



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

CITY COUNCIL MEETING AGENDA

September 20, 2023

The regular City Council meeting will begin immediately after the conclusion of the City Council Budget Hearing starting at 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 20, 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 (provided at Budget Hearing)
3. Pledge of Allegiance
4. Roll Call
5. Approval of Agenda
6. Mayor’s Welcome
7. Public Comment on Agenda Items
8. Consent Agenda:
 - A. Approval of the September 6, 2023 Draft City Council Meeting Minutes

- B. Confirm and ratify Resolutions extending the Local State of Emergency due to Hurricane Ian. (Green Sheet No. 23-09-204)
- C. Confirm and ratify Resolutions extending the Local State of Emergency due to Hurricane Idalia. (Green Sheet No. 23-09-206)
- D. Approve resolution accepting the recommendation from the Art in Public Places Board for tenancy of Artist Cottage #4 and authorize City Manager to execute a lease for the use of Artist Cottage #4 for a term of one year (Green Sheet No. 23-09-202)
- E. Approve resolution accepting the recommendation from the Art in Public Places Board for tenancy of Artist Cottage #1 and authorize City Manager to execute a lease for the use of Artist Cottage #1 for a term of one year (Green Sheet No. 23-09-203)
- F. Approve an agreement for the Lion's Club to host a Farmers Market at the Lemon Tree Lot on Wednesdays from 8:00am-1:00pm from October 1, 2023-September 30, 2024, with the option of four additional one-year periods upon mutual agreement. (Green Sheet No. 23-09-205)
- G. Approve a request from Local Roots LLC to host a weekly Local Roots LLC Flea Market to be held at the Promenade each Saturday morning from 8:00 a.m. to 12:00 p.m. October 7, 2023- May 25, 2024. (Green Sheet No. 23-09-209)
- Opportunity for City Council Comments on Consent Agenda

9. Mayor & Council Member Items:

- A. Discussion regarding potential opportunities for efficiency with regard to City boards and committees. (Green Sheet No. 23-09-207)

10. City Attorney's Items:

11. City Manager's Items:

- A. Approve a resolution adopting an administrative code for the City's policy on traffic fatality memorials in public rights of way in Bonita Springs. (Green Sheet No. 23-09-208)
- B. Update on Hurricane Ian recovery

12. Mayor and Council Member Reports

13. Public Comment

14. Adjournment



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

**DRAFT CITY COUNCIL
MEETING MINUTES**
September 6, 2023

1. Call to Order

Mayor Steinmeyer called the meeting to order at 9:00 a.m.

2. Invocation

Rabbi Mendy Greenberg of the Chabad of Bonita Springs provided the invocation.

3. Pledge of Allegiance

Mayor Steinmeyer led the Pledge of Allegiance.

4. Roll Call

The City Clerk called the roll:

*Present: 7 Mayor Steinmeyer, Council Member Bogacz, Council Member Purdon, Council Member Carr,
Council Member Corrie, Council Member Fullick, Deputy Mayor Forbes*

Absent: 0

5. Approval of Agenda

No changes.

6. Mayor's Welcome

Mayor Steinmeyer welcomed and thanked everyone in attendance.

7. Public Comment on Agenda Items

None.

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)

The Clerk read the Ordinance title into the record.

Council Member Carr motioned to move to second reading; seconded by Council Member Fullick. Mayor Steinmeyer asked the Clerk to record the vote by roll call. The motion carried unanimously.

9. Consent Agenda:

Council Member Carr motioned to approve the Consent Agenda; Council Member Corrie seconded. The motion carried unanimously.

- 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)

Mayor Steinmeyer motioned to approve the appointment of Rachael Kline to the Special Events Committee; Council Member Carr seconded. The motion carried unanimously.

- B. Consider two applications for appointment to the Art in Public Places Board. (Green Sheet No. 23-09-189)

Council Member Corrie motioned to approve the appointment of Betsy Haskins and Tara Fedorko to the Art in Public Places Board; Council Member Purdon seconded. The motion carried unanimously.

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)

The Clerk read the Ordinance title into the record. Mayor Steinmeyer called for public comment:

Ben Nelson - Expressed support for the revised ordinance.

John Dulmer read a comment into the record submitted by Joe Mazurkiewicz, President of BJM Consulting, who was unable to attend the meeting. His comment stated that SWFMIA supports the revised draft.

*Mayor Steinmeyer motioned for approval; Council Member Carr seconded. Mayor Steinmeyer called for public comment and, seeing none, asked the Clerk to record the vote by roll call. The motion carried unanimously. **Ordinance 2023-11 adopted.***

- 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)

The Clerk read the Ordinance title into the record.

*Council Member Bogacz motioned to approve; Seconded by Deputy Mayor Forbes. Mayor Steinmeyer asked the Clerk to record the vote by roll call. The motion carried by a vote of 6-1, with Mayor Steinmeyer opposed. **Ordinance 2023-12 adopted.***

Mayor Steinmeyer motioned to add a condition requiring Council approval before any loan funds are withdrawn. The motion failed due to lack of a second. City Manager Hunter stated that she will notify Council if there is a need to use any of the funds.

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)

Derek Rooney, City Attorney, introduced the request stemming from the settlement agreement with BG Mine.

Deputy Mayor Forbes motioned to approve; Seconded by Council Member Carr. The motion carried unanimously.

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)

City Manager Hunter introduced the request. Should Council approve, the City Attorney would determine whether a formal amendment to the agreement would be necessary.

Council Member Purdon motioned to approve; Council Member Carr seconded. The motion carried unanimously.

- B. Presentation and review of the July Financial Report (Green Sheet No. 23-09-196)

Finance Director Lisa Griggs-Roberson presented the July Financial Report (on file in the Clerk's office).

- C. Update regarding fiscal year 2023-2024 draft budget

Finance Director Lisa Griggs-Roberson furnished an update on the 2023-2024 budget update (on file in the Clerk's office). She also reminded Council that the preliminary budget hearing is Tuesday, September 12th, at 5:30 pm. The final budget hearing will be September 20th at 5:30 pm.

- D. Update regarding Hurricane Idalia and Hurricane Ian recovery

City Manager Hunter advised that the Initial Damage Assessments conducted by staff indicated that 23 properties were "affected" and six properties sustained "minor" damage from Hurricane Idalia. She reported that, while City Hall was closed for normal operations for two days, staff was reporting and working to facilitate emergency response activities during that time.

City Manager Hunter, along with Community Development Director John Dulmer, reported that staff has received notification that the City will maintain its Class 5 Community Rating System (CRS) rating under FEMA's National Flood Insurance Program.

14. Mayor and Council Member Reports

Deputy Mayor Forbes addressed the County's request for intergovernmental discussions regarding the County's Charter Committee's review of the annexation policy. Council Member Purdon stated that he sees it as a loss of home rule for the City and suggested sending a letter of objection and not participate in the meeting.

Mayor Steinmeyer motioned to send a letter of objection based on home-rule deterioration concerns. Council Member Purdon seconded. The motion carried unanimously.

Council Member Fullick reported that he will be attending the Governor's TDC Conference in Orlando.

Council Member Corrie reported that he has discussed employee transient housing with Community Development Director John Dulmer and requested research into potential LDC language which will allow certain businesses to provide dormitory style housing for seasonal employees.

Council Member Purdon reported on the renderings that DPZ had previously provided for the City-owned parcel with the Banyan tree and the substation. He would like the property to be completed for the City's 25th anniversary. He also commended Turtle Time for their efforts with turtle hatchlings this season.

Council Member Carr stated that she has concerns regarding the Zoning Board meeting held on August 15, and urged Council Members to watch the meeting video before the next City Council meeting. She intends to place a discussion item on a future Council meeting agenda.

City Attorney Rooney stated that the mediation for the lawsuit with the 3 Hardworking Americans is scheduled for September 22nd and that Council Member Corrie will be representing the Council.

15. Public Comment

None

16. Adjournment

There being no further business, the meeting adjourned at 6:47 p.m.

Prepared by:

Mike Sheffield, City Clerk

APPROVED BY CITY COUNCIL

Date: _____

AUTHENTICATED:

Rick Steinmeyer, Mayor

REQUESTED MOTION: Confirm and ratify Resolutions extending the Local State of Emergency due to Hurricane Ian.

REQUESTOR: Arleen M. Hunter, City Manager; Derek Rooney, City Attorney

AGENDA: Consent

STRATEGIC PRIORITY:

BACKGROUND:

Governor Ron DeSantis signed Executive Orders 2022-218 and 2022-219, in response to the anticipated landfall of Hurricane Ian and declared a state of emergency, pursuant to Chapter 252, Florida Statutes. As Hurricane Ian posed a serious threat to our area, an ultimate landfall directly affected the City of Bonita Springs. Consistent with Florida statutes, the following Resolutions were prepared and signed by the Mayor and staff to extend the Local State of Emergency in seven day increments.

At this time, it is appropriate for City Council to ratify the continued Local State of Emergency.

STAFF RECOMMENDATION: Approve

ATTACHMENTS:

1. Resolution No. 23-71 issued September 4, 2023
2. Resolution No. 23-92 issued on September 11, 2023

REVIEWERS:

City Manager: Arleen Hunter
City Attorney: Derek Rooney
City Clerk: Mike Sheffield

CITY OF BONITA SPRINGS
RESOLUTION NO. 23-71

**AN EMERGENCY RESOLUTION OF THE CITY OF BONITA
SPRINGS DECLARING A STATE OF LOCAL EMERGENCY
RESULTING FROM HURRICANE IAN; AND PROVIDING AN
EFFECTIVE DATE.**

WHEREAS, Governor Ron DeSantis signed Executive Orders 2022-218 and 2022-219, in response to the anticipated landfall of Hurricane Ian and has declared a state of emergency, pursuant to Chapter 252, Florida Statutes; and,

WHEREAS, on September 26, 2022 the City declared a local State of Emergency ahead of the landfall of Hurricane Ian; and

WHEREAS, Hurricane Ian had a significant impact on this area, the effects of which are still being fully ascertained and include extensive flooding, wind and water damage, not only to public infrastructure but to homes and businesses throughout the City; and

WHEREAS, the effects of Hurricane Ian continue to pose a serious threat to the lives and property of residents of the City of Bonita Springs.

NOW, THEREFORE, BE IT RESOLVED by the Mayor on behalf of the City Council of the City of Bonita Springs, Lee County, Florida;

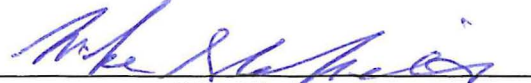
Section 1. The recitals above are hereby incorporated herein.

Section 2. The current State of Emergency is extended.

Section 3. This resolution shall take effect immediately upon adoption. Consistent with Florida Statutes §252.38(3), the duration of this state of emergency declared locally is limited to 7 days and may be extended, as necessary by resolution, in 7-day increments.

DULY PASSED AND ENACTED by the Mayor of the City of Bonita Springs, Lee County, Florida, this 4th day of September, 2023.

AUTHENTICATION:

 Mayor  City Clerk

APPROVED AS TO FORM:  City Attorney Office

Date filed with City Clerk: 9/15/23

CITY OF BONITA SPRINGS
RESOLUTION NO. 23-92

AN EMERGENCY RESOLUTION OF THE CITY OF BONITA SPRINGS DECLARING A STATE OF LOCAL EMERGENCY RESULTING FROM HURRICANE IAN; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Governor Ron DeSantis signed Executive Orders 2022-218 and 2022-219, in response to the anticipated landfall of Hurricane Ian and has declared a state of emergency, pursuant to Chapter 252, Florida Statutes; and,

WHEREAS, on September 26, 2022 the City declared a local State of Emergency ahead of the landfall of Hurricane Ian; and

WHEREAS, Hurricane Ian had a significant impact on this area, the effects of which are still being fully ascertained and include extensive flooding, wind and water damage, not only to public infrastructure but to homes and businesses throughout the City; and

WHEREAS, the effects of Hurricane Ian continue to pose a serious threat to the lives and property of residents of the City of Bonita Springs.

NOW, THEREFORE, BE IT RESOLVED by the Mayor on behalf of the City Council of the City of Bonita Springs, Lee County, Florida;

Section 1. The recitals above are hereby incorporated herein.

Section 2. The current State of Emergency is extended.

Section 3. This resolution shall take effect immediately upon adoption. Consistent with Florida Statutes §252.38(3), the duration of this state of emergency declared locally is limited to 7 days and may be extended, as necessary by resolution, in 7-day increments.

DULY PASSED AND ENACTED by the Mayor of the City of Bonita Springs, Lee County, Florida, this 11th day of September, 2023.

AUTHENTICATION:



Mayor City Clerk

APPROVED AS TO FORM:



City Attorney Office

Date filed with City Clerk:

9/13/23

REQUESTED MOTION: Confirm and ratify Resolutions extending the Local State of Emergency due to Hurricane Idalia.

REQUESTOR: Arleen M. Hunter, City Manager; Derek Rooney, City Attorney

AGENDA: Consent

STRATEGIC PRIORITY:

BACKGROUND:

On August 26, 2023, pursuant to Chapter 252, Florida Statutes Governor Ron DeSantis signed Executive Orders 2023-171 to declare a state of emergency, including Lee County, in response to the anticipated landfall of Tropical Storm Idalia. Due to the threat of severe weather and potential impacts to the City, on August 28, 2023, the Mayor executed Resolution No. 23-70 declaring a state of emergency within the City with regard to then-Tropical Storm Idalia.

Consistent with Florida statutes, the following Resolutions were prepared and signed by the Mayor and staff to extend the Local State of Emergency in seven day increments.

At this time, it is appropriate for City Council to ratify the Local State of Emergency.

STAFF RECOMMENDATION: Confirm and ratify the Local State of Emergency.

ATTACHMENTS:

1. Resolution No. 23-72 issued on September 4, 2023
2. Resolution No. 23-93 issued on September 11, 2023

REVIEWERS:

City Manager:	Arleen Hunter
City Attorney:	Derek Rooney
City Clerk:	Mike Sheffield

CITY OF BONITA SPRINGS
RESOLUTION NO 23 - 72

**AN EMERGENCY RESOLUTION OF THE CITY OF BONITA
SPRINGS EXTENDING A STATE OF LOCAL EMERGENCY
RESULTING FROM HURRICANE IDALIA; AND PROVIDING AN
EFFECTIVE DATE.**

WHEREAS, Governor Ron DeSantis signed Executive Orders 2023-171 and 2023-172, in response to the anticipated landfall of Hurricane Idalia and has declared a state of emergency including Lee County, pursuant to Chapter 252, Florida Statutes; and,

WHEREAS, on August 28, 2023 the City declared a local State of Emergency ahead of the landfall of Hurricane Idalia; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor on behalf of the City Council of the City of Bonita Springs, Lee County, Florida;

Section 1. The recitals above are hereby incorporated herein.

Section 2. The current State of Emergency is extended.

Section 3. Effective Date

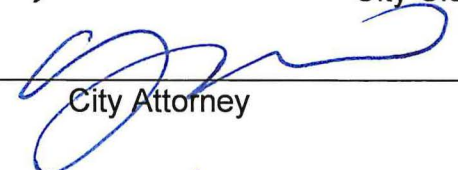
This resolution shall take effect immediately upon adoption. Consistent with Florida Statutes §252.38(3), the duration of this state of emergency declared locally is limited to 7 days and may be extended, as necessary by resolution, in 7-day increments.

DULY PASSED AND ENACTED by the Mayor of the City of Bonita Springs, Lee County, Florida, this 4th day of September, 2023.

AUTHENTICATION:

 Mayor  City Clerk

APPROVED AS TO FORM:


City Attorney

Date filed with City Clerk: 9/13/23

CITY OF BONITA SPRINGS
RESOLUTION NO 23 - 93

**AN EMERGENCY RESOLUTION OF THE CITY OF BONITA
SPRINGS EXTENDING A STATE OF LOCAL EMERGENCY
RESULTING FROM HURRICANE IDALIA; AND PROVIDING AN
EFFECTIVE DATE.**

WHEREAS, Governor Ron DeSantis signed Executive Orders 2023-171 and 2023-172, in response to the anticipated landfall of Hurricane Idalia and has declared a state of emergency including Lee County, pursuant to Chapter 252, Florida Statutes; and,

WHEREAS, on August 28, 2023 the City declared a local State of Emergency ahead of the landfall of Hurricane Idalia; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor on behalf of the City Council of the City of Bonita Springs, Lee County, Florida;

Section 1. The recitals above are hereby incorporated herein.

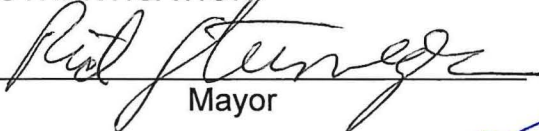
Section 2. The current State of Emergency is extended.

Section 3. Effective Date

This resolution shall take effect immediately upon adoption. Consistent with Florida Statutes §252.38(3), the duration of this state of emergency declared locally is limited to 7 days and may be extended, as necessary by resolution, in 7-day increments.

