

**Mayor**

John Gunter

**Council Members**

District 1: Bill Steinke

District 2: Dan Sheppard

District 3: Tom Hayden

District 4: Patty L. Cummings

District 5: Robert M. Welsh

District 6: Keith E. Long

District 7: Jessica Cosden

**Interim City Manager**

Michael Ilczyszyn

**City Attorney**

Dolores Menendez

**City Auditor**

Andrea R. Russell

**City Clerk**

Kimberly Bruns

1015 Cultural Park Blvd.  
Cape Coral, FL

**AGENDA FOR THE SPECIAL MEETING OF THE  
CAPE CORAL CITY COUNCIL**

May 24, 2023

12:00 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.

**VIDEO**

**1. MEETING CALLED TO ORDER**

A. MAYOR GUNTER

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL**

A. MAYOR GUNTER, COUNCIL MEMBERS COSDEN,  
CUMMINGS, HAYDEN, LONG, SHEPPARD, STEINKE,  
WELSH

**4. CITIZENS INPUT TIME**

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

**5. BUSINESS**

A. CONSENT AGENDA

- (1) Resolution 133-23 Approve rescinding and repealing Resolution 5-12, as Amended, Which Created the Budget Review Committee; (Advanced by City Council)
- (2) Resolution 134-23 A Resolution adopting the Cape Coral Community Development Block Grant Disaster Recovery (CDBG-DR) Projects and Programs Plan; authorizing and

directing the City Manager to prepare and submit the Cape Coral CDBG-DR Projects and programs plan to Lee County; authorizing the City Manager or his designee to accept and execute the grant agreement for the CDBG Disaster Recovery program when received from Lee County; authorizing the City Manager or his designee to accept and execute grant agreements with subrecipients; authorizing the City Manager to amend the plan, as needed, and such amendment(s) shall comply with the rules and regulations of the CDBG-DR Program; (Advanced by City Management)

## **6. ORDINANCES/RESOLUTIONS - INTRODUCTIONS**

### **A. Ordinance 52-23 Set Public Hearing for June 7, 2023**

#### **WHAT THE ORDINANCE ACCOMPLISHES:**

The ordinance amends the Code Of Ordinances, Chapter 2, "Administration," Article V, "Boards And Commissions," to Repeal And Delete Division 8, "Golf Course Advisory Board," Division 13, "Nuisance Abatement Board," Division 14, "Waterway Advisory Board," Division 15, "Parks And Recreation Advisory Board," And Division 16, "Cape Competes Advisory Board"; amends Chapter 2, "Administration," Article V, "Boards And Commissions," Division I. "Generally", Article IX, "Naming Of City Assets," Chapter 19, "Water And Sewer Utilities," Article VI, "Utility Franchises," And Chapter 20, "Water Wells," to delete references to boards that have been repealed; and amends Chapter 2, "Administration," Article V, "Boards And Commissions," Division 12, "Youth Council" to change the board from an advisory board to a fact finding board. (Applicant: Advanced by City Council)

## **7. TIME AND PLACE OF FUTURE MEETINGS**

### **A. A Committee of the Whole Meeting is Scheduled for Wednesday, May 31, 2023, at 9:00 a.m. in Council Chambers**

## **8. MOTION TO ADJOURN**

This agenda should not be viewed as containing definitive information on matters of law with respect to ordinance and resolution summaries.

### **GENERAL RULES AND PROCEDURES REGARDING THE CAPE CORAL CITY COUNCIL 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 or the Consent Agenda may do so during the designated times 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](http://capecoral.net)) after 4:00 PM on the Thursday prior to the Council Meeting.



**AGENDA REQUEST FORM**  
CITY OF CAPE CORAL

Item Number: A.(1)

Meeting Date: 5/24/2023

Item Type: **CONSENT AGENDA**

**TITLE:**

Resolution 133-23 Approve rescinding and repealing Resolution 5-12, as Amended, Which Created the Budget Review Committee; (Advanced by City Council)

**ORDINANCES AND RESOLUTIONS:**

**REQUESTED ACTION:**

Approve or Deny

**SUMMARY EXPLANATION AND BACKGROUND:**

**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:**

**SOURCE OF ADDITIONAL INFORMATION:**

Mark C. Mason, Financial Services Director (239)574-0491

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

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

**PREPARED BY:**

Suzanne Lopez, Senior  
Administrative Specialist

Division- Administration

Department- Financial  
Services

**ATTACHMENTS:**

- | Description          | Type            |
|----------------------|-----------------|
| 1. Resolution 133-23 | Backup Material |

RESOLUTION 133 - 23

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPE CORAL, FLORIDA RESCINDING AND REPEALING RESOLUTION 5-12, AS AMENDED, WHICH CREATED THE BUDGET REVIEW COMMITTEE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council established a Budget Review Committee by the adoption of Resolution 5-12 on March 12, 2012, which was amended by Council, including but not limited to Resolution 99-15, and

WHEREAS, the City Council has reviewed the duties and scope of the Budget Review Committee and has determined that it can now be terminated.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CAPE CORAL, FLORIDA:

SECTION 1. Resolution 5-12 which created the Budget Review Committee, and all amendments thereto, including but not limited to Resolution 99-15, are hereby repealed and rescinded.

SECTION 2. This Resolution shall take effect immediately upon its adoption.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF CAPE CORAL AT ITS REGULAR SESSION THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.

\_\_\_\_\_  
JOHN GUNTER, MAYOR

VOTE OF MAYOR AND COUNCILMEMBERS:

GUNTER \_\_\_\_\_  
STEINKE \_\_\_\_\_  
SHEPPARD \_\_\_\_\_  
HAYDEN \_\_\_\_\_

CUMMINGS \_\_\_\_\_  
WELSH \_\_\_\_\_  
LONG \_\_\_\_\_  
COSDEN \_\_\_\_\_

ATTESTED TO AND FILED IN MY OFFICE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.

\_\_\_\_\_  
KIMBERLY BRUNS  
CITY CLERK

APPROVED AS TO FORM:



\_\_\_\_\_  
JOHN E. NACLERIO, III  
ASSISTANT CITY ATTORNEY  
res/Repeal Budget Review Committee



## AGENDA REQUEST FORM

CITY OF CAPE CORAL

Item Number: A.(2)

Meeting Date: 5/24/2023

Item Type: CONSENT AGENDA

### TITLE:

Resolution 134-23 A Resolution adopting the Cape Coral Community Development Block Grant Disaster Recovery (CDBG-DR) Projects and Programs Plan; authorizing and directing the City Manager to prepare and submit the Cape Coral CDBG-DR Projects and programs plan to Lee County; authorizing the City Manager or his designee to accept and execute the grant agreement for the CDBG Disaster Recovery program when received from Lee County; authorizing the City Manager or his designee to accept and execute grant agreements with subrecipients; authorizing the City Manager to amend the plan, as needed, and such amendment(s) shall comply with the rules and regulations of the CDBG-DR Program; (Advanced by City Management)

### ORDINANCES AND RESOLUTIONS:

#### WHAT THE RESOLUTION ACCOMPLISHES:

A Resolution adopting the Cape Coral Community Development Block Grant Disaster Recovery (CDBG-DR) Projects and Programs Plan; authorizing and directing the City Manager to prepare and submit the Cape Coral CDBG-DR Projects and programs plan to Lee County; authorizing the City Manager or his designee to accept and execute the grant agreement for the CDBG Disaster Recovery program when received from Lee County; authorizing the City Manager or his designee to accept and execute grant agreements with subrecipients; authorizing the City Manager to amend the plan, as needed, and such amendment(s) shall comply with the rules and regulations of the CDBG-DR Program

### REQUESTED ACTION:

Approve or Deny

### SUMMARY EXPLANATION AND BACKGROUND:

Presentation of possible Community Development Block Grant Disaster Recovery (CDBG-DR) projects, for Council approval for submission to the Resilient Lee Task Force.

### 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?

CITY SERVICES AND AMENITIES: DELIVER EXCEPTIONAL CITY SERVICES AND HIGH-QUALITY AMENITIES

### RECOMMENDATIONS:

Approval

### SOURCE OF ADDITIONAL INFORMATION:

Ryan W. Lamb, Fire Chief, 1-239-242-3601

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

1. Will this action result in a Budget Amendment?

**PREPARED BY:**

Linda A. Kurzmann, Senior Administrative  
Specialist

Division- Administration

Department- Fire

**ATTACHMENTS:**

<b>Description</b>	<b>Type</b>
▣ 1. Resolution 134-23	Backup Material
▣ 2. Exhibit 1	Backup Material
▣ 3. Memo from Interim City Manager Ilczyszyn	Backup Material
▣ 4. Presentation (displayed at the meeting)	Presentation

RESOLUTION 134 - 23

A RESOLUTION ADOPTING THE CAPE CORAL COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY (CDBG-DR) PROJECTS AND PROGRAMS PLAN; AUTHORIZING AND DIRECTING THE CITY MANAGER TO PREPARE AND SUBMIT THE CAPE CORAL CDBG-DR PROJECTS AND PROGRAMS PLAN TO LEE COUNTY; AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ACCEPT AND EXECUTE THE GRANT AGREEMENT FOR THE CDBG DISASTER RECOVERY PROGRAM WHEN RECEIVED FROM LEE COUNTY; AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ACCEPT AND EXECUTE GRANT AGREEMENTS WITH SUBRECIPIENTS; AUTHORIZING THE CITY MANAGER TO AMEND THE PLAN, AS NEEDED, AND SUCH AMENDMENT(S) SHALL COMPLY WITH THE RULES AND REGULATIONS OF THE CDBG-DR PROGRAM; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Community Development Block Grant Disaster Recovery (CDBG-DR) grant funds are appropriated by Congress and allocated by the United States Department of Housing and Urban Development (HUD) to rebuild disaster-impacted areas and to provide funds to most impacted and distressed areas for disaster relief, long-term recovery, restoration and infrastructure, housing and economic revitalization; and

WHEREAS, Congress has appropriated three billion dollars to the CDBG-DR program to assist recovery efforts from events in 2022 or later for the purpose of addressing unmet needs that other federal agencies have not yet addressed; and

WHEREAS, the City Manager recommends City Council authorize and direct the City Manager to prepare and submit the Cape Coral CDBG-DR Projects and Programs Plan to Lee County, and upon receipt Lee County will review the City's plan and will then distribute any grant funds the City may be allocated to.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CAPE CORAL, FLORIDA:

Section 1. That the City Council for the City of Cape Coral hereby adopts the Cape Coral Community Development Block Grant Disaster Recovery Projects and Programs Plan. A copy of the plan is attached hereto as Exhibit 1.

Section 2. The City Council authorizes and directs the City Manager or his Designee to prepare all required materials necessary for the submission of the Cape Coral CDBG-DR Projects and Programs Plan and make application to Lee County.

Section 3. The City Council authorizes and directs the City Manager or his Designee to accept and execute the grant agreement upon receipt from Lee County for the Program on behalf of the City.

Section 4. The City Council authorizes and directs the City Manager or his Designee to accept and authorize all grant agreements with subrecipients, pursuant to execution of the grant agreement with Lee County.

Section 5. The City Council hereby authorizes the City Manager to amend the plan and such amendment(s) shall comply with the rules and regulations of the CDBG-DR program.

Section 6. Effective Date. This Resolution shall take effect immediately upon its adoption by the Cape Coral City Council.

ADOPTED BY THE COUNCIL OF THE CITY OF CAPE CORAL CITY COUNCIL AT ITS REGULAR SESSION THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.

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JOHN GUNTER, MAYOR



VOTE OF MAYOR AND COUNCILMEMBERS:

GUNTER	_____	CUMMINGS	_____
STEINKE	_____	WELSH	_____
SHEPPARD	_____	LONG	_____
HAYDEN	_____	COSDEN	_____

ATTESTED TO AND FILED IN MY OFFICE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.

\_\_\_\_\_  
KIMBERLY BRUNS  
CITY CLERK

APPROVED AS TO FORM:

  
\_\_\_\_\_  
BRIAN R. BARTOS  
DEPUTY CITY ATTORNEY  
Res/ CDBG-DR Projects & Programs Plan

# CAPE CORAL COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY (CDBG- DR) PROGRAMS AND PROJECTS PLAN

Hurricane Ian Long-Term  
Infrastructure, Housing, and  
Mitigation Needs Analysis



May 19, 2023

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## INTRODUCTION

On September 28, 2022, Hurricane Ian made landfall in southwest Florida as a Category 5 hurricane. Residents across the City of Cape Coral, Florida experienced wind gusts of 140 miles per hour and a massive storm surge of over 7 feet, causing widespread flooding, power outages, and severe damage to homes, businesses, schools, and critical infrastructure. Hurricane Ian impacted those least able to afford the damage, particularly low-income households and those with limited or no resources to recover from the storm.

This report provides detailed documentation of the City's long-term disaster recovery needs for housing, infrastructure, mitigation, economic revitalization, and planning. **The data and analysis provided in this report, along with the City's history of managing Community Development Block Grant (CDBG) programs support the City's request for receiving CDBG-DR (Disaster Recovery) funding as a subrecipient of Lee County for unmet needs from the Hurricane Ian disaster.**

For over 40 years, a team of veteran city staff, non-profit partners, and expert consultants have successfully managed U.S. Department of Housing and Community Development (HUD) programs. The City has extensive experience with CDBG funding dating back to 1981. The CDBG Program funding is utilized for the comprehensive revitalization of designated neighborhoods, housing rehabilitation, social services, home ownership assistance, acquisition of real property, and public facilities and improvements. Additionally, the City has successfully administered 91% of its CDBG-CV (Cares Act) programs for housing, utilities, and food assistance. The City's staff has decades of experience with CDBG and is well-equipped with internal and external resources to manage a large-scale disaster recovery grant.

The City has compiled the most recent data related to the damage sustained from Hurricane Ian and has developed a preliminary inventory of unmet need in the community. The current total estimates of unmet needs from Hurricane Ian are approximately \$4.1 billion. See **Table 1** for unmet needs by CDBG-DR program type.

**Table 1: Unmet Needs By CDBG-DR Program Type**

Unmet Needs By CDBG-DR Program Type		
Program Type		Total Amount
Housing		\$781,408,845.00
Infrastructure Public Facilities and Improvements	FEMA PA	\$1,879,469.98
	FEMA HMGP	\$33,741,688.25
	FHWA	\$231,095.00
	Stand-Alone Infrastructure	\$2,394,559,741.00
Planning and Public Services		\$13,270,000.00
Economic Development and Revitalization		\$23,631,250.00
Mitigation		\$863,105,358.00
<b>Total Unmet Need</b>		<b>\$4,111,827,447.23</b>

As an existing HUD entitlement community, the City has seasoned staff and with the additional support of consultants the City will be adequately staffed to manage a program of this size efficiently and successfully. Upon the City's unmet needs assessment and in an effort to rebuild this incorporated city back to its pre-disaster state, the City has developed a list of potential CDBG-DR programs, projects, and estimated costs in the following program areas:

- **Housing:** The City will provide critical assistance to its most vulnerable populations by repairing damaged homes, expanding access to affordable housing resources, and constructing new homes outside of the

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existing floodplain. Many homes have experienced damage due to significant surge in the floodplain where rebuilding is unsustainable. Direct federal assistance will help the City relocate these residents to safer and more sustainable housing.

- **Infrastructure and Public Facilities and Improvements:** The City will use Infrastructure funding to cover the local cost share of disaster grants from the Federal Emergency Management Agency (FEMA) and the Federal Highway Administration (FHWA) and for disaster-related stand-alone projects not covered by other grant sources.
- **Mitigation:** To prepare for future disasters, the City must implement mitigation measures to reduce the need for costly post-disaster repair and bring the City up to appropriate building standards.
- **Economic Development and Revitalization:** Building a strong economic base in areas of the City most impacted by Hurricane Ian will increase the resiliency and community's ability to withstand future disasters and create opportunities for low- and moderate-income workers.
- **Planning and Public Services:** The City must develop and maintain comprehensive recovery plans that address ongoing community needs related to housing, infrastructure, and economic development.

### *Impacts of Hurricane Ian on the City of Cape Coral*

Hurricane Ian made landfall as a Category 5 hurricane with storm surge reaching over 7 feet as the water barreled from the Gulf of Mexico across barrier islands and submerging homes and buildings along the waterfront. Due to the massive storm surge and exorbitant amount of rainfall, the City was immersed in flooding leaving very few buildings and homes unscathed from the water damage. The powerful wind gusts of 140 miles per hour from Hurricane Ian caused extensive damage to the City's electrical system. Of the 2.2 million power outages reported across Florida, Cape Coral had the highest power outage by area. The substantial flooding, power outages, and debris created early challenges for the City, which delayed rebuilding and restoration activities until the area could be made safe for crews to work. Nearly three weeks post Hurricane Ian, only 3 of the 27 public schools in Cape Coral were safe to reoccupy, affecting over 20,000 students and their families. Additionally, school closures left many community members without work for an extended period.

## Housing

Hurricane Ian led to significant impacts on housing in Cape Coral. This section examines the best available data available to understand impacts to owner-occupied and rental housing in Cape Coral, and identifies housing programs that could support the housing recovery with CDBG-DR funds.

### *The Housing Analysis and Methods*

The FEMA Individual Assistance (IA) Program is the primary basis for establishing housing unmet recovery need for CDBG-DR funds. To determine the City's unmet financial need for housing, City staff used HUD's methodology for calculating unmet needs for 2020 and 2021 disasters because the Federal Register Notice (FRN) for the 2022 disaster allocations has not been released as of May 17, 2023, when this analysis was prepared.<sup>1</sup>

FEMA's Individuals and Households Program – Valid Registrations dataset was last updated on April 29, 2023, and is the basis of the City's housing needs analysis.<sup>2</sup> This data is subject to change in the future when FEMA updates IA data, therefore this housing unmet needs analysis is a point-in-time analysis and can be updated in the future.

<sup>1</sup> [https://www.hud.gov/sites/dfiles/CPD/documents/CDBG-DR/87\\_FR\\_31636.pdf](https://www.hud.gov/sites/dfiles/CPD/documents/CDBG-DR/87_FR_31636.pdf)

<sup>2</sup> [Individuals and Households Program - Valid Registrations - v1 | FEMA.gov](#)

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The following data was used to estimate recovery needs for housing:

1. **Households with Major-Low Damage or Higher:** HUD defines major-low damage as real property damage that meets or exceeds \$8,000 in FEMA inspected real property damage, personal property damage that meets or exceeds \$3,500 or 1 to 3.9 feet of flooding on the first floor.
2. **Units Inspected by FEMA:** Inspections of units by FEMA for real or personal property damage.
3. **Primary Residence:** Households included in this analysis are those who reported that the damaged property is their primary residence.
4. **Annual household income  $\leq$  \$60,000:** The FEMA IA registrant portal requires applicants to self-report their income into different income brackets. Any self-reported income in the brackets less than or equal to \$60,000 are assumed to be low- and moderate-income (LMI) households (80% area median income for a family of four in Cape Coral is \$68,100). All households that reported \$0 income to FEMA are assumed to be non-LMI until they are income-verified.

### *CDBG-DR Eligible Units – Owners*

The City estimates that 4,455 of the 59,297 FEMA registrants are CDBG-DR eligible owner units that received significant damage, which will likely lead to unmet housing needs.

**Table 22** below provides a breakdown of the analysis of CDBG-DR Eligible Units. The estimated average cost of repair (\$54,540) was calculated as the average damage assessment of properties classified as *minor damage*, *major damage*, and *destroyed* by City of Cape Coral inspection staff. An additional 25% was added to the damage estimate due to inflation and contingency costs related to repair. When applicants apply for housing assistance, an official cost of repair will be prepared.

**Table 2: Unmet Owner-occupied Housing Need**

Owner-occupied Housing Need	
Description	Total
Total FEMA Registrants located within Cape Coral	59,297
Number of owner-occupied units with at or above \$8,000 in real property damage or at and above \$3,499 in personal property damage	4,455
House or Duplex Units	4,349
Mobile Home Units	28
Townhouse Units	3
Condo Units	75
Average damage estimate of inspected properties (\$54,540) plus 25% contingency	\$68,175
<b>Total Need</b>	<b>\$303,719,625</b>
1837 LMI Units	\$125,237,475 (41.2% of total)
2618 Non-LMI Units	\$178,482,150 (58.5% of total)

### *CDBG-DR Eligible Units - Renters*

For rental properties, FEMA does not assess real property damage. Instead, HUD's unmet needs methodology uses FEMA IA personal property damage estimates or flooding water levels to determine unmet rental housing needs, see **Table 3**. The threshold to be considered a high level of damage is either a household with personal property damage of \$2,000 and above, or at and above one foot of flooding on the first floor.

Table 3: Unmet Rental Housing Need

Unmet Rental Housing Need	
Description	Total
Total FEMA Registrants located within Cape Coral	59,297
Number of rental units with personal property damage at \$2,000 or above or at an above 12" of flooding	1,963
House or Duplex Units	1,277
Mobile Home Units	10
Apartment Units	588
Townhouse Units	17
Condo Units	71
Average damage estimate of minor and major damaged properties (\$54,540) plus 25% contingency	\$68,175
<b>Total Unmet Need</b>	<b>\$133,827,525</b>
1191 LMI Units	\$81,196,425 (60.7% of total)
772 Non-LMI Units	\$52,631,100 (39.3% of total)

### Summary of Housing Needs

**Table 4** below lists the total housing need less housing repair assistance received for Cape Coral. These are total housing needs at this point in time. This analysis does not include the amount of Small Business Association (SBA) loans or insurance claims. Once households apply for CDBG-DR assistance, the City will conduct a duplication of benefits review of other that includes but is not limited to FEMA IA, homeowner's insurance, flood insurance, SBA loans, any local or state loans or grants, and other housing-related repair assistance.

Table 4: Total Housing Need

Total Housing Unmet Needs			
Description	Owners	Renters	Total
Estimated number of units with major-low damage or greater	4,455	1,963	<b>6,418</b>
Average damage estimate of minor and major damaged properties (\$54,540) plus 25% contingency	\$68,175	\$68,175	<b>\$68,175</b>
Total Housing Need	<b>\$303,719,625</b>	<b>\$133,827,525</b>	<b>\$437,547,150</b>
Less FEMA Housing Repair Assistance Received	<b>\$22,618,305</b>	<b>\$0</b>	<b>\$22,618,305</b>
<b>Total Housing Unmet Need</b>	<b>\$281,101,320</b>	<b>\$133,827,525</b>	<b>\$414,928,845</b>



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## *City of Cape Coral CDBG-DR Proposed Housing Programs*

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To recover from the estimated \$414,928,845 in housing unmet needs, the City of Cape Coral is proposing the housing programs listed below.

### *Single-Family Home Repair and Hardening Program*

The Single-Family Home Repair and Hardening Program will provide home repair and hardening for owner and renter occupied single-family homes impacted by Hurricane Ian in Cape Coral. The purpose of this program is to address unmet needs related to single-family homes impacted by Hurricane Ian, while incorporating mitigation measures to reduce vulnerability to future disasters. Activities will take place in accordance with established City rehabilitation guidelines, as well as all required federal requirements.

