



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

City of Bonita Springs City Council Meeting Agenda

December 18, 2024
5:30 p.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 Council 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 1:00 p.m., Dec. 18, 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. Ceremonial Presentations:
 - A. Proclamation commemorating the 25th Anniversary of the City of Bonita Springs.
 - B. Presentation of award certificates to the winners of the City of Bonita Springs 25th Anniversary Photo Contest.
7. Consent Agenda Items:
 - A. Approve minutes from the the City Council Meeting held on December 4, 2024.

- B. Confirm and ratify Resolutions extending the local State of Emergency due to Hurricane Ian. (Green Sheet 24-12-199)
- C. Confirm and ratify Resolutions extending the local State of Emergency due to Hurricane Helene. (Green Sheet 24-12-200)
- D. Confirm and ratify Resolutions extending the local State of Emergency due to Hurricane Milton. (Green Sheet 24-12-201)
- E. Approve a Resolution re-appointing members to the following advisory boards and committees: Bicycle Pedestrian Safety Advisory Committee, Historic Preservation Board, Special Events Committee, Street Light Advisory Committee, Technology Advisory Board, and Tree Advisory Board. (Green Sheet 24-12-202)
- F. Approve a Resolution awarding the Park Restroom Cleaning Services RFB 24-18 to the lowest responsive, responsible bidder, Boro Building & Property Maintenance, in the monthly total bid amount of \$7,516. (Green Sheet 24-12-207)
- G. Approve demolition of the pole barn structure on the Wonder Gardens property. (Green Sheet 24-12-208)
- H. Approve purchase agreement to acquire property located in the Quinn/Downs/Dean Neighborhood for the Quinn/Downs/Dean West of Imperial Parkway Infrastructure Project. (Green Sheet 24-12-209)
- I. Approve a Resolution to engage a firm for the City's Park Master Plan Study (RFP 24-08) and authorize staff to enter into negotiations with the number one ranked firm, BerryDunn. (Green Sheet 24-12-211)
- J. Approve amendment #1 to purchase agreement 2024-001QDD to acquire property located in the Quinn/Downs/Dean Neighborhood for the Quinn/Downs/Dean West of Imperial Parkway Infrastructure Project. (Green Sheet 24-12-212)
- K. Approve a Resolution in support of the Technology Advisory Board's initiative to improve internet service in the City by researching internet providers and formulating recommendations for City Council's consideration. (Green Sheet 24-12-213)
- L. Approve a Resolution in support of the Bonita Estero Rail Trail (BERT) project and the efforts of the Friends of BERT organization. (Green Sheet 24-12-219)

- Opportunity for City Council Comments on Consent Agenda

8. Presentations:

- A. Presentation from RVi Planning + Landscape Architecture of the design plan for the Riverside Park Bandshell turf and hardscape project. (Green Sheet 24-12-210)

9. Mayor and Council Member Items:

- A. Continued discussion regarding the Bonita Springs Elementary School renovation project. (Council Member Fullick; Deputy Mayor Purdon: Green Sheet 24-12-216)
- B. Discussion regarding proposed amendments to the Standards of Chapter 4—Zoning, Division 11, Section 4-1221 et. seq., Development Regulations for Wireless Communication Facilities. (Council Member Corrie: Green Sheet 24-12-217)
- C. Approve a Resolution appointing/re-appointing members to the City of Bonita Springs Local Planning Agency. (Green Sheet 24-12-203)
- D. Approve a Resolution appointing/re-appointing members to the City of Bonita Springs Board for Land Use Hearings & Adjustments and Zoning Board of Appeals (Zoning Board). (Green Sheet 24-12-204)

10. City Attorney Items:

- A. Consider a request for rehearing relating to the Pennsylvania Ave/Wisconsin St RPD. (Green Sheet 24-12-220)

11. City Manager Items:

- A. Approve the City of Bonita Springs 2025 Legislative Priorities. (Green Sheet 24-12-218)
- B. Discussion regarding the City of Bonita Springs participation with the Lee County Metropolitan Planning Organization (MPO) application for SUN Trail. (Green Sheet 24-12-221)
- C. Appointment of City Council liaisons to various boards and committees for 2025-2026. (Green Sheet 24-12-205)
- D. Presentation of the Preliminary 2023-2024 Fiscal Year end Financial Report. (Green Sheet 24-12-206)
- E. Update on recovery – Hurricanes Ian, Helene, and Milton.
 - 1. Informational Item: Florida Division of Emergency Management Statewide Residential Mitigation Program - Elevate Florida (Green Sheet 24-12-215)
 - 2. Appoint a City of Bonita Springs representative to the Lee County Disaster Advisory Council. (Green Sheet 24-12-214)

12. Mayor and Council Member Reports

13. Public Comment

14. Adjournment



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

City of Bonita Springs
City Council
Draft Meeting Minutes

December 4, 2024
5:30 p.m.

1. **Call to Order** – *Mayor Gibson called the meeting to order at 5:30 pm.*
2. **Invocation** – *Provided by Rev. Ben Richards of the First United Methodist Church of Bonita Springs.*
3. **Pledge of Allegiance** – *Led by Mayor Gibson.*

4. **Roll Call**

The City Clerk called the roll:

Present: 7 Council Member Bogacz, Council Member Purdon, Council Member Carr, Mayor Gibson, Council Member Corrie, Council Member Fullick, Council Member Fitzpatrick.

Absent: 0

5. **Public Comment on Agenda Items**

Kyle Moran – commented in favor of item 9a, Resolution in support of the Bonita Estero Rail Trail Rail Trail.
Deb Orton – commented in favor of agenda item 9a, Resolution in support of the Bonita Estero Rail Trail.

6. **Ceremonial Presentations:**

- A. Presentation honoring Rick Steinmeyer for his dedicated service as Mayor.

Mayor Gibson presented a plaque to former Mayor Steinmeyer and thanked him for his leadership.

6. **Public Hearings - Zoning and Land Use Items:**

- A. (FIRST READING AND PUBLIC HEARING) A ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; CONSIDERING A REQUEST TO REZONE APPROXIMATELY TWO (2) ACRES FROM THE RESIDENTIAL PLANNED DEVELOPMENT (RPD) ZONING DISTRICT TO A RESIDENTIAL PLANNED DEVELOPMENT (RPD), TO ALLOW SIX (6) SINGLE FAMILY UNITS, AND TO REQUEST A DEVIATION; LOCATED AT THE CORNER OF WISCONSIN STREET AND LAWHON FAMILY ROAD, ADDRESS 9650 LAWHON FAMILY ROAD, STRAP NUMBER 34-47-25-B2-00259.0040, BONITA SPRINGS, FLORIDA 34135; PROVIDING FOR AN EFFECTIVE DATE. (Green Sheet 24-12-188)

The City Clerk read the title block into the record. City Attorney Derek Rooney swore in all those who intended to speak. Mike Fiigon, Senior Planner with Community Development, introduced the item, and Mr. Aaron Spence of Maastricht Engineering was present of behalf of the applicant to respond to questions. Mayor Gibson called for questions from Council members, and then called for public comment. Seeing none, Mayor Gibson announced that the ordinance will move to second reading.

- B. (FIRST READING AND PUBLIC HEARING) A ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; CONSIDERING A REQUEST TO REZONE APPROXIMATELY 4.6± ACRES FROM THE TWO-FAMILY CONSERVATION DISTRICT (TFC-2) ZONING DISTRICT TO A RESIDENTIAL PLANNED DEVELOPMENT (RPD), TO DEVELOP UP TO 48 TWO-FAMILY DWELLING UNITS, AND TO REQUEST ONE (1) DEVIATION; LOCATED AT THE SOUTHEAST CORNER OF DEAN STREET AND MATHESON AVENUE, COMPRISING OF 11035, 11089, 11113 AND 11125 DEAN STREET, BONITA SPRINGS, FLORIDA 34135; PROVIDING FOR AN EFFECTIVE DATE. (Green Sheet 24-12-189)

The City Clerk read the title block into the record. City Attorney Derek Rooney swore in all those who intended to speak. Mary Zizzo, Senior Planner with Community Development, provided a brief introduction, stating that the Zoning Board recommended denial, and staff is recommending moving to second reading. Wayne Arnold, Q. Grady Minor & Associates, was present on behalf of the applicant to reply to questions, stating he'll present fully at second reading. Mayor Gibson called for public comment:

*Sharon Kingston – Commented in opposition to the project expressing concern with the large size of the project.
Danny Freeman – Commented in opposition to the project, expressing concerns about density and traffic.
Zach Smith – Expressed concern about parking and neighborhood compatibility.*

Seeing no additional public comment, Mayor Gibson asked for comments from Council members. Council Member Corrie stated that the people objecting to the project expressed legitimate concerns and the Zoning Board recommended denial; he then made a motion not to move to second reading. City Attorney Rooney stated the Florida law requires council members to state the basis for denial based on specific citations from City code. Council should therefore have the opportunity to hear the applicant's presentation at second reading.

Council Member Fullick and Council Member Bogacz stated that there appears to be issues with density and parking which ought to be addressed by the applicant before second reading. Council Member Purdon stated that he's hoping for more clarity from the applicant at second reading. Council Member Fitzpatrick stated that the applicant ought to take the concerns expressed by the neighbors into consideration. Council Member Corrie's motion died for lack of a second. Mayor Gibson announced that the ordinance will move to second reading.

- C. (FIRST READING AND PUBLIC HEARING) A ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; CONSIDERING A REQUEST TO REZONE APPROXIMATELY SIX (6) ACRES FROM THE RESIDENTIAL PLANNED DEVELOPMENT (RPD) ZONING DISTRICT TO A RESIDENTIAL PLANNED DEVELOPMENT (RPD), TO DEVELOP UP TO 10 DWELLING UNITS, AND TO REQUEST FOUR (4) DEVIATIONS; LOCATED AT THE NORTHWEST CORNER OF PENNSYLVANIA AVENUE AND ARROYAL ROAD, STRAP NUMBER 33-47-25-B2-00201.0000, BONITA SPRINGS, FLORIDA 34135; PROVIDING FOR AN EFFECTIVE DATE. (Green Sheet 24-12-190)

The City Clerk read the title block into the record, and City Attorney Derek Rooney swore in all those who intended to speak. Mary Zizzo, Senior Planner with Community Development, provided a brief introduction, stating that the Zoning Board recommended approval. Mr. Dan DeLisi, AICP, was present of behalf of the applicant to respond to questions. Mayor Gibson called for comments from the public; seeing none, he then called for questions from Council. Seeing none, Mayor Gibson announced that the ordinance will move to second reading.

7. Consent Agenda Items:

*Council Member Carr motioned to approve the consent agenda; seconded by Council Member Fullick. **The motion carried unanimously.***

- A. Approve minutes from the the City Council Meeting held on Nov. 20, 2024.
- B. Confirm and ratify Resolutions extending the local State of Emergency due to Hurricane Ian.
- C. Confirm and ratify Resolutions extending the local State of Emergency due to Hurricane Helene.
- D. Confirm and ratify Resolutions extending the local State of Emergency due to Hurricane Milton.
- E. Approve proposal from LJI Engineering in the amount of \$98,050 to develop a drainage design to address the drainage concerns along Mango Drive, Katreena Drive, and Vanderbilt Drive. (Green Sheet 24-12-186)
- F. Approve Amendment 2 to the beach renourishment inter-local agreement with Lee County to address beach erosion as a result of Hurricanes Helene and Milton. (Green Sheet 24-12-187)
- G. Approve the Public Assistance Funding and Grant Agreement with Florida Division of Emergency Management for recovery from Hurricane Helene. (Green Sheet 24-12-191)
- H. Approve the Public Assistance Funding and Grant Agreement with Florida Division of Emergency Management for recovery from Hurricane Milton. (Green Sheet 24-12-192)
 - Opportunity for City Council Comments on Consent Agenda

8. Mayor and Council Member Items:

- A. Discussion regarding a Resolution in support of the Bonita-Estero Rail Trail (BERT) Project, and direction to staff. (Council Member Corrie, Green Sheet 24-12-197)

*Council Member Corrie referenced a resolution recently passed by the Fort Myers Beach Town Council, and requested Council support for a similar resolution for the City of Bonita Springs. Council Member Carr noted the Fort Myers Beach resolution does not commit to contributing funds. Council Member Corrie clarified that he is only seeking a resolution expressing support for the trail, similar to the one from Fort Myers Beach. He then moved to have a similar resolution placed on the next agenda for Council approval, seconded by Council Member Purdon. **The motion carried unanimously.***

9. City Attorney Items:

City Attorney Rooney informed Council that there are two ongoing court matters regarding the approval of the Riverbend zoning case. He requested that the Council delegate a member to participate in the mediations. Council Member Fullick volunteered to serve as the Council's delegate, and was approved by consensus.

10. City Manager Items:

- A. Discussion of the City's 2025 legislative priorities and direction to staff. (Green Sheet 24-12-196)

City Manager Hunter announced that the Lee County Delegation meeting is scheduled for January 9, 2025, at Florida Southwestern State College. Requests for general presentations at the Delegation Meeting must be submitted to Representative Esposito's Office by December 13. Staff is seeking direction regarding the City's 2025 legislative priorities in anticipation of this meeting.

A discussion ensued, with Hayden Dempsey of Greenberg Traurig, the City's contract lobbyist, participating remotely. The Council provided the following direction: Priorities to include generalized opportunities for funding to acquire environmentally sensitive land and support for a multi-jurisdictional rail corridor. Appropriation requests to include funding for BERT, beach re-nourishment, Rosemary Drive Stormwater Drainage & Pedestrian Safety Improvements, and the Leitner Creek Neighborhood Soccer Complex. The formal list will be on the agenda for the December 18th City Council meeting.

- B. Discussion regarding the appointment of City Council liaisons to various boards and committees for 2025-2026. (Green Sheet 24-12-194)

This item continued to the December 18, 2025 City Council meeting.

- C. Presentation of the Preliminary 2023-2024 Fiscal Year end Financial Report. (Green Sheet 24-12-193)

This item continued to the December 18, 2025 City Council meeting.

- D. Update from Community Development regarding Hurricanes Ian, Helene, and Milton permits and a presentation of the Monthly Activity Report for October 2024. (Green Sheet 24-12-195)

Update and report provided by Community Development Director John Dulmer. He reminded Council that the waiver program is scheduled to end on Jan. 31.

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

1. Informational Item: Update regarding the City of Bonita Springs' participation and standing in the National Flood Insurance Program (NFIP). (Green Sheet 24-12-198)

City Manager Hunter referenced the letter received on November 21, 2024 from the U.S. Department of Homeland Security FEMA Region 4 Administrator, which confirmed that the City will retain the current 25% discount and Class 5 standing, and not be placed on probation.

11. Mayor and Council Member Reports

Fitzpatrick – Provided an update on the expansion of CR 951, stating there are no current plans for such expansion, per Don Scott of the Lee MPO.

Fullick – Provided an update on the recent public meeting which he attended on the elementary school, hosted by the Historical Society. He asked for support to attend and speak on the subject at the next Lee County School Board meeting. Other council members may also attend the meeting but will not speak.

Corrie – Provided an update on the collaboration efforts with BSU to improve and streamline the permitting process. Additionally, he emphasized the importance of enhancing user-friendly features of the City's website.

Bogacz – Fire Station 27 is expected to be reopened and operational by the end of December.

12. Public Comment

None

13. Adjournment - *There being no further business, the meeting adjourned at 7:48 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. 24-102 issued on December 2, 2024
2. Resolution No. 24-105 issued on December 9, 2024

REVIEWERS:

City Manager: Arleen Hunter

City Attorney: Derek Rooney

City Clerk: Mike Sheffield

CITY OF BONITA SPRINGS
RESOLUTION NO. 24-102

**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 2nd day of December, 2024.

AUTHENTICATION:

 
Mayor City Clerk

APPROVED AS TO FORM: 
City Attorney Office

Date filed with City Clerk:  12/2/24

CITY OF BONITA SPRINGS
RESOLUTION NO. 24-105

**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;

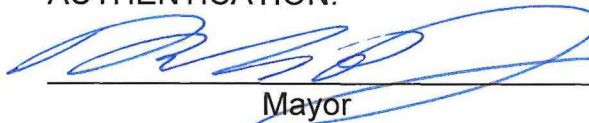
Section 1. The recitals above are hereby incorporated herein.

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 9th day of December, 2024.

AUTHENTICATION:

Mayor City Clerk

APPROVED AS TO FORM: 

City Attorney Office

Date filed with City Clerk: 12/9/24

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. 24-103 issued on December 2, 2024
2. Resolution No. 24-106 issued on December 9, 2024

REVIEWERS:

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

**CITY OF BONITA SPRINGS
RESOLUTION NO. 2024-103**

**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, Governor Ron DeSantis signed Executive Orders 24-208 and 24-209 declaring that a State of Emergency exists within the State of Florida inclusive of Lee County, due to the threat posed by then Tropical Storm Helene, and

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

WHEREAS, Section 14-41 of the Bonita Springs City Code authorizes the Mayor to declare a state of emergency; and

WHEREAS, Tropical Storm Helene, later designated a Hurricane, posed a serious threat to the lives and property of residents of the City and therefore on September 24, 2024, the Mayor executed Resolution 24-72 declaring a local state of emergency, which was confirmed and ratified by City Council on October 2, 2024; and

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

NOW, THEREFORE, be it resolved by the Mayor on behalf of the City Council of the City of Bonta 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, in 7-day increments.

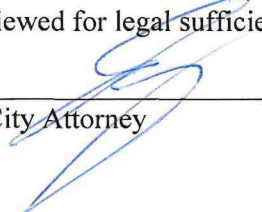
DULY PASSED AND ENACTED by the Mayor of the City of Bonita Springs, Lee County, Florida this 2nd day of December, 2024.

Attest:

By: 
City Clerk

By: 
Mayor

Reviewed for legal sufficiency:

By: 
City Attorney

Date Filed with City Clerk 12/2/24

**CITY OF BONITA SPRINGS
RESOLUTION NO. 2024-106**

**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, Governor Ron DeSantis signed Executive Orders 24-208 and 24-209 declaring that a State of Emergency exists within the State of Florida inclusive of Lee County, due to the threat posed by then Tropical Storm Helene, and

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

WHEREAS, Section 14-41 of the Bonita Springs City Code authorizes the Mayor to declare a state of emergency; and

WHEREAS, Tropical Storm Helene, later designated a Hurricane, posed a serious threat to the lives and property of residents of the City and therefore on September 24, 2024, the Mayor executed Resolution 24-72 declaring a local state of emergency, which was confirmed and ratified by City Council on October 2, 2024; and

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

NOW, THEREFORE, be it resolved by the Mayor on behalf of the City Council of the City of Bonta Springs, Lee County, Florida:

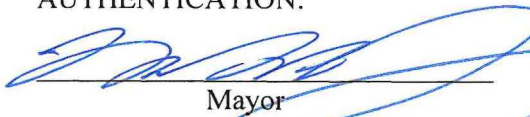
Section 1. The recitals above are hereby incorporated herein.

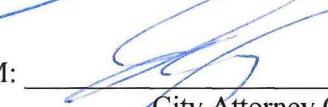
Section 2. The current State of Emergency is extended.

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, in 7-day increments.

DULY PASSED AND ENACTED by the Mayor of the City of Bonita Springs, Lee County, Florida this 9th day of December, 2024.

AUTHENTICATION:

 Mayor  City Clerk

APPROVED AS TO FORM:  City Attorney Office

Date filed with City Clerk: 12/9/24

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. 2024-104 issued on December 2, 2024
2. Resolution No. 2024-107 issued on December 9, 2024

REVIEWERS:

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

**CITY OF BONITA SPRINGS
RESOLUTION NO. 2024-104**

**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, Governor Ron DeSantis signed Executive Order 24-214 declaring that a State of Emergency exists within the State of Florida inclusive of Lee County, due to the threat posed by Hurricane Milton; and

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

WHEREAS, Section 14-41 of the Bonita Springs City Code authorizes the Mayor to declare a state of emergency; and

WHEREAS, the Mayor executed Resolution 24-076 declaring a local state of emergency in advance of Hurricane Milton which was confirmed and ratified by City Council on October 23, 2024; and

WHEREAS, Hurricane Milton continues to have a significant impact on the City, the effects of which include extensive flooding, wind and water damage, not only to public infrastructure but to homes and businesses throughout the City; and

NOW, THEREFORE, be it resolved by the Mayor on behalf of the City Council of the City of Bonta Springs, Lee County, Florida:

Section 1. The recitals above are hereby incorporated herein.

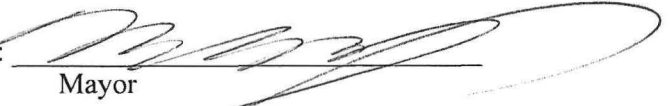
Section 2. The current State of Emergency is extended.

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, in 7-day increments.

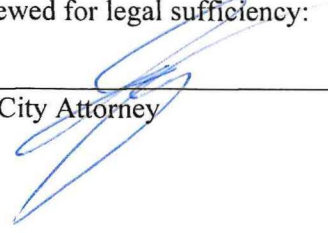
DULY PASSED AND ENACTED by the Mayor of the City of Bonita Springs, Lee County, Florida this 2nd day of December 2024

Attest:

By: 
City Clerk

By: 
Mayor

Reviewed for legal sufficiency:

By: 
City Attorney

Date Filed with City Clerk 12/2/24

**CITY OF BONITA SPRINGS
RESOLUTION NO. 2024-107**

**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, Governor Ron DeSantis signed Executive Order 24-214 declaring that a State of Emergency exists within the State of Florida inclusive of Lee County, due to the threat posed by Hurricane Milton; and

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

WHEREAS, Section 14-41 of the Bonita Springs City Code authorizes the Mayor to declare a state of emergency; and

WHEREAS, the Mayor executed Resolution 24-076 declaring a local state of emergency in advance of Hurricane Milton which was confirmed and ratified by City Council on October 23, 2024; and

WHEREAS, Hurricane Milton continues to have a significant impact on the City, the effects of which include extensive flooding, wind and water damage, not only to public infrastructure but to homes and businesses throughout the City; and

NOW, THEREFORE, be it resolved by the Mayor on behalf of the City Council of the City of Bonta Springs, Lee County, Florida:

Section 1. The recitals above are hereby incorporated herein.

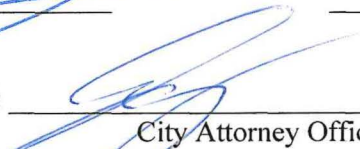
Section 2. The current State of Emergency is extended.

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, in 7-day increments.

DULY PASSED AND ENACTED by the Mayor of the City of Bonita Springs, Lee County, Florida this 9th day of December 2024

AUTHENTICATION:

 Mayor  City Clerk

APPROVED AS TO FORM:  City Attorney Office

Date filed with City Clerk: 12/9/24

ITEM TITLE: Approve a Resolution re-appointing members to the following Boards and Committees: Bicycle Pedestrian Safety Advisory Committee; Historic Preservation Board; Special Events Committee; Street Light Advisory Committee; Technology Advisory Board; and Tree Advisory Board.

REQUESTOR: Mike Sheffield, City Clerk

AGENDA SECTION: Consent

STRATEGIC PRIORITY:

BACKGROUND:

Bicycle Pedestrian Safety Advisory Committee: the Bicycle Pedestrian Safety Advisory Committee consists of seven members serving 2-year terms. The terms of Lindsay Robin, Steven Ivaniszyn, Joseph McClamma, Elizabeth Stikeman, and Tim Dempsey are set to expire December 31, 2024, and each has expressed a desire to be re-appointed.

Historic Preservation Board: the Historic Preservation Board consists of seven members serving 3-year terms. The terms of Alan Glazier, Ruth Condit, and Jacque James are set to expire December 31, 2024, and each has expressed a desire to be re-appointed.

Special Events Committee: the Special Events Committee consists of eight members with 4-year terms. The terms of Bobbi Bird, Michel Wilk, Kathy McGrath, Michael Duffy, Terri Lamaine, and Rachel Kline are set to expire December 31, 2024. Bobbi Bird, Michel Wilk, Michael Duffy, and Rachel Kline have each expressed a desire to be re-appointed.

Street Light Advisory Committee: the Street Light Advisory Committee consists of three to seven members serving 4-year terms. The term of Charles Homolka is set to expire December 31, 2024, and he has expressed a desire to be re-appointed.

Technology Advisory Board: the Technology Advisory Board consists of seven members serving for a 1-year term. The terms of Susan Bickel, Tim Deaton, Ron George, Jim Kauffman, Vincent Marchesani, John Poldoian, and Brandon Forker are set to expire December 31, 2024. All except Brandon Forker have expressed a desire to be re-appointed.

Tree Advisory Board: the Tree Advisory Board consists of seven members serving three-year terms. The term of Jack Brown is set to expire December 31, 2024. He has expressed a desire to be reappointed.

STAFF RECOMMENDATION: Approve Resolution

ATTACHMENTS:

1. Draft resolution

REVIEWERS:

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

CITY OF BONITA SPRINGS, FLORIDA
RESOLUTION 24 -

A RESOLUTION RE-APPOINTING MEMBERS TO THE BICYCLE PEDESTRIAN SAFETY ADVISORY COMMITTEE; THE HISTORIC PRESERVATION BOARD; THE SPECIAL EVENTS COMMITTEE; THE STREET LIGHT ADVISORY COMMITTEE; THE TECHNOLOGY ADVISORY BOARD; AND THE TREE ADVISORY BOARD.

WHEREAS, on November 7, 2012, the City Council established the **Bicycle Pedestrian Safety Advisory Committee** by Resolution 12-84, later amended by Resolution 13-33, providing for seven members with two-year terms; the terms of Lindsay Robin, Steven Ivaniszyn, Joseph McClamma, Elizabeth Stikeman, and Tim Dempsey are set to expire December 31, 2024, and each has expressed a desire to be re-appointed; and

WHEREAS, on August 17, 2006, the City Council adopted Ordinance 06-8 establishing the **Historic Preservation Board**, later amended by Ordinance 13-20, providing for seven members with three-year terms; the terms of Alan Glazier, Ruth Condit, and Jacque James are set to expire December 31, 2024; and each has expressed a desire to be re-appointed; and

WHEREAS, on September 5, 2001 City Council established the **Special Events Committee** by Resolution 01-50, later amended by Resolutions 13-33, 02-62, 05-124, and 18-10, providing for eight members with four-year terms; the terms of Bobbi Bird, Michel Wilk, Kathy McGrath, Michael Duffy, Terri Lamaine, and Rachel Kline are set to expire December 31, 2024, and Bobbi Bird, Michel Wilk, Michael Duffy, and Rachel Kline have expressed a desire to be re-appointed; and

WHEREAS, on September 18, 2002, the City Council established the **Street Light Advisory Committee** by Resolution 02-57, later amended by Resolution 06-156, providing for three to seven members with four-year terms; the term of Charles Homolka is set to expire December 31, 2024 and he has expressed a desire to be reappointed; and

WHEREAS, on May 19, 2010, City Council established the Information Technology Committee by Resolution 10-35, which was reestablished as the **Technology Advisory Board** by Resolution 12-31, providing for seven members with one-year terms; the terms of Susan Bickel, Tim Deaton, Brandon Forker, Ron George, Jim Kauffman, Vincent Marchesani, and John Poldoian are set to expire December 31, 2024; all except Brandon Forker have expressed a desire to be re-appointed; and

WHEREAS, on September 7, 2006, City Council adopted Ordinance 06-10 establishing the **Tree Advisory Board** consisting of seven members with three-year terms; the term of Jack Brown is set to expire December 31, 2024; and he has expressed a desire to be reappointed.

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

Section 1: Lindsay Robin, Steven Ivaniszyn, Joseph McClamma, Elizabeth Stikeman, and Tim Dempsey are each hereby re-appointed to a two-year term on the Bicycle Pedestrian Safety Committee, to begin January 1, 2025, and expire December 31, 2026.

Section 2: Alan Glazier, Ruth Condit, and Jacque James are each hereby re-appointed to a three-year term on the Historic Preservation Board, to begin January 1, 2025, and expire December 31, 2027.

Section 3: Bobbi Bird, Michel Wilk, Michael Duffy, and Rachel Kline are each hereby re-appointed to a four-year term on the Special Events Committee, to begin January 1, 2025, and expire December 31, 2028.

Section 4: Charles Homolka is hereby re-appointed to a four-year term on the Street Light Advisory Committee, to begin January 1, 2025, and expire December 31, 2028.

Section 5: Susan Bickel, Tim Deaton, Ron George, Jim Kauffman, Vincent Marchesani, and John Poldoian are each hereby re-appointed to a one-year term on the Technology Advisory Board, to begin January 1, 2025, and expire December 31, 2025.

Section 6: Jack Brown is hereby re-appointed to a three-year term on the Tree Advisory Board, to begin January 1, 2025, and expire December 31 2027.

DULY PASSED AND ENACTED by the City Council of the City of Bonita Springs, Lee County, Florida, this 18th day of December 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 a Resolution awarding the Park Restroom Cleaning Services RFB 24-18 to the lowest responsive, responsible bidder, Boro Building & Property Maintenance, in the monthly grand total bid amount of \$7,516.00.

REQUESTOR: Nicole Perino, Parks and Recreation Director

AGENDA SECTION: Consent

STRATEGIC PRIORITY: #7 Government Transparency

BACKGROUND:

November 8, 2024 – City staff advertised for sealed bids for Park Restroom Cleaning Services RFB 24-18.

