



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

City of Bonita Springs City Council Meeting Agenda

February 18, 2026
9:00 a.m.

To address the City Council during this proceeding, please complete a “Public Comment Slip” and submit it to the City Clerk, seated at the left-hand side of the dais. Blank slips are available on the table outside Council Chambers.

To submit a written comment in advance of the meeting, email your name, address, and comment to citymeetings@cityofbonitasprings.org by 1:00 p.m., February 17, 2026.

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. Reasonable accommodations 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. Consent Agenda Items:
 - A. Approve Minutes from the City Council Regular Meeting held on February 4, 2026.
 - B. Approve an Interlocal Agreement with the State Attorney for the Twentieth Judicial Circuit for Prosecution Services Related to Criminal Violations of City Ordinances. (Green Sheet 26-02-020)
 - C. Approve the Special Event Permit for the Celebrate Bonita Festival 2026 and the closure of Old US 41 Road from Wilson Street to Ragsdale Street on Sat., March 28, 2026. (Green Sheet 26-02-021)
 - D. Approve amendment #1 to the FEMA Hazard Mitigation Grant Program - COVID (HMGP-COVID) Neighborhood Acquisition/Demolition Project purchase agreement 2025-005, extending the property acquisition closing date from Feb. 27, 2026 to Aug. 31, 2026. (Green Sheet 26-02-022)

- E. Approve the revised public art lease agreement between the City of Bonita Springs and Lynx Zuckerman @ Bonita Grande, LLC for the display of two (2) art sculptures of “Love of Bonita” and “Blue Water” art pieces by artist Clayton Swartz, which will remain a part of the City’s permanent art collection within the Midtown Development project. (Green Sheet 26-02-029)

- Opportunity for City Council Comments on Consent Agenda

7. Presentations:

- A. Report from the Wonder Gardens on the 90th Anniversary Celebration. (Corrie, Green Sheet 26-02-023)
- B. Presentation from Eve Haverfield of Turtle Time, Inc., on marine turtle nesting data on Bonita Beach and end-of-season nesting results. (Green Sheet 26-02-024)

8. City Attorney Items:

- A. (FIRST READING) AN ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA, AMENDING DIVISION 2 “PLANNING AND ZONING BOARD” OF ARTICLE II, “ADMINISTRATION,” CHAPTER 4, “ZONING,” DIVISION 2 “HISTORIC PRESERVATION BOARD” OF ARTICLE II “ADMINISTRATION AND ENFORCEMENT,” CHAPTER 5 “HISTORIC PRESERVATION,” AND, DIVISION 6 “OPEN SPACE, BUFFERING AND LANDSCAPING,” ARTICLE III “DESIGN STANDARDS AND REQUIREMENTS,” CHAPTER 3 “DEVELOPMENT STANDARDS” OF THE LAND DEVELOPMENT CODE; EXPANDING THE POWERS, DUTIES, AND PROCEDURES OF THE PLANNING AND ZONING BOARD; PROVIDING FOR OTHER NECESSARY CLARIFICATIONS AND REVISIONS OF CODE; AND, PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE. (Green Sheet 26-02-028)

9. City Manager Items:

- A. Presentation on Code Enforcement Activity and Update on Emergency Management. (Green Sheet 26-02-025)
- B. Presentation of the December Financial Report. (Green Sheet 26-02-026)
- C. Presentation of the Community Development Monthly Activity Report. (Green Sheet 26-02-027)

10. Mayor and Council Member Reports

11. Public Comment

12. Adjournment



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

City of Bonita Springs
City Council
Draft Meeting Minutes

February 4, 2026
5:30 p.m.

1. **Call to Order** - *Mayor Gibson called the meeting to order at 5:31 pm.*
2. **Invocation** - *Provided by Pastor Israel Valdez Jr. of Iglesia Pentecostal Unida Latino Americana.*
3. **Pledge of Allegiance** - *Led by Mayor Gibson*

4. **Roll Call**

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

Absent: 0

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

6. **Consent Agenda Items:**

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

- A. Approve Minutes from the City Council Regular Meeting held on January 21, 2026.
- B. Approve a Resolution to engage three (3) firms for Construction, Engineering and Inspection (CEI) Services for grant-funded and general fund projects referenced in RFQ 25-20, authorize staff to negotiate continuing services and project specific contracts and the Mayor to execute the contracts with the following firms (in no particular order or ranking): H.W. Lochner, Inc.; Infrastructure Consulting & Engineering, LLC; and Kisinger, Campo & Associates, Corp. (Green Sheet 26-02-013)
- C. Approve use of the State of Florida Equipment Procurement Contract for the purchase of replacement Rectangular Rapid Flashing Beacons for Logan Blvd, and utilize the City's existing contract with Emergency One Electric for installation services. (Green Sheet 26-02-019)

7. Mayor and Council Member Items:

A. Discussion of the potential benefits of installing Tesla Superchargers in the downtown area, and direction to staff. (Carr, Green Sheet 26-02-014)

Council Member Carr introduced the item, explaining that she is seeking Council's support to direct staff to explore the infrastructure required to install Tesla Superchargers in the downtown area, including the possibility of powering them with a dual electric and natural gas system. She outlined several potential advantages, including economic benefits. A discussion ensued, which included whether this type of initiative should be led by the private sector rather than City. By consensus, Council agreed to refer the concept to the Technology Advisory Board for further study and a report back to Council.

B. Approve the draft agreement between Sugarshack and the City of Bonita Springs for the Guitar Sculpture by artist Dale Rogers for display, location, and acceptance into the City's permanent art collection. (Fullick, Green Sheet 26-02-015)

*Council Member Fullick introduced the item and noted that Council members have received copies of both draft agreements. The first agreement is between the City and the donor, formally accepting the artwork into the City's permanent collection. The second is a loan agreement between the City and the recipient for display at Sugershack. Council Member Corrie motioned to approve both agreements; Seconded by Deputy Mayor Purdon. **The motion carried unanimously.***

8. City Attorney Items:

9. City Manager Items:

A. Update from the Neighborhood Services Department on the Rental Permit Program. (Green Sheet 26-02-017)

Tony Backhurst, Director of the Neighborhood Services Department, presented an update on the City's rental permit program. His report highlighted recent operational improvements and software enhancements that have strengthened service delivery for residents and property owners. He also outlined improvements within Emergency Management, including new software that has increased efficiency, and improvements to GIS mapping. (Presentation on file in the Clerk's office.)

B. Presentation on the Planning and Zoning Fee Schedule Update. (Green Sheet 26-02-016)

John Dulmer, Director of the Community Development Department, introduced the item. Jacqueline Genson, Planning and Zoning Manager, delivered the presentation, which followed earlier presentations on October 1 and 15. She provided a jurisdictional comparison of planning and zoning fees and explained that these fees are intended to offset the City's costs for processing and enforcing land use and development regulations, as well as ensuring compliance with all levels of governmental requirements. Ms. Genson noted that the current fee structure needs to be re-evaluated to better align with the level of work required for review. She concluded with recommendations for Council's consideration and discussion. (Presentation on file in the Clerk's office.)

C. Presentation of the Proposed Budget Calendar for Fiscal Year 2026-2027. (Green Sheet 26-02-018)

Finance Director Lisa Griggs Roth presented, noting that Florida law requires the City to hold two public hearings to adopt its annual budget. Because state law also dictates the allowable dates and times for these hearings, the September public hearing dates will need to differ from the City's usual meeting schedule. She then outlined the following proposed budget calendar:

- *Wed., June 17 at 4:00 pm - Budget Workshop with Preliminary Budget Presentation, followed by the regular City Council meeting at 5:30 pm.*
- *Wed., July 15 at 9:00 am - Preliminary Millage Rate Vote and Stormwater Utility Fee vote.*
- *Wed., August 5 at 5:30 pm & August 19 at 9 am- Regular Council Meetings with Budget updates.*
- *Wed., September 9 at 5:30 pm - Tentative Budget Hearing including Millage Rate vote and regular City Council meeting.*
- *Wed., September 23 at 5:30 pm - Final Budget Hearing including Millage Rate vote and regular City Council meeting.*

*Council Member Fullick motioned to approve the budget schedule as proposed; Seconded by Deputy Mayor Purdon. **The motion carried unanimously.***

City Manager Announcements:

- *City Manager Hunter announced that the President of the United States signed the federal budget yesterday, which includes a \$2 million funding allocation for the Rosemary Drive Stormwater Drainage and Pedestrian Safety project. She expressed appreciation to U.S. Congressman Byron Donalds.*
- *Assistant City Manager Feeney announced the following upcoming public workshops:*
 - *February 12, 5:30 - 7:00 pm, City-Wide Mobility Plan Public Workshop, to be held at City Hall.*
 - *February 19, 5:00 - 7:00 pm, New Aquatic Facility Concept Plan Public Workshop, to be held at the Bonita Springs Recreation Center.*
 - *February 26, 5:30 - 7:00 pm, Paradise Road Bike/Pedestrian Improvements Project Public Workshop, to be held at City Hall.*

10. Mayor and Council Member Reports

Council Member Carr – *Reported on the recent MPO Advisory Council meeting, noting an initiative to introduce safety education to children at an earlier age and a feasibility study examining the expansion of passenger rail service in south and central Florida, including potential routes from Miami to Naples and from Naples to Tampa.*

Council Member Corrie – *Provided an update on the railroad corridor acquisition process, stating that the most effective next step is to hold a City Council Work Session. He explained that the session would allow him to brief Council on the current status of the acquisition and outline the steps required to move forward. He clarified that the Trust for Public Land (TPL) serves as a broker and facilitator, while all due diligence responsibilities rest solely*

with the City. He proposed holding the Work Session immediately following the regular Council meeting on February 18. City Manager Hunter noted that a Council Work Session differs from a workshop in that it is intended for Council discussion only, or public comment, though it will be publicly noticed and open to the public. Council agreed by consensus to hold the Work Session on February 18, directly after the 9:00 a.m. regular meeting.

Council Member Fullick – *Spoke about the importance of public-private partnerships in supporting a successful Art in Public Places program. He also expressed enthusiasm for the Pennsylvania Avenue project, noting that the engineering survey work has now been completed.*

Council Member Fitzpatrick – *Thanked Council Member Corrie for proposing the Work Session and expressed interest in learning more about the key cost components associated with building out the trail. He also emphasized the importance of clearly communicating realistic timeline expectations to the public.*

Mayor Gibson – *Reported on several recent events, including the Wonder Gardens 90th Anniversary Celebration and World Ukulele Day, both of which were highly successful. He also announced the passing of former Council Member Martha Simons on January 31, and shared the dates and times of the memorial services.*

11. Public Comment - None

12. Adjournment *There being no further business, the meeting adjourned at 7:15 p.m.*

Prepared and attested by:

Michael J. Sheffield, City Clerk

APPROVED BY CITY COUNCIL

Date: _____

Mike Gibson, Mayor

ITEM TITLE: Approve an Interlocal Agreement with the State Attorney for the Twentieth Judicial Circuit for Prosecution Services Related to Criminal Violations of City Ordinances.

REQUESTOR: Mike Sheffield, City Clerk

AGENDA SECTION: Consent

STRATEGIC PRIORITY: 6) Government Transparency and Efficiency

BACKGROUND:

Section 27.02, Florida Statutes, authorizes the State Attorney to prosecute City ordinance violations that carry the possibility of incarceration, provided the violations are not tied to a state prosecution, and a reimbursement agreement is in place pursuant to Section 27.34. Accordingly, the Bonita Springs City Council and State Attorney Stephen Russell entered into an Interlocal Agreement on October 19, 2005, which remains in effect today.

State Attorney Amira Fox has communicated her commitment to maintaining this partnership with the City; however, recognizing that the current agreement is now 20 years old, has recommended that both parties move forward with a renewed Interlocal Agreement.

Although the City seldom requires prosecution of criminal ordinance violations, maintaining an active agreement ensures the City is prepared should the need arise.

Under the draft new agreement, the City will reimburse the State Attorney on a per case basis at a rate of \$50.00 per case.

RECOMMENDATION: Approve Interlocal Agreement.

ATTACHMENTS:

1. Current (2005) Interlocal Agreement for State Attorney Services
2. Draft 2026 Interlocal Agreement for State Attorney Services

REVIEWERS:

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

**FIRST AMENDMENT TO INTERLOCAL AGREEMENT FOR
STATE ATTORNEY SERVICES**

This First Amendment to that certain Interlocal Agreement, entered into on August 4, 2004, is made this 19 day of ^{Oct.}~~July~~, 2005, by and between the **CITY OF BONITA SPRINGS**, a municipal corporation of the State of Florida, (hereinafter referred to as "CITY") and **STEPHEN B. RUSSELL** as **STATE ATTORNEY OF THE TWENTIETH JUDICIAL CIRCUIT COURT OF FLORIDA** (hereinafter referred to as "ATTORNEY"), who has offices located at 1700 Monroe Street, Fort Myers, Florida 33901, shall set out the terms and conditions under which ATTORNEY will perform the services of a municipal prosecutor for the CITY.

WHEREAS, the ATTORNEY prosecutes, among other laws, municipal ordinances under the authority of the State of Florida; and

WHEREAS, the 2004 Florida Legislation adopted CS/CS/CB 2962, 2d Engrossed, that requires the ATTORNEY prosecuting violations of municipal ordinances punishable by incarceration and not ancillary to a state charge to contract with cities to recover the full cost of services rendered on an hourly basis; and

WHEREAS, the City desires to contract with ATTORNEY to prosecute the City's municipal ordinances that are punishable by incarceration and are not ancillary to a state charge;

WHEREAS, the Parties now desire to amend said prior Interlocal Agreement to extend the term for services and revise payment for attorney fees.

NOW, THEREFORE, in consideration of the foregoing, and of mutual covenants and conditions hereinafter set forth, the CITY and the COUNTY, intending to be legally bound, hereby agree to this First Amendment as follows:

1. The recitals as set forth above are incorporated into the terms of this Agreement as if set out herein at length.

2. Section One and Three are hereby amended as follows, with underlined language being an addition to previously adopted text and deleted language being shown by struck-through type.

SECTION 1. TERM

This Agreement shall take effect July 1, ~~2005~~ 2004, and continue through June 30, ~~2006~~ 2005. The Agreement will be automatically renewed by the parties unless either party gives the other party thirty (30) days notice of its intent not to renew.

SECTION 3. ATTORNEY'S FEES

ATTORNEY'S legal fees will be reimbursed on an hourly basis for services rendered at a rate of \$50 per hour. Initially, the CITY and ATTORNEY agree that the sum of \$500 will compensate the ATTORNEY for all services and costs related to this agreement during this term, subject to an increase upon documentation of case load. ~~By August 15, 2004, the~~ The CITY agrees to pay ATTORNEY the sum of \$500 for all services, costs, personnel, and any other costs or expenses rendered (except filing fees and documented increase in case load agreed upon by the parties) during this term upon ATTORNEY filing an invoice with the City Clerk, who will remit payment within thirty (30) days after receipt of invoice. Payment by City Clerk shall be delivered to ATTORNEY drawn to Justice Administrative Commission for deposit into the Grants and Donations Trust Fund for appropriation by the legislature.

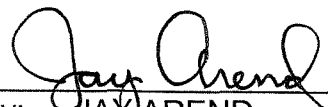
3. This Agreement shall become effective on the date written above. This Agreement, and any subsequent amendments thereto, shall be filed with the Clerk of the Circuit Court for Lee County.

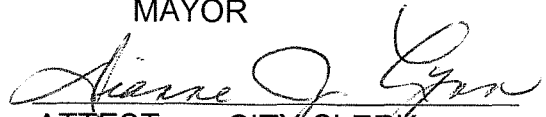
IN WITNESS WHEREOF, the parties hereto have executed this AGREEMENT this 19 day of ~~July~~ Oct. 2005.

STATE ATTORNEY'S OFFICE

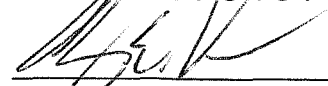

By: STEPHEN B. RUSSELL
STATE ATTORNEY

CITY OF BONITA SPRINGS


By: JAY AREND
MAYOR


ATTEST: CITY CLERK

APPROVED AS TO FORM:


CITY ATTORNEY

INTERLOCAL AGREEMENT FOR STATE ATTORNEY SERVICES

BETWEEN

City of Bonita Springs

AND THE OFFICE OF THE STATE ATTORNEY FOR THE

TWENTIETH JUDICIAL CIRCUIT OF FLORIDA

This AGREEMENT is made this _____ day of _____, 20____ by and between City of Bonita Springs, Florida, a municipality within Lee County, Florida, hereinafter referred to as CITY and the STATE ATTORNEY FOR THE TWENTIETH JUDICIAL CIRCUIT OF FLORIDA, hereinafter referred to as "STATE ATTORNEY".

WITNESSETH:

WHEREAS, the Bonita Springs City Council finds that in order to maintain and improve public health, safety, and welfare, it is necessary to adequately enforce and prosecute violations of the CITY ordinances; and

WHEREAS, Section 27.02, Florida Statutes, authorizes the STATE ATTORNEY to prosecute CITY ordinance violations punishable by incarceration and not ancillary to state prosecution, provided that the STATE ATTORNEY has contracted with the CITY for reimbursement for services rendered in accordance with Section 27.34.

NOW, THEREFORE, the CITY and STATE ATTORNEY agree to the following:

SECTION I: SERVICES

The STATE ATTORNEY agrees to handle the intake, discovery, pre-trial, trial and case disposition of violations of CITY ordinances punishable by incarceration and not ancillary to state prosecution, as authorized in Sections 27.02 and 27.34, Florida Statutes, being prosecuted in the Twentieth Judicial Circuit of Florida. The CITY agrees to remit, subject to the terms outlined in Section 3 of this Agreement, to the STATE ATTORNEY, the required funds to reimburse the full costs of services rendered in connection with the prosecution of such criminal violations of CITY ordinances. The STATE ATTORNEY will not handle appeals, constitutional attacks on CITY ordinances, or matters heard by the CITY'S Special Master.

SECTION II: TERM

This is an at-will Agreement, terminable by either party, with or without cause, on ninety (90) days written notice to the other party. This Agreement is non-transferable and non-assignable in whole or in part without prior written consent of the CITY. This Agreement is the full and complete Agreement between the parties and may not be modified except by a writing signed by both parties. Any and all prior understandings between the parties, either oral or written, with respect to the matter set forth above, have been incorporated and merged into this Agreement, and are otherwise of no further force or effect.

SECTION III: PAYMENT SCHEDULE

The CITY agrees to provide payments to the STATE ATTORNEY within thirty (30) days of receipt by the CITY of an invoice for services rendered by the STATE ATTORNEY. The STATE ATTORNEY shall submit invoices to the CITY on a quarterly basis. Payments for the full costs of services rendered by the STATE ATTORNEY shall be made on a per case basis at a rate of \$50.00 per case. Upon termination of this Agreement, the STATE ATTORNEY shall provide the CITY with a final accounting of all charges due, and upon payment thereof, CITY shall have no further liability to the STATE ATTORNEY.

SECTION IV: RESPONSIBILITIES:

The CITY does not delegate any of its responsibilities or powers to the STATE ATTORNEY other than those enumerated in this Agreement. The STATE ATTORNEY does not delegate any of its responsibilities or powers to the CITY other than those enumerated in this Agreement.

SECTION V: REPORTING

All required reports by the STATE ATTORNEY shall be submitted to the CITY's Attorney's Office.

SECTION VI: INDEMNIFICATION

To the extent permitted by law, Section 768.28, Florida Statutes, the CITY agrees to indemnify and hold harmless the STATE ATTORNEY, its officers and employees from liabilities, damages, losses and costs including, but not limited to, reasonable attorney's fees, to the extent caused by the negligence, recklessness, or intentional wrongful misconduct of the CITY and persons employed or utilized by the CITY in the performance of this Agreement.

To the extent permitted by laws, Section 768.28, Florida Statutes, the STATE ATTORNEY agrees to indemnify and hold harmless the CITY, its officers and employees from liabilities, damages, losses and costs including, but not limited to, reasonable

attorney's fees, to the extent caused by the negligence, recklessness, or intentional wrongful misconduct of the STATE ATTORNEY and persons employed or utilized by the STATE ATTORNEY in the performance of this Agreement.

SECTION VI: AMENDMENTS OF FLORIDA STATUTES

This Agreement is authorized by and subject to Sections 27.02 and 27.34, Florida Statutes. In the event the statutes are amended, the parties will negotiate to modify this Agreement to conform to such amendment, failing which, this Agreement will automatically terminate upon the effective date of the amendment to the statutes.

IN WITNESS WHEREOF, the STATE ATTORNEY and the CITY have executed this Agreement through its duly authorized representative on the day, month and year as first written above.

**OFFICE OF THE STATE ATTORNEY
TWENTIETH JUDICIAL CIRCUIT OF FLORIDA**

**CITY OF BONITA SPRINGS
BONITA SPRINGS , FLORIDA**

By: _____
Amira D. Fox
State Attorney

By: _____
Mayor

ATTEST:
By: _____
Debbie Stanbro
Executive Director

ATTEST:
By: _____
City Clerk

APPROVED AS TO FORM:

City Attorney

ITEM TITLE: Approve the special event permit for the Celebrate Bonita Festival 2026 and the closure of Old US 41 Road from Wilson Street to Ragsdale Street on Saturday, March 28, 2026.

REQUESTOR: Lora Taylor, Director of Communications & Facilities

AGENDA SECTION: Consent

STRATEGIC PRIORITY: N/A

BACKGROUND:

The Celebrate Bonita Festival is an event that celebrates the City's incorporation. This year, Celebrate Bonita will be held on March 28, 2026. The event is scheduled from 5 pm to 9 pm. The event features a compilation of student performances, community art pieces, lighting, and a free concert by local entertainers. The Rotary Club of Bonita Springs will sell beer and wine.

Staff is coordinating the event with the Bonita Springs Fire Control and Rescue District and the Lee County Sheriff's Office. Lee County Sheriff's Office will provide traffic control and security for the event. Old 41 from Wilson to Ragsdale will be closed from 4:00 pm-10:00 pm. The road closure will assist with pedestrian traffic and safety.

On Tuesday, March 24, the Old 41 Corridor from the bridge to Riverside Park will be lit to Celebrate Bonita. The free nightly stroll will begin at dusk and will be available until 10 pm. The stroll will include lights, music, projections, and art décor. The local businesses will be open for food and beverages. The stroll will be operational nightly from March 24 - March 28.

City Council has approved funds for the Celebrate Bonita event, and is available in line item 00.430.574.4803

STAFF RECOMMENDATION: Approve the special event permit for the Celebrate Bonita Festival 2026 and the closure of Old US 41 Road from Wilson Street to Ragsdale Street on Saturday, March 28, 2026.

ATTACHMENTS:

1. Special Event Permit Application
2. MOT Map
3. Layout map
4. Flyer

REVIEWERS:

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

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

**SPECIAL EVENT
PERMIT APPLICATION**

PERMIT. SEP- _____



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

Date Received: _____

Effective Date/Time: _____

Application Fee: ☐ \$50.00

Phone: 239/949-6262

Fax: 949-6239

☐ \$25.00 (501C3 organizations)

Fee is non-refundable

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

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

Organization: City of Bonita Springs

Nature of Event: Celebrate Bonita 2025

Location (Attach Site Plan): Riverside Park

Date	Set-Up Time	Actual Event Times	Take Down Time
<u>08/28/2024</u>	<u>8am to 5pm</u>	<u>5pm to 9:30pm</u>	<u>9:30pm to 11pm</u>

For multiple dates, please attach letter.