DULY PASSED AND ENACTED by the Mayor of the City of Bonita Springs, Lee County, Florida, this 11th day of September, 2023.

AUTHENTICATION:

 Mayor  City Clerk

APPROVED AS TO FORM:


City Attorney

Date filed with City Clerk: 9/13/23

REQUESTED MOTION: Approve resolution accepting the recommendation from the Art in Public Places Board for tenancy of Artist Cottage #4 and authorize City Manager to execute a lease for the use of Artist Cottage #4 for a term of one year.

REQUESTOR: Nicole Perino, Parks and Recreation Director

AGENDA: Consent

STRATEGIC PRIORITY: #8 – Economic Development

BACKGROUND: The lease term for the current tenant of Artist Cottage #4 will expire on February 17, 2024, and the tenant will have exhausted all renewals provided for by the current agreement, which was an initial term of one year and three options for renewal. The current tenant was also given an additional one-year extension due to the construction downtown, a two-year extension due to Hurricane Irma, and a six-month extension for Hurricane Ian, all of which interfered with access to the cottages.

In July 2023, an RFP was advertised for Artist Cottage #1 and Cottage #4 for interested parties to submit a Letter of Interest. The City received five (5) Letters of Interest including one by the current tenant of Artist Cottage #4.

1. Brenda McDonald
2. Christine Tracey
3. Creative Expressions Studio and Gallery, LLC
4. Kelly Campbell
5. Kristin Phildius

At their August 22, 2023 meeting, the Art in Public Places Board reviewed and discussed each proposal. Kelly Campbell was selected for recommendation by the board to rent cottage #4 for a one-year lease agreement, with three options to renew for additional one-year terms. The agreement further provides for hours of operation during special events, security, utilities, cancellation of lease, and insurance requirements. The agreement requires the artist to rent the premises for the sum of \$350.00 per month from October to May and \$250.00 per month from June to September, for the full term of the agreement.

The proposals attached to this item are also referenced in Green Sheet No. 23-09-203.

STAFF RECOMMENDATION: Approve the resolution with the recommended artist.

ATTACHMENTS:

1. Resolution
 2. Proposals
-

REVIEWERS:

City Manager:	Arleen Hunter
City Attorney:	Derek Rooney
City Clerk:	Mike Sheffield
Department Director:	Nicole Perino

CITY OF BONITA SPRINGS, FLORIDA
RESOLUTION 23 –

A RESOLUTION OF THE CITY OF BONITA SPRINGS, FLORIDA; APPROVING THE RECOMMENDATION OF KELLY CAMPBELL BY THE ART IN PUBLIC PLACES BOARD FOR LOI 23-21 FOR ARTIST COTTAGE # 4; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on August 17, 2023, the City received five (5) Letters of Interest for Artist Cottage Tenancy

- Brenda McDonald
- Christine Tracey
- Creative Expressions Studio and Gallery, LLC
- Kelly Campbell
- Kristin Phildius

WHEREAS, on August 22, 2023, the Art in Public Places Board reviewed the Letters of Interest and voted to recommend Kelly Campbell as the Candidate for Artist Cottage #4

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BONITA SPRINGS, FLORIDA:

1. The recommendation of the proposal by the Art in Public Places board is approved.
2. Staff is authorized to enter into negotiations for an agreement with the recommended selection.
3. This Resolution shall become effective immediately 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 September 2023.

AUTHENTICATION:

Mayor

City Clerk

APPROVED AS TO FORM: _____
City Attorney

Vote:

Purdon _____
Forbes _____
Fullick _____
Corrie _____

Bogacz _____
Steinmeyer _____
Carr _____

Date filed with City Clerk: _____

LETTER OF INTEREST FOR FISHING COTTAGE # 1 and # 4 IN RIVERSIDE PARK

A. Description of type of vendor and/or concession:

The fishing cottage would be used to make and sell Artisan jewelry as well as artwork/paintings in acrylic and some ceramic pieces.

B. Type of Business

The cottage would be rented and used by me as Sole tenant/proprietor.

C. Description of past vendor/work related experience.

Presently I have a Studio in Artisan Plaza in Naples where I sell jewelry, painting and ceramics. I also have an Etsy account and am in the process of developing a web-site. For several years prior to having a studio I have made custom jewelry for individual sales as well as commissioned art work.

D. A description of marketing plan and use of cottage

My plan is to participate in all the art fairs at the park. Also, I would like to have regular hours open to the public and separate hours to work at my crafts. Most likely I would be there at least 5 days a week, definitely full time.

E. A description of the type of art, craft that the vendor is proposing...

I make Artisan jewelry that is handcrafted using different types of beads and patterns such as Peyote, Brick Stitch, Beaded crochet, Herringbone, and others. Also I make Kumihimo pieces which is a different process entirely.

All the jewelry pieces are done with different beads like glass and semi-precious stones and silk, nylon, cotton, or polyester thread. Some pieces are made with wire. I would also be doing acrylic painting on canvas. If permissible I am able to be to hold small classes and teach jewelry making.

F. If you will be using a Kiln...

I will not be using a Kiln because I will continue to take classes at the Bonita Art Center and they have Kilns there.

G. A Commitment and Financial capability to pay the monthly fees

I make a commitment that if I am awarded cottage # 1 or #4, I will pay all the required fees. If you need proof of funds, I'm happy to provide that as well.

H. A timetable of when the Vendor can commence operations

If I am awarded one of the cottages, I would be able to commence as quickly as I am given permission to do so.

I. Any chemicals or mechanical components which may be hazardous...

There would be no chemicals, flammable or mechanical components utilized in making jewelry or painting.

J. Qualifications and experience of outside Vendors

I don't have a need for outside vendors that would be on the premises at any time. I buy my materials locally or on line.

K. Proof of payment of Lee County Business Tax Receipt...

I have not conducted any business in Bonita Springs or anywhere else in Lee County so I don't have any tax receipts except for the home we purchased in Vasari. That is the only tax that we are paying.

L. Proposal for duration of lease...

A yearly lease renewable every year, or whatever amount of time is required. I would be available for special events at the park, and am planning on being there year round less vacation time during the Summer. I hope this answers the question unless I'm reading it wrong.

M. Any additional information provided by the Vendor....

For most of my life I have enjoyed working with my hands and with people. I've taken so many classes learning different skills, basket weaving, knitting, ceramics, painting and jewelry making to mention a few. My full time jobs have been in Human Resources and Real Estate, businesses all related to working with the public and that is still what I enjoy. I would consider myself lucky if I was awarded cottage # 1 or #4 because I like this town and I think it's good to work in the same town that you live in. It's easier to meet and recognize people in town and form relationships.

Also, for years I have taken classes at the Art Center in Bonita and I would like to continue that and keep learning.

N. Additional consideration...

We are residents of Bonita Springs.

O. Current tenant of the artist cottage will be given...

I have not rented a cottage in the park before but you could certainly verify the type of tenant that I am, how well I maintain my studio and how prompt I am with the rent (automatic payments) with my present landlord at Artisan Plaza. However, I would appreciate if my present landlord not be contacted before a decision is made. You still would be able to verify all the information before I sign a contract with the City of Bonita Springs.

As requested I am including a small example with some pictures of the products that I have been selling. Also, I am available anytime to answer any other questions.

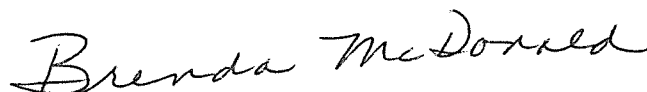
Thank you very much for your time considering my application

Brenda McDonald - Twomooncreations@gmail.com

28462 Altessa Way # 102

Bonita Springs, FL 34135

860-304-8488

A handwritten signature in black ink that reads "Brenda McDonald". The script is cursive and fluid, with the first name "Brenda" being larger and more prominent than the last name "McDonald".









Christine Tracey
15311 Devon Green Lane, Naples, FL 34110
ctracey@kuveke.com
(203)-470-7697

August 11, 2023

City Clerk, City of Bonita Springs
Bonita Springs City Hall
9101 Bonita Beach Road
Bonita Springs, FL 34135

Re: **RFP 23-21 Letter of Interest: Riverside Cottage Use Agreement**

To Whom It May Concern:

I am a local artist interested in leasing one of the Riverside cottages on a full-time basis. I was a finalist in the last RFP for a cottage and hope this time to be awarded a lease.

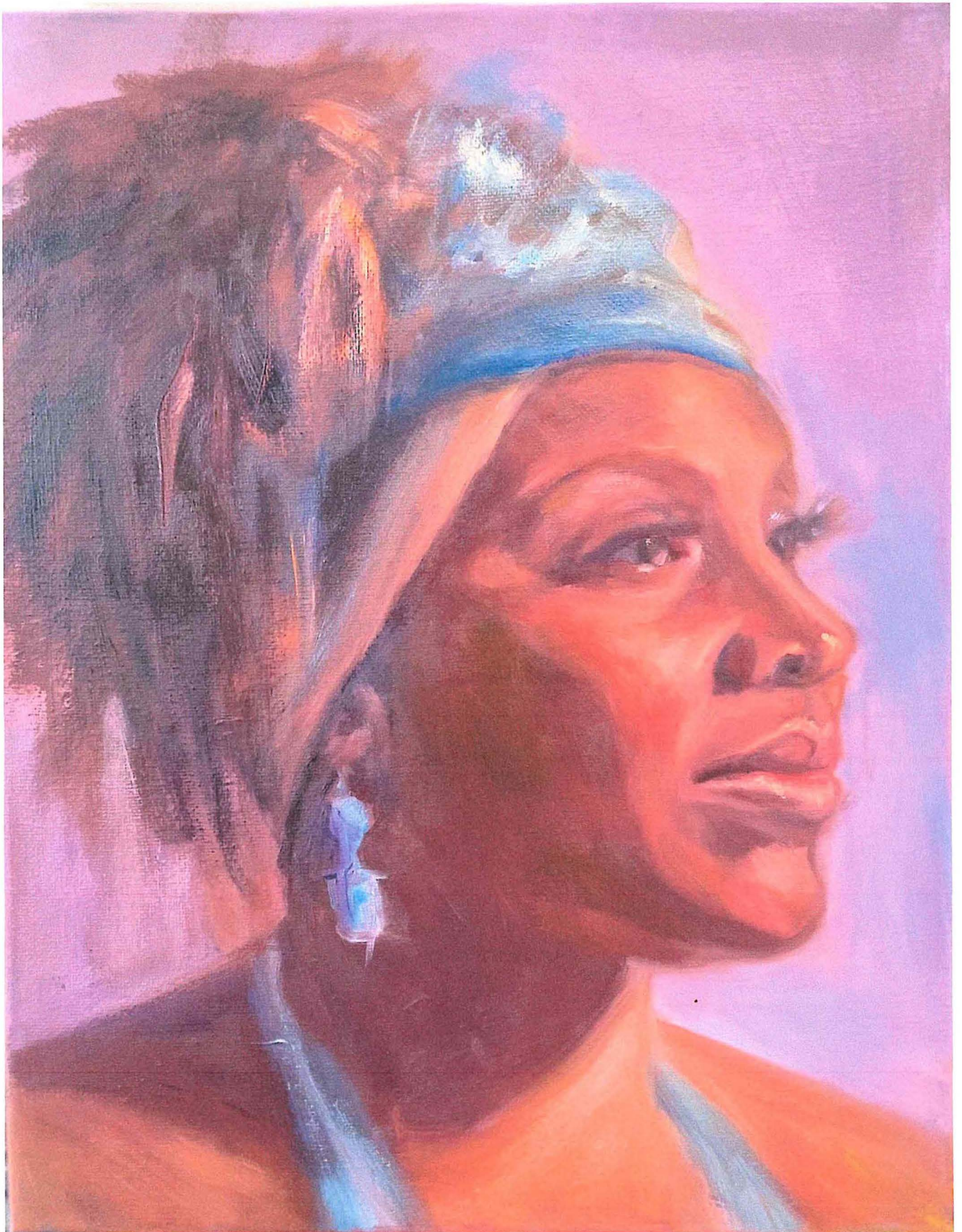
As a contemporary realist, I primarily paint with oils and especially enjoy portraits and working from life. While I also paint local landscapes, still life, and even conceptual pieces, my passion lies in portraiture. It would be a dream for me to lease one of the artists cottages where people could sit for a portrait or watch me at work. I envision using the cottage as a daily workspace and a venue for showcasing my work as well as the work of other local artists. I would invite the community to regularly scheduled events, such as live painting demonstrations and art conversations, and to participate in paint from life sessions. As the downtown Bonita area grows, I want to participate in attracting residents and visitors to our creative community.

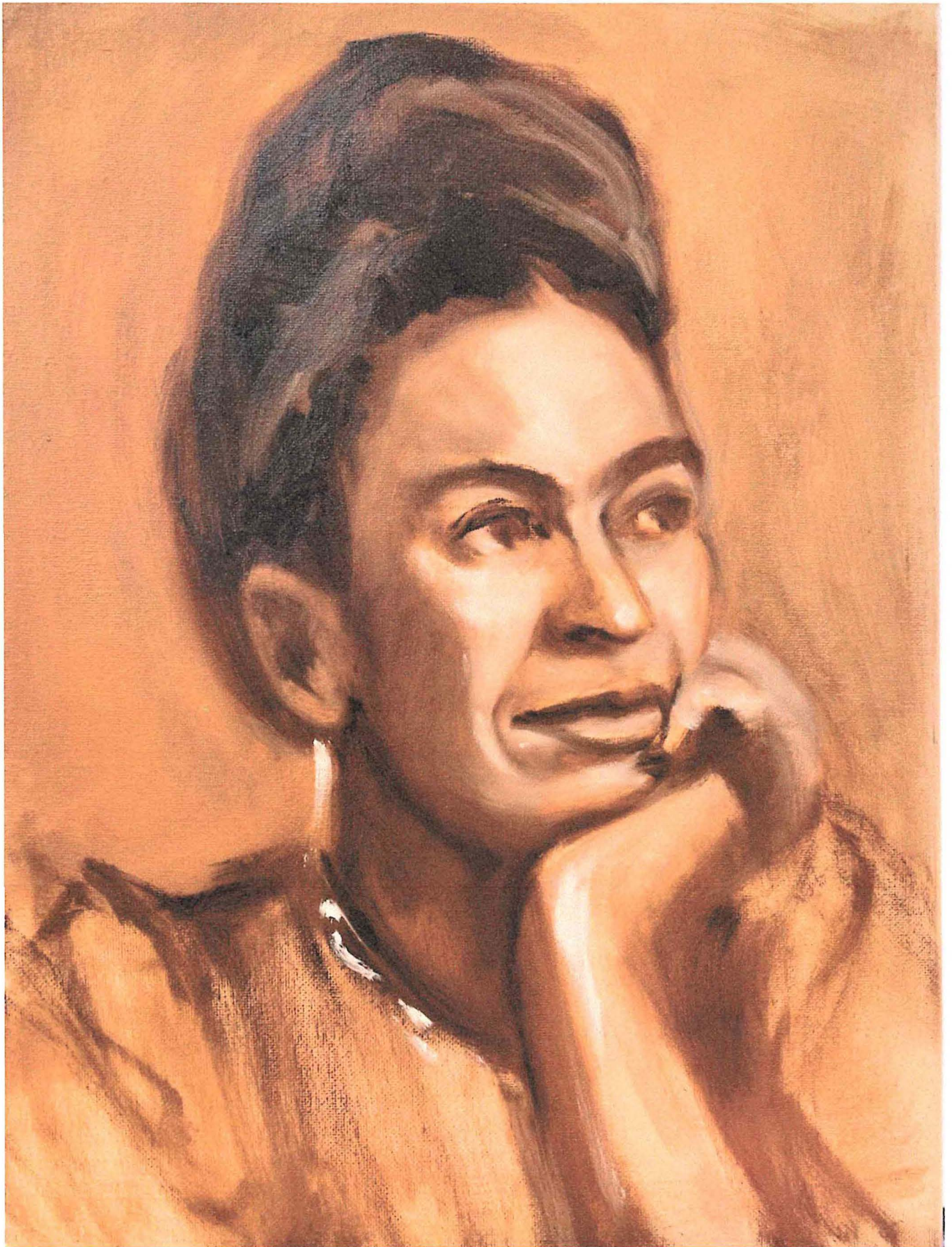
Currently, I am a sole proprietor artist and a full-time Florida resident. I pay local taxes in Collier County where I reside just south of Bonita Beach Road, but I am an active participant in Bonita Springs. I have been a member of the Center for the Arts for several years where I attend classes and open studio sessions, and I teach English as a second language at the Literacy Council just up the street from the cottages. If selected for a cottage, I agree to obtain any required licenses and to pay any associated fees. I am financially able to pay the monthly rent on the cottage and commit to do so if selected. I can begin the lease immediately and commit to lease for at least one year and to work during special events in the Village.