December 10, 2024 – City received seven (7) sealed bids as follows:

- | | |
|--|-------------|
| • L & C Kidd Cleaning | \$21,150.00 |
| • Contractors Enterprises | \$7,560.00 |
| • Steri-Clean of SWFL | \$10,455.00 |
| • Boro Building & Property Maintenance | \$7,516.00 |
| • Boss Pro Cleaning | \$9,626.00 |
| • Chi-Ada Corporation | \$10,552.00 |
| • All Pro Janitorial | \$9,096.00 |

STAFF RECOMMENDATION: Accept lowest responsive, responsible bid from Boro Building & Property Maintenance in the monthly grand total amount of \$7,516.00 for Park Restroom Cleaning Services.

ATTACHMENTS:

1. Resolution
2. Bid Comparison

REVIEWERS:

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

CITY OF BONITA SPRINGS, FLORIDA
RESOLUTION NO. 24 -

A RESOLUTION OF THE CITY OF BONITA SPRINGS, FLORIDA APPROVING A RECOMMENDATION OF AWARD TO BORO BUILDING & PROPERTY MAINTENANCE FOR PARK RESTROOM CLEANING SERVICES AND AUTHORIZE THE MAYOR TO EXECUTE THE AGREEMENT WITH THE AWARDED FIRM.

WHEREAS, on December 10, 2024, the City received seven (7) submittals in response to the City's Request for Bids for Park Restroom Cleaning Services (RFB 24-18); and

WHEREAS, on December 10, 2024, Parks reviewed the bids submitted and recommended award to the lowest responsive, responsible bidder, Boro Building & Property Maintenance.

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

Section 1. The foregoing recommendation is hereby approved.

Section 2. Staff is hereby authorized to enter into an agreement with Boro Building & Property Maintenance for Park Restroom Cleaning Services as the lowest responsive, responsible bidder. A summary of the responding firms, in no particular order, is attached hereto as Exhibit "A."

Section 3. This resolution shall take effect immediately upon adoption.

DULY PASSED AND ENACTED by the City Council of the City of Bonita Springs, Lee County, Florida, this 18th day of December, 2024.

AUTHENTICATION:

Mike Gibson, Mayor

City Clerk

APPROVED AS TO FORM: _____
City Attorney

Vote:

Bogacz	Gibson
Purdon	Fullick
Carr	Fitzpatrick
Corrie	

Date filed with City Clerk: _____

EXHIBIT A

<u>Bidder</u>	<u>Monthly Grand Total</u>
<u>L & C Kidd Cleaning</u>	<u>\$21,150.00</u>
<u>Contractors Enterprises</u>	<u>\$7,560.00</u>
<u>Steri-Clean of SWFL</u>	<u>\$10,455.00</u>
<u>Boro Building & Property Maintenance</u>	<u>\$7,516.00</u>
<u>Boss Pro Cleaning</u>	<u>\$9,626.00</u>
<u>Chi-Ada Corportation</u>	<u>\$10,552.00</u>
<u>All Pro Janitorial</u>	<u>\$9,096.00</u>

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

BID OPENING – TABULATION SHEET

BID NO.: RFB 24-18

BID TITLE: Park Restroom Cleaning Services

OPENING DATE: December 10, 2024

TIME: 2:00 P.M.

OPENED BY: Mike Sheffield

<u>Bidder</u>	<u>Monthly Grand Total</u>
<u>L & C Kidd Cleaning</u>	<u>\$21,150.00</u>
<u>Contractors Enterprises</u>	<u>\$7,560.00</u>
<u>Steri-Clean of SWFL</u>	<u>\$10,455.00</u>
<u>Boro Building & Property Maint.</u>	<u>\$7,516.00</u>
<u>Boss Pro Cleaning</u>	<u>\$9,626.00</u>

Bonita Springs, FL 34135

OPENED BY: Mike Sheffield

\$_____

REQUESTED MOTION: Approve a request from The Wonder Gardens to remove and dismantle the pole barn structure on site.

REQUESTOR: Lora Taylor, Director of Communications & Facilities and Nicole Perino, Parks and Recreation Director

AGENDA: City Manager Items

STRATEGIC PRIORITY: None

BACKGROUND: On June 1, 2022, City Council authorized city staff to execute a multi-year contract with Weston and Sampson for a facility assessment study. The assessment study included six city-owned sites comprised of nineteen buildings. Weston and Sampson presented the executive summary to City Council on July 19, 2023. The Wonder Gardens staff was provided the assessment in August 2023. In October 2023 City Council approved moving forward with \$2.9 million worth of priority one repairs. In November 2023, City Council held a joint workshop with the Wonder Gardens Board. Most recently, the Wonder Gardens Board approved demolishing the Pole Barn Structure on the Wonder Gardens property.

The pole barn structure is generally in poor condition with structural issues visible. Severely deteriorated timber members were observed by the secondary members forming the walls. There is severe deterioration at the foundation along the west wall. Lead paint was also discovered on the ceiling beam. The structure is currently not in use to the public due to its condition. The Wonder Gardens Board has requested to remove the pole barn. Funding is available in the city's capital improvement projects budget. Should City Council approve the request, staff would begin the permitting process to remove the structure, including an application as the property owner to the City's Historic Preservation Board for a Certificate of Appropriateness for the demolition of the structure.

STAFF RECOMMENDATION: Approve the removal of the pole barn structure on the Wonder Gardens property.

ATTACHMENTS:

1. Executive Summary Pole Barn
2. Wonder Gardens Letter

REVIEWERS:

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

Bonita Springs

Pole Barn

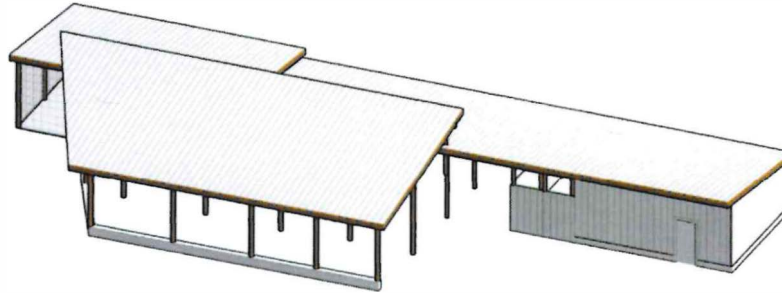
BACKGROUND:

Address: 27180 Old 41 Road, Bonita Springs, FL, 34135

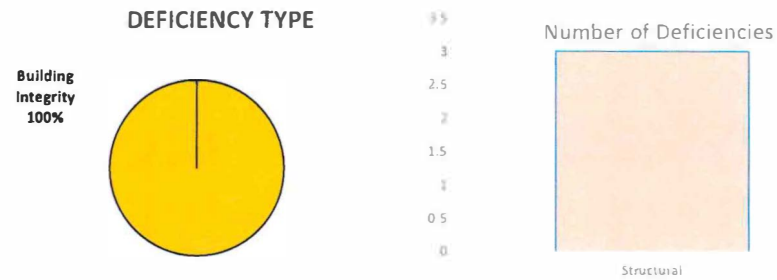
Year Built: 1947

Building Size: 2,860 Sq Ft

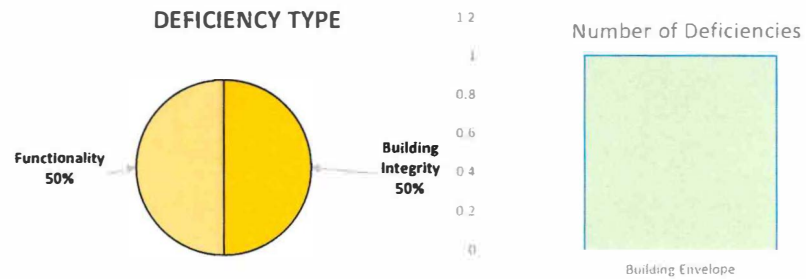
Priorities and Schedule:



Priority 1: Immediately



Priority 2: 1-5 Years



*For a more detailed description of each deficiency, refer to Exhibit B- Deficiency Tables.

Building No. 11 – Pole Barn

The Wonder Gardens Pole Barn is primarily an open-air wood framed structure with an exposed fastener (5-v crip) type roofing system covering approximately 2,860 SF. A small staff break room is enclosed toward the rear with metal wall panels. The building is in generally poor condition with structural issues readily visible. The breakroom is similarly in poor condition, the painted plywood ceiling is splitting from obvious water damage, with parts being patched in the past.

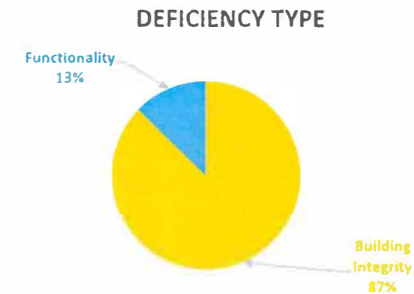
Extra light gage galvanized roof panels are constructed over wood planks that are spaced with a gap between. This is a low-cost system more suitable for an actual barn than a building. The metal roofing has neared the end of its life and should be replaced when the recommended structural repairs are performed. The metal siding along the north side and storage areas is ready for replacement concurrent with the repair to wood framing members.

The historic structure is custom and unique. Multiple wood poles have been embedded in a concrete foundation to form cantilever columns. Along the perimeter the concrete foundation consists of short walls. The base connection at the interior columns is not visible therefore it's unknown if these columns are embedded in a concrete footing or not. Roof beams span each direction to connect the columns and support the roof.

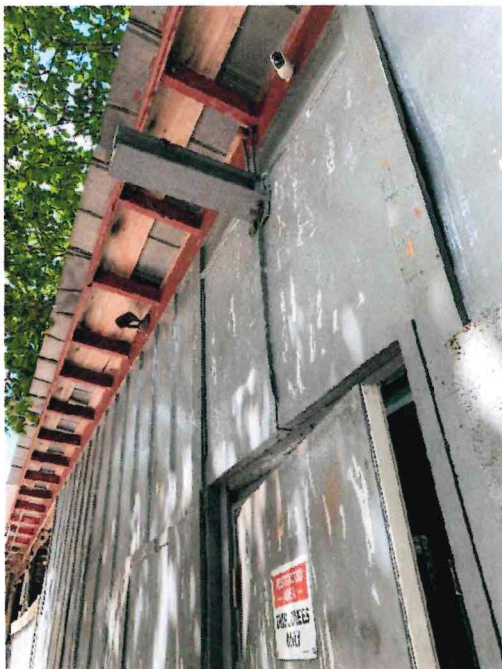
Severely deteriorated timber members were observed at the secondary members forming the walls. The cantilever columns and the roof beams have moderate section loss and texturing that resembles insect damage. Additionally, severe deterioration at the foundation along the west wall was observed. If this building is to remain in service it will require a structural evaluation, and based simply on the observed deteriorated state of this structure the renovation is expected to be extensive.

The electrical service at the barn is a 200 Amp, single phase service which terminates at a 200 Amp, MCB panel. The panel appears to be in fair condition.

Alternative 1, Building Repairs				
Category	Priority 1	Priority 2	Priority 3	Total
Building Envelope	\$0	\$78,750	\$0	\$78,750
Structural	\$231,750	\$0	\$0	\$231,750
Total	\$231,750	\$78,750	\$0	\$310,500



Lead Paint-Pole Barn





November 23, 2024

To: The City of Bonita Springs

From: Wendy Arsenault, Board Chair

This letter is regarding the dismantling and removal of the pole barn located at the Wonder Gardens. At our board meeting on September 10th the board of directors voted unanimously in favor of the pole barn removal. We appreciate the city officials working quickly to get this accomplished. If you have any questions, please feel free to reach out to me personally.

Sincerely,

Wendy Arsenault, DVM, DACVIM-C
Wonder Gardens Board Chair

**The Wonder Gardens
27180 Old 41 Road
Bonita Springs, FL
34135-5405**

ITEM TITLE: Approve purchase agreement to acquire property located in the Quinn/Downs/Dean Neighborhood for the Quinn/Downs/Dean West of Imperial Parkway Infrastructure Project.

REQUESTOR: Elly Soto McKuen, Senior Project Manager

AGENDA SECTION: Consent

STRATEGIC PRIORITY: 1) Stormwater Management, 4) Environmental Protection

BACKGROUND: The focus of the Quinn/Downs/Dean West of Imperial Parkway Infrastructure Project is to provide much needed stormwater infrastructure improvements in the neighborhood. The City is using federal U.S. Housing and Urban Development, Community Development Block Grant-Mitigation (HUD CDBG-MIT) funds to acquire parcels for stormwater retention ponds and improvements.

The acquisition of a single parcel is being purchased to construct a retention pond within the neighborhood. The purchase agreement reflects the current market value for the property. Once the City closes on the property, the structure on the property will be demolished and the land will be used for stormwater improvements.

Staff has redacted the homeowner's name and address as outlined in Senate Bill (SB) 966 adopted during the 2020 legislative session. SB 966 provides an exemption from public records requirements for personal identifying information for the purpose of disaster recovery assistance from a presidentially declared disaster. These properties were affected as a result of Hurricane Irma in 2017. Once the property has been transferred to the City's ownership the information will be made public.

STAFF RECOMMENDATION: Approve purchase agreement

ATTACHMENTS:

1. Agreement 2024-003QDD
2. SB966 Senate Bill

REVIEWERS:

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



CITY OF BONITA SPRINGS, FLORIDA
IBE/QUINN/DOWNS/DEAN INFRASTRUCTURE PROGRAM

OPTION TO PURCHASE AGREEMENT

THIS OPTION TO PURCHASE AGREEMENT is made this _____ day of _____, 2024, by and between the **City of Bonita Springs, FL**, a municipality incorporated in the State of Florida (hereinafter referred to as "BUYER" or "City") and [REDACTED] (hereinafter referred to as "SELLERS"):

1. PROGRAM DESCRIPTION. The BUYER is acting under a Community Development Block Grant-Mitigation (CDBG-MIT) grant from the U.S. Department of Housing and Urban Development made to FloridaCommerce, administered by the BUYER and hereinafter referred to as the "IBE/Quinn/Downs/Dean Infrastructure Program", to purchase certain Property in the City of Bonita Springs, Florida in which the SELLERS owns improved or vacant properties located at [REDACTED] Bonita Springs, FL 34135 hereinafter referred to as the "Premises", and further described in Exhibit A which is attached hereto and made a part hereof.

The SELLERS acknowledge that the above-referenced property was impacted by Hurricane Irma, that the SELLERS qualifies for the assistance being granted, and that the SELLERS understands that any potential utilization of eminent domain by the City will not be implemented under this program. In the event the SELLERS are not interested in selling their property, or if the SELLERS and the BUYER cannot reach an amicable agreement for the purchase of the property, the BUYER will not pursue its acquisition under eminent domain.

SELLERS understand this is a voluntary transaction and that SELLERS are not entitled to relocation benefits provided by the Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA) and will not claim any such benefits. Relocation funding will only be available to any and all displaced tenants, as applicable.

2. OFFER AND DESCRIPTION. BUYER agrees to buy, and SELLERS agree to sell all of a certain piece, parcel or lot of land, and other interests buildings, structures and improvements thereon, which lands shall include all tenements, hereditaments, together with all water and other rights, easements, appurtenances, and any and all of the SELLERS' rights in or arising by reason of ownership thereunto belonging, owned by them, situate and lying in the City of Bonita Springs, State of Florida, to-wit more particularly described as follows:

(See Exhibit A attached to this agreement)

More commonly known as:

[REDACTED]
Bonita Springs, FL 34135





CITY OF BONITA SPRINGS, FLORIDA
IBE/QUINN/DOWNS/DEAN INFRASTRUCTURE PROGRAM

The SELLERS agree that they have full right, power, and authority to convey the Premises, and that they will convey to the BUYER the fee simple title together with legal and practical access thereto clear, free, and unencumbered, except subject to the following easements or reservations:

Existing easements for canals, ditches, flumes, pipelines, railroads, public highways and roads, telephone, telegraph, power transmission lines and public utilities.

3. CONSIDERATION. The SELLERS acknowledge the price to be paid for the Premises is the current Fair Market Value that was determined by a certified Florida Appraiser. The purchase price for the real estate properties and improvements above described is TWO HUNDRED FIFTY THOUSAND DOLLARS and Zero Cents (\$250,000.00) based on an appraisal dated September 5, 2024 to be paid at closing, minus any outstanding liens and transaction costs due from SELLERS which are due and payable at the date of settlement. The following caveats must occur prior to closing:

- a. Ninety (90) days prior to closing the BUYER will update the appraisal to reflect the current fair market value of the property.
- b. Closing will occur following FloridaCommerce's approval of the BUYER's Environmental Review Record (ERR) for the IBE/Quinn/Downs/Dean West of Imperial Parkway Stormwater Project and subsequent issuance of a written Authorization to Use Grant Funds (AUGF).
- c. The SELLERS agree, so long as this offer remains in effect, not to sell, mortgage, encumber, or otherwise dispose of the property or any part thereof, or interest therein, except to the BUYER.
- d. Loss or damage to the property by any cause shall be at the risk of the SELLERS until title has been conveyed to the BUYER.
- e. The SELLERS agree to deliver a good and sufficient general warranty deed conveying marketable title.
- f. It is understood by all parties that the proceeds from the sale shall first be applied to all liens on the property which are due and payable at the date of settlement. It is further understood that the CDBG-MIT program funds being used for the purchase of the Property cannot and will not duplicate benefits that have been received for the same from any other funds. Duplication of Benefits (DOB) applies if the SELLERS are currently receiving funds for temporary housing from local, state, or federal sources as the BUYER will provide relocation funding to any tenant currently located on premises. DOB includes any Small Business Administration (SBA) loan secured by the SELLERS for relocation purposes. Additionally, SELLERS shall resolve any and all outstanding claims and sign a Subrogation Agreement (Attachment A) which will require the return of any and all monies or payments to either the funding agency or the BUYER, related to this property which may be claimed by SELLERS after settlement, stemming from Hurricane Irma, September 10, 2017 landfall in the City of Bonita Springs, Florida, and any disaster events afterwards.
- g. AS APPLICABLE SELLERS must work with BUYER to identify displaced tenants prior to closing on the Premises with provisions identified in the Uniform





CITY OF BONITA SPRINGS, FLORIDA

IBE/QUINN/DOWNS/DEAN INFRASTRUCTURE PROGRAM

Relocation Assistance and Real Property Acquisition Policies Act (URA). The URA allows the tenants to receive relocation benefits for up to 42 months. In case the tenants vacate the affected properties in good faith and prior to the sale of said properties, if the SELLERS decide against the sale of the affected properties in benefit of the City, the SELLERS will become financially responsible for fulfilling the URA benefits to the tenants entirely. This financial commitment will also include any payments already made by the City for the benefit of the tenants.

4. ENVIRONMENTAL. To the best of the SELLERS knowledge, the properties are in compliance with Environmental Laws. SELLERS will provide any hazardous permits if applicable to BUYER prior to closing should any hazardous substances, toxic substances, materials or waste, pollutants, or contaminants, including without limitation, petroleum and petroleum products, asbestos and polychlorinated biphenyls (PCBs) have been released, spilled, leaked, discharged, disposed of, pumped, poured, emitted, emptied, injected, leached, dumped or allowed to escape or threatened to release on, at, under, above, through or from the properties in violation of applicable Environmental Laws or in a manner which requires or could require investigation, remediation or any other response action or could result in liability under applicable Environmental Laws.

- a. SELLERS shall attest that the properties are not listed or proposed for listing on the National Priority List promulgated pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, (CERCLA), nor are listed on the Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS) or on any state list of sites requiring environmental investigation or clean-ups.

5. CONTINGENCIES.

- a. SELLERS shall vacate the property on or before the closing date outlined in Section 16. If SELLERS do not vacate the property, the BUYER shall have the right to void this contract, unless an extension has been agreed upon between SELLERS and the BUYER. The property shall be delivered at settlement free of any tenant or occupancy whatsoever.
- b. SELLERS must work with BUYER to identify displaced tenants prior to closing on the property with provisions identified in the Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA).
- c. BUYER shall have the right to perform any and all inspections on the property up until the day of closing (settlement date). If BUYER's inspections are not satisfactory to the BUYER, the BUYER shall have the right to void this contract. BUYER shall also have the right to void this contract if the City's intended use of the property is a violation of any restrictive covenants on the property that cannot be modified.





CITY OF BONITA SPRINGS, FLORIDA
IBE/QUINN/DOWNS/DEAN INFRASTRUCTURE PROGRAM

- d. BUYER and SELLERS acknowledge that the purchase of the property is with U.S. Department of Housing and Urban Development (HUD) funds that are being allocated through FloridaCommerce. The SELLERS acknowledge that this Contract does not constitute a commitment of funds or site approval, and that such commitment of funds or approval may occur only upon satisfactory completion of an environmental review, FloridaCommerce approval of the purchase, the City of Bonita Springs City Council's approval of the purchase, and receipt of the AUGF from FloridaCommerce.
6. TRANSACTION COSTS. BUYER's Transaction Costs include appraisal fee, property surveys, BUYER's attorney fees, deed preparation, title search, and title insurance and all recording fees, as applicable. SELLERS's Transaction Costs include payoff fees. SELLERS shall be responsible for any costs necessary to deliver a marketable title (including recording of loan satisfaction). If SELLERS are represented by a realtor or attorney, the SELLERS are responsible for all SELLERS realtor and attorney fees.
7. REAL ESTATE TAXES. SELLERS shall provide a paid tax receipt for the most recent tax bill 5 days prior to closing. BUYER shall be responsible for the pro-rata share of prepaid real property taxes allocable to the period subsequent to the vesting of title in the CITY, or the effective date of possession of such real property by the same, whichever is earlier. It shall be the obligation of the SELLERS to pay all taxes and assessments outstanding as liens at the date title vests of record in the BUYER, whether or not such taxes and assessments are then due and payable.
8. ADJUSTMENTS. NONE.
9. CONVEYANCE DATE OF CLOSING/POSSESSION. Conveyance will be made subject to all easements and covenants of record (provided they do not make the title unmarketable or prohibits the City of Bonita Springs from its desired use of the property) and to all governmental statutes, ordinances, rules, and regulations. The SELLERS expressly agree herein to furnish to the BUYER any documents in SELLERS's possession establishing evidence of title including, but not limited to, abstracts, title commitments, title policies and opinions of title, if needed. SELLERS agrees to convey by marketable title with a general warranty deed, free of encumbrances. The deed will be prepared in the name of the City of Bonita Springs, FL and delivered to stipulated place of closing. The Closing Agent shall be authorized to disburse the sales proceeds at the time of settlement.
10. ADDITIONAL COVENANTS OF SELLERS. From and after the date hereof and at all times prior to the end of the Option Period, SELLERS shall:
- a. Maintain the Properties substantially in the condition as it exists on the date hereof and not construct any improvements therein;
 - b. Provide the BUYER with prompt written notice of any notice, inquiry, complaint or request for information received from any governmental authority with respect to the Properties including, without limitation, any investigation or request for





CITY OF BONITA SPRINGS, FLORIDA
IBE/QUINN/DOWNS/DEAN INFRASTRUCTURE PROGRAM

information regarding an environmental claim or condition or any alleged violation of any applicable laws including, without limitation Environmental Laws;

- c. Not sell, transfer, lease, pledge, hypothecate or otherwise encumber any direct or indirect interest in the Properties or any portion thereof or any direct or indirect interest of SELLERS except to the BUYER;
- d. Not enter into any service or other contracts which are not cancelable upon thirty (30) days or less notice without penalty or which would be binding on BUYER after closing, in either case without the prior written consent of the BUYER;
- e. Notify the BUYER in writing promptly after it becomes aware of any factor or circumstance which makes any representation or warranty herein untrue or misleading in any material respect or jeopardizes or impairs the SELLERS ability to perform any covenant or agreement herein contained.

11. ACKNOWLEDGEMENTS. The SELLERS acknowledge that it has had an opportunity to review this Agreement and that it has had an opportunity, if needed, to contact an attorney of its choice to review this Agreement, and the SELLERS enters into this Agreement fully understanding the nature thereof and saves and holds harmless the BUYER and its agents as a result of this Agreement or any incident to the sale of the referenced real property.

12. FIXTURES AND PERSONAL PROPERTY. At the time of closing (settlement date), this sale includes all property, fixtures, equipment, and improvements of any kind left on the premises. Personal property, such as fixtures, can be removed from the property prior to Vacancy Inspection so long as this removal does not cause health or safety concerns on the premises. After the Vacancy Inspection date, SELLERS shall not be allowed to remove any personal property, fixtures or other items otherwise agreed upon between BUYER and the SELLERS.

13. VACANCY INSPECTION. The SELLERS acknowledge and agree that on the Vacancy Inspection date, the City will require the premises, including all external doors and windows to be secured. If the property is not secured, the Vacancy Inspection and closing may be required to be rescheduled for a later date. The Vacancy Inspection will need to be completed within twenty-four (24) hours prior to closing, unless otherwise agreed upon between the BUYER and the SELLERS.

14. RADON. Radon is a naturally occurring radioactive gas that, when it is accumulated in a building in sufficient quantities, may present health risks to persons who are exposed to it over time. Levels of radon that exceed federal and state guidelines have been found in buildings in Florida. Additional information regarding radon and radon testing may be obtained from the county health department.

15. SELLER CLOSING ACTION ITEMS. The SELLERS agrees that all utilities will be turned off on or before the Vacancy Inspection date. SELLERS shall be responsible for the payment of all utilities up to the date of closing.





CITY OF BONITA SPRINGS, FLORIDA
IBE/QUINN/DOWNS/DEAN INFRASTRUCTURE PROGRAM

- 16. EXPIRATION OF OFFER.** This offer from BUYER will be withdrawn at **11:59 o'clock PM.** (Eastern Standard Time) on **February 28, 2025** unless accepted or countered by SELLERS in written form prior to such time. If SELLERS requires an extension to the time and date stated above to accept or counteroffer the offer presented by the BUYER, a written request with reasonable needs to be submitted to and approved by the BUYER prior to the expiration date.
- 17. FURTHER ASSURANCES.** The SELLERS and BUYER shall execute, acknowledge and deliver to each other such additional assurances and documents as the other may reasonably request to effectuate the purposes of this Agreement.
- 18. ENTIRE AGREEMENT.** This agreement supersedes any and all understandings and agreements between the parties and constitutes the sole and entire agreement between the parties. No oral agreement or representations prior hereto shall be included herein unless set forth in writing. Any change to this Contract shall be in writing.
- 19.** The SELLERS shall close any open building permits and/or resolve any code enforcement proceedings prior to closing.
- 20. EFFECTIVE DATE.** The effective date of this Agreement shall be the date when the last one of the SELLERS and the CITY has signed this Agreement.

Warning: Any person who knowingly makes a false claim or statement to HUD may be subject to civil or criminal penalties under 18 U.S.C. 287, 1001 and 31 U.S.C. 3729.

(This section intentionally left blank.)





CITY OF BONITA SPRINGS, FLORIDA
IBE/QUINN/DOWNS/DEAN INFRASTRUCTURE PROGRAM

IN WITNESS WHEREOF, the SELLERS have hereunto signed their names and affixed their respective seals, as applicable, and therefore the SELLERS for and in consideration of Ten Dollars (\$10.00) hereinabove acknowledge as received, have, and do hereby grant unto the CITY or its authorized representative, or any other office or agent of the CITY authorized to purchase said lands, the option and right to enter into this Agreement and to purchase said lands as herein provided.

