

Mayor

John Gunter

Council Members

District 1: Gloria Raso Tate

District 2: Dan Sheppard

District 3: Tom Hayden

District 4: Jennifer I. Nelson

District 5: Robert M. Welsh

District 6: Richard Williams

District 7: Jessica Cosden



1015 Cultural Park Blvd.
Cape Coral, FL

City Manager

Rob Hernandez

City Attorney

Dolores Menendez

City Auditor

Andrea R. Russell

City Clerk

Kimberly Bruns

AGENDA
COMMITTEE OF THE WHOLE

May 12, 2021

3:00 PM

Council Chambers

PLEDGE OF CIVILITY

We will be respectful of each other even when we disagree.
We will direct all comments to the issues. We will avoid personal attacks.

1. MEETING CALLED TO ORDER

A. MAYOR GUNTER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

A. MAYOR GUNTER, COUNCIL MEMBERS COSDEN, HAYDEN,
NELSON, SHEPPARD, TATE, WELSH, WILLIAMS

4. BUSINESS:

A. CITIZENS INPUT TIME

A maximum of 60 minutes is set for input of citizens on matters concerning the City Government; 3 minutes per individual.

B. DISCUSSION

- (1) 2021 State Legislative Session Recap
- (2) 2021 Hurricane Season Preview - Presented by Ryan Lamb, Fire Chief/Emergency Management Director
- (3) Recreational Activities at City Bridges
- (4) Request for Lease of City-Owned properties from the Cape Coral Animal Shelter and the YMCA
- (5) Waste Pro Services - Update

- (6) 2nd Quarter Economic Activity Report - Presented by EDO Manager Noguera
- (7) Economic Development Strategy & Implementation - Presented by EDO Manager Noguera

5. ROUND TABLE DISCUSSION

6. TIME AND PLACE OF FUTURE MEETINGS

- A. A Regular Meeting of the Cape Coral City Council is Scheduled for Wednesday, May 19, 2021 at 4:30 p.m. in Council Chambers

7. MOTION TO ADJOURN

GENERAL RULES AND PROCEDURES REGARDING THE CAPE CORAL COMMITTEE OF THE WHOLE AGENDA

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.

Persons wishing to address Council under Citizens Input may do so during the designated time at each meeting. No prior scheduling is necessary. All speakers must have their presentations approved by the City Clerk's office no later than 3:00 PM the day of the meeting. Any citizen may appear before the City Council at the scheduled PUBLIC HEARING/INPUT to comment on the specific agenda item being considered. No prior scheduling is necessary.

When recognized by the presiding officer, a speaker shall address the City Council from the designated speaker's lectern, and shall state his or her name and whom, if anyone, he or she represents. An address shall only be required if necessary to comply with a federal, state or local law.

Copies of the agenda are available in the main lobby of Cape Coral City Hall and in the City Council Office, 1015 Cultural Park Boulevard. Copies of all back-up documentation are also available for review in the lobby of Council Chambers. You are asked to refrain from removing any documentation. If you desire copies, please request they be made for you. Copies are 15 cents per page. Agendas and back-up documentation are also available on-line on the City website (capecoral.net) after 4:00 PM on the Thursday prior to the Council Meeting.

***PUBLIC HEARINGS DEPARTMENT OF COMMUNITY DEVELOPMENT CASES**

In all public hearings for which an applicant or applicants exist and which would affect a relatively limited land area, including but not limited to PDPs, appeals concerning variances or special exceptions, and small-scale rezonings, the following procedures shall be utilized in order to afford all parties or their representatives a full opportunity to be heard on matters relevant to the application:

1. The applicant, as well as witnesses offering testimony or presenting evidence, will be required to swear or affirm that the testimony they provide is the truth.
2. The order of presentation will begin with the City staff report, the presentation by the applicant and/or the applicant's representative; witnesses called by the applicant, and then members of the public.
3. Members of the City Council may question any witness on relevant issues, by the applicant and/or the applicant's representative, City staff, or by any member of the public.
4. The Mayor may impose reasonable limitations on the offer of testimony or evidence and refuse to hear testimony or evidence that is not relevant to the issue being heard. The Mayor may also impose reasonable limitations on the

number of witnesses heard when such witnesses become repetitive or are introducing duplicate testimony or evidence. The Mayor may also call witnesses and introduce evidence on behalf of the City Council if it is felt that such witnesses and/or evidence are necessary for a thorough consideration of the subject.

5. After the introduction of all-relevant testimony and evidence, the applicant shall have the opportunity to present a closing statement.
6. If a person decides to appeal any decision made by the City Council with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she 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 to be based.



AGENDA REQUEST FORM
CITY OF CAPE CORAL

Item Number:	B.(1)
Meeting Date:	5/12/2021
Item Type:	DISCUSSION

TITLE:

2021 State Legislative Session Recap

REQUESTED ACTION:

Informational

SUMMARY EXPLANATION AND BACKGROUND:

This issue is on the agenda to provide Council an update on legislative matters at the State level.

STRATEGIC PLAN ALIGNMENT:

1. Is this a Strategic Decision? No
- If Yes, Priority Goals Supported are listed below.
- If No, will it harm the intent or success of the Strategic Plan? No

Recommendations:

Informational

SOURCE OF ADDITIONAL INFORMATION:

Terri Hall, Legislative Contact, 1-239-574-0446

FISCAL IMPACT/FUNDING SOURCES(S)/BUDGET CONSIDERATIONS:

n/a

1. Will this action result in a Budget Amendment? No

PREPARED BY:

Terri Hall Division- Administration Department- City Manager's Office

ATTACHMENTS:

Description	Type
1. Memo	Backup Material



MEMORANDUM

TO: Mayor Gunter and City Council

THRU: Rob Hernandez, City Manager *RH*

FROM: Kimberly Bruns, City Clerk *KCB*

DATE: May 11, 2021

SUBJECT: May 12, 2021 Committee of the Whole (Workshop) packet / Additional Information

Please note the following additional information related to your meeting agenda:

Item	Additional Information	Attachment(s)
4.B.(1)	2021 Legislative Update	Memorandum

These materials will be uploaded online for iPad users and the public. Paper copies will be also be delivered to the Council Office for those utilizing paper packets.

Attachment (1)

cc: Dolores Menendez, City Attorney

Ellyn Setnor Bogdanoff, Shareholder
Phone: (954) 364-6005 Fax: (954) 985-4176
ebogdanoff@beckerlawyers.com



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Phone: (954) 985-4135; Fax: (954) 985-4176
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Becker & Poliakoff
1 East Broward Blvd., Suite 1800
Ft. Lauderdale, FL 33301

MEMORANDUM

To: Mayor and City Council
Cc: Rob Hernandez, City Manager
Terri Hall, Legislative Coordinator
From: Nicholas G. Matthews, Sr. Government Relations Consultant
Ellyn Setnor Bogdanoff, Shareholder
Re: 2021 Florida Legislative Session Summary
Date: May 10, 2021

CITY OF CAPE CORAL SESSION RECAP

The 2021 Florida Legislative Session concluded on May 1, 2021. Unlike many years in recent memory, the 2021 Legislative Session concluded early and without fear of extension. The core constitutional requirement placed on the Florida Legislature is to pass an annual budget. The Legislature fulfilled their obligation with the passing of the SB 2500 – General Appropriations Act (GAA). The GAA funds state operations for FY 2021-2022 with a total budget of \$101.5 billion. This budget includes \$36.3 billion in General Revenue and \$65.2 billion in Trust Fund proceeds. Additionally, the legislature directed \$6 billion to state reserves.

This historic budget includes many items of interest to the City of Cape Coral. The below should be of specific interest to the City:

- DEP Everglades Restoration - \$360.1 million
- Water Quality Improvements - \$354.5 million
- Wastewater Grant Program - 7 positions and \$116.7 million
- Water Quality Improvements Everglades - \$50 million
- Springs Coast Watershed and Peace River Watershed - \$20 million
- Water Projects - \$116.6 million
- Septic Upgrade Incentive Program - \$10 million
- Non-Point Source Planning Grants - \$17 million

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- Okeechobee and Suwannee River Basins WQI - \$1.3 million
- Reclaimed Water Program - 9 new positions and \$0.8 million
- Water Quality Improvements - Blue Green Algae Task Force - \$10.8 million
- Resilient Florida Program - 25 positions and \$29 million
- Innovative Technology Grants for Harmful Algal Blooms - \$10 million
- Springs Restoration - \$50 million
- Florida Forever - \$102 million
- Division of State Lands - \$100 million
- Florida Recreational Development Assistance Grants - \$2 million
- Beach Management Funding Assistance - \$100 million
- Drinking Water Revolving Loan Program - \$136.6 million
- Wastewater Revolving Loan Program - \$211.2 million
- Land and Water Conservation Grants - \$13.8 million
- Local Parks - \$4.7 million
- Boating Infrastructure and Improvement Program - \$5.8million
- Derelict Vessel Removal - \$3.6 million
- Transportation Work Program - \$9.2 billion
- Economic Development Partners (VISIT Florida, Space Florida, Enterprise Florida, Florida Sports Foundation) - \$87.6 million
- Affordable Housing Programs - \$209.2 million
- State Housing Initiatives Partnership (SHIP) - \$146.7 million (allocated to local governments)
- State Apartment Incentive Loan (SAIL) Programs - \$62.5million
- Housing and Community Development Projects - \$24.5 million
- Reemployment Assistance Operational Assistance - \$56.6 million
- Reemployment Assistance System Modernization - \$36 million

[Link to Full Florida Senate Budget Summary](#)

DIRECT CITY APPROPRIATIONS

We are proud to report the below items for Cape Coral were included in the 2020-2021 General Appropriations Act:

\$1,000,000 for the Caloosahatchee-Reclaimed Water Transmission Main

- Funding will be used to construct a Reclaimed Water Pipeline across the Caloosahatchee River that will allow the City of Ft. Myers to reduce harmful nutrient discharges to the Caloosahatchee River and provide beneficial reclaimed water resources to the City of Cape Coral.

BILLS OF INTEREST THAT FAILED

SB 522/HB 219 - Vacation Rentals – Sen. Manny Diaz & Rep. Jason Fischer

SB 522 and HB 219 would have changed current law relating to vacation rentals. The bills attempted to:

- Clarify the definition of an advertising platform to capture online marketplaces.
- Preempt to the state the regulation of advertising platforms.
- Allow a “grandfathered” city to amend its short-term rental regulations if the amendment makes the regulation less restrictive.
- Require the Department of Business and Professional Regulation to maintain vacation rental property license information in an accessible electronic format.
- Require advertising platforms to verify a property’s license number prior to publishing its advertisement on its platform and every quarter thereafter.
- Require advertising platforms to quarterly provide the department with the physical address of the vacation rental properties that advertise on their platforms.
- Impose a duty on advertising platforms to collect and remit taxes in relation to the rental of a vacation rental property through its platform.
- Establish requirements that advertising platforms adopt an anti-discrimination policy and inform their users of the public lodging discrimination prohibition found in current law.
- Clarify that the provision of the bill shall not supersede any current or future community association-governing document.
- Require sexual predators to notify local law enforcement if they will be staying for 24 hours or more in a short-term rental.

Some preemption provisions were only included in HB 219. HB 219 would have:

- Preempted to the state the regulation of vacation rentals, including licensure and inspection.
- Nullified any local registration, inspection or licensing requirements specific to vacation rentals adopted since 2014.
- Required that any ordinances (noise, parking, trash, etc.), must be applied uniformly to all residential properties, regardless of how the property is being used.

SB 522 was significantly amended to remove the majority of the preemptions in the bill that remained in the House version of the bill. Thankfully, both bills ultimately failed to survive the committee process.

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SB 334 - Regulation of Smoking in Public Places – Sen. Joe Gruters

SB 334 amended the “Florida Clean Indoor Air Act” which regulates vaping and tobacco smoking in Florida. The bill allowed counties and municipalities to restrict smoking, except for smoking cigars and pipe tobacco, within the boundaries of any of the public beaches and public parks they own. Currently, the regulation of smoking is preempted to the state, and counties and municipalities are prohibited from regulating smoking. The bill also prohibited smoking, except for smoking cigars and pipe tobacco, within the boundaries of a state park and changed the title of the “Florida Clean Indoor Air Act” to the “Florida Clean Air Act” to account for the broader application of the act proposed in the bill.

HB 1113 - Traffic and Pedestrian Safety – Rep. Randy Fine

The bill created the “Sophia Nelson Pedestrian Safety Act.” The bill required governmental entities to conduct a traffic engineering study by a Florida licensed professional engineer prior to installing a new mid-block crosswalk (MBC). HB 1113 required, by October 1, 2024, that the entity with jurisdiction over a public highway, street, or road with a MBC must ensure that crosswalks are controlled by the required coordinated traffic control signal devices and pedestrian control signals. Alternatively, an entity may remove the crosswalk. Additionally, by October 1, 2022, the bill required the Department of Transportation to seek approval from the federal government to allow the use of red rectangle rapid flashing beacons (RRFBs) in place of yellow RRFBs. If approved, all entities with jurisdiction over MBCs must replace existing yellow RRFBs with red RRFBs within 12 months of federal authorization. If the request is denied, all entities with jurisdiction over MBCs must remove all yellow RRFBs or retrofit MBCs with legally acceptable equipment as required in the bill.

The bill would have had a significant fiscal impact to local governments.

BILLS OF INTEREST THAT PASSED

SB 1954 - Statewide Flooding and Sea Level Rise Resilience – Sen. Ray Rodrigues

SB 1954 established the statewide resiliency programs to assess and address inland and coastal flooding and sea level rise. Specifically, SB 1954 created:

- The “Resilient Florida Grant Program” within the Department of Environmental Protection (DEP) which provides funding to local governments for the costs of resilience planning and projects to adapt critical assets.
- The “Comprehensive Statewide Flood Vulnerability and Sea Level Rise Data Set and Assessment,” to be updated every five years. The DEP must develop a statewide data set necessary to determine the risks to inland and coastal communities, including statewide sea level rise projections and another statewide data set, which identifies vulnerable areas, infrastructure, and critical assets.

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- The “Statewide Flooding and Sea Level Rise Resilience Plan.” The DEP must annually submit a plan proposing up to \$100 million in funding for projects that address risks from flooding and sea level rise.

SB 1954 authorizes local governments, regional resilience entities, and water management districts to submit lists of proposed projects to the DEP for inclusion in the plan. The DEP must implement a scoring system, established in the bill, for assessing projects for inclusion in the plan. The bill authorizes the DEP to provide funding to regional resilience entities for providing technical assistance, coordinating multijurisdictional vulnerability assessments, and developing project proposals for the statewide resilience plan. Additionally, the bill requires the University of South Florida to create a hub to coordinate and lead statewide efforts for research and innovation regarding flooding. The bill requires the Office of Economic and Demographic Research to add an analysis of flooding issues to its annual assessment of Florida’s water resources and conservation lands. The legislature created and funded 29 new staff positions at DEP to manage the program.

SB 2514 - Resilient Florida Trust Fund – Sen. Ray Rodrigues

SB 2514 creates the Resilient Florida Trust Fund within the Department of Environmental Protection. The trust fund is established as a depository for documentary stamp revenues dedicated to resiliency projects. The bill takes effect on the same date SB 1954, relating to Statewide Flooding and Sea-level Rise Resilience.

HB 35 – Public Notices – Rep. Randy Fine

The Florida Constitution and several statutory provides requires that public notice be given for meetings at which official acts are to be taken or where public business is to be conducted. Such notices and advertisements (“legal notices”) must be published in a newspaper that is for sale to the public, unless no newspaper is published in the county, in which case three copies of such notice must be posted in the county and published in a newspaper in the nearest available county. If the newspaper maintains a website, legal notices must appear in a searchable format on the website the same day they appear in the printed publication at no additional charge. HB 35 gives governmental agencies the option to publish legal notices on a publicly accessible website in lieu of newspaper publication if certain conditions are met.

HB 35:

- Requires a governmental agency publishing legal notices on a publicly accessible website to publish a notice at least once a year in a newspaper of general circulation or other publication mailed and delivered to all residents in the government’s jurisdiction stating that such persons may receive legal notices by first-class mail or e-mail after registering.
- Allows a governmental agency to publish legal notices in a free newspaper.

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- Allows self-service storage facility and self-contained storage unit owners to publish notices of intent to enforce specified liens on a public website customarily used for conducting personal property auctions in lieu of publishing such notices in a newspaper.
- Allows persons registering a fictitious name with the Division of Corporations to publish notice of their intention to register the name on a publicly accessible website in lieu of publishing such notice in a newspaper.

HB 403 - Home-based Businesses – Rep. Mike Giallombardo

HB 403 preempts local governments from enacting or enforcing regulations or policies on home-based businesses that meet the protected definition in the bill. A business is considered a home-based business if it operates, in whole or in part, from a residential property and the employees of the business who work at the residential dwelling also reside in the residential dwelling, except that up to a total of two employees or independent contractors who do not reside at the residential dwelling may work at the business.

The bill provides that a home-based business:

- May operate in an area zoned for residential use.
- May not be prohibited, restricted, regulated, or licensed in a manner that is different from other businesses in a local government's jurisdiction, except as otherwise provided in the bill
- Is only subject to applicable business taxes under Chapter 205 in the county and municipality in which the home-based business is located.
- Must use the dwelling as a home-based business as a secondary purpose to a residential purpose

There are some limitations on home-based businesses in the bill. The bill requires parking related to the business activities of the home-based business to comply with local zoning requirements and the need for parking generated by the business may not be greater in volume than would normally be expected at a similar residence where no business is conducted.

Local governments may regulate the use of vehicles or trailers operated or parked at the business or on a street right-of-way, provided that such regulations are not more stringent than those for a residence where no business is conducted. The bill provides that vehicles and trailers used in connection with the business must be parked in legal parking spaces that are not located within the right-of-way. HB 403 allows local governments to regulate the parking or storage of heavy equipment at the business which is visible from the street or neighboring property.

Additionally, the bill requires that the dwelling of the home-based business maintain a residential appearance that is consistent with the residential areas surrounding the property and external modifications made to a residential dwelling to accommodate a home-based business must conform to the residential character and architectural aesthetics of the neighborhood. The bill requires that all business activities comply with local or state regulations with respect to signage

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and equipment or processes that create noise, vibration, heat, smoke, dust, glare, fumes, noxious odors, and storage, or disposal of any corrosive, combustible, or other hazardous materials.

Lastly, the bill provides that any adversely affected current or prospective home-based business owner may challenge any local government action in violation of this section. The prevailing party in a challenge may recover reasonable attorney fees and costs incurred in challenging or defending the action, including reasonable appellate attorney fees and costs. The bills does not supersede condo or homeowner association laws.

SB 1076 - Public Works Projects - Sen. Brodeur

SB 1076 amends the definition of “public work projects” as an activity that exceeds \$1,000,000 in value and that is paid for with any state-appropriated funds. The bill preempts existing local ordinances related to the procurement process for public works projects when any state funds are used. Currently, state law preempts local preference ordinances when 50% or more of the cost will be paid by the state. The bill removes this 50% threshold and applies the prohibition on local preference to all solicitations that will be paid for with funding that is state-appropriated. Furthermore, the bill prohibits a certified, licensed, or registered contractor, subcontractor, or material supplier or carrier, from participating in the bidding process based on certain preferences. The bill’s prohibitions do not apply to public works projects funded with local funds or to projects funded pursuant to a program authorized in s. 212.055(1), F.S., relating to the charter county and regional transportation surtax, that is approved by the majority of a county's electors or by charter amendment approved by majority of the county's electors.

SB 2006 - Emergency Management – Sen. Danny Burgess

SB 2006 makes several changes intended to better equip Florida to address a pandemic or other public health emergency. The bill includes a prohibition on requirements of COVID-19-vaccination documentation to access, enter, or receive service from businesses, governmental entities, and educational institutions.

The bill requires state agencies to take the following actions to prepare for the next public health emergency:

- The Department of Health must create a state public health emergency management plan, and requires the Division of Emergency Management to incorporate that plan into the state’s comprehensive emergency management plan; and
- The Division of Emergency Management must:
 - Maintain an inventory of state-owned personal protective equipment; and
 - Include provisions in its statewide emergency shelter plan to address sheltering during a pandemic that requires distancing. The bill also provides additional transparency and legislative oversight of the executive branch’s emergency powers.

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The bill also:

- Limits emergency orders, proclamations, and rules to 60-day durations that can be renewed as long as the emergency conditions persist;
- Requires the Governor, if he or she closes schools or businesses, to state specific reasons why the schools or businesses need to close and reassess the closure regularly; and
- Authorizes the Legislature to pass a concurrent resolution to terminate orders and directives issued under a state of emergency, instead of just the state of emergency itself.