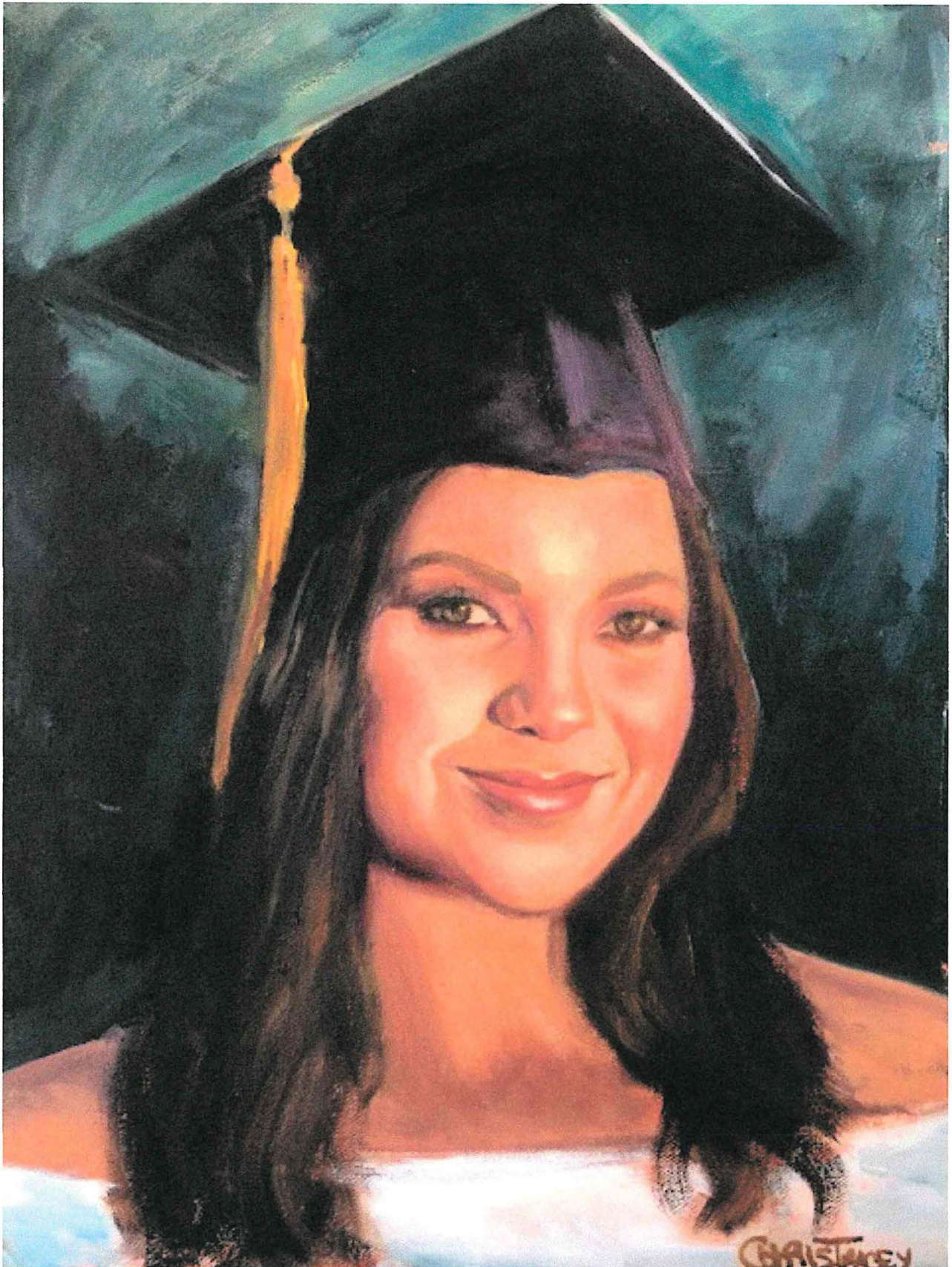
In conclusion, the cottage would offer me an ideal space, convenient and dedicated, to build on my craft and to interact with our community and visitors. I hope to be selected and will make myself available for another oral presentation if needed. (I will be traveling September 6-23). I include some additional samples of my paintings, including two from a series I am currently working on: Contemporary Visions of Classical Sculpture. Thank you for your consideration, I look forward to hearing from you soon.

Sincerely,


Christine Tracey



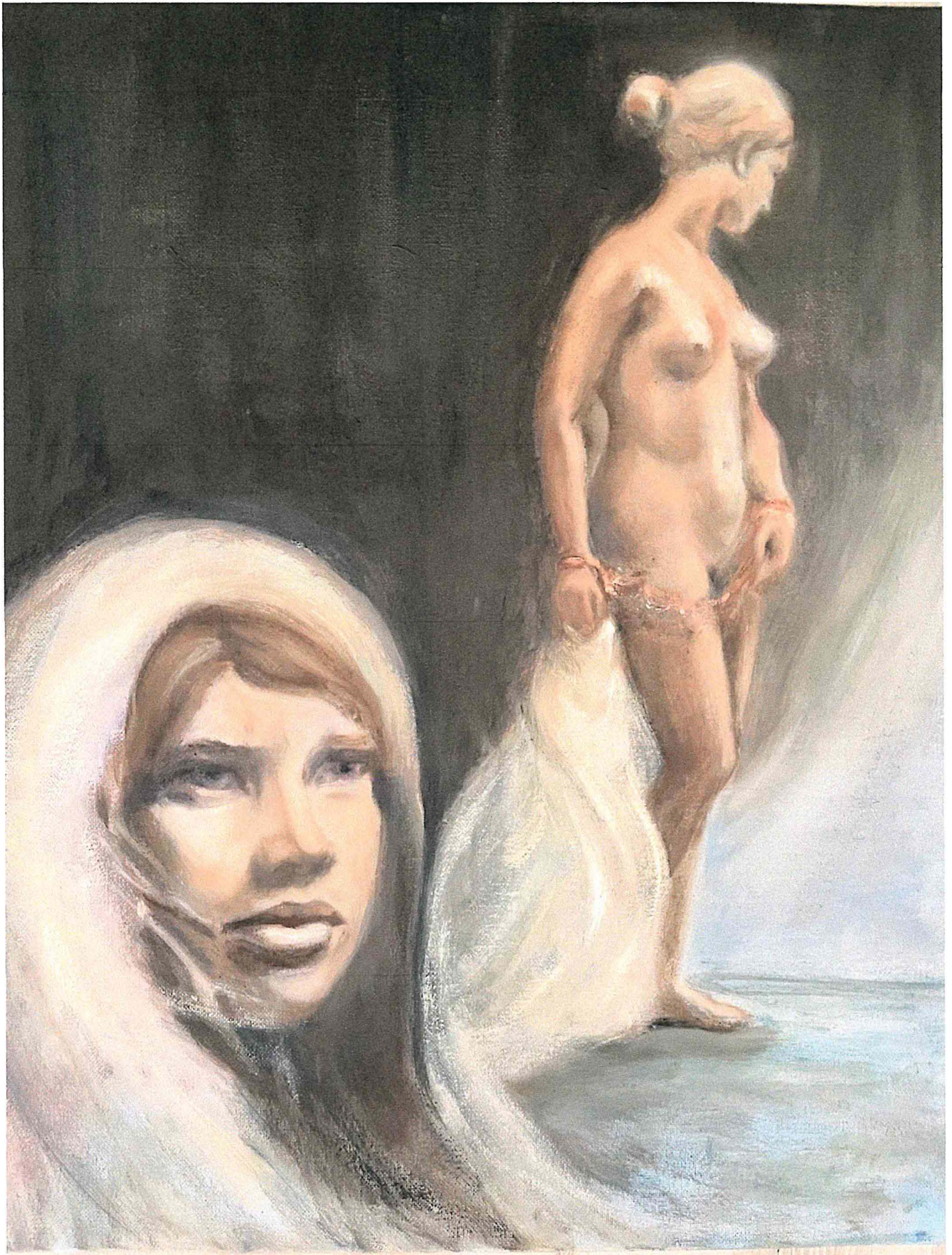




CONTEMPORARY VISIONS OF CLASSICAL SCULPTURE

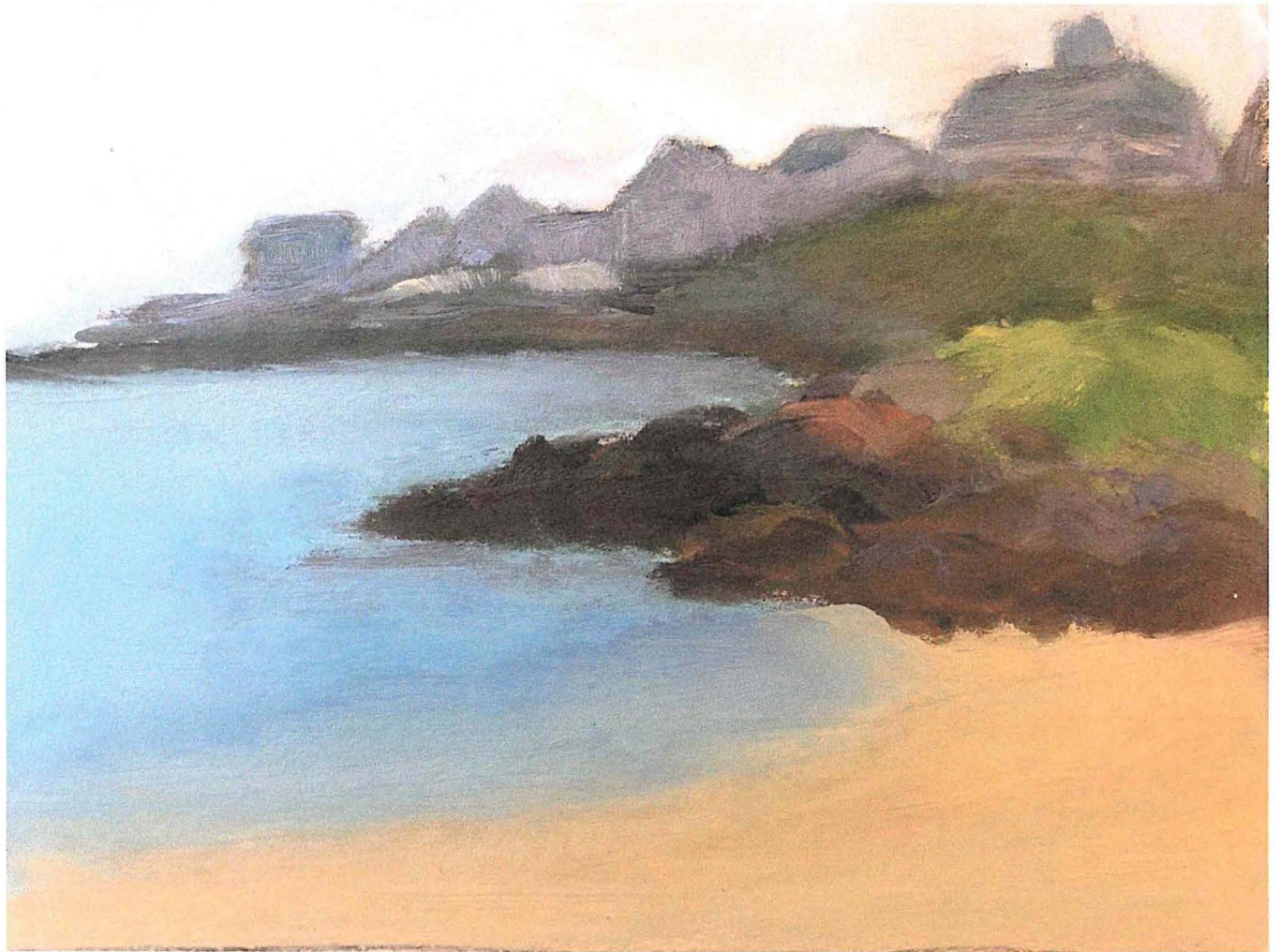


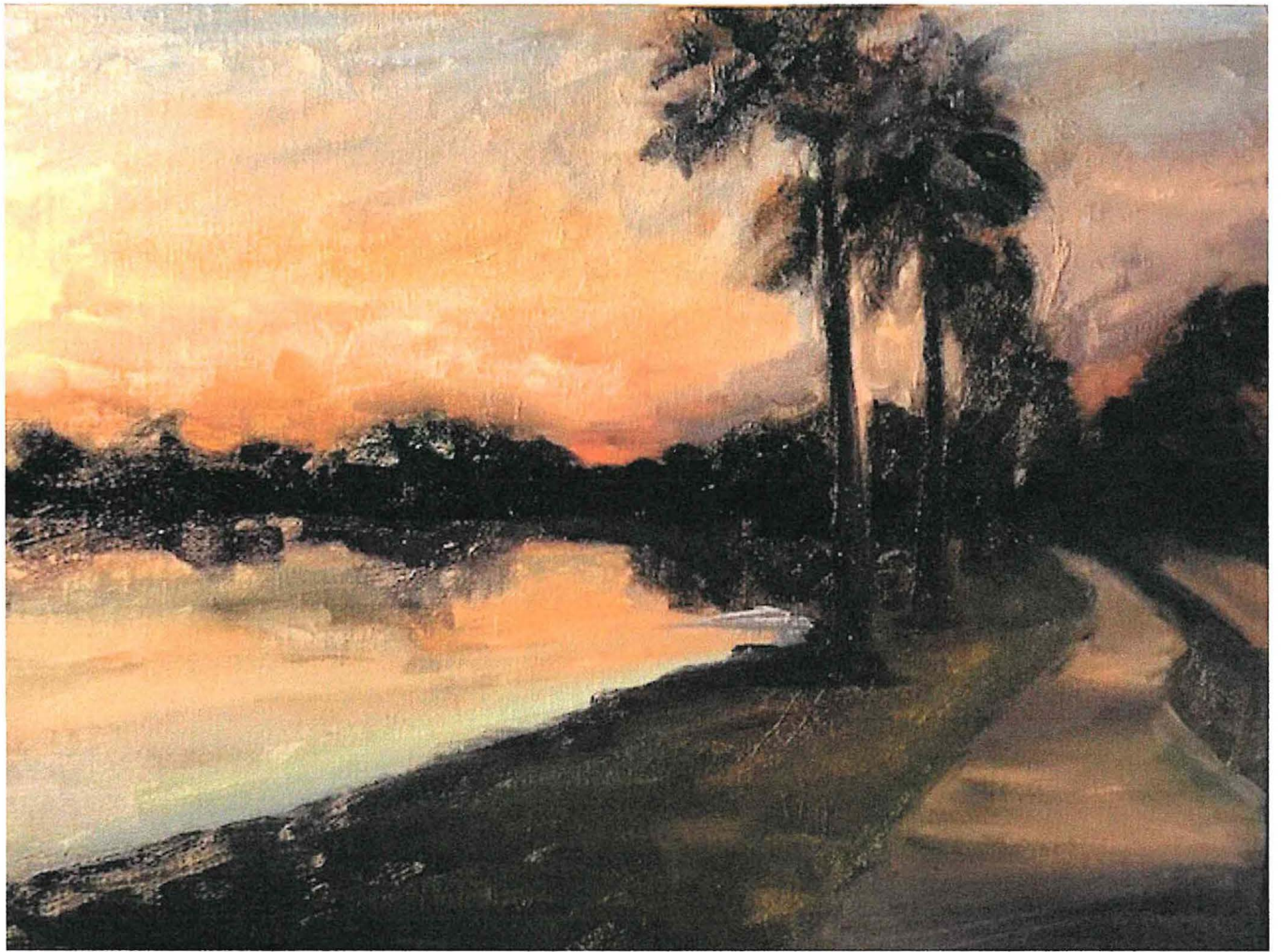
CONTEMPORARY VISIONS OF CLASSICAL SCULPTURE











July 25, 2023

Nicole Perino
Parks and Recreational Director
City of Bonita Springs
9101 Bonita Beach Road
Bonita Springs, FL 34135

RE: LETTER OF INTEREST: RIVERSIDE PARK COTTAGE USE AGREEMENTS

Dear Nicole,

Thank you for the opportunity to present my proposal for continuing to be a member of the artist's community at Riverside Park as the lessor of Artist's Cottage #4.

My husband and I are residence of Bonita Springs and I am a local artist. Creative Expressions Studio and Gallery LLC is my working studio. In addition to creating fine art oil paintings which are available for purchase, I offer small group oil painting classes for adults several days a week at the cottage.

I have been painting primarily in oils for many years, and have been teaching basic, intermediate and advanced painting for over 15 years; two seasons at the Estero Art League; summer classes at my studio in Minnesota and current classes three days a week at the Artist's Cottage. Many of my students return to the cottage every year for the joy of continuing the creative journey and to share the experience with others of like interest. Private lessons provides the opportunity for people who prefer individual instruction to participate in this artistic process.

As a member of the Center For The Arts of Bonita Springs for over 20 years, I continue my personal creative development by participating in exhibitions and oil painting workshops. The list of patrons who have purchased my work has increased over the years and several return each season to add to their collection of original paintings.

It has also been an objective as the owner and artist instructor at Creative Expressions Studio and Gallery to assist in making the Artist's Cottages at Riverside Park, City of Bonita Springs, a destination for visitors from the US and many other countries. Visitors enjoy seeing and learning more about the history of this community and we have the opportunity to share this information when they come by.