**Recommended program allocation: \$98,385,462**

### *Attainable Homeownership Program*

The Attainable Homeownership Program will provide the development of single-family homes for sale to LMI households. This is an expansion of the City's existing housing programs. The development of these homes meets pre-and post-storm documented need for affordable housing in Cape Coral. The pre-storm documented needs indicated a need for 2,946 homeownership units for LMI. The City recognizes the need for additional housing has been exacerbated since the storm. The program will include the acquisition of land and construction of units. The program will include long-term affordability mechanisms including, but not limited to the right-of-first refusal, shared equity and the establishment of a City Community Land Trust. These homes will incorporate green building principles and Florida Building Code (FBC) required hardening.

The City has a long-established single-family homeownership program for LMI households using federal and state grant funding. The City is unique in that the City of over 120 square miles is a pre-platted into predominately 10,000 square foot single-family home sites. There is relatively little land zoned appropriately for multi-family housing therefore the City has long concentrated its efforts on the development of single-family homes to address the affordable housing need within the community.

It is anticipated that this will be implemented by the City and non-profit partner agencies utilizing City surplus and privately held properties.

**Recommended program allocation: \$235,574,555**

### *Attainable and Senior Rental Program*

The multi-family new construction program will be dedicated to new construction to rebuild and restore affordable housing and bring the community back to pre-disaster living conditions aimed at workforce and senior rentals. The City recognizes the opportunity to utilize CDBG-DR to facilitate the development of new multi-family housing in the City, but also recognizes the lack of large multi-family properties within our jurisdiction. With CDBG-DR funding the City anticipates providing funding for the City's 4% and 9% Low-Income Housing Tax Credit (LIHTC) applications to Florida Housing Finance Corporation (Florida Housing). After tax credit projects are funded, projects with alternative financing mechanisms will be considered. These developments will incorporate green building principles and FBC required hardening. The development of these projects meets pre-and post-storm documented need for affordable housing in Cape Coral. This is an extension of the City's existing housing programs. The program will include the acquisition of land and/or the construction of housing units. The program will require long-term affordability.

It is anticipated that this program will competitively procure non-profit and/or for-profit development partners. The pre-storm documented need indicated 5,226 rental units for LMI. The City recognizes the need has been exacerbated since Hurricane Ian.

**Recommended program allocation: \$66,913,763**

### *Downpayment Assistance Program & Interest Rate Buydown Program*

The Downpayment Assistance Program will provide an opportunity for low-income households (LMH) to purchase affordable housing by providing up to 100% of the downpayment required by the mortgage lender and subsidize mortgage interest rates to make housing payments more affordable. This is an expansion of the City's existing downpayment assistance program. It is anticipated that this will be implemented by the City. The pre-storm documented need indicated 2,946 homeownership units for LMI households. The City recognizes the need has been exacerbated since Hurricane Ian.

Households with income up to 120% Area Median Income (AMI) may qualify based on need. An eight-hour homeownership education course provided by a HUD Certified Housing Counseling Agency is required by applicants.

**Recommended program allocation: \$14,055,065**

### *Other Housing Unmet Needs*

The City of Cape Coral has additional unmet housing beyond the calculated \$414,928,845 needs due to the regional loss of housing due to Hurricane Ian, lack of affordable housing in the metropolitan area, increased costs for construction after the disaster, and the need to keep housing affordable for LMI populations. The identified projects include the redevelopment of a contaminated golf course, located in an identified blighted area of Cape Coral, for affordable housing near essential services and extending and updating critical utilities for LMI households. The utility extensions and updates are occurring in areas that are high in LMI percentages and where the City has previously expended its National Stabilization Program (NSP) funds.

**Other Housing Unmet Needs: \$366,480,000**

For a full list of potential CDBG-DR Housing program and projects, see ***Attachment A: Housing Projects and Programs List***.

## **Infrastructure, Public Facilities, and Improvements**

Due to the catastrophic impact of Hurricane Ian across the entire City, data supports the need for a FEMA Infrastructure Match program. The City is in the process of documenting Hurricane Ian's severe damage to public facilities and infrastructure.

### *City of Cape Coral Proposed Infrastructure CDBG-DR Programs.*

The City is also identifying and documenting projects eligible for the FEMA Hazard Mitigation Grant Program (HMGP), FEMA Public Assistance (PA), Federal Highway Administration (FHWA), and Stand-Alone Infrastructure and Non-Match, see **Table 5**.

Table 5: Infrastructure Program Type and Estimated Costs

Infrastructure Program Type and Estimated Costs		
Infrastructure Program Type	Total Number of Proposed Infrastructure Projects	Estimated Total Cost
FEMA PA	111	\$1,879,469.98
FEMA HMGP	18	\$33,741,688.25
FHWA	18	\$231,095.00
Stand-Alone Infrastructure and Non-Match	24	\$2,394,559,741.00
<b>Total Infrastructure Program Estimated Costs</b>		<b>\$2,394,559,741.00</b>

### *FEMA and FHWA Match Data*

The City will utilize FEMA and FHWA Match funding to support transportation projects, such as roads, bridges, tunnels, transit, pedestrian and bicycle infrastructure, and environmental mitigation to assist in community recovery from Hurricane Ian and become more equipped for future disasters. This funding can be used for a variety of projects that include, but are not limited to infrastructure improvements, road and bridge repair, and other critical infrastructure. The federal funding for FEMA PA match amount is 12.5%, 25% for HMGP, and 20% for FHWA.

For a full FEMA PA, FEMA HMGP, and CDBG-DR FHWA and proposed project list, see:

- **Attachment B: FEMA Public Assistance (PA) Project List**
- **Attachment C: FEMA Hazard Mitigation Grant Program (HMGP) Project List**
- **Attachment D: Federal Highway Administration (FHWA) Project List**

### *Stand-Alone Infrastructure and Non-Match*

The City will utilize stand-alone infrastructure, non-match to mobilize and complete a range of eligible CDBG-DR projects, such as utility repair, road repair, sewer piping, stormwater drainage improvements to assist in community recovery from Hurricane Ian and reduce the need for future disaster recovery efforts, and construct infrastructure for affordable housing development. This funding can be used for utility and stormwater repair, critical infrastructure, and roads. Additionally, non-profits are eligible to receive funding for public facilities and improvement projects.

For a full list of potential CDBG-DR Infrastructure Projects, see **Attachment E: Stand-alone Infrastructure Project List**.

## Mitigation

The City will utilize CDBG-DR for mitigation activity to assist the community recovery from Hurricane Ian and become more equipped for future disasters, ultimately reducing the need for costly post disaster recovery efforts. This funding can be used for a variety of projects that include, but are not limited to infrastructure improvements, relocation or elevation of structures, flood control measures, and other projects that will increase resiliency in the event of a future disaster, see **Table 6**.

**Table 6: Proposed Mitigation Projects and Estimated Costs.**

Proposed Mitigation Projects and Estimated Costs	
Total Number of Proposed Mitigation Projects	Estimated Total Cost
28	\$863,105,358.00

For a full list of proposed CDBG-DR Mitigation projects, see **Attachment H: Mitigation Project List**.

## Economic Development and Revitalization

Due to the catastrophic impacts of Hurricane Ian the City must focus its recovery efforts to rebuild economic stability for LMI residents. The City will utilize CDBG-DR funding to support activities that will create LMI job opportunities and provide workforce training and development. These activities may include, but are not limited to workforce training programs, economic development initiatives, small business development, and business infrastructure improvements and revitalization eliminating slum and blight, see **Table 7**.

**Table 7: Proposed Economic Development and Revitalization Projects and Estimated Cost**

Proposed Economic Development and Revitalization Projects and Estimated Costs	
Total Number of Proposed Economic Development and Revitalization Projects	Estimated Total Cost
4	\$23,631,250.00

For a full list of proposed CDBG-DR Mitigation projects, see **Attachment F: Economic Revitalization Project List**.

## Planning and Public Services

The Planning program will focus on developing comprehensive recovery plans that will address community needs throughout the city. The recovery plans will be developed through a collaborative process with input from diverse stakeholders including, but not limited to local officials, community activists/groups, and residents. The recovery plans can support a variety of activities across housing, infrastructure, and economic development, see **Table 8**.

Recovery plans by program may include, but are not limited to the following:

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- **Housing:** housing development; repair, reconstruction, or replacement homes; and new affordable housing development.
- **Infrastructure:** repair, reconstruction, or replacement of damaged infrastructure (e.g., roads, bridges, and water systems).
- **Economic Development:** creation and retention of employment, specifically LMI jobs; the development of small businesses; and the revitalization of LMI areas.

Table 8: Proposed Planning and Public Services Projects and Estimated Costs

Proposed Planning and Public Services Projects and Estimated Costs	
Total Number of Proposed Planning and Public Services Projects	Estimated Total Cost
8	\$13,270,000.00

For a full list of proposed CDBG-DR Planning projects, see **Attachment G: Planning Project List**.

## Implementation Plan

In preparation for administrating CDBG-DR funds, City staff have begun collecting the following documentation to demonstrate the City's capacity:

- Internal Audit;
- Status of HUD findings with the CDBG Program, if applicable;
- Identifying additional staff needs within the organization to administer CDBG-DR funding; and
- The City will develop policies and procedures specific to CDBG-DR rules and regulations and incorporate existing CDBG policies and procedures where feasible.

Regarding HUD findings, the City does not have open findings with HUD. The City's most recent labor standards monitoring occurred in 2007 and resulted in no findings. The City's most recent environmental review monitoring occurred in 2013 and resulted in no findings. The City's most recent HUD monitoring (2021) reviewed the CDBG program. There were two minor findings related to incorrect accomplishment reporting in the Integrated Disbursement and Information System (IDIS) and updating of CDBG Policies and Procedures to reflect 2 CFR Part 200. Additionally, the City's most recent Cape Coral State Housing Initiatives Partnership Program (SHIP) and Coronavirus Relief Fund monitoring resulted in no material observations.

The City maintains CDBG Policies and Procedures and is prepared to update the documentation for CDBG-DR. These current procedures include administrative structure and responsibilities (e.g., staffing, financial systems, documents, and reports); grant administration (e.g., compliance, national objectives, eligible activities, and audit requirements); and other program requirements. Additionally, the City maintains a variety of HUD related policies including, but not limited to Environmental Review, Relocation, Labor Standards, and Citizen's Participation. The City maintains Rehabilitation Guidelines, Contractor Guidelines, Lender Guidelines, and Subordination of Mortgage Guidelines. The City's Communications Department will be responsible for making any required documents available to the public in the appropriate format.

## Recommendations and Conclusion

Based on a history of successful CDBG programs and the capacity and experience of internal and external resources, Cape Coral is confident in its ability to manage and administer CDBG-DR grant funding to address the community's unmet needs. The following section demonstrates the City's preparation to administer CDBG-DR funds and implement programs once funds are allocated to the City.

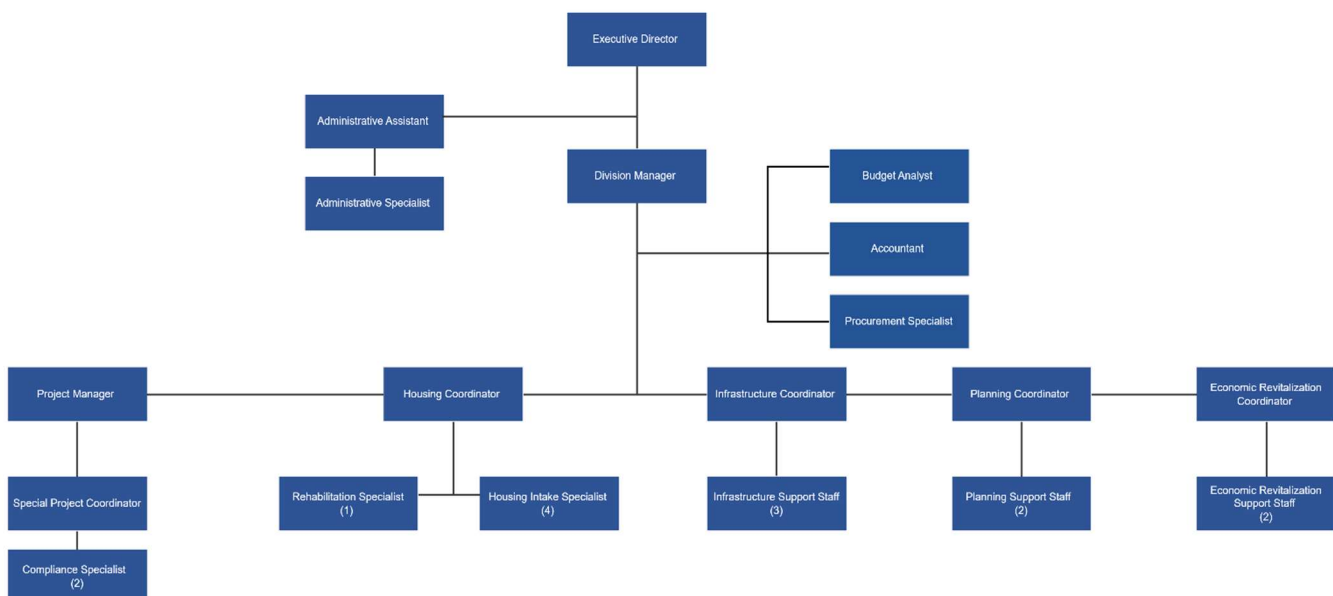
### Administration of CDBG-DR Programs

The City has been a CDBG entitlement since 1981, a State of Florida SHIP Program grantee since 1993, and has designed and implemented a variety of additional grant programs including, but not limited to: HUD Neighborhood Stabilization Program 1 and 3, Florida Homebuyer Opportunity Program, CDBG-R (Recovery), CDBG-CV assistance, and the Florida Department of Emergency Management Residential Construction Mitigation Program. The City's staff is knowledgeable in federal regulations, crosscutting requirements, financial requirements of 24 CFR Part 200, and income certification, 24 CFR Part 5.

The City has access to and experience with HUD's Line of Credit Control Systems (Disaster Recover Grants Reporting System [DRGR] and IDIS), as well as the HUD Environmental Review Online System (HEROS). The City maintains HUD compliant policies including, but not limited to citizens participation, fixed assets, Limited English Proficiency (LEP), monitoring, procurement, relocation, and Section 3. Additionally, the City implemented Neighborly community development software for grant and applicant management. The City has the ability to configure modules to meet any requirements the County may have for the management of CDBG-DR funding.

The City is requesting **5%** for the administration of CDBG-DR programs, see **Figure 1** for a high-level overview of anticipated staffing for the CDBG-DR Program. The City of Cape Coral is dedicated to implementing a recovery strategy that aligns with existing initiatives and mitigation plans to foster a more resilient and sustainable community.

**Figure 1: Anticipated Executive Level Organizational Chart for CDBG-DR Programs**



*\*The Executive Level Organizational Chart above has been created in advance of funding being allocated to the program. Positions may shift according to program need.*



## Conclusion

The City of Cape Coral stands uniquely qualified to assist the county in the successful implementation of CDBG-DR funding. As one of three HUD entitlement communities in Lee County, the City has significant experience with over 40 years combined managing HUD and state funding for housing and community development in our City. The City of Cape Coral, City of Fort Myers, Lee County Department of Human and Veteran Services, and Lee County Department of Community Development have worked together over the last 15 years to provide complimentary programs while acknowledging the differences in our communities when designing our individual programs.

City staff believes that local jurisdictions understand their community's needs and desires best and that is appropriate and necessary for local governments to implement programs at a local level when possible. Often a one-size fits all approach is not appropriate. Additionally, running concurrent programs causes confusion for our residents and does not effectively utilize additional funding available through CDBG, SHIP, and the Hurricane Housing Recovery Program (HHRP), and could also potentially jeopardize the City's and County's ability to meet funding obligations.

As indicated previously, the City has a long history of successfully designing and implementing housing programs. The City sees this as a prime opportunity to assist the County to successfully meet the requirements of the CDBG-DR program while also achieving the City's affordable housing and disaster response needs in accordance with the City's Consolidated Plan and Comprehensive Plan.

The City of Cape Coral is formally requesting to be considered as a subrecipient of Lee County implement the following programs within its jurisdictional boundaries:

1. Housing Program
  - a. Single-Family Home Repair and Hardening Program
  - b. Attainable Homeownership Program
  - c. Attainable and Senior Rental Program
  - d. Downpayment and Interest Rate Buydown Assistance Program
  - e. Other Housing Unmet Needs
2. Infrastructure Match Program
  - a. FEMA PA
  - b. FEMA HMGP
  - c. FHWA
3. Stand-Alone Infrastructure Program
4. Economic Development and Revitalization Program
5. Mitigation Program
6. Planning Program

And within the program identified above, the City of Cape Coral is formally requesting allocations based on its unmet needs **Table 9** below.

Table 9: Unmet Needs By CDBG-DR Program Type

Unmet Needs By CDBG-DR Program Type		
Program Type		Total Amount
Housing		\$781,408,845.00
Infrastructure Public Facilities and Improvements	FEMA PA	\$1,879,469.98
	FEMA HMGP	\$33,741,688.25
	FHWA	\$231,095.00
	Stand-Alone Infrastructure	\$2,394,559,741.00
Planning and Public Services		\$13,270,000.00
Economic Development and Revitalization		\$23,631,250.00
Mitigation		\$863,105,358.00
<b>Total Unmet Need</b>		<b>\$4,111,827,447.23</b>

The City has over 40 years of experience administering CDBG funding effectively and in compliance with HUD regulations. With a team of veteran staff and highly experienced consultants, the City is prepared to implement the CDBG-DR program and successfully complete a variety of high-impact projects throughout the community. By utilizing a scalable and flexible organizational framework the City is also prepared to augment staff as necessary to administer the CDBG-DR funds.



# ATTACHMENT A: HOUSING PROJECTS AND PROGRAMS LIST

Table 9: City of Cape Coral's Housing Projects and Programs

Housing Projects and Programs		
Project/Facility Name	Description/Scope of Work	Estimated Total Unmet Need
<b>Acquisition and rehabilitation of a contaminated golf course into compact affordable housing mixed with low commercial and greenspaces in a planned mobility hub (Golf Course)</b>	<ol style="list-style-type: none"> <li>1.Acquire the private property that is only comprised of land, no building</li> <li>2.Remediate the land</li> <li>3.Provide access based on Mobility Hub / masterplan (Laura's project) as Country Club/Palm Tree Blvd are alternative routes from Cape Coral parkway / CRA but serve as LMI housing to access mobility hub for workforce.</li> <li>4.Provide development footprint for development of compact (2 stories) affordable housing, with lower level being low commercial development to make this a destination and a living neighborhood where mobility is geared towards walking, biking and public transportation.</li> <li>5.Create greenspaces and enhanced stormwater storage and treatment on the rest of the property to provide on-site recreation activities, sense of livable and resilient community for LMI households but also drawing in other opportunities for recreation from non LMI areas.</li> </ol>	\$40,000,000.00
<b>City of Cape Coral Attainable Homeownership Program</b>	<p>The development of single-family homes for sale to LMI households. These homes will incorporate green building principles and FBC required hardening. The development of these homes meets pre- and post-storm documented need for affordable housing in Cape Coral. This is an expansion of the City's existing housing programs. The program will include the acquisition of land, construction of units, and disposition of properties. The program will include long-term affordability mechanisms including, but not limited to the right-of-first refusal, shared equity, and the establishment of a City Community Land Trust.</p> <p>It is anticipated that this will be implemented by the City and non-profit partner agencies utilizing City surplus and privately held properties. Pre-storm documented need indicated a need for 2,946 homeownership units for LMI. The City recognizes the need has been exacerbated since the storm.</p>	\$235,574,555.00

## Housing Projects and Programs

Project/Facility Name	Description/Scope of Work	Estimated Total Unmet Need
<b>City of Cape Coral Attainable and Senior Rental Program</b>	<p>The development of multi-family rental housing for LMI households. These developments will incorporate green building principles and FBC required hardening. The development of these projects meets pre-and post-storm documented need for affordable housing in Cape Coral. This is an extension of the City's existing housing programs. The program will include the acquisition of land and/or the construction of units. The program will require long-term affordability.</p> <p>It is anticipated that this program will competitively procure non-profit and/or for-profit development partners. Pre-storm documented need indicated a need for 5,226 rental units for LMI. The City recognizes the need has been exacerbated since the storm.</p> <p>The City anticipates providing funding through other programs in addition to CDBG-DR for this program.</p>	\$66,913,763.00
<b>City of Cape Coral Downpayment Assistance and Interest Rate Buydown Program</b>	<p>This program expands the City's existing downpayment assistance program for LMI households. The expansion of this existing program meets pre-and post-storm documented need for affordable housing in Cape Coral and will include an interest rate buydown to subsidize mortgage interest rates to make housing payments more affordable.</p> <p>It is anticipated that this will be implemented by the City. Pre-storm documented need indicated a need for 2,946 homeownership units for LMI households. The City recognizes the need has been exacerbated since the storm.</p>	\$14,055,065.00
<b>City of Cape Coral Home Repair and Hardening Program</b>	<p>This is a home repair and hardening program for owner-occupied homes impacted by Hurricane Ian in Cape Coral. The purpose of this program is to address unmet needs related to repairs from the hurricane, while reducing vulnerability of homes by incorporating mitigation measures. Activities will be an extension of the existing City habilitation program and will take place in accordance with established City rehabilitation guidelines, as well as all required federal requirements.</p>	\$98,385,462.00
<b>Special Assessment Program for Income Qualified Households (North 1, 3, 4 and 5 Utilities Extension Projects [UEP])</b>	<p>The program will pay for special assessments for only low-mod households within North 1, 3, 4, and 5 utility expansion areas. Utility expansions include the construction of potable water, wastewater, irrigation water, storm drain replacement, road improvements, and fiber optics. The program will aim to ensure that low-mod households are not overburdened by the expansion of utilities and keep housing costs affordable for new housing constructed in the identified areas.</p> <p>This program compliments the City's existing Utility Connection Program. This program is part of the City's owner-occupied rehab program that provides assistance to low-mod households for mandatory utility connections from the street to the house.</p>	\$326,480,000.00
<b>Total</b>		<b>\$781,408,845.00</b>

