



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

CITY COUNCIL MEETING AGENDA

September 6, 2023
5:30 p.m.

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

To submit your public comment in writing, please email your name, address, and comments to CITYMEETINGS@CITYOFBONITASPRINGS.ORG. **Any written public comment must be received by 1:00 p.m. on September 6, 2023.**

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

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

1. Call to Order
2. Invocation
3. Pledge of Allegiance
4. Roll Call
5. Approval of Agenda
6. Mayor’s Welcome
7. Public Comment on Agenda Items
8. Zoning and Land Use Items:
 - A. (First Reading and Public Hearing) A ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS TO AMEND THE ESTERO BAY COMMERCIAL PLANNED DEVELOPMENT/ RESIDENTIAL PLANNED DEVELOPMENT (CPD/RPD) TO INCREASE THE RPD BOUNDARY BY 5.3 ± ACRES;

REMOVE THE NORTHEASTERN PRESERVE CONSISTING OF 0.62± ACRES AND INCREASE THE MANGROVE PRESERVE AREA FROM 3.51 ACRES TO 3.64 ACRES; REMOVE THE ALF/ILF/CCRC DEVELOPMENT OPTION (OPTION 1); ADD TOWNHOMES AND TWO-FAMILY ATTACHED HOMES TO THE SCHEDULE OF USES WITHIN THE RPD; ADD RPD DEVELOPMENT REGULATIONS FOR TOWNHOMES AND TWO-FAMILY ATTACHED HOMES; ADD A TRIP CONVERSION MATRIX TO ALLOW THE MULTI-FAMILY UNITS TO BE CONVERTED TO OTHER RESIDENTIAL TYPES WITH NO INCREASE TO PM PEAK HOUR TRIP GENERATION; MODIFY DEVIATION 8 AND DEVIATION 13 TO ADDRESS CHANGES IN BUILDING LAYOUT AND REMOVAL OF PRESERVE ACREAGE; ADD SIX NEW DEVIATIONS; AND MODIFY THE MASTER CONCEPT PLAN TO PROVIDE FOR THESE CHANGES; AND PROVIDE FOR AN EFFECTIVE DATE. (Green Sheet No. 23-09-190)

9. Consent Agenda:

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

- G. Approve Resolution to accept the Selection Committee's recommendation to engage thirteen firms for the City's Miscellaneous Roadway and Bridge Services (CN 23-13). (Green Sheet No. 23-09-186)
- H. Approve a Resolution to accept the Selection Committee's recommendation to engage two firms for the City's Water Quality Sampling and Flow Measurement Services (CN 23-17). (Green Sheet No. 23-09-187)
- I. Approve purchase agreement to acquire vacant land for the Spring Creek Bonita Springs Golf Course Stormwater Project. (Green Sheet No. 23-09-194)
- J. Approve Resolution and Change Order No. 2 for FEMA Public Assistance Grant Program Services related to Hurricane Ian reimbursement (Green Sheet No. 23-09-195)
- Opportunity for City Council Comments on Consent Agenda

10. Mayor and Council Member Items:

- A. Consider an application for appointment to the Special Events Committee. (Green Sheet No. 23-09-182)
- B. Consider two applications for appointment to the Art in Public Places Board. (Green Sheet No. 23-09-189)

11. Public Hearing:

- A. SECOND READING AND PUBLIC HEARING OF AN ORDINANCE OF THE CITY OF BONITA SPRINGS FLORIDA, AMENDING THE BONITA SPRINGS LAND DEVELOPMENT CODE CHAPTER 7- ENVIRONMENT, NATURAL RESOURCES AND MARINE FACILITIES, STRUCTURES AND EQUIPMENT, ARTICLE XII. - DOCK AND SHORELINE STRUCTURES; AND CHAPTER 9- DEFINITIONS; PROVIDING FOR CONFLICTS OF LAW, SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, AND MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING AND AN EFFECTIVE DATE. (Green Sheet No. 23-09-193)
- B. SECOND READING OF AN ORDINANCE AUTHORIZING THE ISSUANCE OF INTERIM BORROWING NOT TO EXCEED \$2,000,000 IN PRINCIPAL AMOUNT OF A DEBT OBLIGATION TO FINANCE CONTINUING GOVERNMENTAL OPERATIONS; PROVIDING FOR A COVENANT TO BUDGET AND APPROPRIATE LEGALLY AVAILABLE NON-AD

VALOREM REVENUES TO PAY THE PRINCIPAL OF AND INTEREST ON THE DEBT OBLIGATION; PROVIDING FOR THE RIGHTS OF THE HOLDER OF SUCH NOTE; PROVIDING SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (Green Sheet No. 23-09-192)

12. City Attorney's Items:

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

13. City Manager's Items:

- A. Consider a request from the Café of Life to construct a pavilion/gazebo structure at Leitner Neighborhood Park. (Green Sheet No. 23-09-184)
- B. Presentation and review of the July Financial Report (Green Sheet No. 23-09-196)
- C. Update regarding fiscal year 2023-2024 draft budget
- D. Update regarding Hurricane Idalia and Hurricane Ian recovery

14. Mayor and Council Member Reports

15. Public Comment

16. Adjournment