There is no requirement for a kiln in my studio.

My commitment and financial ability to pay the monthly fee to use the cottage is well-documented based on my history as a cottage Vendor.

p. 2 Creative Expressions Studio and Gallery Artist's Cottage Proposal 1/30/2020

This is an established studio and gallery at Cottage #4 at the present time, so there would be no delay or change in the daily operations.

There are no chemicals or mechanical components which may be hazardous, flammable or otherwise dangerous to the public.

Proof of payment of Business Tax Receipt is attached to this letter. It is due annually on or before October 1.

The duration of the lease requested is full time.

Creative Expressions Studio is open 8:30am - 2:30PM Tuesday, Wednesday, Thursday for classes; visitors and my painting time.

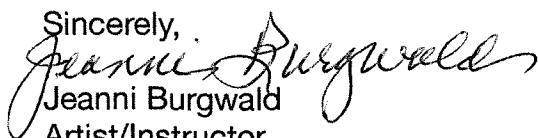
The gallery is open on Saturday and Sunday 11:00am-3:00pm primarily for visitors and as a working studio. We are also open for City sponsored and other special events that occur in the park during the day or in the evenings.

Once all of the cottages are open again, it would be our plan to reorganize and resume the ArtWalk Night in the evening on one night of the week each month.

Additional information about the classes and artworks offered at Creative Expressions can be found on my website www.jeanniburgwald.com. I would appreciate the opportunity to meet with the Arts in Public Places Committee to show examples of my oil paintings and to discuss any questions, comments or concerns the Committee Members may have. Please consider this an invitation to visit Artist's Cottage #4 if any members of the Committee would like to see this business first hand.

Thank you for your interest and consideration. I look forward to hearing from you.

Sincerely,



Jeanni Burgwald

Artist/Instructor

3750 Lakemont Drive

Bonita Springs, FL 34134

jmburgwald@gmail.com

creativeexpressionsstudio@gmail.com

Attachments:

Business Tax Receipt

Burgwald's oil painting examples

Oil Painting Class Description

J Burgwald Biography

p. 3-4 CESG 2023-2024 Oil Painting Class Descriptions.

Oil Painting Class Basic/Refresher 5-week Classes Weekly on Wednesday.

October - December, 2023: Sessions 3 & 4

January - April, 2024: Sessions 1 & 2

27300 Old 41 Rd, Bonita Springs, FL 34135, USA Artist Cottage #4

Description:

Description: This 5-week class is perfect for individuals interested in creating fine art using oil paints or for those who would like a refresher course to get back into painting with oil paints. Some painting experience is helpful, but not required. Focus is on using materials, color mixing, using light and values to create paintings with depth and dimension. Small group classes located in a beautiful park setting in Artist Cottage 4. Early registration recommended. Call Jeanni Burgwald, 651-336-6569, or email www.creativeexpressionsstudio@gmail.com.

Created by: Jeanni Burgwald

Oil Painting 5-Week Class Intermediate Weekly on Tuesday.

October - December, 2023: Sessions 3 & 4

January - April 2024: Sessions 1 & 2

27300 Old 41 Rd, Bonita Springs, FL 34135, USA Artist Cottage #4

Description:

Description: Focus for this 5-week class is on exploring methods for creating landscape, seascape and floral paintings with dimension/depth and strong viewer appeal using light, color, brush/knife techniques, and good composition. Classes include Instructor demonstrations with students working on individual projects. Knowledge of basic techniques and some painting experience needed for these small-group classes in a beautiful park setting in Artist Cottage 4. Early registration recommended. Please call Jeanni, 651-336-6569 or email creativeexpressionsstudio@gmail.com to register or for more information. Material list is available.

Created by: Jeanni Burgwald

Oil Painting Class Intermediate & Advanced Weekly on Thursday.

October - December, 2023: Sessions 3 & 4

January - April, 2024: Sessions 1 & 2

27300 Old 41 Rd, Bonita Springs, FL 34135, USA Artist Cottage #4

Description:

Description: This 5-week class is for people who have experience using oil paints and prefer to work on individual projects of their choice in the style of their choice. Instruction will be provided on specific methods and techniques as individual projects develop. Constructive class critique is also used to provide additional learning opportunities. Class size is limited, providing the best opportunity for one-on-one instruction at Artist Cottage 4. Early registration recommended. Please call Jeanni, 651-336-6569 or email creativeexpressionsstudio@gmail.com to register or for more information.

Material list is available.

Created by: Jeanni Burgwald

Workshops

2-day and 3-day workshops are also scheduled throughout the year to provide indepth instruction on specific painting subjects and techniques; i.e, palette knife painting, composition and color.



EXPLORING COLOR, CONTRAST & COMPOSITION

WITH ARTISTS, JEANNI BURGWARD & SANDY PIZZA

DATES March 30-31, 2022

9:30AM-2:30PM

Brown bag lunch.

**Demonstrations and
hands-on projects to learn**

**more about composition
color and the use of
contrasting value to create
impact and interest in
paintings.**

**Mix a variety of colors to
create beautiful neutral
shades. Use the neutral
of choice to create a
monochromatic painting.
A busy, fun couple of days!**

**Cost for this workshop is
\$130.00 and space is
limited. Sign up soon to be
included.
THANK YOU.**

Palette Knife Workshop

Dates: Tuesday, February 14 and Wednesday, February 15, 2023.

Time: 9:30am-1:30pm

Location: Creative Expressions Studio and Gallery; Artist Cottage 4
Riverside Park, Bonita Springs 34135

Cost: \$115 - 2 days

Day 1: Will include a demo; discussion on use of paints and use of tools.
We will work on a landscape composition to include several natural elements. See examples below.

Day 2: Bring a reference photo to work on individual projects of your choice.

Materials to bring:

Sketch book; pencils, eraser, vine charcoal.

Palette/painting knives; one large, one small. **NO plastic please.**

Two soft hair paint brushes; 1 - small round #01; 1 - small flat or bright

Oil paints: Lemon Yellow; Yellow Light; Cad Orange; Cad Red Light; Alizarin Crimson; Permanent Rose; Magenta; Dioxazine Purple; Ultramarine Blue; Cobalt Blue; Pthalo

Blue; Viridian; Transparent Oxide Red; Titanium White; Ivory Black; Burnt Sienna;

Yellow Ochre; Raw Umber. Bring any other colors you might like to use. **Knife**

painting uses a lot of paint, so bring Winton or other less expensive paints, if you have them.

Canvas Pad to practice knife strokes.

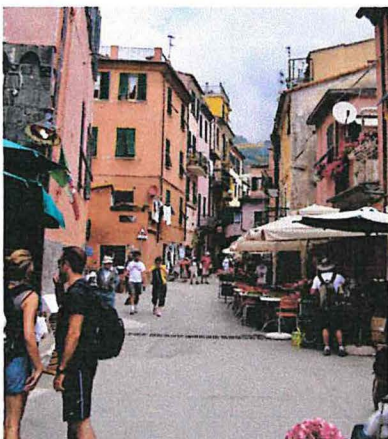
Two or more 8x10; 9x12 and/or 11x14 canvas boards.

Plenty of RAGS, paper towels and a trash bag.

Bag lunch/snacks.

Remember, this is a workshop, so an opportunity to try a new technique for some and more 'practice' for others. A time to learn, not necessarily a time to create your greatest masterpiece....though it does happen! It IS a time to have some fun painting with abandon!

Jeanni Burgwald, Artist Instructor



Lee County Tax Collector: Payment Confirmation

1 message

PaymentExpress <no-reply@payment-express.net>
To: Jean M Burgwald <jmburgwald@gmail.com>

Thu, Jun 2, 2022 at 12:23 AM

Please print this page as your receipt and keep it for your records.



Noelle Branning
Lee County Tax Collector
2480 Thompson Street, Fort Myers, FL 33901

Your payment has been received.

Confirmation number

E8149513270

Payment Summary

Payments

PAYMENT	ACCOUNT	PAID
Credit Card	MasterCard Account # ****0372	\$ 71.10
Convenience Fee		\$ 1.85
Total Charged		\$ 72.95

Items paid

ITEM	DESCRIPTION	AMOUNT
FRVIS	VIN: 2C4RC1GG2JR291003, PIN: 2441231229, Plate:	\$ 71.10
RenewExpress	FFT921	

Transaction Details

TRANSACTION DATE:	6/2/2022 12:23 AM EDT
TRANSACTION #:	3753338
PAYER NAME:	Jean M Burgwald
PAYER EMAIL:	jmburgwald@gmail.com
RECIPIENT:	Lee County Tax Collector
RECEIVED VIA:	Online
PAYMENT THROUGH:	RenewExpress
MERCHANT ID:	4445054120928

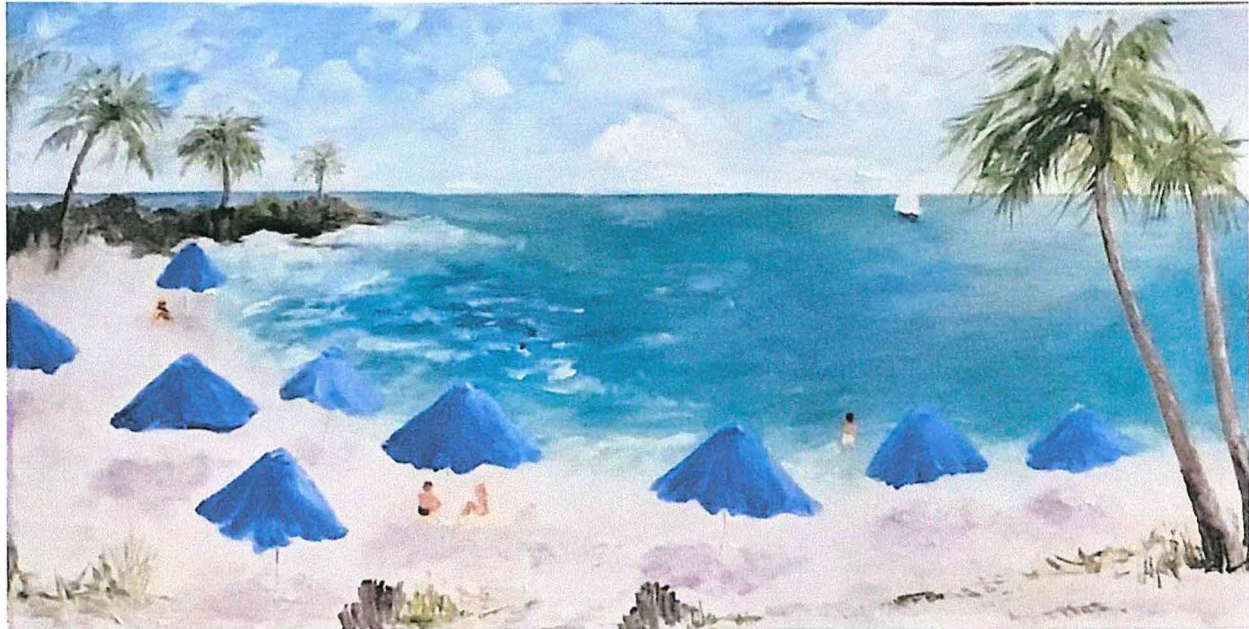
Authorization Details

TERMINAL NUMBER:	002
AUTH CODE:	00442Z
DATA SOURCE:	Pay Method On File

The payment will appear on your statement as "PMT*Lee Co Tax Collector". Your payment will post to your account within 3 business days. **Payments are subject to the Tax Collector's office receiving funds from your bank institution.**

For more information on payments handled by the tax collector, please visit our website at <https://www.leetc.com/>.

Jeanni Burgwald's Oil Paintings p.1



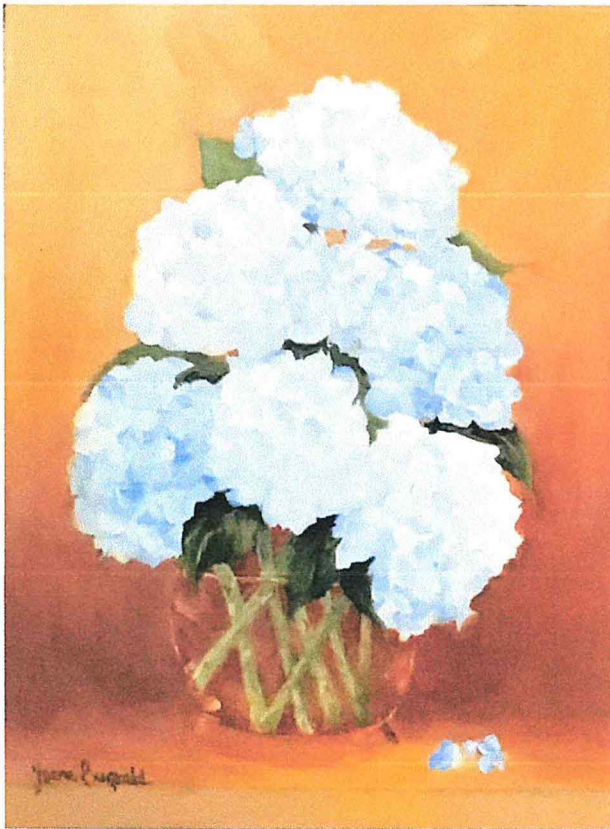
Sun, Sand and Seabreeze #2287



White Pelican In The Pond #2262



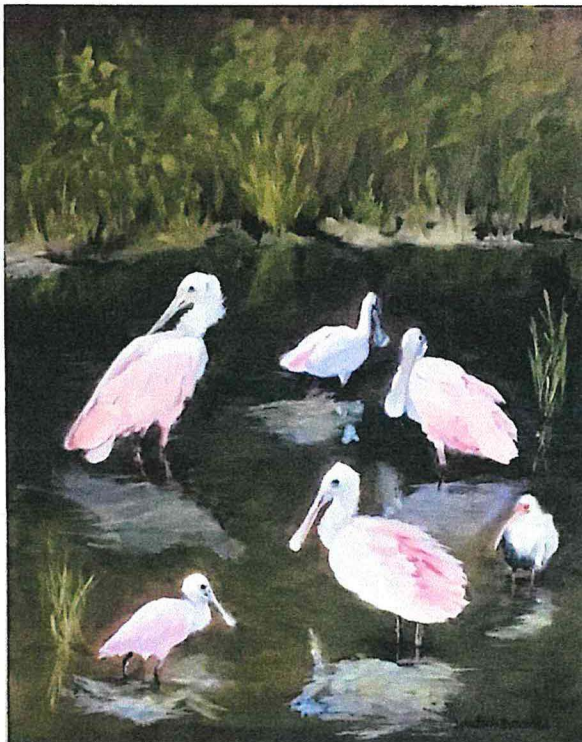
Orchids #2295



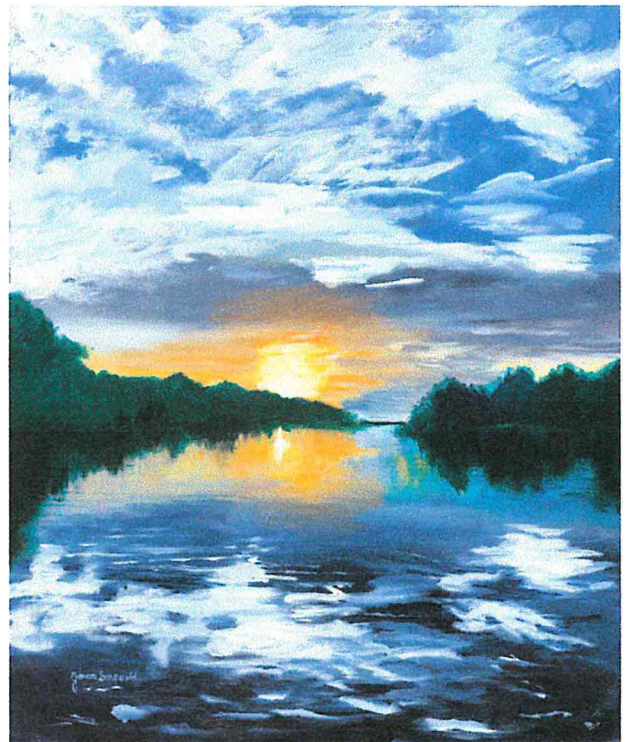
Hydrangea Blue #2293



Roses For Ms M #2298



Spoonbill Family Reunion #2288



End Of Day Magic #2268

Kelly Campbell
10240 Sandy Hollow Lane
Bonita Springs, Fl.34135
(239)641-6444

August 15, 2023

City of Bonita Springs
Bonita Springs City Hall
9101 Bonita Beach Rd.
Bonita Springs, Fl. 34135

Dear Members of the City Council,

My name is Kelly Campbell, and I thank you for taking the time to review my letter of interest for the use of a Riverside Park Cottage.

I am a professional artist using ceramics as my main medium. The name of my sole proprietorship business is Gulf Coast Pottery.

