City of Cape Coral Council Chambers 1015 Cultural Park Boulevard Cape Coral, Florida 33990 Executive Committee meetings occur the 2nd Wednesday of the month at 1:30 p.m. in Cape Coral Public Works Building Room 200 815 Nicolas Parkway, Cape Coral, FL 33915.

The City of Bonita Springs needs to appoint two (2) voting members and an alternate.

Metropolitan Planning Organization – Alternate

Please see previous page.

Regional Planning Council (RPC)

The agency is directed by a thirty-six member Council composed of local elected officials and gubernatorial appointees. Four individuals who represent State interests provide assistance as Ex-Officio members.

Meetings: 3rd Thursday of the month at 9:00 A.M.

Southwest Florida League of Cities (SWFLC)

This regional league is an off-shoot of the Florida League of Cities but deals with more local, regional issues.

(Membership is based in the counties of DeSoto, Charlotte, Lee, Hendry and Collier)

President: Honorable Teresa Watkins-Brown, Councilwoman, Fort Myers

Meetings: Quarterly on the third Thursday of the month at Veranda Restaurant

2212 Second Street Fort Myers, Florida 33901

Tourist Development Council (TDC)

The Tourist Development Council is a nine-member Council appointed as an advisory committee to the Lee County Board of County Commissioners (BOCC). TDC members oversee the entire tourist development tax fund, provide direction on programs and budget, and review the expenditures of the Lee County Visitor & Convention Bureau (VCB) quarterly.

Voting Membership for municipalities is rotated among the cities. Currently, Councilmember Gibson is a seated, voting member.

Meetings: 2nd Thursday of the month at 9:00 a.m. at the Lee County Admin East, Conference Room #118 on 2201 Second Street, Fort Myers, FL 33901

West Coast Inland Navigation District (WCIND)

The West Coast Inland Navigation District (WCIND) is a multi-county special taxing body, covering Manatee, Sarasota, Charlotte, and Lee counties, encompassing an estimated 1.1 million people. The district plays a pivotal role in the waterway projects that promote safe navigation from the “Open Water” of the Gulf of Mexico or the Gulf Intracoastal Waterway (GIWW) to the systems of secondary waterways and supports boating, fishing, and beach-oriented projects.

Meetings: Meetings occur approximately 6 times per year and are held as called by the commissioner at the Venice City Hall Council Chambers located at 401 W. Venice Avenue, Venice FL

Everglades Wonder Gardens

Members of the community established Bonita Wonder Gardens as a 501(c)(3) not-for-profit organization in September 2014 with the mission to purchase, operate, and enhance the Everglades Wonder Gardens, an historic attraction founded in 1936. The non-profit purchased the Everglades Wonder Gardens in April 2015.

The Everglades Wonder Gardens is dedicated to offering our community and its visitors an educational, recreational, environmental, and historical resource.

YMCA

The YMCA is a nonprofit organization for youth development, healthy living and social responsibility. Based on the input of the YMCA staff and volunteers, the plan defines what the organization wants to achieve in their three areas of focus: youth development, healthy living and social responsibility

Meetings: 3rd Friday of the Month at 8:00 a.m. in Bonita Springs.

BONITA SPRINGS CITY COUNCIL		GREEN SHEET:	20-05-125
AGENDA ITEM SUMMARY			
REQUESTED MOTION: Public Hearing to consider adoption of the following amendments to the Bonita Springs Comprehensive Plan. AN ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA, PROVIDING FOR ADOPTION OF A COMPREHENSIVE PLAN AMENDMENT TO THE FUTURE LAND USE ELEMENT, ESTABLISHING THE CONSERVATION FRINGE LAND USE CATEGORY AND TO AMEND THE FUTURE LAND USE MAP FROM LEE COUNTY DENSITY REDUCTION GROUNDWATER RESOURCE (DRGR) AND WETLANDS AND CITY OF BONITA SPRINGS DENSITY REDUCTION GROUNDWATER RESOURCE (DRGR) TO CONSERVATION FRINGE; PROVIDING FOR INTENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE..			
MEETING DATE: 5/20/2020			
AGENDA:		REQUIREMENT/PURPOSE: (Specify)	REQUESTOR OF INFORMATION:
☐	PRESENTATIONS	☒ STATUTE	John Dulmer, AICP Community Development Director Jacqueline Genson, AICP Planning and Zoning Manager
☐	CONSENT	☒ ORDINANCE	
☒	PUBLIC HEARING	☐ ADMIN. CODE	
☐	MAYOR AND COUNCIL MEMBER ITEMS	☐ OTHER	
☐	MAYOR AND COUNCIL MEMBER'S REPORTS		
☐	CITY ATTORNEY ITEMS		
☐	CITY MANAGER ITEMS		
BACKGROUND: This is a privately initiated amendment to the City of Bonita Springs Comprehensive Plan as generally set forth in the Settlement Agreement between the City of Bonita Springs and BG Mine, LLC. On February 5, 2020, the City Council approved the transmittal of the amendments to the Florida Department of Economic Opportunity (DEO) through the State Expedited Review Process. The City received a technical assistant comment for the Florida Department of Economic Opportunity (DEO) regarding the establishment of a meaningful and predictable standard for the intensity of use (e.g. floor area ratio) of public uses. Staff has not received any other technical assistance comments from other review agencies that necessitate changes. Staff and the Applicant have proposed additional text, generally consistent with the Settlement Agreement, to address the Florida DEO's technical assistant comment. This language is included in the ordinance and staff report for your review and consideration. The applicant has also requested a change to the proposed text language Policy 1.1.27(9). The intent was to clarify when and if pre-treatment is required prior to discharge into the mining lakes. The Applicant has worked Community Development Staff and is willing to support the change. This language is included in the ordinance and staff report for your review and consideration.			
IS THIS RELATED TO A STRATEGIC PLAN OBJECTIVE? ☐ YES ☒ NO IF YES, WHICH STRATEGIC OBJECTIVE?			
STAFF RECOMMENDATIONS: Commence with the public hearing to consider adoption of the ordinance, with changes.			
REVIEWED BY: City Manager: _____ City Attorney: _____ City Clerk: _____ Department Director: _____ 			
COUNCIL ACTION: ☐ APPROVED ☐ DENIED ☐ DEFERRED ☐ OTHER			

CITY OF BONITA SPRINGS, FLORIDA

ORDINANCE NO. 2020 –

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

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

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

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

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

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

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

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

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

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

THE CITY OF BONITA SPRINGS HEREBY ORDAINS:

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

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

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

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

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

AUTHENTICATION:

Mayor

City Clerk

APPROVED AS TO FORM: _____
City Attorney

Vote:

Carr
Forbes
Gibson

Quaremba
Simmons

Date filed with City Clerk: _____

Exhibit A

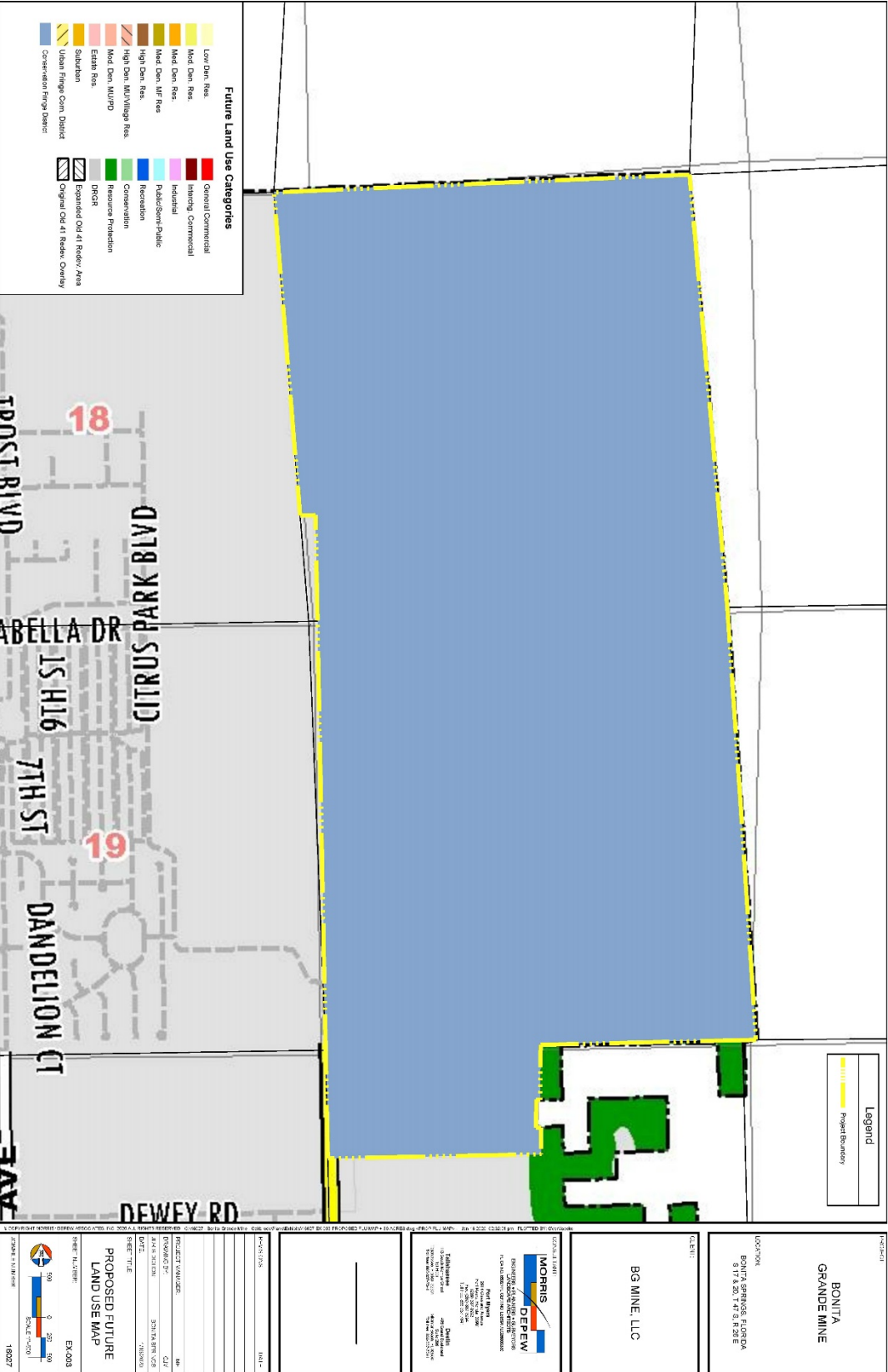
Policy 1.1.27: Conservation Fringe. This category is intended to recognize geographic areas that a) include an existing vested mining operation; and b) are adjacent or proximate to lands with significant environmental resource and habitat values. As of the date of the adoption of the Conservation Fringe District, zero (0) acres have been designated as Conservation Fringe District; although the City anticipates that approximately 1,343 acres may ultimately be designated as Conservation Fringe District. The City recognizes that existing mines provide a regional supply for lime rock needs and help to minimize the impacts of new mines on the environment, surrounding land uses and roadways. Once mining is completed, the reclamation / redevelopment of the land must occur such that it is compatible with the adjacent or proximate environmental lands. Allowable land uses are limited to conservation uses; agriculture; excavation (existing vested mining operation only); residential uses at a maximum density of 0.522 dwelling units per gross acre along with accessory amenity building and private recreational areas; public uses; non-profit public recreational uses, limited to passive recreational and educational activities such as but not limited to hiking, nature trails and similar activities requiring few or no on-site facilities which will be further defined within a planned development zoning category; and essential services needed for the health, safety, and general welfare of the community such as lift stations, utility lines, potable/non-potable wells and equipment and appurtenances necessary for such systems to furnish adequate levels of service. Notwithstanding Future Land Use Element Policy 1.1.2.c and Conservation/Coastal Management Element Policy 15.1.5, wetland and resource protection acres are eligible to be counted as part of the gross acreage for density purposes, but all density must be clustered on the permitted upland portion and/or disturbed land of an approved master concept plan for the reclamation/redevelopment plan. Contiguous property to the existing vested mining operation may be included in the Conservation Fringe District, up to a maximum of 7% of the existing vested mining operation area for residential purposes only. The cumulative total number of units for all properties designated as Conservation Fringe District shall not exceed a maximum of 700 units. Development within this Conservation Fringe District must adhere to the following innovative design and planning conditions:

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

- a. Restoration and accommodation of existing and historical regional flow ways;
 - b. Restoration and accommodation of existing and historic groundwater levels;
 - c. Restoration and preservation of wetlands;
 - d. Restoration and preservation of indigenous upland habitats; and
 - e. Where applicable, provision of critical wildlife connections to adjacent conservation areas.
3. A proposed enhanced lake management plan for lakes created by mining activities shall be provided at the time of the Planned Development rezoning. The enhanced lake management plan shall be in addition to any previously approved lake management or reclamation plan for the property, and shall include, at a minimum, the following:
 - a. Application of best management practices for fertilizers and pesticides;
 - b. Provision for erosion control and lake bank stabilization;
 - c. Establishment of lake maintenance requirements; and
 - d. Establishment of an education program for any homeowners' association for the property regarding such issues as restricted lake uses, fertilizer use, lake bank planting requirements, and best management practices.
4. Through the Development Order process, a site specific ecological and hydrological restoration plan shall be developed, which shall include, at a minimum, the following:
 - a. Excavation and grading plans;
 - b. Analysis of hydrological improvements and water budget for both land surface and subsurface; and
 - c. For areas previously farmed or impacted by mining activities and proposed for preservation or conservation, replanting plans, habitat restoration plans, success criteria, and long-term monitoring and maintenance plans.
5. A Conservation Easement for each preservation area shall be platted as part of a master plat for the property and dedicated to the appropriate maintenance entity which has been approved by the City.
6. Indigenous management plans shall address human-wildlife coexistence and buffers between development areas and preservation/conservation areas.
7. Landscaping shall use Florida Friendly Planting with low irrigation requirements in Common Elements.
8. A minimum of 1.5 inches of water quality treatment shall be provided for the developed areas of the project.
9. Stormwater runoff shall be directed into treatment areas prior to discharge to mining lakes that provide additional storage for 0.5 inches of runoff for the developed area. This pretreatment of stormwater prior to entering the mining lakes will not be required if additional protective measures can be demonstrated that the stormwater discharge from the project exceeds City and State requirements.