The bill also targets county and city emergency orders that may infringe the rights or liberties of Floridians. To address this potential situation, the bill:

- Requires the governmental entity imposing an ordinance or other measure that deprives a person of a right or liberty to prove that the measure is “narrowly tailored” to address a “compelling public health or safety purpose”
- Authorizes the Governor to invalidate an order that “unnecessarily restricts individual rights or liberties”; and
- Limits the duration of emergency orders to 7 days, with the option to renew the orders up to 5 times.

The bill also prohibits requirements of COVID-19-vaccination documentation to access, enter, or receive service from businesses, governmental entities, and educational institutions. The bill prohibits such entities from requiring Floridians to provide proof of vaccination or post-infection recovery from COVID-19 but does not restrict the use of screening protocols.

Finally, the bill includes several provisions to better address the financial strain that emergencies place on state and local government. Specifically, the bill:

- Provides legislative intent that during an emergency, spending will first come from funds specifically appropriated to state and local agencies for disaster relief.
- Provides that the second recourse for funding is the newly created Emergency Response Fund.
- Provides that if additional funds are needed during an emergency beyond what is already appropriated in the new Emergency Response Trust Fund, the Governor can request additional funds by submitting a budget amendment through the LBC, requesting more funds in the Trust Fund.

HB 735 - Preemption of Local Occupational Licensing – Rep. Joe Hardy

The bill expressly preempts the licensing of occupations to the state and supersedes any local government licensing of occupations, with the exception of local government licensing of occupations authorized by general law or occupational licenses imposed by a local government before January 1, 2021. However, the exception for local government licensing imposed by a local

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government expires July 1, 2023. Local government occupational licensing requirements in place by January 1, 2021 may not be increased or modified thereafter.

The bill specifically prohibits local governments from requiring a license for a person whose job scope does not substantially correspond to that of a contractor or journeyman type licensed by the Construction Industry Licensing Board, within the Department of Business and Professional Regulation. It specifically precludes local governments from requiring a license for: painting, flooring, cabinetry, interior remodeling, driveway or tennis court installation, handyman services, decorative stone, tile, marble, granite, or terrazzo installation, plastering, stuccoing, caulking, and canvas awning and ornamental iron installation. The bill authorizes counties and municipalities to issue journeyman licenses in the plumbing, pipe fitting, mechanical, and HVAC trades, as well as the electrical and alarm system trades, which is the current practice by counties and municipalities. As a result of this authorization in general law, local journeyman licensing is excepted from the preemption of local licensing to the state under the bill.

SB 912 - Tolling and Extension of Permits and Other Authorizations During States of Emergency – Sen. Ben Albritton

Section 252.363, F.S., of the State Emergency Management Act, provides that a state of emergency issued by the Governor for a natural emergency tolls the period remaining for a party to exercise rights under certain permits and other authorizations. The period remaining to exercise such rights is suspended for the duration of the state of emergency, plus an additional six months. The emergency tolling and extension afforded by this statute currently applies to the expiration of a development order issued by a local government, a building permit, and an environmental resource permit. SB 912 specifies additional permits and authorizations that may be tolled and extended during a state of emergency. These include consumptive use permits issued under Part II of ch. 373, F.S., and development permits and development agreements. The bill applies retroactively to any declaration of a state of emergency issued by the Governor for a natural emergency since March 1, 2020. Under this retroactive application, existing permits and authorizations added by the bill may receive the emergency tolling and extension for the state of emergency declared in response to the COVID-19 pandemic.

HB 1 - Combating Public Disorder – Rep. Fernandez-Barquin

The bill addresses acts of public disorder to define previously undefined offenses of affray, riot, and inciting a riot and create the offenses of aggravated rioting and aggravated inciting a riot.

The bill also:

- Provides that a municipality is civilly liable for specified damages proximately caused by the municipality's breach of a duty to allow the municipal law enforcement agency to respond appropriately to protect persons and property during a riot or an unlawful assembly;

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- Creates a budget appeal process to challenge reductions in municipal law enforcement agencies' budgets similar to that available to a county sheriff;
- Provides for a six-month mandatory minimum sentence for battery on a law enforcement officer if the offense was committed in furtherance of a riot or an aggravated riot;
- Increases the offense severity level rankings for assault and battery on a law enforcement officer or other specified official when the offense was committed in furtherance of a riot or an aggravated riot;
- Requires a person arrested for unlawful assembly, riot, and certain offenses committed in furtherance of a riot or aggravated riot, to be held in jail until he or she appears for a first appearance hearing and a court determines bond;
- Corrects constitutional infirmities in the current prohibition against obstructing a roadway;
- Increases penalties for assault and battery, and increases offense severity level rankings for aggravated assault and aggravated battery, when committed in furtherance of a riot or an aggravated riot;
- Creates the crime of mob intimidation, which prohibits a mob from using force or the threat of imminent force to compel or induce, or attempt to compel or induce, a person to do or refrain from doing any act or to assume, abandon, or maintain a particular viewpoint against that person's will;
- Punishes criminal mischief that involves damaging a memorial or historic property if the damage is greater than \$200, and requires restitution of the full cost of repair or replacement of the memorial or historic property;
- Creates the crime of destroying or demolishing a memorial or historic property and requires restitution of the full cost of repair or replacement of the memorial or historic property;
- Reclassifies the degree, and increases the offense severity level ranking, of specified burglary and theft offenses committed during a riot or an aggravated riot when facilitated by conditions arising from the riot;
- Creates the crime of cyberintimidation by publication, which prohibits a person from electronically publishing another person's personal identification information with the intent to incite violence or commit a crime against the person or threaten or harass the person, placing the other person in reasonable fear of bodily harm;
- Creates an affirmative defense in a civil action for damages for personal injury, wrongful death, or property damage that such action arose from injury or damage sustained by a participant acting in furtherance of a riot;
- Increases the offense severity ranking level of offenses involving injuring or removing a tomb or monument; and
- Ranks battery during a riot or an aggravated riot and other offenses in the offense severity level ranking chart of the Criminal Punishment Code.

HB 59 - Growth Management – Rep. Stan McClain

To manage growth in Florida, certain statutory procedures and requirements have been put in place for state agencies and local governments to follow and enforce.

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HB 59 makes many changes to growth management regulations including:

- Requires the comprehensive plan for a newly incorporated municipality that becomes effective after January 1, 2016, to incorporate all development orders existing before the plan's effective date, not to impair the completion of development in accordance with existing development orders, and to vest the density and intensity approved by the development orders existing before the plan's effective date without limitation or modification;
- Requires local governments to include a private property rights element in their comprehensive plans by specified dates and provides a model statement of rights that local governments may adopt;
- Allows the parties to a development agreement to amend or cancel the agreement without the consent of other property owners whose property was originally subject to the agreement, unless the amendment or cancellation would directly modify the allowable uses or entitlements of such owners' property;
- Specifies that development agreements for certain developments of regional impact may be amended using the processes adopted by local governments for amending development orders and specifies that such amendment may authorize the developer to exchange approved land uses under certain conditions; and
- Requires the Florida Department of Transportation, when selling property, to provide a right of first refusal to the prior property owner in certain instances and provides a process for implementing this right of first refusal. The bill provides a declaration that the act fulfills an important state interest.

HB 337 - Impact Fees – Rep. Nick DiCeglie

Impact fees are imposed by counties, municipalities, and some special districts to fund local infrastructure needed to expand local services to meet the demands of population growth caused by development. HB 337 makes several changes to how impact fees are assessed.

The bill provides that if a local government, school district, or special district impact fee increases up to 25 percent above the current rate, the increase must be implemented in two equal annual increments. If a fee is increased between 25 and 50 percent above the current rate, the phase in is four equal installments. No impact fee increase may exceed 50 percent and an impact fee may not be increased more than once every four years. The bill provides an exception to these requirements if a local government, school district, or special district establishes the need for the increased impact fee pursuant to the rational nexus test, uses a study showing the extraordinary circumstances requiring the additional increase that was completed within 12 months before the increase, holds at least two publicly-noticed workshops, and adopts the increase by at least a two-thirds vote.

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Additionally, an impact fee may not be increased retroactively for a previous or current fiscal or calendar year. The impact fee increase limitations operate retroactively to January 1, 2021. The bill revises a current affidavit requirement by requiring a local government, school district, or special district to submit with its annual financial report or its financial audit report an affidavit signed by its chief financial officer attesting, to the best of his or her knowledge, that all impact fees were collected and expended in compliance with the statute, the reporting entity complied with the spending period provision in the local ordinance or resolution, and that the funds were expended only for the uses allowed under the statute. The Revenue Estimating Conference, on March 12, 2021, determined the bill would have a negative indeterminate impact on local government revenues.

HB 839 - Express Preemption of Fuel Retailers and Related Transportation Infrastructure – Rep. Tom Fabricio

The bill expressly preempts a municipality, county, special district, or political subdivision from prohibiting the siting, development, or redevelopment of a fuel retailer or the necessary related transportation infrastructure within the local government's jurisdiction. The bill further preempts any action by a municipality, county, special district, or political subdivision resulting in a de facto jurisdiction-wide prohibition against a fuel retailer or the necessary related transportation infrastructure. The bill preempts mandating any required infrastructure on a fuel retailer, including electric vehicle charging stations. The bill does not preempt a municipality, county, special district, or political subdivision from adopting and implementing ordinances, regulations, policies, or resolutions on the siting, development, or redevelopment of fuel retailers or necessary related transportation infrastructure that are consistent with other allowable uses and general law. The bill defines the term "fuel retailer" as a fuel station or retail site selling fuel to power vehicles. "Related transportation energy infrastructure" is defined as "storage tanks, pipelines, or any related equipment that is necessary to deliver fuel to a fuel retailer or dispense fuel at a fuel retailer."

HB 1059 - Construction Permits – Rep. Jason Fischer

A development order is issued by a local government and grants, denies, or grants with conditions an application for a development permit. HB 1059 makes several changes to how municipalities must operate their construction permitting program.

The bill requires local governments to review additional information for an application for a development permit or development order within a certain time-period. HB 1059 requires local enforcement agencies to:

- post each building permit application, including a list of any required attachments, such as drawings or plans, on their websites;
- allow applicants to submit completed building permit applications electronically including any required payments and attachments, such as plans;
- post the current status of every received building permit application on their website; and

MAYOR AND CITY COUNCIL

May 10, 2021

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- post their procedures for reviewing, processing, and approving building permit applications on their websites.

Additionally, the bill requires government entities, which enforce the Building Code, that fail to meet current established deadlines for reviewing building permit applications to reduce the fee for such permits for every business day that they miss the deadline, unless the applicant agrees to a longer period. It also requires government entities that deny a building permit application for a single-family residential dwelling to allow the applicant 10 business days to correct the application and prohibits government entities from requiring a copy of a contractor's contract with owners, subcontractors, or suppliers in order to obtain a building permit for projects on commercial property. This bill does not apply to projects for improvements owned or leased by a government entity.

SB 694 - Waste Management – Sen. Ray Rodrigues

SB 694 amends the requirement that a local government must either provide three years' notice before its solid waste collection service displaces a private waste company or pay the displaced company an amount equal to the company's preceding 15 months' gross receipts for the displaced service. The bill requires a local government that displaces a solid waste collection service to provide a three-year notice period and pay the displaced company an amount equal to the company's preceding 18 months' gross receipts at the end of the notice period. The bill specifies that this does not apply to any displacement where the local government provided three years notice on or before December 31, 2020. The bill defines the term "storm-generated yard trash" to expressly include storm-generated debris. It further provides that a private solid waste or debris management service provider is not required to collect such debris unless it is otherwise specified in a contract or agreement with a local government. The bill also requires the Department of Environmental Protection (DEP) to review and update their 2010 Retail Bags Report. The DEP must submit the updated report with conclusions and recommendations to the Legislature by December 31, 2021. Until such time that the Legislature adopts the recommendations of the DEP, a local government, local governmental agency, or state governmental agency may not enact any rule, regulation, or ordinance regarding use, disposition, sale, prohibition, restriction, or tax of such auxiliary containers, wrappings, or disposable plastic bags.

SB 50 – Taxation – Sen. Joe Gruters

SB 50 requires retailers with no physical presence in Florida to collect Florida's sales tax on sales of taxable items delivered to purchasers in Florida if the retailer makes a substantial number of sales into Florida or provides for the taxation of sales facilitated through a marketplace provider. The bill also deletes a provision that exempts an out-of-state dealer that makes retail sales into Florida from collecting and remitting any local option surtax. The bill temporarily diverts the increased collections in sales tax, due to this bill, to the Unemployment Compensation Trust Fund until it is replenished to pre-pandemic levels. The bill reduces the business rent tax from 5.5% to 2% once the Trust Fund reaches its pre-pandemic balance.

MAYOR AND CITY COUNCIL

May 10, 2021

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HB 401- Florida Building

HB 401 amends the Florida Building Codes Act to add several new provisions. Specifically, the bill allows a substantially affected person to petition the Florida Building Commission for a non-binding advisory opinion on whether a local government regulation is an improper amendment to the Building Code and establishes a process for such petitions. The bill prohibits a municipality, county, or special district from using preliminary maps issued by the Federal Emergency Management Agency for any law, ordinance, rule, or other measure that has the effect of imposing land use changes or permits.

The Commission may issue an “errata to the code” to list demonstrated errors in provisions contained within the Building Code if the determination of errors and issuance of an errata code is approved by a 75 percent supermajority vote of the Commission. A local government may not require a contract between a builder and an owner as a condition to apply for, or to obtain, a building permit. The bill makes several changes to current law pertaining to private building inspectors, known as “private providers,” by:

- Expressly authorizing private providers to conduct virtual building inspections.
- Allowing private provides to submit various inspection forms, records, and reports electronically to local building departments and utilize electronic signatures.
- Allowing private providers to conduct “single-trade inspections,” as defined in the bill.
- Creating a “qualified private provider” registration process and providing that a qualified private provider, as defined in the bill, does not need to include information other than the services to be performed in their written notice to the local building official that a private provider has been contracted to perform inspections.
- Authorizing a private provider to conduct emergency inspection services without first notifying the local building official.

Additionally, the bill requires that when an owner or contractor retains a private provider to perform plans reviews or building inspection services a local enforcement agency must to reduce its permit fee by the amount of costs savings realized for not having to perform such services. The reduction may be calculated as a flat fee, on a percentage basis, or any other reasonable basis by which the local enforcement agency assesses the costs for plans review or building inspection services. The bill expressly authorizes local governments and school districts to use a private provider to provide building code inspection services for public works projects and improvements to any building or structure.

A local government may use excess funds generated by building code enforcement for the construction of a building or structure that houses the local government’s building department or provides training programs for building officials, inspectors, or plans examiners. However, a local government using excess funds to construct a building or structure must designate the funds for that purpose and may not carry forward the funds for more than four consecutive years.

MAYOR AND CITY COUNCIL

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The bill requires the Commission to adopt rules for approving product evaluation entities in addition to those entities already listed and approved in current law and clarifies the Commission may suspend product evaluation entities. The Senate adopted an amendment that included the substance of HB 55/SB 284 - Building Design, by Rep. Overdorf and Sen. Perry to prohibit local governments from regulating specific "building design elements" for single-family or two-family residential dwellings, with certain exceptions including:

- Dwellings on the National Register of Historic Places or located in a historic district.
- Regulations are adopted to implement the National Flood Insurance Program.
- Regulations are adopted to comply with Chapter 553.
- Dwellings are located in the community redevelopment area.
- Regulations are required to ensure protection of coastal wildlife in compliance with current law.
- The dwelling is located within a planned unit development or master planned community created by ordinance, resolution or other final action of the local governing body.
- The dwelling is located within the jurisdiction of a local government that has a design review board or architectural review board.

The bill defines the term "building design elements" and the term "planned unit development" or "master planned community." This provision does not affect the validity or enforceability of private covenants or other contractual agreements relating to building design elements.

A provision added by the Senate to allow the owner of an onsite sewage treatment and disposal system, or the owner's contractor, to select a private provider to provide certain inspection services of such systems in lieu of the Department of Health was approved as part of the Senate's amendment. However, the House rejected this provision, and it was removed before final passage of the bill.

SB 1946 – Anchoring Limitation Area – Sen. Tina Polsky

SB 1946 provides that, notwithstanding the existing prohibition on local regulation of anchoring of vessels outside of the marked boundaries of mooring fields, a county may establish an anchoring limitation area adjacent to urban areas that have residential docking facilities and significant recreational boating traffic, which meets certain requirements imposed under the bill.

The bill provides that the aggregate total of anchoring limitation areas in a county may not exceed 10 percent of the county's delineated navigable-in-fact waterways.

The bill provides that each anchoring limitation area must:

- Be less than 100 acres in size;
- Not include any mooring field or marina; and
- Be clearly marked with signs and buoys.

MAYOR AND CITY COUNCIL

May 10, 2021

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The bill prohibits a person from anchoring a vessel for more than 45 consecutive days in a 6-month period in an anchoring limitation area, except under existing exceptions. The bill requires counties proposing establishment of an anchoring limitation area to provide notice to the Fish and Wildlife Conservation Commission (FWC) 30 days before final adoption of an ordinance. The bill requires FWC to publish notice of the proposed ordinance.

The bill provides an opportunity for a vessel owner or operator to provide proof that the vessel has not exceeded the time limitation on anchoring, upon an inquiry by a law enforcement officer or agency. If the vessel owner or operator fails or refuses to provide such proof, the bill authorizes a law enforcement officer or agency to issue a citation, and later remove and impound the vessel. A vessel that is the subject of more than three violations within 12 months, which resulted in dispositions other than acquittal or dismissal, is a public nuisance and subject to existing procedures for abandoned or lost property and relocation and removal of derelict vessels. The bill expressly grandfathers-in the geographic areas already designated anchoring limitation areas in Florida Statutes.



AGENDA REQUEST FORM

CITY OF CAPE CORAL

Item Number:	B.(2)
Meeting Date:	5/12/2021
Item Type:	DISCUSSION

TITLE:

2021 Hurricane Season Preview - Presented by Ryan Lamb, Fire Chief/Emergency Management Director

REQUESTED ACTION:

Informational

SUMMARY EXPLANATION AND BACKGROUND:

Emergency management overview and 2021 hurricane season preview.

STRATEGIC PLAN ALIGNMENT:

1. Is this a Strategic Decision? Yes

If Yes, Priority Goals Supported are listed below.

If No, will it harm the intent or success of the Strategic Plan?

ELEMENT E: INCREASE QUALITY OF LIFE FOR OUR CITIZENS BY DELIVERING PROGRAMS AND SERVICES THAT FOSTER A SAFE COMMUNITY

Recommendations:**SOURCE OF ADDITIONAL INFORMATION:**

Ryan W. Lamb, Fire Chief/Emergency Management Director
(239) 242-3601
rlamb@capecoral.net

FISCAL IMPACT/FUNDING SOURCES(S)/BUDGET CONSIDERATIONS:

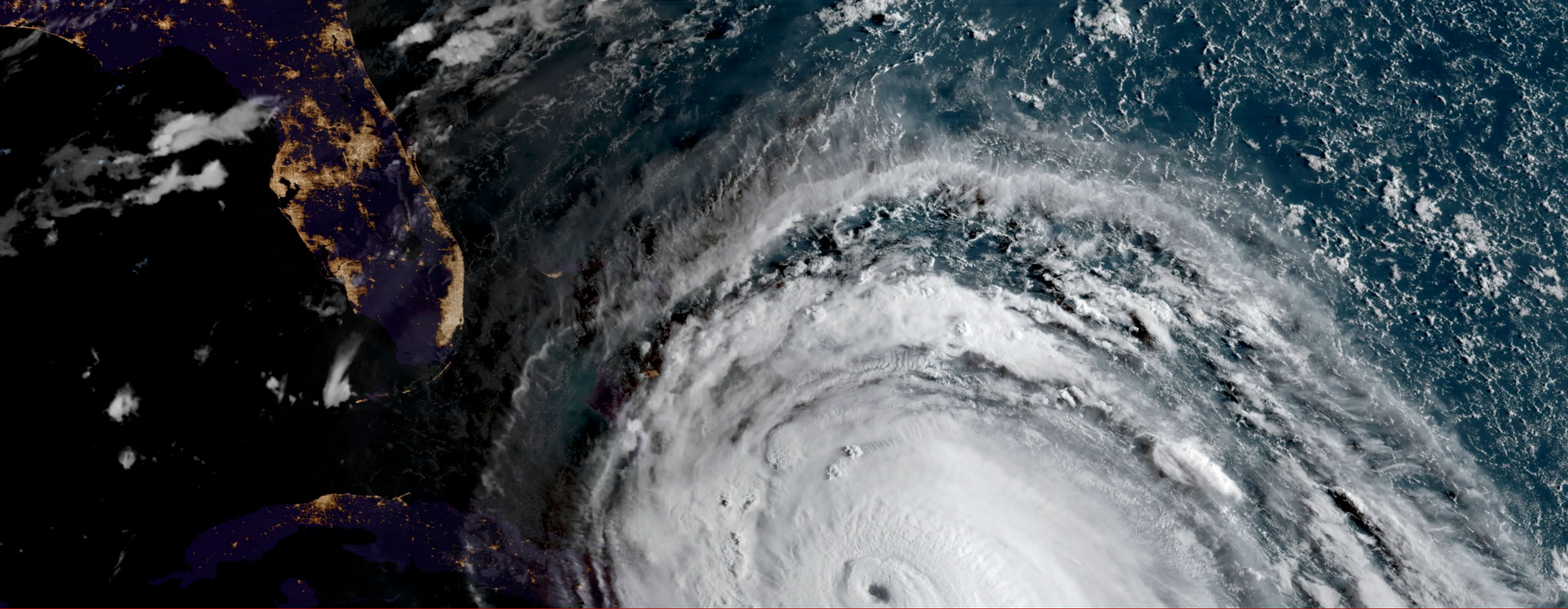
1. Will this action result in a Budget Amendment?