# ATTACHMENT B: FEMA PUBLIC ASSISTANCE (PA) PROJECT LIST

Table 10: City of Cape Coral's FEMA PA Projects

FEMA PA Projects			
Category	Project/Facility Name	Estimated Total Project Cost	12.5% Local Match
C	Bridge Structures (9)	\$100,000.00	\$12,500.00
C	City Wide Roadway Damage	\$1,000,000.00	\$125,000.00
C	Roadway Drainage Structures - Citywide	\$1,000,000.00	\$125,000.00
C	Citywide Street Lights	\$250,000.00	\$31,250.00
C	Sidewalks (18)	\$900,000.00	\$112,500.00
C	Culvert Washout	\$200,000.00	\$25,000.00
C	Roadway Signs	\$500,000.00	\$62,500.00
D	Canal Damages - Citywide	\$1,000,000.00	\$125,000.00
D	City Owned Vacant Lot Canal Walls	\$1,000,000.00	\$125,000.00
D	Bubble Curtains	\$56,432.74	\$7,054.09
D	Canal Pump Station #8	\$10,599.07	\$1,324.88
D	Canal Pump Station #5	\$5,000.00	\$625.00
D	Canal Pump Station #4	\$5,000.00	\$625.00
D	Canal Pump Station #3	\$11,023.66	\$1,377.96
D	Canal Pump Station #2	\$5,000.00	\$625.00
D	Canal Pump Station #10	\$5,000.00	\$625.00
E	Citywide Trash Carts Replacement	\$687,378.28	\$85,922.29
E	Cape Coral Career and Services Center	\$146,440.39	\$18,305.05
E	City Hall	\$60,130.09	\$7,516.26
E	Facilities Management Building	\$3,349.09	\$418.64
E	Fire Headquarters and EOC	\$6,143.66	\$767.96
E	Fleet Management Complex	\$308,471.11	\$38,558.89
E	Nicholas Annex	\$10,000.00	\$1,250.00
E	Police Department	\$8,802.48	\$1,100.31
E	Cape Coral Small Business Development Center	\$5,000.00	\$625.00
E	Capital Improvements Office	\$48,020.57	\$6,002.57
E	Chester Street Resource Center	\$113,129.34	\$14,141.17
E	Fire Station #9	\$10,709.37	\$1,338.67
E	Fire Station #8	\$8,549.13	\$1,068.64
E	Fire Station #7	\$7,500.00	\$937.50
E	Fire Station #6	\$1,313.93	\$164.24
E	Fire Station #5	\$5,295.41	\$661.93
E	Fire Station #4	\$3,500.00	\$437.50
E	Fire Station #3	\$5,000.00	\$625.00
E	Fire Station #2	\$5,000.00	\$625.00
E	Fire Station #12	\$ 5,000.00	\$ 625.00
E	Fire Station #11	\$1,192.72	\$149.09
E	Fire Station #10	\$95,749.35	\$11,968.67
E	Fire Station #1	\$8,107.88	\$1,013.49
E	Special Populations Center	\$92,275.28	\$11,534.41
E	Lake Kennedy Center	\$76,158.47	\$9,519.81
E	Oasis Charter Schools South Complex	\$102,540.32	\$12,817.54
E	Oasis Elementary North	\$18,844.93	\$2,355.62
E	Old Fire Station #2	\$5,000.00	\$625.00

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## FEMA PA Projects

Category	Project/Facility Name	Estimated Total Project Cost	12.5% Local Match
E	Residence - Building #1308	\$31,928.94	\$3,991.12
E	Residence - Building #1300	\$1,493.80	\$186.73
E	Youth Center	\$714.00	\$89.25
E	City Vehicles	\$43,290.92	\$5,411.37
F	Everest Water Reclamation Facility	\$122,152.03	\$15,269.00
F	Cape Coral Southwest Water Reclamation Facility	\$407,811.21	\$50,976.40
F	Southwest Reverse Osmosis Plant	\$1,305,411.38	\$163,176.42
F	North Reverse Osmosis Plant	\$276,631.57	\$34,578.95
F	Southwest RO Production Wells Damage - Citywide	\$55,000.00	\$6,875.00
F	North RO Production Wells Damage - Citywide	\$85,000.00	\$10,625.00
F	Citywide Lift Stations (274)	\$10,558.34	\$1,319.79
F	Southwest Pine Island Pump Station and Irrigation tanks	\$ 5,000.00	\$ 625.00
F	Palm Tree Pump Station	\$5,000.00	\$625.00
F	Van Loon Pump Station	\$5,000.00	\$625.00
F	Master Lift Station #330	\$5,000.00	\$625.00
F	Master Lift Station #361	\$5,000.00	\$625.00
G	Bernice Braden Park	\$150,000.00	\$18,750.00
G	BMX Park Boat Ramp	\$443,962.81	\$55,495.35
G	Burnt Store Boat Ramp	\$139.16	\$17.40
G	Burton Memorial Park	\$53,524.16	\$6,690.52
G	Caloosa Park	\$82,369.78	\$10,296.22
G	Camelot Park	\$7,606.33	\$950.79
E	Forestry Building	\$1,338.80	\$167.35
G	Cape Coral Sports Complex	\$194,582.59	\$24,322.82
G	Channel Markers	\$250,000.00	\$31,250.00
D	Chiquita Boat Lock	\$25,673.04	\$3,209.13
G	Coral Oaks Golf Course	\$259,165.09	\$32,395.64
G	Cultural Park	\$88,170.79	\$11,021.35
G	Del Prado Linear Park	\$5,000.00	\$625.00
G	Eagle Skate Park	\$15,000.00	\$1,875.00
G	Founders Park	\$5,000.00	\$ 625.00
G	Four Freedoms Park	\$32,933.35	\$4,116.67
G	Four Mile Cove Ecological Preserve	\$15,125.96	\$1,890.75
G	Giuffrida Park	\$16,426.48	\$2,053.31
G	Horton Park and Boat Ramp	\$2,005.86	\$250.73
G	Jason Verdow Memorial Park	\$16,539.74	\$2,067.47
G	Jaycee Park	\$1,030.81	\$128.85
G	Jim Jeffers Park	\$43,510.50	\$5,438.81
G	Joe Stonis Park	\$1,736.52	\$217.07
G	Koza/Saladino Park	\$68,903.48	\$8,612.94
G	Northwest Softball Complex	\$29,927.00	\$3,740.88
G	Paul Sanborn Park	\$5,000.00	\$625.00
G	Pelican Baseball Complex	\$151,920.27	\$18,990.03
G	Pelican Soccer Complex	\$3,775.58	\$471.95
G	Reflections Park	\$ 5,000.00	\$625.00
G	Rosen Park	\$4,039.63	\$504.95
G	Rotary Community Garden	\$5,000.00	\$625.00
G	Rotary Park	\$69,565.16	\$8,695.65
G	Rubicond Park and Art Center	\$33,440.99	\$4,180.12
G	Saratoga Lake Park	\$5,710.59	\$713.82

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## FEMA PA Projects

Category	Project/Facility Name	Estimated Total Project Cost	12.5% Local Match
G	Seahawk Park	\$879.50	\$109.94
G	Sirenia Vista Park	\$16,021.18	\$2,002.65
G	Storm Football Complex	\$122,044.84	\$15,255.61
G	Strausser BMX Sports Complex	\$443,962.81	\$55,495.35
G	Veteran's Park	\$5,000.00	\$625.00
G	Yacht Club Community Park	\$1,049,586.94	\$131,198.37
G	Section 1206 Floodplain Management	\$1,000,000.00	\$125,000.00
<b>Total</b>			<b>\$1,879,469.98</b>

# ATTACHMENT C: FEMA HAZARD MITIGATION GRANT PROGRAM (HMGP) PROJECT LIST

Table 11: City of Cape Coral's FEMA HMGP Projects

FEMA HMGP Projects		
Project/Facility Name	Estimated Total Project Cost	25% Local Match
Wind Retrofits & Generator: Fire Station 6, Lake Kennedy, Special Populations	\$1,995,349.00	\$498,837.25
Standalone Safe Rooms (3)	\$6,975,615.00	\$1,743,904.00
Emergency Operations Center Saferoom	\$3,627,972.00	\$906,993.00
Codes Plus Projects Fire Stations 10, 5	\$4,582,892.00	\$1,145,723.00
City Hall Generator and Wind Retrofit	\$10,501,683.00	\$2,625,421.00
Police HQs Hardening & Battery Backup at Primary Data Center	\$995,432.00	\$248,858.00
Hardening of Nicholas Annex	\$3,252,807.00	\$813,202.00
Lift Stations Generators (Combined)	\$28,000,000.00	\$7,000,000.00
Dedicated Potable Water Main to Cape Coral Hospital	\$15,000,000.00	\$3,750,000.00
Everest Bleach Building	\$1,250,000.00	\$312,500.00
South RO Plant Hardening	\$15,000,000.00	\$3,750,000.00
Southwest WRF Biosolids Buildings	\$2,500,000.00	\$625,000.00
Supplemental Water Source for Critical Facilities	\$1,285,000.00	\$321,250.00
Relocation and Construction Utilities Collection and Distribution Building	\$22,000,000.00	\$5,500,000.00
South RO Emergency Administration Safe Room	\$3,000,000.00	\$750,000.00
Water Production Elevated Saferooms	\$6,000,000.00	\$1,500,000.00
Water Reclamation Plants Safe Rooms	\$3,000,000.00	\$750,000.00
UCD Elevated Safe Rooms	\$6,000,000.00	\$1,500,000.00
<b>Total</b>		<b>\$33,741,688.25</b>

# ATTACHMENT D: FEDERAL HIGHWAY ADMINISTRATION (FHWA) PROJECT LIST

Table 12: FHWA Projects

FHWA Projects		
Project/Facility Name	Estimated Total Project Cost	25% Local Match
Bridge - Structure #125717	\$235,475.00	\$47,095.00
Bridge - Structure #125718	\$200,000.00	\$40,000.00
Bridge - Structure #125719	\$50,000.00	\$10,000.00
Bridge - Structure #125724	\$135,000.00	\$27,000.00
Bridge - Structure #125678	\$20,000.00	\$4,000.00
Bridge - Structure #125685	\$10,000.00	\$2,000.00
Ornamental Street Lighting - Cape Coral Parkway	\$100,000.00	\$20,000.00
Sidewalks - Cape Coral Parkway	\$5,000.00	\$1,000.00
Sidewalks - Cape Coral Parkway	\$5,000.00	\$1,000.00
Sidewalks - Cape Coral Parkway	\$5,000.00	\$1,000.00
Sidewalks - Cape Coral Parkway	\$5,000.00	\$1,000.00
Sidewalks - Cape Coral Parkway	\$5,000.00	\$1,000.00
Sidewalks - Cape Coral Parkway	\$5,000.00	\$1,000.00
Sidewalks - Cape Coral Parkway	\$5,000.00	\$1,000.00
Sidewalks - Cultural Parkway	\$5,000.00	\$1,000.00
Sidewalks - Del Prado	\$5,000.00	\$1,000.00
Signs	\$360,000	\$72,000.00
<b>Total</b>		<b>\$231,095.00</b>

# ATTACHMENT E: STAND-ALONE INFRASTRUCTURE PROJECT LIST

Table 13: City of Cape Coral's Infrastructure Projects

Infrastructure Projects		
Project Name	Description/Scope of Work	Estimated Total Costs
<b>22 Fresh Stormwater Canal Weir Automatic Risers and Rehabilitation</b>	Replace and install 22 new adjustable canal weirs and risers with automated SCADA system for efficient reclaimed water storage, Project will provide better hurricane flood water management and control at \$15M each.	\$330,000,000.00
<b>270 Stationary Generators at all Duplex Lift Stations</b>	Install stationary generators with belly fuel tanks at 270 duplex wastewater lift station sites	\$150,000,000.00
<b>Andalusia Boulevard Extension</b>	The improvements include the extension of Andalusia Boulevard from the existing terminus just north of Kismet Parkway to Jacaranda Parkway. The project also includes improvement and potential signalization at the intersections of Kismet Parkway/Andalusia Blvd. and Jacaranda Parkway/Andalusia Blvd.	\$15,000,000.00
<b>Bridge Rehabilitation Program</b>	This is an ongoing project to rehabilitate or replace the City's 140 bridges based on the priorities identified by the Bridge System Master Plan which is currently in progress. Most of the City's bridges are approaching the end of their service life and due to their age, many bridges are currently functionally obsolete. Some bridges are structurally deficient. There are over 50 bridges requiring some level of rehabilitation in the LMI areas.	\$25,000,000.00
<b>Catch Basins Replacements SE Quadrant</b>	1.Replacement of the catch basins to improve the stormwater system located in selected areas at the SE quadrant of the City 2.Replacement of pipes connected to the catch basins. 3.Survey data for the catch basins and pipe replacement.	\$6,000,000.00
<b>City Fiber Optic Connectivity</b>	Construction fiber optic connectivity using underground conduits to connect critical City and Utility assets.	\$12,000,000.00
<b>City of Cape Coral Non-Profit Capital Program</b>	Non-Profit Capital Program to assist local not-for-profit entities serving LMI/LMC clients with repairs and mitigation to their facilities within Cape Coral. The intent is to provide a competitive opportunity to these agencies. The City provides operation support to agencies through the CDBG program however due to limited funds capital has never been included and many agencies had aging facilities even prior to the storm. An informal survey of CDBG agencies, as well as other agencies that serve LMC clients has shown a need for this project. These needs stemmed from damage from the storm, post disaster assessments of operations, and hardening. Potential projects include repairs to group homes for the disabled, repairs to the City's primary food pantry including disaster response improvements (e.g. generators for food, gas lines, staging areas for food and supply distribution), hardening of the local domestic violence shelter, repairs of hurricane damage in a local day adult day training center for the developmentally disabled and group homes for the developmentally disabled.	\$2,284,000.00



## Infrastructure Projects

Project Name	Description/Scope of Work	Estimated Total Costs
<b>Community Support – Cape Coral Caring Center</b>	<p>Have a local community building that will offer all types of emergency assistance after a disaster that causes significant power outages.</p> <p>A building that will offer bags of ice, water, food, phone charging stations, and prepared sandwiches. It will be one central location for many emergency needs, so instead of going to many places for needed goods, there will be a centralized place. The building will be able to tap into a natural gas line, so there will be no worry about running out of propane. Project also includes a parking lot.</p>	\$400,000.00
<b>Construct Community Recreation Center/Shelter</b>	Construct 90,000 square foot disaster/evacuation shelter with servicing 20,000 square foot kennels during emergencies and a community center/animal shelter outside of emergencies. This complex will enable the City of Cape Coral to provide support for evacuations without impacting schools.	\$80,000,000.00
<b>Dedicated Watermain to Critical Facilities (E.g., City Hall, EOC, Police Station, City Hall Annex and Cape Coral Hospital)</b>	Construct dedicated 12-inch diameter Emergency Water Supply Main from the North RO Plant to 5 critical community facilities	\$90,000,000.00
<b>Industrial Parks Streetscapes and Stormwater Improvements</b>	<ol style="list-style-type: none"> <li>1.Retrofit stormwater infrastructure to convert them to Low Impact Development Green Infrastructure to incorporate tree canopy and greenspaces into industrial neighborhoods (Tree boxes, rain gardens, walk paths etc.)</li> <li>2.Incorporate the transit hotspots for LMI households such as bus stops, parking etc. for beautification (incorporate sidewalks with planted walk path or multi use path).</li> <li>3.Improve water quality and quality of life for LMI areas where industrial activities are more likely to have adverse effect on environment and stormwater discharge</li> <li>4.Incorporate education throughout construction activities and after.</li> </ol>	\$3,000,000.00
<b>Kennedy Center Parking Garage, Safe Room and SunSplash Commercial Kitchen/Restaurant</b>	<ol style="list-style-type: none"> <li>1.Construction of a 3-levels structure to include a 2-levels Garage of about 150,000 square feet.</li> <li>2.Construction on third level of a Safe Room, Commercial Kitchen and Community Center for mixed used. During non-emergency, this space will be leased by the city for operations of a commercial restaurant and community center. During emergency, the space will be a satellite Safe Room for Emergency Operations Center.</li> <li>3.The parking garage will create a Mobility Hub in a neighborhood developing towards Family Recreation and Accessibility, positioned on Bike Routes, and will especially benefit adjacent LMI.</li> <li>4.The benefits of this project will be amplified if combined with Resilient Walkable MidCape project.</li> </ol>	\$90,000,000.00
<b>Lower Hawthorn Aquifer Emergency Wells and small-scale RO system for Critical Facilities</b>	Construct two lower hawthorn emergency water supply wells with two small scale RO systems. One well will be located at or near 1015 Cultural Park Blvd, Cape Coral and second well and RO system at Cape Coral Hospital located at 636 Del Prado Blvd. S. Cape Coral	\$20,000,000.00

Infrastructure Projects		
Project Name	Description/Scope of Work	Estimated Total Costs
<b>North LSA/UCD Administration and Warehouse</b>	Design and construct new Local Staging Area (LSA) at Utilities Collection and Distribution Administration and LSA/Warehouse Buildings with paved parking for trucks and equipment. The new LSA facility will allow staff to position hurricane response equipment at a higher elevation during a Hurricane or storm event. The current facility is in a coastal high hazard flood zone.	\$60,000,000.00
<b>Pine Island Road Corridor Water, Sewer and Reclaimed Water utilities construction between Burnt Store Rd and Chiquita on both sides of Pine Island Road.</b>	Construct new water, sewer and reclaimed water transmission mains along both sides of Pine Island Road	\$50,000,000.00
<b>Resilient, Walkable, MidCape</b>	<ol style="list-style-type: none"> <li>1.Connect all existing recreation and commercial activities in MidCape via alternative mobility using multi-use path, greenscapes to create a destination for the community (SunSplash, Kennedy Center, Animal Shelter, Skate Park, Schools, Racket Center Park, Bowling, Arts, Medical facilities, Distillery, Wellness, Restaurants and Shopping center).</li> <li>2.Leverage creation of parking garage at Kennedy Center to draw LMI families to a destination for a healthy, resilient community, while providing a separate route to direct traffic away from the walkable neighborhood.</li> <li>3.Collaborate with private partners to build the sense of community of MidCape and connect different greenscapes.</li> <li>4.Use the mobility hub and connectivity to create an educational pathway along improved stormwater ponds, to educate and entertain the community on the environment and renewable energies (Mercola).</li> </ol>	\$3,000,000.00
<b>South RO Plant</b>	Construct new RO Plant Drinking Water Facility to replace 46-year-old building and equipment severely damaged by Hurricane Ian.	\$250,000,000.00
<b>Southwest Water Reclamation Facility 5 MGD Expansion and new Wastewater Forcemain</b>	The Southwest WRF was heavily damaged from Hurricane Ian. The Project will require design, construction, testing and acceptance and placing into service of a new 5 MGD Expansion and Regional Force Main extension serving the SWWRF. The City desires to maximize the efficiency of existing/proposed plant facilities as well as the overall SWWRF site, taking into account removal and/or repurposing of existing facilities while meeting permitted plant capacity. The design team will also be responsible for design of improvements to the City's wastewater transmission system composed of force mains and valves to enhance the capability of flow splitting and equalization to each of the City's existing and future WRFs during rain events. The project will include replacement of existing raw water mains that convey brackish groundwater from existing Production Wells to the SWROWTP with a single raw water main.	\$100,000,000.00
<b>North 1 West Utilities Extension Project (UEP)</b>	Construction of potable water, wastewater, irrigation water, storm drain replacement, road improvements and fiber optics. Construction Underway.	\$175,556,678.00
<b>North 1 East Utilities Extension Project (UEP)</b>	Construction of potable water, wastewater, irrigation water, storm drain replacement, road improvements and fiber optics. Anticipated construction to start 2024.	\$155,248,590.00
<b>North 3 Utilities Extension Project (UEP)</b>	Construction of potable water, wastewater, irrigation water, storm drain replacement, road improvements and fiber optics. Anticipated construction starts 2024.	\$278,108,289.00

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Infrastructure Projects		
Project Name	Description/Scope of Work	Estimated Total Costs
<b>North 4 Utilities Extension Project (UEP)</b>	Construction of potable water, wastewater, irrigation water, storm drain replacement, road improvements and fiber optics. Anticipated construction starts 2026.	\$249,348,868.00
<b>North 5 Utilities Extension Project (UEP)</b>	Construction of potable water, wastewater, irrigation water, storm drain replacement, road improvements and fiber optics. Anticipated construction starts 2028.	\$199,369,866.00
<b>Victory Park Roadways and Public Infrastructure</b>	Victory Park is a 140-acre master planned development in the northeast of Cape Coral. The development would provide a regional opportunity for the creation of jobs, accessibility to post-secondary education, multi-family housing, while providing for the expansion of much needed health care and veteran services. Funds would be used for stormwater management, roadways, sanitary sewer, potable water, irrigation distribution, and other utilities.	\$50,243,450.00
<b>Total</b>		<b>\$2,394,559,741.00</b>

# ATTACHMENT F: ECONOMIC REVITALIZATION PROJECT LIST

Table 14: City of Cape Coral's Economic Revitalization Projects

Economic Revitalization Projects		
Project/Facility Name	Description/Scope of Work	Estimated Total Project Cost
<b>Business Emergency Communications Center and Small Business Communications Hub</b>	<p>To create a Business Emergency Communications Center (BECC) and Small Business Communications Hub at the Chamber of Commerce of Cape Coral.</p> <p>Physical Location Needs: The project would include the hardening of the existing building and the addition of a safe room to the existing building to serve as the BECC post storm/disaster. The safe room would provide workspace for 50-75 people at a time.</p> <p>Parking Lot expansion.</p> <p>Communications: Through the installation of LTE or 5G Wireless communication equipment, create a location where people can connect following a disaster to get their businesses up and running or communicate with loved ones. We would also include charging stations. The goal is to offer service to 50 workstations at a time. The signal strength would also allow people to work from the park.</p> <p>Could also serve as a temporary Business Recovery Center or SBA post disaster. In "blue skies" can serve as training space for small businesses and non-profits.</p>	\$500,000.00
<b>Cape Coral Technical College Workforce Development Program</b>	Create a program to subsidize desired areas of study at the Cape Coral Technical College to better fill open positions in desired industry sectors that require specific skills/certifications. Subside 100 students per year at 50% of full program costs, \$3500 estimate. Total per student subsidy, \$1750.	\$131,250.00
<b>Industrial Parks Streetscapes and Stormwater Improvements</b>	<ol style="list-style-type: none"> <li>1. Retrofit stormwater infrastructure to convert them to Low-Impact Development Green Infrastructure to incorporate tree canopy and greenspaces into industrial neighborhoods (e.g., tree boxes, rain gardens, and walk paths).</li> <li>2. Incorporate the transit hotspots for LMI households such as bus stops and parking for beautification (e.g., incorporate sidewalks with planted walk path or multi use path).</li> <li>3. Improve water quality and quality of life for LMI areas where industrial activities are more likely to have adverse effect on environment and stormwater discharge.</li> <li>4. Incorporate education throughout construction activities and after.</li> </ol>	\$3,000,000.00
<b>Small Business Education Portal</b>	Create a Small Business Education Portal. Portal to provide top online business curricula for small business utilized by small medium and large companies across the country. Much more cost-effective solution than other offerings. Will require a cloud-based Learning Management System/Portal. It will also require an online business course library which can include up to 20K short business courses. Topics includes are in following categories in Sales, Customer Service, Process Management, Business Strategy Development, Communications, Project Management, Cyber Security, Human Resources, and Microsoft Office Tools. Key courses also help staff with attaining targeted certifications. This can be expanded to County-wide effort supporting 27,000 businesses.	Varies annually

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Economic Revitalization Projects		
Project/Facility Name	Description/Scope of Work	Estimated Total Project Cost
Small Business Incubator/ Accelerator	Develop a Small Business Incubator/Accelerator that can assist small businesses grow and expand. It can also house the Small Business Development Center consultants to support the 7,500 small business in Cape Coral.	\$20,000,000.00
Total		\$23,631,250.00