Seller/ [REDACTED]

[REDACTED] 12/5/24
Signature Date

Seller/ [REDACTED]

Signature Date

BUYER/ CITY:

CITY OF BONITA SPRINGS, FLORIDA

ATTEST: Michael J. Sheffield, Clerk

By: _____
Clerk

Michael S. Gibson, Jr., Mayor

(Seal)

Date: _____

APPROVED AS TO FORM: _____
City Attorney's Office





CITY OF BONITA SPRINGS, FLORIDA
IBE/QUINN/DOWNS/DEAN INFRASTRUCTURE PROGRAM

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Seller/ [REDACTED]

Signature Date

Seller/ [REDACTED]

[REDACTED] 11/21/24
Signature Date

BUYER/ CITY: CITY OF BONITA SPRINGS, FLORIDA

ATTEST: Michael J. Sheffield, Clerk

By: _____
Clerk Michael S. Gibson, Jr., Mayor

(Seal) Date: _____

APPROVED AS TO FORM: _____
City Attorney's Office





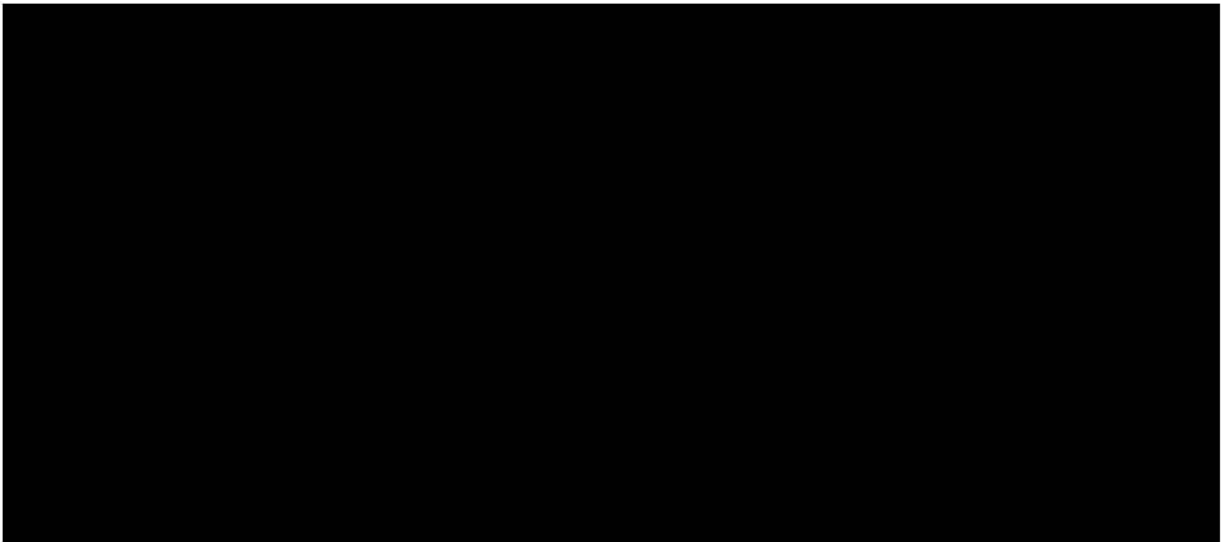
CITY OF BONITA SPRINGS, FLORIDA
IBE/QUINN/DOWNS/DEAN INFRASTRUCTURE PROGRAM

Exhibit A

Legal Description

Parcel 1: [REDACTED] Bonita Springs, FL 34135

Parcel ID: [REDACTED] and more specifically described as:





CITY OF BONITA SPRINGS, FLORIDA
IBE/QUINN/DOWNS/DEAN INFRASTRUCTURE PROGRAM

Attachment A

PROGRAM SUBROGATION AGREEMENT

Federal law prohibits any person, business, or other entity from receiving Federal funds for any part of such loss as to which they have received financial assistance under any other program, or from insurance or any other source. A duplication of benefits ("DOB") occurs when a beneficiary receives assistance from multiple sources, and the assistance amount exceeds the need for a particular recovery purpose. The DOB prohibition applies to federally funded programs providing financial assistance as a result of a major disaster or emergency.

To comply with federal law, the undersigned SELLERS of benefits under the Rebuild Florida CDBG-MIT IBE/Quinn/Downs/Dean West of Imperial Parkway Infrastructure Program (the "Program") being administered by the City of Bonita Springs (the "City") as a subrecipient of the FloridaCommerce Community Development Block Grant-Mitigation (CDBG-Mitigation) grant, the SELLERS hereby assign to the City all of their future rights to reimbursement and all payments that may be received, or have been previously received and not disclosed, under any Federal Emergency Management Agency ("FEMA") program, Small Business Administration ("SBA") program or any other Federal, State Local or private sources relating to temporary housing provided through the Program relating to the disaster or emergency for which these CDBG-MIT funds are awarded.

The City's rights under this Agreement regarding Proceeds or DOB shall be subject to the following:

- A. If Proceeds are received by the SELLERS between the date of the signed Duplication of Benefits Certification and the date of completion of Program participation (closing), that have not been previously disclosed to the Program, then the SELLERS must repay the City the difference between (i) the total amount of Program disbursements as of the date the Proceeds were received, and (ii) the total amount that would have been made if such Proceeds had been included in the original DOB calculation.
- B. If Proceeds are received by the Recipient after the date of completion of Program participation, then the SELLERS must turn over to the City the total amount of the Proceeds up to, but not exceeding, the amount received under Program benefits.

The SELLERS agree to assist and cooperate with the City should the City elect to pursue any of the claims the Recipient has or may have for benefits or reimbursement under any Federal, State, or private sources. The SELLERS's assistance and cooperation shall include allowing suit to be brought in the name(s) of the SELLERS, giving depositions, providing documents, producing





CITY OF BONITA SPRINGS, FLORIDA
IBE/QUINN/DOWNS/DEAN INFRASTRUCTURE PROGRAM

records and other evidence, testifying at trial, and any other form of assistance and cooperation reasonably requested by the City or FloridaCommerce.

If requested by the City, the SELLERS agree to execute such further and additional documents and instruments as may be requested to further and better assign to the City the Proceeds and/or any rights thereunder as contemplated by this Agreement, and to take, or cause to be taken, all actions and to do, or cause to be done, all things requested by the City to consummate and make effective the purposes of this Agreement.

The SELLERS explicitly allows the City to request of any company or entity with which the Recipient held policies, or FEMA, or the SBA, or any other entity from which the SELLERS has applied for or is receiving Proceeds, any nonpublic or confidential information determined to be reasonably necessary by the City to monitor and/or enforce its interest in the rights assigned to it under this Agreement and gives the SELLERS's consent to such company or entity to release said information to the City.

The SELLERS agrees that any lawyer or claims adjuster representing the Recipients in connection with Program benefits or services are authorized and instructed to communicate with the City regarding the nature and status of claims and to share information with the City relating to the claims. The lawyer and claims shall protect the interest of the City in any proceeds resulting from the claim upon receipt of notice of this subrogation.

(This section intentionally left blank)





CITY OF BONITA SPRINGS, FLORIDA
IBE/QUINN/DOWNS/DEAN INFRASTRUCTURE PROGRAM

If the SELLERS hereafter receives any Proceeds for the same purpose as the Program, the SELLERS agree to promptly pay such Proceeds, or an equivalent amount of funds, to the City in accordance with the terms of this Agreement.

In any proceeding to enforce this Agreement, the City shall be entitled to recover all costs of enforcement, including actual attorneys' fees.

Warning: Any person who knowingly makes a false claim or statement to HUD may be subject to civil or criminal penalties under 18 U.S.C. 287, 1001 and 31 U.S.C. 3729.

OWNER [REDACTED]

OWNER [REDACTED]

[REDACTED]

Signature

Signature

[REDACTED]

Print Name

[REDACTED]

Print Name

CITY PROGRAM STAFF/ Elly Soto McKuen

Elly Soto McKuen

Signature

Elly Soto McKuen
Print Name





CITY OF BONITA SPRINGS, FLORIDA
IBE/QUINN/DOWNS/DEAN INFRASTRUCTURE PROGRAM

If the SELLERS hereafter receives any Proceeds for the same purpose as the Program, the SELLERS agree to promptly pay such Proceeds, or an equivalent amount of funds, to the City in accordance with the terms of this Agreement.

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Warning: Any person who knowingly makes a false claim or statement to HUD may be subject to civil or criminal penalties under 18 U.S.C. 287, 1001 and 31 U.S.C. 3729.

OWNER/ [REDACTED]

Signature

[REDACTED]

Print Name

OWNER/ [REDACTED]

[REDACTED]

Signature

[REDACTED]

Print Name

CITY PROGRAM STAFF/ Elly Soto McKuen

Elly Soto McKuen

Signature

Elly Soto McKuen

Print Name



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1
2 An act relating to public records; amending s.
3 119.071, F.S.; providing an exemption from public
4 records requirements for property photographs and
5 personal identifying information provided to specified
6 entities by certain persons for the purpose of
7 disaster recovery assistance; authorizing access to
8 such records and information for certain purposes;
9 providing for future legislative review and repeal of
10 the exemption; providing a statement of public
11 necessity; providing an effective date.
12

13 Be It Enacted by the Legislature of the State of Florida:
14

15 Section 1. Paragraph (f) of subsection (5) of section
16 119.071, Florida Statutes, is amended to read:

17 119.071 General exemptions from inspection or copying of
18 public records.—

19 (5) OTHER PERSONAL INFORMATION.—

20 (f) 1. The following information held by the Department of
21 Economic Opportunity, the Florida Housing Finance Corporation, a
22 county, a municipality, or a local housing finance agency is
23 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
24 of the State Constitution:

25 a. Medical history records and information related to
26 health or property insurance provided to the Department of
27 Economic Opportunity, the Florida Housing Finance Corporation, a
28 county, a municipality, or a local housing finance agency by an
29 applicant for or a participant in a federal, state, or local

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housing assistance program ~~are confidential and exempt from s.~~
~~119.07(1) and s. 24(a), Art. I of the State Constitution.~~

b. Property photographs and personal identifying
information of an applicant for or a participant in a federal,
state, or local housing assistance program for the purpose of
disaster recovery assistance for a presidentially declared
disaster.

2. Governmental entities or their agents shall have access
to such confidential and exempt records and information for the
purpose of auditing federal, state, or local housing programs or
housing assistance programs.

3. Such confidential and exempt records and information may
be used in any administrative or judicial proceeding, provided
such records are kept confidential and exempt unless otherwise
ordered by a court.

4. Sub-subparagraph 1.b. is subject to the Open Government
Sunset Review Act in accordance with s. 119.15 and shall stand
repealed on October 2, 2025, unless reviewed and saved from
repeal through reenactment by the Legislature.

Section 2. The Legislature finds that it is a public
necessity that property photographs and personal identifying
information of an applicant for or participant in a federal,
state, or local housing assistance program for the purpose of
disaster recovery assistance for a presidentially declared
disaster, held by the Department of Economic Opportunity, the
Florida Housing Finance Corporation, a county, a municipality,
or a local housing finance agency, be made confidential and
exempt from s. 119.07(1), Florida Statutes, and s. 24(a),
Article I of the State Constitution. In response to a disaster,

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59 an agency, in an effort to determine damage and ascertain the
60 estimated cost of rehabilitation, may conduct a property
61 inspection to observe and record damage to the property. This
62 information may be used to locate the damaged property and to
63 identify and contact the property owner or tenant. Following a
64 disaster, the people affected are vulnerable and frequently
65 displaced due to the severely damaged and often uninhabitable
66 condition of their residences. If released, property photographs
67 and personal identifying information could be used by fraudulent
68 contractors, predatory lenders, thieves, or individuals seeking
69 to impose on the vulnerability of the distressed property owner
70 or tenant following a disaster. Therefore, it is necessary that
71 property photographs and personal identifying information be
72 protected to ensure that those affected by a disaster are not
73 harassed, intimidated, or potentially defrauded.

74 Section 3. This act shall take effect July 1, 2020.

ITEM TITLE: Approve a Resolution to engage a firm for the City's Park Master Plan Study (RFP 24-08) and authorize staff to enter into negotiations with the number one ranked firm, BerryDunn.

REQUESTOR: Nicole Perino, Parks and Recreation Director

AGENDA SECTION: Consent

STRATEGIC PRIORITY: Community Aesthetics

BACKGROUND:

On November 7, 2024, the City received five (5) sealed Letters of Interest for the City's Park Master Plan Study RFP 24-08.

On November 26, 2024, the Selection Committee met to evaluate the submittals. After review, the committee short-listed three (3) of the firms and recommended that they prepare presentations. The Committee met on December 11, 2024, and heard presentations. Following the presentations, the firms were ranked in the following order:

1. BerryDunn
2. Perez Planning + Design
3. Miller Legg

STAFF RECOMMENDATION: Staff recommends award of the City's Park Master Plan Study to BerryDunn.

ATTACHMENTS:

1. Resolution
-

REVIEWERS:

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

CITY OF BONITA SPRINGS, FLORIDA
RESOLUTION NO. 24 -

A RESOLUTION OF THE CITY OF BONITA SPRINGS, FLORIDA APPROVING THE SELECTION COMMITTEE'S RANKING OF THE 3 FIRMS FOR THE CITY'S PARK MASTER PLAN STUDY RFP 24-08 AND AUTHORIZE STAFF TO ENTER INTO NEGOTIATIONS WITH THE NUMBER ONE RANKED FIRM, BERRYDUNN.

WHEREAS, the City advertised for the City's Park Master Plan Study and received five (5) qualified and experienced submittals; and

WHEREAS, the Selection Committee met, shortlisted three (3) firms, heard presentations, and ranked the firms in the following order:

1. BerryDunn
2. Perez Planning + Design
3. Miller Legg

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

Section 1. To approve the Selection Committee's recommendation to rank the three (3) firms as enumerated above and engage BerryDunn for the City's Park Master Plan Study RFP 24-08.

Section 2. This resolution shall take effect immediately upon adoption.

DULY PASSED AND ENACTED by the City Council of the City of Bonita Springs, Lee County, Florida, this 18 day of December, 2024.

AUTHENTICATION:

Mike Gibson, Mayor

City Clerk

APPROVED AS TO FORM: _____
City Attorney's Office

Vote:

Bogacz	Gibson
Purdon	Fullick
Carr	Fitzpatrick
Corrie	

Date filed: _____

ITEM TITLE: Approve amendment #1 to purchase agreement 2024-001QDD to acquire property located in the Quinn/Downs/Dean Neighborhood for the Quinn/Downs/Dean West of Imperial Parkway Infrastructure Project.

REQUESTOR: Elly Soto McKuen, Senior Project Manager

AGENDA SECTION: Consent

STRATEGIC PRIORITY: 1) Stormwater Management, 4) Environmental Protection

BACKGROUND: The focus of the Quinn/Downs/Dean West of Imperial Parkway Infrastructure Project is to provide much needed stormwater infrastructure improvements in the neighborhood. The City is using federal U.S. Housing and Urban Development, Community Development Block Grant-Mitigation (HUD CDBG-MIT) funds to acquire parcels for stormwater retention ponds and improvements.

City Council approved a purchase agreement at the November 6, 2024 meeting to purchase three (3) parcels to construct a retention pond for stormwater improvements in the neighborhood. Amendment #1 will extend the closing date from December 31, 2024 to February 28, 2025.

Staff has redacted the homeowner's name and address as outlined in Senate Bill (SB) 966 adopted during the 2020 legislative session. SB 966 provides an exemption from public records requirements for personal identifying information for the purpose of disaster recovery assistance from a presidentially declared disaster. These properties were affected as a result of Hurricane Irma in 2017. Once the property has been transferred to the City's ownership the information will be made public.

STAFF RECOMMENDATION: Approve purchase agreement amendment #1.

ATTACHMENTS:

1. Amendment #1 for Agreement 2024-001QDD
2. SB 966 Senate Bill

REVIEWERS:

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



CITY OF BONITA SPRINGS, FLORIDA
IBE/QUINN/DOWNS/DEAN INFRASTRUCTURE PROGRAM

AMENDMENT ONE

AGREEMENT FOR PURCHASE

THIS FIRST AMENDMENT TO THE PURCHASE AGREEMENT made this ____ of December, 2024, by and between the **City of Bonita Springs, FL**, a municipality incorporated in the State of Florida (hereinafter referred to as "BUYER" or "City") and [REDACTED] **husband and wife** (hereinafter referred to as "SELLERS"):

RECITALS:

WHEREAS, the BUYER is acting under a Community Development Block Grant-Mitigation (CDBG-MIT) grant from the U.S. Department of Housing and Urban Development made to the State of Florida Commerce, administered by the BUYER and hereinafter referred to as the "IBE/Quinn Downs/Dean Infrastructure Program", to purchase certain properties in the City of Bonita Springs, Florida in which the SELLERS owns improved properties located at [REDACTED], **Bonita Springs, FL 34135** hereinafter referred to as the "premises" and more specifically described as follows:

(See Exhibit A attached for full metes and bounds description)
and more commonly identified as:

[REDACTED]
Bonita Springs, FL 34135

WHEREAS, the SELLERS acknowledges that the above-referenced properties were impacted by Hurricane Irma, that the SELLERS qualifies for the assistance being granted, and that the SELLERS understands that any potential utilization of eminent domain by the City will not be implemented under this program. In the event the SELLERS are not interested in selling their property, or if the SELLERS and the BUYER cannot reach an amicable agreement for the purchase of the property, the BUYER will not pursue its acquisition under eminent domain.

WHEREAS, SELLERS understands this is a voluntary transaction and that SELLERS are not entitled to relocation benefits provided by the Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA) and will not claim any such benefits. Relocation funding will only be available to any and all displaced tenants, as applicable.

In consideration of the matters described above, the mutual obligations set forth in this amendment, the Parties agree to amend the agreement as follows:





CITY OF BONITA SPRINGS, FLORIDA
IBE/QUINN/DOWNS/DEAN INFRASTRUCTURE PROGRAM

1. In accordance with the Expiration of Offer (Paragraph 16 of original agreement), this amendment shall extend the December 31, 2024 offer date to **11:59 o'clock PM (Eastern Standard Time) on February 28, 2025.**
2. All other terms and conditions of the Agreement remain the same.
3. The Purchase Agreement fully executed on November 6, 2024 ([REDACTED]) marked as Exhibit B is made a part of this Amendment.

Warning: Any person who knowingly makes a false claim or statement to HUD may be subject to civil or criminal penalties under 18 U.S.C. 287, 1001 and 31 U.S.C. 3729.

(This page intentionally left blank)





CITY OF BONITA SPRINGS, FLORIDA
IBE/QUINN/DOWNS/DEAN INFRASTRUCTURE PROGRAM

IN WITNESS WHEREOF, the Parties have executed this Amendment, and the Bonita Springs City Council approved this Agreement on the _____ day of _____, 2024.

SELLER/ [REDACTED]

Signature

Date

SELLER/ [REDACTED]

Signature

Date

BUYER/ CITY:

CITY OF BONITA SPRINGS, FLORIDA

ATTEST: Michael J. Sheffield, Clerk

By: _____
Clerk

Michael S. Gibson, Mayor

(Seal)

Date: _____

APPROVED AS TO FORM: _____
City Attorney's Office





CITY OF BONITA SPRINGS, FLORIDA
IBE/QUINN/DOWNS/DEAN INFRASTRUCTURE PROGRAM

Exhibit A

Legal Description

Parcel 1: [REDACTED] **Bonita Springs, FL 34135**

Parcel ID: [REDACTED] **and more specifically described as:**

[REDACTED]

Parcel 2: [REDACTED], **Bonita Springs, FL 34135**

Parcel ID: [REDACTED] **and more specifically described as:**

[REDACTED]

SUBJECT, however, to all reservations,, covenants, conditions, restrictions and easements of record and to all applicable zoning ordinances and/or restrictions or requirements imposed by governmental authorities, if any.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining.

Parcel 3: [REDACTED], **Bonita Springs, FL 34135**

Parcel ID: [REDACTED] **and more specifically described as:**

Beginning at the Northeast corner of the Southeast Quarter of the Southwest Quarter of

[REDACTED]





CITY OF BONITA SPRINGS, FLORIDA
IBE/QUINN/DOWNS/DEAN INFRASTRUCTURE PROGRAM

Exhibit B



Executed November 6, 2024





CITY OF BONITA SPRINGS, FLORIDA
IBE/QUINN/DOWNS/DEAN INFRASTRUCTURE PROGRAM

OPTION TO PURCHASE AGREEMENT

THIS OPTION TO PURCHASE AGREEMENT is made this 8th__ day of _October, 2024, by and between the **City of Bonita Springs, FL**, a municipality incorporated in the State of Florida (hereinafter referred to as "BUYER" or "City") and [REDACTED] **husband and wife** (hereinafter referred to as "SELLERS"):

1. PROGRAM DESCRIPTION. The BUYER is acting under a Community Development Block Grant-Mitigation (CDBG-MIT) grant from the U.S. Department of Housing and Urban Development made to FloridaCommerce, administered by the BUYER and hereinafter referred to as the "IBE/Quinn/Downs/Dean Infrastructure Program", to purchase certain Property in the City of Bonita Springs, Florida in which the SELLERS owns improved or vacant properties located at [REDACTED] Bonita Springs, FL 34135 hereinafter referred to as the "Premises", and further described in Exhibit A which is attached hereto and made a part hereof.

The SELLERS acknowledge that the above-referenced property was impacted by Hurricane Irma, that the SELLERS qualifies for the assistance being granted, and that the SELLERS understands that any potential utilization of eminent domain by the City will not be implemented under this program. In the event the SELLERS are not interested in selling their property, or if the SELLERS and the BUYER cannot reach an amicable agreement for the purchase of the property, the BUYER will not pursue its acquisition under eminent domain.

SELLERS understand this is a voluntary transaction and that SELLERS are not entitled to relocation benefits provided by the Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA) and will not claim any such benefits. Relocation funding will only be available to any and all displaced tenants, as applicable.

2. OFFER AND DESCRIPTION. BUYER agrees to buy, and SELLERS agree to sell all of a certain piece, parcel or lot of land, and other interests buildings, structures and improvements thereon, which lands shall include all tenements, hereditaments, together with all water and other rights, easements, appurtenances, and any and all of the SELLERS' rights in or arising by reason of ownership thereunto belonging, owned by them, situate and lying in the City of Bonita Springs, State of Florida, to-wit more particularly described as follows:

(See Exhibit A attached to this agreement)

More commonly known as:

[REDACTED]
Bonita Springs, FL 34135



BSC-24-[REDACTED]



CITY OF BONITA SPRINGS, FLORIDA
IBE/QUINN/DOWNS/DEAN INFRASTRUCTURE PROGRAM

The SELLERS agree that they have full right, power, and authority to convey the Premises, and that they will convey to the BUYER the fee simple title together with legal and practical access thereto clear, free, and unencumbered, except subject to the following easements or reservations:

Existing easements for canals, ditches, flumes, pipelines, railroads, public highways and roads, telephone, telegraph, power transmission lines and public utilities.

3. CONSIDERATION. The SELLERS acknowledge the price to be paid for the Premises is the current Fair Market Value that was determined by a certified Florida Appraiser. The purchase price for the real estate properties and improvements above described is SEVEN HUNDRED FORTY THOUSAND DOLLARS and Zero Cents (\$740,000.00) based on an appraisal dated September 5, 2024 to be paid at closing, minus any outstanding liens and transaction costs due from SELLERS which are due and payable at the date of settlement.

The following caveats must occur prior to closing:

- a. Ninety (90) days prior to closing the BUYER will update the appraisal to reflect the current fair market value of the property.
- b. Closing will occur following FloridaCommerce's approval of the BUYER's Environmental Review Record (ERR) for the IBE/Quinn/Downs/Dean West of Imperial Parkway Stormwater Project and subsequent issuance of a written Authorization to Use Grant Funds (AUGF).
- c. The SELLERS agree, so long as this offer remains in effect, not to sell, mortgage, encumber, or otherwise dispose of the property or any part thereof, or interest therein, except to the BUYER.
- d. Loss or damage to the property by any cause shall be at the risk of the SELLERS until title has been conveyed to the BUYER.
- e. The SELLERS agree to deliver a good and sufficient general warranty deed conveying marketable title.
- f. It is understood by all parties that the proceeds from the sale shall first be applied to all liens on the property which are due and payable at the date of settlement. It is further understood that the CDBG-MIT program funds being used for the purchase of the Property cannot and will not duplicate benefits that have been received for the same from any other funds. Duplication of Benefits (DOB) applies if the SELLERS are currently receiving funds for temporary housing from local, state, or federal sources as the BUYER will provide relocation funding to any tenant currently located on premises. DOB includes any Small Business Administration (SBA) loan secured by the SELLERS for relocation purposes. Additionally, SELLERS shall resolve any and all outstanding claims and sign a Subrogation Agreement (Attachment A) which will require the return of any and all monies or payments to either the funding agency or the BUYER, related to this property which may be claimed by SELLERS after settlement, stemming from Hurricane Irma, September 10, 2017 landfall in the City of Bonita Springs, Florida, and any disaster events afterwards.
- g. AS APPLICABLE SELLERS must work with BUYER to identify displaced tenants prior to closing on the Premises with provisions identified in the





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Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA). The URA allows the tenants to receive relocation benefits for up to 42 months. In case the tenants vacate the affected properties in good faith and prior to the sale of said properties, if the SELLERS decide against the sale of the affected properties in benefit of the City, the SELLERS will become financially responsible for fulfilling the URA benefits to the tenants entirely. This financial commitment will also include any payments already made by the City for the benefit of the tenants.

- h. Should the appraised value decline prior to closing the contract would not be binding on either parties.

4. ENVIRONMENTAL. To the best of the SELLERS knowledge, the properties are in compliance with Environmental Laws. SELLERS will provide any hazardous permits if applicable to BUYER prior to closing should any hazardous substances, toxic substances, materials or waste, pollutants, or contaminants, including without limitation, petroleum and petroleum products, asbestos and polychlorinated biphenyls (PCBs) have been released, spilled, leaked, discharged, disposed of, pumped, poured, emitted, emptied, injected, leached, dumped or allowed to escape or threatened to release on, at, under, above, through or from the properties in violation of applicable Environmental Laws or in a manner which requires or could require investigation, remediation or any other response action or could resolute in liability under applicable Environmental Laws.

- a. SELLERS shall attest that the properties are not listed or proposed for listing on the National Priority List promulgated pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, (CERCLA), nor are listed on the Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS) or on any state list of sites requiring environmental investigation or clean-ups.

5. CONTINGENCIES.

- a. SELLERS shall vacate the property on or before the closing date outlined in Section 16. If SELLERS do not vacate the property, the BUYER shall have the right to void this contract, unless an extension has been agreed upon between SELLERS and the BUYER. The property shall be delivered at settlement free of any tenant or occupancy whatsoever.
- b. SELLERS must work with BUYER to identify displaced tenants prior to closing on the property with provisions identified in the Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA).
- c. BUYER shall have the right to perform any and all inspections on the property up until the day of closing (settlement date). If BUYER's inspections are not satisfactory to the BUYER, the BUYER shall have the right to void this contract. BUYER shall also have the right to void this contract if the City's intended use of the property is a violation of any restrictive covenants on the property that cannot be modified.





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- d. BUYER and SELLERS acknowledge that the purchase of the property is with U.S. Department of Housing and Urban Development (HUD) funds that are being allocated through FloridaCommerce. The SELLERS acknowledge that this Contract does not constitute a commitment of funds or site approval, and that such commitment of funds or approval may occur only upon satisfactory completion of an environmental review, FloridaCommerce approval of the purchase, the City of Bonita Springs City Council's approval of the purchase, and receipt of the AUGF from FloridaCommerce.
- e. 1031 EXCHANGE. SELLERS may structure this transaction as part of a like-kind exchange. Each party shall reasonably cooperate with the other (at no cost or liability to the cooperating party) in effectuating said like-kind exchange under Section 1031 of the Internal Revenue Code of 1986, as amended, including signing such documents as may be reasonably and customarily necessary to accomplish such exchange.
6. TRANSACTION COSTS. BUYER's Transaction Costs include appraisal fee, property surveys, BUYER's attorney fees, deed preparation, title search, and title insurance and all recording fees, as applicable. SELLERS's Transaction Costs include payoff fees. SELLERS shall be responsible for any costs necessary to deliver a marketable title (including recording of loan satisfaction). If SELLERS are represented by a realtor or attorney, the SELLERS are responsible for all SELLERS realtor and attorney fees.
7. REAL ESTATE TAXES. SELLERS shall provide a paid tax receipt for the most recent tax bill 5 days prior to closing. BUYER shall be responsible for the pro-rata share of prepaid real property taxes allocable to the period subsequent to the vesting of title in the CITY, or the effective date of possession of such real property by the same, whichever is earlier. It shall be the obligation of the SELLERS to pay all taxes and assessments outstanding as liens at the date title vests of record in the BUYER, whether or not such taxes and assessments are then due and payable.
8. ADJUSTMENTS. NONE.
9. CONVEYANCE DATE OF CLOSING/POSSESSION. Conveyance will be made subject to all easements and covenants of record (provided they do not make the title unmarketable or prohibits the City of Bonita Springs from its desired use of the property) and to all governmental statutes, ordinances, rules, and regulations. The SELLERS expressly agree herein to furnish to the BUYER any documents in SELLERS's possession establishing evidence of title including, but not limited to, abstracts, title commitments, title policies and opinions of title, if needed. SELLERS agrees to convey by marketable title with a general warranty deed, free of encumbrances. The deed will be prepared in the name of the City of Bonita Springs, FL and delivered to stipulated place of closing. The Closing Agent shall be authorized to disburse the sales proceeds at the time of settlement.





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10. ADDITIONAL COVENANTS OF SELLERS. From and after the date hereof and at all times prior to the end of the Option Period, SELLERS shall:

- a. Maintain the Properties substantially in the condition as it exists on the date hereof and not construct any improvements therein;
- b. Provide the BUYER with prompt written notice of any notice, inquiry, complaint or request for information received from any governmental authority with respect to the Properties including, without limitation, any investigation or request for information regarding an environmental claim or condition or any alleged violation of any applicable laws including, without limitation Environmental Laws;
- c. Not sell, transfer, lease, pledge, hypothecate or otherwise encumber any direct or indirect interest in the Properties or any portion thereof or any direct or indirect interest of SELLERS except to the BUYER;
- d. Not enter into any service or other contracts which are not cancelable upon thirty (30) days or less notice without penalty or which would be binding on BUYER after closing, in either case without the prior written consent of the BUYER;
- e. Notify the BUYER in writing promptly after it becomes aware of any factor or circumstance which makes any representation or warranty herein untrue or misleading in any material respect or jeopardizes or impairs the SELLERS ability to perform any covenant or agreement herein contained.

11. ACKNOWLEDGEMENTS. The SELLERS acknowledge that it has had an opportunity to review this Agreement and that it has had an opportunity, if needed, to contact an attorney of its choice to review this Agreement, and the SELLERS enters into this Agreement fully understanding the nature thereof and saves and holds harmless the BUYER and its agents as a result of this Agreement or any incident to the sale of the referenced real property.

