



1015 Cultural Park Blvd.
Cape Coral, FL 33990

AGENDA
MEETING OF THE CITY OF CAPE CORAL
BUDGET REVIEW COMMITTEE

December 14, 2020

9:00 AM

**Conf PW Green/Room
A200**

1. Call to Order

A. Chair Botkin

2. Roll Call:

A. Botkin, Eidson, Gruber, Merchant, Starner, Stevens, and Alternate Scheele

3. Public Input

4. Business

A. Approval of Meeting Minutes - November 9, 2020

B. Code Compliance Update - Richard Carr, Code Compliance Manager

5. Public Input

6. Member Comment

7. Date and Time of Next Meeting:

A. The next meeting of the Budget Review Committee will be held on Monday, January 11, 2021, at 9:00 a.m. in Conference Room PW Green/A200.

8. Adjournment

In accordance with the Americans with Disabilities Act and Section of 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this meeting should contact the Office of the City Clerk at least forty-eight (48) hours prior to the meeting. If hearing impaired, telephone the Florida Relay Service Numbers, 1-800-955-8771 (TDD) or 1-800-955-8770 (v) for assistance.

If a person decides to appeal any decision made by the Board/Commission/Committee with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings, and for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

Item Number:	4.A.
Meeting Date:	12/14/2020
Item Type:	Business

AGENDA REQUEST FORM
CITY OF CAPE CORAL



TITLE:

Approval of Meeting Minutes - November 9, 2020

SUMMARY:

ADDITIONAL INFORMATION:

ATTACHMENTS:

Description	Type
▢ Meeting Minutes - November 9, 2020	Backup Material

**MINUTES OF THE REGULAR MEETING OF
THE CAPE CORAL BUDGET REVIEW COMMITTEE**

Monday, November 9, 2020

CONF PW GREEN/ROOM A200

9:00 a.m.

Chair Botkin called the meeting to order at 9:00 a.m.

Committee Member Hayden officially resigned from the BRC.

ROLL CALL: Botkin, Eidson, Gruber, Merchant, Starner, Stevens, and Alternate Member Scheele were present.

ALSO PRESENT: John Gunter, Council Liaison

Public Input

None.

BUSINESS

Approval of Meeting Minutes – October 5, 2020

Chair Botkin stated that the Minutes from October 5, 2020 were distributed before the meeting for review and were being presented for approval.

Committee Member Merchant moved, seconded by Committee Member Stevens, to approve the Meeting Minutes from October 5, 2020, as presented. Voice Poll: All “ayes.” Motion Carried.

Date and Time of Next Meeting

Item 7.A. Moved here for Discussion

The next meeting was scheduled for Monday, December 14, 2020, at 9:00 a.m. in Conference Room PW Green/A200.

Discussion held regarding meeting location and option to continue meeting in Conference Room PW Green/A200. The Committee agreed to meet in Conference Room PW Green/A200 on December 14, 2020 and continue discussion at that meeting.

City Manager Hernandez arrived at 9:05 a.m.

City Manager Rob Hernandez

Chair Botkin welcomed City Manager Hernandez to the meeting.

City Manager Hernandez thanked the Committee for inviting him to the meeting. He discussed the relationship between the City Manager's Office and the Budget Review Committee (BRC). He responded to the questions regarding his experience working with similar committees in the past as follows:

- Ft. Lauderdale, as Deputy City Manager, there was a similar setup with a BRC
- The BRC made recommendations to City Council at end of the budget process
- Experience as City Manager in Savannah, Georgia without a BRC
- BRC acts as independent eyes and ears of the budget document
- Recommendations would be beneficial at the beginning of the budget process
- Joint meeting with BRC and City Council to hear priorities from the City Council, the City Manager, and the BRC
- Develop budget with those priorities in mind

Vice Chair Eidson inquired if this would be more of a Committee of the Whole (COW) meeting as opposed to a formal presentation to Council.

City Manager Hernandez responded in the affirmative and continued as follows:

- Begin the budget process with a joint meeting
- City Council provides guidelines for City Manager and BRC
- Provides an opportunity to review prior recommendations
- Provides a common starting point

Chair Botkin agreed that a meeting in the beginning of the process would be very beneficial; however, the BRC cannot make recommendations until the proposed budget has been received.

City Manager Hernandez responded departmental budgets can be reviewed with the BRC as they are being completed providing more information to the BRC prior to finalization of the budget.

Committee Member Gruber inquired when the joint meeting would take place.