# ATTACHMENT G: PLANNING PROJECT LIST

Table 15: City of Cape Coral's Planning Projects

Planning Projects		
Project/Facility Name	Description/Scope of Work	Estimated Total Project Cost
<b>Cape Coral Parkway Corridor Planning Study</b>	<p>Infrastructure: Analyze stormwater, retention, detention, and conveyance along Cape Coral Parkway to identify deficiencies and potential solutions. The stormwater system analysis may extend beyond the 2.5-miles of the corridor to allow flexibility in finding solutions.</p> <p>Assess existing landscaping along the corridor. Retrofit the corridor with a functional landscaping plan to better retain and mitigate the effects of stormwater and stormwater surge in an emergency scenario.</p> <p>Assess undeveloped or available properties abutting the corridor for future conveyance and retention. Properties acquired for retention ponds shall also be considered for public use, such as micro mobility/micro transit stations, public art installation, and passive recreation.</p> <p>Assess the existing streetscape for multimodal improvements, encouraging transit-oriented infill development and equity in mobility.</p> <p>Identify locations for ADA improvement infrastructure.</p> <p>Economic Development Program: Commercial/Retail District Improvement: The study area is included within the City's CRA district. Improved stormwater infrastructure and landscaping will provide direct economic benefit by enabling more compact multifamily and mixed-use development, but also creating an aesthetically appealing streetscape.</p> <p>The functional landscaping serves to promote a more comfortable, pedestrian-friendly downtown environment, and encourages connectivity to local business by offering multimodal choices.</p>	\$350,000.00
<b>City of Cape Coral Cost Recovery Project</b>	Development of a cost recovery plan to structure the financial recovery from disasters and outline how to effectively utilize resources to build the City of Cape Coral resilience to future hazard events. Overall, this plan will be designed to define roles and responsibilities during and after an activation of the City's Emergency Operations Center; facilitate interagency and intra department coordination; and outline a process to apply and comply with federal and state recovery programs; and provide tools to facilitate overall cost recovery operations, including training sessions.	\$200,000.00
<b>City of Cape Coral Disaster Recovery Plan</b>	Development of a disaster recovery plan to help the City of Cape Coral recover from disasters and build resilience to effectively respond to future hazard events. Overall, this plan will be designed to define roles and responsibilities during the disaster recovery process; outline the framework for Recovery Support Functions (RSFs); outline an approach to restore the City's population and essential community resources and functions post-disaster; identify strengths that can be leveraged in a recovery operation; and provide tools to facilitate overall cost recovery operations, including training sessions.	\$170,000.00

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Planning Projects		
Project/Facility Name	Description/Scope of Work	Estimated Total Project Cost
<b>Community Risk Reduction Plan</b>	A Community Risk Reduction Plan will aid the City in identifying and prioritizing local risks, followed by the integrated and strategic investment of resources (emergency response and prevention efforts) to reduce their occurrence and impact. Through collaboration with internal and external stakeholders and partners, the CRRP will support the development and implementation of mitigation and prevention efforts to reduce risk and increase resiliency.	\$250,000.00
<b>Volunteer Program Manual</b>	Development of a Volunteer Program Manual for the Cape Coral Fire Department (CCFD) Community Services program will help the City of Cape Coral identify roles and responsibilities for volunteers during day-to-day operations and in disaster-related operations.	\$250,000.00
<b>Citywide Resiliency and Adaptation Planning</b>	<ol style="list-style-type: none"> <li>1. Update vulnerability assessments to include latest climate change, sea level rise modelling and projection tools;</li> <li>2. Set priorities and select actions;</li> <li>3. Define adaptation actions;</li> <li>4. Create a communication plan and engage the public; and</li> <li>5. Create a monitoring and evaluation plan.</li> </ol>	\$500,000.00
<b>North Cape Coral Drainage Basin Alternative Restoration Plan</b>	<ol style="list-style-type: none"> <li>1. Lead discussion and action between other government agencies, non for profit, private landowners, research institutions, education and citizens on improving water quality in entire drainage basin leading to Gator Slough and discharging into Outstanding Water of the State Matlacha Pass.</li> <li>2. Establish and prioritize water quality improvement projects such as large drainage projects, land acquisition, retrofit of infrastructure, and creation of filter marsh.</li> <li>3. Engage LMI and other communities on environmental challenge and water quality in N Cape Coral and Matlacha Pass. Provide education, community engagement and recreation opportunities (e.g., education days, summer camps, volunteer events, partnership with universities, and field days).</li> </ol>	\$5,000,000.00
<b>South Cape Core Connect Mobility Hub Planning, Design, and Construction Project</b>	The project entails two components: 1) An initial planning and public outreach study and 2) the design and construction of the mobility hub. The proposed mobility hub will expand public transit service to adjacent LMI tracts and seeks to advance equity in mobility choices throughout the city. The improved facility may include the following: additional emergency transit route and route optimization, bus stop and layover zones, electric vehicle charging stations, solar-powered cellular charging stations, the transit shelter with real-time arrival information, bike share stations, micromobility or autonomous vehicle flex-space, WI-FI service, bicycle	\$6,550,000.00

Planning Projects		
Project/Facility Name	Description/Scope of Work	Estimated Total Project Cost
	storage, repair facilities, ancillary retail, restrooms, public art, and open space.	
Total		\$13,270,000.00



# ATTACHMENT H: MITIGATION PROJECT LIST

Table 16: City of Cape Coral's Planning Projects

Mitigation Projects		
Project/Facility Name	Description/Scope of Work	Estimated Cost
<b>Backup Communications Tower—City of Cape Coral.</b>	Construct a new communication tower to supplement current communications systems.	\$300,000.00
<b>Critical Facility Generator Installation/Upgrade</b>	Install/Upgrade generators at City of Cape Coral critical facilities serving as recovery centers during emergencies and natural disasters. Install remote monitoring systems to thirty existing systems.	\$5,500,000.00
<b>Culvert Installation for Water Quality</b>	Construction of culverts connecting terminal ends of dead-end canals for improved water circulation and water quality.	\$20,127,608.00
<b>Development Services Disaster Recovery Center</b>	Construction of a newly hardened three-story building, with 1st floor parking garage. Total 120,000 square feet with 80,000 square feet of office space to accommodate up to 350 staff.	\$60,000,000.00
<b>Emergency Temporary Structures</b>	Four temporary structures to establish emergency services at various locations to meet critical needs, including a self-contained bathroom	\$9,000,000.00
<b>Firefighting/USAR Vehicle and Equipment</b>	Purchase and equipping of a heavy rescue apparatus and associated equipment for technical rescues, including confined space, trench, high angle, and swift water.	\$2,000,000.00
<b>Highwater Response and Rescue Vehicles</b>	The purchase of two highwater rescue and response vehicles for response immediately following a storm, to transverse high-water levels, to enact rescues, and service/inspect critical infrastructure	\$800,000.00
<b>HVAC Hardening at Oasis Charter Schools</b>	Installation of full house generators (1 per school.) Remote adjustment technology. Docking stations for chillers.	\$4,000,000.00
<b>Public Safety Warehouse</b>	18,000 sq. ft. facility, 12,000 sq. ft. unfinished, 6,000 sq. ft. finished. Used as a central logistics hub for all emergency activity before, during, and after a disaster	\$11,000,000.00
<b>Master Pump Station 103 relocation and Rehabilitation</b>	Relocate and rebuild Master Pump Station 103 to prevent wastewater surcharges during storm events such as a hurricane.	\$15,000,000.00
<b>NE 24th Ave Improvements</b>	The improvements include widening the existing two-lane undivided roadway to a three-lane divided roadway.	\$21,000,000.00
<b>New Fleet Facility and Emergency Equipment Storage Facility</b>	New Hardened Fleet Maintenance and Storage Facility. 26 bays needed for next 20 years. 40 bays required for City buildout	\$56,000,000.00
<b>North RO Plant Expansion to 18 MGD</b>	North RO 6 million gallons per day (MGD) expansion to 18 MGD, 12 MG Storage Tank, 20 Raw Water Wells, and deep injection well for disposal of concentrate. This project will allow the City's potable water facilities to be more robust and resilient following major storms or hurricane events.	\$150,000,000.00
<b>North Water Reclamation Facility</b>	Construct new Membrane Bioreactor (MBR) Water Reclamation Facility that will provide wastewater disposal services for the new Base Camp and Local Staging Area for first responders at one of the highest elevations in the City of Cape Coral.	\$200,000,000.00

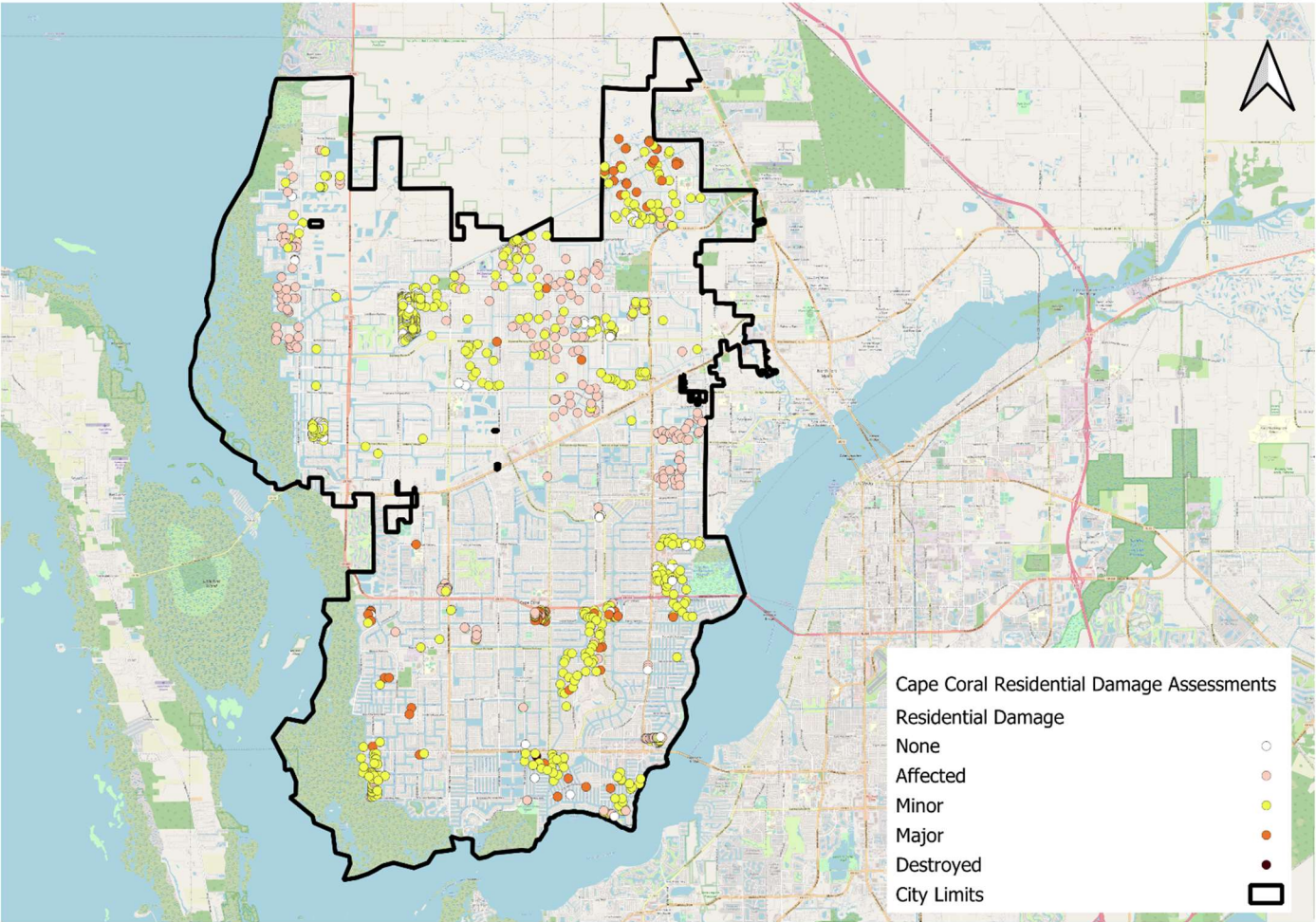
## Mitigation Projects

Project/Facility Name	Description/Scope of Work	Estimated Cost
<b>Northeast Reservoir</b>	Purchase approximately 1,000 acres of land for a reservoir that was previously an aggregate mining operation. The project consists of constructing a 3.2 mile 36-inch pipeline and pump station for additional water supply due to recurring severe droughts. The property will also provide additional land to site up to 22 potable water wells. The City has a 20 year Water Use Permit through Southwest Florida Water Management District (SWFWMD) to withdraw approximately 1.1 billion gallons per year from the reservoir. The City also has 100% design plans for the pipeline and pump station. Project will allow future storage of excess water draining from the Babcock-Webb Wildlife Management Area during storm events. It will also provide a back-up water source for the potable water supply.	\$60,000,000.00
<b>North-South Transfer Pump Station #1 Rehabilitation Project</b>	Upgrade City's North-South Freshwater Canal Pump Station to transfer more freshwater from the canals North of Pine Island Road to freshwater canals located South of Pine Island Road for efficient Hurricane flood water management and automated control.	\$10,000,000.00
<b>Phase 1 - Neighborhood Water Line Replacement</b>	Replace watermains that continue to break due to improper pipe bedding material.	\$25,600,000.00
<b>Phase 2 - Neighborhood Water Line Replacement</b>	Replace watermains that continue to break due to improper pipe bedding material.	\$26,130,000.00
<b>Phase 3 - Neighborhood Water Line Replacement</b>	Replace watermains that continue to break due to improper pipe bedding material.	\$30,700,000.00
<b>Phase 4 - Neighborhood Water Line Replacement</b>	Replace watermains that continue to break due to improper pipe bedding material.	\$35,600,000.00
<b>PW/Utilities/Storm water radio system hardening with additional radios for staff during a storm</b>	Add two tower locations for radio transmission. This creates a city-wide redundant system. More city departments can be added to the system.	\$547,750.00
<b>Retrofit HVAC Systems</b>	Retrofit HVAC systems to critical and essential buildings with direct connect outlets. If existing systems fail during an emergency or natural disaster, temporary HVAC systems can be delivered and connected with minimal interruptions.	\$7,500,000.00
<b>Smart Traffic Signals Upgrade</b>	The project entails purchase and installation of signal cabinets, controllers, optics, and integration of DERQ analytics software platform at 35 signalized locations along Cape Coral Parkway and Del Prado Boulevard.	\$2,300,000.00
<b>Utilities Administration Base Camp Building for first responders</b>	Construct new Utilities Administration Building to be used as a Base Camp for housing first responders and Utilities Department staff during a hurricane event at one of the highest elevation City owned properties located in the City of Cape Coral.	\$35,000,000.00
<b>WATERSCAPES - Canal Medians and Bimini Oyster Reef and Mangroves</b>	Create Waterscapes in open canals and basins for improved water quality, habitat for fish and fisheries resources, recreation, and quality of life. Oyster shells or alternate will be deployed in mounds in areas where salinity is suitable. The substrate will promote oyster growth. The oyster reef will filter water for improved water quality, and provide substrate for fish, reproducing fish species, juveniles, and crustaceans, bringing in larger fish to prey on. The oyster reef will be planted with mangroves seedling, to provide for an ecosystem, birds will nest in the mangroves and draw more wildlife. The project will increase the capacity for regional fisheries, provide a destination for recreation opportunities and business, improve quality of life for the environment and LMI households that live in the areas.	\$1,000,000.00

Mitigation Projects		
Project/Facility Name	Description/Scope of Work	Estimated Cost
<b>Weir Rehabilitation, Upgrade or Replacement Program</b>	<p>The City's weir system controls the discharge of stormwater from the freshwater canal system to ensure the City has an adequate supply of freshwater for irrigation and fire protection, provides water quality treatment to enhance the quality of the stormwater being discharged into receiving waters, as well as flood control.</p> <p>The Program is to rehabilitate, upgrade or replace the City's weirs based on the priorities identified by the Weir System Master Plan which is currently in progress. The City weirs are reaching their expected lifespan and will need replacement or repair.</p> <p>The City is focusing on the 18 weirs that will impact the LMI areas.</p>	\$54,000,000.00
<b>Yacht Club</b>	Reconstruction of the Yacht Club Seawalls raising the seawall cap height by two feet.	\$10,000,000.00
<b>Yellow Fever Creek Land Acquisition</b>	<p>Undeveloped wetlands and uplands are currently buffering LMI housing from the Yellow Fever Creek. Acquiring these lands for preservation would: Prevent additional impervious areas in flood zone, protecting LMI areas from further flood risk. Prevent rising of cost of living in LMI areas by preventing waterfront development. Offer recreation and quality of life for LMI areas if the city further use the acquired land for nature parks.</p> <p>The Yellow Fever Creek is currently an impaired waterbody by the State of Florida and this project is needed to meet the improved water quality standards. Preserving and improving the natural habitat will prevent further water quality degradation.</p>	\$10,000,000.00
<b>Total</b>		<b>\$863,105,358.00</b>

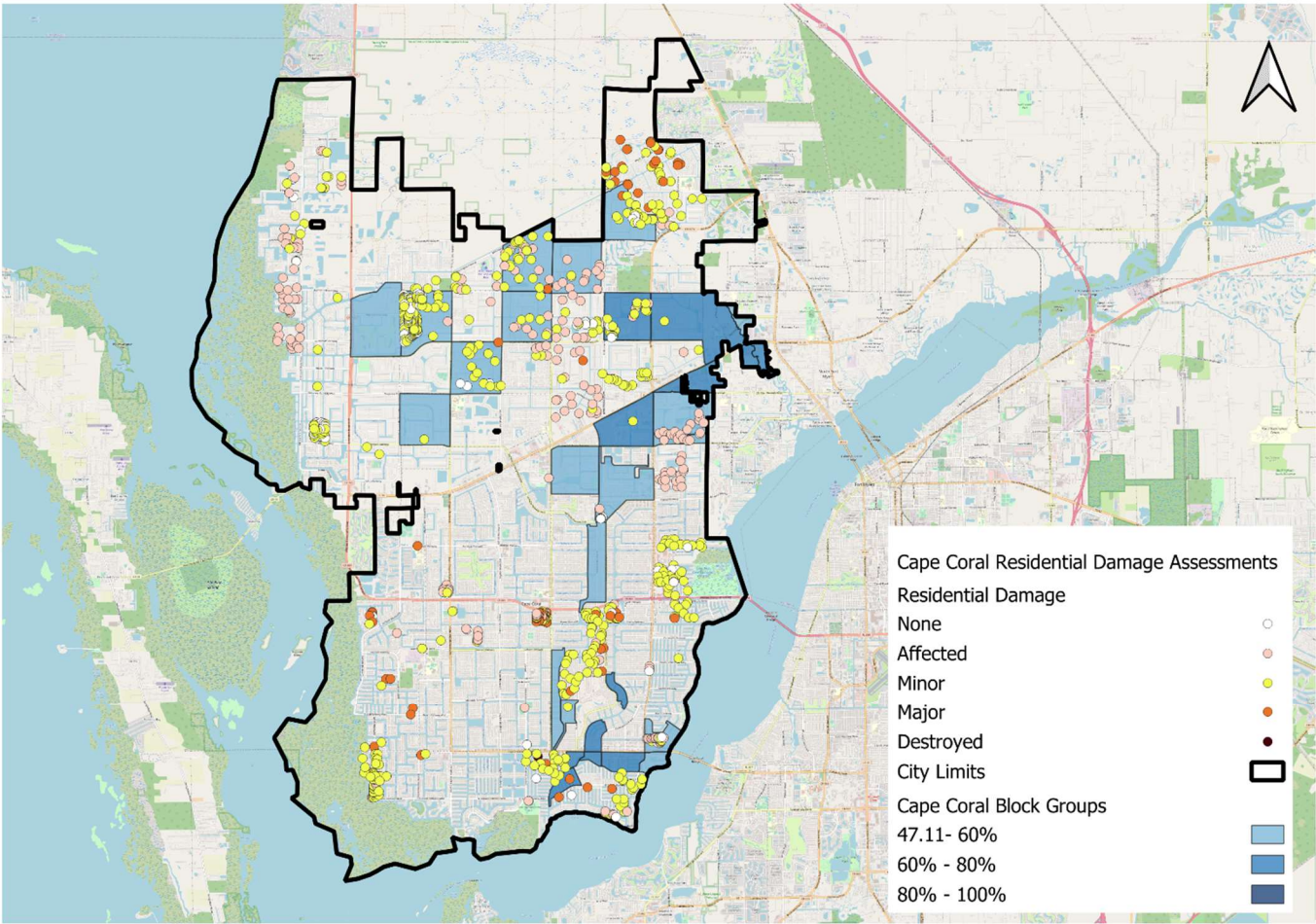
# ATTACHMENT I: MAPS

**Map 1: Residential Damage Assessments in Cape Coral as of May 16, 2023.**





**Map 2: Residential Damage Assessments in Cape Coral as of May 16, 2023 with Low- and Moderate-Income Block Groups.**





**DATE:** May 19, 2023

**TO:** City of Cape Coral Mayor and City Council

**FROM:** Michael L. Ilczyszyn, Interim City Manager

**SUBJECT:** Cape Coral Community Development Block Grant Disaster Recovery (CDBG-DR) Programs and Projects Plan: Assessment of High Priority Hurricane Ian Recovery Programs and Projects

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On September 28, 2022, Hurricane Ian made landfall in southwest Florida as a Category 5 hurricane. Residents across Cape Coral experienced wind gusts of 140 miles per hour and a massive storm surge of over 7 feet, causing widespread flooding, power outages, and severe damage to homes, businesses, schools, and critical infrastructure. Hurricane Ian impacted those least able to afford the damage, particularly low-income households and those with limited or no resources to recover from the storm.

To provide recovery aid to this highly impacted area, the U.S. Department of Housing and Community Development (HUD) has made a direct allocation of CDBG-DR to Lee County, Florida in the amount of \$1,107,881,000. The City of Cape Coral (City) will be formally requesting to be considered as a direct subrecipient of Lee County in an effort to address unmet community needs and streamline recovery efforts from Hurricane Ian already in process.

The City has worked diligently with a diverse group of stakeholders to obtain a list of urgent need projects that would benefit the community as it recovers from this catastrophic event. Upon review of all projects submitted, City staff have ranked project and program priorities by program type (i.e., Housing, Planning and Public Services, Economic Development and Revitalization, and Mitigation). At a high level, these projects and programs have been vetted for CDBG-DR eligibility and feasibility with the City's consultant team.

While all proposed projects and programs provide significant importance in the recovery efforts for the City and its residents, the City understands funding will only be available for a small portion of projects. To ensure that key projects and program are identified, City staff ranked projects and programs based on following criteria:

- The projects or programs are consistent with the City's goals (the City Comprehensive Plan, Consolidated Plan and Strategic Plan).
- The project or program is consistent with the CDBG-DR recovery framework.
- Ease of funding the project or program.
- The project or program achieves a benefit to the community.
- Ability to complete project or program within the typical CDBG-DR grant timeframe (5 to 10 years).
- The project or program provides a critical service to the community.

### ***Proposed Next Steps***

Based on the information reflected above and on-going conversations between the City and Lee County, there are a series of potential next steps outlined below for consideration:

- Further review of CDBG-DR eligibility review will be needed for the high priority projects.
- Further review and mapping of specific priority projects with service areas close to the 51% low- and moderate-income (LMI) threshold since LMI is a critical component of CDBG-DR grants.
- Additional refinement of priority project scopes of work and project budgets.
- Additional stakeholder outreach and community engagement.