12. FIXTURES AND PERSONAL PROPERTY. At the time of closing (settlement date), this sale includes all property, fixtures, equipment, and improvements of any kind left on the premises. Personal property, such as fixtures, can be removed from the property prior to Vacancy Inspection so long as this removal does not cause health or safety concerns on the premises. After the Vacancy Inspection date, SELLERS shall not be allowed to remove any personal property, fixtures or other items otherwise agreed upon between BUYER and the SELLERS.

13. VACANCY INSPECTION. The SELLERS acknowledge and agree that on the Vacancy Inspection date, the City will require the premises, including all external doors and windows to be secured. If the property is not secured, the Vacancy Inspection and closing may be required to be rescheduled for a later date. The Vacancy Inspection will need to be completed within twenty-four (24) hours prior to closing, unless otherwise agreed upon between the BUYER and the SELLERS.

14. RADON. Radon is a naturally occurring radioactive gas that, when it is accumulated in a building in sufficient quantities, may present health risks to persons who are exposed to it over time. Levels of radon that exceed federal and state guidelines have been found in





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buildings in Florida. Additional information regarding radon and radon testing may be obtained from the county health department.

- 15. SELLER CLOSING ACTION ITEMS.** The SELLERS agrees that all utilities will be turned off on or before the Vacancy Inspection date. SELLERS shall be responsible for the payment of all utilities up to the date of closing.
- 16. EXPIRATION OF OFFER.** This offer from BUYER will be withdrawn at **11:59 o'clock PM.** (Eastern Standard Time) on **December 31, 2024** unless accepted or countered by SELLERS in written form prior to such time. If SELLERS requires an extension to the time and date stated above to accept or counteroffer the offer presented by the BUYER, a written request with reasonable needs to be submitted to and approved by the BUYER prior to the expiration date.
- 17. FURTHER ASSURANCES.** The SELLERS and BUYER shall execute, acknowledge and deliver to each other such additional assurances and documents as the other may reasonably request to effectuate the purposes of this Agreement.
- 18. ENTIRE AGREEMENT.** This agreement supersedes any and all understandings and agreements between the parties and constitutes the sole and entire agreement between the parties. No oral agreement or representations prior hereto shall be included herein unless set forth in writing. Any change to this Contract shall be in writing.
- 19.** The SELLERS shall close any open building permits and/or resolve any code enforcement proceedings prior to closing.
- 20. EFFECTIVE DATE.** The effective date of this Agreement shall be the date when the last one of the SELLERS and the CITY has signed this Agreement.

Warning: Any person who knowingly makes a false claim or statement to HUD may be subject to civil or criminal penalties under 18 U.S.C. 287, 1001 and 31 U.S.C. 3729.

(This section intentionally left blank.)





CITY OF BONITA SPRINGS, FLORIDA
IBE/QUINN/DOWNS/DEAN INFRASTRUCTURE PROGRAM

IN WITNESS WHEREOF, the SELLERS have hereunto signed their names and affixed their respective seals, as applicable, and therefore the SELLERS for and in consideration of Ten Dollars (\$10.00) hereinabove acknowledge as received, have, and do hereby grant unto the CITY or its authorized representative, or any other office or agent of the CITY authorized to purchase said lands, the option and right to enter into this Agreement and to purchase said lands as herein provided.

Seller/ [Redacted]
[Redacted]

0008000000

Signature

Date

Seller/ [Redacted]
[Redacted]

0008000000

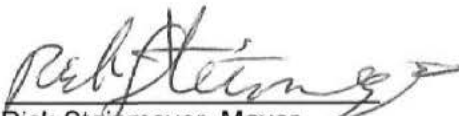
Signature

Date

BUYER/ CITY:

CITY OF BONITA SPRINGS, FLORIDA

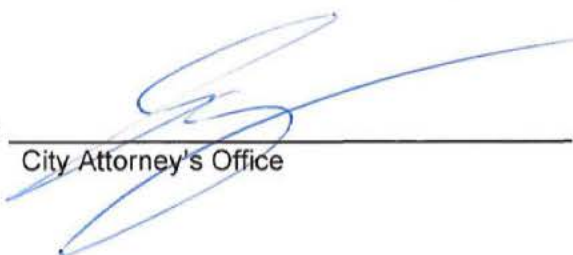
ATTEST: Michael J. Sheffield, Clerk


Rick Steinmeyer, Mayor

Date: 11/6/24



APPROVED AS TO FORM:


City Attorney's Office





CITY OF BONITA SPRINGS, FLORIDA
IBE/QUINN/DOWNS/DEAN INFRASTRUCTURE PROGRAM

Exhibit A

Legal Description

Parcel 1: [REDACTED] **Bonita Springs, FL 34135**

Parcel ID: [REDACTED] **and more specifically described as:**

[REDACTED]

Parcel 2: [REDACTED] **Bonita Springs, FL 34135**

Parcel ID: [REDACTED] **and more specifically described as:**

[REDACTED]

SUBJECT, however, to all reservations,, covenants, conditions, restrictions and easements of record and to all applicable zoning ordinances and/or restrictions or requirements imposed by governmental authorities, if any.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining.

Parcel 3: [REDACTED] **Bonita Springs, FL 34135**

Parcel ID: [REDACTED] **and more specifically described as:**

[REDACTED]





CITY OF BONITA SPRINGS, FLORIDA
IBE/QUINN/DOWNS/DEAN INFRASTRUCTURE PROGRAM

Attachment A

PROGRAM SUBROGATION AGREEMENT

Federal law prohibits any person, business, or other entity from receiving Federal funds for any part of such loss as to which they have received financial assistance under any other program, or from insurance or any other source. A duplication of benefits ("DOB") occurs when a beneficiary receives assistance from multiple sources, and the assistance amount exceeds the need for a particular recovery purpose. The DOB prohibition applies to federally funded programs providing financial assistance as a result of a major disaster or emergency.

To comply with federal law, the undersigned SELLERS of benefits under the Rebuild Florida CDBG-MIT IBE/Quinn/Downs/Dean West of Imperial Parkway Infrastructure Program (the "Program") being administered by the City of Bonita Springs (the "City") as a subrecipient of the FloridaCommerce Community Development Block Grant-Mitigation (CDBG-Mitigation) grant, the SELLERS hereby assign to the City all of their future rights to reimbursement and all payments that may be received, or have been previously received and not disclosed, under any Federal Emergency Management Agency ("FEMA") program, Small Business Administration ("SBA") program or any other Federal, State, Local or private sources relating to temporary housing provided through the Program relating to the disaster or emergency for which these CDBG-MIT funds are awarded.

The City's rights under this Agreement regarding Proceeds or DOB shall be subject to the following:

- A. If Proceeds are received by the SELLERS between the date of the signed Duplication of Benefits Certification and the date of completion of Program participation (closing), that have not been previously disclosed to the Program, then the SELLERS must repay the City the difference between (i) the total amount of Program disbursements as of the date the Proceeds were received, and (ii) the total amount that would have been made if such Proceeds had been included in the original DOB calculation.
- B. If Proceeds are received by the Recipient after the date of completion of Program participation, then the SELLERS must turn over to the City the total amount of the Proceeds up to, but not exceeding, the amount received under Program benefits.

The SELLERS agree to assist and cooperate with the City should the City elect to pursue any of the claims the Recipient has or may have for benefits or reimbursement under any Federal, State, or private sources. The SELLERS's assistance and cooperation shall include allowing suit to be brought in the name(s) of the SELLERS, giving depositions, providing documents, producing





CITY OF BONITA SPRINGS, FLORIDA
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records and other evidence, testifying at trial, and any other form of assistance and cooperation reasonably requested by the City or FloridaCommerce.

If requested by the City, the SELLERS agree to execute such further and additional documents and instruments as may be requested to further and better assign to the City the Proceeds and/or any rights thereunder as contemplated by this Agreement, and to take, or cause to be taken, all actions and to do, or cause to be done, all things requested by the City to consummate and make effective the purposes of this Agreement.

The SELLERS explicitly allows the City to request of any company or entity with which the Recipient held policies, or FEMA, or the SBA, or any other entity from which the SELLERS has applied for or is receiving Proceeds, any nonpublic or confidential information determined to be reasonably necessary by the City to monitor and/or enforce its interest in the rights assigned to it under this Agreement and gives the SELLERS's consent to such company or entity to release said information to the City.

The SELLERS agrees that any lawyer or claims adjuster representing the Recipients in connection with Program benefits or services are authorized and instructed to communicate with the City regarding the nature and status of claims and to share information with the City relating to the claims. The lawyer and claims shall protect the interest of the City in any proceeds resulting from the claim upon receipt of notice of this subrogation.

(This section intentionally left blank)





CITY OF BONITA SPRINGS, FLORIDA
IBE/QUINN/DOWNS/DEAN INFRASTRUCTURE PROGRAM

If the SELLERS hereafter receives any Proceeds for the same purpose as the Program, the SELLERS agree to promptly pay such Proceeds, or an equivalent amount of funds, to the City in accordance with the terms of this Agreement.

In any proceeding to enforce this Agreement, the City shall be entitled to recover all costs of enforcement, including actual attorneys' fees.

Warning: Any person who knowingly makes a false claim or statement to HUD may be subject to civil or criminal penalties under 18 U.S.C. 287, 1001 and 31 U.S.C. 3729.

OWNER [REDACTED]

[REDACTED]

Signature

Paul Messino

Print Name

OWNER [REDACTED]

[REDACTED]

Signature

Jennifer Messino

Print Name

CITY PROGRAM STAFF/ Elly Soto McKuen

Elly Soto McKuen

Signature

Elly Soto McKuen

Print Name



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1
2 An act relating to public records; amending s.
3 119.071, F.S.; providing an exemption from public
4 records requirements for property photographs and
5 personal identifying information provided to specified
6 entities by certain persons for the purpose of
7 disaster recovery assistance; authorizing access to
8 such records and information for certain purposes;
9 providing for future legislative review and repeal of
10 the exemption; providing a statement of public
11 necessity; providing an effective date.

12
13 Be It Enacted by the Legislature of the State of Florida:

14
15 Section 1. Paragraph (f) of subsection (5) of section
16 119.071, Florida Statutes, is amended to read:

17 119.071 General exemptions from inspection or copying of
18 public records.—

19 (5) OTHER PERSONAL INFORMATION.—

20 (f) 1. The following information held by the Department of
21 Economic Opportunity, the Florida Housing Finance Corporation, a
22 county, a municipality, or a local housing finance agency is
23 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
24 of the State Constitution:

25 a. Medical history records and information related to
26 health or property insurance provided ~~to the Department of~~
27 ~~Economic Opportunity, the Florida Housing Finance Corporation, a~~
28 ~~county, a municipality, or a local housing finance agency~~ by an
29 applicant for or a participant in a federal, state, or local

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housing assistance program ~~are confidential and exempt from s.~~
~~119.07(1) and s. 24(a), Art. I of the State Constitution.~~

b. Property photographs and personal identifying
information of an applicant for or a participant in a federal,
state, or local housing assistance program for the purpose of
disaster recovery assistance for a presidentially declared
disaster.

2. Governmental entities or their agents shall have access
to such confidential and exempt records and information for the
purpose of auditing federal, state, or local housing programs or
housing assistance programs.

3. Such confidential and exempt records and information may
be used in any administrative or judicial proceeding, provided
such records are kept confidential and exempt unless otherwise
ordered by a court.

4. Sub-subparagraph 1.b. is subject to the Open Government
Sunset Review Act in accordance with s. 119.15 and shall stand
repealed on October 2, 2025, unless reviewed and saved from
repeal through reenactment by the Legislature.

Section 2. The Legislature finds that it is a public
necessity that property photographs and personal identifying
information of an applicant for or participant in a federal,
state, or local housing assistance program for the purpose of
disaster recovery assistance for a presidentially declared
disaster, held by the Department of Economic Opportunity, the
Florida Housing Finance Corporation, a county, a municipality,
or a local housing finance agency, be made confidential and
exempt from s. 119.07(1), Florida Statutes, and s. 24(a),
Article I of the State Constitution. In response to a disaster,

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an agency, in an effort to determine damage and ascertain the estimated cost of rehabilitation, may conduct a property inspection to observe and record damage to the property. This information may be used to locate the damaged property and to identify and contact the property owner or tenant. Following a disaster, the people affected are vulnerable and frequently displaced due to the severely damaged and often uninhabitable condition of their residences. If released, property photographs and personal identifying information could be used by fraudulent contractors, predatory lenders, thieves, or individuals seeking to impose on the vulnerability of the distressed property owner or tenant following a disaster. Therefore, it is necessary that property photographs and personal identifying information be protected to ensure that those affected by a disaster are not harassed, intimidated, or potentially defrauded.

Section 3. This act shall take effect July 1, 2020.

ITEM TITLE: Approve a Resolution in support of the Technology Advisory Board's initiative to improve internet service in the City by researching internet providers and formulating recommendations for City Council's consideration.

PREPARED BY: Mike Sheffield, City Clerk

AGENDA SECTION: Consent

STRATEGIC PRIORITY: #6 Strengthen/Enhance Council Relations; #8 Economic Development

BACKGROUND:

At the Special Council meeting on October 23, 2024, Council Member Corrie informed Council that the Technology Advisory Board will undertake a project in 2025 to engage with cell service carriers in an effort to achieve improved cell service in Bonita Springs. He requested, on behalf of TAB members, that a resolution be placed on an upcoming agenda to express Council's support of TAB's initiative. The request was approved by consensus, and the draft resolution is attached.

RECOMMENDATION: Approve resolution.

ATTACHMENTS:

1. Draft resolution

REVIEWERS:

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

CITY OF BONITA SPRINGS, FLORIDA
RESOLUTION 24 –

A RESOLUTION OF THE CITY OF BONITA SPRINGS, FLORIDA, IN SUPPORT OF THE TECHNOLOGY ADVISORY BOARD'S INITIATIVE TO IMPROVE INTERNET SERVICE IN THE CITY BY RESEARCHING INTERNET PROVIDERS AND FORMULATING RECOMMENDATIONS FOR CITY COUNCIL'S CONSIDERATION.

WHEREAS, in today's society, having access to reliable internet service is essential for working, learning, conducting business, and competing successfully; communities without adequate internet service are left behind in terms of life-changing education and life-saving technologies; and

WHEREAS, several households and businesses within the City of Bonita Springs lack adequate internet service; and

WHEREAS, the role of the City of Bonita Springs Technology Advisory Board is to research new technologies and their impact on the community, review existing practices, explore new opportunities, and formulate recommendations for consideration by the City Council; and

WHEREAS, as part of its 2025 work-plan, the Technology Advisory Board is undertaking a project to address ongoing internet issues in the City of Bonita Springs by researching internet providers and formulating recommendations aimed at enhancing internet coverage within the City.

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

Section 1. The City Council of Bonita Springs supports and appreciates the efforts of the following members of the Technology Advisory Board on this project, and looks forward to receiving their findings and recommendations: Jim Kauffman, Susan Bickel, Tim Deaton, Ron George, Vincent Marchesani, and John Poldoian.

Section 2. This Resolution shall take effect immediately upon adoption.

DULY PASSED AND ENACTED by the City Council of the City of Bonita Springs, Lee County, Florida, this 18'th day of December 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 a Resolution in support of the Bonita Estero Rail Trail (BERT) project and the efforts of the Friends of BERT organization.

PREPARED BY: Mike Sheffield, City Clerk

AGENDA SECTION: Consent

STRATEGIC PRIORITY: #2 Transportation; #8 Economic Development

BACKGROUND:

At the City Council meeting held on December 4, 2024, Council Member Corrie motioned to have a draft resolution on the next City Council meeting agenda in support of the Bonita Estero Rail Trail (BERT) project, and the efforts of the Friends of BERT organization, similar to the resolution recently passed by the Fort Myers Beach Town Council. The motion, seconded by Deputy Mayor Purdon, carried unanimously.

ATTACHMENTS:

1. Draft Resolution

RECOMMENDATION: Approve Resolution

REVIEWERS:

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

CITY OF BONITA SPRINGS, FLORIDA
RESOLUTION 24 –

A RESOLUTION OF THE CITY OF BONITA SPRINGS, FLORIDA IN
SUPPORT OF THE BONITA ESTERO RAIL TRAIL PROJECT AND THE
EFFORTS OF THE FRIENDS OF BONITA ESTERO RAIL TRAIL
ORGANIZATION.

WHEREAS, the Bonita Estero Rail Trail (BERT) initiative is a project that will connect several communities in Southwest Florida through a non-motorized, alternative transportation route, providing recreational opportunities such as walking, running, and biking in a safe, natural space that will eventually become part of the 400+ mile Florida Gulf Coast Trail system; and

WHEREAS, the Friends of BERT is an all-volunteer, non-profit 501(c)(3) organization of over 3,500 members, with a mission to raise awareness and advocate for the establishment of the Bonita Estero Rail Trail and greenway and the Florida Gulf Coast Trail in Lee County; and

WHEREAS, in furtherance of its mission, the Friends of BERT organization works to build consensus with public officials, and identify and secure funding sources for the trail's purchase, construction, maintenance and on-going improvements; and

WHEREAS, the City Council of the City of Bonita Springs recognizes the numerous health benefits and positive economic contributions of making the Bonita Estero Rails Trail a reality and finds it to be in the best interest of our residents to support this project and the mission of the Friends of BERT organization.

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

Section 1. The above recitals are true and correct and are incorporated herein by this reference

Section 2. The City Council of Bonita Springs expresses its support for the Bonita Estero Rails Trail project and the efforts of the Friends of Bonita Estero Rails Trail organization.

Section 3. This Resolution shall take effect immediately upon adoption.

DULY PASSED AND ENACTED by the City Council of the City of Bonita Springs, Lee County, Florida, this 18th day of December 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: Presentation from RVi Planning + Landscape Architecture of the design plan for the Riverside Park Bandshell turf and hardscape project.

REQUESTOR: Nicole Perino, Parks and Recreation Director

AGENDA SECTION: Presentation

STRATEGIC PRIORITY: #3 Community Aesthetics

BACKGROUND:

On August 7, 2024, City Council approved a proposal from RVi Planning + Landscape Architecture, in the amount of \$105,000.00 for the Riverside Park Bandshell Lawn Artificial Turf, sidewalk and paver Design project. This proposal included work for project coordination services, conceptual site planning services, surveying services, public meetings, workshops and graphics design to develop a Conceptual Design.

On September 18, 2024, City Council approved a proposal from RVi Planning + Landscape Architecture, in the amount of \$226,000.00, to provide Final design, bidding, permitting and construction services. This proposal included work for Final design to include construction documents, irrigation design, regulatory services, pre-construction and bidding services, Civil engineering for LDO submittal, environmental services and construction observation.

The presentation will include the final design plan of the project. Should Council wish to move forward with the plan as design, staff will continue with the permitting process and construction cost elements of the project.

STAFF RECOMMENDATION: Receive presentation from RVi Planning + Landscape Architecture, for the City of Bonita Springs Riverside Park Bandshell turf and hardscape project and provide direction to staff.

REVIEWERS:

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

ITEM TITLE: Continued discussion regarding the Bonita Springs Elementary School renovation project.

REQUESTOR: Council Member Fullick; Deputy Mayor Purdon

AGENDA SECTION: Mayor and Council Member Items

STRATEGIC PRIORITY: #3 Community Aesthetics

BACKGROUND:

Per City Council's discussion during the last meeting, Council Member Fullick, Deputy Mayor Purdon, Council Member Bogacz and Council Member Fitzpatrick attended the December 10, 2024, Lee County School Board Meeting. Council Member Fullick provided a statement during the public comment opportunity on the agenda to express the Council's wishes to preserve the integrity of historic structures while providing a superior facility for Bonita Sprong students.

Council Member Fullick and Deputy Mayor Purdon have separately requested an item be placed on the December 18, 2024, City Council meeting agenda to continue to discuss the School District's latest plans for the Elementary School and provide an update on their meeting attendance.

RECOMMENDATION: Discuss the Elementary School renovation project and Council's next steps.

ATTACHMENTS: None

REVIEWERS:

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

ITEM TITLE: Discussion regarding proposed amendments to the Standards of Chapter 4—Zoning, Division 11, Section 4-1221 et. seq., Development Regulations for Wireless Communication Facilities.

REQUESTOR: Chris Corrie, Councilmember District 2

AGENDA SECTION: Mayor and Council Member Items

STRATEGIC PRIORITY:

BACKGROUND:

The Technology Advisory Board has been collaborating with their City Council liaison, Council Member Corrie, to propose amendments to the city's cell tower development standards. The Board is seeking revisions to ensure compliance with what they feel are Federal Communications Commission (FCC) regulations while also encouraging telecommunications carriers to enhance service coverage within the city.

Key amendments discussed include adjustments to the application and approval processes, as well as an increase in the allowable height for future towers across all land use categories eligible for administrative approval. Specifically, the proposed changes would permit towers up to 125 feet in height to be reviewed administratively, without requiring a special hearing or exception, in all land use categories. Additional modifications include updated landscaping standards and the removal of references to Lee County's land development code.

Regarding tower height, the current regulations prioritize residential land use areas, imposing more stringent requirements, while allowing for more flexibility in commercial or industrial zones. For instance, under the current code, any tower proposed in a residential area exceeding 35 feet requires a special exception and a public hearing. The proposed amendment, at the request of the Technology Advisory Board, would allow towers up to 125 feet in height within residential areas to be reviewed administratively, without the need for a special exception or public hearing. Towers exceeding 125 feet would still be subject to the special exception process. Furthermore, towers in certain districts, such as the DRGR, Environmentally Critical zoning areas, or the Downtown District, would be prohibited unless designed as stealth structures or collocated on existing towers or buildings.

The proposed changes were previously discussed with the Technology Board and reviewed by the Local Planning Agency. Board members were continuing to review the draft. At this time, Council Member Corrie has been coordinating with the Board Chair and would like to discuss moving forward with the changes as drafted.

STAFF RECOMMENDATION: Provide direction to staff.

ATTACHMENTS:

REVIEWERS:

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

**CITY OF BONITA SPRINGS
AGENDA ITEM SUMMARY**

Green Sheet No. 24-12-203
December 18, 2024

ITEM TITLE: Approve a Resolution appointing/re-appointing four members to the City of Bonita Springs Local Planning Agency.

REQUESTOR: Mike Gibson, Mayor; Mike Sheffield, City Clerk

AGENDA SECTION: Mayor and Council Member Items

STRATEGIC PRIORITY: #7 Government Transparency

BACKGROUND: The Land Development Code Section 4.85 states that the Planning Commission (Local Planning Agency) shall be comprised of 7 members who shall be legal residents of the City, appointed by the Mayor with the advice and consent of the City Council. **Each Council Member is entitled to make a recommendation of at least one Local Planning Agency (LPA) member.** Terms of service are three years.

The terms of the three members listed in red are set to expire December 31, 2024. Each has expressed a desire to be considered for re-appointment. In addition, there is one vacant position.

LPA Members	Term Expiration Date	Date of First Appointment	District
Don Colapietro	12/31/24	01/16/2002	4
Steve Lohan	12/31/24	12/05/2021	5
Robert Lombardo	12/31/24	06/16/2021	4
Vacant	12/31/24		
Jeffrey Maturo	12/31/25	02/01/2017	6
Daniel Dhooghe	12/31/25	02/1/2023	6
Raymond Townsend	12/31/25	08/02/2023	3

Each of the members with expiring terms have expressed a desire to be re-appointed. Two new (qualified) applications were received from the following City residents: Tammy Hartford (Dist. 5) and James Novakovich (Dist. 1). Mr. Novakovich also applied to serve on the Zoning Board.

RECOMMENDATION: Appoint/re-appoint members to the LPA.

ATTACHMENTS:

1. Draft resolution appointing/reappointing members
2. Application submitted by Tammy Hartford
3. Application submitted by James Novakovich

REVIEWERS:

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

CITY OF BONITA SPRINGS, FLORIDA
RESOLUTION 24 -

A RESOLUTION APPOINTING MEMBERS TO THE CITY OF BONITA SPRINGS
LOCAL PLANNING AGENCY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Land Development Code Section 4.85 states that the Planning Commission (Local Planning Agency) shall be comprised of seven members who shall be legal residents of the City, appointed by the Mayor with the advice and consent of the City Council. Each Council Member is entitled to make a recommendation of at least one planning commissioner; and

WHEREAS, there are currently four vacancies on the Local Planning Agency due to three terms expiring on December 31, 2024, and one resignation.

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

Section 1. The following individuals are each hereby appointed/re-appointed to a 3-year term on the Local Planning Agency; said terms to expire December 31, 2027:

Section 2. This Resolution shall take effect immediately upon adoption.

DULY PASSED AND ENACTED by the City Council of the City of Bonita Springs, Lee County, Florida, this 18th day of December 2024.

AUTHENTICATION:

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

APPROVED AS TO FORM: _____
City Attorney

Vote:

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

Date filed with City Clerk: _____

Received

AUG 23 2024

Office of the City Clerk
City of Bonita Springs, FL

APPLICATION TO
SERVE ON
ADVISORY COMMITTEE
(PLEASE TYPE OR PRINT)

PLEASE BE ADVISED THAT ALL INFORMATION CONTAINED IN THIS APPLICATION BECOMES PUBLIC RECORD ONCE SUBMITTED TO
CITY OF BONITA SPRINGS

Note: Applications will be kept on file and active for a period of two years from date received.

City Council District # 5

DATE: _____

PLEASE COMPLETE ALL SECTIONS

NAME: Hartford, Tammy L		
Last	First	Middle Initial
RESIDENCE ADDRESS: 27299 Patrick St Bonita springs, FL 34135		
Street	City	Zip Code
BUSINESS ADDRESS: 27299 Patrick St Bonita Springs, FL 34135		
Street	City	Zip Code
MAILING ADDRESS: 27299 Patrick St Bonita Springs, FL 34135		
Street	City	Zip Code
PHONE NO.	CELL PHONE #	239-771-3004
	Home	Business
E-MAIL ADDRESS: thartford0@gmail.com		
FAX:		

I hereby submit my name for consideration to serve in an advisory capacity to the City of Bonita Springs on the following Advisory Committee:

Local Planning Agency

NAME OF ADVISORY COMMITTEES

OCCUPATION: Luxury Real Estate Advisor

CIVIC/PROFESSIONAL ACCOMPLISHMENTS/OFFICES HELD:

In 2021 I earned a Sales Excellence GOLD Award with the Bonita Springs-Estero Board of Realtors

Do you reside in Bonita Springs?

☒ Yes
☐ No

Address: 27299 Patrick St Bonita Springs, FL 34135

**APPLICATION TO SERVE ON A
CITY OF BONITA SPRINGS ADVISORY COMMITTEE – CONTINUED**

My qualifications to be eligible are as follows:

I have been in the Real estate industry for just under 17 years. I lived in Upstate NY (the Finger Lakes region) for the majority of my life and have since moved to Bonita Springs in 2021. In the local Upstate NY region, not only was I selling residential real estate anywhere from low end properties to Luxury properties on the Finger Lakes; I participated in many events outside of real estate within the local communities looking to better the lives of the people living there. A couple examples to mention, is my hands on work with a local organization called Habitat for Humanity and my work with local art walks/markets and fashion shows showing local artisans designs.

If applicable, please indicate any employment, contractual relationship or status that you may have, or have had within the past 12 months, with any private business entity that rents, leases or sells any realty, or provides any goods or services to the City or that is conducting any business with the City.

Since moving to Bonita Springs I have worked as a Residential realtor with Domain Realty for the past 4 years and have since made the move into selling Luxury Real Estate with The Agency.

If you have previously served on a City of Bonita Springs Advisory Committee or are currently serving and seeking reappointment, please indicate the number and general nature of any voting conflict disclosure memorandum filed (Form 8B) while serving on the committee:

NA

If applicable, attach a résumé of additional personal and professional qualifications and experience that pertains to the above.

I understand that:

- 1.) Some of the Boards and Committees appointed by the City Council are required to comply with Chapter 112, Florida Statutes, the Financial Disclosure Law and you may be required to file a Form 1 Financial Disclosure.
- 2.) City of Bonita Springs, an equal opportunity/affirmative action employer, considers the selection and appointment of persons to advisory committees in a non-discriminatory manner consistent with the requirements of Federal, State and Local non-discrimination laws.



Signature
August 22, 2024

August 22, 2024

Date

PLEASE RETURN THIS COMPLETED FORM TO:

**CITY OF BONITA SPRINGS
ADVISORY COMMITTEES
9101 BONITA BEACH ROAD
BONITA SPRINGS, FL 34135**

CITY OF BONITA SPRINGS

Committee ID# _____
(Office Use Only)

The City of Bonita Springs complies with Local State and Federal laws, regulations and guidelines that prohibit discrimination based on race, sex, color, national origin, handicap, age or marital status

STATUTORILY CREATED REQUIRED COMMITTEE REPORTING DATA

The City of Bonita Springs is required by the State of Florida to collect and maintain the information requested below for statistical reporting purposes only. This information will be maintained separately from your application and will not be considered in the application evaluation process.

The information provided is required by State Statute, however, you have the right not to disclose any or all of this information. This form must be returned to the City of Bonita Springs.

