



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

8:30 a.m. Swearing-in Ceremony

Swearing-in of recently elected City officials by the Hon. Circuit Judge Kyle Cohen, 20th Judicial Circuit of Florida.

Mike Gibson, Mayor; Jesse Purdon, Council Member District 2; Chris Corrie, Council Member District 5; and Jim Fitzpatrick, Council Member District 6.

City of Bonita Springs City Council Meeting Agenda

November 20, 2024
9:00 a.m.

If you intend to address the City Council, please submit a completed “Public Comment Slip” to the City Clerk. Blank comment slips are available on the table outside of Chambers.

To submit a written public comment in advance of the meeting, email your name, address, and comment to citymeetings@cityofbonitasprings.org. **Written public comments must be received by 2 p.m., Nov. 19, 2024.**

The City of Bonita Springs is committed to equal opportunity and does not discriminate on the basis of race, color, national origin, gender, age, disability, religion, income, or marital status. Under the Americans with Disabilities Act, anyone who requires an ADA-qualified accommodation to participate in this proceeding should contact City Clerk Mike Sheffield at (239) 949-6248 at least 48 hours in advance of the meeting. Such reasonable accommodation will be provided at no cost to the requester.

Any person who may seek to appeal a decision made by the City Council on any matter at this meeting is responsible for ensuring that a verbatim record of the proceeding is made, which includes the testimony and evidence upon which the appeal is to be based.

1. Call to Order
2. Invocation
3. Pledge of Allegiance
4. Roll Call
5. Public Comment on Agenda Items

6. Zoning and Land Use Items:

(FIRST READING AND PUBLIC HEARING) A ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; CONSIDERING A REQUEST TO REZONE APPROXIMATELY EIGHT (8) ACRES FROM THE AGRICULTURAL (AG-2) ZONING DISTRICT TO A RESIDENTIAL PLANNED DEVELOPMENT (RPD), TO DEVELOP UP TO 40 DWELLING UNITS, AND TO REQUEST TWO (2) DEVIATIONS; LOCATED AT THE NORTHWEST CORNER OF PENNSYLVANIA AVENUE AND WISCONSIN STREET, STRAP NUMBER 34-47-25-B2-00259.0020, BONITA SPRINGS, FLORIDA 34135; PROVIDING FOR AN EFFECTIVE DATE. (Green Sheet 24-11-181)

7. Consent Agenda Items:

- A. Approve minutes from the the City Council Meeting held on Nov. 6, 2024.
- B. Confirm and ratify Resolutions extending the local State of Emergency due to Hurricane Ian.
(Green Sheet 24-11-172)
- C. Confirm and ratify Resolutions extending the local State of Emergency due to Hurricane Helene.
(Green Sheet 24-11-173)
- D. Confirm and ratify Resolutions extending the local State of Emergency due to Hurricane Milton.
(Green Sheet 24-11-174)
- E. Approve Resolution for the final budget amendment for fiscal year 2023-2024.
(Green Sheet 24-11-175)
- F. Approve a Resolution accepting the Lee County Canvassing Board Certificate of Official Results of the November 5, 2024 Bonita Springs General Municipal Election. (Green Sheet 24-11-176)
- G. Approve Agreement between Lee County and the City of Bonita Springs for West Coast Inland Navigation District grant funding to be used for marine law enforcement. (Green Sheet 24-11-180)
 - Opportunity for City Council Comments on Consent Agenda

8. Presentations:

- A. Receive presentation on the Goodwin Street Pedestrian & Drainage Improvements Project from American Structurepoint, Inc. and provide direction on which design alternative to pursue. (Green Sheet 24-11-178)

9. Public Hearings:

- A. Second Reading and Public Hearing of an Ordinance adopting the 2024-2025 Five Year Capital Improvement Program Annual Update. (Green Sheet 24-11-179)

10. City Attorney Items:

- A. Pursuant to the City Charter, elect a Deputy Mayor. (Green Sheet 24-11-177)

11. City Manager Items:

- A. Discussion regarding the correspondence from the School Board of Lee County in regard to the Bonita Springs Elementary School renovation project. (Green Sheet 24-11-182)
- B. Update on recovery – Hurricanes Ian, Helene, and Milton.

12. Mayor and Council Member Reports

13. Public Comment

14. Adjournment

ITEM TITLE: (FIRST READING AND PUBLIC HEARING) A ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; CONSIDERING A REQUEST TO REZONE APPROXIMATELY EIGHT (8) ACRES FROM THE AGRICULTURAL (AG-2) ZONING DISTRICT TO A RESIDENTIAL PLANNED DEVELOPMENT (RPD), TO DEVELOP UP TO 40 DWELLING UNITS, AND TO REQUEST TWO (2) DEVIATIONS; LOCATED AT THE NORTHWEST CORNER OF PENNSYLVANIA AVENUE AND WISCONSIN STREET, STRAP NUMBER 34-47-25-B2-00259.0020, BONITA SPRINGS, FLORIDA 34135; PROVIDING FOR AN EFFECTIVE DATE.

REQUESTOR: Mike Fiigon II, Senior Planner, Community Development

AGENDA SECTION: Zoning and Land Use

STRATEGIC PRIORITY:

BACKGROUND: The request is to rezone approximately eight (8) acres of Agriculturally-zoned property to a Residential Planned Development (RPD), for up to 40 dwellings, containing a mix of attached and detached single-family units.

The property is heavily vegetated and will require wetland mitigation in order to effectuate the proposed density of 40 units. If the mitigation attempt by the Applicant is unsuccessful, they will need to go back through the public hearing process with a revised Master Concept Plan (MCP), per Condition 4 of the staff report and draft ordinance. The Applicant is proposing two ingress/egress points and has been coordinating with the City of Bonita Springs Public Works Department for roadway maintenance. Based on the proposed MCP, conventional single-family homes will be located on the north, south, and eastern perimeters of the site, while many of the attached units will be internal, or along the proposed stormwater pond on the west side.

The Zoning Board heard the case on September 17, 2024 (draft minutes attached). In addition to the Applicant and Staff presenting the case, several residents expressed concerns related to traffic, density, and drainage. Staff has received written responses from residents expressing the same concerns (attached).

The density, as conditioned, does not violate the allowances of the Future Land Use Category for the parcel. The Traffic Impact Statement concluded that the project's impact to the roadway network would be approximately 1.97% at its highest level. Anything less than 2% is considered a project of non-significant impact. With regards to drainage, the Applicant provided a narrative that explains that water will be collected from the yards, streets, and homes and will be directed to an on-site pond for storage and treatment before ultimately being discharged to the Imperial River at a controlled rate. The project is prohibited from causing additional stormwater runoff onto neighboring properties.

The Zoning Board recommended approval of the rezoning request and the deviation requests by a vote of 5-2. (meeting minutes attached).

STAFF RECOMMENDATION: Move to the Second Reading and Public Hearing.

ATTACHMENTS:

1. Draft Zoning Ordinance (prepared by City Attorney)
2. Zoning Board Meeting Minutes (September 17, 2024)
3. Staff Report with Legal Description/Survey and Master Concept Plan (MCP)
Attachments
4. Resident Responses (Notice of Hearing Petitions)

REVIEWERS:

City Manager:	Arleen Hunter
City Attorney:	Derek Rooney
City Clerk:	Michael Sheffield
Department Director:	John Dulmer, AICP

CITY OF BONITA SPRINGS
ZONING ORDINANCE NO. 24 - __

A ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; CONSIDERING A REQUEST TO REZONE APPROXIMATELY EIGHT (8) ACRES FROM THE AGRICULTURAL (AG-2) ZONING DISTRICT TO A RESIDENTIAL PLANNED DEVELOPMENT (RPD), TO DEVELOP UP TO 40 DWELLING UNITS, AND TO REQUEST TWO (2) DEVIATIONS; LOCATED AT THE NORTHWEST CORNER OF PENNSYLVANIA AVENUE AND WISCONSIN STREET, STRAP NUMBER 34-47-25-B2-00259.0020, BONITA SPRINGS, FLORIDA 34135; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Canon Sandor and Rudolph Bauer have filed an application to rezone 8 +/- acres from the existing AG-2 zoning district to the Residential Planned Development (RPD) zoning district.

WHEREAS, the subject property is located Bonita Springs, Florida, STRAP numbers 34-47-25-B2-00259.0020; and is described more particularly as:

See Exhibit "A"

WHEREAS, a Public Hearing was advertised and heard on September 17, 2024 by the City of Bonita Springs Board for Land Use Hearings and Adjustments and Zoning Board of Appeals ("Zoning Board"), who gave full consideration to the evidence available and recommended approval (5-2) of the applicant's request and gave full and complete consideration of the record, consisting of the Staff Recommendation, the documents on file with the City and the testimony of all interested parties. The Staff Report prepared by Community Development, and evidence submitted at the Zoning Board hearing is on file with the City Clerk.

WHEREAS, the case was presented for First Reading for the City Council at their November 20, 2024, meeting; and

WHEREAS, City Council at their December 4, 2024, meeting considered the record of the Zoning Board on Case PD24-106206-BOS, and gave full consideration of the Staff Recommendation, the evidence and testimony.

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

SECTION ONE: APPROVAL OF REQUEST

City Council of Bonita Springs hereby approves the request to rezone the property from the AG-2 zoning district to the Residential Planned Development ("RPD") zoning district with a maximum of 40 dwelling units. In so doing the City

Council makes the following findings and conclusions, upon an analysis of the application and the standards for approval subject to the following conditions and deviations:

Conditions:

1. The project shall be generally consistent with the Master Concept Plan provided and labeled as Exhibit “B.”

2. Schedule of Uses:

Accessory Uses, Buildings, and Structures
Communication Facilities, Wireless (subject to Chapter 4, Zoning, Division 11 of the Land Development Code (“LDC”) as may be amended)
Community Gardens
Dwelling Units
 Single-Family Detached
 Two-Family Attached
Excavation for Water Retention
Fences, Walls
Residential Accessory Uses
Signs
Temporary Uses (Subject to LDC Requirements)

3. Property Development Regulations: The Applicant proposes the following property development standards:

	Single-Family Detached	Single-Family Attached
Lot Width	60ft (interior) 67ft (corner)	32ft-32.5ft
Lot Depth	97ft (interior) 97ft (corner)	95ft
Lot Area	5,820sf (interior) 6,499sf (corner)	3,040sf – 3,087sf
Lot Coverage	47% (interior) 42% (corner)	60%
Height*	35 feet (4 stories)	35 feet (4 stories)
Front Setback	25ft, minimum	25ft, minimum
Side Setback	5ft, minimum	5ft, minimum except where attached to another unit
Rear Setback	20ft, minimum	20ft, minimum
Perimeter Setback	15ft, minimum	15ft, minimum

*Height will be measured from the base design flood elevation to the eaves and in no instance will the total structure height exceed 40 feet, including any infrastructure associated with any rooftop viewing area or rooftop deck. Unless further specified, the height of remaining appurtenances shall be measured in accordance with LDC Sections 4-1871 – 4-1873 of the City of Bonita Springs Land Development Code.

4. The Applicant is limited to a maximum of 40 units if the wetlands are properly mitigated. Evidence of mitigation shall be provided to Community Development during the local development order process. Failure to obtain proper mitigation will require the Applicant to obtain approval of a modified MCP through a public hearing amendment and the gross residential acreage will be decreased by the wetland total, resulting in a lower density.
5. The Applicant shall provide plantings (hedges) on the east side of Wisconsin Street, across from the proposed curb cuts for the project, in order to offset vehicular headlight glare towards the existing homes on Tonya Court and Montana Court. The hedge type and location shall be a coordinated effort between the Applicant, Community Development and Public Works and in no case shall the height of the hedge be less than three (3) feet.
 - a. No hedges shall be placed on the private property of the affected homeowners without their expressed permission, provided to Community Development in the form of a notarized affidavit.
6. Pursuant to Deviation 2, a wildland mitigation plan shall be provided at time of local development order submittal for review and approval by the Bonita Springs Fire Control & Rescue District. Failure to provide an acceptable plan that is approved by the Bonita Springs Fire Control & Rescue District will negate the deviation approval.
7. Per the Tree Advisory Board recommendation, the three heritage sized trees that need to be removed for the project shall be replaced with three bald cypress trees near the onsite lake at 20' in height with a 4" diameter at breast height (DBH). The remaining heritage trees shall be retained within the onsite preserve areas.
8. At time of local development order and building permit, the Applicant shall demonstrate compliance with all local, state, and federal regulations for construction within floodways and floodplains.
9. Approval of this zoning action does not guarantee approval of a local development order or building permit.

Deviations:

1. Approved deviation from LDC Section 3-417(b)(1)(a) which indicates that a minimum indigenous native vegetation preserve setback of 30 feet is required from any habitable structure. A deviation is requested to have a minimum indigenous native vegetation preserve setback of 20 feet, including a separation fence between houses and the preserve.
2. Approved deviation from LDC Section 3-417(b)(6)(a) a minimum 30-foot setback from all preserve (wildland) areas is required for buildings and accessory structures for the purpose of fire protection. A deviation is

requested to have a minimum indigenous native vegetation preserve setback of 20 feet, including a separation fence between houses and the preserve, subject to Condition 6.

Exhibits:

- A. Legal Description and Sketch of the Subject Property
- B. Pennsylvania Wisconsin RPD Master Concept Plan (MCP)

Attachments:

- A. Background and Informational Analysis
- B. Application Backup (Final Documents—Online only)

SECTION TWO: EFFECTIVE DATE

This Ordinance shall take effect immediately upon of adoption.

DULY PASSED AND ENACTED by the City Council of the City of Bonita Springs, Lee County, Florida, this 4th day of December, 2024.

AUTHENTICATION:

_____ Mayor	_____ City Clerk
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APPROVED AS TO FORM: _____
City Attorney

Vote: Carr Purdon Fitzpatrick Gibson	Corrie Fullick Bogacz
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Date filed with City Clerk: _____

**City of Bonita Springs
Board for Land Use Hearings & Adjustments
and Zoning Board of Appeals**

(Draft) Meeting Minutes
Tuesday, September 17, 2024
9:00 a.m.

1. CALL TO ORDER

Chairman Rascio called the meeting to order at 9:00 am.

2. PLEDGE OF ALLEGIANCE

Chairman Rascio asked Board Member Gambrell to lead the Pledge of Allegiance.

3. ROLL CALL

The City Clerk called the roll:

Present – Rascio, Waterhouse, Gambrell, Benson, Galloway, Winn and Hershenson (Via Zoom)

*Chairman Rascio made a motion allowing Ben Hershenson to participate via zoom, seconded by Board Member Winn. **The motion carried 6-0.***

4. PUBLIC HEARINGS

EACH CASE WILL INCLUDE A PUBLIC COMMENT PERIOD AT THE CONCLUSION OF THE APPLICANT AND STAFF PRESENTATION

A. CASE NAME: PENNSYLVANIA AVENUE/WISCONSIN STREET RESIDENTIAL PLANNED DEVELOPMENT (PD23-106206-BOS)

A REQUEST TO REZONE APPROXIMATELY 8 ACRES FROM THE AGRICULTURAL (AG-2) ZONING DESIGNATION TO A RESIDENTIAL PLANNED DEVELOPMENT (RPD), TO DEVELOP UP TO 40 DWELLING UNITS, AND TO REQUEST TWO (2) DEVIATIONS.

City Attorney Derek Rooney swore in all those who intended to speak. Mike Fiigon, Senior Planner with Community Development, introduced the item.

Canon Sandora, Civil Engineer, presented on behalf of the applicant. His presentation included an overview of the proposed Residential Planned Development (RPD), schedule of uses, requested deviations and justifications, and traffic impact. He also answered questions from the Board. Next, the applicant's architect, Bill Glass, summarized design plans and construction material of the proposed project. (Applicant presentation on file in the City Clerk's office).

Next, Mr. Fiigon presented the staff report which including background information, current AG-2 zoning designation and zoning parameters, the project's consistency with the Comprehensive Plan,

requested deviations, and stormwater, traffic, and environmental impacts. He stated that staff recommends approval with conditions, which he reviewed. John Dulmer, Community Development Director and Laura Gibson, Environmental Specialist with Community Development, answered questions from the Board. (Staff report on file in the City Clerk's office).

Chairman Rascio called for public comments:

Brian Hayden - Expressed concern with traffic, stormwater drainage, and the proposed retention pond relating to water flow.

Mary Beth Anders - Expressed concerns about density, traffic, and drainage in the area.

Jim Fitzpatrick - Commented on the lack of an HOA and questioned who will manage the maintenance of the retention pond.

Colleen Brady Reardon - Expressed concerns over traffic, the proposed egress/ingress on Wisconsin Street, and existing flooding and drainage issues. She also stated that she saw a bald eagle on the subject site.

Genevieve Shanhide - Expressed concerns regarding stormwater drainage and egress/ingress on Wisconsin Street.

Seeing no additional public comments, the applicant and staff were provided time for rebuttal.

Chairman Rascio made a motion to approve the rezone request with the conditions proposed by staff; Board Member Hershenson seconded. The Clerk recorded the vote by roll call. **The motion carried 5-2, as follows:**

Gambrell	Waterhouse	Benson	Winn	Galloway	Hershenson	Rascio
Nay	Aye	Nay	Aye	Aye	Aye	Aye

5. APPROVAL OF MINUTES: Meeting of May 14, 2024

Board Member Waterhouse motioned to approve the minutes, Seconded by Board Member Winn.
The motion carried 7-0.

6. CASE UPDATE: Riverbend RPD

Mike Fiigon provided the update.

7. PUBLIC COMMENT

Chairman Rascio called for public comment. None

8. NEXT MEETING: *The next meeting is tentatively scheduled for October 15, 2024 at 9:00 am.*

9. ADJOURNMENT

As there was no further business, Chairman Rascio adjourned the meeting at 11:00 a.m.

Prepared by:

Teresa C. Grimes, Senior Records & Compliance Clerk

APPROVED:
BONITA SPRINGS ZONING BOARD:

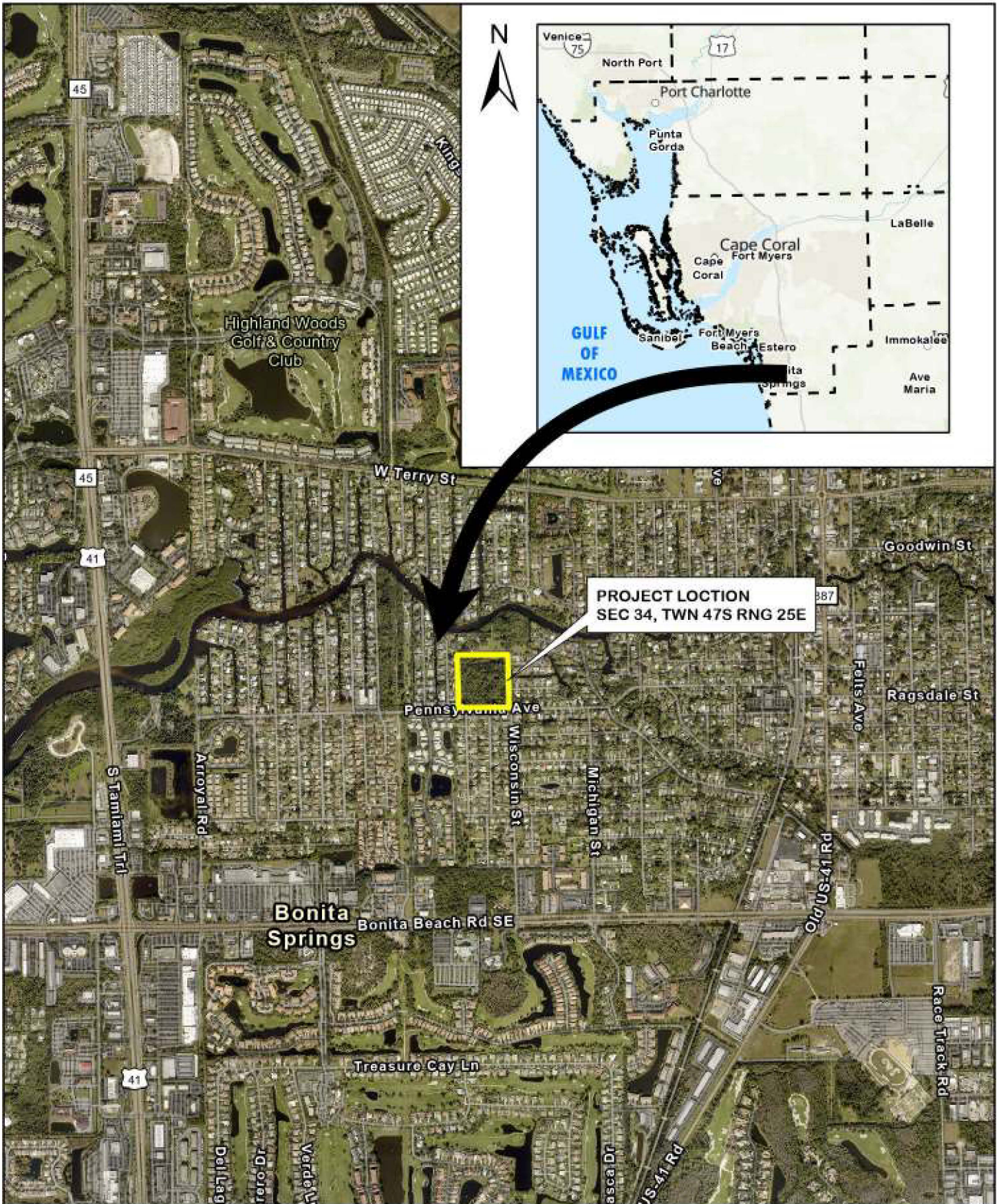
Date: _____

AUTHENTICATED:

Anthony Rascio, Chairman

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PENNSYLVANIA WISCONSIN RPD

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Project Location Map

**OWEN ENVIRONMENTAL
CONSULTING, LLC.**
FORT MYERS 239-994-9007

BONITA SPRINGS, FLORIDA
COMMUNITY DEVELOPMENT DEPARTMENT
ZONING DIVISION
STAFF REPORT

TYPE OF CASE: PLANNED DEVELOPMENT REZONING

CASE NUMBER: PD24-106206-BOS

HEARING DATE: September 17, 2024

PLANNER: Mike Fiigon II, Senior Planner

APPLICATION SUMMARY:

- A. Applicant: Canon Sandora, PE/Rudolph Bauer
- B. Agent: Canon Sandora, PE
- C. Request: To rezone approximately eight (8) acres from the Agricultural (AG-2) zoning designation to a Residential Planned Development (RPD), to develop up to 40 dwelling units, and to request two (2) deviations.
- D. Location: Northwest corner of Pennsylvania Avenue & Wisconsin St;
STRAP: 34-47-25-B2-00259.0020, Bonita Springs, Florida 34135
- E. Future Land Use Plan Designation: Moderate Density Residential
- F. Current Zoning: Agricultural (AG-2)
- G. Current Land Use: Vacant

By this reference, the Applicant's application in its entirety, including amendments and correspondence, is made part of this record and is available at the City Clerk's and Community Development's Offices.

THE PURPOSE OF PLANNED DEVELOPMENT ZONING

Pursuant to LDC 4-737, one of the purposes of a Residential Planned Development (RPD) is to provide a property owner or land developer with a development technique that can increase residential density and its ancillary development in areas designated by the Bonita Plan (i.e. Comprehensive Plan). A series of criteria are utilized to inform a Staff recommendation on the request. The criteria are found in “Attachment A” to this report.

BACKGROUND:

The property is a heavily vegetated eight-acre lot located in the northwest corner of Pennsylvania Avenue and Wisconsin Street. Historic aerials suggest the property has always been vacant and has been zoned Agricultural (AG-2) since the incorporation of the City of Bonita Springs. Over the past ten years, Community Development has had discussions with multiple developers and consultants regarding development of the site. The City had been made aware that at one time, there may have been Bonneted Bats (protected species) that inhabited the site and, as a result, prior to any development approvals, the City would require a detailed environmental assessment and a listed species survey (attached in the application backup) to verify if there is any remaining evidence of them, or any other protected or listed species. A more detailed analysis of the environmental findings is contained in Attachment A of this report.

The Applicant is proposing to rezone the property to accommodate the development of 14 conventional single-family homes and 13 two-unit villas (referred to as single-family attached/zero lot line on the schedule of uses) for a total of 40 units. The City does not have definition for single-family attached and zero lot line development is defined differently than what the Applicant is showing on the Master Concept Plan (MCP). As a result, Staff is recommending modifications to the schedule uses, discussed later in this report. As shown on the Master Concept Plan (MCP—Exhibit B) there will be two (2) access points to the development, both located off Wisconsin Street. The City’s Public Works Department has approved the conceptual layout of the roadway connections and the internal roadway system, since the Applicant is petitioning the City to accept maintenance of the roadways as City streets. Preliminary cross sections have also been provided which demonstrate that the roadways will be built to City standards.

The plan proposes conventional single-family homes to be located near the north, south, and east perimeters of the project, while a portion of the attached units will be internal to the site with the remainders located towards the west side of the project area, buffered by preserve areas and a proposed stormwater lake.

Staff had initially expressed concerns with the proposed density, primarily because the proposed number of units is only achievable if the Applicant successfully mitigates a portion of the wetland acreage (approximately 2.08 acres). The Moderate Density Residential future land use category does not permit the transfer of density from wetlands

to uplands. Failure to obtain mitigation would likely yield a density in the low to mid 30-unit range. As a result, Staff had requested an alternate MCP that would show conceptual site development at the lower density. The Applicant was not amenable to the request, and, as a result, Staff has established a condition that would require the Applicant to go back through the entire hearing process to amend the MCP should they be unsuccessful in their mitigation attempts.

The project was reviewed by multiple disciplines (Engineering, Surveying, Environmental, Bike-Ped, Traffic, Planning/Zoning, and Public Works) and the analysis and conditions established in this report are the result of their reviews and findings.