City Manager Hernandez responded most likely it would happen in February or March 2021.

Council Liaison Gunter was in favor of the BRC receiving information and interacting with departments prior to the budget process and believed the process would be more productive.

Discussion held as follows:

- The budget process should be transparent
- The BRC would be engaged in every step of the process
- One joint COW, Staff to work with BRC at monthly meetings, and a joint meeting at the end of the process
- Possible quarterly amendments to the budget
- Create a consistent process on adopting, amending, and reporting of the budget
- Community representation through Council and the BRC to the City Manager

City Manager Hernandez addressed the question on beautification as follows:

- Beautification is essential
- Quality of public spaces is important in shaping the character of the community
- Attracts businesses and new residents
- Residents want a sense of community and neighborhood
- Investment in the community through infrastructure and beautification
- Costs and property values
- Challenges with attracting high quality construction in residential and commercial

City Manager Hernandez updated the Committee on Bimini Basin:

- Viable option for development
- One mixed use project in final design
- Bimini Basin is privately owned and not controlled by the City of Cape Coral
- Additional developer with a transformational project for South Cape CRA
- Sewer capacity limits development and growth in the area
- Requested a sewer system from gravity to pump system
- Will aid in attracting more development in that area
- South of Pine Island Road is on City water, sewer, and irrigation increasing values and development
- Businesses that want to come to Cape Coral want upgraded utilities

City Manager Hernandez further addressed Economic Development expectations:

- Potential industry requires zoning, utilities, buildings, and roadways
- Work with Council to accomplish
- Burnt Store Road as the next viable economic corridor
- Reserve the land for industry, commerce, and office parks
- Golf Course - P3, or acquisition:
 - The owner wants to sell the property and not a P3
 - Environmental challenges and remediation

Vice Chair Eidson raised the following points:

- Testing process and unknown results
- Health, safety and welfare responsibility
- Importance of building the City's image

Committee Member Merchant requested an update on paving.

City Manager Hernandez updated the Committee as follows:

- The City is on track with the paving plan
- Contractor capacity which delayed the plan has been resolved
- More pressure cleaning to be done on sidewalks, curbs, bridges, and overpasses

Committee Member Gruber inquired about the appropriateness of the staffing level.

City Manager Hernandez reviewed the following:

- Based on the geographic area and population, other cities of similar size have a larger number of employees
- Difference between Cape Coral and other cities
- Police staffing and reallocation of resources
- Actions need to tie into the Strategic Plan for the City

Discussion held regarding the Charter School and the level of support.

Chair Botkin inquired about P3's for the Golf Course and Sun Splash.

City Manager Hernandez informed the Committee of the following:

- City Council direction on Public Private Partnerships
- Received an unsolicited P3 proposal
- City is following State Law on the proposal, advertising a proposal has been received, and other companies may submit a proposal
- City Council will welcome P3's
- The City must be adequately protected in a P3

Discussion held regarding the following items:

- Maintenance of seawalls and responsibilities
- Signage standards and uniformity
- Five-year budget possibilities

City Manager Hernandez left the meeting at 10:35 a.m.

Public Input

None.

Member Comment

Vice Chair Eidson was looking forward to what the BRC can do as a Committee.

Committee Member Merchant opined that the City Manager would be very open with the BRC.

Committee Member Stevens stated that the City Manager appears to be proactive and was providing a good process for the future.

Council Liaison Gunter believed that many of the City Manager's ideas will be an asset. He suggested that the BRC interact with Staff, and it may require an occasional second meeting of the BRC to discuss the information received from meetings with Staff.

Alternate Committee Member Scheele stated that the City Manager was one of the reasons he volunteered for the Committee. He believed that there was potential for good growth, and he wants to bring value to everyone.

Committee Member Starner agreed that a second meeting may occasionally be needed, and he welcomed Alternate Member Scheele to the BRC.

Discussion was held regarding Committee selection by the Councilmembers.

Committee Member Gruber was looking forward to working with the City Manager as well as coordinating one on one meetings with Councilmembers.

Council Liaison Gunter suggested that the FY 2021-2023 Budget and 2020 BRC Presentation to City Council be provided to the new Committee Members.

Date and Time of Next Meeting
Discussed previously under at Item 4. Business

The next meeting was scheduled for Monday, December 14, 2020, at 9:00 a.m. in Conference Room PW Green/A200.

Adjournment

There being no further business, the meeting was adjourned at 10:47 a.m.