Gender:	☐ Male	☒ Female	☐ Choose Not to Disclose
Handicapped/Disabled	☐ Yes	☒ No	☐ Choose Not to Disclose

If you have require special assistance or accommodations, please contact the City of Bonita Springs at 239 949-6262

If special accommodations are required, please specify:

+++++
RACIAL/ETHNIC DATA (CHECK ONE)

- ☒ **WHITE:** (Not of Hispanic Origin): All persons having origins in any of the original people of Europe, North Africa or the Middle East.
- ☐ **BLACK:** (Not of Hispanic Origin): All persons having origins in any of the Black racial groups of Africa.
- ☐ **ASIAN OR PACIFIC ISLANDER:** All persons having origins in any of the original Peoples of the Far East, Southeast Asia, the Indian Subcontinent or the Pacific Islands. This area includes, for example: China, Japan, Korea, the Philippine Islands and Samoa.
- ☐ **AMERICAN INDIAN OR ALASKAN NATIVE:** All persons having origins in any of the original Peoples of North America and who maintain cultural identification through tribal affiliation or community recognition.
- ☐ **HISPANIC:** All persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin regardless of race.
- ☐ **CHOOSE NOT TO DISCLOSE**

Tammy Hartford

Contact information

(239)771-3004

Thartford0@gmail.com

2299 Patrick St

Bonita Springs, FL 34135

To

The Local Planning Agency Members

City of Bonita Springs

9101 Bonita Beach Rd

Bonita Springs, FL 34135

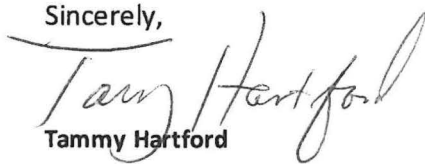
Dear Local Planning Agency members,

I hope this message finds you well. I'm reaching out because, after nearly 17 years in real estate and a strong history of community involvement in Upstate NY, I'm eager to dive into the vibrant community here in Bonita Springs. In the past, I've been actively involved with Habitat for Humanity and local fashion shows, and I'd love to bring that same energy and commitment to our new community.

I'm particularly interested in contributing to community development and participating in planning efforts for the future of Bonita Springs. If there are any upcoming projects or committees where I could lend a hand, I would be thrilled to get involved.

Thank you for considering my interest. Looking forward to the opportunity to contribute

Sincerely,

A handwritten signature in cursive script that reads "Tammy Hartford". The signature is written in dark ink and is positioned above the printed name.

Tammy Hartford

August 22, 2024

TAMMY HARTFORD

CONTACT

(239) 771-3004
Thartford0@gmail.com
27299 Patrick ST.
Bonita Springs, FL 34135

OBJECTIVE

Friendly and Innovative Licensed Real Estate Agent seeking to participate in my local community

SKILLS

Proficient in Microsoft Office and PowerPoint. Networking.
High attention to detail. Task Prioritization. Effective Communicator. Creative. Strategic Thinker.

EXPERIENCE

Licensed Real Estate Agent

Domain Realty 2020-Present

Bonita Springs, FL

Work directly with Buyers and Sellers through the process of finding the property of their dreams, maneuvering through the negotiating of contracts. Keeping all deadlines, inspections, contingencies and closing documents organized.

Licensed Real Estate Agent

Hunt Real Estate ERA/Howard Hanna/Realty USA 2008- 2020

Rochester NY

Specialized in Luxury and Waterfront Properties. Advised clients on market conditions, prices, mortgages, legal requirements and related matters. Spearheaded promotional materials and presentations to potential new clients. Sponsored golf outings/holes and other marketing events to build clientele.

EDUCATION

Genesee Community College, Batavia NY
1997
Business Administration

Penn Foster, Online Program

2004

Interior Decoration Certification

Imperial Flooring and Design Center

Partner/Co-owner 2018-2020

Rochester NY

Touched every aspect of the business. Worked directly with Home Builders/Contractors and customers in the showroom. Managed the accounts payable and receivables, scheduled measures, and installations. Managed Inventory and insured all necessary products were on the job site.

References are available upon request

**City of Bonita Springs
Advisory Committee Application**

(PLEASE TYPE OR PRINT)

PLEASE BE ADVISED THAT ALL INFORMATION CONTAINED IN THIS APPLICATION BECOMES PUBLIC RECORD ONCE SUBMITTED.
Note: Applications will be kept on file and active for a period of two years from date received.

City Council District # 1
DATE: 8-13-24

Please Complete All Sections		
NAME: <u>Novakovich</u> <u>JAMES</u> <u>P</u>		
Last	First	Middle Initial
RESIDENCE ADDRESS:		
<u>25460 Busy Bee DR</u>	<u>Bonita Springs</u>	<u>34135</u>
Street	City	Zip Code
BUSINESS ADDRESS:		
<u>24311 WALDEN CENTER DR #200</u>	<u>Bonita Springs</u>	<u>34134</u>
Street	City	Zip Code
MAILING ADDRESS:		
<u>24311 WALDEN CENTER DR #200</u>	<u>Bonita Springs</u>	<u>34134</u>
Street	City	Zip Code
PHONE No. <u>239 821-6802</u> CELL PHONE #		
Home	Business <u>239 444-1794</u>	
E-MAIL ADDRESS: <u>NOVAKOVICHJONES24@gmail.com</u>		
FAX:		

I hereby submit my name for consideration to serve in an advisory capacity to the City of Bonita Springs on the following Advisory Committee:

Local Planning Agency, Zoning Board of Appeals
NAME OF ADVISORY COMMITTEES

OCCUPATION: FINANCIAL ADVISOR

CIVIC/PROFESSIONAL ACCOMPLISHMENTS/OFFICES HELD:

Do you reside in Bonita Springs? ☒ Yes ☐ No

**APPLICATION TO SERVE ON A
CITY OF BONITA SPRINGS ADVISORY COMMITTEE – CONTINUED**

My qualifications to be eligible are as follows:

*I AM A BUSINESS OWNER IN THE COMMUNITY AND HAVE
A STRONG DESIRE TO CONTRIBUTE TO OUR AREA.*

If applicable, please indicate any employment, contractual relationship or status that you may have, or have had within the past 12 months, with any private business entity that rents, leases or sells any realty, or provides any goods or services to the City or that is conducting any business with the City.

N/A

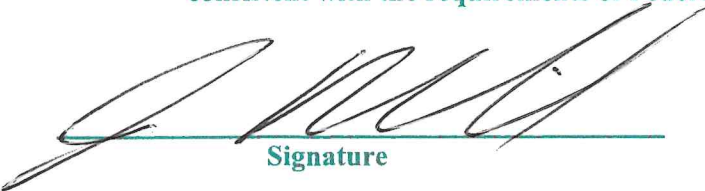
If you have previously served on a City of Bonita Springs Advisory Committee or are currently serving and seeking reappointment, please indicate the number and general nature of any voting conflict disclosure memorandum filed (Form 8B) while serving on the committee:

N/A

If applicable, attach a résumé of additional personal and professional qualifications and experience that pertains to the above.

I understand that:

- 1.) Some of the Boards and Committees appointed by the City Council are required to comply with Chapter 112, Florida Statutes, the Financial Disclosure Law and you may be required to file a Form 1 Financial Disclosure.
- 2.) City of Bonita Springs, an equal opportunity/affirmative action employer, considers the selection and appointment of persons to advisory committees in a non-discriminatory manner consistent with the requirements of Federal, State and Local non-discrimination laws.


Signature

8-13-24
Date

PLEASE SUBMIT THIS FORM VIA EMAIL TO:
OR
RETURN THIS COMPLETED FORM TO:

CLERK@CITYOFBONITASPRINGS.ORG

City of Bonita Springs
City Clerk's Office
9101 Bonita Beach Road
Bonita Springs, FL 34135

CITY OF BONITA SPRINGS

Committee ID# _____
(Office Use Only)

The City of Bonita Springs complies with Local State and Federal laws, regulations and guidelines that prohibit discrimination based on race, sex, color, national origin, handicap, age or marital status

STATUTORILY CREATED REQUIRED COMMITTEE REPORTING DATA

The City of Bonita Springs is required by the State of Florida to collect and maintain the information requested below for statistical reporting purposes only. This information will be maintained separately from your application and will not be considered in the application evaluation process.

The information provided is required by State Statute, however, you have the right not to disclose any or all of this information. This form must be returned to the City of Bonita Springs.

Gender:	☒ Male	☐ Female	☐ Choose Not to Disclose
Handicapped/Disabled	☐ Yes	☒ No	☐ Choose Not to Disclose

If you wish to request special assistance or accommodations, please contact the City Clerk at 239-949-6262 or specify here:

+++++

RACIAL/ETHNIC DATA (CHECK ONE)

- ☒ **WHITE: (Not of Hispanic Origin):** All persons having origins in any of the original people of Europe, North Africa or the Middle East.
- ☐ **BLACK: (Not of Hispanic Origin):** All persons having origins in any of the Black racial groups of Africa.
- ☐ **ASIAN OR PACIFIC ISLANDER:** All persons having origins in any of the original Peoples of the Far East, Southeast Asia, the Indian Subcontinent or the Pacific Islands. This area includes, for example: China, Japan, Korea, the Philippine Islands and Samoa.
- ☐ **AMERICAN INDIAN OR ALASKAN NATIVE:** All persons having origins in any of the original Peoples of North America and who maintain cultural identification through tribal affiliation or community recognition.
- ☐ **HISPANIC:** All persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin regardless of race.
- ☐ **CHOOSE NOT TO DISCLOSE**

**CITY OF BONITA SPRINGS
AGENDA ITEM SUMMARY**

Green Sheet No. 24-12-204
December 18, 2024

ITEM TITLE: Approve a Resolution appointing/re-appointing three members to the City of Bonita Springs Board For Land Use Hearings & Adjustments and Zoning Board of Appeals.

REQUESTOR: Mike Gibson, Mayor; Mike Sheffield, City Clerk

AGENDA SECTION: Mayor and Council Member Items

STRATEGIC PRIORITY: #7 Government Transparency

BACKGROUND: Ordinance 00-06 which created the Board for Land Use Hearings & Adjustments and Zoning Board of Appeals, directs that the board shall be comprised of 7 members who shall be legal residents of the City, appointed by the Mayor, with the advice and consent of City Council. **Each Council member is entitled to make a recommendation of at least one member.** Terms of service are three years.

The terms of the three members listed in red are set to expire December 31, 2024. Each has expressed a desire to be considered for re-appointment.

Member	Term Expiration Date	Date of first appointment	District
Russ Winn	12/31/24	11/02/2016	2
Anthony Rascio	12/31/24	08/05/2020	4
Lynda Waterhouse	12/31/24	05/19/2021	4
Ben Hershenson	12/31/25	10/7/2020	4
Gary Gambrell	12/31/25	10/7/2020	5
Bruce Galloway	12/31/25	10/7/2020	6
Gerald Benson	12/31/25	06/16/2021	3

Each of the members with expiring terms have expressed a desire to be re-appointed. One new (qualified) application was received from James Novakovich (District 1), which is attached. Mr. Novakovich also applied to serve on the LPA.

RECOMMENDATION: Appoint/re-appoint members to the Zoning Board.

ATTACHMENTS:

1. Draft resolution appointing/reappointing members
2. Application submitted by James Novakovich

REVIEWERS:

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

CITY OF BONITA SPRINGS, FLORIDA
RESOLUTION 24 -

A RESOLUTION APPOINTING MEMBERS TO THE CITY OF BONITA SPRINGS BOARD FOR LAND USE HEARINGS AND ADJUSTMENTS AND ZONING BOARD OF APPEALS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Ordinance 00-06 states that the Board For Land Use Hearings & Adjustments and Zoning Board of Appeals shall be comprised of 7 members who shall be legal residents of the City, appointed by the Mayor with the advice and consent of Council. Each Councilmember is entitled to make a recommendation of at least one member; and

WHEREAS, there are currently three vacancies on the Zoning Board due to terms expiring on December 31, 2024.

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

Section 1. The following individuals are each hereby appointed/re-appointed to a 3-year term on the Board for Land Use Hearings & Adjustments and Zoning Board of Appeals, to expire December 31, 2027:

Section 2. This resolution shall take effect immediately upon adoption.

DULY PASSED AND ENACTED by the City Council of the City of Bonita Springs, Lee County, Florida, this 18th day of December 2024.

AUTHENTICATION:

Mayor

City Clerk

APPROVED AS TO FORM: _____
City Attorney

Vote:

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

Date filed with City Clerk: _____

**City of Bonita Springs
Advisory Committee Application**

(PLEASE TYPE OR PRINT)

PLEASE BE ADVISED THAT ALL INFORMATION CONTAINED IN THIS APPLICATION BECOMES PUBLIC RECORD ONCE SUBMITTED.

Note: Applications will be kept on file and active for a period of two years from date received.

City Council District # 1
DATE: 8-13-24

Please Complete All Sections		
NAME: <u>Novakovich</u> <u>JAMES</u> <u>P</u>		
Last	First	Middle Initial
RESIDENCE ADDRESS:		
<u>25460 Busy Bee DR</u>	<u>Bonita Springs</u>	<u>34135</u>
Street	City	Zip Code
BUSINESS ADDRESS:		
<u>24311 WALDEN CENTER DR #200</u>	<u>Bonita Springs</u>	<u>34134</u>
Street	City	Zip Code
MAILING ADDRESS:		
<u>24311 WALDEN CENTER DR #200</u>	<u>Bonita Springs</u>	<u>34134</u>
Street	City	Zip Code
PHONE NO. <u>239 821-6802</u>	CELL PHONE #	
Home	Business <u>239 444-1794</u>	
E-MAIL ADDRESS: <u>NOVAKOVICHJAMES24@gmail.com</u>		
FAX:		

I hereby submit my name for consideration to serve in an advisory capacity to the City of Bonita Springs on the following Advisory Committee:

LOCAL PLANNING AGENCY, ZONING BOARD OF APPEALS
NAME OF ADVISORY COMMITTEES

OCCUPATION: FINANCIAL ADVISOR

CIVIC/PROFESSIONAL ACCOMPLISHMENTS/OFFICES HELD:

Do you reside in Bonita Springs?

☒ Yes
☐ No

**APPLICATION TO SERVE ON A
CITY OF BONITA SPRINGS ADVISORY COMMITTEE – CONTINUED**

My qualifications to be eligible are as follows:

*I AM A BUSINESS OWNER IN THE COMMUNITY AND HAVE
A STRONG DESIRE TO CONTRIBUTE TO OUR AREA.*

If applicable, please indicate any employment, contractual relationship or status that you may have, or have had within the past 12 months, with any private business entity that rents, leases or sells any realty, or provides any goods or services to the City or that is conducting any business with the City.

N/A

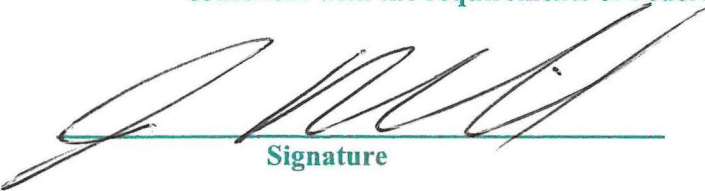
If you have previously served on a City of Bonita Springs Advisory Committee or are currently serving and seeking reappointment, please indicate the number and general nature of any voting conflict disclosure memorandum filed (Form 8B) while serving on the committee:

N/A

If applicable, attach a résumé of additional personal and professional qualifications and experience that pertains to the above.

I understand that:

- 1.) Some of the Boards and Committees appointed by the City Council are required to comply with Chapter 112, Florida Statutes, the Financial Disclosure Law and you may be required to file a Form 1 Financial Disclosure.
- 2.) City of Bonita Springs, an equal opportunity/affirmative action employer, considers the selection and appointment of persons to advisory committees in a non-discriminatory manner consistent with the requirements of Federal, State and Local non-discrimination laws.


Signature

8-13-24
Date

PLEASE SUBMIT THIS FORM VIA EMAIL TO:
OR
RETURN THIS COMPLETED FORM TO:

CLERK@CITYOFBONITASPRINGS.ORG

City of Bonita Springs
City Clerk's Office
9101 Bonita Beach Road
Bonita Springs, FL 34135

CITY OF BONITA SPRINGS

Committee ID# _____
(Office Use Only)

The City of Bonita Springs complies with Local State and Federal laws, regulations and guidelines that prohibit discrimination based on race, sex, color, national origin, handicap, age or marital status

STATUTORILY CREATED REQUIRED COMMITTEE REPORTING DATA

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The information provided is required by State Statute, however, you have the right not to disclose any or all of this information. This form must be returned to the City of Bonita Springs.

Gender:	☒ Male	☐ Female	☐ Choose Not to Disclose
Handicapped/Disabled	☐ Yes	☒ No	☐ Choose Not to Disclose

If you wish to request special assistance or accommodations, please contact the City Clerk at 239-949-6262 or specify here:

+++++

RACIAL/ETHNIC DATA (CHECK ONE)

- ☒ **WHITE: (Not of Hispanic Origin):** All persons having origins in any of the original people of Europe, North Africa or the Middle East.
- ☐ **BLACK: (Not of Hispanic Origin):** All persons having origins in any of the Black racial groups of Africa.
- ☐ **ASIAN OR PACIFIC ISLANDER:** All persons having origins in any of the original Peoples of the Far East, Southeast Asia, the Indian Subcontinent or the Pacific Islands. This area includes, for example: China, Japan, Korea, the Philippine Islands and Samoa.
- ☐ **AMERICAN INDIAN OR ALASKAN NATIVE:** All persons having origins in any of the original Peoples of North America and who maintain cultural identification through tribal affiliation or community recognition.
- ☐ **HISPANIC:** All persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin regardless of race.
- ☐ **CHOOSE NOT TO DISCLOSE**

ITEM TITLE: Consider a request for rehearing relating to the Pennsylvania Ave/Wisconsin St RPD.

REQUESTOR: Derek Rooney, City Attorney and John Dulmer, Community Development Director

AGENDA SECTION: City Attorney

STRATEGIC PRIORITY:

BACKGROUND:

On November 20, 2024 the City Council held a first reading and public hearing on a residential planned development PD23-10626-BOS requesting to rezone an 8 acre property at the corner of Pennsylvania and Wisconsin. The applicant did not attend and there was no staff presentation at the first reading, however there was public comment taken on the record. At the conclusion of the public hearing the City Council choose not to move the item to second reading.

The applicant has requested pursuant to Section 4-54 of the land development code to seek a rehearing and has provided a narrative to support that request.

Pursuant to Florida law planned development rezonings are to be given two readings and public hearings.

ATTACHMENTS:

1. Petition for Rehearing

REVIEWERS:

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

CANON SANDORA CIVIL ENGINEERING, INC.

RECEIVED
CITY OF BONITA SPRINGS
DEC 2 2024
COMMUNITY DEVELOPMENT
DEPARTMENT

November 24th, 2024

Pennsylvania Ave./Wisconsin St. Residential Planned Development – PD23-106206-BOS

Request for Rehearing

Dear City Council,

As the civil engineer on this proposed development, I'd like to request a rehearing for the Pennsylvania Ave./Wisconsin St. Residential Planned Development 1st reading which was denied before the Council on November 20th, 2024. It was my understanding based on communication with City staff that the time for the applicant's development team to present our project would be at the final public hearing scheduled for December 4th, 2024. Since there was a misunderstanding on when I as the civil engineer and others would present, we did not share the facts of the proposed development, and the project was unfairly mischaracterized by a few neighbors who shared overwhelmingly false information about the proposed development. Therefore, we would greatly appreciate a rehearing per Land Development Code Section 4-54, which would grant us the opportunity to correct the false statements shared by the neighbors at the 1st reading regarding the project, which has been recommended for approval by City staff and the Zoning Board. I've personally been working on this project for almost 2 years as a local engineer, and I would appreciate the opportunity to be able to present all the facts on the project which myself and others involved have worked diligently on with City staff to bring before the City Council.

Below is a list of the false information shared by the neighbors regarding the project, followed by our factual information on a number of key items:

Flooding:

Neighbor's statements: Retention pond is the size of a swimming pool... water comes [up] out of [drainage structures on Pennsylvania and Wisconsin]... concerns about potential flooding during hurricanes because the property is built up... retention pond on west side but the developer didn't talk about the east side, concerns of runoff.

Civil Engineer's Response: The full drainage schematic was shared in detail at the neighborhood information meetings. The entire development will be surrounded by a containment berm at the 25-year, 3-day storm event elevation 6.59 feet NAVD. While 1.6 acres of the site will be preserved, there will be a retention pond which is over ½ acre, which the entire development will drain into through a series of yard drains and catch basins. Once the water reaches the pond, it will only leave the site at a rate of 0.44 cfs through a 3" bleeder which drains into the existing ditch on the west side of the property running toward the Imperial River. Therefore, runoff from the property will not drain into the existing drainage structures on Pennsylvania Ave. or Wisconsin St. We can provide the full 53 page drainage report and plans to the City Council, which have been submitted to the City of Bonita Springs as part of our Development Order application package as well as to the SFWMD as part of

canon@cs-ce.com • (239)-692-6738 • 9201 Tangelo Blvd., Fort Myers, FL 33967

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our Environmental Resource Permit application package. Also, please note, if the Imperial River were to rise significantly due to hurricane storm surge, a single property development does not have any significant impact on the overall storm surge level.

Density:

Neighbors statements: Too many units, overdeveloped.

Our response: The property is within the Moderate Density Residential Future Land Use which allows for 5.8 dwelling units per gross acre, equating to a maximum allowable density for the 8 acre property of 46.4 units. Therefore, the 40 proposed units is significantly less than the allowable number of units, which the developer has proposed in order to allow for 5 acres of open space (only 3.2 acres is required per LDC) including a 1.2 acre preserve.

Building Height and Privacy:

Neighbor's statements: Buildings are huge... rooftops balconies overlooking everyone nearby... concerns of privacy.

Our response: The proposed building height is within the 35' allowable height above FEMA base flood elevation for the Moderate Density Residential Future Land Use that our property is within. The rooftops patio/lanais will not create a privacy issue for the neighbors on Wisconsin, because the side the rooftop patio/lanais are on does not face the neighbors. The on-site preserve surrounds a majority of the development, and landscaping within the buffers on all four sides will be added, to ensure privacy for all the neighbors.

Ingress/Egress Location and Traffic:

Neighbor's statements: The ingress/egress is only onto Wisconsin Street, the only way neighbor on both Montana Ct. and Tonya Ct. to get out... a lot of traffic at Pennsylvania and Wisconsin stop sign...proposed street goes toward the side of the neighbors house, developer offered clusia hedges which would not prevent a car from driving into neighbors master bedroom... very, very concerned.

Our response: From our first meeting with the City of Bonita Community Development staff, we have been told that we should have all our ingress/egress points on Wisconsin St., so that the flow of traffic on Pennsylvania is not disrupted with additional stop signs. We have completed a full traffic study, which is part of our RPD application that has been recommended for approval by City staff, showing all roads in the area have adequate capacity for the additional 40 units, and furthermore the levels of service of the surrounding roads including Pennsylvania and Wisconsin will not change due to the proposed development. Also, to prevent a car from driving straight at the ingress/egress on Wisconsin stop sign, instead of turning right, and driving into the neighbors property and hitting the house, we have offered to put up trees and bollards, which are designed for the specific purpose of protecting buildings, as well as a clusia hedge for aesthetic purposes.

Again, we would greatly appreciate the opportunity for a rehearing, where we can correct the record on this project which has received both City Staff recommendation for approval and Zoning Board

CANON SANDORA CIVIL ENGINEERING, INC.

recommendation for approval. We have put a lot of hard work into the project, and we are hopeful for the opportunity to properly present are plans to the City Council.

Thank you,

Canon Sandora

Canon Sandora, PE

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August Rudolf Bauer
4500 3rd Ave SW
Naples, FL 34119

11/27/2024

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COPY

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

Application for Re-Hearing, Pennsylvania Ave./Wisconsin St. Residential Planned Development
– PD23-106206-BOS

Dear City Council of Bonita Springs,

I am the owner of an 8-acre parcel of land located at the northwest corner of Pennsylvania Avenue and Wisconsin Street in Bonita Springs.

This property, once the homestead of the Lawhon family for generations, is the only large vacant parcel in the vicinity. It is currently zoned AG2, and I submitted an application to rezone it to PUD for 40 residential units, including a mix of single-family homes and duplexes.

On Saturday, November 23, 2024, I received an email from my engineer, Canon Sandora, forwarding a letter from the City of Bonita Springs, signed by Mike Fiigon, stating that my PUD application was denied.

I am shocked and disappointed by this unexpected and unjust decision.

To date, I have not received any official notice or invitation to the meeting where this decision was made. It is inconceivable that an elected City Council would make such a significant decision without inviting the applicant or allowing me or my representatives the opportunity to be present.

My engineer informed me that our project was scheduled for presentation at the City Council meeting on December 4, 2024, where the final decision on our application was to be made. I have not yet received any notice for that meeting either.

Had I known that the Council was convening and making a decision on November 20, 2024, I would have attended to present my case. By failing to notify me, my rights as a property owner and applicant were disregarded, and a negative decision was made without giving me the opportunity to defend my application.

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I purchased this property in 2016 from the Lawhon family with the intent of rezoning it to create a residential neighborhood. This 8-acre parcel is an undeveloped gap in the area, and its development would align with the surrounding neighborhoods and help address the critical housing demand in Bonita Springs.

As an experienced developer, I understand the importance of working with neighbors. My team organized two Neighborhood Information Meetings (NIMs) to present our plans. In response to feedback, we made adjustments, including adding landscaping to address specific concerns.

Our application, filed two years ago, involved multiple experts to ensure minimal impact on neighbors and the environment. Owens Environmental Consulting conducted a wetland determination and found no protected species on the land. The property was cleared in the 1950s, and we plan to mitigate low-quality wetlands through the Florida Mitigation Land Bank. We also designed a half-acre lake to create a new wetland habitat, which will serve as the drainage point for the entire development to protect surrounding areas.

Additionally, the property includes a drainage ditch along its west side. Although I never granted an easement for this ditch, I have allowed the neighborhood to use it, effectively doing them a favor by facilitating drainage.

It is deeply disappointing that some neighbors at the November 20 hearing presented false information about the size of the lake and the design of the proposed buildings.

To address neighborhood concerns, we voluntarily reduced the development density from the maximum allowable 46.4 units to 40 units and designed extensive landscaping buffers for added privacy.

This project was not an application for a hog farm on AG2 land but a thoughtfully designed residential development that has been supported by both the Bonita Springs Building Department and the Zoning Board (approved 5-2). How can two independent, expert bodies approve this project, yet the City Council deny it without properly weighing the facts?

The decision made on November 20, 2024, lacked sufficient material facts to justify such a significant and far-reaching outcome.

I respectfully request a rehearing to rectify this situation and ask for confirmation that it will occur on December 4, 2024, as originally planned.

Sincerely,

August Rudolf Bauer

CoastalHaus Realty Inc.
Stefan Bolsen, Broker
4500 3rd Ave SW
Naples, FL 34119

11/30/2024

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COPY

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

Application for Re-Hearing, Pennsylvania Ave./Wisconsin St. Residential Planned Development –
PD23-106206-BOS

Dear City Council of Bonita Springs,

I am writing to you as the Real Estate Broker representing the owner of an 8-acre parcel of land located at the northwest corner of Pennsylvania Avenue and Wisconsin Street in Bonita Springs. This property, once the homestead of the Lawhon family for generations, is the only significant vacant parcel remaining in the area. It is currently zoned AG2, and the owner has applied to rezone it to PUD for 40 residential units, including a mix of single-family homes and duplexes.

On Saturday, November 23, 2024, I received an email from the owner's engineer, Canon Sandora, forwarding a letter from the City of Bonita Springs signed by Mike Fiigon, stating that the PUD application was denied.

Never in my 25 years of experience as a Real Estate Broker have I witnessed such disregard and disrespect for an applicant's rights.

The owner was not informed of or invited to the meeting where this critical decision was made. It is unfathomable that an elected City Council would make such a consequential decision without allowing the applicant or their representatives the opportunity to present their case.

The owner was under the impression, based on information from the engineer, that the project was scheduled for presentation and a final decision at the City Council meeting on December 4, 2024. Yet, no formal notice of that meeting—or the meeting held on November 20, 2024—has been received.

Had I known that the Council was convening on November 20 to deliberate on this application, I would have been present to advocate for the project. By failing to notify the owner, the City

Council has not only denied the owner their right to a fair hearing but also made a negative decision without the benefit of their input.

This parcel, purchased in 2016 with the intent of creating a residential neighborhood, is an infill project in the area. Its development would align with the surrounding community and help meet Bonita Springs' growing housing needs. This was NOT an application to clear 100 acres of land, erase the nature and build 1,000 homes as seen and approved west of I-75.

The owner and I worked on this project over 2 years to address community concerns, holding two Neighborhood Information Meetings (NIMs), revising plans to include additional landscaping buffers. The application included consultations with multiple experts to ensure minimal environmental and neighborhood impact.

A wetland determination by Owens Environmental Consulting confirmed that the land contains low quality wetlands that the owner is going to mitigate with the Panther Island Mitigation Bank. Additionally, the owner proposed a half-acre lake to enhance the ecosystem, mitigate drainage, and protect the neighborhood. The drainage ditch on the west side of the property, though privately owned, has been used to benefit the community, a gesture of goodwill by the owner.

Despite these efforts, it is disheartening to hear reports of false claims made by neighbors at the November 20 meeting, including exaggerated concerns about the lake's size and the development's design.