Uses: As part of the request, the Applicant proposes the following Schedule of Uses:

Communication Facilities, Wireless

Community Gardens

Dwelling Units

 Single-Family Detached

 Single-Family Attached (Zero Lot Line)

Excavation for Water Retention

Fences, Walls

Residential Accessory Uses

 Carports and Garages

 Decks, Gazebos, Patios and Screen Enclosures

 Fences

 Garages or Yard Sales, limited to not more than one week in duration, with sales limited to two garage or yard sales per year

 Garden Sheds

 Recreational Facilities, Personal (such as pools, spas, jacuzzis, hot tubs, swings, sand boxes and similar equipment)

Signs

While there is no objection to the proposed uses, Staff recommends the following changes and alternate language to be used for the purposes of consistency with the City's land development regulations and definitions.

Accessory Uses, Buildings, and Structures

Communication Facilities, Wireless (subject to Chapter 4, Zoning, Division 11 of the LDC as may be amended)

Community Gardens

Dwelling Units

 Single-Family Detached

Two-Family Attached

 Single-Family Attached (Zero Lot Line)

Excavation for Water Retention

Fences, Walls

Residential Accessory Uses

Signs

Temporary Uses (Subject to LDC Requirements)

~~Carpools and Garages~~

~~Decks, Gazebos, Patios and Screen Enclosures~~

~~Fences~~

~~Garages or Yard Sales, limited to not more than one week in duration, with sales limited to two garage or yard sales per year~~

~~Garden Sheds~~

~~Recreational Facilities, Personal (such as pools, spas, jacuzzis, hot tubs, swings, sand boxes and similar equipment)~~

Property Development Regulations: The Applicant is proposing the following development regulations for the project:

	Single-Family Detached	Single-Family Attached
Lot Width	60ft (interior) 67ft (corner)	32ft-32.5ft
Lot Depth	97ft (interior) 97ft (corner)	95ft
Lot Area	5,820sf (interior) 6,499sf (corner)	3,040sf – 3,087sf
Lot Coverage	47% (interior) 42% (corner)	60%
Height*	35 feet (4 stories)	35 feet (4 stories)
Front Setback	25ft, minimum	25ft, minimum
Side Setback	5ft, minimum	5ft, minimum except where attached to another unit
Rear Setback	20ft, minimum	20ft, minimum
Perimeter Setback	15ft, minimum	15ft, minimum

*Height will be measured from the base flood elevation to the eaves

In accordance with Florida Building Code, residential structures in flood zones are required to meet the base flood elevation, plus one additional foot (design flood elevation). Staff does not object to the proposed development regulations but suggests that the building height be measured from design flood elevation instead of base flood elevation. The height proposal of 35 feet is commensurate and compatible with the zoning allowances of the existing surrounding residential neighborhoods. However, since the Applicant is proposing the possibility of rooftop decks, Staff suggests the following modification to the table:

	Single-Family Detached	Single <u>Two</u> -Family Attached
Lot Width	60ft (interior) 67ft (corner)	32ft-32.5ft
Lot Depth	97ft (interior) 97ft (corner)	95ft
Lot Area	5,820sf (interior) 6,499sf (corner)	3,040sf – 3,087sf
Lot Coverage	47% (interior) 42% (corner)	60%
Height*	35 feet (4 stories)	35 feet (4 stories)
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Side Setback	5ft, minimum	5ft, minimum except where attached to another unit
Rear Setback	20ft, minimum	20ft, minimum
Perimeter Setback	15ft, minimum	15ft, minimum

*Height will be measured from the ~~base~~ design flood elevation to the eaves and in no instance will the total structure height exceed 40 feet, including any infrastructure associated with any rooftop viewing area or rooftop deck. Unless further specified, the height of remaining appurtenances shall be measured in accordance with LDC Sections 4-1871 – 4-1873 of the City of Bonita Springs Land Development Code.

Deviations: Two deviations are being requested as part of the rezoning petition. The request language, Applicant justification, and Staff response are shown below.

Deviation Request #1: A deviation from LDC Section 3-417(b)(1)(a) which indicates that a minimum indigenous native vegetation preserve setback of 30 feet is required from any habitable structure. A deviation is requested to have a minimum indigenous native vegetation preserve setback of 20 feet, including a separation fence between houses and the preserve.

Applicant Justification: *There are no listed species within the indigenous native preserve area that would require ample buffer space to thrive. The proposed fence serves to provide protection for indigenous species as well as for homeowners and pets. The proposed fence includes 4' wide pedestrian gates for routine maintenance accessibility.*

Staff Analysis: Staff does not object to the deviation based on the Applicant's justification. There were no listed species identified on-site and Staff appreciates the

Applicant's willingness to provide a barrier between the homes and the preserve area. Staff recommends **APPROVAL** of the deviation request.

Deviation Request #2: A deviation from LDC Section 3-417(b)(6)(a) a minimum 30-foot setback from all preserve (wildland) areas is required for buildings and accessory structures for the purpose of fire protection. A deviation is requested to have a minimum indigenous native vegetation preserve setback of 20 feet, including a separation fence between houses and the preserve.

Applicant Justification: *The proposed housing building material is non-combustible concrete, which eliminates the risk of the buildings catching on fire.*

Staff Analysis: LDC Section 3-417(b)(6)(a) would allow for a reduced setback, subject to a fire mitigation plan that is reviewed and approved by the Bonita Springs Fire Control & Rescue District. A time of local development order, a plan shall be submitted for review by Bonita Fire. Failure to provide an acceptable plan would negate this deviation. Staff recommends **APPROVAL** of this deviation request, as conditioned.

CONCLUSIONS:

It is Staff's opinion that the proposed RPD could be appropriate subject to the conditions outlined below. Additional analysis performed by Staff in order to reach this conclusion can be found by reviewing "Attachment A."

RECOMMENDATION:

Staff recommends **APPROVAL** of a Residential Planned Development (RPD) for a maximum of 40 dwelling units with two (2) deviations, as conditioned below:

Conditions:

1. The project shall be generally consistent with the Master Concept Plan provided and labeled as Exhibit "B."
2. Schedule of Uses:
 - Accessory Uses, Buildings, and Structures
 - Communication Facilities, Wireless (subject to Chapter 4, Zoning, Division 11 of the LDC as may be amended)
 - Community Gardens
 - Dwelling Units
 - Single-Family Detached
 - Two-Family Attached
 - Excavation for Water Retention

Fences, Walls
 Residential Accessory Uses
 Signs
 Temporary Uses (Subject to LDC Requirements)

3. Property Development Regulations: The Applicant proposes the following property development standards:

	Single-Family Detached	Single-Family Attached
Lot Width	60ft (interior) 67ft (corner)	32ft-32.5ft
Lot Depth	97ft (interior) 97ft (corner)	95ft
Lot Area	5,820sf (interior) 6,499sf (corner)	3,040sf – 3,087sf
Lot Coverage	47% (interior) 42% (corner)	60%
Height*	35 feet (4 stories)	35 feet (4 stories)
Front Setback	25ft, minimum	25ft, minimum
Side Setback	5ft, minimum	5ft, minimum except where attached to another unit
Rear Setback	20ft, minimum	20ft, minimum
Perimeter Setback	15ft, minimum	15ft, minimum

*Height will be measured from the base design flood elevation to the eaves and in no instance will the total structure height exceed 40 feet, including any infrastructure associated with any rooftop viewing area or rooftop deck. Unless further specified, the height of remaining appurtenances shall be measured in accordance with LDC Sections 4-1871 – 4-1873 of the City of Bonita Springs Land Development Code.

4. The Applicant is limited to a maximum of 40 units if the wetlands are properly mitigated. Evidence of mitigation shall be provided to Community Development during the local development order process. Failure to obtain proper mitigation will require the Applicant to obtain approval of a modified MCP through a public hearing amendment and the gross residential acreage will be decreased by the wetland total, resulting in a lower density.
5. The Applicant shall provide plantings (hedges) on the east side of Wisconsin Street, across from the proposed curb cuts for the project, in order to offset vehicular headlight glare towards the existing homes on Tonya Court and Montana

Court. The hedge type and location shall be a coordinated effort between the Applicant, Community Development and Public Works and in no case shall the height of the hedge be less than three (3) feet.

- a. No hedges shall be placed on the private property of the affected homeowners without their expressed permission, provided to Community Development in the form of a notarized affidavit.
6. Pursuant to Deviation 2, a wildland mitigation plan shall be provided at time of local development order submittal for review and approval by the Bonita Springs Fire Control & Rescue District. Failure to provide an acceptable plan that is approved by the Bonita Springs Fire Control & Rescue District will negate the deviation approval.
7. Per the Tree Advisory Board recommendation, the three heritage sized trees that need to be removed for the project shall be replaced with three bald cypress trees near the onsite lake at 20' in height with a 4" diameter at breast height (DBH). The remaining heritage trees shall be retained within the onsite preserve areas.
8. At time of local development order and building permit, the Applicant shall demonstrate compliance with all local, state, and federal regulations for construction within floodways and floodplains.
9. Approval of this zoning action does not guarantee approval of a local development order or building permit.

Deviations

1. Relief from LDC Section 3-417(b)(1)(a) which indicates that a minimum indigenous native vegetation preserve setback of 30 feet is required from any habitable structure. A deviation is requested to have a minimum indigenous native vegetation preserve setback of 20 feet, including a separation fence between houses and the preserve., is **APPROVED**.
2. Relief from LDC Section 3-417(b)(6)(a) a minimum 30-foot setback from all preserve (wildland) areas is required for buildings and accessory structures for the purpose of fire protection. A deviation is requested to have a minimum indigenous native vegetation preserve setback of 20 feet, including a separation fence between houses and the preserve. is **APPROVED**, subject to Condition 6.

EXHIBITS:

- A. Legal Description and Sketch of the Subject Property
- B. Pennsylvania Wisconsin RPD Master Concept Plan (MCP)

ATTACHMENTS:

- A. Background and Informational Analysis
- B. Application Backup (Final Documents—Online only)

EX "A"

MAP OF BOUNDARY SURVEY

STRAP: 34-47-25-B2-00259.0020

FOLIO ID: 10467210

LEGAL DESCRIPTION

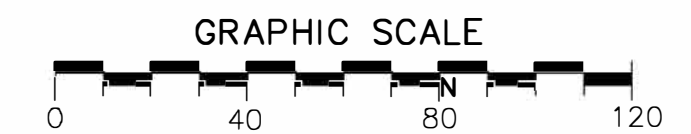
THE SOUTH 548.67 FEET OF BLOCK 59, HEITMAN'S BONITA SPRINGS TOWNSITE AS RECORDED IN PLAT BOOK 6, PAGE 24 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA LESS AND EXCEPT THE EASTERLY 25 FEET FOR WISCONSIN STREET.

CONTAINING 8 ACRES, MORE OR LESS.

NEVADA COURT
60' WIDE RIGHT-OF-WAY



SCALE: 1" = 40'



NOTES:

ELEVATIONS SHOWN HEREON ARE BASED ON NORTH AMERICAN VERTICAL DATUM 1988 (N.A.V.D. 1988).

BEARINGS SHOWN HEREON ARE BASED ON AN ASSUMED BEARING OF S88°31'04"W ON THE CENTERLINE OF PENNSYLVANIA AVENUE AS PER PLAT OF HEITMAN'S BONITA SPRINGS, PLAT BOOK 6, PAGE 24, LEE COUNTY, FLORIDA.

FLOOD ZONE "AE", ELEVATION 9.0' (N.A.V.D. 1988) AS PER FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 12071C 0658 G, DATED NOVEMBER 17, 2022.

I HEREBY CERTIFY TO:

RUDOLF AUGUST BAUER C/O CHRISTOPHER LANGEN ESQUIRE;

THAT A SURVEY OF THE HEREON DESCRIBED PROPERTY WAS MADE UNDER MY DIRECTION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF MEETS THE MINIMUM TECHNICAL STANDARDS AS PER CHAPTER 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE.

5J-17.051(3)(b)6 - ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.

ELECTRONIC SIGNATURE USED IN ACCORDANCE WITH APPLICABLE STATE LAWS AND RULES INCLUDING BUT NOT LIMITED TO FLORIDA STATUTES 668.001, 668.50 AND CHAPTER 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE.

UNLESS SHOWN HEREON THERE ARE NO ENCROACHMENTS, NO BOUNDARY LINE DISPUTES, NON EASEMENTS OR CLAIMS OF EASEMENTS AND NO UNDERGROUND FOUNDATIONS LOCATED.

WHEN LOCATION OF EASEMENTS OR RIGHTS-OF-WAY OF RECORD, OTHER THAN THOSE ON RECORD PLATS, IS REQUIRED, THIS INFORMATION MUST BE FURNISHED TO THE SURVEYOR AND MAPPER.

THIS CERTIFICATION IS ONLY FOR THE LANDS AS DESCRIBED ABOVE, FOR NO OTHER CERTIFICATION OF TITLE, ZONING OR FREEDOM FROM ENCUMBRANCE.

EAST QUARTER CORNER
FOUND 5/8" IRON PIN AND CAP
STAMPED AIM ENG LB 3114

REVISIONS/UPDATES:
03/15/2016 ADDED WETLANDS LOCATION AND HERITAGE TREES
07/07/2016 ADDED MEAN ANNUAL HIGH WATER MARKS
02/20/2018 REVISED TITLE BLOCK TO DAVID C. HOLMAN, P.S.M., L.L.C.
11/10/2023 UPDATE BOUNDARY SURVEY
11/21/2023 ADD MANHOLE INVERTS
11/21/2023 ADD ADDITIONAL DRAINAGE DITCH LOCATIONS
11/25/2023 REMOVE 2016 WETLAND LINE
02/21/2024 UPDATE HERITAGE TREES
03/07/2024 RESIZE TEXT TO BE NO SMALLER THAN 0.10"

ACAD FILE: B59 HEITMAN'S BONITA SPRINGS

DATE: 12/28/2016 SCALE: 1" = 40' DRAWN: DCH

FOR: RUDOLF AUGUST BAUER
THE SOUTH 548.67 FEET OF BLOCK 59, HEITMAN'S BONITA SPRINGS TOWNSITE AS RECORDED IN PLAT BOOK 6, PAGE 24 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA LESS AND EXCEPT THE EASTERLY 25 FEET FOR WISCONSIN STREET.
David C. Holman, P.S.M., L.L.C.
16446 BONITA LANDING CIRCLE
BONITA SPRINGS, FLORIDA 34135
PHONE: (239)289-6210 FAX: (239)352-0018 EMAIL: dchpsm6279@gmail.com
CHECKED: DCH BOOK: PAGE: FILE NO: 2023.000

FOUND 1/2" IRON PIN NO CAP

JOHNSON STREET
50' WIDE RIGHT-OF-WAY

OWNER: UNKNOWN
HEIRS OF MORALES
LOUIS ARMANDO
(INSTRUMENT No.: 2012000224825)
(RESIDENCE)

FOUND 5/8" IRON PIN AND CAP STAMPED LBN6386
N 01°26'37" W 137.21' (MEAS.)
0.21' EAST AND 0.92' NORTH

FOUND 5/8" IRON PIN AND CAP STAMPED LB 6782

OWNER: REBECCA NOVAK
AND KATHY VAN DINE
(INST. No.: 2012000272181)
(RESIDENCE)

105.00' (DEED)
104.32' (MEASURED)

FOUND 1/2" IRON PIN NO CAP

OWNER: EMILY HENDERLONG
(INST. No.: 2010000110712)
(RESIDENCE)

OWNER: MATTHEW GRADOWSKI
(INST. No.: 2015000168923)
(RESIDENCE)

105.00' (DEED)
105.17' (MEASURED)

FOUND 5/8" IRON PIN AND CAP STAMPED LB 6897

OWNER: TOMMY LEE II
AND DAWN LEIDIG
(O.R. BOOK 4814, PAGE 2496)
(VACANT)

CENTERLINE OF A 40' EASEMENT LYING BETWEEN BLOCKS 58 & 59 PER PLAT OF HEITMAN'S BONITA SPRINGS TOWNSITE, PLAT BOOK 6, PAGE 24, LEE COUNTY, FLORIDA.

OWNER: ALLEN ROWE
(INST. No.: 2008000140986)
(RESIDENCE)

EXISTING DRAINAGE DITCH

OWNER: UNKNOWN
(NEW RESIDENCE)

0.9' WIDE CONCRETE HEADWALL WITH TWIN 24" RCP INV. S. NN 4.42'

CENTER OF SECTION
FOUND 80D NAIL
N 88°31'04" E 666.48' (MEASURED)

CATCH BASIN
GRATE = 8.22'

CATCH BASIN
GRATE = 7.56'

CATCH BASIN
GRATE = 7.52'

SEWER MANHOLE

BENCHMARK
SET PARKER-KALON NAIL AND DISK
STAMPED TRAV-BM PSM 6279
ELEVATION = 7.44' (N.A.V.D. 1988)

OWNER: JOSEPH A. LAWHON
(INSTRUMENT No.: 2012000224825)
(VACANT)

N 88°30'38" E 635.00' (DEED)
N 88°30'38" E 635.09' (MEASURED)

FOUND NAIL IN TREE AT MEAN ANNUAL HIGH WATER MARK
TOP OF NAIL ELEVATION = 3.36'

FOUND NAIL IN TREE AT MEAN ANNUAL HIGH WATER MARK
TOP OF NAIL ELEVATION = 3.06'

FOUND NAIL IN TREE AT MEAN ANNUAL HIGH WATER MARK
TOP OF NAIL ELEVATION = 2.96'

FOUND NAIL IN TREE AT MEAN ANNUAL HIGH WATER MARK
TOP OF NAIL ELEVATION = 3.24'

THE SOUTH 548.67 FEET OF BLOCK 59
STRAP: 34-47-25-B2-00259.0020
FOLIO ID: 10467210
(VACANT, HEAVILY WOODED)

TOTAL PARCEL AREA
349,896 SQ.FT. OR
±8.033 ACRES

FOUND NAIL IN TREE AT MEAN ANNUAL HIGH WATER MARK
TOP OF NAIL ELEVATION = 3.21'

FOUND NAIL IN TREE AT MEAN ANNUAL HIGH WATER MARK
TOP OF NAIL ELEVATION = 3.09'

S 88°31'20" W 635.00' (DEED)
S 88°31'20" W 635.18' (MEASURED)

S 88°31'04" E 666.48' (MEASURED)

SEWER MANHOLE
SUFFRIDGE DRIVE

FOUND 1/2" IRON PIN AND CAP STAMPED MOA 3553
0.23' WEST AND 0.12' SOUTH

FOUND 1/2" IRON PIN NO CAP

WOOD UTILITY POLE

GUY ANCHOR

CATCH BASIN
GRATE ELEV. = 2.64' (FULL OF WATER)

GUY ANCHOR
ANCHOR POLE

CATCH BASIN
GRATE ELEV. = 5.04'
24" RCP INV. N. = 1.48'
18"x24" ECP INV. S. = 2.80'

SET 5/8" IRON PIN AND CAP STAMPED DCH PSM 6279

BENCHMARK
SET PARKER-KALON NAIL AND DISK
STAMPED TRAV-BM PSM 6279
ELEVATION = 5.40' (N.A.V.D. 1988)

SEWER MANHOLE
NORTH RIM ELEV. = 5.75'
10" CLAY PIPE INV. N. = -1.87'

SEWER MANHOLE
NORTH RIM ELEV. = 3.83N
8" CLAY PIPE INV. N. = -4.55'
8" CLAY PIPE INV. W. = -4.55'
10" CLAY PIPE INV. S. = -4.82'
10" CLAY PIPE INV. E. = -4.65'

LOT 33
(PARK PLACE)

BENCHMARK
SET PARKER-KALON NAIL AND DISK
STAMPED TRAV-BM PSM 6279
ELEVATION = 4.07' (N.A.V.D. 1988)

SEWER MANHOLE
NORTH RIM ELEV. = 4.17N
10" CLAY PIPE INV. N. = -4.10'
8" CLAY PIPE INV. E. = -1.53N
10" CLAY PIPE INV. S. = -4.18N

GATE VALVE
TELEPHONE PEDESTAL
WOOD UTILITY POLE

FIRE HYDRANT
FIRE GATE VALVE

LOT 32
(PARK PLACE)

CATCH BASIN
GRATE ELEV. = 2.07' (FULL OF WATER)

CANAL

LOT 21
(PARK PLACE)

BENCHMARK
SET PARKER-KALON NAIL AND DISK
STAMPED TRAV-BM PSM 6279
ELEVATION = 3.96' (N.A.V.D. 1988)

WOOD UTILITY POLE

TONYA COURT
60' WIDE RIGHT-OF-WAY

GATE VALVE

SEWER MANHOLE
NORTH RIM ELEV. = 4.23'
10" CLAY PIPE INV. N. = -2.77'
8" CLAY PIPE INV. E. = -2.71'
10" CLAY PIPE INV. S. = -2.71'

LOT 20
(PARK PLACE)

TELEPHONE PEDESTAL
WOOD UTILITY POLE
FIRE HYDRANT
FIRE GATE VALVE

LOT 1
(PARK PLACE)

CATCH BASIN
GRATE ELEV. = 5.18'
18"x24" ECP INV. N. = 2.76'
18" RCP INV. W. = 2.87'
18" RCP INV. S. = 2.69'

S 01°24'54" E 25.29' (M)
N 88°31'04" E 1345.17' (MEASURED)

TELEPHONE PEDESTAL

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

WOOD UTILITY POLE

EX "B"

STRAP NUMBER: BONITA SPRINGS, FL 34135
PARCEL NUMBER: 34-47-25-52-00259.0020
SITE AREA: 10467210
INCORPORATED AREA: 8 ACRES
CITY OF BONITA SPRINGS
CURRENT ZONING: AG-2
PROPOSED ZONING: RESIDENTIAL PLANNED DEVELOPMENT
FUTURE LAND USE: MODERATE DENSITY RESIDENTIAL
EXISTING LAND USE: VACANT
MAX BUILDING HEIGHT: 35' FROM THE BASE FLOOD ELEVATION TO THE EAVES
MAX NUMBER OF STORIES: 4

OPEN SPACE & PRESERVE

REQUIRED OPEN SPACE: 40% (3.20 AC)
PROVIDED OPEN SPACE: 62.5% (5.00 AC)
REQUIRED PRESERVE: 20% (1.60 AC)
PROVIDED PRESERVE: 20% (1.62 AC)

SITE DENSITY

PERMITTED ALLOWABLE DENSITY: 42 UNITS
PROPOSED SINGLE-FAMILY DETACHED UNITS: 14
PROPOSED SINGLE-FAMILY ATTACHED (ZERO LOT LINE) UNITS : 26
TOTAL PROPOSED DENSITY: 14 + 26 = 40 UNITS

LOT DIMENSIONS AND SETBACKS

SINGLE-FAMILY DETACHED INTERIOR UNITS: 60' WIDE X 97' DEEP
LOT COVERAGE: 2,752 / 5,820 SF = 47%
SINGLE-FAMILY DETACHED UNITS ON CORNERS: 67' OR 81.5' WIDE X 97' DEEP
LOT COVERAGE: 2,752 / 6,499 SF = 42% OR LESS
SINGLE-FAMILY ATTACHED UNITS: 32' OR 32.5' WIDE X 95' DEEP
LOT COVERAGE: 1,834 / 3,104 SF = 60%
PROVIDED BUILDING SETBACKS:
FRONT: 25' MIN.
REAR: 20' MIN.
SIDE: 5' MIN. (EXCEPT ATTACHED/ZERO LOT LINE SIDES)
PERIMETER BOUNDARY: 15' MIN.

PARKING

UN-ATTACHED UNITS: 3 CAR GARAGE + 2 DRIVEWAY SPACES
ATTACHED UNITS: 2-CAR GARAGE + 2 DRIVEWAY SPACES

ADJACENT ZONING / USE

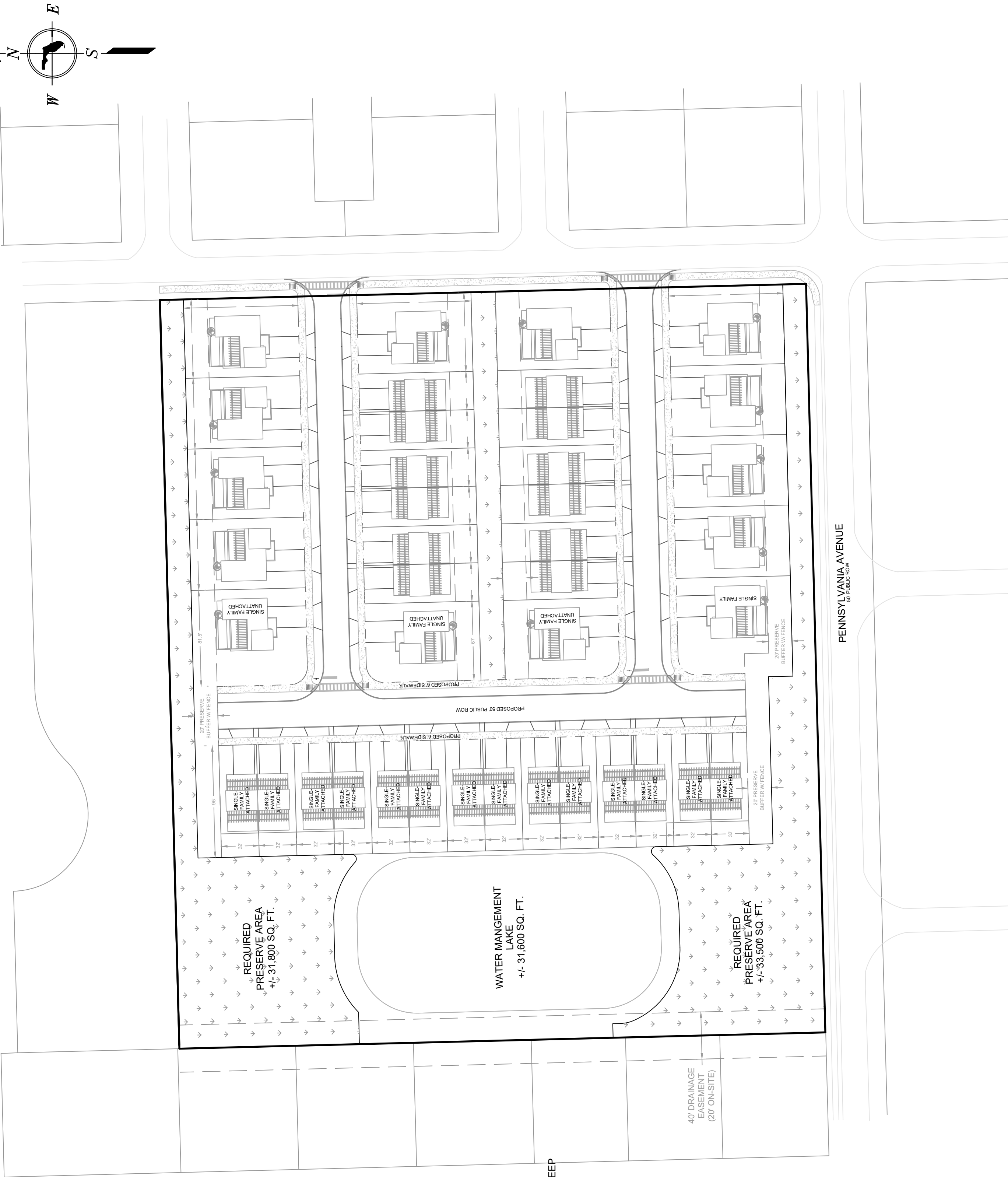
NORTH: RPD / VACANT
SOUTH: RS-1 / SINGLE-FAMILY HOMES
EAST: TCF-2 & RS-1 / SINGLE-FAMILY HOMES
WEST: RS-1 / SINGLE-FAMILY HOMES

DEVIATIONS

- 1. RELIEF FROM LDC SECTION 3-417(b)(1)(a) - PRESERVE SETBACK
- 2. RELIEF FROM LDC SECTION 3-417(b)(6)(a) - PRESERVE SETBACK

NOTE

THIS PLAN IS CONCEPTUAL IN NATURE AND IS SUBJECT TO MODIFICATION AT THE TIME OF AGENCY PERMITTING, PLAT APPROVAL, OR DEVELOPMENT ORDER. HOWEVER, ANY SUCH MODIFICATIONS SHALL BE IN COMPLIANCE WITH THE APPLICABLE LAND DEVELOPMENT CODE (LDC) DESIGN STANDARDS AND GUIDELINES.