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

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



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

Comprehensive Plan Text and Map Amendments

Expedited Review Process



Privately Initiated Application and Staff Analysis

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

LPA Public Hearing Date:	January 23, 2020
City Council Transmittal Date:	February 5, 2020
City Council Adoption Date:	May 20, 2020 March 18, 2020-Postponed due to COVID-19
Project Name:	Conservation Fringe Comprehensive Plan Text and Map Amendments

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

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

X Text Amendment

X Map Amendment

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

STAFF REPORT PREPARATION DATE: January 17, 2020, Revised February 10, 2020, March 11, 2020, and May 15, 2020.

PART I- BACKGROUND AND STAFF RECOMMENDATION

A. SUMMARY OF APPLICATION

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

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

B. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY

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

C. SUMMARY/BACKGROUND DISCUSSION:

1. EXISTING CONDITIONS

See Attachment A

2. AFFECTED ELEMENTS OF THE BONITA PLAN.

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

PART II- STAFF ANALYSIS

A. ANALYSIS

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

NOTICE OF PROPOSED ACTION:

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

CONCLUSIONS:

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

STAFF RECOMMENDATION

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

ATTACHMENTS: IN AN EFFORT TO CONSERVE PAPER AND RESOURCES, PLEASE VIEW GREENSHEET 02-02-26 FROM THE FEBRUARY 5, 2020 AGENDA PACKET FOR COPIES OF ATTACHMENTS A AND B OR CONTACT COMMUNITY DEVELOPMENT AND/OR THE CLERKS OFFICE.

A. Staff Analysis

- 1. Final Report Revised March 11, 2020*
- 2. Environmental Sciences Analysis*
- 3. Settlement Agreement*

B. Applicant's Analysis

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

Submitted by:

Jacqueline Genson, AICP
Planning and Zoning Manager

PART III - LOCAL PLANNING AGENCY REVIEW AND RECOMMENDATION

DATE OF PUBLIC HEARING: January 23, 2020

A. LOCAL PLANNING AGENCY REVIEW

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

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

Initial request language:

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

Revised request language:

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

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

B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT SUMMARY

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

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

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

C. VOTE:

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

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

DATE OF PUBLIC HEARING: February 5, 2020

A. CITY COUNCIL REVIEW

The Applicant provided a presentation to the City Council Staff which included the slight modification of the proposed text in order to proceed with the Applicant's Comprehensive Plan Map request. There was no objection to the change.

B. CITY COUNCIL RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. **COUNCIL ACTION:** City Council motioned to transmit the amendments to FDEO. The motion passed 5-0.
2. **BASIS AND RECOMMENDED FINDINGS OF FACT:** The City Council accepted the findings of fact as provided in the Staff Report and the Applicant's presentation.

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

C. VOTE:

Mayor Peter Simmons _____Aye_____

Amy Quaremba _____Aye_____

District 2, Vacant _____

Laura Carr _____Aye_____

District 4, Vacant _____

Mike Gibson _____Aye_____

Fred Forbes _____Aye_____

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

DATE OF PUBLIC HEARING: May 15, 2020
March 18, 2020-Postponed due to COVID-19

REQUEST: Commence with the adoption hearing for the proposed text amendment to establish the Conservation Fringe Future Land Use Category and the proposed map amendment to Conservation Fringe

TRANSMITTAL: Section to be completed after the adoption hearing.

The City Council voted to ____ (X, X) the proposed amendment.

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

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

The City received a technical assistant comment for the Florida DEO regarding the establishment of a meaningful and predictable standard for the intensity of use (e.g. floor area ratio) of public uses. Staff has not received any other technical assistance comments from other review agencies that necessitate changes. Staff and the Applicant have proposed additional text, generally consistent with the Settlement Agreement, to address the Florida DEO's technical assistant comment. This revised language is provided in Exhibit A of the Ordinance. Staff has also inserted an excerpt below.

This category is intended to recognize geographic areas that a) include an existing vested mining operation; and b) are adjacent or proximate to lands with significant environmental resource and habitat values. As of the date of the adoption of the Conservation Fringe District, zero (0) acres have been designated as Conservation Fringe District; although the City anticipates that approximately 1,343 acres may ultimately be designated as Conservation Fringe District. The City recognizes that existing mines provide a regional supply for lime rock needs and help to minimize the impacts of new mines on the environment, surrounding land uses and roadways. Once mining is completed, the reclamation / redevelopment of the land must occur such that it is compatible with the adjacent or proximate environmental lands. Allowable land uses are limited to conservation uses; agriculture; excavation (existing vested mining operation only); residential uses at a maximum density of 0.522 dwelling units per gross acre along with accessory amenity building and private recreational areas; public uses; non-profit public recreational uses, limited to passive recreational

and educational activities such as but not limited to hiking, nature trails and similar activities requiring few or no on-site facilities which will be further defined within a planned development zoning category; and essential services needed for the health, safety, and general welfare of the community such as lift stations, utility lines, potable/non-potable wells and equipment and appurtenances necessary for such systems to furnish adequate levels of service. Notwithstanding Future Land Use Element Policy 1.1.2.c and Conservation/Coastal Management Element Policy 15.1.5, wetland and resource protection acres are eligible to be counted as part of the gross acreage for density purposes, but all density must be clustered on the permitted upland portion and/or disturbed land of an approved master concept plan for the reclamation/redevelopment plan. Contiguous property to the existing vested mining operation may be included in the Conservation Fringe District, up to a maximum of 7% of the existing vested mining operation area for residential purposes only. The cumulative total number of units for all properties designated as Conservation Fringe District shall not exceed a maximum of 700 units. Development within this Conservation Fringe District must adhere to the following innovative design and planning conditions:

Given the postponement of the adoption hearing, the Applicant has taken the opportunity to coordinate with City Staff on a requested modification to the proposed text, specifically design and planning condition #9. They are requesting flexibility to utilize both the mine and non-mine lakes for the project's overall water quality treatment. City Staff and the Applicant have discussed this concept further and have amicably agreed to the suggested language below:

9. Stormwater runoff shall be directed into treatment areas prior to discharge to mining lakes that provide additional storage for 0.5 inches of runoff for the developed area. This pretreatment of stormwater prior to entering the mining lakes will not be required if additional protective measures can be demonstrated that the stormwater discharge from the project exceeds City and State requirements.

PUBLIC PARTICIPATION: Section to be completed after the adoption hearing.

STAFF RECOMMENDATION: Commence with the public hearing to consider adoption, with changes, of the ordinance.

B. CITY COUNCIL RECOMMENDATION AND FINDINGS OF FACT SUMMARY

C. VOTE:

Mayor Peter Simmons

Amy Quaremba

Jessee Purdon

Laura Carr

Chris Corrie

Mike Gibson

Fred Forbes

Ron DeSantis
GOVERNOR



Ken Lawson
EXECUTIVE DIRECTOR

March 5, 2020

The Honorable Peter Simmons
Mayor, City of Bonita Springs
9101 Bonita Beach Road
Bonita Springs, Florida 34135

Dear Mayor Simmons:

The Department of Economic Opportunity ("Department") has reviewed the City of Bonita Springs proposed comprehensive plan amendment (Amendment No. 20-01ESR), received on February 12, 2020, pursuant to the expedited state review process in Section 163.3184(2)(3), Florida Statutes (F.S.). We have identified no comment related to adverse impacts to important state resources and facilities within the Department's authorized scope of review.

We are, however, providing a technical assistance comment consistent with Section 163.3168(3), F.S. The technical assistance comment will not form the basis of a challenge. It is offered either as a suggestion which can strengthen the City's comprehensive plan in order to foster a vibrant, healthy community or is technical in nature and designed to ensure consistency with the Community Planning Act in Chapter 163, Part II, F.S. The technical assistance comment is:

The proposed amendment establishes a new future land use category titled Conservation Fringe District, which allows, in part, public uses. The City should consider revising the Conservation Fringe District category to include a meaningful and predictable standard that establishes the intensity of use (e.g., floor area ratio) of public uses.

The City should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment. In addition, the City is reminded that:

- Section 163.3184(3)(b), F.S., authorizes other reviewing agencies to provide comments directly to the City. **If the City receives reviewing agency comments and they are not resolved, these comments could form the basis for a challenge to the amendment after adoption.**

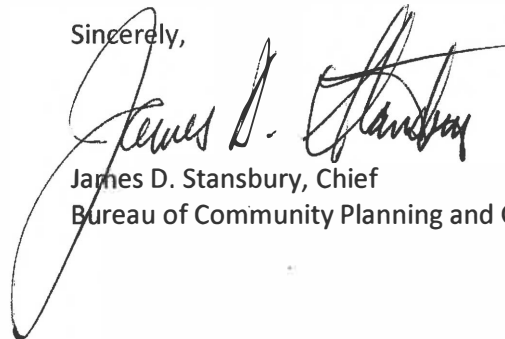
Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
850.245.7105 | www.FloridaJobs.org
www.twitter.com/FLDEO | www.facebook.com/FLDEO

An equal opportunity employer/program. Auxiliary aids and service are available upon request to individuals with disabilities. All voice telephone numbers on this document may be reached by persons using TTY/TTD equipment via the Florida Relay Service at 711.

- **The second public hearing**, which shall be a hearing on whether to adopt one or more comprehensive plan amendments, **must be held within 180 days** of your receipt of agency comments or the amendment shall be **deemed withdrawn** unless extended by agreement with notice to the Department and any affected party that provided comment on the amendment pursuant to Section 163.3184(3)(c)1., F.S.
- **The adopted amendment must be rendered to the Department.** Under Section 163.3184(3)(c)2. and 4., F.S., the **amendment effective date** is 31 days after the Department notifies the City that the amendment package is complete or, if challenged, until it is found to be in compliance by the Department or the Administration Commission.

If you have any questions concerning this review, please contact Scott Rogers, Planning Analyst, by telephone at (850) 717-8510 or by email at scott.rogers@deo.myflorida.com.

Sincerely,



James D. Stansbury, Chief
Bureau of Community Planning and Growth

JDS/ sr

Enclosure(s): Procedures for Adoption

cc: Jacqueline Genson, Planning and Zoning Manager, City of Bonita Springs
Margaret Wuerstle, Executive Director, Southwest Florida Regional Planning Council

SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS

FOR EXPEDITED STATE REVIEW

Section 163.3184(3), Florida Statutes

NUMBER OF COPIES TO BE SUBMITTED: Please submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the State Land Planning Agency and one copy to each entity below that provided timely comments to the local government: the appropriate Regional Planning Council; Water Management District; Department of Transportation; Department of Environmental Protection; Department of State; the appropriate county (municipal amendments only); the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only); and the Department of Education (amendments relating to public schools); and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

SUBMITTAL LETTER: Please include the following information in the cover letter transmitting the adopted amendment:

_____ State Land Planning Agency identification number for adopted amendment package;

_____ Summary description of the adoption package, including any amendments proposed but not adopted;

_____ Identify if concurrency has been rescinded and indicate for which public facilities. (Transportation, schools, recreation and open space).