The proposed density was reduced from the maximum allowable 46.4 units to 40 units, with landscaping plans further protecting the neighbors' privacy. This is not an application for a disruptive agricultural use but a thoughtfully planned residential development, endorsed by both the Bonita Springs Building Department and the Zoning Board (approved 5-2).

It is troubling that two expert bodies of the City of Bonita Springs would support this project while the City Council denies it without adequately considering the facts.

The decision on November 20, 2024, was made without sufficient material information and denied the applicant their fundamental right to due process.

On behalf of the owner, I respectfully request a rehearing and confirmation that it will occur on December 4, 2024, as originally intended.

Sincerely,

Stefan Bolsen
Licensed Real Estate Broker

G2 ARCHITECTURE, INC.

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DEPARTMENT

December 2, 2024

Bonita Springs City Council
Bonita Springs, FL 34135

Re: Request for Rehearing for PD23-106206-BOS
Pennsylvania Avenue / Wisconsin St. 8-Acre Residential Planned Development

Dear Bonita City Council,

My firm, G2 Architecture, Inc., is the architect for the above-captioned project. We would like to request a rehearing under the Bonita Springs Land Development Code Section 4-54. We were informed by staff that the 11/20/24 hearing would be a "first reading" only and that our project presentation and Council vote would be at the December 4th meeting.

We have had 2 very fruitful Neighborhood Meetings with interested neighbors. Upon reviewing the recording of the comments made by neighbors attending the 11/20 hearing, I felt positive that we had addressed all of them sufficiently at the Neighborhood Meetings and felt most were not accurate:

- 1) We assured the neighbor directly across Wisconsin that we would be glad to hedge screen her home from any headlight issues and further to bollard protect this area if that is desired.
- 2) "Retention Pond is the size of a swimming pool". The retention has been designed per all applicable codes and approved by staff. All of these drawings were shared at the Neighborhood Meetings.
- 3) Density is too high. The code allows 46.4 units, we have proposed 40. The open-space requirement is 3.2 acres, our design provides for 5 acres of open-space.
- 4) "Building decks look down on my house on Wisconsin". None of the proposed decks look down onto or even toward Wisconsin St. as they are all on the rear of the structures, even the single family units on Wisconsin St. All of the buildings are within the 35 ft building height restriction.
- 5) Flooding was mentioned as being exacerbated by the development. From the beginning of the process, the design team has strived to NOT overfill the property and have provided all required retention on-site.
- 6) Traffic was mentioned at the hearing. The direction from staff, from the project inception, was that all automobile access was to be onto and from Wisconsin and that there was to be NO access onto Pennsylvania Avenue. The proposed design honors that request. Further, the traffic study provided showed no substantive increase in traffic on Wisconsin Street.

As the entire team was unaware of this matter being brought to a vote on 11/20/25, we respectfully request a rehearing so our full presentation can be shown to the Council.

Respectfully submitted,



William K. Glass, AIA, NCARB, LEED AP - FL AR92960
G2 Architecture, Inc.

DEC 2 2024

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DEPARTMENT



ENVIRONMENTAL CONSULTING, LLC
15957 Tropical Breeze Drive, Fort Myers, FL 33908
(239) 994-9007

December 2, 2024

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

RE: Request for Rehearing
Pennsylvania Ave./Wisconsin St. Residential Planned Development – PD23-
106206-BOS

Dear City Council,

This letter is provided in support of Mr. Canon Sandora's of Canon Sandora Civil Engineering, Inc.'s request for rehearing for the above referenced project. As the project's environmental consultant, we have obtained a Formal Binding Wetland Determination from South Florida Water Management District (SFWMD), provided information for a SFWMD Environmental Resource Permit (ERP), conducted a Protected Species Survey, and conducted a Florida Bonneted Bat Acoustic Survey.

The site consists of wetland hardwoods and pine flatwoods invaded by various exotic vegetation. The site has also been heavily disturbed in the past. The west portion of the property contains one man-made ditch which is 0.13± acres. The central portion of the property contains one SFWMD jurisdictional wetland that is 2.63± acres. This poor quality wetland area consists of 2.14 acres of Exotic Wetland Hardwoods (FLUCCS 619) and 0.49 acres of Hydric Pine Flatwoods Invaded by Exotics (51-75%) (FLUCCS 625E3). This wetland is heavily infested by exotic vegetation including melaleuca (*Melaleuca quinquenervia*), java plum (*Syzygium cumini*), earleaf acacia (*Acacia auriculiformis*), Brazilian pepper (*Schinus terebinthifolius*), seaside mahoe (*Thespesia populnea*), and old world climbing fern (*Lygodium microphyllum*).

SFWMD issued a Formal Binding Wetland Determination (No. 36-111210-P) on July 15, 2024 and an SFWMD ERP application has been submitted and is under review. All environmental issues have been resolved at this time. The ERP, once issued, will allow

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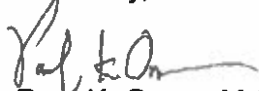
directly impacting 2.08 acres of wetlands and will require 0.79 freshwater wetland mitigation credits to be purchased from Panther Island Mitigation Bank Expansion.

The current site plan includes impacts to 2.08 acres of very low quality wetlands and the preservation and restoration of 0.55 acres of wetlands and 1.28 acres of uplands. This will include 0.54 acres of wetland restoration and 0.91 acres of upland restoration which will have all exotic vegetation removed and will be planted with native wetland vegetation as detailed in Preservation & Restoration Plan which was submitted to the City as part of the Zoning application.

A total of fifteen (15) snags (dead trees) containing potential cavity entrances were observed on the property during a protected species survey conducted in May 2023. No evidence of bats or their guano was observed in or around the base of the potential roost cavity trees on-site. No species listed by either the US Fish and Wildlife Service or the Florida Fish and Wildlife Conservation Commission were observed on the site during the protected species survey or during any of the many other site visits. At the request of SFWMD, a Florida Bonneted Bat Acoustic Survey was conducted during September and October 2024. After our thorough review of the collected acoustic data, none the calls were determined to be Florida bonneted bat calls. Therefore, there are no adverse affects to this species anticipated.

Please let me know if you have any questions or require any further information.

Sincerely,



Paul K. Owen, M.S., P.W.S.

Principal Ecologist

ITEM TITLE: Approve the City of Bonita Springs 2025 Legislative Priorities.

REQUESTOR: Arleen M. Hunter, City Manager and Matt Feeney, Assistant City Manager

AGENDA SECTION: City Manager's Items

STRATEGIC PRIORITY: #1 Improve Stormwater Management, #2 Transportation, #3 Community Aesthetics, #4 Environmental Protection, #5 Strengthen City Finances, #6 Strengthen Council Relations, #7 Government Transparency, #8 Economic Development

BACKGROUND:

The Lee County Delegation meeting is scheduled for January 9, 2025, at Florida Southwestern State College. The City's lobbyist has submitted a request for a general presentation at the Delegation Meeting to Representative Esposito's Office on December 13, 2024.

As discussed at the November 20, 2024, Council meeting, staff is seeking final approval on the City's 2025 legislative priorities. The approved priorities will be utilized by the City's lobbyist, staff and Council while advocating for the City throughout the 2025 legislative session. Based upon Council discussion at the last meeting, the 2025 legislative priorities were updated. The final draft of the City's 2025 legislative priorities are provided as a reference for Council's further discussion.

Hayden Dempsey of Greenberg Traurig, the City's contract lobbyists, will attend the meeting virtually to provide guidance and address any questions or concerns from Council.

STAFF RECOMMENDATION: Approve the City of Bonita Springs 2025 Legislative Priorities.

ATTACHMENTS:

1. Final Draft of the City of Bonita Springs 2025 Legislative Priorities
-

REVIEWERS:

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



City of Bonita Springs 2025 State Legislative Agenda

Legislative Session: January 4, 2025 – March 8, 2025

This document represents the 2025 Florida Legislative Agenda of the City of Bonita Springs City Council. While these priorities guide the City's advocacy efforts in Tallahassee, they are not exhaustive, and new issues may arise or evolve that will require the Council's attention.

These issues are not ranked in order of priority. Council members, staff, and contract lobbyists will pursue all legislative policies approved by the Council and will prioritize as appropriate according to opportunities that arise during the legislative process.

LEGISLATIVE PRIORITIES:

1. Improve Stormwater Management/Hurricane Ian, Helene, Milton, or future active storm events for Recovery and Resiliency:
 - a. SUPPORT legislation and policy that encourages and promotes the City's recovery from Hurricane Ian, Helene, Milton, or future active storm events by providing increased funding, technical assistance, economic development opportunities, and projects in furtherance of sustainable resiliency.
 - b. SUPPORT funding for stormwater improvements and flood reduction/mitigation projects within its municipal boundaries, as well as for projects in the region that directly benefit our community.
2. Transportation and Community Aesthetics:
 - a. SUPPORT funding for projects that enhance transportation connectivity for pedestrian and bicyclists, as well as implementation of Complete Streets.
3. Environmental Protection:
 - a. SUPPORT state initiatives that address the proliferation of harmful algal blooms, such as blue-green algae and red tide.
 - b. SUPPORT recurring funding for conversion programs designed to move private septic tanks to modern sanitary sewer collection systems. SUPPORT greater flexibility for programs that address the costs incurred by residents connecting to sewer and proper abandonment of septic systems.
 - c. SUPPORT legislative or state initiative programs, activities, or opportunities that will provide opportunities to acquire environmentally sensitive lands within the city 's municipal boundaries.
 - d. SUPPORT legislative, grant opportunities or state initiative programs to provide supplemental

funding for the City's Beach Nourishment Program as a direct result of significant storm events.

4. Local Government:
 - a. SUPPORT the preservation of local home rule and opposes any legislation, policies, or regulations that would impose unfunded responsibilities upon the City.
5. Bonita Estero Rail Trail (BERT) Funding:
 - a. SUPPORT the acquisition of approximately six (6) miles of Seminole Gulf Railway LP property located within the city limits of Bonita Springs. The land will be developed as a multi-modal linear park for pedestrians and cyclists.

Legislative Appropriations Requests (Projects not prioritized):

1. Rosemary Drive Stormwater Drainage and Pedestrian Safety Improvements Project - \$1.4m
2. Leitner Creek Neighborhood Soccer Complex - \$1.5m
3. Emergency Restoration of Beach Nourishment (Hurricanes Helene and Milton) - \$5.0m
4. Bonita Estero Rail Trail (BERT) Acquisition - \$20.0 m

ITEM TITLE: Discussion regarding the City of Bonita Springs participation with the Lee County Metropolitan Planning Organization (MPO) application for SUN Trail.

REQUESTOR: Arleen M. Hunter, City Manager; Nicole Perino, Director of Parks and Recreation

AGENDA SECTION: City Manager's Items

STRATEGIC PRIORITY: #2 Transportation; #8 Economic Development

BACKGROUND: On June 5, 2024, City Council authorized a funding commitment of \$1.2 million for the ATIIP Grant for the BERT project. During the last Council meeting, Council directed staff to prepare a resolution expressing support and the advancement of this project; the draft resolution is included in this meeting's consent agenda.

The Trust for Public Lands, in conjunction with Lee County Metropolitan Planning Organization (MPO), is preparing a Sun Trail funding request for \$20 million for Phase I of the project which includes the BERT trail within the boundaries of the Village of Estero, City of Bonita Springs and Unincorporated Collier County.

The Lee County MPO is requesting a letter of commitment from the City to provide matching dollars for the SUN Trail Application. The Village of Estero will be discussing the same request at their December 18, 2024 meeting with a potential of providing \$5 million in matching funds from Estero. Additionally, the Village will be discussing the possibility of Estero acting as lead agency for the required operations and maintenance of the trail in its entirety for an interim period until all entities can discuss the arrangement for the overall maintenance and operations.

The deadline to submit the Florida Department of Transportation (FDOT) MPO Sun Trail application is December 19, 2024.

Should the Council wish to proceed with a letter of commitment, City has provided funding for this project in the Sun Trail (Rails to Trails) Capital Improvement Project (CIP) budget.

STAFF RECOMMENDATION: Discussion and direction to staff

ATTACHMENTS:

REVIEWERS:

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

ITEM TITLE: Appointments of City Council liaisons to various Boards and Committees.

REQUESTOR: Arleen Hunter, City Manager; Mike Sheffield, City Clerk

AGENDA SECTION: City Manager's Items

STRATEGIC PRIORITY: #1 Stormwater Improvement; #2 Transportation; #3 Community Aesthetics;
#4 Environmental Protection; #6 Council Relations

BACKGROUND:

After each municipal election, the City Council appoints from its elected body, liaisons and members of various internal and external boards and committees. Attached is the list of current City Council appointments. City Council may choose to revise/remove/add boards and committees as warranted. This item was deferred from the last meeting.

STAFF RECOMMENDATION: Make appointments per Council's pleasure.

ATTACHMENTS:

1. List of current Committee/Liaison appointments.
2. Brochure of City Advisory Committee descriptions.

REVIEWERS:

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

City of Bonita Springs Committee / Liaison Appointments
City Council Committees 2022 FINAL

Committees	Steinmeyer	Bogacz	Purdon	Carr	Corrie	Fullick	Forbes
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CITY COMMITTEES

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

EXTERNAL COMMITTEES

Blue Zone						X	
Board of County Commissioners (BOCC)	X						
Bonita Estero Economic Development Council			X				
Bonita Springs Utilities (BSU)				X			
Chamber of Commerce (SW FL Inc.)			X				
Coastal Advisory Committee (Beaches & Shores)					X		
Collier County Liaison	X						
CREW Land and Water Trust			X				
Estero Liaison (Estero Community Committee Leaders - ECCL)					X		
Fire Control District Liaison		X					
Florida League of Cities (FLC) Liaison		X ALT 1	X			X ALT 2	
Fort Myers Beach Liaison				X			
Horizon Council				X			
Human Services Advisory Council						X	
Lee County Sheriff's Office Liaison			X				
Metropolitan Planning Organization (MPO) - 2 voting members				X			X
Metropolitan Planning Organization (MPO) - Alternate					X		
Southwest Florida League of Cities (SWFLC)							X
Southwest Florida League of Cities (SWFLC) - Alternate				X			
Tourist Development Council (TDC)						X	
West Coast Inland Navigation District (WCIND)				X			
Wonder Gardens Liaison					X		
YMCA							X



Advisory Boards



Art in Public
Places



Historic
Preservation
Board



Special
Events
Committee



Zoning Board



Local Planning
Agency



Street Light
Advisory Board



Veteran's
Advisory
Committee



Tree Advisory
Board



Technology
Advisory
Board



Bicycle Pedestrian
Safety Advisory
Committee



Outreach Advisory
Committee

Volunteer Today

Your service makes our community stronger.

The City of Bonita Springs is grateful for the contributions and expertise of the volunteers who make up our advisory boards and committees. Their generous contributions of time and talent help to make the City of Bonita Springs a better place to live, work, and enjoy.

The City of Bonita Springs accepts applications on an ongoing basis, for the following advisory boards and committees:

- Art in Public Places
- Historic Preservation Board
- Special Events Committee
- Zoning Board
- Local Planning Agency
- Street Light Advisory Committee
- Veterans Advisory Committee
- Tree Advisory Board
- Technology Advisory Board
- Bicycle Pedestrian Safety Advisory Committee
- Outreach Advisory Committee

If you are interested in serving on an advisory board or committee, download the application from our website, CITYOFBONITASPRINGS.ORG. You may also contact the City Clerk to request the application be sent to you by email.

Submit your completed application to:

Mike Sheffield, City Clerk
Bonita Springs City Hall
9101 Bonita Beach Rd., SE
Bonita Springs, FL 34135
Michael.Sheffield@cityofbonitasprings.org
(239) 949-6248

Applications will be kept on file and active for a period of two years from the date received.

Advisory Boards

Art in Public Places Board

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

Historic Preservation Board

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

Special Events Committee

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

Zoning Board

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

Local Planning Agency

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

Street Light Advisory Board

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

Veterans Advisory Committee

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

Tree Advisory Board

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

Technology Advisory Board

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

Bicycle Pedestrian Safety Advisory Committee

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

Outreach Advisory Committee

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

ITEM TITLE: Presentation of the Preliminary 2023-2024 Fiscal Year end Financial Report.

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

AGENDA SECTION: City Manager's Items

STRATEGIC PRIORITY: #7 Government Transparency

BACKGROUND:

Staff will be providing a brief presentation on the attached Preliminary 2023-2024 Fiscal Year End Financial Report.

The report is preliminary as it is subject to change until the audit report is finalized in April and year-end amounts will continue to be updated as the prior year's transactions continue to be processed.

Please note that staff is in the process of developing an estimated fund balance as of September 30, 2024, which will be finalized in April along with the audit completion.

Also, we have included the October monthly financial report for your review which is the initial month of our 2024-2025 fiscal year. In accordance with accounting standards, the majority of the financial activity in each October pertains to the prior fiscal year and is reflected in the Preliminary 2023-2024 Fiscal Year End Financial Report.

STAFF RECOMMENDATION: Receive presentation and report.

ATTACHMENTS:

1. Presentation
2. Preliminary 2023-2024 Fiscal Year End Financial Report
3. October 30, 2024, Financial Report

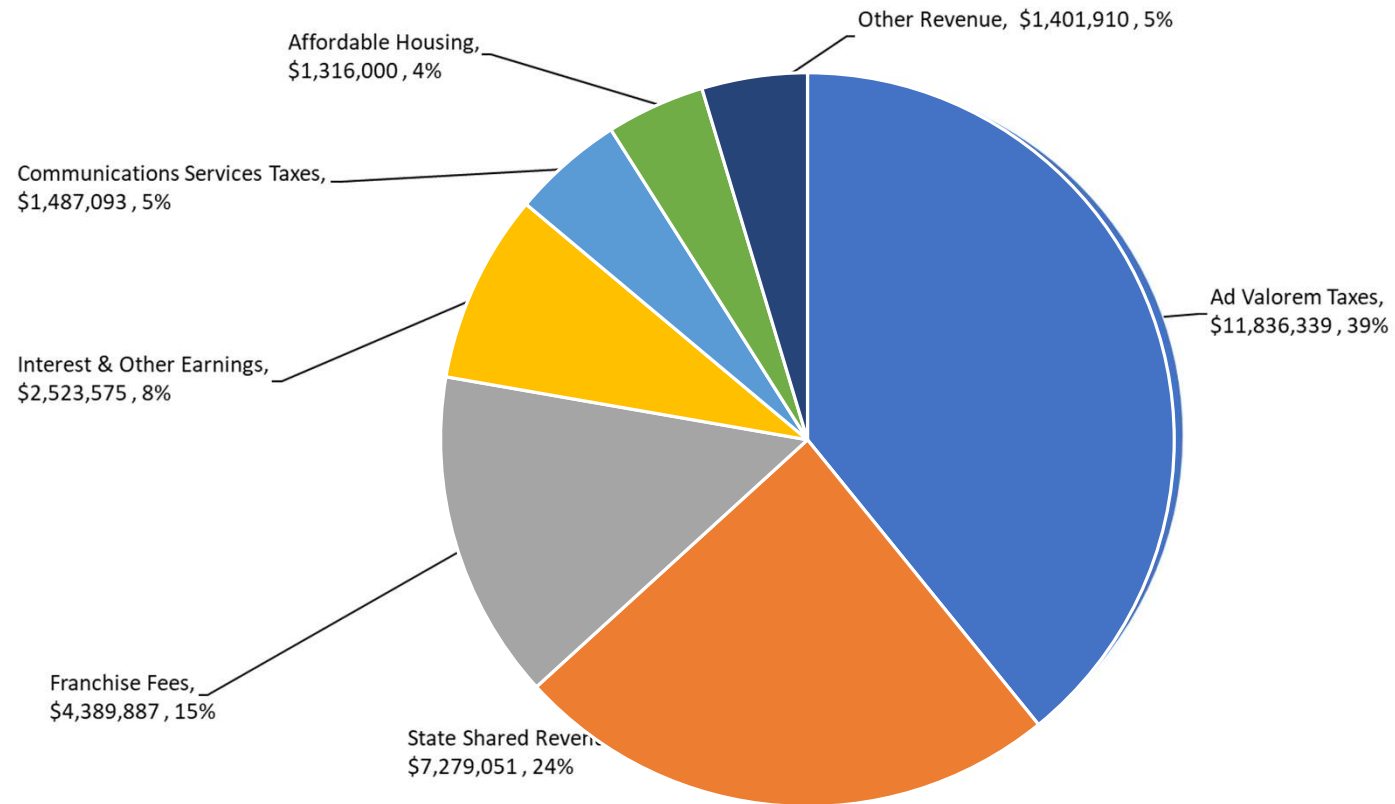
REVIEWERS:

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

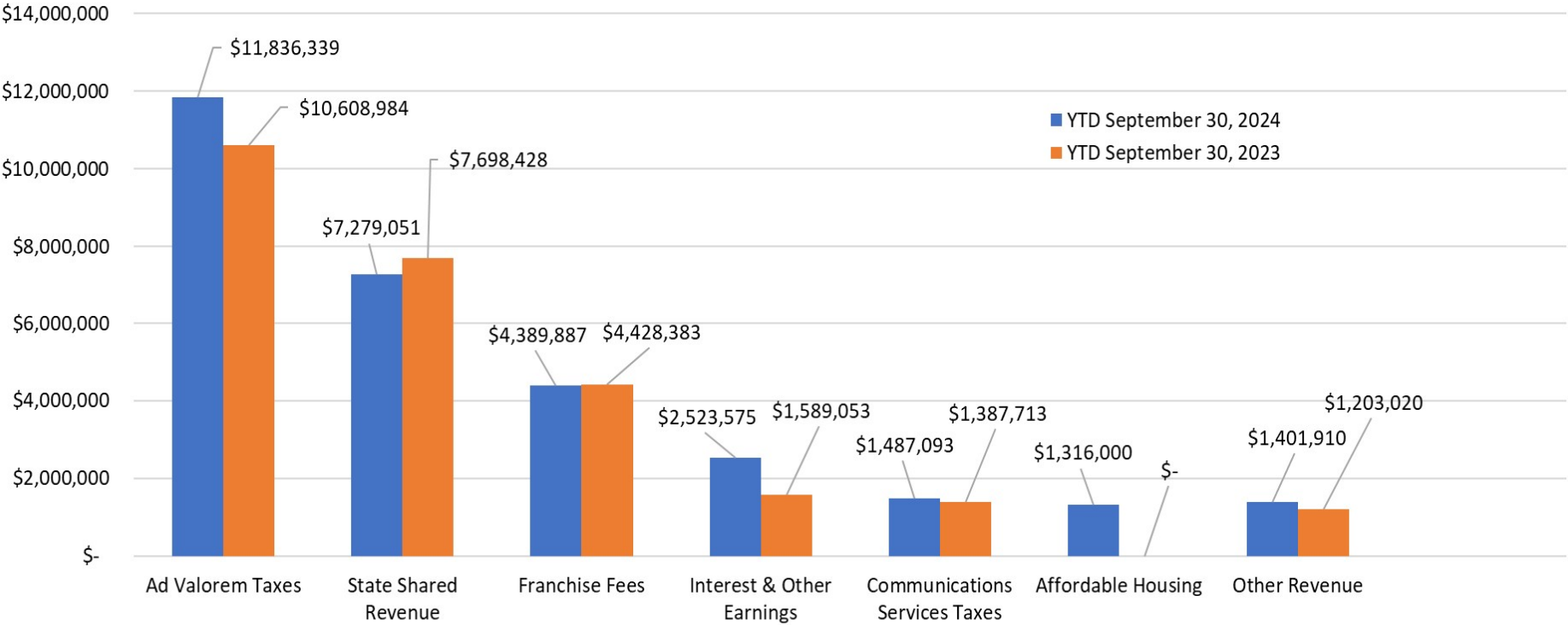
September Financial Report



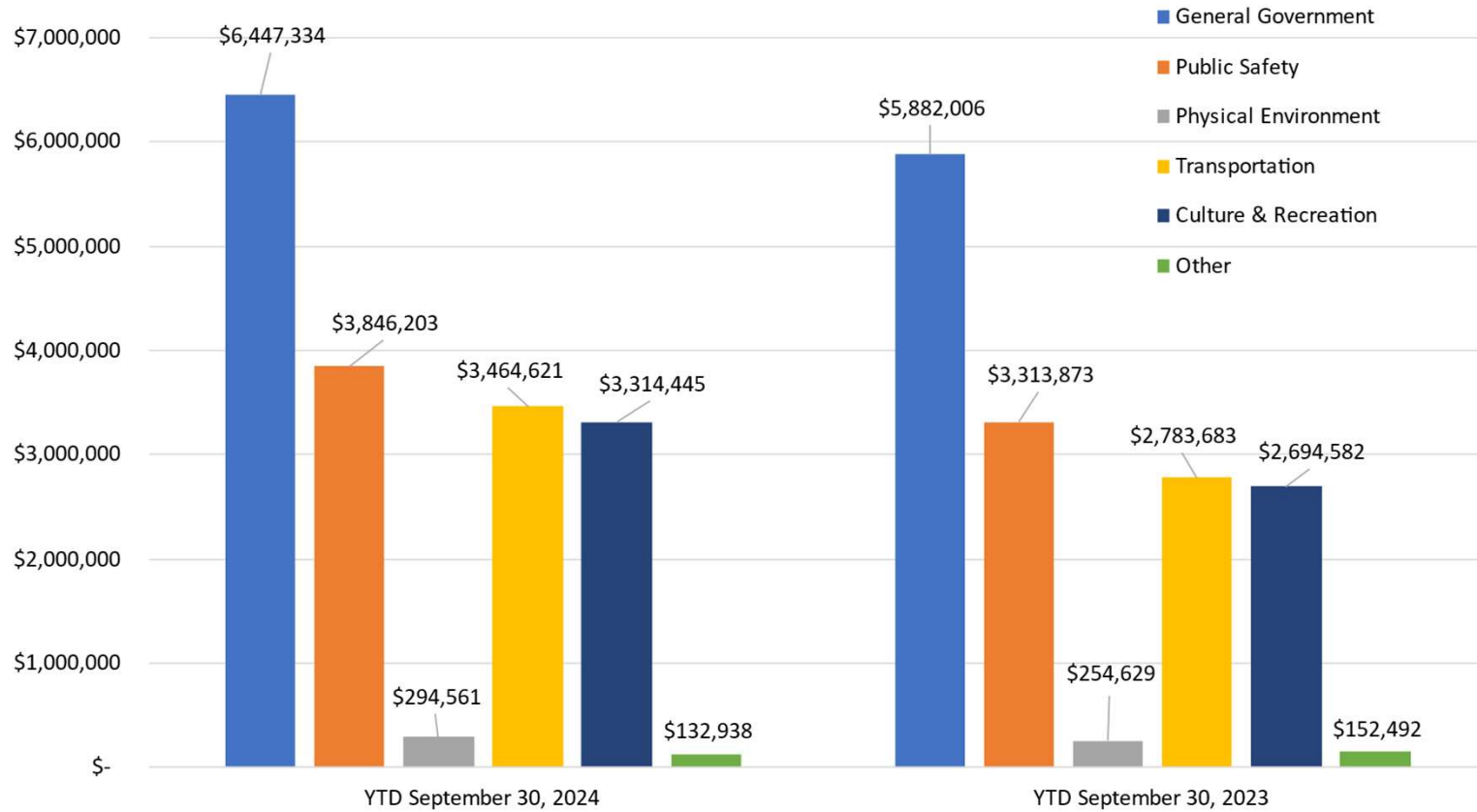
General Fund Revenue as of September 30, 2024



