



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

City of Bonita Springs City Council Meeting Agenda

January 15, 2025
9:00 a.m.

If you intend to address the City Council, please submit a completed “Public Comment Slip” to the City Clerk. Blank comment slips are available on the table outside of 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 2:00 p.m., Jan. 14, 2025.**

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. Introduction of Caily Martin, Director of Operations, Bonita Springs Assistance Office.
(Council Member Fullick, Green Sheet 25-01-007)
7. Consent Agenda Items:
 - A. Approve minutes from the City Council Meeting held on December 18, 2024.
 - B. Confirm and ratify Resolutions extending the local State of Emergency due to Hurricane Ian.
(Green Sheet 25-01-001)

- C. Confirm and ratify Resolutions extending the local State of Emergency due to Hurricane Helene. (Green Sheet 25-01-002)
- D. Confirm and ratify Resolutions extending the local State of Emergency due to Hurricane Milton. (Green Sheet 25-01-003)
- E. Approve a Resolution appointing a chairperson to each of the City's advisory boards and committees. (Green Sheet 25-01-004)
- F. Approve a Resolution for a Budget Amendment to carry over prior year unspent capital budget amounts into fiscal year 2024-2025. (Green Sheet 25-01-005)
- G. Approve a Resolution awarding Demolition Services Contractor RFB 24-16 to the lowest responsive, responsible bidder, HONC Destruction, Inc., at the unit prices included within their bid submittal. (Green Sheet 25-01-010)
- H. Approve a Resolution to engage four (4) firms on a continuing services basis for the City's Independent Peer Review Services (RFQ 24-15) and authorize staff to enter into negotiations with the firms selected. (Green Sheet 25-01-016)

- Opportunity for City Council Comments on Consent Agenda

8. Public Hearings:

- A. (FIRST READING) AN ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA, AMENDING THE BONITA SPRINGS CITY CODE, CHAPTER 10 – BUILDINGS AND BUILDING REGULATIONS, AND CHAPTER 24 – FLOOD HAZARD REDUCTION, TO CLARIFY AND UPDATE DEFINITIONS AND REGULATIONS AS NECESSARY TO REMAIN IN THE NATIONAL FLOOD INSURANCE PROGRAM AS APPLIED TO EXISTING BUILDINGS SPECIAL FLOOD HAZARD AREAS; PROVIDING FOR CONFLICTS OF LAW, SEVERABILITY, CODIFICATION AND SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE. (Green Sheet 25-01-014)

9. Mayor and Council Member Items:

- A. Appoint a Member to the Technology Advisory Board.
(Council Member Corrie, Green Sheet 25-01-006)
- B. Update on the Bonita Springs Elementary School Renovation Project.
(Council Member Fullick, Green Sheet 25-01-011)
- C. Discussion regarding a draft local House Bill regarding San Carlos Estates Water Control District. (Council Member Bogacz, Green Sheet 25-01-015)

10. City Attorney Items:

11. City Manager Items:

- A. Presentation of the November Financial Report. (Greensheet 25-01-013)
- B. Discussion and direction to staff regarding a request from the Trust for Public Lands for the City to participate in a grant application to the U.S. Department of Transportation for RAISE Funds for Seminole Gulf Railway property acquisition for the Bonita Estero Rail Trail (BERT) project. (Greensheet 25-01-012)
- C. Update on recovery – Hurricanes Ian, Helene, and Milton
 - 1. Update from Community Development regarding Hurricane permit fee waivers, and presentation of the monthly activity report for December. (Green Sheet 25-01-008)
 - 2. Discuss the Florida Department of Commerce's Local Government Emergency Bridge Loan option to extend interest-free period for 8 years, and provide direction to staff. (Green Sheet 25-01-009)

12. Mayor and Council Member Reports

13. Public Comment

14. Adjournment

ITEM TITLE: Introduction of Caily Martin, Director of Operations, Bonita Springs Assistance Office.

REQUESTOR: Council Member Fullick

AGENDA SECTION: Mayor and City Council Member Items

STRATEGIC PRIORITY: #6 Strengthen/Enhance Council Relations

BACKGROUND:

In 2024, Caily Martin joined the Bonita Springs Assistance Office as the new director of operations. Mr. John Spear, Vice Chairman of the Board of Directors and former City of Bonita Springs Council Member, will introduce Ms. Martin to City Council and staff.

RECOMMENDATION: Receive presentation.

ATTACHMENTS: None

REVIEWERS:

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



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

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

December 18, 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. Jarek Sniosek, Pastor, St. Leo the Great Catholic Church.*
- 3. Pledge of Allegiance:** *Mayor Gibson led the Pledge of Allegiance.*
- 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:

Trish Leonard - Commented on agenda item 6a, 25'th Anniversary of the City.

Alexander Grantt - Commented on agenda item 9a, Elementary School renovation project.

Charles Hines - Spoke on behalf of the Trust for Public Lands on agenda item 7L, Resolution in support of the Bonita Estero Rail Trail.

6. Ceremonial Presentations:

A. Proclamation commemorating the 25'th Anniversary of the City of Bonita Springs.

Proclamation read aloud by Mayor Gibson.

B. Presentation of award certificates to the winners of the City of Bonita Springs 25th Anniversary Photo Contest.

Certificate presented to Edwin Carsolio, winner of the 'Showcasing Bonita' category.

7. Consent Agenda Items:

*Council Member Corrie moved for discussion item 7k, "Resolution in support of the Technology Advisory Board's project." Council Member Carr motioned to approve the remaining Consent Agenda items; Seconded by Council Member Corrie. **The motion carried unanimously.***

- 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.
- 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 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.
- 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.
- G. Approve demolition of the pole barn structure on the Wonder Gardens property.
- 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.
- 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.
- 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.
- 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.

*Council Member Corrie requested a correction to wording of the draft resolution, stating it should read "Cell" service rather than "Internet" service. Council Member Fullick motioned to approve the resolution as corrected; seconded by Deputy Mayor Purdon. **The motion carried unanimously.***

- L. Approve a Resolution in support of the Bonita Estero Rail Trail (BERT) project and the efforts of the Friends of BERT organization.

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)

Nicole Perino, Parks and Recreation Director, introduced Senior Planner Will Hallman from RVi Planning + Landscape Architecture. Mr. Hallman presented the latest conceptual design plan and the goals of the renovation project. Council Member Fullick inquired about the number of additional U.S. flags that can be affixed along the walkway. Mr. Hallman responded that the number could be doubled. Council Member Corrie asked about ADA accessibility. Mr. Hallman confirmed that all renovation materials of the project will meet or exceed ADA requirements

*Council Member Carr motioned to proceed with the presented conceptual plan. Seconded by Council Member Fullick. **The motion carried unanimously.***

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)

Council Member Fullick provided an update on the recent School Board meeting which he attended and spoke as the City's representative. His comments to the School Board emphasized City Council's request that the façade of the old school building be incorporated in the renovation plans. Council Member Fullick expressed concern that School Board members are receiving conflicting information, as the Historical Society is communicating different requests. He urged the Historical Society to allow City Council and City staff to communicate with the School Board as one unified voice to prevent mixed messages.

Council Member Fitzpatrick expressed his hope for a quick integration of the façade into new renovation plans, emphasizing that prolonging the project is not in the best interest of the students who are currently housed in modular classrooms. Council Member Carr agreed. Council Member Bogacz and Deputy Mayor Purdon expressed optimism about improved communication and collaboration with the new leadership of the School Board. Mayor Gibson noted that Council's unanimous request is for the School District to incorporate architecture similar to the old school building's façade in the renovation plans, and this is the message to be communicated.

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)

Council Member Corrie reviewed the Technology Advisory Board's desire that the allowable height of cell towers be increased as a means to improve cell service in the City. The Technology Advisory Board is asking City Council to move forward with permitting cell towers up to 125 feet height, and for such permits/plans to be reviewed and approved administratively. Council members provided approval by consensus for staff to bring back a proposed amendment to the LDC for Council consideration.

C. Approve a Resolution appointing/re-appointing members to the City of Bonita Springs Local Planning Agency. (Green Sheet 24-12-203)

*Applicant Tammy Hartford was present and introduced herself to City Council. Deputy Mayor Purdon motioned to approve the re-appointment of Don Colapietro, Steve Lohan, and Robert Lombardo, as well as the appointment of Tammy Hartford; seconded by Council Member Fullick. **The motion carried unanimously.***

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)

*Council Member Carr motioned to approve the re-appointment of Anthony Rascio, Russ Winn, and Lynda Waterhouse; seconded by Deputy Mayor Purdon. **The motion carried unanimously.***

10. City Attorney Items:

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

*City Attorney Rooney reviewed a request for a rehearing submitted by the applicant. He reminded Council that there was a first reading; however, Council did not move to second reading. He recommended that the public hearing process take place, starting with a new first reading public hearing. Council Member Carr motioned to schedule a first reading public hearing; seconded by Council Member Corrie. **The motion carried unanimously.***

11. City Manager Items:

A. Approve the City of Bonita Springs 2025 Legislative Priorities. (Green Sheet 24-12-218)

*City Manager Hunter reviewed the draft 2025 Legislative Priorities which incorporated Council's direction from the 12/4/24 meeting. The City's lobbyist, Hayden Dempsey of Greenberg Traurig, joined the discussion remotely. A discussion ensued regarding the proposed legislative appropriations request of \$20 million for Bonita Estero Rail Trail (BERT) acquisition project, and it was decided by consensus to remove this appropriation request but keep the item as a legislative priority. Council Member Corrie inquired about the best approach to handle legislative requests of the Wonder Gardens, a lessee of the City. City Manager Hunter suggested that the Wonder Gardens should make a presentation to Council, followed by a letter of support from Council, if appropriate. Council Member Corrie motioned to approve the 2025 legislative priorities as amended during the discussion; seconded by Council Member Carr; **the motion carried unanimously.***

B. Discussion regarding the City of Bonita Springs participation with the Lee County Metropolitan Planning Organization application for SUN Trail. (Green Sheet 24-12-221)

*City Manager Hunter stated that the Lee County Metropolitan Planning Organization is applying for \$20 million in SUN Trail funding for the Phase 1 acquisition of the SGL Rail corridor. The application requires local match funding; the MPO is requesting letters of commitment of \$5 million from both the City of Bonita Springs and the Village of Estero. Council Member Corrie motioned to approve the City's \$5 million local match commitment for this application: seconded by Deputy Mayor Purdon. **The motion carried unanimously.***

C. Appointment of City Council liaisons to various boards and committees for 2025-2026.

By consensus, the discussion of City Council liaisons was deferred to the Strategic Planning Workshop which will be held in January.

D. Presentation of the Preliminary 2023-2024 Fiscal Year end Financial Report.
(Green Sheet 24-12-206)

Report accepted as filed (no formal presentation).

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

1. Informational Item: Florida Division of Emergency Management Statewide Residential Mitigation Program - Elevate Florida

Elly Soto McKuen, Senior Project Manager, presented information and answered questions from Council members.

2. Appoint a City of Bonita Springs representative to the Lee County Disaster Advisory Council.

Council approved by consensus the appointment of Senior Project Manager Elly Soto McKuen as the City's representative to the Lee County Disaster Advisory Council.

Other City Manager discussion items:

City Manager Hunter will schedule a facilitated City Council Strategic Planning session, to be held in January.

12. Mayor and Council Member Reports

Council Member Bogacz - emphasized the importance of reaching out to our elected state representatives even before the legislative session begins.

Council Member Fitzpatrick - will work with the City Manager to invite County Commissioner David Mulicka to present a state-of-the County address during the first quarter of the new year.

Deputy Mayor Purdon – emphasized the need for a Council workshop to discuss improvements to the zoning process.

Council Member Fullick - acknowledged the City's second mayor, Jay Arend, noting that although Mr. Arend was unable to attend the 25th Anniversary reception, he is watching tonight's meeting from his home.

13. Public Comment

Charles Hines - Thanked Council for supporting the Bonita Estero Rail Trail project.

14. 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. 24-108 issued on December 16, 2024
2. Resolution No. 24-118 issued on December 23, 2024
3. Resolution No. 24-121 issued on December 30, 2024
4. Resolution No. 25-001 issued on January 6, 2025

REVIEWERS:

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

CITY OF BONITA SPRINGS
RESOLUTION NO. 24-108

**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 16th day of December, 2024.

AUTHENTICATION:



Mayor



City Clerk

APPROVED AS TO FORM: 

City Attorney Office

Date filed with City Clerk: 12/16/24

CITY OF BONITA SPRINGS
RESOLUTION NO. 24-118

**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;

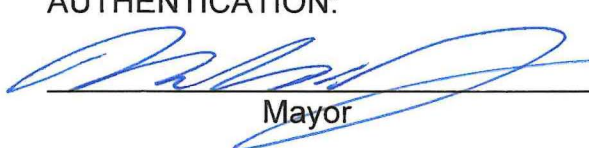
Section 1. The recitals above are hereby incorporated herein.

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 23rd day of December, 2024.

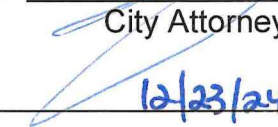
AUTHENTICATION:

Mayor City Clerk

APPROVED AS TO FORM: 

City Attorney Office

Date filed with City Clerk:  12/23/24

CITY OF BONITA SPRINGS
RESOLUTION NO. 24-121

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 30th day of December, 2024.

AUTHENTICATION:

Mayor City Clerk

APPROVED AS TO FORM: 

City Attorney Office

Date filed with City Clerk: 12/30/24

CITY OF BONITA SPRINGS
RESOLUTION NO. 25-001

**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 6th day of January, 2025.

AUTHENTICATION:

 
Mayor City Clerk

APPROVED AS TO FORM: 
City Attorney Office

Date filed with City Clerk: 1/7/25

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. 24-109 issued on December 16, 2024
2. Resolution No. 24-119 issued on December 23, 2024
3. Resolution No. 24-122 issued on December 30, 2024
4. Resolution No. 25-002 issued on January 6, 2025

REVIEWERS:

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

**CITY OF BONITA SPRINGS
RESOLUTION NO. 2024-109**

**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:

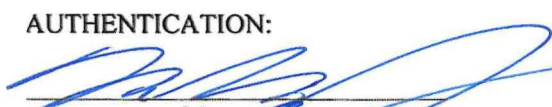
Section 1. The recitals above are hereby incorporated herein.

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 16th day of December, 2024.

AUTHENTICATION:



Mayor



City Clerk

APPROVED AS TO FORM: _____
City Attorney Office

Date filed with City Clerk: 12/16/24

**CITY OF BONITA SPRINGS
RESOLUTION NO. 2024-119**

**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:

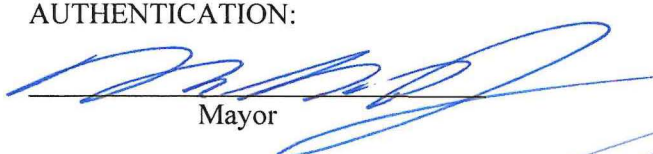
Section 1. The recitals above are hereby incorporated herein.

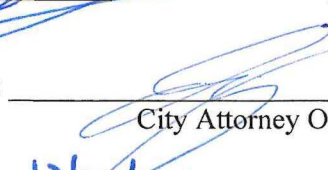
Section 2. The current State of Emergency is extended.

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 23rd day of December, 2024.

AUTHENTICATION:

 Mayor  City Clerk

APPROVED AS TO FORM:  City Attorney Office

Date filed with City Clerk: 12/23/24

**CITY OF BONITA SPRINGS
RESOLUTION NO. 2024-122**

**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 30th day of December, 2024.

AUTHENTICATION:



Mayor



City Clerk

APPROVED AS TO FORM: 

City Attorney Office

Date filed with City Clerk: 12/30/24

**CITY OF BONITA SPRINGS
RESOLUTION NO. 2025-002**

**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:

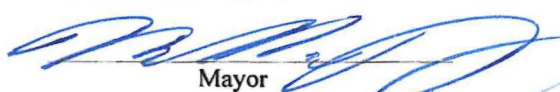
Section 1. The recitals above are hereby incorporated herein.

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 6th day of January, 2025.

AUTHENTICATION:

 Mayor  City Clerk

APPROVED AS TO FORM:  City Attorney Office

Date filed with City Clerk: 1/7/25

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. 24-110 issued on December 16, 2024
2. Resolution No. 24-120 issued on December 23, 2024
3. Resolution No. 24-123 issued on December 30, 2024
4. Resolution No. 25-003 issued on January 6, 2025

REVIEWERS:

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

**CITY OF BONITA SPRINGS
RESOLUTION NO. 2024-110**

**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.

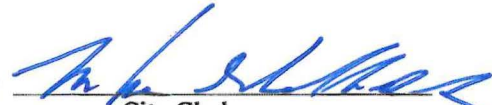
Section 3. This Resolution shall take effect immediately upon adoption. Consistent with Florida Statutes §252.38(3), the duration of this state of emergency declared locally is limited to 7 days and may be extended, as necessary, in 7-day increments.

DULY PASSED AND ENACTED by the Mayor of the City of Bonita Springs, Lee County, Florida this 16th day of December 2024

AUTHENTICATION:



Mayor



City Clerk

APPROVED AS TO FORM: _____
City Attorney Office

Date filed with City Clerk: 12/16/24

**CITY OF BONITA SPRINGS
RESOLUTION NO. 2024-120**

**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:

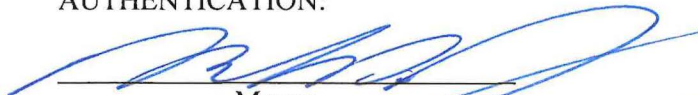
Section 1. The recitals above are hereby incorporated herein.

Section 2. The current State of Emergency is extended.

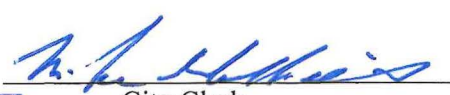
Section 3. This Resolution shall take effect immediately upon adoption. Consistent with Florida Statutes §252.38(3), the duration of this state of emergency declared locally is limited to 7 days and may be extended, as necessary, in 7-day increments.

DULY PASSED AND ENACTED by the Mayor of the City of Bonita Springs, Lee County, Florida this 23rd day of December 2024

AUTHENTICATION:



Mayor



City Clerk

APPROVED AS TO FORM: _____
City Attorney Office

Date filed with City Clerk: 12/23/24

**CITY OF BONITA SPRINGS
RESOLUTION NO. 2024-123**

**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 30th day of December 2024

AUTHENTICATION:



Mayor



City Clerk

APPROVED AS TO FORM: _____
City Attorney Office

Date filed with City Clerk: 12/30/24

**CITY OF BONITA SPRINGS
RESOLUTION NO. 2025-003**

**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 6th day of January 2025.

AUTHENTICATION:

 Mayor  City Clerk

APPROVED AS TO FORM: _____

City Attorney Office

Date filed with City Clerk: 1/7/25

ITEM TITLE: Approve a Resolution appointing a chairperson to each of the City's advisory boards and committees.

REQUESTOR: Mayor Mike Gibson; City Clerk Mike Sheffield

AGENDA SECTION: Consent

STRATEGIC PRIORITY: N/A

BACKGROUND:

Rule 4.01(C) of the Administrative Code for Advisory Boards states that in January of each year, the Mayor shall appoint a chairperson of each Board and Committee from among the membership.

The below listed individuals served as chairpersons in 2024, and each has expressed an interest in continuing to serve in that capacity. Appointments shall commence upon approval of the Resolution and expire December 31, 2025.

Melissa Layner:	Art in Public Places Board
Lindsey Robin:	Bicycle Pedestrian Safety Advisory Committee
Alan Glazier:	Historic Preservation Board
Steve Lohan:	Local Planning Agency
Michael Robinson:	Outreach Advisory Committee
Bobbi Bird:	Special Events Committee
David Schmitt:	Street Light Advisory Committee
Jim Kauffman:	Technology Advisory Board
Jack Brown	Tree Advisory Board
Bobby Hunter:	Veterans Advisory Board
Anthony Rascio:	Zoning Board/Board for Land Use Hearings & Adjustments

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 25 -

A RESOLUTION OF THE CITY OF BONITA SPRINGS, FLORIDA; APPOINTING A CHAIR TO THE FOLLOWING BOARDS AND COMMITTEES: ART IN PUBLIC PLACES BOARD; BICYCLE PEDESTRIAN SAFETY ADVISORY COMMITTEE; HISTORIC PRESERVATION BOARD; LOCAL PLANNING AGENCY, OUTREACH ADVISORY COMMITTEE; SPECIAL EVENTS COMMITTEE; STREET LIGHT ADVISORY COMMITTEE; TECHNOLOGY ADVISORY BOARD; TREE ADVISORY BOARD; VETERANS ADVISORY COMMITTEE, AND THE BOARD FOR LAND USE HEARINGS & ADJUSTMENTS & ZONING BOARD OF APPEALS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Rule 4.01(C) of Administrative Code AC-1-6, states that the Mayor shall appoint the Chair annually from the members of the Board in January of each year; and

WHEREAS, Rule 4.01(D) states that a Vice Chair shall be elected by the other members of the Advisory Committee or Board; and

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

Section 1. The following persons are hereby appointed as Chairs to the following Committees/Boards:

Melissa Layner:	Art in Public Places Advisory Board
Lindsey Robin:	Bicycle Pedestrian Safety Advisory Committee
Alan Glazier:	Historic Preservation Board
Steve Lohan:	Local Planning Agency
Michael Robinson:	Outreach Advisory Committee
Bobbi Bird:	Special Events Committee
David Schmitt:	Street Light Advisory Committee
Jim Kauffman:	Technology Advisory Board
Jack Brown	Tree Advisory Board
Bobby Hunter:	Veterans Advisory Board
Anthony Rascio:	Zoning Board/Board for Land Use Hearings & Adjustments

Section 2. Said appointments shall commence upon adoption of this Resolution and expire December 31, 2025.

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 15th day of January 2025.

AUTHENTICATION:

Mayor

City Clerk

APPROVED AS TO FORM: _____
City Attorney's Office

Date filed with the City Clerk _____

ITEM TITLE: Approve a Resolution for a Budget Amendment to carryover prior year unspent capital budget amounts into fiscal year 2024-2025.

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

AGENDA SECTION: Consent

STRATEGIC PRIORITY: 7) Government Transparency

BACKGROUND:

As outlined in section 47 of the City Charter, capital expenditure appropriations do not lapse at the end of the fiscal year; therefore, a budget amendment is presented to carry forward funding not expended in the prior year.

The budget amounts to be carried forward from fiscal year 2024-2025 are adjustments for the timing of capital projects and capital outlay expenditures and do not constitute an increase in the total projects budget.

STAFF RECOMMENDATION: Approve resolution.

ATTACHMENTS:

1. Resolution

REVIEWERS:

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

CITY OF BONITA SPRINGS, FLORIDA
RESOLUTION NO. 25-

A RESOLUTION OF THE CITY OF BONITA SPRINGS, FLORIDA;
APPROVING BUDGET AMENDMENT TO CARRYOVER PRIOR YEAR
UNSPENT CAPITAL BUDGET AMOUNTS; AND PROVIDING FOR AN
EFFECTIVE DATE.