PREPARED BY:

Linda A. Kurzmann Division- Administration Department- Fire

ATTACHMENTS:

Description	Type
1. Staff Presentation	Presentation



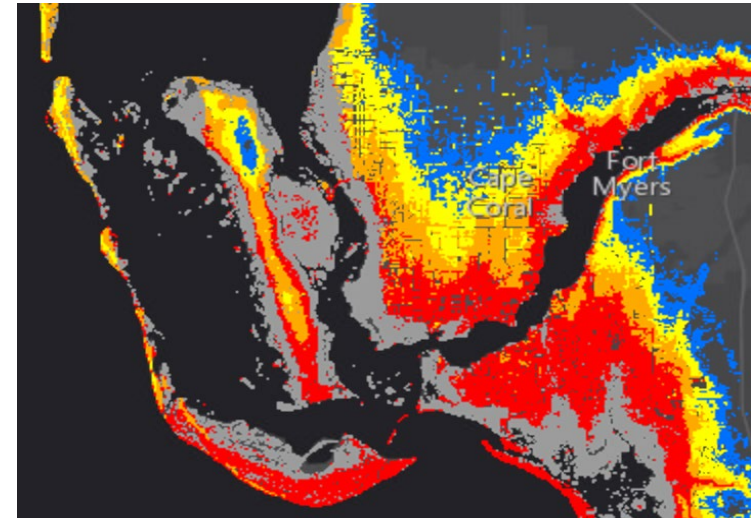
2021 Hurricane Season Preview





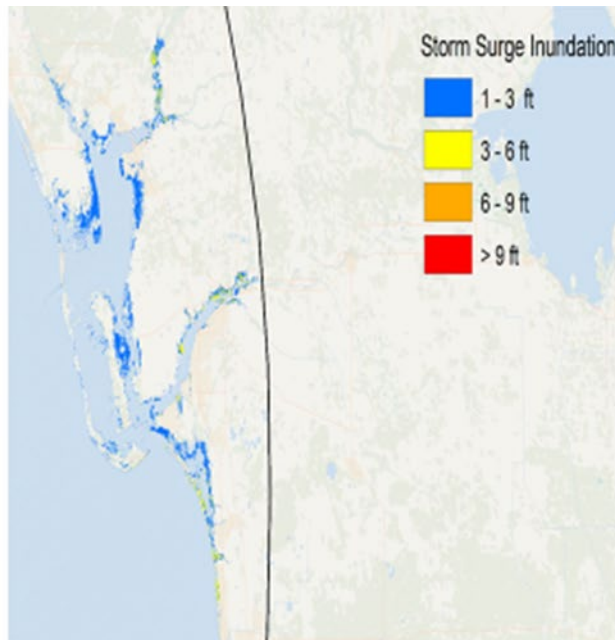
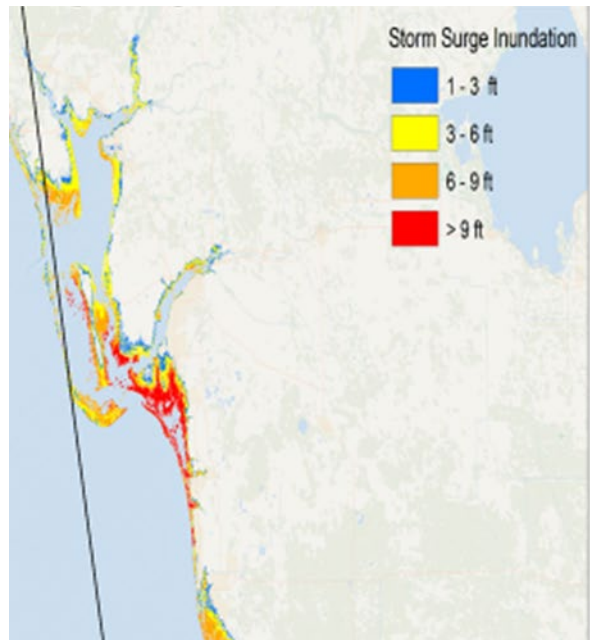
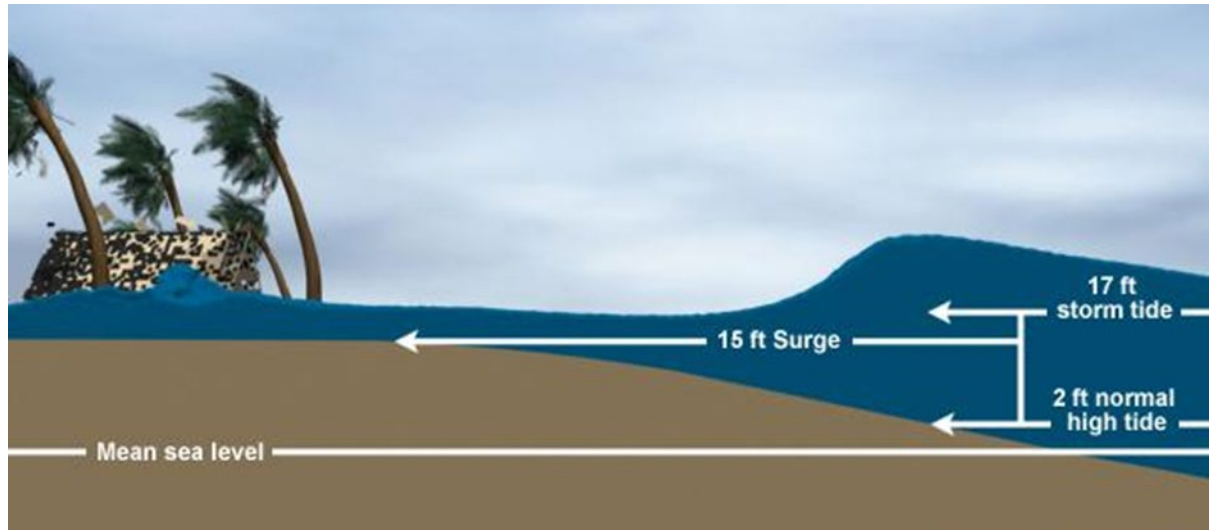
Hurricane

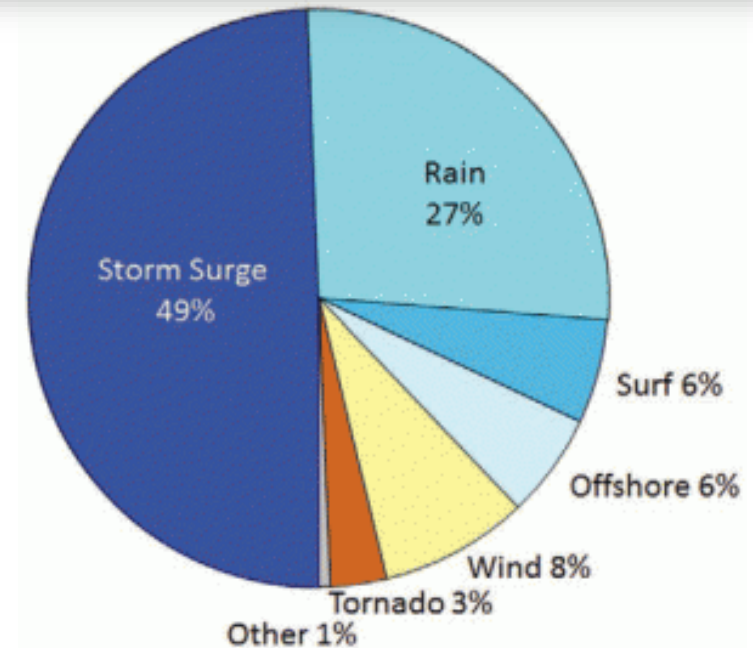
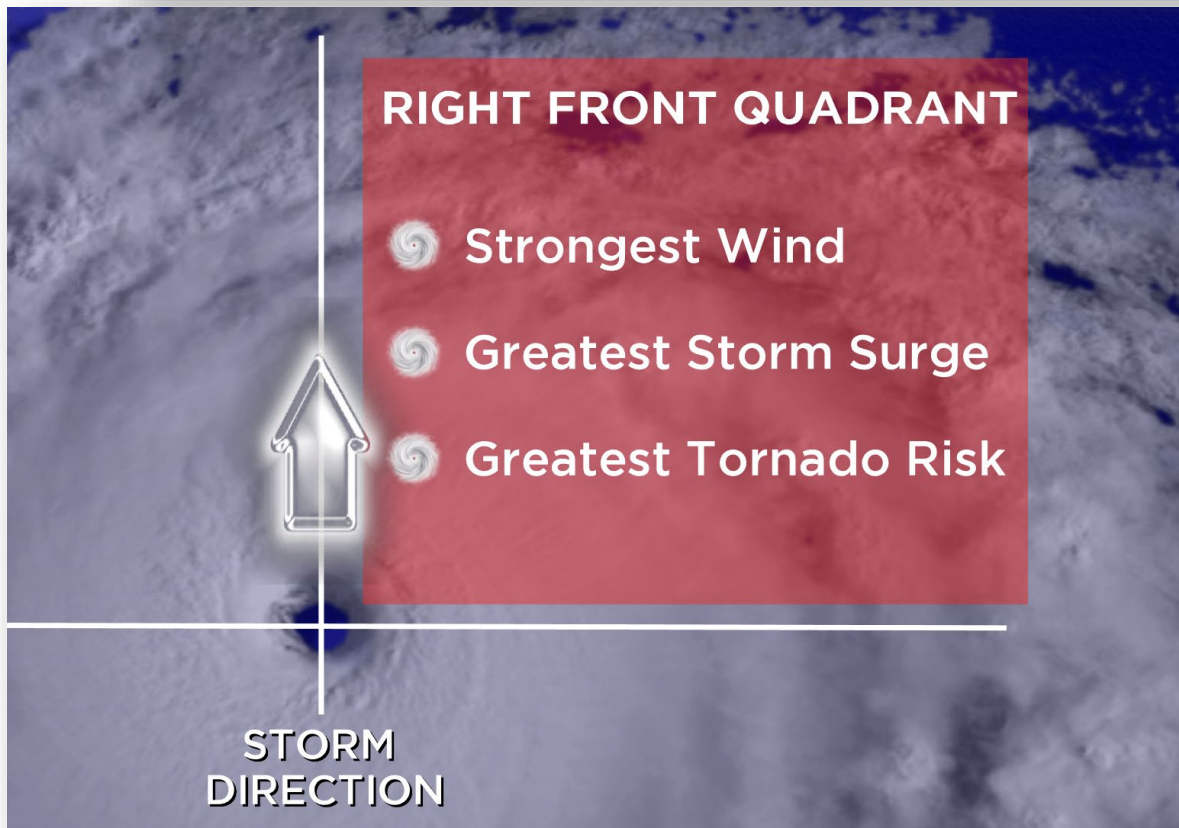
Wind, Rain, & Surge



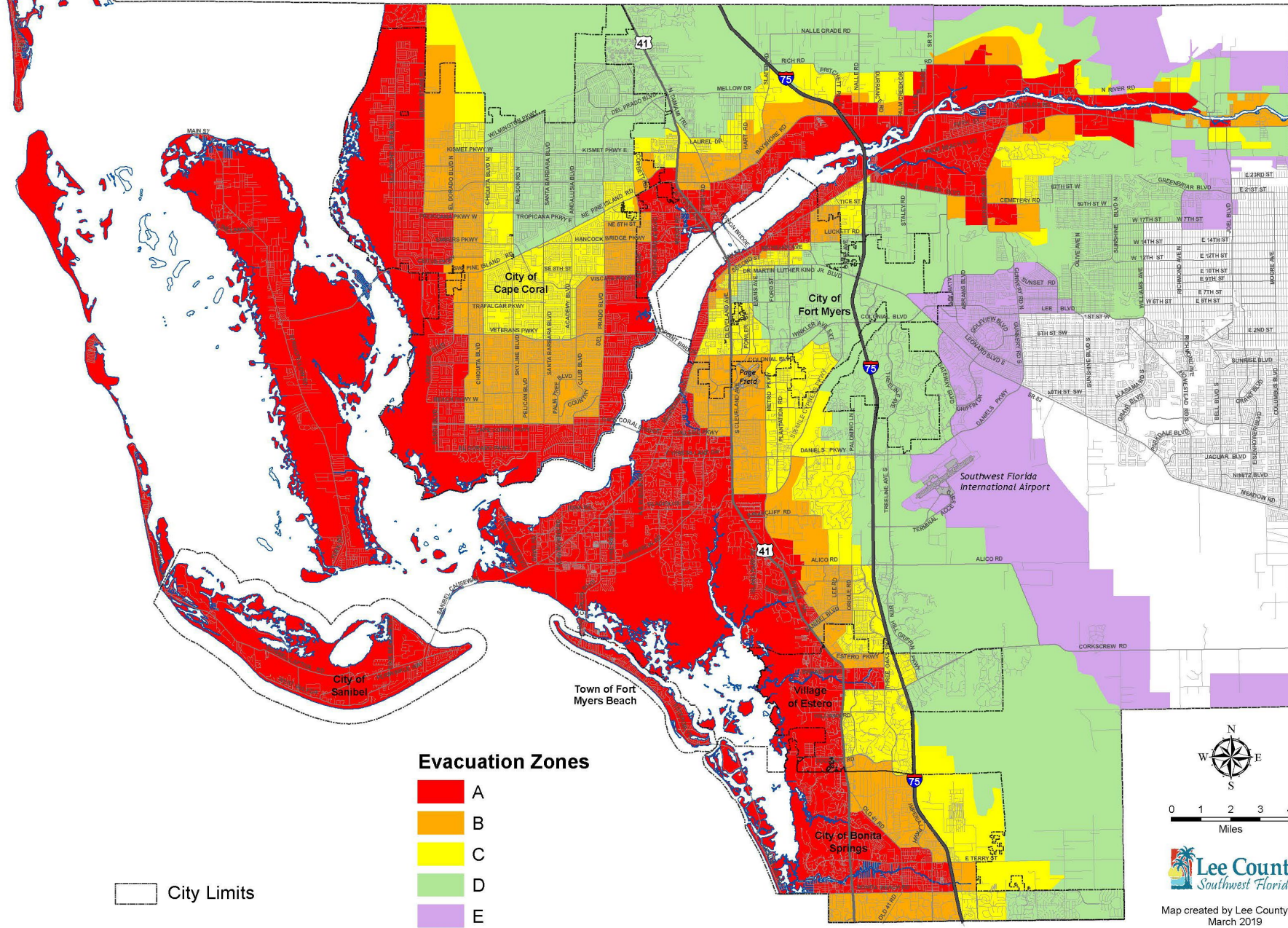
Damage & Debris







Cause of death in the United States directly attributable to Atlantic tropical cyclones, 1963–2012.



Source: Lee County Emergency Management



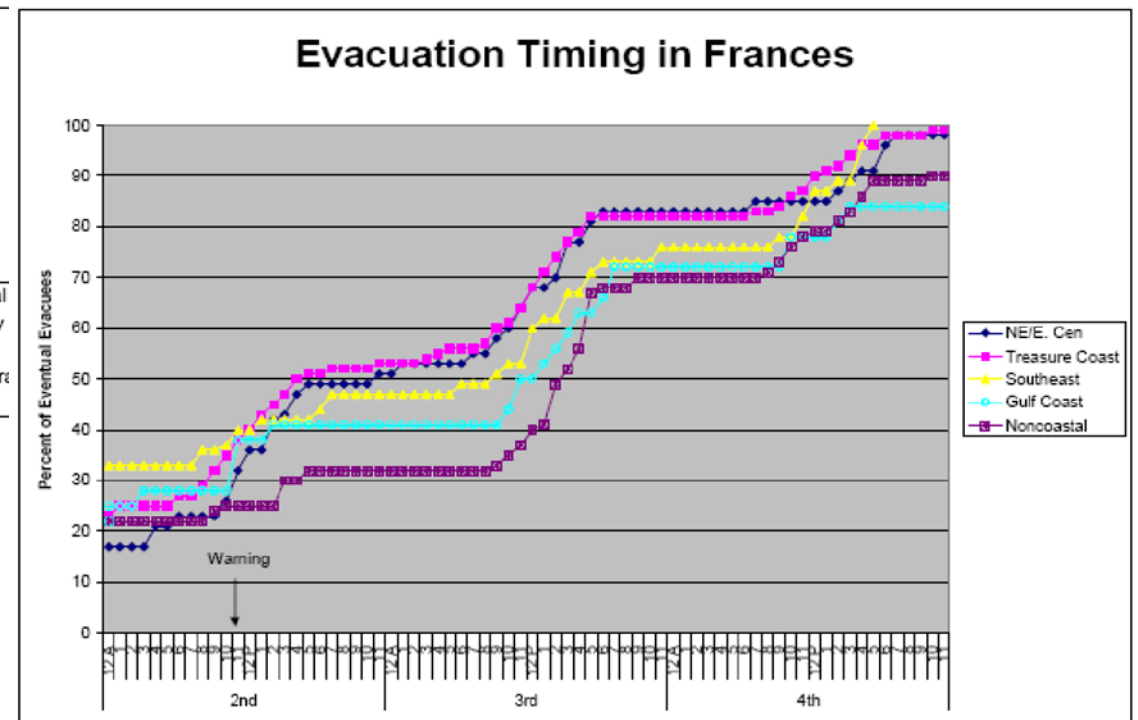
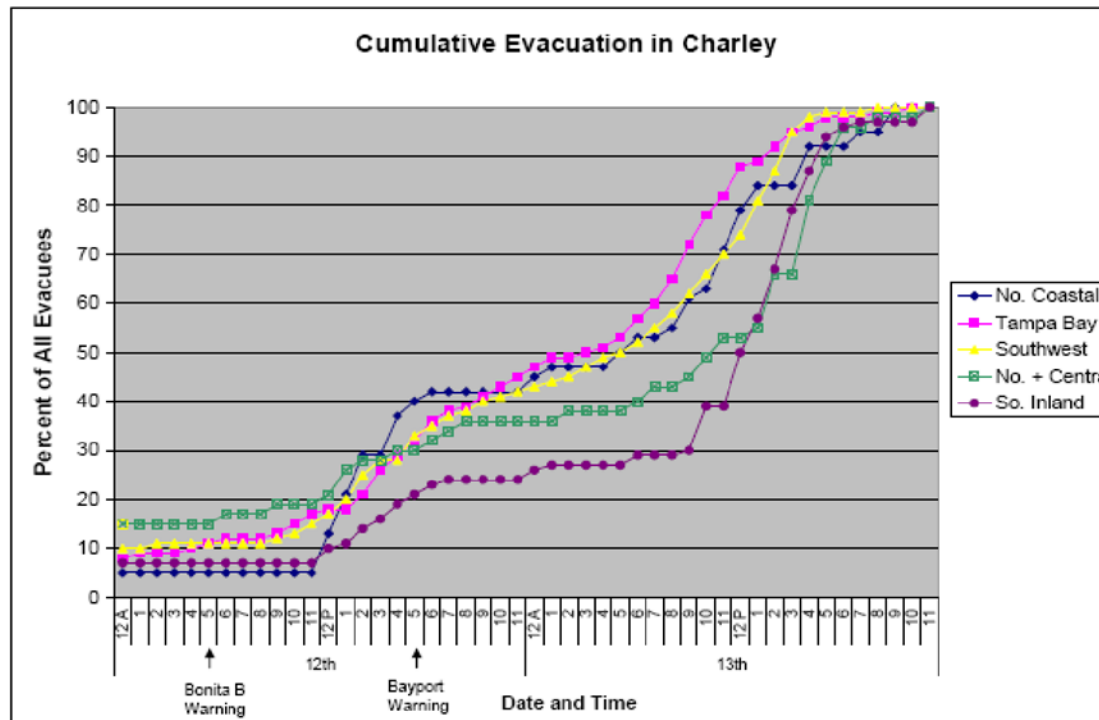
Sheltering



Evacuation



Run from the Water, Hide from the Wind



Watch vs. Warning

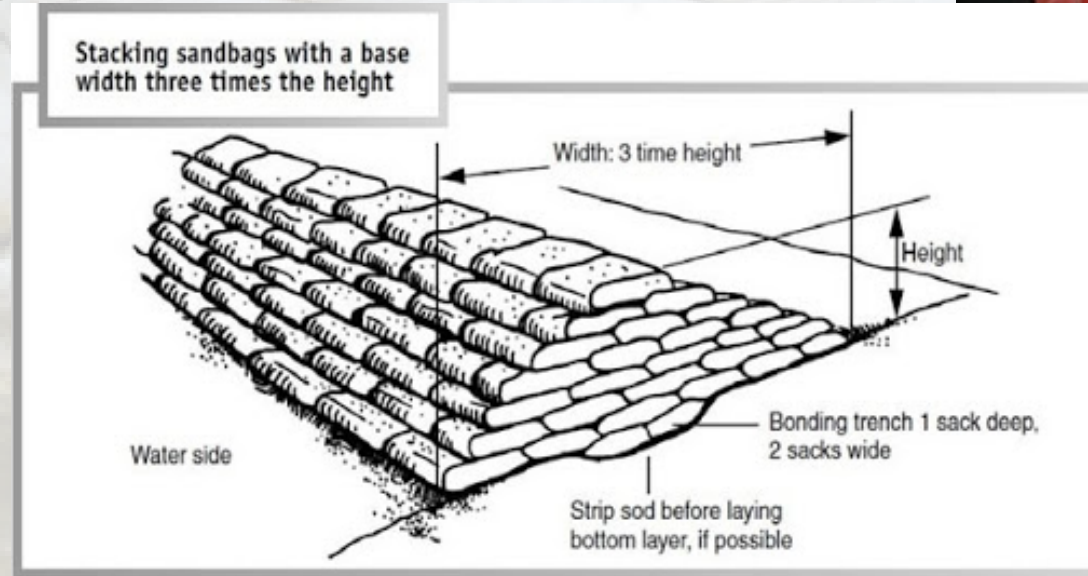
- **Watch:** means that hurricane conditions are possible in an area within 48 hours.
- **Warning:** means that hurricane conditions are expected in an area within 36 hours.