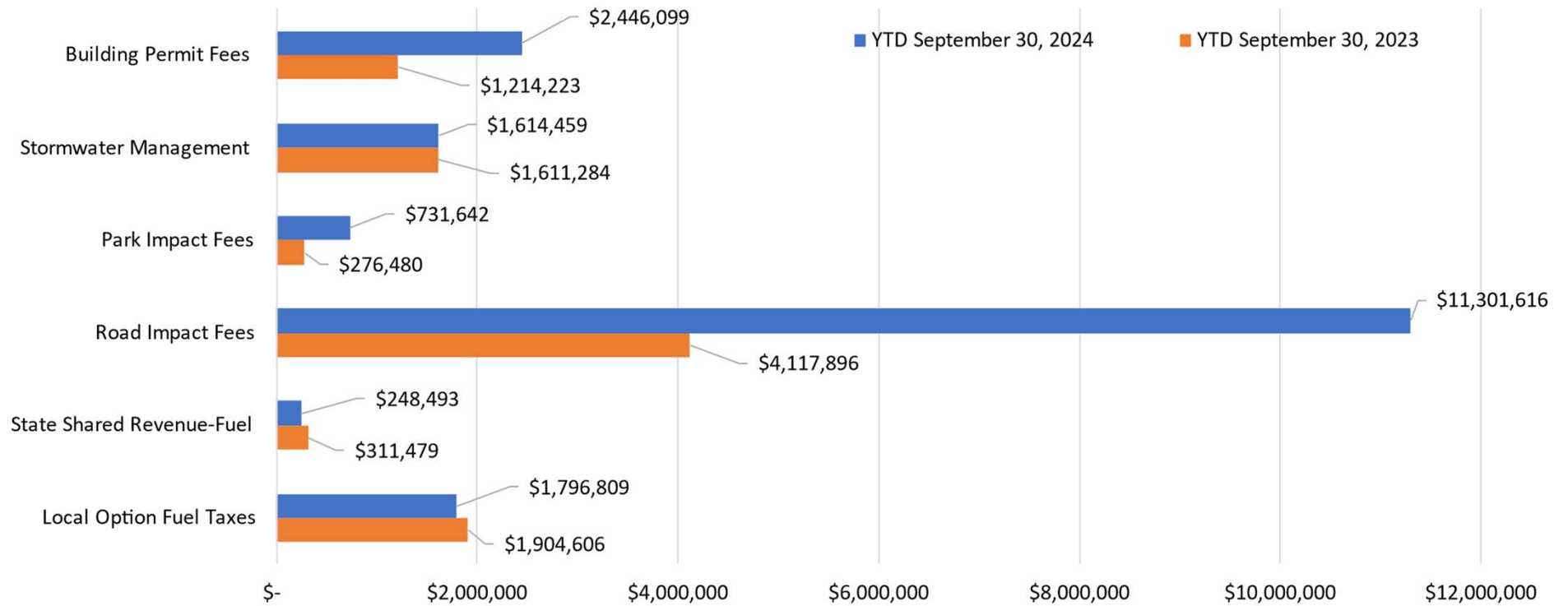
General Fund Revenue



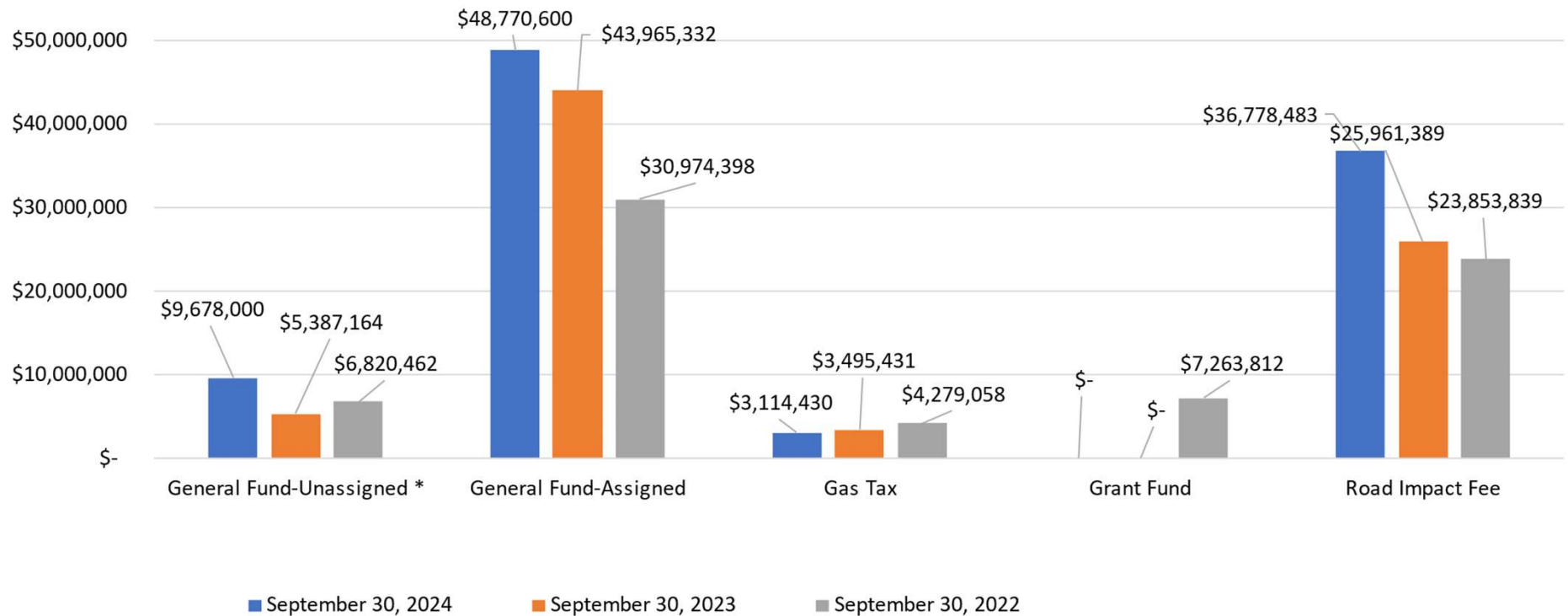
General Fund Expenditures



Restricted Revenue

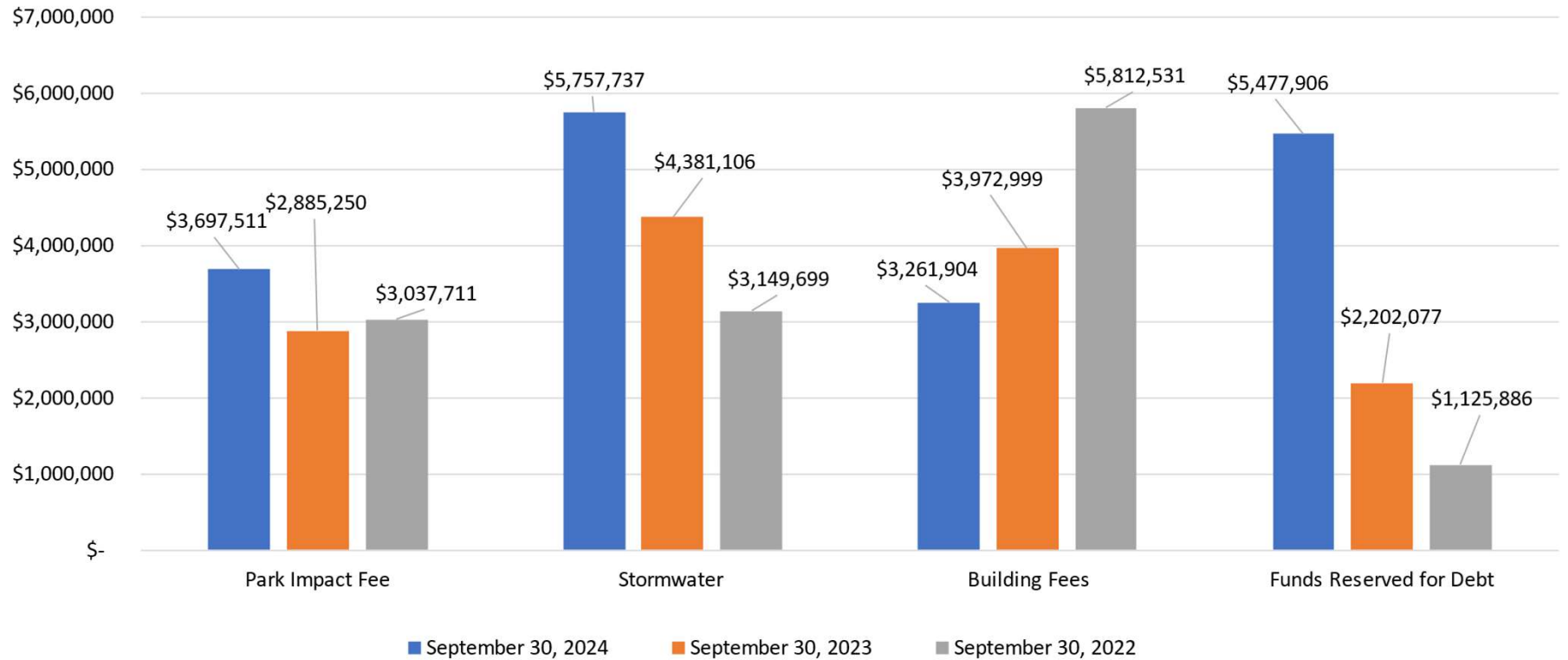


Cash Balances



* General fund unassigned fund balance will be calculated at the end of the fiscal year along with the audit completion.

Cash Balances



Thank you...

City of Bonita Springs, Florida
Balance Sheet

As of September 30, 2024

Preliminary

	Special Revenue Funds										
	General Fund	Gas Tax	Grants	Impact Fee Funds		Stormwater Management	Building Fees	Downtown Area Revenue Sharing	Debt Service Funds	Capital Project Fund	Total Governmental Funds
				Road	Park						
ASSETS											
Cash and cash equivalents	\$ 58,448,600	\$ 3,114,430	\$ -	\$ 36,778,483	\$ 3,697,511	\$ 5,757,737	\$ 3,261,904	\$ 3,473,759	\$ 2,000,000	\$ 4,167	\$ 116,536,591
Receivables (net)	401,182	-	-	-	-	-	-	-	-	-	401,182
Due from other govt	1,061,292	143,293	326,829	-	-	11,333	-	-	-	-	1,542,747
Due from other funds	1,726,755	-	-	-	-	-	-	-	-	-	1,726,755
Total assets	\$ 61,637,829	\$ 3,257,723	\$ 326,829	\$ 36,778,483	\$ 3,697,511	\$ 5,769,070	\$ 3,261,904	\$ 3,473,759	\$ 2,000,000	\$ 4,167	\$ 120,207,275
LIABILITIES AND FUND BALANCES											
Liabilities:											
Accounts and contracts payable	\$ 674,570	\$ 26,988	\$ 276,458	\$ 28,949	\$ 8,210	\$ 2,997	\$ 9,190	\$ -	\$ -	\$ -	\$ 1,027,362
Accrued liabilities	6,229,673	-	47,541	-	-	-	-	-	-	-	6,277,214
Due to other funds	-	-	1,726,755	-	-	-	-	-	-	-	1,726,755
Due to other governments	98,142	-	-	812,055	-	-	-	-	-	-	910,197
Total liabilities	7,002,385	26,988	2,050,754	841,004	8,210	2,997	9,190	-	-	-	9,941,528
Total fund balances, beginning of the year	46,154,638	3,377,513	-	25,592,993	2,885,250	4,331,610	3,937,870	2,202,077	-	-	88,481,951
Revenues and Other Financing Sources over (under) Expenditures and Other Financing Uses	8,480,806	(146,778)	(1,723,925)	10,344,486	804,051	1,434,463	(685,156)	1,271,682	2,000,000	4,167	21,783,796
Fund balances	54,635,444	3,230,735	(1,723,925)	35,937,479	3,689,301	5,766,073	3,252,714	3,473,759	2,000,000	4,167	110,265,747
Total liabilities and fund balances	\$ 61,637,829	\$ 3,257,723	\$ 326,829	\$ 36,778,483	\$ 3,697,511	\$ 5,769,070	\$ 3,261,904	\$ 3,473,759	\$ 2,000,000	\$ 4,167	\$ 120,207,275



City of Bonita Springs, FL

General Fund Budget Report Group Summary

For Fiscal: 2023-2024 Period Ending: 09/30/2024

RevAccountType;ExpFinStmntLineItem	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
Fund: 00 - General Fund					
Revenue					
311 - Ad Valorem Taxes	11,633,600.00	11,633,600.00	37,966.08	11,836,338.77	-202,738.77
315 - Communications Services Taxes	1,323,000.00	1,323,000.00	240,578.10	1,487,093.21	-164,093.21
316 - Local Business Taxes	30,000.00	30,000.00	14,573.10	30,162.34	-162.34
323 - Franchise Fees	3,733,800.00	3,733,800.00	804,281.48	4,389,887.27	-656,087.27
329 - Other Permits, Fees & Special Assessment	41,100.00	41,100.00	5,290.00	56,325.00	-15,225.00
335 - State Shared Revenue	7,235,400.00	7,235,400.00	940,924.15	7,279,051.09	-43,651.09
341 - General Government	322,700.00	322,700.00	31,546.76	726,976.83	-404,276.83
343 - Physical Environment	112,200.00	112,200.00	8,850.00	119,650.00	-7,450.00
345 - Economic Environment	0.00	0.00	0.00	1,316,000.00	-1,316,000.00
347 - Culture/Recreation	95,300.00	95,300.00	5,551.64	89,989.67	5,310.33
349 - Other Charges for Services	48,000.00	48,000.00	5,284.55	59,487.27	-11,487.27
351 - Judgements, Fines-Traffic	22,400.00	22,400.00	13,419.60	63,054.39	-40,654.39
354 - Fines Local Ordinance	140,000.00	140,000.00	5,165.00	125,283.20	14,716.80
361 - Interest & Other Earnings	800,000.00	800,000.00	242,191.46	2,523,574.64	-1,723,574.64
362 - Rents & Royalties	65,000.00	65,000.00	3,321.00	75,627.13	-10,627.13
366 - Contributions	0.00	0.00	80.00	480.00	-480.00
369 - Other Misc Revenues	8,000.00	8,000.00	0.00	9,788.91	-1,788.91
381 - Transfers In	0.00	0.00	0.00	1,546,479.06	-1,546,479.06
388 - Proceeds of General Capital Dispositons	0.00	0.00	0.00	45,086.35	-45,086.35
Revenue Total:	25,610,500.00	25,610,500.00	2,359,022.92	31,780,335.13	-6,169,835.13
Expense					
51 - General Government	7,593,419.00	7,724,704.00	767,650.71	6,447,333.68	1,277,370.32
52 - Public Safety	4,163,832.00	4,163,832.00	191,475.72	3,846,203.36	317,628.64
53 - Physical Environment	459,034.00	459,034.00	101,971.25	294,560.52	164,473.48
54 - Transportation	4,337,759.00	4,415,338.00	426,784.66	3,464,621.31	950,716.69
55 - Economic Environment	27,550.00	27,550.00	0.00	0.00	27,550.00
56 - Human Services	147,070.00	147,070.00	120,043.00	132,938.00	14,132.00
57 - Culture & Recreation	3,923,742.00	4,106,583.00	589,771.26	3,314,445.16	792,137.84
58 - Other Uses/Transfers Out	14,674,616.00	39,267,528.00	297,693.86	5,799,427.06	33,468,100.94
Expense Total:	35,327,022.00	60,311,639.00	2,495,390.46	23,299,529.09	37,012,109.91
Fund: 00 - General Fund Surplus (Deficit):	-9,716,522.00	-34,701,139.00	-136,367.54	8,480,806.04	-43,181,945.04
Total Surplus (Deficit):	-9,716,522.00	-34,701,139.00	-136,367.54	8,480,806.04	



General Fund Department Expenditures Excluding Transfers

City of Bonita Springs, FL

Group Summary

For Fiscal: 2023-2024 Period Ending: 09/30/2024

Department	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
Fund: 00 - General Fund					
101 - City Council	501,700.00	501,700.00	33,368.30	366,864.97	134,835.03
102 - Boards & Committees	80,000.00	80,000.00	0.00	11,531.74	68,468.26
201 - City Manager	641,380.00	641,380.00	51,583.17	491,800.45	149,579.55
211 - Planning & Zoning	2,105,635.00	2,105,635.00	189,622.95	2,045,581.88	60,053.12
220 - Law Enforcement/Security	2,945,996.00	2,945,996.00	8,437.00	2,709,835.89	236,160.11
230 - Neighborhood Services	1,110,106.00	1,110,106.00	124,468.50	1,004,369.14	105,736.86
240 - Information Technologies	430,300.00	430,300.00	18,102.81	304,579.57	125,720.43
250 - Public Works	4,743,393.00	4,820,972.00	528,755.91	3,755,239.29	1,065,732.71
260 - Emergency Management	107,730.00	107,730.00	58,570.22	131,998.33	-24,268.33
270 - Non-Departmental Expenditures	849,595.00	849,595.00	190,403.14	562,787.50	286,807.50
301 - City Attorney	763,340.00	763,340.00	110,928.12	413,306.70	350,033.30
401 - Administrative Services	542,528.00	551,595.00	56,640.11	520,889.44	30,705.56
402 - City Hall	330,350.00	330,350.00	54,010.19	276,992.69	53,357.31
410 - Human Resources	70,700.00	70,700.00	2,647.01	55,182.27	15,517.73
430 - Communications	1,362,036.00	1,362,036.00	164,243.65	1,198,617.79	163,418.21
501 - Finance	877,250.00	999,468.00	99,107.23	884,159.41	115,308.59
601 - Parks & Recreation Administration	830,790.00	830,790.00	101,121.06	767,702.80	63,087.20
602 - Recreation Center	544,606.00	571,456.00	75,677.10	517,762.48	53,693.52
603 - Community Park & Ball Fields	196,361.00	217,969.00	50,791.16	183,941.56	34,027.44
604 - Community Pool	629,757.00	658,864.00	79,450.77	527,730.32	131,133.68
605 - Riverside Park	210,756.00	250,310.00	41,019.37	211,019.53	39,290.47
609 - Formerly Community Hall/Sherriff Substation	18,665.00	18,665.00	1,258.74	11,812.92	6,852.08
610 - Dog Park	83,378.00	83,378.00	36,576.44	82,192.46	1,185.54
611 - Beach Parks	29,740.00	29,740.00	55.55	3,438.93	26,301.07
612 - Hickory Blvd. North ROW	10,000.00	10,000.00	0.00	0.00	10,000.00
613 - BS Soccer Complex	107,756.00	134,606.00	20,016.18	125,215.29	9,390.71
614 - Kentucky Street Park	4,500.00	4,500.00	3,500.00	3,500.00	1,000.00
615 - Liles Hotel	111,138.00	116,138.00	26,214.87	93,628.54	22,509.46
617 - Bonita Nature Place	33,464.00	33,464.00	9,528.61	31,929.58	1,534.42
618 - Windsor Road Preserve	7,980.00	7,980.00	7,102.17	7,362.13	617.87
620 - Marni Fields	119,083.00	119,083.00	19,996.26	114,489.82	4,593.18
621 - BS River Park	25,748.00	34,770.00	11,808.48	21,183.30	13,586.70
622 - Cullum's Bonita Trail	18,300.00	18,300.00	10,119.20	12,618.88	5,681.12
623 - Carpenter Lane Canoe & Kayak	2,469.00	2,469.00	174.61	509.37	1,959.63
624 - Leitner Creek Neighborhood Park	12,476.00	37,326.00	4,326.36	12,917.89	24,408.11
626 - Oak Creek Preserve	6,000.00	6,000.00	0.00	3,255.20	2,744.80
629 - Oak Creek Kayak Launch	5,000.00	5,000.00	0.00	0.00	5,000.00
631 - Former Library Building	182,400.00	182,400.00	8,071.36	34,001.47	148,398.53
883 - Veterans	0.00	0.00	0.00	152.50	-152.50
Fund: 00 - General Fund Total:	20,652,406.00	21,044,111.00	2,197,696.60	17,500,102.03	3,544,008.97
Total Surplus (Deficit):	-20,652,406.00	-21,044,111.00	-2,197,696.60	-17,500,102.03	



City of Bonita Springs, FL

Special Revenue Funds Budget Report

Group Summary

For Fiscal: 2023-2024 Period Ending: 09/30/2024

RevAccountType;ExpFinStmntLineItem	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
Fund: 10 - Gas Tax Fund					
Revenue					
312 - Local Option Taxes	1,772,200.00	1,772,200.00	280,075.46	1,796,808.57	-24,608.57
335 - State Shared Revenue	291,200.00	291,200.00	21,831.72	248,492.81	42,707.19
361 - Interest & Other Earnings	82,000.00	82,000.00	8,444.00	147,723.00	-65,723.00
Revenue Total:	2,145,400.00	2,145,400.00	310,351.18	2,193,024.38	-47,624.38
Expense					
54 - Transportation	1,309,104.00	1,309,104.00	70,724.07	1,175,064.07	134,039.93
58 - Other Uses/Transfers Out	778,990.00	3,581,307.00	14,400.84	1,164,738.02	2,416,568.98
Expense Total:	2,088,094.00	4,890,411.00	85,124.91	2,339,802.09	2,550,608.91
Fund: 10 - Gas Tax Fund Surplus (Deficit):	57,306.00	-2,745,011.00	225,226.27	-146,777.71	-2,598,233.29
Fund: 13 - Grant Fund					
Revenue					
331 - Federal Grants	0.00	30,261,353.00	113,892.80	3,693,238.99	26,568,114.01
334 - State Grants	11,945,467.00	16,631,974.00	81,627.21	-324,095.90	16,956,069.90
337 - Local Gvmt Grants	40,000.00	40,000.00	0.00	8,502.50	31,497.50
369 - Other Misc Revenues	0.00	0.00	0.00	65,057.27	-65,057.27
381 - Transfers In	40,000.00	40,000.00	0.00	-37,762.50	77,762.50
Revenue Total:	12,025,467.00	46,973,327.00	195,520.01	3,404,940.36	43,568,386.64
Expense					
52 - Public Safety	80,000.00	80,000.00	70,730.80	227,138.17	-147,138.17
57 - Culture & Recreation	0.00	157,062.00	0.00	147,422.70	9,639.30
58 - Other Uses/Transfers Out	11,945,467.00	46,736,265.00	573,838.32	4,754,304.88	41,981,960.12
Expense Total:	12,025,467.00	46,973,327.00	644,569.12	5,128,865.75	41,844,461.25
Fund: 13 - Grant Fund Surplus (Deficit):	0.00	0.00	-449,049.11	-1,723,925.39	1,723,925.39
Fund: 14 - Road Impact Fee Fund					
Revenue					
324 - Impact Fees	3,180,960.00	3,180,960.00	4,785,864.97	11,301,615.82	-8,120,655.82
361 - Interest & Other Earnings	400,000.00	400,000.00	107,525.00	1,293,641.00	-893,641.00
Revenue Total:	3,580,960.00	3,580,960.00	4,893,389.97	12,595,256.82	-9,014,296.82
Expense					
58 - Other Uses/Transfers Out	4,076,454.00	27,159,152.00	522,489.70	2,250,770.86	24,908,381.14
Expense Total:	4,076,454.00	27,159,152.00	522,489.70	2,250,770.86	24,908,381.14
Fund: 14 - Road Impact Fee Fund Surplus (Deficit):	-495,494.00	-23,578,192.00	4,370,900.27	10,344,485.96	-33,922,677.96
Fund: 16 - Park Impact Fee Fund					
Revenue					
324 - Impact Fees	352,070.00	352,070.00	332,722.00	731,642.00	-379,572.00
361 - Interest & Other Earnings	52,000.00	52,000.00	9,487.00	115,241.00	-63,241.00
Revenue Total:	404,070.00	404,070.00	342,209.00	846,883.00	-442,813.00
Expense					
58 - Other Uses/Transfers Out	400,000.00	3,551,747.00	8,210.25	42,831.75	3,508,915.25
Expense Total:	400,000.00	3,551,747.00	8,210.25	42,831.75	3,508,915.25
Fund: 16 - Park Impact Fee Fund Surplus (Deficit):	4,070.00	-3,147,677.00	333,998.75	804,051.25	-3,951,728.25
Fund: 18 - Stormwater Management					
Revenue					
325 - Special Assessments - Charges for Public Services	1,470,000.00	1,470,000.00	11,332.79	1,614,459.47	-144,459.47
361 - Interest & Other Earnings	18,000.00	18,000.00	14,643.00	177,866.00	-159,866.00
Revenue Total:	1,488,000.00	1,488,000.00	25,975.79	1,792,325.47	-304,325.47

Special Revenue Funds Budget Report

For Fiscal: 2023-2024 Period Ending: 09/30/2024

RevAccountType;ExpFinStmntLineItem	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
Expense					
53 - Physical Environment	657,111.00	657,111.00	41,586.73	357,862.19	299,248.81
58 - Other Uses/Transfers Out	700,000.00	3,500,000.00	0.00	0.00	3,500,000.00
Expense Total:	1,357,111.00	4,157,111.00	41,586.73	357,862.19	3,799,248.81
Fund: 18 - Stormwater Management Surplus (Deficit):	130,889.00	-2,669,111.00	-15,610.94	1,434,463.28	-4,103,574.28
Fund: 19 - Building Fees Fund					
Revenue					
322 - Building Permits	875,000.00	875,000.00	532,369.66	2,446,098.51	-1,571,098.51
361 - Interest & Other Earnings	60,000.00	60,000.00	9,575.00	157,151.00	-97,151.00
Revenue Total:	935,000.00	935,000.00	541,944.66	2,603,249.51	-1,668,249.51
Expense					
52 - Public Safety	3,338,660.00	3,338,660.00	269,192.37	3,233,005.29	105,654.71
58 - Other Uses/Transfers Out	0.00	698,195.00	7,200.00	55,400.00	642,795.00
Expense Total:	3,338,660.00	4,036,855.00	276,392.37	3,288,405.29	748,449.71
Fund: 19 - Building Fees Fund Surplus (Deficit):	-2,403,660.00	-3,101,855.00	265,552.29	-685,155.78	-2,416,699.22
Fund: 23 - Downtown Area Revenue Sharing					
Revenue					
311 - Ad Valorem Taxes	490,400.00	490,400.00	0.00	490,400.00	0.00
337 - Local Gvmt Grants	1,872,100.00	1,872,100.00	0.00	1,857,380.00	14,720.00
Revenue Total:	2,362,500.00	2,362,500.00	0.00	2,347,780.00	14,720.00
Expense					
58 - Other Uses/Transfers Out	1,076,100.00	1,076,100.00	0.00	1,076,098.00	2.00
Expense Total:	1,076,100.00	1,076,100.00	0.00	1,076,098.00	2.00
Fund: 23 - Downtown Area Revenue Sharing Surplus (Deficit):	1,286,400.00	1,286,400.00	0.00	1,271,682.00	14,718.00
Total Surplus (Deficit):	-1,420,489.00	-33,955,446.00	4,731,017.53	11,298,823.61	



City of Bonita Springs, FL

Debt Service Funds Budget Report

Group Summary

For Fiscal: 2023-2024 Period Ending: 09/30/2024

RevAccountType;ExpFinStmntLineItem	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
Fund: 20 - 2011 Debt Fund					
Revenue					
384 - Debt Proceeds	0.00	0.00	0.00	2,000,000.00	-2,000,000.00
Revenue Total:	0.00	0.00	0.00	2,000,000.00	-2,000,000.00
Fund: 20 - 2011 Debt Fund Total:	0.00	0.00	0.00	2,000,000.00	-2,000,000.00
Fund: 21 - 2014 Debt Fund					
Revenue					
381 - Transfers In	1,076,100.00	1,076,100.00	0.00	1,076,098.00	2.00
Revenue Total:	1,076,100.00	1,076,100.00	0.00	1,076,098.00	2.00
Expense					
51 - General Government	1,076,100.00	1,076,100.00	0.00	1,076,098.00	2.00
Expense Total:	1,076,100.00	1,076,100.00	0.00	1,076,098.00	2.00
Fund: 21 - 2014 Debt Fund Surplus (Deficit):	0.00	0.00	0.00	0.00	0.00
Fund: 22 - 2020 Debt Fund					
Revenue					
381 - Transfers In	462,660.00	462,660.00	0.00	462,652.50	7.50
Revenue Total:	462,660.00	462,660.00	0.00	462,652.50	7.50
Expense					
51 - General Government	462,660.00	462,660.00	0.00	462,652.50	7.50
Expense Total:	462,660.00	462,660.00	0.00	462,652.50	7.50
Fund: 22 - 2020 Debt Fund Surplus (Deficit):	0.00	0.00	0.00	0.00	0.00
Total Surplus (Deficit):	0.00	0.00	0.00	2,000,000.00	



City of Bonita Springs, FL

Capital Project Funds Budget Report

Group Summary

For Fiscal: 2023-2024 Period Ending: 09/30/2024

ExpFinStmntLineItem;RevAccountType	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
Fund: 30 - Cap Projects Fund					
Revenue					
366 - Contributions	1,500,000.00	1,500,000.00	4,167.00	-122,684.70	1,622,684.70
381 - Transfers In	31,562,867.00	120,621,577.00	1,423,833.01	12,095,711.01	108,525,865.99
Revenue Total:	33,062,867.00	122,121,577.00	1,428,000.01	11,973,026.31	110,148,550.69
Expense					
51 - General Government	2,613,000.00	7,663,785.00	71,567.33	1,274,735.30	6,389,049.70
53 - Physical Environment	21,709,423.00	48,545,639.00	81,319.94	2,489,318.82	46,056,320.18
54 - Transportation	5,730,444.00	55,156,129.00	1,107,182.05	6,025,368.85	49,130,760.15
57 - Culture & Recreation	3,010,000.00	10,756,024.00	163,083.89	2,179,436.34	8,576,587.66
Expense Total:	33,062,867.00	122,121,577.00	1,423,153.21	11,968,859.31	110,152,717.69
Fund: 30 - Cap Projects Fund Surplus (Deficit):	0.00	0.00	4,846.80	4,167.00	-4,167.00
Fund: 31 - Other Capital Projects Fund					
Revenue					
381 - Transfers In	510,000.00	3,369,957.00	0.00	392.50	3,369,564.50
Revenue Total:	510,000.00	3,369,957.00	0.00	392.50	3,369,564.50
Expense					
55 - Economic Environment	0.00	78,381.00	0.00	0.00	78,381.00
57 - Culture & Recreation	510,000.00	3,291,576.00	0.00	392.50	3,291,183.50
Expense Total:	510,000.00	3,369,957.00	0.00	392.50	3,369,564.50
Fund: 31 - Other Capital Projects Fund Surplus (Deficit):	0.00	0.00	0.00	0.00	0.00
Total Surplus (Deficit):	0.00	0.00	4,846.80	4,167.00	