## Housing Programs – High Priority

Priority Housing Project Recommendations			
Rank	Project Title	Project Description	Estimated Total Cost
1	<b>City of Cape Coral Attainable Homeownership Program</b>	<p>The development of single-family homes for sale to low moderate-income households. These homes will incorporate green building principles and FBC required hardening. The development of these homes meets pre-and post-storm documented need for affordable housing in Cape Coral. This is an expansion of the City's existing housing programs. The program will include the acquisition of land, construction of units and disposition of properties. The program will include long-term affordability mechanisms including but not limited to right-of-first refusal, shared equity and the establishment of a City Community Land Trust.</p> <p>It is anticipated that this will be implemented by the City and not-for-profit partner agencies utilizing City surplus and privately held properties. Pre-storm documented need indicated a need for 2,946 homeownership units for LMI. The City recognizes the need has been exacerbated since the storm.</p>	\$235,574,555.00
2	<b>City of Cape Coral Down Payment Assistance and Interest Rate Buydown Program</b>	<p>This program expands the City's existing down payment assistance program for low- and moderate-income households. The expansion of this existing program meets pre-and post-storm documented need for affordable housing in Cape Coral.</p> <p>It is anticipated that this will be implemented by the City. Pre-storm documented need indicated a need for 2,946 homeownership units for LMI households. The City recognizes the need has been exacerbated since the storm.</p>	\$14,055,065.00
3	<b>City of Cape Coral Home Repair and Hardening Program</b>	<p>This is a home repair and hardening program for owner-occupied homes impacted by Hurricane Ian in Cape Coral. The purpose of this program is to address unmet need related repairs from the hurricane while reducing vulnerability of homes by incorporating mitigation measures. Activities will be an extension of the existing City rehabilitation program and will take place in accordance with established City rehabilitation guidelines, as well as all required federal requirements.</p>	\$98,385,462.00
4	<b>City of Cape Coral Attainable and Senior Rental Program</b>	<p>The development of multi-family rental housing for low- and moderate-income households. These developments will incorporate green building principles and FBC required hardening. The development of these projects meets pre-and post-storm documented need for affordable housing in Cape Coral. This is an extension of the City's existing housing programs. The program will include the acquisition of land and/or the construction of units. The program will require long-term affordability.</p> <p>It is anticipated that this program will competitively procure non-profit and/or for-profit development partners. Pre-storm documented need indicated a need for 5,226 rental units for LMI. The City recognizes the need has been exacerbated since the storm.</p> <p>The City anticipates providing funding through other programs in addition to CDBG-DR for this program.</p>	\$66,913,763.00



## Other Unmet Needs Housing Programs and Projects – High Priority

Priority Housing Project Recommendations			
Rank	Project Title	Project Description	Estimated Total Cost
1	<b>Acquisition and rehabilitation of a contaminated golf course into compact affordable housing mixed with low commercial and greenspaces in a planned mobility hub (Golf Course)</b>	<ol style="list-style-type: none"> <li>1.Acquire private property that is only comprised of land, no building.</li> <li>2.Remediate the land.</li> <li>3.Provide access based on Mobility Hub / masterplan, Country Club/Palm Tree Blvd are alternative routes from Cape Coral parkway / CRA but serve as LMI housing to access mobility hub for workforce.</li> <li>4.Provide development footprint for development of compact (LEED or FGBC rated) (mid-rise) affordable housing to make this a destination and a living neighborhood where mobility is geared towards walking, biking and public transportation.</li> <li>5.Create greenspaces and enhanced stormwater storage and treatment on the rest of the property to provide on-site recreation activities, sense of livable and resilient community for LMI households but also drawing in other opportunities for recreation from non LMI areas.</li> </ol>	\$40,000,000.00
2	<b>Special assessment program for income qualified households (North 1, 3, 4 and 5 Utilities Extension Projects [UEP])</b>	<p>The program will pay for special assessments for only low-mod households within North 1, 3, 4, and 5 utility expansion areas. Utility expansions include the construction of potable water, wastewater, irrigation water, storm drain replacement, road improvements, and fiber optics. The program will aim to ensure that low-mod households are not overburdened by the expansion of utilities and keep housing costs affordable for new housing constructed in the identified areas.</p> <p>This program complements the City's existing Utility Connection Program. This program is part of the City's owner-occupied rehab program that provides assistance to low-mod households for mandatory utility connections from the street to the house.</p>	\$326,480,000.00

## Infrastructure Public Facilities and Improvements – High Priority

Priority Infrastructure Project Recommendations			
Rank	Project Title	Project Description	Estimated Total Cost
1	<b>Lower Hawthorn Aquifer Emergency Wells and small-scale RO system for Critical Facilities</b>	Construct two lower hawthorn emergency water supply wells with two small scale RO systems. One well will be located at or near 1015 Cultural Park Blvd, Cape Coral, and a second well and RO system at Cape Coral Hospital located at 636 Del Prado Blvd. S. Cape Coral.	\$20,000,000.00
2	<b>Construct Community Recreation Center/Shelter</b>	Construct 90,000 square foot disaster/evacuation shelter with servicing 20,000 square foot kennels during emergencies and a community center/animal shelter outside of emergencies. This complex will enable the City of Cape Coral to provide support for evacuations without impacting schools.	\$80,000,000.00



## Priority Infrastructure Project Recommendations

Rank	Project Title	Project Description	Estimated Total Cost
3	<b>City of Cape Coral Non-Profit Capital Program</b>	Non-Profit Capital Program to assist local not-for-profit entities serving LMI/LMC clients with repairs and mitigation to their facilities within Cape Coral. The intent is to provide a competitive opportunity to these agencies. The City provides operation support to agencies through the CDBG program, however due to limited funds capital has never been included and many agencies had aging facilities even prior to the storm. An informal survey of CDBG agencies, as well as other agencies that serve LMC clients has shown a need for this project. These needs stemmed from damage from the storm, post disaster assessments of operations, and hardening. Potential projects include repairs to group homes for the disabled, repairs to the City's primary food pantry including disaster response improvements (e.g., generators for food, gas lines, staging areas for food and supply distribution), hardening of the local domestic violence shelter, repairs of hurricane damage in a local day adult day training center for the developmentally disabled and group homes for the developmentally disabled.	\$2,284,000.00
4	<b>City Fiber Optic Connectivity</b>	Construction fiber optic connectivity using underground conduits to connect critical City and Utility assets.	\$12,000,000.00
5	<b>Dedicated Watermain to Critical Facilities</b>	Construct dedicated 12-inch diameter Emergency Water Supply Main from the North RO Plant to 5 critical community facilities.	\$90,000,000.00
6	<b>North LSA/USD Administration and Warehouse</b>	Design and construct new Local Staging Area (LSA) at Utilities Collection and Distribution Administration and LSA/Warehouse Buildings with paved parking for trucks and equipment. The new LSA facility will allow staff to position hurricane response equipment at a higher elevation during a Hurricane or storm event. The current facility is in a coastal high hazard flood zone.	\$60,000,000.00

### Planning and Public Services – High Priority

## Priority Planning Project Recommendations

	Project Title	Project Description	Estimated Total Cost
1	<b>City of Cape Coral Cost Recovery Project</b>	Development of a cost recovery plan to structure the financial recovery from disasters and outline how to effectively utilize resources to build the City of Cape Coral resilience to future hazard events. Overall, this plan will be designed to define roles and responsibilities during and after an activation of the City's Emergency Operations Center; facilitate interagency and intra department coordination; and outline a process to apply and comply with federal and state recovery programs, and provide tools to facilitate overall cost recovery operations, including training sessions.	\$200,000.00



## Priority Planning Project Recommendations

	Project Title	Project Description	Estimated Total Cost
2	<b>City of Cape Coral Disaster Recovery Plan</b>	Development of a disaster recovery plan to help the City of Cape Coral recover from disasters and build resilience to effectively respond to future hazard events. Overall, this plan will be designed to define roles and responsibilities during the disaster recovery process; outline the framework for Recovery Support Functions (RSFs); outline an approach to restore the City's population and essential community resources and functions post-disaster; identify strengths that can be leveraged in a recovery operation; and provide tools to facilitate overall cost recovery operations, including training sessions.	\$170,000.00
3	<b>Community Resilience Risk Reduction Plan</b>	A Community Risk Reduction Plan will aid the City in identifying and prioritizing local risks, followed by the integrated and strategic investment of resources (emergency response and prevention efforts) to reduce their occurrence and impact. Through collaboration with internal and external stakeholders and partners, the CRRP will support the development and implementation of mitigation and prevention efforts to reduce risk and increase resiliency.	\$250,000.00
4	<b>South Cape Core Connect Mobility Hub Planning, Design, and Construction Project</b>	The project entails two components: 1) An initial planning and public outreach study and 2) the design and construction of the mobility hub. The proposed mobility hub will expand public transit service to adjacent LMI tracts and seeks to advance equity in mobility choices throughout the city. The improved facility may include the following: additional emergency transit route and route optimization, bus stop and layover zones, electric vehicle charging stations, solar-powered cellular charging stations, the transit shelter with real-time arrival information, bike share stations, micro-mobility or autonomous vehicle flex-space, WI-FI service, bicycle storage, repair facilities, ancillary retail, restrooms, public art, and open space.	\$6,550,000.00

## Priority Planning Project Recommendations

	Project Title	Project Description	Estimated Total Cost
5	<b>Cape Coral Parkway Corridor Planning Study</b>	<p>Infrastructure: Analyze stormwater retention/detention/conveyance along Cape Coral Parkway to identify deficiencies and potential solutions. The stormwater system analysis may extend beyond the 2.5-miles of the corridor to allow flexibility in finding solutions. Assess existing landscaping along the corridor. Retrofit the corridor with a functional landscaping plan to better retain and mitigate the effects of stormwater and stormwater surge in an emergency scenario.</p> <p>Assess undeveloped or available properties abutting the corridor for future conveyance and retention. Properties acquired for retention ponds shall also be considered for public use, such as micro mobility/micro transit stations, public art installation, and passive recreation.</p> <p>Assess the existing streetscape for multimodal improvements, encouraging transit-oriented infill development and equity in mobility.</p> <p>Identify locations for ADA improvement infrastructure.</p> <p>Economic Development Program: Commercial/Retail District Improvement. The study area is included within the City's CRA district. Improved stormwater infrastructure and landscaping will provide direct economic benefit by: Enabling more compact multifamily and mixed-use development, but also creating an aesthetically appealing streetscape.</p> <p>The functional landscaping serves to promote a more comfortable, pedestrian-friendly downtown environment and encourages connectivity to local business by offering multimodal choices.</p>	\$350,000.00
6	<b>North Cape Coral Drainage Basin Alternative Restoration Plan</b>	<p>1.) Lead discussion and action between other government agencies, non for profit, private landowners, research institutions, education and citizens on improving water quality in entire drainage basin leading to Gator Slough and discharging into Outstanding Water of the State Matlacha Pass.</p> <p>2.) Establish and prioritize water quality improvement projects such as large drainage projects, land acquisition, retrofit of infrastructure, creation of filter marsh etc.</p> <p>3.) Engage LMI and other communities on environmental challenge and water quality in N Cape Coral and Matlacha Pass. Provide education, community engagement and recreation opportunities (education days, summer camps, volunteer events, partnership with universities, field days etc.)</p>	\$5,000,000.00
7	<b>City-wide Resiliency and Adaptation Planning</b>	<p>Complete the following steps:</p> <ol style="list-style-type: none"> <li>1. Update vulnerability assessments to include latest climate change, sea level rise modelling and projection tools;</li> <li>2. Set priorities and select actions;</li> <li>3. Define adaptation actions;</li> <li>4. Create a communication plan, engage public; and</li> <li>5. Create a monitoring and evaluation plan.</li> </ol>	\$500,000.00



## Economic Development and Revitalization – High Priority

Priority Economic Development and Revitalization Project Recommendations			
Rank	Project Title	Project Description	Estimated Total Cost
1	<b>Small Business Incubator / Accelerator</b>	Develop a Small Business Incubator/Accelerator that can assist small businesses grow and expand. Also house the Small Business Development Center consultants to support the 7,500 small business in Cape Coral.	\$20,000,000.00
2	<b>Business Emergency Communications Center and Small Business Communications Hub</b>	<p>To create a Business Emergency Communications Center (BECC) and Small Business Communications Hub at the Chamber of Commerce of Cape Coral.</p> <p>Physical Location Needs: The project would include the hardening of the existing building and the addition of a safe room to the existing building to serve as the BECC post storm/disaster. The safe room would provide workspace for 50-75 people at a time.</p> <p>Parking Lot expansion.</p> <p>Communications: Through the installation of LTE or 5G Wireless communication equipment, create a location where people can connect following a disaster to get their businesses up and running or communicate with loved ones. We would also include charging stations. The goal is to offer service to 50 workstations at a time. The signal strength would also allow people to work from the park.</p> <p>Could also serve as a temporary Business Recovery Center or SBA post disaster. In "blue skies" can serve as training space for small businesses and non-profits.</p>	\$500,000.00
3	<b>Cape Coral Technical College Workforce Development Program</b>	Create a program to subsidize desired areas of study at the Cape Coral Technical College to better fill open positions in desired industry sectors that require specific skills/certifications. Subside 100 students per year at 50% of full program costs, \$3500 estimate. Total per student subsidy, \$1750.	\$131,250.00
4	<b>Small Business Education Portal</b>	Create a Small Business Education Portal. Portal to provide top online business curricula for small business utilized by small medium and large companies across the country. A much more cost-effective solution than other offerings. Will require a cloud-based Learning Management System/Portal. It will also require an online business course library which can include up to 20K short business courses. Topics are included in the following categories: in Sales, Customer Service, Process Management, Business Strategy Development, Communications, Project Management, Cyber Security, Human Resources, Microsoft Office Tools, etc. Key courses also help staff with attaining targeted certifications. This can be expanded to County-wide effort supporting 27,000 businesses.	Varies annually

## Mitigation – High Priority

Priority Mitigation Project Recommendations			
Rank	Project Title	Project Description	Estimated Total Cost
1	<b>PW/Utilities/Storm water radio system hardening with additional radios for staff during a storm</b>	Add two tower locations for radio transmission. This creates a city-wide redundant system. More city departments can be added to the system.	\$547,750.00
2	<b>Yellow Fever Creek Land Acquisition</b>	<p>Undeveloped wetlands and uplands are currently buffering LMI housing from the Yellow Fever Creek. Acquiring these lands for preservation would:</p> <ol style="list-style-type: none"> <li>1. prevent additional impervious areas in flood zone, protecting LMI areas from further flood risk.</li> <li>2. prevent rising of cost of living in LMI areas by preventing of waterfront development</li> <li>3. offer recreation and quality of life for LMI areas if city further use the acquired land for nature parks</li> </ol> <p>The Yellow Fever Creek is currently an impaired waterbody by the state of Florida and must develop a project to meet improved water quality standards. Preserving and improving the natural habitat will prevent further water quality degradation.</p>	\$10,000,000.00
3	<b>Weir Rehabilitation, Upgrade or Replacement Program</b>	<p>The City's weir system controls the discharge of stormwater from the freshwater canal system to ensure the City has an adequate supply of freshwater for irrigation and fire protection, provides water quality treatment to enhance the quality of the stormwater being discharged into receiving waters, as well as flood control.</p> <p>The Program is to rehabilitate, upgrade or replace the City's weirs based on the priorities identified by the Weir System Master Plan which is currently in progress. The City weirs are reaching their expected lifespan and will need replacement or repair.</p> <p>The City is focusing on the 18 weirs that will impact the LMI areas.</p>	\$54,000,000.00
4	<b>Highwater Response and Rescue Vehicles</b>	The purchase of two highwater rescue and response vehicles for response immediately following a storm, to transverse high-water levels, to enact rescues, and service/inspect critical infrastructure.	\$800,000.00
5	<b>Firefighting/USAR Vehicle and Equipment</b>	Purchase and equipping of a heavy rescue apparatus and associated equipment for technical rescues, including confined space, trench, high angle, and swift water.	\$2,000,000.00
6	<b>Critical Facility Generator Installation/Upgrade</b>	Install/Upgrade generators at City of Cape Coral critical facilities serving as recovery centers during emergencies and natural disasters. Install remote monitoring systems to thirty (30) existing systems.	\$5,500,000.00



# Cape Coral Community Development Block Grant Disaster Recovery (CDBG- DR) Programs and Projects Plan

City of Cape Coral

# Agenda

Section 1: Key Concepts for Using CDBG-DR

Section 2: Estimated Timeline

Section 3: Project Prioritization

Section 4: Total Unmet Need

Section 5: Next Steps

# Section 1:

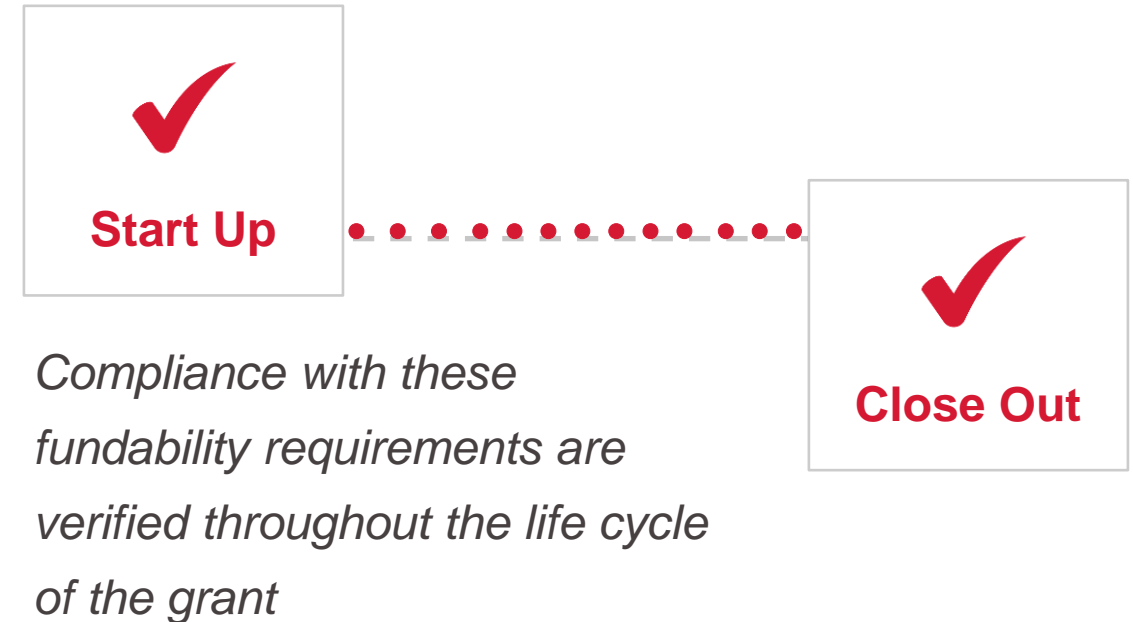
## **Key Concepts for Using CDBG-DR**



# Key Concepts for Using CDBG-DR: Activity Fundability

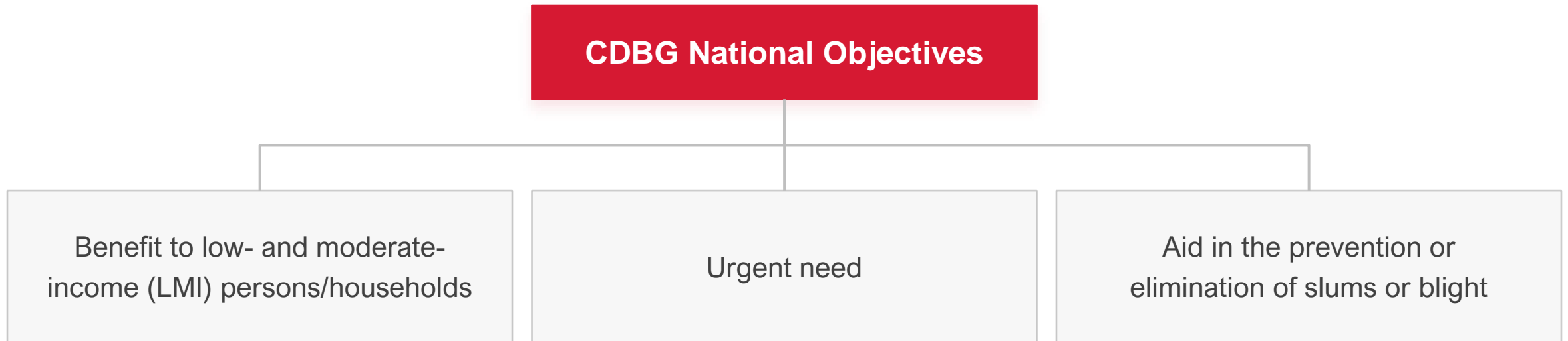
To be funded by CDBG-DR each activity must meet four main requirements:

- Be an **eligible activity**
- Meet a **national objective**
- Have a **tieback to the storm**
- Meet an **unmet recovery need**



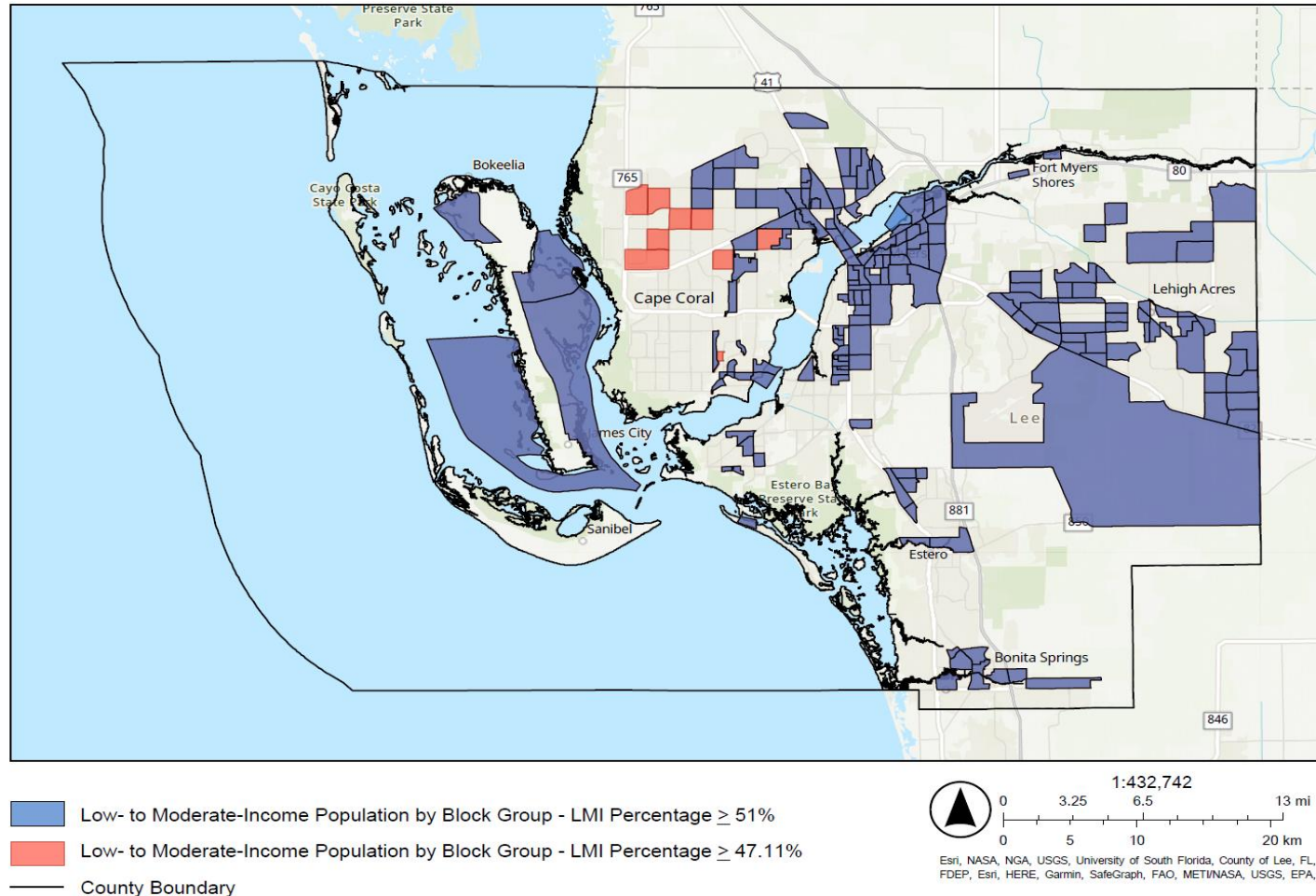
# Key Concepts for Using CDBG-DR : National Objective

All projects funded with CDBG-DR must meet one of three statutory CDBG national objectives:



# Key Concepts for Using CDBG-DR : Low- and Moderate-Income (LMI) Map of Lee County

HUD ACS 2011-2015 Low- to Moderate-Income (LMI) Map of Lee County by Block Group



Note: Based on 2011-2015 ACS FY 2022 Exception Grantees, Cape Coral is an exception grantee where the LMI percentage threshold is at least 47.11% rather than 51%.