WHEREAS, on September 18, 2024, the City of Bonita Springs adopted the budget for the fiscal year ending September 30, 2025; and

WHEREAS, as outlined in section 47 of the City Charter, capital expenditure appropriations do not lapse at the end of the fiscal year, therefore a budget amendment is required to incorporate amounts not expended in the prior fiscal year into the current fiscal year ending September 30, 2025; and

WHEREAS, the budget amounts to be carried forward from fiscal year 2022-2023 are adjustments for the timing of capital projects and capital outlay expenditures and do not constitute an increase in the total project budget; and

WHEREAS, funding for the budget amendment was originally provided in the prior year budget and these unspent amounts are available to fund the capital carryovers in fiscal year ending September 30, 2025.

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

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

2. The Bonita Springs' City Council authorizes a budget amendment for capital expenditure carryover amounts into the budget for the fiscal year ending September 30, 2025, totaling \$114,954,176 as outlined on Attachment #1 to this Resolution.

3. Effective date. This Resolution shall become effective immediately upon its adoption by City Council.

DULY PASSED AND ENACTED by the City Council of the City of Bonita Springs, Lee County, Florida, this 8th day of January 2025.

AUTHENTICATION:

Mayor

City Clerk

APPROVED AS TO FORM: _____

City Attorney Office

Date filed with City Clerk: _____

Resolution Budget Amendment Carryover Attachment A. January 15, 2025										
		Capital								
		Carryover								
		Budget	General				Road Impact	Park Impact	Stormwater	Building
		Amendment	Fund	Gas Tax	Grants		Fees	Fees	Fee	Fees
										BSU
										Funding
00.250.541.6400	Capital Outlay	77,579	77,579							
00.401.513.6400	Capital Outlay	6,451	6,451							
00.501.513.6400	Capital Outlay	109,178	109,178							
00.601.572.6400	Capital Outlay	20,000	20,000							
00.602.572.6400	Capital Outlay	14,496	14,496							
00.603.572.6400	Capital Outlay	3,882	3,882							
00.604.572.6400	Capital Outlay	19,107	19,107							
00.604.572.6401	Capital Outlay	1,604	1,604							
00.604.572.6402	Capital Outlay	32,500	32,500							
00.605.572.6400	Capital Outlay	10,804	10,804							
00.605.572.6401	Capital Outlay	20,000	20,000							
00.605.572.6402	Capital Outlay	1,185	1,185							
00.611.572.6400	Capital Outlay	15,000	15,000							
00.615.572.6400	Capital Outlay	5,000	5,000							
00.621.572.6400	Capital Outlay	4,281	4,281							
00.624.572.6400	Capital Outlay	24,850	24,850							
	Fd 00 Capital Projects for Carryover	365,917	365,917	-	-	-	-	-	-	-
30.000.519.6000	Exotic Removal of FPL ROW Path	10,500	10,500							
30.000.537.6105	Environmentally Sensitive Land Acquisition	600,000	600,000							
30.000.537.6305	S. Bonita Beach Ian Restoration	4,450,091			4,450,091	13.705.3345005/13.705.581.0530				
30.240.513.6400	Comm Dev.Bldg Permits Tech Enhancement	642,795							642,795	
30.240.513.6401	Technology Equip. Replacement Reserve	203,077	203,077							
30.240.513.6402	Backups for Server Data	14,812	14,812							
30.240.539.6354	Technology Infrastructure Planning	250,000	250,000		-					
30.250.535.6301	Lakes of San Souci Sewer Project	1,900,000	475,000		950,000	13.705.3313501/13.705.581.0130				475,000
30.250.535.6302	Sun Village Sewer Project	4,100,000	1,025,000		2,050,000	13.705.3313502/13.705.581.0230				1,025,000
30.250.538.6108	Acquisition/Demo PDM Home Buy Out	3,931,940	386,473		3,545,467	13.705.345003/13.705.581.0330				
30.250.538.6110	Quinn/Downs/Dean Buyout Program	1,222,953	1,127,938		95,015	13.707.3315011/13.707.581.0030				
30.250.538.6215	Equipment Storage Facility	350,000	350,000		-			-		
30.250.538.6806	Pine Lake Preserve	76,200			76,200	13.705.3343951/13.705.581.0030				-
30.250.538.6807	Logan Blvd Floodway/Drainage	198,832	145,539		53,293	13.705.3343950/13.705.581.0030				
30.250.538.6809	Flood Imp-Sprg Ck BS Golf Course	17,187,716	8,287,716	-	5,400,000	13.705.3345004/13.705.581.0430			3,500,000	
30.250.538.6810	Quinn/Downs/Dean West of Imperial Drain	10,578,088	-	-	10,578,088	13.707.3315012/13.707.581.0030				
30.250.538.6811	Felts Ave Bio-Reactor Phase II	311,022	311,022	-	-					
30.250.538.6813	Citrus Park Drainage Project PH I	100,222	-		100,222	13.705.3313954/13.705.581.0030				
30.250.541.3100	Mobility Plan	500,000	-		500,000	13.707.3317004/13.707.581.0430				
30.250.541.6300	Minor Road & Drainage Improvements	256,327	254,240	2,087		-	-			
30.250.541.6308	Asphalt Overlays	1,000,000	-	1,000,000						
30.250.541.6310	FDOT Pond on Arroyal Rd	87,168	87,168	-						
30.250.541.6317	Bonita Bch Rd/US 41 Quadrant	8,943,658	4,867	-	-	8,890,022	48,769			
30.250.541.6318	Bonita Bch Rd Vision Implementation	859,511	859,511	-		-	-			
30.250.541.6319	Roadway Restriping	350,102	-	350,102		-	-			
30.250.541.6323	W. Terry St. Multi-Use Pathway	1,895,044	174,715	899,988		137,240	683,101			
30.250.541.6324	Sun Trail	4,983,662	-	-		4,933,662	50,000			
30.250.541.6327	Goodwin St Sidewalks & Drainage Improv	5,529,742	1,492,220	5,050		4,032,472	-			
30.250.541.6328	Decorative Streetlight Conversion to LED	18,870	-	18,870		-	-			
30.250.541.6331	Pine Ave Multi-Use Pathway	743,080	-	-	-	743,080				-
30.250.541.6337	Dean St Sidewalks/Infras Mosaic Comm	141,843	141,843							-
30.250.541.6338	W Terry St South Side Sidewalk	621,095	-			571,753	49,342			
30.250.541.6342	Traffic Calming	135,000		135,000						
30.250.541.6343	Bridge Maintenance	35,218		35,218			-			
30.250.541.6346	Old 41 & Strike Lane Intersection Improve	996,596	415,000			581,596				
30.250.541.6347	Old 41 & BB Rd Quadrant	3,182,241				3,182,241				
30.250.541.6348	Rosemary Drive Multi Pathway	1,859,030	13.707.3315008/ 13.707.581.0830		328,655	1,530,375				
30.250.541.6349	Forrester Drive Drainage	600,228	600,228	-						
30.250.541.6357	Old 41 Bike Pedestrian Improvements	100,000	100,000							
30.250.541.6358	Paradise Road Bike Ped Improvements	300,000	-			300,000				
30.250.541.6364	E Terry St Multi-Use Pathway	15,554,834			15,554,834	13.707.3315001/13.707.5810130				
30.250.541.6906	Median Landscape Enhancement	761,111	761,111							
30.270.519.4910	Highway Monument/Welcome Signs	1,303,795	1,303,795							
30.270.519.4911	Urban Design	433,689	433,689							
30.270.519.4912	Goodbread Grocery	498,097	498,097							
30.270.519.4920	Flagpole along I-75	90,000	90,000							
30.270.519.4924	City Facilities Major Repairs	2,373,241	2,373,241							
30.270.519.4927	City Facilities Security Upgrades	9,578	9,578							
30.270.519.4935	City Hall Generator Replacement	198,364	198,364							
30.270.519.4936	City Hall Sewer Lateral Repair Asphalt O	5,507	5,507							
30.270.519.6365	BB Rd/Imp Pkwy Gateway Feature	538,000	538,000							
30.270.519.6400	Vehicle Major Repairs & Replacement Re	46,889	46,889							
30.270.519.6401	City Hall & Liles Hotel Elevators	16,930	16,930							
30.270.541.6322	US 41 Bridge Beautification	114,000	114,000							
30.270.545.6355	Parking Garage Feasibility	50,000	50,000				-			
30.270.572.6000	Leitner Creek Soccer Complex	3,662,869	2,900,000				762,869			
30.270.572.6360	City Wide Park Lighting-LED Conversion	118,500	118,500							
30.270.573.4928	Acquisition of Public Art	188,000	188,000							
30.270.575.6014	Everglades Wonder Gardens Cafe' Upgra	99,684	99,684							
30.402.513.6400	Cameras - City Hall Chambers	1,663	1,663							
30.601.572.3100	Park Master Plan Update	499,600	-		499,600	13.707.3317003/13707.581.0330				

Resolution Budget Amendment Carryover Attachment A. January 15, 2025										
		Capital								
		Carryover								
		Budget	General			Road Impact	Park Impact	Stormwater	Building	BSU
		Amendment	Fund	Gas Tax	Grants	Fees	Fees	Fee	Fees	Funding
30.603.572.6008	Comm Park Parking Improvements	100,733	100,733							
30.603.572.6015	Baseball Complex Master Plan	1,141,570	1,141,570							
30.603.572.6350	Community Park Tennis Court Resurface	58,360	58,360							
30.603.572.6361	Community Park Playground Improverment	74,015	74,015							
30.604.572.6001	Fountain Improvements	100,000	100,000							
30.605.572.6009	Riverside/Depot Parking Lot	64,462	64,462				-			
30.605.572.6013	Bandshell Area Improvements	36,009	36,009							
30.605.572.6351	Depot Park Playground Expansion	250,000	250,000							
30.605.572.6356	Island Park Entrance Improvements	525,973	-				525,973			
30.605.572.6359	Bandshell Artificial Turf Sidewalk Pavers	355,275	355,275							
30.609.572.6025	Former Community Hall & Banyan Tree F	192,249	192,249				-			
30.610.572.6016	Dog Park Shade Structure	14,653	-				14,653			
30.610.572.6021	Dog Park Trail Overlay	45,000	45,000							
30.611.537.6000	Beach Renourishment	870,107	870,107				-			
30.612.572.6909	Hickory Blvd N & Circle Landscaping	70,173	70,173							
30.613.572.6029	Sealcoating Soccer Complex Parking	4,159	4,159							
30.613.572.6032	Soccer Complex Consession & Restroom	2,896	2,896							
30.615.572.6019	Liler Hotel Roof Replacement & Stucco	36,286	36,286							
30.615.572.6200	Liles Hotel & Plaza Wall Exterior Painting	90,210	90,210							
30.620.572.6028	Sealcoating Marni Fields Parking	9,780	9,780							
30.620.572.6352	Marni Fields Improvements	216,421	216,421							
30.628.572.6001	Leitner Creek Soccer Improvements	60,250	60,250							
30.631.572.6210	Former Library Building	1,059,460	1,059,460							
	Fd 30 Capital Projects for Carryover	111,209,055	31,901,332	2,446,315	44,181,465	24,902,441	2,134,707	3,500,000	642,795	1,500,000
31.000.552.6311	Downtown Redevelopment	78,381	78,381							
31.602.572.6000	Recreation Center Improvements	500,000	200,000				300,000			
31.604.572.6002	Community Aquatic Facility Expansion	2,625,128	1,579,126				1,046,002			
31.605.572.6008	Skate Park	116,293	101,349				14,944			
31.610.572.6005	Additional Trails/Entrance	2,608	-				2,608			
31.621.572.6007	River Prk-US 41	47,155	36,500		-		10,655			
	Fd 31 Capital Projects for Carryover	3,369,565	1,995,356	-	-	-	1,374,209		-	-
Grants Revenue Carryover/Funding Increases										
13.707.5728200	Covid-19 Food Insecurity (no City Match)	9,639			9,639	13.707.3316200				
	Fd 13 Grant Funds Carryover	9,639	-	-	9,639	-	-	-	-	-
	Capital Carryover All Funds	114,954,176	34,262,605	2,446,315	44,191,104	24,902,441	3,508,916	3,500,000	642,795	1,500,000

REQUESTED MOTION: Approve Resolution awarding Demolition Services Contractor RFB 24-16 to the lowest responsive, responsible bidder, HONC Destruction, Inc., at the unit prices included within their bid submittal, upon approval of all documentation.

REQUESTOR: Elly Soto McKuen, Senior Project Manager

AGENDA: Consent

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

BACKGROUND: November 19, 2024 – City staff advertised for sealed bids for a Demolition Services Contractor RFB 24-16 on November 19, 2024 and received two (2) sealed bids on December 19, 2024.

Bid Tabulation

Item	Description	HONC Destruction	Florida Marine Contracting and Recovery
1	Demolish Wood Frame Structure – As outlined in the Scope of Work in the RFB	\$ 2.10/SF	\$ 4.50/LS
2	Demolish Concrete Block Structure – As outlined in the Scope of Work in the RFB	\$ 2.50/SF	\$ 6.50/SF
3	Asbestos Survey	\$ 2,000.00/LS	\$ 950.00/LS
4	Asbestos Abatement	\$ 3.75/SF	\$ 12.50/SF
5	Installation of Silt Fence	\$ 1.50/LF	\$ 3.00/LF
6	Concrete and/or Asphalt Flatwork (slabs, footers, foundations, driveway, walkways, etc.)	\$ 3.00/CY	\$ 90.00/CY
7	Septic Tank and Appurtenances Removal	\$ 600.00/LS	\$ 6,500.00/LS
8	Wells on site – Grouted (unusable)	\$ 2,000.00/LS	\$ 250.00/LS
9	Loading, transporting, and disposing of demolition debris at an approved landfill (Tonnage based on individual weight tickets from disposal site)	\$ 150.00/Ton	\$ 150.00/Ton
		\$ 30.00/CY	No bid
10	Restoration of Natural Ground after removal of all debris, appurtenances, and foundation. Restoration shall include fill, grade, furnish and install Rye and Bahia or any seasonal mix	\$ 0.45/SF	\$ 2.00/SF

STAFF RECOMMENDATION: Accept lowest responsive, responsible bid from Honc Destruction, Inc. at the unit prices included within their bid submittal for Demolition Services Contractor.

ATTACHMENTS:

1. Resolution
2. Bid Comparison

REVIEWERS:

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

CITY OF BONITA SPRINGS, FLORIDA
RESOLUTION NO. 25 - XX

A RESOLUTION OF THE CITY OF BONITA SPRINGS, FLORIDA APPROVING A
RECOMMENDATION OF AWARD TO HONC DESTRUCTION, INC. FOR DEMOLITION
SERVICES CONTRACTOR AND AUTHORIZE THE MAYOR TO EXECUTE THE
AGREEMENT WITH THE AWARDED FIRM.

WHEREAS, on December 19, 2024, the City received two (2) submittals in response to
the City's Request for Bids for Demolition Services Contractor (RFB 24-16); and

WHEREAS, on January 7, 2025, the Public Works Department reviewed the bids
submitted and recommended award to the lowest responsive, responsible bidder, HONC
Destruction, Inc.

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 HONC Destruction,
Inc. for Demolition Services Contractor 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 XX day of XXXX, 2025.

AUTHENTICATION:

Mayor Mike Gibson

City Clerk

APPROVED AS TO FORM: _____
City Attorney's Office

Vote:

Bogacz	Gibson
Purdon	Fullick
Carr	Fitzpatrick
Corrie	

Date filed: _____

EXHIBIT A

Item	Description	HONC Destruction	Florida Marine Contracting
1	Demolish Wood Frame Structure – As outlined in the Scope of Work in the RFB	\$ 2.10/SF	\$ 4.50/LS
2	Demolish Concrete Block Structure – As outlined in the Scope of Work in the RFB	\$ 2.50/SF	\$ 6.50/SF
3	Asbestos Survey	\$ 2,000.00/LS	\$ 950.00/LS
4	Asbestos Abatement	\$ 3.75/SF	\$ 12.50/SF
5	Installation of Silt Fence	\$ 1.50/LF	\$ 3.00/LF
6	Concrete and/or Asphalt Flatwork (slabs, footers, foundations, driveway, walkways, etc.)	\$ 3.00/CY	\$ 90.00/CY
7	Septic Tank and Appurtenances Removal	\$ 600.00/LS	\$ 6,500.00/LS
8	Wells on site – Grouted (unusable)	\$ 2,000.00/LS	\$ 250.00/LS
9	Loading, transporting, and disposing of demolition debris at an approved landfill (Tonnage based on individual weight tickets from disposal site)	\$ 150.00/Ton	\$ 150.00/Ton
		\$ 30.00/CY	No bid
10	Restoration of Natural Ground after removal of all debris, appurtenances, and foundation. Restoration shall include fill, grade, furnish and install Rye and Bahia or any seasonal mix	\$ 0.45/SF	\$ 2.00/SF



BID OPENING – TABULATION SHEET

BID NO.: RFB 24-16 BID TITLE: Demolition Services Contractor

OPENING DATE: December 19, 2024 TIME: 2:00 P.M.

OPENED BY: Mike Sheffield, City Clerk

Item	Description	HONC Destruction	Florida Marine Contracting and Recovery
1	Demolish Wood Frame Structure – As outlined in the Scope of Work in the RFB	\$ 2.10/SF	\$ 4.50/LS
2	Demolish Concrete Block Structure – As outlined in the Scope of Work in the RFB	\$ 2.50/SF	\$ 6.50/SF
3	Asbestos Survey	\$ 2,000.00/LS	\$ 950.00/LS
4	Asbestos Abatement	\$ 3.75/SF	\$ 12.50/SF
5	Installation of Silt Fence	\$ 1.50/LF	\$ 3.00/LF
6	Concrete and/or Asphalt Flatwork (slabs, footers, foundations, driveway, walkways, etc.)	\$ 3.00/CY	\$ 90.00/CY
7	Septic Tank and Appurtenances Removal	\$ 600.00/LS	\$ 6,500.00/LS
8	Wells on site – Grouted (unusable)	\$ 2,000.00/LS	\$ 250.00/LS
9	Loading, transporting, and disposing of demolition debris at an approved landfill (Tonnage based on individual weight tickets from disposal site)	\$ 150.00/Ton	\$ 150.00/Ton
		\$ 30.00/CY	No bid
10	Restoration of Natural Ground after removal of all debris, appurtenances, and foundation. Restoration shall include fill, grade, furnish and install Rye and Bahia or any seasonal mix	\$ 0.45/SF	\$ 2.00/SF

ITEM TITLE: Approve a Resolution to engage four (4) firms on a continuing services basis for the City's Independent Peer Review Services (RFQ 24-15) and authorize staff to enter into negotiations with the firms selected.

REQUESTOR: Elly Soto McKuen, Senior Project Manager

AGENDA SECTION: Consent

STRATEGIC PRIORITY: 1) Stormwater Management, 2) Transportation, 4) Environmental Protection

BACKGROUND:

On December 5, 2024, the City received four (4) sealed responses for Independent Peer Review Services RFQ 24-15.

On January 8, 2025, the Selection Committee met to evaluate the submittals. After review, the committee recommended four (4) firms to provide professional services to the City. Listed in no particular order, these firms are:

- NATIVetec
- American Structurepoint
- BCC Engineering
- Patel Greene & Associates

STAFF RECOMMENDATION: Staff recommends award of Independent Peer Review Services to the four (4) above-referenced firms.

ATTACHMENTS:

1. Resolution

REVIEWERS:

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

CITY OF BONITA SPRINGS, FLORIDA
RESOLUTION NO. 25 - XX

A RESOLUTION OF THE CITY OF BONITA SPRINGS, FLORIDA APPROVING THE SELECTION COMMITTEE'S RECOMMENDATION TO ENGAGE FOUR (4) FIRMS FOR THE CITY'S INDEPENDENT PEER REVIEW SERVICES RFQ 24-15 AND AUTHORIZE STAFF TO ENTER INTO NEGOTIATIONS WITH THE FOUR (4) FIRMS SELECTED.

WHEREAS, the City advertised for Independent Peer Review Services and received four (4) qualified and experienced submittals; and

WHEREAS, the Selection Committee met and selected the following firms:

- NATIVetec, LLC
- American Structurepoint, Inc.
- BCC Engineering, LLC
- Patel, Greene & Associates

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 engage the four (4) firms enumerated above for the City's Independent Peer Review Services RFQ 24-15.

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 15 day of January, 2025.

AUTHENTICATION:

Mayor Mike Gibson

City Clerk

APPROVED AS TO FORM: _____
City Attorney's Office

Vote:

Bogacz	Gibson
Purdon	Fullick
Carr	Fitzpatrick
Corrie	

Date filed: _____

REQUESTED MOTION: (FIRST READING) AN ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA, AMENDING THE BONITA SPRINGS CITY CODE, CHAPTER 10 – BUILDINGS AND BUILDING REGULATIONS, AND CHAPTER 24 – FLOOD HAZARD REDUCTION, TO CLARIFY AND UPDATE DEFINITIONS AND REGULATIONS AS NECESSARY TO REMAIN IN THE NATIONAL FLOOD INSURANCE PROGRAM AS APPLIED TO EXISTING BUILDINGS SPECIAL FLOOD HAZARD AREAS; PROVIDING FOR CONFLICTS OF LAW, SEVERABILITY, CODIFICATION AND SCRIVENER’S ERRORS, AND AN EFFECTIVE DATE.

REQUESTOR: Ayita W. Lonergan, Floodplain Manager

AGENDA: Public Hearings

STRATEGIC PRIORITY: #1 Improve Water Management; #7 Government Transparency

BACKGROUND: As discussed at the November 6, 2024 City Council meeting, this request is to update the existing definition of Repetitive Loss to the current standard language as defined by FEMA.

This is the first reading and public hearing where the title block is read into the record. The second hearing is tentatively scheduled for February 5, 2025.

STAFF RECOMMENDATION: Move to the Second Reading.