_____ Ordinance number and adoption date;

_____ Certification that the adopted amendment(s) has been submitted to all parties that provided timely comments to the local government;

_____ Name, title, address, telephone, FAX number and e-mail address of local government contact;

_____ Letter signed by the chief elected official or the person designated by the local government.

ADOPTION AMENDMENT PACKAGE: Please include the following information in the amendment package:

_____ In the case of text amendments, changes should be shown in strike-through/underline format.

_____ In the case of future land use map amendments, an adopted future land use map, in **color format**, clearly depicting the parcel, its future land use designation, and its adopted designation.

_____ A copy of any data and analyses the local government deems appropriate.

Note: If the local government is relying on previously submitted data and analysis, no additional data and analysis is required;

_____ Copy of the executed ordinance adopting the comprehensive plan amendment(s);

Suggested effective date language for the adoption ordinance for expedited review:

"The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If the amendment is timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance."

_____ List of additional changes made in the adopted amendment that the State Land Planning Agency did not previously review;

_____ List of findings of the local governing body, if any, that were not included in the ordinance and which provided the basis of the adoption or determination not to adopt the proposed amendment;

_____ Statement indicating the relationship of the additional changes not previously reviewed by the State Land Planning Agency in response to the comment letter from the State Land Planning Agency.

Jacqueline Genson

From: Oblaczynski, Deborah <doblaczy@sfwmd.gov>
Sent: Wednesday, March 04, 2020 7:25 AM
To: Jacqueline Genson
Cc: Eubanks, Ray; Barbara Powell (barbara.powell@deo.myflorida.com); Margaret Wuerstle (mwuerstle@swfrpc.org); 'Ray Eubanks'
Subject: City of Bonita Springs, DEO #20-1ESR Comments on Proposed Comprehensive Plan Amendment Package

Dear Ms. Genson:

The South Florida Water Management District (District) has completed its review of the proposed amendment package from City of Bonita Springs (City). The amendment establishes the new Conservation Fringe Land Use Designation and applies it to eight annexed parcels. The proposed changes do not appear to adversely impact the water resources within the District; therefore, the District has no comments on the proposed amendment package.

The District offers its technical assistance to the City in developing sound, sustainable solutions to meet the City's future water supply needs and to protect the region's water resources. Please forward a copy of the adopted amendments to the District. Please contact me if you need assistance or additional information.

Sincerely,

Deb Oblaczynski
Policy & Planning Analyst
Water Supply Implementation Unit
South Florida Water Management District
3301 Gun Club Road
West Palm Beach, FL 33406
(561) 682-2544 or email: doblaczy@sfwmd.gov

Jacqueline Genson

From: Jenkins-Owen, Sharon <SJenkins-Owen@leegov.com>
Sent: Tuesday, March 10, 2020 11:23 AM
To: Jacqueline Genson; Sean Gibbons
Cc: Dunn, Brandon; Rozdolski, Mikki
Subject: City of Bonita Springs: Conservation Fringe CPA19-66379 & 66165

Good morning,

Lee County has no comments regarding The City of Bonita Springs Conservation Fringe amendments Case numbers # CPA19-66379 & 66165.

Thanks,
Sharon

Sharon Jenkins-Owen, AICP
Planner, Principal
Lee County DCD Planning Section
1500 Monroe Street
Fort Myers, Florida 33901
SJenkins-Owen@leegov.com
239.533.8535



Please note: Florida has a very broad public records law. Most written communications to or from County Employees and officials regarding County business are public records available to the public and media upon request. Your email communication may be subject to public disclosure.

Under Florida law, email addresses are public records. If you do not want your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.



Florida Department of Transportation

RON DESANTIS
GOVERNOR

10041 Daniels Parkway
Fort Myers, FL 33913

KEVIN J. THIBAUT, P.E.
SECRETARY

March 12, 2020

Jacqueline Toemmes Genson, AICP
Planning and Zoning Manager
City of Bonita Springs Community Development
9220 Bonita Beach Road, Suite 109
Bonita Springs, Florida 34135

Subject: Bonita Springs, 20-01ESR
Proposed Comprehensive Plan Amendment (CPA)
Expedited State Review Process – FDOT Review Letter

Dear Ms. Genson:

Pursuant to Section 163.3184(3), Florida Statutes (F.S.), in its role as a reviewing agency as identified in Section 163.3184(1)(c), F.S., the Florida Department of Transportation (FDOT) reviewed proposed amendment Bonita Springs 20-01ESR.

AMENDMENT BACKGROUND INFORMATION:

The privately initiated text and map amendment (locally known as PCPA 19-66379-BOS and CPA19-66165-BOS) includes a petition requesting an amendment to the Bonita Springs's Comprehensive Plan Future Land Use Element (FLUE) to establish a Conservation Fringe Future Land Use Category (FLUC) (new Policy 1.1.27) and to amend the Future Land Use Map (FLUM) from Lee County Density Reduction Groundwater Resource (DRGR) and Wetlands and City of Bonita Springs DRGR to Conservation Fringe.

The proposed amendment includes eight (8) separate parcels that were annexed into the City of Bonita Springs before the adoption of the City's Comprehensive Plan in 2002. The City entered into a Settlement Agreement with B.G. Mine, LLC, which provides for incorporation of



specific annexed properties into the Bonita Springs Comprehensive Plan. And the creation of a new FLUC which addresses the settlement agreement and the City's planning effort to limit development in the area covered by the proposed amendment.

The subject properties encompass approximately 1,343± acres and are generally located at the far northeast corner of the intersection of the incorporated boundary of Bonita Springs, east of I-75 and north of East Terry Street.

TRIP GENERATION:

The planning-level trip generation analysis evaluates the maximum development allowable on the 1,343± acre property. According to the adopted FLU designation and based on the FLUC for Lee County DRGR and City of Bonita Springs DRGR, the allowable residential density is 0.1 dwelling unit (D.U.) per acre for the maximum potential development of 134 residential dwelling units. The adopted FLU designation would result in approximately 1,361 net external daily trips or 135 net external p.m. peak hour trips.

According to the proposed FLU designation and text amendment provided in the proposed transmittal package, the maximum density of development allowed is 0.552 dwelling units per acre and limited to a maximum of 700 DUs. It would result in approximately 6,229 net external daily trips or 658 net external p.m. peak hour trips. As a result, the proposed amendment would increase 4,868 net external daily trips or 523 net external p.m. peak hour trips.

The following table summarizes the trip generation for the currently adopted and proposed FLU designations.

**TRIP GENERATION BASED ON MAXIMUM DEVELOPMENT POTENTIAL FOR
 BONITA SPRINGS 20-01ESR**

Scenario	Land Use Designation	Maximum Allowed Density / Intensity	Land Use Code	Size of Development		Daily Trips ¹	PM Peak Hour Trips ¹
				Acres	Allowed Development		
Adopted	RES	0.1 DUs/ Acre	210	1,343.00	134 DUs	1,361	135
	Total					1,361	135
Proposed	RES	0.552 DUs/Acre	210	1,343.00	700 DUs	6,229	658
	Total					6,229	658
Change in Trips						+4,868	+523

¹Trip generation based on the rates and equations obtained in the ITE Trip Generation Manual (10th Edition)

ROADWAY ANALYSIS:

The following tables show a planning-level analysis to establish whether State/Strategic Intermodal System (SIS) roadways within the vicinity of the project will operate at their adopted level of service (LOS) standards during the existing (2018), short-term (2025), and long term (2040) horizon year conditions.

The segments of I-75 (an SIS Facility) from C.R. 850/Corkscrew Road to Immokalee Road are expected to operate at acceptable levels of service (LOS) based on existing (2018) conditions.

YEAR 2018 EXISTING ROADWAY CONDITIONS

Roadway	From	To	SIS/E-SIS?	LOS Std. ₁	2018 Daily Conditions				
					No. of Lanes	Service Volume	Volume ₂	LOS	Acceptable?
I-75	Corkscrew Rd	Bonita Beach Rd	Yes	D	6	111,800	106,000	C	Yes
	Bonita Beach Rd	Immokalee Road	Yes	D	6	111,800	106,500	C	Yes

1. FDOT Adopted LOS Standard obtained from the 2018 FDOT District One LOS Spreadsheet.
2. 2018 Volumes obtained from 2018 FDOT District One LOS Spreadsheet.

For both the short-term (2025) and long term (2040) analysis, I-75 from C.R. 850/Corkscrew Road to Immokalee Road is projected to operate at an unacceptable LOS with and without the proposed CPA amendment.

YEAR 2025 SHORT-TERM HORIZON ROADWAY CONDITIONS

Roadway	From	To	2025 Daily Conditions (E+C)								
			No. of Lanes ₁	LOS Std. ₂	Service Volume	Background Volume ₃	Project Distribution ₄	Project Trips	Total Volume	LOS	Acceptable?
I-75	Corkscrew Rd	Bonita Beach Rd	6	D	111,800	117,309	4.8%	234	117,542	F	No
	Bonita Beach Rd	Immokalee Road	6	D	111,800	114,971	20.5%	998	115,969	F	No

1. Number of Lanes (based on E+C Condition) obtained from the 2018 FDOT District One LOS Spreadsheet.
2. FDOT Adopted LOS Standard obtained from the 2018 FDOT District One LOS Spreadsheet.
3. The short-term planning horizon year 2024 background volume was obtained based on Trends analysis.
4. Project Trip Distribution is based on the Transportation Analysis Memorandum provided in the CPA package.

YEAR 2040 LONG-TERM HORIZON ROADWAY CONDITIONS

Roadway	From	To	2040 Daily Conditions								
			No. of Lanes ₁	LOS Std. ₂	Service Volume	Background Volume ₃	Project Distribution ₄	Project Trips	Total Volume	LOS	Acceptable?
I-75	Corkscrew Rd	Bonita Beach Rd	6	D	111,800	141,541	4.8%	234	141,775	F	No
	Bonita Beach Rd	Immokalee Road	6	D	111,800	133,124	20.5%	998	134,122	F	No

1. Number of Lanes from 2040 District One Regional Planning Cost Feasible Model.
2. FDOT Adopted LOS Standard obtained from the 2018 FDOT District One LOS Spreadsheet.
3. The long-term planning horizon year 2040 background volumes were obtained based on the average between trend volume and the volumes from the 2040 District One Regional Planning Cost Feasible Model.
4. Project Trip Distribution is based on the Transportation Analysis Memorandum provided in the CPA package.

FDOT notes that the segment of I-75, from Collier County Line to Lockett Road, has been identified as a needed widening project from six-lanes to eight-lanes in the Lee County MPO 2040 Long Range Transportation Plan (LRTP). Also, the most recent SIS Long Range Cost Feasible Plan – FY 2029-2045, includes the Right-of-Way phase for adding four Managed Lanes for these segments of I-75. Also, I-75 from Collier County/Lee County Line to S.R. 78 (Bayshore Dr) PD&E/EMO Study (FM#442519-3) is currently underway.

The project trips along I-75 segments from C.R. 850/Corkscrew Road to Bonita Beach Road consume approximately 0.21% of the roadway capacity and 0.89% from Bonita Beach Road to Immokalee Road and are not considered significant.

TRANSIT CONNECTIVITY:

There are currently no transit routes provided by LeeTran. The closest route to the subject properties is Route 150 along Bonita Springs Road, which is approximately 1.8 miles south of the subject properties. The 2016 Transit Development Plan (TDP) does not identify the need to enhance or add services in the area.

PEDESTRIAN CONNECTIVITY:

Sidewalks nor bike lanes are present adjacent to the subject properties.

LAND USE:

Land uses immediately surrounding the subject property are summarized in the table below:

DIRECTION	FUTURE LAND USE	EXISTING LAND USE
North	DRGR	Vacant/Agricultural
South	DRGR	Agricultural
East	DRGR	Vacant/Agricultural
West	DRGR	Vacant/Agricultural

SCHOOLS:

There are not any schools located within a two-mile walking distance to the subject properties. The nearest schools are Bonita Springs Elementary School (approximately 4.0 miles walking distance), Bonita Springs Middle School (approximately 3.7 miles walking distance), and Bonita High School (approximately 4.0 miles walking distance).

REVIEW SUMMARY:

Based on the planning level analysis, as is noted above, the proposed amendments will increase 4,868 net external daily trips or 523 net external p.m. peak hour trips. The project trips along I-75 segments from C.R. 850/Corkscrew Road to Bonita Beach Road consume approximately 0.21% of the roadway capacity and 0.89% from Bonita Beach Road to Immokalee Road and are not considered significant. As a result, FDOT determined the proposed amendment has no significant adverse impacts on Transportation resources or facilities of state importance.

FDOT REVIEW COMMENT:

FDOT has no comments on the proposed amendment.