Submitted by,

Rose DePaula
Recording Secretary

Item Number:	4.B.
Meeting Date:	12/14/2020
Item Type:	Business

AGENDA REQUEST FORM
CITY OF CAPE CORAL



TITLE:

Code Compliance Update - Richard Carr, Code Compliance Manager

SUMMARY:

ADDITIONAL INFORMATION:

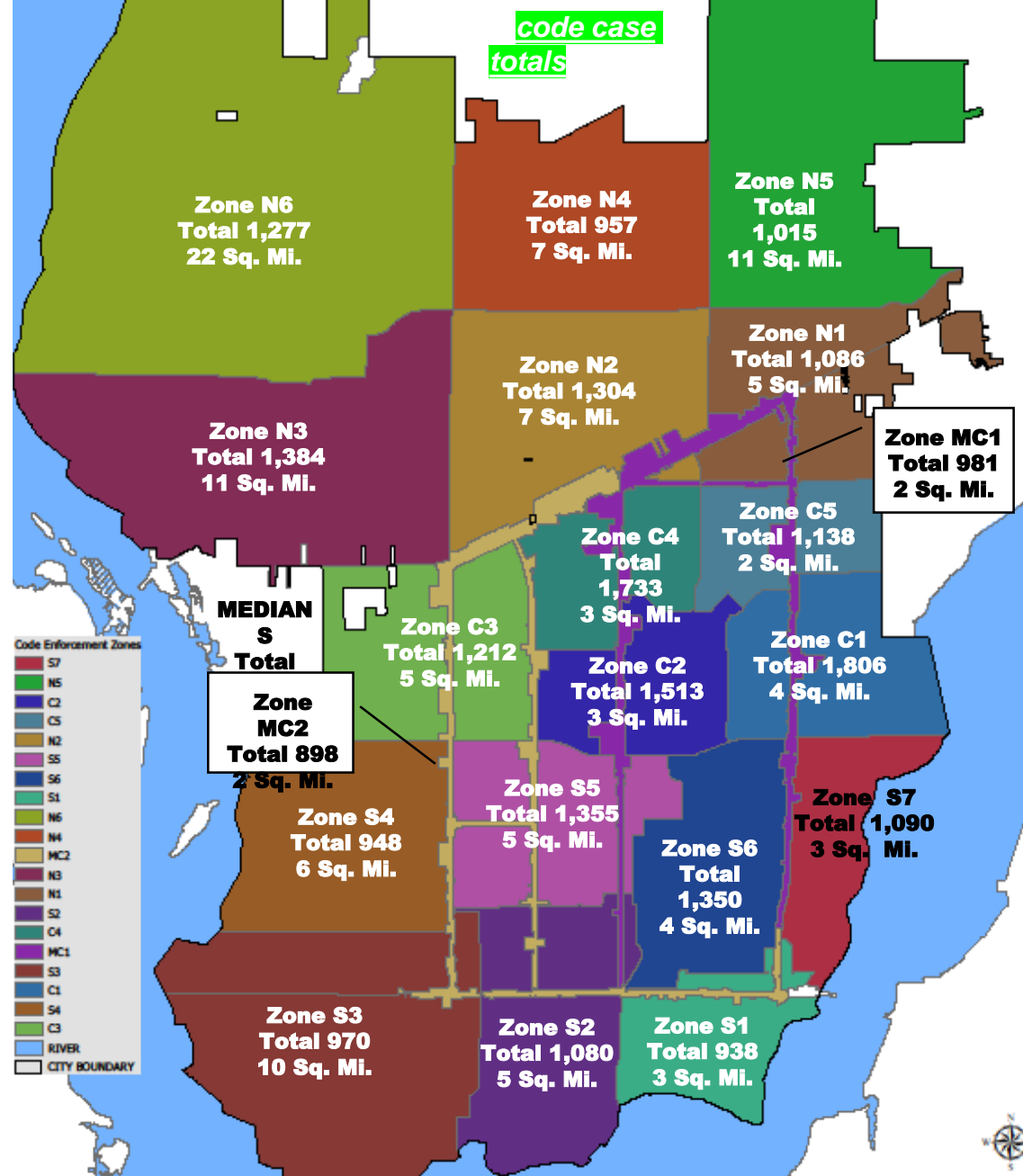
ATTACHMENTS:

Description		Type
▢ Code Compliance Officer Allocation and Division Overview		Backup Material