ATTACHMENTS:

1. Draft Ordinance

REVIEWERS:

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

CITY OF BONITA SPRINGS, FLORIDA

ORDINANCE NO. 24 –

AN ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA, AMENDING THE BONITA SPRINGS CITY CODE, CHAPTER 10 – BUILDINGS AND BUILDING REGULATIONS, AND CHAPTER 24 – FLOOD HAZARD REDUCTION, TO CLARIFY AND UPDATE DEFINITIONS AND REGULATIONS AS NECESSARY TO REMAIN IN THE NATIONAL FLOOD INSURANCE PROGRAM AS APPLIED TO EXISTING BUILDINGS SPECIAL FLOOD HAZARD AREAS; PROVIDING FOR CONFLICTS OF LAW, SEVERABILITY, CODIFICATION AND SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

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

WHEREAS, the City Council desires to streamline, clarify, and otherwise update provisions of the Bonita Springs City Code; and

WHEREAS, Lee County was accepted for participation in FEMA's National Flood Insurance Program on September 19, 1984 and the City of Bonita Springs, which incorporated on December 31, 1999, and was accepted for participation in the National Flood Insurance Program on August 16, 2022, and desires to continue to meet the requirements of Title 44 Code of Federal Regulations, Parts 59 and 60, necessary for such participation; and

WHEREAS, Chapter 553, Part IV, Florida Statutes, established the state-wide unified building code known as the *Florida Building Code*; and

WHEREAS, Section 553.73 Florida Statutes, allows for local administrative and technical amendments to the *Florida Building Code* that provide for more stringent requirements than those specified in the Code and allows adoption of local administrative and local technical amendments to the Florida Building Code to implement the National Flood Insurance Program and incentives; and

WHEREAS, the City Council previously adopted certain local requirements, and pursuant to Section 553.73(5), Florida Statutes, the City Council now desires to further amend those requirements to conform with the *Florida Building Code*; and

WHEREAS, the City Council finds that the fiscal impact of this Ordinance is negligible because all development has been subject to the requirements of the local floodplain management ordinance adopted for participation in the National Flood Insurance Program, and there will be continued cost savings and benefits relating to flood insurance for our residents; and

WHEREAS, the City Council has determined that it is in the public interest to adopt the proposed local technical amendments to the *Florida Building Code* and the proposed amendments are not more stringent than necessary to address the need identified, do not

discriminate against materials, products or construction techniques of demonstrated capabilities, are in compliance with Section 553.73(4), Florida Statutes; and

WHEREAS, pursuant to the Article VIII of the Florida Constitution, the City of Bonita Charter and Section 166.021, Florida Statutes, the City Council is authorized to adopt ordinances necessary for the exercise of its powers in for health, safety, and general welfare; and

WHEREAS, the City Council has determined that it is in the best interests and welfare of the City of Bonita Springs and its residents to enact this Ordinance.

THE CITY OF BONITA SPRINGS HEREBY ORDAINS:

Section 1. Recitals Adopted.

That each of the above stated recitals is hereby adopted as legislative findings of the City Council and confirmed as being true, and the same are hereby incorporated as a part of this Ordinance.

Section 2. Amending Bonita Springs Code

The Bonita Springs City Code is hereby amending the pertinent provisions of Chapter 10 – Buildings and Building Regulations, and Chapter 24 – Flood Hazard Reduction, with deletions depicted with ~~strike throughs~~ and underlined language as additions, as follows:

Sec.10-22 Florida Building Code Amendments.

- (a) Definitions. The *Florida Building Code*, Building and *Florida Building Code*, Existing Building, are hereby amended by the following technical amendments to the definitions.

~~*Repetitive loss* means flood-related damage sustained by a structure on two separate occasions during a ten-year period for which the cost of repairs at the time of each flood event, on the average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.~~

~~*Substantial damage.* Damage of any origin sustained by a building or structure whereby the cost of restoring the building or structure to its before-damaged condition would equal or exceed 50 percent of the market value of the building or structure before the damage occurred. The term also includes buildings and structures that have experienced repetitive loss.~~

Sec. 24-24. Substantial improvement and substantial damage determinations.

For applications for building permits to improve buildings and structures, including alterations, movement, enlargement, replacement, repair, change of occupancy, additions, rehabilitations, renovations, substantial improvements, repairs of substantial damage, and any other improvement of or work on such buildings and structures, the floodplain administrator shall:

- (1) Estimate the market value, or require the applicant to obtain an appraisal of the market value prepared by a qualified independent appraiser, of the building or structure before the start of construction of the proposed work; in the case of repair, the market value of the building or structure will be the market value before the damage occurred and before any repairs are made;
- (2) Compare the cost to perform the improvement, the cost to repair a damaged building to its pre-damaged condition, or the combined costs of improvements and repairs, as applicable, to the market value of the building or structure;
- (3) Determine and document whether the proposed work constitutes substantial improvement or repair of substantial damage; the determination requires evaluation of previous permits issued for improvements and repairs as specified in the definition of "substantial improvement" ~~and previous permits issued for repair of flood-related damage~~; and
- (4) Notify the applicant if it is determined that the work constitutes substantial Improvement or repair of substantial damage and that compliance with the flood resistant construction requirements of the Florida Building Code and this article is required.

Sec. 24-79. Definitions.

Repetitive loss means flood-related damage sustained by a structure on two separate occasions during a ten-year period for which the cost of repairs at the time of each flood event, on the average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.

Substantial damage. Damage of any origin sustained by a building or structure whereby the cost of restoring the building or structure to its before-damaged condition would equal or exceed 50 percent of the market value of the building or structure before the damage occurred. ~~The term also includes buildings and structures that have experienced repetitive loss.~~

Section 3. Severability

The provisions of this Ordinance are severable, and it is the intention to confer the whole or any part of the powers herein provided for. If any part of this Ordinance is found to be invalid, preempted, or otherwise superseded, the remainder shall nevertheless be given full force and effect to the extent permitted by the severance of such invalid, preempted, or superseded part as if adopted with such part had not been included herein.

Section 4. Conflicts of Law

This Ordinance shall supersede any ordinances in conflict herewith to the extent that such conflict exists. Whenever the requirements or provisions of this Ordinance are in conflict with the requirements or provisions of the requirements of state or federal law, the more restrictive shall apply.

Section 5. **Codification and Scrivener's Errors**

It is the intention of the City Council that the provisions of this Ordinance shall become and be made part of the Bonita Springs Code; that sections of this Ordinance may be renumbered or re-lettered and that the word "ordinance" may be changed to "section", "article", or such other appropriate word or phrase in order to accomplish such intention; and that any typographical errors which do not affect the intent may be authorized by the City Manager without need of public hearing, by filing a corrected copy with the City Clerk. It is further the intent of the City Council that the provisions of this Ordinance may be modified as a result of consideration that may arise during public hearing(s) and that such modifications shall be incorporated into the final version.

Section 6. **Effective Date**

This Ordinance shall be effective immediately upon its adoption.

DULY PASSED AND ADOPTED BY THE CITY COUNCIL of the City of Bonita Springs, Florida this _____ day of _____, 2025.

Attest:

CITY OF BONITA SPRINGS, FLORIDA

By: _____
City Clerk

By: _____
Mayor

Reviewed for legal sufficiency:

By: _____
City Attorney

Vote:

Carr
Purdon
Fitzpatrick
Gibson

Corrie
Fullick
Bogacz

Date filed with City Clerk: _____

ITEM TITLE: Appoint a member to the Technology Advisory Board.

REQUESTOR: Council Member Chris Corrie

AGENDA SECTION: Mayor and Council Items

STRATEGIC PRIORITY: #7 Government Transparency

BACKGROUND:

In 2012, City Council established the Technology Advisory Board (Resolution 12-31) as a committee charged with researching and advising City Council on technology related infrastructure, programs, projects, and activities. The Technology Advisory Board consists of seven members, each appointed for a term of one-year.

There is currently one (1) vacancy on the Technology Advisory Board. The City Clerk received two applications (attached) during the past 12 months from the following residents interested in serving on the Technology Advisory Board: Richard Baier and David Shellenbarger.

STAFF RECOMMENDATION: Appoint one (1) member to the Technology Advisory Board.

ATTACHMENTS:

1. Application - Richard Baier
2. Application - David Shellenbarger
3. Draft Resolution

REVIEWERS:

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

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 # 5

DATE: 1/24/24

Please Complete All Sections		
NAME:	<u>Baier</u>	<u>Richard</u>
	Last	First
		Middle Initial <u>J</u>
RESIDENCE ADDRESS:		
<u>27081 Harbor Dr</u>	<u>Bonita Springs</u>	<u>34135</u>
Street	City	Zip Code
BUSINESS ADDRESS:		
<u>N/A</u>		
Street	City	Zip Code
MAILING ADDRESS:		
<u>See Above</u>		
Street	City	Zip Code
PHONE NO.	CELL PHONE #	<u>352 446 7735</u>
	Home	Business
E-MAIL ADDRESS: <u>Richardbaier@aol.com</u>		
FAX: <u>N/A</u>		

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

Technical Advisory, Outreach and Tree Comm / Bds.
NAME OF ADVISORY COMMITTEES

OCCUPATION: Retired - Local govt Administrator, PW Director AND city eng.

CIVIC/PROFESSIONAL ACCOMPLISHMENTS/OFFICES HELD:

District MGR OF THE VILLAGES FL, Asst County Adm Sumter Co BOCC,
Transp + Env Serv Director Alexandria VA, PW DIRECTOR CLEARWATER FL,

Do you reside in Bonita Springs?

☒ Yes
☐ No

MPO TAC Chair
Staff to Env Policy Comm., Transp Comm
P+2 Bd.

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

My qualifications to be eligible are as follows:

See resume'

*DISTRICT MGR FOR 1340 FTE and 405M Budget, Retired Prof Eng / LEED AP STAFF
TO ENV Policy Commission CLEARWATER + ALEX, LSMPO TAC CHAIR, HISTORIC BD STAFF CLEARWATER
AL*

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

1/24/24
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**

RICHARD J. BAIER, P.E., LEED AP

9760 Natura Blvd.

Bonita Springs, Florida 34135

Cell: 352 446 7735

richardbaier@aol.com

Summary of Qualifications

An executive manager having demonstrated abilities to coordinate finance and program design for large capital projects, backed by strong communication, construction management and negotiation skills.

Project Results in
the following areas:

- Fiscal Management/Grant Acquisition
- Long-Range Transportation Planning and Execution of Projects
- Environmental Management
- Civil/Municipal Engineering
- Community Involvement and Consensus
- Customer-Based Programs
- Utility Capital Management and Customer Service
- Transit-oriented Development/Management Planning
- Efficiency and Reorganization of Work Units
- Management of Capital Projects
- Re-engineering Process and Teams

WORK EXPERIENCE

The Villages Community Development District, District Manager 2018-2022

District Manager responsible for the leadership, capital
project program development budgetary

oversight/management and strategic policy development for 1340 Employee full service District

Government. The VCCDD Government is the largest single point residential development in the

US with a full service Fire/Public Service Department, Recreation and Parks Department,

Property Management, Utilities/Sanitation, HR, OMB and Finance Departments. The VCCDD

annual budget is 405 M and serves 135,000 residents within 77 square miles. During my tenure

many accomplishments were achieved in the areas of Strategic Planning and Training,

Customer Service, Communications, Fleet, Board Functions, Office Space efficiencies, Fueling

Station, Independent Fire District, Asset Management Program, and GIS Data Development.

The Villages Community Development District,
Assistant District Manager 2017-2018

Report directly to the District Manager. Attend all Board Supervisor meetings. Directly manage and operate the Utilities, IT, Executive Golf and Property Management (Public Services) for a community of 125,000 people and 65,000 roof tops.

Sumter County Assistant County Administrator &
Public Works Director 2014-2017

Report directly to the County Administrator. Attend all BOCC meetings. Responsible for the management and operations of several portfolio areas including Public Works, Facilities, IT, Parks and Engineering.

Responsible for assumption of County Administrator role in Administrator's absence, and coordinate county-wide special projects of GIS implementation, City Works Asset Management System Implementation, Purchasing, OMB, Process Re-engineering, National Accreditation Programs and Communication Planning/Programs. Public Works is a full scale operation with 70 FTE: responsibilities include Road and Bridge design and capital project administration & operations, Transportation Engineering and Operations, Solid Waste Operations, Facility and Parks design/construction and management, Stormwater management plan/design and

operations, Vegetation Control, Mosquito Control, Animal Services, Utility liaison and Emergency Management. Regional Cooperatives Initiatives include chairing the MPO Technical Advisory Board, FDOT Technical Design Committee voting member, active in International City Manager's Association as well as American Public Works Association National Agency Accreditation program. Capital Project Administrator for horizontal and vertical projects inclusive of Public Safety Center Buildings, Fire Stations, Sheriff Helicopter Facility, flex ware-house storage and numerous roadway multi-lane projects (C-466A, C-462, C-466W, CR 101, and C-501).

City of Alexandria Dept. of Transportation and Environmental Services Director

2000-2014

Reported directly to the Deputy City Manager. Attend all City Council meetings. Responsible for the determination of departmental budget, operation and management of 215 full-time employees (300 Contractual positions) encompassing four divisions: Public Service-Transportation, Environmental Services, Engineering/Storm water Management and Public Utilities. Oversee a total Operating Budget of \$39 million and Capital Improvement Plan Budget of \$52 million. Coordinate engineering related projects with elected officials and community groups. Manage infrastructure and transit systems to comply with Federal Safety Regulations and procurement of grants for Capital Improvement Projects. Administer Waste To Energy Facility Operations. Effectively and diplomatically communicate with the public, as well as city, county and state officials, finance directors, and attorneys. Completed a third party effectiveness and efficiency study with net savings of \$10.2 million. Implemented City Works Asset Management System, Managed General Services functions, including building construction and maintenance. Lead Department through American Public Works Association Accreditation Process and two subsequent reaccreditations.

City of Alexandria Dept. of Recreation, Parks and Cultural Activities Interim Director

2009

Reported directly to the City Manager. Attended all City Council meetings. The Department, accredited by the Commission for the Accreditation of Parks and Recreation Agencies, is a full service department responsible for 130 park sites and 10 Recreation Centers. It supports the City by providing social and recreational programming, coordinating special events and arts-related activities. The Department serves as a liaison to youth and adult sports groups, community organizations and other recreational services in the community. It administers community planning, collaboration, and coordination for many capital projects. The Department has a staff of 200 full-time employees, and an approved Operating Budget of \$21.7 million, and an approved \$52.9 million Capital Improvement Budget. Managed CAPRA reaccreditation.

City of Clearwater Public Works Administrator,
Clearwater, Florida 1994-2000

Reported directly to the City Manager. Attended all City Commission meetings. Responsible for the determination of departmental budget, operation and management of over 250 full-time employees encompassing three departments: Public Service-Transportation and Drainage, Engineering, and Public Utilities, for a coastal city engaged in redevelopment. Total Operating Budget of \$45 million with Capital Improvement Plan budget of \$32 million for FY 98/99. Coordinated engineering related projects with elected officials and community groups. Managed the City Air Park to comply with Federal Safety Regulations, and procurement of grants for Capital Improvement Projects. Strong communication plan for public consensus building including a TV show "Works in Progress", numerous published articles, hosted a monthly radio call-in show. Managed two advanced Waste Water Treatment Plants. Developed comprehensive communication strategies with the public as well as city, county and state officials, finance directors, and attorneys.

**Florida Dept. of Transportation, District Permit/Access
Management Engineer,**

Tampa 1988-1994

Responsible to the District Seven (Tampa) Director of Operations. Duties included supervision of a professional staff of Planners, Technicians and Engineers, Administration of the District's Permit Division Management Program, and National Pollutant Discharge Elimination System Program. Issued all engineering permits, and permit presentations, reviewed complex traffic studies, signal system designs and site plans. F.D.O.T. jurisdictional/MPO representative to 36 local municipalities, interpretation of F.D.O.T. Environmental and Design standards, and application of FHWA Design Policies and Procedures.

**Florida Dept. of Transportation, Water Resource
Engineer, Bartow**

1987-1988

Responsible for the design and review of proposed consultant design of drainage systems. Supervised technicians, maintained constant interaction with Water Management Agencies. Prepared Hydraulic Design reports and reviewed drainage permits.

**Florida Dept. of Transportation, Traffic Engineer,
Bartow**

1986-1987

Prepared signal warrants, reviewed consultant and in-house design plans in accord with the Manual of Uniform Traffic Studies. City/County liaison for Signal Analysis using current software. Assisted District Traffic Engineer with special studies and community driven transportation projects.

EDUCATION

Master of Science in Engineering Management
University of South Florida, Tampa, FL

Leadership in Energy and Environmental Design
Accredited Professional (LEED AP).

Bachelor of Science in Civil Engineering

University of South Florida, Tampa, FL

Certified Expert Witness – Construction / Municipal,
Engineering, Land Use, Transportation Engineering,
F.D.O.T. / V.D.O.T.

Certified Public Manager
University of South Florida

Value Engineering, F.D.O.T.

NIMS Management Course Series Certified

PROFESSIONAL AFFILIATIONS AND REGISTRATION

- Registered Professional Engineer, Florida Current
- Leadership Pinellas Graduate 1998
- Adjunct Professor for Hillsborough Community College,
Mathematics Department 1990-1996
- Adjunct Professor for St. Petersburg College,
Mathematics Department 1996-1999
- Member of American Public Works
Association Current
- Member of American Society of Civil
Engineers Current
- Member Institute of Transportation Engineers Current
- Expert Witness for multiple Eminent Domain, Access
Management and Utility
Cases

References 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 # 6

DATE: Dec 27 2024

Please Complete All Sections		
NAME: <u>Shellenbarger David F</u>		
Last	First	Middle Initial
RESIDENCE ADDRESS:		
<u>3668 Woodlake Dr</u>	<u>Bonita Springs FL</u>	<u>34134</u>
Street	City	Zip Code
BUSINESS ADDRESS:		
✓		
Street	City	Zip Code
MAILING ADDRESS:		
<u>3668 Woodlake Dr</u>	<u>Bonita Springs FL</u>	<u>34134</u>
Street	City	Zip Code
PHONE NO. <u>—</u>	CELL PHONE # <u>248-891-9365</u>	
Home	Business	
E-MAIL ADDRESS: <u>dave.shellenbarger@gmail.com</u>		
FAX: <u>—</u>		

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

Technology Advisory Board
NAME OF ADVISORY COMMITTEES

OCCUPATION: Computer Industry Entrepreneur - Retired

CIVIC/PROFESSIONAL ACCOMPLISHMENTS/OFFICES HELD:

Bonita Springs Community Fund Advisory Board Chair, Bonita Bay
Community Association Board Member, Bonita Bay Club Board Member ETC

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:

My career in the computer industry provided me with a broad understanding of and appreciation for recent advancements. I hope to leverage that knowledge to recommend improvements and efficiencies in city processes and service delivery

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.

None

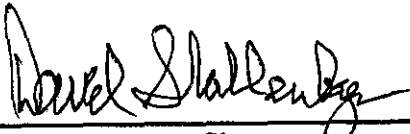
If you have previously served on a City of Bonita Springs Advisory Committee or are currently serving and seeking reappointment, please indicate the number and general nature of any voting conflict disclosure memorandum filed (Form 8B) while serving on the committee:

None

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

12-27 2024
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, FLORIDA
RESOLUTION 25 -

A RESOLUTION APPOINTING A MEMBER TO THE CITY OF BONITA
SPRINGS TECHNOLOGY ADVISORY BOARD; AND PROVIDING
FOR AN EFFECTIVE DATE.

WHEREAS, in 2012, City Council approved Resolution 12-31 creating the Technology Advisory Board as a committee tasked with researching and advising City Council on technology related infrastructure, programs, projects, and activities; and

WHEREAS, the Technology Advisory Board consists of seven members, each appointed for a term of one-year; and

WHEREAS, the Technology Advisory Board currently has one (1) vacancy.

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

Section 1. The following person is hereby appointed to the Technology Advisory Board for a one-year term to expire December 31, 2025:

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 15th day of January, 2025.

AUTHENTICATION:

Mayor

City Clerk

APPROVED AS TO FORM: _____
City Attorney

Vote:

Bogacz
Purdon
Carr
Gibson

Corrie
Fullick
Fitzpatrick

Date filed with the City Clerk: _____

ITEM TITLE: Update on the Bonita Springs Elementary School renovation project.

REQUESTOR: Council Member Fullick

AGENDA SECTION: Mayor and Council Member Items

STRATEGIC PRIORITY: #3 Community Aesthetics

BACKGROUND:

Council Member Fullick has requested an item be placed on the January 15, 2025 City Council meeting agenda to provide an update on the latest developments concerning the School District's plans for the Elementary School.

RECOMMENDATION: Receive update from Council Member Fullick.

ATTACHMENTS: None

REVIEWERS:

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

ITEM TITLE: Discussion regarding a draft local House Bill regarding San Carlos Estates Water Control District.

REQUESTOR: Council Member Jamie Bogacz

AGENDA SECTION: Mayor and Council Member Items

STRATEGIC PRIORITY: N/A

BACKGROUND:

The Lee County Delegation held their annual meeting on January 9, 2025. At the meeting, a draft local House Bill regarding the San Carlos Estates Water Control District, sponsored by Representative Adam Botana, was discussed and voted on by the delegation. Council Member Bogacz would like an opportunity to discuss the draft bill with Council Members, staff and the residents of the community. Council Member Bogacz will be attending the Water District's meeting in January and would like to further discuss the draft bill with Council at the February 5th meeting.

ATTACHMENTS:

1. Draft Local House Bill

REVIEWERS:

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

BILL

ORIGINAL

YEAR

1 A bill to be entitled
2 An act relating to San Carlos Estates Water Control
3 District, Lee County; providing that the San Carlos
4 Estates Water Control District, an independent special
5 district, shall become a dependent district of the
6 City of Bonita Springs; providing for transition;
7 providing that members of the city council shall
8 assume the offices of the board of supervisors of said
9 district; providing boundaries; requiring a
10 referendum; providing effective dates.

11
12 Be It Enacted by the Legislature of the State of Florida:

13
14 Section 1. San Carlos Estates Water Control District
15 continuation and transfer.— The San Carlos Estates Water Control
16 District, an independent special district created by circuit
17 court decree, shall become a dependent district of the City of
18 Bonita Springs on the effective date of this act.

19 (1) Decree 69-105 entered by the circuit court in and for
20 the Twelfth Circuit Court of the State of Florida creating and
21 incorporating the San Carlos Estates Water Control District is
22 reenacted, amended, and repealed as provided herein. The
23 provisions of chapter 298, Florida Statutes, so far as not
24 inconsistent with this act, are applicable to the district.

25 (2) The assets, liabilities, financial allocations, and

BILL

ORIGINAL

YEAR

26 written contracts of the San Carlos Estates Water Control
27 District, including all rights, obligations, duties, and
28 relationships now existing by law, easement, permit, or
29 agreement, shall be unaffected and remain in full force and
30 effect and shall be those of the district as a dependent
31 district of the City of Bonita Springs. All rights, claims,
32 actions, orders, and all contracts of the special district and
33 all legal or administrative proceedings involving the district
34 shall continue in full force and effect under the jurisdiction
35 of the district as a dependent district of the City of Bonita
36 Springs.

37 (3) The terms of office of the current members of the
38 Board of Supervisors of the San Carlos Estates Water Control
39 District shall continue until the members of the City Council of
40 the City of Bonita Springs assume the offices of the Board of
41 Supervisors of the San Carlos Estates Water Control District.

42 (4) The jurisdictional boundaries of the district are as
43 follows:

44
45 [insert boundaries]

46
47 (5) To the extent not inconsistent with city ordinances,
48 all resolutions and policies of the San Carlos Estates Water
49 Control District shall remain in effect until amended, revised,
50 or repealed by the board of supervisors.

BILL

ORIGINAL

YEAR

51 (6) Additional provisions which are necessary to effect
52 this transition and to provide for the operation of the San
53 Carlos Estates Water Control District as a dependent district of
54 the city shall be adopted by ordinance.

55 Section 2. Referendum.—

56 (1) The referendum election called for by this act shall be
57 conducted in accordance with the Florida Election Code and shall
58 be held:

59 (a) On or before October 1, 2025, for landowners of the San
60 Carlos Estates Water Control District.