FDOT TECHNICAL ASSISTANCE COMMENT:

FDOT welcomes the opportunity to partner with and provide technical assistance to the City of Bonita Springs to create multimodal transportation facilities to serve all users. In addition to the comment(s) above, FDOT is providing a technical assistance comment consistent with Section 163.3168(3), Florida Statutes. The technical assistance comment can strengthen the local government's comprehensive plan to foster a vibrant and healthy community. The comments are

technical and designed to ensure consistency with the Community Planning Act in Chapter 163, Part II, F.S. The technical assistance comment will not form the basis of a challenge.

Technical Assistance Comment #1

- Bicycle and Pedestrian - The Department recommends that sidewalks and/or bicycle lanes be included as part of any future development plan. This will encourage connectivity from/to the development and provide safe access to the surrounding communities.
- Schools - As the CPA proposes an increase in residential units, it is recommended the subject site include and provide pedestrian and bicycle connections to the multimodal network, internally and along the property boundaries, to provide connections to the local schools.
- Multimodal - FDOT encourages the City of Bonita Springs to promote the use of multimodal alternatives within the planning and development of communities that aid in mitigating potential transportation impacts, promote safety and economic development, and improve quality of life for all communities in the City. These development types help to decrease overall passenger vehicle trips on the roadway network by encouraging compact and dense developments that provide multimodal connectivity between existing and future development areas. This context-sensitive approach promotes healthy, safe, and economically viable communities that support the quality of life, and incorporates all modes of transportation.
- Transit - The Department recommends that the applicant coordinate with Lee County and LeeTran regarding the addition of routes to serve the residents and patrons of the subject properties, and additional residential units.

The Department respectfully requests a copy of the adopted plan along with the supporting data and analysis. Please provide the adopted plans within two weeks of adoption, to assist in facilitating review within the required 30-day time frame from adoption, as required by Statutes (Expedited State Review Amendment Process Section 163.3184(3) and (5), Florida Statutes).

Thank you for providing FDOT with the opportunity to review and comment on the proposed amendment. If you have any questions or need to discuss this letter further, please contact me at (239) 225-1959 or vitor.suguri@dot.state.fl.us.

Sincerely,

A handwritten signature in blue ink, appearing to read "Vitor Suguri".

Vitor Suguri

Community Planner
FDOT District One

cc: D. Ray Eubanks, Florida Department of Economic Opportunity
Margaret A. Wuerstle, Southwest Florida Regional Planning Council
Sharon Jenkins-Owen, Lee County

BONITA SPRINGS CITY COUNCIL		GREEN SHEET:	20-05-121
AGENDA ITEM SUMMARY			
REQUESTED MOTION: Commence with the adoption of comprehensive plan amendments related to the Water Supply Plan.			
AN ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA, PROVIDING FOR ADOPTION OF A COMPREHENSIVE PLAN UPDATE RELATING TO THE WATER SUPPLY PLAN OF THE INFRASTRUCTURE AND CAPITAL IMPROVEMENT ELEMENTS; PROVIDING FOR INTENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.			
MEETING DATE: 5/20/2020			
AGENDA:		REQUIREMENT/PURPOSE: (Specify)	REQUESTOR OF INFORMATION:
☐	PRESENTATIONS	☒ STATUTE	Sean Gibbons, MPA Community Development Dept. Jacqueline Genson, AICP Planning and Zoning Manager Kim Hoskins, P.E., BSU Director of Engineering
☐	CONSENT	☒ ORDINANCE - COMPREHENSIVE PLAN	
☒	PUBLIC HEARING	☐ ADMIN. CODE	
☐	MAYOR AND COUNCIL MEMBER ITEMS	☐ OTHER	
☐	MAYOR AND COUNCIL MEMBER'S REPORTS		
☐	CITY ATTORNEY ITEMS		
☐	CITY MANAGER ITEMS		
BACKGROUND:			
The South Florida Water Management District's (SFWMD) updated to its Lower West Coast Regional Water Supply Plan on December 14, 2017 and as required by statute, following that update, the City is required to prepare a 10-year Water Supply Facilities Work Plan and adopt revisions to the City's Comprehensive Plan addressing the water supply requirements within 18 months of the regional plan's approval. The City of Bonita Springs adopted its Remaining EAR State Mandated Amendments on December 4, 2019 (DEO Case 19-01ER). The EAR State Mandated Amendments included an amendment that updated Table: 1-10, Water Supply Capital Improvements Projects (2020-2030), which is a part of the City's Water Supply Facilities Work Plan (Capital Improvements Element). Community Development and Bonita Springs Utilities have updated the 10-year Water Supply Facilities Work Plan and find that no additional amendments to the goals, objectives, or policies are required. A copy of the work plan is included as an attachment to the ordinance. On February 5, 2020 the City Council approved the transmittal of the Water Supply Plan updates to the Florida Department of Economic Opportunity (DEO) through the State Coordinated Review Process. The Water Supply Plan updates as proposed, were transmitted to the Florida Department DEO on February 12, 2020 for review and comment and were reviewed without objection or comments from the State. Additionally, the proposed updates were sent to other review agencies on February 12, 2020 for evaluation and comment. This included: the Southwest Florida Regional Planning Council (SWFRPC); the South Florida Water Management District (SFWMD); the Florida Department of Transportation (DOT) District One Office; the Florida Department of Environmental Protection (DEP); the Department of State (DOS); and Lee County Government. As required by Florida Statute, all reviewing agencies with objections or comments must have responded to City no later than 30 days after receipt of the proposed amendments. As of March 16, 2020 the only reviewing agency to provide comments requesting additional information was the South Florida Water Management District (SFWMD). Upon receipt of the SFWMD comments, Staff contacted the SFWMD Water Supply Implementation Unit to seek clarification on the comments provided and coordinated with the SFWMD review team on the provision of the requested information. The resulting revisions and additions, as coordinated with the SFWMD, can be found in the attached copy of the work plan included as an attachment to the ordinance.			
IS THIS RELATED TO A STRATEGIC PLAN OBJECTIVE? ☐ YES ☒ NO (Required by State Statute) IF YES, WHICH STRATEGIC OBJECTIVE?			
STAFF RECOMMENDATIONS: Adopt the Ordinance.			
REVIEWED BY: City Manager: _____ City Attorney: _____ City Clerk: _____ Department Director: _____ 			
COUNCIL ACTION: ☐ APPROVED ☐ DENIED ☐ DEFERRED ☐ OTHER			

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

Date: May 13, 2020

To: Arleen M. Hunter
City Manager

From: Sean Gibbons
Community Development Dept.

Re: Adoption of the Draft Ordinance for Comprehensive Plan Amendment (CPA19-65069-BOS) to Update City of Bonita Springs Water Supply Plan (WSP)

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

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

The Water Supply Plan updates appeared before the Local Planning Agency (LPA) and the City Council was duly noticed for the public in accordance with Florida State Statute. The LPA motioned approval, finding the requested amendment consistent with the City of Bonita Springs Comprehensive Plan on January 23, 2020. The City of Bonita Springs City Council voted to transmit the comprehensive plan amendment to the Florida Department of Economic Opportunity (FDEO) on February 5, 2020.

The Water Supply Plan updates as proposed, were transmitted to the Florida Department DEO on February 12, 2020 for review and comment and were reviewed without objection or comments from the State. A copy of the Florida DOE's March 3, 2020 letter is included with this memo.

Similarly, copies of proposed updates were mailed on February 12, 2020 to the following review agencies for review and comment: Southwest Florida Regional Planning Council (SWFRPC); South Florida Water Management District (SFWMD); Florida Department of Transportation (DOT) District One Office; Florida Department of Environmental Protection (DEP); Department of State (DOS); and Lee County Government. As required by Florida Statute, all reviewing agencies with objections or comments must respond no later than 30 days after receipt of the proposed amendments.

As of March 16, 2020 the only reviewing agency to provide comments requesting additional information was the South Florida Water Management District (SFWMD). Upon receipt of the SFWMD comments, Staff contacted the SFWMD Water Supply Implementation Unit to seek clarification on the comments provided and coordinated with the SFWMD review team on the provision of the requested information. The resulting revisions and additions, as coordinated with the SFWMD, can be found in the attached copy of the work plan included as an attachment to the ordinance.

DCD/

Attachments

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

Ron DeSantis
GOVERNOR



Ken Lawson
EXECUTIVE DIRECTOR

March 3, 2020

The Honorable Peter Simmons
Mayor, City of Bonita Springs
9101 Bonita Beach Road
Bonita Springs, Florida 34135

Dear Mayor Simmons:

The Department of Economic Opportunity ("Department") has reviewed the proposed comprehensive plan amendment for the City of Bonita Springs (Amendment No. 20-02ESR) received on February 13, 2020. The review was completed under the expedited state review process. We have no comment on the proposed amendment.

The City should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment. In addition, the City is reminded that:

- Section 163.3184(3)(b), F.S., authorizes other reviewing agencies to provide comments directly to the City. **If the City receives reviewing agency comments and they are not resolved, these comments could form the basis for a challenge to the amendment after adoption.**
- **The second public hearing**, which shall be a hearing on whether to adopt one or more comprehensive plan amendments, **must be held within 180 days** of your receipt of agency comments or the amendment shall be **deemed withdrawn** unless extended by agreement with notice to the Department and any affected party that provided comment on the amendment pursuant to Section 163.3184(3)(c)1., F.S.
- **The adopted amendment must be rendered to the Department.** Under Section 163.3184(3)(c)2. and 4., F.S., the **amendment effective date** is 31 days after the Department notifies the City that the amendment package is complete or, if challenged, until it is found to be in compliance by the Department or the Administration Commission.

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
850.245.7105 | www.FloridaJobs.org
www.twitter.com/FLDEO | www.facebook.com/FLDEO

An equal opportunity employer/program. Auxiliary aids and service are available upon request to individuals with disabilities. All voice telephone numbers on this document may be reached by persons using TTY/TTD equipment via the Florida Relay Service at 711.

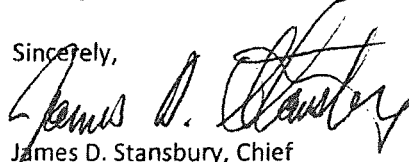
The Honorable Peter Simmons, Mayor

March 3, 2020

Page 2 of 2

If you have any questions concerning this review, please contact Scott Rogers, Planning Analyst, by telephone at (850) 717-8510 or by email at scott.rogers@deo.myflorida.com.

Sincerely,

A handwritten signature in black ink, appearing to read "James D. Stansbury". The signature is fluid and cursive, with a large initial "J" and "S".

James D. Stansbury, Chief
Bureau of Community Planning and Growth

JDS/sr

Enclosure(s): Procedures for Adoption

cc: Jacqueline Genson, Planning and Zoning Manager, City of Bonita Springs

Margaret Wuerstle, Executive Director, Southwest Florida Regional Planning Council



Florida Department of Transportation

RON DESANTIS
GOVERNOR

10041 Daniels Parkway
Fort Myers, FL 33913

KEVIN J. THIBAUT, P.E.
SECRETARY

02/24/2020

Mr. Sean M. Gibbons, MPA
Planning & Zoning Division
City of Bonita Springs Community Development
9220 Bonita Beach Road, Suite 109
Bonita Springs, FL 34135

Subject: Bonita Springs, CPA20-02ESR (Water Supply Plan Update)
Proposed Comprehensive Plan Amendment
Expedited State Review Process – FDOT Review Letter

Dear Mr. Gibbons:

Pursuant to Section 163.3184(3), Florida Statutes (F.S.), in its role as a reviewing agency as identified in Section 163.3184(1)(c), F.S., the Florida Department of Transportation (FDOT) reviewed proposed amendment CPA20-02ESR (Water Supply Plan Update).

AMENDMENT BACKGROUND INFORMATION:

The amendment proposes updates to the existing Water Supply Plan, in support of legislation adopted in 2005 to improve coordination of water supply planning and local land use. The proposed updates acknowledge that the current water sources are enough to meet demands of future growth in Bonita Springs through 2025, however, water treatment facilities will require expansion to meet demands through 2025.

FDOT REVIEW COMMENT(S):

FDOT determined the proposed amendment has no significant adverse impacts on transportation resources or facilities of state importance.

The Department respectfully requests a copy of the adopted plan along with the supporting data and analysis. Please provide the adopted plans within two weeks of adoption, in order to assist in facilitating review within the required 30-day time frame from adoption, as required by Statutes (Expedited State Review Amendment Process Section 163.3184(3) and (5), Florida Statutes).

Bonita Springs – CPA20-02ESR Proposed (Water Supply Plan Update)
FDOT Review Letter
2/24/2020
Page 2 of 2

Thank you for providing FDOT with the opportunity to review and comment on the proposed amendment. If you have any questions or need to discuss this letter further, please contact me at (239) 225-1959 or Vitor.Suguri@dot.state.fl.us.