ATTACHMENT “A”

BACKGROUND AND INFORMATIONAL ANALYSIS:

Surrounding Land Use:

<u>Existing Zoning & Land Use</u>	<u>Future Land Use Map</u>
Subject Parcel: Agricultural (AG-2), Vacant	*Moderate Density Residential 5.8 dwelling units/acre (du/ac)
North: Residential Planned Development (RPD), Vacant	*Mod. Den. Res. 5.8du/ac
East: Two-Family Attached (TFC-2), Single Family/Duplex (SF/DUP) Residential	Medium Density Residential 11.6du/ac
South: Residential Single Family (RS-1), SF Residential	*Mod. Den. Res. 5.8du/ac
West: AG-2 & RS-1, SF Residential	*Mod. Den. Res. 5.8du/ac

*Category allows up to 6du/ac for planned developments (PD's)

Planned Development Analysis

Review criteria	Yes – Mostly - Partly - No
Demonstrate compliance with the Bonita Plan, this Land Development Code, and any other applicable code or regulation	Yes – The application is in compliance with the Comprehensive Plan and applicable Land Development Code Regulations
The request meets or exceeds performance and location standards set forth for the proposed uses	Yes – The MCP with associated conditions presented by Staff will meet the standards of the Land Development Code.
Including the use of TDR or affordable housing bonuses are the densities or intensities (general uses) consistent with the Comprehensive Plan	Mostly – The proposed density is only achievable if approximately 2+ acres of wetlands are mitigated. Staff had requested an alternate MCP that showed a proposed layout and configuration should mitigation efforts be unsuccessful. The request was denied by the Applicant. However the

	proposed density does not violate the provisions of the Comprehensive Plan.
The request is compatible with existing or planned uses in the surrounding area	Yes – The surrounding uses are residential in nature. The proposed development is also residential and is considered an infill project.

Approval of the request will not place an undue burden upon existing transportation or planned infrastructure facilities and will be served by streets with the capacity to carry traffic generated by the development	Yes-- The proposed residential development will account for less than 2% of the roadway capacity of the analyzed segments.
Will the request adversely affect environmentally critical areas and natural resources	Partly – In order to achieve the desired density and lot layout, a portion of an existing wetland will need to be mitigated. However, based on the Applicant's environmental study (as confirmed by Staff), the wetland is infested with exotic vegetation and is of lower quality—making mitigation approval likely achievable. Additionally, clustering the development will help to preserve additional indigenous land areas compared to the standard 75ft x 100ft lot subdivision.
Public facilities are, or will be, available and adequate to serve the proposed land use	Yes - Public facilities are available to the site.
Deviations needed to enhance or to achieve the objectives of the planned development	Partly – The proposed deviations are related to preserve setbacks and wildland mitigation. However, if approved, the deviations would allow for more useable space on the lots while still being mindful of the preserve areas.
Deviations needed to preserve, promote and or protect the public health, safety and welfare	Yes – the proposed deviations as conditioned will still provide for the preservation and separation of the homes and the preserve/open space areas. A physical barrier (i.e. a fence) will be installed to promote this separation, adding to the safety and welfare of the residents of the project.

Environmental

The Applicant provided an environmental assessment and a protected species assessment for review by City Staff. The City's environmental specialist reviewed the assessments carefully and inspected the site on multiple occasions to verify the findings of the assessments. The site was reviewed and inspected for a variety of species, including (but not limited to) gopher tortoises, black bears, panthers, herons, bonneted bats, egrets, scrub jays, eastern indigo snakes, and big cypress fox squirrels, among others. There was no evidence that the property was being used by any of the listed species in the report.

Additionally, the on-site vegetation was carefully logged and assessed and it was determined that the site had the following vegetative characteristics:

FLUCCS CODE	DESCRIPTION	ACREAGE
411E3	Pine Flatwood, Invaded by Exotics (51-75%)	3.83
450	Mixed Exotic Upland Forest	1.30
510	Ditch	0.13
619	Exotic Wetland Hardwoods	2.14
625E3	Hydric Pine Flatwoods Invaded by Exotics (51-75%)	0.49
743	Berm	0.11
	Upland Subtotal	5.26
	Wetland Subtotal	2.63
	Other Surface Waters Subtotal	0.11
	Total	8.00

As discussed elsewhere in this attachment and the staff report, the subject property is in a future land use category that does not allow the wetland acreage to be used for density purposes. As a result, approximately 2.63 acres would be removed from the density calculations, which would yield a maximum density of approximately 31 units. The proposed master concept plan shows 40 units, which is within the limits of the future land

use category if the 2.63 acres of wetlands are mitigated. The environmental report indicates that the wetlands are between 51-75% infested with invasive exotic vegetation and does not completely function as a high quality wetland. This was confirmed by the City during an on-site inspection. Pursuant to Condition 4, the Applicant will need to provide evidence of mitigation to Community Development during the local development order process. Failure to provide this will void the proposed MCP and the Applicant would need to amend the planned development to obtain approval for a modified MCP.

Stormwater

The Applicant provided a surface water management plan for review by Staff. The natural flow of water and runoff is north towards the Imperial River. The proposed drainage concept acknowledges this historic flow and proposes an on-site flow in that direction. A stormwater detention pond is proposed towards the west side of the project area and will be over 38,000sf in area. Water will be collected from the yards, streets, and homes and will be directed to the pond where it will discharge through a control structure into a drainage easement that will move the water towards the river at a controlled rate. A more detailed stormwater management plan will be required to be submitted at time of local development order.

Traffic

The Applicant provided a Traffic Impact Statement (TIS), which was reviewed by the City's transportation engineer. Some of the key segments that were analyzed for the report were Pennsylvania Avenue (west of Old 41), Wisconsin Street (north of Bonita Beach Road), Bonita Beach Road (east of Arroyal Road), Bonita Beach Road (between Wisconsin and Michigan Street), and Old 41, (south of Bernwood Parkway). The projected impact of the project on the level of service (LOS) of the aforementioned segments and roadways is less than 2% (1.97% at its highest level). Anything less than 3% is considered a project of non-significant impact. At this time, due to the de minimus impacts, there are no proposed modifications that are necessary to the affected roadways.

Comprehensive Plan

The property is located in the Moderate Density Residential future land use category. This category is described as follows:

Policy 1.1.7: Moderate Density Residential - Intended to accommodate and preserve single-family residential development at a maximum density of up to 5.8 dwelling units per gross acre and approximately 1,977 acres of gross land area in the land use category; planned unit developments at a maximum density of six units per acre; group homes and foster care facilities; public schools and other public, semi-public and recreational uses on a limited basis.

- a. *Appropriate residential housing types include conventional and modular constructed single-family homes on permanent foundations.*
- b. *Maximum allowable height of structures shall be 35 feet from the base flood elevation to the eaves.*

The proposed project does not exceed the density allowances of the future land use category. However, as stated previously, the proposed density only becomes realistic if the Applicant is successful with the request to mitigate the on-site wetlands.

With regards to the types of dwelling units proposed, the category lists conventional and modular single-family construction as the appropriate type. The Applicant is proposing conventional single-family development, as well as two-family attached development. From a consistency and compatibility standpoint, two-family attached units are similar to conventional single-family in that each unit is located on a separate lot under separate ownership. Each unit would have its own associated STRAP number and address and would pull its own building permit. Additionally, similar housing types exist in the surrounding neighborhoods to the east and south, which makes the proposal consistent with the existing area. The Staff opinion is that Policy 1.1.4 (Allowable Uses) of the Future Land Use Element can be exercised to permit this development type. The policy states:

Policy 1.1.4: Allowable Uses - *The listing of appropriate land uses in each of the individual land use categories identifies those uses generally expected to be appropriate. However, other uses which are similar in character, intensity and impacts to those listed may also be deemed to be appropriate.*

With regards to the Traffic Element, a Traffic Impact Statement (TIS) was provided and was reviewed by the City's traffic engineer. As stated in the traffic analysis section, the plan is not one of significant impact to the roadway network. Provisions for multi-modal facilities will be provided. It is the Staff opinion that the project is consistent with the traffic element of the Bonita Plan.

With regards to the Housing Element, this residential project is proposed in a residential area, where projects of this nature are appropriate. It represents an infill project offering new construction opportunities in an area that does not have new construction readily available. The Staff opinion is that the project is consistent with the housing element of the Bonita Plan.

The project is located within the Coastal High Hazard Area and the Coastal Management Area, and as such, Staff requested that the Applicant supply a narrative demonstrating consistency with this element. The proposal is an infill project and the proposed density

is less than the maximum that could be permitted in the future land use category. The project will be required to be designed in accordance with the City's Flood Damage Protection Ordinance and the Florida Building Code. Any wetland impacts will need to be appropriately mitigated.

The remaining comprehensive plan elements would not apply to this project.

RETURN TO:
City of Bonita Springs
Community Development Department
Attn: Mike Fiigon
9220 Bonita Beach Road, Suite 109
Bonita Springs, FL 34135
mfiigon@cityofbonitaspringscd.org

Support _____ Oppose X

Application: PD23-106206-BOS: Pennsylvania Ave./Wisconsin St RPD

Traffic on Pennsylvania Ave is ALREADY REALLY BUSY.
ALL The homes + condos will make Pennsylvania Ave a Night Mare!
40 dwelling units is to many.
Best regards, Christine Youssef

DATE: Sept 9, 2024
NAME: NABIL & CHRISTINE YOUSSEF PHONE: 239-633-5550 & 239-560-7478
ADDRESS: 10306 Pennsylvania Ave CITY/STATE/ZIP: Bonita Springs, FL 34135

RECOMMENDATIONS AND POSTPONEMENTS: The Board may accept, reject or modify staff recommendations and take other appropriate and lawful action including continuing said public hearings.

CONDUCT OF HEARINGS: These hearings are quasi-judicial and must be conducted to afford all parties due process. Any communication that Council Members have outside of the public hearing must be fully disclosed at the hearing. Anyone who wishes to speak at the hearing will be sworn in and may be subject to questions by the board, city staff or applicant. Public comment is encouraged, and all relevant information should be presented to the Board so a fair and appropriate decision can be made. Tapes are limited to three (3) minutes in length and are to be submitted to the Zoning Division one week prior to the meeting date for review. All tapes/information submitted for the public record will not be returned.

GROUP REPRESENTATIVES: Any person representing a group or organization must provide written authorization to speak on behalf of that group. The representative shall inform Staff prior to the hearing of their intent to speak on behalf of a group and provide staff the name of that group.

I will have a representative at the Zoning Board Hearing and/or City Council. My representative's name, address, and phone are:

NAME: _____ PHONE: _____
ADDRESS: _____ CITY/STATE/ZIP: _____

APPEALS: If a person decides to appeal any final decision made by the City Council, with respect to any matter considered at such hearing, they are responsible at their own expense for ordering from a court reporter to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence on which the appeal is to be based.

RETURN TO:
City of Bonita Springs
Community Development Department
Attn: Mike Fiigon
9220 Bonita Beach Road, Suite 109
Bonita Springs, FL 34135
mfiigon@cityofbonitaspringscd.org

Support _____ Oppose ☒

Application: PD23-106206-BOS: Pennsylvania Ave./Wisconsin St RPD

DATE: 9/9/24
NAME: Jennifer Berger PHONE: (239) 603-2051
ADDRESS: 27631 Barrett St. CITY/STATE/ZIP: BONITA SPRINGS 34135
FLORIDA

RECOMMENDATIONS AND POSTPONEMENTS: The Board may accept, reject or modify staff recommendations and take other appropriate and lawful action including continuing said public hearings.

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RETURN TO:
City of Bonita Springs
Community Development Department
Attn: Mike Fiigon
9220 Bonita Beach Road, Suite 109
Bonita Springs, FL 34135
mfiigon@cityofbonitaspringscd.org

Support _____ Oppose ☒

Application: PD23-106206-BOS: Pennsylvania Ave./Wisconsin St. RPD

DATE: 8/22/2024
NAME: Luis Jenkins PHONE: (239) 777-9989
ADDRESS: 2755 Sullivan Dr CITY/STATE/ZIP: Bonita Spring FL 34135

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Bonita Springs, FL 34135
mfiigon@cityofbonitaspringscd.org

Support _____ Oppose ☒

Application: PD23-106206-BOS: Pennsylvania Ave./Wisconsin St. RPD

DATE: 9-3-2024
NAME: Charity Black PHONE: 239-671-0655
ADDRESS: 2775 Sutherland Dr. CITY/STATE/ZIP: Bonita Springs, FL 34135

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Charity Black

RETURN TO:

City of Bonita Springs
Community Development Department
Attn: Mike Fiigon
9220 Bonita Beach Road, Suite 109
Bonita Springs, FL 34135
mfiigon@cityofbonitaspringscd.org

Support _____ Oppose X

Application: PD23-106206-BOS: Pennsylvania Ave./Wisconsin St. RPD

DATE: 8-21-24
NAME: Robert Schleinfelder PHONE: 260-341-0431
ADDRESS: 4820 Middlebush Dr CITY/STATE/ZIP: Fort Wayne IN 46835

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Fl. Address : 57271 Condo 329A
East Hacienda Blvd.
Bonita Springs FL 34135

RETURN TO:

City of Bonita Springs
Community Development Department
Attn: Mike Fligon
9220 Bonita Beach Road, Suite 109
Bonita Springs, FL 34135
mfligon@cityofbonitaspringscd.org

Support _____ Oppose X

Application: PD23-106206-BOS: Pennsylvania Ave./Wisconsin St. RPD

The current infrastructure particularly Wisconsin and Pennsylvania cannot handle a significant increase in traffic that would result in up to 40 additional dwellings (possibly 80+). This would lead to safety concerns, traffic and the decline in the quality of life for current residents. When I purchased my lot on Tanya Ct, I took into account the agricultural zoning and the nature of the neighborhood. High density housing contradicts the character of the neighborhood and undermines the expectations of those who have invested in the community.

DATE: 8/19/24 *If any change is made I propose like kind size SFR Residential like those in Sunbeam*
NAME: MARK ARVICH TRUST PHONE: 239 860.7667
ADDRESS: 9765 Tanya Ct CITY/STATE/ZIP: Bonita Springs FL 34135 *or Bonita Springs FL*

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RETURN TO:

City of Bonita Springs
Community Development Department
Attn: Mike Fiigon
9220 Bonita Beach Road, Suite 109
Bonita Springs, FL 34135
mfiigon@cityofbonitaspringscd.org

Support _____ Oppose ✓

Application: PD23-106206-BOS: Pennsylvania Ave./Wisconsin St. RPD

DATE: 9/9/2024
NAME: JEN HAYES, MARK ATHANACIO PHONE: 239-777-1758
ADDRESS: 9793 MONTANA CT CITY/STATE/ZIP: BONITA SPRINGS, FL 34135

RECOMMENDATIONS AND POSTPONEMENTS: The Board may accept, reject or modify staff recommendations and take other appropriate and lawful action including continuing said public hearings.

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Aug. 22, 2024

RETURN TO:
City of Bonita Springs
Community Development Department
Attn: Mike Fiigon
9220 Bonita Beach Road, Suite 109
Bonita Springs, FL 34135
mfiigon@cityofbonitaspringscd.org

Support ☒ Oppose ☐

Application: PD23-106206-BOS: Pennsylvania Ave./Wisconsin St. RPD

We need new construction in the area.

DATE: August 22, 2024
NAME: Wisconsin Street LLC PHONE: 239.595.9100
ADDRESS: 1495 Rail Head Boulevard CITY/STATE/ZIP: Naples, Fl. 34110
Unit 5

RECOMMENDATIONS AND POSTPONEMENTS: The Board may accept, reject or modify staff recommendations and take other appropriate and lawful action including continuing said public hearings.

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RETURN TO:
City of Bonita Springs
Community Development Department
Attn: Mike Fligon
9220 Bonita Beach Road, Suite 109
Bonita Springs, FL 34135
mfligon@cityofbonitaspringscd.org

*Thank you
for your
consideration.*

Support _____ Oppose X

Application: PD23-106206-BOS: Pennsylvania Ave./Wisconsin St. RPD

DATE: 10-3-2024

NAME: Grace Strycharz

PHONE: 239-434-2200

ADDRESS: 22305 Johnson St.

CITY/STATE/ZIP: 34135

Bonita Springs FL

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9220 Bonita Beach Road, Suite 109
Bonita Springs, FL 34135
mfiigon@cityofbonitaspringscd.org

Support ☒ Oppose ☐

Application: PD23-106206-BOS: Pennsylvania Ave./Wisconsin St. RPD

DATE: 11/2/24
NAME: Tamara Ludwig PHONE: 239-825-9393
ADDRESS: 27541 Garrett St CITY/STATE/ZIP: Bonita Spg, FL 34135

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From: [Michael Fiigon](#)
To: [Cynthia Vargas](#)
Subject: FW: Hello Mike, thank you for the informative conversation on the phone recently.
Date: Wednesday, August 7, 2024 2:15:31 PM

For the file please

From: Lonnie Firkus <lfirkus@gmail.com>
Sent: Wednesday, August 7, 2024 2:14 PM
To: Michael Fiigon <mfiigon@cityofbonitaspringscd.org>

Subject: Hello Mike, thank you for the informative conversation on the phone recently.

Hello Mike, thank you for the informative conversation on the phone recently.

Denise and I own the property at 27451 Wisconsin St. Just across from the proposed development. Regarding the proposed development, we along with the neighborhood at large are concerned about traffic being substantially increased on Wisconsin Street. It seems the negative impact to safety and traffic volume in our neighborhood could be easily alleviated by routing traffic directly south onto Pennsylvania Avenue. The approximately 100 to 120 vehicle increase in traffic flowing through a four-way stop will undoubtedly cause back ups into our narrow residential streets incurring safety hazards. A second concern is the extreme height of structures as currently proposed. 35 feet of height will allow a sight line directly into neighbors yards/private spaces. This observation deck should not be allowed as the only thing that can be observed, is the surrounding neighbors.

A third concern is the fact that our canal is flooding its banks more often than in recent years. A 24 inch storm pipe has recently been installed to fast track storm water from south of Pennsylvania. With any more impervious development. we will undoubtedly flood more regularly at our properties.

Thank you for your consideration.

Lonnie and Denise Firkus and family.

RETURN TO:
City of Bonita Springs
Community Development Department
Attn: Mike Fiigon
9220 Bonita Beach Road, Suite 109
Bonita Springs, FL 34135
mfiigon@cityofbonitaspringscd.org

Support _____ Oppose X

Application: PD23-106206-BOS: Pennsylvania Ave./Wisconsin St. RPD

1) Oppose because of excess traffic to Wisconsin Street instead of direct to Pennsylvania
2) Oppose because of increased impermeability as flooding is increasing steadily at and around this location

DATE: 9-25-2024

NAME: Louie

PHONE: 715-340-9317

ADDRESS: 27451 Wisconsin Street

CITY/STATE/ZIP: Bonita Springs

FL 34135

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From: [Michael Fiigon](#)
To: [Cynthia Vargas](#)
Subject: FW: 8 acre project on Wisconsin and Pennsylvania
Date: Tuesday, August 6, 2024 12:03:51 PM

For the file please.

From: John Schoenheit <john@spiritandtruthonline.org>
Sent: Tuesday, August 6, 2024 8:08 AM
To: Michael Fiigon <mfiigon@cityofbonitaspringscd.org>
Subject: 8 acre project on Wisconsin and Pennsylvania

Good morning Mike, I'm writing about the proposal to build on the 8 acre site adjoining Wisconsin Street and Pennsylvania Street. The project number is **PD23-106206-BOS**. I am concerned about over developing and too much housing density. As you know, we just had a tropical storm, and our street Tonya Court could not handle the needed drainage. At the east end of the street there was actually water coming up out of the drain instead of going into it. Also, the West End of the street was completely flooded and quite a few inches deep. Water was also coming up out of the drains on Montana the street north of Tonya Court.

As you know, houses contribute to a drainage problem, and I am concerned that if there are too many houses that this area will flood much more readily. I know developers want to cram as many houses as possible into the space available, but in this case that may cause serious problems. Can we limit the housing density in that 8 acres and provide good drainage for the site?

I am also concerned about where the roads out of that development would intersect Wisconsin Street. I have been told they cannot connect the road to Pennsylvania Avenue, which means they will almost certainly connect to Wisconsin. If that is the case, is there a way to make sure they don't connect exactly opposite of Tonya Court? It will not help our housing value or lifestyle to have headlights shining down our street every night.

Thanks for considering these requests.

Sincerely,

John Schoenheit

317-413-6111

Johnschoenheit77@gmail.com

From: [Michael Fiigon](#)
To: [Cynthia Vargas](#)
Subject: FW: PD23-106206-BOS Pennsylvania Avenue / Wisconsin Street Development
Date: Tuesday, September 17, 2024 1:13:32 PM
Attachments: [9.17.2024 Form for City of BS Zoning09172024.jpg](#)

From: kingarthuriv@icloud.com <kingarthuriv@icloud.com>

Sent: Tuesday, September 17, 2024 8:54 AM

To: Michael Fiigon <mfiigon@cityofbonitaspringscd.org>

Cc: 'Nigel Fullick' <nigel.fullick@cityofbonitasprings.org>

Subject: PD23-106206-BOS Pennsylvania Avenue / Wisconsin Street Development

Dear Mike Fiigon & Nigel: I am unable to attend the meeting in person at City Hall in 7 minutes
RE: the 40 + properties being proposed at: PD23-106206-BOS Pennsylvania Avenue /
Wisconsin Street Development. I am ill this morning. My wife and I are opposed. Please see
attached. I hope that you know, those of us who live near Pennsylvania & Wisconsin are
extremely worried & disappointed about a proposition like this in our neighborhood in some of
the only green space left. Do we really need that many residences? As stated in the attached,
irresponsible growth such as this shows zero concern for those of us living here and those who
might be in the future (such as families who will be overcrowded & on top of one another on
this 8 acres).

Please know we are following your plans carefully and DO NOT like to see this type of
outlandish building.

Please reach out to me or my wife, Erin, anytime with questions, concerns or any further
details needed.

Wishing you a good Tuesday and thank you for your time....

Ron Arthir

EMAIL ADDRESS: KingArthurIV@icloud.com

PHONE: 239-273-2019

MAILING ADDRESS:

27645 Baretta Drive

Bonita Springs, FL 34135

From: [Erin Zappia](#)
To: [Michael Fiigon](#)
Cc: [Cynthia Vargas](#)
Subject: Concerns regarding Pennsylvania-Wisconsin Development PD23-106206-BOS
Date: Wednesday, July 24, 2024 11:04:26 PM
Attachments: [proposed site plan for wisconsin and pennsylvania with home marked .pdf](#)

Hi Mike,

First, I'm sorry for the very long email that you're about to read. It may be lengthy, but it's extremely important.

I have several concerns regarding the proposed development on Pennsylvania-Wisconsin and would like those concerns noted on file and hopefully addressed. While the majority of the concerns that I will be stating are shared amongst my fellow neighbors, there is one particular concern which would only affect me, my family, and my property with regard to the proposed site plan.

I am talking, of course, about the design of the streets and the fact that one of the streets faces the side of my home. I live at 9750 Tonya Ct. When looking at the proposed site plan the South entrance/exit of the proposed development is directly aimed at the side of my home (see attached). The street is not aimed at my front yard or backyard but, specifically at the side of my home where my primary bedroom is. At last year's neighborhood meeting I voiced my concern about that design and I was met with "we'll see what we can do".

When I arrived at the recent neighborhood meeting I was surprised and disappointed that my concern was not taken as seriously as it should be. The developers offered to plant Clusia hedges along the side of my property, facing the proposed street...but there was no effort made to change the location of the street. My home has been there since 1971, long before this proposed development was even a thought. Are you aware that every day in the US there are at least 60 reported accidents of vehicles crashing into buildings? (source: [Miami Herald](#)). Additionally, according to the Florida Highway Safety and Motor Vehicles 2022 report, there were 196 incapacitating injuries and 40 fatalities reported specifically for collisions into buildings (source: [FLHSMV 2022 report](#)). According to the same report, 424 incapacitating injuries and 73 fatalities were reported for running a stop sign (source: [FLHSMV 2022 Report](#)). Again, that proposed street would be aimed at my bedroom...