Has this event been held in the past? yes If so, when was the last event? 2025

Individual Contact for Activity/Event: Kareesa Minick Phone: 239-949-6262

Address: _____ Website: _____

E-Mail Address: _____

Major Sponsor(s): _____

Promoter(s): _____

Phone or Contact #: _____

Yes	No
☒	☐

1. Crowd: Is anticipated crowd size 1,000 or more?

Actual Anticipated number: 5,000

2. Parking: Will off-site parking be provided? _____

☐	☒
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Will "shuttle" service to parking be provided? By whom? _____

☐	☒
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4. Noise: Will there be amplified music or entertainment? If yes, please attach type(s) of Entertainment and time(s) of performances(s). Indicated stage location(s) on siteplan.

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

15. Sanitary Facilities:

Yes No

Will temporary sanitary facilities be provided? If yes, indicate location on site plan.

☒ ☐

Will disposable cardboard trash receptacles be provided? If yes, indicate on site plan.

☐ ☒

Will additional refuse containers/dumpsters be provided?

☒ ☐

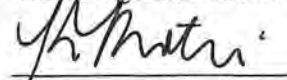
If yes, by whom: Eagle Hawks

16. Insurance Requirement: Permittee is required to obtain and present evidence of surety indemnity bond or comprehensive liability insurance naming the city as an additional insured. The insurance requirement is a minimum of \$1,000,000.00 general liability (personal injury) and \$100,000.00 property damage against all claims arising from permits issued pursuant to this ordinance, naming the city of Bonita Springs **as additional insured**. If the event poses higher risks than covered by such insurance, permittee shall be responsible for assessing the risks of the event and obtaining additional insurance coverage.
17. Non-Profits are required to provide either a form 990 or a financial report to the city showing revenue from the event where at least 10% of the proceeds will remain within the Bonita Springs area, supporting the community or charities, within 60 days after the event. If the event is of a non-monetary nature, the non-profit must show they provide an impact to 5% of the area.

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

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

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



Signature of Applicant

01/23/2026

Date

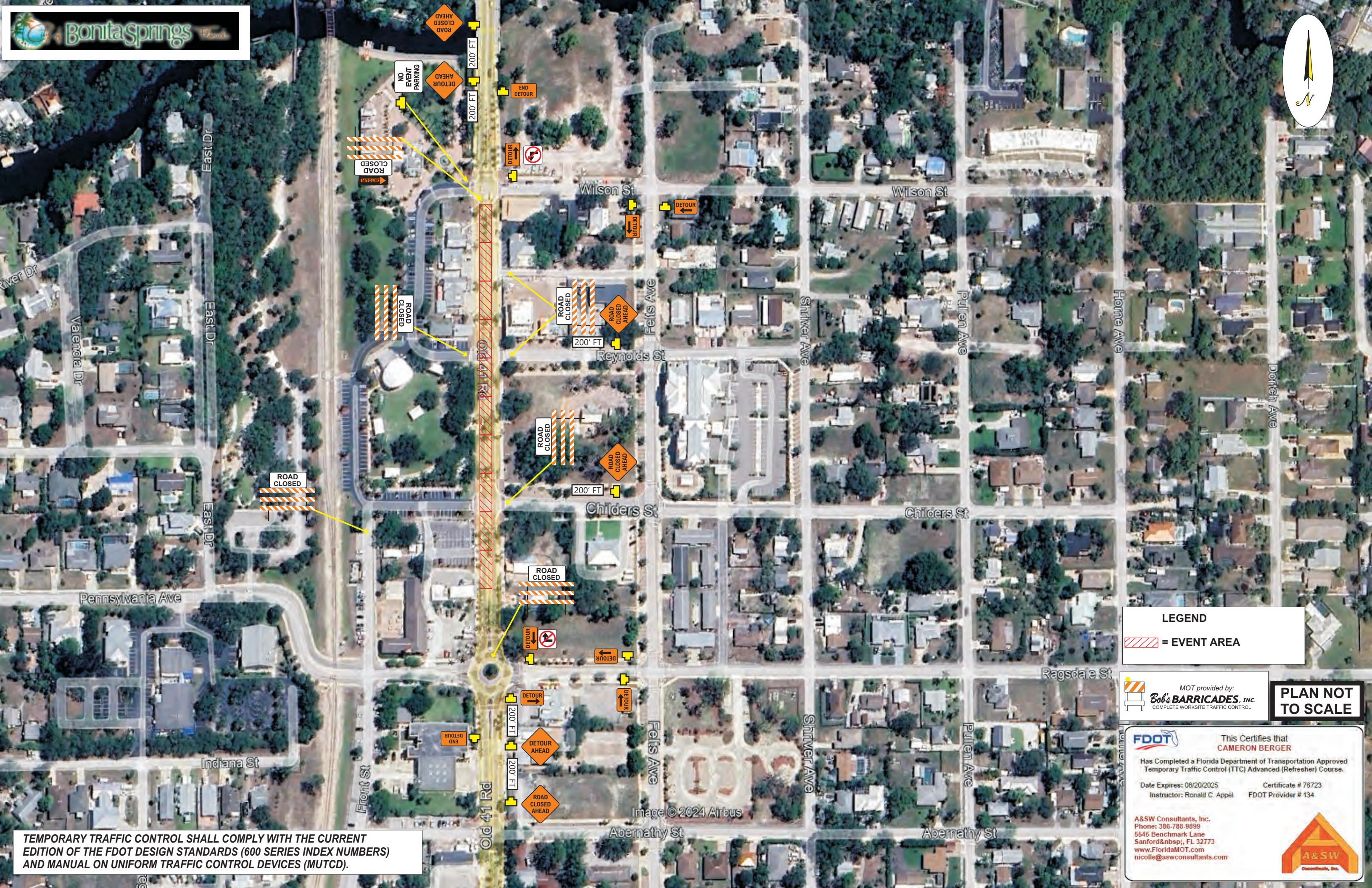
Comments: _____

City Manager

Date

Comments: _____

Application Fee is non-refundable.



LEGEND

= EVENT AREA

MOT provided by:
Bob's BARRICADES, INC.
COMPLETE WORKSITE TRAFFIC CONTROL

PLAN NOT TO SCALE

This Certifies that
CAMERON BERGER

Has Completed a Florida Department of Transportation Approved
Temporary Traffic Control (TTC) Advanced (Refresher) Course.

Date Expires: 08/20/2025 Certificate # 76723
Instructor: Ronald C. Appel FDOT Provider # 134

A&S Consultants, Inc.
Phone: 386-788-9899
5545 Benchmark Lane
Sanford, FL 32773
www.FloridaMOT.com
nicolle@aswconsultants.com

TEMPORARY TRAFFIC CONTROL SHALL COMPLY WITH THE CURRENT EDITION OF THE FDOT DESIGN STANDARDS (600 SERIES INDEX NUMBERS) AND MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD).

LAYOUT MAP



27308

Table

Old 41 Rd

Reynolds S

LCSO Display

Medical
Tent

Popular site for community events

Beer Truck

Beer Truck

1. TBA

1. TBA

1

3

4

5

1

2

3

510 Childers
t Parking

△

5

Front St

**Bonita Springs LIONS
Wednesday Market**

Road Closure
Old 41 Rd

Old 41 Rd

Childers S

The City of Bonita Springs Presents

CELEBRATE BONITA 2026

MARCH 28TH
5PM TO 9PM



RIVERSIDE PARK

10450 REYNOLDS ST, BONITA
SPRINGS, FL 34135



FREE EVENT



MORE INFORMATION AT
CITYOFBONITASPRINGS.ORG
OR CALL 239-949-6262



Join us to Celebrate Bonita Springs
**IMMERSIVE FREE NIGHTLY
STROLL**

March 24th-28th Dusk-10 pm

WWW.CITYOFBONITASPRINGS.ORG
OR CALL 239-949-6262



CELEBRATE
DOWNTOWN BONITA SPRINGS

Enjoy free nightly strolls from dusk to 10pm.
March 24th-28th

Portions of the Old 41 corridor, including the bridge, Liles Hotel Plaza and Riverside Park will be illuminated for an immersive stroll. Enjoy lights, music, visual projections and art.

Each evening downtown businesses will be celebrating with live music, specials, and more.

On the final night of the stroll, the city is hosting the Celebrate Bonita event. The free event begins March 28th at 5 pm in Riverside Park. Join us for local student performances, followed by a free concert.

ITEM TITLE: Approve amendment #1 to the FEMA Hazard Mitigation Grant Program – COVID (HMGP-COVID) Neighborhood Acquisition/Demolition Project purchase agreement 2025-005, extending the property acquisition closing date from February 27, 2026 to August 31, 2026.

REQUESTOR: Elly Soto McKuen, Senior Project Manager

AGENDA SECTION: Consent

STRATEGIC PRIORITY: 1) Stormwater Resiliency and 4) Environmental Protection

BACKGROUND: The City received a grant award notice from the Florida Division of Emergency Management on April 17, 2024 that funding in the amount of \$4,282,761.60 from the HMGP-COVID Program was provided. The City's required match of \$475,862.40 provides a total project cost of \$4,758,624 for the Neighborhood Acquisition/Demolition Project in the Quinn/Downs/Dean Neighborhood.

The focus of the program is to purchase property located in floodways or within neighborhoods that experience frequent flooding. The purchase agreement was approved by City Council on December 17, 2025. Amendment #1 extends the closing date from February 27, 2026 to August 31, 2026. Once the City purchases the property any structures on the property will be demolished, and the land will be in the City's name in perpetuity. The purchase price of the land is \$650,000 and will be paid from CIP account number 30.250.538.5386109.53.61.53861 (HMGP-COVID Neighborhood Acquisition/Demolition).

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

STAFF RECOMMENDATION: Approve amendment #1 to the FEMA Hazard Mitigation Grant Program – COVID (HMGP-COVID) Neighborhood Acquisition/Demolition Project purchase agreement 2025-005, extending the property acquisition closing date from February 27, 2026 to August 31, 2026.

ATTACHMENTS:

1. Agreement 2025-005 - Amendment 1

REVIEWERS:

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



CITY OF BONITA SPRINGS, FLORIDA
FEMA HAZARD MITIGATION PROGRAM
COVID FUNDING

AMENDMENT ONE

AGREEMENT FOR PURCHASE

THIS FIRST AMENDMENT TO THE PURCHASE AGREEMENT made this ____ of _____, 2026, by and between the **City of Bonita Springs, FL**, a municipality incorporated in the State of Florida (hereinafter referred to as "BUYER" or "City") and [REDACTED] (hereinafter referred to as "SELLER"):

RECITALS:

WHEREAS, the BUYER is acting under a Federal Emergency Management Agency (FEMA) grant from the U.S. Department of Homeland Security, administered by the BUYER and hereinafter referred to as the "Bonita Springs Acquisition/Demolition Project", to purchase certain property in the City of Bonita Springs, Florida in which the SELLER owns and improved property located at [REDACTED], **Bonita Springs, FL 34135** hereinafter referred to as the "premises" and more specifically described as follows:

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

[REDACTED]
Bonita Springs, FL 34135

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

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

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





CITY OF BONITA SPRINGS, FLORIDA
FEMA HAZARD MITIGATION PROGRAM
COVID FUNDING

1. In accordance with the Expiration Offer (Paragraph 16 of original agreement), this amendment shall extend the February 27, 2026 offer date to **11:59 o'clock PM (Eastern Standard Time)** on or before **August 31, 2026**.
2. All other terms and conditions of the Agreement remain the same.
3. The Purchase Agreement was fully executed on December 17, 2025 (BSC 25-[REDACTED]).

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

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CITY OF BONITA SPRINGS, FLORIDA
FEMA HAZARD MITIGATION PROGRAM
COVID FUNDING

IN WITNESS WHEREOF, the Parties have executed this Amendment, and the Bonita Springs City Council approved this Agreement on the _____ day of _____, 2026.

SELLER/ [REDACTED]

Signature

Date

BUYER/ CITY:

CITY OF BONITA SPRINGS, FLORIDA

ATTEST: Michael J. Sheffield, Clerk

By: _____
Clerk

Michael S. Gibson, Mayor

(Seal)

Date: _____

APPROVED AS TO FORM: _____
City Attorney's Office





**CITY OF BONITA SPRINGS, FLORIDA
FEMA HAZARD MITIGATION PROGRAM
COVID FUNDING**

Exhibit A

Legal Description

Lots [REDACTED] an unrecorded subdivision, as more fully described by reference made a part hereof.

[REDACTED]

[REDACTED]

[REDACTED]

Parcel Identification Number: 3 [REDACTED]



ITEM TITLE: Approve the revised public art lease agreement between the City of Bonita Springs and Lynx Zuckerman @ Bonita Grande, LLC for the display of Two (2) art sculptures of “Love of Bonita” and “Blue Water” art pieces by artist Clayton Swartz, which will remain a part of the City’s permanent art collection within the Midtown Development project.

REQUESTOR: Council Member Nigel Fullick, District 5 and Nicole Perino, Parks and Recreation Director

AGENDA SECTION: Consent

STRATEGIC PRIORITY: #3 Enhance Community Aesthetics, Parks and Facilities

BACKGROUND:

On December 17, 2025, City Council approved a public art lease agreement with Lynx Zuckerman @ Bonita Grande, LLC for the placement of 2 sculptures within the Midtown Development project. The “Blue Water” Sculpture is visible to the public within the development at the roundabout of the commercial development and the “Love of Bonita” sculpture to be placed at the entrance of the development for visibility to the public within the development as well as on Bonita Beach Rd. Both Sculptures will remain in the City’s permanent art collection.

Lynx Zuckerman @ Bonita Grande, LLC has requested clarification changes to the approved agreement. The following clarifications have been requested:

Section 1.3 Monetary Consideration – No monetary compensation shall be due either party for the display of public art granted herein.

Section 3.6 Ownership and Return - Should the Lessor elect to remove the Work or upon termination of this Agreement by either Party, the Lessor shall arrange to deliver the Work to a site or location, within the City of Bonita Springs, identified by the Lessee. The sculptures shall remain as part of the City’s permanent art collection.

Section 6.2 Insurance; Liability.

(a) Lessor shall maintain premises liability coverage sufficient to cover and damage to the Work following its installation and provide evidence of such coverage.

(b) Lessee will provide insurance coverage for the Work.

(c) Valuation. For insurance purposes only, the Parties agree that the current fair market value of the Work is \$135,000.00

STAFF RECOMMENDATION: Approve the revised public art lease agreement between the City and Lynx Zuckerman @ Bonita Grande, LLC for the display of both the “Love of Bonita” and “Blue Water” art sculptures.

ATTACHMENTS:

1. Exhibit A Rendering of both Sculptures at Midtown locations
2. Revised Public Art lease agreement

REVIEWERS:

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

MIDTOWN DEVELOPMENT PUBLIC ART LEASE

THIS LEASE is entered into as of the date of the last signature on this lease (the “Effective Date”) by CITY OF BONITA SPRINGS with offices located at 9101 Bonita Beach Road, Bonita Springs, FL 34135 (“Lessee”) and ANDREW ZUCKERMAN (“Lessor”), Lynx Zuckerman @ Bonita Grande, LLC , 6131 Lyons Rd. Suite 200 Coconut Creek, FL 33073, collectively referred to as the “Parties.” Lessor and Lessee agree to the following.

WITNESSETH

WHEREAS, the Lessor has agreed to the installation of the public art at its 13000 Bonita Beach Rd. property located in Bonita Springs (the “Property”) in accordance with the City of Bonita Springs Art in Public Places Ordinance; and

WHEREAS, the Lessee desires to secure location(s) at the Property for the installation and maintenance of public art for the enjoyment of the public; and

NOW, THEREFORE, in consideration of the Lessor’s authorizing the display of public art at the Property, and, in consideration of the mutual promises set forth below, and for other good and valuable consideration, the Lessee and the Lessor hereby agree as follows:

ARTICLE 1 – AGREEMENT

- 1.1 Artwork. The Lessee has proposed “Blue Water” art sculpture and “Love of Bonita” art sculpture by artist Clayton Swartz (the “Work”) for display on the Property.
- 1.2 Location. The Work will be located on the Property at the location(s) depicted and further identified in Exhibit “A” attached hereto.
- 1.3 Monetary Consideration. No monetary compensation shall be due either party for the display of public art granted herein.
- 1.4 Public Access. Lessee shall make reasonable efforts to maintain public access to the Work during normal hours of operation of the Site, subject to closures for maintenance, events, emergencies, or other operational needs.
- 1.5 Security. Lessor does not guarantee the security of the Work, but will provide security measures comparable to those provided for similar public art or property at the Site.
- 1.6 Ownership. The Parties acknowledge that Lessee retains full title and ownership of the Work. Nothing in this Agreement shall be construed as a sale or transfer of ownership except as provided in Section 3.6.

ARTICLE 3 –INSTALLATION, MAINTENANCE, AND REMOVAL

- 3.1 Delivery. Lessee shall deliver the Work to the Property and bear the shipping and transportation costs.
- 3.2 Installation. The Lessor shall prepare two mutually agreed upon sites at Property to include a concrete base for each sculpture at the artist’s specifications of one 10’ circle for the “Blue Water” sculpture and one 15’ circle above grade or 12’ circle if below grade for the “Love of

Bonita” sculpture. The installation shall include Transportation to the site, installation, and a dedicatory plaque will be provided by the Lessee. The “Blue Water” Sculpture shall be installed no later than June 30, 2026 and the “Love of Bonita” sculpture shall be installed no later than September 30, 2026.

- 3.3 Care and Maintenance. Lessor shall exercise reasonable care of the Work and provide routine cleaning and maintenance per the artist’s instructions once the sculptures are installed.
- 3.4 Repairs. Lessor shall promptly notify Lessee of any damage, vandalism, or deterioration observed in the Work to coordinate conservation or repair by Lessee.
- 3.5 No Alteration.
- 3.6 Ownership and Return. Should the Lessor elect to remove the Work or upon termination of this Agreement by either Party, the Lessor shall arrange to deliver the Work to a site or location, within the City of Bonita Springs, identified by the Lessee. The sculptures shall remain as part of the City’s permanent art collection.

ARTICLE 4 – TERM AND TERMINATION

- 8.1 Initial Term. The lease term shall commence on the Effective Date and continue for an initial period of ten (10) years, unless terminated in accordance with this Agreement.
- 8.2 Renewal. The Parties may renew this Agreement for an additional three (3) year term(s) upon mutual written agreement executed no later than 90 days prior to the end of the then-current term.
- 8.2 Termination. Either Party may terminate this Agreement upon 60 days written notice if the other Party materially breaches the Agreement and fails to cure such breach within that period.
- 8.3 Effect of Termination. Upon expiration or termination: (a) the Work shall be removed as provided in Section 3.6, and (b) the licenses granted in Section 6 shall cease.

ARTICLE 5 - NOTICES

The Parties shall provide notices for this Agreement in writing by email, recognized national overnight courier or registered or certified mail, postage prepaid, return receipt requested, to the following addresses:

If to Sponsor Administrative: Arleen Hunter City Manager City of Bonita Springs 9101 Bonita Beach Road Bonita Springs, FL 34135 Technical Matters: Nicole Perino Park and Recreation Director (239) 992-2556 nicole.perino@cityofbonitasprings.org	If to Recipient: Administrative: Andrew Zuckerman President The Zuckerman Group 6131 Lyons Rd. Suite 200 Coconut Creek, FL 33073 Technical Matters: Ryan Zuckerman 954-481-3700 Ryan@zuckermanhomes.com
---	--

ARTICLE 6 -- MISCELLANEOUS

- 6.1 Independent Contractor. Lessee and Lessor are independent contractors. Neither Party may act as agent for the other or enter into any contract, warranty, or representation on behalf of the other. Neither Party is bound by the acts or conduct of the other.
- 6.2 Insurance; Liability.
- (a) Lessor shall maintain premises liability coverage sufficient to cover and damage to the Work following its installation and provide evidence of such coverage.
- (b) Lessee will provide insurance coverage for the Work.
- (c) Valuation. For insurance purposes only, the Parties agree that the current fair market value of the Work is \$135,000.00
- 6.3 Governing Law. This Agreement is governed and construed in accordance with the laws of the State of Florida. The Parties shall bring any action in connection with this Agreement in courts of competent jurisdiction in Lee County, Florida.
- 6.4 Assignment. Neither Party may assign this Agreement voluntarily, by operation of law, or through change of control without the prior written consent of the other, which the Party may not unreasonably withhold or delay. This Agreement is binding upon and inures to the benefit of the Parties and their permitted successors and assigns.
- 6.5 Agreement Modification. The Parties may only modify this Agreement by a written instrument signed by both Parties. Any waiver of rights or failure to act in a specific instance relates only to that instance and is not an agreement to waive any rights or fail to act in any other instance.

- 6.6 Force Majeure. Neither Party is responsible for delays resulting from causes reasonably beyond its control, including fire, explosion, flood, tropical storm, hurricane, war, strike, or riot, provided that the nonperforming Party uses commercially reasonable efforts to avoid or remove causes of nonperformance and continues performance under this Agreement with reasonable dispatch after the causes are removed.
- 6.7 Publicity Rights. Lessee grants Lessor a non-exclusive royalty fee license for the term of this Agreement to display the Work at the Property. The Parties may photograph, film, or otherwise reproduce images of the Work for non-commercial, governmental, education, and promotional purposes, including on websites, social media, marketing materials, without compensation; however, Lessor may not create commercial merchandise (e.g., posters, prints, apparel) primarily featuring the Work without Lessee's prior written consent.
- 6.8 Severability. If any provision of this Agreement is held invalid or unenforceable for any reason, the invalidity or unenforceability does not affect any other provision of this Agreement, and the Parties shall negotiate in good faith to modify the Agreement to preserve (to the extent possible) their original intent.
- 6.9 Entire Agreement. This Agreement constitutes the entire agreement between the Parties with respect to its subject matter and supersedes all prior agreements or understandings between the Parties relating to its subject matter.
- 6.10 Counterparts. The Parties may execute this Agreement in one or more counterparts, each of which is an original, and all of which together are the same instrument.
- 10.11 Headings. Headings are for convenience and do not affect the meaning of any provision of this Agreement.

THE PARTIES have caused this agreement to be executed by their duly authorized representatives as of the Effective Date.

CITY OF BONITA SPRINGS

LYNX ZUCKERMAN @ BONITA GRANDE,
LLC

By: _____
Authorized Signature

By: _____
Authorized Signature

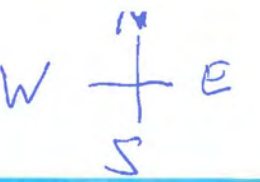
Printed Name & Title

Printed Name & Title

Date

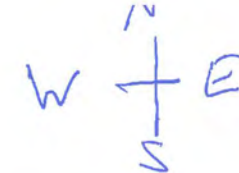
Date

#1



Bonita Beach Road

#2



ITEM TITLE: Report from the Wonder Gardens on the 90th Anniversary Celebration.

REQUESTOR: Council Member Chris Corrie

AGENDA SECTION: Mayor and Council Member Items

STRATEGIC PRIORITY: 6) Government Transparency and Efficiency

BACKGROUND:

Members of the Bonita Wonder Gardens Board of Directors will provide a brief report highlighting key aspects of the 90th Anniversary Celebration.

RECOMMENDATION: Receive report.

ATTACHMENTS:

REVIEWERS:

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

ITEM TITLE: Presentation from Eve Haverfield of Turtle Time, Inc., on marine turtle nesting data on Bonita Beach and end-of-season nesting results.

REQUESTOR: John Dulmer, Director, Community Development Department

AGENDA SECTION: Presentations

STRATEGIC PRIORITY: 4) Environmental Protection

BACKGROUND: Turtle Time, Inc. is a not-for-profit organization dedicated to the recovery and conservation of marine turtles. Established in 1989, the group is the Florida state-permitted monitoring organization for sea turtle activity from Fort Myers Beach to the Lee-Collier County line.

During the nesting season, daily patrols are conducted to gather important scientific data on population estimates, nest distribution, nesting patterns, and hatching success rates. Ms. Haverfield will provide City Council with marine turtle nesting data on Bonita Beach, along with this year's nesting results.