Emergency Services Stop and Start?

- Sustained winds of 45 mph
- First push
- Call holding and prioritization

Sandbags? No.

- How many?
 - To protect a typical home from 1 ft of water: 300 sandbags, 12,000 lbs. of sand.
- Time?
- Egress?
- Effective?
- After?



Ice? No.

- Large energy and resource demand
- Short duration
- Commercially available
- Life needs?
- Reception (cooling) centers



A large group of people are seated at round tables in a conference room, working on laptops. In the foreground, a man is looking at a laptop displaying a map. In the background, two large projection screens show presentations. The left screen is titled 'Tampa Bay Area' and the right screen is titled 'Wind Timing'. The room is dimly lit, with the primary light source being the screens and overhead lights. The text 'Emergency Management' is overlaid in large white font on the right side of the image.

Emergency Management

EM Role:

- Resilient Community
- All Hazards Approach
- All Disasters are Local





CAPE CORAL EMERGENCY MANAGEMENT EMERGENCY OPERATIONS CENTER FLASH REPORT #004

The City of Cape Coral EOC Flash Report contains Security Sensitive Information, and as such is exempt from the Freedom of Information Act. Additionally, the City of Cape Coral EOC Flash Report, in its entirety, shall be held as confidential information. Document is not to be disseminated without the prior written consent of the City of Cape Coral Fire Chief / Emergency Management Director or their designee.

INCIDENT NAME: **TROPICAL STORM LAURA**

DATE: **8/23/2020**

TIME: **0500**

EOC ACTIVATION LEVEL: **LEVEL II – PARTIAL ACTIVATION**

LOCAL STATE OF EMERGENCY: **No**

PREPARED BY: **ALVIN HENDERSON JR. - EMDM**



Key Messages for Tropical Storm Laura

Advisory 14: 5:00 AM EDT Sun Aug 23, 2020



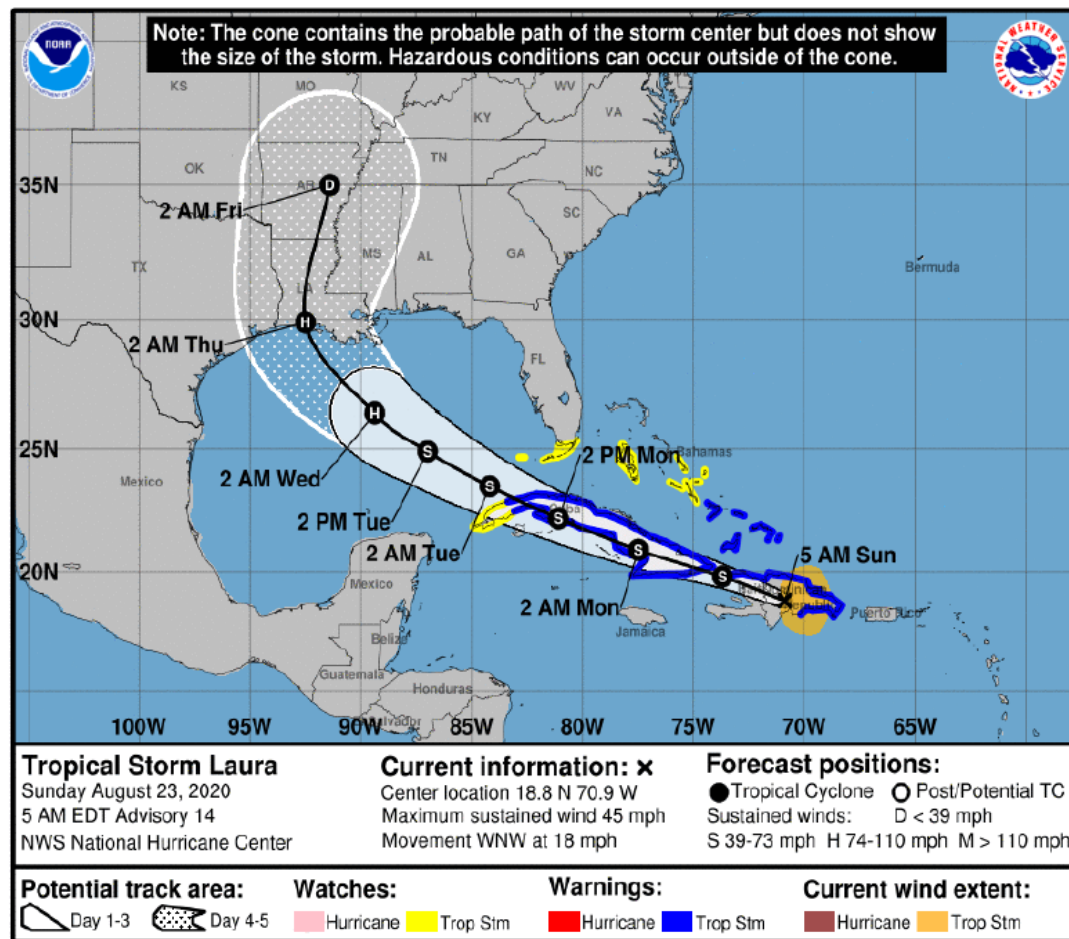
1. Tropical storm conditions are expected across portions of the Dominican Republic and Haiti, the Turks and Caicos, the southeastern Bahamas, and Cuba through Monday. Heavy rainfall is likely across these areas and could cause mudslides and flash and urban flooding.

2. Tropical storm conditions are possible the central Bahamas and Andros Island tonight and Monday, and in the Florida Keys on Monday.

3. The details of the long-range track and intensity forecasts remain uncertain since Laura is forecast to move near or over portions of the Greater Antilles through Monday. However, Laura is forecast to strengthen over the Gulf of Mexico and could bring storm surge, rainfall, and wind impacts to portions of the U.S. Gulf Coast by the middle of next week. This could result in a prolonged period of hazardous weather for areas that are likely to be affected by Tropical Storm Marco earlier in the week. Interests there should monitor the progress of Laura and Marco and updates to the forecast during the next few days.



For more information go to hurricanes.gov

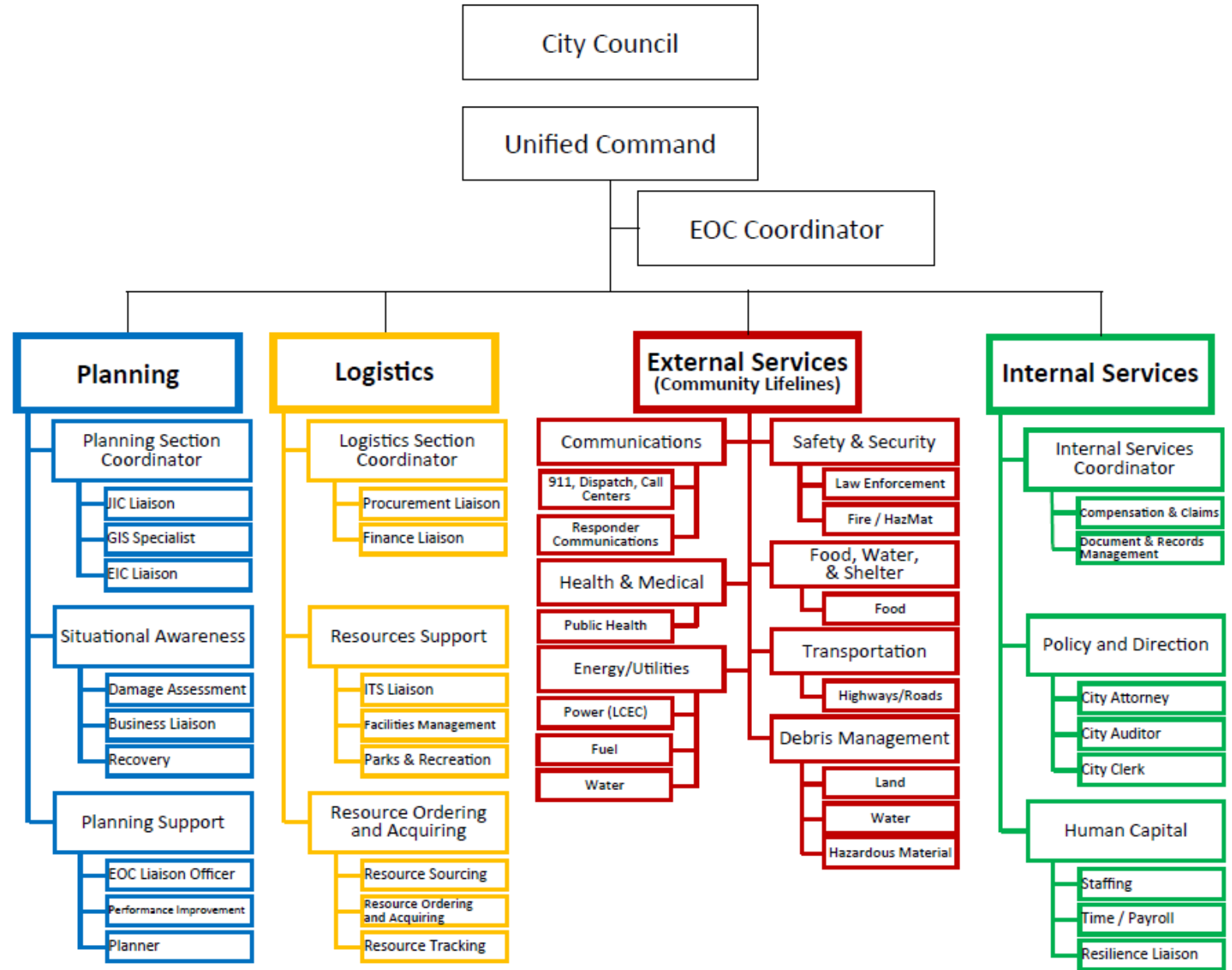


EOC Activation

ACTIVATION LEVEL		DESCRIPTION
IV	Normal Operations	Normal operations and routine monitoring
III	Enhanced Monitoring	Heightened monitoring and analysis of specific incident/event
II	Partial Activation	Need for limited EOC support; or exceeds one operational period
I	Full Activation	Need for significant assistance, or several operational periods

Emergency Operations Center

~100 people in the EOC
~600 people in field
Feed/sleep





Community Lifelines

Definition

A lifeline enables the continuous operation of **critical business** and **government functions** and is essential to **human health** and safety or economic security.

Purpose

Root Cause Analysis

Interdependencies

Prioritization

Ease of Communication

Assessing

Status → What?

Impact → So What?

Actions → Now What?

Limiting Factors → What's the Gap?

Stabilization

Occurs when basic lifeline services or capabilities are provided to survivors (may be temporary solutions requiring sustainment).

COMPONENTS of Lifelines



Safety and Security



Law Enforcement/Security



Fire Services



Search and Rescue



Government Services



Community Safety



Food, Water, Shelter



Food



Water



Shelter



Agriculture



Health and Medical



Medical Care



Patient Movement



Public Health



Fatality Management



Medical Supply Chain



Energy (Power & Fuel)



Power (Grid)



Fuel



Communications



Infrastructure



Alerts, Warnings, and Messages



911 and Dispatch



Responder Communications



Finance



Transportation



Highway/Roadway



Mass Transit



Railway



Aviation



Maritime



Hazardous Materials

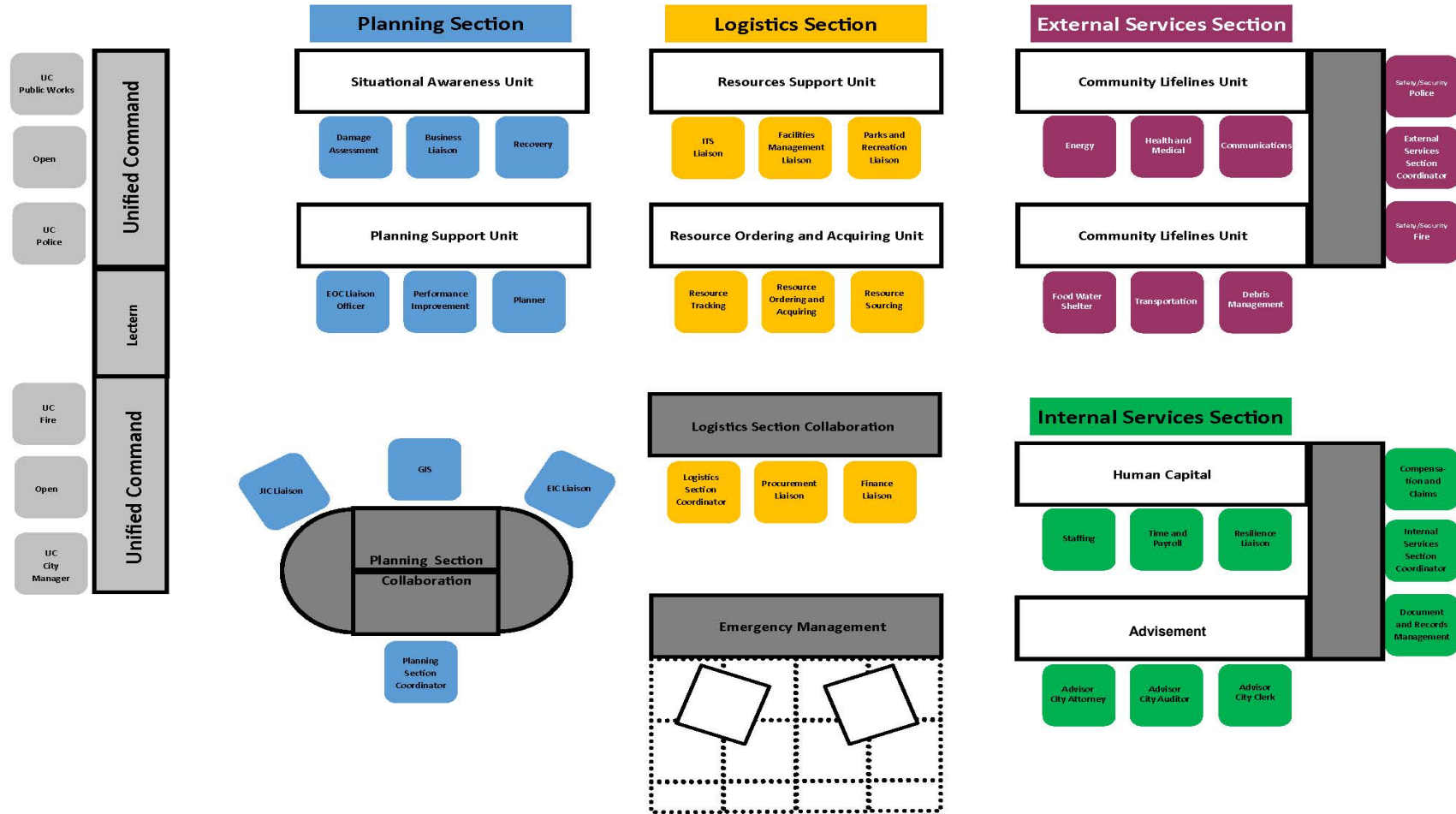


Facilities



HAZMAT, Pollutants, Contaminants

All-Hazards Community Lifelines EOC Layout



Emergency
Operations
Plan

Continuity of
Operations
Plans



Local State of Emergency

CAPE CORAL CHAPTER 8 ARTICLE IV: EMERGENCY MANAGEMENT

- City Manager has the power, duty, and authority to declare a Local State of Emergency
 - Must inform City Council and provide notice to public
 - Expires after seven days, unless renewed
- City Manager can
 - Implement emergency plans
 - Obligate emergency expenditures
 - Act on behalf of the City
 - Direct debris operations
 - Access private roads and gated communities
 - Restrict freshwater usage
 - Suspend alcohol sales
 - Enact curfew
 - Penalties for unconscionable pricing
 - Authorize debris removal
 - Suspend time period tolls