# Key Concepts for Using CDBG-DR : Disaster Connection

Does the project address disaster damage or economically revitalize communities?

Is the location in a county covered by a disaster declaration and cited in the FR notice?

- All activities and projects must be related to recovery from the disaster covered by the appropriation
- For every funded applicant or project, **the grantee must document a tie back to the qualifying disaster**
- There are generally two possible approaches:
  - Grantee suffered physical or economic damage from the qualifying disaster
  - Funded project will help to economically revitalize an impacted community, including new construction
- Simply being located within a declared county is not sufficient documentation



## Section 2:

# Estimated Timeline

# Estimated Timeline: Lee County CDBG-DR Action Plan to Implementation

- **May 23, 2023 (Day 0)**  
Federal Register Notice (official notification) effective date (HUD)
- **July 22, 2023 (Day 60)**  
Lee County's draft Action Plan released for public comment
- **July-August 2023**  
Public provides feedback on Lee County's Action Plan (at least 2 public meetings)
- **August-September 2023**  
Lee County incorporates feedback from public meetings
- **September 20, 2023 (Day 120)**  
Lee County's deadline to submit the Action Plan to the U.S. Department of Housing and Urban Development
- **By November 19, 2023 (Day 180)**  
HUD has 60 days to either approve or provide feedback on the Action Plan
- **Late-2023/Early-2024**  
Action Plan approval from HUD and begin implementation of programs that provide direct support to the community

# Section 3:

## **Project Prioritization**

# Project Prioritization: Ranking Criteria

To ensure that key projects and program are identified, City staff ranked projects and programs based on following criteria:

- The projects or programs are **consistent with the City's goals** (the City Comprehensive Plan, Consolidated Plan and Strategic Plan)
- The project or program is **consistent with the CDBG-DR recovery framework**
- **Ease of funding** the project or program
- The project or program achieves a **benefit to the community**
- Ability to **complete project or program** within the typical **CDBG-DR grant timeframe** (5 to 10 years)
- The project or program provides a **critical service to the community**



# Project Prioritization: Housing Programs

Rank	Project Title	Estimated Program Need
1	City of Cape Coral Attainable Homeownership Program	\$235,574,555.00
2	City of Cape Coral Down Payment Assistance and Interest Rate Buydown Program	\$14,055,065.00
3	City of Cape Coral Home Repair and Hardening Program	\$98,385,462.00
4	City of Cape Coral Attainable and Senior Rental Program	\$66,913,763.00

# Project Prioritization: Other Unmet Needs Housing Programs and Projects

Rank	Project or Program Title	Estimated Project Cost or Program Need
1	<b>Golf Course Project:</b> Acquisition and rehabilitation of a contaminated golf course into compact affordable housing mixed with low commercial and greenspaces in a planned mobility hub	\$40,000,000.00
2	<b>Special Assessment Program:</b> Income-qualified households are eligible for assistance with special utility assessments (North 1, 3, 4 and 5 Utilities Extension Projects [UEP])	\$326,480,000.00

# Project Prioritization: Infrastructure Public Facilities and Improvements

Rank	Project Title	Estimated Project Cost
1	Lower Hawthorn Aquifer Emergency Wells and small-scale RO system for Critical Facilities	\$20,000,000.00
2	Construct Community Recreation Center/Shelter	\$80,000,000.00
3	City of Cape Coral Non-Profit Capital Program	\$2,284,000.00
4	City Fiber Optic Connectivity	\$12,000,000.00
5	Dedicated Watermain to Critical Facilities	\$90,000,000.00
6	North LSA/USD Administration and Warehouse	\$60,000,000.00

# Project Prioritization: Project Planning and Public Services

Rank	Project Title	Estimated Project Cost
1	City of Cape Coral Cost Recovery Project	\$200,000.00
2	City of Cape Coral Disaster Recovery Plan	\$170,000.00
3	Community Resilience Risk Reduction Plan	\$250,000.00
4	South Cape Core Connect Mobility Hub Planning, Design, and Construction Project	\$6,550,000.00
5	Cape Coral Parkway Corridor Planning Study	\$350,000.00
6	North Cape Coral Drainage Basin Alternative Restoration Plan	\$5,000,000.00
7	City-wide Resiliency and Adaptation Planning	\$500,000.00

# Project Prioritization: Economic Development and Revitalization

Rank	Project Title	Estimated Project Cost
1	Small Business Incubator / Accelerator	\$20,000,000.00
2	Business Emergency Communications Center and Small Business Communications Hub	\$500,000.00
3	Cape Coral Technical College Workforce Development Program	\$131,250.00
4	Small Business Education Portal	Varies annually

# Project Prioritization: Mitigation

Rank	Project Title	Estimated Project Cost
1	PW/Utilities/Storm water radio system hardening with additional radios for staff during a storm	\$547,750.00
2	Yellow Fever Creek Land Acquisition	\$10,000,000.00
3	Weir Rehabilitation, Upgrade or Replacement Program	\$54,000,000.00
4	Highwater Response and Rescue Vehicles	\$800,000.00
5	Firefighting/USAR Vehicle and Equipment	\$2,000,000.00
6	Critical Facility Generator Installation/Upgrade	\$5,500,000.00

# Section 4:

## **Total Unmet Need**

# Total Unmet Need : \$4,111,827,447.23

Programs	# Projects	Total Cost
Housing, Infrastructure, Planning and Public Services, Economic Development and Revitalization, and Mitigation	70	\$4,075,975,194.00
Local Match Projects	147	\$35,852,253.23
<b>Total</b>	<b>217</b>	<b>\$4,111,827,447.23</b>



# Section 5: **Next Steps**

# Next Steps

- Submit the Cape Coral Community Development Block Grant Disaster Recovery (CDBG-DR) Programs and Projects Plan to Lee County
- Submit all projects to the Resilient Lee Recovery Task Force
  - For Lee County to have a larger understanding of the needs of the community so that they can be articulated to HUD
  - Projects will be evaluated to assess eligibility under other funding streams
- **Please note** that not all projects will be funded by CDBG-DR due to eligibility requirements and limitation of funding (as needs will exceed the funding available)

# Questions?



**AGENDA  
REQUEST FORM**  
CITY OF CAPE  
CORAL

Item Number:	5.A.
Meeting Date:	5/24/2023
Item Type:	ORDINANCES/RESOLUTIONS - Introductions

**TITLE:**

Ordinance 52-23 Set Public Hearing for June 7, 2023

**ORDINANCES AND RESOLUTIONS:**

**WHAT THE ORDINANCE ACCOMPLISHES:**

The ordinance amends the Code Of Ordinances, Chapter 2, "Administration," Article V, "Boards And Commissions," to Repeal And Delete Division 8, "Golf Course Advisory Board," Division 13, "Nuisance Abatement Board," Division 14, "Waterway Advisory Board," Division 15, "Parks And Recreation Advisory Board," And Division 16, "Cape Competes Advisory Board"; amends Chapter 2, "Administration," Article V, "Boards And Commissions," Division I. "Generally", Article IX, "Naming Of City Assets," Chapter 19, "Water And Sewer Utilities," Article VI, "Utility Franchises," And Chapter 20, "Water Wells," to delete references to boards that have been repealed; and amends Chapter 2, "Administration," Article V, "Boards And Commissions," Division 12, "Youth Council" to change the board from an advisory board to a fact finding board. (Applicant: Advanced by City Council)

**REQUESTED ACTION:**

Approve or Deny

**SUMMARY EXPLANATION AND BACKGROUND:**

The City Council has reviewed the various boards, commissions and committees previously created by it and has determined that some of them can now be eliminated. The Council is of the opinion that reducing the number of boards, commissions and committees operating on behalf of the City will save considerable cost and staff time and will result in a more efficient method of soliciting citizen input and advice concerning the affairs of the City.

**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?

**RECOMMENDATIONS:**

**SOURCE OF ADDITIONAL INFORMATION:**

Michael Ilczyszyn, Interim City Manager (239) 574-0450

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

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

**PREPARED BY:**

City Attorney's Office	Division-	Department-	City Council
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**ATTACHMENTS:**

	<b>Description</b>	<b>Type</b>
▣	1. Ordinance 52-23	Ordinance

AN ORDINANCE AMENDING THE CAPE CORAL CODE OF ORDINANCES, CHAPTER 2, "ADMINISTRATION," ARTICLE V, "BOARDS AND COMMISSIONS," TO REPEAL AND DELETE DIVISION 8, "GOLF COURSE ADVISORY BOARD," DIVISION 13, "NUISANCE ABATEMENT BOARD," DIVISION 14, "WATERWAY ADVISORY BOARD," DIVISION 15, "PARKS AND RECREATION ADVISORY BOARD," AND DIVISION 16, "CAPE COMPETES ADVISORY BOARD"; AMENDING CHAPTER 2, "ADMINISTRATION," ARTICLE V, "BOARDS AND COMMISSIONS," DIVISION I. "GENERALLY", ARTICLE IX, "NAMING OF CITY ASSETS," CHAPTER 19, "WATER AND SEWER UTILITIES," ARTICLE VI, "UTILITY FRANCHISES," AND CHAPTER 20, "WATER WELLS," TO DELETE REFERENCES TO BOARDS THAT HAVE BEEN REPEALED; AND AMENDING CHAPTER 2, "ADMINISTRATION," ARTICLE V, "BOARDS AND COMMISSIONS," DIVISION 12, "YOUTH COUNCIL" TO CHANGE THE BOARD FROM AN ADVISORY BOARD TO A FACT FINDING BOARD; PROVIDING SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City Council has reviewed the various boards, commissions and committees previously created by it and has determined that some of them can now be eliminated; and

WHEREAS, the Council is of the opinion that reducing the number of boards, commissions and committees operating on behalf of the City will save considerable cost and staff time and will result in a more efficient method of soliciting citizen input and advice concerning the affairs of the City.

NOW, THEREFORE, THE CITY OF CAPE CORAL, FLORIDA, HEREBY ORDAINS THIS ORDINANCE AS FOLLOWS:

SECTION 1. The City of Cape Coral Code of Ordinances, Chapter 2, "Administration," Article V, "Boards and Commissions," Division 1, "Generally," Section 2-59, is hereby amended as follows:

#### **DIVISION 1. - GENERALLY**

...

#### **§ 2-59 - Annual review of boards, task forces, committees and commissions.**

- (a) On or before July 1 of each even-numbered year, the City Council shall conduct an annual review of the benefits derived from the continued existence of the boards, task forces, committees, councils, and commissions, designated in subsection (b) below, created by ordinance, resolution or otherwise by the City Council. Upon finding that there are substantial benefits derived from the continued existence of the board, task force, committee, council, or commission, the City Council shall adopt a resolution continuing the existence and functions of the board, task force, committee, council, or commission. Any board, task force, committee, council, or commission for which no resolution is adopted shall automatically be abolished and, if it was created by ordinance or resolution, the ordinance or resolution creating and establishing it shall automatically be repealed as of August 1 of that year.
- (b) The following boards, task forces, committees, councils, and commissions are subject to the review requirements of this section:
  - (1) ~~Parks and Recreation Advisory Board;~~
  - (2 1) Transportation Advisory Commission; and
  - (3) ~~Golf Course Advisory Board; and~~
  - (4 2) Youth Council.

SECTION 2. The City of Cape Coral Code of Ordinances, Chapter 2, "Administration," Article V, "Boards and Commissions," Division 8, "Golf Course Advisory Board," is hereby repealed in its entirety and deleted as follows:

#### **DIVISION 8. - GOLF COURSE ADVISORY BOARD-RESERVED.**

~~§ 2-120.25 - Purpose and creation.~~

~~In order to serve the Cape Coral City Council in an advisory capacity on matters concerning the Cape Coral municipal golf course, the City of Cape Coral Golf Course Advisory Board is created to make recommendations and furnish input and helpful information to the City Council to assist them in their policy making as it pertains to the promotion of golf and golfing activities.~~

~~§ 2-120.26 – Powers, duties and establishment of fees.~~

- ~~(a) Powers and duties. The City of Cape Coral Golf Course Advisory Board, in order to promote affordable and user friendly golf related activities to both residents and non-residents of Cape Coral and to assist the City Council, City Manager, or the Parks and Recreation staff with its policy making decisions, shall provide the City Council, City Manager and the Parks and Recreation staff with input and review, evaluation, recommendations and reports on any matter concerning policy making at the municipal golf course.~~
- ~~(b) Establishment of fees. Fees and rates charged at the municipal golf course shall be established by the City Manager, or the City Manager's designee, after receiving input from the Golf Course Advisory Board and Parks and Recreation staff.~~

~~§ 2-120.27 – Membership, appointment, term, vacancies and ex-officio members.~~

- ~~(a) Membership. The City of Cape Coral Golf Course Advisory Board shall have seven members. The members shall be golfers familiar with golf related activities. The members shall be residents of the City of Cape Coral. One member shall be the President of the Men's Golf Association and one member shall be the President of the Women's Golf Association, providing that those person(s) meet all of the qualifications necessary to serve as a member of the Golf Course Advisory Board. In the event the President of the Men's Golf Association and/or the President of the Women's Golf Association lacks any of the qualifications necessary to serve as a member of the City of Cape Coral Golf Course Advisory Board, then those person(s) shall not become a member of the Golf Course Advisory Board. Instead, the vice president of the respective association shall serve on the Golf Course Advisory Board if that person meets all of the minimum qualifications. In the event the vice president does not meet the minimum qualifications to serve on the Advisory Board, then the respective association shall select an association member to represent the association on the Advisory Board. The selected member must possess all qualifications necessary to serve on the Golf Course Advisory Board.~~
- ~~(b) Appointment. Except as otherwise provided herein, City Council shall appoint five members to the advisory board.~~
- ~~(c) Term. The initial board shall consist of two members who shall serve for a period of one year and three members who shall serve for a period of two years. Thereafter members shall serve for a period of two years from the date of their appointment. The Presidents of the Men's and Women's Golf Associations shall serve for the time period that they are President of their respective associations. In the event that the president of an association is ineligible to serve and either the vice president or a selected association member serves on the Golf Course Advisory Board, the vice president or association member shall serve until a new president of the respective association is elected, or until the current golf association president meets all qualifications for Advisory Board membership, whichever occurs first.~~
- ~~(d) Vacancies. In the event of vacancies on the Board due to resignations, illness, death or lack of attendance, the Board shall recommend and the City Council shall appoint a replacement to serve. If any member fails to attend 75% of all meetings held during any calendar year, the member's seat shall be declared vacant. Appointments to fill a vacancy shall be for the remainder of that term.~~

~~§ 2-120.28 – Meetings, procedures, records and quorum.~~

- ~~(a) Meetings.
  - ~~(1) The City of Cape Coral Golf Course Advisory Board shall hold meetings on a regular bi-monthly basis.~~
  - ~~(2) Special meetings may be called by the Chairperson when deemed imperative. Meetings may be cancelled by Board consensus in the absence of business.~~~~
- ~~(b) Procedures.~~

- (1) ~~The City of Cape Coral Golf Course Advisory Board shall elect a Chairperson, Vice Chairperson and Secretary to serve for a term of one year.~~
- (2) ~~The Board shall adopt its own rules of order. The Chairperson may appoint Ad Hoc Committees when deemed necessary.~~
- (c) ~~Records:~~
  - (1) ~~The City of Cape Coral Golf Course Advisory Board shall keep minutes of the meeting and records of all its transactions and deliberations.~~
  - (2) ~~The minutes and records shall be filed in the appropriate offices of the city and shall be public records.~~
  - (3) ~~All meetings of the City of Cape Coral Golf Course Advisory Board shall be open to the public.~~
- (d) ~~Quorum. Four members of the Board present to conduct official business shall constitute a quorum.~~

~~§ 2-120.29 Compensation:~~

~~The members of the City of Cape Coral Golf Course Advisory Board shall serve without compensation.~~

SECTION 3. The City of Cape Coral Code of Ordinances, Chapter 2, "Administration," Article V, "Boards and Commissions," Division 12, "Youth Council," is hereby amended as follows:

**DIVISION 12. – YOUTH COUNCIL**

§ 2-120.49 Youth Council

- (a) *Creation and purpose.* There is hereby created and established a Youth Council. In order to serve the Cape Coral City Council ~~in an advisory capacity~~ on matters concerning the youth of the community, the Youth Council is created to ~~make recommendations and~~ gather facts and furnish input and helpful information to the City Council to assist them in their policy making as it pertains to issues that affect the city's youth. Since the Youth Council is only delegated information-gathering and fact-finding authority and shall only conduct such activities, the Youth Council is not subject to the Florida Government in the Sunshine Law.
- (b) *Composition; qualifications; and terms.*
  - (1) The Youth Council shall be composed of 14 members, appointed by the City Council on or before May 1 of each year. Youth Council members shall be residents of the City of Cape Coral and enrolled in a source identified below at all times while serving on the Youth Council. Except as otherwise provided herein, the Youth Council shall be composed of one junior and one senior student from each of the following sources:
    - a. Mariner High School;
    - b. Ida Baker High School;
    - c. Island Coast High School;
    - d. Oasis High School;
    - e. Cape Coral High School;
    - f. North Fort Myers High School; and
    - g. At-large from home schooling or other source, including, but not limited to, a private school, charter school, or virtual school.
  - (2) For the initial Youth Council, seven seniors shall serve a term beginning upon appointment by the City Council until a successor is appointed on or before May 1, 2017, and seven juniors shall serve a term beginning upon appointment by the City Council until a successor is appointed on or before May 1, 2018. On or before May 1,



2017, and each year thereafter, the City Council shall appoint seven rising juniors to the Youth Council to serve a term of two years, or until a successor is appointed, unless a member is no longer qualified hereunder or is removed pursuant to subsection (e) below.

- (3) In the event that a Youth Council member shall no longer be enrolled in the school source that the member was appointed from, the member shall forfeit the member's seat and the seat shall be declared vacant, unless the member provides proof to the City that such member is enrolled in another source identified in subsection (b)(1) within fifteen (15) business days.
  - (4) In the event that there is no available student applicant from a class or source identified in subsection (b)(1) in any given year, the City Council may appoint a substitute student from one of the other subsection (b)(1) sources to serve that applicable term.
  - (5) The City Council shall appoint a City Council member to serve as a liaison between the City Council and the Youth Council.
- (c) *Parental consent and application.* Each Youth Council member shall, as a prerequisite for serving, complete an application and parental consent form. The format of the application and parental consent form shall be provided by the city. Notwithstanding the foregoing, a prospective member that has reached the age of majority shall not be required to complete a parental consent form. The City Council shall appoint Youth Council members from the pool of candidates submitting an application and meeting the qualifications of subsection (b) above. Prospective members' participation in the Chamber of Commerce Junior Leadership Program is strongly preferred but not required.
- (d) *Election of officers.* Members of the Youth Council shall annually elect a chairperson and vice-chairperson from among its members, each of whom shall serve until a successor is elected and qualified. Elections shall be held at the first regular meeting of the Youth Council after annual appointments are made by the City Council. The chairperson shall preside at all meetings and exercise all the usual rights, duties, and prerogatives of chairperson. The vice-chairperson shall perform the duties of the chairperson in the absence or disability of the chairperson. Vacancies of either office shall be filled by an existing Youth Council member for the unexpired term by a new election of the members.
- (e) *Vacancies and removal.*
- (1) Vacancies on the Youth Council shall be filled by appointment of the City Council. In the event of vacancies on the Youth Council due to resignation, illness, death, lack of attendance, removal, or lack of qualifications, the City Council shall appoint a replacement member to serve for the remainder of that term.
  - (2) Youth Council members may be removed from the Youth Council by the City Council, for cause.
- (f) *Meetings, quorum; forfeiture of office; minutes, records; and compensation.*
- (1) Regular meetings of the Youth Council shall be held every month, unless there is no business to transact by three days before a regular meeting date. Special meetings may be called by the chairperson, vice-chairperson, or by five or more members of the Youth Council.
  - (2) The presence of a majority of the members of the Youth Council shall constitute a quorum for the transaction of business.
  - (3) Youth Council members shall be subject to the forfeiture of office provisions of § 2-58 of this article.
  - (4) Notice of the date, time, and location and the agenda for all meetings of the Youth Council shall be provided to the City Clerk in a timely manner prior to the meeting ~~for inclusion in the notice of public meetings in order to comply with Sunshine Law regulations.~~ The City Clerk shall keep ~~minutes and records~~ an audio recording of all meetings of the Youth Council, and all meetings shall be open to the public.
  - (5) Youth Council members shall serve without compensation.