61 (b) On August 18, 2026, concurrent with the 2026 primary
62 election, for qualified electors of the City of Bonita Springs.

63 (2) The ballot title for the referendum question shall be
64 in substantially the following form:

65 CONVERSION OF SAN CARLOS ESTATES WATER CONTROL DISTRICT TO
66 A DEPENDENT DISTRICT

67 (3) The referendum question shall be placed on the ballot
68 in substantially the following form:

69 Shall Chapter 2025- , Laws of Florida, making the San
70 Carlos Estates Water Control District a dependent district of
71 the City of Bonita Springs and providing that the city council
72 of the City of Bonita Springs shall serve as the board of the
73 district, become effective?

74 () YES.

75 () NO.

BILL

ORIGINAL

YEAR

76 (4) In the event this question is answered affirmatively by
77 a majority of landowners of the San Carlos Estates Water Control
78 District and a majority of qualified electors of the City of
79 Bonita Springs, this act shall take effect.

80 Section 3. This act shall take effect only if a majority
81 of those landowners of the San Carlos Estates Water Control
82 District voting in the same manner by which the district's
83 governing body is elected in a referendum held pursuant to this
84 act and a majority of qualified electors of the City of Bonita
85 Springs voting in a referendum held pursuant to this act approve
86 the referendum question in section 2, except that this section
87 and section 2 shall take effect upon becoming a law.

ITEM TITLE: Presentation of the November 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 fiscal year to date financial report for November 30, 2024. This report is for two months of operations in the 2024-20252 fiscal year.

STAFF RECOMMENDATION: Receive presentation and report.

ATTACHMENTS:

1. Presentation
2. Financial Report

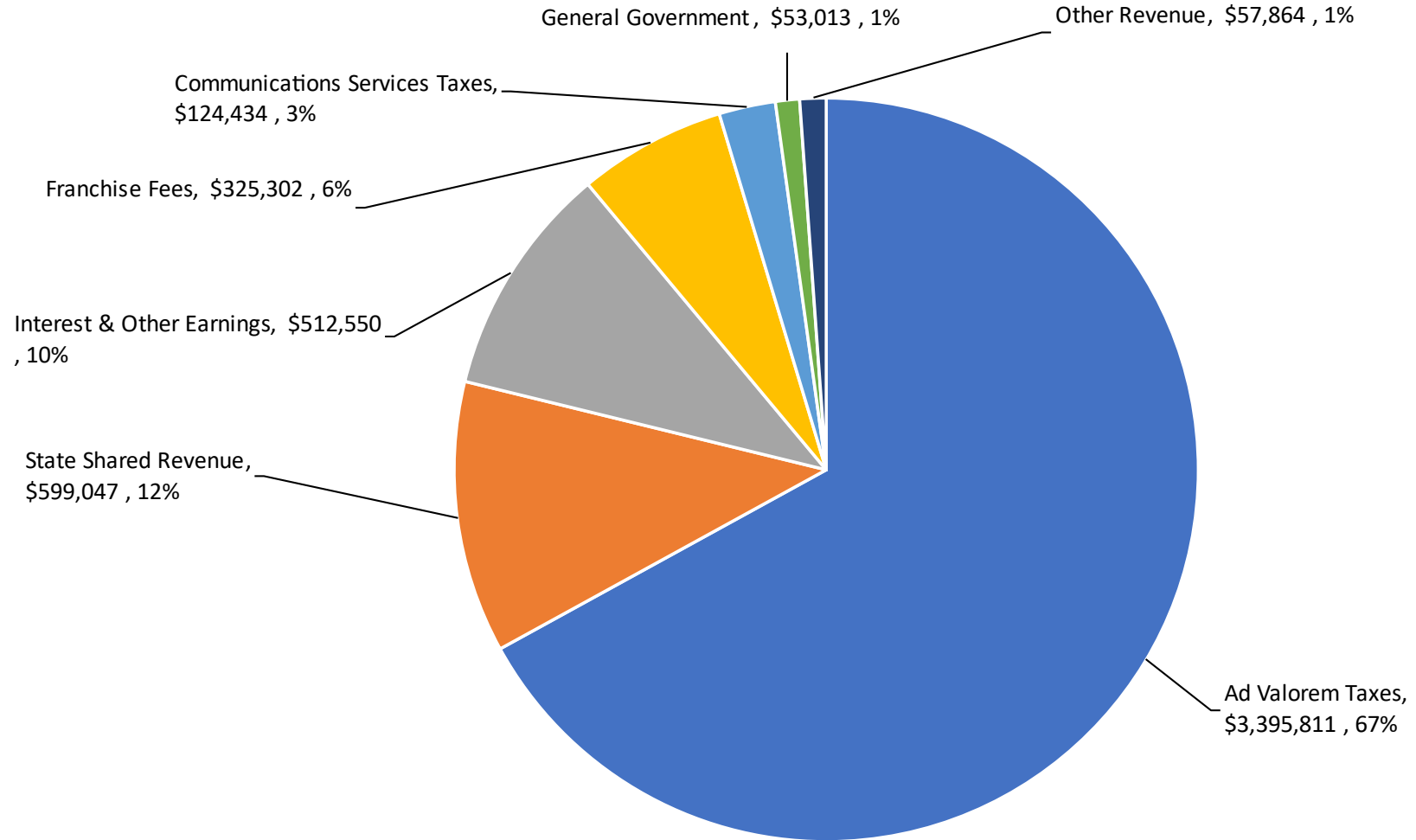
REVIEWERS:

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

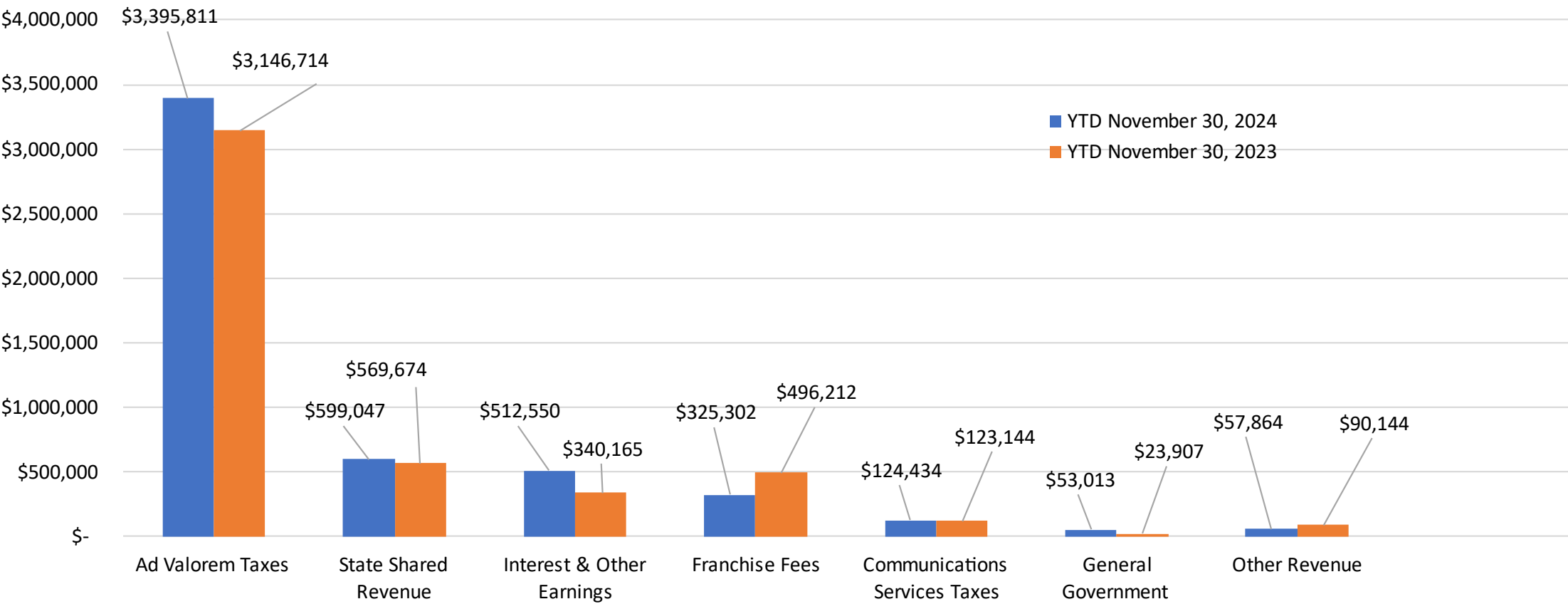
November Financial Report



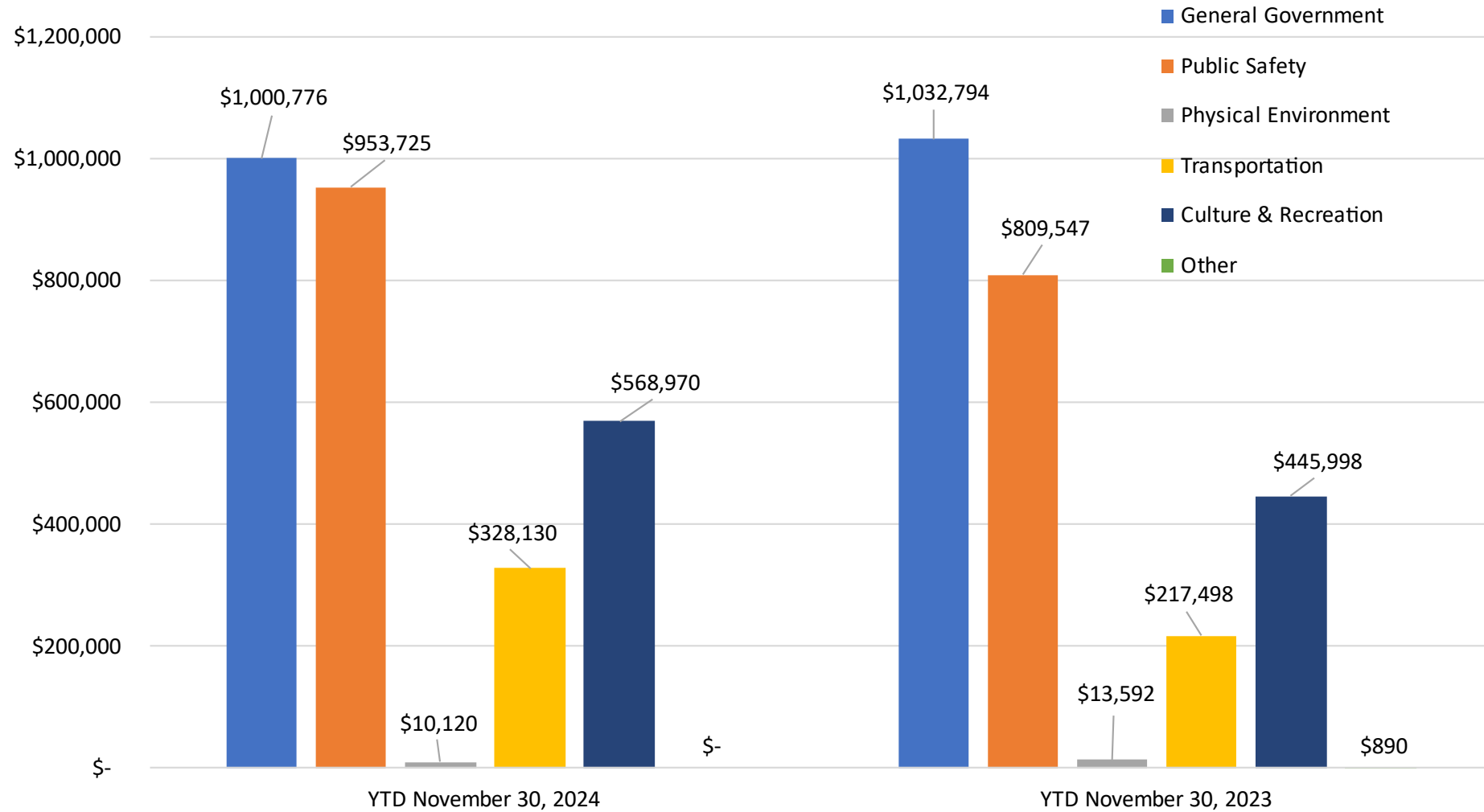
General Fund Revenue as of November 30, 2024



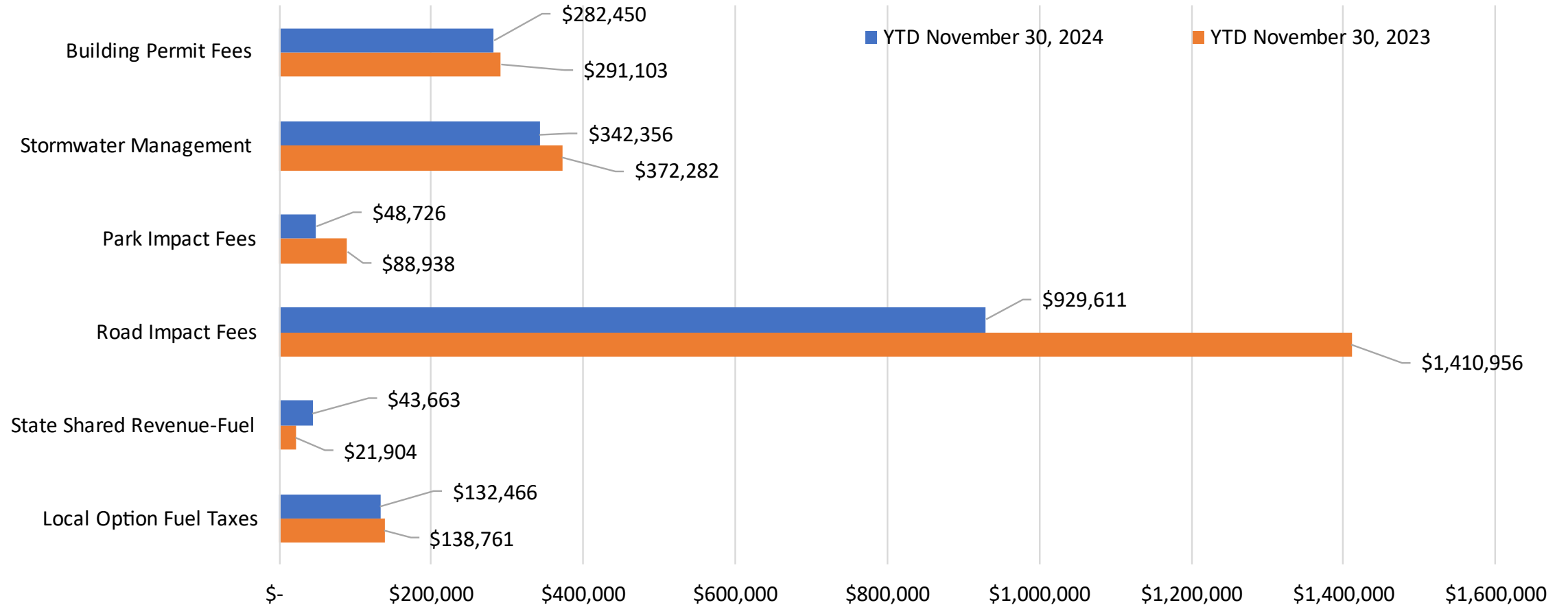
General Fund Revenue



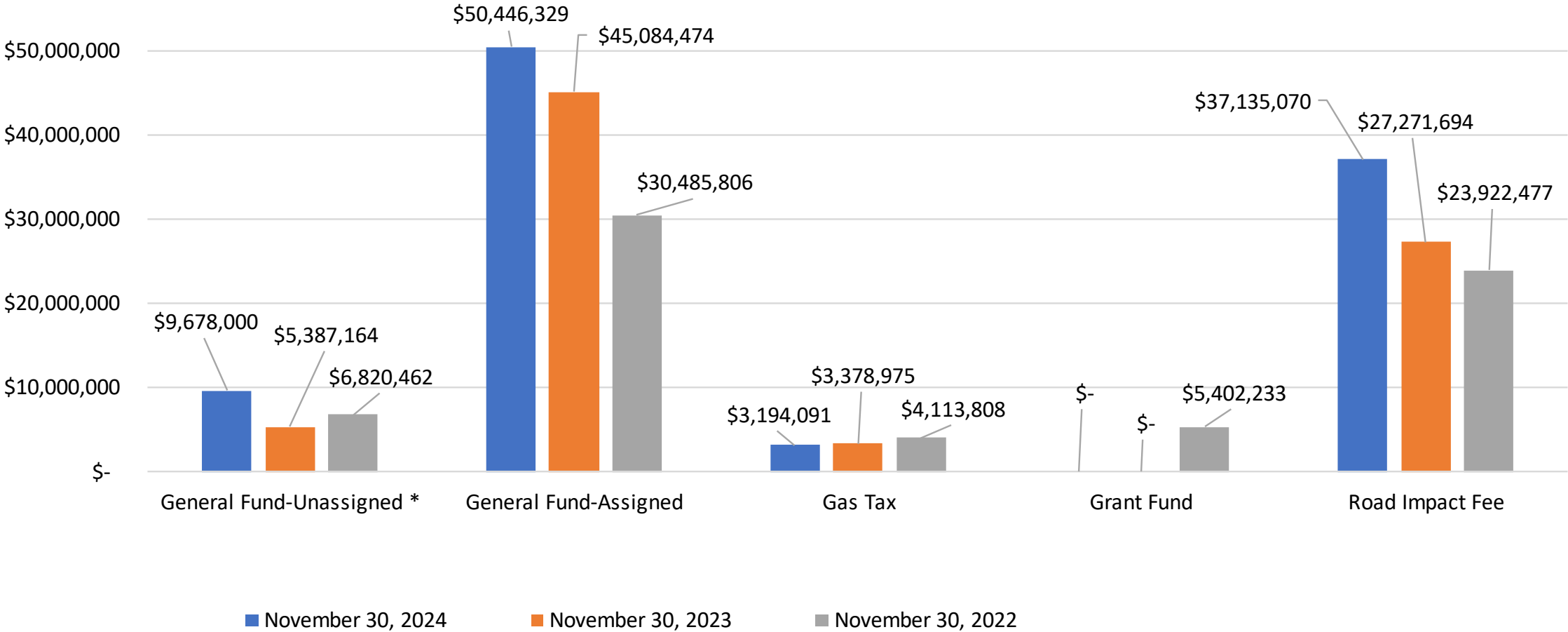
General Fund Expenditures



Restricted Revenue

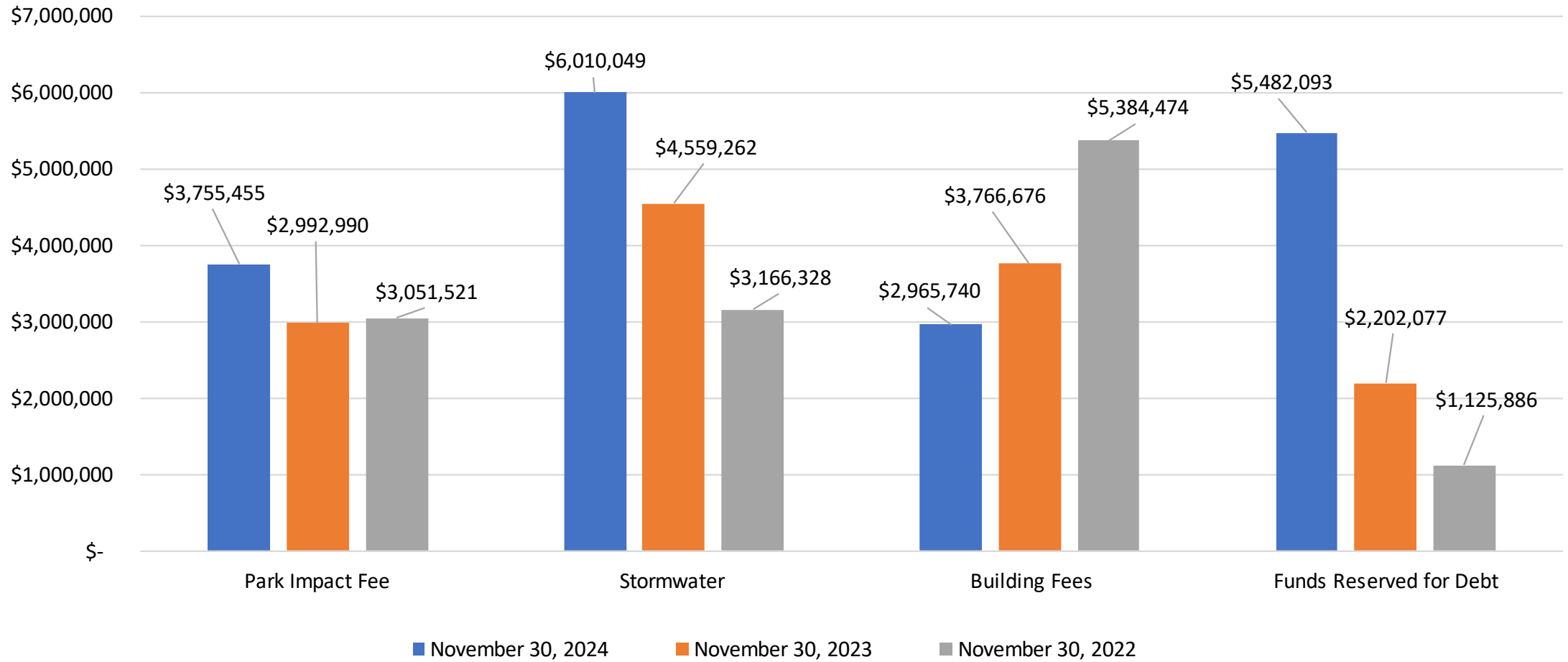


Cash Balances



* 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 November 30, 2024

	Special Revenue Funds										
	General Fund	Gas Tax	Grants	Impact Fee Funds		Stormwater Management	Building Fees	Downtown	Debt Service Funds	Capital Project Fund	Total Governmental Funds
				Road	Park			Area Revenue Sharing			
ASSETS											
Cash and cash equivalents	\$ 60,124,329	\$ 3,194,091	\$ -	\$ 37,135,070	\$ 3,755,455	\$ 6,010,049	\$ 2,965,740	\$ 3,473,759	\$ 2,000,000	\$ 8,334	\$ 118,666,827
Receivables (net)	402,809	-	-	-	-	-	-	-	-	-	402,809
Due from other govt	-	-	-	-	-	-	-	-	-	-	-
Due from other funds	1,968,645	-	-	-	-	-	-	-	-	-	1,968,645
Total assets	<u>\$ 62,495,783</u>	<u>\$ 3,194,091</u>	<u>\$ -</u>	<u>\$ 37,135,070</u>	<u>\$ 3,755,455</u>	<u>\$ 6,010,049</u>	<u>\$ 2,965,740</u>	<u>\$ 3,473,759</u>	<u>\$ 2,000,000</u>	<u>\$ 8,334</u>	<u>\$ 121,038,281</u>
LIABILITIES AND FUND BALANCES											
Liabilities:											
Accounts and contracts payable	\$ 216,970	\$ 121,943	\$ 17,400	\$ -	\$ -	\$ 38,045	\$ -	\$ -	\$ -	\$ -	\$ 394,358
Accrued liabilities	6,065,475	-	-	-	-	-	-	-	-	-	6,065,475
Due to other funds	-	-	1,968,645	-	-	-	-	-	-	-	1,968,645
Due to other governments	27,224	-	-	78,042	-	-	-	-	-	-	105,266
Total liabilities	<u>6,309,669</u>	<u>121,943</u>	<u>1,986,045</u>	<u>78,042</u>	<u>-</u>	<u>38,045</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>8,533,744</u>
Total fund balances, beginning of the year	54,438,956	3,108,793	(1,732,826)	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	1,747,158	(36,645)	(253,219)	1,119,549	66,154	243,976	(286,973)	-	-	4,167	2,604,167
Fund balances	<u>56,186,114</u>	<u>3,072,148</u>	<u>(1,986,045)</u>	<u>37,057,028</u>	<u>3,755,455</u>	<u>5,972,004</u>	<u>2,965,740</u>	<u>3,473,759</u>	<u>2,000,000</u>	<u>8,334</u>	<u>112,504,537</u>
Total liabilities and fund balances	<u>\$ 62,495,783</u>	<u>\$ 3,194,091</u>	<u>\$ -</u>	<u>\$ 37,135,070</u>	<u>\$ 3,755,455</u>	<u>\$ 6,010,049</u>	<u>\$ 2,965,740</u>	<u>\$ 3,473,759</u>	<u>\$ 2,000,000</u>	<u>\$ 8,334</u>	<u>\$ 121,038,281</u>



