

NOTICE OF PUBLIC MEETING
CITY COUNCIL
CITY OF BONITA SPRINGS
OFFICIAL AGENDA
WEDNESDAY, OCTOBER 7, 2015
5:30 P.M.
CITY HALL
9101 BONITA BEACH ROAD
BONITA SPRINGS, FLORIDA 34135

I. CALL TO ORDER

II. INVOCATION

III. PLEDGE OF ALLEGIANCE

IV. ROLL CALL

V. PUBLIC COMMENT ON AGENDA ITEMS:

VI. PROCLAMATIONS AND PRESENTATIONS:

- A. CERTIFICATE OF RECOGNITION TO LOUIS BRUNO, FOUNDER OF BRUNO AIR CONDITIONING, FOR RECEIVING THE 2015 INDUSTRY APPRECIATION EMERGING BUSINESS LEADER AWARD.
- B. PRESENTATION BY JENNIFER HAGEN, COMMUNITY DEVELOPMENT, ON THE MAYOR'S CHALLENGE FOR SAFER PEOPLE, SAFER STREETS. (GREENSHEET NO. 15-10-0299)

VII. CONSENT AGENDA: (NOTE: ITEMS ON THE CONSENT AGENDA WILL BE CONSIDERED AS ONE UNLESS A SPECIFIC ITEM IS REMOVED BY A COUNCIL MEMBER FOR SEPARATE DISCUSSION.)

- A. APPROVE THE NINTH AMENDMENT TO CITY OF BONITA SPRINGS, FLORIDA AND CH2M HILL ENGINEERS, INC., COMMUNITY DEVELOPMENT, BUILDING PERMITTING AND INSPECTIONS AND ADMINISTRATIVE SUPPORT SERVICES AGREEMENT. (GREENSHEET NO. 15-10-0291)
- B. APPROVE INTERLOCAL AGREEMENT WITH LEE COUNTY FOR FIXED ROUTE TRANSIT SERVICE WITHIN THE CITY OF BONITA SPRINGS. (GREENSHEET NO. 15-10-0297)
- C. REQUEST APPROVAL OF SPECIAL EVENT PERMIT AND CO-SPONSORSHIP FOR THE BONITA SPRINGS ESTERO ASSOCIATION OF REALTORS, INC., HALLOWEEN IN THE PARK EVENT AT RIVERSIDE PARK ON OCTOBER 31, 2015. (GREENSHEET NO. 15-10-0302)
- D. REQUEST FOR APPROVAL OF SPECIAL EVENT PERMIT AND CO-SPONSORSHIP FOR THE TASTE OF BONITA TO BE HELD ON NOVEMBER 20, 2015 THROUGH NOVEMBER 22, 2015 AT RIVERSIDE PARK. (GREENSHEET NO. 15-10-303)

- E. ADOPT A RESOLUTION APPROVING THE RANKING OF THE CITY'S AUDIT COMMITTEE, SELECTING AS ITS TOP RANKED FIRM ASHLEY, BROWN COMPANY AS THE CITY'S EXTERNAL AUDITING FIRM. AUTHORIZE THE MAYOR TO EXECUTE A CONTRACT, SUBSTANTIALLY THE SAME FORM AS ATTACHED TO THE RESOLUTION. (GREENSHEET NO. 15-10-0292)
- F. APPROVAL OF AN ECONOMIC DEVELOPMENT INCENTIVE DOWNTOWN BONITA SPRINGS FAÇADE MATCHING GRANT FOR TINA SCHUCKLAT BOOLE FOR COMMERCIAL PROPERTY LOCATED AT 27060 OLD 41 ROAD, BONITA SPRINGS, FL 34135. (GREENSHEET NO. 15-10-0306)
- G. APPROVE A PERMIT FOR DEROMO'S GOURMET MARKET AND RESTAURANT TO HOST THEIR ONE YEAR ANNIVERSARY ITALIAN FEAST AT 26811 SOUTH BAY DRIVE, BONITA SPRINGS ON SATURDAY, OCTOBER 15, 2015. (GREENSHEET NO. 15-10-302)
- H. APPROVE SPECIAL EVENT PERMIT AND CO-SPONSORSHIP FOR THE AMERICAN LEGION POST 303 BENEFIT CARNIVAL FOR 3 YEAR OLD WITH CANCER ON SUNDAY, OCTOBER 25, 2015 FROM 2:00 P.M. TO 9:00 P.M. AT 27678 IMPERIAL SHORES BOULEVARD, BONITA SPRINGS. (GREENSHEET NO. 15-10-0305)