Local State of Emergency

CAPE CORAL CHAPTER 2 ARTICLE III: EMERGENCY PAY

During Declared Emergencies

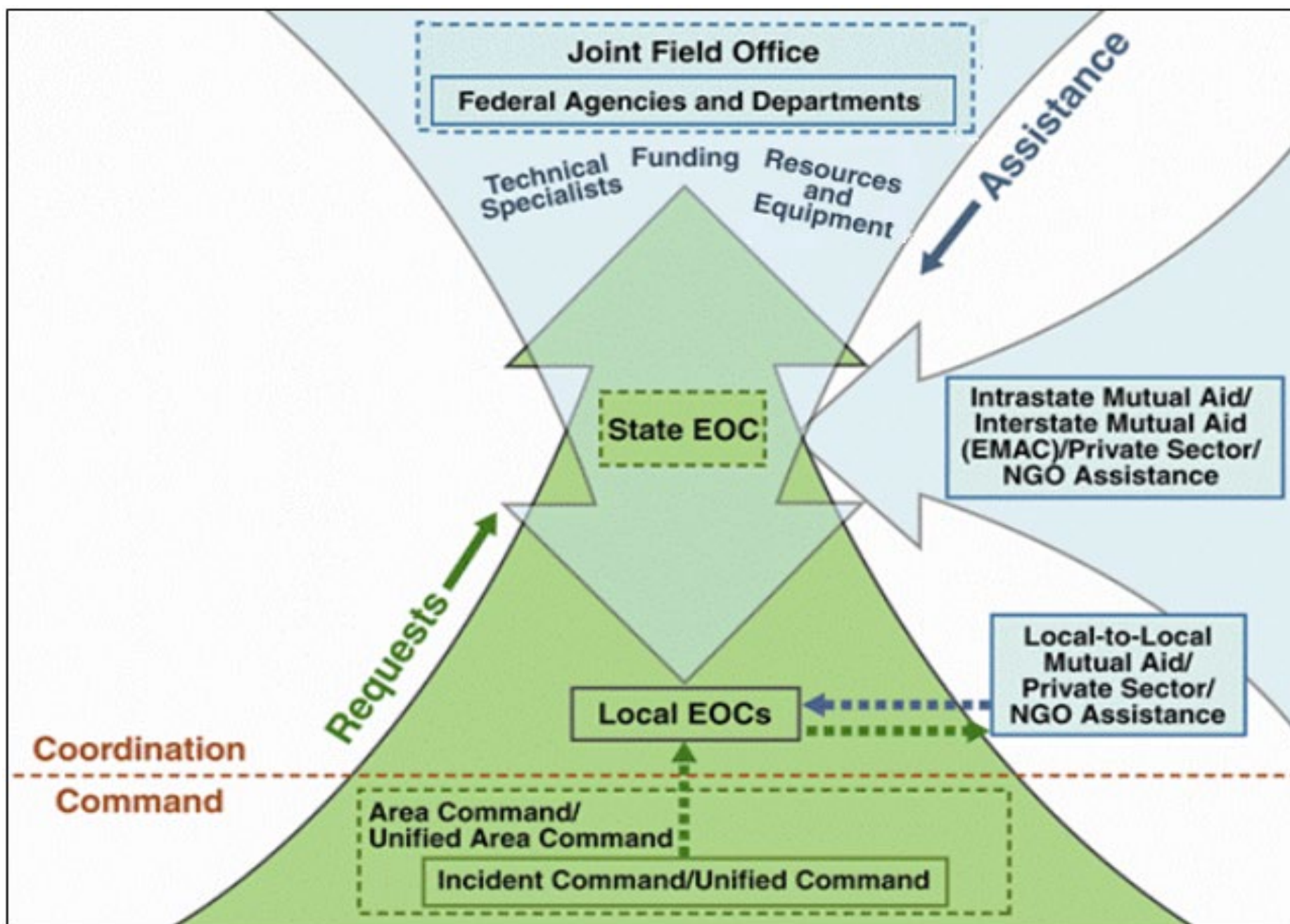
- Non-exempt employees
 - Double-time pay for any hours worked
 - Normal rate of pay if not requested to work
- Exempt employees:
 - Compensated for all hours worked at normal equivalent hourly rate of pay
 - Normal rate of pay if not requested to work
- Collective Bargaining Agreements (CBAs)



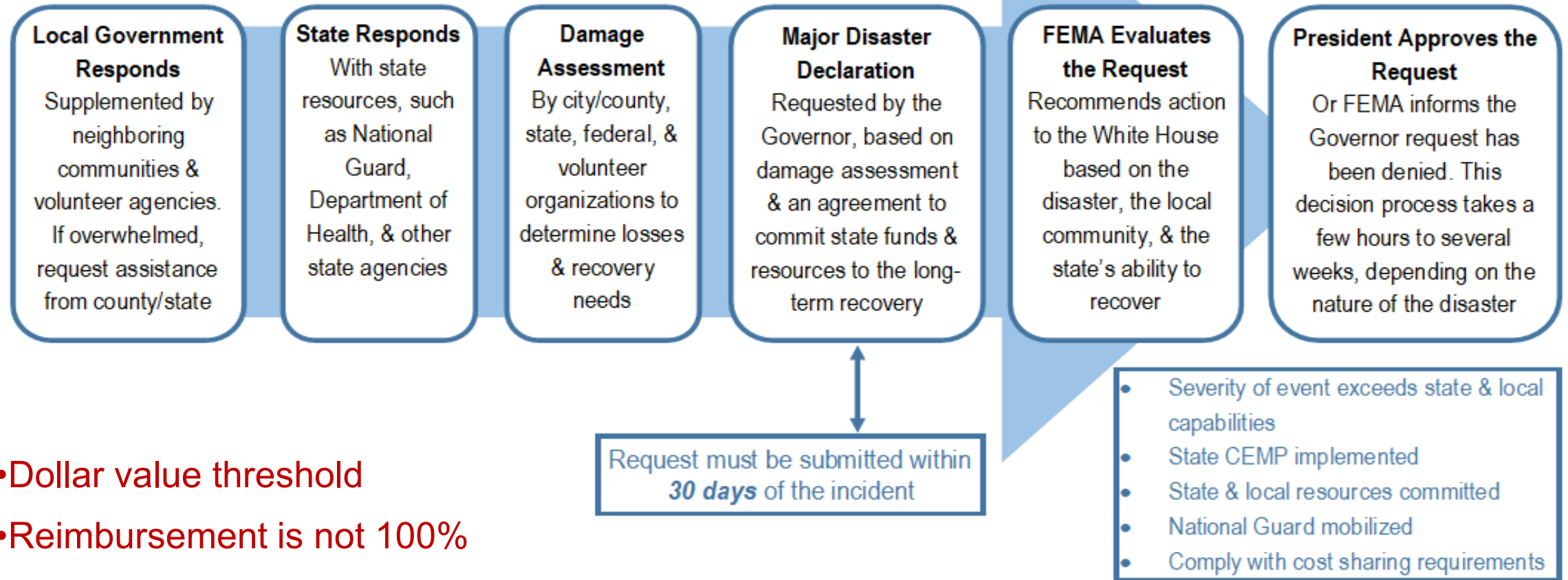
Role of Elected Officials

- Before
 - Build relationships with peers and community groups
 - Encourage constituents to have individual, family, and business emergency plans
- During
 - Be a good example
 - Provide a unified message with accurate information
- After
 - Advocate for County, State, and Federal resources
 - Help coordinate cleanup efforts
 - Fiscal decisions



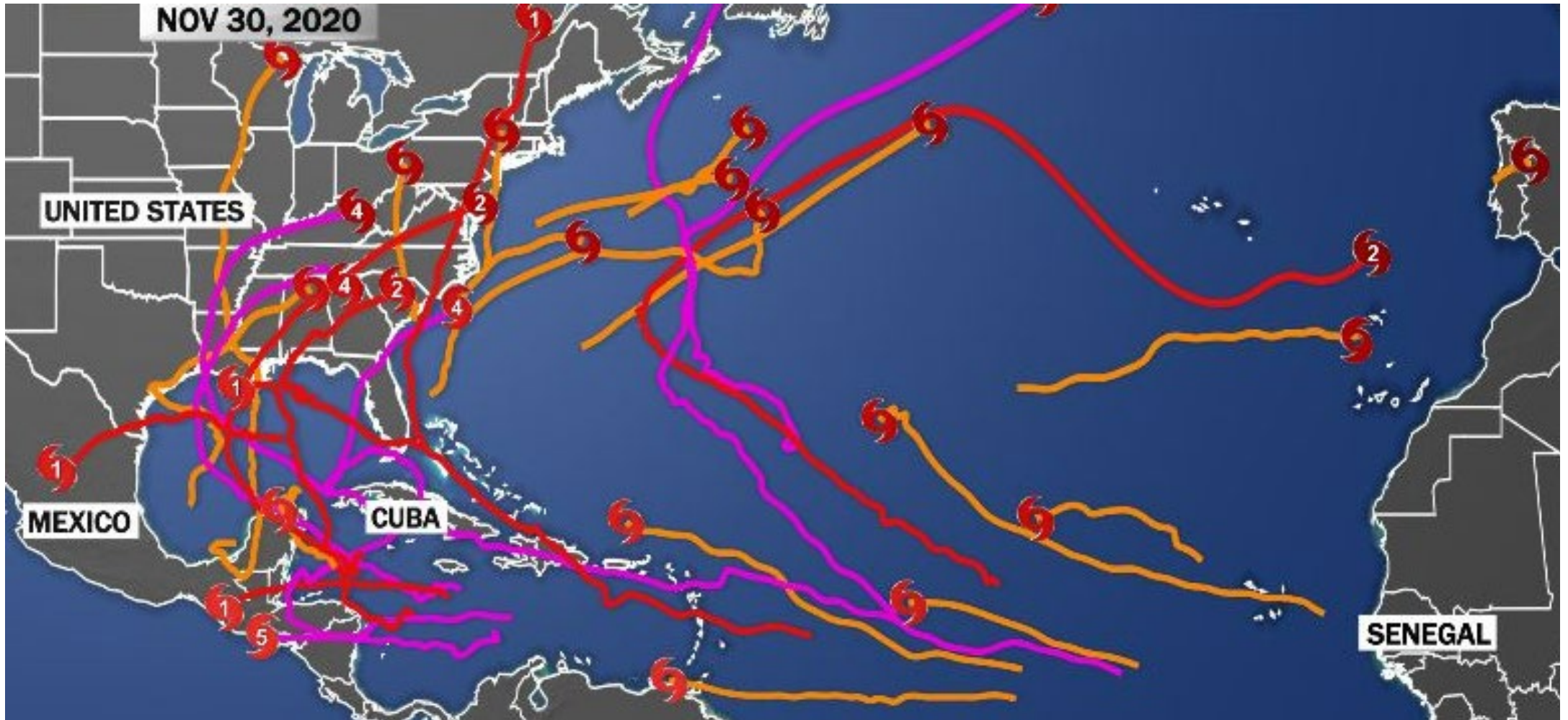


Declaration Request Process



- Dollar value threshold
- Reimbursement is not 100%
- Reimbursement takes years
- SBA and Individual Assistance

2020 Hurricane Season



2021 Hurricane Season

Forecast Parameters	Forecast for 2021	Average 1981-2010
Named Storms	17	12.1
Hurricanes	8	6.4
Major Hurricanes	4	2.7

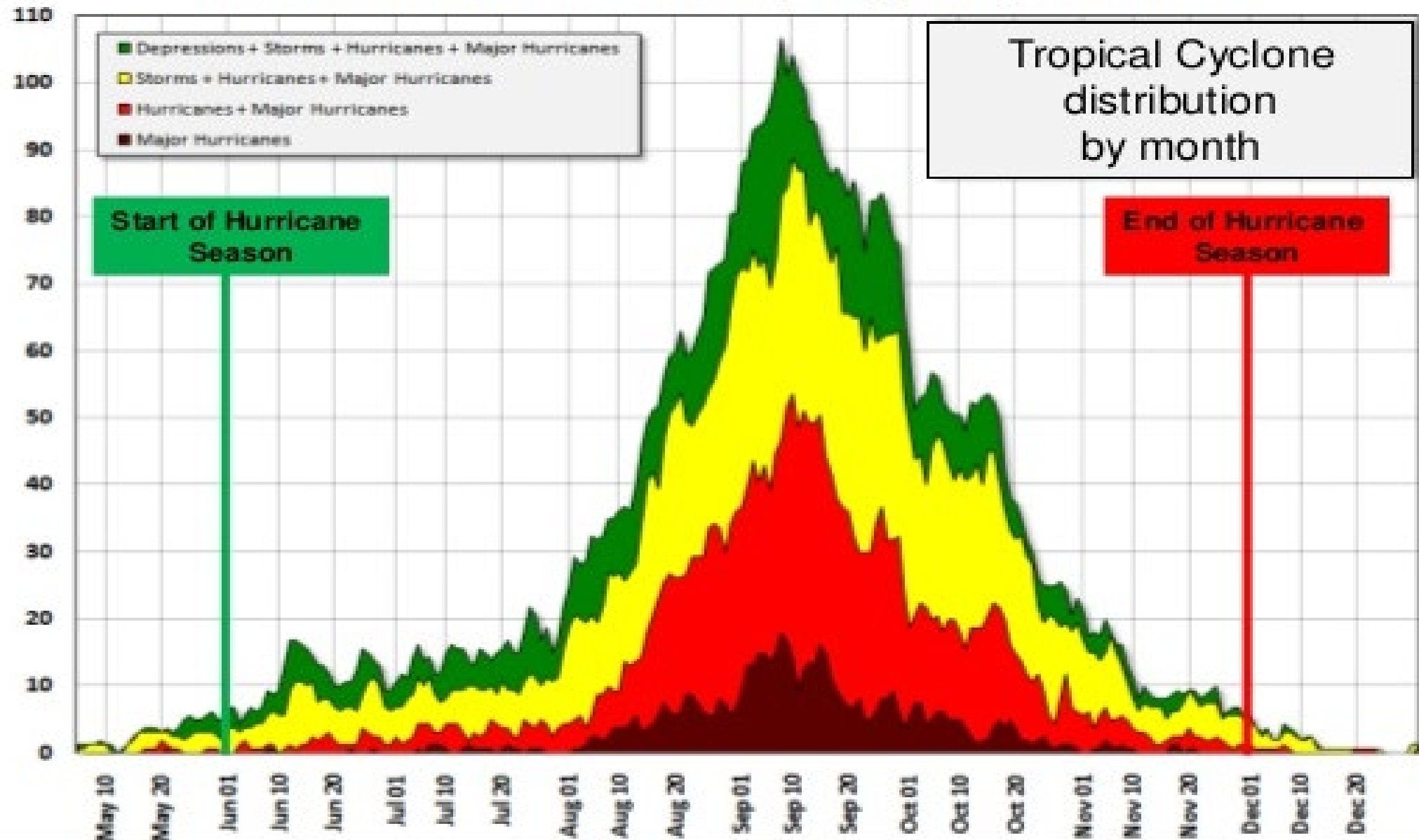
State	County	2021 Forecast Probability of Named Storm impact	2021 Forecast Probability of Hurricane impact	2021 Forecast Probability of Major Hurricane impact	Average Probability of Named Storm impact	Average Probability of Hurricane impact	Average Probability of Major Hurricane impact
Florida	Lee	55%	26%	16%	39%	17%	11%

Tropical Cyclone Names 2021


Atlantic Basin

Ana	Grace	Mindy	Teresa
Bill	Henri	Nicholas	Victor
Claudette	Ida	Odette	Wanda
Danny	Julian	Peter	
Elsa	Kate	Rose	
Fred	Larry	Sam	

Number of North Atlantic Basin Tropical Cyclones per 100 Years



Categories of hurricane

	Category 1	Category 2	Category 3	Category 4	Category 5
Wind	74-95mph	96-110mph	111-130mph	131-155mph	Over 155mph
Storm surge	4-5ft	6-8ft	9-12ft	13-16ft	Over 18ft
					
	Minimal: No real structural damage; some flooding	Moderate: Material damage to buildings; small craft break moorings	Extensive: Structural damage to small houses; inland flooding	Extreme: Major structural damage & heavy flooding; evacuation necessary	Catastrophic: Massive damage to buildings; small structures blown over or away





#HURRICANESTRONG

StormReady



CITY OF CAPE CORAL 2021 HURRICANE SEMINAR



HOSTED BY THE CAPE CORAL FIRE DEPARTMENT
DIVISION OF EMERGENCY MANAGEMENT

- Cape Coral EM
- Lee County EM
- LCEC
- Wink News
- Gas Buddy
- CCCIA

WEDNESDAY

JUNE 9TH

6:00pm-8:00pm

**CITY COUNCIL
CHAMBERS**

1015 Cultural
Park Boulevard
Cape Coral, FL
33990

CapeTV

THANK YOU

Any questions?





AGENDA REQUEST FORM
CITY OF CAPE CORAL

Item Number:	B.(3)
Meeting Date:	5/12/2021
Item Type:	DISCUSSION

TITLE:

Recreational Activities at City Bridges

REQUESTED ACTION:

SUMMARY EXPLANATION AND BACKGROUND:

STRATEGIC PLAN ALIGNMENT:

1. Is this a Strategic Decision?

If Yes, Priority Goals Supported are listed below.

If No, will it harm the intent or success of the Strategic Plan?

Recommendations:

SOURCE OF ADDITIONAL INFORMATION:

FISCAL IMPACT/FUNDING SOURCES(S)/BUDGET CONSIDERATIONS:

1. Will this action result in a Budget Amendment?

PREPARED BY:

Division- Department-

ATTACHMENTS:

Description	Type
1. Staff Presentation	Presentation



Recreational Activities at City Bridges

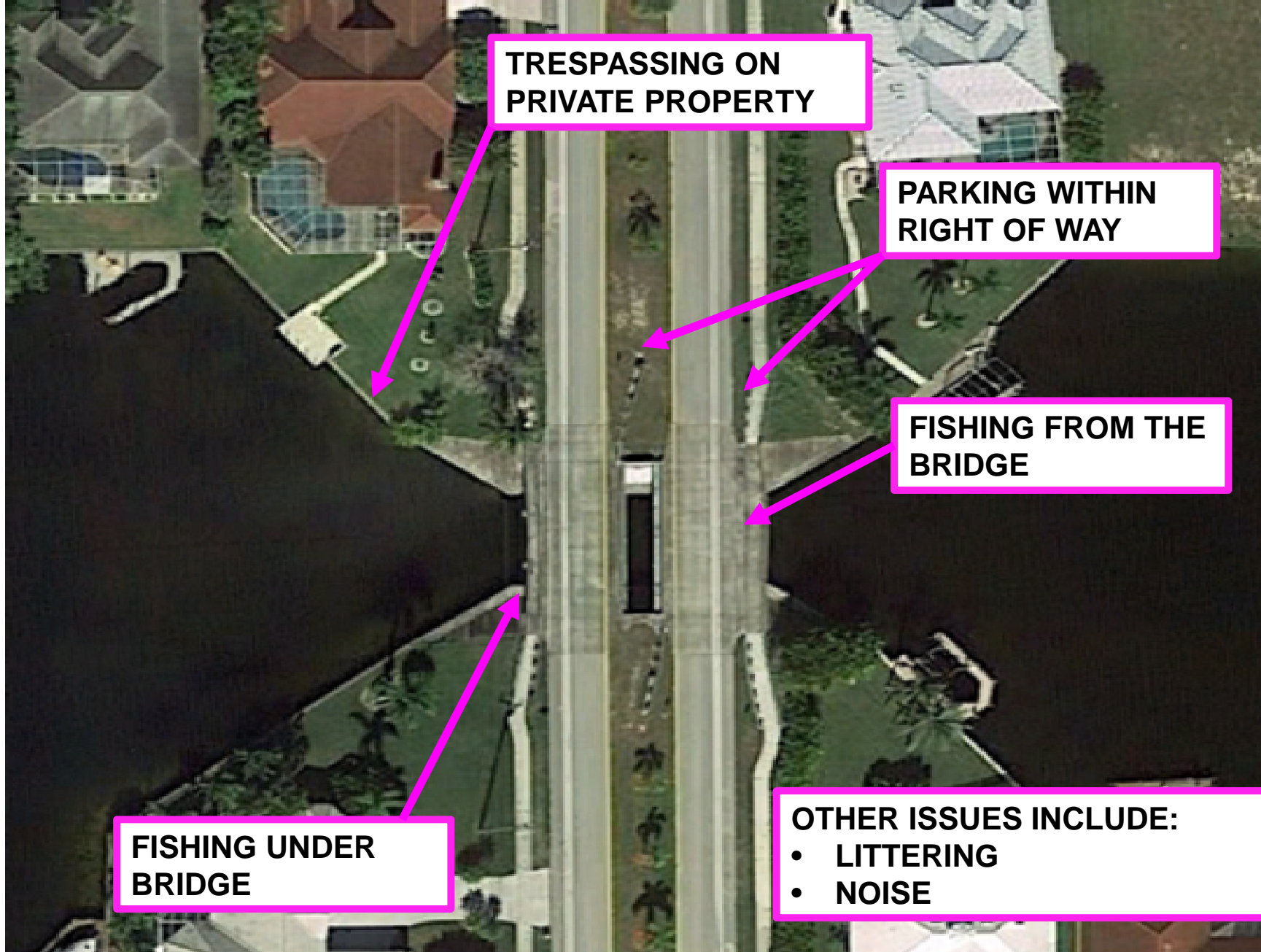
Committee of the Whole

May 12, 2021



Background

- Complaints received from residents regarding fishing and public use of bridges.
- Reports include illegal parking, trespassing, littering and noise complaints.
- City Council requested an evaluation of safety at bridges.
- Findings presented to City Transportation Advisory Commission (CTAC) on September 16, 2020, Committee of the Whole on October 26, 2020 and the Waterway Advisory Board on March 25, 2021.



**TRESPASSING ON
PRIVATE PROPERTY**

**PARKING WITHIN
RIGHT OF WAY**

**FISHING FROM THE
BRIDGE**

**FISHING UNDER
BRIDGE**

OTHER ISSUES INCLUDE:

- LITTERING
- NOISE

Bridge Evaluation Update

- 123 City-controlled bridge locations.
- Bridges are over freshwater and saltwater canals, most of which are navigable and fishable.
- Most bridges located in residential neighborhoods and abut residential properties.

Bridge Evaluation Update *(Continued)*

Examples of safe bridges - barrier between vehicular traffic and pedestrian area.



Bridge Evaluation Update *(Continued)*

Examples of bridges with potential concerns - No physical barrier between vehicular traffic and pedestrian area.