Code Compliance Officer Allocation and Division Overview



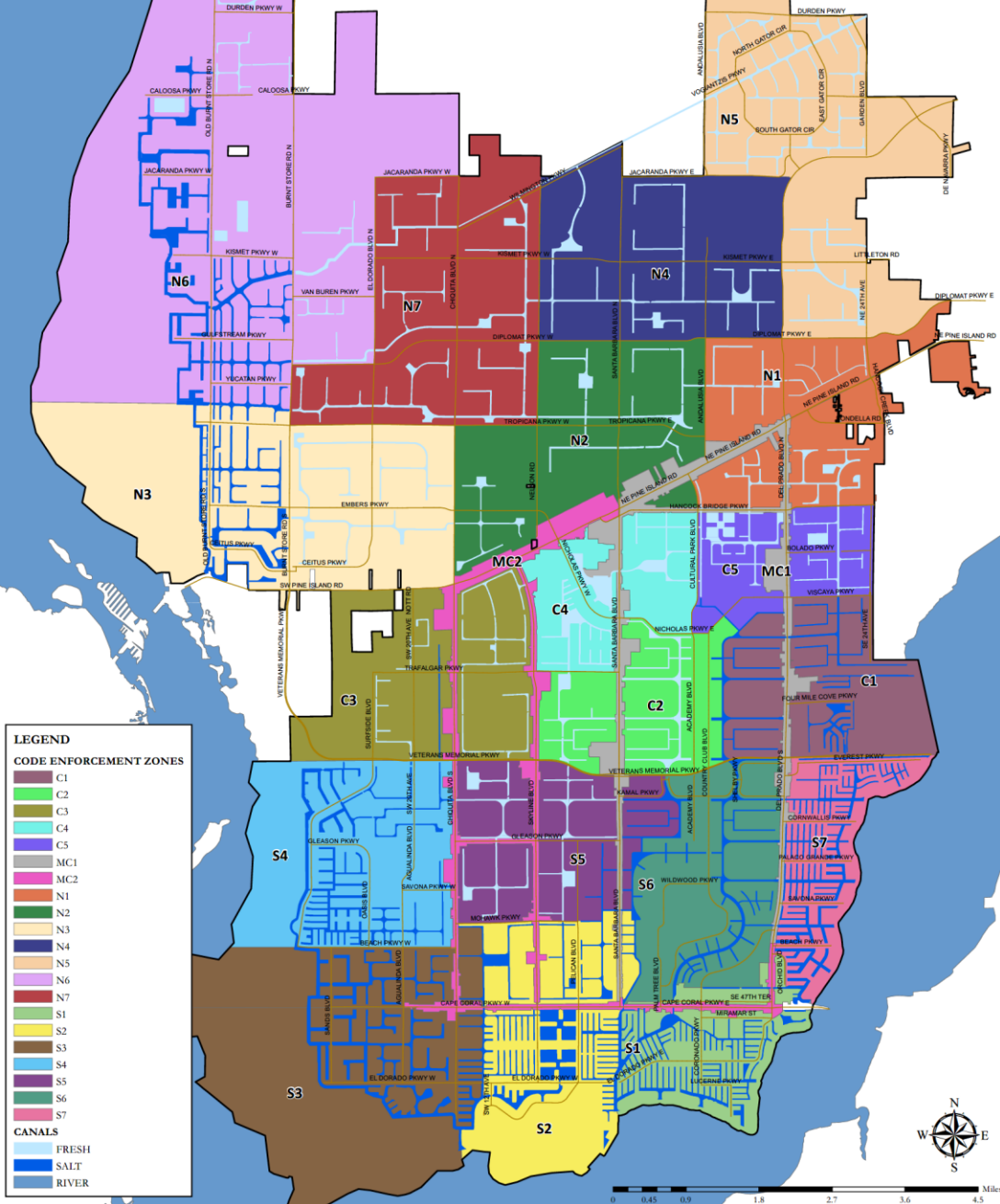


FY 2020 TOP 10 CODE CASE TYPES

1	HEALTH & SANITATION	8,427
2	VEHICLE	5,332
3	SIGNS	3,370
4	VACANT LOT	2,363
5	MULTIPLE VIOLATIONS	1,806
6	CONTRACTORS & CRB	1,128
7	BOAT OR BOAT TRAILER	970
8	PERMIT REQUIRED	639
9	CONSTRUCTION SITE	563
10	EDUCATIONAL	491

WATERING CASES - TOTAL 9,741

RV AND BOAT PERMITS - TOTAL 4,663



CODE ZONE CONIGURATION (21 zones)

7 - North (added 1 with staffing increase)

5 - Central

7 - South

2 - Corridor (Newly created with staffing increase)

3 – Floaters (North, Central, South)

1 – Zoning Inspector (New came over from Planning)

2 – Utilities / Illegal watering (Utility Dept)

2 – Contractor Licensing Cases (Building Dept)

29 – Code Officers, 21 zones, 3 float, 5 specialty

▪The FY20 proactive enforcement rate for Code Compliance 56%.