City of Bonita Springs, FL

General Fund Budget Report Group Summary

For Fiscal: 2024-2025 Period Ending: 11/30/2024

RevAccountType;ExpFinStmntLineItem	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
Fund: 00 - General Fund					
Revenue					
311 - Ad Valorem Taxes	13,439,500.00	13,439,500.00	3,395,810.86	3,395,810.86	10,043,689.14
315 - Communications Services Taxes	1,340,000.00	1,340,000.00	124,434.35	124,434.35	1,215,565.65
316 - Local Business Taxes	30,000.00	30,000.00	2,380.52	2,380.52	27,619.48
323 - Franchise Fees	3,948,200.00	3,948,200.00	211,732.93	325,302.31	3,622,897.69
329 - Other Permits, Fees & Special Assessment	46,100.00	46,100.00	2,750.00	8,340.00	37,760.00
335 - State Shared Revenue	7,483,034.00	7,483,034.00	499,401.35	599,046.58	6,883,987.42
341 - General Government	280,000.00	280,000.00	17,406.90	53,013.04	226,986.96
343 - Physical Environment	112,200.00	112,200.00	6,300.00	12,300.00	99,900.00
347 - Culture/Recreation	95,300.00	95,300.00	7,744.49	12,289.45	83,010.55
349 - Other Charges for Services	80,700.00	80,700.00	3,529.93	6,576.55	74,123.45
351 - Judgements, Fines-Traffic	22,400.00	22,400.00	4,580.57	4,580.57	17,819.43
354 - Fines Local Ordinance	120,000.00	120,000.00	150.00	2,792.57	117,207.43
361 - Interest & Other Earnings	1,500,000.00	1,500,000.00	251,925.89	512,550.04	987,449.96
362 - Rents & Royalties	65,000.00	65,000.00	1,350.00	5,020.00	59,980.00
366 - Contributions	0.00	0.00	240.00	240.00	-240.00
369 - Other Misc Revenues	8,000.00	8,000.00	0.00	3,342.97	4,657.03
Revenue Total:	28,570,434.00	28,570,434.00	4,529,737.79	5,068,019.81	23,502,414.19
Expense					
51 - General Government	8,089,841.00	8,089,841.00	677,123.98	1,000,776.31	7,089,064.69
52 - Public Safety	4,824,968.00	4,824,968.00	876,013.03	953,725.04	3,871,242.96
53 - Physical Environment	459,034.00	459,034.00	10,119.92	10,119.92	448,914.08
54 - Transportation	4,422,527.44	4,422,527.44	200,662.49	328,130.32	4,094,397.12
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	294,649.95	568,969.55	3,866,546.45
58 - Other Uses/Transfers Out	13,840,678.00	13,840,678.00	459,141.06	459,141.06	13,381,536.94
Expense Total:	36,237,074.44	36,237,074.44	2,517,710.43	3,320,862.20	32,916,212.24
Fund: 00 - General Fund Surplus (Deficit):	-7,666,640.44	-7,666,640.44	2,012,027.36	1,747,157.61	-9,413,798.05
Total Surplus (Deficit):	-7,666,640.44	-7,666,640.44	2,012,027.36	1,747,157.61	



General Fund Department Expenditures Excluding Transfers

City of Bonita Springs, FL

Group Summary

For Fiscal: 2024-2025 Period Ending: 11/30/2024

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	50,368.21	67,154.50	360,945.50
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	53,247.84	85,306.23	425,643.77
211 - Planning & Zoning	2,121,000.00	2,121,000.00	308,568.70	311,937.82	1,809,062.18
220 - Law Enforcement/Security	3,306,920.00	3,306,920.00	759,092.72	759,092.72	2,547,827.28
230 - Neighborhood Services	1,424,048.00	1,424,048.00	109,596.18	185,998.99	1,238,049.01
240 - Information Technologies	445,450.00	445,450.00	41,794.87	51,016.57	394,433.43
250 - Public Works	4,828,161.44	4,828,161.44	207,456.80	334,924.63	4,493,236.81
260 - Emergency Management	94,000.00	94,000.00	7,324.13	8,633.33	85,366.67
270 - Non-Departmental Expenditures	881,700.00	881,700.00	14,536.83	21,631.56	860,068.44
301 - City Attorney	633,000.00	633,000.00	2,407.50	2,407.50	630,592.50
401 - Administrative Services	937,110.00	937,110.00	53,010.12	104,166.85	832,943.15
402 - City Hall	330,930.00	330,930.00	22,342.41	41,168.60	289,761.40
410 - Human Resources	75,700.00	75,700.00	5,247.85	7,206.14	68,493.86
430 - Communications	1,637,351.00	1,637,351.00	140,842.27	327,701.80	1,309,649.20
501 - Finance	1,071,450.00	1,071,450.00	70,911.62	202,216.03	869,233.97
601 - Parks & Recreation Administration	949,494.00	949,494.00	71,312.41	122,437.71	827,056.29
602 - Recreation Center	558,592.00	558,592.00	39,043.54	64,874.23	493,717.77
603 - Community Park & Ball Fields	261,793.00	261,793.00	6,973.84	15,077.89	246,715.11
604 - Community Pool	649,819.00	649,819.00	45,819.06	79,274.37	570,544.63
605 - Riverside Park	295,440.00	295,440.00	17,379.32	20,083.06	275,356.94
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	663.52	1,354.12	16,816.88
610 - Dog Park	107,878.00	107,878.00	2,009.77	2,042.88	105,835.12
611 - Beach Parks	31,152.00	31,152.00	642.98	642.98	30,509.02
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	4,568.76	7,383.40	139,431.60
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	2,975.43	7,226.08	87,028.92
617 - Bonita Nature Place	63,953.00	63,953.00	1,969.02	2,295.39	61,657.61
618 - Windsor Road Preserve	7,995.00	7,995.00	31.94	31.94	7,963.06
620 - Marni Fields	123,941.00	123,941.00	9,270.97	11,020.09	112,920.91
621 - BS River Park	52,978.00	52,978.00	5,670.27	10,570.27	42,407.73
622 - Cullum's Bonita Trail	20,300.00	20,300.00	980.87	1,980.87	18,319.13
623 - Carpenter Lane Canoe & Kayak	1,289.00	1,289.00	8.64	8.64	1,280.36
624 - Leitner Creek Neighborhood Park	14,053.00	14,053.00	40.88	40.88	14,012.12
626 - Oak Creek Preserve	6,000.00	6,000.00	500.00	500.00	5,500.00
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	1,960.10	4,313.07	142,194.93
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	2,058,569.37	2,861,721.14	19,534,675.30
Total Surplus (Deficit):	-22,396,396.44	-22,396,396.44	-2,058,569.37	-2,861,721.14	



City of Bonita Springs, FL

Special Revenue Funds Budget Report

Group Summary

For Fiscal: 2024-2025 Period Ending: 11/30/2024

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	132,466.45	132,466.45	1,639,733.55
335 - State Shared Revenue	291,200.00	291,200.00	21,831.72	43,663.44	247,536.56
361 - Interest & Other Earnings	82,000.00	82,000.00	7,537.00	15,511.00	66,489.00
Revenue Total:	2,145,400.00	2,145,400.00	161,835.17	191,640.89	1,953,759.11
Expense					
54 - Transportation	1,304,138.08	1,304,138.08	197,087.58	210,812.58	1,093,325.50
58 - Other Uses/Transfers Out	428,990.00	428,990.00	17,473.00	17,473.00	411,517.00
Expense Total:	1,733,128.08	1,733,128.08	214,560.58	228,285.58	1,504,842.50
Fund: 10 - Gas Tax Fund Surplus (Deficit):	412,271.92	412,271.92	-52,725.41	-36,644.69	448,916.61
Fund: 13 - Grant Fund					
Revenue					
334 - State Grants	1,311,750.00	1,320,937.50	25,328.25	25,328.25	1,295,609.25
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	1,400,937.50	25,328.25	25,328.25	1,375,609.25
Expense					
52 - Public Safety	80,000.00	80,000.00	46,946.73	175,707.51	-95,707.51
57 - Culture & Recreation	0.00	0.00	0.00	0.00	0.00
58 - Other Uses/Transfers Out	1,311,750.00	1,320,937.50	102,839.90	102,839.90	1,218,097.60
Expense Total:	1,391,750.00	1,400,937.50	149,786.63	278,547.41	1,122,390.09
Fund: 13 - Grant Fund Surplus (Deficit):	0.00	0.00	-124,458.38	-253,219.16	253,219.16
Fund: 14 - Road Impact Fee Fund					
Revenue					
324 - Impact Fees	2,650,000.00	2,650,000.00	327,370.00	929,611.37	1,720,388.63
361 - Interest & Other Earnings	1,000,000.00	1,000,000.00	95,982.00	197,521.00	802,479.00
Revenue Total:	3,650,000.00	3,650,000.00	423,352.00	1,127,132.37	2,522,867.63
Expense					
58 - Other Uses/Transfers Out	3,299,667.00	3,299,667.00	7,583.60	7,583.60	3,292,083.40
Expense Total:	3,299,667.00	3,299,667.00	7,583.60	7,583.60	3,292,083.40
Fund: 14 - Road Impact Fee Fund Surplus (Deficit):	350,333.00	350,333.00	415,768.40	1,119,548.77	-769,215.77
Fund: 16 - Park Impact Fee Fund					
Revenue					
324 - Impact Fees	210,000.00	210,000.00	23,832.00	48,726.00	161,274.00
361 - Interest & Other Earnings	100,000.00	100,000.00	8,469.00	17,428.00	82,572.00
Revenue Total:	310,000.00	310,000.00	32,301.00	66,154.00	243,846.00
Fund: 16 - Park Impact Fee Fund Total:	310,000.00	310,000.00	32,301.00	66,154.00	243,846.00
Fund: 18 - Stormwater Management					
Revenue					
325 - Special Assessments - Charges for Public Services	1,590,000.00	1,590,000.00	342,355.53	342,355.53	1,247,644.47
361 - Interest & Other Earnings	50,000.00	50,000.00	13,071.00	26,899.00	23,101.00
Revenue Total:	1,640,000.00	1,640,000.00	355,426.53	369,254.53	1,270,745.47
Expense					
53 - Physical Environment	746,047.96	746,047.96	125,278.52	125,278.52	620,769.44
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	125,278.52	125,278.52	1,320,769.44
Fund: 18 - Stormwater Management Surplus (Deficit):	193,952.04	193,952.04	230,148.01	243,976.01	-50,023.97

Special Revenue Funds Budget Report

For Fiscal: 2024-2025 Period Ending: 11/30/2024

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	141,400.76	282,450.21	1,717,549.79
361 - Interest & Other Earnings	10,000.00	10,000.00	8,547.00	17,589.00	-7,589.00
Revenue Total:	2,010,000.00	2,010,000.00	149,947.76	300,039.21	1,709,960.79
Expense					
52 - Public Safety	2,979,500.00	2,979,500.00	534,384.77	545,409.77	2,434,090.23
58 - Other Uses/Transfers Out	0.00	0.00	980.00	41,602.34	-41,602.34
Expense Total:	2,979,500.00	2,979,500.00	535,364.77	587,012.11	2,392,487.89
Fund: 19 - Building Fees Fund Surplus (Deficit):	-969,500.00	-969,500.00	-385,417.01	-286,972.90	-682,527.10
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	115,616.61	852,842.03	



City of Bonita Springs, FL

Debt Service Funds Budget Report

Group Summary

For Fiscal: 2024-2025 Period Ending: 11/30/2024

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: 11/30/2024

ExpFinStmntLineItem;RevAccountType	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
Fund: 30 - Cap Projects Fund					
Revenue					
366 - Contributions	1,367,625.00	1,367,625.00	0.00	4,166.67	1,363,458.33
381 - Transfers In	18,997,023.00	19,006,210.50	588,017.56	628,639.90	18,377,570.60
Revenue Total:	20,364,648.00	20,373,835.50	588,017.56	632,806.57	19,741,028.93
Expense					
51 - General Government	3,790,000.00	3,790,000.00	22,739.06	63,361.40	3,726,638.60
52 - Public Safety	400,000.00	400,000.00	0.00	0.00	400,000.00
53 - Physical Environment	5,007,000.00	5,016,187.50	443,659.78	443,659.78	4,572,527.72
54 - Transportation	5,778,657.00	5,778,657.00	121,618.72	121,618.72	5,657,038.28
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	20,373,835.50	588,017.56	628,639.90	19,745,195.60
Fund: 30 - Cap Projects Fund Surplus (Deficit):	0.00	0.00	0.00	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	0.00	4,166.67	

ITEM TITLE: Discussion and direction to staff regarding a request from the Trust for Public Lands for the City to participate in a grant application to the U.S. Department of Transportation for RAISE Funds for Seminole Gulf Railway property acquisition for the Bonita Estero Rail Trail (BERT) project.

REQUESTOR: Arleen Hunter, City Manager and Nicole Perion, Parks and Recreation Director, and Elly McKuen, Senior Project Manager

AGENDA SECTION: City Manager's Item

STRATEGIC PRIORITY: 2) Transportation, 3) Strengthen City Finances, 4) Environmental Protection, 6) Strengthen and Enhance Council Relations

BACKGROUND: The Trust for Public Lands (TPL) is proposing to partner with the City and the Village of Estero to submit a grant application to the U.S. Department of Transportation (USDOT) for a Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grant. RAISE has set a maximum grant award at \$25 million with a due date to submit application no later than January 30, 2025.

The Trust for Public Lands wishes to utilize the services of a consultant to prepare the application. Currently, the Village of Estero and Friends of BERT have each committed \$5,000.00 towards the consulting fees. The Trust for Public Lands is requesting the City provide a \$5,000.00 contribution towards the consulting fee.

The Trust for Public Lands would like the applicants (City of Bonita Springs and Village of Estero) to apply for the maximum permitted request of \$25 million which will require a non-federal match. They have requested a pledge of 5.0 million matching funds from the City. City staff is seeking direction from Council regarding the requests to participate as a co-applicant, providing the \$5,000.00 contribution towards consulting fees and committing \$5 million in match funds for the RAISE grant application.

STAFF RECOMMENDATION: Provide direction to staff.

REVIEWERS:

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

ITEM TITLE: Update from Community Development regarding Hurricanes Ian, Helene, and Milton permits and the monthly activity report for December 2024.

REQUESTOR: John Dulmer, Director, Community Development Department

AGENDA SECTION: City Manager Items

STRATEGIC PRIORITY: 5) Strengthen/Enhance City Finances; 7) Government Transparency

BACKGROUND:

Community Development will be providing an update on hurricane related permits and the monthly activity report for December, 2024. The hurricane fee waiver program is scheduled to end on January 31, 2025.

STAFF RECOMMENDATION: Receive report.

ATTACHMENTS:

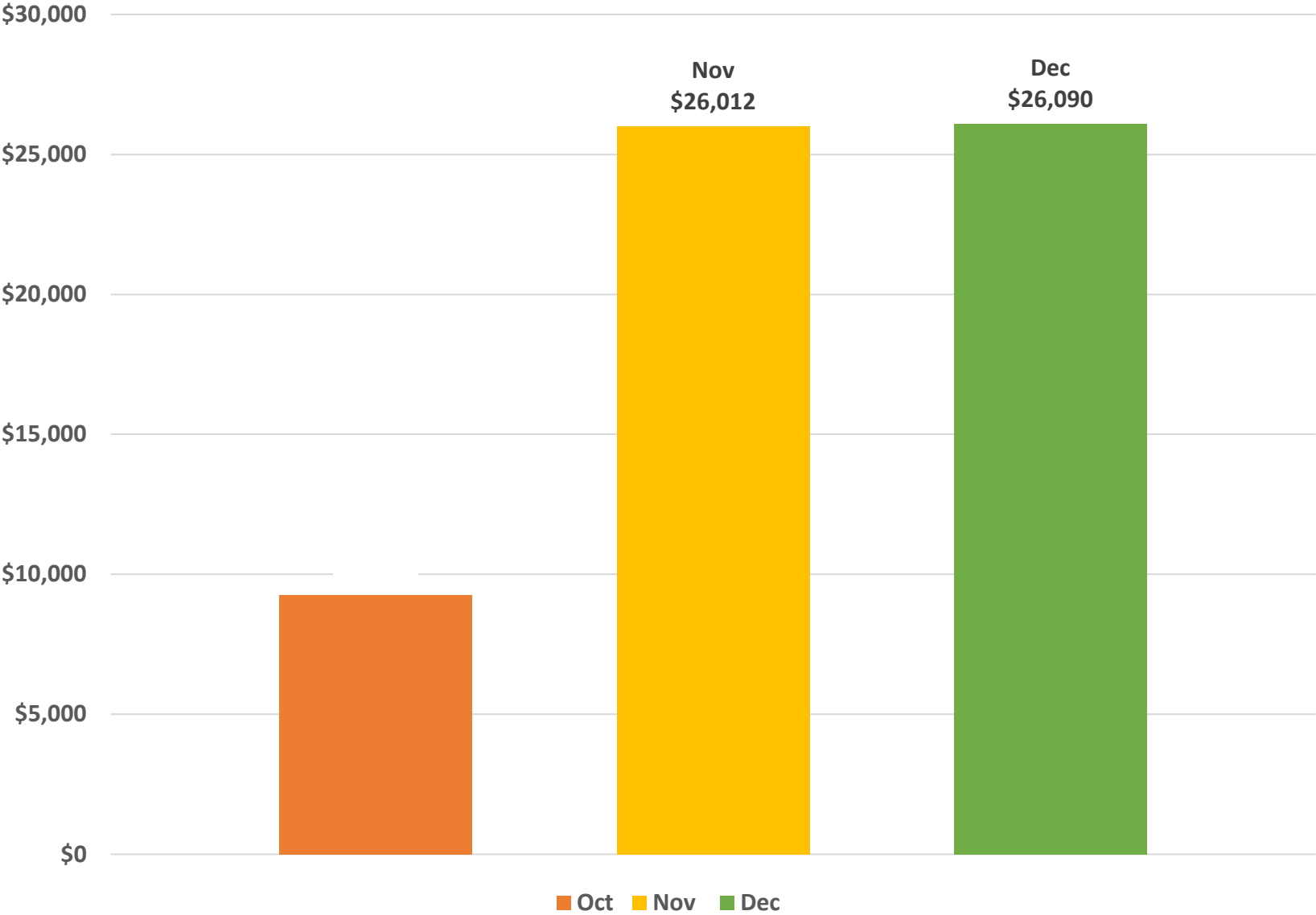
1. Community Development Monthly Activity Report – December 2024.
2. Community Development Hurricane Fee Waiver Report

REVIEWERS:

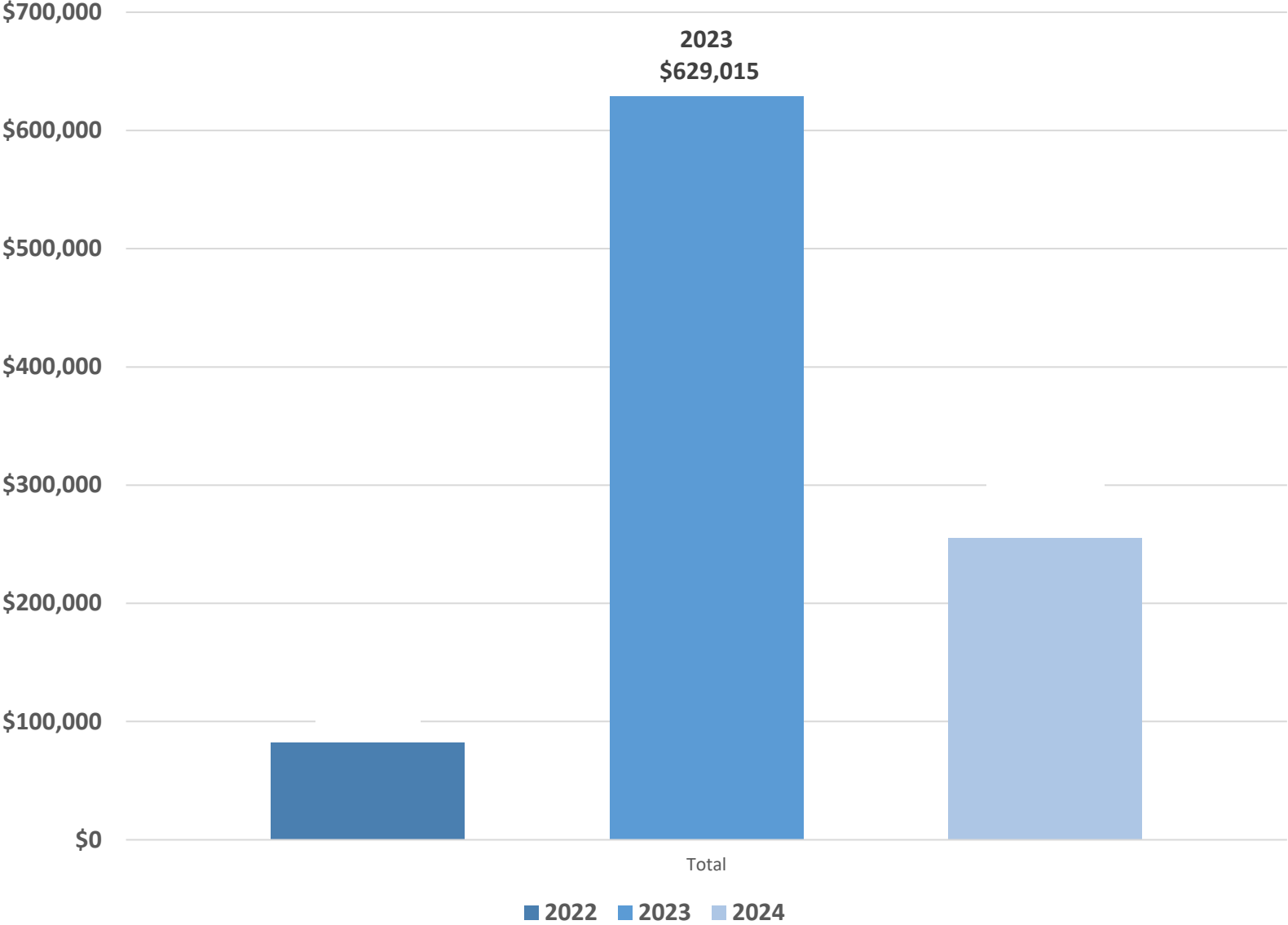
City Manager:	Arleen Hunter
City Attorney:	Derek Rooney
City Clerk:	Mike Sheffield
Department Director:	John Dulmer