Why is it that the safety of my family and my home is less important than the design of this new development? They have 8 acres of land to plan upon...and the best idea they could come up with is to place a street aimed at a house that has been there for 53 years? As a homeowner and Realtor, I take a great deal of pride in my property. Not only am I concerned from a safety aspect, but by placing a street aimed at my home it will also negatively affect my property value. I have worked extremely hard to keep my property well maintained and updated and it would be a disappointment if the City were to allow my property to be directly and negatively impacted by this new development. As I stated, no other home in the surrounding neighborhood will be affected in this same way. Between the developers and the City, there have to be some ideas that can change the street flow so that my family's safety is not in jeopardy.

My other concerns are shared amongst my fellow neighbors:

1) The proposed community will be an HOA with 14 single family homes and 13 coach homes (26 properties) for a total of 40 new homes. The current design of these buildings is 3 floors with the garage as the base/first floor with a max height of 35 feet. The current design includes a rooftop balcony/lanai space. [At the meeting, we \(homeowners\) stated that the height of this outdoor space would remove the privacy of the surrounding neighbors.](#)

2) The current plan has two ingress/egress roads for the new development, both on Wisconsin St. The current plan for the single family homes will have a 3 car garage while the coach homes will have a 2 car garage. I don't know if their HOA rules will stipulate anything about additional vehicles. With that being said, that is at least 80-100 new vehicles coming from that community....which does NOT include the vehicles from the 6 new single family homes that will be built on the 2 acres on the Northern part of Wisconsin St (which should be at least an additional 12-24). In total, we are talking about 92-124 ADDITIONAL vehicles trying to exit from Wisconsin Street...which also doesn't account for any delivery/vendor traffic. Also, what happens if the HOA plans to add gates to those streets? [The main consensus from the meeting was that everyone felt that a road NEEDED to be on Pennsylvania Ave to help ease the traffic flow from Wisconsin St since that is the only way out of our neighborhood.](#)

3) The retention pond on the West side of the proposed site plan is obviously meant to help with water runoff. However, I am not certain how that is going to majorly help the East side of the plan (closest to Wisconsin St). [Concerns were raised over how their construction will impact the surrounding neighborhoods with flooding as both Tonya Ct and Montana Ct flooded during Hurricane Ian. What will be done to prevent water runoff from the East side of the property?](#)

I am currently planning to attend one of the City Council meetings in August to voice these concerns. I hope by having them on file with you first that you can somehow shed some additional light to these issues and hopefully there can be a workaround so that it is favorable to us (neighborhood homeowners) and the developers.

Please confirm receipt of this email. I know that this is quite lengthy so I'm happy to discuss these issues with more detail, should the need arise.

I sincerely appreciate you taking the time to read through this. It means a lot.

Proud Bonita Springs Homeowner,

Erin Zappia
(239) 272-1037



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

City of Bonita Springs City Council **Draft** Meeting Minutes

November 6, 2024

5:30 P.M.

1. **Call to Order** - Mayor Steinmeyer called the meeting to order at 5:30 p.m.

2. **Invocation** - Provided by Rev. Patrick Womack of Bay Presbyterian Church.

3. **Pledge of Allegiance** - Mayor Steinmeyer led the Pledge of Allegiance.

4. **Roll Call**

Mayor Steinmeyer motioned to allow Council Member Carr to participate and vote remotely via Zoom; seconded by Council Member Corrie. **The motion carried 6-0.**

The City Clerk called the roll:

Present: 7 Council Member Bogacz, Mayor Steinmeyer, Council Member Corrie, Council Member Fullick, Deputy Mayor Forbes, Council Member Purdon (arrived 5:34 pm), Council Member Carr (via Zoom).

Absent: 0

5. **Mayor's Welcome** - Mayor Steinmeyer announced that this will be his final meeting, stating it has been an honor to serve as Mayor. He conveyed his confidence in Mike Gibson to lead the City forward.

6. **Approval of the Meeting Agenda**

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

7. **Public Comment on Agenda Items** - None

8. **Presentations:**

A. Presentation honoring Lee County Commissioner Ray Sandelli for his dedicated service to the citizens of Lee County.

Commissioner Sandelli, accompanied by Mrs. Sandelli, was present to receive a Certificate of Recognition. The Mayor, Council Members, and City Manager expressed their gratitude for the Commissioner's contributions and support, and extended their best wishes in his retirement.

- B. Presentation honoring Council Member/Deputy Mayor Fred Forbes for his dedicated service to the citizens of the City of Bonita Springs.

Following a special video presentation celebrating his tenure on the City Council, Deputy Mayor Forbes was honored with a recognition plaque. The Mayor, Council Members, and City Manager expressed their profound respect, admiration, and reflected on his contributions to the City.

9. Consent Agenda Items:

*Mayor Steinmeyer requested more information on consent agenda item 9m, the purchase and installation of an ADA compliant podium for City Council chambers. Lora Taylor, Communications Director, provided additional information. Council Member Corrie motioned to approve the Consent Agenda; Council Member Carr seconded. **The motion carried unanimously.***

- A. Approve minutes from the the City Council Meeting held on Oct. 2, 2024.
- B. Approve minutes from the City Council Special Meeting held on Oct. 23, 2024.
- C. Confirm and ratify Resolutions extending the local State of Emergency due to Hurricane Ian.
- D. Confirm and ratify Resolutions extending the local State of Emergency due to Hurricane Helene.
- E. Confirm and ratify Resolutions extending the local State of Emergency due to Hurricane Milton.
- F. Approve purchase agreement to acquire property located in the Quinn/Downs/Dean Neighborhood for the Voluntary Home Buyout Program. (Green Sheet 24-11-161)
- G. Approve two (2) purchase agreements to acquire property located in the Quinn/Downs/Dean Neighborhood for the Quinn/Downs/Dean West of Imperial Parkway Infrastructure Project. (Green Sheet 24-11-162)
- H. Authorize use of Lee County's contracts with CrowderGulf Disaster Recovery & Debris Management and with Thompson Consulting Services for Hurrican Helene recovery. (Green Sheet 24-11-163)
- I. Approve Interlocal Agreement with Lee County for transit services within the City of Bontia Springs. (Green Sheet 24-11-164)
- J. Authorize use of Lee County's contracts with CrowderGulf Disaster Recovery & Debris Management and with Thompson Consulting Services for Hurricane Milton recovery. (Green Sheet 24-11-165)
- K. Approve modification #4 to the contract agreement between the City of Bonita Springs and Florida Division of Emergency Management for the Spring Creek/Bonita Springs Golf Course Flood Improvement Project, Phase 1 for project closeout. (Green Sheet 24-11-166)
- L. Approve a special event permit and temporary road closure for the annual Holiday in the Park event at Riverside Park, Tuesday, December 3, 2024. (Green Sheet 24-11-167)
- M. Approve payment of \$56,267.04 to Encore Broadcast Solutions for the purchase and installation of a custom-built ADA compliant podium for City Council chambers. (Green Sheet 24-11-168)
 - Opportunity for City Council Comments on Consent Agenda

10. Public Hearings:

- A. First Reading and Public Hearing of an Ordinance adopting the 2024-2025 Five Year Capital Improvement Program Annual Update. (Green Sheet 24-11-169)

*The Clerk read the title block into the record. City Attorney Rooney explained that State law mandates the annual adoption of an ordinance updating the CIP. Council Member Carr motioned to proceed to second reading; Council Member Corrie seconded. **The motion carried unanimously.***

11. City Attorney Items:

- A. Approve settlement agreement with Ricardo Lopez, et al and Marcel and Dale Ratzlaff. (Green Sheet 24-11-170)

*City Attorney Rooney summarized the settlement agreement. Council Member Carr motioned to approve; seconded by Council Member Bogacz. **The motion carried unanimously.***

12. City Manager Items:

- A. Discussion regarding an amendment to the beach renourishment inter-local agreement with Lee County to address beach erosion as a result of Hurricanes Helene and Milton and direction to staff. (Green Sheet 24-11-171)

City Manager Hunter reported that Hurricanes Helene and Milton caused severe shoreline erosion which has significantly impacted the South Bonita Beach nourishment project. In response, City Staff submitted a letter to Lee County, requesting an amendment to the existing interlocal beach renourishment agreement, to secure the necessary funding for the project to continue on time. She asked for direction from Council on pursuing this amendment with the Lee County ILA to provide for a short-term loan without interest to cover the additional expense required to replace sand lost to storm erosion. In return, the City will actively pursue reimbursement funding through the Florida Department of Environmental Protection as well as other resources that may become available. Any funds received by the City for the beach nourishment project will be assigned directly to Lee County to repay the indenture.

*Council Member Carr motioned to provide direction as recommended by the City Manager; Council Member Corrie seconded. **The motion carried unanimously.** The City Manager stated that the amended agreement would be tentatively scheduled for the December 4th City Council meeting agenda.*

- B. Update on recovery – Hurricanes Ian, Helene, and Milton.

City Manager Hunter provided an update on the FEMA National Flood Insurance Program, stating that City staff continues to work with FEMA representatives on the final corrective action plan which is due on Nov 18. She then asked John Dulmer, Director of Community Development, to report to Council on potential proposed revisions to the Land Development Code. Director Dulmer stated that sections of the City's Flood Ordinance are outdated and require updates. One critical area needing attention is Comparative Loss. He asked for Council's guidance to permit staff to draft new language that aligns more closely with current FEMA regulations on repetitive loss events. Council members by consensus

collectively agreed and directed Director Dulmer to proceed with drafting the updated language for Council consideration.

13. Mayor and Council Member Reports

Council Member Carr - Reported that the American Sand Sculpture Championship is returning to Fort Myers Beach later this month. Additionally, several airlines have announced new expanded routes from RSW to various northern cities.

Deputy Mayor Forbes - Thanked staff and fellow Council Members for all their support during his tenure on the City Council.

Council Member Fullick - The Veterans Day Ceremony will be held at 9 am, Mon., Nov. 11, at Riverside Park. Additionally, Bonita Springs American Legion Post 303 is holding their grand reopening at 1 pm on Nov. 11.

Council Member Corrie - Discussed his recent discussion with FPL personnel regarding the number of power surges that continue to occur in the City since Hurricane Milton. Additionally, Senator Passidomo continues her efforts to bring all players to the table to collaborate on the BERT project. He requested that Council direct staff to work in partnership with neighboring jurisdictions to prepare a draft memorandum of understanding to support BERT with project parameters. There was no objection to such direction. He also asked staff to update newly elected City officials on the Riverside Park enhancement plans in connection with the BERT project.

Council Member Purdon - Thanked voters of Dist. 2 for their support.

Council Member Bogacz - Reported on results of the Bonita Springs Fire Commission Board election. Additionally, she commended staff on the successful Halloween event.

Mayor Steinmeyer - Stated he is looking forward to the upcoming Holiday in the Park event on Dec. 3 and the City's Anniversary celebration on Dec. 18. Additionally, he thanked voters for previously electing him and wished Mayor-elect Mike Gibson well.

14. Public Comment

Alex Grantt - Commented on the Bonita Springs Elementary School renovation project, questioning whether the school district is receiving federal funding, and if so, are they obligated to abide by regulations pertaining to the historical preservation of buildings on the National Register of Historic Places.

15. Adjournment - *There being no further business, the meeting adjourned at 6:36 p.m.*

Prepared by:

Mike Sheffield, City Clerk

APPROVED BY CITY COUNCIL

Date: _____

Mike Gibson, Mayor

ITEM TITLE: 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 SECTION: Consent

STRATEGIC PRIORITY: 6) Strengthen/Enhance Council Relations, 7) Government Transparency

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. 24-087 issued on November 4, 2024
2. Resolution No. 24-091 issued on November 11, 2024

REVIEWERS:

City Manager: Arleen Hunter

City Attorney: Derek Rooney

City Clerk: Mike Sheffield

CITY OF BONITA SPRINGS
RESOLUTION NO. 24-087

**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;

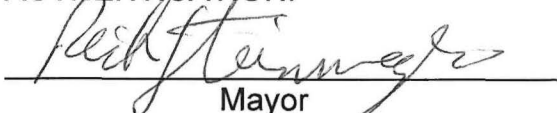
Section 1. The recitals above are hereby incorporated herein.

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.

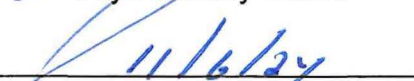
DULY PASSED AND ENACTED by the Mayor of the City of Bonita Springs, Lee County, Florida, this 4th day of November, 2024.

AUTHENTICATION:


Mayor


City Clerk

APPROVED AS TO FORM: 
City Attorney Office

Date filed with City Clerk: 
11/6/24

CITY OF BONITA SPRINGS
RESOLUTION NO. 24-091

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;

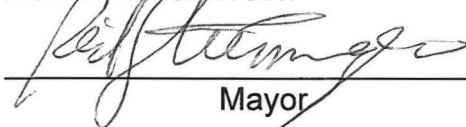
Section 1. The recitals above are hereby incorporated herein.

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 November, 2024.

AUTHENTICATION:



Mayor



City Clerk

APPROVED AS TO FORM: _____


City Attorney Office

Date filed with City Clerk: _____


11/11/24

ITEM TITLE: Confirm and ratify Resolutions extending the Local State of Emergency due to Hurricane Helene.

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

AGENDA SECTION: Consent

STRATEGIC PRIORITY: 6) Strengthen/Enhance Council Relations, 7) Government Transparency

BACKGROUND:

Governor Ron DeSantis signed Executive Orders 2024-208 and 2024-209 in response to the anticipated landfall of Tropical Storm Helene and has declared that a state of emergency exists in several counties including Lee County, pursuant to Chapter 252, Florida Statutes.

Sec. 14-41 of the City's Code of Ordinances empowers the Mayor to declare a local state of emergency whenever a natural or manmade disaster has occurred or threat of one is imminent and requires immediate and expeditious action.

Tropical Storm Helene poses a serious threat to the lives and property of residents of the City of Bonita Springs and therefore on September 24, 2024, Mayor Steinmeyer executed Resolution 24-72 declaring a local state of emergency for all territory within the legal boundaries of the City of Bonita Springs.

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.

STAFF RECOMMENDATION: Approve

ATTACHMENTS:

1. Resolution No. 24-088 issued on November 4, 2024
2. Resolution No. 24-092 issued on November 11, 2024

REVIEWERS:

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

CITY OF BONITA SPRINGS

RESOLUTION NO. 2024-088

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF BONITA SPRINGS, FLORIDA EXTENDING
THE STATE OF LOCAL EMERGENCY WHICH
PROVIDED FOR EMERGENCY GOVERNMENTAL
OPERATIONS RELATED TO HURRICANE HELENE;
AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City of Bonita Springs places the highest premium on safety of life and property in the City during storm events; and

WHEREAS, Hurricane Helene posed a serious potential threat to the residents and property of the City of Bonita Springs; and

WHEREAS, the Governor of the State of Florida has promulgated Executive Orders Nos. 24-208 and 24-209 wherein he found that a State of Emergency exists within the State of Florida inclusive of Lee County; and

WHEREAS, Chapter 252, Florida Statutes, authorizes municipalities to declare a state of local emergency and to waive procedures and formalities otherwise required of municipalities to take whatever prudent action is necessary to ensure the health, safety, and welfare of the City in the event of a state of local emergency; and

WHEREAS, the Section 14-41 of the Bonita Springs City Code authorizes they Mayor to declare a state of emergency to respond to the emergency should a quorum of the City Commission be physically unable to meet; and

WHEREAS, Hurricane Helene 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 Mayor hereby requests the Council ratify his execution of Resolution 24-072 declaring a local state of emergency in advance of then Tropical Store Helene, any extensions thereof, and those emergency actions and orders issued by the City Manager in response to the local state of emergency in response to Hurricane Helene.

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

Section 1. The recitals above are hereby incorporated herein.

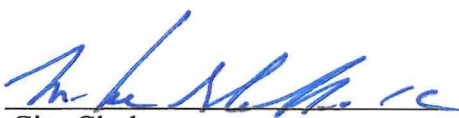
Section 2. The City Manager was provided plenary authority on behalf of the City Council to take all actions necessary for protection of persons and property authorized by law.

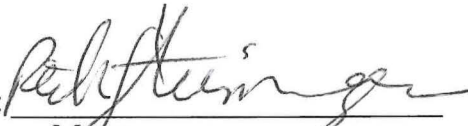
Section 3. All Resolutions authorized by the Mayor and actions taken by the City Manager during the state of local emergency including the prior Declaration of Local Emergency are hereby ratified. Additionally, the current state of emergency is continued as provide in Section 4.

Section 4. 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.

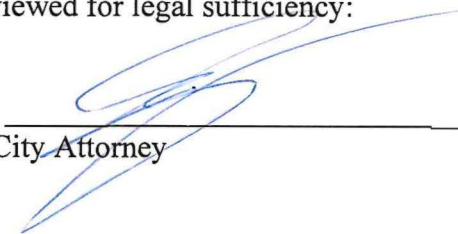
DULY PASSED AND ENACTED by the City Council of Bonita Springs, Florida this 4th day of November, 2024.

Attest:

By: 
City Clerk

By: 
Mayor

Reviewed for legal sufficiency:

By: 
City Attorney

CITY OF BONITA SPRINGS

RESOLUTION NO. 2024-092

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF BONITA SPRINGS, FLORIDA EXTENDING
THE STATE OF LOCAL EMERGENCY WHICH
PROVIDED FOR EMERGENCY GOVERNMENTAL
OPERATIONS RELATED TO HURRICANE HELENE;
AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City of Bonita Springs places the highest premium on safety of life and property in the City during storm events; and

WHEREAS, Hurricane Helene posed a serious potential threat to the residents and property of the City of Bonita Springs; and

WHEREAS, the Governor of the State of Florida has promulgated Executive Orders Nos. 24-208 and 24-209 wherein he found that a State of Emergency exists within the State of Florida inclusive of Lee County; and

WHEREAS, Chapter 252, Florida Statutes, authorizes municipalities to declare a state of local emergency and to waive procedures and formalities otherwise required of municipalities to take whatever prudent action is necessary to ensure the health, safety, and welfare of the City in the event of a state of local emergency; and

WHEREAS, the Section 14-41 of the Bonita Springs City Code authorizes the Mayor to declare a state of emergency to respond to the emergency should a quorum of the City Commission be physically unable to meet; and

WHEREAS, Hurricane Helene 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 Mayor hereby requests the Council ratify his execution of Resolution 24-072 declaring a local state of emergency in advance of then Tropical Storm Helene, any extensions thereof, and those emergency actions and orders issued by the City Manager in response to the local state of emergency in response to Hurricane Helene.

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

Section 1. The recitals above are hereby incorporated herein.

Section 2. The City Manager was provided plenary authority on behalf of the City Council to take all actions necessary for protection of persons and property authorized by law.

Section 3. All Resolutions authorized by the Mayor and actions taken by the City Manager during the state of local emergency including the prior Declaration of Local Emergency are hereby ratified. Additionally, the current state of emergency is continued as provide in Section 4.

Section 4. 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.

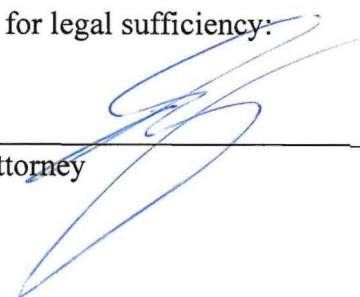
DULY PASSED AND ENACTED by the City Council of Bonita Springs, Florida this 11th day of November, 2024.

Attest:

By: 
City Clerk

By: 
Mayor

Reviewed for legal sufficiency:

By: 
City Attorney

ITEM TITLE: Confirm and ratify Resolutions extending the Local State of Emergency due to Hurricane Milton.

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

AGENDA SECTION: Consent

STRATEGIC PRIORITY: 6) Strengthen/Enhance Council Relations, 7) Government Transparency

BACKGROUND:

Governor Ron DeSantis signed Executive Orders 2024-214 in response to the anticipated landfall of Hurricane Milton and has declared that a state of emergency exists in several counties including Lee County, pursuant to Chapter 252, Florida Statutes.

Sec. 14-41 of the City's Code of Ordinances empowers the Mayor to declare a local state of emergency whenever a natural or manmade disaster has occurred or threat of one is imminent and requires immediate and expeditious action.

Hurricane Milton poses a serious threat to the lives and property of residents of the City of Bonita Springs and therefore on October 6, 2024, Mayor Steinmeyer executed Resolution 24-76 declaring a local state of emergency for all territory within the legal boundaries of the City of Bonita Springs.

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.

STAFF RECOMMENDATION: Approve

ATTACHMENTS:

1. Resolution No. 2024-089 issued on November 4, 2024
2. Resolution No. 2024-093 issued on November 11, 2024

REVIEWERS:

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

CITY OF BONITA SPRINGS

RESOLUTION NO. 2024-089

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF BONITA SPRINGS, FLORIDA EXTENDING
THE STATE OF LOCAL EMERGENCY WHICH
PROVIDED FOR EMERGENCY GOVERNMENTAL
OPERATIONS RELATED TO HURRICANE MILTON;
AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City of Bonita Springs places the highest premium on safety of life and property in the City during storm events; and

WHEREAS, Hurricane Milton posed a serious potential threat to the residents and property of the City of Bonita Springs; and

WHEREAS, the Governor of the State of Florida has promulgated Executive Order No. 24-214 wherein he found that a State of Emergency exists within the State of Florida inclusive of Lee County; and

WHEREAS, Chapter 252, Florida Statutes, authorizes municipalities to declare a state of local emergency and to waive procedures and formalities otherwise required of municipalities to take whatever prudent action is necessary to ensure the health, safety, and welfare of the City in the event of a state of local emergency; and

WHEREAS, the Section 14-41 of the Bonita Springs City Code authorizes they Mayor to declare a state of emergency to respond to the emergency should a quorum of the City Commission be physically unable to meet; and

WHEREAS, Hurricane Milton 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 Mayor hereby requests the Council ratify his execution of Resolution 24-076 declaring a local state of emergency in advance of then Hurricane Milton any extensions thereof, and those emergency actions and orders issued by the City Manager in response to the local state of emergency in response to Hurricane Milton.

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

Section 1. The recitals above are hereby incorporated herein.

Section 2. The City Manager was provided plenary authority on behalf of the City Council to take all actions necessary for protection of persons and property authorized by law.

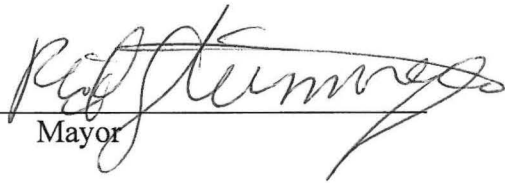
Section 3. All Resolutions authorized by the Mayor and actions taken by the City Manager during the state of local emergency including the prior Declaration of Local Emergency are hereby ratified. Additionally, the current state of emergency is continued as provide in Section 4.

Section 4. 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.

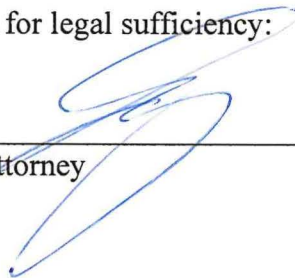
DULY PASSED AND ENACTED by the City Council of Bonita Springs, Florida this 4th day of November, 2024.

Attest:

By: 
City Clerk

By: 
Mayor

Reviewed for legal sufficiency:

By: 
City Attorney

CITY OF BONITA SPRINGS

RESOLUTION NO. 2024-093

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF BONITA SPRINGS, FLORIDA EXTENDING
THE STATE OF LOCAL EMERGENCY WHICH
PROVIDED FOR EMERGENCY GOVERNMENTAL
OPERATIONS RELATED TO HURRICANE MILTON;
AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City of Bonita Springs places the highest premium on safety of life and property in the City during storm events; and

WHEREAS, Hurricane Milton posed a serious potential threat to the residents and property of the City of Bonita Springs; and

WHEREAS, the Governor of the State of Florida has promulgated Executive Order No. 24-214 wherein he found that a State of Emergency exists within the State of Florida inclusive of Lee County; and

WHEREAS, Chapter 252, Florida Statutes, authorizes municipalities to declare a state of local emergency and to waive procedures and formalities otherwise required of municipalities to take whatever prudent action is necessary to ensure the health, safety, and welfare of the City in the event of a state of local emergency; and

WHEREAS, the Section 14-41 of the Bonita Springs City Code authorizes the Mayor to declare a state of emergency to respond to the emergency should a quorum of the City Commission be physically unable to meet; and

WHEREAS, Hurricane Milton 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 Mayor hereby requests the Council ratify his execution of Resolution 24-076 declaring a local state of emergency in advance of then Hurricane Milton any extensions thereof, and those emergency actions and orders issued by the City Manager in response to the local state of emergency in response to Hurricane Milton.

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

Section 1. The recitals above are hereby incorporated herein.

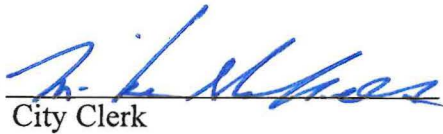
Section 2. The City Manager was provided plenary authority on behalf of the City Council to take all actions necessary for protection of persons and property authorized by law.

Section 3. All Resolutions authorized by the Mayor and actions taken by the City Manager during the state of local emergency including the prior Declaration of Local Emergency are hereby ratified. Additionally, the current state of emergency is continued as provide in Section 4.

Section 4. 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.

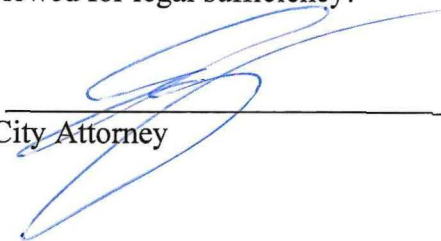
DULY PASSED AND ENACTED by the City Council of Bonita Springs, Florida this 11th day of November, 2024.

Attest:

By: 
City Clerk

By: 
Mayor

Reviewed for legal sufficiency:

By: 
City Attorney

REQUESTED MOTION: Approve Resolution for the final budget amendment for fiscal year 2023-2024

REQUESTOR: Lisa Griggs Roberson, CPA, Director of Financial and Administrative Services

AGENDA: Consent

STRATEGIC PRIORITY: 7) Government Transparency

BACKGROUND:

As outlined in section 46(d) of the City Charter, provide for the transfer of all or part of any unrestricted appropriations from one department to another.

Florida Statutes §166.241 allows a municipality to amend a budget within 60 days following the fiscal year end.