- (g) *Rules and regulations.* Robert's Rules of Order shall ~~govern~~ be a guideline for all meetings of the Youth Council.
- (h) *Duties and responsibilities.* The Youth Council shall have the duty and responsibility to:
- (1) ~~Evaluate and r~~eview problems facing youth in the city.
  - (2) Facilitate neighborhood meetings with youth to discuss problems, needs, and suggested improvements for the community.
  - (3) ~~Meet with the City Council to s~~Share ideas and discuss issues, concerns, and needed improvements.
  - (4) Present ~~recommendations~~ facts and information to the City Council for public projects and programs.
  - (5) Assist in planning youth/recreation activities.
  - (6) ~~Evaluate and advise~~ Inform the City Council on issues forwarded to the Youth Council ~~for advice.~~
  - (7) Participate in, organize, and attend community outreach programs, fundraising activities, projects, and events, as may be approved in advance by the City Council.
  - (8) Prepare reports and make presentations to the City Council and City staff on Youth Council activities.
  - (9) Serve as a role model to other youth.
  - (10) Educate other youth on municipal government.
  - (11) Promote public awareness of the strengths and abilities of the City's youth.
- (i) *Reporting.* The Youth Council shall ~~make recommendations~~ report to the City Council periodically by written memoranda, ~~on the first day of October, January, March, and May of each year, or more frequently as deemed necessary by the City Council.~~ The Youth Council should make every effort to attend the meetings of the City Council where the ~~recommendations~~ or written memoranda of the Youth Council are to be presented ~~or considered.~~

SECTION 4. The City of Cape Coral Code of Ordinances, Chapter 2, "Administration," Article V, "Boards and Commissions," Division 13, "Nuisance Abatement Board," Section 2-120.50, is hereby repealed in its entirety and deleted as follows:

#### **DIVISION 13. NUISANCE ABATEMENT BOARD RESERVED.**

##### **~~§ 2-120.50 Nuisance Abatement Board.~~**

- (a) *Creation and intent.* ~~— Pursuant to Section 893.138, Florida Statutes, the Cape Coral City Council hereby creates a nuisance abatement board. It is the intent of this Division 13 to establish the nuisance abatement board to promote, protect, and improve the health, safety, and welfare of the citizens of the City of Cape Coral by providing an equitable, expeditious, and effective method to reduce the use of property within the City for the unlawful sale, delivery, manufacture, cultivation, or possession of controlled substances; prostitution; gang activity; or stolen property.~~
- (b) *Definitions.* ~~— The following words, terms, and phrases, when used in this section, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:~~

~~*Board* shall mean the nuisance abatement board of the City of Cape Coral.~~

~~*Controlled substance* shall mean any substance named or described in Schedules I-V of Section 893.03, Florida Statutes; any substance sold in lieu of a controlled substance in violation of Section 817.563, Florida Statutes; or any imitation controlled substance defined in Section 817.564, Florida Statutes.~~

~~Council shall mean the City Council of the City of Cape Coral.~~

~~Owner shall mean the legal or equitable title holder of the place or premises that is the subject of a complaint filed with the nuisance abatement board.~~

~~Place or premises shall mean the land and its appurtenances, structures, and fixtures thereon, as such land is described or contained in a deed or instrument of conveyance and recorded in the official records of Lee County, Florida.~~

~~Public nuisance shall mean any place or premises that has been used:~~

- ~~1. On more than two (2) occasions within a 6-month period, as the site of a violation of Section 796.07, Florida Statutes;~~
- ~~2. On more than two (2) occasions within a 6-month period, as the site of the unlawful sale, delivery, manufacture, or cultivation of any controlled substance;~~
- ~~3. On one (1) occasion, as the site of the unlawful possession of a controlled substance, where such possession constitutes a felony and such place or premises have been previously used on more than one (1) occasion as the site of the unlawful sale, delivery, manufacture, or cultivation of any controlled substance;~~
- ~~4. By a criminal gang for the purpose of conducting criminal gang activity, as defined by Section 874.03, Florida Statutes;~~
- ~~5. On more than two (2) occasions within a 6-month period, as the site of a violation of Section 812.019, Florida Statutes, relating to dealing in stolen property; or~~
- ~~6. On two (2) or more occasions within a 6-month period, as the site of a violation of Chapter 499, Florida Statutes.~~
- ~~7. A public nuisance shall also include any pain management clinic, as described in Sections 458.3265 or 459.0137, Florida Statutes, which has been used on more than two (2) occasions within a 6-month period, as the site of a violation of:
  - ~~A. Sections 784.011, 784.021, 784.03, or 784.045, Florida Statutes, relating to assault and battery;~~
  - ~~B. Section 810.02, Florida Statutes, relating to burglary;~~
  - ~~C. Section 812.014, Florida Statutes, relating to theft;~~
  - ~~D. Section 812.131, Florida Statutes, relating to robbery by sudden snatching; or~~
  - ~~E. Section 893.13, Florida Statutes, relating to the unlawful distribution of controlled substances.~~~~

~~It shall be prima facie evidence that a public nuisance violation occurred at a place or premises pursuant to this section where an arrest for a violation of any of the unlawful activities described above has been made at the place or premises.~~

~~Recurring public nuisance shall mean the violation of a provision of this section by a person who has previously been found to have violated or who has admitted violating, the same provision within five (5) years prior to the violation.~~

- (e) ~~Membership; terms of office; forfeiture of office; removal; vacancies.~~ The nuisance abatement board shall consist of seven (7) members. All members shall be residents of the City of Cape Coral and shall be appointed by a majority vote of the City Council. The term of office for each member shall be two (2) years, or until a successor is appointed. In addition to the aforesaid seven (7) members, two (2) alternate members shall be appointed by a majority vote of the City Council to serve as alternates for the term of one (1) year. Such alternate members shall be residents of the City and shall substitute for absent members on a rotating basis. When substituting for an absent member, an alternate member may vote and participate in all discussions of the Board in the same manner and to the same extent as the other members of the Board. When not substituting for an absent member(s), alternate members shall not vote on any matter before the Board, but may participate in all discussions of the Board in the same manner and to the same extent as other members of the Board. Board members and alternate members shall be subject to the forfeiture of office provisions of Section 2-58 of the Cape Coral Code of Ordinances. Whenever a vacancy shall occur on the Board, the City Council shall fill the vacancy for the remainder of the term as soon as practicable after such vacancy occurs.

- (d) ~~Quorum; election of officers; rules; compensation.~~

- ~~1. The presence of four (4) or more members shall constitute a hearing quorum.~~
- ~~2. Members of the Board shall annually elect a chairperson and vice chairperson from among its members, each of whom shall serve until a successor is elected and qualified.~~

~~The chairperson shall preside at all meetings and exercise all the usual rights, duties, and prerogatives of chairperson. The vice chairperson shall perform the duties of the chairperson in the absence or disability of the chairperson. Vacancies of either office shall be filled by an existing Board member for the unexpired term by a new election of the members.~~

~~3. Robert's Rules of Order shall serve as guidance for all meetings of the Board. The Board may adopt its own procedural rules and regulations as may be deemed necessary, providing that such rules and regulations shall not be contrary to the spirit and intent of the laws of the City of Cape Coral.~~

~~4. Board members shall serve without compensation.~~

(e) ~~*Initiation of procedures.* Any employee, officer, or resident of the City may file a complaint with the City Manager's office with regard to any public nuisance, as defined in this section. Notwithstanding the foregoing, no member of the Board may file such complaint. The City Manager, or designee, shall review the complaint and determine whether substantial, competent evidence supports a finding that criminal activity that might constitute a public nuisance is occurring at the subject premises. If substantial, competent evidence exists, the City Manager, or designee, shall promptly provide written notice to the owner(s) of the premises of the complaint and a summary of the evidence of criminal activity. The notice shall be served on the owner in the same manner as the notice of hearing as provided in this section. The owner(s) shall be provided a reasonable time from receipt of the notice to take action to abate the public nuisance. If after notice is provided and a violation of the same public nuisance occurs again at the premises within 6 months of the date of such notice, the City Manager, or designee, shall promptly request a hearing before the Board. Notwithstanding the foregoing, if substantial, competent evidence exists that the public nuisance complaint creates an immediate threat to the public health, safety, and welfare or the property is a recurring public nuisance, the City Manager, or designee, shall provide written notice to the owner(s) of the premises of the complaint with a summary of the evidence of the public nuisance, and may promptly request a hearing before the Board.~~

(f) ~~*Hearing notice.* After receipt of a request for a hearing from the City Manager, or designee, the Board, through its clerk, shall promptly schedule a hearing. Written notice of the hearing shall be provided to the owner(s) in accordance with Sections 2-85(d)-(g), Cape Coral Code of Ordinances, at least ten (10) calendar days prior to the scheduled hearing. The notice of hearing shall include the following:~~

- ~~1. The time, date, place, and nature of the hearing;~~
- ~~2. A reference to this section;~~
- ~~3. A short and plain statement summarizing the facts that form the basis of the complaint;~~
- ~~4. A statement that "Failure to attend the hearing may result in an order being issued adverse to your interests";~~
- ~~5. A statement that all parties may be represented by counsel;~~
- ~~6. A statement that all parties shall be given an opportunity to present evidence in support of their position, submit rebuttal evidence, and conduct cross-examinations; and~~
- ~~7. A conspicuous statement reflecting the requirements of Chapter 286, Florida Statutes, that if a person decides to appeal any decision made by the Board with respect to any matter considered at such 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.~~

(g) ~~*Conduct of hearings; board orders.*~~

- ~~1. The City Attorney, or designee, shall present cases before the Board. The City Council shall appoint legal counsel to represent the Board. All hearings shall be open to the public and minutes shall be kept by the City Clerk, or designee. The City Clerk, or designee, shall provide clerical and administrative support as may be reasonably required for the proper performance of the Board's duties. All oral testimony shall be taken under oath. The general public may be given an opportunity to present oral or written communications.~~
- ~~2. Before the Board may hear a complaint, the Board shall make a finding that the notice requirements set forth in this section have been met. In no case shall the Board proceed to hear any complaint unless the notice requirements have been met.~~
- ~~3. Formal rules of evidence shall not apply, but fundamental due process shall be observed and shall govern the proceedings. The Board may consider any relevant evidence, including evidence of the general reputation of the place or premises. All evidence of a~~

type commonly relied upon by reasonably prudent persons in the conduct of their affairs shall be admissible, whether or not such evidence would be ordinarily admissible in a state court.

4. ~~Each party shall have the following rights:~~
  - a. ~~To call and examine witnesses.~~
  - b. ~~To introduce documentary evidence, exhibits, or physical evidence.~~
  - c. ~~To cross-examine opposing witnesses on any relevant matter.~~
  - d. ~~To impeach any witness.~~
  - e. ~~To submit rebuttal evidence.~~
  - f. ~~To be represented by counsel.~~
5. ~~The owner and any occupant of the place or premises in question may introduce evidence as to any remedial or mitigating measures taken to abate the conditions which led to the public nuisance complaint.~~
6. ~~The burden of proof shall be with the City to show by a preponderance of evidence that a public nuisance exists. The Board may rely on rebuttal evidence, impeachment evidence, or other relevant factors to the hearing. Hearsay evidence may be used for the purpose of supplementing or explaining other evidence, but it shall not be sufficient in itself to support a finding of a public nuisance.~~
7. ~~After the conclusion of the hearing, the Board shall issue a written order containing findings of fact based upon evidence of record, conclusions of law, and proper relief consistent with the powers granted in this section.~~
8. ~~If the Board finds and declares a place or premises to be a public nuisance, the Board may enter an order immediately prohibiting:~~
  - a. ~~The maintaining of the public nuisance;~~
  - b. ~~The operating or maintaining of the place or premises, including the closure of the place or premises or any part thereof; or~~
  - c. ~~The conduct, operation, or maintenance or any business or activity on the premises which is conducive to such public nuisance.~~
  - d. ~~An order of the Board shall automatically expire after one (1) year, or at such earlier time as stated in the order. The Board may retain jurisdiction to modify its order prior to the expiration of such order.~~
  - e. ~~An order of the Board may be enforced pursuant to the procedures contained in Section 120.69, Florida Statutes. This subsection does not subject the City or the Board to any other provision of Chapter 120, Florida Statutes.~~

- (h) ~~Administrative liens; fines; costs.~~ In the event that the Board finds a place or premises to be a public nuisance and issues an order pursuant to Subsection 2-120.50(g), the Board shall assess against the owner of the place or premises the reasonable costs, including reasonable attorney's fees, which the City has incurred in the preparation, investigation, and presentation of the case.

In addition to the relief authorized in Section 2-120.50(g)8., a Board order may include, but is not limited to, the following:

1. ~~Establish penalties for public nuisances, including fines not to exceed \$250.00 per day;~~
2. ~~Provide for continuing jurisdiction for a period of one (1) year over any place or premises that has been or is declared to be a public nuisance;~~
3. ~~Establish penalties, including fines not to exceed \$500.00 per day for recurring public nuisances;~~
4. ~~Provide for the recording of orders on public nuisances so that notice must be given to subsequent purchasers, successors in interest, or assigns of the real property that is the subject of the order;~~
5. ~~Provide that recorded orders on public nuisances may become liens against the real property that is the subject of the order;~~
6. ~~Provide for the foreclosure of property subject to a lien and the recovery of all costs, including reasonable attorney's fees, associated with the recording of orders and foreclosure.~~

All costs and/or fines assessed by the Board shall be due and payable thirty (30) days after the written order of the Board has been rendered or such other time as the Board may direct. The total fines imposed pursuant to the authority of this section shall not exceed \$15,000.00. No lien created pursuant to the provisions of this section may be foreclosed on real property, which is homestead under Article X, Section 4 of the state constitution. Where the City seeks to bring an administrative action, based on a stolen property public nuisance, against a property owner operating an establishment where multiple tenants, on one site, conduct their own retail business, the property owner shall not be subject to a lien against his or her property or the prohibition of operation provision if the property owner evicts the business declared to be a public nuisance within ninety (90) days after notification, by certified mail, with return receipt

~~requested, to the property owner, of a second stolen property conviction of the tenant. Nothing contained within this section prohibits the City from proceeding against a public nuisance by any other means.~~

- ~~(i) *Appeals.* An aggrieved party, including the City Council, may appeal a final administrative order of the Board to the Circuit Court of the 20<sup>th</sup> Judicial Circuit. Such appeal shall not be a hearing de novo, but shall be limited to appellate review of the record created by the Board. An appeal shall be filed within thirty (30) calendar days of the date of the written order being appealed. No appeal may be sought beyond the thirty (30) calendar day filing time as set out herein.~~
- ~~(j) *Rights preserved.* This Division 13 does not limit, restrict, or abridge the rights of any person to proceed under Section 60.05, Florida Statutes, against any public nuisance, nor does this division prohibit any jurisdiction from proceeding against a public nuisance by any other lawfully available means.~~

SECTION 5. The City of Cape Coral Code of Ordinances, Chapter 2, "Administration," Article V, "Boards and Commissions," Division 14, "Waterway Advisory Board," is hereby repealed in its entirety and deleted as follows:

#### **DIVISION 14. -WATERWAY ADVISORY BOARD RESERVED.**

##### ~~§ 2-120.51 Purpose and Creation.~~

~~In order to serve the Cape Coral City Council in an advisory capacity on matters concerning Cape Coral waterways, the City of Cape Coral Waterway Advisory Board is created to make recommendations and furnish input and helpful information to the City Council to assist them in their policy making as it pertains to the City's public navigable waterways. The Board shall make nonbinding policy recommendations specifically related to the health, safety, maintenance and sustainability of Cape Coral's waterways. Moreover, the Board shall seek to ensure that the waterways remain accessible for recreational use and enjoyment of all.~~

##### ~~§ 2-120.52 Powers and Duties.~~

- ~~A. *Powers and Duties.* The City of Cape Coral Waterway Advisory Board shall provide the City Council with input and review, evaluation, recommendations, and reports on any matter it considers appropriate, including the following:~~
  - ~~1. Conditions of waterways and needed corrections, including study of the most feasible and economical method of maintaining the depths of waterways within the City;~~
  - ~~2. Waterway safety and traffic control on waterways;~~
  - ~~3. Regulation of waterskiing;~~
  - ~~4. Operation of City marinas, boat launching, docks, etc.;~~
  - ~~5. Sanitation problems and proposed laws governing effluents from boats;~~
  - ~~6. Water quality;~~
  - ~~7. Recreational opportunities;~~
  - ~~8. Advertising and publicity.~~

##### ~~§ 2-120.53 Membership and Appointment, Term, and Vacancies and Forfeiture of Office.~~

- ~~A. *Membership and appointment.* The City of Cape Coral Waterway Advisory Board shall have seven regular members and two alternate members, appointed by majority vote of the City Council. When substituting for an absent member, the alternate member may vote and participate in all discussions of the Advisory Board in the same manner and to the same extent as the regular members of the Advisory Board. When not substituting for an absent member, the alternate member shall not vote on any matter before the Advisory Board, but may participate in all discussions of the Advisory Board in the same manner and to the same extent as the regular members of the Advisory Board. Alternate members shall substitute for absent members on a rotating basis. The members shall be residents of the City of Cape Coral. If practicable, the composition of the Board shall reflect a broad cross section of all residents of~~

~~the City of Cape Coral. The City Council shall consider factors such as the following in making appointments to the Board:~~

- ~~1. Geographic diversity of applicants;~~
  - ~~2. Experience of applicants with fresh water or salt water;~~
  - ~~3. Interest of applicants in waterways, such as fishing, boating, residing on water;~~
  - ~~4. Background, education or experience of applicants in water-related matters;~~
  - ~~5. Whether applicants have direct or indirect access to waterways.~~
- B. ~~Term. The initial board shall consist of three members who shall serve for a period of one year, four members who shall serve for a period of two years, and two alternates who shall serve for a period of two years. Thereafter members shall serve for a period of two years from the date of their appointment.~~
- C. ~~Vacancies and forfeiture of office. Any vacancy on the Board shall be filled for the unexpired portion of the term in the same manner as the original appointment. Board members shall be subject to the forfeiture of office provisions of § 2-58 of the Cape Coral Code of Ordinances.~~
- D. ~~The City Council shall appoint a City Council member to serve as a liaison between the City Council and the Advisory Board.~~

~~§ 2-120.54 Meetings, Procedures, Records, and Quorum.~~

- A. ~~Meetings. The City of Cape Coral Waterway Advisory Board shall hold meetings on a regular bi-monthly basis. Special meetings may be called by the chairperson when deemed imperative. Meetings may be cancelled by the chairperson in the absence of business. Notice of the date, time, and location and the agenda for all meetings of the Board shall be provided to the City Clerk in a timely manner prior to the meeting for inclusion in the notice of public meetings in order to comply with Sunshine Law regulations.~~
- B. ~~Procedures. The City of Cape Coral Waterway Advisory Board shall elect a chairperson and vice-chairperson from among its members to serve for a term of one year. The chairperson shall preside at all meetings and exercise all the usual rights, duties, and prerogatives of chairperson. The vice-chairperson shall perform the duties of the chairperson in the absence or disability of the chairperson. Robert's Rules of Order shall guide all meetings of the Board.~~
- C. ~~Records. The City Clerk shall keep minutes and records of all meetings of the City of Cape Coral Waterway Advisory Board, and all meetings shall be open to the public.~~
- D. ~~Quorum. The presence of a majority of the members of the City of Cape Coral Waterway Advisory Board shall constitute a quorum for the transaction of business.~~

~~§ 2-120.55 Compensation.~~

~~The members of the City of Cape Coral Waterway Advisory Board shall serve without compensation, but may be reimbursed for travel, mileage, and per diem expenses as may be authorized by City Council.~~

SECTION 6. The City of Cape Coral Code of Ordinances, Chapter 2, "Administration," Article V, "Boards and Commissions," Division 15, "Parks and Recreation Advisory Board," is hereby repealed in its entirety and deleted as follows:

**DIVISION 15. - PARKS AND RECREATION ADVISORY BOARD RESERVED**

~~§ 2-120.56 Purpose and Creation.~~

~~In order to serve the Cape Coral City Council in an advisory capacity on matters concerning Cape Coral parks, the City of Cape Coral Parks and Recreation Advisory Board is created to make recommendations and furnish input and helpful information to the City Council to assist them in their policy making as it pertains to the City's parks. The Board shall make nonbinding policy recommendations specifically related to the parks and recreation system of the City.~~

~~§ 2-120.57 Powers and Duties.~~

~~A. Powers and Duties. The powers and duties of the City of Cape Coral Parks and Recreation Advisory Board shall include the following:~~

- ~~1. Advise and give recommendations to the City Council on matters pertaining to the parks and recreation system of the City;~~
- ~~2. Assist the City Council in the definitions of goals and objectives for the parks and recreation system of the City;~~
- ~~3. Carry out specific programs for areas of research as may be assigned by the City Council;~~
- ~~4. Support the development of a broad variety of programs, areas, facilities, and services, and through effective planning meet the needs and demands of the City by utilizing the total resources of the City;~~
- ~~5. Assist the City in informing and educating the general public about the importance of and need for parks and recreation programs, facilities, and services;~~
- ~~6. Evaluate the City parks and recreation programs, facilities, and services periodically to ensure that its objectives and goals are being achieved;~~
- ~~7. Recommend and support the establishment of such rules and regulations as may be necessary from time to time pertinent to the operation, efficient management, maintenance, and scheduling of parks and recreational facilities within the City;~~
- ~~8. Advise the City Council on tourism industry and recreation promotion issues, develop programs to attract quality tourism and recreation activities to the City, and assist in implementation of those programs;~~
- ~~9. Review and make recommendations regarding applications for naming and renaming parks, recreational facilities, and other recreational assets owned and operated by the City.~~
- ~~10. Review and advise City Council regarding any matters referred to it by City Council.~~

~~§ 2-120.58 Membership and Appointment, Term, and Vacancies and Forfeiture of Office.~~

~~A. Membership and appointment. The City of Cape Coral Parks and Recreation Advisory Board shall have five (5) regular members and two (2) alternate members, appointed by majority vote of the City Council; one member from the Golf Course Advisory Board, appointed by the Golf Course Advisory Board; and one (1) student member from the Youth Council, appointed by the Youth Council. The Golf Course Advisory Board and Youth Council members shall vote and participate in all discussions of the Advisory Board in the same manner and to the same extent as the regular members of the Advisory Board. When substituting for an absent member, the alternate member may vote and participate in all discussions of the Advisory Board in the same manner and to the same extent as the regular members of the Advisory Board. When not substituting for an absent member, the alternate member shall not vote on any matter before the Advisory Board, but may participate in all discussions of the Advisory Board in the same manner and to the same extent as the regular members of the Advisory Board. Alternate members shall substitute for absent members on a rotating basis. The members shall be residents of the City of Cape Coral. If practicable, the composition of the Board shall reflect a broad cross-section of all residents of the City of Cape Coral. The City Council shall consider factors such as the following in making appointments to the Board:~~

- ~~1. Geographic diversity of applicants;~~
- ~~2. Experience in any of the following fields: Fitness, health, athletics, recreation, parks, special event planning, landscape architecture, biology, climate change, education, environmental conservation and protection, environmental science, forestry, gardening, geology, horticulture, sustainability, or urban planning;~~
- ~~3. Current or prior engagement in one or more parks and recreation activity, such as community athletic leagues, community recreation programs, park programs, special events, or volunteer activities;~~



4. ~~Expressed interest in recreation, athletics, fitness, parks, and special events with an articulated understanding of the value of those activities;~~
  5. ~~Alternatively, demonstration of a strong and sincere commitment to the intent set forth in this division or possession of an outstanding reputation for civic activity and interest, integrity, and responsibility.~~
- B. ~~Term. The initial board shall consist of three members who shall serve for a term of one year, two members who shall serve for a period of two years, one alternate who shall serve for a period of one year, and one alternate who shall serve for a period of two years. Thereafter members other than the Golf Course Advisory Board and Youth Council members shall serve for a period of three years from the date of their appointment, with a possible reappointment not to exceed two consecutive terms. The Golf Course Advisory Board and Youth Council members shall be appointed for a single one-year term, without the possibility of reappointment.~~
- C. ~~Vacancies and forfeiture of office. Any vacancy on the Board shall be filled for the unexpired portion of the term in the same manner as the original appointment. Board members shall be subject to the forfeiture of office provisions of § 2-58 of the Cape Coral Code of Ordinances.~~
- D. ~~The City Council shall appoint a City Council member to serve as a liaison between the City Council and the Advisory Board.~~