**COMMUNITY DEVELOPMENT
HURRICANE IAN / HELENE / MILTON UPDATE**

Hurricane Ian / Helene / Milton Fee Waivers by Month



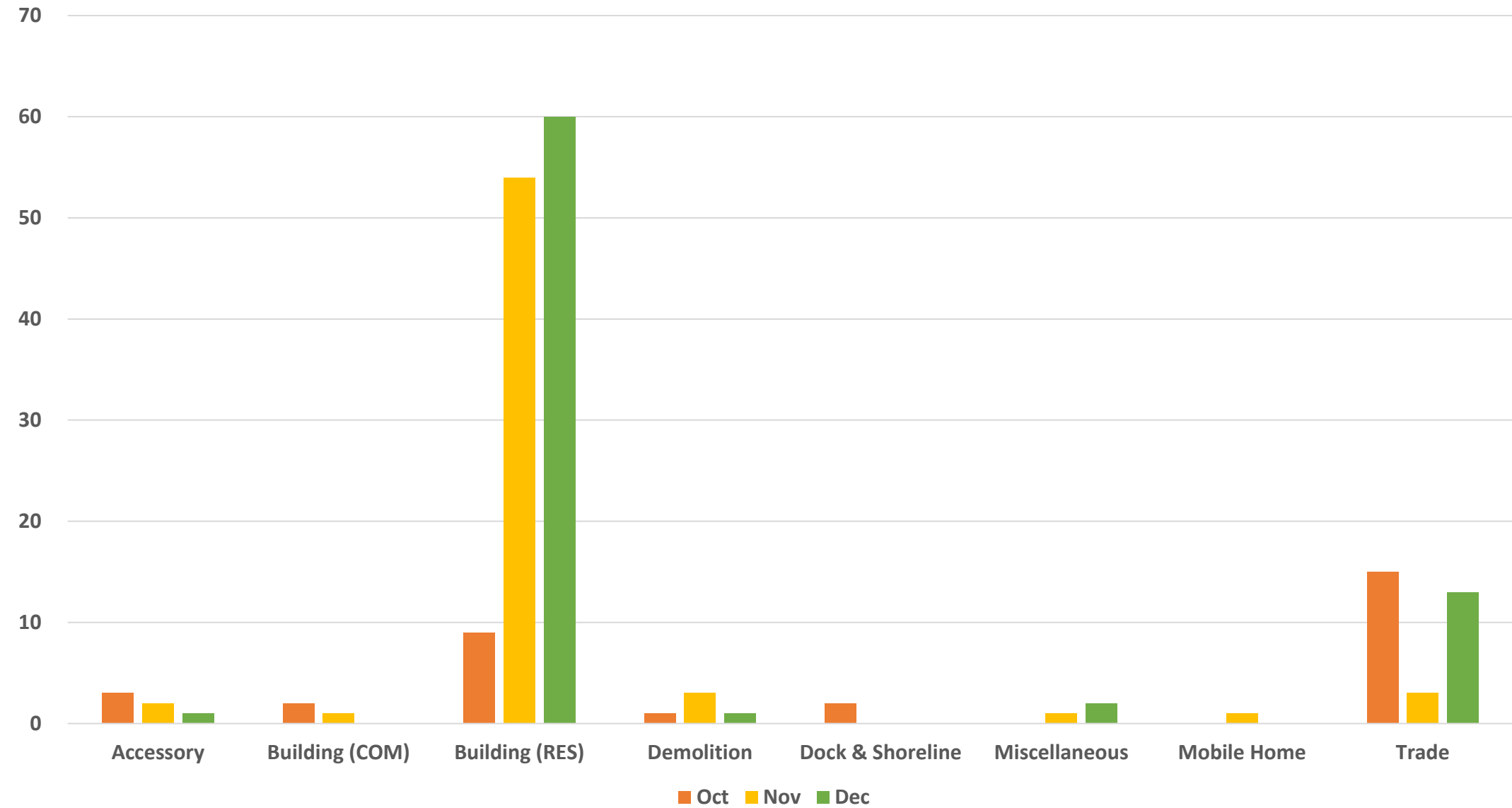
Cumulative Hurricane Ian / Helene / Milton Fee Waivers by Year
Waived Fees Total = \$966,756



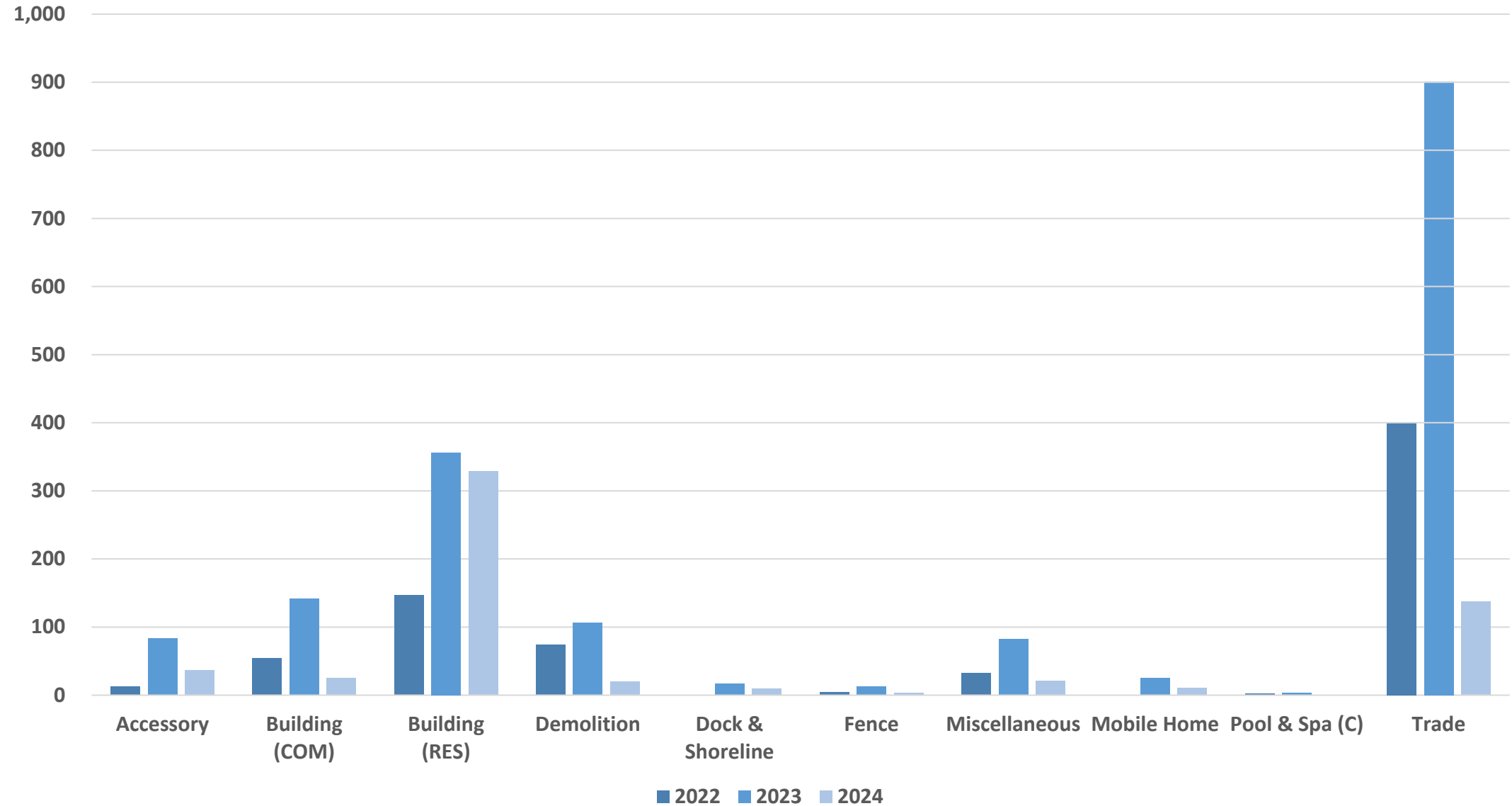
Cumulative Hurricane Ian / Helene / Milton Fee Waivers by Permit Type and Year

Permit Type	2022	2023	2024	Grand Total
Accessory	\$962	\$7,821	\$3,401	\$12,184
Building (COM)	\$4,633	\$234,777	\$39,689	\$279,099
Building (RES)	\$53,063	\$277,307	\$189,702	\$520,072
Demolition	\$7,696	\$11,128	\$2,080	\$20,904
Dock & Shoreline	\$249	\$9,291	\$4,857	\$14,398
Fence	\$270	\$752	\$216	\$1,238
Miscellaneous	\$3,432	\$8,508	\$2,134	\$14,074
Mobile Home	\$0	\$8,283	\$2,286	\$10,569
Pool & Spa (COM)	\$615	\$1,230	\$0	\$1,845
Trade	\$11,629	\$69,917	\$10,827	\$92,373
Grand Total	\$82,549	\$629,015	\$255,192	\$966,756

Hurricane Ian / Helene / Milton Permit Counts by Month



Cumulative Hurricane Ian / Helene / Milton Permit Counts by Year
Permit Count Total = 3,055



Cumulative Hurricane Ian / Helene / Milton Permit Counts by Permit Type and Year

Permit Type	2022	2023	2024	Grand Total
Accessory	13	84	37	134
Building (COM)	55	142	25	221
Building (RES)	147	356	329	830
Demolition	74	107	20	201
Dock & Shoreline	1	17	10	28
Fence	5	13	4	22
Miscellaneous	33	83	21	137
Mobile Home	0	25	11	36
Pool & Spa (C)	2	4	0	6
Trade	401	901	138	1,440
Grand Total	731	1,732	595	3,055

Community Development

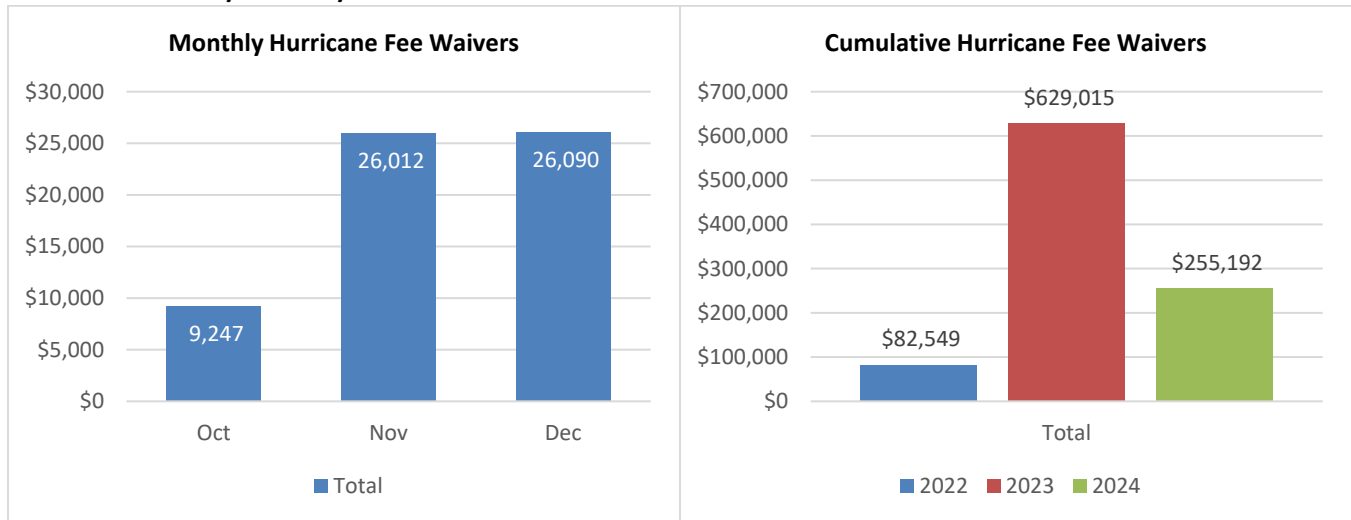
Prepared for:



December 2024

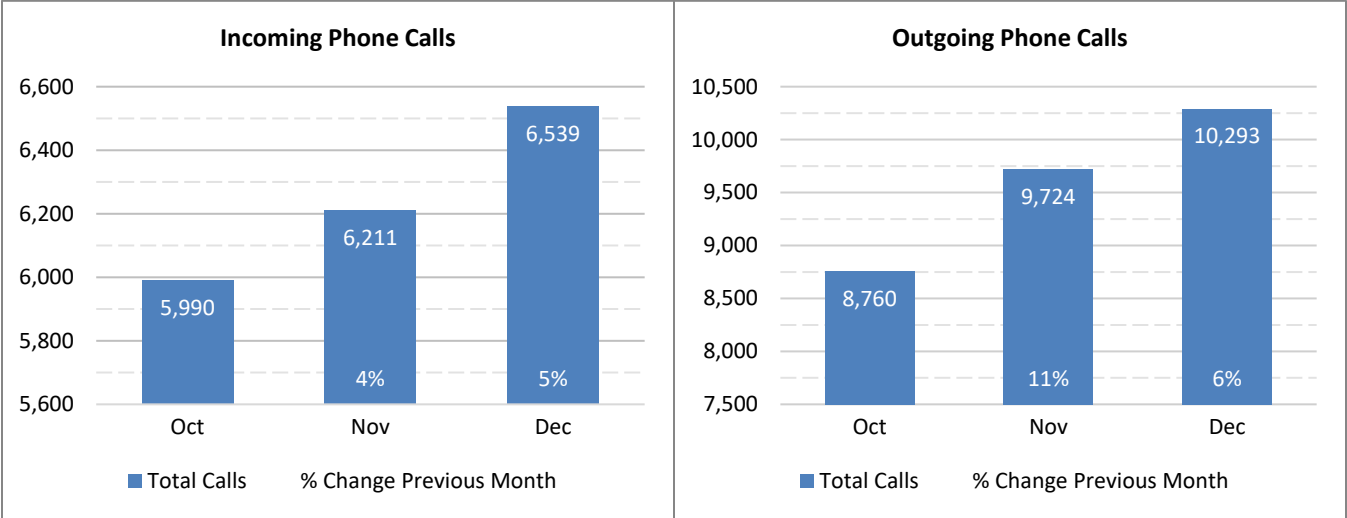
Prepared by:

JACOBS®

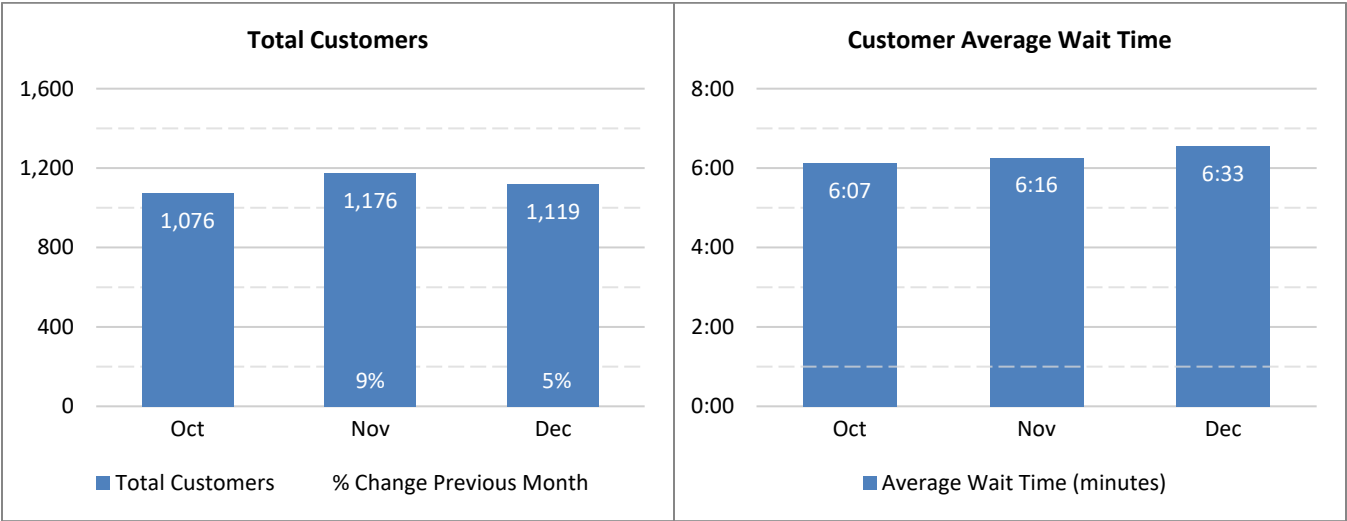
A. Hurricane Ian / Helene / Milton**Cumulative Hurricane Ian / Helene / Milton Fee Waivers by Permit Type**

Permit Type	2022	2023	2024	Grand Total
Accessory	\$962	\$7,821	\$3,401	\$12,184
Building (COM)	\$4,633	\$234,777	\$39,689	\$279,099
Building (RES)	\$53,063	\$277,307	\$189,702	\$520,072
Demolition	\$7,696	\$11,128	\$2,080	\$20,904
Dock & Shoreline	\$249	\$9,291	\$4,857	\$14,398
Fence	\$270	\$752	\$216	\$1,238
Miscellaneous	\$3,432	\$8,508	\$2,134	\$14,074
Mobile Home	\$0	\$8,283	\$2,286	\$10,569
Pool & Spa (COM)	\$615	\$1,230	\$0	\$1,845
Trade	\$11,629	\$69,917	\$10,827	\$92,373
Grand Total	\$82,549	\$629,015	\$255,192	\$966,756

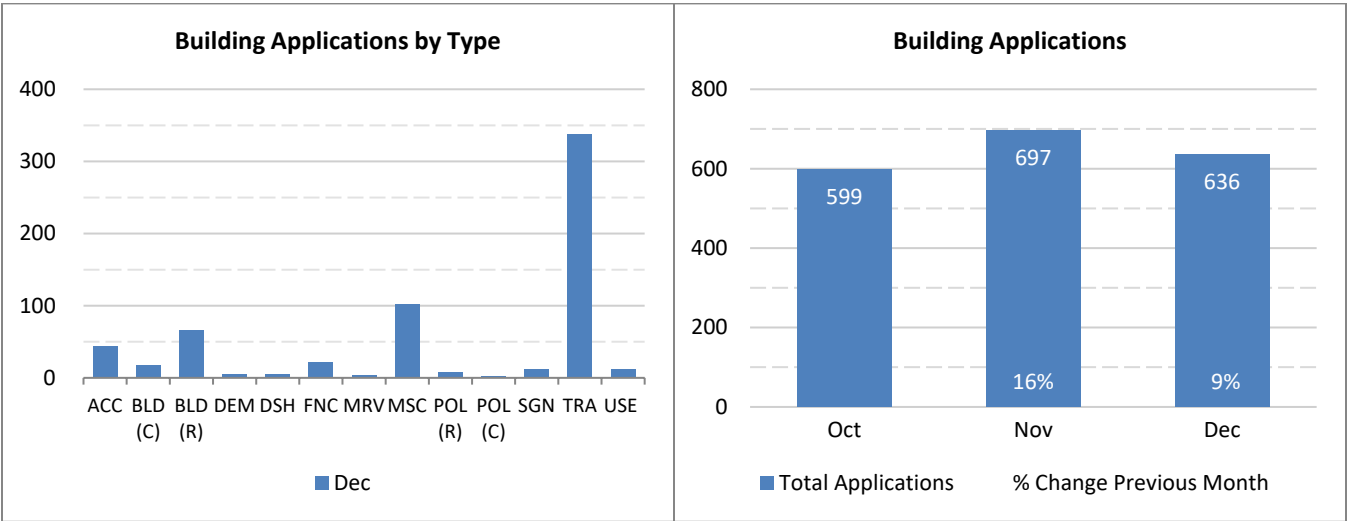
B. PHONE CALLS

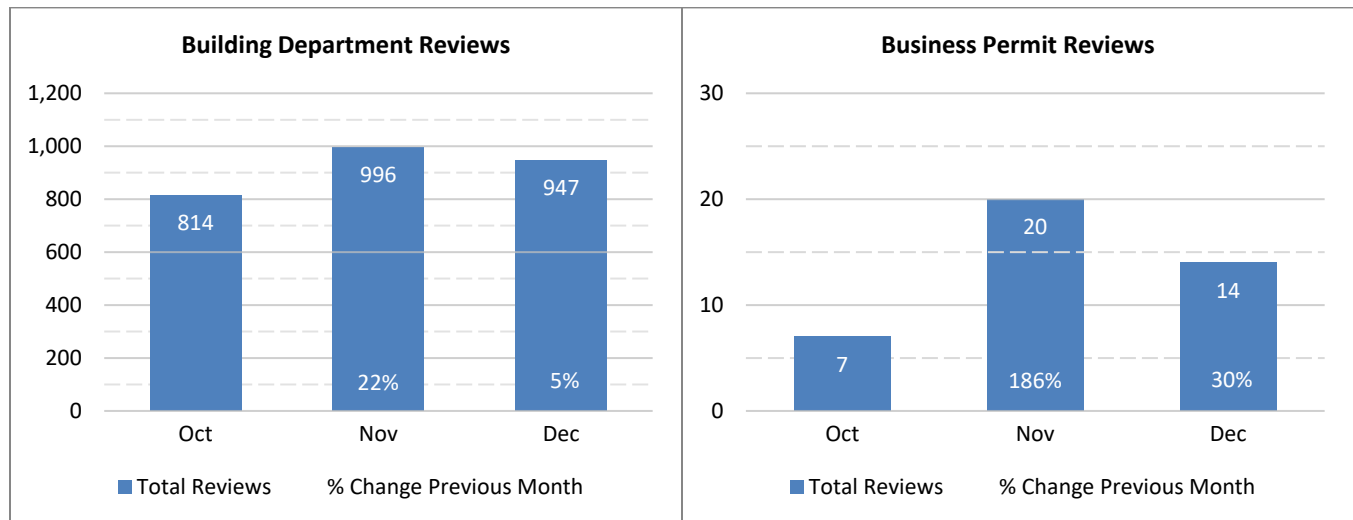
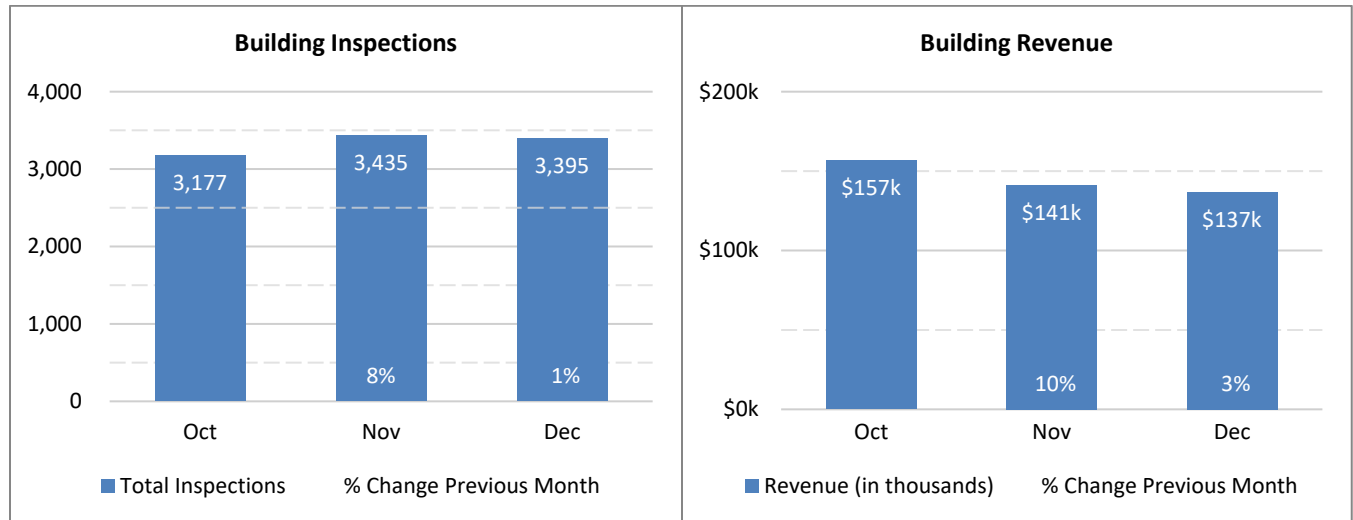