Attached is a Budget Transfer Resolution to increase/decrease the budgets for certain expenditure accounts, and to transfer funding among expenditure accounts to fund certain accounts requiring additional budget, with an effective date retroactive to September 30, 2024.

STAFF RECOMMENDATION: Approve Resolution

ATTACHMENTS:

1. Resolution

REVIEWERS:

City Manager:	Arleen Hunter
City Attorney:	Derek Rooney
City Clerk:	Mike Sheffield
Department Director:	Lisa Griggs Roberson

CITY OF BONITA SPRINGS, FLORIDA

RESOLUTION NO. 24-

A RESOLUTION OF THE CITY OF BONITA SPRINGS, FLORIDA; APPROVING THE FINAL BUDGET AMENDMENT FOR FISCAL YEAR 2023-2024; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on September 20, 2023, the City of Bonita Springs adopted the budget for the fiscal year ending September 30, 2024; and

WHEREAS, Section 46(d) of the City Charter allows the transfer for all or part of any unrestricted appropriations from one department to another; and

WHEREAS, Florida Statutes, 166.241 allows a municipality to amend a budget within 60 days following the fiscal year end; and

WHEREAS, funding for the additional budgeted expenditures are available in the unassigned fund balance for each fund;

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

1. The above "Whereas" clauses are true, correct, and incorporated herein by reference.

2. The City Council authorizes a budget amendment as follows:

FEMA & Grant Activity:

13.709.525.xxxx	Hurricane Ian	\$140,000
13.714.525.xxxx	Hurricane Helene	\$ 48,000
13.707.331.7003	CDBG Park Master Plan Grant	\$500,000
13.707.581.0330	CDBG-Trans Out Prk Master Plan	
30.601.572.3100	Park Master Plan	
13.707.331.7004	CDBG Mobility Master Plan Grant	\$500,000
13.707.581.0430	CDBG-Trans Out Mobility Master Plan	
30.250.541.3100	Mobility Master Plan	

General Fund

Allocation of Pay for Performance		
00.270.519.4910	Pay for Performance	\$ (75,000)
Allocation of Pay for Performance to Departments		75,000

3. Effective date. This Resolution shall become effective retroactive to September 30, 2024.

DULY PASSED AND ENACTED by the City Council of the City of Bonita Springs, Lee County, Florida, this 20th day of November, 2024.

AUTHENTICATION:

_____	_____
Mayor	City Clerk

APPROVED AS TO FORM: _____
City Attorney

Date filed with City Clerk: _____

ITEM TITLE: Approve a Resolution accepting the Lee County Canvassing Board Certificate of Official Results of the November 5, 2024 Bonita Springs General Municipal Election.

REQUESTOR: Mike Sheffield, City Clerk

AGENDA: Consent

STRATEGIC PRIORITY: #7 Government Transparency

BACKGROUND:

The role of the County Canvassing Board is to ensure that votes are secure and accurately counted. The Canvassing Board issues a written statement of certification attesting that election results are a true and accurate accounting of all votes cast.

The County Canvassing Board is made up of the following members: Hon. Lindsay Garza, County Judge; Brian Hamman, County Commissioner; and Tommy Doyle, Supervisor of Elections. Alternate Members of the County Canvassing Board are as follows: Hon. Maria Gonzalez, County Judge; Cecil Pendergrass, County Commissioner; J.S. Purdy, Qualified Elector; and Jennifer Erickson, Qualified Elector.

The Certification of the 2024 General Municipal Election was not available in time for inclusion with the 11/20/24 City Council meeting agenda. It will be provided to Council via email and as a handout prior to the start of the meeting.

STAFF RECOMMENDATION: Approve a Resolution accepting the Lee County Canvassing Board Certificate of Official Results of the November 5, 2024 Bonita Springs General Municipal Election.

ATTACHMENTS:

1. Resolution

REVIEWERS:

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

CITY OF BONITA SPRINGS, FLORIDA
RESOLUTION NO. 24 -

A RESOLUTION OF THE CITY OF BONITA SPRINGS, LEE COUNTY, FLORIDA, ACCEPTING THE LEE COUNTY CANVASSING BOARD CERTIFICATE OF OFFICIAL RESULTS OF THE NOVEMBER 5, 2024 BONITA SPRINGS GENERAL MUNICIPAL ELECTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Bonita Springs General Municipal Election was held on November 5, 2024, for the Office of Mayor and Council Member Districts 2 and 6.

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

Section One: The City Council of the City of Bonita Springs hereby accepts the County Canvassing Board Certificate of Official Results of the Bonita Springs Municipal Election held on November 5, 2024, which is attached hereto and incorporated as reference.

Section Two. This Resolution shall become effective immediately upon adoption.

DULY PASSED AND ENACTED by the City Council of the City of Bonita Springs, Lee County, Florida, this 20th day of November, 2024.

AUTHENTICATION:

Mayor City Clerk

APPROVED AS TO FORM: _____
City Attorney

Vote:

Bogacz:	Corrie:
Purdon:	Fullick:
Carr:	Fitzpatrick:
Gibson:	

Date filed with City Clerk: _____

ITEM TITLE: Approve Agreement between Lee County and the City of Bonita Springs for West Coast Inland Navigation District grant funding to be used for marine law enforcement.

REQUESTOR: Nicole Perino, Parks & Recreation Director

AGENDA SECTION: Consent

STRATEGIC PRIORITY: #7 Environmental Protection

BACKGROUND:

On February 7, 2024, City Council approved the submittal of a Lee County Natural Resources Division/WCIND Waterway Development Program Proposal Form for Sub-grantees in the amount of \$40,000.00. The grant provides matching funds to continue marine law enforcement activities along the Imperial River and in Estero Bay. The funding amount requested was \$40,000.00 to accommodate the hourly rate in boat fuel and maintenance.

The WCIND has approved the requested grant in the amount of \$40,000.00 for support of the marine unit of the Lee County Sheriff's Office to provide on-water patrol. The patrol unit will continue to primarily patrol waters in the Imperial River and Estero Bay.

The City's proposed FY24-25 budget provides matching funds of \$40,000.00 (Fund Grants: 13.708.3372000). Staff is recommending Council maintain the City's match at \$40,000.00 to maintain the current levels of service for marine law enforcement.

STAFF RECOMMENDATION: Approve the agreement for WCIND sub-grant funding and maintain the City's match at \$40,000.00 as currently proposed in FY2024-2025 budget.

ATTACHMENTS:

1. Agreement for WCIND Sub-grant Funding
2. Detail Request Form

REVIEWERS:

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

AGREEMENT FOR EXTRA-DUTY DETAIL SERVICES

This Agreement for **Extra-Duty Detail Services** ("The Agreement" or "Agreement"), effective upon the date of LCSO's signature, is made by and between Sheriff Carmine Marceno, in his official capacity as Sheriff in and for Lee County, Florida and the Lee County Sheriff's Office (hereinafter "LCSO"), and City of Bonita Springs - Boat Details, (hereinafter "Entity"), and collectively as "the parties", hereby agree as follows:

WITNESSETH:

WHEREAS, Entity plans to engage in an event as set forth, and at a location set forth, in Exhibit A and desires, as a security measure, a law enforcement presence at said event; and

WHEREAS, the LCSO is willing to provide law enforcement personnel, acting in an extra-duty detail capacity, to provide services described herein and set forth in Exhibit A while wearing LCSO uniforms, utilizing LCSO vehicles, and other LCSO property; and

WHEREAS, Exhibit A attached hereto is a material part of the Agreement and is incorporated and merged as if fully set forth herein.

NOW THEREFORE, in consideration of the mutual covenants and obligations undertaken by the parties as contained herein, and for other good and valuable consideration, the parties hereto agree as follows:

1. **Authority.**

The Entity expressly represents it or they are legally authorized to bind the Entity. The Entity fully comprehends and acknowledges the LCSO is acting in reliance on this, as well as other representations the Entity has made to members of the LCSO. The Entity further expressly represents that it or they has/have acquired all necessary applicable permits to engage in the event for which they are requesting LCSO law enforcement personnel as set forth in **Exhibit A**.

2. **Description and Schedule of Event.**

The description of the event, including the time, place, and duration, are set forth in Exhibit A, which is attached hereto and incorporated as if full set forth herein.

3. **Term of Agreement.**

The term of this Agreement shall begin on the first day of the event and terminate on the last day of the event as set forth in Exhibit A.

4. **Assessment of Security Needs and Authority Retained by LCSO.**

The Entity understands and consents to the LCSO conducting an assessment of the security needs of the Entity for the event location set forth in Exhibit A. The Entity understands the assessment of the referenced security needs by the LCSO is conducted by the LCSO, at their sole and absolute discretion, to allow LCSO to determine the minimum number of extra-duty detail law enforcement personnel adequate for the event. The Entity acknowledges the assessment of security needs by LCSO as set out herein does not constitute a representation, promise, guarantee or warranty by LCSO that LCSO will be able to supply the minimum number of off-duty or extra-duty detail law enforcement personnel which LCSO determines are required.

The Entity understands the extra duty detail services provided to the Entity are intended to offer an immediate presence of uniformed, sworn law enforcement personnel and to, by their presence alone, serve to potentially deter unruly or unlawful behavior. The Entity fully understands and accepts that by LCSO providing extra duty detail services pursuant to this Agreement LCSO is not assuming any duties of protection or care to any persons who may or may not be present at the location of the event as set forth in Exhibit A. The Entity acknowledges the extra-duty detail services provided by LCSO are merely to serve as a supplement to other measures and/or care provided or taken by the Entity and the Entity specifically DOES NOT expect or rely on LCSO to exclusively assume any duties of care.

5. **Scheduling and Command.**

The primary duties and essential functions of law enforcement personnel providing extra-duty detail services shall be as assigned by LCSO command.

The selection and scheduling of the law enforcement personnel providing extra-duty detail services shall be in accordance with the practices and policies of LCSO.

6. **Termination of Agreement.**

As set forth in Exhibit A.

7. **Compensation.**

As set forth in Exhibit A.

8. **Independent Relationships.**

The parties to this Agreement are solely independent of each other and are contracting with each other for the sole purpose of the obligations set forth in the Agreement. Nothing in this Agreement shall create a partnership, joint venture, agency, or employer/employee relationship. Neither party may make, or undertake, any commitments or obligations on behalf of the other.

9. **Waiver of Terms and Conditions.**

The failure of LCSO to insist on any one or more instances of performance of any of the terms and conditions of this Agreement or to exercise any right or privilege contained in this Agreement, or the waiver of any breach of the terms and conditions of this Agreement, shall not be considered as having waived any such terms, conditions, rights or privileges of the Agreement, and the same shall continue and remain in force and effect.

10. **Severability.**

It is the intention of the parties that this Agreement is in compliance with all relevant state and federal statutes, regulations, and governmental agency guidelines governing the relationship between the parties at the time of execution. If any provision of this Agreement is subsequently rendered invalid or unenforceable by any local, state or federal statute or regulation, or declared null and void by any court of competent jurisdiction, the remaining provisions of this Agreement will remain in full force and effect.

11. **Third Party Beneficiaries.**

This Agreement is intended solely for the benefit of the parties hereto and shall not, directly or by implication, create any rights, claims, obligations, or duties to any third party not a signatory to this Agreement.

12. **Assignment.**

This Agreement shall not be assigned in whole or in part by either party without the express prior written consent of the other party.

13. **Binding Effect.**

This Agreement shall be binding upon the parties hereto and shall inure to the benefit of the Entity or the LCSO, as applicable.

14. **Governing Law.**

This Agreement shall be controlled, interpreted, construed, and enforced in accordance with the laws of the State of Florida without regard to conflict of laws. The exclusive venue for any dispute arising out of this Agreement shall be in a court of competent jurisdiction in Lee County, Florida.

15. **Titles or Captions.**

The paragraph titles or captions contained in this Agreement are inserted only as a matter of convenience and for reference and in no way define, limit, extend, modify, amplify, or describe the scope of this Agreement or the intent of any provision hereof.

16. **Draftsmanship.**

Any conflict in the terms of this Agreement shall be construed in favor of LCSO.

17. **Amendments.**

This Agreement may only be modified or amended by the mutual written agreement of the parties. Any such modification or amendment shall be signed by each party and shall be attached to and become a part of this Agreement.

18. **Indemnification.**

The Entity agrees to indemnify and hold harmless LCSO, and its employees, volunteers, and agents for and from any and all claims (direct or derivative), damages, costs, expenses, demands of whatsoever kind or nature, and causes of action, arising from or related to the Entity's performance, nonperformance, action(s), omission(s), or failure to act related to any duty or obligation imposed upon LCSO pursuant to the Agreement. This indemnification obligation shall not be subject to any limitation as to the amount or type of recovery sought, or, on the amount or type of insurance coverage secured by the Entity. Further, the Entity shall require all their insurance carriers, with respect to all insurance policies to which they are a party, to waive all rights of subrogation against LCSO incidental to the extra-duty detail service described herein.

19. **Sovereign Immunity.**

Nothing herein contained in this Agreement is intended, nor shall be construed, to waive any of the limitations of liability and other defenses provided by sovereign immunity and the strict financial limitations set forth in Florida Statute 768.28.

20. **Extra-Duty Detail Indemnification.**

Nothing contained in this Agreement shall in any way limit or impeded application of the indemnification language in Florida Statute 30.2905.

21. **Recitals/Entire Agreement.**

The recitals above are incorporated herein as if fully restated. This Agreement constitutes the entire agreement between the parties hereto and supersedes all prior oral or written agreements, representations, statements, negotiations, understandings, proposals, and undertakings with respect to the subject matter hereof.

IN WITNESS WHEREOF the parties hereto have executed this Agreement as of the day and year first written above.

ENTITY

City of Bonita Springs - Boat Details

9101 Bonita Beach Rd, Bonita Springs FL 34135

By: _____

Print Name: _____

Date: _____

CARMINE MARCENO, SHERIFF O/BO/
THE LEE COUNTY SHERIFF'S
OFFICE

By: _____
Sheriff/Designee

Print Name: _____

Date: _____

Carmine Marceno
Sheriff



State of Florida
County of Lee

"Proud to Serve"

Exhibit A
Detail Request Form

Please review all information on this request form for accuracy and as the vendor, sign at the bottom. All details are a minimum of four (4) hours with the exception of boat details which are a minimum of six (6) hours and a half hour drive time to and from the detail location. When five (5) or more deputies are assigned to an event, a supervisor with the rank of Sergeant or above may be required at an upgraded hourly charge. Depending on the type of event or crowd size, it will be at the discretion of the Sheriff's Office to determine the number of deputies needed.

The detail rates for 2025 will be:

Security/Funeral	\$63/hr	Traffic	\$73/hr
CSA/Dispatch Holiday	\$63/hr	Detail Supervisor	\$80/hr
CSA/Dispatcher	\$50/hr	Holiday Sup/IC	\$90/hr
Boat	\$70/hr	Civil/Prisoner Trans	\$80/hr
Holiday/Last Minute	\$88/hr	Bomb Sweep	\$70/hr

Details are charged a \$15 per deputy vehicle rate (when applicable).

All boat details are charged a \$20 per hour boat rate (when applicable).

Holidays: New Year's Day, Easter Sunday, Memorial Day, 4th of July, Labor Day, Thanksgiving Day, Christmas Eve, Christmas Day, New Year's Eve

Extra Duty Details will not be provided to any person, firm or organization whose members, business or operations are of questionable nature; or for any event that will discredit the assigned Deputy, Sheriff's Office or County. The Sheriff's Office reserves the right to cancel the detail without notice and to recall the deputy(s) when necessary for community safety without penalty. LCSO cannot guarantee detail coverage.

The Lee County Sheriff's Office will be the only armed personnel at any event where the detail is taking place. Any private security company that is hired to work alongside the Sheriff's Office will be a reputable, licensed and insured company whose employees are State D licensed unarmed security guards. Proof of the signed contract with private security company will be required.

In order to cancel a detail, notice must be given to the Detail Coordinator twenty-four (24) hours prior to the start of the detail either by phone or email. Weather related cancellations must be made within three (3) hours of the start of the detail. In the event of a cancellation after business hours, please call 239-477-1000 and ask to have the on-call Detail Coordinator call you. If cancellation notification is not made, and LCSO Detail Deputies show up to the detail, vendor will be billed the four-hour minimum for each deputy.

Unless otherwise specified, full payment of all details must be received one (1) week prior to the start of the event in the form of a cashier's check, money order, or business check made out to Lee County Sheriff's Office. Credit card payments can be made via telephone. The Lee County Sheriff's Office does not accept cash or personal checks.

Payments can be sent to: The Lee County Sheriff's Office 14750 Six Mile Cypress Pkwy., Fort Myers, FL 33912 ATTN: Finance Department.

Total Deputy(ies) 1/ea Total Hours 6 hr min Rate per Hour \$70 Vehicle Rate \$20/hour

Supervisory Deputy(ies) _____ Total Hours _____ Rate per Hour _____ Vehicle Rate _____

Entity _____

SIGN HERE



"The Lee County Sheriff's Office is an Equal Opportunity Employer"
14750 Six Mile Cypress Parkway • Fort Myers, Florida 33912-4406 • (239) 477-1000

Detail Request Form - continued

LCSO Details Main Phone Number: 239-477-1199																	
Vendor Information																	
Business Name: <u>City of Bonita Springs</u> Street: <u>Marine Details 9101 Bonita Beach Rd</u> City: <u>Bonita Springs</u> State: <u>FL</u> Zip Code: <u>34135</u> Business Contact: <u>Brenda Reetz</u> Phone: <u>239-949-6262</u> Email Address: <u>Brenda.Reetz@cityofbonitasprings.org</u>																	
Event Information																	
Detail Location: <u>Imperial River</u> Street: _____ City: <u>Bonita Springs</u> State: <u>FL</u> Zip Code: _____ Contact During Event: _____ Phone: _____ Event Date: <u>through December 31, 2025</u> Event Time: <u>varies by shift & need</u> Anticipated Crowd Size: _____ Type of Event: <u>Enhanced Marine Patrols</u> Additional Security Working Detail: ☐ Yes ☒ No If Yes, how many? _____ Permits Attached: ☐ Yes ☒ No Alcohol Served: ☐ Yes ☒ No																	
Detail Information																	
<table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">Security/Funeral ☐</td> <td style="width: 33%;">Traffic/Boat ☒</td> <td style="width: 33%;">Prisoner Trans/Civil ☐</td> </tr> <tr> <td>CSA/Dispatcher ☐</td> <td>Bomb Sweep ☐</td> <td>CSA Holiday ☐</td> </tr> <tr> <td>Last Minute/Holiday ☐</td> <td>Supervisor ☐</td> <td>Holiday Sup/IC ☐</td> </tr> <tr> <td>Marked Vehicle ☒ Yes ☐ No</td> <td>Unmarked Vehicle ☒ Yes ☐ No</td> <td></td> </tr> <tr> <td>Uniformed Deputy ☒ Yes ☐ No</td> <td>Plain Clothes Deputy ☐ Yes ☒ No</td> <td></td> </tr> </table>			Security/Funeral ☐	Traffic/Boat ☒	Prisoner Trans/Civil ☐	CSA/Dispatcher ☐	Bomb Sweep ☐	CSA Holiday ☐	Last Minute/Holiday ☐	Supervisor ☐	Holiday Sup/IC ☐	Marked Vehicle ☒ Yes ☐ No	Unmarked Vehicle ☒ Yes ☐ No		Uniformed Deputy ☒ Yes ☐ No	Plain Clothes Deputy ☐ Yes ☒ No	
Security/Funeral ☐	Traffic/Boat ☒	Prisoner Trans/Civil ☐															
CSA/Dispatcher ☐	Bomb Sweep ☐	CSA Holiday ☐															
Last Minute/Holiday ☐	Supervisor ☐	Holiday Sup/IC ☐															
Marked Vehicle ☒ Yes ☐ No	Unmarked Vehicle ☒ Yes ☐ No																
Uniformed Deputy ☒ Yes ☐ No	Plain Clothes Deputy ☐ Yes ☒ No																
Detail Description: Request to cover marine patrols throughout the Imperial River waterways. Activity sheet for each detail worked will be sent along with invoices. Boat details are scheduled through LCSO Marine Unit and are based on availability of deputies and vessels. Any details worked on holidays will be billed at the holiday rate of \$88/hour for the six hour marine detail minimum.																	



"The Lee County Sheriff's Office is an Equal Opportunity Employer"
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ITEM TITLE: Receive presentation for the Goodwin Street Pedestrian & Drainage Improvements Project from American Structurepoint, Inc. and provide direction on which design alternative to pursue.

REQUESTOR: Matt Feeney, Assistant City Manager

AGENDA SECTION: Consent

STRATEGIC PRIORITY: #1 Improve Storm Water Management, #2 Transportation, #3 Community Aesthetics

BACKGROUND:

July 21, 2021, Council approved staff's recommendation to negotiate with American Structurepoint, Inc. for the Goodwin Street Pedestrian & Drainage Improvements Project.

April 13, 2022, American Structurepoint conducted a public input workshop. Alternatives and project concepts were presented, and public input was received at the workshop.

August 17, 2022, City Council approved prior American Structurepoint report and suggested alignment.

American Structurepoint has since received additional public input, performed additional engineering and has prepared an Alternatives Report to provide those findings to City Council and request direction to proceed to the next step in the design process. Careful consideration has been given to reduce right of way acquisition impacts while providing safe alternatives for Council's consideration.

STAFF RECOMMENDATION: To select the route and roadway design Alignment 4 with typical cross-section 4 and modified "T" intersection.

ATTACHMENTS:

1. Presentation by American Structurepoint
-

REVIEWERS:

City Manager:	Arleen Hunter
City Attorney:	Derek Rooney
City Clerk:	Mike Sheffield
Department Director:	Matt Feeney

Goodwin Street Pedestrian & Drainage Improvements

November 20, 2024



AMERICAN
STRUCTUREPOINT
INC.



Purpose of Presentation



Updates since last meeting to mitigate impacts



Summarize Analysis of Alternatives for Required Right-of-Way Acquisition

- Alignments
- Roadway Cross Section
- Intersection at Matheson Ave
- Franzel Factors



Approval to finalize design and begin property acquisition

Previous Public Meetings

- April 13, 2022 at City Hall – Public Workshop
- August 17, 2022 at City Hall – Council Meeting



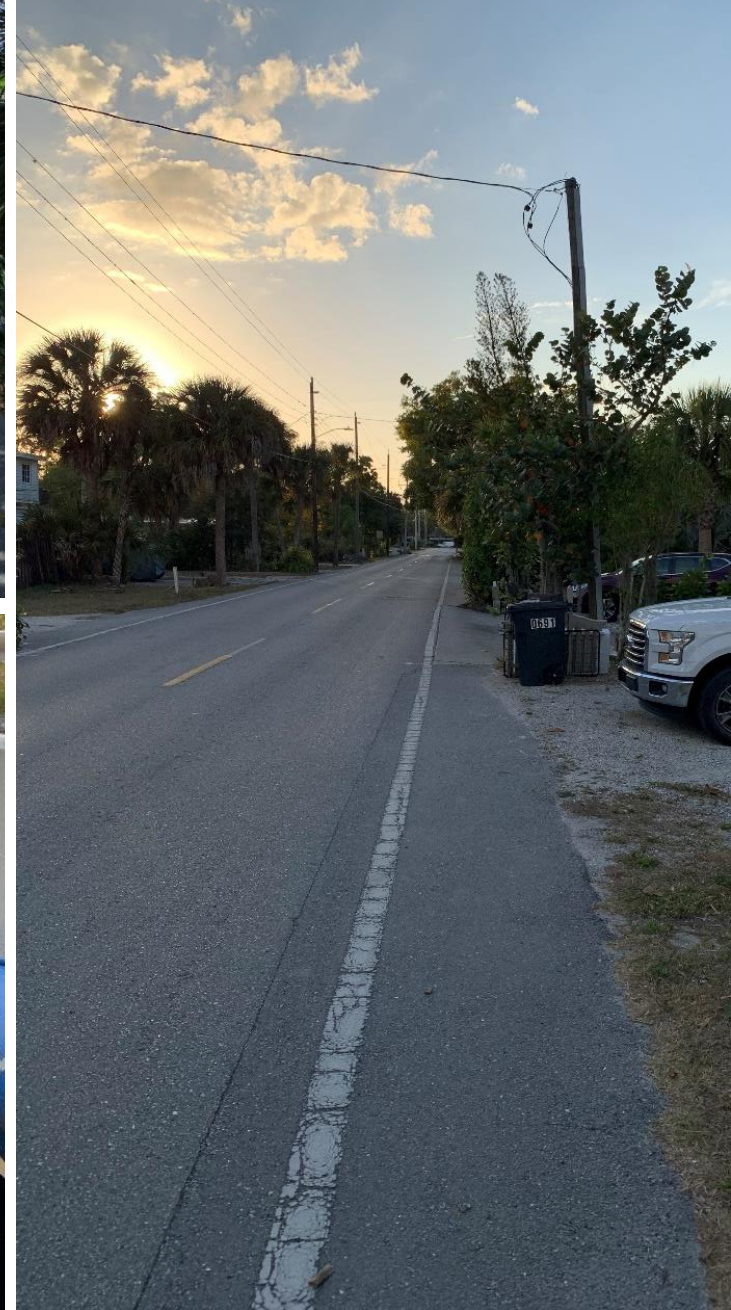
Existing Conditions

- Residential Corridor
- Crash History
 - 16 crashes 2014-2024
 - 1 fatality, 1 pedestrian, 1 bicycle
- “High” Speeds
 - Posted 30 mph, higher speeds observed
- Lack of Pedestrian/Bicycle Accommodations



Existing Conditions

- 30'-50' Right-of-Way
- 2-10' Travel Lanes
- 2' Paved Shoulders
- "Open" Drainage
- Residential Driveways
- Functionally Obsolete Bridge over Leitner Creek
- Utilities Adjacent to Roadway



Project Goals

- Improve Safety
- Control Speed
- Improve Drainage and Stormwater Conveyance
- Improve the Pavement Condition
- Implement Bonita Springs Codes and Standards