As a resident of Bonita Springs for over 20 years, I have sold my work in galleries, at art shows, and in local restaurants such as Coconut Jacks and The Fish House. In 2012, I was awarded resident artist of Cottage #2 via FGCU where I worked and sold my creations alongside other students. We were open for all of the events as well as creating special fundraisers. It was fabulous! My business is currently growing, which is allowing me to sell at more venues. Examples include Shangri-La Springs, private community art shows, as well as two events in New York and one in Massachusetts this fall. In addition to my retail business, I wholesale my production work to a gallery in Key West as well as to vendors who incorporate my pottery into their own work for retail

The type of art that I create is mainly inspired by our incredible sea life. This includes functional pieces such as tableware and indoor/ outdoor sculptures (see included images). I enjoy using ceramics to share my love for this beautiful environment. My newest work is focused on critters in the ocean that need our help such as Coral reefs and other endangered species. My goal is to educate through my art and donate part of my proceeds to local organizations such as Turtle Time Inc. and Rookery Bay Environmental Learning Center.

Because I have a small home studio, I will not need to install a kiln or store any chemicals that could be hazardous to the public or detrimental to the space. I recycle all of my clay so no harm will be incurred to the sink. In the cottage, I would have 2-3 pottery wheels, slab roller, and work table for studio use and lessons. I will also have tasteful displays for showing and selling my work.

My current marketing is through both my growing email list and social media. I use these platforms to inform people about upcoming shows and available classes that I will be teaching at The Center for the Arts Bonita and Empty Bowls Naples. If accepted into the cottage, I would use these resources to promote the space as my personal studio to sell, teach, and get more people engaged in the growing downtown art district.

If accepted, I assume the financial commitment to pay the expected rent on time and in full. I will also obtain the Lee County Business Tax Receipt and will get the appropriate insurance within the 30 days of the agreement. There are no vendors or sub-vendors under my consideration to list.

I commit to being open for all events, as well as having set hours of operation during the week and weekends year-round so that I may offer small classes and provide an artist presence in the park. When I am open, I will happily invite people to come and watch me work. I love demonstrating throwing on the wheel especially large amounts of clay where those watching are amazed about how a lump of dirt can turn into a big vessel.

In addition to using the space as a personal studio to work, teach, and sell alongside neighboring artists, I would like to help support events that get the Community to interact with our blooming Historic Downtown District. Bonita Springs has been my home for so long, and I would sincerely and humbly love to use the talents I have to make it that much more interesting and inviting for everyone.

The experience as a prior cottage resident provided me with the ability to successfully use the space as an artist, instructor, and to promote Community involvement. During that period of time, I was a responsible, reliable, and a considerate tenant. It would be a wonderful opportunity to rent the space again. I appreciate your time in reviewing my application. I look forward to hearing from you. Please, do not hesitate to contact me should you have any questions.

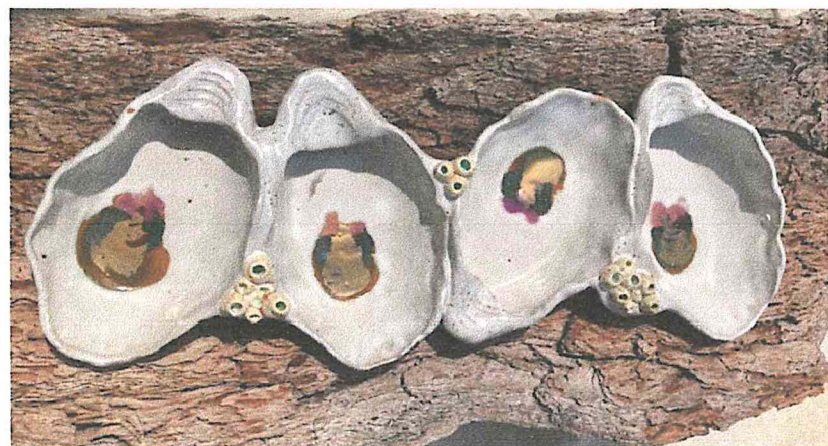
Sincerely,

A handwritten signature in cursive script that reads "Kelly J. Campbell". The ink is dark and the signature is fluid and legible.

Kelly Campbell



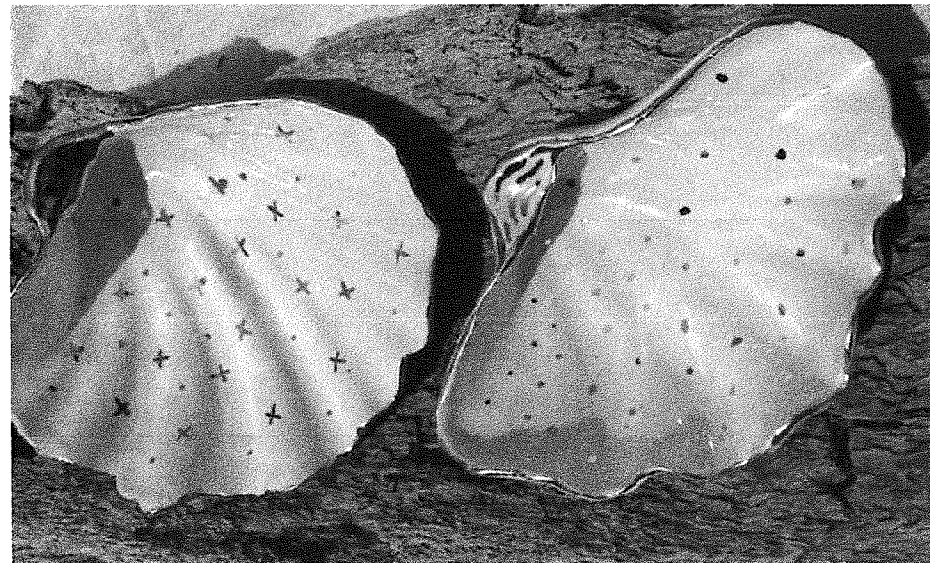
Extra Large Oyster Plate
2' x 1' x 3"
Ceramic



Four Oyster serving tray
16" x 4" x 1.5"
Ceramic with Gold Luster



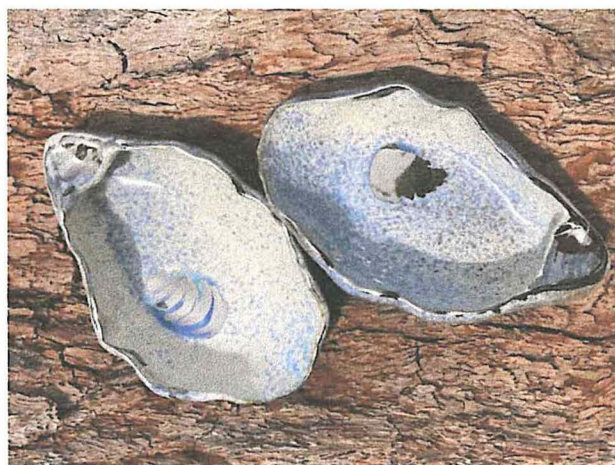
Large Clam Oasis
19" x 11" x 7"
Ceramic



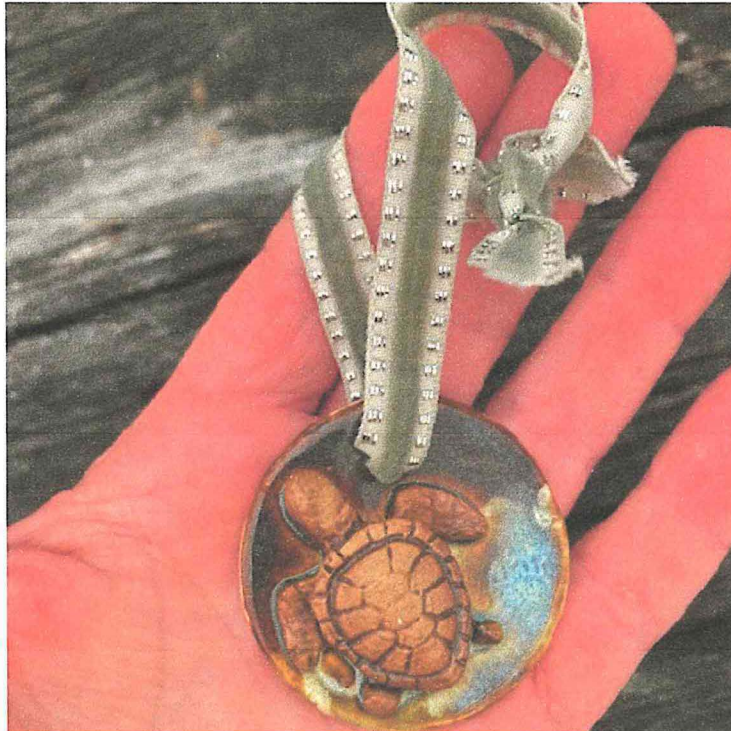
Small Clam Plates with Gold
6" x 4" x 1"
Ceramic with Gold Luster



Half Dozen Oyster Plate W/ Dip Bowl
12" round x 5"
Ceramic



Single Oyster Dishes
5" x 3" x 1"
Ceramic with Silver Luster



Giving Back

These small ornaments with turtles are made with love. 80% of the profit are and will continue to be donated to conservation and educational efforts to protect these cuties.

Letter of Interest

Bonita Springs Artist Cottages

Artist : Kristin Phildius

239-776-9088

kristi.Pimentel@comcast.net

- A. **Description of type of vendor and/or concession:** I am an artist and designer using a shell medium to construct and create coastal, distinctive, unique artwork, all of which is for retail, wholesale, installation art for homes and businesses.
- B. **Type of Business:** Sole Proprietor
- C. **Discussion of past vendor/work related experience:** For the past 3 years I have had the privilege to be a tenant in one of the Artist Cottages in the Artist Village where I have participated regularly at both the Art Village and City of Bonita Springs events and have watched with excitement the process of the revitalization project in the historic downtown Bonita Springs. All visitors are welcomed and educated on the history of the cottages and are happy to receive the explanation of the cottages and their occupants and craft. I have experienced opportunity and success at the cottages and am happy to tie in with the community here by continuing to support the local businesses while offering the visitors a taste of Florida by the way of seashell artwork, gifts and decor. I started and have owned my own business here in SWFL since 2011. Owning and operating both a brick and mortar and online business requires wearing many hats daily. I service a retail client base both locally and nationwide and proudly have a select one or two shops in town and in Naples that I am honored to have the opportunity to carry some of my pieces. It all started with mirrors and morphed into mansions. I have also worked on some significant installations of my artwork on waterfront homes in some of the most affluent parts of the state. I am proud to have come from a self-starter to have developed on my own and cultivated true partnerships with many prestigious businesses and award-winning shop owners through integrity and artistry. In the past I worked with Marco Island Shell Club creating inventory for the club's annual grand fundraising event/show where all proceeds are donated to local students for academic scholarships. I too am an award winner which I proudly display in the art studio my ribbons and photos of the first place and Judges Award, which mean they select you out of all the entries.
- D. **A Description of the marketing plan for your artwork as well as your use of the cottage.** I market myself and the Artist Village on an ongoing regular basis. KP Seashell Designs is marketed daily on social media specifically Facebook and Instagram. I have marketed the Artist Village on Facebook since I acquired a unit and all events at Riverside simultaneously with any current scheduled event at Riverside Park. Once all the cottages are occupied again after this summer if I remain in Cottage #1 I will develop a Facebook page specifically for the Artist Village and see if the other tenants/artists will share in posting and supporting the page. I have my own personal website which includes the address for the Artist Village and I market my goods also on a selling platform called Etsy, designed for handmade and artist. Once all cottages are occupied I can see if we can meet and put our heads together on any marketing specifics that we can participate in as a group effort.

Letter of Interest

Bonita Springs Artist Cottages

Artist : Kristin Phildius

239-776-9088

kristi.Pimentel@comcast.net

E. Description of marketing plan for your artwork as well as your use of the cottage:

I will be designing and constructing a wide variety of art fashioned from shells. My business started with mirrors and has expanded widely to incorporate many items that fall into coastal home decor and gift items. Mirrors large and small, furniture, wall sconces and a variety of Christmas decor is a sampling of what I make. During season I do create smaller items such as beautiful flowers made of shell that the visitors all admire and love that its an item that can be taken home with them. The visiting population loves items that are reminiscent of their trip to the Sunshine State. I like to keep a range of items on display at all times to offer the visitor who only has room in their carry on to the new condo owner that desires a mirror for their entry way. Something for everyone !

F. N/A

G. A commitment of financial capability to pay the monthly fee: I Kristin Phildius affirm that I am committed and capable of paying the monthly fee to use the cottage. I have met my financial commitment during the tenancy of the lease agreement of Cottage #1 the last 3 years.

H. A timetable of when the vendor can commence operations at the cottage.

I can assume responsibility of continued use of the studio if granted the right to be operating in the current capacity.

I. N/A

J. Qualifications and experience of outside Vendors or sub-Vendors regularly engaged by the Vendors under consideration. I have no plans to engage outside vendors or sub-vendors.

K. Proof of Payment of Lee County Business Tax Receipt. I have included a copy of my recent License renewal.

L. Proposal for duration of lease including but not limited to requested duration-full time, part time, weekend, seasonal and commitment to work the special events: Long term is desirable with options to renew at the end of each year. I plan to work at the cottage as I have since my lease began in the same capacity, which is a minimum of five days a week. Saturdays included as well as all special events in the park. Two years ago went my items went viral I was there seven days a week for the whole year just about. I fly an OPEN flag daily to let all know I am there an open to visit. I am a full time Florida resident that loves what I do and am fortunate to have what Ive been told a gift, that I love to create and share with all.

Letter of Interest

Bonita Springs Artist Cottages

Artist : Kristin Phildius

239-776-9088

kristi.Pimentel@comcast.net

M. Additional Vendor information: For years I have created these fascinating unique pieces which everyone has two questions for me and they are “where do you find your shells” and “do you have a shop”. Since I have been in the cottage Ive had many return customers which is a great compliment. I feel I’ve established a little know spot that visitors always bring back their friends. Our state survives on tourism and winter occupants all of whom have come to the sunshine state want to collect shells. I will continue to use the cottage as a studio, gallery, mini gift shop but its also an information center for the area and an educator of shells. I can’t think of a better opportunity but to provide a historic place in downtown for them to come see seashells, learn and have an opportunity to see handmade designs being created all in one quaint spot . An additional bonus is to be able to make a shell purchase to take with if desired.

I am a year round resident residing in Florida for 17 years and until the hurricane just five miles from the studio. I cannot think of anywhere Id rather be. I came into the cottage at the end of March when my lease started so I missed that season , then Covid came and changed the world and then hurricane Ian where we were closed for months again. My time at Cottage #1 has been an amazing opportunity but affected dramatically like many. I hope I have the opportunity to renew and look forward to smoother sailing . I’ve already reached out to the Design team next to Chartreuse who have offered to hang on of my works in their window and hope to build more working relations with the new business coming into the downtown area. Teamwork makes the dream work!

Thank you for your time and consideration.

KP SEASHELL DESIGNS

KRISTIN L PIMENTEL
PIMENTEL KRISTIN L
15497 CADIZ LN
NAPLES, FL 34110

Dear Business Owner:

Your **2023 - 2024** Lee County Local Business Tax Receipt is attached below for account number / receipt:
number: **1058070 / 1902371**

If there is a change in one of the following, refer to the instructions on the back of this receipt.

- Business name
- Ownership
- Physical location
- Business closed

This is not a bill. Detach the bottom portion and display in a public location.

I hope you have a successful year.