** Does not include watering cases (with watering 67%)*

▪The duration of time to gain compliance has remained approximately two weeks, even with the increased number of code cases.

▪Response times are monitored regularly to ensure proper service levels to the citizens, and have continued to improve each year since 2016

2016	26,466 cases	Overall Average: 0.90 days	2017	24,418 cases	Overall Average: 0.69 days	2018	22,691 cases	Overall Average: 0.88 days	2,019	22,395 cases	Overall Average: 0.60 days	2,020	YTD 30,092 cases	Overall Average: 0.45 days
0 Days	15,511	58.79%	0 Days	15,756	63.77%	0 Days	15,302	66.98%	0 Days	16,022	71.76%	0 Days	22,132	73.83%
1-3 Days	4,155	15.77%	1-3 Days	4,265	17.86%	1-3 Days	5,081	22.67%	1-3 Days	4,477	19.38%	1-3 Days	5,073	16.40%
4+ Days	1,638	6.08%	4+ Days	1,273	5.59%	4+ Days	1,207	5.61%	4+ Days	885	4.01%	4+ Days	920	2.89%
Closed before Initial investigation	114	0.42%	Closed before Initial investigation	105	0.47%	Closed before Initial investigation	147	63.00%	Closed before Initial investigation	183	0.94%	Closed before Initial investigation	109	0.36%
No Initial Investigation	5,048	18.95%	No Initial Investigation	3,019	12.31%	No Initial Investigation	954	4.12%	No Initial Investigation	828	3.91%	No Initial Investigation	1,858	6.52%

FY20 HIGHLIGHTS

- Hired three code officers to fill the newly created positions. All 3 were hired, trained and functioning on the road January 1, 2020.
- New “Corridor Zones” were created along main roadways (Santa Barbara Blvd., Del Prado Blvd., Skyline Blvd., Pine Island Rd., Cape Coral Pkwy., Hancock Bridge Pkwy.
- New Ordinance prohibiting Parking Vehicles on the Grass – effective date June 9, 2020
300 Cases for Parking on grass Violations between June 9th and June 30TH
343 Cases for Parking on grass Violations between June 30th and July 30th
- An internal city audit was performed and completed successfully with useful outcomes, operational recommendations and positive feedback
- Updated all division policies as part of audit process
- Implementation of a new “Self Certifying” enforcement process stemming from an audit recommendation

Self Certifying Letters

Self-certifying letters are used for certain non-life threatening or minor violations and are used to bring attention to the violation by using an informal method and without the necessity of a physical site visit by a code compliance officer. This would allow more time for the code officer to concentrate on proactive cases and code violations that affect the public health, safety and welfare.

Since implementation, a total of 613 Self Certifying letters were mailed through Sept. 28, 2020

Cans in view – 553 properties

445 locations complied, 108 required additional action/follow-up = 80% success rate

Overgrowth aka “High Grass” – 200 properties

166 locations complied, 34 required additional action/follow-up = 83% success rate

Code Officer Discretion...

It's not about whether to enforce the code; but rather how much time is given to comply and correct the violation.

Compliance Through Cooperation Methodology

- ✓ Consider the type of violation.
- ✓ Is the violation a safety issue, Environmental or Irreversible?
- ✓ Education of the property owner or tenant.
- ✓ What is the level of impact on the neighborhood.
- ✓ Consider the totality of the circumstances.
- ✓ Use your professional training and experience.
- ✓ Is there a history of similar violations at the property by the same property owner?
- ✓ Did or does the resident have knowledge of the violation, owner occupied or rental.
- ✓ Does the property owner have the means and ability to comply with the code immediately?
- ✓ Consistent enforcement methodology (why did you give that amount of time?)
- ✓ FS 162 requires the property owner receive reasonable time based on the circumstances to correct the violation; not repeated inaction of the owner/tenant or they have been found guilty in the past, Irreparable, Irreversible.
- ✓ We always strive to gain compliance in the shortest amount of time by using all legal means, necessary and appropriate.

*Code officers are expected to always be able to articulate their reasonable discretion and case handling process to anyone *



What is this?



Code Division - The City's Junk Drawer