STAFF RECOMMENDATION: Receive presentation.

ATTACHMENTS: None

REVIEWERS:

City Manager:	Arleen Hunter
City Attorney:	Derek Rooney
City Clerk:	Mike Sheffield
Dept. Director:	

ITEM TITLE: (FIRST READING) AN ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA, AMENDING DIVISION 2 “PLANNING AND ZONING BOARD” OF ARTICLE II, “ADMINISTRATION,” CHAPTER 4, “ZONING,” DIVISION 2 “HISTORIC PRESERVATION BOARD” OF ARTICLE II “ADMINISTRATION AND ENFORCEMENT,” CHAPTER 5 “HISTORIC PRESERVATION,” AND, DIVISION 6 “OPEN SPACE, BUFFERING AND LANDSCAPING,” ARTICLE III “DESIGN STANDARDS AND REQUIREMENTS,” CHAPTER 3 “DEVELOPMENT STANDARDS” OF THE LAND DEVELOPMENT CODE; EXPANDING THE POWERS, DUTIES, AND PROCEDURES OF THE PLANNING AND ZONING BOARD; PROVIDING FOR OTHER NECESSARY CLARIFICATIONS AND REVISIONS OF CODE; AND, PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

REQUESTOR: Derek Rooney, City Attorney

AGENDA SECTION: City Attorney

STRATEGIC PRIORITY: None

BACKGROUND:

The City Council has made recent efforts to consolidate advisory boards including its land use boards combining both the City’s Local Planning Agency and Zoning Board into a single Planning and Zoning Board. Following recent issues relating to the processing of various land use petitions due to scheduling and conflict as well as lack of quorums, the City Council has requested that additional land use authorizations be transferred from both the Historic Preservation Board and Tree Advisory Board to the newly formed Planning and Zoning Board.

The proposed ordinance amends applicable provisions of the City’s Land Development Code to allow the Planning and Zoning Board to serve as the Historic Preservation Board as well as for the heritage tree preservation review of the Tree Advisory Board to be considered by the Planning and Zoning Board during the regular land use and zoning process.

In addition, at direction of Council the mandatory demolition delay period has been extended beyond the 50-year timeline to a proposed 80-year review criteria.

STAFF RECOMMENDATION:

ATTACHMENTS:

1. Draft Ordinance

REVIEWERS:

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

CITY OF BONITA SPRINGS, FLORIDA

ORDINANCE NO. 26 – ____

AN ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA, AMENDING DIVISION 2 “PLANNING AND ZONING BOARD” OF ARTICLE II, “ADMINISTRATION,” CHAPTER 4, “ZONING,” DIVISION 2 “HISTORIC PRESERVATION BOARD” OF ARTICLE II “ADMINISTRATION AND ENFORCEMENT,” CHAPTER 5 “HISTORIC PRESERVATION,” AND, DIVISION 6 “OPEN SPACE, BUFFERING AND LANDSCAPING,” ARTICLE III “DESIGN STANDARDS AND REQUIREMENTS,” CHAPTER 3 “DEVELOPMENT STANDARDS” OF THE LAND DEVELOPMENT CODE; EXPANDING THE POWERS, DUTIES, AND PROCEDURES OF THE PLANNING AND ZONING BOARD; PROVIDING FOR OTHER NECESSARY CLARIFICATIONS AND REVISIONS OF CODE; AND, PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

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

WHEREAS, the City of Bonita Springs desires to streamline, clarify, and otherwise update provisions of the City’s Land Development Code; and

WHEREAS, the City of Bonita Springs previously provided for the consolidation of the City’s Local Planning Agency and Zoning Board into a single Planning and Zoning Board; and

WHEREAS, the City Council also finds it more efficient and consistent with sound public administration to consolidate additional land use functions into the Planning and Zoning Board to provide a more comprehensive review of such petitions; and

WHEREAS, the City Council of the City of Bonita Springs desires to amend its Land Development Code to promotes efficiency, transparency, and improved coordination of planning and zoning review for the City and its residents; and

WHEREAS, the City Council hereby desires to transfer certain advisory functions to the Planning and Zoning Board including those of the City’s Historical Preservation and Tree Advisory Boards; and

WHEREAS, pursuant to 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 Land Development Code

The Bonita Springs City Code is hereby amending the pertinent provisions of the City's Land Development Code, with deletions depicted with ~~strikethroughs~~ and underlined language as additions, as provided and further depicted in Exhibit A, attached hereto and incorporated herein by reference.

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 _____, 2026.

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: _____

EXHIBIT A

Sec. 4-53. Powers and Duties.

- (a) *As Local Planning Agency:*
 - (1) Prepare, review, and recommend the City's Comprehensive Plan and any amendments or updates.
 - (2) Monitor and evaluate plan effectiveness and prepare the Evaluation and Appraisal Reports required by law.
 - (3) Review proposed land development regulations and amendments for consistency with the Comprehensive Plan.
 - (4) Perform any additional planning functions assigned by the City Council or by general or special law.
- (b) *As Zoning Board:*
 - (1) Conduct hearings and make recommendations to the City Council on rezoning applications, special exceptions, variances, and other zoning matters assigned by the Land Development Code or City Council.
 - (2) Make findings and recommendations consistent with the Comprehensive Plan, Land Development Code, and all applicable regulations.
 - (3) Developments of regional impact and Florida Quality Developments approval, which may or may not include a request for rezoning.
 - (4) Requests to use transfer of development rights or affordable housing bonus density.
- (c) As Historic Preservation Board:
 - (1) The Planning and Zoning Board shall serve as the City's Historic Preservation Board as provided in sections 5-49 thru 5-52 of the Land Development Code.
 - (2) Conduct hearings and make recommendations to the City Council regarding preservation of historic and archaeological resources pursuant to Chapter 5 Historic Preservation of the Land Development Code.
- (d) Landscaping:
 - (1) The Board shall review and provide recommendations consistent with section 3-417 of the City of Bonita Springs Landscaping Code.
- (e) *Authority.*
 - (1) Except as provided in the Land Development Code, ~~the~~ the Board serves in an advisory capacity to the city council with respect to planning and zoning matters, and in such capacity, may not make final determinations.
 - (2) Variances and special exceptions may be reviewed by themselves or as part of a rezoning.
 - (3) Recommend conditions or requirements reasonably related to any land-use, variance, special exception, or zoning request to protect public health, safety, comfort, convenience, and welfare.
- (f) *Other Duties:*

The Board shall perform such additional duties as the City Council may assign to implement the City's development regulations and planning policies.

Sec. 4-54. Standard for Review.

- (a) Local Planning Agency.

- (1) *Considerations.* In preparing its recommendation on any matter, the Board as local planning agency shall consider the following, whenever applicable:
 - a. Whether there exists an error or ambiguity which must be corrected.
 - b. Whether there exist changed or changing conditions which make approval of the matter appropriate.
 - c. The testimony of any applicant.
 - d. The recommendation of staff.
 - e. The testimony of the public.
 - f. Whether a proposed matter is consistent with the goals, objectives, policies and intent of the Bonita Plan.
- (b) *Variances.*
 - (1) *Considerations.* In reaching their decision, the Board must consider the following criteria, recommendations and testimony:
 - a. Whether exceptional or extraordinary conditions or circumstances exist which are inherent in the land, structure or building involved and whether those exceptional or extraordinary conditions or circumstances create a hardship on the property owner;
 - b. Whether the exceptional or extraordinary conditions or circumstances do not result from the actions of the applicant;
 - c. Granting the variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare;
 - d. Staff recommendations;
 - e. Testimony from the applicant; and
 - f. Testimony from the public.
 - (2) *Findings.* Before making a recommendation to grant any variance, the Board must find that all of the following exist:
 - a. There are exceptional or extraordinary conditions or circumstances that are inherent to the property in question;
 - b. The exceptional or extraordinary conditions or circumstances are not the result of actions of the applicant taken subsequent to the adoption of the ordinance (any action taken by an applicant pursuant to lawfully adopted regulations preceding the adoption of the ordinance from which this chapter is derived will not be considered self-created);
 - c. The variance granted is the minimum variance that will relieve the applicant of an unreasonable burden caused by the application of the regulation in question to their property;
 - d. The granting of the variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare; and
 - e. The condition or situation of the specific piece of property, or the intended use of the property, for which the variance is sought is not of a general or recurrent nature so as to make it more reasonable and practical to amend the code.
- (c) *Special exceptions.*
 - (1) *Function.* The Board will hear all applications for special exceptions permitted by the district use regulations.
 - (2) *Considerations.* In reaching their decision, the Board must consider the following, whenever applicable:
 - a. Whether there exist changed or changing conditions that make approval of the request appropriate.

- b. The testimony of any applicant.
 - c. The recommendation of staff.
 - d. The testimony of the public.
 - e. Whether the request is consistent with the goals, objectives, policies and intent of the Bonita Plan.
 - f. Whether the request meets or exceeds all performance and locational standards set forth for the proposed use.
 - g. Whether the request will protect, conserve or preserve environmentally critical areas and natural resources.
 - h. Whether the request will be compatible with existing or planned uses.
 - i. Whether the request will cause damage, hazard, nuisance or other detriment to persons or property.
 - j. Whether a requested use will be in compliance with all general zoning provisions and supplemental regulations pertaining to the use set forth in this chapter.
- (3) *Findings.* Before making a recommendation to the city council to grant any special exceptions, the Board must find that the applicant has proved entitlement to the special exception by demonstrating compliance with:
- a. The Bonita Plan;
 - b. This chapter; and
 - c. Any other applicable ordinances or codes.
- (d) *Zoning matters.*
- (1) *Considerations.* In preparing their recommendation on a rezoning, the Board must consider the following, if applicable:
- a. Whether there exist changed or changing conditions that make approval of the request appropriate.
 - b. The testimony of any applicant.
 - c. The recommendation of staff.
 - d. The testimony of the public.
 - e. Whether the request is consistent with the goals, objectives, policies and intent of the Bonita Plan.
 - f. Whether the request meets or exceeds all performance and locational standards set forth for the proposed use.
 - g. Whether the request will protect, conserve or preserve environmentally critical areas and natural resources.
 - h. Whether the request will be compatible with existing or planned uses.
 - i. Whether the request will cause damage, hazard, nuisance or other detriment to persons or property.
 - j. Whether a requested use will be in compliance with all general zoning provisions and supplemental regulations pertaining to the use set forth in this chapter.
 - k. Whether there exists an error or ambiguity which must be corrected;
 - l. Whether public facilities will be available and adequate to serve a proposed land use change when reviewing a proposed change to a future urban area category; and
 - m. Whether a proposed change is intended to rectify errors on the official zoning map.
- (2) *Findings.* Before preparing their recommendation to the city council on a rezoning, the Board must find that:
- a. The applicant has proved entitlement to the rezoning by demonstrating compliance with the Bonita Plan, this Land Development Code, and any other applicable code or regulation;
 - b. The request will meet or exceed all performance and locational standards set forth for the potential uses allowed by the request;

- c. The request, including the use of transfer of development rights or affordable housing bonus density units, is consistent with the densities, intensities and general uses set forth in the Bonita Plan;
- d. The request is compatible with existing or planned uses in the surrounding area;
- e. Approval of the request will not place an undue burden upon existing transportation or planned infrastructure facilities and will be served by streets with the capacity to carry traffic generated by the development;
- f. Where applicable, the request will not adversely affect environmentally critical areas and natural resources;
- g. In the case of a planned development rezoning, the decision of the board must also be supported by the formal findings required by section 4-299(a)(2) and (4);
- h. The Board must also find that public facilities are, or will be, available and adequate to serve the proposed land use.

Sec. 4-32. Functions and authority of city council.

(a) *Land use ordinance amendments or adoption.*

- (1) *Function.* The city council must hold public hearings on all proposed land use ordinance amendments or adoptions.
- (2) *Considerations.* When deciding whether to adopt a proposed land use ordinance or amendment, the city council must consider the same criteria, recommendations and issues as set forth in section 4-88(b), as well as the recommendation of the local planning agency, but are not required to accept these recommendations.
- (3) *Decisions and authority.* The decision of the city council on any proposed land use ordinance amendment or adoption is final.
- (4) *Appeals.* Appeals of any decision concerning land use ordinance amendments or adoption may be taken in accordance with applicable state law.
- (5) *Voting.* Any decision by city council to amend its comprehensive plan, whether by a text or map amendment, which will allow a structure to be built at a height greater than 75 feet, will require the affirmative vote of five or more council members, provided that this requirement shall be subject to, and not contravene, the provisions of the City Charter, including, but not limited to Charter § 26 thereof. ~~This enhanced voting requirement will not be applicable to the processing of any comprehensive plan amendment applications that were filed before December 1, 2016.~~

(b) *Zoning actions.*

- (1) *Function.*
 - a. City council must hold public hearings (see sections 4-224 through 4-229) on all zoning applications, including variances and special exceptions, unless administrative decisions are authorized elsewhere in this Code.
 - b. All requests for variances, use of TDR or affordable housing bonus density units, and special exceptions which are part of an application for a rezoning must be considered by the city council with the application for rezoning and heard together with and at the same time as the rezoning.
- (2) *Considerations.* In rendering its decision, the city council must consider the following:
 - a. The considerations set forth in section 4-124 which are applicable to the case.
 - b. The substantive recommendation of the zoning board when applicable.
- (3) *Findings.* Before granting any rezoning, special exception, or variance, the city council must find that:

- a. The applicant has proved entitlement to the rezoning or special exception by demonstrating compliance with the Bonita Plan, this Land Development Code, and any other applicable code or regulation;
- b. The request will meet or exceed all performance and locational standards set forth for the potential uses allowed by the request;
- c. The request is consistent with the densities, intensities and general uses set forth in the Bonita Plan;
- d. The request is compatible with existing or planned uses in the surrounding area;
- e. Approval of the request will not place an undue burden upon existing transportation or other services and facilities and will be served by streets with the capacity to carry traffic generated by the development;
- f. Where applicable, the request will not adversely affect environmentally critical areas and natural resources;
- g. In the case of a planned development rezoning, the decision of the city council must also be supported by the formal findings required by section 4-299(a)(2) and (4);
- h. The city council must also find that public facilities and services, as defined in the Bonita Plan, are, or will be, available and adequate to serve the proposed land use; and
- i. In the case of a recommendation pertaining to wireless communication facilities, the decision of the city council must also be supported by the formal findings set forth in sections 4-1219(b) and 4-1225, as applicable.

(4) *Decisions and authority.*

- a. In exercising its authority, the city council:
 - 1. Must consider the recommendation of the zoning board, but may, in conformity with the provisions of this chapter, reverse, affirm or modify the recommendation of the zoning board, or remand the recommendation to afford due process.
 - 2. May not approve a rezoning other than the rezoning published in the newspaper unless the change is more restrictive than the proposed rezoning published.
 - 3. Has the authority to attach such conditions and requirements to any approval of a request for a special exception, development of regional impact, planned development, use of TDR or affordable housing bonus density units in conjunction with a rezoning request, or variance within their purview, deemed necessary for the protection of the health, safety, comfort, convenience or welfare of the general public. These conditions and requirements must be reasonably related to the action requested.
 - 4. In the case of a recommendation pertaining to wireless communication facilities, the city council must consider the decision as a recommendation only and may, in conformity with the provisions of this chapter, reverse, affirm or modify the decision of the zoning board, or remand the case to the zoning board.
- b. The decision of the city council on any matter listed in this subsection (4) is final. If there is a tie vote, the matter considered will be continued until the next regularly scheduled meeting for decisions on zoning matters by the city council, unless four of the members present and voting agree by motion, before the next agenda item is called, to take some other action. Such other action may be moved or seconded by any member, regardless of his vote on any earlier motion.
- c. Any denial by the city council is denial with prejudice, unless otherwise specified by the city council (see section 4-200).

- (5) *Judicial review.* Judicial review of final decisions under this section must be in accordance with section 4-34.
 - (6) *Special master.* Final decisions under this section may be the subject of a request for relief under F.S. § 70.51, within 30 days after the decision has been rendered. For the purposes of computing the 30-day period, the date the decision has been rendered is the date of the public hearing at which the city council made such decision by oral motion. The request for relief must allege that a decision of the city council is unreasonable or unfairly burdens the use of the subject property. A request for relief will be heard by an impartial special master in accordance with the procedure set forth in the administrative code.
- (c) *Appeals resulting from acts of administration or city boards*
- (1) The city council will consider appeals resulting from decisions or acts of its community development department or city boards who have been delegated with final decision making powers, including the Planning and Zoning Board~~historic preservation board, tree advisory board, etc.~~, where that board's decision has the right to appeal to the city council. Subject to this section, the city council will conduct hearings and make final decisions concerning appeals from administrative actions where it is claimed that there is an error in any order, requirement, decision, interpretation, determination or action of any administrative official (or board with final decision making powers) charged with the administration and enforcement of the provisions of the Land Development Code or any other ordinance that provides for a similar review.
 - (2) No appeal to the city council may lie from any act by an administrative official pursuant to:
 - a. An ordinance, resolution or directive of the city council directing the department of community development to perform such act;
 - b. Any ordinance or other regulation or provision in this Land Development Code which provides a different appellate procedure;
 - c. Zoning verification letters;
 - d. An administrative official's determinations of state or federal statutes, state or federal codes, rules, or regulations. If the city council must interpret or apply state or federal statutes, state or federal codes, rules or regulations in reaching a decision on an appeal, the city council is not authorized to hear the appeal and the case must be dismissed; or
 - e. Appeals of administrative interpretations of the comprehensive plan will be processed in accordance with the administrative section of the comprehensive plan. Likewise, interpretations of the state building code and other technical codes will be processed in accordance with the rights to appeal in those specific codes.
 - (3) No appeal may be considered by city council where it appears to be a circumvention of an established or required procedure. Specifically, in no case may an appeal be heard when the city council determines that the case should more appropriately be heard on a request for a special exception or variance.
 - (4) Unless there is a specific time limit specified in a controlling ordinance, applicants will have 30 days from the date of the specific decision or act of the community development department to appeal the decision, otherwise the use of an appeal is time-barred from consideration. The request must be filed with the city clerk, who will date stamp when filed in that office and transmit the appeal to the director of community development and the city attorney's office.
 - (5) Notices of hearings on appeals will be provided for in the agenda for regular city council meetings. No additional notices will be prepared to affected property owners or the public. Placement of appeals will be on the appeals portion of the agenda. The city attorney will schedule the item at a city council meeting, with the record consisting of the greensheet, application for the appeal, the actual record of the staff decision or act, and a staff response.

- (6) The city council will not consider appeals for challenges to a development order controlled by F.S. § 163.3215. In cases of challenges to development orders controlled by F.S. § 163.3215, no suit may be brought or filed or accepted for filing until the development order giving rise to the complaint has become final by virtue of its having been issued by the director, or by virtue of its having been ordered by the city council on an appeal reversing the director's denial of the development permit or denial of a development order extension, or by the city council in cases where the city council has granted planned development zoning. Once a development order has been granted, the provisions of F.S. § 163.3215 will be the sole means of challenging the approval of a development order, as that term is defined in F.S. § 163.3164(6), when the approval of the development order is alleged to be inconsistent with the Bonita Plan, in which case an action brought pursuant to F.S. § 163.3215 will be limited exclusively to the issue of comprehensive plan consistency.
- (7) Except as may be required by F.S. § 163.3215, and then only pursuant to that statute, a third party will not have standing to appeal an administrative decision. Only the applicant or their agent will be permitted to appeal such administrative action as set forth in this section.
- (8) Considerations.
 - a. In reaching a decision, city council must consider the following criteria, as well as any other issues that are pertinent and reasonable:
 - 1. Whether appeal is of a nature properly brought before the city council for a decision.
 - 2. The plain and ordinary meaning of all applicable ordinance or code provisions, unless the language is unclear or ambiguous; then the intent of the ordinance or code provision applied or interpreted may be considered.
 - b. Staff recommendations, the testimony of the parties and witnesses and testimony of the general public must also be considered.
 - c. All parties may present evidence and testimony as to laws or facts supporting their position in the case.
- (9) Findings. Before granting an appeal, the city council must determine if an error was made by the administrative official or advisory board.
- (10) Authority. The city council has the authority to reverse, affirm or modify the decisions or actions of the administrative official.

Sec. 4-33. Rehearing of decisions.

- (a) Any person who may be aggrieved by a decision the city council made pursuant to an application for rezoning, development of regional impact, special exception that meets the criteria of a development of city impact, or special exceptions or variances adopted on their own as a resolution or heard as part of a rezoning, may file a written request for a public rehearing by the city council for a modification or rescission of the decision. The request must be filed with the director of community development and the city attorney's office within 15 calendar days after the decision. For purposes of computing the 15-day period, the date of the decision is the date of the public hearing at which the city council made its decision by oral motion.
- (b) All requests for a public rehearing must state with particularity any new evidence or the points of law or fact which the aggrieved person argues the city council has overlooked or misunderstood, and must include all documentation offered to support the request for a rehearing. The city council will decide whether to grant or deny the request for a rehearing based exclusively upon the aggrieved person's written request and supporting documentation and the administrator's written analysis thereof. In addition, if the request is made by one other than the original applicant, the city must notify the applicant of the filing of the request for a rehearing and the applicant must be allowed to submit his independent written analysis. The deliberations of the city council with respect to the question of whether to grant a rehearing do not

constitute a public hearing, and no oral testimony will be allowed or considered by the city council in the course of these deliberations. An aggrieved person need not request a rehearing in order to exhaust his administrative remedies as a condition precedent to filing an appeal to the circuit court.

- (c) Judicial review. The proper filing of a petition for rehearing will toll the 30-day time limit set forth for judicial review of final decisions in section 4-~~3455~~. If a rehearing request is refused, or if the request is granted but modification or rescission of the original motion of the city council is denied, any aggrieved person may, within 30 calendar days after such refusal or denial, apply for judicial review of the original motion in accordance with section 4-~~3455~~. No judicial review is available to review the city council decision to refuse a rehearing request.
- (d) There is no right to apply to court for relief on account of any determination or recommendation of the zoning board in those actions listed in section 4-532(b)(1) which require public hearing before the city council.

Sec. 5-3. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Archaeological site means an individual historic resource recognized for its prehistoric or historic artifacts and features.

Archaeologist means a person who is qualified under the professional standards of the Florida Archaeological Council or the Society of Professional Archaeologists to conduct archaeological surveys, assessments or excavations, or is recognized as qualified to perform those tasks by the city.

Area of archaeological sensitivity means an area identified in the survey entitled "An Archaeological Site Inventory and Zone Management Plan for Lee County, Florida" (Piper Archaeological Research, Inc., 1987), as known or being likely to yield information on the history and prehistory of the county based on prehistoric settlement patterns and existing topographical features. Areas of archaeological sensitivity are divided into the following categories:

- (1) *Sensitivity Level 1*. Those areas containing known archaeological sites that are considered to be significant or potentially significant historic resources. These areas include sites listed on the National Register of Historic Places and those considered eligible or potentially eligible for listing on the National Register of Historic Places or local historic resource designation.
- (2) *Sensitivity Level 2*. Those areas containing known archaeological sites that have not been assessed for significance but are likely to conform to the criteria for local designation, or areas where there is a high likelihood that unrecorded sites of potential significance are present.

Building means any structure, either temporary or permanent, having a roof intended to be impervious to weather, and used or built for the shelter or enclosure of persons or property of any kind, excluding animal cages.

Building official means the officer charged with the administration and enforcement of the city construction code as set out in chapter 10 of the general laws.