Sincerely,

A handwritten signature in black ink, appearing to read 'Vitor Suguri', with a stylized flourish at the end.

Vitor Suguri,
Community Planner
FDOT District One

cc: Ray Eubanks, DEO

From: Jenkins-Owen, Sharon <SJenkins-Owen@leegov.com>
Sent: Tuesday, March 10, 2020 11:18 AM
To: Jacqueline Genson; Sean Gibbons
Cc: Rozdolski, Mikki; Dunn, Brandon
Subject: FW: City of Bonita Springs Water Supply Plan Update CPA19-65069-BOS

Good morning,

Lee County has no comments regarding The City of Bonita Springs Water Supply Plan Update Case #CPA19-65069-BOS.

Thanks,
Sharon

Sharon Jenkins-Owen, AICP
Planner, Principal
Lee County DCD Planning Section
1500 Monroe Street
Fort Myers, Florida 33901
SJenkins-Owen@leegov.com
239.533.8535



Please note: Florida has a very broad public records law. Most written communications to or from County Employees and officials regarding County business are public records available to the public and media upon request. Your email communication may be subject to public disclosure.

Under Florida law, email addresses are public records. If you do not want your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

From: Manning, Terese [<mailto:tmanning@sfwmd.gov>]
Sent: Wednesday, March 11, 2020 1:54 PM
To: Jacqueline Genson <jgenson@cityofbonitaspringscd.org>
Cc: Ray Eubanks (DCPexternalagencycomments@deo.myflorida.com) <DCPexternalagencycomments@deo.myflorida.com>; Barbara Powell (barbara.powell@deo.myflorida.com) <barbara.powell@deo.myflorida.com>; Margaret Wuerstle (mwuerstle@swfrc.org) <mwuerstle@swfrc.org>; Sean Gibbons <SGibbons@cityofbonitaspringscd.org>
Subject: City of Bonita Springs 20-2ESR Draft Email for Proposed Amendment

Dear Ms. Genson:

The South Florida Water Management District (District) has completed its review of the proposed amendment package from City of Bonita Springs (City). The amendment adopts the update to the City's Water Supply Facilities Work Plan. The District offers the following comments for revising the proposed amendment package and request the City address these comments prior to adopting the amendment:

- Add a description of how the City addresses the 2017 Lower West Coast Water Supply Plan Update identified Relevant Regional Issues. Include a narrative of the effects of identified regional issues on the local government. Also describe the local government's policies addressing regional concerns. The identified Relevant Regional Issues are:
 - Increased withdrawals from the surficial aquifer and intermediate aquifer systems are limited due to potential impacts to the resource and existing legal uses, as defined in the permitting criteria.
 - Surface water allocations from Lake Okeechobee and hydraulically connected surface waters are limited in accordance with the Lake Okeechobee Service Area Restricted Allocation Area (RAA) criteria.
 - Peak freshwater discharges during the wet season affect the health of the Caloosahatchee Estuary.
 - Surface water availability and current storage capacity are insufficient to meet water demands and environmental needs for the C-43 Canal and Caloosahatchee River and Estuary during dry conditions.
- Describe the City's implementation of the Mandatory Year-Round Landscape Irrigation Conservation Measures as detailed in Chapter 40E-24, Florida Administrative Code.
- Update the permit number for Citrus Park in subsection Operational Responsibility to reflect the current Water Use Permit number 36-00208-W.
- Revise subsection Service Area to be consistent with the average daily demand as of December 2018 in the District's database. The totals withdrawals for BSU permits (36-00008-W, 36-04062-W) on 2018 add to 1,872 MG, divided by 365 that yields a 5.15 MG daily average withdrawal.

The District offers its technical assistance to the City in developing sound, sustainable solutions to meet the City's future water supply needs and to protect the region's water resources. Please forward a copy of the adopted amendments to the District. Please contact Deb Oblaczynski at (561) 682-2544 or doblaczy@sfwmd.gov if you need assistance or additional information.

Sincerely,

Ms. Terry Manning,
Policy and Planning Analyst
South Florida Water Management District
Water Supply Implementation Unit
3301 Gun Club Road
West Palm Beach, FL 33406
Phone: 561-682-6779
Fax: 561-681-6264
E-Mail: tmanning@sfwmd.gov

From: Oblaczynski, Deborah [mailto:doblaczy@sfwmd.gov]
Sent: Wednesday, March 18, 2020 3:39 PM
To: Sean Gibbons <SGibbons@cityofbonitaspringscd.org>
Cc: Jacqueline Genson <jgenson@cityofbonitaspringscd.org>
Subject: RE: City of Bonita Springs 20-2ESR Draft Email for Proposed Amendment

Hi Sean,

Thank you for discussing the District's comments yesterday. I'm glad we could coordinate on the updates. I sent your question about concerning the finished water produced to my Water Use Regulation contact. She had the following response:

The combined withdrawals for 2018 were 4017 MG which divided by 365 is about 11 MGD. I think the confusion came by adding the annual total for 36-00008-W for 2018 (1,659) with the monthly total for December 2018 from 36-04062-W (213). These two numbers add 1,872.

It looks like the rest of the language in the Work Plan update is okay. I hope this helps. Please do not hesitate to call or email if you have any questions. I will be working from home until further notice. If you have questions, please use the following contact information:

Deb Oblaczynski
Policy & Planning Analyst
Water Supply Implementation Unit
South Florida Water Management District
3301 Gun Club Road
West Palm Beach, FL 33406
(561) 682-2544 or email: doblaczy@sfwmd.gov



CPA19-65069-BOS

**Water Supply Plan Update
Expedited State Review Process**

Cover Letter



9101 Bonita Beach Road
Bonita Springs, FL 34135
Tel: (239) 949-6262
Fax: (239) 949-6239
www.cityofbonitasprings.org

Peter Simmons
Mayor

Amelia Quaremba
Council Member
District One

Vacant
Council Member
District Two

Laura Carr
Council Member
District Three

Vacant
Council Member
District Four

Michael Gibson
Council Member
District Five

Fred Forbes, AIA
Council Member
District Six

Arleen Hunter
Interim City Manager
(239) 949-6267

Derek Rooney
City Attorney
(239) 949-6254

City Clerk
(239) 949-6247

Public Works
(239) 949-6246

Neighborhood Services
(239) 949-6257

Parks & Recreation
(239) 992-2556

Community Development
(239) 444-6150

February 12, 2020

Mr. Ray Eubanks
Department of Economic Opportunity
Division of Community Development
107 East Madison Street, MSC-160
Tallahassee, FL 32399-4120

Re: DEO Adoption Transmittal Water Supply Plan Update,
Comprehensive Plan Amendment Case #CPA19-65069-BOS

Dear Mr. Eubanks:

Please find enclosed one hard copy and two copies on CD ROM of the proposed amendment package. This transmittal letter includes information in accordance with the amendment submittal and processing guidelines.

Date(s) the Local Planning Agency and the City Council held public hearings

This application and its appearance before the Local Planning Agency and the City Council was duly noticed for the public in accordance with Florida State Statute. The Local Planning Agency motioned approval, finding the requested amendment consistent with the City of Bonita Springs Comprehensive Plan on January 23, 2020. The City of Bonita Springs City Council voted to transmit the comprehensive plan amendment to the Florida Department of Economic Opportunity (FDEO) on February 5, 2020.

Copy of Transmittal to appropriate review agencies

A copy of the amendment and data and analysis was mailed on February 12, 2020 to the following review agencies (a copy of transmittal letters is enclosed):

1. Southwest Florida Regional Planning Council (SWFRPC)
2. South Florida Water Management District (SFWMD)
3. Florida Department of Transportation (DOT) District One Office
4. Florida Department of Environmental Protection (DEP)
5. Department of State (DOS)
6. Lee County Government

Summary

Per 163.3177(6)(c)3, F.S., local governments are required to update their Water Supply Facilities Work Plan (Work Plan) within 18 months of the Governing Board's adoption of the applicable Regional Water Supply Plan. South Florida Water Management District (SFWMD) updated their plan December 14, 2017. The City of Bonita Springs recently adopted a number of EAR State Mandated Amendments on December 4, 2019 (DEO Case 19-01ER). The EAR State Mandated Amendments included an amendment that updated Table: 1-10, Water Supply Capital Improvements Projects (2020-2030), which is a part of the City's Water Supply Facilities Work Plan (Capital Improvements Element). Accordingly, the City of Bonita Springs, in coordination with the City's water and waste water provider has prepared updates to the Comprehensive Plan consistent with state statute for the planning period of 2020-2030 and have found that no additional amendments to the goals, objectives, or policies are required at this time.

Adoption

The City intends to adopt the Water Supply Plan Update amendments upon receipt and incorporation of applicable ORC Report comments at an adoption hearing in April of 2020.

Area of Critical State Concern

This area is not applicable to an Area of Critical State Concern.

Local Contact

Sean M. Gibbons, MPA
City of Bonita Springs Community Development
9220 Bonita Beach Road, Suite 109
Bonita Springs, FL 34135
sgibbons@cityofbonitaspringscd.org
(239) 444-6176
(239) 444-6140 fax

Please find enclosed the following the information in accordance with the amendment submittal and processing guidelines.

If we can provide further assistance, please contact me at 239-444-6176.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT

Sean M. Gibbons, MPA
Planner II

CC:
Derek Rooney, City Attorney
Debbie Filipek, City Clerk
Jacqueline Genson, AICP, City Planning & Zoning Manager
Bonita Springs Utilities (BSU)
Southwest Florida Regional Planning Council (SWFPRC)
South Florida Water Management District (SFWMD)
Florida Department of Environmental Protection (DEP)
Florida Department of Transportation (DOT) District One Office
Department of State (DOS)
Lee County Government



February 12, 2020

9101 Bonita Beach Road
Bonita Springs, FL 34135
Tel: (239) 949-6262
Fax: (239) 949-6239
www.cityofbonitasprings.org

Peter Simmons
Mayor

Amelia Quaremba
Council Member
District One

Vacant
Council Member
District Two

Laura Carr
Council Member
District Three

Vacant
Council Member
District Four

Michael Gibson
Council Member
District Five

Fred Forbes, AIA
Council Member
District Six

Arleen Hunter
Interim City Manager
(239) 949-6267

Derek Rooney
City Attorney
(239) 949-6254

City Clerk
(239) 949-6247

Public Works
(239) 949-6246

Neighborhood Services
(239) 949-6257

Parks & Recreation
(239) 992-2556

Community Development
(239) 444-6150

Margaret Wuerstle
Executive Director
Southwest Florida Regional Planning Council
1400 Colonial Blvd. Suite 1
Fort Myers, FL 33907

Re: DEO Adoption Transmittal Water Supply Plan Update,
Comprehensive Plan Amendment Case #CPA19-65069-BOS

Dear Ms. Wuerstle,

Please find enclosed a copy of the Water Supply Plan Update, Comprehensive Plan Amendment Case #CPA19-65069-BOS transmittal package sent for DEO Transmittal.

Please contact me if I can be of further assistance.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT

Sean M. Gibbons, MPA
Planning & Zoning Division
City of Bonita Springs Community Development
9220 Bonita Beach Road, Suite 109
Bonita Springs, FL 34135

CC:

South Florida Water Management District (SFWMD)
Florida Department of Environmental Protection (DEP)
Florida Department of Transportation (DOT) District One Office
Department of State (DOS)
Lee County Government



February 12, 2020

9101 Bonita Beach Road
Bonita Springs, FL 34135
Tel: (239) 949-6262
Fax: (239) 949-6239
www.cityofbonitasprings.org

Peter Simmons
Mayor

Amelia Quaremba
Council Member
District One

Vacant
Council Member
District Two

Laura Carr
Council Member
District Three

Vacant
Council Member
District Four

Michael Gibson
Council Member
District Five

Fred Forbes, AIA
Council Member
District Six

Arleen Hunter
Interim City Manager
(239) 949-6267

Derek Rooney
City Attorney
(239) 949-6254

City Clerk
(239) 949-6247

Public Works
(239) 949-6246

Neighborhood Services
(239) 949-6257

Parks & Recreation
(239) 992-2556

**Community
Development**
(239) 444-6150

Terry Manning, AICP
South Florida Water Management District (SFWMD)
Policy and Planning Analyst, Water Supply Coordination Unit
3301 Gun Club Road
West Palm Beach, FL 33406

Re: DEO Adoption Transmittal Water Supply Plan Update,
Comprehensive Plan Amendment Case #CPA19-65069-BOS

Dear Ms. Manning,

Please find enclosed a copy of the Water Supply Plan Update, Comprehensive Plan Amendment Case #CPA19-65069-BOS transmittal package sent for DEO Transmittal.