~~§ 2-120.59 Meetings, Procedures, Records, and Quorum.~~

- A. ~~Meetings. The City of Cape Coral Parks and Recreation Advisory Board shall hold meetings on a regular quarterly basis. Special meetings may be called by the chairperson when deemed imperative. Meetings may be cancelled by the chairperson in the absence of business. Notice of the date, time, and location and the agenda for all meetings of the Board shall be provided to the City Clerk in a timely manner prior to the meeting for inclusion in the notice of public meetings in order to comply with Sunshine Law regulations.~~
- B. ~~Procedures. The City of Cape Coral Parks and Recreation Advisory Board shall elect a chairperson and vice chairperson from among its members to serve for a term of one year. The chairperson shall preside at all meetings and exercise all the usual rights, duties, and prerogatives of chairperson. The vice chairperson shall perform the duties of the chairperson in the absence or disability of the chairperson. Robert's Rules of Order shall guide all meetings of the Board.~~
- C. ~~Records. The City Clerk shall keep minutes and records of all meetings of the City of Cape Coral Parks and Recreation Advisory Board, and all meetings shall be open to the public.~~
- D. ~~Quorum. The presence of a majority of the members of the City of Cape Coral Parks and Recreation Advisory Board shall constitute a quorum for the transaction of business. The presence of the Golf Course Advisory Board and Youth Council members shall not count towards the constitution of a quorum.~~

~~§ 2-120.60 Compensation.~~

~~The members of the City of Cape Coral Parks and Recreation Advisory Board shall serve without compensation, but may be reimbursed for travel, mileage, and per diem expenses as may be authorized by City Council.~~

SECTION 7. The City of Cape Coral Code of Ordinances, Chapter 2, "Administration," Article V, "Boards and Commissions," Division 16, "Cape Competes Advisory Board," is hereby repealed in its entirety and deleted as follows:

**DIVISION 16. - CAPE COMPETES ADVISORY BOARD RESERVED**

~~§ 2-120.61 Purpose and Creation.~~

~~The Cape Competes Advisory Board ("Advisory Board") is created to serve as a voice of local businesses to assist them in their ability to do business in the city, maintain a positive relationship with the local business community and the city, and to enhance the overall business climate within the city. The Advisory Board is created to make recommendations and furnish input and helpful information to the City Council to assist them in their policy making as it pertains to the local business community. The Advisory Board shall make nonbinding policy recommendations specifically related to the relationship between local businesses and the city.~~

~~§ 2-120.62 – Powers and Duties.~~

~~The Cape Competes Advisory Board shall provide the City Council with input and review, evaluation, recommendations, and reports on any matter it considers appropriate, including the following:~~

- ~~A. On matters affecting local businesses and local business activities in the city.~~
- ~~B. Strengthening the relationship between the city and its businesses.~~
- ~~C. To review and to formulate recommendations to the City Council on specific business issues or business matters which reflect upon specific economic conditions or business matters.~~
- ~~D. To periodically review business matters affected by the City's Land Development Code, Comprehensive Land Use Plan, Land Use Map, and other regulations, which, by their terms or by implication influence the operation of local businesses and business.~~

~~§ 2-120.63 – Membership and Appointment, Term, and Vacancies and Forfeiture of Office.~~

- ~~A. Membership and appointment. The Cape Competes Advisory Board shall have eight (8) regular members and one (1) alternate member, appointed by majority vote of the City Council. When substituting for an absent member, the alternate member may vote and participate in all discussions of the Advisory Board in the same manner and to the same extent as the regular members of the Advisory Board. When not substituting for an absent member, the alternate member shall not vote on any matter before the Advisory Board, but may participate in all discussions of the Advisory Board in the same manner and to the same extent as the regular members of the Advisory Board. The members shall be residents of the City of Cape Coral, or an owner or general manager of a business whose principal place of business is located within the city and who possesses a local business tax receipt issued by the city. For purposes of this section, the term general manager means an individual responsible for decisions regarding the everyday operation of the business. The Advisory Board's composition shall, whenever possible, include persons engaged in the following business sectors:~~
  - ~~1. Commercial Real Estate Brokerage.~~
  - ~~2. Commercial lending or financing.~~
  - ~~3. Architectural services.~~
  - ~~4. Engineering services.~~
  - ~~5. Contractor or Developer of non-residential buildings or properties.~~
  - ~~6. Two owners or general managers of a business whose principal place of business is located within the city.~~
  - ~~7. Executive Director of the Chamber of Commerce, or the Executive Director's designee.~~
- ~~B. Term. The initial board shall consist of the Chamber of Commerce Executive Director or designee, who shall serve for a period of three years, three other members who shall serve for a period of three years, three members who shall serve for a period of two years, one member who shall serve for one year, and one alternate who shall serve for a period of one year. Thereafter members shall serve for a period of three years from the date of their appointment.~~
- ~~C. Vacancies and forfeiture of office. Any vacancy on the Board shall be filled for the unexpired portion of the term in the same manner as the original appointment. Board members shall be subject to the forfeiture of office provisions of § 2-58 of the Cape Coral Code of Ordinances.~~
- ~~D. The City Council shall appoint a City Council member to serve as a liaison between the City Council and the Advisory Board. The City Manager, or City Manager's designee, shall attend Advisory Board meetings and provide administrative support and advice to the Advisory Board in its deliberations.~~

~~§ 2-120.64 – Meetings, Procedures, Records, and Quorum.~~

- A. ~~Meetings. The Cape Competes Advisory Board shall hold one meeting per month unless there is no business to transact. Special meetings may be called by the chairperson when deemed imperative. Meetings may be cancelled by the chairperson in the absence of business. Notice of the date, time, and location and the agenda for all meetings of the Advisory Board shall be provided to the City Clerk in a timely manner prior to the meeting for inclusion in the notice of public meetings in order to comply with Sunshine Law regulations.~~
- B. ~~Procedures. An organizational meeting of the Advisory Board shall be held at its first meeting after their appointment and thereafter at the first regular meeting in the month of October of each year or as soon thereafter as practicable, for the purpose of electing officers for the ensuing year. The Advisory Board shall elect a chairperson and vice chairperson from among its members to serve for a term of one year. The chairperson shall preside at all meetings and exercise all the usual rights, duties, and prerogatives of chairperson. The vice chairperson shall perform the duties of the chairperson in the absence or disability of the chairperson. Robert's Rules of Order shall guide all meetings of the Board.~~
- C. ~~Records. The City Clerk shall keep minutes and records of all meetings of the Cape Competes Advisory Board, and all meetings shall be open to the public.~~
- D. ~~Quorum. The presence of a majority of the members of the Cape Competes Advisory Board shall constitute a quorum for the transaction of business.~~

~~§ 2-120.65 - Compensation.~~

~~The members of the Cape Competes Advisory Board shall serve without compensation, but may be reimbursed for travel, mileage, and per diem expenses as may be authorized by City Council.~~

SECTION 8. The City of Cape Coral Code of Ordinances, Chapter 2, "Administration," Article IX, "Naming of City Assets," is hereby amended as follows:

# **ARTICLE IX: - NAMING OF CITY ASSETS**

§ 2-164 - Purpose.

The purpose of this article is to establish uniform guidelines for naming and renaming of public assets owned and operated by the City of Cape Coral. Through this guidance, the City of Cape Coral has established a policy that will reserve the naming or renaming of parks, recreational facilities, and other city assets for circumstances that will best serve the interests of the City, as well as ensure a worthy and enduring legacy for Cape Coral's parks and recreation system and other public facilities.

§ 2-165 - Definitions.

As used in this article, the following words or terms shall have the meanings indicated.

*CITY ASSETS.* All public facilities including, but not limited to, parks and recreational facilities owned, operated, and controlled by the City of Cape Coral.

*DEPARTMENT DIRECTOR.* That individual who is the Department Director responsible for the city asset that is proposed for naming or renaming.

*DONATION OR GIFT.* A contribution in the form of cash, an endowment, personal property, real property, financial securities, equipment, in-kind goods or services. For purposes of this article, the terms "donation" and "gift" shall be synonymous.

*DONOR.* A person or other legal entity that proposes or provides a donation to the City.

*NAMING.* The selection and approval by the City Council for the initial naming of a City Asset other than streets within the public right-of-way.

*NOT-FOR-PROFIT ORGANIZATION.* A corporation or association that conducts business for the benefit of the general public without shareholders and without a profit motive.

*PARKS.* All traditionally designed parks, gardens, natural open spaces, trails, and specialized parks under the stewardship of the City of Cape Coral.

*RECREATIONAL FACILITIES.* Major improvements or structures such as public buildings, community centers, aquatic facilities, pavilions, tennis courts, sports fields, and fountains located within lands under the stewardship of the City of Cape Coral.

*RENAMING.* The selection and approval by the City Council of a new name for an existing City Asset other than streets within the public right-of-way, including parks and recreation facilities.

~~*PARKS AND RECREATION ADVISORY BOARD.* The advisory committee established by the Cape Coral City Council to make recommendations and furnish input and helpful information to the City Council to assist it in its policy making as it pertains the City's parks, including park or recreational facility naming.~~

§ 2-166 - Policy.

The policy of the City is to reserve naming or renaming of City Assets and placement of Commemorative Works for circumstances that will best serve the City's interests and ensure a worthy and enduring legacy for the City.

A. Naming Goals. The following will be considered when naming or renaming a City Asset:

1. Whether the proposed name engenders a strong positive image.
2. Whether the proposed name is appropriate having regard to the site's location.
3. Whether the proposed name has historical, cultural, or social significance for future generations.
4. Whether the proposed name commemorates places, people, or events that are of continued importance to the City, region, state, or nation.
5. Whether the proposed name has symbolic value that transcends ordinary meaning or use as well as enhances the character and identity of the site.
6. Whether the proposed name has broad public support.

B. Naming Criteria.

1. The following should be considered in determining names for City Assets:
  - a. Context and geographic location. Sites should be given names that directly reflect or are contextually related to the site with common-use names that have developed over time being favored; furthermore, a name should assist the public in identifying its location. The City shall first consider the name of the community area, the names of nearby geographic features, and the names of adjacent schools and streets when it is considering a naming/renaming request.
  - b. Natural or geological features. Names may be based on distinctive, predominant, and defining natural features.
  - c. Historic Events and Places. The history of a major event, place or person may play an important role in the naming or renaming of a site as communities often wish to preserve and honor the history of a neighborhood, the City, local landmarks, or persons of social, cultural or historical significance to the local area. The relationship of the event, person, or place to the City Asset must be demonstrated through research and documentation.
  - d. Outstanding individuals. Naming a City Asset for an outstanding individual is allowed posthumously (at least six months since date of passing), and where that person's significance and good reputation have been accepted in the City's, state's, and/or nation's history.

When considering the naming of a City Asset after a person, consideration will be given when:

- i. The person was exceptionally dedicated or demonstrated excellence in service in ways that made a significant contribution to the land,

community, the City of Cape Coral, State of Florida, or the United States; or

- ii. The person volunteered and gave extraordinary help or care to individuals, families, or groups, or support to the community; or
    - iii. The person risked his or her life to save or protect others; or
    - iv. The person demonstrated commitment to equity, inclusion, and justice.
  - e. Donations. The City has benefited from the generosity of some of its residents, businesses, foundations, and others. On occasion, the significance of such donations may warrant consideration of requests from either the donor or another party to acknowledge such a gift by naming or renaming of a City Asset.
2. Applications for naming/renaming City Assets will not be accepted in the case of any of the following conditions:
- a. Proposed name duplicates the name or feature of another City Asset.
  - b. Proposed name endorses or advocates a specific religion or specific religious entity.
  - c. Proposed name has obscene connotations.
  - d. Proposed name demeans or maliciously portrays any ethnic or racial group.
  - e. Proposed name is an individual that has been found guilty of a felony crime.
  - f. Proposed name endorses or advocates a specific political organization.
3. Exceptions.
- a. Notwithstanding the foregoing, the City may name a City Asset after a living person who meets the following criteria:
    - i. Nominated pursuant to the requirements of this article;
    - ii. Made significant contributions toward improving the quality of life in the City; and
    - iii. Affirmed by a super majority vote of all members of City Council entitled to vote.
  - b. Notwithstanding any other provision in this article, the City Council may, in its sole discretion, name a park or recreation facility after a person who donates parkland.
- C. Renaming of a City Asset is Discouraged. Names that have become widely accepted by the community will not be changed unless there are compelling reasons and strong public sentiment from the broader community for doing so. Historical or commonly used place names will be preserved wherever possible.
- D. Official Name Use Requirements. All departments, agencies, and appointed boards and committees are hereby required to use the official name of all named or renamed City Assets in all communications including, but not limited to, maps, plans, documents, signage, and in all media formats.
- E. Time Limits.
- 1. A City Asset paid for in part or in full by a Donor and named after or on behalf of a Donor may have time limits placed on the name at implementation. Requirements for upkeep may also be contingent for naming purposes.

2. In the event a City Asset is eliminated for any reason, the City may also eliminate the name of said item with no further requirement to rename a like or similar item to replace the eliminated asset.
- F. Commemorative Works. Commemorative works such as plaques, markers, and other appropriate memorials designed to blend with and complement the existing environment may be placed at a park or recreational facility when deemed appropriate.
1. A Commemorative Work request may be initiated by the public for City Council consideration with the requestor bearing all costs for the design, acquisition, construction, and installation of the Commemorative Work. A payment equivalent to the anticipated maintenance cost of the Commemorative Work located at the City Asset for the first year after dedication shall be required after approval and provided prior to dedication. City Council may elect to bear the cost of the Commemorative Work in lieu of the applicant with approval by a supermajority vote.
  2. A Commemorative Work request may be initiated by the City Council, with the City to bear all costs of the Commemorative Work.
- G. Designation Method. The City Attorney, at the direction of the City Council, shall prepare an ordinance for Council consideration in officially naming or renaming a City Asset.

§ 2-167 - Procedure for naming or renaming or commemorative work.

- A. Applications recommending the naming or renaming of a City Asset will be accepted and considered by the City Manager or designee only when the application is received from either:
1. A community-based organization in existence for at least three years. Community organizations include, but are not limited to, advisory councils, community foundations, chambers of commerce, charitable service clubs, and youth associations; or
  2. An individual only when said application is accompanied by at least one of the following items:
    - a. A supporting petition with at least 200 signatures. Petitions must state the intent and include printed names, signatures, addresses, zip codes and telephone numbers of each signer as proof of residency. Only Cape Coral residents over the age of 18 years of age shall be qualified to be counted as a legitimate signature on such petitions.
    - b. Letters of support, articles, and other evidence demonstrating broad-based community support for the application, including at least one letter of recommendation from representatives in the community, such as a community organization (HOA/Civic Association.
    - c. Documentation of that individual's significance and good reputation in the history of the City, State, or Nation.

Written documentation of approval by next of kin to be honored (if available/possible) is required as part of the application.

The submission must include the justification for the proposed name, including how the name meets the criteria in this policy.

- B. Parks, Recreational Facility, or Other Recreational Asset.
1. If the application is for the naming or renaming of a park, recreational facility, or other recreational asset, then the application shall be presented to the ~~Parks and Recreation Advisory Board by the~~ Director of Parks and Recreation. ~~The Parks and Recreation Advisory Board will discuss and hear public discussion for the naming or renaming consideration of a park, recreational facility, or other recreational asset at a regularly scheduled meeting.~~
  2. If there are multiple applications for the naming or renaming of a park, recreational facility, or other recreational asset, after review by the Parks and Recreation Director ~~Advisory Board~~, the top three recommended names will be chosen. The City will accept

public comments and recommendations on the recommended names for a period of no less than 30 days ("Public Notice Period"). Public notice of the recommended names will be placed at a minimum in a local newspaper once during the 30-day period, along with a posting notice at the site of the subject park or recreational facility, or utilizing any other form of social/electronic media to inform the citizens that the City will be considering the naming or renaming of a park, recreation facility, or other recreational asset. Citizen comments and recommendations must be submitted in writing to the Department Director and be postmarked within the 30-day Public Notice Period.

3. If there is a single application for the naming or renaming of a park, recreational facility, or other recreational asset, after review of the proposed name ~~at a~~ by the Parks and Recreation ~~Director Advisory Board meeting~~, the City will accept public comments and recommendations on the proposed name for a period of no less than 30 days ("Public Notice Period"). Public notice of the proposed name will be placed at a minimum in a local newspaper once during the 30-day period, along with a posting notice at the site of the subject park or recreational facility, or utilizing any other form of social/electronic media to inform the citizens that the City will be considering the naming or renaming of a park, recreation facility, or other recreational asset. Citizen comments and recommendations must be submitted in writing to the Department Director and be postmarked within the 30-day Public Notice Period.
4. After the 30-day Public Notice Period, the Parks and Recreation Director, ~~upon recommendation from the Parks and Recreation Advisory Board~~, will submit the proposed name(s) to the City Manager, who will forward the recommendations and any citizen comments to the City Council for consideration and final selection at an upcoming scheduled meeting.

C. Other than Park, Recreational Facility, or Other Recreational Asset.

1. When a person or historical event is recommended as the name for a City Asset other than a park, recreational facility, or other recreational asset, the City Manager or designee shall submit the following information to City Council for its consideration regarding the proposed person or historical event:
  - a. The full name of said person, persons, group, or event;
  - b. The residence of said person or persons, if appropriate, including street address;
  - c. The association, if any, of said person, persons, group, or event, if appropriate, with the site or facility to be named;
  - d. A brief biography of said person, persons, or group, or account of the historical event, if appropriate, including all other dates relevant to the naming.
2. The City will accept public comments and recommendations on the recommended name(s) for a period of no less than 30 days ("Public Notice "Period"). Public notice of the request will be placed at a minimum in a local newspaper once during the 30-day period, along with a posting notice at the City Asset, if applicable, or utilizing any other form of social/electronic media to inform the citizens that the City will be considering the naming or renaming of a City Asset. Citizen comments and recommendation(s) must be submitted in writing to the City's designated representative and be postmarked within the 30-day Public Notice Period.
3. After the 30-day Public Notice Period, the City's designated representative will submit the recommended name(s) to the City Manager or designee, who will forward the recommendation(s) and any citizen comments to the City Council for consideration at an upcoming scheduled meeting.

D. Commemorative Works.

1. A Commemorative Works request may be initiated by the public or City Council. Upon receipt of an application from the Public, the City Manager or designee shall submit the request to the City Council for its consideration, with the requestor bearing all costs for the design, acquisition, construction, and installation of the Commemorative Work. A payment equivalent to the anticipated maintenance cost of the Commemorative Work at the City Asset for the first year after dedication shall be required after approval and

provided prior to dedication. Detailed information, including concept, size, shape, type of material, annual maintenance costs, and total costs, if appropriate, shall be required in the application to be considered for approval by the City Council. City Council may elect to bear the cost of the Commemorative Work in lieu of the applicant with approval by a supermajority vote.  
If the Commemorative Work request is initiated by the City Council, the City shall bear all costs of the Commemorative Work.

- 2. The City will accept public comments and recommendations on the request for a period of no less than 30 days ("Public Notice Period"). Public notice of the request will be placed at a minimum in a local newspaper once during the 30-day period, along with a posting notice at the City Asset, if applicable, or utilizing any other form of social/electronic media to inform the citizens that the City will be considering the placement of a permanent Commemorative Work at a City Asset. Citizen comments and recommendation must be submitted in writing to the City's designated representative and be postmarked within the 30-day Public Notice Period.
- 3. After the 30-day Public Notice Period, the City's designated representative will submit the recommendation(s) to the City Manager or designee, who will forward the recommendation(s) and any citizen comments to the City Council for consideration at an upcoming scheduled meeting.

SECTION 9. The City of Cape Coral Code of Ordinances, Chapter 19, "Water and Sewer Utilities," Article VI, "Utility Franchises," is hereby amended as follows:

**CHAPTER 19: WATER AND SEWER UTILITIES**

**ARTICLE VI: - UTILITY FRANCHISES**

...

§ 19-69 - Definitions.

As used in this article, the following words or terms shall have the meanings indicated.

~~BOARD. The utility hearing board which shall consist of three members, each a City Council member and designated by the City Council.~~

...

SECTION 10. The City of Cape Coral Code of Ordinances, Chapter 20, "Water Wells," is hereby amended as follows:

**CHAPTER 20: WATER WELLS**

§ 20-1 - Definitions.

For the purpose of clarity, certain words and phrases used in this chapter are hereby defined.

...

*WELLS.* Any excavation that is drilled, cored, bored, washed, driven, dug, jetted or otherwise constructed when the intended use of the excavation is to produce or to accept water or to search for water, any test or foundation hole, and/or hydraulic elevator shafts.

- (1) a. **ABANDONED WATER WELL.** A well whose use has been permanently discontinued or a well whose water is not being put to reasonable beneficial use. Any well shall be deemed abandoned which is in a state of disrepair, as determined by the City Manager, or his or her designated representative, such that continued use for a purpose of obtaining groundwater or disposing of water or liquid wastes is impracticable. In addition, any well shall be deemed abandoned which is in such a state of disrepair that it can no longer be used for the purpose intended; or which is classified as an offending well.
- b. **OFFENDING WELL.**



- 1. A well that has been found through approved methods of testing to be introducing chlorides or other nonaquifer fluids into a drinking water aquifer.
- 2. A well producing 500 mg/l or more chlorides into a drinking water aquifer shall be considered an offending well. This well shall be plugged using the approved methods. Any unusual circumstances that are developed through field testing will be referred to the ~~Water Resources Advisory Board~~ City Manager, or his or her designated representative for final determination.

...

§ 20-5 - Well drilling regulations.

...

- (e) Irrigation wells. All large irrigation wells in excess of the following, as well as industrial supply wells must be approved by the City Manager ~~after review by the Water Resources Advisory Board~~:
  - (1) One hundred gallons per minute discharge;
  - (2) Five horsepower pump; or
  - (3) Six inch diameter casing.

...

SECTION 11. Severability. In the event that any portion or Section of this ordinance is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portions or Sections of this ordinance which shall remain in full force and effect.

SECTION 12. Effective Date. This ordinance shall become effective immediately after its adoption by the Cape Coral City Council.

ADOPTED BY THE COUNCIL OF THE CITY OF CAPE CORAL AT ITS REGULAR SESSION THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.

\_\_\_\_\_  
JOHN GUNTER, MAYOR

VOTE OF MAYOR AND COUNCILMEMBERS:

GUNTER	_____	CUMMINGS	_____
STEINKE	_____	WELSH	_____
SHEPPARD	_____	LONG	_____
HAYDEN	_____	COSDEN	_____

ATTESTED TO AND FILED IN MY OFFICE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.

\_\_\_\_\_  
KIMBERLY BRUNS  
CITY CLERK

APPROVED AS TO FORM:



BRIAN R. BARTOS  
DEPUTY CITY ATTORNEY  
Ord/Repeal of Board