C. PERMITTING COUNTER

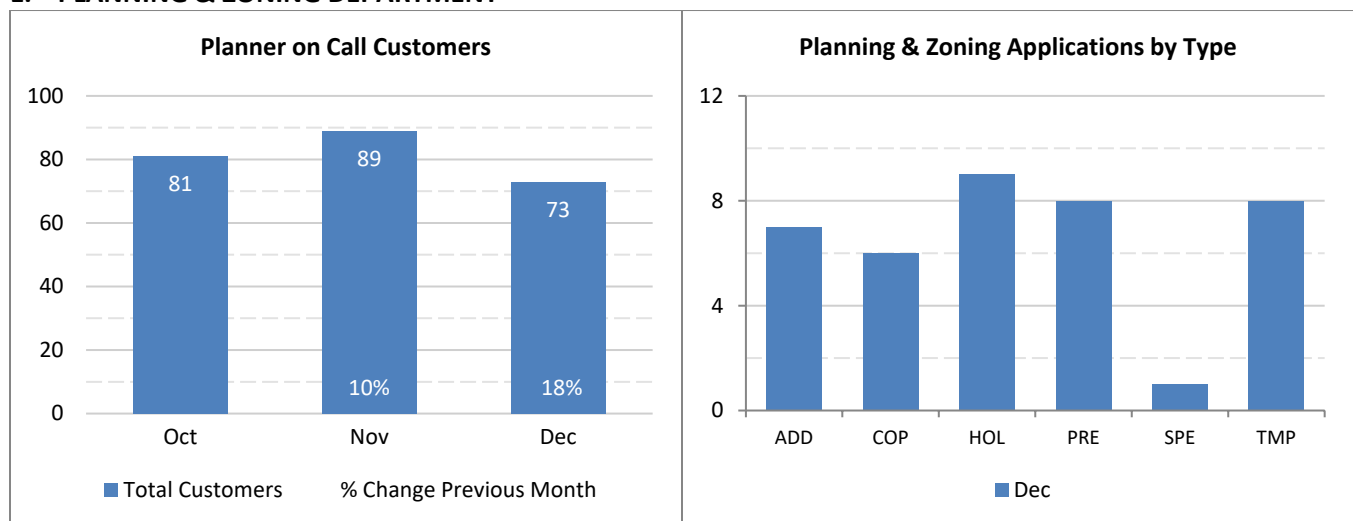


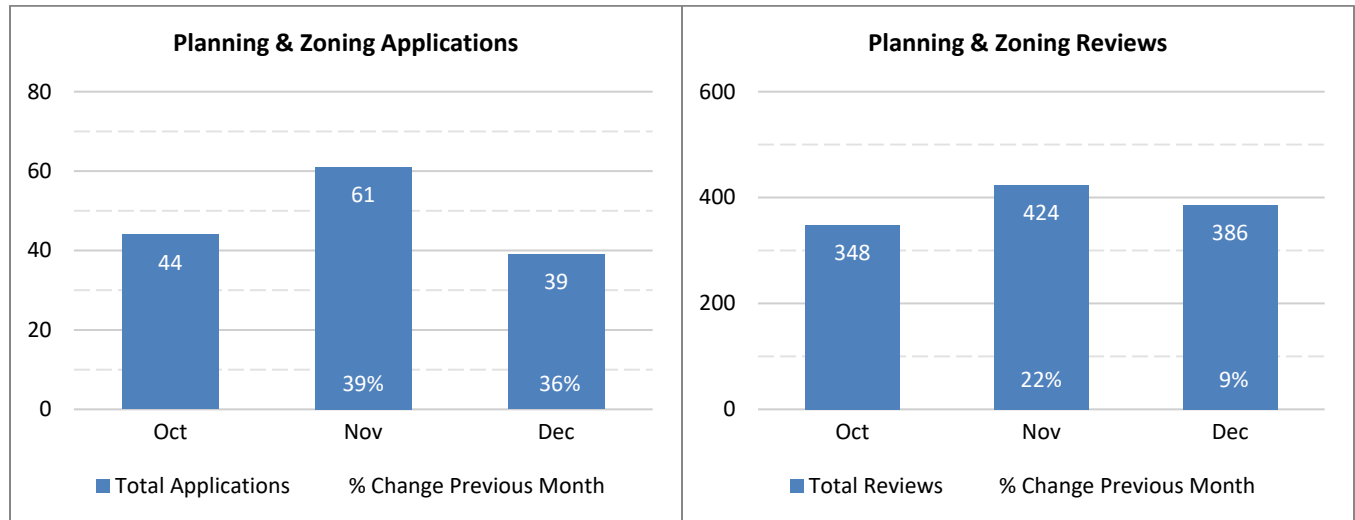
D. BUILDING DEPARTMENT



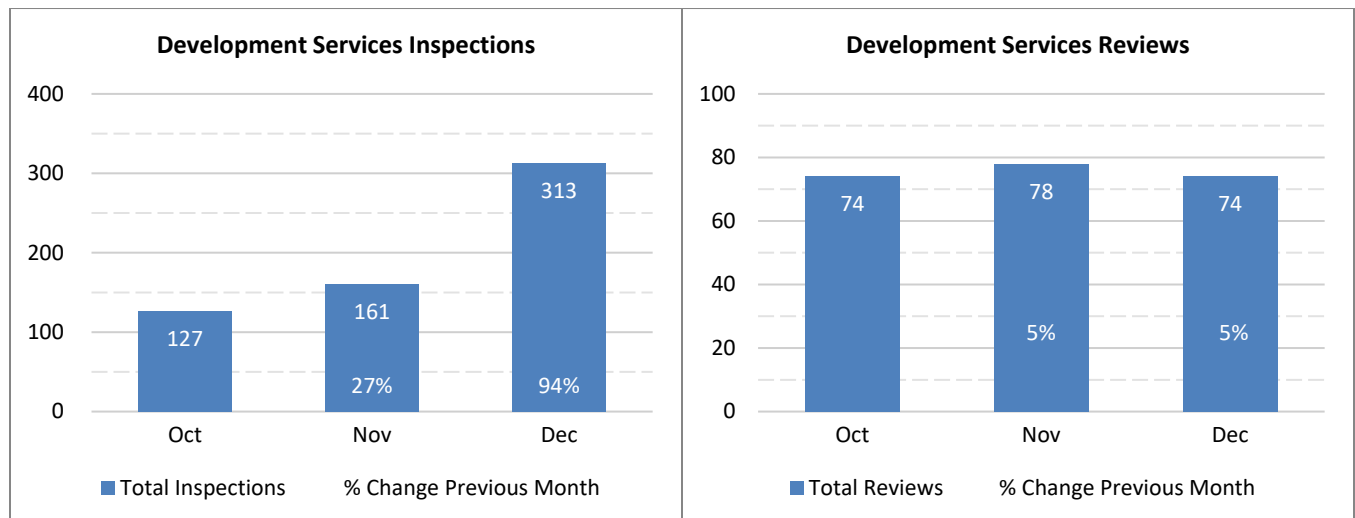
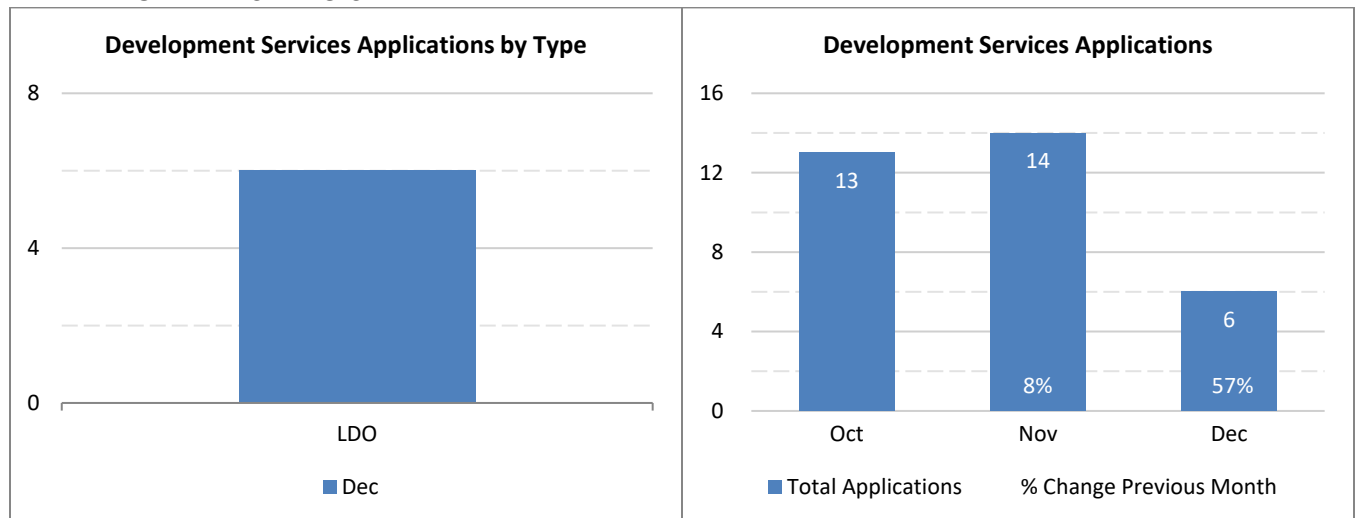


E. PLANNING & ZONING DEPARTMENT





F. DEVELOPMENT SERVICES DEPARTMENT



ITEM TITLE: Discuss the Florida Department of Commerce’s Local Government Emergency Bridge Loan option to extend interest-free period for 8 years, and provide direction to staff.

REQUESTOR: Arleen M. Hunter, City Manager; Derek Rooney, City Attorney; Lisa Griggs Roberson, Director of Finance & Administrative Services

AGENDA SECTION: City Manager Items

STRATEGIC PRIORITY:

BACKGROUND:

On September 6, 2023, the City approved the Florida Department of Commerce’s Local Government Emergency Bridge Loan for Hurricane Ian in the amount of \$2,000,000 with an interest-free period which expires December 1, 2025.

The City has been advised that an amendment to the loan terms has been approved and is being offered to all local governments in the Florida Department of Commerce’s Local Government Emergency Bridge Loan program.

The highlights of the terms are:

- No fees or interest due through term of the loan which expires December 1, 2025. Current option to extend term to October 3, 2033.
- The loan may be repaid at any time without any penalty.
- The use of funds will be limited to costs associated with continuing, expanding, or modifying local governmental operations to meet disaster-related needs, and includes costs such as, but not necessarily limited to, staff salaries and payroll. This term does not include capital and equipment costs associated with the construction, repair, or renovation of damaged public facilities or infrastructure.

These funds are available to the City to provide funding for local governmental operations to meet disaster-related needs.

STAFF RECOMMENDATION: Provide direction to staff

ATTACHMENTS:

1. Amendment One Local Government Emergency Bridge Loan Agreement
2. BSC 23-12-290 Local Government Emergency Bridge Loan Agreement
3. BSC 23-12-291 Promissory Note

REVIEWERS:

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

**AMENDMENT ONE
TO THE LOAN AGREEMENT
AND PROMISSORY NOTE
BETWEEN
THE FLORIDA DEPARTMENT OF COMMERCE AND
CITY OF BONITA SPRINGS, FLORIDA**

This Amendment to Grant Agreement S0233 (this "Amendment") is made and entered into by and between the Florida Department of Commerce ("Commerce" or "Lender"), and City of Bonita Springs, Florida (the "Local Government" or "Borrower"). The Local Government and Commerce may individually be referred to herein as a "Party", and collectively as the "Parties".

WHEREAS, on June 13, 2024, the Governor signed into law Chapter 2024-234, which amended the term of loans extended under 288.066(3)(c) F.S.;

WHEREAS, Section 9 of the Promissory Note provides that any amendment to the Agreement shall be in writing and executed by the Parties;

WHEREAS, the Parties wish to amend the Agreement and associated Promissory Note to extend to October 3, 2033; and

WHEREAS, the Parties wish to amend the Agreement as set forth herein.

NOW THEREFORE, for and in consideration of the agreements, covenants, and obligations set forth herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties, intending to be legally bound hereby, amend the Agreement as follows:

1. Section 2, Borrowing and Payments, subsection 2.4.1 is hereby deleted in its entirety and replaced with the following:

2.4.1 The Borrower shall repay principal of \$2,000,000 (the "Outstanding Principal") on or before October 3, 2033 (the "Maturity Date"). The Outstanding Principal may be repaid at any time without penalty.
2. Section 3, Payment, of the associated Promissory Note is hereby deleted in its entirety and replaced with the following:

3. PAYMENT: The Borrower hereby agrees to repay principal of \$2,000,000 on or before October 3, 2033 (the "Maturity Date"). This Note may be repaid at any time without penalty.
3. All other terms and conditions remain in effect.

Agreement Number S0233

IN WITNESS WHEREOF, by signature below, the Parties agree to abide by the terms, conditions, and provisions of Contract S0233 as amended. This Amendment is effective on _____.

FLORIDA DEPARTMENT OF COMMERCE

CITY OF BONITA SPRINGS, FLORIDA

By: _____
Signature

By: _____
Signature

Title **J. Alex Kelly**
Secretary

Title: **Mike Gibson**
Mayor

Date: _____

Date: _____

Approved as to form and legal sufficiency, subject only to full and proper execution by the Parties.

OFFICE OF GENERAL COUNSEL
FLORIDA DEPARTMENT OF COMMERCE

By: _____

Approved Date: _____

FLORIDA DEPARTMENT OF COMMERCE LOCAL GOVERNMENT EMERGENCY BRIDGE LOAN AGREEMENT

THIS LOAN AGREEMENT ("Agreement"), made by and between City of Bonita Springs (the "Local Government" or "Borrower"), and THE STATE OF FLORIDA, DEPARTMENT OF COMMERCE (the "Lender"). The Borrower and the Lender may be referred to individually each as a "Party" and collectively as the "Parties."

WHEREAS, the Borrower has applied to Lender for an extension of credit pursuant to section 288.066 of the Florida Statutes; and

WHEREAS, Lender has agreed to provide an extension of credit as set forth in section 288.066 of the Florida Statutes and in accordance with the terms hereof; and

WHEREAS, the Borrower has the authority to enter into this Agreement, as set forth in the City of Bonita Springs Resolution, attached hereto and incorporated herein by reference; and

WHEREAS, this agreement is not a general obligation of the State of Florida, nor is it backed by the full faith and credit of the State of Florida, and payment of funds hereunder is conditioned on and subject to appropriations by the Florida Legislature; and

WHEREAS, the Borrower has the authority to enter into this Agreement.

NOW THEREFORE, the Parties hereby agree as follows:

1. DEFINITIONS

- 1.1 "Agreement" means this instrument, as it may from time to time be amended.
- 1.2 "Debt" or "Loan" means the \$2,000,000 in loan funds applied for by the Borrower and awarded by the Department, and subject to the terms and conditions of the Loan Agreement and the Promissory Note.
- 1.3 "Debt Service Fund" means the Local Government's 2023 Florida Bridge Loan held by the Finance Director of the Local Government Clerk's office.
- 1.4 "Default" means any of the events specified in Section 5 of this Agreement, whether any such requirement in connection with such event for the giving of notice or the lapse of time or the happening of any further condition, event, or act has been satisfied.
- 1.5 "Event of Default" means any of the events specified in Section 5 of this Agreement, provided there has been satisfied any requirements in connection with such event for the giving of notice or the lapse of time or the happening of any further condition, event, or act.
- 1.6 "Financial Statements" means a balance sheet and statement of income and surplus as of the end of and for the applicable period for the Borrower.
- 1.7 "Governmental Fund Revenues" means the total revenues of the Local Government derived from any source whatsoever and that are allocated and accounted for in the "governmental funds" as shown in the annual audited financial statements of the Local Government for the applicable fiscal year, excluding any ad valorem revenues, grants, and restricted gifts.
- 1.8 "Governmental Operations" means costs associated with continuing, expanding, or modifying local governmental operations to meet disaster-related needs, and includes costs such as, but not necessarily limited to, staff salaries and payroll. This term does not include capital and equipment costs associated with the construction, repair, or renovation of damaged public facilities or infrastructure.
- 1.9 "Indebtedness" means all amounts due from Borrower to Lender under the Loan Documents, including, without limitation, principal, interest, cost of collection, attorneys' fees, and other expenses of the Lender which Borrower is

obligated to pay and amounts advanced by Lender in discharge of obligations of the Borrower hereunder or other persons under the Loan Documents, whether such debts are now due or hereafter incurred, direct or indirect, and whether such debts are from time to time reduced and thereafter increased or entirely extinguished and thereafter reincurred.

- 1.10 "Loan Documents" means this Agreement, the Promissory Note, and Opinion of Borrower's Counsel.
- 1.11 "Non-Ad Valorem Revenues" means all Governmental Fund Revenues, other than (1) revenues generated from ad valorem taxation on real or personal property, (2) grants, and (3) restricted gifts, which are legally available to make the payments required herein.
- 1.12 "Pledgeable Non-Ad Valorem Revenues" means all legally available Non-Ad Valorem Revenues of the Local Government, including any funds received from any federal programs for disaster-related expenses, which are legally available to make the payments required by the Resolution.
- 1.13 "Pledged Revenues" means the Pledgeable Non-Ad Valorem Revenues and the proceeds of any indebtedness incurred for the purpose of financing the Governmental Operations.
- 1.14 "Promissory Note" means that promissory note executed by the Borrower as maker to the Lender as payee in the original principal amount of \$2,000,000, or any subsequent renewals of the original promissory note.
- 1.15 "Obligation" means each and every obligation to pay money, whether direct, indirect, or contingent, however arising, including, without limitation, general accounts payable, payments under leases, installment purchase contracts, and debts for money borrowed.
- 1.16 "Opinion of Borrower's Counsel" shall be an opinion letter written by the Borrower's Counsel to the Lender, in a form acceptable to the Lender, which shall include, but is not limited to, a statement that all Loan Documents have been legally and properly executed and obligate the Borrower and are enforceable according to their terms.

2. BORROWING AND PAYMENTS

- 2.1 Note: The funds loaned hereunder will be evidenced by the Promissory Note indicating the aggregate principal amount; provided, however, that the amount actually due from Borrower to Lender from time to time will be evidenced by the Lender's records.
- 2.2 Conditions Precedent to Lender's Obligations: Prior to the Lender having any obligations hereunder, Lender in its sole discretion may require the following in form and content reasonably acceptable to Lender and its counsel (1) the Promissory Note; (2) the Opinion of Borrower's Counsel; (3) Such other documents as Lender may reasonably request.
- 2.3 Interest: From the date hereof until the Maturity Date interest shall accrue on the unpaid principal balance at a rate of 10% per annum. The interest shall be repaid as described in paragraph 2.4 below.
- 2.4 Repayment of Principal and Interest: The principal and interest shall be repaid as follows:
- 2.4.1 The Borrower shall repay principal of \$2,000,000 (the "Outstanding Principal") on or before [12/1/2025] (the "Maturity Date"). The Outstanding Principal may be repaid at any time without penalty.
- 2.4.2 No interest will accrue for the term of the loan. At the Maturity Date, simple interest will be computed on the basis of the actual number of days elapsed over an assumed 360-day year on the then outstanding principal balance. From the Maturity Date until the principal is paid the interest rate shall be based on a fixed rate of interest at 10% per annum.
- 2.4.3 The Borrower may request a six-month extension to the Maturity Date at any time before the Maturity Date. If approved by the Lender the new date after the extension shall become the Maturity Date.

- 2.5 Application of Payments: All payments received on the Indebtedness shall be applied first to interest to the extent then accrued and then to principal.