Sincerely,



Lee County Tax Collector

2023-2024
LEE COUNTY LOCAL BUSINESS TAX RECEIPT

Account Number: 1058070
Receipt Number: 1902371
State License Number:

Location:
27300 OLD 41 RD
BONITA SPRINGS, FL 34135

KRISTIN L PIMENTEL
PIMENTEL KRISTIN L
27300 OLD 41 RD
BONITA SPRINGS, FL 34135

Account Expires: September 30, 2024

May engage in the business of:

ARTIST

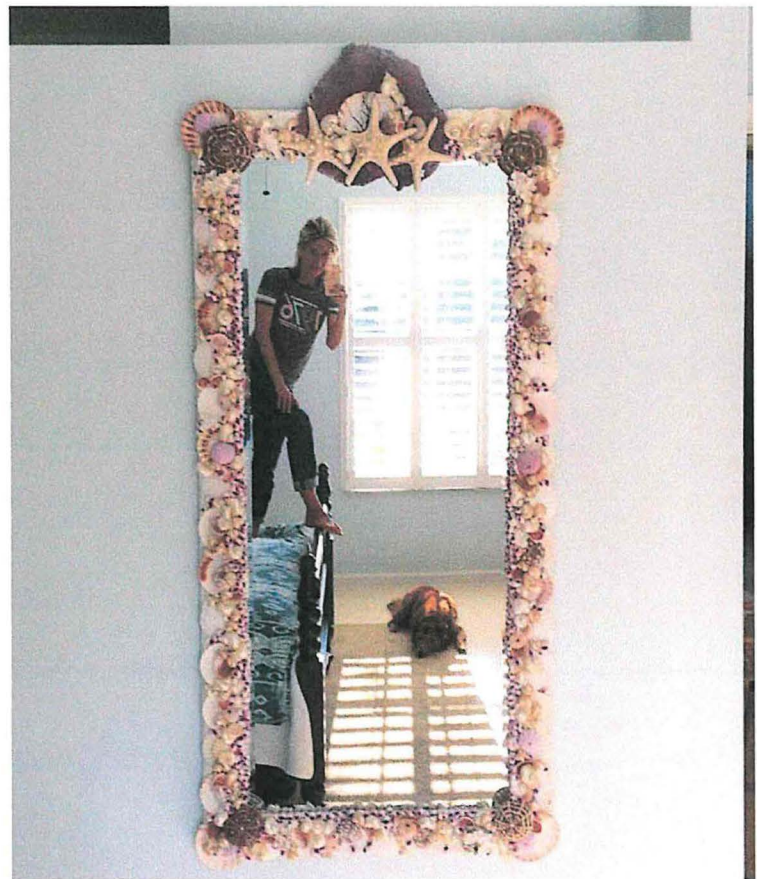
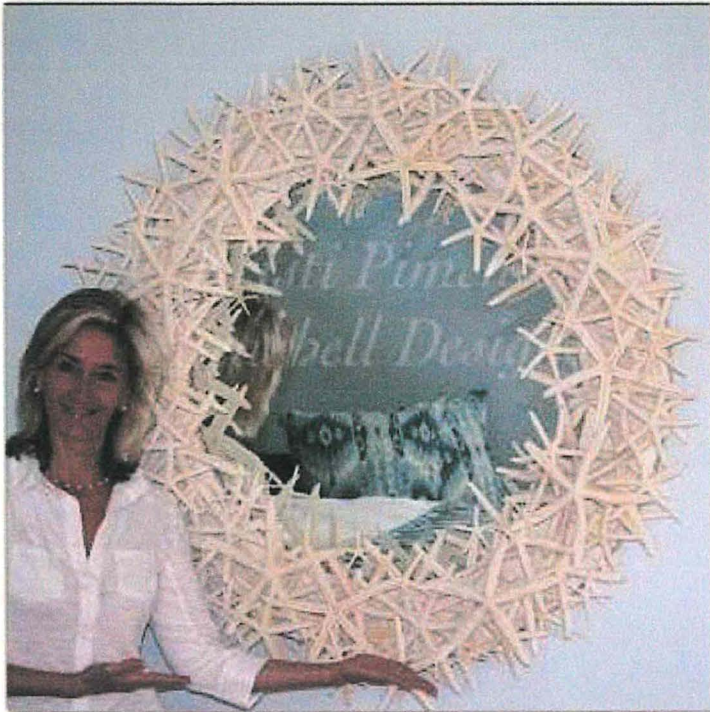
THIS LOCAL BUSINESS TAX RECEIPT IS NON REGULATORY

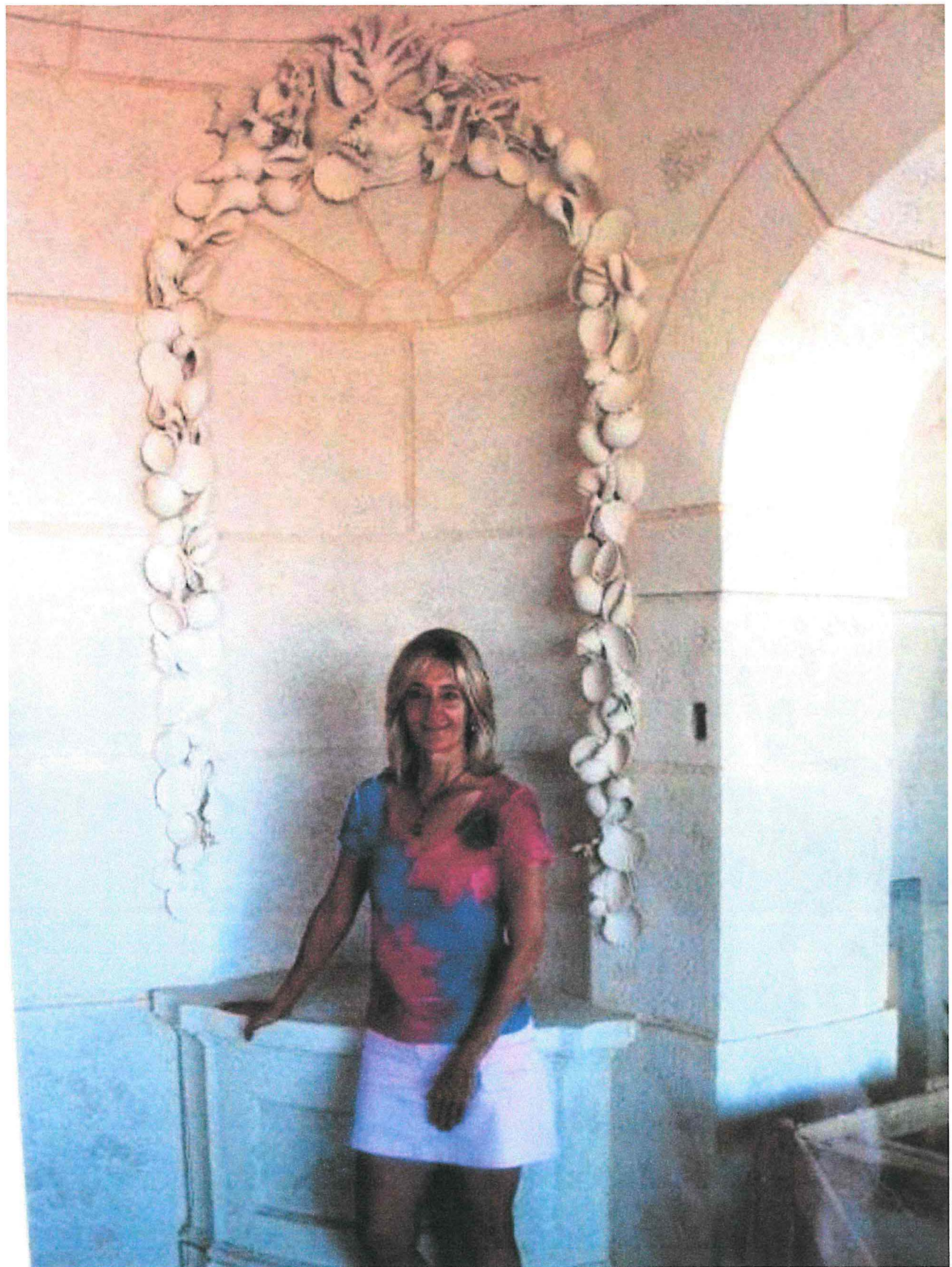
Payment Information:

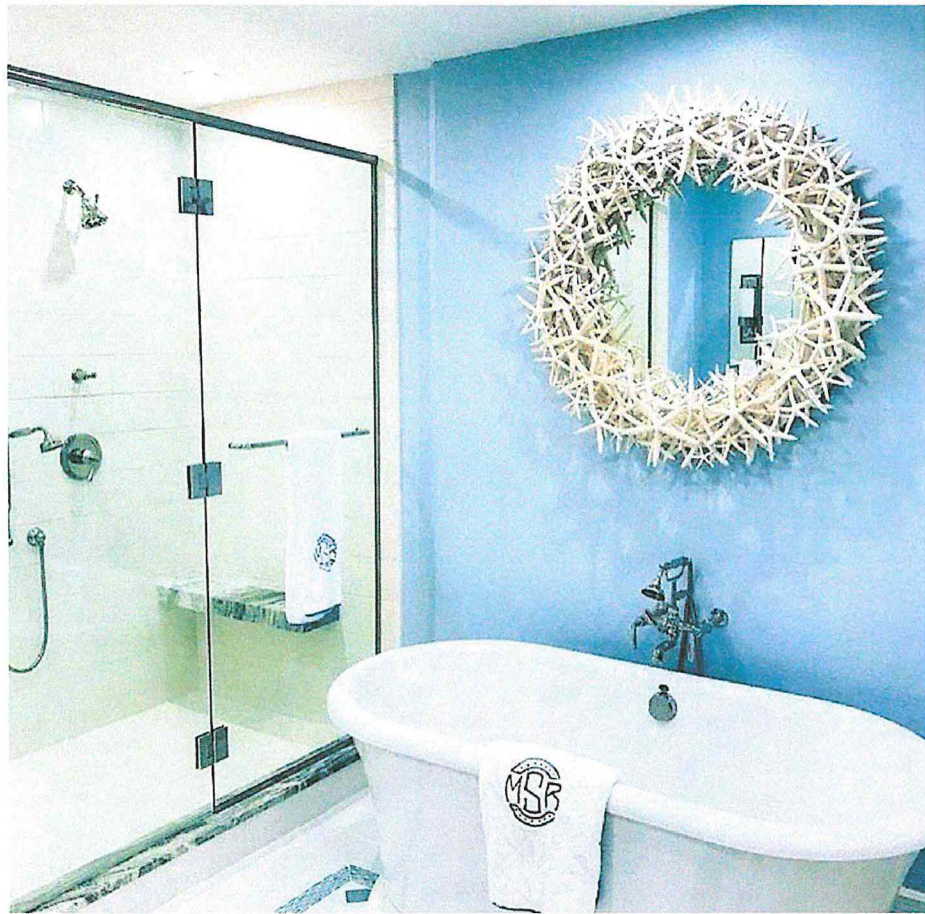
PAID P27-00-01399680

08/08/2023

\$ 50.00











KP Seashell Designs

COASTAL
WREATH
5325

REQUESTED MOTION: Approve resolution accepting the recommendation from the Art in Public Places Board for tenancy of Artist Cottage #1 and authorize City Manager to execute a lease for the use of Artist Cottage #1 for a term of one year

REQUESTOR: Nicole Perino, Parks and Recreation Director

AGENDA: Consent

STRATEGIC PRIORITY: #8 – Economic Development

BACKGROUND: The lease term for the current tenant of Artist Cottage #1 will expire on September 24, 2023, and the tenant will have exhausted all renewals provided for by the current agreement, which was an initial term of one year and three options for renewal. The tenant, Kristin Phildius, was also given a six-month extension for Hurricane Ian, which interfered with access to the cottages.

In July 2023, an RFP was advertised for Artist Cottage #1 and Cottage #4 for interested parties to submit a Letter of Interest. The City received five (5) Letters of Interest including one by the current tenant of Artist Cottage #1.

1. Brenda McDonald
2. Christine Tracey
3. Creative Expressions Studio and Gallery, LLC
4. Kelly Campbell
5. Kristin Phildius

At their August 22, 2023 meeting, the Art in Public Places Board reviewed and discussed each proposal. Kristin Phildius was selected for recommendation by the board to rent cottage #1 for a one-year lease agreement, with three options to renew for additional one-year terms. The agreement further provides for hours of operation during special events, security, utilities, cancellation of lease, and insurance requirements. The agreement requires the artist to rent the premises for the sum of \$350.00 per month from October to May and \$250.00 per month from June to September, for the full term of the agreement.

The proposals referenced in this item are the same as attached to Green Sheet No. 23-09-202.

STAFF RECOMMENDATION: Approve the resolution with the recommended artist.

ATTACHMENTS:

1. Resolution
-

REVIEWERS:

City Manager:	Arleen Hunter
City Attorney:	Derek Rooney
City Clerk:	Mike Sheffield
Department Director:	Nicole Perino

CITY OF BONITA SPRINGS, FLORIDA
RESOLUTION 23 –

A RESOLUTION OF THE CITY OF BONITA SPRINGS, FLORIDA; APPROVING THE RECOMMENDATION OF KRISTIN PHILDIVUS BY THE ART IN PUBLIC PLACES BOARD FOR LOI 23-21 FOR ARTIST COTTAGE # 1; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on August 17, 2023, the City received five (5) Letters of Interest for Artist Cottage Tenancy

- Brenda McDonald
- Christine Tracey
- Creative Expressions Studio and Gallery, LLC
- Kelly Campbell
- Kristin Phildivus

WHEREAS, on August 22, 2023, the Art in Public Places Board reviewed the Letters of Interest and voted to recommend Kristin Phildivus as the Candidate for Artist Cottage #1

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BONITA SPRINGS, FLORIDA:

1. The recommendation of the proposal by the Art in Public Places board is approved.
2. Staff is authorized to enter into negotiations for an agreement with the recommended selection.
3. This Resolution shall become effective immediately 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 September 2023.

AUTHENTICATION:

Mayor

City Clerk

APPROVED AS TO FORM: _____
City Attorney

Vote:

Purdon _____
Forbes _____
Fullick _____
Corrie _____

Bogacz _____
Steinmeyer _____
Carr _____

Date filed with City Clerk: _____

REQUESTED MOTION: Approve an agreement for the Lion's Club to host a Farmers Market at the Lemon Tree Lot on Wednesdays from 8:00am-1:00pm from October 1, 2023-September 30, 2024, with the option of four additional one-year periods upon mutual agreement.

REQUESTOR: Lora Taylor, Director of Communications

AGENDA: Consent

STRATEGIC PRIORITY: None

BACKGROUND: In 2017, City Council approved an agreement for the Lion's Club to hold a Farmers Market once weekly with an original term of one year and the option to renew the agreement for four additional one-year periods upon mutual agreement.

The Lion's Club has requested a new agreement with the same terms for an original term of one year, with four additional one-year periods upon mutual agreement. The agreement will allow the organization to host a farmer's market at the Lemon Tree Lot once a week, with volunteers assisting and organizing the farmers.

This Farmer's Market is listed as a community farmers market by the Florida Department of Agriculture and Consumer Services. Fruits, vegetables, nursery stock and other commodities are available on a seasonal basis reminiscent of a bygone era when local markets were the heart of commercial districts.

The Lion's Club uses the funds from the market to provide funding to the Bonita Lions Eye Clinic, scholarship programs and other local charities.

STAFF RECOMMENDATION: Approve.

Attachment: Farmers Market Agreement

REVIEWERS:

City Manager:	Arleen Hunter
City Attorney:	Derek Rooney
City Clerk:	Mike Sheffield
Department Director:	Lora Taylor

FARMER'S MARKET AGREEMENT

This Farmer's Market Agreement is made this 1st day of October, 2023, between the City of Bonita Springs, a Florida Municipal Corporation ("City") and Bonita Springs Lions Club, a nonprofit organization, ("Lessee" or "Lion's Club"). The City hereby agrees for Lion's Club to use that City-owned parcel located at 27400 Old 41 Road, Bonita Springs, FL 34135 (the "Lemon Tree Lot"), as mutually agreed upon by the parties, and subsequently called the "premises". This agreement is made upon the following terms, conditions and covenants:

1. Term: The original term of this agreement shall be for one year, commencing October 1, 2023 and ending September 30, 2024. Pursuant to the terms below, the parties may renew for four (4) additional one-year terms after September 30, 2024, upon mutual agreement. After the expiration of the original term, the agreement shall automatically renew for consecutive one (1) year periods upon the same terms and conditions. Either party must notify the other party in writing of its election to discontinue this agreement by August 1 of the year that it does not intend to have the Farmer's Market located on the premises.
2. Use: The Farmer's Market will operate one day a week, Wednesdays, from 8:00 a.m. to 1:00 p.m. from October 1st to the last week in September of each year. Lion's Club agrees that the premises shall only be used for the Farmer's Market and not for any other purpose.
3. Parking: Parking will remain free. Parking is available near the Lemon Tree Lot and Riverside Park; however, it is understood that these spaces are open public parking and they cannot be reserved. As development progresses in the downtown area, parking adjustments may be needed. Lion's Club will use its parking lot across from the park for any overflow parking needs. The Lion's Club will be responsible for coordinating with the Lee County Sheriff's Office for any assistance in crossing Pennsylvania Avenue when customers are using the parking lot at the Lion's Club facility (10322 Pennsylvania Avenue).
4. Rent: There is no rent as long as the property is used only as a Farmer's Market following the terms and conditions of this agreement.
5. Maintenance: The City agrees to have one restroom open for public usage each Wednesday there is a Farmer's Market. Lion's Club will make sure that its vendors set up without any permanent structure and will assist with picking up the litter and debris following each event. Lion's Club may not make alterations to the property, with an exception to space markers to allocate the vendor locations.
6. Charging Fees: Lion's Club may charge and collect a reasonable fee for use of the spaces for the vendors using the Farmer's Market. Lion's Club will be responsible for collection of fees from its vendors.