Bridge Evaluation Update *(Continued)*

Existing signs posted at select bridges - Unenforceable



Bridge Evaluation Update *(Continued)*

Residents have also posted a variety of unenforceable signs on City right-of-way adjacent to their private property.



Bridge Evaluation Update *(Continued)*

Of the 123 bridge locations:

- 83 (67%) bridges have been identified as safe.
- 40 (33%) bridges have identified potential traffic related concerns (lack of barrier, etc.):
 - Case 1 - No Sidewalk, shoulder or curb – 5 locations – Not correctable
 - Case 2 - Raised Sidewalk – 35 locations – 33 Correctable
- 5 of the 40 bridges have existing “No Fishing/No Parking” unenforceable signs. Ordinance prohibiting fishing from all bridges not approved.
- 35 (29%) remaining bridges have potential traffic related concerns and lack signage.

Bridge Evaluation Update *(Continued)*

- Case 1 - No Sidewalk



Bridge Evaluation Update *(Continued)*

- Case 1 - Flush Shoulder



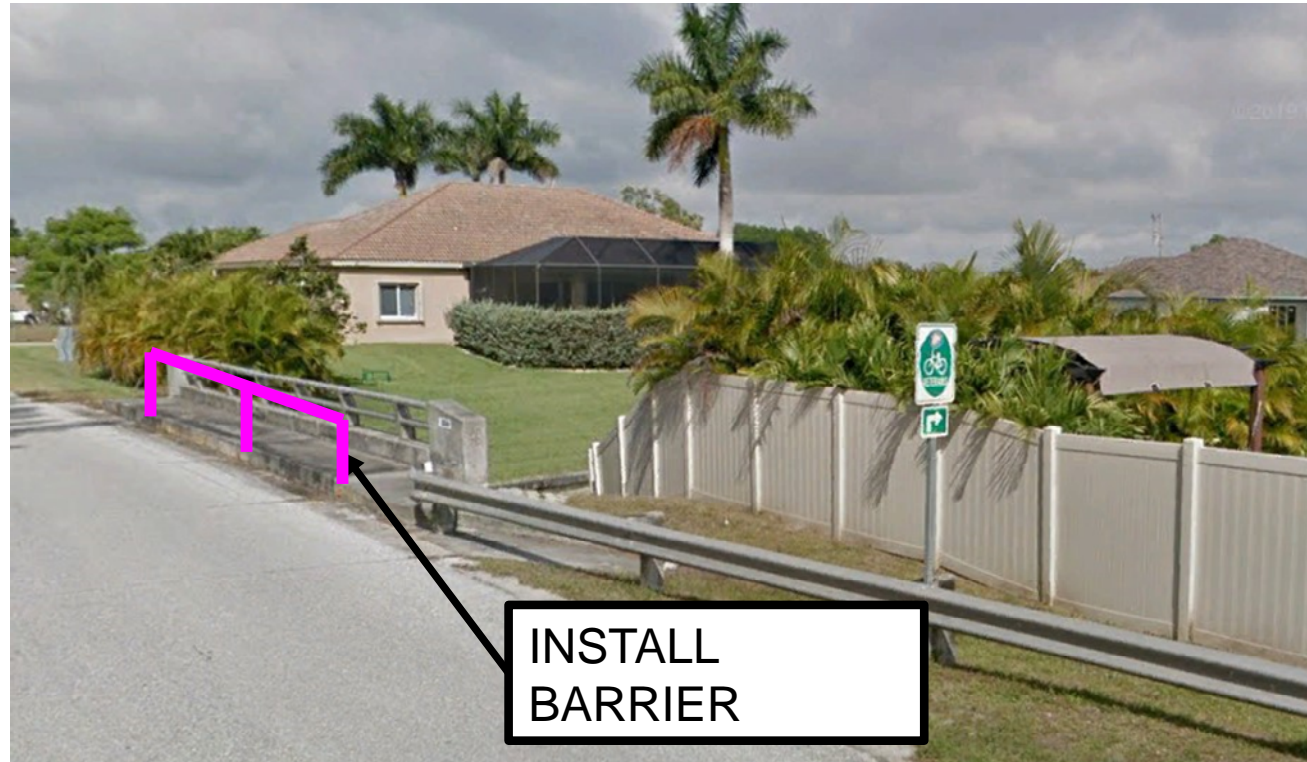
Bridge Evaluation Update *(Continued)*

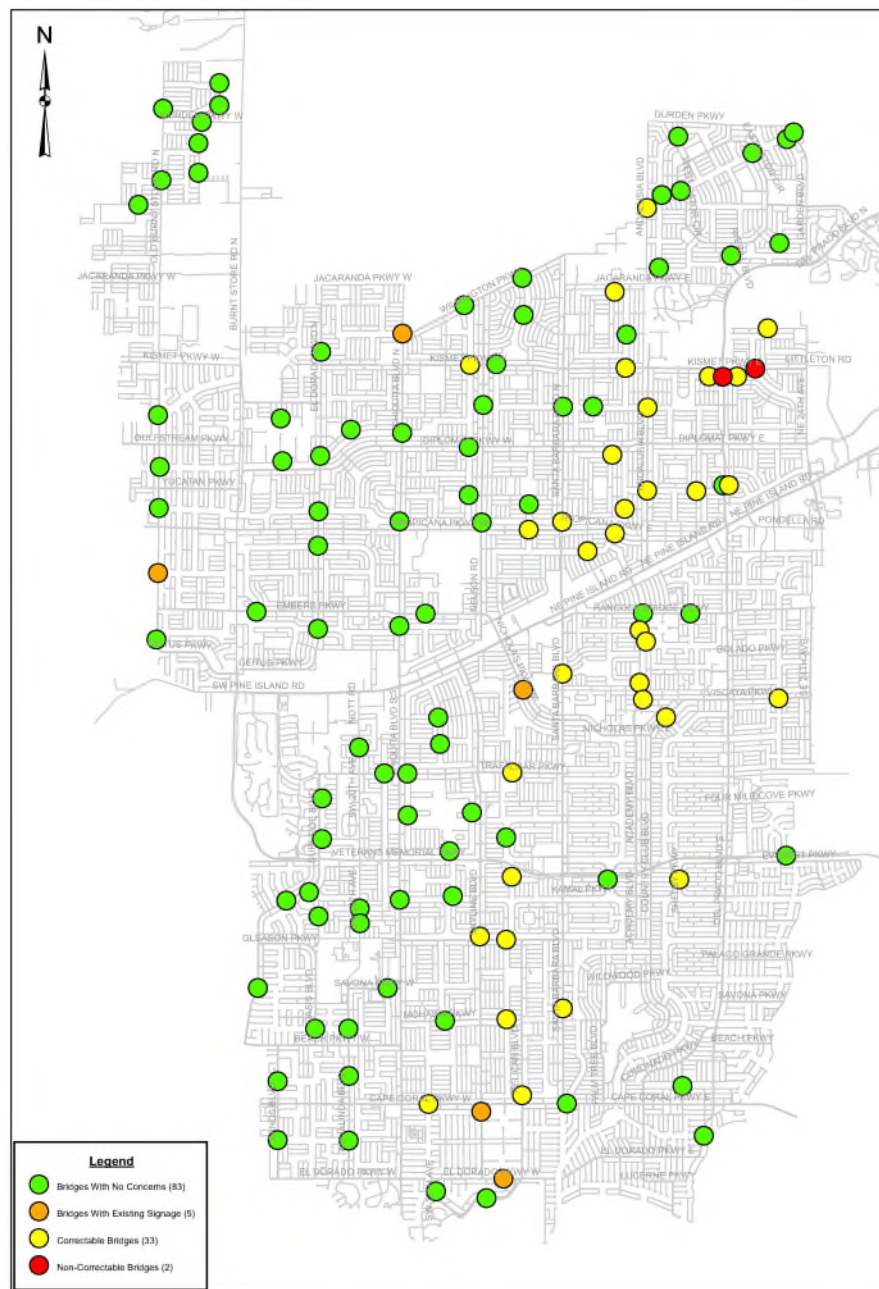
- Case 2 - Raised Sidewalk



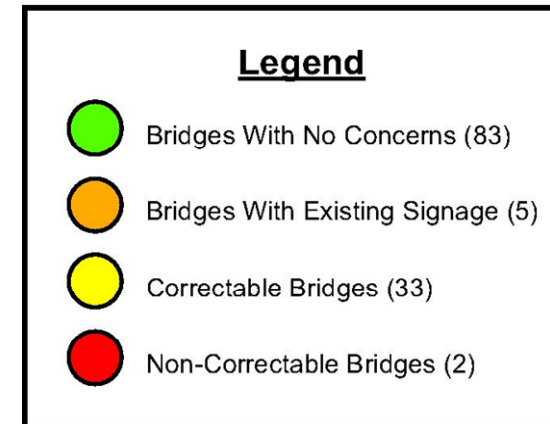
Bridge Evaluation Update *(Continued)*

33 bridges with traffic concerns are correctable with the addition of a barrier between traffic and pedestrians (Average Cost: \$15,000 +/- per location).





Safety Concern From Atop the Bridge



Bridge Evaluation Update *(Continued)*

For those 40 bridges with traffic related concerns:

- consistent and effective signage can be posted pursuant to an approved ordinance
- allows Police to enforce restrictions at these locations.

CTAC/COW Discussion

Lighting

- 79 bridge locations - no street lighting.
- 44 bridge locations - existing street lighting atop the bridge.
- No bridge locations - lighting under bridge.
- Police has no reported injuries at or under bridges.

CTAC/COW Discussion *(Continued)*

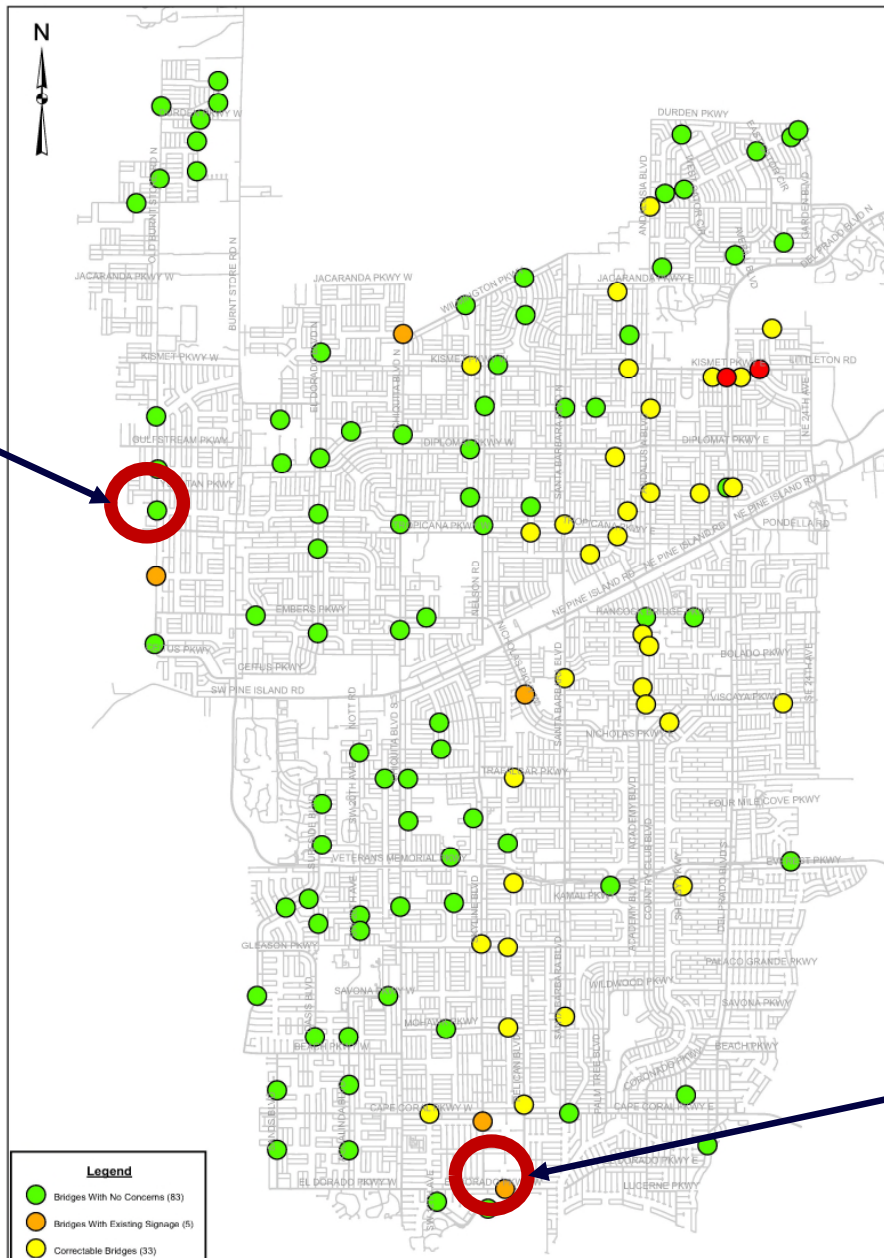
Police reported complaints at bridges:

- 2019 Daytime Complaints – 44 (23 of 44 at El Dorado Parkway W. and SW 6th Ave.)
- 2019 Nighttime Complaints – 20 (17 of 20 at El Dorado Parkway W. and SW 6th Ave.)
- 2020 Daytime Complaints – 51 (31 of 51 at Old Burnt Store Road and NW 14th Ter.)
- 2020 Nighttime Complaints – 13 (7 of 13 at El Dorado Parkway W. and SW 6th Ave.)

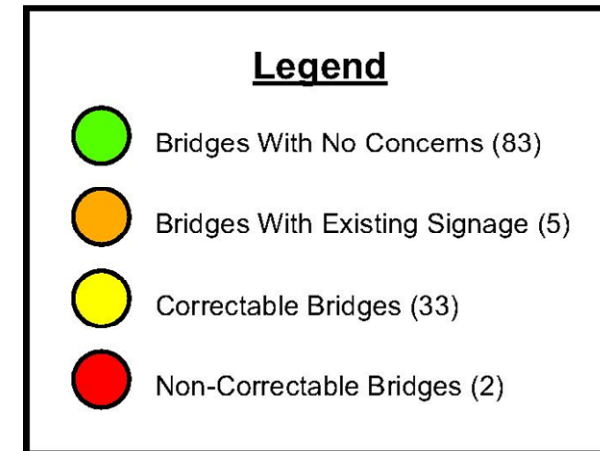
CTAC/COW Discussion *(Continued)*

- 57% of daytime complaints at only these 2 bridges out of 123 locations.
- 73% of nighttime complaints at only 1 of these 2 bridges out of 123 locations.
- 61% of all complaints at only these 2 bridge locations out of 123 locations.
- All remaining bridge locations - no greater than 3 complaints per year.
- These two bridges currently have unenforceable signage prohibiting “fishing”:
 - El Dorado Pkwy W. and SW 6th Ave. – Lacks barrier between vehicular traffic and fishing area.
 - Old Burnt Store Rd. and NW 14th Ter. – Safe, barrier between vehicular traffic and fishing area.

Majority of all
Complaints
(Old Burnt Store Road)



Safety Concerns From
Atop the Bridge



Majority of all
Complaints
(El Dorado Pkwy W.)

CTAC/COW Discussion *(Continued)*

Ingress/Egress

- Only 1 location (2 bridges) along Del Prado Boulevard has dedicated access underneath bridge.
- The remaining bridges have no dedicated access underneath bridge.
- Police has no reported injuries at or under bridges.

Parking in Public Right-Of-Way

- Parking in medians is illegal per City ordinance.
- Parking on bridges is illegal per Florida statute.
- Parking on the roadside is legal unless obstructing sidewalk, bike lane or otherwise marked as a no parking area.

Waterway Advisory Board Discussion

Recommendations:

- Waterway Advisory Board is in support of fishing above and below bridges.
- Staff to Identify the “hot spots” for fishing and place trash receptacles.
- Replacing/Installing safety railings as bridge repairs or replacements are completed.
- Identify locations areas for neighborhood public fishing.
- Place trash receptacles as litter-based complaints are received.

THANK YOU

Any Questions?





AGENDA REQUEST FORM

CITY OF CAPE CORAL

Item Number:	B.(4)
Meeting Date:	5/12/2021
Item Type:	DISCUSSION

TITLE:

Request for Lease of City-Owned properties from the Cape Coral Animal Shelter and the YMCA

REQUESTED ACTION:**SUMMARY EXPLANATION AND BACKGROUND:****STRATEGIC PLAN ALIGNMENT:**

1. Is this a Strategic Decision?

If Yes, Priority Goals Supported are listed below.

If No, will it harm the intent or success of the Strategic Plan?

Recommendations:**SOURCE OF ADDITIONAL INFORMATION:****FISCAL IMPACT/FUNDING SOURCES(S)/BUDGET CONSIDERATIONS:**

1. Will this action result in a Budget Amendment?

PREPARED BY:

Division- Department-

ATTACHMENTS:

Description	Type
<input type="checkbox"/> 1. Letter to City Manager	Backup Material
<input type="checkbox"/> 2. Boundary Survey	Backup Material



April 26, 2021

City Manager Rob Hernandez
Cape Coral City Hall
1015 Cultural Park Blvd
Cape Coral, FL 33990

Dear Mr. Hernandez:

We understand you have had the chance to visit our shelter recently. As you saw firsthand, our first year of operation has far exceeded our expectations. Here are some of our highlights:

- We found loving forever homes for 1,049 animals—455 Cats, 573 Dogs, and 21 Critters.
- On any given day, we have over 100 animals in our care.
- Over 500 animals were placed in foster homes with 65 approved foster families.
- More than 65 dogs entered the Cell Dog Training Program with Lee County Sheriff's Office.
- CCAS pulled 544 animals from municipal shelters as close as Lee County DAS and as far away as Miami-Dade Animal Services.
- CCAS saved 172 animals from rescue groups to provide medical care.
- Over 300 animals were surrendered to us by their owners who could no longer keep them.
- We treated 78 dog who came to us Heartworm Positive so they can live long, healthy lives.
- Our low-cost veterinary clinic has served 2,500 new animal patients and 1,800 new clients.
- We average 225 clinic appointments per week for the animals and people of our community.
- CCAS employs 18 full and part time employees.
- Over 1,220 volunteers have attended our orientations and have logged 42,600 volunteer hours.
- We survive solely on donations, revenue from the clinic, fundraiser, and legacy giving.