Please contact me if I can be of further assistance.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT

Sean M. Gibbons, MPA
Planning & Zoning Division
City of Bonita Springs Community Development
9220 Bonita Beach Road, Suite 109
Bonita Springs, FL 34135

CC:

Southwest Florida Regional Planning Council
Florida Department of Environmental Protection (DEP)
Florida Department of Transportation (DOT) District One Office
Department of State (DOS)
Lee County Government



February 12, 2020

9101 Bonita Beach Road
Bonita Springs, FL 34135
Tel: (239) 949-6262
Fax: (239) 949-6239
www.cityofbonitasprings.org

Peter Simmons
Mayor

Amelia Quaremba
Council Member
District One

Vacant
Council Member
District Two

Laura Carr
Council Member
District Three

Vacant
Council Member
District Four

Michael Gibson
Council Member
District Five

Fred Forbes, AIA
Council Member
District Six

Arleen Hunter
Interim City Manager
(239) 949-6267

Derek Rooney
City Attorney
(239) 949-6254

City Clerk
(239) 949-6247

Public Works
(239) 949-6246

Neighborhood Services
(239) 949-6257

Parks & Recreation
(239) 992-2556

**Community
Development**
(239) 444-6150

Florida Department of Environmental Protection (DEP)
Office of Intergovernmental Programs
3900 Commonwealth Boulevard, Mail Station 47
Tallahassee, Florida 32399-3000

Re: DEO Adoption Transmittal Water Supply Plan Update,
Comprehensive Plan Amendment Case #CPA19-65069-BOS

To Whom It May Concern,

Please find enclosed a copy of the Water Supply Plan Update, Comprehensive Plan
Amendment Case #CPA19-65069-BOS transmittal package sent for DEO Transmittal.

Please contact me if I can be of further assistance.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT

Sean M. Gibbons, MPA
Planning & Zoning Division
City of Bonita Springs Community Development
9220 Bonita Beach Road, Suite 109
Bonita Springs, FL 34135

CC:

Southwest Florida Regional Planning Council
South Florida Water Management District (SFWMD)
Florida Department of Transportation (DOT) District One Office
Department of State (DOS)
Lee County Government



February 12, 2020

9101 Bonita Beach Road
Bonita Springs, FL 34135
Tel: (239) 949-6262
Fax: (239) 949-6239
www.cityofbonitasprings.org

Peter Simmons
Mayor

Amelia Quaremba
Council Member
District One

Vacant
Council Member
District Two

Laura Carr
Council Member
District Three

Vacant
Council Member
District Four

Michael Gibson
Council Member
District Five

Fred Forbes, AIA
Council Member
District Six

Aleen Hunter
Interim City Manager
(239) 949-6267

Derek Rooney
City Attorney
(239) 949-6254

City Clerk
(239) 949-6247

Public Works
(239) 949-6246

Neighborhood Services
(239) 949-6257

Parks & Recreation
(239) 992-2556

**Community
Development**
(239) 444-6150

Florida Department of Transportation (FDOT)
10041 Daniels Parkway
Fort Myers, FL 33913

Re: DEO Adoption Transmittal Water Supply Plan Update,
Comprehensive Plan Amendment Case #CPA19-65069-BOS

To Whom It May Concern,

Please find enclosed a copy of the Water Supply Plan Update, Comprehensive Plan
Amendment Case #CPA19-65069-BOS transmittal package sent for DEO Transmittal.

Please contact me if I can be of further assistance.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT

Sean M. Gibbons, MPA
Planning & Zoning Division
City of Bonita Springs Community Development
9220 Bonita Beach Road, Suite 109
Bonita Springs, FL 34135

CC:

Southwest Florida Regional Planning Council
South Florida Water Management District (SFWMD)
Florida Department of Environmental Protection (DEP)
Department of State (DOS)
Lee County Government



February 12, 2020

9101 Bonita Beach Road
Bonita Springs, FL 34135
Tel: (239) 949-6262
Fax: (239) 949-6239
www.cityofbonitasprings.org

Peter Simmons
Mayor

Amelia Quaremba
Council Member
District One

Vacant
Council Member
District Two

Laura Carr
Council Member
District Three

Vacant
Council Member
District Four

Michael Gibson
Council Member
District Five

Fred Forbes, AIA
Council Member
District Six

Arleen Hunter
Interim City Manager
(239) 949-6267

Derek Rooney
City Attorney
(239) 949-6254

City Clerk
(239) 949-6247

Public Works
(239) 949-6246

Neighborhood Services
(239) 949-6257

Parks & Recreation
(239) 992-2556

**Community
Development**
(239) 444-6150

Deena Woodward
Florida Department of State
Bureau of Historic Preservation Division
500 South Bronough Street
Tallahassee, FL 32399-0250

Re: DEO Adoption Transmittal Water Supply Plan Update,
Comprehensive Plan Amendment Case #CPA19-65069-BOS

Dear Ms. Woodward,

Please find enclosed a copy of the Water Supply Plan Update, Comprehensive Plan Amendment Case #CPA19-65069-BOS transmittal package sent for DEO Transmittal.

Please contact me if I can be of further assistance.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT

Sean M. Gibbons, MPA
Planning & Zoning Division
City of Bonita Springs Community Development
9220 Bonita Beach Road, Suite 109
Bonita Springs, FL 34135

CC:

Southwest Florida Regional Planning Council
South Florida Water Management District (SFWMD)
Florida Department of Environmental Protection (DEP)
Florida Department of Transportation (DOT) District One Office
Lee County Government



February 12, 2020

9101 Bonita Beach Road
Bonita Springs, FL 34135
Tel: (239) 949-6262
Fax: (239) 949-6239
www.cityofbonitasprings.org

Peter Simmons
Mayor

Amelia Quaremba
Council Member
District One

Vacant
Council Member
District Two

Laura Carr
Council Member
District Three

Vacant
Council Member
District Four

Michael Gibson
Council Member
District Five

Fred Forbes, AIA
Council Member
District Six

Arleen Hunter
Interim City Manager
(239) 949-6267

Derek Rooney
City Attorney
(239) 949-6254

City Clerk
(239) 949-6247

Public Works
(239) 949-6246

Neighborhood Services
(239) 949-6257

Parks & Recreation
(239) 992-2556

**Community
Development**
(239) 444-6150

David Loveland, AICP
Community Development Director
Lee County Florida
1500 Monroe Street
Fort Myers, FL 33901

Re: DEO Adoption Transmittal Water Supply Plan Update,
Comprehensive Plan Amendment Case #CPA19-65069-BOS

Dear Mr. Loveland,

Please find enclosed a copy of the Water Supply Plan Update, Comprehensive Plan Amendment Case #CPA19-65069-BOS transmittal package sent for DEO Transmittal.

Please contact me if I can be of further assistance.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT

Sean M. Gibbons, MPA
Planning & Zoning Division
City of Bonita Springs Community Development
9220 Bonita Beach Road, Suite 109
Bonita Springs, FL 34135

CC:

Southwest Florida Regional Planning Council
South Florida Water Management District (SFWMD)
Florida Department of Environmental Protection (DEP)
Florida Department of State (DOS)
Florida Department of Transportation (DOT) District One Office



CPA19-65069-BOS

**Water Supply Plan Update
Expedited State Review Process**

Supporting Documentation

Per 163.3177(6)(c)3, F.S., local governments are required to update their Water Supply Facilities Work Plan (Work Plan) within 18 months of the Governing Board's adoption of the applicable Regional Water Supply Plan. South Florida Water Management District (SFWMD) updated their plan December 14, 2017. The City of Bonita Springs recently adopted a number of EAR State Mandated Amendments on December 4, 2019 (DEO Case 19-01ER). The EAR State Mandated Amendments included an amendment that updated Table: 1-10, Water Supply Capital Improvements Projects (2020-2030), which is a part of the City's Water Supply Facilities Work Plan (Capital Improvements Element).

Accordingly, the City of Bonita Springs, in coordination with the City's water and waste water provider has prepared updates to the Comprehensive Plan consistent with state statute for the planning period of 2020-2030 and have found that no additional amendments to the goals, objectives, or policies are required at this time.

The Local Planning Agency motioned approval, finding the requested amendment consistent with the City of Bonita Springs Comprehensive Plan on January 23, 2020. The City of Bonita Springs City Council voted to transmit the comprehensive plan amendment to the Florida Department of Economic Opportunity (FDEO) on February 5, 2020.

The City intends to adopt the Water Supply Plan Update amendments upon receipt and incorporation of applicable ORC Report comments at an adoption hearing in April of 2020.

This area is not applicable to an Area of Critical State Concern.

A copy of the amendment and data and analysis was mailed on February 12, 2020 to the following review agencies (a copy of transmittal letters is enclosed):

1. Southwest Florida Regional Planning Council (SWFRPC)
2. South Florida Water Management District (SFWMD)
3. Florida Department of Transportation (DOT) District One Office
4. Florida Department of Environmental Protection (DEP)
5. Department of State (DOS)
6. Lee County Government

For further assistance, please contact:

Sean M. Gibbons, MPA
City of Bonita Springs Community Development
9220 Bonita Beach Road, Suite 109
Bonita Springs, FL 34135
sgibbons@cityofbonitaspringscd.org
(239) 444-6176
(239) 444-6140 fax



CPA19-65069-BOS

**Water Supply Plan Update
Expedited State Review Process**

**Proposed Update
(Draft Ordinance)**

CITY OF BONITA SPRINGS, FLORIDA

ORDINANCE NO. 2020 –

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

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

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

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

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

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

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

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

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

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

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

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

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

THE CITY OF BONITA SPRINGS HEREBY ORDAINS:

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

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

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

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

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

AUTHENTICATION:

Mayor City Clerk

APPROVED AS TO FORM: _____
City Attorney

Vote:

Carr
Forbes
Gibson

Quaremba
Simmons

Date filed with City Clerk: _____

POTABLE WATER SUB-ELEMENT

Introduction

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

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

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

Public Potable Water Facilities Inventory

a. Operational Responsibility

BSU is responsible for approximately 96% of the City's water system service area. The remaining four percent is provided by a private facility located in Citrus Park. ~~Citrus Park is in the process of renewing their Water Use Permit (WUP) Application #130509-17 with SFWMD. Their current permit expired in 2013 and to date, the renewal permit has not been issued. As provided in SFWMD Water Use Permit (WUP) # 36-00208-W Citrus Park is permitted the use of groundwater from the Water Table Aquifer and Lower Tamiami Aquifer for a public water supply for the Citrus Park service area serving 3,450 persons in the year 2039 with an average per capita use rate of 66 gallons per day, an annual allocation of 83.11 (MG) (227,699 GPD), a total maximum monthly allocation is 10.18 million gallons (MG) and maximum monthly to average monthly pumping ratio 1.47-to-1. Withdrawals are taken from the Water Table Aquifer (WTA) and Lower Tamiami Aquifer (LTA) via three existing withdrawal facilities (wells).~~

