

CITY OF BONITA SPRINGS
RESOLUTION NO. 2026 – 021

A RESOLUTION OF THE CITY OF BONITA SPRINGS RELATING TO THE PROVISION OF STORMWATER MANAGEMENT SYSTEM AND IMPROVEMENTS; IMPOSING A NON-AD VALOREM ASSESSMENT FOR STORMWATER UTILITY FEES AGAINST CERTAIN REAL PROPERTY WITHIN THE CITY LIMITS ESTABLISHED AS THE STORMWATER BENEFIT AREA; APPROVING THE STORMWATER ROLLS; PROVIDING FOR THE MAILING OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Bonita Springs, Florida has enacted Ordinance No. 19-05 establishing a Stormwater Utility Ordinance, and authorized the imposition of assessments and utility fees to fund the City's Stormwater Management Services; and

WHEREAS, the imposition of stormwater utility fees is an equitable and efficient method of allocating and apportioning the cost of the City's Stormwater Management Services among parcels of property that are benefited thereby; and

WHEREAS, on February 20, 2019, the City Council adopted Resolution No. 19-16, electing to use the uniform method of collecting Non-Ad valorem special assessments for the provision of stormwater services, facilities and programs within the City boundary, which identifies all parcels located within the Bonita Springs City limits as its area of applicability and determined those properties to be benefited by the City's Stormwater Management Service area, identified the method of assigning Equivalent Residential Units (ERUs) and apportioning the cost of the Stormwater Management Services against benefited property located within the benefit area; directed the preparation of the tentative Stormwater Assessment rolls; and directed the provision of notices as required by law; and

WHEREAS, on September 9, 2019, the City Council adopted Resolution 19-72, constituting the Final Rate Resolution, adopting the Stormwater Assessment rolls, imposing Stormwater Assessments and their collection pursuant to the Uniform Assessment Collection Act; and

WHEREAS, pursuant to the Ordinance 19-05, the City Council is authorized to subsequently establish and impose Stormwater Assessments through the adoption of an Annual Stormwater Service Assessment resolution.

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

Section 1. This Resolution is adopted pursuant to the provisions of Ordinance No.19-05, the Final Rate Resolution No. 19-72, Chapter 403, Florida Statutes, and other applicable provisions of law.

Section 2. This Resolution shall constitute the annual Stormwater Assessment resolution as provided by Sections 48-158 and 48-208, respectively.

Section 3. The maximum rate per Equivalent Residential Unit (ERU) established in Resolution No. 19-72 is hereby ratified and confirmed without change for the Fiscal Year beginning October 1, 2026.

Section 4. The Stormwater Assessments to be charged to all Benefitted Property pursuant to the methodology approved at the public hearings adopting Resolution 19-72 will be computed for each tax parcel of Benefitted Property located within the benefit area for the Fiscal Year beginning on October 1, 2026, by multiplying the number of ERUs attributable thereto by the ERU rate of \$50.00, less any authorized mitigation credits for which the benefitted property may be entitled to arrive at the net ERU. As provided in Ordinance 19-05, the Stormwater Assessments shall constitute a lien upon the tax parcels so assessed equal in rank and dignity with the liens of all state, county, district or municipal taxes and non-ad valorem assessments. Except as otherwise provided by law, such lien shall be superior in dignity of all other liens, titles, and claims, until paid. The lien for Stormwater Assessments shall be deemed perfected upon adoption by the Council of this Resolution. Upon perfection, the lien for Stormwater Assessments collected under the Uniform Utility Collection Act shall attach to the property included on the tax roll as of the prior January 1, the lien date for ad valorem taxes.

Section 5. The Stormwater Assessment shall be collected pursuant to the Uniform Assessment Collection Act. The City Clerk is hereby authorized and directed to certify and deliver or cause the certification and delivery of the Stormwater Assessment rolls to the Lee County Tax Collector by September 15, 2026, in the manner prescribed by Section 197.3632, Florida Statutes.

Section 6. The adoption of this Resolution shall be the final adjudication of the issues presented herein (including, but not limited to, the apportionment methodology, the amount per ERU, the adoption of the Stormwater Assessment rolls and the levy and lien of the Stormwater Assessments), unless proper steps shall be initiated in a court of competent jurisdiction to secure relief within 20 days from the date of this Resolution.

Section 7. This Resolution shall be effective upon adoption.

DULY PASSED AND ENACTED by the City Council of the City of Bonita Springs, Lee County, Florida, this 15th day of July, 2026.

AUTHENTICATION:



Mayor



City Clerk

APPROVED AS TO FORM: 

City Attorney

Date filed with City Clerk: 7/17/26