Meeting Goals – Improve Safety, Control Speed, Improve Drainage

Typical Section Enhancement

- Safely Accommodate all Modes of Transportation
- Improve Roadway Drainage

Traffic Calming

- Alignment Deflections
- Add Lighting
- Mid-Block Crossings w/ Warning Devices
- Raised Intersections or Raised Crosswalks
- “Modified –T” Intersection at Matheson Ave
- Landscaping



Franzel Factors for Alternatives Evaluation

- Alternatives
- Safety Considerations
- Long Range and Area Planning
- Environmental Factors
- Cost



Alignment Alternatives

Evaluated alignment alternatives and associated impacts with each alternative

- Alignment 1 - Shift alignment 10' to the north
- Alignment 2 - Shift alignment 10' to the south
- Alignment 3 - On/near existing centerline
- Alignment 4 - Meandering along corridor

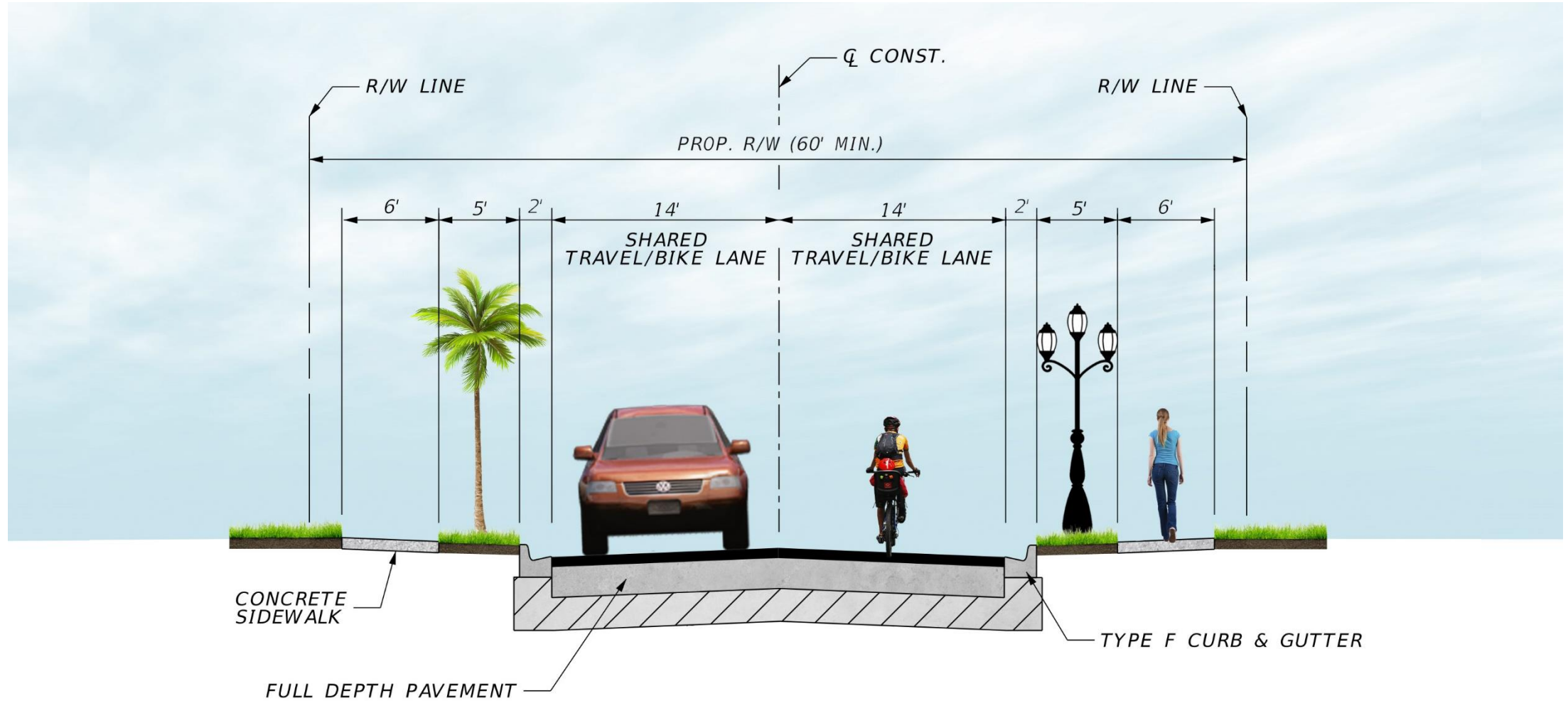


Alignment Evaluation Matrix – Right of Way Impacts

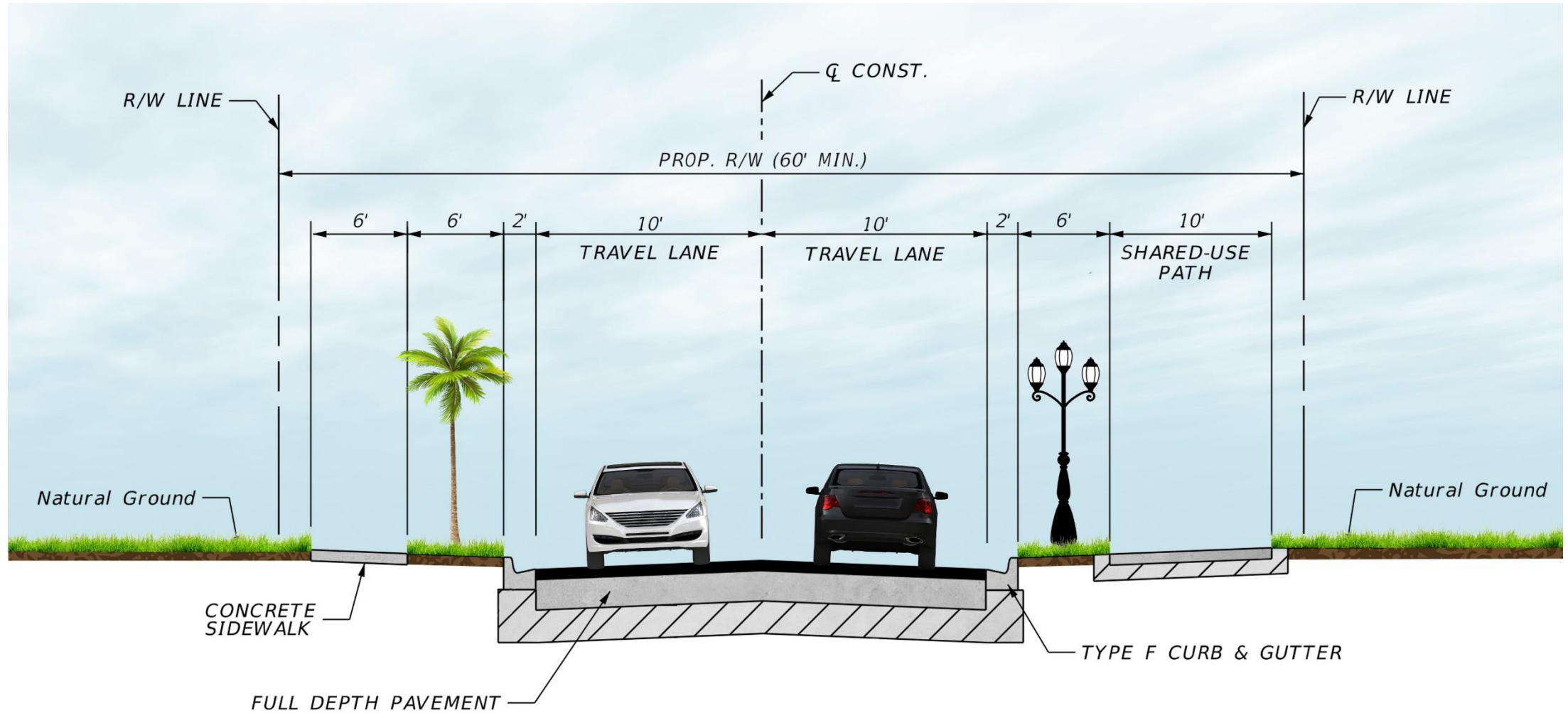
Criteria	Alternate 1	Alternate 2	Alternate 3	Alternate 4 Recommended
Parcels Impacted	40	46	38	46
Est Total Takes	4	2	0	0
Right of Way Impacts	Max N/Min S	Max S/Min N	Balance Both Sides	Balance/Minimize Both Sides
Driveway Parking Impacts	14	14	6	6
Relative R/W Costs	Highest	Middle	Lower	Lowest



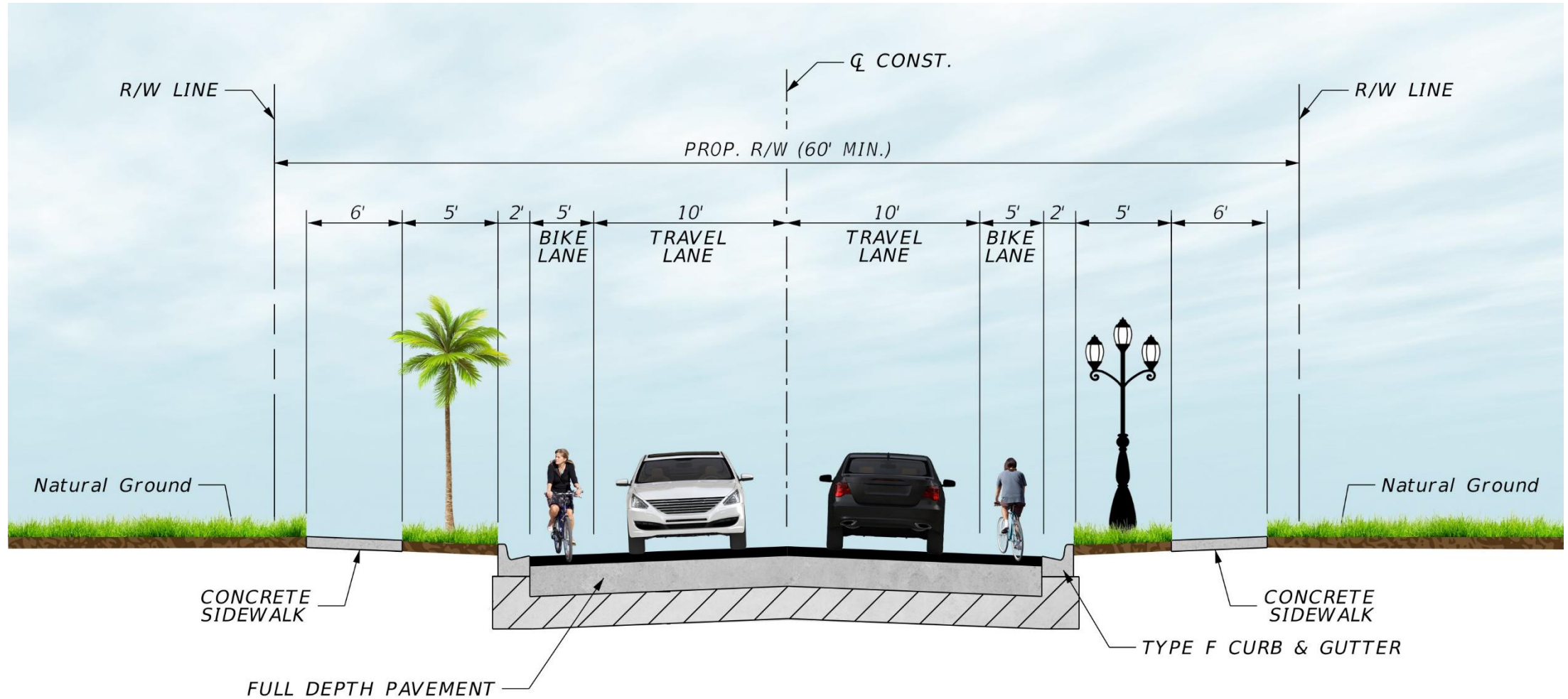
Typical Section Alternative 1



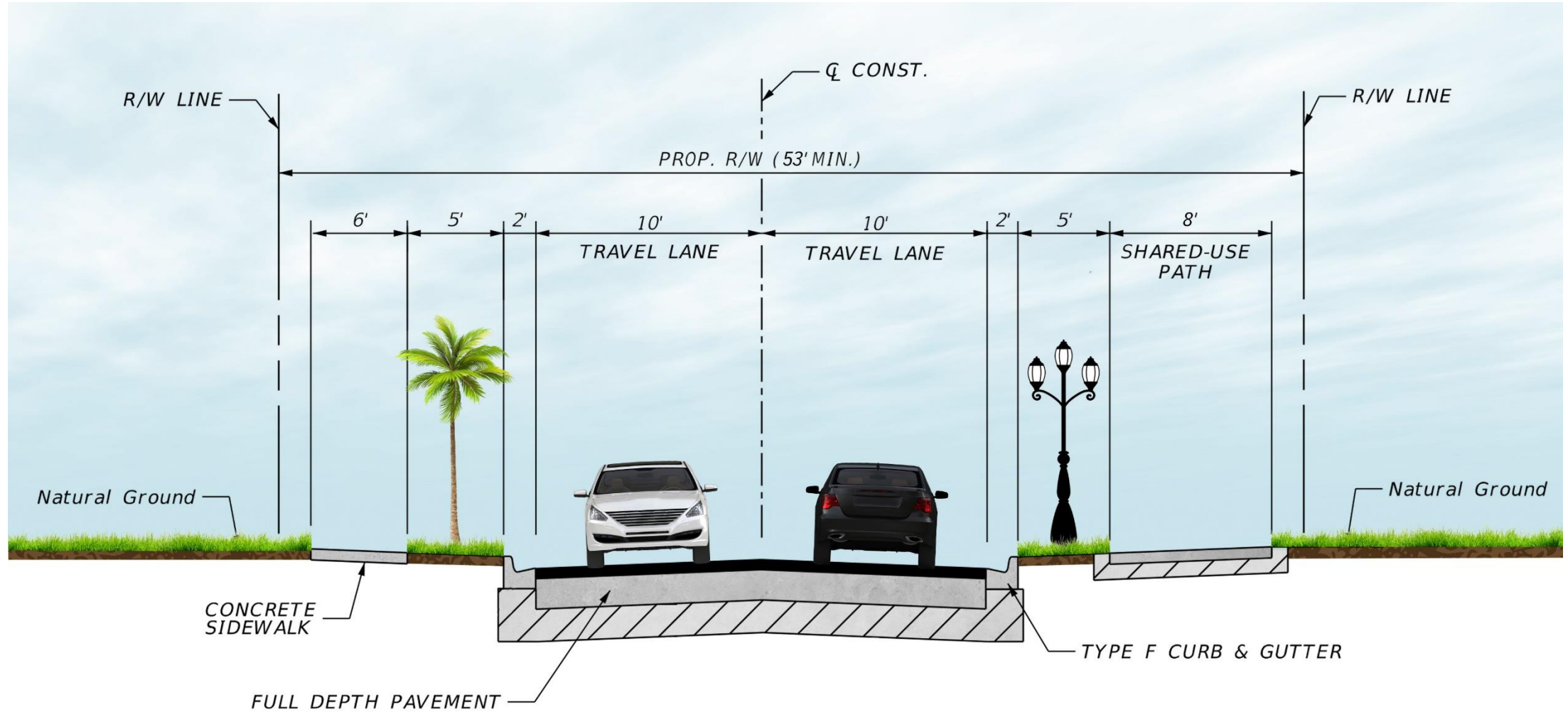
Typical Section Alternative 2



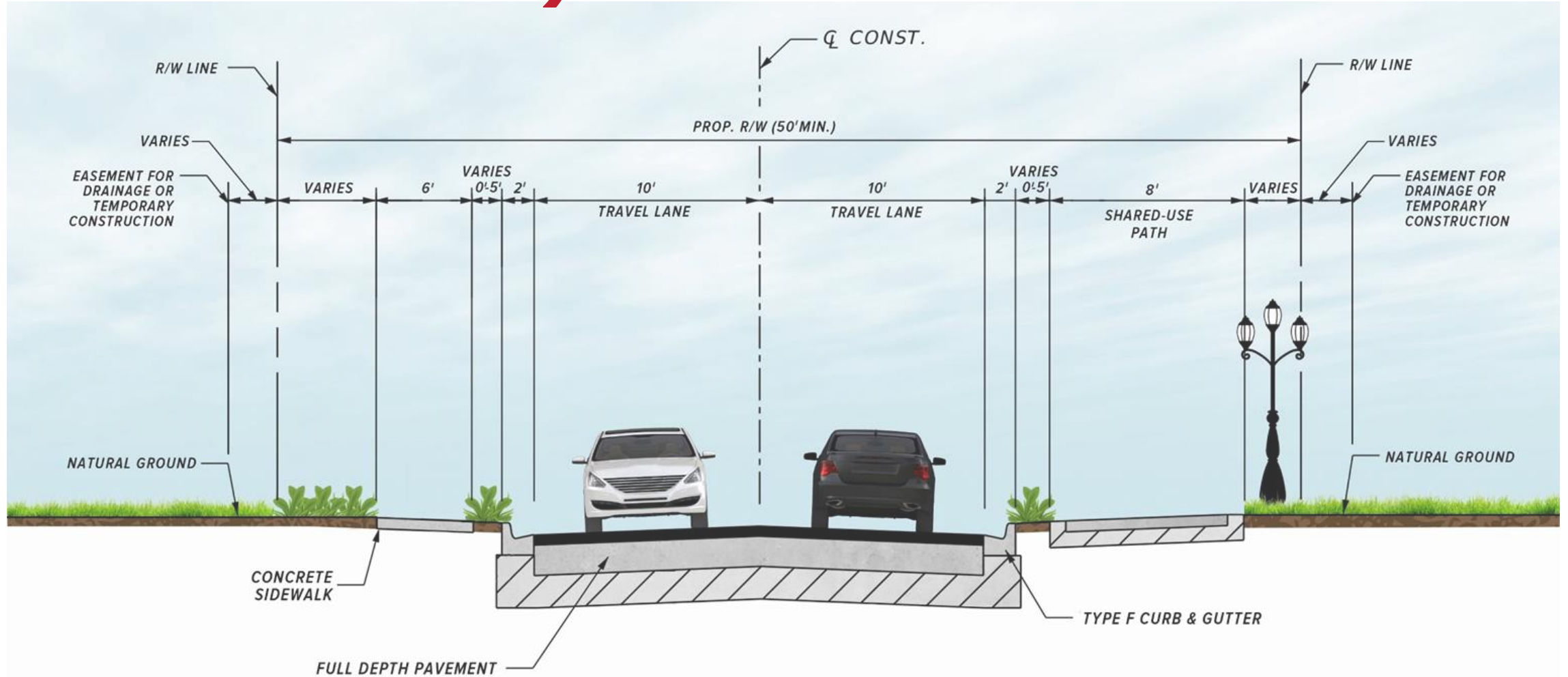
Typical Section Alternative 3



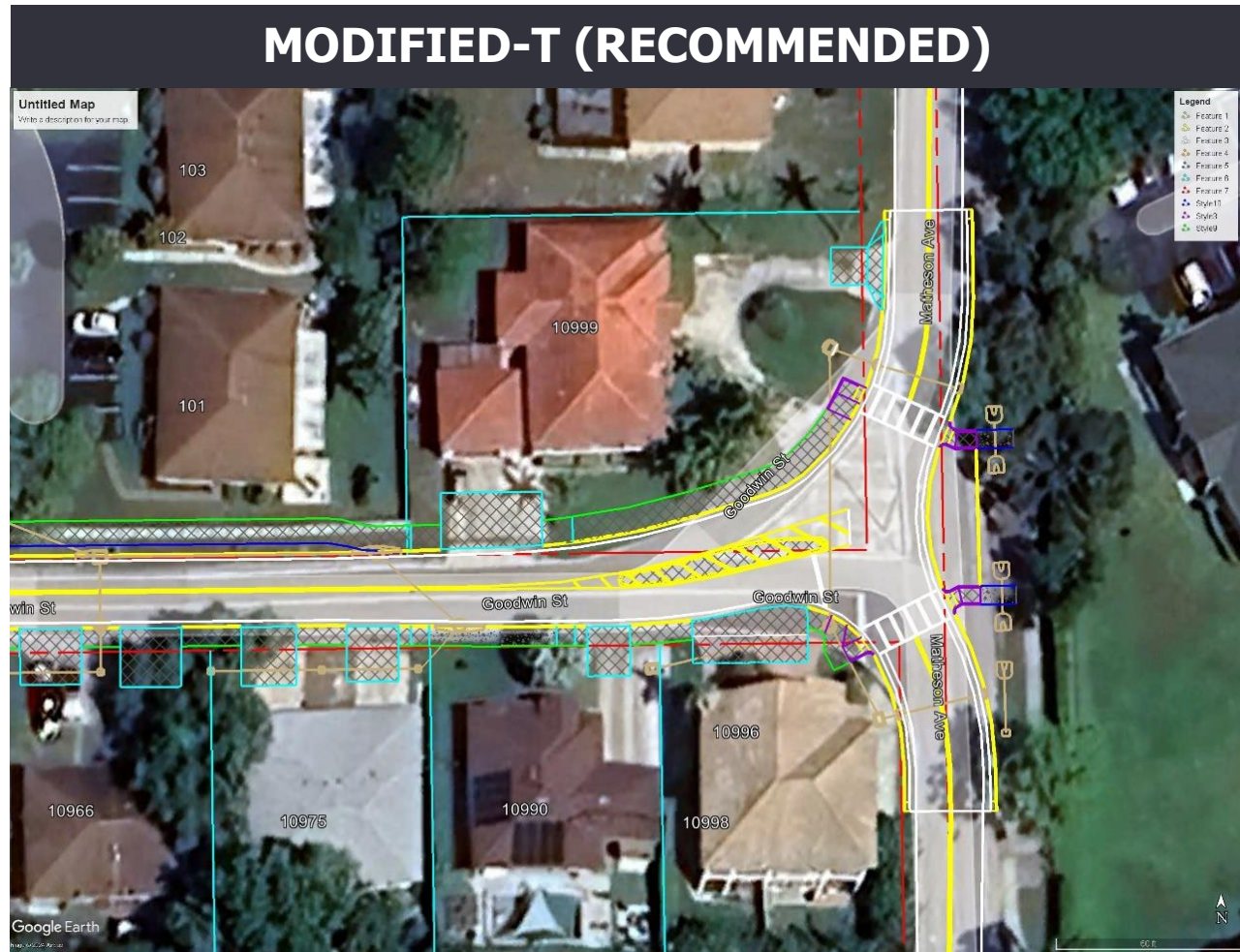
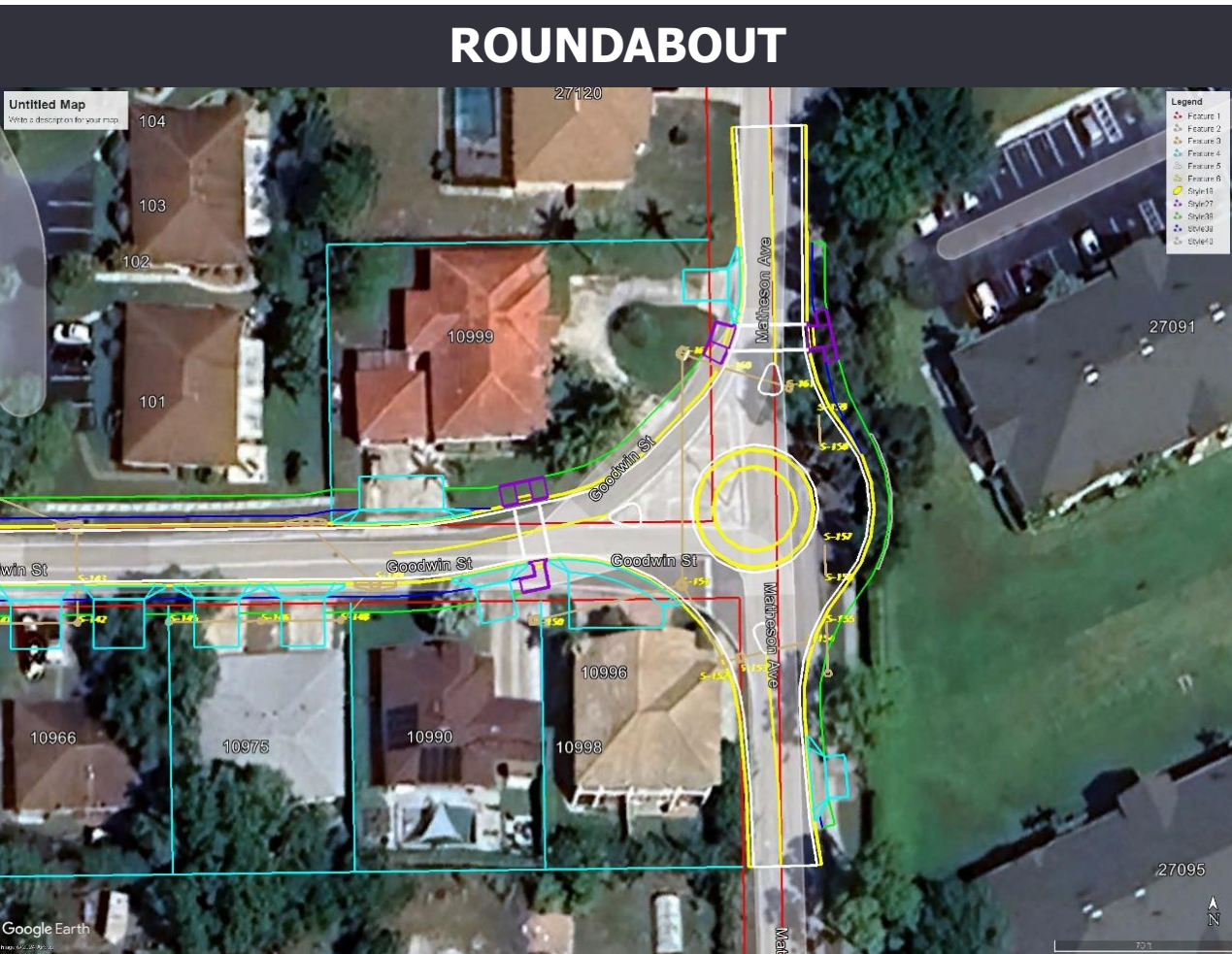
Typical Section Alternative 2 - Modified



Typical Section Alternative 4 (Recommended)