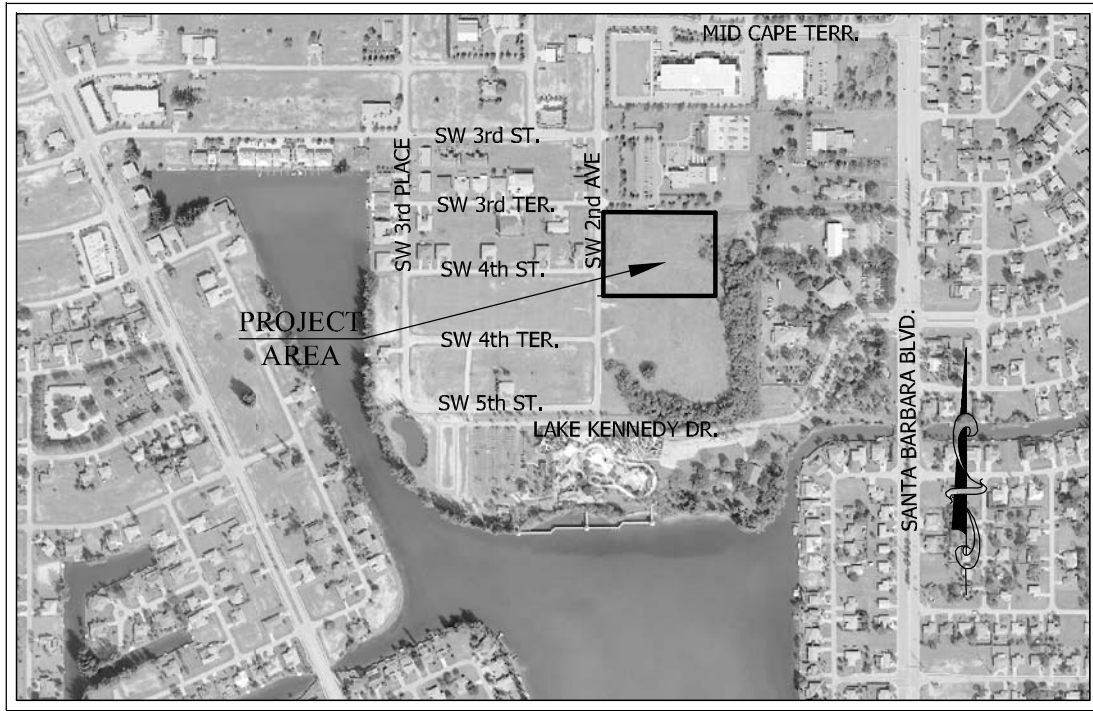
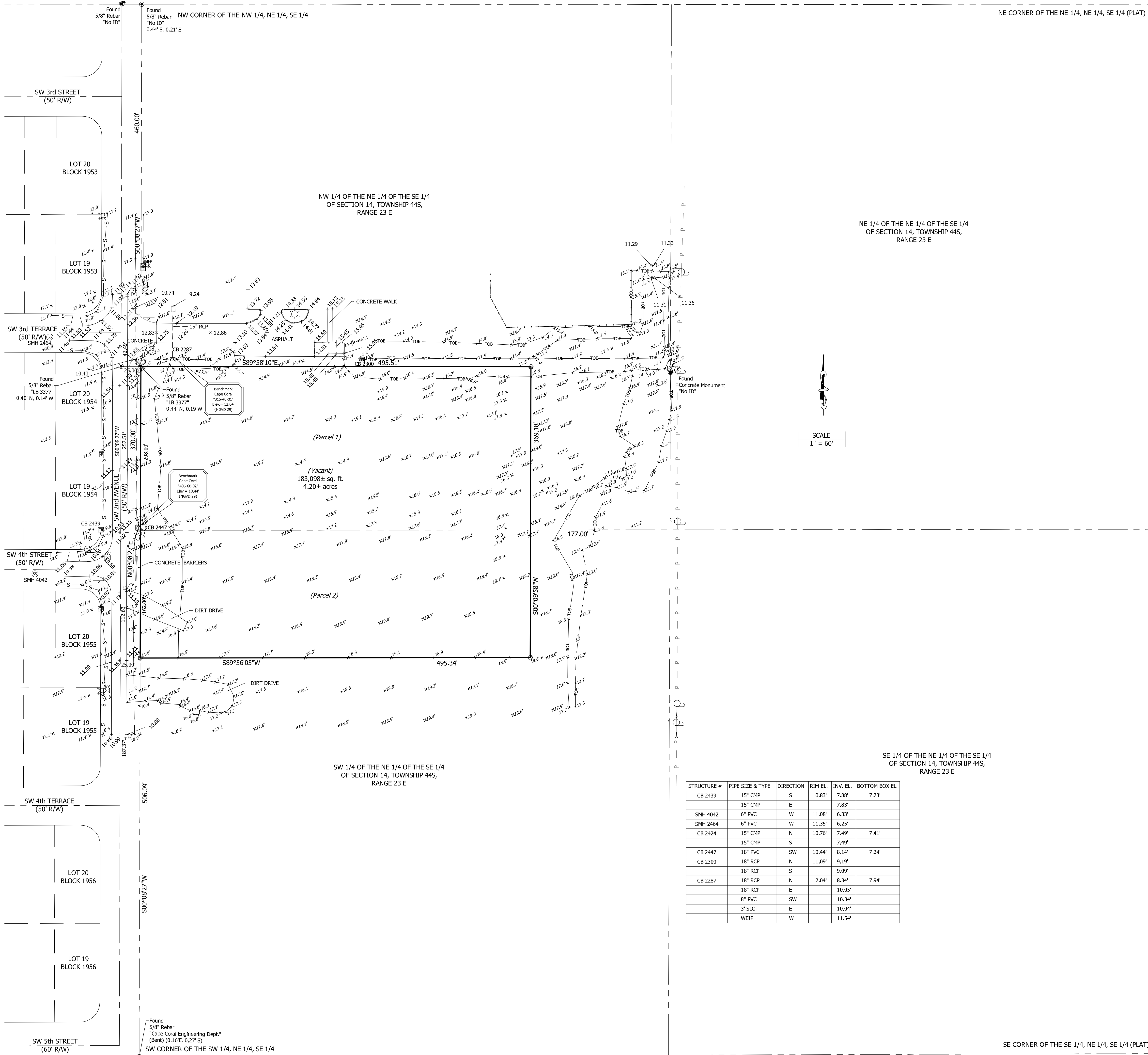
Because of the tremendous success of our shelter and veterinary clinic, we will be starting Phase II expansion sooner than we originally planned. In anticipation of our expansion, we are requesting the acquisition of an additional 1.5 acres of city property next to us that is currently vacant. Please find the attached boundary survey. Acquiring this additional parcel of land was discussed at the time we began building our shelter and had the full support of the mayor, council, and the city manager. Please advise our next step to acquire this land and we will take the necessary steps.

We truly appreciate the support the Cape Coral Animal Shelter has received from the city from the very beginning. We believe the services we provide are an asset to our community and we appreciate the opportunity to expand those services.

Sincerely,

JoAnn Elardo

JoAnn Elardo, Founder and President
Cape Coral Animal Shelter Board of Directors



VICINITY MAP (NOT TO SCALE)

Description:

Parcel "A"
A Parcel of land lying in the Northwest Quarter (NW 1/4) of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of Section 14, Township 44 South, Range 23 East, City of Cape Coral, Lee County, Florida; being more particularly described as follows:
The Northwest Quarter (NW 1/4) of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of Section 14, Township 44 South, Range 23 East, City of Cape Coral, Lee County, Florida; **LESS** the North 460 feet thereof and **LESS** the East 177 feet thereof.

Parcel "B"
A Parcel of land lying in the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of Section 14, Township 44 South, Range 23 East, City of Cape Coral, Lee County, Florida; being more particularly described as follows:
The North 162 feet of the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of Section 14, Township 44 South, Range 23 East, City of Cape Coral, Lee County, Florida; **LESS** the East 177 feet thereof.

Parcels "A" & "B" combined contain 4.2 Acres +/-.

SURVEY NOTES:

- MEASUREMENTS SHOWN ARE IN FEET AND DECIMALS THEREOF.
- SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.
- UNDERGROUND STRUCTURES AND UTILITIES, IF ANY, ARE NOT INCLUDED, UNLESS OTHERWISE SHOWN.
- NOT VALID WITHOUT SIGNATURE AND RAISED SEAL OF FLORIDA LICENSED SURVEYOR AND MAPPER (P.S.M.)
- ELEVATIONS SHOWN HEREON ARE IN REFERENCE TO THE NATIONAL GEODETIC VERTICAL DATUM OF 1929 (NGVD 29) AND BASED ON CITY OF CAPE CORAL BENCHMARK (315-40-01).
- THE NATIONAL FLOOD INSURANCE INFORMATION: COMMUNITY NUMBER: 125095 PANEL NUMBER: 12071 C 0265 SUFFIX: F EFFECTIVE DATE: 08/28/2008 FIRM ZONE: X BASE FLOOD ELEVATION: N/A (FIRM PANEL LISTED ABOVE SHOULD BE CONSULTED FOR VERIFICATION OF ALL FLOOD RELATED INFORMATION)
- BEARINGS ARE BASED ON THE EAST RIGHT-OF-WAY LINE OF SW 2nd AVENUE, BEING N00°08'27"E.
- DATE OF LAST FIELD WORK: NOVEMBER 4, 2016.
- RECORDING INSTRUMENTS LISTED HEREON SHOULD BE CONSULTED AND REVIEWED FOR ADDITIONAL INFORMATION.
- THIS SURVEY WAS COMPLETED WITHOUT BENEFIT OF AN UP TO DATE TITLE COMMITMENT.
- ADDITIONS TO OR DELETIONS FROM SURVEY OR REPORTS BY OTHER THAN THE SIGNING SURVEYOR AND MAPPER ARE PROHIBITED BY LAW WITHOUT THE EXPRESS WRITTEN CONSENT OF THE SIGNING SURVEYOR AND MAPPER. COPYRIGHT 2016, STOUTENCRAMER, INC., ALL RIGHTS RESERVED. DO NOT COPY WITHOUT THE WRITTEN CONSENT OF STOUTENCRAMER, INC.
- COORDINATES SHOWN HEREON ARE IN REFERENCE TO THE FLORIDA WEST STATE PLANE COORDINATE SYSTEM (ZONE 0902) (NAD 83/2011).
- NO CEMETERIES, NO MONUMENTS, NO GAPS OR GORES, PROPERTY MATHEMATICALLY CLOSES, AND NO EARTH MOVING WORK.

Field Book: 88 - Page(s): 6-8

SURVEY LEGEND		SURVEY ABBREVIATIONS	
◆	FOUND NAIL & DISK	P.O.C.	POINT OF COMMENCEMENT
●	FOUND IRON ROD & CAP	P.O.B.	POINT OF BEGINNING
○	SET 5/8" IRON ROD & CAP (LB 7922)	INSTR.#	INSTRUMENT NUMBER
△	SET NAIL & DISK (LB 7922)	P.B.	PLAT BOOK
⛑	FIRE HYDRANT	O.R.	OFFICIAL RECORDS BOOK
⛑	WATER VALVE	P.G.	PAGE
⛑	IRRIGATION CONTROL VALVE	(P)	DENOTES PLAT
⛑	ELECTRIC BOX	(M)	DENOTES MEASURED
⛑	LIGHT POLE	(D)	DENOTES DEED
⛑	CENTERLINE	D.E.	DRAINAGE EASEMENT
⛑	CATCH BASIN	P.U.E.	PUBLIC UTILITY EASEMENT
⛑	MAIL BOX	E/P	EDGE OF PAVEMENT
⛑	SANITARY MANHOLE	R/W	RIGHT OF WAY
⛑	WOOD POWER POLE	EL.	ELEVATION
⛑	GUY ANCHOR	TOB	TOP OF BANK
⛑	WATER METER	TOE	TOE OF SLOPE
⛑	BACKFLOW PREVENTOR VALVE	EDW	EDGE OF WATER
⛑	IRRIGATION METER	⛑	CORRUGATED PLASTIC PIPE
⛑	UTILITY RISER	⛑	CORRUGATED METAL PIPE
⛑	SINGLE POLE SIGN	⛑	REINFORCED CONCRETE PIPE
		⛑	PVC POLYVINYL CHLORIDE PIPE
		⛑	INVERT

Boundary and Topographic Survey

of a Portion of Section 14, Township 44 South,
Range 23 East, City of Cape Coral, Lee County,
Florida.

SECTION 14 TOWNSHIP 44S, RANGE 23E

REVISION:		DATE			
DRAWN BY:	L.W.S.				
CHECKED BY:	J.D.S.				
JOB No:	16-5314				

Jeffrey D. Stouten

I hereby certify that, to the best of my knowledge and belief, the survey represented herein, made under my direction on **NOVEMBER 4, 2016** is in accordance with minimum standards as set by the Florida Board of Professional Surveyors & Mappers, Chapter 63G17, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

JEFFREY D. STOUTEN (FOR THE FIRM)
FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. 60808
RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

STOUTENCRAMER
PROFESSIONAL SURVEYORS

CERTIFICATE OF AUTHORIZATION: LB7922
324 Nicholas Parkway West, Suite F, Cape Coral, FL 33991
Phone: (239) 673-9541 Fax: (239) 424-8181
www.scisurvey.com



AGENDA REQUEST FORM
CITY OF CAPE CORAL

Item Number:	B.(5)
Meeting Date:	5/12/2021
Item Type:	DISCUSSION

TITLE:

Waste Pro Services - Update

REQUESTED ACTION:

SUMMARY EXPLANATION AND BACKGROUND:

STRATEGIC PLAN ALIGNMENT:

1. Is this a Strategic Decision?

If Yes, Priority Goals Supported are listed below.

If No, will it harm the intent or success of the Strategic Plan?

Recommendations:

SOURCE OF ADDITIONAL INFORMATION:

FISCAL IMPACT/FUNDING SOURCES(S)/BUDGET CONSIDERATIONS:

1. Will this action result in a Budget Amendment?

PREPARED BY:

Division- Department-

ATTACHMENTS:

Description	Type
1. Waste Pro Action Plan Update - 5/10/2021	Backup Material



MEMORANDUM

TO: Mayor Gunter and Council Members
THRU: Rob Hernandez, City Manager
FROM: Paul Clinghan, Public Works Director *PRC*
DATE: May 11, 2021
SUBJECT: Waste Pro Action Plan Update

At the Special Committee of the Whole Meeting (COW) held on April 7, 2021, Council requested a weekly update on the Action Plan from Waste Pro.

Attached is a memo from Waste Pro dated May 10, 2021 updating the 4 major tasks that are identified in the Action Plan.

1. Employee Recruitment/Development
2. Employee Retention
3. Service – Routes
4. Service – Phones

Since Friday, April 23, 2021, City Public Works staff continues to assist with horticultural removal. Public Works staff is keeping track of our costs for labor and equipment which will be reimbursed to the City by Waste Pro.

Staff is also tracking and reviewing the 311 complaints.

Please do not hesitate to contact me or Paul Clinghan if you have any questions.

RH/PC
Attachment



Mr. Paul Clinghan, P.E.
Public Works Director
City of Cape Coral
1015 Cultural Park Blvd
Cape Coral, FL 33990

May 10, 2021

Mr. Clinghan,

On April 7, 2021, Waste Pro staff attended and made a presentation at a Committee of the Whole Meeting with City Staff and the City Council. Our presentation focused on the nationwide shortage of qualified drivers and the impacts of extended and expanded government assistance programs on the workforce in Southwest Florida.

This is not simply a Waste Pro issue or solid waste collection concern. The impact of the driver shortage, while not new, continues to spread throughout the United States and has impacted multiple Cities and Counties in Southwest Florida. All roadway transport industries from over-the-road trucking, gas tankers, rideshare services such as Uber and Lyft as well as hospitality industries such as restaurants, bars, and hotels are feeling the effect.

During April 7, 2021 meeting, City Council members requested an Action Plan detailing the steps Waste Pro was taking to improve service in the City. City Council also requested weekly updates to the initial Action Plan, which have been provided.

Below is a summary of progress since our last weekly update.

1 – Employee Recruitment/Development

- a. One additional driver hired last week. This brings our total to twelve new drivers.
- b. Recently hired drivers progressing through training.
- c. We chose not to continue the job fairs with Goodwill due to poor attendance and results. We are exploring other partnerships with local groups to develop job fairs and outreach opportunities.
- d. We extended one of our existing national recruiting agreements to allow for additional recruiting efforts.
- e. We have hired an additional internal recruiter to assist with ongoing recruiting efforts in Southwest Florida.
- f. We have a Co-Heart candidate in the final stages of training to earn his CDL and become a driver.
- g. "Now Hiring" ads ran in the Cape Coral Breeze and other local papers.

2 – Employee Retention

- a. Our Market Pay Rate Review was completed and adjustments were made.



3 – Service Routes

- a. A new bulk subcontractor began this week. The others remain in place.
- b. City PW Crews are assisting to collect yard waste in certain areas. We have agreed to reimburse these costs to the City.
- c. The Cultural Park drop off site operated for five days last week.
- d. We added 3 additional drop-off sites with roll off boxes. They appear to be well used during the initial few days of operation.

4 – Service Phones

- a. Our Queue Management module installation has been delayed. We are working with our local phone carrier to resolve the technical issues.
- b. We upgraded our part time customer service position to full time and filled that position.

Waste Pro will keep City Staff updated as we move through the various steps of the Action Plan and continue to navigate this unprecedented employment market.

Waste Pro values our decade-long partnership with the City of Cape Coral. We have worked together to develop improved services, such as quarterly bulk events, coordination of hazardous waste drop offs with Lee County, streamlined outreach materials, and enhanced services to City Facilities. I am confident that this same spirit of cooperation and partnership will continue as we work through the challenges brought on by the current staffing shortages and pandemic related government assistance programs.

I look forward to speaking with you about this update in more detail, at your convenience.

Sincerely,

Bill Jones
Division Manager
Waste Pro of Florida

CC: Stacy Maine, City of Cape Coral



AGENDA REQUEST FORM

CITY OF CAPE CORAL

Item Number:	B.(6)
Meeting Date:	5/12/2021
Item Type:	DISCUSSION

TITLE:

2nd Quarter Economic Activity Report - Presented by EDO Manager Noguera

REQUESTED ACTION:

Informational

SUMMARY EXPLANATION AND BACKGROUND:

Provides quarterly status on economic & business development activities taking place in the City of Cape Coral.

STRATEGIC PLAN ALIGNMENT:

1. Is this a Strategic Decision? No

If Yes, Priority Goals Supported are listed below.

If No, will it harm the intent or success of the Strategic Plan? No

Recommendations:

Informational Quarterly Report item.

SOURCE OF ADDITIONAL INFORMATION:

Ricardo Noguera, Economic Development Manager, 1-239-242-3368

FISCAL IMPACT/FUNDING SOURCES(S)/BUDGET CONSIDERATIONS:

n/a

1. Will this action result in a Budget Amendment? No

PREPARED BY:

Ricardo Noguera, Economic & Business Development Manager

Office of Economic & Business Development
Division- Business Development

City
Department- Manager's Office

ATTACHMENTS:**Description**

1. Economic Activity Report

Type

Backup Material

Capeable lifestyle.



TOP 50 Best Cities for
Starting a Business
CEO WORLD MAGAZINE 2020

flowing
with possibilities.

Economic Activity Report Quarter 2 – Fiscal Year 2021

May 12, 2021 Committee of the Whole Meeting



Report Overview

- Key Economic Indicators
- Single-Family Residential Permit Activity
- Duplex Permit Activity
- Multi-Family Permit Activity
- Non-Residential Projects
- Business Attraction, Retention, and Expansion

Key Economic Indicators

Unemployment Rates in Cape Coral

- January: 4.5% February: 4.2% March: N/A
- FL State Rates - January: 5.3% February: 5.0% March: N/A

Source: Florida Department of Economic Opportunity

YTD Vacancy Rate – Retail – 2.4%

YTD Vacancy Rate – Office – 3.4%

YTD Vacancy Rate – Industrial 3.7%

Source: CoStar

Key Economic Indicators

Property Values 2019

Residential	\$19,500,744,684
Commercial	\$ 1,337,795,139
Agriculture	\$ 23,156,939
Churches/Schools	\$ 1,271,324,122
Government/Utilities	

Total Just Values 2019: \$22,133,020,884

NOT taxable: \$ 1,045,841,529
(Schools, churches, government)

Property Values 2020

Residential	\$20,441,774,570
Commercial	\$ 1,539,061,374
Agriculture	\$ 21,231,138
Churches/Schools	\$ 1,345,586,191
Government/Utilities	

Total Just Values 2020: \$23,347,653,273

NOT taxable: \$1,003,875,801
(Schools, churches, government)



**5.49% increase from
2019 to 2020**

Source: Lee County Property Appraiser's Office

Construction Value of All Permits Issued Q2

Q2 2021: \$216,429,199.00

Q1 2021: \$201,242,622.85

Residential Permits Issued Q2

Type of Permit	Number of Permits	Total Valuation
Single-Family	948	\$195,158,202.00
Model Homes	4	\$902,707.00
Single-Family Semi-Attached	0	\$0
Duplex	34	\$8,878,290.00
Multi-Family >3	3	\$9,476,000.00
Total	968	\$214,415,199.00

Non-Residential Permits Issued Q2

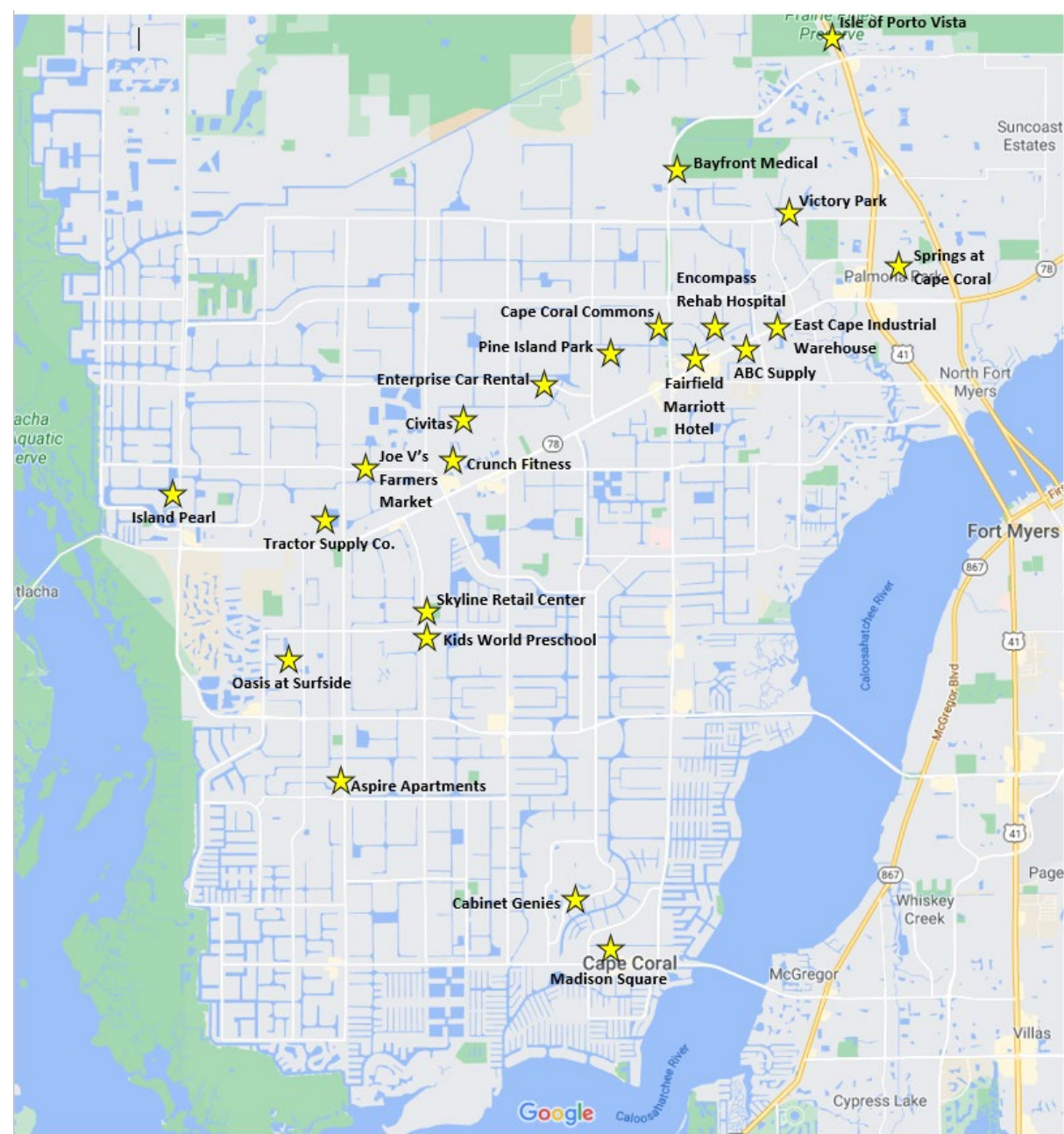
Type of Permit	Number of Permits	Total Valuation
Industrial Buildings	0	\$0
Institutional	0	\$0
Medical Facility	0	\$0
Office/Banks/Professional	1	\$382,000
Stores & Customer Service	1	\$356,000
Other Non-Residential	1	\$1,276,000
Total	2	\$2,014,000

Key Projects Under Construction

Economic Development Growth Trends in the Cape.