Certificate of appropriateness means a written authorization by the historic preservation board or city staff to the owners of a designated property or any building, structure or site within a designated historic district, allowing a proposed alteration, relocation, or the demolition of a building, structure or site. Certificates of appropriateness are divided into the following two classes:

- (1) *Regular certificate of appropriateness* means a certificate of appropriateness issued by the city staff allowing activities which require the issuance of a building permit but which are classified as ordinary maintenance and repair under the provisions of this chapter and the criteria listed in the U.S. Secretary of the Interior's Standard for Rehabilitation, 36 CFR 67.

- (2) *Special certificate of appropriateness* means a certificate of appropriateness issued directly by the historic preservation board and required for any proposed work that will result in the alteration, demolition, relocation, reconstruction, new construction or excavation of a designated historic resource, based upon the criteria listed in the U.S. Secretary of the Interior's Standard for Rehabilitation, 36 CFR 67.

Certificate to dig means a certificate issued by the city staff or the historic preservation board, authorizing certain clearing, digging, archaeological investigation or archaeological development projects that may involve the exploration of documented or suspected archaeological sites in areas of archaeological sensitivity level 1 or 2.

Certified local government means a designated local government meeting the requirements of the National Historic Preservation Act of 1966, as amended, 454 USC 300101, which extends some aspects of the federal and state responsibilities for historic preservation to qualified local governments. Under the program, local governments are certified to review and make recommendations to the Florida National Register Review Board concerning nominations to the National Register of Historic Places of properties located within the confines of their local jurisdictions.

Contributing property means any building, structure or site which contributes to the overall historic significance of a designated historic district and was present during the period of historic significance and possesses historic integrity reflecting the character of that time or is capable of yielding important information about the historically significant period or independently meets the criteria for designation as a historic resource.

Demolition means the complete removal of a building or structure, or portions thereof, from a site.

Demolition by neglect means the willful abandonment of a building or structure by the owner resulting in such a state of deterioration that its self-destruction is inevitable or where demolition of the building or structure to remove a health and safety hazard is a likely result.

Demolition delay means the six-month waiting period set forth in section 5-85(c) applicable to designated historic resources or contributing properties, as well as the waiting period of time after the filing of an application for a permit to demolish a recognized historic resource, as defined herein, during which the historic preservation board may pursue alternatives to demolition and/or to assemble and document information with the property owner or owners of the recognized historic resource pertaining to the appearance and history of the building or structure prior to a permit for its demolition being issued, as set forth in section 5-88.

Designation certificate means a certificate issued by the historic preservation board declaring a building, structure, site or district to be a historic resource.

Designation report means a written document indicating the basis for the findings of the historic preservation board concerning the proposed designation of a historic resource pursuant to this chapter.

Exterior means all outside surfaces of a building or structure visible from a public right-of-way or the street easement of the building or structure.

Florida Master Site File means the central inventory of historic properties established and maintained for the state, consisting of such properties reported to and recorded with the division of historical resources, pursuant to F.S. § 267.031(5)(m), as may be amended, renumbered or replaced.

Historic district means a geographically definable area designated pursuant to this chapter possessing a significant concentration, linkage or continuity of sites, buildings, structures or objects united by past events or aesthetically by plan or physical development. A district may also be comprised of individual elements separated geographically but linked by association or history. To qualify as a historic district, an area may contain both contributing and noncontributing properties.

Historic preservation board or board means a board of citizens appointed by the city council to administer the provisions of this chapter.

Historic resource means any prehistoric or historic district, site, building, structure, object or other real or personal property of historical, architectural or archaeological value. Historic resources may include, but are not

limited to, monuments, memorials, Indian habitations, ceremonial sites, abandoned settlements, sunken or abandoned ships, engineering works or other objects with intrinsic historical or archaeological value, or any part thereof, relating to the history, government or culture of the city, county, the state or the United States.

Historic resource database means the compilation of data gathered on historical and archaeological sites in the city, based on the findings of the Florida Master Site File and the surveys entitled "An Archaeological Site Inventory and Zone Management Plan for Lee County, Florida" (1987), "Historic Resources Survey of Bonita Springs, Final Report" (also known as "The Janus Report") (October, 2004), and any subsequent historic or archaeological survey.

National Register of Historic Places means a federal listing maintained by the U.S. Department of the Interior of buildings, sites, structures and districts that have attained a quality of significance as determined by the Historic Preservation Act of 1966 as amended, 54 USC 300101, as such act may be amended, renumbered or replaced, and its implementing regulation, 36 CFR 60, "National Register of Historic Places," as such regulations may be amended, renumbered or replaced.

Noncontributing property means any building, structure or site which does not contribute to the overall historic significance of a designated historic district due to alterations, disturbances or other changes and therefore no longer possesses historic integrity, or was not present during the period of historic significance or is incapable of yielding important information about that period.

Ordinary maintenance and repairs means work done to prevent deterioration, decay or damage to a building or structure, or any part thereof, by restoring the building or structure as nearly as practicable to its condition prior to such deterioration, decay or damage.

Owner means those individuals, partnerships, corporations or public agencies holding fee simple title to real property. The term "owner" does not include individuals, partnerships, corporations or public agencies holding easements or less than a fee simple interest (including leaseholds) in real property.

Recognized historic resource means any building or structure not presently designated as a historic resource or as a contributing property, which has a Florida Master Site File record, and/or is 50 years of age or older, and has been recognized by the historic preservation board as possessing substantial historic significance and value, based upon the criteria for historic designation of a building or structure as set forth in section 5-176 of this chapter, as it may be amended from time to time. The historic preservation board shall keep and maintain, and make available to the public, a listing of such recognized historic resources, which listing may be amended from time to time. A copy of such list shall be filed with the city clerk's office.

Staff means the city staff persons, including persons within the community development department, designated by the city manager to serve as staff for the historic preservation board and to administer the provisions of this chapter in cooperation with the building official and the zoning director.

Structure means that which is built or constructed. The term "structure" shall be construed as if followed by the words "or part thereof."

Undue economic hardship means an onerous and excessive financial burden that would be placed upon a property owner by the failure to issue a special certificate of appropriateness for demolition, or arising from a demolition delay, thereby amounting to the taking of the owner's property without just compensation.

Zoning director means the director of the zoning and development review division, or his successor or designee as the person responsible for administering the provisions of chapter 4.

Sec. 5-30. Appeals.

- (a) Any owner of a building, structure or site affected by the operation of this chapter may appeal a decision of the historic preservation board by filing a written notice of appeal within 15 days of the date the written decision of the historic preservation board was rendered. The notice of appeal shall be filed in accordance with the Bonita Springs Land Development Code ("LDC"), section 4-83 and a copy provided to the historic

preservation board, which shall state the decision being appealed, the grounds for the appeal and a summary of the relief sought.

- (b) Appeals shall otherwise be pursued using the procedure set forth in section 4-532, pertaining to appeals from administrative matters.
- (c) Except as may be required by F.S. § 163.3215, and then only pursuant to that statute, a third party shall not have standing to appeal a decision rendered under the provisions of this chapter.

Sec. 5-50. Membership; compensation of members; removal of members.

- (a) The historic preservation board shall consist of the seven members appointed by the city council, ~~at least five of whom shall be residents of the city. The remaining members need not be residents of the city. Appointments of all of the members of the historic preservation board shall be made on the basis of a potential member's civic pride, involvement in community issues, integrity, experience and interest in the field of historic preservation.~~ If possible, one member of the historic preservation board shall be an architect registered to practice in the state. The city council shall strive to appoint one member of the historic preservation board from each of the following categories:
 - (1) History or archaeology.
 - (2) Real estate land development or finance.
 - (3) Law or urban planning.
 - (4) Engineering, architecture, building construction or landscape architecture.
 - (5) In the event a matter requires evaluation by a profession not represented on the historic preservation board, such board may seek out such expertise.

~~All members of the historic preservation board must comply with the financial disclosure laws of the state.~~

- ~~(b) Members shall serve overlapping terms of three years. Initially, two members shall be appointed to one-year terms, two members shall be appointed to two-year terms, and three members shall be appointed to full three-year terms. After the initial appointments, all appointments shall be made for three years. A member of the historic preservation board shall be eligible for reappointment. Members of the historic preservation board shall serve without compensation, but shall be reimbursed for necessary expenses incurred in the performance of their official duties, as shall be determined and approved by the city council. Prior to the expiration of his term, a member of the historic preservation board may be removed from office only by a majority vote of the entire membership of the city council. If, however, a member of the historic preservation board fails to attend three consecutive meetings, or four meetings in any one calendar year, the chairman shall certify such fact to the city council. Upon such certification, that member shall be deemed to have been removed from the historic preservation board and the city council shall fill the vacancy, within 60 days, by appointment in accordance with its administrative code for advisory boards.~~

Sec. 5-51. Organization; meetings.

~~The mayor shall appoint the chair and the historic preservation board shall elect a vice chair from among its membership. The chair shall preside at all meetings and shall have the right to vote. The vice chair shall preside in the absence of the chair. The city shall provide adequate staff to allow the historic preservation board to perform its duties. Staff shall consist of at least one historic preservation planner, and one clerical person, who shall be responsible for recording and transcribing the minutes of all meetings of the historic preservation board. The city attorney shall be present at all historic preservation board meetings to represent the city, except that such presence shall not be necessary when the historic preservation board is discussing matters that would not impact individual property rights. All meetings of the historic preservation board shall be open to the public. A public record of the minutes and resolutions of the historic preservation board shall be maintained and made available for inspection by the public. The historic preservation board shall meet at least once per month, at a date and time to be decided by the historic preservation board, unless there is no business pending before the historic~~

~~preservation board. Meetings shall be announced publicly, and the agenda for each meeting shall be previously published. Decisions of the historic preservation board shall be delivered in a public forum. All rules of procedure for the historic preservation board shall be available for inspection by the public. Regardless of the lack of pending business, the historic preservation board shall meet at least four times during any calendar year.~~

Sec. 5-84. Special certificate of appropriateness.

- (a) *Required.* A special certificate of appropriateness shall be issued by the historic preservation board prior to initiation of any work involving alteration, demolition, relocation, reconstruction, excavation or new construction which will result in a change to the original appearance of a designated historic resource or a contributing property within a designated historic district. A special certificate of appropriateness is also required prior to any new construction, reconstruction or alteration of a noncontributing property within a designated historic district. A special certificate of appropriateness may also be issued to reverse or modify a staff decision regarding an application for a regular certificate of appropriateness or a conditional certificate to dig.
- (b) *Application.* An applicant for a special certificate of appropriateness shall submit an application to the community development department, accompanied by two sets of full plans and specifications, a site plan and, in the case of sites involving buildings or structures, samples of materials as may be deemed appropriate and requested by the historic preservation board to fully describe the proposed appearance, color, texture, materials or design of the building or structure and any outbuilding, wall, courtyard, fence, landscape feature, paving, signage or exterior lighting. The applicant shall provide adequate information to enable the historic preservation board to visualize the effect of the proposed action on the historic resource and on adjacent buildings and streetscapes within a historic district. Alterations shall achieve the purpose of the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitation of Historic Buildings.
- (c) *Public hearing.* The historic preservation board shall hold a public hearing upon an application for a special certificate of appropriateness affecting designated historic resources or districts. Notice of the public hearing shall be given to the property owners by certified mail, return receipt requested, and to other interested parties by posting a copy of such notice at the premises, at city hall, and upon the city's website or other electronic media at least five calendar days but no sooner than 20 calendar days prior to the date of hearing.
- (d) *Action of historic preservation board.* The historic preservation board shall meet and act upon an application for a special certificate of appropriateness on or within 70 calendar days from the date the application and materials adequately describing the proposed action are received. The historic preservation board shall approve, deny or approve the special certificate of appropriateness with conditions, subject to the acceptance of the conditions by the applicant, or suspend action on the application for a period not to exceed 35 calendar days in order to seek technical advice from outside sources or to meet further with the applicant to revise or modify the application. Failure of the historic preservation board to act upon an application on or within 70 calendar days (if no additional information is required) or 105 calendar days (if additional information is required by the historic preservation board) from the date the application was received shall result in the immediate issuance of the special certificate of appropriateness applied for, without further action by the historic preservation board.
- (e) *Notice of decision.* All decisions of the historic preservation board shall be in writing and shall include findings of fact. Evidence of approval of the application shall be by the special certificate of appropriateness issued by the historic preservation board or the board's designated staff representative. Notice of a decision shall be given to the applicant and to the building official, the zoning director and any other appropriate public agency, as determined by the historic preservation board. When an application is denied, the notice of the historic preservation board shall provide an adequate written explanation of its decision to deny the application. The historic preservation board shall keep a record of its actions under this chapter. Any appeal may be pursued using the procedure set forth in section 4-532, pertaining to appeals from administrative matters.

Sec. 5-88. Waiting period for demolition of recognized historic resources.

- (a) Permits to demolish any building or structure, or any portions thereof, determined by the historic preservation board to be, and listed as, a recognized historic resource as defined by this chapter, shall not be issued until the expiration of a maximum of 90 days measured from the date of the filing of the demolition permit application with the city. The purpose of this restriction shall be to enable the historic preservation board to pursue alternatives to demolition and to assemble and document information with the property owner or owners of the recognized historic resource pertaining to the appearance and history of the building or structure prior to its demolition. Upon the filing with the city, through its community development department, of an application for a permit to demolish a recognized historic resource, or any portions thereof, notice of such filing shall immediately be given to the historic preservation board's staff liaison for an expedited hearing.
- (b) A demolition permit for a building or structure, or for any portions thereof, that has a Florida Master Site File and/or is 580 years of age or older, and has been determined by the historic preservation board to be, and listed as, a recognized historic resource, may not be issued prior to the expiration of a maximum of 90 days measured from the date of the filing of the demolition permit application with the city, unless the historic preservation board, in its opinion, determines sooner that no cause exists to further delay the issuance of such demolition permit, based upon a finding that either no alternatives to, or delays for, demolition are any longer necessary, practicable or required; or that substantial economic hardship will result to the property owner or owners by reason of any further delay in demolition; or that the building or structure has been substantially destroyed or damaged by an event not within the property owners' control with more than 50 percent of the building or structure affected.
- (c) The demolition application shall be forwarded from the city's community development department, immediately after its filing, to the historic preservation board's staff liaison for consideration. Unless waived by the property owner or owners, the property owner or owners will be notified not less than ten days after the filing of the demolition application, by certified mail, of the delay imposed, and of the date, time and place of the next regularly scheduled meeting, or special meeting called, of the historic preservation board, at which the property owner or owners shall be given an opportunity to be heard, on an expedited basis, in order to contest and/or limit such delay. If, after submission of demolition application, property owner or owners request(s) an opportunity to be heard to contest and/or limit a delay, a hearing shall take place no later than 30 days after the ten-day notification has been provided by certified mail.
- (d) At the next regularly scheduled meeting, or special meeting called, of the historic preservation board the property owner or owners may request that the historic preservation board waive or limit the demolition delay and determine that no cause exists to further withhold the issuance of such demolition permit, based upon a finding that either no alternatives to, or delays for, demolition are any longer necessary, practicable or required; or that undue economic hardship will result to the property owner or owners by reason of any further delay in demolition; or that the building or structure has been substantially destroyed or damaged by an event not within the property owners' control with more than 50 percent of the building or structure affected.
- (e) In the event that undue economic hardship due to the effect of the demolition delay is claimed by a property owner or owners, the historic preservation board may give consideration to the economic impact of the delay upon the property owner or owners and the reasonableness of the property owner or owners carrying out the decision of the board. In doing so, the historic preservation board may require from the property owner or owners to demonstrate undue economic hardship, and may require that such property owner or owners provide sufficient information before it makes a decision on the application, as long as such information is relevant for the historic preservation board to decide whether an undue economic hardship exists.
- (f) In the event that undue economic hardship due to the effect of the demolition delay is claimed by a property owner or owners of income-producing property, the historic preservation board may also require any other

information considered necessary by the historic preservation board to a determination as to whether the property does yield or may yield a reasonable return to the owner or owners.

- (g) For the purpose of making available to owners of property for which a demolition waiting period has been invoked pursuant to this section, the historic preservation board shall maintain a list of qualified interested parties, such as Florida licensed contractors, as defined in F.S. § 489.105(3), and possessing an appropriate division 1 contractors license or a local certificate of competency for demolition contracting issued by Lee County, and preservationists specializing in relocation and salvage of historic structures.
- (h) If an undue economic hardship is claimed by the property owner or owners as a result of the demolition delay, the historic preservation board shall have the power to modify adherence to its original decision. Any modification of a prior order shall be based upon sufficient evidence submitted by the owner and a subsequent finding by the historic preservation board that retention of the building or structure would deny the owner of all economically viable use of the property, thus creating an undue economic hardship.
- (i) If an undue economic hardship is claimed by the property owner or owners as a result of the demolition delay, the historic preservation board shall have the power to modify adherence to its original decision. Any modification of a prior order shall be based upon sufficient evidence submitted by the owner and a subsequent finding by the historic preservation board that retention of the building or structure would deny the owner of all economically viable use of the property, thus creating an undue economic hardship.
- (j) Any decision of the historic preservation board in requiring a demolition delay may be appealed to the city council by filing a written request within 15 days after the decision has been made. In reviewing such an appeal, city council shall consider the information submitted for the historic preservation board to base their decision, the facts presented, and any new information that could have affected the decision. Prior to filing any claims under the Bert J. Harris, Jr., Private Property Rights Protection Act, a property owner or owners must apply for an exemption to consider having exhausted his, hers or their administrative remedies under this section before a cause of action or "action of a governmental entity" will accrue or be deemed ripe. Such exhaustion shall not include a filing for an appeal or a petition for writ of certiorari in circuit court.

Sec. 3-417. Open space.

- (a) *Open space calculations.* All development must contain the minimum percentage of open space as outlined in the following table below:

Open Space Requirement

Type of Development	Required Open Space as a % of Development Area
Residential, non-planned development: Type of dwelling units as defined in chapter 9 located in conventional zoning districts	
Single-family residence	Open space/pervious standards. See chapter 4.
Duplex on a single lot with a minimum lot size of 7,500 sq. ft.	None
Two-family attached each on an individual lot with a minimum lot size of 3,750 sq. ft. per unit	None
All other residential other than planned developments	35%
Residential planned development	40%
Industrial	10%
Other: All other uses including, but not limited to commercial, places of worship, recreational vehicle parks, community facilities, schools (excluding Lee County School District), etc.	20%

- (b) *Indigenous native vegetation.*

(1) Preservation.

- a. Large developments, with existing indigenous native vegetation, must provide 50 percent of their open space percentage requirement through the on-site preservation of existing indigenous native vegetation. Refer to section 3-523. A minimum setback of 30 feet is required from any habitable structure.
- b. If the development area does not contain existing indigenous native vegetation communities, but does contain existing indigenous native trees, then 50 percent of their open space percentage requirement must be met through the on-site preservation of existing native trees consistent with subsections (b)(1)b.1 through 4 of this section. Refer to Appendix A of this chapter.
 1. Preservation of indigenous tree clusters is preferred over individual tree protection. Reasonable efforts to retain individual trees must be made. It is recognized that site design requirements (e.g., fill) may limit the ability to retain some individual trees, and in that case the city will allow the removal of those trees.
 2. Sabal palms may be relocated in a horticulturally correct manner and clustered within open space areas.
 3. Native trees (four-inch caliper dbh or greater) may be relocated to open space areas when proper horticultural methods (e.g., root pruning; use of anti-transpirants) are utilized to ensure the survivability of the trees.
 4. Effort must be made to preserve heritage trees (indigenous trees or palms with a 20-inch or greater caliper dbh). If a heritage tree must be removed from a site, then an approved replacement species with a minimum 20-foot height and 4-inch or greater caliper dbh must be planted within an appropriate open space area.

(2) ~~Tree advisory board~~ Planning and Zoning Board review.

- a. ~~The tree advisory board~~ may make recommendations to applicants and staff, concurrent with the zoning process and prior to the issuance of the development order, who may suggest modifications to the master concept plan. ~~The tree advisory board's~~ final recommendation may not take longer than 60 days from the date the matter is placed on their agenda, unless agreed to by the applicant.
- b. If the review is required as a zoning condition prior to the issuance of the development order, staff may approve administrative deviations to the parking plan or site layout upon input from ~~the tree advisory board~~. Alternatively, if the staff believes the deviation exceeds the staff's designated authority, the staff may request the ~~city council's~~ concurrence that an administrative deviation is the best practice to promote the preservation of a heritage tree. ~~Any request for city council concurrence will be considered at a regular city council meeting, with regular notice of the agenda (no special advertisement or public notice to parties of record).~~ If ~~city council~~ determines the deviation warrants a public hearing resulting from changes in the parking plan or site layout, the applicant shall file for an amendment to their planned development through chapter 4.

(3) Salvaging existing native plants.

- a. Open space areas must be designed to incorporate as many of the existing large native trees and sabal palms as possible.
- b. Native trees and sabal palms. Healthy native trees and sabal palms with a caliper of four inches or greater at 4½ feet above the ground (dbh) may be relocated onsite for credit toward code required landscaping when the trees have been properly prepared for relocation through root pruning or other horticulturally correct methods approved by the city manager or designee.

(4) Credits.

- a. As an incentive to preserve indigenous native upland plant communities in large tracts, a scaled open space credit for single preserve areas will be granted as follows:

Indigenous Vegetation Credit

Credit provided	Minimum size	Minimum width
110%	½ acre	50 feet
125%	1 acre	100 feet
150%	3 acres	200 feet

- b. An additional, maximum ten percent credit will be granted if any of the following vegetation areas are included:
1. Rare and unique uplands as defined by the city comprehensive plan.
 2. Connection to offsite public or private environmental conservation or preserve areas.
 3. Upland buffers to natural waterbodies
- (5) Consistent with the provisions of section 3-81, the city manager or designee may permit administrative deviations to reduce the minimum 50 percent indigenous native vegetation requirement within this subsection to a lower percentage, if the applicant demonstrates that the proposed landscape plan will result in a better overall product than what would have been produced under these standards. Existing approved indigenous preserve areas within planned developments are not eligible for administrative deviations. The administrative deviation request must include the unique conditions or circumstances that make the property unusable and unreasonably burdensome. The applicant must provide details of other actions that will be taken to offset the reduction. Offsets to this requirement can only be made through enhancements to the landscape material being planted according to the landscape plan.
- (6) Setbacks.
- a. A minimum 30-foot setback from all preserve (wildland) areas is required for buildings and accessory structures for the purposes of fire protection. Buildings and accessory structures located closer than 30 feet from a preserve (wildland) area shall require special mitigation measures as determined by the Bonita Springs Fire Control and Rescue District, in accordance with the National Fire Protection Association ("NFPA"), Standard 1144, "Standard for Protection of Life and Property from Wildfire."
- (c) *Minimum dimensions.*
- (1) The minimum average width of open space areas must be five feet in commercial areas and ten feet in all other areas.
 - (2) The minimum area of open space must be 180 square feet.
 - (3) Indigenous open space areas must have a minimum average width of 20 feet and minimum area of 400 square feet.
- (d) *Use of open space.*
- (1) Open space areas must be landscaped in accordance with this division.
 - (2) The following uses may contribute to the open space requirements; provided the minimum dimensions are met:
 - a. Buffers and landscaped areas in off-street parking areas, except for areas reserved for future parking spaces pursuant to section 4-1729(d).
 - b. Dry detention areas.