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

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

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

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

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

b. Service Area

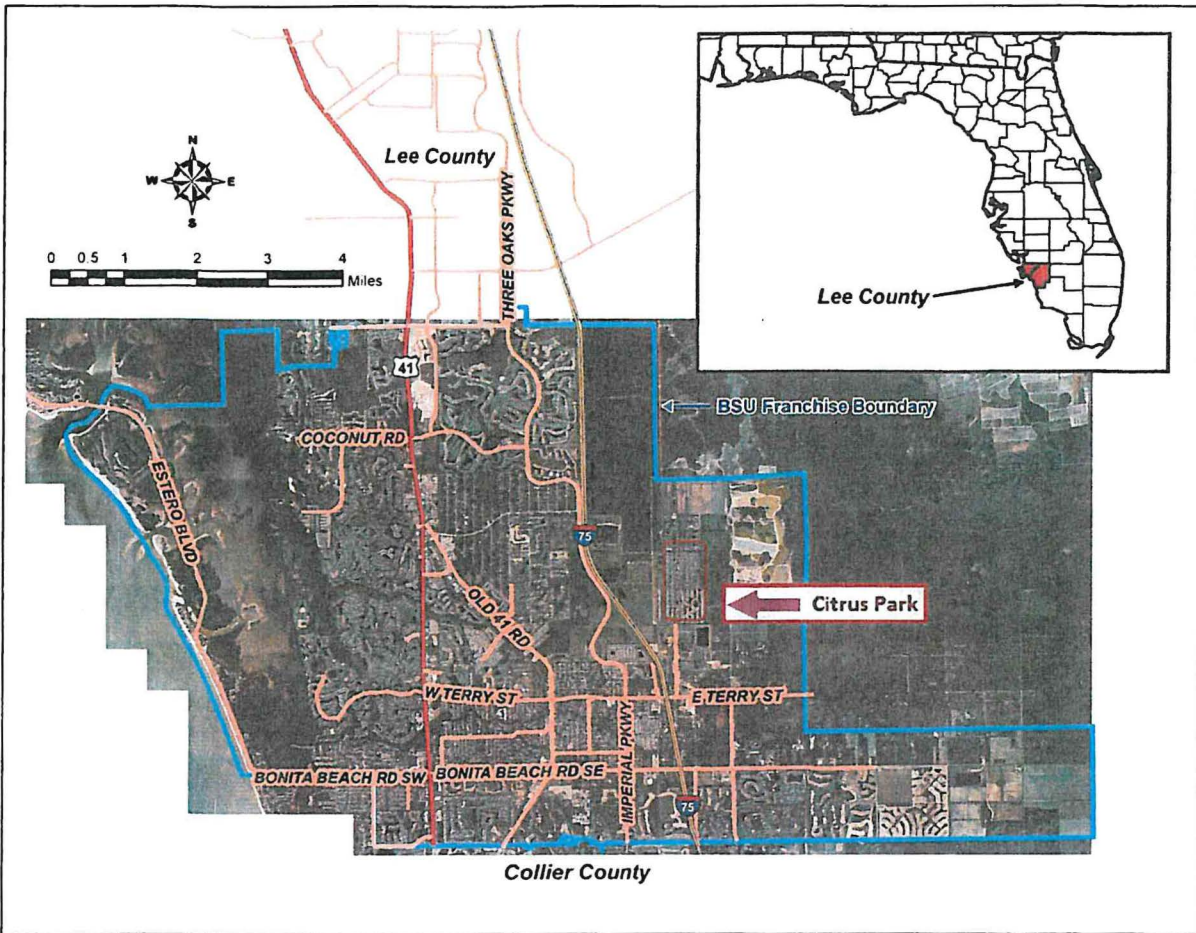
The BSU system serves primarily urbanized areas with the northern boundary generally being Williams Road and the southern boundary at the City limits along the Collier County line, the Gulf of Mexico to the west and the city limit to the east. The predominant land uses are residential, commercial, industrial, recreational, and public and semi-public uses. As of December 2013 2018, the BSU service area includes approximately ~~41,904~~ 47,674 equivalent residential connections (ERC) with an average daily demand of ~~8.07~~ 10.09 MGD in 20138.

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

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

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

Map 1-1: Service Area by Provider



Water Treatment Plants

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

BSU currently operates a lime softening plant permitted for 9 MGD and a reverse osmosis (RO) plant permitted for 6.52 8.56 MGD on a single site located at ~~41860~~ 11900 East Terry Street. The facility allows expansion to meet additional needs consistent with permit specifications.

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

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

Table 1-1: Water Treatment Facilities		
Provider	Location	Number of Plants
BSU	41860-11900 East Terry Street	2
Citrus Park	25501 Trost Boulevard	1
Source: BSU, CUP permits. Special Note: BSU is permitted as one plant with two processes.		
Source: Citrus Park WUP Renewal Permit Application #130509-17 190515-9		

d. Water Quality

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

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

e. Distribution System

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

f. Public Wells

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

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

g. Potable Water Storage Facilities

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

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

Alternative Water Sources

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

BSU's two wastewater treatment plants have produced reclaim water since their construction and they are therefore called water reclamation facilities. A long term contract (30 year rolling contract) between BSU and Resource Conservation System (RCS) has been in place since the completion of BSU's first plant. Bulk reclaimed water is delivered to their partner at the plant site. Storage, distribution, and billing of reclaimed water are handled by RCS. BSU's current water reclamation capacity is 11mgd and their bulk sales contract with RCS is also up to 11 million gallons, depending on flows received. Below, please find BSU's capacity and flow and reclaimed water sold for the years ~~2000-2009~~ through ~~2013~~2018. Nearly all water received is reclaimed and sold. Therefore, all reclaimed water sold is a direct offset to potable water demand. This accounts for lower per capita potable water usage.

TABLE 1-4, BONITA SPRINGS UTILITIES WEST WATER RECLAMATION FACILITY EFFLUENT FLOW HISTORY, 2000-2013											
DATE	FLOW	CAP	SOLD	DATE	FLOW	CAP	SOLD	DATE	FLOW	CAP	SOLD
Jan-2000	2	4.25	1.32	Jan-2003	3	7	2.77	Jan-2006	5	7	4.44
Feb-2000	2	4.25	1.65	Feb-2003	3	7	3.47	Feb-2006	5	7	4.87
Mar-2000	3	4.25	1.65	Mar-2003	4	7	3.59	Mar-2006	5	7	4.69
Apr-2000	3	4.25	1.92	Apr-2003	4	7	4.29	Apr-2006	5	7	5.12
May-2000	2	4.25	1.62	May-2003	4	7	3.67	May-2006	4	7	4.26
Jun-2000	2	4.25	1.26	Jun-2003	3	7	3.36	Jun-2006	4	7	3.75
Jul-2000	2	4.25	1.11	Jul-2003	3	7	2.89	Jul-2006	4	7	3.63
Aug-2000	2	4.25	1.22	Aug-2003	3	7	3.04	Aug-2006	4	7	4.04
Sep-2000	2	4.25	1.18	Sep-2003	3	7	3.23	Sep-2006	4	7	3.90
Oct-2000	2	4.25	1.46	Oct-2003	3	7	3.27	Oct-2006	4	7	3.64
Nov-2000	2	4.25		Nov-2003	3	7	3.16	Nov-2006	4	7	3.05

Dec-2000	2	4.25	2.24	Dec-2003	3	7	3.25	Dec-2006	4	7	4.06
Jan-2001	3	4.25	2.29	Jan-2004	4	7	2.41	Jan-2007	4.79	7	3.63
Feb-2001	3	4.25	2.02	Feb-2004	4	7	3.95	Feb-2007	5.10	7	5.21
Mar-2001	3	4.25	1.99	Mar-2004	4	7	4.36	Mar-2007	4.90	7	4.49
Apr-2001	3	4.25	2.35	Apr-2004	5	7	4.73	Apr-2007	3.54	9	3.29
May-2001	3	4.25	2.51	May-2004	4	7	3.76	May-2007	2.32	9	2.20
Jun-2001	3	4.25	2.16	Jun-2004	3	7	3.35	Jun-2007	3.53	9	3.46
Jul-2001	3	4.25	1.47	Jul-2004	3	7	2.75	Jul-2007	3.50	9	3.36
Aug-2001	3	4.25	1.79	Aug-2004	3	7	3.04	Aug-2007	3.23	9	2.67
Sep-2001	3	4.25	2.13	Sep-2004	3	7	3.65	Sep-2007	3.36	9	3.19
Oct-2001	3	4.25	2.23	Oct-2004	4	7	3.49	Oct-2007	3.73	9	3.40
Nov-2001	3	4.25	1.86	Nov-2004	4	7	3.53	Nov-2007	3.86	9	3.62
Dec-2001	3	4.25	2.88	Dec-2004	4	7	3.61	Dec-2007	4.01	9	3.91
Jan-2002	3	7	2.55	Jan-2005	4	7	3.83	Jan-2008	4.66	9	4.55
Feb-2002	3	7	2.73	Feb-2005	4	7	4.52	Feb-2008	5.17	9	4.95
Mar-2002	3	7	3.27	Mar-2005	5	7	4.19	Mar-2008	4.93	9	4.96
Apr-2002	4	7	3.62	Apr-2005	5	7	5.11	Apr-2008	4.20	9	3.98
May-2002	3	7	3.28	May-2005	4	7	4.13	May-2008	3.31	9	3.35
Jun-2002	3	7	2.71	Jun-2005	4	7	3.38	Jun-2008	3.08	9	3.10
Jul-2002	3	7	2.76	Jul-2005	4	7	4.43	Jul-2008	3.68	9	3.06
Aug-2002	3	7	2.83	Aug-2005	4	7	1.81	Aug-2008	4.22	9	2.86
Sep-2002	3	7	2.84	Sep-2005	4	7	3.49	Sep-2008	3.98	9	3.89
Oct-2002	3	7	3.03	Oct-2005	4	7	3.35	Oct-2008	3.92	9	3.71
Nov-2002	3	7	3.04	Nov-2005	4	7	3.19	Nov-2008	4.45	11	4.01
Dec-2002	3	7	2.97	Dec-2005	4	7	4.82	Dec-2008	4.02	11	3.48

**TABLE 1-4, BONITA SPRINGS UTILITES WEST WATER RECLAMATION FACILITY
EFFLUENT FLOW HISTORY (MGD), 2000-2009 – 2013-2018 (Continued)**

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

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

**TABLE 1-4, BONITA SPRINGS UTILITES WEST WATER RECLAMATION FACILITY
EFFLUENT FLOW HISTORY (MGD), 2009 – 2018 (continued)**

<u>DATE</u>	<u>FLOW</u>	<u>CAP</u>	<u>SOLD</u>	<u>DATE</u>	<u>FLOW</u>	<u>CAP</u>	<u>SOLD</u>				
<u>Jan 2015</u>	<u>5.01</u>	<u>11</u>	<u>5.03</u>	<u>Jan 2017</u>	<u>5.10</u>	<u>11</u>	<u>5.08</u>				
<u>Feb 2015</u>	<u>5.29</u>	<u>11</u>	<u>5.25</u>	<u>Feb 2017</u>	<u>5.28</u>	<u>11</u>	<u>5.27</u>				
<u>Mar 2015</u>	<u>5.43</u>	<u>11</u>	<u>5.52</u>	<u>Mar 2017</u>	<u>5.28</u>	<u>11</u>	<u>5.31</u>				
<u>Apr 2015</u>	<u>4.69</u>	<u>11</u>	<u>4.60</u>	<u>Apr 2017</u>	<u>4.59</u>	<u>11</u>	<u>4.59</u>				
<u>May 2015</u>	<u>3.80</u>	<u>11</u>	<u>3.86</u>	<u>May 2017</u>	<u>3.67</u>	<u>11</u>	<u>3.62</u>				
<u>Jun 2015</u>	<u>3.62</u>	<u>11</u>	<u>3.70</u>	<u>Jun 2017</u>	<u>4.05</u>	<u>11</u>	<u>3.94</u>				
<u>Jul 2015</u>	<u>4.02</u>	<u>11</u>	<u>3.46</u>	<u>Jul 2017</u>	<u>4.15</u>	<u>11</u>	<u>3.14</u>				
<u>Aug 2015</u>	<u>4.28</u>	<u>11</u>	<u>3.39</u>	<u>Aug 2017</u>	<u>5.76</u>	<u>11</u>	<u>5.10</u>				
<u>Sep 2015</u>	<u>4.81</u>	<u>11</u>	<u>4.66</u>	<u>Sep 2017</u>	<u>5.92</u>	<u>11</u>	<u>5.67</u>				
<u>Oct 2015</u>	<u>4.92</u>	<u>11</u>	<u>4.67</u>	<u>Oct 2017</u>	<u>5.04</u>	<u>11</u>	<u>5.07</u>				
<u>Nov 2015</u>	<u>4.74</u>	<u>11</u>	<u>4.62</u>	<u>Nov 2017</u>	<u>4.77</u>	<u>11</u>	<u>4.69</u>				
<u>Dec 2015</u>	<u>4.37</u>	<u>11</u>	<u>4.28</u>	<u>Dec 2017</u>	<u>4.28</u>	<u>11</u>	<u>4.34</u>				
<u>Jan 2016</u>	<u>5.63</u>	<u>11</u>	<u>5.58</u>	<u>Jan 2018</u>	<u>4.98</u>	<u>11</u>	<u>4.94</u>				
<u>Feb 2016</u>	<u>6.02</u>	<u>11</u>	<u>4.74</u>	<u>Feb 2018</u>	<u>5.19</u>	<u>11</u>	<u>5.23</u>				
<u>Mar 2016</u>	<u>5.62</u>	<u>11</u>	<u>5.39</u>	<u>Mar 2018</u>	<u>5.45</u>	<u>11</u>	<u>5.35</u>				
<u>Apr 2016</u>	<u>4.65</u>	<u>11</u>	<u>4.56</u>	<u>Apr 2018</u>	<u>4.74</u>	<u>11</u>	<u>4.64</u>				
<u>May 2016</u>	<u>4.07</u>	<u>11</u>	<u>4.07</u>	<u>May 2018</u>	<u>4.20</u>	<u>11</u>	<u>3.93</u>				
<u>Jun 2016</u>	<u>3.95</u>	<u>11</u>	<u>3.71</u>	<u>Jun 2018</u>	<u>3.88</u>	<u>11</u>	<u>3.69</u>				
<u>Jul 2016</u>	<u>4.14</u>	<u>11</u>	<u>3.73</u>	<u>Jul 2018</u>	<u>4.12</u>	<u>11</u>	<u>3.99</u>				
<u>Aug 2016</u>	<u>4.26</u>	<u>11</u>	<u>4.01</u>	<u>Aug 2018</u>	<u>3.78</u>	<u>11</u>	<u>3.58</u>				