Leading Development Types:

- Light industrial/warehouse
- Retail
- Multi-family
- Mixed-use



Tractor Supply

Construction Value: \$675,000

Location: Pine Island Road and SW 20th Avenue (west of Chiquita Boulevard)

Description: retail store offering pet, agriculture, lawn and garden products

Status: Now Open



Bayfront Medical Emergency Medical Clinic

Construction Value: \$976,000

Description: Stand-alone Emergency
Room/Urgent Care

Location: Del Prado Boulevard N. at
Kismet Parkway E.

Status: Now Open



EMERGENCY MEDICAL CLINIC

(Phase I is approximately 11k sf and scheduled to break ground along Pine Island Rd.
in 2021)



Fairfield Marriott Hotel

Construction Value: \$4,466,000

Location: 1701 Old Pondella Road

Description: 109 room, 60,000-square foot hotel

Status: Opening Summer 2021



Cabinet Genies

Construction Value: \$387,000

Location: 815 S.E. 47th Terrace in the South Cape

Description: Office and showroom in South Cape

Estimated Opening: Planned opening Late Spring 2021



Springs at Cape Coral & Oasis at Surfside



Construction Value: \$18.7 million

Description: 292 multi-family residential units

Location: Pine Island Road and Barrett Road (SE corner)

Status: Now leasing. Construction to be completed Summer 2021



Construction Value: \$16.7 million

Description: 446 units total – 220 multi-family residential units

Location: Veterans Parkway and Surfside Boulevard (NE corner)

Status: Phase 1 completed Summer 2021

The Apartments at the Isles of Porto Vista

Construction Value: \$8.9 million

Description: 123 multi-family residential units

Location: 3936 Pomodoro Circle
(on Del Prado Boulevard N. south of US-41)

Status: Opening Spring 2021



Cape Coral Commons

Construction Value: TBD

Description: commercial center - 50,000 sq. ft. Mix of office, retail and restaurant space (Tire Kingdom)

Location: Pine Island Road and Del Prado Boulevard (NW corner)

Status: Under construction; scheduled for completion Summer 2022



Crunch Fitness

Construction

Value: \$2,063,000

Location: 58 Nicholas Parkway

Description: 19,200 sq ft
fitness center

Status: Under construction



Madison Square

Construction Value: \$1,060,000

Location: 817 Miramar St, Cape Coral

Description: 82-unit senior living (55+) apartment community to be located on 1 acre of vacant land

Status: Under construction - estimated to be completed Spring 2022



Encompass Rehab Hospital & FarmerJoe's Market



Construction Value: TBD

Description: 80 bed rehab hospital to be completed in two phases

Location: 1730 NE Pine Island Road

Status: In permitting



Construction Value: \$5,000,000

Location: 1401 SW Pine Island Rd

Description: 50,000 square ft farmer's market and grocery store

Status: Under construction and scheduled for completion Spring 2022

Island Pearl and Victory Park



Construction Value: TBD

Location: NW corner of Pine Island Road and Burnt Store Road

Description: Mixed-use development featuring lifestyle, retail, business, dining and entertainment
Status: In permitting. Projected to break ground late Fall 2021 or Spring 2022



Construction Value: TBD

Description: Mixed Use Project will include a 125-room Wyndham Garden hotel, commercial space, 100,000 square feet of medical office and industrial space.

Location: 2419 Corbett Road, west of VA Medical Clinic

Status: Phase 1 in permitting

Aspire Apartments

Construction Value: \$8,059,360

Location: 3514 Chiquita Blvd. South

Description: 319 unit - 4 story MF Complex

Status: Under Construction



Civitas Apartments

Construction Value:
\$8,279,077.66

Location: 105-123 Civitas
Ct

Description: 96 unit MF
affordable housing project

Status: In Permitting.
Scheduled to break ground
in 2021



Pine Island Park

(Formally referred to as Pine Island Village)

Construction Value: TBD

Description: A mixed-use project with warehouse flex space (20-40k sf), retail and office

Location: Pine Island Road and NE 13th Avenue (west of Mel's Diner)

Status: Scheduled to break ground Mid-May



Mink Retail Center

Description: Retail center. Tenants include Salon, Italian Tile Shop and a breakfast restaurant

Location: 1243-1306 Santa Barbara Blvd

Status: Fully Leased



Central Cape Business Park

Description: Existing business park featuring new tenants such as Caloosa Trains and Seven Seas Aquatics

Location: 1490 NE Pine Island Road

Status: Existing business park leasing to expanding businesses from elsewhere in the Cape



Entrada Community Shopping Center

Description: Office and retail center featuring medical offices, restaurants and retail outlets.

Location: 3571 Del Prado Blvd.

Status: Existing retail/office center leasing to new medical, office and golf simulator business. **More businesses are moving in & filling strip centers, commercial space and warehouse space across the city.**



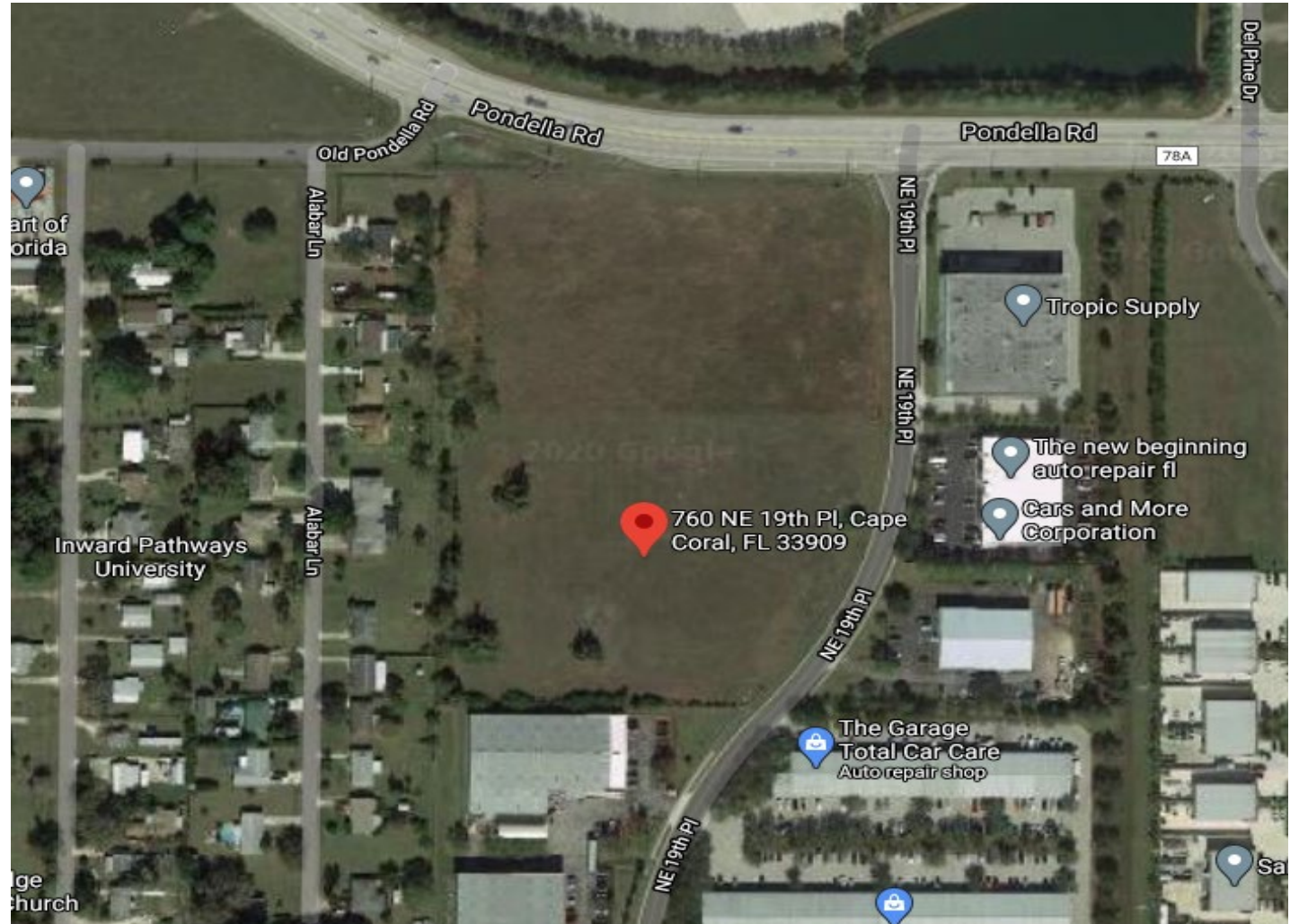
ABC Supply

Construction Value: TBD

Location: 760 NE 19th Place

Description: Cape Coral based roofing supplier has purchased land and plans to build a new warehouse/office

Status: Plans to be submitted late summer 2021



Business Attraction, Retention, and Expansion

- New Business Tax Receipts Issued January – March 2021
- Business tax receipts include individuals who are new, or have relocated or expanded within the boundaries of Cape Coral

January: 132

February: 119

March: 125

Total: 333

- Q1, FY 2021
 - October – December 2020
- October: 192
- November: 116
- December: 125
- Total: 433**

- New Business Openings include:

Tractor Supply Company

Enterprise Leasing Company

Blue Line Bears

Expanding and Relocating include:

Cabinet Genies –family owned

Seven Seas Aquatics

Caloosa Trains

Account Type	All
Fiscal Year	2020

Row Labels	Actual
001 - General Fund	
4E - BUSINESS TAX RECEIPT	
416101 - Local Business Tax	(\$990,725.31)
416102 - Competency Fees	(\$37,240.00)
Grand Total	(\$1,027,965.31)

Account Type	All
Fiscal Year	2021

Row Labels	Actual
001 - General Fund	
4E - BUSINESS TAX RECEIPT	
416101 - Local Business Tax	(\$508,516.33)
416102 - Competency Fees	(\$85,583.75)
Grand Total	(\$594,100.08)

Business Contacts Q2

Business Contacts: 127

Business Prospects
Assisted: 54

Q4 Oct-Dec 2020

Business Contacts: 138

Business Prospects Assisted: 77

Economic Development Marketing Activities Q2

Quarterly Newsletters – 1 per quarter

E-Blasts – 1

Print/Digital Ads – 4

Special Articles – 2

Developer Tours - 2

Developer/Public Presentations - 11

EDO Website:

9,610 (Q2) page views

7,190 (Q1 - 2021) page views

3,644 page views (Q4 - 2020)

Social Media – weekly posts

Trends

The industrial/warehouse flex space market continues to expand across SW FL

- Staff are working with three developers to entitle and break ground on more than 100k sq ft in 2021
- Industrial firms tend to pay higher wages than retail and diversify economic base
- Draw revenues from outside the community
- Several small businesses continue to expand operations as a result of growing demographics including hobby shops, aquariums, golf, personal care, etc.

Medical and professional offices demand to increase

- 40 room rehab hospital to break ground late 2021 on Pine Island Road
- Staff continues to meet with technical companies considering expansion from NE and Midwest
- This trend should continue due to increasing population
- City investigating opportunity to adjust impact fees to be in line with Ft Myers

Growing demand in the CRA

- City/CRA pursuing sewer infrastructure project. AECOM is on board to complete engineering work for cost of \$1.7 million
- Two or more major mixed-use projects in planning stage
- Restaurant and retail interest continues to expand in the South Cape

Goals

- Promote the expansion of warehouse, light industrial, supply chain and office development. This generates significantly more revenues and diversifies our economic base.
- City Manager's Office is leading efforts to overhaul the economic incentives program to boost investments across the city.
- Maintain our major commercial corridors to support commercial development, especially along Pine Island Road, Burnt Store Road and NE 24th Ave.
- Extending/expanding public utilities in the South Cape, Pine Island Road west of Chiquita Blvd., NE 24th Ave, Corbett Road and Burnt Store Road will be key to leveraging more commercial and industrial development in the future.
- EDO to continue to provide Ombud services to developers and businesses going through the permitting process.

Summary / Wrap – Up Q2

Cape Coral continues to attract investment, especially from developers and businesses expanding from the Northeast and Midwest seeking opportunities where growth can occur. It is critical the City take advantage of these opportunities during the pandemic while interest remains high.

Thank you!

Questions and Discussion





AGENDA REQUEST FORM

CITY OF CAPE CORAL

Item Number:	B.(7)
Meeting Date:	5/12/2021
Item Type:	DISCUSSION

TITLE:

Economic Development Strategy & Implementation - Presented by EDO Manager Noguera

REQUESTED ACTION:

SUMMARY EXPLANATION AND BACKGROUND:

Highlights economic development strategies and level of implementation from completed (green), to in process (yellow), to not have commenced (red).

STRATEGIC PLAN ALIGNMENT:

1. Is this a Strategic Decision? Yes
- If Yes, Priority Goals Supported are listed below.
- If No, will it harm the intent or success of the Strategic Plan? No

ELEMENT A: INCREASE ECONOMIC DEVELOPMENT AND REDEVELOPMENT IN THE CITY

ELEMENT C: INVEST IN COMMUNITY INFRASTRUCTURE INCLUDING UTILITIES EXPANSION IMPROVEMENTS TO ENHANCE THE CITY'S ABILITY TO MEET THE NEEDS OF ITS CURRENT AND FUTURE RESIDENTS AND BUSINESSES

ELEMENT D: IMPROVE THE CITY'S IMAGE WITH THE PURPOSE OF BUILDING LASTING RELATIONSHIPS WITH OUR RESIDENTS AND VALUABLE PARTNERSHIPS WITH OTHER ORGANIZATIONS, AND CONTINUALLY PROVIDE A WELL-BALANCED AND POSITIVE WORKPLACE FOR OUR INTERNAL STAKEHOLDERS.

ELEMENT E: INCREASE QUALITY OF LIFE FOR OUR CITIZENS BY DELIVERING PROGRAMS AND SERVICES THAT FOSTER A SAFE COMMUNITY

ELEMENT F: ENHANCE THE QUALITY OF LIFE THROUGH ARTS AND CULTURE TO CREATE AND PROMOTE A VIBRANT, CULTURALLY DIVERSE COMMUNITY.

ELEMENT G: WORK TOWARD EFFICIENT AND COST-EFFECTIVE SOLUTIONS TO PROTECT AND CONSERVE NATURAL RESOURCES, WHILE PROMOTING ENVIRONMENTAL AWARENESS AND SUSTAINABILITY IN THE COMMUNITY.

Recommendations:

This is a quarterly update on economic development strategies and implementaton. No recommendations are offered at this time.

SOURCE OF ADDITIONAL INFORMATION:

FISCAL IMPACT/FUNDING SOURCES(S)/BUDGET CONSIDERATIONS:
N/A

1. Will this action result in a Budget Amendment? No

PREPARED BY:

Ricardo Noguera, Economic &
Business Development Manager

Division- Office of Economic &
Business Development

Department-

ATTACHMENTS:

Description	Type
1. Revised Staff Presentation	Backup Material








Economic and Business Development Strategies
May 12, 2021 Committee of the Whole





Strategies

This is an update to the March 26, 2021 City Council Retreat. The below dashboard highlights the progress of projects and policies. **Green** represents completed items, **yellow** items are in progress, and **red** represents policies/projects that aren't started yet.

PROJECT	STATUS
Reassign CRA support to Office of Economic and Business Development	
Operational concepts: strengthen partnerships – Enterprise Florida, DEO, Lee County	
Operational concepts: market, aggressively market development parcels – Academic Village, Burnt Store Road Tract, Seven Islands, and the South Cape CRA (ongoing)	
Operational concepts: focus on outreach and support services to existing businesses (ongoing)	
Target industries (ongoing)	

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PROJECT	STATUS
Consolidation of Office of Economic Development	
Rebrand as Office of Economic and Business Development	







Strategies

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PROJECT	STATUS
Resolution 220-16 Economic Incentive Fund for Small Business Awards	
Economic Development Master Plan (2014)	
CapeCompetes Council	
Economic Incentives Program	
Corridor Plan for Burnt Store Road to maximize development potential	




Strategies

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PROJECT	STATUS
Transfer of marketing activities to Office of Communications and Marketing	
Business Infrastructure Grant: assist developers with site development costs associated with new non-residential construction, expansions, or renovations for targeted industries	
Projects greater than 20,000 sq. ft. of useable building space – up to 50 percent of eligible costs not to exceed \$175,000	
Enhanced Value Grant	
Encourage large-scale non-residential and mixed-use development through new construction or redevelopment. Annual Rebate of “City Share” of Property Taxes Generated	
Small Business Partner Program: aimed at existing and relocating businesses to the Cape and engaged in construction trades, finance, insurance, healthcare, IT, manufacturing, marine, professional services, veterinary services, warehousing, wholesale trade. Eligible activities: capital improvements, including construction, renovation or tenant improvements.	

Strategies

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PROJECT	STATUS
Rezone east of Corbett Road to support Light Industrial Uses	
Promote and incentivize the development of Light Industry and Office Development	
Prioritize expansion of utilities in key growth areas: Corbett Rd., Pine Island Rd., Opportunity Zone, and Burnt Store Rd.	




Strategies

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Business Improvement Districts (BID) to fund enhanced safety, landscaping, lighting, sidewalk, public space cleaning, marketing campaigns, and other improvements,	
Open container zone in the South Cape	
Impact fees to be competitive with neighboring cities	
Dedicate Business Tax Receipts revenues to business development programs and activities	
Adopt ad valorem property tax exemption for new and expanding businesses – requires voter approval	

Strategies

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PROJECT	STATUS
Operational concepts: target business relocation prospects in key markets (NY, Chicago, San Francisco, Miami, Tampa, etc.	
Operational concepts: explore medical technology incubator with Lee County Office of Economic Development	
Operational concepts: build our brand and create a sense of place. Rebrand SE 47 th Terrace.	
Creative Arts Incentive: intended for new construction, renovation, or property acquisition	

THANK YOU
any questions?