- c. Existing or proposed bodies of water, including stormwater management areas, and areas subject to saltwater inundation, which may be used to offset up to a maximum of 25 percent of the required open space area.
 - d. Active and passive recreation areas such as playgrounds, golf courses, beach frontage, native trails, bikeways, pedestrian ways, tennis courts, swimming pools, and other similar open spaces, as long as not more than 20 percent of the recreational area credited as open space consists of impervious surface.
 - e. Outdoor active and passive public use areas such as plazas, atriums, courtyards, and other similar public spaces may be used to offset up to a maximum of 20 percent of the required open space.
 - f. Archaeological sites or zones that are designated as significant historic resources pursuant to chapter 5 may also be used in open space calculations.
- (e) *Indigenous preserve management plan.* A long-term management plan must be submitted that details land management activities to be taken to ecologically manage the indigenous preservation area. This document must be recorded on the deed to ensure future property owners associations, and future owners or assigns are provided clear notice of these long-term land management requirements and commitments. The management plan must provide details of maintaining the biological health of the system. The management plan must include, but is not limited to: native plant maintenance, exotic pest plant control, protected species habitat maintenance, schedule of maintenance activities and allowable uses, and wildfire risk mitigation (which will take into account the flammability of such vegetation). The requirements for this plan are outlined below:
- (1) *Introduction.*
 - a. Plan must be prepared by an environmental consultant, section 3-79.
 - b. Plan shall state the names of the individuals that prepared the plan, designate a preserve manager and provide contact information.
 - c. Plan shall state the STRAP number of the parcel preserved.
 - d. Plan shall include a map of the preserve area at a legible scale.
 - e. Plan shall state the development order or permit number.
 - f. Plan shall state if other state or federal agencies require maintenance of the preserve area and this plan shall be compatible with any other plans.
 - g. Plan does not necessarily have to follow this format but must address all the items in this outline.
 - h. Plan shall describe the communities or habitats including the FLUCFCS codes.
 - i. Plan shall state the goal or future of the preserve, i.e., preserving gopher tortoise habitat, preserving wetland storage functions, preserving heritage trees, etc.
 - j. The plan shall state that the conditions and recommendations of the indigenous preserve management plan are required, except for subsection (e)(4) of this section (exotic animal management), and subsection (e)(8) of this section. (Recommendations for corrective measures or future activities that are clearly above the core requirements of this management plan.)
 - (2) *Method and frequency of native vegetation management.*
 - a. What time of year will maintenance be performed, spring, summer, etc.
 - b. Frequency of maintenance, monthly, yearly, etc.
 - c. Method of maintenance activity, herbicide, trimming, burning, raking, etc.
 - d. Describe the details of maintenance activity, i.e., what chemicals used, tracer dyes, will vegetation be removed from site, how much raking will occur, etc.

- e. Vacant and disturbed areas within preserves shall be planted and restored. Plantings and spacing shall be approved as part of the preserve area management plan.
- (3) *Method and frequency of exotic vegetation management.*
 - a. What time of year will maintenance be performed, spring, summer, etc.
- b. Frequency of maintenance, monthly, yearly, etc.
 - c. Specify that all Category I and Category II exotic plants, according to the exotic pest plant council, shall be removed and maintained at a level of five percent or less coverage in perpetuity.
 - d. Method of maintenance activity, herbicide, trimming, burning, raking, etc.
 - e. Describe the details of maintenance activity, i.e., what chemicals used, tracer dyes, will vegetation be removed from site, how much raking will occur, etc.
- (4) *Method of exotic animal management.*
 - a. Plan shall state the threats from exotic animals, feral cats and dogs, iguanas, pythons, etc.
 - b. Plan shall state any methods used to dissuade or control exotic animals, signage notifying residents to keep pets on leashes, surveys for exotic animal infestation, or physical removal of exotic animals, etc.

Note: Exotic animal management is not mandated but is recommended for the health of the system.
- (5) *Wildland fire hazard mitigation plan.*
 - a. Incorporate the wildland fire hazard mitigation plan into the indigenous preserve management plan.
 - b. State the criteria used to maintain the preserve for fire hazards, raking of mulch every two to three years, trimming palmettos every two to three years, frequency of burns, removing dead vegetation, etc.
- (6) *Protected species management plan conditions (if applicable).*
 - a. Aerial map with a scale of one inch equals 200 feet or the same scale of the DO with FLUCFCS codes.
 - b. Habitat descriptions for the FLUCFCS codes present.
 - c. Location of individuals, nest sites, burrows, etc., as appropriate.
 - d. Areas to be preserved and managed for protected species management.
 - e. List any specific management activities, annual surveys, monitoring, plantings, etc.
 - f. Plan shall state if other state or federal agencies require maintenance of the preserve area and this plan shall be compatible with any other plans.
- (7) *Activities allowed or disallowed in preserve areas.*
 - a. List any activities allowed in preserve areas, boardwalks, mulched paths, chickee huts, etc.
 - b. List any activities not allowed in preserve areas.
- (8) *Monitoring reports.*
 - a. Perform a baseline monitoring report.
 - b. Document initial conditions including photos.
 - c. Document the status of the restoration activities and any progress or decline.
 - d. Document the death or decline or increase of preserve vegetation.

- e. Document any protected species activities or observations.
- f. Provide professional observations and a summary of the overall health of the preserve.
- g. Provide recommendations for corrective measures and/or future activities.
- h. Monitoring reports are required for a period of five consecutive years from the issue date of the development order and shall be submitted to the city community development.

ITEM TITLE: Presentation on code enforcement activity and update on emergency management.

REQUESTOR: Tony Backhurst, Director, Neighborhood Services and Emergency Management

AGENDA SECTION: Presentations

STRATEGIC PRIORITY: #1 Improve Stormwater Resiliency; #3 Enhance Community Aesthetics

BACKGROUND:

The presentation includes an overview of code enforcement statistics for the 2025 calendar year as well as an update on Emergency Management and the City's status in the annual Florida Recovery Obligation Calculation (F-ROC) process.

STAFF RECOMMENDATION: Receive presentation.

ATTACHMENTS:

1. Presentation - Neighborhood Services Department Statistical Update
-

REVIEWERS:

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

ITEM TITLE: Presentation of the December Financial Report.

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

AGENDA SECTION: City Manager's Items

STRATEGIC PRIORITY: 6) Government Transparency and Efficiency

BACKGROUND:

Staff will be providing a brief presentation on the attached fiscal year to date financial report for December 31, 2025. This report is for three months of operations in the 2025-2026 fiscal year.

STAFF RECOMMENDATION: Receive presentation and report

ATTACHMENTS:

1. Presentation
2. Financial Report

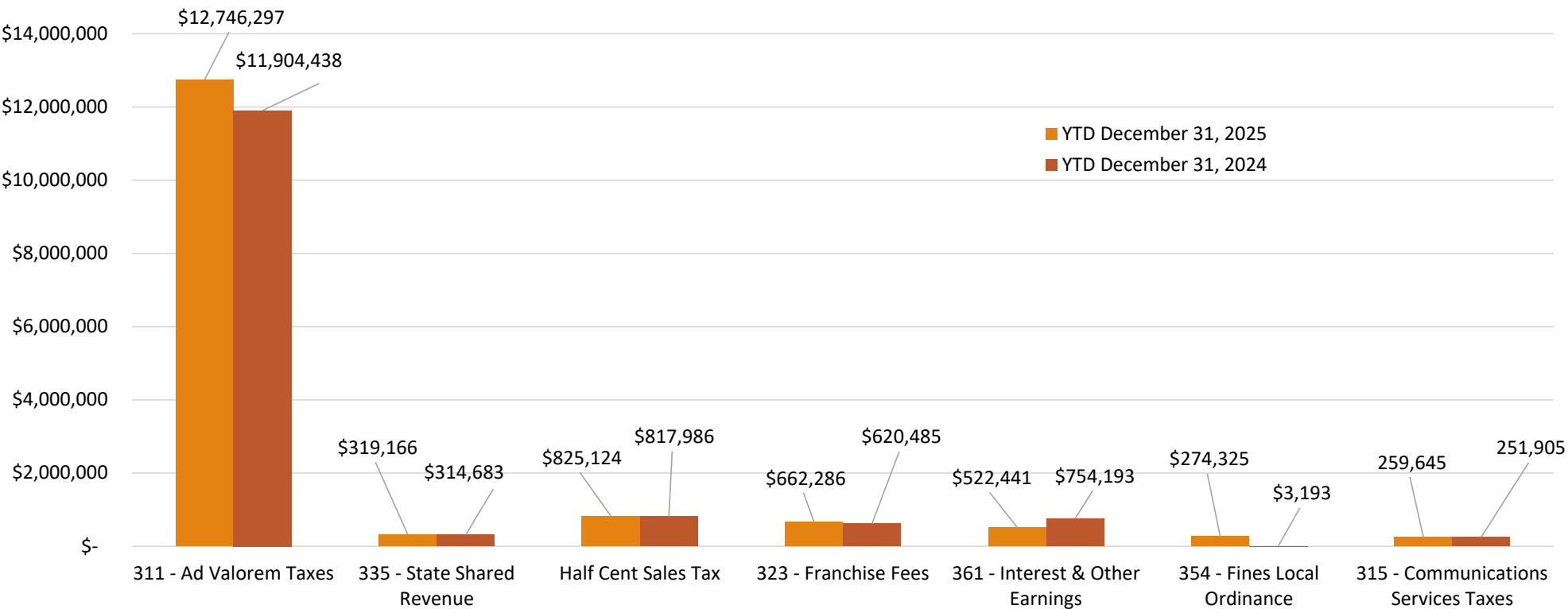
REVIEWERS:

City Manager:	Arleen Hunter
City Attorney:	Derek Rooney
City Clerk:	Mike Sheffield
Dept. Director:	Lisa Griggs Roth

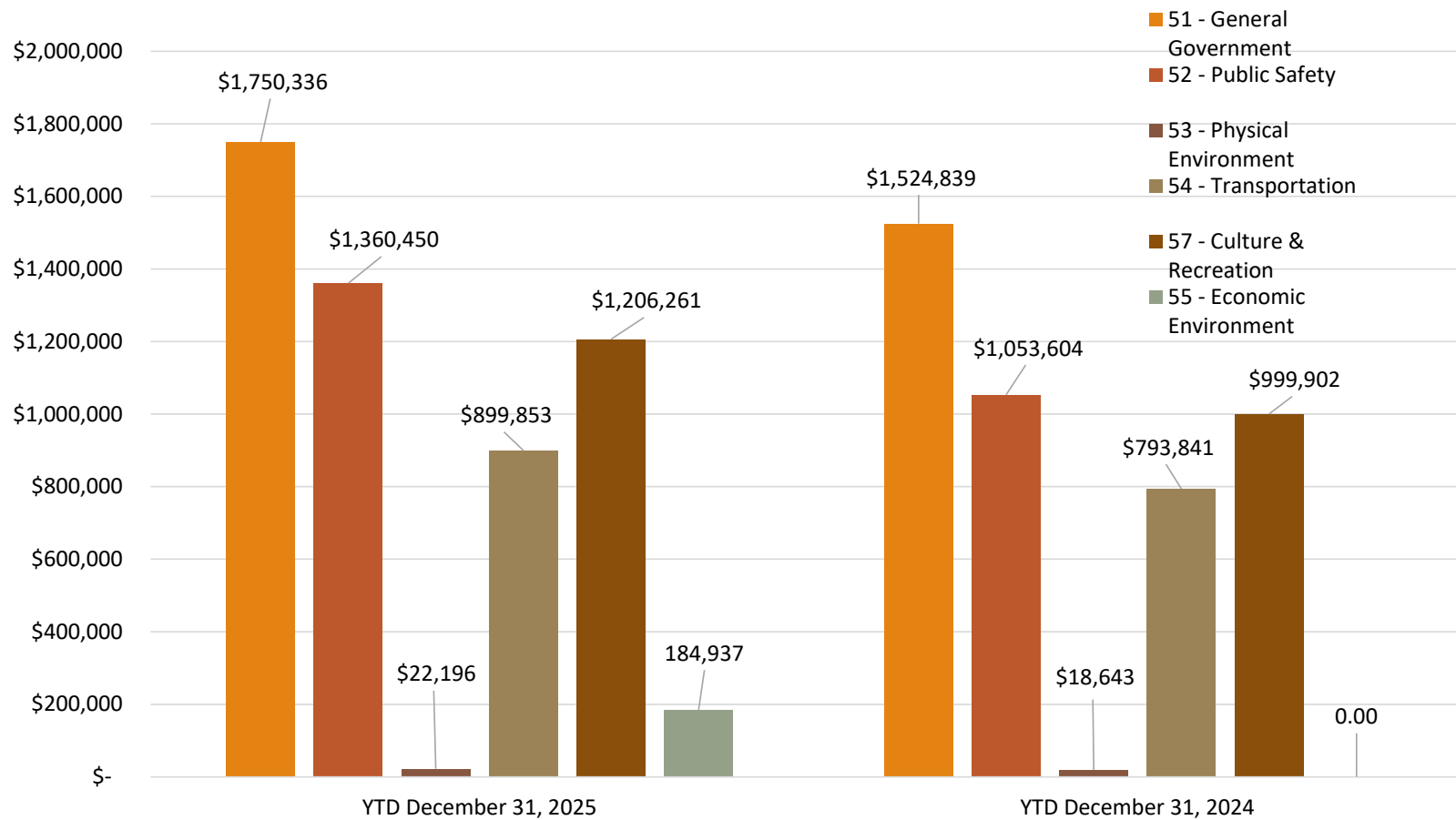
December Financial Report



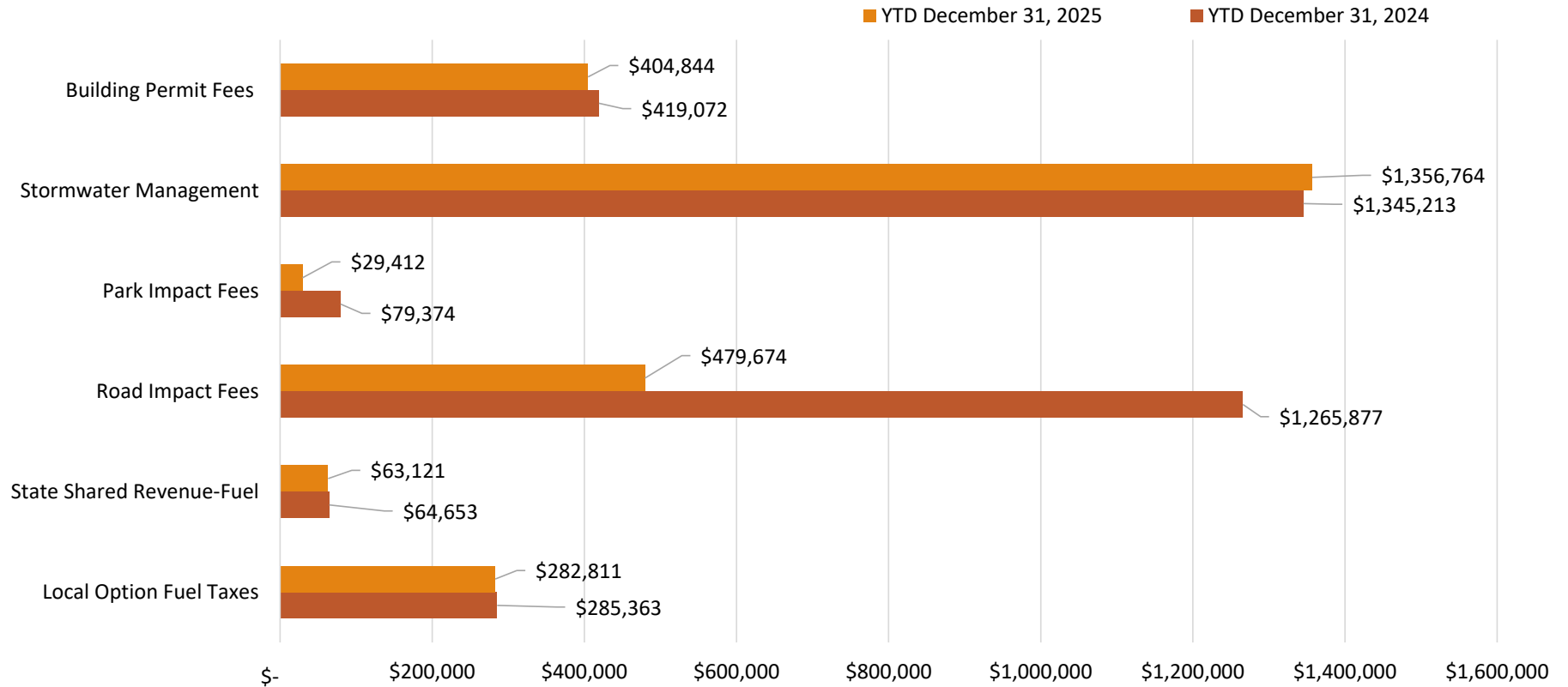
General Fund Revenue



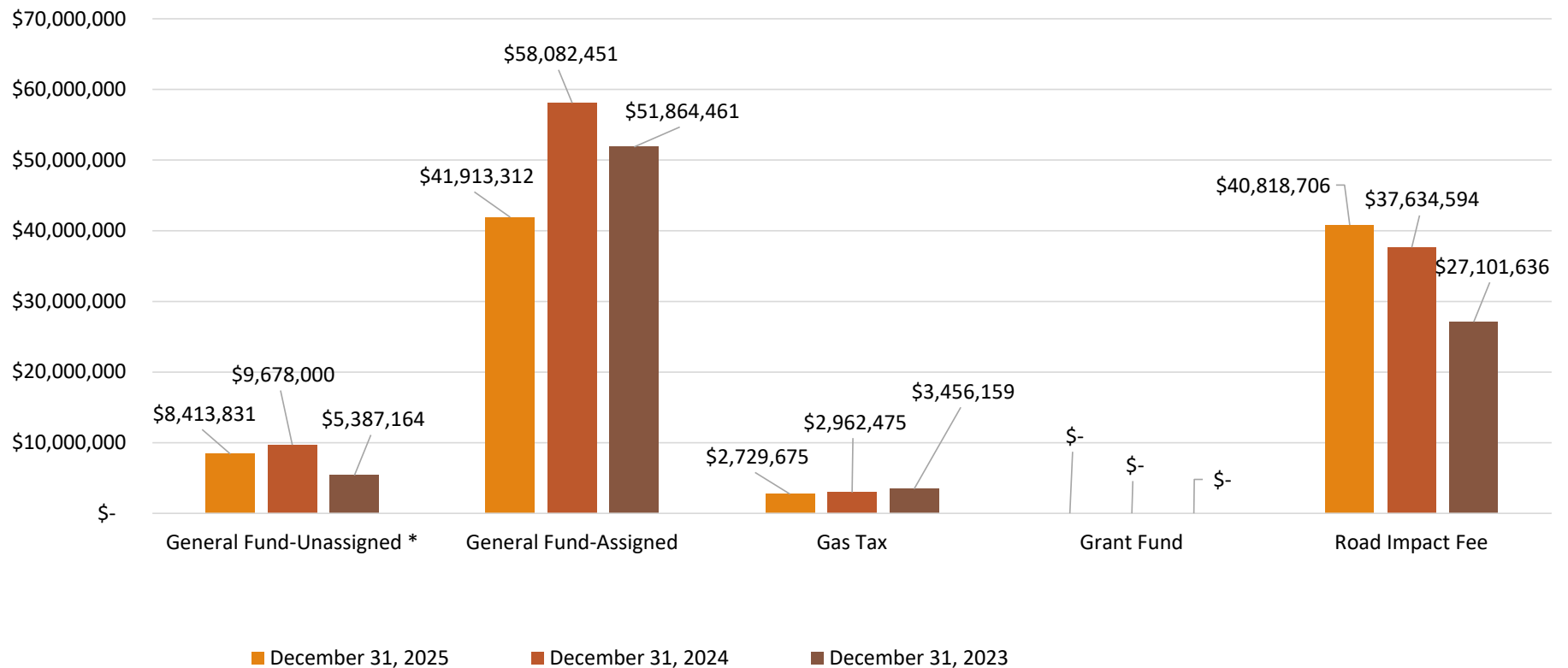
General Fund Expenditures



Restricted Revenue

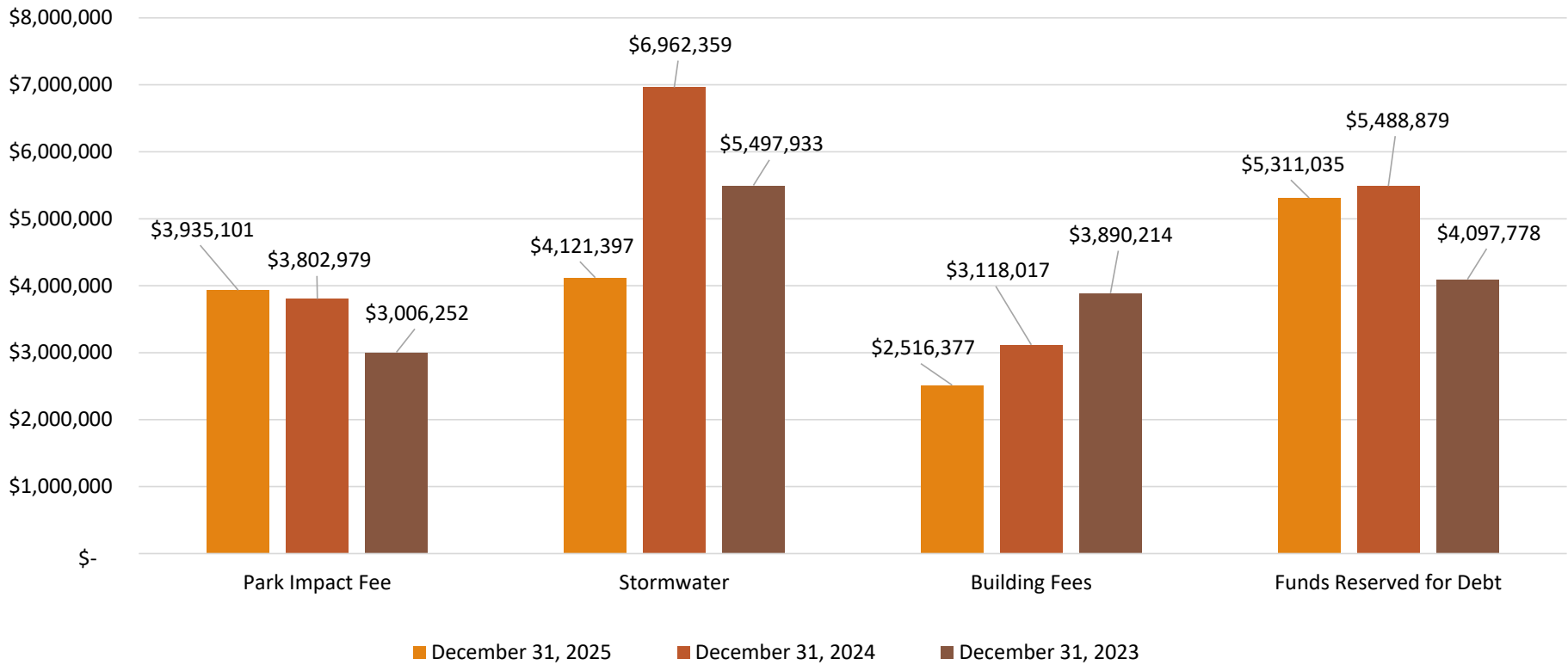


Cash Balances



* 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 December 31, 2025

	Special Revenue Funds										
	General Fund	Gas Tax	Grants	Impact Fee Funds		Downtown	Stormwater Management	Building Fees	Debt Service Funds	Capital Project Fund	Total Governmental Funds
				Road	Park	Area Revenue Sharing					
ASSETS											
Cash and cash equivalents	\$ 50,327,143	\$ 2,729,675	\$ -	\$ 40,818,706	\$ 3,935,101	\$ 3,245,915	\$ 4,121,397	\$ 2,516,377	\$ 2,000,000	\$ 65,120	\$ 109,759,434
Receivables (net)	405,341	-	-	-	-	-	-	-	-	-	405,341
Due from other govt	-	-	-	-	-	-	-	-	-	-	-
Due from other funds	12,589,735	-	-	-	-	-	-	-	-	-	12,589,735
Total assets	\$ 63,322,219	\$ 2,729,675	\$ -	\$ 40,818,706	\$ 3,935,101	\$ 3,245,915	\$ 4,121,397	\$ 2,516,377	\$ 2,000,000	\$ 65,120	\$ 122,754,510
LIABILITIES AND FUND BALANCES											
Liabilities:											
Accounts and contracts payable	\$ 1,022,089	\$ 46,852	\$ 390,927	\$ 23,182	\$ 33,415	\$ -	\$ 19,022	\$ 260,068	\$ -	\$ -	\$ 1,795,555
Accrued liabilities	1,214,629	-	-	-	-	-	-	-	-	-	1,214,629
Due to other funds	-	-	12,589,735	-	-	-	-	-	-	-	12,589,735
Due to other governments	44,105	-	-	33,551	-	-	-	-	-	-	77,656
Unearned Revenue	5,658	-	-	-	-	-	-	-	-	-	5,658
Total liabilities	2,286,481	46,852	12,980,662	56,733	33,415	-	19,022	260,068	-	-	15,683,233
Total fund balances, beginning of the year	55,799,522	2,644,739	(12,367,052)	40,162,542	3,897,622	3,245,915	2,902,711	2,652,845	2,000,000	48,453	100,987,297
Revenues and Other Financing Sources over (under) Expenditures and Other Financing Uses	5,236,216	38,084	(613,610)	599,431	4,064	-	1,199,664	(396,536)	-	16,667	6,083,980
Fund balances	61,035,738	2,682,823	(12,980,662)	40,761,973	3,901,686	3,245,915	4,102,375	2,256,309	2,000,000	65,120	107,071,277
Total liabilities and fund balances	\$ 63,322,219	\$ 2,729,675	\$ -	\$ 40,818,706	\$ 3,935,101	\$ 3,245,915	\$ 4,121,397	\$ 2,516,377	\$ 2,000,000	\$ 65,120	\$ 122,754,510