Intersection Alternatives



Franzel Factors for Alternatives Evaluation

- Alternatives
- Safety Considerations
- Long Range and Area Planning
- Environmental Factors
- Cost



Safety Considerations

- Accommodations for pedestrians and bicyclists
 - Sidewalk and shared-use path
 - Mid-block crossings
 - Raised crosswalks
- “Modified-T” at Matheson Avenue
- Lighting



Long Range Planning

- Bridge has reached its design life and should be replaced. New bridge design life 75 years
- New bridge required to accommodate new typical section



Long Range Planning

- Implement concepts/strategies consistent with Complete Streets Resolution 14-043 (2014)
- Consistent w/ Bonita Springs Bike and Pedestrian Master Plan (2017)
- Chapter 3 sections of the Bonita Springs Development Standards
- Consistent w/ Administrative Code Resolution 06-155 for Bicycle and Pedestrian Facilities (2006)



Environmental Factors

- Bridge replacement will have some minimal impacts to resources around Leitner Creek
- All other impacts similar for all alternatives
- All required permits will be secured



Cost Evaluation Matrix

Criteria	Alternate 1	Alternate 2	Alternate 3	Alternate 2 Modified	Alternate 4 Recommended
Roadway (Width)	54'-0"	52'-0"	56'-0"	48'-0"	46'-0"
52'-0" Bridge (sft)	2600	2496	2704	2288	2184
Right of Way (parcels)	40	46	40	46	46
Relative Costs	Mid/Lower	Mid/Higher	Highest	Lower	Lowest



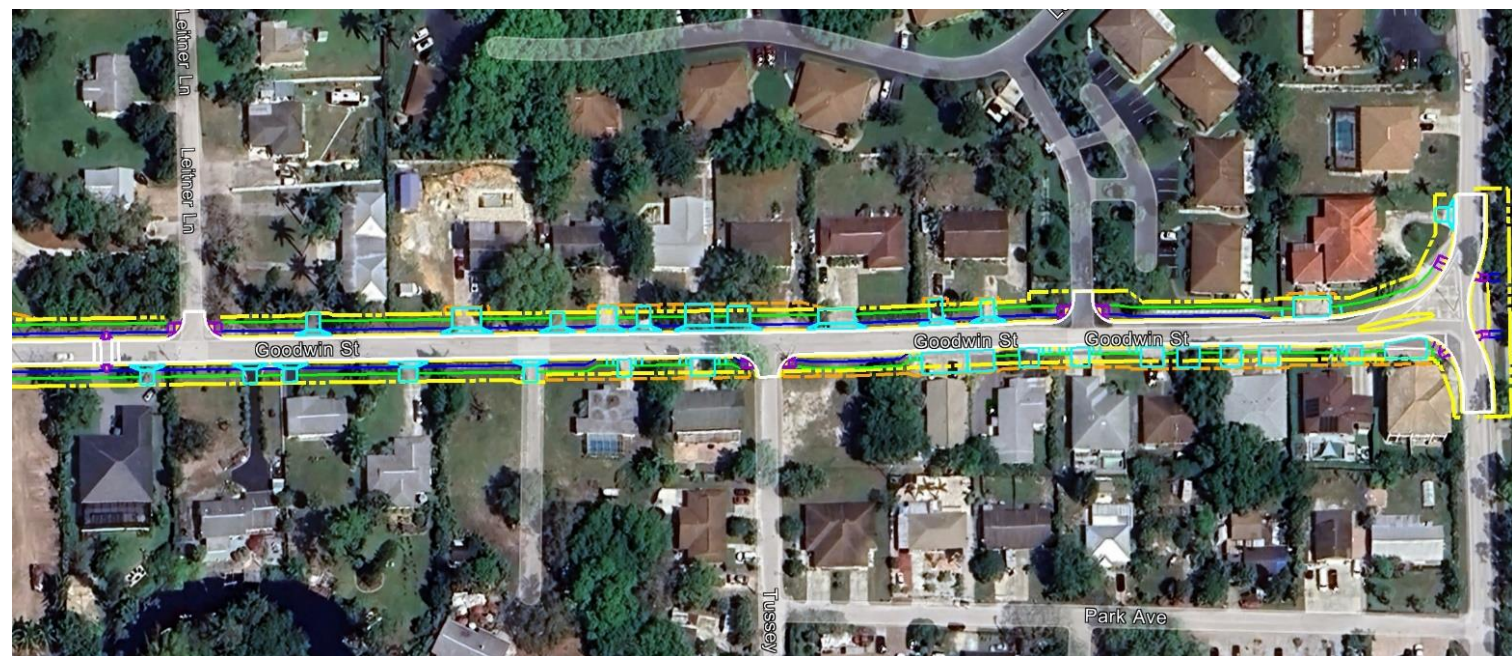
Franzel Factor Summary

Criteria	Alternate 1	Alternate 2	Alternate 3	Alternate 2 Modified	Alternate 4 Recommended
Safety Factors	Good	Better	Better	Best	Best
Long Range Planning	Good	Good	Good	Good	Good
Environmental Factors	Low	Low	Low	Low	Low
Costs	Middle	High	Highest	Lower	Lowest



Conclusion and Recommendation

- Minimize Property Impacts & Cost
 - Alignment 4 (meandering)
 - Cross Section 4 (minimize buffers where necessary)
 - "Modified-T" intersection at Matheson Ave
- Project Meets Goals & Objectives



**CITY OF BONITA SPRINGS
AGENDA ITEM SUMMARY**

Green Sheet No. 24-11-179
November 20, 2024

ITEM TITLE: Second Reading and Public Hearing of an Ordinance adopting the 2024-2025 Five Year Capital Improvement Program Annual Update.

REQUESTOR: Lisa Griggs Roberson, CPA, Director of Financial and Administrative Services

AGENDA SECTION: Public Hearings

STRATEGIC PRIORITY: #7 Government Transparency

BACKGROUND:

Florida Statutes §163.3177(3) (a) requires that local government comprehensive plans contain a capital improvement element designed to consider the need for and the location of public facilities. There is also the requirement that local governments review the capital improvement elements on an annual basis. As part of the mandatory Evaluation and Appraisal Review (EAR), Bonita Springs updates the five-year capital improvement schedule annually by ordinance.

A “capital improvement” generally means physical assets constructed or purchased to provide, improve, or replace a public facility, typically large scale, high in cost, and may require multi-year financing.

Exhibit A includes the budget for FY 2024-2025 which was adopted by City Council at the budget hearing on September 18, 2024.

At the City Council meeting held on November 6, 2024, City Council approved advancing the Ordinance to second reading and public hearing on November 20, 2024.

STAFF RECOMMENDATION: Adopt Ordinance.

ATTACHMENTS:

1. Draft Ordinance with Exhibit A
-

REVIEWERS:

City Manager:	Arleen Hunter
City Attorney:	Derek Rooney
City Clerk:	Mike Sheffield
Department Director:	Lisa Griggs Roberson

**CITY OF BONITA SPRINGS, FLORIDA
ORDINANCE NO. 24-**

AN ORDINANCE OF THE CITY COUNCIL OF BONITA SPRINGS, FLORIDA, ADOPTING THE 2024-2025 FIVE YEAR CAPITAL IMPROVEMENT PROGRAM ANNUAL UPDATE; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, Florida Statute §163.3177(3)(a) requires that local government comprehensive plans contain a capital improvements element designed to consider the need for and the location of public facilities; and

WHEREAS, Florida Statute §163.3177(3)(b) requires that local governments review the capital improvements element on an annual basis, and provides that modifications to update the five-year capital improvements schedule may be accomplished by ordinance; and

WHEREAS, “capital improvement” generally means physical assets constructed or purchased to provide, improve, or replace a public facility, typically large scale, high in cost, and may require multi-year financing; and

WHEREAS, Florida Statute §163.3177(3)(a)4 requires that projects necessary to achieve and maintain adopted levels of service for the five-year planning period be included in the capital improvement schedule; and

WHEREAS, review by the City of Bonita Springs Local Planning Agency is not required for a capital improvements schedule update, which is not an amendment to the Comprehensive plan; and

WHEREAS, the Bonita Springs City Council held the required public hearings with all required public notice for the purpose of hearings.

THE CITY OF BONITA SPRINGS HEREBY ORDAINS:

SECTION 1: RECITALS/INTENT. The recitals set forth above are true and correct and constitute the legislative findings of the City Council.

SECTION 2: AMENDMENT TO THE CAPITAL IMPROVEMENT SCHEDULE. The Capital Improvement Program Annual Update is hereby adopted as set forth in Exhibit A, attached hereto and incorporated herein by reference.

SECTION 3: CODIFICATION. It is the intent of the City of Bonita Springs City Council that the provisions of this Ordinance shall be codified into the Bonita Springs Comprehensive Plan, specifically as an update to Objective 1.5 of the Capital Improvements Element. The Code Codifier is hereby granted authority to update the Capital Improvement Program or to otherwise make notation by reference to this Ordinance in the City of Bonita Springs Comprehensive Plan, as amended.

SECTION 4: EFFECTIVE DATE. The effective date of this Ordinance shall be thirty days from its adoption date.

SECTION 5: CONFLICTS. This ordinance shall supersede any ordinances in conflict herewith to the extent that such conflict exists.

SECTION 6: SEVERABILITY. If any part of this ordinance is found to be invalid, preempted, or otherwise superseded, the remainder shall nevertheless be given full force and effect to the extent permitted by the severance of such invalid, preempted, or superseded part.

DULY PASSED AND ENACTED BY THE CITY COUNCIL of the City of Bonita Springs, Lee County, Florida, this 20th day of November 2024.

Attest:

CITY OF BONITA SPRINGS, FLORIDA

By: _____
City Clerk

By: _____
Mayor

Reviewed for legal sufficiency:

By: _____
City Attorney

Vote:

Bogacz:	Corrie:
Purdon:	Fullick:
Carr:	Fitzpatrick:
Gibson:	

Capital Improvement Program Annual Update

Exhibit A

Exhibit A, Page 1

CAPITAL IMPROVEMENT PLAN									
Fiscal Year 2024-2025									
Account	Project Description	Project Phase	Funding/ Revenue Source	Fiscal Year 2024-2025	Fiscal Year 2025-2026	Fiscal Year 2026-2027	Fiscal Year 2027-2028	Fiscal Year 2028-2029	Fiscal Years 2029-2030 to 2033-2034
IMPROVE STORM WATER MANAGEMENT (1st STRATEGIC PRIORITY)									
30.000.537.6105	Environmentally Sensitive Land Acquisitions	Planning	General Fund	-	100,000	100,000	100,000	100,000	1,000,000
30.250.538.6110	Quinn/Downs/Dean Neighborhood Buy-out	Construction	Grant-FDEO	-	-	-	-	-	-
			General Fund	-	-	-	-	-	-
			Pro ject Total	-	-	-	-	-	-
30.250.538.6806	Pine Lake Preserve	Construction	Grant-FDEP	-	-	-	-	-	-
			General Fund	-	-	-	-	-	-
			Pro ject Total	-	-	-	-	-	-
30.250.538.6807	Logan Blvd Regional Floodway/Drainage	Design	General Fund	-	-	-	-	-	-
			Grant-LMS-FDEM	-	-	-	-	-	-
			Grant-LMS-FEMA	-	-	-	-	-	-
			Pro ject Total	-	-	-	-	-	-
30.250.538.6809	Spring Creek/Bonita Springs Golf Course Flood Improvement	Design	General Fund	250,000	-	-	-	-	-
			Stormwater Fee	700,000	-	-	-	-	-
			Grant-LMS-FDEM	-	-	-	-	-	-
			Legislation Appropriation	-	-	-	-	-	-
			Pro ject Total	950,000	-	-	-	-	-
30.250.538.6810	Quinn/Downs/Dean West of Imperial Drain Improvements	Design	Grant-FDEP	-	-	-	-	-	-
			Grant-FDEO	-	-	-	-	-	-
			Pro ject Total	-	-	-	-	-	-
30.250.538.6811	Bio-Reactor Phase II	Construction	General Fund	150,000	200,000	-	-	-	-
			Grant-FDEP	-	-	-	-	-	-
			Pro ject Total	150,000	200,000	-	-	-	-
30.250.538.6812	Big Bend Road Drainage	Construction	Gas Tax	-	-	-	-	-	-
			General Fund	-	-	-	-	-	-
			Grant-FDEP	-	-	-	-	-	-
			Pro ject Total	-	-	-	-	-	-
30.250.538.6813	Citrus Park Drainage Project PH I	Construction	General Fund	-	-	-	-	-	-
			Grant-FDEM	-	-	-	-	-	-
			Pro ject Total	-	-	-	-	-	-

Exhibit A, Page 2

CAPITAL IMPROVEMENT PLAN									
Fiscal Year 2024-2025									
Account	Project Description	Project Phase	Funding/ Revenue Source	Fiscal Year 2024-2025	Fiscal Year 2025-2026	Fiscal Year 2026-2027	Fiscal Year 2027-2028	Fiscal Year 2028-2029	Fiscal Years 2029-2030 to 2033-2034
30.250.538.6108	Acquisition/Demolition Pre-Disaster Mitigation (PDM) Home Buy Out	Design	General Fund	-	-	-	-	-	-
			Grant-PDM 75%	-	-	-	-	-	-
			Pro ject Total	-	-	-	-	-	-
30.250.538.6215	Equipment Storage Facility	Planning	General Fund	150,000	-	-	-	-	-
To be determined	Bonita Beach (Hickory Island) Home Elevation-FEMA Hazard Mitigation Grant Program (HMGP)	Design	Grant-CDBG-DR 25% match	-	875,000	-	-	-	-
			Grant-HMGP FEMA 75%	-	2,625,000	-	-	-	-
			Pro ject Total	-	3,500,000	-	-	-	-
To be determined	Bonita Beach (Hickory Island) Neighborhood Acquisition/Demolition-FEMA Hazard Mitigation Grant Program (HMGP)	Design	Grant-CDBG-DR 25% match	-	1,375,000	-	-	-	-
			Grant-HMGP FEMA 75%	-	4,125,000	-	-	-	-
			Pro ject Total	-	5,500,000	-	-	-	-
To be determined	Central Bonita Springs Neighborhood Home Acquisition/Demolition-FEMA Hazard Mitigation Grant Program (HMGP)	Design	Grant-CDBG-DR 25% match	-	1,375,000	-	-	-	-
			Grant-HMGP FEMA 75%	-	4,125,000	-	-	-	-
			Pro ject Total	-	5,500,000	-	-	-	-
To be determined	Central Bonita Springs Neighborhood Home Elevation-FEMA Hazard Mitigation Grant Program (HMGP)	Design	Grant-CDBG-DR 25% match	-	1,875,000	-	-	-	-
			Grant-HMGP FEMA 75%	-	5,625,000	-	-	-	-
			Pro ject Total	-	7,500,000	-	-	-	-
To be determined	IBE/Quinn/Downs/Dean Neighborhood Home Acquisition/Demolition-FEMA Hazard Mitigation Grant Program (HMGP)	Design	Grant-CDBG-DR 25% match	-	3,000,000	-	-	-	-
			Grant-HMGP FEMA 75%	-	9,000,000	-	-	-	-
			Pro ject Total	-	12,000,000	-	-	-	-
To be determined	IBE/Quinn/Downs/Dean Neighborhood Home Elevation-FEMA Hazard Mitigation Grant Program (HMGP)	Design	Grant-CDBG-DR 25% match	-	2,000,000	-	-	-	-
			Grant-HMGP FEMA 75%	-	6,000,000	-	-	-	-
			Pro ject Total	-	8,000,000	-	-	-	-
To be determined	Imperial Shores Neighborhood Home Acquisition/Demolition-FEMA Hazard Mitigation Grant Program (HMGP)	Design	Grant-CDBG-DR 25% match	-	3,000,000	-	-	-	-
			Grant-HMGP FEMA 75%	-	9,000,000	-	-	-	-
			Pro ject Total	-	12,000,000	-	-	-	-
To be determined	Imperial Shores Neighborhood Home Elevation-FEMA Hazard Mitigation Grant Program (HMGP)	Design	Grant-CDBG-DR 25% match	-	1,250,000	-	-	-	-
			Grant-HMGP FEMA 75%	-	3,750,000	-	-	-	-
			Pro ject Total	-	5,000,000	-	-	-	-

Exhibit A, Page 3

CAPITAL IMPROVEMENT PLAN										
Fiscal Year 2024-2025										
Account	Project Description	Project Phase	Funding/ Revenue Source	Fiscal Year 2024-2025	Fiscal Year 2025-2026	Fiscal Year 2026-2027	Fiscal Year 2027-2028	Fiscal Year 2028-2029	Fiscal Years 2029-2030 to 2033-2034	
To be determined	Morton Avenue Stormwater and Multi-Use Pathway Project-FEMA Hazard Mitigation Grant Program (HMGP)	Design	Grant-CDBG-DR 25% match	-	585,000	1,165,000	1,750,000	-	-	
			Grant-HMGP FEMA	-	5,835,000	4,665,000	-	-	-	
			Pro ject Total	-	6,420,000	5,830,000	1,750,000	-	-	
To be determined	Spring Creek Neighborhood Home Acquisition/Demolition-FEMA Hazard Mitigation Grant Program (HMGP)	Design	Grant-CDBG-DR 25% match	-	1,375,000	-	-	-	-	
			Grant-HMGP FEMA 75%	-	4,125,000	-	-	-	-	-
			Pro ject Total	-	5,500,000	-	-	-	-	-
To be determined	Spring Creek Neighborhood Home Elevation-FEMA Hazard Mitigation Grant Program (HMGP)	Design	Grant-CDBG-DR 25% match	-	1,250,000	-	-	-	-	
			Grant-HMGP FEMA 75%	-	3,750,000	-	-	-	-	-
			Pro ject Total	-	5,000,000	-	-	-	-	-
To be determined	Hazard Mitigation Grant Program (HMGP) Neighborhood Acquisition	Design	Grant-CDBG-DR 10% match	-	475,862	-	-	-	-	
			Grant-HMGP FEMA 90%	-	4,282,762	-	-	-	-	-
			Pro ject Total	-	4,758,624	-	-	-	-	-
Total Improvement Storm Water Management				\$ 1,250,000	\$ 80,978,624	\$ 5,930,000	\$ 1,850,000	\$ 100,000	\$ 1,000,000	
TRANSPORTATION (2nd STRATEGIC PRIORITY)										
Bonita Beach Road Visioning and Quadrant:										
30.250.541.6317	Bonita Bch Rd/US 41 Quadrant	Design	General Fund	-	-	-	-	-	-	
			Park Impact Fee	-	-	-	-	-	-	
			Road Impact Fee	1,394,257	4,182,772	50,000	-	-	4,818,654	
			Project Total	1,394,257	4,182,772	50,000	-	-	4,818,654	
30.250.541.6318	Bonita Bch Rd Vision Implementation	Planning	General Fund	25,000	250,000	224,999	-	-	1,000,000	
30.250.541.6339	Pelican Landing/Old41/US41 Intersection Improvements	Study	General Fund	425,000	350,000	-	-	-	-	
Total Bonita Beach Road Visioning and Quadrant				1,844,257	4,782,772	274,999	-	-	5,818,654	
Sidewalks and Multi-Use Pathways:										
30.250.541.6320	Multi-Use Pathways & Sidewalks	Planning	General Fund	-	350,000	-	-	-	1,000,000	
			Road Impact Fee	-	-	-	-	-	-	
			Grant - CDBG	-	-	-	-	-	1,500,000	
			Park Impact Fee	-	-	-	-	-	1,000,000	
			Project Total	-	350,000	-	-	-	3,500,000	

Exhibit A, Page 4

CAPITAL IMPROVEMENT PLAN									
Fiscal Year 2024-2025									
Account	Project Description	Project Phase	Funding/ Revenue Source	Fiscal Year 2024-2025	Fiscal Year 2025-2026	Fiscal Year 2026-2027	Fiscal Year 2027-2028	Fiscal Year 2028-2029	Fiscal Years 2029-2030 to 2033-2034
30.250.541.6323	W. Terry St. Multi-Use Pathway	Construction	General Fund	-	-	-	-	-	-
			Gas Tax	-	-	-	-	-	-
			Park Impact Fee	-	-	-	-	-	-
			Road Impact Fee	-	-	-	-	-	-
			Pro ject Total	-	-	-	-	-	-
30.250.541.6324	Sun Trail (Rails to Trails)	Planning	Park Impact Fee	-	-	-	-	-	-
			Road Impact Fee	-	-	-	-	-	-
			Pro ject Total	-	-	-	-	-	-
30.250.541.6327	Goodwin Street Sidewalk & Drainage	Design	Gas Tax	-	-	-	-	-	-
			General Fund	1,000,000	300,000	-	-	-	-
			Road Impact Fee	-	100,000	400,000	-	-	-
			Pro ject Total	1,000,000	400,000	400,000	-	-	-
30.250.541.6300	Minor Road, Sidewalk & Drainage Improvements	Recurring	General Fund	100,000	-	-	-	-	-
			Gas Tax	-	350,000	350,000	350,000	350,000	1,750,000
			Project Total	100,000	350,000	350,000	350,000	350,000	1,750,000
30.250.541.6331	Pine Ave. Multi-use Pathway	Design	Road Impact Fee	-	-	-	-	-	-
			Grant CDBG-DR	400,000	-	-	-	-	-
			Pro ject Total	400,000	-	-	-	-	-
30.250.541.6337	Dean Street Path & Sidewalk	Planning	General Fund	-	-	-	-	-	-
			Road Impact Fee	-	-	-	-	-	7,000,000
			Project Total	-	-	-	-	-	7,000,000
30.250.541.6338	W. Terry Street South Sidewalk	Design	Road Impact Fee	755,660	1,201,707	2,105,120	-	-	-
			Park Impact Fee	-	-	-	-	-	-
			Pro ject Total	755,660	1,201,707	2,105,120	-	-	-
30.250.541.6346	Old 41 & Strike Lane Intersection Improvements	Construction	General Fund	-	-	-	-	-	-
			Road Impact Fee	-	-	-	-	-	-
			Pro ject Total	-	-	-	-	-	-
30.250.541.6347	Old 41 & BB Rd Quadrant	Planning	Road Impact Fee	-	-	-	-	-	5,201,900
30.250.541.6348	Rosemary Drive Stormwater & Mutli-use Pathway	Design	Road Impact Fee	486,075	486,075	486,075	-	-	-
			Grant - CDBG	-	-	-	-	-	-
			Pro ject Total	486,075	486,075	486,075	-	-	-

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CAPITAL IMPROVEMENT PLAN									
Fiscal Year 2024-2025									
Account	Project Description	Project Phase	Funding/ Revenue Source	Fiscal Year 2024-2025	Fiscal Year 2025-2026	Fiscal Year 2026-2027	Fiscal Year 2027-2028	Fiscal Year 2028-2029	Fiscal Years 2029-2030 to 2033-2034
30.250.541.6364	E. Terry Street Multi-use Pathway	Design	General Fund	-	800,000	600,000	600,000	-	-
			Grant - CDBG	-	-	-	-	-	-
			Pro ject Total	-	800,000	600,000	600,000	-	-
Total Sidewalks and Multi-Use Pathways				\$ 2,741,735	\$ 3,587,782	\$ 3,941,195	\$ 950,000	\$ 350,000	\$ 17,451,900
30.250.541.6308	Asphalt Overlays	Recurring	Gas Tax	200,000	125,000	125,000	200,000	200,000	750,000
30.250.541.6319	Roadway Restriping	Recurring	Gas Tax	188,990	100,000	100,000	100,000	100,000	944,940
30.250.541.6328	Decorative Street Lights conversion to LED	Construction	Gas Tax	-	-	-	-	-	-
30.250.541.6342	Traffic Calming	Construction	Gas Tax	15,000	50,000	50,000	50,000	50,000	250,000
30.250.541.6343	Bridge Maintenance	Recurring	Gas Tax	25,000	25,000	25,000	25,000	50,000	400,000
30.250.541.6349	Forrester Drive Drainage	Construction	General fund	-	-	-	-	-	-
			Gas Tax	-	-	-	-	-	-
			Pro ject Total	-	-	-	-	-	-
30.250.541.6357	Old 41 Bike Ped Improvements	Planning	General Fund	-	-	-	-	-	-
			Grant-CDBG-DR	-	11,500,000	-	-	-	-
			Pro ject Total	-	11,500,000	-	-	-	-
30.250.541.6358	Paradise Road Bike Ped Improvements	Planning	Road Impact Fee	663,675	600,000	11,578,188	-	-	-
30.250.541.3100	Mobility Plan	Planning	Grant-CDBG-DR	-	-	-	-	-	-
To be determined	Cochran Rd ROW Improvements	Planning	General Fund	-	-	-	-	-	100,000
To be determined	Pennsylvania Ave Corridor Drainage & Operational Improvements	Planning	Grant-CDBG-DR	-	24,000,000	-	-	-	-
Total Transportation				\$ 5,678,657	\$ 44,770,554	\$ 16,094,382	\$ 1,325,000	\$ 750,000	\$ 25,715,494
COMMUNITY AESTHETICS: DEVELOP AND IMPLEMENT URBAN DESIGN (3rd STRATEGIC PRIORITY)									
30.000.519.6000	Exotic Removal of FPL ROW Path	Planning	General Fund	-	-	-	-	-	-
30.250.541.6310	FDOT Pond on Arroyal Rd	Planning	General Fund	-	-	-	-	-	-
30.250.541.6906	Median Landscape Enhancement	Design	General Fund	-	-	-	-	-	-
30.270.519.4910	Highway Monuments/Welcome Signs	Planning	General Fund	500,000	1,500,000	-	-	-	7,000,000
30.270.519.4911	Urban Design	Planning	General Fund	25,000	225,000	-	-	-	5,000,000
30.270.519.4912	Goodbread Grocery	Planning	General Fund	-	-	-	-	-	-
30.270.519.4920	Flagpole along I-75	Planning	General Fund	-	-	-	-	-	-