City of Bonita Springs, Florida
Balance Sheet
As of October 31, 2024

	Special Revenue Funds										
	General Fund	Gas Tax	Grants	Impact Fee Funds		Stormwater Management	Building Fees	Downtown Area Revenue Sharing	Debt Service Funds	Capital Project Fund	Total Governmental Funds
				Road	Park						
ASSETS											
Cash and cash equivalents	\$ 58,894,896	\$ 3,278,574	\$ -	\$ 36,785,311	\$ 3,731,364	\$ 5,782,898	\$ 3,358,433	\$ 3,473,759	\$ 2,000,000	\$ 8,334	\$ 117,313,569
Receivables (net)	402,506	-	-	-	-	-	-	-	-	-	402,506
Due from other govt	113,569	-	-	-	-	-	-	-	-	-	113,569
Due from other funds	1,583,105	-	-	-	-	-	-	-	-	-	1,583,105
Total assets	<u>\$ 60,994,076</u>	<u>\$ 3,278,574</u>	<u>\$ -</u>	<u>\$ 36,785,311</u>	<u>\$ 3,731,364</u>	<u>\$ 5,782,898</u>	<u>\$ 3,358,433</u>	<u>\$ 3,473,759</u>	<u>\$ 2,000,000</u>	<u>\$ 8,334</u>	<u>\$ 119,412,749</u>
LIABILITIES AND FUND BALANCES											
Liabilities:											
Accounts and contracts payable	\$ 739,494	\$ 153,701	\$ 278,481	\$ 28,949	\$ 8,210	\$ 41,042	\$ 7,276	\$ -	\$ -	\$ -	\$ 1,257,153
Accrued liabilities	6,062,662	-	-	-	-	-	-	-	-	-	6,062,662
Due to other funds	-	-	1,583,105	-	-	-	-	-	-	-	1,583,105
Due to other governments	17,834	-	-	115,103	-	-	-	-	-	-	132,937
Total liabilities	<u>6,819,990</u>	<u>153,701</u>	<u>1,861,586</u>	<u>144,052</u>	<u>8,210</u>	<u>41,042</u>	<u>7,276</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>9,035,857</u>
Total fund balances, beginning of the year	54,438,956	3,108,792	(1,732,825)	35,937,479	3,689,301	5,728,028	3,252,713	3,473,759	2,000,000	4,167	109,900,370
Revenues and Other Financing Sources over (under) Expenditures and Other Financing Uses	(264,870)	16,081	(128,761)	703,780	33,853	13,828	98,444	-	-	4,167	476,522
Fund balances	<u>54,174,086</u>	<u>3,124,873</u>	<u>(1,861,586)</u>	<u>36,641,259</u>	<u>3,723,154</u>	<u>5,741,856</u>	<u>3,351,157</u>	<u>3,473,759</u>	<u>2,000,000</u>	<u>8,334</u>	<u>110,376,892</u>
Total liabilities and fund balances	<u>\$ 60,994,076</u>	<u>\$ 3,278,574</u>	<u>\$ -</u>	<u>\$ 36,785,311</u>	<u>\$ 3,731,364</u>	<u>\$ 5,782,898</u>	<u>\$ 3,358,433</u>	<u>\$ 3,473,759</u>	<u>\$ 2,000,000</u>	<u>\$ 8,334</u>	<u>\$ 119,412,749</u>



City of Bonita Springs, FL

General Fund Budget Report Group Summary

For Fiscal: 2024-2025 Period Ending: 10/31/2024

RevAccountType;ExpFinStmntLineItem	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
Fund: 00 - General Fund					
Revenue					
311 - Ad Valorem Taxes	13,439,500.00	13,439,500.00	0.00	0.00	13,439,500.00
315 - Communications Services Taxes	1,340,000.00	1,340,000.00	0.00	0.00	1,340,000.00
316 - Local Business Taxes	30,000.00	30,000.00	0.00	0.00	30,000.00
323 - Franchise Fees	3,948,200.00	3,948,200.00	113,569.38	113,569.38	3,834,630.62
329 - Other Permits, Fees & Special Assessment	46,100.00	46,100.00	5,590.00	5,590.00	40,510.00
335 - State Shared Revenue	7,483,034.00	7,483,034.00	99,645.23	99,645.23	7,383,388.77
341 - General Government	280,000.00	280,000.00	35,606.14	35,606.14	244,393.86
343 - Physical Environment	112,200.00	112,200.00	6,000.00	6,000.00	106,200.00
347 - Culture/Recreation	95,300.00	95,300.00	4,544.96	4,544.96	90,755.04
349 - Other Charges for Services	80,700.00	80,700.00	3,046.62	3,046.62	77,653.38
351 - Judgements, Fines-Traffic	22,400.00	22,400.00	0.00	0.00	22,400.00
354 - Fines Local Ordinance	120,000.00	120,000.00	2,642.57	2,642.57	117,357.43
361 - Interest & Other Earnings	1,500,000.00	1,500,000.00	260,624.15	260,624.15	1,239,375.85
362 - Rents & Royalties	65,000.00	65,000.00	3,670.00	3,670.00	61,330.00
369 - Other Misc Revenues	8,000.00	8,000.00	3,342.97	3,342.97	4,657.03
Revenue Total:	28,570,434.00	28,570,434.00	538,282.02	538,282.02	28,032,151.98
Expense					
51 - General Government	8,089,841.00	8,089,841.00	323,652.33	323,652.33	7,766,188.67
52 - Public Safety	4,824,968.00	4,824,968.00	77,712.01	77,712.01	4,747,255.99
53 - Physical Environment	459,034.00	459,034.00	0.00	0.00	459,034.00
54 - Transportation	4,422,527.44	4,422,527.44	127,467.83	127,467.83	4,295,059.61
55 - Economic Environment	28,100.00	28,100.00	0.00	0.00	28,100.00
56 - Human Services	136,410.00	136,410.00	0.00	0.00	136,410.00
57 - Culture & Recreation	4,435,516.00	4,435,516.00	274,319.60	274,319.60	4,161,196.40
58 - Other Uses/Transfers Out	13,840,678.00	13,840,678.00	0.00	0.00	13,840,678.00
Expense Total:	36,237,074.44	36,237,074.44	803,151.77	803,151.77	35,433,922.67
Fund: 00 - General Fund Surplus (Deficit):	-7,666,640.44	-7,666,640.44	-264,869.75	-264,869.75	-7,401,770.69
Total Surplus (Deficit):	-7,666,640.44	-7,666,640.44	-264,869.75	-264,869.75	



General Fund Department Expenditures Excluding Transfers

City of Bonita Springs, FL

Group Summary

For Fiscal: 2024-2025 Period Ending: 10/31/2024

Department	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
Fund: 00 - General Fund					
101 - City Council	428,100.00	428,100.00	16,786.29	16,786.29	411,313.71
102 - Boards & Committees	96,000.00	96,000.00	0.00	0.00	96,000.00
201 - City Manager	510,950.00	510,950.00	32,058.39	32,058.39	478,891.61
211 - Planning & Zoning	2,121,000.00	2,121,000.00	3,369.12	3,369.12	2,117,630.88
220 - Law Enforcement/Security	3,306,920.00	3,306,920.00	0.00	0.00	3,306,920.00
230 - Neighborhood Services	1,424,048.00	1,424,048.00	76,402.81	76,402.81	1,347,645.19
240 - Information Technologies	445,450.00	445,450.00	9,221.70	9,221.70	436,228.30
250 - Public Works	4,828,161.44	4,828,161.44	127,467.83	127,467.83	4,700,693.61
260 - Emergency Management	94,000.00	94,000.00	1,309.20	1,309.20	92,690.80
270 - Non-Departmental Expenditures	881,700.00	881,700.00	7,094.73	7,094.73	874,605.27
301 - City Attorney	633,000.00	633,000.00	0.00	0.00	633,000.00
401 - Administrative Services	937,110.00	937,110.00	51,156.73	51,156.73	885,953.27
402 - City Hall	330,930.00	330,930.00	18,826.19	18,826.19	312,103.81
410 - Human Resources	75,700.00	75,700.00	1,958.29	1,958.29	73,741.71
430 - Communications	1,637,351.00	1,637,351.00	186,859.53	186,859.53	1,450,491.47
501 - Finance	1,071,450.00	1,071,450.00	131,304.41	131,304.41	940,145.59
601 - Parks & Recreation Administration	949,494.00	949,494.00	51,125.30	51,125.30	898,368.70
602 - Recreation Center	558,592.00	558,592.00	25,830.69	25,830.69	532,761.31
603 - Community Park & Ball Fields	261,793.00	261,793.00	8,104.05	8,104.05	253,688.95
604 - Community Pool	649,819.00	649,819.00	33,455.31	33,455.31	616,363.69
605 - Riverside Park	295,440.00	295,440.00	2,703.74	2,703.74	292,736.26
606 - Park Maintenance	4,100.00	4,100.00	0.00	0.00	4,100.00
609 - Formerly Community Hall/Sherriff Substation	18,171.00	18,171.00	690.60	690.60	17,480.40
610 - Dog Park	107,878.00	107,878.00	33.11	33.11	107,844.89
611 - Beach Parks	31,152.00	31,152.00	0.00	0.00	31,152.00
612 - Hickory Blvd. North ROW	10,000.00	10,000.00	0.00	0.00	10,000.00
613 - BS Soccer Complex	146,815.00	146,815.00	2,814.64	2,814.64	144,000.36
614 - Kentucky Street Park	4,500.00	4,500.00	0.00	0.00	4,500.00
615 - Liles Hotel	94,255.00	94,255.00	4,250.65	4,250.65	90,004.35
617 - Bonita Nature Place	63,953.00	63,953.00	326.37	326.37	63,626.63
618 - Windsor Road Preserve	7,995.00	7,995.00	0.00	0.00	7,995.00
620 - Marni Fields	123,941.00	123,941.00	1,749.12	1,749.12	122,191.88
621 - BS River Park	52,978.00	52,978.00	4,900.00	4,900.00	48,078.00
622 - Cullum's Bonita Trail	20,300.00	20,300.00	1,000.00	1,000.00	19,300.00
623 - Carpenter Lane Canoe & Kayak	1,289.00	1,289.00	0.00	0.00	1,289.00
624 - Leitner Creek Neighborhood Park	14,053.00	14,053.00	0.00	0.00	14,053.00
626 - Oak Creek Preserve	6,000.00	6,000.00	0.00	0.00	6,000.00
629 - Oak Creek Kayak Launch	5,000.00	5,000.00	0.00	0.00	5,000.00
631 - Former Library Building	146,508.00	146,508.00	2,352.97	2,352.97	144,155.03
883 - Veterans	500.00	500.00	0.00	0.00	500.00
Fund: 00 - General Fund Total:	22,396,396.44	22,396,396.44	803,151.77	803,151.77	21,593,244.67
Total Surplus (Deficit):	-22,396,396.44	-22,396,396.44	-803,151.77	-803,151.77	



City of Bonita Springs, FL

Special Revenue Funds Budget Report

Group Summary

For Fiscal: 2024-2025 Period Ending: 10/31/2024

RevAccountType;ExpFinStmntLineItem	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
Fund: 10 - Gas Tax Fund					
Revenue					
312 - Local Option Taxes	1,772,200.00	1,772,200.00	0.00	0.00	1,772,200.00
335 - State Shared Revenue	291,200.00	291,200.00	21,831.72	21,831.72	269,368.28
361 - Interest & Other Earnings	82,000.00	82,000.00	7,974.00	7,974.00	74,026.00
Revenue Total:	2,145,400.00	2,145,400.00	29,805.72	29,805.72	2,115,594.28
Expense					
54 - Transportation	1,304,138.08	1,304,138.08	13,725.00	13,725.00	1,290,413.08
58 - Other Uses/Transfers Out	428,990.00	428,990.00	0.00	0.00	428,990.00
Expense Total:	1,733,128.08	1,733,128.08	13,725.00	13,725.00	1,719,403.08
Fund: 10 - Gas Tax Fund Surplus (Deficit):	412,271.92	412,271.92	16,080.72	16,080.72	396,191.20
Fund: 13 - Grant Fund					
Revenue					
334 - State Grants	1,311,750.00	1,311,750.00	0.00	0.00	1,311,750.00
337 - Local Gvmt Grants	40,000.00	40,000.00	0.00	0.00	40,000.00
381 - Transfers In	40,000.00	40,000.00	0.00	0.00	40,000.00
Revenue Total:	1,391,750.00	1,391,750.00	0.00	0.00	1,391,750.00
Expense					
52 - Public Safety	80,000.00	80,000.00	128,760.78	128,760.78	-48,760.78
58 - Other Uses/Transfers Out	1,311,750.00	1,311,750.00	0.00	0.00	1,311,750.00
Expense Total:	1,391,750.00	1,391,750.00	128,760.78	128,760.78	1,262,989.22
Fund: 13 - Grant Fund Surplus (Deficit):	0.00	0.00	-128,760.78	-128,760.78	128,760.78
Fund: 14 - Road Impact Fee Fund					
Revenue					
324 - Impact Fees	2,650,000.00	2,650,000.00	602,241.37	602,241.37	2,047,758.63
361 - Interest & Other Earnings	1,000,000.00	1,000,000.00	101,539.00	101,539.00	898,461.00
Revenue Total:	3,650,000.00	3,650,000.00	703,780.37	703,780.37	2,946,219.63
Expense					
58 - Other Uses/Transfers Out	3,299,667.00	3,299,667.00	0.00	0.00	3,299,667.00
Expense Total:	3,299,667.00	3,299,667.00	0.00	0.00	3,299,667.00
Fund: 14 - Road Impact Fee Fund Surplus (Deficit):	350,333.00	350,333.00	703,780.37	703,780.37	-353,447.37
Fund: 16 - Park Impact Fee Fund					
Revenue					
324 - Impact Fees	210,000.00	210,000.00	24,894.00	24,894.00	185,106.00
361 - Interest & Other Earnings	100,000.00	100,000.00	8,959.00	8,959.00	91,041.00
Revenue Total:	310,000.00	310,000.00	33,853.00	33,853.00	276,147.00
Fund: 16 - Park Impact Fee Fund Total:	310,000.00	310,000.00	33,853.00	33,853.00	276,147.00
Fund: 18 - Stormwater Management					
Revenue					
325 - Special Assessments - Charges for Public Services	1,590,000.00	1,590,000.00	0.00	0.00	1,590,000.00
361 - Interest & Other Earnings	50,000.00	50,000.00	13,828.00	13,828.00	36,172.00
Revenue Total:	1,640,000.00	1,640,000.00	13,828.00	13,828.00	1,626,172.00
Expense					
53 - Physical Environment	746,047.96	746,047.96	0.00	0.00	746,047.96
58 - Other Uses/Transfers Out	700,000.00	700,000.00	0.00	0.00	700,000.00
Expense Total:	1,446,047.96	1,446,047.96	0.00	0.00	1,446,047.96
Fund: 18 - Stormwater Management Surplus (Deficit):	193,952.04	193,952.04	13,828.00	13,828.00	180,124.04

Special Revenue Funds Budget Report

For Fiscal: 2024-2025 Period Ending: 10/31/2024

RevAccountType;ExpFinStmntLineItem	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
Fund: 19 - Building Fees Fund					
Revenue					
322 - Building Permits	2,000,000.00	2,000,000.00	141,049.45	141,049.45	1,858,950.55
361 - Interest & Other Earnings	10,000.00	10,000.00	9,042.00	9,042.00	958.00
Revenue Total:	2,010,000.00	2,010,000.00	150,091.45	150,091.45	1,859,908.55
Expense					
52 - Public Safety	2,979,500.00	2,979,500.00	11,025.00	11,025.00	2,968,475.00
58 - Other Uses/Transfers Out	0.00	0.00	40,622.34	40,622.34	-40,622.34
Expense Total:	2,979,500.00	2,979,500.00	51,647.34	51,647.34	2,927,852.66
Fund: 19 - Building Fees Fund Surplus (Deficit):	-969,500.00	-969,500.00	98,444.11	98,444.11	-1,067,944.11
Fund: 23 - Downtown Area Revenue Sharing					
Revenue					
311 - Ad Valorem Taxes	845,800.00	845,800.00	0.00	0.00	845,800.00
Revenue Total:	845,800.00	845,800.00	0.00	0.00	845,800.00
Expense					
58 - Other Uses/Transfers Out	1,073,644.00	1,073,644.00	0.00	0.00	1,073,644.00
Expense Total:	1,073,644.00	1,073,644.00	0.00	0.00	1,073,644.00
Fund: 23 - Downtown Area Revenue Sharing Surplus (Deficit):	-227,844.00	-227,844.00	0.00	0.00	-227,844.00
Total Surplus (Deficit):	69,212.96	69,212.96	737,225.42	737,225.42	



City of Bonita Springs, FL

Debt Service Funds Budget Report

Group Summary

For Fiscal: 2024-2025 Period Ending: 10/31/2024

RevAccountType;ExpFinStmntLineItem	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
Fund: 20 - 2011 Debt Fund					
Expense					
51 - General Government	2,000,000.00	2,000,000.00	0.00	0.00	2,000,000.00
Expense Total:	2,000,000.00	2,000,000.00	0.00	0.00	2,000,000.00
Fund: 20 - 2011 Debt Fund Total:	2,000,000.00	2,000,000.00	0.00	0.00	2,000,000.00
Fund: 21 - 2014 Debt Fund					
Revenue					
381 - Transfers In	1,073,644.00	1,073,644.00	0.00	0.00	1,073,644.00
Revenue Total:	1,073,644.00	1,073,644.00	0.00	0.00	1,073,644.00
Expense					
51 - General Government	1,073,644.00	1,073,644.00	0.00	0.00	1,073,644.00
Expense Total:	1,073,644.00	1,073,644.00	0.00	0.00	1,073,644.00
Fund: 21 - 2014 Debt Fund Surplus (Deficit):	0.00	0.00	0.00	0.00	0.00
Fund: 22 - 2020 Debt Fund					
Revenue					
381 - Transfers In	459,062.00	459,062.00	0.00	0.00	459,062.00
Revenue Total:	459,062.00	459,062.00	0.00	0.00	459,062.00
Expense					
51 - General Government	459,062.00	459,062.00	0.00	0.00	459,062.00
Expense Total:	459,062.00	459,062.00	0.00	0.00	459,062.00
Fund: 22 - 2020 Debt Fund Surplus (Deficit):	0.00	0.00	0.00	0.00	0.00
Total Surplus (Deficit):	-2,000,000.00	-2,000,000.00	0.00	0.00	



City of Bonita Springs, FL

Capital Project Funds Budget Report

Group Summary

For Fiscal: 2024-2025 Period Ending: 10/31/2024

ExpFinStmntLineItem;RevAccountType	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
Fund: 30 - Cap Projects Fund					
Revenue					
366 - Contributions	1,367,625.00	1,367,625.00	4,166.67	4,166.67	1,363,458.33
381 - Transfers In	18,997,023.00	18,997,023.00	40,622.34	40,622.34	18,956,400.66
Revenue Total:	20,364,648.00	20,364,648.00	44,789.01	44,789.01	20,319,858.99
Expense					
51 - General Government	3,790,000.00	3,790,000.00	40,622.34	40,622.34	3,749,377.66
52 - Public Safety	400,000.00	400,000.00	0.00	0.00	400,000.00
53 - Physical Environment	5,007,000.00	5,007,000.00	0.00	0.00	5,007,000.00
54 - Transportation	5,778,657.00	5,778,657.00	0.00	0.00	5,778,657.00
57 - Culture & Recreation	5,388,991.00	5,388,991.00	0.00	0.00	5,388,991.00
Expense Total:	20,364,648.00	20,364,648.00	40,622.34	40,622.34	20,324,025.66
Fund: 30 - Cap Projects Fund Surplus (Deficit):	0.00	0.00	4,166.67	4,166.67	-4,166.67
Fund: 31 - Other Capital Projects Fund					
Revenue					
381 - Transfers In	85,000.00	85,000.00	0.00	0.00	85,000.00
Revenue Total:	85,000.00	85,000.00	0.00	0.00	85,000.00
Expense					
57 - Culture & Recreation	85,000.00	85,000.00	0.00	0.00	85,000.00
Expense Total:	85,000.00	85,000.00	0.00	0.00	85,000.00
Fund: 31 - Other Capital Projects Fund Surplus (Deficit):	0.00	0.00	0.00	0.00	0.00
Total Surplus (Deficit):	0.00	0.00	4,166.67	4,166.67	

ITEM TITLE: Information regarding the Florida Division of Emergency Management Statewide Residential Mitigation Program - Elevate Florida.

REQUESTOR: Elly Soto McKuen, Senior Project Manager

AGENDA SECTION: City Manager Items

STRATEGIC PRIORITY: 1) Stormwater Management

BACKGROUND: The Florida Division of Emergency Management (FDEM) recently announced Florida's first statewide Residential Mitigation Program, Elevate Florida. Elevate Florida encourages homeowners to apply directly to FDEM for the following recovery programs: structure elevation, mitigation reconstruction and acquisition/demolition. The new program is effective for Hurricane's Helene and Milton. All previous hurricanes (Ian) continue to be handled by each jurisdiction.

Since the Hurricane Milton recovery phase began City staff has collected approximately twenty (20) properties that indicated their interest in the elevation program. Those addresses are being forwarded to the state for implementation into the new program. Staff will advise those homeowners of the new process.

The attached flyer provides additional information, and staff will provide more details at the meeting.

STAFF RECOMMENDATION: Information Item Only

ATTACHMENTS:

1. FDEM Residential Mitigation Program Flyer

REVIEWERS:

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



ELEVATE FLORIDA

The Florida Division of Emergency Management is excited to announce Florida's first statewide Residential Mitigation program, Elevate Florida.

The goal of this program is to enhance community resilience by mitigating private residences against natural hazards.



Elevation

Physically raising an existing structure utilizing a variety of methods



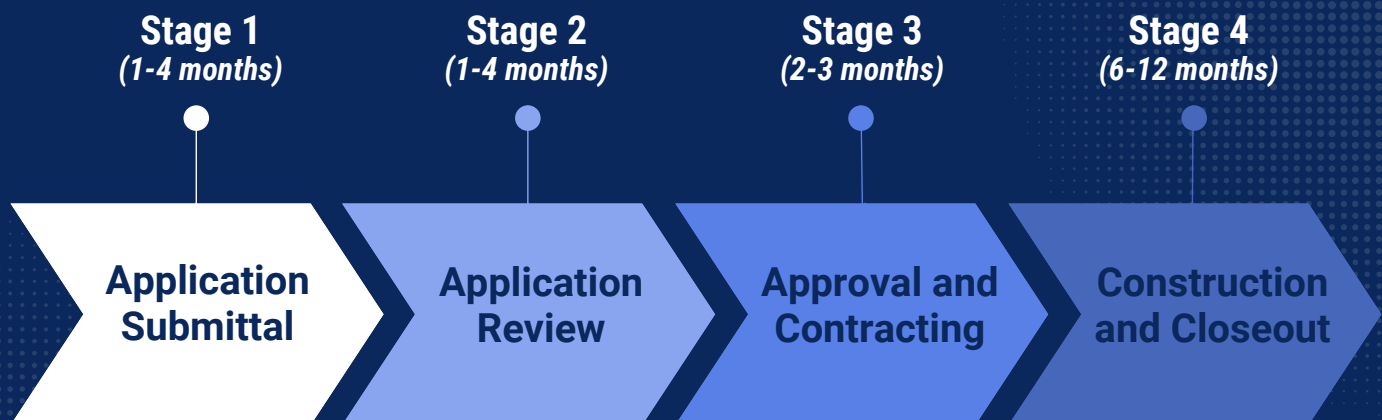
Mitigation Reconstruction

Construction of an improved, elevated building where an existing building has been partially or completely demolished or destroyed



Acquisition

A local community purchases a structure from voluntary sellers and it's demolished



Next Steps

More information about how and when to apply is coming soon.

Subscribe to receive future communications by selecting at Residential Mitigation Communications at <https://www.FloridaDisaster.org/Subscription-Topics/>.

You can prepare for the application by compiling the following information:

- Photos of any flooding inside or outside of the home (if available)
- Photos of high-water marks and photos measuring the height of the marks
- Insurance claim payouts or assistance documentation (if available)
- Receipts or estimates for repairs from previous events
- Records and receipts for any disaster-related assistance received
- A list of aesthetic alterations to the home and year completed (if home is over 45 years old)
 - Window/door replacement
 - Roof replacement
 - Remodeling
 - Painting or re-siding
 - Additions, decks, landings or garages
 - Any historic use of structure

ITEM TITLE: Appoint a City of Bonita Springs representative to the Lee County Disaster Advisory Council.

REQUESTOR: Matt Feeney, Assistant City Manager and Elly Soto McKuen, Senior Project Manager

AGENDA SECTION: City Manager

STRATEGIC PRIORITY: 1) Stormwater Management, 3) Strengthen City Finances, 4) Environmental Protection, 7) Government Transparency

BACKGROUND: The Lee County Disaster Advisory Council has been active for a number of years. The Advisory Council's purpose is to advise the Board of County Commissioners and the County Department of Public Safety on considerations for a variety of emergency management preparedness and recovery efforts. The main focus of the advisory council is to identify opportunities to mitigate future loss of life and property damage through the management of recovery and reconstruction. This purpose is particularly important during strong disaster events such as hurricanes, wildfires, tornadoes, etc.

The existing advisory council was formed several years ago by Ordinance and was recently re-vamped by the County's Administrative Code (AC-2-23). The advisory council is comprised of members of the fire department, law enforcement, school district, utility providers, and health care providers. The advisory council also includes a representative from each municipality that is appointed by its governing body, most of which are members of their respective staff.

The City's current representative to the advisory council is Elly Soto McKuen in the Public Works Department. The advisory council is a technical based group of disaster response individuals. Ms. McKuen is experienced in disaster recovery, grant management, disaster plan development and hazard mitigation planning.

STAFF RECOMMENDATION: Appoint Elly McKuen to the Lee County Disaster Advisory Council.

ATTACHMENTS:

1. Lee County Disaster Administrative Code 2-23

REVIEWERS:

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

**ADMINISTRATIVE CODE
BOARD OF COUNTY COMMISSIONERS**

CATEGORY: Committees/Boards/Commissions/Examiners	CODE NUMBER: AC-2-23
TITLE: Disaster Advisory Council	ADOPTED: 04/02/2024
	AMENDED:
	ORIGINATING DEPARTMENT: Public Safety

Purpose/Scope:

To define the purpose, scope, term, and composition of the Disaster Advisory Council.

Policy:

The Disaster Advisory Council is established to provide pre-disaster planning assistance and guidance, and post-disaster recommendations to support rapid recovery and resiliency.

Section I: Purpose

The purpose is to advise the Board of County Commissioners and the Department of Public Safety on considerations for a variety of emergency management preparedness and recovery efforts. This includes:

1. Identifying opportunities to mitigate future loss of life and property damage through the management of recovery and reconstruction.
2. Establishing special committees and subcommittees within the Disaster Advisory Council to address specific issues arising during the disaster recovery process.
3. Advising the County on relevant recovery and reconstruction issues.
4. Making recommendations for participation in federal and state post-disaster hazard mitigation planning.
5. Provide input on the County's major emergency planning documents, including:
 - a. Lee County Joint Local Mitigation Strategy (LMS)
 - b. Lee County Hazard Identification and Risk Assessment (HIRA)
 - c. Lee County Comprehensive Emergency Management Plan (CEMP)
 - d. Lee County Cost Recovery Plan
 - e. Lee County Disaster Recovery Plan
 - f. Lee County HMGP Project Prioritization List
6. Monitoring and reporting on the recovery process following a disaster, including recommendations on modifications to plans, Ordinances, or Codes to improve future response and recovery.

**ADMINISTRATIVE CODE
BOARD OF COUNTY COMMISSIONERS**

CATEGORY:

Committees/Boards/Commissions/Examiners

CODE NUMBER:

AC-2-23

Section II: Governing Rules

The Disaster Advisory Council will be a standing Advisory Committee. Except as otherwise provided herein, all meetings of the Disaster Advisory Council will be governed by Robert's Rules of Order and AC 2-3. All members must file Form 1 financial disclosure.

Section III: Membership and Officers

The Disaster Advisory Council will consist of the following officials:

1. The County Manager or Designee
2. The County Public Safety Director
3. A representative from Emergency Management
4. A representative from the County Attorney's Office
5. Two County Department Directors or designees
6. A Fire Chief, nominated by the Lee County Fire Chiefs' Association
7. A representative from the Lee County Sheriff's Office
8. A representative from a local institution of higher education
9. A representative from the School District of Lee County
10. A representative from each electric utility provider in the county
11. A representative from each water utility provider in the county
12. A representative appointed by the Southwest Florida Health Care Coalition
13. A representative appointed by each member of the Board of County Commissioners
14. A representative from each municipality, as appointed by each governing body

The County Manager (or designee) will serve as the Chair of the Disaster Advisory Committee. County Public Safety and Emergency Management personnel will serve as staff for the Disaster Advisory Council.

Section IV: Term

Each member of the Disaster Advisory Council shall serve a two-year term. Any members of the pre-existing Disaster Advisory Council whom the Board of County Commissioners appointed shall serve out their existing term.

For vacant seats, one-half of the Disaster Advisory Council will be appointed for one year and one half will be appointed for two years commencing with the anniversary month. All appointments after the Disaster Advisory Council has functioned for one year shall be for the full two-year term.