General Fund Budget Report

For Fiscal Year: 2025-2026 Period Ending: 12/31/2025

	ORIGINAL BUDGET TOTAL	CURRENT BUDGET TOTAL	MTD ACTIVITY	YTD ACTIVITY	REMAINING BUDGET
FUND: 00 - GENERAL FUND					
REVENUE					
311 - Ad Valorem Taxes	14,397,300	14,397,300	9,261,744	12,746,297	1,651,003
315 - Communications Services Taxes	1,465,000	1,465,000	126,150	259,645	1,205,355
316 - Local Business Taxes	30,000	30,000	1,149	3,697	26,303
323 - Franchise Fees	4,087,000	4,087,000	307,080	662,286	3,424,714
329 - Other Permits, Fees & Special	46,100	46,100	6,335	33,741	12,359
335 - State Shared Revenue	6,825,980	6,825,980	546,823	1,144,290	5,681,690
341 - General Government	250,000	250,000	6,676	60,966	189,034
343 - Physical Environment	100,000	100,000	5,100	16,200	83,800
347 - Culture/Recreation	95,300	95,300	6,177	20,479	74,821
349 - Other Charges for Services	50,000	50,000	4,505	15,982	34,018
351 - Judgements, Fines-Traffic	30,000	30,000	5,333	11,600	18,400
354 - Fines Local Ordinance	50,000	50,000	5,350	274,325	(224,325)
361 - Interest & Other Earnings	1,500,000	1,500,000	167,226	522,441	977,559
362 - Rents & Royalties	65,000	65,000	5,130	11,783	53,218
366 - Contributions	-	-	-	2,500	(2,500)
369 - Other Misc Revenues	8,000	8,000	-	2,564	5,436
REVENUE Total	28,999,680	28,999,680	10,454,777	15,788,796	13,210,884
TRANSFERS IN	-	-	-	-	-
REVENUE PLUS OTHER FINANCING SOURCES	28,999,680	28,999,680	10,454,777	15,788,796	13,210,884
EXPENSES					
51 - General Government	8,455,737	8,455,737	677,607	1,750,336	6,705,401
52 - Public Safety	5,456,685	5,456,685	127,254	1,360,450	4,096,235
53 - Physical Environment	404,532	404,532	12,144	22,196	382,336
54 - Transportation	4,473,392	4,473,392	535,490	899,853	3,573,539
55 - Economic Environment	291,000	291,000	92,469	184,937	106,063
56 - Human Services	185,680	185,680	890	2,670	183,010
57 - Culture & Recreation	4,491,460	4,491,460	548,480	1,206,261	3,285,199
EXPENSES Total	23,758,486	23,758,486	1,994,333	5,426,703	18,331,783
+SURPLUS -DEFICIT	5,241,194	5,241,194	8,460,444	10,362,094	(5,120,900)
TRANSFERS OUT	13,363,710	13,691,296	2,715,530	5,125,877	8,565,419
CHANGE IN FUND BALANCE	(8,122,516)	(8,450,102)	5,744,914	5,236,217	(13,686,319)



General Fund Department Expenditures Excluding Transfers

For Fiscal Year: 2025-2026 Period Ending: 12/31/2025

Department	ORIGINAL BUDGET TOTAL	CURRENT BUDGET TOTAL	MTD ACTIVITY	YTD ACTIVITY	REMAINING BUDGET
101 - City Council	509,000	509,000	49,616	121,143	387,857
102 - Boards & Committees	81,000	81,000	-	-	81,000
201 - City Manager	642,556	642,556	62,361	159,540	483,016
211 - Planning & Zoning	2,187,000	2,187,000	169,759	519,135	1,667,865
220 - Law Enforcement/Security	3,760,000	3,760,000	4,275	918,297	2,841,703
230 - Neighborhood Services	1,525,595	1,525,595	121,172	380,321	1,145,274
240 - Information Technologies	478,900	478,900	40,882	109,115	369,785
250 - Public Works	4,829,524	4,829,524	547,634	918,868	3,910,656
260 - Emergency Preparedness	171,090	171,090	1,806	61,831	109,259
270 - Non-Departmental Expenditures	936,280	936,280	32,876	60,365	875,915
301 - City Attorney	621,000	621,000	50,347	50,347	570,653
401 - Administrative Services	930,700	930,700	63,537	179,245	751,455
402 - City Hall	338,630	338,630	35,925	73,954	264,676
410 - Human Resources	84,000	84,000	6,056	16,053	67,947
430 - Communications	1,694,801	1,694,801	253,634	618,295	1,076,506
431 - Downtown Corridor	266,000	266,000	92,469	184,937	81,063
501 - Finance	1,056,150	1,056,150	101,127	279,667	776,483
601 - Parks & Recreation Adminstrat	995,437	995,437	69,643	206,048	789,389
602 - Recreation Center	582,630	582,630	63,527	142,169	440,461
603 - Community Park & Ball Fields	285,375	285,375	33,201	49,835	235,540
604 - Community Pool	707,632	707,632	74,021	185,549	522,083
605 - Riverside Park	295,280	295,280	40,435	60,635	234,645
606 - Park Maintenance	3,800	3,800	952	952	2,848
609 - Formerly Com Hall/Sherriff Su	17,395	17,395	902	2,546	14,849
610 - Dog Park	93,180	93,180	2,154	7,961	85,219
611 - Beach Parks	31,100	31,100	992	1,021	30,079
612 - Hickory Blvd. North ROW	15,000	15,000	-	-	15,000
613 - BS Soccer Complex	151,988	151,988	30,018	41,445	110,543
614 - Kentucky Street Park	7,500	7,500	-	-	7,500
615 - Liles Hotel	96,484	96,484	11,706	18,447	78,037
617 - Bonita Nature Place	42,475	42,475	4,128	12,113	30,362
618 - Windsor Road Preserve	8,040	8,040	28	55	7,985
620 - Marni Fields	132,841	132,841	11,685	22,123	110,718
621 - BS River Park	50,978	50,978	7,633	8,549	42,429



General Fund Department Expenditures Excluding Transfers

For Fiscal Year: 2025-2026 Period Ending: 12/31/2025

Department	ORIGINAL BUDGET TOTAL	CURRENT BUDGET TOTAL	MTD ACTIVITY	YTD ACTIVITY	REMAINING BUDGET
622 - Cullum's Bonita Trail	25,700	25,700	-	750	24,950
623 - Carpenter Lane Canoe & Kayak	1,209	1,209	179	187	1,022
624 - Leitner Creek Neighborhood Pa	13,316	13,316	2,678	2,720	10,596
626 - Oak Creek Preserve	6,000	6,000	510	1,010	4,990
629 - Oak Creek Kayak Launch	5,000	5,000	-	-	5,000
631 - Former Library Building	77,400	77,400	6,467	11,474	65,926
883 - Veterans	500	500	-	-	500
Grand Total	23,758,486	23,758,486	1,994,333	5,426,703	18,331,783



Special Revenue Funds Budget Report

For Fiscal Year: 2025-2026 Period Ending: 12/31/2025

FUND	ORIGINAL BUDGET TOTAL	CURRENT BUDGET TOTAL	MTD ACTIVITY	YTD ACTIVITY	REMAINING BUDGET
10 - GAS TAX FUND					
REVENUE					
312 - Local Option Taxes	1,771,800	1,771,800	143,408	282,811	1,488,989
335 - State Shared Revenue	243,000	243,000	21,040	63,121	179,879
361 - Interest & Other Earnings	60,000	60,000	6,256	19,293	40,707
REVENUE Total	2,074,800	2,074,800	170,704	365,225	1,709,575
REVENUE PLUS OTHER FINANCING SOURCES	2,074,800	2,074,800	170,704	365,225	1,709,575
EXPENSES					
54 - Transportation	1,349,460	1,349,460	103,622	303,133	1,046,327
EXPENSES Total	1,349,460	1,349,460	103,622	303,133	1,046,327
+SURPLUS -DEFICIT	725,340	725,340	67,083	62,091	663,249
TRANSFERS OUT	550,000	550,000	20,920	24,008	525,993
CHANGE IN FUND BALANCE	175,340	175,340	46,163	38,084	137,256
13 - GRANT FUND					
REVENUE					
334 - State Grants	3,900,000	3,900,000	-	-	3,900,000
337 - Local Gvmt Grants	40,000	40,000	-	3,177	36,823
369 - Other Misc Revenues	-	-	84,988	84,988	(84,988)
REVENUE Total	3,940,000	3,940,000	84,988	88,165	3,851,835
TRANSFERS IN	40,000	40,000	-	-	40,000
REVENUE PLUS OTHER FINANCING SOURCES	3,980,000	3,980,000	84,988	88,165	3,891,835
EXPENSES					
52 - Public Safety	80,000	80,000	5,258	17,438	62,562
EXPENSES Total	80,000	80,000	5,258	17,438	62,562
+SURPLUS -DEFICIT	3,900,000	3,900,000	79,730	70,727	3,829,273
TRANSFERS OUT	3,900,000	3,900,000	658,589	684,337	3,215,663
CHANGE IN FUND BALANCE	-	-	(578,858)	(613,610)	613,610



Special Revenue Funds Budget Report

For Fiscal Year: 2025-2026 Period Ending: 12/31/2025

FUND	ORIGINAL BUDGET TOTAL	CURRENT BUDGET TOTAL	MTD ACTIVITY	YTD ACTIVITY	REMAINING BUDGET
14 - ROAD IMPACT FEE FUND					
REVENUE					
324 - Impact Fees	7,500,000	7,500,000	157,088	479,674	7,020,326
361 - Interest & Other Earnings	1,000,000	1,000,000	79,781	246,030	753,970
REVENUE Total	8,500,000	8,500,000	236,869	725,705	7,774,295
REVENUE PLUS OTHER FINANCING SOURCES	8,500,000	8,500,000	236,869	725,705	7,774,295
+SURPLUS -DEFICIT	8,500,000	8,500,000	236,869	725,705	7,774,295
TRANSFERS OUT	3,103,230	3,103,230	125,169	126,273	2,976,957
CHANGE IN FUND BALANCE	5,396,770	5,396,770	111,700	599,432	4,797,338
16 - PARK IMPACT FEE FUND					
REVENUE					
324 - Impact Fees	420,000	420,000	7,296	29,412	390,588
361 - Interest & Other Earnings	80,000	80,000	7,030	21,680	58,320
REVENUE Total	500,000	500,000	14,326	51,092	448,908
REVENUE PLUS OTHER FINANCING SOURCES	500,000	500,000	14,326	51,092	448,908
+SURPLUS -DEFICIT	500,000	500,000	14,326	51,092	448,908
TRANSFERS OUT	120,000	120,000	47,028	47,028	72,973
CHANGE IN FUND BALANCE	380,000	380,000	(32,701)	4,065	375,935
17 - DOWNTOWN AREA REVENUE SHARING					
REVENUE					
311 - Ad Valorem Taxes	850,500	850,500	-	-	850,500
REVENUE Total	850,500	850,500	-	-	850,500
REVENUE PLUS OTHER FINANCING SOURCES	850,500	850,500	-	-	850,500
+SURPLUS -DEFICIT	850,500	850,500	-	-	850,500
TRANSFERS OUT	1,075,380	1,075,380	-	-	1,075,380
CHANGE IN FUND BALANCE	(224,880)	(224,880)	-	-	(224,880)



Special Revenue Funds Budget Report

For Fiscal Year: 2025-2026 Period Ending: 12/31/2025

FUND	ORIGINAL BUDGET TOTAL	CURRENT BUDGET TOTAL	MTD ACTIVITY	YTD ACTIVITY	REMAINING BUDGET
18 - STORMWATER MANAGEMENT					
REVENUE					
325 - Special Assessments - Charges	1,680,000	1,680,000	1,049,297	1,356,764	323,236
361 - Interest & Other Earnings	60,000	60,000	5,137	15,841	44,159
REVENUE Total	1,740,000	1,740,000	1,054,434	1,372,604	367,396
REVENUE PLUS OTHER FINANCING SOURCES	1,740,000	1,740,000	1,054,434	1,372,604	367,396
EXPENSES					
53 - Physical Environment	763,040	763,040	52,488	172,941	590,099
EXPENSES Total	763,040	763,040	52,488	172,941	590,099
+SURPLUS -DEFICIT	976,960	976,960	1,001,946	1,199,664	(222,704)
TRANSFERS OUT	1,032,720	1,032,720	-	-	1,032,720
CHANGE IN FUND BALANCE	(55,760)	(55,760)	1,001,946	1,199,664	(1,255,424)
19 - BUILDING FEES					
REVENUE					
322 - Building Permits	2,000,000	2,000,000	123,997	404,844	1,595,156
361 - Interest & Other Earnings	30,000	30,000	7,095	21,881	8,119
REVENUE Total	2,030,000	2,030,000	131,093	426,725	1,603,275
REVENUE PLUS OTHER FINANCING SOURCES	2,030,000	2,030,000	131,093	426,725	1,603,275
EXPENSES					
52 - Public Safety	3,102,000	3,102,000	254,437	815,260	2,286,740
EXPENSES Total	3,102,000	3,102,000	254,437	815,260	2,286,740
+SURPLUS -DEFICIT	(1,072,000)	(1,072,000)	(123,345)	(388,536)	(683,464)
TRANSFERS OUT	-	-	8,000	8,000	(8,000)
CHANGE IN FUND BALANCE	(1,072,000)	(1,072,000)	(131,345)	(396,536)	(675,464)



Debt Service Funds Budget Report

For Fiscal Year: 2025-2026 Period Ending: 12/31/2025

FUND	ORIGINAL BUDGET TOTAL	CURRENT BUDGET TOTAL	MTD ACTIVITY	YTD ACTIVITY	REMAINING BUDGET
20 - 2011 DEBT FUND					
TRANSFERS IN	-	-	-	-	-
REVENUE PLUS OTHER FINANCING SOURCES	-	-	-	-	-
+SURPLUS -DEFICIT	-	-	-	-	-
CHANGE IN FUND BALANCE	-	-	-	-	-
21 - 2014 DEBT FUND					
TRANSFERS IN	1,075,380	1,075,380	-	-	1,075,380
REVENUE PLUS OTHER FINANCING SOURCES	1,075,380	1,075,380	-	-	1,075,380
EXPENSES					
51 - General Government	1,075,380	1,075,380	-	-	1,075,380
EXPENSES Total	1,075,380	1,075,380	-	-	1,075,380
+SURPLUS -DEFICIT	-	-	-	-	-
CHANGE IN FUND BALANCE	-	-	-	-	-
22 - 2020 DEBT FUND					
TRANSFERS IN	485,350	485,350	-	-	485,350
REVENUE PLUS OTHER FINANCING SOURCES	485,350	485,350	-	-	485,350
EXPENSES					
51 - General Government	485,350	485,350	-	-	485,350
EXPENSES Total	485,350	485,350	-	-	485,350
+SURPLUS -DEFICIT	-	-	-	-	-
TRANSFERS OUT	-	-	-	-	-
CHANGE IN FUND BALANCE	-	-	-	-	-



Capital Project Funds Budget Report

For Fiscal Year: 2025-2026 Period Ending: 12/31/2025

FUND	ORIGINAL BUDGET TOTAL	CURRENT BUDGET TOTAL	MTD ACTIVITY	YTD ACTIVITY	REMAINING BUDGET
30 - CAPITAL PROJECTS FUND					
REVENUE					
366 - Contributions	-	-	4,167	16,667	(16,667)
369 - Other Misc Revenues	-	-	-	-	-
REVENUE Total	-	-	4,167	16,667	(16,667)
TRANSFERS IN	21,544,310	21,871,896	3,575,235	6,015,523	15,856,373
REVENUE PLUS OTHER FINANCING SOURCES	21,544,310	21,871,896	3,579,402	6,032,189	15,839,707
EXPENSES					
51 - General Government	2,690,000	2,690,000	262,120	266,920	2,423,080
52 - Public Safety	400,000	400,000	-	-	400,000
53 - Physical Environment	3,732,720	4,060,306	2,947,686	4,946,015	(885,709)
54 - Transportation	5,954,230	5,954,230	180,342	210,283	5,743,947
55 - Economic Environment	25,000	25,000	-	-	25,000
57 - Culture & Recreation	8,742,360	8,742,360	185,087	592,305	8,150,055
EXPENSES Total	21,544,310	21,871,896	3,575,234	6,015,523	15,856,373
+SURPLUS -DEFICIT	-	-	4,167	16,667	(16,667)
CHANGE IN FUND BALANCE	-	-	4,167	16,667	(16,667)

ITEM TITLE: Presentation of the Community Development Monthly Activity Report.

REQUESTOR: John Dulmer, Director, Community Development Department

AGENDA SECTION: City Manager Items

STRATEGIC PRIORITY: 5) Strengthen City Finances; 6) Government Transparency & Efficiency

BACKGROUND:

John Dulmer, Director, Community Development Department, will present the monthly activity report for January, 2026.

STAFF RECOMMENDATION: Receive report.

ATTACHMENTS:

1. Community Development Monthly Activity Report for January 2026 and Building Fee Schedule Update.

REVIEWERS:

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

Community Development

Prepared for:

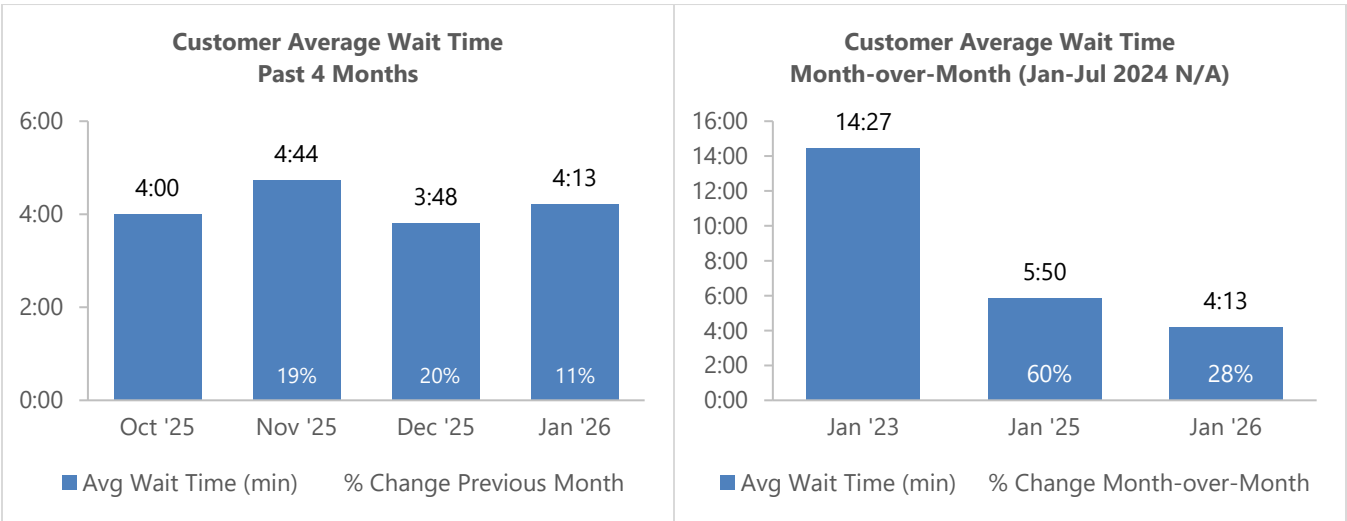
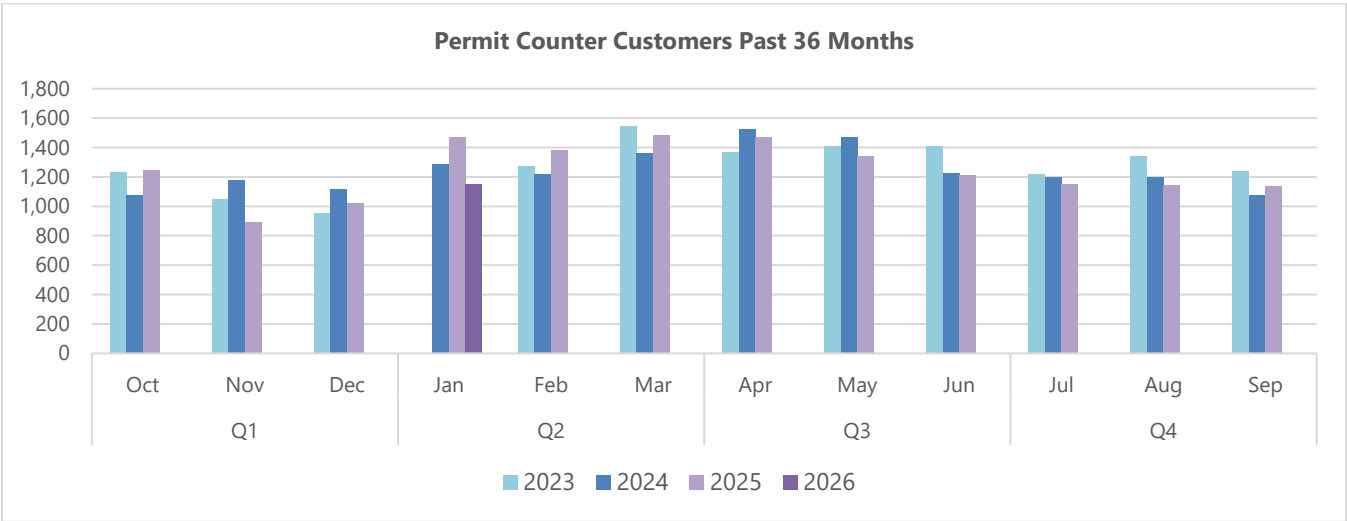
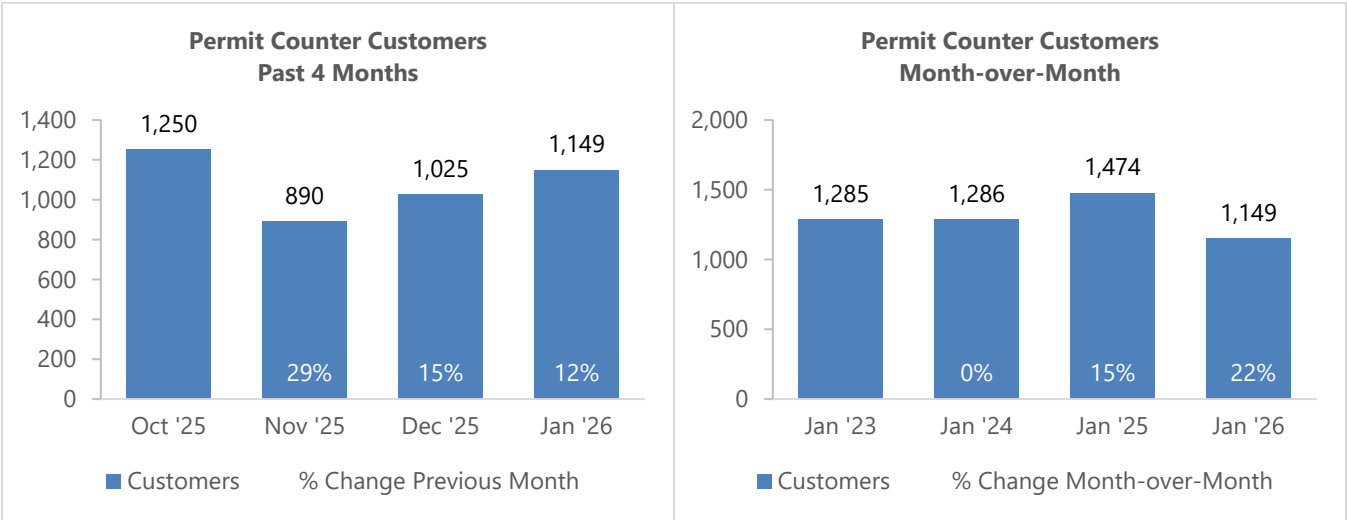