VIII. FIRST READING OF THE FOLLOWING ZONING ORDINANCE (NO PUBLIC COMMENT ALLOWED):

- A. ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; CONSIDERING A REQUEST TO AMEND THE NORTH BAY VILLAGE COMMERCIAL PLANNED DEVELOPMENT (CPD); TO AMEND TRACT "R" OF THE MASTER CONCEPT PLAN, THE SCHEDULE OF USES AND REQUESTED DEVIATIONS TO ALLOW UP TO 108 MULTI-FAMILY UNITS NOT TO EXCEED 35'; ON LAND LOCATED AT 26355 AND 26375 NORTH BAY VILLAGE PARKWAY, BONITA SPRINGS, FLORIDA, ON 12± ACRES; PROVIDING FOR AN EFFECTIVE DATE.

IX. FIRST READING AND PUBLIC HEARING OF THE FOLLOWING ORDINANCES:

- A. AN AMENDMENT TO THE BONITA SPRINGS LAND DEVELOPMENT CODE CHAPTER 4 (ZONING); AMENDING SECTIONS 4-868, 4-869, AND 4-872 TO ALLOW ADMINISTRATIVE RELIEF FOR INNOVATIVE PROJECTS; MODIFYING SOME USES IN THE OLD US 41 REDEVELOPMENT URBAN CORE AND IN THE HIGHWAY COMMERCIAL (AREA 3B); REVISING THE DEVELOPMENT STANDARDS FOR THE RESIDENTIAL SUB-AREAS; PROVIDING FOR CONFLICTS OF LAW, SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, INCLUSION IN CODE AND AN EFFECTIVE DATE. (GREENSHEET NO. 15-10-0294)

- B. AN AMENDMENT TO THE BONITA SPRINGS LAND DEVELOPMENT CODE CHAPTER 4 (ZONING); AMENDING §4-1315 RELATED TO THE AFFORDABLE HOUSING BONUS DENSITY PROVISIONS IN THE ZONING CHAPTER; REQUIRING GREEN CONSTRUCTION FOR RESIDENTIAL UNITS ELIGIBLE FOR AFFORDABLE HOUSING BENEFITS; OTHER MINOR CHANGES; PROVIDING FOR CONFLICTS OF LAW, SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, INCLUSION IN CODE, AND AN EFFECTIVE DATE. (GREENSHEET NO. 15-10-0295)

- C. AN AMENDMENT TO THE BONITA SPRINGS LAND DEVELOPMENT CODE CHAPTER 6 (SIGNS); AMENDING SECTION 6-112 TO AMEND THE REGULATIONS REGARDING PERMANENT ON-SITE SIGNS FOR SCHOOLS, CHURCHES, DAY CARE CENTERS, PARKS, RECREATIONAL FACILITIES, LIBRARIES AND OTHER SIMILAR USES;

PROVIDING FOR CONFLICTS OF LAW, SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, INCLUSION IN CODE AND AN EFFECTIVE DATE. (GREENSHEET NO. 15-10-0296)