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

Conservation and Water Quality Programs

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

While the City of Bonita Springs does not currently rely upon surface water withdrawals including withdrawals from Lake Okeechobee, the C-43 Canal or the Caloosahatchee River and Estuarine System as potable water resources, the City has taken steps to regulate current and future withdrawal, capacity and quality concerns. Such efforts would include growth management measures limiting densities and land use restrictions within specific areas of the City, especially those designated with a Destiny Reduction Groundwater Resource, Resource Protection or Conservation future land use designation; which require proposed uses not adversely affect ecological and hydrologic functions of the land. Similarly, the City has taken additional actions to enhance water quality measures within our connected surface waters, such as the Imperial River, its tributaries, and our estuarine systems, such as Estero Bay. These efforts include but are not limited to: (1) The adoption and implementation of an additional fifty percent water quality treatment by volume requirement, that is fifty percent over and above what is required by the SFWMD, for all development with the City's jurisdiction (Comprehensive Plan Policy 9.3.3); (2) The development and installation of innovative Smart Growth America awarded green infrastructure, such as our sustainable storm water treatment system within our comprehensive Downtown Improvements Project and our incorporation of Florida Green Building Coalition recognized Green and Low-Impact development incentives citywide; (3) Or the creation, installation and pending expansion of our novel Felts Avenue Bioreactor Project designed to remove nitrogen from storm water runoff. As implemented the City's bioreactor project is a low-impact development technique comprised mainly of sub-surface retention beds and pipes filled with substrate, to create an anaerobic nitrogen removing environment. Phase I of the bioreactor project has been able to effectively remove between 77- 98% of nitrate, a key species of nitrogen closely associated with manmade fertilizer, from the water filtered through the system. The ease of scalability, effectiveness and efficiency in terms of land usage and cost that phase I of this project demonstrated serves as a solid framework for further applications of the system citywide. The City of has also recently established a Storm Water Utility to undertake and fund further water quality improvement, as well as retention, drainage and conveyance maintenance projects and upgrades citywide.

Additionally, the City of Bonita Springs enforces a Mandatory Year-Round Landscape Irrigation Conservation Measures Rule which has been in effective since March 2010 (Chapter 40E-24, F.A.C.), which limits landscape irrigation to two days per week, with a provision for irrigation up to three days per week. Currently the City of Bonita Springs "Water Wise" Water Conservation Ordinance provides requirements which limit the times, days of the week and methodologies allowable for irrigation, while providing provisions for multi-family facilities, community associations and rights-of-ways. These restrictions are in addition to the irrigation, watering, planting and application standards provided by the City of Bonita Springs Landscape Code, Property Maintenance Code, and Fertilize Wise Ordinances. Such regulations and standards include, but are re not limited to: (1) The prohibition of daily irrigation between of the hours of 9:00 a.m. and 5:00 p.m., with any irrigation performed from 9:00 a.m. to 5:00 p.m. being subject to fines. (2) Limiting irrigation to two days per week, with Odd number addresses irrigating on Mondays, Wednesdays and/or Saturdays, and Even numbers addresses, multi-family facilities and community associations watering both even and odd addresses irrigating Tuesdays, Thursdays and/or Sundays. (3) Limiting irrigation times to only midnight until 9 a.m. or after 5 p.m. until midnight. (3) Requiring low-volume hand watering apparatuses be fitted with an automatic shut-off device. (4) Prohibiting all restaurants within the City of Bonita Springs from serving water to any customer from any public or private well, water supply, or distribution system. (5) Requiring a rain shut-off device and soil moisture sensor to be included in irrigation systems; (6) Requiring that all irrigation systems be designed to eliminate the application of water to impervious areas, including roads, drives and other vehicle use areas. (7) Requiring irrigation systems to utilize "hydro-zone" designs to simulate natural rainfall, matching precipitation rates, avoiding overwatering and providing efficient (low volume) water usage. (8) Requiring that the selection and installation of landscaping plants and material be based upon Florida-Friendly Landscape™ and Xeriscape principles including water conservation through drought-tolerant landscaping, the use of appropriate plant materials, mulching, and the reduction of turf areas. (9) Incorporating regulations encouraging and providing for community and civic based outreach and education on Florida Yards and Neighborhoods™ landscaping techniques and practices. (10) Banning the application of fertilizer containing nitrogen and phosphorus between June 1st and September 30th. (11) Limiting fertilizer application rates to below .25 lbs. per 1000 sq. ft. per application or .50 lbs. per 1000 sq. ft. per year. (12) Require the use of spreader deflector shields when fertilizing by use of any broadcast or rotary spreaders. (13) Encourages the use of organic compost in lieu of chemical application. (14) Established a ten foot fertilized free buffer zone from the top of bank of any body of water, seawall or wetland within the city.

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

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

1. Adoption of an irrigation days/hours ordinance
2. Adoption of a Florida-Friendly Landscape™ ordinance
3. Adoption of an ultralow volume fixtures ordinance
4. Adoption of a rain sensor device ordinance
5. Adoption of a water conservation-based rate structure

6. Implementation of a utility leak detection and repair program
7. Implementation of a water conservation public education program
8. An analysis of reclaimed water feasibility

Water Supply Concurrency

The water use per ERC for the BSU service area is based on maximum month average daily demand (MMADD), as that is the most representative time of year when units are occupied. As presented in Table 1-5, using the annual average daily demand (AADD) does not capture a level of service (LOS) necessary to plan properly for all committed ERCs. By using the MMADD, the LOS average from 1995-2000-2013 is 229.233. However, considering the recent upward trend, a LOS of 235 GPD per ERC is a reasonable standard for the future planning period. The proposed Maximum Daily Demand (MDD) peaking factor of 1.50 is based on the average peaking factor over the past 17-19 years.

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

<u>2017</u>	<u>46,177</u>	<u>9.62</u>	<u>208</u>	<u>11.27</u>	<u>244</u>
<u>2018</u>	<u>47,674</u>	<u>10.09</u>	<u>212</u>	<u>11.48</u>	<u>241</u>
		AVERAGE	<u>195202</u>		<u>229233</u>
(1) LOS = gallons per ERC per day					
Source: BSU					

Projected Water Needs and Sources

a. Population

The South Florida Water Management District requests that population projections consider the most current data found in the applicable Regional Water Supply Plan, Medium-BEBR (Bureau of Economic and Business Research), or other approved method. BEBR does not prepare medium projections for municipalities. Therefore, the City estimated its population projection by identifying the City's proportion of its population (7.42%) in relation to Lee County's total population based on BEBR 2012-2018 Estimate. For Lee County, the population increase for the water supply planning period shows an increase from 638,029 747,388 to 858,500 892,108 (approximately 34.619.4% increase). ~~Based on the 2010 Census, the City of Bonita Springs is approximately 7.42% of the total population for Lee County; therefore, the City anticipates a population of approximately 60,954~~ 64,232 in 2025 2030.

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

Table 1-6 Population Projections City of Bonita Springs						
POPULATION COMPONENT	<u>2015</u> <u>2020</u>		<u>2020</u> <u>2025</u>		<u>2025</u> <u>2030</u>	
	Number	Percent	Number	Percent	Number	Percent
Year-round	<u>48,479</u> <u>53,812</u>	55	<u>54,918</u> <u>59,359</u>	55	<u>60,954</u> <u>64,232</u>	55
Seasonal	<u>39,665</u> <u>44,028</u>	45	<u>44,933</u> <u>48,567</u>	45	<u>49,871</u> <u>52,553</u>	45
Peak	<u>88,144</u> <u>97,840</u>	100	<u>99,851</u> <u>107,926</u>	100	<u>110,825</u> <u>116,785</u>	100
Source: BSU						

Bonita Springs Utilities Service Area serves properties within the City of Bonita Springs, except for Citrus Park, and includes areas outside of the City of Bonita Springs. The peak population figures for Bonita Springs for the years 20152020, 20202025, and 2025 2030 contained in the table above are used to arrive at the peak seasonal population of the BSU Service Area.

BSU estimates that the City of Bonita Spring comprises approximately 8485% of the demand for potable water throughout the entire service area. ~~Therefore, the peak seasonal population of the BSU Service Area in 2015 is estimated in the following manner:~~

~~[(Population of Bonita Springs) less (population of Citrus Park ÷ 0.84~~

~~-(88,144 - 3,366) / 0.84 = 100,926~~

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

Table 1-7 Population and ERC Projections BSU Service Area			
Population & ERCs	2015<u>2020</u>	2020<u>2025</u>	2025<u>2030</u>
Peak Population	100,926 <u>114,929</u>	114,809 <u>127,087</u>	127,821 <u>137,764</u>
ERCs ⁽¹⁾	45,462 <u>48,906</u>	51,716 <u>54,079</u>	57,577 <u>58,623</u>
⁽¹⁾ An Equivalent Residential Connection (ERC) = 2.22 <u>3.35</u> persons			
Source: <u>BSU</u>			

b. Potable Water Capacity Surpluses and Deficiencies

Providers of potable water for Bonita Springs currently have a surplus of water. BSU estimates its surplus capacity is ~~7.45~~7.47 MGD, based on the annual-average day demand in ~~2013~~2018. With the ~~3.274~~ MGD addition planned for ~~2020~~2023, the surplus will increase to ~~8.71~~10.64 MGD average day demand. This will provide a surplus of water for the expected population increases through the water supply planning period (refer to Table 1-9).

c. Future Demand Capacity

The Consumptive Use Permits (CUP) limit the amount of raw water withdrawn from groundwater. Based on the CUPs for local water providers, the City of Bonita Springs will have their potable water demands met through ~~2025~~2030. Table 1- 8: Projected Water Demands, BSU identifies the anticipated needs of the entire Service Area including the City of Bonita Springs, from BSU.

Table 1-8: Projected Water Demands in MGD for BSU			
Year	2015<u>2020</u>	2020<u>2025</u>	2025<u>2030</u>
ERCs	45,462 <u>48,906</u>	51,716 <u>54,079</u>	57,577 <u>58,623</u>
Annual Average Daily Demand (MGD) LOS of 195 <u>210</u>	8.87 <u>10.27</u>	10.08 <u>11.36</u>	11.23 <u>12.31</u>
Maximum Daily Demand (MGD) Peaking factor 1.50	13.30 <u>15.41</u>	15.13 <u>17.03</u>	16.84 <u>18.47</u>
Source: BSU and City of Bonita Springs			

d. Fire Protection

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

e. Performance and Condition of Existing Facilities

Each of BSU's water treatment plants has consistently operated in compliance with all criteria established by appropriate regulatory agencies. Furthermore, the facilities are state of the art and have been recognized by various organizations. The RO plant has potential for continued expansion to meet the needs of the City of Bonita Springs through the planning period. Table 1-9: Projected ERCs, Demand, Capacity, and Surplus Capacity for BSU, indicates the positive performance and condition of existing facilities and the capability of expansion to meet the needs of future demand.

Table 1-9							
Projected ERCs, Demand, Capacity, and Surplus Capacity							
BSU Service Area							
				AADD SURPLUS (MGD)	MMADD (MGD)	MMADD SURPLUS (MGD)	MAXIMUM DAILY DEMAND (MGD)
YEAR	ERCs	AADD (MGD)	PLANT CAPACITY (MGD)				
2015 020	45,46248 020 906	8.8710.27	15.5217.56	6.657.29	10.6811.49	4.846.07	13.3015.41
2016 021	49,94146 021 713	10.499.11	15.5217.56	7.076.41	11.7410.98	5.824.54	15.7313.66
2017 022	50,97547 022 964	10.709.35	15.5217.56	6.866.17	11.9811.27	5.584.25	16.0614.03
2018 023	52,01049 023 214	10.929.60	15.5221.56	10.645.92	12.2211.57	9.343.95	16.3814.40
2019 024	53,04450 024 465	11.149.84	15.5221.56	10.425.68	12.4711.86	9.093.66	16.7114.76
2020 025	51,71654 025 079	10.0811.36	18.7921.56	8.7110.20	12.1512.71	6.648.85	15.1317.03
2021 026	55,11452 026 888	11.5710.31	18.7921.56	9.998.48	12.9512.43	8.616.36	17.3615.47
2022 027	56,14854 027 060	11.7910.54	18.7921.56	9.778.25	13.1912.70	8.376.09	17.6915.81
2023 028	57,18355 028 233	12.0110.77	18.7921.56	9.558.02	13.4412.98	8.125.81	18.0116.16
2024 029	58,21756 029 405	12.2311.00	18.7921.56	9.337.79	13.6813.26	7.885.53	18.3416.50