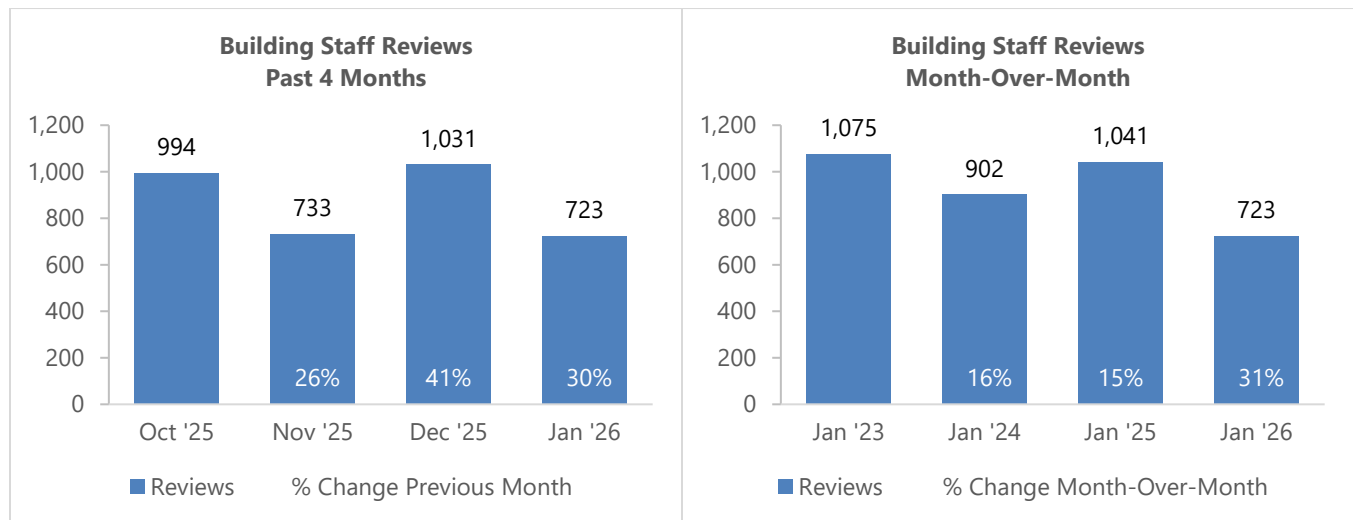
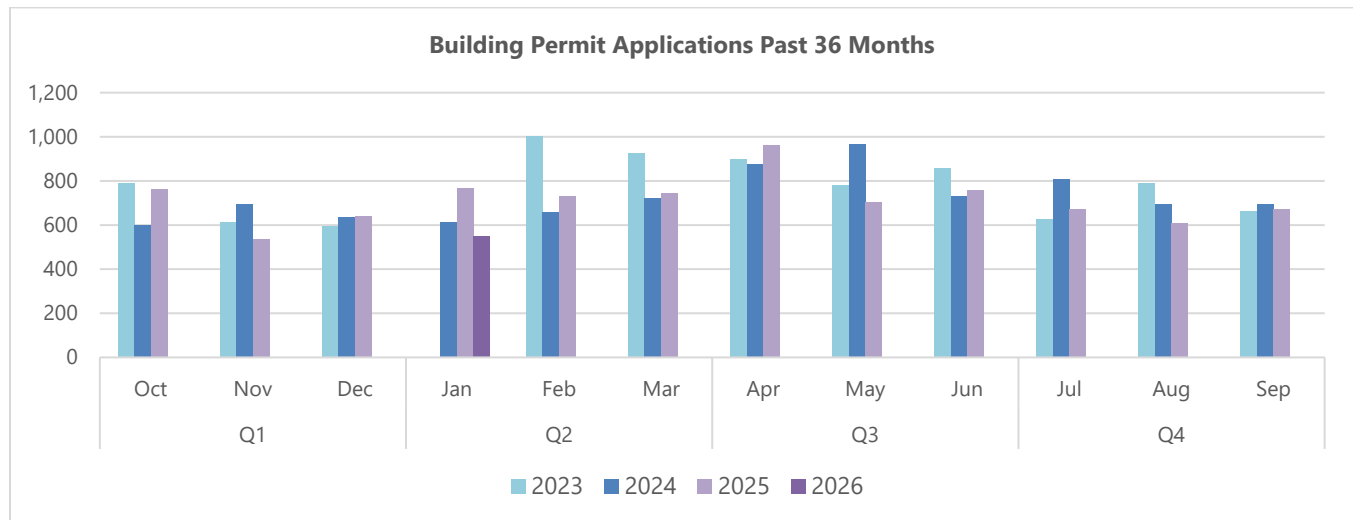
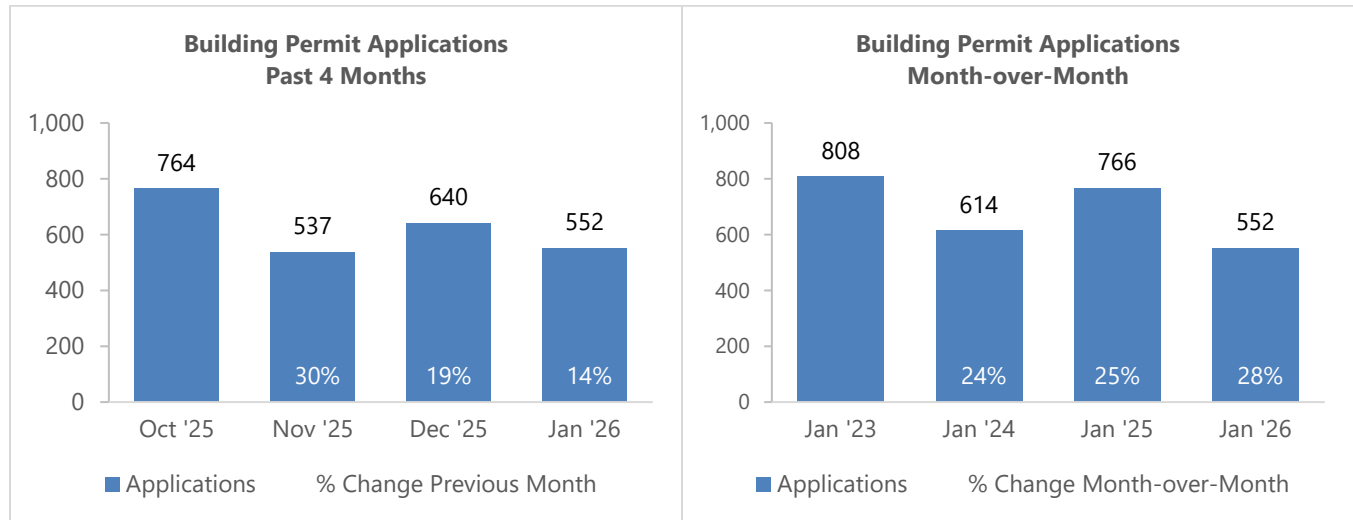
January 2026

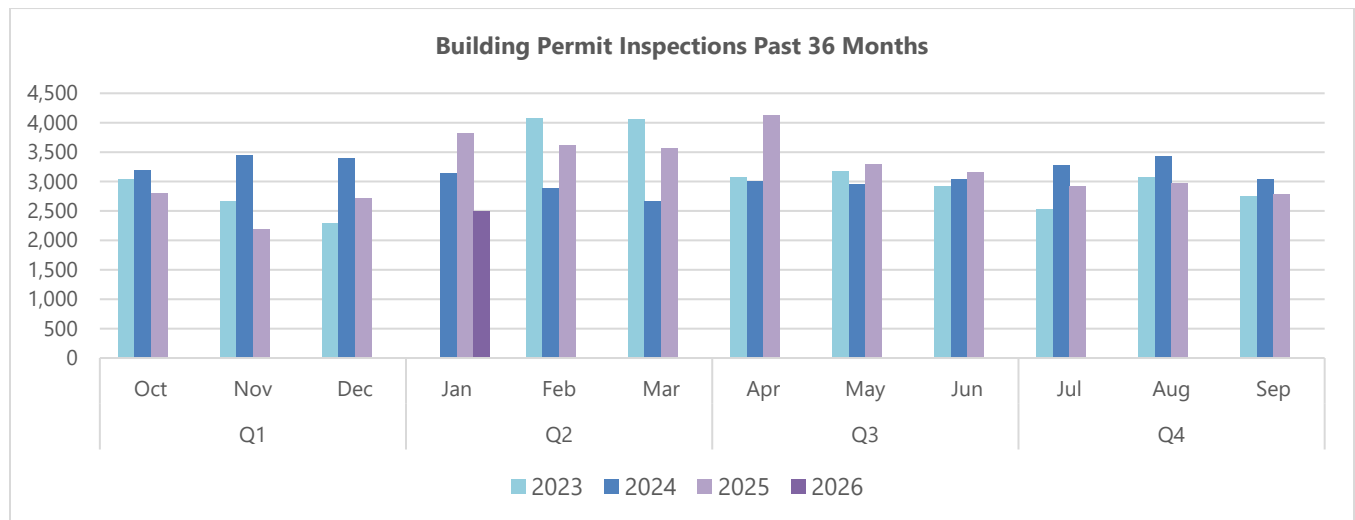
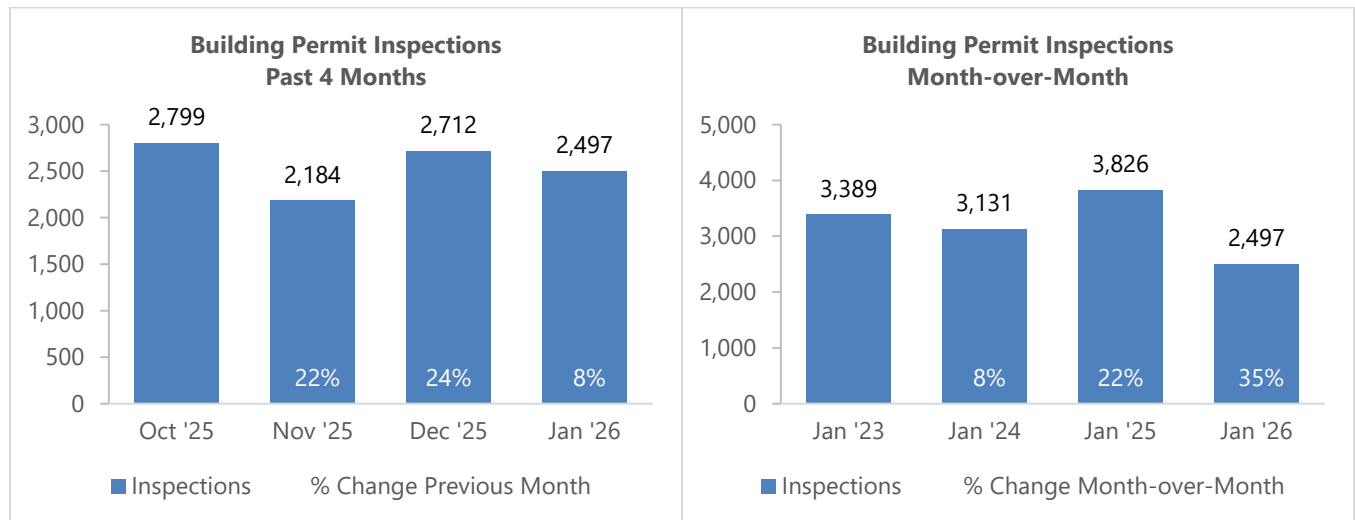
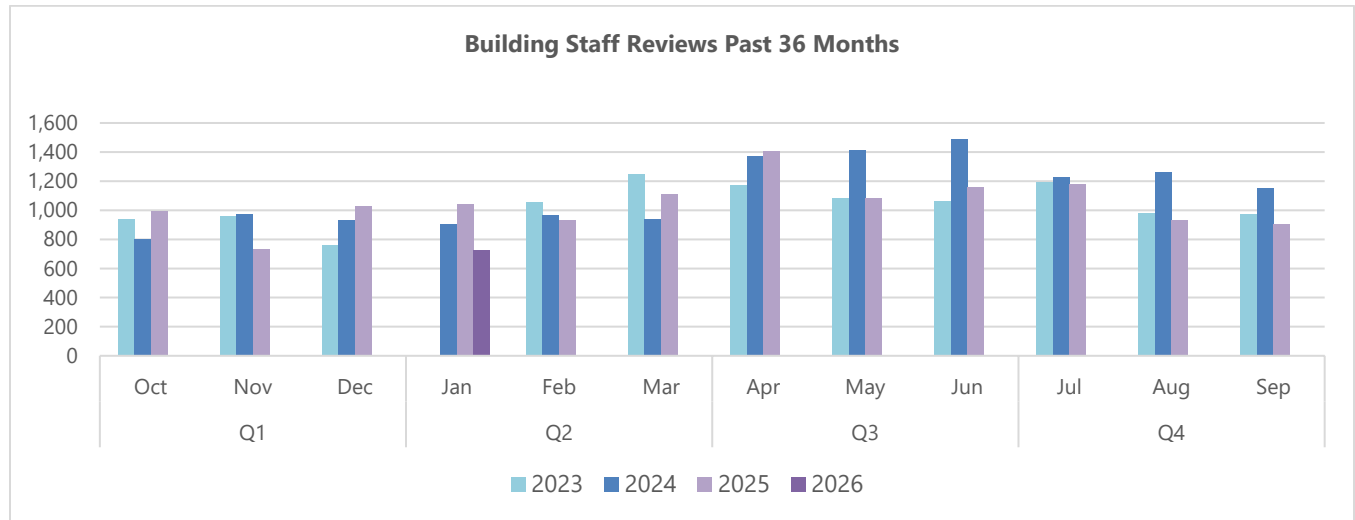
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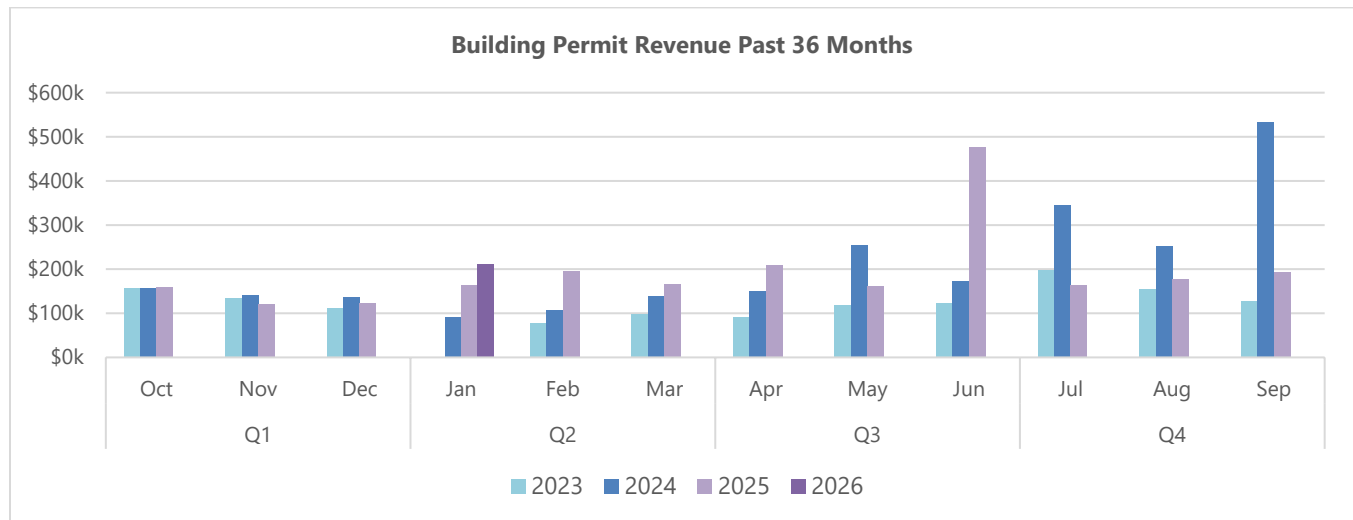
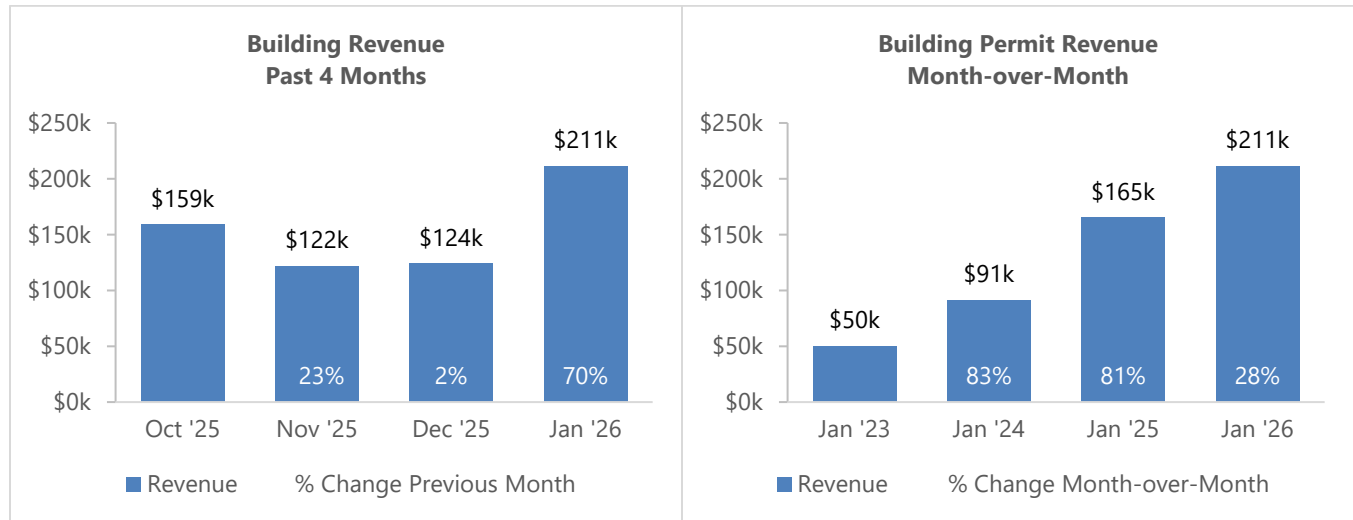
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A. PERMIT COUNTER