7. Inspection: The City shall at all times have the right to inspect the premises, and to enter for any public purpose.
8. Compliance: Lion's Club shall diligently comply with all applicable Florida, Federal and local laws, ordinances and regulations of governmental authorities and agencies, including the requirements of the Fire Marshal. Lion's Club has the right to make and enforce reasonable rules for the vendors to follow. Lion's Club agrees to abide by any rules and regulations that may be issued by the City of Bonita Springs, including but not limited to, rules and regulations governing the hours during which the market will be open, hours and locations at which merchandise may be received or delivered, hours during which access will be permitted for vegetable cleaning and storage areas, and the type, character and dimensions of signs, fixtures and displays. At all times, Lion's Club must follow LDC §4-1434.
9. Insurance: Lion's Club will continue to maintain insurance, as noted on the attached Certificate of Insurance, attached hereto and incorporated by reference, during the operation of the Farmers Market. Prior to commencement each year, the Lion's Club will submit a new Certificate of Insurance to the City Clerk to keep on file.
10. Licenses: Lion's Club is responsible for assuring that vendors selling at the Farmer's Market have its applicable licenses and permits, including any sales tax and Lee County Business License Tax. Lion's Club will allow the City of Bonita Springs to review copies of its vendor's licenses upon request. Lion's Club will not permit a vendor from selling at the market who does not have its applicable licenses and permits.
11. Hold Harmless: Lion's Club agrees to indemnify and hold the City harmless from any and all claims, suits, judgments and damages resulting from its providing the services hereunder, including but not limited to, all claims, refutes and expenses made by any vendor, customer or patron using the farmers market.
12. Display and Selling Goods: The existing Farmer's Market is listed as a community farmers market by the Florida Department of Agriculture and Consumer Services, identified as a distinct part of our American culture and a unique feature of many Florida towns and cities. Fruits, vegetables, nursery stock and other commodities are available on a seasonal basis reminiscent of a bygone era when local markets were the heart of commercial districts.
13. In keeping with this purpose, goods may be sold directly from trucks. Goods must be appropriate for Farmer's Market, i.e., items which are grown or harvested from the land. The Farmer's Market is not a flea market. Vendors must furnish their own tables, chairs or other display arrangements. In case of rain, vendors must furnish their own protection, as the market is at the Lemon Tree Lot with limited shelter provided. The Vendors at the close of the market must remove all refuse each week.

14. Notice shall be provided as follows:

Colin Raynor
Bonita Springs Lion's Club
10346 Pennsylvania Avenue
Bonita Springs, FL 34136-6776

Arleen Hunter, City Manager
City of Bonita Springs
9101 Bonita Beach Road
Bonita Springs, Florida, 34135

With copies to:
City Clerk and City Attorney
City of Bonita Springs
9101 Bonita Beach Road
Bonita Springs, Florida 34135

HAVING WITNESS WHEREOF, Lion's Club has caused this agreement to be executed and the City has caused this agreement to be executed by Arleen Hunter, City Manager. Said agreement shall be effective and operative of the fixing of the last signature hereto.

BONITA SPRINGS LION'S CLUB

(Witness)

By: _____
Colin Raynor

(Witness)

BONITA SPRINGS, FLORIDA

BY: _____
CITY CLERK

BY: _____
Arleen Hunter, City Manager

APPROVED AS TO LEGAL
FORM AND SUFFICIENCY

CITY ATTORNEY

REQUESTED MOTION: Approve a request from Local Roots LLC to host a weekly Local Roots LLC Flea Market to be held at the Promenade each Saturday morning from 8:00 a.m. to 12:00 p.m. October 7, 2023 - May 25, 2024.

REQUESTOR: Lora Taylor, Communications Director

AGENDA: Consent

STRATEGIC PRIORITY:

BACKGROUND:

For the past several years, Local Roots LLC has sponsored a weekly Farmers Market on South Bay Drive at the Promenade each Saturday morning, from 8:00 a.m. till noon.

Local Roots LLC has requested to host a Flea Market this year. The applicant has provided a notarized letter of approval to use the Promenade Property for a flea market, an updated Certificate of Insurance, an updated Lee County Sheriff's Office sign off sheet and the special event application.

STAFF RECOMMENDATION: Approve.

ATTACHMENTS:

1. Updated application and supporting documents for a Flea Market
2. Flea Market Ordinance

REVIEWERS:

Requestor: Lora Taylor
City Attorney: Derek Rooney
City Manager: Arleen Hunter
City Clerk: Michael Sheffield

You do not have to partner with the charities on this list. You may choose any charity. This list is intended as informational only.

**SPECIAL EVENT
PERMIT APPLICATION**

PERMIT. SEP- _____



City of Bonita Springs
9101 Bonita Beach Road
Bonita Springs, FL 34135

Date Received: _____

Effective Date/Time: _____

Application Fee: ☐ \$50.00 Phone: 239/949-6262 Fax: 949-6239
☐ \$25.00 (501C3 organizations)
Fee is non-refundable

Use this form for: Parades, Festival/Carnival, Any Activity Requiring Off-Site Parking, Street Closure, Sound Amplification or City Personnel, Run/Race/Walk, Art Shows, Concerts, Special Musical Presentation, Street Dances, Photography Shoots, and Fireworks. For information call 949-6262.

Completed Special Event Permits take 45 days to process with all necessary attachments and without errors. Your permit will go to the next City Council Meeting after the 45 days. Please take this into consideration when planning your event.

Organization: Local Roots, LLC
Nature of Event: Flea Market
Location (Attach Site Plan): _____

Date	Set-Up Time	Actual Event Times	Take Down Time			
<u>Oct. 7, 2023 - May 25, 2024</u>	<u>to</u>	<u>8:00 am - Noon</u>	<u>to</u>	<u>Noon</u>	<u>to</u>	<u>1 PM</u>

For multiple dates, please attach letter.

Has this event been held in the past? Yes If so, when was the last event? 2022-2023
Individual Contact for Activity/Event: Jean Baer Phone: 239-691-9249
Address: 1418 Sandcastle Rd Sanibel FL Website: _____
E-Mail Address: jbear@concast.net
Major Sponsor(s): _____
Promoter(s): Local Roots Phone or Contact #: 239-691-9249

- | | Yes | No |
|--|--------------------------|-------------------------------------|
| 1. Crowd: Is anticipated crowd size 1,000 or more? | ☐ | ☒ |
| Actual Anticipated number: <u>4-500</u> | | |
| 2. Parking: Will off-site parking be provided? _____ | ☐ | ☒ |
| Will "shuttle" service to parking be provided? By whom? _____ | ☐ | ☒ |
| 4. Noise: Will there be amplified music or entertainment? If yes, please attach type(s) of Entertainment and time(s) of performances(s). <u>Indicated stage location(s) on siteplan.</u> | ☐ | ☒ |

- | | Yes | No |
|---|-------------------------------------|-------------------------------------|
| 5. City Co-Sponsorship:
Is City co-sponsorship being requested? If yes, please explain with letter of attachment, listing benefitting organizations. | ☐ | ☒ |
| 6. Fireworks: Is this a public _____ or private _____ display? Applicant must comply with State Law F.S. 791; and NFPA 1123 and obtain any applicable Lee County permit. | ☐ | ☒ |
| 7. Banners, Signs, Etc.: Will exterior banners, balloons, signs or other types of advertising techniques be used? Temporary signs may only be placed in accordance with the Sign Ordinance. | ☐ | ☒ |
| 8. Alcohol Beverages: Will alcoholic beverages be sold _____ or consumed _____ on the premises? Please check one or both. A copy of the Florida Beverages Commission permit is required to finalize before event. Permit Holder: _____
Division of Alcoholic Beverages and Tobacco: (239) 278-7195. | ☐ | ☒ |
| 9. Security: Will private security be provided to protect exhibits, equipment or facilities brought on-site for the event? Name of Company: _____
Contact Number: _____ | ☐ | ☒ |
| 10. Private Property: Does the applicant own the property where the event is to be held? If not, please attach a letter of permission from the property owner. | ☐ | ☒ |
| 11. Public Safety: Will Police and Fire District Personnel be requested? (Based on responses to questions 1-6 certain Public Safety personnel may be required, i.e., Lee County Sheriff's Office, emergency services, fire, etc. Once staffing needs are determined, applicant will be required to provide copies of its contracts detailing obligated public safety staff necessary for event. | ☐ | ☒ |
| 12. Tents/Canopies: Will tents or canopies be used? <u>If yes, indicate on site plan the tent size, location, and type of surface on which the tent(s) will be installed and intended use of each tent.</u>
10x10 | ☒ | ☐ |
| 13. Air Conditioning Units/Power Generators: Will exterior air conditioning units or power generating equipment be operated from vehicles or trailers? <u>If yes, indicate location of equipment on-site plan.</u> | ☐ | ☒ |
| 14. Food/Cooking: Will food be cooked _____ catered _____ on-site during this event? <u>Indicate on site plan the location of vendors and cooking equipment to be used.</u>
(Appropriately rated fire extinguishers required.) Lee County Health Department approval is required to finalize permit before event. Environmental Health Section: (239) 332-9559. | ☐ | ☒ |

- | | Yes | No |
|--|-------------------------------------|-------------------------------------|
| 15. Sanitary Facilities: | | |
| Will temporary sanitary facilities be provided? <u>If yes, indicate location on site plan.</u> | ☒ | ☐ |
| Will disposable cardboard trash receptacles be provided? <u>If yes, indicate on site plan.</u> | ☐ | ☒ |
| Will additional refuse containers/dumpsters be provided? | ☐ | ☒ |
| If yes, by whom: _____ | | |
| 16. Insurance Requirement: Permittee is required to obtain and present evidence of surety indemnity bond or comprehensive liability insurance naming the city as an additional insured. The insurance requirement is a minimum of \$1,000,000.00 general liability (personal injury) and \$100,000.00 property damage against all claims arising from permits issued pursuant to this ordinance, naming the city of Bonita Springs as additional insured . If the event poses higher risks than covered by such insurance, permittee shall be responsible for assessing the risks of the event and obtaining additional insurance coverage. | | |
| 17. Non-Profits are required to provide either a form 990 or a financial report to the city showing revenue from the event where at least 10% of the proceeds will remain within the Bonita Springs area, supporting the community or charities, within 60 days after the event. If the event is of a non-monetary nature, the non-profit must show they provide an impact to 5% of the area. | | |

DURING REVIEW BY VARIOUS CITY DEPARTMENTS, ADDITIONAL CONDITIONS MAY BE IMPOSED. THIS PERMIT IS VALID ONLY FOR THE TIME INDICATED ON THIS PERMIT. IN THE EVENT THAT THE APPLICANT FAILS TO FULFILL THE REQUIREMENT(S) AS SET FORTH IN THIS PERMIT, OR FAILS TO OBTAIN PROPER AUTHORIZATION TO PROCEED IF CONDITIONS HAVE CHANGED ON THE EXPECTED OUTCOMES, IMPACTS, OR SPECIFICATIONS, INCLUDING BUT NOT LIMITED TO TIME AND ACTIVITIES, THE PERMIT MAY BE CANCELLED BY THE CITY MANAGER AND THE ACTIVITY SHALL CEASE IMMEDIATELY.

I, the undersigned, will indemnify, defend, and hold harmless, the City of Bonita Springs, its agents, employees, officers and any and all other associates, from and against any and all actions, in law or in equity, from liability or claims for damages, demands or judgments to any person or property which may result now or in the future from the conduct of this event.

The undersigned has read and voluntarily signed the release and waiver of liability and Indemnity Agreement, and further agrees that no oral representations, statements, or inducements apart from the foregoing written agreement have been made.

Juan Baer 7-24-23 Comments: _____
 Signature of Applicant Date

_____ _____ Comments: _____
 City Manager Date

Application Fee is non-refundable.

PLEASE NOTE: Lee County Sheriff's Department will not sign-off on your event unless they see a completed Special Event Packet. This sign-off sheet must be completed by the Lee County Sheriff's Office with your Special Event Packet when you return it to Bonita Springs City Hall.



CITY OF BONITA SPRINGS SPECIAL EVENT DEPARTMENT
9101 BONITA BEACH ROAD | BONITA SPRINGS, FL 34135 | (239) 949-6262

LEE COUNTY SHERIFF'S DEPARTMENT SIGN-OFF

Details Unit - 14750 Six Mile Cypress Parkway | Fort Myers, FL 33912 | (239) 477-1199

Parking:

Parking for the event will be in authorized areas only. Right-of-way must not be impeded.

Road Closures (Please Explain):

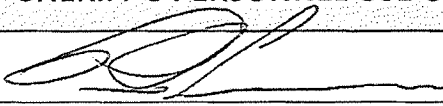
None are required for this event.

Alcoholic Beverages:

It is understood by this office that alcohol will not be served at the event.

Special Arrangements:

Vendor is responsible for ensuring that the area in which the market is set up is clearly designated as a pedestrian only area with no vehicle access.

SHERIFF'S PERSONNEL USE ONLY	
LCSO DETAIL COMMANDER: 	DATE: <u>8 8 23</u>
SIGNATURE	
DEPUTIES BOOKED FOR EVENT (How Many?): _____	DATE BOOKED: _____
<i>Please Note: "Deputies Booked for Event" is an estimate. Amount of Deputies may change at any time before or during your event.</i>	

LINE	BEARING	DISTANCE
L1	N 44°32'30" E	40.84'
L2	S 06°29'14" E	51.16'
L3	S 00°08'10" E	50.00'
L4	S 89°53'50" W	45.11'
L5	S 35°40'31" W	22.85'
L6	S 80°37'40" W	32.95'
L7	S 58°35'30" W	50.28'
L8	S 80°00'19" W	3.00'
L9	N 80°00'44" E	43.17'
L10	S 08°58'59" E	51.12'
L11	S 00°34'32" E	49.97'
L12	S 89°38'12" W	45.27'
L13	S 35°24'24" W	22.47'
L14	S 88°06'48" W	50.30'
L15	S 00°11'10" W	3.03'

MEASURED		
LENGTH	CHORD	CHD BEARING
104.71'	97.37'	N 28°54'13" E
79.98'		
62.84'	52.38'	N 94°14'28" E
110.88'	107.99'	S 23°19'23" E
11.50'		
88.08'	63.83'	N 82°12'17" E
75.29'		
157.07'		

DeRomo's
employee parking



Bonita Springs Flea Market – 2023-24

1. 925 Fabulous –
2. Angela's Tamales
3. Angelic DESSERTS
4. Aurora
5. Aux Delices
6. Barkalicious – dog treats
7. Blaze Bees -
8. Bubble Farm Soap
9. Ceviche –
10. Chef Mazzota
11. Chef Robert
12. Cherie Sweet Treats
13. Daily Delice
14. Dominga's Flowers
15. Dynasty Guac
16. Euro Bakery
17. Farmer Mike
18. Fish Daughter
19. Flan
20. Fouta Spa
21. Heart to Hand
22. Heritage Honey
23. Hot Jams
24. I love Oils
25. Irene
26. Island Harmony
27. Jimmy's Java Coffee
28. Joe's Fresh Catch
29. Kale Yeah
30. La Montagne Cheese
31. Licorice
32. Lula Bags
33. Madagascar Hats
34. Mama Brooks Hot Sauce
35. My Exotic Fruits
36. Naturally Healthy Juice
37. Nauti Bowls
38. Norwex
39. Pepper street Candles
40. Pilar's Empanadas
41. Pleyoo Microgreens
42. Sage and Indigo Juice

- 43. Samosa
- 44. Stamper Cheese
- 45. Stef and Andre Tagua Nuts
- 46. Twelve Seasons - 2
- 47. Twila Mae Chicken Salad
- 48. Unique and only

R.L.R. INVESTMENTS L.L.C.

A REAL ESTATE INVESTMENT COMPANY

August 17, 2023

City of Bonita Springs – Community Development
9220 Bonita Beach Road, suite 111
Bonita Springs, Florida 34135

Re: 26795 – 26851 South Bay Drive, Bonita Springs, FL 34134
Strap # 28-47-25-B3-0320D.0010

To Whom It May Concern:

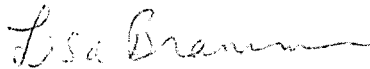
R.L.R. Investments, L.L.C. is the record owner of the referenced Promenade At Bonita Bay, the property located at 26795 - 26851 South Bay Drive, Bonita Springs, Florida 34134.

Please accept this letter as written documentation that R.L.R. Investments, L.L.C. has entered into a Lease Agreement with Local Roots, L.L.C. for the operation of a weekly Flea Market in the parking lot of the subject property, from 8:00 a.m. to 12:00 p.m. every Saturday from October 7, 2023 through and including May 25, 2024.

In addition, please be advised there are public restrooms on the property available to the Flea Market Customers and anyone shopping and dining at Promenade at Bonita Bay.

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

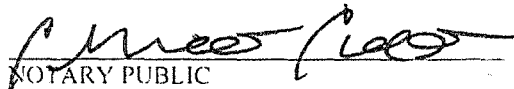
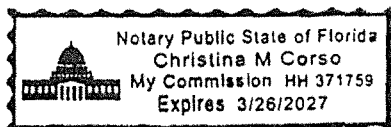
Sincerely,



Lisa Bramm
Director of Property Management

STATE OF **FLORIDA**)
) ss.
COUNTY OF **Lee**)

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this 17th day of August 2023, by Lisa Bramm who is personally known to me or has produced _____ as identification.