X. SECOND READING AND PUBLIC HEARING OF THE FOLLOWING ORDINANCES:

- A. AN ORDINANCE CREATING THE CITY OF BONITA SPRINGS GREEN BUILDING PROGRAM; PROVIDING FOR INTENT AND PURPOSE; DEFINITIONS, DESIGNATION OF RESPONSIBILITY FOR ADMINISTRATION AND IMPLEMENTATION; PROGRAM; SCOPE; COVERAGE; STANDARDS; INCENTIVES; CERTIFICATION; TRAINING; PROGRAM REVIEW; PROVIDING FOR CONFLICTS OF LAW, SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, INCLUSION IN CODE, AND AN EFFECTIVE DATE. (GREENSHEET NO. 15-10-0293)
- B. AN ORDINANCE RELATED TO FIRE PREVENTION AND PROTECTION; PROHIBITING OPEN BURNING; PROVIDING DEFINITIONS; EXCEPTING CERTAIN REASONABLE AND SAFE OPEN BURNING ACTIVITIES; AND PROVIDING FOR CONFLICTS OF LAW, SEVERABILITY, CODIFICATION, INCLUSION IN CODE, SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE. (GREENSHEET NO. 15-10-0298)

XI. PUBLIC COMMENT:

XII. CITY ATTORNEY'S REPORT:

- A. PERMISSION TO ADVERTISE AN ORDINANCE RELATED TO ADMINISTRATIVE SETBACK VARIANCES AND NONCONFORMITIES CREATED BY EMINENT DOMAIN PROCEEDINGS, AMENDING LAND DEVELOPMENT CODE SECTIONS 4-254 AND 4-2325. IF COUNCIL AUTHORIZES TO GO FORWARD, THE ORDINANCE WILL BE SCHEDULED ON NOVEMBER 4, 2015 AND NOVEMBER 18, 2015 FOR ITS PUBLIC HEARINGS, WITH LOCAL PLANNING AGENCY REVIEW ON NOVEMBER 12, 2015. (GREENSHEET NO. 15-10-0307)

XIII. CITY MANAGER'S REPORT:

- A. REVIEW OF MONTHLY FINANCIAL REPORTS. (GREENSHEET NO. 15-10-301)
- B. APPROVE LETTER OF SUPPORT FOR WEST COAST INLAND NAVIGATION DISTRICT (WCIND) TO SEEK FEDERAL FUNDING FROM UNITED STATES ARMY CORPS OF ENGINEERS (USACE) TO PROPERLY MAINTAIN THE GULF INTERCOASTAL WATERWAY (GIWW). (GREENSHEET NO. 15-10-300)

XIV. MAYOR AND COUNCIL MEMBER ITEMS AND REPORT:

XV. APPROVAL OF MINUTES: 09/10/15 (BUDGET), 09/16/15 & 09/21/15 (BUDGET)

CONVENE AS THE CITY COUNCIL AUDIT COMMITTEE

MINUTES AUDIT COMMITTEE (COUNCIL MEMBERS LONKART, MCINTOSH AND SIMMONS): 09/16/15

RECONVENE AS CITY COUNCIL

XVI. PUBLIC COMMENT:

XVII. ADJOURNMENT.

ANY PERSON REQUIRING SPECIAL ACCOMMODATIONS AT ANY OF THE MEETINGS BECAUSE OF A DISABILITY OR PHYSICAL IMPAIRMENT SHOULD CONTACT JOHN GUCCIARDO, ASSISTANT CITY MANAGER AT 239-949-6262, AT LEAST 48 HOURS PRIOR TO THE MEETING. IF A PERSON DECIDES TO APPEAL A DECISION MADE BY THE COUNCIL IN ANY MATTER CONSIDERED AT THIS MEETING/HEARING, SUCH PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS TO BE MADE, TO INCLUDE THE TESTIMONY AND EVIDENCE UPON WHICH ANY SUCH APPEAL IS TO BE BASED.

NOTE: THIS MEETING IS TELEVISED ON COMCAST, CHANNEL 98. AGENDAS ARE AVAILABLE FOR VIEW, AND THE MEETING CAN BE VIEWED AT WWW.CITYOFBONITASPRINGS.ORG

NOTE: DURING THIS MEETING THE CITY COUNCIL MAY CONVENE AND TAKE ACTION IN ITS CAPACITY AS THE CITY COUNCIL AUDIT COMMITTEE.

NEXT MEETING: 10/19/15 CITY COUNCIL ZONING