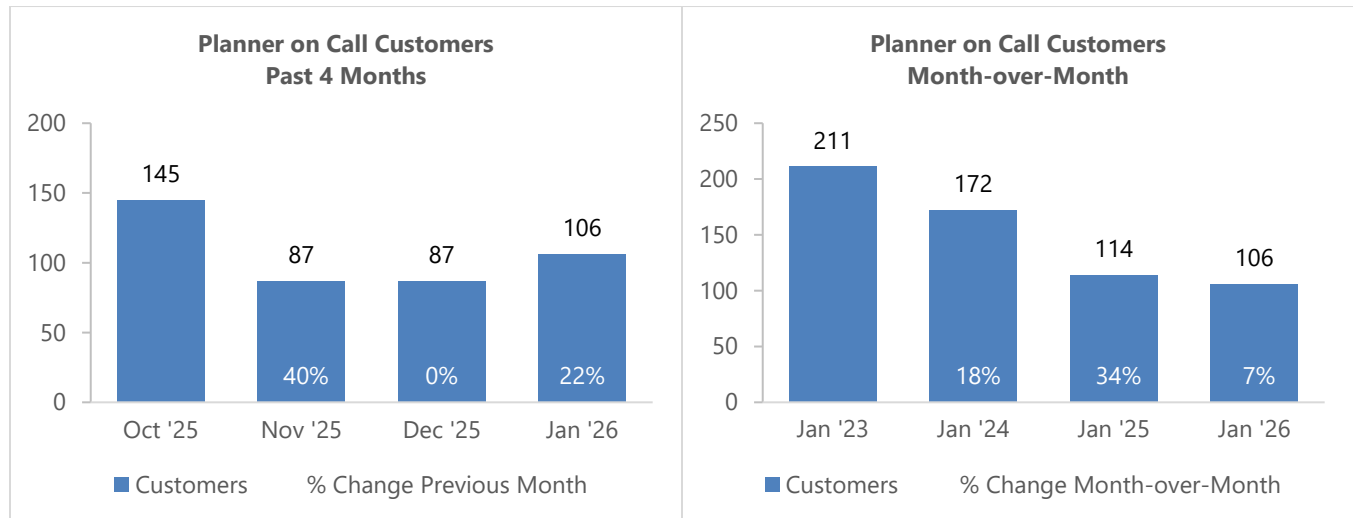


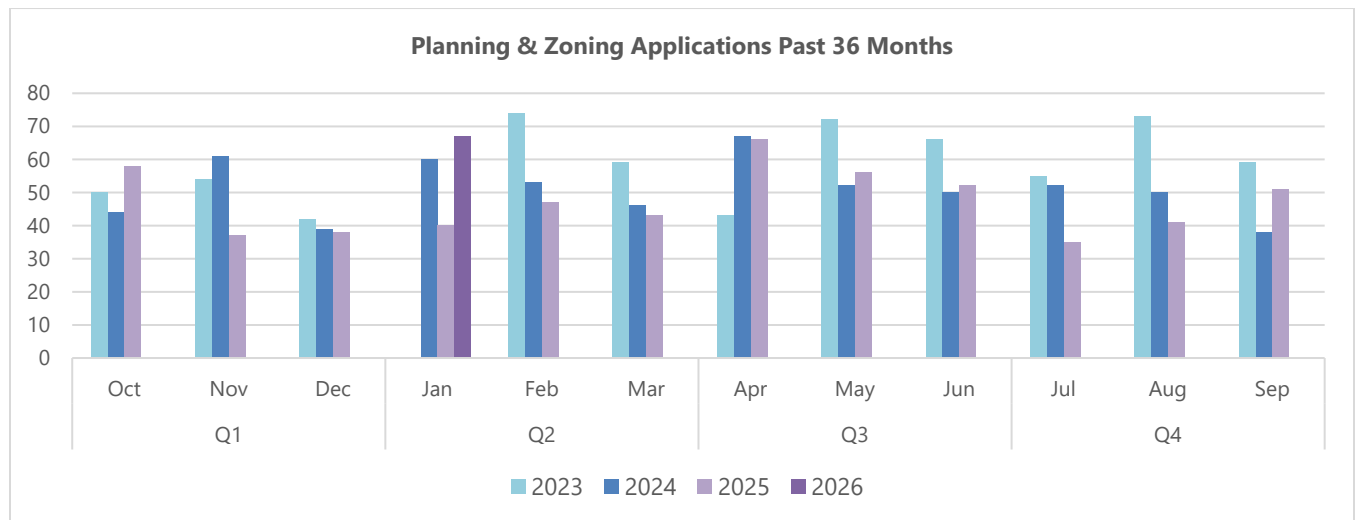
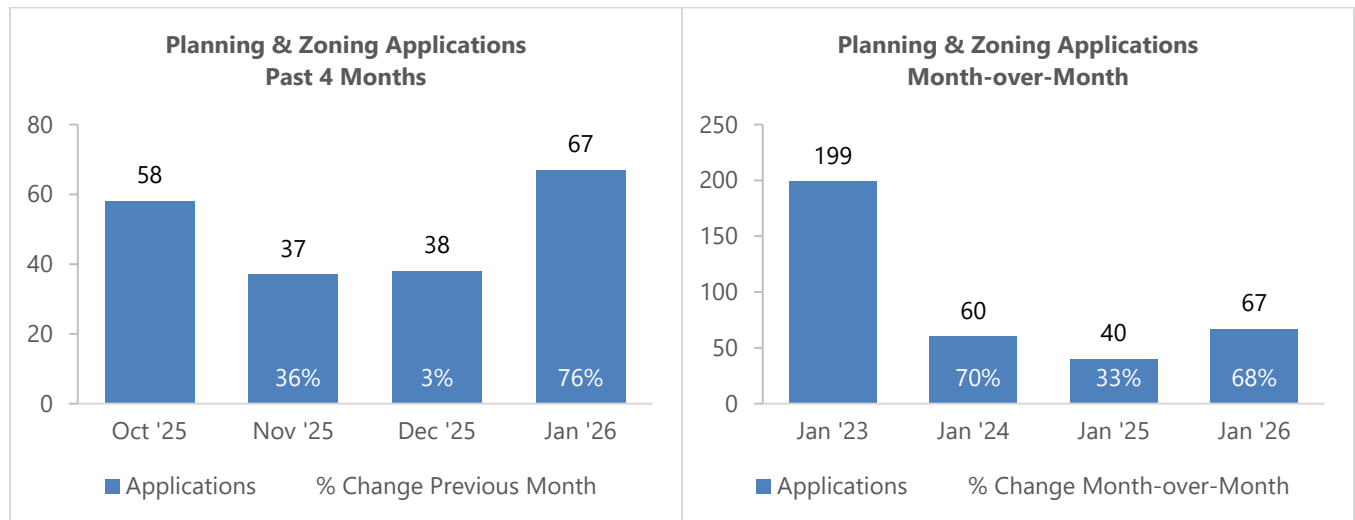
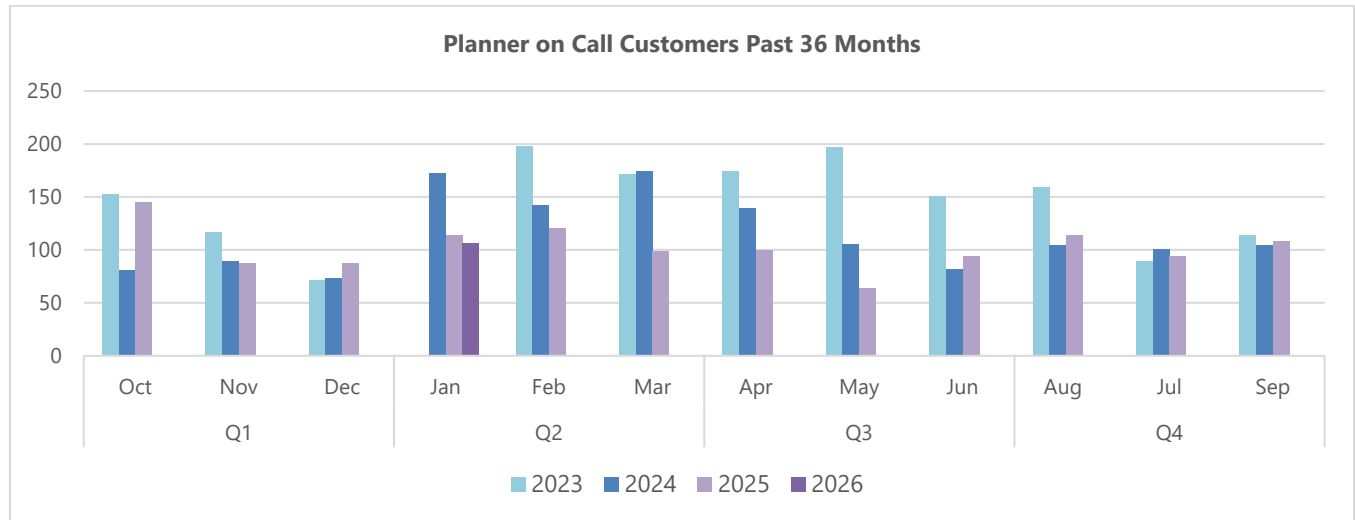
B. BUILDING DEPARTMENT

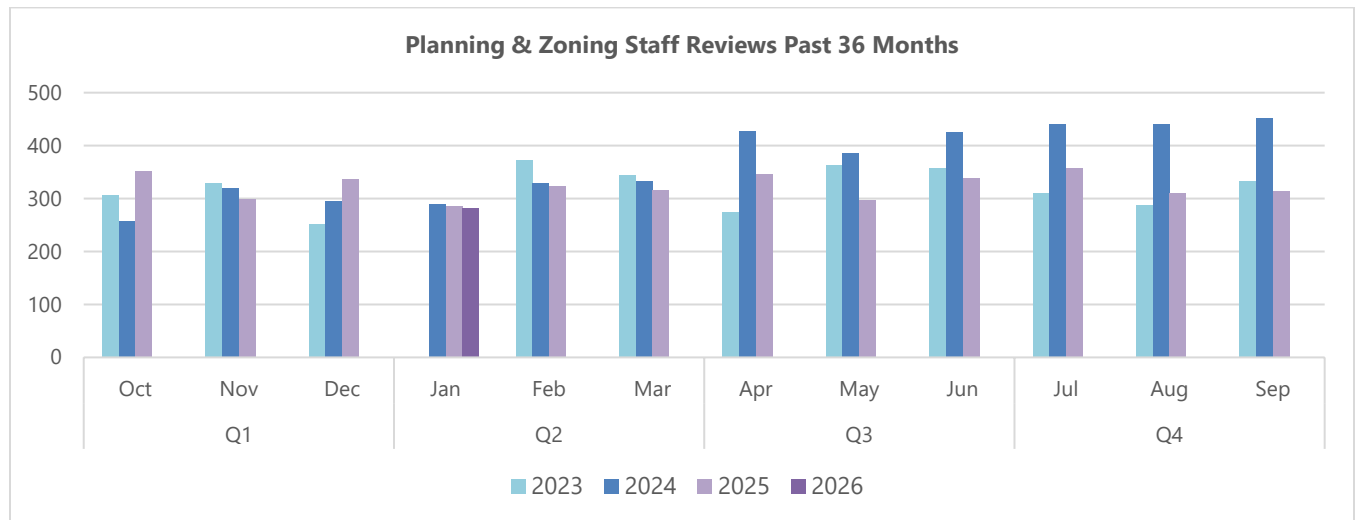
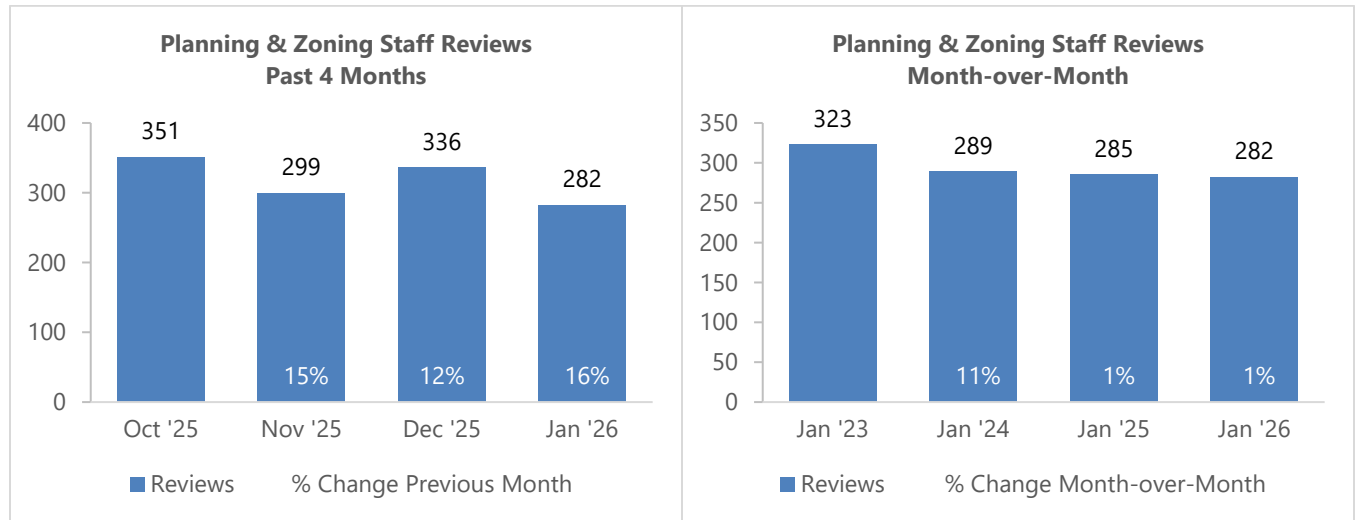




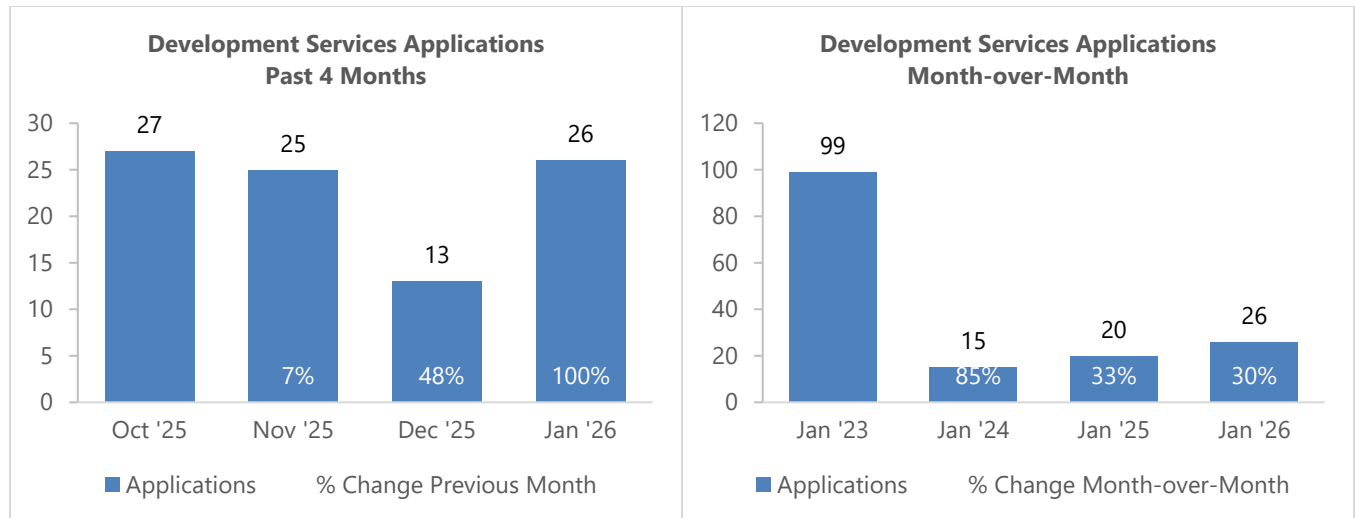
C. PLANNING & ZONING DEPARTMENT

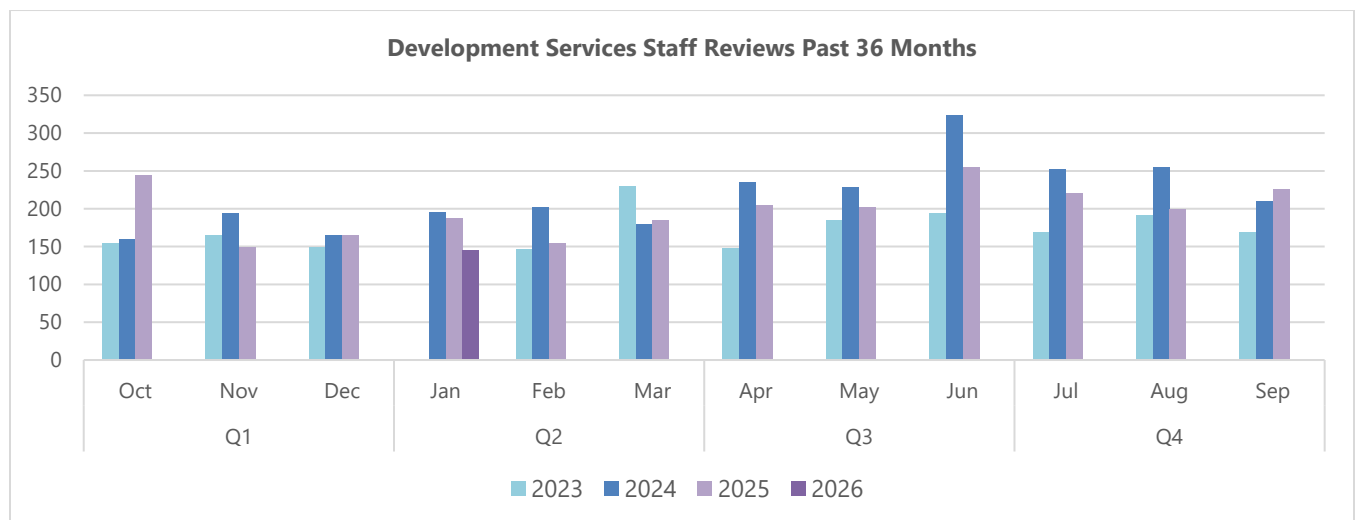
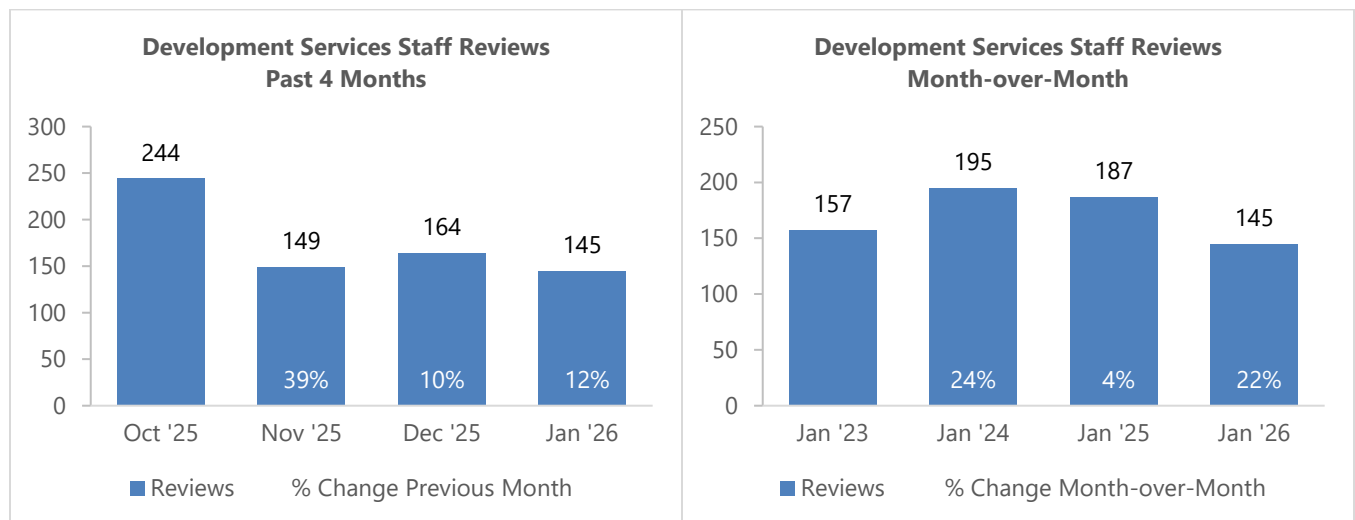
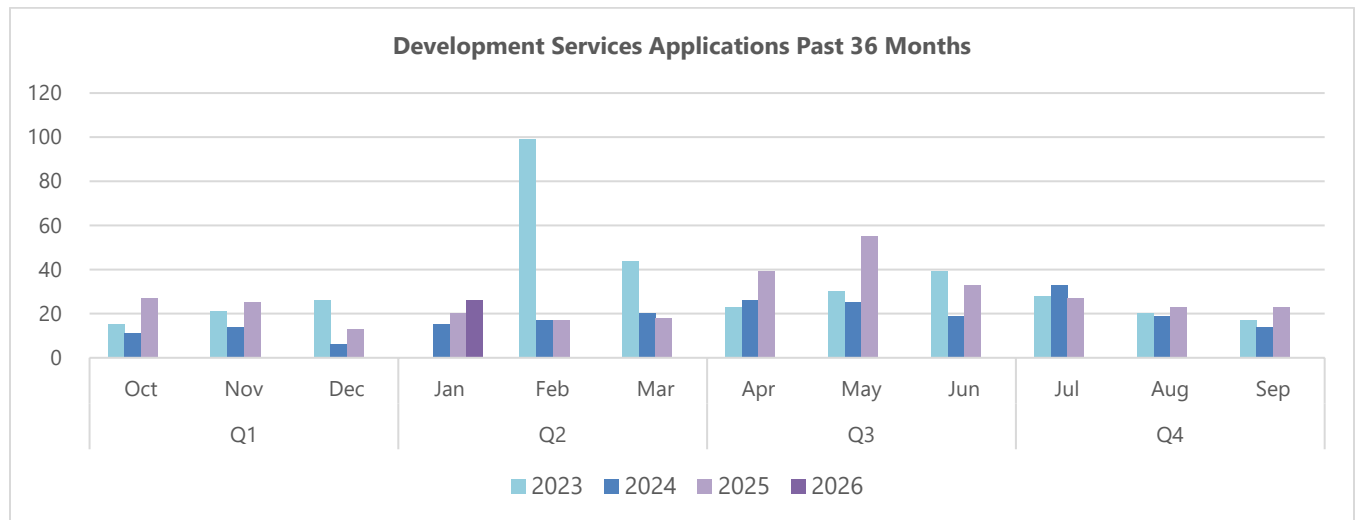


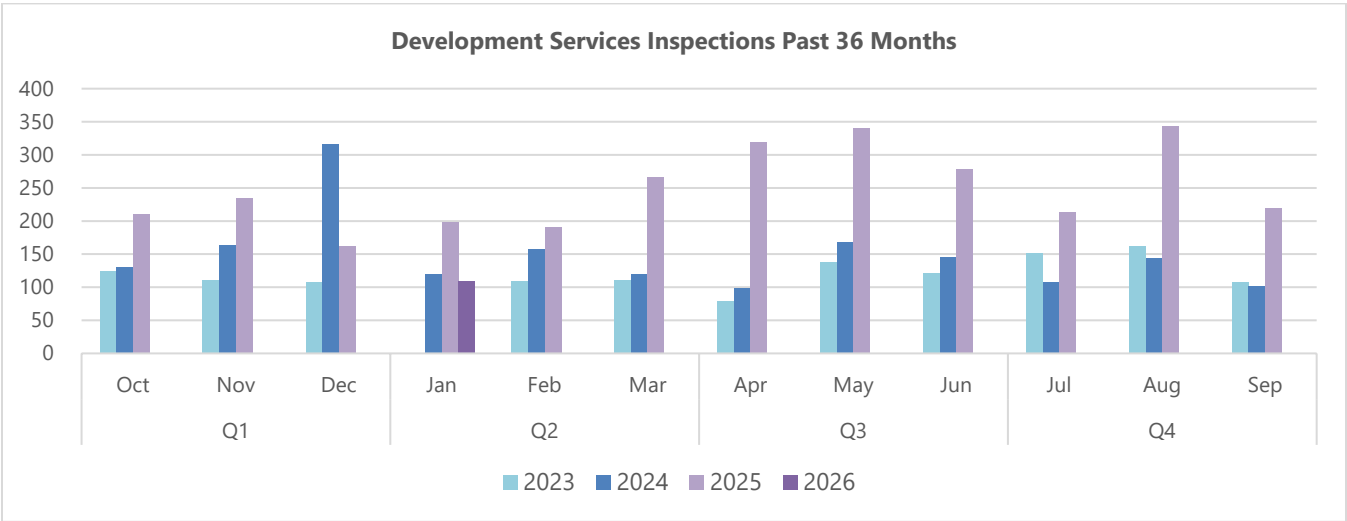
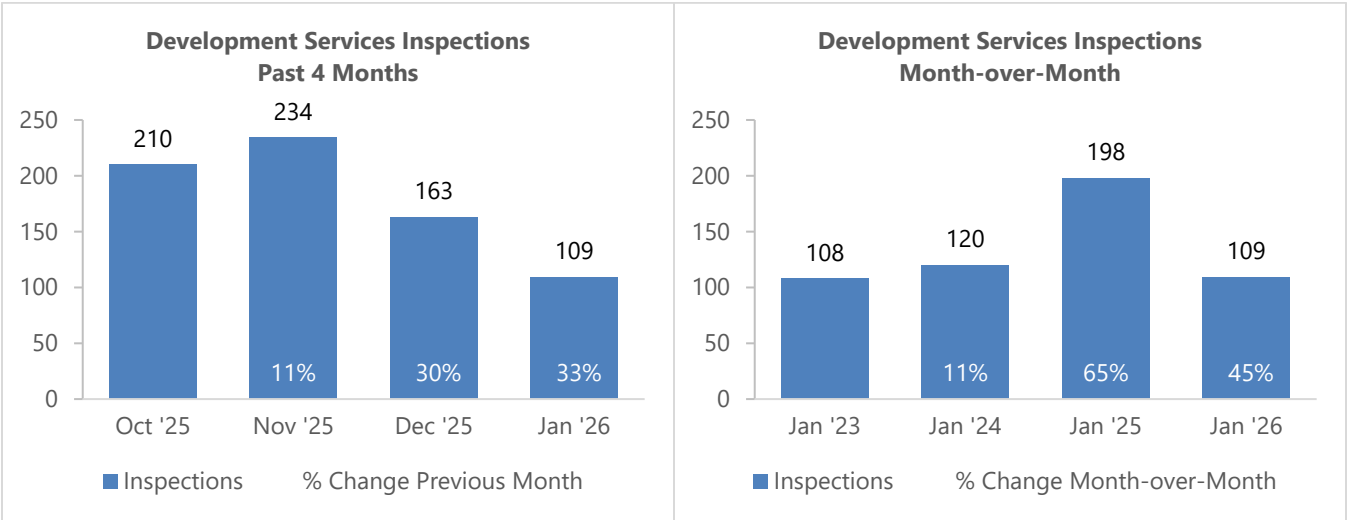




D. DEVELOPMENT SERVICES DEPARTMENT









Building Fee Schedule Update

Community Development Department
Effective January 1, 2026



Fee Schedule Update

- Through January 2026, the Building Department has collected an additional \$18,026 due to the updated fee schedule.