NOTARY PUBLIC



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
07/21/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Pro Insur, Inc dba Campbell Risk Management 9595 Whitley Drive, Suite 204 Indianapolis, IN 46240 Larry Spilker Ext 203	CONTACT NAME: Larry Spilker ext 203 PHONE (A/C, No, Ext): 317-848-9075 E-MAIL ADDRESS: lspilker@campbellrisk.com FAX (A/C, No): 317-848-9093														
INSURED Local Roots LLC 1418 Sandcastle Rd Sanibel Florida 33957	<table border="1"><thead><tr><th>INSURER(S) AFFORDING COVERAGE</th><th>NAIC #</th></tr></thead><tbody><tr><td>INSURER A : HANOVER INSURANCE GROUP</td><td>22292</td></tr><tr><td>INSURER B :</td><td></td></tr><tr><td>INSURER C :</td><td></td></tr><tr><td>INSURER D :</td><td></td></tr><tr><td>INSURER E :</td><td></td></tr><tr><td>INSURER F :</td><td></td></tr></tbody></table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A : HANOVER INSURANCE GROUP	22292	INSURER B :		INSURER C :		INSURER D :		INSURER E :		INSURER F :	
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INSURER B :															
INSURER C :															
INSURER D :															
INSURER E :															
INSURER F :															

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
☒	COMMERCIAL GENERAL LIABILITY						
	CLAIMS-MADE ☒ OCCUR	☒	☒	AAM6321 LHW D481967	02/01/2023	02/01/2024	EACH OCCURRENCE \$ 2,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000
							MED EXP (Any one person) \$ 5,000
							PERSONAL & ADV INJURY \$ 2,000,000
							GENERAL AGGREGATE \$ 4,000,000
							PRODUCTS - COMP/OP AGG \$ 4,000,000
							\$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident) \$
	ANY AUTO						BODILY INJURY (Per person) \$
	ALL OWNED AUTOS						BODILY INJURY (Per accident) \$
	HIRED AUTOS						PROPERTY DAMAGE (Per accident) \$
							\$
	UMBRELLA LIAB						EACH OCCURRENCE \$
	EXCESS LIAB						AGGREGATE \$
							\$
	DED						PER STATUTE
	RETENTION \$						OTH-ER
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						E.L. EACH ACCIDENT \$
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)						E.L. DISEASE - EA EMPLOYEE \$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Those usual to the Insured's operation. Blanket additional Insured applies per coverage form 421-2915 06 15. Certificate holder, if any, is hereby an additional insured.

CERTIFICATE HOLDER

CANCELLATION

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

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

John C. Campbell

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CITY OF BONITA SPRINGS, FLORIDA

ORDINANCE NO. 16-10

AN ORDINANCE AMENDING ORDINANCE NO. 14-13, THE OUTDOOR FLEA MARKET ORDINANCE; AMENDING LOCATION AND PERMITTING REQUIREMENTS AND REMOVING THE SUNSET PROVISION; AMENDING §12-322; PROVIDING FOR CONFLICTS OF LAW, SEVERABILITY, INCLUSION IN CODE, SCRIVENER'S ERRORS AND AN EFFECTIVE DATE.

WHEREAS, the City Council is the governing body in and for the City of Bonita Springs, a municipal corporation in the State of Florida; and

WHEREAS, the City of Bonita Springs adopted ordinance no. 14-13, to allow for temporary open markets for purchasing produce or new or used merchandise; and

WHEREAS, while the Land Development Code has regulations for farmer's markets, its zoning regulations for flea markets is limited when it comes to temporary open air markets; and

WHEREAS, City Council finds that with the continuing increase in population and overall growth of Bonita Springs, the necessity of amending its supplemental special event permit requirements for outdoor flea markets is needed to regulate their usage, permitting their use to have greater frequency than a one day special event, and provide reasonable conditions, with the right to revocation and providing a longer time period for them to be established, so that their use does not create a nuisance; and

WHEREAS, Chapter 166, Florida Statutes, authorizes City Council acting for the City of Bonita Springs, Florida, to adopt Ordinances and Resolutions necessary for the exercise of its powers and prescribe fines and penalties for the violation of Ordinances in accordance with law.

THE CITY OF BONITA SPRINGS HEREBY ORDAINS:

SECTION ONE: SECTION ONE: AMENDMENTS

The City of Bonita Springs Outdoor Flea Market Permit Regulations Ordinance is amended by showing strikethroughs of deleted text and by underlining new text, as set forth below:

Sec. 12-322. - Outdoor flea market regulations.

(a) Location and permitting requirements.

- (1) An outdoor flea market shall be permitted to operate upon approval of a special event permit on either Bonita Beach Road or U.S. 41 only. No outdoor flea market may be operated in any other area of the city boundaries.
- (2) ~~Only one permit will be issued annually for either road segment, even when the outdoor flea market is a seasonal activity.~~ Council is not required to issue a permit for either road segment if council determines the use would be detrimental to the surrounding area.

- (3) A maximum of two outdoor flea market permits may be issued in one calendar year by city council regardless of whether the permit is for a seasonal or annual application.
- (4) The outdoor flea market will be permitted to operate a maximum of one day per week, as specified in the permit. A change in the day operated must be approved by city council.
- (5) A person cannot apply for an outdoor flea market if their purpose is not an outdoor flea market, but for substantially a specific use, such as (1) antiques; (2) arts and craft items; or (3) car shows. These items are regulated under the special events permits.

(b) *Application requirements.*

- (1) The permits may be applied for annually for a period not to exceed seven months in a given year but will expire on September 30 at the end of each year.
- (2) A proposed site plan must be provided with the special event application depicting the area for the market, vendor location, parking, traffic plan, etc.
- (3) A for-profit outdoor flea market operator will pay a fee of \$750.00 per year for the special event permit, payable within ten days upon council approval and prior to operation.
- (4) Local non-profit outdoor flea market operators providing services to the local community will pay a fee of \$100.00 per year for the special event permit payable within ten days upon council approval and prior to operation.
- (5) Liability insurance of \$1,000,000.00 in general commercial coverage naming the City of Bonita Springs as an additional insured will be maintained by the outdoor flea market operator for the duration of the flea market permit. Failure to maintain the insurance will require the outdoor flea market to be closed until such time the insurance is re-issued, with proof on file with the city clerk.
- (6) The owner or operator of the outdoor flea market shall obtain a notarized letter from the property or business owner stating that the market has permission to operate an outdoor flea market on the property.

(c) *Operating requirements.*

- (1) The following is a list of prohibited items that may not be sold at the outdoor flea market:
 - a. Any item, novelty or material that is considered sexually oriented, as defined in F.S. § 847.001.
 - b. Live animals (except for animal non-profit and/or foundation rescue adoptions), including the showing or display of animals for a fee (e.g., pictures with a parrot, alligator or snake).
 - c. Fireworks.
 - d. Alcoholic beverages.
 - e. Paraphernalia associated with drug and/or tobacco use.
 - f. Counterfeit or copyright-infringing items.
 - g. Food processed, packed or prepared at a home or other source not approved by federal, state or municipal health authorities or inspected by federal, state or municipal health authorities.
 - h. No mobile food vendors unless they have a mobile food vendor permit consistent with Land Development Code §4-3061.
- (2) Sales shall be made from booths and tables and not directly from motor vehicles. The flea market owner or operator shall coordinate with the fire district for any tent over ten feet x ten feet, as well as any additional fire issues to ensure safe ingress and egress at both the market and parking area, prior to issuance by city council of the special event permit for this use. Any tent over ten feet x ten feet needs to be properly permitted by community development prior to its use.
- (3) Signage will need to be permitted by community development in accordance with the sign ordinance.

- (4) The flea market owner or operator shall, on a regular basis, inspect the merchandise offered for sale by all flea market vendors operating on the premises and items are subject to inspection at all times by the sheriff's office and/or any authorized member of city staff.
 - (5) Food vendors: No person shall vend fresh fruits, vegetables, or other produce without a valid food establishment permit issued by the state department of agriculture and consumer services. Fresh fruits or vegetables shall be confined to the tables that are at least six inches above the ground.
 - (6) An outdoor flea market may only be operated during daytime hours (no lighting of any kind is permitted). Hours of operation will be established during the special event approval. Vendors may arrive one hour prior for setup and may remain one hour after for breakdown. All vendors participating must be permitted through the outdoor flea market operator. Owner or operator of the outdoor flea market is responsible for maintaining current license verification for all vendors.
 - (7) All trash, refuse and garbage must be removed from the site at the end of each day. The premises occupied by the outdoor flea market shall be kept clean and free of accumulated trash, refuse or garbage during and after the hours of operation. All discarded fresh fruits, vegetables, produce or other items will be removed by vendor so that by the end of the day the property shows no indication that an outdoor flea market was at the site. Vendors agree to protect market organizers from any legal or financial liability in case of accidents or incidents at the market.
- (d) *Revocation/private property rights of owners.*
- (1) The flea market operator may not allow the flea market to become a public nuisance. The city manager or designee may request city council to revoke the special event permit for that time period should the following conditions exist during the operation of the flea market. The existence of any of the following conditions is hereby declared to constitute a public nuisance:
 - a. Accumulation of any garbage or rubbish.
 - b. Any condition that may threaten the health, safety or economic welfare of abutting or adjacent property owners or occupants.
 - c. If the outdoor flea market presents a visual blight upon neighborhoods.
 - d. Significant deviation(s) from the site plan or any other item in the special event permit. Any permit modification must be approved by city council.
 - e. If the outdoor flea market becomes a public safety hazard, including, but not limited to, fire and flood hazards, or creates a situation where the use interferes with parking or traffic, both vehicular and pedestrian.
 - f. If there is a finding of one or more violations of any of the regulations in section 12-322 of this article.
 - (2) As with every special event, city council reserves the right to deny any special event permit for an outdoor flea market if there has been a revocation or alternatively, there are documented complaints that justifies city council's determination that the operation of the outdoor flea market by its operator or any other operator constitutes a nuisance or will be incompatible with the surrounding area or disrupts the operation of the City of Bonita Springs, its citizens or business community.
 - (3) Nothing contained within this article is intended to, nor shall be construed as, interfering with or superseding in any way the continuing right of any property owner to prohibit at any time the operation of an outdoor flea market upon that property owner's private property, regardless of whether or not a permit has been obtained and is still current with city council.
 - (4) ~~Subsequent review and sunset provision. The outdoor flea market permit regulations contained within this article is being added in support of the local economy until there is greater demand for property on U.S. 41 and Bonita Beach Road. This article will sunset on October 1, 2020, unless further extended by city council by ordinance.~~

(Ord. No. 14-13, § 1, 6-4-2014)

SECTION TWO: SEVERABILITY

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

SECTION THREE: CONFLICTS OF LAW

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

SECTION FOUR: CODIFICATION, INCLUSION IN CODE, AND SCRIVENER'S ERRORS

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

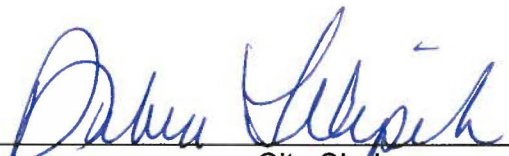
SECTION FIVE: EFFECTIVE DATE

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

DULY PASSED AND ENACTED by the City Council of the City of Bonita Springs, Lee County, Florida, this 3rd day of August, 2016.

AUTHENTICATION:


Mayor


City Clerk

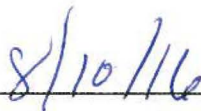
APPROVED AS TO FORM:


City Attorney

Vote:

DeWitt	Aye	Quaremba	Aye
Forbes	Aye	Simmons	Aye
Gibson	Aye	Slachta	Aye
O'Flinn	Absent		

Date filed with City Clerk:



REQUESTED MOTION: Discussion regarding potential opportunities for efficiency with regard to City boards and committees.

REQUESTOR: Council Member Laura Carr, District 3

AGENDA: Council Member Items

STRATEGIC PRIORITY:

BACKGROUND:

On September 21, 2022, the City Council discussed the City's policy for the administration of our various advisory boards. After discussion, the Council decided to reduce the frequency of board meetings from monthly to quarterly in an effort to promote efficiency in appreciation of the time volunteered by board members as well as staff resources.

I would like to discuss with the Council whether there may be additional opportunities for efficiency across our boards, especially those that are involved with development processes.

STAFF RECOMMENDATION: Council's pleasure.

ATTACHMENTS: None.

REVIEWERS:

City Manager:	Arleen Hunter
City Attorney:	Derek Rooney
City Clerk:	Mike Sheffield

REQUESTED MOTION: Approve a resolution adopting an administrative code for the City's policy on traffic fatality memorials in public rights of way in Bonita Springs.

REQUESTOR: Matt Feeney, Assistant City Manager; Tony Backhurst, Director of Neighborhood Services

AGENDA: City Manager's Items

STRATEGIC PRIORITY: #2 Transportation; #3 Community Aesthetics

BACKGROUND:

On May 3, 2023, Council discussed the existence of fatality memorials in City right of ways and directed staff to investigate the feasibility of implementing a policy to establish a duration for which a memorial should be allowed to remain and to provide authority for removal.

The attached policy applies to all public road right-of-way maintained by the City, and it allows the memorial to remain for six months from the date of its discovery or immediately upon certain hazardous or interfering conditions. Upon removal, the City will store the contents for up to 30 days to allow an opportunity for the family to retrieve any personal items.

STAFF RECOMMENDATION: Council's pleasure.

ATTACHMENTS:

1. Resolution and administrative code
-

REVIEWERS:

City Manager:	Arleen Hunter
City Attorney:	Derek Rooney
City Clerk:	Mike Sheffield
Department Director:	Tony Backhurst

CITY OF BONITA SPRINGS

RESOLUTION NO. 23-

**A RESOLUTION OF THE CITY OF BONITA SPRINGS,
FLORIDA, CREATING AN ADMINISTRATIVE CODE
EFFECTUATING A POLICY FOR TRAFFIC FATALITY
MEMORIALS IN CITY-MAINTAINED PUBLIC RIGHTS OF
WAY IN THE CITY OF BONITA SPRINGS AND
PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the Bonita Springs City Council, as the duly elected governing body for the City of Bonita Springs, has the authority to adopt administrative codes for the operation of City business; and

WHEREAS, the Bonita Springs City Council has determines that an Administrative Code setting forth the policy and procedures for removal of traffic fatality memorials in City-maintained road rights-of-way is in the best interest of the public.

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

1. The City Council declares that the procedures set forth, attached hereto, and incorporated by reference herein as "Exhibit A", for the removal of traffic fatality memorials is hereafter applicable to City-owned public rights-of-way.
2. This Resolution shall take effect immediately upon adoption.

DULY PASSED AND ENACTED by the City Council of the City of Bonita Springs, Lee County, Florida, this ____ day of September, 2023.

AUTHENTICATION:

Mayor

City Clerk

APPROVED AS TO FORM: _____
City Attorney's Office

Vote:

Steinmeyer
Bogacz
Pudon
Carr

Corrie
Fullick
Forbes



Date Adopted: _____

ROADSIDE MEMORIAL POLICY AC-23-

Purpose:

The purpose of this policy is to regulate the placement and removal of roadside memorials in City-maintained public road rights-of-way within the City of Bonita Springs.

Background:

The City acknowledges that traffic fatalities can have a traumatic impact on family and friends of the victim and appreciates the desire to grieve such a loss by erecting roadside memorials near the site of the incident. Roadside memorials frequently include signs, flowers, crosses, pictures, personal items, etc.

The City also recognizes that placement of roadside memorials can pose potential safety hazards by obstructing a driver's view, distracting a driver's attention, interfering with routine maintenance, or endangering the safety of individuals who are erecting or visiting the memorial. Additionally, over time, roadside memorials can become unsafe, unkempt, and eyesores.

The intent of this policy is to respect the grieving of the family members while protecting the public's interests and well-being. This policy provides guidance for the location and contents of roadside memorials as well as authority for removal under certain circumstances.

General Policy:

1. *Applicability.* This policy applies to all public road rights-of-way maintained by the City of Bonita Springs.
2. *Duration.* A roadside memorial that complies with this policy will be allowed to remain for a period of six (6) months from the date of its discovery by the City. In the event that a memorial poses a safety hazard, interferes with right of way maintenance, or falls into disrepair, the City is authorized to mitigate the concern, up to and including immediate removal.
3. *Notice.* Upon discovery of a roadside memorial, the City shall affix a notice to the memorial indicating the following information:
 - a. The date that the memorial was discovered;
 - b. The date the memorial will be removed;

- c. Identify where the contents of the memorial may be retrieved and the time frame for retrieval.
- 4. *Removal.* The City may, at any time, remove a memorial if it poses a safety concern, negatively impacts traffic or pedestrians, obstructs driver's view, interferes with routine maintenance, or falls into disrepair. The City shall store the contents of the memorial for up to thirty (30) days from the date of removal to allow an opportunity for a family member or loved one to retrieve personal items.
- 5. *Location.* Roadside memorials shall not be attached to any trees or infrastructure, including but not limited to, light poles, traffic or pedestrian signals, electrical cabinets or utility poles. Additionally, memorials shall not be attached to objects intended for public use, such as bike corrals, benches, charging stations, bus stops, etc. The City is authorized to remove improperly placed memorials immediately. Tents or other structures are prohibited.