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CAPITAL IMPROVEMENT PLAN									
Fiscal Year 2024-2025									
Account	Project Description	Project Phase	Funding/ Revenue Source	Fiscal Year 2024-2025	Fiscal Year 2025-2026	Fiscal Year 2026-2027	Fiscal Year 2027-2028	Fiscal Year 2028-2029	Fiscal Years 2029-2030 to 2033-2034
30.270.541.6322	Imperial River US 41 Bridge Beautification	Planning	General Fund	100,000	100,000	100,000	-	-	5,000,000
30.270.545.6355	Parking Garage Feasibility	Planning	General Fund	-	-	-	-	-	-
30.270.572.6000	Leitner Creek Soccer Complex	Design	General Fund	300,000	-	-	-	-	-
			Park Impact Fee	-	-	-	-	-	-
			Pro ject Total	300,000	-	-	-	-	-
30.270.572.6360	City Wide Park Lighting Conversion LED	Design	General Fund	150,000	150,000	150,000	150,000	-	3,000,000
30.270.573.4928	Acquisition of Public Art	Planning	General Fund	50,000	-	-	-	-	-
30.270.575.6014	Everglades Wonder Gardens Café upgrades	Construction	General Fund	-	-	-	-	-	-
30.602.572.6022	Small Recreation Building Improvements	Planning	General Fund	-	-	-	-	-	-
30.603.572.6008	Comm Park Parking Lot Improvements	Construction	General Fund	250,000	-	-	-	-	-
30.603.572.6015	Baseball Complex Master Plan Phased Improvements	Construction	General Fund	45,000	-	-	-	-	750,000
30.603.572.6017	Comm Park Basketball/Futsal Pavilion Resurfacing	Planning	General Fund	-	-	-	100,000	-	-
30.603.572.6350	Community Park Tennis Court Resurface & Fencing	Planning	General Fund	40,000	-	-	-	-	-
30.603.572.6361	Community Park Playground Improvements	Construction	General Fund	20,000	-	-	-	-	400,000
30.604.572.6001	Liles Hotel Fountain Improvements	Construction	General Fund	200,000	-	-	-	-	-
30.605.572.6009	Riverside Park/Depot Park Sealcoating	Construction	General Fund	-	-	-	-	-	-

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CAPITAL IMPROVEMENT PLAN									
Fiscal Year 2024-2025									
Account	Project Description	Project Phase	Funding/ Revenue Source	Fiscal Year 2024-2025	Fiscal Year 2025-2026	Fiscal Year 2026-2027	Fiscal Year 2027-2028	Fiscal Year 2028-2029	Fiscal Years 2029-2030 to 2033-2034
30.605.572.6205	Bandshell Renovations & Updates	Construction	General Fund	65,000	200,000	-	-	-	-
30.605.572.6351	Depot Park Playground Expansion	Design	General Fund	-	-	-	-	-	3,000,000
30.605.572.6356	Island Park Entrance Improvements	Design	Park Impact Fee	-	-	-	-	-	-
30.605.572.6359	Bandshell Lawn Artificial Turf/Sidewalk/Paver Replacement	Construction	General Fund	183,991	-	-	-	-	-
30.609.572.6025	Former Community Hall & Banyan Tree Park	Planning	General Fund	2,500,000	-	-	-	-	-
			Park Impact Fee	-	-	-	-	-	-
			Project Total	2,500,000	-	-	-	-	-
30.610.572.6016	Dog Park Shade Structures	Construction	Park Impact Fee	-	-	-	-	-	-
30.610.572.6021	Dog Park Trail Overlay	Construction	General Fund	-	-	-	-	-	-
30.610.572.6026	Dog Beach Park	Design	Grant-TDC	-	-	-	-	-	2,100,000
30.612.572.6909	Hickory Blvd N & Hickory Circle ROW Landscaping	Design	General Fund	550,000	-	-	-	-	-
30.613.572.6032	Soccer Complex Concession & Restroom Building Renovation	Construction	General Fund	30,000	-	-	-	-	-
30.613.572.6029	Sealcoating Soccer Complex Parking	Planning	General Fund	-	-	-	-	-	-
30.615.572.6019	Liles Hotel Stucco Repairs	Construction	General Fund	25,000	-	-	-	-	-
30.615.572.6200	Liles Hotel & Plaza wall exterior	Design	General Fund	-	-	-	-	-	-
30.617.572.6001	Nature Place updates & Expansions	Construction	General Fund	50,000	-	-	-	-	-
			Park Impact Fee	-	-	-	-	250,000	-
			Project Total	50,000	-	-	-	250,000	-
30.620.572.6028	Sealcoating Soccer Marni Fields Parking	Planning	General Fund	-	-	-	-	-	-
30.620.572.6352	Marni Fields Improvements	Design	General Fund	105,000	-	-	-	-	-
To be determined	Marni Fields Underground Utilities	Planning	General Fund	-	-	-	-	-	100,000
To be determined	Bonita Bch Road Underground Utilities	Planning	General Fund	-	-	-	-	-	100,000
30.622.572.6362	Cullum's Bonita Trail Extension	Planning	General Fund	-	-	-	-	-	750,000
30.628.572.6001	Leitner Creek Soccer Improvements	Construction	General Fund	-	-	-	-	-	-
30.629.572.6353	Oak Creek Kayak Launch	Design	General Fund	-	-	300,000	-	-	-

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CAPITAL IMPROVEMENT PLAN									
Fiscal Year 2024-2025									
Account	Project Description	Project Phase	Funding/ Revenue Source	Fiscal Year 2024-2025	Fiscal Year 2025-2026	Fiscal Year 2026-2027	Fiscal Year 2027-2028	Fiscal Year 2028-2029	Fiscal Years 2029-2030 to 2033-2034
31.602.572.6000	Recreation Center Improvements	Construction	General Fund	85,000	-	-	-	-	-
			Park Impact Fee	-	-	-	-	-	-
			Pro ject Total	85,000	-	-	-	-	-
31.604.572.6002	Community Aquatic Facility Expansion	Planning	General Fund	-	2,000,000	-	-	-	-
			Park Impact Fee	-	-	-	-	-	-
			Grant-CDBG-DR	-	17,000,000	-	-	-	-
			Pro ject Total	-	19,000,000	-	-	-	-
30.601.5723100	Parks Master Plan Update	Planning	Grant-CDBG-DR	-	-	-	-	-	-
31.605.572.6008	Skate Park	Construction	Park Impact Fee	-	-	-	-	-	-
			General Fund						
			Project Total	-	-	-	-		-
31.610.572.6005	Additional Trails/Entrance	Construction	Park Impact Fee	-	-	-	-	-	-
31.621.572.6007	River Prk-US 41	Complete	Grant-TDC	-	-	-	-	-	-
			Park Impact Fee	-	-	-	-	-	-
			General Fund	-	-	-	-	-	-
			Pro ject Total	-	-	-	-	-	-
30.270.519.6365	Bonita Bch Rd/Imperial Parkway Gateway Feature	Planning	General Fund	500,000	1,000,000	-	-	-	-
30.270.575.6001	Wonder Gardens Facilities & Grounds Major Repairs	Planning	General Fund	75,000	75,000	75,000	75,000	75,000	375,000
		Planning	General Fund	-	-	-	-	-	-
Total Community Aesthetics Strategic Priority				\$ 5,848,991	\$ 22,250,000	\$ 625,000	\$ 325,000	\$ 325,000	\$ 27,575,000
ENVIRONMENTAL PROTECTION (4th STRATEGIC PRIORITY)									
30.611.537.6000	Beach Renourishment Ord 12-05	Recurring	General Fund	110,000	110,000	110,000	110,000	110,000	600,000
30.000.537.6305	S Bonita Beach Ian Restoration	Construction	Grant-FDEP						
30.250.535.6301	Sanitary Sewer Conversion Lakes of San Soucci	Design	General Fund	731,250	-	-	-	-	-
			Grant-FDEP	487,500	-	-	-	-	-
			BSU	731,250	-	-	-	-	-
			Pro ject Total	1,950,000	-	-	-	-	-
30.250.535.6302	Sanitary Sewer Conversion Sun Village	Design	General Fund	636,375	-	-	-	-	-
			Grant-FDEP	424,250	-	-	-	-	-
			BSU	636,375	-	-	-	-	-
			Pro ject Total	1,697,000	-	-	-	-	-
Total Environmental Protection				\$ 3,757,000	\$ 110,000	\$ 110,000	\$ 110,000	\$ 110,000	\$ 600,000

Exhibit A, Page 9

CAPITAL IMPROVEMENT PLAN									
Fiscal Year 2024-2025									
Account	Project Description	Project Phase	Funding/ Revenue Source	Fiscal Year 2024-2025	Fiscal Year 2025-2026	Fiscal Year 2026-2027	Fiscal Year 2027-2028	Fiscal Year 2028-2029	Fiscal Years 2029-2030 to 2033-2034
<u>STRENGTHEN/ENHANCE CITY FINANCES (5th STRATEGIC PRIORITY)</u>									
30.000.525.4901	Disaster Reserve Allocation	Recurring	General Fund	400,000	400,000	400,000	400,000	400,000	2,500,000
Total Strengthen/Enhance City Finances				\$ 400,000	\$ 400,000	\$ 400,000	\$ 400,000	\$ 400,000	\$ 2,500,000
<u>GOVERNMENT TRANSPARENCY: INCREASE OUTREACH/ACCESSIBILITY TO CITIZENS (7th STRATEGIC PRIORITY)</u>									
30.240.513.6400	Technology Enhancements-	Construction	Building Fees	-	-	-	-	-	-
30.240.539.6354	Technology Infrastructure Planning	Planning	General Fund	-	-	-	-	-	-
Project Total				-	-	-	-	-	-
Total Government Transparency Strategic Priority				\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<u>OTHER CAPITAL PROJECTS</u>									
30.240.513.6401	Technology Equipment Replacement	Recurring	General Fund	75,000	75,000	-	-	-	500,000
30.240.513.6402	Back ups for Server Data	Planning	General Fund	-	-	-	-	-	-
30.270.519.4924	City Facilities Major Repairs	Construction	General Fund	2,500,000	3,000,000	1,500,000	2,000,000	-	8,500,000
30.270.519.4927	Security Upgrades in City Facilities	Construction	General Fund	100,000	75,000	75,000	75,000	75,000	375,000
30.270.519.4935	City Hall Generator Replacement	Planning	General Fund	-	-	-	-	-	-
30.270.519.4936	City Hall Sewer Lateral Repair Asphalt Overlay	Planning	General Fund	-	-	-	-	-	-
30.631.572.6210	Repair, Design & Renovations of Old Library	Construction	General Fund	750,000	1,500,000	-	-	-	6,000,000
30.270.519.6400	Vehicle Major Repairs and Replacement Reserve	Recurring	General Fund	90,000	90,000	90,000	90,000	90,000	550,000
30.270.519.6401	Elevator-City Hall	Planning	General Fund	-	-	-	-	-	-
30.402.513.6400	Cameras in Council Chambers	Construction	General Fund	-	-	-	-	-	-
Total Other Capital Projects				3,515,000	4,740,000	1,665,000	2,165,000	165,000	15,925,000
TOTAL CAPITAL IMPROVEMENT PLAN				\$ 20,449,648	\$ 153,249,178	\$ 24,824,382	\$ 6,175,000	\$ 1,850,000	\$ 73,315,494

Exhibit A, Page 10

CAPITAL IMPROVEMENT PLAN									
Fiscal Year 2024-2025									
Account	Project Description	Project Phase	Funding/ Revenue Source	Fiscal Year 2024-2025	Fiscal Year 2025-2026	Fiscal Year 2026-2027	Fiscal Year 2027-2028	Fiscal Year 2028-2029	Fiscal Years 2029-2030 to 2033-2034
			FUNDING SOURCES						
			Funding/ Revenue Source	Fiscal Year 2024-2025	Fiscal Year 2025-2026	Fiscal Year 2026-2027	Fiscal Year 2027-2028	Fiscal Year 2028-2029	Fiscal Years 2029-2030 to 2033-2034
			General Fund	13,341,616	12,850,000	3,724,999	3,700,000	850,000	47,600,000
			Gas Tax	428,990	650,000	650,000	725,000	750,000	4,094,940
			Grants	1,311,750	133,178,624	5,830,000	1,750,000	-	3,600,000
			Road Impact Fee	3,299,667	6,570,554	14,619,383	-	-	17,020,554
			Park Impact Fee	-	-	-	-	250,000	1,000,000
			Stormwater Fee	700,000	-	-	-	-	-
			Building Fees	-	-	-	-	-	-
			Legislation Appropriation	-	-	-	-	-	-
			BSU-Bonita Springs Utilities	1,367,625	-	-	-	-	-
			TOTAL	\$ 20,449,648	\$ 153,249,178	\$ 24,824,382	\$ 6,175,000	\$ 1,850,000	\$ 73,315,494
					Year 1 to 5 Budgeted Expenditures			\$ 206,548,208	

ITEM TITLE: Pursuant to the City Charter, elect a Deputy Mayor.

REQUESTOR: Derek Rooney, City Attorney

AGENDA SECTION: City Attorney Items

STRATEGIC PRIORITY: N/A

BACKGROUND:

Pursuant to Section 18 of the City Charter “the Council shall elect, from among its members, a Deputy Mayor who shall act as Mayor during the absence or disability of the Mayor.”

Section 21 (c) of the City Charter states, “In the event the Mayor becomes unable to fulfill the duties of office, ceases to be qualified, or is removed from office as provided by law or charter, the Deputy Mayor of the Council shall assume the full powers and duties of the Mayor until the new Mayor can be seated.”

STAFF RECOMMENDATION: Elect a Deputy Mayor.

ATTACHMENTS:

1. Section 18 and Section 21 of the City Charter.

REVIEWERS:

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

[Revised by Ordinance No. 07-12, adopted 8-1-07]

[Section 13(d) amended by Charter Amendment 1, Election 1-29-08]

[Section 13(d) amended by Charter Amendment 2, Election 1-26-10]

Section 14. Nonpartisan election.

All elections to the office of Mayor or City Council shall be conducted on a nonpartisan basis without designation of any political affiliation for any candidate on any ballot.

Section 15. Referendum spending limits; campaign spending limits.

- (a) There shall be a maximum cap of not more than \$1. per registered voter in the City placed on campaign spending for any referendum vote for or against such referendum question. Effective February 1, 2010, and annually thereafter, the cap shall be increased based on the Consumer Price Index for All Urban Consumers (CPI-U) (or successor reports) for the preceding calendar year or three (3%) percent, whichever is less.
- (b) No candidate for a Council member seat may spend more than \$2. per registered voter in his or her District (as of the preceding municipal general election) on an election. No candidate for Mayor may spend more than \$2. per registered voter (as of the preceding municipal general election) in the City on an election. Effective February 1, 2010, and annually thereafter, the cap shall be increased based on the Consumer Price Index for All Urban Consumers (CPI-U) (or successor reports) for the preceding calendar year or three (3%) percent, whichever is less. The candidate spending limit applies to all campaign spending, whether a direct expenditure from a candidate or by an indirect source such as a group, club, association or other organization, including a political action committee.

[Section 15(b) amended by Charter Amendment 1, Election 3-9-04]

[Section 15 amended by Charter Amendment 3, Election 1-26-10]

Section 16. Adoption of election procedure.

The Council, by ordinance, may adopt such election procedures as are necessary and as provided by Florida law.

Section 17. Multiple candidates.

The candidate who receives the highest number of votes cast for the seat or for the office for which he or she is running shall be declared to be elected. In the event of a tie between the candidates for any seat in the general election, following a mandatory recount, another election shall be held on the earliest date that the run-off election can be conducted. The candidates receiving the equal votes shall be the only candidates on the ballot for the run-off election.

[Revised by Ordinance No. 03-22, adopted 11-19-03]

[Section 17 amended by Charter Amendment 4, Election 1-26-10]

Section 18. Mayor.

A Mayor shall be elected, at-large, and shall serve for a term of 4 years. The Mayor shall be a voting member of the City Council and shall preside at meetings of the City Council, represent the City in intergovernmental relationships, appoint with the advice and consent of the other members of the City Council the members of citizen advisory boards and commissions, present an annual "State of the City Message," and perform other duties as specified by the City Council and this Charter. The Mayor shall be

recognized as head of the City government for all ceremonial purposes and by the Governor for purposes of martial law, but shall have no administrative duties. In addition to any other duties, the Mayor shall have a voice and a vote in all City Council proceedings, but shall have no veto power. The Council shall elect, from among its members, a Deputy Mayor who shall act as Mayor during the absence or disability of the Mayor.

[Revised by Ordinance No. 03-03, adopted 3-5-03]

[Section 18 amended by Charter Amendment 5, Election 1-26-10]

[Section 18 amended by Charter Amendment 1, Election 3-17-20]

Section 19. Compensation; expenses.

The Mayor shall receive \$22,596.00 annually, payable monthly, and each City Council member shall receive \$16,947.00 annually, payable monthly, as compensation for their services. This amount of compensation shall be revised annually based on a cost of living adjustment (COLA) published by the U.S. Department of Labor Bureau of Labor Statistics, Consumer Price Index, South Region, in effect as of April 1st of that year, or a comparable index if it is no longer published. The Council may provide for reimbursement of actual expenses incurred by its members, including the Mayor, while performing their official duties. From time to time, but in no event less often than every four 4 years, the city council shall appoint an advisory committee, consisting of 5 electors, for the purpose of studying and making recommendations to the council on the level of compensation, exclusive of COLA adjustments provided above, and benefits for the mayor and councilmembers. If, whether based on such recommendation or otherwise, the council takes action to change the level of compensation for the members then sitting on the council, such change shall begin on the first day following the next ensuing regular municipal election.

[Section 19 amended by Charter Amendment 2, Election 3-9-04]

[Section 19 amended by Charter Amendment 2 and 3, Election 3-17-20]

Section 20. Prohibitions.

- (a) Except where authorized by law, no Council member including the Mayor shall hold any other elected public office during the term for which the member was elected. Neither the Mayor nor any Council member shall hold any other City office or City employment during the terms for which the member was elected to the Council. Neither the Mayor nor any Council member shall hold any office or employment with the City prior to 2 years after the expiration of the term for which the member was elected. Nothing in this section shall be construed to prohibit the Council from appointing any current or former Mayor or Council member to represent the City on the governing board of any regional or other intergovernmental agency.
- (b) Neither the City Council nor any of its members shall in any manner control or demand the appointment or removal of any City Administrative Officer or employee whom the City Manager, or any subordinate of the City Manager, is empowered to appoint, but the Council may express its views and freely discuss with the City Manager anything pertaining to appointment and/or removal of such officers and employees.
- (c) Except for the purpose of inquiries and investigations as provided for in this charter, the Council or its members shall deal with the City officers and employees who are subject to the direction and supervision of the City Manager solely through the City Manager, and neither the Council nor its members shall give orders to any such officer or employee, either publicly or privately.

[Section 21(c) amended by Charter Amendment 5, Election 1-26-10]

Section 21. Vacancies; forfeitures of office; filling vacancies.

- (a) The office of a Council member, including the Mayor, shall become vacant upon the member's death, resignation, inability to fulfill the duties of the office, movement of residence outside the District, or removal from office as authorized by law or this charter.
- (b) A Council member shall forfeit the office if the Council member: lacks at any time during the term of office any qualification for the office prescribed by this charter or as provided by law; violates any express prohibition of this charter; is convicted of a crime involving a felony or moral turpitude; or fails to attend three consecutive regular meetings of the Council without being excused by the Council.
- (c) A vacancy on the City Council shall be filled by Special Election for the remainder of the unexpired term by a representative from the incumbent's district to serve until the next general election. In the event the Mayor becomes unable to fulfill the duties of office, ceases to be qualified, or is removed from office as provided by law or this charter, the Deputy Mayor of the Council shall assume the full powers and duties of the Mayor until the new Mayor can be seated. If the vacancy occurs within 180 days of a general election then no special election shall be called and the seat will remain vacant until filled upon the outcome of the general election.
[Section 21 amended by Charter Amendment 5, Election 3-12-02]
[Section 21 amended by Charter Amendment 5, Election 1-26-10]
[Section 21 amended by Charter Amendment 1, Election 3-17-20]

Section 22. Judge of qualifications.

The Council shall be the judge of the election and qualifications of its members and of the grounds for forfeiture of their office. The Council shall have the power to set additional written standards of conduct for its members beyond those specified in this charter and may provide for such penalties as it deems appropriate, including forfeiture of office. In order to exercise these powers, the Council shall have power to subpoena witnesses, administer oaths, and require the production of evidence. A member charged with conduct constituting grounds for forfeiture of office shall be entitled to a public hearing on demand, and notice of such hearing shall be published in one or more newspapers of general circulation in the City at least 7 days in advance of the hearing. Decisions made by the Council under this section shall be subject to judicial review.

Section 23. Investigations.

The City Council may make investigations into the affairs of the City and the conduct of any City department, office, or agency and for this purpose may subpoena witnesses, administer oaths, take testimony, and require the production of evidence. Failure or refusal to obey a lawful order issued in the exercise of these powers by the Council shall be a misdemeanor punishable by a fine of not more than \$500., or by imprisonment for not more than 60 days; or both such fine and imprisonment.

Section 24. Meetings.

The Council shall meet regularly at least once every month at such time and place as the Council may prescribe. Special meetings may be held on the call of the Mayor or of four or more members and, whenever practical, upon no less than 48 hours' notice, exclusive of any weekend hours, to each member and the public. Special meetings called to address a state of emergency may be called upon no less than 12 hours' notice, however the council shall be limited to taking actions solely to address the emergency

ITEM TITLE: Discussion regarding the correspondence from the School Board of Lee County in regard to the Bonita Springs Elementary School renovation project.

REQUESTOR: City Manager Arleen Hunter; John Dulmer, Director, Community Development.

AGENDA SECTION: City Manager

STRATEGIC PRIORITY: #3 Community Aesthetics

BACKGROUND:

On October 4, 2024, City Council sent a letter (attached) to the School District of Lee County requesting a joint workshop on the historic preservation of the Bonita Springs Elementary School. The School Board of Lee County provided a response to that letter on November 11, 2024 (attached). Several Council Members individually reached out to staff wishing to have an agenda item to discuss the received correspondence at the next scheduled City Council meeting.

RECOMMENDATION: Discuss the correspondence from the School Board of Lee County.

ATTACHMENTS:

1. Letter sent 10/4/24 from City Council to the School District of Lee County.
2. Letter received 11/11/24 from the School District of Lee County.

REVIEWERS:

City Manager:	Arleen Hunter
City Attorney:	Derek Rooney
City Clerk:	Mike Sheffield
Director:	John Dulmer, Community Development



City of Bonita Springs
9101 Bonita Beach Rd
Bonita Springs, FL 34135
(239) 949-6262

Rick Steinmeyer
Mayor

Jamie A. Bogacz
Council Member
District One

Jesse Purdon
Council Member
District Two

Laura Carr
Council Member
District Three

Chris Corrie
Council Member
District Four

Nigel P. Fullick
Council Member
District Five

Fred Forbes, AIA
Council Member
District Six

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Mike Sheffield
City Clerk
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Public Works
(239) 949-6246

Neighborhood Services
(239) 949-6257

Parks & Recreation
(239) 992-2556

Community Development
(239) 444-6150

October 4, 2024

Samuel Fisher, Chairman
The School Board of Lee County
2855 Colonial Blvd.
Fort Myers, FL 33966

Dear Chairman Fisher:

At the Bonita Springs City Council meeting on September 18, 2024, we discussed the latest updates on the Bonita Springs Elementary School renovation project. We unanimously reaffirmed our commitment to strongly advocate for the preservation of the historical and architectural features which earned this landmark a place on the National Register of Historic Places.

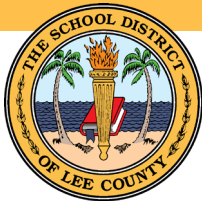
Bonita Springs Elementary School holds immense historical and architectural significance to our community. Therefore, our residents have a vested interest in the planning and outcome. To this end, the City Council voted unanimously to request a joint workshop with the elected members of the School Board. We are hopeful that a joint workshop will lead to viable solutions that will meet all of our objectives and ultimately ensure full community support for the project.

We appreciate your attention to this matter and look forward to our future discussions regarding the historic preservation of Bonita Springs Elementary School. Our staff is prepared to work with yours to arrange the date, time, and logistics.

Sincerely,

Rick Steinmeyer, Mayor

Cc Bonita Springs City Council
The School Board of Lee County Members
Kenneth A. Savage, Ed.D., Superintendent
Arleen Hunter, City Manager
Matt Feeney, Assistant City Manager
Derek Rooney, City Attorney
John Dulmer, Director, Community Development



The School District of Lee County Executive Services

Dear Bonita Springs City Leaders,

Thank you for your continued engagement and concern for the future of Bonita Springs Elementary School. We deeply respect the leadership and advocacy you have shown in preserving the historical elements of our community.

As a School Board, our priority is to ensure the safety, success, and well-being of our students, staff, and families. During the last few weeks, our focus has been primarily addressing urgent issues related to Hurricane Milton, which included school closures, the reopening of schools, and the remediation and alternative temporary solutions for two of our significantly impacted schools. We hope you understand that our delay in response is solely a result of our focus being shifted to storm related communication and recovery.

That said, we have undertaken extensive discussions and analysis regarding the future of Bonita Springs Elementary School, weighing both our limited financial resources and the long-term benefits of a modernized educational environment for our community's children. With our District's ongoing growth, we must prioritize expansions that can accommodate current and future needs, while ensuring a safe environment for all. Unfortunately, the historical building at Bonita Springs Elementary is no longer safe to occupy for our students and staff.

Our decision to proceed with the renovation project reflects our commitment to delivering a state-of-the-art facility that supports academic excellence. We understand and appreciate the desire to preserve elements of the school's historical significance, and in that regard, we explored the option to maintain the facade of the building with historical designation. However, given the financial limitations we face and our responsibility to prioritize student-centered spending, we are unable to allocate the additional \$10 million required for this preservation.

We acknowledge the importance of continuing positive relations between the School Board and city leaders. While we are unable to accommodate your meeting request at this time, we invite you to be a part of the development of the memorial project to honor and commemorate the history of the school. In addition, the rebuild of that structure will be done in likeness of the original space. We are confident that this project will ultimately benefit our entire community. We are committed to ensuring transparency throughout the process and will continue to engage stakeholders as the project moves forward.

We appreciate your understanding and look forward to future opportunities for collaboration.

Sincerely,

The School Board of Lee County



2855 Colonial Boulevard
Fort Myers, FL 33966



www.leeschools.net



239.334.1102