3. AFFIRMATIVE COVENANTS

- 3.1 Amounts due under the Loan Documents shall be payable from Non-Ad Valorem Revenues of the Borrower derived from the Borrower's covenant to budget and appropriate from legally available Non-Ad Valorem Revenues each year such monies sufficient to pay principal and interest on the Promissory Note.
- 3.2 The Borrower shall ensure that sufficient Non-Ad Valorem revenues will be available to pay the principal and interest due and payable on the Promissory Note as of the date such payment is due.
- 3.3 The Borrower will maintain all unexpended Loan funds received from the Department in bank accounts separate from its other operating or other special purposes accounts. The Borrower will not commingle the Loan funds with any other funds, projects, or programs. Any interest earned on expended Loan funds remain State funds, pursuant to section 288.006, Florida Statutes.
- 3.4 There is hereby created and established the Debt Service Fund held by the Finance Director, of the Local Government Clerk's office, held for the benefit of the Department and solely for the payment of the Debt. The Debt Service Fund shall be deemed to be held in trust for the purposes provided herein for such Fund. The money in such Fund shall be continuously secured in the same manner as state and municipal deposits are authorized to be secured by the laws of the State of Florida, and as evidenced and more completely described in the Loan Documents. The Local Government may at any time and from time to time appoint one or more depositories to hold, for the benefit of the Department, the Debt Service Fund established hereby. Such depository or depositories shall perform at the direction of the Local Government the duties of the Local Government in depositing, transferring and disbursing moneys to and from each such Fund as herein set forth, and all records of such depository in performing such duties shall be open at all reasonable times to inspection by the Local Government and its agents and employees. Any such depository shall be a bank or trust company duly authorized to exercise corporate trust powers and subject to examination by federal or state authority, of good standing, and having a combined capital, surplus and undivided profits aggregating not less than fifty million dollars (\$50,000,000). Notwithstanding anything herein to the contrary, the Local Government may invest amounts on deposit in the Debt Service Fund in accordance with the Act, Florida Statutes 218.415, and the Local Government's investment policy.
- 3.5 The Local Government covenants and agrees to appropriate in its annual budget, by amendment if necessary, from Pledgeable Non-Ad Valorem Revenues, and to deposit into the Debt Service Fund hereinafter created, Pledgeable Non-Ad Valorem Revenues sufficient to pay principal of and interest on the Promissory Note as the same shall become due. Such covenant and agreement on the part of the Borrower to budget, appropriate, and deposit such amounts of Pledgeable Non-Ad Valorem Revenues shall be cumulative to the extent not paid and shall continue until such Pledgeable Non-Ad Valorem Revenues or other legally available funds in amounts sufficient to make all such required payments shall have been budgeted, appropriated, deposited and actually paid. The Borrower hereby expressly pledges the Pledged Revenues for the repayment of the Debt until the Loan has been repaid in full. The Borrower further acknowledges that the obligations of the Borrower to include the amount of any deficiency in payments in each of its annual budgets and to pay such deficiencies from Pledgeable Non-Ad Valorem Revenues may be enforced in a court of competent jurisdiction in accordance with the remedies set forth in the Loan Documents.
- 3.6 The Borrower is not prohibited from pledging future Non-Ad Valorem Revenues, nor is the Borrower required to levy and collect any particular Non-Ad Valorem Revenues, nor does the Borrower give the Department a prior claim on the Non-Ad Valorem Revenues as opposed to claims of general secured creditors of the Borrower. All obligations of the Borrower hereunder shall be payable from the Pledgeable Non-Ad Valorem Revenues budgeted, appropriated, and deposited as provided herein and nothing herein shall be deemed to pledge ad valorem taxing power or ad valorem tax revenues, or to permit or constitute a mortgage or lien upon any assets owned by the Borrower. Neither the Department nor any other person may compel the levy of ad valorem taxes on real or personal property within the boundaries of the Borrower, or the use or application of ad valorem tax revenues in order to satisfy any payment obligations hereunder,

or to maintain or continue any of the activities of the Borrower which generate user service charges, regulatory fees, or any other Non-Ad Valorem Revenues. The obligation of the Borrower to budget, appropriate, deposit and make payments hereunder from its Pledgeable Non-Ad Valorem Revenues is subject to the availability of Pledgeable Non-Ad Valorem Revenues after the satisfaction of the funding requirements for obligations incurred prior to the effective date of the Loan Documents, and the funding requirement for essential governmental services of the Borrower or for essential public purposes affecting the health, welfare, and safety of the Borrower's inhabitants. The Debt shall be payable as provided herein and is subject in all respects to the provisions of Section 166.241, Florida Statutes.

- 3.7 Right of Inspection: Whenever Lender, in its sole discretion, deems it necessary, the Borrower will permit Lender or any agent designated by Lender to visit and inspect any of Borrower's properties and its organizational documents, bylaws, minute books and records, all at such reasonable times and as often as Lender may reasonably request.
- 3.8 Insurance: The Borrower will maintain adequate insurance (both casualty {if improved} and liability) with responsible insurers with coverage normally obtained by organizations similar to the Borrower and shall annually provide documentation of the insurance coverage and its payment to Lender so long as this Agreement is in force.
- 3.9 Taxes and Other Charges: The Borrower will pay and discharge or cause to be paid and discharged all taxes, charges, or claims of any type at any time assessed against the Borrower which could become a lien against the Borrower or any of its properties. The Borrower shall also pay all inspection costs. Nothing in this subsection shall require the payment of any sum so long as the Borrower shall, by appropriate proceedings, contest the same in good faith and so long as Borrower, if so requested by Lender, creates a funded reserve equal to the amount so claimed or assessed.
- 3.10 Further Assurances: If at any time Lender or its counsel is of the reasonable opinion that any additional documents or materials are required or appropriate to carry out the intentions of the parties hereto to perfect the liens, debts, or obligations, or complete the construction and improvements contemplated by this Agreement, then Borrower shall, within 10 days after written notice of such opinion from Lender, do or cause to be done all things and matters necessary (including, without limitation, obtaining any consents) to assure to the reasonable satisfaction of counsel for Lender that such intentions are properly carried out.
- 3.11 Compliance with Certain Requirements: The Borrower agrees that in its operations the Borrower will comply with all applicable rules and regulations of any federal, state or local governmental authorities which may be applicable to Borrower and/or any of its businesses.
- 3.12 Executive Officers: The Borrower agrees that at all times that it shall follow its rules, bylaws and requirements concerning the service of its officers and Commission members and that it shall notify the Lender (and provide a certified copy of the appropriate resolution) within five days of any change in its officers and within five days of notification of election or appointment of Commission members. The undersigned is the current Chairman of the City Council of Borrower and has the right, power, and authority to execute and deliver documents, including but not limited to the Loan Documents, on behalf of the Borrower and thereby bind the Borrower to the terms thereof. This Agreement shall be executed by the Borrower's Board members and shall have the effect of a resolution as to all material stated herein. The above notwithstanding, no member of the Borrower's Board of Commissioners is individually liable as to the Loan Documents.
- 3.13 Maintenance of Existence, Rights: The Borrower will do or cause to be done all things necessary to preserve and keep in full force and effect its existence, franchises, rights and privileges under the laws of the State of Florida or any other jurisdiction where, in the opinion of counsel of Borrower, Borrower shall be qualified to operate and will do or cause to be done all things necessary to preserve and keep in full force and effect its rights to operate in a manner not less favorable to Borrower than those now in existence.
- 3.14 Use of Proceeds: Borrower agrees that the proceeds of any funds received from Lender shall be used for Governmental Operations.
- 3.15 Subordination of Debt: Any and all indebtedness of Borrower of more than 12 months duration, incurred while this Agreement is in effect, shall be subordinate and inferior to the indebtedness of Borrower to Lender hereunder unless specifically approved by Lender and said subordinated debt shall not be repaid without the written consent of Lender.

- 3.16 Reports: Borrower shall submit its annual audit or reviewed financial statements for each fiscal year in which this Agreement and any extensions are in effect. If neither audits nor reviewed financial statements are available, Borrower shall submit annual financial statements which have been prepared according to generally accepted accounting principles. Such statements shall be accompanied by a certification from the preparer that they have been prepared according to generally accepted accounting principles and by a certification by the Chairman of Borrower's City Council that neither audited nor reviewed financial statements are available.
- 3.17 Single Audit Act Reports: In addition to the requirements set out in paragraph 6.12 of this Agreement, Borrower shall also comply with the applicable audit provisions contained in "Exhibit B," attached hereto and incorporated within.

4. NEGATIVE COVENANTS

- 4.1 Liens, Etc.: The Borrower will not create, incur, assume, or suffer to exist any mortgage, pledge, lien, charge, or other encumbrance of any nature whatsoever on any of the assets of Borrower, which are pledged to Lender, whether now owned or hereafter acquired, nor enter into or suffer to exist any conditional sale contracts except such as exist on the date hereof and as are reflected on the most recent financial statement of Borrower delivered to Lender. Capital leases are excluded from this paragraph.
- 4.2 Merger, Consolidation, Sale of Substantial Assets: The Borrower will not merge into, consolidate with, or sell all or a substantial part of its assets to any other person. Provided, however, that this negative covenant shall not prohibit a merger of Borrower with another entity so long as Borrower is a surviving entity.

5. EVENT OF DEFAULT

- 5.1 Each of the following constitute an Event of Default:
- 5.1.1 If the Borrower defaults in the payment of any principal or interest under the Promissory Note within 30 calendar days from when the same shall become due either by the terms thereof or otherwise; or
 - 5.1.2 If the Borrower fails to comply with the non-monetary terms and conditions of any of the Loan Documents after 30 calendar days' notice from the Lender; or
 - 5.1.3 If any material representation or warranty made by the Borrower herein or in any writing furnished in connection with or pursuant to the Loan Documents shall be false or breached in any material respect and shall remain so after 30 days' notice; or
 - 5.1.4 If the Borrower makes an assignment for the benefit of creditors or petitions for appointment of a trustee or receiver of the Borrower, or of any substantial part of the assets of the Borrower, or commences any proceedings relating to the Borrower, under any bankruptcy, reorganization, arrangement, insolvency readjustment or debt, dissolution, or liquidation law of any jurisdiction, whether now or hereafter in effect; or
 - 5.1.5 If any such petition or application is filed, or any such proceedings are commenced against the Borrower or any guarantor, and the Borrower or any guarantor by any act indicates its or his/her approval hereof, consent thereto, or acquiescence therein, or if an order is entered appointing a trustee or receiver of any portion of the assets of Borrower or any guarantor or adjudicate the Borrower or any guarantor bankrupt or insolvent or approving the petition in any such proceedings and any such order remains in effect for more than 30 days; or
 - 5.1.6 If any order is entered in any proceedings against the Borrower decreeing the dissolution or split-up of the Borrower or any material judgment or attachment is entered against the Borrower, or any of its assets then there shall exist an Event of Default. When there shall exist an Event of Default, thereupon, Lender may, at its option, refuse to make any future advances to Borrower under the notes referenced in paragraph 1.5 above, and declare all of the Indebtedness of the Borrower with the Lender to be immediately mature, due and payable together with interest accrued thereon, and exercise any and all other remedies lawfully available to it; or
 - 5.1.7 If the Borrower employs unauthorized aliens or commits a violation of Section 274(e) of the U.S. Immigration and Nationality Act; or
 - 5.1.8 If the Borrower fails to enroll in and utilize the E-Verify system to verify the citizenship status of Borrower's new employees within 60 days of execution.
- 5.2 While there shall exist an Event of Default, Lender may, at its option, refuse to make any advances to Borrower under the Promissory Note and declare all the indebtedness to be immediately due and payable, together with interest accrued thereon, and exercise any and all other remedies lawfully available to it, including any remedies available under the Promissory Note.

6. MISCELLANEOUS

- 6.1 Expenses: The Borrower agrees, whether or not the transactions hereby contemplated shall be consummated, to pay and save Lender harmless against liability for the payment of all out-of-pocket expenses arising in connection with this transaction, including any state documentary stamp taxes or other taxes (including interest and penalties, if any) which may be determined to be payable in respect to the execution and delivery of any Loan Documents executed in connection with this Agreement. If an Event of Default shall occur, Borrower shall also pay all Lender's costs of collection, including Lender employee travel expenses, court costs, and attorney's fees whether incurred with collection efforts, trial, appeal, or bankruptcy proceedings. If an Event of Default shall occur, Borrower may not use proceeds of this loan to pay Lender's costs of collection enumerated above.
- 6.2 Limitation of Lender's Duties: While the Lender has the option to make certain inspections of the property of Borrower and to make certain determinations as to the purpose for which advances are requested hereunder, the Lender is under no obligation to do so. Moreover, Lender shall have no responsibility whatsoever for any aspect of any matter in which Borrower runs his business nor the reasons of any investment by Borrower.
- 6.3 Survival of Representation and Warranties: All representations and warranties contained herein or made in writing in connection herewith shall survive the execution and delivery of Loan Documents.
- 6.4 Successors and Assigns: All covenants and agreements in this Agreement contained by or on behalf of either of the parties hereto shall bind and insure to the benefit of the respective successors and assigns of the parties hereto whether so expressed or not.
- 6.5 Notices: All written communications provided for hereunder shall be sent by first class mail as follows or to such other address with respect to any party as such party shall notify the others in writing:
- TO LENDER: Florida Department of Commerce
ATT: Mason Alford
107 East Madison Street, MSC 80
The Caldwell Building
Tallahassee, Florida 32399
- TO BORROWER: City of Bonita Springs
ATT: Lisa Griggs Roberson
9101 Bonita Beach Road
Bonita Springs, Florida 34135
- 6.6 Applicable Law: This Agreement is being delivered in the State of Florida and shall be construed and enforced in accordance with the laws of the State of Florida. The recitals of this Agreement are incorporated herein by reference and shall apply to the terms and provisions of this Agreement and the Parties.
- 6.7 Headings: The descriptive section headings herein have been inserted for convenience only and shall not be deemed to limit or otherwise affect the construction of any provisions hereof.
- 6.8 Counterparts: This Agreement may be executed simultaneously in several counterparts, each of which shall be deemed an original, and it shall not be necessary in making proof of this Agreement to produce or account for more than one such counterpart.
- 6.9 Remedies Cumulative: All rights and remedies of Lender hereunder are cumulative and in addition to any rights and remedies which Lender may have under any applicable laws, and the exercise of any of one right or remedy by Lender against one party hereto will not deprive Lender of any right or remedy against that party or any other parties hereto.
- 6.10 Severability: If any portion of any Loan Document is found to be illegal, invalid, or unenforceable, such term shall be severed and the remainder of the Loan Document in question shall continue in full effect.

- 6.11 Waivers: No delay or omission by the Lender in exercising any right hereunder or under any Loan Document or with respect to the Indebtedness shall operate as a waiver of that or any other right, and no single or partial exercise of any right shall preclude the Lender from any other or further exercise of any other right or remedy. The Lender may cure any Event of Default in any reasonable manner without waiving that or any other prior or subsequent Event of Default by the Borrower.
- 6.12 Maintenance of Records: Borrower shall retain and maintain all records in connection with the Indebtedness and make such records available for financial audit as may be requested. Records shall include books, documents, and other evidence, including, but not limited to, vouchers, bills, and invoices, requests for payment and other supporting documentation, and independent auditors' working papers which, according to generally accepted accounting principles, procedures and practices, sufficiently and properly reflect all transactions related to this Indebtedness. Such records shall be retained by Borrower for a minimum period of five years after the repayment in full of the Indebtedness. The records shall be subject at all times to inspection, review, or audit by personnel of the Office of the Auditor General, Department of Financial Services, Office of the Chief Inspector General, or other personnel authorized by Lender and copies of the records shall be delivered to Lender upon request.
- 6.13 Small and Minority Business: Borrower is encouraged to use small businesses, including minority and women-owned businesses as subcontractors or sub-vendors under this Agreement. The directory of certified minority and women-owned businesses can be accessed from the website of the Department of Management Services, Office of Supplier Diversity.
- 6.14 Lobbying: Funds from this loan may not be used for lobbying the Florida Legislature, the Florida judicial branch, the Governor or the Executive Office of the Governor, or a State of Florida agency pursuant to Section 216.347, Florida Statutes.
- 6.15 Public Entity Crime: Borrower affirms that at no time has Borrower been convicted of a public entity crime pursuant to Section 287.133(2)(a), Florida Statutes, and agrees that it shall not violate any such law and further acknowledges and agrees that any such conviction during the term of this Agreement may result in the termination of this Agreement. Borrower shall place this provision in any executed agreements resulting from this Agreement.
- 6.16 Non-Discrimination:
- 6.16.1 Borrower will not discriminate against any employee employed in the performance of this agreement, or against any applicant for employment because of age, race, creed, color, handicap, national origin, or sex.
- 6.16.2 Borrower affirms that it is aware of the provisions of Section 287.134(2)(a), Florida Statutes, and that at no time has Borrower been placed on the Discriminatory Vendor List or conducted business with an entity listed. Borrower further agrees that it shall not violate such law and doing so during the term of the Agreement may result in the termination of this Agreement.
- 6.16.3 Borrower shall include similar provisions in any executed agreements resulting from this Indebtedness.
- 6.17 Subcontracts: Any and all contracts that Borrower executes with a person or organization under which such person or organization agrees to perform services on behalf of Borrower or Lender shall include provisions requiring that such person or organizations report on performance, account for proper use of funds provided under the contract including the provision of audit rights pursuant to paragraph 3.11 of this Agreement, avoid duplication of existing state and local services and activities, and agree to abide by all local, state, and federal laws.
- 6.18 Pledging Credit: Borrower shall not pledge the State of Florida's or Lender's credit or make the State of Florida or Lender a guarantor of payment or surety for any contract, debt, obligation, judgment lien, or any form of indebtedness. Any attempt shall be *void ab initio*.
- 6.19 Term of Agreement: This Agreement shall continue in effect so long as any part of the Indebtedness remains unpaid.
- 6.20 Jurisdiction; Venue: The laws of the State of Florida shall govern the construction, enforcement and interpretation of this Agreement, regardless of and without reference to whether any applicable conflicts of laws principles may point to the application of the laws of another jurisdiction. Each Party shall perform its obligations hereunder in accordance

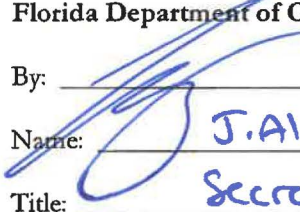
with the terms and conditions of this Agreement. The Parties hereby agree that the exclusive personal jurisdiction and venue to resolve any and all disputes between them including, without limitation, any disputes arising out of or relating to this Agreement shall be in the state courts of the State of Florida in the County of Leon. The Parties expressly consent to the exclusive personal jurisdiction and venue in any state court located in Leon County, Florida, and waive any defense of forum non conveniens, lack of personal jurisdiction, or like defense, and further agree that any and all disputes between them shall be solely in the State of Florida. IN ANY LEGAL OR EQUITABLE ACTION BETWEEN THE PARTIES, THE PARTIES HEREBY EXPRESSLY WAIVE TRIAL BY JURY TO THE FULLEST EXTENT PERMITTED BY LAW.

IN WITNESS WHEREOF, the Parties have caused this Agreement to become effective as of the date executed by the Lender ("Effective Date").

[LOCAL GOVERNMENT NAME]

By: 
Name: Rick Steinmeyer
Title: Mayor
Date: _____

Florida Department of Commerce

By: 
Name: J. Alex Kelly
Title: Secretary
Date: 12/6/23

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY, SUBJECT ONLY TO FULL
AND PROPER EXECUTION OF THE
PARTIES.

OFFICE OF THE GENERAL COUNSEL
FLORIDA DEPARTMENT OF COMMERCE

By: 
Approved Date: 11/28/23

PROMISSORY NOTE

U.S. \$2,000,000

Tallahassee, Florida
[December 1, 2023] DATE

Maturity Date:
[December 1, 2025]

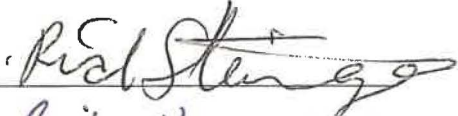
FOR VALUE RECEIVED, the City of Bonita Springs ("Borrower"), promises to pay to the order of the State of Florida, Department of Commerce, ("Lender"), the sum of \$2,000,000, together with interest from the date hereof until maturity at the rate stated below.

1. **NOTE:** This is an interest-bearing Note and the principal sum shown above together with interest thereon from the date hereof calculated in accordance with the interest as calculated in Paragraph 2 shall be payable in accordance with the payment provision pursuant to Paragraph 3. All payments made hereunder shall be credited first to interest and lawful charges and the remainder to principal.
2. **INTEREST CALCULATION:** No interest will accrue for the term of the loan. At the Maturity Date, simple interest will be computed on the basis of the actual number of days elapsed over an assumed 360-day year on the then outstanding principal balance. From the Maturity Date until the principal is paid the interest rate shall be based on a fixed rate of interest at 10% per annum.
3. **PAYMENT:** The Borrower hereby agrees to repay principal of \$2,000,000] on or before [12/1/2025] (the "Maturity Date"). This Note may be repaid at any time without penalty.
4. **ENABLING RESOLUTION:** The Borrower has adopted City of Bonita Springs, Florida RESOLUTION 2023-94], a copy of which is attached hereto as "Exhibit B" and incorporated by reference herein (the "Resolution"). The Resolution authorizes Borrower to perform its obligations under this Note and the Loan Agreement of even date herewith (the "Loan Agreement") including, without limitation, the obligation to pay the amounts due under the Note and all other liabilities of the undersigned to Lender. A default under the terms and conditions of the Loan Agreement shall also be deemed a default under the terms and conditions of this Note.
5. **DEFAULT:** In the event of any default in the payment of any amount due hereunder or in the Loan Agreement, or the insolvency of the Borrower, or the filing by or against any of them of any bankruptcy, insolvency, or other proceedings for the relief of debtors under any state or federal law, or the making by any of them of any assignment for benefit of creditors, or the failure to pay or supersede within 30 days any judgment entered against any of them or the issuance of any writ of attachment or garnishment against any of the property of any of them, or the failure of any of the undersigned to observe or perform any agreement of any nature whatsoever with the lender, or if Lender deems itself insecure, this Note and all Obligations shall forthwith become immediately due and payable without demand or notice, at the option of Lender. After maturity, this Note shall bear interest at the rate stated above.
6. **ATTORNEYS' FEES:** If any amount payable hereunder is not paid when due or declared due, this Note may be placed in the hands of an attorney at law for collection, and in that event, the Borrower agrees to pay all costs of collection, including any reasonable attorneys' fees and costs. Such attorneys' fees and costs shall include, but not be limited to, fees and costs incurred in all matters of collection and enforcement, construction and interpretation, before, during, and after trial proceedings and appeals, as well as appearances in and connected with any bankruptcy proceedings, creditors' reorganization proceedings, or probate proceedings.
7. **RATE CHARGED:** In no event shall the interest charged hereunder be in excess of the legal maximum rate of interest (if any) allowed by applicable law as the law now exists or as the law may be changed in the future to allow higher rates of interest, and in the event that interest is charged at a rate in excess of the maximum rate allowed, any excess sums collected by the Lender shall be applied as reduction to principal, it being the intent of the undersigned hereof and the Lender that the undersigned pay no more and the Lender collect no more than the sums allowed using a lawful rate of interest.

8. **AUTHORITY:** The Borrower has the authority to execute this Note and has all authority to bind itself to the obligations set forth herein and in the Loan Agreement.
9. **AMENDMENT:** This Agreement may only be modified or amended by written instrument executed by both the Borrower and the Lender.
10. **GENERAL:** Each Party to this Note, whether maker, endorser or guarantor, hereby waives presentment for payment, demand, protest and notice of protest and assents to each and every extension or postponement of the time of payment or other indulgence, or to any substitution, addition, exchange or release of the security held by Lender. The undersigned hereby acknowledge that they have received a completed copy of this Note and agree to all the terms contained herein. Capitalized terms used but not defined herein shall carry the meaning ascribed in the Loan Agreement.

IN WITNESS WHEREOF, the Parties have caused this Agreement to become effective as of the date executed by the Lender ("Effective Date").

City of Bonita Springs, Florida

By: 
Name: Rick Steinmayer
Title: Mayor
Date: _____

Florida Department of Commerce

By: 
Name: J. Aleck Kelly
Title: Secretary
Date: 12/6/23

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY, SUBJECT ONLY TO FULL
AND PROPER EXECUTION OF THE
PARTIES.

OFFICE OF THE GENERAL COUNSEL
FLORIDA DEPARTMENT OF COMMERCE

By: 
Approved Date: 11/28/23